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PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 11, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Teach me Thy way, O Lord, that I may walk in Thy truth.—Psalm 86: 11.

Eternal God, our Father, who art the refuge and strength of Thy people in every age and our refuge and strength in this present hour, come Thou anew into our hearts as we bow humbly in Thy presence. Help us to realize our dependence upon Thee, our constant need of Thy strength, Thy guidance, and Thy love. Give us to know that Thou art always with us and that with Thee we can be made ready for every responsibility and equal to every experience.

We pray for peace in our world, for good will among our people, and for a faith in Thee which makes us strong, gives us courage, and helps us on our upward way.

May Thy spirit touch each one of us with healing power. Kindle our faith, make sensitive our consciences, dedicate our strength, fortify us in our troubles, and send us out into this day strong in Thee and in the power of Thy might. In the name of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, August 31, 1967, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 42. Concurrent resolution authorizing the printing for the use of the Senate Banking and Currency Committee, of additional copies of its hearings of the present Congress on housing legislation.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 31, 1967.

The Honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to authority previously granted, the Clerk received from the Secretary of the Senate on Thursday, August 31, 1967, the following message:

That the Senate passed the bill (H.R. 9837) entitled "An act to amend the Legislative Branch Appropriation Act, 1959, as it relates to transportation expenses of Members of the House of Representatives, and for other purposes."

Respectfully yours,
W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

APPOINTMENT OF CONFEREES ON H.R. 9547, THE INTER-AMERICAN BANK ACT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 9547) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the fund for special operations of the Inter-American Development Bank, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. PATMAN, MULTER, BARRETT, Mrs. SULLIVAN, Messrs. REUSS, ASHLEY, WIDNALL, HALPERN, and JOHNSON of Pennsylvania.

FAVORS FOR NAACP

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, as I was watching the news last night, it was shocking to observe the large number of Washington metropolitan motorcycle police officers and Federal park mounted policemen escorting a single leader of the NAACP from my State of Mississippi into the Washington area.

After investigating this situation, I was amazed to learn that the NAACP group required 55 percent of all the motorcycle officers on duty in the District of Columbia, and required 25 percent of all the mounted Park Police on duty. In other words, five of the nine District officers on duty, and two of the eight park officers on duty were used for a total of seven escort officers for this one group.

Mr. Speaker, I realize that the NAACP has oftentimes received special favors in Washington, however, I think it is ridiculous to tie up the major part of the park and metropolitan motorcycle officers to escort one special-interest group into Washington for publicity purposes.

I am of the strong belief that the safety of the Washington motorist requires that these officers be allowed to perform their normal duties, those being to protect all the citizens, not just a special few.

VIETNAM

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, when somebody really wants to disagree with you, he never lets the facts stand in his way.

This seems to be the problem of certain critics and opponents of President Johnson's policies in Vietnam.

About our military involvement, some critics say we cannot win—and we should pull out. Yet the critics are wrong. Our goals are limited. And we are winning.

On our economic and military aid to South Vietnam, some critics say it is wasteful, it is too much, and it is really not our business. Yet our critics are wrong. Economic and military aid has been vital for South Vietnam.

About the recent elections—before they took place—the critics shouted "fraud," "rigged," and what have you. But again, the critics are wrong. The vote by all standards—American and international—was as democratic as in the United States. The field was open to all. The people's voice was heard when a smashing 84 percent of the people came out to vote.

Now the critics have been proven wrong on three basic elements of American policy in South Vietnam. But this will not stop their carping.

What will stop it is a determined support of the American people for President Johnson's policies in Vietnam.

They are the right policies. They aim for peace, independence, self-sufficiency, and freedom.

LEGALIZING ELECTRONIC SURVEILLANCE OF ORGANIZED CRIME CONSPIRACIES

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for

1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. **POFF**. Mr. Speaker, under date of September 7, 1967, I addressed the following letter to the Attorney General of the United States:

SEPTEMBER 7, 1967.

Hon. RAMSEY CLARK,
Attorney General of the United States,
Department of Justice,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: A constituent called me to ask if I have read the articles in the September 1 and September 8 issues of *Life* Magazine. I have done so. If you have not, I urge you to do so.

My constituent wanted to know whether or not the content is factual, and if so, why something hasn't been done about it. I promised to convey the questions to you.

I believe I can anticipate your answers. As appears from the articles themselves, much of the information was acquired by electronic surveillance. Under the present law, wiretap evidence and evidence traceable thereto is tainted and would frustrate any prosecution based thereon.

If this is your answer, and if the wiretap tapes and log entries in the possession of Federal investigators do in fact document the crimes charged in the magazine articles, then I have a question of my own, viz.:

"Does this not fully justify legislation legalizing electronic surveillance of organized crime conspiracies by law enforcement officers acting under court orders in the nature of a search warrant?"

Your reply will be helpful in answering the mail I am beginning to receive on the same subject.

Sincerely,

RICHARD H. POFF.

Mr. Speaker, upon receipt of the Attorney General's response, I will be pleased to read it into the RECORD.

PRODUCTION OF TWO "EDSELS"

Mr. **RIEGLE**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. **RIEGLE**. Mr. Speaker and colleagues, I take this time to indicate that I will be making some remarks later in the day under a special order. These remarks will address the truthfulness of the Secretary of Defense, and they will examine in detail several of the Secretary's encouraging statements on the Vietnam war over a period of 5 years—statements that later events in that connection have proved to be worthless.

It was with amazement and disgust that I learned of the political attack on the Governor of my State of Michigan by the Secretary of Defense. As year after year of inept management of the war in Vietnam has mounted up and the U.S. casualties have multiplied, I wonder how the Defense Secretary can in good conscience find the time to turn away from his duties as Secretary of Defense to launch an attack on Governor Romney. The facts show Secretary McNamara's greatest distinction is that he has produced two "Edsels" in one lifetime. The first nearly crippled the Ford Motor Co. and the second—the vicious Vietnam stalemate—is fast crippling our Nation.

I will elaborate on these issues later in the day on the House floor.

BRAINWASHING

Mr. **HAYS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **HAYS**. Mr. Speaker, I would feel called upon to say a word about the Governor of Michigan. I really think no one should attack him after the statement he made about being brainwashed. Several other Republican Governors took issue with him. It occurs to me that before one can be brainwashed, one should prove he has something to wash.

CONSENT CALENDAR

The **SPEAKER**. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AMENDING THE JOINT RESOLUTION OF MARCH 25, 1953, RELATING TO ELECTRICAL AND MECHANICAL OFFICE EQUIPMENT FOR THE USE OF MEMBERS, OFFICERS, AND COMMITTEES OF THE HOUSE OF REPRESENTATIVES, TO REMOVE SPECIFIC LIMITATIONS ON ELECTRIC TYPEWRITERS FURNISHED TO MEMBERS

The Clerk called the joint resolution (H.J. Res. 516) to amend the joint resolution of March 25, 1953, relating to electrical and mechanical office equipment for the use of Members, officers, and committees of the House of Representatives, to remove specific limitations on electric typewriters furnished to Members.

Mr. **GROSS**. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING SECTION 1730 OF TITLE 18, UNITED STATES CODE, TO PERMIT THE UNIFORM OR BADGE OF THE LETTER-CARRIER BRANCH OF THE POSTAL SERVICE TO BE WORN IN THEATRICAL, TELEVISION, OR MOTION-PICTURE PRODUCTIONS UNDER CERTAIN CIRCUMSTANCES

The Clerk called the bill (H.R. 10773) to amend section 1730 of title 18, United States Code, to permit the uniform or badge of the letter-carrier branch of the postal service to be worn in theatrical, television, or motion-picture productions under certain circumstances.

There being no objection, the Clerk read the bill, as follows:

H.R. 10773

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1730 of title 18, United States Code, is hereby amended by adding thereto a new paragraph, immediately following the end of the present provision, which shall read as follows:

"The provisions of the preceding paragraph shall not apply to an actor or actress in a theatrical, television, or motion-picture production who wears the uniform or badge of the letter-carrier branch of the postal service while portraying a member of that service, if the portrayal does not tend to discredit that service."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAUGUS IRON WORKS NATIONAL HISTORIC SITE, MASS.

The Clerk called the bill (H.R. 1308) to establish the Saugus Iron Works National Historic Site in the State of Massachusetts, and for other purposes.

Mr. **PELLY**. Mr. Speaker, at the request of another Member who cannot be present today, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Washington?

There was no objection.

TRAINING OPPORTUNITIES FOR FEDERAL LEGISLATIVE EMPLOYEES

The Clerk called the bill (H.R. 3810) to provide training opportunities for persons employed in the legislative branch of the Government.

There being no objection, the Clerk read the bill as follows:

H.R. 3810

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 41 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 4119. Employees of the Congress

"(a) Subject to the exceptions in subsection (b) of this section, employees of the Senate, of the House of Representatives, and of the Office of the Architect of the Capitol (including employees of the House and Senate Restaurants so long as such restaurants are operated by the Architect of the Capitol and employees of the United States Botanic Garden) may be selected and assigned for training by, in, or through Government facilities or non-Government facilities, and the expenses for such training may be paid in the manner provided by the foregoing provisions of this chapter, in accordance with regulations of the President pro tempore of the Senate with respect to employees of the Senate, in accordance with regulations of the Speaker of the House of Representatives with respect to employees of the House of Representatives, and in accordance with regulations of the Architect of the Capitol with respect to employees of the Office of the Architect of the Capitol, including the above referred to employees of the House and Senate Restaurants and the United States Botanic Garden.

"(b) The following provisions of this chapter, which pertain to the operational structure of the executive branch of the Government, shall not apply with respect to the training of employees of the Congress under this section: subparagraphs (1), (2), and (3) of section 4101; section 4102; section

4103; the last sentence of subsection (a), and subsection (b), of section 4106; the last sentence of section 4108; the words 'under the regulations prescribed under section 4118 (a) (8) of this title and from appropriations or other funds available to the agency' in section 4109(a); and sections 4112, 4113, 4114, 4116, 4117, and 4118.

"(c) The Civil Service Commission shall provide the President pro tempore of the Senate, the Speaker of the House of Representatives, and the Architect of the Capitol with such advice and assistance as they may request in order to enable such officials to carry out the purposes of this section.

(b) The table of contents of chapter 41 of title 5, United States Code, is amended by adding at the end thereof the following:

"4119. Employees of the Congress.".

With the following committee amendment:

On page 3, immediately after the first period and before the quotation marks in line 6, insert the following: "There is hereby authorized to be appropriated each fiscal year not to exceed the sum of $10,000 to carry out the purposes of this section."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO GRANT LONG-TERM LEASES WITH RESPECT TO LANDS IN THE EL PORTAL ADMINISTRATIVE SITE ADJACENT TO YOSEMITE NATIONAL PARK, CALIF., AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 4739) to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 4739

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the purposes of the Act entitled "An Act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, California, on lands adjacent to the park, and for other purposes," approved September 2, 1958 (72 Stat. 1772), the Secretary of the Interior is authorized, notwithstanding any other provision of law, to lease lands within the El Portal administrative site for periods of fifty years to any operator of concession facilities in the park, or its successor, for purposes of providing employee housing. Such leases shall provide that the concessioner may sublease the property to its employees for terms not to exceed the remaining terms of such leases, and they shall be subject to such terms and conditions as the Secretary of the Interior may require to assure appropriate administration, protection, and development of the land for purposes incident to the provisions of facilities and services required in the operation and administration of the park: *Provided,* That the Secretary of the Interior shall grant such leases in consideration of an annual payment to the United States of not less than 4 per centum of the fair market value of the leased lands, as determined by him at the beginning of each calendar year.

SEC. 2. The Secretary of the Interior may enter into agreements with other Federal agencies and with any concessioner or its successor in order to effectuate the purposes of this Act.

With the following committee amendments:

On page 2, line 1, strike out "fifty years" and insert "fifty-five years".

On page 2, lines 13 and 14, strike out "not less than 4 per centum of the fair market value" and insert "the fair rental value".

The committee amendments were agreed to.

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. JOHNSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I rise in support of H.R. 4739, legislation I introduced authorizing the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park.

You will recall that the 85th Congress recognized the tremendous pressures which have been and are being placed on Yosemite National Park for tourist accommodations.

We have exceeded the 1,800,000-visitor mark and our visitor load at this most beautiful national park facility continues to grow.

In an effort to meet this demand, the 85th Congress authorized the establishment of an administrative site in El Portal just outside the park boundaries.

Much of the National Park Service and concessionaire administrative and housekeeping facilities were to be transferred there.

This transfer began in March, 1958, when the National Park Service advised the concessionaire that employee housing would be razed and employee trailer housing would be eliminated within a year or so.

It was contemplated, at that time, that concessioner employees, with few exceptions, would move to the El Portal site.

Only those people working irregular hours, plus a few supervisory and emergency personnel would continue to live in the valley.

Accordingly, the Yosemite Park and Curry Co., which is the principal concessionaire in the park, was faced with the problem of finding places for its approximately 300 employees to live.

At the time the decision was made to move the housing from the valley, virtually all of these were living in the park proper.

The net result was that additional new housing had to be constructed at El Portal.

The overriding priority of the Mission 66 program to provide adequate guest facility improvements absorbed all the available funds which the company had for construction.

Accordingly, the company had to look to other sources for financing.

It was at this point the problem which we hope to correct here, today, was discovered.

The land on which these houses would be constructed is owned by the Federal Government.

The legislation which established the administrative site limited the National Park Service to a 30-year term for any leases which would be issued.

The Federal Housing Administration has indicated a desire to assist those people working in the park to build homes in El Portal.

However, they are prevented from doing so by a statutory authority which prevents them from insuring a mortgage on a leasehold interest of less than 50 years.

Thus, in our efforts to provide adequate housing for the people in the park, we have reached an impasse which can be summarized as follows: The Park Service has advised the concessionaire that in keeping with the master plan for Yosemite Valley, no employee housing will be permitted in the valley.

The concessionaire has been advised to develop its employee housing at El Portal.

Participation by FHA cannot be accomplished without special legislation.

By the same token, the concessionaire cannot afford to develop this housing without FHA participation.

This, therefore, is the reason I have introduced my bill, H.R. 4739, permitting the Secretary of the Interior to lease lands within the El Portal administrative site for periods of 55 years to any operator of concession facilities in the park or its successor, for purposes of providing employee housing.

This, basically, is what we ask here, today.

I believe we have the support of the National Park Service in making this request, which I believe is a very fair and reasonable request. I urge the passage of H.R. 4739.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PUBLIC LAW 87-752 (76 STAT. 749) TO ELIMINATE THE REQUIREMENT OF A RESERVATION OF CERTAIN MINERAL RIGHTS TO THE UNITED STATES

The Clerk called the bill (H.R. 5091) to amend Public Law 87-752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States.

There being no objection, the Clerk read the bill, as follows:

H.R. 5091

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to direct the Secretary of the Interior to convey certain public lands in the State of California to the city of Needles", approved October 5, 1962 (Public Law 87-752; 76 Stat. 749), is amended by striking out "with a reservation to the United States of the coal, phosphate, sodium, potassium, oil, gas, oil shale, native asphalt, solid and semisolid bitumen and bitumous rock (including oilimpregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), together with the right to prospect for, mine, and remove the same under applicable provisions of law".

With the following committee amendment:

Page 2, after line 4, add a new section as follows:

"Sec. 2. The Secretary of the Interior is authorized to convey to the city of Needles, California, or its successor in interest all mineral rights reserved to the United States in any conveyance made to said city pursuant to the Act of October 5, 1962 (Public Law 87–752; 76 Stat. 749), upon payment by the grantee of the fair market value of the interest conveyed, as determined by the Secretary of the Interior, plus the administrative costs of such conveyance."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

E. F. FORT, CORA LEE FORT CORBETT, AND W. R. FORT

The Clerk called the bill (H.R. 2661) for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. INGE HEMMERSBACH HILTON

The Clerk called the bill (H.R. 6096) for the relief of Mrs. Inge Hemmersbach Hilton.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MRS. CHIN SHEE SHIU

The Clerk called the bill (S. 636) for the relief of Mrs. Chin Shee Shiu.

There being no objection, the Clerk read the bill, as follows:

S. 636

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembed, That, notwithstanding any provision of the Railroad Retirement Act of 1937 to the contrary, the Railroad Retirement Board is authorized and directed to determine and certify to the Secretary of the Treasury the aggregate amount of widow's annuity which would have been payable, under such Act, to Mrs. Chin Shee Shiu, the widow of Moy Lam Shiu (Social Security Account Number 707–14–8881) for the period beginning on the earliest date for which she could (upon filing application therefor) have become entitled to a widow's annuity under such Act as the widow of the said Moy Lam Shiu and ending with the date with respect to which she first commenced to receive a widow's annuity under such Act as the widow of the said Moy Lam Shiu; and the Secretary of the Treasury is authorized and directed to pay to the said Mrs. Chin Shee Shiu (out of the Railroad Retirement Account in the Treasury) an amount equal to the amount so certified by such Board.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARA B. HYSSONG

The Clerk called the bill (H.R. 1655) for the relief of Clara B. Hyssong.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CHILDREN OF MRS. DORIS E. WARREN

The Clerk called the bill (H.R. 2454) for the relief of the children of Mrs. Doris E. Warren.

There being no objection, the Clerk read the bill as follows:

H.R. 2454

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each child of Mrs. Doris E. Warren, of Madison, Wisconsin, widow of Curtis Warren (Veterans' Administration claim numbered XC–09728-347), the amount which the Administrator of Veterans' Affairs certifies to him and would have been payable to each such child under laws administered by the Veterans' Administration for the period from April 7, 1958, to the date on which each such child actually began receiving a pension under section 542 of title 38, United States Code. No part of the amount appropriated in this Act for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAURITZ A. STERNER

The Clerk called the bill (H.R. 3865) for the relief of Mauritz A. Sterner.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MRS. HAZEL M. LaFRANCE

The Clerk called the bill (H.R. 5025) to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on certain claims of Mrs. Hazel M. LaFrance against the United States.

There being no objection, the Clerk read the bill as follows:

H.R. 5025

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is conferred on the United States Court of Claims to hear, determine, and render judgment on the claims of Mrs. Hazel M. LaFrance, of Hollywood, California, against the United States (1) arising out of the seizure and sale of the California College of Business, Los Angeles, California, and (2) for amounts alleged to be owed her by the United States on account of training furnished students attending the California College of Business under the provisions of the Servicemen's Readjustment Act of 1944.

Sec. 2. Any suit upon the claims referred to in the first section of this Act must be instituted within the one-year period beginning on the date of enactment of this Act. Defenses of the United States based on res adjudicata, laches, lapse of time, or any statute of limitations are hereby waived. Appeals from and payment of any judgment entered in such suit shall be in the same manner as in cases over which the court has jurisdiction pursuant to section 1491 of title 28 of the United States Code. Nothing in this Act shall be construed as an admission of liability on the part of the United States.

DR. EMANUEL MARCUS

The Clerk called the bill (H.R. 7599) for the relief of Dr. Emanuel Marcus.

There being no objection, the Clerk read the bill, as follows:

H.R. 7599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the failure of Doctor Emanuel Marcus to meet the licensure requirements of section 4105 of title 38, United States Code, and applicable antecedent statutes, his employment in the Department of Medicine and Surgery of the Veterans' Administration during the period beginning October 29, 1946, and ending April 15, 1966, shall be held and considered to have been de jure for the purpose of retroactive coverage for all benefits under the Civil Service Retirement Act of July 31, 1956, as amended (5 U.S.C. 2251–2267), credit for earned annual and sick leave and payment of final salary.

With the following committee amendment:

On page 1, lines 10 and 11, and page 2, line 1, strike "the Civil Service Retirement Act of July 31, 1956, as amended (5 U.S.C. 2251–2267)" and insert "Subchapter III of Chapter 83, Title 5, United States Code".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 8091) for the relief of Charles Waverly Watson, Jr.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SETSUKO WILSON (NEE HIRANAKA)

The Clerk called the bill (S. 534) for the relief of Setsuko Wilson (Nee Hiranaka).

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MARIA KOLOMETROUTSIS

The Clerk called the bill (H.R. 7427) for the relief of Maria Kolometroutsis.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JOHN J. McGRATH

The Clerk called the bill (H.R. 2477) for the relief of John J. McGrath.

There being no objection, the Clerk read the bill, as follows:

H.R. 2477

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John J. McGrath, of Albany, Georgia, the sum of $879. Such sum represents the amount which the said John J. McGrath, a letter carrier in the United States post office at Albany, Georgia, was required to pay the United States for the loss of registered mail which was apparently stolen on November 13, 1964, from the mail truck used by the said John J. McGrath. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HUBERT ASHE

The Clerk called the bill (H.R. 4404) for the relief of Hubert Ashe.

Mr. TALCOTT. Mr. Speaker, reluctantly, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

JOANNE MARIE EVANS

The Clerk called the bill (H.R. 5368) for the relief of Joanne Marie Evans.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

COL. GILMOUR C. MacDONALD, U.S. AIR FORCE, RETIRED

The Clerk called the bill (H.R. 10932) for the relief of Gilmour C. MacDonald, colonel, U.S. Air Force, retired.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ELPIDIO AND NATIVIDAD DAMAZO

The Clerk called the bill (H.R. 3727) for the relief of Elpidio and Natividad Damazo.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RESERVED PHOSPHATE INTERESTS IN FLORIDA

The Clerk called the bill (H.R. 9085) to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof.

There being no objection, the Clerk read the bill, as follows:

H.R. 9085

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey, sell, and quitclaim all phosphate interests now owned by the United States in and to the hereinafter described lands located in Sarasota County, Florida, to Hollis P. Bacon and his wife, Emma G. Bacon, the record owners of the surface rights thereof: The south half of the southwest quarter of section 13, township 36 south, range 19 east, and the north half of the northwest quarter of section 24, township 36 south, range 19 east, Tallahassee meridian, Florida.

SEC. 2. In the event that the Secretary of the Interior determines that the lands described in the first section are not prospectively valuable for phosphate, he shall convey the reserved phosphate interests to the record owners of the surface rights referred to in such first section upon the payment of a sum of $200 to reimburse the United States for the administrative costs of the conveyance; otherwise, the phosphate interests shall be sold to such record owners of the surface rights upon the payment of a sum equal to $200 plus the fair market value of the phosphate interests as determined by the Secretary after taking into consideration such appraisals as he deems necessary.

SEC. 3. Proceeds from the sale made hereunder shall be covered into the Treasury of the United States as miscellaneous receipts.

With the following committee amendments:

On page 1, lines 6 and 7, strike out "Hollis P. Bacon and his wife, Emma G. Bacon,"

On page 2, line 15, add the following new sentence: "No conveyance shall be made unless such payment is made within one year after the Secretary notifies the beneficiaries of the bill of the total amount to be paid."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARTHA BLANKENSHIP

The Clerk called the bill (S. 117) for the relief of Martha Blankenship.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CWO CHARLES M. BICKART, U.S. MARINE CORPS, RETIRED

The Clerk called the bill (S. 163) for the relief of CWO Charles M. Bickart, U.S. Marine Corps, retired.

There being no objection, the Clerk read the bill, as follows:

S. 163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Chief Warrant Officer Charles M. Bickart, United States Marine Corps (retired), is hereby relieved of all liability for repayment to the United States of the sum of $6,407.49, representing the amount of overpayments of retired pay received by the said Chief Warrant Officer Charles M. Bickart (retired), for the period from July 1, 1955, through September 30, 1963, as a result of administrative error in the computation of his retired pay. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Chief Warrant Officer Charles M. Bickart (retired), referred to in the first section of this Act, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WIDOW OF ALBERT M. PEPOON

The Clerk called the bill (S. 477) for the relief of the widow of Albert M. Pepoon.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to

the request of the gentleman from California?

There was no objection.

CAPT. ROBERT C. CRISP, U.S. AIR FORCE

The Clerk called the bill (S. 653) for the relief of Capt. Robert C. Crisp, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

S. 653

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain Robert C. Crisp, United States Air Force, is hereby relieved of all liability for repayment to the United States of the sum of $2,794.70, representing the amount of overpayment of basic pay and flight pay received by the said Captain Robert C. Crisp, for the period from August 21, 1958, through December 31, 1964, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Captain Robert C. Crisp, referred to in the first section of this Act, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

With the following committee amendment:

Page 2, after line 8, insert: "No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed and a motion to reconsider was laid on the table.

VIRGILE POSFAY

The Clerk called the bill (H.R. 1884) for the relief of Virgile Posfay.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

EMPLOYEES OF GENERAL SERVICES ADMINISTRATION

The Clerk called the bill (H.R. 1963) for the relief of employees of General Services Administration.

There being no objection, the Clerk read the bill as follows:

H.R. 1963

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Administrative Expenses Act of 1946 (60 Stat. 806, as amended), including Public Law 89–516 (80 Stat. 323) and regulations issued pursuant thereto, the Administrator of General Services is authorized and directed to pay, out of appropriations otherwise available for the reimbursement of expenses incurred in traveling and moving household effects by employees of General Services Administration, to those employees of General Services Administration who were ordered to report for duty in Fort Worth, Texas, on July 18, 1966, incident to the transfer of the Regional Offices of General Services Administration from Dallas, Texas, to Fort Worth, Texas, such amounts for expenses as have been or will be incurred by them in connection with said transfer of their duty station that they would otherwise be entitled to pursuant to Administrative Expenses Act of 1946, as amended: *Provided,* That such expenses have been or will be incurred within one year from the effective date of this Act and do not exceed the monetary limitations set forth in regulations issued pursuant to said Act as amended: *Provided further,* That the amounts paid in each case shall be subject to administrative determination by the General Services Administration and audit by the General Accounting Office: *Provided further,* That no part of the respective amounts authorized to be paid by this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim of any of said employees, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That the Administrator of General Services is authorized and directed to pay out of appropriations available for payment travel expenses to those employees of the General Services Administration formerly stationed in Dallas, Texas, who were ordered to report for duty at their new duty station in Fort Worth, Texas, on July 18, 1966, incident to the relocation of the regional offices of the General Services Administration from Dallas, Texas, to Fort Worth, Texas, the travel and transporation expenses and other relocation allowances authorized by the Administrative Expenses Act of 1946 (60 Stat. 806, as amended), including the amendments thereto as contained in Public Law 89–516 (80 Stat. 323), in accordance with the provisions of the regulations of the Bureau of the Budget contained in Circular No. A–56 Revised, October 12, 1966, except that the time limitations contained in sections 1.3d and 4.1d of the Circular will not be applied to expenses incurred within six months of the effective date of this Act: *Provided,* That no part of the amounts authorized to be paid by this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim of any of said employees, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

D. M. DEW & SONS, INC., AND DEWEY CAMPBELL

The Clerk called the bill (H.R. 3498) for the relief of D. M. Dew & Sons, Inc., and Dewey Campbell.

There being no objection, the Clerk read the bill, as follows:

H.R. 3498

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall pay $777.85 to D. M. Dew and Sons, Incorporated, of Latta, South Carolina, and $777.85 to Dewey Campbell of Latta, South Carolina, in full settlement of all their claims against the United States arising out of the failure of the Federal Crop Insurance Corporation to pay their claim under contract number 56–017–1727 for a crop loss in 1965. Payment cannot be made by the Corporation because the insured was unaware of the procedure and time limitations for making claims, and failed to file a claim in time for consideration and payment by the Corporation, although such claim was filed in time for the Corporation to investigate and adjust the loss at the amount of $1,555.70. No part of either of the sums appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES E. DENMAN

The Clerk called the bill (H.R. 5199) for the relief of James E. Denman.

There being no objection, the Clerk read the bill, as follows:

H.R. 5199

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James E. Denman, Rural Route 1, Ashville, Ohio, the sum of $566. Such sum is the aggregate of the amounts of six United States postal money orders (serial numbers 37719, 37720, 38391, 38392, 38989, and 42345, issued in April and May 1946) purchased by the said James E. Denman and subsequently misplaced. The payment of such money orders could not lawfully be made by the Postmaster General, when such money orders were found and presented for payment, because of the provision of section 5103(d) of title 39, United States Code, which prohibits payment of money orders after twenty years from the last day of the month of original issue.

SEC. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 2, line 7, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. SOPHIE MICHALOWSKA

The Clerk called the bill (H.R. 5233) for the relief of Mrs. Sophie Michalowska.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

SECOND LT. ALLAN L. SCHOOLER

The Clerk called the bill (H.R. 6325) for the relief of 2d Lt. Allan L. Schooler.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

WILLARD HERNDON RUSK

The Clerk called the bill (H.R. 8088) for the relief of Willard Herndon Rusk.

There being no objection, the Clerk read the bill, as follows:

H.R. 8088

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized and directed to pay, out of current appropriations available for the payment of severance pay to Lieutenant Willard Herndon Rusk, who was discharged from the United States Navy on March 24, 1966, an amount equal to the difference between (a) the amount of severance pay which would have been paid to said person upon his discharge from the United States Navy if the computation of such severance pay had been based upon his actual commissioned service in the United States Navy, and (b) the amount of severance pay actually paid to him.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTHUR ANDERSON

The Clerk called the bill (H.R. 10655) for the relief of Arthur Anderson.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

REFER BILL FOR RELIEF OF FRANCES VON WEDEL

The Clerk called the resolution (H. Res. 508) to refer the bill (H.R. 1734) entitled "A bill for the relief of Frances von Wedel" to the chief commissioner of the Court of Claims in accordance with sections 1492 and 2509 of title 28, United States Code.

There being no objection, the Clerk read the resolution, as follows:

H. RES. 508

Resolved, That H.R. 1734 entitled "A bill for the relief of Frances von Wedel" together with all accompanying papers is hereby referred to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, for further proceedings in accordance with applicable law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REFER BILL FOR RELIEF OF DR. ABRAHAM RUCHWARGER

The Clerk called the resolution (H. Res. 493) to refer the bill (H.R. 9326) entitled "A bill for the relief of Dr. Abraham Ruchwarger" to the chief commissioner of the Court of Claims pursuant to sections 1982 and 2509 of title 28, United States Code.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

LIM AI RAN AND LIM SOO RAN

The Clerk called the bill (H.R. 1948) for the relief of Lim Ai Ran and Lim Soo Ran.

There being no objection, the Clerk read the bill, as follows:

H.R. 1948

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, section 204(c), relating to the number of petitions which may be approved in behalf of orphans, shall be inapplicable in the case of a petition filed in behalf of Lim Ai Ran and Lim Soo Ran by Mr. and Mrs. Everett S. Clark, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANGELIQUE KOUSOULAS

The Clerk called the bill (H.R. 1960) for the relief of Angelique Kousoulas.

There being no objection, the Clerk read the bill, as follows:

H.R. 1960

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Angelique Kousoulas may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Christos and Golfo Kousoulas, citizens of the United States, pursuant to section 204 of the Act.

With the following committee amendment:

On page 1, line 8, at the end of the bill, change the period to a colon and add the following:

"*Provided,* That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YIM MEI LAM

The Clerk called the bill (H.R. 3430) for the relief of Yim Mei Lam.

There being no objection, the Clerk read the bill, as follows:

H.R. 3430

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Yim Mei Lam may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Gun Lee, citizens of the United States, pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

With the following committee amendment:

Beginning on page 1, line 4, after the words "may be classified as" strike out the remainder of the bill and insert in lieu thereof the following: "a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Gun Lee, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YOO YOUNG HUI

The Clerk called the bill (H.R. 2464) for the relief of Yoo Young Hui.

There being no objection, the Clerk read the bill, as follows:

H.R. 2464

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Yoo Young Hui, the fiance of Thomas H. Miner, a citizen of the United States, and her minor child, Ok Young, shall be eligible for visas as nonimmigrant temporary visitors for a period of three months: *Provided,* That the administrative authorities find that the said Yoo Young Hui is coming to the United States with a bona fide intention of being married to the said Thomas H. Miner, and that they are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Yoo Young Hui and Ok Young, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Thomas H. Miner, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Yoo Young Hui and Ok Young as of the date of the payment by them of the required visa fees.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Yoo Young Hui, and her daughter, Ok Young."

A motion to reconsider was laid on the table.

YONG OK ESPANTOSO

The Clerk called the bill (H.R. 2978) for the relief of Young Ok Espantoso.

There being no objection, the Clerk read the bill, as follows:

H.R. 2978

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Yong Ok Espantoso shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraph (1) through (8) of section 203(a) of the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of section 201(d) of the Immigration and Nationality Act Yong Ok Espantoso shall be held and considered to be an "immediate relative" and the provisions of section 204 of that Act shall be inapplicable in her case."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GIUSEPPE DE STEFANO

The Clerk called the bill (H.R. 3734) for the relief of Giuseppe De Stefano.

There being no objection, the Clerk read the bill, as follows:

H.R. 3734

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Giuseppe De Stefano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the Attorney General is authorized and directed to cancel any outstanding orders, and warrants of deportations, warrants of arrest, and bond, which may have issued in the case of Giuseppe De Stefano. From and after the date of the enactment of this Act, the said Giuseppe De Stefano shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY BERNADETTE LINEHAN

The Clerk called the bill (H.R. 4534) for the relief of Mary Bernadette Linehan.

There being no objection, the Clerk read the bill, as follows:

H.R. 4534

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of paragraph (7) of section 301(a) of the Immigration and Nationality Act, John Guiney Linehan, a citizen of the United States, shall be held and considered to have resided in and to have been physically present in the United States, prior to the birth of his natural child, Mary Bernadette Linehan, for a period of five years after he had attained the age of fourteen years.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The **SPEAKER.** This concludes the call of the Private Calendar.

AMENDING SECTION 2733, TITLE 10, UNITED STATES CODE

Mr. **ASHMORE.** Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 206) to amend section 2733 of title 10 of the United States Code, to include authority for the settlement of claims incident to the noncombat activity of the Coast Guard while it is operating as a service in the Department of the Treasury, to increase the authority which may be delegated to an officer or civilian attorney under subsection (g) of section 2733 from $1,000 to $2,500, and for other purposes, as amended.

The Clerk read as follows:

H.R. 206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 2733 of title 10 of the United States Code, is amended to read as follows:

"(a) Under such regulations as the Secretary concerned may prescribe, he, or, subject to appeal to him, the Judge Advocate General of an armed force under his jurisdiction, or the chief legal officer of the Coast Guard, as appropriate, if designated by him, may settle and pay in an amount not more than $5,000, a claim against the United States for—

"(1) damage to or loss of real property, including damage or loss incident to use and occupancy;

"(2) damage to or loss of personal property, including property bailed to the United States and including registered or insured mail damaged, lost, or destroyed by a criminal act while in the possession of the Army, Navy, Air Force, Marine Corps, or Coast Guard, as the case may be; or

"(3) personal injury or death;

either caused by a civilian officer or employee of that department, or the Coast Guard, or a member of the Army, Navy, Air Force, Marine Corps, or Coast Guard, as the case may be, acting within the scope of his employment, or otherwise incident to noncombat activities of that department, or the Coast Guard."

SEC. 2. Section 645 of title 14 of the United States Code is repealed two years after the effective date of this Act.

SEC. 3. Subsection (g) of section 2733 of title 10, United States Code, is amended to read as follows:

"(g) In any case where the amount to be paid is not more than $2,500, the authority contained in subsection (a) may be delegated to any officer of an armed force under the jurisdiction of the department concerned, subject to appeal to the Secretary concerned, or his designee for that purpose."

SEC. 4. Section 2733 of title 10, United States Code, is amended by the addition of a new subsection (h) as follows:

"(h) Under such regulations as the Secretary of Defense may prescribe, he or his designee has the same authority as the Secretary of a military department under this section with respect to the settlement of claims based on damage, loss, personal injury, or death caused by a civilian officer or employee of the Department of Defense acting within the scope of his employment or otherwise incident to noncombat activities of that department."

SEC. 5. Subsection (d) of section 2733 of title 10, United States Code, is amended to read as follows:

"(d) If the Secretary concerned considers that a claim in excess of $5,000 is meritorious and would otherwise be covered by this section, he may pay the claimant $5,000 and report the excess to Congress for its consideration."

SEC. 6. Subsection (f) of section 715 of title 32, United States Code, is amended to read as follows:

"(f) In any case where the amount to be paid is not more than $2,500, the authority contained in subsection (a) may be delegated to any officer of the Army or the Air Force, as the case may be, who has been delegated authority under section 2733(g) of title 10, to settle similar claims, subject to appeal to the Secretary concerned, or his designee for that purpose."

The **SPEAKER.** Is a second demanded?

Mr. **POFF.** Mr. Speaker, I demand a second.

The **SPEAKER.** Without objection, a second will be considered as ordered.

There was no objection.

Mr. **ASHMORE.** Mr. Speaker, H.R. 206 has as its purpose the amendment of existing law to provide uniform authority and procedures in the settlement of military claims. The bill amends section 2733 of title 10 of the United States Code which is known as the Military Claims Act, and amends section 715 of title 32 in a similar manner for section 715 provides for the settlement of military claims arising from National Guard activity. The claims that are involved are those which arise as the result of the noncombat activity of the armed services. However, as presently written, the Coast Guard does not have the same authority as is now vested in the Army, Navy, and Air Force for the settlement of this type claim.

This bill provides for the necessary amendment of the section to grant this authority to the Secretary of Transportation for the settlement of claims arising from Coast Guard activity. Similarly, the amendments grant the Secretary of Defense the authority to settle claims arising out of the activity of the employees of the Department of Defense in the same manner as the Secretaries of the military departments may settle claims arising from the activities of their employees.

At the subcommittee hearing on this bill, the representatives of the Coast Guard indicated their support for the amendments and stated that placing the Coast Guard on a parity as the other Armed Forces is a needed addition to this section of the law. The Coast Guard has encountered situations where Coast Guard units have been stationed in areas along with other units of the Armed Forces and from time to time people have erroneously assumed that the Coast Guard had the equivalent authority granted to the other Armed Forces to settle claims of this type.

Since the bill would extend Military Claims Act settlement authority for the Coast Guard, a limited provision in title 14 granting authority to settle claims up to $1,000 would be repealed as provided in section 2 of the bill. This section is section 645 of title 14 and its repeal is authorized to avoid unnecessary duplication consistent with the purpose of this bill which is to insure uniform authority and procedures in the settlement of military claims.

The bill, as amended, provides for an increase in the amount of authority for settlement which may be delegated from $1,000 to $2,500. This authority is contained in subsection (g) of section 2733 of title 10. Section 715 of title 32, National Guard title, was patterned after the Military Claims Act to provide for the settlement of claims arising out of National Guard activity. Subsection (f) of section 715 contains provision for the delegation of settlement authority which is presently set at $1,000. The amendment increasing this authority was originally the subject of a separate bill, H.R. 205, which also was favorably reported on by the Department of the Air Force. The committee felt it would be proper for the bill H.R. 206 to provide for the uniform amendment of both sections.

The limits upon the power of the Secretary concerned or the Judge Advocate General to delegate settlement authority restricts the number of smaller claims which may be settled in the field and this can result in delay in the settlement of claims. Enactment of the amendments to these two subsections will result in a more expeditious processing of claims and the committee finds a proportionate reduction in the cost in claims administration can be realized therefor.

In the report on H.R. 206 and also in the report on H.R. 205, the Department of the Air Force notes that a limit of $2,500 is consistent with the practice followed as to delegation of authority under other claims statutes. It is also pertinent to note that prior to the recent amendments to the Tort Claims Act—Public Law 89-506 approved July 18, 1966—80 Stat. 306, which removed the limits for administrative settlement, the limit for administrative settlement under the Federal Tort Claims Act was $2,500, the figure stated in the present bill. The committee also notes that this amendment would not change the nature of the claims filed or considered at this level. It merely means that claims for not more than $2,500 may be settled without reference to the Judge Advocate General of the service concerned. We felt that the efficiency and fairness in claims administration depends to a large degree upon the personnel who are called upon to first investigate and consider the claim. These individuals have the best opportunity to weigh the evidence and make a fair and objective evaluation of the claim involved.

The increase of authority provided by this particular amendment will enhance the expeditious settlement of claims by the persons in the best position to do so. A large number of claims under this section can be expected to fall within the $2,500 limit. The simplification in administrative procedures incident to approval of settlements by top authority for the smaller type of claims settlements will reduce the cost of claims administration.

On the basis of the information gathered by the committee in the course of the hearing and from reports secured from the interested departments, it was determined that the enactment of these amendments would not greatly increase the numbers of claims or settlements. As is indicated in the committee report, the amendments relating to settlement procedures would not have the effect of adding authority to settle new claims but merely to deal more efficiently with those filed under the section. On the other hand, new claims settlement authority is granted as to the Coast Guard and the Department of Defense. The effect of the addition of the Coast Guard to this section is that claims for more than $1,000 may be considered and settled. However, the experience of the Coast Guard has been that only a limited number of incidents have occurred which would give rise to this type of claim.

Of course, there is a possibility that events such as air crashes giving rise to larger claims may occur in the future and it is only logical that the Coast Guard have the authority to settle such claims. In the past year, the Coast Guard had six claims filed for settlement under the present section of title 14 which provides for the settlement of claims up to $1,000 and all of them were settled within that figure. The extension of authority to the Secretary of Defense merely parallels the authority of the military secretaries to settle claims incident to the noncombat activity of civilian personnel within their departments.

There is no experience as to claims of this type but it should be observed that the claims incident to the activity of military personnel would be settled in the same manner as is presently being done by the military secretaries.

On July 11, 1967, the House passed the bill, H.R. 10482. The bill, H.R. 10482, was introduced in accordance with the recommendations of an executive communication from the Department of the Air Force, which included amendment of subsection (g) of section 2733 of title 10. The language approved by the House at that time was to provide for authority for the delegation of appellate jurisdiction for settlements made under the authority of subsection (g) and within the monetary limitations of that subsection. This was done by providing that the settlements would be "subject to appeal to the Secretary concerned, or his designee for that purpose." It was felt that since the language in H.R. 206 restated the language of the section, it is necessary to include the same language as was approved by the House with the passage of H.R. 10482. Accordingly, the committee amendment includes that language. The same language is included in the amendment to subsection (f) of section 715 of title 32, as provided in a new section 6 to the bill added by committee amendment, the parallel section concerning military claims arising from activities of the National Guard. As has been noted, this fulfills the purpose of the bill in providing for uniform procedures and provisions concerning the same type of claims.

The additional authority provided for the Coast Guard and for the settlement of claims arising from the activities of the Department of Defense personnel will correct present deficiencies in the law. The procedural improvements and changes provided in the bill will make it possible to increase the efficiency of claims administration. It is recommended that the amended bill be considered favorably.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding. I understand that this bill applies to the Coast Guard and the National Guard only when they are not engaged in combat duty. Is that correct?

Mr. ASHMORE. That is correct.

Mr. HALL. The gentleman well knows, since he has a bill for fixing accountancy vis-a-vis responsibility in casualty and loss cases in the hopper which would eliminate many private bills; that we are concerned with those who suffer loss while in combat duty, even more so. This bill will not affect, for example, the Coast Guard when it is Federalized or the National Guard when it is Federalized and on duty with the Navy or with another division of the armed services; for example, our Coast Guardsmen who are on the coast of South Vietnam?

Mr. ASHMORE. The Coast Guard is now under the Department of Transportation.

Mr. HALL. If the gentleman will yield further, the gentleman from Missouri full well realizes that, as far as the general assignment is concerned, the Coast Guard having recently been transferred—on April 1, to be exact—to the Secretary of Transportation from the Secretary of the Treasury. But when this House, the Congress and the President finally "inked into law," the Department of Transportation setup; it still made the provision that the Coast Guard, or parts thereof, could be assigned to active duty with the Navy in time of conflict, meaning any time of conflict. I wish to be sure that our Coast Guardsmen who are patrolling the coast of South Vietnam still have the $10,000 limit for loss while in combat be it due to transportation or warehousing, while they are away or other wise.

Mr. ASHMORE. This measure does not affect those men.

Mr. HALL. I thank the gentleman.

Mr. POFF. Mr. Speaker, I yield myself such time as I may consume, and I shall be brief.

Mr. Speaker, the purpose of this legislation is threefold: First, it grants the Coast Guard the same authority to settle claims growing out of noncombat activity as the Army, Navy, and the Air Force now have; second, for the first time, it grants the same authority to the Secretary of Defense; third, it increases the authority of the Secretaries of all the services to delegate to subordinates the settlement of claims from $1,000 to $2,500.

The Military Claims Act, section 2733 of title X, of the United States Code, authorizes a military department to settle and pay claims arising out of noncombat activity up to $5,000. The limit applies to claims for personal injury, death, and damage or loss to real or personal property.

It is largely a legislative accident that the Coast Guard, although defined in section 101 of title X as one of the Armed Forces, does not have the same settlement authority as other divisions of the Armed Forces. This is because the Coast Guard is not a "military department" within the meaning of the Military Claims Act.

This legislation cures that legislative accident.

The bill also grants the Secretary of Defense similar authority to settle claims arising from the activities of Defense Department employees. While no such claims have yet been asserted against the Department of Defense, since there is a potential for claims, the committee feels that this legislation should confer upon the Secretary of Defense the same settlement authority enjoyed by the military Secretaries of the Departments under him.

Mr. Speaker, I urge unanimous support of this legislation.

Mr. SMITH of New York. Mr. Speaker, will the gentleman yield?

Mr. POFF. I yield to the gentleman from New York such time as he may consume.

Mr. SMITH of New York. Mr. Speaker, the prime purpose of the bill is to grant the Coast Guard the same claims settlement authority under the Military Claims Act provision of section 2733, title 10 as is now exercised by the other Armed Forces. Additionally it increases the limit on claims settlement authority which a department secretary may delegate, and provides the Secretary of Defense with the same administrative settlement authority as now held by the individual military department Secretaries.

Presently the Military Claims Act permits the Secretaries of the military departments to settle administratively property, injury and death claims arising from noncombat activities of military or civilian employees within the scope of their employment up to the maximum of $5,000. The Secretaries of Judge Advocate Generals may delegate to subordinates settlement authority up to $1,000. Additionally the Secretaries may recommend to the Congress settlements for amounts exceeding $5,000.

The expanded activity of the Coast Guard has demonstrated the need for the same administrative settlement authority as now held by the Army, Navy, and Air Force. This bill corrects the omission by incorporating the Coast Guard into the administrative settlement process.

As stated previously, the bill provides that the authority of the Department Secretaries to delegate settlement authority, presently limited to claims not exceeding $1,000, is increased to a $2,500 ceiling. The volume of small claims has demonstrated the need for this modification as a step toward increased efficiency through handling claims by means of intermediate appellate officials.

This bill represents a logical and necessary conforming of the Coast Guard claims settlement authority with that now exercised by the other Armed Forces. Obviously, uniformity in this regard is essential and desirable. I urge passage of the bill.

The SPEAKER. The question is on the motion of the gentleman from South Carolina that the House suspend the rules and pass the bill, H.R. 206, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend section 2733 of title 10 of the United States Code, to include authority for the settlement of claims incident to the noncombat activity of the Coast Guard while it is operating as a service in the Department of Transportation, to grant equivalent claims settlement authority to the Secretary of Defense, to increase the authority which may be delegated to an officer under subsection (g) of section 2733 of title 10 and subsection (f) of section 715 of title 32, from $1,000 to $2,500 and for other purposes."

A motion to reconsider was laid on the table.

BENEFITS FOR LAW ENFORCEMENT OFFICERS

Mr. ASHMORE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11816) to provide certain benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law, as amended.

The Clerk read as follows:

H.R. 11816

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) Chapter 81 of title 5 of the United States Code is amended by adding the following new subchapter at the end:

"SUBCHAPTER III.—LAW ENFORCEMENT OFFICERS NOT EMPLOYED BY THE UNITED STATES

"§ 8191. Determination of eligibility

"The benefits of this subchapter are available as provided in this subchapter to eligible law enforcement officers (referred to in this subchapter as 'eligible officers') and their survivors. For the purposes of this Act, an eligible officer is any person who is determined—

"(1) by the Attorney General, in his discretion, to have been on any given occasion a law enforcement officer and to have been engaged on that occasion in the apprehension or attempted apprehension of any person who has violated, or is wanted for the violation of, any Act of Congress; and

"(2) by the Secretary of Labor, in his discretion, to have been, on the occasion referred to in paragraph (1), not an employee as defined in section 8101(1), and to have sustained on that occasion a personal injury for which the United States would be required under subchapter I of this chapter to pay compensation if he had been on that occasion such an employee engaged in the performance of his duty.

"§ 8192. Benefits

"(a) BENEFITS IN EVENT OF INJURY.—The Secretary of Labor shall furnish to any eligible officer the benefits to which he would have been entitled under subchapter I of this chapter if, on the occasion giving rise to his eligibility, he had been an employee as defined in section 8101(1) engaged in the performance of his duty, reduced or adjusted as the Secretary of Labor in his discretion may deem appropriate to reflect comparable benefits, if any, received by the officer (or which he would have been entitled to receive but for this subchapter) by virtue of his actual employment on that occasion. When an enforcement officer has contributed to a disability compensation fund, the reduction of Federal benefits provided for in this subsection is to be limited to the amount of the State or local government benefits which bears the same proportion to the full amount of such benefits as the cost or contribution paid by the State or local government bears to the cost of disability coverage for the individual officer.

"(b) BENEFITS IN EVENT OF DEATH.—The Secretary of Labor shall pay to any survivor of an eligible officer the difference, as determined by the Secretary in his discretion, between the benefits to which that survivor would be entitled if the officer had been an employee as defined in section 8101(1) engaged in the performance of his duty on the occasion giving rise to his eligibility, and the comparable benefits, if any, received by the survivor (or which that survivor would have been entitled to receive but for this subchapter) by virtue of the officers' actual employment on that occasion. When an enforcement officer has contributed to a survivor's benefit fund, the reduction of Federal benefits provided for in this subsection is to be limited to the amount of the State or local government benefits which bears the same proportion to the full amount of such benefits as the cost or contribution paid by the State or local government bears to the cost of survivor's benefits coverage for the individual officer.

"§ 8193. Administration

"(a) DEFINITIONS AND RULES OF CONSTRUCTION.—For the purpose of this subchapter—

"(1) The term 'Attorney General' includes any person to whom the Attorney General has delegated any function pursuant to subsection (b) of this section.

"(2) The term 'Secretary of Labor' includes any person to whom the Secretary of Labor has delegated any function pursuant to subsection (b) of this section.

"(b) DELEGATION.—

"(1) The Attorney General may delegate to any division, officer, or employee of the Department of Justice any function conferred upon the Attorney General by this subchapter.

"(2) The Secretary of Labor may delegate to any bureau, officer, or employee of the Department of Labor any function conferred upon the Secretary of Labor by this subchapter.

"(c) APPLICATIONS.—An application for any benefit under this subchapter may be made only—

"(1) to the Secretary of Labor

"(2) by

"(A) any eligible officer or survivor of an eligible officer,

"(B) any guardian, personal representative, or other person legally authorized to act on behalf of an eligible officer, his estate, or any of his survivors, or

"(C) any association of law enforcement officers which is acting on behalf of an eligible officer or any of his survivors;

"(3) within five years after the injury or death; and

"(4) in such form as the Secretary of Labor may require.

The Secretary of Labor shall refer any application (or a copy thereof) received by him pursuant to this subchapter to the Attorney General for the determinations required to be made pursuant to section 8191(1).

"(d) COOPERATION WITH STATE AGENCIES.—The Secretary of Labor and the Attorney General shall cooperate fully with the appropriate State and local officials, and shall take all other practicable measures, to assure that the benefits of this subchapter are made available to eligible officers and their survivors with a minimum of delay and difficulty.

"(e) APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subchapter."

(b) The table of sections at the beginning of chapter 81 of title 5 of the United States Code is amended by adding at the end:

"SUBCHAPTER III.—LAW ENFORCEMENT OFFICERS NOT EMPLOYED BY THE UNITED STATES

"Sec.

"8191. Determination of eligibility.

"8192. Benefits.

"8193. Administration."

SEC. 2. The amendments made by section 1 of this Act are effective only with respect to personal injuries sustained on or after the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. POFF. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASHMORE. Mr. Speaker, I yield myself 10 minutes.

The SPEAKER. The gentleman from South Carolina is recognized.

Mr. ASHMORE. Mr. Speaker, the bill H.R. 11816 provides benefits for State and local law enforcement officers when they are injured while apprehending violators of Federal law, and also provides compensation to the survivors of an officer if he should be killed while attempting to apprehend an individual wanted for violating a Federal law. The legislation would provide State and local police officers with some measure of financial security in recognition of the risks and danger they assume in assisting in the enforcement of the laws of the United States. The enactment of this bill would make it possible for the United States, to this degree at least, to recognize its responsibility to the local law enforcement officer for his part in the enforcement of Federal law. The benefits provided in the bill would be equivalent to those provided in the Federal Employees Compensation Act with the provision that the amounts so paid would be reduced by the amount of benefits provided and paid for by a State or local government.

The bill H.R. 11816 was introduced as a revised bill as a result of the consideration by Subcommittee No. 2 of this committee of a group of bills proposing similar benefits for law enforcement officers. The present bill was introduced by Mr. BYRNE of Pennsylvania, for himself, Mr. POFF, Mr. RODINO, Mr. DOWDY, Mr. FEIGHAN, Mr. EILBERG, Mr. BIESTER, Mr. ASHMORE, Mr. HUNGATE, Mr. TENZER, Mr. SMITH of New York, Mr. MESKILL, and Mr. SANDMAN.

The bill H.R. 339 and companion bills were the subject of a subcommittee hearing on April 5, 1967, April 19, 1967, and again on May 18, 1967.

At the hearing on April 5, 1967, Assistant Attorney General Fred M. Vinson's statement included the following comment:

> President Johnson, in his 1966 crime message to Congress noted that, "Crime does not observe neat jurisdictional lines between city, State, and Federal Governments." Fortunately, it is also true that neat jurisdictional lines are not observed in the task of law enforcement. Frequently, for example, the apprehension of a Federal criminal offender is the result of cooperation between local and Federal law enforcement officials. The assistance received from non-Federal officers in the enforcement of Federal law has a pronounced effect on the Federal budget for, without it, we would be faced with the necessity of maintaining a much larger Federal law enforcement establishment.
>
> Unfortunately, in the course of rendering assistance to Federal officers, local law enforcement officers are occasionally killed. It would seem fitting, when this does occur, for the Federal Government to provide some form of compensation to the deceased officer's family for the tragic loss which it has suffered.
>
> The enactment by Congress of a program to provide such compensation to the non-Federal officer's survivors would serve as an official acknowledgment of the debt the Federal Government owes for the assistance given by local law enforcement personnel. And the individual compensatory awards made under the program would, of course, constitute public recognition of the individual officer's contribution in those cases where it is so obviously deserved.

In the report of the Justice Department on a similar bill, H.R. 339, and companion measures, the Attorney General also noted that local law enforcement officers throughout the United States supplement the activities of Federal law enforcement personnel. In rendering this service, the local law enforcement officers obviate the need for a larger force of Federal law enforcement officers. The Attorney General further indicated his support for the aim of the legislation in providing for benefits for local officers in the following language.

> The enactment of legislation authorizing compensation to the families of such non-Federal officers who are killed while aiding in the enforcement of the Federal laws would appear to be an appropriate recognition of the contribution made by local forces.

In approving the provisions which are embodied in H.R. 11816, the committee has been guided by the comments of the Department of Justice in its report on H.R. 339. In that report, the Attorney General noted that the bills originally referred to the committee failed to spell out the standards for determining whether a law enforcement officer's death resulted from a given injury as well as other guidelines for the program contemplated by the legislation. In this connection, the Attorney General also suggested that there be provision for regulations and rulemaking to implement such a program. In connection with the administration of the program, the Department of Justice noted that it would be appropriate to place responsibility in the Department of Labor due to the experience of that Department in the administration of Federal compensation laws. The committee has considered all of these suggestions and concluded that it would be best to vest in the Attorney General the authority to determine whether a law enforcement officer's death or disability resulted from his employment in the apprehension or attempted apprehension of a person who has violated or was wanted for the violation of an act of Congress. H.R. 11816 refers to "eligible law enforcement officers" as those who the Attorney General determines to have been engaged in apprehending an individual who violated an act of Congress. In so doing we avoided an enumeration of the employing governmental units as was contained in H.R. 339. However, we intend a broad interpretation of this provision to cover law enforcement officers of various non-Federal Government units and subdivisions. For example, this would include officers employed in the Commonwealth of Puerto Rico as well as by local and State jurisdictions. The committee further determined that it is appropriate as provided in H.R. 11816 that the actual administration of the compensation program be vested in the Secretary of Labor. In order to provide for guidelines and standards in the administration of the program, the bill provides that the officer or his survivors will be paid in the manner provided in the recently codified provisions of the Federal Employees Compensation Act as if he had been an employee of the United States at the time of the occasion which caused his disability or death and was engaged in the performance of his duty. These changes are provided for in the bill by providing for direct amendment to chapter 81 of title 5 of the United States Code. Chapter 81 of title 5 of the United States Code is the chapter providing for compensation for work injuries in revised title 5, as approved on September 6, 1966, as a revised title of the United States Code.

Much consideration has been given in the course of the consideration of this legislation to the relationship between the State and local officer and the Federal officers who may be involved in an attempt to apprehend an individual. In its consideration of this aspect of the problem, the committee concluded that there should be a balance as between the local and Federal officers in the particular situations covered by the bill. This is another reason why the standards and benefits of chapter 81 of title 5 have been selected as the basis for compensation. This will provide a common standard for benefits paid by the Federal Government to Federal officers and similarly to State and local officers as provided in this bill. Further the bill provides for a reduction of the Federal payment to local law enforcement officers where comparable benefits are payable as the result of their State and local employment.

However, it is felt that where a State or local officer elects or is required to contribute to a disability system or a survivor system, or both, the benefits payable under this legislation should not be reduced by the amount of the local benefit which is proportionate to his own contribution whether paid directly or by deductions from his pay. Therefore, the committee amendments provide for a proportionate deduction. Thus, if the contribution of a State or local government is 10 percent of the cost of local benefit coverage, the amount to be deducted from the Federal benefit would be 10 percent of whatever local benefit was paid to the officer or to his survivors as the result of his injury or death.

In its report on H.R. 339, the Bureau of the Budget indicated that while it was sympathetic to the basic objective of the bill, it was unable to recommend favorable consideration. It grounded its position on the fact that there might be disparities between varying jurisdictions and that a possible Federal benefit such as provided in this bill might influence State and local jurisdictions not to provide compensation systems for their law enforcement officers. The committee has considered this objection and feels that the facts are not borne out by the testimony presented to the committee. The figures available to the committee indicate that it has been determined that approximately 13 local policemen in the period from 1960 through 1965 died as the result of attempting to enforce Federal laws. Of this number, five officers were killed while attempting to apprehend bank robbery suspects and two officers were killed attempting to apprehend a suspect for unlawful flight to avoid prosecution.

It was further indicated that two officers were killed while investigating illegal liquor traffic, and one officer was killed while attempting to apprehend a prisoner absent without leave from the Armed Forces. In the same period on a countrywide basis, 278 police officers were killed in the line of duty. In 1966, 48 officers were reported killed in the line of duty, and of those only two would be included within the coverage of this bill.

It is readily apparent that the number of potential claimants under this legislation can be contemplated to be small in any given year. However, the importance of the recognition by the Federal Government of responsibility in this situation is not to be discounted. The Attorney General has referred to the importance of cooperation by State and local law enforcement officers in the enforcement of Federal laws. It is only right that the Federal Government recognize an equivalent responsibility to those disabled or killed while cooperating with the Federal authorities. In this connection, the Bureau of the Budget notes that there are other ways in which the Federal Government can assist local law enforcement. The committee feels that serious and continuing consideration must be given to Federal and State cooperation in this area, however, the benefits proposed in this bill are entirely consistent with such an effort and should not be taken as a reason for rejection of this legislation.

Reference has already been made in this report to the experience concerning the number of officers who have been involved in situations involving the enforcement of Federal laws. These incidents give some indication of the potential coverage of this legislation and therefore an indication of the cost which might be expected.

The provisions of H.R. 11816 provide for benefits due to the disability incurred while attempting to enforce a Federal law. One estimate based on the number of officers reported to have lost their lives in the 1960–65 period indicates that the officers disabled while attempting to enforce Federal laws in the same period could be expected to number approximately 78. The actual amount of compensation in a given case would be determined under the provisions of chapter 81 of title 5. In a case of total disability, section 8105 of that title provides for compensation equal to 66⅔ percent of the individual's monthly pay and this is known as his basic compensation for total disability. Partial disability is provided for in the succeeding section, section 8106. The payment for death compensation is similarly provided for in subchapter 1 of chapter 81 of title 5. The committee feels that the facts discussed in this report and presented to the committee in connection with the reports of the interested departments and in the course of testimony on the legislation at the subcommittee hearings that there is a clearly defined need for the system of compensation provided in the bill. It is only just that the Federal Government recognize its responsibility in this connection.

The report submitted on this bill, House Report 567 of the 90th Congress, concludes with the observation made by Assistant Attorney General Fred M. Vinson as to the basis for approval of the bill, and I feel that his words in a clear and direct way summarize the basis for the bill.

> The purpose being commendable, the cost being small, and the resulting benefits being great, the enactment of a program to compensate the survivors of non-Federal law enforcement officers who are killed while apprehending Federal criminal offenders would be both appropriate and praiseworthy.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I will be glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, as one who has spent about 7 years of his life in both Federal and local law enforcement, I want to commend the gentleman on the floor at this time handling this bill and also the gentleman from Pennsylvania [Mr. BYRNE] and the other distinguished sponsors of this bill. The provision of death and disability benefits to local law enforcement officers who are killed or injured while apprehending Federal law violators is long overdue, and this is a fine bill to meet a generally recognized, longstanding need. I also commend the committee for overriding the views of the Bureau of the Budget with reference to this particular bill.

Obviously it is an understatement to say that local law enforcement supplements Federal law enforcement. The truth of the matter is that local law enforcement officers are absolutely indispensable to an effective Federal law enforcement program. We have been free riding to a certain extent on the local law enforcement agencies and personnel for a long time in asking them to incur great hazards and dangers in the assistance of Federal law enforcement officers, without providing any kind of benefit if local officers are injured or killed while apprehending a Federal violator.

Mr. Speaker, I think this is a very desirable bill. It represents positive action to support our law enforcement agencies and to show the support of the Congress and the American people for law enforcement. I hope this bill will be passed without a dissenting vote.

Mr. POFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 11816 is the legislative offspring of two bills introduced in the 89th Congress. One, sponsored by the gentleman from Pennsylvania [Mr. BYRNE], authorized survivors' benefits to the families of State and local police officers killed while in pursuit of a Federal lawbreaker. The other bill, which I introduced, authorizes benefits for the dependent members of the family when the local police officer is disabled.

As I am sure both authors will agree, the offspring is an improvement over the parents. The subcommittee polished and perfected the two concepts and translated them into functional legislative language. As the legislation is presently written, dependents and survivors will be assured of receiving benefits equivalent to those they would have received if the police officer had been a Federal employee. Those benefits are computed under appropriate sections of title V of the United States Code. In the case of death, benefits would include 45 percent of the regular monthly pay to the widow until death or remarriage, and 15 percent for each dependent child under the age of 18, up to a total compensation of 75 percent of the monthly wage for all survivors, including the widow. In the case of total disability, benefits payable to the officer will be 66⅔ percent of his regular salary. In the event of partial disability, benefits will be 66⅔ percent of the difference between his regular monthly pay and his monthly wage-earning capacity following disability. For both partial and total disability, the monthly benefit is augmented by 8⅓ percent of the monthly wage for one dependent child.

There can be no doubt about the constitutional jurisdiction of the Federal Government to compensate those who are injured or killed while attempting to assist the Federal Government in the enforcement of its criminal laws. Neither can there be any reasonable question about the responsibility of the Federal Government to do so. Upon the recommendation of the President's Commission on Crime, the Congress is now in the process of searching for ways and means of stimulating recruitment processes and career enlistments in State and local law enforcement agencies. I suggest that this legislation is the ideal way and the proper means. Some local jurisdictions are unable to pay even adequate salaries to officers, much less such fringe benefits as disability compensation and survivors' annuities.

Added to this problem, which progressively makes recruitment more and more difficult, is the substantial element of grave physical risk involved in the profession. The average policeman, even the officer in the quietest and most remote precinct, daily takes his life into his hands and exposes himself to an endless, unpredictable variety of willful threats and accidental dangers. The danger involved in attempting to apprehend a Federal lawbreaker may be only occasional; but it is real and substantial nonetheless. This is particularly true of State and local law enforcement officers in and around Federal installations and reservations. It seems to me that the existence of a Federal program guaranteeing some minimum degree of financial security for survivors and dependents would constitute an effective incentive to career enlistment.

Mr. Speaker, now is the time for all good men to come to the aid of their policemen.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. POFF. I am happy to yield to the distinguished gentleman from Iowa [Mr. GROSS].

Mr. GROSS. We have a tremendous amount of Federal laws these days—and I am not a lawyer—on the subject of civil rights. Would an officer, State or municipal, in the case of another riot in the city of Detroit, who loses his life—the area having been declared under martial law—would his family be considered to be compensable under this bill?

Mr. POFF. In answer to the gentleman's question, I call his attention to the language which appears on page 2 of the bill, beginning on line 5 thereof, which reads as follows:

> The benefits of this subchapter are available as provided in this subchapter to eligible law enforcement officers (referred to in this subchapter as "eligible officers") and their survivors. For the purposes of this Act, an eligible officer is any person who is determined—
>
> (1) by the Attorney General, in his discretion, to have been on any given occasion a law enforcement officer and to have been engaged on that occasion in the apprehension or attempted apprehension of any person who has violated, or is wanted for the violation of, any Act of Congress;—

I suggest to the gentleman from Iowa that some authority has to make this critical, factual determination. Under the circumstances, it seems to me that the chief law enforcement officer of the United States is the proper person to exercise that authority.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, it would not even require martial law in the case of the enforcement of civil rights, nor would it under the terms of the language of the bill, if violence had occurred in the recent election in Mississippi to an individual sent there to observe the polling places. If the individual lost his life or was injured, it would be up to a determination by the Attorney General as to whether or not to proceed under this statute.

Mr. POFF. It would, providing an act of Congress was involved.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, this is potentially much broader in its aspects than I first assumed.

Mr. POFF. The Attorney General I submit is the only final authority capable of making the critical decision as to the definition of a law enforcement officer, and whether or not he was engaged at the time of his injury or death in the apprehension of a person who had broken the Federal law, or who was wanted for the violation of a Federal law.

Since that decision must rest somewhere, I believe it proper to have it rest in the chief law enforcement officer.

Mr. GROSS. By law enforcement officer, this would not mean a citizen who was summoned on the spot to help a Federal police officer, such an individual would not be compensable under the terms of this bill; is that correct?

Mr. POFF. It depends upon several factors. I will say to the gentleman that whether or not the citizen had been deputized might be one of the factors which the Attorney General might properly consider. I will say to the gentleman that I believe it is impossible to give a definitive answer to the question asked by the gentleman.

Mr. GROSS. I am only trying to ascertain what kind and how broad a program we are initiating here in view of the tremendous invasion of the Federal Government into State and local jurisdictions through the Civil Rights Act, and a multiplicity of other acts. If this bill covers all Federal acts, then I believe we are starting a rather broad program of compensatory payments from the Federal Treasury to the local subdivisions of the government.

Mr. POFF. May I make two responses to the gentleman?

First, I believe the gentleman will be reassured by the statistics which came into view before the subcommittee. Between the years 1960 and 1965 there were only 13 local policemen who were, while in pursuit of Federal law violators, injured and later died. This does not seem to constitute an alarming figure to me.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, we did not have at that time the scourge of riots and demonstrations and the involvement of law enforcement officers that we are seeing in this year of 1967.

Mr. POFF. The gentleman is correct. But let me also say that in 1966 we did have a rather pronounced involvement in such incidents, and in that year, 1966, the equivalent figure is only two.

So, Mr. Speaker, I hope that this legislation will be promptly approved.

Mr. ASHMORE. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. EILBERG.].

Mr. EILBERG. Mr. Speaker, I rise in support of this legislation. To supplement the colloquy that has just concluded, throughout the entire country, only 13 local and State law-enforcement officers have been killed in the enforcement of Federal laws.

From the experience we have already had, the number of claimants involved would be very, very small, and the cost to the United States would be minimal. But the benefits would be great by reason of its effect on law enforcement.

I particularly want to emphasize, Mr. Speaker, what is provided in this bill by way of incentive to our local and State police. Certainly our local and State police are generally heroic figures who work many long hours under difficult circumstances for very low pay.

I believe it is important that we encourage them and provide an incentive, so as to keep people on their jobs, doing good jobs, and remain in the law-enforcement field.

Mr. Speaker, I believe the Congress has a great opportunity to provide a real incentive for the local and State police of the entire country, and this is the way to do it.

Mr. CAHILL. Mr. Speaker, will the gentleman yield?

Mr. EILBERG. Yes, I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Speaker, I thank the gentleman for yielding. I take this time for the purpose of making some legislative history in connection with this bill.

I wonder if the gentleman will tell us what is meant by an individual being "wanted" for a Federal crime? Does this mean that that individual must be under indictment by a Federal grand jury?

Mr. EILBERG. No.

Mr. CAHILL. Assume that a State police official apprehends a man who is in the process of committing a State crime that is solely intrastate in law, and assume that after he has apprehended the man the police officer is killed.

Then assume that the person committing the State crime came into the State in a stolen automobile, which he had stolen from another State, and that this is not discovered until after the death has occurred. Would the police officer and his family be covered under this legislation?

Mr. EILBERG. I would say, Mr. Speaker, that the Attorney General would be the ultimate arbiter to decide what disposition is to be made in a case of that kind.

My own feeling would be that if the apprehension were for a particular crime, then if that crime happened to be a Federal crime the individual or his survivors would benefit. But if it is not discovered until after the police officer's death or injury that the man had committed a Federal crime, he would not be covered. That is my personal feeling.

Mr. CAHILL. For the purpose of legislative history, then it is the thought of the sponsor of the bill that the crime for which the person was being apprehended would be controlling in making a determination as to whether or not the death resulted from the commission of a Federal crime?

Mr. EILBERG. I would agree with the statement of the gentleman.

Mr. ASHMORE. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. BYRNE].

Mr. BYRNE of Pennsylvania. Mr. Speaker, I would like to commend the subcommittee, chaired by the gentleman from South Carolina [Mr. ASHMORE] as well as the chairman of the full committee, chaired by the gentleman from New York [Mr. CELLER], for bringing this legislation to the floor of the House.

Mr. Speaker, as a former U.S. marshal for a period of 5 years, on many occasions I have had the assistance of the local police. In one case where the local police were accompanying me on a raid, a policeman almost lost his life.

Mr. Speaker, this is a good bill and I hope that the House will pass it without one dissenting vote.

Mr. POFF. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SMITH].

Mr. SMITH of New York. Mr. Speaker, I support H.R. 11816 and urge its passage. The original bills—H.R. 339, and companion bills and analogous bills—considered by the Judiciary Committee provided for gratuity payments to survivors of local law enforcement officers killed while apprehending or attempting to apprehend persons wanted for violation of a Federal crime. Other bills also provided payments to disabled law enforcement officers injured under the same circumstances.

There was no disagreement among members of the Judiciary Committee as to the desirability of providing some system to reward the survivors of local law enforcement officers who sacrifice their lives in enforcing Federal laws.

Without the splendid cooperation of State and local police, Federal law enforcement would suffer grievously. Crime knows no jurisdictional or geographic lines. As crimes of violence increase yearly, so the demands for more frequent and closer cooperation between Federal, State, and local law enforcement officers multiply.

The Attorney General has paid tribute to local law enforcement officers for their invaluable assistance in the apprehension of those suspected of violation of Federal laws. He pointed out to the committee that this assistance makes possible a greatly reduced Federal enforcement expenditure.

The committee found no disagreement to the objective of this legislation—to recognize the contribution that local law enforcement makes to the enforcement of Federal criminal laws. It is our feeling that some compensation for injuries and deaths resulting from this cooperation is only fitting. Such recognition, hopefully, may boost the morale of local policemen and strengthen the undermanned city police forces.

Our committee had some difficulty in devising a fair and equitable compensation plan. State and local disability and survivor compensation schemes vary widely in scope and amounts paid. Many communities provide no local survivorship payments at all and the deceased officers' families receive only gratuities from benevolant fund drives or police association assessments. To pay the same flat uniform amount to all survivors or injured policemen would only compound the present inequities; and, in some instances, might result in the local law-enforcement officer receiving larger total benefits for his cooperation with Federal officers than the Federal officer or his survivors would receive under identical circumstances. This would create reverse inequities which our committee wished to avoid. We have concluded that the best solution to insure uniform treatment for those disabled or killed assisting in Federal law enforcement is to supplement local compensation schemes up to a uniform level. H.R. 11816 provides compensation at the rates scheduled under the Federal Employees Compensation Act with the provision that amounts so paid will be reduced by the amount of benefits provided and paid for by a State or local government. No deduction would be made for benefits paid for by the law-enforcement officer.

H.R. 11816 specifies that the Attorney General is to determine eligibility—that is, whether the injury or death resulted from apprehending or attempting to apprehend a person wanted for violation of any act of Congress. The Secretary of Labor is given the responsibility for determining the benefits payable in each case—as he presently does under the Federal Employees Compensation Act. Thus the administration of this compensation plan will be relatively simple and will impose little additional burden upon an already existing compensation program.

By way of practical considerations, the number of payments anticipated under the plan is relatively small. Testimony before our subcommittee disclosed that 326 local law-enforcement officers were killed in the line of duty during the years 1960 to 1966. Of the 326 deaths only 15 would have been within the provisions of this program—an average of less than three per year. No statistics are available in regard to the number of injuries to be expected; however an insurance company official estimates the number of disabled at six times those killed.

Our committee believes that this program will have the additional benefit of urging local agencies to improve their own compensation plans. Payment of the Federal employees compensation benefits to a local officer or his surviving family should underscore the need for a similar program for local policemen injured or killed in local law enforcement.

I suggest that the purpose of this bill is commendable, the cost small, and the resulting benefits to our countrywide law-enforcement efforts great. With this bill, our Federal Government will acknowledge a great debt and make some partial payment to the local guardians of law and order throughout this Nation. I urge the passage of H.R. 11816.

Mr. POFF. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut [Mr. MESKILL].

Mr. MESKILL. Mr. Speaker, I favor the enactment of H.R. 11816 and strongly support its objectives.

This bill represents a small gesture by the Federal Government in recognition of the tremendous debt owed to local law enforcement officers all over this great Nation. Local policemen and State troopers have for many years courageously and unselfishly risked injury and death to assist in the apprehension of persons wanted by Federal authorities. And this wholehearted cooperation has been given without thought of indemnity or reward.

As the problems of law enforcement become more and more complex, the lines of demarcation between Federal, State, and local police authority become more intertwined and overlapping. More and more crimes are Federal, State, and local offenses. The result is that increasingly local enforcement officials are called upon to assist the Federal authorities. This cooperation has enabled the Federal Government to save considerable sums of money and to maintain a smaller force of agents.

This increased cooperation, given willingly and cheerfully, necessarily means the risks of death and disability to the local officers have increased.

In hearing before the Judiciary Claims Subcommittee, it was testified that 13 local policemen died in the period from 1960 through 1965 as the result of attempting to enforce Federal laws. Of this number, two officers were killed while attempting to apprehend a suspect for unlawful flight to avoid prosecution, two officers were killed while investigating illegal liquor traffic, five were killed attempting to apprehend bank robbery suspects, and one officer was killed attempting to apprehend a prisoner absent without leave from the Armed Forces. In the same period on a countrywide basis, 278 police officers were killed in the line of duty. In 1966, 48 local officers were reported killed in the line of duty, and of those only two would be included in the coverage of this bill. It is thus obvious that the number of potential claimants under this legislation will probably be small in any given year.

However, the beneficial effects of this bill will be great. Our municipalities throughout the country are having difficulty in the recruitment of policemen and the morale of many police forces has suffered from the heavy burden placed by rioting and civil disturbances. This recognition by the Federal Government of its debt to the local law enforcement officer should go far to improve the morale and peace of mind of local police.

The existing local compensation plans for injury and death vary widely from place to place. Some are woefully inadequate and leave the survivors of policemen killed in the line of duty little but the meager donations from charitable fund drives. The Committee bill now under consideration is simple and equitable in its proposed treatment of those found eligible. It provides that the Federal employees compensation schedule of payments based upon the injured of deceased officer's regular salary shall become effective. In order to provide uniform treatment, these payments are adjusted or reduced by the amount of benefits financed by the local government unit. The bill gives the responsibility of determining eligibility to the Attorney General and the administration of the benefits is to be handled by the Secretary of Labor who presently administers the Federal Employees Compensation Act.

This legislation is meritorious in its purpose, simple in its administration, relatively inexpensive in its cost, and most beneficial in the results which will be achieved. I urge its passage.

Mr. POFF. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, as a sponsor of similar legislation to provide compensation to local law officers killed while assisting in the apprehension of persons involved in committing a Federal crime, as I am pleased to rise in support of the bill we are now considering. My bill, H.R. 454, was introduced on the first day of this session.

Local law enforcement officers supplement the activities of Federal law enforcement personnel. To this extent, local police reduce the necessity for a larger Federal law enforcement force. I believe it to be both appropriate and desirable that the Congress enact this legislation in recognition of local law enforcement's important contribution to Federal criminal apprehension.

There is still another reason why the Congress should enact this legislation. In recent months it has become all the more apparent that we are losing our war against crime. Increased crime rates, widespread rioting, and the generally held fear of our citizens to walk on their city streets after dark, well illustrate the magnitude of the problem. Respect for law and order appears to be on the downgrade. In light of these circumstances, it has become increasingly difficult to recruit qualified men to become law enforcement officers. Many of us here in Congress have tried to devise new ways to encourage capable young men to choose law enforcement as their profession, and, at the same time, to show those already in law enforcement that we appreciate the fine work they are doing for us. The passage of this legislation is in my opinion an excellent way to do both.

In conclusion, Mr. Speaker, I would like to say that we have a duty to remember that a policeman is one of society's most important instruments of self-protection. Although his hours are long, his work dangerous, and his paycheck inadequate, thousands of dedicated men and women have chosen law enforcement as a profession. They need and deserve the compensation provided for in H.R. 11816, and we owe it to them to provide their families with this protection.

Because local law enforcement is a local problem, this legislation before us is not the final answer, of course. It is but one additional peg we can use to help our hard-pressed local law enforcement officers who are so dedicated to their work under such trying conditions.

Mr. POFF. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. KUPFERMAN].

Mr. KUPFERMAN. Mr. Speaker, I am very happy to rise in support of this legislation for help and protection, at least in an insurance sense, of our local law enforcement officers. I think it is a good idea that we acknowledge the fact that the Federal Government has an interest in what is happening on a local and State level in law enforcement.

Mr. POFF. Mr. Speaker, I have no further requests for time.

Mr. ASHMORE. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. HUNGATE].

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I am glad to yield to our distinguished majority leader.

Mr. ALBERT. I commend the Committee on the Judiciary for bringing this bill to the House.

Mr. Speaker, it is my pleasure to join with those other Members of the House who favor the passage of H.R. 11816. The purpose of this proposed legislation as favorably reported by the Committee on the Judiciary is to provide compensation benefits in the cases of officers of the law not employed by the United States who are killed or injured while apprehending a person who has violated an act of Congress.

Mr. Speaker, in my judgment this is legislation which is long overdue. As President Johnson said in his 1966 crime message to Congress:

> Crime does not observe neat jurisdictional lines between city, State, and Federal Governments.

He also said:

> Frequently, for example, the apprehension of a Federal criminal offender is the result of cooperation between local and Federal law enforcement officials.

It is a well-known fact that often State or local officers of the law are injured and sometimes killed in arresting criminals who have robbed national banks or who have engaged in illegal liquor or drug activities, or one of several other crimes of serious nature. It is also true that in many such cases the States or municipalities do not have adequate compensation provisions for the injured or for the survivors of heroic officers who have given their lives in the defense of the laws and institutions of their Nation. The proposed bill provides an equality of compensation for such local and State officers with that provided for law officers who are employees of the Federal Government. I earnestly urge my colleagues in the House to pass this legislation, thus contributing another effective action to better law enforcement in the United States of America.

Mr. SCHWEIKER. Mr. Speaker, I rise in support of H.R. 11816, a bill to establish disability and death benefits for local and State police officers injured or killed while enforcing Federal law.

I believe this legislation is extremely worthwhile from two standpoints.

First, it will correct an existing inequity by giving local and State police called on to enforce Federal law the same benefits and protections that full-time Federal law enforcement officers receive under the Federal Employees' Compensation Act.

Second, it will help make life a bit more secure for the more than 420,000 State and local policemen and their families, and in doing so, will help make careers in police work more attractive for well-qualified young men.

State and local policemen each day risk their lives enforcing the laws on which the safety of our local communities depends. Nevertheless, their oath of office binds them to uphold the U.S. Constitution and all Federal laws as well. The Federal law enforcement force itself numbers no more than 20,000, so it often relies on other police systems. Local police are called on to guard postmasters carrying large amounts of money to banks. State and local police are often the first law enforcement officers to go after bank robbers, kidnappers, and military personnel absent without leave.

The local and State policemen do lay down their lives in the interest of Federal law enforcement has been shown in the overall figures of police deaths in the line of duty. From 1960 through 1966, 335 policemen were killed while performing their duties, according to the FBI's Uniform Crime Reports. The Committee on the Judiciary found that at least 15 of these deaths occurred while the policemen were investigating Federal crimes or apprehending suspects for such crime.

I am one Member of Congress who believes that police and their families deserve a better break from a society that expects so much service and sacrifice from them. But I support this bill for an added reason. If police work is not made more attractive to the best qualified young men, we cannot expect our police departments to keep pace with the mounting level of crime, both spontaneous and organized.

The President's Commission on Law Enforcement and Administration of Justice has concluded that:

> Widespread improvement in the strength and caliber of police manpower, supported by radical revision of personnel practices, is the basic essential for achieving more effective and fairer law enforcement.

Yet the Commission supplies us with some blunt facts: In 1967 alone there will occur 50,000 vacancies in the police departments of the Nation. Small cities pay their policemen an average salary of $4,600 to start, large cities, $5,300. Typically, maximum pay rises no higher than $1,000 above starting pay for police. And police fringe benefits, formerly a key advantage of pursuing a police career, are now being matched and exceeded throughout private industry.

There is more, much more, that our State and local governments should be doing to make police work more rewarding to those in it and more attractive to those who would make it a career. This bill, H.R. 11816, is a modest but important step toward improving the position of the Nation's police personnel. I urge my colleagues in the House, Mr. Speaker, to give this bill their wholehearted support.

Mr. SANDMAN. Mr. Speaker, H.R. 11816 is a good bill which, in small measure, recognizes the great obligation the Federal Government has to local law enforcement officers for their cooperation in enforcing Federal laws.

The instances in which State and local police are requested to assist Federal authorities in the apprehension of persons wanted for the violation of the acts of Congress are increasing day by day. This cooperation has been given willingly and unselfishly.

Unfortunately, some local officers have been injured and killed while assisting the Federal agents. As the enforcement of our laws and the fight against crime becomes more complex, necessarily the risks of injury and death multiply. The lines of authority between the national and local enforcement officers grow closer and closer as the violators of law cross geographical and jurisdictional lines. These developments mean that the need for the cooperation of local officers is increasing—and so the incidence of injury and death also is increasing.

The Attorney General informed the committee that without the cooperation of local officers, Federal agencies would necessarily be required to employ many more enforcement officers and their budgets would be much greater.

H.R. 11816, then, represents an attempt to give due recognition to the high value of the cooperation provided by State, county, and city enforcement officers—and also recognition of the increasing risks occasioned by this cooperation.

The compensation plan provided under the bill is simple and easy to administer. It provides that injured or deceased local officers found eligible by the Attorney General because the injury or death occured while apprehending or attempting to apprehend a Federal law violator, shall be entitled to the schedule of benefits provided by the Federal Employees Compensation Act. This schedule of benefits, involving payments based upon the officers regular salary, is to be adjusted and reduced by way of offset, to the extent of the benefits paid for by the local government. The Secretary of Labor, who presently administers the Federal Employees Compensation Act, will be responsible for administration of the compensation program. As noted before, the number of claims will not be large and the added administrative burden should be very small.

Our Federal Government has for many years had an increasing obligation to State and local enforcement agencies for their invaluable cooperation. This bill recognizes that obligation and provides a simple plan for the compensation of those suffering injury and death through service to the Federal Government. Its passage will help materially in the improvement of local police morale and in the improvement of all law enforcement.

Mr. NICHOLS. Mr. Speaker, I am pleased to be a cosponsor of H.R. 11816, a bill which provides benefits for law enforcement officers killed or injured while apprehending violators of Federal laws. Our law enforcement officers in this country have had their morale lowered tremendously by recent Supreme Court rulings which take away many of the powers officers have had to apprehend and convict criminals. This measure, in addition to providing security to families of those men killed in the line of duty, will, hopefully have the effect of restoring some of that morale that has been taken from our law enforcement officials.

Just this past weekend, it was my privilege to participate, along with Gov. Lurleen Wallace of Alabama, in a ceremony in which the families of three men killed in the line of duty were presented checks. These payments resulted from an Alabama legislative act similar to the measure we are taking action on today. I also sponsored that bill in the Alabama State Senate in 1965.

Mr. Speaker, we must support our law enforcement officers, both local, State, and Federal, and H.R. 11816 is a big step in showing this Nation's appreciation for the work they are doing.

Mr. HELSTOSKI. Mr. Speaker, this House can take a great step forward today by passing H.R. 11816, legislation which would provide benefits for law enforcement officers killed or injured while apprehending Federal law violators.

I support this legislation, and in fact have introduced my own bill on this subject, H.R. 6482, which has the same basic principle as the bill presently under consideration.

In these days of internal strife it becomes necessary that the Federal Government consider the fact that local law enforcement officers can be called upon to assist our Federal officers in apprehending a violator of any of the Federal laws. They may be called on for various reasons; first because they may be familiar with the area in which the Federal law violator is using; second, because they may be familiar with the violator and his principal places of past activities; third, they may be knowledgeable of his habits and his family ties which may be deeply rooted in the immediate community.

Mr. Speaker, our local law enforcement authorities have experienced great difficulty in recruiting adequate personnel for their own immediate, local area problems without the probable necessity of furnishing personnel to assist Federal law enforcement officers.

There is nothing that can be done if such a local officer is injured or killed in assisting these Federal officers. The local municipal bodies do not provide for compensation and the Federal Government is not obligated to do so. This legislation will clarify this inequity and injustice which can be experienced by our local police.

The survivors of these officers who may be slain would have their hardship conditions relieved to a minor degree because of this compensation. The disabled officers would be given some compensation to relieve their pressing financial burden.

Our law enforcement officers are dedicated public servants and we must understand the many hidden, unknown factors which they face when they leave their homes for their jobs, not knowing whether they will be able to return to their families after their day's work is done.

Mr. Speaker, it is my wish that the House will pass this bill without much debate or delay, and by a overwhelming or unanimous vote. The problem must be acted on quickly.

Mr. MINISH. Mr. Speaker, I rise in support of H.R. 11816, a bill to provide benefits for law-enforcement officers killed or injured while apprehending violators of Federal law. This measure, long overdue and much needed, provides compensation to the survivors of those brave men who lay down their lives protecting our homes and families from criminals. The program will be administered on a basis similar to the manner in which this country aids the survivors of deceased members of the Armed Forces.

For too long the policemen of the United States have been a forgotten segment of our society. According to the 1966 Municipal Yearbook, published by the International City Managers' Association, the median salary for patrolmen in cities with populations between 10,000 and 25,000 is $4,920—only $400 per month. This means that roughly half the cities of that size pay their patrolmen less than $400 per month. Some are paid as little as $236. In addition to all the other problems currently facing the average policeman, must he also live with constant anxiety about his family's future in the event something happens to him? With his meager salary, it is virtually impossible for a policeman to insure even the most basic necessities of life for his family in the event of death. Moreover, most towns and cities are unable to provide such insurance on their own.

No wonder police morale is low. No wonder recruitment of qualified young men is one of the major problems for police departments. A 1965 study by the National League of Cities found that 65.5 percent of 284 responding departments were operating below authorized staff. In my own district, Newark's police department has weathered this violent summer 170 men short of its full complement of police officers.

This bill, of course, is only a limited palliative. It covers only those cases in which Federal offenses are involved and it does nothing to aid the courageous firefighters who have most recently become the targets of the bottles, stones, and bullets of criminals. But, it is at least a beginning and we can all hope this bill will set a precedent for the separate States to follow.

As for our Nation's firemen, I urge enactment of legislation designed to protect them in the performance of their official duties during a civil disturbance which affects interstate commerce. That unarmed firefighters risking their lives to protect all citizens should be shot at by cowardly snipers is one of the major tragedies of our current urban crisis.

Mr. Speaker, the legislation before us authorizes the Secretary of Labor to pay benefits equivalent to those provided in the Federal Employees Compensation Act to State and local law-enforcement officers or their survivors when they are disabled or killed while apprehending a person who has violated a Federal law. In other words, we will be providing these men, who are assisting the Federal Government, with the same protection already enjoyed by those in Federal service. And local policemen do indeed, day after day, assist Federal authorities in the enforcement of the laws of Congress. As the U.S. Attorney General has commented:

> Throughout the country, local law enforcement officers supplement the activities of Federal law enforcement personnel, thereby obviating, in large measure, the need for a larger Federal force. The enactment of legislation authorizing compensation to the families of such non-Federal officers who are killed while aiding in the enforcement of Federal laws would appear to be an appropriate recognition of the contribution made by local forces.

Mr. Speaker, we are all aware of the alarming increase in the crime rate. There were, according to the Federal Bureau of Investigation, 2,780,000 serious crimes reported to the police in 1965; in relation to population increase this represents a 35 percent rise over 1960. Furthermore, studies conducted by the National Crime Commission indicate that more than twice as many aggravated assaults, burglaries, and larcenies occur as are reported to the police, and that in some communities the figure may be 10 times as high.

It is obvious therefore that now, more than ever, we must do whatever we can to strengthen our local law enforcement agencies. The security offered by this legislation will be helpful in influencing our dedicated officers to continue their careers, despite the hardships and dangers, and attract young men of the highest caliber into police work.

Mr. Speaker, I earnestly hope that this bill will be speedily enacted into law.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from South Carolina that the House suspend the rules and pass the bill H.R. 11816, as amended.

The question was taken.

Mr. MACGREGOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 311, nays 0, not voting 121, as follows:

[Roll No. 240]

YEAS—311

Abernethy
Adair
Adams
Addabbo
Albert
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashmore
Ayres
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Blanton
Boggs
Boland
Bolling
Bolton
Bow
Brasco
Bray
Brinkley
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Cahill
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Cleveland
Collier
Colmer
Conable
Corman
Cowger
Cramer
Cunningham
Curtis
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Denney
Derwinski
Devine
Dingell
Dole
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Findley
Flood
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Green, Pa.
Griffiths
Gross
Grover
Gude
Gurney
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hardy
Harsha
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kornegay
Kupferman
Kyl
Kyros
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, Md.
McClory
McCulloch
McDade
McDonald, Mich.
McFall
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Pelly
Perkins
Pettis
Pickle
Pike
Poage
Poff
Pool
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roth
Roudebush
Roush
Ruppe
Ryan
Sandman
Satterfield
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Wiggins
Williams, Pa.
Winn
Wright
Wydler
Wylie
Wyman
Yates
Young
Zion
Zwach

NAYS—0

NOT VOTING—121

Abbitt
Anderson, Ill.
Anderson, Tenn.
Ashley
Aspinall
Baring
Barrett
Bates
Bell
Bingham
Blatnik
Brademas
Brock
Brown, Calif.
Broyhill, Va.
Byrnes, Wis.
Carey
Clausen, Don H.
Clawson, Del
Cohelan
Conte
Conyers
Corbett
Culver
Daddario
Davis, Wis.
Dent
Dickinson
Diggs
Donohue
Dorn
Dow
Dwyer
Edwards, Calif.
Evins, Tenn.
Feighan
Fino
Fisher
Flynt
Foley
Fraser
Gallagher
Gray
Green, Oreg.
Gubser
Hagan
Halleck
Halpern
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harvey
Hébert
Heckler, Mass.
Henderson
Herlong
Hull
Jones, Ala.
Kastenmeier
King, Calif.
Kleppe
Kluczynski
Kuykendall
Laird
Leggett
Long, La.
Lukens
McCarthy
McClure
McEwen
McMillan
Macdonald, Mass.
Madden
Mathias, Md.
May
Miller, Calif.
Morgan
Morton
Moss
Multer
Murphy, N.Y.
Nichols
Nix
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Pepper
Philbin
Pirnie
Pollock
Pucinski
Rarick
Rees
Rivers
Ronan
Rostenkowski
Roybal
Rumsfeld
St Germain
St. Onge
Saylor
Schadeberg
Springer
Stafford
Taft
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tiernan
Watkins
Widnall
Williams, Miss.
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wyatt
Zablocki

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Brock.

Mr. Evins of Tennessee with Mr. Rumsfeld.

Mr. Hébert with Mr. Corbett.

Mr. Philbin with Mr. Springer.

Mr. Macdonald of Massachusetts with Mr. Teague of California.

Mr. Donohue with Mr. Pirnie.

Mr. Miller of California with Mr. Mathias of Maryland.

Mr. Brademas with Mr. Harvey.

Mr. Kluczynski with Mr. Harrison.

Mr. Madden with Mr. Bates.

Mr. Aspinall with Mr. Byrnes of Wisconsin.

Mr. Charles H. Wilson with Mr. Fino.

Mr. Barrett with Mr. Halleck.

Mr. Leggett with Mr. Taft.

Mr. Cohelan with Mr. Widnall.

Mr. Moss with Mr. Bob Wilson.

Mr. Daddario with Mrs. Dwyer.

Mr. Dent with Mr. Bell.

Mr. Morgan with Mr. Saylor.

Mr. Nichols with Mr. McEwen.

Mr. Zablocki with Mr. Laird.

Mr. Tiernan with Mr. O'Konski.

Mr. Tenzer with Mr. Schadeberg.

Mr. King of California with Mr. Stafford.

Mr. Carey with Mr. Gubser.

Mr. Wolff with Mr. Halpern.

Mr. St. Onge with Mr. Del Clawson.

Mr. Murphy of New York with Mr. Anderson of Illinois.

Mr. Multer with Mr. McClory.

Mr. Willis with Mrs. May.

Mr. Hull with Mr. Thompson of Georgia.

Mr. Rostenkowski with Mr. Hansen of of Idaho.

Mr. Feighan with Mrs. Heckler of Massachusetts.

Mr. Ronan with Mr. Dickinson.

Mr. Dow with Mr. Don H. Clausen.

Mr. St Germain with Mr. Watkins.

Mr. Jones of Alabama with Mr. Kleppe.

Mr. Dorn with Mr. Broyhill of Virginia.

Mr. Bingham with Mr. Pollock.
Mr. Pepper with Mr. Conte.
Mr. Fisher with Mr. Kuykendall.
Mr. Hagan with Mr. Morton.
Mr. Flynt with Mr. Davis of Wisconsin.
Mr. Henderson with Mr. Wyatt.
Mr. Herlong with Mr. Lukens.
Mr. Rivers with Mr. Gallagher.
Mrs. Green of Oregon with Mrs. Hansen of Washington.
Mr. Gray with Mr. Hanna.
Mr. Pucinski with Mr. O'Hara of Michigan.
Mr. Roybal with Mr. Nix.
Mr. Edwards of California with Mr. Diggs.
Mr. McCarthy with Mr. Conyers.
Mr. Blatnik with Mr. Kastenmeier.
Mr. Long of Louisiana with Mr. McMillan.
Mr. Thompson of New Jersey with Mr. Williams of Mississippi.
Mr. Rarick with Mr. Rees.
Mr. Foley with Mr. Brown of California.
Mr. Abbitt with Mr. Baring.
Mr. Anderson of Tennessee with Mr. Olsen.
Mr. Ashley with Mr. Culver.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed and to include extraneous matter.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PROVIDING FOR AN APPEAL BY THE UNITED STATES FROM DECISIONS SUSTAINING MOTIONS TO SUPPRESS EVIDENCE

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8654) to amend section 3731 of title 18, United States Code, to permit an appeal by the United States in certain instances from an order made before trial granting a motion for return of seized property and to suppress evidence, as amended.

The Clerk read as follows:

H.R. 8654

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3731 of title 18, United States Code, is amended by inserting after the seventh paragraph the following new paragraph:

"From an order, granting a motion for return of seized property or a motion to suppress evidence, made before the trial of a person charged with a violation of any law of the United States, if the United States attorney certifies to the judge who granted such motion that the appeal is not taken for purpose of delay and that the evidence is a substantial proof of the charge pending against the defendant."

(b) Such section is amended by striking out in the third paragraph from the end "the defendant shall be admitted to bail on his own recognizance" and inserting "the defendant shall be released in accordance with chapter 207 of this title".

SEC. 2. Section 935 of the Act of March 3, 1901 (31 Stat. 1341) (D.C. Code, sec. 23-105), is amended—

(1) by inserting "(a)" immediately before "In all"; and

(2) by adding at the end thereof the following new subsection:

"(b) The United States may also appeal an order of the District of Columbia Court of General Sessions, granting a motion for return of seized property or a motion to suppress evidence, made before the trial of a person charged with a violation of any law of the United States, if the United States attorney conducting the prosecution for such violation certifies to the judge who granted such motion that the appeal is not taken for purpose of delay and that the evidence is a substantial proof of the charge pending against the defendant. Pending the prosecution and determination of such appeal, the defendant, if in custody for such violation, shall be released in accordance with chapter 207 of title 18, United States Code."

The SPEAKER pro tempore. Is a second demanded?

Mr. McCULLOCH. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New York [Mr. CELLER] is recognized.

Mr. CELLER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill would permit an appeal by the United States in certain instances from an order made before trial granting a motion for the return of seized property and to suppress evidence.

Mr. Speaker, this bill has been recommended by the American Bar Association, by the Department of Justice, and by the President's Commission on Crime.

Mr. Speaker, it is interesting to note that this bill in substantial form has already passed this body in a previous Congress but was not acted upon by the other body.

As I indicated at the inception of my remarks, the bill would amend the Criminal Appeals Act, section 3731 of title 18 of the United States Code, and section 23-105 of the District of Columbia Code, to permit the Government to appeal a decision on a motion to suppress evidence when that evidence is certified by the prosecution to be substantial proof of a charge pending against the defendant, and also on the ground that the appeal is not taken for the purpose of delay.

This is a highly technical proposal and it is rather difficult to present it in nonlegalistic language. I hope I will be forgiven if I do not express myself in such a way that "He who runs may read."

Under existing law, in certain cases such a motion to appeal after a motion is made to suppress must be made within 30 days of the date the opinion is rendered. Pending the prosecution and determination of this appeal, the defendant, if in custody, shall be released in accordance with the Bail Reform Act of 1966, which is an act which was passed by this very Congress. Under this bill the Criminal Appeals Act would confer upon the Government carefully defined and limited rights of appeal in criminal cases.

The Criminal Appeals Act confers upon the Government in certain cases carefully defined and limited right of appeal in criminal cases. No such rights existed at common law. Under the present law, when a defendant prevails on a matter of statutory construction resulting in an order quashing the information or indictment before trial or rest in judgment after conviction, the Government has been given the right to appeal directly to the Supreme Court. Likewise, such a direct appeal may be taken if the defendant prevails on a motion in bar. Appeals to the courts of appeals of the proper circuit lie on behalf of the United States from orders dismissing indictments or information and orders arresting judgments where statutory interpretation is not involved.

But, at present, the Government has no right to appeal from an order granting a motion to suppress evidence when the motion is made before or after an indictment has been returned or information has been filed. The Congress, however, did provide for a similar right of appeal as is being proposed here when it enacted section 1404 of title 18 of the United States Code, with respect to narcotics prosecutions. In enacting that section, Congress closed a loophole which made it very difficult for the prosecution to use the possession of narcotics as part of the proof of its case. I do not believe that there should be any distinction between a narcotics case and other criminal cases. The existing loophole must be closed in the other fields of law enforcement such as smuggling, frauds against Federal excise taxes and even possibly in cases of espionage and sabotage. It is much better to prove a case with tangible and concrete evidence than upon oral testimony and the observation of witnesses.

Under existing case law, a decision made before a criminal trial has started, the granting of a motion for the return of seized property or to suppress evidence is regarded as interlocutory, from which the Government may not appeal. In the preindictment case of *Di Bella* v. *United States*, 369 U.S. 121 (1962), a preindictment motion was involved. The case of *Carroll* v. *United States*, 354 U.S. 394 (1957), involving a postindictment motion, was likewise ruled to prevent the Government from appealing. The effect of the present law under these decisions results in either prohibiting the Government from proceeding without the suppressed evidence or if the Government does proceed without such evidence it does so under severe handicaps and limitations. The Supreme Court has indicated in its decisions on these matters, however, that whether the Government should be permitted to appeal in such cases is a question for the Congress to decide.

Thus, it is a matter of congressional determination. There is no question as indicated by the recommendations of the Department of Justice, as well as the President's Commission on Law Enforcement and Administration of Justice, that appeals by the prosecution are needed. In the fields of organized crime, in major thefts, and other types of fraud the absence of the right of appeal precludes successful prosecutions in many cases. For example, the law of search and seizure and confessions is highly uncertain. The various lower court rulings compounds the uncertainty which restricts police conduct and cannot be tested on appeal. The inconsistent lower court decisions can be resolved only on an appeal sought by the defendant. Law enforcement is thus faced with the problem of choosing one or two courses, each of which is undesirable. The prosecution can follow the lower court decision and abandon the practice in which an authoritative decision by an appellate court never can be obtained, or it can continue the practice in the hope that in a future case a trial court will sustain it and permit the opportunity to resolve finally the point.

The rights of the defendants, of course, have been taken into consideration and are in no way impinged upon and under this legislation his rights as to double jeopardy under the fifth amendment are not encroached upon. In addition, the section requires that an appeal be taken within 30 days from the date of the decision rendered, and it also provides that he be admitted to bail in accordance with the terms of the Bail Reform Act of 1966. The present law provides his release on his own recognizance; however, your committee believed that release within the terms of the Bail Reform Act of 1965, both in the U.S. district courts and the court of general sessions, is consistent with the present safeguards regarding defendants. Furthermore, it is the intention of your committee that the appellate courts should diligently pursue the determination of such motions as provided by this legislation and dispose of them with despatch so that the interest of justice, both on the part of the defendant and the Government, will be met as quickly as possible.

Under that act a defendant may be released under his own recognizance in the discretion of the court. Before the Bail Reform Act, when an appeal was taken by the Government in certain specified cases, automatically the defendant would be out on bail on his own recognizance. That is changed a bit by the terms of the Bail Reform Act. It is within the discretion of the judge under those circumstances to permit him to be on bail under his own recognizance or on a bond and other conditions. That Bail Reform Act was very, very carefully considered by the House and by the Senate and has become a statute.

The President's Commission on Crime very properly pointed out that we ought to be very careful in the passage of this legislation to see that the rights of the defendant were properly secured. The committee has been very careful in that regard, and we feel that we have given the defendant every conceivable reasonable right, and therefore we hope the House will accept the bill.

The question also arises on the decisions that have been rendered in the various courts on questions of search and seizure. There have been a great many diverse decisions, and it is hoped that since the Government will now have the right of appeal in all these criminal cases, that those controversies which have arisen in the various jurisdictions, and which have been inconsistent, will now be more readily resolved by the appellate courts and finally by the Supreme Court, because we give this right of appeal to the Government.

For these reasons, I do hope indeed that the bill will be approved.

It is interesting to note that this bill is sponsored by a Republican, the distinguished gentleman from Illinois [Mr. RAILSBACK]. I point out that this is one of the many evidences of the fact that our Judiciary Committee acts in a fair, nonpartisan manner. That is, we Democrats do not do that. We do on numerous occasions permit the Republicans on the other side of the aisle not only to report bills, but also we see to it that their bills are properly taken care of and passed by this House.

The SPEAKER pro tempore. The gentleman from New York consumed 10 minutes.

The Chair recognizes the gentleman from Ohio [Mr. MCCULLOCH].

Mr. McCULLOCH. Mr. Speaker, I rise to support H.R. 8654, sponsored by the gentleman from Illinois [Mr. RAILSBACK]. He has worked hard and effectively and long on this legislation. It is a bill which every Member of the House of Representatives can support and of which support he can be proud.

Mr. Speaker, the chairman of the committee has commented upon the nonpartisan approach to some controversial matters before the Judiciary Committee. I join in those comments.

The gentleman from Illinois [Mr. RAILSBACK] is fully qualified and is prepared now to discuss this legislation in detail. I am pleased to yield to the gentleman from Illinois such time as he may consume.

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RAILSBACK. Mr. Speaker, I want to thank the distinguished chairman of the Judiciary Committee for the help which he has given to me in bringing this bill to the floor of the House and also for the many courtesies which he has extended to me as a minority freshman member of the House Judiciary Committee and to all of the freshmen Republican members of the House Judiciary Committee.

I also want to thank the ranking minority Member, the gentleman from Ohio [Mr. MCCULLOCH] for the help he has given to me.

Very briefly I want to just say that the purpose of this bill, as already indicated by our distinguished chairman, is to permit the U.S. attorney or the Government to appeal from a pretrial motion to suppress evidence that has been granted by a trial court.

The problem which confronts the Federal Government right now is that when a pretrial motion to suppress evidence is granted the Government has only two alternatives. No. 1: It can go to trial without the evidence that has been suppressed, in which event, if the evidence which was suppressed is a substantial proof of the Government's case, in all likelihood the Government is going to lose. No. 2: It can dismiss the case, which is of course even more undesirable.

Mr. Speaker, the report of the President's Crime Commission and the recent FBI figures on last year's increase in crime underline the swelling problems of our law enforcement officials. A nationwide increase of 11 percent in 1966 is evidence enough that crime today is a terribly destructive force in our body politic—and the threat of its potential is no less real. Moreover, serious crime jumped 20 percent in the first 3 months of this year compared with the same period in 1966.

Any meaningful attack on this problem must focus on concerted attention on the law enforcement process. This system has the responsibility to assure would-be criminals that violations of the law are to be met with swift and sure punishment commensurate with the crime. If our streets are to be safe, those who would make them dangerous must be removed from them until they understand that society will not tolerate criminal infringements on its members.

To accomplish this task, our law enforcement agencies must have tools with which to work. One such important tool, is provided by H.R. 8654, which deals with the problem of motions to suppress evidence collected by our law enforcement officials. The basic intent of the bill is to allow Federal prosecutors the right to appeal from the granting of such motions.

No one condones unreasonable and illegal searches. Just exactly what is an unreasonable and illegal search is not always clear, however.

The law provides that the accused may move to suppress evidence that he feels has been wrongfully acquired. He may appeal conviction if he believes that illegal evidence has been used against him.

This privilege is not open to the prosecution. As a result, different standards apply in different courts in the country. One judge may suppress on quite different grounds than another. Contradictory judgments are not unusual.

The present section 3731, which this bill seeks to amend, was originally enacted in 1907 as the Criminal Appeals Act of 1907. This original enactment, 34 Stat. 1246, authorized direct review in the Supreme Court by writ of error in approximately the same three classes of cases as are listed in the first four paragraphs of section 3731. In 1942 the Criminal Appeals Act was amended to permit appeals by the Government from decisions, granting dismissal or arrest of judgment, other than those grounded by the trial court upon the construction or invalidity of a statute, 56 Stat. 271. The Narcotic Control Act of 1956 gives to the United States the right to appeal "from an order granting a motion for the return of seized property and to suppress evidence made before the trial of a person" charged with certain narcotic offenses. This authority now appears in the United States Code as section 1404 of title 18.

In considering appeals by the Government in criminal cases the Court has stated in *Carroll* v. *United States*, 354 U.S. 394, 407:

> If there is serious need for appeals by the government from suppression orders, or unfairness to the interests of effective criminal law enforcement. . . . It is the function of the Congress to decide whether to initiate a departure from the historical pattern of restricted appellate jurisdiction in criminal cases. (354 U.S. 407)

In further support of this bill I would turn to Report No. 1478 of the other body, 85th Congress, second session. This report prepared by the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary declares that the authorization of the Government to appeal motions suppress evidence is badly needed. In referring to the successful action of the subcommittee in obtaining the enactment of such a provision in crimes involving narcotics in 1956, it was pointed out that there seemed no reason to restrict this authority just to narcotics:

> The Subcommittee is convinced that the district courts are entitled to appellate guidance in the admittedly difficult field of search and seizure. If they cannot obtain such guidance, the result will be an increasingly chaotic condition, with some judges in a single district consistently adhering to one view of the law, and others to another, incompatible view.

The subcommittee also alluded to the fact that the Department of Justice had recommended legislation of this nature.

The concept involved in this bill has received endorsement from the House of Delegates of the American Bar Association and also by the House Republican Task Force on Crime. The Justice Department in a letter from Fred M. Vinson, Jr., endorsed this legislation in May of this year.

Other recent support for this general idea has come in the report of the President's Commission on Law Enforcement and Administration of Justice. I have the complete statement of the Commission on this point and I shall place it in the RECORD, as an extension of my remarks.

The Commission concludes that:

> Congress and the States should enact statutes giving the prosecution the right to appeal from the grant of all pre-trial motions to suppress evidence or confessions.

The Commission points out that under present circumstances, when law enforcement officers are faced with overly restrictive or conflicting rulings they have but two courses of action—both undesirable. They can, for example, abandon a form of search which is considered quite proper by many judges, or they can continue their search, hoping that in future cases a trial judge will sustain it, and a defendant, by objecting and appealing will give the higher court an opportunity to form an authoritative and clarifying ruling. The first choice may cause the denial of the use of legitimate police methods simply because an appellate test cannot be gained, while the second places the officers in the position of flaunting court rulings.

To correct this unfortunate situation is the purpose of this bill. I believe that its passage into law will enhance the work of our law enforcement officials in their fight against crime, while at the same time it endangers no constitutional right of an accused. I would hope it may receive favorable action by this body.

The statement of the Commission follows:

THE CHALLENGE OF CRIME IN A FREE SOCIETY

(A report by the President's Commission on Law Enforcement and Administration of Justice)

APPEALS BY THE PROSECUTION

In every jurisdiction in this country the right of the prosecution to appeal from an adverse ruling by a court is more limited than the comparable right of the defendant. The argument against retrying a man who has convinced a court of the merit of his cause has led to double jeopardy clauses in the Federal Constitution and the constitutions of 45 States. The same argument inhibits appeals that, if successful, would result in just such a retrial. But in most States and the Federal system these considerations do not forbid all appeals by the prosecution, particularly those from pretrial rulings that are made before jeopardy attaches in the constitutional sense. Developments in the law, particularly the growth of search and seizure law and exclusionary rules governing confessions, call for a reexamination of the adequacy of the prosecution's right to appeal.

Under common practice motions for the suppression of evidence are required to be made before trial when possible. These motions are likely to become more frequent as a result of recent court decisions, and in an increased number of cases the prosecution will be blocked by a pretrial order suppressing evidence or a statement. Frequently the prosecution cannot successfully proceed to trial without the suppressed evidence. Yet in only a few States does the prosecution have the right to appeal from the grant of such orders, and in the Federal courts the right to appeal applies only to narcotics cases.

Not only does the absence of a right of appeal preclude successful prosecution in many cases, including important cases involving organized crime, narcotics, and major thefts, but it has distinctly undesirable effects upon the development of law and practice. The law of search and seizure and confessions today is highly uncertain. This uncertainty is compounded by lower court rulings that restrict police conduct yet cannot be tested on appeal, and by inconsistent lower court decisions that can be resolved only on an appeal sought by the defendant.

When the prosecution is not permitted an appeal, law enforcement officers faced with restrictive rulings they feel are erroneous have available two courses, each of which is undesirable: They can follow the lower court decision and abandon the practice, in which case an authoritative decision by an appellate court never can be obtained; or they can continue the practice, hoping that in a future case a trial court will sustain it and that a defendant by appealing will give the higher court an opportunity to resolve the point. The first choice is undesirable because it results in the abandonment of what may be legitimate police practice merely because there is no way of testing it in the appellate courts. The second choice is equally undesirable for it puts the police in the position of deciding which court decisions they will accept and which they will not.

A more general right of the prosecution to appeal from adverse pretrial rulings is desirable. Controls may be needed to insure that appeals are taken only from rulings of significant importance and that the accused's right to a speedy trial is preserved by requirements of diligent processing of such appeals.

The Commission recommends:

> Congress and the States should enact statutes giving the prosecution the right to appeal from the grant of all pretrial motions to suppress evidence or confessions.

APPEALS FROM SUPPRESSION ORDERS

The Commission's recommendation that prosecutors be permitted to appeal trial court orders suppressing evidence is particularly important in organized crime cases, where so much investigative and prosecutive time has been expended, and where evidence gathering is extremely difficult. Allowing appeals would also help overcome corrupt judicial actions. In gambling cases, particularly, arbitrary rejection of evidence uncovered in a search is one method by which corrupt judges perform their services for organized crime.

APPEALS BY THE PROSECUTION

In all jurisdictions in this country the right of the prosecution to appeal in criminal cases is more limited than the comparable right afforded the accused. This limitation results primarily from the double jeopardy clauses contained in the Federal Constitution and in the constitutions of 45 States. Double jeopardy prevents the retrial of the defendant for the same offense after he has once been acquitted. The right to appeal from a trial ruling made after jeopardy has attached, therefore, is of little value to the prosecution.

Double jeopardy, however, does not preclude appeals by the government from all rulings in criminal cases. Under the Federal constitutional provision and provisions in most States jeopardy attaches when the jury is impaneled and sworn or when the court in a nonjury trial begins to hear evidence. Thus in the Federal system and in the majority of States, statutes allow the prosecution to take an appeal from pretrial rulings dismissing the indictment or information or sustaining a plea in bar to the prosecution. If the government is successful on appeal, it may continue the prosecution.

The recent growth of constitutional law in the areas of search and seizure and confessions, including extension of the exclusionary rules to govern State criminal prosecutions, has increased the number of situations in which prosecutions may be stymied by a pretrial order suppressing seized evidence or a statement by the accused. In many cases the prosecution cannot proceed to trial without the suppressed evidence. And even where it has other evidence for trial, the chances of obtaining a conviction may be severely weakened by the suppression order. Although appeals by the prosecution from pretrial suppression orders are constitutionally permissible, this right is available in only a few States, and in the Federal courts the right to appeal is limited to narcotics cases.

The importance of permitting the government to appeal from pretrial suppression orders is most evident in prosecutions involving professional criminal enterprises. Successful prosecutions in these cases often depend upon whether seized evidence, such as gambling equipment or stolen property, can be introduced at trial. If a pretrial order suppressing such evidence is not appealable, an erroneous decision by a trial judge may result in the inability of the prosecution to obtain a conviction in a case where law enforcement interests are particularly strong and in the waste of months or years of extensive investigation.

But the importance of allowing the government to appeal goes beyond the significance of any particular prosecution. The rules on search and seizure and confessions are today characterized by a high degree of uncertainty. If lower court rulings restricting police conduct cannot be appealed and if inconsistent lower court decisions can be resolved only on an appeal by a defendant it is most difficult to formulate law enforcement policies. Although it may be argued that erroneous rulings by trial courts will eventually lose their effect as appellate courts consider search and seizure and confessions questions raised by defendants, this is an unsatisfactory remedy. When the prosecution is not permitted to appeal law enforcement officials faced with a restrictive ruling which they feel is erroneous have two choices. They may follow the lower court decision and abandon the practice, in which case an authoritative decision by an appellate court may never be obtained, or they may continue the practice, hoping that in a future case a trial court will sustain it and that the defendant will appeal. The first course results in the abandonment of what may be a legitimate police practice solely because of the lack of any vehicle for testing it in the appellate courts. The second course puts the police in the undesirable position of deciding which lower court decisions they will accept and which they will not.

Where the prosecution is permitted to appeal, on the other hand, the soundness of a restrictive pretrial suppression ruling may be settled promptly. All jurisdictions should enact statutes permitting the prosecution to appeal pretrial orders suppressing statements or seized evidence; granting the prosecution a more general right to appeal from adverse pretrial rulings on pleadings and motions also merits careful consideration. It is particularly desirable that the prosecution be given a broad right to appeal from pretrial suppression orders in the Federal courts, because of the importance of Federal prosecutions against organized crime and because of recent Supreme Court decisions indicating that the conduct of State law enforcement officers must be governed by Federal standards in those areas.

Where the prosecution is permitted to appeal from pretrial orders, rules should be established to protect the defendant's interest in obtaining a speedy trial. In the Federal system, for example, the statute provides that an appeal from a pretrial suppression order must be taken within 30 days and must be "diligently prosecuted." Moreover, government appeals should not be taken routinely from every adverse pretrial ruling. They should be reserved for cases in which there is a substantial law enforcement interest. Control over the type of cases appealed may be excerised in several ways. In the Federal system the Solicitor General's office must approve any appeals by U.S. Attorneys or Department of Justice prosecutors. In the States an appeal might be conditioned on approval by the State attorney general.

Mr. MIZE. Mr. Speaker, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman from Kansas.

Mr. MIZE. Mr. Speaker, I rise in support of H.R. 8654. As one of the Members who joined the gentleman from Illinois [Mr. RAILSBACK] in the introduction of his "anticrime" package of four bills, my own bill, H.R. 9680, is identical to H.R. 8654 as it was sent to the Judiciary Committee. The amended version of the bill makes it a stronger, more comprehensive bill and I would be the first to agree to these changes.

At this time in our history when the incidence of organized crime is a threat to our existence as an orderly society and the rate of all crimes is at an all-time high, it is important that the prosecutors have this right to appeal a motion to suppress evidence when the evidence suppressed is vital to the U.S. Government in proving its case.

As the report on the bill points out, the Supreme Court has indicated that the right of the Government to appeal is a question of policy for the Congress to decide.

The Government already has the right to appeal in cases involving the possession of narcotics. Congress provided the right of the Government to appeal in these cases and should extend this same right to all Federal criminal cases. There are other areas of law enforcement where the Government is hampered if it does not have this right to appeal on the suppression of evidence. These are listed in the report as "smuggling, frauds against Federal excise taxes, and even possibly cases of espionage and sabotage."

Under this legislation there is no deterioration of the safeguards of the rights of the defendants. They are not placed in double jeopardy and they would not be subjected to unwarranted delays.

The extension of this principle to other than narcotics cases has the support of the Department of Justice and the American Bar Association.

The amendment making it possible for the United States to also appeal an order of the District of Columbia Court of General Sessions, granting a motion for return of seized property or a motion to suppress evidence is a technical amendment granting to the United States the same right of appeal before the court of general sessions as it has in the U.S. district courts.

Mr. Speaker, the obligation of the Congress in adopting the provisions of this bill is clear. I trust that we will act upon the recommendations of the Judiciary Committee and approve the bill as amended.

Mr. McCULLOCH. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Speaker, I enthusiastically support this legislation. I asked for this time principally to explain an amendment adopted in the full committee and to pay tribute to our distinguished colleague on the committee, the gentleman from Illinois [Mr. RAILSBACK].

Mr. Speaker, this legislation has been recommended for many years by many outstanding legal scholars in the United States. It was endorsed by the President's Crime Commission, but it remained for the gentleman from Illinois [Mr. RAILSBACK], to catalyze the action in Subcommittee No. 5 this year. We are indebted to him for the leadership he has displayed.

Mr. Speaker, I also want to express on behalf of the Committee on the Judiciary the appreciation we feel for the generosity of the Committee on the District of Columbia. In its original form this proposed legislation was confined to the district courts of the Federal judicial system. In the full committee I offered an amendment to extend its reach to the District of Columbia court of general sessions. Recognizing that this amendment might be properly regarded as a trespass on the jurisdictional domain of other committees, I approached the chairman of the Committee on the District of Columbia, the gentleman from South Carolina [Mr. McMILLAN]. The distinguished gentleman agreed that the amendment was meritorious and that for the purpose of debate on this bill he would waive jurisdictional objections. I understand, too, that the ranking minority member of that committee, the gentleman from Minnesota [Mr. NELSEN] concurs.

Mr. Speaker, it was important, I think, to adopt this amendment. The U.S. attorney for the District of Columbia annually prosecutes between 10,000 and 11,000 criminal cases in the District of Columbia court of general sessions. That is to be compared with some 1,300 cases annually in the District Court of the District of Columbia. To permit, I suggest, the U.S. attorney for the District of Columbia to appeal from an order to suppress evidence and return seized property entered by the District Court for the District of Columbia while refusing him the right to appeal when the order is entered by the District of Columbia court of general sessions would be to create a functional absurdity.

The Department of Justice agrees that the amendment is necessary in order to fairly and effectively administer criminal justice.

Also, I am gratified, Mr. Speaker, that the full Committee on the Judiciary rejected an amendment adopted in subcommittee and restored the bill to the form in which it was originally introduced by the distinguished gentleman from Illinois [Mr. RAILSBACK].

In its original form, the proposed legislation authorized the release of the defendant pending an appeal by the prosecution under the terms of chapter 207, title XVIII of the United States Code. Chapter 207 is the Bail Reform Act of 1966 which was adopted by the 89th Congress. The amendment adopted in the subcommittee would have required the court in all cases, no matter how grave the circumstances, to release the accused on his own recognizance. Clearly, the accused in such cases should be treated no differently than defendants in all other cases pending appeal and, of course, the court should have the flexibility and the alternative release provisions under the Bail Reform Act as provided for by the last Congress in the handling of these matters.

I might add also that the Department of Justice agrees with this approach.

Mr. Speaker, this bill, when finally signed by the President, as I confidently expect it will be, will make a major contribution to the effort to win the war on crime about which the people of this country are so gravely concerned. The President's Crime Commission points out the fact that it will be particularly useful in the fight against organized crime.

I hope, Mr. Speaker, that for the psychological effect it will have on this country not a single voice is raised in dissent and not a single vote is cast in opposition to this legislation.

Mr. FINDLEY. Mr. Speaker, under general leave for extension of remarks in connection with H.R. 8654, I welcome this opportunity to congratulate my able colleague from Illinois [Mr. RAILSBACK].

This bill represents a unique legislative achievement for any member of the minority and especially one who, like Mr. RAILSBACK, is in his first year of service. It symbolizes the splendid talent of Mr. RAILSBACK and is a tribute to the good judgment of the people of the 19th Congressional District of Illinois.

Mr. McCULLOCH. Mr. Speaker, I have no further requests for time.

Mr. CELLER. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. (Mr. ALBERT). The question is on the motion of the gentleman from New York [Mr. CELLER] that the House suspend the rules and pass the bill H.R. 8654, as amended.

The question was taken.

Mr. MacGREGOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 311, nays 1, not voting 120, as follows:

[Roll No. 241]

YEAS—311

Abernethy
Adair
Adams
Addabbo
Albert
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashmore
Ayres
Bates
Battin
Belcher
Bennett
Eerry
Betts
Bevill
Biester
Blackburn
Blanton
Boggs
Boland
Bolling
Bolton
Bow
Brasco
Bray
Brinkley
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Cahill
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Cleveland
Collier
Colmer
Conable
Corbett
Corman
Cowger
Cramer
Cunningham
Curtis
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Denney
Derwinski
Devine
Dingell
Dole
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Everett
Fallon
Farbstein
Fascell
Findley
Flood
Ford, Gerald R.
Ford, William D.
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Gaimo
Gibbons
Gilbert
Gonzales
Goodling
Green, Pa.
Griffiths
Gross
Grover
Gude
Gurney
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hardy
Harsha
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kornegay
Kupferman
Kyl
Kyros
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McClory
McCulloch
McDade
McDonald, Mich.
McFall
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Mosher
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Pelly
Perkins
Pettis
Pickle
Pike
Poage
Poff
Pool
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roth
Roudebush
Roush
Ryan
Sandman
Satterfield
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Wiggins
Williams, Pa.
Winn
Wright
Wydler
Wylie
Wyman
Yates
Young
Zion
Zwach

NAYS—1

Burton, Calif.

NOT VOTING—120

Abbitt
Anderson, Ill.
Anderson, Tenn.
Ashley
Aspinall
Baring
Barrett
Bell
Bingham
Blatnik
Brademas
Brock
Broomfield
Broyhill, Va.
Byrnes, Wis.
Carey
Clausen, Don H.
Clawson, Del
Cohelan
Conte
Conyers
Culver
Daddario
Davis, Wis.
Dent
Dickinson
Diggs
Donohue
Dorn
Dow
Dwyer
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Feighan
Fino
Fisher
Flynt
Foley
Fraser
Frelinghuysen
Gallagher
Goodell
Gray
Green, Oreg.
Gubser
Hagan
Halleck
Halpern
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harvey
Hébert
Heckler, Mass.
Henderson
Herlong
Hull
Jones, Ala.
King, Calif.
Kleppe
Kluczynski
Kuykendall
Laird
Leggett
Lukens
McCarthy
McClure
McEwen
McMillan
Macdonald, Mass.
Madden
Mathias, Md.
May
Miller, Calif.
Morgan
Morton
Moss
Multer
Murphy, N.Y.
Nichols
Nix
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Pepper
Philbin
Pirnie
Pollock
Pucinski
Rarick
Rees
Resnick
Rivers
Ronan
Rostenkowski
Roybal
Rumsfeld
Ruppe
St Germain
St. Onge
Saylor
Schadeberg
Springer
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tiernan
Watkins
Widnall
Williams, Miss.
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wyatt
Zablocki

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Conte.

Mr. Hébert with Mr. Halleck.

Mr. St. Onge with Mr. Springer.

Mr. Evins of Tennessee with Mr. Goodell.

Mr. Donohue with Mr. Frelinghuysen.

Mr. Philbin with Mr. Pirnie.

Mr. Miller of California with Mr. Laird.

Mr. King of California with Mr. Bob Wilson.

Mr. Nichols with Mr. Davis of Wisconsin.

Mr. Barrett with Mr. Saylor.

Mr. Cohelan with Mr. Rumsfeld.

Mr. Kluczynski with Mr. Broomfield.

Mr. Moss with Mrs. May.

Mr. Ronan with Mr. Harrison.

Mr. Multer with Mr. Mathias of Maryland.

Mr. St Germain with Mr. Harvey.

Mr. Murphy of New York with Mr. Widnall.

Mr. Carey with Mr. Byrnes of Wisconsin.

Mr. Tenzer with Mr. O'Konski.

Mr. Wolff with Mr. Halpern.

Mr. Feighan with Mrs. Heckler of Massachusetts.

Mr. Daddario with Mrs. Dwyer.

Mr. Dent with Mr. Bell.

Mr. Edwards of California with Mr. McClory.

Mr. Macdonald of Massachusetts with Mr. Morton.

Mr. Williams of Mississippi with Mr. Dickinson.

Mr. Charles H. Wilson with Mr. Teague of California.

Mr. Gallagher with Mr. Fino.

Mr. Blatnik with Mr. Del Clawson.

Mr. Bingham with Mr. Gubser.

Mr. Anderson of Tennessee with Mr. Anderson of Illinois.

Mr. Culver with Mr. Hansen of Idaho.

Mr. Gray with Mr. Broyhill of Virginia.

Mr. Dorn with Mr. Watkins.

Mr. Morgan with Mr. McEwen.

Mr. Henderson with Mr. Brock.

Mr. Abbitt with Mr. Don H. Clausen.

Mr. Jones of Alabama with Mr. Wyatt.

Mr. Leggett with Mr. Ruppe.

Mr. Brademas with Mr. Schadeberg.

Mr. Baring with Mr. Kleppe.

Mr. Olsen with Mr. Pollock.

Mr. Pucinski with Mr. Thompson of Georgia.

Mr. Rivers with Mr. Kuykendall.

Mr. Aspinall with Mr. Lukens.

Mr. Tiernan with Mr. McCarthy.

Mr. Zablocki with Mr. Willis.

Mr. Resnick with Mr. Nix.

Mr. Dow with Mr. Diggs.

Mr. Madden with Mr. McMillan.

Mr. Rees with Mr. Conyers.

Mr. Evans of Colorado with Mr. Pepper.

Mr. Foley with Mr. Flynt.

Mrs. Green of Oregon with Mr. Hagan.

Mrs. Hansen of Washington with Mr. Rarick.

Mr. Rostenkowski with Mr. Herlong.

Mr. Hull with Mr. Frazier.

Mr. Roybal with Mr. O'Hara of Michigan.

Mr. Ashley with Mr. Fisher.

Mr. Hanna with Mr. Thompson of New Jersey.

The result of the vote was announced as above recorded. The doors were opened.

The title was amended so as to read: "A bill to amend section 3731, title 18, United States Code, and section 23-105 of the District of Columbia Code, to permit an appeal by the United States in certain instances from an order made before trial granting a motion for return of seized property and to suppress evidence."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

INCREASE AUTHORIZATION FOR MISSOURI RIVER BASIN

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8775) to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior, as amended.

The Clerk read as follows:

H.R. 8775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 19, 1966 (80 Stat. 322), is hereby amended by changing "$60,000,000" to "$68,000,000".

The SPEAKER pro tempore. Is a second demanded?

Mr. BERRY. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from California [Mr. JOHNSON] will be recognized for 20 minutes, and the gentleman from South Dakota [Mr. BERRY] will be recognized for 20 minutes. The Chair recognizes the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 8775 is to increase the authorization for appropriations for continuing work on reclamation projects in the Missouri River Basin. This is a "going" construction program and H.R. 8775 does not authorize any new projects. The amount of the increase which is applicable only to this fiscal year—fiscal year 1968—is $8 million, a decrease of $1 million in the amount requested by the administration.

This $8 million increase in the amount authorized to be appropriated would be accomplished by amending the act of July 19, 1966, which authorized the appropriation of $60 million for fiscal years 1967 and 1968. The enactment of this legislation would authorize total appropriations of $68 million for these 2 fiscal years.

The current authorization for $60 million during fiscal years 1967 and 1968 is not sufficient to carry out the construction work approved and included in the President's fiscal year 1968 budget. This is due to two developments not contemplated at the time the 1966 legislation was considered and approved by the committee and the Congress.

First, an emergency situation has arisen in connection with the Tiber Dam of the lower Marias unit of the Missouri River Basin project, and some reconstruction work is necessary to alleviate a dangerous weakening of the spillway in the dam. Since the initial filling of the reservoir, settlement of the spillway crest has occurred due to the deterioration of the foundation of the spillway gate structure. A field study several months ago indicated that a hazardous condition existed and that immediate action is needed in order to prevent failure. The reconstruction work required to meet this emergency situation is estimated at about $2.7 million.

The other development involving additional fund needs came about because of the findings of recent studies of electric power needs in the Missouri River Basin and recent power failures in the State of Nebraska. As a result, the decision has been made, and funds included in the President's budget, to initiate construction of a 345-kilovolt transmission line from Fort Thompson, S. Dak., to Grand Island, Nebr.

This transmission line is required for delivering power and energy from Federal generating facilities into the State of Nebraska. The actual flow of power over this line is expected to be about 375 megawatts summer and about 160 megawatts winter. Any use of this line for wheeling non-Federal energy will be on a temporary and short-term basis. The committee devoted 2 days to hearings to the need and justification for this transmission line. The committee is convinced that the line is needed and that its construction should be initiated as soon as possible. Without this new line, the Bureau cannot have an assured market for approximately 400 megawatts of power from existing generating facilities. In addition, the line provides an important facility which improves the operation of the entire Missouri River Basin transmission network.

The amount in the President's budget for construction of the transmission line is about $11.1 million. Thus, the fund requirements for the two items I have discussed amount to $13.8 million—$2.7 million for Tiber Dam and $11.1 million for the transmission line. The addition of this amount to the already approved obligations causes the $60 million current authorization ceiling to be exceeded by a little over $8 million. The committee approved an increase of $8 million. The funds for the work I have discussed will still have to be included in the Public Works Appropriation Act before the expenditures can be made.

Mr. Speaker, there was no opposition in the committee to the favorable reporting of H.R. 8775. I believe this legislation is needed at this time, and I urge its approval by the House.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the distinguished gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Speaker, this bill, as the gentleman from California [Mr. JOHNSON] has stated, increases the appropriation for works I should say that are now or have been under construction for some time.

The gentleman from California [Mr. JOHNSON] mentioned the fact that this bill and the amendment which has been offered by the committee, will reduce the requested amount by $1 million.

Mr. Speaker, if the Members of the House will turn to page 6 of the report they will note that the various departments in making their recommendations and reports to the Congress under this legislation stated that they needed $8,010,778. However, upon inquiring as to why they needed $9 million, they said that they just wanted to "round out" the figure. I rounded it out by offering an amendment, Mr. Speaker, that $8 million should be authorized, thereby saving $1 million.

Mr. Speaker, it is my opinion that the people downtown should not increase the expenditures on these numerous projects to the extent of $1 million when there is only the sum of $10,778 above the $8 million figure, and it is my opinion that they are in pretty bad shape in doing so. They had better get their pencils out down there and sharpen them before proceeding in this fashion.

Mr. JOHNSON of California. The committee recognized the request of the gentleman from Florida and the committee adopted the gentleman's amendment.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman from California yielding and, generally, I favor this legislation. I understand that the two emergencies, or at least the first reported emergency, requires the increased authorization and the need for the perennial high-power tie line recommendation made by the Secretary of the Department of the Interior, as well as the fact that it will eventually encompass the United States. But, I rise to ask the gentleman from California if the gentleman can reassure this House, as we are considering this proposed legislation under a suspension of the rules and in a very limited time, if this bill does pass under a suspension of the rules, as amended in committee, if it would not be his intention—and I would like to be assured as well as the rest of the House that it would not be the intention of the gentleman from California to bring the bill to the floor, S. 1601, as a substitute for the House bill, which has the "full-rounded" figure of $69 million contained therein, and that we can have the full assurance that there would be no such unanimous consent made to do so.

Mr. JOHNSON of California. In answer to the question which has been propounded by the gentleman from Missouri [Mr. HALL], it is the intention of the gentleman from California to undertake to have passed H.R. 8775 and then ask unanimous consent to consider S. 1601 and to strike everything after the enacting clause of S. 1601 and insert in lieu thereof the language of the House bill as passed, and send it back to the Senate.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, then it would be the opinion of the gentleman, if he would yield further, that if the other body does not accept this reduced bill by eliminating the so-called rounded figure, that this would be a subject of the conference committee and the conferees, and I would hope that the gentleman from California would uphold the decision of the Members on the part of the House in the conference with respect to this legislation?

Mr. JOHNSON of California. I would say to the gentleman from Missouri that his understanding is correct but that of course, as the gentleman knows, the chairman of the full Committee on Interior and Insular Affairs naturally will handle the conference and conferees on the part of the House, if a conference is necessary, and I am sure that the gentleman from Colorado [Mr. ASPINALL] will maintain the position of the House in this respect.

Mr. KYL. Mr. Speaker, will the gentleman yield for an assurance from this side of the aisle?

Mr. JOHNSON of California. Yes, I yield to the gentleman from Iowa.

Mr. KYL. I would like to reassure the gentleman from Missouri that the statement of the gentleman from California in answer relative to the question of the gentleman from Missouri seems to me to reflect the opinion on both sides of the aisle.

Mr. JOHNSON of California. Yes, I would say that this was a unanimous decision on the part of the subcommittee, and also the full committee.

Mr. BERRY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 8775, a bill to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior.

The purpose of this legislation is to increase by $8 million the amount authorized to be appropriated for fiscal years 1967 and 1968 for continuing the works in the Missouri River Basin undertaken by the Secretary of the Interior pursuant to the comprehensive plan adopted by the act of December 22, 1944; Public Law 78-534 in the 78th Congress.

Testimony given before the Committee on Interior and Insular Affairs by officials of the Bureau of Reclamation and the Department of the Interior indicate the necessity for this proposed increase in authorization. A hazardous condition has developed in the operation of the Tiber Dam of the Lower Marias unit of the Missouri River Basin project located in northwest Montana. Since the initial filling of the reservoir in 1956, settlement of the spillway crest has occurred due to the deterioration of the foundation of the spillway gate structure. A field review made in December 1966, indicated the need for immediate action as continued settlement will place the walls precariously close to failure. Failure of the wall during times of sizable spillway discharges could be disastrous. This emergency situation will require $2,750,000 for fiscal 1967 and 1968 to initiate repair works and construction of a coffer dam.

Another development occurring in the Missouri River Basin is the result of recent studies of electrical power needs in the area. These studies indicated the need for construction of a 345-kilovolt transmission line and terminal facilities from Fort Thompson, S. Dak., to Grand Island, Nebr.

Mr. Speaker, construction of the 345-kilovolt line was the subject of considerable discussion in the Committee on Interior and Insular Affairs. I, for one, urged delay in the consideration of this legislation because of my concern that the construction and operation of this 345-kilovolt line would adversely affect the operation of the proposed vital Oahe irrigation project in South Dakota.

The initial phase of the proposed Oahe irrigation project is dependent upon pumping water out of the Oahe Reservoir to irrigate some 190,000 acres of land in the James River Basin. There are six penstocks in the Oahe Dam which lead directly to power generators. The seventh penstock contains a "Y" so that for part of the time this penstock can be used to generate electricity and part of the time it can be used to pump water from the Oahe Reservoir up over the divide and down the canals into the James River area where it will irrigate some 190,000 acres.

When the Department was before the committee testifying on this bill, they stressed the point that one of the principal purposes of this 345-kilovolt line was to provide power to pump water for irrigation in Nebraska. The bill caused me some concern because of the report of the Department and the Bureau of Reclamation, dated May 1965, on page 54, is as follows, and I quote:

> Under full development, the operation period for the Oahe Pumping Plant will be about six and a half months of the year—April through mid-October, with a three to four week shutdown period during July or August.

The supplemental report of the Bureau, dated June 1965, on page 46, states this, and I quote:

> By lowering Blunt Reservoir outlet to Highmore canal by 14 feet and increasing the cut on Highmore canal, enough active storage can be provided to supply 25 days of irrigation water requirements for the ultimate development without pumping from Oahe Reservoir. During this 25 day period the seventh unit of Oahe power plant could be used for meeting the summer peaking power demand.

My question naturally was, Is it the intention of the Bureau of Reclamation to dry up the 30-mile-long Pierre Canal leading from the divide to the proposed Blunt Reservoir, for a period of 25 to 30 days during the height of the irrigation period thus depriving a large area along the canal of irrigation, and at the same time require the Highmore Canal, which leads from the Blunt Reservoir to the reclamation areas to be dug 14 feet deeper, which would require penstocks along that canal to irrigate along that area? All this in order that they might have our power to irrigate in Nebraska during July and August. This was my reason for opposing H.R. 8775 originally, but after considerable negotiation with the Bureau of Reclamation I have been advised that the planned operation for the Oahe pumping unit has been changed and that Unit 7 will be used throughout the irrigation season in South Dakota for pumping and irrigation in South Dakota and not closed down to add power to this 345-kilovolt line for irrigation in Nebraska.

I ask unanimous consent, Mr. Speaker, to insert a copy of a letter setting out this revised plan designed by Floyd E. Dominy, Commissioner of Reclamation, dated July 20, 1967, be made a part of this RECORD at this point for future reference.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BERRY. Mr. Speaker, the letter is as follows:

> U.S. DEPARTMENT OF THE INTERIOR,
> BUREAU OF RECLAMATION,
> *Washington, D.C.*
>
> Hon. E. Y. BERRY,
> *House of Representatives,*
> *Washington, D.C.*
>
> DEAR MR. BERRY: Our letter of June 7 advised you that studies under way in relationship to the most economical manner of operating Blunt Reservoir on the Oahe Unit would be intensified on receipt of construction funds. We now find, however, that our project and regional offices are much further advanced on these studies than indicated earlier.
>
> We are now advised by our Regional Director in Billings that the plan of operation indicated on pages 44 and 54 of the planning report would not be justified. This being the case, Unit 7 of the Oahe Dam Project will not be operated during the irrigation season for power purposes. Instead, the pumping plant will be operated during the irrigation season to maintain water in the Pierre Canal with a minimum practical fluctuation of Blunt Reservoir. You will recall that the design of the facilities of the Oahe Dam pertaining to the diversion structure is that a single penstock through the dam branches in its lower reaches with one branch going to the pumping plant and the other branch going to Unit 7 of the power plant. Because of the relative capacities of the penstock and its branches, the project is not designed to operate the pumping plant and Unit 7 simultaneously.
>
> With this decision it will therefore not be necessary to lower the canal outlet from Blunt Reservoir. The Highmore Canal will be kept at its earlier planned elevation rather than being lowered 14 feet as set forth in the planning report.
>
> We hope this added information will be helpful to you in appraising your position in regard to the Oahe Unit.
>
> Sincerely yours,
> FLOYD E. DOMINY, *Commissioner.*

Incidentally as a result of the Bureau of Reclamation's investigation, the outlet works for the Highmore Canal will not be constructed at its earlier planned elevation. This change means a reduction of $2,775,000 in the cost estimate for the proposed Oahe unit in South Dakota.

Mr. Speaker, with the assurance on the part of the Bureau of Reclamation that Unit 7 will be used for irrigation in South Dakota during July and August of each year rather than for the generation of power for irrigators in Nebraska at the expense of South Dakota farmers, I support this legislation and urge the support of every Member of the House.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. BERRY. I yield to the gentleman.

Mr. HOSMER. The gentleman is satisfied that the arrangement which has now been committed to favoring the State of South Dakota will be kept by the bureau in the operation of this installation over the years?

Mr. BERRY. That is my purpose in placing this letter in the RECORD and in placing this statement in the RECORD in order that we may have this further proof.

Mr. HOSMER. Then, so far as the gentleman is concerned, if the gentleman will yield further, this is a moral commitment by the bureau to the Congress which was arrived at during the process of this legislation and as a matter of fact in the process of this legislation was not scotched because the bureau did make the commitment and did evidence that it would keep it.

Mr. BERRY. That is correct.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman has consumed 8 minutes.

Mr. BERRY. Mr. Speaker, I yield to the gentleman from California [Mr. Hosmer] such time as he may consume.

Mr. HOSMER. Mr. Speaker, I rise in support of H.R. 8775, a bill to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior. I do so only because of the emergency situation presented.

H.R. 8775 provides for an increase of $8 million in the amount authorized to be appropriated for fiscal years 1967 and 1968 for continuing works in the Missouri River Basin by amending the act of July 19, 1966, which authorized the appropriation of $60 million for continued planning and construction during fiscal years 1967 and 1968.

Mr. Speaker, I consider this legislation requested by the Department of the Interior in part the result of a blunder on the part of the Bureau of Reclamation requiring an additional expenditure to rectify the consequences of earlier inaccurate engineering and planning. Certain more recent activities of the Bureau makes one wonder if it is functioning any better at this later date. If my memory serves me correctly, it was only last year that the Bureau of Reclamation informed the Committee on Interior and Insular Affairs of its recommended planning and engineering to alleviate the water shortage in the Lower Colorado River Basin. Yet this year, a completely different proposal for the Lower Colorado River Basin has been endorsed by the Bureau of Reclamation.

In any event, the legislation before us is needed.

H.R. 8775 provides that of the $8 million authorized to be appropriated, $2,750,000 will be used to construct a coffer dam in front of weakened spillways at Tiber Dam in northwestern Montana and make the necessary repairs to the spillways to prevent their total failure because of the accelerated rate of deterioration caused by subsidence in the foundation. It is my feeling that the Bureau should have anticipated this subsidence in the first place and engineered around it. The remaining funds are to be used for the construction of the proposed 345-kilovolt transmission line from Fort Thompson, S. Dak., to Grand Island, Nebr. However, testimony by the Bureau of Reclamation indicates that this is merely a nibble and that ultimately the whole operation will eventually cost in excess of $26,000,000.

While much of the reasoning presented by the Bureau of Reclamation in support of this legislation was nebulous, I shall support the passage of H.R. 8775 because of the emergency situation presented by the flooding of downstream areas should the foundation beneath the spillway and inlet walls continue to deteriorate at the present rate.

Mr. BERRY. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska [Mr. Martin].

The SPEAKER pro tempore. The gentleman from Nebraska is recognized.

Mr. MARTIN. Mr. Speaker, I want to thank the able chairman, the gentleman from California [Mr. Aspinall], and the gentleman from California [Mr. Harold Johnson], chairman of the subcommittee, as well as the members of the Interior and Insular Affairs Committee, for their careful study of the legislation presently before us. This is a good bill, which is urgently needed.

H.R. 8775 is a bill to authorize an increase of $8 million for the development of the Missouri River Basin. Part of these funds would be used for the construction of a 345-kilovolt transmission line and terminal facilities between Fort Thompson, S. Dak., and Grand Island, Nebr. The early construction of this line will satisfy three very important needs:

First. The Bureau will have an assured market for a block of power.

Second. The line will provide an important facility to improve the operations of the entire transmission network and will facilitate the installation of large economical generating units by others.

Third. Construction of the line now will alleviate a very severe power shortage which exists in Nebraska.

There have been four power blackouts in Nebraska during the last 5 years including an extremely severe and widespread blackout in the summer of 1966. This 345-kilovolt line will help to prevent future blackouts and stabilize the power supply in the Great Plains area. It is planned that the power from Fort Thompson will come into Nebraska during the peak demand period of the summer, and then be used in the Dakotas during their peak demand period in the winter.

Nebraska is bearing part of the load to alleviate this power shortage, as the Consumers Public Power District, in 1966, authorized construction and awarded contracts for an 800,000-kilowatt nuclear plant, of which 400,000 kilowatts will be available for Nebraska agencies, and the remainder to be available for use in Iowa, under contract between Consumers and the Iowa Power & Light Co. In 1967, outstate Nebraska power agencies provided generation for 800,000 kilowatts. By 1975, Nebraska agencies are expected to provide generating capacity to supply 1,359,000 kilowatts. Thus, you can see that we in Nebraska are moving as rapidly as possible to take care of the power needs of the State.

Our peak power loads come during the summer months, when our electric irrigation pumps are in operation. We need to get started immediately on the construction of this 345-kilovolt line if we are going to offset a very severe power shortage.

Nebraska is a 100-percent public power State. The public power boards of Nebraska, which include all of the municipal plants, as well as the REA's, and the public power companies, unanimously approved and endorsed the construction of this 345-kilovolt line. This is a good, sound project, and I hope that the House will unanimously approve H.R. 8775.

Mr. BERRY. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska [Mr. Denney].

Mr. DENNEY. Mr. Speaker, I rise in support of H.R. 8775.

This bill would raise the existing appropriation authorization for work in the Missouri River Basin from $60 million to $68 million. The raising of the limit is necessary in order to allow for the construction of a 345-kv transmission line from Fort Thompson, S. Dak., to Grand Island, Nebr. The line will carry vitally needed power from Bureau of Reclamation dams on the Missouri River to power-deficient Nebraska.

Nebraska has suffered four blackouts during the past 4 years. With the increase in demand for power in Nebraska and existing systems being operated at near maximum capacity, it is imperative that Nebraska have additional sources of power. Nebraska is the only midwestern State without a high voltage tie to the Bureau of Reclamation system.

Because of the large amount of damage suffered by power users during prior electricity deficiency, it is imperative that this legislation be passed. Additionally, the construction of this line will contribute towards the orderly development of power in the Great Plains area; in addition this added power is vitally necessary for the industrial growth in the eastern third of Nebraska which is my congressional district.

Mr. Speaker, I urge my colleagues to join with me and the distinguished gentleman from Colorado in voting in favor of H.R. 8775.

Mr. BERRY. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska [Mr. Cunningham].

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I wholeheartedly support this legislation, H.R. 8775. The development of the great Missouri Basin, so important to the economy of the United States and the States involved goes unchallenged. Every encouragement should be given to the continual development of the basin and this bill is intended to do that. Also it should be noted that the bill includes the construction of a much-needed 345-kilovolt transmission line and terminal facilities from Fort Thompson to Grand Island Nebr. I simply want to emphasize that great development has been made in the Missouri Basin and this is but a continuing of that development. I wish to pay my sincere thanks to chairman Aspinall, of the great Committee on Interior and Insular Affairs, and the diligent work and understanding of the gentleman from California [Mr. Johnson]. All of us who recognize the great contributions to the midlands and the Missouri Basin by the Committee on Interior and Insular Affairs are deeply grateful to this great committee and its members.

Mr. BERRY. Mr. Speaker, I have no further requests for time.

Mr. JOHNSON of California. Mr. Speaker, I have no further request for time.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from California [Mr. JOHNSON] that the House suspend the rules and pass the bill H.R. 8775, as amended.

The question was taken.

Mr. HOSMER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors. The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 225, nays 83, not voting 124, as follows:

[Roll No. 242]

YEAS—225

Abernethy
Adair
Albert
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ayres
Battin
Belcher
Berry
Betts
Biester
Blackburn
Blanton
Boggs
Boland
Bolling
Bolton
Brinkley
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Cahill
Carter
Casey
Cederberg
Chamberlain
Clark
Collier
Conable
Corbett
Cowger
Cunningham
Davis, Ga.
Dawson
Dellenback
Denney
Derwinski
Dole
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Everett
Fallon
Fascell
Findley
Flood
Ford, Gerald R.
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Giaimo
Gibbons
Goodell
Gray
Green, Pa.
Griffiths
Gross
Gude
Gurney
Haley
Hall
Hamilton
Hammerschmidt
Hardy
Harsha
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Hicks
Holifield
Horton
Hosmer
Hungate
Ichord
Jacobs
Jarman
Johnson, Calif.
Jones, Mo.
Karsten
Kastenmeier
Kazen
Kee
Kirwan
Kupferman
Kyl
Kyros
Landrum
Lipscomb
Lloyd
Long, La.
Long, Md.
McCulloch
McDade
McDonald, Mich.
McFall
MacGregor
Machen
Mahon
Mailliard
Martin
Mathias, Calif.
Matsunaga
Mayne
Meeds
Meskill
Mills
Mink
Mize
Moore
Morris, N. Mex.
Murphy, Ill.
Myers
Natcher
Nedzi
O'Hara, Ill.
O'Neal, Ga.
Passman
Patman
Patten
Pelly
Perkins
Pettis
Pickle
Pool
Price, Ill.
Price, Tex.
Pryor
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roudebush
Roush
Ryan
Sandman
Scherle
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Tex.
Thomson, Wis.
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vigorito
Waggonner
Waldie
Walker
Wampler
Watson
Watts
Whalen
Whalley
White
Whitten
Widnall
Wiggins
Williams, Pa.
Winn
Wright
Wylie
Wyman
Yates
Young
Zion
Zwach

NAYS—83

Adams
Addabbo
Ashbrook
Ashmore
Bates
Bennett
Bevill
Bow
Brasco
Bray
Brown, Ohio
Broyhill, N.C.
Buchanan
Byrne, Pa.
Cabell
Clancy
Cleveland
Colmer
Cramer
Curtis
Daniels
de la Garza
Delaney
Devine
Dingell
Duncan
Edwards, Ala.
Farbstein
Ford, William D.
Fountain
Fulton, Pa.
Galifianakis
Gardner
Gettys
Gilbert
Gonzalez
Goodling
Grover
Hanley
Hawkins
Helstoski
Howard
Hunt
Hutchinson
Irwin
Joelson
Johnson, Pa.
Jones, N.C.
Karth
Keith
Kelly
Kornegay
Langen
Latta
Lennon
McClory
Marsh
Michel
Miller, Ohio
Minish
Minshall
Monagan
Montgomery
Moorhead
Mosher
Nelsen
Ottinger
Pike
Poff
Reid, N.Y.
Robison
Rodino
Rosenthal
Roth
Satterfield
Scheuer
Schneebeli
Stratton
Sullivan
Tuck
Vanik
Whitener
Wydler

NOT VOTING—124

Abbitt
Anderson, Ill.
Anderson, Tenn.
Arends
Ashley
Aspinall
Baring
Barrett
Bell
Bingham
Blatnik
Brademas
Brock
Broomfield
Broyhill, Va.
Byrnes, Wis.
Carey
Celler
Clausen, Don H.
Clawson, Del
Cohelan
Conte
Conyers
Corman
Culver
Daddario
Davis, Wis.
Dent
Dickinson
Diggs
Donohue
Dorn
Dow
Dwyer
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Feighan
Fino
Fisher
Flynt
Foley
Fraser
Gallagher
Green, Oreg.
Gubser
Hagan
Halleck
Halpern
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harvey
Hébert
Henderson
Herlong
Holland
Hull
Jonas
Jones, Ala.
King, Calif.
King, N.Y.
Kleppe
Kluczynski
Kuykendall
Laird
Leggett
Lukens
McCarthy
McClure
McEwen
McMillan
Macdonald, Mass.
Madden
Mathias, Md.
May
Miller, Calif.
Morgan
Morse, Mass.
Morton
Moss
Multer
Murphy, N.Y.
Nichols
Nix
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Pepper
Philbin
Pirnie
Poage
Pollock
Pucinski
Purcell
Rarick
Rees
Resnick
Rivers
Ronan
Rostenkowski
Roybal
Rumsfeld
Ruppe
St Germain
St. Onge
Saylor
Schadeberg
Springer
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tiernan
Watkins
Williams, Miss.
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wyatt
Zablocki

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Conte.

Mr. Hébert with Mr. Halleck.

Mr. St. Onge with Mr. Springer.

Mr. Evins of Tennessee with Mr. Don H. Clausen.

Mr. Donohue with Mr. Broomfield.

Mr. Philbin with Mr. Pirnie.

Mr. Miller of California with Mr. Laird.

Mr. King of California with Mr. Bob Wilson.

Mr. Nichols with Mr. Davis of Wisconsin.

Mr. Barrett with Mr. Saylor.

Mr. Cohelan with Mr. Rumsfeld.

Mr. Kluczynski with Mr. Brock.

Mr. Moss with Mrs. May.

Mr. Ronan with Mr. Harrison.

Mr. Multer with Mr. Mathias of Maryland.

Mr. St Germain with Mr. Harvey.

Mr. Murphy of New York with Mr. Morse of Massachusetts.

Mr. Carey with Mr. Byrnes of Wisconsin.

Mr. Tenzer with Mr. O'Konski.

Mr. Wolff with Mr. Halpern.

Mr. Feighan with Mr. Lukens.

Mr. Daddario with Mrs. Dwyer.

Mr. Dent with Mr. Bell.

Mr. Edwards of California with Mr. McClure.

Mr. Macdonald of Massachusetts with Mr. Morton.

Mr. Williams of Mississippi with Mr. Dickinson.

Mr. Charles H. Wilson with Mr. Teague of California.

Mr. Gallagher with Mr. Fino.

Mr. Blatnik with Mr. Del Clawson.

Mr. Bingham with Mr. Gubser.

Mr. Anderson of Tennessee with Mr. Anderson of Illinois.

Mr. Culver with Mr. Hansen of Idaho.

Mr. Ashley with Mr. Broyhill of Virginia.

Mr. Dorn with Mr. Watkins.

Mr. Morgan with Mr. McEwen.

Mr. Henderson with Mr. Jonas.

Mr. Abbitt with Mr. Arends.

Mr. Jones of Alabama with Mr. Kuykendall.

Mr. Leggett with Mr. Pollock.

Mr. Brademas with Mr. Kleppe.

Mr. Baring with Mr. King of New York.

Mr. Olsen with Mr. Ruppe.

Mr. Pucinski with Mr. Schadeberg.

Mr. Rivers with Mr. Thompson of Georgia.

Mr. Aspinall with Mr. Wyatt.

Mr. Tiernan with Mr. Nix.

Mr. Zablocki with Mr. Pepper.

Mr. Dow with Mr. Diggs.

Mr. Madden with Mr. Fisher.

Mr. Rees with Mr. Conyers.

Mr. Foley with Mr. McCarthy.

Mrs. Green of Oregon with Mr. Celler.

Mrs. Hansen of Washington with Mr. Thompson of New Jersey.

Mr. Hull with Mr. Willis.

Mr. Roybal with Mr. McMillan.

Mr. Hagan with Mr. Evans of Colorado.

Mr. Hanna with Mr. Flynt.

Mr. Fraser with Mr. O'Hara of Michigan.

Mr. Purcell with Mr. Resnick.

Mr. Rostenkowski with Mr. Holland.

Mr. Herlong with Mr. Corman.

Mr. KARTH changed his vote from "yea" to "nay."

Mr. MONAGAN changed his vote from "yea" to "nay."

Mr. CABELL changed his vote from "yea" to "nay."

Mr. WHITTEN changed his vote from "nay" to "yea."

Mr. JOHNSON of Pennsylvania changed his vote from "yea" to "nay."

Mr. FINDLEY changed his vote from "nay" to "yea."

Mr. TAFT changed his vote from "nay" to "yea."

Mr. KEITH changed his vote from "yea" to "nay."

Mr. CHAMBERLAIN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill S. 1601 to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior, a similar bill to the one the House just passed, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. HALL. Mr. Speaker, reserving the

right to object, it is my understanding that this bill was not to be considered because it involves an extra $1 million as passed by the other body. I understood we were going to move to strike all after the enacting clause and substitute the bill which we have just passed, H.R. 8775. I ask if that is the intention of the gentleman.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from California.

Mr. JOHNSON of California. That is my intention. I will move to strike all after the enacting clause.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1601

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 19, 1966 (80 Stat. 322), is hereby amended by changing "$60,000,000" to $69,000,000".

AMENDMENT OFFERED BY MR. JOHNSON OF CALIFORNIA

Mr. JOHNSON of California. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of California: Strike out all after the enacting clause of S. 1601 and insert the provisions of H.R. 8775, as passed, as follows:

H.R. 8775

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of July 19, 1966 (80 Stat. 322), is hereby amended by changing '$60,000,000' to '$68,000,000'.".

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 8775) was laid on the table.

ROMNEY BRAINWASHES EASY

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, I would like to extend my deepest sympathy today to my Republican colleagues for the political passing of one of their would-be presidential candidates—Gov. George Romney, of Michigan.

It is not often that we get to witness the political suicide of a candidate before the campaign year has even begun. And yet it is obvious that Mr. Romney's astounding revolving-door statements on the Vietnam war have just about eliminated him as a serious presidential possibility.

I say this with a great deal of sadness, for I have tremendous sympathy for the plight of the Republican moderates as they seek to wrest control away from the Goldwaterites who dominate their party.

Mr. Romney may not be dead as a candidate, but it is all too clear that rigor mortis has set into his campaign.

Quite frankly, I do not think the American people are going to support a man who is so clearly unable to cope with the day-to-day pressures of political campaigning.

If he cannot handle himself with a crowd of newspaper reporters—as obviously he cannot—I do not see how he would be able to handle the really difficult challenges facing a President.

Governor Romney's statement that he was "brainwashed" by the generals in Vietnam gives rise to the question about who might be brainwashing him now.

I would hate to think that he would be so easily seduced by Premier Kosygin as he says he was by our own generals and by Henry Cabot Lodge.

This is not a question of whether a man is a dove or a hawk on Vietnam. There are sincere people on both sides. The relevant issue here is whether a man can cope with pressure.

The fact that others on the same trip to Vietnam with Mr. Romney—Republicans and Democrats—insist that they were not brainwashed simply illustrates how ludicrous the Governor's latest position is.

I would like to think that he is simply changing his positions all the time solely for political effect, hoping to grasp at favorable winds of public opinion as they shift.

But I am afraid his problems go deeper than that. He seems reluctant to face reality.

One day he is for a hard line in Vietnam, the next day he is against it. One day he is for open occupancy in housing, the next day he is against it.

Unfortunately, he seems to have a very changeable mind.

If nothing else, it is clear he is a man whose deep convictions are somewhat flexible.

I feel sorry for the man. A good long vacation might help.

It may be that the Republicans ought to start looking for another horse.

A TIME FOR LISTENING

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I think it would be well as we resume work today to take a hard look at the fact that Congress has been in session 8 months and yet much of the necessary work of the session is still to be done. We are at this moment confronted with the unhappy prospect of spending most of the remainder of the year in session, unless something can be done to expedite the work of Congress.

The House is not seriously at fault in that most of the essential bills have been sent to the Senate. Others, notably the remaining appropriations bills, will follow as soon as the authorization measures are completed. However, only a few of the major bills have cleared the Senate, and that means conference committee action can be another seriously delaying factor.

The House has given a good account of itself in most of the measures which have been passed. The social security bill is a good bill which the public will applaud. The crime bill and the foreign aid bill were improved by action taken on the floor of the House. Upon the advice of its Appropriations Committee, the House drastically reduced funds for model cities and abolished rent subsidies—both sound actions. A contest with the Senate on these items is in prospect. The House has sent to the Senate a much needed riot control bill, which should not be tampered with. On all these I hope the House will stand by its guns.

The House still must consider the antipoverty authorization, and presumably will be called upon to consider pay raise legislation, the air pollution bill, and the truth-in-lending bill. The big unanswered question is what will happen to the administration's tax bill. There is little disposition by either branch of the Congress to consider the measure, but presumably administration pressure will be continued until action of some kind is taken, at least in the House. It will be hard to sell when nondefense domestic spending is increasing faster than defense spending.

There is a requirement before Congress which is more important than any of the measures which are pending. It is the need for Congress to get acquainted with the feelings of the people back home. This cannot be accomplished effectively in the short recesses which Congress has taken. These actually do not bring many of the Members into close contact with their own districts. Short recesses permit a speechmaking swing through a district but not an opportunity to listen. Listening is what the average Congressman needs to do. Long sessions have the effect of keeping a Member at his desk in Washington where he is exposed to bureaucracy but not to the homefolks.

In the last election, the voters expressed very general disapproval of the workings of Congress and it will be recalled that the Members of Congress had spent very little time at home prior to that election. Congress is elected to represent the people, not bureaucracy. It would be well for the Congress to settle down to business, complete its task forthwith, and depart to the hustings, there to listen and to learn from the people we are elected to represent. As a result, the quality of our legislative product will be improved in the next session.

WAR IN VIETNAM AS VIEWED BY NOTED RABBI AND SECRETARY MACOMBER

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent I am extending my remarks to include a sermon by Rabbi Hayim Goren Perelmuter, of Temple Isaiah Israel, of the district in Chicago I am honored to represent, and the comments thereon by the Honorable William B. Macomber, Jr., Assistant Secretary of State for Congressional Relations. Mr. Macomber is an alumnus of the University of Chicago and our former Ambassador to Jordan.

I am sure my colleagues and other readers of the Congressional Record will find keen interest in this discussion of the conflict in Vietnam by one of the Nation's outstanding rabbis and one of the lay executives of the State Department.

Rabbi Perelmuter's sermon follows:

THE VIETNAM WAR—A PERSONAL ASSESSMENT

There is always an uncomfortable feeling that runs through any congregation or any community, these last few years, when anyone rises to express himself about the war in Vietnam. A colleague of mine just a few weeks ago took steps to make his congregation sit up and take notice. I don't know whether they stood up and took notice or fell down in a state of shock when a few days before the sermon they received a Temple bulletin with a forthright and extreme statement against the war in Vietnam, bordered in black, announcing the outline of his forthcoming sermon.

The following Friday I am quite sure a sizzling congregation came to hear the sermon. Subsequent to that I met a past president of the congregation and asked him what happened that night. "Well," he replied, "the sermon wasn't as extreme as the editorial. All through the sermon I watched a man who came blazing with fury. And as the Rabbi preached I watched him and here's what I saw. Sometimes the man shook his head in vigorous disapproval. Then a few minutes later another vigorous shake of disapproval. Then a nod of agreement. Then a shake of disapproval, then another nod of approval. And when the sermon was over, he simply shrugged his shoulders in a sign of total bewilderment."

And I think that pretty much describes how very many Americans feel about the war in Vietnam. Bewildered, sick in the pit of their stomach, confused, ambivalent at how to approach it.

I say we are confused and concerned and there are some who say that it is really beyond our capacity to judge. We are caught in the maelstrom of a kind of destiny we can no longer control, and we have no choice but to trust and take the word of those at the helm.

Now, I don't know whether this is so or not. And perhaps I don't know all the answers. But I do know how I feel. And I have for some months now felt a very deep compulsion to express how I feel, knowing full well that it may not necessarily reflect the point of view of many in our midst. Certainly I do not speak for the congregation, I speak for myself. I have some very clearly felt attitudes and feelings, and would like to share them with you for what they are worth. I don't think that this will necessarily solve anything. What I have to say may not make you feel any better. I am not sure it will make me feel any better, but I must say it.

I think we are in a wrong war, wrong for our long-range national self-interest, and wrong for our moral stature. I think if Americans were wise they would study the history of the British and French and Belgian empires, particularly in relationship to colonial wars.

If Americans were wise, and guided not merely by a sense of face or of pride, or even a sense of power, they would study British history in relation to her colonial wars in Palestine and in India. They would study French history in relation to her colonial wars in Indo-China and in Algeria.

And if we were wise enough to study these wars, we would learn that in approaching colonial wars where we are dealing not with ideology but with nationalism and an outpouring of the effort to express a national identity, all the military fire power that is brought to bear upon it is of virtually no avail, and in the end nothing that the power can do will prevent the national identity from asserting itself.

We have been told over the last three or four years that the purpose of the escalation of our military power in Vietnam was to prevent the infiltration. And strangely enough the more we have escalated, the more the other side has infiltrated. And the more we have escalated, the more the casualties have been. The escalation has not done at any given point that it was announced and applied what we were told it would do.

There were perhaps nine hundred North Vietnamese soldiers in South Vietnam some two or three years ago when we began escalation. And today there are ninety thousand, and no matter how much fire power we bring to bear in the jungle, in the Delta to the North even more fire power is bought to bear, I don't think we really understand and are informed about the national aspirations of the Indo-Chinese people who for centuries have known colonial occupation.

In the Middle Ages it came from China, in the late nineteenth century down to Dien Bien Phu in 1954 from the French, and during World War II from the Japanese. Nor have we been fully informed how this tortured country has tried to find an expression of its national existence, and how the French devised the technique of divide and rule, and divided the country into two in the conflict. Nor do we fully understand that there is one people desperately trying to find its identity, and that currently there is a struggle for power between two segments of North Vietnamese people, one represented by Ho Chi Min and the other by General Ky. They are both northerners, and they are both engaged in the struggle for power with the intervening Western powers.

The Communist world is no longer a unified force working together any more than the Western Alliance is a unified force working together. In both instances the forces of nationalism have been pulling them apart. And the concept that American interests will be best served by resisting Communism everywhere in the world will I think turn out to be an illusion. We are going to find ourselves allied economically, politically or even militarily with some Communist powers in a combination of power structure, while other non-Communist powers that do not see eye-to-eye with us will be in alliance with other Communist powers. And some Communist powers will find themselves pitted against other Communist powers.

I am of the opinion that the policies of containment of the late fifties should be reexamined in the light of the realities of our world today. Perhaps our national self-interest is not being best served by outmoded policies. Maybe even if no one else in the world will do it, we must close the gap between morality and politics.

We are told we don't know what the President knows, and therefore how can we presume to make decisions. I think this is one of the greatest abdications of the right to think in a democracy. We are a democracy and although we do give much power to our Chief Executive, this does not mean that we do not have the right to examine and evaluate policies and where they lead.

In other kinds of democracies when there is a rejection of a foreign policy, a government fails and a new government takes over. With us the struggle for the minds of men, the debates about foreign policy, take place with elements from both parties participating. I must confess that I am inclined to be more sympathetic to the point of view of Senator Fulbright, George Kennan, Ambassador Reichhauer and General Gavin. There is nothing in what I have read, and there is nothing that has been said that leads me to think their views should not deserve the most careful consideration.

I am very much concerned about our preoccupation with fear of international Communism. This kind of a concern can be self-hypnotic, and for us as Americans can become as much of a bugaboo as the Protocols of the Elders of Zion were for the Nazis, lehavdil. I think we can be so bedeviled by slogans that we can lose sight of what our real self-interest is.

I am very deeply and gravely concerned about what the war is doing to us. I cannot reconcile myself to the daily game of numbers when Chet Huntley or any other news commentator will state that in operation Junction City we sustained 250 casualties but we killed 2,000 of the enemy. And somehow or other in this whole basic frustration I sense the developing of a national frustration that says in effect: "If we can't solve our inner domestic social problems, let's take it out on them!"

I don't like how the war is brutalizing us. I don't like how the war is preventing us from dealing with very serious domestic social, economic problems which may ultimately create infinitely greater difficulties and problems in our own back yard than all the punitive threats of Ho Chi Min and Red China eight and nine thousand miles away.

I am concerned with how we are beginning to use our power. We have emerged as the greatest power in the world. The whole international structure which used to depend on a balance of power is so out of balance now, our American productive capacity, our military strength is so enormous that almost the rest of the world doesn't quite balance it. We have so much power and I am concerned that we will lose a sense of the responsibility of the use of that power.

Lord Acton once said that power corrupts, and absolute power corrupts absolutely. I am afraid of what power is doing to us. We have so much power that we do not need to be concerned about face. We could therefore take a posture of patience and forbearance, and could lead the way to peace not through retreat or evacuation, but through a kind of forbearance which has not been sufficiently forthcoming up to this point.

The question is raised shall we let our troops down. Of course, not. Shall we stand by our country? Of course. But I cannot quite accept the argument of those who say we've got to do this because we can't let our troops down, after having put the troops there in order to be compelled to do such things to defend them! For me this question still awaits an answer.

I began by saying that I don't know the answers, but what I am trying to do is to express a feeling of unease in conscience which troubles me deeply as an American because I love my country, I love that for which it stands.

I am concerned at the fact that much too often in this generation we are finding ourselves necessarily allied with forces which are backward, which are reactionary in terms of their economic approach, and that we find ourselves allied with a combination of feudal landowners and usurious moneylenders in South Vietnam as we do in many Latin American countries.

I would wish that we who once fought a

great revolution to establish our freedom could understand the anguish and the birth pangs of nations trying to find their freedom.

I could not help but think of this as I read the story of that American oil tanker that ran aground at the southern tip of England and began spilling its oil that has been threatening to ruin the beaches and destroy a vast number of birds.

And you may have read (and this is one kind of bombing that I approve of) that the British Air Force bombed this boat so that they could set its oil afire in order not to pollute the ocean surface any further.

Apparently the government hesitated because there was an insurance problem and they wanted to wait and see whether perhaps the boat could be salvaged, and this factor delayed the decision to bomb the boat. That decision was finally made.

One of the many volunteers who were catching the oil-covered birds and bringing them to shelter, spoke bitterly of the government's long indecision about setting fire to the crippled tanker. Looking at the birds he said: "For six million lousy pounds they let these birds die."

I think this may well be the story of our society, the story of our civilization. Too many nations, too many people are putting the one ahead of the other, and many birds—and in place of "birds" read "people"—many humble people in many parts of the world, are suffering.

And this is why I am so deeply concerned, why I express this concern in the hope that we, with our overwhelming power, will have the capacity to show the way in forbearance that may open the door to peace.

DEPARTMENT OF STATE,
Washington, D.C.

Hon. BARRATT O'HARA,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN O'HARA: Thank you for giving us the opportunity to comment on the sermon by Rabbi Hayim Goren Perelmuter which expresses his personnel views on the Viet-Nam conflict. We appreciate Rabbi Perelmuter's concern about the conflict and his sincere effort to express his thoughts on our involvement.

There is no doubt that our vital interests are deeply involved in Viet-Nam and in Southeast Asia. We are involved because the nation's word has been given that we would be involved. On February 1, 1955, by a vote of 82 to 1, the United States Senate passed the Southeast Asia Collective Defense Treaty. That Treaty stated that aggression by means of armed attack as defined in the treaty would endanger our own peace and safety and, in that event, "We would act to meet the common danger." There is no question that an expanding armed attack by North Viet-Nam on South Viet-Nam has been under way in recent years; and six nations, with vital interests in the peace and security of the region have joined South Viet-Nam in defense against the armed attack.

In short, we are involved in Viet-Nam because we know from painful experience that the minimum condition for order is that aggression must not be permitted to succeed. For when it does succeed, the consequences is not peace, it is the further expansion of aggression.

To further detail our commitment to Viet-Nam in terms of our over-all Asia policy, I am enclosing a copy of a recent speech by Assistant Secretary for East Asian and Pacific Affairs, William P. Bundy.

One of the underlying elements in Rabbi Perelmuter's analysis of the conflict is his assumption that this is primarily a civil war. While there are certainly dissident South Vietnamese elements in the Viet-Cong and the so-called "National Liberation Front", the main course of the war is directed from Hanoi. To give fuller treatment to this problem, I am enclosing some Department publications which explain the origins of these organizations and their development in South Viet-Nam. I have also enclosed some copies of captured Viet Cong documents which discuss Viet Cong aims in the South and emphasize Hanoi's control over their actions.

The 1954 Geneva Accords established both South and North Viet-Nam as international entities with independent international status. The Accords temporarily divided Viet-Nam into two zones, each to be administered by its respective authorities until the unification of the country. Foreign nations have recognized this separate and distinct status by establishing diplomatic relations with Saigon or Hanoi or both.

The provisional military demarcation line drawn by the Accords, although not a political or territorial boundary, is an international frontier that under international law must be respected. To this extent the division of Viet-Nam is similar to that of Germany or Korea. It is self-evident that if a state is divided by an internationally recognized demarcation line, the two parts of that state must refrain from attacks or hostile acts against each other. Thus, an attack by North Korea on South Korea or by East Germany on West Germany would be illegal. Such actions are no less "aggression" or "armed attack" than an attack by one state against another.

We agree with Rabbi Perelmuter's analysis that the communist world is no longer monolithic and that nationalism has been in part responsible for what has been called "polycentrism". The problem that we face, however, is one which hinges more directly on ideological matters, i.e., the doctrine of "wars of national liberation". This problem is discussed in Assistant Secretary Bundy's speech which was mentioned earlier and in the enclosed policy statement "United States Policy and International Communism".

Rabbi Perelmuter's assertion that the views of prominent Americans such as Senator Fulbright, General Gavin, and former-Ambassadors Kennan and Reischauer should be given careful consideration is one that cannot be disputed. We have examined and are continually re-examining our policy in Viet-Nam in light of suggestions and proposals made by many distinguished statesmen. Our firm commitment to a just and peaceful settlement in Viet-Nam where the people of South Viet-Nam have the opportunity to freely determine their own future does not mean that the way we will strive to achieve this goal is not open to change and modification. We have tried to remain responsive to the situation whether in terms of increased aggression by the other side or supporting and initiating efforts to achieve a negotiated settlement.

The concern expressed for those who are injured or killed in Viet-Nam is one that is shared by all Americans. We have long been associated with an ever-expanding program of medical assistance to aid and assist injured civilians and to help overcome the problems of poverty, hunger, and disease. Our continued commitment in Viet-Nam does not prevent us from meeting these same challenges in our own country. President Johnson emphasized this point on May 8 in speaking to participants in the Conference of Women in the War on Poverty. The President noted his request for an additional $3.6 billion for fiscal 1968 for these programs and the fact that this would mean an increase of 2½ times what was being spent in 1960.

Rabbi Perelmuter has also raised the important question of land reform. Both the Vietnamese and United States Governments have long been aware of the crucial role that land reform can play. The land tenure situation in Viet-Nam is characterized by confusion. Contrary to popular misconception, Viet-Nam's rice lands are not in the hands of a few landlords who would offer an easy target for criticism and Government action. A series of Government ordinances dating back to 1956 have attempted to cope with the problem of defining land ownership and providing land for those who had not previously owned any of their own. There are, for example, restrictions on the size of landholdings, ceilings on the amount of rental fee that can be charged to a tenant, and encouraging the signing of contracts between the tenant and the owner. The major problem of enforcement of these ordinances has been the insecurity of the war. Much of the land has been abandoned by movement to the cities and squatters may have moved on it. Many land records have been destroyed or lost during the conflict. However, this is not to suggest that the Vietnamese Government has ignored the farmer because of the problems of the war. The recently adopted Constitution specifically commits the Government to help the farmer get his own land to farm. The program of itself must be a step-by-step process and is treated in more detail in the enclosed paper put out by the Agency for International Development.

I am also enclosing some additional statements which deal with political developments in South Viet-Nam in the belief that Rabbi Perelmuter will find them of interest.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

JUNK MAILERS AND REPUBLICANS?

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, I was very interested in seeing a copy of a bulletin of the Associated Third-Class Mail Users dated August 24, 1967, in which President Harry J. Maginnis advises the election of a Republican President and a Republican House of Representatives.

Mr. Speaker, I cannot believe that the implications to be drawn from Mr. Maginnis' advice are fair. There are a large number of Members from the other side of the aisle who have publicly indicated their support for raising third-class mail rates so that this class of mail will pay its way. I do not believe it is fair to link the Republican Party with those who are supporting ridiculously low rates on third-class mail.

Furthermore, Mr. Maginnis also states in this bulletin:

> A highly placed postal official informed me that the President had made a deal with the press to scuttle direct mail advertising in return for lower rates and favorable editorials on his domestic and foreign policies.

I challenge Mr. Maginnis to supply the name of the postal official who allegedly made such a statement, and I challenge him further to submit proof of such a fantastic charge.

Mr. Maginnis contends that the only people concerned about the clutter of this mail are the newspapers who are afraid of competition. Mr. Speaker, I submit that the American people are concerned with the fact that their taxes are being used to subsidize third-class mail, at a time when they are threatened with both a tax increase and higher rates on first-class mail and airmail.

Under unanimous consent, I include the text of the August 24 bulletin issued by Harry J. Maginnis, president of the Associated Third-Class Mail Users:

ET TU BRUTE

(By Harry J. McGinnis, president)

As you will have observed in the press, the House Post Office Committee did the bidding of the Wall Street Journal, The Scripps-Howard newspapers and other publications and voted to price third-class mail out of the postal service. All efforts to phase the minimum piece and pound rates over a three-year period failed. Yesterday the *26-man* Committee voted by 15 to 10 to make the minimum piece rate 3.8 cents, with the circular and catalogue pounds rates advancing 4 cents. The non-profits will have to pay one-half of those rates. Their minimum will advance from 1¼ cents to 1.9 cents.

Members all over the country were contacted to plead with Committee members to reconsider the vote at today's session and to pass the Corbett substitute proposal that would have advanced the minimum and pound rates in three annual stages. The newspapers had succeeded on the day prior in limiting their share of the load to there 7% annual hikes. Moreover, the Committee returned to the original Administration proposal which increases the minimum piece rate on newspapers from ⅛th of a cent to one-fifth of a cent.

In essence, the Committee has voted to increase third-class revenues by $224-million annually ($35-million more than LBJ asked for) and has kept the *total* second-class increase down to $34-million.

A highly placed postal official informed me that the President had made a deal with the press to scuttle direct mail advertising in return for lower rates and favorable editorials on his domestic and foreign policies. The Wall Street Journal will be one of the principal beneficiaries of the low second-class rates voted by the Committee.

The author of the 3.8 cents single step third-class rate was no other than Congressman Arnold Olsen of Montana, All efforts to persuade him to support Congressman Corbett's three-step proposal failed. Olsen was the key to reconsideration. Another highly placed postal official told me that the President had sent word to Olsen that he had informed the Cabinet of Olsen's 3.8 cents efforts to get additional revenues for the faltering Administration and sent congratulations.

Going back to PMG Donaldson's time every succeeding Postmaster General has made clear his desire to get rid of third-class mail. In a recent letter to Chairman Dulski (copy enclosed) the Department admitted that if Hechler's 4½ cents rate is approved, the postal establishment will be able to handle the volume of unsorted mail converted from bulk third to first-class.

In view of the Administration's announced intentions to scuttle the direct mail medium at the insistence of the press, it new seems highly unlikely that any power on earth can prevent the Hechler 4½¢ amendment from being adopted on the House floor when the rate bill is being considered.

A copy of Mr. Hechler's latest letter to 434 colleagues will provide you with the full flavor of what he is up to and just how he plans to demagogue the 4½¢ rate through the House.

In the end third-class mail had only nine men on the Full Committee who were willing to provide us with a teaspoonful of fair treatment. They were:

Thaddeus J. Dulski, (D) N.Y.
Joe R. Pool, (D) Tex.
Charles H. Wilson, (D) Calif.
Robert J. Corbett, (R) Pa.
H. R. Gross, (R) Iowa.
Glenn Cunningham, (R) Nebr.
Edward J. Derwinski, (R) Ill.
Albert W. Johnson, (R) Pa.
Daniel E. Button, (R) N.Y.

The remaining Members of the Committee are:

Arnold Olsen, (D) Mont.
Morris K. Udall, (D) Ariz.
Dominick V. Daniels, (D) N.J.
William J. Green, (D) Pa.
James M. Hanley, (D) NY.
Jerome R. Waldie, (D) Calif.
Richard C. White, (D) Tex.
Lee H. Hamilton, (D) Ind.
Frank J. Brasco, (D) N.Y.
David N. Henderson, (D) N.C.
Robert N. C. Nix, Pa.
William D. Ford, (D) Mich.
James T. Broyhill, (R) N.C.
William L. Scott, (R) Va.
Philip E. Ruppe, (R) Mich.
James A. McClure, (R) Idaho.
Fletcher Thompson, (R) Ga.

You can draw your own conclusions.

SOME OTHER CHANGES

The 85%-of-the-regular-third-class-rate voted for shopping guides was deleted today, as was the proposal that third-class mail which advertises books should enjoy a lower rate. The Committee did abandon the Administration bill when it voted to make the single-piece rate 6¢ for the first two ounces. The original bill had suggested a 5¢ rate. There are no tears being shed at 12th and Pennsylvania Avenue at this development.

The Udall sixteen-point amendment writing into the statute book the regulatory restrictions on third-class mail (see bulletin No. 12-67) was also deleted this morning.

As previously reported, Mr. O'Brien regards the Committee as subservient puppets and intends to get his bill through the House and Senate with little more than a comma or period being changed. If the bill—which violates every principle of the Postal Policy Act—does become law—only one chance remains of permanent damage being averted: the election of a Republican President and a Republican House of Representatives.

THE U.S. SENATE

We can only win there if all components of this vast industry finally bestir themselves and make their views known in no uncertain terms. The need for page after page of newspaper advertising informing the public of the press's great steal will have to be carried in every city in the land. That will cost you and your confreres in this business a great deal of money. We will create the ads here and publish as many as our limited funds allow.

It should be apparent to all that we lack political muscle. It becomes incumbent upon you to get categorical assurances from every candidate running for public office that they will cast their votes on postal issues on the basis of facts and not the hogwash of the press.

We have been done in. We must now begin to fight seriously.

AGED WORKERS SETTING PRODUCTION RECORDS

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, an article in the July edition of Florida Trend magazine tells a unique story of aged workers setting production records in the Clearwater, Fla., plant of Television Manufacturers of America.

The company's policy of no age discrimination is a bold experiment and worthy of consideration in industries throughout America. In Clearwater, TMA has found that their elderly employees are highly dependable and that personality and workmanship problems are virtually nonexistent. The results of their "no age" policy far exceeded their expectations.

Mr. Speaker, the large number of older Americans represent our most neglected national asset. We need to make better use of their talents and experience. Many of these people are willing to work even if it means losing their Government benefits.

The Clearwater experiment demonstrates an effective way to make life more meaningful for senior citizens. I commend the article describing the project to every Member of Congress. I hope all Members will join in working to develop new approaches to help the elderly help themselves.

The article follows:

AGED WORKERS SET PRODUCTION MARKS

Ever hear of a factory where the older you are the better your chances of getting a job?

There is such a factory in Florida and its policy is no age discrimination has proved so successful that personality and workmanship problems are virtually non-existent.

The average age of workers at the Clearwater plant of Television Manufacturers of America Co. Inc. is 50, and men and women as old as 74 work on the assembly line.

The foreman is the youngest person on the payroll. Rubin Landazuri, a native of Quito, Ecuador, is 24—a half-century younger than the oldest worker under him.

How has it worked out?

"The results have far exceeded our expectations," said Norman Stein, 59, plant manager. "We don't need a personnel manager as a sounding board and middleman for grievances, because there aren't any."

Landazuri concurs.

"People over 50 are simply more conscientious—and take more pride in their work," he said. "Younger people tend to 'know it all,' to talk back and resist when you try to tell them how a job should be done."

A 74-YEAR-OLD EXPERT

Oldest person on the payroll is Minnie Hurt, 74. She operates a machine that punches eyelets in printed circuit boards. A great grandmother, she turns out 1,100 boards on her four and one-half hour shift and often gets ahead of other women on the production line.

Working conditions at the plant were set up with the needs of older people in mind. Hours and conditions are flexible and each person works at his own pace.

Originally, a work schedule of four and one-half hours a day was planned so employees drawing Social Security wouldn't forfeit their benefits by earning too much in a given year.

To the company's surprise, many employees wanted more work—even at the expense of losing their government benefits.

"No one here wants to exist on memories and a government check," Stein said. "They want to live in the present and continue to amount to something in the eyes of their families, friends and themselves."

The Clearwater plant of Television Manufacturers of America Co. is the Electronic Components Division. Stock of the parent company is traded on the American Stock Exchange, where it recently sold for 6½. TMA earned 20 cents a share in the latest reported six-month period compared with 37 cents a share in the prior six months.

ANTIPOVERTY WORKERS PLAY KEY ROLES IN RESTORING LAW AND ORDER

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, during civil disturbances in several of our cities this summer many antipoverty workers played key roles in restoring law and order. Even though the record reveals that only an infinitesimal number of local antipoverty employees were guilty of any wrongdoing, rumors persist that these people caused many of the disturbances. I think there is an urgent need to set the record straight.

Mr. Speaker, Mr. William Selover has written a comprehensive report of the role of antipoverty workers in a number of our cities. The article appeared in the Christian Science Monitor on August 21, 1967. In order that all Members may have an opportunity to read this important article, under unanimous consent, I include it at this point in the RECORD.

OEO COOLS RIOT CITIES, PROBE HINTS

(By William C. Selover)

WASHINGTON.—The Office of Economic Opportunity has been under siege for weeks.

Ever since rioting first erupted, the antipoverty agency, in the words of one top official, has been "trying to put out fires."

At the same time, the OEO has been the target of repeated accusations.

Most frequent was the charge that antipoverty workers were involved in the burning and looting.

The agency's public-relations men immediately issued denials. But they winced with each new outbreak, not knowing for sure what might happen next. And they couldn't be completely certain that in the 28 cities where riots occurred, there might not be some (or even quite a few) of their antipoverty workers involved. In those cities alone, they knew there are over 12,000 employees being paid by the OEO.

INVESTIGATIONS URGED

The OEO's director, R. Sargent Shriver, had to know the facts quickly.

Sen. John L. McClellan (D) of Arkansas was convinced that the charges were true. So were other lawmakers. Many called for full-scale investigations.

However, on the basis of early soundings, Mr. Shriver reported to the House Committee on Education and Labor that the charges were groundless.

"In Detroit alone," he said, "3,783 persons were arrested. There are 1,547 paid antipoverty workers in that city but not a single one is under arrest."

He also pointed out, that of the nearly 500 OEO offices in these cities, "not a single one was burned. Not a single one was looted.

"Why? Because . . . these facilities were among the few places where they [the Negroes] could find refuge and aid."

DETAILS SOUGHT

And out of the some 6,700 arrested in the 28 cities, the OEO pointed out, only seven were paid poverty workers.

Mr. Shriver has called on his chief of inspections, former newspaperman Ed May, to dig out the facts. Mr. May sent investigators out to make reports. He needed the facts for his boss.

Other top Shriver aides in charge of program planning, needed to know as well—to guide them in modifying programs that may have gone wrong.

The reports, made available to this newspaper, tell the good and the bad. They point to occasional indiscretion and poor judgment on the part of antipoverty workers in a few cities.

For example, in Dayton, Ohio, OEO investigators reported that the director of one OEO-funded program had his picture taken with H. (Rap) Brown at the airport and introduced him at a meeting afterward. The disturbance started after this meeting. OEO inspectors felt this was bad judgment, but they found "no evidence of wrongdoing . . . just a lack of tact and common sense."

And in Rochester, N.Y., inspectors found that some antipoverty officials had "verbally attacked city officials" at a meeting called supposedly to quell tension. The effect was the opposite.

And in many cities poverty workers have appeared as witnesses against the police.

But the major, untold story of the riots is quite different and deeply impressive. It is a story of a constructive response to emergencies by antipoverty workers in community after community.

In report after report, instance after instance of the courageous role played by these people in the midst of racial chaos remains a singularly bright light in an otherwise dismal picture.

INCIDENTS LISTED

Here are some examples from the investigator's reports:

Detroit: "Neighborhood workers and community organizers circulated through the riot areas, ascertaining what help was needed with regard to shelter, food, and clothing."

"Some 30 Neighborhood Youth Corps youths, serving as police cadets, worked around the clock, in 12-hour shifts at police precincts, manning in-put telephone switchboards, handling all calls requesting general information."

Tampa, Fla.: Two neighborhood antipoverty centers served as headquarters for a group of young Negroes "assigned to go into the riot area to talk with teen-agers," to cool them off.

Minneapolis: Some 15 employees of an OEO program "went out on the streets in an attempt to calm rebellious teen-agers. . . . And the Minneapolis Tribune reported that one antipoverty center "has been acknowledged by police as a key factor in limiting the violence."

Toledo, Ohio: 25 poverty workers here "maintained the only communication with teen-age rioters . . ." The poverty workers called most of the youths to a meeting to air their grievances and all-night telephone grievance service was started "for ghetto residents with gripes."

CROWD INTERCEPTED

Grand Rapids, Mich.: The local antipoverty agency "placed on the street a task force of street workers who sought to help the police prevent looting." The Grand Rapids press praised their work calling them "a group of young Negroes bent on trying to keep Grand Rapids cool."

Plainfield, N.J.: "Before and during the riot, 10 of 12 staff members were on the street, trying to calm the people."

Pontiac, Mich.: "Some 20 neighborhood organizers were utilized to talk to the wayward youth in their areas in attempts to cool things down. . . ."

Saginaw, Mich.: Antipoverty officials were credited with preventing violence July 25, when they intercepted a crowd marching on City Hall. They convinced the crowd that their grievances could be presented to the Mayor by two spokesmen.

Des Moines: This city has a "night patrol" set up by the antipoverty program "to keep things cool." The 30 youths in the patrol go to a disturbance "to encourage people on the streets to go to their homes and stay there."

CADETS PRAISED

Atlanta: During a disturbance in the Dixie Hills section of this city, the antipoverty office was the only facility in the area open. It served as a meeting place for city and state officials with local residents.

Youngstown, Ohio: The Youngstown Vindicator, praising the efforts of the 26 OEO-funded police cadets said: "They calm down a hothead spoiling for a fight or mingle in a crowd urging excited youngsters to go home."

Waterbury, Conn.: The local Community Action Program (CAP) agency "acted as a communications link between the radical elements in the Negro neighborhoods and the white power structure of the city. . . ."

The inspector's reports admitted that in some cities the local antipoverty programs played little or no role. In Boston's Roxbury section, they reported, "ABCD apparently did not play much of a role in the Roxbury riots, either positively or negatively." And they reported that the Cairo, Ill., CAP "did very little during the trouble."

Similarly, CAPs played little or no part one way or another, in Lansing, Mich., Waterloo, Iowa, or in Cambridge, Md.

CENTERS CRITICIZED

And the Rochester CAP program came in for some criticism: "The CAP neighborhood centers have not reached the teenagers. In fact, two of the centers don't have a youth worker and the other just recently hired one, even though the money has been appropriated over a year."

Many of these 28 cities have now redoubled their efforts to set up peace-keeping machinery—and the experience with the use of antipoverty workers has encouraged increased reliance on them.

Probably even more significant is the effort being made by antipoverty workers to keep calm the cities where no rioting occurred.

OEO inspectors investigated the considerable role OEO-funded agencies are playing in cooling eleven other nonriot cities, including these: Elizabeth, N.J., Baton Rouge, La., Oklahoma City, St. Louis, New York, Lowell, Mass., Trenton, N.J., Philadelphia, Charlotte, N.C., Columbus, Ohio, and Dallas.

QUESTIONS REMAIN

While the specific "cool-off" roles of the antipoverty agencies in these cities were spelled out in detail in the reports, in general, it can be said that the primary emphasis of these efforts is to keep avenues of communication open between the Negroes and the city officials.

"Community Action agencies often offer the only communications link between the ghetto and the power structure that is able to function in times of crisis," the investigators concluded.

While all the questions of the involvement of poverty workers in the rioting is by no means settled by the OEO inspection reports, and congressional investigators are still looking into the charges, one thing is certain:

Antipoverty agencies often have served as a vital "hot line" to the Negro community deep in the throes of a struggle for economic and social advantages enjoyed by the other 90 percent of this country's population.

The effect of such communication in quelling riots is difficult to estimate.

But, in the words of Providence Mayor Joseph A. Doorley Jr., talking to a group of volunteer OEO workers: "As far as I'm concerned, there is no telling how bad this might have been if it hadn't been for you guys."

THE MOB: PART II

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, some 2 weeks ago I inserted into the RECORD the first installment of a series of articles appearing in Life magazine exposing the operation of organized crime. Last week Life continued this series on "The Mob" and supplemented it with an editorial calling for congressional action in authorizing electronic surveillance in dealing with organized crime.

Life magazine is performing a great public service through its series of articles and posing a challenge to Congress and to Attorney General Ramsey Clark, in particular.

Mr. Speaker, I insert the September 8, 1967, article from Life and the editorial contained within the same issue in the RECORD.

THE MOB: PART II

The most shocking truth about organized crime in America is that all of us, one way or another, one time or another, pay tribute to the Mob. Out of ignorance, greed, easy tolerance or fear we help it grow fat with our money—whenever we deal with the Mob's businesses, its agents or those beholden to it: when a housewife buys the product of a Mob-controlled company; when a teen-ager feeds a Syndicate-owned jukebox; when a businessman negotiates a quick loan with a Mob usurer; when a slum dweller plunks down 50 cents and hopes his lucky number will come up.

Last week LIFE described the Mob's intricate structure, its terror tactics and how it neutralizes politicians and policemen with the Fix. This week's subject is the Mob's economic muscle—often veiled by a surface legitimacy and respectability: where it comes from and how it grows. One place it comes from is illegal sports betting, a weakness shared by millions of American males and a business thoroughly dominated by the Mob. Another, growing source of economic strength is "legitimate" business investment, a field in which Carlos Marcello, the five-foot-two Mr. Big of Louisiana, is a peerless exemplar. The Mob's other money-gathering techniques, ranging from "skimming" cash at legal gambling casinos to selling munitions to foreign governments, are chronicled in the article beginning on page 98.

There was a time when you could spot a leading gangster by the hard-eyed bodyguards on either side of him. Not today. Instead of bodyguards, the men on either side are apt to be an accountant and a lawyer. The change in image signals a change in style. The direct, bullying, pay-up-or-else method of extortion has given way, except for anachronistic exceptions, to such tactics as juggling (or stealing) stock shares and acquiring memberships on corporate directorates. The Mob has shined its boots and planted them in the marketplace. "Sophistication," it's called—the Mob has become sophisticated. But it is important to remember that the boots are still caked with filth, the or-else factor is still present. For all their transparent dignity, the men who run La Cosa Nostra are still murderers and thieves. For all its superficial polish, their operating procedure still depends on violence and corruption.

The full extent of Mob involvement in legitimate business is known only to the mobsters themselves. It is at least possible that it is their major source of revenue. What is certain is that the infiltration of respectable enterprises has not decreased their sway over the less reputable variety. The Mob may venture into new and stimulating realms, but it also stays with what it knows.

More than from any other source, far more than from dope, prostitution and loan-sharking combined, the Mob thrives by exploiting the almost universal human urge to gamble. Each year it handles $20 billion in illegal bets, of which it keeps $7 billion profit. At least half of this is the rakeoff from betting on sports events.

Every day in every city, by telephone and in person at outlaw betting centers like the roadside market at right, thousands of sports fans lay in wagers on the outcome of football, basketball and baseball games, horse races and boxing matches. On every bet made, be it $1 or $10,000, the Mob collects a cut of the action, called vigorish—usually 10%.

But the appetite of the Mob is boundless. Its involvement in sports has led to widespread attempts to corrupt—or at least to "use"—individual athletes and coaches of high reputation. To the extent that such corruption succeeds, it threatens the fabric of spectator sport in the U.S., which depends for its existence on public confidence in the honesty of the game.

Inside information is the lifeblood of the bookie handicappers who run sports betting—a nationwide syndicate of big and small-time operators who are protected, partly staffed and almost totally controlled by Cosa Nostra. They need specific up-to-the-minute reports on the physical and mental condition of the teams involved—the kind of information that goes deeper than that on the sports page. They use it to set the betting line—the odds or the number of points by which one team figures to beat another. And, if they can get even more solid indications of the outcome of a sports contest—by fixing it—all the better.

Accuracy in the assessment of a contest can pay princely dividends and mobsters are skilled at prying the information they need from the sources: the college and professional coaches and players themselves. They ingratiate themselves as friends and fellow sportsmen, doers of favors and, above all, good listeners. The success of their operation depends largely on how well the mobsters are able to build and maintain these pipelines to coaches and players who, either innocently or for their own advantage, feed them information.

The biggest of the bookie-handicappers—at least until his recent gambling conviction—is one Gilbert Beckley of Miami. When the FBI nabbed Beckley on Jan. 8, 1966, his records showed that on that day alone he handled $250,000 in bets and turned a profit of $129,000.

Top bookies are known among themselves by numbers—just like players on the gridiron. Beckley uses No. 1 or 111; Frank Rosenthal of Miami, 3; Eugene Nolan of Baton Rouge, La., 98. This allows for quick, nameless communication and also refers to the page number in the books in which the gamblers record business dealings among themselves.

In Beckley's black book police last year found next to a phone number the word "Skiball," the nickname for Francesco Scibelli. Scibelli, a member of the Genovese Family of Cosa Nostra, runs a gambling syndicate in Springfield, Mass. Scribbled next to "Skiball" was the name of Bob Cousy, one of the half-dozen greatest players in basketball history. Before his retirement in 1963, Cousy helped the professional Boston Celtics to six world championships. Since then he has been a successful head coach at Boston College.

Questioned by LIFE, Cousy denied knowing Beckley but admitted that Scibelli was a friend whom he had met through an even closer friend, Andrew Pradella. Pradella, it turned out, is Scibelli's partner in bookmaking. Because they always have such excellent information, the Scibelli-Pradella ring is known as the "Scholar Group."

Cousy admitted he knew the two were gamblers and that he often talked to them about both pro and college basketball teams and their chances of winning. "I'd be having dinner with Pradella when Scibelli would come over," said Cousy. "They got together each night to balance the books or something."

Did Cousy realize his friends were using what he told them to fix betting lines and to make smart bets of their own?

"No," said Cousy. "I thought they figured the betting line with mathematics. But it doesn't surprise me. I'm pretty cynical. I think most people who approach me want to use me in some way."

Cousy conceded he had been warned about his associates by Boston police as long ago as 1963. But he refused to end the relationship, even after an experience that shook him up a bit. Pradella, he said, invited him to a banquet in Hartford that turned out to be a gangster conclave. "Police were watching the place," said Cousy, "and the whole Mob was there."

Cousy still defends his actions. "In this hypocritical world we live in," he said, "I don't see why I should stop seeing my friends just because they are gamblers. How can I tell Andy when he calls and asks about a team that I won't talk to him about that?"

The arrest of Beckley also led to the disclosure that as recently as last season he had been secretly feeding information about suspected fixing of pro football games and betting by players to the office of pro football commissioner Pete Rozelle. In return, Rozelle's chief investigator, William G. Hundley (a former head of the Justice Department's Organized Crime Division), wrote a letter to the U.S. Probation Office seeking lenience for Beckley on grounds that he had "cooperated" with the league on "certain matters."

The "certain matters" presumably included investigation of the relationship between a star American Football League quarterback and two bookies, Carmello Coco and Philip Cali. The inquiries were stepped up after the player's teammates were overheard in the locker room angrily accusing him of "throwing" the game they had just lost. But no public accusation has yet been made.

Another potentially explosive situation involves the strange affinity that several members of the Boston Patriots pro football team have for a ramshackle roadside store in suburban Revere, Mass., named Arthur's Farm. Behind its shabbily humdrum front, Arthur's Farm turns out to be a beehive of Mob activities. It does a fast business in sports betting and the exchange of stolen property, and doubles as an informal conference hall where gangsters can get together with people who are of use to them.

The proprietor is Arthur Ventola, a convicted fence. Among the regular habitués are Arthur's kinsmen—Nicholas (Junior) Ventola and Richard Castucci, both active bookies. Another is Henry Tameleo, a lieutenant of New England Cosa Nostra Boss Raymond Patriarca who, with Tameleo, is now awaiting trial for an interstate gambling-and-murder conspiracy.

Another regular at the farm, it turns out, is Babe Parilli, quarterback of the Boston Patriots. "Half the team goes out there," Parilli told LIFE. "One of the coaches, too. But we're not doing anything wrong." Parilli admitted knowing Arthur and "Junior" and to having met Tameleo. He insisted he did not know they were mobsters, or that they used information garnered from Parilli and the other Patriots to make a killing on "informed" bets.

Why, then, do Parilli and his teammates visit Arthur's Farm so often? "We stop on the way home from practice," says Parilli, "to buy toys, razor blades and things we get at wholesale prices."

Ask for Carlos Marcello in Louisiana and you will immediately be recognized as an outlander. Ask for the "Little Man" and, even though you won't get him, a lot of natives will at least know whom you're after. At a barrel-chested 5-foot-2, Marcello is undeniably short. But he's not little. He is so potent, in fact, that Cosa Nostra mobsters in the east—as was reported in last week's LIFE—gave him the contract to try to spring Teamster boss Jimmy Hoffa from prison, and put $2 million at his disposal to take care of whatever fixing might be entailed.

Marcello is one of Louisiana's wealthiest men. His total worth has been estimated at $40 million and more. He owns motels, a juke-box and vending machine company, a sightseeing bus line and a 6,500-acre estate in Jefferson Parish outside New Orleans. His clothes are well-tailored, his cigars imported, and when he gave his daughter in marriage, the bridesmaids all received mink stoles. He contributed $100,000 to agencies helping victims of Hurricane Betsy in 1965 and has plunked down $10,000 for the Girl Scouts. He is also a hoodlum and the lord of one of the richest and most corrupt criminal fiefdoms in the land.

Marcello's realm extends from the Ozark foothills to the Mississippi River Delta, and within that realm his power is majestic. He operates through a complex of political fixes which enable him to control or influence the makers and enforcers of law at every level of state government. When he's out of his realm, though, he's apt to get nervous.

Marcello and several other Cosa Nostra hoods were arrested last year after a lunch in a New York restaurant. Posting bail promptly, he flew back to New Orleans. To his chagrin, he was greeted at the airport by a horde of federal agents, policemen and reporters. This was too much for the Little Man. "I'm the boss around here!" he shouted, pushing his way through the crowd. "There'll be no more of this. Are you looking for trouble?" Then he took a roundhouse swing at the nearest offender. It happened to be FBI agent Patrick Collins, and the next day found the Little Man charged with assaulting a federal officer.

State authorities, for the most part, take the view that Marcello and his gang aren't there. "I'm thankful we haven't had any racketeering to speak of in this state," says Governor John McKeithen. To McKeithen, Marcello is nothing but a "thug" without influence or power.

Marcello tries hard to encourage this dreamy notion. Few of the companies he controls are in his name, and he stays discreetly behind the scenes in the illegal but wide-open gambling casinos he controls in Jennings, Lafayette, Bossier City, West Baton Rouge and Morgan City. He is screened by his brothers and his son, Joe, who operates a motel. One brother, Pete, is the proprietor of a strip-tease bar in New Orleans. Another, Joe, runs the family restaurant, Elmwood Plantation. Brother Pasquale runs a bar, brother Vincent heads the jukebox company and brother Sammy is in charge of bookmaking. Home base, the $22 million estate named Churchill Farms, is a corporation. The majority interest is controlled by Carlos, his son and his brother Joe.

The Fix seems to weave through Louisiana like a muddy creek. Associations and alliances that would cause scandals elsewhere are amiably tolerated there. Political and economic leverage is often a matter of friendship or social connection, and there is no neat line to separate the good guys and the baddies. Aaron Kohn, who came from Chicago in 1953 to head the Metropolitan Crime Commission in New Orleans, was astonished at this. "After about a year," he recalls, "I began to realize something about the system down here. In Chicago, people were generally on one side of the fence or the other—honest or crooked. But in Louisiana there just isn't any fence."

McKeithen will order the state police into action against gambling, but only when it becomes "flagrant or notorious"—in effect, when someone important complains or news of the gambling gets into print or is railed against from the pulpit. He knows it doesn't pay to be overzealous. "Look at Grevemberg," he says, referring to ex-State Police Superintendent Francis Grevemberg. "He cracked down on gambling. He was tough. He went around with a flashlight and an ax, bursting up little honky-tonk places. Do you know where he placed when he ran for governor? Fifth!"

In this atmosphere the Little Man can maneuver as freely and happily as a pig in a wallow. He was convicted in 1930 of assault and robbery (he received a full pardon in 1935 from Governor O. K. Allen) and in 1938 of selling marijuana, for which he served nine months in the federal prison at Atlanta. Since then there has been sporadic court action against him—most of it initiated by the federal government—but no convictions.

In Orleans Parish, the chief law officer is the celebrated Jim Garrison. Garrison is friendly with some Marcello henchmen, but that, says the district attorney, is a coincidence without significance. "It doesn't mean anything," Garrison told LIFE, "because I have no connection with Marcello. I don't have to worry about things like that. I've cleaned up the rackets in this town."

Garrison says he knows Marcello's bookmaking brother Sammy—"I've seen him at the New Orleans Athletic Club and Moran's Restaurant"—but denies knowing that he is a bookie. Also among his acquaintances is Mario Marino, a Marcello lieutenant who moved from New Orleans to the Sands Hotel in Las Vegas 10 years ago. When Garrison goes to Las Vegas, he is the guest of the Sands and Marino makes the arrangements.

Three times since 1963, the Sands has paid Garrison's hotel bill. On his last visit in March the tab was signed by Marino himself. Garrison was also granted a $5,000 credit in the cashier's cage, which meant he could gamble up to that amount without putting his own money on the table. At that time the Sands operated one of four Las Vegas gambling halls controlled by Cosa Nostra Bosses.

Garrison contends that he didn't gamble and that Marino gave him the credit so he could cash checks. He is unable, he told LIFE, to see anything wrong with a prosecutor freeloading at a Mob-controlled casino. He said he felt it was customary for casinos to pick up the hotel tabs of public officials. "I may be naive—this is my first public office—but I don't see what's wrong with it," he said. "I imagine any D.A. would have a good credit rating [in a casino]." He also denied knowing about Marino's involvement with Marcello, though he insisted it made no difference—"I have no connection with Carlos Marcello."

Judge Andrew Bucaro, a municipal court judge in New Orleans, freely discusses his friendship with Marcello, an old pal and a remote relative by marriage. He admits that he attends frequent parties at Churchill Farms, but says his visits have nothing to do with judicial discretion. "We don't discuss cases," he says, "we just barbecue goats on a spit. There is nothing sinister about our relationship. Carlos Marcello needs a Fix in the municipal court as much as Rockefeller needs to steal pennies."

Jefferson Parish, south and west of New Orleans, is far more vital to Marcello than the city itself. Within it are his headquarters, the Town and Country Motel; his vending machine-jukebox firm, the Jefferson Music Company; and a bookmaking ring. And since Jefferson Parish is Marcello's home base, the fixing that goes on there is as visible as it is flagrant. Marcello has prospered without noticeable interference by Jefferson's District Attorney Frank Langridge—whose chief investigator, Joseph "Zip" Chimento, was convicted in 1943 of bribing a witness to help two Mafia chieftains. Chimento was a collector for Marcello's jukebox firm before he joined the district attorney's staff.

But Marcello's interests extend far beyond Jefferson Parish. In Bossier City, an open town across the Red River from Shreveport, he owns gambling joints, B-girl bars and brothels. Many of his employes are refugees from Phenix City, Ala., who were run out of town when organized sin in that town was routed 13 years ago. In one section of east central Louisiana, Marcello controls gambling and other vice with muscle provided by the Ku Klux Klan. On Highway 190 near Baton Rouge he has a new windowless casino, officially called a bingo parlor, due to open this month. It is presided over by Frank Vuci, once personal bookie to the late Governor Earl Long.

Whenever possible, Marcello is kind to sheriffs. At a peace officers' convention in Bossier City last spring, one Louisiana sheriff was accompanied by Vuci, who paid all his expenses. When it appeared the conference was running short of cash, Marcello offered to spring for the whole meeting. Another sheriff, together with members of the Louisiana Racing Commission, was a dinner guest of Marcello at the Evangeline Downs race track last April 20.

Like all modern mobsters, Marcello has been expanding his legitimate enterprises. His Jefferson Music Company almost monopolizes vending machines and pinball games in Jefferson Parish. Each year he lends thousands of dollars to restaurant or tavern owners if they agree to accept his jukeboxes, cigarette machines or pinball games. His bus firm, Southern Sightseeing Tours, has a near monopoly in New Orleans.

The biggest deal on his horizon, however, is the proposed domed stadium which will house New Orleans' new National Football League team, the Saints. Marcello has offered to give the city 200 acres of Churchill Farms as a site for the arena—an act of generosity at least partially motivated by the expectation of getting a $1 million-a-year parking concession.

As his wealth, influence and infamy have increased, Marcello has become more interesting to federal lawmen. Although rarely able to prosecute him, they have managed from time to time to make him squirm. For years a deportation case has been pending against him; he was once forcibly grabbed by Justice Department agents and hustled onto a plane to Guatemala. His immigration troubles have led him to the ultimate bribe—putting the Fix on an entire nation. Marcello was born in Tunisia of Italian parents. Because Tunisia's status has since changed—it was a French protectorate when he was born there in 1910—it will accept no responsibility for his nativity. Neither, at present, will Italy. Marcello has been paying $25,000 a year for many years to a high-ranking official in the Italian government to ensure that Italy doesn't change its mind.

Since Cosa Nostra sells no shares and files no annual reports, no one can say for sure just what its legitimate investments amount to—indeed, the way the Mob operates, it is difficult to distinguish "straight" money from crooked. The best hint came from gangland's own financial wizard—Meyer Lansky himself—who made a modest appraisal of the Mob's private holding.

"We're bigger than U.S. Steel," said Lansky. Even though U.S. Steel's assets are $5,642,379,942 and its 1966 profits came to $249,238,569, Lansky's boast strikes federal investigative agencies as conservative. The gangsters are in almost everything, foreign and domestic. Their holdings range from Big Board securities to diaper services.

But if mobsters turn "legit," some people will say, isn't that all to the good? The answer is no. Over the last decade, government investigations have proved that a lawful enterprise doesn't remain legitimate once the gangsters get into it. Thievery is their way. Their executives are extortionists. Some of their salesmen are killers. A huge national food chain found this out, to the general horror of its personnel and its customers, as will be detailed later in this article.

The Cosa Nostra establishment in legitimate business is international and astonishingly intricate. It has employed—in addition to the predictable crew of sharpshooting accountants, gamblers and union officials—figures as diverse and improbable as a United Nations delegate and bankers with diplomatic passports from Iron Curtain countries.

As highly sophisticated forms of theft have gained favor in Cosa Nostra, the old-fashioned shakedown has become almost as rare as the white hat. It is regarded as unnecessarily risky. Three mobsters in the Gambino Family—Willie Dara, Tony Esperti and Nick Farinella—tried it the old way in Miami this year: a bold attempt to squeeze $25,000 out of a Miami store owner, John Maloney, "for the people up north." Maloney simply called the FBI, which made the case. The three hoods, convicted of extortion on Maloney's testimony, face prison terms up to 40 years. Such throwbacks to the old days of the "protection" racket get one response from a majority of today's hoodlums. Stupid.

It's safer by far to make a buck the way a Genovese Family *capo*, Nicolas Ratteni, does it—hauling garbage in the New York suburb of Yonkers. Ratteni simply squeezed out other firms until he had 95% of the garbage collection business. Though he is still a gangster, at least, he appears to be serving his customers as opposed to shaking them down. Woe, certainly, to would-be competitors—but most of them can be dealt with through the Fix, somewhere short of violence.

The true bonanza the Mob has struck in legitimate business is "skimming"—diverting a portion of cash receipts off the top to avoid taxes. Chiefly for this reason the tycoons of Cosa Nostra tend to flock to any enterprise that has a heavy flow of cash—vending machine companies, jukebox firms, cigarette machine routes, some box offices and ticket agencies (the scalping of sports and theater tickets is a form of skim), and, of course, licensed gambling casinos. Then they proceed to steal large sums before they can be entered on the books and come under the eye of the IRS.

It follows that the money derived from the skim is ideal for greasing the wheels of organized crime. It pays off politicians, crooked cops and killers. It is also used as tax-free bonuses to persons with no gang connections at all—only greed. One well-known film star, for example, received $4,000 under the table in addition to his one-week contract price of $20,000.

A single jukebox or cigarette machine business may yield thousands in skim. FBI agents in Chicago discovered that Eddie Vogel in a period of a few months skimmed $130,000 from his music and vending machines. He and Momo Giancana actually counted it up amid the linens and tomato paste in a back room of an Italian restaurant, the Armory Lounge.

The biggest skim yet discovered took place in the legalized gambling casinos of Las Vegas from 1960 to 1965; many details of it are being disclosed here for the first time. Its breakup by federal agencies has sent the Mob scurrying all over the world—to places like England, the Caribbean, Latin America and the Middle East—in search of a bonanza to replace its profits. Some $12 million a year was skimmed for gangsters in just six Las Vegas casinos: the Fremont, the Sands, the Flamingo, the Horseshoe, the Desert Inn and the Stardust.

One notable example of a skimming transaction concerned $75,000 owed to the Fremont and Desert Inn by Alexander Guterma, a celebrated swindler. The money was collected, but never reached casino ledgers. It was conveyed as skim through Panama branches of Swiss banks by Eusebio Antonio Morales, at that time Panama's alternate delegate to the United Nations. (Currently Morales is Panamanian ambassador to the United Kingdom.)

Las Vegas is one of the so-called "open" territories agreed upon by the Mob, where all Cosa Nostra families are relatively free to operate and invest. The carving up of the gambling skim among various Cosa Nostra leaders follows a ratio determined by each mobster's secret interests in the casinos. Each hidden share of a casino was priced in underworld markets at $52,500. The dividend on each share was $2,000 a month—or about 45% annual return.

During the lush years of 1960–65, Gerardo (Jerry) Catena's gang in New Jersey split up some $50,000 a month. Meyer Lansky and Vincent Alo, the Cosa Nostra shadow assigned to keep Lansky honest with the brotherhood, picked off some $80,000 a month. The Catena-Alo-Lansky money came from four of the six casinos—the Fremont, Sands, Flamingo and Horseshoe. Momo Giancana's take, from the Desert Inn and the Stardust, exceeded $65,000 a month. From the same two casinos, the Cleveland gang chief, John Scalish, received another $52,000 a month.

Skimming in Las Vegas, from casino counting room to Swiss bank, has always been overseen by Lansky, the Cosa Nostra Commission's most important non-member—always with the Cosa Nostra heavies peering over *his* shoulder. As cashier and den father of deliverymen, Lansky has remained the indispensable man.

A recurrent problem for Lansky's Las Vegas front men and accountants has been the reconciliation of the interests of a casino's owners-of-record, who hoped to profit, and its secret gangster owners, hungrily awaiting their skimming dividends. "How can you steal money and pay dividends?" Ed Levinson, chief of the Fremont Casino, once besought one of his partners. "You can't steal $100,000 a month and pay dividends. If you steal $50,000? Well, maybe . . ."

Each month, when the skim was running smoothly, the bagmen shuttled between Las Vegas and Miami with satchels of cash. The couriers also brought the skim from Bahamian casinos to Miami. There Lansky counted it all, took his own cut and then parceled out the rest to the couriers who were to carry it to the designated Cosa Nostra hoods, or to the Swiss banks where they have their accounts.

Lansky's bagmen have been a diverse and colorful lot. Among his all-stars from 1960 to 1965:

Benjamin Sigelbaum, 64, business partner of Robert G. (Bobby) Baker when Baker was secretary of the Democratic majority in the U.S. Senate. Sigelbaum is a man with general affinity for political connections. Back in 1936, he was convicted in Camden, N.J., and given a suspended sentence for concealing assets in bankruptcy. By 1958, he was given a full and unconditional pardon by President Dwight D. Eisenhower.

John Pullman, 66, a banker in Switzerland and the Bahamas who once served a prison term for violating U.S. liquor laws. Pullman gave up his American citizenship in 1954 to become a Canadian. He now lives in Switzerland.

Sylvain Ferdmann, 32, a Swiss citizen who is an international banker and economist. U.S. authorities have marked Ferdmann a fugitive; he is accused of interfering with the federal inquiries into the skimming racket. In 1963, when Teamster boss Jimmy Hoffa needed to raise money for union officials' surety bonds, he dickered with Ferdmann.

Ida Devine, 45, the only woman to carry the satchel for Lansky. She is the wife of Irving "Niggy" Devine, a ubiquitous Las Vegas racketeer.

Sigelbaum and Mrs. Devine traveled from Las Vegas to Miami; Ferdmann from the Bahama casinos to Miami; Ferdmann and Pullman from Miami to the numbered-account banks in the Bahamas and Switzerland.

The Mob's skimming cash flow was a remarkable study in itself. It generally moved first through two Bahama banks—the Bank of World Commerce and the Atlas Bank—and then on to the International Credit Bank in Switzerland.

As of 1965, the boards of directors and staffs of all three banks were studded with both skimmers and couriers. The president of the International Credit Bank was Tibor Rosenbaum, a man who travels on a diplomatic passport from Albania. On the board were Ed Levinson, operator of the Fremont Casino, and Pullman. Ferdmann was listed as a staff "economic counselor," and it was he who organized the Atlas Bank in the Bahamas, as a subsidiary of the I.C.B.

The directors of the Bank of World Commerce, also in the Bahamas, included Pullman (for a time he was its president); Levinson; Sigelbaum, and, once again, Niggy Devine, Ida's husband.

Sigelbaum holds the overland record for bag-toters. For more than two years, he jetted between Las Vegas and Miami two or three times a month, carrying an average of $100,000 each trip.

When investigative heat neutralized Sigelbaum as a courier, Lansky brought on the "lady in mink," Ida Devine. The list of people and places on one remarkably devious trip she made to Miami is a fascinating vignette in the annals of bag-toting.

It took her from Las Vegas to Los Angeles, thence by train (she hates flying) to Chicago, Hot Springs, Ark., back to Chicago (see pictures), then to Miami—hanging on all the way to a bag containing $105,650 in skim money. On her first Chicago stop she was met by Mrs. George Bieber, wife of an attorney who represents gangsters. On her second arrival in Chicago, she was met by Bieber's partner, Michael Brodkin, whose Mob clients are even more numerous. The money ultimately was split up in Miami by Sigelbaum and Pullman: $63,150 for Lansky, $42,500 for Jerry Catena in New Jersey.

At the time, Pullman was toting the skimming money from Miami to the Bank of World Commerce in the Bahamas. But a few months later he, like Sigelbaum, was forced to relinquish the bag—this time to Sylvain Ferdmann.

Ferdmann took over both the transcontinental and transatlantic bag routes for most of the next two years. His contacts in this country were bizarre, including functionaries and members of the Communist party in New York, and a man who had big financial dealings with the Czech delegation to the United Nations. The conclusion drawn by investigators—from Ferdmann's contacts, from the fact that the International Credit Bank has strong ties with Communist countries and from the fact that his bag was stuffed with money both going and coming—was that there was a flow of Communist money coming back through the skimming conduit.

Ferdmann made one bad blunder in all this. On March 19, 1965, as he was loading his satchels into the trunk of an auto at

Miami airport, he dropped a piece of paper from one of his pockets. It was found by a parking attendant, who turned it over to authorities. It was a note on the letterhead of the International Credit Bank:

"This is to acknowledge this 28th day of December 1964, the receipt of Three Hundred and Fifty Thousand ($350,000) Dollars, in American bank notes for deposit to the account of Maral 2812 with the International Credit Bank, Geneva, the said sum being turned over to me in the presence of the named signed below."

John Pullman was listed as a witness on the note. Under his own signature, the cautious Ferdmann had added this postscript:

"The above is subject to the notes being genuine American banknotes." Here for the first time was a document proving not only the receipt of the Mob's skimming money by the Swiss bank, but also providing the account number.

Inevitably, America's stock market fever over the last two decades caught the eyes of Cosa Nostra and led to the establishment of a highly lucrative new subsidiary racket—traffic in stolen securities. To handle everything smoothly the Mob put together yet another international network of couriers, shady financiers and banks. This apparatus began functioning two years ago during a series of Wall Street robberies that authorities traced to the Brooklyn gang of Cosa Nostra Commissioner Joe Colombo. Colombo seems to fancy the world of finance. He often stuffs a copy of the *Wall Street Journal* in his pocket, an affectation looked upon as ostentatious by those acquainted with his comic-book reading habits.

Since 1962, in just six thefts in Manhattan, Colombo's men are believed to have made off with securities valued at $8 million. The latest score attributed to the Colombo thieves—one which received virtually no publicity—was the brazen looting last May 14 of safes in the Manhattan borough surrogate's office. The safes contained securities and other assets of estates handled by the surrogate's office. It was announced at that time that the amount of the loss was undetermined. Investigators have since determined that the thieves grabbed at least $500,000 worth of securities. That much of the loot was transported to Belgium by a courier who dropped it into a Brussels bank. The Belgian bankers then were somehow induced to send the stolen securities back to this country for sale.

Other securities from other robberies are known to have been sold by the Colombo Mob to banks in West Germany, France and Africa. Arrangements for many of the sales were made by a London fence—another improbable character: Alan Cooper, 36, an ex-GI who served a prison term for a bank robbery in Germany.

Colombo's gangsters manage even bigger profits—though at greater risk—when they can induce a U.S. banker to accept stolen stocks as collateral for a loan. The mobsters then put the money borrowed on the hot securities into quick-profit loan-sharking which enables the Mob to pay back the banks so soon as to cost practically nothing in interest. The gangsters retrieve the stolen stocks and bonds, and then—if all works well—post the hot securities for a second loan from yet *another* bank. All the time this is going on, shylocking fees are still piling up from hapless borrowers who got money from the original loans. Colombo has been known to double his money in less than two months through this repeated cycle. The key, of course, is a banker devious enough to accept the stolen collateral. Federal officials have identified a dozen such bankers in the New York area who have issued loans to Colombo's men on stolen securities. All of them are "hooked" by the Mob in some way, through physical fear or blackmail.

The foremost internationalist among all Cosa Nostra entrepreneurs is neither skimmer nor stock swindler, but old Bayonne Joe Zicarelli—the Hudson County hustler of goods and politicians. "Joe Z's" extensive line includes military aircraft parts, munitions and murder contracts.

Although Zicarelli, at 55 isn't a topnotcher in the Mob, the international operations he has conducted from the Manhattan offices of the Latimer Shipping Co. show how well an enterprising Cosa Nostra secondstringer can make out if he hustles.

Zicarelli and the former Dominican Republic dictator, Rafael Trujillo, were fast friends. Trujillo shelled out more than $1 million to Joe for machine guns, bazookas, etc. With Trujillo's assassination, Zicarelli quickly proved he is without political bias: early this year, the U.S. State Department found that Joe's emissaries were dickering with present Dominican leaders to take over an airline.

Another friend was erstwhile Venezuela President Pérez Jiménez, during whose dictatorship Zicarelli landed a $380,000 contract to supply aircraft parts to Venezuela. Profit: some $280,000.

This was by no means the extent of Joe Z's Common Market. In the 1950s, when his deals with Venezuela were cooking, Zicarelli staunchly volunteered to officials of that country to arrange the assassination of the exiled Venezuelan political leader Romulo Betancourt. The plot bogged down in unseemly haggling over Zicarelli's fee: $600,000.

There is no measure of how much money Zicarelli made from Trujillo. But in the past two years federal investigators have discovered that he did a lot of work, whatever the price. Details of just *how* much he did have never been disclosed until now. One of his little favors for Trujillo: the 1952 execution of Andres Requena, an anti-Trujillo exile. Zicarelli gunmen shot Requena in Manhattan.

Next on Trujillo's list was another exile, Jesús de Galíndez, a teacher at Columbia University. Joe Z arranged that one, too. In a famous case, De Galíndez was kidnaped in Manhattan on March 12, 1956. At a Long Island airport, he was loaded aboard a private plane and flown by an American pilot, Gerald Murphy, to the Dominican Republic. Both De Galíndez and Murphy vanished and are presumed to have been slain.

The plane used by De Galíndez' abductors was chartered at the Linden, N.J. airport on March 5, 1956. Federal authorities have learned that the aircraft was chartered by Joe Zicarelli.

On his home ground in Bayonne, Joe Z has performed similar services for prominent people. For example, in the fall of 1962, the body of a Bayonne gambler was hauled by Zicarelli's men from the home of a Hudson County political figure—placing the politician more than slightly in Zicarelli's debt.

It wasn't one of Tony Anastasio's good days. In the fall of 1957, everything seemed to be going against him. Once upon a time, the Cosa Nostra power of his brother Albert, the old Lord High Executioner of Murder, Inc. fame, had made Tony boss of the biggest local of the International Longshoremen's Association (ILA). But Albert had been murdered in a Manhattan hotel barber chair, and now Tony—"Tough Tony," as the press had taken to calling him—was a union boss in name only.

The brooding Anastasio was flying to Miami for a few days in the sun. In the seat beside him, as it happened, was an official of a federal law enforcement agency. They knew each other. After about three drinks, Tony began to share his troubles with the official, who was notably sympathetic.

They talked of what had happened to Albert, and suddenly Tony blurted: "They *gave* me to Gambino!".

"I got to answer to Carlo," he moaned to his astonished companion. "Joe Colozzo told me I'm nothing but a soldier."

"They," of course, were the Cosa Nostra Commissioners, who had put Anastasio—not to mention his 14,000 union members—under the control of Carlo Gambino, who had taken over the slain Albert's Costa Nostra Family.

Until now, Joe Colozzo had been just another of Tony Anastasio's gangsters in the Brooklyn longshoremen's union. Now he was Gambino's strongman—and Tony was suddently nothing.

That was the way it was in the Brooklyn ILA in 1957. That, according to the experts, is still the way it is today—regardless of recurrent publicity about a "new look" on the seamy waterfront. Though the public was understandably eager to interpret the waning of Anastasio's power on the docks as a sign of a real clean-up of Mob control, such was not the case. After Tony's death in 1963, and despite some reforms instituted by the New York-New Jersey Waterfront Commission, it was still business as usual for the Mob.

FBI Director J. Edgar Hoover told a congressional subcommittee that the gangsters are so powerful on the docks that ". . . ultimate control . . . of the New York port, including New Jersey facilities, rests with the leadership of the Vito Genovese and Carlo Gambino 'families' of La Cosa Nostra." Hoover's statement was echoed by Henry Peterson, chief of the Organized Crime Division of the Department of Justice. Peterson, in fact, went a bit further. He told a crime control conference of the "more than effective liaison between the ILA, the Costa Nostra, and the Teamsters [union]."

The Mob's power over the nation's biggest port and its rackets—shakedowns, shylocking and thievery—stems from its grip on ILA locals. The Gambino gang today dominates the unions on the Brooklyn piers. On the docks of Manhattan and in New Jersey ports, the Vito Genovese gang is rigidly in control.

The most outspoken exponent of the waterfront's "new image"—and its most vociferous gainsayer of claims about the ILA ties with Cosa Nostra—is Tony Anastasio's son-in-law, Anthony Scotto. The death of Anastasio left his ILA local 1814 in the hands of Scotto, a handsome, remarkably self-assured young man who says he is "disturbed no end" to hear statements such as Hoover's and Peterson's. By that, one interviewer asked, was Scotto implying that there is no Cosa Nostra?

Scotto dropped his voice.

"Between you and me, I *know* there is," he said. "But I'm not going to talk about it. I don't want to fight the whole world. I've got to drive home every night and back to work again in the morning."

What about the view, expressed in some parts of the law enforcement establishment, that Scotto is actually a member of Cosa Nostra?

"Pure, unadulterated ———," replied Scotto.

The talk turned to the gangster Colozzo, whose privileged status in the ILA headquarters in Brooklyn almost surpasses Scotto's. "I know everything you could tell me about Colozzo," said Scotto. "He is supposed to be telling me what to do. *No* one tells me what to do." He is equally airy about Cosa Nostra Commissioner Gambino: "I've met him once or twice—you know, at funerals."

Now and then, nevertheless, he goes to a lot of trouble to assist Gambino's kin. Last year, Scotto dispatched one of his union aides, Natale Arcamona, to Vietnam to speed up the unloading of Army cargo at Vietnamese ports. While Arcamona was there he received a very special assignment from Scotto; do what you can to get a comparatively safe post on the docks for a soldier—that is to say a U.S. soldier—who incidentally is a relative of Gambino.

Asked about the incident, Scotto quickly dismissed it "I must have sent a couple of dozen of those telegrams for one guy or another," he said. "This is the first time I knew one of the fellows is related to Gambino. My name goes on a lot of things around the union. Sometimes you write a recommendation and then you regret it."

If Scotto is the prototype of the "new" ILA, it would have to be called an improvement—at least from outward appearances. He lectures at Harvard. He visits the White House. He attends international labor conferences. He is an officer of the recently founded American Italian Anti-Defamation League, Inc. (So is Dr. Thomas J. Sinatra, an ILA physician who happens to be Gambino's son-in-law. So, for that matter is Frank Sinatra—no relation.)

Unlike most ILA bosses, Scotto is chummy with public officials. At political gatherings, whenever he can, he seeks out and chats with U.S. Senator Robert F. Kennedy of New York. He lists public prosecutors as character references.

There is no question that when he's out in front doing the talking, Scotto is a polished, persuasive spokesman for the Brooklyn longshoreman. But behind him in the locals, the gangsters and their pals seem to be doing as well as ever.

Colozzo, for example, still brings Gambino's word to the ILA locals and acts as if *he*, not Scotto, were the boss of the Brooklyn piers. While Scotto bustles about the docks, Colozzo lazes in his union office. Barbers and manicurists come to *him*.

The expenditures of some ILA locals are under constant federal scrutiny, and one of them, currently, is Scotto's Local 1814. Particularly intriguing to federal officials are the fees paid in 1965 by the union to an accounting firm, the bulk of which were passed along by the firm to pay for a pad for Scotto's girlfriend. The firm, Farber & Landis, handles the books of Colozzo's and Scotto's locals and another ILA local, and also does the accounting for the ILA medical clinic fund in Brooklyn, and five businesses operated by Scotto and members of his family. In 1965, the fees from Scotto's local to Farber & Landis jumped from the $2,000 paid in 1964 to $7,000, or an increase of 250%.

Scotto insists that the firm got more money that year because it did more work. It was a coincidence, he said, that the accounting firm got the extra $5,000 at the very time that it incurred an additional expense—the $280 monthly rental paid by Farber & Landis for Penthouse K at 210 E. 58th Street in Manhattan.

The tenant in Penthouse K was Francine Huff, an auburn-haired fashion model and a warm friend of Scotto as well as of E. Richard Landis, the accountant, and Louis Pernice, an official of Local 1814. A federal grand jury has been looking into Penthouse K.

"The grand jury tried to establish that the rental was paid with union funds," said Scotto. "Thats not so. It was just a coincidence. The accounting firm paid the rent. We [he, Landis and Pernice] had a pad—it may have been immoral, but it was not illegal.

Union expenditures for such purposes would be misapplication of membership funds, a criminal offense under federal statutes.

According to Scotto, the grand jury called Miss Huff, Landis and Pernice. Miss Huff, he said, had invoked the Fifth Amendment.

Across the Hudson, in New Jersey, Catena's tight personal control of ILA locals has made Port Newark a flat Cosa Nostra concession. Catena's men in the Port Newark longshoremen's unions are John Leonardis, an ILA vice president, and Anthony Ferrara—known as "Ray Rats"—a business agent of Local 1235.

By Catena edict, New York officials of the ILA are forbidden to set foot on Port Newark docks without Leonardis'—*i.e.*, Catena's—O.K. The order was strictly enforced. An early violator was George Barone, a Manhattan ILA boss. Barone ventured over, without a Leonardis visa, to round up business for a ship maintenance company. A Catena warning—"Nobody spits in Port Newark unless we say O.K."—promptly chased him back to Manhattan. From there, Barone apologized, pleading ignorance.

For a price, or a piece of the action, however, Jerry Catena does permit gangsters from other Cosa Nostra families to set up shop in Port Newark. A Lucchese gang leader, John Dioguardi, for one, gave Catena an interest in an Emerson, N.J. gambling operation, and in return controls a union that organized Port Newark cigar workers.

Of all the malevolent things the Mob has perpetrated or tried to perpetrate on legitimate business and an unsuspecting public, nothing ever topped the Catena detergent caper. Indeed, it stands as a textbook example of what Cosa Nostra brings to the marketplace.

In the spring of 1964, Jerry Catena and his brother Gene wangled a contract from a manufacturer to wholesale an offbreed brand of detergent in the New Jersey area. Forthwith they began to push their "Brand X," as we'll call it here, through one of their front outfits, the Best Sales Co. of Newark. Best Sales has salesmen aplenty, of a sort—some 600 members of the gang that Jerry was running for Vito Genovese, plus others, such as representatives of the Amalgamated Meat Cutters and Butcher Workmen, and the Teamsters. Both had organized workers in food chain stores in New Jersey.

To move the Best Sales detergent Catena eventually pulled all the stops of Cosa Nostra power.

First, butchers' union agents began pointedly dropping word in food marts that the Best Sales product was a good thing. "Good people in that company," store managers were told, "particular friends of ours." Most of them got the message—and laid in a supply of the detergent, dutifully priced at 70¢ per box.

Early in 1964, the Catenas began thinking big, drawing a bead on the huge A & P chain. If the A & P could be "persuaded" to sell the product, or maybe even to push it over the big-name brands, the Catena boys would surely end up as soap czars.

There was no objection by A & P to testing the Catena detergent—indeed, it seemed for a few days that the Best Sales product was being favorably considered.

In April, however, A & P consumer tests disclosed that Catena's product didn't measure up to other brands—no sale. Within a few days, to add insult to injury, word reached Gene Catena that his detergent had been rejected *because A & P had learned that the Catenas were selling it.*

Gene, in a fury, promised to "knock A & P's brains out." And he tried.

On a May night in 1964, a fire bomb was tossed into an A & P store in Yonkers, N.Y. The store burned to the ground.

A month later, another Molotov cocktail touched off a fire that destroyed an A & P store in Peekskill, N.Y. In August, an A & P store on First Avenue in Manhattan was gutted, and in December, an A & P store in the Bronx.

Even then, though thoroughly frightened, executives of the chain did not connect the incendiary fires with their rejection of the detergent. The Catenas tried again to spell it out, in a more pointed way.

On the night of January 23, 1965, Manager James B. Walsh closed a Brooklyn A & P store and got into his auto to go home. A few blocks from the store, one of his tires seemed flat, and he got out to fix it. A car pulled up and four men got out. They killed Walsh with three pistol shots.

About two weeks later, on the evening of February 5, store manager John P. Mossner drove home to Elmont, N.Y. from his A & P supermarket in the Bronx. As he got out of his car in his driveway, a lone gunman stepped out of the shadows and shot him dead.

Two months after Mossner's murder, one more A & P store burned in the Bronx. The blaze had been started with a fire bomb.

Meanwhile, the butchers' union had begun negotiations on a new labor contract with A & P. The company's contract offers were rejected. The union made counterproposals which A & P considered outrageous The butchers threatened to strike, and the Teamsters let it be known they would not cross the picket lines.

The A & P officials were growing frantic in the face of the apparently motiveless murders and fire-bombings and the deadlocked union negotiations. In desperation they appealed to the federal government for assistance of some kind.

It took about a month for government informants to link the terrorism with the Catena detergent sales campaign. But proving that connection by producing the informants in a courtroom was out of the question. Accordingly, U.S. District Attorney Robert Morgenthau brought Jerry Catena himself before the federal grand jury. On his way into the jury room the puzzled gangster asked a government official why he had been called.

"We want to know about your marketing procedures," the official said.

"Marketing of what?" asked Catena.

"Detergent."

Ah, *detergent!* As of that moment, the A & P's terror ended. Catena appeared briefly before the grand jury and hurried from the courthouse. At their very next negotiating session, the strike-threatening butchers signed the A & P contract they had rejected weeks before.

A few days later, a federal investigator ran into one Gerardo Catena in lower Manhattan and asked pointedly how things were going in the detergent business. Catena's muttered answer was close to pleading.

"I'm sorry," he said. "I'm getting out of detergent."

And that was all. To try to muscle a mob-backed product onto A & P shelves, Catena or thugs in his employ had burned out five supermarkets and had murdered two innocent store managers in cold blood. And yet, because the government could not jeopardize its own informants by bringing them into court, Catena suffered only the minor inconvenience of a grand jury appearance and the failure of his detergent scheme. Gene Catena died a month ago, of natural causes. Jerry Catena, the hoodlum boss, and his bomb throwers and murderers continue to walk around free.

The bloody case is a measure of what the country is up against with the Mob and what the law is up against in bringing the mobsters to justice. On the editorial page of this issue LIFE states what it believes can and should be done to put an end to this disgraceful state of affairs.

OFFICIAL COVER-UP: A FLAGRANT CASE IN POINT

If the Fix is the Mob's most useful tool, the Cover-Up is of equal importance to public officials who allow themselves to be fixed or who ignore Fixes. Case in point: the censoring of the official report on organized crime of President Johnson's own crime commission. As an apparent result of political pressure, specific findings relating to official corruption were watered down or omitted.

Convened in 1965, the commission had the mandate to conduct the most far-reaching study of U.S. crime ever attempted. To prepare a special report on syndicated crime, the commission called upon a leading criminologist, Professor G. Robert Blakey of Notre Dame. The paper he submitted ran to 63 pages and, using Chicago as an example, dealt with specific links between public officials and organized crime. But when the commission issued its own final report, the

Blakey findings had been reduced to four footnotes.

Blakey himself has refused to comment on the censorship. The crime commission's executive director, Harvard Law Professor James Vorenberg, who edited the final report, has denied to Life that he did any tampering: "It's all in the footnotes. We didn't change a comma, and if somebody says we did, it's a lie."

Nonetheless, a lot did get left out. One commission investigator thinks he knows why. "I believe the report was emasculated by Vorenberg because we didn't dampen this and dampen that. There were protests from officeholders in Chicago and enormous pressure on us *not* to be specific."

Here, for the first time, are some of the suppressed items:

"The success of the Chicago group [of the Mob] has been primarily attributable to its ability to corrupt the law enforcement processes, including police officials and members of the judiciary. . . ."

"Control, sometimes direct, has been exercised over local, state and federal officials and representatives. Men have been told when to run or not run for office or how to vote or not to vote on legislative issues or [for judges] how to decide motions to suppress evidence or for judgments of acquittal."

Blakey's report also spoke of "racket influence" in the Illinois state legislature and charged that such influence had been used to hobble prosecutors and police.

Blakey had listed the high command of Cosa Nostra, whose names appeared in Life last week. Even this was deemed too hot for the final report. The reason is obvious: since Cosa Nostra leaders operate in specific localities, the mere fact of their success reflects on the performance of local officials.

WE CAN BREAK THE GRIP OF THE MOB

For too long, Americans have treated organized crime as a fascinating game of cops and robbers. We have watched from the sidelines, complacently sure that the violence and the corruption took place in some world apart from our own—and that anyway, the bad guys would get theirs in the last reel. We have refused to take organized crime seriously enough to mount a real attack against it. The conspiracy of crime prospers—and the cold catalogue of facts that Life has presented in the series that concludes in this issue must stand as an indictment not only of the Cosa Nostra but of all of us.

There is no boundary line now between the Mob's world and ours. Organized crime is gaining in sophistication if not in numbers, adapting the modern tools of economics and technology to the task of taking over great chunks of the economy.

More important than the economic damage, though, are the holes that are being chewed in the fabric of our political system. Cosa Nostra did not invent corruption. It has existed as long as man. But the Mob's operation depends for much of its success on its ability to search out the weak—and its resources can provide irresistible temptation. Its targets are few—a tiny percentage of all officials. But as long as it succeeds unmolested the impression grows that much of government is suspect.

To mount a war against Cosa Nostra, it is vital first to understand it—and to ask what it is in America that provides such a hothouse climate for a criminal system unparalleled in history. Born during Prohibition as a means to enforce a truce between competing gangs, the Mob has grown fat providing illegal "services" in fields where the customer demand is great.

National prohibition is gone. But the Mob has prospered by diversifying—into "services" like gambling, narcotics, prostitution, loansharking and bootlegging. Today its monopoly on illegal gambling alone yields a profit of nearly $7 billion a year—as much as the U.S. spends annually on its entire postal system. The first source of money for the Mob's treasury is the poor—the numbers player, the narcotics addict, the loan shark's victim. This was always comforting to the middle-class majority who were sure they were not involved. But the balance of the Mob's activities is shifting. It is involved in so much legitimate business now that it is no longer possible to ignore the fact that the Mob's reach is into everybody's pocket.

Cosa Nostra has learned well a basic law of economics. Money is worth nothing unless it is put to work. The profits of crime serve no function locked in a Swiss vault. But they represent tremendous power when they are brought back to this country and invested in legitimate businesses—businesses that often do not remain "legitimate" long, if the Mob takes over complete control. More and more, it is every consumer who pays—extra pennies for milk, higher road taxes for shoddy work, more for meals at restaurants where the Mob has a lock on the garbage removal.

Organized crime has often been referred to as a "government within a government." A key to its strength is the fact that the Cosa Nostra is an oligarchy—a despotism of the few. Control from the top is complete and unquestioned, with the exception of the occasional assassination or coup that is expectable in any dictatorship. And its structure is designed to take advantage of just those aspects of the American system that make ours a uniquely effective democracy.

We protect the rights of the individual above all else, with laws like the ones against wiretapping, self-incrimination and unreasonable searches and seizures. Our court rules of evidence are strict. And we prefer a number of local police agencies to one all-powerful national police force that smacks too much of governmental systems we deplore.

Members of Cosa Nostra have a better understanding of these safeguards than do most Americans. And they use them to insulate themselves from justice. They are perfectly willing to sacrifice the petty hoods that they franchise. But they attempt to insure that each link in the chain of evidence leading upward to themselves is one that can be screened by the protections our system affords.

The continued existence of Cosa Nostra is proof of how well the system has worked. In the period from 1961 to 1966, the government indicted 185 men out of several thousand in the Cosa Nostra—an organization whose methods are murder, kidnaping, extortion and torture Of those indicted, 102 were convicted—20 on narcotics charges, 16 for tax evasion, eight for contempt of court, two for parole violation, even one for violating the Migratory Bird Act. The conspiracy of silence that protects members of Cosa Nostra from the penalties fitting their more serious crimes has rarely been breached.

The crucial need is for tools that will break that conspiracy of silence. And chief among these are wiretaps and "bugs." There is only one federal law explicitly dealing with electronic surveillance—and it is ambiguous. But the net result of recent court decisions is to rule out any evidence gained from wiretaps and bugs. Paradoxically, while the courts have blocked the one source that most law enforcement officials believe is crucial in organized crime cases, they have had little success in stemming the increasing use of such devices against ordinary citizens by everybody from industrial spies to jealous husbands.

Those who are concerned about the rights of the individual have good cause to worry about the indiscriminate use of electronic surveillance. It would be to their advantage to support a bill that would outlaw the use of any such equipment—unless its use had prior court approval. We favor the proposal that such approval should come from a panel of three federal judges for protection from abuses by obliging judges. Just as courts can authorize search warrants, they should be permitted to authorize electronic surveillance when it has been proved that the target is the conspiracy of organized crime and that normal evidence-gathering techniques have been thwarted.

There are other fronts on which we can move. We don't need a national police force, but we do need coordination among the dozens of agencies responsible for some phase of the fight against organized crime. In the federal government alone, 26 separate investigative agencies are involved. There is logic to the argument that the FBI shouldn't have to tell all it knows to the police chief of a mob-dominated town. The armed services system of sharing information on a "need-to-know" basis with other officials of proven reliability should serve as a model.

We need such things as strong campaign-fund laws that will disclose the sources of finance for all elected officials. We need to look again at institutions that have grown creaky with time—the rules governing grand juries, for instance, or the traditions that can continue an incompetent judge in office.

The needs are known. They have been developed exhaustively by study groups and congressional committees. The time has come for the Congress to write a balance back into our laws—one that will continue to safeguard our rights as individuals and at the same time protect us from the Mob.

DEATH OF RICHARD H. AMBERG, PUBLISHER OF THE ST. LOUIS GLOBE-DEMOCRAT

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, the Nation lost a distinguished citizen during the Labor Day recess in the death of Richard H. Amberg, publisher of the St. Louis Globe-Democrat. I have sought for words in which to record my feelings about this gentleman, but I have found none that are equal to those expressed by the Reverend Dr. J. Layton Mauze, Jr., at the funeral services.

Many Members of the House and the Senate and leaders in the executive branch of the Government knew Mr. Amberg and knew him well. I know that they will enjoy reading these words of evaluation of the life of a distinguished and dedicated person.

The inspired words of Reverend Mauze follow:

[From the St. Louis Globe-Democrat, Sept. 7, 1967]

A FINAL TRIBUTE

(The eulogy delivered by the Rev. Dr. J. Layton Mauze, Jr., at the funeral of Richard H. Amberg)

It is quite difficult for me to crowd the reflections of 12 years of intimate association with Dick Amberg into a rather brief statement. Indeed a volume could be written of his worth and works, his true nobility and power, his good sense, his absolute integrity, his lovely companionableness, his goodness and his greatness.

The practice of the law of human service is, in the eyes of all truly native members of an acquisitive society, the most drab and unattractive of pursuits. Such an observer must have been puzzled and incredulous when he saw the air with which this great friend of ours, Dick Amberg, trudged from an office interview to an important meeting, to a large dinner or some speaking engagement. For he did it all with a persistent gusto of enjoyment that makes me think of Francis of Assisi at the edge of a forest drawing one twig over another to make music for God and his living creatures.

"Heard melodies are sweet—but those unheard are sweeter."

Dick could give himself so constantly and so usefully because he was endowed with so many gifts of mind and heart. He had at once a deep love for men and a very shrewd understanding of their foibles as well as of their virtues. His sagacity in determining a course of action rested solely on his insight. A man who had been associated with him in various endeavors once said to me, "The only man whose judgment I would accept in preference to my own is Dick Amberg."

Dick loved and admired the simple worth of steadfast lives, whether in humble places or in high. But he counted it right to be helpful to all men. I personally know that he helped many, without harshness, who might be numbered among the unworthy. But he was never taken in by them. And I think it must have been a salutary experience for some of this sort to receive his generosity, while they had to bear at the same time the glance of those tolerant but penetrating eyes.

Dick's intellect was such that few men dreamed of matching it, but the erring, the humblest, the poorest, and the most illiterate, never felt uncomfortable or unhappy in his presence. His kindliness, his understanding, his sympathy, his broad outlook on life, his lack of thought of himself and what he had accomplished, somehow closed the barrier and made him kin with his less privileged brother.

With Dick there was never any waste of motion or effort. He did all that was to be done without friction, or delay or haste. He spoke no unnecessary words and he wasted no time. He was the soul of promptitude and accuracy and honor. His spirit was all kindness and goodness, but it was also direct and quick and intense. He made no concealment of his approvals or disapprovals when it was his duty to speak or act. In a day when multitudes think it's wrong to be right, Dick, was mostly right, and he courageously stood for it.

One of Dick's favorite passages from literature was when Joan of Arc was being hounded by her inquisitors: "Why was it your Standard had place at the crowning of the King in the Cathedral of Rheims, rather than those of other captains?"

Then soft and low, came this touching speech which will live as long as language lives, and pass into all tongues, and move all gentle hearts wheresoever it shall come, down to the latest day. Says Joan, "It had borne the burden; it had earned the honor."

Well, Dick also bore the burden and justly earned the multiplicity of honors conferred upon him, but he wore them all very lightly, there were no balloons under his armpits, and he forgot them entirely in his daily contacts with men and women.

Men trusted Dick because he was wise; they loved him because he was good. They confided in him because he had the large charity that covers a multitude of sins and the human sympathy that makes men kind. They sought his friendship because they knew that he himself followed his divine Master and Saviour Jesus Christ, in loving mercy, doing justly and walking humbly with his God.

He was a devoted and loyal member of this church and for many years served on the Session. Never a Sunday passed when Dick and his lovely family were absent from worship on Sunday morning except for illness or unless they were out of the city. He loved his Lord and he wasn't ashamed to say so. His faith was deep. You ask the secret of such a worthy life? It can only be one thing—it's a life hid with Christ in God. His life has been a great inspiration to all who have known and loved him, and somehow we have been better men because we have known him.

Now that he no longer walks with us in the flesh, we are the more keenly aware of his magnanimous spirit, and while we mourn our personal loss, we are eternally thankful to God that we were vouchsafed to know and love His worthy servant. Truly through him, there was ever manifested the Grace of our Lord Jesus Christ, the Love of God our Father, and the fellowship of the Holy Spirit.

I can see him now accepting the joys of Heaven with the same quick gladness, and heaven's honors with the same humble and slightly deprecating geniality with which he accepted, as they came, the joys and honors of earth, now that he has heard the summons, "Come up higher." Even then, we may surmise that he had to be led, or perhaps gently pushed by a smiling angel into the place God had prepared for one who loved Him.

To be sure, others will carry on Dick's work, but his place will always remain vacant.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I appreciate the heartfelt sympathy expressed by my colleague from Missouri.

The recent death of Richard Amberg, publisher of the St. Louis Globe-Democrat, came as a profound loss to those of us who knew him as one of Missouri's leading citizens. I was proud to know him as a personal friend, as a fellow member of the board of trustees of Drury College, and as a crusader for justice. His contributions to the journalism profession, to his city and State, are legion and need no further emphasis by me. But another gentleman who knew him well, Maj. Gen. Thomas A. Lane, U.S. Army (ret.), now a syndicated columnist in his own right, has written an eulogy which comes as close as anything I know to saying what all of us who knew Dick Amberg feel.

General Lane's story follows:

A Knight There Was

WASHINGTON.—There was a King of England who shone above all other knights of his day as an exemplar of chivalry. His name is cherished in legend as Richard the Lionhearted.

There have been many Richards. But since his day, there must surely be in every mother's heart a hope that her Richard will also be an examplar of the noble code.

It comes to pass. Not every man can be a king; but those who are worthy can be kingly in their mastery of themselves and in their service to mankind.

Such a man was my friend Richard. He fought in the lists of public policy. He represented the public interest as truly as ever any king did. He fought with a courage and a compassion which marked his code of personal responsibility.

Men fought in olden times with sword and shield and in coat of mail. They fight today with words and bullets, but the issues are the same. The duel with evil goes on apace.

As a young editor, Richard H. Amberg was cast into the thick of the fray. Here was the pivot of power, the link between people and authority. Every force in the community sought the fair image which the press could by approbation or silence convey.

Should he heed the unspoken warnings of powerful advertisers who could make or break his balance sheet? Should he ignore the corruption of public office by men in or out of office who enriched themselves in the exploitation of public authority? These are the questions of business and of conscience which every editor must face.

He had also the problems of unselfish partisanship. Should he embrace the zealotry of one set of utopians and oppose others? Should he be neutral and avoid controversy? Was it his responsibility to lead the community or should he leave that to others?

Richard Amberg made his choice. It was to be ever in the fray, battling for the common good. He stated his position when he became publisher of the St. Louis Globe-Democrat in 1955, "We are going to be a fighter for the right. We are going to take sides on every issue. . . . The Globe-Democrat will never run away from a battle. . . . We may not always be right but we will take an honest cut at the ball."

During World War II, Richard Amberg served on the naval staff of General Douglas MacArthur. After the war, he maintained a close personal relationship with the General, whom he greatly admired.

Richard Amberg also knew and was greatly devoted to President Herbert Hoover. In Hoover and MacArthur he found that unselfish devotion to country which animated his own soul.

His genius came to full flower in the postwar years and especially in his move to St. Louis. He gave new vitality to the Globe-Democrat and raised it to the first rank of U.S. newspapers. He committed his great talents and the resources of the Globe-Democrat to the service of his adopted community. His contribution was so exceptional that an honored elder of the community could say, after twelve years of fruitful service, "I think that Dick Amberg has contributed more to the well-being of St. Louis in the twelve years he has been here than any other man who has ever lived in St. Louis."

It was the measure of his greatness that Dick Amberg won honors and success not in serving the ruling powers but in challenging them. He fought for the great America he loved, the America of strength and courage and honesty and compassion. He fought against the corruption and selfishness which in all ages infect men and their institutions. To all who heard his voice or followed his pen, he bore his vision of a great America.

That is why I think of my friend as Richard the Lionhearted. Requiescat in Pace.

SETTING THE RECORD STRAIGHT

Mr. MIZE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MIZE. Mr. Speaker, in view of the recent charges made on the floor of the House by the gentleman from New York [Mr. Resnick], I think my colleagues will be interested in seeing an editorial which was broadcast over the radio and television facilities of WIBW, Topeka, Kans. In making these comments, Thad M. Sandstrom, vice president and general manager of the sta-

tions, seeks to set the record straight with respect to the charges made against Kansas Insurance Commissioner Frank Sullivan and the Kansas Farm Bureau Insurance companies.

WIBW has made a copy of the editorial available to Mr. RESNICK and has offered him time to reply. Whether he replies or not is immaterial at the moment. What is important is the answer to the charges he has already made.

WIBW provides that answer in the editorial:

WIBW TV-RADIO-FM,
Topeka, Kans., September 1, 1967.

Hon. JOSEPH Y. RESNICK,
Member of Congress,
Washington, D.C.

DEAR CONGRESSMAN RESNICK: Attached you will find a copy of a WIBW editorial scheduled for broadcast on Sunday, September 3, on WIBW Radio, WIBW-TV and WIBW-FM.

Should you desire time to reply to this editorial, we will be happy to make it available. May I suggest that arrangements might be made through the office of Congressman Chester Mize or you may communicate directly with me.

Cordially,

THAD M. SANDSTROM.

WIBW EDITORIAL No. 144

(By Thad M. Sandstrom, general manager, September 3, 1967)

Nowadays, we've grown accustomed to some strange stories from our Nation's Capitol. One story has developed in Washington during the past few weeks which seems unusually ridiculous. A New York Congressman has launched a one-man investigation of the nation's largest farm organization . . . the American Farm Bureau. This week, Congressman Joseph Resnick leveled charges at Kansas officials and criticized Kansas Farm Bureau Insurance Companies. It's time to set the record straight.

It all began in July when Congressman Resnick, speaking on the floor of the House of Representatives, charged that Farm Bureau is not a farm organization but a giant business combine. This attack brought an immediate rebuke from the other members of the House Agriculture Committee. By a 27 to 1 vote . . . the House Agriculture Committee passed a resolution stating that the committee would not endorse, condone or support any personal attacks made by fellow member Resnick on the Farm Bureau. Promptly, the Farm Bureau said it would be glad to furnish records and participate in any *official* Congressional hearing. However, the House Agriculture Committee made it abundantly clear that that body did not consider an investigation necessary.

Congressman Resnick was not satisfied. Rebuked by his colleagues, he launched a one-man investigation of the Farm Bureau. He states that the funds for this investigation are from his own pocket, and that no Congressional money is being used. This, then, makes the investigation not an official Congressional investigation, but one Congressman's personal vendetta.

Congressman Resnick has continued to stir up controversy with his one-man hearing during the past few weeks. It became of interest to Kansans when . . . from Washington . . . Congressman Resnick issued charges of wrong-doing in the office of Kansas Insurance Commissioner, Frank Sullivan.

The charges included accusations that Kansas Farm Bureau Insurance Companies had provided season tickets for K-State football and basketball games to Insurance Commissioner Frank Sullivan's office. Season tickets to football events at K-State have not exactly been a highly valued commodity for the past several years. It's a common practice for companies to buy tickets as a matter of civic support. It's logical that Farm Bureau Insurance, with its close ties to Kansas State University, should be a regular purchaser of K-State tickets. And it's a common practice to put those tickets to use by distributing them to employees, customers and friends. If this is the worst Congressman Resnick can find, he'd better stop looking. Insurance Commissioner Sullivan and the President of the Kansas Farm Bureau, Ray Frisbie, have both invited Congressman Resnick to come to Kansas and look over the records. The invitation has not been accepted. In fact, Congressman Resnick has not yet answered the invitation. Instead, Congressman Resnick has remained in Washington and continued to level blasts against Kansans . . . including the accusation that the Kansas Farm Bureau Insurance Companies have committed such wrong-doings as providing country club memberships and automobiles . . . even automobiles with trailer hitches . . . for their executives. So, what else is new?

We very seriously doubt that there are very many large companies in the country . . . insurance or otherwise . . . that do not entertain clients and provide transportation for the company executives. It's a normal cost of doing business, recognized by the Internal Revenue Service.

We're disturbed that a Congressman from the state of New York should take it upon himself to determine how businesses and state government in Kansas should be operated. It just isn't his business. In fact, we're under the impression New York has a few problems of its own. While we're helping to pay this Congressman's salary, he is spending his time conducting a witch-hunt that is supported by few, if any, of his fellow members of Congress.

The charges that Resnick has leveled against Farm Bureau could also be brought against many other organizations . . . both farm and non-farm. The National Grange is involved in insurance and in publishing a national magazine with commercial advertising. The National Farmers Union is also united with insurance companies and with firms and cooperatives that market agricultural products and sell supplies to farmers. Why, then, has the Farm Bureau been singled out for this attack?

It occurs to us that the American Farm Bureau is the only farm organization which has been openly critical of the Johnson administration's handling of farm problems. The Farm Bureau has had the courage to differ with the administration and with other farm groups as to the way farm programs should be handled. Their viewpoints have been gaining in popularity during the past several months. Could this be the reason the Congressman from New York is so anxious to find wrong-doing in the Farm Bureau—any Farm Bureau—including the one in Kansas.

If so, it's an indication that one of our most precious rights . . . the right to differ . . . is in jeopardy. Congressman Resnick should get back to the business of representing his district in Congress.

(CLOSE.—This has been a WIBW editorial. WIBW invites responsible groups and individuals to express their views in answer to our editorials. Copies of this editorial are available by written request.)

ECONOMIC UNFEASIBILITY OF INLAND CANALS—SPECIFICALLY, THE ILLINOIS-MISSISSIPPI RIVER CANAL

Mr. VIGORITO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VIGORITO. Mr. Speaker, it is my wish today to bring to the attention of my colleagues a small point of economic history which may have passed unnoticed in this day of involvement with momentous national and international problems.

A short time ago we voted in the House of Representatives on the public works bill for fiscal 1968. The measure contained the budget requests for the Corps of Engineers' civil works projects, including the controversial Lake Erie-Ohio River Canal in Ohio and Pennsylvania.

This project had been backed by the corps on the grounds that it was engineeringly feasible and economically necessary. I do not argue with the first point. Where I disagree is the contention of the corps that an inland waterway such as this can be self-supporting and economically needed in the 20th century.

It is my feeling that in this age of modern integrated transportation concepts a canal or inland waterway is an outmoded and obsolete mode of transportation.

Today I would like to speak briefly about one of the last large canals built by the Corps of Engineers. Specifically, I am talking about the Illinois-Mississippi Canal. This 105-mile canal, which connected the Illinois and Mississippi Rivers never lived up to the grandiose predictions of the corps, and after a couple decades of use was finally declared obsolete in 1951.

Statistics contained in the Corps of Engineers' own annual reports graphically tells the sad story of the canal's failure. It never carried more than 35,000 passengers annually, and that figure was reached back in 1918 when World War I forced other methods of transportation to be used for the war effort. Its peak in freight tonnage was reached in 1929 when 30,161 tons were carried over the 105-mile canal.

After that, tonnage steadily declined. Even the busy years during World War II did not reverse the sharp downtrend in total annual tonnage. In 1945, tonnage had dropped from the 1929 peak of 30,000 tons to only 14,146 tons, and in 1947 the "bottom literally dropped out of the barrel" when only 394 tons were transported over the canal network. The next year, tonnage was so low the Corps of Engineers did not even bother to file a report.

Finally, in 1951, the Corps gave up the ghost and admitted to itself that the canal was unnecessary and declared it obsolete. A couple of years later the State of Illinois voiced interest in turning the canal into a historical and recreational project. There is a lesson to be learned from all this: canals are historical curiosities; their only purpose is to be enshrined as monuments to another age to show how this country evolved from the canal era to a modern period of integrated rail, highway, and plane transportation.

My question is, If the canal in the Mississippi River valley, using the longest

and greatest inland river in the country, could not survive economically, how did the Corps of Engineers expect to justify a canal running through Ohio and Pennsylvania?

THE HEAT'S IN THE KITCHEN

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection?

Mr. PICKLE. Mr. Speaker, in recent weeks much of the news media have been echoing various charges being leveled at President Johnson by his critics.

I submit that this criticism is not only unfair, but unsound, and that history will prove our President has been wise, prudent, and outstanding in his administration of our national affairs. This unjust criticism will boomerang.

It is pleasing to note that there was at least a major exception to the follow-the-leader game of picking on the President, and I refer to this Sunday's column of William Randolph Hearst, Jr., in the San Antonio, Tex., Light.

In this column, Hearst, the editor in chief of the Hearst newspapers, has provided an excellent prospective of the matter at hand.

I insert his "Editor's Report" in the RECORD at this point, and I am hopeful that our colleagues can give it their consideration.

The article follows:

EDITOR'S REPORT: THE HEAT'S IN THE KITCHEN

(By William Randolph Hearst, Jr.)

NEW YORK.—During the last week of my reluctantly-ended vacation at San Simeon I prepared for the chore of resuming this column by doing more reading than time generally allows. I didn't have to look far for a theme.

It's really amazing. Whatever news magazine I picked up, whatever commentator or pundit whose deathless prose I encountered in print or on the airwaves, all seemed to be engaged in discussing the same topic—Lyndon B. Johnson "in trouble."

Lambasting the President these days is practically a full-time job for his howling pack of vociferous critics. He is being bedeviled, reviled, belittled and beset on all fronts. And I, for one, think it's damned unfair.

The points that I propose to make here are not intended as a defense of Johnson, per se. He's a man who can take care of himself. Furthermore, I am hardly what you would call a lifelong, dyed-in-the-wool Democrat.

But the fact is the President is getting all kinds of blame he does not deserve and little or no credit for what he does deserve. It offends my sense of fair play to see him so unjustly attacked for whatever happens in Vietnam, for the riots in our cities, for lack of congressional action on civil rights and social programs and for practically everything else that's wrong.

What I would like to try to do here is to put things in a clearer perspective, to encourage a little sober reflection on what Johnson has done and is attempting to do, and even possibly influence some of his critics to use logic instead of invective.

There's not much chance of any success on the last point not when you line those critics up and take a look at them. They're a great bunch.

Over here we have the unwashed beatniks. Over there are the pink-eyed super-liberals. Behind them are such racist anarchists as Stokely Carmichael and H. Rap Brown. Howling loudest are the enemy-serving stop-the-bombing gang and congressional popoffs led by Democrats Sen. J. William Fulbright and Sen. Robert F. Kennedy and countless Republicans whose names escape me at the moment.

The latest to join the gang is a beaut—that sterling, tongue-tied governor of Michigan with the halo of white hair over his ears, George Romney. This new war critic who would be president himself now claims he was "brainwashed" into his earlier support of the Vietnam war effort.

IN POSITION TO CREATE MISCHIEF

This might be funny if it weren't for the mischief a man in Romney's position can create. But still, imagine having a president who proclaims he can be brainwashed by a high-pressure sales talk. If he ever got in the White House they wouldn't dare let him out of the country. I hate to think what would happen to him at the hands of the diplomatic slickers in Moscow, England, France, Rome or even India.

Any fair-minded person who examines the various charges being leveled at President Johnson, either directly or by snide implication, will find they just don't stand up. Let's take a brief look-see at the three major areas in which he is taking the most abuse—Vietnam, the Negro problem and social legislation:

Not even the President's severest critics can accuse him of starting the war; he inherited it. Whether his policies are right or wrong, only time will tell. Meanwhile, in accordance with the advice of the nation's most experienced experts, he has chosen a course of action and is sticking to it.

That course of action, no matter what anyone says, is clearly aimed at achieving a just and lasting peace in Vietnam by arresting Communist aggression. Our commitment to contain communism is not new; we followed it in Korea, Berlin and Cuba. It is a highly honorable commitment, and the honor of the nation is at stake. In pursuing it, President Johnson—far more than anyone else in the world—at the same time has done everything in his power to get peace talks under way. Yet every one of his initiatives has been spurned by the enemy.

RECORD EXCEEDS THAT OF FDR

Just as nobody has done more to get us out of Vietnam than Johnson, so no president with the exception of Abraham Lincoln has done more for the American Negroes. His record on civil rights exceeds even that of Franklin Delano Roosevelt, whose philosophy of spending to help the poor he adopted and expanded. Time and again he has defied Southern political forces by naming qualified Negroes to high office, even to the U.S. Supreme Court.

One would think the liberals who are so busy criticizing the President would instead be commending him for his civil rights record. The thing that strikes me as especially interesting on this point is that the great majority of the Negro population knows what Johnson has done and is trying to do for them. No single group in this country was subjected to a more concerted organizational drive by the Communists, yet that drive notably failed. So far as loyalty to their country is concerned, the record of our Negroes as a group is far better than that of some of our intellectuals and college professors.

Social legislation, of course, is interlinked with the problems of underprivileged Negroes, Here, again, the sweep and number of Johnson-sponsored laws passed by the last Congress is without precedence in our history. The slowdown in further action by the present Congress is certainly not the President's fault, nor his desire.

MONEY ALONE NOT THE ANSWER

His administration has spent tremendous sums of money to improve the lot of our poor, both in the cities and elsewhere. Yet he is accused of not spending enough when mass rioting continues in the cities—even though what happened in Detroit and New Haven proved that money alone is not the answer. There is no simple answer to social unrest and President Johnson has done all a sound executive can do by summoning the nation's best brains to work out effective remedies.

And so, right down the line, we find a man in the White House who is wrestling with tremendous problems. He is doing what he believes to be the best for his country according to the dictates of his truly liberal conscience based on the most expert advice available. I think, under the circumstances, he is doing very well. At least as far as I'm concerned I have not heard anybody make any suggestions which are preferable.

The man unquestionably has a most serious drawback. He speaks with a Texas accent and that's against the grain of our self-proclaimed enlightened intellectuals. They prefer the Oxford variety or that Harvard accent with which they were charmed by FDR and Jack Kennedy. With them, apparently, it's not so much what you say as how you say it.

If Johnson has this drawback, he also has a counterbalancing asset. That big plus is his remarkable patience and unflappability. His self-control in the midst of the critical storm raging about him sometimes seems superhuman. Yet, after all, why should he bother to answer every heckler who comes along—most of whom are far beneath him intellectually, morally and in every other way?

Another of our down-to-earth presidents, Harry S. Truman, once remarked when the going was toughest that anybody who can't stand the heat should get out of the kitchen.

The heat is on President Johnson—much of it unfair and undeserved—but I have a feeling he likes the job of head cook.

CHRISTIAN SCIENCE MONITOR PRAISES NEW YORKERS FOR SHUNNING STATE LOTTERY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the respected newspaper, the Christian Science Monitor, has extended an editorial pat on the back to the people of New York for refusing to go along with that State's lottery scheme.

On its editorial page of August 29, the newspaper points out that the New York State lottery has been a dismal failure. The main reason is that State residents have refused to support the scheme. At the same time, the newspaper condemns lottery officials for trying to "beef up" its "come on" by advertising the lottery as a get-rich-quick scheme.

This of course is designed solely to attract the people who can least afford to spend their money on a hopeless cause.

It is now clear that the New York State lottery is working a greater hardship on the people of New York than any benefits that might derive from lottery tickets. For every dollar that goes to education, a matching dollar is being virtually snatched from the pocketbook of the poor. It is a cruel and vicious method of regressive taxation.

I commend the Christian Science Monitor for its strong stand against the lottery. A copy of the editorial is included, as follows:

SCRAP NEW YORK'S LOTTERY

Having taken a bad road when it decided to authorize a state lottery, New York is now choosing an even worse one. It is planning to seek to boost lagging lottery ticket sales on one of the weakest and poorest grounds possible—that of advertising the lottery as a "get-rich quick" scheme.

Ever since the first lottery made its appearance, people have been separated from their money and made poorer by this hollow and deceptive appeal. It is an argument that runs counter to all good sense, to every lesson on how to succeed, to every worthwhile moral precept, and to every law of probability.

To find a state deliberately advocating an attitude which has been conclusively shown to undermine ambition, initiative and thrift is as startling as it is reprehensible. New York is deliberately fostering an attitude which—even though the lottery were a resounding financial success instead of a dismal failure—would weaken rather than strengthen the state. And that all this is done in the name of education only caps the disgrace.

We can only say that we wish to congratulate the people of New York State on staying away from the lottery in droves. In doing so they are demonstrating better sense than did the state officials who put the lottery through.

We also wonder what Gov. Nelson Rockefeller's thoughts on this may be. Although he initially opposed the lottery, he later went along with it, to the disappointment of many of his friends. His acquiescence in this could become a heavy political handicap, were he drafted for national office. Might this not be additional reason for him to seek to scrap an experiment which should never have been tried and has now failed?

MEDICAL RESEARCH HELPS THE CAUSE OF PEACE

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. GUBSER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GUBSER. Mr. Speaker, it is almost routine for Americans to be greeted each morning with news reports of war, rebellion, riots, and all kinds of domestic and international tension. Such daily news is discouraging and tends to obscure some of the great and continuing efforts made by unselfish scientists to make this world a better and more peaceful place. We tend to forget that science, and medical research in particular, does more than merely help our own people. It is also helping in the struggle to achieve a lasting world peace.

During a recent visit to the Stanford University School of Medicine, I was emphatically reminded of the great role medical research is playing in cementing human relations around the globe.

I learned, for example, that a 1964 graduate of the Stanford Medical School was serving in South Vietnam with a civil affairs company to administer medical aid to refugees. To assist in Captain Glatstein's work, members of the Stanford Medical Student Association sent him medical stains, a microscope, and other medical equipment.

In another instance I discovered that Dr. Frank C. Winter has made repeated trips to an isolated village at the tip of Baja California to treat eye disorders in the villagers. At the time of my visit to Stanford, Dr. Winter, Acting Chief of the Division of Ophthalmology, had completed six trips to the village where he had performed over 100 operations for cataracts and other disorders. Additionally, he had prescribed glasses for hundreds of partially sighted patients and supplied them with glasses donated by Parsons Optical Co., of Palo Alto, Calif.

One of the individuals Dr. Winter treated was a 9-year-old boy who had already been blinded in one eye by a stick. Vision in the other eye was also in grave danger from a diseased cornea. Thanks to Dr. Winter and his assistant, Dr. Richard Yukins, and James Duncan, who flew the doctors to the village, a new cornea furnished by "Stanford Eye Alert" was grafted to the young boy's eye.

To express their appreciation for Dr. Winter's work in restoring sight to over 100 of their people, the villagers of San Jose del Cabo presented him with a gold medal inscribed in Spanish: "Con Gratitude Dr. Winter."

Stanford's medical staff also serves individuals of other nations in its own home clinic. For example, in a small Belgian country village called Sprimont, a tiny baby, Pascale Neuville, was born with a defective heart. Having learned that the best chances for surviving delicate open heart surgery would be at the Palo Alto-Stanford Medical Center, the town's people and a Belgian industrialist helped the family send Pascale to Stanford for treatment. There, Dr. Norman E. Shumway, professor of surgery, and Dr. Norman J. Sissman, associate professor of pediatrics, successfully treated the child. Furthermore, the clinic canceled all professional fees, and newfound friends in San Jose, Calif., offered their home to the Neuville family so that the child might better recuperate before her long trip back to Belgium.

Similarly, Dr. Shumway operated on a prominent Spanish physician who had a calcified aortic valve. Dr. Shumway replaced the heart valve with an artificial one and the patient returned to his wife and four children in Seville.

Not only are the results of medical research being applied irrespective of national borders, but in many other ways medical research is making a noticeable and favorable impact upon international relations.

Dr. Radha Pant, during a year's leave of absence from the University of Allahabad, in India, served as a research associate at Stanford's School of Medicine where she studied the biochemistry of insects. Although Dr. Pant's primary interest centers on improving the nutritive value of beans and peas, which comprise the traditional staples of the Indian diet, the special research training she received from Dr. Raymond B. Clayton will be valuable in her efforts to improve the culture of silkworms, one of India's economic resources. Having returned to India, Dr. Pant works at the University of Allahabad in a new biochemistry department which she was instrumental in establishing. So that she might continue her research in the new department, the South Palo Alto Lions Club, the Stanford University School of Medicine, and the Palo Alto Medical Research Foundation assisted Dr. Pant in obtaining $15,000 worth of surplus equipment to take home. With this help and training she will be better prepared to tackle two of her country's biggest problems—malnutrition and economic depression.

Often it is the American medical student or physician who goes to other lands to learn more about special aspects of medicine. Such was the case of Michael Klein, a Stanford Medical School student who traveled to Ethiopia to gain experience in tropical medicine. Financed by the Stanford Department of Pediatrics, the International Pediatric Fund, and the Ethiopian Government, Mr. Klein—at the time not yet a licensed physician—worked primarily on the problem of rickets. His duties included serving as a house officer in the 50-bed Ethio-Swedish Pediatric Clinic in Addis Ababa, directing a Rickets Specialty Clinic, doing research on rickets, and traveling some 10,000 miles with a mobile child health unit to educate the people in outlying villages and to set up clinics in the villages.

As is so often true, young Klein's interest was not confined to medicine. He returned to the United States not only medically wiser, but also possessing a greater knowledge of and appreciation for the Ethiopians themselves. This was dramatically reflected by his photographic study of Ethiopian people which he later displayed at Stanford's School of Medicine.

It is not uncommon for scientists of different nations to join hands in search of new medical knowledge. All of us remember the tragic death of the late President Kennedy's son from a mysterious condition called hyaline membrane disease, which kills over 50,000 infants each year in the United States alone. It was in an effort to understand and treat this disorder that a team of American and Malaysian doctors worked together in Singapore. The group included Drs. John Clements and William H. Tooley of the University of California, Dr. Marshall H. Klaus from the Stanford Medical Center, Dr. Josephine Chu of Cleveland's Mount Sinai Hospital, and Dr. M. A. Thomas of the University of Singapore medical faculty.

Theorizing that improper timing of a nerve reflex which causes constriction of arteries carrying blood to the lungs was the major underlying cause of the disease, the doctors devised a technique to counteract the harmful effects.

Since returning from Singapore, the American physicians have continued their studies and have successfully treated several infants suffering from respiratory distress. One day, families all over the world will be grateful to the international team of physicians who joined in the cooperative medical research effort which led to this promising new treatment.

Adding to these examples of the great impact medical research continues to make upon international relations are the medical uses made of animals and plants native to various countries around the world. For example, while on a recent sabbatical leave from Stanford, Drs. Keith F. Killam and Eva King Killam joined Dr. Robert Naquet in Marseilles, France, in a study of epilepsy. Quite by accident, the collaborators' study led to the discovery of a new animal model—a baboon from West Africa—in which epilepticlike seizures occurred naturally. Because this is the first animal to be found having symptoms like human epilepsy, and because the phenomenon appears to be a species characteristic, a whole new avenue is now open to the study of experimental treatment of epilepsy. Back at Stanford, Dr. Killam and his wife are continuing their studies with ten baboons from Senegal. Their work is supported by the National Institute of Mental Health of the U.S. Public Health Service.

In another instance, the research of Stanford's Dr. Lewis Aronow, undertaken while he was serving as visiting professor at the Jose Vargas School of Medicine in Caracas, led to the discovery of an antidote for the virulent poison of a nut native to Venezuela. A local medical society awarded a gold medal to Dr. Aronow and his Venezuelan colleague, Dr. Kerdel-Vegas, for their discovery.

The examples set by these people are encouraging because they are being repeated the globe over. Thus, the results of medical research are being applied across national boundaries to relieve suffering from disease; scientists from many countries are collaborating in the search for causes and cures of baffling disorders; professional men are exchanging knowledge and training one another's workers in various specialized areas of medicine; animals and plants native to one country are being studied and shared for the good of mankind in all countries; equipment and financial support are finding their ways across national borders as medical needs require; and in many other ways medical research is serving as an effective ambassador for peace.

We may not awake to radio reports of the remarkable impact medical research is making each day on international relations, but I, personally, take heart in knowing that instances such as those I learned of at Stanford far outnumber the bombs dropped or the rioters jailed. I know that through such strong ties among citizens of widely separated countries will peace be brought closer to reality.

The medical men and women of the Stanford University School of Medicine and their counterparts around the world are truly ambassadors in the cause of peace.

DOUBLE STANDARDS FOR RETIRED MILITARY PERSONNEL

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Gubser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GUBSER. Mr. Speaker, recently a very interesting article by Mr. Bob Schweitz appeared in the August 23 western edition of the Army Times. This article predicted that the Defense Department will make a proposal next year whereby the survivors of deceased retirees from the military services will get cash payments.

A surprising number of Congressmen do not realize that the surviving spouse of a man who has devoted his life to a career in the armed services does not receive one single cent in cash payments or annuities. The only exception is when the serviceman contributes part of his pay to the retired serviceman's family protection plan. This is a plan which is very expensive by comparison with the benefits accorded the surviving spouses of civil service retirees and, in my opinion, is not a sound investment.

I am happy to hear the report that the Defense Department is finally coming to the point where it will give some consideration to the families of men who have given their lives in service to their country. I am disturbed, however, that preliminary thinking on such a plan would apparently limit it to those who retire in the future. Once again, retirees, most of whom served in two wars and many of whom have served in three, are to be slighted and given a short shrift.

One particular paragraph in the Times article is especially significant. It says:

> Defense [Department of Defense] figures that servicemen are contributing to their retired pay now about 6.5 percent, by accepting a lower active duty pay. But nothing is credited to their accounts and if they leave before retirement or die after it they have no equity to collect.

This quotation, Mr. Speaker, points up a most significant fact that cannot be emphasized too often. Though retired military pay is not based upon a contributory system, it is in effect deferred earned pay which is paid upon retirement. It is earned because the serviceman accepts a lower rate of pay while on active duty. Let me emphasize this point again—retired pay is earned pay.

This fact places the glare of truth upon several inequities in the treatment of the retired military man. First of all, he is subject to the dual compensation laws and if he is receiving retired military pay he is not allowed to hold a second position after retirement wherein he receives additional pay from the Federal Government. Why should he be restrained in his future earning power if he is merely being paid a sum which he has already earned during his active duty years? This is a clearcut inequity and a dual standard which adversely applies to the military man.

Second, there is the question of recomputation. For more than 100 years military men were recruited and continued their service with the clearcut understanding that their retired pay would be based upon a percentage of current active duty pay. But finally Congress and the Defense Department went back on this promise and today we find a situation where a man who retires prior to a pay raise, and who has exactly the same grade and the same length of service, will receive one level of retired pay while another man who retires after the enactment of a pay raise will receive a greater sum. This is an out-and-out inequity and, if retired pay is in fact earned pay—as the Defense Department has now admitted—then why should it be bestowed upon military retirees under a dual standard? This is an inequity and one which I have long thought should be corrected.

Finally, the article shows the disparity between the treatment of civil service employees and military retirees. It is high time that those who have contributed to their retirement by accepting reduced pay, who have earned retired pay, should be given some reasonable means of protecting their surviving spouses. We certainly should not discriminate against one class of military retirees because they are already retired and refuse them the benefits which the Defense Department now seems willing to accord those who retire in the future. Both have earned their retired pay and both should have the same opportunity to protect their families. Let us not commit the same sin as we did with recomputation. Let us not again discriminate as between retirees.

Mr. Speaker, it is time dual standards were eliminated and we stopped treating one class of military retirees differently than we treat others.

RURAL AREA JOBS

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Mize] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MIZE. Mr. Speaker, there has been fine editorial comment in support of the Rural Job Development Act which has several sponsors in both the House and Senate. As one of the first sponsors of the bill in the House, I am pleased to call attention to an editorial from the Allendale, S.C., County Citizen, of August 17, 1967. Under leave to extend my remarks, I include the editorial, "Rural Area Jobs," in the Record:

> RURAL AREA JOBS
>
> Recently introduced in the House of Representatives, by Rep. Chester L. Mize of Kansas and others, is the Rural Job Development Act, which, according to Mr. Mize would encourage the development of job-creating industries in rural areas.
>
> "It provides for a series of tax incentives to encourage private investment in rural America so that there will be jobs for people in the thousands of smaller communities across the land.
>
> "They will not have to leave the pleasant, uncomplicated way of living in these communities and move to the cities to find work. We will keep more people from crowding into the overpopulated areas where the pressures keep magnifying every day. . . ."
>
> Benefits of the bill provide tax incentives against investment in plant and machinery

with the industry charged with proving that it would create new jobs and provide employment for a specified percentage of its labor force from the community where the plant is located.

It would also enable many in search of work, who now must go to some far city, to an utterly new and strange way of life, and a fierce competitive struggle for the jobs, to remain at home, to further their own interests in the smaller community. That such would also enjoy a life with opportunity for leisure time activities, denied the dweller in the crowded city goes without saying.

Aside from adding to the tax incentive a type of training assistance, as outlined here in our issue of the week of July 25, the proposed measure fits perfectly our idea that something should be done to provide industrial jobs for persons displaced from farming operations, now largely mechanized.

The Congress would do well to give the proposal immediate consideration and State authorities would do well also, to begin at once a type of survey to determine what areas these industries could serve and the types of industries which should be sought.

THE "Y" OF IT ALL

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the American farmer, fed up with the Johnson-Freeman programs designed to run him out of business and off the farm now has the most wonderful spare time challenge.

Knowing that farmers are pushing for a 5-hour day and a 3-day week, and thus have a great deal of time for extra curricular quadratic equations, the Department of Agriculture has come up with an interesting study of parity, or parody of parity.

Now all the farmer has to do to find out how bad off he is, is figure out "Y." This, of course replaces taking notice of dwindling bank accounts, lower milk checks, higher cost across the board, and increased outlays at every turn.

"Y," says the Department, represents the "income observations" and from there all one need do is realize that "Y" equals a minus 3471.3235 plus 226.60418**X_1 minus 51.64458**X_2 plus 2.094.5807**X_3 minus 2.44571**$_1^2$ plus 14.94676**X_2. Never mind that one of those numbers has two decimal points in it and that USDA cannot figure out which one to keep. Do remember, of course, that X_1 equals age, X_2 equals education, and X_3 equals sex, except for cross-breeding purposes. In addition, the R_2 multiple for this "do it yourselfer" is 0.89 and that when other equations were tried, some of them, having interaction terms, were not significantly different from zero and the R_2 was not "materially" increased.

If you are concerned about your R_2 materially increasing so you can send your children to college or replace machinery or fix the well, do not worry about it, USDA is not going to come up with a formula that will significantly increase your R_2, or your material anything, for that matter.

Nothing like a good quadratic equation to take your mind off that last severe hail storm or the interest payments on your notes. And for those whose "Y's" do not ultimately indicate that they are down to about 74 percent of parity—and that is after you have thrown in the manure spreader—do not be too hard on President Johnson or Secretary Freeman; after all, it would be rather stupid on their parts to give the farmer an easy way to find out how bad off he is, even if the farmers are paying for it.

For those who also want to know the "Y" of the Johnson farm parity programs and care to take a peak at the results of the parity study, I include in the RECORD a section of the report. This is how you do the figuring, straight from the horse's mouth.

The section of the report follows:

PART 2: PARITY RATES OF RETURN TO FARM OPERATOR AND MANAGEMENT AND UNPAID FAMILY LABOR

The return to labor and management included in the parity return standard should indicate what comparable resources could earn in alternative employment. A person's income-earning capacity depends at least in part on such personal characteristics as age, educational attainment, and sex. Operators of farms in the different economic classes vary widely with regard to these characteristics, as shown in table 3. Data are also shown for hired farm workers who worked 25 days or more on farms, and for unpaid family labor.

TABLE 3.—MEDIAN AGE, EDUCATIONAL ATTAINMENT, AND PROPORTION OF MALES, FARM OPERATORS BY ECONOMIC CLASS OF FARM, AND HIRED FARMWORKERS

Group	Level of gross sales	Median age (years)	Median educational attainment (years)	Proportion of males
Farm operators by economic class of farm:				
Class I [1]	$40,000 and over	46.8	11.8	0.982
Class II [1]	$20,000 to $39,999	46.4	11.6	.982
Class III [1]	$10,000 to $19,999	48.1	10.4	.982
Class I, II, III [2]	$10,000 and over	46.5	10.5	.982
Class IV [2]	$500 to $9,999	48.8	8.0	.984
Class V [2]	$2,500 to $4,999	52.4	7.5	.965
Class VI [2]	Under $2,500	53.8	7.0	.939
Part time and abnormal [2]	do	49.0	8.0	.956
Part retirement [2]	do	70.5	7.2	.917
All farms [2]		51.0	7.8	.963
Hired farmworkers [3]		30.0	8.0	.790
Unpaid family workers [4]		40.0	7.8	.405

[1] Age and educational attainment medians derived from preliminary data from the 1964 Census of Agriculture. Proportion of males assumed to be equal to the 1960 ratio shown for classes I, II, and III combined.

[2] Unpublished estimates from a cooperative study conducted by the Economic Development Division, ERS, USDA, and Bureau of Census. In the study, some 9,000 enumeration schedules from both the 1960 Population Census and 1959 Agriculture Census were matched. Combined medians for economic classes I, II, and III are used for 1960 because of the relatively small number of observations obtained for each of these classes in the 1960 study.

[3] Hired workers who worked more than 25 days on farms in 1959. From ERS series on hired farmworkers.

[4] Estimates developed in ERS. The median age is a rough approximation. The education and sex data are firm estimates.

To ascertain how much was earned in nonfarm employment by people in different age, education, and sex groups, five steps were followed:

(1) A multiple regression equation was calculated showing 1959 income as a function of age, education, and sex of people in central cities of urbanized areas.

(2) For each of the groups shown in table 3, the typical or median attributes (age, education, and sex) were substituted into the regression equation. The resulting income levels reflected the total income that people having these age, education, and sex attributes would have earned on the average in central cities or urbanized areas during 1959.

(3) These 1959 annual income data were adjusted downward to reflect income from wages and salaries only.

(4) The annual wage and salary incomes for 1959 were converted to hourly rates using estimates of the number of hours worked per year.

(5) Comparable hourly income estimates were calculated, for 1964 and 1966 using the U.S. average manufacturing wage rates for these years as a base.

The details of these calculations and their underlying assumptions are discussed below.

(1) The multiple regression equation was calculated showing income as a function of age, education, and sex. Observations were obtained from 1960 Population Census data for central cities of urbanized area.[1] The income observations (Y) were the 1959 median incomes of persons in the various age-education-sex cells tabulated in the Census report. The age (X_1) and education (X_2) observations were taken as the mid-range of the age class or education interval, respectively. Sex (X_3) was coded as 1.0 for males and 0 for females. This allowed a literal interpretation of this variable in the equation as the proportion of males in each group, as shown in table 3. A total of 148 observations were obtained in this way from the tabulated Census data. The resulting equation is as follows:

$$\begin{aligned} Y = -3471.3235 &+ 226.60418^{**} X_1 \\ &-51.64458^{**} X_2 \\ &+2.094.5807^{**} X_3 - 2.44571^{**} X_1^2 \\ &+14.94676^{**} X_2^2 \end{aligned}$$

* The coefficient is significantly different from zero at the 0.80 level of probability.

** The coefficient is significantly different from zero at the 0.999 level of probability.

The multiple R^2 for this equation is 0.89. All the coefficients were statistically significant at an acceptable level of probability. Other equations were also evaluated, including some equations having interaction terms.

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[1] U.S. Bureau of the Census. U.S. Census of Population: 1960. Subject Reports. Educational Attainment. Final Report PC (2)—5B. U.S. Govt. Printing Office, Washington, D.C., 1963. Table 6, pp. 92–93; table 7, pp. 116–117. For the 21 to 24-year age groups, observations showing more than 12 years of educational attainment were deleted. Likewise for the 25 to 29-year age group, observations showing more than 16 years of education were deleted. These observations were deleted because they were thought to be unduly influenced by the low earnings of college students prior to graduation.

These interaction terms were not significantly different from zero, and the R^2 was not materially increased. Consequently, these alternative equations were rejected in favor of the one shown above.

(2) For each group shown in table 3, the typical or median age, education, and sex attributes were substituted into the regression equation to determine the total money income that persons having these attributes would have earned in 1959 in central cities or urbanized areas. Results of these calculations are shown in column 1, table 4.

(3) These 1959 annual income data were then adjusted downward to reflect income derived from wages and salaries only. The estimated proportion of income derived from wages and salaries in 1959 was used in making this adjustment (column 2, table 4). For persons over age 65 (corresponding to the part-retirement class of farms) the proportion of total income derived from wages and salaries was estimated as 32 percent. This estimate was obtained by interpolating data for unrelated individuals over age 65. In attempting to obtain a similar ratio for the other groups, we examined Census data indicating the wage and salary incomes of families in urban areas, and the total income of these people. These data suggested that in the $4,000 to $5,000 income interval, roughly 85 percent of total income was wage or salary earnings.

ALLEN M. KREBS AGAINST JOHN M. ASHBROOK

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, on April 19 of this year I inserted in the CONGRESSIONAL RECORD on page 10058 the supplemental brief of the Department of Justice regarding the case of Dr. Allen M. Krebs et al. against John M. Ashbrook et al. This case stemmed from the hearings held by the House Committee on Un-American Activities in August 1966, on bills to make punishable assistance to enemies of the United States in time of undeclared war. It will be remembered that the committee's hearings were disrupted by unruly conduct on the part of some present at the hearings. Court action was initiated by Dr. Krebs and others seeking permanent and temporary injunctive relief from the committee's hearings. I wish at this point to insert in the RECORD the supplemental brief submitted by the plaintiffs in the case.

[In the U.S. District Court for the District of Columbia]

DR. ALLEN M. KREBS, ET AL., PLAINTIFFS, v. JOHN M. ASHBROOK, ET AL., DEFENDANTS—CIVIL ACTION NO. 2157–1966

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PLAINTIFFS' MEMORANDUM OF LAW

This memorandum is submitted in accordance with the *sua sponte* order of this three-judge statutory district court entered on August 17th, 1966, requesting counsel to submit memoranda directed toward the question as to "whether or not this case should proceed before this specially constituted three-judge court or be remanded to a single district court judge."

A. Procedural status of the litigation

On Monday, August 15th, plaintiffs filed the complaint seeking *inter alia* permanent and temporary injunctive relief restraining the enforcement of an Act of Congress, the Legislative Reorganization Act of 1946, insofar as it enacted Rule XI establishing the House Committee on Un-American Activities. The plaintiffs moved for an order convening a three-judge statutory court pursuant to Title 28 U.S.C. 2282, 2284 and for a temporary restraining order pursuant to Title 28 U.S.C. 2284.

The motions for an order convening the statutory court and for the temporary restraining order came on before the Honorable Howard F. Corcoran, District Court Judge for this District. After a full argument by all parties the District Judge entered an order pursuant to Title 28 U.S.C. 2282, 84, granting plaintiffs' motion to convene a three-judge statutory court. The District Judge rendered an opinion finding that (1) the constitutional issues raised in the complaint were "not insubstantial" and (2) that the complaint presented a justiciable "case and controversy." Accordingly, the District Judge concluded that he was required to request the convening of a statutory court. Following the granting of the motion for the convening of a statutory court the District Judge issued a temporary restraining order pursuant to Title 28 U.S.C. Section 2284.

At nine-thirty that evening a panel of the Court of Appeals was convened to hear a motion of the defendants for leave to file a motion to dissolve the temporary restraining order. After oral argument counsel were directed by the Court of Appeals to file memorandum by the following morning directed toward the jurisdiction of the Court of Appeals to hear defendants' motion.

The following morning, Tuesday August 16th, an order was read in open court announcing that (1) the Chief Judge of the Circuit, in response to the certification of the District Judge (See Appendix A), had ordered convened a three-judge statutory court, pursuant to Title 28 U.S.C. 2282–84 (See Appendix B) that (2) the Chief Judge and Circuit Judge Fahy had been appointed to sit on the Court together with the certifying District Judge; (3) that the three-judge statutory court had already convened and had dissolved the temporary restraining order issued by the single District Judge; (4) the statutory district court would hear as promptly as requested applications for relief from the parties in the cause before it and that (5) the panel of the Court of Appeals had granted the defendants' motion for leave to file a motion to dissolve the temporary restraining order, and had denied that motion as moot.

On Tuesday, August 16th, in accordance with the order of the three-judge statutory court the plaintiffs requested a hearing before the Court to hear and determine a motion for further temporary relief. The statutory court then directed that such a hearing be held on Thursday, August 17th, at 2:30 P.M. On Thursday morning plaintiffs filed motions seeking a new temporary restraining order and a temporary injunction, and pursuant to the rules, requested that evidence taken in support of the notions for temporary relief be considered together with any application for permanent relief. Defendants filed a motion to dismiss the complaint and in opposition to plaintiff's motion for preliminary injunction, with an attached memorandum. Plaintiffs also filed a motion for leave to file supplementary pleadings adding certain party plaintiffs.

On Thursday morning, August 17th, the statutory court entered its *sua sponte* order postponing the hearing scheduled for 2:30 p.m. until further order of the Court and directing counsel to file memoranda of law on the question as to "whether or not this case should proceed before this specially constituted three-judge court or be remanded to a single district court judge." This memorandum is filed in accordance with this direction.

I

The three judge statutory court having been duly convened and constituted pursuant to title 22 U.S.C. 2282, 84 must in accordance with the statute proceed "to hear and determine the action or proceeding."

In full accordance with the provisions of Title 28 U.S.C. 2282 and 2284, a District Judge has found after hearing that this complaint requires the convening of a three-judge statutory court. In further accordance with the statute the Chief Judge of this Circuit has accepted the certification of the District Judge and has duly convened the statutory court. The Court has met and has proceeded to exercise its statutory jurisdiction. We will in the course of this memorandum indicate why the decisions of the District Judge in certifying the necessity for convening a statutory court and the decision of the Chief Judge of the Circuit in accepting the certification and in convening the statutory court[1] were proper decisions fully supported by binding decisions of this Court and the United States Supreme Court. We will fully demonstrate that the Constitutional issues here presented are not "patently frivolous," *Reed Enterprises v. Corcoran*, 354 F. 2d 519 (Court of Appeals for the District of Columbia); *Idlewild Bon Voyager Liquor Corp. v. Epstein*, 370 U.S. 713 and that the complaint "formally alleges a basis for equitable relief." *Reed Enterprises v. Corcoran; Idlewild Bon Voyager Liquor Corp. v. Epstein, supra*, Cf. *Dombrowski v. Pfister*, 380 U.S. 479 (1965). However, we would suggest that there is a threshold consideration which may dispose of the Court's *sua sponte* question as to whether the case should proceed before the three-judge statutory court or be remanded to a single district judge.

In *Eastern States Petroleum Corporation v. Rogers*, 280 F. 2d 611, the Court of Appeals for this Circuit has prescribed the precise procedure which must be followed in the present posture of this case. In *Eastern States* the plaintiff had sought from a district judge an order convening a three-judge court. The single judge refused to convene the statutory court and dismissed the complaint for lack of jurisdiction. The plaintiff argued to the Court of Appeals that the 1942 amendment to the three-judge court statute providing that "a single judge shall not . . . dismiss the action," 28 U.S.C. Section 2284, overturned the prior rule embodied in *ex parte Poresky*, 290 U.S. 30 that a single judge could refuse to convene a statutory court for failure to meet the statutory requirements and dismiss a complaint for lack of federal jurisdiction. The Court of Appeals in an opinion by Circuit Judge, now Chief Judge Bazelon, rejected this contention pointing out that 'the provision of Section 2284 precluding single judge dismissal, along with the other procedural requirements of that section, *becomes operative only after a three-judge court is convened*." 280 F. 2d at p. 616 (emphasis added). This opinion of Judge Brazelon for the Circuit appears to be determinative here. Unlike the situation in *Eastern States*, here the three-judge statutory court has already been convened. The consequences are clear. The provisions of Section 2284 "precluding single judge dismissal, along with the other procedural requirements of that section" have become "operative." *Eastern States*, at p. 616. The statutory jurisdiction of the three-judge court has fully attached and the three-judge court alone can hear and determine the cause. *Idlewild Bon Voyage Liquor Corp. v. Epstein, supra.*

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[1] The Third Circuit has held that the decision of the Chief Judge to convene a statutory court is not merely ministerial but is properly an exercise of judgment as to whether the conditions of the statute have been met. *Miller v. Smith*, 236 F. Supp. 927 (E.D. Pa. 1965, opinion by Chief Judge Biggs). Chief Judge Biggs characterizes the judicial acts involved in convening a three-judge court in the following manner:

"The constituting of a three-judge court requires two separate acts of judicial judgement as indicated, neither ministerial." 236 F. Supp. at p. 934. See also *Kirk v. State Board*. 236 F. Supp. 1020 (E.D. Pa. 1965), opinion by Chief Judge Biggs.

The impact of the decision of the Court of Appeals in *Eastern States* that the provisions of Section 2284 become "operative" *after* the statutory court has been convened is strikingly clear here. Under the decision in *Eastern States* after the convening of the statutory court a single judge is precluded from dismissing the action. And yet every major argument addressed to the single judge by the defendants in their opposition to the original convening of the statutory court and renewed in their motion to dismiss before this Court are questions a single judge is now precluded from action upon in an order of dismissal. If there is any merit to defendants' contentions that for some reason the federal courts are powerless to grant the relief plaintiffs seek, and this is the burden of their argument, under the clear words of *Eastern States* only the three-judge court can now dispose of these contentions. We shall show that these contentions are wholly without merit but as a threshold question only this statutory court can now dispose of these issues. Under the Court of Appeals' clear interpretation of the statutory mandate a single judge would now be precluded from dismissing the complaint for any of the reasons urged by the defendants in their motion to dismiss. The only proper course of conduct for this statutory court to follow under the guidance of the Court of Appeals' interpretation of the governing statute, is to accept the mandate of the statute and "hear and determine the action" 28 U.S.C. 2284 (1). Both defendants' motion to dismiss and plaintiffs' motions for temporary and permanent relief should be set forthwith for argument.[2]

II

The determination of the district judge and the chief judge of the circuit to convene a three-judge statutory court to hear this cause was proper and should be adhered to.

Even if the statutory provisions of Section 2284 had not become operative "precluding single judge dismissal" under Eastern States, there are no considerations in law or police which could sustain a conclusion at this particular procedural posture of the case that the determinations of the District Judge and the Chief Judge of the Circuit to convene a statutory court were improper. Under all the relevant decisions of the Supreme Court and the Court of Appeals of this Circuit the decisions of last week to invoke the statutory jurisdiction of Title 28 U.S.C. 2282, 2284 were soundly based and unimpeachable. They should be adhered to and this cause should proceed as originally directed by the Court.

A. *The Statutory Three-Judge Court was Properly Convened Under the Statute.*

In both *Idlewild Bon Voyage Liquor Corp. v. Epstein* and *Reed Enterprises v. Corcoran*, both *supra*, the Supreme Court and the Court of Appeals for this Circuit have recently restated the narrow scope of inquiry open to the District Judge and the Chief Judge of the Circuit in ascertaining whether the statutory three-judge court jurisdiction has been properly invoked. In *Idlewild*, the Supreme Court in its *per curiam* opinion placed the scope of the inquiry in these words:

"When an application for a statutory three-judge court is addressed to a district court, the court's inquiry is appropriately limited to determining whether the constitutional question raised is substantial, whether the complaint at least formally alleges a basis for equitable relief, and whether the case presented otherwise comes under the requirements of the three-judge statute."

In *Reed Enterprises*, this Circuit recently framed the issues in this manner:

"The problem presented as to whether the convening of three-judge District Courts is required in these cases divides itself into three parts: (1) the presence or absence of a substantial constitutional question; (2) the necessity for injunctive relief; and (3) the presence or absence of a case or controversy . . ." (at 521)

Under the tests enunciated in *Idlewild* and *Reed Enterprises*, the opinion and order of the District Judge certifying the necessity for a statutory court and the order of the Chief Judge convening the Court are wholly proper.

1. *The Constitutional Questions Presented in the Complaint Are Not "Patently Frivolous".*

The test of constitutional substantiality sufficient to invoke the statutory jurisdiction of Title 28 U.S.C. 2282, 84 has been variously phrased. In this Circuit the most recent formulation is that in *Reed Enterprises*, Circuit Judge Wright, writing for the Court (Circuit Judges Wright, Fahy, and Leventhal) placed the test in terms of whether the question was "patently frivolous":

"While we do not, of course, intimate any opinion as to the constitutionality of the 1958 amendment, an attack on a statute which would permit the prosecution a multiple choice of venue in this protected area of First Amendment freedoms is not patently frivolous" (at 522).

More recently Circuit Judge Wright discussed the measure of "substantiality" in similar terms in *Hobson v. Hansen*, 252 F. Supp. 4 (D.C.D.C., March 25, 1966) (opinion certifying to the Chief Judge of the Circuit the necessity for a three-judge court):

"28 U.S.C. Section 2282 provides: 'An interlocutory or permanent injunction restraining the enforcement, operation or execution of any Act of Congress for repugnance to the Constitution of the United States shall not be granted by any district court or judge thereof unless the application therefor is heard and determined by a district court of three judges under section 2284 of this title.' Since the complaint in this case alleges the unconstitutionality of an Act of Congress and prays for a permanent injunction restraining its enforcement, a literal interpretation of 28 U.S.C. Section 2282 would require the convening of a three-judge district court. In interpreting the need for such a court, however, the Supreme Court, in Bailey v. Patterson, 369 U.S. 31, 33, 82 S. Ct. 549, 551, 7 L Ed. 2d 512 (1962), has held that such a court is not required 'when the claim that a statute is unconstitutional is wholly unsubstantial, legally speaking non-existent,' nor when 'prior decisions make frivolous any claim' that the statute is constitutional. In short, if the claim of constitutionality or unconstitutionality is frivolous, a three-judge district court is not required." [3] (at 5)

The District Judge, in his opinion of August 16th has found that the constitutional questions raised in the complaint are not frivolous within the meaning of *Reed Enterprises* and has held, in his words, that these constitutional questions are "not insubstantial." Opinion of August 16th, p. 2. The District Judge has based this finding primarily upon the recent grant of certiorari by the Supreme Court in *Gojack* v. *United States*, 86 S. Ct. 398 (1966) as to identical constitutional issues raised in this complaint. Thus, the District Judge stated:

"Only recently, however, in Gojack v. U.S., the Supreme Court saw fit to accept the case for review under a writ of certiorari on certain questions among which several expressly directed to the constitutionality of the Reorganization Act of 1946 as applied to Rule XI of the Congress. As the Court noted in the course of the oral argument today, the Supreme Court avoided the constitutional issue when the case was finally argued and so has cast no light upon the question involved if there is one. It has, however, given passing recognition to the problem."

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[2] None of the reported cases following the 1942 amendments in which a three-judge statutory court has been "dissolved" have been in circumstances similar to the present procedural posture of this case. See, for example, *Marcello v. Kennedy*, 194 F. Supp. 748 (D.C.D.C. 1961), three-judge court ruled on the constitutional merits of the claim, and then "dissolved" three-judge court for single judge to rule on the remaining non-constitutional issues. But Cf. *American Travelers Club, Inc. v. Hostetter*, 219 F. Supp. 95 (1963); *Dowell v. School Board*, 219 F. Supp. 427 (1963, W.D. Okla.), three-judge court heard evidence on the merits of the claim, concluded that while relief was proper, facial constitutionality was not involved and so after final hearing cause remanded to single judge for relief; *Nelscn v. Jessup*, 134F. Supp. 221 (S.D. Ind. 1955), after evidence taken and full hearing, three-judge court concluded that issue not really constitutional claim but supremacy clause, motion to dismiss overruled and cause remanded to single judge for appropriate relief; *Moon v. Freeman*, 245 F. Supp. 837 (E.D. Wash. 1965), after final hearing three-judge court held that evidence showed no basis for injunctive relief, but rather if anything, monetary relief, and remanded cause to a single judge. *Horton v. Humphrey*, 146 F. Supp. 819 (D.C.D.C., 1950) three-judge court "dissolved" itself and dismissed the action which was properly within the exclusive jurisdiction of Customs Court. Appeal lay to Supreme Court which treated opinion as dismissal on the merits by three-judge court. Thus, in *Horton v. Humphrey*, 352 U.S. 921 (1956) statutory direct appeal jurisdiction was assumed and the judgment affirmed. None of these cases involve situations in which after the three-judge court has been duly convened a cause has been remanded for dismissal by a single judge. (Cf. *Horton v. Humphrey, supra*, treated by Supreme Court as a dismissal, not dissolution and remand, by three-judge court for purposes of direct appeal jurisdiction, see 352 U.S. 921). Such a remand with directions to dismiss would be violative of the statutory mandate which precludes a single judge from dismissing an action after a three-judge court has been convened.

[3] The test has been stated in other words: Is the claim asserted "wholly insubstantial, legally speaking non-existent?" *Bailey* v. *Patterson*, 369 U.S. 31, 33 (1962). See also *Powell* v. *Workmen's Comp. Bd. of New York*, 327, F. 2d 131, 138 (2d Cir. 1964) ("wholly insubstantial"); and *Keyshian* v. *Board of Regents*, 345 F. 2d 236, 239 (2d Cir. 1965).

Accordingly, the District Judge concluded that "a not insubstantial" constitutional issue has been raised. Opinion of August 16th, 1966. The conclusion of the District Judge is wholly sound.

1. The District Court's analysis of the significance of the grant of certiorari in *Gojack* is unassailable. The Supreme Court has only recently authoritatively indicated that the precise constitutional issues as to the validity of Rule XI here raised are serious and substantial questions worthy of consideration and review by that Court itself. In *Gojack* v. *United States,* 86 S. Ct. 398 (1956), the grant of certiorari brought before the Court the very questions of constitutionality which the defendants in this proceeding would have this Court disregard "as clearly frivolous." (Defendants' Motion to Dismiss and Opposition to Preliminary Injunction, p. 1). In *Gojack* the Supreme Court granted certiorari on the following issue:

"Whether the statute creating the Committee and defining its power is unconstitutional on its face or as applied in this case in that—

"(a) it exceeds the legislative power of Congress;

"(b) it is too vague and indefinite;

"(c) it abridges rights secured by the First Amendment;

"(d) it violates the constitutional principle of separation of powers."

The Supreme Court, of course, does not exercise its certiorari power to review questions which are "patently frivolous" or "obviously without merit."[4]

The decision of the Court in *Gojack* on June 13th of this year, 86 S. Ct. 1689, further underlines the substantiality of the constitutional issues involved in the *Gojack* grant of certiorari and the complaint herein. In his opinion for the unanimous Court, Mr. Justice Fortas specifically noted that the Court in reversing the contempt conviction there involved for violation of the Committee's own rules was not disposing of the important constitutional questions involved in the grant of certiorari. Thus, Mr. Justice Fortas wrote: "Since we decide the present case on other grounds, it is not necessary, nor would it be appropriate to reach the constitutional question." 86 Sup. Ct. at p. 1692. This "constitutional question," the issues raised in the *Gojack* grant of certiorari and presented in this complaint, the challenge to the constitutionality of the statute embodying Rule XI of the House Committee on Un-American Activities, remains an open, serious, and substantial question. In light of the *Gojack* grant of certiorari and the *Gojack* opinion, it is incredible to suggest as the defendants do here, that these questions, already accepted for review by the High Court are "clearly frivolous." Defendants Motion to Dismiss, p. 1.

2. Despite the grant of certiorari in *Gojack,* and the refusal of the *Gojack* court to foreclose the constitutional issue by reaffirming *Barenblatt* v. *United States,* The defendants here continue to assert that the 5–4 decision in *Barenblatt* utterly precludes the present constitutional questions presented in the *Gojack* grant of certiorari and in this complaint. But if there was the slightest question that the fundamental issues of constitutionality raised in this complaint remain "foreclosed" afer the grant of certiorari in *Gojack* and the *Gojack* opinion itself, that question was completely settled in the decision this Term of Court in *DeGregory* v. *Attorney General of New Hampshire,* 86 S. Ct. 1148 (April 4, 1966).

The majority opinion of Mr. Justice Douglas in *DeGregory* vitiates any lingering doubt that Barenblatt "forecloses" the issue of the constitutionality of Rule XI or the operations of the House Committee. In words directly applicable to the basic constitutional contention advanced in the complaint at bar, Mr. Justice Douglas reminds us that ". . . Investigation is a part of lawmaking and the First Amendment, as well as the Fifth, stands as a barrier to state intrusion of its privacy." The vice in the Committee's overboard enabling statute is sharply highlighted by Mr. Justice Douglas' injunction that ". . . the First Amendment prevents the Government from using the power to investigate enforced by the contempt power to probe at will and without relation to existing need."

The DeGregory opinion reveals that at the present time six members of the Supreme Court do not regard the 5 to 4 decision in *Barenblatt* in 1959 as "foreclosing" the fundamental questions of constitutionality involved in the present proceeding. Significantly, in discussing the constitutional limitations upon the legislative power to investigate, the majority of the Court does not even advert to the *Barenblatt* opinion. Rather, the Court finds the precedent source for the limitation it imposed upon the legislative power in the earlier opinion of *Watkins* v. *U.S.,* 354 U.S. 178 (1957). Only the three dissenting judges would invoke *Barenblatt* as pertinent authority in defining the limitations imposed upon legislative investigating power by the First Amendment.

The entire spirit of the DeGregory opinion is expressed in the conclusion of the Court that the invocation of the contempt power on the record before the Court could not ". . . override the guarantee of the First Amendment that person can speak or not, as he chooses, free of all governmental compulsion." Thus, the majority opinion underscores the substantiality of constitutional questions accepted for review in *Gojack* and presented in the complaint in this proceeding.

3. A series of important decisions from *NAACP* v. *Button,* 371 U.S. 415 (1963) to *Dombrowski* v. *Pfister, supra,* have seriously undermined whatever authority *Barenblatt* v. *United States* may have had. From *Button* to *Dombrowski,* to *Elfbrandt* v. *Russell,* in the last Term the Court had enunciated time and again the important concept that statutes overbroad in the area of the First Amendment, unconstitutional on their face, operate to create a "chilling effect upon the exercise of First Amendment rights." *Dombrowski* v. *Pfister, supra,* at p. 487; see *NAACP* v. *Button,* supra, at 432–433; *Baggett* v. *Bullitt,* 377 U.S. 360, 378–379; *Reed Enterprises* v. *Corcoran, supra,* at p. 522.[5]

This newly emerging constitutional concept which reaches full flower in *Dombrowski*[6] reflects the essence of the critique of the facial constitutionality of Rule XI of the House Committee first suggested by the Chief Justice in *Watkins* v. *United States,* 354 U.S. 178 (1957)[7] and later the core of the four dissenting opinions in *Barenblatt*. In light of the repeated reaffirmation by the present majority of the Court of the constitutional doctrine which was at the heart of the dissenting conclusion of four Justices in *Barenblatt,* who remain on the Court, it is difficult, if not impossible to conclude that *Barenblatt* totally forecloses the serious constitutional questions raised here[8] or that the constitutional attack of Rule XI of the

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[4] It does not seem necessary to argue this obvious proposition at any length. See Rule 38(5) of the Rules of the Supreme Court:

"A review on writ of certiorari is not a matter of right, but of sound judicial discretion, and will be granted only where there are special and important reasons therefor."

The significance of a grant of certiorari to review a given question is fully discussed in Stern and Gressman, *Supreme Court Practice,* p. 136, 137, 138.

"Sec. 4–11. Importance of issues involved as a basis for granting certiorari—in general. Except where an irreconcilable conflict compels review by the Supreme Court, the importance of the issues involved in the case as to which review is sought is of major significance in determining whether the writ of certiorari will issue. The Court does not have time to give full consideration to all cases which present novel or interesting issues. It must necessarily confine itself to those which reflect the more important legal problems within the realm of its jurisdiction. And the problem, though intrinsically important, must be 'beyond the academic or the episodic.' . . ."

"Where the writ of certiorari is granted, a combination—of factors is usually present to lead the Court to believe that the case is sufficiently important to warrant further review. . . ."

". . . The issues must be novel, unsettled or important, a conflict of decisions must exist, or the law on the matter must be such as to warrant further consideration. . . ."

See the discussion of Mr. Justice Fortas as to the present questionable vitality of that opinion at 86 S. Ct. at p. 1692.

[5] *Dombrowski* v. *Pfister* and *Baggett* v. *Bullitt,* are directly in point in respect to the precise constitutional question presented in this case. Both opinions strike down as overly broad in the First Amendment area statutes using the words "subversive." Cf. *Dombrowski, supra,* at p. 493, 493; *Baggett, supra,* at p. 362, 363, n. 1.

[6] *Dombrowski* has been consistently reaffirmed by the Court in the most recent decisions. Cf. *Cameron* v. *Johnson, Peacock* v. *City of Greenwood* (opinion of Mr. Justice Stewart). *Cameron* v. *Johnson,* 85 S. Ct. 1751, *Peacock* v. *City of Greenwood,* 86 S. Ct. 532.

[7] It is interesting that in the most recent discussions of the constitutional questions involved in judicial control over the investigative power of Congress, the Court has seen fit to return to *Watkins* as its jumping off point rather than *Barenblatt*. See for example, Mr. Justice Douglas' discussion in *DeGregory, supra,* at p. 1151, and Mr. Justice Fortas' discussion in *Gojack* at p. 1695 and in particular, footnote 9 in which he wrote for the Court:

"This Court has emphasized that there is no congressional power to investigate merely for the sake of exposure or punishment, particularly in the First Amendment area. In *Watkins* v. *United States,* 354 U.S. 178, 77 S. Ct. 1173, 1 LEd 2d 1273, the Court stated: 'We have no doubt that there is no congressional power to expose for the sake of exposure.' Id., at 200, 77 S. Ct., at 1185.

"There is no general authority to expose the private affairs of individuals without justification in terms of the functions of the Congress. * * * Investigations conducted solely * * * to 'punish' those investigated are indefensible." Id., at 187 77 S. Ct. at 1179.

See also cases cited at note 3, *supra;* and see note 6, *supra*.

[8] See, for example, *Keyishian* v. *Board of Regents,* 345 F. 2d 236 (2nd Cir. 1965), the Court of Appeals ordered a three-judge court convened to rule upon the very same section of the New York Education Law which the United States Supreme Court had upheld in *Adler* v. *Board of Education,* 342 U.S. 485 (1952). The Second Circuit held that the Constitutional questions involved were substantial despite the existence of a precedent Supreme Court case because the particular constitutional attack made on the law in *Keyishian* had not been made in *Adler* and because subsequent decisions of the Supreme Court raised doubts as to whether the holding in *Adler* would continue to be adhered to. See *Baggett* v. *Bullitt,* 377 U.S. 360 (1964); *Dombrowski* v. *Pfister,* 380 U.S. 479 (1965).

House Committee is "patently frivolous." *Reed Enterprises* v. *Corcoran, supra.*[9]

We would suggest accordingly, that it is "patently" obvious that the conclusion of the District Judge that the constitutional issues here raised are "not insubstantial" is sound in every respect and ought to be adhered to by the statutory court.

2. *The Complaint at Least Formally Alleges a Basis for Equitable Relief.*

In order to properly invoke the statutory jurisdiction of Title 28 U.S.C. 2282, 2284 the complaint in the words of the Court in *Idlewild Bon Voyage Liquor Corp.* v. *Epstein, supra,* at p. 715, must "at least formally allege a basis for equitable relief." See also *Reed Enterprises* v. *Cocoran, supra,* at p. 521. As the District Judge indicates in his opinion, the complaint fully meets this requirement under the recent decisions of the Supreme Court in *Dombrowski* v. *Pfister, supra,* and the Court of Appeals for this Circuit in *Reed Enterprises* v. *Corcoran, supra.*[10]

A. *This Complaint Formally Alleges a Basis for Equitable Relief under the Decision of the Supreme Court in Dombrowski v. Pfister.*

The allegations in this complaint set forth a basis for equitable relief under the governing principles of *Dombrowski* v. *Pfister,* 380 U.S. 479 (1965).

1. The recent opinion of Mr. Justice Brennan for the Court in *Dombrowski* develops certain broad concepts of equitable jurisdiction which have sweeping implications in the area of judicial protection of fundamental constitutional rights and liberties.[11] Central among these concepts is the principle which emerges as the very heart of the *Dombrowski* opinion—that the defense of a criminal proceeding under an overbroad statute affecting the exercise of First Amendment freedoms is not an adequate vehicle for the protection of the "precious rights" involved and that accordingly the intervention of a federal court of equity to restrain in advance the criminal proceedings is required to safeguard the First Amendment rights affected by the overbroad sweep of the offending statute. Mr. Justice Brennan carefully developed the rationale as to why in the area of overbroad statutes affecting the First Amendment a defense of the "criminal prosecution will not assure adequate vindication of constitutional rights" 380 U.S. at 485.

"A criminal prosecution under a statute regulating expression usually involves imponderables and contingencies that themselves may inhibit the full exercise of First Amendment freedoms. See, e.g. *Smith* v. *California,* 361 U.S. 147. When the statutes also have an overbroad sweep, as is here alleged, the hazard of loss or substantial impairment of those precious rights may be critical. For in such cases, the statutes lend themselves too readily to denial of those rights. The assumption that defense of a criminal prosecution will generally assure ample vindication of constitutional rights is unfounded in such cases. *See Baggett* v. *Bullitt, supra,* at 379. For '[t]he threat of sanctions may deter . . . almost as potently as the actual application of sanctions. . . .' *NAACP* v. *Button,* 371 U.S. 415, 433. Because of the sensitive nature of constitutionally protected expression, we have not required that all of those subject to overbroad regulations risk prosecution to test their rights. For free expression—of transcendent value to all society, and not merely to those exercising their rights—might be the loser. Cf. *Garrison* v. *Louisiana,* 379 U.S. 64, 74–75.

This central concept which emerges so sharply from the Brennan opinion governs the request for equitable intervention in this case. The principal position of the defendants in arguing against the availability of equitable relief here is that all the constitutional claims advanced now may ultimately be raised as a defense in the criminal contempt proceedings to be instituted under Title 2 U.S.C. 192. But this is precisely the argument rejected in *Dombrowski.* The defendants totally misconceive the basic thrust of the Brennan opinion. The issue is not whether eventually the plaintiffs may be vindicated in the criminal proceedings in the District Court, the Court of Appeals or ultimately on review in the Supreme Court. This misses the entire point of *Dombrowski.* As Justice Brennan so sharply states, "a substantial loss or impairment of freedoms of expression will occur if appellants must await the state court's disposition and ultimate review in this Court of any adverse determination." 380 U.S. at 486. This the Justice has told us is because "the chilling effect upon the exercise of First Amendment rights may derive from the fact of the prosecution, unaffected by the prospects of its success or failure." 380 U.S. at 487.

The words of Mr. Justice Brennan could not have been more appropriately written for the complaint presently before this Court. The evil of the overly broad mandate of this Committee is not only the injuries to the citizens subjected to its inquisitorial harassment and the threats of imprisonment for exercising elementary constitutional liberties as serious as these injuries are to these individuals directly involved.[12]

The further and even more serious evil flows from the "chilling effect" upon the exercise of First Amendment rights, 380 U.S. at 487, throughout the entire nation which compulsory interrogations and threatened criminal proceedings create. See paragraph 13 (a), (b), (c), (d) and (e) of the complaint.[13] It is this "chilling effect" which is the "substantial loss or impairment of freedoms of expression" which requires under *Dombrowski* the intervention at this stage, prior to the outcome of criminal proceedings, of a court of equity. For as Justice Brennan points out in *Dombrowski,* even the fact of a likelihood of ultimate success in a defense of a criminal proceeding[14] does not meet the problem of immediate protection of the "precious rights" involved. As the Justice wrote "we have not thought that the improbability of successful prosecution makes the case different. The chilling effect upon the exercise of First Amendment rights may derive from the fact of the prosecution, unaffected by the prospects of its success or failure." 380 U.S. at 487.

The impact of the new and sweeping central concepts of *Dombrowski* upon this case are clear. A court of equity will intervene prior to the institution of criminal proceedings where the threat of such proceedings brought to enforce the overbroad sweep of a statute which trenches upon First Amendment areas creates a chilling effect upon the exercise of these First Amendment liberties. This complaint depicts precisely such a situation. If *Dombrowski* means anything at all, it means that American citizens threatened with criminal proceedings flowing from an effort to enforce against them the overly broad mandate establishing the House Committee on Un-American Activities need no longer await the long drawn out criminal contempt proceedings and ultimate review by the Supreme Court in order to press their contention of facial constitutional invalidity of Rule XI. Under *Dombrowski* they may, as they do here, seek the intervention of a federal court of equity. Under *Dombrowski* this complaint, in the words of the Court in *Idlewild*, "at least formally alleges a basis for equitable relief." *supra*, at p. 715.

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[9] There are in addition to the important and substantial constitutional questions raised by the overboard sweep of the statute in the First Amendment area other serious and substantial constitutional questions presented in this complaint. For example, the complaint charges that the Rule on its face and as applied violates the fundamental right of privacy of American citizens to their political beliefs, and associations. See paragraph 9(f) of complaint. In light of the recent decision in *Griswold* v. *Connecticut,* 381 U.S. 479 (1965), it cannot be said that this claim is "patently frivolous". Nor in light of *United States* v. *Brown,* 381 U.S. 437 (1965) can the claim that Rule XI operates as an unconstitutional Bill of Attainder authorizing legislative punishment without a judicial trial, see complaint, paragraph 9 (i, j, k) be dismissed as "wholly insubstantial." Compare concurring opinion of Mr. Justice Black in *Gojack* v. *United States, supra.*

[10] It is important to note at this point the warning of the Court of Appeals in *Reed Enterprises, supra,* that the issue at this point is *not* whether plaintiffs can prove their allegations but whether as pleaded they "outline a basis for equitable relief." As Judge Wright wrote in *Reed Enterprises.*

"For the purpose of determining whether three-judge courts are required, these allegations, unless obviously colorable, must be taken as true, and the answers of the Government addressed to three-judge courts." at p. 522.

[11] Recognition of the fact that *Dombrowski* v. *Pfister* marked a turning point in the developing law of First Amendment freedoms was given by the academic legal community in *Duke Law Journal,* Winter, 1966, 13 U.C.A.L.A. Rev. 153, November 1965, 34 Fordham L. Review 71, October, 1965, 32 Tennessee L. Rev. 641, Summer 1965 and 79 Harvard L. Rev. 170, Nov. 1965.

[12] The enormous immediate and direct impact of these compulsory hearings upon citizens and the nature of the irreparable injury they suffer from hearings before these defendants is well described in an article written a number of years ago by the now Mr. Justice Abe Fortas in the Connecticut Bar Journal, 27 Conn. B.J., 428 (1953). The present Justice then wrote in describing the type of proceedings set forth in the present complaint:

"The arena in which the war for freedom is being fought has shifted. It is no longer the courts. It is the room of a committee of Congress and the hearing chamber of a loyalty board of an agency of government. Imprisonment may not result before these agencies—at least directly—but the penalties are hardly less severe: ostracism and impoverishment and denial of access to one's friends.

"The kind of display that is staged is ideal for their purposes. It provides the committee with unique opportunities for drama and publicity; and at the same time it avoids the complications and doubts that might be created if counsel for the accused were allowed to participate, if the accused were allowed to testify under examination by his own counsel, if adverse testimony were subjected to cross-examination, or if argument were permitted. It is represented and generally accepted as a hearing. A hearing conveys to the public a sense of comfort and satisfaction. They feel that the proper legal forms have been employed and that the accused has had an opportunity to defend himself. They do not realize that the proceedings are so conducted that practically none of the substance of a hearing is present. It is a hearing in name only.

"The net result of all of this is a dangerous deception, however sincere the committee members may be and whether or not they are aware of the implications of their procedures. The net result is a sham, not a hearing. Hearings are supposed to serve the purpose of permitting the accused to defend his innocence or to present facts in mitigation of guilt, and to assure that all factors are considered by his judges. They are not supposed themselves to be punishment or to be vehicles for condemnation or abuse. But that is exactly what a hearing has become in the hands of some—not all, but some—of our legislative inquisitors. In their rough grasp, the hearing has become a weapon of persecution, a useful tool to the demagogue, a device for the glory of the prosecutor, and a snare for the accused. And it is an alarming fact that through the medium of television and radio the American people are being educated to the notion that these spectacles are hearings which satisfy democracy's insistence upon due process.

[13] Plaintiffs have moved for temporary and permanent relief and have submitted an offer of proof in support of their allegations. This evidence of a most varied nature, plaintiffs are prepared to adduce to support their allegations of the "chilling effect" upon the exercise of First Amendment rights flowing from the application of the overbroad mandate of this Committee.

[14] No criminal contempt proceedings involving this Committee under Title 2 U.S.C. 192 have been sustained by the Supreme Court since *Braden* v. *United States, supra* (1961).

2. The applicability of the teachings of the Court in *Dombrowski* to this case are apparent in many varied ways.

a. The allegations of irreparable injury found sufficient in *Dombroski* to ground a cause of action for equitable relief are identical in character to the allegations of irreparable injury here. The basic allegations in Paragraph 13 of the complaint, which as this Circuit has said "unless obviously colorable, must be taken as true . . . for the purpose of determining whether three-judge courts are required . . ." *Reed Enterprises* at p. 522, are allegations which show on a vast scale that "a substantial loss or impairment of freedoms of expression will occur" if plaintiffs are required to await the court's disposition of the threatened contempt proceedings and ultimate review in the Supreme Court.[15] We remind the Court that the issue at this moment in the case is not whether these allegations of irreparable injury are true. Plaintiffs are prepared, and were prepared at the Thursday hearing, which was postponed by the *sua sponte* order of the Court, to prove by competent evidence the truth of the allegations. However, the only issue now before the Court is the sufficiency of these allegations under *Dombrowski*. The defendants' arguments are not addressed to this question at all. They refuse to recognize the central thrust of the Brennan opinion and fail to understand that the basic allegations of irreparable injury which will invoke the equity power are those injuries flowing from "the chilling effect upon the exercise of First Amendment rights" caused by the threatened enforcement of an overbroad statute in the First Amendment area. Such allegations are fully made here and accordingly set forth a formal basis for equitable relief.

b. In *Dombrowski*, the "chilling effect" upon the exercise of First Amendment rights was created by the threatened enforcement of an overbroad statute affecting the area of First Amendment liberties. The "overbreadth" was found primarily in the statutory term "subversive." 380 U.S. 494. Cf. *Baggett* v. *Bullitt, supra*. The parallelism to this case is striking. Here, the "chilling effect" is alleged to be created by the threatened enforcement of an overbroad statute affecting the First Amendment areas, Rule XI, of the House Committee. The "overbreadth" here flows from such terms as "Un-American," surely no more precise than "subversive" found violative of the Amendment in *Dombrowski* and *Baggett*. Cf. *Watkins* v. *United States, supra*.

c. In *Dombrowski* the plaintiffs alleged a threat of criminal prosecution under the overly broad statute. Contrary to the defendants' assertions here in their motion to dismiss, the federal action was not commenced after criminal indictment but before a Grand Jury was convened. 380 U.S. at 488. The actual "threat" of criminal prosecution in *Dombrowski* was a statement made by one of the defendants, one Pfister, Chairman of the Louisiana Un-American Activities Committee and a statement of the Committee itself calling for criminal prosecutions against the plaintiffs. The Committee had no authority whatsoever to institute criminal proceedings and the allegation in the complaint was merely that they "called upon" the District Attorney to prosecute the plaintiffs. Furthermore, at the time of the complaint there were no criminal proceedings whatsoever pending against the plaintiffs since the earlier warrants of arrest had been vacated by a state court judge. See complaint in *Dombrowski* v. *Pfister*, paragraphs 13, 14, 15, 16. If anything the threats of criminal prosecution are more imminent and more real in the present complaint. The original complaint in paragraph 12 alleges that the defendants have threatened and continue to threaten to cause to be instituted against the plaintiffs criminal proceedings under Title 2 U.S.C. Sec. 192 if the plaintiffs refuse to submit to the defendants' threatened compulsory investigation into their exercise of First Amendment rights. This allegation is one of even greater immediacy than the allegation found sufficient in *Dombrowski* since here, unlike in *Dombrowski*, the defendants, members of the House Committee and the United States Attorney for the District of Columbia, are the actual individuals who under Title 2 are authorized to take certain steps to institute the threatened criminal proceedings.

In *Dombrowski* it will be recalled, the individuals making the threats of criminal prosecution had no official relationship whatsoever to the institution of criminal proceedings. Accordingly, the allegation in this complaint of threats of criminal proceedings more than meets the tests posed by *Dombrowski*.[16]

B. *This Complaint Formally Alleges a Basis for Equitable Relief Under the Decision of this Circuit in Reed Enterprises v. Corcoran.*

Only recently this Circuit has handed down an opinion which further distils the rationale of *Dombrowski* in a manner determinative of the question presently before the Court. In *Reed Enterprises* v. *Corcoran, supra*, the Court of Appeals (Circuit Judges Fahy, Wright and Leventhal) discussed the applicability of *Dombrowski* in a manner instructive here.

1. *Reed Enterprises* presents an application of *Dombrowski* to the federal arena. It authorizes equity intervention to restrain the enforcement of a federal statute trenching upon the First Amendment area without requiring the potential defendant to exhaust his remedies via the criminal route. *Reed Enterprises*, accordingly wholly disposes of the strongly argued position of the defendants here that for some reason, not altogether clear, *Dombrowski* is inapplicable because the challenged statute is a federal rather than state statute. *Reed Enterprises* applies the *Dombrowski* doctrine fully in the federal arena[17] and is dispositive on this point.

2. *Reed Enterprises* does not stand for the proposition which defendants urge that the *Dombrowski* doctrine is narrowly confined to the threat of *multiple* prosecutions. As Judge Wright wrote for the Court in *Reed Enterprises:*

"Moreover, under some circumstances even a single 'criminal prosecution under a statute regulating expression usually involves imponderables and contingencies that themselves may inhibit the full exercise of First Amendment freedoms. * * * The assumption that defense of a criminal prosecution will generally assure ample vindication of constitutional rights is unfounded in such cases.' Dombrowski v. Pfister, supra, 380 U.S. at 486, 85 S. Ct."

3. *Reed Enterprises*, as *Dombrowski*, stands squarely for the proposition that a citizen may no longer be remitted to the long and arduous processes of criminal defense in order to litigate a claim of facial unconstitutionality of a statute overly broad in the area of the First Amendment, Judge Wright's rejoinder in *Reed Enterprises* to the government's argument that the petitioners there had an "adequate remedy" in the threatened criminal proceedings, is most appropriate here in response to the contentions of the defendants here that plaintiffs have an "adequate remedy" in the threatened criminal contempt proceedings:

"The Government's suggestion that petitioners have an adequate remedy at law in the criminal proceedings now pending against them, while perhaps appropriate in cases outside the First Amendment area where a single prosecution is contemplated, is unavailing here."

As in *Reed Enterprises*, these plaintiffs have set forth a basis for equitable relief. And as in *Reed Enterprises*, all of "the answers of the government [must be] addressed to three-judge courts". 354 F. 2d at 522.

3. *The Complaint Sets Forth a Justiciable Case or Controversy.*

The District Judge in his opinion granting the motion to convene a three-judge statutory court specifically found that the complaint sets forth a case or controversy. The District Judge held as follows in this connection:

"As to whether a controversy between the parties exists, there is room for substantial difference of opinion as to when a controversy begins and when a person's constitutional rights are being affected.

"The appellate courts seem more prone to find a controversy when there is possible—not necessarily probable—and certainly not actual—threat to the First Amendment rights. This is illustrated by *Reed Enterprises* v. *Corcoran*, and *Dombrowski* v. *Pfister*.

"Since this court is bound by the decisions of the appellate courts in the field, its discretion is limited and it must of necessity find the presence of a case and controversy in this instance where subpoenas have been issued and the witnesses are subject to process.

"In view of the foregoing, this court is limited in its discretion and must of necessity order the convening of a three-judge court."

The ruling of the District Judge that the complaint states a case or controversy is wholly proper under the decisions of the Supreme Court in *Dombrowski* v. *Pfister* and this Court of Appeals in *Reed Enterprises* v. *Corcoran*. Under both *Dombrowski* and *Reed*

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[15] A comparison of the allegations of irreparable injury in the *Dombrowski* complaint with the allegations in this complaint will reveal their essential similarity.

[16] Plaintiffs intend to, simultaneous with the filing of this memorandum, or shortly thereafter, to file a motion for leave to file supplemental pleadings in accordance with the federal Rules. This supplemental pleading will allege further additional facts occurring during the last week of hearings before the Committee, including specific threats by defendant Pool and other defendant members of the Committee, to the effect that they threaten to seek criminal contempt proceedings against the plaintiffs and other individuals who failed to "cooperate" with the compulsory inquisition undertaken under the authority of the overly broad mandate of Rule XI.

[17] It should be quite obvious that if anything the *Dombrowski* doctrine is easier to apply in the federal arena since the delicate state-federal relationships which had to be surmounted in *Dombrowski* have no relevancy where a federal statute is involved.

Enterprises it is perfectly clear that a threat of possible prosecution or enforcement against a plaintiff under a statute challenged for vagueness and overbreadth under the First Amendment is sufficient to constitute a justiciable case or controversy. *Dombrowski* v. *Pfister,* 380 U.S. (1965); *Reed Enterprises* v. *Corcoran,* 354 F. 2d 519; 522 (Ct. of App , D.C. Cir. 1965).

1. *Reed Enterprises* v. *Corcoran* is wholly dispositive on this question of the existence of a justiciable case or controversy in this cause. It fully supports the ruling of the single District Judge. In *Reed Enterprises* the Government argued in an analogous situation that no case or controversy was presented in plaintiff's complaint, relying upon the earlier decision of the Court of Appeals in *Lion Manufacturing Corp.* v. *Kennedy,* 330 F. 2d 833. Circuit Judge Wright's opinion for the Court rejected the Government's contention in terms which are dispositive here:

"The Government's argument that the applications for three-judge courts were properly denied because the litigation in the District Court did not present a case or controversy within the meaning of Article 3 of the Constitution is predicated primarily on our opinion in *Lion Manufacturing Corporation* v. *Kennedy,* 117 U.S. App. D.C. 367, 330 F. 2d 833 (1964). There, in an action to enjoin enforcement of the Slot Machine Act of 1951 as amended by the Gambling Devices Act of 1962, 15 U.S.C. §§ 1171–1178, we held that an application for a three-judge court was properly denied, the District Court being without jurisdiction since the complaint stated no case or controversy. In Lion, '(i)t is nowhere alleged that the Attorney General, or anyone acting for him, has taken steps to initiate criminal prosecutions against plaintiffs or to require registration, nor that threats to this effect have been directed to plaintiffs,' 117 U.S. App. D.C. at 372, 330 F. 2d at 838. The factual difference between Lion and these cases is manifest. Moreover, Lion is not concerned with the protected area of First Amendment freedoms. Where the plaintiff complains of chills and threats in the protected First Amendment area, a court is more disposed to find that he is presenting a real and not an abstract controversy.

"We conclude that there is indeed presented a case or controversy within the intendment of Article 3 in each of these cases and that under 28 U.S.C.. § 2284 three-judge District Courts are required to hear them." (At 523)

All of the ingredients relied upon by the Court in *Reed Enterprises* to find the existence of a justiciable case or controversy are present here. Threats to take "steps to initiate criminal prosecutions" are present here. This case, like *Reed Enterprises,* and unlike *Lion* is "concerned with the protected area of First Amendment freedoms". And here, as in *Reed Enterprises* "the plaintiff complains of chills and threats in the protected First Amendment area." Accordingly, here, as in *Reed Enterprises,* "a court is more disposed to find that he is presenting a real and not an abstract controversy", 354 F. 2d, at 523.

2. As the District Judge observed the entire trend in recent years, for important policy reasons, has been to relax the more orthodox rules of case or controversy and standing to sue in the area of the First Amendment. These reasons for this relaxation are fully set forth by Mr. Justice Brennan in *Dombrowski.* Thus, the Justice writes in explaining why a different and more relaxed standard is applied to questions of standing and its interrelated concept, case or controversy, occurring in the First Amendment area:

"Because of the sensitive nature of constitutionally protected expression, we have not required that all of those subject to overbroad regulations risk prosecution to test their rights. For free expression—of transcendent value to all society, and not merely to those exercising their rights—might be the loser. Cf. *Garrison* v. *Louisiana,* 379 U.S. 64, 74–75. For example, we have consistently allowed attacks on overly broad statutes with no requirement that the person making the attack demonstrate that his own conduct could not be regulated by a statute drawn with the requisite narrow specificity. *Thornhill* v. *Alabama,* 310 U.S. 88, 97–98; *NAACP* v. *Button, supra,* at 432–433; cf. *Aptheker* v. *Secretary of State,* 378 U.S. 500, 515–517; *United States* v. *Raines,* 362 U.S. 17, 21–22. We have fashioned this exception to the usual rules governing standing, see *United States* v. *Raines, supra,* because of '. . . danger of tolerating, in the area of First Amendment freedoms, the existence of a penal statute susceptible of sweeping and improper application.' *NAACP* v. *Button, supra,* at 433. If the rule were otherwise, the contours of regulations would have to be hammered out case by case—and tested only by those hardy enough to risk criminal prosecution to determine the proper scope of regulation. Cf. *Ex parte Young, supra,* at 147–148. By permitting determination of the invalidity of these statutes without regard to the permissibility of some regulation on the facts of particular cases, we have, in effect, avoided making vindication of freedom of expression await the outcome of protracted litigation." [18]

As Mr. Justice Brennan has stated the reason underlying the tendency of appellate courts to find more quickly a "case or controversy" or "standing" in a case involving First Amendment rights which the District Judge has commented upon, is the ". . . danger of tolerating in the area of the First Amendment freedoms, the existence of a penal statute susceptible of sweeping application." 380 U.S. at 487. A plaintiff who seeks to protect his own rights which are injured by the dragnet sweep of an overbroad statute in the First Amendment area, by protecting his own rights also is protecting the rights of hundreds of thousands if not millions of citizens who are also affected by the "chilling effect" of such a statute upon the exercise of First Amendment rights. There is accordingly a sound and crucial policy reason for relaxing otherwise more conventional standards of standing and case or controversy in such a case. In the deepest sense the public interest is thus served by permitting the litigant, himself injured, to sue on his own behalf and thereby on behalf of society itself, for as Mr. Justice Brennan has reminded us, unless this "chilling effect" is removed "free expression—of transcendent value to all society, and not merely to those exercising their rights—might be the loser." 380 U.S. at 486.

For all of these reasons the District Judge was properly moved under the mandate of *Dombrowski* and *Reed Enterprises* to find that the complaint has adequately stated a case or controversy for judicial relief.

3. We have fully demonstrated in this memorandum that the constitutional questions presented in the complaint are not "patently frivolous"; that the complaint at least formally alleges a basis for equitable relief; and that the complaint sets forth a justiciable case or controversy. All the necessary prerequisites for the invocation of three-judge court statutory jurisdiction set forth in *Idlewild Bon Voyage Corp.* v. *Epstein* and *Reed Enterprises* v. *Corcoran* have been complied with. The order of the District Judge certifying the cause and the order of the Chief Judge of the Circuit convening the Court are wholly proper. There remains only for the Court to proceed in accordance with the statute to "hear and determine the action."

One remaining contention of the defendants remains to be put to rest. In the emotional context of a case of high constitutional order the defendants seek to evade the clear mandate of the three-judge court statute and the compelling decisions of the Supreme Court and this Circuit by asserting at every juncture that judicial relief is somehow precluded in some manner by the doctrine of "separation of powers". But "separation of powers" like other maxims such as "checks and balances" which are often oversimplified symbols of highly complex relationships are not "abstract doctrines" simply applied wherever one branch of government comes into contact with another, but are understandable only in terms of a concrete problem and a concrete case. See Frankfurter and Greene, *Power of Congress over Procedure in Criminal Contempts in "inferior federal courts—a study in separation of powers"* 37 Harv. L. R. 1010.

"Separation of Powers" as a barrier to the relief sought has of course nothing whatsoever to do with this case. Ever since *Marbury* v. *Madison,* 1 Cranch 137, the judicial branch has asserted the right and the duty to exercise the power of judicial review over acts of Congress claimed to be violative of the Constitution in cases properly brought before them. The great Chief Justice said in these words applicable then and now:

"It is emphatically the province and duty of the judicial department to say what the law is.

"So if a law be in opposition to the Constitution; if both the law and the Constitution apply to a particular case, . . . the court must determine which of these conflicting rules governs the case. This is of the very essence of the judicial duty."

This is all that is involved here. The complaint sets forth a cause of action for judicial relief in which an Act of Congress is claimed to be in violation of the Constitution. The decision as to whether this Act of Congress is in violation of the Constitution is "of the very essence of the judicial duty."

Furthermore, it is too late to argue that the investigative powers of Congress are not subject to the controls of the Constitution and judicial review. From *Kilbourn* v. *Thompson,* 103 U.S. 168 to *Watkins* v. *United States,* 354 U.S. 178 the principle is crystal clear that the investigative functions of Congress are subject to constitutional control. The words of the Chief Justice in *Watkins* are decisive here:

"Clearly, an investigation is subject to the command that the Congress shall make no law abridging freedom of speech or press or assembly. While it is true that there is no statute to be reviewed, and that an investigation is not a law, nevertheless an investigation is part of lawmaking. It is justified solely as an adjunct to the legislative process. The First Amendment may be invoked against infringement of the protected freedoms by law or by lawmaking."

Lest there be any impression whatsoever that the investigative functions of Congress are free of judicial restraint through some magic invocation of a formula of "separation of powers" the Chief Justice went on further in *Watkins* and warned:

"We cannot simply assume, however, that every congressional investigation is justified by a public need that overbalances any private rights affected. To do so would be to abdicate the responsibility placed by the Constitution upon the judiciary to insure that the Congress does not unjustifiably encroach upon an individual's right to privacy nor abridge his liberty of speech, press, religion or assembly."

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[18] See also *Freedman* v. *Maryland,* 380 U.S. 1 (1965). "In the area of freedom of expression it is well established that one has standing to challenge a statute on the ground that it delegates overly broad licensing discretion to an administrative office, whether or not his conduct could be proscribed by a properly drawn statute, and whether or not he applied for a license."

See also *Staub* v. *City of Baxley,* 355 U.S. 313.

The words of the Chief Justice in *Watkins* are clear and they were only recently restated by the Court last Term in *DeGregory* v. *New Hampshire*, "Investigation is a part of law making and the First Amendment as well as the Fifth stands as a barrier to . . . intrusion of its privacy." 86 S. Ct. at p. 1151. Obviously, "separation of powers" as an abstract question is no barrier to the relief sought by the plaintiffs. Any such approach here would "abdicate the responsibility placed by the Constitution upon the judiciary to insure that the Congress does not unjustifiably encroach upon an individual's right to privacy, nor abridge his liberty of speech, press, religion or assembly." 354 U.S. 178.

This case poses in the most fundamental terms the issue as to whether the "responsibility placed by the Constitution upon the judiciary" enunciated by the Chief Justice in *Watkins* will be fulfilled. A three-judge statutory court has been properly convened. A district judge has certified its necessity; the Chief Judge has ordered it convened. The constitutional issues posed are clearly not "patently frivolous"; a formal basis for equitable relief has been alleged; the complaint sets forth a justiciable case or controversy. This Court should proceed as it is required to under the law to "hear and determine this action." The plaintiffs' motions for temporary and permanent relief, and the defendants' motion to dismiss should be set down for hearing. To meet this "responsibility placed by the Constitution upon the judiciary" *Watkins* v. *U.S.* at p. 178, in a case of high constitutional and public importance is "of the very essence of the judicial duty". *Marbury* v. *Madison, supra.*

Respectfully submitted by John de J. Pemberton, Jr., American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.; Arthur Kinoy, 511 Fifth Avenue, New York, N.Y.; William M. Kunstler, 12 Tenth Street, N.E., Washington, D.C.; Peremiah S. Gutman, 363 Seventh Avenue, New York, N.Y.; Henry M. di Suvero, c/o New York Civil Liberties Union, New York, N.Y.; Beverly Axelrod, 345 Franklin Street, San Francisco, Calif., Attorneys for Plaintiffs.

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APPENDIX A

ORDER OF DISTRICT JUDGE OF AUGUST 15

Plaintiffs having moved the Court for an order convening a District Court of three judges pursuant to Title 28 U.S.C. Section 2282 and 2284, and the Court having concluded that the constitutional question issued by the plaintiffs is not insubstantial, it is hereby

Ordered that the plaintiffs' motion to convene a District Court of three judges pursuant to Title 28 U.S.C. Section 2284 be and it hereby is granted

HON. HOWARD F. CORCORAN,
U.S. District Judge.

APPENDIX B

ORDER OF CHIEF JUDGE CONVENING THE THREE JUDGE STATUTORY COURT

The Hon. Howard F. Corcoran, United States District Judge for the District of Columbia, having notified me that a complaint has been filed in said Court for a permanent injunction and for a declaratory judgment, that Rule XI of the Rules of the House of Representatives and the Legislative Reorganization Act of 1946, 60 Stat. 817, 828 insofar as this incorporates and sets forth Rule XI is void and as applied to the plaintiffs is violative of the Constitution of the United States, it is

Ordered, pursuant to Title 28 U.S.C., Section 2282, 2284, that the Hon. David L. Bazelon, Chief Judge of the United States Court of Appeals, and the Hon. Charles Fahy, Circuit Judge, are hereby designated to serve with Hon. Howard F. Corcoran, United States District Judge, as members of the Court to hear and determine this action.

DAVID L. BAZELON,
Chief Judge, U.S. Court of Appeals for the District of Columbia.

FARM PROGRAMS HAVE NOT WORKED

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. FINDLEY. Mr. Speaker, after 7 years' experimentation, the Congress should face the stark fact that Great Society farm legislation has not worked, and come up with something new and hopeful. Prices farmers must pay to stay in business are rising sharply, like for everyone else, but this hardship is compounded by the incredible drop in prices they get for commodities.

To illustrate the worsening cost-price squeeze, the Illinois parity ratio dropped to 72 on August 15, down from 85 a year earlier. The ratio has been computed on a monthly basis since 1937, and only twice previously has it gone as low as 72 on August 15. This occurred when it hit 69 in both 1939 and 1964.

This is significant because parity ratio relates the prices by Illinois farmers with the prices paid nationally by farmers. It is computed by the Illinois Crop Reporting Service.

To illustrate the price decline for Illinois farmers, here are commodity prices reported by USDA for August 15 of this year, compared with a year earlier: wheat $1.36 a bushel, $1.80; corn $1.11 a bushel, $1.39; hogs $20.30 hundredweight, $24.90; milk $4.40 hundredweight, $4.55; eggs 25 cents a dozen, 32 cents. Only cattle is up over a year earlier, moving slightly from $22.90 to $23.90.

CANCEL IMPORTS FROM SOVIET UNION

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. FINDLEY. Mr. Speaker, today I have requested a major U.S. processing firm to cancel its orders for massive imports of edible oil from Soviet sources. I set forth the request in the following telegram to Harold Williams, president of Hunt-Wesson Food Products Corp., Fullerton, Calif.:

DEAR MR. WILLIAMS: For the sake of American farmers whose sons are facing lethal Soviet weapons in Vietnam, I appeal to you to cancel the massive orders for edible oil that your firm, Hunt-Wesson Food Products Corporation, manufacturer of Wesson Oil, has placed with the Soviet Union.

Shipments your firm has recently unloaded constitute the first major imports of edible oil from the Soviet Union in more than a quarter of a century.

Under the circumstances the price advantage and any other commercial convenience your firm gains by dealing with Moscow will inevitably be interpreted as being to the disadvantage of broad U.S. interests.

As you know wartime inflation has hit farmers doubly hard with a cruel form of discrimination. While prices they must pay to stay in business have climbed sharply, prices they receive for crops have dropped sharply. For example, the price of soybeans—and soybean oil—is down one-third from a year ago. So is the price of cottonseed oil.

There is no shortage of edible oils in free-world markets, as evidenced by declining prices.

A major cause of the price drop of these edible oils is Soviet dumping in western markets this past year. Through dumping state-trading Communist governments like the Soviet Union engage in economic warfare against American soybean and cottonseed farmers on the home front. At the same time Soviet weapons are fired against the sons of these same farmers on the military front in Vietnam.

As you know your firm has unloaded from Soviet sources 13,575,143 pounds of edible oil since March, and some of it undoubtedly is already on grocery shelves as Wesson Oil being purchased by unsuspecting customers—yes, even by the wives of farmers who wrongly assume the origin of the product is U.S. acreage.

The first shipment you received from Soviet sources consisted of 6,533,604 pounds. It was unloaded March 31 at New Orleans. The second consisted of 6,983,000 pounds, and it was unloaded at Savannah in July. Taken together these Soviet oils already unloaded are the equivalent of 1,300,000 bushels of soybeans.

The Treasury Department has confirmed that an additional shipment consisting of about 20,000,000 pounds is scheduled to arrive from the Soviet Union at New Orleans in October, and reliable sources have informed me that your firm has arranged to purchase an additional 40,000,000 pounds.

This adds up to more than 73,000,000 pounds, the equivalent of 7 million bushels of soybeans—which, I might add, happens to equal the entire present government stockpile of soybeans.

You are, I believe, within your legal right to purchase this massive quantity of edible oil at cut-rate prices from Moscow. But with more than 14,000 American soldiers killed and 90,000 others wounded in Vietnam—many of them by Soviet weapons—I question your moral right.

In my view, you owe it to our men in Vietnam to call off this questionable transaction. Cancellation may cost your firm a few dollars, but these will be more than repaid in the new high esteem this action will bring to your firm and its products.

PAUL FINDLEY,
Representative in Congress.

FAIRMONT, MINN., CITIZENS OPPOSE THE PRESIDENT'S SURTAX PROPOSAL

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Iowa?

There was no objection.

Mr. NELSEN. Mr. Speaker, one of the most important actions the Congress will be taking this session will be the decision we make concerning the President's request for a 10-percent surtax on individual and corporate incomes. The action taken will be in a climate of public opinion strongly opposed to any additional tax burden on the already heavily burdened American taxpayer.

In my travels through my district during the Labor Day recess, I encountered much criticism of the President's tax proposal and many complaints about the high level of Government spending. Correspondence coming into my office indicates the same high degree of concern, and a petition sent to me by a number of people in Fairmont, Minn., certainly demonstrates the growing desperation of American taxpayers. They even go so far as to ask for information on living conditions in Australia. I am including the text of this letter at this point in my remarks:

DEAR CONGRESSMAN NELSEN: It is not often that we feel so moved by the national problems facing us that our attitude of optimism in our leaders finally reverts to complete pessimism.

The present proposal of adding a surtax to the tax load of all of us is without a doubt the straw that will break our financial backs. Certainly not every one will "go broke," but we have calculated by simple arithmetic and without any professional help from any experts in economy, that our lives up to now have been from paycheck to paycheck and that extra tax money is just not there—unless of course we discontinue our house payments (as we did the children's college fund), etc. Most of us have had to work our "way thru college" and should be in the middle of our productivity with a little surplus put away for retirement. As things really are, despite what Washington experts say, we are a generation of withouts. We are not nightclubbers, have stayed home on vacations because we can't afford too much travel and real-estate taxes too, don't own boats or sport cars, haven't had new suits of clothes in years. All because we insist on personal family fiscal sanity and deplore deficit spending on public or private levels. We have seen all taxes rise rapidly in the last 10 years and have been hoping for stability in spending at the very least.

With the cost of living rising to meet the tax increases, we feel we sincerely cannot extend ourselves any more. Something has to give, just to live normally and own a home. With the passage of this tax, and the others that will surely follow, we will have only 2 choices:

1) lose our homes and hope enough taxpayers remain to keep us in the choice welfare state that now exists, or;

2) move to another country, not as nice perhaps, but still offering a challenge and reward for those of us who believe in hard work and thrift. (In view of this we respectfully request any information you can provide on the country of Australia.)

We thank you for your time and pray that God help you in the proper judgment of all problems before you.

Sincerely . . .

The great tragedy of rising taxes at all levels of government is that they are discouraging initiative, as the letter from my constituents so fundamentally illustrates. To take more from the people than they can afford to pay will turn the self-supporting into the dependent. There can be no new jobs if those providing them are taxed out of existence. There can be no educational betterment if those supporting our schools are economically destroyed. There can be no improved housing if those who would build are put out of business.

The dream of almost every American is to create a better land of opportunity and prosperity for all. That dream can be shattered if we continue to put the financial cart before the horse.

The spenders are justifying the increased Federal tax on the basis of Vietnam. However, the facts show that since 1960 spending for nondefense programs increased 97 percent while defense spending rose 68 percent. Without question, if domestic spending were substantially curtailed, there would be far less necessity to hike tax rates.

THE "NEW ECONOMISTS" AND THEIR "ECONOMIC" DIALOG

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am inserting in the CONGRESSIONAL RECORD at this point an article by the North American Newspaper Alliance, carried widely in many papers across the Nation, entitled "Political Aims Changing the English Language." The article succinctly captures the frustration experienced by many members of the Ways and Means Committee in trying to get to the bottom of the administration's arguments for the need for their proposed tax increase.

It also exposes the disturbing extent to which the administration is distorting the dialog on this important matter which affects all of us, and perhaps most of all the Nation's lower income groups:

POLITICAL AIMS CHANGING THE ENGLISH LANGUAGE

WASHINGTON.—As a lesson in economics the hearings on President Johnson's proposed 10 percent surtax before the House Ways and Means Committee were about as enlightening as a view of the subject through a glass of root beer.

But as a case study of the strange things that are happening to the English language it is historic.

For "inflation" read "run-away inflation."
For "noninflationary" read "inflationary."
For "stable" read "unstable."

The hearing, in other words, is finally driving home to the American people for the first time just how thoroughly the classic definition of inflation has been altered to fit the political concepts of the New Economists, and just how totally these alterations have been accepted.

Forty years ago, for instance, it is inconceivable that there would have been a straight face in the room at Treasury Secretary Henry H. Fowler's explanation of the need for the tax hike:

"This unusual and temporary cost must be financed in a manner consistent with preserving sound, balanced economic growth without inflation at home.

"Fiscal responsibility," Fowler continued, "in a wartime context must include the courage and willingness to raise the money that is as necessary as the guns, planes and materiel needs of our forces in southeast Asia."

Rhetorically, such a stirring call to the colors is not without merit, but as an accurate usage of such expressions as "sound, balanced economic growth, without inflation and fiscal responsibility," Fowler has not merely played fast and loose with the English language, he has trampled the art of semantics six feet underground.

The "fiscal responsibility" to which he refers, for instance, comes at a period in history when the United States is busily embracing its 32nd deficit in the last 38 years, and has seen the value of the 1939 dollar shrivel away to less than 42 cents.

And, a few weeks ago, another government spokesman in commenting on the surtax issue, was quoted as saying: "nobody can promise the 1.5 percent annual noninflationary kind of price increases we had in the good old days."

This "noninflationary" inflation computes out to a 14 percent cut in the dollar's value in 10 years, and to a 26 percent drop in 20 years.

What concerns conservative economists, such as the Boston-based investment and research firm for David L. Babson and Co., is that this constant distortion, misuse and perversion of economic terms to fit political aims has confused the American people to such an extent that they:

Believe that Vietnam War costs are responsible for today's economic mess. In actuality, the war has been responsible for only one fourth of the gain in government expenditures since 1960, and, in the last seven years, civilian outlays have risen almost 50 percent more rapidly than military spending and eight times faster than the population, itself.

Accept the thesis that you must have a continuing increase in living costs or you will have a recession. Historically, Babson points out, there is no basis for this since, before the era of perennial deficits, there were long periods in this country when the value of the dollar actually increased in value as the economy similarly prospered.

See no relationship between budget deficits, inflation and urban disorders. Actually, few socio-economic groups in the country are hurt more deeply by the eroding dollar—the bulk of the blame for which must rest with the government's deficit spending—than the ghettos' poor.

Many are living on fixed incomes, such as welfare or tiny annuities, and if the squeeze in this direction weren't painful enough, their plight is further worsened by the fact that the greater increases in the cost of living have been in the service industries, rather than in goods, the purchase of which might be considered postponable.

A glance at the fastest-rising items on the Labor Department's consumer price index, for instance, reveals that of the top 10, seven represent services which hit particularly hard at the poor: auto registrations, hospital costs, local transit fares, movie admissions, haircuts, doctors' fees and child care.

Feel that it is entirely possible to have "a little" inflation every year without, finally, having a lot of inflation and, in time, financial chaos.

As Babson puts it: "One of the intriguing questions of this whole subject is why our policy-makers think the United States can do what no other nation in the history of the world has been able to do."

But, perhaps in the new English of today's economists, there's a new meaning for "financial survival," too.

EDITORIAL SUPPORT FOR VIETNAM DEESCALATION

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, I continue to call the attention of the House to the favorable editorial support for the July 10 proposal of eight House Republicans for the gradual, reciprocal, deescalation of the war in Vietnam. I include for the RECORD today editorials from the Fort Madison, Iowa, Democrat; the Washington, D.C., Post, the Nation; WCBS editorial broadcast; and the Des Moines, Iowa, Register:

[From the Fort Madison (Iowa) Democrat, July 24, 1967]

To Escalate or Deescalate?

"We are winning the war—but . . .," was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number, we are told, is the minimum needed to complete the job begun by a relative handful of American advisors only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

McNamara described more than the immediate situation when he said at Da Nang: "Our casualties are high but we have also inflicted high casualties on North Vietnamese army units."

What he described was the situation as it was in 1965, and 1966 and as it is likely to be in 1968. Only the numbers have been changed—for the higher.

It is often forgotten that escalation is not the prerogative only of this country. Options open to the Communists include a step-up of terrorist bombing in Saigon and other South Vietnamese cities; the infiltration in even greater numbers of the large North Vietnamese standing army; the use of Communist "volunteers" from other countries; the opening of diversionary action in Korea.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

Representatives Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont propose a halt to all bombing in North Vietnam north of the 21st parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with a similar de-escalatory step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

Thus, should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to deescalate by small steps, however, is something that does not seem to have been made as credible to them as it might be.

[From the Washington (D.C.) Post, July 11, 1967]

Vietnam Measurement

Proposals of Representative Bradford Morse of Massachusetts and seven Republican colleagues for a scaled de-escalation of the war in Vietnam are themselves less impressive than the thoughtful review of the situation out of which this suggestion emerged.

The Congressmen have proposed a quiet staged reduction of bombing that would cut it back from one parallel to another if initial steps produce reciprocal de-escalation. It is a kind of pause that has much to recommend it over a cessation of bombing and over a diminution of a limited period. It is to be feared that no ingenious gimmickry will achieve the purpose in mind, but the Congressmen must be given credit for taking a fresh look at the problem and for producing an imaginative alternative to the present course.

It is this sort of imagination and ingenuity that ought to mark the review of Vietnam policy that will commence when Secretary McNamara returns. Those most committed to the fulfillment of American obligations in Southeast Asia will not be content, this time, with a mere repetition of previous optimistic cliches about the progress of the war. If the criterion of progress is a rise in the kill rate inflicted on the enemy, it is correct to say that there is progress. But, in a larger sense, there is no progress unless events move toward the day when South Vietnam can defend its own sovereignty and integrity. And no one can say, at this juncture, that the tactics of the past have much advanced that day and hour, however gratifying it is to know that the possibility of a purely military defeat has been diminished.

Alternately, the country is told that the key to progress is pacification in the South and the destruction of main force units in the North. And there have been successive assurances by the military that the chief requirement for progress in both of these areas is more men. As each successive increase has been achieved without decisive consequences, public confidence that the only thing required is more men has diminished. The country will not be content with the time-honored medical cliche that the operation is a success but the patient fails to rally. The country, like the patient's relatives, is less interested in the technical triumphs of military surgery than in the progress of the patient. This is the real standard of measurement that must be put on Vietnam operations.

Perhaps the President is the only one in a position to employ such a standard—to see Vietnam in its totality, militarily, diplomatically and politically. It is to be hoped that he will sternly apply that measurement. If, on applying it, there is need for more troops and more money, the country will support this hard decision, but only if it is convinced that there is also being made available more imagination, more ingenuity and more invention.

[From the Nation, July 31, 1967]

The View From Hanoi

Columnist Clayton Fritchey recently paid President Johnson the great compliment of assuming that the continuingly sharp escalation of the Vietnamese War is not a blind, mindless lunging into a void but a real campaign strategy aimed at 1968. "The strategy," writes Fritchey, "is simple: Prosecute the war so aggressively that the opposition cannot demand much more without calling for an invasion of North Vietnam or the bombing of China." Then Johnson's own gothic attitude might, by comparison, seem almost civilized.

If this is Johnson's scheme, the Republicans so far have avoided the trap. Romney has reversed himself again, and now advocates no more escalation. Another alternative to the Administration's pell-mell intensification of the war has come from eight Republican Congressmen who proposed that bombing in the Hanoi area be halted for two months. If, during that time, the North Vietnamese reduced their own belligerency, then we would move the bombing line one step south, and thus, zone by zone, as each de-escalating quid was balanced by a de-escalating quo, the war could be trimmed down to the negotiating table.

The proposal is basically faulty, even dangerous, in that success depends on what could be accomplished in sixty days (and what act of reciprocity would we accept as an adequate response?). But at least the proposal brought the war into debate in the U.S. House of Representatives for the first time in weeks—a healthy release of poison from the body politic. And best of all, the Republicans treated the public to a discussion of the North Vietnamese as a people with a point of view and a pride that should be taken into consideration. As Rep. Frank J. Horton (R., N.Y) put it: "The purpose of this plan is not to determine who is going to lose, but to save face so that both sides can de-escalate" The restraint of the North Vietnamese was noted by Rep. Bradford Morse (R. Mass.), who correctly pointed out that there is plenty of escalating that the North Vietnamese could already have done—more terror bombings of civilians, more use of their enormous standing army, etc—if they were as fanatical as President Johnson tries to make them out to be.

Accepting the North Vietnamese as a sensible people with an ethics and a pride is the thing most needed by our leaders today. Evidence continues to mount that the North Vietnamese make an undistorted appraisal of the war and that what they say of conditions are at least as trustworthy as the estimates from our own side. To illustrate, compare the statements made in a Hanoi radio broadcast on June 2 with information supplied either by the Pentagon, by US officers in Saigon (as told to responsible journalists) or developed independently by the journalists themselves:

WCBS Discusses Vietnam Deescalation Proposal

The war in Vietnam pursues its relentless course. Since the beginning of May 2400 Americans have been killed in the battle zones, bringing our total dead for the war to eleven-and-a-half thousand. At home, on the political front, the Administration has gingerly side-stepped a military request for reportedly up to 120,000 men, opting instead for a scaled down troop assignment and more effective use of the manpower already in the field. Mike Mansfield, the Senate Democratic leader, has renewed a warning that a Third World War may be "incubating in the ever deepening struggle in Southeast Asia." And eight liberal Republican members of the House have offered a plan for gradual military disengagement that relies heavily on an American initiative to halt the bombing of North Vietnam in an effort to get peace talks started. These pronouncements reflect an ever growing official concern over the conflict—concern really is too mild a term—and a search for alternatives to President Johnson's unyielding policy of demanding a simultaneous concession from Hanoi for any United States de-escalation of the war.

The Mansfield speech was blunt and bitter. The Senator discredits optimistic reports from the military that we are slowly but steadily winning the war, his pessimism shared to a large degree by journalists and foreign diplomats in Vietnam now. The Senator implies broadly that the American people are being hoodwinked: that we are not being told how heavy a price for continued escalation we will be forced to pay in lives, in increased taxes, wage and price controls, a call-up of reserves, and what he calls the "countless adjustments in our national life which are implicit in further extensions of the American involvement." The House Republicans' plan for gradual withdrawal was developed by Rep. F. Bradford Morse of Massachusetts; it was signed by, among others, Rep. Frank Horton of upstate New York. The plan suggests a five-step halt in our bombing campaign against North Vietnam in return for a series of matching de-escalations from Hanoi. Its salient point is that disengagement begin with our side—subsequent withdrawals on our part depending upon Hanoi's response.

We are, in Vietnam, embarked it seems upon a quest for a military solution that is depleting our young manhood and national treasure. The war appears to be at a standstill. It may be that a military solution is beyond this nation's grasp unless we employ the numbers and the arms that carry with them the implicit threat of world war. Whether proposals such as the one offered by the eight House Republicans are viable we do not know. But they at least indicate an approach, a real quest for flexibility and concessions on our part that hold out some hope of bringing the principals to the bargaining table. Current policy seems not even to give us that much.

EXPERIMENTAL CUTBACK IN WAR

It is tempting to reply to Secretary of State Dean Rusk's refrain that the United States cannot "stop half a war" by saying, "Why not? Isn't stopping half a war better than stopping none?"

But that isn't fair. Stopping our half would be dangerous if the enemy half went on, which is likely—dangerous to Americans if they stayed on in Vietnam, dangerous in any case to South Vietnamese who had accepted American protection. These dangers need to be weighed against the high cost and counterproductiveness of the war itself, which is something the Administration does not seem to do. The weighing would necessarily be a guess. The long war in itself is certainly a major disaster, to everyone involved.

Of course, stopping our half of the war would be wonderful if it led the enemy to stop the other half.

But what about our stopping a much smaller fraction? An eighth, say or 1/32? Or less? That is the essence of what eight Republican congressmen (F. Bradford Morse of Massachusetts and others) proposed July 10 and repeated July 17. They hope the enemy would respond in kind, and that repeated small steps by each side in turn might lead to peace.

The enemy keeps saying that if the U.S. stopped bombing North Vietnam this would lead to peace talks soon. If that meant just peace talks in which they reiterated their demand for a U.S. pullout and Viet Cong dominance in South Vietnam, it would hardly be helpful, even if U.S. bombing of the North is of little military value. If the bombing is essential, as the Pentagon maintains, stopping it in return for a sterile argument while fighting and infiltration continued would hamper the U.S.

Representative Morse and his colleagues do not ask the government to stop its half of the war, or even the whole of its bombing effort in North Vietnam, which is a small fraction of the war. They only ask it to stop the small part of that bombing north of the 21st parallel. (This would exempt Hanoi but not Haiphong and not the infiltration routes.) This halt would be announced unilaterally, for 60 days, with the avowed hope that the other side would respond with an equivalent step down the de-escalation ladder. If there was no adequate response, bombing could be resumed. An adequate response could lead to another small step by the United States, and so on by each side in turn.

Would the enemy respond? There is no way to be sure without trying, and the try would bring little risk and little or no military handicap to our side. That would be stopping about 1/100 of the war.

SMALL GRANT HAS TURNED OUT TO BE A GREAT BARGAIN FOR THE NATION

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, during my service in the 88th Congress the Federal Aviation Administration made a comparatively small grant in my district which, I think, has turned out to be a great bargain for the Nation.

It also has proved to be seed money for the economic development of a very alert and deserving community.

The grant was for an air traffic control tower for the Jefferson County Airport, which at the time had aspirations of serving a significant portion of the general aviation requirements of the Denver metropolitan area.

The aspiration has become reality, thanks to a happy combination of local government foresight, Federal Aviation Administration cooperation, excellent airport management and the solid support of the community of Broomfield, Colo.

Incidentally, Mr. Speaker, I think this project also should be of interest to the Congress in light of the growing air traffic crises at our major metropolitan airports. The extension of FAA control facilities and equipment to new airports such as the Jefferson County can go a long way toward relieving the congestion at our busiest airports.

The story of the fine cooperation between the FAA and the Jefferson County and airport officials was summarized in excellent fashion last week in an outstanding weekly newspaper, the Broomfield Star-Builder, by Vic Boccard, a columnist. The text follows:

There are no shortages of success stories in the Broomfield community. One of the most noteworthy lies within a long stone's throw of our corporate doorstep. We refer to the Jefferson County Airport under the able management of Bill Huntsbarger.

It was our fortunate lot to fall into possession of some startling growth figures listing F.A.A. Air Traffic Activity. And while statistics are not the be-all and end-all in judging values, these seem worthy of passing along. It seems that when the new tower was installed on February 2, 1967, the Jefferson County Airport was rated 301st in the nation based upon number of operations. If this term, "operations", does little to widen the eye, stretch the mind and race a tingle along the spine . . . let us hasten to explain that operations refers to aircraft touchdowns and take offs.

Since the installation of the tower, our airport has jumped from 301st to 109th. To date as of August 27th, the Broomfield Airport has logged in 168,066 operations. Further, it is estimated by Manager Huntsbarger that the number will reach 300,000 by the end of the year. By comparison, Stapleton is 7th in the nation, St. Paul was nosed out and remains in 110th spot and Colorado Springs ranks 122nd. The figure becomes all the more impressive when you take into account that the tower is a 16 hour, not a 24 hour, operation, and that due to a shortage of weather equipment and instrumentation the whole airport shuts down and the lights go on when the ceiling is 1000 feet or less.

In short, the government made a mighty wise investment when they came through with enough scratch to construct this much needed tower. It also seems evident that the seven controllers and the tower chief in the tower have been busier than a barnacle at high tide since February 2nd.

One of the high points . . . other than the tower . . . is that the growth of the airport can be attributed to non-partisan support. Starting with an initial request to Congressman Don Brotzman during his first term in office, the ball has been carried successively and successfully by Democrats and Republicans alike. Further, the airport authority act which officially put the airport in business, passed overwhelmingly through a then split state legislature. The County Commissioners, whose political pedigrees are unknown to this writer, were the driving force in the spade work department.

Where does the Jefferson County Airport go from here? As openers, the FAA grant of $77,410 on a matching fund basis, will enable Bill Huntsbarger and force to extend the existing runway from 6,000 feet to 7,500 feet. It will also enable the construction of a high speed turnoff and the lighting of all taxi runways. The high altitude safety margin has been bumped upward and the airport is now equipped to handle all business jets.

From Broomfield's standpoint, the airport is a mighty good deal. It gives us a fine facility at our doorstep at no cost, an attractive magnet for industry and many fine, solid citizens whose work is concentrated in the airport complex. From the airport's standpoint, Broomfield supplies a fine, modern city at no cost. The workers from the airport give welcome support to our restaurant and other retail outlets. The airport, in turn, has received much help from our Chief of Police, water department, ambulance, fire department and so on down the line.

In short, here's one bonafied partnership in which both sides benefit. And if we do a little button popping on the side over the airport's fine progress, there's much tangible justification.

PROPER JOB RECOGNITION AND JOB STATUS BY MEANS OF RECLASSIFICATION OF POSITIONS

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from

Pennsylvania [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, it is refreshing to find restraint being practiced in one important area when excesses appear to be the order of the day in many places.

In a letter to the more than 200 sponsors of bills identical or similar to H.R. 7, the rank and file postal workers, under the leadership of the National Association of Letter Carriers and the United Federation of Postal Clerks, have made their position clear. In effect they say, "Go ahead and give all other Federal workers whatever pay increase Congress feels proper, but in our case, in lieu of a pay raise this year, give us proper job recognition and job status by means of a justified and long past-due reclassification of our positions."

Mr. Speaker, the letter to which I refer sets forth the position of these employees in clear and unequivocal terms. I include it in the RECORD at this point for the information and enlightenment for every Member of this body:

NATIONAL ASSOCIATION OF LETTER CARRIERS AND UNITED FEDERATION OF POSTAL CLERKS, AFL–CIO,
Washington, D.C., September 8, 1967.

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR CONGRESSMAN JIM FULTON: This is in reference to a letter dated August 30, 1967, from Rep. James M. Hanley, Chairman of the Reclassification Subcommittee of the Post Office and Civil Service Committee, to each of the over 200 sponsors of bills identical or similar to H.R. 7, and H.R. 4897.

It is the purpose of this letter to make sure that all concerned have a crystal clear understanding of the motivation that prompted the introduction of H.R. 7, H.R. 4897 and similar bills as well as the situation existing at this time.

First, the positions of approximately two million Federal employees can be, and frequently are, reclassified by the Civil Service Commission or by Administrative action of the various and sundry departments and agencies.

Second, only designated "Key Positions" in the Postal Field Service require affirmative action by Congress before they can be reclassified. Both clerks and carriers occupy designated "Key Positions," so they must seek relief from Congress. Unlike other Federal employees, they cannot seek and obtain reclassification by Administrative action.

It long has been deemed good personnel practice throughout the Federal Service to review positions for classification purposes on an annual basis. These annual surveys have resulted in the reclassification of thousands of positions each year on a routine basis. At no time in the history of the Federal Service has a reclassification action been construed to be a "pay raise" as such. However, in the Postal Field Service, designated "Key Positions" have remained frozen at their original levels since they were first classified by Congress in 1955 (Public Law 68). The classification of these positions arbitrarily fixed at that time was by its very nature a compromise between an Administration under one party and a Congress dominated by a second party. Even that action followed two Presidential vetos. The employees then in these positions did not consider the compromise classification of their positions proper and those now in these positions are strongly of the same view.

Accordingly, even before the introduction of the Administration's pay proposal, a move was started to reclassify upward by one level positions in each of the lower five levels in the Postal Field Service. Admittedly, this would result in an increase in pay for the individual employees occupying the positions. However, the primary consideration was not a pay increase as such, but rather a just and proper classification of the positions in relation to other positions in the Federal Service and those of a comparable nature in private industry.

Congressman Hanley and the over two hundred other Congressmen who introduced companion bills to H.R. 7 are to be commended for their desire to correct a long-standing inequity. We are confident that he and the others recognized that those bills contained certain costly provisions in addition to the reclassification of the lower levels. We wish to make clear that those extraneous matters are not the current issue. Reclassification of the lower five levels is the *only* matter of current concern.

Narrowed down in this manner to one issue, only two factors are for consideration. One is cost, and the other is justification.

As to cost:

The Administration has estimated that the payroll cost of reclassifying the first five levels will amount to $325 million on an annual basis.

The Administration's pay increase of 4½ per cent increases the payroll cost in the first five levels by $205 million.

If reclassification of the first five levels is approved by Congress *in lieu of any pay increase in the first five levels, the difference in payroll costs amounts to only $120 million on an annual basis.*

Pending before the Committee is a measure in the nature of a compromise which gives a six per cent increase in the lower five levels. The cost of this would amount to $255 million on an annual basis for the lower five levels.

Reclassification of the lower five levels *in lieu of this compromise increase* would cost only $70 million more on an annual basis.

These figures, as provided by the Administration to the Committee, should put to rest once and for all the fantastic cost figures so loosely used by some opponents of reclassification.

And let it be made clear here and now that *reclassification of the positions is preferred in lieu* of either of the pay increase proposals described above.

As to justification:

In the main, the positions involved are those of distribution clerks and letter carriers often referred to as the "white and red corpuscles of the mail bloodstream."

These positions are responsible and exacting. They require men of integrity and dependability. Men devoted to their tasks and with a recognition that there is little, if any, opportunity for advancement.

In short, if we are to attract and retain the type of personnel required to maintain the traditional high standards of our postal service, a proper and just classification must be given their positions.

We are deeply appreciative of your friendship and hope that you will give our request your favorable consideration.

Sincerely and respectfully,
E. C. HALLBECK,
President, U.F.P.C.
PATRICK J. NILAN,
Legislative Director, U.F.P.C.
JEROME J. KEATING,
President, N.A.L.C.
JAMES H. RADEMACHER,
Vice President, N.A.L.C.

BILL INTRODUCED BY FRESHMAN CONGRESSMAN IS PASSED: A HELPING HAND TO GOVERNMENT PROSECUTORS IN THEIR EFFORTS AGAINST CRIME

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ERLENBORN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ERLENBORN. Mr. Speaker, if I may speak with a trace of friendly envy, I would like to call the attention of this House to H.R. 8654, to permit an appeal by the United States in some instances from an order made before trial on the suppression of evidence.

This bill was introduced by my Illinois colleague, the Honorable TOM RAILSBACK. In his first year as a Member of Congress, he has found a way to give our Government prosecutors a helping hand in their efforts against crime. Not many of us are privileged to initiate an important improvement, such as this, and to get it passed by the House so quickly.

The merit of his proposal, however, has been recognized by his fellow members of the Judiciary Committee, who gave it their unanimous endorsement.

The gentleman from Illinois [Mr. RAILSBACK] is our youngest colleague from Illinois on two counts—point of service and date of birth. I am proud to have served in the Illinois General Assembly with him, and I was glad last January to welcome him to Washington.

He has served with distinction, both in Springfield and in this House. Passage of this bill is an indication of his effectiveness. Many majority Members have difficulty getting a bill passed in their freshman terms; and it is not unheard of that a minority Member serve two terms before his first success.

I am happy for my colleague, and I predict that this is only the first of many contributions he will make to the law and to the United States.

NEW LEFT'S NATIONAL CONFERENCE FOR NEW POLITICS

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, it has come to my attention that a series of articles written by Alice Widener, a syndicated columnist, and rewritten by other publications including the Chicago Tribune by Chesly Manly purport to show a connection between myself and and other Congressmen and the New Left's National Conference for New Politics, as well as with the riots in the Nation's cities.

The fact is that neither I nor any of the other Members mentioned in these articles have any connection whatsoever with a new politics conference. Nor is there any substance to the outrageous insinuation that my office has something to do with the deplorable riots which have taken place this summer. Indeed, as my statement of August 1 indicates, I am concerned with assigning the highest priority to improving the conditions of the cities which are the underlying cause of riots.

The tenuous basis for these articles appears to be the allegation that a research assistant sent a handwritten note on a copy of a broadly circulated press release to someone allegedly connected with the National Conference for New Politics. This does not constitute a connection with that or any other organization.

As an example of the inaccuracies engendered by these articles, I cite a report by Richard Wilson in the August 30 Washington Evening Star that I and several other Members were sending an observer to the new politics conference. Had any of the reporters bothered to check with my office, they would have been informed of the falsity of this and the other allegations circulated in these articles.

POLITICAL ATTACK ON THE GOVERNOR OF MICHIGAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. Riegle] is recognized for 10 minutes.

Mr. RIEGLE. Mr. Speaker, it was with amazement and disgust that I learned of the political attack on the Governor of my State of Michigan by the Secretary of Defense. As year after year of inept management of the war in Vietnam mounts up, and U.S. casualties multiply, I wonder how the Defense Secretary can, in good conscience, find time to turn away from his duties of Defense Secretary to launch a political attack on Governor Romney. If the Defense Secretary has any extra time, he ought to use it to get the South Vietnamese to start pulling their share of the load in the war there.

The facts show, however, that Secretary McNamara's greatest distinction is that he has produced two "Edsels" in one lifetime. The first nearly crippled the Ford Motor Co., the second, the vicious Vietnam stalemate, is fast crippling our Nation. On the basis of a record distinguished by consistently poor judgment, one must write off to this poor judgment, or to political expediency, or both, the worthless charge by the Defense Secretary that Governor Romney "could not recognize the truth, if he saw it." Secretary McNamara's own statements demonstrate, and sadly so, that he is totally unqualified to speak on the subject of truth.

On February 18, 1962, Secretary McNamara asserted that guerrilla tactics in Vietnam called for a response "not with big weapons and large forces but with companies, squads, and individual soldiers." Mr. Secretary, where was the truth in that statement—when we now see nine U.S. divisions committed in Vietnam to a war that has dearly cost the United States nearly $100 billion and 87,000 casualties from among our finest young men.

On June 13, 1963, Secretary McNamara said:

> Progress against the Vietcong has been very satisfactory indeed.

Mr. Secretary, where was the truth in that statement?

On October 2, 1963, Secretary McNamara said:

> The major part of the U.S. military task can be completed by the end of 1965, although there may be a continuing requirement for a limited number of U.S. training personnel.

Mr. Secretary, where is the truth in that statement?

On January 27, 1964, Secretary McNamara said:

> This is a Vietnamese war and in the final analysis it must be fought and won by the Vietnamese.

Mr. Secretary, where is the truth in that statement? When that statement was made, some 15,000 American troops were in Vietnam—that number has multiplied over 30 times. So today, there are more American men in frontline combat than there are Vietnamese.

On February 3, 1964, Secretary McNamara said:

> I personally believe this is a war the Vietnamese must fight. It is a guerrilla war that must be fought by Vietnamese countering the local Viet Cong guerrillas. I don't believe that we can take on that combat task for them.

Mr. Secretary, where was the truth in that statement, in light of our present involvement in Vietnam?

On May 6, 1964, Secretary McNamara said:

> We can provide advice; we can provide logistical support; we can provide training assistance, but we cannot fight the war itself.

Mr. Secretary, where was the truth in that statement?

On May 15, 1964, Secretary McNamara said in answer to a question on how the number of U.S. personnel in Vietnam would expand, "on balance the number is not likely to increase substantially." Mr. Secretary, where was the truth in that statement? Since that time, U.S. troops in Vietnam have increased by over 440,000, over 12,000 have been killed, and 74,000 wounded.

On August 9, 1965, Secretary McNamara said:

> Well, first, has our policy been successful? I think you have to look at this over a period of years and I would say the answer is yes.

Going further the Secretary said:

> It (the increase in guerrilla strength) requires that we supplement, not substitute for, but supplement the South Vietnamese forces, and since our forces will supplement and not substitute for their forces; it remains a South Vietnamese war. They are bearing the brunt of the fighting; they will continue to bear the brunt of the fighting.

Mr. Secretary, where was the truth in that statement?

And as late as October 14, 1966, Secretary McNamara, after returning from a 4-day visit to Vietnam, said—3 weeks before the 1966 congressional elections:

> I have seen nothing indicating that there is a requirement for a faster rate of deployment of United States troops to Vietnam.

Mr. Secretary, where was the truth in that statement? Because, since that date 119,000 additional American troops have been sent to Vietnam, and an additional 45,000 have been asked for.

Mr. Secretary, I cannot find the truth in those statements—and neither can the American people—and that includes Governors as well as the man on the street.

You might be interested to know that a constituent of my district, who, incidentally, identified himself as a Democrat, said to me the other day at a plant gate, and I quote:

> McNamara is either the biggest liar or the biggest fool that ever came down the pike.

Optimistically worded press statements, flashy computer analyses, dramatic trips to Vietnam, and gimmicks like the electronic wall are altogether a poor substitute for the unvarnished truth.

Mr. Secretary, it was your own Assistant Secretary of Defense, Mr. Sylvester, who said:

> It's inherent in government's right to lie to save itself . . . that seems to me basic.

On that same date he also said:

> When the administration is on the defensive under our political system, I would always be suspicious of what it said.

And in July of 1965, the Assistant Secretary of Defense said again:

> Look, if you think any American official is going to tell you the truth, then you're stupid.

Well, the American people are sick and fed up with phony assessments of the Vietnam situation whether their source is poor judgment or outright deception—and if this point is not clear now, the citizens of this Nation will make it crystal clear in November 1968.

THE APPROPRIATIONS BUSINESS OF THE SESSION

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Mahon] may extend his remarks at this point in the Record and include extraneous matter and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MAHON. Mr. Speaker, under leave granted, I am including herewith, for the information of Members and others interested, up-to-date tabulations showing in summary form the status of the appropriations bills of the session.

HOUSE ACTIONS

The House has considered budget requests for appropriations of some $138.6 billion at this session. Those requests have been reduced in the House by $3,988,939,998. Of that total, $3,816,483,298 was cut from requests in the 12 bills dealing with fiscal 1968.

Some $9 billion, plus—roughly—of additional appropriation requests are yet to be reported in appropriation bills dealing with military construction, foreign assistance, and the closing supplemental bill. These bills hinge wholly or almost entirely on annual authorization legislation not yet enacted, or in some instances not reported from committee. The Committee on Appropriations continues to mark time on them.

SENATE ACTIONS

The Senate has considered 8 of the 14 appropriation bills sent over from the House this session. They involve budget requests for appropriations of some $113.9 billion and in summary, they are above the appropriation budget requests by the net amount of $111 million. This is brought about by the fact that the Senate added slightly over $2 billion to the House amounts in the agricultural appropriation bill. That bill is pending in conference. And the Labor-HEW bill is also pending in conference.

FINAL ACTIONS

If we include the money totals in the Defense conference agreement, for which the report has been filed, final action has been taken on six bills this session—two supplementals for fiscal 1967 and four regular annual bills for fiscal 1968. They appropriate $93,535,259,802, a sum $1,931,586,060 below the corresponding budget requests. The four bills pertaining to fiscal 1968 appropriate $79.1 billion, a reduction of about $1.8 billion from the requests.

The conference agreement on the Defense bill resolves all matters as to amounts of money appropriated, but does put one language provision in disagreement.

Mr. Speaker, I include two tables—a summarization of the totals and a listing by individual bills:

COMPARATIVE SUMMARY OF APPROPRIATION BILL TOTALS, 90TH CONG., 1ST SESS., AS OF SEPT. 11, 1967

[Does not include any "back-door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills. All figures are rounded amounts]

	Bills for fiscal 1967	Bills for fiscal 1968	Bills for the session
A. House actions:			
1. Budget requests for appropriations considered	$14,411,000,000	[2 3] $124,163,000,000	$138,574,000,000
2. Amounts in 14 bills passed by House	14,238,000,000	[2 3] 120,347,000,000	134,585,000,000
3. Change from corresponding budget requests	−173,000,000	−3,816,000,000	−3,989,000,000
B. Senate actions:			
1. Budget requests for appropriations considered	14,533,000,000	[3] 99,379,000,000	113,912,000,000
2. Amounts in 8 bills passed by Senate	14,457,000,000	[3] 99,567,000,000	114,024,000,000
3. Change from corresponding budget requests	−76,000,000	+188,000,000	+112,000,000
4. Compared with House amounts in these 8 bills	+219,000,000	+2,271,000,000	+2,490,000,000
C. Final actions:			
1. Budget requests for appropriations considered	14,533,000,000	80,934,000,000	95,467,000,000
2. Amounts approved in 6 bills enacted	14,394,000,000	[4] 79,141,000,000	93,535,000,000
3. Comparison with corresponding budget requests	−139,000,000	−1,793,000,000	−1.932,000,000

[1] Permanent appropriations were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968.

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget $980,000,000; House bill, $925,000,000) and for grants-in-aid for airports (budget, $75,000,000; House bill, $65,000,000).

[3] And participation sales authorizations as follows: Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000; total in Senate bills, $700,000,000.

[4] Includes Defense conference agreement; pending House and Senate approval.

SUMMARY OF ACTION ON BUDGET ESTIMATES OF APPROPRIATIONS IN APPROPRIATION BILLS, 90TH CONG., 1ST SESS., AS OF SEPT. 11, 1967

[Does not include any "back-door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Budget estimates considered by House	Passed House	Budget estimates considered by Senate	Passed Senate	Enacted	(+) or (−), latest action compared to budget
Bills for fiscal 1968:						
Treasury-Post Office	$7,613,787,000	$7,499,230,000	$7,615,148,000	$7,555,167,000	$7,545,641,000	−$69,507,000
District of Columbia:						
Federal payments	63,499,000	59,499,000				−4,000,000
Federal loan appropriation	49,600,000	48,100,000				−1,500,000
Interior	1,443,793,000	1,365,310,150	1,458,218,000	1,399,359,550	1,382,848,350	−75,369,650
Loan and contract authorizations	(30,700,000)	(16,200,000)	(30,700,000)	(16,200,000)	(16,200,000)	(−14,500,000)
Independent offices-HUD	[2 3] 10,804,642,700	[2 3] 10,013,178,782				−791,463,918
Contract authorization	(40,000,000)					(−40,000,000)
Labor-HEW	[3] 13,322,603,000	[3] 13,137,488,000	[3] 13,424,146,000	13,421,660,000		−2,486,000
State, Justice, Commerce, and the Judiciary	[3] 2,342,942,000	[3] 2,194,026,500				−148,915,500
Legislative	231,311,132	228,089,952	276,005,210	275,885,804	275,699,035	−306,175
Agriculture	[3] 5,021,097,400	[3] 4,770,580,950	[3] 5,021,097,400	[3] 6,782,529,789		+1,761,432,389
Loan authorization	(859,600,000)	(859,600,000)	(859,600,000)	(909,000,000)		(+49,400,000)
Defense	71,584,000,000	70,295,200,000	71,584,000,000	70,132,320,000	[4] 69,936,620,000	[4] −1,647,380,000
Transportation	[5] 1,718,618,772	[5] 1,530,198,372				−188,420,400
Public works	4,867,813,000	4,622,922,000				−244,891,000
NASA	5,100,000,000	4,583,400,000				−516,600,000
Military construction	[6] (2,937,000,000)					
Foreign assistance	[6] (3,818,736,000)					
Supplemental (poverty, other deferred items; usual supplementals)	[6] (2,284,949,000)					
Subtotal, 1968 bills	124,163,707,004	120,347,223,706	99,378,614,610	99,566,922,143	79,140,808,385	−1,929,407,254
Bills for fiscal 1967:						
Defense supplemental (Vietnam)	12,275,870,000	12,196,520,000	12,275,870,000	12,196,520,000	12,196,520,000	−79,350,000
2d supplemental	2,134,932,833	2,041,826,133	2,257,604,652	2,260,246,933	2,197,931,417	−59,673,235
Subtotal, 1967 bills	14,410,802,833	14,238,346,133	14,533,474,652	14,456,766,933	14,394,451,417	−139,023,235
Cumulative appropriation totals for the session:						
House (14 bills)	138,574.509,837	134,585,569,839				−3,988,939,998
Senate (8 bills)			113,912,089,262	114,023,689,076		+111,599,814
Enacted (6 bills)			95,466,845,862		93,535,259,802	−1,931,586,060

[1] Permanent "appropriations" were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968. (All forms of permanent "new obligational authority" for 1968 were tentatively estimated in the January budget at $17,452,899,000.)

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House bill, $925,000,000).

[3] And participation sales authorizations as follows: Independent offices-HUD, $3,235,000,000 in budget estimates and $881,000,000 in House bill; Labor-HEW, $115,000,000 in budget estimates and House bill; State, Justice, Commerce, and the Judiciary, $150,000,000 in budget estimates and House bill; Agriculture, $800,000,000 in budget estimates and House bill, $700,000,000 in Senate bill. Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000; total in Senate bills, $700,000,000.

[4] Conference agreement; pending House and Senate approval.

[5] Includes advance funding for fiscal 1969 for grants-in-aid for airports (budget, $75,000,000; House bill, $65,000,000).

[6] These are the amounts presently pending consideration in the committee.

ADDRESS BY CHARLES COGEN

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. William D. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, I am pleased to call the attention of my colleagues to excerpts from a very fine address delivered by Mr. Charles Cogen, president of the American Federation of Teachers, at the 51st Annual Convention of the AFT on August 21:

Once again, we are gathered together in our annual convention for the purpose of laying down broad policy which will govern the actions of our union for the coming year. We are more numerous and more influential than ever before. The past school year was the greatest year of growth in AFT history. Our membership increased by 15%, a rate almost twice that of the non-union associations.

I call attention to the continuing rapid growth of the AFT, not in any sense of smug satisfaction, but rather to point out the fundamental significance which underlies our progress. That significance is simply this: teachers want to do things for themselves. They want the freedom and the power to control their own professional destiny. The AFT provides the means for achieving these objectives.

Teachers and the AFT are coming of age, and we demand our due place in the national educational policy-making process. Our change of headquarters, minor as it may seem, serves as a signal of that determination.

THE SOCIAL CRISIS AND THE NEED FOR EDUCATIONAL REFORMATION

It would be an over-statement to assert that if the people of Detroit, or Newark, or Milwaukee, or a dozen other cities had good schools, there would have been no riots this summer. We must reject such a simple, self-serving analysis. But it is true that the rebuilding, reformation, and revitalization of American education is probably the most important need in the general reconstruction of American society.

The first step in any such reformation must be a frank and honest assessment of the needs of society and the shortcomings of our present educational endeavor. I very strongly urge that this convention give wholehearted support to the present effort to make a national educational assessment.

Haven't we been saying all along that our schools are not good enough? That classes are too large to teach effectively? Too large to permit teachers to give individual guidance to students? Have we not been saying that the shortage of teachers is a national disgrace? Have we not been saying that regardless of the cost, all children must be taught to read? We have been saying these things and much more for many years, but it has been difficult for us to present our case on all of our educational problems in black and white, in statistics, in irrefutable research. Besides, since teachers do not have a personal interest in such matters, our opinions are often not taken as seriously as they should be.

NEEDED: A NATIONAL MASTER PLAN FOR EFFECTIVE EDUCATION

I urge that the President of the United States convene a national educational strategy conference . . . with the responsibility for producing a master plan for education for the nation, including specific details and a time-table for accomplishment so that progress in fulfilling the plan will be clearly evident.

Now some will say, "Oh, you are talking about another White House Conference on Education." This is precisely one of the things I am not talking about. I have attended White House Conferences on Education. Very few teachers or teacher representatives are present. The conference talks for two or three days. By the rules of the game, it is forbidden to adopt resolutions (to make doubly sure that nobody rocks the boat). Above all, such a conference must not ask for more money.

NEED FOR NATIONAL STANDARDS

There may be some school systems or some states which do not want Federal money, but they are few indeed. And yet there are many people, including those in the non-union association, who think that the federal government should use its taxing power to raise money and simply turn it over to the states to spend, with no strings attached, especially no strings of desegregation.

It is almost as important to the citizens of New York City, Chicago, and Los Angeles that the states of Mississippi, Alabama, Louisiana, Arkansas, and a dozen others have good schools as it is for those cities to have good schools within their own school districts.

GREATER LOCAL COMMUNITY AND TEACHER PARTICIPATION

There is a great deal of evidence to support the idea that our traditionally elected or appointed school boards are in many cases alienated from large sections of the communities whose educational interests they are chosen to safeguard. This is another problem which the national educational strategy conference, to which I have been referring, should deal with.

In the case of teachers, increased local participation in the schools means the increased development of collective bargaining. In the past year, the number of collective bargaining contracts negotiated by AFT locals has more than doubled. Most of these contracts were negotiated, incidentally, without work stoppages.

Much more can be done through the instrument of collective bargaining at the local level.

Another area of local negotiation which I very strongly urge upon our unions is that of research and development. Too much of current educational research is carried on by institutions with only tangential relationship with the schools. Classroom teachers are rarely involved in the planning and evaluation of such research.

MORE EFFECTIVE SCHOOLS

A final and most significant goal of negotiation should be the More Effective Schools Program.

Joseph Alsop found it important enough to follow up his syndicated series, mentioned by me in my printed report, with an article in the July 22 issue of the *New Republic*. The title is, very appropriately, "No More Nonsense About Ghetto Education."

The AFT has been, since 1964, the recognized leader in the effort to create effective school systems. It is regrettable, but a fact, that no educational organization, outside of the AFT, nationally or locally, has shown much concern for the educational plight and blight facing our nation's schools.

CHANGES IN EDUCATIONAL STRUCTURE

The most manifest example of the changes being introduced into our schools by the new establishment is the massive use of teacher aides—"para-professionals," as they are coming to be called.

It must be confessed that not only is it possible to assign to aides many non-instructional chores which have traditionally been performed by teachers, but many auxiliary instructional duties, as well, might very well be given to such personnel.

. . . it is essential that career lines be established, perhaps leading to full teacher status. Neglect of the career concept will inevitably result in the sort of paternal and master-servant relationship between teachers and aides which we have found so abhorrent in the relationship of administrators and teachers.

It is important to note that where these para-professionals, or auxiliary aides have been introduced in schools, teachers are almost universally pleased with this assistance.

I am not in any way contemplating increasing the number of pupils who would be under the general supervision of the teacher with or without aides. I am suggesting that the use of these so-called "para-professionals" can enhance the intensity and the quality of instruction.

I wish to point to a measure now pending before the Congress introduced by Representative James H. Scheuer from the Bronx, New York. Representative Scheuer's proposal is a modest one. But it is certainly a step in the right direction. It would provide for federal assistance for the training for career lines within our social services, including education.

There are many more changes coming from our new establishment which will profoundly affect teachers and the schools, some of them obviously good, and some which seem, at first glance, to be dangerous, and this is one of the main reasons why we have called your attention to the developing relationship among teachers, schools and the government through the wording of the convention theme.

Now all of the things I have just enumerated are certainly uncontestably necessary. Yet, in conference after conference, someone is apt to get up and say, "Good schools are not a matter of money. It is a matter of how you spend the available money." Then they proceed to set forth their personal panaceas for our ailing school systems. What nonsense that is! Good schools cost good money, and we are not afraid to say so. And we all oppose anyone who thinks that you can get good education without spending much more money than we are now.

I do not propose to judge at this point whether or not this country is spending its money wisely in Vietnam, or at Cape Kennedy, or in scores of federally supported space and armament production centers.

Economists have estimated that at least $40 billion a year is lost through tax loopholes: oil and gas depletion allowances; the inadequacy of the tax on long-term capital gains; exemption of income from interest on state and municipal bonds; inflated expense allowances; unlimited exemptions, in some situations, on charitable organizations, some of which can be called "charitable" only in the most charitable use of the term. There are many individuals in the United States who make large incomes and yet through clever manipulation and sound advice from people who specialize in such things, pay no tax whatever.

Now let no one tell us that this nation cannot afford good schools!

A YEAR OF SIGNIFICANT ACTION: 1966–67

Before we turn to the business of this convention, I should like to call your attention to this year's Officers' Reports. A copy of the booklet has been distributed to each delegate. The impressive thing about this booklet is the evidence it gives of the tremendous union activity which has been going on during the past year in every area of the country. One hundred and three new locals were chartered. More than 50 new contracts were negotiated, some of them, such as the Chicago contract, affecting tens of thousands of teachers and hundreds of thousands of students.

We have begun to organize successfully in colleges. And college teachers in Illinois, Michigan, New York, and California have shown that collective bargaining is just as appropriate on the higher education level as it is for elementary and secondary school teachers.

In December we held a remarkable conference on racism in education which attracted nationwide attention. Our new journal, Changing Education, has received many accolades from the academic community. Time and again we have been featured in nationwide newspaper and magazine stories about education. Educational and civic organizations increasingly ask us to provide speakers for their conferences.

We have established a public review board to act upon any complaints of union members about the way our union is functioning. We finally saw our plan for a council of unions within the AFL–CIO which enroll "professionals" come to fruition. Our training workshops at the University of Illinois and Cornell University were the most successful ever. Our research grant program has elicited great grass roots response and our research publications have had wide circulation.

We continue to win key collective bargaining election victories. Two years ago, who would have thought that the teachers of Baltimore would now be represented by the AFT as their exclusive bargaining agent? And one year ago, who would have thought that this, our nation's capital, and the home base of the NEA, would be an AFT town!

I urge that you read the Officers' Reports booklet. I think you will agree that the AFT, with each succeeding year, becomes a more dynamic and influential force in American life.

THE YEAR AHEAD

We have every reason to believe that the coming year will see the AFT continue along its successful road. Our major tasks are clear and unmistakable. To begin with, there are still school districts employing a total of approximately 100,000 teachers which do not know whether schools will open on time this Fall because their school managements have not gotten down to brass tacks in their negotiations with our locals.

Let me make one thing clear: the AFT wants good contracts, providing for improvement in the quality of education—not strikes. But if school and government authorities refuse to bargain in good faith, refuse to do all that they possibly can do to provide good schools, it is our professional duty to refuse to permit schools to operate on such a less-than-satisfactory basis. For our part, we will do everything we can to reach agreement in these districts. Our locals will bargain in good faith and the National officers and staff, as I have noted earlier, will do everything possible to assist them. But if it becomes necessary to conduct a work stoppage, we will help them win it!

Serious roadblocks are being placed in our way. More states are passing what they consider "enforceable" anti-strike laws. Judges are increasingly imposing fines and even jail sentences in injunction violations. This has happened even in an instance like the Cook County (Chicago area) College local's situation, where a settlement had already been reached between the contesting parties. In this case, Judge Covelli stated, "Teachers have been coddled too long; it's about time they were paddled." What judicial arrogance this is!

Of vital importance is the plan of mass resignations which the United Federation of Teachers, our New York local, has decided to follow in case of an impasse. The outcome of this procedure may well be as historic in its consequences as its strikes of 1960 and 1962.

The right not to work under substandard conditions is a right we must insist upon regardless of fines, jailings, or other threats. Without this right, we have no collective bargaining and we have no freedom. It is a right which employees in other unions had to win against the same forces that now stand in opposition to us. We will succeed just as they have succeeded.

Another pressing problem in which the National union must provide leadership is that of establishing proper standards in licensing and certification of teachers. We have learned that relying upon legislation and certification standards established by state bodies is unrealistic. Every time there is a shortage of fully-certified teachers, thousands of additional persons are given provisional licenses to fill the vacant positions. It is this "don't-raise-the-bridge-lower-the-river" philosophy which has resulted in the present overwhelming lack of fully qualified teachers.

If we use our bargaining power in a planned and concerted, meaningful way, I am confident that we will be able to establish a nationwide standard for the certification of teachers. During the year ahead, we plan to explore this idea and to develop it.

We must also come to grips with problems having to do with the relationship between teachers and the communities in which they teach. We must avoid alienation from society at all costs because the school is a social institution and it can succeed only if it is responsive to the needs of society.

Finally, still another major area of concern for the AFT must be that of legislation in the states and in the national Congress. It is not enough to be able to back up our policies and our demands by reason and research, although these are important. We must also be able to talk the language of the politician in terms that he can understand, and that means that we must intensify our political action. To do this, we must have strong state federations and I very strongly urge adoption of the amendment to our constitution which would require every AFT local to maintain state affiliation.

What we do during the year ahead may very well have a great bearing on the outcome of the Fall 1968 elections. We must proceed vigorously, but not in any partisan sense. Our over-riding concern must be the welfare of the schools, for if teachers do not fight for good schools with every means at their disposal, who will?

CONCLUSION

And so, we are about to begin our deliberations. The AFT conventions is a *meaningful* gathering together of teacher delegates to deliberate major .policy concerns of our union. An AFT convention is also a happy time—not only because of the chance it gives us to meet with long-time friends, but also because it is always heart-warming to know that there are many kindred spirits in the AFT. So, let us proceed in all seriousness, but with good feeling, to attempt to solve the problems which confront us!

FOREIGN ASSISTANCE ACT OF 1967

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Farbstein] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, as we are all aware, House consideration of the Foreign Assistance Act on August 24, carried over into the early hours of Friday morning. I had hoped to submit a statement for the record that night on specific provisions of the act. However, the hour grew late and the amendments were many, so rather than insert a statement that night, I decided to prepare a more detailed commentary, particularly on policy positions taken by the Committee on Foreign Affairs.

Mr. Speaker, I want to add my personal thanks to the chairman of the Committee on Foreign Affairs [Mr. Morgan], for the patient way in which he conducted the hearings on the foreign assistance bill.

The committee gave this legislation careful study, for we were all aware of the questioning mood prevailing in Congress and among our citizens over the effectiveness of this program. As several of my colleagues have mentioned, the committee spent 53 days listening to and evaluating the testimony of both public and private witnesses, so the bill brought to the floor had undergone close committee scrutiny.

It was obvious to all of us in this Chamber that much of the frustration over this program related to other American commitments, such as Vietnam and the related fiscal deficit, the Middle East, and to the riot-filled summer we have just experienced in this country. I believe that in considering the foreign aid bill, we would have done well to remember not to allow our frustrations over other U.S. policies to distort our perspective on this issue. I will not deny that foreign aid is related to other foreign and domestic policy issues; but we are in error to reduce this aid program as a reaction against, for instance, our policy in Vietnam.

I voted in committee in support of the bill's authorization of $3.1 billion as necessary to carry out the provisions of the act. I regret that the House membership did not, in its wisdom, support the committee's recommendation. It is unfortunate that the long-term development loan funds were cut $150 million from the committee-approved $600 million to $450 million. These loans are available only to those countries making economic progress, and are repayable. The executive has programed 22 countries for assistance under this program in fiscal 1968. Such loans can be effectively applied to construct a nation's infrastructure, such as dams, irrigation, and power facilities which are basic to any economic development plan. I particularly regret the House action cutting technical assistance authorization $33 million from the committee-approved level of $243 million to $210 million. As I stated during the debate on this provision, technical assistance is aimed at encouraging developing countries to engage in self-help, to pull themselves up by their own efforts so that they will not have to depend on foreign aid. In my judgment, it is inconsistent to vote against technical assistance on the grounds that it will save this country money next year. In the long run, the cutting down of these funds will limit the march of many developing nations toward economic self-sufficiency and may end up costing the United States additional funds in the years ahead.

I fully supported the committee's

statement on self-help. It is evident to most of us that development is basically the responsibility of less developed nations. Unless these countries are willing to establish the environment within which development can take place, we can be of little aid to them. In countries where a favorable development climate exists, the United States can aid through capital loans and grants, through technical assistance, but most importantly by encouraging the involvement of U.S. private enterprise in these countries.

The need for these countries to create a favorable climate in which development can take hold was brought home time and again in the committee hearings, and in recent hearings held by the Subcommittee on Foreign Economic Policy, which I have the honor of serving as chairman. The subcommittee has examined the question of U.S. private enterprise involvement in developing countries as basic to any sound air program. We will hold additional hearings.

The committee bill included a new subsection authorizing the use of excess foreign currencies owned by the United States to encourage private enterprise in friendly less-developed countries, giving priority to enterprises designed to promote, increase, or improve food production, processing, distribution and marketing. In my judgment, the use of excess foreign currencies to strengthen the private sector in countries like India, Pakistan, and Burma, can only work to benefit the long-term foreign policy objectives of the United States. This provision is consistent with the self-help concept, for the job of using this money to profitable advantage is still left in the hands of local entrepreneurs. No expenditure of U.S. dollars is required to carry out this provision.

The committee bill included authorization for both fiscal years 1968 and 1969. I supported this provision because it would have worked to improve program planning and administration. Yearly reviews of the program are still assured through the appropriation process. More importantly, I supported this measure because it would have given the Committee on Foreign Affairs and its subcommittees an opportunity to study in greater detail the effectiveness of these programs. As I said earlier, the Subcommittee on Foreign Economic Policy is presently examining the role of private enterprise. Much greater study of this and similar foreign aid questions is needed. Regrettably, the House voted to continue to make authorization on an annual basis.

The amendment limiting authorization to a 1-year period also reversed the House position of last year on the Alliance for Progress. During the last Congress, we voted a 3-year authorization for this most important program. We made a commitment to our Latin American neighbor, now the House has reneged on that commitment. The House also moved to cut annual authorization for this program from $650 million to $578 million. This reduction is identical to an earlier one made by the Senate. The House, if it is going to take new initiatives over foreign policy, must do more than just copy the Senate. We must move with knowledge and understanding. The House did neither in this situation.

The committee made known its concern over the crisis in the Middle East, in a statement of policy. An ad hoc subcommittee, on which I served, drafted a statement expressing the sense of the Congress that the President should thoroughly review the needs of the several countries of the Middle East area and undertake a re-evaluation of U.S. policies aimed at helping these nations meet those needs and for securing a permanent peace in the area. I vigorously support this statement. There is a great need for economic development in the area. Many of the people are poor and undernourished. Yet, we find the leaders of the Arab countries set on making war against Israel. Economic development cannot take place when a state of war or belligerency exists. In my judgment, we cannot justify giving economic assistance in such a climate.

The statement also expressed the sense of Congress that the President should suspend assistance to any country which has severed diplomatic relations with the United States. Assistance programs would not automatically be restored upon resumption of diplomatic relations, but would be studied in terms of U.S. foreign policy objectives. I supported this provision. I also supported the amendment offered on the floor which stated in clear terms that aid will be suspended until diplomatic relations have been resumed and agreements for the furnishing of such aid has been indicated.

PEACEKEEPING FORCE

The committee adopted a sense of Congress statement that the cause of international order and peace can be enhanced by the establishment of improved arrangements for standby forces by United Nations members for United Nations peacekeeping purposes. An amendment was offered and rejected to strike this provision. The argument behind this amendment was that this provision would put the Congress on record as recommending an international police force. Nothing could be further from the truth. As I noted in the debate, this provision is simply meant to establish improved peacekeeping arrangements among member nations of the United Nations. In this day of constant crisis throughout the world, this provision tries to encourage the establishment of one more effective tool for peace. I supported this provision and was happy to see that the majority of my colleagues in the House supported the committee position.

The committee recommended that no reduction be made in the $13.3 million U.S. cash contribution program for the United Nations Relief and Works Agency—UNRWA. I supported this provision because, as an aftermath of the June war in the Middle East, aid to these refugees is needed.

In the past, little effort has really been spent on finding a permanent solution to the refugee problem. This is regrettable. Ever since the 1948 war, the refugee problem has been one of the principal contributing factors to instability in the Middle East. Recently, Representative BROOMFIELD and I went on a special fact-finding mission to Israel on behalf of the Committee on Foreign Affairs. A report covering that mission was recently released. In connection with that mission, I made a statement in the House on August 10, 1967, in which I observed:

> Mr. Speaker, in my report to the Congress in 1963, I stated: "Although I do not regard the solution of the Arab refugee problem as the key issue between Israel and the Arab states, I am convinced that the refugee problem is one of the problems that must be solved if there is to be peace and stability in the Near East." Today, however, I am of the opinion that unless and until the Arab refugee problem is solved, there can be no peace.

Hopefully, the recent hostility in the Middle East will provide us with an opportunity to seek out new ways of establishing a permanent peace in the area. The creation of an areawide development program can do much to alleviate the long-term plight of the refugees. A more responsible policy by the individual Arab nation toward the care of and resettling of these refugees is also needed. I urge that greater emphasis be given by the UNRWA on finding a permanent solution to the refugee problem.

The administration has recommended that more emphasis be placed on providing foreign assistance funds through multilateral programs. As the committee pointed out, in its report, bilateral assistance gives the United States full and direct control over the use of such funds. This is essential where funds are being spent in response to specific U.S. foreign policy objectives. However, where a U.S. foreign policy objective is general in nature—for instance, encouraging the flow of foreign private capital into less developed countries—then the use of multilateral programs provides us with a means of sharing program effort and cost. One of the observations derived from recent hearings held by the Subcommittee on Foreign Economic Policy was that a multinational investment guarantee program for private investments might have an important effect on encouraging the flow of private capital to developing countries. I understand that the World Bank is presently considering plans to implement such a program. Here is an example of a multilateral program that could not only stimulate economic development throughout the developing world, but would place greater emphasis on the involvement of private funds. Both goals are consistent with general U.S. foreign policy objectives and can be effectively carried out in cooperation with other nations. I support the channeling of economic assistance through multilateral organizations when it is consistent with general U.S. foreign policy objectives.

I believe we have learned much during the past 20 years about the use of foreign assistance as an effective tool for stimulating economic development. The Committee on Foreign Affairs has yearly worked to incorporate this knowledge into the assistance program. We have changed the program emphasis from grant to loan assistance and in the past 2 years to greater emphasis upon the development and involvement of private enterprise in less developed nations. Experience is a great teacher. In my judgment, the foreign assistance program has become a responsible arm of U.S. foreign policy. I urge the Members of the House to carefully consider this measure and to support the recommendations made by the Committee on Foreign Affairs.

THE LATE DR. JOHN L. TAYLOR

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mrs. MINK. Mr. Speaker, I rise to pay tribute to the reputation and achievement of Dr. John L. Taylor, who so suddenly and tragically passed away on August 29. I knew Dr. Taylor for a brief 8 months but that was enough time to discover the tremendous value of this able man to the House Committee on Interior and Insular Affairs.

Dr. Taylor joined the committee as a consultant in 1953 during the 83d Congress, and he already had a broad acquaintance with the Pacific area. Not only had he spent 5 years in the Trust Territory of the Pacific Islands during his World War II naval service, but he returned there to serve as director of education for the territory from 1950 to 1953 after the United States assumed responsibility for administration of those islands. Dr. Taylor's experience there and in other parts of Asia and Antarctica uniquely qualified him for his important post on the House Interior Committee, and he served the committee and the Congress for 14 years with distinction.

Besides being a champion of the often-neglected and farflung peoples of the Trust Territory, Dr. Taylor bent his energies to the problems of the American Indians, and he was widely known as one of the most conversant of experts on Indian affairs. This versatile man had won a lasting niche of honor in the hearts of the people of Hawaii, though, for his contribution which we shall longest remember, for Dr. John Taylor played a key role in the difficult legislative struggle which culminated in statehood for Hawaii in 1959. As a man who was instrumental in drafting the final version of the legislation and who consulted regularly with proponents on the strategy by which passage could best be achieved, Dr. Taylor earned and won our lasting gratitude.

As a professor of geography, a naval civil affairs officer, a school principal, an educational administrator, and a scholar on major concerns of the Interior Committee, Dr. John Taylor left his mark on many lives, on many places, and it is an appropriate commentary on what he stood for that his family requested he be memorialized not by flowers but by donations to the John L. Taylor Scholarship Memorial Fund for students from the Trust Territory of the Pacific Islands. Thus his name and his dedication will survive him in a selfless cause that typifies his own untiring efforts to help his fellow men, and we can only mark with sorrow the passing of one who contributed so much to the betterment of the world we live in. It was a privilege to have been associated with Dr. John Taylor, and I extend my deepest sympathy to his family in the hour of their loss.

NOTED FINANCIAL WRITER CITES NEED FOR GOVERNMENT INSURANCE PLAN

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, the noted business writer, Mr. Eliot Janeway, in a column printed in the Chicago Tribune on August 7, cites the need for Government help in assisting businessmen in obtaining insurance in high crime and riot areas.

Mr. Janeway proposes that the Federal Government, in effect, insure insurance policies much as the FHA insures mortgage lending.

Mr. Janeway's proposal may be the answer to one of the most severe problems facing urban area, small businessmen today. Of course, a number of Members of the House and the other body have come up with other plans for assisting small businessmen in their insurance problems, and their plans may also be the ideal solution.

One thing is clear, the small businessman is the number one target for the nonprofessional criminal, and something must be done to protect the small businessman from being driven out of business. Too often the small businessman who has been wiped out by a burglar finds that his problem is compound, since the insurance company will not write new insurance after the initial burglary.

On February 16 of this year, I introduced legislation, H.R. 5584, that would direct the Small Business Administration to make a study of the small businessman's problem in the crime and insurance area and to make some suggested ways of correcting the problem. I did not offer my idea for a solution in the legislation, in view of the several plans that were being proposed. What I am afraid of is that one of the plans will be adopted without study and may not turn out to be the one that will solve the problem, and much time will have been wasted without helping the small businessman. By allowing the Small Business Administration to study the area and then come up with recommendations, I feel we can have a meeting of the minds and agree, after adequate research, on the best methods for helping small businessmen. It may take a little longer initially, but in the long run there will be less wheels spinning and less chance of adopting the wrong program.

Tomorrow, my bill, H.R. 5584, will be brought to the floor as an amendment to H.R. 10409, a bill that amends the Small Business Act and the Small Business Investment Act of 1958. I urge all Members to support this legislation so that we can begin to restore small urban business in this country. I am enclosing, as a portion of my remarks, a copy of Mr. Janeway's August 7 column:

INSURANCE TERMED BUSINESS NECESSITY

(By Eliot Janeway)

NEW YORK, Aug. 6.—The disaster in Detroit has uncovered a problem common to all our cities which is threatening them with a blight more cancerous than violence. Even where the volcano of urban disorder merely seethes and does not erupt, the fear that it may has become a clear and present danger to normal neighborhood commerce.

Insurance against fire, casualty, and theft is as rudimentary a cost of doing business as hiring labor, buying merchandise, and burning electricity. Like every other cost of doing business, it is passed thru onto the cost of living. The cost of insuring stores and the goods in them is going up—as the cost of insuring cars for youngsters under 25 did several years ago.

But higher costs for insurance companies and store-keepers, and higher prices for their customers, can be the smaller part of the problem. Suppose insurance is not to be had at any price. Suppose insurance companies decide to cut their losses by classifying risks in urban jungle centers as uninsurable. And suppose a trend starts among local merchants to take their beating and close up shop.

The business incentives to do so are obvious, and so are the economic consequences. For years before the outbreak of jungle war in our cities, it was an axiom of investment analysis that fire and casualty companies lost money on their insurance operations, and relied on their investment earnings to make out. But now damage losses are skyrocketing, while investment grade securities are not. The fire and casualty companies can make money simply by shrinking back their high-risk policies and letting their money work for them—instead of disrupting their investment earnings on making good their underwriting losses.

INSURANCE ALL-IMPORTANT

Altho insurance represents just a nominal cost of doing business, no one dares do business without it. Big businesses won't, and small businesses can't. The neighborhood business man has his working capital tied up in his inventory. The small distributor supplying the local retailer has his working capital, in turn, tied up in customers' receivables.

If a small business can't insure its inventory, and its premises and improvements, it can't stay in business. If it can't recover on its losses, without delay or litigation, it's out of business. Every local merchant and dealer and service operator who makes the grade is jealous of his standing with the insurance companies, and knows what it is to struggle to establish and maintain it.

What Lincoln said about the poor people—God must have loved them because he made so many of them—applies to the economy and small business as well. Small business keeps big business going because small business means the avenues along which big business moves its products to the retail public. Big business is free to operate at locations it regards as economic. Small business, for better or worse, must take its chances where the customers are. Big business operates with other people's money. But the local shopkeeper whose windows and shelves are on the firing-line in our cities has to operate with his own money on the line.

EMPTY STORES A DRAIN

At the retail end of the economic process, people who live in cities need to be able to trade where they live. The more underprivileged a family is the less its members can afford to waste time and transportation traveling to shop. People who live in or around troubled areas, whether they rent or own their homes, have learned the hard way that empty store fronts ruin neighborhoods as fast as they drain and strain city treasuries.

Insurance is the arterial link between production as it comes out of the factory gate and moves thru the middlemen who store and sell it to the consumer. If violence in the cities cuts this artery, the resultant paralysis could bring on a depression; and the country's business men are running scared that it will.

There is something that can be done. It is simple and, instead of costing the government money, it can actually earn income for the treasury while it insures the economy. All L.B.J. need do is copy F.D.R.'s anti-depression cure for mortgage foreclosures and apply it to insurance policy cancellations. Mortgage lenders have been using FHA to buy federal reinsurance for mortgages, and insurance underwriters now need a similar facility for buying federal riot reinsurance. This is one Presidential proposal Congress would pass quickly.

HAWAII'S EULOGY TO HENRY J. KAISER

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, long before his death at 85, Henry J. Kaiser had become a 20th-century legend which, after his passing on August 24, 1967, promises to continue for generations of Americans yet unborn.

His is a story which will keep alive the dreams and promises of the free enterprise system in a democratic society. Hawaii and the Nation have suffered the loss of one of its most illustrious citizens, and I wish to join my colleagues in the House and Senate in expressing deepest sympathy to the Kaiser family.

Eloquent tributes have been expressed throughout the world in praise of this creative pioneer and industrial genius, who possessed one of the most fertile imaginations the world has ever known. None, however, has been more heart warming than the collective tribute of "aloha" extended in memory of Henry J. Kaiser by the people of his beloved adopted State of Hawaii.

I submit for the CONGRESSIONAL RECORD, editorials from the Honolulu Star-Bulletin and Honolulu Advertiser of August 25, 1967, as well as several noteworthy articles of personal recollections and commentaries of that remarkable American, Henry J. Kaiser.

The editorials and articles from the Island State newspapers follow:

[From the Honolulu Star-Bulletin, Aug. 25, 1967]

HENRY J. KAISER (1882–1967)

He loved to read and quote poetry and one of his favorites read:

"To be alive in such an age!
With every year a lightning page,
When miracles are everywhere,
And every inch of common air
Throbs a tremendous prophecy
Of greater marvels yet to be.
To be alive in such an age—
To live in it,
To give to it!
Give thanks with all thy flaming heart—
Crave but to have in it a part."

The man who loved this poem and who died yesterday was an uncommon American, a Horatio Alger hero in the flesh. It is a shame that more Americans did not know him better.

His was a simple genius.

He was optimistic. He had faith in America. He loved people. He was honest. He was imaginative. He was doggedly persistent. He had an incisive mind.

The stuff of poetry that others might dismiss as corn or childish idealism was to him the stuff of life. Every word of Angela Morgan's "Today," quoted above, was gospel with him. It is exactly the way he felt, believed and lived.

Because he felt that way, because of his faith, because of his doggedness and because of his genius, he literally moved mountains. He also built dams, ships, cities and hospitals.

He had an uncommon mind and uncommon physical capacity but at the core lay simplicity itself—love of his fellow man, a faith in the power of work and of building, an unremitting drive to improve.

By the end he ruled an empire worth billions, yet not all men wanted to be his business partners because his idea of what to do with profits was to plough them back into the company and put them back to work.

Toward the very end he focused more and more on his lifelong concern with medicine and health. Some of his last work was to finance a study aimed at trying to bring Honolulu hospitals together in a medical center near the University of Hawaii.

Medical education, research and new hospitals will undoubtedly be among the major memorials to his name.

He wanted to live to be 100 but in recent months it had begun to be apparent to others (if not to him) that this was not to be.

His loss is a very personal thing to Hawaii. As Governor Burns said, "he was indeed one of our own and one of our finest." His monuments stand in a hotel complex, a geodesic dome, a new concept of medical plan and hospital, a cement plant of unusual beauty, the community where he died and—most of all—an uplifting of our goals and aspirations.

To think of Henry J. Kaiser in parting is to think of the words of another poem he loved, "Ulysses" by Alfred Lord Tennyson:

"'Tis not too late to seek a newer world,
Push off! . . .
For my purpose holds,
To sail beyond the sunset, and the baths,
Of all the western stars, until I die,
To strive,
To seek,
To find
And not to yield!"

[From the Honolulu Advertiser, Aug. 25, 1967]

HENRY J. KAISER . . .

Henry J. Kaiser achieved greatness through accomplishments that became symbols. And long before his death here yesterday this kind man became a symbol of not only the biggest but much of the best in the American dream and free enterprise system.

For Hawaii, Henry Kaiser was a special symbol. Perhaps a State senator put it as well as anyone yesterday when he said: "He showed us it pays to dream."

Kaiser came so far and accomplished so much in his 85 years that his life became a series of achievements, each of which alone would stand as a memorial to most men.

His rags-to-riches success story is a classic in itself.

Before World War II, he was already one of the nation's biggest contractors, the man who built great dams in the West.

The war made him a household word. He produced liberty ships at the rate of one-a-day and jeeps by the hundreds of thousands.

But it was more than that—for Henry J. Kaiser, like Rosie The Riveter, the woman gone to war work, became a household word, a symbol of the homefront industrial power and drive that helped defeat the enemy.

After the war it was aluminum and other highly successful ventures, plus a try at automaking which, as it was once said, shows that even a Henry J. Kaiser can't win them all.

All of this is tremendously important in terms of capitalistic accomplishment. But, equally, it was accompanied by a philosophy that was Kaiser's lifelong theme: "The worker is a human being."

Kaiser made many millions of dollars, but he never lost sight that the purpose of life involved people, their dignity and their dreams.

When the AFL–CIO presented him with its 1965 Murray-Green Humanitarian Award, it was pointed out Kaiser not only worked with unions but believed in strong unionism as a factor for stability and progress. President Johnson called Kaiser "a pioneer of the new breed of the responsible businessman."

The hospitals and progressive medical plan that bear his name reflect a life-long concern for the health of the working man. Like so much else, they will live on as a monument.

Mixed in this rare combination of ability, drive and concern for people as individuals is the fact that Kaiser came to symbolize the qualities of hope and vision in our society.

Some saw it as over-simplified and over-sentimental. But where others often mired down, Kaiser looked ahead. He did so even two years ago in accepting the Murray-Green Award when he said:

"Within a mere 35 years, we must boldly set our sights as high as building the equivalent of another United States of America—a country with almost twice as many people, almost double the present working force . . . with manifold more needs and vaster productivity and purchasing power.

"How will the new jobs be created? Just think of opening up fully one and a half million more jobs every year. This prospect should be met—not with fear and dread—but as an opportunity and fabulous potentials.

"People are our most priceless asset. Manpower and brainpower and human spirit will take this country to undreamed-of new horizons. We've only begun."

* * * AND HAWAII

"Did you ever think," someone once said, "what Hawaii might have been like if Henry J. Kaiser had come here as a younger man instead of in 1954 at age 72?"

It is the kind of statement that evokes a mixture of smiles from some, shudders in a few and sadness in many who wish it had happened.

As it is, Kaiser's 13-year impact on Hawaii has been both great and immeasurable.

The physical aspects are well known—the Hawaiian Village hotel complex, the radio-TV station, a cement plant, and the ever-growing Hawaii Kai area. There is even Magic Island, in the sense that he picked up and dramatized the idea.

But there are those who feel that Kaiser's real accomplishment in Hawaii was more psychological than physical.

It is important, for example, that he took over the old Niumalu Hotel at the dead end of Waikiki and made a broad beach where there was a mud flat. But when and how he did it is more important.

Kaiser came to Hawaii at a time when we were growing but in a way too often narrowed by our own lack of ideas and vision. The mid-50s were a time of political, social and economic flux. We were through with the old and uncertain about the new.

In this picture, Kaiser was the one who announced awesome plans and seemed to dream the impossible dreams. And with his combination of money, faith and drive he raised the sights of many on what was possible for a young Hawaii.

Obviously no man can get credit for the complex forces under way in a society, to say nothing of the impact of Statehood and the jet age.

But the effort and example of Henry J. Kaiser helped prepare Hawaii to take advantage of the opportunities that developed.

We are in another era now in the mid-60s, one that calls for continued growth but with increased considerations of our ultimate goals.

The name of the game, however, is still the one Henry J. Kaiser knew so well—a concern for man and his dignity and happiness.

It is now for us to dream the impossible dreams—and, like him, make them real.

[From the Honolulu Advertiser, Aug. 25, 1967]

"THINKING BIG" MEANT START OF HOTEL BOOM

(By Charles Turner)

Henry J. Kaiser was the man who launched the tourist hotel building boom in Hawaii.

He was also the man whose practice of "thinking big" helped shake the cobwebs out of Hawaiis economy after the Korean War.

He had a lot of opposition. Some Kamaainas said, "He's ruining Hawaii.

But it didn't faze him a bit and he went full-speed ahead in the Kaiser fashion.

He knew Hawaii would be a big tourist center. He told a reporter this story:

"When I went down to Florida some years ago, I said: 'The weather's great here. It's bound to become a great tourist center.'

"But people said to me: 'Who wants to come down here where its just sand dunes?'

"I let them talk me out of it then. But this time, Im not letting anybody talk me out of it."

In partnership with Fritz B. Burns, Mr. Kaiser purchased for $8 million 339,000 square feet of property from the John Ena Estate, then occupied by the Niumalu Hotel. They also leased 56,000 square feet from the heirs of the Paoa Estate, including Duke Kahanamoku.

The first unit of the Hawaiian Village Hotel was built on this property in 1955. It was a meandering string of thatched-roof cottages which brought jeers from competitors, who referred to its "Kaiser's Folly."

But the jeering quickly died when Mr. Kaiser put his construction skills to work and began raising "skyscrapers" on the property at the rate of one floor a week.

Mr. Kaiser shook up the skeptics again when in just 20 hours his crews put up the Kaiser Dome, with its huge geodesic aluminum roof.

When the need arose for a good beach, Mr. Kaiser's men drove trucks to Makua Valley and hauled in 2,000 feet of fine sand.

The Hawaiian Village grew amazingly fast and its potentials attracted Conrad Hilton, who began having talks with Mr. Kaiser and Burns as early as 1956.

In 1959, when Statehood arrived and Hawaii became an attraction to hundreds of thousands of potential tourists, Mr. Kaiser warned that the rest of the sleepy hotel industry should get ready for a boom.

"It's important that building precede people coming here," he said. "The greatest threat to the future growth of the Islands is that there won't be enough rooms or houses."

Others caught on and things began to hum.

By late 1960, Mr. Kaiser decided to get out of the hotel business and in January 1961, Hilton Hotels announced it was buying the Hawaiian Village for $21.5 million. They leased the remainder, with an option to buy.

Mr. Kaiser wasn't ready to retire, however, just because he got rid of his interests in the Hawaiian Village.

He had announced nearly two years earlier that he was going into the most ambitious housing development ever planned in Hawaii.

A joint announcement was made by Mr. Kaiser, Burns, architect Welton Becket and the trustees of the Bishop Estate that they would build a resort and residential community of 50,000 people, with a total investment of $350 million.

The development, which would cover the lands on the slopes of Koko Head and Maunalua, was named Hawaii Kai.

It was to be "one of the world's most beautiful model cities . . ."

When construction began in June, 1959, the neighbors rose up in arms, complaining first about the mud, then about the dust.

Mr. Kaiser sent water trucks to dampen the dust. When the neighbors complained about the unsightliness of the construction, he ordered 78 acres planted to wild flowers.

There also were complaints from the pig farmers and lettuce and flower growers, who had to find new farms.

Although Hawaii Kai still is far from its goal of being Oahu's second biggest community, it has made progress. Mr. Kaiser was out almost every day, until his final illness, checking on that progress.

Mr. Kaiser will also be remembered for his pioneering work in commercial television in the Islands.

He filmed a television movie here in 1954 and in 1956 he announced the formation of Kaiser Hawaiian Village Radio, Inc. There was some delay in getting on the air because the Planning Commission balked at Mr. Kaiser's plans to build a 270-foot high tower on the hotel.

He eventually won approval, however, and next embarked on forming a television station. He met stringent objections from the owners of KULA-TV—until he bought out that station for some $685,000 in 1958.

Mr. Kaiser sold KHVH-TV to Pacific Broadcasting Co. in 1964, ending his venture into television.

Residents of the Waianae area will remember Mr. Kaiser for a long time because of a squabble which he had with the Dillingham family over a $12 million cement plant at Maili.

In May, 1959, there was a public debate between Mr. Kaiser and Ben F. Dillingham on the merits of the cement plant. In the midst of that debate, Mr. Kaiser accused the Dillinghams of trying to block his plant through the City Planning Commission. The late Walter F. Dillingham called Mr. Kaiser "a visitor to Hawaii, no matter how many millions he's spent here . . ."

But the cement plant was built and has produced millions of pounds of raw material for use in the Islands and elsewhere in the world.

Mr. Kaiser had hoped to establish another industry—bauxite mining—in Hawaii. But Kaiser Aluminum Co. geologists, who searched for the aluminum-bearing ore in the mid-50s, were unable to find any commercially feasible deposits.

Mr. Kaiser also had hoped to bring the world's speedboat record to Hawaii.

His hydroplane, the Hawaii Kai, made several attempts at the speed mark at Keehi Lagoon in 1956. Then disaster struck. Pilot Ken St. Oegger was on a 193-mph run when the hydroplane broke up, putting him in the hospital with a broken leg and several fractured ribs.

Mr. Kaiser did bring one water record to Hawaii, however. He built the world's largest catamaran, the Ale Ale Kai V. The 100-foot pink "cat" was sold in 1958 to a Gray Line Hawaii subsidiary.

[From the Honolulu Advertiser, Aug. 25, 1967]

POODLE CAPERS

(By Eddie Sherman)

Everyone who ever met Henry J. Kaiser can tell you stories about the great man . . . Today, I'd like to tell you some of mine . . . I was living in Kaneohe—on the bay. One of my toy poodles was hapai. She was so tiny, I was worried about her health . . . Knowing the love the Kaisers had for poodles, I called Mrs. Kaiser and told her of my concern . . . A few days later, on a Sunday morning Mr. Kaiser came to the house—with his wife, their dog handler, the captain of the Kaiser boats, Earl Akana, a new jet speedboat, (various other helpers) plus enough picnic food for an army . . . He stayed for many hours, eating my wife's blintzes, (four helpings) watching his jet boat speeding all over Kaneohe Bay. But his greatest concern was my dog Gigi. He took her with him when he left—to their dog maternity ward at Kaiser estate on Portlock. She was returned after being checked out thoroughly. Her batch of poodles was born without any complications . . .

"THE BOSS"

One evening, invited to dinner at a home in the Kaiser neighborhood, I found that my wife and I and guest Burgess Meredith were an hour too early. The people were not home. "What'll we do to kill the time?" I asked. "Let's go see 'The Boss'," my wife suggested. I quickly vetoed the idea. "You just can't drop in on him unexpected," I said rather firmly. A few minutes later my wife was pushing the button on the iron Kaiser gate estate. The big door slid back and we drove in . . . Mr. and Mrs. Kaiser were alone. My apology was cut short. "Happy you came, stay awhile" he commanded softly. For the next hour we sat fascinated as he explained his theory about leisure time activity for the future and impressed on actor-director Meredith especially, how important a role film and TV making were on leisure time. "The golden age of entertainment has yet to arrive. You people have a great responsibility," he told Meredith . . . Meredith couldn't get over the fact that Henry J. Kaiser was so well informed about show business . . .

SIDE GLIMPSES

The story of how Henry J. Kaiser came to build the Hawaiian Village has become a small legend . . . Actor Bob Cummings swears this is the true version . . . The yarn goes like this. Mr. Kaiser and a number of associates were at the Royal Hawaiian Hotel going over plans on a project. They were in the Surf Room . . . When it was past six o'clock, Kaiser was approached by a hotel employe. "Sorry sir, but neckties are required after six. If you don't have one on you must leave," he was told . . . Then and there, the story goes, he vowed he would build a hotel where people could dress as informally as they wished . . . A few years later his promise became true . . .

This story, too, has become part of the local Kaiser lore . . . As was his custom, he daily strolled through the Haw'n Village grounds where construction seemed never-ending, always followed by a small army of various employes . . . "Why are all those jack hammers going full blast on the beach?" a tourist asked, "Oh," remarked someone, "Kaiser's kid lost his ball" . . .

Once, on the phone to his son Edgar in New York, he talked for 30 minutes, then hung up. He called New York back immediately and said to Edgar, "I'm calling to say goodbye." . . . Often, his blue prints for projects were drawn on the backs of envelopes . . . Jim Durham, Ilikai manager, ran the Haw'n Village for three years under Kaiser. "I saw him get mad only once. All he said, softly, was 'Now, Bob'—but there was a world of meaning behind those words" . . .

THE PINK NEEDLE

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[From the Honolulu Advertiser, Aug. 25, 1967]

THE KAISER WAY WAS "DO IT NOW"

(By Ed Engledow)

I first met Henry J. Kaiser in Washington in 1963 when I was accompanying Gov. Manuel Guerrero of Guam as his special assistant.

A few months earlier a devastating typhoon had leveled Guam, destroying about 90 per cent of the homes. The economy was depressed, home loan programs were inadequate, building methods were outdated, so the housing shortage was one of the governor's greatest worries.

Mr. Kaiser learned of Guam's plight and decided he could fill a need there in home construction at a price range people could afford. He already had sent Dave Slipher and others to Guam to survey the possibility. Since then the firm has built over 400 typhoon-proof homes which the residents of Guam can afford and has set a pattern for other builders.

The meeting in Washington was at a luncheon where Mr. Kaiser and Governor Guerrero were to discuss the program.

At one point a question was raised about Guam's legal ability to participate in a special Federal loan program. The governor and I said we had not been qualified by Congress. The head of the Kaiser Washington office contended we were qualified.

After about three minutes, Mr. Kaiser interrupted. Smiling, shaking his head and waving a finger at us, he said:

"Let's don't quibble about it . . . Let's find out if Guam is qualified."

His Washington chief hurriedly made some notes and replied:

"Yes, sir, Mr. Kaiser. I'll find out first thing tomorrow."

"No, no, no," said Mr. Kaiser pleasantly. "Let's find out now."

His man got on a phone and in 10 minutes we had an answer.

The "do it now" rule was one reason for Henry Kaiser's great success.

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Representatives of government, business, labor and the community paid these tributes to Henry J. Kaiser:

"The passing of Henry J. Kaiser is a shock to all Hawaii," Gov. John A. Burns said.

"Mr. Kaiser was a great and distinguished American and a most outstanding citizen of Hawaii. He was a thinker who made his ideas take form for the benefit of our society, and therefore a most effective doer.

"Using brilliant imagination and driving initiative joined to tremendous energy, he delivered America's muscle in World War II when it was most urgently needed.

"Mr. Kaiser applied these same qualities in his adopted State, Hawaii, and became an outstanding pioneer of modern development here.

"His contributions to the economy and society were vastly important to our growth.

"Yet his far more profound contribution sprang from his love for our people and his confidence in them, for we were thus more easily able to grasp his meaning and follow his example.

"Few men have won both the love and respect of Hawaii in so relatively short a time.

"Mr. Kaiser's belief in our destiny was limitless. He believed we should be the best and the greatest in everything, and he was not content to live in a complacent community.

"His creative example and his beliefs have affected every man, woman and child in Hawaii—he has inspired us to higher aspirations and greater goals.

"Mr. Kaiser thought big and he accomplished much. His inspiration will continue among us.

"I am particularly grateful for the help he gave me in securing Statehood for Hawaii. He did much to make that accomplishment possible.

"Mr. Kaiser will be most sorely mourned in Hawaii. He was loved as one of our own, for he was, indeed, one of our own and one of our finest."

EX-GOVERNOR QUINN

William F. Quinn, president of the Dole Co. and Gov. Burns' predecessor as chief executive of Hawaii, had this to say:

"When Henry Kaiser came to Hawaii, he infused a new vision and dynamism into our community.

"As a governor I was dazzled by the sweep and genius of his concepts.

"As a friend I enjoyed the warmth of his personality and the wisdom of his advice.

"He reached one of the world's summits.

"His works are a great legacy to us and a fitting monument to him.

"Nancy and I extend our deepest sympathies to his family."

THE BIG FIVE

The presidents of each of the "Big Five" corporations of Hawaii had words of tribute for the late Henry J. Kaiser:

Harold C. Eichelberger, Amfac—"In his chosen career of industry, he was a truly outstanding man.

"He had a great genius and almost limitless energy that he applied toward creating things that were necessary and things that people wanted. In so doing, he made a tremendous contribution to the country in general and particularly in his later years to our State of Hawaii.

"I have the greatest respect for what he accomplished during his very productive lifetime."

Boyd MacNaughton, C. Brewer & Co.—"He was a remarkable man who accomplished great things, not only here but on the mainland. Their effects will carry on for many years."

Malcolm MacNaughton, Castle & Cooke—"I was shocked and saddened to hear of Mr. Kaiser's passing.

"For long he has been an imaginative, constructive force in this community.

"He will be sorely missed."

Stanley Powell Jr., Alexander & Baldwin—"I didn't know Mr. Kaiser personally, but I sailed on ships that he built during the war and I was amazed at the man's ability to put out ships at such a fantastic rate.

"Since the war he has accomplished so many things he certainly stands out as one of the great businessmen of all time.

"I know he loved Hawaii a great deal.

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"I've known Henry J. Kaiser for 34 years, as an employer and as a friend.

"I knew him when he was the president of the Rock, Sand and Gravel Association of Northern California. I was business representative with the Wood, Wire and Metal Lathers Union.

"He assisted labor in organizing the rock, sand and gravel unions.

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"He was the type of man who delighted in performing the impossible.

"He made dreams come true."

Arthur A. Rutledge, president of both the Hawaii Hotel and Restaurant Workers and the Hawaii Teamsters, said:

"Mr. Kaiser was a great human being, one of the greatest . . .

"His contributions to the well-being of our people have been more than most realize. The entire community, I know, grieves with his family and close associates.

"I feel fortunate to have known him as a human being as well as an employer.

"Our members . . . extend our sincere sympathies to his fine family in the passing of this personable, sincere, tireless benefactor . . ."

of Waikiki and made a broad beach where there was a mud flat. But when and how he did it is more important.

Kaiser came to Hawaii at a time when we were growing but in a way too often narrowed by our own lack of ideas and vision. The mid-50s were a time of political, social and economic flux. We were through with the old and uncertain about the new.

In this picture, Kaiser was the one who announced awesome plans and seemed to dream the impossible dreams. And with his combination of money, faith and drive he raised the sights of many on what was possible for a young Hawaii.

Obviously no man can get credit for the complex forces under way in a society, to say nothing of the impact of Statehood and the jet age.

But the effort and example of Henry J. Kaiser helped prepare Hawaii to take advantage of the opportunities that developed.

We are in another era now in the mid-60s, one that calls for continued growth but with increased considerations of our ultimate goals.

The name of the game, however, is still the one Henry J. Kaiser knew so well—a concern for man and his dignity and happiness.

It is now for us to dream the impossible dreams—and, like him, make them real.

[From the Honolulu Advertiser, Aug. 25, 1967]

"Thinking Big" Meant Start of Hotel Boom

(By Charles Turner)

Henry J. Kaiser was the man who launched the tourist hotel building boom in Hawaii.

He was also the man whose practice of "thinking big" helped shake the cobwebs out of Hawaiis economy after the Korean War.

He had a lot of opposition. Some Kamaainas said, "He's ruining Hawaii.

But it didn't faze him a bit and he went full-speed ahead in the Kaiser fashion.

He knew Hawaii would be a big tourist center. He told a reporter this story:

"When I went down to Florida some years ago, I said: 'The weather's great here. It's bound to become a great tourist center.'

"But people said to me: 'Who wants to come down here where its just sand dunes?'

"I let them talk me out of it then. But this time, Im not letting anybody talk me out of it."

In partnership with Fritz B. Burns, Mr. Kaiser purchased for $8 million 339,000 square feet of property from the John Ena Estate, then occupied by the Niumalu Hotel. They also leased 58,000 square feet from the heirs of the Paoa Estate, including Duke Kahanamoku.

The first unit of the Hawaiian Village Hotel was built on this property in 1955. It was a meandering string of thatched-roof cottages which brought jeers from competitors, who referred to its "Kaiser's Folly."

But the jeering quickly died when Mr. Kaiser put his construction skills to work and began raising "skyscrapers" on the property at the rate of one floor a week.

Mr. Kaiser shook up the skeptics again when in just 20 hours his crews put up the Kaiser Dome, with its huge geodesic aluminum roof.

When the need arose for a good beach, Mr. Kaiser's men drove trucks to Makua Valley and hauled in 2,000 feet of fine sand.

The Hawaiian Village grew amazingly fast and its potentials attracted Conrad Hilton, who began having talks with Mr. Kaiser and Burns as early as 1956.

In 1959, when Statehood arrived and Hawaii became an attraction to hundreds of thousands of potential tourists, Mr. Kaiser warned that the rest of the sleepy hotel industry should get ready for a boom.

"It's important that building precede people coming here," he said. "The greatest threat to the future growth of the Islands is that there won't be enough rooms or houses."

Others caught on and things began to hum.

By late 1960, Mr. Kaiser decided to get out of the hotel business and in January 1961, Hilton Hotels announced it was buying the Hawaiian Village for $21.5 million. They leased the remainder, with an option to buy.

Mr. Kaiser wasn't ready to retire, however, just because he got rid of his interests in the Hawaiian Village.

He had announced nearly two years earlier that he was going into the most ambitious housing development ever planned in Hawaii.

A joint announcement was made by Mr. Kaiser, Burns, architect Welton Becket and the trustees of the Bishop Estate that they would build a resort and residential community of 50,000 people, with a total investment of $350 million.

The development, which would cover the lands on the slopes of Koko Head and Maunalua, was named Hawaii Kai.

It was to be "one of the world's most beautiful model cities . . ."

When construction began in June, 1959, the neighbors rose up in arms, complaining first about the mud, then about the dust.

Mr. Kaiser sent water trucks to dampen the dust. When the neighbors complained about the unsightliness of the construction, he ordered 78 acres planted to wild flowers.

There also were complaints from the pig farmers and lettuce and flower growers, who had to find new farms.

Although Hawaii Kai still is far from its goal of being Oahu's second biggest community, it has made progress. Mr. Kaiser was out almost every day, until his final illness, checking on that progress.

Mr. Kaiser will also be remembered for his pioneering work in commercial television in the Islands.

He filmed a television movie here in 1954 and in 1956 he announced the formation of Kaiser Hawaiian Village Radio, Inc. There was some delay in getting on the air because the Planning Commission balked at Mr. Kaiser's plans to build a 270-foot high tower on the hotel.

He eventually won approval, however, and next embarked on forming a television station. He met stringent objections from the owners of KULA-TV—until he bought out that station for some $685,000 in 1958.

Mr. Kaiser sold KHVH-TV to Pacific Broadcasting Co. in 1964, ending his venture into television.

Residents of the Waianae area will remember Mr. Kaiser for a long time because of a squabble which he had with the Dillingham family over a $12 million cement plant at Maili.

In May, 1959, there was a public debate between Mr. Kaiser and Ben F. Dillingham on the merits of the cement plant. In the midst of that debate, Mr. Kaiser accused the Dillinghams of trying to block his plant through the City Planning Commission. The late Walter F. Dillingham called Mr. Kaiser "a visitor to Hawaii, no matter how many millions he's spent here . . ."

But the cement plant was built and has produced millions of pounds of raw material for use in the Islands and elsewhere in the world.

Mr. Kaiser had hoped to establish another industry—bauxite mining—in Hawaii. But Kaiser Aluminum Co. geologists, who searched for the aluminum-bearing ore in the mid-50s, were unable to find any commercially feasible deposits.

Mr. Kaiser also had hoped to bring the world's speedboat record to Hawaii.

His hydroplane, the Hawaii Kai, made several attempts at the speed mark at Keehi Lagoon in 1956. Then disaster struck. Pilot Ken St. Oegger was on a 193-mph run when the hydroplane broke up, putting him in the hospital with a broken leg and several fractured ribs.

Mr. Kaiser did bring one water record to Hawaii, however. He built the world's largest catamaran, the Ale Ale Kai V. The 100-foot pink "cat" was sold in 1958 to a Gray Line Hawaii subsidiary.

[From the Honolulu Advertiser, Aug. 25, 1967]

Poodle Capers

(By Eddie Sherman)

Everyone who ever met Henry J. Kaiser can tell you stories about the great man . . . Today, I'd like to tell you some of mine . . . I was living in Kaneohe—on the bay. One of my toy poodles was hapai. She was so tiny, I was worried about her health . . . Knowing the love the Kaisers had for poodles, I called Mrs. Kaiser and told her of my concern . . . A few days later, on a Sunday morning Mr. Kaiser came to the house—with his wife, their dog handler, the captain of the Kaiser boats, Earl Akana, a new jet speedboat, (various other helpers) plus enough picnic food for an army . . . He stayed for many hours, eating my wife's blintzes, (four helpings) watching his jet boat speeding all over Kaneohe Bay. But his greatest concern was my dog Gigi. He took her with him when he left—to their dog maternity ward at Kaiser estate on Portlock. She was returned after being checked out thoroughly. Her batch of poodles was born without any complications . . .

"THE BOSS"

One evening, invited to dinner at a home in the Kaiser neighborhood, I found that my wife and I and guest Burgess Meredith were an hour too early. The people were not home. "What'll we do to kill the time?" I asked. "Let's go see 'The Boss'," my wife suggested. I quickly vetoed the idea. "You just can't drop in on him unexpected," I said rather firmly. A few minutes later my wife was pushing the button on the iron Kaiser gate estate. The big door slid back and we drove in . . . Mr. and Mrs. Kaiser were alone. My apology was cut short. "Happy you came, stay awhile" he commanded softly. For the next hour we sat fascinated as he explained his theory about leisure time activity for the future and impressed on actor-director Meredith especially, how important a role film and TV making were on leisure time. "The golden age of entertainment has yet to arrive. You people have a great responsibility," he told Meredith . . . Meredith couldn't get over the fact that Henry J. Kaiser was so well informed about show business . . .

SIDE GLIMPSES

The story of how Henry J. Kaiser came to build the Hawaiian Village has become a small legend . . . Actor Bob Cummings swears this is the true version . . . The yarn goes like this. Mr. Kaiser and a number of associates were at the Royal Hawaiian Hotel going over plans on a project. They were in the Surf Room . . . When it was past six o'clock, Kaiser was approached by a hotel employe. "Sorry sir, but neckties are required after six. If you don't have one on you must leave," he was told . . . Then and there, the story goes, he vowed he would build a hotel where people could dress as informally as they wished . . . A few years later his promise became true . . .

This story, too, has become part of the local Kaiser lore . . . As was his custom, he daily strolled through the Haw'n Village grounds where construction seemed never-ending, always followed by a small army of various employes . . . "Why are all those jack hammers going full blast on the beach?" a tourist asked, "Oh," remarked someone, "Kaiser's kid lost his ball" . . .

Once, on the phone to his son Edgar in New York, he talked for 30 minutes, then hung up. He called New York back immediately and said to Edgar, "I'm calling to say goodbye." . . . Often, his blue prints for projects were drawn on the backs of envelopes . . . Jim Durham, Ilikai manager, ran the Haw'n Village for three years under Kaiser. "I saw him get mad only once. All he said, softly, was 'Now, Bob'—but there was a world of meaning behind those words" . . .

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FOUR CONGRESSMEN

Sen. Daniel K. Inouye (Democrat)—"Like all Hawaiians, I was saddened by the passing of Henry J. Kaiser . . .

"His name has long been synonymous with economic growth and advancement. Lately it has been intimately associated with health programs and hospitals. As a lasting memorial, there will long be many hospitals named after Henry J. Kaiser.

"Hawaii and the nation will miss him."

Sen. Hiram L. Fong (Republican)—"The nation has lost a great citizen.

"Henry J. Kaiser's medical clinics and hospitals throughout America showed that he was always solicitous of the sick, needy and aged.

"Hawaii benefited tremendously through his energy, enterprise, and vision. We in Hawaii mourn his passing very deeply."

Rep. Patsy T. Mink (Democrat)—"Henry J. Kaiser's death is a tragic loss to Hawaii as a whole.

"His name has been synonymous for over a generation with the vigor and imagination of our free enterprise system.

"All of Hawaii has benefited by his willingness to join in the building of our State and we mourn his passing with the deepest heartfelt sympathy to his immediate family."

Rep. Spark M. Matsunaga (Democrat)—"Henry J. Kaiser in death will live as a legend for generations of Americans yet unborn.

"His is a story which will keep alive the dream and promise of the free enterprise system as we know it in America.

"Hawaii and the nation have suffered the loss of one of its most illustrious citizens."

MAYOR AND OTHERS

Mayor Neal S. Blaisdell said:

"Henry Kaiser was one of the great men of this century—one of the movers and shapers of our modern world. We were privileged to have him here living the latter years of his lifelong career of fantastic accomplishment; and everywhere we look, from the Hawaiian Village in Waikiki to Hawaii-Kai, we see the concrete evidence of his drive to achievement.

"Henry Kaiser lived a great life; it is now ended; Honolulu joins his country and the world in mourning."

The City Planning Commission decided yesterday to draft a resolution expressing appreciation for Kaiser's great interest in planning and development in Hawaii and extending condolences to his family.

Edwin K. Hastings, vice president and general manager of the Hilton Hawaiian Village Hotel, said Kaiser had "foresight and vision for Hawaii. He started the big Hawaiian Village complex here (1955) before anyone thought of high rises and best use of the ground. His memory is held very fondly by all the staff of the Hawaiian Village."

Chinn Ho, head of Capital Investment Co., said:

"The world is saddened by the passing of Henry J. Kaiser. The industrialist of the century, a dynamic leader and a great philanthropist has contributed much to the welfare of America and particularly of Hawaii.

"Hawaii will miss his leadership very dearly.

CONSTITUENTS DISAGREE WITH CONGRESS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BROWN of California. Mr. Speaker, I have once more queried the residents of the 29th District in California, which I represent, to try to determine their views on various issues of current interest in Congress.

Of special note, perhaps, to my colleagues who are also in the habit of taking constituent polls, is the fact that, rather than sending one questionnaire to each household, I sent one to each individual registered voter in the district, even where several adults lived at the same address. This was done because in the past I have received many indications that both husband and wife would like to answer the questionnaires but had received only one copy.

In addition, I felt that this method would bring more authenticity to the breakdowns I have made utilizing the demographic information requested in the questionnaire.

One other feature of interest is the fact that I repeated a few questions that I have asked in past years and was able to note significant changes in opinion that have taken place.

Of course, we all realize that a mailed poll such as this has possible inaccuracies, the major one being that those persons who return the questionnaire do not necessarily represent a scientific sampling of the views in that district. Nevertheless, there is much that is valuable in the results, and I believe that the comparisons between different groups gained from the demographic data can have quite valid significance.

My first question concerned the proposal to lower the voting age to 18. There appears to be strong opposition to this idea, with the results showing 35 percent in favor and 60 percent opposed. As might be expected, students and persons in their 20's showed a marked tendency to give more support to the change.

The idea of the Federal Government sharing a certain portion of its tax funds with the States is supported by 51 percent of the respondents and opposed by 37 percent. Here, mobility seemed to be one of the strong factors involved. Most of the respondents have lived at their present address for more than 2 years and 52 percent approved of tax sharing. A sharp drop in support is noted in those persons who have lived in their present home for less than 2 years, with only 43 percent in favor.

Expanded national cemetery space for burial of veterans who so desire receives high support from 60 percent of those replying as opposed to only 27 percent saying "no." Predictably, perhaps, veterans—66 percent—showed more support for this plan than nonveterans—56 percent—but an interesting fact is that union members supported it even more strongly—67 percent—as compared with 57 percent of the nonunion respondents in favor.

The antipoverty program has been taking its knocks insofar as public opinion is concerned and my questionnaire reflects this in a comparison with the results from asking the same question 2 years ago. Support for an expanded program dropped from 33 percent in 1965 to 28 percent currently. Those favoring keeping the program going at present levels dropped from 27 to 19 percent. A cutback was approved by 20 percent this year as opposed to only 11 percent taking this position in 1965, and 24 percent favored outright elimination today—an increase of 5 percent over 2 years ago. It will be noted, however, that those who favor at least a continuation at present levels still outnumber, slightly, those who favor less than the present efforts.

Considerable interest is displayed in the development of a commercially practical electric car, with 35 percent of the respondents feeling that they would consider buying one in the near future if they were available. Women, in their forties, whose politics lean toward the liberal side, look like the most likely prospects for the salesmen.

The plan to try to entice enough young men into what would be a voluntary armed service and eliminate the draft was approved by far over plans to try to make the draft more equitable, with 48 percent approving the voluntary army and only 40 percent splitting their approval between two different draft change plans. Veteran approval for the voluntary army was substantial, but lower—42 percent—and increased education brought on stronger approval with 52 percent of the college graduates favoring the voluntary army.

Education seemed to be a factor in support of establishment of permanent peacekeeping forces for the United Nations, but not in a strictly progressive fashion. Overall, a strong 67 percent for, to 24 percent against, vote of approval was given the plan. In the education breakdown, the strongest support was shown by both the college graduates—70 percent—and those with less than a high school education—70 percent. High school graduates and those with some college gave about 64-percent approval.

The question on Vietnam which I asked was also a repeat of one I had asked before. I presented six alternatives and noted a remarkable shift in opinion over a period of months. I find an increase from 4 percent in 1965 to 15 percent today who favor immediate withdrawal. I find an increase from 3 to 7 percent who would cease supporting the Saigon government, forcing settlement with the Vietcong and early withdrawal of our troops. An increase from 28 percent earlier to 30 percent today is shown for those who favor strong efforts toward negotiation such as I have advocated. Adding these three responses into a "dovish" group I find a 17-percent increase, from 35 to 52 percent, in this category.

Also very significant, on the same question, was the tremendous drop from 29 percent approving present policies of gradual escalation in 1965 to only 9 percent in this year's questionnaire. An increase in support from 23 to 28 percent is also found for a more decisive policy of pressing for quick victory and invasion of North Vietnam. The extremist group favoring the use of atomic weapons stayed at 6 percent. Totaling these three "hawkish" positions indicated a drop in support from 58 to only 43 percent currently.

My question on China policy was also a repeat from my 1964 questionnaire and showed some shifting of about 10 percent from present policies or stronger to policies involving more contact with the Communist Chinese mainland. Those replying gave 12-percent approval to supporting a Chinese Nationalist attack on the mainland, 43-percent support to present policies, 6-percent support to permitting trade with Communist China but continued opposition to U.N. membership, and 28-percent support to a policy of trying to make friends, including trade, diplomatic recognition, and admission to the U.N.

The President's efforts to "build bridges" and bring about closer cooperation and better relations with the Soviet Union and Eastern European countries received 2-to-1 approval from those replying, as well. There were 61 percent in support, with 30 percent opposed, on the overall tally. Men seemed to favor this approach slightly more than the fairer—but, apparently, more cautious—sex.

My final question was another innovation adopted in this year's questionnaire. I wanted to measure the feelings of my constituents against the position of the Members of Congress. I chose an amendment which I proposed during the debate on the supplemental defense appropriation on March 16, 1967, and gave those persons responding to the questionnaire an opportunity to vote "yea" or "nay" to the full text of the amendment.

This was a simple amendment, asking that none of the funds to be appropriated be made available for a ground invasion of North Vietnam unless we should declare war against that nation. Keeping in mind that this amendment was defeated by a 123-to-2 vote in the Committee of the Whole, it is interesting to note how far Congress may be removed from the sphere of public opinion on the Vietnam conflict, since 57 percent of the replies—a clear majority of the vote—supported my amendment.

Mr. Speaker, a complete tabulation of the overall totals in my 1967 questionnaire follows. I am also including the text of certain news releases I have issued in this respect. You will note that the figures in these releases may vary slightly in some cases from the final totals since they were based on partial returns.

DOMESTIC POLICY

[Figures in percent]

1. Should the voting age be lowered from 21 to 18?

Yes	35
No	60
Undecided	5

2. Do you favor legislation to permit the Federal government to return to the States a portion of the Federal taxes collected from that State, with no restrictions on how the money should be used?

Yes	51
No	37
Undecided	12

3. Do you favor enlarging the national cemetery system to provide free burial plots for more veterans?

Yes	60
No	27
Undecided	13

4. The President has recommended continuation of the antipoverty program at more than the present level. What do you feel should be done? (Check only one.)

Expanded	28
Kept same	19
Cut back	20
Eliminated	24
Undecided	9

5. Development of electric cars adequate to fulfill commuter travel needs in large cities has been proposed as one way of reducing smog and air pollution which the gasoline-burning engine apparently contributes to greatly. More public transportation is another proposed solution. The value of this would, of course, depend on the extent to which the public made use of the electric car or of additional mass transit facilities.

a. Assuming that an electric car could be mass produced today that would travel about 50 miles on one charge, go about 40 miles per hour, require overnight to recharge, sell for about $1500, and cost about as much to operate as a Volkswagen, do you feel that you, personally, would seriously consider buying one within the next two or three years?

Yes	35
No	50
Undecided	15

b. If you are employed at a location other than at home, do you travel to work by:

Private auto (alone)	62
Private auto (2 or more in auto)	9
Bus	7
Walk, or other means	3

c. If you do not use the bus, are there buses available that you could make use of that would get you to work in a reasonable length of time?

Yes	21
No	55
Don't know	24

d. If buses are not presently available to you, do you think you would use public transportation if it were made available?

Yes	32
No	30
Don't know	38

6. The present draft law expires at the end of June. Congress is now considering a number of proposals to alter the current system. Which of the following would you prefer? (Please check only one.)

a. Stimulate an adequate number of voluntary enlistments through higher pay, better fringe benefits, re-enlistment bonuses, and improved recruiting methods, in order to make the draft unnecessary	48
b. Renew the present draft law as it is, including keeping the current student and occupational deferments	17
c. Make only the changes recently announced by the Administration, which included drafting of those aged 19 first and a lottery-type selection process for those who are eligible to serve	23
d. Don't know, undecided	12

FOREIGN POLICY

7. Do you feel that the United Nations should have its own peacekeeping force, composed of soldiers recruited from all member nations, trained and ready to move to give emergency military assistance immediately when the U.N. should determine a need for action?

Yes	67
No	24
Undecided	9

8. Which one of the following possibilities would best fit your idea of what our future course of action should be in Vietnam? (Check only one.)

a. We should withdraw all American troops immediately and let the Vietnamese settle their own problems	15
b. We should cease supporting the Saigon government, thus forcing them to settle with the Viet Cong, and withdraw our troops as soon as requested to do so by the new government	7
c. We should strongly assist in the prompt establishment of a representative civilian government and encourage that government to join with us in negotiating an end to the war (with both North Vietnam and the Viet Cong), withdrawing our troops in an orderly fashion as soon as a secure peace is obtained	30
d. We should continue direct military aid, gradual escalation, pressure by bombing of North Vietnam, and seek to force negotiations that would give results satisfactory to us	9
e. We should press for a quick, decisive victory, stepping up the use of U.S. air and naval forces and extending the ground war to North Vietnam	28
f. We should use atomic weapons, if necessary, and should definitely move into Red China with our bombing raids to destroy her nuclear capability and end the military threat of Communist Asia	6
g. Undecided	5

9. What should the United States policy toward Communist China be? (Check the one that seems most preferable to you.)

a. Support a Chinese Nationalist attack on the mainland	12
b. Continue our policy of opposition to Communist China, with financial support of Nationalist government, but without becoming involved in direct military action	43
c. Change our policy to permit trade with Communist China, but continue to oppose admission to the United Nations and diplomatic recognition	6
d. Do all we can to make friends with Communist China, including trade, support of admission to the United Nations and diplomatic recognition now	28
e. Undecided	11

10. In his State of the Union Message the President described efforts to bring about closer cooperation and better relations with the Soviet Union and Eastern European countries. Direct air flights, more trade and the recently approved Soviet Consular Treaty were among the methods recommended. In general, do you approve of these efforts?

Yes	61
No	30
Undecided	9

11. Congress recently approved an additional appropriation of about $12 billion for the cost of the war in Vietnam. How would you have voted on the following amendment? "None of the funds appropriated by this act shall be available for the implementation of any plan to invade North Vietnam with ground forces of the United States, except in time of war."

Yea	57
Nay	43

RESULTS SHOW LOW SUPPORT FOR LOWERED VOTING AGE

The 18-year olds may be ready and willing to vote, but public opinion does not appear to be ready to let them vote if the results of Congressman George Brown's poll of his constituents is an accurate indication.

Congressman Brown's poll, sent throughout the 29th Congressional District in Los

Angeles County, showed 35% favoring a lowering of the voting age from 21 to 18, and 60% opposed. The other 5% were undecided.

A breakdown of the results into different categories did not indicate very large differences in opinion, either, with what would seem the most logical group for support—persons between the ages of 20 and 29—giving only 40% support with 56% opposed. A gradual dropoff in support with advancing age was noted, going down to 31% of those persons 70 and over indicating that they favored such a change.

College graduates were among the strongest supporters, with 42% desiring the lower voting age, while 32% of those who had graduated from high school, but not from college, responded favorably and 34% of those who had not finished high school supported younger voters.

Union members showed only slightly more support for the 18-year olds than non-union members, and non-veterans just barely outvoted veterans in the same respect.

One group responding quite favorably, however, was the 43% of those persons who have lived at their present addresses for less than two years. Other categories in this breakdown showed 39% of those who had stayed put for 2 to 5 years supporting the change, and only 32% of persons who had lived at their present address for more than 5 years who would change the voting age to 18.

Predictably, in a breakdown by occupation, students favored lowering the age by a 54% response, with professional and self-employed persons giving strong support, as well.

BROWN QUESTIONNAIRE SHOWS VETERANS, NONVETERANS AGREE MORE THAN THEY DISAGREE

An analysis by Congressman George E. Brown, Jr., of questionnaire results from his Congressional District, comparing the replies of veterans with non-veterans, show fewer differences than one would expect, Brown reports.

Ranging through questions concerning Vietnam policy, East-West cooperation, U.N. peacekeeping forces, and the draft, Congressman Brown pointed out that the veterans' replies might indicate that many veterans' organizations at times might not reflect the feelings of the ex-G.I. in general in foreign policy questions, particularly, where the organizations tend to take a firm stand.

"On the question of Vietnam policy, for instance," Congressman Brown pointed out, "most of the veterans' organizations have supported President Johnson's policies wholeheartedly."

Brown's questionnaire results, however, show 9% of all replies favoring current policies, with only 11% of the veterans agreeing on this choice and 7% of the non-veterans.

The more "dovish" choices given by Brown to his constituents, including withdrawal, stronger negotiation efforts, and ceasing to support the present Saigon government, drew the support of 56% of the non-veterans, 52% of all respondents combined, and a not too weak 45% of the veterans. More hawkish policies were supported by 40% of the veterans, 32% of the non-veterans, and a 36% overall tally.

In support of a permanent U.N. peacekeeping force, Congressman Brown noted almost equal support of about 66% to 24% opposed in veterans and non-veterans alike.

The President's proposal to "build bridges" and bring about closer cooperation between the United States and the Soviet Union, which has come in for some criticism from veterans' organizations, also drew equally strong support of about 61% from both veterans and non-veterans, with 28% of the non-veterans opposed and 32% of the veterans.

Brown noted with interest that the concept of a voluntary army to replace the draft was not supported as strongly by veterans (42%) as by non-veterans (51%), with 30% of the veterans supporting the planned changes in the draft taking 19-year olds first—as opposed to 19% of the non-veterans supporting this plan. In the sampling, a much larger percentage of respondents under 30 were included in the non-veteran group, Brown pointed out.

One issue where veterans perked up considerably over non-veterans was on the enlargement of the national cemetery system. In this they are strongly supported by the veterans' organizations, as well. The results showed 66% of the veterans supporting more free burial plots with only 56% of the non-veterans so doing.

Congressman Brown surmised that the fact that a surprising 26% of the veterans opposed enlargement could stem from the fact that there is no national cemetery in Los Angeles County.

ELECTRIC CAR INTEREST DISPLAYED IN BROWN'S CONGRESSIONAL QUESTIONNAIRE

The Los Angeles area is an excellent potential market for whoever develops an electric car that can be mass-produced, according to the results of a recent survey taken in the 29th Congressional District by Congressman George E. Brown, Jr. The announcement comes on the heels of one of the worst attacks of smog Los Angeles has ever experienced, which Brown surmises might change the questionnaire results considerably if the same question were asked today.

Thirty-five percent of the persons replying to the Congressman's questionnaire indicated that they would seriously consider buying, within the next two or three years, an electric car if one could be mass produced that would "travel about 50 miles on one charge, go about 40 miles per hour, require overnight to recharge, sell for about $1500, and cost about as much to operate as a Volkswagen."

"I firmly believe," Congressman Brown stated, "that the only real solution to the smog problem is the disappearance of the gasoline-burning engine and the only logical substitute is an electric car."

"We should continue to take all other steps possible, such as enforcing standards on internal combustion engines and improvement of exhaust devices," Brown continued, "but a 50% reduction in exhaust emissions is only a temporary stopgap until the time a few years from now when there will be twice as many automobiles in Los Angeles."

An analysis of Brown's survey shows some interesting facts about the people who think they might buy an electric car. When grouped by age, Brown found that those in their forties are the most likely prospects, with 39% of that age group expressing interest. The fifties, with 36% were next, and all other ages showed about 33% interested. Even 25% of those in their eighties would consider buying an electric car, but the four respondents who were over 90 all said that they would not be interested.

College graduates also showed more inclination, with 38% who would consider the electric car as opposed to 33% of all other education groupings. Married women also, were more interested, with 38% replying favorable, but only 30% of the unmarried women stated this preference. Overall, women (37%) led the men (33%) in favoring battery-operated transportation.

An interesting trend in the analysis on this question showed that those persons who were more interested in buying an electric car would also tend to be more interested in riding public transportation if it was available. Replying to a question stating "If buses are not presently available to you, do you think you would use public transportation if it were made available?", 41% of the "electric car group" said they would, as opposed to only 26% of those who were not interested in the electric car.

As indicated by the male-female breakdown, an analysis by occupation showed that housewives were among those most interested. Students, self-employed persons, and professional people were also among the categories displaying more interest. The group that was least interested were those in the protective services—policemen, firemen and guards—with only 25% replying favorably.

What kind of people are interested in buying an electric car? According to Congressman Brown's questionnaire, it's not the young or the old, the rich or the poor, or any other category such as this to any great extent. It's a political choice, Brown noticed.

Apparently, the more conservative thinking individuals are less likely to veer from the tried and true course in automobiles. The group favoring electric cars show a marked tendency to favor "building bridges" with the Soviet Union and Eastern European countries, withdrawal from Vietnam, strengthening the United Nations, a voluntary army as opposed to the draft, expansion of the anti-poverty program, and a lowering of the voting age to age 18.

PRESIDENT'S CONCERN DEEP

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, on Wednesday, September 6, 1967, Mr. Amon Carter Evans, publisher of the Nashville Tennessean, was the guest of President Johnson at a White House luncheon. On that occasion President Johnson hosted a number of press executives for an off-the-record and informal discussion of the Nation's domestic and foreign policies.

Upon his return to Nashville, Mr. Evans immediately set in type his impressions of that meeting and of that man in whose hand lies the destiny of this Nation and, perhaps the world.

I found Mr. Evans' observations not only enlightening but most revealing. In addition, they were refreshing because they portray Lyndon Johnson the concerned human being at a time when the magnitude of his tasks and responsibilities tend to make us focus on the Office of the President rather than the man who occupies the Office.

Mr. Speaker, I place Mr. Evans' column, "A Highly Competent Leader: President's Concern Deep" in the RECORD at this point, and commend it to the attention of all my colleagues:

A HIGHLY COMPETENT LEADER: PRESIDENT'S CONCERN DEEP

(By Amon Carter Evans, publisher, the Nashville Tennessean)

WASHINGTON.—The President of the United States is a deeply concerned man—and his concern shows in every word he speaks and in every gesture he makes.

He is concerned, as one might guess, about the war in Vietnam, where American boys are losing their lives. And he is concerned, too, about riots in our cities—also where American lives have been lost.

From the distance of a few feet, President Johnson's deep concern is etched in the creases of his face. I sat with a group made up mostly of news executives yesterday, invited to the White House for an informal luncheon to talk with the President about the nation's problems.

And while the affair was informal, it is not accurate to say that President Johnson was relaxed.

I do not intend in this report to quote President Johnson. He took us into his confidence and if his words are made public it will be by others. But I do think it important to give individual impressions of the man who leads our nation and the entire free world at this critical time.

I had the good fortune to be seated at the President's table of ten.

In physical appearance, he looks in excellent shape. His face is leather-tan, his color good. He seems to be more somber than the last time I saw him but that too is understandable. His appetite is—typically Texan—good.

His conversation at lunch was almost entirely devoted to the outcome of the Vietnam election. Those of us near enough to hear his words had the feeling that he believes the election gives this little nation halfway around the world a chance—perhaps no more than a chance—to find its way to stability and peace.

The President spoke to us briefly. He had present most of the members of the task force he sent to Vietnam to oversee the elections. He spoke for a short time about the burden of the war—and then he opened the floor for comments and questions.

These were my impressions as I left the White House:

Most of President Johnson's waking hours are consumed with this difficult war in Vietnam and domestic problems. He is relying completely upon his secretary of state and his secretary of defense to assist him in planning every tactical step—right down to which targets are to be bombed and which are to be spared. Not many have been spared.

The President would welcome an honorable solution to the problem—but he is not going to suddenly reverse the policy of three administrations and leave this little country to an onslaught from North Vietnam.

He is aware that the domestic problems are related to the Vietnamese war—and he attributes much of the coming federal deficit to spending needs in Southeast Asia.

He knows that with all that has been done in the cities—more than ever before in history—still more must be done. He knows he has a Congress that is recalcitrant and that the general feeling in the nation is running against his domestic spending programs—as polls show the nation is against his policy in Vietnam.

He is not afraid to face any question and he has answers which clearly articulate his reasoning on a given policy. When he invited questions, several offered sharp comments and pulled no punches. He actually seemed to appreciate this. He is an able man who is working hard at a tough job.

He has not lost the ability to laugh at himself. At one point he referred to himself as the eternal optimist and we all laughed with him.

But he is laughing less than the last time I had an opportunity to visit with him. He is aware that in his job at this time, there is too much sadness in the land for much laughter.

I came away with the wish that America could have seen him yesterday as all of us saw him: involved, aware, alert, hard at work and—first, last and always—concerned.

And those who look at polls and rely on them may be in for a surprise next year when this man—a vital human being and obviously a highly competent leader—talks to the people of the country as he did to us yesterday.

CITY MOURNS SMOKEY WALKER

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, the world was made somewhat smaller Sunday, September 3, 1967, with the tragic and untimely death of Mr. Charles F. Walker, of Nashville, Tenn.

Known to his many, many friends as "Smokey," Mr. Walker came to Nashville nearly two decades ago and from that time until his passing contributed unhaltingly and measurably to the growth and development of his adopted city.

A broadcasting executive, Mr. Walker could take pride in the knowledge that he had played a role in the development of Nashville's dynamic music industry, an industry which has made Nashville, Tenn., Music City, U.S.A.

Smokey Walker was a man with a broad smile, a warm heart and an innate willingness to lend a hand whether it be in community affairs, church work, or professional activities.

At his death the Nashville Tennessean paid editorial tribute to Mr. Walker and I include that editorial in the RECORD at this point:

CITY MOURNS SMOKEY WALKER

Mr. Charles F. (Smokey) Walker, president and general manager of WKDA broadcasting Co., has been killed in a tragic motorbike accident.

Mr. Walker was taking his 10-year-old daughter, Michelle, for a ride on the bike when the vehicle left the road and struck a tree. Mr. Walker's neck was broken, but his daughter escaped serious injury.

Smokey Walker had been a popular figure in Nashville since he joined WKDA as an engineer 17 years ago. He became president and general manager of the station in May, 1965.

Mr. Walker and his wife, Jo, who is executive director of the Country Music Association, were widely known in the broadcasting and recording industries throughout the nation.

His tragic death at the age of 41 is a cause of great sadness in the community.

BOSTON GLOBE DISCUSSES HIGH COST OF MONEY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PICKLE. Mr. Speaker, all of us in the Congress are deeply concerned about the need to find additional revenue to pay for the cost of the war in Vietnam without disrupting the economy or placing undue burdens on any sector of our population.

In recent weeks, our distinguished colleague from the First District of Texas, Representative WRIGHT PATMAN, has proposed that at least a part of this cost be met by requiring that the Federal Reserve System purchase $28 billion worth of bonds directly from the Treasury. The gentleman from Texas [Mr. PATMAN] suggests these bonds be interest free and that they be paid out over 40 years, thus spreading the cost evenly over a long period of time.

The gentleman from Texas [Mr. PATMAN], who we all know has spent a lifetime studying monetary affairs, has presented the Congress with a most interesting and thought-provoking concept. I note that the Boston Globe—a moderate newspaper—in its Sunday edition, devotes a lengthy editorial to Mr. PATMAN's proposal.

In addition, the Boston Globe highlights Mr. PATMAN's broader concern over the Federal Reserve System and high interest rates and tight money. This editorial, whether we agree with it or not, is an interesting exposition of Mr. PATMAN's long crusade to protect the public interest in the field of monetary affairs.

It is good to see a major newspaper so far removed from Texas recognize the ideas and talents of the gentleman from Texas, WRIGHT PATMAN, the dean of our delegation, and one of the outstanding Members of Congress.

Mr. Speaker, I place this editorial, entitled "Exorbitant Cost of Money" in the RECORD:

EXORBITANT COST OF MONEY

It is most unlikely that Rep. Wright Patman (D-Tex.) will get to first base with his proposal that the Federal Reserve System be required to buy approximately $28 billion worth of non-interest-bearing government bonds to help finance the war in Vietnam.

The proposal is now in the burial ground of the House Ways and Means Committee which has made no effort even to schedule hearings. Mr. Patman's proposal is the kind of "tampering" with banking affairs on which business-oriented members of the committee do not look with eager favor.

This is a great pity because the arguments pro and con which would be brought out at a hearing would go to the very root of the wider proposal which Mr. Patman has in the back of his mind. His ultimate purpose is a long overdue revamping of the Federal Reserve System to bring it back under the control of the Congress and the President from both of whom, Mr. Patman says, it illegally declared its complete independence during President Eisenhower's administration with Mr. Eisenhower's ill-informed acquiescence.

In the first part of his proposal (on interest-free bonds) Mr. Patman merely reverts to a cost-saving device first suggested in 1941 just prior to the outbreak of World War II. It was sidetracked at that time in the wrangling over price controls. The Treasury, instead of selling (in this case) $28 billion in interest-bearing bonds to commercial banks, would deposit the bonds interest-free in the Federal Reserve banks, then issue checks on its balance. Thus, the Patman argument runs, there would be a saving of at least $1 billion a year in interest on that part of the war costs which the plan would fund; the saving could run to the full $28 billion over the long term since it is commonly accepted that interest on long-term government bonds usually approximates the principal before the bonds are retired. There are objections that Mr. Patman thus would be creating nothing but printing press money, a contention he denies, a contention, moreover, which now, at least, should not be permitted to sidetrack the more important Patman conviction.

At the back of Mr. Patman's mind is his conviction that the Federal Reserve System has not in recent years functioned as a government bank at all but more as a full partner in the commercial banking system whose profits it has enhanced. He argues further that it gets away with this only because Mr. Eisenhower and his successive Secretaries of the Treasury, George M. Humphrey and Robert B. Anderson, permitted it to slip away from all constitutional restraints and from the restraints of the Federal Reserve Act itself.

"As a result," says Mr. Patman "we have had round after round of interest rate increases cloaked in the immunity of the system's so-called independence. The system has operated in open defiance of directives from Congress, which alone has constitutional monetary power, and of the Executive. The Congress alone has authority over money matters, the President has the obligation to execute the laws it enacts, and the Federal Reserve System has no independent authority at all."

The results of the system's free wheeling, as Mr. Patman has compiled them are startling:

In 1966 alone, the American people paid $36.2 billion in excess interest charges resulting from Federal Reserve Board collaboration with the commercial banks; the director of the Bureau of the Budget has testified that rising interest rates last year added approximately $3 billion to the Federal budget for fiscal '67; since 1951, the American people have paid $43.2 billion in excess interest charges on the national debt alone; over the past 14 years the American people have been saddled with $211 billion in excess interest charges.

"It is obvious," Mr. Patman says, "that the exorbitant interest rates imposed on the people today in all areas of their government and private expenditures are the result of calculated design. They have been raised by the manipulations of the Federal Reserve System and no one can contradict the fact that the Federal Reserve could bring the rates down tomorrow morning if it so desired."

The solution which Mr. Patman offers is a complete overhaul of the system "to create an institution which is responsive, as it is constitutionally required to be, to the will of the people and their elected representatives."

He would shorten the terms of the members of the Federal Reserve Board from 14 years to five. He would make the chairman's term coterminous with that of the President.

"Thus, open defiance of the government as exhibited by the board's present chairman, William McChesney Martin, would be lessened."

Mr. Patman is not a man who minces words. And if the modest proposals he has made did not work, he would be prepared to start from scratch and remake the whole system.

Mr. Patman has yielded to arm twisting once, in the matter of voting to authorize $2.4 billion in so-called government participation certificates paying interest of 5.4 to 5.5 percent (The Globe, Aug. 30). He is not likely to let it be twisted again. Nor should be.

AGAINST THE PANAMA TREATIES

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FLOOD. Mr. Speaker, over a period of years I have observed and pointed out the fact that in the mass news media of our Nation's Capital City there appears to be a conspiracy of silence as regards the key questions involved in the interoceanic canal problem, which has served to deny the citizens of the United States and the Congress information of vital importance. At the same time, these organs of the press and most of their publicists have not hesitated to publish uninformed editorials and columns that are obviously counter to best interests of our country and the entire Western Hemisphere and to support what is actually an audacious and secretly contrived giveaway of the Panama Canal to Panama.

As the situation is one that requires speaking realistically and with candor, I feel impelled to submit these observations. In all truth, Panama is politically unstable and has shown such lack of efficiency in administrative matters that it has failed to collect garbage from the streets of Colon and Panama City in an adequate matter, with resulting health hazards. Moreover, there are many thoughtful Panamanians who consider that the proposed treaties are blunders of the first magnitude.

An example of the naive and uninformed journalism that I have so often read was an editorial in the July 7, 1967, issue of the Evening Star, which journal usually strives to be objective and fair. In this editorial, the Star supported the prospected giveaway of the Panama Canal to Panama as a means to avoid another Panamanian mob assault on the Canal Zone and to rid the United States of the "colonial imperialistic" label that originates in the Kremlin and is so prevalent in Panama.

Mr. Speaker, I would emphasize again what I have often stated that yielding to an irresponsible mob, led and largely controlled by Cuban trained Communists in Panama, for the purpose of satisfying mob demands, is not only cowardly and suicidal but also invites further extortions. In fact, it is the same as yielding to mobs now so frightfully in evidence in our great cities, which riot, burn and kill more for the purpose of loot and plunder than for any just aspiration.

The recurring mob assaults in our great cities as well as those that have occurred in Panama in relation to the canal are of the same general pattern. Their sadistic destruction of life and property is consistent with Communist terror and tactics. The importance of the Panama Canal to Western security and world shipping is such that no treaty should ever be executed that destroys our indispensible authority and is mob induced.

Fortunately, there are some in the Washington area who are sufficiently experienced and perceptive to see through the naivete exhibited in the indicated editorial. One of them, Capt. Franz O. Willenbucher, U.S. Navy, retired, an able officer of a broad background in government and business, recognized the fallacies in the editorial and, in a most thoughtful letter to the editor of the Evening Star, admirably clarified the misconceptions as regards the sovereignty issue.

As the indicated letter was most timely in connection with recent hearings before the House Committee on Foreign Affairs on pending resolutions opposing ratification of the proposed treaties and the first significant break in the news curtain over Washington, I quote the indicated letter along with the editorial to which it refers as parts in my remarks:

[From the Washington (D.C.) Evening Star, July 24, 1967]

Letters to the Editor: Against the Panama Treaties

Sir: Having studied thoroughly the treaties governing the Panama Canal while in a responsible position in the Navy Department, I am sure that those fully familiar with the sovereign rights of the United States over the canal and its importance to our national defense and to the security of the entire Western Hemisphere who may have read your recent editorial entitled, "New Deal for Panama," were shocked and dismayed at its erroneous conclusions. Much worse, those not so informed may well have been misled by them.

From the time of its successful construction by the United States (the French having failed) the Canal has been of major importance to our own national defense and to hemispheric security. The same is so today and it will be equally true in the future concerning the operation and use of the present canal or of any other canal which may be constructed, and this despite what the few uninformed may say who wish now to decide for us that we should sacrifice our sovereign right over the canal, in hole or in part. To follow their advice would be to set the stage for a denial of its use to us in time of national peril, notwithstanding the present apparent friendship for us by Panama. Witness what has happened to the Suez Canal.

EXCLUSIVE RESPONSIBILITY

It is important for your readers to know that under the Hay-Pauncefote Treaty of 1901 with Great Britain the United States undertook exclusive responsibility for the operation of an isthmian canal and that under the Hay-Bunau-Varilla Treaty of 1903 with Panama that country granted to the United States indispensable sovereignty over the Canal Zone in perpetuity as part of the inducement to build the canal at Panama instead of at Nicaragua. Further, we purchased all privately owned land and property in the Canal Zone from individual owners.

In 1936–39 we gave up the right to maintain law and order in the terminal cities of Panama and Colon. Result: in 1964 we had a mob assault in the Canal Zone requiring the use of the United States Army to defend the lives of our citizens and the canal itself. In 1955 we surrendered the power to enforce sanitation and ceded the Panama Railroad terminals and yards in the terminal cities. Results: accumulations of garbage in the cities are a health hazard and we now have the mainline of the railroad without its designed terminals, which are in an advanced state of deterioration.

Though the display of the Panama flag in the U.S. Canal Zone territory may be dismissed as "emotional," the flag has but one meaning and that is sovereignty. Its display was a part of a systematic Red led campaign, dating back many years, to wrest control of the canal from the United States, a project on which our country has expended since 1904 for all purposes including defense almost five billion dollars of the taxpayers' money.

SAME AS ANY OTHER POSSESSION

The Panama Canal Zone is as much a sovereign possesion of the United States as is Alaska, Hawaii, and, for that matter, all contiguous territory of the United States, however acquired, including the vast area of the Louisiana Purchase and that portion of the United States acquired from Mexico. It is not, as your editorial asserts, "a colonial enclave." The status of the Panama Canal requires its recognition as our country's southern-most coastline, and we must preserve and protect it as such. If Russia were now to demand the return of Alaska because those who ceded it to us were without authority or we had not paid enough for it, would those who now recommend to the President that we sacrifice our sovereignty over the Panama Canal likewise support the demand? Aside from the fact that Alaska is a state, the principles involved are the same. Incidentally, Panama has been well paid, with periodic adjustments for its concession and has otherwise benefitted by the canal's existence.

As one who has carefully read your editorials over a period of more than 30 years, I am well aware of your consistent advocacy of courses of action dedicated to the best interests of our country. Had your present editorial on the Panama Canal been more consciously based upon that consideration, it would have urged all members of Congress and, particularly, all Senators to inform themselves of the facts which are completely set forth in House Document No. 474, 89th Congress, containing the speeches of Congressman Daniel J. Flood and other pertinent material. Further, it would have urged all patriotic citizens to write to their Senators and Representatives to that effect, rather than to have supported the proposal to adopt a course which could well prove to be a mortal blow to our future safety. Retention of our undiluted sovereignty over the Canal Zone and the Panama Canal for the long range, world conditions being what they are, is actually more important to our national security than winning the war in Viet Nam—as important as that is to the free world.

FRANZ O. WILLENBUCHER,
Captain, U.S. Navy (Retired).

[From the Washington (D.C.) Evening Star, July 7, 1967]

NEW DEAL FOR PANAMA

Negotiators for the United States and Panama have demonstrated commendable statesmanship as well as enlightened self-interest in agreeing to terms that will end the existence of the Panama Canal as a colonial enclave and give the United States an open-ended option to build a new sea-level canal across the isthmus.

No matter what die-hard critics of any concessions to Panama may say on Capitol Hill, the 10-mile-wide Canal Zone is a political anachronism, a symbol of colonialism. It is as irritating to Panamanians as the situation would be for Americans if a foreign power controlled the Soo Canal or the Inland Waterway.

Terms of the three treaties to which the negotiators agreed will be announced by Presidents Johnson and Robles in two or three weeks. However, it is certain that a basic element of the deal was return of sovereignty over the Canal Zone to Panama and a substantial increase in the $1.9 million annuity the United States now pays under the 1903 treaty.

We really are giving up very little in handing Panama the trappings of sovereignty. Such emotional concessions as the issuance of postage stamps, court jurisdiction and display of the Panamanian flag will go a long way toward easing the tensions that erupted in a three-day battle and severance of relations between the two nations in 1964. So long as the treaty for the existing canal does not do violence to the United States' policy of imposing reasonable tolls, we can live with it.

There will be dual control of the lock canal for the rest of its existence, which is a guarantee against local irresponsibility that might arise under another Panamanian government. In addition, the continued presence of our military bases in Panama is assured in the second of the three treaties. This is probably as important for the defense of all Latin America as it is for protection of the canal itself.

The third treaty gives us the right, but does not impose the obligation, to construct the projected sea-level canal in Panamanian territory. There is strong reason to believe that this canal, too, will be under dual or international administration for many years before reverting to Panamanian control.

Panama's ruling coalition government badly needs agreement soon on the three treaties, since a volatile election campaign is now under way. It is to be expected that Robles will seek and obtain early ratification of the treaties by the Assembly, presenting the terms as a great victory for the isthmian republic. Johnson may have more trouble getting ratification through the Senate, and it is fortunate that most of the opposition here is in the House.

It was in the interest of Washington to eliminate conditions conducive to another outbreak of violence like the horrifying events of 1964 and to rid itself of the colonialist label. So there is victory for both nations in the agreement finally hammered out.

STEMMING THE FLOW TO OVERCROWDED CITIES

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, today, I, with Congressman JOHN CULVER, of Iowa, and Congressman THOMAS MORRIS, of New Mexico, introduced legislation which with the assistance of the Government's tremendous procurement of goods and services attempts to stem the flow of people from rural areas to already overcrowded cities. This bill will be similar to S. 2300 introduced in the Senate by Senator GEORGE MCGOVERN.

Any further concentration of people in a few metropolitan areas would be inimical to the Nation's interest. Piling people upon people creates problems defying solution and threatens our democratic institutions. Long-range plans must be developed to achieve a saner and more humane distribution of population.

In the interval, the Federal Government with its present $85 billion annual procurement can retard the increasing concentration of population and economic opportunity. I am convinced by my conversations with many of the young people leaving Maine, that few desire to move but feel they must to obtain meaningful employment.

The bill will provide that in awarding Government contracts for goods and services, a credit in relation to the bid or offer shall be given on whatever amount of goods or services are to come from cities of 250,000 population or less—1 percent in cities or metropolitan areas under 250,000, 2 percent if the metropolitan area is under 100,000 population and 3 percent if the area is under 50,000 population.

A separate credit of 2 percent is proposed for any area of serious migration.

WHY THE VIOLENT REACTION TO DISCLOSURE OF FACTS OF COMMODITY FUTURES TRADING?

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, on August 22 I extended my remarks in the RECORD to comment on the protests made by officials of two of the commodity futures markets over testimony of Assistant Secretary of Agriculture George L. Mehren before the House Committee on Agriculture in connection with H.R. 11930, a bill to strengthen the Commodity Exchange Act. This furor was the result of Mr. Mehren's disclosure to the committee of a few examples of futures market abuses which have turned up in the administration of the Commodity Exchange Act. Mr. Mehren was informing the committee of situations illustrating the need for amendment of the act under H.R. 11930, looking toward continuing and improving the present pattern of regulation under which these markets are at an all-time level of activity.

Subsequent to my remarks on August 22, the attack on Mr. Mehren was extended and intensified. Editorials and feature items by trade propagandists have appeared in publications in areas where the futures exchanges exercise strong influence. Some demanded that Mr. Mehren "apologize or resign" or that the Secretary of Agriculture "take remedial action."

Far from being "exaggerated" or "irresponsible" as charged by the exchange officials, the statement touched on only a few of the documented instances of abuse which can be found in the official files. The docket files are a matter of public record and those now showing sensitivity to a discussion of some of them might be better advised if they reviewed the facts so as to know what they are talking about.

The exchanges in their representations to congressional committees in opposition to more effective regulation seem to favor the approach of claiming perfection and denying existence of abuses, no matter who, obvious and well documented.

Mr. Mehren obviously felt that the committee should have the facts in its consideration of H.R. 11930. That some of these facts do not fit into a picture of economic perfection is not Mr. Mehren's fault. Nor, in fact, anyone's fault. It is totally unrealistic to expect that an economic mechanism built largely around active speculation by tens of thousands of traders will not be marked by episodes requiring surveillance and control. Mr. Mehren used a few of these episodes to illustrate his point. There are others—some more colorful.

It may be that Mr. Mehren's statement was merely seized upon as a timely opportunity for opposing the attempt to further enhance the dignity and usefulness of the futures markets by means of the authority provided in H.R. 11930. If this is the case, it would appear that those who mounted the attack reacted hastily, and with little awareness of their own self-interest.

Mr. Speaker, with unanimous consent I would like to append to my remarks the last three paragraphs of an article on playing the commodities markets which appeared, perhaps surprisingly, in the August 1967 issue of Playboy magazine. This article is objective and informative. It recognizes the benefits which futures trading provides in the marketing of some of our important agricultural products and at the same time points up the fact that by far the larger part of this trading is by tens of thousands of speculators, the great majority of whom have no connection with, or knowledge of, the production or marketing of the actual commodities.

The excerpt follows:

[From Playboy magazine, August 1967]

EXCERPT FROM "PLAYBOY PLAYS THE COMMODITIES MARKETS"

Perhaps because so many losers take such a beating, the commodity exchanges—and most of those who deal in or write about commodities—have erected an elaborate public-relations edifice to justify their own existence. The words "hedging" and "transfer of risk" recur repeatedly in their outbursts. The theory is that commodity speculation is necessary to permit producers to "hedge" the risk they run by holding startling quantities of goods whose prices fluctuate. For $20,000, for instance, you could conceivably go into the grain-storage business by building a million-bushel elevator. But once it's full of wheat, a 2-cent decline—hardly an hour's move on a typical day—would cost you the price of your elevator. On a 10-cent decline (the maximum daily limit), you'd be out your elevator and the price of four more, to boot. The futures market, so the theory goes, exists so that persons in such a predicament can hedge their inventories. Once they buy a million bushels of wheat for storage, they can go into the futures market and *sell* a million bushels—at today's prices—for delivery some months off. If wheat declines, they will still have received today's price; and when delivery time comes, they can simply deliver, without a loss. Of course, if wheat goes up, they will still have to deliver and will forgo a profit. But presumably this won't bother them, because they are in the grain-storage business, not the speculating business. Hedging, in other words, is a way to insulate an inventory from price swings—in either direction. Speculators, as the slick brochures from the exchanges readily point out, are willing to assume risks that the grain trade can't afford. Good-hearted humanists that they are, the speculators stake their hard-earned money to provide an active and well-lubricated market for all this hedging.

This is a fine theory, with much merit to support it. But fewer than one percent of all futures contracts are actually settled by delivery. Even granting that many hedges are lifted without delivery, this still means that for every hedging transaction, there are six or a dozen speculative trades. Hedging could disappear altogether and you'd hardly know it by looking at the daily volume statistics. Even worse, the *hedgers* are speculating. Holbrook Working, a market mathematician who produced several landmark studies, was quoted in *Fortune* a few years ago as having reached the conclusion that hedging is "undertaken most commonly in the expectation of a favorable change in the relation between spot [cash] and futures prices." That means the hope of a profit.

Despite the fact that since 1884, almost 400 bills have been introduced in Congress to prohibit or further limit futures trading, the pit's pious efforts at self-justification seem largely unnecessary. Race tracks survive without belaboring the public with their contributions to the improvement of thoroughbred horse-flesh. Race tracks flourish because people are self-interested and enjoy the possibility—no matter how remote—of turning a small sum into a fortune. While there are several quite valid justifications for commodity futures trading—for instance, besides helping hedgers, it provides small farmers with widely published figures that enable them to get a fair price for their crops—this one is sufficient. Public participation in the commodities market would be greatly increased if those involved in the market would stop drumbeating its undeniable economic usefulness and describe it in terms speculators could understand—as a giant, Government-sanctioned lottery, where the losses can be staggering and the rewards immense.

MINIMUM WAGE LAW

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BURTON of California. Mr. Speaker, when the new Federal minimum wage law took effect last February 1, there were many negative predictions as to the effect it would have on wages, employment, and the economy in general. It is with great pleasure, therefore, that I now enter into the RECORD an article which appeared on August 2 of this year in the Wall Street Journal. This article surveys the effects of the minimum wage law and reveals some findings which I am sure my colleagues will find interesting.

The article follows:

WAGE-RAISE IMPACT—HIGHER MINIMUM PAY CAUSES LESS DISRUPTION THAN CRITICS EXPECTED—EMPLOYMENT AND PRICES SHOW LITTLE OVERALL EFFECT FROM $1.40-AN-HOUR GUARANTEE—SOUTH FEELS BOOST THE MOST

(By John Barnett)

Like many other prophets of disaster, some employers of lower-paid workers find it embarrassing now to be reminded of what they were saying six months ago.

What they said then was that the new Federal minimum wage law, which took effect Feb. 1, would cause all sorts of upheavals. A Southwestern chain of auto supply stores predicted that higher wage costs would push up its prices an average of 5%; a Pittsburgh department store foresaw price boosts on practically everything it sells. The National Retail Merchants Association said its member stores expected to lay off an average of 10% to 14% of their workers, cut the work week sharply for remaining employes, and probably trim store hours as well to hold down the cost rise. Farmers and small manufacturers warned of more job-eliminating automation to offset higher wages.

So now the law has been in effect six months, boosting the guaranteed wages of 32 million workers to $1.40 an hour from $1.25 and guaranteeing a $1-an-hour minimum to 8 million other workers who were never before covered by minimum-wage laws. And the result?

"Well," says an official of the Pittsburgh department store, "I guess things aren't as bad as we thought they would be."

"ALARM" OVERDONE?

That seems to be generally true, too. The Pittsburgh department store and the auto-supply chain say they haven't raised prices, after all. The National Retail Merchants Association found that one group of stores it surveyed recently had reduced total hours worked by their employes only 4%, as a result of both layoffs and shorter weeks—against the 10% to 14% slash from layoffs alone that the trade group had predicted earlier. ("When you get people to make projections, they tend to cry with alarm," comments an NRMA spokesman.)

Government figures indicate the economy as a whole has been taking the minimum wage increase in stride. Retail prices, as measured by the Labor Department's consumer price index, rose at an annual rate of 2.7% between January and June—Considerably below the annual price-increase rate of 4.8% in the first half of 1966. Unemployment by June had risen to 4% of the labor force, from 3.8% in January, but many economists think that rise is no greater than could have been expected without any minimum wage increase.

Critics had feared the minimum wage increase would cause especially large layoffs among such marginal workers as teen-agers. But teen-age joblessness has been fluctuating from month to month only about as much as it did in 1966 without any minimum-wage changes. The rate has ranged from 13.2% in February to 10.7% in March (it was 11% in January, just before the minimum-wage increase) and was 12.6% at last report in June.

SOME PAIN, BUT—

To be sure, there are cases where the increased minimums have caused genuine cost squeezes. Some workers indeed have been laid off, some prices have been increased and some employers are looking with renewed interest at automation.

But other employers now regard the minimum-wage boost as helpful. J. S. Mack, chairman and president of the G. C. Murphy Co. variety store chain, says the higher minimums will give customers, including Murphy's own employes, more purchasing power and thus provide "more sales potential." Other companies find labor-shortage problems eased; Edward L. Field, a vice president of Federated Department Stores Inc., says the higher minimums have attracted more suburban housewives to work parttime in his company's stores.

Why hasn't the minimum-wage increase been more disruptive? One reason is that White House economic planners, fearing serious effects on employment, successfully resisted labor pressures for a much sharper increase than was enacted, according to one source close to the Administration. The AFL-CIO wanted a $2-an-hour minimum.

MANY GOT NO RAISE

Also, the increase affected far fewer workers than the scope of the minimum-wage laws would indicate. Although 32.3 million workers come under the $1.40 minimum wage, the Labor Department figures only 3.7 million were earning less than that before Feb. 1. Of the 8 million workers newly covered by the

$1 minimum, including employes on large farms, in hospitals and schools and in such service establishments as laundries and restaurants, only 953,000 were making less.

Such adverse effects as have resulted from the new minimums are highly concentrated in certain industries and geographical areas. The lowest-paid workers tend to be clumped in certain types of jobs, notably the retail trades and services, hospitals and a few specialized manufacturing industries such as footwear and furniture. Geographically, these workers are mainly in the South and in rural and smalltown areas of the North Central states. The Labor Department calculates that only 15% of all covered workers reside in those areas, but they include more than 30% of those who received raises because they were making less than the new minimums.

But though adverse effects of the new minimums have been spotty, they have been painful when they have occurred.

James V. Sommers, owner of the Model Laundry & Cleaners at Chadron, Neb., for instance, says that the minimum wage forced him to lay off four part-time and three full-time workers, reducing his work force to 19. Laundries, covered by minimum wage laws this year for the first time, must pay at least $1 an hour, compared with the 75 cents to 85 cents Mr. Sommers had been paying the workers he laid off.

In Alabama, the Birmingham Baptist Hospitals are expanding, but because of the new wage floors "we just won't be hiring as many workers as we would otherwise, says L. R. Jordan, executive director of the two hospitals, which have a total of 800 beds. Instead of adding employes, who previously would have received 75 cents an hour instead of the $1 required now, the hospitals will trim jobs by automating some laboratory tests, buying machines to speed up floor scrubbing and polishing, and using more disposable linens and dishes to cut down on laundry and kitchen help.

Plantation owners in the South say the spread of minimum wage coverage to workers on big farms is causing them to fire thousands of workers, especially in the cotton-growing Mississippi Delta. They say its now cheaper to spray weed-killing chemicals than to hire human cotton-choppers, and mechanical cotton pickers are cheaper than human labor.

VARYING IMPACT ON SCHOOLS

The inclusion of school employes under the minimum wage guarantees for the first time has caused scarcely a ripple in the North and West, where almost all workers receive more than the $1 an hour guarantee. But administrators of school lunch programs in North Carolina have cut working hours, eliminated overtime and laid off a few cooks, bakers and helpers who run cafeterias.

Some employes were getting as little as 37 cents an hour last year, and the new $1 minimum "has got us down on our knees financially," comments O. L. Searing, state supervisor of school food services. He adds that, having raised lunch prices once in the past year, "we can't do it again—the very kids who need our hot lunches the most are the ones who would quit buying them if we raise prices."

Some other employers affected by the new minimums have raised prices, however. In Dallas, a semi-private room now costs $27.50 a day at Parkland Memorial Hospital and Woodlawn Hospital, both operated by the Dallas County Hospital District, against $22 a day last year. Also, the district has raised its tax rate about 17%. Peter Geilich, assistant administrator, says minimum wage increases contributed significantly to both rises.

Even where higher wage minimums have had adverse effects, however, it's difficult to pin down how much those effects might be due to the new wage scales, how much to other factors. Hospital costs have been skyrocketing lately throughout the nation, even in high-paying areas unaffected by the minimum wage. And substitution of chemicals and machines for human labor on Southern plantations has been increasing for some time as planters begin to catch up with heavily mechanized cotton growers of California and Arizona.

In any case, opponents of higher minimum wages haven't yet given up their fight. Their target now is a provision of the new law that will raise the minimum for most covered workers to $1.60 an hour next Feb. 1 and extend coverage to another million workers.

Both the National Retail Merchants Association and the American Retail Federation, another trade group, say they're seeking legislation to stave off until Feb. 1, 1969, the boost to $1.60 an hour. They also say they hope to prevent altogether the spread of minimum wage guarantees to more workers in retail stores. The present law extends such guarantees to all workers in business grossing $500,000 or more a year. Next year the limit is scheduled to drop to $250,000.

THE DISTRICT OF COLUMBIA AND THE PRESIDENT

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. REUSS. Mr. Speaker, the Governor of Michigan has had a very busy time lately explaining himself.

Among other things, he has said that President Johnson is "a political animal"—that the President is motivated only by political expediency.

If this is true, then I wonder what Lyndon Johnson's motivation might be here in the District of Columbia. Perhaps he is really courting the District of Columbia's three electoral votes. How else can you explain the fact that President Johnson has put his prestige on the line at least four times in recent months to achieve good government and a better life for the residents of the Nation's Capital?

If the President is really "a political animal" then he must think Washington, D.C., will produce the swing votes in 1968.

Certainly no other President in our history has done so much for Washington.

The President put his prestige on the line to get the District of Columbia reorganization, the first breakthrough for modern government here in nearly a century.

He has put his prestige on the line to get elected school board officials.

He has gone out on a limb to start a pioneering development project in the Northeast section of town.

And he has nominated a Negro to be the first single Commissioner in the city's history.

What could have motivated President Johnson, I wonder?

Perhaps he is thinking of all the electoral votes he can win in the District of Columbia.

Or, could it be, that the President's sole consideration is the welfare of the people of the District?

At any rate, the Nation's ninth largest city has a new lease on its future, thanks to the leadership of Lyndon Johnson.

Some astute politicians will tell you that there is not much political mileage to be gained by helping the District, or by helping the poor—who supposedly have no voice or no power—or by helping minority groups, or senior citizens.

Apparently, nobody has told President Johnson about this. After all, a President who is motivated only by "political expediency" would go where the votes are.

Would he not?

In this connection, under unanimous consent I place in the RECORD three excellent editorials praising President Johnson's choice of Walter Washington as the first Commissioner of the District of Columbia's reorganized government:

[From the Washington Post, Sept. 7, 1967]

OUR NEW GOVERNMENT

President Johnson has selected a strong team to inaugurate the reorganized government of the District of Columbia. Walter Washington has the kind of experience, the general credentials and the sort of personality that any community might look for in a chief municipal executive. He has political gifts and facilities of a high order. He has had much experience in dealing with the most difficult problems of the city. He has had a long Washington residence that has brought him into contact with people of all races and classes in the city. His deputy, Thomas W. Fletcher, is not well known to the citizens of Washington, but he is well trained for his task, his education is ideally suited to his work, and his professional life has been devoted to problems of exactly the sort that he will deal with in the District.

The new Commissioner and his deputy have their work cut out for them. The new District government they will head is a vast improvement on the ramshackle structure with which their predecessors have had to deal. But it is not an ideal municipal system because of the absence of elected officials and because of the presence of Congress. The first defect deprives the government of the broad base of support that is the foundation of every self-governing society. The second exposes it to the intervention of members of Congress who are not accountable to any local groups or answerable to any community forces. Some of them, one regrets to say, are not even motivated by a desire to see the city prosper. Others either are ignorant of or indifferent to the considerations that ought to restrain legislative authority from minute day-to-day intervention in executive functions.

Given these handicaps, the new administration will be confronted with many difficulties. It will face all of the formidable problems of the typical large American city in this century, and its own special problems besides. That it can cope with them successfully is by no means a foregone conclusion. The change from the antiquated government of the past gives rise to a certain amount of optimism and hope. If this optimism is to be justified and this hope fulfilled, it will be because the community as a whole responds to the opportunity to work more effectively under new rules and new men.

[From the Philadelphia Inquirer, Sept. 8, 1967]

A START ON DISTRICT OF COLUMBIA "HOME RULE"

The appointment of Walter E. Washington as Commissioner of Washington, D.C., by President Johnson should be confirmed without undue delay by the Senate. Mr. Washington, aptly named for his job as first "mayor" of the national city, brings to his new post impressive credentials as lawyer, housing administrator and—after his recent experience in New York City—labor relations expert.

He has had to deal, in the past year, with a city employes' strike in New York—where he served as commissioner of the city housing authority—which crippled services to more than half a million tenants, as well as putting new housing codes into effect and fighting ever-rising maintenance costs.

His prior experience with the National Capital Housing Authority, more than 20 years of it, equips him to tackle the toughest problems Washington faces. His top assistant, Thomas Fletcher, former city manager of booming San Diego, Calif., has abundant acquaintance with similar problems there and in other West Coast cities.

Of course, the new governmental set-up in the Nation's capital does not yet constitute home rule. Mr. Washington is accountable not only to the President but also to the Budget Bureau and to the Congressional committees for District of Columbia affairs. The latter have not, to put it bluntly, distinguished themselves by enlightened concern over the problems in their own bailiwick—which are much the same as problems in other cities, only more so in America's "showplace."

We hope Mr. Washington will swing enough weight to make a substantial difference in his city, perhaps providing the rest of us with a model we can emulate. Success would also effectively speed the day when citizens of the Capital at last gain real self-government which, we are convinced, they deserve and should have, Congressional footdragging notwithstanding.

[From the Washington (D.C.) Evening Star, Sept. 7, 1967]

"MAYOR" WASHINGTON

President Johnson's selection of Walter E. Washington to become the District of Columbia's first "super" commissioner is a super choice. This appointment should encounter no trouble winning speedy Senate confirmation.

The qualifications for heading the District's newly reorganized government involve considerably more than administrative ability. They call for a fair degree of toughness, a great deal of balanced judgment, a flair for political innovation, thorough familiarity with the intricate problems of this unusual city and, most important of all, perhaps, a stature sufficient to command the entire community's respect. We know of no one, as the President emphasized he knows of no one, who could fill this demanding bill better, on all counts, than Walter Washington. It is very good, after his sojourn in the hinterlands of New York City, to welcome him back where he belongs.

The deputy commissioner, Thomas W. Fletcher, is an unknown quantity in the District—as indeed is the whole concept of the Number 2 job at this point. The President wisely settled on an experienced city manager, whose background at this level of municipal affairs ought to be beneficial. Fletcher's precise functions and responsibilities, however, should be left to his new boss. And it is quite possible that the new commissioner will want his top aide to serve as something other than the traditional city manager.

One of the commissioner's first chores, of course, will be to clarify the new city structure, as quickly as possible, in regard to the wealth of lower-level experienced talent already manning the District Building. Uncertainty over the identity of the new man, and confusion over the governmental structure, already has created an understandable but severe morale problem among District career employes. Their support and enthusiasm will be essential in getting the new government rolling.

Beyond everything else, however, Walter Washington's ability to perform is apt to depend upon the caliber of the appointments still to be made by the President to the nine-member city council. The new reorganization plan affords no assurances against confusion. Actually, it could lead to a greater dispersion of authority than existed before unless Mr. Johnson turns up a council willing to pull in harness with the commissioner—and able to view the District's problems in their entirety.

We hope, also, that the President will decide soon to abolish the office of presidential aide on National Capital affairs. The reorganization plan was sold to Congress largely on the advantages of concentrating responsibility and stature in a single man. This ideal will be realized, however, only if the new commissioner has direct, unencumbered access to the White House—if the commissioner is the President's man in fact as well as name.

Walter Washington's appointment, in other words, is a very encouraging start, but it is only a start. Whether the new system moves the District of Columbia perceptibly toward the "model city" Mr. Johnson says he seeks will depend to a great extent upon the President's continued interest, and the sympathetic assistance of Congress—just as always.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FEIGHAN (at the request of Mr. ALBERT), for September 11 through 29, on account of official business.

Mr. PIRNIE (at the request of Mr. GERALD R. FORD), for the week of September 11, on account of official business.

Mr. BRADEMAS, for September 11 through September 18, to attend as a delegate the Japanese-American Assembly in Tokyo sponsored by the American Assembly of Columbia University.

Mr. MULTER (at the request of Mr. BOGGS), for the week of September 11, on account of illness.

Mr. WOLFF (at the request of Mr. BOGGS), for the month of September, on account of official business.

Mr. WYATT (at the request of Mr. GERALD R. FORD), for the week of September 11, on account of official business.

Mr. THOMPSON of New Jersey, for 3 days (through September 13), on account of official business.

Mr. RUMSFELD (at the request of Mr. GERALD R. FORD), through September 18, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RIEGLE (at the request of Mr. MAYNE), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. ASHBROOK (at the request of Mr. MAYNE), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. O'HARA of Illinois and to include related matter.

Mr. BELCHER.

Mr. ROTH.

(The following Members (at the request of Mr. MAYNE) and to include extraneous matter:)

Mr. KEITH.

Mr. RUMSFELD.

Mr. MATHIAS of California.

Mr. HORTON.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mr. MCFALL.

Mr. ST. ONGE.

Mrs. GREEN of Oregon.

Mr. PUCINSKI.

Mrs. SULLIVAN.

Mr. ROYBAL in three instances.

Mr. BRASCO.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 42. Concurrent resolution authorizing the printing for the use of the Senate Banking and Currency Committee, of additional copies of its hearings of the present Congress on housing legislation; to the Committee on House Administration.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 9837. An act to amend the Legislative Branch Appropriation Act, 1959, as it relates to transportation expenses of Members of the House of Representatives, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 906. An act for the relief of Luis Tapia Davila; and

S. 1448. An act for the relief of Roy A. Parker.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 56 minutes p.m.), the House adjourned until tomorrow, Tuesday, September 12, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1044. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army and the Army general staff on June 30, 1967, pursuant to the provisions of 10 U.S.C. 3031(c); to the Committee on Armed Services.

1045. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 37, United States Code, to authorize the nontemporary storage of household effects of members in a missing status; to the Committee on Armed Services.

1046. A letter from the Secretary of Commerce, transmitting the 80th quarterly report covering the second quarter 1967, pursuant to the provisions of the Export Control Act of 1949; to the Committee on Banking and Currency.

1047. A letter from the Assistant Secretary of the Interior, transmitting a chronology of actions in regard to the oil emergency in connection with the voluntary agreement relating to foreign petroleum supply; to the Committee on Banking and Currency.

1048. A letter from the Comptroller General of the United States, transmitting a report of balance-of-payments aspects of barter contracts for the acquisition of industrial diamonds for the stockpile, Department of Agriculture, Department of State; to the Committee on Government Operations.

1049. A letter from the Comptroller General of the United States, transmitting a report of procurement of nuclear submarine propulsion equipment, under Public Law 87–653, Department of the Navy; to the Committee on Government Operations.

1050. A letter from the Acting Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of 63 Stat. 377; to the Committee on House Administration.

1051. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to provide for withdrawal of Federal supervision over the property and affairs of the Seneca Nation and its members, and for other purposes; to the Committee on Interior and Insular Affairs.

1052. A letter from the Deputy Assistant Secretary of the Interior, transmitting findings for the performance of minor construction work on the Florida project, a participating project of the Colorado River storage project, pursuant to the provisions of the Drainage Works and Minor Construction Act of June 13, 1956 (70 Stat. 274); to the Committee on Interior and Insular Affairs.

1053. A letter from the Secretary of the Interior, transmitting a determination relating to deferment of the 1967, 1968, and 1969 construction charge installments due the United States from the Tumalo Irrigation District, Crescent Lake Dam project, Oregon, pursuant to the provisions of 73 Stat. 584; to the Committee on Interior and Insular Affairs.

1054. A letter from the Executive Director, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases as of July 31, 1967, pursuant to the provisions of Public Law 82–554; to the Committee on Interstate and Foreign Commerce.

1055. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to provide cost-of-living allowances for judicial employees stationed outside the continental United States or in Alaska or Hawaii, and for other purposes; to the Committee on the Judiciary.

1056. A letter from the Director, Peace Corps, transmitting a report on a tort claim paid by the Peace Corps during fiscal year 1967, pursuant to the provisions of 28 U.S.C. 2672; to the Committee on the Judiciary.

1057. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in certain cases of aliens found admissible to the United States, pursuant to the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1058. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

1059. A letter from the Deputy General Manager, U.S. Atomic Energy Commission, transmitting a report of settlements of claims of employees for damage to, or loss of, personal property incident to their service, covering the period July 1, 1966, through June 30, 1967, pursuant to the provisions of 31 U.S.C. 241; to the Committee on the Judiciary.

1060. A letter from the U.S. Olympic Committee, New York, N.Y., transmitting the financial report of the U.S. Olympic Committee covering the year ending December 31, 1966, pursuant to the provisions of Public Law 81–805; to the Committee on the Judiciary.

1061. A letter from George H. Jones, Jr., certified public accountant, McLean, Va., transmitting the audit report for the American Symphony Orchestra League for the fiscal year May 31, 1967, pursuant to the provisions of Public Law 87–817; to the Committee on the Judiciary.

1062. A letter from the Acting Executive Director, Blinded Veterans Association, transmitting a copy of the auditor's report on the Blinded Veterans Association for the fiscal year July 1, 1966–June 30, 1967, pursuant to the provisions of Public Law 85–769; to the Committee on the Judiciary.

1063. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of list and orders entered in certain cases, pursuant to the provisions of section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1064. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

1065. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1066. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend title 5, United States Code, "Government Organization and Employees," to authorize the Commissioners of the District of Columbia to place positions in the government of the District of Columbia in grades GS–16, GS–17, and GS–18, and, with the approval of the President, other positions at levels LV and V of the executive schedule, and for other purposes; to the Committee on Post Office and Civil Service.

1067. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system; to the Committee on Ways and Means.

1068. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide for the imposition of additional airway user fees, and for other purposes; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. Report entitled "Report on International Control of Oil Pollution" (Rept. No. 628). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 12768. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. ADDABBO:

H.R. 12769. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 12770. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. BOLAND:

H.R. 12771. A bill to provide for uniform annual observances of certain legal public holidays on Mondays, and for other purposes; to the Committee on the Judiciary.

By Mr. CABELL:

H.R. 12772. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. DE LA GARZA:

H.R. 12773. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

By Mr. FULTON of Tennessee:

H.R. 12774. A bill arranging for orderly marketing of certain imported articles; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 12775. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. MACGREGOR:

H.R. 12776. A bill to amend the Economic Opportunity Act of 1964 to further limit political activity on the part of workers in poverty programs; to the Committee on Education and Labor.

H.R. 12777. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 12778. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. MESKILL:

H.R. 12779. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 12780. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 12781. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 12782. A bill to amend the Public Health Service Act in order to establish in the Public Health Service the position of

Chief Veterinary Officer; to the Committee on Interstate and Foreign Commerce.

By Mr. ST. ONGE:

H.R. 12783. A bill to provide for the issuance of a special postage stamp in February 1968, to commemorate American Heart Month and the national fight against the cardiovascular diseases; to the Committee on Post Office and Civil Service.

By Mr. SCHWENGEL (for himself and Mr. MAYNE):

H.R. 12784. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. SCHWENGEL:

H.R. 12785. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. SLACK:

H.R. 12786. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. TUCK:

H.R. 12787. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. VANDER JAGT:

H.R. 12788. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. VIGORITO:

H.R. 12789. A bill to provide for the control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. WALKER:

H.R. 12790. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in areas having high proportions of persons with low incomes, and for other purposes; to the Committee on Ways and Means.

By Mr. BETTS:

H.R. 12791. A bill to amend the Tariff Schedules of the United States with respect to the temporary rate of duty for color television picture tubes; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 12792. A bill to authorize the support of Casa Loma College, a vocational college of applied science and arts, to stimulate its development and operation, to further define its corporate powers and provide such support as necessary to fulfill its purposes of providing vocational education and manpower training programs within a 4-year collegiate institution in such a way as to preserve human dignity and worth of the socially, economically, and culturally deprived; to the Committee on Education and Labor.

By Mrs. HECKLER of Massachusetts:

H.R. 12793. A bill to remove the authority of the Secretary of the Treasury to prohibit, curtail, or regulate the melting or treating of coins of the United States; to the Committee on Banking and Currency.

H.R. 12794. A bill to amend section 312 of the Immigration and Nationality Act to exempt certain additional persons from the requirements as to understanding the English language before their naturalization as citizens of the United States; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 12795. A bill to safeguard the consumer in connection with the utilization of credit by requiring full disclosure of the terms and conditions of finance charges in credit transactions or in offers to extend credit; by establishing maximum rates of finance charges in credit transactions; by authorizing the Board of Governors of the Federal Reserve System to issue regulations dealing with the excessive use of credit for the purpose of trading in commodity futures contracts affecting consumer prices; by establishing machinery for the use during periods of national emergency of temporary controls over credit to prevent inflationary spirals; by prohibiting the garnishment of wages; by creating the National Commission on Consumer Finance to study and make recommendations on the need for further regulation of the consumer finance industry; and for other purposes; to the Committee on Banking and Currency.

By Mr. MATSUNAGA:

H.R. 12796. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

H.R. 12797. A bill to amend title 5, United States Code, to provide optional annual physical examinations for Government employees enrolled under health benefits plans; to the Committee on Post Office and Civil Service.

By Mr. RANDALL:

H.R. 12798. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. ROSENTHAL:

H.R. 12799. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. TAYLOR:

H.R. 12800. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 12801. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict or of service in the Armed Forces are or may be buried, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HATHAWAY (for himself, Mr. CULVER, and Mr. MORRIS):

H.R. 12802. A bill to develop business and employment opportunities in smaller cities and areas of unemployment and underemployment by providing certain preferences for prospective Government contractors in such cities and areas; to the Committee on the Judiciary.

By Mrs. MINK:

H.J. Res. 813. Joint resolution providing that an environmental health center that may hereafter be established in the Public Health Service shall be known as Rachel Carson Memorial Research Center for Environmental Health; to the Committee on Interstate and Foreign Commerce.

By Mr. MORRIS:

H.J. Res. 814. Joint resolution in honor of Amelia Earhart and Joan Merriam Smith; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12803. A bill for the relief of Bartolomeo DiNatale; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 12804. A bill for the relief of Felicitas B. Burgonio; to the Committee on the Judiciary.

H.R. 12805. A bill for the relief of Emerita Dinglas; to the Committee on the Judiciary.

H.R. 12806. A bill for the relief of Amelia Garcia; to the Committee on the Judiciary.

H.R. 12807. A bill for the relief of Virginia O. Olympia; to the Committee on the Judiciary.

H.R. 12808. A bill for the relief of Leonor Valmores; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 12809. A bill for the relief of Rosa Vasile; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 12810. A bill for the relief of Rosaria Meo; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 12811. A bill for the relief of Paolina, Luciano, and Paolo Evangelisti; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 12812. A bill for the relief of Go Kieng Siong; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 12813. A bill for the relief of Zenaida I. Biroq; to the Committee on the Judiciary.

H.R. 12814. A bill for the relief of Angelina Cappa; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 12815. A bill for the relief of Mrs. Anna Frank; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 12816. A bill for the relief of Christopher Sloane (Bosmos); to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 12817. A bill for the relief of Dr. Leding Yap; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.R. 12818. A bill for the relief of Lt. Cmdr. Anthony A. Mitchell, U.S. Navy; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

150. By the SPEAKER: Petition of William Netschert, Daytona Beach, Fla., relative to relief from dilution of efficacy of vote; to the Committee on the Judiciary.

151. Also, petition of Elmer L. Evans, Wanaque, N.J., relative to subverting the Constitution of the United States; to the Committee on the Judiciary.

152. Also, petition of Henry Stoner, Avon Park, Fla., relative to enactment of House Resolution 904; to the Committee on Rules.

SENATE

MONDAY, SEPTEMBER 11, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. W. Wilson Rasco, D.D., executive of United Presbyterian Church, Seattle, Wash., offered the following prayer:

God of the nations, Lord of our hearts: Gratefully we acknowledge Thy goodness to us; humbly we confess our need of Thee.

On this day that Thou has given us, help us to attempt great things for Thee and for our country.

Today we pray for our country and for all who are working in the interests of righteousness, freedom, and good will.

Lift us above our obsession for the insignificant. Help us to gear our efforts into things that bring meaning and fulfillment to the lives of all people everywhere.

Give us strength and patience that we may not become weary in well-doing.

Today we pray for peace for our world.

We pray for those who are paying the price of peace.

We need wisdom greater than our own. So lead us and use us that in our world and in our time all men may come to call each other "brother" and call Thee "Father."

Bless the Members of this Senate in their personal and private as well as political affairs. Be with their families and loved ones today.

May Thy grace, mercy, and love be with us all. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 9547) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. MULTER, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. WIDNALL, Mr. HALPERN, and Mr. JOHNSON of Pennsylvania were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

S. 906. An act for the relief of Luis Tapia Davila;

S. 1448. An act for the relief of Roy A. Parker; and

H.R. 9837. An act to amend the Legislative Branch Appropriation Act, 1959, as it relates to transportation expenses of Members of the House of Representatives, and for other purposes.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, August 31, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the call of the calendar, under rules VII and VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR MORSE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the senior Senator from Oregon [Mr. MORSE] be recognized at 1 o'clock today for a period of 1 hour.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MISS AMERICA: DEBRA DENE BARNES OF KANSAS

Mr. CARLSON. Mr. President, for the second time in 3 years, the Miss America contest has recognized the beauty and talent of Kansas girls by selecting Miss Debra Dene Barnes of Moran, Kans., as Miss America.

For some, the selection of Miss Debra may have been a surprise. Kansans, however, were not surprised. From the moment in Pratt, Kans., when she won the Junior-Chamber-of-Commerce-sponsored Miss Kansas title. Kansans have known she would be Miss America.

A junior at Kansas State College at Pittsburg, Debra is studying to be a professor of music. Other than the marvelous talent on the piano she demonstrated before the nationwide television audience Saturday night, Debra also plays the organ, the trumpet, and the French horn. Her ambition is to earn her doctor's degree in piano pedagogy.

But talent is not enough to win the Miss America contest. Beauty is the real measure, and Miss Debra was the clear winner of this test, having won first place in the preliminary swimsuit division.

Kansas has long been known as the "Wheatheart" of the United States. Now we can add the title of "Sweetheart" of the United States to our long list of assets and accomplishments. Geographically we are the center of the United States, and we are also the beauty center. Added to the many other beauty titles won by Kansas girls in the past few years, it tends to prove what I have long known—that no State surpasses Kansas for beautiful and talented women.

I congratulate Mr. and Mrs. Dwight Barnes for the wonderful girl they have given. Mrs. Barnes is seriously ill with multiple sclerosis and may not yet know that her daughter is Miss America, but I know that she has long been proud of her daughter.

Congratulations, Miss Debra. We are all very proud of you.

A TRIBUTE TO MISS AMERICA

Mr. PEARSON. Mr. President, I rise to call the attention of Members of the Senate and to congratulate Miss Debra Dene Barnes of Moran, Kans., who was named Miss America of 1968, Saturday night at Atlantic City, N.J. It was indeed exciting for me to watch this event on television Saturday night and be able to see a Kansan named Miss America for the second time in the last 3 years.

Debbie Barnes is a delightful young lady who was born and reared in a small Kansas community of 550 people. I am indeed proud of her parents and the citizens of Moran who have contributed in various ways to the outstanding talents which Debbie possesses.

Debra is majoring in music at Kansas State College in Pittsburg, Kans., and her ambition after finishing her education is to teach piano at the college level and write music. With the talents she exhibited Saturday night at her disposal there is no question but that she can look forward to an outstanding career.

I am personally very proud, as is the entire State of Kansas, of the new Miss America.

DEATH OF HARRY H. WOODRING

Mr. CARLSON. Mr. President, Kansas and the Nation lost a distinguished citizen in the death of the Honorable Harry H. Woodring.

Harry Woodring served as Assistant Secretary of War under the administration of Franklin Delano Roosevelt, having been appointed in April 1933. Later, in 1936, President Roosevelt appointed him Secretary of War, which position he held for 4 years.

He served as Governor of Kansas from 1931 to 1933. Following his service as Secretary of War, President Roosevelt offered him the Governorship of Puerto Rico, but Secretary Woodring declined, as he wanted to return to Kansas.

Secretary Woodring was one of the early supporters of President Franklin Delano Roosevelt for the Democratic presidential nomination and made one of the seconding speeches for him at the Democratic National Convention in 1932.

Secretary Woodring was born at Elk City, Kans., May 31, 1890. He started a banking career at the age of 17 in Neodesha, Kans. He rose to the vice presidency and then the ownership of the First National Bank in Neodesha.

He enlisted as a private in the army in 1918 and was soon commissioned a second lieutenant. He was discharged on December 12, 1918.

Secretary Woodring considered this greatest service to the Nation to be his recommendation of Gen. George C. Marshall for appointment as Army Chief of Staff, a post Marshall held through the critical years of World War II.

He was married to Helen Coolidge, daughter of Senator Marcus A. Coolidge of Massachusetts, whom many Members of this body will remember.

Harry H. Woodring was widely known and highly regarded not only in Kansas, but all over the Nation.

LEAVE OF ABSENCE

Mr. KUCHEL. Mr. President, I ask unanimous consent that, by reason of official business, I be excused from attendance at the sessions of the Senate from Monday, September 18, to and including Monday, October 2, 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

FASCIST GREECE

Mr. YOUNG of Ohio. Mr. President, the King of Greece is in the Capital of our country today. He might as well remain in the United States permanently unless he stiffens his backbone, returns to his country, and demonstrates he is a real ruler instead of a mere puppet.

Within the past 20 years, $4 billion of American taxpayers' money has been paid over to Greece, much of it in military aid.

(At this point a disturbance occurred in the visitors' galleries.)

The PRESIDING OFFICER. The galleries will be in order. The Sergeant at Arms will please remove the demonstrators. The Senator from Ohio will suspend until the galleries are in order.

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 12 o'clock and 8 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 12 o'clock and 10 minutes p.m., when called to order by the Presiding Officer (Mr. HARRIS in the chair.)

FASCIST GREECE

Mr. YOUNG of Ohio. Mr. President, the King of Greece is in the Capital of our country today. He might as well remain in the United States permanently unless he stiffens his backbone, returns to his country, and demonstrates he is a real ruler instead of a mere puppet.

If he is in Washington to confer with our President merely as an errand boy for the colonels who forcibly took over the rule of his unhappy country, his request that the United States grant military aid to Greece should be rejected offhand.

Within the past 20 years, $4 billion of American taxpayers' money has been paid over to Greece, much of it in military aid.

In large part much of this aid to Greece was to save that country from a takeover by the Communists. Yet, now the colonels govern by decree the same as do Communist rulers. They have seized power by force. They have imprisoned more than 3,000 men and women without trial. They even have the effrontery to revoke Greek citizenship and seize real estate and bank accounts of native born Greeks simply by decree.

This Greek King does not deserve to remain a king unless he returns to his country and defies the military dictatorship there. Surely American citizens regard a Fascist dictatorship as ignoble and indefensible as would be a Communist dictatorship.

Mr. President, Greece, the cradle of democracy, is a nation which has been our friend and ally over the years. It was President Truman's Marshall plan that saved Greece from going behind the Iron Curtain.

Unfortunately, the duly elected Government of Greece was overthrown by Fascist-minded generals and colonels of the Greek Army. King Constantine is now merely a puppet. The military junta governs by decree.

Melina Mercouri, the stage and screen star, criticized this new Government. Immediately the fascist chairman by decree seized apartment buildings and other property she owned in Athens and revoked her citizenship. Much to her credit, she responded angrily, "I was born a Greek; I will die a Greek. General Patakos was born a Fascist and he will die a Fascist."

Unfortunately our State Department immediately recognized the military junta in Athens. Had a ragtag group of leftwingers, instead of Mussolini-like Fascists, taken over, it would be interesting to note whether our striped-pants boys at the State Department would have closed our Embassy and President Johnson and Secretary Rusk immediately sent in our planes and paratroopers to "protect American citizens."

President Johnson and Secretary of State Rusk should tell King Constantine who is now visiting Washington to answer these questions or demand that the generals and colonels ruling Greece by decree answer for him.

King Constantine will be in the Capitol Building this afternoon. The distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] has invited me to attend a meeting with him at 3:30 this afternoon. I expect to be there. There are some questions that should be asked of the King of Greece.

I ask now: When are the 3,000, or more, political prisoners to be freed? If they are not freed immediately what reason can he give for jailing them by decree without trial? When will the King restore freedom of the press and other civil liberties to his people? When may a Greek citizen have more than five persons in his home without a police permit? When will there be free elections in Greece? When will Andreas Papandreou be tried or released? Also, by whose authority and under what law and for what has he been in prison these many weeks?

Furthermore, President Johnson and Secretary of State Rusk should make it crystal clear to King Constantine that the present embargo on military assistance to Greece will be maintained until democratic institutions have been reinstated in Greece through the restoration of a legitimate constitutional government.

Mr. President, on September 5, 1967, there appeared in the New York Times an excellent editorial entitled, "Ill Winds From Greece." This editorial clearly and concisely describes the nature of the Fascist clique that has seized control in Greece and the need for an immediate return to constitutional government in that unfortunate land. I commend this editorial to my colleagues and ask unanimous consent that it be printed in the RECORD at this point as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ILL WINDS FROM GREECE

"The creative wind toward reform and progress that has swept the country and the Government in Greece since the April revolution . . ." So begins a Greek Embassy press handout about the National Tourist Organization. The truth in Greece, four months after the seizure of power by a clique of Army officers, is somewhat different.

Item: More than 2,300 of the 6,000 alleged leftists rounded up by coup leaders are still held on a desolate Aegean island, without charge, without trial. "We'll let you visit them as soon as they become better Greeks," the brigadier serving as Interior Minister told newsmen.

Item: Thirty-four persons, most of them members of the Center Union party that won an unprecedented majority in the last election, are being tried *en masse* by a military tribunal for "defiance of orders of the military authority." The charges are that they printed and distributed anti-regime leaflets, insulted the coup leaders and spread "false information."

Item: Pervasive press censorship continues, including a blackout of news about the trial of the 34. Not one step has been taken to ease it despite the promise a month ago by a new Under Secretary that press freedom would be "restored shortly."

It is painfully evident that, apart from copying fascist trappings, a facade of Victorian-era morality and a few Madison Avenue publicity techniques, the Greek colonels and brigadiers have no ideas on what to do with the country. They know how to suppress and censor, how to spy and conduct kangaroo courts—they are skilled at trapping and jailing citizens for playing the forbidden music of Mikis Theodorakis—but they are barren of plans for bringing the promised political reconstruction and the restoration of parliamentary democracy.

The crucial questions, then, are: What kind of new Constitution will a working group of twenty distinguished Greek jurists produce? And, if it is a genuinely democratic document, will the military junta accept it as promised?

This draft is supposed to be finished toward the end of the year. In the meantime, the United States Government should bend over backward to avoid giving even a hint of approval or a sign of respectability to the present regime. There is no pressing need for resuming military aid to Greece and the political cost to Washington would be high.

After the jurists have reported and the junta has indicated its attitude toward the draft Constitution there will be opportunity to determine the next phase of American relations with Greece.

ORDER OF BUSINESS

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

THE SOUTH VIETNAMESE YEARN FOR PEACE AND REPUDIATED KY

Mr. YOUNG of Ohio. Mr. President, more than two-thirds of the voters of Vietnam repudiated the military regime of Thieu and Ky in the election on September 3. By a tremendous margin they clearly and convincingly demonstrated that the people of South Vietnam desire a cessation of bombing of North Vietnam, an end to the civil war raging there and the commencement of peace talks with the Vietcong and with the Hanoi regime.

There is clear and convincing evidence that in the United States President Johnson no longer commands the support of a majority of the American people in turning the Vietnamese civil war into an American ground war. The Vietnam involvement has become the most unpopular war in American history; even more unpopular than the war with Mexico nearly a century and a quarter ago. A Congressman from Illinois, Abraham Lincoln, voted against that declaration of war. Now, the people in South Vietnam have clearly shown that they do not desire the continuation of this war.

The result of the election places an obligation upon our President to unconditionally halt the bombing of North Vietnam and to make greater efforts to seek an armistice and cease-fire. The election returns give us an opportunity to extricate ourselves from a well-nigh impossible situation. We should disengage our forces from combat in Vietnam and retire to our own coastal bases and seek an armistice such as was achieved in Korea.

Thieu was elected President by less than 35 percent of the total vote. All opposition candidates favored peace. The most outspoken peace candidate, Truong Dinh Dzu, a Saigon lawyer, who had never held public office, campaigned with a white dove of peace as his ballot symbol. He proposed in his final radio talk and in his campaign literature immediate conferences with the Vietcong, or the National Liberation Front, to bring peace to Vietnam. He called for unconditional cessation of bombing of North Vietnam. Dzu obtained 17 percent of the total vote, running second in a field of nine, and afterward declared:

> If there had been honest elections, I would have won. I represent the need of the people for peace.

Whether or not the claim of Dzu that Ky rigged the elections against him has substantial basis is unknown at this time. Unfortunately, the result of this much heralded election left the same military junta in power. Nothing has really changed in Saigon. It is to be remembered that Ky arbitrarily barred from voting all Buddhists, Communists, and all men and women he termed neutralists. Men and women alleged to come within such category were denied ballots. Furthermore, he barred the most prominent of all peace candidates, "Big" Minh, the former Prime Minister violently removed from office by Ky and the 10 generals in their coup of June 1965. This former Prime Minister, an exile in Thailand, was termed a subversive by Ky and denied a place on the ballot.

Mr. President, the elections proved one thing only. It is evident that the Vietnamese, by an overwhelming margin, voted a lack of confidence in the Saigon military junta and demonstrated a strong popular demand for peace.

DEMONSTRATION IN THE GALLERIES

Mr. KUCHEL. Mr. President, I have a duty, I believe, to detain the Senate for a moment. As a Senator, I wish to denounce what I consider to be a reprehensible and illegal demonstration a few minutes ago by some people who were guests of the Senate in their attempt to throw down from the gallery leaflets setting forth their views on certain public questions.

That is not the way in this country to attempt to influence with honor and integrity the decisions which the people's representatives make.

Many times, in my State of California, I have spoken about the duty of the citizen to his country when it is free—as ours is. His duty is far greater than that of the citizen in a controlled, closed, or Communist country.

Here, every American citizen can luxuriate in his right of free speech—although a wise government has set limits of what free speech consists of.

Here, an American citizen can peacefully enjoy his right to petition the Government as that right is laid down in the Constitution of our country.

Here, we have orderly process, and respect for law and order, only when the individual American accepts the responsibilities of citizenship which go along with his freedom.

There was, therefore, a perversion of the orderly processes of the American Government in this Chamber a few moments ago. There was, I take it, a mild, miniattempt at intimidation.

Mr. President, at this point I ask unanimous consent to have a copy of the leaflet which was showered down upon the Senate a few moments ago printed in the Record.

There being no objection, the text of the leaflet was ordered to be printed in the Record, as follows:

> September 11, 1967.
>
> *To all U.S. Congressmen:*
>
> Your first order of business this session should be a general declaration of peace—followed by immediate withdrawal of U.S. troops from Vietnam, an end to conscription, and an end to the suppression of black Americans.
>
> Until you meet these emergencies there will be sustained disruptions of the government apparatus.
>
> National Mobilization Committee
> Direct Action Project.

Mr. KUCHEL. Mr. President, you will observe, as you read it, that in part those who were responsible for this ugly moment go on to state—addressing you, Mr. President, as well as your colleagues:

> Until you meet these emergencies there will be sustained disruptions of the government apparatus.

I hope not. I believe not. A great majority of the people of this country wish to accept their responsibilities. What we saw a few moments ago was simply a handful of American citizens abusing their right to their precious freedom.

I repeat that I denounce it, and I do not want it to happen again.

Mr. LAUSCHE. Mr. President, I commend the Senator from California for the comments he has just made about the episode which took place about 20 minutes ago, when one side of the Chamber was peppered with leaflets dropped by non-Americans—and I say that advisedly.

I am disturbed by the significance of what happened. It demonstrates that spreading throughout the country is an ever-increasing belief that, by intimidation and coercion, objectives, whether desired or not desired by the majority of our people, can be attained.

The miniature demonstration which took place reflects the general attitude of certain groups who hope that, by intimidation and coercion, public officials will abandon the obligations which they assumed in taking oath of office to serve the United States of America faithfully and honestly, to the end that our Nation shall be preserved.

I repeat a part of the contents of the leaflet:

> Until you meet these emergencies there will be sustained disruptions of the Government apparatus.

Mr. President, the question arises, Is there really existent among a goodly number of our citizens—although I probably should not designate them in that way—a belief that their ends will be achieved through a disruption of the Government processes?

Every law-abiding citizen should become alarmed at the threat of sustained disruptions of the Government apparatus. While applicable merely to the dropping of leaflets, it represents, nevertheless, what certain groups believe they can attain through disruption, violences, sit-ins, or mob demonstrations, causing the Government to cease operating normally as contemplated by the Constitution.

Mr. President, this is a tragic situation. It is also an insult to every public official in the country when such groups impliedly express "You will bow to our demands or we will cause you annoyance and disruption wherever you go."

What do they hope to achieve?

What would be the end result of the destruction of our democratic processes? What would happen if, by coercion and intimidation, such groups were able to achieve what they want?

What would be the result if their opponents began to exercise the same kind of intimidation and coercion against them?

Millions of citizens are abiding by our democratic concept of government. They work every day. They take care of their homes. They try to take care of their families. But groups of the type that were in the Senate Chamber this morning do not belong in that category. In the main, although they are a minority, they believe that by their demonstrations, sit-ins, and annoyances, we will finally yield to their demands.

My expectation is that a time will come within this country—and soon—when the good citizens in mass protest will demand that their rights be considered and that the propagators of violence, riots, and demonstrations be stopped.

I do not know what will happen to the group which dropped the leaflets. Probably there is no law to deal with them. However, I grieve and sorrow frequently when I find our Government either unwilling or so inept as to allow riots, demonstrations, and sit-ins to go unchecked and unpunished.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. KUCHEL. I merely wish to commend my able colleague from Ohio, who has a long and illustrious record as a public servant, for the comments he has just made.

Mr. LAUSCHE. I thank the Senator.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of August 30, 1967,

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported favorably, without amendment, on September 8, 1967, the concurrent resolution (S. Con. Res. 40) authorizing the printing of the report of the proceedings of the 43d biennial meeting of the Convention of American Instructors of the Deaf as a Senate document, and submitted a report (No. 562) thereon, which was printed.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Reports on Number of Officers on Duty With Headquarters, Department of the Army, and Army General Staff

A letter from the Secretary of the Army, transmitting, pursuant to law, reports on the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff, as of June 30, 1967 (with accompanying reports); to the Committee on Armed Services.

Report on Export Control

A letter from the Secretary of Commerce, transmitting, pursuant to law, the Eightieth Quarterly Report covering the second quarter of 1967 (with an accompanying report); to the Committee on Banking and Currency.

Oil Emergency

A letter from the Assistant Secretary of the Interior transmitting, pursuant to law, a chronology of actions in regard to the oil emergency (with accompanying papers); to the Committee on Banking and Currency.

Amendment of Title 5, United States Code

A letter from the President, Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation to amend title 5, United States Code, Government, Organization and Employees, to authorize the Commissioners of the District of Columbia to place positions in the government of the District of Columbia in grades GS-16, GS-17, and GS-18, and, with the approval of the President, other positions at levels IV and V of the Executive Schedule, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

Amendment of Internal Revenue Code of 1954

A letter from Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system (with an accompanying paper); to the Committee on Finance.

Proposed Highway, Airway, and Waterway User Acts of 1967

A letter from Secretary of Transportation, transmitting a draft of proposed legislation to provide additional revenues for the Highway Trust Fund, and for other purposes (with an accompanying paper); to the Committee on Finance.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings from more economical use of communication facilities between Alaska and the U.S. mainland, Department of the Air Force, Alaska Communication System, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of Federal participation in the cost of airport projects involving donated land, Federal Aviation Administration, Department of Transportation, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on procurement of nuclear submarine propulsion equipment under Public Law 87-653, Department of the Navy, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

Tumalo Irrigation District

A letter from the Secretary of the Interior, transmitting, pursuant to law, determination relating to deferment of 1967, 1968, and 1969 construction charge installments due to the United States from the Tumalo Irrigation District, Crescent Lake Dam Project, Oreg.; to the Committee on Interior and Insular Affairs.

Florida Project

A letter from the Deputy Assistant Secretary of the Interior transmitting, pursuant to law, findings on contract (RO Draft 3-23-67) for the performance of minor construction work on the Florida Project, a participating project of the Colorado River Storage Project (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Proposed Legislation Withdrawing Federal Supervision Over Property and Affairs of Seneca Nation

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation for complete withdrawal of Federal supervision over the property and affairs of the Seneca Nation and its members (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report on Tort Claim Paid by Peace Corps

A letter from the Director, Peace Corps, transmitting, pursuant to law, a report on a tort claim paid by the Peace Corps, during fiscal year 1967 (with an accompanying paper); to the Committee on the Judiciary.

American Symphony Orchestra League, Inc., Audit Report

A letter from George H. Jones, Jr., certified public accountant, McLean, Va., transmitting, pursuant to law, an audit report for the American Symphony Orchestra League, Inc., for the fiscal year ended May 31, 1967 (with an accompanying report); to the Committee on the Judiciary.

Report on Claims Paid Under the Military Personnel and Civilian Employees' Claims Act of 1964

A letter from the Deputy General Manager, United States Atomic Energy Commission, Washington, D.C., transmitting, pursuant to law, a report on claims paid under the Military Personnel and Civilian Employees' Claims Act of 1964, for the fiscal year ended June 30, 1967 (with an accompanying report); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defectors aliens (with accompanying papers); to the Committee on the Judiciary.

Suspension of Deportation of Certain Aliens

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Cost-of-Living Allowances for Certain Employees

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to provide cost-of-living allowances for judicial employees stationed outside the continental United States or in Alaska or Hawaii, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

Amendment of Title 37, United States Code

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 37, United States Code, to authorize the nontemporary storage of household effects of members in a missing status (with an accompanying paper); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Third Preference and Sixth Preference Classifications for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A letter from the secretary, Group of American Citizens, New York City, N.Y., in the nature of a petition, praying for a redress of grievances relating to properties in Bulgaria; to the Committee on Foreign Relations.

A resolution adopted at the Regional Conference of Elected Officials, Philadelphia, Pa., praying for the enactment of legislation relating to Federal assistance to urban areas; to the Committee on Government Operations.

Resolution adopted at the Conference of Chief Justices, Honolulu, Hawaii, relating to review of decisions of State Supreme Courts; to the Committee on the Judiciary.

A letter, in the nature of a petition, from George Bennett, of Detroit, Mich., remonstrating against the proposed appointment of Lawrence Gubow as federal judge for the eastern district of Michigan, southern division; to the Committee on the Judiciary.

A petition from Elmer L. Evans, of Wanaque, N.J., praying for a redress of grievances (with accompanying papers); to the Committee on the Judiciary.

A letter from the executive assistant to the Governor, State of Ohio, advising that house bill No. 103, of the State of Ohio, has previously been transmitted to the Congress, and that, therefore, no copy would be sent by his office; to the Committee on Public Works.

A statement by the Governor, State of Connecticut, relating to Stay-in-School Month, September 1967; ordered to lie on the table.

A proclamation by the Governor, State of Indiana, relating to Stay-in-School Month, September 1967; ordered to lie on the table.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 2380. A bill for the relief of Dr. Juan Jose Villa-Campos; and

S. 2381. A bill for the relief of Dr. Jesus Adalberto Quevedo-Avila; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2382. A bill for the relief of Dr. Jose R. Sanches;

S. 2383. A bill for the relief of Dr. Francisco J. Menendez;

S. 2384. A bill for the relief of Mr. Jorge A. Marrero;

S. 2385. A bill for the relief of Mr. Jorge L. Machado; and

S. 2386. A bill for the relief of Dr. Luis F. Rodriguez Iznaga; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 2387. A bill for the relief of Yan Kam Yeung, Mui Kwun Tong, Man Wong, Fat Li, Fat Loi, Foo Lum, and King Hung Chu; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

PROPOSED SUBMISSION BY THE PRESIDENT OF A RESOLUTION TO THE UNITED NATIONS FOR FINAL AND BINDING IMPROVEMENT OF PEACE IN SOUTHEAST ASIA

Mr. MORSE submitted a concurrent resolution (S. Con. Res. 44) providing that it is the sense of the Congress that the President should submit a resolution to the United Nations for final and binding improvement of peace in Southeast Asia in accordance with the appropriate article of the United Nations Charter, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. MORSE, which appears under a separate heading.)

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL, 1968—AMENDMENT

AMENDMENT NO. 301

Mr. BREWSTER submitted an amendment, intended to be proposed by him, to the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commission, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL, 1968

AMENDMENT NO. 302

Mr. BYRD of West Virginia (for Mr. MAGNUSON) submitted the following notice in writing:

> In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the pose of proposing to the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes, the following amendment, namely: On page 24, after line 19, insert the following:
>
> "Any officer who has served with the Selective Service System in the position of a State Director of Selective Service or comparable executive position on the Staff of the Director of Selective Service for a period of fifteen (15) years will, upon retirement from active duty, be advanced in rank on the retired list to the next highest pay grade and be entitled to the retired pay of that grade as computed under appropriate provisions of law applicable to such person."

Mr. BYRD of West Virginia (for Mr. MAGNUSON) also submitted an amendment, intended to be proposed by him, to House bill 9960, supra, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

ADDITIONAL COSPONSORS OF BILLS

Mr. TOWER. Mr. President, on August 30, I introduced a bill (S. 2376) to amend chapter 37 of title 38, United States Code, to provide relief for certain veterans purchasing homes with assistance under such chapter who have been recalled to active duty. I ask unanimous consent that, at its next printing, the names of my colleagues the Senator from New York [Mr. JAVITS] and the Senator from Vermont [Mr. PROUTY] be added as cosponsors of the bill.

The PRESIDING OFFICER, Without objection, it is so ordered.

Mr. SMATHERS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New York [Mr. JAVITS] be added as a cosponsor of the bill (S. 1400) to improve the statistics of the United States by providing for a census in the years 1968, 1975, and every 10 years thereafter.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMATHERS. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from West Virginia [Mr. BYRD], the Senator from New Jersey [Mr. CASE], the Senator from Pennsylvania [Mr. CLARK], the Senator from Kentucky [Mr. COOPER], the Senator from Arizona [Mr. FANNIN], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Hawaii [Mr. INOUYE], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. MONDALE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Wisconsin [Mr. NELSON], the Senator from Rhode Island [Mr. PELL], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Maine [Mrs. SMITH], the Senator from Alabama [Mr. SPARKMAN], the Senator from Maryland [Mr. TYDINGS], the Senator from New Jersey [Mr. WILLIAMS], the Senator from Texas [Mr. YARBOROUGH], and the Senator from North Dakota [Mr. YOUNG] be added as cosponsors of the bill (S. 1484) to establish a Small Business Crime Protection Insurance Corporation, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS BEFORE SUBCOMMITTEE ON SEPARATION OF POWERS

Mr. ERVIN. Mr. President, as chairman of the Subcommittee on Separation of Powers of the Committee on the Judiciary, I wish to announce that the subcommittee will hold open hearings on Wednesday, Thursday, and Friday, September 13, 14, and 15. The hearings will be held in room 457 of the Old Senate Office Building, and will begin at 10 o'clock a.m. each day.

The subject of the hearings is one of utmost importance to the Congress—the function of legislative oversight of the administration of the laws. The Constitution assigns to Congress two interrelated functions: First, the determination of governmental policies and programs and the formulation of laws to carry those policies and programs into effect; and second, the oversight of administration in order to see to it that the laws are faithfully executed and to hold the executive branch to the standards and objectives enunciated by Congress. Most Members of Congress view their positions strictly in terms of the lawmaking function, either neglecting the oversight function altogether or performing it in a sporadic, inefficient manner. This is especially unfortunate in recent times because the increasing scope and complexity of Government and the resulting press of business have lessened significantly the detailed delineation of policy objectives that Congress is able to incorporate in its legislation. The result has been that large amounts of discretionary authority have been delegated to the executive branch, in many cases without clear and precise standards to guide administrative decision-making. In this context, the adequacy of the oversight devices of Congress and the awareness of Congress of the importance of the oversight function are more important than ever before.

The subcommittee will give special attention to one form of legislative oversight, the so-called committee veto, a statutory device under which certain administrative decisions must be submitted to and approved by designated congressional committees before being implemented. In addition, the subcommittee will hear discussion of the various alternative methods of legislative oversight and will consider suggestions for legislative proposals or organizational reforms directed toward strengthening the Congress and enabling it to perform its oversight function more effectively without impinging upon prerogatives of the executive branch.

Finally, the subcommittee will hear testimony on several other aspects of separation of powers, including particularly the role of Congress in formulating foreign policy.

The witnesses scheduled to appear before the subcommittee include: Senator VANCE HARTKE; Representative PAUL FINDLEY; Representative JAMES C. WRIGHT; Assistant Attorney General Frank M. Wozencraft, U.S. Department of Justice; Prof. Alfred de Grazia, New York University; Prof. Alexander M. Bickel, Yale Law School; and Prof. Arthur A. Maass, Harvard University.

DEATH OF JUDGE CARL D. FRIEBOLIN

Mr. LAUSCHE. Mr. President, not only the city of Cleveland, and its environs, but the whole Nation has suffered the loss of a distinguished patriot of the United States and a vigorous exponent of the cause of liberty in the death of Judge Carl D. Friebolin on September 4, 1967.

His great trait was the willingness to speak the truth without regard to the group or economic class upon which the implications of his fearless statements fell. He was a true exponent of the courses of action that free citizens should take in the exercise of the freedoms vested in them by the Constitution of the United States.

He was a vigorous advocate of the objective contemplated by our Constitution of giving to every citizen a full enjoyment of his constitutional rights—no more, no less.

He died at the age of 89. Throughout his whole life he struck devastatingly at all groups—rich or poor, strong or weak—that attempted either through economic power or through demogoguery to usurp rights which did not belong to them.

On September 7, 1967, at the Amasa Stone Mather Chapel of Western Reserve University of Cleveland, Ohio, the Honorable Philip W. Porter eulogized the character and works of Judge Carl D. Friebolin. His presentation was superb and worthy of being placed in the RECORD. I, therefore, ask unanimous consent that it be so printed.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

REMARKS BY PHILIP W. PORTER AT MEMORIAL SERVICE FOR CARL D. FRIEBOLIN, AMASA STONE MATHER CHAPEL, WESTERN RESERVE UNIVERSITY, SEPTEMBER 7, 1967

Carl Friebolin was as young in mind and spirit the day he died last week—89 years old—as the day he first entered the civic life of Cleveland nearly 60 years ago, when the great Tom L. Johnson was mayor. Like so many other eager young men who became Johnson's disciples and proteges, and who later distinguished themselves on their own—Newton D. Baker, Peter Witt, Burr Gongwer, William Stinchcomb, Alfred A. Benesch, to name a few—Carl Friebolin caught fire from the Johnson magic and pursued those high political ideals all the rest of his long and useful life.

Friebolin too became a great man. A really unique man, whom it is almost impossible to describe fully. A man who became a legend in his own time. A man who commanded such respect in this community that, though he held no exalted public office nor directed any vast industrial or commercial empire, though he accumulated no millions of dollars nor employed thousands of men, could accurately be described as Cleveland's No. 1 Citizen. His counsel was sought, his friendship cherished, his scorn feared. His brilliant wit and willingness to use it for good causes certainly shamed many public men into better performance. He has left his mark on his chosen community and it is a high mark, a good mark.

Carl served only briefly in elective public office, two terms in the Ohio legislature, beginning in 1911. In his second term, he was the close friend and political lieutenant of Gov. James M. Cox, one of Ohio's greatest, and whipped through Cox's program of 55 bills, to implement the new constitution adopted in 1912. Cox thought so highly of him that he appointed him common pleas judge in July 1914. He was just right for the job.

But here Carl met his first big disappointment and it may have disillusioned him about the justice of the electoral process. He ran, as required, in November for election to the unexpired term, and was defeated by a much lesser man with a more euphonious name, something that happens all too often in elections for judge. It cured him of running ever again. But it did not send him back to private life. Soon afterward, he was appointed referee in bankruptcy for the federal court, and in that office, secure from elective storms, he served for 50 years. Later, he was offered other judgeships, both federal and local, but he declined. Once was enough; besides, he enjoyed the intricate complications of bankruptcy law.

From here on, Carl became involved—deeply involved—in an incredible number of unpaid civic activities. Today we live in a selfish era where many people go to great lengths to avoid becoming involved in anything but their own personal problems. Friebolin did the opposite; he involved himself to the full extent that his restless energy demanded, for he could never be idle for even part of a day. He was one of the founders and an early president of the City Club. He started writing the satirical Anvil Revues. He became president of the Citizens League, the Adult Education Association, the Law Library, the Citizens Bureau, the Adelbert College Alumni Association. He was permanent chairman of a citizens committee to draft competent people to run for the Cleveland school board. He was a member of the school board sinking fund commission, a director of the Chamber of Commerce, a trustee of Western Reserve University, a trustee of Kent State University.

Of all these, the City Club was his greatest love, and the fact that the Cleveland City Club is still flourishing today, after more than 50 years, is largely due to the determination of Carl Friebolin in making certain that it endured as a forum for free speech, vigorous dissent and independence of thought. Carl recognized it early not merely as a good place to argue with your friends during lunch, but as a living institution which would air all sides of public controversy and also to provide a stage to kid public figures about their pretensions and posturings. This stage was the annual Anvil Revue.

Carl rightly regarded the forum as the keystone of the club. It represented to him a practical demonstration of what he considered the principal freedom in the American bill of rights—the freedom to pop off, to debate, then be forced to answer questions. It was totally different from the stacked political meeting. It was the moment of truth, which made or broke. So the Forum soon became a Cleveland institution, and in the days before radio and TV, would often draw crowds of 1,500 people. Despite this, the club had a narrow squeak during the Big Depression and almost went broke as the membership declined. Bills went unpaid for months. So plans had to be made to keep the forum perpetually in existence through establishment of a foundation to endow the expense. Friebolin was delighted to accept the presidency of the foundation, which he held for 27 years. The Foundation grew and is still growing. So Cleveland, which first became renowned for political independence and idealism in the Tom Johnson administration, will continue to be so known because of Friebolin's beloved forum.

Carl was the guiding light of the City Club. No important decisions for 50 years were ever made by the directors without clearing them with "The Judge". He saw to it that nominating committees always produced several men competent to be president. Though he encouraged the flaming radicals of the Soviet Table to pop off daily, he also saw to it that the board was balanced with plenty of conservatives, to manage the money problems. Through his wisdom, such diverse and strong individualists as Jim Lincoln and Cyrus Eaton were persuaded at different times to sit on the board.

The Anvil Revue, however, was Carl's personal baby. It gave him a chance each year to pay his respects to hokum and political idiocy in city, county and state government. He had exceptional talent as a script writer and a strong sense of the right theatrical timing. So under Carl's laser beam, swelled heads shrivelled and stuffed shirts deflated. And he did the job up brown by inviting those he satirized to sit in boxes and watch themselves fry. His debunking was as sharp as a surgical operation. Audiences roared at the discomfiture of those who considered themselves great men and took themselves so seriously.

No one was immune. Senators, governors, congressmen, mayors, councilmen, county commissioners, sheriffs, political bosses—and even presidents—caught it. So did editors, bank presidents, chairmen of industry, heads of Chambers of Commerce. Politics, government and big business, under Friebolin's scalpel, became amusing and often downright ridiculous. And he never ran short of material, for the human comedy of errors renewed itself year after year and big shots continued to make fools of themselves. For 48 years Carl never let them forget it. And as the years went on, his carefully prepared "extemperaneous" curtain became sharper and sharper, until it was worth traveling hundreds of miles to hear. He began by saying "This is the last time" but everyone, including himself knew that, too, was the bunk. The last time really didn't come until 1965, just before his first serious illness made him quit mowing them down.

In the 30s, as World War II was approaching, he branched out into international politics, for the dictators were becoming especially ridiculous and obnoxious to us Americans. His skits about Hitler, Mussolini and Stalin were classics. And finally, he evolved one of his finest characters—Ben Sapp, the citizen in ordinary and taxpayer extraordinary, the confused little guy who always got over the fence last. Carl sensed, long before it actually came true in this age of computers, welfare statism and malignant bureaucracy, that pretty soon the whole world might be full of Ben Sapps, always behind the 8 ball and never quite understanding why. He wrote all his shows for the last 20 years around Ben Sapp, and really cherished him. Toward the end, he even had Ben Sapp in outer space.

This was a great gift that Carl Friebolin gave our city, the gift of laughter at ourselves and our own futility in solving our social and political problems. We could use more of it in these grim times of violence, name-calling, dirty words, soiled images and canned laughter on the boob tube. Truly we will miss the irreverent little man who made us laugh at the pompous, the pretenders and the phonies.

Yet, despite the accuracy of his barbs, Carl did it in a kindly way, never bitter. After every Anvil Revue, he entertained the big shots he had just finished barbecueing with a party at his home or the University Club, where the goats joined with the author and the cast in singing and drinking and realizing it was all in good clean fun. Many of his most regular targets were lunching with him soon after the surgery or playing tennis with him at his country cottage at Vermilion.

Carl's shows became more and more professional as the years went on. They were funnier than the famous Gridiron Dinners in Washington. He got Joe Newman to write lyrics for the music, and Barclay Leathem to direct, and Eleanor Frampton to teach the chorus to dance, instead of having two left feet. Not only did Carl sit up night after night in January and February each year, often till 3 a.m., writing the skits, but he sweated out the rehearsals every night for a month before the show opened. He knew what was correct, for he was a theater bug. He went to every first night at the Hanna, and to New York every winter to see the new shows on Broadway. He could have made it as a playwright on Broadway, had he chosen that league. But he preferred his home base in Cleveland. Bill McDermott, the celebrated Plain Dealer critic and columnist and Carl's good friend, called him the local Aristophanes.

The personal Carl Friebolin was also a rare bird. He refused to drive a car. He rode the Cleveland Transit buses regularly to work, and took taxis when he was in a big hurry or coming home late at night. He made the bumpy bus ride to Vermilion even after he was 85. He cared nothing for wealth or show and wanted only enough earnings to live comfortably on. He lived in the same house on E. 89th Street for 50 years, and though the neighborhood is not what it used to be, it was his home when he died. His lakefront cottage at Vermilion was his summer haven for 50 years and he personally planted the old trees which now tower over it. The tennis court there was his pride and joy and he rolled it and lined it personally; in fact had just finished rolling it when his first heart attack struck him two years ago. Tennis was a tradition with Carl, and every guest either had to play with him and his brothers George and Arthur, or his son, Bill, or else pretend he could play.

He cared little for baseball or football, but tried golf once; even became president of a golf club at Vermilion. But he gave it up. Took too much time to play, and time was something Carl Friebolin never wasted. He was always in a hurry, walked fast, talked fast, thought fast. He regularly worked 18 hours a day and 6 days a week, and some on Sunday. He was an unbelievably omnivorous reader of newspapers and always had a brief case stuffed with the latest magazines and books, which he read quickly but thoroughly.

He slept little, and lightly, but took frequent naps. I've seen him fall asleep with a long cigar in his mouth, and he never let it go even after he dozed. He was a cigar chewer, rather than a smoker. But they had to be good Havanas. He drank little, and seemed to exist without food. No breakfast, a light lunch, a medium dinner. Seldom ate much desert, but he doted on coffee ice cream.

He was as delightful a conversationalist as this town has ever known. An addict of puns, which he didn't believe were the lowest form of wit. A pixie, a leprechaun, whose bright eyes twinkled in his poker face when he wisecracked. He chuckled often, but never guffawed, for he was a quiet man, who spoke in low tones and never lost his temper. He was completely irreverent and took nothing seriously, including himself.

And his handwriting, ah, that handwriting! Hardly anyone could decipher it. No one could really read all of it at first glance. Yet he scribbled notes constantly, and mailed them. When friends gave up and complained, he started printing them. But his printing was even worse.

Carl had an affinity for newspapermen, judges, Phi Gam fraternity brothers and Anvil Revue actors. Paul Bellamy, the great editor of the Plain Dealer, was his closest friend. He liked nothing better than once a summer to invite Bellamy and a group of like-minded souls to a weekend to play tennis, swim, eat, drink, play poker and the piano, sit up till 4 a.m. and sing hymns, barbershop quartets, and "Hooray for Captain Spalding, the African Explorer." These parties became a tradition and he sent out invitations as if they were subpenas.

Carl simply never thought about growing old. He just kept on at the same headlong pace in his 70s and 80s until one day, before he was 78, some of his pals thought they ought to honor him with a birthday party. Why at 78? Carl himself said it was probably because they thought he wouldn't make it to 80. When he reached 85, they threw another party, which he thought was unnecessary. He didn't enjoy the fact that the years had caught up with him. "85 is too darned old for anyone to live," he said. And when he reached 88, and was interviewed on his birthday, he said, "Yes, I admit I've been breathing for 88 years. That's a devil of a thing to be noted for."

After his heart began to falter two years ago, and people began to help him on with his coat and open doors for him, he grumbled about the deference to him. He scoffed at the label of Senior Citizen and said the phrase "the Golden Years" ought to be demonetized. He made fun of his unwelcome infirmity, and joked about it when he was asked to make a little speech. One of his favorite recent anecdotes, which he applied to himself, was about the old fellow who, as time went on, had to give up smoking and drinking and chasing girls, and finally as a last resort, took to chewing toothpicks. "And he finally died of the Dutch Elm disease," said Carl, chuckling heartily.

There never was a Carl Friebolin before in this town, and there never will be another. Had he lived in the colonies in the 1700s, he would have been proscribed as a rebel like Patrick Henry, and would have signed the Declaration of Independence (maybe even written it) like Thomas Jefferson. Had he served on the United States Supreme Court, he would have been a match for Justice Holmes. These patriots had his kind of rare intelligence and independence.

Carl used to say he was born old. He was kidding, and knew it. He was forever young. It took lots of years—89 of them—to wear down his wiry little body, but they never wore down his brilliant mind. That remained keen as ever, down to the end. He made his exit laughing. No one who knew him will ever forget him.

Mr. YOUNG of Ohio. I desire to associate myself with the fine remarks made by my colleague, the senior Senator from Ohio [Mr. LAUSCHE,] regarding the life and works of the late Carl D. Friebolin of Cleveland. Former Judge Friebolin was my personal friend for 54 years. I first knew him as a State senator, later as a common pleas judge and also in the private practice of law, and more recently as referee in bankruptcy. He was a truly fine citizen and established a great record in public and private life. Carl Friebolin will be greatly missed not only by his legions of friends but by all Ohioans.

VIETNAM ELECTIONS A SIGNIFICANT EVENT

Mr. SPARKMAN. Mr. President, I think the people of South Vietnam deserve the admiration and respect of all Americans for braving a murderous Vietcong terror campaign and achieving a remarkable voter turnout in the recent elections.

It is amazing that 83 percent of the eligible Vietnamese voters participated in the recent election. Such a voter turnout would be remarkable in any country, under any circumstances—much less in the midst of war and sabotage.

This turnout, as the Philadelphia Inquirer noted in a recent editorial, "is, by any standard, a remarkable achievement."

As the Inquirer also points out:

> The horrible measures taken by the Communists to obstruct the election are indicative of how they feel about democratic processes.

All in all, I believe this election is a tribute to the sincere desire of the people of South Vietnam to choose freely their own future. And it is also a tribute to the determination of President Johnson to help South Vietnam strengthen its political institutions so that this future may be assured.

I ask unanimous consent to insert into the RECORD this excellent editorial from the Philadelphia Inquirer.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer, Sept. 5, 1967]

THE ELECTION RESULTS

Despite the murderous campaign of terror conducted by the Communist Vietcong, in an effort to frighten potential voters and keep them away from the polls, the election in South Vietnam took place on schedule and attracted a turnout of some 83 percent of the eligible electorate.

This is, by any standard, a remarkable achievement.

Chronic critics of the fight for freedom in South Vietnam will point out, of course, that about 25 percent of the people in that war-torn country were not eligible to vote because they live in areas under Communist control. However, this does not detract from the validity of the elections.

South Vietnamese in the Red-occupied sectors are Communist controlled. There is no evidence that any substantial number of them are Communists. They are, rather, the hostages and the captives of the Communists.

The horrible measures taken by the Communists to obstruct the election are indicative of how they feel about democratic processes.

As for the election returns, the easy victory of the Thieu-Ky ticket had been widely predicted. The failure of this ruling military junta to win a majority of the total vote may have caused surprise in some quarters. Several of the ten opposition tickets made good showings.

To attempt to evaluate the election returns in terms of votes cast for peace or war can be deceptive. All of the candidates, including the military regime that won the election, campaigned to some extent on a peace platform. The differences among them were on how best to achieve peace. There were "hawks" and there were "doves" and there were hybrids in between.

The fact that the ticket finishing in second place was the one most sharply critical of the Thieu-Ky regime is an indication that the South Vietnamese, as are their American Allies, are divided on the basic question of how to end the war.

New peace bids from South Vietnam are almost certain to be one consequence of the election. The United States unquestionably will support and encourage genuine moves toward a peaceful settlement.

Whether the Communists will be any more receptive to peace offers now, than they have been in the past, continues to be the overriding question. The Red waves of terrorism unleashed against the election are symptomatic of Communist bitterness and fanaticism. They also are revelations of Communists frustration and failure.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. LAUSCHE. I commend the Senator from Alabama on the statement he has just made. I was alarmed, during the last month, by the frequent statements made on the floor of the Senate, stamping the forthcoming election, in advance, as fraudulent and improper. Some Senators called for a postponement of the election.

The results of the election, as reflected by the number of people who voted, are a tremendous tribute to the election processes as conducted in South Vietnam by a people who are wholly inexperienced in holding elections.

When we speak of fraud and impropriety, let us not forget what has happened in some of our own elections in the United States only recently, without thinking of elections of years past. More shocking is the fact that the very words of condemnation uttered on the floor of the Senate were against our friends and in favor of our enemies. The Communists practiced terrorism, taking the lives of innocent citizens, thus hoping to disorganize the elections.

However, in spite of the guerrilla efforts to disorganize the election processes, not a word was uttered against them by those who were constantly crying in advance that the elections would be improper and fraudulent.

The winner received 45 percent of the votes. As I recall, the candidate next to him received 17 percent. That is a tremendous vote for the winner in face of the fact that 10 or 11 candidates were in the field.

Mr. SPARKMAN. I thank the Senator for his comments.

MILWAUKEE JOURNAL PRAISES L. B. J. MONETARY REFORM ACHIEVEMENT

Mr. PROXMIRE. Mr. President, recently the Milwaukee Journal wrote a most perceptive analysis of the great achievement by President Johnson and Secretary Fowler in winning international monetary reform.

This is as accurate and competent an appraisal of this complex achievement as I have seen—certainly as I have seen in a relatively brief editorial.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MONETARY REFORM

After four years of debate and study, finance ministers of 10 industrial nations agreed over the weekend on a plan to renovate the creaky international monetary machinery. The reform, which still must be approved by 106 member nations of the International Monetary Fund (IMF), marks, in the opinion of Treasury Secretary Fowler, "one of the great days in the history of international financial co-operation."

Even on paper the reform looks impressive. Certainly it is a far more important development than the finance ministers seemed willing to approve just a few months ago. And when one considers that almost any improvement in this area is bound to affect in some measure the livelihood of literally hundreds of millions of people, it is indeed significant.

What the experts agreed on basically was to allow nations greater access to the pool of hard currencies in the IMF to help tide them over during times of financial distress. There are many qualifications but the net effect will be to help increase world liquidity (gold, dollars, pounds, all forms of international credit) and thus help stave off what many economists contend could be a damaging future contraction of world trade.

This scheme strikes at the most prominent flaw in the complex monetary network established at Bretton Woods in 1944: that there is not enough money to finance the growing volume of world trade. In the last decade, for instance, total monetary reserves of IMF countries have slipped from about 60% of total world imports to about 37%. One reason for this is the meager supply of newly mined gold.

This deficiency has meant that the dollar has provided the chief means of expanding the supply of international money since 1950; in other words, the dollar is almost universally accepted as a means of settling transactions among nations. But this has also meant that the United States pays out more money than it takes in. This chronic deficit in our balance of payments cannot continue indefinitely without impairing the dollar's strength. Unfortunately, under the existing monetary system, the only way we can significantly reduce the deficit, aside from drastically cutting our overseas economic and military commitments, is to deflate the domestic economy, to deliberately slow down growth and risk rising unemployment.

This is an intolerable burden for any industrial nation. It is why the international monetary system has long needed reform. It is why Secretary Fowler is so exuberant. Now let's hope it works.

REPRESENTATIVE LEONOR SULLIVAN, CHAMPION OF TRUTH-IN-LENDING BILL

Mr. PROXMIRE. Mr. President, recently the Washington Star carried a fine article on Representative LEONOR SULLIVAN.

Mrs. SULLIVAN has achieved one of the finest records in either branch of the Congress of the United States. Just before the recess, the Housing Subcommittee of the Senate Banking Committee had been devoting several sessions marking up the omnibus housing bill. Again and again we were reminded that the best new law to provide housing for persons with low income was the Sullivan law, enacted thanks to the driving force of Mrs. SULLIVAN. Of course, this was only one of many Sullivan achievements, that have been cascading in recent years.

Lately she has been holding hearings on the truth-in-lending bill, and from reports in the press, she has been doing a superlative job.

I ask unanimous consent that the article from the Star be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Sunday Star, Sept. 3, 1967]

MRS. SULLIVAN, CHAMPION OF TRUTH-IN-LENDING BILL

(By Robert K. Walsh)

Even her political opponents would hardly compare Missouri's first and only woman in the House with the Old Man River that just keeps rolling along but tunefully does and says nothing.

Yet the congressional career (and parenthetical name) of Rep. Leonor K. (Mrs. John B.) Sullivan show a continuity, variety and determination reminiscent of the impressive but sometimes turbulent and unpredictable Mississippi that flows by her St. Louis district.

And surely some snags, sandbars and swirls beset the current excursion of this personable, witty but intensely serious Congresswoman into legislation on truth-in-lending.

Almost 15 years of House seniority—she is third ranking Democrat on the 33-member Banking and Currency Committee—entitled Mrs. Sullivan to head the subcommittee examining proposals for detailed disclosure of credit terms and charges as a means of safeguarding buyers who seldom beware of evasive or obscure offers by sellers.

Persistence and specialization in consumer problems caused her sponsorship of the most controversial bill at the present hearings. She wants legislation not only considerably stronger than the unanimously-approved Senate bill on the subject but also broader than the Johnson administration suggested.

PRAISED BY DOUGLAS

For her "courage" in demanding such a comprehensive consumer protection bill she earned the praise of former Sen. Paul Douglas, D.-Ill., the truth-in-lending legislative pioneer. He admitted that in 1960 he did not dare advocate requirements of the scope contained in her 1967 bill.

She has been long enough in Congress to appreciate the Douglas advice against overloading the measure with controversial "cargo" that could sink it. But she gives no indication of exercising a woman's prerogative to change her mind to the extent of scuttling basic elements of the bill.

Admittedly in a hard fight and making no claim that the bill will go through unscathed, she explains in characteristic Missouri fashion that she has to be shown whether her version might do more harm than good. She insists on only two things at the hearings—the right to dissent and the duty to discuss every proposal fully and fairly.

As a Democrat she is a liberal who usually votes for Johnson administration programs and House Democratic leadership moves. Her party popularity and solidarity are evident in her election as secretary of the House Democratic membership caucus since 1963 and as the first woman to serve on the House Democratic Steering Committee. In 1960 she was cochairman of the Symington-for-President campaign organization.

Those partisan status symbols nevertheless have not prevented her from doing battle with the establishment both in the House and in the White House or in criticizing the handling of some housing, anti-poverty and other administration programs she favors. She voted, for instance, to trim the administration's budget request for space exploration.

In House debate last June she accused the powerful Agriculture Committee Chairman W. R. Poage, D-Texas, of "conspiring" to cripple her cherished food stamp program for the needy. In the House at least she succeeded in saving a key financial section of the bill presently bogged down in a Senate-House conference committee.

Canals and rivers, slum clearance, housing and rent subsidies, FHA mortgage insurance, small business investments, food stamps, food and drug chemical additives and inspections, food marketing—those and a myriad of other issues of particular concern to Mrs. Sullivan do not sound very glamorous, or perhaps even womanly.

WOMEN AND POLITICS

Mrs. Sullivan declares that she does not go for the glamorous idea but she is all for women in Congress being women.

"I believe that a woman should be in politics and in public life but I also firmly believe that this should come only after her first responsibility to her husband and children. Then, in today's world, she has a real responsibility to help make a better place for all of us."

Women, she says, can make a positive and practical contribution in Congress not merely by sharing in the work common to all legislators and meeting all major issues, but also by presenting ideas, needs and problems relating especially to women and families.

"Those things thus can be brought into the picture along with the sometimes different viewpoints of men. I do not find discrimination against women members in Congress. The consideration of different viewpoints can lead to effective legislation."

One of 11 women in the House for the 90th Congress and third ranking among them in continuous service, she shies away from the glamor type of news story that generally greets women newly-arrived on the congressional scene. While such a prediction is inevitable, Mrs. Sullivan counsels a congresswoman, even more than a congressman, to rely on years of parliamentary and political experience, painstaking performance of official responsibilities, and unremitting hard work and study.

In the opinion of her fellow legislators, Mrs. Sullivan has done well in practicing what she preaches. They regard her as a good speaker who speaks in the House only when she has something to say, an attractive woman who tries not to attract too much attention, and a realistic rather than starry-eyed liberal.

HER OFFICIAL NAME

And with it all the "Mrs. John B." still stays in the Congressional Directory and other places where the name Rep. Leonor K. Sullivan officially appears. (The spelling of "Leonor," by the way was arranged by her father who chose an Edgar Allen Poe rime rather than a Beethoven overture for her name.) Except on formal or official occasions she is called "Lee."

John B. Sullivan, a St. Louis lawyer and prominent Missouri Democrat who served in the House for three terms, died suddenly as he was beginning his fourth term in 1951. He and Leonor Kretzer, then a director of a business training school in St. Louis, had been married in 1941. She came to Washington as his administrative assistant and set something of a precedent, at least for helpmates of Missouri public office holders, by accompanying him practically everywhere he campaigned.

On the perennial question of employment of wives or congressional nepotism or congressional nepotism in general, Mrs. Sullivan recalls that she worked for her husband without pay for four years. She nevertheless defended the employment of a wife or relative in cases where the staff employe really worked and could be a beneficial advisor or confidant of the congressman.

Following her husband's death she remained here on the office staff of former Rep. Leonard Irving; D-Mo. In 1952 she decided to run for Congress. She defeated a Democratic organization candidate in the primary and went on to win over the then Rep. Claude Bakewell, R-Mo.

By a special ruling from the Missouri Attorney General allowing her to be listed on the ballot as Mrs. John B. Sullivan, she made a timely and successful use of "what's in a name."

IN EIGHTH TERM

"I won on the strength of John's name and reputation," she told interviewers at her first swearing-in. "John Sullivan had a program I wanted to carry out. He believed in good government and that you had to fight to get it. In time I hope to build a reputation of my own. Then I can run as Leonor Sullivan."

Now in her eighth House term representing a district within the St. Louis city limits she has been re-elected by a 71 percent or better average every two years. She attributed her 1952 victory largely to support of organized labor. Today she attributes her good fortune to "just the people" of her district which includes the diverse population of central, western and south St. Louis.

One of nine children of a St. Louis merchant tailor, she attended public and private schools in St. Louis and took special courses at Washington University there. She taught accounting and mathematics at the business school of which she became director.

That, more than being a woman, accounted for her assignment to the Banking and Currency Committee. Her keenest competitor and one of her best friends on that committee is another veteran member, Rep. Florence Dwyer, R-N.J.

As soon as she entered Congress Mrs. Sullivan demonstrated one of her prime interests by helping to sponsor a bipartisan resolution to set up a House-Senate committee to protect the interests of consumers.

She soon branched out into other fields and activities such as boiling over in a protest to the late Secretary of State Dulles against the high price of a cup of coffee from Brazil and cautioning women to be careful in applying lipsticks, mudpacks and other cosmetics suspected of having skin-deep dangers.

Her legislative work throughout the years has expanded into sponsorship or active support of a vast variety of bills ranging from assistance to retarded children to increased social security benefits for women, housing for the elderly and numerous facets of consumer protection. Her statements on foreign policy indicate she is neither a hawk nor a dove on Vietnam but hopes for an honorable end to the war.

Her legislative list just keeps rolling along but, unlike the song about Old Man River, it is doing something.

AMERICAN WOMEN ARE JUSTIFIABLY UPSET BY A.B.A. OPPOSITION TO POLITICAL RIGHTS OF WOMEN CONVENTION—CXXXIII

Mr. PROXMIRE. Mr. President, of all the Human Rights Conventions which have been submitted to the Senate for its advice and consent the Convention on Political Rights of Women has been far and away the least controversial.

While it is true that some criticism has been raised against certain provisions of the Genocide Convention and the Forced Labor Convention, the Political Rights of Women Convention has been almost totally immune from the usual nit-picking and carping.

But the American Bar Association, in an action which has upset many American women and mystified observers of both genders at its recent annual convention in Honolulu, went on record against U.S. ratification of the Political Rights of Women Convention. The rights established by this convention are really minimal by American standards.

Article I provides that women shall be entitled to vote in all elections, on equal terms with men, without any discrimination.

Article II provides that women shall be eligible for election to all publicly elected bodies established by national law, on equal terms with men, without any discrimination.

Article III provides that women shall be entitled to hold public office and exercise all public functions, established by national law, on equal terms with men without any discrimination.

Certainly our own national experience has resoundingly proved the wisdom of the full political equality of women.

This body, itself, has been graced and enlightened by outstanding women Members. The distinguished senior Senator from Maine [Mrs. SMITH] is a perfect example.

The 19th amendment to our Constitution states the principle unequivocally:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or any state on account of sex.

While political equality of women is securely and constitutionally established in our own country, there are a number of nations—in various stages of development—where a wide gulf still exists between the political rights of men and women.

The United States has led the universal struggle for human rights for almost two centuries by example. In the question of political rights of women, our example is particularly outstanding.

Now we can complement that leadership by participation in a worldwide effort to utilize all human resources, to extend the full franchise to half the human family. The Senate can do this by giving its advice and consent to the Convention on the Political Rights of Women, without any further delay.

NEW YORK TIMES PROTESTS ACKLEY PROPAGANDA

Mr. PROXMIRE. Mr. President, this morning's New York Times carries an editorial nailing to the mast the propaganda claims of the Council of Economic Advisers that all recent economic information supports a bullish outlook for the economy, and therefore for a tax increase.

The Times sensibly calls for a more balanced and accurate statement of the economic situation from the administration's principal economic experts.

In debating this troublesome, complex, perplexing issue, Chairman Ackley does not serve the public interest or even his own cause well by adopting such a one-sided polemicist approach.

There is a case with considerable merit for a tax increase, although this Senator believes the case against it is much stronger. Certainly the public interest can be best served by acknowledging facts that buttress both sides in the argument, rather than assuming that one side represents the angels of light, the other of darkness.

I ask unanimous consent that the New York Times editorial of today, entitled "Mr. Ackley's Propaganda," be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Mr. Ackley's Propaganda

If the only test of a Presidential adviser were his loyalty to his superior's policies and his willingness to make propaganda for them, then Gardner Ackley would have passed with flying colors the other day when he presented his economic report to the Cabinet. There is apparently no question of the wisdom of the Administration's tax increase proposal in Mr. Ackley's mind. He believes "every recent piece of economic information" supports the forecast of a strong economic expansion now under way. Even the possibility of an automobile strike, since realized at Ford, did not weaken his conviction that the basic problem is to prevent demand from rising "more rapidly than production can keep up."

It was a curious performance. Mr. Ackley, after all, is a distinguished economist as well as chairman of the Council of Economic Advisers. It is difficult to believe, for example, that he is unaware of the full damaging potentialities the auto strike poses before the economy. Predictions are rife that the Ford stoppage may last one or two months or longer. There is enough restiveness among unionized workers at General Motors and Chrysler so that it cannot be taken for granted that the strike will not spread to one or both of these other companies even before there is a Ford settlement. In the historic showdown between auto management and auto labor that has now begun, even a complete halt to all American automobile production in the next few weeks is not beyond the bounds of possibility. What would happen then to the strong expansion Mr. Ackley predicts so blithely?

Even more curious is the claim that all recent economic information supports a bullish forecast. This summer the stock market reached its peak in early August, then it retreated and has not yet recovered fully. Last month's improvement in the unemployment situation was very slight, and suggested more a halting of the disturbing deterioration evident last June than any major breakthrough toward really full employment. A Wall Street Journal survey finds that many American businessmen plan to continue cutting inventories, while retailers are making Christmas buying schedules in a mood of extreme caution. Other similar evidence could be cited.

Once again, in short, a spokesman for Administration economic policy has shown something less than full candor in stating the case for the tax increase. In a society where intelligent people can look at the evidence and think for themselves, this is bad propaganda as well as bad economics.

TAX INCREASE COULD BE MONUMENTAL BLUNDER

Mr. PROXMIRE. Mr. President, the Milwaukee Journal has once again in recent days called attention to the dangers involved in a tax increase.

In its closing paragraphs in a recent editorial the Journal writes:

> To be sure, the American economy is one of mankind's most complex creations, defying precise prediction. Inflation could become a danger in months ahead. But right now the statistics do not point to overheating.
>
> If this is so, a tax increase this fall could be monumentally mistimed, sapping the economy at the very moment it may need all its life.

I ask unanimous consent that the editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Case for Tax Increase Still Far From Convincing

President Johnson's case for a tax increase comes to this: The economy, despite some soft spots, is going to rebound robustly the rest of the year and a tax hike is needed to offset a huge budget deficit and thwart a surge in inflation.

The argument remains unconvincing. Although some omens of serious inflation can be cited, the preponderance of the evidence is not on his side. Unemployment is too high, business investment too weak and corporate profit too lean.

Other significant barometers are not favoring the President these days either. New orders received by factories in July turned downward for the first time in six months. Rail freight shipments, which have consistently trailed 1966 figures, have slumped even further in the third quarter. Nor can the rail situation be attributed to loss of business to truckers. Railroads have been holding their share of the intercity freight market in recent years. Moreover, truckers are reporting a business sluggishness similar to that experienced by railroaders. The Ford strike may drag the economy down substantially before it ends.

These developments do not establish an immutable trend but they should help to stay the hand of congress on increasing taxes. In the past, rail freight has been an economic weather vane particularly worth watching because railroads move most of industry's raw materials as well as many of its finished products.

To be sure, the American economy is one of mankind's most complex creations, defying precise prediction. Inflation could become a danger in months ahead. But right now the statistics do not point to overheating.

If this is so, a tax increase this fall could be monumentally mistimed, sapping the economy at the very moment it may need all of its energy.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR PROXMIRE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately following the treaty vote today, which will occur at 2 o'clock, the senior Senator from Wisconsin [Mr. Proxmire] be recognized for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR MANSFIELD'S SPEECH TO THE MISSOURI BAR

Mr. METCALF. Mr. President, my distinguished colleague from Montana, the majority leader [Mr. Mansfield], is on an inspection tour of the Orient. I know that all of us look forward to hearing his report and comments after he returns to the Senate Chamber next week.

Last week, in Kansas City, Mo., Senator Mansfield addressed the Missouri Bar Association. A nonlawyer, but the leader of one of the world's greatest lawmaking bodies, the U.S. Senate, Senator Mansfield discussed mutual problems with Missouri's lawyers. His speech dealt with Vietnam, including the efforts to get the issue before the Security Council of the United Nations. It dealt also with domestic problems and especially the problems of the cities.

I commend his remarks to the Senate and ask unanimous consent that his speech, entitled "Troubled Times," be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Troubled Times

(Remarks of Senator Mike Mansfield, Democrat, of Montana, before the Missouri Bar, Kansas City, Mo., September 7, 1967)

There are, I am advised, about a thousand lawyers at this conference. A lot of lawyers.

But if my calculations are correct, this large gathering forms only .003% of the legal profession in the United States.

To a non-lawyer who happens to be a lawmaker, the thought of 300,000 lawyers gives rise to a most uncomfortable question. How can we, in the Congress, who are so few generate so much business for so many? I find even more appalling the possibility that the necessity for so many lawyers may be related to the quality of the product of the lawmakers.

Be that as it may, I do know that lawmakers and lawyers share a common endeavor and a common hope. We work to strengthen the nation and the freedom and well-being of its people within a framework of law.

This joint effort is confronted in 1967 with a challenge whose character is peculiarly of our own times even if it has been of many times in the making. We are living through a long night of violence both at home and abroad. A harsh antiphony of hostility is heard throughout the nation. It rises out of the ordeal of Viet Nam and is echoed in the turbulence of the nation's cities.

The sound of violence does not set well with me or with you who are trained to seek peaceful and orderly solutions to disputes. Nevertheless, as a nation we have become so jaded by the continuous violence of our times that the sense of indignation appears dulled except at moments of fierce fury when a great city goes up in flames.

It takes a Detroit to arouse the nation. But Detroit took a toll of 43 dead and brought injury to more than 1,000 people, many of whom were peaceful bystanders. For 5 days the over-all casualties in Detriot ran at a higher rate than those which, of late, have been suffered by American forces in Viet Nam.

While Detroit burned, it was not uncommon to hear expressed as a remedy for rioting, less coddling and more cudgeling. That remedy on a massive scale is thought by some also to provide a way out of the difficulty in Viet Nam.

Experience has demonstrated, however, that it would be as futile as it is dangerous to yield to any easy indulgence of that kind at home or abroad. In the urban areas of the nation no less than in Viet Nam an abject reliance on force is a formula not so much for solutions as for stretching a summer of seething disorder into an autumn of simmering discontent and so on, from season to season and year to year.

The cure of urban ills involves something more than force, even as force is essential in the restoration of an order which has broken down. On that subject, let me say that for too long, we have expected too much for too little from the police of the nation. The police are more often than not underpaid, underprivileged, over-used and over-abused. Indeed, it is not unusual to hear the cry of "police brutality" while a policeman is being hit over the head.

A well-trained and disciplined police and the availability of a graduated supplement of force is an essential characteristic of every orderly society in the world. Anyone who makes light of the dangerous and difficult work of the police makes light of his own life and of civilized survival.

The safety and order of the community is the first responsibility of organized government. On that score, there can be no uncertain trumpet and, insofar as the federal government is concerned, there is no uncertain trumpet. President Johnson has made perfectly clear that riots will not be tolerated and rioters will not be rewarded. I want to say that insofar as the recent crises in the cities are concerned, the President has acted, in my judgment, with a blend of a firm resolve in the face of violence and a wise understanding of the plight of the urban areas.

Riots have been suppressed; they will continue to be suppressed. Rioters have not been rewarded; they will not be rewarded.

But I would hope that we would all keep our perspective as the President has kept his. We do not reward rioters when we improve the diet, the education, and the health of little children. We do not reward rioters when we stimulate the building of the kind of housing and neighborhoods in which people can live decently and safely. We do not reward rioters when we try to curb air pollution and assure a plentiful supply of pure water in metropolitan areas. We do not reward rioters when we seek to protect infants from rats.

It is one thing to reject rioting. It is another, however, to turn our backs on the difficulties of the urban areas because riots have occurred in them. Those difficulties were there before the riots. They were there during the riots. They are there now. The nation's responsibility for confronting these difficulties existed before the riots. It existed during the riots. It exists now.

It is my good fortune to come from a State where the standard ills of pollution, delinquency, ghettos and the like are not yet fixed institutions. Yet, the serious decay of urban America is of deep concern to me as I am sure it is to you and I hope that it is to all Americans wherever they may live.

The time is past, if it ever existed, when one part of the American community could ignore with impunity to itself, serious problems in the others. The fact is that distinctions of rural and urban are fast losing significance in this nation. Americans are moving in increasing numbers into and around the cities of the nation. By the year 2000, 150 million Americans will have been added to the population of the United States and it is anticipated that most of the increase will be housed in great metropolitan complexes.

That is but one relevant statistic. There is no end to other statistics which will tell us what we already know about the urban problem. They will tell of the disintegration of the physical environment by pollution of air and water. They will tell of the trek of the impoverished into the central cities and the flight out of those with means. They will tell of the grim discontent that stalks the streets of the slums, of the lack of employment opportunities therein and of the accumulation of the permanently unemployable. They will tell of the massive breakdown of family life, inadequate schools and poor recreation facilities. They will tell of miserable housing, hunger, and rats. Statistics will tell, in sum, in modern mathematical idiom, an ancient story of human poverty, neglect and degradation.

There has indeed been a long night of violence in the cities of the nation. There has also been a long night of neglect of the needs of the cities.

That is not to say that an effort has not been made, in a paraphrase of the words of John Fitzgerald Kennedy, "to get the cities moving again." We owe a great deal to him for his efforts in this direction. We owe a great deal to Lyndon B. Johnson in continuing and expanding the effort and, also, to his insistence that the effort be realistic in a financial sense. Under his leadership, and in cooperation with Congress, many federal stimulants have been applied boldly and broadly in an effort to revive the urban centers.

These efforts have cost a great deal of money. They are going to cost more. We are properly concerned with these costs and with the effectiveness of the efforts. We can properly inquire into the great number of programs which have been put into operation in the last few years. May I say that I have advocated for several years a more vigorous exercise of legislative review by the Congress in this connection. And various Senate committees are proceeding with the job of evaluating, adjusting and improving this vast body of legislation.

It will help to keep a perspective in this process, however, if we note that the cost of the federal programs which are directed heavily at the urban and other social ills of the nation run to billions a year less than the cost of the Viet Nam war and are but a fraction of the budget of the Department of Defense which now reaches an over-all annual figure of about $70 billion. As we have been prepared to make the effort for security of others abroad and particularly the security of Viet Nam, we must also be prepared to act for the inner security and stability of the nation.

For those of us who do not live in cities, no less than for those who do, there is a need to recognize that the way to restrain the mushrooming of violence is to defuse the seething inner cores of the metropolitan areas. As I have already noted, there can be no uncertain trumpet when the safety and order of the community are challenged. But the trumpet would sound a hollow note, indeed, if it blew over devastated community after devastated community throughout the nation.

As in the cities, so in Viet Nam, there has been from the outset of the involvement almost universal agreement that a rational solution in Viet Nam is not attainable by force alone. Nevertheless, the reliance on force has grown, escalation by escalation, until now there are few, if any rational military steps left to take within Viet Nam. What was still a primitive war among Vietnamese a few years ago has grown by successive and mutual increases in the application of force to the point where it has become a devastating war, fought with a great range of modern weapons. It has become a war, moreover, which now finds the United States in the foreground, and our Vietnamese and other allies in the background, against North Vietnamese and the Viet Cong in the foreground opposite and with China and Russia in the background opposite.

As late as May 1965, there were still only 45,000 U.S. troops in Viet Nam. A year and a half later, however, the number was 400,000. Today it stands at over 450,000 and the commitment is expected to grow to approximately 525,000 in mid-1968. These figures do not begin to take into account the tens of thousands of men in units of the 7th Fleet in Vietnamese waters nor the back-up forces in Okinawa and elsewhere, nor the heavy bomber squadrons flying out of Guam and Thailand.

The input of more than half a million American soldiers into the Vietnamese conflict does not mean that the end of the war is in sight. The end is not even in sight insofar as the demand for more men and more resources is concerned. There is talk of the need for one or two more divisions of troops. There is talk of sending Americans into the delta of the Mekong River south of Saigon, which is the Viet Cong stronghold and has heretofore been the responsibility of the South Vietnamese Army. There is pressure to enlarge and intensify the bombing of North Viet Nam even though U.S. planes have already flown to within 30 seconds of the Chinese border on bombing missions.

I do not know how much of the potential for an enlarged involvement in Viet Nam will materialize except that on the basis of experience to date, the only reasonable conclusion is that escalation will beget escalation. I do know that there is no reason to assume that additional air action will achieve what air action was supposed to have achieved months ago but has not achieved; that is, a cut off of supplies and men moving south and the bringing of Hanoi to the peace table.

I do know that when the great build-up

of U.S. forces began in mid-1965, the regular South Vietnamese army was suffering eight combat deaths for every American killed in action. In 1966, the ratio had dropped to two South Vietnamese for each American. This year, American combat deaths are on a one-for-one basis with the South Vietnamese forces and the total of U.S. dead and wounded in the Viet Nam conflict now approaches 100,000.

The costs of the war, too, have risen with the expanded involvement. About this time last year, with 235,000 American troops stationed in Viet Nam, the annual cost was estimated at $13 billion, or slightly more than $1 billion a month. At year's end, the annual rate of expenditure for Viet Nam was at an estimated $21 billion or nearly $2 billion a month. Today, it is generally calculated that monthly costs are at least $2.5 billion.

I do not know where a solution for Viet Nam may lie or of what it might consist. I can only say that I know where it does not appear to lie and of what it does not seem to consist. In my judgment, peace does not lie in ever additional inputs of U.S. forces or in ever expanding bombing forays.

This is not a new view for me. I have felt that such was the case when there were less than 50,000 Americans in Viet Nam. I say it now when there are close to 500,000. After a mission to Viet Nam in the company of several Senate colleagues, almost two years ago, we reported that the question which confronts this nation in Viet Nam ". . . is not one of applying increased U.S. pressure to a defined military situation but rather of pressing against a military situation which is, in effect, open ended."

Despite the new current of rumors in Washington and elsewhere that the enemy is "on the ropes," or that we are "over the hump," I can see no reason to discard the premise that the war in Viet Nam is open-ended—that the logical sequence of greater U.S. involvement is still greater involvement, and so on, until the monster of war runs amuck over the entire Southeast Asian mainland, if not throughout the world. Behind the guerrilla war in South Viet Nam, there are still the largely unengaged forces of North Viet Nam's commander Vo Nguyen Giap. And beyond North Viet Nam, if we need to be reminded, there is China.

Therefore, I share with the President and many others the view that the dilemma of Viet Nam, in end, will yield to negotiations. To date, all efforts to initiate negotiations, however, have been in vain. Over the months many alternative approaches have been suggested. I have had occasion, for example, to urge neutralization of all of Southeast Asia and a cease-fire and standfast in Viet Nam. All-Asian negotiations and direct U.S.-Chinese meetings have been proposed. I have advocated that a defensive barrier be built across Viet Nam just south of the demilitarized zone and extended across Laos to Thailand as an alternative to an extension of the war in Asia in consequence of ever-expanding aerial bombardment. In connection therewith, I have joined Senator Cooper of Kentucky and others in advocating a contraction of bombing to the routes of infiltration in the vicinity of the 17th parallel.

Finally, it has been suggested time and again that the United Nations Security Council might at least initiate a consideration of the question of Viet Nam. The Council has not only failed to act, it has failed even to acknowledge, in an official sense, the existence of the Vietnamese conflict as a threat to the peace. A future reader of official U.N. papers for this trying period in world history would scarcely be aware that a major war had occurred in Southeast Asia. That would be the case unless he read the personal papers of the Secretary General. U Thant has sought to act on his own initiative in his diplomatic capacity to end the war. However, the provisions of the Charter involving the peace-keeping functions which bind the member-nations have not been engaged.

Let me make clear that the U.N. should not be expected to produce miracles of solution with respect to Viet Nam, inasmuch as all the other avenues, which have been tried, have so far come to dead ends. The world organization, however, does have a mandate regarding the preservation of peace. The members of the Security Council, including the United States, do have a compelling responsibility under the United Nations Charter.

Article I contains a treaty obligation which requires the organization to "take effective collective measures for the prevention and removal of threats to the peace. . . ." With all due respect, it does not take a lawyer to interpret this solemn commitment and the responsibility which it places on the United States and all other members of the Security Council.

The vehicle for bringing the question of Viet Nam before the Council is already present in the form of a U.S. resolution which was introduced at the beginning of the year. It has not yet been called up in the Council for reasons which are far from clear. Yet the procedural question of calling up is subject to vote and it is veto-proof under the precedents. Moreover, the precedents are there which would allow involved parties that are not members of the U.N. to participate in the consideration and that, too, on the basis of precedent is not vetoable. In sum, Peking can be included; Hanoi and Saigon can be included; and so too, for that matter if the Council so decides, can the National Liberation Front or any other pertinent nation or group. You may recall that Peking did appear before the Council some years ago in connection with the Korean question. You may recall, too, that in the original Palestine dispute in 1948, two non-governmental groups—the Jewish agency for Palestine and the Arab Higher Committee—were invited by the Council to present their case and the former did appear.

In recent weeks twenty-seven Senators, including Senators Symington and Long have joined in urging that the United States government insist that its resolution on Viet Nam be laid before the U.N. Security Council and, that if necessary, a vote be had—win or lose—on the question of taking up. In our judgment, it is long past the time for the member states and all others involved in Viet Nam to stand up and be counted. At this late hour, we need to know and the world needs to know who is prepared and who is not prepared to move to bring the military struggle to a close without delay and, thereafter, to seek a resolution of the issues of Viet Nam by peaceful processes.

The long night of violence in Viet Nam will know no dawn until the world community can end the diplomatic inertia which has characterized its reaction to Viet Nam. Until the war is brought to an end, moreover, the hope of removing the roots of disorder in our cities may well remain beyond our reach.

FLY ASH UTILIZATION

Mr. BYRD of West Virginia. Mr. President, in March of this year, a symposium on fly ash utilization, sponsored by the Edison Electric Institute, the National Coal Association, and the U.S. Bureau of Mines, was held in Pittsburgh, Pa. More than 500 industrial, academic, and government representatives from Europe, Canada, and the United States attended the symposium, where the discussions were devoted to the availability, specifications, marketing, utilization, and research of fly ash, a byproduct of coal.

The proceedings of the symposium are included in Information Circular No. 8348, prepared by the Bureau of Mines, U.S. Department of the Interior. I ask unanimous consent that the introduction to the proceedings and the abstracts of papers presented be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Proceedings: Edison Electric Institute-National Coal Association-Bureau of Mines Symposium, Pittsburgh, Pa., Mar. 14–16, 1967]

FLY ASH UTILIZATION

(Compiled by John H. Faber,[1] John P. Capp,[2] and John D. Spencer [3])

INTRODUCTION

Over 500 industrial, academic, and government representatives from Europe, Canada, and the United States attended the first large symposium ever held in this country on fly ash utilization and technology, March 14–16, 1967, at Pittsburgh, Pa. Sponsored by the Edison Electric Institute, the National Coal Association, and the Bureau of Mines, the symposium featured 27 formal presentations by leading experts from the United States and Europe on all major phases of fly ash production, utilization, and research. Representing the three sponsoring organizations were Edison Electric Institute, James D. Williamson, The Dayton Power and Light Co.; National Coal Association, James R. Garvey, Bituminous Coal Research, Inc.; and Bureau of Mines, Harry Perry. Symposium chairman was John H. Faber of the Bureau of Mines.

Gerard C. Gambs, Consolidation Coal Co., addressed the opening session. Moderated by Mr. Garvey, President and Director of Research of Bituminous Coal Research, Inc., the opening session was devoted to a discussion of the nature of the fly ash problem, including availability, specifications, and limitations on its use. Subsequent sessions covered fly ash marketing, fly ash utilization in concrete and masonry products, specialized uses, and recent developments in basic fly ash research. Others serving as session chairmen were Oscar E. Manz, Associate Professor of Civil Engineering, University of North Dakota; Mrs. Katharine Mather, Chief, Petrography and X-ray Section, Concrete Division, U.S. Army Engineers Waterways Experiment Station; Mr. Williamson, and Mr. Perry.

During the week of the symposium a group of Fly Ash Experts representing the Economic Commission for Europe (ECE), under the sponsorship of the United Nations, participated in official meetings of the Commission and highlighted one of the symposium sessions. At this session, four members of the Fly Ash Experts group described the ECE's work in fly ash utilization, and current practices in several European countries. Presenting these papers were Z. Falecki, Coal Committee Secretariat, ECE, Geneva, Switzerland; Henry W. G. Dedman, Central Electricity Generating Board, London, England; Adolphe Jarrige, Consulting Engineer (retired), Paris, France; Hermann Erythropel, Chief Research and Development Department, Steinkohlen-Electrizat AG, Essen, Germany; Antoni Paprocki, Assistant Professor, Institute of Building Technics, Warsaw, Poland; and Dr. Vladimir V. Stolnikov, Chief of the Concrete Laboratory, All-Union Research Institute of Hydrotechnics, Leningrad, U.S.S.R.

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[1] Supervisory chemical research engineer.

[2] Chemical research engineer.

[3] Chemical engineer.

NOTE.—The compilers are with the Morgantown Coal Research Center, Bureau of Mines, Morgantown, W. Va.

Luncheon speakers were Joseph Pursglove, Jr., Vice President-Chemicals, Consolidation Coal Co., Inc., and Harry A. Fisher, Materials Handling Engineer, American Electric Power Service. The latter substituted for John A. Tillinghast, Vice President and Chief Engineer, American Electric Power Service Corp., who was unable to attend because of illness. The Honorable Kenneth Holum, Assistant Secretary of the Interior for Water and Power Development, who was scheduled to address the assemblage at the symposium banquet, was also unable to attend. His remarks were delivered by Robert M. Paul, Water and Power Development, U.S. Department of the Interior.

Sidney Katell, Bureau of Mines, U.S. Department of the Interior, served as toastmaster.

The proceedings of the symposium are given in this report, following the abstracts of all the papers.

Trade names appearing in these papers are solely for purposes of identification and to facilitate understanding. Endorsement by the Bureau of Mines is not implied.

ABSTRACTS OF PAPERS

AVAILABILITY, QUALITY, AND PRESENT UTILIZATION OF FLY ASH

(By C. E. Brackett, operating manager, Southern Electric Generating Co., Birmingham, Ala.)

This paper presents basic data on current availability, quality, and use of fly ash. In doing this, the author points out a few of the problems facing the industry as a whole and suggests a few practical methods which can be used to solve some of these problems. He also emphasizes the need for much additional basic research data on fly ash so that a quality product can be produced and sold at all times and under all conditions.

SPECIFICATIONS, LIMITATIONS, AND RESTRICTIONS

(By M. Jack Snyder, chief, Ceramic Research Division, Battelle-Columbus Laboratories, Columbus, Ohio)

In most cases, the selection of characteristics of fly ash to be specified and the specified limits on these characteristics have been based on empirical correlations between the characteristics of a wide variety of fly ash samples and the resultant properties of products made from these samples. Differences in specifications by various groups are given, along with detailed specifications on fly ash for use in concrete. Limitations and restrictions include lack of knowledge on specifications and testing methods, variability of fly ash, existence of broad patents, and marketing factors. A pessimistic outlook for fly ash marketing is presented, but progress is indicated as promising. The work now going on will likely lead to more realistic specifications and confidence in fly ash use.

RAW MATERIALS FOR MANUFACTURERS OF CEMENT

(By William R. Barton, Senior Commodity Specialist, Bureau of Mines, U.S. Department of the Interior, Washington, D.C.)

The domestic portland cement industry consumes more than 12 million tons annually of raw materials chemically similar to fly ash. How these materials are used and how fly ash can serve in their place are discussed. Factors favoring whether a particular plant will use fly ash in place of an alternate material are described and so are negative factors which would disqualify fly ash as a raw batch component at some sites.

PRODUCING SPECIFICATION FLY ASH

(By Henry C. Skaggs, Appalachian Power Co., and Ronald E. Morrison, American Electric Power Service Corp., Charleston, W. Va.)

Described in this paper is the experience of the Appalachian Power Co. in producing specification fly ash at its Kanawha River Plant. Boiler adjustments, coal-fineness control, ash sampling, and other factors are discussed. Details are also given on a fly ash processing plant for producing a specification product.

PROBLEMS IN FLY ASH MARKETING

(By F. V. Zimmer, sales and development engineer, the Detroit Edison Co., Detroit, Mich.)

In approaching this topic, the author thought it appropriate to provide a short history of pulverized fuel and to present factors that guide the activity of marketing the resulting ash. A brief description of some of the major fly ash markets is included to point out problems associated with these markets.

FLY ASH IN MASS CONCRETE

(By Robert E. Philleo, Research and Development and Standards Section, Concrete Branch, Engineering Division, Civil Works, Department of Army, Office, Chief of Engineers, Washington, D.C.)

Fly ash is used in mass concrete for two principal reasons: (1) economy and (2) reduction of heat generation within the concrete. The Bureau of Reclamation and Corps of Engineers specify a low-carbon fly ash and use it as a straight replacement for a portion of the portland cement. Ontario-Hydro uses ash from its peaking powerplants and, therefore, has developed a technique for using high-carbon ash. TVA has used coarse ash from mechanical collectors, partially as cement replacement and partially as aggregate replacement. European practice is to use portland-pozzolan cement. Research indicates that the proportion of fly ash in interior mass concrete may be increased.

FLY ASH IN READY-MIX CONCRETE

(By Edward J. Hyland, service engineer, Chicago Fly Ash Co., Chicago, Ill.)

Use of fly ash in ready-mix concrete offers a long-term solution to the fly ash disposal problem because large quantities can be absorbed by this potential market. To tap this market, however, producers must consistently supply a high-quality, uniform fly ash. The fly ash broker or sales engineer, to be truly effective, should know the type of customer he is dealing with and have a mastery of the technical aspects of fly ash-concrete mixes. Of equal importance is the giving of extra service such as aggregate analysis or concrete-mix design. National acceptance of concrete containing fly ash can be brought about through widespread advertising, participation in trade conventions, and the combined efforts of all interested parties.

FLY ASH IN ROADWAY CONSTRUCTION

(By J. A. Hester, assistant testing engineer, Alabama Highway Department, Montgomery, Ala.)

Fly ash is presently used in three types of Alabama highway construction: Base course stabilization, concrete bridges, and concrete pavement. The lime-fly ash stabilization projects are experimental, but the Alabama Highway Department has established specifications for fly ash used in concrete construction, and this material is now widely used in the State. Superior workability, flexural strength, and resistance to sulfate attack are claimed for fly ash concrete.

FLY ASH IN CONCRETE AND CONCRETE BLOCK

(By Joseph R. Belot, Jr., vice president, Belot Concrete Block Co., Tiltonsville, Ohio)

Producers of ready-mix concrete and concrete blocks use fly ash because it is profitable, increases workability, decreases shrinkage, and produces a high-quality material. Users of fly ash must be certain, however, that it meets specifications and uniformity standards by means of a regular testing program. Increased acceptance of fly ash in concrete products will depend upon educational and promotional programs carried out through the concrete product manufacturers and their trade associations in cooperation with coal producers and electric power producers.

FLY ASH IN CONCRETE MANUFACTURING

(By John Seabright, Delta Concrete Co., Bellaire, Ohio)

A quality concrete producer who can keep his variation in quality at a minimum is able to market concrete on a strength basis. With fly ash, he can improve the quality of his concrete as far as workability and finishability are concerned, while effecting sizeable cost reductions by eliminating portland cement provided he has the necessary communication and field control so as to make adjustments to the added variables brought about with the use of fly ash.

The greatest advantage of fly ash concrete, namely, its retardation effect, is also its greatest limitation. Research should be done to determine the ill effects, if any, that result from use of accelerators, which must be used in order to market fly ash concrete on an overall year-round basis.

LIME-FLY ASH-AGGREGATE MIXTURES

(By Ernest J. Barenberg, assistant professor of civil engineering, University of Illinois, Urbana, Ill.)

This presentation summarizes findings from research on lime-fly ash-aggregate mixtures. In certain instances, findings reported in the literature are supplemented by unpublished data. A brief summarization is also made concerning the influence of certain physical properties on the behavior and performance of pavements with lime-fly ash-aggregate materials.

THE UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE AND ITS WORK IN THE FIELD OF THE UTILIZATION OF ASH PRODUCED BY THERMAL POWERPLANTS

(By Zygmunt Falecki, Economic Affairs Office, Secretariat of the U.N. Economic Commission for Europe, Coal Section, Energy Division, Geneva, Switzerland)

This paper describes the United Nations Economic Commission for Europe (ECE) and its role in improving economic conditions in Europe and the world. The information exchange media of the Commission are described, along with its cooperative efforts. Highlighted is an account of the work of the ECE on fly ash utilization, including a list of major documents pertaining to activities in ash utilization published by the Secretariat.

AN ATTEMPT TO EXPLAIN FRENCH SUCCESS IN THE UTILIZATION OF FLY ASH

(By Adolphe Jarrige, consultant engineer (retired), Paris, France)

There are two types of utilization of fly ash: Commercial cements and roadbuilding operations. During 1965, both these utilizations reached a level in France not observed in other countries. These results are attributable to special circumstances and to certain human initiatives, which differ for each of the two groups, but also to an overall situation with regard to the coordination of work, particularly with respect to technical research.

THE COMMERCIAL UTILIZATION OF PULVERIZED FUEL ASH FROM POWER STATIONS OF THE CENTRAL ELECTRICITY GENERATING BOARD

(By Henry W. G. Dedman, ash marketing officer, Central Electricity Generating Board, London, England)

Fly ash has been developed into a valuable byproduct of the electric generating industry through intensive research, application, and marketing programs, leading to its widespread use as a building and construction material. In Britain, fly ash-clay bricks, lightweight aggregates, concrete products, and road construction uses absorb over 40 percent of the total output. The degree of progress so far achieved is attributed to the organization of a system of marketing and timely, convincing publicity.

ASH PRODUCTION AND UTILIZATION IN THE GERMAN FEDERAL REPUBLIC

(By Hermann Erythropel, chief, Research and Development Department, Steinkohlen-Elektrizitat A.G., Essen, Germany)

In the Federal Republic of Germany the utilization of brown coal ash is practically impossible, so that these have to be dumped as before. The production of hard coal ash is about 5.8 million tons. This quantity will probably not rise very much during the next few years because the consumption of high-ash coal is declining at present. Of these ashes, about 63 percent is utilized. This percentage, however, will continue to rise, owing to the promotion and instruction organized by private enterprise, and it should be understood that the processes yielding a cheap intermediate product at low capital outlay will be favored.

PRODUCTION AND UTILIZATION OF FLY ASH IN POLAND

(By Antoni Paprocki, assistant professor, Institute of Building Technics, Warsaw, Poland)

Although production and utilization of fly ash in Poland are increasing yearly, the latter lags behind the former and by 1975 almost 5 million tons will have to be discarded. Comparative reactivity tests between fly ash and several types of aggregate show that fly ash has binding properties and should not be treated as an aggregate. A test procedure is described to evaluate the degree of pozzolanic reactivity of fly ash.

FLY ASH IN CEMENT AND CONCRETE

(By Dr. Vladimir V. Stolnikov, chief of the concrete laboratory, All-Union Research Institute of Hydrotechnics, U.S.S.R.; Chairman of the International Committee on Concrete for Large Dams of the ICOLD)

A short discussion is presented on the investigation of fly ash utilization in the Concrete Laboratory, Hydrotechnics Research Institute, Leningrad. The properties of fly ash cement and concrete are described, including specific surface area, water requirements, and the effect of steam curing, particularly on the strength of the product.

EXPERIENCE IN PRODUCTION AND UTILIZATION OF LIGHTWEIGHT AGGREGATE AT CONSOLIDATED EDISON

(By Arthur S. Pearson, division engineer, Consolidated Edison Co. of New York, Inc.)

Consolidated Edison in 1966 collected 350,000 tons of fly ash and sold 60,000 tons (17.2 percent) for commercial purposes. Disposal of the difference cost more than $550,000, not including capital investment, and operating costs for equipment. Several years of experience in building and operating a lightweight aggregate plant are described, including boiler changes for aggregate quality control. Principal commercial applications for sintered fly ash are discussed, along with marketing experience and promotion activities.

STATUS REPORT ON BRICKS FROM FLY ASH

(By H. E. Shafer, Jr., research geologist, C. F. Cockrell, project research engineer, K. K. Humphreys, cost engineer, and J. W. Leonard, director, Coal Research Bureau, West Virginia University, Morgantown, W. Va.)

Optimization of the West Virginia University-U.S. Department of the Interior, Office of Coal Research fly ash-based brick process for each fly ash-aggregate combination can produce even higher quality brick than those reported previously. Originally, estimated production costs for a fly ash from one source was $30.52/1,000 brick, assuming a value of $1 per ton for fly ash; however, optimization tests together with the use of actual rather than estimated equipment cost has shown that the cost of producing brick from this same fly ash can be reduced to $22.22/1,000 brick. A pilot plant for producing fly ash-based structural materials is now under construction and should be in operation by late spring of 1967. The plant is so designed that it will be capable of producing tonnage lots of fly ash brick, hollow block, and paving tile. In keeping with the objectives of the pilot plant program, broad-scale and conclusive cost and optimization studies as well as marketing surveys are underway.

CONSUMER ECONOMICS: USE OF FLY ASH IN CONCRETE

(By L. W. Hoy, structural engineer, Weirton Steel Division, National Steel Corp., Weirton, W. Va.)

New and more economical methods of production, fabrication, installation, and erection are a necessary development to maintain a competitive position in our industrialized world. Material prices and wages are increasing constantly, making it mandatory that industry produce a better product more quickly and more economically. The reduction of costs, no matter how relative the area may be in reference to the final product, is constantly being scrutinized in every possible respect so that the ultimate realization of lower total costs may be effected. The use of concrete in the production of steel is not a direct cost, but the reduction of installation and maintenance costs, where concrete is increasingly being used, results in a substantial reduction in a finished ton of steel. Increased technological advances in concrete increases the scope of concrete uses and ultimately will decrease the final product costs.

FLY ASH AGRICULTURE

(By John P. Capp, chemical research engineer, Morgantown Coal Research Center, Morgantown, W. Va., and Dr. Carl F. Engle, assistant professor of agronomy, West Virginia University, Morgantown, W. Va.)

Sintered and raw (unsintered) fly ash in various proportions up to 75 percent was mixed with soils in greenhouse and field tests to evaluate the powerplant waste as an acid soil neutralizer, soil conditioner, and source of trace plant nutrients. In the greenhouse tests, the total dry weight of the first harvest of some plants was greater than that of control plants, with a progressive increase in harvest weight accompanying an increase in percentage of sintered fly ash in the mixture. Toxicity effects of raw fly ash were largely eliminated by adding a high proportion of organic matter (peat). In the field-scale tests, the addition of raw fly ash having a relatively high pH successfully neutralized highly acid surface-mine spoils. Kentucky 31 fescue was planted on the neutralized spoils and established a luxuriant turf in a short time.

UTILIZATION OF FLY ASH IN THE CEMENTING OF WELLS

(By Dwight K. Smith, section supervisor, Research and Development Department, Halliburton Co., Duncan, Okla.)

Fly ash as an additive for oil well cement was introduced to the oil industry by the Halliburton Co. in 1949. Since its early usage in Illinois, the total amount of fly ash pumped into wells has exceeded 30 million sacks. The advantages of using fly ash-portland cement mixtures in wells are fundamentally the same as for concrete except the conditions of placement and curing are variable and the nomenclature of properties are expressed somewhat differently. In some instances deep wells have been cemented with mixtures of fly ash and hydrated lime together with an activator which functions as a catalyst for setting. This fly ash-lime formula has many advantages for high temperature-pressure conditions found in wells.

USE OF FLY ASH IN SPECIALIZED CONCRETE WORK

(By Georg O. Bergemann, Jr., district engineer, the Prepakt Concrete Co., Cleveland, Ohio)

This paper is intended to give a brief history of the Prepakt process application for "preplaced aggregate concrete" and how fly ash contributes appreciably to its strength, workability, impermeability, and economy. Illustrations and descriptions are also discussed to demonstrate how fly ash is employed in preplaced aggregate concrete to aid its qualities of drying shrinkage, resistance to weathering, and moduli of rupture and elasticity.

FUTURE OF FLY ASH USE

(By Glynn L. Coryell, director, Technical Services Department, National Coal Association, Washington, D.C.)

Discusses the highlights of papers presented at the Fly Ash Utilization Symposium.

ECONOMIC COMMISSION FOR EUROPE

(Meeting summary: By Henry W. G. Dedman, ash marketing officer, Central Electricity Generating Board, London, England, and Chairman of the ECE Group of Experts (U.K.))

An expression of appreciation is given to United States officials for sponsoring the Fly Ash Utilization Symposium and serving as host to the European visitors. Brief minutes are presented covering the first Session of the ECE Group of Experts on Utilization of Ash, March 13 and 17, 1967.

NUCLEAR MEASUREMENT OF CARBON IN FLY ASH

(By Robert F. Stewart, research chemist, and William F. Farrior, Jr., research chemist, Morgantown Coal Research Center, Morgantown, W. Va.

A nuclear method for the continuous measurement of carbon in fly ash was demonstrated as technically feasible. The number of carbon gamma rays from inelastic scatter of neutrons is proportional to the carbon content of 12- and 20-pound samples. Carbon in fly ashes containing 2 to 16 percent carbon was determined within 0.5 percent carbon, and repeated tests measuring the carbon content of iron ore sinter mix showed a precision of 0.2 percent. The accuracy may be adequate for process control, and the technique shows promise of being adaptable to carbon monitoring of any granular material moving at high-tonnage flow rates.

ASTM SPECIFICATIONS ON FLY ASH FOR USE IN CONCRETE

(By Richard C. Mielenz, vice president, Product Development, Master Builders, Division Martin-Marietta Corp., Cleveland, Ohio)

Committee C–1 on Cement and Committee C–9 on Concrete and Concrete Aggregates of the American Society for Testing and Materials have prepared two tentative standards that cover specifications and methods of test for fly ash as an admixture for portland cement concrete (ASTM Designations: C 350 and C 311, respectively) and a tentative standard on portland-pozzolan cement in which fly ash may be used as the pozzolan. Issued in 1953–54, these standards have been modified as new data and information became available. The specifications provide a sound basis for purchase of fly ash for use in cement and concrete for construction purposes.

REACTIONS OF HYDRATED LIME WITH PULVERIZED COAL FLY ASH

(By L. John Minnick, vice president in charge of research, G. & G. H. Corson, Inc., Plymouth Meeting, Pa.)

Lime-fly ash specimens were cured at constant temperature and subjected to X-ray diffractometry, differential thermal analysis, pozzolanic reactivity tests, and microscopical investigations. Bars of lime-fly ash were subjected to cycles of wetting and drying, and measurements of length change were recorded. A discussion of variations within and among types of lime is presented. The nature of the pozzolanic reaction is reviewed, particularly as related to compounds which are used up and formed during the aging process. The relationship between the pozzolanic reaction and the resultant physical properties of the mixtures is examined.

THE POVERTY PROGRAM AND CIVIL DISOBEDIENCE

Mr. TOWER. Mr. President, the highly respected and often quoted financial weekly, Barron's magazine, addressed itself in a recent issue to the involvement of the poverty program in incidents of civil disobedience.

Tax subsidized lobbying is odious indeed, but Federal agency involvement in local disorders undermines our entire social and political structure.

I ask that the Barron's article be reprinted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Poverty Warriors: The Riots Are Subsidized as Well as Organized

Marion Barry and Rufus Mayfield are angry young men. Former national head of the Student Nonviolent Coordinating Committee (SNCC), Mr. Barry in August, 1965, took part in a protest demonstration organized by the so-called Assembly of Unrepresented People. He was arrested and charged with disorderly conduct while leading demonstrators onto the Capitol grounds. "Riot power and rebellion power," he was quoted as saying last week, "might make people listen now." Mr. Mayfield is a Black Muslim. Twenty-one years old, he has spent most of the past eight years in prison for various offenses, including petty and grand larceny. This month Marion Barry acquired gainful employment. He was hired as a $50-per-day consultant by the United Planning Organization, top anti-poverty agency for the District of Columbia. Rufus Mayfield, according to Rep. Joel P. Broyhill (R., Va.), will serve as Barry's "back-up man."

While perhaps more arresting than most, these are not isolated instances. On the contrary, the files fairly bulge with equally radical cases in point. Thus, federal and state investigations of New York's Mobilization for Youth, pilot project for the Job Corps, disclosed that its staff included several members of the Communist Party. LeRoi Jones, who was taken into custody during the riots in Newark and charged with illegal possession of deadly weapons, once ran a hate-the-whites Black Arts Theater which got $115,000 in federal funds from Haryou-ACT before police discovered an arsenal on the premises. The Southwest Alabama Farmers Cooperative Association of Selma, which the Office of Economic Opportunity recently granted $700,000, numbers among its principals John Zippert and Shirley Mesher. Louisiana's Joint Legislative Committee on Un-American Activities recently documented Mr. Zippert's association with radical causes, including the Kremlin-financed World Youth Festival. According to the Alabama Legislative Commission to Preserve the Peace, Miss Mesher, a former coordinator for SNCC, is "a prime participant in the Black Panther movement designed to overthrow the government . . ."

Right after Watts (Barron's, August 23, 1965), we observed: "In the name of civil rights, a small band of ruthless men has not hesitated to stir up violence, break the law and undermine duly constituted authority. The so-called civil rights revolution . . . has begun to mean exactly what it says." Since then compelling evidence, including eyewitness testimony and the findings of a Cleveland grand jury, has shown that the riots are less spontaneous outbreaks than carefully planned subversion. To judge by the record, moreover, civil unrest is not only organized but also subsidized. Thanks to the Office of Economic Opportunity, the U.S. taxpayer now has a chance to finance his own destruction. The Great Society, so Newark, Detroit and scores of other smouldering cities suggest, cannot coexist with the American way of life.

Like the poor, slums and rats have always been with us. Only the devastating riots—and the professional agitators who prepare the tinder, await a spark and fan the flames—are significantly new. The 1964 outbursts in Harlem turned up William Epton, vice-chairman of the Red-Chinese-oriented Progressive Labor Party, who taught people how to make Molotov cocktails. Mr. Epton was convicted of criminal anarchy for his part in the riots. The Rev. Billy Graham called Watts a "dress rehearsal for revolution," a description in which radical spokesmen ever since have gloried. Last year's riots in Cleveland, charged Sen. Frank Lausche (Dem., O.) were the work of a "national conspiracy executed by experts." Shortly afterward a Cleveland grand jury, after hearing the testimony of detectives who penetrated the conspirators' ranks, found that "the outbreak of lawlessness and disorder was organized, precipitated and exploited by a relatively small group of trained and disciplined professionals." In a story on the Newark riots, the current issue of Life Magazine describes its reporters' "clandestine meeting with members of the sniper organization." Finally, SNCC's Stokeley Carmichael, whose subversive interests range far and wide, openly boasts of what's afoot. After a quick trip to Prague, he landed last week in Havana. There he told newsmen: "In Newark we applied (guerrilla) war tactics . . . We are preparing groups of urban guerrillas . . . It is going to be a fight to the death."

So much for subversion, which the country will ignore at its own risk. As to federal subsidy of of violence, an ominous pattern has emerged. From the beginning, as radicals recognized, the war on poverty, notably the Community Action Programs, had impressive trouble-making potentials. Somehow CAP has expanded much faster than OEO expenditures as a whole, surging from $246.5 million in fiscal '66 to an estimated $500 million in the current fiscal year. As noted above (much of the material comes from a forthcoming book, "Poverty Is Where the Money Is," to be published by Arlington House and written by Shirley Scheibla, Washington correspondent for Barron's), some of the money funded dubious ventures and put jailbirds and subversives on the federal payroll. Mrs. Scheibla cites other horrible examples: John Ross, a member of the Progressive Labor Party, who served on an anti-poverty board in San Francisco; Howard Harawitz, member of a similar board in Berkeley and former member of the W.E.B. DuBois Clubs, which the FBI calls "Communist-spawned"; and a number of U.P.O. personnel in Washington, D.C., who turned out to be SNCC organizers and agitators.

Taxpayer-financed trouble has exploded in one part of the country after another. Last fall the mayor of Perth Amboy, N.J., accused the local anti-poverty leader of seeking "to foment and incite unrest, agitation and disorder," a charge which the city manager of Rochester echoed last week. Newark's police chief weeks ago warned that the city faced anarchy because of agitation by federal anti-poverty workers, several of whom were arrested during the riots. In New York City five marauding young Negroes, collared while looting stores on Fifth Avenue, worked for the anti-poverty program; one wore a sweater blazoned, after the OEO-funded agency, "Harlem Youth Opportunities Unlimited."

To fight riots with OEO grants, in short, is like fighting fire with gasoline. However, Sargent Shriver alone is not to blame. Some of the fault lies with local officials like New York's Mayor Lindsay (tapped last week to serve on the President's special advisory body), who repeatedly refused to condemn the appearance of his Human Rights Commissioner at the Black Power conference in Newark, as well as with Mayor Cavanagh of Detroit (first recipient of OEO aid and welfare state showcase), who tied the hands of the police for the first few strategic hours. On the federal level, the country should call to account the Office of Attorney-General and its three recent occupants: Robert Kennedy, who once wrote a letter to the head of an identified Communist front, seeking advice on a national service corps; Nicholas Katzenbach, who shrugged off all evidence of conspiracy; and the incumbent, Ramsey Clark, who testified against pending anti-riot legislation. The blame reaches right up to the official White House family, to Vice President Humphrey, who last summer said that if he lived in a rat-infested slum: "there is enough of a spark left in me to lead a pretty good revolt."

Law and order are the stuff of civilization; they are also the first duty of government. On the record, "liberals" of both parties, by tolerating subversion, have made a mockery of their oaths of office and forfeited the public's trust. Appeals to prayer are all well and good, but what this country needs is a political and philosophic call to arms.

EXCELLENT SPEECH BY SECRETARY UDALL

Mr. YOUNG of Ohio. Mr. President, on August 28, 1967, Secretary of the Interior Stewart Udall made a magnificent speech before a Democratic Party dinner attended by more than 1,200 Democrats at the Sheraton-Cleveland Hotel, in Cleveland, Ohio. While he addressed a political meeting, his remarks were essentially nonpolitical and concerned the many serious problems facing all Americans.

Mr. President, Secretary Udall was an outstanding Member of the House of Representatives. His reputation as one of the leading conservationists of the Nation was well established before he became a member of the Cabinet. He has been a great Secretary of the Interior. Future generations of Americans will be indebted to him for his efforts to preserve their God-given natural heritage, and I am confident that in years to come he will be looked upon as one of the Nation's greatest Secretaries of the Interior.

His remarks in Cleveland are another indication of the insight and ability he has brought to his high office. I ask unanimous consent that his speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks by Secretary of the Interior Stewart L. Udall at the Democratic Party Dinner, Cleveland, Ohio, August 28, 1967

There was a time, not very long ago, when Secretaries of the Interior seldom, if ever, visited Cleveland. The Interior Department during most of the years since it was established in 1849 was a regional department of government for the most part—chiefly involved in managing national parks, public lands, Indian reservations and water resources, nearly all of which were in the Far West. The Kennedy and Johnson Administrations have changed that permanently. The Interior Department is a truly national department, with responsibilities for the environment that extend from one corner of the country to the other. Water pollution control has been added to our responsibilities. The creation of the Land and Water Conservation

Fund, managed by the relatively new Bureau of Outdoor Recreation, has given us a whole new range of duties. Much of the experimental work now conducted by bureaus of the Interior Department is directed toward reducing air pollution and halting the wanton dismemberment of the American landscape.

The people of our country have come to realize that the environment in which they live is indivisible—that pollution is an interstate problem which cannot be solved without cooperation between government and industry—that open space and recreational opportunity is needed by *all* Americans. A natural resource agency must concern itself directly with the conditions of human life. That is what we have come to grips with in recent years. More and more we feel that we are where the action is because nothing is more important to people than their water and air, and the view from their windows, and the places where their children play.

The kind of environment a man lives in has a great deal to do with the kind of man he is. If you grow up and live with plenty of space around you, if you enjoy ample opportunity to feel the sun on your shoulders and a fresh breeze in your face, if you have privacy and no fear for your safety, then it is easy and natural to feel that you have a big stake in your country and in the success of its institutions. America has been kind to you and me. We take these amenities almost for granted. But for millions of our fellow citizens, some of these things, if not all, are as remote as the far side of the moon. Their lives are characterized by lack of opportunity, poverty, ignorance, squalor, despair. Their world seems bounded by rat-infested slums. The cities, apex of Western man's civilization, must seem like grim prisons to many of our countrymen—prisons without even the security afforded inmates in our better-run penitentiaries.

It is not difficult to understand why people may feel this way who lack a livable environment. Government at every level, business and industry, the foundations and the universities, the volunteer organizations, labor unions, and private citizens all have a tremendous stake in our indivisible environment and in maintaining an American society that is not divided against itself. All of us have a lot of work to do in rebuilding our inner cities, in helping people to become more productive, in removing the environmental pollution that menaces the health and well-being of all of us.

I have heard some inspiring things about Cleveland's success with its AIM-JOBS program, financed with Federal help under the Manpower Development and Training Act. A highly encouraging aspect of this program, as it has been explained to me, is that top industrial firms have lent it some of their finest executive talent. I understand that a key to its success is the concept of sticking with the individual until he can stick with a job.

That kind of tenacity, it seems to me, is the surest way to build a man's confidence and feeling of being productive. One-shot, hit or miss approaches cannot begin to accomplish the same kind of results, when we try to deal with hard core problems.

Our country is face to face with some hard core problems in its cities today. To help solve them, the Johnson Administration proposes to stick with several of the programs it has launched in the last two or three years, and to start some new ones. We all realize that tenacity will be needed, because results will not come overnight. The costs will be major. A recent count placed the necessary funding for this fiscal year alone at six or seven billion dollars, to cover programs ranging from crime control and Project Head Start to model cities and aid to elementary and secondary schools. Big as they are, these figures have been pared down with great care.

We may ask ourselves—fighting a painful and costly but necessary fight in Vietnam—whether we can afford to pay six or seven billion dollars a year for these urban-oriented programs. One good look around us ought to answer the question. Either from the viewpoint of moral fervor or the brass tacks of enlightened self-interest, we cannot afford *not* to pay these bills.

Let us for just a moment look ahead to the turn of the next century. Look into your own heart and ask yourself what you want your children, and their children, to think of us all from that perspective of 30 or 40 years hence.

Will they have reason to be proud of us for fulfilling our promises at home and abroad?

Will they remember us as the generation that faced up to the crisis of the cities, the generation that began in earnest to clean up the environment?

Will they enjoy outings on a clean Lake Erie, drink good water from the Cuyahoga River? Or will they find themselves beyond the point of no return in a sick and fouled country where the American dream has become a nightmare . . . because we lacked the will and the tenacity to get on with the job today?

Higher taxes are never a pleasant subject, but the bills have to be paid. We still enjoy the best standard of living in the world; we still are incomparably the richest nation in the history of man. We can hardly plead inability to pay, even though paying may be unpleasant.

In preparing for this meeting with you, I asked the Treasury Department for some specifics on just how unpleasant the Administration's proposed 10 percent income tax surcharge would be. The Internal Revenue people told me this:

The 16 million taxpayers in the two lowest income brackets would be exempt from any surcharge. For example, a married couple with two children, scraping along on less than $5,000 a year, would pay no added tax.

A family of four with an income of $10,000 a year would pay *at most* an added tax of $9.25 per month, or about $2 per week. But the three out of four American families whose incomes are below $10,000 a year would pay less or no added tax at all.

The tables sent over by Internal Revenue showed something else of interest. For most of us, the surcharge would run about half the amount of the tax cut we received in 1964. We have had the benefit of that very substantial tax cut for three years now. We are *way* ahead, and we would remain ahead.

The surcharge would raise an estimated $6 billion this fiscal year, or just about the amount needed to rescue the Nation's urban programs during the same period.

What if we avoid any tax increase? Economists differ somewhat, but most of them feel the danger of inflation and tight money is very serious. We all remember last summer and fall. But even if there were to be no inflation, no tight money, we could make no further progress in the very programs that make us proud to be known as Democrats.

That is no alternative; it is dereliction of duty. It would cancel out a great deal of the progress that this Administration has worked to achieve, with the indispensable help of such men in Congress as Senator Steve Young, and Charlie Vanik, and Mike Kirwan and so many others.

Today, thanks to the vision and the tenacity of these men and others like them, we have achieved a start—a good start, but still only a start—toward correcting some of the grave injustices and inequities that have plagued our society for generations. We have begun—but only begun—to revive our environment so it can be made livable for the generations to come.

Nineteen million older Americans are covered by Medicare.

College education is more available now than ever before; nearly a million young people are being helped through college by Federally financed and insured loans, grants, and work-study programs.

Nine million disadvantaged children are receiving help under the Elementary and Secondary Education Act.

More than half a million workers have received training to equip them better for jobs in a skill-conscious industrial world.

Nearly a million needy youngsters have been helped to stay in school by the Neighborhood Youth Corps, which gives them needed community work to do.

Some one and one-half million children have been helped by Project Head Start.

Enough land and water has been set aside for public recreation and conservation during the past three years to make another Yellowstone National Park, plus another Yosemite, plus another Glacier National Park. And an increasing share of this set-aside land is in and around our crowded metropolitan areas. In the last year this has included the first National Lakeshores on the Great Lakes.

Tools have been provided, and funding authority has been multiplied, for the first real, concerted, national drive against the pollution of our streams and rivers and lakes. A drive like this takes years and years to reach its objectives; but at least we have now begun.

These are just a few of the major accomplishments of the past three years. And no Depression created the political climate in which such progress could be made. Quite the reverse; most of us in this room have been enjoying the most prosperous years of our lives.

Still, it is only a good start. The decisions we make—or fail to make—about our cities, our youth, our land and water and air during the next few years will be the crucial ones Opportunities missed now will be gone forever. On our choices, and on our failure to make them, will hinge the kind of country we turn over to our children.

I think I know what *your* choices, and *your* decisions, will be.

PROPOSED NEWS INDUSTRY CODE FOR REPORTING RIOTS

Mr. SCOTT. Mr. President, on July 29, 1967, I wrote letters to Mutual Broadcasting Corp., and other broadcasting networks and wire news services, suggesting that the news industry draw a code of emergency procedure to be followed in reporting riots.

In answer to that letter, John P. Friam, chairman of the board and president of Mutual Broadcasting Corp., outlined the guidelines established in MBC news and editorial policy and provided several examples of how MBC covered civil riots in Detroit and Newark.

I ask unanimous consent that Mr. Friam's letter and the examples he provided be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Mutual Broadcasting Corp.,
New York, N.Y., August 30, 1967.

Hon. Hugh Scott,
U.S. Senate,
Washington, D.C.

Dear Senator Scott: In replying to your letter of July 29, 1967, we join you in advocating that our nation should undertake "responsible action at all levels so that we may attain rapidly domestic tranquility". The words "responsible action" have a particularly important meaning to this Corporation since they are a vital part of our basic news code and policy. Let me spell out this in detail since it is the cornerstone of our news operation.

Our major subsidiary, the Mutual Broadcasting System is a *radio* network of more than 500 affiliated stations throughout the nation. It has no concern with television.

Our chief activity is the presenting of worldwide news and special events, by a staff of experienced, knowledgeable, mature men and women of whom we are proud. Their superior record of the years is ample evidence of their skills. A part of this achievement is based on the news and editorial policy of MBS which serves as a yardstick every minute, every day.

Our guideline emphasizes four basic attributes—responsibility, accuracy, objectivity and fairness.

Our news executives insist that each Mutual newsman must:

Use candor and good taste with the knowledge that morbid, sensational or alarming details, not essential to the factual reporting of the story, are to be avoided.

Use extreme care to see that his newscast, in content and presentation, avoids the creation of panic or unnecessary alarm.

Guard against distortion through commission or omission.

Ask himself, "Is it in the public interest? What effect will this newscast have on millions of listeners which include young and old, leaders and those who prefer to be led, the strong-minded and weak-willed?"

Use mature and considered judgment, especially in news which affects public morals.

Distinguish carefully between public *right*—and public *curiosity* in reporting on private matters or feelings.

Exercise constant, careful judgment in utilizing sources. The integrity of Mutual News and the reputation of our news organization depends on each newsman and his sources.

Make prompt and full correction of a mistake in fact or opinion.

From time to time news managers add specific instructions, oral and written. For example, early last month our newsmen were reminded:

1. Avoid, in script and tape inserts, any material which might tend to incite or inflame.

2. When using "actualities" be certain they are made with *responsible* persons, regardless of color.

3. Avoid cliches such as "long hot summer", "racial powder keg" and similar expressions which serve no good purpose.

To provide you with examples of our work, I am enclosing several sample editorials, copies of two commentaries by George Hamilton Combs, verbatim excerpts from newscasts the last two weeks of July, a narrative report from our New York Bureau covering this period, a script of Fulton Lewis, III, an outline of one of our special programs called "Postscript to Violence" and tapes of actual broadcasts so you can hear the "sound" of our presentations. We feel, Senator, the Mutual Broadcasting System did not at any time "contribute to the turmoil". On the contrary, as you will note from the material enclosed, it served well our millions of listeners by reporting *all* the news quickly, concisely, accurately, in proper balance, being responsible, objective and fair.

As you are, so are we aware of the dangers inherent in the irresponsible sensationalism characterizing riot coverage by some news outlets. We do not believe, however, that the answer lies in a code for news media.

News media, as well as members of Congress, have complained in recent years that the federal Executive branch seeks to "manage" news. Any effort to "manage" news is fraught with dangers and inconsistent with the Constitutional guarantee of freedom of the press—a guarantee that applies equally to new methods of mass communications, including radio and television broadcasting.

A free press was established by those who came early to the shores of America from Europe and down the years it has been zealously guarded. The free flow of news has been a major factor in fostering growth, prosperity and security for this nation and its peoples.

Certainly, to develop a code such as you have suggested for consideration, would be contrary to the free press principle. It would mean management of the news by someone—perhaps one subject to whims that often would outweigh sound decision as to what is right or wrong.

To carry this one step further, control of one type of news by code might lead to demands for codes for other types. Finally, all news would become subject to controls, or management, and our free press would be gone.

We do not believe a code is the answer. Instead, each unit of our news industry and each individual in it, must abide by its own concept of responsibility. There are certain to be instances of irresponsibility from time to time, but even a code could not anticipate and prevent such occurrences, and this is a small price to pay for freedom of the press.

When all is said and done, there is only one way for us at Mutual to gain our kind of objective. Build and direct a news organization second to none. No temporary code for a particular purpose can take its place.

Mutual has a team conscious of those sacred freedoms which newsmen have always enjoyed in our nation and of the great responsibility they bear to continue to earn the right to enjoy those freedoms.

We shall continue to earn those rights.

In seeking to solve the difficult domestic problems of our times, this network offers its full facilities and services.

Very truly yours,

John P. Fraim.

Digest of New York News Bureau Report

July 14, 1967: As Newark developed into a major news story, we sent a reporter-engineer team whose only equipment was an inconspicuous portable tape recorder. The correspondent fed four straight-forward news reports; the engineer fed three statements by Mayor Hugh Addonizio and two Negro eye-witness reaction pieces, one of which involved the Negro's explanation of the causes of the riot; the other appealed for an end to the violence: ("Its got to stop, it's senseless.")

That evening, we broadcast a 7 minute program, highlighting the day's events in Newark. This program stressed the personal tragedy aspect of the riot and avoided all demagogic actuality.

July 15, 1967: We aired actuality of Newark police spokesmen (on the status of the riots), interviews with Newark's Human Relations Director appealing for calm, and statements from Newark fire department spokesmen on the extent of damage. One piece of Negro actuality was broadcast, an eyewitness, who said, "if provoked, we will take up arms."

July 16, 1967: On broadcasts this day, we aired actuality inserts of Governor Richard Hughes on 3 newscasts; a report from the Newark Fire Commissioner; a 30 second statement from Stokely Carmichael, in London, giving his explanation for the Newark riots, "eyewitness" statements from local Negro residents, one of whom said: "I would like to sit down and discuss the problems." Another said, "If we could travel, we'd leave here right now." Also broadcast: Negro Councilman Calvin West, who proposed remedies for the rioting.

July 17, 1967: News teams were sent to Plainfield and Newark, New Jersey to file status reports on these riot-torn cities. Mostly, these were updates on casualty and damage figures. Also, we broadcast a statement by Reverend John McNeil of Plainfield, who said he wanted to talk to the rioters to calm them down.

July 18, 1967: We broadcast aftermath pieces on the New Jersey disturbances.

July 19, 1967: We devoted 5 minutes of our nightly feature program, "The World Today" to an interview with the President of the New York Urban League, John Mosler, on remedies for racial violence.

July 23, 1967: Since the Detroit troubles developed in late evening, we used but one correspondent's report from the field (station WJBK, Detroit).

July 24, 1967: Most of the news insert material consisted of correspondents' reports which were delivered unemotionally by a team of professional reporters in Detroit. Also broadcast were several actuality statements of Governor George Romney, Senator Edward Brooke, Senators Everett Dirksen and Mike Mansfield and Representative John McCormack.

July 25, 1967: We broadcast a comprehensive correspondent's report on the Newark Black Power conference. This report contained no inflammatory language and no statements from irresponsible persons, white or negro.

Also, on this day, we broadcast correspondents' reports on the status of the Detroit riots, a statement from Cassius Clay deploring the violence, actualities of Senators Brooke and Dirksen and a statement from Governor Romney. That evening, we broadcast a brief report on the East Harlem violence. This report contained no actualities and was treated objectively. Further, we broadcast live President Johnson's report on the racial unrest.

July 28, 1967: We broadcast several situationers from our Detroit correspondents, actuality cuts of Governor Kerner on riot investigation and interview with Senator Peter Dominick on riot causes.

July 29, 1967: We aired one situationer from Detroit plus 5 voice cuts of President Johnson on the racial unrest.

July 30, 1967: We broadcast two correspondents' reports on the aftermath to the Detroit rioting (cleaning up, etc.)

July 31, 1967: Correspondent's reports from Milwaukee on National Guard summons and efforts to restore order; Governor Romney, fed from Detroit, on ways to prevent future riots.

Postscript To Violence

"Postscript To Violence" was broadcast as a special presentation of "The World Today", Friday, July 21, 1967.

It followed one week to the day, the outbreak of racial violence in Newark, New Jersey.

The aim of the program was to look to the future and determine what could be done to ease tensions in big city ghettos.

To begin, the program sought an answer to the question: "Who suffers by these riots?" The answer was given most vociferously in the cries of Tedock Bell's family as they learned of his death at Newark City Hospital and in the choked-up voice of a fireman who carried a bloodied 10-year-old boy to an ambulance.

In the script, it was acknowledged that problems do exist in the ghetto, but at the same time it was also pointed out that the solutions exist as well.

Whitney Young, Jr., executive director of the National Urban League, was a Negro voice of moderation. In an exclusive interview for this program, he noted that the federal government has been moving too slowly to improve the plight of the Negroes; that Washington should attack the Negro problem with the same zest it's fighting the war in Vietnam. Mr. Young also concurred that the riots are bad; that they hurt the Negro more than they help him.

Sargent Shriver, director of the Office of Economic Opportunity, said it was dangerous to build up hope in promises to Negroes without providing action. "We're in trouble," he said, "if we don't listen to what they have to say." Shriver stressed that it's necessary to talk with Negroes and to do things with them.

To show how New York City officials are working to ease ghetto tensions, a Mutual reporter went on a tour of Harlem with William Booth, New York's Commissioner of Human Rights.

The story was told in the sound of happy kids in a pool and active youngsters on a play street as Booth explained the functions of the city's "Summer Task Force".

Senator Peter Dominick pointed out that racial demonstrations have been encouraged by the Johnson administration. "To begin with," said Dominick, "we have to recreate respect for our legal process." The Colorado Senator said that Congress alone can't solve the ills, "but all people must work to help."

Congressman William Cramer spoke about the anti-riot bill to crack down on agitators—a bill which had just passed the House of Representatives.

Congressman Augustus Hawkins—a Negro from Los Angeles Watts district—asserted that Congress has not done enough to provide better housing, more jobs and better law enforcement. He noted that the cures are available . . . but only if Congress acts.

Congressmen Ford and Griffin of Michigan took note of Congressional action taken in recent years and pointed to additional measures which must be provided immediately.

The program ended with a dramatic montage of sound. The script noted that the sounds of riots—the sounds of the 60's—must be exchanged for the hopeful sounds of the 70's—laughing, happy kids—"for the sake of all humanity".

MBS Editorial, July 18, 1967

Broken down to its essentials, the important question about those racial riots in Newark is this: Were they "spontaneous"—a sudden explosion of anti-White hostility, or were they "engineered"?

The Justice Department says it has no information that outsiders were involved in the Newark disturbances. Perhaps not, but this seems to miss the point. More relevant—and perhaps more revealing is the fact that Negro leaders in New Jersey have worked out a "truce" with civil authorities.

If Negro leaders will agree to press for an end to the disturbances, we might ask where these men were a week ago when—apparently *before* the explosion took place.

Had they so acted, 27 persons—Negro and White—would be alive today. Millions of dollars worth of property would not lie smoldering under charred ruins; and racial harmony across the land would not have been dealt such a devastating blow.

MBS Editorial, July 20, 1967

Those Negro-White disturbances which have rent the summer air call attention to a problem which goes deeper than racial hostility.

In virtually every report of violence—from Newark to Minneapolis the belligerents have been young people . . . mostly in their teens, a few in their twenties.

We have heard much talk about the generation gap . . . the refusal by youth to respect their parents . . . or the traditional values on which their parents depended to preserve unity in the family and order in the nation.

Most of us have heard or seen those buttons which read, "Don't trust anyone over thirty." Till now, we apparently had felt that *white* young people had a monopoly on parental resentment. Newark, with its rampaging gangs of teenagers, demonstrates that this resentment, or at least this failure to respect authority, parental or civil, knows no color line.

This, we submit, is a key toward understanding the tragic events which have cast a pall over a score of cities in the past several weeks.

MBS Editorial, July 24, 1967

Not often has one American city held the dubious honor of furnishing the scene for two tragic news events within a single week.

Newark, New Jersey, is such a place. The echo of sniper fire was still in the air when several negro extremist organizations converged on that unhappy city to hold a so-called Black Power convention. Any hope that responsible discussion on racial matters would result from this meeting was quickly dashed, as one Negro after the other took the speaker's platform to justify racial violence, to denounce all symbols of authority and responsibility (including moderate men of their own race), to issue impossible demands on every issue from the racial makeup of the Newark city administration to Washington's handling of the Vietnam war.

If those responsible for the Newark convention expected that this kind of fire-brand oratory would win them sympathy and understanding for the causes they espouse, these expectations were in vain. If they expected, however, to shock and anger the responsible men and women of America, they succeeded beyond their wildest anticipations.

MBS News Excerpts, July 24–29, 1967

July 24, 1967, 11 a.m.—"Eight thousand National Guardsmen trying to keep the peace in Detroit, Michigan, where violence erupted soon after local police raided a Negro tavern last night. Two thousand city police officers patrolling trouble areas. Governor Romney just minutes ago requested an additional five thousand soldiers to reinforce the eight thousand already on duty.

"Canadian officials sealed off the border where Detroit and Windsor, Ontario come together.

"Other racial disturbances earlier reported in Illinois, Wisconsin, Connecticut and in Rochester, New York."

July 24, 1967, 2:30 p.m.—"Tanks rumbling through Detroit's streets at this hour . . . eight thousand National Guardsmen with fixed bayonets patrolling trouble areas where racial unrest has flared since last night. Two thousand police officers on duty and a request from Michigan for an additional five thousand regular army troops to control the riots has been okayed by the White House. As to the make up of these regular military units now on their way, we'll call on a Defense Department spokesman."

(Taped DOD spokesman (30 seconds), content: Named units involved.)

"Governor Romney worried over the possibilities that may erupt tonight in the motor city told Mutual News."

(Taped Romney insert describing the conditions (13 seconds).)

"Special Assistant to Defense Secretary McNamara, Cyrus Vance, is on his way to Selfridge Air Force Base some 30 miles from Detroit for conferences with state and local officials.

"An ultimatum from Black Power advocates to the Federal Government. The Black Power convention delegates concluding a meeting in Newark, New Jersey held a news conference and said Uncle Sam must provide a guaranteed annual wage or face the disruption of the nation's economy by the Negroes."

July 24, 1967, 6:00 p.m.—"President Johnson has not yet decided whether to send Federal troops into Detroit's riot area . . . although the troops have been arriving at Selfridge Air Force Base 30 miles from Detroit to be immediately available if needed.

"Republican leaders are calling big city rioting a national crisis and demand a full investigation by Congress and what they call more forceful action by the President."

July 25, 1967, 11 a.m.—"Federal troops in control of the strife-torn motor city of Detroit this morning. Hit and run snipers met trained military might this morning, tanks and armored units firing machine guns, and light arms. The death toll stands at 23 so far in the three-day riot, more than 1,500 persons have been injured. A state of emergency remains, damage estimated at more than $200 million."

July 25, 1967, 11:30 a.m.—"Federal troops have taken control with some reports of calm now in Detroit, Michigan, today, following the joining of paratroopers, ordered in by President Johnson in the fight against Negro rioters.

"There are reports of racial troubles in at least three other Michigan cities today, with further racial problems in at least seven other American cities."

July 25, 1967, 2:30 p.m.—"Negro leader Dr. Martin Luther King told reporters in Atlanta he supports President Johnson's action in sending troops into Detroit. Senators and Congressmen from both political sides of the aisle are calling for a full-scale Congressional probe into the racial riots around the country . . . the death toll in Detroit rises . . . more arrests . . . more injuries. A first-hand look at the scene as of the moment, from the man on the scene, Mutual's Lee McNew in Detroit."

(Taped insert, 1:04 seconds. Content: Summary of damage and injuries.)

July 25, 1967, 6:00 p.m.—"President Johnson continues to keep a close watch on rioting in the nation. Report from Detroit . . . an outward calm where rioting, looting, and violence has held forth for two consecutive days . . . Officials, both Federal and local are counting on Federal troops and National Guardsmen to keep it quiet when darkness falls. Things began to return to normal in the country's fifth largest city today . . . with big banks and other businesses open, sanitation trucks picking up debris, and gasoline being sold again.

"Governor Romney has taken some of the state police and National Guardsmen out of Detroit and sent them to other Michigan cities where there have been signs of violence. (Such as Pontiac, Grand Rapids, and Flint.)

"Republican Congressional leaders in Washington are planning to introduce legislation to set up a joint Senate-House Committee to investigate the riots. In the last 24 hours, several areas have been hit—the most widespread racial violence in the nation's history.

"Civil Rights leader Martin Luther King said today he supports the President's use of Federal troops in Detroit."

July 26, 1967, 11 a.m.—"Thirty nine dead in Detroit riots . . . property damage well over 200 million and well over a thousand fires in the city recorded over the past three days. An on-the-scene report now from Mutual's Bob Hagen in Detroit.

(Insert, 48 seconds. Content: Details on damage and injuries.)

"Racial disturbances, in addition to Detroit are being counted from such places as Rochester, New York, Saginaw, Grand Rapids, Pontiac, Michigan . . . Phoenix, Arizona, Toledo, Ohio, and other smaller cities.

"Militant Black Power advocate H. "Rap" Brown's been picked up . . . the story from Mutual's James Hall.

(Insert, 29 seconds. Content: Brown arrested by police at National Airport.)

July 26, 1967, 2:30 p.m.—"The voices of Negro leaders were being raised today in support of the call by President Johnson . . . to every citizen . . . to maintain law and order. A statement released in New York City was signed by Philip Randolph, Roy Wilkins, Whitney M. Young, Jr., and Martin Luther King. It said in part. "We are confident that the overwhelming majority of the Negro community joins us in the opposition to violence in the streets."

July 27, 1967, 6:00 p.m.—"Federal aid is being made available to Detroit for victims of the rioting. President Johnson telegrammed Governor Romney and Mayor Cavanaugh this afternoon that cabinet members have been directed to help meet the emergency health, food and safety needs of the city. The President also met with Secretary McNamara, Attorney General Clark, OEP Director Bryant, and staff assistants, to study the possibility of other aid as requested by the Governor and the Mayor.

"Detroit appears to be calm this evening, for the first time since rioting broke out Sunday but U.S. troops and tanks are still on the streets to make sure things remain quiet. Both Governor Romney and Mayor Cavanaugh said hopefully today they think the major violence is over.

"In Washington, Rap Brown, the head of the Student Non-Violent Coordinating Committee held a news conference and said black people have no recourse other than rebellion and that violence is necessary. Brown is free on bail on a charge that he incited to riot in Cambridge, Maryland earlier this week."

July 28, 1967, 11:00 a.m.—"Peace made the riot scene today. There were some isolated incidents . . . for example in Detroit Mayor Jerome Cavanaugh was making an inspection tour of some of the strife-ravaged sections. He was caught in a crossfire between police and at least one sniper. The Mayor was not hurt. The sniper escaped. President Johnson has proclaimed this coming Sunday a day of prayer for order and reconciliation. In Havana Black Power Advocate Stokely Carmichael says he no longer cares what happens to him when he returns to the USA. Carmichael also has called for guerrilla warfare in the United States and had words of praise for Fidel Castro."

July 29, 1967.—"During the night at least nine American cities were plagued by more civil disorders with the most serious racial disturbances in Chicago, Poughkeepsie, New York and Cambridge, Maryland.

"In Cambridge four Negroes were arrested by National Guardsmen after shotgun blasts were fired at a police patrol car. They were charged with assault with intent to kill. In Chicago again police were fired upon as they dispersed a crowd. In Poughkeepsie same situation after police arrested a man in the Negro section of the city."

The Top of the News With Fulton Lewis III, Week of July 24–July 28, 1967

MONDAY, JULY 24, 1967—WASHINGTON, D.C.

Riotous bargain hunting in Detroit

At the request of Michigan's Governor George Romney, President Johnson today ordered nearly 5,000 federal troops to the Detroit area to be made available for combat duty should they be needed to bring race riots in that city under control.

The troops were flown in from North Carolina and Kentucky throughout the afternoon in a massive airlift. They are joining more than 8,000 of Michigan's National Guardsmen and 2,000 state police who have already been assigned to duty in the 175-block square Negro neighborhood on the west side, some three miles from the center of Detroit, the scene of a violent outburst of rioting and looting last night.

In his telegram to President Johnson requesting assistance, Governor Romney said: "It is the unanimous judgment of state and local officials and the Michigan military establishment that our situation may continue at least through tonight. Last night the combined efforts of 1,400 Michigan National Guardsmen, 2,000 state and Detroit police and the fire departments of Detroit and 30 surrounding communities were unable to contain this massive outbreak of violence, fire, theft and general disregard for law and order." Romney then asked for "immediate deployment of federal troops into Michigan to assist state and local authorities in establishing law and order in the city of Detroit."

The Detroit outbreak, like many previous race riots in other cities throughout the nation over the past year or so, appeared to be sparked as a result of a fairly routine police action. City police raided an after-hours drinking establishment, open in violation of Michigan's 2 a.m. curfew, arresting 73 persons. A crowd gathered, bottles began to fly, and the riot was on.

President Johnson, in addition to dispatching federal troops this afternoon, called former Deputy Defense Secretary Cyrus Vance back to active duty from his retirement. He will act as a liaison between Gov. Romney and the White House for the duration of the crisis. Under the President's orders, the two brigades of federal troops will remain at Selfridge Air Force Base (30 miles from Detroit) until the President issues further directives for them to proceed into the riot areas. These combat orders would apparently come at the suggestion of Cyrus Vance.

Governor Romney, saying this afternoon that there has been a steady increase in the amount of Negro looting of stores, said the federal troops (if called into action) should be enough "to stop the looting, arson and sniping." He added: "Experience of similar outbreaks in other parts of the country indicates that they are rarely limited to a period of one day and night."

Throughout the day National Guardsmen stood guard as firemen fought blazes in scattered sections of the city. Several firemen had been injured by rioters who showered bricks and bottles on them.

At least four persons have been confirmed dead, and there have been five other reported fatalities. More than 800 persons were injured and over a thousand have been arrested as a result of just one day of rioting. The damage, according to preliminary estimates, has soared past the $100 million figure, and that estimate, of course, does not take into account the fact that many, if not most, of Detroit's industries have been shut down as a result of the violence. The automobile manufacturers in and around the city have closed almost all of their plants for the second and third shifts tonight. Mail delivery has been halted in some areas. Even the baseball game between the Detroit Tigers and the Baltimore Orioles, scheduled for tomorrow, has been cancelled.

In some areas, entire blocks of homes and businesses had been burned to the ground—the hardest hit areas being the Negro neighborhoods—but some looting even took place downtown.

Congressional comment on the Detroit situation was varied. Georgia Democrat Senator Herman Talmadge called mob rioting a "national emergency" and urged President Johnson to "speak to the people" about law and order.

His comments were quickly endorsed by Virginia's Democrat Senator Harry Byrd, Jr.

Talmadge said he has long felt that "there has been a serious lack of national leadership in taking steps to avert rioting and mob violence." He said he has repeatedly urged the President to make it clear to the American people, "both white and Negro, that law and order are going to prevail throughout the land, come what may."

The Georgia Democrat then added: "I do so again today. I fervently urge the President, as the elected leader of this great nation, to speak to the people in this national crisis. It is his incumbent duty to utilize the power of his office and influence to restore law and order and maintain domestic peace. I say that he should take this matter to the people, and to the responsible leaders of both races, without a moment's hesitation."

Senate Republican Leader Everett Dirksen also took note of the Detroit riots today, describing them as a "form of anarchy" which cannot be permitted to continue.

He said there are fears among the people about where riots might erupt next, such as in Washington, D.C., or in other cities. He said also there are hints that "there is a timetable," but he added that there is not yet sufficient evidence to prove this theory. Dirksen concluded that local, state and, if necessary, federal authority must be used to see that there is "no insurrection, no anarchy, no breakdown of law and order."

Black Pow-Wow in Newark

While Negro rioters were creating havoc in the city of Detroit, a National Black Power Conference was adjourning in Newark, New Jersey, the scene of similar violence just a week ago. The Black Power advocates demanded, among other things, that the Federal Government provide an unspecified guaranteed annual wage to every American, or else, to use their words, or else the Government will face further disruption of the economy by Negroes.

The Conference delegates also approved a resolution calling for the study of a plan to establish two nations within this country—one for the whites, another for the Negro.

Meanwhile, one of the Nation's leading exponents of black power, Stokely Carmichael, wrapped up a week-long visit to England (where he has been attempting to incite blacks into action) and departed for Communist Czechoslovakia. Reportedly his ultimate destination is Hanoi, the capital of Communist North Vietnam.

Carmichael left while Scotland Yard authorities were in the process of drawing up a report on his activities in England for Home Secretary Roy Jenkins. The Home Office has the power to band or expel foreign nationals from Britain, a step which it was seriously considering in the case of Stokely Carmichael.

One prominent British newspaper, the Daily Sketch, earlier today accused Carmichael of violating Britain's race relations act by inciting racial violence, and it demanded to know why "this dangerous man" has not been prosecuted.

The British paper's question has been asked many times by newspapers and grassroots citizens in this country. Justice Department officials have never taken any action against Carmichael for his agitational efforts within the United States, claiming they had neither sufficient law, nor evidence, to prosecute. This deficiency may well be changed, however, should Carmichael proceed on his unauthorized trip to North Vietnam, and should the Congress proceed to pass a federal anti-riot bill.

In the meantime, the city of Detroit will remain in a state of crisis while the burnings and lootings of Negro mobs continue, and law-respecting citizens of every other city in the nation will sit and wait, wondering how long it will be before a similar outbreak imperils the security and safety of their community.

As Senator Talmadge suggested today, Presidential action to reinforce law and order throughout this nation is long overdue. There is a great deal which could be done, including a reversal in the Administration's attitude of leniency toward criminals and toward black-power advocates. But a great first step could be brought about if the President would only lend his name and the prestige of his office to a dramatic and firm insistence on a national respect for law and order.

Poverty programs and rat-control bills are politics, and can be debated at the leisure of the Congress. The people of the nation, however, have some rights of their own which they expect to be protected during the interim, the most basic of these being the protection of their lives and property from violent mobs. The President's decision to send federal troops to Detroit is to be commended, but a little preventive action is also needed to end the terrorism which has made the cities of this nation as insecure as the villages of South Vietnam.

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TUESDAY, JULY 25, 1967—WASHINGTON, D.C.

Civil blights spreading throughout the nation

For the past twenty-four hours, civil warfare and anarchy (most of it led by young Negro hoodlums) has been on a sharp increase throughout nearly every section of the nation, and there is no indication that things will get any better tonight, or tomorrow.

The list of riot-torn cities has grown. It now includes not only Detroit (the scene of the most destructive violence), but three other Michigan cities (Pontiac, Flint and Grand Rapids); New York's Puerto Rican Harlem where a third day of rioting produced two dead and 20 injured; Rochester, New York, where two more died and three were injuried; Englewood, New Jersey; Tucson, Arizona; Houston, Texas; Portsmouth, Virginia; Toledo and Lima, Ohio; Minneapolis, Minn.; and, Cambridge, Maryland. And racial tensions have again reached a high point in Cairo, Illinois, which has already suffered rioting, and at least a score of other cities.

In Detroit, the latest toll is 24 dead and more than 1,500 injured. Estimates of the destruction caused by the rioters range as high today as $200 million.

Late last night, President Johnson under heavy prodding from Detroit Mayor Cavanaugh, and Michigan Governor George Romney, ordered about 1,500 federal troops into the combat area—a 175-block Negro community three miles from downtown Detroit. Some of the crack airborne soldiers deployed are veterans of the Vietnam war, but commented that the present conflict right here at home is even more intense.

This afternoon, Governor Romney, facing a shortage of National Guardsmen and state police in the wake of racial outbrusts in three other cities in his state, announced he was releasing what he termed "an appropriate number" of men from duty in Detroit for assignment in the other potentially explosive areas. The exact number of men involved, however, was not disclosed.

National Guardsmen are also on duty patrols in Minneapolis and this afternoon Ohio Governor James Rhodes called out 500 of his state's militia for assignment to Toledo on a stand-by basis. Throughout last night and this morning, that city was the scene of widespread looting and firebombing by roving bands of Negro youths. The picture was best summed up by a Negro Baptist minister who witnessed many of the incidents there, and said: "The trouble carried no racial tones and was downright thievery. It seemed to be a bunch of young people who thought they could get something for nothing."

In Maryland, Republican Governor Spiro T. Agnew today ordered 700 National Guardsmen into the Eastern Shore community of Cambridge to forestall any further violence there, after a night of shooting and arson in which two persons were injured and most of two blocks of the Negro section was gutted by fire.

The violence there has been attributed in great part to an enflaming speech in Cambridge last night by the national chairman of the Student Non-Violent Coordinating Committee, H. Rap Brown, who repeatedly urged his audience of cheering Negroes to resort to violence to gain Black Power.

Brown told the crowd: "We shouldn't march, unless we march with guns. If America doesn't come around, we should burn it down. We've got to make the change come. The streets belong to us, and we've got to take them."

Later, he made another reference to the need for weapons, saying: "You better get you some guns. The only thing honkies [or whites] respect is guns. The honkie looted us from Africa. He's the greatest thief of all time."

For the next five hours, Cambridge Negroes heeded Brown's advice, exchanging gunfire with police officials, and burning to the ground a barbershop, motel, tavern, church, school and several homes. Damage was estimated at well over $100,000.

This afternoon, the FBI announced that a federal warrant has been issued for Brown's arrest under charges of fleeing the state to avoid prosecution.

Two state warrants were issued against him earlier. One charged him with inciting a riot; the other said he "counseled and procured the burning of Pine Street Elementary School" in Cambridge. Maryland's District Attorney explained that the federal authorities have become involved in the case after it was learned that the militant SNCC chairman had left the state. He had come to Cambridge yesterday from Philadelphia, was treated at a Cambridge hospital for a gunshot wound suffered during the rioting last night, and departed promptly.

Meanwhile there was some further news today about the whereabouts of another black power advocate—former SNCC chairman Stokely Carmichael. A dispatch from Havana, Cuba, reported that he has made plans to attend the Communist-sponsored Latin American Solidarity Organization Conference to be held there the first week in August—that is, after he returns from his present trip to Communist Czechoslovakia, and Hanoi, the capital city of Communist North Vietnam.

Again, the current outbreaks of racial violence throughout the nation were the dominant topic of conversation on Capitol Hill today. New Hampshire Republican Congressman Louis Wyman introduced legislation that would take away all federal benefits for life for anyone convicted of rioting, including benefits for veterans and the elderly. Mississippi Democrat Congressman Jamie Whitten blamed the Supreme Court for the riots, charging it with creating a sense of lawlessness throughout the nation. New York Democrat Rep. Hugh Carney called for an "emergency" resolution giving the President the authority to embargo all arms and ammunition in riot-torn areas.

And New York's most liberal Democrat, William Fitts Ryan, charged that Congress itself is to blame for the rioting by not having passed even more legislation for improved housing, education and health care.

West Virginia Democrat Senator Robert C. Byrd delivered perhaps the fiercest speech of his entire career, saying that the "insurrection" in the cities "should be put down with brutal force." Police, he said, should not wait to fire until fired upon, and "adult looters should be shot on the spot." The West Virginia Democrat added: "It is later than we think. Hoodlums, looters, snipers should no longer be handled with kid gloves . . . firemen should be equipped with arms to protect themselves, if necessary."

He then criticized public officials, including two Cabinet members, for citing the threat of violence as an argument for passage of legislation to expand federal services to the needy and jobless. Byrd said such programs should be considered on their merits in "reasoned debate," using the threat of violence (and he specifically mentioned testimony to this effect by Secretary Weaver, and by former Attorney General Katzenbach) amounts to nothing more than blackmail.

Byrd deplored public officials who "deplore violence in one sentence, and then seek to place the blame for it on society in the next." "It is little wonder," he concluded, "that rioters are encouraged to do violence."

In Atlanta, Georgia, civil rights leader Martin Luther King offered his pat explanation for the violence, saying that "every single breakout of racial violence without exception has substantially been ascribed to gross unemployment." In a telegram to President Johnson, King said: "I propose specifically the creation of a national agency that shall provide a job to every person who needs work."

The fact of the matter is that Rev. Dr. Martin Luther King is very, very wrong in his evaluation, and the massive riots in Detroit prove my point. Ever since the race riots of 1943, Detroit, more than any other city in the nation, perhaps, has been diligent in its efforts to provide a better life for its Negro inhabitants. Discrimination has been totally eliminated from the law books, and almost totally eliminated from practice in employment. Its war on poverty program has been cited even by civil rights leaders as one of the most effective in the nation. Its inner city schools are completely desegregated and are highly rated. Its police force has been commended again even by many civil rights leaders as a model of restraint. The unions there have been free from racial discrimination and have been in the forefront of the fight for improved Negro living conditions. And yet Detroit, this model city of the Great Society, has been the chosen scene of perhaps the worst riot this nation has suffered in the recent outbreaks over the past few years.

New York's Democrat Senator Robert Kennedy, in a surprising statement today, conceded for perhaps the first time in his life that maybe the very concept of government welfare solutions to big-city problems is to blame for the present unrest. He said, in fact, that public housing programs have failed to meet the inner-city Negro ghetto problems. Other welfare state solutions have similarly failed. The answer, according to Kennedy: Call on the Free Enterprise system for a full-scale attack on these problems—have major firms participate in building housing for the underprivileged. A novel approach, indeed—it's a wonder nobody has thought of it until today.

The House Education and Labor Committee today ordered its staff investigators to determine whether poverty program workers were involved in the big city riots of recent weeks.

The Committee, in a closed meeting, voted to send investigators representing both parties to make the inquiry in response to charges that poverty workers were involved in the Newark, New Jersey, riot. The investigators will also travel to Detroit.

For 35 years now, ladies and gentlemen, under the New and Fair Deals, and under the Great Societies and the Wars on Poverty and what have you (all of these, of course, being welfare-state systems), the American people have been taught to believe it is morally permissible and indeed productive to "take from each according to his ability and to bestow upon each according to his need." Or, as President Johnson himself has said: "Take from the haves and give to the have-nots."

Many Negroes living in some of the nation's less prosperous communities have apparently taken the "something for nothing" approach to heart. They have not been content, however, with the speed with which government has been taking from the haves and giving to the "have-nots." So some of them have decided to play the Robin Hood game themselves. When it's done directly, however, Robin Hoodism is not considered "humanitarian" or "liberalism." It is called by its correct names: "theft," "looting" and "destruction."

WEDNESDAY, JULY 26, 1967—WASHINGTON, D.C.

Brush riots around the country

The racial warfare in Detroit, after cooling down somewhat this morning, was on again this afternoon in full force with Michigan Governor George Romney saying: "The sniping . . . is now worse than it has been in previous days."

Estimates of the toll thus far in that insurrection range up to 40 dead, at least 35 of these confirmed, and $250 million in damage. Thus, the Detroit riots have already surpassed the violence in Watts two years ago, where 35 were killed, and only $200 million damage was suffered.

Elsewhere in the nation, during the past 24 hours, there were scores of other outbreaks of racial violence. The State of Michigan was hardest hit. Firebombings and lootings terrorized Saginaw in central Michigan last night. At least eight persons were shot. That city, ironically, has a highly respected Negro mayor.

Grand Rapids, Michigan, suffered its second night of race riotings, and in Mt. Clemens, Negro youths put to the torch a big carracing track and an unfinished high-rise apartment building.

In Chicago, firebombings and lootings plagued the same areas on the west side that were the scene of massive roting just a year ago.

In New York City Puerto Rican Harlem, violence erupted for a fourth consecutive night.

Other violence was touched off in Phoenix, South Bend, Indiana, Sacramento, California, and Toledo, Ohio. A tense peace has apparently been restored in some previous battle areas like Rochester, New York, and Cambridge, Maryland.

Here in the Nation's Capital, where there is an unspoken fear of possible Negro violence this summer, the Members of Congress seemed to be groping for some solution to the apparent collapse of law and order elsewhere in the nation.

The only legislative proposals which are likely to get prompt attention, however, are a House-passed anti-riot bill which would make it a federal crime for a person to cross state lines to foment riots, and a Republican sponsored bill calling for an immediate, across-the-board, bipartisan Senate-House investigation of the recent racial outbursts. This last recommendation may get caught in a web of partisan wrangling, though, since the Democrats will be hesitant to let any Republican-conceived legislation get the stamp of approval. On an issue of as much public concern as race riots the Democrats will naturally want to get full credit and glory for any widely publicized investigations or hearings. Thus, the proposal today by Oklahoma Democrat Senator Fred Harris that the President personally appoint a "blue-ribbon" commission on civil strife to study the recent riots.

This afternoon, Louisiana Democrat Congressman Edwin Willis, the chairman of the House Committee on Un-American Activities, announced that his panel has found enough evidence that subversives have been involved in recent rioting to pursue the question further in public hearings. The evidence, he said, has been developed as a result of ten months of intensive Committee investigations. He did not announce when hearings will begin.

Suspicions concerning outside involvement in the racial outbursts seem to be supported by FBI Director J. Edgar Hoover's testimony before the House Appropriations Committee in February of this year. At that time, he said, "Communists and other subversives and extremists . . . were active in exploiting and aggravating the [earlier] riots in Harlem, Watts, Cleveland and Chicago."

Just today, at National Airport in the Washington area, FBI agents arrested black-power agitator H. Rap Brown, the national chairman of the Student Non-Violent Coordinating Committee. He was taken into custody not on federal charges, however, but so that he could be prosecuted in the state of Maryland for inciting Negroes to riot in Cambridge, Maryland, Monday night.

Even as he was being brought before federal authorities in Alexandria, Virginia, this noon for arraignment, Brown shouted out: "We [black people] built this country and we'll burn it down."

The arraignment was held up for several hours, and Brown was kept in a cell, while the group awaited the arrival of the SNCC-leader's attorney—none other than William Kunstler of the American Civil Liberties Union in New York, who was himself arrested last year for creating a disturbance during hearings of the House Committee on Un-American Activities on Capitol Hill.

Kunstler, after his arrival here, apparently found a legal imperfection in the federal arrest order for Brown, the result of which, H. Rap Brown was released by federal officials at about 3:30 this afternoon.

Virginia police, however, promptly seized the SNCC chairman, saying they were going to turn him over to Maryland authorities. Kunstler immediately protested this action, too, however, claiming that Virginia authorities have no business making arrests in a federal courthouse. That was the way the situation stood at last report. But we'll follow the case of H. Rap Brown closely. If he does NOT even stand trial for his actions in Cambridge, Maryland, I, for one, will want to know why.

Negroes judging the riots

Various Negro leaders spoke out on the recent racial outbursts today. In New York, a statement was issued by Martin Luther King, Jr., A. Philip Randolph, Roy Wilkins and Whitney Young, condemning the violence as unjustified. They said that the riots have been highly damaging to the Negro population.

At his sun-swept resort hideout in Bimini Island, however, the ever-vocal Adam Clayton Powell had a different view. He said the "black power rebellions are a necessary phase of the black revolution," and he had warm words of praise for what he described as "these new breeds of cats" responsible for the uprisings.

Anything uttered by Adam Clayton Powell must, of course, be taken with at least one grain of salt, and the statement issued by the so-called civil rights leaders in New York can only be regarded as "too little, too late." The fact of the matter is that none of these people are in a position of control or leadership in the Negro community any longer. They have been replaced by a new and younger element, a "new breed of cats," as Adam Clayton Powell said, who have not time for things as passive and dull as civil rights.

This new element is highly militant, as demonstrated by both the actions and statements of people like SNCC leaders Stokely Carmichael, H. Rap Brown over the past few months and years, and unlike the Martin Luther Kings and the Whitney Youngs, these young agitators have physically moved into the Negro ghettoes around the country and for years have been indoctrinating these communities with their propaganda of hate and violence.

Tragically enough, the federal government has not just been sitting on the sidelines throughout this period. Anti-poverty funds, intended perhaps to help the poor and starving in these ghettoes, have all too frequently served only to organize the Negro dissidents, and the militants have moved in to exploit the situation, taking advantage of the fact that the federal funds have already accomplished for them one important and time-consuming task: that of organization.

As an illustration of what I mean, I have in front of me the latest issue of SPARK, a publication put out by the pro-Red Chinese organization, the Progressive Labor Party, dated July, 1967. This issue was released from the presses BEFORE the Newark or Detroit riots, but it nevertheless contains a full spread, two pages, entitled: "Black Liberation—Now."

Part of the article reads as follows:

"The strongest opposition to the U.S. imperialist government in the United States is the black people, because we are on the bottom of the ladder and have less to lose in rebelling. They know this, and they know that they will never have a 'safe' home base as long as the black people are willing to rebel against them. Not only are the black people in a rebellious state, but we are more and more beginning to line up with the Vietnamese people and other oppressed peoples in the world who are fighting the common enemy—U.S. imperialism.

"If they can break the back of our movement, then they will be in a better position to attack the other movements and whip them into line. If they are able to accomplish this, they will be in a better position to commit aggression against our brothers and sisters in Asia, Africa and Latin America. We must see to it that this does not happen."

That, ladies and gentlemen, is a sample of the vicious propaganda which has been poured into this nation's Negro ghettoes, not just by the members of the Progressive Labor Party, but by their comrades in SNCC, RAM, the Students for a Democratic Society, the W.E.B. DuBois Clubs and a score of other militant groups.

These agitators envision their job to be the same as that of the Communist Viet Cong in Vietnam, or of the Cubans in Venezuela, or of the Red Guards in Hong Kong—namely, to create violence and havoc as part of an overall international campaign to bring capitalism, or, as they say, "U.S. imperialism," to its knees. Even the military tactics are the same. The fact of the matter is that this country is right now just beginning to experience its own domestic Vietnam-type war, and we enter this conflict with an Administration which is so blind to the danger of internal subversion that a man is appointed to the Subversive Activities Control Board because he married a former Presidential secretary. We enter this conflict with not one single law on the books designed to combat such subversion. Every one which DID exist has been almost totally neutralized by the Supreme Court. We enter our own Vietnam with nearly a half million American troops tied down in Southeast Asia, 8,000 miles away, and hundreds of thousands more in Western Europe, Korea, the Pacific, Latin America and Heaven knows where else, and with our Secretary of Defense talking about reducing the number of ready reserves in this country. And we enter this, our own Vietnam, with Administration leaders holding the same misguided belief with which we initially entered Southeast Asia—the idea that somehow the hostile militants can be bought off with huge grants of federal aid. Well, you can't "buy off" the Stokely Carmichaels and the H. Rap Browns any more than you can buy off the Communist Viet Cong. And if you either cannot or will not arrest these agitators, then this nation will in fact "be burned to the ground" just as they promise.

THURSDAY, JULY 27, 1967—WASHINGTON, D.C.

Disaster-area Detroit.

With the help of a thunderstorm, National Guard tanks and machineguns, thousands of troops, and perhaps some sheer exhaustion on the part of the rioters, the racial violence which has plagued the city of Detroit for the past five days appeared to have simmered down today. Although the total cost in damage and loss of life will not be computed precisely for another week or so, preliminary estimates show that the rioting left at least

36, and possibly as many as 40, dead, more than 2,000 injured, including 58 policemen, 19 National Guardsmen and 29 city firemen. More than 3,000 persons have been arrested, most of them for arson or looting. At least 1,304 fires were deliberately started during the five-day period, and damage estimates are now set at $500 million, with the long-range loss to the economy of Detroit ranging to $1 billion.

The number of homeless has been estimated by city officials to be in the neighborhood of 5,000 persons, and today city, state and federal officials tried to decide what to do now.

Both Michigan Governor George Romney and Detroit's Mayor Cavanaugh promptly asked President Johnson today to declare the city of Detroit "a disaster area," a term usually restricted to communities struck by flood or other natural disaster, the purpose of the request being of course that they want federal assistance for the job of rebuilding from the ruins.

This afternoon, the President ordered Administration officials to study the request. The Romney-Cavanaugh telegram contained a vivid description of Detroit in the aftermath of a racial riot. It said: "Entire blocks have been leveled by fire and pockets of destruction exist throughout the city. Losses due to fire and looting have been estimated at hundreds of millions of dollars and these estimates may very well be proved to be conservative. However, we have been advised by Governor Farris Bryant and the Deputy United States Attorney General (Warren) Christopher that the provisions of the Federal Disaster Assistance Act have not in the past been applied to disasters other than those resulting from natural causes. Last week part of the Detroit metropolitan area was declared a disaster area following a five-inch rainfall. It simply does not make sense not to commit federal assistance to the city of Detroit in view of what has happened there in recent days."

The appeal in the telegram was backed up by a letter from Michigan Democratic Congressman John Conyers, a Negro from the Detroit area, who said he believes the President has the necessary authority to declare that a disaster exists under the terms of present law. He added that Agriculture Secretary Freeman already has the authority to distribute much-needed food stocks currently being stored in the Detroit area.

The question of whether the President should or should not declare Detroit a "disaster area" and give it federal assistance is not as simple as it may first appear. First of all, racial rioting has also struck some 80 other cities throughout the nation this summer, and if Detroit would qualify for federal funds, they would also qualify. And secondly, there is a serious question about whether riots such as the one in Detroit fall into the category of a federal problem, or whether instead they are of local and state concern.

There, of course, can be no possible argument against having the Federal Government release whatever emergency food is needed for the victims of the rioting. It would be a weird touch of irony, indeed, if 3,000 persons who were arrested and jailed on charges of causing the destruction were given three square meals a day in their cells, while the innocent victims were allowed to go hungry.

Likewise, if the President does not have the necessary authority to issue disaster funds to Detroit, the Congress may well take action, making this city a special case in light of the overwhelming destruction done to it over the past five days. Certain federal assistance could well be justified to help innocent victims rebuild their homes, and to get destroyed businesses back in operation.

I think it would also be a wise suggestion, however, for the Congress or the President to tie some strings to any such aid, outside of the food, of course. One, in particular, would be to require that those who were arrested for causing the damage, and for inciting the violence participate in the clean-up and rebuilding campaign.

When the 3,000 or so arrested persons are brought to trial, and when some of these are convicted, the judges who have the job of assessing punishment for the crimes committed should, at least in my opinion, set the convicted rioters to work immediately, rebuilding what they so eagerly destroyed. Perhaps the memory of some backbreaking constructive labor would linger for a while, and serve as a deterrent to any further destructive outbursts.

And Congress or the President should help inspire such decisions by making any federal assistance contingent on the amount of self-help the state of Michigan is willing to supply, self-help in the form of labor from those who were found guilty of inflicting the damage.

Strengthening the police for problems like H. Rap Brown

Some 38 members of the House of Representatives joined today in proposing that the Federal Government allocate $300 million to upgrade the ability of local police forces throughout the nation to cope with or prevent riots.

Michigan Democrat Congressman James G. O'Hara, who was the chief sponsor of the bill, said that it would authorize the government to provide localities with funds for organizing, training and equipping their police forces to deal with the problem.

O'Hara explained: "This is not said in criticism of our police, but the simple fact is that, although our history has by no means been free of violence, major civil disorder has simply not been the sort of problem with which local police have had to deal, and that fact speaks well for America."

The experiences of the past three summers demonstrate that there is a need for a bill of the type proposed by Congressman O'Hara. The fact is that throughout the many local race riots which have occurred during the now-familiar "long, hot summers," even the most highly trained crime fighters in the nation have had considerable difficulties in combatting this new type of group violence, and understandably so. Local police officers are by and large trained to cope with isolated criminal incidents, not massive rioting, or arson, or sniping. New training, or perhaps even new police squads specially equipped to handle race riots, have become an obvious necessity.

The best-trained and equipped policemen in the world, however, could not by themselves cope with the threat of huge outbursts of racial violence. They need considerable support from the law, and from the courts which they have not received.

As an example, I mentioned last evening the case of black power agitator H. Rap Brown, the national chairman of the Student Non-Violent Coordinating Committee, who has been accused of inciting Negroes to riot in Cambridge, Maryland, on Monday evening during an incendiary speech there. Shortly after the Cambridge riots got under way, Brown quietly left that eastern Maryland community for Washington, D.C., where he spent the remainder of Monday night. Maryland officials promptly issued a warrant for his arrest on charges of inciting to riot, and of causing the burning of a Cambridge elementary school. When it became apparent that he had left the state, they asked for a federal arrest order, which was issued Tuesday.

On Wednesday, Brown was picked up at the Washington National Airport while he was purchasing an airline ticket for New York City. He was taken by FBI agents to a federal courthouse in nearby Alexandria, Virginia, but when it developed that the arrest warrant contained some legal imperfection he was released.

Brown was promptly arrested again, this time by Virginia police officers who announced that they were holding him until the Maryland authorities arrived to take him back to that state for trial.

Bond was set for $10,000, and late last night this amount was posted by a Dr. Nathan Hare, who is also a fairly well-known "black power" advocate from Washington, D.C. His contract as a professor at the predominantly Negro Howard University in the Nation's Capital was not renewed this year because of some of his "black power" advocacy.

Today, H. Rap Brown then is once again free. Tonight, in fact, he is scheduled to address a rally sponsored by the Student Non-Violent Coordinating Committee here in the Nation's Capital. It might interest you to know that the rally is to be at the church of St. Stephen and the Incarnation.

The Nation's Capital itself is a well-known tinderbox, tense but thus far free of any riotous outbursts. But H. Rap Brown will nonetheless have an opportunity to spew out his words of agitation and hate to Negroes here, despite the fact that he is wanted in the state of Maryland on charges of having incited a riot there on Monday of this week. And you wonder why the police sometimes throw up their arms in disgust.

Speaking to a cheering crowd of Negroes outside the Washington headquarters of the Student Non-Violent Coordinating Committee this afternoon, H. Rap Brown gave a preview of what he probably has in store for a larger crowd tonight. He called President Johnson "a wild mad dog, an outlaw from Texas" whose Administration was trying desperately to avoid the responsibility for big city rioting.

Brown then repeated his familiar threat: "If America don't come around, we'll burn it down."

"The rebellions will continue and escalate. I say violence is necessary. Violence is a part of America's culture and is as American as apple pie."

In his remarks today, Brown said: "If you [whites] intend to play Nazis" in putting down Negro violence, "black people ain't going to play Jews."

Speaking of the four Negro civil rights leaders who yesterday appealed for nonviolence, Brown concluded: "If these people keep endorsing the cracker white hunkies who are sending black people to Vietnam, to be killed, and tell you to be non-violent in the streets, you'd better start questioning them." He said that such leaders would, if they continue, be considered "the enemy."

FRIDAY, JULY 28, 1967—WASHINGTON, D.C.

President Johnson talking his way out of the riot problems

President Johnson's appeal to the Nation last night to work and pray for racial peace has had little, if any, effect thus far in restoring calm to scores of cities torn apart with civil warfare. Although things have simmered down in Detroit to the point where there is only random sniper fire, the list of cities elsewhere which have experienced racial trouble during the past 24 hours has seemed to grow.

There were some new but scattered incidents in Newark, New Jersey, and in its nearby neighbor, Passaic—Negro gangs continued to harass a section of South Philadelphia; outbreaks of Negro violence were experienced in Albany, Poughkeepsie and Peekskill, New York.

In Springfield, Ohio, a tense calm prevailed today after a large crowd of Negroes dispersed following a so-called civil rights rally last night, one sponsored, incidentally, by the allegedly non-violent Urban League and the NAACP. The crowd marched through a south Springfield shopping center, hurling firebombs.

Other communities hit by new outbreaks of racial disturbances included Waterbury, Connecticut; South Bend, Indiana; Sacramento and San Francisco, California. Police officials in both Memphis, Tennessee, and Chicago are bracing for what they believe will be week end outbursts in these cities. 4,000 National Guardsmen were ordered into Memphis today, and Chicago's Mayor Daley has asked merchants of his city to impose a voluntary embargo on the sale of guns, saying that he believes Chicago is "next on the list." He asked that Chicago citizens inform police of any illegal activity, and warned an outbreak of lawlessness would be dealt with promptly and severely.

Daley, when told of the possibility of a visit to Chicago this week end by Martin Luther King, described the Negro civil rights leader as "a troublemaker," saying that King has left behind him a wake of trouble in every city he has visited.

The only three tidbits of news in President Johnson's address to the nation last evening were in his announcement that he has created a special top-level panel to study the causes of the recent racial riots, that he has expanded and improved riot control training for the National Guard, and that he was signing a Presidential proclamation declaring Sunday, July 30th, as a "National Day of Prayer for Peace and Reconciliation" among all races here in this country.

The success of this last proposal, of course, will depend entirely upon how many people throughout this nation cooperate with it, upon how sincere their prayers are, and, of course, upon how much mercy God is willing to bestow on a nation which has removed His Name from its schoolrooms.

The potential success of the other two proposals is much easier to estimate.

The idea about giving riot control training to National Guardsmen across the nation is an excellent one, and long overdue. As a group, the National Guard is a top-notch group of soldiers, well prepared in most cases for many types of combat. Unfortunately, anti-guerrilla warfare is not one of the Guard's specialties, probably because until three years ago nobody anticipated that this nation would be confronted with the task of confronting this highly specialized and demanding challenge either in Vietnam or in the streets here at home.

It has become increasingly apparent, however, that this nation will have to depend more and more on the manpower provided by our National Guardsmen to maintain law and order during the remainder of this "long, hot summer," and during similar summers in the future. Thus it seems obvious that these forces should be given the training they will need to do their job effectively and efficiently. I might add that there is an additional need for new riot-control weapons which either the President or the Congress might well study in the near future. Tanks and machineguns may be precisely what is needed to win a war in the Sinai Desert—they are not, however, the best weapons for riot control or for dealing with arson, sniper fire, or looting in the streets of Detroit.

In some areas, National Guardsmen have been experimenting with measured success with flame throwers which have been redesigned for the use of tear gas. Other weapons like this one will have to be developed, weapons which can be used to bring an enemy under control so that he can be arrested, instead of weapons designed for mass slaughter.

The President's third proposal, the special blue-ribbon study group, falls more into the category of a political plum, than of an effective anti-riot device. This panel will not have the power to compel testimony from witnesses, and it will not have the authority to write new legislation to solve the problems it finds.

The original idea for the Presidential study group was conceived by Oklahoma Democrat Senator Fred Harris, who, conveniently enough, was appointed to it by the President yesterday. Harris came up with the scheme in response to a proposal by Republican Senate and House members that a bipartisan Congressional Committee look into the causes of these racial disturbances. The Democrats were fearful that, should such a Committee be established, and should it produce any significant findings worthy of publicity, it would be the Republicans who would get the credit for the idea. Thus Senator Harris came up with his suggestion that the President should appoint the study group.

We have already had more than one experience with a "blue ribbon" Presidential panel under this Administration, and unfortunately none of them have been too productive. The most notable, of course, was the Warren Commission which investigated the causes of the assassination of President Kennedy. Their report has been widely criticized for its sloppiness and half-truths, and on the basis of these past experiences there is no real ground for optimism toward this new group of investigators.

The President proudly pointed out that the panel would be "bipartisan," that he had named Illinois Governor Otto Kerner as its chairman, and New York's Mayor John Lindsay as its vice chairman. That, of course, is about as much bi-partisan as would be a panel headed by California's Governor Ronald Reagan and Alabama's Lurleen Wallace. It is no longer possible to say that something is bi-partisan just because it has a Republican and a Democrat on it. You have to go a little further and ask "what kind of Republican or Democrat." And I think even Mayor Lindsay would admit that he doesn't know what the initials GOP stand for.

Nevertheless, the panel has been appointed. It will begin deliberations tomorrow.

H. Rap Brown Reports

Black power militant H. Rap Brown made it clear to a group of cheering Negroes in the Nation's Capital last night that he feels the current black uprisings in our major cities are the United States equivalent of the Vietnam war. He said this nation is, in fact, on the verge of a black revolution that will make "the Viet Cong look like Sunday school teachers."

This last reference was very a-propos, since his remarks were made at a Negro rally at St. Stephen's and the Incarnation Episcopal Church here.

The 23-year-old revolutionary said: "We will take an eye for an eye and a life for a life. Death is no stranger to the black man. So, when the rebellion starts, don't be afraid of being killed."

Brown told the crowd that Negroes should "do more shooting than looting" when they riot. He said the death of a Plainfield, New Jersey, policeman who was shot, stabbed and stomped to death last week "was a beautiful example of black people controlling their community."

His statements drew a standing ovation from the crowd and he was interrupted on at least a dozen occasions with loud outbursts of applause. The rally broke up peacefully, however, and there were no incidents, or at least there haven't been any yet.

Meanwhile at Havana, Cuba, Brown's predecessor as the national chairman of the misnamed Student Non-Violent Coordinating Committee, Stokely Carmichael, had some comments of his own. He said: "Detroit and Newark are also Vietnams," and proceeded to encourage his audience of young Cuban Communists to join the American Negro in an international revolution.

Carmichael added: "If we are going to make a reality of Che Guevara's words about making two or three more Vietnams, it should be known that Detroit and Newark are at least two more."

It might interest you to know, ladies and gentlemen, that there are laws in this country which still somehow exist despite the decisions of our present Supreme Court. One of these laws is the Smith Act which, although weakened severely by Court decisions, has been upheld as constitutional. That law provides stiff penalties against any one who teaches, advocates or conspires the overthrow of the United States Government by force and violence. It seems clear, from statements of H. Rap Brown and his friend, Stokely Carmichael, that this is precisely what they have in mind. And it seems to me that the statement they have uttered to this effect might well be a violation of that statute.

Of course, this is something which the Attorney General has to decide.

GEORGE HAMILTON COMBS COMMENTARY—JULY 27, 1967

I simply cannot go along with the frightened judgment of some of our people who think this summer's riots will plunge us into vast civil war. It just isn't going to be that bad. No outburst which can be quelled by a thunder-storm or by a drop in the temperature is going to destroy the Republic. America isn't going to be subverted by something which can be tamed by a change in the direction of the summer winds. Without stifling temperatures, the agitators couldn't get far. No, I don't minimize the potential future peril of letting these disruptive forces go unchecked or bad conditions go uncorrected. No, I don't think we can shut our eyes to the necessity of intelligent planning for a better era for all our people. I just can't concur in the alarmist judgments that we stand on the threshold of even greater tragedy than we have witnessed.

I'm afraid all our personal temperatures are going to rise if we have to listen to anymore of the rantings of Rap Brown or Stokley Carmichael—two young men whose chief talent seems to lie in the extravagance of their inflammatory language . . . two men who obviously think of themselves as unkempt Messiahs.

We are a pretty patient people—white and black alike—but it's hard to take wild defamatory statements such as a few of the extremist black leaders are making. Rap Brown, non non-violent head of the Student Non-Violent Coordinating Committee, today cast aside all semblance of restraint in scurrilous attacks on President Johnson, on which he exhausted his considerable vocabulary of epithet, and on the white community as a whole. Personally, I have no intention of giving Rap Brown a platform from which to scream these slanders and I suggest that we make a mistake in ever giving currency to such hysterical attacks. Neither he nor any of these other radical agitators wield power great enough for us to follow their every word or publicize their every aberration. We give them far too much attention—and importance.

The fact is, if Rap Brown were a young white man, he would be hustled to a psychiatrist for diagnosis of his aggressions—aggressions run wild. Most young men have strong aggressive instincts—and most have the discipline to control them or society controls them if necessary. His are apparently uncontrollable . . . by him, that is.

I simply refuse to give nation-wide radio exposure to the ugly tantrums of this wild young man who seems to celebrate hate as a sacred doctrine. And, of course, his outbursts are self-defeating. Bayard Rustin, the civil rights intellectual leader, says he now thinks the Negro extremists have exercised a veto power over the rest of the Negroes who are working to achieve progress.

There are the seeds of a greater tragedy in this riot situation— the danger that the emotions thus unleashed will spread to a general race antagonism—that is, indiscriminating white resentment against all Negroes and undiscriminating Negro resentment against all whites. This simply must not be permitted to happen. I think the statement yesterday Roy Wilkins, Martin Luther King and other Negro leaders will help point public reaction away from this infinitely dangerous course. Here is the time for everybody, of every race, to prove that they have hard common-sense. It's not only a matter of goodwill: it is a matter of supreme practical importance to white and Negro alike. There must be no blanket accusations—no sweeping generalities—no blindness in judgment. The overwhelming majority of the Negro people are decent, law abiding, sensible human beings—and this is certainly true, also of the white community. We are all Americans with a problem to be worked out—worked out in sanity and vision and hard-headed accommodation to the realities. Our interests are fundamentally the same, our approach is basically the same. The greatest calamity imaginable would be the extension of this spirit of conflict to the main bodies of both communities.

On the Negro side, there is bound to be a smoldering body of resentment and fear among many of its people; on the white side, there will certainly be a resurgence of reactionary sentiment. Both are as dangerous as they can be. I hope my Negro friends will ponder the danger that further violence will shove many of our people towards some indigenous form of fascism. Violence breeds new extremes which survive the moment of conflict. It lends encouragement to the racist of both sides. It drives each community in on itself, stoking new fires of grievance and hate.

I noted in a survey of Congressional opinion by the Wall Street Journal today that the probable legislative reaction will be to junk anti-poverty legislation, diverting federal funds to repayment of merchants who have lost their shops rather than to slum-clearance; to pass stricter gun laws (which, I may add, I certainly favor); to train the National Guard in riot prevention techniques; to drive through the pending anti-riot bill and to search for new suppressive measures. There is at present little or no talk except by a few liberals, about a massive attack on city ghettoes and other anti-poverty legislation.

Thus, unless the legislative mood changes, there will now be less rather than more legislation aimed to correcting the conditions which help—I repeat, help—cause these riots.

Dan Moynihan, the brilliant young sociologist whose report some years ago, emphasized the broken homes among Negroes as a cause of anarchy in the Negro community—Dan Moynihan, yesterday said that he interpreted these riots, also, as riots by the lowest class in economic status, which happens to be Negro. He suggested that the riots would have been launched by whites, if they were in the same economic bind—or plight. In other words, it is the economically underprivileged—or if you prefer, simply the poorest people—who tend to revolt in frustration.

While this too may be an over-simplification, I think there is a lot of wisdom in it. I have always insisted that the root of all these difficulties is economic. Of course, other factors enter into the problem . . . race antagonisms, teen-age wildness, incitement by agitators, the steamy heat of city tenements and city streets in summertime—and I think, the world-wide disorder, in which authority—all authority—is rejected by the less affluent groups.

But we won't do anyone any good by jumping into a cauldron of race suspicion and hatred. The day-to-day problems in any urban community now calls for added grace on both sides. For courtesy as well as humanity . . . for reasonable forebearance—and a little imagination.

I personally doubt that the cities and towns have the ability to cope with these new challenges. They haven't the police strength to handle riots, or the financial strength to clear up the slums, or the economic resources to open new avenues of employment, or the focus—the singleness—of authority to deal with manifold problems. Nor have they the technical skills to solve the challenges of the day, nor the capacity to provide all the services their people need.

Probably we'll have to arrange an overhaul of the existing structures to get really workable city governments. In the meantime, the federal government—and only the federal government—has the resources to handle this growing peril.

GEORGE HAMILTON COMBS COMMENTARY—AUGUST 2, 1967

Roy Wilkins, head of the NAACP, made a sensible observation yesterday in a news conference out in Chicago. He said it mystified him why television focused on some self-proclaimed leader who had a following of only five or six persons and broadcast his inflammatory utterances as if they came from a recognized spokesman for the negro masses. He said it more succinctly but that is the substance of his comment. He went on to ask, if a little business man begins an operation grossing 25 thousand dollars a year—and shouts loudly about it—is he to be regarded as a threat to General Motors? Would the communications media play it up as a matter of supreme importance?

I think he has put his finger on a vital spot. Most of these negro extremists are swelled-up or inflated to importance only by the media, TV, Radio and the Press. In a sense, they are the creations of our media. They would simply have no existence if it were not for the publicity we give them. At best, they would be leading fragmented little groups of fanatic followers—handsful of people without power or influence.

Equally bad, although I suppose unavoidable—is the quickly spreading contagion of riots from city to city—simply because the suggestible negroes of one community saw on TV what was happening in another. Many of them wanted to get into the act. Many were infected by a communicable hysteria. And, of course, this made them susceptible to the exhorting of the few extremists in their midst who saw an opportunity to increase their own power and influence.

I rather doubt that there is any wide-flung master plan or conspiracy in these riots but I am sure that in every community there are extremist leaders—and in a few communities, organized extremist cadres—extremists who would be powerless without the mass contagion which spreads from one city to another—or from one neighborhood to another.

In a country as wide-spread as ours, there would be no concerted or synchronized movements without the wide publicity extended by our media—our communications media.

Publicity can make a radical leader. Lack of publicity can destroy him. In a very real sense, leaders are manufactured; publicity manufactures them. Of course they know this—the limelight seeking extremist rabble-rousers. I don't mean they would not continue their demagoguery on street corners and in hot crowded halls, but they would not and do not emerge into real influences until the devouring eye of the camera is trained on them—or a microphone swells their voice or the printed page gives them a fictitious importance.

I have long insisted that we in journalism have not shown the balance and restraint which goes with the principle of free speech. The publicity we shower on these mountebanks is so undiscriminating that we throw news values out of sound perspective. In short, we provide platforms for the transformation of a local rabble-rouser into a demagogue with a nation-wide audience. And he may not actually speak for a baker's dozen of followers. Until, that is, we give him a chance to inflame prejudices and stir hate. I see no reason to provide an audience of millions for a hate-monger who couldn't attract a hundred listeners on a hot Harlem street corner.

It's easy in America to organize any sort of splinter or off-beat group—but such a group never attains importance until it's puffed into significance by the giant bellows of our communications media. In too true a sense, they not only report but MAKE the news . . . a manufactured commodity.

PROPOSED AMENDMENTS TO SOCIAL SECURITY ACT

Mr. METCALF. Mr. President, the Senate soon will consider amendments to the Social Security Act, amendments which, I hope, will end at least some of the many inequities in the present law.

George Meany, president of the AFL-CIO, made an important statement after the House of Representatives acted on this legislation, and I commend his remarks to the serious consideration of all Senators. I ask unanimous consent that Mr. Meany's remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

COMMENTS BY AFL-CIO PRESIDENT MEANY ON THE SOCIAL SECURITY BILL PASSED BY THE HOUSE OF REPRESENTATIVES

Thirty-two years after President Franklin D. Roosevelt signed the first Social Security bill into law, the House of Representatives has passed the 1967 version of the law.

While the House has improved the Act, it certainly hasn't improved it enough. After 32 years, millions of Social Security recipients and the poorest Americans barely existing on public assistance have a right to expect more than the House has voted.

Since the rules of the House made it virtually impossible to improve the measure on the floor, it is clearly up to the Senate to up-to-date the bill and make it the sound down-payment on a modern Social Security law which the AFL-CIO supports.

The 12½ percent increase in benefits and the House-passed minimums would still leave in dire want large numbers of Social Security recipients. The President's proposals for minimum benefits and a 15 percent across-the-board increase in benefit levels would come closer to meeting the minimal needs of large numbers of Americans.

While the bill contains some improvements in Medicare, it does not extend Medicare coverage to the disabled. As a group with much-higher-than-average medical needs and limited incomes, the disabled particularly need Medicare. The bill does practically nothing to control rapidly escalating hospital charges and doctor fees paid under Medicare.

Some of the most glaring deficiencies in the bill are in the public assistance field. The bill provides for mandatory participation in training programs of mothers with young children receiving public assistance but it sets no standards for adequate day-care for children in such families. Financial support would not be assured for needy children whose parents are removed from public assistance. The bill does nothing to raise shockingly low assistance payments standards which are currently in most States below minimum needs standards set by the States themselves. Thus, hundreds of thousands of our poorest people would be even worse off if the bill's provisions on public assistance were to be enacted in their present form.

We are disturbed that the House has failed to transfer the community work and training program to the Department of Labor, as the President wisely recommended. The Labor Department has developed the skill, the knowledge and the machinery for effectively training those who have been marginally equipped to enter the labor market. Welfare recipients need the best possible training under good working conditions and decent wages, to restore them to self-sufficiency. We also strongly object to the possibility under the House bill for placement of welfare recipients, assigned to community work and training, in private industry at sub-minimum wages and without other safeguards that would prevent their exploitation.

The bill's drastic cutback income eligibility standards for Medicaid will deprive hundreds of thousands of the needy and the medically needy from required medical care they cannot afford to pay for out of their meager incomes.

It is now up to the Senate to fill the gaps and correct the defects in the bill the House has passed so that the final bill will more nearly measure up to America's Social Security and Welfare requirements.

The House bill nowhere near meets the long-range objectives of the AFL–CIO for a Social Security Act that will truly meet all of America's needs. To achieve our 1967 goal, the AFL–CIO will urge the Senate to:

1. Raise the minimum benefit level to $70 for a single person and $105 for a couple, and increase all other benefits by at least 15 percent. This would make possible the over-all 20 percent increase in Social Security benefit payments the President has recommended.

2. Finance the benefit improvements by an increase in the earnings level, on which both contributions and benefits are determined, by steps from the present $6,600 to $10,800.

3. Extend Medicare coverage to the disabled.

4. Establish reasonable controls on unduly high hospital charges and physician fees paid under Medicare.

5. Assure that Medicaid is available to the needy and the medically needy whose limited incomes cannot pay for adequate health care.

6. Improve present appallingly inadequate public assistance payments and assure adequate day-care for children of families receiving assistance in which the mother is participating in training programs.

7. Strengthen rather than weaken the possibility of poor families remaining together by requiring States to make assistance available where the father is in the home until he can obtain work for which he is qualified.

8. Transfer administration of community work and training to the Department of Labor with provision of adequate safeguards for those assigned to this program, including requirement of payment of prevailing wages and in no case less than the applicable minimum wage.

THE RAT CONTROL BILL

Mr. NELSON. Mr. President, many people throughout the Nation have become alarmed over the refusal of the House of Representatives to pass the rat control bill.

This modest measure, which would spend only $40 million over a 2-year period, was not even permitted to come to debate in the House.

The causes of social disorder, discontent, and riots are clear. Filthy and degrading slums breed riots.

In a recent editorial published in the Chippewa Herald Telegram, John Lavine, the able editor, eloquently describes the inexcusable tragedy of the House action.

The Senate can still revive the bill if it so chooses.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Chippewa Herald Telegram, July 21, 1967]

THE "RAT" LEGISLATION

There is a time for thinking about politics and selfish interests, and there is a time when politics and selfish interests should be thrown aside and people, regardless of where they live, should be the only consideration.

Certainly, in their turning down the Administration's "rat legislation," the Congress of the United States showed its most heartless and selfish qualities.

The legislation was simple in intent. It would have established a federal program to rid our country's urban slums of the rapidly growing rat population—a population which has killed more children in Chicago and New York in the last few years than ever before in the cities' history.

Now, it is true that this legislation would not be of any specific aid to the rural population of America. However, it is also a fact, as President Johnson pointed out when he heard about Congress' action with respect to the rat legislation, that we already have federal programs aimed at destroying rodents who might be harmful to our farm animals. Yet, the amazing and sickening thing about the House of Representatives' action on the rat legislation was that they voted it down, "because it did nothing for the rural people, just for those in the cities."

Perhaps the House of Representatives think that they were helping themselves at home in the rural areas by voting down this legislation. If they really do believe this, all we can say is that they don't know much about the non-urban mind.

It is true that this rat bill would not directly benefit those Americans who do not live in big cities—or, to be more specific, who do not live in big city slums. Yet, we do not know one person in our own non-big-city or in this rural area who would be so selfish and heartless as to not want to try and save some American children's lives by wiping out the rats in big city slums.

To think that America can have a rat problem in its cities is to recall the days in the last centuries in Europe when cities were fighting rats. That is a horrible thought. And we doubt that any American—be he in a big city or in a rural area—would not give a lot to see that this picture is wiped away. The only exception to this is that majority of men in Congress who can bear on their shoulders the responsibility for the death of each child—and there are some each day—who are bitten and eventually die at the fangs of a rat in a slum in an American city.

REPORTED SIGHTINGS OF IVORY-BILLED WOODPECKER REVEALS NEED FOR URGENCY IN BIG THICKET NATIONAL PARK BILL

Mr. YARBOROUGH. Mr. President, I have been gratified to see the extensive coverage given in the American press to the rediscovery of the ivory-billed woodpecker in the big thickets area of Texas.

One of the essential components of any effective conservation effort must be an awareness of the problem by the public and their support for corrective measures. I have a bill (S. 4) presently before the Senate to declare the big thicket area of Texas a national park, in order to preserve the habitat of such rare animals as the ivorybill and to conserve a beautiful part of our heritage for posterity. I am confident that with the increased coverage which the situation is receiving popular support for the bill will become overwhelming enough to guarantee its passage.

Helping to arouse this support is an article written by Larry Hatfield, of United Press International, and published in the Dallas Morning News of September 3, 1967. Mr. Hatfield, in an excellent story, explores the hope for survival of the ivorybill. I ask unanimous consent that the article, entitled "Ivory-Bill Chances for Comeback Good," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IVORY-BILL CHANCES OF COMEBACK GOOD

(By Larry D. Hatfield)

PATUXENT WILDLIFE RESEARCH CENTER, MD.—Government wildlife specialists here are quietly optimistic that the recently rediscovered ivory-billed woodpecker can make a comeback.

Renewed interest in the ivory-bill, the largest and rarest of American woodpeckers, has been prompted by recent sightings of the big bird in the Big Thicket country of Texas—a wild, swampy area northeast of Houston, encompassing parts of Trinity, Tyler, Hardin, Liberty and San Jacinto Counties.

Most experts believed the bird had joined the passenger pigeon and other species into oblivion.

One of those hopeful about the ivory-bill's future is John V. Dennis, 50, the Leesburg, Va., ornithologist who made the recent sightings.

Dennis, working under contract to the Interior Department, first spotted a pair of the birds briefly in early December of last year. The last previous confirmed sighting had been made in Florida in 1950.

Most ornithologists had concluded that the ivory-bill was extinct, although there were occasional reports of sightings by both professional and amateur birdwatchers.

Dennis has sighted two other pair since December and thinks there may be "from five to 10" pair in the Big Thicket.

In addition, the Interior Department is going to try to track down other reports of sightings along the Congaree River in South Carolina, the Apalachicola River in Florida, the Tombigbee River in Alabama and Mississippi and the Altamaha River in Georgia.

Dennis, who likens the first sighting to "what a mountain climber must feel when he reaches the top," said he feels "there is room for some optimism" that the ivory-bill population can be built up.

He pointed out that the pileated woodpecker, which often has been confused with the ivory-bill, formerly was relatively rare "but has come back."

Both woodpeckers are larger than a crow but their black and white markings are different. The ivory-bill has an ivory-colored bill while the pileated's is black. The ivory-bill's call is trumpet-like, according to Dennis, while the pileated cackles.

Dr. Ray C. Erickson, assistant director of the wildlife research center and an expert on endangered species, also feels there is a good chance the ivory-bill will make a comeback.

He adds, however, that very little is known about the bird. "We don't know much about their distribution or numbers," he said. "At no time has there been more than one bird seen at the same time so we don't really know whether there are six or 60 or how many." In fact, he said, some ornithologists still are not convinced of the bird's survival and want further proof.

Erickson said the fact that the elusive ivory-bill has survived this long despite continuing encroachment on its natural habitat by man is a reason for believing it will keep on living. Their "retiring nature" and extreme wariness "may have kept them alive this long," he said.

The woodpeckers formerly lived in swamps from southeastern South Carolina to eastern Texas, ranging as far north as the Ohio River and as far south as the Florida cypress swamps.

They feed on wood-boring insects that live in the inner bark or between the bark and sapwood of dead or dying oak, gum and cypress trees. Because of their size and strong beaks, the ivory-bills can reach areas that could not be exposed by smaller woodpeckers.

The Interior Department has asked lumbering operators in areas where the ivory-bill might still survive to help protect the habitat. Harry Goodwin, chief of the Office of Endangered Species in the Interior Department, says he is confident the lumber companies will cooperate.

RURAL MIGRATION TO THE CITIES

Mr. HARRIS. Mr. President, the Washington Post today carried a thoughtful editorial on the problem of rural migration to the already-overcrowded urban centers. The editorial pointed out that this migration is caused by a lack of opportunities in rural areas, and the way to halt it is to make rural life more attractive and more rewarding. Cities also will benefit, since the influx from rural areas now is making it virtually impossible for them to solve the problems of housing shortages, inadequate transportation, air and water pollution, overcrowded schools, crime, and juvenile delinquency.

I heartily agree with the Washington Post, and would like to point out that the Rural Job Development Act of 1967 could be an important factor in ending this rural-to-urban migration. The distinguished junior Senator from Kansas [Mr. Pearson] and I, on July 21, introduced this bill providing for tax incentives to private industry locating and expanding in low-income rural areas and small towns and for training the poor. Advantages of this bill are the direct involvement of the private sector and the fact that it would require no additional Federal administrative organization. I hope the Senate will give prompt consideration to this needed legislation.

Mr. President, I ask that the Washington Post editorial entitled "Rural Migrants" be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Rural Migrants

Two witnesses before the Presidential Commission of Urban Problems last week suggested that the tide of immigration from rural to urban areas be reversed. Paul N. Ylvisaker, New Jersey Commissioner of Community Affairs, called for a national migration policy to halt the flow of the rural poor into urban slums. Jack E. Wood of the National Committee Against Discrimination in Housing recommended steps to open opportunities for citizens migrating from city centers to suburbs.

This is a healthy sign that the country is awakening to a crisis that long has concerned many rural experts. There has been an historic movement from farm to city areas that the country has come to regard as normal and inevitable. In the earlier decades of this century it was a migration of representative rural folk, including some of the most gifted people. An annual flow of some 250,000 high school graduates into cities has been a great contribution to urban progress. But the migrants have increasingly come from disadvantaged areas. The rural counties lost 8 per cent of their population to the cities between 1950 and 1960. And many of these migrants were people driven from rural areas by a technological revolution in agriculture. Their emigration to the cities simply transformed rural wretchedness into urban wretchedness.

A democratic society cannot stop such population movements by ukase or decree. (Some totalitarian systems are trying to stop similar shifts by such means.) Secretary of Agriculture Orville Freeman has defined the only democratic means of reversing this tide. He told a population conference in 1966: "When meaningful alternatives give Americans real freedom of choice . . . the population movement from country to city will level off, and even go into reverse."

The President's National Advisory Commission on Food and Fiber has pointed out that the 1959 annual median income of urban families was $6166 compared with $4750 for rural non-farm families and $3228 for rural farm families. It recommended a broad program of rural help—fuller use of rural manpower, investment to increase the skills of rural people, assurance to the rural poor of a decent living standard. The Commission urged a whole program of action to "encourage economic development within reach of rural people."

The Commission concluded that "economic development of the rural areas must be the answer," in the long run. It urged guaranteed minimum incomes to take up the slack in the short run. Whatever the precise means, we need to cease moving people from impoverished rural areas into impoverished urban areas. This unwise, unplanned and unprofitable migration can be reversed only by making rural life more remunerative economically and more rewarding culturally.

OFFENSIVE MINE LAYING

Mr. TOWER. Mr. President, I ask that there be printed in the Record for the information of the Senate a brief extract from the U.S. Strategic Bombing Survey, Pacific, No. 78, entitled "The Offensive Mine Laying Campaign Against Japan," page 11.

Senators will see that it details the World War II closing of the Port of Haiphong for the duration of that war by the use of only two airplanes.

While present North Vietnamese defenses would force us to make a more elaborate effort, we can and should close the port now. The subsequent events will be much the same as those in 1943—Haiphong will be out of the war and victory for the allies will be nearer.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

[From the U.S. Strategic Bombing Survey, Pacific No. 78]

The Offensive Mine Laying Campaign Against Japan

In October 1943 the Fourteenth U.S.AAF joined the list of commands engaged in mine laying. Its first two missions, consisting of one B–24 sortie each, were directed at Haiphong. A ship was sunk in the main channel almost immediately, and a 10-ship convoy which had been blocked out of the harbor milled around for some hours and then proceeded to Northern Hainan Island. There the Fourteenth Air Force caught up with it and sank 6 of the 10 ships. That experience plus another ship casualty in the mine field caused the Japanese to abandon Haiphong as a port for anything larger than junks for the duration of the war.

WILBUR SCHMIDT, DYNAMIC PUBLIC SERVANT OF WISCONSIN

Mr. NELSON. Mr. President, I am very much pleased to note that Mr. Wilbur Schmidt has been chosen to serve as Secretary of the newly combined departments of health and welfare in the State of Wisconsin.

The new post results from the reorganization of State government. Wilbur Schmidt has served with distinction as head of the welfare department for 12 years.

Under his dynamic leadership, the State of Wisconsin has made great progress in the field of social welfare.

John Wyngaard, a keen observer of the Wisconsin scene, has written a fine article which was published in the Post-Cresent, of Appleton, Wis., describing Wilbur Schmidt's outstanding qualifications for his new post.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Appleton (Wis.) Post-Cresent, Aug. 4, 1967]

Schmidt Appointment as Secretary of New Board Commended

(By John Wyngaard)

Madison.—There is a traditional tendency for puffery among government officials when they talk about each other in public, but Dr. William Studley, the chairman of the newly created Board of Health and Social Services, probably had the support of most persons familiar with the state government operations in recent years, when he spoke warmly about Wilbur Schmidt, chosen to be the secretary of the new state department that combines the old Health and Welfare Departments.

"I believe we have in Mr. Schmidt one of the truly outstanding public servants in the country today," he said.

The Schmidt selection for the command of the combined health and welfare administrations was one of the comparatively rare certainties in upper level state government personnel recruitment. That it was unanimously approved by the new board surprised no one. Any dissent would have been a headline event.

THE MAN ADMIRED

Since this man of driving energy, keen intelligence and wholesome homeliness took over the direction of the Welfare Department 12 years ago, legislators and governors have marveled at his performance and admired his understanding of the multifarious aspects of his job almost without exception.

To observe him in a presentation of his mammoth budget, for example, is an extraordinary experience for the reporter who becomes accustomed to less skilled and sometimes poorly informed heads of other services who are content to present the data gathered by underlings in a prepared manuscript.

The Welfare Department's programs run the gamut of social problems in Wisconsin. They include probation and parole, operation of correctional institutions, numerous treatment centers for the mentally ill, public assistance programs of half a dozen categories, youth conservation camps, a foster home program for dependent children, institutions for handicapped children, child adoptions, ad infinitum. It spends more money than any other agency represented in the state executive budget and has more employes than any other.

Yet it is rare that Mr. Schmidt is asked a question that he cannot answer promptly, clearly and confidently. Obviously he crams for his appearances and is sensitive to the responsibility of the administrator to the Legislature in providing all of the information that is available and relevant.

ACCOUNTANT TRAINING HELPS

Perhaps his striking ability to grasp and retain a myriad of facts and figures about his huge department reflects his professional training as an accountant. He was the department's chief accountant before he was chosen as director.

Normally such a responsible position would be occupied by a person with professional training in social welfare specialties.

As the story is told, Schmidt would not have won his original appointment except through a lucky chance. A predecessor who had professional training in social work had resigned to take a similar position in a larger state at a higher salary. The Board of Welfare was prepared to search the country for a successor with similar background and training. But they needed an acting administrator. Somebody mentioned Schmidt, then a comparatively obscure back room man. He was willing, and it didn't require much time for the board to conclude that they wanted him as permanent department commander.

The Schmidt experience as an officer in a vital and sensitive service exemplifies the career opportunities, without benefit of formal tenure rules, that is one of the distinguishing characteristics of the Wisconsin system among the state governments of the country. His job is not protected by law. He could be dismissed tomorrow. But there is no one who doubts that he will remain on the job indefinitely, if he chooses to do so.

EAST-WEST RECONCILIATION

Mr. McGEE. Mr. President, the most hopeful development in East-West relations has been the lessening threat of direct military confrontation between the big powers and the correspondingly increased rate of trade and cultural exchanges which represent competition on a different level. We are witnessing the gradual liberalization of Eastern Europe and, in this country, a growing belief that ideological conflict between East and West can be laid to rest.

As Crosby Noyes wrote in the Washington Evening Star of September 7:

> It's very unfashionable these days to call a spade a spade, an enemy an enemy, or a Russian a Communist.

In his column, Noyes makes the well-taken point, however, that East-West reconciliation is a long way off and that we must not shun the competition which our system of Government is clearly capable of winning. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Evening Star, Sept. 9, 1967]

East-West Reconciliation a Long Way Off

(By Crosby S. Noyes)

It's very unfashionable these days to call a spade a spade, an enemy an enemy, or a Russian a Communist.

In the aftermath of Glassboro, anyone in this country who speaks in terms of ideological conflict is likely to be written off as an unreconstructed reactionary bent on reviving the Cold War. The most persistent theme of the critics of our involvement in Vietnam is that it tends to hurt our relations with the Soviet Union that otherwise, one gathers, would be dandy.

Among these critics, there seem to be few who recognize the very distinct limits to the new spirit of ideological harmony that prevails in the West. They overlook the fact that reconciliation is a two-way proposition and that the Russians—to say nothing of the Chinese—have no intention of abandoning the conflict that is inherent in the nature of communism itself.

It is true, of course, that the conflict can take different forms. Today world leaders are much less inclined to talk in terms of blasting each other off the map. Since the Cuban missile crisis, the threat of a direct military confrontation between the major nuclear powers—in spite of Vietnam—has mercifully receded.

It is also true that where interests happen to coincide, limited areas of agreement and even limited areas of collaboration can be found.

Trade and cultural exchanges between East and West can be increased. Agreements on the exploration of space and remote areas of the globe have been signed. More doubtfully, a joint effort to limit the spread of nuclear weapons may be forthcoming. It is even conceivable that in the end the Russians will cooperate in an attempt to limit the armaments in the Middle East.

Finally, it is true that communism as a system has evolved in Russia and elsewhere since Stalin's day. Particularly among the countries of Eastern Europe—Communist more by necessity than by conviction—the trend toward gradual liberalization has established itself. Some day, perhaps, communism as a system could become as harmless as socialism is in Western Europe.

But that day, most emphatically, is still a long way off. At this point no Communist worthy of the name would admit such a possibility. And anyone who fails to recognize the essential hostility of communism to the political, social and economic system that prevails in the West would be well advised to have his head examined.

Because the conflict between the two systems is neither an accident of history nor a figment of overheated Western imaginations.

From the Communist point of view the antagonism is the very essence of Marxist-Leninist teaching. Whatever areas of limited truce may be staked out, this essential element of conflict and competition is certain to remain for a very long time.

For all the talk of peaceful coexistence, the assumption is that in the end only one system will survive. When Nikita Khrushchev promised that "we will bury you," he may not have meant it literally—but he meant it.

To accept this as a fact of life is neither illiberal nor unduly pessimistic. For if the conflict with the centers of Communist power can be confined to non-military areas, it is likely that we will survive it. And if we bring to the competition a reasonable proportion of the resources available to us, it is highly probable that we will prevail.

Certainly it is not impossible to demonstrate the superiority of our system, not only for ourselves, but also for the emerging nations of Asia, Africa and South America which are the real battlegrounds. The assumption that ours is a rich man's system and that communism somehow offers a magic key to instant development is being dramatically refused in many parts of the world today.

The appalling failures of communism in such places as China, Indonesia and Cuba hardly recommend it as the wave of the future among the underdeveloped countries. What has been achieved in Japan, South Korea, Taiwan and Thailand sets a pattern that a good many other countries might someday hope to match.

Success, however, is by no means assured. To achieve it will call for a clear recognition in this country of what is at stake and an acceptance of the competition that has been imposed upon us. That it is being accepted is one of the more hopeful features of the world today. And those who would abandon it in the hope of some illusory reconciliation with communism are the real defeatists among us.

ADM. CHESTER W. NIMITZ: THE MODEST HERO

Mr. YARBOROUGH. Mr. President, the Senate was in recess on Saturday, September 2, the 22d anniversary of the signing of the Japanese surrender in Tokyo Bay aboard the U.S.S. *Missouri.* That signing formalized the end of World War II, and the victory that brought it about can be largely attributed to our brave, determined naval forces who vindicated our losses at Pearl Harbor by annihilating the Japanese fleet.

Today I am particularly proud to pay tribute to a fellow Texan, Adm. Chester W. Nimitz, the commander in chief of the Pacific Fleet and the architect of our successful naval strategy.

Chester W. Nimitz was born on February 24, 1885, in Fredericksburg, Tex., a colorful, German-flavored town in the central Texas hill country. His grandfather, a retired sea captain, was an early pioneer builder of the town. Throughout his childhood young Nimitz longed to attend West Point, but at the age of 15, when no appointment was available, he decided to enter the Naval Academy. Two years after his graduation when he had completed the required period of sea duty, he was commissioned as an ensign. Thereafter he commanded various obsolete minor ships for several years. He won his first naval award, the Silver Life Saving Medal, for rescuing a fireman on his ship who had fallen overboard into a swift current.

In 1913, then-Lieutenant Nimitz was sent to Belgium and Germany to study diesel engines and afterward was responsible for building the first diesel engine for the U.S. Navy. During World War I, he was assigned to the staff of Admiral Robison, commander of the submarine force in the Atlantic Fleet. In the interwar years, Nimitz established a Naval Reserve Officers' Training Corps unit at the University of California and later returned to sea duty. When Pearl Harbor was bombed, on December 7, 1941, Nimitz was a junior real admiral serving as Chief of the Bureau of Naval Personnel.

Nimitz' experience, thoroughness, confidence, and exemplary record combined the perfect qualities for the new Commander in Chief of the Pacific Fleet. Ten days after Pearl Harbor, President Roosevelt appointed Chester W. Nimitz, out of a field of 29 men, to replace Adm. Husband E. Kimmel.

When Admiral Nimitz arrived at his new post, he found the men demoralized and uncertain and the fleet and facilities in shambles. However, his self-confidence was quickly passed on to his men and in less than 2 years Nimitz had converted a naval junkpile into the world's most powerful fleet.

The first major sea engagement which Nimitz commanded was the battle of the Coral Sea on May 8, 1942. Although tactically the United States was defeated, Nimitz could claim a strategic victory, for he had forced the Japanese to divert their thrust from Australia to the American base at Midway.

Most historians and politicians including President Roosevelt, considered the Battle of Midway, fought June 4-6, 1942, the greatest success of the war in 1942, and one of our greatest victories in World War II. Nimitz' foresight led him to base his tactics on intercepted Japanese codes indicating Midway as a major target. Washington strategists interpreted these messages as diversionary decoys. However, Nimitz concluded that the messages were authentic. The result was an overwhelming naval victory for the United States and the turning point of the war in the Pacific. The Battle of Midway halted the Japanese threat to Hawaii, the Panama Canal, and the United States and prevented the isolation and occupation of Australia. Thereafter Japan could only fight a defensive war.

Another outstanding accomplishment of Nimitz was his ingenious device of floating naval bases to follow the fleet ships. With these efficient stations providing fuel, supplies, and repairs, American ships could remain away from their ports for extended periods, thereby deceiving the enemy.

Nimitz carefully avoided publicity, always remaining in the background, never exercising his power unjustly, and allowing all credit to be given to his subordinates. Even in his speech on board the U.S.S. *Missouri*, after signing the Japanese surrender, he praised the other branches of the Armed Forces and our allies as well as his own men as instrumental in the victory.

In 1944, Nimitz was promoted to the newly created rank of admiral of the fleet, and from 1945 to 1947 was Chief of Naval Operations in Washington. He later served the University of California as a regent and worked with the United Nations and President Truman in an advisory capacity.

When Fleet Admiral Nimitz, winner of five Distinguished Service Medal Awards, died last year, he was buried according to his modest request—near the Pacific Ocean, side by side with other sailors and soldiers who had served with him, and without the ceremony of a state funeral.

But modesty cannot hide the valor of this great American, and it will not. In Fredericksburg, birthplace of Admiral Nimitz, a group of civic-minded individuals have come together to form a museum honoring him. The Fleet Adm. Chester W. Nimitz Museum occupies the old Nimitz Hotel, long-operated by the admiral's family, located on Fredericksburg's main avenue, very near the center of the downtown shopping area. The building itself is a tribute to the admiral. Nearly a century old, it is built in the shape of a ship. It will house relics of the life of Adm. Chester W. Nimitz—a life dedicated to serving and protecting his Nation.

I have asked that the flag flown over the U.S. Capitol on September 2, date of the 22d anniversary of the signing of Japan's surrender, in which Nimitz played such a central role, be made available to that museum as an added tribute, and a fitting one, I believe, to a man who did so much for the United States.

NEGROES AND JEWS

Mr. NELSON. Mr. President, from time to time, I have invited the attention of the Senate to the excellent articles presented in the Progressive magazine, published by the extremely able Morris Rubin, of Madison, Wis.

The current issue contains many provocative and informative articles.

In an editorial entitled "Negroes and Jews," the Progressive rejects the notion that the Negro community has become anti-Semitic. The magazine contends that the violent outburst of the SNCC hate mongers is not an accurate reflection of Negro sentiment.

The eminent Senator from Minnesota [Mr. MONDALE], in an article entitled "New Tools for Social Progress," describes his plan for a domestic social program over the years to come. I believe the Nation would profit by reading it.

I ask unanimous consent that the article and editorial be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

NEW TOOLS FOR SOCIAL PROGRESS

(By Senator WALTER F. MONDALE)

Early this year, the National Committee Against Segregation in Housing charged that for the past three decades, good intentions notwithstanding, various Federal programs had fostered racial segregation and consequently trapped Negroes in slum ghettos.

Their specific criticisms attacked a broad range of programs and policies, among them urban renewal, transportation, and public housing. Some of the programs the Committee cited sought to improve American society generally; others, such as public housing, aimed at improving the condition of the poor. Of urban renewal, the Committee charged that the programs "have consistently violated the rights of Negro Americans and other minorities by forcing their continuous upheaval and relocation in racially segregated areas to accommodate local community prejudices."

Because the main target of the criticism was the Department of Housing and Urban Development, HUD Secretary Robert C. Weaver prepared an eight-page response which said, generally, that the Department was doing the best it could under current laws but stronger legislation was needed.

There the matter rests, and as a United States Senator who has voted for some of the programs, or supported others enacted before I came to the Senate, I am perplexed and troubled.

As the situation now stands, there is no prospect for an accurate and public accounting of the extent of racial segregation in the United States that would enable us to determine whether government programs are cures or contributors to the perpetuation of this social cancer.

The lack of verifiable, public information exists in a number of broad areas: physical health and mental illness, the quality of education, the effect upon society of a gradually deteriorating natural environment.

Unhappily, we have had a whole summer of unprecedented violence in our cities that revealed glaringly the shocking lack of knowledge of the nature and extent of the social ills that plague our rich nation. The proliferation of ad hoc committees at the national, state, and local levels to determine the causes of rioting in the urban ghettos is ample evidence of the need for an on-going, permanent coordination of these social indicators. In these cases violence serves as a measure of the lack of jobs, poor health care, inferior educational opportunity, de facto segregation, and the multitude of other burdens that grind upon the poor and those discriminated against by the majority.

There certainly must be more peaceful ways than riot, and hopefully more precise methods, too, to measure our failures and document the considerable successes of governmental efforts to improve the quality of American life. Obviously, we need better indicators. For America to approach the future unequipped to evaluate and plan effectively is to invite chaos.

One of the social sciences, economics, has proven that by carefully measuring and watching various indicators such as retail sales, volume, amount of new investment, and levels of gross national product, we can take action to head off economic disaster. What do the social sciences have to offer in noneconomic areas of the human conditions? Very little of a solid or continuous nature. We now have no comparative system that will alert us to social disaster—a system of social indicators, widely broadcast, by which we could keep watch in a general way on the social processes in our nation and plan for society's orderly development.

Instead, we undertake ambitious and laudable programs, and watch in shocked amazement when the reaction is different from what we expected. Then we scramble to try to ascertain the facts, often with dubious success.

Take urban renewal, for example. For a decade, urban renewal has been held high as the salvation of our rotting cities, and damned as merely exporting the poor to new ghettos.

In my files are two magazine articles published within three months of each other in 1965. One of these, a critical article, cites a 1961 report that sixty per cent of the displaced poor were relocated in new slums while high-income families occupied the handsome new glass and steel towers. The other article, on the optimistic side, reported a 1964 finding that only eight per cent of displaced slum families remained afterward in substandard housing. The three-year time difference between the studies could account for at least some of the disparity—perhaps all. But in any case there are no clear, current, public, well-announced figures available to refute or support either claim. The two articles punctuate our ignorance about the *real* effects of one of the most ambitious and promising Federal programs. We know we are building new buildings, but what are we doing to *people?*

The absence of adequate, *publicly announced* indicators can also veil our successes and encourage mistaken exploitation of surface indications of failure, whether it be the testing of new educational techniques, methods of fighting crime, or the administration of welfare funds. As *The Progressive* noted in its June issue, White House aide Joseph Califano had performed the distinct service of coordinating welfare data revealing that only 50,000 of the 7.3 million persons receiving welfare throughout the nation are actually capable of being trained to hold jobs. This data, pulled together for the first time, effectively refutes the conservative bugaboo that, as *The Progressive* put it, "Americans on public welfare rolls are lazy bums leeching on society. . . ."

What I am suggesting is that as our present programs continue in their sometimes uncertain way, we must undertake to devise statistical and analytical methods to help us find out what we have done and what we ought to be doing. To say that our societal programs may be imperfect and sometimes miss the mark is not to say, of course, that we should halt all attempts toward social betterment. But perhaps we can find ways to get more done at less cost and with less waste motion.

Beyond the establishment of social measures, there should be persistent and perceptive and continuing high level analysis of our social processes, their problems and possibilities, such as is provided for the President by the Council of Economic Advisers in the economic field.

Man's oldest method of self-education is trial and error, but it is also the least efficient. Try we must, but there are ways of reducing the margin of error.

Incessant trial and error and the absence of accurate measurement sap public confidence in otherwise highly desirable programs, and this perhaps is the core of disagreement about many programs designed to improve the public welfare: programs encompassing health, education, transportation. How do we measure success in terms that reflect impact on individuals? By amount of money spent? This may be a measure of effort, but not of effect.

To be sure, there are many surveys and abundant statistics. There are thousands of statisticians at work in Washington alone, and thousands more working for public and private agencies across the nation. And despite the fact that we do collect mountains of statistics, as the 1,000-plus pages of the *Statistical Abstract of the United States* attest, there remain frightening gaps in information essential for accurate evaluation. Much of the statistical information we now collect is incoherent; that is, it bears no readily apparent relationship to other data which, taken all together, would allow reasonable conclusions.

In other instances, the information is available from widely different agencies, but few people know where to get it. A social scientist doing some post-Watts research told me recently that all the statistical indicators warning of the impending explosion were available before the outbreak. Unfortunately, there was no one to gather and analyze them and no agency existing with the prestige and attention-getting devices to warn the public and government officials.

It would be an oversimplification, of course, to imply that social indicators can magically reveal the "truth" in every case in which an effect is disputed, or alert us to every impending crisis. But it cannot be denied that a system of statistical indicators, measured regularly and watched constantly, and not the least important, available for easy public examination, can yield invaluable guidance for future action. Such a system might make it possible to avoid the risk of dangerous sociological backlash.

The riots in Watts have been partially blamed on the frustrations that arose because of the transportation success of the Los Angeles freeway system. When public transportation withered as automobile travel became more and more convenient, the impoverished Watts residents without cars were effectively isolated from job opportunities and from state and local facilities where they could receive aid.

Columnist Joseph Kraft blames unfortunate consequences like this on our "innocence." Kraft laments that "Lack of regular information fosters an innocence and irresponsibility that is positively terrifying. City after city launches urban renewal drives only to discover—belatedly and with surprise—that poor people are being driven from their homes. County after county launches drives for new industry only to learn—also belatedly and with surprise—that it is polluting the atmosphere. State after state pushes highway projects, only to realize—with astonishment—that the result is impossible congestion in city streets."

This may be "innocence." It is also appalling ignorance.

We were once just as ignorant of the consequences of economic policy. We used to thrash around making decisions on the basis of untested theories and inadequate information, assuming that cyclical waves of boom and bust were inevitable.

But with the enactment of the Employment Act of 1946 establishing the President's Council of Economic Advisers, the Council fostered the refinement of the abundant economic statistics into a reasonably accurate measurement of the nation's economic health. These indicators provide the basis for analysis and planning that have been remarkably effective.

The valuable lessons learned over the past two decades regarding economic indicators suggests that if we had more and better data on social conditions, and if these could be molded into a coherent system of social indicators comparable to their economic counterparts, we would be able to do a far better job of decision-making regarding social programs.

The tantalizing prospect of social measurement was suggested by Gunnar Myrdal in his *American Dilemma*, written in 1944. He wrote, "We should . . . have liked to present in our study a general index, year by year or at least decade by decade, as a quantitative expression of the movement of the entire system we are studying: the status of the Negro in America."

In 1962, the Behavioral Science subpanel of the President's Science Advisory Committee acknowledged the benefits of systematic gathering of economic data, and commented: "We call attention to the great advance over the past generation in the quantity and quality of our information about the economy and the effective use that is now made of such information in formulating and administering national economic policy. Similar benefits would flow from a corresponding advance in the quantity and quality of information about non-economic aspects of behavior."

Another appeal for a social accounting appears in "Technology and the American Economy," the report of the National Commission on Technology, Automation, and Economic Progress, submitted last year. In its chapter on "Improving Public Decision Making," the Commission declared:

"The American commitment is not only to raise the standard of living, but to improve the quality of life. But we have too few yardsticks to tell us how we are doing. A system of social accounts would seek to set up 'performance budgets' in various areas to serve as such yardsticks. A series of community health indexes would tell us how well we are meeting the needs of our people in regard to adequate medical care. A national 'housing budget' would reflect our standing in regard to the goal of a 'decent home for every American family.'"

A system of social auditing or accounting would serve five purposes:

It would sharpen our quantitative knowledge of social needs.

It would allow us to measure more precisely our progress toward our social objectives.

It would help us to evaluate efforts at all levels of government.

It would help us determine priorities among competing social programs.

It would encourage the development and assessment of alternative courses without waiting until some one solution had belatedly been proved a failure.

I have introduced legislation in the Senate designed to accomplish these aims. The Full Opportunity and Social Accounting Act (S. 843) is an attempt to elevate social evaluation to as influential a position as is now occupied by economic measurement.

Modeled after the Employment Act of 1946, the legislation contains four key sections:

One—It establishes full social opportunity for all Americans as a national goal.

Two—It establishes a three-member President's Council of Social Advisers and charges them with devising a system of social indicators, and with appraising governmental programs and advising the President on domestic social policy.

Three—It requires the President to submit an annual Social Report, comparable to the Economic Report, disclosing the indicators for public examination, and giving them wide exposure.

Four—It establishes a Joint Congressional Committee on the Social Report, which could hold hearings and subject the President's Social Report to critical analysis.

When the nation's population was widely dispersed on farms and small hamlets, the rate of social change was slow. Much of the social adjustment to sickness, unemployment, disability, old age, broken homes, poverty, and crime was handled within the local community. In 1890, half of our people lived on farms and many of the rest in small towns. Today, something like five per cent of our people live on farms and practically all population increase is taking place in the large metropolitan areas. With people so concentrated, social change can be rapid, the sense of responsibility for one's neighbors is diminished, and the impact of a catastrophe is so overwhelmingly large that no neighborhood—however well-intentioned—can possibly cope with it.

Urban concentration has made necessary large technological projects in transportation, water, sewage and waste disposal, as well as housing construction and renewal. The pace of technological adaptation of man to his environment has certainly increased.

At the same time, we have—if anything—impaired our ability to identify and deal with the inescapable social dislocations that accompany new urban technology. The burgeoning growth of social programs at Federal, regional, state, county, and municipal levels has already created a cats-cradle of intergovernmental authorities. Partial data of varying quality are pouring out to confuse us. Large projects employing "systems" techniques are taking into account social impacts related to their own construction, but cannot hope to coordinate with similar social impact analysis of other projects.

Clearly, in the collection, management, and evaluation of sociological data, the qualitative evidence points without exception to our large and growing deficiency. William Gorham, Assistant Secretary for Program Coordination in the Department of Health, Education and Welfare, said last year, that "When it comes to planning for the efficient allocation of national resources against competing social needs, the United States is an underdeveloped country. We have neither a planning board examining possible futures nor a central statistical agency gathering the data necessary to evaluate possible ways of getting there."

Gorham's chief, HEW Secretary John W. Gardner, has given this glum appraisal of past practice: "We have a great and honored tradition of stumbling into the future. In management of the present, our nation is—as nations go—fairly rational, systematic, and orderly. But when it comes to movement into the future, we are heedless and impulsive. We leap before we look. We act first and think later. We back into next year's problems studying the solutions to last year's problems. This has been true as long as I can remember."

Two reasons are sometimes advanced for our past unwillingness to take the necessary steps to prevent future chaos. Long range social planning is supposed to be expensive, and to be restrictive of freedom. It can be both; I suggest that it need be neither.

Long ago, John Dewey pointed out the essential distinction between planning in a dictatorship and planning in a democracy. Dictatorical planning sets fixed time goals over long periods and rigidly programs actions to achieve them. Democratic societies must plan continuously, modifying programs and even objectives flexibly as circumstances change. Technology and the planning for its use become our servants, not our masters.

In a seminar late in June this year and formal hearings on "The Full Opportunity and Social Accounting Act" during July, forty-two witnesses were heard. They came from a wide array of posts in government, the academic world, and public and private efforts to deal with social change. They were unanimous in endorsing the principle on which this legislation is founded—the need for better information and coordinated efforts to improve the social health of the nation. Senator Fred Harris of Oklahoma, Chairman of the Subcommittee on Government Research which conducted the hearings, said at the close of the session, "It is perfectly clear that this Act, with refinements, should become law."

Today our country is confronted with an issue that may be as dangerous to national stability as was the Civil War. As we attempt to face that issue we know too little about the causes of ghetto upheaval and the forces at play in the current crisis.

We would know more now if we had been working at it harder in the past. That is what the "Full Opportunity and Social Accounting Act" is all about. It could provide expert knowledge at the highest level of visibility. It could give the social state of the nation the kind of analysis it must have. Perhaps it could present alternatives to violence for the President, the Congress, and the American public to consider.

Unless we provide government with new modern tools we are likely to waste more and more of our resources in crash programs without knowing what will result, a process both wasteful and dangerous.

Negroes and Jews

The Student Non-Violent Coordinating Committee's attack on Israel and Zionism last month revived heated discussion of the recurring charges of anti-Semitism among American Negroes. Most Negro leaders joined Jewish spokesmen in emphasizing that the SNCC was not reflecting Negro sentiment—only a small, far-out minority.

This latter view is confirmed in a recent University of California study of alleged anti-Semitism and other Negro attitudes. The study reports some cool facts on the matter and may succeed in bringing about a better understanding of the subject.

Sociology Professor Gary T. Marx, of the Survey Research Center at Berkeley, supervised Negro-conducted interviews of a scientifically selected sample of more than a thousand Negroes in New York, Atlanta, Chicago, and Birmingham. Marx reported that, to the degree that Negroes distinguished between Jewish and non-Jewish whites, *they favored Jews and were less anti-Semitic than were whites.*

Harry Lee Moon, Negro editor of *The Crisis*, monthly publication of the National Association for the Advancement of Colored People, wrote in a recent issue that anti-Semitism "among Negroes is a minority phenomenon unrepresentative of the total community."

In fact, wrote Moon, "Negroes have been constantly urged . . . to emulate the Jews . . . No other people . . . have been so consistently regarded by Negroes as a worthy example."

Benjamin R. Epstein, national director of the Anti-Defamation League of B'nai B'rith, said in a comment on the Marx study:

"The Jewish community would be well advised to focus its attention on the main sources of American anti-Semitism and to drop preoccupation with Negro anti-Semitism, which only serves to divert energies from the civil rights struggle."

A VICTORY FOR PAUL HALL

Mr. BREWSTER. Mr. President, in recent weeks it has become evident that soon we may see the advent of a new era for the American merchant marine.

It looks as though we are approaching the day when Congress and the Nation will be presented with a workable maritime program that will bring an end to years of stalling and frustration, and that will set us on the road to revitalizing our aging merchant fleet.

When the new maritime program does appear, much of the credit for its creation can be given to Paul Hall, president of the Seafarers International Union and of the Maritime Trades Department of the AFL–CIO.

Mr. Hall has been a courageous and tireless fighter for domestic shipbuilding. As one of the strongest voices in the American labor movement, he has used his vast influence wisely and skillfully on behalf of the overall good of the maritime industry.

Helen Delich Bentley, the distinguished maritime reporter for the Baltimore Sun, recently published a profile of Paul Hall. I ask unanimous consent that this praiseworthy article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Around the Waterfront: No-Build-Abroad Victory Is Hall's

(By Helen Delich Bentley)

Washington.—As words have been written and hot ones exchanged in recent months over what the new maritime policy of the United States should be, the man constantly named as the "Number 1" force leading the opposition to the Administration's program has been Paul Hall, a smooth-talking ex-sailor and president of the Seafarers International Union of North America (AFL–CIO).

He is also president of the Maritime Trades Department of the AFL–CIO and is often described as the probable successor to George Meany as head of the House of Labor.

More than that, when President Johnson recently was reviewing the maritime program, Hall was the only person referred to by name when Mr. Johnson said he didn't want to engage in a fight on the matter. Last year, the President publicly acknowledged at a White House dinner that among the tribulations borne by the position of Chief Executive is a defeat such as he had recently incurred at the hands of Hall on Capitol Hill.

NOW RIDING HIGH

Right now Hall is riding high because the concessions made by the Administration regarding a maritime program have come his way or as Hall prefers to put it, "the way for the good of the over-all industry—my whole fight has been in behalf of a strong, healthy industry which will be good for all of us."

Paradoxically, Hall reached the conclusion through this long haranguing that his support in the labor movement had to come from almost every segment of the trade union movement other than the maritime unions.

In fact most of the maritime unions criticized him and even denounced him for prolonging the institution of a program by being such a determined "holdout." Now secretly they are glad about the results although not one will say so publicly.

One of the principal points snagged onto for criticism was that he has opened up the membership in the Maritime Trades Department to everyone outside maritime labor, that he has permitted railway clerks and doll makers, carpenters and electricians to join.

"Yes, we have," the 53-year-old tow-headed onetime fireman admits flatly. "We have because they have a role in whether there is an American merchant marine or not. There is a definite interdependency on exports and imports; certainly railroads are tied closely in the transportation picture with ships.

"Although the maritime unions are composed of the best-hearted persons in the world, we don't have the capacity to stay together on issues.

FINDS INABILITY TO UNITE

"There seems to be an inability among all of us to unite and stick solidly together on one issue regardless of the period of time it takes to put it over.

"Therefore, I reached the conclusion that we needed other sources of strength, sources which were constant and on which we could depend at all times. Maybe it's easier to work with them because there is no conflict of jurisdiction at any time. Too, many of them are more accustomed to cooperating and sticking to an issue."

Also he points out that if all of the seamen and all of the longshoremen were lumped together, they would not make up one half as many union members as the membership of the State and Municipal Employees Union, which is part of the six-million-member M.T.D.

OTHER POPULOUS COMPONENTS

All the seagoing and shoreside maritime personnel would not make up 25 per cent of the Carpenters Union or 40 per cent of the Retail Clerks Union—"just single unions."

Hall is a fiend on details and on carefully working out plots. Any time the S.I.U. or M.T.D. is responsible for an affair, he emphasizes to his men in charge that the minutest of details must be thoroughly checked out because they can make or break the function.

When he moves into a campaign—be it to help a favorite win a political election or to fight on Capitol Hill on any issue—he lays out strategy beforehand. He is always the general. He is always the one who may hold his army back because his inner senses warn him the timing is not quite right.

ADMIRATION OF DISSENTERS

It is because of these traits and an extremely sharp mind—one with which many persons disagree but which they nevertheless admire—that he is described as one of the most politically astute leaders in the entire labor movement.

Over the years, he has had his sailors help in the picket lines of State and Municipal Employees, of the American Newspaper Guild, of the Carpenters, the Butchers, the Bakers, the Garment Workers.

You name them and you can bet that the white caps which mark the S.I.U. members appeared in strength on the picket lines.

ALL AFL–CIO CONVENTIONS

Hall himself has made it a point to participate in the State conventions of all A.F.L.–C.I.O. groups as well as international conventions, more of which are calling upon him in their programs because of his oratory along the lines they want to hear.

He has never hesitated publicly to criticize the Administration or anyone else. Although many union leaders agree with him, they are afraid to make such statements publicly. Therefore, they applaud with special enthusiasm when he sounds off.

As a result of these factors, all of these unions feel a special strong bond of friendship towards the S.I.U. and Hall and have maintained a steady position backing him up during all the maritime bickering in Washington.

TWELVE HOURS AT STRETCH

Hall has been known to sit at his desk talking strategy and plotting generally for twelve or more hours at a stretch without ever getting up. He credits years of training at the bargaining table, training "to throw management off course," for his durability.

His strategy on Capitol Hill has been to win as many friends as possible by following the rule of "helping your friends" and "fighting your enemies."

The friends of the maritime industry have been helped through campaign contributions, "just as the friends of all other industries who are much smarter than the maritime people have been over the years," and maybe even have been lent some leg men and strategists to assist their campaigns.

CONGRESSMEN'S HONORARIUMS

Another American tradition followed by the SIU has been that of paying honorariums to Congressmen for services rendered, such as participating in the weekly breakfasts and luncheons or monthly seminars sponsored this year by the Maritime Trades Department.

Some sources recently have been shooting at the maritime-minded Congressman for taking part in these meetings, although no one is criticized for collecting an honorarium from the Chamber of Commerce, the Automobile Dealers Association, or a major political rally.

It seems that all stops "have been pulled to try make it tough for Hall or friends of the American merchant marine," some sources have said.

HALL FORCES ON CAPITOL HILL

There is no doubt that the hardest salesmen for an American merchant marine and maritime policy on Capitol Hill—certainly along the lines seen by most maritime interests—have been those people educated the MTD-SIU-Hall way.

They are the ones responsible for the introduction of the record number of 106 bills calling for the Maritime Administration to be an independent agency.

They are the ones responsible for the trouncing given the Administration last year on the House floor on the issue of transferring the Maritime Administration into Department of Transportation.

Independent-agency and no-foreign-building have been the two points on which the public fight has been waged regarding the new maritime program.

OTHER AIMS ACCESSIBLE

Everything else such as building bulk carriers and expanding the numbers of ships built annually could have been accomplished simply by implementing the 1936 Merchant Marine Act.

GENERAL SHOUP SPEAKS OUT AGAIN

Mr. HARTKE. Mr. President, on February 20 I introduced into the RECORD the text of remarks made by Gen. David M. Shoup, former Commandant of the U.S. Marine Corps, on May 14, 1966, before a student audience at Pierce College in Los Angeles.

General Shoup's remarks, previously little noticed, drew widespread attention because of the vigor with which he questioned our involvement in Vietnam. Perhaps the most quoted statement from that speech, which has since been circulated in reprints numbering scores of thousands, was this:

> I don't think the whole of South East Asia, as related to the present and future safety and freedom of the people of this country, is worth the life or limb of a single American.

Since then General Shoup has repeatedly been beseeched by various groups to address them on the subject of Vietnam, but he has consistently declined those invitations. However, he did consent to be a guest on the "ABC Scope" program dealing with the Vietnam war in a broadcast viewed throughout the Nation on August 5.

Because of his great experience as a heroic military leader who has held high command, the words of General Shoup deserve careful attention. He believes that we can and must negotiate, and suggests that we pledge to stop all firing except in self-defense at a time which Ho Chi Minh would be invited to name as the hour at which negotiations will begin.

I ask unanimous consent that the text of this broadcast may appear in the CONGRESSIONAL RECORD.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

ABC SCOPE: THE VIETNAM WAR, PART 85—AN UNCOMMON BREED

Producer: Dave Jayne.

Commentator: John Scali.

Guest: Gen. David M. Shoup, USMC (Ret.).

President JOHNSON (at Gen. Shoup's retirement ceremony at the White House in December, 1963). We have come here to the first house of the land today to honor General David M. Shoup, not because of the victories which he has brought to our country, but also for the honors he has brought to our heritage. He is a man of war who believes in peace. He is a man of great discipline who cares about people.

I deeply regret his retirement from the service for he is one of an uncommon breed whose numbers are too small and whose duplication is too rare. I would personally have had him continue as Commandant of the Marine Corps.

General SHOUP (August, 1967). I don't believe that, with respect to the freedom and security of the people of the United States of America, for today or in the future that the whole of South Vietnam is worth the life of a single American.

ANNOUNCER. ABC Scope, the Wide World of People and Events. This week, the Vietnam War, Part 85, "An Uncommon Breed," featuring the views of the retired commandant of the Marine Corps—General David Shoup. Now, here is ABC News correspondent John Scali:

SCALI. I'm standing before the Iwo Jima memorial which commemorates the fighting tradition of the United States Marine Corps. A memorable moment is etched in stone here—the hoisting of the flag atop Mount Suribachi on a lonely Pacific island during World War Two. One of the great heroes of the war against the Japanese was a tough, dedicated colonel who was awarded the medal of honor for his bravery during the battle of Tarawa. That man, David Shoup, a former Indiana school teacher, later became a general and commandant of the entire Marine Corps. He served three Presidents, Eisenhower, Kennedy and Johnson, as a member of the Joint Chiefs of Staff before he retired almost four years ago. Today, he lives quietly in a little home within sight of the Pentagon and as he continues to ponder the problems of the world, he's a troubled man. He's not sure what the United States is trying to do in Vietnam is wise. Almost unnoticed, he spoke out publicly more than a year ago to raise some critical questions. Since then he's refused many offers to write and speak before anti-Vietnam protest groups. But for this program, he agreed to set forth his views in greater detail.

ANNOUNCER. John Scali and General Shoup will return after this message in just one minute.

SCALI. As I understand the view of some of our leading generals and military strategists over the past years, it has been to avoid fighting a land war on the Asian mainland. Is this the kind of war that we are now fighting in Asia? The very one that our military leaders, by and large, thought we should not fight?

General SHOUP. John, I believe I could go under oath and state that what is now transpiring in South Vietnam is exactly the situation which most military and naval people, in my time in the service were most against ever coming to pass. And I believe that you could find in public records, the same ideas expressed by two or three of our presidents.

SCALI. Yet, if this was the view of the military people, why didn't they speak out against that course of action when it came time to make a decision?

General SHOUP. You seem to be, assuming that they didn't. I'm not aware of whether they did or whether they didn't. The only thing that I'm aware of is that, the one who had the final decision, decided to do what we're now doing. Now I think that it might be darned interesting someday to find out just exactly, how did this happen. I don't know but I don't believe that every member of the military family, whose responsibilities are to make recommendations to the secretaries and to the President, to the chairman of the Joint Chiefs, were in favor of doing what we have done, or that they are in favor of doing what we are now doing.

SCALI. Yet, it seems from the comments of most of the leading generals and military figures in the administration today, that they enthusiastically support the Vietnam policy. Is that wrong?

General SHOUP. I think there's a great distinction, John, between Vietnam policy of getting involved, and Vietnam policy of what do we do now that we are involved? Now I don't think that there's a military man alive, and I hope that there are no Americans alive, that don't enthusiastically support the idea of our government supporting our troops that are in combat. Absolutely. But I think you can find millions of people, and I think amongst them a great many military people, that are not now, and never were, in favor of the policy of getting involved in the ground warfare in South Vietnam to the extent that we now are. There's a great difference between this policy of doing it at all, and then, one you have your finger in the boiling pot, to keep bandaging it up.

SCALI. But that is not saying they should be there right now?

General SHOUP. Well, now, they have to be there; that's my point.

SCALI. If they're ordered to go.

General SHOUP. They're ordered there under legal orders and, of course they should be there. They're ordered there. But whether they should have ever gone in there in the first place, for the purpose for which we are told they must be in there is what I question.

SCALI. Well, General, at the risk of quoting you out of context I just want to read one sentence in that speech that you made. "I believe that if we had, and would keep our bloody, dirty, dollar-crooked fingers out the business of those nations, so full of depressed, exploited people, they will arrive at a solution of their own."

General Shoup. Right.

Scali. Is this the basis of your whole case?

General Shoup. Well, I think perhaps you could use that as a basis, because I truly believe, and I think Mexico is a wonderful example, that these people will solve their problems themselves. And if they can't do it without bloodshed, hopefully, maybe they can, but if they can't do it without bloodshed, o.k., but let them do it. And what they do, they make themselves for themselves. And they don't have to be asked to put their future and their nature of their nation in a mold that we designed. Let them decide the mold of the future of their nation—the picture that they want for their nation. Let them decide it as a people. And then they'll be happy with it, proud of it and willing to defend it.

Scali. Well, as I read your speech, General, you dwelt, at some point at least, on the fact that we were fighting eight thousand miles away, when we might have problems within our own hemisphere, here, which are similar, and which we are taking no drastic action to solve.

General Shoup. Well, yes. That's part of the uncomprehensible part of this thing, as far as I'm concerned. That we say why we're down there, but the same situation exists closer to home. Now as I like to point out, we used to have weeds in the field around the barn at home, and some across the lake and we always took care of the ones around the barn first. And then we took care of the ones across the lake. And I think that the thing is that the same things are going on in South America that we use to support the contention that we ought to be doing what we're doing in South Vietnam.

And I mean they're killing magistrates and the mayors are getting their throats cut, and the brigands are running around doing these horrible things and what have you—they're doing the same thing right down in South America.

So, I only say, why do we have to go eight thousand miles away to do it. Let's do it close at home first, and then see how big we want to make this circle we're gonna take care of everybody.

Scali. Well, how about the Domino theory. We have heard much about the inevitability of neighboring countries either falling victim to Communism, or making adjustment of the kind in their policy to permit them to live with the Communist states. What happens then?

General Shoup. Well, I'm not so sure if we have the clairvoyance with the talent to project such a thing sufficiently in the future to come to all these fine conclusions that this is detrimental to us. I'm not so sure whether it would be detrimental or whether it wouldn't. Now, I'm not so sure that if they got started and you said that it was a Communist regime, well, what basis would you be drawing that conclusion? That somebody outside of these countries was pulling the strings? That again we're going down the old road of the monolithic Communist world, in which one great Communist nation is is pulling the strings on everybody like a bunch of toys. I don't believe that will happen any more. I'm just not clear enough about it to be sure that if the dominoes all fell one way, that in ten years they wouldn't all fall back the other way.

Scali. However, the administration lays great stress on the need for the United States to uphold its commitments.

It says that if we do not uphold our commitments in Southeast Asia, particularly in South Vietnam, that a potential enemy could question them elsewhere in the world, particularly in Europe. Do you disagree with this?

General Shoup. I don't know that I disagree with the idea of keeping your commitments, but I believe that history will show that a great many times commitments haven't been kept, and I don't know whether the world is better off because of it. Of course, as you mention that, it flits across my mind that time when there was some little country called Hungary was pleading for us to help them a little, and, at least they said that we owed them something, we'd promised them something, but it didn't seem exactly in our interest at that time to help them.

Scali. Do you think, General, that it is possible, not only to coexist with Communism, but to coexist with a brand of Communism which is not as bad as the kind that first came on the international scene?

General Shoup. Well, I think we're doing it pretty well today and I think there's a lot of happiness around the world that we are coexisting with Russia like we seem to be, and Russia seems to be pretty happy to help along in this area. And while neither nation of course, is gonna give up their sovereign rights to play big and bold, and I think that's a part of the way of life and part of the way of human beings and part of the way of our nationalism, and their nationalism.

Scali. You don't think we have to be fearful of Communism, then, General?

General Shoup. To the extent that we have just discussed, that we don't have to be fearful of Communism coming in and making the freedom and security of the people in these United States at stake. I cannot see it. I do not believe it. That there's any reason for us to fear the takeover of Communism in this country. This is not the kind of a fertile field for the planting of the idea of Communism. This is not the kind of a country you plant those seeds in. And, I hope it never becomes that way . . . Although back in the thirties we seemed to have a hell of a lot of people that didn't have anything and were wondering if there wasn't a better system. And I think that's a provable statement. But, I don't think it's possible to sow the seeds. They'd die. They'll die in our streets, they'll die in our factories; they'll die in our homes, in our radios, in our television; they'll die in our saucepans, in our boys' camps, in our recreation centers. They'll die.

Announcer. General Shoup will discuss the bombing of North Vietnam and set forth his own plan for getting negotiations started after this message in just one minute.

Scali. General, as a military man, how successful do you think our bombing of military targets has been both tactically, in South Vietnam, and against the military targets in North Vietnam?

General Shoup. If the interdiction of the supply lines of the North Vietnamese hasn't been effective or hadn't been started, I'd hate to think of the situation we'd be in today. We would have been long since kicked out of there.

Now the effectiveness with respect to their economy—well, it doesn't help anybody to have an oil plant blown up, but as we found out after they bombed the first oil area, then they used the bomb pits to roll the fifty-five gallon drums in to protect them from the next raid.

These people are ingenious. And further, I think there must have been some little mistake in thinking, or in memory, because there seemed to be the idea that after Tonkin Bay that if you plastered these people with a few bombs, just let them see what the big fast jet and fighter bomber looked like from the great old United States that they'd say, wait a minute, wait a minute, we don't want any of this kind of stuff, let's knock this off and sit down and talk this over, now let's don't go on with this foolishness. Well somehow this didn't happen. And when we bombed the submarine pens in Germany there in World War II—we bombed 'em, and bombed 'em, and bombed—they still produced the submarine. But, that was history, we didn't think much about it. When Germany bombed London, bombed 'em right into the heart of the city and everything else with the idea of demoralizing them, oh, well, it didn't do it, it just got them closer together with a greater determination.

And I wonder why we thought that wouldn't be the case with the Asiatic, in the same way that it was the case with white man in England.

Scali. But now that we have started the bombing, would you discontinue it? Would you suspend it?

General Shoup. John, any bombing whatsoever, that will increase the chance of success of those people on the ground that are bearing the brunt of this thing on the ground, must be continued. It must be continued. We cannot let these men down. We cannot let them feel that now we're stopping the bombing and their fate will be worse. No. That cannot be done.

Scali. Well, General, as you look, at American forces now heavily committed in Vietnam, you say, of course we must support them. As long as they are there. How do we get out of this? What solution is there that you can see?

General Shoup. Well, John, I feel really ill at my stomach. It's very vomicating, so to speak, to think that there are many, many people today and a great many factions of our fourth estate that are mouthing the idea that negotiations are long since impossible. I don't believe that. I believe that we can still arrange negotiations. And without negotiations, if there is to be no negotiation, well, John, this thing could escalate until today's commitment could just be a baby's battle, compared to what we're going to get into.

Scali. Well, how do you convince the other side to come to the negotiating table in a mood to make the kind of concessions necessary for a compromise peace?

General Shoupe. John, we just, you hit on a very difficult thing, of course, that's the crux of the whole thing. But I believe we can do it. I think it can be done. I think there are ways to do it and while I believe that our State Department states that we have made twenty-eight different efforts to do this I don't think we ought to quit at twenty-eight—Edison didn't. And further, I believe that at least in some of the cases at least that's been espoused by many observers and analysts that a proposal that was made for negotiation in the first place had a built-in absolute failure right in it. And I at least remember one, which one of the things was that, Ho Chi Minh was to quit supplying his forces, in the South. Well, that's just like asking somebody to quit feeding their baby. (laugh) They can't do it. But I believe we can do it. And you permitting, I'd just like to give you an idea of how I think this could be done.

Scali. Please do.

General Shoup. Number one, I think we can concede that Ho Chi Minh is also very serious when he says, that he would like the bombing stopped. And I think that's understandable, because, after all, this is not a very nice way to live every day, waiting for the bombers to come over, and some of us have experienced that in other war zones. And even though you know about the time they're coming. It's a fearful thing to say, well, now, eleven-thirty-five, the bombers are coming. Well, he wants to stop it. So he has said, you've got to stop your bombing before we'll negotiate. Well, that's a built-in failure for our side and he wants it to stop permanently. Well, now, that would be, I think, an utterly stupid thing for us to agree and promise that we would stop bombing on a permanent basis before we negotiate.

So, why don't we just ask why doesn't President Johnson and Premier Ky send a message to Ho Chi Minh something along this line—in substance like this . . . Our governments request that you, in collaboration with the NLF, to the degree you feel appropriate, set the time and the place for negotiations to begin, in order that we may stop this holocaust. We will provide that our emissaries be at that place at that time.

Scali. Right.

General Shoup. And when the gavel sounds at the beginning of negotiation, we pledge that there will be no more combat, no more firing of any lethal weapon by our side, except in self defense. We don't even tell him he has to stop. We just say we won't fire, except in self defense. And long as negotiations are in progress, we will maintain this status quo, not firing, except in self defense. And that, during this time, we shall continue aerial and ground reconnaisance, only to the degree necessary to prevent surprise. Now, I feel, John, that there is food for thought in that for the government of South Vietnam. They have the option of stopping the bombing, and they can stop it, and they can keep it stopped.

Scali. You mean the government of North Vietnam.

General Shoup. Yes, I mean Ho Chi Minh's government.

Scali. Right.

General Shoup. He can stop it at his will, and he can keep it stopped at his will, and that's what he wants to do. And it doesn't cause us to stop it before we actually are ready to sit down and negotiate.

I think it has room for thought. Further, I feel this way about it. By an effort of this kind, number one. . . . If Ho Chi Minh can refuse such an offer, then the peoples of the world, and the people of America are going to be one hundred per cent behind our government, by making such an offer and having it turned down. And secondly, if it's turned down, I believe we will find out the one thing, we, in my opinion, need most to know. And that is, that China is, in fact, in a position of having guaranteed Ho Chi Minh that they will, at the appropriate time, enter this war, with all of China's forces. And I think it would be well worth finding out what the situation is there, even though Ho Chi Minh turned it down. And I don't think he can.

Announcer. John Scali will be back with a final word after this message in just one minute.

Scali. There will be people who will be surprised by the General's outspoken remarks. Many will disagree. But although his views are unconventional, he can't be labeled a dove. He favors full backing for American troops in Vietnam, including bombing, as long as the fighting goes on. But as a thoughtful military man, he's deeply troubled because so many young Americans are now committed on the mainland of Asia, fighting the kind of war that he and many of his colleagues have always warned against. But his criticism is not solely negative or backwards looking. His suggestion for a total cease fire, with appropriate safeguards, as a means of getting talks started is new, and imaginative. It deserves serious consideration by an Administration seeking an honorable way out of the Vietnam dilemma. This is John Scali in Washington.

Announcer. This has been ABC Scope, the Vietnam War, Part 85, "An Uncommon Breed." Join us again next week over many of these ABC stations when ABC Scope presents "Battlefront in the 'Other War' "—a study of the pacification program in one crucial Vietnamese province. John Causier speaking. This has been a presentation of ABC News.

WHITEWASH OF BLACK REVOLUTION

Mr. TOWER. Mr. President, George S. Schuyler of North American Newspaper Alliance has recently written a provoking column which other Senator's may find it worthwhile to review. I, therefore, ask that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Negro Conservative Views: Black Racists Can Now Sit, Wait for the Big Whitewash

(Editor's Note.—George S. Schuyler, the Negro conservative, the author of "Black No More" and "Black But Conservative," has been a newspaperman for half a century. He believes that the government, by pampering to the least responsible and least ambitious segment of the Negro community, is creating a social and moral problem that will become more tortured with each passing year.)

(By George S. Schuyler)

New York (NANA).—Judging by the past, long-suffering America can look forward to a monstrous whitewash of the Black Revolution by the President's Commission on Civil Disorders. Its membership does not inspire confidence that it has the guts to face the harsh facts and come up with a courageous and forthright solution. The odor of politics pollutes the air.

What good can come of it in the face of the depressing spectacle of supposedly intelligent and responsible people excusing this crime wave on the same grounds as the criminals' advocates advance? What can be expected when some police forces hold off shooting down these arsonists, vandals and guerrilla fighters for fear of further inflaming them? What is the future of a society where a guerrilla who rapes a child is (or at least used to be!) executed while guerrillas who rape a city are released with fines?

Police stations are picketed and stoned. Cops who try to suppress insurrection are accused of "police brutality." Responsible Negroes, in the vast majority, are terrorized into silence, their homes gutted, their property destroyed, their womenfolk lining up to get refugee rations because grocery stores and meat markets have gone up in smoke. And, as in Newark, the conspirators hold a Black Power conference even before the debris has cooled, and anticipate the general thought by demanding the old Communist solution of a segregated Negro state.

One of the more frightening curiosities exhumed from the ashes of the proliferating holocausts has been the revelation of official ignorance and malfeasance. These supposed public servants almost tearfully now confess that they didn't know the black racists were playing "for real"; that they were unaware of the subversive cells dug into the framework of their communities and parked on the anti-poverty payroll. These hibernating agitators, awaiting the pep talks of peripatetic incendiaries before, on signal, sending their mentally retarded and criminal followers into the streets flinging Molotov cocktails, have become so sure of themselves that, unlike the traditional criminals, they neither hide nor go on the lam.

Rather, they impertinently accuse the white victims of their outrages of being actually at fault and demand, at the price of communal peace, that the wastrels be provided with residential Taj Mahals and jobs for which they are untrained.

Part of the softness of high officialdom is due to its trance-like fascination for the theories of guilt-ridden intellectuals who, for lack of anything better to do, would remake the world. Never at peace with themselves or their country, these book-bred Svengalis would revolutionize America into a place unrecognizable, and, to most sensible Negroes and whites, unwanted.

This has pathetically raised the expectations of the cretins and incompetents and encouraged the delinquent and criminal element which lurks in the shadows in every city on earth. This process has been variously dubbed the New Freedom, the New Deal, the New Frontier and the Great Society (it grates on the national nerves).

Millions unconvinced that pushing a piece of paper into a box once a year will bring utopia, have been bedeviled into herding to the polls, with no specifications for what. Rural roustabouts, subnormals and incompetents have been encouraged to abandon the boondocks to flood city relief rolls which swell despite increasing prosperity. Prolific females breed industriously with a succession of "husbands" at taxpayers' expense until bankrupt big cities bawl for Federal succor.

For ten years officials supposed to represent the people's interests were cowed by accusatory fulminations of the organized intellectual hustlers, fakers and frauds mouthing their sociological mumbo-jumbo, and the interminable public demonstrations and confrontations they masterminded. This moronic rigamarole was enthusiastically aided and abetted by the communications media that preferred to promote the idiocies of black Marxists over the sagacity of Rev. Joseph H. Jackson, head of the 5.5 million National Baptist Convention, Inc., in projecting the Negro image. This was backed by the growing swarm of "ologists" (psycho and socio) whose apologetics packed the daily and periodical press, holding to the heresy that you could conjure "culture" from a cretin—if you spent enough tax money.

Meanwhile the alarmed colored and whites who had sought the civilizing influence of the cities as relief from Appalachia, the Ozarks and the Piney Woods, now in turn fled the deteriorating and anachronistic metropolises for the suburbs they could afford as the myriads from the marshes and glens moved in. This left the welfarists, the indigent, the incompetent to booze, bed and burglarize, while their offspring roamed the nocturnal by-ways, knowing they could sleep on their desks next day.

Regardless of education, anybody could accurately predict where it would lead. Just as mutations occur in the steaming, primoridal swamps, so strange, new breeds are born in the asphalt jungles with hominid intellects increasingly prevailing as the epicenter is approached. It has become fashionable to tell these denizens they are frustrated (as who isn't?); that they deserve a skilled job although untrained to do anything but procreate and mug; that they should have a home commensurate with the number of their offspring; and that they should run the schools and take over by plebiscite the spending of the enormous funds allotted for their succor, and now glommed by prehensile politicians.

This is a happy hunting ground for young adventurers inspired by The Guevara and other more venerable exponents of guerrilla warfare. They have learned how to shout up a mob and use juvenile delinquents and criminals to do the rough work of arson, sniping and vandalism. The urge to rob and steal being world-wide, whenever a store is broken into the weaker neighbors are ever ready to reach in for a ham, a TV set or a bottle of Old Crackskull.

However, this looting mob would never move without leadership that has indoctrinated them to despise and defy the forces of law and order, to make them sorry for themselves for being "deprived" and to stir hatreds which are never far from the surface. The more handouts that are given, the louder they clamor for more.

It is clear that these destructive uproars are the work of trained instigators who lure out the delinquents and criminals. They have a cell in every city ready to seize upon the slightest incident to precipitate a riot. Like Marxist Typhoid Marys, they roam the country spreading infection. To stop the disease you have to curtail the carriers.

Many of these "leaders," marching under the shield of civil rights, are clearly psychiatric cases and need long care in some quiet place far from the temptation of the madding crowd. So one wonders about Micronesia where several thousand palm-fringed atolls cover an area almost equal to that of the continental United States. This solution (which Johnson's commission will not present) would calm down the mobs, save lives and property and give our country some much-needed peace.

POVERTY IN RURAL AMERICA

Mr. NELSON. Mr. President, poverty in rural areas has not attracted as much attention as the conditions plaguing our urban areas, but the poverty in rural areas of this Nation is just as real and just as tragic.

In a recent article, the Washington Post described the shameful living conditions of some parts of Kentucky and the efforts being made by the Government to help change the lives of the people there.

I am pleased that the Nelson amendment to the poverty program has a part in that work.

But not enough is being done, and the overall situation is far from satisfactory. We are supplying a trickle of assistance when a massive effort is needed.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Don't Smile at a Real Dogpatch: In Kentucky's Hollows

(By Paul Good)

Go into the mountains of eastern Kentucky and you'll never again smile at Lil Abner's Dogpatch. But you may come away wondering about the ability of present Federal programs to change the face of rural poverty in the United States.

Despite $6.5 billion spent to fight poverty in the 12-state Appalachian region, men without work or the hope of it still sit outside their shacks staring away their days in towns with names like Scuddy, Defiance and Boon Ledge. Women come out from the hollows between green hills to buy Federal food stamps to keep their families alive. Children who have happily gone barefoot all summer now hope that shoes will arrive from some quarter so that they can begin school.

The poverty in eastern Kentucky is overwhelmingly white but it is the same spirit-sapping variety endemic among Negroes in the rural South. It has become a way of life in counties where a quarter of the adults cannot read or write and the per capita income hovers around $600 or $700 a year.

FUGITIVE WEALTH

These poverty-stricken lives are lived in an area of unique natural beauty and great mineral wealth. Fifty-five years of mining have removed two billion tons of coal and there are an estimated 33 billion tons remaining. But absence mine ownership paying virtually no taxes extracts fortunes from the mountains and leaves only a pittance in salaries.

Harry M. Caudill, author of "Night Comes to the Cumberland" and chairman of the Congress for Appalachian Development, recently told the Senate Committee on Government Operations:

"Perry County, Ky., boasts the biggest coal auger and one of the best seams of steam coal in America. A single mining combine holds orders from TVA for more than $100 million worth of fuel. Millions of dollars worth of mining machinery send a river of coal past ancient flimsy school houses. Perry County pays only 8 per cent of the cost of running its schools—enough to keep them going three weeks out of the year."

Fifty four per cent of the families in Perry County earn less than $3,000 a year. There are 8,130 families in the county and 1,483 of them earn less than $1,000 a year. The anomaly between these figures and coal company orders for $100 million provides a background for the plight of eastern Kentucky today.

FLIGHT TO CITIES

Fifteen years ago, the coal industry was providing full employment in the area. Then, overnight, automation arrived and men who had spent their lives laboring awoke to idleness. James E. Widner and his five children are among the victims.

They live in Leslie County, one of the 611 families there which make less than $1000 a year. The county population has dropped 30 per cent in one decade as people fled known poverty to the unknown life in big cities. The blackened timbers of abandoned coal tipples scar the green landscape and scaffolding for mine cars sags grotesquely.

The Widner family lives in a shack that rents for $10 a month. They must cross the highway to a neighbor's to draw water. Like so many mining veterans, Widner is an ailing man who looks much older than his 55 years.

His back was broken in a mine accident and his sight was failing, but he worked until jobs ran out. For a while, he drew a $50 a month pension, but he says that his papers were lost in some remote office and the pension stopped. With a fifth grade education, Widner can do little more than write his name.

The poverty program touched the family briefly when he was enrolled in the Work Experience and Training Program, which pays up to $250 a month to chronically unemployed men over an eight-week period while ostensibly preparing them for work. Because he is technically employable under Kentucky law, he cannot get on the welfare rolls, where the average benefit for a family of four is $111 a month.

"I raise me a pretty good garden," he says. "I couldn't make it if I didn't. That and the food stamps. Now they just dropped the price and we pay $3 for $90 worth and that lasts us about three weeks. Then you have to scrape around, borrowing.

"Even though I got busted up in the mines, I'd go back if there was anything there and I could get a work certificate with my eyes. But I'm blind in one and have 30 per cent vision in the other, and they won't give it to me."

A father's dead-end pattern is being repeated with his son. George Widner, 21, is married and has two children. He dropped out of school in the eighth grade to help his family and knows no other work but mining. But he has been unable to find a job for many months, his unemployment checks have run out and he is up against it.

George Widner is bright and cleancut, but his philosophy of life and work is disturbing.

"You just go out looking and hoping to snatch a job here or there," he says. "Sure, I'd like to do something else, but I know I can't without an education. The way I look at mining is, if you get busted up like my daddy, you don't get much out of it. But if you get killed, at least your family gets a chunk of money that'll do them for a while."

"SO THEY CAN LEAVE"

In the city of Hazard, Office of Economic Opportunity director Everett Tharp tries to make bricks without straw.

"There's an air of defeatism now," he says. "Here in Perry County we've got 6000 people on food stamps out of a population of 34,000, and there's more than that needs them but aren't getting them. I know there are hungry children and I also know the best food program is a job for the father in the house.

"What I'd like to see—but I don't see it—is a broad, comprehensive manpower plan for the area, like the Job Corps but bigger, with courses in heavy equipment training, mechanics and such. Teach them a trade so maybe they can leave this county and get work."

Kentucky's state welfare regulations are inflexible, do not provide immediate funds in emergencies and scarcely meet long-term subsistence needs. Although the Federal Government contributes more than 50 per cent of welfare money, it has no say in how cases are handled. Applicants for Tharp's poverty programs vastly outnumber available places and he does not know how much longer even these programs will be funded.

The local operation of the Labor Department's Work Experience and Training Program suggests why so many millions pumped into Appalachia have produced as little result. Theoretically, the program (dubbed "Happy Pappies" in eastern Kentucky) provides both money in the pocket and a new lease on employment life to unemployed heads of households. But to begin with, Tharp had funds for only 34 men while Perry County's 40 per cent unemployment left hundreds in need.

What training did the 34 get? OEO worker Charles Maggard, 27, explained:

"They taught how to dress, how to fill out job questionnaires, even how to make out their income tax. Some of the men were 60 years old. They just thought it was a big joke.

"Younger men get out of here as fast as they can. I'd say 95 per cent of those I went to school with have gone to Detroit or someplace looking for factory work."

The irony in teaching men with no income how to fill out tax forms indicates a flaw in the poverty program not limited to Appalachia.

It is also clear that the OEO alone cannot remake eastern Kentucky in the absence of legislation that would oblige mining companies to shovel some of the wealth they take from the ground back into communities through special taxes. But ways do exist for the poverty program to make an impact on the area.

For example, the Nelson amendment to the Manpower Act provides funds to communities for year-long employment of jobless men to work on projects like bridge and school building and improvement of water and sanitary facilities.

It is basically the old WPA idea of the '30s that provided jobless men with the dignity of labor and in the process created some works of lasting value. But Nelson amendment funds are a trickle where a massive flow is needed.

In the four-county OEO area of Leslie, Knott, Letcher and Perry Counties, there are openings for only 89 men on Nelson amendment projects. Leslie County Judge George Wooton is chairman of the OEO. He grows lyrical envisioning what a major commitment could do for eastern Kentucky.

"Our area is steep, rough, rustic, rural and remote," he says. "Here in Leslie County we have no railroad, inadequate roads, too many one-room schools and an economic situation going down, down, down, down.

"But it doesn't have to be that way. This county should be planned and zoned, dams built to prevent floods that bring disaster and a whole series of waterway lakes created to create electric power for industry and bring in tourism.

"We should be living up on the tops of the mountains instead of down in the hollows. All we need is the resources to get going on the job. We've got the manpower, good mountain people who like their old ways and values but want to work to make this a place their kids will want to stay in instead of running away from."

SOME NATIONAL ATTENTION

He is pushing projects in Leslie County to create roadside parks and rebuild the picturesque but precarious swing bridges that link mountain families to the main roads over creeks that run wild in flood time. But he is hampered by a skimpy county treasury and Federal funds that supply a tantalizing glimpse of what might be done if a major financial commitment were made.

Forces are in motion in Appalachia to spur such a commitment. A board of inquiry called by the Citizens Crusade Against Poverty held a public hearing at Hazard last week to record the experiences of mountain families. Eventually it will include its findings in a broad report on Nationwide poverty. In Chicago recently, 50 of the 88 sisters in the Glenmary order of Catholic nuns left the order to work full-time in Kentucky and other Appalachian regions. Men like Harry Caudill have gone to Washington to plead the case for the region.

But whether brave words and individual dedication can budge Congress into drastic action is a large question. This month, as the plight of eastern Kentucky worsened, the House Public Works Committee cut $53.6 million from the Administration's aid-to-Appalachia bill in the name of national economy.

VIETNAM'S ELECTIONS WERE A "REMARKABLE PERFORMANCE"

Mr. MONRONEY. Mr. President—

When all the pluses and minuses are balanced out, Sunday's election in South Vietnam was truly a remarkable performance.

This is the editorial view of the Washington Evening Star—and, I daresay, of most reasonable Americans.

For, as the Star notes, some 80 percent of the country's registered voters turned out at the polls on election day, despite the terror tactics of the Vietcong—tactics that emphasized the importance they gave to these elections.

I doubt whether the importance of these elections can be easily exaggerated. As Rev. Edward Elson, of Washington, who observed the elections in Vietnam, declared recently, the elections were "a mighty step forward—an election in Asia in a country at war."

The Vietnam elections were indeed a "mighty step forward" for the people of South Vietnam. And as President Johnson has said, the election was even more important to that nation's future than a victorious military engagement with the enemy.

I ask unanimous consent that the Washington Star editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Thieu-Ky Victory

When all the pluses and minuses are balanced out, Sunday's election in South Vietnam was truly a remarkable performance.

Most remarkable of all, of course, was the fact that some 83 percent of the eligible voters went to the polling places. If many and perhaps most of them did not quite understand what it was all about, the fact remains that they were determined to vote—and that they did vote. The Viet Cong terror tactics, which killed some and injured many more, could not frighten away the voters. Advance charges of fraud, some suggesting that the election had been rigged and would be a meaningless affair, did not cool the ardor of the South Vietnamese. One may hope that they simply did not believe these accusations, and our own view is that there was very little basis for them.

In any event, the ballots were cast and the consensus of observers from 24 countries, invited in by the Saigon government, was that the election was more fair than unfair. As the Rev. Dr. Edward L. R. Elson, pastor of the National Presbyterian Church in Washington, put it: "One point should be made strongly. If not precisely fair, it is still a mighty move forward—an election in Asia in a country at war."

The winning Thieu-Ky ticket did not do as well as the two men had hoped or as well as had been generally expected. On the basis of a nearly-completed unofficial tally, the winners got about one-third of the total vote. They had hoped for about 40 percent, and Ky had predicted a clear majority. The rest of the votes were split among 10 teams of civilian candidates. The winners, however, were holding a 2 to 1 margin over the second-place team headed by Trong Dinh Dzu. Perhaps significantly, he was the foremost spokesman for peace and the leading critic of the military regime. He had been expected to run fourth or fifth.

Well, what now?

President Johnson is represented as being pleased with the outcome, and, since he had a considerable prestige stake in the election, he should be. Thieu, who will become president of South Vietnam, has said new peace overtures to Hanoi will be made. This may not mean much, however, since Hanoi, though it tried to wreck the election, has given no public indication that it is interested in peace.

Perhaps the most that can reasonably be hoped for is that South Vietnam, when its elected government is finally installed, will step up its war effort, expedite reforms essential to success of the pacification program, and function within the framework of something resembling a democratic system. There will not be a democratic society, as we understand that term. Only the hopelessly deluded could expect anything of this sort, however, since a really free political system for South Vietnam is something that, at best, must await the end of the war plus years of experience with the esoteric art of self-government.

GROWING RECOGNITION OF NEED TO STIMULATE RURAL ECONOMIC DEVELOPMENT

Mr. PEARSON. Mr. President, on August 30 I spoke on the subject of the national consensus regarding the need to slow down and to better control the great rural to urban migration which, on the one hand continues to depopulate the countryside and small towns and on the other hand intensifies the population pressures on the already overcrowded and troubled cities. At that time I inserted in the Record a sampling of newspaper editorials and other documents serving to indicate the breadth and depth of this consensus.

This growing national debate has been most encouraging and I have been particularly pleased with the favorable public reaction to the Rural Job Development Act of 1967 introduced by the distinguished Senator from Oklahoma [Mr. Harris] and me on July 21. We, and the 28 other Senators who have cosponsored this measure, are gratified that we have been able to contribute to this national debate.

Mr. President, last week two witnesses before the Presidential Commission on Urban Problems joined the growing number of urban experts in arguing that the slowing down or actual reversal of the flow of rural migrants to the urban areas would constitute a major and valuable new approach to dealing with the crisis of the cities.

Mr. President, I ask unanimous consent that there be printed in the Record at this point a column by Dorothy Wood appearing in the Wichita Eagle of September 2, 1967, which reviews various editorial comments from around the country on the subject of slowing the rural migration, and the editorial appearing in today's Washington Post entitled "Rural Migrants."

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the Wichita Eagle, Sept. 2, 1967]

Solution: Keep 'Em on the Farm

(By Dorothy Wood)

Problems of the cities were still engaging the attention of the nation's editorial writers this week. But many of them are turning the problem around, and scrutinizing the proposal that one way to help the cities is to keep people "down on the farm."

"Studies of federal bureaus indicate that the rural migration to the cities by white and Negro poor will continue through the mid-1970's. The predictable consequences will include a swelling of urban welfare rolls, an intensification of existing urban social problems and a further drift of the white middle class to the suburbs and beyond. Is there no way to arrest this unhappy trend?" asked the St. Louis Post-Dispatch.

It answered itself:

"Some social philosophers, notably Paul Goodman, have urged that public policy be directed toward creating a viable rural alternative. Why not help rural families to stay in the country if that is what they want? And why not help urban families, particularly the newly-arrived rural immigrants, to return to the open spaces if that is what they desire? The $17,500 average cost of one of the new public housing units at the Blumeyer project might buy more and better housing in the country. And as Goodman points out, welfare checks that purchase only destitution and undernourishment in the big cities are more than sufficient for a decent life in the de-populating areas of rural America.

"The Scandinavian countries have promoted rural life as an acceptable alternative to urban living, and there is no reason why we cannot do the same. Our excessive urbanization and the continuation of migration from the countryside lend urgency to the need."

The Minneapolis Star joined the chorus:

"The crowding of people from rural areas into urban centers is largely responsible for this summer's racial violence," it charged.

"Thus new attention has turned to rural development, not only to stem the migration to overcrowded cities, but to reverse the trend. The Republican party's National Coordinating Committee has just released a report by its Task Force on Job Opportunities and Welfare. The task force proposes a program to revitalize rural America.

"The recommendations include incentives (such as tax concessions and government contracts) for factories to locate in poor rural districts, assigning government installations to such areas, increased aid for rural schools and more vocational-technical schools in the country, federal-private cooperation in poverty programs, better employment services in rural communities, etc.

"Most Republican congressmen voted against a similar program for the Appalachia region, which was enacted anyway. Now they may have a change of heart . . . Agriculture Secretary Freeman and other top officials are sponsoring a meeting in Washington on Dec. 11 to try to spread more evenly across the nation a population which now has 70 per cent of its numbers crowded onto 1 per cent of the land . . . making rural America more attractive economically will help solve the problem of low farm incomes as well as relieve the pressure on metropolitan centers.

"Maybe a Rural Coalition is needed to supplement the work just begun by the Urban Coalition."

And Farmland paid tribute to a measure sponsored by a Kansas Senator, which predated the GOP Task Force report:

"On an allied front at the Capitol, meanwhile, two Senators are pushing a new bill designed to do something concrete about providing job openings in rural areas. The bill by Senators James Pearson of Kansas and Fred R. Harris of Oklahoma would offer new tax incentives to private industries which locate in low-income rural areas.

"Pearson is a Republican and Harris is a Democrat. Their bipartisan plan is based on the theory that the nation as a whole would gain from the economic revival of rural areas and should be willing to invest in the effort through a tax subsidy.

"But in the long run, the Senators maintain this investment would pay a cash profit to the federal treasury. Exact predictions are impossible, they conceded, but the taxes which would be paid by new industries and newly-employed people would be in the long run add up to more than the government would give up in tax concessions.

". . . 'The crisis of the cities looms so large today precisely because we have been so ineffective in the past in dealing with the basic problems of non-metropolitan areas . . . the great challenge is not simply to make the cities more livable for more and more people, but how to keep more and more people from crowding into them,' says Pearson."

[From the Washington Post, Sept. 11, 1967]

Rural Migrants

Two witnesses before the Presidential Commission of Urban Problems last week suggested that the tide of immigration from rural to urban areas be reversed. Paul N. Ylvisaker, New Jersey Commissioner of Community Affairs, called for a national migration policy to halt the flow of the rural poor into urban slums. Jack E. Wood of the National Committee Against Discrimination in Housing recommended steps to open opportunities for citizens migrating from city centers to suburbs.

This is a healthy sign that the country is awakening to a crisis that long has concerned many rural experts. There has been an historic movement from farm to city areas that the country has come to regard as normal and inevitable. In the earlier decades of this century it was a migration of representative rural folk, including some of the most gifted people. An annual flow of some 250,000 high school graduates into cities has been a great contribution to urban progress. But the migrants have increasingly come from disadvantaged areas. The rural counties lost 8 per cent of their population to the cities between 1950 and 1960. And many of these migrants were people driven from rural areas by a technological revolution in agriculture. Their emigration to the cities simply transformed rural wretchedness into urban wretchedness.

A democratic society cannot stop such population movements by ukase or decree. (Some totalitarian systems are trying to stop similar shifts by such means.) Secretary of Agriculture Orville Freeman has defined the only democratic means of reversing this tide. He told a population conference in 1966: "When meaningful alternatives give Americans real freedom of choice . . . the population movement from country to city will level off, and even go into reverse."

The President's National Advisory Commission on Food and Fiber has pointed out that the 1959 annual median income of urban families was $6166 compared with $4750 for rural non-farm famlies and $3228 for rural farm families. It recommended a broad program of rural help—fuller use of rural manpower, investment to increase the skills of rural people, assurance to the rural poor of a decent living standard. The Commission urged a whole program of action to "encourage economic development within reach of rural people."

The Commission concluded that "economic development of the rural areas must be the answer," in the long run. It urged guaranteed minimum incomes to take up the slack in the short run. Whatever the precise means, we need to cease moving people from impoverished rural areas into impoverished urban areas. This unwise, unplanned and unprofitable migration can be reversed only by making rural life more remunerative economically and more rewarding culturally.

POVERTY—A PERSONAL PERSPECTIVE

Mr. MONDALE. Mr. President, most discussions of poverty in our affluent society are full of statistical arrays depicting such generalized items as income levels, units of housing, and health status. Such statistics are, of course, vitally necessary, for they inform us of conditions which must be remedied.

But statistics are abstracts of reality, only indicators of the circumstances in which millions of our fellow citizens really live each day. The danger of such abstract grappling with the problems of poverty is the peril of losing sight of persons in the jumble of numbers.

Losing sight of people, even while trying to improve their situation, will cause the antipoverty effort to fail more certainly than anything else. The human being is the target of our effort. We must not forget that individual men, women, and children, living with little hope for a better tomorrow, are the only reason for the Economic Opportunity Act.

Recently, the Meeker-Wright County, Minn., Community Action News carried a column by the Reverend Oliver Dufresne, pastor of Our Lady of Manannah Church in Grove City, Minn. Mr. President, this unusual column discusses poverty from a personal perspective. Pastor Dufresne parallels the nationwide antipoverty effort with communitywide efforts to fight serious flooding, or to search for a lost child, or to rebuild a farm building damaged by fire. In Pastor Dufresne's view, the Office of Economic Opportunity is but an organized and institutionalized effort to extend the hand of help—so much a part of the American tradition—to the millions of our countrymen living in poverty.

Mr. President, I commend this excellent column to the attention of the Senate and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

OEO Way of Being Brother's Keeper

(By the Reverend Oliver Dufresne, pastor, Our Lady of Manannah Church, Grove City, Minn.)

A tremendous outpouring of manpower occurs, searching fields and woods, when it's reported a child has been lost. When rivers reach flood stage, many hands offer help in stacking sand bags and in rescuing victims. When a farmer's home burns out, we hear of many helping hands, as the people of a community give their prompt and generous aid.

What accounts for man's response to his fellowman's need? Isn't it the bond of brotherhood, the fact that, in some way, we are all part of each other? Isn't it this that motivates us, promptly, to aid a distressed fellow human being?

Oh yes, there are always the shortcomings, when human nature fails to respond, as the 30 people who only watched, but didn't help, when a girl was raped and stabbed to death. However, such lack of respnose shocked us, because, normally, we somehow feel a strong tendency to assist another in a crisis.

OEO (The Office of Economic Opportunity) (or; also called the Anti-Poverty Program) is simply this.

"The man who can, is helping his fellowman." A lost child, a flood or a fire, take many people to give effective help. The larger problems of unemployment, slums, sub-standard incomes, widespread illiteracy, much-needed health care all the more need the help of many more people. Bigger problems need bigger solutions.

In other words, there are so many, many poverty-category U.S. citizens that a big and organized program like OEO is the only way effective help can be given to the many in real need.

Sure, here too, we don't have perfection. Lazy citizens, social parasites, always exist. But who are you and I to say that all, or most, poverty plagued people are lazy and good for nothing? It has never been proved that more than a very small minority are lazy.

I believe most people want dignity and self respect. But I do believe many are caught in a bind, due to such things as: no talent; no education; no opportunity to break the poverty cycle; no example of a stable and industrious family to imitate.

To me, it seems cruel and harsh for someone to say: "Let them work as I did"; "Let them pull themselves up by their bootstraps." Does one who speaks this way have the facts he judges so rashly? Such wild generalizations are not in the tradition of American fairplay and patriotism, to say nothing of Christian charity.

I wonder if we have Cain's blood in our veins, when we become testy and tight fisted with our income? The very talents that may have brought some success to us, are really God's gifts. He expects a return, by our generosity to our fellowman. We are our brother's keeper!

Surely, the American genius can see the good in the Anti-Poverty Program, can work out its bugs, and can loyally cooperate in the tradition that has made our country so great. A good start has been made by the Meeker-Wright Community Action council. The Neighborhood Youth Corps, has had good results. The Farm Management program is active and received favorably. The Project-Headstart Program is doing well too. . . .

Would that the American dream would evolve into an ideal society, where all men help each other, patient with those who are frail, and in this way, proving that love is greatest when it is compassionate and merciful.

Who amongst us wants to forget that spirit of America, surely inspired by God, and so well summed up by the inscription on the base of the Statue of Liberty:

"Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore,
Send these, the homeless, tempest-tossed, to me:
I lift my lamp beside the golden door."

McGEORGE BUNDY'S ANALYSIS OF REPORT OF PREPAREDNESS SUBCOMMITTEE

Mr. McGEE. Mr. President, this morning's Washington Post contains a communication of great importance and wis-

dom from McGeorge Bundy. Mr. Bundy has engaged in a critical analysis of the recent summary report of the Preparedness Subcommittee which recommended wider air action against North Vietnam. He finds it deficient and, with utter reasonableness and a great deal of logical argument, details its weaknesses. The report, he states, appeals to the authority of military professionals simply because they are professionals, rather than to evidence; it pushes aside political and diplomatic considerations; gives lipservice to the principle of civilan control, but tends to deny that principle in fact, and moves dangerously in suggesting that our current course of action in Vietnam increases the human cost for Americans.

Taken together—

Bundy writes—

these four weaknesses make the subcommittee's report a poor guide to action.

Mr. President, I ask unanimous consent that Mr. Bundy's communication be printed in the Record.

There being no objection, the communication was ordered to be printed in the Record, as follows:

A Communication

The summary report of the Senate Preparedness Subcommittee is a document which repays study. There can be no question of the patriotism and dedication of Sen. Stennis and his colleagues, and their unanimous recommendations of wider air action seems impressive—until one examines the argument with which they support it. That argument contains four decisive weaknesses which fully explain the President's polite but firm insistence on hearing the counsel of *all* his senior advisers before deciding on matters of this moment.

First, the Senators appeal not to evidence but to authority. They set a group of generals and admirals against Secretary McNamara, and their position is that the generals and admirals are right simply because they are professionals. The Subcommittee does not demonstrate the military value of the course it urges; it simply tells us that the generals and admirals are for it. It is true that both sides in such a public argument are hampered by problems of security, but Secretary McNamara, in his powerful public statement before the Subcommittee, offered extensive evidence—facts and figures—in support of his position. The Subcommittee answers only with a repeated appeal to the opinions of officers it heard.

Nothing is less reliable, in hard choices of this sort, than the unsupported opinion of men who are arguing the value of their own chosen instrument—in this case military force. We must not be surprised, and still less persuaded, when generals and admirals recommend additional military action—what do we expect them to recommend? The interesting question is always whether their supporting argument is strong or weak, and on this critical point the summary report tells us nothing. There is literally no evidence at all, in this report, for the Subcommittee's sweeping conclusions that the restrictions currently in effect are "vital to the success of the air war."

In fairness it must be said that the appeal to authority instead of evidence is a habit which others have developed, too, in the long argument over Vietnam. Just last Sunday, for example, another journal once more cited the authority of the Secretary General in support of a new bombing pause, while on another page we were told that the Secretary General's own assistants say he has no direct evidence to support his judgment. Given his well-known views on the war in general and the bombing in particular, the Secretary General's obviously sincere belief in the value of a new pause is no more convincing—in the absence of supporting evidence—than military belief in intensified bombing.

Second, in reaching its conclusions and recommendations, the Subcommittee report pushes aside all political and diplomatic considerations—and all risks of wider conflict. The Subcommittee tells us simply to "take the risks that have to be taken and apply the force that is required." It thus neglects to examine what its own report calls the "serious and legitimate question" of policy "over and above purely military considerations." The Subcommittee heard no intelligence expert on the dangers of such an action as closing the port of Haiphong. It heard no political expert on the international costs of "striking all meaningful targets with a military significance" (a definition so broad as to permit virtually unlimited target choice). It attempted no trial balance between the military advantages it claims for this course and the risks whose existence it admits but does not examine. The Subcommittee might well reply that other committees of the Senate are responsible for questions of intelligence and of foreign policy, but then it would have to tell us why it has chosen to move from its assigned field of preparedness into these very large questions of national policy.

Third, while the Subcommittee gives lipservice to the principle of civilian control, its main line of argument tends to deny that principle. The Subcommittee is quite right in its assertion that the military leaders of this war have been generally scrupulous in their respect for civilian control, but its own report is not so careful. It tells us that it is wrong for "strategy or tactics to come under the influence or direction of unskilled amateurs." In another place the Subcommittee recognizes the right of the Commander-in-Chief to set "broad policies and objectives," but it does not seem to understand that the real issues between military men and their civilian supervisors develop just where there is a conflict between the tactical or strategic desires of the military and the broad policies of the Commander-in-Chief. Is it really wrong to insist on directions of flight that minimize the danger of intrusion into Red China? Is it an error to insist on standards of accuracy and identification much tighter than those which "purely military considerations" have imposed in other wars?

When we move to larger issues, the case for civilian control is stronger still. These issues require a careful judgment between military value and political cost (I use the word political to include the whole range of non-military considerations ranging from simple humanity to complex intercontinental diplomacy). In such a calculation there is no escape from the necessity to ask hard questions—to test the evidence and not simply to bow to professional authority. Presumably nearly all well-executed military measures have some military effect, but how much? and how lasting? and at what overall cost? In our system of government there is only one place where these questions can be resolved; this is precisely why our Commander-in-Chief is the President. The President cannot delegate this responsibility, and I am sure the Subcommittee does not want him to. But civilian control means civilian control, and in a complex contest the exercise of that control will inevitably place limits upon both strategy and tactics.

Fourth, the Subcommittee Report moves onto dangerous ground when it suggests that the course chosen by the Administration has increased the cost of the war in American lives. The Subcommittee knows that the President yields to no one in the depth of his feeling for those whose lives are at risk in Vietnam. If he knew a cheaper way of doing this hard job, he would surely choose it. But it is a part of the necessary price of this war—as of all wars—that there is unequal sacrifice for the wider safety of all. To take an extreme example, the President could save American lives—at least in the short run and in the immediate theater—if he were to authorize the use of nuclear weapons in Vietnam. Obviously he will do nothing of the sort, and everyone knows it. Similarly—and the case is not extreme at all—General Westmoreland could probably limit his immediate casualties at least a little if he did not insist on standards of discipline in fire control and target identification, which are unique in American warmaking. But the President and General Westmoreland cannot serve the wider interest which is the true justification for the sacrifices asked of our forces if they do not insist on such restraint. No one on any side of these arguments can want larger human losses—to Americans, to allied forces, to civilians, or indeed to the enemy. So none of us should yield to the temptation to wave the bloody shirt of other men's sacrifices.

Taken together, these four weaknesses make the Subcommittee's report a poor guide to action. I am far from saying that there is no agument at all for intensified bombing—as far as I am saying that there should never be another pause. What I do say is that the Subcommittee report does not make its case.

My own summary belief is that both the advocates and the opponents of the bombing continue to exaggregate its importance. I think it has had the real but limited value that Secretary McNamara described in his statement to the Subcommittee, but I know of no solid evidence for believing with the Subcommittee that its expansion offers our best hope of success, or with others that its indefinite and unconditional suspension will produce serious negotiations. To me it is the struggle in and for the South that will be decisive—bombing or no bombing, pause or no pause. I believe with Mr. McNamara that limited bombing helps in the Southern struggle, but neither in expanded bombing nor in any unconditional suspension do I see a likely substitute for the very hard work ahead in the South—for us, and still more for the new government of South Vietnam.

McGeorge Bundy,
Former Special Assistant to President Johnson.

THE PARTY (DEMOCRATIC) THAT THINKS IT OWNS THE PLACE (THE U.S.A.)

Mr. MUNDT. Mr. President, the current issue of Life magazine contains a staff editorial which should be read by every American. It is entitled "The Party That Thinks It Owns the Place." As I place this editorial in the Record, I am modifying the title a bit to clearly define both "the party" and "the place" alluded to.

As one who has served in Congress almost 30 years and who before that was a college teacher in the field of political science and public administration, I have observed the slow but steady process by which those elected or appointed to serve in our Federal Government, and their favored associates in private life, have developed a startling and disillusioning change of attitude whereby instead of considering themselves the servants of the people far too many of them have come to conceive themselves as the rulers of America.

Those who read and listen carefully to the speeches and pronouncements of certain high officials who have been either elected or appointed to positions of great power and influence and who belong to the political party which has held almost undisputed power in Washington for far too long will note the frequency with which these men who would be king allude to our Capital City and the entire country in possessive terms. The Life editorial has surfaced a state of mind and an official attitude which has attained a stature that is highly alarming to many knowledgeable citizens regardless of their party affiliations.

The opening sentence of this unprecedented editorial comment provides the theme which the remainder of the article carefully develops. It reads:

> The Democratic Party, which has held the Presidency for 27 of the last 35 years, has developed an unfortunate personality trait. It believes it owns the United States government lock, stock, and bureau.

Mr. President, the maintenance and functioning of a sound and workable two-party system at the Federal level has throughout history been one of the basic reasons for the unparalleled success of this Republic. When either political party for too long controls the Presidency with its vast appointive power and a Congress which is persuaded to rubberstamp its projects and programs, our Nation weakens and jeopardizes one of its fundamental safeguards of our individual freedoms.

Even the Federal courts, from the highest to the lowest, now reflect a political philosophy and a prevailing attitude directly associated with the political party which through its President has appointed a vast army of Federal judges devoted to its concept that the Federal state can do no wrong and that the people are the puppets of the bigtime politicians and their overwhelming powers.

I ask unanimous consent that the Life editorial entitled "The Party That Thinks It Owns the Place" be printed at this point in the Record. I do so with the realization that undoubtedly more Americans will read this remarkable analysis in Life than will read it in the comparatively small circulation provided by the Congressional Record. However, future historians who will search the Congressional Record for reasons for the curious changes now so unhappily making themselves felt in our American way of life should have available to them this highly significant editorial with its perceptive observations and its prophetic statements.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Party That Thinks It Owns the Place

The Democratic party, which has held the Presidency for 27 of the last 35 years, has developed an unfortunate personality trait. It believes it owns the United States government lock, stock and bureau.

There is no longer much of the old feeling that the party has been given a trust to guard and nurture, that it has the marvelous federal machine only on loan and it is to use it with care and even a little awe. Instead, the Democratic party has assumed that it is the proprietor of all it beholds along the Potomac. There are whiffs of this feeling even in the Capitol, which has changed hands more than the Presidency over these years. And the feeling grows stronger as one progresses down Pennsylvania Avenue toward the White House. The regulatory agencies and the huge departments are kind of private fiefdoms peopled by the favored patrons of the power structure. The Treasury is looked on as a gushing faucet to be used expressly for the experimentation of Democrats. Legislation is a kind of private game for the President to play. The party feels it owns the facts of democracy—the news—and is free to dispense them as it alone sees fit. Democrats even consider it their right to regulate the art and architecture of the federal city, and the cocktail circuit is becoming sort of a private race track for the promising Democratic yearlings.

To the victor, of course, belong the spoils. And the Democrats have won the government fairly. But they have been in residence so long now that they are irritable when anybody intrudes into their world. A great many of the very top civil servants who administer the executive branch came in as young men in Franklin Roosevelt's time. They have lived their lives in government, raised their children in Washington. They are in their early 60s, at the peak of their bureaucratic power. Dwight Eisenhower could not touch this structure in his whole eight Republican years.

The bright young attorneys who played such important roles in the Roosevelt and Truman administrations stayed in the city to found or join law firms. They now consider Washington's legal business their rightful inheritance. They know the machinery of government since they helped set it up. The great law firms, like Arnold and Porter, are headed by men who have held high government positions and now have many good friends and colleagues in high position including, in the case of Arnold and Porter, Supreme Court Justice Abe Fortas, who doubles as one of L.B.J.'s most trusted advisers. Men like Thomas (Tommy the Cork) Corcoran and Clark Clifford move quietly and confidently through the rear corridors of power, including the White House. Even graduate Democratic insiders no longer resident in the capital—Schlesinger, Galbraith, Salinger, Sorensen—travel through the lecture halls and the literary markets, not to mention foreign capitals, with authority and assertiveness.

The quintessence of proprietorship is shown by Lyndon Johnson, a 35-year resident of the city. He talks of "my government, my army, my bombers, my bills," and on his Far East trip last winter he told Australia's Harold Holt he was happy to have a chance to come out to look over "my prime ministers." He believes that it is his right to conduct the creative processes of government behind closed doors and tell the public only as much as he sees fit. He is now preparing his program for 1968, which will be vital to him politically but also will be vital to the nation. He has sent his men to gather ideas from more than a hundred of the best minds in America and all the suggestions, including those from his Cabinet officers, have been collected in a massive book from which Johnson will choose the things he wants. Neither the names of the contributors nor their suggestions will be made public, a process alien to the Democratic party, which used to derive its strength from its open noisiness.

A few weeks ago the party opened new headquarters down along the Potomac River, and the night that the Number 1 Democrat came to look over the new digs, they banned the press. When the President addressed some Democratic workers not long ago, the meeting was secret. The functions of the President's clubs, formed all over the United States to finance the party, are closed to public scrutiny. The party of the people that used to sweat and swear in the marketplace is now the party of the peephole.

Even the little rituals are guarded ferociously. During the Eisenhower years one journalist thought that since payday was such a delightful American institution it would be interesting to chronicle the President's payday. Ike, who never lost his awe of big government, was more than obliging, telling how his pay check came around from the Treasury Department, how he endorsed it and sent it over to his bank to be put into his personal account, and even a little bit about how he spent it. Several months ago when another writer went to the White House and asked for a story on what Lyndon Johnson did with his $100,000 salary he was met with a horrified expression and an incredulous, "Are you kidding?"

THE OPERATING ENGINEERS AND THE JOB CORPS

Mr. NELSON. Mr. President, the Job Corps program has been one of the Nation's most important means of helping youngsters fit themselves for useful futures. However, after they have completed this training, everything may be lost unless these young people have the opportunity to enter into fruitful occupations.

The Operating Engineers, one of the leading AFL–CIO unions, has been training and finding jobs for needy young men who have graduated from the Job Corps. I was most gratified to read in a recent issue of the AFL–CIO News that the Job Corps has recognized this important service by granting the union an award.

I ask unanimous consent that the story of the Operating Engineers' fine work be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

IUOE Given Gold Award by Job Corps

The Job Corps has presented its gold award to the Operating Engineers—a tribute to the union's success in training and finding jobs for needy youngsters.

The Operating Engineers, under the direction of their national administrator of training programs, John A. Jones, conduct a heavy equipment training program at Jacob's Creek, Tenn., which recently graduated 51 Job Corps trainees.

According to Reese Hammond, director of research and education for the Operating Engineers, 37 of these young men already have been placed in jobs throughout the nation, 26 in their home localities.

"MIGHTY PROUD"

As he presented a plaque to IUOE Pres. Hunter P. Wharton, Job Corps Dir. William T. Kelly declared:

"You ought to be mighty proud. Your organization is interested in working with poor kids. You have heart, interest and imagination. You care.

"We've got 41,000 youngsters throughout this country," Kelly continued. "They're Negro, white, Eskimo, Puerto Ricans, you name it. They aren't shooting their way out of the Job Corps. They're not leading riots. These kids are tough and poor and in all our 123 centers we teach them what unions are all about. You are making our task much easier."

Kelly was accompanied by his assistant, Robert Young; David Oestrich, chief of placement, and Joseph Jay, who handles labor liaison.

At the invitation of Wharton, the federal officials sat in on an Operating Engineers board meeting, at which Hammond gave a report on the heavy-equipment pretraining program at Jacob's Creek, where such equipment as scrapers, dozers and front-end loaders is used.

Key to the success of the placement in jobs, Hammond said, was the full co-operation of 29 Operating Engineers local unions all over the United States. Many of these have taken youngsters from outside their territory.

The plaque presented to Wharton was handmade by the Clearfield, Utah, Job Corps and was inscribed with the signatures of Vice Pres. Hubert H. Humphrey, Sargent Shriver, director of the Office of Economic Opportunity and Kelly.

LABOR COOPERATES WITH UNITED FUND DRIVES

Mr. BREWSTER. Mr. President, this year marks the 25th anniversary of cooperation between the American labor movement and the United Community Funds and Councils of America. This lengthy period of common effort has been of immense benefit in increasing the funds raised and in developing programs and services in communities all over the Nation.

In anticipation of the United Fund drives this year, which begin in some places late this month and continue in others as late as Thanksgiving Day, I ask unanimous consent that an article on this anniversary of cooperation, published in the AFL–CIO News, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOINT LABOR, UNITED FUND DRIVES MARK 25TH YEAR OF COOPERATION

The silver anniversary of labor participation in the united way of financing and administering social services is being marked this year by the AFL–CIO and the United Community Funds & Councils of America.

The now-accepted common effort developed out of a wartime agreement on joint campaign cooperation at a time when fund-raising appeared headed for chaos. It was signed Aug. 17, 1942, by Community Chests & Councils, Inc., predecessor of the UCFCA; the CIO Committee for American & Allied War Relief, and the AFL United Nations Relief Committee.

AFL–CIO Vice Pres. Joseph A. Beirne, who is president of the UCFCA, said the agreement signed 25 years ago "paved the way to active labor participation in community affairs in an organized and disciplined way."

Beirne, president of the Communications Workers, is chairman of the AFL–CIO Community Services Committee.

"Both as citizens and as trade unionists, we rejected separatism and accepted integration," he added. "By joining forces with the rest of the community in fund-raising and in the development of programs and services, we not only contributed to the strength of the united fund and labor movements but to the community and its citizens as a whole."

The original agreement provided for labor representation on the boards and committees of boards and agencies, that solicitation for funds be organized jointly by union and employer representatives with all pledges voluntary and coercion prohibited, and that local union war relief committees be recognized and incorporated into local War Chest campaigns.

How this cooperation has grown over the years was detailed by AFL–CIO Community Services Dir. Leo A. Perlis, who cited as its fruits "both measurable and immeasurable benefits which have accrued to the whole community."

"Before the agreement there was not a single labor man on the staff of any community chest anywhere," he recalled. "Today there are 160 full-time AFL–CIO community service representatives in 110 industrial communities.

"Twenty-five years ago there was not a single union counselor. Now there are 65,000 union counselors.

"Twenty-five years ago labor contributed only a few thousand dollars to local chests. In the past three annual campaigns, employees in AFL–CIO organized plants contributed almost half a billion dollars.

"In 1941 there were a handful of labor people on the boards and committees of community agencies. Today there are 75,000 union men and women serving on the policymaking bodies of these agencies—many of them as officers."

Perlis emphasized that whereas prior to the agreement strikers could expect no help from any community agency, voluntary or public, today thousands of agencies offer their services "as a matter of course and on the basis of need regardless of the cause of that need."

"As a result of this agreement," he continued, "united fund agencies benefited from labor participation, including the Boy Scouts, 20 percent of whose local leaders are AFL–CIO members; and the Red Cross blood banks, one-third of whose blood comes from AFL–CIO members.

"AGENCIES STRENGTHENED

"What cannot be readily measured but what is discernible, nevertheless, is the wholesome climate which this labor participation has brought about in many communities—wholesome in terms of agencies which are now more representative of the people and more responsive to people's needs."

The AFL–CIO was congratulated on the anniversary by UCFCA Exec. Dir. Lyman Ford, who declared that the united way "has been immeasurably strengthened by splendid support from organized labor for the last 25 years."

"I am happy," he said, "to pay tribute to my predecessors at UCFCA and to the leaders of organized labor a quarter-century ago who developed this constructive partnership. It has paid rich dividends in communities all over the land.

"The most significant aspect of the development is that organized labor has successfully organized its interst and involvement in community affairs. This has included intelligent assumption of responsibility as well as pressure for improved community services."

LEWIS AND CLARK JOB CORPS CENTER, N. DAK.

Mr. BURDICK. Mr. President, recently, Fort Totten, a former cavalry outpost in North Dakota, held its centennial celebration. Two history buffs from the Lewis and Clark Job Corps Center attended the celebration, wrote a brief history of the fort, and, in general, helped to make the celebration a success.

The Mandan Pioneer, Mandan, N. Dak., took editorial note of this, pointing out that the corpsmen's history of Fort Totten was praised by officials of the Lewis and Clark Center.

Another article from the same newspaper also points to the pride taken in the Lewis and Clark corpsmen. The article reprints excerpts from letters written by corpsmen to their friends. In one letter a corpsman praises the Job Corps for what it can do for him. Another corpsman, in talking about the recent riots across the country, writes that it makes no sense for the Negro and white to fight because everyone is equal in God's eyes. This boy is a Negro, and does not want anyone stirring up trouble in which people are killed.

We can all learn something from these corpsmen. I think the Job Corps is doing a commendable job in training, education, and character development in its centers in North Dakota.

I urge Senators to read these two articles from the Mandan Pioneer and ask unanimous consent that they be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CORPSMEN WRITE BRIEF HISTORY OF FORT TOTTEN

There are two history buffs at the Lewis and Clark Job Corps Center south of Bismarck.

Corpsmen Paul Bray and Larry Estill, recently returned from attending the Fort Totten Centennial celebration, have written a brief history of Fort Totten—a work that has been lauded by officials of the Job Corps Center.

Paul and Larry point out that the development of the west influenced an overland route extending from southern Minnesota into western Montana.

"A series of posts were built for protection, and in July, 1867, Fort Totten, Dakota Territory, was established by General A. H. Terry," wrote the pair.

Fort Totten was named in honor of Major General Joseph Gilbert Totten, late chief engineer of the U.S. Army, point out Paul and Larry.

The writers also delve into Fort Totten background of education, legend, landscape and important names associated with the area.

BISMARCK JOB CORPSMAN WRITES: "I'M GOING TO MAKE SOMETHING OF MYSELF"

Officials of the Lewis and Clark Job Corps Center south of Bismarck take pride in progress being shown by some of their students.

They recently released a letter written to a friend in Missouri by Corpsman Willie Lee Anderson, a Negro. Excerpts from the letter:

"I like the Job Corps and I am sure you will like it too. A lot of boys get homesick. The Job Corps is what you make out of it.

"I have some nice teachers and staff members here. If you are not going to join the Job Corps stay in school. Some of you think seven dollars a day is something, but it is not too much.

"I hope you will all try to make something out of yourself. Before I left some of you were getting smart with the teachers and getting thrown out of school, but it is not no big deal.

"I am on the fire and drill team and a reporter for the newspaper. I am going to make something of myself. When I get out of the Job Corps and in two years I am going to join the Army."

Willie Lee Anderson also had this to say about the recent disorder in American cities:

"I am a Negro boy and about these Freedom Riders: I don't think it makes sense for the colored and white to fight. If you want to fight go to Vietnam. They need people who like to fight. In God's sight every man is equal no matter what race you are.

"When the Freedom Riders fight, a lot of innocent people get killed. I hope they don't start that in Missouri."

Want to know a little about Willie. Here's some background, as written by another Corpsman Reporter, Larry Estill:

"Willie Anderson is a corpsman at Lewis and Clark J.C.C. He is 16 years old. He has two sisters, six brothers, and stands 5'4'' tall. He came to Lewis and Clark May 23, 1967.

"Willie says that some of the reasons he came to Job Corps is to 'take the trade that he wants, learn more education, and to meet new friends.' He is on level 4 in reading and writing, and level 5 in mathematics. He has chosen electricity as his vocation.

"Willie is a Baptist. He attends one of the Baptist churches in Bismarck. He hardly ever misses attending church on Sundays.

"As Willie says, 'I have made a big change in my life and I hope that you will too.' "

CAPITAL LIBERALIZATION IN JAPAN SHOULD EXPAND

Mr. HARTKE. Mr. President, as a member of both the Committee on Finance and the Committee on Commerce, I have an active interest in U.S. foreign trade and expansion of U.S. industry abroad. I have frequently expressed concern not only with investment restrictions suggested by our own Government for U.S. investments abroad but also with restrictions some governments place on U.S. investments in their countries. My concern is heightened further in light of the fact we place no such restrictions on foreign investments in this country.

I was, therefore, pleased to note that on June 6, the Government of Japan announced a plan to liberalize capital investment in Japan. This is a very fine first step. I am hopeful that Japan will take further steps to liberalize capital movements and direct investment in Japan.

The viewpoint of most American businessmen having interests in Japan is, I believe, summarized accurately in an editorial which appeared in the July 5, issue of the Journal, the official publication of the American Chamber of Commerce in Japan. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COMMENTARY ON JAPAN'S CAPITAL LIBERALIZATION PLAN

On June 6th the Government announced its long-awaited capital liberalization plan which accepted fully the recommendations of the Foreign Investment Council of June 2nd. After so much preparation and debate, it must be said that the plan in its present form is disappointing in its basic philosophy and objectives, its scope of liberalization, its preconditions to automatic approval categories, and its relative emphasis on countermeasures. On balance the plan has a strong protectionist orientation and gives little real weight to the benefits to be derived from liberalization in terms of stimulating domestic industry and commerce to modernize, the interest of domestic consumers, and the international interests of Japan.

It is a basic concept of the plan that no industry should be liberalized until it is fully competitive on an equal basis with foreign capital. This seems to mean that Japan considers every industry to be an important national interest and therefore to be defended against anything but very minor foreign participation. The classical economic idea of comparative advantage is rejected implicitly. If every other country adopted this concept there would be very little liberalization anywhere. It means that consumers in Japan must wait for better products and services until domestic industry develops. It means that the "development" aspect of any industry will not be liberalized. Foreign capital will only be permitted to enter freely those industries or segments of industries where the opportunity is marginal. Consequently the amount of direct foreign capital inflow in the liberalized categories is likely to be unimportant.

Another basic concept is that nothing should be liberalized until corresponding countermeasures are in effect. There are several desirable long range objectives in the countermeasures program, such as improvement in capital markets, modernization of the industrial and distribution structures, increased emphasis on technological development, etc. Realization of these objectives will depend to a large extent on Government measures to open the way. However, the immediate countermeasures visualized will amount to replacing external barriers to foreign investment by internal ones which are vaguer and may be more difficult to deal with than present barriers. The idea of countermeasures is to eliminate the bad effects of liberalization while retaining the benefits. In every business development there are bound to be some interests which are affected adversely at least temporarily. The idea that the net effect of advantages and disadvantages of a specific case may be good does not appear to carry much weight. One of the benefits of liberalization should be the stimulus to improve given to domestic interests. The plan's concept of countermeasures largely eliminates the stimulus and tempts domestic industry to continue to lean on government aid.

As far as the scope of immediate liberalization is concerned, the "industries" in the liberalized categories are not industries but products or segments of industries. Consequently the "population" from which the 17 cases in the 100% and the 33 in the 50% categories are selected is very large and if liberalization is measured in simple statistical terms the extent of liberalization is very small. Apart from the fact that the scope of liberalization is small by this measure, the liberalized industries themselves are unlikely to attract very much foreign capital for various reasons. Some industries are mature and the prospect for growth and profitability is limited. Some cases depend for success on special positions which could not be effectively duplicated by foreign ventures. In other cases, production cannot include important components, etc. In addition it is a requirement that the foreign venture start from the ground up. In other words, even with the very limited liberalization list, the odds appear to be heavily against the foreign investor entering the liberalized fields so far indicated. The announcement of the 100% category has symbolic value but little more at this point. The plan provides that measures should be revised every one to two years and that liberalization should be carried out in a considerable number of sectors before the end of 1971. However, the thrust of liberalization in respect to the 1971 target is not to increase the number of industries in the 100% category, but to increase the number in the 50% category.

The idea that liberalization should be based mainly on equal partnership between domestic and foreign interests is not shared by other OECD countries. Japan itself does not acknowledge the idea in the internal guidelines which the government lays down for Japanese direct overseas investment. These guidelines call for the Japanese side to have more than a 50% interest. From a practical business point of view, equal joint ventures are at best questionable. They run the risk of being ineffective and less efficient. They are slow moving in areas where major decisions are required. They are unlikely to be leaders or innovators and they can be plagued by conflicts of interest between the partners. In short, joint ventures are full of potential problems especially if they are forced by national policy rather than developed from natural commercial circumstances.

With respect to both "liberalized" categories the condition under the present case-by-case system that a new venture should not have any seriously adverse effect on Japan's interests is still in effect. This provision has generally been the real basis in the past for MITI intervention in a foreign investment proposal. The plan justifies retention of this condition on the grounds that it is in the OECD Capital Liberalization Code. This condition is in the Code but there are two important qualifications: (1) Japan's concept of "serious adverse effects" or "particularly harmful" is wide apart from the OECD definition; (2) Exceptions to liberalization on this ground require explanation to the OECD and are rare.

Although the plan places primary emphasis on the 50/50 principle, the actual conditions promulgated for automatic approval of industries in this category make it clear that the Japanese partner is intended to have a stronger management voice than the foreign partner. The guidelines for automatic approval call for the Japanese side to have *more* than 50% of the shares and more voice on the board than the percentage of their shares. In addition to these requirements the Japanese partner must be in the same industry as the venture. Apart from increasing the likelihood of conflicts of interest between the venture's line of business and the Japanese partner's, this requirement may result in preserving the essence of present controls in a different form. The Japanese partner is to be the watchdog of national policy and protect the framework of cooperation in the industry. He will be a member of the industry association. One of the countermeasures recommended by MITI is to enhance the strength and ability of associations to counter foreign capital advance. The potential Japanese partner will have to answer to the association and MITI in working out its arrangements with the foreign interest. Most associations cooperate in these matters very closely with MITI. It is likely therefore that MITI can achieve through the association substantially what it now achieves through the case-by-case approach with the added advantage however of being less directly responsible. From the foreign investor's point of view the rules for successful entry into any given field may be more difficult to determine than under the previous approval system.

In addition to limiting the scope of the liberalized categories and attaching preconditions to them, the government incorporated in its plan the complete proposal for immediate countermeasures submitted by a Committee of Experts to the Foreign Investment Council. Four of these measures are recommended for immediate implementation and three for later development. Two of the immediate measures are designed to restrict or control the technical or other competitive capacity of new foreign ventures. The extent and impact of these can only be judged in their implementation. However, the provision calling for restrictions on foreign-controlled Japanese companies and branches of foreign companies in respect to acquisitions in yen of shares of other Japanese companies has an immediate impact on many existing enterprises in Japan. This measure is questionable on several grounds. It means a new control on existing foreign enterprises in Japan which runs counter to the provisions of the U.S. Japan Treaty of Friendship, Commerce and Navigation and the OECD Code of Capital Liberalization. Existing enterprises are already substantially controlled by restrictions on their access to foreign finance and technology. Such a new control is not necessary in respect to liberalized investments since new ventures are required to obtain new approval before entering fields in Japan other than the liberalized category into which they were permitted to enter automatically.

If this provision is implemented, the negative effect on existing foreign enterprises may exceed the positive and limited effect of the liberalization side of the plan.

In the final analysis no plan of course can be evaluated except in the implementation and much remains to be seen in respect to this plan. Among the questions to be answered are the following:

How much new direct foreign capital will actually enter Japan under the automatic approval procedures? How rapidly will the number of industries in the liberalized categories, particularly the 100% category, be expanded? To what extent will approval procedures be simplified and speeded up in practice and will the process of review prior to formal filing of applications actually cease? What use will be made of the pre-condition to automatic approval that a new venture must not have exceptionally harmful effects on Japan's interests? What shape will countermeasures take and how will they be used? And finally, will there be any liberalizing of the underlying ideas of the plan?

The plan and its progress will be studied and followed closely by Japan's OECD partners and by many others. It is hoped that time will not be lost in expanding the scope of liberalization and strengthening Japan's endorsement of the liberal principles on which expanding international economic cooperation depends. It is encouraging to note that the Foreign Investment Council intends to take up immediately the question of liberalizing additional industries and to develop measures to liberalize the induction of foreign know-how.

In a bulletin published by the Executive Board of the Liberal Democratic Party on June 6th it was stated that the government should take every possible measure with regard to public relations and publicity in order to promote deep understanding and cooperation of the people in the execution of capital liberalization. This statement goes to the heart of one of the major obstacles to progress in capital liberalization: the great preoccupation in most sectors of Japanese opinion with feared adverse consequences of liberalization and the lack of understanding of the objectives and benefits of liberalization as seen and experienced by the advanced countries of the free world. This problem has been clearly evident for some time to those in the foreign community who have discussed the issue with Japanese officials, business associates, and friends, and have followed Japanese press comment. A positive program to overcome this problem will do more to advance capital liberalization in Japan than any other single measure.

INERTIAL GUIDANCE TO SAFETY

Mr. NELSON. Mr. President, circumnavigation of the earth on the sea, in the air, and through space at ever-increasing speeds has posed heavy demands for fast, efficient aids to navigation.

AC Electronics of Milwaukee, Wis., has met the challenges of those demands through technological advance and conscientious efforts in the field of inertial guidance systems. Last month AC produced its 10,000th gyro. As the company noted:

> Building 10,000 of anything over a span of 15 years in this era of mass production is not usually considered a noteworthy milestone.

However, the company did use the occasion to demonstrate through public information the meaning that inertial guidance has to the safety of millions of American high-speed travelers every day.

I ask unanimous consent that this information be printed in the RECORD so that readers will have an opportunity to learn of the technological advance in this scientific field.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

AC PRODUCES 10,000TH GYROSCOPE

MILWAUKEE.—General Motors' AC Electronics Division has reached a memorable aerospace milestone by producing its 10,000th gyroscope.

Building 10,000 of anything over a span of 15 years in this era of mass production is not usually considered a noteworthy milestone. But 10,000 gyros is another matter, because no manufactured device requires more exacting human skill, finer precision facilities and equipment or greater design ingenuity than the gyros used in an inertial guidance system.

AC manufactured its first gyro instrument in 1952. Since then, high-precision AC gyros have been at the heart of inertial guidance systems which have guided some of this country's best-known aircraft, missiles, and spacecreft including the Thor and Titan II ballistic missiles, the B-47 and B-52 long range bombers, and most recently the Titan III space launch vehicle and the Apollo lunar mission spacecraft.

The miniature gyroscopes and accelerometers used in today's guidance systems are the results of continued research and development efforts during these years by AC engineers and manufacturing experts. AC has been a pioneer in applying advanced gyro technology using exotic lightweight materials and developing inventive assembly techniques and machinery to produce high-precision inertial instruments for guidance and navigation systems.

The newest and most advanced AC gyro will be a part of AC's Carousel IV inertial navigation system which will be used by commercial jet aircraft including the giant Boeing 747 which will go into airline service in 1969.

This gyro history began when GM's AC Spark Plug Division in Flint, Mich., evolved into building gyros from its World War II success in manufacturing aircraft equipment, including autopilots, gunsights, bombsights, and bombing navigational computers. As AC needed additional facilities, the Milwaukee plant was opened in 1948. This organization grew steadily as AC's aerospace operation and was made a separate division of General Motors in 1965.

In the early 1950's, AC engineers began doing considerable work with engineers of the Massachusetts Institute of Technology's Instrumentation Laboratory and Dr. C. Stark Draper developing a Stellar-Inertial Bombing System (SIBS), intended as a navigational aid for manned aircraft.

In 1952, in parallel with work at M.I.T., AC developed the first gyro for this pioneering system, a 25-pound instrument called the 75FG (for Floated Gyro). This SIBS system proved conclusively that long-range all-inertial guidance was feasible. The gyros performed beyond original expectations, and the stellar or star-tracking part of the system was considered to be unnecessary for future inertial guidance systems.

Ten 75FG gyros were manufactured for the single SIBS system under contract.

The potential of the gyro inspired AC engineers to forge ahead with research and development programs. The association with M.I.T. and Dr. Draper continued, and in 1955, the Air Force asked AC to develop an all-inertial guidance system for the MACE missile. The next year AC began development of the Thor Intermediate Range Ballistic Missile (IRBM) inertial guidance system.

At the same time, with breakthroughs in inertial instrument and electronic technology and advancements in production techniques and equipment, AC developed its first mass-production gyro for the world's first mass-production all-inertial guidance system—for the Thor IRBM.

The 10^7 gyro and the 10^4 gyro accelerometer were designed for these systems, applying the very latest in gyro technology. These instruments were considerably smaller and lighter than the SIBS 75FG gyro, but both were made from aluminum, which was then the best material available.

For the Thor and Mace systems, AC produced 2,170 of the 10^7 gyros and 1,422 of the 10^4 accelerometers.

While this production was going on, AC's research in gyro technology was investigating beryllium's potential as a substitute for aluminum. Its light weight and extreme stiffness make it a first-class gyro manufacturing metal. But solutions had to be found for machining problems posed by its hardness. Those who worked with it had to observe special medical precautions because of possible toxic effects of beryllium chips and dust.

In 1959, AC was ready to use beryllium and began supplying gyros and accelerometers for the Navy's Polaris missile. AC has since delivered 3,297 instruments to the Navy, including the first instruments to use beryllium, the 25 PIG (Pendulous Integrating Gyro) and 25 IRIG (Inertial Reference Integrating Gyro) gyros and the 16 PIGA accelerometer.

Also in 1959, AC was selected by the Air Force to produce an all-inertial guidance system for the Titan Intercontinental Ballistic Missile using the 2FBG (Floated Beryllium Gyro).

During this period AC also began supplying inertial reference units to the Air Force for aircraft used in the Airborne Long Range Input (ALRI) program for a defense warning system. The Titan and ALRI programs both used 2FBG and 25 PIG gyros along with the 25 PIGA (Pendulous Integrating Gyro Accelerometer). The combined manufacturing total for these instruments was 2,102.

Later, 95 MK VII and MOD VIII gyros were built by AC to Navy specifications for a Ships Inertial Navigation System (SINS).

The Air Force Minuteman ICBM's also carry AC gyros. In 1963, delivery started on the 16 PIGA MOD G accelerometer, and to date about 500 instruments have been produced for this program.

The next major gyro technology breakthrough occurred in the early 1960's with the development of the gas bearing gyro.

The Apollo Guidance and Navigation systems, which AC is now delivering to NASA for use in the Command and Lunar Module spacecraft, use the Apollo I and II IRIG gyros. So far, over 350 gyros have been produced for the Apollo program.

AC reached its 10,000 milestone this summer as the manufacturing of Apollo gyros and the newest members of AC's family of inertial instruments—the AC-641, AC-651, and AC-643—pushed the production total over the mark.

And the future? The end is not in sight for the fast-moving gyro technology; the vocabulary of AC research engineers today includes words like tuned gyros, electric vacuum gyros, Laser gyros, and even nuclear spin gyros.

"PRICE CONTROL" PLOY

Mr. TOWER. Mr. President, a recent issue of the National Association of Manufacturers Reports contained a most thoughtful article on a strange and novel requirement by the Department of Defense. The association has, I believe, performed a notable public service by detailing the demands of procurement officials in this case.

I ask that the article be reprinted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"PRICE CONTROL" PLOY: SALES OF CATALOG ITEMS TO DEFENSE DEPARTMENT LEADS TO DEMAND FOR FULL COST RECORDS

Taking a completely novel tack, the Comptroller General of the United States has demanded from the Hewlett-Packard Company all "books, documents, papers or records" relating to the cost of producing the standard commercial articles called for under four firm-fixed price contracts negotiated with the government. Adding shock to novelty, the Comptroller General's announced purpose was not to determine whether the contracts had been performed according to their terms, but simply to collect cost data so that it could be disseminated as a guide in future contract procurements.

The present controversy began when government procurement officials approached Hewlett-Packard on four separate occasions during the period March 1959 through January 1961, to buy quantities of instruments which the company regularly produced and which, with one exception, had been in their catalogs together with its published list price for a minimum of three years. Owing to the number of instruments desired, the government asked for and received a quantity discount—in one case eleven percent. The result is that in exchange for negotiating with the government concerning a reduction in price for standard commercial articles sold in quantity to the general public, the contractor is now faced with the very real threat of having to reveal cost of production data—data which is clearly considered highly confidential in a competitive industry.

This all came about when an authorized representative of the Comptroller General, having been permitted access to the company books and records regarding sales prices of the various items, thereupon demanded to know how much it had cost to produce these same items. Hewlett-Packard refused the information, and the fight was on. Both parties agreed that the contracts in question contained, as part of their general provisions, an Examination of Records Clause put there in compliance with the statutory mandate of 10 USC 2313(b) which states:

"(b) Each contract negotiated under this chapter shall provide that the Comptroller General and his representatives are entitled, until the expiration of three years after final payment, to examine any books, documents, papers or records of the contractor, or of any of his subcontractors, *that directly pertain to, and involve transactions relating to, the contract or subcontract.*"

What both parties could not agree on was the usual, ordinary meaning of the italicized words. Even consulting the same dictionary did not seem to help. (Attorneys for the company reluctantly consented to follow the government's lead in consulting the Second Edition of Webster's New International Dictionary "instead of the more recent Third Edition".) Hewlett-Packard argued that since the statute itself did not define, as a matter of law, what kind of data is "directly pertinent" or what are "transactions relating" to the contract, this determination must be made on basis of the terms and conditions of the particular contract and the circumstances relevant to its negotiation. Not so, said the government. In their view the legislative purpose in enacting the statute here discussed is abundantly clear. Congress intended to provide the Comptroller General with a tool whereby his representatives could bring about the disclosure of prices which are "unreasonable" in relation to costs and also to effectuate a tightening up in procurement procedures. This may be true enough in instances where the contractor is to be reimbursed for his total cost of production plus a fixed fee, the company could agree, but the Congress itself has recognized the special status of standard commercial articles.

These have been exempted from the price controls of renegotiation, and permissive exemption is provided under the Truth in Negotiations Act (Public Law 87-653). "This is convincing evidence," to quote the Hewlett-Packard brief, "that the Congress did not intend to control profit margins on standard commercial articles and certainly did not intend that such profit control should be undertaken by the Comptroller General through a procedure of gathering cost data as to standard commercial articles and then disseminating that cost data for use in future government procurement of such articles." "These are obviously makeweight arguments," the government attorney counters. The company knew, or should have known, about the mandatory provisions of the statute (10 U.S.C. 2313(b)) and voluntarily contracted to make direct labor, direct material and overhead cost records available. This despite the fact that the Comptroller General has been unable to point to a single published report in which the General Accounting Office has exerted the "right" to examine cost records relating to a firm fixed-price contract for standard commercial articles negotiated on the basis of established market prices without consideration of cost data during the negotiations.

To avoid the kind of pitched battle here being waged and to insure the inviolatibility of cost of production information, one might ask, why not simply have the parties agree at the outset that cost data is not pertinent to the contract and thereby insure that neither party relies on this type of information in striking the bargain. The short answer is that this is precisely what transpired in the case at hand. The government's request for proposal which was later incorporated into the contract contained a provision which, is applicable, would have required Hewlett-Packard to submit a detailed cost breakdown. But it was not made applicable and no such cost information was either requested or supplied. The government brushed aside this argument by stating flatly that the contract signed by Hewlett-Packard did contain the Examination of Records clause (set forth above) and that this specifically provides for post-audit by the Comptroller General of "directly pertinent records involving transactions related" to the contract.

The ebb and flow of argument in this well-briefed and hard-fought case proved overprowering to the U.S. District Court Judge who said at the close of initial proceedings, "I am just as uncertain at this point as to the appropriate disposition of the motions as I was at the start of the arguments. That is the nature of things, I guess." And then, in a somewhat astonishing and at the same time whimsical move, he invited himself to be overruled by saying, "The decision here is not going to be final, and I leave it to the wiser and better-paid judges on the Court of Appeals to reach the ultimate decision. Under the circumstances, I can see little harm in granting the government's motion at this point. . . ."

Hewlett-Packard did indeed appeal, and the case was heard in the United States Court of Appeals (Ninth Circuit-California) on July 7, 1967. No decision has as yet been handed down. The reason the outcome of this particular case is of importance to the entire industrial community is perhaps best stated in the words of the attorneys representing Hewlett-Packard, Robert M. Brown and Francis M. Small, Jr., who argued, "This suit must be recognized as an assertion by the Comptroller General that he has the broad right to investigate 'the reasonableness of prices' in every negotiated purchase, regardless of the presence of adequate competition, previous price experience or well established market prices for standard commercial items. As the examination of records clause 2313(b) must be inserted in all contracts and subcontracts (of $2,500 or over), this is in reality an assertion by the Comptroller General of a sweeping price control function over all American industry through examination of the books and records establishing the costs of production of practically all standard commercial products. And the purpose of this sweeping power is not to determine that government appropriations have been expended in accordance with law and regulation, but is to gather cost information to be disseminated for use in future procurements."

Should the position of the Comptroller General prevail, any business desiring to safeguard the confidentiality of its cost figures on particular standard commercial articles would have to refuse to negotiate with the United States concerning those articles. Such an absurd result can hardly be in the public interest. And, in the event the provisions of the Defense Production Act are brought into play to meet a particular situation—such as the government's inability to locate any other supplier—the contractor may find that even the right to refuse to negotiate is no longer his.

RICHARD GODOWN.

YOUTH WANTS TO KNOW

Mr. BAYH. Mr. President, we are often deluged with talk about the errant ways of America's youth. Claims are made that youth today are not prepared to meet the adult challenges of tomorrow. One of the difficulties, it seems to me, is that many people treat the so-called youth problem as they might the weather—they talk about it but assume little can be done about it.

One notable exception is the well-known, award winning public affairs television program "Youth Wants To Know," created and produced by Mr. Theodore Granik. To my way of thinking, "Youth Wants To Know" is an outstanding and constructive use of the television medium.

This program brings leaders from government, business, science, education, and the arts before a panel of teenagers, who, with disarming candor, ply them with penetrating and provocative questions about national and international problems. It has been my privilege to appear as a guest on the program several times over the past few years, and to experience this vigorous, searching inquiry.

A new series of excellent "Youth Wants To Know" television broadcasts is being made available over WETA-TV, the educational station in our Nation's Capital, through a grant from Mrs. Allie S. Freed, president, Buckingham and Claremont Communities of Virginia.

I sincerely hope that this generous contribution will stimulate interest by other business organizations to support programs of this type which help to arouse public interest in the issues concerning all thoughtful Americans. At the same time, contributions of this kind serve to present to the Nation the real face of American youth, aware, concerned and responsible.

DR. CHARLES W. JEFFREY, WYOMING'S LIVING LEGEND

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in

the RECORD an article concerning Dr. Charles W. Jeffrey, of Rawlins, Wyo., a living legend, which was published in the Empire magazine of the Denver Post for August 27, 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DR. JEFFREY, WYOMING'S LIVING LEGEND

(By Jack Guinn)

One day back in the spring of 1933, during the Great Depression when hardly anybody had any money, an oil driller named A. B. Cobb asked his physician, Dr. Charles W. Jeffrey of Rawlins, Wyo., to put up $5,000 to form an oil exploration partnership. Dr. Jeffrey told Cobb, who was a personal friend, that he ought to have his head examined.

Dr. Jeffrey, who will be 84 years old Nov. 2, says there are some things he doesn't remember with absolute clarity, but his recollections of the conversations with Cobb are vivid:

"I told him I never made a nickel investing in anything. I told him, hell, I'm a doctor and I don't want any part of the damned oil business.

"He came back a second time and I turned him down again. Then he went up to northern Montana and got a lease and came back the third time. I didn't have any money, but I borrowed some and we went into the oil business as A. B. Cobb and Company. He wanted to make it Cobb and Jeffrey, but I told him I'd rather be the 'and Company.'

"Cobb was some man. He was six foot five and weighed 265 pounds. He was a cousin of Ty Cobb, the great baseball player. And he knew the oil business. The first well he drilled in the Cutbank field was a success."

By 1947 A. B. Cobb and Company had 200 producing wells, 500 miles of pipeline and 50 filling stations. That same year the whole thing was sold to the Phillips Petroleum Co. for $5 million.

This transaction made Dr. Jeffrey far richer than he had ever dreamed possible in the hardship years of his boyhood in Nebraska, medical school in Illinois, and the struggle to establish a medical practice in Wyoming. Perhaps those memories inspired the generosity that has made him known as one of Wyoming's greatest philanthropists.

Nobody knows for sure how much money Dr. Jeffrey has given away or invested in good works, but rough addition of known amounts puts it around $2,800,000. The largest long-term gesture was recent establishment of a scholarship fund for the University of Wyoming which, through revenues from property under a 94-year lease, will produce $2,200,000.

He paid $40,000 for the big Abraham Lincoln monument, the work of Sculptor Robert I. Russin, which stands on the summit just off Highway 30 between Laramie and Cheyenne. It was erected in 1959 to commemorate the sesquicentennial of Lincoln's birth.

The same year he donated $10,000 to Children's Hospital in Denver.

In 1953 he invested $200,000 to finance construction of a hospital in his old hometown of Osceola, Neb.

Not counting the country doctor's disregard of the financial condition of people needing medical care, Dr. Jeffrey's philanthropies began in 1940 when he bought the city of Rawlins a $37,500 fire truck. The latest was the gift to the people of Rawlins and Carbon County of a community center which cost $310,000.

To provide a setting for formal acceptance and dedication of the building, the citizens of Rawlins staged "Dr. Jeffrey Day" on July 19. The structure was christened "Charles W. Jeffrey M.D. Carbon County Memorial Center" but before the paint was dry on the new sign people were already referring to it simply as the "Jeffrey Memorial Center."

More than 650 persons turned out for a banquet at which various speakers told anecdotes about Dr. Jeffrey's colorful career as physician, legislator, football fan and bon vivant. It was the kind of a testimonial affair that probably could take place only in Wyoming, with nice ladies and proper gentlemen applauding in delight as the speakers pictured Dr. Jeffrey as a combination of saint and whiskey-drinking, poker-playing, fun-loving old man. And he loved every minute of it.

He was touched by the display of affection. When he rose to present to the county the deed to the new building, he said:

"Thank you all. It is a pleasure for me tonight . . ." His voice broke, and the audience waited in silence for several moments. Then there was a roar of laughter and applause when he regained his composure and said: "I ought to have a drink."

Charles W. Jeffrey was born on a farm five miles west of Osceola, in Polk County, Neb., on Nov. 2, 1883. His mother was a practical nurse and one of his heroes was the local physician, Dr. David Jackson Smith. As well as he can recall, he decided at the age of seven that he was going to be a doctor.

He was captain of his high school football team in 1902, his senior year, despite the fact that he weighed only 140 pounds. After graduation, he and other former high school players who were working in Omaha formed a "professional" team.

"There were only 12 of us," he remembers, "but we played anybody who wanted to play. The only time I was ever hurt playing football was with this team. We were playing a team from Fort Crook, a bunch of soldiers who practiced all the time. They were tough and we were all office workers. I was playing left tackle and on one play I raised up just as their center passed the ball and I think that whole army team walked on me.

"I was playing opposite a fellow named Sergeant Davis. He was a big man and I only weighed 148 pounds, but after the game I saw him walking along all bandaged up. He pointed at me and said, 'You see that little s.o.b. over there? He's the one who broke my collar bone.'"

Young Jeffrey lived in Omaha three years, working as a records clerk for the Union Pacific Railroad. While at this job he took a business school course, learning shorthand and typing, and then went to Ames, Neb. to work as a stenographer in a sugar factory.

In 1906 he heard that some land near Riverton, Wyo. had been opened up for homesteading and he headed West. He homesteaded on 160 acres although he had to borrow the $1.50 an acre to pay for it.

"You won't believe this, but I'll tell you anyway," he says. "My place was three miles from Wind River and twice a week I'd take my dirty clothes and go down to the river, walk that three miles with two pails, wash my shirt and take a bath and then carry two pails of water back three miles."

At that time he was 23 years old. He built a house on his homestead and then took a job on the nearby Shoshoni reservation as timekeeper and supply clerk for a government crew digging irrigation ditches. In the winter he went up in the mountains to cut timber.

He saved his money and in 1911, when he figured he had enough for a year of college, he went to Chicago and enrolled in the medical school of the University of Illinois, where his friend Dr. David Jackson Smith was periodically a lecturer.

The next seven years of medical school and internship were on a near-starvation basis and Dr. Jeffrey's account of this miserable time is colorfully descriptive.

He has a talent for profanity, which the people of Rawlins have come to accept as part of his charm. As a matter of fact, he can succinctly describe the questionable antecedents of some fellow in the presence of dignified ladies and they seldom notice the precision of the phrasing; if they do, it is very likely they consider the experience of his 84 years and assume that he has made a fair assessment of character. But that is Wyoming, where people are more inclined to be realistic and less inclined to strike poses than in other parts of the country.

"When I got off the train in Chicago," he remembers, "I had $496 and two suits of clothes. I got a job working for American Express at 35 cents an hour, which was enough money to live on, and I made the first year fine. I paid for the second year with some building and loan stock I bought when I was selling newspapers as a kid back in Osceola, but the third year I couldn't pay all my tuition.

"These medical schools are damn tight, you know. I owed them $40 and they took me off the rolls. But my mother owned a little house and she mortgaged it and sent me $150, so I made it through the third year, but I didn't know what the hell to do about the fourth year. So I asked Dr. Smith for the money and he loaned me $500."

After medical school he interned in the city hospital at St. Louis for eight months and then returned to Chicago's Lying-In Hospital where for seven months he did nothing but deliver babies.

"Obstretics is my religion," he says. "I haven't got any other religion. My mother was a Methodist. She told me one time she wasn't baptized until I was in high school. She always said, 'Whenever you get ready to join a church, pick the one you want and join it.' I never found it."

Dr. Jeffrey served throughout World War I as a medical officer with the 19th Infantry. After the war the army was reluctant to speed up the discharge process, so Dr. Jeffrey had to resort to political string-pulling. He had friends who appealed to Wyoming's U.S. senators, who got him out of the army in two weeks.

In 1919, Dr. Jeffrey went to work for a doctor in Lander, Wyo. at $250 a month, but was fired by the doctor's wife because he upset her firm direction of her husband's affairs. The dispute arose over money, for which the lady had a high regard, as evidenced by the fact that she came down town at the end of each day to personally collect whatever the medical practice had earned. According to Dr. Jeffrey's painful memory:

"The office was two flights up from the street and since she never left a penny to make change I had to walk up and down those stairs nearly every time somebody gave me a $5 or $10 bill for a $2 office call. Finally I got to the point where I said, hell, I'm not going to do this anymore. So I started putting part of the money in the old rolltop desk and part of it in my pocket to make change. I kept an accurate accounting of it.

"But pretty soon she discovered she wasn't getting the amount of money she was supposed to every day. Every day! My God. So she asked me if I had any of the doctor's money and I said I did. I told her I wasn't going to walk up and down that hellish long stairway every time somebody came in with a $5 bill. Right after that I was canned, not by the doctor but by his wife. He wanted to give me a month's pay but she wouldn't let him."

Dr. Jeffrey went to Rock Springs and Evanston, decided against settling at either place, and in the latter part of 1919 moved to Rawlins, a flourishing railroad, trade and livestock shipping center once described by Charlie Siringo, the famous cowboy detective, as a place where half the men work for the Union Pacific and the other half herd sheep.

He worked for a Rawlins physician until 1922 when he established his own practice.

Dr. Jeffrey was married in 1919 and divorced 10 years later. He never re-married and for many happy years enjoyed what the society editors like to call eligible bachelor status.

In the late 1930s Dr. Jeffrey was named defendant in a suit charging alienation of affections. In 1941, as a member of the Wyoming House of Representatives from Carbon County, Dr. Jeffrey introduced a bill outlawing such suits—including all those pending, such as his—and proudly posed with Gov. Nels H. Smith when the bill was signed.

While climbing up and down stairs in Lander resulted in one of the few incidents in which Dr. Jeffrey was ever a loser, similar stairs in Rawlins brought about a turn of events which has provided Rawlins people with one of their most delightful Doc Jeff stories.

There is a clinic in Rawlins which was built by one of Dr. Jeffrey's friends, an older physician who has since died, and two young doctors, both of whom left Wyoming for further training in specialized fields. Two more young doctors then took over and at this point Dr. Jeffrey decided he was tired climbing stairs to his office and would like to move into quarters on the ground floor of the clinic.

"My legs are going bad on me," he says. "I asked them if I couldn't have one of those offices. They turned me down. Said they were going to get a new man from some place to come out here.

"Well, I called up the real estate man and I told him to find out from those two young fellows who owned the building, the ones who moved away, how much money they wanted for it. He came and said they wanted me to make an offer. I said to give 'em $125,000. They took it.

"So now I own a clinic. And I've also got an office in it, by God. A big office. Right on the ground floor where the old ladies can come in and sit down and talk about their pains."

Another of Dr. Jeffrey's memorable clashes came in July 1955 when he was a physician at the Wyoming State Penitentiary at Rawlins. On July 16, a Saturday, about 100 of the prison's 277 convicts launched a riot that lasted 15 hours, ending early Sunday. They held three guards as hostages until state officials agreed to meet prisoners' demands which included better food, better medical treatment, investigation of the prison welfare fund and the firing of two guards who were accused of cruelty.

The way Dr. Jeffrey remembers it, his conflict in the affair was over his reluctance to place himself in what he sincerely believed was a dangerous position.

One of the hostages had been hurt and the warden told Dr. Jeffrey to go in and see what he could do for the injured man.

Even today, the doctor's narrative tone shows that he considered the request incredible: "I said, 'You want *me* to go in there?' He said he did. I said, 'All right, I'll go, but I want two men with automatic rifles and I want an automatic rifle myself.' He said no guns. I said, 'Well, then, why don't you go in there yourself? The prisoners don't like you any more than they like me and I sure as hell won't go in there without a rifle.'

"The warden said I was going to be fired and I said he couldn't can me because I was appointed by the board. (The Board of Charities and Reform consists of the governor and other elected officials.) So when he went out I called Milward Simpson (governor at the time) and he said, 'What the hell you want that job for anyway?'

"I said I didn't, not that particular job especially; I just wanted something to do."

Dr. Jeffrey was 71 years old at the time and the fear of idleness, which bothers him a lot these days, was just beginning to plague him.

"I love medicine," he says. "I always have. I used to have a hell of a practice up here, but not anymore. I don't do much of anything anymore. Too damned old."

He may not practice medicine beyond, as he says, listening to old ladies talk about their pains, but Dr. Jeffrey has other interests. He is president and chairman of the board of Rawlins Federal Savings and Loan Association, he is a member of the board of directors of Western Nuclear Inc., one of the nation's most successful uranium mining companies, and, of course, he's pretty busy, in season, attending University of Wyoming football games.

At the "Dr. Jeffrey Day" ceremonies in July, Glenn J. (Red) Jacoby, athletic director at Wyoming, recalled some highlights in a long happy association with Dr. Jeffrey. For example:

"About 20 years ago we were privileged to have Dr. Jeffrey as our team physician at the 'Gator Bowl game at Jacksonville, Fla., against Washington and Lee. And I wondered about this old guy because he had on a pair of cowboy boots, and he had a pint of bourbon shoved down in each one.

"And I can remember very well the national radio show we had in the roof garden of a very famous hotel in Jacksonville. Doc Jeff was throwing silver dollars out with both hands and plying the Floridians with bourbon on the side. Everybody had a great time, I'll tell you that."

So many stories about Dr. Jeffrey are in circulation that it is difficult sometimes to separate fact from legend, says Jim Moran of Denver, general counsel for Western Nuclear, also a speaker at the ceremonies.

One of these concerns a loan of $250,000 made by Dr. Jeffrey to his friend Bob Adams, a Rawlins restaurant owner who got into the uranium business and now heads Western Nuclear. Originally the company was named Lost Creek Oil and Uranium Co. When Adams wanted to expand in 1955, which involved paying for a processing mill, he went to Dr. Jeffrey for a loan. Dr. Jeffrey promptly wrote him a check. Says Moran:

"The story goes that the check for $250,000 was written as a counter check. It was presented to a Denver bank for payment, or at least for credit to the account of Lost Creek Oil and Uranium. The teller at the window was amazed to see a counter check come in for this amount of money. So he picked up the telephone and called a vice president and asked if a check from somebody in Rawlins, Wyo., named C. W. Jeffrey was any good. The vice president said of course it was good.

"The teller then asked, 'How much is it good for?' And the vice president is said to have replied: 'For whatever amount he wrote it for, young man.'

(The Wyoming town which subsequently grew up near the Western Nuclear mill, 66 miles northwest of Rawlins, was named Jeffrey City.)

"Later, in 1957, when the company had presented its picture to the New York banks and they were willing to enter into some of this speculation out here in the wild and woolly West, we had the closing in Rawlins. There was a long table filled with papers in neat piles and there were New York lawyers and New York bankers running around, passing out papers, signing this, applying seals to that.

"Finally the time came when one of the New York lawyers, with a rather extravagant flourish, displayed a check for $250,000 and said, 'Now, Dr. Jeffrey, if you will surrender the note that you have from the company, I will give you this check in payment.' To which Dr. Jeffrey replied, as I have heard the story:

"'What the hell note? I don't have any note. Bob and I just shook hands. He needed the money and I gave it to him.'

"As I say, legends grow up around a man like Dr. Jeffrey, and I can't vouch for all of them. But I can tell you one story I know for sure is true.

"Not long ago, maybe a year or so ago, we had a directors' meeting in Denver and after the meeting one of the directors took us out to the Cherry Hills Country Club for a banquet.

"It so happened that my wife was seated between Dr. Jeffrey and another very wealthy man about half Dr. Jeffrey's age and she was entranced by the idea of sitting between such men of wealth. After the evening was over she told me:

"'You know, I don't think I ever attended a dinner where I sat between two wealthy men like that, one over 80 and the other under 40, but the thing that I can't understand is that the one over 80 had more life, and more hands, than the one under 40.'"

The audience at the "Dr. Jeffrey Day" dinner applauded enthusiastically and Dr. Jeffrey, seated at the right of the speaker, smiled knowingly at all his friends and admirers, a picture of benign rascality.

Dr. Jeffrey won't deny that he has had a full and thoroughly enjoyable life and, although age has naturally brought its infirmities, he'd like to stay around a while longer:

"I still want to live, damn it to hell. But I'm just asking for four more years. My grandfather on my mother's side lived to be 88 and my grandfather on my father's side lived to be 85. I want to even up with or get ahead of those old devils."

If determination is needed, he may make it. If appreciation for life's joys counts for anything at all, he's certain to achieve his goal.

THE ANTIMISSILE QUESTION

Mr. TOWER. Mr. President, it was my pleasure recently to address the national convention of Young Americans for Freedom. I talked in depth with them about the Nike X and the general antimissile problem confronting our Nation.

Since a number of my colleagues have asked me for my views on this situation, I ask unanimous consent that a copy of my speech be printed in the Record so that my position on the antimissile question may be readily documented.

There being no objection, the address was ordered to be printed in the Record, as follows:

THE ANTIMISSILE QUESTION: HOW LONG WILL AMERICA WAIT?

It's a very great pleasure for me to be here and to address you key members of YAF.

Today the United States Senate finds itself worrying about the *problems and challenges* of the age. There are problems enough to go around: riots, war, inflation, high living costs, spiraling taxes, increased education costs—all of them compounded by an Administration *leadership-gap*, particularly in the Department of Defense.

It's this leadership-gap that bothers me especially. And, because of my special responsibilities as a member of the Senate Armed Services Committee, I want to discuss tonight some thoughts that have been troubling me for many weeks.

If you will permit me, I want to talk about the *Nike-X anti-missile defense system*, and about the indecision and vacillation of the Defense Secretary which have thus far prevented our nation from protecting itself against the major communist strategic threat of the future.

I choose this forum for these remarks because those of you here are particularly concerned about the future—and this problem of strategic nuclear deterrance is going to be *your* problem long after Vietnam and a tax hike and current city rioting have faded into the past.

This Nike-X business has been simmering on the back-burner for years.

Like a bunch of grade-schoolers watching an ant farm under glass, U.S. defense planners have been watching for five years while the Russians struggled to build a defensive missile shield against American intercontinental ballistic missiles. From out in space our satellites have sent us a virtual television documentary of Russians at work—bulldozers scraping launching pads, excavators digging cable trenches, concrete being poured on access roads. To the mosaic confronting our wondering eyes our electronic eavesdropping lookouts have added the sounds of Soviet testing and deployment.

And, finally, from this multitude of secret and semi-secret data our key defense planners have become convinced that the Soviet Union is deploying an antiballistic missile system.

That decision is *not* unanimous.

The *Joint Chiefs of Staff* are convinced.

The *Secretary of the Army* is convinced.

So is the *Navy Secretary;* and the *Air Force Secretary.*

The *senators* on the Joint Committee on Atomic Energy are convinced.

So are my colleagues on the *Armed Services Committee;* and the *Appropriations* Committee.

Members of the *House of Representatives* feel likewise.

But it is *not* unanimous.

The *Secretary of Defense* DISAGREES.

The *Secretary of Defense* has counciled us *against* moving now to thwart the Soviet missile advances. He apparently has convinced the President. And he and the President have asked the Russians to let us *talk to them* about it before we decide to do anything about it.

I'm not sure why the President takes Mr. McNamara's advice. After all, McNamara is the one who advised the President American boys would be coming home from Vietnam by Christmas 1964; he is the one who advised the President he could build one airplane called the TFX to do the job of two; and he is the one who advised the President to send the carrier JFK to sea without nuclear power.

In each instance the President has taken Mr. McNamara's advice, and has reaped an Edsel.

But this *anti-missile* problem is of a magnitude to make those other mistaken advisories pale into insignificance. What we are facing with the anti-missile-missile is a force that can *reverse* the scales of deterrence which have kept the Russians at bay for 20 years.

Ever since World War II—ever since 1945, the heart and core of American strategic foreign and military policy has been one of *deterrence* of Communist aggression.

This we have accomplished thus far by maintaining a retaliatory strike capability that could *withstand* a surprise attack and still retain the ability to devastate the Soviet Union.

Two things have been essential to this defense thesis.

The first is that the U.S. will *not* strike the first blow.

The second, flowing from the first, is that our retaliatory force *must be secure* and able to *survive* a first-strike by the enemy.

At the beginning of the period we had a relatively simple problem. The U.S. had a monopoly of nuclear weapons and their aircraft delivery systems. But, the problem got complicated more quickly than anyone foresaw. The Soviets broke the nuclear monopoly. Then the intercontinental ballistic missile entered the equation and upset it; because the ICBM could *not* be defended against like an airplane. That threatened security of the U.S. second-strike force and forced us away from "soft-configurations" into a "hardening" of our forces in airborne alerts, and missile silos and submerged submarines.

And, all through the period until just months ago, the strategy was based on a simple, *bi-polar* confrontation. It was a game that only the U.S. and the USSR were equipped to play. Red China's entry has now thrown a real crimp into things.

The point I want to make is just this: *Because of Red China and because of the Soviet Missile defense system, for the first time since 1945 the security of our second-strike deterrent force is seriously endangered by advances in enemy technology.*

Technology, the great destabilizer, has done it again.

What the American public must now begin to realize—and what the President and Defense Secretary should be telling the public—is that our multibillion-dollar, long-range rocket systems are not weapons to end all weapons, their *invulnerability*, which is the key to their deterrent effectiveness, is rapidly *decreasing.*

As a result, the whole strategic war picture could, and probably will, change rapidly in the coming few years. *Five* major developments, made possible by technological breakthroughs, are critical to our future national security posture. These five things lay to rest what has been called the *"myth of technological stalemate."*

First. We know now that very large nuclear weapons could form the basis of a *screening-type missile defense*—a *shield* of X-rays and high-energy particles protecting a target nation against ballistic-missile attack.

Second. Missiles, now deployed in hardened underground silos, can be made *obsolete* by development of extremely accurate ICBM's that, shot from the other side of the world, hit within a couple of football fields of their target—an accuracy *ten times* that once thought the ultimate.

Three. Satellites, using *multi-spectral* reconnaissance systems, soon will be able to *"see"* missile-bearing submarines hiding many fathoms beneath the sea.

Four. New, lower-cost rockets and missiles raise the probability that many *less-advanced nations* can acquire ICBM, nuclear attack forces.

And, *Five.* Advanced nations now are able to make sophisticated systems to *defend against ICBM's.* The Reds *are.* We *can, but* we *aren't.*

Almost everybody except Mr. McNamara thinks we are making a grave mistake. *I, for one, think we must start deployment of an anti-missile defense force right now.*

We must do it so that we can guarantee the safety of our people against a *limited, irrational* missile attack from some nation such as Red China—so that we can have protection against a *mistakenly launched* Russion missile—and so that we will have a base for *increasing that defense system* later if necessary to guard against the Soviet Union's missiles.

The Joint Chiefs of Staff, our most expert and talented military leaders, strongly advise that we begin implacing a NIKE–X missile defense system.

The Joint Chiefs make this recommendation now because the Soviet ability to destroy our population and our industry is *constantly growing* and also because the research program on our NIKE–X missile system has reached a point where the system is ready to be deployed.

Here is the way the nation's military experts described to the Armed Services Committee the current situation:

Since American intelligence has found that the Soviet Union is deploying an anti-missile defense system around Moscow, we also must expect the Soviets will extend their defense throughout their country. Thus they are increasing their *defenses.*

In addition, the Soviet Union is increasing its *offensive* missile capabilities by speeding up deployment of ICBM's.

Our experts do *not* know whether the Russians are aiming at nuclear *equality* with us, or whether they are deliberately working toward nuclear superiority. We *do know* the Soviets want to reduce our ability to threaten their people and industry. And, they want to complicate the targeting problem for our missiles—to reduce our confidence in our ability to penetrate their defenses—and to ultimately achieve such a nuclear stalemate or superiority that they will be free to pursue their national goals without fear of U.S. power.

Secretary McNamara says we can gain nothing by deploying our own missile defenses, since the Soviets would simply put in more ICBM's and overcome our defenses.

Our Joint Chiefs disagree. They think it is far from guaranteed that the Soviets would or could offset our *defensive missiles.* For one thing, it would cost the Russians a very great deal of money, and they would have to divert efforts from such other priority projects as their Space program. Their economy may *not* permit them to do that.

Our Joint Chiefs believe deterrence is what keeps the peace between the Soviet Union and the United States. And, they believe deterrence is both military forces in being *and a state of mind.*

For instance, should the Soviets come to believe that their missile defense, coupled with a surprise nuclear attack on the U.S., would limit damage to the Soviet Union to an acceptable level, then our forces would no longer deter.

The Joint Chiefs also point out that if we have no missile defense while the Russians do, a third power might touch off a major nuclear war by firing a missile at us on purpose or by accident.

Our top military men believe an American anti-missile system will limit in a meaningful way damage to the U.S. from a nuclear strike. They believe Nike-X could save up to *50 million lives*—a number that would make it far more likely our nation could survive nuclear war.

Let me summarize:

The Joint Chiefs of Staff and the Armed Services Committee believe a deployed Nike-X defense would do these things:

One. Limit damage to the U.S.

Two. Prevent an under-estimation of U.S. strength by the Reds.

Three. Maintain the world nuclear balance and thus maintain deterrence.

Four. Show the world we are interested in defense and not just in offensive missiles.

Five. Deny to the Soviets a capability to exploit their strength in such situations as Cuba and Hungary.

There are the reasons we need the Nike-X.

A decision on Nike-X deployment is crucial now because *in October* the Army will present to Mr. McNamara a detailed series of recommended *deployment levels* for U.S. missile defenses. Immediately after that Mr. McNamara and the President will have to decide *whether or not* to include deployment in the their defense budget for next year.

Thus, if we are *not* to lose another year to the Russians, the time for decision is only a month away.

In preparation for this decision crisis, the Administration has made an effort to get the Russians to call the whole thing off. President Johnson asked at the Glassboro summit talks for joint U.S.-Soviet talks on the matter. Premier Kosygin was vastly unenthusiastic. No talks have begun. Soviet construction of missile bases continues.

Unfortunately, unless and until the Administration makes a decision *to deploy* the NIKE–X the opportunity still will be open to the Soviets to make a massive public announcement that it is taking the President up on his invitation. In that event sudden Soviet willingness to talk could be cast as a victory for the McNamara viewpoint.

The prospect is not a happy one.

Talks would go on, and the Soviets would remain busily engaged in building an anti-missile system to protect their nation and reverse the international balance of power to their favor. It would be hardly surprising that they were willing to talk, and to talk for a long time.

I find little comforting in the Defense Secretary's apparent hope that he can *talk the Russians out of doing something they already are doing by promising that the U.S. will continue to do nothing.*

In fact, if we really want the Soviets to pay attention to what we are saying, we should start work immediately on deployment of a U.S. anti-missile system. Only when such work is underway will the Soviets think seriously about any advantages to them of deployment limitations.

Defense experts more attuned to advancing technology than the Defense Secretary are aware of a key point which he seems to miss—a new era is opening in which the U.S. and USSR are going to be increasingly equal in military technology. And the environment of near *parity* promises to be *extremely unpredictable*, marked by much apprehension, accommodating of much less flexibility, and subject to miscalculations of tremendous significance.

Our 1950's advantage in defense technology is steadily being narrowed. It is being narrowed because the Soviet Union has been running harder than we have. We have deliberately limited our efforts. We have been telling the Russians that we won't do it if they won't. The McNamara theory of a *plateau of technology* has been preached. A *stalemate psychology* has spread. A test-ban treaty *disadvantageous* to the United States has been accepted by the Soviets. Reductions have been made in the size of U.S. aircraft and missile forces. U.S. research and development efforts have been stabilized.

We have lost the initiative to the Soviets. We have stood still. They have pressed ahead with renewed vigor.

We know that the Soviets today are engaged in a *massive* program of defense research and development. It is a program of great scope, and the possibility of technological surprises or dramatic breakthroughs cannot be overlooked, particularly when such surprises could erase the margin of U.S. strategic superiority.

In short, the Soviet Union has maintained a *dynamic* view of military capability and strategy in contrast to an essentially *static* U.S. position. All close observers of Soviet affairs know that the strategic deterrence between our nations depends not only on existing forces, but also on the adversary's state of mind. This very rationality of Soviet thought, which the U.S. relies upon to restrain Red attack, could find in an *advancing* Soviet technology the incentive to gamble on a first strike against America.

The intentions of secretive Soviet leaders always will be uncertain. But it is certain that they are methodically altering the existing balance of strategic forces that now favors us, and they are doing it at a rate that startles American planners.

From an annual rate of about 30 in 1962, Soviet production of ICBM's has spurted ahead to an annual rate of some 120. Within a year they could match our 1,000 Minuteman missiles, and there is no reason to think they will stop there—even though we have *already* stopped there.

This rapid growth in *numbers* is not, however, nearly so important as the Soviet jump in *quality*. They have placed in service two new missiles, the *SS–9* and the *SS–11*.

The *SS–9* is about the size of our *Titan II*, but it carries a warhead *twice* as heavy at about *20 megatons*. The *SS–11* is smaller and carries a Minuteman-like, one-megaton warhead. These missiles, equipped with advanced guidance systems, will soon become a real threat to our own supposedly-hardened Minuteman force. Up until now we have felt that the Soviets could *not* knock out any significant number of our missiles on the ground. But, they soon may be able to do so, making much simpler any subsequent interception task for their missile *defense* system.

In addition, we are now entering the period of the *multiple-warhead* missile. We can do it. We have no reason to think the Soviets cannot. But, if our *smaller* missiles can boast multiple warheads, then the Soviets larger missiles can lift *even more warheads*. Once again, their ability to attack our deterrent force increases.

The Soviet *SS–9* could be fitted, at least in theory, with more than *10* individual warheads which could be accurately guided to different targets hundreds of miles apart.

Here's what that change could mean.

For years, the Soviets have deterred *us* by aiming a few unstoppable missiles with huge warheads at our *population centers*. They have abdicated the ability to strike first, because they have not been able to eliminate our own missile force. But, by suddenly adding masses of additional warheads they can approach a point at which they might wipe out our land based missiles *with a first strike*. Then, having deployed anti-missile *defenses*, they might be able to ward off what seaborne missiles we have left.

Thus, they might be able to win on a first strike and might be tempted to try it.

That's why their anti-missile defenses are so important. And that's why we must have a missile defense of our own if we are to maintain the *balance of deterrence*.

There is little question that an area-defense, anti-missile system now defends Moscow. It has an underground command center with radar scanners and computers. We have seen one large *phased-array radar* northwest of Moscow and smaller tracking radars at other points.

In addition, a similar system has appeared in an arc extending along the northwestern border of the Soviet Union. It is known to us as the *"Tallin line,"* after the Estonian city where one of its sites has been detected. The Joint Chiefs are convinced this Tallin line is an *anti-missile* deployment, and they note that it sits athwart the principle *"threat corridor"* of land-based U.S. missiles aimed toward Russia.

A great deal of similar activity is reported *elsewhere* in the Soviet Union. Some of it is in the South and appears oriented against the attack corridors of Polaris missiles from Mediterranean based U.S. nuclear submarines. Some of it is along the Ural Mountains facing Red China.

The *missile* we see connected with such systems is comparable to the *Spartan missile* we would use, if ever we got a *Nike-X* system in operation. We do *not* know for sure how good a missile it is, but then, we *do not know* a lot of things the Soviets *do* know about how good such a missile *needs to be*.

We simply have not explored or experimented as much as they have in the *near-space* environment where such anti-missiles are called upon to do their work.

The Russians, during their massive *1961-62* test series exploded numerous nuclear weapons in this space environment. Among their *71* tests were proof tests, weapons-system tests, effects tests and radar tests. On *two occasions* during the tests the Soviets launched an *ICBM, intercepted it* with a nuclear blast, and then fired a *second* missile to determine how its guidance and warhead were affected by the effects of the first explosion. They also studied the *blackout* effects of the blasts on their ground radar and electronic communications.

We have done *no such testing of such magnitude*. There had been a de-facto test-moratorium on when the Red tests broke it in 1961. We then carried out a *politically-limited* test series, *but we started behind and stayed behind*. Then came the test-ban treaty and we have been able to add *only bits and pieces* to our knowledge by underground testing.

What we are afraid we know the *least about* is the so-called *"shield"* effect caused by near-space, nuclear explosions. This is the tremendous surge of *"hot X-rays."*

The Armed Services Committee has been told about the phenomena. In lay-terms it works something like this. Nuclear explosives have a very *small* surface area. When they release their energy they get very, very hot and *radiate energy away* at temperatures in the X-ray region. This radiation flashes *unhindered* across space. Within the *kill-radius* of anti-missile weapons these thermal X-rays deposit their immense energy *inside* any unshielded object, such as a missile warhead, causing its components to explode *internally*.

Thus, it is likely that an anti-missile defense using the X-ray effect can provide what defense planners call an *"area"* defense covering many square miles with relatively few nuclear blasts.

In addition, such X-rays cause problems for the *guidance* systems of incoming missiles. If a guidance radar beam passes through the X-ray ionized region, it is deflected or totally reflected or echoed back in unintelligible bits and pieces.

We know *something* about these *electromagnetic pulse effects* of nuclear space explosions. We know *enough* to be sure that a *Nike–X* system *could stop enemy missiles* and save American lives—some 30 to 50 million American lives.

Up to now, the U.S. strategic nuclear deterrent has *inhibited the Soviets*. They backtracked in Cuba because we held the strategic upper hand. If we allow them *parity with us* or *superiority over us* because they can defend their population and we can't, then we must expect them to utilize their deterrence to inhibit *our actions*, to prevent us from helping our friends, and perhaps to prevent us from defending ourselves.

Already, we must admit that our strategy is affected by the still-limited Soviet defensive missile capability. We are having to spend vastly increased amounts on our *offensive* missiles right now in order to retain our penetration capability and strategic flexibility.

It is obvious that an anti-missile defense lends itself superbly to *bluff* and *blackmail*. It is easy to imagine a suddenly belligerent Soviet attitude toward Western Europe in which an undefended U.S. might *not* act. It is not beyond reason to imagine a threat aimed at the U.S., perhaps destruction of a single U.S. city, and a U.S. President *deprived of options* because his other cities lay *undefended* while Soviet cities were well guarded.

We seem to have reached one of those points in military history in which a deployed *defense* can hold an upper hand over the current *offensive* capability.

For all these reasons, I think the case is compelling for a prompt commitment to limited Nike-X deployment. Even though Secretary McNamara has said such a defense could not reduce American casualties—and I quote him—"in any *meaningful* sense," it seems to me 50 million American lives is a *meaningful* figure.

And, let me make one important additional point—even if there were *no* Soviet anti-missile system, it *still* would make good sense and be meaningful to erect at least a limited U.S. missile defense system to *save American lives*. Even should later and more complete intelligence convince us that all the Russians have built is a further anti-aircraft missile system, it still would make sense to defend Americans from both aircraft and missile attack in the very best way we know now.

There is a time problem. If we start now it will take five to seven years to get a limited Nike-X system in place. Quite aside from Russia, an unpredictable Red China may not give us that long.

As always there is a *cost* problem. But the matter is at least as important as Vietnam, and if we can spend $25 billion a year there we can find $4 billion for a light Nike-X defense that could be beefed up later on as necessary.

Such a defense would serve several purposes which I hope you will remember and consider.

It will redress the strategic balance.

It will point out to the Soviets that we are not totally committed to offensive strategy.

It will counter the Red Chinese threat.

It will counter the threat of accidental missile launchings.

It will firm up our friends around the world.

It could provide a defense for NATO that would revitalize that vital Atlantic alliance.

And, *most important*, it would put the Soviets on notice that the U.S. has not after all *misunderstood* the dynamic force of continuing technology. The world will be on notice that our *will to lead* the technological race remains vibrant and that we intend to remain strong and to use our strength for world *peace and stability*.

"Speak softly and carry a big stick" is still good advice in the face of potential attackers. I am *not* interested in seeing the U.S. and the Soviets armed with *equal-sized sticks* and *only the Reds* carrying a *shield*. If there is *no* U.S. big stick, then we will *only* be able to say and do *what the Communists* want us to.

I suggest that *your* generation of Americans hang onto *strategic superiority* and *remain masters of your own destiny*.

SENATOR PROXMIRE AND THE HUMAN RIGHTS CONVENTIONS

Mr. NELSON. Mr. President, for over 6 months my respected colleague, the senior Senator from Wisconsin, WILLIAM PROXMIRE, has spoken daily before the Senate to ask for action which would ratify the Human Rights Conventions.

I have read many of his speeches in the CONGRESSIONAL RECORD. They now number considerably more than 100. I admire his great tenacity and, I, too, ask why the Senate has not acted on the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery?

After World War II, our Nation undertook the leadership in establishing the principles embodied in these conventions. It seems to me that the U.S. Senate should debate these issues so that all opinions can be expressed—either for or against the conventions.

I have just received a letter calling attention to the fact that 1968 is the International Year for Human Rights.

I ask unanimous consent that the statement by the International Union of Electrical, Radio, and Machine Workers be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

INTERNATIONAL UNION OF ELECTRICAL, RADIO, AND MACHINE WORKERS,
Washington, D.C., September 1, 1967.

Senator GAYLORD NELSON,
U.S. Senate,
Old Senate Building,
Washington, D.C.

DEAR SENATOR: As you know, the United Nations has designated 1968 as the International Year for Human Rights.

This provides the nations of the world who subscribe to democracy and human rights as their cardinal principles to stand sharply in contrast to those countries where these rights have been abolished or have never had an opportunity to grow.

Certainly, the United States, as one of the oldest democracies of the world and a nation which is the world leader in its espousal of human rights, should be the prime example to the world.

However, unfortunately, our standing before the world in this matter is clouded by the fact that we have failed to ratify United Nations Conventions on human rights, some of them having been before the Senate for nearly ten years.

This includes:

1. Convention on the Prevention and Punishment of the Crime of Genocide.
2. Convention concerning Freedom of Association and Protection of the Right to Organize.
3. Supplementary Convention of the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.
4. Convention on the Political Rights of Women.
5. Convention concerning the Abolition of Forced Labor.
6. Convention concerning Discrimination in respect of Employment and Occupation.
7. Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value.
8. Convention against Discrimination in Education.
9. International Convention on the Elimination of All Forms of Racial Discrimination.

In contrast to our record of having ratified none of them, the following nations have ratified at least seven of the nine.

Argentina
China
Costa Rica
Denmark
Ecuador
Ghana
Israel
Niger
Norway
Pakistan
Philippines
Sweden
Tunisia
United Arab Rep.
Yugoslavia

Even some of the countries in the Communist bloc have endorsed a number of them.

As the representatives of 350,000 workers in the Electrical, Radio, and Machine Industry, who are proud of our nation and its record, we respectfully request that the ratification of these Conventions be an immediate item of business before the Senate. We hope that we can enter 1968 having demonstrated to the world that we have subscribed to all of these measures that are so vital to the preservation of human rights.

Sincerely yours,

PAUL JENNINGS,
President.

SHARING THE BURDEN IN VIETNAM

Mr. MONDALE. Mr. President, I am extremely disappointed by yesterday's television statements of the new South Vietnamese president about the conduct of the war in Vietnam. I do not believe he understands the concern many of us have about the new government and the war effort in that country.

General Thieu said yesterday that he thought a proper division of the missions of the effort in Vietnam would be for the United States to bear the brunt of the heavy fighting and for the South Vietnamese to carry on the pacification effort.

My own view is that it should be the other way around—and the sooner the better. It is time for the South Vietnamese to begin showing us that they are interested in becoming an independent nation. Unless they will fight hard, there is little we can do to help the new government to develop.

The fact is that the United States is now fighting most of the war in Vietnam. American troops bear the brunt of the fighting and the casualties, as the weekly listings show so graphically. American planes carry the entire load of attack on supply routes and industrial centers in North Vietnam.

Many Americans have severe doubts about our involvement in Vietnam. Many of the doubts have stemmed in part, I believe, from the minor role of South Vietnamese forces in this major military effort. Many of the questions that have been raised focus on a single concern. How can a South Vietnamese Government mean anything if the South Vietnamese cannot be persuaded to carry on the aggressive military action which their preservation requires?

Mr. President, South Vietnam has just had elections, and more are scheduled. I have looked forward to these elections and the development of a workable South Vietnamese Government.

I believe it is time now to test whether the South Vietnamese commitment is as sincere as the American commitment, which speaks for itself in the dedication of lives, material, and money.

The best interests of both nations require that the South Vietnamese take over more of the military and political initiative of the war. General Thieu should be as much interested in this as any of us.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, if there is no further morning business, I ask that morning business be closed.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ELECTION REFORM ACT OF 1967

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 500, S. 1880. I do this so that it will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1880) to revise the Federal election laws, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Rules and Administration, with amendments, on page 2, line 24, after the word "organization" to strike out "which supports a candidate and"; on page 4, line 17, after the word "party" to strike out "in any election" and insert "in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political

office"; on page 5, line 14, after the word "political" to strike out "committee the sole substantial purpose of which is to support a candidate or candidates." and insert "committee."; on page 9, line 12, after the word "organization" to strike out "which supports a candidate and"; and on page 18, after line 11, to strike out:

The Secretary or Clerk, as the case may be, shall have authority to modify, suspend, or waive by published regulation of general applicability such of the requirements of sections 203, 204, and 205 as he finds to be unnecessarily burdensome to the persons required to report thereunder or not to be necessary to effectuate the purpose of this title.

So as to make the bill read:

S. 1880

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Election Reform Act of 1967".

TITLE I

AMENDMENTS TO CRIMINAL CODE

SEC. 101. Section 591 of title 18 of the United States Code is amended to read as follows:

"§ 591. Definitions

"When used in sections 597, 599, 602, 608, and 610 of this title—

"(a) The term 'election' means (1) a general, special, or primary election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, or (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President;

"(b) The term 'candidate' means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected. For purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

"(c) The term 'Federal office' means the office of President or Vice President of the United States, or of Senator or Representative in, or Resident Commissioner to, the Congress of the United States;

"(d) The term 'political committee' means any individual, committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000;

"(e) The term 'contribution' means a gift, subscription, loan, advance, or deposit of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal Office, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, and includes a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution, and also includes a transfer of funds between political committees;

"(f) the term 'expenditure' includes a purchase, payment, distribution, loan, advance, deposit, or gift of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, and includes a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make an expenditure, and also includes a transfer of funds between political committees;

"(g) The term 'person' or the term 'whoever' means an individual, partnership, committee, association, corporation, or any other organization or group of persons."

SEC. 102. Section 600 of title 18 of the United States Code is amended to read as follows:

"§ 600. Promise of employment or other benefit for political activity

"Whoever, directly or indirectly, promises any employment, position, compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, shall be fined not more than $1,000 or imprisoned not more than one year, or both."

SEC. 103. Section 608 of title 18 of the United States Code is amended to read as follows:

"§ 608. Limitations on political contributions and purchases

"(a) It shall be unlawful for any person, directly or indirectly, to make a contribution or contributions in an aggregate amount in excess of $5,000

"(1) during any calendar year, or

"(2) in connection with any campaign for nomination for election, or election,

to any political committee or candidate, to two or more political committees substantially supporting the same candidate, or to a candidate and one or more political committees substantially supporting the candidate: *Provided, however,* That the term 'person' as used in this subsection shall not include a political committee.

"(b)(1) It shall be unlawful for any political committee or candidate to sell goods, commodities, advertising, or other articles, or any services to anyone other than a political committee or candidate.

"(2) It shall be unlawful for any person, other than a political committee or candidate, to purchase goods, commodities, advertising, or other articles, or any services from a political committee or candidate.

"(c) Whoever violates subsection (a) or (b) of this section shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(d) Subsection (b) of this section shall not apply to a sale or purchase (1) of any political campaign pin, button, badge, flag, emblem, hat, banner, or similar campaign souvenir or any political campaign literature or publications (but shall apply to sales of advertising including the sale of space in any publication), for prices not exceeding $25 each, (2) of tickets to political events or gatherings, (3) of food or drink for a charge not substantially in excess of the normal charge therefor, or (4) made in the course of the usual and known business, trade, or profession of any person or in a normal arm's-length transaction: *Provided, however,* That a sale or purchase described in paragraph (1), (2), or (3) shall be deemed a contribution under subsection (a) of this section.

"(e) For the purposes of this section, a contribution made by the spouse or a minor child of a person shall be deemed a contribution made by such person.

"(f) Nothing contained in this section shall be deemed to prohibit any contribution to a candidate by the spouse or a child, grandchild, parent, grandparent, brother, or sister of the candidate.

"(g) In all cases of violations of this section by a partnership, committee, association, corporation, or other organization or group of persons, the officers, directors, or managing heads thereof who knowingly and willfully participate in such violation shall be punished as herein provided."

SEC. 104. Section 609 of title 18 of the United States Code is repealed.

SEC. 105. Section 611 of title 18 of the United States Code is amended to read as follows:

"§ 611. Contributions by Government contractors

"Whoever, including a corporation, *entering* into any contract with the United States or any department or agency thereof, either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, during the period of negotiation for, or performance under, such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly makes any contribution to any person, association, or organization for the purpose of influencing the nomination for election, or election, of any person to any public office, or to any political party, committee, or candidate for any public office for any political purpose whatever; or

"Whoever knowingly solicits any such contribution from any such person during any such period—

"Shall be fined not more than $5,000 or imprisoned not more than five years, or both."

SEC. 106. So much of the sectional analysis at the beginning of chapter 29 of title 18 of the United States Code as relates to sections 609 and 611 is amended to read:

"609. Repealed.

"611. Contributions by Government contractors."

TITLE II—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

SEC. 201. DEFINITIONS.—

When used in this title—

(a) The term "election" means (1) a general, special, or primary election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, or (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President;

(b) The term "candidate" means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected. For purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

(c) The term "Federal office" means the office of President or Vice President of the United States; or of Senator or Representative in, or Resident Commissioner to, the Congress of the United States;

(d) The term "political committee" means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000;

(e) The term "contribution" means a gift, subscription, loan, advance, or deposit of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as presidential and vice-presidential electors, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution, and also includes a transfer of funds between political committees;

(f) The term "expenditure" includes a purchase, payment, distribution, loan, advance, deposit, or gift of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or as presidential and vice-presidential electors, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure, and also includes a transfer of funds between political committees;

(g) The term "clerk" means the Clerk of the House of Representatives of the United States;

(h) The term "Secretary" means the Secretary of the Senate of the United States;

(i) The term "person" includes an individual, partnership, committee, association, corporation, labor organization, and any other organization or group of persons;

(j) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

ORGANIZATION OF POLITICAL COMMITTEES

SEC. 202. (a) Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and address of the person making such contribution, and the date on which received. All funds of a political committee shall be kept separate from other funds.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

(1) all contributions made to or for such committee;

(2) the full name and mailing address of every person making any contribution, and the date and amount thereof;

(3) all expenditures made by or on behalf of such committee; and

(4) the full name and mailing address of every person to whom any expenditure is made, and the date and amount thereof.

(d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee of $100 or more in amount, and for any such expenditure in a lesser amount, if the aggregate amount of such expenditures to the same person during a calendar year exceeds $100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the Secretary or Clerk, as the case may be.

REGISTRATION OF POLITICAL COMMITTEES; STATEMENTS

SEC. 203. (a) Each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding $1,000 shall, within ten days after its organization or, if later, ten days after the date on which it has information which causes it to anticipate it will receive contributions or make expenditures in excess of $1,000, file with the Secretary or Clerk, as the case may be, a statement of organization. Each such committee in existence at the date of enactment of this Act shall file a statement of organization with the Secretary or Clerk, as the case may be, at such times as he prescribes.

(b) The statement of organization shall include—

(1) the name and address of the committee;

(2) the names, addresses, and relationships of affiliated or connected organizations;

(3) the area, scope, or jurisdiction of the committee;

(4) the name, address, and position of the custodian of books and accounts;

(5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;

(6) the name, address, office sought, and party affiliation of (A) each candidate whom the committee is supporting and (B) any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever; or, if the committee is supporting the entire ticket of any party, the name of the party;

(7) a statement whether the committee is a continuing one;

(8) the disposition of residual funds which will be made in the event of dissolution;

(9) a listing of all banks, safety deposit boxes, or other repositories used;

(10) a statement of the reports required to be filed by the committee with State or local officers, and, if so, the names, addresses, and positions of such persons; and

(11) such other information as shall be required by the Secretary or Clerk.

(c) Any change in information previously submitted in a statement of organization shall be reported to the Secretary or Clerk, as the case may be, within a ten-day period following the change.

(d) Any committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding $1,000 shall so notify the Secretary or Clerk, as the case may be.

REPORTS BY POLITICAL COMMITTEES AND CANDIDATES

SEC. 204. (a) Each treasurer of a political committee supporting a candidate or candidates for election to the office of President or Vice President of the United States or Senator, and each candidate for election to such office, shall file with the Secretary, and each treasurer of a political committee supporting a candidate or candidates for election to the office of Representative in, or Resident Commissioner to, the Congress of the United States, and each candidate for election to such office, shall file with the Clerk, reports of receipts and expenditures on forms to be prescribed or approved by him. Such reports shall be filed on the 10th day of March, June, and September, in each year, and on the fifteenth and fifth days next preceding the date on which an election is held, and also by the 31st day of January. Such reports shall be complete as of such date as the Secretary may prescribe, which shall not be less than five days before the date of filing.

(b) Each report under this section shall disclose—

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the full name and mailing address of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events) within the calendar year in the aggregate amount or value of $100 or more, together with the amount and date of such contributions;

(3) the total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (2);

(4) the name and address of each political committee or candidate from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all such transfers;

(5) each loan to or from any person within the calendar year in the aggregate amount or value of $100 or more, together with the full names and mailing addresses of the lender and endorsers, if any, and the date and amount of such loan;

(6) the total amount of proceeds from (A) the sale of tickets to each dinner, luncheon, rally, and other fundraising event; (B) mass collections made at such events; and (C) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(7) each contribution, rebate, refund, or other receipt of $100 or more not otherwise listed under paragraphs (2) through (6);

(8) the total sum of all receipts by or for such committee or candidate during the reporting period;

(9) the full name and mailing address of each person to whom an expenditure or expenditures have been made by such committee or candidate within the calendar year in the aggregate amount or value of $100 or more, and the amount, date, and purpose of each such expenditure;

(10) the full name and mailing address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses of $100 or more has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(11) the total sum of expenditures made by such committee or candidate during the calendar year;

(12) the amount and nature of debts and obligations owed by or to the committee, in such form as the Secretary or Clerk may prescribe;

(13) such other information as shall be required by the Secretary or Clerk.

(c) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward. If no contributions or expenditures have been accepted or expended during a calendar year, the treasurer of the political committee or candidate shall file a statement to that effect.

REPORTS BY OTHERS THAN POLITICAL COMMITTEES

SEC. 205. Every person (other than a political committee or candidate) who makes contributions or expenditures, other than by contribution to a political committee or candidate, aggregating $100 or more within a calendar year shall file with the Secretary or Clerk, as the case may be, a statement containing the information required by section 204. Statements required by this section shall be filed on the dates on which reports by political committees are filed, but need not be cumulative.

FORMAL REQUIREMENTS RESPECTING REPORTS AND STATEMENTS

SEC. 206. (a) A report or statement required by this title to be filed by a treasurer of a political committee, a candidate, or by any other person, shall be certified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths.

(b) A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the Secretary or Clerk, as the case may be, in a published regulation.

(c) The Secretary or Clerk may, by published regulation of general applicability, relieve any category of political committees of the obligation to comply with section 204 if such committee (1) primarily supports persons seeking State or local office, and does not substantially support candidates, and (2) does not operate in more than one State or on a statewide basis.

(d) The Secretary or Clerk, as the case may be, shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that they be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

REPORTS ON CONVENTION FINANCING

SEC. 207. Each committee or other organization which—

(1) represents a State, or a political subdivision thereof, or any group of persons, in dealing with officials of a national political party with respect to matters involving a convention held in such State or political subdivision to nominate a candidate for the office of President or Vice President, or

(2) represents a national political party in making arrangements for the convention of such party held to nominate a candidate for the office of President or Vice President,

shall, within sixty days following the end of the convention (but not later than twenty days prior to the date on which presidential and vice-presidential electors are chosen), file with the Secretary a full and complete financial statement, in such form and detail as he may prescribe, the sources from which it derives its funds, and the purposes for which such funds were expended.

DUTIES OF THE SECRETARY AND CLERK

SEC. 208. (a) It shall be the duty of the Secretary and Clerk, respectively

(1) to develop prescribed forms for the making of the reports and statements required to be filed with him under this title;

(2) to prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make such reports and statements;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes of this Act;

(4) to make the reports and statements filed with him available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person;

(5) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(6) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

(7) to prepare and publish an annual report including compilations of (A) total reported contributions and expenditures for all candidates, political committees, and other persons during the year; (B) total amounts expended according to such categories as he shall determine and broken down into candidate, party, and nonparty expenditures on the National, State, and local levels; (C) total amounts expended for influencing nominations and elections stated separately; (D) total amounts contributed according to such categories of amounts as he shall determine and broken down into contributions on the National, State, and local levels for candidates and political committees; and (E) aggregate amounts contributed by any contributor shown to have contributed the sum of $100 or more;

(8) to prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditure made with respect to preceding elections;

(9) to prepare and publish such other reports as he may deem appropriate;

(10) to assure wide dissemination of statistics, summaries, and reports prepared under this Act;

(11) to make from time to time audits and field investigations with respect to reports and statements filed under the provisions of this title, and with respect to alleged failures to file any report or statement required under the provisions of this title;

(12) to report apparent violations of law to the appropriate law enforcement authorities; and

(13) to prescribe suitable rules and regulations to carry out the provisions of this title.

(b) In the performance of their duties under this Act, the Secretary and Clerk shall coordinate their activities with the activities of the Comptroller General under the Presidential Election Campaign Fund Act of 1966.

STATEMENTS FILED WITH CLERK OF UNITED STATES COURT

SEC. 209. (a) A copy of each statement required to be filed with the Secretary or Clerk by this title shall be filed with the clerk of the United States district court for the judicial district in which is located the principal office of the political committee or, in the case of a statement filed by a candidate or other person, in which is located such person's residence. The Secretary or Clerk may require the filing of reports and statements required by this Act with the clerks of other United States district courts where he determines the public interest will be served thereby.

(b) It shall be the duty of the clerk of a United States district court under subsection (a)—

(1) to receive and maintain in an orderly manner all reports and statements required by this title to be filed with such clerks;

(2) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(3) to make the reports and statements filed with him available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person; and

(4) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate.

PROHIBITION ON CONTRIBUTIONS IN NAME OF ANOTHER

SEC. 210. No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

PENALTY FOR VIOLATIONS

SEC. 211. Any person who violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

STATE LAWS NOT AFFECTED

SEC. 212. (a) Nothing in this title shall be deemed to invalidate or make inapplicable any provision of any State law, except where compliance with such provision of law would result in a violation of a provision of this title.

(b) The Secretary and Clerk shall encourage, and cooperate with, the election officials in the several States to develop procedures which will eliminate the necessity of multiple filings by permitting the filing of copies of Federal reports to satisfy the State requirements.

PARTIAL INVALIDITY

SEC. 213. If any provision of this title, or the application thereof, to any person or circumstance is held invalid, the validity of the remainder of the title and the application of such provision to other persons and circumstances shall not be affected thereby.

REPEALING CLAUSE

SEC. 214. The Federal Corrupt Practices Act and all other Acts or parts of Acts inconsistent herewith are repealed.

CITATION

SEC. 215. This title may be cited as the "Campaign Funds Disclosure Act of 1967."

TITLE III

AUTHORIZATION OF APPROPRIATIONS AND EFFECTIVE DATE

SEC. 301. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 302. This Act shall take effect January 1, 1968.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the previous order with respect to the recognition of the senior Senator from Oregon [Mr. MORSE] be modified to permit the Senator from Oregon to proceed, at any time when ready, for a period not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBMISSION OF THE VIETNAM ISSUE TO THE UNITED NATIONS

The PRESIDING OFFICER. Under the previous order, as modified, the Senator from Oregon [Mr. MORSE] is recognized for 1 hour.

Mr. MORSE. Mr. President, I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, as I have informed my friend the distinguished Senator from Oregon, I shall not be able to hear his speech, but I have read the resolution which I understand he will offer, and I believe that he is presenting a very important matter to the Senate.

The proposal of the distinguished majority leader [Mr. MANSFIELD] to submit the issue of Vietnam to the United Nations has received wide support in the Senate, and indeed throughout the country, and all of us have been heartened by the reported decision of the President of the United States to support, as he did in 1966, the submission of the issue of Vietnam to the Security Council of the United Nations.

I believe that, implicit in the submission of this issue to the United Nations, is an undertaking of the United States that it will work for the development of procedures in the Security Council to bring about a cease-fire and negotiations and will also be willing to accept a fair settlement of the issue.

It is in this context that I must say I was quite disappointed by the statements made by the Secretary of State during his press conference last Friday.

I think it is quite evident that it is unlikely that the Security Council will accept jurisdiction of this issue or that it will reach any meaningful recommendations for the settlement of the war in Vietnam if all belligerent parties adhere to inflexible and fixed positions.

It seems to me that the Secretary of State emphasized adherence to fixed and inflexible positions which seem to represent the policy of our country.

I have several times raised the question of the cessation of bombing as a test of the possibility of negotiations. I think it very possible, if the Security Council accepts jurisdiction of the issue and makes any recommendations which would lead toward a cease-fire, and negotiations, that it will recommend a cessation of bombing. I would much prefer that our country made the decision for a cessation of bombing than to have the decision made by the Security Council or other countries. So, today I want to point out that the resolution of the Senator from Oregon presents to the Senate a vital issue. I hope that the resolution will receive thorough consideration of the Senate.

Mr. MORSE. Mr. President, I appreciate very much the comments just made. The Senator from Kentucky [Mr. COOPER] has been among a group of us who for a long time past have taken the position that the war in Vietnam should be submitted to the United Nations either by our country or some other country through a resolution that is subject to a veto.

The resolution which the United States has submitted to the United Nations is not a resolution that is subject to veto. It is simply a resolution in which the United States asks the Security Council to put the problem on the agenda. Some years ago they did this, and that is where it will stay.

One of the points of my argument today is that the United States has not really carried out its obligations under the charter and will not carry out these obligations under the charter until it submits a resolution under the terms of which it pledges to commit itself to abide by the jurisdiction of the United Nations. That is the commitment we made when we signed the charter, and that is the commitment that every other signatory to the charter made.

I think it is time for the United States to fish or cut bait on this issue. It is time for this administration to carry out its obligations. It is time for the United States to send to the United Nations, in view of the fact that every other signatory to the charter has not been carrying out its obligations either, a resolution whereby we pledge that we will cooperate to support the Security Council or, if necessary, the General Assembly in enforcing the peace in Vietnam. That means that we commit ourselves to stopping war and the slaughter of American boys in South Vietnam in support of a shocking dictatorship that we are more responsible for creating in the first place than any other force in the world.

We should commit ourselves to saying to the world that we are now ready to turn the matter of the ending of this war and the enforcing of the peace that is called for over to the United Nations.

I think there is no other way. I think that if we follow the procedure the United States has been following, we will slaughter American boys for the next many years in South Vietnam by the increasing thousands and run the great risk of killing them by the millions if our course of action leads to a third world war, which it very well can do.

That is why I incorporate, by reference, every word I have spoken on this floor for the last 4 years in my unalterable opposition to the U.S. outlawry in South Vietnam. Oh, my critics do not like to hear it, but the fact is that from the very beginning we have been an outlaw nation in Vietnam. We, to all intents and purposes, have torn up the United Nations Charter and, of course, we have treated sections of the Constitution of the United States as but scraps of paper. We have heard the Deputy Secretary of State, the Under Secretary of State, the former Attorney General of the United States tell the American people before the Committee on Foreign Relations that article I, section 8, of the Constitution is outmoded.

Think of it. Did any Member of the U.S. Senate think he would live so long as to hear a Cabinet officer of the United States say that a single word of the Constitution of the United States is outmoded?

That is why I said on the floor of the Senate the other day that I would like to hear my administration tell me what other parts of the Constitution it thinks might be outmoded. This is the talk of men who practice government by man rather than by law. This is the talk of proponents, not of constitutionalism, but of a government in the United States of executive supremacy, and a government by executive supremacy means government by mere men, with all their human weaknesses, to rule a supposedly free people by the arbitrary, capricious power of a chief executive of the land. Why, we fought that battle centuries ago against a British Crown that sought to impose upon our forefathers the arbitrary, capricious discretion of a king.

I have cited to the Senate time and time again in the last 4 years—and incorporate those remarks by reference in my speech today—the purpose for article I, section 8 that now the Under Secretary of State—I suppose speaking for the President—says is outmoded.

Let them read their Jefferson and their Gouverneur Morris and Hamilton and Madison as to what they said was the purpose of article I, section 8 of the Constitution. It was to save the people of the new Republic from the arbitrary, capricious control of a British monarch for, as they said in those great constitutional debates, that British king sent British subjects out onto the battlefields to be slaughtered in accordance with his decision as to what war was to be fought. They made it perfectly clear in the constitutional debate that that autocratic government by mere man was not to prevail in this Republic.

If I had had the Under Secretary of State, the former Attorney General of the United States, in my constitutional law advanced course, I would have flunked him if he had given me, in a final examination, a statement of such ignorance of American constitutional law as Mr. Katzenbach demonstrated when he testified that article I, section 8 of the Constitution is outmoded. I am glad, at least, that he is not Attorney General.

Mr. President, that is merely a preface to my discussion of the resolution.

I thank the Senator from Kentucky [Mr. COOPER] for his kind remarks.

Mr. President, today, I am submitting a concurrent resolution calling upon the United States to submit the Vietnam war to the United Nations for settlement. I offer it rather than a resolution seeking to repeal the Tonkin Gulf resolution, because it is evident that something much more than that is needed. It is time for Congress—yes, for the American Government—to embark on a new direction insofar as the course of the Vietnam war is concerned. That new direction is what my resolution seeks to provide.

Few foreign policy statements in the history of the republic have failed more completely in their purpose than the Southeast Asia resolution of 1964, known as the Tonkin Gulf resolution. Its purpose was to demonstrate national unity in face of an exchange of gunfire in the Gulf of Tonkin between American destroyers and North Vietnamese PT boats.

Although the President had full powers as Commander in Chief to respond to any attack upon American property, he sought a statement from Congress endorsing that action. It is my opinion that in a moment of irresponsibility, Congress approved language in it that went far beyond the circumstances of that engagement, language that referred to "preventing aggression," with no definition of where, when, or by whom.

The Tonkin Gulf resolution was touted at the time as one that would notify North Vietnam of our determination to resist their PT boat attack and convince them that all future military operations against American forces, and presumably against South Vietnamese forces, were futile. The resolution was supposed to avoid war through a show of national strength and unity of determination.

It was adopted by an overwhelming vote in Congress. Certainly, it demonstrated all the unity that the administration could ask for it. But I shall always be proud to have my descendants read that I was one of the two Senators who refused to vote for what I have said many times was clearly an unconstitutional resolution, was really a resolution in regard to which Congress did not have the constitutional authority to pass if Congress wanted to stay within the framework of the Constitution itself.

Yet, as a means of avoiding war, that resolution, of course, has itself been a disaster. It has served instead as the platform from which the largest war since World War II has been launched by the United States. Despite the fact that the naval incident of August 1964, is no longer relevant to the situation, the Tonkin Gulf resolution has continued to serve as the foundation for American enlargement of the conflict.

And what an enlarged conflict it has become. We are engaged in the largest air war in all our history. For many, many months—and this is the Department of Defense testifying, may I say, in essence—we have dropped more tons of bombs per week on Vietnam than we dropped in World War II in any week, including both the European and the African campaigns. This fact needs to be pointed out over and over again. The war now has been enlarged in the South to the point where we have over a half million men in the fighting areas. We have lost over 12,000 men in war action. We have more than three times that number seriously wounded. We have total casualties—including killed, seriously wounded, and wounded—approaching 90,000.

This is no brushfire war. This is no border incident. This is war—a major war, with all the horrible and ugly realities of war.

I plead once more—as I raise my voice again today in the cause of peace—for my country to return to the framework of its ideals, to demonstrate that it is willing to exhaust all the peaceful procedures available to it under international agreements and international law for enforcing a peace, which means to stop making war. That is what my resolution seeks to do so far as its essential thrust is concerned, as I shall describe in the course of my remarks.

We should have recognized that the Tonkin Bay resolution would only be productive of war. We had a form of national unity resolution in the case of Mexico; it, too, authorized the President to take certain military action that was supposed to frighten off Mexico. But it did not. It led straight to war. And the historians are still writing their condemnation of us for that war. People are inclined to forget, so some of us have to refresh their memories, as we have discussed the Mexican War in connection with the Vietnamese war, as the senior Senator from Oregon has quoted time and time again on the floor of the Senate the opposition to the Mexican War by a dissenter of his day, a man named Abraham Lincoln, a Congressman from Illinois, who forthrightly and courageously spoke out about the illegality of the Mexican War, about the immorality of the Mexican War, about the lack of justification for involving the American people in the Mexican War.

Mr. President, that great speech of Abraham Lincoln in the House of Representatives stands as one of his many deserved monuments in the history of the Republic.

So, too, was there a resolution in the case of Cuba in 1898. We heard it said in Congress at that time that a show of national unity would frighten Spain out of Cuba. But it led to war with Spain, instead.

One of the comments of the so-called war advocates in regard to both the Mexican War and the Spanish War is that we won both of them.

Oh, Mr. President, so often what a sting there is in victory. The fighting in those two wars stands as despoiled pages on the record of American history. Victory does not make right. We can commit enough inhumanity against both our men and the enemy to force a surrender. Some will call it victory, but history will record it as a great defeat because we will have defeated so many of the ideals of our Nation.

That has been our experience with the Tonkin Gulf resolution. It has been productive of more war and ever more war in Asia. If it had any effect upon North Vietnam at all, it was to prod that country into new and more carefully organized military and political activity for her own defense.

If one can find any comfort in our experience with this resolution, it is that no future resolutions of this kind will be accepted by Congress so long as anyone is here who went through the Tonkin Gulf experience.

NEW RESOLUTION NEEDED

Although I have always believed that resolution was a mistake, and that it should be rescinded, yet it is obvious that much more is needed.

I tried to rescind it, as will be recalled, a year and a half ago, and the course of action was to lay my proposal on the table. Whereas there were only two votes against the resolution in August 1964, being the votes of the Senator from Alaska [Mr. GRUENING] and the senior Senator from Oregon, we had five votes against the motion to lay on the table, and everyone in the Senate knew what they were voting on. They were voting not on a motion to lay on the table, except in technical form; they were voting on whether or not they wanted to go on record on the floor of the Senate contrary to the position many of them take on the other side of those two doors. When many of them are out in the cloakroom, they freely admit they made a mistake when they voted for the Tonkin Gulf resolution in the first place, but not here on the floor of the Senate are they willing to admit they made a mistake by a vote to repeal. So they voted for the motion to lay on the table, many of them thinking they could explain it by saying it was a vote on a procedural matter. But the country knew it was a vote on a substantive matter.

I say respectfully to my beloved friends in the Senate that it is easy to make speeches here and elsewhere in the country raising regrets and doubts of the wisdom of passing the Tonkin Gulf resolution in the first instance, but I know of no gymnastic ambivalence that is going to enable any politician in the Senate or the House of Representatives to be on both sides of this issue. If they try to do that, I think the voters will catch up with them, and well they should.

I would that the resolution could be repealed or rescinded. I am enough of a political realist to know that the probabilities of that happening are so remote that there is a greater chance for a frozen snowball to remain frozen in an oven of 150 degrees Fahrenheit. Therefore, my approach today is somewhat different from my approach of February 1966, when I sought to rescind the Tonkin Gulf resolution.

Although the administration takes the view that what Congress thinks is irrelevant, I believe the kind of resolution that is needed is a statement of congressional policy on how a major war in Southeast Asia should be dealt with by the United States. Such a resolution is needed because our previous policy of the Tonkin Gulf resolution has failed totally to arrest the size and scope of the conflict.

We need a resolution that recognizes that in acting unilaterally, the United States has not been able to stop the fighting, and that it has in fact grown into a major war that threatens the peace not only of all Asia, but of the entire world. It should recognize that the naval incident of August 1964, is no longer relevant to the situation, and the action that Congress anticipated at that time against North Vietnamese PT-boats has long since been carried out. The resolution I am offering today is based on these facts.

It expresses the sense of Congress that the President and his administration act as we are required to act under the charter of the United Nations. It states that the President should request the Security Council of the United Nations to meet on the subject of the entire Vietnamese war, and asks that he call upon the Security Council to issue a call for a cease-fire by all parties on all fronts of the fighting.

One of the essential provisions of my resolution is that we must propose and be willing to comply with a cease-fire order. We have got to stop the killing, and we have got to stop the sending of our young men to Southeast Asia to be slaughtered in a war that is unjustifiable, illegal, and immoral. That is the test of our ideals. It means, as I said in my colloquy with the Senator from Kentucky [Mr. COOPER], that we must submit a resolution to the U.N. that is subject to a veto or adoption.

We must submit a resolution in which we pledge that we will accept the jurisdiction of the United Nations and comply with its orders. That is what the charter provides, and that is what we have never been willing to do. Until we do it, and I speak most respectfully of my President, all of his talking about being willing to go to the United Nations is empty semantics.

The language we must use and the pledge we must make is that we will abide by the jurisdiction of the procedures of the charter. The first thing we have to be willing to commit ourselves to is that we will support a cease-fire order. That will stop the killing. Of course, as I shall point out later, it calls for enforcement, but that is what the United Nations Charter was set up to do.

That is why I have been heard to say so many times in these historic debates in the Senate that the sad thing is not a single signatory to the United Nations Charter, including the United States, has ever carried out its solemn commitment vis-a-vis the war in Vietnam. That goes for our neighbor to the north—Canada—for Great Britain, the Scandinavian countries, France, Russia, Italy, Japan, India, and the Latin American countries. Every signatory has failed to carry out the clear obligation that their signature to the charter imposed upon them when they signed it.

If the charter is becoming a dead letter, as some critics of the United Nations declare, that is only because the signatories to it no longer seem to honor their signatures in a great world crisis such as this.

It further urges that the United States ask the Security Council to take whatever steps necessary to enforce that cease-fire, and it states that whatever action the Council decides to take under article 25 will be accepted and carried out by the United States.

The resolution states further that if the Security Council fails to act to assert jurisdiction over the war, the President should pursue the same course of action in the General Assembly, just as we did in the case of the Congo when the Security Council failed to act and the General Assembly acted instead to prevent a colossal confrontation among nations warring for control of central Africa.

When it is India, Pakistan, Israel, or Egypt, or the Soviet Union that is involved in warfare, the United States has always insisted that the United Nations act to take jurisdiction and to move in and settle the dispute.

Senators have heard me discuss many times the situation involving the Cyprus problem, when Great Britain and the United States attempted, behind the scenes, to work out an understanding to get NATO to move in on the Cyprus issue.

As the RECORD will show, 10 days before I had the slightest idea of what Russia and France were planning in regard to Cyprus, I took the floor of the Senate and made a major speech calling for United Nations action on the Cyprus problem. I pointed out that there was not a scintilla of legal basis for NATO involvement in Cyprus, but that the United Nations Charter cried out for United Nations intervention.

Later, we were told that the Pentagon, the State Department, and the CIA were not aware of what Russia and France were up to at the time. I said during that debate that it was nothing new for the Pentagon, the State Department, or the CIA to be caught flatfooted. But, 10 days later, Russia and France showed their hands, for they had gone about lining up a large number of nations for United Nations intervention in the Cyprus issue; and then, to the everlasting credit of my Government and the British Crown, both nations joined in the march toward peace in Cyprus through United Nations intervention—and a war was prevented, then and since. For how long, we can only hope—but I am hopeful; although, as I have said, and repeat, would it not have been paradoxical if Greece and Turkey had gone to war against each other, each side 100 percent equipped with American military aid and materiel?

What has happened to our morality?

What has happened to the American people, that they would permit their Government to go around the world, equipping with American military equipment, nations having great conflicts and controversies with their neighbors, thereby increasing—not decreasing—the possibility and probability of war? That is why I offer no apology for my consistent votes against military aid of this kind.

Military aid to maintain internal order is quite different, because it involves entirely different equipment from military aid which can be used only for external wars.

Mr. President, I do not accept the argument that the United Nations cannot work. I point out only that it cannot work unless the signatories to the charter are willing to make it work. If they are not willing to make it work, then let me say to all the signatories to the charter whom I have already mentioned and to the rest whom I have not that they must assume not only the moral responsibility for the war in Vietnam but also the responsibility for what I consider to be a violation of their legal obligations under the charter, to do what they can to insist that the charter shall be applied to the war.

Mr. President, the record is clear that, more often than not, when the U.N. has intervened, it has been able to stop war. But when the United States is involved massively in war in Vietnam, we have not once asked the U.N. to take effective action to stop or to settle the dispute.

OBJECTIONS TO U.N. ACTION UNCONVINCING

People say: "But isn't the U.N. too divided, too weak to handle a big war like this?"

My answer is: "It is the job of the U.N. to keep peace. The United States set out to keep peace alone. Instead of bringing peace to Vietnam, we have contributed more than our share to the steady enlargement of the war, the steady increase in death and destruction. We cannot keep peace acting alone, as the course of this war amply demonstrates. We cannot keep peace as policeman to the world because the world does not accept one country's idea of what the peace should be, any more than the world accepted Britain's idea of world order, or Germany's, or Napoleon's. The United Nations deserves a chance. It cannot do worse than we have done in bringing peace to Vietnam."

A single world power "enforces" peace by waging war against those who have a different idea of what the peace should be. What a far cry that is from self-defense. What a far cry from protecting the lives and safety and liberty of the American people.

Every day this war continues, we are jeopardizing the lives of young Americans still in high school who will be sent into that conflict if it is not brought to a conclusion soon. Every day it continues, we have less control over its scope, less control over the responses of North Vietnam, the responses of Russia and China, who have an even more direct stake than we do in what happens in Southeast Asia.

Every day it continues we are sucked further into the land mass of Asia, which has swallowed up multitudes of outsiders—even from Japan—who believed they were powerful enough to control Asia.

Just as I am unimpressed by our self-flattering theory about serving as policeman to the world, so I am unimpressed by the timid voices at the United Nations who prefer to shun their responsibilities under the charter simply because it is the United States that is involved in the war. We are the world's most powerful nation, and we are by far its wealthiest. Apparently, no one wants to reprimand or chastise or bring under international control the goose that lays the golden egg.

We are pouring out aid totaling billions of dollars. It has totaled over $121 billion since 1946 into some 93 nations.

That is why I say I think it is simply unrealistic to assume that the United Nations will take jurisdiction unless the United States is willing to make the pledge that my resolution calls for; unless my country is willing to offer a resolution that calls for a cease-fire order by the United Nations; unless my country is willing to submit a resolution that calls upon the United Nations to enforce the peace and pledges that we will abide by its determination. We will have our share of the voice in helping to frame the determination, but whatever the determinations are, we ought to make clear, before the fact, that we will abide by the adjudication, so to speak, of the United Nations.

I have heard it said that U Thant thinks the U.N. has no role to play in the Vietnam war. My answer is that Thant is not the United Nations. The members comprise the United Nations, the Secretary General is naught but an agent of the United Nations. Yet we have permitted to be developed, by way of rationalization, the false premise that if U Thant says we should not do it, then we should not do it. I have great respect and high praise for him with regard to many of his recommendations and actions; but, in my judgment, it is for the United Nations to determine the course of action; and if

U Thant thinks he cannot cooperate to carry out those decisions, then let us have a new Secretary General of the United Nations, for the members constitute the organization, not the Secretary General.

At the time of the Middle East crisis, the Senate heard me declare what I considered to be a usurpation of power on the part of the Secretary General when, without getting approval of his principals, he proceeded to yield to Nasser in the withdrawal of United Nations forces. May I say I think it is regrettable that all the United States did at that time was make some statements in the United Nations expressing concern about it and disagreement with the exercise of his discretion. The issue should have been drawn with U Thant, and it should have been made perfectly clear to the Secretary General that he is a servant of the United Nations, not its controller, not its policymaker. He has a right to make recommendations, and I give great respect to his recommendations, but it is one thing to make recommendations and it is another thing to proceed to determine policy.

Those who are mentioning U Thant's position with regard to a Security Council or United Nations intervention in South Vietnam are, in my judgment, looking for excuses, not reasons, for our not doing what the charter places upon every signatory the clear legal obligation to do.

More important, may I say, why does not the United Nations have a role to play? It had a role in the war between India and Pakistan; it had a role in the Middle East; it has a role wherever its members decide it has a role.

Of course, as the Senate knows, as I have made clear in some of my discussions on the Middle East problem, it did not carry out its role in the Middle East, but at least it recognized that it had a role.

I shall never accede to the idea that Thant or any other Secretary General has a veto power over the United Nations.

No one regrets more than I that the United States has never accepted the first recommendation that Thant has made for bringing the war to a negotiated settlement. His first recommendation is that the United States stop bombing North Vietnam. And I think it should, and I have pleaded for it time and time again here on the floor of the Senate and from the platforms of America. His first recommendation, as I have said, is that we should stop bombing North Vietnam, and I think he is right. We have had our little "pauses." But that is all they ever were. They were "pauses," and we have called them pauses in full knowledge that they constituted more of an ultimatum to negotiate promptly—"or else"—than a true cessation in bombing.

But the real point I am making is this: There never will be a bona fide cessation in the bombing of North Vietnam until the nations of the world compel it.

I would it were not true, but I am satisfied it is. The United States will never reduce its use of military power simply on the basis of its own initiatives. It will only reduce its use of military power upon the severe protestations of other countries, either acting directly or through the medium of the United Nations.

If a halt is desired in the bombing—and I think it is—the way to get it is to have the Security Council of the United Nations demand it, as part of a general cease-fire. If Great Britain thinks a stop in the bombing will be helpful in bringing about negotiations, why does she continue to give lipservice to American conduct of the war? If Russia thinks the bombing of North Vietnam should stop, why does she shrink from seeking a Security Council decision to that effect?

If opinion in Scandinavian countries, and elsewhere in the world, is opposed to the bombing of North Vietnam, why do not these countries take the one means they can take of stopping it—by a Security Council resolution, or by a General Assembly resolution?

If the United States is in violation of the U.N. Charter in our bombing policy, so is every signatory that has done nothing to institute U.N. action to take jurisdiction over the war.

There are many forms that jurisdiction could take. The Security Council could reconvene the Geneva Conference. It could reconvene the same membership, or it could expand the participation to include whatever countries it thinks appropriate. Or the Security Council could refer the matter to the General Assembly, if it is stymied, itself, by a veto.

More important, the United States itself must insist that the General Assembly act if the Security Council fails to do so.

Before leaving this portion of my speech, I wish to refer to the fine letter in the New York Times of this morning from Congressman JONATHAN BINGHAM, of New York. Congressman BINGHAM also makes the point that American references to its past "bombing pauses" have been barren and will continue to be barren of results so long as they are not accompanied by practical steps to bring political pressure upon Hanoi to negotiate. I ask unanimous consent to have Congressman BINGHAM's letter printed in the RECORD at the close of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

AMERICAN TRUST IN WAR POLICY DIMINISHING

Mr. MORSE. I believe it is important for this country to put the whole Vietnam war before the United Nations in good faith, and to do it now. The dominant fact in American political life today is the war in Vietnam. It occupies the attention of our President and much of his administration; it is the sword that hangs over the head of every public works project, every farm program, and every education bill that comes before the Congress; it may soon reach into the pocketbook of every taxpayer for more tax money; it governs the lives of the half a million young men who are serving in it, and the future of every lad in his teens who must plan his education and his career around the likelihood of 2 years' service in Asia.

The origins of American involvement date back to World War II, and are too complex to deal with in the short time I have today. So, too, are the various and shifting reasons given for our interest in the Vietnam complex. But they do not go to the people of Vietnam. They go to the fear the United States has for China, and our desire to hold territory around Chinese borders.

The election recently held in South Vietnam was democratic in exactly the same way every Communist election is democratic. All the candidates were screened by the military junta and those who did not pass its political test were not permitted to run at all. The most popular political figure in South Vietnam—one of our ex-junta leaders, General Minh—was not even granted permission to return from exile, much less run for the presidency.

It is the view of many that one of the reasons that the military junta did not want General Minh to return to Vietnam and run for the presidency was not only because they feared he might be the most popular public figure in South Vietnam but also because he has given indication that he does not reject the idea that some form of a coalition government may have to be worked out with the Vietcong and some form of unification with North Vietnam. Of course, in South Vietnam today, even advocating any form of neutralism is a crime subject to imprisonment upon conviction, and the very thought of a possible recognition of the Vietcong for purposes of peace negotiations would disqualify anyone for public office on the part of the military dictators of South Vietnam.

Yet the Vietcong have wide support among the South Vietnamese people. It is so hard to get that fact through to the American people. But interestingly enough, it is known everywhere else in the world.

That is why the moment we withdraw American bayonets from South Vietnam, the mass of the people will overrun the dictatorship we are supporting, and there will be a shocking slaughter and massacre, possibly unequaled in human history—unless we follow a course of action such as I am suggesting today, whereby other nations will move in, under international law, to enforce a peace, not make war, and to exercise control for that period of time necessary for a viable government to be established and for agreements to be reached.

Then perhaps we will recognize that there is a Vietcong; and will recognize what this administration just never wants to bring itself to recognize: That we are in the midst of a civil war in Vietnam, and we have no business in it. It does not involve the slightest interest of the United States.

That is why so many of the world authorities on Southeast Asia are so emphatically critical of the policy that the United States is following there.

Mr. President, I repeat, in South Vietnam today it not only is a crime to advocate coalition and neutralism, but it will disqualify anyone running for public office, at least it would have if he sought to run for public office in this last election. Mr. President, that also is interesting proof of what we are supporting over there. We are supporting a dictatorship.

More and more of our fellow American citizens are coming to realize that we are sending American soldiers to their deaths on the battlefields of South Vietnam in an undeclared war in order to maintain in power the military dictatorship now headed by Generals Thieu and Ky, and our continued participation in the war is becoming more and more unacceptable, in our country and around the world.

In spite of all the propaganda and alibis that are being put out by Secretary Rusk in Washington, D.C., and Ambassador Bunker in Saigon, seeking to create in the minds of the American people the impression that the recent elections were democratic, the fact is that they were elections dictated by the military junta.

Also contrary to the propaganda that we have engineered the first election in Vietnam, this is not the first time that such controlled elections have been held in South Vietnam. We should not forget that Diem, our first puppet, was proclaimed by us to have been elected at the ballot boxes of South Vietnam in 1955. That election was in fact limited and restricted to our selected puppet candidate Diem, who in what amounted to a mock election, ran against Bao Dai, the Emperor, who everyone knew was to all intents and purposes out of office before the election was held insofar as keeping any real power was concerned.

The election of Diem was but a charade to give the false impression that he had been legitimized as the head of state. Most of the world knew that he was the illegitimate offspring of the U.S. State Department, as far as his diplomatic and governmental standing was concerned. We gave him birth as far as political power is concerned. Do not forget that Diem was a South Vietnamese exile in the United States, who had never fought the French 1 hour. He ran out of Vietnam and came to the United States, and John Foster Dulles, the American Secretary of State, took him over, they indoctrinated him down at the CIA, the Pentagon, and the State Department, and then we in the United States took him back to Vietnam. We set him up in power. We financed him. We militarized him. We directed him.

We have directed every military junta puppet ever since. Most of the world knows it, but still many Americans do not seem to know it.

Mr. President, I say further that this is part and parcel of the credibility gap that has developed in this country, between the shocking falsity of the propaganda of recent administrations, and fact. One of our great problems is to obtain an enlightened public understanding of the basis for the war, to get these facts understood.

I happen to be one Senator, as my fellow Senators know, who has rejected the argument, every time it has been made, that it does not make any difference how we got in—we must now win and get out.

It makes all the difference in the world how we got in, because the world understands how we got in; and until we correct the mistakes involved in our going in, we will not be able, Mr. President, to obtain the support of the world for our course of action.

I believe the best way to obtain that support is for us now, at long last, to say to the United Nations, "We call upon you to take jurisdiction, and we will abide by the results." That is what my resolution proposes.

The election of Diem was but a charade, as I say, inflicted upon the American people by the State Department. The 1967 election has only brought us back to where we were in Vietnam 12 years ago, under Diem.

Every Communist country has elections, too. The party puts up the candidates and the people turn out up to 95 percent to vote for it. They call that democracy, and the sad thing is that we are beginning to call it democracy, too. Thus are our standards corrupted every time we accept the standards of our enemy—be it a military junta or a Communist state. Freedom is as lacking in a junta state as in a Communist state.

As one who has been in the forefront of the debate over Vietnam policy since 1954, I want to point out one notable change in official attitudes toward it. The change was inevitable, and was predicted and anticipated by Senator GRUENING and myself from the very beginning. It is the dramatic change from the position that the United States would wage war patiently, without seeking victory, and for 5, 10, 20 years or however long it might take to win in South Vietnam.

That is no longer the dominant official attitude. Today, the attitude is one of impatience, even urgency, that the war be wound up quickly—at least before the political conventions of next summer. Today, it is the political climate in the United States that is dictating our military moves in Vietnam, because every citizen in the land knows that the American people are not going to support a low-level war for 5, 10, 20 years or however long it takes.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the distinguished senior Senator from Oregon may proceed for 7 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President the concept of indefinite war abroad was unrealistic from the very beginning. Anyone who went through the Korean war knows it. The old British colonial experience of fighting perpetual and indecisive warfare on the far borders of India, against the French in colonial America, and on the fringes of the upper Nile—wars without beginning or end, wars whose objectives were buried in the financial affairs of private corporations and glorified to the people with the pageantry of imperial Britain—such wars are not for Americans.

We have the greatest military machine ever assembled in the history of the world. Our gross national product of $775 billion a year compares with North Vietnam's gross national product of $1 billion a year, and that was before the bombing began. It is no wonder that Americans ask why we have been unable to drive North Vietnam into surrender, for if we cannot do so in this vast mismatch of military power, just how much good is military power, anyway.

The longer the war drags on, the more it challenges all our assumptions of the supremacy of military power; the more it costs us in friendship and support among the people of other countries; the more money, energy, and creativity it drains away from the urgent needs of American society.

I do not believe the people are going to allow it to drag on, and I believe the administration now recognizes that it cannot allow it to drag on and still remain in office.

The question is, What next step should we take? I believe my resolution is a step that would be welcomed by the world and by the American people when they come to understand its import and its content.

Mr. President, I now submit a concurrent resolution and ask unanimous consent that it be, printed at this point in the RECORD.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD, as requested by the senior Senator from Oregon.

The concurrent resolution (S. Con. Res. 44) was referred to the Committee on Foreign Relations, as follows:

S. CON. RES. 44

Whereas the United States is now fighting a major land war in Southeast Asia which threatens to widen into World War III and a nuclear holocaust which could destroy civilization; and

Whereas the primary purpose of the United Nations is to maintain international peace and security and to take collective measures to remove threats to world peace; and

Whereas in ratifying the Charter of the United Nations the United States undertook a solemn treaty commitment to settle international disputes by peaceful means; and

Whereas under the Charter the Security Council has primary responsibility for the maintenance of peace, which devolves to the General Assembly when the Council is unable to act; and

Whereas the United States has failed to take effective steps to bring about United Nations involvement which would bring an end to the conflict in Southeast Asia: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

1. The President should request an emergency meeting of the United Nations Security Council to consider all aspects of the conflict in Vietnam and to act to end the conflict, pledging the United States in advance to accept and carry out any decision on the matter by the Council, in accordance with article 25 of the Charter.

2. If the Security Council is unable to act, the United States should take all steps necessary to assure action on the issue by the General Assembly.

3. The United States objectives in the United Nations should be to obtain—

(a) support for an immediate cessation of hostilities by all parties, and

(b) recommendations for appropriate measures, such as the convening of an international conference, for reaching a permanent settlement which will assure a lasting peace for Southeast Asia.

Mr. MORSE. Mr. President, I have summarized the resolution during the course of my speech. I want to make it very clear that the thrust of the resolution is that we call upon the United Nations, either through the Security Council or the General Assembly, to take jurisdiction over the war and that we pledge to abide by the decisions it reaches and the orders it issues.

The concurrent resolution calls for the United Nations to proceed to ask for a cease-fire, which means an attempt to bring to an end the killing.

Here is a resolution, in my judgment, that is a very appropriate course of action for us to follow. I consider it really supplementary to the resolution that the Foreign Relations Committee now has under consideration, submitted by the distinguished Senator from Arkansas [Mr. Fulbright], which resolution seeks to place long overdue checks upon the exercise of executive discretion in the field of foreign policy.

This resolution, I think, is another important step that ought to be taken to return the American people once again within the framework of the U.S. Constitution and the United Nations Charter.

Exhibit 1

[From the New York Times, Sept. 11, 1967]

Toward Negotiations With Hanoi

To the Editor:

As your excellent editorial "Generals Out of Control" [Sept. 1] recently pointed out, it is gravely disturbing that our top military men are being encouraged to contradict their civilian superior on a major policy question: whether to escalate further our air war against North Vietnam.

But I beg to differ with your suggestion that another "bombing pause" should be undertaken, as "an indispensable precedent to opening negotiations with Hanoi for a political solution." I fully agree that Hanoi will not negotiate, or promise to negotiate, so long as our bombing of the North continues, but I doubt the usefulness of another, obviously temporary, "pause."

If Hanoi were eager to start negotiations, even a pause might give it the opportunity. But if, as seems more likely, Hanoi believes it is winning and has no desire to negotiate, then it will scoff at any pause, as it has in the past.

It seems to me that if we really want negotiations (and no other road to a speedy end to the war seems open), we must try to find a way to make it impossible for Hanoi not to negotiate. The first step would be to remove altogether what U Thant and the East European Communists and many nonaligneds—and Hanoi itself—have said is the fatal obstacle to talks, without attempting to obtain a prior commitment from the other side.

OFFICIAL STAND ON BOMBING

The coming United Nations General Assembly offers an opportune occasion to make maximum use of such a decision. If, for example, President Johnson were to announce our willingness to stop the bombing and were at the same time to invite a group of neutral nations to arrange a time and place for negotiations, the whole political atmosphere would change. Hanoi would then be under tremendous pressure to enter into negotiations, pressure that hopefully would be enough to overcome the steady counterpressure from Peking.

As Secretary McNamara's fact-filled analysis of the bombing in the North makes clear, the military advantages of the bombing are not compelling, and the disadvantage of a cessation would be manageable. Indeed, there can be no certainty that Hanoi would respond to cessation by stepping up the flow of men and supplies to the South, as the generals so positively predict. The response of Hanoi might just as well be the contrary: the flow might be cut back to the pre-February 1965 level when we started the bombing.

In any case, whatever the short-run military result of cessation, if such bold action on our part were to open the way for negotiations and an end to the fighting, the saving of lives would be tremendous. Do we have available to us a better method of achieving peace?

Jonathan B. Bingham,
Member of Congress,
23d District, New York.

Washington, *October 1, 1967.*

I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 163. An act for the relief of CWO Charles M. Bickart, U.S. Marine Corps (retired); and

S. 636. An act for the relief of Mrs. Chin Shee Shiu.

PANIC WILL NOT SOLVE UNEMPLOYMENT

Mr. INOUYE. Mr. President, an old proverb says that if you give a man a fish you feed him for a day, but if you teach him to fish, he can provide for his lifetime.

In modern America, with the impact of changing technology visible throughout our society, this proverb has an exceedingly poignant message for all of us.

In the wake of one of the worst summers ever endured by this Nation—in the wake of rioting, of abject poverty and unemployment and miserable housing conditions—there are those today who seek quick, easy solutions. There are those who say, in effect, that we must give the inhabitants of our ghettos a fish, rather than teaching them to fish.

Specifically, they are urging that we create—on a crash basis—millions of new jobs to alleviate the problems in our slums.

But, Mr. President, like so many suggestions which are born out of panic, this plan of action ignores the facts. And the facts are these: There is no shortage of jobs in America today; there is a shortage of trained manpower to fill them.

At the end of July, for example, there were 343,100 unfilled openings listed at the 2,200 State public employment offices across the country. And, as recently as June 1, nearly 200,000 of these openings had been unfilled for over 30 days.

These figures do not include the large number of openings not listed with the employment service. The real figure of unfilled jobs is probably above the million mark.

The fact of the matter is that most of these unfilled jobs require a higher measure of skill than the hard-core disadvantaged now possess. And it is obvious that there is only one realistic solution: Seeing that the jobless and the underemployed are prepared to fill those jobs.

Nearly 3 million Americans are now unemployed, and millions of others share serious employment problems—poverty-level wages, involuntary part-time work, dead end jobs. For many of these, the future is bleak.

What these disadvantaged citizens need is not just a job, but a job with a bright future. In the words of the proverb, they need to learn to fish for themselves—for a lifetime.

The 1960's have been marked by unprecedented national action to wipe out poverty, bigotry, and disease—all those factors that put some citizens at a distinct disadvantage in employment.

In the past 5 years alone, the Congress has enacted the most impressive array of social and economic legislation ever produced over a comparable timespan. Millions are benefiting from these new laws.

Included in this mighty harvest of new legislation is a series of laws geared to help solve the long-term problems of the disadvantaged: the Manpower Development and Training Act and its amendments; the Economic Opportunity Act and its amendments; the Elementary and Secondary Education Act; the Vocational Education Act; the Civil Rights Act; and the Fair Labor Standards Act amendments, which include a higher minimum wage.

Most wisely, these laws allow a large body of citizens who once lacked hope to build for the future. As Jose Ortega Gasset once said:

> Nothing has any sense for a man except insofar as it is directed toward the future.

This is no less true in America today.

As we seek ways to provide every American with a decent job at a living wage, it will not impede our progress to look at the substantial gains we have made in recent years under a human reclamation program without parallel in world history. What has taken place over the past 5 years represents the most glowing social chapter in U.S. history.

By this summer, for example: 979,000 training opportunities for the unemployed and underemployed had been opened up under the Manpower Development and Training Act; some 1,013,000 impoverished boys and girls had received fresh starts in life through enrollment in the Neighborhood Youth Corps; 300,000 young men and women, who might have been driven out of school for lack of funds, had continued their all-important education through the college work-study program; 169,000 needy persons, most family breadwinners, have benefited from the work-experience and training program; thousands of poor youths, many of whom could barely read and write had received training and employment through the Job Corps; Nearly 2.4 million youngsters had been served by neighborhood youth opportunity centers across the country. They received counseling, testing, and placement in jobs or suitable training or were referred to agencies that could provide services needed to increase their employability; about 61,000 unemployed and underemployed persons in 19 cities and two rural areas were slated to receive whatever job assistance they require under the concentrated employment program.

In the past 3 years alone, we have made landmark advances toward providing full opportunity for every citizen. For example: Between 1½ and 2 million people are in school, training on jobs because of these newly developed programs. Otherwise, they would be out of school and out of work; the number of long-term or "hard-core" jobless—persons out of work 15 weeks or longer—has been cut by more than half—from 929,000 in August 1964 to 441,000 in August 1967.

These strategic programs hold long-term promise not only for the once-forgotten disadvantaged who are now able to lift themselves, but for the Nation as a whole which benefits from their new skills.

This promise is evident in the fact that three out of four trainees who complete their classroom work under MDTA move on to regular employment and nearly nine out of 10 who complete on-the-job training become gainfully employed. Under this vital program, workers once handicapped by lack of skill are now living and working in self-respect as machine operators, clerk-typists, combination welders, nurse's aides, automobile mechanics, automobile body repairmen, practical nurses, and trained salespeople. Others face the future with bright career hopes in several hundred other occupations.

It is most heartening news that the Federal Government is beginning to get back through taxes what it pays for training.

President Johnson has said, for example:

> The average trainee in on-the-job training programs developed by the Labor Department is returning the total cost of his training to the Treasury in less than two years. There will continue to be dividends for many years to come.

The fact is that an average on-the-job trainee repays the Federal Government over half of its investment in him in his first year of training. By the time the second year of training is over, the Government has been repaid in full.

The promise of these programs is also evident in the cases of great numbers of Neighborhood Youth Corps enrollees—in urban as well as rural areas—who have prepared for permanent careers by serving as aides in schools and libraries, parks and hospitals, cafeterias, and museums. These young people are building for their own future as they help improve their communities.

Individual cases, not statistics, best tell the success stories being written under these programs every day in cities and towns across the Nation.

In St. Albans, Vt., a father of four lost his job as a member of a labor gang with a railroad company because of a reduction in force. Unskilled, he was jobless for nearly a year before enrolling in a cook's course under MDTA. But after 19 weeks of training, he was rehired by that same railroad company—as a cook with a starting wage of $3 an hour.

In Jacksonville, Fla., a 17-year-old 11th grade dropout could not find a job anywhere. A member of a family that had been on welfare for three generations, she wanted to get off welfare at any cost. She joined the Neighborhood Youth Corps and was placed as a nurse's aid at a home for the aged. Because of bad health, she had to quit after 6 months. But she returned to the NYC and would not give up. She finished high school at night last June and the hospital rewarded her efforts by hiring her as a full-time nurse's aid. She is now being groomed by the hospital for a scholarship to study to be a registered nurse.

Down in Louisiana, a 25-year-old Negro woman, abandoned by her husband and supporting four small children on welfare, could not even get a job as a domestic in her small town because of a surplus of labor. But she enrolled in an MDTA secretarial course and is now a secretary in New Orleans. On receiving her first check, she beamed:

> This is the first time I've ever seen my name on a paycheck. It's so beautiful I'd like to frame it. Now I'm a taxpayer.

There are literally hundreds of thousands of similar stories unfolding across the country. Graduates of these training and educational programs are now better equipped to enter the world of work.

It is obvious that maximum preparation is the key to getting ahead today—and every citizen should have full opportunity to make as much sense out of his life as possible.

Certainly, the mistakes, oversights, and general apathy of more than a century will not be righted by pat or short-cut solutions. We must continue to strengthen those programs that prepare the disadvantaged to make their way alone.

Makeshift jobs are not the answer. The rapid advance of modern technology is leading to fundamental changes in the occupational structure. These changes will spell an increasingly grim employment outlook for the ill-prepared worker over the long run.

Consequently, education and training are essential if a person is to have prospects for the jobs of the future. Over the next 10 years, for instance, the fastest growing occupations will be in the professional, technical, and kindred categories. While total employment is expected to grow about a quarter between 1964 and 1975, it is anticipated that the number of white-collar jobs will increase by nearly a third and blue-collar jobs by a fifth. So by 1975, it is expected that white-collar jobs may constitute nearly half of all employed workers, compared with slightly more than two-fifths in 1964.

Unemployment will continue, then, to fall most heavily on the least educated and least prepared for work. Young workers with less than 8 years of schooling, for example, will have seven times the jobless rate of college graduates and, tragically, laborers, the least skilled group, are seven times more likely to be out of work than professional workers.

The urgency for maximum preparation is emphasized by the probability that American workers may face numerous job changes during a career. A 20-year-old man today, for instance, could be expected to change jobs six or seven times during his worklife expectancy of 43 years. This speaks loudly for a background that will enable a person to adapt to the training and retraining necessary to permit a change of jobs.

> Being thrown out of work because your employer closes shop is tough enough when you're young—

Said one man who learned the hard way—

> But, when you're over 50, it's murder. No employer would ever consider hiring me at my age.

President Johnson captured the essence of what must be done in his March 14, 1967, message to the Congress on urban and rural poverty:

> Let it be said that in our time, we pursued a strategy against poverty so that each man had a chance to be himself.
>
> Let it be said that in our time, we offered him the means to become a free man—for his sake, and for our own.

Shortcut solutions to the complex employment problems in our changing society are not the answer. Rather, the answer lies in providing each citizen with the opportunity to prepare himself for existing jobs—meaningful and rewarding jobs. Makeshift work will not solve the problems of the unskilled man or woman. It only forestalls his or her day of reckoning. Every American needs full opportunity, not public doles.

I urge every Member of the 90th Congress to support the strengthening of those programs that are helping so many fellow citizens break the shackles of poverty. Nothing less will do.

NEW TOOLS FOR SOCIAL PROGRESS

Mr. HARRIS. Mr. President, there is now pending before the Subcommittee on Government Research of the Committee on Government Operations the Full Opportunity and Social Accounting Act of 1967, S. 843.

This historic proposal, authored by the junior Senator from Minnesota, and coauthored by 10 other Senators, including myself, is aimed at establishing order among often competing and overlapping governmental programs in the social field.

The Subcommittee on Government Research, of which I am chairman, recently completed 5 days of hearings and a day-long seminar on this legislation. The Full Opportunity and Social Accounting Act has won wide support from social scientists, Federal governmental agencies involved in social programs, civil rights leaders, social workers, and officials at all levels of government.

In the September issue of the Progressive magazine, there appears an article by Senator WALTER F. MONDALE, explaining in cogent, convincing terms the need for this act.

I ask unanimous consent that the article, "New Tools for Social Progress," by Senator WALTER F. MONDALE, of Minnesota, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW TOOLS FOR SOCIAL PROGRESS

(By Senator WALTER F. MONDALE)

Early this year, the National Committee Against Discrimination in Housing charged that for the past three decades, good intentions notwithstanding, various Federal programs had fostered racial segregation and consequently trapped Negroes in slum ghettos.

Their specific criticisms attacked a broad range of programs and policies, among them urban renewal, transportation, and public housing. Some of the programs the Committee cited sought to improve American society generally; others, such as public housing, aimed at improving the condition of the poor. Of urban renewal, the Committee charged that the programs "have consistently violated the rights of Negro Americans and other minorities by forcing their continuous upheaval and relocation in racially segregated areas to accommodate local community prejudices."

Because the main target of the criticism was the Department of Housing and Urban Development, HUD Secretary Robert C. Weaver prepared an eight-page response which said, generally, that the Department was doing the best it could under current laws but stronger legislation was needed.

There the matter rests, and as a United States Senator who has voted for some of the programs, or supported others enacted before I came to the Senate, I am perplexed and troubled.

As the situation now stands, there is no prospect for an accurate and public accounting of the extent of racial segregation in the United States that would enable us to determine whether government programs are cures or contributors to the perpetuation of this social cancer.

The lack of verifiable, public information exists in a number of broad areas: physical health and mental illness, the quality of education, the effect upon society of a gradually deteriorating natural environment.

Unhappily, we have had a whole summer of unprecedented violence in our cities that revealed glaringly the shocking lack of knowledge of the nature and extent of the social ills that plague our rich nation. The proliferation of ad hoc committees at the national, state, and local levels to determine the causes of rioting in the urban ghettos is ample evidence of the need for an on-going, permanent coordination of these social indicators. In these cases violence serves as a measure of the lack of jobs, poor health care, inferior educational opportunity, de facto segregation, and the multitude of other burdens that grind upon the poor and those discriminated against by the majority.

There certainly must be more peaceful ways than riot, and hopefully more precise methods, too, to measure our failures and document the considerable successes of governmental efforts to improve the quality of American life. Obviously, we need better indicators. For America to approach the future unequipped to evaluate and plan effectively is to invite chaos.

One of the social sciences, economics, has proven that by carefully measuring and watching various indicators such as retail sales volume, amount of new investment, and levels of gross national product, we can take action to head off economic disaster. What do the social sciences have to offer in non-economic areas of the human condition? Very little of a solid or continuous nature. We now have no comparative system that will alert us to social disaster—a system of social indicators, widely broadcast, by which we could keep watch in a general way on the social processes in our nation and plan of society's orderly development.

Instead, we undertake ambitious and laudable programs, and watch in shocked amazement when the reaction is different from what we expected. Then we scramble to try to ascertain the facts, often with dubious success.

Take urban renewal, for example. For a decade, urban renewal has been held high as the salvation of our rotting cities, and damned as merely exporting the poor to new ghettos.

In my files are two magazine articles published within three months of each other in 1965. One of these, a critical article, cites a 1961 report that sixty per cent of the displaced poor were relocated in new slums while high-income families occupied the handsome new glass and steel towers. The other article, on the optimistic side, reported a 1964 finding that only eight per cent of displaced slum families remained afterward in substandard housing. The three-year time difference between the studies could account for at least some of the disparity—perhaps all. But in any case there are no clear, current, public, well-announced figures available to refute or support either claim. The two articles punctuate our ignorance about the *real* effects of one of the most ambitious and promising Federal programs. We know we are building new buildings, but what are we doing to *people?*

The absence of adequate, *publicly-announced* indicators can also veil our successes and encourage mistaken exploitation of surface indications of failure, whether it be the testing of new educational techniques, methods of fighting crime, or the administration of welfare funds. As *The Progressive* noted in its June issue, White House aide Joseph Califano had performed the distinct service of coordinating welfare data revealing that only 50,000 of the 7.3 million persons receiving welfare throughout the nation are actually capable of being trained to hold jobs. This data, pulled together for the first time, effectively refutes the conservative bugaboo that, as *The Progressive* put it, "Americans on public welfare rolls are lazy bums leeching on society . . ."

What I am suggesting is that as our present programs continue in their sometimes uncertain way, we must undertake to devise statistical and analytical methods to help us find out what we have done and what we ought to be doing. To say that our social programs may be imperfect and sometimes miss the mark is not to say, of course, that we should halt all attempts toward social betterment. But perhaps we can find ways to get more done at less cost and with less waste motion.

Beyond the establishment of social measures, there should be persistent and perceptive and continuing high level analysis of our social processes, their problems and possibilities, such as is provided for the President by the Council of Economic Advisers in the economic field.

Man's oldest method of self-education is trial and error, but it is also the least efficient. Try we must, but there are ways of reducing the margin of error.

Incessant trial and error and the absence of accurate measurement sap public confidence in otherwise highly desirable programs, and this perhaps is the core of disagreement about many programs designed to improve the public welfare: programs encompassing health, education, transportation. How do we measure success in terms that reflect impact on individuals? By amount of money spent? This may be a measure of effort, but not of effect.

To be sure, there are many surveys and abundant statistics. There are thousands of statisticians at work in Washington alone, and thousands more working for public and private agencies across the nation. And despite the fact that we do collect mountains of statistics, as the 1,000-plus pages of the *Statistical Abstract of the United States* attest, there remain frightening gaps in information essential for accurate evaluation. Much of the statistical information we now collect is incoherent; that is, it bears no readily apparent relationship to other data which, taken all together, would allow reasonable conclusions.

In other instances, the information is available from widely different agencies, but few people know where to get it. A social scientist doing some post-Watts research told me recently that all the statistical indicators warning of the impending explosion were available before the outbreak. Unfortunately, there was no one to gather and analyze them and no agency existing with the prestige and attention-getting devices to warn the public and government officials.

It would be an oversimplification, of course, to imply that social indicators can magically reveal the "truth" in every case in which an effect is disputed, or alert us to every impending crisis. But it cannot be denied that a system of statistical indicators, measured regularly and watched constantly, and not the least important, available for easy public examination, can yield invaluable guidance for future action. Such a system might make it possible to avoid the risk of dangerous sociological backlash.

The riots in Watts have been partially blamed on the frustrations that arose because of the transportation success of the Los Angeles freeway system. When public transportation withered as automobile travel became more and more convenient, the impoverished Watts residents without cars were effectively isolated from job opportunities and from state and local facilities where they could receive aid.

Columnist Joseph Kraft blames unfortunate consequences like this on our "innocence." Kraft laments that "Lack of regular information fosters an innocence and irresponsibility that is positively terrifying. City after city launches urban renewal drives only to discover—belatedly and with surprise—that poor people are being driven from their homes. County after county launches drives for new industry only to learn—also belatedly and with surprise—that it is polluting the atmosphere. State after state pushes highway projects, only to realize—with astonishment—that the result is impossible congestion in city streets."

This may be "innocence." It is also appalling ignorance.

We were once just as ignorant of the consequences of economic policy. We used to thrash around making decisions on the basis of untested theories and inadequate information, assuming that cyclical waves of boom and bust were inevitable.

But with the enactment of the Employment Act of 1946 establishing the President's Council of Economic Advisers, the Council fostered the refinement of the abundant economic statistics into a reasonably accurate measurement of the nation's economic health. These indicators provide the basis for analysis and planning that have been remarkably effective.

The valuable lessons learned over the past two decades regarding economic indicators suggests that if we had more and better data on social conditions, and if these could be molded into a coherent system of social indicators comparable to their economic counterparts, we would be able to do a far better job of decision-making regarding social programs.

The tantalizing prospect of social measurement was suggested by Gunnar Myrdal in his *American Dilemma*, written in 1944. He wrote, "We should . . . have liked to present in our study a general index, year by year or at least decade by decade, as a quantitative expression of the movement of the entire system we are studying: the status of the Negro in America."

In 1962, the Behavioral Science subpanel of the President's Science Advisory Committee acknowledged the benefits of systematic gathering of economic data, and commented: "We call attention to the great advance over the past generation in the quantity and quality of our information about the economy and the effective use that is now made of such information in formulating and administering national economic policy. Similar benefits would flow from a corresponding advance in the quantity and quality of information about non-economic aspects of behavior."

Another appeal for a social accounting appears in "Technology and the American Economy," the report of the National Commission on Technology, Automation, and Economic Progress, submitted last year. In its chapter on "Improving Public Decision Making," the Commission declared:

"The American commitment is not only to raise the standard of living, but to improve the quality of life. But we have too few yardsticks to tell us how we are doing. A system of social accounts would seek to set up 'performance budgets' in various areas to serve as such yardsticks. A series of community health indexes would tell us how well we are meeting the needs of our people in regard to adequate medical care. A national 'housing budget' would reflect our standing in regard to the goal of a 'decent home for every American family.'"

A system of social auditing or accounting would serve five purposes:

It would sharpen our quantitative knowledge of social needs.

It would allow us to measure more precisely our progress toward our social objectives.

It would help us to evaluate efforts at all levels of government.

It would help us determine priorities among competing social programs.

It would encourage the development and assessment of alternative courses without waiting until some one solution had belatedly been proved a failure.

I have introduced legislation in the Senate designed to accomplish these aims. The Full Opportunity and Social Accounting Act (S. 843) is an attempt to elevate social evaluation to as influential a position as is now occupied by economic measurement.

Modeled after the Employment Act of 1946, the legislation contains four key sections:

One—It establishes full social opportunity for all Americans as a national goal.

Two—It establishes a three-member President's Council of Social Advisers and charges them with devising a system of social indicators, and with appraising governmental programs and advising the President on domestic social policy.

Three—It requires the President to submit an annual Social Report, comparable to the Economic Report, disclosing the indicators for public examination, and giving them wide exposure.

Four—It establishes a Joint Congressional Committee on the Social Report, which could hold hearings and subject the President's Social Report to critical analysis.

When the nation's population was widely dispersed on farms and small hamlets, the rate of social change was slow. Much of the social adjustment to sickness, unemployment, disability, old age, broken homes, poverty, and crime was handled within the local community. In 1890, half of our people lived on farms and many of the rest in small towns. Today, something like five per cent of our people live on farms and practically all population increase is taking place in the large metropolitan areas. With people so concentrated, social change can be rapid, the sense of responsibility for one's neighbors is diminished, and the impact of a catastrophe is so overwhelmingly large that no neighborhood—however well-intentioned—can possibly cope with it.

Urban concentration has made necessary large technological projects in transportation, water, sewage and waste disposal, as well as housing construction and renewal. The pace of technological adaptation of man to his environment has certainly increased.

At the same time, we have—if anything—impaired our ability to identify and deal with the inescapable social dislocations that accompany new urban technology. The burgeoning growth of social programs at Federal regional, state, county and municipal levels has already created a cats-cradle of intergovernmental authorities. Partial data of varying quality are pouring out to confuse us. Large projects employing "systems" techniques are taking into account social impacts related to their own construction, but cannot hope to coordinate with similar social impact analysis of other projects.

Clearly, in the collection, management, and evaluation of sociological data, the qualitative evidence points without exception to our large and growing deficiency. William Gorham, Assistant Secretary for Program Coordination in the Department of Health, Education and Welfare, said last year that, "When it comes to planning for the efficient allocation of national resources against competing social needs, the United States is an underdeveloped country. We have neither a planning board examining possible futures nor a central statistical agency gathering the data necessary to evaluate possible ways of getting there."

Gorham's chief, HEW Secretary John W. Gardner, has given this glum appraisal of past practice: "We have a great and honored tradition of stumbling into the future. In management of the present, our nation is—as nations go—fairly rational, systematic, and orderly. But when it comes to movement into the future, we are heedless and impulsive. We leap before we look. We act first and think later. We back into next year's problems studying the solutions to last year's problems. This has been true as long as I can remember."

Two reasons are sometimes advanced for our past unwillingness to take the necessary steps to prevent future chaos. Long range social planning is supposed to be expensive, and to be restrictive of freedom. It can be both; I suggest that it need be neither.

Long ago, John Dewey pointed out the essential distinction between planning in a dictatorship and planning in a democracy. Dictatorial planning sets fixed time goals over long periods and rigidly programs actions to achieve them. Democratic societies must plan continuously, modifying programs and even objectives flexibly as circumstances change. Technology and the planning for its use become our servants, not our masters.

In a seminar late in June this year and formal hearings on "The Full Opportunity and Social Accounting Act" during July, forty-two witnesses were heard. They came from a wide array of posts in government, the academic world, and public and private efforts to deal with social change. They were unanimous in endorsing the principle on which this legislation is founded—the need for better information and coordinated efforts to improve the social health of the nation. Senator Fred Harris of Oklahoma, Chairman of the Subcommittee on Government Research which conducted the hearings, said at the close of the session, "It is perfectly clear that this Act, with refinements, should become law."

Today our country is confronted with an issue that may be as dangerous to national stability as was the Civil War. As we attempt to face that issue we know too little about the causes of ghetto upheaval and the forces at play in the current crisis.

We would know more now if we had been working at it harder in the past. That is what the "Full Opportunity and Social Accounting Act" is all about. It could provide expert knowledge at the highest level of visibility. It could give the social state of the nation the kind of analysis it must have. Perhaps it could present alternatives to violence for the President, the Congress, and the American public to consider.

Unless we provide government with new modern tools we are likely to waste more and more of our resources in crash programs without knowing what will result, a process both wasteful and dangerous.

CONFERENCE OF WORLD PEACE THROUGH LAW

Mr. NELSON. Mr. President, earlier this summer, from July 11 through July 14 the Conference of World Peace Through Law was held in Geneva, Switzerland.

Mr. James B. Brennan, U.S. attorney for the eastern district of Wisconsin was present at the Conference, in his role as an observer for U.S. Attorney General Ramsey Clark.

The presence of distinguished citizens of nations throughout the world made a great impact on the Conference and its work.

Recently, Mr. Brennan sent a report to the Attorney General containing his reactions and impression of the Conference's work.

I ask unanimous consent that Mr. Brennan's report be printed in the RECORD, so that the Senate can benefit by Mr. Brennan's observations.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

U.S. ATTORNEY,
Milwaukee, Wis., August 18, 1967.

Hon. RAMSEY CLARK,
Attorney General,
Department of Justice,
Washington, D.C.

DEAR GENERAL: Thank you for granting me the observer's role at the World Peace through Law Conference in Geneva July 11 through 14. I enjoyed being part of the conference and was honored to be one of your information gatherers.

The fledging World Peace Through Law organization, age four, met at Geneva, Switzerland. Over one hundred countries were represented. The opening sessions of the conference were held at the Palais Des Nations. The Palais was constructed to house the old League of Nations a half a century ago. The work sessions of the conference were held at the Hotel Intercontinental in Geneva.

The opening statements, 14 of them, made the case for world peace through law. One of the most arresting speakers was the Honorable René Cassin of France, who is the president of the European Court of Human Rights. This octogenarian who presided at the cornerstone-laying ceremony for the Palais Des Nations 50 years ago has been in the fight for peace through law since then. His effort indicated his enthusiasm and drive has not been contained. He told us that in spite of the setbacks to the concept of resolving international disputes by law instead of war, he felt that the League and its successor, United Nations, have made great strides.

The Swiss speakers recalled their unique position in the world of peace with a 150 year record going for them.

Chief Justice Earl Warren set the pace for the conference. He zeroed in on the fact that international law works well when universally accepted. He gave several examples. He then made the point that the United Nations, although it is not a legislative body, has decided on many treaties which would be of benefit to the world. He then stated, and I quote from his speech:

"Instead of matching each other soldier for soldier, plane for plane, bomb for bomb and missile for missile, let us create a new kind of competition, a new kind of rivalry, let us match each other law for law, treaty for treaty, until all contacts and relationships in the world community are covered with law; law which prevents disputes or law which channels disputes into law institutions for peaceful decision. Let us concentrate on creation of so much law that controls so much of mankind's interdependent, transnational contacts, that disputes large enough to cause war will be guided into courthouses and away from battlefields. Thus can we render war obsolete in the 'law-full' world we must have if humankind is to survive the power nations now possess."

After urging international dialogue and agreement, the Chief Justice told us that world lawyers could make this effort reality if each in his own way attempted to engage his own country in international dialogue, dialogue that would eventually cover the friction spots of international relations. It was a wonderful talk. It was well received and put the prestige of American Jurisprudence on the side of the valiant souls who fight to resolve world conflicts by means consistent with our dignity as persons.

Harold Stassen made two points of note in his address. His talk was well received. One point was that the United Nations should include all nations; the second, realizing that some countries are hung up on the point of admitting certain nations to the U.N., that body should amend its charter. The charter is now 22 years old and according to Stassen, it should be amended to insure dialogues among all countries of the world.

The working sessions of the conference discussed peacekeeping, disarmament, space law and international communications, legal information, research by computers, patents, international trade and investment, housing and urban development, development of law by international organizations, impact of science and technology on law, legal aspects of peaceful cooperation among nations, human rights, research and legal education. The working sessions would begin with comprehensive work papers by legal giants who would thoroughly discuss, digest and conclude.

The peasants such as me in the audience were impressed by the background of the speakers and the wealth of material they had on the subjects. I was surprised that there was so little participation by the general convention delegates. There was some good discussion.

One African delegate criticized the remarks of Kataro Tanaka of the International Court of Justice. Judge Tanaka made the point in his work paper that few people know where the Court of World Justice is, and fewer know its jurisdiction. The African delegate told him and the other delegates that the residence of the Court should be kept a secret. He told of a case his country brought before the international tribunal. The matter was before the Court for five years, only to be dismissed for want of jurisdiction.

Another spark of life for the convention was an Australian delegate who argued against one of the resolutions before the conference. That resolution, Number 15, urged granting to the United Nations the resources of the High Seas for its control. The Australian asked that the resolution be defeated until all nations were in the United Nations.

The working session that I liked the best was the impact of science and technology on law. The work paper was offered by C. Wilfred Jenks. This Mr. Jenks is quite a fellow. I am going to enclose his remarks with my report. He is very quotable. He is the recipient of the Outstanding Legal Scholar Award of 1967 given by the conference. His talk took the lead from Justice Warren, that the more international dialogue the better. He urged continual renewal by lawyers. He said international law must be raised substantially because of the great stakes that are involved. He pointed out that law cannot be static. He said that we stand on others' shoulders and that we must improve the law as given to us. He said, ". . . the status quo is change . . . law is the orderly discipline of change." He said our role is ". . . transforming the law of nations as we have inherited it into the common law of mankind." Speaking of the peril of our times in that we have not enough international dialogue, he said, "While the time grows late, we are not yet forfeit to the furies." He urged the quest of the ages beginning with Plato, making philosophers of kings and kings of philosophers, so that a wise interrelation of justice and power would exist. He referred to the Herman Melville classic, Billie Bud, in these terms, ". . . We must strive for the interplay of the warm hearts and the cool heads." I thought his proposal at the end of his work paper calling for a declaration of general principles dedicating science and technology to the service of man a prime target. He spoke of the goal of every man in these terms, ". . . Justice and welfare are the rewards of courage and magnanimity."

The convention did realize that the charge of a debating society as leveled at the United Nations was not without merit. Peace keeping by the United Nations and the League of Nations has seen a few successes. The speakers at the conference did not try to argue this point. They did state that while the success of peace keeping has been limited, so too, is our venture into world peace organization. We have only 50 years experience. Wilfred Jenks states that we ". . . stand on others' shoulders and are better off for the League and the United Nations existence. It is for us to build on."

The human rights working session heralded the culmination of 20 years' work in the United Nations of the declaration of human rights. This rather meager effort represents the difficulty of international agreement. The declaration is, and I quote,

"As a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance . . ."

This declaration is but the start. We must move to the specifics of racial discrimination, religious discrimination and discrimination of thought and conscience. Further work remains in the obvious area of implementation of these ideals.

My particular interest was the area of criminal law. The drafting of a bill outlawing crimes against humanity is being considered by a committee headed by Julius Stone of Australia. It is necessary that such law be written, promulgated and ratified. This will take some doing and time. The criticism of Nuremberg was leveled at the fact that we did not have such a law. Our effort, if successful, based on the Nuremberg principle and precedent would negate any future attacks of the Ex Post Facto type.

The conference was a great lesson to me. It showed the blending of idealism with the practical beginning steps of the world trying to rid itself of one of its worst sicknesses. Steps while slow and halting are sure and taken by men of dedication, intelligence and sacrifice. I was fortunate to be on hand.

Thank you again for the encouragement and opportunity to attend. I hope my worm's eye view will whet your appetite for the next conference. I know that you would be able to contribute much in ability and prestige and shorten the time to the goal of all men—world peace through law.

Please accept my sympathy for your father's sickness. With our prayers and good Texas blood on his side, the stay in the hospital will be short.

Sincerely,

James B. Brennan,
U.S. Attorney.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a treaty on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

TREATY OF AMITY AND ECONOMIC RELATIONS WITH THAILAND

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Senate, pursuant to the order of August 28, 1967, will proceed to vote on the resolution of ratification of Executive P (89th Cong., second sess.), the Treaty of Amity and Economic Relations between the United States of America and the Kingdom of Thailand.

The question is on agreeing to the resolution of ratification. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. Bible], the Senator from Michigan [Mr. Hart], the Senator from Montana [Mr. Mansfield[, the Senator from New Mexico [Mr. Montoya], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pastore], the Senator from Missouri [Mr. Symington], and the Senator from Maryland [Mr. Tydings], are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Tennessee [Mr. Gore], the Senator from Washington [Mr. Jackson], the Senator from North Carolina [Mr. Jordan], the Senator from Washington [Mr. Magnuson], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from Georgia [Mr. Russell], the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Long], the Senator from New Jersey [Mr. Williams], and the Senator from New York [Mr. Kennedy], are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. Anderson], the Senator from Nevada [Mr. Bible], the Senator from Tennessee [Mr. Gore], the Senator from Michigan [Mr. Hart], the Senator from Washington [Mr. Jackson], the

Senator from North Carolina [Mr. Jordan], the Senator from Washington [Mr. Magnuson], the Senator from Montana [Mr. Mansfield], the Senator from New Mexico [Mr. Montoya], the Senator from Maine [Mr. Muskie], the Senators from Rhode Island [Mr. Pastore and Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from Missouri [Mr. Symington], the Senator from Maryland [Mr. Tydings], the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Long], the Senator from New Jersey [Mr. Williams], and the Senator from New York [Mr. Kennedy] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. Case], the Senator from New Hampshire [Mr. Cotton], the Senator from Colorado [Mr. Dominick], the Senator from Oregon [Mr. Hatfield], the Senator from New York [Mr. Javits], the Senator from California [Mr. Murphy], the Senator from Illinois [Mr. Percy], and the Senator from North Dakota [Mr. Young] are necessarily absent.

If present and voting, the Senator from New Jersey [Mr. Case], the Senator from New Hampshire [Mr. Cotton], the Senator from Colorado [Mr. Dominick], the Senator from Oregon [Mr. Hatfield], the Senator from New York [Mr. Javits], the Senator from California [Mr. Murphy], the Senator from Illinois [Mr. Percy], and the Senator from North Dakota [Mr. Young] would each vote "yea."

The yeas and nays resulted—yeas 69, nays 0, not voting 31, as follows:

[No. 241 Ex.]

YEAS—69

Aiken
Allott
Baker
Bartlett
Bayh
Bennett
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Clark
Cooper
Curtis
Dirksen
Ellender
Ervin
Fannin
Fong
Fulbright
Griffin
Gruening
Hansen
Harris
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Morton
Mundt
Nelson
Pearson
Prouty
Proxmire
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, Ohio

NAYS—0

NOT VOTING—31

Anderson
Bible
Case
Church
Cotton
Dodd
Dominick
Eastland
Gore
Hart
Hatfield
Jackson
Javits
Jordan, N.C.
Kennedy, N.Y.
Long, La.
Magnuson
Mansfield
Montoya
Moss
Murphy
Muskie
Pastore
Pell
Percy
Randolph
Russell
Symington
Tydings
Williams, N.J.
Young, N. Dak.

The PRESIDING OFFICER (Mr. Hollings in the chair). Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the ratification of the treaty.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin [Mr. Proxmire] is recognized.

ECONOMISTS WHO URGE TAX INCREASE OVERLOOK THE BIG ECONOMIC ARGUMENTS

Mr. PROXMIRE. Mr. President, this morning's newspapers report that a group of some 260 economists have signed a statement urging congressional enactment of a tax increase "along the general lines proposed by the President."

The sponsorship of this statement, Joseph Pechman, Joseph L. Bach, and Walter Heller, is indeed distinguished. These are able, honest, and competent economists. Their conclusions deserve careful and thoughtful consideration by Members of Congress before we act on the tax increase.

Other eminent economists have joined them.

But, Mr. President, as chairman of the congressional Joint Economic Committee and as one who opposes a tax increase, I would suggest these serious reservations on this statement to my colleagues in the Congress:

First. There are over 12,000 members of the American Economic Association, the professional association for economists in this country. Compared to that total 260 is not impressive. It represents less than 2½ percent of the association.

Second. It is disappointing that these economists rest their case on an extremely generalized statement of less than 500 words without a word of economic analysis, and on the simple assumption that "rapidly rising Federal expenditures will be injected into an economy in which total expenditures are moving steadily upward and that the interplay of these increases threatens renewed inflation."

Such a statement at the very least calls for some quantitative assessment of the dimensions and nature of the big Federal expenditures that are likely to be so inflationary and some evaluation of the private expenditures. The economists give us no analysis, not a word. We are apparently to take their assertion on faith.

For the past weeks I have been working with the staff of the Joint Economic Committee on just the kind of assessment the economists fail to make. I have been impressed by the fact that Federal expenditures are not likely to provide the inflationary stimulation, the economists fear.

Indeed, defense expenditures is the one area where most casual observers assume that Government spending is likely to be inflationary and yet this is exactly the sector of the economy that has already delivered its most telling inflationary punch.

Just before the recess I placed in the Record the latest defense economic indicators. They showed that while defense spending had climbed in the latest period, new orders from defense were leveling off. And independent analyses of defense prospects suggest that they will level off for some time and then gradually fall, even if the Vietnam war continues.

Other Federal spending increases will also have a relatively modest effect on the economy.

In the private sector the big economic fact is the slowdown in business investment in plant and equipment. For three years, 1964 through 1966, this country saw the biggest and most rapid increase in this accelerator of the economy in our history by far.

But this year the accelerator has slowed down greatly. From a rise of 14 to 17 percent during the preceding 3-year period capital investment will drop to a rise of 3 or 4 percent or less this year. With capacity operations now at 85 percent why in the world should a businessman buy much new equipment or add to plant at such a breakneck rate?

There is still substantial inventory overhang, though this has eased considerably. Consumer spending may increase substantially. But the total expenditures in the economy seem most unlikely to soar and the productive capacity of American industry has so immensely increased that even if we do have sharply climbing demand, it is unlikely to be the principal cause of inflation. Industry is able as never before to meet growing markets.

Indeed, a tax increase by increasing corporate costs contains in itself a substantial contribution to cost-push inflation.

There is no recognition in the economists' statement of the fact that American industry is now trudging along at less than 85 percent of capacity utilization, or that capacity utilzation is now below the 1964 level when taxes were reduced for the express purpose of stimulating more production.

There is no recognition of the fact that nearly 3 million Americans are unemployed. They constitute 3.8 percent of the work force. This is substantially above the unemployment level of 3½ percent which the Joint Economic Committee unanimously—Republican and Democratic—recommended as an interim goal with 3 percent as a longer range goal.

There is no recognition of the fact that factory workers continue to work hours that are close to the shortest in 6 years.

There is no recognition of the fact that this economy is unlikely to grow at a rate of more than 3 percent this year, which is far below the rate of growth most of these same economists have repeatedly urged on the Joint Economic

Committee as necessary to achieve full utilization of this Nation's resources and meet the many economic challenges we face at home and abroad.

Third. The absence of analysis is particularly glaring in the brief dismissal of expenditure cuts as a solution to any excessive pressures that develop. With full respect for these economists, and I respect them highly, have they really examined the public expenditure policy, the appropriation process, the powers of the President to hold back expenditures sufficiently to warrant this airy dismissal of expenditure cuts?

And they are dead wrong in identifying cuts with the poverty program. My statements have repeatedly specified other programs that can be reduced, and sharply, without turning our backs on our social responsibilities.

Fourth. In his letter to the chairman of the Committee on Finance forwarding the statement, Mr. Pechman says that the statement urges "prompt" enactment of the tax hike. But the statement itself specifies that the economists, "do not necessarily agree on the timing of the tax increase."

This timing is crucial. Certainly a case can be made for a tax increase for the last quarter of this year. There is growing economic evidence that between October 1 and December 31 demand may cascade. It may not. But there is not the remotest chance that the Congress will complete action on the tax bill until the quarter is half gone. The effective date is unlikely to be before January 1. The situation after January 1 is far more cloudy. To enact a tax increase, as the President is requesting for 2 years, to take effect January 1 could be a serious economic blunder, prompting unemployment, stunting economic growth. It could eliminate a million jobs.

To contend that Congress can quickly reverse the tax increase is to overlook the big political fact that 1968 is an election year. Also we do not serve the interests of the economy by treating tax policy like a yo-yo.

Mr. President, I ask unanimous consent that there be printed in the RECORD the statement by 260 economists, together with their names and their associations, and the letter of transmittal from Mr. Pechman to the Senator from Louisiana [Mr. LONG] dated September 8, 1967.

There being no objection, the material was ordered to be printed in the RECORD as follows:

THE BROOKINGS INSTITUTION,
Washington, D.C., September 8, 1967.

HON. RUSSELL B. LONG,
Chairman, Committee on Finance, U.S. Senate,
Washington, D.C.

MY DEAR MR. CHAIRMAN: I am enclosing for your information, and for the information of your Committee, a statement signed by 260 economists urging prompt congressional action to raise taxes. These economists are associated with universities and other organizations throughout the country and represent all shades of opinion within the profession.

The statement was circulated by Joseph L. Bach of Stanford University, Walter W. Heller of the University of Minnesota, and me during the last three weeks. Additional signatures are still coming in and I will forward a complete list to you in the very near future.

With best wishes,

Sincerely,

JOSEPH A. PECHMAN,
Director of Economic Studies.

ECONOMISTS' STATEMENT

Two hundred sixty economists today urged prompt congressional action to raise taxes.

"Although we do not necessarily agree on the exact amount or timing of the tax increase, we urge early enactment of tax legislation along the general lines proposed by the President," they declared in a joint statement.

George L. Bach of Stanford University, Walter W. Heller of the University of Minnesota, and Joseph A. Pechman of the Brookings Institution circulated the statement among their academic colleagues. The statement has been submitted to the Chairmen of the House Ways and Means Committee and the Senate Finance Committee, which are responsible for preparing tax legislation.

". . . action will soon be needed to restrain the economy in order to maintain orderly growth, prevent a resurgence of inflation, and forestall excessive reliance on tight money," the economists warned. "With government expenditures rising rapidly, the growth of total demand threatens to exceed the capacity of the economy to increase total output.

"In these circumstances, a new round of inflation is likely unless demand is moderated by government policy," the statement continued. "We believe that a tax increase should be a major ingredient of that policy."

The economists added: ". . . we are in agreement that—given the projected size of military outlays—cuts in federal civilian programs big enough to avert the need for a tax increase are highly unlikely. Many of us feel that, even if they were possible, such cuts would be poor—indeed, dangerous—social policy in the light of the conditions of millions of our citizens living in the ghettos of our cities."

The full text of the statement and a list of its signers are attached.

STATEMENT ON TAX POLICY

Four years ago an unprecedented tax cut of $11 billion was enacted to accelerate economic recovery and stimulate a high rate of economic growth. It is widely acknowledged that the tax cut served these ends well.

Now the time has come when action will soon be needed to restrain the economy in order to maintain orderly growth, prevent a resurgence of inflation, and forestall excessive reliance on tight money. With government expenditures rising rapidly, the growth of total demand threatens to exceed the capacity of the economy to increase total output.

In these circumstances, a new round of inflation is likely unless demand is moderated by government policy. We believe that a tax increase should be a major ingredient of that policy.

The economic case for a tax increase does not rest on the fear of a large deficit as such—i.e., without regard to other economic conditions—and it rests least of all on fear of a large deficit in the *administrative* budget. Rather, the case is based on the fact that rapidly rising federal expenditures will be injected into an economy in which total expenditures are moving steadily upward and that the interplay of these increases threatens renewed inflation.

A tax increase is also needed to help avoid the degree of credit tightness experienced a year ago. We are concerned lest monetary conditions become too restrictive unless tax policy is used in conjunction with monetary policy to promote stability.

Our support for a tax increase does not imply support of all federal policies, foreign and domestic. However, we are in agreement that—given the projected size of military outlays—cuts in federal civilian programs big enough to avert the need for a tax increase are highly unlikely. Many of us feel that, even if they were possible, such cuts would be poor—indeed, dangerous—social policy in the light of the conditions of millions of our citizens living in the ghettos of our cities.

We favor a flexible tax policy, which means raising as well as lowering taxes when needed. Although we do not necessarily agree on the exact amount or timing of the tax increase, we urge early enactment of tax legislation along the general lines proposed by the President.

Adams, Earl, University of Pittsburgh; Albrecht, W. P., University of Iowa; Alexander, A. P., University of California (Santa Barbara); Altman, Stuart H., Brown University; Andersen, Theodore A., University of California (Los Angeles); Anderson, W. H. Locke, University of Michigan; Ando, Albert, University of Pennsylvania; Andron, Mortimer, University of California (Santa Barbara); Asher, Robert E., Brookings Institution.

Bach, George L., Stanford University; Baratz, Morton S., Bryn Mawr College; Barlow, Robin, University of Michigan; Barth, Glenn R., University of Montana; Baumol, William J., Princeton University; Behrman, J. N., University of North Carolina; Behrman, Jere R., University of Pennsylvania; Bell, David E., Ford Foundation; Bell, Philip W., Haverford College; Bernstein, Edward M., EMB, Ltd.; Bird, Richard M., Harvard University; Bishop, R. L., Massachusetts Institute of Technology; Black, Stanley, Princeton University; Blough, Roy, Columbia University; Bolle, Arnold W., University of Montana; Bonnen, James T., Michigan State University; Bonomo, Victor A., University of California (Santa Barbara); Bowen, Howard R., University of Iowa; Brazer, Harvey E., University of Michigan; Brewer, Michael F., Resources for the Future; Brigham, E. F., University of California (Los Angeles); Bronfenbrenner, Martin, University of Pittsburgh; Brown, E. Cary, Massachusetts Institute of Technology; Brownlee, O. H., University of Minnesota; Buechel, Henry, University of Washington; Bunke, Harvey C., University of Indiana.

Cagan, Philip D., National Bureau of Economic Research; Campbell, Robert, University of Indiana; Capron, William M., Brookings Institution; Caves, Richard E., Harvard University; Chamberlain, Mariam K., Ford Foundation; Chandler, Lester, Princeton University; Chase, Samuel B., Jr., University of Montana; Childs, Gerald L., Dartmouth College; Chinitz, Benjamin, Brown University; Clement, M. O., Dartmouth College; Coen, Edward, University of Minnesota; Coleman, John R., Ford Foundation; Colm, Gerhard, National Planning Association; Colwell, B. Joe, University of Texas; Comanor, William, Harvard University; Cooper, Richard, Yale University; Cross, John G., University of Michigan; Cumberland, John H., University of Maryland.

Daniels, Mark R., Brown University; Darling, Paul G., Bowdoin College; Davidson, Ralph K., Rockefeller Foundation; Davis, Tom E., Cornell University; Dearborn, D., University of North Carolina; de Chazeau, Melvin G., Cornell University; de Janosi, Peter E., Ford Foundation; Denison, Edward F., Brookings Institution; Dobell, A. R., Harvard University; Doeringer, Peter B., Harvard University; Dorsey, John

W., University of Maryland; Dunkman, William E., University of Rochester.

Eckaus, R. S., Massachusetts Institute of Technology; Eckstein, Alexander, University of Michigan; Eckstein, Otto, Harvard University; Edens, David G., University of Connecticut; Eiteman, David K., University of California (Los Angeles).

Felix, David, Washington University, St. Louis; Fetter, Frank W., Dartmouth College; Frank, Charles R., Jr., Princeton University; Friend, Irwin, University of Pennsylvania; Foster, Edward, University of Minnesota.

Galbraith, John Kenneth, Harvard University; Galenson, Walter, Cornell University; Gerschenkron, Alexander, Harvard University; Geyer, Herbert, Hunter College; Gillingham, J. B., University of Washington; Girard, Richard A., New York University; Goldfeld, Stephen, Princeton University; Goodrich, Carter, University of Pittsburgh; Gordon, Kermit, Brookings Institution; Gordon, Wendell, University of Texas; Grabowski, Henry, Yale University; Green, George D., University of Minnesota; Grossman, Herschel I., Brown University; Grubbs, C. M., University of Texas; Grunwald, Joseph, Brookings Institution.

Hagen, E. E., Massachusetts Institute of Technology; Hall, C., Yale University; Hensen, Alvin H., Harvard University; Harkavy, Oscar, Ford Foundation; Harris, Curtis, C., Jr., University of Maryland; Harris, Edward H., Bowdoin College; Harris, Seymour E., University of California, La Jolla; Heflebower, R. B., Northwestern University; Heliker, George B., University of Montana; Heller, Walter W., University of Minnesota; Henderson, James M., University of Minnesota; Hester, D., Yale University; Hill, Forest G., University of Texas; Ho, Sam, Yale University; Holbrook, Robert S., University of Michigan; Hoover, Edgar M., University of Pittsburgh; Huber, J. Richard, University of Washington; Hunter, Helen M., Swarthmore College; Hunter, Holland, Haverford College, Hurwicz, Leonid, University of Minnesota.

Ishikawa, Mamour, University of Pittsburgh; Jacoby, Henry D., Harvard University; Jacoby, Neil H., University of California (Los Angeles); Johnson, Dudley D., Dartmouth College; Joseph, Hyman, University of Iowa; Juster, F. Thomas, National Bureau of Economic Research.

Kaminsky, Ralph, New York University; Kareken, John, University of Minnesota; Katz, Arnold, University of Pittsburgh; Kawaji, Michael, University of California (Los Angeles); Kaysen, Carl, Institute for Advanced Study; Kendrick, David, Harvard University; Kennedy, W. F., University of California (Santa Barbara); Kerr, Clark, University of California (Berkeley); Kiesling, Herbert J., Indiana University; Kindleberger, Charles P., Massachusetts Institute of Technology; Knaverhase, Ramon, University of Connecticut; Krause, Lawrence B., Brookings Institution; Kravis, Irving B., University of Pennsylvania; Krueger, Anne O., University of Minnesota.

Laffer, Arthur B., Brookings Institution; Lebergott, Stanley, Wesleyan University; Legler, John B., Washington University, St. Louis; Leiserson, Mark, Yale University; Lepper, Susan, Yale University; Levin, Charles L., Washington University, St. Louis; Levinson, Harold M., University of Michigan; Lindahl, Martin L., Dartmouth College; Lintner, John, Harvard University; Litvack, J. M., Princeton University; Liu, Ta-Chung, Cornell University; Lubin, Isador, Twentieth Century Fund.

Machlup, Fritze, Princeton University; Malenbaum, Wilfred, University of Pennsylvania; Mamalakis, M.; Marx, Daniel, Jr., Dartmouth College; Mason, Edward S., Harvard University; Maxwell, James A., Clark University; McCarthy, Michael D., Brookings Institution; McDonald, Stephen L., University of Texas; McKenzie, Kionel W., University of Rochester; McLaughlin, M. M., Massachusetts Institute of Technology; Mead, Walter J., University of California (Santa Barbara); Melder, F. Eugene, Clark University; Menge, John A., Dartmouth College; Mercer, L. J., University of California (Santa Barbara); Mesa Lago, Carmelo, University of Pittsburgh; Mikesell, Raymond F., University of Oregon; Miller, John Perry, Yale University; Miller, Richard A., Wesleyan University; Miller, Taulman A., Indiana University; Miskimin, Harry, Yale University; Morgan, Chester A., University of Iowa.

Morgan, Daniel C., Jr., University of Texas; Morgan, W. Douglas, University of California (Santa Barbara); Morton, Herbert C., Brookings Institution; Munk, Bernard, University of Michigan; Musgrave, Richard A., Harvard University; Muth, Richard F., Washington University, St. Louis; Myers, Charles A., Massachusetts Institute of Technology.

Neenan, William B., University of Michigan; Nelson, James R., Amherst College; Oates, W. E., Princeton University; Okner, Benjamin, Ohio State University; Olson, Paul R., University of Iowa; Orhon, Alper Y., Dartmouth College; Orr, Lloyd D., Indiana University.

Palmer, William B., University of Michigan; Pechman, Joseph A., Brookings Institution; Pendleton, William C., Ford Foundation; Perkins, Dwight H., Harvard University; Perlman, Mark, University of Pittsburgh; Perloff, Harvey S., Resources for the Future; Perry, George L., University of Minnesota; Peterson, R. L., University of Montana; Pidot, George B., Jr., Dartmouth College; Pierson, Frank C., Swarthmore College; Podoff, D., University of California (Santa Barbara); Pollak, Robert A., University of Pennsylvania.

Rafuse, Robert W., Jr., Brookings Institution; Rees, Albert, Princeton University; Resnick, Idrian N., Princeton University; Reynolds, Lloyd G., Yale University; Robertson, Ross M., Indiana University; Robinson, Marshall A., Ford Foundation; Rolph, Earl, University of California (Berkeley); Roosa, Robert V., Brown Brothers Harriman and Co.; Rubin, Julius, University of Pittsburgh; Russell, R. Robert, University of California (Santa Barbara).

Salant, Walter S., Brookings Institution; Samuelson, Paul A., Massachusetts Institute of Technology; Sandberg, Lars G., Dartmouth College; Sargent, Albert J., Clark University; Savage, Donald T., Clark University; Schaller, Howard G., Indiana University; Scherer, F. M., University of Michigan; Schupack, Mark B., Brown University; Segal, Martin, Dartmouth College; Shannon, Richard E., University of Montana; Shapiro, H. T., University of Michigan; Shell, Karl, Massachusetts Institute of Technology; Shipman, William D., Bowdoin College; Siebert, Calvin D., University of Iowa; Siegel, A. J., Massachusetts Institute of Technology; Simler, Norman J., University of Minnesota; Singer, Arthur L., Jr., Carnegie Corporation; Smith, H. M., University of Minnesota; Smith, Keith V., University of California (Los Angeles); Smith, Warren L., University of Michigan; Snavely, William P., University of Connecticut; Sobel, Irvin, Washington University, St. Louis; Sonnenschein, Hugo, University of Minnesota; Stein, Emanuel, New York University; Stern, Robert M., University of Michigan; Stevens, Guy V. G., Brookings Institution; Straszheim, Mahlon R., Harvard University; Sullivan, James J., University of California (Santa Barbara); Sussna, Edward, University of Pittsburgh.

Taubman, Paul, University of Pennsylvania; Taylor, Maurice C., University of Montana; Taylor, Norman E., University of Montana; Taylor, Philip E., University of Connecticut; Teaf, Howard M., Jr., Haverford College; Teigen, Ronald L., University of Michigan; Throop, Adrian, Dartmouth College; Tiebout, Charles M., University of Washington; Tobin, James, Yale University; Tsiang, S. C., University of Rochester; Turner, Robert C., Indiana University; Ulman, Lloyd, University of California (Berkeley).

Van Tassel, Roger C., Clark University; Votey, Harold L., Jr., University of California (Santa Barbara); Wallace, Neil, University of Minnesota; Wallace, Robert F., University of Montana; Walsh, Cornelius F., Clark University; Weidenbaum, Murray L., Washington University, St. Louis; Weston, J. F., University of California (Los Angeles); Whitman, Marina, University of Pittsburgh; Wicks, John H., University of Montana; Wilcox, Clair, Swarthmore College; Wilde, J. A., University of North Carolina; Williams, Robert M., University of California (Los Angeles); Williamson, Oliver E., University of Pennsylvania; Willis, Robert J., Wesleyan University; Wilson, George W., Indiana University; Wingo, Lowden, Jr., Resources for the Future; Winnick, Louis, Ford Foundation; Witte, James G., Indiana University; Wu S., University of Iowa; Zabel, Edward, University of Rochester.

ASCS PAYMENTS TO MR. R. A. BOATMAN

Mr. MILLER. Mr. President in testimony before the Agriculture Subcommittee of the Senate Appropriations Committee on April 7 of this year, the Administrator of the Agricultural Stabilization and Conservation Service of the Department of Agriculture listed Mr. R. A. Boatman, of Ida Grove, Iowa, as having received payments amounting to $11,954. Mr. Boatman subsequently protested this figure, which was reported in the August 13 issue of the Des Moines Register, and claimed that the payments amounted to $7,212.37. I have received a letter, dated August 31, from the ASCS Washington, D.C., office which confirms Mr. Boatman's statement, and I ask unanimous consent that an appropriate extract from this letter be placed in the RECORD.

There being no objection, the excerpt from the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
Washington, D.C., August 31, 1967.

Hon. JACK MILLER,
U.S. Senate.

DEAR SENATOR MILLER: Following are the 1966 program payments for Mr. Boatman.

These payments were made under the feed grain program on four farms which are identified with the amounts.

G-12	$355.77
	1,223.60
B-151	474.68
	1,632.53
B-152	462.17
	1,589.42
B-5	442.10
	1,142.10
Total	7,212.37

The above payments agree with the amounts which Mr. Boatman claimed he received as itemized in his letter to you of August 16.

Sincerely yours,

RAY FITZGERALD,
Acting Administrator.

THE HIGHER EDUCATION ACT OF 1965

Mr. NELSON. Mr. President, we in Congress who voted to enact the Higher Education Act of 1965, are now able to learn of the dramatic impact it is having on educational institutions throughout all of the States.

Small schools as well as large universities have enjoyed a tremendous upsurge under the programs begun 2 short years ago.

President Richard P. Bailey, of Northland College, Ashland, Wis., recently wrote to the President of the United States to express gratitude for President Johnson's efforts on behalf of this program.

The letter has been reprinted by the Democratic National Committee. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NORTHLAND COLLEGE,
Ashland, Wis.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR PRESIDENT JOHNSON: I have read that you consider your programs of aid to colleges and universities a most important aspect of the Johnson administration. Well you may. Please accept the sincere appreciation of little Northland College in Wisconsin and of its grateful president.

The financial help given us by our government under your administration has meant survival, development, and expanded and improved offerings of higher education to hundreds of students from more than 25 states in the nation.

At our commencement services Sunday (June 11) we graduated 127 seniors. We serve a total student body of 750. Just a few years ago we had an enrollment of less than 400 and a graduating class of 75; we were a struggling college in an isolated area of economic depression with little hope for the future and small reason for continuing the struggle.

Since 1963, by loan and grant, we have received slightly more than two million dollars for capital building expansion.

This year our students have received $121,000 in loans, grants, and work-study programs; our library has received $5,000 to improve its holdings; and a self-study program of our curriculum, student admissions, and administration has been funded (under Title III, developing colleges) in the amount of $73,600.

These funds have not been easily obtained, nor have they been carelessly bestowed. The college has had to prove its eligibility and repay or match the funds made available.

Let me identify just three of our programs which have obtained federal financial cooperation.

(1) *Rustic Log Bridge.*—Under a work-study grant students have constructed a log bridge across a campus creek. Joining the government in this project were a lumberman who supplied the logs, an engineer who designed the project, a hardware supplier who gave us bolts, screws, and plates, and a local utility company which loaned us heavy equipment, and the college itself which paid the salary of a supervisor and 10 per cent of the student-workers' wages. This summer we are building a second log bridge in the same cooperative manner.

(2) *Science Building.*—We used, for the first time last fall, our new $700,000 science building. The financing of this building started with a federal grant of $227,000 which we matched with a $200,000 foundation grant and $75,000 of the college's funds. We borrowed $250,000 from the federal government to be repaid over a 30-year period at a low interest rate—and the dream became a reality.

(3) *Self-Study of Curriculum, Students, and Administration.*—Beginning next fall, Northland College will study itself in depth under the supervision and with the advice of the University of Wisconsin. The federal grant of $73,600 makes this possible. The University of Wisconsin cooperates by making its vast resources, tremendous experience, and qualified faculty members and administrators available to us for assistance. Northland College provides faculty and administrative released time, office space, and secretarial help. As a result of this program we can improve ourselves internally and plot our direction toward excellence for the years ahead.

Every project has been approved only after careful study has been made by the college and a proposal worked out which competes with proposals from all other colleges and universities in the nation. We have been able to show need, development, and wise utilization of funds. We have gained a new pride in ourselves as a small but important part of American higher education. Our relationships with the various officials of the government with whom we deal has been excellent. There have been forms to fill out and reports to be submitted but these have clearly been necessary to prove our original worth and our proper use of grants and loans.

Accept, Mr. President, the thanks of Northland College which exists and reaches toward excellence because of financial assistance provided through the efforts of you and your administration.

Sincerely yours,

RICHARD P. BAILEY,
President.

THE PEACE CORPS AND THE ACADEMIC COMMUNITY

Mr. HARRIS. Mr. President, the Peace Corps, as it enters its 7th year, continues to seek better ways to accomplish its worldwide purposes of being of service and promoting understanding. Last week at the American Psychological Association's annual convention here in Washington, the Acting Deputy Director of the Peace Corps, Mr. Brent K. Ashabranner, presented a speech which stresses the way in which improved training programs are producing better Peace Corps volunteers.

Mr. President, I ask unanimous consent that Mr. Ashabranner's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE PEACE CORPS AND THE ACADEMIC COMMUNITY: A HOPEFUL CASE OF THE 7-YEAR ITCH

In recent months, there have been scattered reports in newspapers and journals which have fed rumors that there might be a rift between the Peace Corps and the academic community.

You may have read, for example, that we disagreed with a leading university about training operations on its campus.

You may have read also that we plan an increased emphasis on training Peace Corps Volunteers in new centers which we will own and operate.

Some may think that for a relatively young institution, which relied heavily on academia in the beginning, we have grown mightily independent.

I am inclined to agree that the honeymoon is over.

But I believe that we are in many ways closer because of our differences. The Peace Corps is entering its seventh year. We are suffering, I think, what marriage counselors might call a "protracted relationship syndrome"; in short, we have a case of the seven year itch.

Since the summer of 1961, nearly 30,000 Americans have served or are serving overseas in the largest international experiment in education in recorded history.

Yet we have failed so far to adequately examine who is giving and who is taking in this fragile relationship built on a hasty marriage—or, indeed, if it should be a case of give and take.

On one level our seven year relationship has gone reasonably well. I believe that the preparation of our Volunteers for effective service has improved greatly during this time. The universities have been with us from the beginning in the training process, and we have learned together.

In the early days, we set out to separate the men from the boys and came up with what one professor called "a testing rather than a learning situation." Early Peace Corps training was an endurance test. We put the trainee in a classroom of precisely the kind most had just escaped from. Then for twelve weeks, from six in the morning until ten at night, we stuffed him with facts—some of which, hopefully, were relevant to what he was going to be doing overseas.

Next it seemed to us a good idea to take the student, fresh from the college dorm and throw him into some physically demanding situations with which he had to cope. Sometimes—supposedly to measure his confidence—we even threw him into a swimming pool with his hands and feet tied—although none of us can quite remember for which country he was being prepared.

That was our "Outward Bound" survival era.

Now we know that the trainee cares greatly about surviving *with people* as well as *in places*. He wants to know from us what and how the Nepali eat and drink and think; how the nomadic people of Botswana carry water and deliver babies; and how the Micronesians spear their food.

We have come to realize that there is negligible interest or value in setting up groups to discuss the anthropological aspects of the Andean Indian when the trainees are bound for Uruguay. We just don't have that kind of time. We must be on target.

We have found language fluency crucial to Volunteer effectiveness. In some of our early programs trainees sometimes had only a hundred hours of language study. Now we devote from 300–400 hours to intensive language instruction.

A few years back, one group of Colombian trainees studied Spanish by listening to—

and reciting with—an inexperienced Colombian student who read to them from the *World Almanac*. Now, trainees are more likely to have a book snatched from their hands. In groups of five or six they work with host country teachers in grueling, around-the-clock activities which emphasize the spoken language rather than literary skill. They are required to think, act, eat, work and play in the 120 languages we teach. And when they get tired of that, they go to the Language Lab.

At Dartmouth this summer, where a pretraining course was held for Volunteers bound for French-speaking Africa, campus police reported trainees headed for the Language Lab at 4:00 A.M. They were going because they wanted to and knew the importance of what they were doing—not because they were told to. And in the emergency room of the local hospital, a trainee for French-speaking Africa refused to register or speak in English to the doctors and nurses who stitched up a minor wound incurred playing soccer with other trainees.

The message has come back from overseas that Volunteers must speak the languages of their host countries, and the message has been heard.

We have made dramatic gains in technical studies. We now actually believe that we can take young men and women from Brooklyn and in three months teach them to raise chickens in India. We believe we can take liberal arts majors and teach them to grow rice in the Philippines or conduct disease surveys in Micronesia.

We not only believe it, we are doing it, with the help of such schools as the University of California at Davis and Fresno State. We cannot produce a farmer in three months, but we can give an intensively interested person what he needs to know about growing hybrid maize in the northwestern part of Mysore State in India.

An important factor in the change and improvement in training has been the returned Peace Corps Volunteers. It has taken us some time to learn how best to use their experience. They have also had to learn that having the experience and being able to transmit it are not the same thing.

But this year between 750–800 returned Volunteers assumed important positions in Peace Corps training programs as language coordinators, job instructors, and leaders of cultural studies seminars.

Recently The New York *Times* reported that the University of Maryland Department of Psychology had reserved five graduate assistantships for returned Volunteers.

According to the department chairman, the decision was made because—and I quote—"Peace Corps Volunteers are not only highly selected, they also display a combination of humanitarianism and hard-headed empiricism that should equip them well for a career in psychology."

Humanitarianism and hard-headed empiricism. These are the qualities that returned Volunteers bring to Peace Corps training.

And need I add that the Peace Corps appreciates such perceptiveness on the part of psychologists?

Another important change has been the move away from the college campus for more and more of our training—leaving the campus but taking the college training staff with us to the depressed rural areas, the urban ghetto, the Indian reservation, or our own camps in Puerto Rico and the Virgin Islands.

Moreover, this year, an increasing number of prospective Volunteers—about one in five—will receive a portion of their training in some of the 57 countries in which they will work.

And so training has turned into big business for us. In the coming year, about twenty-five per cent of the Peace Corps budget will go to preparing 11,000 new Volunteers for overseas services.

As we begin the seventh year of our relationship with colleges and universities, we have just begun to find ways to integrate preparation for Peace Corps service with formal degree study.

We are experimenting with five-year degree programs in which two years of Peace Corps service is credited towards a college degree. At the State University of New York at Brockport, for example, students will enter the program after their sophomore year, complete their junior year and two summers, and then be assigned overseas.

Twenty Harvard-Radcliffe seniors interned this summer in Panama, Senegal and Ethiopia. They return to Cambridge this month for continued study during their senior year. We expect to learn a good deal from them about independent study as a training technique.

These are only beginnings. Other models, other patterns must be developed. The Peace Corps will meet academia half way and more.

I am sure we will see in the next few years a sharp decrease in the old pattern of one-shot, *ad hoc*, training programs sprinkled willy nilly around the nation's campuses.

We are going to set up a few more Peace Corps-run training centers—our so-called "in-house" centers—which will concentrate on preparing Volunteers for specific areas of the world. We will certainly continue to need our university friends in these centers.

With a small number of universities I think we will also develop an in-depth relationship. Our current plan with the University of Hawaii may well serve as a model.

In the coming year, the University of Hawaii will train over 1,000 Peace Corps Volunteers for programs in East Asia and the Pacific on an unusual contract basis which provides for a core professional staff.

The University will be preparing and backstopping our Volunteers who are to work in Malaysia, the Philippines, Thailand and parts of Polynesia. Hawaii will participate in across-the-board, program development stage through training, implementation, overseas support, research and evaluation.

Such an arrangement should make possible the build-up and application of great area expertise. I would hope that the universities with which we develop such plans could almost become or contain Peace Corps academies. In these academies the processes of international communication, understanding, and development would be studied and the results of the studies applied in action.

But I have one concern that I especially want to share with you today.

I am very much afraid that the Peace Corps has not quite been taken seriously by many—if not most—of the senior faculty members on American college and university campuses. I never expect to go onto a campus any more without having at least one professor—or dean—or academic vice president—say to me, "You must remember that the Peace Corps is only one of a great many government activities competing for our time, and the Peace Corps *is* rather marginal to our institution's basic interests."

This little speech comes forth with such regularity and with such an amazing sameness of wording that in my bleaker moods I suspect its text was agreed upon at some nation-wide secret convention called by academicians for the sole purpose of putting the Peace Corps in its place.

There are of course notable exceptions: I could compile a distinguished list. But it would still be a list of exceptions.

A healthy skepticism is fine. I think most Peace Corps staff members had it in the beginning. I am not talking about that. I am talking about a lack of interest or even a faint hostility which springs from a failure or refusal on the part of many faculty advisors to critically examine the Peace Corps as a valid option for the graduating senior or the master's degree candidate.

Too many students have come to me to say they were interested in the Peace Corps but their senior professor thought they would be wasting their time or should take the departmental fellowship being offered or had better get on with their study program if they expected to be taken seriously by the graduate school.

In some cases the student surely should take the fellowship, but I believe every faculty advisor today has a real obligation to have something more than a superficial understanding of what personal and career values are possible in the experience of being a Peace Corps Volunteer.

I know that the Peace Corps should do more than it has to foster this understanding. A university president—concerned as I am about this matter—recently suggested that on as many campuses as possible seminars be held that would bring together top level Peace Corps officers and faculty members representing the whole range of disciplines. These seminars would explore the Peace Corps experience, its validity for the graduating college student, and the most meaningful relationship between the universities and the Peace Corps.

We would be delighted to participate in such dialogues. We would welcome any other suggestions for the exchange of views and information.

It seems to me that if there was ever a natural partnership it is between the universities and the Peace Corps. I believe that our universities have a fundamental responsibility in helping to solve the world's pressing problems of communication, understanding, scarcity of food, overpopulation, and disease. If we are honest, we must admit that the battle against these problems has barely started.

The time has come to question why—in spite of the wealth and resources of a nation which will educate 60 million people in *our own society* this year—the Peace Corps is still almost the only and certainly is the largest provider of long-term, action-oriented education designed to grapple with the problems of the *world society* in which we live.

But—as yet—not we, nor the development experts, nor the leaders of the developing world have many of the answers. We perhaps have not yet even formulated the right questions.

Some of the best brains in our universities—not enough, but some—are thinking about the questions and the answers. At the same time thousands of young men and women are leaving the campuses to serve in the Peace Corps, to work in parts of the world where the better answers are needed. Other thousands are returning from the Peace Corps to the campuses—and one of the reasons they return to school is that they now know how much more there is to learn.

There has never been anything remotely comparable to the opportunity the Peace Corps has provided for the teachers and those they taught (and from whom they can now learn) to come together and work together with the people of Africa, Asia, and Latin America to find the right questions and to answer them in action. If we do not seize this opportunity, another may be too long and too late in coming.

And so I propose that we work at our partnership and spend the coming year drawing up the questions and beginning our search for the answers.

I am told that people who work at it almost always survive that most dangerous seventh year.

BARRIER ACROSS DEMILITARIZED ZONE

Mr. McGEE. Mr. President, Secretary McNamara's announcement last week that the United States is undertaking construction of a physical barrier across the demilitarized zone in Vietnam can be viewed as a hopeful sign. It emphasizes the defensive nature of the war in Vietnam and, far from representing a retreat to static defense, it opens up the promise of increased maneuverability, both militarily and diplomatically. There are those, represented well by Chalmers Roberts, of the Washington Post, who have viewed the barrier as a possible route to a peace conference. That, of course, would be a welcome development. But, as the Post said editorially, the barrier is in the nature of an experiment, and as such cannot be accompanied by more than cautious expectations.

Mr. President, I ask unanimous consent to have printed in the Record Mr. Roberts' column of September 9 and the Post editorial of the same day, entitled "The Barrier."

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the Washington Post, Sept. 9, 1967]

Vietnam Barrier Could Become Route to Conference on Peace

(By Chalmers M. Roberts)

The electronic barrier that the United States is building across South Vietnam to stop infiltration from the North may knock down the stubborn barriers to the conference table.

About a year ago, when the DMZ barrier was being discussed, a senior official offered the view that it could, if it worked, provide the excuse for the President to halt the bombing of the North.

Since that time, North Vietnam has established the policy that if the United States "really wants to talk, it must first of all stop unconditionally the bombing and other acts of war" against the North. Furthermore, says Hanoi, the United States "has no right to demand any reciprocity whatsoever."

At his news conference yesterday, Secretary of State Dean Rusk stuck to the demand for reciprocity in principle, but tiptoed around it in detail. A growing number of people in Washington believe that in the end the President will have to accept Hanoi's proposal and Rusk seemed to be leaving an out for that possibility.

If the DMZ barrier turns out to be workable, it could provide the reciprocity without any act on Hanoi's part. While Secretary of Defense Robert S. McNamara said the barrier cannot stop infiltration, its aim is to make infiltration far more difficult.

Thus at a given point the President could announce that the barrier had so cut infiltration that he was prepared to halt the bombing and go to the conference table. In London in February, Soviet Premier Kosygin passed the word to Washington that Hanoi would come to a conference within two or three weeks of the end of the bombing.

A critical point in any such maneuver is timing. McNamara said the barrier is to be initiated late this year or early next year. Thus it could become effective enough, if Washington wants to make that finding, sometime next spring.

By next spring the presidential campaign will be under way and Mr. Johnson will have a better idea of where his prospective GOP candidate will stand on the war issue.

It is not impossible, if the two sides get to a conference table by summer, that the President could be campaigning on a peace platform—and admonishing the Republicans that any attack could upset the prospects for ending the war.

But what of the hawks? Already one of them, Republican Sen. John Tower of Texas, has expressed doubts about "the essentially static policies it signifies." Certainly those who want to close the port of Haiphong are not going to be happy with the DMZ barrier as an alternate method of cutting infiltration of men and supplies.

However, the evidence is that the Nation more and more wants an end to the war. Both McNamara and Rusk concede a high degree of public frustration. In short, the DMZ barrier may serve to outflank the hawks.

But even if this device should prove to be a means of getting to the conference table, talks between Washington and Hanoi would still have a long, long way to go. Any such conference almost inevitably would immediately be deadlocked on the role at the table of the National Liberation Front, the political arm of the Vietcong.

In short, it is possible and even probable that a Vietnam conference could go on for months or years, as was the case at Panmunjom in the Korean War.

Nonetheless, a solution by conference compromise may be the best the United States can get out of this war. And the DMZ barrier just could be the device leading to the conference table.

[From the Washington Post, Sept. 9, 1967]

The Barrier

Secretary McNamaras' announcement that a physical barrier will be built along the border with North Vietnam follows long months of study and indecision that probably have not yet resolved many military doubts and reservations.

The barrier, involving conventional barbed wire and cleared areas together witn more sophisticated obstructions, certainly should not be regarded as an alternative to or a substitute for other military means. The fear that it would be so regarded probably has contributed to the skepticism with which the whole idea has been regarded by many military authorities.

In the early stages of the debate over this proposal the generals came up with an estimate that it would take 500,000 to a million men to make such a barrier effective. But the argument seems to have shifted from a dispute over what could be accomplished by a barrier alone to the discussion of the barrier as a supplement to other means.

To whatever degree it is effective harassing and hindering infiltration from the North it ought to diminish the burden upon ground and air forces engaged in that project now. It is a means of making these operations both more effective and less costly in terms of manpower. The argument for it has been increased, curiously enough, by the success of air interdiction of the inland trails. As these have been made more and more costly, the North Vietnamese have moved more across the demilitarized zone farther East. An effective fixed line of defenses ought to help close this alternative route more tightly.

The very construction of the barrier has some political and psychological advantages. It will dramatize the essentially defensive character of the operations in South Vietnam. It will highlight the North Vietnamese involvement in the war. It will permit the United States and the South Vietnamese to say to critics that the level of warfare is mostly within the control of North Vietnam. It will decline whenever the aggressors stop trying to knock down the door and break into the house. This largely is true already, but it is not as apparent as it would be if the ground fighting took place and the casualties occurred when the North crossed the barrier.

A reasonably effective barrier clearly would give the South Vietnamese and the United States and their allies more military and diplomatic maneuverability, broadening alternatives available and diminishing dependence upon existing resources. The barrier is in the nature of an experiment. It is an experiment that is well worth trying, if the effort is attended by cautious expectations and no illusory hopes that it is a cure-all or a gimmick that will solve all our military problems in South Vietnam.

PENTAGON ADMITS THAT NAVY FINDS F-111B UNFIT FOR WAR

Mr. McCLELLAN. Mr. President, today there is published in the Wall Street Journal an article written by Jerry Landauer, a staff reporter for this publication, entitled "Pentagon Admits Navy Finds F-111B Unfit for War—Asks General Dynamics Penalties."

This article is rather illuminating. I have read it carefully and I find that the facts it reports with respect to the progress or rather lack of progress in the development and procurement of this airplane are substantially correct.

I believe this matter is of such interest that it should be placed in the Record, and that every Senator—every Member of Congress especially—should have an opportunity to read it, as well as those who keep up with the proceedings of our Government through the columns of the Record. I, therefore, ask unanimous consent to have the article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Pentagon Admits Navy Finds F-111B Unfit for War—Asks General Dynamics Penalties

(By Jerry Landauer)

Washington.—The Defense Department has acknowledged to Congress that the latest development model of the Navy's F-111B missile-firing interceptor plane is "extremely deficient in combat mission capability," it was learned.

The department also is seeking to assess penalties against General Dynamics Corp. for alleged failure to meet certain contract guarantees or specifications. The company is prime contractor for the craft, once called the TFX, which is being made in Air Force as well as Navy versions.

Despite extremely unflattering reports by Navy test pilots ("The F-111B airplane remains unfit for service use," they declare) and the haggling with General Dynamics, the Navy is still hopeful that scheduled improvements will yet make the plane acceptable as a defender of the fleet against enemy bombers.

"We are taking what we can get," says Adm. David L. McDonald, recently retired Chief of Naval Operations, "because we feel we need this type of capability and we can't get it any other way."

The disappointing test reports are based on flights this summer of development model No. 5. These tests, Deputy Defense Secretary Paul H. Nitze told the House Appropriations Committee on March 5, were expected to "confirm that the plane as we have further decided to modify it will meet the Navy's needs." Mr. Nitze found the confirmation he sought even though the Navy's preliminary evaluation report said the aircraft "was found to be incapable of carrier-based operation."

The F-111B isn't actually to be flown from aircraft carriers until the summer of 1969, three years behind the schedule mapped in 1963; the evaluation reports are based on flights from land and at less than maximum speed. Until the "carrier suitability" tests can take place, Congress is expected to be tightfisted with money for the plane.

Congressional reluctance to accept Pentagon optimism was demonstrated recently in the Senate. Instead of the $287 million requested for the Navy plane by Defense Secretary McNamara for the year that began July 1, the Senate yielded $115 million only to be used for six more test craft, each designed to correct certain of the 104 deficiencies by test pilots.

"The disbursement of funds for the production program is prohibited," said Sen. McClellan (D., Ark.), one of Mr. McNamara's most persistent critics. It seems probable, however, that even Mr. McClellan ultimately will agree to vote production funds if the admirals keep contending that no alternatives appear in sight.

In its haggling with General Dynamics, the Pentagon wants, among other things, to penalize the company $1,750,000 for turning in a heavier-than-specified airframe. General Dynamics contends that the weight problem isn't exclusively the company's fault.

MAXIMUM PROFIT IS $65 MILLION

On research and development for all versions of the F111, the company's minimum profit under an incentive contract would be $17.5 million, even if no performance incentives are earned and all possible penalties are assessed; the maximum profit could range up $65 million. In addition, though, the contract requires General Dynamics to absorb the cost of correcting all deficiencies discovered within a specified time after delivery.

As for a recently negotiated production contract, General Dynamics has agreed to a reduction of $20,058,000 from a "target profit" that had been set a shade higher than $200,000,000 for building 493 F111s of all types—including Air Force fighter-bomber, Air Force strategic bomber, and those being purchased by Britain and Australia. Penalties are assessed or incentives added to the "target profit" as performance of the plane and ability of the negotiators dictate.

Though General Dynamics and its chief subcontractor, Grumman Aircraft Engineering Corp., may have to accept substantial penalties for failing to match performance with promises, it's expected that both concerns still will profit handsomely.

For one thing, it's generally agreed that the specifications, derived from Mr. McNamara's mating of a low-flying, faster-than-sound fighter-bomber with a high-flying Navy version, were all but impossible to achieve. "It isn't within the realm of being technically possible," Mr. Nitze says.

Assessing cost to the taxpayers is easier than forecasting probable profits of the major contractors. For research and development alone, the originally anticipated expense of $711.2 million has jumped to a shade more than $2 billion. These figures aren't necessarily comparable, though, because, among other things, it wasn't contemplated at first that Mr. McNamara would direct the Air Force to develop a stretched version of the fighter bomber and make it a strategic bomber.

COSTLIEST WEAPON

For production of about 1,325 planes, down from early estimates of 1,700, the Government won't pay $5.8 billion but $10.4 billion. So at latest reading, the total F111 program is going to cost $12.4 billion, making it by far the costliest weapon system in the U.S. arsenal.

Against this background, the Navy seems particularly eager to put the best possible face on the disappointing flight-test evaluations. It points out that test pilots' listing of deficiencies "are intended to highlight deviations from a theoretical optimum."

Says Adm. T. F. Connolly, Deputy Chief of Naval Operations for Air: "They write down every single deficiency, large, small, medium." He says, "This gives the Naval Air Systems Command a good lever with which to work on the contractor."

THE CHICAGO CRIME COMMISSION ANNUAL REPORT

Mr. McCLELLAN. Mr. President, the Chicago Crime Commission recently released its annual report, and it was generally optimistic with the progress being made to combat crime. However, the commission was harshly critical of recent decisions of the Supreme Court. Also, the commission praised efforts by the FBI.

I commend the report to the attention of all Senators, and ask unanimous consent that two articles, appearing in the Chicago Tribune and the Chicago Sun-Times, both dated August 11, be inserted in the Record at this point as a part of my remarks.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Chicago Tribune, Aug. 11, 1967]

U.S. Law Units Praised in City Crime Report

(By Thomas Powers)

The Federal Bureau of Investigation, the internal revenue service, and United States Atty. Edward V. Hanrahan were praised for "noteworthy" performance yesterday in the annual report released by the Chicago Crime commission.

Virgil W. Peterson, executive director, said in his review of 1966:

"The record of federal convictions during the last several months has been the most impressive in Chicago history. This successful battle against organized crime has been made possible thru the outstanding investigative work of the FBI and IRS. Cooperation of the federal agencies with local law enforcement has been effective. In numerous instances FBI agents have developed evidence of gambling operations . . . and turned it over to local police officials for action."

PRAISE CITY POLICE

The crime commission also had praise for the Chicago police department, Illinois Supreme Court Judge Daniel P. Ward, and County Board President Richard B. Ogilvie.

Former Police Supt. O. W. Wilson's leadership continued to strengthen the department and instill public confidence in the force, the commission said. The quick solution of the murder of the eight nurses and the apprehension and conviction of Richard Speck was declared "commendable."

OGILVIE REVAMPS FORCE

Ogilvie, as sheriff of Cook county, revamped the sheriff's force and made it the most effective in history, the commission noted.

Ward, as state's attorney of Cook county, was praised particularly for obtaining the convictions of six defendants for four gangland murders.

The commission was harshly critical of recent United States Supreme court decisions.

[From the Chicago Sun Times, Aug. 11, 1967]

Crime Unit Hails War on Mob Here

(By Ray Brennan)

Chicago is in the midst of the most successful crusade against organized crime in the city's 134-year history, the Chicago Crime Commission reported Thursday.

The nonpartisan civic agency gave praise in particular to the federal government for smashing big-money rackets and sending top Mafia gangsters to prison.

The syndicate's former huge profits from illegal gambling have been cut to a dribble, the commission stated in a report on Chicago area crime for 1966.

Along another line, deployment of hundreds of policemen to control racial disturbances hindered Chicago's general law enforcement in 1966, the report said.

The commission went on to blast certain Cook County Circuit Court judges in the sentencing of criminals and to censure U.S. Supreme Court rulings on police treatment of arrested persons.

And, in an unusual switch, the commission gave recognition to contributions of an admitted law breaker—a former attorney turned informant—to the cause of justice.

The ex-lawyer, Frederick P. Ackerman, has been called "the most accurate and talkative stool pigeon of modern times" by Charles Siragusa, executive director of the Illinois Crime Investigating Commission.

SYNDICATE SECRETS

Ackerman has spent 18 months revealing crime syndicate secrets and testifying in court against old-time gangster pals, fellow lawyers and political fixers after being persuaded by Siragusa to talk.

Among Mafia terrorists he helped to convict, in an interstate money order forgery case, were James (Cowboy) Mirro, Americo (Pete) DePietto, Ernest (Rocky) Infelice and Frank Santucci.

The commission's executive director, Virgil W. Peterson, gave special mention in the report to victories by U.S. Atty. Edward V. Hanrahan and his staff in prosecuting gangsters.

Local and federal investigators also built up cases against the Grieco brothers, Donald and Joseph; Marshall Caifano, Fiorvante (Fefe) Buccieri, Sam (Teetz The Man) Battaglia, William (Wee Willie) Mesino, Felix (Milwaukee Phil) Alderisio, Benjamin R. Stein and other hoods, it was pointed out.

PRODUCTIVE RAIDS

Raids on mob gambling centers with use of search warrants obtained by FBI agents have been highly productive, Peterson declared. In former times, the racketeers almost always were acquitted on grounds that the raiders lacked proper search warrants.

But the commission was less than enthusiastic about the conduct of judges in gambling cases.

Of 397 gambling racket defendants indicted in 1966, only four were sentenced to state prison, Peterson related. The others got off with brief jail terms, small fines, probation or acquittals, the records showed.

The report also criticized Circuit Court judges for ignoring the widely recommended "three-year spread" in sentencing convicted felons to indeterminate prison terms.

If there are fewer than three years between the minimum and maximum of any sentence, the defendant has less than sufficient time to find his way back into a productive, law abiding life under parole, authorities generally have agreed.

Cook County judges ignored that important factor in 45.5 percent of their 1966 cases, a tabulation showed.

Readers noted with interest that, for one of the few times in the commission's 48 years of life, the annual report had nothing to say in favor of the death penalty in Illinois. The commission observed that 13 states have abolished capital punishment.

"In Cook County, there were no excutions in 1966 and no death sentences were imposed," Peterson noted. "For many years, the number of executions has been extremely small in relation to the total murder problem."

Even at trials involving the murders of three Chicago policemen, where death penalties once were a foregone conclusion, juries refused to recommend the electric chair, the report showed.

One Chicago case, the murders of eight hospital nurses, ended in death sentences for Richard F. Speck, 26. However, a jury at Peoria fixed the punishment, rather than one in Chicago.

POLICE COMMENDED

In a foreword to the 134-page printed report, William B. Browder, commission president, commended the police for control of racial disturbances. Browder wrote:

"In general, the police department deserved credit for the restraint it displayed and the fair and evenhanded manner with which it met extremely difficult and emotion-charged situations.

"The necessity to deploy large numbers of officers to troubled spots in the city at times overtaxed police strength and left some communities without sufficient police protection."

Chicago justice continues to be hampered by U.S. Supreme Court guidelines requiring policemen to inform arrested persons of their constitutional rights and to help provide defendants with attorneys, Peterson said.

He quoted First Asst. State's Atty. Louis B. Garippo in reporting a significant drop in the numbers of accused persons making confessions to crimes.

THE 1962 FIGURES

In 1962, there were confessions in 65.4 per cent of criminal cases, the Garippo figures showed.

But, with policemen and prosecutors being required to inform defendants of their right to remain silent, the percentage fell to 31.8 in 1966. Numbers of murder suspects and others have been freed in court on grounds that admissions of guilt were improperly obtained, Peterson pointed out.

In summing up, the commission warned against complacency about crime—be it of the individual, street mob or of Mafia syndicate variety. Sharply critical of Chicago law enforcement in other years, Peterson remarked in general:

"Although law agencies in the Chicago community were confronted with tremendous problems in 1966, their performance was commendable."

ELECTION REFORM ACT OF 1967

The Senate resumed the consideration of the bill (S. 1880), to revise the Federal election laws, and for other purposes.

Mr. CANNON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Nevada will state it.

Mr. CANNON. Is the pending business Calendar No. 500, S. 1880, the Election Reform Act of 1967?

The PRESIDING OFFICER. The Senator from Nevada is correct.

Mr. CANNON. I thank the Chair.

Mr. President, every Member of this distinguished body knows that the Federal Corrupt Practices Act, passed in 1925, is antiquated, meaningless, and totally ineffective.

Existing limitations on expenditures are absurd and disclosure provisions are ridiculous.

A new law is sorely needed to cope with methods and costs of present-day political campaigns.

Previous attempts to revise the law have been unsuccessful despite the fact that on at least three occasions the Senate has approved bills to improve election laws.

This year the President sent to the Congress another measure designed to close loopholes and require complete disclosure of all campaign finances. I had the privilege of introducing that bill, S. 1880, on May 25, 1967. Public hearings were held on June 28 and 29, 1967, and after deliberations, the Subcommittee on Privileges and Elections reported the bill unanimously to the Committee on Rules and Administration, which, after further consideration, reported the bill with technical amendments to the Senate.

Costs of political campaigns have risen astronomically, making a shambles of ceilings or limitations on expenditures. Emphasis has shifted from limitations to disclosure on the principle that an informed citizenry will react at the polling places to evidence of excessive expenditures.

This bill, therefore, reaches into every niche of political activity to bring forth all possible information concerning contributions and expenditures for examination by the public.

Complete disclosure is accomplished by requiring all candidates for Federal elective office and political committeees supporting them to file detailed financial statements with the Clerk of the House of Representatives, the Secretary of the Senate and with clerks of U.S. district courts in the district where the candidate resides or where the principal office of the political committee is located.

Additionally, statements are required to be filed concerning primary elections, caucuses, special and general elections, nominating conventions and presidential preference primaries.

Every political committee, whether National, State, or local, would be required to file financial statements if it received or spent in excess of $1,000 during a calendar year.

It was recognized by the Senate Rules Committee that not every small political committee throughout the United States could be burdened by Federal reporting requirements—especially those which were primarily supporting local candidates or issues. The $1,000 cutoff would eliminate most of those minor or ad hoc local committees.

While limitations on expenditures by candidates and political committees are removed by S. 1880, there still remains a limitation upon the amount which may be given to a candidate or a political committee.

Section 103 of the bill, beginning at the bottom of page 4, sets a limit of $5,000 on the amount which a contributor could give to any candidate or committee. He may give any number of $5,000 contributions to separate candidates and committees but he may not give more than $5,000 in total to any particular candidate and one or more political committees supporting that candidate.

There is a proviso in that section which would eliminate from the limitation or contributions a political committee. Thus, political committees could still give to a candidate or another political committee amounts in excess of $5,000.

However, the definition of "political committee" includes the term "individual." There is a possibility that any individual could claim that he was acting as a political committee and thus evade the $5,000 limit on contributions.

To preclude that possibility, I shall propose an amendment which clarifies the intent of the limitation. By striking out the proviso which states that "the term 'person' shall not include a political committee" and substituting a new proviso stating "that nothing contained in this subsection shall prohibit the transfer of contributions received by a political committee," the loophole is eliminated.

Political committees could still transfer to candidates and political committees more than $5,000 of its receipts, but an individual or person claiming to be a political committee could not use his own personal wealth to evade the law but only those contributions received by him from others and those receipts would have to be reported publicly.

Disclosure is the cornerstone of this bill. Every candidate for President or Vice President and every candidate for the Senate and each political committee supporting such candidates shall file statements with the Secretary of the Senate.

Every candidate for the House of Representatives and each political committee supporting them shall file statements with the Clerk of the House of Representatives.

Additionally, a copy of each statement filed by a candidate or a political committee shall be filed with the clerk of the U.S. district court for the district where the candidate resides or where the principal office of the political committee is located in that district.

Every statement will disclose all names and addresses of persons who have contributed $100 or more or to whom expenditures have been made of $100 or more. Further, every financial transaction, whether contribution, gift, loan, transfer, sale, expenditure, and so forth, shall be disclosed in detail.

Reports, in each instance, would be filed on the 10th day of March, June, and September of each year and also by the 31st day of January of each year. Before each primary, special or general election, reports would be filed on the 15th and again on the fifth days prior to the date of such election.

Persons who make contributions or expenditures of $100 or more, other than to a political committee or a candidate, would also be required to file reports in the same manner as is required by candidates or committees. Committees or associations responsible for or assisting in the operation of political conventions to nominate national candidates would be required, for the first time, to file a report, not later than 20 days prior to the date of the presidential election, showing all receipts and expenditures.

Under existing law, the Secretary of the Senate and the Clerk of the House have no duties except to receive and preserve statements filed by candidates or political committees.

This bill, S. 1880, would impose a much greater range of duties.

Those officers would be required to develop forms for the filing of statements; to prepare and publish a manual for bookkeeping and reporting; to develop coding and cross indexing systems; to make all documents available for public inspection and copying; to preserve all documents for 10 years in the Senate and

5 years in the House; and to make audits, field investigations and report violations of law.

It has been said that statements of campaign contributions and expenditures should be filed with the office of the Comptroller General rather than with the officers of the Congress because the Comptroller General's office is set up to handle accounting matters and is set apart from the Congress.

Mr. President, I disagree with that position on several grounds:

First. The Constitution states, in article I, section 5, clause 1, that "each House shall be the judge of the elections, returns and qualifications of its Members" and in article I, section 5, clause 2, that "each House may determine the rules of its proceedings, punish its Members," et cetera.

The Congress, therefore, has the power and the duty to monitor the election of its Members, including campaign contributions and expenditures.

Second. The General Accounting Office is merely an arm of the Congress and has no extraordinary power to monitor Federal elections.

In fact, the Comptroller General has consistently expressed reluctance to receive responsibility for overseeing Federal election activities.

Third. Both the Secretary and the Clerk could supplement their offices with staff and equipment, just as the Comptroller General would, to process financial statements in accordance with this bill.

For those reasons, I would oppose any change in the places for filing campaign statements.

Clerks of the U.S. district courts would be given duties similar to those of the Secretary and Clerk pertaining to the receiving, filing, preserving, and making available for public inspection the campaign statements required to be filed with them.

Mr. President, this bill was submitted to the Congress by the President. I introduced it and held public hearings to receive all views on it. It was studied by the Subcommittee on Privileges and Elections and the Committee on Rules and Administration. It was reported unanimously from both committees.

This bill is needed to restore public confidence in congressional political campaigns and the handling of campaign finances. It is my sincerest hope that it will be given early approval by the Senate.

Mr. President, during its consideration of the bill the committee adopted certain perfecting amendments to the bill. The amendments are for the purpose of achieving conformity and clarity in the several provisions and do not affect the bill substantively. I ask unanimous consent that the committee amendments be approved en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The amendments were agreed to en bloc.

Mr. WILLIAMS of Delaware. Mr. President, on behalf of the Senator from Kansas [Mr. CARLSON] and myself, I call up amendment No. 284 and ask to have it read.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware will be stated.

The legislative clerk read the amendment, as follows:

At the appropriate place, insert the following:

"SEC. . (a) Section 602 of title 18 of the United States Code is amended—

"(1) by inserting '(a)' before 'Whoever', and

"(2) by adding at the end thereof the following new subsection:

" '(b) Whoever, acting on behalf of any political committee (including any State or local committee of a political party), directly or indirectly solicits, or is in any manner concerned in soliciting, any assessment, subscription, or contribution for the use of such political committee or for any political purpose whatever from any officer or employee of the United States (other than an elected officer) shall be fined not more than $5,000 or imprisoned not more than three years, or both'."

Mr. WILLIAMS of Delaware. Mr. President, under the existing law, section 602 of title 18 of the United States Code prohibits anyone who is a Senator or a Representative or a delegate, or anyone who is a candidate for Congress or for any of these national offices, under penalty of a $5,000 fine or imprisonment for not more than 3 years, from soliciting civil service employees for political contributions.

However, the loophole in the law is that there is nothing to prohibit us, as public officials, or anyone who is a candidates for national office from having the National or State committees or their representatives solicit these same employees on our behalf.

The result has been that under the past several administrations there have been solicitations, and in recent years it has developed almost into shakedowns of Government employees. They are asked to make contributions to the $100 dinners, or $500 dinners, with the threat hanging over their heads that their bosses are going to be there and that their promotion will be jeopardized if they are not seen at these dinners.

The President, in his message recommending these election reforms, took notice of the need for a reform in this area and said it was a problem which should be dealt with. Unfortunately, the President's recommendation did not contain a provision covering this loophole. Perhaps it was an oversight. In order to carry out his stated intentions, as well as my own intentions, and what I think would be the intention of all Members of the Senate, we offer this amendment to close the loophole by amending section 602 and stating not only that it would be unlawful for Members of Congress or candidates for Congress to solicit campaign funds from civil service employees but also that it would be unlawful to have anyone through a National, State, or special committee solicit employees on their behalf.

I am hopeful that the chairman of the committee will see fit to accept the amendment. I do not know what the objections could be, but I will want a record vote in order that the full position of the Senate may be shown.

Mr. President, I offer this amendment on behalf of the Senator from Kansas [Mr. CARLSON] and myself.

The PRESIDING OFFICER. Without objection, the name of the Senator from Kansas [Mr. CARLSON] is included as a sponsor of the amendment.

Mr. CURTIS. Mr. President, I wish to speak briefly concerning the bill. I feel that there should be some reform in our laws concerning the recording of election spending.

During the time this bill was under consideration by the Subcommittee on Privileges and Elections, it was not possible for me to give the time and attention to it that I would have liked, as I had to be absent from Capitol Hill. The members of the committee were very gracious in delaying action on this measure until I could attend.

Realizing that whatever might be enacted in this Congress should be done in this calendar year, I did not offer any amendments in committee. I felt that the recommendations of the President were entitled to be considered by the Senate.

Further, I was of the opinion that any matter such as this, involving the campaign of every Senator and every candidate for the Senate was something that would not be ultimately decided by the committee, but would be decided by the Senate as a whole, because every Senator is interested in the law pertaining to the financing of his campaign and to reports which should be filed.

I make that statement for the reason that I do not want my vote cast in the committee to report the bill for consideration as being construed that I do not favor certain amendments or that I necessarily favor the bill. My vote in the committee was in favor of having the Senate consider the bill, nothing more. I may or may not vote for the bill. It depends on what it is like when we get through with it.

I believe that amendments offered by the Senator from Delaware [Mr. WILLIAMS] have great validity, and I expect to support them.

I do wish to call to the attention of the Senate another important matter, as I see it, upon which I expect to offer an amendment. I refer to section 608, on page 5 of the bill. This section says:

(a) It shall be unlawful for any person, directly or indirectly, to make a contribution or contributions in an aggregate amount in excess of $5,000

(1) during any calendar year, or

(2) in connection with any campaign for nomination for election, or election,

to any political committee or candidate, to two or more political committees substantially supporting the same candidate, or to a candidate and one or more political committees substantially supporting the candidate:

Lines 7 to 12, which come under subhead (2), would indicate that a person could not contribute more than $5,000 to a candidate, or to any committee set up by that candidate.

But line 6 would put an absolute ceiling upon what an individual person could contribute for all candidates, all committees, all purposes, to $5,000.

Mr. President, I do not believe that is wise. I do not believe that it will promote disclosure. I do not believe it is just.

I view a political campaign as an honorable thing. I believe that it represents efforts of a group and individuals to advance the cause of good government as they see it. Therefore, I think the raising of funds for a campaign, in many respects, is like raising the funds for the community chest, for the Animal Rescue League, to build a library, or to do any other worthwhile thing. You need large contributors, you need small contributors; you need a lot of small contributors to spread the responsibility, and we should encourage that. That is why I favor a provision which would give a tax benefit up to a certain amount—say for a $100 contribution.

However, there are people in this country, who are interested in good government, who give generously, and do so without any ulterior motive. They have no Government contracts; they expect no Government contracts. They ask no special favors of the people to whom they contribute but to carry out their idea of what is good government. They may contribute to a long list of candidates for the House of Representatives, or a long list of candidates for the Senate, as well as to their candidate for President.

As I read this section 608, on page 5, there would be an absolute limit of what a person could give to all candidates for all purposes, of $5,000.

What that will do, if this is enacted into law, will be to shut off the honorable money, the untainted money. It will drive the tainted money under the table.

I realize a great speech can be made condemning contributors. But how are you going to explain how people can get elected without money? How are you going to explain how people who do not have great wealth can be elected to office, unless somebody else contributes to them?

Mr. President, it is time to cast aside any temptation to hypocrisy. I say to the Senate that a limit such as this will shut off honorable, untainted money, and it will not shut off tainted, dishonorable money, but will merely drive it under the table.

Therefore, I propose, at the proper time, to offer an amendment to strike out line 6 on page 5, and to renumber the succeeding sections.

Then we would have a limitation on the amount that a person could give to a candidate, or to the candidate's committee; but the limitation would not apply from the Atlantic to the Pacific. If someone has a great love for his country and believes a certain course is best for his country, and has the substance to support 20 candidates for Congress, is it not in the public interest that he do it? Or does the Senate favor a system that will either limit running for office to those people who come from families that can pay the entire bill, or a system that invites hypocrisy and drives the contributions beneath the table?

I think that this section, as written, defeats the very purpose of the bill. The purpose of the bill is disclosure. This section, if enacted, will add to the amount of contributions that are not disclosed.

In connection with this section, I call attention to lines 20 to 23, on page 6, subsection (f):

> (f) Nothing contained in this section shall be deemed to prohibit any contribution to a candidate by the spouse or a child, grandchild, parent, grandparent, brother, or sister of the candidate.

So in one part of this section, we put a ceiling on what a public spirited individual can do, across the entire land, but here we say that nothing shall prohibit any contribution from within the family. If that is not a contradiction, I do not know what you would call it.

That section might be improved by changing the word "committee" on line 21, to the words "a contribution," and adding, on line 23, "provided the contribution is not otherwise prohibited."

But as it stands, a member of the family can make any contribution. Mr. President, that can be pretty high. It can be a pretty good sized contribution.

I hope what I am about to say will not be regarded as a discouragement to those who are sponsoring the bill. I would like to see this bill enacted soon; but I think we should be realistic about it.

We are back in session on the first day after a 10-day recess. It is true that this bill has been made the pending business. But every Senator knows that on the day after a recess, a mountain of things pile up in all avenues of his work, whether it is returning telephone calls, his staff needing to see him about various things, a backlog of mail, or what not.

Since this is a piece of legislation which should have the attention of every Senator, and since it is a piece of legislation where a committee cannot make the decision for the entire Senate—because it deals with a matter of immediate concern to every Senator—I hope that we can have ample discussion of this measure today, and that the major votes upon it will be made later.

I do not mean to suggest that no amendment should be voted on today. However, certainly if an opportunity is afforded to all Senators to participate in this debate, it will result in a better vote. It will result in a bill that will have the backing of the Senate when we go to conference.

I hope that this can be done. For the time being, I yield the floor.

Mr. WILLIAMS of Delaware. Mr. President, I would like to have the yeas and nays on the pending amendment. I do not think there are enough Senators present on the floor to obtain the yeas and nays.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. CANNON. Mr. President, the amendment offered by the senior Senator from Delaware would prohibit political committees or persons acting in behalf of political committees from soliciting, directly or indirectly, contributions or assessments for the use of the committee or other political purpose from any officer or employee of the United States.

Section 602 of title 18 already prohibits Congressmen and officers and employees of the United States from soliciting or receiving, directly or indirectly, any contributions or assessments for such use from any other such officer or employee.

The purpose of this section was to prohibit a coercion or a coercive attempt by people such as the Senator from Delaware described a few moments ago.

Section 603 of title 18 prohibits the solicitation of contributions in Federal buildings.

There is, therefore, broad coverage pertaining to incumbent Congressmen, candidates, officers, and employees to prohibit them from soliciting or receiving contributions from other such persons. However, to apply the same prohibition to committees would be unfair, and I submit that it would be most difficult to enforce.

Committees, like other business enterprises, solicit contributions or other support from citizens on the basis of available public listings. A canvass of citizens in certain areas, like southern Maryland or northern Virginia, would be certain to reach large numbers of Federal employees and officers.

The committee would have no means of ascertaining in advance which of the citizens solicited were employed by the United States. To ban all committees from soliciting in this manner U.S. employees would be to prohibit such solicitations from anyone under pain of violating unintentionally the Federal law and thereby subjecting themselves to a fine of $5,000.

I submit, Mr. President, that the amendment is quite unreasonable, and I hope it will be defeated.

Mr. WILLIAMS of Delaware. Mr. President, I believe that the Senator from Nevada is doing a little shadowboxing. I point out that section 602 has been a part of the Corrupt Practices Act for a number of years, and the proposed amendment would not change one iota the method by which contributions would or would not be solicited, except that the existing law says that whoever is a Senator, a Representative, a Delegate, a Resident Commissioner, or a candidate for Congress, or any of these national offices shall not solicit Federal civilian employees for political contributions.

Nothing in the existing law, however, prohibits the head of an agency from taking a list of his employees and turning it over to Joe Doakes or one of the national or State committees and having the committees solicit them on his behalf. The proposed amendment would merely add to the existing law to prevent solicitations on our behalf. It now says that a Member of Congress or a candidate for Congress cannot make these solicitations; under the amendment no one could solicit on behalf of the candidate or party.

This would not mean that he could not send out newsletters to his mailing list for fear one of the individuals receiving the letter happened to be working for the Government.

I point out that for years this law has been on the books. We, as Members of Congress or as candidates for public office, have been acting under this law. None of us has ever had any difficulty as far as that is concerned. I am speaking of normal letters, not solicitations. We cannot solicit campaign contributions from any civil service employee.

Let us face it: We all know what we are trying to correct and what this abuse has been.

I should like to read an editorial that appeared in the Washington Star of May 24, 1964, which outlined this matter very well. I read the editorial:

[From the Washington (D.C.) Sunday Star, May 24, 1964]

THE BIG BITE

Administrations may come and administrations may go, but the big bite goes on forever. The big bite, by polite definition, is an invitation to attend a dinner party in honor of a Washington dignitary, such as for the President of the United States. For the high privilege, the guest is expected to chip in at least $100 for the good of the party—Democratic Party, that is.

Well, that's all right. Anyone who wishes to ante up that kind of money to break bread with President Johnson at the Armory next Tuesday is entitled to do so. It is those people who would just as soon not, but who are going to anyway, or at least are going to pay for it, whom we are concerned about.

These are the grade 11 and upward Federal career employes who receive invitations, plus subtle and not-so-subtle hints that it would be good personnel strategy to cough up the cash.

It is an evil practice which has been going on so long now it almost has won the badge of respectability through repetition and the broad wink. Administration after administration has shut its eyes to the implications of coercion, blackmail and veiled threats which are part of these "invitations" to Federal career employes. Each time it happens someone says: What about the Hatch Act and the Corrupt Practices Act?

The plain truth is that these laws, designed to protect the Federal worker against political flim-flammery, are all but worthless in such cases. In the first place, they require a formal complaint by the offended employe, who is not about to risk his future so rashly. Second, they require prosecution by political appointees loath to bite the feeding hand.

Consequently, there is only one practical solution for muzzling the big bite. That is for the President of the United States and the national committees of the political parties to put a stop to the biting practice, once and for all.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. I should like to ask the Senator a few questions, to ascertain the intent of his amendment.

Is it the intent of the Senator to create a situation where a political committee, for instance, would be in violation of law if they sent out a general mailing asking for contributions or the sale of dinner tickets, and some of those letters were received by Government employees?

Mr. WILLIAMS of Delaware. If that list of names is general—we might say the boxholder list or a general broad list, with no thought as to what the position of the person is—it would not be affected any more than the Senator's letters or my letters today are affected if we write to an individual. We do not have to search his pedigree or determine his financial status from Dun & Bradstreet. But we would not be able to solicit direct contributions, as it is being done now, where the boss of an agency may hold a cocktail party and put a notice on the bulletin board: "All who are going to this dinner stop by." They claim there is no coercion. But that is one way they can see whether the persons puts his $100 on the line.

We all know the abuse. We are not that naive. And the employee knows the difference from a voluntary contribution and a shakedown.

A general boxholder letter may come from the two national committees and may come to a Republican or a Democrat. I received an invitation today to attend one of the Democratic fundraising dinners. I do not believe I shall be able to make it. I am sure I received the letter as a boxholder from a general list of names in my hometown.

But such a situation is not involved with respect to the proposed amendment. This refers to the solicitation from Joe Doakes as an employee of the Government. The law already states that a Member of Congress cannot solicit civil service employees or Government employees, for contributions. The proposed amendment would add the words that you could not have somebody do it on your behalf. In other words, I would not be permitted to turn the list of names over to Sam Jones and say, "You make the solicitation for me." Nor could the head of an agency mention the contributions to his employees and follow through with a check on who attends.

There is no question but that there is an abuse. Let us correct it.

Mr. CURTIS. I thank the Senator. I should like to ask him one or two more questions, so that the legislative intent can be shown. Certainly, his objective is worthy, and I support it.

Suppose a county political committee mails a letter of solicitation to all those in that particular county who are registered or affiliated with that party, and some of them happen to be Government employees. If the letter goes to everybody, is it the Senator's intention to make the mailing of such a letter an offense?

Mr. WILLIAMS of Delaware. I checked into that question with the legislative counsel, and I was advised that the existing law does not make that an offense and the proposed amendment will not change it. But if in the solicitation it can be established that someone gave that county chairman or the man making that solicitation a list of Government employees to be solicited, then they would be involved. It is an offense when it is the intent to solicit Joe Doakes because he is an employee of the Government with the inference—"You got your job from the administration; therefore, there is a responsibility to contribute."

The proposed amendment is supposed to stop that practice. Other than that, the employee has the right of every American citizen to contribute to the party of his choice. He has a right to contribute to the candidate of his choice as long as it is done freely and he is not solicited or pressured on the basis of his official capacity.

Mr. CURTIS. To bring the matter rather close to Washington, because there are more Government employees here: In other words, the Senator is saying that either political party could solicit all people living in Montgomery County, Md., for political contributions, and that committee would not be in violation because a number of the people happened to be Government employees.

Mr. WILLIAMS of Delaware. That is correct. If they were solicited as part of a broad county or city solicitation, for example, if they solicited every box holder in Washington in a general solicitation it would not be a violation under this amendment.

However, if it could be established that in that solicitation the head of the agency was later seeking to get the names of the man making the solicitation then they would be involved.

I shall read the present law again:

Whoever, being a Senator or Representative in, or Delegate or Resident Commissioner to, or a candidate for Congress, or individual elected as, Senator, Representative, Delegate, or Resident Commissioner, or an officer or employee of the United States or any department or agency thereof, or a person receiving any salary or compensation for services from money, derived from the Treasury of the United States, directly or indirectly solicits, receives, or is in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever.

Mr. President, that is the law now as it relates to every candidate for national office.

All the amendment would do would be to say that we cannot turn this list over to some individual for solicitation on our behalf.

Mr. CURTIS. Or any general party.

Mr. WILLIAMS of Delaware. Or to a general party.

Mr. CURTIS. Mr. President, will the Senator yield for one additional question to make the matter abundantly clear?

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. If the amendment of the Senator is agreed to, is it the intention of the Senator to make it unlawful for one of the political parties in Montgomery County, Md., to solicit either orally, in writing, or in any other way campaign contributions from all those people who affiliate with that party?

Mr. WILLIAMS of Delaware. Not as members of the party in general. But if the head of the agency passes the word down that there is going to be a solicitation and that they are to come by so that they can be checked on, that would be unlawful. They can contribute of their own accord on a purely voluntary basis as American citizens. They can support the candidate or the party of their choice, but their jobs should not be involved.

I shall read some of the letters I have received.

Mr. CURTIS. Mr. President, will the Senator yield for a further question?

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. In other words, is it the intent of the Senator that the government employee shall not be subject to any solicitation to which his neighbors are not subject even though they are not government employees?

Mr. WILLIAMS of Delaware. The Senator is correct; or in a manner in which someone is going to check up to see whether or not, he as an employee did or did not contribute.

Mr. CURTIS. But if he is approached in the same way as his neighbors who are not government employees, the people doing that solicitation would not be in violation?

Mr. WILLIAMS of Delaware. Not if they were solicited as voting citizens of the country and not solicited as Government employees.

Mr. CURTIS. I thank the Senator.

Mr. WILLIAMS of Delaware. Mr. President, I shall read an excerpt from two letters I have received:

Hon. John J. Williams,
Senator from Delaware, Senate Office Building, Washington, D.C.

Dear Senator Williams: On May 27 *The New York Times* reported your resolution calling on the Attorney General to investigate charges that federal employees were being solicited for political funds in violation of the Hatch Act. The article implied but did not state that the resolution was carried.

I am a federal employee, whose recent appointment to a non-supervisory Grade 11 was entirely non-political. Every employee (above clerical) of my office was solicited to contribute for the impending Johnson affairs in New York City. Amounts of the expected "gift" were recommended. When I declined to give, my pay and my advancement were, it was suggested, in danger.

I do not intend to make any charges under the Hatch Act, and am not seeking any relief for myself or punishment of others. However, I completely support your resolution, and urge you to do everything within your power to see that a meaningful inquiry is made. The kind of sophisticated extortion that can be involved in these violations is humiliating to those who yield and to those who don't, to say nothing of the officials who condone it.

Sincerely,

——— ———.

Senator John J. Williams:

I am a career employee with many years of service. I have never been high-pressured for the $100 fund raising like I have been this year. This is the first time I know of that employees were solicited at work, right at their desks. A list was maintained of givers and nongivers in the Commerce Department. Lack of faith and integrity in the Civil Service System prohibits me from revealing my name. Fellow employees know that promotions are denied to the nongivers.

Yours truly,

——— ———.

Mr. President, these are but two of many letters which I have received.

In addition, the newspapers in Washington have had numerous Federal employees call to their attention the manner in which they are solicited.

I shall now read from an article which appeared in the Washington Star of June 25, 1965:

Worker Prodded on $100 Ticket, Wife Complains

The wife of a top Civil Service grade employe at the Office of Emergency Planning called The Star this morning to complain that her husband had been asked by his boss to buy a $100 ticket to tomorrow's Democratic dinner.

"He was told," the irate wife said, "that the White House is displeased with the number of tickets purchased so far" by OEP employes.

The wife said she would not give her name in order to protect her husband. "I know they wouldn't fire him," she stated, "but they could easily abolish his job."

Early this afternoon, Emet F. Riordan, OEP director of information, released a statement which said: "There is no solicitation of any kind within the agency for ticket buying."

This type of solicitation would surely be covered under the amendment.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CANNON. Is it not a fact that solicitation is covered under section 602 at the present time and that it is specifically written out in clear and unambiguous language?

Mr. WILLIAMS of Delaware. Perhaps the Senator should join me in getting a new Attorney General of the United States because he claims that under present law he can do nothing about it.

Mr. CANNON. The Senator did not answer my question. Is it covered or not?

Mr. WILLIAMS of Delaware. If they would prosecute, but the Attorney General says that he cannot prosecute under the existing law. President Johnson, in his message to Congress, said there was a loophole in this law. He told the Senator's committee there was a loophole. I do not know why the committee did not act on the suggestion.

The loophole is that while the Senator and I cannot solicit any employee we can have somebody solicit on our behalf.

This lady's boss, about whom she complained, was not a candidate for public office and would not be covered under the present interpretation of the law, but it would be prohibited under this amendment.

Mr. CANNON. The statement concerning loopholes in no way related to section 602. It related to the fact that primaries and conventions were not covered under the law, nor were local political committees. The Senator knows that it had nothing to do with section 602.

The Senator has said that it would depend on intent. Is the Senator now saying if a committee unintentionally solicits a Federal employee there would be no violation of the law?

Mr. WILLIAMS of Delaware. For example, if a committee were to advertise for campaign funds and take a full-page ad in the Washington Post or the Washington Star it cannot be determined who is going to read the advertisement. However, if they are solicited directly as employees it would be in violation. I think the Senator knows what we are talking about.

If the Senator does not think that this proposal covers the matter, what language does the Senator have to stop the practice? The Senator knows that the abuse goes on. How would he stop it?

Mr. CANNON. I was going to ask the Senator the following question: If the Senator is referring to intentional solicitation, why is he not willing to write that into law leaving it quite clear in the law that any type of solicitation would be a violation?

Mr. WILLIAMS of Delaware. Does the Senator know of any instance where any Senator, Representative, or candidate for Congress ever had difficulty under the existing law as now written? Does the Senator know of one instance anywhere where any man in any party had difficulty under the law as it is now written? I am making no change in that part of the law. However, intention is a factor.

Mr. CANNON. If the Senator means violating the law, I have not been looking for instances where a man might violate the law. Perhaps the Senator has been working on it.

Mr. WILLIAMS of Delaware. Perhaps we both should work on it.

Mr. CANNON. Would the Senator have any objection to making intent a part of his amendment?

Mr. WILLIAMS of Delaware. Is the Senator suggesting that as a part of the general law?

Mr. CANNON. I am suggesting in connection with the amendment here. Would the Senator have any objection to make it clear it is an intentional and willful violation?

Mr. WILLIAMS of Delaware. I would have no objection if it were made applicable to intentional solicitation. That is what we are talking about: knowingly or intentional. I was told by those who assisted in drafting the proposal that this language would cover it, but I have no objection to making it clear.

Mr. President, I ask unanimous consent to have printed in the Record three articles from the Washington Evening Star.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Evening Star, May 26, 1964]

Democrats Expect To Gross Over $3 Million This Week

(By Walter Pincus)

"It can be a real help to your company."

That was the closing line of a sales pitch made last week by a solicitor for tonight's $1,000 a-plate Democratic Party President's Club dinner to the Washington representative of a national corporation.

The dinner at the International Inn and the subsequent Salute-to-President Johnson Gala at D.C. Armory, combined with two dinners and another gala at New York City's Madison Square Garden Thursday night, should gross over $3 million for party coffers.

Solicitors have been active in the past two months selling everything from $1,000 memberships in the President's Club to the $5 balcony New York gala tickets.

HOW TICKETS ARE SOLD

A party spokesman estimated that more than 500 tickets, at $1,000 each, have already been sold for tonight's dinner, while a crowd of between 7,000 and 8,000 at $100 a ticket is expected at the Armory.

The President's Club dinner in New York

Thursday is expected to draw 1,000 persons at $1,000 each—making it the first publicly-reported $1 million dinner in campaign fund-raising history.

How are the $1,000 tickets sold in Washington? Many of them go to old party contributors whose names regularly grace such lists.

To get the hesitant new big money men, one sales pitch last week included:

Assurance that the $1,000 membership in the President's Club would put the donor's name on a list of those to be considered for invitations to White House social functions.

An understanding that the donor's name would be on a list seen by the President.

A statement that a personal letter would be sent the donor from Democratic Party Finance Chairman Richard Maguire stating that the gift was appreciated and the Democratic National Committee was available for assistance if such help was needed.

CONTROVERSIAL SOLICITATION

And finally, that the funds can originate from any sources—so long as someone's name is attached to the $1,000 when it arrives at the national committee.

The most controversial solicitation attached to tonight's gala—that of Government employees. Both parties, when in power have solicited top civil servants by mail. Democrats recall that at each Salute-to-Eisenhower dinner there was an announcement listing the number of tickets sold in each executive department.

Since 1962, the Democrats have made a strong effort to get those Federal employes who were appointed to their positions—so-called Schedule C jobs—to buy $100 tickets each year to one major party function.

ABOUT 1,440 C POSITIONS

Currently, there are about 1,440 Schedule C positions of which, according to a Civil Service spokesman, about 80 per cent are filled. Some 400 of the persons holding down these jobs, however, are regular Civil Service and not political appointees.

However, the pressure on employes to buy the $100 ducats is not limited to those under Schedule C. Regular civil service employes in grades 11 and above in many agencies have received mailed "invitations" and follow-up telephone calls and direct appeals from their bosses to attend the affair.

Winking at the Federal laws that prohibit solicitation of Federal employes in Federal buildings, the Democratic National Committee has designated sales co-ordinators in each executive agency. Quotas have been established normally based on the number of Schedule C positions in a given department combined with a 10 per cent increase over the past year's ticket purchases.

SOLICITATION EVIDENT

In 1962, the Democratic National Committee filed its report with the Clerk of the House listing contributions received chronologically. By cross-checking names it was possible to see blocks of ticket-purchases as they came in from various departments—a clear indication that solicitation was made and contributions received within the department.

For example, on January 18, 1962, seventeen $100 contributions in a row were recorded for top officials of the Defense Department. On January 12, of that year, twenty-five $100 contributions in a row were recorded for upper-level Agriculture Department officials.

One Agriculture Department employe who contributed said he was solicited by his division chief who indicated a 10-ticket quota had been given him.

Since 1962, the Democrats have shuffled their contributors in reporting to the House Clerk and it is no longer feasible to determine how contributions are received at the National Committee.

This year, the dinner promoters have taken to marking the solicitation cards distributed to the executive departments with a number so that when the contributions come in directly to the committee they can easily be traced to the department of origin and credited to that department's quota.

In justifying their approach to Schedule C employes, one Democratic contributor said, "They had no hesitancy in seeking political support when they went to their jobs; they shouldn't complain now when they have to pay for that support."

In New York City, three events Thursday night, all run by the city's President's Club are expected to raise almost $2 million. Headed by United Artists President Arthur Krim, the New York fund-raising group has become highly active in national party affairs.

Complementing the $1,000 President's Club dinner is a $100-a-plate affair for a new group known as the senior club's Associates Division. Promoted among younger New York Democrats, this group has already held a pep rally with White House aid, Bill Moyers as speaker.

Solicitors have fanned out, making their appeal particularly among young lawyers who might some day want jobs in Washington. In more than one case, a ticket purchaser was told his name would go on a list that would be consulted when applicants were being cleared for political jobs next January.

Spiced with this type of sales appeal the Associates dinner has steadily grown to where some 1,300 are now expected to crowd the ballroom of the Americana Hotel.

The Madison Square Garden re-run of tonight's gala is expected to draw 17,500 with the bulk of the tickets purchased and distributed to regular party organization workers.

Not all the money raised in New York goes to the national campaign effort. The New York State Democratic organization is seeking some of the funds to help defray its coming State campaign expenses and to meet some of the debts that have been run up over the past years. Though the National Committee under President Kennedy reportedly demanded and received $300,000 of the first $400,000 cleared in 1962, plus half the remainder, no such agreement on fund division has yet been reached.

[From the Washington Evening Star,
June 25, 1965]

DEMOCRATIC DINNER APPEARS A SELLOUT

(By Walter Pincus)

Tomorrow night's $100-a-plate Democratic Congressional fund-raising dinner appears to be a solid success—the promoters have booked an overflow dinner crowd of 2,875 into the Washington Hilton Hotel on top of about 5,500 that are now expected at the D.C. Armory.

The apparent sale of 3,000 or more tickets came despite a reported falloff of purchases by federal workers. A survey of government workers indicates the sales effort toward them was less intense this year and was limited primarily to home mailings to lists of last year's donors.

"It was a light touch, nothing like last year," one aide to a Cabinet member said yesterday. Another added that plans for an in-house solicitation had been dropped three weeks ago.

Though both President Johnson and Vice President Hubert H. Humphrey are expected to appear at both affairs, the real money draw has been a nation-wide solicitation of small business, labor and corporate contributors both directly from Washington and indirectly through individual representatives and senators.

The fact that this is being billed as Washington's only Democratic party fund-raising dinner this year has been impressed on the representatives of the various lobbying organizations and other interest groups in Washington.

The bulk of the money raised, after expenses, will go to support Democratic candidates in the 1966 House and Senate races.

Success of this year's ticket sales assured promoters of the dinner that net receipts will surpass last year's dinner which yielded $400-000 to be divided by the Senate and House Democratic Campaign Committees.

It also guaranteed that the Democrats would be well on their way toward amassing a record campaign-fund kitty to be disbursed among House and Senate candidates next year.

Though the solicitation effort is being run from Democratic National Committee headquarters under the over-all direction guise, it's all being handled in the name of a specially formed group—the Democratic Congressional Dinner Committee.

Use of this organization will permit the Democrats to take advantage of a campaign fund law loophole and not report the names of those who actually paid $100 or more for tickets—contributions that are normally required to be disclosed under federal law. Political committees, such as the dinner unit, that receive and spend their money within the District are exempt from reporting.

Chairman of the Congressional Dinner Committee is Neil Curry, California trucking executive and long-time party fund-raiser. Curry last year acted as treasurer of the $1,000-a-Member President's Club. He also has played a key role in encouraging trucking firm owners and operators around the country to contribute to the party and its candidates.

The purchase of 16 full-page advertisements by truckers in last year's Democratic Convention program at $15,000 a page was reportedly promoted primarily by Curry.

Despite the lack of hard-sell techniques on government employes, there will be a round of federal agency cocktail parties before the dinner. However, they apparently will be fewer in number and smaller in size than those which preceded last year's Democratic gala.

There also, reportedly, has been less in-house calling to ask if employes were planning to attend their bosses' parties.

Health, Education and Welfare employes will gather at the Skyline Inn tomorrow night. At the Presidential Arms, between 1,000 and 1,500 government workers from five agencies, including the Commerce Department, are expected.

Some Post Office Department employes and officials, along with a number of Congressmen, are to attend a pre-dinner gathering sponsored by the National Association of Postmasters of the U.S., a private organization that has purchased tickets and distributed some to its guests.

D.C. Transit buses will carry the government employes from their cocktail parties to the armory. Though, for the most part, top agency officials pay for pre-dinner parties out of their own pockets, the Democratic National Committee has arranged for the bus transportation. But party officials last night could not say who would pay for the buses.

The Democrats apparently have not spared expense to make the dinner a success. One estimate put the cost of each meal—including service—at from $12 to $15 a plate.

The Mayflower Hotel, which is catering the armory affair, refused yesterday to give any information on the dinner—from the number expected to be served to the name of the main course.

Decorations for the armory, which were described by someone involved in their preparation as "the biggest the Democrats ever had for a dinner," are expected to cost about $20,000.

Democratic party finances are a closely

guarded operation. According to records filed with the Clerk of the House, some $900,000 has been contributed to the party in the first five months of 1965. All but $75,000 of that amount came from $1,000-and-up contributors.

The Republican party, on the other hand, reported that during the same period it collected almost $800,000 of which over 75 percent came from contributors of less than $100.

To stimulate small contributors, the Democrats have begun a contest aimed at $10 givers. Though it is not expected to draw much in the way of money, it will create the impression that the party is seeking to encourage the small donor.

[From the Washington Evening Star, June 18, 1964]

THE FEDERAL SPOTLIGHT: CIVIL SERVICE TO PROBE CHARGES ON $100 TICKETS TO PARTY DINNER

(By Joseph Young)

The Civil Service Commission will investigate charges that Government career employes were pressured into buying $100 tickets for the recent Democratic gala honoring President Johnson.

It will be the first CSC investigation in history involving charges of this sort.

Such charges have cropped up in previous administrations, although the intensity of the pressure on Federal employees has seldom if ever equaled that of the past few years.

The CSC previously has said it would investigate if it got any specific complaints, but none were forthcoming. Employes were too afraid of losing their jobs by making such formal charges.

Now, however, Representative Nelsen, Republican of Minnesota, is turning over to the CSC specific cases in which he charges that employes of the Rural Electrification Administration were asked to buy tickets to the democratic affair and that the sales were made on Government property, both violations of the law.

In reply, the CSC wrote Mr. Nelsen:

"Consonant with the commission's responsibilities under the Hatch Act, and within its jurisdiction over Federal employes in the competitive civil service, the commission welcomes your co-operation. If you will furnish the commission with the information in your possession with appropriate identification of the persons and employing agencies, a thorough investigation will be made and you will be informed of the results."

Mr. Nelsen subsequently turned the information over to the CSC and the investigation will get under way.

Mr. Nelsen hopes that this will encourage other Federal employes who feel they were pressured to contact the CSC's legal division and furnish the necessary information. The investigation could then broaden into a Government-wide inquiry of such practices.

Persons found guilty of coercion in connection with political fund-raising events could be ordered fired by the CSC, providing they are career employes. If the offending person is not under civil service, then the CSC would turn the case over to the agency with its recommendations for their dismissal.

Collecting funds on Government property for political events is a violation of the Corrupt Practices Act and subject to criminal penalties. Any information turned up in such cases would be turned over by the CSC to the Justice Department.

Recently, there was a report that President Johnson, after reading that General Services Administration employes complained of being pressured to buy tickets for his gala, wrote to GSA ordering that such tactics be stopped. GSA, however, denies that it ever received such a letter from Mr. Johnson.

CHILD'S CANDOR

One of the House members who last week voted against the Government pay raise bill, which includes a $7,500 congressional pay raise, had lunch the next day at the Capitol with his little boy.

Spotting one of his father's colleagues, the kid shouted out: "Daddy voted against the pay bill, but he's sure glad it passed."

HEAT DISMISSALS

Government employes who work in non-air-conditioned buildings really have to swelter before they can be released because of the heat.

Under the Government's hot weather dismissal regulations, the temperature and humidity have to hit the following combinations before employes can be released: 100 and 38, 99 and 42, 98 and 45, 97 and 49, 96 and 52 and 95 and 55.

USIA

Joseph C. Wheeler has been named Deputy Assistant Director for Administration for the United States Information Agency. Mr. Wheeler, a former finance and budget director for Agriculture Department, spent the past two years as Deputy Public Affairs Officer and Attache in Belgrade, Yugoslavia. Previously he served as executive officer for USIA in Rome.

RETIRED EMPLOYES

Clarence Tarr of Springfield, Ill., is the new president of the National Association of Retired Civil Employes. Mr. Tarr will come here to assume his new duties. Two Washingtonians were elected among the officers—Martha Townsend, national secretary; and Harold Lingenfelter, treasurer.

Mr. WILLIAMS of Delaware. Mr. President, I wish to read an excerpt from the article:

> Since 1962, the Democrats have made a strong effort to get those Federal employes who were appointed to their positions—so-called Schedule C jobs—to buy $100 tickets each year to one major party function.
>
> Currently, there are about 1,440 Schedule C positions of which, according to a Civil Service spokesman, about 80 per cent are filled. Some 400 of the persons holding down these jobs, however, are regular Civil Service and not political appointees.
>
> However, the pressure on employes to buy the $100 ducats is not limited to those under Schedule C. Regular civil service employes in grade 11 and above in many agencies have received mailed "invitations" and follow-up telephone calls and direct appeals from their bosses to attend the affair.
>
> Winking at the Federal laws that prohibit solicitation of Federal employes in Federal buildings, the Democratic National Committee has designated sales co-ordinators in each executive agency. Quotas have been established normally based on the number of Schedule C positions in a given department combined with a 10 per cent increase over the past year's ticket purchases.

Mr. President, these solicitations have gone on under preceding administrations as well as under the present administration, but that does not make it right. It is wrong.

This has been going on for years. The question is, do we want to stop it?

So far as I am concerned, I see no reason in the world why this should not be prohibited. Certainly if these same employees as private citizens, living in Washington, Maryland, Nevada, or elsewhere, who receive letters from a general mailing list, see fit to contribute to the party of their choice that is their privilege.

George Wallace or Martin Luther King who we are told are going to run for President, would not have access to the names of these employees, but if the name of a Government employee should be included on their lists, certainly we could not make that a Federal crime; but solicitation with the intent to take advantage of or to use coercion on Government employees, in my book, must stop.

Perhaps the Senator thinks that the language could be changed and still achieve the same objective. I am not wedded to the language. I am wedded to the principle that we should make sure that we put a stop to the solicitation of these employees by either political party. We as officeholders or as candidates for public office, are prohibited from doing it ourselves, and we must make sure that no one can do it on our behalf.

That is the loophole in the law.

Mr. CANNON. From what the Senator says, I believe we are not far apart in our thinking. The Senator indicates that this should apply only to deliberate action, action where the list is made available and those people are circularized alone. Therefore, in view of the Senator's explanation as to what he would intend by this action, I should like to ask whether he would agree to inserting the words "intentionally and willfully," after the word "party" on line 8. If he would, I think I could accept the amendment.

Mr. WILLIAMS of Delaware. That may not be the exact place I will suggest the absence of a quorum so that we can work this out. I understand that the Attorney General would have to prove that this was done with intent, as was done in the case I cited. That is what I am trying to correct. Mr. President, for that purpose, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to modify my amendment on page 1, line 8, after the word "indirect," to insert the words "intentionally or willfully."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Delaware? The Chair hears none, and the amendment is modified accordingly.

Mr. WILLIAMS of Delaware. Mr. President, this carries out the intent of the amendment. It would achieve the objective I am seeking; namely, that these employees must not be solicited in any manner, either directly or indirectly, by a candidate for public office or by anyone doing so on his behalf. This amendment will give adequate protection. With that understanding, I am ready to vote on the amendment, as modified, but I would want the Senate to have a rollcall vote so that when it goes to the House they will know that we mean business and that we intend that the amendment be held.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Delaware [Mr. WILLIAMS].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of Virginia. I announce that the Senator from Nevada [Mr. Bible], the Senator from Maryland [Mr. Brewster], the Senator from Michigan [Mr. Hart], the Senator from Indiana [Mr. Hartke], the Senator from Montana [Mr. Mansfield], the Senator from New Mexico [Mr. Montoya], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pastore], the Senator from Missouri [Mr. Symington], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Mississippi [Mr. Eastland], the Senator from Tennessee [Mr. Gore], the Senator from Washington [Mr. Jackson], the Senator from North Carolina [Mr. Jordan], the Senator from New York [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from Georgia [Mr. Russell], and the Senator from New Jersey [Mr. Williams] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd], the Senator from North Carolina [Mr. Jordan], the Senator from West Virginia [Mr. Randolph], the Senator from New Jersey [Mr. Williams], the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from Nevada [Mr. Bible], the Senator from New York [Mr. Kennedy], the Senator from Washington [Mr. Magnuson], and the Senator from Rhode Island [Mr. Pastore] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. Cotton], the Senator from Colorado [Mr. Dominick], the Senator from Oregon [Mr. Hatfield], the Senator from New York [Mr. Javits], the Senator from California [Mr. Murphy], the Senator from Illinois [Mr. Percy], and the Senator from North Dakota [Mr. Young] are necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. Cotton], the Senator from Colorado [Mr. Dominick], the Senator from Oregon [Mr. Hatfield], the Senator from New York [Mr. Javits], the Senator from California [Mr. Murphy], and the Senator from Illinois [Mr. Percy] would each vote "yea."

The result was announced—yeas 62, nays 5, as follows:

[No. 242 Leg.]

YEAS—62

Aiken
Allott
Baker
Bartlett
Bayh
Bennett
Boggs
Brooke
Hansen
Harris
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jordan, Idaho
Kennedy, Mass.
Kuchel
Long, Mo.
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Curtis
McClellan
McGee
McGovern
McIntyre
Miller
Monroney
Morse
Morton
Mundt
Nelson
Pearson
Prouty
Proxmire
Dirksen
Ellender
Ervin
Fannin
Fong
Fulbright
Griffin
Gruening
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, Ohio

NAYS—5

Clark
McCarthy
Metcalf
Mondale
Yarborough

NOT VOTING—33

Anderson
Bible
Brewster
Church
Cotton
Dodd
Dominick
Eastland
Gore
Hart
Hartke
Hatfield
Jackson
Javits
Jordan, N.C.
Kennedy, N.Y.
Lausche
Long, La.
Magnuson
Mansfield
Montoya
Moss
Murphy
Muskie
Pastore
Pell
Percy
Randolph
Russell
Symington
Tydings
Williams, N.J.
Young, N. Dak.

So the amendment of Mr. Williams of Delaware, as modified (No. 284), offered for himself and Mr. Carlson, was agreed to.

Mr. YARBOROUGH. Mr. President, I rise to speak in explanation of my negative vote on this amendment.

I have voted "no," not because of the principle involved in the amendment, but because of this absurb penalty.

Under this amendment—and I agree with the intent, to prohibit political solicitation of Federal employees—the penalty, next year, of a $5,000 fine or imprisonment of not more than 3 years, or both, for soliciting some Federal employee to buy a ticket to a political event, is a stiffer penalty than that being imposed in America today for people burning down our cities.

I think for a great legislative body like this to invoke such a terrible penalty as going to the penitentiary for asking somebody to contribute to a campaign is utterly ridiculous, to the point of asininity. Though I want to see a provision in the law prohibiting the solicitation of money from Federal employees for Federal candidates, I will not vote for such a penalty.

I hope that sometime before the consideration of this bill is over, we can replace this penalty with some reasonable penalty and come down to some rule of reason. I think the majority of the Members of this body are lawyers. I say that we will never see anyone convicted with this kind of penalty until doomsday, even if he were indicted.

Whom they indict in Federal courts depends in large measure upon whom the Attorney General of the United States tells them to indict. It is not like a State court in my State, where the district attorneys are elected by the people, and the grand jury and the State district attorney of each county decide who will be indicted. But in the Federal Government, the district attorneys take orders from the Attorney General, and they seek to indict, generally, the people who are ordered to have indicted. I doubt whether the Attorney General would order anyone indicted under the extreme provisions of this section, with its excessively harsh penalties.

This penalty, makes Congress look ridiculous, and would defeat any conviction, unless the offense were done with malice and on a vast scale.

I wish we could reconsider the matter now, and seek to provide a reasonable penalty.

Mr. WILLIAMS of Delaware. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PEARSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CURTIS. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Assistant Legislative Clerk. The Senator from Nebraska [Mr. Curtis] proposes an amendment as follows:

On page 5, line 6, strike out "(1)", the comma, and the word "or"; and on line 7, strike out "(2)".

Mr. CURTIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Nebraska is recognized on his amendment.

Mr. CURTIS. Mr. President, I can explain briefly what this amendment would do, and I strongly believe it will be accepted.

As this section is now written, it would limit a donor to an aggregate of $5,000 for all candidates in the United States. That was not intended, I do not believe.

The amendment I have offered would limit a single donor—a person—to contributing not to exceed $5,000 in any one year to any one candidate, or a committee for that candidate. That is, I think, as it should be.

Without my amendment, a donor could not contribute to a list of candidates in several States, if the aggregate amount is more than $5,000.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. CANNON. Mr. President, personally I do not believe that a donor is limited by the present language to a total contribution of $5,000 to several individual candidates. There is a difference in judgment between the distinguished Senator from Nebraska and myself on that point.

However, there is no such intent, and the language that the Senator has proposed makes that absolutely clear. Inasmuch as that was not the intent of the committee, and it is not the intent of the language that is in the bill at the present time, and since the Senator and I are completely in accord on our objectives, I am willing to accept his modified language.

Mr. CURTIS. I thank the distinguished Senator, and I ask for a vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska.

The amendment was agreed to.

Mr. CURTIS. Mr. President, I now request the attention of the chairman of the committee concerning certain language in the bill. It may be that we can establish what it desired here by colloquy; it may be that someone will have some additional language to offer.

I refer to the definition of a candidate, found on page 2, lines 8 to 18. That language says:

> (b) The term "candidate" means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected. For purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office—

That part is all right. As soon as he has taken action that has made him a candidate, he is a candidate. But it is the next language that I refer to—

> or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office—

Here is the problem. If an individual is a candidate, he is required to make certain periodic reports. If a Senator has two, three, four, five, or even five and one-half years of his term yet to run and that Senator makes expenditures to go home and—as it is commonly called—mend his fences or do the things that he must do in order to keep in touch with his people, the expenses that he has made will help him if he is a candidate two, three, four, or five years from now.

On the other hand, if the man does not know whether he will be a candidate, are we going to subject him to making reports as a candidate because he spends money to keep in touch with his people throughout his term?

Is it the intent of the language I have just read from page 2, lines 14 through 18, of the bill, to make any such requirement, or is it the intent to cover that reasonably short period before the filing, or whatever procedure must be followed in an individual State, when the individual actually begins to campaign?

Mr. CANNON. Mr. President, there certainly is no intent to cover the period of time when an officeholder is serving his constituents and making expenditures to mend fences and find out what they are thinking or just to visit with them. Certainly, that is not the intention. However, there is a period of time provided in most States to cover the period within which filings can be made.

The reason for referring to the necessary action in subparagraph (1) is because the necessary action is taken when a man files his nomination petition or follows whatever procedure is required in an individual State. That man has then taken the necessary action to become a candidate.

Subparagraph (2) relates to this same period of time substantially. However, a candidate may not have actually filed his nomination papers, but may have received contributions and made expenditures. There is certainly no intent here to cover a greater period of time in the case of a person who is already elected than the period of time required of a person seeking election.

Mr. CURTIS. I can understand why a certain period before filing might well be covered. For instance, an individual might be a candidate in 1968, and if he has an August primary, he does not have to file until July.

I can well understand that we should include his expenditures in the months just prior to July, and that is the period of time the Senator intends to cover.

Mr. CANNON. That is the intention. As a matter of fact, the first filing period then would be, as I recall, March 10. The next period would be July 10, as I recall the provisions of the bill.

Mr. CURTIS. Is it the intention of the Senator definitely not to include the routine expenditures made while keeping in touch with one's constitutents in the year prior to his effort to be renominated and reelected?

Mr. CANNON. The Senator is correct. It is not the intent that that type of expenditure or contribution, if one is involved, be included in the provisions of the bill.

Mr. CURTIS. I thank the Senator.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. ALLOTT. Mr. President, I realize that State laws are different on this matter and vary in many respects. In the State of Colorado it is not necessary to file at all.

Colorado has a combination convention-primary system, and any member of either party who receives 20 percent of the vote at the State Assembly, as it is called, then goes on the primary ticket.

As I understand the answer of the Senator with respect to subparagraph (b)(1), the action necessary under the State law would really not take place in Colorado until after the candidate had been nominated by the convention and filed his acceptance. Some people receive a little more than 20 percent. However, thinking that their chances are not too good, they do not file their acceptance.

In the State of Colorado—and there are other States in which similar situations exist—the action under the State law, I would presume, would not be had until the candidate has filed his acceptance, which he has to do, I believe, within 5 days after his nomination by the State assembly.

Mr. CANNON. I believe the Senator is correct. That would be the final action required by State law. However, let us assume that he had not filed, but had actually sought the nomination at the convention and been nominated. It would appear that if a candidate had received contributions and made expenditures at that time, he would then be required to make a report, subject to these reporting dates.

The reporting dates are contained on page 15 of the bill. That part of the bill reads:

> Such reports shall be filed on the 10th day of March, June, and September, in each year, and on the fifteenth and fifth days next preceding the date on which an election is held, and also by the 31st day of January.

Consistent with those reporting dates, if a person has actually sought a nomination and received contributions and made expenditures in connection therewith, he would be required to report under this provision of the bill even though he had not actually filed his acceptance of the nomination.

Mr. ALLOTT. The distinguished Senator from Nebraska [Mr. CURTIS] raised a question. It is difficult for an incumbent to determine under this section when he would actually be considered a candidate.

For the information of the Senator, the assembly in Colorado meets in July. I do not know whether, section 204 of the pending bill would operate, unless a man said he is a candidate. Suppose a man is just stepping up the mending of his political fences during that year and does not say that he is a candidate until perhaps a week before the State assembly? When is he actually a candidate?

The reason I ask these questions is that I do not believe any Senators want to run afoul of this law later on. Yet, in one sense or another, whether a man has filed for election, or followed whatever other procedure is required, we must somewhere pin this down so that we can determine when he actually becomes liable for filing.

Mr. CANNON. Subsection (b) reads:

> (b) The term "candidate" means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected. For purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office.

Mr. ALLOTT. If the Senator will bear with me, I should like to pin this matter down a little closer.

For example, in Colorado, the assembly is held in July, and I believe this can be applicable where a man has to file, also. If he did not actually make an announcement until—let us take the extreme case—the night before or a week before the assembly, the question then arises, for an incumbent, whether he was out taking care of his constituents and explaining political issues to them or whether he was a candidate running for office.

I believe we have something here that might cause us trouble. I assume, from what the Senator has said, that in the situation of Colorado, where the assembly is held ordinarily in July and the primary in September, having gone through the assembly and signed the acceptance, which he is required to file with the secretary of state, then certainly he would qualify under subparagraph 1.

Mr. CANNON. He certainly would.

Mr. ALLOTT. Considering what the Senator has said, I assume that unless the man had made a public pronouncement prior to that time, that he was a candidate, he would not be responsible under the reporting provisions of section 204 until he had made some such announcement or said in a specific way that he was looking for votes or looking for support for his candidacy for the election.

Mr. CANNON. Or unless he had been out soliciting contributions for the purpose of getting elected.

Mr. ALLOTT. Suppose he had not solicited contributions, but contributions had been given?

Mr. CANNON. I would say it would be the same thing. If the candidate accepted contributions for that purpose, whether he solicited them or not would seem to me to be immaterial. If he accepted a contribution for the purpose of helping his reelection, certainly he would be covered. That situation would be covered under this provision of the law.

Mr. ALLOTT. Then, is the distinguished Senator reversing the situation that existed in his discussion with the distinguished Senator from Nebraska, as to whether or not the man is getting assistance?

For example, let us say that an incumbent goes to his own State and he speaks for an organization. It does not matter what the organization is—it might be the Brotherhood of Locomotive Engineers or the chamber of commerce or anything else—and is compensated for that trip; and while he is there, he also speaks at other places and talks with other people in a general vein, without any respect to announcing his candidacy. Would this constitute a contribution? I believe we are in a very sensitive area here which must be pinned down in some way.

Mr. CANNON. Certainly, in the situation just described, the officeholder is carrying out the duties of his office; and so long as his principal duty is exactly what he is doing, I would think that there would be no question about it.

I discussed with the distinguished Senator from Nebraska the situation of a man who might not have accepted his nomination, but that it would be at or about the same time. Certainly it is clear if he has accepted it, or if he makes a public announcement and says, "I am going to be a candidate," fine. In the situation I mentioned a moment ago, if he solicits funds for the purpose of his reelection, that would be a clear case. But I believe that short of that, where there has been no solicitation of funds or no expenditure of money, it is not involved, anyway, because that is all you must report.

Mr. CURTIS. If the Senator will yield, I believe that I was in error with respect to the page. The term "candidate" is defined in the same terms at the bottom of page 8 and the top of page 9 in direct reference to the disclosure of Federal campaign funds. So the colloquy we had is pertinent. It should also be called to attention that what was said should apply to the definition of "candidate" as found on pages 8 and 9 as well as earlier in the bill.

Mr. CANNON. Yes.

Mr. ALLOTT. Yes. That is under title 2, the disclosure of Federal campaign funds.

Mr. CANNON. The Senator made reference to receiving an honorarium. This is covered on page 3 of the bill.

Mr. ALLOTT. I did not ask about honorariums, but I did mention specifically expenses of such.

Mr. CANNON. It reads:

> The term "contribution" means a gift, subscription, loan, advance, or deposit of money for anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as presidential and vice presidential electors, or for the purpose of influencing the result of a primary—

It continues:

> and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution, and also includes a transfer of funds between political committees;

Then it goes on to describe the term "expenditure" in the same context.

Mr. ALLOTT. I still do not believe that we have really pinned this matter down, and perhaps I can talk with counsel and we can figure some way of pinning it down further.

In looking over the report and the information which the chairman of the committee has issued, I find that with respect to contributions, it says that it includes everything of value.

At the top of page 3:

> The term "contribution" means a gift, subscription, loan, advance, or deposit of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or for the purpose of influencing the result—

And so forth. Then down to line 11:

> and includes a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution, and also includes a transfer of funds between political committees;

In subparagraph (f), it says:

> The term "expenditure" includes a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office—

Perhaps I am nit-picking, but I believe I am aiming at something which is very vital in this matter.

Suppose a Senator—it could be the Senator from Nevada, the Senator from Colorado, the Senator from Florida, or a Senator from any other State—goes to his own State, and in the period of a year, we will say, before his reelection or proposed reelection, one of his friends picks him up at the airport and drives him a hundred miles to a dinner; and at the dinner he is the guest speaker, and he does not pay for his dinner. At least, it is very rare that they do pay upon such occasions. Does the proposed legislation mean that every such service must be evaluated and reported?

Mr. CANNON. In the first place, the service such as that described would not come within the purview of the bill because of the amount involved.

Mr. ALLOTT. Because it is under $100?

Mr. CANNON. The Senator is correct. Second, it would be a question as to whether it was for the purpose of influencing the nomination for election or the election. If it were over $100 and for that purpose, the Senator would have to decide the reason for his particular trip since he is the man who will have to report. He would have to decide under the circumstances whether the contribution was for the purpose of influencing the nomination for election or election to Federal office.

Mr. ALLOTT. I am sure the Senator understands what I am talking about. The matter really comes down to the intention and the purpose at the time. If the person says, "At this time I went down to talk about this reclamation project and I went up to talk about the mining in the northern part of my State, and that is all I was doing," the only thing one can look at is the intention of the person himself.

Mr. CANNON. I think the Senator is correct in stating that it depends on the intention of the person himself, plus the surrounding circumstances. Certainly, if the Senator says, "It was not my intention to be running for election at that time," and the opponent says that it was, it is going to be a campaign issue because he did not make a report; but that is one of the facts we have to live with.

Mr. ALLOTT. I thank the Senator. I am going to determine whether we can pin this down and tighten it so we would not run into controversies and conflicts in a campaign where someone says that he was campaigning for office and the other party says that he was not.

Mr. CANNON. I am sure the Senator is familiar with the attempt to tie down loopholes in the Internal Revenue Code. They are not all tied down and I do not know if we will be able to in this bill at this time.

Mr. ALLOTT. I thank the Senator.

(At this point, Mr. SPONG assumed the chair.)

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. HOLLAND. I note on page 5 of the printed bill, in Section 608, "Limitations on Political Contributions and Purchases," these words, and I shall read only the words that apply to the question I am going to ask:

> (a) It shall be unlawful for any person, directly or indirectly, to make a contribution or contributions in an aggregate amount in excess of $5,000—

Then, skipping to line 11: "to a candidate."

Does that mean that the $5,000, the amount stated there, is the maximum limitation on the contribution any person as defined in this bill can make to any candidate as defined in this bill either in a primary or general election?

Mr. CANNON. The Senator is correct. That is the limitation in the bill.

Mr. HOLLAND. I so understood it.

I now turn to page 24 of the bill under which we find in section 212 "State Laws Not Affected," these words:

> (a) Nothing in this title shall be deemed to invalidate or make inapplicable any provision of any State law, except where compliance with such provision of law would result in a violation of a provision of this title.

I am disturbed a bit by this section. The State statute of the State of Florida, which I represent in part, in a similar provision, fixes a limit of $1,000 for a contribution in either a primary or a general election, whereas in this law it seems that the limit of $5,000 is fixed as the limit of contribution in any primary or general election; that is, in a Federal election for the House of Representatives, the Senate, the Presidency, and Vice Presidency.

I am speaking now of contributions to persons. What, in the opinion of the Senator, is the situation where there is that difference between State law and Federal law? Does this section 212 mean that in Federal elections this provision would become the controlling provision, and the $5,000 limitation would become the legal limitation rather than the lesser amount prescribed by State law?

Mr. CANNON. If the Senator will yield, I think this provision as written would permit the State to impose its own lesser limitation. It would be only in the event the State attempted to enlarge the limitation that this provision of the law would apply. So if the State of Florida has a limitation of $1,000 for a contribution to a candidate for a primary election that would be the limit in the State, and the $1,000 in the general election. Of course, that would be a total of $2,000 vis-a-vis a $5,000 total in the bill before us.

I think this would not change or attempt to change the State law where the State law has a more strict requirement.

Mr. HOLLAND. I thank the Senator. I would like to ask one more question in order to point up the situation.

Do I understand the Senator by his ruling or interpretation to state he does not regard the $5,000 provision in the bill as a provision that would be violated by the imposition of a smaller limitation by State law?

Mr. CANNON. That is my interpretation.

Mr. HOLLAND. I thank the Senator. I think that makes the point very clear.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 283

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendment No. 283 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 7, after line 5, insert the following:

"Sec. 105. Section 610 of title 18 of the United States Code is amended to read as follows:

"'§ 610. Contributions or expenditures by national banks, corporations, or labor organizations

"'(a) It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office.

"'(b)(1) It is unlawful—

"'(A) for any corporation or any labor organization to make, directly or indirectly, any contribution or expenditure in connection with any election, or to make, directly or indirectly, any contribution to any committee, association, or organization (whether or not a political committee) which makes such contributions or expenditures; or

"'(B) for any candidate, any political committee, any other committee, association, or organization, or any other person to accept or receive any contribution prohibited by this section.

"'(2) For purposes of applying paragraph (1), the source of the funds from which a contribution or expenditure is made shall be immaterial, and such paragraph shall apply to a contribution or expenditure made from funds contributed for such purpose by the shareholders of a corporation or the members of a labor organization, as the case may be, as well as from any other funds of a corporation or labor organization, from whatever source derived, even though the shareholders of the corporation or the members of the labor organization, as the case may be, consent to such contribution or expenditure.

"'(3) Paragraph (1) shall apply to a contribution or expenditure by a corporation or a labor organization without regard to the amount of such contribution or expenditure.

"'(4) Paragraph (1) shall not apply to an expenditure made—

"'(A) by a corporation in connection with a publication or other communication intended primarily for the stockholders of such corporation, or

"'(B) by a labor organization in connection with a publication or other communication intended primarily for the members of such labor organization.

"'(c) Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, and any person who accepts or receives any contribution, in violation of this section, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than two years, or both.

"'(d) As used in this section, the term "labor organization" means—

"'(1) any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work; and

"'(2) any organization, association, or council of labor organizations, described in paragraph (1).'"

On page 7, line 6, strike out "105" and insert "106".

On page 8, line 5, strike out "106" and insert "107".

Mr. WILLIAMS of Delaware. Mr. President, under existing law, section 610, title 18, of the United States Code, was supposed to have prohibited political contributions or expenditures in connection with any general election, or any primary election or political convention, by national banks, corporations, or labor organizations. We are advised, however, that existing law is not being interpreted in the manner in which Congress intended.

I ask unanimous consent to have the entire section 610 of the existing law printed in the Record at this point.

There being no objection, the section was ordered to be printed in the Record, as follows:

Section 610. Contributions or Expenditures by National Banks, Corporations or Labor Organizations

It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which Presidential and Vice Presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section.

Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, and any person who accepts or receives any contribution, in violation of this section, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than two years or both.

For the purposes of this section "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exist for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. (June 25, 1948, ch. 645, 62 Stat. 723; May 24, 1949, ch. 138, § 10, 63 Stat. 90; Oct. 31, 1951, ch. 655, § 20 (c), 65 Stat. 718.)

LEGISLATIVE HISTORY

Reviser's Note.—Based on section 251 of title 2, U.S.C., 1940 ed., The Congress (Feb. 28, 1925, ch. 368, title III, § 313, 43 Stat. 1074).

The War Labor Disputes Act, June 25, 1943, ch. 144, § 9, 57 Stat. 167, amends this section by making it temporarily applicable to labor organizations; therefore the effective date of this section will be postponed by a special provision of the enacting bill until the expiration of the amendatory act. (See sections 1509 and 1510 of title 50, App. U.S.C., 1940 ed.)

Minor changes in phraseology were made.

SENATE REVISION AMENDMENT

The special effective date provision was eliminated by Senate amendment, inasmuch as the act of June 23, 1947, ch. 120, § 304, 61 Stat. 159, which became an additional source of this section, made the provisions of section 9 of the War Labor Disputes Act (50 U.S.C., App. § 1509), which had temporarily amended section 251 of Title 2 U.S.C., permanent legislation. This section was accordingly changed by Senate amendment so as to give effect to such act of June 23, 1947, ch. 120, § 304, 61 Stat. 159. See Senate Report No. 1620, amendments Nos. 4 and 5, 80th Cong.

AMENDMENTS

1951—Act Oct. 31, 1951, amended second paragraph by inserting "and any person who accepts or receives any contribution", and by adding the additional punishment provisions after the semicolon.

1949—Act May 24, 1949, amended catchline by adding "or expenditures".

CROSS REFERENCES

Definitions of terms applicable to this section, see section 591 of this title.

Mr. WILLIAMS of Delaware. Mr. President, the caption on this reads, "Contributions or Expenditures by National Banks, Corporations, or Labor Organizations."

It is clear that Congress intended to prohibit such contributions.

Section 610 reads in part as follows:

> It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which Presidential and Vice Presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted. . .

The rest of the section is in the RECORD, but the law is clear that for any corporation or any labor organization whatever to make a contribution or expenditure in connection with any election, whether presidential or congressional candidates be involved, is unlawful. I do not think we should need an amendment in this particular case; however, the law is not being enforced and is not being interpreted by the Attorney General as prohibiting cash contributions.

Nor does he interpret the law as prohibiting cash contributions that are being made out of union or corporate funds to political parties and to political candidates.

I had two cases called to my attention where such cash contributions have been made. One case involved a union which contributed $25,000 in cash to a political party out of union funds. There were other contributions from union funds in varying amounts—$10,000, three $2,500 contributions, two $2,000 contributions—to other candidates by this same union. This case was called to the attention of the Attorney General. I have a letter here which I will place in the RECORD from the Attorney General stating that under existing law there is no basis for prosecution.

I ask unanimous consent to have my speech of January 19, 1966, on this case, printed in the RECORD, followed by my correspondence with the Attorney General dated January 26, 1966, and his reply thereto of February 6, 1966.

There being no objection, the insertions were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR JOHN J. WILLIAMS, AS DELIVERED IN THE U.S. SENATE, JANUARY 19, 1966.

Mr. President, today I call attention to a strange series of events surrounding the case of Mr. Lawrence L. Callanan, a convicted official of the powerful St. Louis Steamfitters Local 562.

In 1954 Mr. Callanan as an official of this union was convicted of a $28,000-shakedown of a Tulsa pipeline contractor.

Federal Judge Rubey Hulen in sentencing Mr. Callanan described the case as a "more grievous and aggravated violation of the law" than any other racketeering case tried before him.

Continuing Judge Hulen said, "The evidence of merciless use and betrayal of people who labor for their livelihood and were members of unions supposed to be represented by these defendants, is shocking. Unless I had heard the facts under oath I would not have believed them."

The Judge further remarked that Callanan "hasn't shown one bit of remorse. Indifference to the welfare of union workmen is glaring."

He stated further, "Callanan took from the funds of the union, of which he is an officer, funds to pay for his defense. . . . Callanan was the brains of the racketeering conspiracy."

In 1960 after serving about half of a 12-year sentence Callanan was paroled.

Treasury Department records show that during the years 1956, 1957, 1958, 1959 and 1962 Mr. Callanan did not file any Federal income tax returns.

For the years 1950, 1951, 1952, 1953 and 1954 Mr. Callanan created a delinquent tax liability, including penalty and interest, of $40,219.84. The Treasury filed a deficiency tax assessment as follows:

Taxable year	Tax	Penalty	Assessed interest	Accrued interest	Total
1950	0	$206.68	$755.47	$698.48	$1,660.63
1951	$1,222.00	1,048.54	604.97	898.36	3,773.87
1952	4,883.51	3,382.49	1,762.07	3,033.09	13,061.16
1953	4,861.95	3,414.20	1,462.57	2,945.57	12,684.29
1954	5,097.48	920.20	1,202.10	1,820.11	9,039.89
Total	16,064.94	8,972.11	5,787.18	9,395.61	40,219.84

On April 9, 1964, the Treasury Department accepted an offer in compromise whereby Mr. Callanan paid $17,000 in settlement of his $40,219.84 tax debt plus a graduated percentage of his income in excess of $7500 for the years 1964 to 1974.

An Internal Revenue Service summary noted that he was then earning $150 a week as a steamfitter and added a doleful note that there are "no prospects of any material increase" in his income.

In the same month, April 1964, President Johnson commuted the sentence of this labor racketeer and thereby removed the legal blocks which had restricted his union activities.

The St. Louis Globe Democrat in its October 2–3, 1965, issue carried this interesting comment:

"Before his commutation was granted . . ., Callanan faced legal blocks to resuming union-related activity until July 1971.

"He recently surfaced on the political high seas as the director of the lush 'voluntary' political fund of Local 562, his salary reported in the $15,000–$20,000 range."

Reports of campaign donations filed with the Clerk of the House of Representatives January 12, 1965, show that on November 2, 1964, John A. Lawler, Business Manager of the Steamfitters Local 562, contributed $25,000 to "Friends of L.B.J."

I quote Section 608 of Title 18 of the U.S. Code, entitled "Limitations on political contributions and purchases:

"(a) Whoever, directly or indirectly, makes contributions in an aggregate amount in excess of $5,000 during any calendar year, or in connection with any campaign for nomination or election, to or on behalf of any candidate for an elective Federal office, including the offices of President of the United States and Presidential and Vice Presidential electors, or to or on behalf of any committee or other organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national politicial party, shall be fined not more than $5,000 or imprisoned not more than five years, or both."

On June 2, 1965, Mr. L. L. Callanan, 10517 Lookaway, St. Louis, Missouri (home address), made a $1000 contribution to the Democratic National Committee.

On June 24, 1965, Mr. Lawrence Callanan, 1242 Pierce Avenue, St. Louis, Missouri (address of the union), made another $1000 contribution to the Democratic National Committee.

These two $1000 political contributions were made by the same man who just the year before had compromised a $40,000 tax obligation for $17,000.

On June 2, 1965, a $1000 contribution to the Democratic National Committee was made in the name of E. Beck, 4317 Haven Street, St. Louis, Missouri. Mr. Beck is listed as Mr. Callanan's son-in-law and according to press accounts, last year was made an assistant to Callanan in running the "voluntary" political fund of Local 562 members.

At this point I ask unanimous consent to have printed in the RECORD a list of these political contributions as appearing in the reports filed with the Clerk of the House of Representatives under dates of January 12, 1965, and September 10, 1965:

"REPORT FILED JANUARY 12, 1965, BY FRIENDS OF L. B. J.

"November 2, 1964: John L. Lawler, St. Louis, Mo., $25,000."

"REPORT FILED SEPTEMBER 10, 1965, BY THE DEMOCRATIC NATIONAL COMMITTEE

"June 2, 1965: L. L. Callanan, 10517 Lookaway, St. Louis, Mo., $1,000.

"June 2, 1965: J. L. Lawler, 1242 Pierce Avenue, St. Louis, Missouri, $1,000.

"June 2, 1965: E. Beck, 4317 Haven Street, St. Louis, Mo., $1,000.

"June 24, 1965: Lawrence Callanan (sic), 1242 Pierce Avenue, St. Louis, Mo., $1,000."

Next I ask unanimous consent to have printed in the RECORD the letter signed by Mr. Sheldon S. Cohen, Commissioner of Internal Revenue, as addressed to me under date of January 6, 1966, confirming Mr. Callanan's tax delinquency:

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., January 6, 1966.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in further response to your letters of October 6 and 12, 1965, in which you requested certain information regarding the compromise settlement of tax assessments by the Treasury Department with Mr. Lawrence L. Callanan, St. Louis, Missouri.

Information furnished by the District Director in St. Louis, Missouri, discloses that an offer in compromise from Mr. Callanan was accepted on April 9, 1964. The amount of the offer was $17,000, plus a future income collateral agreement providing for the payment of a graduated percentage of annual income in excess of $7,500 for the years 1964 to 1974, inclusive. This is the only offer which has been accepted from Mr. Callanan over the past thirty years.

The following is a breakdown of the liability which was compromised:

Taxable year	Tax	Penalty	Assessed interest	Accrued interest	Total
1950	0	$206.68	$755.47	$698.48	$1,660.63
1951	$1,222.00	1,048.54	604.97	898.36	3,773.87
1952	4,883.51	3,382.49	1,762.07	3,033.09	13,061.16
1953	4,861.95	3,414.20	1,462.57	2,945.57	12,684.29
1954	5,097.48	920.20	1,202.10	1,820.11	9,039.89
Total	16,064.94	8,972.11	5,787.18	9,395.61	40,219.84

You also requested to know whether Mr. Callanan has filed timely tax returns over the past ten years. The records of our District Director in St. Louis, Missouri, disclose the filing of income tax returns by Mr. Callanan for the years 1955, 1960, 1961, 1963, and 1964. Up to this point we have been unable to find any record in the St. Louis office of returns filed by Mr. Callanan for 1956, 1957, 1958, 1959, and 1962. However, we would not want to say with any degree of finality that Mr. Callanan did not file for these years, since he could have filed in other district offices.

Of the returns on record in the St. Louis District, all were timely filed except the 1955 return which was received after the due date.

With kind regards,

Sincerely,

SHELDON S. COHEN,
Commissioner.

Perhaps there is a plausible explanation for the strange circumstances surrounding this case, but I fail to see it.

JANUARY 26, 1966.

Hon. NICHOLAS DEB. KATZENBACH,
U.S. Attorney General,
Washington, D.C.

MY DEAR MR. ATTORNEY GENERAL: On January 19, 1966, as appearing in the daily Congressional Record, pages 619 to 622, I outlined a $25,000 campaign contribution that had been made to the "Friends of LBJ" by Mr. John L. Lawler, St. Louis, Missouri, and at the same time I quoted Section 608 of Title 18 of the United States Code, which prohibits contributions in excess of $5,000 by any individual or contributor.

There appeared in the Washington Star of January 23 the following item:

"SENATOR WILLIAMS, THE ANSWER IS

"The Justice Department had already completed its investigation of the $25,000 contribution by John L. Lawler, a St. Louis union official, to the 1964 Johnson presidential campaign, when Sen. John J. Williams, R–Del., mentioned it last week in a Senate speech.

"The department determined that a federal law barring individual contributions over $5,000 had not been violated. The money allegedly was collected as individual donations in St. Louis and subsequently was brought to Washington by Lawler."

In this connection will you please furnish me the following information:

1. In the Department of Justice's investigation:

a. Was it found that the contribution represented a series of individual donations rather than a $25,000 contribution by Mr. Lawler or that it was a contribution made from union funds?

b. If it represents contributions from individuals does not the law require that the names and addresses of the contributors be filed rather than all under the name of one individual?

(1) If so, please furnish the name and address of each donor who contributed toward the $25,000 fund?

c. If these funds were taken from the political fund maintained by the union, does this not constitute a violation of the law which prohibits unions from contributing to political campaigns?

Yours sincerely,

JOHN J. WILLIAMS.

FEBRUARY 9, 1966.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: The Attorney General has asked me to reply to your letter of January 26, 1966, discussing a statement made by you in the Senate on January 19 concerning one John L. Lawler of St. Louis, Missouri.

In October 1965 this Department began an investigation of an allegation that Mr. Lawler had contributed $25,000 to a campaign committee supporting the candidacy of President Johnson. That investigation showed that the $25,000 contribution represented the accumulation of many small contributions by individuals in the St. Louis area to the Voluntary Political, Education, Legislative, Charity and Defense Fund of Steam Fitters Local 562. It was not a personal contribution of Mr. Lawler and the Voluntary Fund is not a labor union.

Title 2, United States Code, Section 244 does not require a local committee to file anything with the Clerk of the House of Representatives. Section 244 does require national committees or multi-state committees to file with the Clerk of the House the names of each person who contributes $100 or more and the total sum of all other contributions received within a calendar year.

On the basis of the information developed by the investigation, it was concluded that no violation of law appeared. However, if additional or contrary information of any substance were received in this matter, or in any matter within the jurisdiction of the Department of Justice, it would receive the fullest consideration.

Sincerely,

FRED M. VINSON, Jr.,
Assistant Attorney General.

Mr. WILLIAMS of Delaware. Mr. President, I also have a case where a cash contribution was made by a corporation with the understanding that the contribution would then be included as an expense item of the corporation and thereby be charged off as a tax deduction for income tax purposes. These contributions were made by the corporation, and they were charged off. That is all admitted by officials of the company. This case was called to the attention of the Attorney General, who again said that under existing law they were unable to prosecute.

Thus, I say that if existing law is not adequate we should repeal it and let it be known that all corporations and all unions can make all the political contributions they wish. If Congress is not in favor of such cash contributions by unions and corporations—and I do not think that we are—then we should amend the law and stop it. Let us specifically state that these cash contributions are violations of the law, whether made directly or indirectly.

The amendment as it is written clearly spells out that this would in no way affect, nor is it intended in any way to affect, the rights of corporations through its memorandums or letters to advise its stockholders on what is good or not good legislation, and so forth. They have a perfect right to conduct their business and advise their stockholders. This is not in any way a restriction on those rights.

By the same token, it is specifically spelled out that the union can send its correspondence and official publications to its union members and call their attention to various legislative proposals which are before Congress. They can, if they wish, call to their members' attention how I voted on an issue and how my opponents may be better able to help them with legislation. This does not interfere with their reporting to their union members, but it is clearly intended to stop them from making cash contributions to my political campaign or to my opponent's campaign, as is now being done under existing law by both unions and corporations.

I repeat, the amendment would not stop any union or corporation from performing its legitimate functions in connection with advising its membership.

For example, unions for years have protested the Taft-Hartley Act and have urged its repeal. I happen to be one who supports that act, and I think it should stay on the books; but there is nothing in my amendment that would stop a union in my State from calling the attention of its members to the fact that I supported this particular bill. They have a right to do that and to support my opponent. I am not quarreling with their right to inform their members on legislative proposals, but this amendment would stop cash contributions to political candidates or parties.

The existing law now states:

> It is unlawful . . . for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which Presidential and Vice Presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted . . .

The intent of the law is clear, but it has not been enforced. They rely on the loophole that these are not direct contributions but siphoned through a committee or some individual.

Yes, the law now states it is unlawful, but enforcement is silent. As I stated earlier, I do not know how we could make it much clearer except to make the legislative record clear that cash contributions to the party or the candidate are prohibited, whether made direct from union funds or through a committee.

My amendment specifically spells out that it is unlawful to make these contributions either directly or indirectly.

Let me quote from section (a) on page 2:

> (b)(1) It is unlawful—
>
> (A) for any corporation or any labor organization to make, directly or indirectly, any contribution or expenditure in connection with any election, or to make, directly or indirectly, any contribution to any committee, association, or organization (whether or not a political committee) which makes such contributions or expenditures; or . . .

Mr. President, I think it is clear that this would not in any way restrict unions or corporations from doing that which Congress clearly intended; namely, informing their members.

When section 610 of the Corrupt Practices Act was first passed, it was the intent to prevent them from making cash contributions, as they are being permitted to do today by the Attorney General of the United States. It is now necessary to spell out specifically in no uncertain terms, clearly and emphatically, that such would be a violation of the law.

I hope this amendment can be adopted unanimously.

Mr. ALLOTT. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. ALLOTT. I presume that the Senator is speaking of his amendment No. 283?

Mr. WILLIAMS of Delaware. Yes.

Mr. ALLOTT. I should like to ask the Senator to refer to the language beginning on line 6 on the first page of his amendment which reads,

> It is unlawful for any national bank, or any corporation organized by authority of any law of Congress . . .

There are relatively few corporations organized by authority of the law of Congress. I would like to ask the Senator why he has limited this language to corporations with a Federal charter. I believe in his own State, as well as mine, I can think of many large corporations which are not organized by the authority of the law of Congress, but which are organized by the authority of the law of the State in which they are incorporated.

Mr. WILLIAMS of Delaware. The Senator is correct. Subsection (a), as appearing on page 1 of the amendment, lines 6 through 11, is lifted verbatim out of the existing law, and it refers to national banks or corporations that are nationally chartered, but on the next page section 1(b) it adds that it is unlawful for any corporation or labor organization.

In the second section, we refer to corporations incorporated, for example, in the State of Colorado, Delaware, or other States. That is the exact manner in which it is referred to in existing law.

If the Senator will turn to page 45 of the pamphlet on his desk, the Corrupt Practices Act, he will see this same language.

There are two types of corporations, one chartered by Congress and the other chartered by the States. In order to take them both in, separate sections were written.

Mr. ALLOTT. I think it is important to make this clear for the purpose of the history of this legislation, because someone might misconstrue the use of the word "corporation" on page 2 of the amendment, section (b) (1) (A), as a corporation in the same sense as defined on the first page.

I want to be sure that the sense of the amendment is that the word "corporation" as used in subparagraph (b) (1) (A) is actually any corporation, whether organized under the laws of Congress or whether organized under the laws of any State.

Mr. WILLIAMS of Delaware. That is correct. I am glad the Senator raised that question, because this discussion should clarify it. That definitely should be clear.

In both instances, section 610, as it appears on page 1 of the amendment, is in accordance with existing law, and on page 2, subsection (b) (1) (A) is the same as existing law, except for the words "directly or indirectly" to make it broad enough so there will be no question that contributions made by unions and corporations are covered, whether the contribution is made directly or indirectly.

The existing law reads:

> It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office—

That is the first section. Then it goes on—

> or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election . . .

That is the existing law.

The change I am proposing in the existing law is that these contributions, if they are made directly or indirectly, either from out of corporation funds or out of union funds, are all a violation of the law. I think that was the intent of the law as originally written or as indicated by the legislative record, but it is now being interpreted differently by the Attorney General. I have had correspondence with him concerning contributions by a union or corporation, to the effect that since the contributions were made indirectly from union or corporation funds such use was not in violation of the law. That is the interpretation of the Department of Justice, and unless we amend the law and broaden it to make clear our intention that will continue to be the interpretation.

Mr. BROOKE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. BROOKE. Under the Senator's amendment, are labor unions prohibited from doing anything that they are not able to do under existing law?

Mr. WILLIAMS of Delaware. In my opinion, no, except that both labor unions and corporations under Department rulings are being permitted to do this. When I say "unions" and "corporations" I should not use the plural because I have but one example of each. Both of these made cash contributions, and nothing was done. In the case of the corporation the contribution was charged off indirectly as a business expense, which I do not think was intended under the law. A union made a cash contribution indirectly from the funds of the union. I do not think that was the intent of the law, because the law as it reads states that it is prohibited for any corporation whatever, or any labor organization, to make a contribution or expenditure in connection with any election at which presidential and vice-presidential electors or a Senator or Representative are involved.

This amendment makes it clear that contributions made indirectly from funds through the name of a third party would be illegal. Under the present law they are being permitted to get away with it.

I am only a layman, but I think I can interpret the law better than that. There are laws now that can be enforced, but they are not being enforced. I have a letter from the Attorney General's office stating that there will be no prosecution on either of these cases under existing law. We need to amend the law.

Mr. BROOKE. Does the Senator from Delaware have an example of the loophole?

Mr. WILLIAMS of Delaware. Yes.

Mr. BROOKE. What is the example?

Mr. WILLIAMS of Delaware. Specifically, one example was a $25,000 contribution made by a steamfitters' local in St. Louis. This was a cash contribution. I have a letter from the Department of Justice stating that there will be no prosecution under existing law. There were several lesser contributions of from $2,000 to $10,000 to congressional candidates by this same union.

The contribution by a corporation involves a case that was called to the attention of the Senate Rules Committee in 1964, when it was conducting the Baker investigation. This case was, in turn, referred to the Department of Justice. It involved a cash contribution made indirectly by the International Telephone Co. In both cases the Justice Department has ruled that there will be no prosecution.

Mr. BROOKE. In the first case the Senator cited, was it a direct or indirect contribution from the labor union?

Mr. WILLIAMS of Delaware. Indirect. The contribution was made in the name of one of the union officials. A $25,000 contribution was made in the name of the union official, but admittedly it was from union funds.

To go further, I asked the question how a $25,000 contribution could be made by the union when the Corrupt Practices Act states that $5,000 is the limitation from any one individual. It was ruled that this was not a violation of the Corrupt Practices Act because the funds came from several people involving contributions of less than $5,000 each. The same excuse was given in the case——

Mr. BROOKE. But the contribution was not actually made by the labor union?

Mr. WILLIAMS of Delaware. That is right; neither was it made by the corporation, but it was from the union's or corporation's funds, made indirectly into the political campaign. That is the reason why I am proposing that such contributions cannot be made indirectly. The law states now that they cannot be made directly. I am proposing that they cannot be made indirectly. Let us face it; we may as well have no law at all if we accept the proposition that these contributions can be made through third parties.

Mr. BROOKE. If I understand the Senator correctly, the $25,000 was a contribution given by a group in which say, five persons contributed $5,000 each.

Mr. WILLIAMS of Delaware. No; it

was not broken down at all as to amounts. It was union funds placed into a political committee and then distributed as cash contributions.

Mr. BROOKE. I see. But there were a number of persons?

Mr. WILLIAMS of Delaware. The assumption was that maybe there were possibly 3,000 or 4,000 members.

It was taken out of funds that were assessed against the members, the various collections from the membership. Of course, the only source of funds they have is their membership.

Mr. BROOKE. Did the money come from the union treasury, or from the private funds of the individuals who made up this group?

Mr. WILLIAMS of Delaware. The report was that it came from the union treasury, or from funds collected by the union from its members. Now, which fund or how they deposited it I do not know. But the point is that, just as in the case of the corporation, while it did not come directly out of the corporate funds, it came out of them indirectly. The Department of Justice had testimony and affidavits from the officials of the company that that was done, just as they had evidence that it was done in the case of the union.

The law was intended to provide that neither corporations nor unions could make political contributions or expenditures for political parties. The law now states that they cannot do it directly. Let us not open a Pandora's box.

I shall place in the RECORD correspondence wherein the Department of Justice has stated that in these two cases there was no violation of the law. So if these two can do it every other corporation and every other union in America can do likewise. Maybe that is the way some want it done, but I do not think so.

Mr. BROOKE. Mr. President, will the Senator yield at that point?

Mr. WILLIAMS of Delaware. I yield.

Mr. BROOKE. Is the Senator saying that there are affidavits of which the Department of Justice has knowledge, to the effect that union funds were given to individuals to make contributions for political campaigns, which was obviously an indirect contribution made by the union; and yet the Department of Justice found insufficient evidence to prosecute under the existing law?

Mr. WILLIAMS of Delaware. I will read their letter. This is a letter dated February 9, 1966, addressed to me, signed by Mr. Fred M. Vinson, Jr., the Assistant Attorney General. My letter referring to this case had been addressed to the Attorney General, Mr. Katzenbach. I have placed both letters in the RECORD earlier today, but I shall read his reply again:

DEPARTMENT OF JUSTICE,
Washington, February 9, 1966.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: The Attorney General has asked me to reply to your letter of January 26, 1966, discussing a statement made by you in the Senate on January 19 concerning one John L. Lawler of St. Louis, Missouri.

In October 1965 this Department began an investigation of an allegation that Mr. Lawler had contributed $25,000 to a campaign committee supporting the candidacy of President Johnson. That investigation showed that the $25,000 contribution represented the accumulation of many small contributions by individuals in the St. Louis area to the Voluntary Political, Education, Legislative, Charity and Defense Fund of Steam Fitters Local 562. It was not a personal contribution of Mr. Lawler and the Voluntary Fund is not a labor union.

Title 2, United States Code, Section 244 does not require a local committee to file anything with the Clerk of the House of Representatives. Section 244 does require national committees or multi-state committees to file with the Clerk of the House the names of each person who contributes $100 or more and the total sum of all other contributions received within a calendar year.

On the basis of the information developed by the investigation, it was concluded that no violation of law appeared. However, if additional or contrary information of any substance were received in this matter, or in any matter within the jurisdiction of the Department of Justice, it would receive the fullest consideration.

Sincerely,

FRED M. VINSON, Jr.,
Assistant Attorney General.

As the law is now interpreted these funds can be assigned to a political committee and be distributed as indirect contributions.

Just how they could rule that they would not have to report to the House of Representatives I am likewise at a loss to understand, because even the existing law, as weak as it may be, states that all committees which make contributions in two or more States must report their contributions to the Clerk of the House of Representatives. Based on his reply they apparently did not. It has been established that they made cash contributions in about eight States in addition to the $25,000 contribution to the Johnson campaign.

The point is, Does Congress intend that the unions can take their funds, which are collected from their members, siphon them through another committee, and by this indirect method make a cash contribution to your campaign or my campaign, or to whatever candidates or political parties they wish?

Let us just face it, the law is worthless as it is now being interpreted.

Likewise, does Congress intend for corporations, in any manner whatsoever, to be able to make political contributions to the party or candidate of their choice, and those funds, in turn, be charged as an operating expense of the corporation?

I do not think the existing law ever contemplated that. I was surprised that the Department of Justice found that there was no basis for prosecution.

If Congress wants to reject this amendment and thereby state that these contributions made indirectly are valid, then let us face it, we have opened a Pandora's box as far as political contributions are concerned, not only by unions but by corporations as well.

Mr. BROOKE. Mr. President, it seems to me very clear that Congress never intended unions or corporations to be able to do indirectly what they could not do directly. But listening to the letter from Assistant Attorney General Vinson addressed to the Senator from Delaware, I failed to distinguish any statement in that letter which supported the Senator's assumption that the money was actually union money. That is a question I wish to have clarified. If the money belonged to individuals who voluntarily joined together in a group in making political contributions, even though they were union members, it seems to me there is no law prohibiting that, nor should there be. Union members as individuals or as voluntary groups should not be denied the right to make political contributions.

If there is evidence that money which belonged to the labor union was being indirectly given to a political candidate or a political committee, then that would be in violation of the existing law.

Mr. WILLIAMS of Delaware. I might say to the Senator that there is nothing in this amendment—and I would oppose it if anybody proposed to put it in—that would prohibit any individual American citizen, I do not care whether he be a member of a labor organization, a stockholder of one of these companies, an official of a company, or an official of a union, from making contributions to his party or candidate. Certainly we are not going to deny that right. That is the American privilege, and I would defend it. If there were anything in this amendment which would stop it I would oppose such action.

But the point is that Congress did say that while it will preserve the right of the union members, preserve the right of the stockholders, preserve the right of the union officials, and preserve the right of the officials of corporations, as individuals, to support the party of their choice, in the existing law it also stated that contributions by a union or by a corporation would be prohibited.

I merely would add to the law "contributions that are made by the unions or by the corporations either directly or indirectly." That is the only change I am suggesting. I would close this loophole.

Mr. BROOKE. Then is it fair to say that the Senator's amendment is no more than a clarifying amendment to the existing law, and adds nothing to the existing law, nor detracts anything from it?

Mr. WILLIAMS of Delaware. My amendment clearly spells out that it would be the intent of Congress that cash contributions to political parties by corporations or unions are prohibited. It would apply to unions and to corporations, both alike.

This is not an amendment dealing with unions only; it is not an amendment dealing just with corporations. The existing law states "any corporation or any union." This amendment uses the same language. All I am suggesting is that we make it clear that they cannot make those contributions either directly or indirectly. It would stop the political cash contributions by both. Why should they not be stopped?

As I stated earlier, there is nothing in this amendment which is intended to abridge the right of that union or that corporation to write its members or stockholders, pointing out a certain law which it thinks is a good or a bad piece of legislation and that JOHN WILLIAMS voted for or against it. That is their business, and I will defend their right to do it. But that is not what we are talking about here. It does not reflect on the right of a corporation to tell their stockholders that certain legislation would be good or bad for the corporation. They have a right and a duty to advise their members, both as corporations and as unions.

This is a question of whether they may make political cash contributions as unions or as corporations. The existing law spells out that they cannot make those cash contributions directly, but they get around this by siphoning their money through individuals or some committee.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. AIKEN. Mr. President, as I understand the amendment of the Senator, it is intended to prohibit direct or indirect contributions to political campaigns by either corporations or labor unions.

Mr. WILLIAMS of Delaware. The Senator is correct. They could not be made either directly or indirectly.

Mr. AIKEN. That means that the campaign contributions would then come from individuals.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. AIKEN. The Senator does not believe that would play into the hands of very wealthy people?

Mr. WILLIAMS of Delaware. It would not do so any more than does the existing law. Under the existing law Congress has already spelled out its intention. The existing law was intended to provide that no corporation or labor organization can contribute. This provision carries out that purpose.

There have been occasions on which contributions were being made indirectly. I have outlined two specific cases in which such contributions were made indirectly, and the Attorney General ruled in both cases that there was no basis for prosecution. These contributions were made indirectly. They were not made directly in either case.

Mr. AIKEN. However, 500 stockholders of a corporation or 500 members of a labor union could each contribute up to $5,000 to a political campaign.

Mr. WILLIAMS of Delaware. If they formed as a group they would come under the classification of a committee. That is covered in another part of the pending bill, and it would be applicable to that situation.

If there were 500 union members or 500 stockholders of a corporation, each of them as individuals could make the maximum contribution to the party of his choice. This provision would not affect at all their right as citizens to make contributions to the candidates or the party of their choice.

That refers only to contributions using corporate or union funds.

It would be physically impossible for every stockholder to know how the corporate money was being contributed or for every union member to know how the union money was being distributed. Members of unions may find that they are contributing to a different party than that which they are voting.

We know that is not a pro rata or voluntary contribution.

Mr. AIKEN. Is there anything in the Senator's amendment that would prevent a corporation from seeking advice from a lawyer and perhaps paying him $6,000 for his advice, $5,000 of which fee the lawyer could, as an individual, contribute to a candidate's campaign?

Mr. WILLIAMS of Delaware. This would not prohibit that lawyer from making a contribution. Nor would the existing law prohibit that practice. However, both the existing law and the pending amendment would cover that situation if it were part of a conspiracy.

Under the existing law, without the addition of the pending amendment, if a corporation were to conspire with attorney "X" to pay him $6,000 with the understanding that $3,000 of that amount would go to the campaign of Joe Doakes, that would be a violation of the law. It would be conspiracy to violate the Corrupt Practices Act.

Mr. AIKEN. If there were no understanding to that effect, is there any provision in the bill that would prohibit a corporation from seeking advice from 10 lawyers and paying each of them $6,000, so that each of the 10 lawyers could then legally contribute $5,000 personally to a political campaign?

Mr. WILLIAMS of Delaware. The pending amendment would not affect that situation at all. Neither would it affect the ability of a union's lawyers to do so.

Mr. Hoffa had a series of lawyers. I suppose he paid them sizable fees. However, if the lawyers on their own initiative decided to make contributions as American citizens they have a right to do so. Nothing in the pending amendment, the existing law, or the pending bill would prohibit that practice. However, if this were done as part of a conspiracy it would be prohibited.

Mr. AIKEN. It would be very difficult to prove a conspiracy, because if a corporation were to consult 10 different lawyers, it would undoubtedly get six different answers.

Mr. WILLIAMS of Delaware. The corporation might get 10 different answers.

Mr. AIKEN. It would be very difficult to prove a conspiracy unless the 10 lawyers were to all give the same answer.

Mr. WILLIAMS of Delaware. We could not stop them from making contributions as individual citizens any more than we could stop the stockholders of a corporation or members of a union from doing so. If as American citizens they want to make contributions they may do so. The law provides that every American citizen can contribute up to x dollars under certain rules to a candidate of the party of his choice.

This provision would not affect that in any way, whether that man be a corporation lawyer, a stockholder, an officer, or a member of a union. This is not intended to affect the right of any individual citizen, no matter what his capacity is, from using his personal funds to make contributions.

It would merely amend section 610 by providing that neither a union nor a corporation can indirectly do what Congress has specifically spelled out that they cannot do directly.

Mr. AIKEN. It would be a real constructive amendment if it would work. However, I doubt if it will work.

Mr. WILLIAMS of Delaware. It will work. And if not we will get somebody in the Attorney General's office that will enforce the law.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COOPER. Mr. President, the Senator from Massachusetts [Mr. BROOKE] and the Senator from Vermont [Mr. AIKEN] have spelled out certain situations in which the pending amendment might apply.

I would like to speak of a situation that I believe has been questioned more often than any other since the adoption of the Taft-Hartley Act.

Would the Senator's amendment apply to those committees which were established by labor unions usually in the name of political education committees? The employees contribute funds to such committees or, usually, the funds are checked off. The political education committee then makes contributions to candidates.

I believe that is the situation in which the funds of employees, not labor unions, are more frequently used for campaign contributions.

Mr. WILLIAMS of Delaware. The pending amendment would apply to these cases. It is intended to apply. That is what I pointed out—the method of doing something indirectly that they could not do directly. A corporation should not be able to make contributions in the name of some committee or individual and then charge off those contributions as an expense item. Neither should union leaders be allowed to distribute their members' money.

Mr. COOPER. The Senator's amendment then would not apply to a committee into whose treasury employees voluntarily contribute money and designate a candidate to whom they want the contributions made.

Mr. WILLIAMS of Delaware. If the amendment is agreed to I assume that the employees would make the contributions direct to the party of their choice. Why should the money be put through the hands of some union leader? The same thing would be true in the case of stockholders and corporations. They would make contributions direct.

Let us face it. If we permit a corporation by indirection to make these contributions from corporate funds by siphoning them into committees or individuals there is no possible way in which that procedure could be cleared with all of the stockholders.

By the same token, there should be no possible way that a union can take $50,000 or $100,000 out of the union treasury, put it in the XYZ committee, and make contributions from that committee when it could not do so from its own funds.

This measure is supposed to stop them from doing indirectly what the law says they cannot do directly.

If the Senate rejects this amendment

we might as well repeal the law and say the Pandora's box is open. If we reject this we would proceed on the premise that we believe it is all right, and if this corporation and this union can make cash contributions then all other corporations and all other unions can do likewise.

Surely the fact that in both instances these cash contributions were made to the Johnson campaign does not give them any special privilege.

Mr. COOPER. I understand the purpose of the Senator's amendment, but I recall that the question of the use of union funds contributed by employees through the checkoff system or otherwise has been questioned in the past, and there have been several cases in the courts. As I recall, the courts have held, with respect to such committees, that the use of these funds is legal. I assume that the Senator has studied the matter and has determined that the adoption of the amendment—if it should be adopted—would override the court decisions.

Mr. WILLIAMS of Delaware. That is the intent. The Attorney General's office has interpreted the law that the corporation and the union can make these contributions.

Mr. COOPER. As I understand the procedure, an employee's dues are checked off into the union treasury, the union contributes to committees, often called the Committee for Political Education. Then the committee, in addition to educational operations, makes contributions to candidates either directly or by advertising, campaign work, and so forth. Is my understanding correct?

Mr. WILLIAMS of Delaware. The Senator's understanding is correct.

Mr. COOPER. And the courts so far have upheld the procedure as perfectly proper.

Mr. WILLIAMS of Delaware. The courts may have upheld the position that these are not direct contributions and that the law only relates to direct contributions. Since these contributions are made through a separate committee they would not be affected.

The purpose of the proposed amendment is to stop such a practice. Direct contributions are prohibited now, both as they relate to unions and as they relate to corporations. It would not in any instance stop either of them from their so-called educational operations, even if they want to send out a letter or other material every day. We are dealing with contributions to or expenditures on behalf of a political party or a candidate.

Mr. COOPER. Is it not correct that the chief objection that has been made to this procedure has been that made by individual union members that the funds they contribute to the treasury of the union are used for candidates they do not wish to support?

Mr. WILLIAMS of Delaware. That is correct. That is the problem. Their money could be supporting a candidate to whom they were violently opposed.

As I have said, nothing in the proposed amendment would stop any stockholder, official of a union, or member of a union from making the full maximum contribution to the party or candidate of his choice, a direct contribution with him, himself, deciding that he wants to support JOHN COOPER in Kentucky. As a union member he would have a right to do that.

Mr. COOPER. I was once a union member years ago while in school.

Mr. WILLIAMS of Delaware. I have brothers who were union members.

The point is that the law now states that neither the unions nor the corporations are allowed to do it, but they have found a loophole in this law.

Mr. COOPER. The aspect of the amendment that troubles me is this: I agree that it is not proper for an employee to pay into a fund and that his money then be used for contributions to a candidate he does not support. I wish I had available the cases that have been used in connection with this subject. I recall that the court decided the cases upon a constitutional ground, that the Congress could not restrain a union from this practice; that it was an expression of free speech under the first amendment. I am sorry that I do not have the cases before me.

Several years ago I introduced an amendment to the Federal Corrupt Practices Act which while similar to the pending amendment, was more limited so as not to offend the first amendment and it was rejected.

I wonder whether the Senator has available one of the cases.

Mr. WILLIAMS of Delaware. No, I do not. I do not have any answer as to whether the court based its decision on the Constitution. I have checked with the legislative counsel, and I have been told that this is the way to correct it.

Mr. COOPER. The Attorney General said this amendment would correct it?

Mr. WILLIAMS of Delaware. No. I checked this matter with the legislative counsel. The Attorney General just says that under existing law there is no way he can handle these cases. He seems to be well satisfied. He did not ask for a change in the law. It seems to me that Congress should not allow corporations or unions to do by indirection what it cannot do by a direct method.

Perhaps as a layman I am a little bold in moving into this field, but approximately 68 lawyers are in the Senate, and I venture to say we would get 68 opinions if we were to ask them.

Mr. COOPER. I agree wholeheartedly that for a corporation or a labor union to seek to evade, by conspiracy or otherwise, the plain intent of the law is bad and wrong and should be corrected. I am concerned, however, that the lower Federal courts—I cannot find the Supreme Court case ruling directly on this question—have held that it is not unlawful or illegal for labor unions to make contributions in this manner. Of course, that holding could be overturned by a statute, unless the decision of the court were based on a constitutional ground. I recall that it was based upon constitutional grounds—the abridgment of the first amendment. I do not believe the Senator's amendment would stand up in the courts.

Mr. WILLIAMS of Delaware. I do not see why it would be a constitutional question, limiting the law. But I am just an ordinary layman. On the other hand, it has been my experience that laymen do sometimes get the answer while the lawyers are still debating. I have always been impressed by the fact that when a case goes to court, the judge, under the law, has to be a lawyer, the prosecuting attorney has to be a lawyer, the counsel for the defense has to be a lawyer; and then they usually get the case so mixed up that it takes 12 laymen to get it straightened out. As a layman I am trying to get it straightened out.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. From a hurried examination of the bill, it would appear to me that without the Senator's amendment, there would be no prohibition in existing law or remaining law against a corporation contributing directly or a labor union contributing directly, because I call attention to page 25, the first four lines:

> The Federal Corrupt Practices Act and all other acts or parts of acts inconsistent herewith are repealed.

In other words, S. 1880 is a rewriting of the entire Corrupt Practices Act. I fail to find anything in it that prohibits a contribution by either a bank or a corporation or a labor union. So the Senator's amendment is necessary, unless the Senate wishes to go on record as endorsing political contributions by banks, corporations, and labor unions—unless the corporation is engaged in Government contracts. That aspect is dealt with on page 7.

Mr. WILLIAMS of Delaware. I believe the Senator has made a valid point. Furthermore, even if they kept the Corrupt Practices Act as it is written in section 610, the rejection of this amendment would in effect be repealing it, because Congress would be going on record as saying that, so far as the Senate is concerned, corporations and labor unions can make these contributions by siphoning their cash through a committee.

I believe this amendment should be adopted. I do not think it should even be controversial.

Mr. CURTIS. I agree with the Senator, and I would point out that the amendment of the Senator places no prohibition on any individual.

Mr. WILLIAMS of Delaware. None whatsoever.

Mr. CURTIS. But it does prohibit even the corporations or labor unions from being the vehicle, as well as from making the direct political contribution.

Mr. WILLIAMS of Delaware. The Senator is correct. It would stop the corporations or labor unions from using their funds in a manner in which the law did not originally intend.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I yield the floor.

Mr. CANNON. Mr. President, before I make my statement in opposition to the amendment I would like to answer the Senator from Nebraska who raised the question a moment ago that there would be no Corrupt Practices Act. The Senator is mistaken. The Corrupt Practices Act does not refer to section 610. That imposes restrictions on contributions of corporations, national banks, and labor organizations. That is under section 610 and not under the Corrupt Practices Act, which is a different title. Section 610 is under title 18, United States Code.

This amendment seeks to close possible gaps in section 610 of title 18 pertaining to campaign contributions and expenditures by national banks, corporations organized by any law of Congress, and labor organizations.

The amendment would prohibit a corporation or labor organization itself, as a legal entity, from making, directly or indirectly, contributions or expenditures to any committee, association, or organization.

Section 610, as it now stands, does prohibit contributions and expenditures by national banks, corporations, and labor organizations. Voluntary contributions by individual executives or employees of a corporation or by members of a labor organization are not prohibited nor should they be prohibited. Every citizen should be permitted to make a voluntary contribution to the candidate or party of his choice. If this amendment is passed, that would be prohibited.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. CANNON. I shall not yield until I have finished my statement.

Section 610 properly enforced, needs no amendment and without enforcement the amendment proposed by the distinguished Senator from Delaware would accomplish nothing.

In other words, the intent and provisions of section 610 already offer the same overall prohibitions as are offered in different language, by this amendment.

National banks, corporations, and labor organizations are now prohibited from making any contribution or expenditure to any party, committee, or candidate.

With respect to the example cited by the Senator, the letter of the Attorney General did not state what it had been represented it stated. The Attorney General, in effect, said, and I am oversimplifying this: These contributions were voluntary contributions on the part of members and, therefore, contributed for a political campaign and, therefore, we cannot prosecute. That is the law and that is what the law should be.

If the amendment of the Senator were adopted it would prohibit corporations from contributing to persons of their choice, or organizations sponsored by them; it would prohibit members of the labor union from making voluntary contributions. Perhaps that is an oversimplification.

If Senators wish to stop that sort of thing, they should vote for the amendment of the Senator. If not, if Senators think that members of a labor organization or corporation should be able to work with their organization to try to make political contributions to political candidates and organizations to participate in this great political organization we have in this country today, Senators should vote against the amendment.

Mr. WILLIAMS of Delaware. The Senator puts great emphasis upon the right of union members to make contributions. The Senator tries to give the impression that the adoption of this amendment would restrict this right. He is wrong. There is nothing in the amendment to prohibit any member of the union from making a contribution to the party of his choice in the maximum amount just as every other citizen can make. The amendment does provide, that they cannot use union dues and funds to make these contributions.

Let us face it, corporations and unions are both involved. The law covers both in the same sentence. The cases I pointed out are pertinent. If we reject the amendment we are saying, in effect, that unions and corporations can use corporation and union funds by contributing to the XYZ committee, and that committee, in turn, can make political contributions. I do not agree with that premise. We should not allow them to do by indirection what the law prohibits by direction.

The argument of the Senator about the individual right of these union members to contribute to the party of their choice is valid. That right is protected better under the amendment than under existing law. What we would prohibit is the right of some union official or corporate president to take union funds, which contain the contribution of that union member, or corporation funds, which is the money of that stockholder, and then make a contribution to the party of his choice and not the choice of the union member or the stockholder.

The argument of the Senator might very well be said to be one of the best arguments as to why the amendment should be adopted.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. CANNON. I shall yield in a moment but first I wish to answer the Senator from Delaware. I had yielded to the Senator from Delaware for a question but he did not answer my question so I wish to answer his statement with a part of his amendment.

At the top of page 2 with respect to what is unlawful the following language appears on line 13:

> (2) For purposes of applying paragraph (1), the source of the funds from which a contribution or expenditure is made shall be immaterial, and such paragraph shall apply to a contribution or expenditure made from funds contributed for such purpose by the shareholders of a corporation or the members of a labor organization.

That very clearly and specifically deprives the shareholders of a corporation or the members of a labor organization to say, "I voluntarily want to contribute funds to that union for the union to do such and such with those funds." It is as clear as it can be. If that does not deprive a union member or a corporation stockholder of a constitutional right that they have under our Constitution, I miss my guess.

Mr. WILLIAMS of Delaware. The Senator misses his guess. The law states that any corporation or any labor organization is already prohibited from making contributions. That is the existing law.

Mr. CANNON. The Senator is correct.

Mr. WILLIAMS of Delaware. And it is still in effect. The difference is that they can get around the existing law by forming a committee, transferring the funds to this committee, and then letting that committee make the contribution.

This amendment would stop that evasive practice completely. It would apply to both corporations and unions.

If the Senate feels that such was intended and that they should have a right to make the contributions by this indirect method, then defeat the amendment and let it be well known that any corporation in America or any union in America can use corporate funds and union funds for political contributions, and we shall have completely nullified section 610. I am trying to put some teeth into the present law, but if Congress does not want any teeth in it then defeat the amendment. Personally, I cannot conceive of Congress going on record that any union or corporation can now make political contributions. Let us face it—we are not dealing with just unions or just corporations, we are dealing with both of them together.

The rejection of this amendment confirms a glaring loophole in the law and Congress will have given it a stamp of approval.

Mr. CANNON. Mr. President, the distinguished Senator stated earlier that he was not a lawyer. I think that his statement now fails to distinguish the legal points, the difference between the expenditure of the corporation's funds and the difference between the permissibility or availability to make voluntary contributions on the part of stockholders of corporations, or on the part of members of labor organizations. This is the whole distinction and it is a valid one. It is written right in the letter from the Attorney General to the distinguished Senator from Delaware, in which he tried to use it as an example here because the Attorney General would not prosecute.

Why would he not prosecute? He would not prosecute because these are voluntary contributions which are permitted under the law.

If we adopt the amendment of the Senator from Delaware, we would take it out.

Let me read it:

> . . . the source of the funds from which a contribution or expenditure is made shall be immaterial, and such paragraph shall apply to a contribution or expenditure made from funds contributed for such purposes by shareholders of a corporation or the members of a labor organization, as the case may be, as well as from any other funds of a corporation or labor organization from whatever source derived, . . .

Mr. President, if the distinguished Senator from Nebraska [Mr. CURTIS] now wishes me to yield to him—as I promised to do earlier—I shall be happy to do so.

Mr. CURTIS. I thank the distinguished Senator.

Mr. President, I invite the attention of all Senators to what I believe is a serious question.

Section 610 of existing law prohibits contributions by banks, insurance companies, and labor organizations.

Under the heading "Limitations on Political Contributions and Purchases" on page 5 of the bill, and over on page 7 under the heading "Contributions by Government Contractors," covering the prohibition against contributions made by someone contracting with the Government, and then over on the last page, 25, it states:

> The Federal Corrupt Practices Act and all other Acts or parts of Acts inconsistent herewith are repealed.

In other words, we would repeal "all other acts," and if we do not reenact the Williams amendment or some other amendment, we would also repeal the prohibition against corporations and labor organizations making contributions.

I do not think that was intended, but I think that is what the language states.

I believe this matter should be given further consideration and study because we are dealing with the regulation of contributions, to prohibit contributions of Government contractors. Thus, we enter the field, and then we repeal the clause which says:

> The Federal Corrupt Practices Act and all other Acts or parts of Acts inconsistent herewith are repealed.

I think there would be a serious question as to the existence of a prohibition against banks, corporations, or labor organizations from contributing to a campaign being in effect, if the pending bill is passed with that language appearing on page 25 still in it.

Mr. CANNON. I am very happy to answer the distinguished Senator from Nebraska on that point.

The provision relating to Government contractors is in section 611 of title 18.

The section the Senator from Delaware is talking about is section 610, title 18. Neither one of them is part of the Federal Corrupt Practices Act.

Now the repealer clause is very clear at the end. It states:

> The Federal Corrupt Practices Act and all other acts—

And I am omitting now—

> . . . is hereby repealed.

Now, the Federal Corrupt Practices Act does not contain either section 611 or section 610.

Now, as to "and all other acts or parts of acts inconsistent herewith are repealed," what are we repealing? We have changed section 611. It certainly is not inconsistent with the earlier section 611. We simply added "corporations" to it.

Section 610 is not inconsistent with any part of the act. Section 610 was put in concurrently with section 611 in the law as it now stands. Thus, any reported repealer of any act inconsistent, would have no effect on section 610 of title 18. I submit, therefore, to my colleagues, that this is just a red herring thrown across the trail here to suggest that we are repealing section 610 or any other part of the law except the Federal Corrupt Practices Act. That is not inconsistent with the part of the bill, in and of itself.

Mr. CURTIS. I invite attention to the fact that it says, "and all other acts or parts of acts"——

Mr. CANNON. Inconsistent herewith.

Mr. CURTIS. Yes.

Mr. CANNON. If the Senator will show me any inconsistency, I will be glad to talk about it.

Mr. CURTIS. I will show it to the Senator. We prohibit Government contractors from making contributions and we stop there. Then we repeal "and all other acts" or prohibitions of corporate entities, or labor unions.

Mr. CANNON. If the Senator will check title 18 as it now stands, he will find that Federal contractors were prohibited also under section 611 of title 18. Section 610 of title 18, existed right along, concurrently, with section 611 of title 18.

Mr. CURTIS. It is my contention that we have limited the rules as to who can contribute. The pending bill leaves out banks and corporations and labor organizations. The repealing clause very likely will repeal existing law. I think that, at least, should have some further study.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator from Nevada yield?

Mr. CANNON. I yield.

Mr. KENNEDY of Massachusetts. I was wondering in the course of debate whether the Senator from Nevada sees a distinction between, on the one hand, union members who choose to join in the form of a union and make a contribution to a political candidate or to an organization supporting a political candidate, and on the other hand, shareholders in a corporation who would be giving through corporate entities.

As I see the distinction, union members are bound together in a struggle for their own economic existence or their own economic survival, while stockholders, who may hold stock in a variety of different corporations, really have a rather different set of interests. I am wondering whether the Senator from Nevada finds that same distinction, and what he concludes about the way in which it should be considered in relation to this proposed amendment.

Mr. CANNON. Certainly there is a distinction in their interests, but I think that on the bill here their interest would have an applicability substantially the same, because if the Senator from Delaware's amendment were to be adopted, then it would not matter whether there were union members who wanted voluntarily to contribute through a parent organization or whether there were stockholders who wanted voluntarily to contribute through their corporation; or, a step further, whether they were simply employees of corporations which have many contributory plans which they encourage, and assign an officer of the corporation in charge of that program to stimulate interest in political campaigns, to get them to contribute voluntarily through the body that they set up within the corporate structure, so that those funds can be parceled out where there is a political candidate or a political party of their choice.

This is one of the great things about our system of government, that we have corporations encouraging this kind of participation, and that we also have unions who encourage participation in "buying a share" in their Government.

Mr. KENNEDY of Massachusetts. I was interested in, and I am wondering whether the Senator himself has made a study of, the legislative history and development of this legislation. Going back into the CONGRESSIONAL RECORD, volume 93, at pages 6439 and 6440, there is a variety of quotations from the then Senator Taft. I should like to read briefly some of the comments he made during this period of time and ask whether the Senator from Nevada would comment on them. I read from what Senator Taft said at that time:

> * * * the CIO–PAC can properly operate as a political organization, raising its funds from individual members.
>
> If the labor people should desire to set up a political organization and obtain direct contributions for it, there would be nothing unlawful in that.
>
> * * * unions can do as was done last year, organize something like the PAC, a political organization, and receive direct contributions, just so long as members of the union know what they are contributing to, and the dues which they pay into the union treasury are not used for such purpose.

This seems to be one of the indicators of intent from one of the architects of that legislation. This statement was in the Taft-Hartley law debate; it indicated Senator Taft's own feeling about the importance of union contributions and the significance of them.

Mr. CANNON. The Senator is absolutely correct. He has raised the point of the very thing the Senator from Delaware would take away with his amendment. He says he wants to amend the law so they cannot do that; so it would be against the law. The Senator from Kentucky pointed out that there are laws on the books stating that this is a lawful procedure. So it is permissible under the present law. The Senator from Delaware wants to change it. I do not think it should be.

Mr. KENNEDY of Massachusetts. Does the Senator agree that not only are there court decisions on this matter, but that there are constitutional safeguards, as well, under the first amendment?

Mr. CANNON. The Secretary is absolutely correct. I tried to make that point earlier. By this proposal, we would try to deprive these people of a constitutional right to participate in their government.

Mr. KENNEDY of Massachusetts. I thank the Senator for yielding.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW AND AUTHORIZATION FOR ALL COMMITTEES TO MEET DURING SESSION OF THE SENATE TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. WILLIAMS of Delaware. Mr. President, I have no objection to the Senate's meeting at 10 o'clock tomorrow, but the Committee on Finance has had hearings scheduled, and we cannot be in both places at the same time.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to withdraw the previous request that the Senate recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 o'clock tomorrow morning, with the proviso that all committees be permitted to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. HOLLAND. I am quite willing to have the Senate convene at 10 o'clock, of course; I do not wish to impede the business of the Senate. But a group of Senators, including myself, does have an obligation in the morning to attend an important meeting. I wonder if it could also be agreed that there would be no yea-and-nay votes until 12 o'clock or later tomorrow.

Mr. BYRD of West Virginia. The leadership is attempting to arrange the work for tomorrow so as to accommodate the senior Senator from Pennsylvania [Mr. CLARK], who will experience an important event in his life tomorrow. It would be the intention of the leadership to do everything possible, if it can be so worked out with the Senator from Pennsylvania and with the Senator from Nevada [Mr. CANNON], who is managing the bill, to avoid any rollcall votes before noon or 12:30 p.m. tomorrow.

Mr. HOLLAND. I thank the distinguished Senator from West Virginia. I have explained the nature of the conference to the Senator. It is to be held before one of the important agencies and has been long arranged. A large number of persons are in Washington to attend it. Several Senators have to be present, particularly the two Senators from Florida. If it can be arranged that there will be no rollcall votes before 12 o'clock or 12:30, I shall interpose no objection to the Senator's request.

Mr. BYRD of West Virginia. The Senator from Pennsylvania [Mr. CLARK] plans to offer two amendments. It is my understanding, after a discussion with him, that he will require about an hour on each amendment. So it will be the intention of the leadership tomorrow to attempt to delay any votes until noon, if possible. The Senate can discuss the amendments and attempt to delay votes on them until noon, in order to accommodate the Senator from Florida and his associates.

Mr. HOLLAND. I thank the Senator.

ELECTION REFORM ACT OF 1967

The Senate resumed the consideration of the bill (S. 1880) to revise the Federal election laws, and for other purposes.

Mr. KENNEDY of Massachusetts. Mr. President, I rise in opposition to the amendment offered by the Senator from Delaware.

No one denies that dissenting members of associations—whether corporations or labor unions—must be protected from misuse of their funds. No one questions the need to prevent units of economic power from using that power, and distorting political campaigns with large infusions of funds.

But this bill does not meet such a need—it is a dangerous cure for a dubious disease. It is neither fair, nor balanced—and it may well be unconstitutional. When the late Senator Taft sought to limit union political influence in the Taft-Hartley law, he specifically recognized the right of groups—including unions—to play a part in the political process. His bill thus refused to place the disastrous restraints on union activity which this bill would do—because Senator Taft recognized that the abuse lay in coercing members of unions; not in channeling funds willingly contributed for political purposes.

Yet this amendment ignores the vital distinction between coercion and voluntariness. Under this amendment—page 2, line 14—

> The source of the funds . . . shall be immaterial . . . even though the shareholders of a corporation or labor organization, as the case may be, consent to such contribution or expenditure.

Thus, any union organization which collects funds from union members—no matter how eager the members are to contribute—would be committing a crime.

Surely the constitutional rights of association—which have been so zealously guarded in recent years by the Supreme Court—are seriously impaired if an association of members with a common economic interest cannot channel this interest into the field of politics with funds willingly and voluntarily given by individual members.

Indeed, the Supreme Court seriously questioned the whole legislative structure restricting associational involvement in politics. In International Association of Machinists against Street, the Supreme Court noted the grave constitutional questions such limitation raised. In view of the drastic extension now proposed on political participation by members of a common association, the validity of this amendment is highly dubious.

Second, the apparent impartiality between unions and corporations is false. Shareholders do not stand to the corporation as union members do to the union. The commonness of interest, the vital role played by the union in the economic life of the member, is far greater than that of a corporation to shareholder. Indeed, this is what propelled the passage of the labor bill of rights 8 years ago. This distinction does not permit us to set up mechanistic equations, which is just what this bill does.

But more important, the bill does not reach the very real methods of corporate campaign contributions. As an article in Fortune magazine, in May 1956 detailed, the varieties of contributions are infinite. Executives can, as individuals, give large amounts to campaigns, knowing they will regain the funds in the form of bonuses. Secretaries can be loaned out to offices; executives can take leaves of absence to work in campaigns. Yet none of these methods of contribution are reached in this amendment.

Moreover, the alleged union abuse has already been reached not only by legislation, but by the courts. In Brotherhood of Railway Clerks against Allen, the Supreme Court specifically barred unions from using any dues of dissenting members for political purposes.

In view of the severe constitutional problems, in view of the imbalance, and in view of already existing law correcting union abuses, this bill's need is far from clear. Yet this bill is now being considered—and no hearings have been held, no witnesses called, no evidence advanced to show the need for this radical restraint on traditional political rights of labor organizations.

I urge the defeat of the amendment.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. MONDALE. I commend the Senator from Massachusetts for his very fine statement in opposition to the pending amendment.

As I understand the amendment, it seeks to draw a parallel between what is seen as an effort by individual stockholders to give to a campaign via the corporation with an effort by an individual union member to contribute voluntarily to COPE or some other similar organization.

Does the Senator from Massachusetts regard this as a fair parallel, or does he know of any instances in which individual stockholders have attempted to contribute to campaigns in this way?

Mr. KENNEDY of Massachusetts. I

think that the parallel breaks down very quickly. As I mentioned, the union members are binding themselves together to work out arrangements with respect to wages and living conditions and general conditions of employment.

The stockholders have an entirely different interest. In many instances the stockholders themselves are stockholders or officers of other corporations, and their interests are different.

I think, therefore, that trying to draw a parallel is really quite unreasonable. However, let me say, beyond merely responding to your question, that the Senate concerned itself for a considerable period of time some month ago with problems of campaign financing and funding.

During that debate the difficulties which those of limited wealth have in raising sufficient funds to be able to participate in the election procedures were discussed. The pending amendment would, once again, dramatically hinder the ability of those of more limited wealth to run for office. It would cut off one of the groups that would be able to supply some limited funding. There is that additional consideration.

We should realize that the unions themselves are really entitled to have the right to support actively, by contributions, those that are seeking public office whose views are similar to those which have been assumed by the unions. I do not think there is anything inherently wrong with that as long as union members know this and make voluntary contributions. In many instances this is carrying through the democratic process. This is important and it is helpful.

One vital point which concerns me about the pending legislation is, as I understand the pending amendment, that it prohibits all kinds of contributions to all candidates. This therefore directly infringes on the ability of States to make determinations as to whether they want their own laws. If they want to see the continuation of this kind of activity, they can now make that determination.

What we are doing is really making a complete and blanket prohibition of such activity.

Mr. MONDALE. Does the Senator believe that this purported effort to restrict or limit contributions by corporations would be any more effective than the numerous provisions now found in State and Federal law to prohibit corporations from so doing, concerning which scholar after scholar has pointed out that they have been a virtual nullity because of the many ways in which corporations can avoid these provisions and effectively support through corporate assets the campaign of the candidate of their choice? Or are we really in effect claiming that we are choking off corporate interests, but in fact adopting a nullity, as has been the case with so many State statutes, including the State of Minnesota, which purport to prohibit corporate contributions, but which in fact through skillful corporate maneuvering permits the corporations to continue to contribute?

Mr. KENNEDY of Massachusetts. Mr. President, I certainly identify myself with the comments made by the Senator from Minnesota. I indicated what I at least thought were some of the methods being used today by many corporations to provide either services or manpower or the funding of political campaigns. These methods would not be terminated even by the pending amendment. What would be terminated would be certainly the ability of the unions themselves to participate through voluntary contributions.

I am concerned about this matter. If this would accomplish everything that those who have offered the amendment claim—that it would end all kinds of corporate contributions and union contributions—I think we should evaluate it on that basis. However, that is not so.

As the Senator has pointed out, both from the experience of his own State and of other States, there are numerous examples in which there are ways to avoid even the kind of language suggested by the pending bill.

Mr. MONDALE. As I recall, in 1956 there was a Senate study or a committee study of campaign contribution practices in this country.

That study pointed out that five wealthy families gave more to one party than did the 16 million members of organized labor. Thus, from a practical standpoint these modest contributions, given voluntarily—and they are modest and they are given voluntarily—in many cases represent the very minimum amounts necessary for these individuals, alone and collectively, to help the candidates of their choice. If these individuals were to be denied this modest effort to contribute to the candidate reflecting their philosophy, then regardless of the alleged parity of the pending amendment, the practical effect would be virtually to silence many who represent the point of view of thousands of union members who are now permitted to contribute to the candidate of their choice.

Mr. KENNEDY of Massachusetts. I agree. It has been suggested that we ought to eliminate any organization such as COPE or any of the other political action groups and leave it completely up to the union or the union members.

Would the Senator not agree with me that in many instances it is difficult for a union member in Springfield, Mass., to know whether it is important in the achievement of certain legislation that the money be used in the State of Oregon or in another part of the country?

Because that man is working every day, he has no way of knowing these things unless there is some kind of educational group to provide this kind of service.

He wants to see the programs which his union has supported achieved. However, he has no way of really knowing how his interest will be most vitally affected.

Mr. MONDALE. Are these suggestions that such organizations as the Committee on Public Action be dismantled coming from the ranks of organized labor or individual union members, or are they coming from others that are really not so motivated by the rights of individual members as they are by an attempt to destroy the political effectiveness of a voluntary organization which works with the voluntary support of individual union members?

Mr. KENNEDY of Massachusetts. I must say, as the Senator has suggested by his question, that it is not coming from those that believe in and have indicated strong support for unionism and the welfare of the union activists. This is troublesome.

I suggested earlier in my brief remarks that the Supreme Court has ruled on this question and has recognized the closeness and the parallel to the right of free speech by being able to speak effectively and has also suggested a number of other activities, among which is that of being able to participate in campaigns by making contributions so that those who are candidates will be able to speak effectively on radio and television. We recognize that these activities cost money. There are some rather fundamental constitutional questions involved. That concerns me as much as do the other factors.

I am concerned because there have been no hearings on the pending amendment. Even though there are constitutional questions involved, this matter has not been referred to the Judiciary Committee for its study and deliberation. And even though it affects the unions of this country, there has been no referral of the proposal to the Committee on Labor and Public Welfare, the members of which have made considerable study of the subject.

It has not been referred to the Finance Committee, which has been considering the panoramic problems of campaign expenditures.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. MONDALE. Some years ago, when I was writing a law review note on this issue for the Minnesota Law Review, I recall studying every authority I could find on this issue. My recollection is that they are virtually unanimous in their viewpoint that, No. 1, existing laws which prohibit corporate contribution are ineffective; No. 2, that if you took away the right of voluntary contributions to COPE and the rest of the kind presently permitted in Federal law, you would substantially diminish the opportunity of the person of modest income to reflect his point of view in this fashion, and that it would be a very unfair blow to the fairness of American campaigns.

Perhaps if we were to have hearings on this proposal, we could bring the many top experts from the fine schools around the country and others to testify to what they think of the present campaign contribution practices, disclosure practices, and the rest. Among them I would recommend Mrs. Louise Overacker, who is regarded as one of the great experts on this question, who has proposed that the ceilings on corporate contributions be removed because they are of no effect, anyway—the prohibitions and the ceilings—and that the same be done with respect to union contributions, so that there will be complete fairness; but then insist upon full disclosure, so that the candidate who is the selected candidate of corporation A would be known as such, and the amount that he received would be known. Then we would have it out in the open, where everybody would know, instead of the under-the-rug contributing that is going on. The same would apply with respect to unions. People could then run under their true colors.

I believe that in many cases the sources from which a candidate receives money may tell more about his views than what he says on the political platform. This is the real way to get at the issue—meaningful public disclosure, which permits the public to deal wisely, on the basis of what the candidate says and the sources and amounts of the campaign contributions.

This is my understanding of the vice which the top experts in this field are pointing out today, and the pending proposal would be antithetical to the advice that I believe the Senate committee would hear if it were to hold the hearings that the Senator from Massachusetts suggests.

Therefore, I believe that is an additional reason to reject the amendment.

Mr. KENNEDY of Massachusetts. I believe the Senator has made a number of very worthy points with respect to procedures which have been followed which really, in this set of circumstances, have not brought to the Members of this body the kind of balanced judgment and reasoned presentation which this body should expect on a matter as complex and as controversial as this. In fact, the many implications and ramifications that have been suggested by the proposed amendment, and the means of meeting some of the problems that are suggested, all are very useful and helpful and point up the state of confusion about the problem.

I appreciate the comments of the Senator from Minnesota.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. HOLLAND. Mr. President, so far as the Senator from Florida is concerned, he was attracted by this amendment originally; and if it applied only to the bona fide funds of a corporation or a labor union, he would be willing to support it; because he thinks that the bona fide funds of either of these two classes of organizations should not be contributed for political purposes.

However, the vice in the proposed amendment, the Senator from Florida believes, is in lines 13 to 18 on page 2 of the printed amendment, which read as follows:

> For purposes of applying paragraph (1), the source of the funds from which a contribution or expenditure is made shall be immaterial, and such paragraph shall apply to a contribution or expenditure made from funds contributed for such purpose by the shareholders of a corporation or the members of a labor organization, as the case may be,

The Senator from Florida sees no propriety at all in that part of the provision which, in effect, would prevent contributions by individuals, and which simply would use the corporation or the labor organization, as the case might be, as a conduit; and for that reason he is strongly opposed to the amendment.

Mr. KENNEDY of Massachusetts. I believe the comments of the Senator from Florida are extremely pertinent and very helpful. Those provisions of the amendment are distressing and when they say "the source of the funds from which a contribution or expenditure is made shall be immaterial," this excludes, as the Senator from Florida has pointed out, whether they are voluntary or compulsory. I believe that language is extremely unfortunate.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. KENNEDY of Massachusetts. I yield.

Mr. YARBOROUGH. I commend the distinguished Senator from Massachusetts for his leadership in this field and for the thought he has given to the proposed amendment. I do not believe it is strange that the Senator has devoted such consideration to the bill because, although it comes from the Committee on Rules and Administration, the distinguished Senator from Massachusetts is a member of the Committee on the Judiciary. The main genesis of the proposed amendment is criminal penalties. When you are dealing with criminal penalties to be inflicted through the Federal courts, it is a matter, as has been pointed out, in which the Committee on the Judiciary has a great interest and should take interest. If the proposed amendment is to be attached to the bill, I believe the bill should go to the Committee on the Judiciary for its opinion and for hearings.

The question I address to the distinguished Senator relates to the language on page 3 of the bill, beginning with line 11:

> And every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be—

I interpolate that the distinguished Senator from Florida has just pointed out that on the other page this would apply to funds contributed by individual shareholders in a corporation or individual members of a union, not out of union funds or out of corporate funds.

I continue reading:

> And any person who accepts or receives any contribution, in violation of this section, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than two years, or both.

My question to the distinguished Senator is this: In view of the fact that the two penalties are provided, one for willful violation, in lines 14 through 15, the penalty of a $1,000 fine or a year's imprisonment would apply to someone who unwittingly and unknowingly accepted the contribution, would it not?

Mr. KENNEDY of Massachusetts. It would appear to me that that would be a correct interpretation.

As the Senator from Texas has suggested by his question, the effect of the amendment would be to completely proscribe the opportunity for any union member or any shareholder in a corporation to ever participate in any State, local, or Federal election by means of making some contribution.

It would appear that if he did it completely without full understanding or knowledge, he would be subjected to the initial penalty which the Senator from Texas has pointed out—$1,000 and not more than 1 year. If they were able to show that he willingly contributed, he would be subject to the $10,000 fine and not more than 2 years in prison.

Mr. YARBOROUGH. It seems to me that this would be a very exaggerated penalty, insofar as it provides for imprisonment, and I wish to ask the Senator this question: Suppose someone pleaded guilty or was found guilty and was fined a thousand dollars and he paid it, and because of the proviso that he could have been imprisoned a year, he would be guilty of a felony. He would then lose his citizenship and his right to vote, would he not?

Mr. KENNEDY of Massachusetts. That would certainly appear to be correct.

Mr. YARBOROUGH. And he could only be restored by a pardon from the President.

Mr. KENNEDY of Massachusetts. That would be my interpretation.

Mr. YARBOROUGH. I have run into this matter since becoming a Member of the Senate. A prominent businessman in my State was in the construction business and he built homes. In that connection there were requirements for Federal loans and certain affidavits had to be filed. Through carelessness he permitted the filing of those affidavits in his name. He was hailed up and he was told that they had decided to make an example of him. He was indicted and the matter went to the Federal court. As I have said he was an honorable businessman. He was told that if he would pay a $250 fine on one case the matter would be all over and the other cases would be dismissed. He did pay the fine of $250 and the other cases were dismissed. He thought that ended the matter. However, several years later someone became jealous because of a civic enterprise in which he was engaged and they said that this businessman was not a citizen and could not vote.

If he were found guilty and paid a fine of $250, under Federal law he has been found guilty of a felony and he loses his citizenship, which can only be restored by a pardon from the President. It is a slow process to get the President to sign a pardon.

I recommend to the Senator, as a member of the Committee on the Judiciary, that the entire Federal criminal penalty system should be overhauled. We have many laws covering minimal offenses where people pay a little fine, and they are guilty of a felony. Under most State laws there is no felony unless the person is sent to the penitentiary. However under Federal laws a person pays a fine, is guilty of a felony, and he loses his citizenship.

There is one penalty in this provision in an instance where a campaign manager or a candidate could unknowingly solicit or accept the fund, pay a fine of $100, and be guilty of a felony. He might pay a fine of $10 if he pleads guilty and be guilty of a felony. I think that is a great injustice in our Federal criminal system and this situation points up that matter.

I am glad that the Senator from Massachusetts, as a member of the Committee on the Judiciary, where fines and penalties are dealt with, has taken the lead in connection with this amendment.

Mr. KENNEDY of New York. Mr. President, I oppose this amendment. It would disrupt the operation of the only effective political voice possessed by millions of working men all over our Nation. It would interfere with principles of freedom of political expression, probably to the extent of violating the first amendment. And it would have far-reaching effects, perhaps unintended, in State and local elections.

Its premise—to prevent union misuse of members' funds—is invalid. For the funds it would cut off are funds voluntarily contributed, as Senator Taft made clear in the original Taft-Hartley debate 20 years ago. Its effect—to prevent individuals from choosing the way in which they will express themselves politically—is invalid, too, and this invalidity is probably of constitutional dimension. A long line of Supreme Court decisions makes clear the demarcation between instituted coercion and individual freedom in political giving, and this amendment clearly invades individual freedom.

The practice which this amendment would disrupt permits workers to support candidates all over the country who are sympathic to their cause—in the measure in which particular candidates need support. Giant corporations do not require this kind of cooperative effort. They are national—or almost so—in their economic power and scope. But the individual union member deserves the protection of being able to contribute to a group which will spend his contribution where it will be most effective.

Political contributors by unions and their members are now legal in State and local elections, unless State or local otherwise provides. This amendment would—in one sweeping action—change State and local practice all over the Nation overnight. I do not think we should take such action without a little more thought and deliberation, without more understanding of the implications of our actions.

But most fundamentally, the amendment is wrong because it will impair individual rights, and on that ground alone, even if there were no other, it should be objected.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all time on this amendment and the amendments thereto be limited to 20 minutes.

Mr. WILLIAMS of Delaware. I do not think we need a consent request now. I shall not take more than 5 minutes, but I do not think we need a unanimous-consent order.

Mr. BYRD of West Virginia. Would the Senator from Delaware agree to a unanimous-consent request for 20 minutes on the amendment and all amendments thereto, to be equally divided?

Mr. WILLIAMS of Delaware. No. I am ready to vote now, and I was ready to vote before.

Mr. BYRD of West Virginia. Mr. President, I withdraw my request.

Mr. COOPER. Mr. President, earlier in the debate, I raised the question as to whether or not the courts had passed on this section of the bill. I said I thought I remembered that the courts had passed on this particular section, and that they had termed it a constitutional question.

I find that the district court has passed on it, and ruled, as I remembered, on that section of the act, which prohibited a union from making contributions. The question arose with respect to committees and political contributions in those situations where the contribution might be termed involuntary. Nevertheless, the court has held that that section of the act was unconstitutional under the first amendment.

Mr. President, I think it might be possible to draft a bill which would, for example, prohibit a contribution to a candidate or prohibit the use of these funds for the operations of a political campaign, such as the cost of driving voters to the polls or matters of that sort.

However, I must say, after reading the pending amendment and studying the cases that have passed upon this question and which hold that it would be an invasion of the first amendment, I shall vote against the amendment offered by the distinguished Senator from Delaware [Mr. WILLIAMS].

Mr. WILLIAMS of Delaware. Mr. President, I shall be brief. The Senator from Massachusetts [Mr. KENNEDY] and the Senator from Texas [Mr. YARBOROUGH] made much of the fact that hearings have not been held on the bill. Hearings were held on this bill and on all phases of the Corrupt Practices Act.

Then the Senator from Texas spent considerable time expressing great concern over the very harsh penalties in the amendment which he referred to as found on page 3, beginning on line 16 through line 19. The Senator from Massachusetts concurred that these were extremely harsh penalties and said that was one of the reasons the amendment should not be agreed to.

I point out that these are the same penalties provided for in the existing law.

I wish to ask both of them, as members of the Committee on the Judiciary and as lawyers, to follow the language of the amendment and the penalties while I read from the present act itself, because it is verbatim, I quote from section 610 of the Corrupt Practices Act.

> (They) shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than 2 years, or both.

Mr. President, that penalty provision was lifted verbatim from the existing law and put into this amendment. The Senators are debating against the present act, not my amendment. I am sure that as lawyers they will agree on this point.

Mr. KENNEDY of Massachusetts. I do not understand how the argument that the Senator is trying to make rebuts my statement. Even though the Senator is taking boilerplate language from the act the extent goes far beyond other sections of the act. It reaches fundamental questions of free speech and other fundamental questions in which the Supreme Court has ruled. Taking boilerplate language does not satisfy me that it makes it acceptable. I stand by the earlier interpretations. I think the points made by the Senator from Texas are just as valid now as they were then.

Mr. WILLIAMS of Delaware. The Senator from Massachusetts has referred to this penalty as coming from another section of the act. I most respectfully call his attention to the fact that I am not referring to another section of the act. I am referring to section 610, the Corrupt Practices Act, title 18, and I am referring to the penalty provision under the section we are here amending. They are identical; so what is the argument?

Mr. President, I ask unanimous consent that section 610 of the existing law, containing that language, be printed in the RECORD.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

> * * * shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than two years, or both.

Mr. WILLIAMS of Delaware. Mr. President, I now ask unanimous consent that the penalty provisions of the pending amendment beginning on page 3, lines 16 through 19, be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> * * * shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than two years, or both.

Mr. WILLIAMS of Delaware. Anyone reading the language will find that they are identical. The Senators are doing a lot of shadow boxing.

I have read the existing law as it now prohibits corporations and unions from making any contribution or expenditure in connection with any election in which the President or Members of Congress are involved. Then it lists the penalties to which I have referred. All I am doing is stating that same prohibition will apply to contributions made by corporations or unions when such contributions are siphoned through a second or third party.

I have placed in the RECORD the letters from the Department where they said in effect that when these contributions are made indirectly by corporations and union, no laws are violated. The pending amendment would correct this situation regardless of whether these contributions are made directly or indirectly.

As to the need for the union member to have a right to contribute to the party of his choice, compared with the need of the stockholder of the company having the right to contribute, I point out that there is nothing under the existing law and there is nothing under this amendment which would restrict a union member, a corporation member, a corporate official, a stockholder, or whatever he may be, from contributing as an individual. That is a fallacious argument.

I would not support any proposal which tended to restrict the right of the individual citizen in any way. What this does do would be to stop the union as a union, or the corporation as a corporation, from taking money that was contributed either by the corporate stockholders or by the union members, with or without their consent, and making a cash contribution or an expenditure to the party that was the favorite choice of the union official or the corporate president and not necessarily the choice of the individuals involved in each case.

Certainly any individual, as an American citizen, whether he be a union member, a stockholder, or an official in any capacity in either organization, has a right to contribute to the party of his choice. But, I say further that no official of any union or corporation has the right to take the money contributed by members or stockholders and then make a cash contribution to the party of his own choice, which may or may not be the party which that particular member supports.

The issue is clear. So far as I am concerned, I am ready to vote. I think it boils down to: Do we want to stop the unions and corporations from making political contributions from union or corporate treasuries?

This amendment carries the same penalties for both.

Mr. GRIFFIN. Mr. President, I shall reluctantly vote against the amendment because I believe it reaches too far. I think it is unfortunate that we do not have a carefully worded amendment which would prohibit and stop the use of union funds for political purposes as well as corporate funds for political purposes.

There are too many instances today where corporate funds and union funds are actually being used, directly or indirectly, for political purposes.

However, as the Senator from Florida has already pointed out, that language reaches too far. The amendment would also prohibit voluntary contributions to such committees as the Committee for Political Education and others.

I have said on many occasions I felt that voluntary contribution for political purposes, even though they be collected by a union, should be all right. I shall, consistent with that position, stated often times in the past, vote against the amendment.

I do hope that other amendments might be offered which would appropriately tighten the Corrupt Practices Act and make it effective, as it was originally intended, particularly when Senator Taft and others amended the Taft-Hartley Law.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the RECORD certain editorials and comments on this subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

[From the St. Louis Globe-Democrat, Oct. 2-3, 1965]

DONATION OF $25,000 BY LAWLER FOR JOHNSON CAMPAIGN—STEAMFITTER AGENT'S ACTION APPEARS TO HAVE VIOLATED FEDERAL LAW

(By Al Delugach and Denny Walsh)

By far the handsomest gift to "Friends of LBJ" in the 1964 presidential campaign was the $25,000 it reported as a contribution from John L. Lawler. He is business manager of the powerful St. Louis Steamfitters Local 562, which pays him about that much annually.

On its face, the donation appears in violation of federal law forbidding a contributor from giving over $5,000 to a single committee in a federal election.

"Friends of LBJ" was a gilt-edge group of political "insiders" that raised campaign funds for President Lyndon B. Johnson.

The President, in April, 1964, commuted the labor racketeering sentence of the Local 562 strongman, Lawrence L. Callanan.

Other 1964 contributions listed as made by Lawler include $2000 to the "President's Club for Johnson Committee" and $3000 to the Democratic National Committee.

Callanan himself, as well as Lawler and other key Local 562 figures, are also reported as having plunked out a total of $6000 in contributions to the Democratic National Committee just last June.

LARGE DEBTS

The committee, which reported raising $1,330,640 between June 1 and Aug. 31 this year, still has large debts from the 1964 campaign.

Callanan was convicted under a Republican administration in 1954 of the $28,000 shakedown of a Tulsa pipeline contractor. He was paroled in 1960 after serving nearly half of a 12-year sentence in Leavenworth.

A few days earlier, the Internal Revenue Service granted him a favorable settlement of his $40,000 tax debt from the kickback period.

Because of his allegedly modest finances, he was permitted to pay $17,000 cash and a percentage of anything he earned above $7500 a year for ten years. The IRS summary of the case noted he was then earning $150 a week as a steamfitter and added a doleful note:

There are "no prospects of any material increase" in his income.

Before his commutation was granted eight days later, Callanan faced legal blocks to resuming union-related activity until July, 1971.

SALARY HIKE

He recently surfaced on the political high seas as the director of the lush "voluntary" political fund of Local 562, his salary reported in the $15,000-$20,000 range.

The financial report of "Friends of LBJ" was filed with the clerk of the United States House of Representatives in Washington Jan. 12, 1965.

It was sworn to by its treasurer, Paul A. Porter, and submitted on the letterhead of the high-powered Washington law firm of Arnold, Fortas and Porter.

One partner, Abe Fortas, has recently been named to the Supreme Court bench. Another, Thurman Arnold, is former head of the Justice Department's antitrust division. Mr. Arnold was a defense attorney for Callanan in appeals of his conviction to the Supreme Court in the 1950s.

The name of the chairman of "Friends of LBJ" was not in its report. A spokesman for the Democratic National Committee said he did not know. Several attempts to contact Mr. Porter Friday about the report were unsuccessful, although he was in his office.

Among the $121,950 in contributions reported for 1964 was $25,000 on Nov. 2 by Lawler, who was listed as a "contributor." Although the law requires the name and address of contributors, the report gave only the name and city of each.

The Hatch Act states that "whoever" makes contributions of more than $5,000 to a political committee in a federal election shall be fined not more than $5,000 or imprisoned not more than five years, or both. Committees as contributors are excepted.

U.S. LABOR LAW

Under federal labor law, unions and corporations are not permitted to make political contributions on their own.

Lawler was said to be out of the city Friday and not available for comment about his reported contribution.

By comparison to the $25,000 gift, Henry Ford II of Detroit was down on the report for $3,000 and Hollywood star Gene Autry for $5000.

According to the 1964 financial report of Steamfitter Local 562 to the Labor Department, Lawler, was paid $19,960 salary, plus $1500 allowances and $4136 expenses between Oct. 1, 1963, and Sept. 1, 1964.

The salary was $5260 above Lawler's salary figure in the 1963 report filed.

The Democratic National Committee's report filed with the House clerk showed a $1000 contribution June 2, 1965, by "L. L. Callanan," 10517 Lookaway dr. (his home address), and another $1000 by "Lawrence Callanan," 1242 Pierce ave. (address of the union).

OTHER DONATIONS

Other $1000 donations last June 2 were listed for "J. L. Lawler," "G. Seaton" and "E. Steska," all of the union address, and "E. Beck," 4317 Haven St.

Steska is Local 562 president and Seaton the vice-president and business agent.

Beck, a steamfitter, is Callanan's son-in-law. He reportedly has been recently made assistant to Callanan in running the "voluntary" political fund, which is reputed to take in as much as $390,000 a year from Local 562 members. The fund is quartered in the union hall.

As revealed Tuesday by The Globe-Democrat, Beck showed up in state records as one of the licensed agents of an insurance firm about the time it began doing business with Local 562's pension fund.

The fund's reports to the Labor Department do not list Beck as among those who were paid thousands of dollars in commissions on the deal.

Contributions to the Democratic committee from the Steamfitter elite appear munificent by comparison with many in the $200-to-$400 range from members of President Johnson's Cabinet and other government officials.

[From the St. Louis Globe-Democrat, Oct. 2-3, 1965]

QUESTIONS TO BE ANSWERED

It is revealed elsewhere in today's Globe-Democrat that John Lawler, business manager of Steamfitters Local 562, made a $25,000 campaign gift to "Friends of LBJ," $2000 to the President's Club for Johnson Committee, and $3000 to the Democratic National Committee, all in 1964.

Considering that Lawler's salary for 1964 was reported as $19,960, this is extremely generous giving, indeed.

The Globe-Democrat believes the Internal Revenue Service should make an investigation of Lawler's finances to determine whether he paid taxes on what must be a vast income above his stated salary to enable him to give so generously to President Johnson and the Democratic National Committee.

We think, too, that United States Attorney Richard D. FitzGibbon should investigate whether any Federal law has been violated by these gifts. Federal law forbids a contributor from giving over $5000 to one committee in a Federal election.

This may be difficult for Mr. FitzGibbon since he was the Callanan-Lawler candidate for Mayor until the steamfitter gang found that Alfonso J. Cervantes had too great a lead and switched their endorsement from FitzGibbon to Cervantes. Nevertheless it is his duty and we expect Mr. FitzGibbon to do it.

We think that the Internal Revenue Service should also investigate the gift of Lawrence Callanan of $2000 to the Democratic National Committee this year.

Callanan, convicted labor racketeer, was permitted to pay $17,000 cash in settlement of a bill of $40,219 for taxes, fraud and other penalties and interest.

He is required, under terms of the settlement, to pay a percentage of future earnings in excess of $7500 a year on the $23,219 balance of his tax liabilities.

If Callanan were so poor that the Internal Revenue Service had to compromise his debt to the government, how could he contribute $2000 to the Democratic party?

Certainly the Internal Revenue Service, in view of Callanan's obvious affluence, should find adequate grounds for reopening its tax settlement.

Surely there can be no connection between the enormously generous gifts of Callanan and Lawler and President Johnson's commutation of Callanan's sentence, which enables him to go back into union activities.

Nevertheless, perhaps former Attorney General Robert Kennedy—now Senator from New York—would care to comment on his recommending Callanan for a return to grace in view of the smelly record of the steamfitters as blocks to progress in St. Louis, Callanan's continuing to run the union from his jail cell and, most importantly, the remarks of the late Federal Judge Ruby Hulen who, in sentencing Callanan, described the case as a "more grievous and aggravated violation of the law," than other racketeering cases tried before him.

"The evidence of merciless use and betrayal of people who labor for their livelihood, and were members of unions supposed to be represented by these defendants, is shocking," Judge Hulen stated at the time. "Unless I had heard the facts under oath I would not have believed them."

The judge remarked that Callanan "hasn't shown one bit of remorse. Indifference to the welfare of union workmen is glaring." Judge Hulen stated further: "Callanan took from the funds of the union, of which he is an officer, funds to pay for his defense . . . Callanan was the brains of the racketeering conspiracy."

Perhaps the White House itself would care to elaborate on the clean bill of health given Callanan last year.

It would be interesting to know, also, who urged Attorney General Kennedy and President Johnson to pardon this notorious extortionist.

The evidence of law violation and the possibility, at least, of the illegal use of union funds cries aloud for investigation.

Everyone who believes in good government will not be content until strong affirmative action is taken in the cases of Lawler and Callanan and, if there are abuses of law and trust, as we strongly suspect, they are thoroughly aired and punished.

[From the St. Louis Globe-Democrat, Nov. 16, 1965]

THE CASE AGAINST THE STEAMFITTERS

The individual steamfitter in this area is probably just as good an American as any other citizen, but his union—Local 562—has kept more business out of St. Louis than anyone else can bring in. It is a corrupting influence in the life of this city.

Businesses not already in St. Louis steer clear of us because they simply will not submit to the steamfitters gang which has the highest wage scale in the nation, but whose featherbedding and other practices exorbitantly hike the cost of doing business.

Contractors using steamfitters cannot even appoint their own union foremen. They have no voice in hiring their own union employees. They must take whomever the union gives them and have no control whatsoever over the job.

This is contrary to the universal practice of other unions. As a result, the steamfitters are regarded as the worst union in the area and, probably, in the country in terms of productivity and reasonable co-operative effort.

Some people may say, "Why worry about a small union of 1,200 members? A group that small, no matter how bad, cannot possibly do any harm." They could not be more wrong.

The power of the steamfitters is sheer money. Each union member is forced to contribute $1 a day, $2 for permit holders, to a "voluntary" fund for political education. It is "voluntary" only in the sense that he gives it or he doesn't work.

The $250 annually which a resident steamfitter must "give" is more than the average person in those circumstances contributes to his church, the United Fund, the Boy Scouts and all good causes combined; yet he has no choice.

The total in this one fund amounts to approximately $600,000 a year, which goes to political contributions known to be well up in six figures to at least one candidate and very well up in five figures to others.

In addition, this one small union takes in approximately $2,500,000 annually, paid solely by the employers at the rate of $10 per man-day worked. Benefits seeping down to the individual members from this fund seems curiously limited and accountability does not exist.

For example, several years ago the steamfitters canceled the group policy bought for their members with one of the best and most reputable insurance companies in America and took out policies with a small and little known company in Gary, Ind.

Curiously, this is the same company which sold 116,250 shares of stock with a market value of about $5 per share to interested St. Louisans with good union contracts at $1 per share. If this deal doesn't stink to high heaven, none ever did. It is currently being investigated by Federal authorities.

There is no applicable law governing the disbursement either of the $600,000 political slush fund or the $2,500,000 health and welfare plans. This is a shocking loophole and should be corrected at the Federal level.

Meanwhile, the union is controlled by Lawrence Callanan, who was convicted of extortion and served six years in a Federal prison, by his standby and lackey, John Lawler, who was indicted for extortion, but strangely never came to trial, and by Lawrence Thompson, a former Teamster convicted of extortion who makes sure the boys "give" their $1 a day political contribution.

Some questionable practices maybe have their root in the fact that Callanan, Lawler and the like are able to make massive political contributions. Lawler recently contributed $31,000 in the Friends of LBJ and other Democratic committees. Callanan was able to compromise $40,219 in back taxes for $17,000 but still was able to give $2,000 to the Democratic National Committee. It probably was a coincidence, but not too long before that a presidential commutation was issued for Callanan who promptly resumed his role in union affairs.

With the power afforded them by the members' "voluntary gifts," the steamfitters can make quite some political hay. One of their members sits in the Missouri Senate and two are in the Missouri House of Representatives. There is talk that Lawler himself may, indeed, have the effrontery to run for a vacancy in the State Senate for which he was beaten three years ago.

Attorneys or proteges have been appointed as chairman of the St. Louis Board of Election Commissioners and as a judge of the Circuit Court.

The steamfitters are reaching for some of the highest offices in Missouri government and their influence for evil will expand unless checked in the public interest.

The entire matter cries aloud for ventilation and correction.

Specifically, the District Director of Internal Revenue should reopen the tax compromise of Callanan and investigate the amount paid on income taxes by Callanan, Lawler and associates.

The International Steamfitters Union should investigate the abuses which have brought—and are bringing—the entire steamfitter trade, an honorable one outside this area, into disrepute. The International Meatcutters Union straightened out a far less dangerous situation with their local, and the steamfitters can do no less.

We hope that Senator Williams of Delaware and Senator McClellan of Arkansas will investigate the entire mess in St. Louis and propose corrective Federal legislation.

The United States Attorney, Richard D. FitzGibbon, has announced that he will investigate the steamfitters before a Federal grand jury in Judge Roy Harper's court. We can think of no one less promising to conduct such an investigation.

FitzGibbon was a former law associate of Morris Shenker, who is in the steamfitter business up to his eyebrows. FitzGibbon was the steamfitters' choice as a candidate for Mayor until they found they could not beat Al Cervantes in the primary. FitzGibbon himself represents a nice balance between ineptitude and laziness, a combination hard to beat.

We urge the Justice Department, considering the many ramifications of the insurance deal, to send in a highly qualified special prosecutor to replace FitzGibbon and run the investigation.

The steamfitters' union is of personal concern to every businessman and every citizen in this area. It can only be reformed by the good offices of the Justice Department, the Federal Bureau of Investigation, the Internal Revenue Service, courageous Senators, and a courageous grand jury in Judge Harper's court, and by an aroused public opinion.

Mr. WILLIAMS of Delaware. Mr. President, in reply to the Senator from Michigan [Mr. Griffin], I want to point out that this amendment would stop the abuse which is now going on and, at the same time, would not jeopardize the rights of any union member or stockholder to make a contribution to the party of his choice.

Mr. CANNON. Mr. President, as I stated earlier, this is simply a case of deciding whether we want to permit union members or stockholders of corporations to participate voluntarily in the process of their Government by being able to make voluntary contributions.

If we want to deprive them of the right which the courts have said is unconstitutional to attempt, as the distinguished Senator from Kentucky [Mr. Cooper] has pointed out, then we should vote with the Senator from Delaware. If we want to preserve that right for them and give them the right to participate in the conduct of this great Government, then we should vote against the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I do not want to delay the Senate, but I cannot let go unchallenged the inference by the Senator from Nevada that the adoption of my amendment would in any way restrict the right of any American citizen, whether he be a member of a union, a corporate stockholder, or an official of a union or a corporation, from making a contribution to the party of his choice. There is absolutely nothing in the amendment which would prevent such free action.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 283) of the Senator from Delaware [Mr. Williams].

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. Bible], the Senator from Oklahoma [Mr. Harris], the Senator from Michigan [Mr. Hart], the Senator from Indiana [Mr. Hartke], the Senator from Montana [Mr. Mansfield], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pastore], the Senator from Missouri [Mr. Symington], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Mississippi [Mr. Eastland], the Senator from Hawaii [Mr. Inouye], the Senator from Washington [Mr. Jackson], the Senator from North Carolina [Mr. Jordan], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], and the Senator from New Jersey [Mr. Williams] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Oklahoma [Mr. Harris], the Senator from Michigan [Mr. Hart], the Senator from North Carolina [Mr. Jordan], the Senator from Rhode Island [Mr. Pastore], the Senator from West Virginia [Mr. Randolph], the Senator from Florida [Mr. Smathers], the Senator from Maryland [Mr. Tydings], the Senator from New Jersey [Mr. Williams], the Senator from Nevada [Mr. Bible], and the Senator from Washington [Mr. Magnuson] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. Baker], the Senator from Colorado [Mr. Dominick], the Senator from Oregon [Mr. Hatfield], the Senator from New York [Mr. Javits], the Senator from California [Mr. Murphy], the Senator from Illinois [Mr. Percy], and the Senator from North Dakota [Mr. Young] are necessarily absent.

The Senator from Nebraska [Mr. Curtis] and the Senator from Kentucky [Mr. Morton] are detained on official business.

If present and voting, the Senator from Tennessee [Mr. Baker] would vote "yea."

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the Senator from Colorado [Mr. Dominick]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Colorado would vote "nay."

On this vote, the Senator from New York [Mr. Javits] is paired with the Senator from California [Mr. Murphy]. If present and voting, the Senator from New York would vote "nay" and the Senator from California would vote "yea."

The result was announced—yeas 19, nays 46, as follows:

[No. 243 Leg.]

YEAS—19

Bennett
Boggs
Carlson
Case
Cotton
Dirksen
Fannin
Fong
Hansen
Hickenlooper
Hollings
Hruska
Jordan, Idaho
Miller
Mundt
Smith
Thurmond
Tower
Williams, Del.

NAYS—46

Aiken
Allott
Bartlett
Bayh
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Clark
Cooper
Ellender
Ervin
Fulbright
Gore
Griffin
Gruening
Hayden
Hill
Holland
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Nelson
Pearson
Prouty
Proxmire
Ribicoff
Scott
Sparkman
Spong
Stennis
Talmadge
Yarborough
Young, Ohio

NOT VOTING—35

Anderson
Baker
Bible
Church
Curtis
Dodd
Dominick
Eastland
Harris
Hart
Hartke
Hatfield
Inouye
Jackson
Javits
Jordan, N.C.
Lausche
Magnuson
Mansfield
Montoya
Morse
Morton
Moss
Murphy
Muskie
Pastore
Pell
Percy
Randolph
Russell
Smathers
Symington
Tydings
Williams, N.J.
Young, N. Dak.

So the amendment (No. 283) of Mr. Williams of Delaware was rejected.

Mr. CANNON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PROGRAM—UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, for the information of the Senate, there will be no more votes tonight. The Senate will continue its consideration of the pending business tomorrow when it meets at 10 o'clock.

I am informed by the senior Senator from Pennsylvania [Mr. Clark] that he has an amendment which he will offer in the morning, and that he is joining with the junior Senator from Pennsylvania [Mr. Scott] in the offering of a second amendment. I am also informed by the senior Senator from Pennsylvania that he would like to have not to exceed 1 hour on each of the two amendments.

Mr. CLARK. Mr. President, if the Senator will yield, half an hour to a side.

Mr. BYRD of West Virginia. Yes; half an hour to a side.

So, Mr. President, I ask unanimous consent that, in connection with the amendment which is to be offered by the Senator from Pennsylvania [Mr. Clark] and with the amendment which is to be offered by the senior Senator from Pennsylvania [Mr. Clark] and the junior Senator from Pennsylvania [Mr. Scott], there be a time limitation on each amendment of not to exceed 1 hour, the time to be equally divided between the mover of the amendment and the manager of the bill.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. DIRKSEN. My understanding is that, in deference to the senior Senator from Florida [Mr. Holland], we would have no actual vote before 12 o'clock noon.

Mr. BYRD of West Virginia. Yes. It is the intention of the leadership to delay any vote until 12 o'clock, but it is the thought of the leadership that we might proceed with a discussion of the amendments and possibly have the votes come at 12 o'clock or shortly thereafter.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. WILLIAMS of Delaware. Suppose there are amendments to the amendment.

Mr. BYRD of West Virginia. I thought my request included amendments to the amendment.

Mr. President, I ask unanimous consent that all time on each of the amendments to which I have just referred and the amendments thereto be limited to 1 hour, the time to be equally divided between the mover of the amendment and the chairman of the committee.

Mr. WILLIAMS of Delaware. Mr. President, is that 1 hour on the Clark amendment, or 1 hour on that amendment and 1 hour on amendments thereto?

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time on the Clark amendments and all amendments thereto be limited to 1 hour on each, the time to be equally divided between the mover of the amendment and the chairman of the committee.

Mr. WILLIAMS of Delaware. Mr. President, I object. I do not know that there will be any amendments to the amendments, but I would not want to be in the position, while committees are meeting, when there may be three or four amendments to the Clark amendment, of having no time to discuss those amendments. If the Senator wants to ask unanimous consent to have a limitation of 1 hour on the Clark amendments, to be equally divided, and 1 hour on any amendment thereto, to be equally divided, I would have no objection.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. CLARK. I think it is so highly unlikely that there will be amendments to either amendment that I would be perfectly content to go along with the suggestion of the Senator from Delaware. As a matter of fact, I would have to, anyway. May I say that my situation is such that my time is somewhat limited. I feel we will "get under the wire" with the suggestion of the Senator from Delaware.

Mr. BYRD of West Virginia. Mr. President, I withdraw my request.

Mr. CLARK. Mr. President, if the Senator will yield, may I make a request?

Mr. BYRD of West Virginia. Certainly.

Mr. CLARK. Mr. President, I ask unanimous consent that, on the two amendments by me, one of which is cosponsored by Senator SCOTT, the time be limited to 1 hour on each amendment, to be equally divided between the proponent of the amendment and the manager of the bill, with the understanding that on any amendments to either amendment a similar amount of time will be permitted.

The PRESIDING OFFICER. Is there objection? The Chair hears none——

Mr. BYRD of West Virginia. Mr. President, reserving the right to object, would the Senator from Delaware have any objection to limiting the time on amendments to amendments to 30 minutes, the time to be equally divided?

Mr. WILLIAMS of Delaware. Mr. President, I think the amount of time should be the same. I do not know that any amendments would be offered, but I think in the interest of good legislation, we ought to have the same amount of time. We do not know what the other side will be offering.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD of West Virginia. I do not object.

The PRESIDING OFFICER. The Chair hears none, and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Unanimous-Consent Agreement

Ordered, That during the further consideration of the bill (S. 1880) to revise the Federal election laws, and for other purposes, debate on amendments numbered 291 and 292 and any amendments thereto, be limited to 1 hour each, to be equally divided and controlled respectively by the movers of the amendments and the Senator from Nevada, Mr. Cannon.

RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 40 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, September 12, 1967, at 10 a'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 11, 1967:

Federal Trade Commission

Paul Rand Dixon, of Tennessee, to be a Federal Trade Commissioner for the term of 7 years from September 26, 1967—reappointment.

The following-named persons for appointment to the positions indicated:

Commissioner, District of Columbia

Walter E. Washington, of the District of Columbia, to be Commissioner of the District of Columbia for a term expiring February 1, 1969—new position.

Assistant to the Commissioner, District of Columbia

Thomas W. Fletcher, of the District of Columbia, to be Assistant to the Commissioner of the District of Columbia—new position.

In the Air Force

Thomas H. Nielsen, of California, to be an Assistant Secretary of the Air Force, vice Leonard Marks, Jr.

In the Army

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonel

Guiang, Marcelino C., O80814.

To be majors

Beebe, John M., O80209.
Donnelly, Eugene M., O70686.
Horne, Jasper C., Jr., O67018.
Joyce, Thomas F., O68365.
Pelham, Wendall L., OF108271.
Wallace, Robert G., O74882.

To be captains

Abernethy, Robert J., OF101251.
Abraham, Bruce R., O93548.
Absher, Donald E., O93106.
Acinapura, Joseph N., OF100231.
Adams, Elcie, O93108.
Adams, Glen T., O89659.
Adams, John R., III, O93109.
Adcock, Jerry W., O89661.
Albertson, Tom L., O97275.
Aldinger, Robert R., OF106045.
Alexander, Junius R., OF109053.
Alexander, Terry L., O93551.
Alfaro, Daniel V., O92282.
Allen, Alex L., O91737.
Allen, Kenneth D., OF102397.
Alley, James H., OF104184.
Alligood, Ray L., Jr., O98034.
Allison, William T., O89670.
Almquist, Tod F., OF100503.
Alpern, Stephen I., O92285.
Altmeyer, James E., O93552.
Altorfer, William G., O92286.
Alvarez-Garcia, Luiz, O89672.
Alvis, John M., O99624.
Anchor, Leonard J., O95205.
Anckaitis, William, O94909.
Anderson, Charles, O99040.
Anderson, David W., O94435.
Anderson, James Y., O89679.
Andrew, Edward L., O92290.
Anjier, Louis J., Jr., O92291.
Anselm, Donald C., O93554.
Apfel, Paul W., O91744.
Arata, Thomas C., OF102800.
Archambeau, Jason R., O92293.
Armstrong, Alan P., O93555.
Armstrong, Charles, O93556.
Arnold, Billy R., O92294.
Arnold, Wallace C., OF100234.
Arthur, James F., Jr., O93110.
Arthur, Warren A., O89689.
Atkins, George C., O96940.
Atkins, Thomas H., OF106487.
Atkinson, John H., O99605.
Authier, Edward E., O91748.
Avery, John, Jr., O94361.
Babbitt, Leroy A., Jr., O93558.
Bacon, Carlton E., O93559.
Baena, George, O98257.
Bains, William J., O92301.
Baird, Thomas H., O93560.
Baker, Donald D., OF105608.
Baker, James D., O93114.
Baker, James E. OF100849.
Bakkeby, William M., O93351.
Balda, Jerome F., O92306.
Baldwin, Byron S., O93561.
Baldwin, Joseph A., O94844.
Bangasser, Fredric D. H., O92307.
Bankson, Peter R., O92308.
Barber, John T., OF109507.
Barbour, Donald A., O93562.
Barnes, Bruce A., O92310.
Barney, Daniel G., O93564.
Barringer, Ronald W., OF108106.
Bartay, Tandy E., O94437.
Bartels, Steven E., O94438.
Bartlett, Charles M., O92313.
Battle, Brendan J., O93565.
Bavis, Robert J., III, O93353.
Beal, Patrick G., O93354.
Becker, Harvey A., O94846.
Beckett, Ronald L., O93567.
Becking, Ernest A., O93355.
Bee, Arlen E., OF104374.
Beebe, Merrell S., OF100409.
Behrenhausen, Richard A., Jr., O93568.
Beinhacker, Neal D., O91516.
Bellamy, Anthony R., O93117.
Bender, Joseph F., O91752.
Bender, Lynn A., O93570.
Bennett, Andrew F., O93571.
Bennett, Clyde R., Jr., OF102632.
Benson, Roger R., O96945.
Bent, Robert E., OF100559.
Benton, Hubert F., O97460.
Bentz, William A., O93357.
Benvenuto, James V., OF102406.
Bergeron, Andrew L., OF103798.
Bergman, John F., Jr., OF105616.
Berinato, John J., O93574.
Berkley, Clyde J., O92322.
Berman, Jay M., D92324.
Bernard, Robert K., O93575.
Bernardi, Roger L., O92325.
Berra, Louis C., Jr., O93576.
Bertocci, David I., OF108115.
Besemer, Ellsworth, O90324.
Bevans, Nathan E., O92327.
Beyer, Lawrence M., O92328.
Biemeck, John F., IV, O95578.
Biese, John J., Jr., OF105619.
Binkewicz, Joseph B., O 92332.
Binzer, Solomon V., O98334.
Biondi, Richard M., O91759.
Bird, Samuel R., O92334.
Bird, William W., O90621.
Bisantz, Anthony E., OF102410.
Bitgood, John J., O92335.
Blackburn, John T., O92224.
Blackwell, Joseph W., O92336.
Blair, John D., IV, O93120.
Blair, Robert H., O96736.
Blake, William B., O94276.
Blanda, Frank T., O93578.
Blesse, James S., O93579.
Blount, Howard P., Jr., O93124.
Boomer, George M., OF105329.
Boehman, Richard J., O92338.
Boeve, Lucas, III, O93580.
Boland, Jimmie D., OF100240
Bolton, Peter A., O95429.
Bon, Virgil D., O93125.
Bonville, George P., O92340.
Boone, George F., OF103801.
Borg, Charles T., O89844.
Born, William J. T. M., O93582.
Bortel, James L., Jr., OF102414.
Bosarge, Frederick C., O93126.
Bostdorf, John M., O93127.
Bourland, James T., OF104381.
Bowe, Matthew A., Jr., O92342.
Bowe, Robert M., OF100241.
Bowers, Billy J., OF103803.
Bowles, Norborn S., O92343.
Bowman, Forest J., O97467.
Box, Joe M., OF100964.
Boyce, Donald A., O98428.
Boyce, John P., O95435.
Boyd, Quinton P., O93128.
Boyd, William L., O96740.
Boyer, Albert J., OF100939.
Boylan, Peter J., Jr., O93583.
Bradford, William B., O93584.
Bragg, Stacy C., O93586.
Brandon, Eddie L., OF103094.
Brannon, John D., O92352.
Breen, John F., O92354.
Brennan, Lawrence, O92356.

Brennan, Richard P., O92357.
Breslin, Michael G., O93587.
Bridgman, Cain A., O94167.
Briggs, Duncan D., Jr., O94569.
Brinkley, Ulyus O., O90632.
Britton, Johnnie W., OF106517.
Britz, Ronald J., O92281.
Brock, Willi E., O89849.
Brooks, Delbert R., O96949.
Brooks, Ronald E., O92359.
Brost, Daryl F., O93133.
Brown, Edward A. III, O93588.
Brown, James P., O92361.
Brown, Jerry L., OF101909.
Brown, John L., O95639.
Brown, Joseph, Jr., OF105636.
Brown, Raymond A., OF108126.
Brown, Reginald J., O93590.
Brown, Robert A., O94168.
Brown, Roland P., O92363.
Brown, Willard G., O92365.
Browning, Robert W., O91172.
Broyles, Robert F., O92366.
Brummett, Henry U. B., O93134.
Bruner, Edward F., O93591.
Bryan, Joe S., O89775.
Bryan, Wallace A., O91776.
Buckles, Harvey I., O91778.
Buckner, Richard A., O93592.
Budge, Larry D., O93593.
Buntyn, William A., OF10987.
Burch, Charles G., OF102825.
Burch, Edgar F., III, O92371.
Burchell, Gail P., O93595.
Burdick, Raymond C., O89780.
Burgess, Douglas R., O92372.
Burgess, Peter D., O93596.
Burlas, Joseph E., Jr., OF109874.
Burns, Charles P., Jr., O93597.
Burns, Clifford H., OF100635.
Burns, Robert A., O93598.
Burton, Lance J., O95237.
Burwell, Rodney P., O94370.
Bury, Robert H., O91781.
Busdiecker, Roy F., O93599.
Bushdiecker, William A., OF100682.
Butler, David H., O94998.
Butler, Irvin S., Jr., O99171.
Butterworth, Larry, O93600.
Butts, Don E., OF100800.
Byrd, Johnnie P., O94171.
Byrne, Alan H., OF109525.
Byrnes, James P., O99560.
Cain, Robert S., Jr., O93601.
Cairns, Robert B., O93602.
Caldwell, Robert C., O89545.
Caldwell, Robert W., OF105640.
Calhoun, Richard W., O99619.
Callahan, Joseph C., O89796.
Callander, Robert D., O94172.
Callender, William E., O89797.
Campbell, Dale G., Jr., O93603.
Campbell, Jerry P., O97509.
Campbell, John G., O93137.
Campbell, John L., O93604.
Campbell, Larry D., O94372.
Campbell, Verne D., O93138.
Canady, Robert G., OF106074.
Canarina, Arnold R., O97568.
Candler, Harry W., Jr., OF105344.
Cansler, Joe C., OF106535.
Carabin, Dan L., OF101957.
Carboni, John N., O93139.
Cargile, James P., Jr., O93605.
Carlos, Thomas P., OF102427.
Carlson, Gunnar C., O93606.
Carlton, Terry M., O89801.
Carney, Roger F. X., O89802.
Carollo, Samuel A., O91179.
Carr, John M., O89803.
Carson, Robert A., O85498.
Carter, George W., OF104389.
Carter, Lewis L., OF109530.
Carter, Norman D., OF110200.
Carter, Randall O., O94447.
Carter, Robert A., OF110201.
Carver, William G., O97891.
Casani, Andrew B., O93610.
Cash, Justin C., Jr., OF104390.
Casto, James G., O93141.
Cavender, Jerry W., O91790.
Cavezza, Carmen J., O94373.
Ceccon, Claude R., O94177.
Cephas, Leonard M., O92388.
Chaffin, Harry J., O89812.
Chamberlin, Charles, Jr., O93374.
Champagne, Shelton J., Jr., O92390.
Chandler, Charles E., O93375.
Chandler, William S., O93613.
Chapman, Jimmy R., OF102028.
Chauvin, Charles E., O92391.
Chelberg, Robert D., O93615.
Chen, William S., O89929.
Chester, Michael Q., O94374.
Child, John, O90519.
Chin, James R., O91793.
Chisholm, Leonard H., O91568.
Chism, J. W., O93617.
Christensen, Don T., OF102029.
Christophersen, Frederick N., 089818.
Cisneros, Marc A., O92396.
Claassen, Walter E., O93618.
Clark, Daniel R., O91190.
Clark, Herman J., O97643.
Clark, Thomas S., O93143.
Clarke, Gordon M., 093620.
Clarke, Richard D., O93621.
Clawson, Lucien B., O97099.
Clemons, Damon L., O93286.
Clifton, Fred R., OF103340.
Clough, Stanley M., O93623.
Coates, Thomas E., OF109095.
Cochran, Alexander S., Jr., O92401.
Cody, Michael A., O99626.
Cohen, Robert E., OF105644.
Cole, Warner B., O96956.
Coleman, Gerald C., OF105651.
Collier, William P., OF109883.
Collins, Francis C., O89837.
Colwell, Edison T., O91797.
Colwell, Richard J., OF104401.
Compton, Martin A., O93625.
Conley, Willard C., O93627.
Conlin, Thomas J., OF109102.
Conner, Dan A., O93628.
Connolly, James C., O93629.
Conway, Peter, O94182.
Cook, Garry M., O93632.
Cook, Jay C., O93633.
Cooke, Joseph D., Jr., OF106083.
Cooksey, James K., O93148.
Cooley, Robert H., OF102836.
Cooper, Gary R., O93149.
Cooper, Nelson J., O99495.
Copeland, Richard L., O89700.
Copeland, William C., O92407.
Corcoran, James R., O93634.
Cornelson, John C., O93637.
Coseo, David P., O91703.
Coston, James G., O99614.
Coston, Morris L., O92408.
Cote, Donald L., O96959.
Coulter, Holland B., O93638.
Couvillion, Donald A., O93640.
Covington, Benjamin W., III, O93641.
Covington, Everett, OF100744.
Cowan, Bruce M., O93642.
Cowling, Bobby W., O92410.
Cox, William W., O89749.
Coyle, Fred W., O93152.
Coyne, Michael, O93644.
Craft, Morris H., OF102839.
Craig, Norton W., II, O89979.
Crawley, Joe B., O99302.
Creighton, William S., Jr., O89853.
Cressler, Walter L., O99808.
Crews, Ephraim W., Jr., O93645.
Crisler, Herbert T., OF103462.
Crittenden, John H., O99303.
Cronin, Daniel P., OF110218.
Crowder, George L., O92415.
Crowell, Norman T., O96960.
Crowson, William L., OF101807.
Crowther, James I., O93646.
Crumley, Dennis V., O92416.
Crumley, Michael H., O92417.
Crump, Harry F., O92418.
Cuccaro, Joseph, O89861.
Cuccaro, Joseph T., OF100253.
Cullum, Richard O., O93647.
Culp, Clovis R., O89863.
Cumings, Thayer, OF106560.
Cummings, Patrick W., O91570.
Cunningham, Norman N., O93648.
Curcio, Anthony J., O90009.
Cushman, James M., O89867.
Custer, Bert H., O93649.
Cuthbert, Thomas R., O93650.
Cuttell, Dee E., O93381.
Czuberki, Joseph A., O93651.
Daignault, David W., O92422.
Daily, Jerry R., O89869.
Dale, Harold L., Jr., OF105371.
Dalgleish, Grant B., O93653.
Daniel, James P., O89855.
Danielson, Jeris A., O90340.
Daniloff, Frederick D., O93654.
Danner, Malcolm A., O99304.
Danner, Robert F., O99811.
Dascanio, John L, O91803.
Dauber, Peter F., O99634.
Davidson, Paul R., O92425.
Davis, Charles L., Jr., O89875.
Davis, David W., O98519.
Davis, James R., O93385.
Davis, Norman J., O99635.
Davis, Thomas J., O92427.
De Biasio, Robert L., O92428.
De Prie, Michael C., O97299.
De Vries, Paul T., O93656.
De Witt, Howard S., O93657.
De Young, Clarence, OF102450.
Dearlove, James W., OF102448.
Degener, Wellington P., O89887.
Del Favero, Robert V., O91573.
Denney, Steve H., O93659.
Desantis, Edward, O91381.
Dewar, John D., O93661.
Dicaprio, Anthony, OF102345.
Dickinson, Curtis L., O94380.
Dickson, Robert C., O93663.
Dierking, Irwin S., O94381.
Dilkes, Fred A., O93158.
Dill, Paul H., O99818.
Dillard, Walter S., O93664.
Dluzyn, David A., O93665.
Doak, Peter, O92442.
Dobrzelecki, Eugene, OF101883.
Dobyns, James W., OF109114.
Doff, Lawrence D., OF108151.
Doherty, Alfred C., O93666.
Doherty, James W., O93668.
Dolan, Edward O93159.
Doleman, Edgar C., Jr., O92443.
Dombrowski, Philip G., O93669.
Domingo, Anselmo R., O92444.
Dooley, John P., OF104411.
Dorr, John M., O93670.
Dorrance, James M., OF106099.
Dow, Richard H., O92446.
Dow, William A., O92447.
Dowdle, Marion W., OF103242.
Downer, George R., OF100673.
Downey, Arthur J., Jr., O93671.
Downing, Harry E., O93673.
Doyle, William J., O89903.
Dreska, John P., O91464.
Driscoll, William J., O99825.
Drum, Ted E., 99243.
Dubov, Bruce J., O95011.
Duff, John A., O89909.
Dunaway, Fred C., OF102342.
Duncan, Garrett E., O94924.
Duncan, Jerry G., O89911.
Duncan, Wallace H., OF105662.
Dunham, John M., O96455.
Dunn, Carle E., O97396.
Dunning, David G., OF104023.
Dunning, Robert M., O93674.
Durel, Francis M., O92450.
Durham, Robert S., O92451.
Durian, Ronald S., O89915.
Dwinell, Richard E., O93394.
Dye, Joseph D., OF100262.
Dyer, Robert E., O89917.
Dyer, Travis N., O93675.
Dzinich, Kurt S., O97804.
Dzwonkiewicz, Richard J., O92453.
Earle, Richard H., O96368.
Eaton, David G., O93676.
Eaton, Hal S., O92454.
Ebaugh, Christian M., O94525.
Eby, Clifford J., O92456.
Edgar, William F., OF110233.
Edge, James G., OF108164.
Edwards, Richard C., OF106583.

Edward Robert T., O91814.
Egan, Francis C., O93677.
Eggleston, Michael A., O93678.
Eielson, John A., O93679.
Eiland, Michael D., O93680.
Eisele, Frederick W., OF101056.
Ekman, Michael E., O93681.
Elderd, Raymond K., O95312.
Elfman, Charles B., O91817.
Ellegood, Michael S., O99312.
Elliott, John D., OF100264.
Elliott, Thomas H., O99835.
Enfield, Samuel W., O93682.
Erbacher, Richard P., OF102864.
Erhardt, Franklyn A., O93683.
Estep, Bobby G., O89934.
Evans, Alexander R., O93686.
Evans, Donald L., O96801.
Evans, Floyd L., O92460.
Eveland, Edward L., O95316.
Eveleth, Robert G., O93687.
Evetts, James K., Jr., O93688.
Faison, James C., O92462.
Faist, David O., O89935.
Fanning, Richard H., O93690.
Farmer, Robert E., OF100266.
Fasching, George H., O90286.
Faubel, Gordon J., O99839.
Featherston, Jimmy J., O92468.
Fenlon, James A., O91821.
Fenn, Harlan L., Jr., O89941.
Ferguson, Jack W., O94527.
Ferguson, Paul S., O92471.
Fernandez, Robert V., O89943.
Ferring, Theodore J., O95318.
Fetterolf, Robert J., OF102460.
Feuerbacher, Charles, OF106594.
Fincher, Jerry W., OF108166.
Fishburne, Francis J., Jr., O93692.
Fisher, John W., O89947.
Fitch, Kenneth L., O92473.
Flack, Gary L., O93693.
Flanagan, Joseph J., O97117.
Flanigan. Desmond W., O92476.
Flatley, Thomas M., O97551.
Fletcher, Tyrone P., O92477.
Foley, La Velle, M., O93170.
Fonken, Stanley L., O92479.
Ford, James L., OF109127.
Ford, William R., O93694.
Fordham, James E., Jr., OF105672.
Foreman, Le Roy F., O97524.
Forrest, George G., O97060.
Forster, Paul A., OF105673.
Fossum, Raymond O., OF109917.
Foster, Edward S., Jr., O92480.
Foster, Harry G., III, O92481.
Fox, James H., O93171.
Fox, Louis W., O91587.
Frank, John J., O91827.
Frankenberger, Charles E., Jr., O89965.
Frazier, Dean S., O93696.
Freese, Jon A., OF105396.
Freitag, William W., O89969.
French, Larry T., O93410.
Friant, Fritz, O99648.
Fringer, John W., Jr., OF106604.
Fritz, Martell D., O93698.
Frix, Robert S., O93699.
Frost, Dean R., O92655.
Frusciante, William J., Jr., O92484.
Funderburk, Ronald N., O92329.
Gabriel, Henmar R., O93700.
Gaddy, William D., OF102879.
Gallagher, Donald M., O92005.
Gallegos, Luis E., OF105473.
Gallo, Anthony J., Jr., O96969.
Gallucci, John V., O92490.
Gamble, William R., OF102334.
Ganderson, Martin L., O93702.
Gannett, Robert W., O91239.
Gantt, John R., OF105401.
Garcia, Manuel, O91836.
Garcia, Miguel A., O91241.
Garcia-Correa, Jose, O91240.
Gardner, Charles E., O93704.
Gardner, William C., O92491.
Garens, Ralph W., Jr., O93705.
Garretson, Ralph B., O93706.
Garrett, Billy R., OF102188.
Gatlin, Jerry D., O97306.
Geiger, Kenneth H., O93707.
Geoffrion, David L., OF106613.
Gervasini, Richard, OF104140.
Gibbs, Homer J., O91590.
Gibson, Francis L., O93708.
Giddens, James L., OF102471.
Gilbert, Nicholas C., O93709.
Gillespie, Frank W., O93711.
Gilmour, Adam S., OF108177.
Giorgianni, Barbaro F., O99321.
Girard, Ronald E., OF102883.
Girouard, Richard J., O97307.
Glabus, Edmund J., O92500.
Glass, Robert R., II, O93713.
Gleichenhaus, David P., O93714.
Godin, Roger A., O92502.
Goff, Gordon D., O92503.
Goldberg, Edward B., OF106620.
Goldstine, James A., O93175.
Goldtrap, John W., O93716.
Gole, Henry G., O903040.
Golvach, Duane J., O92504.
Gomez, Augustine, OF105425.
Gonzalez, Carlos M., O93175.
Goodell, Eugene K., O93717.
Goodin, Marion J., Jr., OF103833.
Gooding, Warren M., O93177.
Goodloe, Gail E., Jr., O91591.
Goodman, Michael L., O91843.
Goodwin, Lake G., O93178.
Gordon, Thomas R., O93718.
Gorrell, Stanley L., OF102473.
Gors, Kenwood J., O92507.
Goss, Joseph B., Jr., O92508.
Graham, Barry F., O92509.
Graham, Leonard T., O89976.
Graham, Robert G., OF110262.
Grannemann, Rodney F., O93719.
Granrud, Jerome H., O99322.
Grant, Lawrence M., O95648.
Graves, Howard D., O93721.
Gray, Peter A., O92510.
Grazulis, Louis A., O92512.
Green, Charles S., Jr., O93722.
Green, Grant S., Jr., O90002.
Green, Larry K., O99323.
Green. Thomas G., O89493.
Green, William V., OF102476.
Greenberg, Harold, O93180.
Greene, Channing M., O93723.
Greene, William E., OF106630.
Greenwood, Ronald L., O92513.
Greer, Donald R., O93181.
Gregory, Joel E., O92514.
Greif, William J., O90006.
Grenier, Paul W., OF102478.
Grier, Edward G., Jr., O92060.
Griffin, Eldred E., OF109141.
Griffith, Ronald H., O94755.
Griffiths, William R., O93724.
Grindell, Chelsey V., O99854.
Gripkey, Edward M., O91853.
Groesbeck, Wesley A., O93182.
Gronich, Bruce J., O93726.
Gross, Joseph C., III, OF106635.
Guffey, William R., O90014.
Guller, Douglas C., O90016.
Guindon, Richard G., O90017.
Guthrie, John D., O93728.
Haas, Charles N., O93729.
Haddock, Argie E., OF102482.
Haise, James R, O93731.
Halbleib, Duane W., O92516.
Halbman, Robert A., OF109146.
Hale, Donald E., OF102484.
Hale, William M., O93732.
Hall, Bruce W., O93184.
Hall, Edward Y., O91856.
Hall, Henry W., OF102485.
Hallum, Joe K., OF102196.
Halpin, Daniel W., O93734.
Halstead, Bruce B., O93735.
Hamby, Larry B., O93433.
Hamilton, Robert B., O93736.
Hannon, Harold M., O93738.
Hansell, Charles R., O93739.
Hansen, Carl T., O93740.
Hansen, David G., O99857.
Hanson, Morris F., Jr., O93741.
Harden, Monroe B., O93742.
Hardiman, Robert R., O93743.
Harman, Richard A., O92522.
Harmon, Charles E., O94393.
Harmon, James J., O93744.
Harmon, William E., O90031.
Harper, Donald W., O94198.
Harrell, Charles J., O93425.
Harrell, Ernest J., OF100765.
Harrington, Marshall E., O93746.
Harrington, Peter F., OF109151.
Harris, Benjamin T., O91860.
Harris, Benny R. S., O89687.
Harris, David J., O91861.
Harris, Jack L., OF105692.
Harris, Robert N., O93190.
Harris, Robert F., O93747.
Harrison, Joseph J., O97127.
Hartley, Benjamin W., O96647.
Harvey, Jan V., O93749.
Harvey, William R., OF104443.
Hastings, David A., O93750.
Hatch, Robert W., O92526.
Hathaway, Frank A., OF101820.
Hathaway, William E., O93751.
Haupt, Jerome L., OF109939.
Hayes, James S., O93192.
Hayes, John H., O96978.
Haygood, James L., O93193.
Hazelwood, Robert R., OF102491.
Head, William J., OF109943.
Heard, Wayne L., O99862.
Heath, Roderick C., OF106132.
Heathman, Jimmie J., O99863.
Hebert, John M., O91865.
Hedges, John W., OF100279.
Heffner, Albert R., OF102904.
Heiberg, William L., O93752.
Heiden, Elden W., OF102905.
Heiman, Charles N., O93753.
Heimdahl, Peter D., O93754.
Henderson, Paul R., O93196.
Henderson Thyrone L., O94199.
Hendrick, Thomas G., O89706.
Henk, Harold A., O92539.
Henry, George E. Jr., O90058.
Henry, Larry F., O94465.
Herndon, Doyle L., O92541.
Heron, Bruce G., O93756.
Herrick, Robert M., O93757.
Herzog, Joseph E., O93197.
Herzog, Lawrence A., O92543.
Hesford, John P., O90856.
Hester, David P., O99330.
Hewett, James D., OF101170.
Hibbs, William N., O92544.
Hickey, John F., O90275.
Hickey, William J., O93430.
Higginbotham, Heston W., III, O93760.
Higginbotham, Jerry, O99867.
Higginbotham, Reginald P., O93198.
Higgins, John M., OF101278.
Hightower, Thomas K.. O89905.
Hilby, Leslie E., OF100992.
Hill, George R., O94395.
Hill, Wilmer D., O92067.
Hiller, Herbert L., 092546.
Hillier, Pringle P., O93761.
Himmelsbach, Robert B., O92547.
Hinton, Richard J., O93431.
Hitti, John L., O99872.
Hittner, Anthony L., O91271.
Hodell, Charles B., O93764.
Hodge, James D., O92550.
Hodges, Harold H., O93766.
Hodgson, George G., O92551.
Hofmann, Ronald A., OF102915.
Holder, Alex M., Jr., O94202.
Holley, John C., O93201.
Hollingsworth, Malcolm L., OF102917.
Hollis, Neil B., OF101824.
Holloway, Rex L., OF103849.
Holly, Frank D., Jr., OF101184.
Holmberg, Bruce P., O93767.
Holter, John H., O92555.
Holton, Quinton, II, O93768.
Hone, Gerald J., O99876.
Hooks, Harold V., O99662.
Hooper, Donald M., O98017.
Hope, Terrill C., O94204.
Hopkins, Norman P., OF106142.
Horan, Earl C., Jr., O93770.
Horsman, George L., OF103851.
Horton, John B., OF100287.
Horvath, John M., O92258.
Horvath, Richard L., OF109950.

Hougen, William E., OF104453.
Howard, Ronald G., O92561.
Hoy, Pat C., II, O93771.
Hruby, Kenneth L., O93773.
Hudson, Donald L., OF102201.
Hudson, Richard L., O96985.
Huff, Harold L., Jr., OF100430.
Hughes, Billy M., O92565.
Hughes, Patrick R., O92663.
Hughes, Talbert W., O93774.
Humphrey, David B., O92568.
Hunt, John W., O93516.
Hunt, Richard, O99664.
Hunter, Starling D., O98031.
Hutcheson, John D., O91280.
Hutsell, Howard H., O93203.
Hyde, Gary R., O93775.
Hyde, Thomas A., III, O97924.
Ingram, Donald C., OF101263.
Ingram, Kenneth A., O91611.
Innis, Joseph F., OF108209.
Isom, William G., OF106662.
Jacko, Victor W., O94472.
Jackson, Michael G., O92572.
Jackson, Richard K., O93777.
Jackson, Robert R., O96990.
Jacobson, Joseph D., O91881.
James, Henry L., O93206.
James, Kenneth G., OF102928.
Janoska, Robert L., O93778.
Jansen, Edward M., O91283.
Janusz, Edward R., OF102507.
Jarman, Edward E., O92424.
Jarock, Norman E., O99885.
Jarrett, Bryon S., OF109175.
Java, John J., Jr., O93779.
Jeffers, Walter, O92577.
Jenrette, Albert W., OF102204.
Jess, Larry L., OF110288.
Jeszenszky, John F., O91225.
Jeter, James W., Jr., OF100294.
Jewell, James O., OF102508.
Jinks, James H., Jr., OF108213.
Jobe, Kenneth D., OF96687.
Johansson, Stephen E., O92582.
Johnson, Ben A., O97925.
Johnson, Bruce G., OF102205.
Johnson, Carl H., Jr., O92583.
Johnson, Douglas W., O91886.
Johnson, Emmett F., O93209.
Johnson, James G., O90126.
Johnson, John O., OF100224.
Johnson, Lidge O. J., O97927.
Johnson, Milo P., O94206.
Johnson, Preston, OF100652.
Johnson, Ronald A., O92584.
Johnson, Thomas M., O90129.
Johnson, Thomas W., O91289.
Johnston Frederick E., III, O91890.
Johnston, Joseph W., O89688.
Johnston, William D., O96689.
Jolley, John R., O92587.
Jones, Albert F., Jr., O95049.
Jones, Charles F., O89777.
Jones, Colonel B., OF109961.
Jones, Otis D., O93211.
Jones, Robert E., O90134.
Jones, Robert S., Jr., O97142.
Jones, Royal L., OF103432.
Jones, Theodore S., O97711.
Jones, Thomas A., O92590.
Jones, Thomas C., O92591.
Jones, Thomas H., O92592.
Joosse, Stanley B., O97315.
Jordan, James G., OF106674.
Joulwan, George A., O93781.
Junio, Francis M., O93213.
Kaiser, Robert A., O91615.
Kammerdiener, John L., O93782.
Kampfer, John B., O93783.
Karjala, Lawrence, OF108215.
Karsteter, Robert B., O96367.
Kasa, Stephen J., O91616.
Katholi, William D., OF101070.
Kauffman, Robert R., OF105169.
Kee, Robert J., O93784.
Keech, William H., O92597.
Keene, Jack R., O91295.
Keene, Kurt L., O90144.
Kelleher, Edward P., OF108217.
Kellim, Ronald R., O92599.
Kelly, Benjamin E., O94401.
Kelly, Patrick J., OF105399.
Kelly, William F., O95345.
Kelly, William P., OF102514.
Kemp, Robert F., O90141.
Kemper, Clarence B., OF106681.
Kennedy, Robert P., OF103308.
Kenny, Henry J., O93786.
Kerscher, Thomas E., O92601.
Kershaw, Theodore G., O92689.
Keszler, Lawrence W., O90157.
Kewley, Robert H., O93787.
Kieffer, Pierre V., O93788.
Kilburn, Darrell D., O93215.
Kilfoil, John J., O90151.
Killebrew, Ben E., O91898.
Kincaid, Richard D., OF101830.
King, Samuel D., O93218.
King, Thomas R., O97157.
Kinkade, David R., O95753.
Kintigh, Jerry I., OF105451.
Kirkpatrick, William T., O93790.
Kirwin, Patrick J., O92605.
Kleese, Lee F., O91621.
Kleinstiver, Lloyd W., O91298.
Knight, Kenneth E., OF106690.
Kniskern, Bruce E., O90160.
Knox, Dean W., O92609.
Koehler, Leo, Jr., O82610.
Kopcsak, George C., O95348.
Koppeis, Carl J., OF104469.
Korhonen, John E., O92612.
Kostoff, John T., OF109584.
Kot, Mitchell R., O92614.
Koury, Edward N., O92082.
Kozlowski, Edward P., OF101834.
Kravitz, Lawrence R., O99672.
Kremer, Alvin W., Jr., O93793.
Krol, Stanley, Jr., O95349.
Kroll, Gerald, O90172.
Kuntz, Edgar L., O99340.
Kunz, Farrell J., OF100303.
LaBorne, Eugene F., O93794.
LaRosa, Peter, O93227.
Lacey, William G., O91308.
Lacy, William A., OF102519.
Lagasse, Peter F., OF102520.
Laidlaw, Stephen R., O99675.
Laing, Wesley N., Jr., OF102521.
Laird, Kenneth W., O90250.
Lally, Patrick G., OF102948.
Lambert, Jerry V., O99272.
Lammers, Bruce T., O93795.
Lampshire, Bradford G., O92627.
Lancaster, Dudley C., O93796.
Landry, Donald E., O93797.
Landry, Lester J., Jr., OF104566.
Lane, John J., O92629.
Lang, William A., OF101936.
Langston, Edward H., O93226.
Large, George R., OF109979.
Larkins, Aaron J., O92633.
Larson, Ian W., O94701.
Lasater, Gerald D., O90187.
Lasch, John A., III, OF105731.
Laske, Lawrence J., O93455.
Laursen, Otto D., O97148.
Lavigne, Norman A., O91440.
Lawrence, John W., Jr., O93798.
Lawson, Charles E., OF104474.
Leatherwood, Thomas, O92085.
Lecklitner, Alan D., OF109981.
Ledbetter, William, O92639.
Lee, Philip L., OF101899.
Lee, Robert C., OF100307.
Leedy, Eugene B., O91312.
Legge, Barnwell I., O93800.
Lehman, Bob E., OF102524.
Leidenheimer, John, O92642.
Leinbach, Conwell B., O93801.
Leland, Edwin S., Jr., O93802.
Lenfest, William F., O92643.
Lenhart, George D., O93803.
Leonard, James E., O91442.
Leonard, James H., O92644.
Letendre, Robert W., OF102527.
Leverette, Thomas E., O94103.
Lewis, Charles L., O93053.
Lewis, Donald H., O93804.
Liewert, Karl H., O97936.
Ligon, Walter B., Jr., O93806.
Lilienthal, Henry E., O93807.
Lim, George K., OF102958.
Lind, Alan D., O90338.
Linden, Laurence E., O97320.
Lindroth, George A., O97003.
Lingo, Johnny P., O92650.
Lionetti, Donald M., O93808.
Lipson, Elliot S., O91445.
Littlefield, William, OF102533.
Livingston, James L., O93809.
Lockey, Donald V., O93810.
Lohr, Richard A., O90207.
Lombardo, Michael J., O93811.
Longhofer, James E., OF105741.
Looram, James F. X., O93812.
Lopez-Sanchez, Andres, O91318.
Lord, Gary R., O93813.
Lord, Gerald, O94213.
Lovelace, Guy M., O94214.
Lubke, Alan H., O93814.
Luff, Gary M., O94404.
Lunday, Donald E., OF102874.
Lundberg, William F., O105743.
Lynch, James F., O93816.
Lynch, Michael J., O91632.
Lynn, Clyde D., O92662.
MacArthur, Graham, O97153.
MacCracken, James C., III, O90225.
MacKinnon, William N., O92475.
Mace, David H., O93818.
Mack, John H., O93819.
Mackin, John P., Jr., O91320.
Madden, Jim L., O93820.
Maddox, David M., O90228.
Maertens, Darrell B., O91917.
Magee, David W., OF102299.
Maggio, Stephen, O92667.
Magness, Charles F. O99346.
Magness, Thomas H., O93821.
Magnus, William L., O92668.
Mahr, Bruce C., O97008.
Mahr, Walter C., O97438.
Maio, Joseph R., O93822.
Mallette, Alfred J., O90414.
Mallory, Glynn C., Jr., O93823.
Mallory, Philip H., O93824.
Malone, William K., O94406.
Maloney, Michael J., O93825.
Maloy, Francis B., Jr., O93235.
Mann, Marion E., Jr., OF108238.
Manners, William E., O98497.
Manning, James R., OF102967.
Mannion, Donald H., O92675.
Manolakis, John J., O97155.
Marcinkowski, Franc, OF102227.
Martin, Jack M., O93828.
Martin, Larry J., O94216.
Martin, Lowell L., O93829.
Martin, Robert F., O99913.
Martins, Joaquim D., OF101862.
Mathison, James S., O93830.
Matthews, John H., O93238.
Mavroudis, Antonio M., O90247.
Mayhue, Don W., Jr., OF106178.
Maylie, John C., Jr., OF102756.
McBee, Donald L., O93834.
McCamley, Michael E., O93239.
McCamy, John R., OF102221.
McCann, Richard W., O92679.
McCarthy, William J., O97448.
McCartin, John M., J., OF102106.
McCarty, Wendell E., OF105755.
McClendon, Miles R., O94217.
McCollister, Kenneth W., O93837.
McCord, Chancey K., O90456.
McCormick, John R., O93838.
McCreary, Howard E., O93839.
McCullough, Sharpe, OF101843.
McDaniel, Edward H., OF105758.
McDaniel, Joseph H., OF102970.
McDaris, Lawrence F., Jr., O92686.
McDevitt, James J., O92687.
McDuffy, Clifford, O92690.
McFarland, John A., O93464.
McGee, William J., O97466.
McGinnis, James P., O93841.
McGraw, Jimmy J., OF109999.
McInnis, Irby N., Jr., O91330.
McKee, Anthony J., O92694.
McKinney, Paul D., OF105480.
McLaughlin, Charles, III, O94410.
McLaughlin, John F., O93842.
McLeod, James M., Jr., O93241.

McMath, Laney M., Jr., OF102976.
McMurray, Donald B., O92698.
McNear, Richard E., O93843.
McNeil, William D., O90473.
McNulty, Stewart J., O92701.
Meador, Jay B., O90284.
Meany, George E., O91644.
Meehan, William J., OF106727.
Meek, John E., O94412.
Meissner, Kenith E., O93844.
Melton, Otis H., Jr., O94223.
Mercer, Thomas K., 093845.
Meredith, Bruce A., O92706.
Metz, Leon B., Jr., O90295.
Metzger, Warren L., O93244.
Meyer, Edward C., O92711.
Meyer, Robert C., O92712.
Meyer, William T., OF109233.
Michie, Richard L., O96913.
Micol, Victor E., Jr., OF103510.
Middlebrook, Paul R., O97163.
Middlesteadt, Roger W., O93846.
Miks, Richard, O93247.
Milford, Thomas L., O93248.
Milhorn, Charles L., O92713.
Miller, Arlen C. T., O93847.
Miller, Charles A., O92714.
Miller. David L., Jr., O93848.
Miller, Donn G., O93849.
Miller, Drattie A., Jr., OF106730.
Miller, Garrett S., O93249.
Miller, Hugh H., O93850.
Miller, John D., O92715.
Miller, Kent F., O93250.
Miller, Lewis J., O91939.
Miller, Richard S., OF105764.
Miller, Richard W., O92716.
Miller, Robin K., O97164.
Millet, James S., O98482.
Millett, Warren G., O91460.
Minick, John M., O90307.
Minnehan, Thomas J., O93851.
Minor, Richard E., OF104496.
Mitchell, Donald G., O94621.
Mitchell, Edwin A., O91461.
Mitchell, James R., O93476.
Mitchell, William R., O92722.
Moffett, Joseph U., O92724.
Mohr, Donnell S., OF106736.
Moltz, John M., Jr., O91941.
Momorella, Joseph J., O92727.
Montefusco, John A., O92730.
Montgomery, John J., O99356.
Moody, Robert D., O97951.
Moore, Billy F., O92731.
Moore, David G., O91943.
Moore, Donald E., OF109241.
Moore, Donald M., OF106739.
Moore, Edward M., Jr., OF102000.
Moore, Jack D., O92732.
Moore, Michael E., O91944.
Moore, Virgil C., O92733.
Moose, Robert G., O99930.
Morano, Michael, OF100190.
Morgan, Jon R., O90314.
Morin, Michael J., O99357.
Morrison, Robert C., OF104501.
Moss, Donald W., O91947.
Moss, George D., Jr., O91948.
Mowery, Robert W., O92741.
Mowrey, Fred H., Jr., OF109249.
Muck, Jack L., O91951.
Muiznieks, Nikolaje R., O93854.
Mullally, John S., O92746.
Mullens, Frederick T., O92744.
Mullett, John A., O97337.
Mulvanity, Thomas W., O96707.
Murphy, Patrick J., O93855.
Murphy, Richard E., OF108255.
Murphy, Robert C., O91468.
Murray, Hershell B., OF102320.
Murray, Marvin R., Jr., O91469.
Murray, Matthew P., OF102991.
Murtha, Daniel F., OF102121.
Muschek, Robert W., OF101850.
Musselman, James A., O93259.
Myerchin, Thomas S., O94025.
Myers, Nathan J., O90541.
Myers, Robert H., Jr., O93260.
Mylks, Herbert W., O96681.
Nartsissov, George, O97818.
Nash, Norman W., O92750.
Naughton, Richard L., O92751.
Naumann, Terrel K., O99697.
Neal, Donald M., OE106751.
Neale, Larry W., O97173.
Neary, John F., Jr., OF102575.
Needham, Walter D., O92498.
Neely, Richard C., O91955.
Neiger, John J., III, O93857.
Neill, James K., OF102576.
Neitzke, Robert A., OF108258.
Nelson, Anthony C., O92752.
Nelson, Landy T., O91655.
Nelson, Raymond J., O92753.
Nettles, John S., Jr., OF102994.
Nevins, John R., O93859.
Newsome, Joseph D., O92754.
Nichols, Bruce P., O93860.
Nichols, John J., O93861.
Nichols, Willard L., OF108259.
Nicholson, Robert J., O93862.
Nicholson, Thomas L., OF102705.
Nieberding, Michael W., O92757.
Nitkowski, Jon F., O93863.
Nitzsche, Ronald E., OF106757.
Nolan, William E., OF100494.
Norman, William L., O95369.
Norris, Robert R., OF102721.
Northquest, William J., O91959.
Norton, Dale F., O90347.
Norwood, Thomas E., O99363.
Noteboom, Donald A, O91960.
Novak, Ladislav J., O92760.
Nowlin, John B., O92761.
Noyes, Garrett R., OF102725.
Nutt, Samuel C., O93864.
Oaks, James F., III, O93866.
Obermeier, Roger W., O93867.
O'Brennan, Gerald, O99366.
O'Brien, Richard T., O92765.
O'Bryan, James D., O99367.
O'Connor, Paul M., O92766.
Offer, Robert D., Jr., O92768.
Offringa, Peter J., O93868.
Ogden, Royden K., Jr., OF106198.
O'Hara, William D., Jr., O90353.
O'Keefe, Robert W., O93263.
Old, Lenard A., Jr., OF104230.
Olejniczak, Julian M., O93870.
Olive, Sergei V., O93871.
Oliver, John B., O93872.
Oliver, Ralph H., Jr., OF108262.
Oliver, Robert L., O93873.
Ollie, Louis W., O92771.
Olsen, Kenneth J., O90559.
Oncale. Taylor A., OF102581.
O'Neal, William F., O91964.
O'Neill, Michael E., O93865.
Orlov, William S., O97549.
Orr, Dundas S., Jr., O93264.
Orsa, George, O99371.
Orton, Robert D., O92776.
Orzechowski, Richard L., OF110392.
Osburn, Gerald G., O93485.
Osteen, James N., OF102998.
Overstreet, Joseph S., Jr., O92777.
Owen, Dean M., O92109.
Owens, John V., O99701.
Paaso, Thomas H., O91969.
Pachosa, Matthew H., O90361.
Painting, Joseph P., O92781.
Palletti, Lawrence H., O90364.
Palmer, Paul C., Jr., O93875.
Palmer, Richard H., O99373.
Palmer, Walter L., Jr., OF109258.
Paneque, Anthony L., O95374.
Paolino, Michael A., O90366.
Paone, Joseph F., O93876.
Paris, John M., III, O99703.
Parke, Robert F., O92784.
Parks, Edward S., Jr., O92785.
Parks, William I., Jr., O93878.
Parsons, Wayland D., O92786.
Partin, Tommy M., OF108266.
Patch, Robert W., O94631.
Pate, Reuben M., OF108268.
Pattie, Thomas N., O93881.
Paul, Gerald D., O99139.
Paxson, Neil B., OF102240.
Payette, Ronald C., O93267.
Pearcy, Charles G., O91666.
Pedersen, Richard E., O91972.
Pegueros, Albert C., OF106204.
Pell, Richard F., O97245.
Pena, Alfonso V., OF102589.
Penrod, James L., Jr., O91667.
Pentz, William H., Jr., O94229.
Perham, Whitman C., O90380.
Perino, George H., Jr., O94232.
Perkins, Joseph L., O97020.
Perkins, Stuart L., OF102834.
Peters, Glenn M., Jr., O93884.
Peterson, Frank W., O91974.
Peterson, Frederick, OF103006.
Petter, David T., O91975.
Phelps, Russell M., O93886.
Philippovic, Gordon, O92798.
Phillips, John C., Jr., O92800.
Phipps, Oren P., O92801.
Pilanski, Paul L., O90385.
Pinkerton, Billy B., O94234.
Pinson, John M., O92804.
Piotrowski, Karl P., O92805.
Piotrowski, Leonard, OF105796.
Pipia, John F., OF106271.
Pirkle, Jerry D., O91978.
Pitts, Riley L., O96787.
Plate, Darold E., OF105504.
Ploger, Wayne D., O93887.
Poe, Phillip W., O94235.
Poelker, Richard J., O91980.
Pojmann, David M., O92808.
Polich, Victor J., Jr., O97021.
Poole, Joseph L., O98079.
Pope, Cecil D., O99955.
Pope, William A., OF106775.
Popovich, Marko L., O93888.
Porterfield, Edward G., O90388.
Potter, Howard M., O93889.
Powell, Beverley E., O93891.
Powell, William E., O92814.
Powers, Gary R., O97959.
Powers, Sidney H., O90392.
Prather, Lawrence H., O93892.
Pratt, Clayton A., O93272.
Pratt, Joseph, O91147.
Prentice, Leland E., O92815.
Pressley, Ronnie J., O86663.
Price, David S., O93893.
Protzman, Robert R., O93894.
Provasi, Donald R., O91486.
Pryor, Robert W., O99960.
Pugh, Howard G., O90395.
Purdy, John D., O96789.
Pursch, William C., O91984.
Pynes, Russell G., Jr., OF105420.
Quandt, Ronald L., O92817.
Quinn, Kenneth L., O93897.
Quinn, Larry G., O97348.
Quinn, Richard L., OF102602.
Quinn, Robert L., OF105224.
Quintarelli, Nichol, OF103012.
Racine, Armand E., O92819.
Raffiani, Joseph, Jr., O92820.
Randall, Howard W., O93899.
Randall, Michael A., OF103894.
Randall, Noel C., O93491.
Rasch, Robert A., OF110032.
Rauch, Frank C., O93901.
Rautter, Ernest H., O90409.
Ray, Luther B., III, O99715.
Ray, Roy G., OF109273.
Raymond, Conley T., O92822.
Raynis, James B., O93902.
Redding, Thomas S., O97189.
Reed, Jean D., O91494.
Reed, Lee S., OF100675.
Regan, Carl J., O94126.
Regelski, Joseph R., OF108281.
Reichner, Lawrence, OF102253.
Reilly, James, OF106788.
Reinhard, Ramsford, OF103716.
Rekowski, James A., O91497.
Renfro, Ronnie J., O92826.
Renn, John W., O93280.
Rennagel, Harry G., O93904.
Reno, William H., O93905.
Reppard, Richard A., O94546.
Reynolds, Regis J., O93906.
Reynolds, William E., O97962.
Rhodes, Hugh H., OF105523.
Richards, David J., O91500.
Richards, John F., O92828.
Richards, Lawrence, O93908.

Richfield, Robert F., O92830.
Richter, William D., OF109631.
Richetson, David M., O93282.
Rickman, Jack R., O92831.
Riddick, Larry G., O92832.
Ridge, John H., O93283.
Riekenberg, Warren B., O97190.
Rieske, Terence E., O93284.
Riggs, Ronald K., OF105525.
Righter, Christopher, OF110041.
Riley, James A., O92834.
Riley, Paul K., O90427.
Riley, William H., Jr., OF103018.
Riley, Wilmot T., III, O99974.
Ringmacher, Nelson E., Jr., O92836.
Ritchie, David M., O93910.
Rittgers, Courtney M., O93911.
Rittman, Charles J., OF103719.
Rivard, David L., O95383.
Rives, Jack D., O92837.
Rizer, Gene C., O98353.
Roberts, Howard H., O93912.
Roberts, James J., O93913.
Roberts, Kenneth J., O92838.
Robertson, Gerald E., OF110046.
Robertson, Walter G., O93914.
Robinson, John D., O92840.
Robinson, Ronald M., O91992.
Roche, Terrence L., O91993.
Rodgers, Archie D., O93287.
Rodriguez, Robert, OF102612.
Rogers, Rufus B., O93288.
Roll, George E., O99388.
Rollins, George N., O92842.
Rondiak, Roman, OF102613.
Roney, Kenneth D., O99980.
Rooney, Dennis M., O93915.
Rose, Richard G., O90434.
Rose, Thomas L., O90435.
Rosenkranz, Robert B., O93916.
Ross, Kenneth L., O90438.
Ross, Richard H., O97028.
Roth, Howard W., Jr., O91503.
Rouse, Richard F., O91677.
Rousseau, Thomas H., O93917.
Royce, James B., O93918.
Runkles, Charles E., O92850.
Runnion, Lawrence G., O92851.
Runyon, Floyd L., OF109285.
Russell, Jerry W., O90445.
Russell, John R., OF102619.
Russell, Melvin W., O92852.
Rutledge, Gerald E., OF103723.
Rutledge, John B., Jr., O97030.
Ryan, Terrance W., O91504.
Ryan, Thomas F., OF102621.
Ryland, William J., O90450.
Sabino, Anthony P., O91998.
Sabre, Randolph E., OF105817.
Sadusky, John J., O92857.
Saiki, Owen H., O93499.
Salmon, Joseph F., O92859.
Sampson, Connie G., O94240.
Sande, Ralph C., O92861.
Sanders, John P., O91377.
Sanders, Marvin L., O99724.
Sanderson, John O., OF100345.
Sandquist, David L., O99082.
Sands, Philip J., O93922.
Sanfilippo, Richard S., OF110052.
Sarff, Thomas E., O92862.
Sarzanini, Andrea A., O93923.
Saunders, David L., OF105818.
Saunders, Robert C., O99389.
Sawtelle, Donald W., O93924.
Sawyer, Neal W., OF103902.
Schaibly, John W., O98228.
Schall, James E., Jr., O93925.
Scharberg, Garry A., OF110056.
Schechtel, Lawrence, OF108290.
Schell, Tarey B., O93926.
Schneider, Daniel P., OF103520.
Schnell, Hudson A., OF103027.
Scholes, Edison E., O93291.
Schomburg, August, OF102267.
Schreiber, Kenneth, OF105538.
Schroeder, Daniel R., O93927.
Schultz, Brian G., O93928.
Schultz, Kenneth R., OF105822.
Schultz, Raymond J., OF110424.
Schwend, William H., O99726.
Sciple, Carl B., O93929.
Scott, Homer O., O93293.
Scott, James A., III, O93930.
Scott, Kenneth G., O97974.
Scott, Kenneth R., O99728.
Scott, Peter F., O97352.
Scott, Richard M., OF103728.
Seamon, Frederic W., OF106817.
Seckinger, George M., O93931.
Seguin, Robert P., OF109291.
Seligman, Norman L., OF108293.
Seltz, William E., O93933.
Sentell, Jack H., O94724.
Seylar, Roland F., O93934.
Shaffer, Rohlf A., O93935.
Shambarger, Bob E., O93296.
Shank, Edward L., OF103731.
Shannon, James T., O98265.
Sharber, Pete, O93297.
Sharpton, Aubrey J., OF103034.
Shauf, Elton R., O99730.
Shea, Robert E., Jr., O92875.
Shearer, Cyrus N., O93936.
Sheehan, John A., O92876.
Sheffield, Robert W., O94244.
Shehorn, Henry W., OF106819.
Sherburne, Thomas N., O93938.
Sherman, John R., O92879.
Sherwood, John T., Jr., OF108298.
Shiner, Clyde R., Jr., O92880.
Shipley, Dale W., O93939.
Shoffner, Wilson A., O92882.
Sholar, Robert C., O93299.
Showalter, Ted A., O93940.
Shugart, James W., O94246.
Sievers, William H., O93942.
Simmons, Herbert S., O92887.
Simpson, Allan R., O94247.
Sims, Jackie D., O95649.
Singsank, James J., OF108303.
Sinkler, Paul F., O97207.
Sisk, Francis G., O93945.
Six, David W., O93300.
Skaggs, Richard C., O93946.
Skeins, Harry, Jr., O89399.
Skotzko, Michael, O93948.
Slack, Duane A., O92892.
Smalley, Larry F., O93950.
Smith, Clay R., Jr., O92897.
Smith, David K., O92795.
Smith, Don A., O90497.
Smith, Douglas W., O92900.
Smith, Frank T., O94249.
Smith, George S., Jr., O93952.
Smith, Horace M., O94892.
Smith, Irving B., O90498.
Smith, James C., O90499.
Smith, Jimmy P., Jr., OF100585.
Smith, John A., OF105550.
Smith, Paul L., O92013.
Smith, Richard F., O93508.
Smith, Robert A., O92901.
Smith, Ronald H., O93303.
Smith, Thomas J., O91688.
Smith, Wade C., O96800.
Smith, William H., O90502.
Snyder, Charles R., O92908.
Snyder, John F., O92909.
Soderstrom, Robert C., O92803.
Sollohub, Charles J., O93953.
Solomon, John K., O93954.
Spear, Walter W., OF106826.
Spence, George W., O93306.
Spencer, Archie W., O93955.
Spencer, James I., O94426.
Spigarelli, Raymond F., O90511.
Spiller, Winton, Jr., O97041.
Spin, William A., O90513.
Sprague, Ronald K., O91515.
Spreha, Henry A., Jr., O92915.
Sprinsky, William H., O91518.
Sproul, Hugh B., III, O91633.
Spunzo, Raymond A., O90516.
Stanley, William K., OF104546.
Stacy, Tommy J., O91691.
Staehler, Joseph C., OF100007.
Stageberg, Richard, OF105553.
Stahl, Roland W., O99736.
Stamey, William K., OF104546.
Stanard, James R., OF104039.
Stanford, John H., O93307.
Stanley, Richard P., O92916.
Starsman, Raymond E., O93956.
State, Donald L., O90517.
Staten, Eugene B., O98082.
Steadman, Gordon S., OF100354.
Steege, Robert J., O93957.
Steele, Rowland G., O92921.
Steen, Robert S., OF110073.
Stephens, Wayne R., O99399.
Sterneckert, Richard W., O92924.
Stevens, Thomas G., O92925.
Stewart, Joseph W., O93958.
Stewart, Peter, OF108313.
Stiehl, Gustav H., IV, O93959.
Stokes, Charles E., O94251.
Stokes, James M., O93960.
Stombres, Richard A., O92927.
Stone, Thomas R., O93961.
Strachan, James D., O93964.
Strickland, Morris, OF106238.
Stricklen, William O., O93965.
Stringham, Joseph S., O93966.
Stroud, Carl M., OF106837.
Struve, James E., O93967.
Stuart, Alexander J., O93968.
Stubblefield, Joel R., 091433.
Stubbs, Frederic H., O94253.
Stuhlmuller, Kimball R., O92933.
Stupka, Michael B., O91698.
Sturdivant, Clifford R., O97986.
Sucher, Theodore R., O94254.
Suhanin, William R., O92020.
Suhosky, Robert J., OF103049.
Sullivan, Philip H., OF105559.
Summers, James B., O92936.
Sutherland, Ian D. W., O94652.
Sutton, John M., Jr., 092938.
Sutton, William F., O92569.
Suzuki, Daniel L., OF103747.
Swain, Charles M., O93969.
Swanson, Charles T., O93313.
Sykes, Philip A., O93970.
Sylvia, William H., OF103750.
Szeman, Edward R., O92942.
Tacelosky, Robert J., O92943.
Taggart, Carl D., O92944.
Tait, Donald A., O94553.
Takamiya, Paul K., O93517.
Tanner, Howard C., O94255.
Tapparo, Frank A., O90540.
Tassi, Gordon R., OF108320.
Tate, Arthur W., O93518.
Taylor, Benjamin D., O97363.
Taylor, Hurl R., Jr., O90543.
Taylor, James B., O93971.
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Taylor, Stephen R., O93521.
Taylor, Thomas H., O91089.
Teal, David J., O93972.
Tedrick, James L., O93973.
Tellman, David W., O99742.
Terry, William F., O97047.
Theologos, John J., O92952.
Thomas, Jerry A., O93524.
Thomassy, Fernand A., O93318.
Thompson, Charles R., O94430.
Thompson, Claude S., O92953.
Thoms, Herbert G., O99745.
Thorne, Tommy L., O90548.
Thornquist, Ronald P., O93319.
Thornton, Robert C., OF110080.
Threefoot, Philip S., O93321.
Thurman, James D., O90550.
Tilghman, Ray L., O93974.
Tillman, Clifford R., O90552.
Tilton, Franklin T., O93975.
Timmermeyer, Richard P., O92955.
Tinder, William F., OF105322.
Tinsley, Robert C., OF102649.
Tittle, Grady, F., Jr., O91405.
Tobin, William G., Jr., O93976.
Tomihiro, Walter T., OF102283.
Tomlinson, Gary V., O92026.
Tompras, Nicholas C., O92957.
Tompson, James D., O97213.
Toomey, Samuel K., OF103055.
Townsend, Willis M., OF100020.
Tracy, James L., O92027.
Traugott, David A., O93530.
Treadwell, Clarence, OF105851.
Trinkle, Patrick M., O93977.
Trotti, David L., O93323.
Truumees, Vallo, OF100022.
Trzos, Frederick, O92960.

Tucker, Henry B., O98413.
Turnage, John O., O93979.
Turner, Joseph E., OF106855.
Turner, Julian H., OF105855.
Turpin, William P., O94558.
Tyler, James W., O93980.
Tyson, Richard L., O90565.
Udick, Ralph A., O92964.
Underwood, Michael L., O93981.
Urette, Michael E., O93982.
Vader, Paul F., Jr., O93983.
Vahrenkamp, Marvin W., Jr., O92029.
Valieant, John H., O92965.
Vallely, Paul E., Jr., O93984.
Valvo, Paul V., O98074.
Vamvakias, Nicholas, OF108326.
Van Gorder Henry P., O93985.
Vander Els, Theodore, O93987.
Vanderbush, Albert, III, O93988.
Vargas, Rafael U., OF103916.
Vass, Steven, O93989.
Vay, Nicolas R., O93991.
Veatch, John D., O93992.
Vegvary, Robert G., O92031.
Vick, Gerald A., O93994.
Vickers, George F., OF106861.
Vinci, Frank Jr., O96515.
Voigt, Kenneth D., O93326.
Voigt, Volkert T., OF103763.
Votaw, John F., O93995.
Vreeland, Richard W., O92969.
Wagner, Clifford C., O92972.
Wagner, Hans O., O93997.
Wakefield, Samuel N., O98416.
Walinski, Samuel H., O94259.
Walker, Harvey J., Jr., OF106866.
Walker, Larry T., O98261.
Walker, Robert T., OF103065.
Walker, Steven C., O93998.
Walker, Stuart A., O92970.
Walsh, Martin W., Jr., O94000.
Walter, Stephen, O92975.
Walters, Anderson H., O94001.
Walton, Jamie W., OF100032.
Wambsganss, Richard, OF108330.
Wands, Robert E., O83053.
Wanner, F. Walton, O94002.
Ward, Albert N., III, O92976.
Ward, Michael, O93537.
Ward, Peter H., O92977.
Ward, William B., OF103768.
Warner, James I., O94260.
Warren, Donald F., OF104574.
Washington, Raleigh B., Jr., O96723.
Wassom, Herbert M., OF100035.
Waterman, Arleigh D., O94660.
Watkins, Wayne C., O87657.
Watlington, Donald W., O94003.
Watson, Vaden K., OF103769.
Watt, Joseph F., O94004.
Webb, Gary A., O97371.
Webb, James R., O92980.
Weber, James L., O93329.
Weikle, Robert M., OF101865.
Weimer, Robert E., O91417.
Weis, William A., O94005.
Weisner, Richard R., O90593.
Weitzel, Werner G., OF103072.
Wells, Albert L., O94006.
Welsh, Charles R., O94007.
Welsh, Elbert A., O94261.
Welsh, Lawrence E., O94008.
Wendler, Dale L., OF103771.
Wendt, Charles R., Jr., OF109337.
Wenz, Henry E., O97996.
Werner, David R., O92145.
Wernitznig, Ronald E., O91533.
West, Ronald P., O94262.
West, William A., O94508.
Westmoreland, Frank, OF100958.
Westmoreland, James A., O92984.
Westpheling, Charles T., O94009.
Wetzel, Allan R., O94010.
Wharton, Gerald M., O96569.
Whipple, Berkley A., O90601.
Whisenhunt, J. Dee, O90599.
Whisler, John C., OF102670.
Whitaker, Lewis H., O91719.
White, Charles A., Jr., OF103774.
White, David W., O94011.
White, Dewey E., O92987.
White, Gilbert A., O99415.
White, James W., O92989.
White, Lyman G., Jr., O94012.
White, Travis W., OF100040.
Whiteside, Daniel L., O93334.
Whitley, Donwell D., OF103775.
Whitley, Lee R., O92991.
Wice, Leonard P., O93335.
Wickliffe, Paul T., OF103076.
Wild, Allen R., O95636.
Wilder, Samuel D., Jr., O94013.
Wildermuth, John G., O94014.
Willard, Jack T., Jr., O96812.
Williams, Charles E., O90609.
Williams, Charles E., OF109343.
Williams, Francis M., O94015.
Williams, Frank L., O92997.
Williams, James E., OF100043.
Williams, Lenton G., O93337.
Williams, Lyons H., O91726.
Williams, Onus V., OF102676.
Williams, Richard G., O94016.
Williams, Robert B., OF103922.
Williams, Timothy P., O93000.
Williams, Wayne R., O94017.
Williamson, Donald A., O93001.
Williamson, James R., OF101868.
Williamson, William R., O94018.
Willis, Benjamin L., O94019.
Wilson, David C., O93003.
Wilson, James E., OF103779.
Wilson, John F., Jr., O92919.
Wilson, Robert B., O93004.
Winchester, Wayne, O92047.
Windom, Jackson T., O94265.
Winslow, Sidney W., O94266.
Winters, James M., O94020.
Wisdom, Thomas E., Jr., O97220.
Wise, Glenn L., O99760.
Witherspoon, Eugene S., O94021.
Wolfarth, William M., O93345.
Wolff, Keith B., OF106257.
Wolff, Robert R., O90622.
Wolkowich, Walter E., OF109348.
Wolters, Robert A., O97264.
Wood, Dallas C., OF105136.
Wood, James B., O93008.
Wood, Merrill F., OF106891.
Woodall, Thomas J., O90624.
Woods, Andrew D., Jr., OF105879.
Woodson, William, O92052.
Woodward, Joe L., OF105593.
Woolweaver, Robert, OF105594.
Wooten, R. J., O94024.
Wooton, Windel E., OF103784.
Worsham, Kenneth P., OF103951.
Wright, Kenneth E., O97374.
Wunsch, Harold J., O92053.
Xenos, Michael J., O94026.
Yablon, Stuart H., OF100051.
Yamachika, Roy T., O93010.
Yarborough, William G., Jr., O91826.
Yates, John R., O99763.
Yaugo, Edward O., O94564.
Yost, Richard G., O93343.
Yost, William D., III, O94027.
Young, Leon F., O93344.
Yule, Richard G., Jr., O94029.
Yurchak, Paul N., O99765.
Zakas, Louis H., O92055.
Zielinski, Robert F., O94032.
Zimmerman, John B., O94033.
Zimmers, Joe L., O96726.
Ziolkowski, Dennis, OF100151.
Zouzalik, Ervan E., O92058.

To be captain, Chaplain

Geary, Wesley V., OF105676.

To be captains, Women's Army Corps

Bennett, Mary J., L660.
Bradford, Loyce A., L614.
Frisk, Helen E., L615.
Groome, Sally L., L623.
Hendry, Lois A., L645.
Leibst, Mitzi D., L633.
Perkins, Suzanne M., L613.
Ramsay, Claudia G., L647.

To be captains, Medical Corps

Allison, Stanley C., OF109055.
Anderson, Daniel L., OF110164.
Armitage, David T., OF110167.
Askins, James H., OF109061.
Barcia, Peter J., OF109854.
Barlow, Matthew J., OF109841.
Baur, Ogden T., OF110175.
Beeler, Henry S., OF109858.
Bobbitt, Ralph C., OF109518.
Bowen, Thomas E., OF109079.
Branch, Leslie B., OF108120.
Briggs, William, OF109866.
Brown, Luther E., OF109869.
Brown, Raymond L., Jr., OF109085.
Brundage, Bruce H., OF109871.
Bucher, William C., OF109086.
Bunn, Simon M., Jr., OF109522.
Burton, Francis C., OF109524.
Camarata, James C., OF109090.
Cameron, Richard D., OF109091.
Camp, Richard A., OF109877.
Caporossi, Paul V., OF109878.
Carmichael, Benjamin, OF109529.
Carson, Gordon C., OF106540.
Chamberlain, Terry, OF108134.
Chojnacki, Richard, OF109881.
Collin, Daniel B., OF109884.
Corder, Michael P., OF109888.
Coville, Frederick, OF108141.
Craig, David E., OF108142.
Crowley, James R., OF109106.
Culton, John W., OF108143.
Cutting, John W., OF110221.
Di Bella, Nicholas, OF109895.
Farnsworth, Lynn S., OF109552.
Frostad, Alvin L., OF108173.
Gardner, Horace B., OF109130.
Garrettson, James A., OF108175.
Gibson, Eldon V., OF109924.
Glick, Benjamin, OF109558.
Gross, Richard H., OF109142.
Gunther, John S., OF108189.
Harner, Stephen G., OF108192.
Harvey, John E., OF108193.
Haskins, Ronal C., OF108195.
Haynes, Richard J., OF109941.
Heitzman, Martin, OF105696.
Hentz, Edwin C., OF110225.
Herzinger, Raymond, OF109946.
Howard, William B., OF109572.
Jones, Henry E., OF110293.
Kelly, Charles S., OF110300.
Kichler, Jack, OF108219.
Kief, John J., OF108220.
Kimball, C. Eve J., K73108.
Kimball, Daniel B., OF109192.
King, John W., OF108225.
Konia, Harold, OF110307.
Kromash, Marvin H., OF109585.
Lacey, John R., OF109199.
Latham, George H., OF109587.
Lawrence, Larry L., OF109203.
Maraist, David V., OF108240.
Maroun, William J., OF110334.
Master, Franklin, OF109595.
McCracken, Joseph, OF109599.
McMeekin, Robert R., OF106713.
Merchant, Michael J., OF109230.
Middlemas, Robert O., OF109235.
Mouton, David E., OF110379.
Nelson, Kenneth E., OF109611.
Peck, Charles A., OF110022.
Petty, William C., OF110026.
Pierce, Homer I., OF109263.
Post, Albert A., OF110029.
Rankin, Edward A., OF110031.
Rau, Jerold M., OF109272.
Robertson, Theodore, OF110047.
Sapoznikoff, John B., OF108289.
Sawyer, Robert, OF11005.
Shaw, James W., Jr., OF108295.
Shively, Harold H., OF110066.
Smith, Davis S., OF108307.
Smith, Gilbert A., OF110428.
Snyder, Alexander B., OF110071.
Spritzer, Harlan W., OF109640.
Steinberg, Sidney R., OF109308.
Stones, Carl, OF110437.
Strader, Wilbur J., OF109313.
Stroud, Michael B., OF109649.
Sullivan, John C., OF110439.
Sweet, Robert S., OF110077.

Toledo, Tony M., OF109324.
Wallace, Robert G., OF109335.
Walter, Arthur K., OF110459.
Weeks, Duke B., OF110463.
Whitcomb, Michael, OF108331.
Whitelaw, John M., OF109667.
Wiles, Peter J., OF109341.
Woodson, Drury L., Jr., OF110479.
Ziegler, Herman F., OF108338.

To be captains, Dental Corps

Arroyo, Francisco, OF108101.
Edmonds, Peter P., OF109904.
Ellinger, Harley A., OF109906.
Hahn, Eitel H., OF109935.
Herrmann, John W., OF109945.
Sering, Dale L., OF110062.
Zurek, Dennis J., OF110482.

To be captains, Veterinary Corps

Ackerman, Larry J., OF104365.
Armstrong, Tommy S., OF102802.
Botard, Robert W., OF103689.
Coats, Max E., Jr., OF109536.
Cooper, James C., OF103816.
Groves, Michael G., OF105686.
Hickman, Robert L., OF103846.
Howarth, Robert A., OF109167.
Hysell, David K., OF102925.
McGovern, Lawrence, OF109225.
Pope, Conrad R., OF109265.
Seedle, Clyde D., OF103729.
Strahler, Eugene G., OF103048.

To be captains, Medical Service Corps

Amos, Oscar D., OF108098.
Anderson, Charles H., O93223.
Anderson, Jon D., O94736.
Arkinson, Thomas E., O89898.
Beckham, Carl N., OF105932.
Benson, Warren D., O94046.
Berchin, Richard J., O94737.
Bishop, Garland G., OF104377.
Blakemore, Vaughan A., Jr., O97280.
Bouchelion, Horace C., O94568.
Bowles, Robert L., O92344.
Brouillette, Robert, OF106521.
Bulger, Carl S., OF105638.
Burris, Jimmie D., OF100245.
Camp, Charles H., O92380.
Cantrell, James E., O92382.
Capps, Joseph H., O97486.
Christianson, Lloyd D., O89946.
Clark, Charles F., O91794.
Conner, Johnny L., O93146.
Constable, Joseph F., O94920.
Cundiff, David E., O94744.
Delap, Edward H., OF106095.
Ditmars, Dennis L., OF102452.
Dolbier, James A., OF100412.
Drill, John C., O99824.
Dudek, Peter G., O98568.
Dunlevy, Bernard J., OF109117.
Fitzgerald, Barry E., O94078.
Fowler, David L., OF103165.
Fuller, Gary L., O94081.
Fulton, Robert C., O92485.
Fulton, William R., O94298.
Garber, David L., O99318.
Garrett, Richard L., O94459.
Gilchrist, Robert E., O94083.
Hall, Joseph A., O90092.
Hanson, Thomas M., O94587.
Harman, Richard B., O97349.
Harris, Jesse J., Jr., O94758.
Hauer, Richard W., Jr., O92527.
Hausler, George W., O91863.
Helton, Bobby K., OF100161.
Hennessy, Albert G., O96982.
Heyen, George E., O97312.
Hill, Thomas W., O97544.
Hoxsey, George E., O95043.
Jackson, Johnnie R., O90114.
Janke, Thomas A., O92574.
Johnson, Reginald D., O92585.
Judy, Richard B., O94939.
Kash, Steven N., O96992.
Kelley, Hubert A., OF103547.
Kistler, Thomas E., O96691.
Lamke, Charles L., OF100755.
Leahey, Raymond, O92638.
Lemmers, Dean P., O97390.
Lerro, Richard M., O95180.
Lombard, James E., O93054.
Longley, Karl E., O94943.
Loryea, Robert S., O99343.
Loucks, James R., O94612.
Lund, Nelson H., O91447.
Manaro, Arthur J., OF109992.
Marchetti, Vincent, OF102226.
Martin, Mathis G., O99523.
McDaniels, Melvin B., O97159.
McLean, John M., O97160.
Mills, Wade T., O93253.
Milne, Richard B., O96702.
Monk, Merrill E., O94113.
Murphy, Thomas W., O94775.
Newman, Ronald G., O94625.
Oberhofer, Thomas R., OF102528.
Perry, William R., OF104513.
Powell, Ronald M., O93071.
Romo, Jacob M., OF104526.
Ryan, Lawrence J., Jr., O92854.
Sandifer, Calvin P., O92780.
Schafer, Thomas E., O95096.
Schultz, Claron G., O94645.
Schumacher, Leonard C., O91684.
Servis, Hubert T., OF105824.
Severson, Joel S., O99394.
Shambora, Robert A., O94788.
Sheek, Alton J., O92010.
Shelton, Edward J., O95101.
Smith, James M., OF102634.
Spiker, James E., Jr., O98199.
Tang, Douglas B., O92130.
Vance, William M., O99046.
Walker, James O., Jr., O95114.
Ward, John R., O97218.
Waters, George A., Jr., O96724.
Watt, James E., OF102290.
Webber, James A., O94800.
Weidner, Douglass S., O94967.
Young, James R., O92054.

To be captains, Army Nurse Corps

Bogle, Janeth C., N3316.
Brogan, Mary Ann K., N3200.
Budack, Marietta E., N3168.
Butler, Mary C., N3180.
Fenlon, Eileen M., N3221.
Foltz, Mary J., N3158.
Foster, Imogene, N3290.
Haupert, Irene T., N3214.
Hopson, Minnie L. E., N3215.
Humphries, Marilyn, N3216.
Irvine, Leona R., N3112.
La Montagne, Mary E., N3141.
Le Bel, Rita A., N3106.
Leach, Clara M., N3183.
McQuillan, Constance E., N3165.
Morton, Agnes R., N3113.
Norton, Frances L., N3083.
Powers, Kay S., N3087.
Prellwitz, Patricia K., N3088.
Smalley, Ruth H., N3148.
Sumner, Billie F., N3177.
Vuyk, June J., N3197.
Woodring, Anna L., N3212.

To be captains, Army Medical Specialist Corps

Brewer, Jessie S., R10185.
Bury, Joanne, M10199.
Buss, Carole J., M10195.
Lavin, Jacqueline M., M10213.
Putnam, Joicey M., M10205.
Sager, Jane F., R10184.

IN THE NAVY AND MARINE CORPS

Hal C. Castle, Jr., Midshipman (Naval Academy) to be a permanent ensign in the line of the Navy, subject to the qualifications therefor as provided by law.

The following-named graduates from Navy enlisted scientific education program to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

John D. Johnstone
Larry J. McLain
Milton L. Senft
James D. Courville
Cecil J. Folker
Dennis W. Hurst

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

John A. Holland
John A. Hudson
William R. Kammerer
Arthur Kaufman
Douglas B. McMullen
Charles H. Mann
Charles C. Morrison
Dallas "H" Pope
Timothy J. Sullivan
Ronald B. Williams
Reginald P. Wray, Jr.

Leo J. O'Callaghan (civilian college graduate) to be a permanent lieutenant (junior grade) and temporary lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

Vernice B. Selby (Naval Reserve officer) to be a permanent lieutenant commander in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

Matthew J. Pozen (Naval Reserve officer) to be a permanent lieutenant and a temporary lieutenant commander in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

Gustav R. Robertson, Jr. (Naval Reserve officer) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

QMCS Gordon K. Truesdell, to be warrant officer W-2, in the Navy, for temporary service, subject to the qualifications therefor as provided by law.

The following-named temporary commissioned warrant officers to be permanent chief warrant officer W-2 and temporary chief warrant officer W-3 in the Navy, in lieu of permanent chief warrant officer W-3 as previously nominated and confirmed to correct grade, subject to the qualifications therefor as provided by law.

Howard P. Cady
Frank R. Ketterer
Wayne E. Myers
Frank Stephens, Jr.
Williard F. Wasson
Heber D. White

Orlando L. Palombo (temporary commissioned warrant officer) to be a permanent chief warrant officer W-3 and temporary chief warrant officer W-4 in the Navy, in lieu of permanent chief warrant officer W-4 as previously nominated and confirmed to correct grade, subject to the qualifications therefor as provided by law.

Thomas E. Fitzpatrick, Jr. (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law.

Thomas J. Heffernan, U.S. Navy, for transfer to and appointment in the Civil Engineer Corps of the Navy in the permanent grade of lieutenant (junior grade) and in the temporary grade of lieutenant.

The following-named line officers of the Navy for transfer to and appointment in the Civil Engineer Corps of the Navy in the permanent grade of lieutenant (junior grade):

Wilmot F. Clarke
William L. Forestell
Kenneth E. Fusch
Ronale I. Gregg
Frederick S. Hall
Harry M. Swyers

William L. Forestell, U.S. Navy, for transfer to and appointment in the Civil Engineer Corps of the Navy in the permanent grade of ensign.

Charles B. Peru (Naval Reserve officer), to be a permanent lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Robert B. Drysdale
William J. Sandusky

EXTENSIONS OF REMARKS

Reinecke Report

EXTENSION OF REMARKS
OF
HON. ROBERT B. (BOB) MATHIAS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 11, 1967

Mr. MATHIAS of California. Mr. Speaker, some of the best material I have read on the Congress comes from the Representatives, themselves, in their newsletters to constituents. I recently had occasion to read through one such newsletter from a California colleague, Congressman ED REINECKE, who represents the northern section of Los Angeles County. Mr. REINECKE, in his report from Washington, provides his constituents with an up-to-date summary of legislative action in the first session of the 90th Congress. The citizens of the 27th District in California can be proud of their Congressman ED REINECKE, who is endeavoring to keep them informed and aware of their Government.

I am pleased to call attention to this excellent report by presenting its contents for insertion in the RECORD:

CONGRESSMAN ED REINECKE REPORTS FROM WASHINGTON

Riots, rats, taxes, wars, deficits, inflation, crime! A prominent Senate Democrat recently summed up our situation by saying that instead of the promised Great Society, the Johnson Administration has managed to create a Sick Society.

In a rare display of modesty, the President magnanimously credited Congress for conditions which he says precipitated the riots. First of all, conditions don't precipitate riots, people precipitate them. Secondly, Congress has responsibility for passing the laws. The Administration is responsible for their implementation and enforcement. Third, Congress appropriates the money. It is the Administration's obligation to get top value for every dollar appropriated. Is the Administration living up to its obligation? Let us review the conditions cited by the President—in relation to appropriations and Administration spending.

HOUSING

Congress appropriated $2.1 billion in the past six years for low-income housing. The Administration, during this same period, produced only 40,000 low-income housing units. You or I could go out and buy two or three (depending upon location, size and construction) single-family homes for the $50,000 that the Administration is spending per low-income housing unit. Should Congress submit to Presidential demands for more of your money to perpetuate this type of waste and inefficiency? I say "no". Congress should seek a more economical and workable method of alleviating the shortage of decent housing for low-income families.

Along with a number of my colleagues, I offered such a method early in this Congress. The plan calls for the establishment of a non-profit Home Ownership Foundation which would raise $2 billion in private funds through the sale of bonds. The money would be used for housing rehabilitation and construction as well as mortgage assistance in low-income areas. Emphasizing the principle of self-help, the program will also provide technical assistance, budget counseling, job training, and employment opportunities. The enormous resources and strength of the private sector—business, labor, the professions and non-profit associations—would be mobilized in a comprehensive program of urban improvement. The role of government would be limited to reinforcement and guarantee, rather than execution and control. While this approach was Republican-oriented, it now has broad bi-partisan and ideological suppport in a Congress that is weary of bureaucratic mis-management.

JOB TRAINING AND EMPLOYMENT

Congress appropriated $22 billion in fiscal 1967 alone for programs associated with the Administration's war on poverty. This "war" is supposed to promote self-sufficiency by providing education, training and employment opportunities. Results? Today, there are more people (5 million) on the welfare rolls than ever before. Why? I'll give you a typical example—based on an actual case—of where the poverty money is going. OEO (headquarters for the poverty war) recently awarded $242,316 to an independent, non-official, non-professional group for a one-year project. Of the total grant, $120,000 will pay the salaries ($4,000 per annum each) of 30 youths who will work for local welfare-oriented government agencies, and another $2,740 will pay their transportation costs. The balance of the grant, or $119,576, will be absorbed by administrative and/or operational expenses. Training? The youths will compile a knowledge of "free" (tax-supported) services and benefits and then transmit this knowledge to the people in their communities. Jobs? The project sponsors "hope" the local agencies will hire the youths after the one-year grant expires.

By contrast, the Rockwell-Standard Corp. (based in Pittsburgh, Pa.) recently trained and hired 198 unemployed men for jobs in its new axle plant in Winchester, Kentucky. The company spent $52,987 for the training program, or $267 per man, as compared to the $8,077 per trainee cost of the tax-supported poverty project.

The job of training the unemployed and unskilled should be done by those who would hire them after training. I have proposed legislation which would encourage private enterprise to meet the challenge of unemployment on a massive scale. My proposal would make a tax credit available to employers for expenses incurred in training prospective employees for jobs with the company. Tax incentives have been used to promote American investments in underdeveloped countries abroad with remarkable success. This same approach can and should be used to develop a fully productive society right here in America.

RATS

Congress has made available over $448 million for rat extermination programs. Three departments (Interior, Agriculture and HEW) and several agencies including OEO, are in the rat control business. Instead of consolidating these programs under a single department (HEW which is responsible for public health would be the logical choice), the Administration sought $40 million for still another program to be run by a fourth department—Housing & Urban Development. The President, of course, mentioned his rat control bill in conjunction with his address to the nation on civil riots. This set the scene for the "rats cause riots" demonstration, led by Jesse Gray—a $50 per day poverty worker, which disrupted the House of Representatives a short time thereafter.

As a matter of interest, Detroit, Michigan, has one of the most comprehensive rat extermination programs in the entire country. It is also one of the President's "model cities" and the recipient of many millions of dollars in federal aid. The cause for this particular riot—the worst in recent history—cannot be justified in terms of rats or lack of federal assistance.

RIOTS

By circumventing State and Local Governments to deal directly with the poor, the Administration has helped to create a black power structure which seems to feel a certain immunity from and contempt for State and Local authority. The war on poverty has been translated into a war on society by the militants who promote hate and violence, as well as the so-called moderates who are promoting civil disobedience as a means of strangling an economy from which they demand so much. One of the moderates when questioned about the paradox of negro affluence and the riot in Detroit, replied that a little prosperity whets the appetite for more. This is true enough, but impatience with the rate of one's material progress, is no excuse to murder, burn, loot and blackmail.

In addition to initiating and supporting a number of crime prevention and riot control measures, which have passed the House and are now awaiting action in the Senate, I have proposed a comprehensive overhaul of the poverty program. My recommendations include the creation of a Council of Economic Opportunity Advisors to replace OEO; the transfer of OEO administrative functions to existing departments and agencies; coordination of all programs with State and Local authorities; and, a statutory prohibition against use of poverty money for political or racist activity. The poverty program should be designed for the benefit of the poor, not for their exploitation by political partisans and racists.

LEGISLATIVE REVIEW

Since my last writing, the House has completed action on a number of bills including: (1) *The Social Security Amendments of 1967*. Provides a 12.5% increase in payments to 23.7 million Social Security beneficiaries; an increase in the minimum monthly benefit from $44 to $50; a liberalization of the earnings limitation from $1,500 to $1,680; and, improvements in provisions for those over 72. In addition, the bill made certain necessary changes in the program for Aid to Families with Dependent Children which are designed to restore more families to employment and self-reliance. The bill will cost $1.2 billion less than that recommended by the President, who is opposing the legislative changes in AFDC. * * * (2) *The Commission on Obscenity and Pornography*. This proposal which is similar to one that I sponsored in the 89th and current Congresses, establishes a special commission to study the problem of pornographic traffic and recommend appropriate constitutional means to curb the wholesale distribution of obscene and obnoxious advertising and materials. * * * (3) *A Civil Rights Measure*. Prohibits interference with a public official, a policeman or a fireman in the performance of his duties during a riot; prohibits interference with people who are lawfully engaged in the exercise of their civil rights; and, excludes from protected 'speech and peaceful assembly' acts and statements which constitute incitement to riot. * * * (4) *Veterans' Assistance*. Provides a cost-of-living increase in the non-service-connected pension program; raises education and training allowances; provides a burial allowance; and, improves the disability compensation and medical care programs.

WELCOME, VALENCIA!

On behalf of the 27th Congressional District, I wish to extend an official welcome to the new community of "Valencia" which was formally baptized in ceremonial style this month. Located in the heart of the 27th District, between the Antelope and San Fernando Valleys, Valencia emerged from the drawing board to reality since I first came to Congress three years ago. As a matter of fact, I was instrumental in reserving the name "Valencia" for the new postal facility which began processing mail under this postmark for the first time last month. The developers of this modern residential-commercial-industrial complex, anticipate rapid growth and a projected population in excess of 100,000.

THERE OUGHT TO BE A LAW

Congratulations are in order for the winners of my third annual citizenship essay contest for junior and senior high school students, who this year addressed themselves to the subject "There Ought to be a Law". The contest, which is approved by the Los Angeles Board of Education and judged by a voluntary citizens' committee, is designed to generate student interest in public affairs. Students from 16 area schools submitted entries in this year's contest. Division winners include *Diana Billet*, 17, of Quartz Hill, who received the senior high school award for her essay on the voting age; *Patricia DuBois*, 13, of Lancaster, who won the junior high school award for her entry on the draft system; and, *Debbie Webb*, 13, of Burbank, who received the special judges' award for originality. Debbie suggested a law "against growing up".

The Calagna Development Corp. of Long Island

EXTENSION OF REMARKS

OF

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. BRASCO. Mr. Speaker, with the growing need for better housing and for employment opportunities throughout our Nation, I want to call your attention to the superb efforts of the Calagna Development Corp., on Long Island.

This firm that specializes in custom-built homes has been making a tremendous impact in New York. The firm was founded by Anthony F. Calagna, a civil engineer and graduate of Georgia Tech, together with his brother Joseph, a graduate of the Wharton School of Business of the University of Pennsylvania. These experts in the housing field have opened up new job opportunities for many workers in New York, and at the same time are providing superior housing at modest costs.

They have surveyed literally hundreds of families to determine the desires and needs of these people for the homes of the future. They have evolved interesting design concepts that do away with the drab look.

The Calagnas have been lauded by public officials throughout the State because of their desire to help keep prices within the reach of the average moderate-income family. The New York Times recently profiled their activities and pointed out what a significant contribution they were making to the Long Island communities.

I want to praise them for their integrity and their ability, and believe that this is the type of company—founded upon the principles of free private enterprise—that our Nation must encourage. This type of firm will lead the way toward a better environment for all.

National Flood Insurance Act

EXTENSION OF REMARKS

OF

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. ROTH. Mr. Speaker, before the recess, I introduced the National Flood Insurance Act designed to enable property owners to purchase flood protection at a reasonable cost. This is a companion measure to that introduced by the senior Senator from Delaware [Mr. WILLIAMS]. Recent disasters in Alaska and other areas of the Nation have caused much suffering and economic loss which, under present insurance coverage, often result in a total loss to the individual affected. The cost of flood insurance, based on actuarial computations, is prohibitive in the high-risk areas where it is most needed, and we would be remiss in our responsibilities to the people were we to allow this situation to prevail any longer.

No program of insurance such as the one proposed in the bill I am introducing can eliminate entirely the suffering and inconvenience that is the result of floods, but it can prove invaluable in assisting people in flood-ravaged areas in getting back on their feet, and freeing them somewhat from the financial strains stemming from a wholly nonreimbursable loss.

Briefly, this measure would create a Federal Flood Insurance Corporation with a five-man board of directors headed by the Secretary of Housing and Urban Development. Initially capitalized at $150 million through the sale of bonds, the Corporation would be empowered to contract with private insurance firms either individually or in groups to aid the companies in offering flood insurance at costs within the reach of property owners. Toward this end, payment to the companies would represent the difference between economically feasible premium rates borne by the insured and the actuarial premium rates which would otherwise be required to provide such insurance. As an adjunct of this subsidized insurance program, the Secretary is required to encourage private insurance firms to develop nonsubsidized programs and to extend coverage of existing policies to include rising waters, earthslides, mudslides, and subsidence. In addition, the Secretary is to work closely with State and local governments and the Secretary of the Army in determining risk zones and developing long-range plans for land use in flood hazard areas.

In March 1962, the coast of Delaware and neighboring States was pounded unmercifully by an unusually severe storm complex. A number of people lost their lives as a result of the storm, and property damage was extensive. Along the shores of the Delaware Bay and the Atlantic Ocean, houses were ripped from their foundations, roads and vital communications facilities were severed, and important community services were interrupted. One of Delaware's major natural resources, the sandy beaches stretching from Lewes to Fenwick Island, was almost destroyed as the sea scoured it away leaving only the underlying clay. In several places the ocean breached the thin stretch of land separating the ocean from the Rehoboth Bay. Only recently have the remaining signs of the extensive damage been eliminated.

The recent heavy rainfall that has lingered over the eastern United States has caused flooding twice in as many weeks in the town of Elsmere near Wilmington, Del. Although most of the town has not suffered damage, residents of the affected areas have been subjected to a great deal of inconvenience and financial loss, and the Governor of Delaware has appealed to the Office of Emergency Planning for aid.

I would hope therefore that the recent flood disasters, great and small, will lend added impetus to congressional action on this important legislation to provide coverage at a reasonable cost. Compared with the social benefits to be derived from enactment of this needed program, the costs are indeed small, and I urge swift action by the House on flood insurance proposals.

National Drum Corps Week

EXTENSION OF REMARKS

OF

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. BELCHER. Mr. Speaker, under leave granted, I wish to insert in the CONGRESSIONAL RECORD the following statement I have made supporting National Drum Corps Week: This year, the week of September 2–9 was designated as National Drum Corps Week. Inasmuch as the House was not in session during that week, I would like at this time to again call attention to the contribution of drum and bugle corps activity across this land.

The drum and bugle corps make a lasting contribution in the lives of those young people who have the privilege of belonging to a unit. The art of drum corps is rigid and exacting—it requires and develops a sense of self-discipline which is probably the most neglected character trait of our day. For we live in a time when young people and adults alike seem to hold self-discipline in less and less regard.

And drum and bugle corps makes a lasting contribution in the lives of those into whose communities and neighborhoods it comes. The art of drum corps is clean and inspiring. It is clean and wholesome recreation for those who participate and for those who still love to watch a parade. It is inspiring. What better motto for young people to live by than the corps motto: "Pagentry and Patriotism—on the march"? And what more inspiring to citizens all across the Nation than the flash of color, the pulsating rhythm, the blare of bugles, the waving of the flag, the snappy march step, all of which epitomizes the vigor, the color, the boldness and the strength that has always been America.

I have said before, and take pride in repeating, that I can vouch for the character-building qualities of the drum and bugle corps from personal experience. As a past commander of the Argonne Post No. 4 in my hometown of Enid, Okla., I once had the privilege of accompanying the Enid Legionettes, a corps sponsored by that post and composed of high school girls, on an 11-day tour. This group has consistently, over the years, been rated as one of the top corps in the Nation, and I was pleased and impressed with the skill, the exemplary behavior, and the fine character displayed by these young ladies as they traveled across the country and participated in American Legion parades, Community Chest drives, and drum and bugle corps competition. I was even more impressed by the impact they had on those who witnessed the parades—by the feelings of patriotism and pride they aroused in others.

Therefore, I am happy to again have an opportunity to endorse National Drum and Bugle Corps Week, and to wish them well as they continue their influence for good among our youth.

Being Mad at Presidents Is a Popular National Pastime: But the President's Record Speaks for Itself

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. ROYBAL. Mr. Speaker, it is popular these days to ask: "Are you mad at the President?" Is it not one of our favorite pastimes, being mad at the President? Yet, I doubt whether many Americans are mad at him—

Because there are 6 million more people at work, and in higher paying jobs, since President Johnson took office;

Because the jobless rate has dropped to less than 4 percent, and the number of jobless has been reduced 1½ million;

Because 3 million older Americans have received hospital care and 5.5 million received physicians' services under the President's medicare program;

Because the Elementary and Secondary Education Act is now helping 8 million disadvantaged children, and more than 135,000 needy college students are able to receive an education through Federal grants;

Because President Johnson has produced a 72 percent expansion of Federal programs that directly combat poverty and help the poor;

Because 4 million Americans have moved above the poverty line as a result of laws enacted under this administration; and

Because more than 8 million workers are covered by the minimum wage and because more human rights legislation has been passed under President Johnson than under any other President.

These are some of the accomplishments of Lyndon Johnson's Presidency. This is the President who is trying to make social security real security for Americans young and old.

He is trying to clean up the air, our rivers, and our cities.

Being mad at him may be a pastime—but Democratic progress has been full time for the past three and a half years.

Commemorative Stamp in Honor of American Heart Month

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. ST. ONGE. Mr. Speaker, for the past several years, Americans have observed the month of February as American Heart Month. As many of my colleagues will recall, Heart Month is the result of a resolution which I originated in this body in 1963 and which was adopted in the same year.

The primary purpose of Heart Month is to focus nationwide attention on the problem of heart and blood vessel diseases, which account for more deaths than all other diseases combined. The contribution which Heart Month has made toward medical progress and greater public awareness in this field has been very gratifying to me personally.

Not only are cardiovascular afflictions the No. 1 killer in America today; they are also responsible for a staggering economic and physical loss to the Nation. In addition to the almost 1 million who die of heart ailments each year, there are approximately 20 million of all ages who are afflicted in varying degrees, many losing their productive capacity as a result of such affliction.

Medical science is fighting these diseases, however, and significant improvements have been registered in the areas of prevention, diagnosis, and treatment of cardiovascular diseases. Most heart victims can now recover from the first attack, and three out of four of these are able to return to work. This progress has been made possible by cooperation between the American Heart Association, financed largely by voluntary contributions, and the Federal Government, particularly the U.S. Public Health Service.

The aim of American Heart Month is twofold. First, it is intended to make people aware of the medical, social, and economic aspects of the problem of cardiovascular diseases. Such an awareness is essential to the health and well-being of our Nation. These diseases can be fought with preventive steps, and the risks of a severe or disabling stroke can be reduced. Early discovery and treatment can make the difference between a full, productive life, or a crippling illness or death.

The second purpose of Heart Month is to encourage the continued support of the American Heart Association, and its direct affiliates and chapters, so that further progress, both in research and in making new discoveries and methods known to the public, may be made.

It is my firm belief that American Heart Month deserves the fullest support of Congress and the American people. For the purpose of attracting public attention to Heart Month, to the problems of cardiovascular disease, and to the new sources of hope for heart victims, I am today introducing a bill that would authorize and direct the Postmaster General to issue a stamp in honor of American Heart Month. Such a stamp would be an invaluable aid in accomplishing the objectives of Heart Month. I hope my colleagues will give their vigorous support to this worthy cause and to this legislation.

H.R. 11816 and the Police

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. PUCINSKI. Mr. Speaker, every law-enforcement official faces grave physical risk each day. In the city of Chicago, for example, five policemen have lost their lives in the line of duty during the past 19 months. As the Committee on the Judiciary reported, 278 police officers were killed in the line of duty in 1966 nationwide.

I am pleased that H.R. 11816, similar to a bill I introduced on March 13, 1967, was overwhemingly approved by the House today. This bill affects only those local law-enforcement officials who are killed or disabled in an attempt to apprehend individuals who are wanted for the violation of a Federal offense. Although the impact of this legislation is limited, the motivation behind it is extensive and significant. As President Johnson said in his crime message, this legislation is an "Official acknowledgment of the debt the Federal Government owes for the assistance given by local law enforcement personnel."

The 11th District, which I represent, has an extremely large proportion of the men who serve in the Chicago Police Department. These men risk their lives in order to protect the lives and property of the citizens of Chicago. Although, under the leadership of Mayor Richard Daley, the city has substantially raised the salaries of the police officers, their pay is not yet commensurate with their duties. I am, therefore, in favor of all measures which aid the police officer both financially and professionally.

The days that a policeman might have been pictured as having only to provide ice cream to lost children are over. Today the policeman must exercise the acumen of a sociologist in dealing with explosive situations. Today the policeman must demonstrate the expertise of a constitutional lawyer in questioning individuals suspected of criminal offenses. Today the policeman must have the impartiality of a judge. He is called upon to protect the rights of demonstrators. He is, at the same time, quite often the target of those who feel their rights are being denied—a target not only of words but, as many cities have shown this summer, the target of bricks and bullets. In the riot-torn cities of America, we have heard the cry of "police brutality." It is my contention that cities such as New York, Los Angeles, and Chicago did not witness great civil disorders because of the professional and competent activities of those cities' police departments. It is time to recognize that police do not cause riots. They prevent them. It is time to reaffirm our confidence in our various police departments. Throughout the United States the men who constitute our first line of defense against the encroachment of the lawless deserve the respect and support of the citizens they swear to protect with their lives. The passage of H.R. 11816 serves as such a reaffirmation.

The "EPIC" Program at California State College at Los Angeles

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. ROYBAL. Mr. Speaker, last year over 1,000 students at California State College at Los Angeles took advantage of a unique and exciting opportunity to supplement their classroom education with meaningful and rewarding activities in the community.

Serving as EPIC volunteers, these students gained valuable preprofessional experience by working with one of over 100 agencies in the Los Angeles area.

Among other things, the Cal State at Los Angeles students tutored dropouts and potential dropouts, served as hospital assistants and staffed a summer school.

EPIC's first year had two keys to its success.

Students and college officials welcomed the opportunity to extend the college learning experience beyond the campus.

Community service agencies were happy to expand agency activities and services by using college students in paraprofessional roles.

During the coming academic year EPIC—educational participation in communities—offers even more opportunities for the campus and the community. Funding for an additional year and expanded program has made it possible for EPIC to continue its rapid growth.

Some Cal State at Los Angeles students will be able to earn academic credit for field experience or independent study through EPIC programs. Now, other colleges in the Los Angeles area have shown an interest in developing EPIC outposts to serve their own students and communities.

Cal State at Los Angeles, because of its location and nature, has been an ideal campus for EPIC and its programs. Most of its 20,000 students are working commuters who live and have activities away from campus. These students are not attracted by traditional collegiate activities such as pep rallies or bonfires. But, like all of today's college students, they are seriously concerned about contemporary problems and have a strong desire to improve both themselves and society.

EPIC has channeled these student energies into constructive community activities. In so doing EPIC has made good use of pent-up concerns for society, provoked intellectual stimulation, added a sense of student commitment, and provided countless service hours to community agencies needing volunteers the most. As a result, interest in EPIC from other colleges and the community has never been higher.

FUNDING

EPIC receives part of its funds from the Federal Government under title I of the Higher Education Act of 1965 as a demonstration—pilot—project. These funds, 75 percent of the total budget, are allocated by the Coordinating Council for Higher Education in California. Remaining funds and support for the project are provided by the California State colleges and the Associated Students at California State College at Los Angeles. During the current year, August 1967 to July 1968, the EPIC budget totals $111,864. The previous year's budget was $87,473.

Bolstering State and Local Law Enforcement

EXTENSION OF REMARKS

OF

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mrs. GREEN of Oregon. Mr. Speaker, with the passage of H.R. 11816, the House has taken an important step toward recognizing the Federal Government's responsibility in bolstering the position of State and local law enforcement officers.

This legislation would provide Federal compensation to a law enforcement officer injured while attempting to apprehend a person suspected of committing a Federal crime. Were the law enforcement officer to be killed, the Federal payments would go to his family.

The significance of this bill, however, is not in the extent of its coverage.

As the Judiciary Committee report points out, a total of 278 police officers were killed in the line of duty between 1960 and 1965. Of these, 13 died while attempting to enforce Federal laws.

The significance of this bill is that the Federal Government is acknowledging that it has a moral responsibility in the area of local law enforcement.

The President's Crime Commission report, the International Association of Chiefs of Police, and the International Conference of Police Associations have pointed to many problems facing law enforcement officers. Among them are:

Pay is often low. Fringe benefits are sometimes minimal. Criminal detection equipment is sometimes badly outdated. These and many other problems discourage continued recruitment of the highly qualified persons needed in the law enforcement field.

During the last few years, a growing concern has been evident that something must be done at all levels of Government to help improve the highly important and necessary function within our society.

Perhaps the most important events that have turned the national spotlight to the problems of police officers have been the ever-increasing numbers of riots in our cities.

The increasing numbers of riots which have spotlighted the problems of law enforcement officers, have also focused national attention on the plight of firemen called to quell these blazes.

These tragic and disruptive explosions have been accompanied by looting and fires. Property damage often runs to millions of dollars.

Over the last 3 years, according to the International Association of Fire Fighters, four men have been killed and 436 injured battling these riot-caused blazes.

In several instances, snipers have shot at firefighters attempting to protect life and property. One can only guess at how the gunfire added to the number of these injuries and deaths.

As a sponsor of legislation which would provide Federal compensation to law enforcement officers and firefighters, I am pleased to support the bill which today passed the House. However, I believe strongly that the Government has the same responsibility to firefighters.

Therefore, I plan to introduce legislation to give the firefighter this same compensation.

Representative Robert L. F. Sikes Addresses Conference of Armed Forces Management Association

EXTENSION OF REMARKS

OF

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. McFALL. Mr. Speaker, a principal speaker at the 14th national conference of the Armed Forces Management Association, conducted August 31 at the Washington Hilton Hotel, was our very able and dedicated colleague, the Honorable ROBERT L. F. SIKES.

Congressman SIKES addressed the group in his capacity as chairman of the Military Construction Subcommittee of the House Committee on Appropriations, on which I also have the privilege of serving, and as ranking majority member of the Defense Subcommittee of the Appropriations Committee.

His observations, I am sure, were of great value to this important professional organization dedicated to the improvement of management throughout the Defense Establishment. They will prove equally meaningful to all Americans interested in providing the best possible defense system for our country.

His address follows:

Speech of Honorable Robert L. F. Sikes Before the 14th National Conference, Armed Forces Management Association, Washington, D.C., August 31, 1967

I have been curious about this group. I have wondered what kind of people you are and you have probably felt the same way about me. But the fact that I sit across a table from you in our work doesn't mean there is a fence between us. Your distinguished Executive Vice President, Admiral Neblett, says most of you are old Washington hands, quite familiar with government workings. Many of you are Civil Service people—others are officers from the field and all of you are well up on the working of industry and defense. He says you have been through the mill. I don't know whether or not that means you have appeared before a Congressional Committee. However, some of you have, and for most of those who sit across the table from me in hearings, I have a high degree of respect.

I note from your introductory pamphlet that the Armed Forces Management Association is a national non-profit, professional organization dedicated to the improvement of management throughout the defense establishment. It doesn't say whether Secretary McNamara is a member. Its objective is to make a significant contribution to the existing programs of the Defense Establishment for improved efficiencies, effectiveness and economy in the improvement of our national defense resources, etc.

I think one of the most significant things in all of this is the enormity of the job which confronts you in defense management and which confronts me in the Congress. Each in his respective sphere of responsibility deals with half the national budget. Yet the staggering responsibility of properly managing the expenditure of 70 billion dollars fades in comparison with the problem of insuring that we get at least 70 billion dollars worth of defense from that expenditure and that it is the type of defense which will deter or defeat major aggression against this nation and the free world.

Quite obviously all of this means there is no fence between us. We work for the same flag and there is much to be gained by closer understanding of our common interests and problems. For instance I find, as a Congressman, that your monthly publication—Armed Forces Management—and your annual Journal provide a valuable collection of reports and analyses of managerial problems and changes, and means for improvement in all areas of management concerned with the armed forces and military production.

We need all the efficiency and productivity we can bring to bear. We have more commitments than any other nation. We are at war. We haven't the manpower that the rest of the world has or even the manpower of some of our potential antagonists. Our greater strength must lie in effective deployment and in meaningful utilization of all those auxiliary powers that lie behind the concept of armed forces management. We can't accomplish this sitting down. We really have to be on our toes.

We are engaged in a war where the conditions of combat are more than a little frustrating. I could spend a lot of time talking about it and even finding fault. But let it suffice to say I believe we can and must win. Next to the men who are in combat, they also serve their country who are responsible for furnishing the proper equipment and specialized weapons. One is actually as necessary as the other. So let's talk about you—the man behind the man behind the gun.

Whether we are associated with the armed forces, private industry, or the Congress, there are some common problems which bear strongly upon our country's readiness posture and upon its combat capability. But for a little while, I want to try to look at your job through my eyes. First is the problem of communications. If we are to achieve the management objective of a strong and virile defense establishment at reasonable cost, we must improve the flow of communications between us. You have heard many, many times that a free flow of information and better use of information is most helpful in any management program. As a Member of Congress and as a Member of the Appropriations Committee may I say that we do receive quite a flow of information—good, bad, and indifferent. To legislate properly we need, we desire, we must have the cold, brutal, hard facts upon which defense budget programs and requests for appropriations should be based. No door to any Member's office or to the Committee's office is ever closed to those who conscientiously seek to tell their story. I urge you to take back to your jobs, to your commands, and to your industry the fact that the committee of Congress want and must have the simple truths, the actual facts, preferably without the veneer and polish some people like to apply.

May I also suggest more reciprocity in this exchange of information. Our Committee, and other committees in Congress, hold extensive hearings. We publish considerable testimony including many interesting and pertinent studies. We submit committee reports which are in effect statements of policy. Our committee hearings are replete with detailed discussions with top management officials on the various procurement programs of the Defense Department, all geared to sifting out problems, to reaching solutions, to achieving a better understanding of goals and methods of achieving these goals. Most of these hearings have been based on detailed examinations of pertinent procurement areas by our investigative staff. We have spent much time on management and control of technical data; on the procurement and logistical support of multiservice weapons systems; on overseas procurement as well as on the extent of studies and analyses being conducted within the Department of Defense. We discuss many of your problems on the floor of the House. We read, we study, we take to heart your communications. By the same token you, as responsible members of the armed forces management team, can profit from the information we assemble.

Now I call to your attention the problem which the uninitiated often refer to as "computers". By this I mean whatever machine system that might seek to replace the cool, calculating judgment of the experienced military professional, be he in uniform or civilian attire. You cannot be expected to run a 70 billion dollar business by the seat of your pants, as pilots first flew aircraft. The electronic age has brought to management a valuable and necessary tool. Computers have enabled you on the management side and your counterparts on the operational side to gain clearer and keener insights into the problems of the defense establishment. But we cannot substitute machines, systems, or the greatest intellects in the nation for the experience of those engaged in the operations of our military establishment. As you use these modern tools of management, may I urge you to temper the results therefrom with the judgment, logic, and the common sense which should be yours from position, training, and experience.

Then there is the very important matter of management of inventories. The billions of dollars worth of inventories of both real estate and personal property constitute one of the greatest responsibilities in the hands of DoD managers today. We in the Congress realize a greater effort is being made to manage and control these inventories. This is timely and it is necessary. One of the toughest jobs in Washington is to assess and evaluate the job done in the inventory field. Compared to the hundreds of thousands of people in the Defense Department involved in some form of inventory management, we on the Congressional side of government are but a handful. We are in many, many cases forced to rely upon the integrity and knowledgeability of the people who come before us to ask for funds to carry out DoD decisions. It is up to you as managers to have the best possible information at your fingertips when presenting a case for approval. We are, needless to say, very disturbed when your facts and figures fold up under some questioning. That's when Congress sometimes cuts too much.

My Committee has been particularly interested in the multi-service weapons system programs. Although savings have resulted in many of these programs, the defense establishment has not achieved the savings envisioned when these procurements were first presented to the Congress. My preliminary studies in this area lead me to believe that far too frequently the data used in determining potential savings to be achieved in programs of this type are not realistic, and that the logistics operator or manager is often called in after the fact rather than before the fact. To those of you working in this field, I urge that you seek out the advice of experienced personnel, actual operators and managers—and then assemble the data for your management decisions.

Now let me mention a program with which many of you are probably far too familiar. It is the so-called resources management system of the Department of Defense and an element of much interest to me—Project Prime. This project has been the matter of considerable discussion and comment in Congress, particularly in my Committee. I would be the last to criticize those who advocate improvements in the present character of defense budgeting and accounting. There is no system in the world of this type which cannot stand improvement. Frankly, my Committee has felt that Project Prime as proposed in the fiscal year 1968 budget program represented a proposal which was too large a step and had not been thought out or tested in sufficient depth. Change for the sake of change alone, or to implement theory, is questionable when void of practical experiences. I am glad to say that we have worked out with those responsible a middle-ground approach which will tell us more about Project Prime and about its potentiality. It will be tested within limitations during the current fiscal year to determine whether it should be applied defensewide. This is what comes of a mutual approach to the solution of major problems. Yet constantly we should look around us to see what is new in the world. It is well to remember that the winds of change blow constantly. What was good that we read in yesterday's books may be outdated today. We cannot afford to stand still.

Our nation is a strong one because it is made up of labor, management, professional personnel, government employees, military personnel, elected officials, and ordinary civilians—all with one objective—a greater America. Our nation is strong because the members of these groups work as a team with one basic thought in mind—to keep this nation strong. America's defense position today is evidence of the job this team has done. Yet you know perhaps better than anyone else that today's responsibilities require an even better job for the future. This can only be accomplished if you and I and all the others involved work together as a real solid, coordinated team. None of us can afford to have as our goal excellence only in our particular category of interest—the Army, the Navy, the Air Force, the Marines, or private industry, or even the Congress. We must have a bigger goal.

Chairman Mao says power grows out of the barrel of a gun. If this is the kind of world we live in, I want it to be American power out of American guns. America has and must continue to have a powerful defense team—effective, modern, invulnerable—for this is America's security today and tomorrow. Give us this, but guard it zealously and use it carefully as is America's wont. Then our diplomats will have time in which to work and their words will be heeded—and God grant that they can do as well as those in uniform who fight on the field of battle.

And, while this is being done, let us remind ourselves—and the world—that America has not lost its unity or its purpose. Sometimes our objectives are not spelled out with the same detail that confusion and uncertainty are presented to us and the world. Sometimes the voices of those who counsel retreat receive greater play than those who say, "Whatever the cost, we will not haul down the American Flag." Sometimes the efforts of those who seek to build a greater America fail to achieve the prominence of those who lead marches and demonstrations, of the draft-card burners, and the protesting beatniks; and sometimes the world is confused by what it sees here.

We here today know the soul of America is reflected by the glory of its past and the greatness of its present and its dreams for the future of mankind. And we who have no problems in understanding the meaning of America or the significance of its mission know that there may always be unpleasant and unhappy tasks like Vietnam, but we do not fear them. We know that our commitments must go on for as long as it takes to assure the nations of the world that America's dedication to the preservation of freedom is not a part-time obligation. We know that the symbol and the actuality of America are worth all of our efforts. We just want to get on with the job—and get it done.

There is a word for all of this—a word to insure the future of America as we know it. That word is called patriotism. May the God of our fathers help each of us to know patriotism in its richest meaning and to teach it to those around us every day that we live.

President Johnson Salutes Shah Reza Pahlevi of Iran

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. ROYBAL. Mr. Speaker, President Lyndon B. Johnson recently greeted His Imperial Majesty Shah Mohammed Reza Pahlevi, of Iran, a great leader and friend of the United States.

As the President's opening remarks indicated, the royal welcome the President extended was richly deserved for this progressive monarch.

Now in the 26th year of his reign, he has already marked himself as one of the great leaders in his country's long and proud history. Not since the days of the great Persian Empire has Iran risen to such heights.

The renaissance of Iran, which had its roots in the reign of his father, Reza Shah, has been carried to fruition under Shah Pahlevi. The deeds of his peaceful social and economic revolution should serve as a model for all developing nations. As President Johnson said, Iran's efforts to achieve progress "without violence and bloodshed" is a lesson "others have still to learn."

An immense land reform program was begun, in which the Shah himself participated by distributing his own holdings to the peasants. To increase productivity, 800 extension corpsmen teach new farming skills and techniques. Women have been enfranchised and granted equal rights. An all-out attack on illiteracy has been launched led by the Literacy Corps. Iran's war on disease is being advanced by a Health Corps of doctors and technicians. And Iran's economic growth rate has averaged over 10 percent in recent years, making it one of the fastest growing nations in the world. The Shah's continued dedication to Iranian progress is amply demonstrated by the fact that over 80 percent of the country's oil revenue is used for economic and social development.

Just as the United States is fortunate to have such a friend in the Near East, Iran has long had a genuine friend in the United States—a friendship renewed by President Johnson during the Shah's visit.

In 1943, the United States sent experts to help Iran's war-ravaged economy and induced Russia to recognize Iran's territorial integrity at the Tehran Conference.

Today, our economic assistance, wisely continued and strengthened under the Johnson administration has helped the Shah push forward his vigorous social and economic program.

I join with President Johnson in wishing the Shah, the Royal family, and the people of Iran the best in the months and years ahead.

Presidents Johnson and Eisenhower and Members of Congress Pay Tribute to the Late Richard H. Amberg

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mrs. SULLIVAN. Mr. Speaker, President Johnson has described the death of Publisher Richard H. Amberg of the St. Louis Globe-Democrat as "a loss to our country as well as to the newspaper world." President Eisenhower hailed his patriotism and his many contributions to civic and charitable causes as well as his talents as a newspaperman.

Mr. Speaker, every public official who worked with Richard Amberg feels a keen sense of loss in his death. In addition to the statements from Presidents Johnson and Eisenhower, I include the tributes also from other Federal officials. Among them are Senators SYMINGTON, DIRKSEN, and PERCY; Representatives KARSTEN, CURTIS, ICHORD, and PRICE of Illinois; FBI Director J. Edgar Hoover; and Mrs. Frankie M. Freeman, a member of the U.S. Commission on Civil Rights.

President Johnson said:

> The tragic loss of Richard Amberg is a loss to our country as well as to the newspaper world. All who work to keep our people better informed on the issues of the day perform a real service to our country.
>
> It is fitting that just before his death Dick received deserved recognition from the American Legion for his distinguished career which contributed to the excellence of several of our national newspapers.
>
> I share with all who knew and admired him the sense of loss that they feel today.

President Eisenhower said:

> The untimely death of Richard H. Amberg has deprived his community and the nation of an outstanding newspaperman whose talents were long devoted to the furtherance of America's strength and welfare.
>
> At first hand, as a working newspaperman, he had come to know his countrymen well from small town to great metropolises. Therefore, he was able persuasively to address himself to them with a knowledge of their interests and aspirations that was fortified by his own patriotism and commitment to the American way. He exemplified his concern for a stronger and better nation by his devotion to many civic and charitable causes.
>
> All of us who knew him will miss him greatly.

Senator SYMINGTON said:

> I am inexpressibly shocked and saddened to hear of the death of Richard Amberg. Dick Amberg worked ceaselessly for a better St. Louis and a strong America, and the causes he supported to those ends are legion. He will be sorely missed and long remembered by those who knew and respected him. My wife and I have lost a true friend. To his dear wife, Janet, and his three children, we send our love and deepest sympathy.

Senator DIRKSEN said:

> I was deeply distressed to learn of the very sudden and untimely passing of Dick Amberg whom I regarded as an intimate friend. He was a great citizen, a great patriot, and a great publisher who made a tremendous contribution to the thinking of the public and to the dissemination of accurate information for its benefit. He exemplified in the highest way the true traditions of the press.
>
> For a long time we collaborated in seeking an extra star for General of the Army MacArthur because we thought it was richly deserved, but we did not succeed before Gen. MacArthur's passing.

Senator PERCY said:

> He was a provocative leader of American journalism. His contribution to our national strength and the St. Louis community was great.

Representative KARSTEN said:

> I am saddened by the passing of Mr. Amberg. He was an outstanding publisher. He left a great imprint on St. Louis and a great St. Louis newspaper. He will be missed by his many, many friends and admirers in St. Louis, Missouri and the nation.

Representative CURTIS said:

> It's hard to make a statement. Dick has done so much for this community. Not only St. Louis but this country has lost a very dynamic person. I don't know what to say.

Representative Ichord said:

I think Missouri has lost one of its greatest publishers and one of my own very highly valued personal friends. This is a great loss for Missouri and a great personal loss to me.

Representative Price of Illinois said:

He was a very aggressive newspaperman and through his efforts built The Globe-Democrat into a strong force for community improvement, into a leading voice in city, state and national affairs. He was an able, sincere and forthright person who directed his newspaper into many worthwhile activities.

FBI Director J. Edgar Hoover said:

Richard Amberg was an outstanding, dedicated American citizen and an excellent journalist. He was also a true friend of law enforcement and we indeed mourn his passing.

Mrs. Frankie M. Freeman, member of the U.S. Commission on Civil Rights, said:

The people of St. Louis have lost a valiant and courageous citizen. He brought skill and compassion to the task of creating and maintaining the Herbert Hoover Boys' Club. He worked to improve the lives of all people. He leaves a void in his beloved Globe-Democrat. I mourn the passing of a dedicated man.

Address by Representative Gerald R. Ford, Republican, of Michigan, Before the 49th National Convention of the American Legion, August 30, 1967, at Boston, Mass.

EXTENSION OF REMARKS

OF

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. KEITH. Mr. Speaker, on August 30, the distinguished minority leader of the House, the gentleman from Michigan [Mr. Gerald R. Ford], delivered an address of great interest and importance to the National Convention of the American Legion in Boston, Mass. His address dealt with the crisis of national policy which faces us in Vietnam, and with the crisis of confidence which the President now faces with the American people here at home. I would like to include the text of his statement in the Record, so that other Members of the Congress may have the benefit of the perspective which Mr. Ford offers.

In this statement, Mr. Ford makes clear what we have all sensed in one way or another: our involvement in Vietnam has generated a giant cloud of confusion and a great gulf between the people and the administration. The crucial question being asked by millions of Americans is, Can we really win in Vietnam? The answer, as expressed by the minority leader, is that with the President's present policy of gradualism, we could very well find ourselves with a chronic stalemate or even a defeat. For 2½ years, the administration has pursued a war of gradualism, allowing the enemy to anticipate our moves and to adjust with minimum hardship to each one. No wonder that we have seen our commitment grow from 15,000 men to 525,000 men during this period without conclusive results.

Mr. Speaker, I believe that the minority leader's remarks on the need for success in the political war and the economic war in Vietnam as well as in the military war, deserve to be considered by all Members of the House. The war is not a partisan issue, and in this time of crisis these words of constructive and loyal criticism are needed and welcomed by us all.

The text of the address is as follows:

Address by Representative Gerald R. Ford, Republican, of Michigan, Before the 49th National Convention of the American Legion, August 30, 1967, at Boston, Mass.

Legionnaires, it is a distinct pleasure and a great honor to be with you. It's a bit like Old Home Week. *I* am a Legionnaire—a member of Furniture City Post No. 258 for 21 years—and proud of it. In fact, I suspect there might be some of my old shipmates in this audience—men of the aircraft carrier Monterey on which I spent two of my four years in the Navy.

I'm proud to be associated with the Legion because it is a good, sound, common sense organization dedicated to the advancement of all Americans, with a long-standing record of insistence on military preparedness.

Let me digress at this time. For as long as I have been in the Legion, one of our principal legislative aims has been the establishment of a separate Senate Committee on Veterans' Affairs. Over the years, for a variety of reasons, we have been thwarted. Now the Senate has passed a Congressional Reorganization proposal which would establish this separate Committee on Veterans' Affairs. For months this proposal which is a part of the Congressional Reorganization legislation has been bottled up in the House Committee on Rules.

On one side of the aisle we have pressed for action. I pledge that we will continue to push as hard as we can as long as necessary to write this legislation into law.

One reason I take pride in being a Legionnaire is that our organization stands up for America. Legionnaires love America—its principles, its people and its history. The American Legion has been unwaveringly determined to protect America's security and, at the same time, promote the cause of peace throughout the world.

The Legion fought for preparedness before World War 2. The Legion suppported President Truman's firmness in Korea. The Legion supports our commitment in Vietnam. Secretary of State Rusk has recounted the history of our involvement in Vietnam—and I want to say that I have always endorsed our basic policy of repelling Communist aggression there.

We are *all* working for peace—*all* of us, whether we're called hawks or doves—and never more than at this moment.

Now we have arrived at a critical point in time and history, a time of great national perplexity, a time of choosing and decision—yes, a moment of truth.

Millions of Americans who have never doubted the rightness of our being in Vietnam are asking themselves a soul-searching, devastatingly disturbing question: Is the Vietnam War "winnable?" Can we *really* win in Vietnam? Not "win" in the sense of unconditional surrender. Not "win" in the sense of bringing the Viet Cong and the North Vietnamese to their knees. But "win" in terms of assuring the South Vietnamese the right to choose the government under which they will live. "Win" in the sense of protecting the security of the United States and bolstering the Free World in its struggle against Communism.

My objective—I want the United States to succeed in Vietnam.

I hope the Administration also has the same clear-cut objective.

When our Nation became actively engaged in the fighting in Vietnam in February, 1965, the American people supported the action.

But our involvement in Vietnam has since generated a giant cloud of confusion and a great gulf between the people and the Administration.

The reason is simple. For more than two years the Administration has been playing it by ear. The Administration's conduct of the war has been based on a new and naive theory—that if we gradually do just a little bit more, the enemy will some day lay down his arms and talk peace.

Initially we achieved a success. We stopped a quick communist take-over. Then we threw away our advantage by fighting the war on the enemy's terms.

Today the United States is bogged down in a massive land war in Southeast Asia, contrary to the views of great military strategists like the late General Douglas MacArthur.

For 2½ years we have fought a war of gradualism. We have allowed the enemy ample time to adjust to every turn of the screw. We have made it possible for Ho Chi Minh to anticipate and counter nearly every move we have made.

Is this any way to get an enemy to talk peace?

The Administration has followed a course of gradualism in Vietnam that has not worked because it could not work. It was contrary to all sound military strategy.

General Dwight D. Eisenhower recently said that when you must use force to support a national aim, for example in the defense of another country, there is no higher authority to which you can appeal. Therefore, you must win. To do that, Ike said, you need sufficient force and you must use it quickly and secretly so as to achieve surprise. He warned that a war of gradualism cannot be won.

Our fighting men have been tragically handicapped by the Administration's policy of gradualism. At the same time, the South Vietnamese have not done enough in their own behalf. In the first instance, too much political instability. Then a shoring up of a tenuous military regime. And now an election that may have too many American overtones.

Meantime, our leaders have almost completely Americanized the war.

There are two equally important fronts in South Vietnam—the military war and the program of pacification.

How are we doing? We and our allies—South Korea, The Philippines, Australia, New Zealand, and Thailand—must succeed on both fronts if we are to achieve our basic objective in Vietnam.

The pacification effort is aimed at winning the people's allegiance to their government with social, economic and political reforms.

Let's not mince words. The South Vietnamese regular army thus far has failed to meet the military challenge. The local militia has failed to provide the security needed to make the pacification program work.

Tragically, the Saigon Government probably would collapse if both the Americans and North Vietnamese were to withdraw from the battlefield and let the South Vietnamese military and the Vietcong fight it out.

The reason—the basic problems in South Vietnam have gone unsolved.

Whatever the outcome of the Sept. 3 presidential election in Vietnam, the United States must insist that the post-election regime fully carry out a number of reforms, notably land reform. Such reforms *must* be achieved if a Saigon government is to have *genuine support.* Otherwise military success in Vietnam will be meaningless.

What is the military situation?

In recent days we have seen what amounts to an Administration propaganda campaign on our chances for success in Vietnam. It is obviously aimed at countering a rising wave of frustration among the American people.

I hope there is a basis for such optimism. But the record does not seem to justify it. Secretary McNamara, judging from his latest public statement, certainly does not share it. More than 90,000 Americans have been killed or wounded in combat in this war of gradualism. There have been more than 250,000 casualties from all causes. To what end? We and our allies have been able to secure only a fraction of a country roughly the size of my own state of Michigan.

We and our allies have killed an estimated 200,000 of the enemy. Yet we now face the largest force the Communists have yet put together in Vietnam—nearly 300,000.

The war in Vietnam is pretty much of a standoff right now—certainly this is the view of the American people—even though we have increased the American manpower commitment in Vietnam from 15,000 to 525,000 in the past 2½ years.

We have inflicted heavy losses on the enemy—with mounting American casualties—but the supply of Communist cannon fodder seems unlimited.

We are told the North Vietnamese have committed only one-fifth of their regular army to the war in South Vietnam. At the same time we are reaching the bottom of our ready manpower pool.

Because the Soviets have had 2½ years to deliver the most modern weapons and train the enemy in their use, our soldiers, sailors, airmen, and Marines are now fighting a much tougher war. Today the Communists are employing missiles, heavy artillery, and powerful mortars, all emplaced and fortified during the Administration's war of gradualism.

A way to the peace table *must* be found in Vietnam. I submit that the American people have the correct formula—*succeed or get out.*

To succeed in Vietnam we need a clear and coordinated plan with the determination at the top to see it through. If this fails, then the story of American participation in the Vietnam war will be written in five words in the history books—too little and too late. Too little early in the war—and too late now.

On Dec. 13, 1965, my party's National Coordinating Committee warned that we were getting bogged down in what could become an endless land war in Southeast Asia.

We pleaded for maximum use of our conventional air and sea power. We begged that the flow of supplies in North Vietnam through the port of Haiphong be stopped.

These thoughtful recommendations by those who support American objectives were ignored. The Administration has failed to carry out the first commandment of military strategy—cut off the enemy's supplies at the source, destroy the logistical support he needs to make war.

The Administration has not followed this course. Publicly, the Secretary of Defense has categorically cast it aside.

The Secretary has accused advocates of a more effective air war in the North of trying to substitute air attacks there for ground fighting in the South. This charge is ridiculous. What's more, it's a fabrication. I know of no one who has ever contended that meaningful air attacks against North Vietnam can be substituted for hard ground action in the South. Mr. McNamara sets up a straw man with such charges and then knocks it down. That is no defense at all for the mistaken course the Administration has followed in Vietnam.

A nation at war cannot afford confusion and doubt about its basic policies.

Mr. McNamara's recent argument against making the air war more effective was that there is no use trying it because it won't work anyway.

Where does the President stand? Does he stand with Mr. McNamara or with his military chiefs and those members of Congress who believe a meaningful air war will help us succeed in Vietnam?

What is our policy? Is it still Mr. McNamara's policy? What hope is there for success in Vietnam? That's what the American people wonder, and they want to hear it from the man in charge, the President of the United States.

If the President continues the indecisive and ineffective policies of the past 2½ years, then the American people are committed to a war of attrition that could last for 10 to 20 years.

If Mr. McNamara is right in his latest public assessment of the Vietnam situation—and I do not for a moment concede this—then the United States should get out of Vietnam at the earliest possible time and under the best possible terms.

Our last opportunity for success in Vietnam may be fast disappearing.

I have called for a clear and coordinated plan to achieve success in Vietnam. Such a plan would include more effective and more meaningful bombing of significant *military* targets in North Vietnam. Not necessarily more tonnage, but dropping our bombs on meaningful targets instead of jungle trails or into the sea.

We must by one of several sound military tactics greatly reduce the flow of supplies through the port of Haiphong. This can be done in such a way that no enemy, misled by our past mistakes, will misjudge our will or intentions.

The South Vietnamese Army must be forced to shoulder more of the burden of the fighting in the South.

All of our allies who have enjoyed American aid should be called upon to join in a big push toward success in Vietnam.

The pacification program must be made to work.

Three weeks ago I disclosed that many highly significant military targets in North Vietnam were on a list declared off-limits by the President as commander-in-chief of our armed forces. I said it then and I say it now. I am opposed to sending one more American foot-soldier to Vietnam if our pilots are prevented from doing the job that needs doing—a job that should have been done months before.

Some people are concerned about civilian casualties in North Vietnam. I am *more* concerned about the lives of Americans and our allies in South Vietnam. I am not contending that air power alone will bring success in Vietnam and open the way to the peace table. It is just one of the paths we must take or accept the alternative of disengagement.

I am not advocating that civilian centers be bombed.

I am not proposing the use of nuclear weapons.

I am not advocating a ground invasion of North Vietnam by American forces.

So far as I know, no responsible Americans advocate these extreme measures.

There is substantial military agreement, and I concur, that if the war is waged more efficiently in the North it will aid our men in the South and save American lives.

The American people are saying "let's succeed or get out."

The voice of the people is invariably the voice of wisdom.

The American people know the Vietnam War could go on endlessly unless there is a concerted joint effort to bring it to the bargaining table. Events make men, but men also make events. The President of the United States has to power to change the pattern, to break the mold, to demand that our South Vietnamese allies shape up or lose our support.

Genuine success in a guerrilla war results when the local population is willing to fight its own war, with a conviction that their enemy—the Communists—be defeated. We saw the proof of this in South Korea, the Philippines, in Greece and in Malaya.

Let us fulfill our commitment in Vietnam. Let us stop labeling each other as hawks and doves. Let us admit past mistakes—stop defending past failures. Let us decide we are going to end this bloody war, quickly, successfully and honorably.

We cannot and should not do it alone.

I call upon the South Vietnamese soldier to engage in the imitation of excellence—to pattern himself after our American soldiers and Marines.

To the South Vietnamese, I say in the words of Pericles: "Take these men for your example. Freedom is the sure possession alone of those who have the courage to defend it."

Our objective in Vietnam is honorable. Our cause is just. Let us—we and our allies—pursue it to an honorable end. Thank you.

Congressman Horton Lauds Fred Wellington for Outstanding Service to Boy Scouting in Rochester, N.Y.

EXTENSION OF REMARKS

OF

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. HORTON. Mr. Speaker, the role of Boy Scouts in helping to form the character of millions of young men in America is well known. Many of our colleagues, in fact, look back with reverence to years of their youth during which they were taught not only the mysteries of knots and woodlore, and the pleasures of camping and hiking, but perhaps more important, what it meant to live up to the high principles of the Scout oath and to live by the Scout law.

Thousands of men and women have worked to make Scouting a successful experience for millions of boys since Scouting was first brought to the United States in 1910. Most of them take up their Scouting duties in addition to their professional lives and regular social demands.

Behind them is a small group of men who devote their lives to promoting the growth of Scouting units and activities so that more and more American boys can benefit from the principles of Scouting and enjoy the constructive companionship and lessons Scouting teaches.

FORTY-TWO YEARS OF SCOUTING

Mr. Speaker, I would like to pay tribute to one such man, Mr. Frederic Wellington, who is retiring as Scout executive of the Otetiana Council, Boy Scouts of America, in Rochester, N.Y., after 42 years of professional Scouting, 24 of them in Rochester.

Mr. Wellington has been an outstanding guide for the youth of the Rochester area. Under his patient and creative leadership, Scouting in the area served by the Otetiana Council has flourished as an example for the rest of the Nation.

The Rochester Times Union, on August

31, 1967, told how Fred Wellington became involved in Scouting:

> When Frederic Wellington was graduated from the University of Rochester in 1925, he worked a few years part-time for The Times-Union and thought he was interested in becoming a newspaperman.
>
> "First, though, there was this Scouting program I was interested in . . .," he says—and 42 years later Wellington is still in scouting.
>
> Wellington, 64, of 204 Wyndale Road, Irondequoit, retires tomorrow from the executive director's post on the local Otetiana (Oh-tee-shee-on-ah) Council of the Boy Scouts of America.
>
> It began with a boyhood membership in the scouts.
>
> Born in Dansville, Wellington moved to Rochester as a boy and became a scout in the Dewey Avenue Presbyterian Church troop. From there it was an easy step up to scoutmaster while attending UR.
>
> By the spring of his senior year he was working with the scouts for programs at old Camp Otetiana on Canandaigua Lake, when the decision was made to build a new council camp.
>
> "I agreed to work for two years," Wellington says, "and in that time we located Camp Pioneer at Seneca Lake . . . 165 acres that were purchased in 1926 and opened the year after."
>
> Wellington, by then, was hooked.
>
> He was director of Camp Pioneer from 1927 to 1929, and then was named scout executive of Adirondack Council at Saranac Lake.
>
> In the 1930's and 40's he directed councils in the New Hampshire-Maine-Vermont and Delaware-Maryland-Virginia areas. In 1947 he returned to lead Otetiana, a council that now covers Monroe County.

The growth of Otetiana since then has been remarkable.

All Scout units are sponsored by permanent institutions or groups. Since Fred Wellington became the Scout executive in 1947, the total number of different sponsors in Rochester and Monroe County has grown to 296. They represent a cross section of Rochester churches, schools, parent-teacher associations, police and fire departments, civic and service groups.

In the same period, the number of Scouts has grown from about 6,000 to almost 18,000 boys in Cub Scout packs, 238 Boy Scout troops, and 81 Explorer units.

Typical of Mr. Wellington's ability to transmit his enthusiasm for Scouting to others is the fact that he has been able to attract 6,800 adult volunteer leaders into the Otetiana Council.

OTETIANA: A CAMPING COUNCIL

One of the many exciting rewards of Scouting for boys from Cub-Scout age to Scoutmasters themselves is camping. The Otetiana Council provides a varied fare of camping experiences. Under Fred Wellington's leadership, two capital fund campaigns were conducted which resulted in development of the Massawepie Scout camps, 225 miles from Rochester in the Adirondack Mountains. A description of Massawepie is enough to make any man realize that this is a golden age for Scouting in Rochester. The 3,600-acre camp property includes 10 lakes and ponds, miles of hiking trails, and canoe routes. There are three base camps, Camp Pioneer, Camp Mountaineer, and Camp Voyageur, each a separate camp with its own facilities.

Each of the three camps operates four 2-week periods during the summer months.

In addition to the extensive formal camp program at Massawepie, the 10 districts of the Otetiana Council conduct one or more weekend encampments known as camporees during the year. These are typically held in the spring and early fall. Each of the camporees usually finds 300 to 500 Scouts participating.

Through Mr. Wellington's determination, the Otetiana Council camping program has been augmented by the acquisition of 1,000 acres of new camp property in the Bristol Hills near Naples, N.Y. This is the Warren Cutler Scout Reservation, and is the center for year-round camping for scouts, and for special adult leader training events.

The vast and varied activities of an organization as large as Otetiana Council requires efficient administration. Under Mr. Wellington's guidance the council has established a council center as its administrative headquarters. It is located at 474 East Avenue, Rochester, N.Y., and is staffed by 18 executives and 16 office-workers.

One of the measures of a Scouting program is the advancement and continued participation of Scouts.

In each of the past 5 years, between 8,000 and 9,000 merit badges have been earned by Scouts. In 1966, 132 Scouts earned Scouting's highest honor—the Eagle Scout badge.

As impressive as these statistics are, Mr. Speaker, I think the measure of Fred Wellington is even better illustrated by the enthusiasm for Scouting which is evident throughout Rochester and Monroe County because of his years of dedication to gathering as many boys as possible under the influence of Scouting and its principles.

One of America's strengths is the devotion of private citizens to the task of guiding young, future citizens into paths of clean, moral living.

Fred Wellington's whole career has been devoted to that task. His contribution to the future of Rochester and Monroe County seems beyond our capacity to repay him. But Fred finds his reward in every young man who faces the problems of life armed with the principles he learned and absorbed as a Boy Scout in the Otetiana Council.

The generous, outgoing spirit which Fred Wellington brought to his work is illustrated by his farewell remarks to the Otetiana Council in the council's monthly publication, Smoke Signals, for September 1967:

> THE VIEW FROM HERE
>
> The privilege of being your Scout Executive for the past 20 years has meant more to me than I can tell you. When, in 1947, I returned to Rochester after 17 years of promoting Scouting in other states, I immediately began to appreciate how well those local Scouting pioneers wrought who set a high standard for those early Troops and organized top quality community leadership for a Council to guide them.
>
> The Scouts I knew as a boy, and later as Scoutmaster and camp director, have for many years been an important leaven in our community's business and professional life—and an important part of the community's leadership and conscience. Old Scouts have helped build a community of unusual quality, and in turn the community supports a Boy Scout Council of unusual quality.
>
> As I complete my work and turn over the privilege of being Scout Executive of the Otetiana Council to Gene Cruse, it is with two predominant thoughts. The first is that you are to be congratulated on bringing Gene and his fine family to Rochester and Monroe County and can expect to go forward to new Scouting heights with him. The second is that I have been a very lucky man, indeed, to have had these 20 years of working with you fine volunteer Scouters and my fine staff associates in the service of our boys.
>
> May God bless you and your new leadership in the exciting years ahead!

WAR MEMORIAL TRIBUTE

On the 19th of September, the leading citizens of Rochester and the surrounding metropolitan area will gather at the Rochester War Memorial for a councilwide recognition dinner to pay tribute to Fred Wellington.

Mr. Speaker, I am proud at this time to add my congratulations to those of others to Fred Wellington on the completion of 42 years of professional Scouting. I wish Fred a very pleasant and rewarding retirement. In one sense he will be missed in Scouting in the Rochester area, but the creative imprint he made on the Otetiana Council and the thousands of men and boys who will carry on the Scouting program, ensures that his spirit will be with the executive and Scouts for a very long time.

Dr. Redmond, Chicago's General Superintendent of Schools

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. O'HARA of Illinois. Mr. Speaker, Dr. James Redmond is the present general superintendent of Chicago's public schools, one of the most challenging of all jobs. John Fink, editor of the Chicago Tribune Sunday magazine, says that Dr. Redmond "seldom makes the front pages. Months may pass without seeing his face on television. He is a big man in all ways, a man of uncommon intellect and humanity, but he is a quiet man in all ways as well, given more to private persuasion than to public contention. So Chicagoans have not come to know their new school chief as well as they might."

So Editor Fink assigned Tribune feature writer Ridgely Hunt to do a story on Dr. Redmond, which appeared in the Tribune Sunday magazine on September 3, 1967, under the headline, "Ridgely, the Conciliator" from which later I will quote.

First, however, I would mention the first general superintendent of the Chicago schools that it was my privilege, pleasure and pride to number among my friends, Dr. Ella Flagg Young, the first woman in Chicago's history to head the city's schools. In the Chicago magazine of July 1911 I wrote:

> Fortunate is the time and place that have at their disposal a person who, with unaffectedness and grace, can marshal into existence an educational ideal suited to the age!
>
> The leading educator of the nation, Chicago's possession, Dr. Ella Flagg Young, President of the National Educational Association, is working out through the public schools of Chicago such an educational ideal. It increasingly will challenge the attention of the seriousminded.
>
> The American child must make good at school, at home, and in his work world. He must make good with his hands, his heart, and his judgment, as well as with his memory. He must be fit to get a living. He must have the power to transform his industry into beauty; that is, he must have cultural power. He must form the habits of a dignified, democratic, social and civic life. Above all, he must carry responsibility as he carries health and happiness. Education no longer may be content with teaching the child to read, write and count. It must deliver the whole personality of the child, as well as open up to him his environment. Otherwise it leaves him crippled.
>
> Those educators only whose eyes are looking forward, whose spirit is at one with the spirit of the times, can direct, or even hope to understand the forces which are destined to create the American Public School System. Just what the superintendent of the Chicago schools is permitting to happen in the city of millions—the city whose struggle for democracy is eminently a hope of the people—is something which the future will chronicle.

That was 56 years ago and since that period, when a women blazed the educational path of one of the world's greatest cities, Dr. Ella Flagg Young has had many successors. The educational ideal of Chicago's first woman superintendent of schools never has lost its appeal and its influence.

REDMOND, THE CONCILIATOR

Returning to the present, when the Chicago schools are run by the "quiet man" 56 years after a "quiet woman" won the notice and the plaudits of the Nation, I am extending my remarks to include excerpts from Mrs. Hunt's interesting article on Dr. Redmond:

> To replace Willis they brought in the superintendent of schools from Syosset, N.Y., a pleasant Long Island suburb that annually voted to spend $1,300 a year to educate its children. Redmond did not come as a stranger. A native of Kansas City, Mo., where he had taught school, he was brought to Chicago in 1948 as an administrative assistant to Willis's predecessor, Herold Hunt, whom he served until 1953 when be became head of the New Orleans school system. In New Orleans he had his baptism of fire from the guns of racial hatred when court-ordered school integration collided with the intransigence of white supremacists. The ensuing street demonstrations made television screens across the country. But tho Redmond did not surrender, neither could he win a clearly defined victory, and in 1961 he retreated to the relative security of a post as director of school administrative services for a management consulting firm.
>
> "It was fine, good work," he recalls, but in time he "got tired of living in airplanes" and sought out the serene life in Syosset. Here the Chicago selection committee found him, tending his suburban schools and his flowers [he is an ardent gardener]. And from here, after a good deal of negotiation, they brought him back to Chicago to inherit the whirlwind.
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>
> Redmond took office on the first Monday in October, 1966. One month later he plunged into negotiations with the teachers union, which, freed from bondage and loaded for bear, had assembled all the wishes, worries, hopes, and gripes accumulated during the previous 20 years and printed them in a 52-page book of "collective bargaining demands." * * *.
>
> For allies Redmond had to rely on a board of education whose members were strangers to him and on a handful of top assistants, only a few of whom he had known during his service in Chicago 14 years before. * * *.
>
> As salary negotiations neared their climax one Sunday last January, a teachers strike appeared inevitable. Redmond taped a 25-minute talk to explain to parents why the schools would be locked the next day and to ask their help in safeguarding their children. The tape was to be released on the 10 p. m. news broadcasts, but 20 minutes before air time, David Heffernan, the schools' public relations chief, reached for the phone and canceled it. Redmond and the teachers had achieved an 11th-hour settlement.
>
> Many critics opposed the idea of negotiating with the teachers union in the first place, but Redmond considered such bargaining inevitable. "We are where industry was 30 years ago," he says, "just getting used to the idea of dealing with labor unions. This is new to education." New and, in Redmond's eyes, not necessarily bad. "We're an organized society," he says, "and let's don't buck it."
>
> Both sides could take satisfaction from the outcome of the bargaining, Redmond no less than the teachers. "There's not a thing in the new teachers' agreement that I can't live with," he says. "There's not a thing in the agreement that thoughtful school administrators haven't wanted to do for a long time. While I have agreed to meet with them monthly to discuss school problems, that doesn't mean that I have surrendered any of my authority. They didn't ask to make the decisions. They just asked to talk about them. Yet I know some of my fellow superintendents who would rather die than put this in a contract."
>
> In fact, Redmond can use some advice and help. "I can't run 600 schools," he concedes, "but I've got to make it possible to run them, and I've got to find the people to do the job." Many of these people he already has on the payroll. "I know my classrooms are full of excellent teachers and potential leadership," he says, "and we'll find them. This is one of the real jobs of this office."
>
> Recruiting leaders is only one of Redmond's problems. He has bigger ones: integration and money, to name the worst.
>
> * * * * *
>
> By thus easing the tension between the school system and its assailants, Redmond took much of the heat off the integration issue and even managed to shift its focus slightly.
>
> "Physical integration is said to be necessary and desirable," he says, "but many concerned groups now say that quality education is just as important as integration. I would not give up the objective of getting rid of the ghetto schools, but also let's do everything we can to achieve quality education."
>
> Specifically, in the case of the Negro ghettos, he intends to bring this about by reducing class size and by "pouring talent into the schools." The toughest Negro schools have customarily had the worst faculties because experienced teachers have used their seniority to claim positions in better neighborhoods. Redmond hopes to lure them into the slums with offers of special bus service to the school door, parking lots where their cars will be safe from vandals, and most important, classes small enough so that good teaching can produce results.
>
> What about teachers who are afraid to work in the slums?
>
> "Them I don't want," Redmond declares.
>
> But smaller classes cost more money. "Because school is primarily a personal service," he says, "70 to 80 per cent of the total expenditures goes for hiring people. If I want to cut class size by one-half, it means I've got to double the budget. We talk about spending $600 a year per pupil in Chicago next year. Well, doubling that expenditure is not unrealistic. Suburbs like Evanston are already spending $1,200."
>
> Finding this kind of money presents some tremendous obstacles. The city already spends almost as much as its tax structure will allow, and the state has dragged its feet on making up the difference.
>
> * * * * *
>
> Redmond does not publicly support a state income tax—or any other kind of tax for that matter—but restricts himself to commenting that "the real solution is not going to come until we make some kind of change in the tax structure. We must find some tax structure that taps the true wealth of this state, not just real estate alone. I would not think that personal and corporate income tax alone should be made the whipping boy."
>
> * * * * *
>
> To his task of persuasion Redmond brings a peculiar talent, solidly based on the fact that he likes people and admires them. A large man with a leonine head, he can dominate a meeting, leaning forward and driving home his points by poking the table with one finger. The fingertip angles off oddly to one side, as if it had once been broken and badly set, and it is hard to see anything else as Redmond pokes away to bolster his argument.
>
> But he does more than talk. One eminent university educator reported with astonishment, "He listens!" * * *
>
> Redmond has much to hear and much to do before he can hope to surmount the Everest of problems that beset the Chicago schools. But he has started the ascent with an easy gait and so far seems scarcely to be breathing hard. He leaves his apartment on East Schiller each morning at 7:30 and rides to his office in a chauffeur-driven car that goes with the job. [He would like to drive himself, but the chauffeur takes care of parking and saves him time.] Within five minutes he enters his office with its two window air conditioners and its framed kindergarten paintings on the walls. By starting early, he says, "I can get in an hour and a half before the phone starts ringing."
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> * * * * *
>
> What that future will be not even Redmond can foretell with precision.* * *
>
> "I believe the schools 20 years from now will be so changed that we won't recognize them," Redmond says. "We'll have a 20-hour-a-day operation, not just 6 the way we do now, and I don't mean an authoritarian system where the state takes the kids away and rears them. Adults will use these facilities too. The schools should provide a service to the entire community."

Rumsfeld Legislative Report

EXTENSION OF REMARKS

OF

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 11, 1967

Mr. RUMSFELD. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit the text of my last legislative report, volume 3, No. 2, which is being mailed to all postal patrons in the 13th Congressional District of Illinois.

The report follows:

WASHINGTON, D.C.—Since the last *Legislative Report*, a substantial tax increase has been proposed, war erupted in the Middle East, riots have rocked many of our major cities, the Selective Service Act has been extended for four years, and the war in Vietnam has continued with little progress. While it is not possible in this brief space to discuss all of these issues, details on any measure before Congress may be obtained by writing me in the House Office Building, Washington, D.C. 20515. Your comments and views on matters of importance to our Nation are appreciated.

President Johnson proposes a tax increase.—A number of the Nation's leading economic experts, including the chairman of the President's Council of Economic Advisers, recently testified before the Joint Economic Committee, on which I serve. The most hotly debated topic was the President's recommended tax increase. Most Committee members felt that Executive Branch witnesses failed to make a case for the President's proposed tax surcharge, then at the 6 per cent level. Since the Committee hearings ended in late June, the President has recommended that the tax surcharge be raised to 10 per cent, to be levied against both corporate and individual taxes.

There is continued concern that a tax increase at this time might slow economic growth at a critical time and reduce anticipated revenue gains. Moreover, many believe the Administration ought to place greater emphasis on curbing non-essential government spending, particularly in view of costs of the war in Vietnam. As reported a year ago, it is my view that priorities in Federal spending must be established. Regrettably, this has not been done. If the President's tax increase proposal is accepted by the Congress, it may very well be less than the 10 per cent requested, and come later than the October deadline set by the Administration.

In an effort to bring about the establishment of priorities and reduce non-essential Federal spending, I have supported amendments to five of the major omnibus appropriations bills to restrict expenditures to 95 per cent of the total amounts appropriated. These motions to cut spending were approved by the House in two of the five instances. The Subcommittee on Economy in Government recently received testimony which documented a distressing record of careless management in government, especially in the Department of Defense. Recommendations for remedying many of the problems uncovered are made in a subcommittee report which is available by writing our Washington office.

Middle East Crisis.—The outbreak of war in the Middle East temporarily jolted the Administration away from its concentration of effort and attention on Southeast Asia. In the wake of the swift and decisive Israeli victory, the task of rebuilding after the loss of lives and resources is beginning. This conflict will either mark the beginning of a new era of stability or merely another episode in decades of hostility and unrest. The answer will lie in how these problems are resolved: right of passage through the Suez and the Gulf of Aqaba, the status of Jerusalem, security arrangements on Israeli borders, refugee and other economic problems, and, most important of all, whether or not the hostility of the Arab nations will be replaced by recognition of Israel and a resolve to find constructive approaches to the political and economic problems separating the two sides. Progress in finding answers to these vexing questions has been slow, but the path to peace and stability in the Middle East must be found.

Legislative action.—Legislation I have supported included bills to: 1) assist state and local governments in reducing crime and to increase the effectiveness and coordination of law enforcement and criminal justice systems at all levels of government; 2) prescribe Federal penalties for persons who interfere with the civil rights activities of others, and provide Federal penalties for persons who move from state to state with intention to incite riots and other civil disturbances; 3) extend the Elementary and Secondary Education Act; 4) revise the Copyright Law; 5) extend the Older Americans Act; 6) extend the Mental Health program; 7) extend the Higher Education Act; and 8) provide for a comprehensive review of national water resource problems and programs.

Legislation I have opposed included bills to: 1) increase the debt limit; 2) amend the Food Stamp Act; 3) revise peanut acreage allotments; 4) institute several unbudgeted public work projects; and 5) the Public Works Appropriations Bill, in the hope of trimming excessive Federal spending.

Legislation sponsored.—Part of a Congressman's job involves the identification of problem areas and the initiation of proposals to resolve them. This year, bills and resolutions I have sponsored or co-sponsored have included the following:

Human Investment Act of 1967.—To provide tax incentives for companies to hire and train unemployed workers lacking skills for available jobs.

National Home Ownership Foundation Act.—To promote home ownership among low-income groups through low-cost financing.

National Commission on Public Management.—To apply modern systems and management techniques to national and community problems.

Miscellaneous.—To eliminate the patronage consideration in the appointment of postmasters; and to permit those receiving Social Security benefits to earn a maximum of $3,600 annually. (Since my bill was introduced, the House voted to raise the earning limitation from $1,500 to $1,680.)

Rumsfeld amendments on NASA.—The House and the Senate have passed, and the President has signed into law, an amendment I offered to the bill authorizing funds for 1968 for the National Aeronautics and Space Administration (NASA). The Amendment establishes an Aerospace Safety Advisory Panel to monitor NASA safety activities in the interest of avoiding accidents such as the tragic Apollo 204 spacecraft fire of last January which took the lives of three astronauts.

Approval of the safety panel will mark, I believe, the beginning of substantially improved safety procedures in the U.S. space programs. The proposal was amended by a House-Senate Conference Committee to permit a minority of the panel members to be NASA employees, whereas the original language would have restricted membership to non-NASA personnel. The importance of a truly independent safety panel can be seen in the successful Advisory Committee on Reactor Safeguards of the Atomic Energy Commission. Hopefully, the presence of NASA employees on the NSA safety panel will not impair the panel's ability to objectively analyze safety hazards in the space program.

A second amendment which I offered to the NASA authorization bill, known as the "information amendment," was defeated in the House-Senate Conference. This amendment charged NASA with the responsibility of keeping the House and Senate Space Committees fully and currently informed with respect to all NASA activities. During hearings to investigate the Apollo 204 tragedy, it became clear that the Congress was not receiving full information from NASA officials. For example, Congress was unaware of the existence of the Phillips Report, a document highly critical of NASA operations. It is vital that the burden for providing information about NASA's programs be placed upon that agency. Under present law, NASA is simply forbidden from withholding information from Congress once it is requested, but is under no obligation to provide information voluntarily. In the case of the Phillips Report, Members of Congress did not know of its existence and therefore were in no position to request copies of it. I will continue to press for improvements in this important area.

Riots in the cities.—A summer marked by rioting in many of our Nation's cities is coming to a close. While it is tempting and obviously fashionable to strike out with words of blame, rhetoric will not bring order or restore Detroit, Newark, or the other communities hit by violence and lawlessness. Unfortunately, many of our Nation's leaders—in government, religion, and other fields—have attempted to divert responsibility for strife in the cities by blaming others in shrill tones. Neither disobedience to law nor the basic causes for the rioting will be checked by angry accusations, gimmickry, acquiescence, or inattention. There is ample evidence that our society as a whole has failed to deal effectively with both lawlessness and the causes of the urban problems facing us. It has become increasingly apparent that such problems require the direct involvement of all sectors of society—the voluntary sector, the private sector, Federal, state, and local governments, but, above all, the individual.

It is considerably easier to look to everyone but oneself for blame or responsibility. However, the strength and hope of our Nation is in the people—individuals—and it is here, in the last analysis, that we will win or lose the battle to strengthen our system and to enrich our lives and the lives of our fellow citizens. It is within our power to do what we will with the great human and economic resources of this land. If we have done less than we would wish, as the riots indicate, we must look to ourselves for the reasons. If we would do better in the future, we must look to ourselves for the answers.

Selective Service Act.—When the director of the Defense Department's Manpower Office testified before the Joint Economic Committee in April, I questioned him concerning the Department's attitude on increasing the proportion of volunteers in the armed forces. He stated: "I can say categorically—and this is on the record—that the Department of Defense has had as its objective to obtain as many or all of its personnel through voluntary means." Notwithstanding this position of the Department, by the President, and the Democratic and Republican 1964 platform promises, the Military Selective Service Act of 1967 was totally devoid of any attempt to increase the number of volunteers for military service.

The House version of the Act contained my amendment to declare the sense of Congress that "the obligation of serving in the armed forces should be enforced through the provisions of this Act only when necessary to insure the security of this Nation." However, the House-Senate Conference Committee deleted this amendment, seemingly indicating a Congressional preference for compulsion in military service, regardless of need. Much that could have been done to improve the Selective Service Act was not done, to the discredit of both the Executive and the Legislative Branches of the Federal Government. Copies of my testimony before the House Armed Services Committee are available through my office.

Freedom of information.—The Federal Public Records Law (P.L. 89-487), which I cosponsored, took effect on July 4, 1967. This "Freedom of Information" law reasserts the fundamental right of the American people to know what their Federal government is doing. It provides that government records are to be made available at the request of any citizen, and gives a person wrongfully denied access to information the right to go to court for an immediate ruling.

The new law will not work miracles overnight. It may have little impact on the "Credibility Gap." But the law is a weapon—and a powerful one—which will help to reduce unwarranted secrecy in government. How well it will work will depend on how effectively the people, the press, and the Congress use it as a guarantee of the right to know.

Congressional assistance.—Members of Congress frequently receive appeals from individuals, organizations, and municipalities for assistance of one kind or another. Some types of assistance can be provided—other types cannot.

It is my belief that a Congressman has a duty to assist where possible in making the relationship between a citizen and his Government fair and workable, for there are times, in the impersonality of Government, when the Congressman serves as the only personal link between a constituent and an Executive Branch Department. But occasions and situations arise when it is improper, and, in some instances, illegal, for a Member of Congress to attempt to influence governmental decisions.

Members of Congress are legislators—not executives or administrators. Their basic responsibility is the drafting and passing of legislation. The Executive Branch has the responsibility of administering those laws. There are many areas in which a Congressman can assist—in cutting red tape, in helping to correct administrative errors, or in expediting action when it is unduly delayed.

Because of the misunderstandings which arise from time to time, I appeared before the Joint Committee on the Organization of Congress and recommended that "the policy of encouraging or assisting Members of Congress in the announcement of Federal grants, contracts, or projects in their states or districts be terminated . . . To encourage or assist Members in making initial announcements of Federal grants, projects, and particularly Federal contracts, leaves at least a shadow of question as to whether or not the contract or project was awarded solely, as it should have been, on factors such as cost, performance, and national interest."

Academy appointments.—Congratulations are in order for the young men from the 13th District who earned appointment to the U.S. service academies and who commenced their studies this June: *U.S. Air Force Academy*—Lawrence F. Blameuser, Jr., Skokie; Steven DeHaven, Mt. Prospect; Charles E. Dehlinger, Evanston; John Ekeberg, Palatine; Gerald Lemke, Wheeling; Casey Scott, Wilmette. *U.S. Military Academy*—Richard J. Appleton, Mt. Prospect; Brian Bruckner, Niles; Ford G. Droegemueller, Arlington Heights; Christopher B. Timmers, Wheeling; Mark M. Weiman, Evanston. *U.S. Naval Academy*—Jeffrey Currie, Evanston; Thomas R. Dussman, Jr., Winnetka; Charles L. Keating, Arlington Heights. *U.S. Merchant Marine Academy*—Scott K. Summers, Wilmette. Those interested in applying for academy nominations for classes beginning in June 1968 may write to my office for full details.

Visitors and letters.—Visitors to Washington from the 13th District are always welcome in our office in the House Office Building. If you are planning a trip to the Nation's Capital, write ahead and let us know you are coming. In this way, we may be able to assist in making your visit a more enjoyable one. Also, your letters are always welcome. Our Washington office is open daily from 8:00 A.M. to 6:00 P.M. and generally later. If you communicate with the office and do not receive a response within a week, please write again. We have discovered instances where mail has not reached the office or where it has been delayed. Since we respond to some 600 letter a week, and receive hundreds of pieces of non-letter mail in addition, there is always the possibility that a letter may go astray in the Postal Service or in the Congressional postal facilities. I look forward to hearing from you.

SENATE

TUESDAY, SEPTEMBER 12, 1967

(*Legislative day of Monday, September 11, 1967*)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, who art above all and in all, apart from Thee, life has no meaning or destiny. We are made confident in our hearts that Thy mercy endureth forever, without Thee our striving would be losing—our strength is unequal to our tasks.

Our needs are many but our greatest need is of Thee.

In this hallowed moment, we bring to the altar of prayer our inmost selves, cluttered and confused where the good and the evil, the petty and the great, the wheat and the tares are so entwined.

Breathe now in this quiet moment Thy peace on hearts that pray—the peace that comes only when our jarring discords are tuned to the music of Thy will.

Grant us as laborers together with Thee a sense of untapped spiritual resources and restore our souls with the joyous strength of Thy salvation.

We ask it in the Name that is above every name. Amen.

THE JOURNAL

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Journal of the proceedings of Monday, September 11, 1967, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. CLARK. Mr. President, I ask unanimous consent that, despite the unanimous-consent order issued yesterday with respect to the pending bill, I may proceed for not in excess of 5 minutes on another subject.

Mr. LONG of Louisiana. Mr. President, I am not in a position to clear it with the other side of the aisle. I cannot agree to it at this moment. As soon as I can clear it on the other side of the aisle—I do not object, Mr. President.

The PRESIDENT pro tempore. Without objection, it is so ordered.

S. 2388—REPORT OF COMMITTEE ON LABOR AND PUBLIC WELFARE—INDIVIDUAL AND ADDITIONAL VIEWS (S. REPT. NO. 563)

Mr. CLARK. Mr. President, I submit a report of the Committee on Labor and Public Welfare on an original bill which has been assigned the number S. 2388. This bill amends the Economic Opportunity Act of 1964, authorizes additional funds for poverty programs, and authorizes a new Emergency Employment Act of 1967. I ask unanimous consent that individual and additional views may be filed before midnight tonight, and printed with the report.

The PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Pennsylvania.

Mr. CLARK. I note for the RECORD that this bill is a substitute for S. 1545, which was the original antipoverty amendments of 1967 to the Economic Opportunity Act.

RESOLUTION TO PRINT ADDITIONAL COPIES OF REPORT TO ACCOMPANY S. 2388

Mr. CLARK. Mr. President, I send to the desk a resolution authorizing the printing of 3,000 additional copies of the report I have just filed of the Senate Committee on Labor and Public Welfare, to accompany S. 2388, a bill to provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, to authorize an Emergency Employment Act, and for other purposes.

The demand for this report, which is being filed in the Senate today, is such that the House and Senate document rooms will need and have already ordered the maximum number of copies available. As a result, the Committee on Labor and Public Welfare will receive no more than 50 copies for its use, an amount which is quite inadequate. It is therefore imperative that additional copies be printed tonight by the Government Printing Office.

I have consulted with the acting majority leader, the Senator from West Virginia [Mr. BYRD], the minority leader, the Senator from Illinois [Mr. DIRKSEN], and the chairman and ranking minority member of the Committee on Rules and Administration, the Senator from Nebraska [Mr. CURTIS]. They have agreed that the Senate may consider this resolution immediately. I have also checked with the ranking minority member of the Committee on Labor and Public Welfare, the Senator from Vermont [Mr. PROUTY], at the request of Senator CURTIS.

I therefore ask unanimous consent that the Senate proceed to the immediate consideration of the resolution.

The PRESIDENT pro tempore. Is there

objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 168) was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Committee on Labor and Public Welfare, 3,000 additional copies of its report to the Senate to accompany S. 2388, a bill to provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, to authorize an Emergency Employment Act, and for other purposes.

ELECTION REFORM ACT OF 1967

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1880) to revise the Federal election laws, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, in order that interested Senators may be notified that the unfinished business has been laid before the Senate, and that the Senate is ready to proceed with the consideration of that business, I suggest the absence of a quorum.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. CLARK. I ask unanimous consent that the time for the quorum call may not be charged to either side.

Mr. BYRD of West Virginia. It will not be.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DEMONSTRATIONS IN THE GALLERIES

Mr. BYRD of West Virginia. Mr. President, yesterday five spectators were escorted from the Senate visitors' gallery after they dropped anti-Vietnam literature to the floor of the Senate Chamber. Three of the spectators were male and two were female. They were arrested and charged with disorderly conduct, and their names and addresses were as follows:

Jill Ann Boskey, 19 Colony Drive East, West Orange, N.J.

Eleanor Mayo Dorsey, Prince Street, Beverly, Mass.

Keith Richmond Lampe, 1107 O Street NW., Washington, D.C.

Rodney Edmond Robinson, 117 Grove Road, Washington Grove, Md.

Reginald Edwin Johnson, 1107 O Street NW., Washington, D.C.

Mr. President, as the able minority whip [Mr. KUCHEL] said yesterday, this crude and arrogant attempt to apply pressure to the Senate of the United States is an affront—not only to Congress but also to the American people—that cannot and will not be tolerated.

The threat that "there will be sustained disruptions of the Government apparatus" until the demands of this, or any group or committee, are met must be branded for what it is—a threat to substitute anarchy for law and order.

It is a contemptible effort at coercion, one that strikes at the foundations of the orderly processes that protect the rights of all Americans including the group that made the threat.

Citizens, of course, have the right to petition for the redress of grievances. But this insult to Congress goes far beyond any right, civil or otherwise. It is of the same nauseous stripe as lawless burnings and lootings—which also have been done in the name of a cause.

This is another sickening manifestation of the increasing deterioration in America of respect for law and order. We see it on every hand—the attempt to substitute fear and hate and chaos for democratic processes. Such methods are abhorrent to all right-thinking Americans.

Many people in our country are opposed to the war in Vietnam. They have a constitutionally protected right to disagree with its conduct. They have a right to be heard—and, I may add, they have been heard at great lengths.

But no group has a right to attempt to force others to agree with the viewpoints held by that group. No individual or group of individuals has any right to attempt to intimidate the Members of Congress who must not and will not be so intimidated. Nor has any person or group a right to distort and cheapen and pervert the guarantees and the intent of the first amendment freedoms of speech and press.

There are many proper channels for expressing disapproval or disagreement. Dropping despicable and threatening leaflets from the galleries of the Senate is not one such channel. This is a brazen act which Congress cannot permit to be repeated.

It clearly points up the need for legislation to deal with the possible recurrence of such a disgraceful situation and to appropriately punish any individuals who would seek to interfere in this way with the work of the Congress.

Mr. President, legislation to deal with problems of this nature has recently been introduced by Senator MANSFIELD and Senator DIRKSEN. In the absence of Senator MANSFIELD, I urge that expeditious action be taken by the appropriate committees of jurisdiction and that the legislation be enacted by both Houses at the earliest possible moment. This is no time to temporize or to delay. The public business must go forward without any interference or obstruction by those who would impede the legislative process by methods of a revolutionary nature.

I am advised by the legislative counsel that, at the present time, there are no laws on the books prohibiting demonstrations in the Senate. As of now, violators are being prosecuted under title 22, sections 1107 and 1121, of the District of Columbia Code, "Disturbance of the Peace." The fine is a maximum $250 and/or 90 days in jail.

Title 40, section 193F and following of the United States Code provide penalties for demonstrations on the Capitol Grounds. The fine is $100 and 60 days in jail. If the damage to public property is more than $100, the provisions are up to 5 years in jail.

As I have already indicated there has been introduced in the Senate and referred to the Committee on Public Works S. 2310, which provides more effectively for the regulation of the use of, and for the preservation of safety and order within the U.S. Capitol buildings and the U.S. Capitol Grounds.

Mr. President, I also urge that the doorkeepers to the galleries and other appropriate personnel stationed therein be constantly on the alert to prevent the occurrence of incidents similar to yesterday's demonstration. Moreover, it would be well for all Senators to instruct the staffs in their offices to be more than ever careful in the issuance of gallery passes.

Mr. President, I ask unanimous consent to have printed in the RECORD one of the anti-Vietnam leaflets to which I have referred.

There being no objection, the leaflet was ordered to be printed in the RECORD, as follows:

SEPTEMBER 11, 1967.

To all U.S. Congressmen:

Your first order of business this session should be a general declaration of peace—followed by immediate withdrawal of U.S. troops from Vietnam, an end to conscription, and an end to the suppression of black Americans.

Until you meet these emergencies there will be sustained disruptions of the government apparatus.

NATIONAL MOBILIZATION COMMITTEE DIRECT ACTION PROJECT

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. KUCHEL. Mr. President, the able Senator is eminently correct in the comments he has made. I am glad to join with him, speaking for the minority, in urging speedy consideration of the legislation introduced by our distinguished majority and minority leaders. I wish to commend my able friend, the acting majority leader, for the comments he has made on this occasion.

Mr. BYRD of West Virginia. I thank my friend, the able Senator from California.

ELECTION REFORM ACT OF 1967

The Senate resumed the consideration of the bill (S. 1880) to revise the Federal election laws, and for other purposes.

Mr. CANNON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CANNON. Mr. President, is any amendment pending at the present time?

The PRESIDENT pro tempore. No amendment is pending at the moment.

Mr. CANNON. I thank the Chair.

AMENDMENT NO. 292

Mr. CLARK. Mr. President, I call up, on behalf of my colleague [Mr. SCOTT] and myself, amendment No. 292.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. CLARK. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 10, between lines 23 and 24, insert the following new subsection:

"(j) The term 'Comptroller General' means the Comptroller General of the United States;"

On page 10, line 24, strike out "(j)" and insert in lieu thereof "(k)".

On page 12, line 12, strike out "Secretary or Clerk, as the case may be" and insert in lieu thereof "Comptroller General".

On page 12, lines 20 and 21, strike out "Secretary or Clerk, as the case may be," and insert in lieu thereof "Comptroller General".

On page 12, lines 23 and 24 strike out "Secretary or Clerk, as the case may be," and insert in lieu thereof "Comptroller General".

On page 14, line 4, strike out "Secretary or Clerk" and insert in lieu thereof "Comptroller General".

On page 14, lines 6 and 7, strike out "Secretary or Clerk, as the case may be," and insert in lieu thereof "Comptroller General".

On page 14, lines 13 and 14, strike out "Secretary or Clerk, as the case may be" and insert in lieu thereof "Comptroller General".

On page 14, strike out lines 16 through 24 and insert in lieu thereof the following:

"SEC. 204. (a) Each treasurer of a political committee supporting a candidate or candidates for election to Federal office, and each candidate for election to such office, shall file with the Comptroller General reports of".

On page 15, lines 5 and 6, strike out "Secretary" and insert in lieu thereof "Comptroller General".

On page 17, line 6, strike out "Secretary or Clerk" and insert in lieu thereof "Comptroller General".

On page 17, line 8, strike out "Secretary or Clerk" and insert in lieu thereof "Comptroller General".

On page 17, line 22, strike out "Secretary or Clerk, as the case may be," and insert in lieu thereof "Comptroller General".

On page 18, line 10, strike out "Secretary or Clerk, as the case may be," and insert in lieu thereof "Comptroller General".

On page 18, line 18, strike out "Secretary or Clerk" and insert in lieu thereof "Comptroller General".

On page 18, line 25, strike out "Secretary or Clerk, as the case may be," and insert in lieu thereof "Comptroller General".

On page 20, line 1, strike out "Secretary" and insert in lieu thereof "Comptroller General".

On page 20, line 5, strike out "DUTIES OF THE SECRETARY AND CLERK" and insert in lieu thereof "DUTIES OF THE COMPTROLLER GENERAL".

On page 20, lines 6 and 7, strike out "Secretary and Clerk, respectively." and insert in lieu thereof "Comptroller General—".

On page 22, strike out lines 14 through 17 and insert the following:

"(b) The Comptroller General shall establish within the General Accounting Office an automatic information retrieval system through the use of automatic data processing equipment to provide permanently for prompt access to all information contained in all statements filed pursuant to this title or information of any kind contained in any or all of such statements.

"(c) The Comptroller General is authorized and directed upon receipt of a complaint alleging a violation of this Act, or in the absence of such a complaint, upon his own initiative, to conduct such investigations as he shall deem necessary to ascertain (1) whether statements filed under this title are complete and correct, and (2) whether all such statements in fact have been filed. Whenever the report of any such investigation discloses information which in the opinion of the Comptroller General may evidence any violation of any provision of this title for which any criminal penalty is prescribed, he shall promptly transmit such report to the Attorney General, who shall institute such criminal action as he may determine to be warranted.

"(d) The Comptroller General shall coordinate his duties under this title with his duties under the Presidential Election Campaign Fund Act of 1966."

On page 22, line 21, strike out "Secretary or Clerk" and insert in lieu thereof "Comptroller General".

On page 23, line 1, strike out "Secretary or Clerk" and insert in lieu thereof "Comptroller General".

On page 23, immediately after line 25, insert the following new section:

"FURNISHING REPORTS TO THE SECRETARY AND THE CLERK

"SEC. 210. The Comptroller General shall make arrangements to furnish to the Secretary and the Clerk copies of reports filed with him under the provisions of this title."

On page 24, line 2, strike out "SEC. 210" and insert in lieu thereof "SEC. 211".

On page 24, line 7, strike out "SEC. 211" and insert in lieu thereof "SEC. 212".

On page 24, line 11, strike out "SEC. 212" and insert in lieu thereof "SEC. 213".

On page 24, line 15, strike out "Secretary and Clerk" and insert in lieu thereof "Comptroller General".

On page 24, line 21, strike out "SEC. 213" and insert in lieu thereof "SEC. 214".

On page 25, line 2, strike out "SEC. 214" and insert in lieu thereof "SEC. 215".

On page 25, line 6, strike out "SEC. 215" and insert in lieu thereof "SEC. 216".

Mr. CLARK. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, this amendment, proposed by my colleague from Pennsylvania [Mr. SCOTT] and me, would substitute the Comptroller General of the United States for the Secretary of the Senate and the Clerk of the House as the individual and agency which would have enforcement powers under S. 1880 as reported by the committee.

Both Senator SCOTT and I are members of the committee, and we regret the action taken by the committee in rejecting our amendment to designate the Comptroller General of the United States as the custodian of the financial statements required of candidates and political committees under this legislation.

I believe that every group of informed citizens which has reported on the desirability of election campaign reform would agree that probably the worst possible officers in which to vest administrative authority for enforcement are the Secretary of the Senate and the Clerk of the House. This is not because these two gentlemen are not estimable and honorable citizens—as of course, they are. I yield to no one in my admiration and affection for both of them. But there are two serious disabilities which affect both the Secretary and his opposite number in the House of Representatives when it comes to the question of enforcement.

The first disability is that they are partisan officers charged with a bipartisan function. Both individuals are elected by the majority party in the House of Representatives or in the Senate, and it is notorious that, splendid and estimable gentlemen though they are, they attain their offices on the basis of political preference. They are patronage appointments. Yet under the bill they are charged with a very high level of impartiality in terms of their duty toward enforcing the provisions of S. 1880 with respect to the filing of financial reports and their access to the press and the general public. I should think it would be a very bad precedent, indeed, to vest in these two partisan officers the enforcing authority for the salutary provisions of the bill.

The second reason why to vest enforcement authority in these individuals is, in my judgment, unsound is that neither of them has the staff or the expertise necessary to carry out their duties. These duties under the bill are not merely pro forma. They are substantial. In a very real sense, the integrity of campaign election spending will depend on the ability, capacity, and fidelity with which these two individuals enforce their duties.

The point of view which I have just expressed is pertinently set forth in an editorial entitled "Campaign Spending Reforms," published in this morning's Washington Post. I ask unanimous consent that the editorial be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. Mr. President, the editorial commends the bill, S. 1880, now before the Senate, but points out that the measure would have been substantially improved if the Committee on Rules and Administration had accepted my two amendments requiring Members of Congress to disclose their income and shifting the responsibility of serving as custodians of the reports from the Clerk of the House and the Secretary of the Senate to the Comptroller General.

I point out that my colleague [Mr. SCOTT] is a cosponsor of the second amendment.

It seems clear to me that for the two reasons I have already stated, the present amendment should be adopted. This amendment would assure that the enforcement procedure will be handled by an agency of Congress, which is what the Comptroller General is. He is not an executive officer; he is an agent of Congress. His job is to audit Government accounts. He therefore has a special competence to deal in this important accounting area which has to do with the filing of campaign expenditures.

It will be said that the Comptroller General does not want this responsibility. I have no doubt that that is correct. Who would? This is a task which is, at best, a distasteful one. At its worst, it can lead to a great deal of controversy.

But how much better equipped is the Comptroller General to assume this responsibility than is the Secretary of the Senate or the Clerk of the House. This disagreeable chore must be undertaken by someone. It occurs to me that it is irrelevant and rather immaterial to the issue that the Comptroller General would be happier if this chore were not imposed upon him. Thus, I suggest that the Senate should not be affected one way or the other by the fact that the Comptroller General does not want this task. I do not have the slightest doubt that the Secretary of the Senate does not want it either. I am confident that the Clerk of the House does not want it. I ask again, Who would? Yet this is a chore which must be undertaken by someone in the public interest.

In our joint supplemental views which accompanied the report to the Committee on Rules and Administration dealing with the Election Reform Act of 1967, my colleague [Mr. Scott] and I said—I paraphrase here; I do not quote—that the existing arrangements which are perpetuated in the present bill are far from satisfactory. That is because the Secretary of the Senate and the Clerk of the House are vested with a task which they are far less well equipped to perform than is the Comptroller General.

The amendment which we are offering would give additional duties to the Comptroller General. It would empower him to check, analyze, publicize, and make available to the public the reports which are required to be filed.

It would authorize him to establish within his office an automatic information retrieval system to assure the ready availability of all filed information to the public.

Can one see the Clerk of the House or the Secretary of the Senate—beloved servants of ours though they are—installing an automatic information retrieval system in the rather inadequate offices which they presently occupy? As all Senators know, there is no space available anywhere else for any Senator, any committee, or any staff member. We have just run out of space in both of our office buildings and, I suspect, so has the House.

The Comptroller General would be empowered to investigate, either on complaint or on his own initiative, alleged violations of the act, to audit reports, and to issue subpenas and file for injunctions in court.

He would be directed to report to the Department of Justice when any candidate or committee filed misstatements or failed to file any statement required by statute.

The General Accounting Office has a large corps of skilled investigators who have functioned with great effectiveness on behalf of the Congress in uncovering illegal and improper activities in the executive branch. Our amendment would employ the resources of this fine agency in a task of the utmost importance to the Congress—the policing of our clean election laws.

We believe that the provisions of S. 1880 which require copies of statements to be filed with the clerk of the U.S. district court for the district in which the candidate resides or in which the principal political committee offices are located are highly desirable, and our amendment would preserve that innovation. In addition, our amendment directs the Comptroller General to furnish information copies of each financial statement to the Secretary of the Senate and the Clerk of the House.

So these individuals would be as fully informed as they would be were they vested with the principal enforcement authority.

Mr. President, I reserve the remainder of my time.

I make a parliamentary inquiry as to how much time I have left.

The PRESIDING OFFICER. The Senator has 13 minutes remaining.

Mr. CLARK. I yield the floor.

EXHIBIT 1

CAMPAIGN SPENDING REFORMS

The Senate has the best opportunity in years to tighten up the reporting of campaign expenditures. Debate on the Cannon bill sponsored by the Administration began yesterday under very favorable circumstances. Enactment of this bill before the current session ends ought to be regarded as a "must."

Under the present loose terms of the Corrupt Practices Act, the country has very little reliable information about what its political campaigns cost. The law prescribes limits as to what candidates for President, Senator and Representative may spend, but they are meaningless. The law can be, and regularly is, evaded by the mere proliferation of committees supporting the candidates. Some of these committees must report their findings, but there is no check as to the accuracy of the reports and no meaningful summary or analysis of the raw figures.

The bill before the Senate would apply to primary campaigns and conventions as well as general elections for Federal offices. It would require strict reporting from all political committees which spend more than $1000 on Federal campaigns. The committees would have to report the full names and addresses of contributors so as to prevent the camouflaging that some have indulged in in the past. Reports filed would be cross-indexed and coded, and an annual report would be required showing the total amounts spent by the various committees and the names of all contributors of more than $100. The terms "contribution" and "expenditure" have been broadened to include all gifts, purchases, loans and similar things of value.

The measure would have been substantially improved, in our view, if the Senate Rules and Administration Committee had accepted Senator Clark's amendments requiring members of Congress to disclose their incomes and shifting the report-analysis chore from the Clerk of the House and the Secretary of the Senate to the Comptroller General. Senator Clark intends to offer these amendments on the floor. Much as we should like to see them enacted, it would be unfortunate, however, if either proposal should result in delay or defeat of the reporting bill.

There will be no tears for the abolition of campaign spending ceilings. These limits solemnly imposed by law have never been effective. In their present form they serve only to suggest that the law is not to be taken seriously. Far more effective, we think, will be full and accurate reporting of gifts and expenditures so that public opinion may do the policing when the use of money in campaigns becomes excessive.

The Senate will be under a handicap in this debate because it does not also have before it the plan of the Finance Committee to aid the financing of political campaigns. But the Cannon bill ought to be passed in any event. If the Senate goes on record for these reforms, it will leave a much better atmosphere in which to discuss the forthcoming Finance Committee proposals. Later the two can be joined together, if that seems desirable, but a meritorious reform should not be made contingent on Federal campaign subsidies or Federal aid in the collection of private campaign contributions.

Mr. CANNON. Mr. President, this amendment would change S. 1880 so as to require all reports of political receipts and expenditures to be filed with the Comptroller General of the United States instead of with the Clerk of the House, the Secretary of the Senate, and the clerks of the U.S. district courts.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. CLARK. The amendment retains the provision for filing with the clerks of the district courts.

Mr. CANNON. The Senator is correct. The amendment would provide for filing with the Comptroller General instead of with the Clerk of the House and the Secretary of the Senate.

Mr. CLARK. If the Senator will yield further, it requires the Comptroller General to send copies of the reports filed to both the Secretary of the Senate and the Clerk of the House.

Mr. CANNON. Yes.

The General Accounting Office performs an outstanding function for the United States in assuring compliance with Federal statutes governing the expenditure of public moneys appropriated by the Congress.

I have every confidence in the ability of that agency to perform an equally outstanding service in assuming compliance with the provisions of S. 1880, the bill presently under debate.

However, the Constitution of the United States gives to the Congress certain powers and duties concerning the operations of the respective Houses.

Each House has the sole power to judge the elections, returns, and qualifications of its Members and may determine the rules of its proceedings and punish its Members.

Clearly the responsibility and the authority to carry out the provisions of this Election Reform Act belong to the Senate and the House, and the Secretary and the Clerk, given the equipment and staff, are capable of performing their duties under the bill with skill and efficiency.

When Senator Clark's bill, S. 1546, to revise Federal election laws, was introduced on April 14, 1967, I wrote the Comptroller General asking for his views on the bill as it applied to his office.

I ask unanimous consent to have his letter of June 14, 1967, printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C.

Hon. Howard W. Cannon,
Chairman, Subcommittee on Privileges and Elections, Committee on Rules and Administration, U.S. Senate.

Dear Mr. Chairman: By letter of May 4, 1967, you requested an expression of our views with respect to S. 1546, a bill to revise the Federal election laws.

We agree that there is a need for comprehensive revision of the Federal election laws, and we do not have any objection to their revision along the lines proposed in S. 1546. However, we do question the wisdom of placing in the General Accounting Office administrative responsibilities relating to disclosure of Federal campaign funds under title II and of gifts and income under title III of the bill, particularly in light of the investigative duties imposed by subsection 206(c).

The paramount reason for placing overall administration of the provisions of titles II and III in the General Accounting Office, doubtless, is related to the fact that we have maintained throughout our history a singular detachment from partisan politics; virtually no other existing agency of the Federal Government apart from the judiciary is as free from political influences. Since the provisions concerning disclosure of Federal campaign funds and of gifts to congressional members and the income received by them are centered in the very heart of our political processes, it is understandable that the General Accounting Office, in light of its politically objective posture, be thought of as the most appropriate agency for administering these provisions.

Yet, we are quite concerned that the responsibilities contemplated in the bill for the General Accounting Office will, if ultimately assigned to us, undermine the very image of our freedom from political influences which we have so successfully maintained throughout the years and which led to the consideration of our administering the mentioned provisions in the first instance.

We do not doubt our capability for executing the responsibilities contemplated for us, in an impartial manner. But regardless of our impartiality, we believe that there will arise in the course of administering provisions of law which deal with the personal finances of members of Congress and with the finances of their political party affiliations the necessity for taking actions which could generate partisan recriminations and jeopardize our stature in the minds of individual members of the Congress. Even without investigative duties, we would have to issue regulations, prescribe criteria to be followed, make judgments concerning the practicality of insisting upon certain requirement and, generally, be involved in matters fundamentally foreign to the concept under which the General Accounting Office was established.

Basically, the General Accounting Office operates as a control agency in the legislative branch to assure compliance with Federal statutes governing the expenditure of public moneys appropriated by the Congress for the various governmental purposes and to assist in improving the efficiency with which Government financed programs are administered. In executing these functions we operate as an agent or arm of the Congress. The administrative functions and duties contemplated in the proposed bill not only are unrelated to the expenditure of appropriated funds, but, they involve the necessity for governing the reporting of and delving into the political and personal affairs of congressmen who as a body constitute our principal. We do not believe that oversight of the political and personal financial transactions of individual congressman is consistent with the posture we must maintain in executing our basic mission.

Nor, for obvious reasons, do we believe it appropriate that administration of provisions of law relating to the promotion of high standards of ethical conduct for congressmen be vested in any agency of the executive branch.

Accordingly, while we agree that there is a need for legislation along the general lines proposed in S. 1546 we strongly recommend that administration of its provisions be vested in a separate agency of the Government to be established for the express purpose of dealing solely with the problem the proposed legislation is designed to meet. We would, therefore, favor the establishment of a "Federal Elections Commission" as provided by the so-called Ashmore-Goodell bill, H.R. 18162, 89th Cong., 2d sess.

As you know, the General Accounting Office has been assigned the responsibility of administering the Presidential Election Campaign Act of 1966, now under suspension. While our responsibilities under that act cover the kind of involvement with political activities to which we take exception herein, we have not raised the issue, primarily, because the election campaign act contemplates our audit and control over appropriated funds to be provided for financing presidential campaign activities.

The General Accounting Office serves a function in our governmental structure which demands the highest confidence on the part of those whom we serve, in both the executive and legislative branches. It is our view that the General Accounting Office—in spite of reasons for considering it as an appropriate agency for the function—should not become involved in administering provisions of law concerning ethics in the legislative branch. We believe it wiser in the long run, regardless of immediate considerations, to studiously avoid any function for our Office which would encompass partisan political controversies and, in turn, tend to undermine the posture of our being totally divorced from partisan influences, a posture which we have so far successfully strived to maintain.

If, despite our view, the proposed bill is to receive favorable consideration, we would recommend elimination, for the reasons stated above, of the investigative function contemplated by section 206(c).

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

Mr. CANNON. Mr. President, I should like to read and emphasize two paragraphs from that letter. I am quoting now from the Comptroller General's letter:

> Basically, the General Accounting Office operates as a control agency in the legislative branch to assure compliance with Federal statutes governing the expenditure of public moneys appropriated by the Congress for the various governmental purposes and to assist in improving the efficiency with which Government financed programs are administered. In executing these functions we operate as an agent or arm of the Congress. The administrative functions and duties contemplated in the proposed bill not only are unrelated to the expenditure of appropriated funds, but, they involve the necessity for governing the reporting of and delving into the political and personal affairs of congressmen who as a body constitute our principal. We do not believe that oversight of the political and personal financial transactions of individual congressmen is consistent with the posture we must maintain in executing our basic mission.
>
> Nor, for obvious reasons, do we believe it appropriate that administration of provisions of law relating to the promotion of high standards of ethical conduct for congressmen be vested in any agency of the executive branch.

It is quite obvious from that letter that the Comptroller General is not interested in having this authority vested in his office. It is equally evident that an agency of our Congress such as the Comptroller General is no more an arm of the Congress than the Secretary of the Senate and the Clerk of the House. These officers are not only agents; they are actually employees of the Congress.

It is clear, as previously stated—and this is not subject to argument—that each body is the judge, under the Constitution, of its own Members and of the governing of the conduct of Members of that body.

I submit it would be a mistake to vest this authority in the Comptroller General. It should remain with the Clerk of the House and the Secretary of the Senate, as proposed in the bill.

Mr. SCOTT. Mr. President, I yield myself 5 minutes.

I support the amendment of the senior Senator from Pennsylvania [Mr. CLARK]. He and I are the cosponsors of the amendment.

In the supplemental views I submitted as a part of the committee report, I was most careful to make the point that my support of the amendment requiring the vesting in the Comptroller General of authority to receive and report these campaign contributions and expenditures was not in any sense—not in the least sense—a criticism of any Secretary of the Senate or any Clerk of the House, but was designed to relieve them of a burden which I am in my own mind certain they would rather not have—a burden which requires them as employees of this body to maintain reports on political activities of Senators and of their potential opponents. All of us admit that Senators should not have potential opponents, but the facts of life are to the contrary. That being the case, I am not surprised that the Comptroller General would be no more anxious to assume this burden than the officials of the Senate and the House; because who, indeed, does want to accept the responsibility of furnishing information, which will be of interest to the press and other media, of this nature?

Yet, if we are to have entirely dispassionate and well-removed agencies for the purpose of assuring ourselves and the public that everything is kosher and nothing is out of order in our election process, I for one would much prefer to say to the Comptroller General, "Whether you are particularly enamored of this burden or not, this is one that we would prefer for you to have, because we know that a report by the Comptroller General will be received as wholly objective and representative simply of the facts."

The General Accounting Office would be insulated from political or other pressures of the executive branch or of Congress.

A disturbing feature of title II in its present form is the weakness of its enforcement provisions. While the Secretary and the Clerk are empowered to audit financial statements, conduct field investigations, and refer apparent violations of the law to the Attorney General, would they press for investigation or prosecution if the administration and Congress were controlled by the same party to which the suspected or alleged violator or violators belonged?

In other words, it is the old Roman maxim, "Quis custodiet ipsos custodes?" "Who will watch the watchman?" Or "Who will look after the lighthouse?"

And, incidentally, there is a Japanese maxim that it is darkest at the foot of the lighthouse.

This dilemma is less likely to arise, it seems to me, if the enforcing agency were a bipartisan Federal Elections Commission or, as provided in our amendment, the General Accounting Office.

Congress, in my judgment, sorely needs to win back public confidence, and can ill afford to gloss over this enforcement issue, which is the reason why the senior Senator and the junior Senator from Pennsylvania are offering the amendment.

There is an article in today's New York Times—itself sometimes thought of as a great lighthouse, although that depends, I suppose, upon the reader—and in that article, by Tom Wicker, he refers to the bill as a "paper tiger," because of its enforcement provisions, and he is rather critical of it—so critical that I would prefer not to have the article printed in the RECORD, because I do not wish to incur the wrath of my fellow Senators.

But I do recommend the reading of this article, inasmuch as it already shows a public and press reaction of the kind of which we can expect more, if we do not apply to ourselves the maxim of Caesar's wife. If we are to be above any possible suspicion, let us separate reporting and accounting from Congress as clearly and as distinctly as we possibly can.

All Senators evidencing the immense interest that this bill has aroused, I do hope that listening Senators, alert to the nuances of the situation, will support the amendment of Senator Clark and myself, as I now yield back the remainder of my time.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 5 minutes remaining.

Mr. CLARK. Mr. President, I ask unanimous consent, in view of the parliamentary situation in which we find ourselves, that the pending amendment be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. And I call up my amendment No. 291.

The PRESIDING OFFICER. The amendment will be stated.

Mr. CLARK. Mr. President, I ask unanimous consent, since this is a long amendment, that it not be read.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none, and it is so ordered.

The amendment of the Senator from Pennsylvania [Mr. CLARK] is as follows:

AMENDMENT NO. 291

On page 25, between lines 7 and 8, insert:

"TITLE III—DISCLOSURE OF GIFTS AND CERTAIN COMPENSATION

"DEFINITIONS

"SEC. 301. When used in this title—

"(1) The term 'asset' includes any beneficial interest held or possessed directly or indirectly in any business or financial entity or enterprise, or in any security or evidence of indebtedness, but does not include any interest in any organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code.

"(2) The term 'liability' includes any liability of any trust in which a beneficial interest is held or possessed directly or indirectly.

"(3) The term 'income' means gross income as defined by section 61 of the Internal Revenue Code of 1954.

"(4) The term 'security' means any security as defined by section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b).

"(5) The term 'commodity' means any commodity as defined by section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2).

"(6) The term 'dealing' in securities, or commodities means any acquisition, transfer, disposition, or other transaction involving any security or commodity.

"(7) The term 'election' means (A) a general, special, or primary election; or (B) a convention or caucus of a political party held to nominate a candidate.

"(8) The term 'candidate' means an individual who seeks nomination for election, or election, as a Senator or Representative in, or Resident Commissioner to, the Congress of the United States, whether or not such individual is nominated or elected.

"(9) The term 'Member' means a Senator or Representative in, or Resident Commissioner to, the Congress of the United States.

"(10) The term 'Comptroller General' means the Comptroller General of the United States.

"DISCLOSURE BY CANDIDATES

"SEC. 302. (a) Each candidate shall file with the Comptroller General a written report containing the following information:

"(1) The fair market value of each asset having a fair market value of $5,000 or more held by him or by his spouse or by him and his spouse jointly, exclusive of any dwelling occupied as a residence by him or by members of his immediate family, at the end of that calendar year;

"(2) The amount of each liability in excess of $5,000 owed by him or by his spouse, or by him and his spouse jointly, at the end of that calendar year;

"(3) The total amount of all capital gains realized, and the source and amount of each capital gain realized in any amount exceeding $5,000, during that calendar year by him or by his spouse, by him and his spouse jointly, or by any person acting on behalf or pursuant to the direction of him or his spouse, or him and his spouse jointly, as a result of any transaction or series of related transactions in securities or commodities, or any purchase or sale of real property or any interest therein other than a dwelling occupied as a residence by him or by members of his immediate family;

"(4) The source and amount of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or his spouse) received by or accruing to him, his spouse, or from him and his spouse jointly, from any source other than the United States during that calendar year, which exceeds $100 in amount or value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, or other facilities received by him in kind;

"(5) The name and address of any professional firm which engages in practice before any department, agency, or instrumentality of the United States in which he has a financial interest; and the name, address, and a brief description of the principal business of any client of such firm for whom any services involving representation before any department, agency, or instrumentality of the United States which were performed during that calendar year, together with a brief description of the services performed, and the total fees received or receivable by the firm as compensation for such services; and

"(6) The name, address, and nature of the principal business or activity of each business or financial entity or enterprise with which he was associated at any time during that calendar year as an officer, director, or partner, or in any other managerial capacity.

"(b) Each candidate shall file such report for the calendar year preceding the first election in each calendar year for which he is a candidate. Such report shall be filed with the Comptroller General not later than ten days prior to such election.

"DISCLOSURE BY MEMBERS OF CONGRESS

"SEC. 303. (a) Except during the calendar year in which a Member is a candidate, each Member shall file for each calendar year a written report containing the information required by paragraphs (1) through (6) of section 302(a) of this Act.

"(b) Such report shall be filed for any such calendar year with the Comptroller General not later than April 15 of the next following calendar year. No such report shall be required to be made under this section for any calendar year beginning before January 1, 1968. The requirements of this rule shall apply only with respect to individuals who are Members of the Senate or the House of Representatives of the Congress on or after the date of enactment of this title. Any individual who ceases to serve as a Member of the Senate or the House of Representatives before the close of any calendar year shall file such report on the last day of such service, or on such date not more than three months thereafter as the Comptroller General may prescribe, and the report so made shall be made for that portion of that calendar year during which such individual so served. Whenever there is on file with the Comptroller General a report made by any individual for any calendar year in compliance with the preceding subsection, the Comptroller General may accept from that individual for any succeeding calendar year, in lieu of the report required by the preceding subsection, a certificate containing an accurate recitation of the changes in such report which are required for compliance with the provisions of the preceding subsection for that succeeding calendar year, or a statement to the effect that no change in such report is required for compliance with the provisions of the preceding subsection for that succeeding calendar year.

"IDENTIFICATION REQUIRED

"SEC. 304. Each asset consisting of an interest in a business or financial entity or enterprise which is subject to disclosure under sections 302 and 303 of this Act shall be identified in each report made pursuant to those sections by a statement of the name of such entity or enterprise, the location of its principal office, and the nature of the business or activity in which it is principally engaged or with which it is principally concerned, except that an asset whch is a security traded on any securities exchange subject to supervision by the Securities and Exchange Commission of the United States may be identified by a full and complete description of the security and the name of the issuer thereof. Each liability which is subject to disclosure under sections 302 and 303 of this Act shall be identified in each report made pursuant to those sections by a statement of the name and the address of the creditor to whom the obligation of such liability is owed.

"REPORTS AND CERTIFICATES

"SEC. 305. Reports and certificates filed under this title shall be made upon forms which shall be prepared and provided by the Comptroller General, and shall be made in such manner and detail as he shall prescribe. The Comptroller General may provide for the grouping, within such reports and certificates, of items which are required by sections 302 and 303 of this Act to be disclosed whenever he determines that separate itemization thereof is not feasible or is not required for accurate disclosure with respect to such items. Reports and certificates filed under this title shall be retained by the Comptroller General as public records for not less than six years after the close of the calendar year for which they are made, and while so retained shall be available for inspection by members of the public under such reasonable regulations as the Comptroller General shall prescribe."

On page 25, line 8, strike out "TITLE III" and insert in lieu thereof "TITLE IV".

On page 25, line 11, strike out "SEC. 301" and insert in lieu thereof "SEC. 401".

On page 25, line 14, strike out "SEC. 302" and insert in lieu thereof "SEC. 402".

Mr. CLARK. Mr. President, I yield myself such time as I may require.

This amendment deals with the disclosure of gifts and certain compensation. It is similar, but not identical, to disclosure provisions with respect to assets and liabilities of Members of the Senate which I have been urging on this body for the past 10 years.

It defines, as one would normally expect, certain terms, such as assets, liabilities, income, security, commodity, dealing in securities or commodities, election, candidate, Members of the House and Senate, and Comptroller General.

Then it requires, under the heading "Disclosure by Candidates," the filing of a written report, which would reveal the fair market value of each asset having a market value of $5,000 or more held by the candidate or his spouse; the amount of each liability in excess of $5,000 owed by the candidate or his spouse; the total amount of capital gains realized in excess of $5,000 during that calendar year by the candidate or his spouse; the source and amount of each item of income in excess of $100, and all gifts in excess of that amount, accepted by the candidate or his spouse; the name and address of any professional firm which engages in practice before any department, agency, or instrumentality of the United States, in which he has a financial interest; and the name, address, and a brief description of the principal business of any client of such firm for whom services were performed involving representation before any department, agency, or instrumentality of the United States, together with a brief description of the services performed and the amount of fees received by the firm as compensation.

Finally, it requires disclosure of the name of each business or financial entity with which he was associated as an officer, director, or partner, or in any other managerial capacity, during the calendar year of the election.

The candidate must file a report for the calendar year preceding the first election in which he is a candidate. This report must be filed with the Comptroller General not later than 10 days prior to the election.

The rest of the amendment deals with the minutiae of these reports and disclosures, including the identification required with the reports and certificates which are to be prepared on forms provided by the Comptroller General.

Mr. President, my proposal represents an expanded and more comprehensive version of the disclosure requirements applicable to Members of Congress which were contained in President Johnson's Election Reform Act of 1966, which I was privileged to introduce in the Senate last year.

Unfortunately, the President's bill this year omitted these salutary requirements. I offered an amendment to restore them to the bill in committee. To my regret, the amendment was rejected by the committee by a vote of 7 to 2.

Two principal arguments were made against it. First, it was asserted that the Committee on Rules and Administration ought not to adopt a disclosure rule because that matter is presently under study by the Select Committee on Standards and Conduct.

The creation of the select committee did not divest the Committee on Rules and Administration of either its jurisdiction or its responsibilities in this field.

What would be done by the Select Committee on Standards and Conduct, one would assume, would be to establish a code of ethics for the Members of the Senate. What we are concerned with here is legislation dealing with fair elections and with the desirability in connection with fair elections of providing for adequate disclosure by Members running for reelection and by other candidates.

The creation of this Select Committee on Standards and Conduct did not divest the Committee on Rules and Administration, as I have said, of either its jurisdiction or its responsibilities in this field. The fact is that to date the select committee has been almost continuously preoccupied since its creation—and is today preoccupied—with matters pertaining to individual Senators. It is true that the committee has committed itself to the Senate to report on a code of ethics before the end of the session. But I point out that it is now September 12 and, for reasons which I could well understand, no such code of ethics has yet been forthcoming from the committee.

We now have, in my judgment, an excellent opportunity to provide by legislation just what, in my judgment, the Select Committee on Standards and Conduct ought to report and recommend to the Senate. Hence, it seems to me that the appropriate and the efficient thing for the Committee on Rules and Administration to do would have been to exercise its undisputed authority and report a disclosure rule to the Senate.

I regret that it did not see fit to do so.

It was pointed out during the discussions within the committee that the original amendment which I offered did not seem properly germane to an election reform bill, since it applied only to incumbents and not to candidates for office who are not Members of Congress.

I believe this argument is a good one. I accept it, and I have amended my amendment accordingly so that it now provides that the disclosure provision should be applicable to all candidates in both primary and general elections whether or not they are Members of Congress running for reelection. Accordingly, I would hope that the Senate will look with favor on both of these amendments which, in my judgment, would substantially strengthen the pending bill for which, needless to say, I intend to vote.

Mr. President, I reserve the remainder of my time and wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 20 minutes remaining.

Mr. CLARK. Mr. President, I yield the floor.

Mr. CANNON. Mr. President, the amendment proposed by the distinguished senior Senator from Pennsylvania would revise the bill so as to include the disclosure by Members of Congress and candidates of all assets, liabilities, income, securities, gifts, and other compensations.

I have no quarrel with the Senator's good intentions. A code of ethics and complete disclosure of income, assets, liabilities, securities, gifts, and other compensations may soon be adopted in both Houses of Congress. At least, I hope so.

I favor the amendment in principle, but believe it does not go far enough. Such a code should be broad enough to encompass all three branches of Government—executive, judicial, and legislative.

During the first session of the 89th Congress, I proposed an amendment to Senate Resolution 123 that was pending before the Senate that year. That amendment would have required all officers and employees of the executive, legislative, and judicial branches of the Government who were compensated in the amount of $10,000 or more per year to make a disclosure as proposed in the Clark amendment now pending, and reveal all assets, I might add. However, the Senate felt very strongly about these subjects and, in order to do a thorough and fair study to determine the nature and scope of such codes or regulations, established a Select Committee on Standards and Conduct. That committee, consisting of three Democrats and three Republicans—all highly esteemed by the Senate—has worked diligently and carefully to preserve and strengthen the integrity of the Senate.

To consider at this time a proposal pertaining to disclosure of income, assets, gifts, and other compensation—a proposal now being studied by the Select Committee on Standards and Conduct—would be to deprive that committee of its proper jurisdiction and thwart the basic purpose for which it was created.

Further, a code of ethics or a law requiring disclosure of income, assets, and other compensation would not be germane to a Federal Election Reform Act and ought not to be made a part of or attached thereto.

For these reasons, Mr. President, I am

opposed to the pending amendment and hope that it will be defeated.

Mr. BYRD of West Virginia. Mr. President, how much time remains on the pending amendment?

The PRESIDING OFFICER. The Senator from Pennsylvania has 20 minutes remaining. The Senator from Nevada has 27 minutes remaining.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the pending amendment be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the vote occur on amendment No. 292 no later than 12:15 this afternoon, and that the vote on that amendment be immediately followed by the vote on amendment No. 291.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CANNON. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 5, line 12, following the words *"Provided, however,"* strike out everything through line 15 and insert in lieu thereof the following:

> That nothing contained in this subsection shall prohibit the transfer of contributions received by a political committee.

Mr. CANNON. Mr. President, on page 5 of S. 1880, lines 13 through 15 state "That the term 'person' as used in this subsection shall not include a political committee." Under the definitions, an individual might claim to be a political committee and thus evade the $5,000 limitation on contributions set by section 608. To prevent that, I am proposing an amendment to strike lines 13 through 15 on page 5 and insert after the proviso on line 12 the following:

> That nothing contained in this subsection shall prohibit the transfer of contributions received by a political committee.

In this manner, only a bona fide committee which receives contributions, gifts, or other things of value could transfer such to candidates or political committees.

The term "transfer" is generic. It is broad enough to include contributions, expenditures, gifts, loans, and all other transactions.

I urge that the amendment be adopted.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. CLARK. Referring again to lines 12 through 15 on page 5 and the substitute which the Senator has proposed, do I correctly understand that nothing in this bill would prevent an individual from making a contribution to another individual who in turn would forward that contribution to a political committee which would be required to report the name or names of the real donor or donors as part of its report?

Mr. CANNON. Every person who receives any contribution of more than $100 is required to report.

Mr. CLARK. What I have in mind is a situation which occurs frequently in my State, where an individual very much interested in the election of a particular candidate goes out and solicits funds to assist the latter in his campaign. Frequently—this may not be wise—those contributions are made in cash; sometimes they are made by check to the order of the soliciting individual.

As I understand, under this bill, the soliciting individual would be required to file with the relative political committee the amount of the contributions solicited and obtained by him from whatever source derived, revealing that source.

Mr. CANNON. The Senator is correct.

Mr. CLARK. I thank the Senator.

Mr. CANNON. The provision on page 11 of the bill states:

> Every person who receives a contribution for a political committee shall, on demand of the Treasurer, and in any event within five days after the receipt of such contribution, render to the Treasurer a detailed account thereof, including the amount, the name and address of the person making such contribution, and the date on which received.

Mr. CLARK. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada.

The amendment was agreed to.

Mr. CANNON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a very brief period for the transaction of routine morning business at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 653. An act for the relief of Capt. Robert C. Crisp, U.S. Air Force; and

S. 1601. An act to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 206. An act to amend section 2733 of title 10 of the United States Code, to include authority for the settlement of claims incident to the noncombat activity of the Coast Guard while it is operating as a service in the Department of Transportation, to grant equivalent claims settlement authority to the Secretary of Defense, to increase the authority which may be delegated to an officer under subsection (g) of section 2733 of title 10 and subsection (f) of section 715 of title 32, from $1,000 to $2,500, and for other purposes;

H.R. 1948. An act for the relief of Lim Ai Ran and Lim Soo Ran;

H.R. 1960. An act for the relief of Angelique Kousoulas;

H.R. 1963. An act for the relief of employees of General Services Administration;

H.R. 2454. An act for the relief of the children of Mrs. Doris E. Warren;

H.R. 2464. An act for the relief of Yoo Young Hui, and her daughter, Ok Young;

H.R. 2477. An act for the relief of John J. McGrath;

H.R. 2978. An act for the relief of Yong Ok Espantoso;

H.R. 3430. An act for the relief of Yim Mei Lam;

H.R. 3498. An act for the relief of D. M. Dew and Sons, Inc., and Dewey Campbell;

H.R. 3734. An act for the relief of Giuseppe De Stefano;

H.R. 3810. An act to provide training opportunities for persons employed in the legislative branch of the Government;

H.R. 4534. An act for the relief of Mary Bernadette Lineham;

H.R. 4739. An act to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., and for other purposes;

H.R. 5025. An act to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on certain claims of Mrs. Hazel M. LaFrance against the United States;

H.R. 5199. An act for the relief of James E. Denman;

H.R. 7599. An act for the relief of Dr. Emanuel Marcus;

H.R. 8088. An act for the relief of Willard Herndon Rusk;

H.R. 8654. An act to amend section 3731, title 18, United States Code, and section 23-105 of the District of Columbia Code, to permit an appeal by the United States in certain instances from an order made before trial granting a motion for return of seized property and to suppress evidence;

H.R. 9085. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof; and

H.R. 10773. An act to amend section 1730 of title 18, United States Code, to permit the uniform or badge of the letter-carrier branch of the postal service to be worn in theatrical, television, or motion-picture productions under certain circumstances.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 206. An act to amend section 2733 of title 10 of the United States Code, to include authority for the settlement of claims incident to the noncombat activity of the Coast Guard while it is operating as a service in the Department of Transportation, to grant equivalent claims settlement authority to the Secretary of Defense, to increase the authority which may be delegated to an officer under subsection (g) of section 2733 of title 10 and subsection (f) of section 715 of title 32, from $1,000 to $2,500, and for other purposes;

H.R. 1948. An act for the relief of Lim Ai Ran and Lim Soo Ran;

H.R. 1960. An act for the relief of Angelique Kousoulas;

H.R. 1963. An act for the relief of employees of General Services Administration;

H.R. 2454. An act for the relief of the children of Mrs. Doris E. Warren;

H.R. 2464. An act for the relief of Yoo Young Hui, and her daughter, Ok Young;

H.R. 2477. An act for the relief of John J. McGrath;

H.R. 2978. An act for the relief of Yong Ok Espantoso;

H.R. 3430. An act for the relief of Yim Mei Lam;

H.R. 3498. An act for the relief of D. M. Dew and Sons, Inc., and Dewey Campbell;

H.R. 3734. An act for the relief of Giuseppe De Stefano;

H.R. 4534. An act for the relief of Mary Bernadette Lineham;

H.R. 5025. An act to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on certain claims of Mrs. Hazel M. LaFrance against the United States;

H.R. 5199. An act for the relief of James E. Denman;

H.R. 7599. An act for the relief of Dr. Emanuel Marcus;

H.R. 8088. An act for the relief of Willard Herndon Rusk;

H.R. 8654. An act to amend section 3731, title 18, United States Code, and section 23–105 of the District of Columbia Code, to permit an appeal by the United States in certain instances from an order made before trial granting a motion for return of seized property and to suppress evidence; and

H.R. 10773. An act to amend section 1730 of title 18, United States Code, to permit the uniform or badge of the letter-carrier branch of the postal service to be worn in theatrical, television, or motion picture productions under certain circumstances; to the Committee on the Judiciary.

H.R. 3810. An act to provide training opportunities for persons employed in the legislative branch of the Government; to the Committee on Post Office and Civil Service.

H.R. 4739. An act to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., and for other purposes; and

H.R. 9085. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof; to the Committee on Interior and Insular Affairs.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Approval of Loan to South Texas Electric Cooperative, Inc.

A letter from the Administrator, Rural Electrification Administration, Department of Agriculture, reporting, pursuant to Senate Report No. 497, on the approval of a loan to South Texas Electric Cooperative, Inc., of Victoria, Tex., in the amount of $5,213,000, and the use of $104,000 of funds available from previous loans, for the financing of certain transmission and minor generation facilities (with an accompanying paper); to the Committee on Appropriations.

Report of U.S. Information Agency

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting, pursuant to law, a report of that Agency, for the 6-month period ended June 30, 1967 (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated August 28, 1967, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Martin J. Hillenbrand, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Hungary;

Brent K. Ashabranner, of Oklahoma, to be Deputy Director of the Peace Corps;

William A. Costello, of Minnesota, to be Ambassador Extraordinary and Plenipotentiary to Trinidad and Tobago;

William O. Hall, of Oregon, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Ethiopia;

Fredric R. Mann, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary to Barbados;

Geoffrey W. Lewis, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Central African Republic;

Albert W. Sherer, Junior, of Illinois, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Togo; and

H. Rex Lee, of Idaho, to be an Assistant Administrator of the Agency for International Development.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK:

S. 2388. A bill to provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, to authorize an Emergency Employment Act, and for other purposes; placed on the calendar.

(See the remarks of Mr. Clark when he reported the above bill, which appears under a separate heading.)

By Mr. LONG of Missouri (for himself and Mr. Symington):

S. 2389. A bill for the relief of Ali Nail and Meral Kubali; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 2390. A bill to provide for withdrawal of Federal supervision over the property and affairs of the Seneca Nation and its members, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself, Mr. Baker, Mr. Brewster, Mr. Scott, and Mr. Thurmond):

S. 2391. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Tydings when he introduced the above bill (for himself and other Senators), which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 2392. A bill to provide for the preservation of safety and order upon the U.S. Capitol grounds and within the U.S. Capitol buildings; to the Committee on Public Works.

By Mr. JAVITS:

S. 2393. A bill to fix date of citizenship of Alfred Lorman for purposes of War Claims Act of 1948; to the Committee on the Judiciary.

By Mr. KENNEDY of New York (for himself, Mr. Randolph, and Mr. Moss):

S. 2394. A bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar and nicotine content; to the Committee on Commerce.

(See the remarks of Mr. Kennedy, of New York, when he introduced the above bill, which appear under a separate reading.)

By Mr. KENNEDY of New York (for himself, Mr. Randolph, and Mr. Moss):

S. 2394. A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes; to the Committee on Commerce.

By Mr. KENNEDY of New York (for himself and Mr. Randolph):

S. 2395. A bill to direct the Federal Communications Commission to establish regulations prohibiting certain broadcasting of advertising of cigarettes; to the Committee on Commerce.

S. 2396. A bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar and nicotine content; to the Committee on Finance.

(See the remarks of Mr. Kennedy of New York when he introduced the above bills, which appear under a separate heading.)

RESOLUTION

TO PRINT ADDITIONAL COPIES OF A REPORT TO ACCOMPANY SENATE BILL 2388

Mr. CLARK submitted a resolution (S. Res. 168) to print additional copies of a report to accompany Senate bill 2388, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

WITHDRAWAL OF FEDERAL SUPERVISION OVER THE PROPERTY AND AFFAIRS OF THE SENECA NATION

Mr. JACKSON. Mr. President, I am today introducing, by request, a bill submitted and recommended by the Secretary of the Interior to provide for withdrawal of Federal supervision over the property and affairs of the Seneca Nation and its members, and for other purposes.

I ask unanimous consent that the let-

ter accompanying the draft legislation be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2390) to provide for withdrawal of Federal supervision over the property and affairs of the Seneca Nation and its members, and for other purposes, introduced by Mr. Jackson (by request), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. Jackson is as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., August 31, 1967.
Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: As required by section 18 of the Act of August 31, 1964 (78 Stat. 738), there is submitted herewith a plan, in the form of a draft bill, for complete withdrawal of Federal supervision over the property and affairs of the Seneca Nation and its members. This bill was developed after consultation with the Seneca Nation as indicated below.

The requirement to present such a plan was first mentioned to the Seneca Nation by the then Commissioner of Indian Affairs, Philleo Nash, shortly after the passage of the 1964 Act. In a speech made on the reservation on September 19, 1964, Mr. Nash said in regard to this subject that the views of the Senecas would be embodied in the recommendations the Secretary must make to the Congress.

During 1965, the officers of the Seneca Nation and the Bureau representative on the reservation were engrossed in the rehabilitation programs provided for by the Act, and little thought or time was given to the requirement of submitting a withdrawal plan.

On April 21, 1966, the then President of the Seneca Nation, Mr. Martin Seneca, wrote to the Department and to the Bureau expressing his concern that such a plan must be developed, and asked whether the Government had started preparing such a plan. We replied that we wanted this to be a joint project, with inputs from the Seneca Nation; that we would appoint a committee to work with the Seneca Nation and any other person designated by it; and that we were ready at any time convenient to the Senecas to discuss the provisions of the plan.

In July of 1966, a Seneca delegation met with the present Commissioner of Indian Affairs, Robert L. Bennett, and informed him that the Senecas would rather not work on the withdrawal plan until after the tribal elections in November of that year. At this meeting, the Commissioner commented on the importance of preparing the plan as a joint effort of the Government and the Indians.

Shortly after the November elections, the Bureau representative on the reservation discussed with the new President of the Seneca Nation, Mr. Calvin John, and his Council the requirements of submitting a plan. The President of the Seneca Nation came to Washington in January of 1967, and we discussed with him and counsel for the Seneca Nation an approach to the preparation of the plan.

A five-man committee of Bureau employees was named by the Commissioner, and the tribe set up an eight-man committee to prepare the document. The two committees met on the reservation on January 13, 1967, at which meeting the areas of concern were explored and the provisions of a plan were discussed. On March 22, 1967, the President of the Seneca Nation and other members of the Seneca committee came to Washington to consult with the Commissioner about the plan and received suggestions as to what features the Seneca Nation might want to incorporate into its provisions. At that time the Commissioner strongly urged that the two committees meet again soon to put the plan in final form. On March 24, a delegation, including the President of the Seneca Nation, again consulted with the Commissioner here in Washington on the contents of the plan.

When the two committees next met, it was with the Seneca Council on the reservation on May 29. At that meeting, the Seneca Tribal Council took the position it was the Government's responsibility to develop a plan; that the members of the Seneca Nation and the Council were unalterably opposed to changing the present relationship that exists between the Seneca Nation and the Federal Government (based originally on the treaty of November 11, 1794); but that the Council would analyze the contents of the plan developed by the Government.

Reacting to the results of this meeting, the Commissioner felt that he should have the views of the Senecas firsthand, so he consulted with them on the reservation on July 31, 1967. The Seneca people and the Council reiterated their objection to terminating the present relationship between them and the Federal Government, and asked the Commissioner to inform the Congress that they were strongly opposed to any legislation that would jeopardize this existing relationship.

The Commissioner informed the Senecas at this meeting that the plan would be developed by the Bureau of Indian Affairs and submitted to the Congress and to the Seneca Nation at the same time.

Section one of the draft bill presented herewith provides that all statutes of the United States which apply to Indians because of their status as Indians shall cease to apply to the Seneca Nation and its members after a date to be inserted. This will free the Seneca Nation of Federal control over the use and disposition of its property and allow the Indians to use and dispose of their lands, subject only to State law.

Section 2 terminates all Federal supervision over the expenditure of any funds appropriated by the 1964 Act, and provides for the use of unprogramed funds if there are unprogramed funds as of the withdrawal date.

Section 3 repeals Federal laws governing leasing of Seneca lands and certain hunting and fishing rights.

Section 4 of the Act retains those laws which confer criminal and civil jurisdiction over New York Indians to the State of New York. Heretofore a law conferring civil and criminal jurisdiction over Indians to a State has been considered as a withdrawal of Federal law and order services to such Indians. In addition to conferring civil jurisdiction, the 1950 Act provides for a retention of hunting and fishing rights, and provides that nothing in the Act will subject the Seneca lands to State or local taxation. This provision was put in the 1950 Act to preserve the status quo with respect to taxation, and this reason still is valid. There is a New York State statute to the effect that lands on Indian reservations in that State are not taxable.

Section 5 of the Act capitalizes the $6,000 annuity payable under a former Act of Congress. On the basis of the present division of these funds, the Seneca Nation receives 84.7 percent and the Tonawanda Band of Senecas receives 15.3 percent. The sum representing the Senecas' share has been capitalized at 6 percent.

Under section 6, the $4,500 annuity payable to the Six Nations of Indians under the treaty of 1794 has been apportioned to the Seneca Nation, which now receives 56 percent of the $2,700 paid annually to the New York Indians. The other $1,800 of this payment is paid to the Oneida Indians in Wisconsin. Here again, the amount apportioned to the Senecas has been capitalized at 6 percent.

Section 7 provides for an option to the capitalization of the annuities whereby the Senecas could accept annually their share of the annuities in a lump sum, thereby relieving the Government of the burden of distribution. The Bureau now maintains the annuity rolls and arranges to have the individual checks written for the $6,000 annuity, and makes the division of the "treaty cloth" purchased with the $4,500 annuity.

Section 8 would not abrogate any valid leases, permits, licenses, etc., heretofore approved, including the original treaty between the United States and the Six Nations, nor affect the status of the Senecas as citizens of the United States, nor affect any claims heretofore filed by them against the United States, nor prevent them from participating in any Federal program that is available to other persons or groups without regard to race.

With respect to the treaty dated November 11, 1794, between the United States and the Six Nations, we are proposing that its provisions, except for a capitalization of the annuity, be allowed to remain intact. If the provisions of this treaty are abrogated, the Indians very much fear that they will lose their identity as Indians and that their lands will become taxable. This treaty is publicized as the first treaty made between President George Washington and the Indians. We do not believe the American public would want the Federal Government to abrogate this treaty unilaterally. All of the other Indians of the Six Nations are even now alarmed, as are the Senecas, that this treaty might be broken.

In connection with Indian identity, the Federal Government has recognized other groups of Indians without providing them special services because of their status as Indians. In 1956, by the Act of June 7 (70 Stat. 254), the United States designated certain Indians in North Carolina as the Lumbee Indians but without rights to receive special services because of their status as Indians. On October 8, 1964, by Private Law 88–350, the Government conveyed certain lands to the Pascua Yaqui Association, Inc., an association of Yaqui Indians in Arizona who had not been previously recognized as Indians. There is pending in Congress H.R. 10599 to recognize the Tiwa (Tigua) Indians of Texas as Indians without rights to receive special services. We believe that the Seneca Indians, who belong to one of the tribes longest recognized by the Federal Government, deserve no less than the Lumbees, the Yaquis, and the Tiwas.

Section 9 is the so-called "consent" provision. The position of the Department is that severance of the relationship between the Seneca Nation and the Federal Government is not objectionable if it is done by mutual consent. The bill provides for a referendum and is therefore consistent with this policy; the bill will not become effective until it is accepted by a majority of the eligible voters of the Seneca Nation voting on the issue. In termination legislation most recently enacted by the Congress, the consent provision has been incorporated. See: the Act of September 21, 1959 (73 Stat. 592), Catawba Indians; the Act of September 5, 1962 (76 Stat. 429), Ponca Indians; and the Act of August 11, 1964 (78 Stat. 390), California Lands. See also S. 282 and H.R. 3051 (Colville) presently pending before the Congress.

Section 10 authorizes the appropriation of the necessary amount to capitalize the share of the annuities paid to the Seneca Nation if they are paid in a lump sum.

The Bureau of the Budget has advised

that, having taken note of the statutory requirement for submission of a plan, there is no objection to the presentation of this proposed legislation from the standpoint of the Administration's program.

Sincerely yours,

DAVID S. BLACK,
Secretary of the Interior.

S. 2390

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, except as otherwise provided in this Act, all statutes of the United States which apply to Indians because of their status as Indians shall cease to apply to the Seneca Nation and its members ——— years from the date of this Act.

SEC. 2. Not later than ——— years from the date of this Act, the Secretary of the Interior shall approve the plans and programs required by section 4 of the Act of August 31, 1964 (78 Stat. 738), and shall release all Federal supervision over the expenditure of any funds appropriated pursuant to said Act. Any funds that are unprogramed on that date shall be placed in a commercial trust account and shall be available for the purposes and subject to the same limitations as set forth in section 4 of said Act. The other provisions of said Act shall not be affected by the enactment of this Act.

SEC. 3. The Acts of February 19, 1875 (18 Stat. 330), September 30, 1890 (26 Stat. 558), January 5, 1927 (44 Stat. 932), and August 14, 1950 (64 Stat. 442), as amended, are repealed.

SEC. 4. The Act of July 2, 1948 (62 Stat. 1224), and the Act of September 13, 1950 (64 Stat. 845), shall not be repealed or modified by the enactment of this Act.

SEC. 5. The $6,000 annuity payable to the Seneca Tribe of Indians under the Act of February 19, 1831 (4 Stat. 442), shall be apportioned as follows: $5,082 to the Seneca Nation and $918 to the Tonawanda Band. The amount apportioned to the Tonawanda Band shall continue to be paid annually until otherwise provided by law. In lieu of all future annuity payments to the Seneca Nation, the sum of $84,700 shall be paid directly to the members of the Seneca Nation on the last annuity roll, such sum representing $5,082 capitalized at 6 percent: *Provided,* that this sentence shall not apply if the Seneca Nation exercises the option granted by section 7.

SEC. 6. The $4,500 annuity payable to the Six Nations of Indians under article VI of the treaty of November 11, 1794 (7 Stat. 46). shall be apportioned as follows: $1,512 to the Seneca Nation and $2,988 to the remaining tribes of the Six Nations. The amount apportioned to such remaining tribes shall continue to be paid annually until otherwise provided by law. In lieu of all future annuity payments to the Seneca Nation, the lump sum of $25,200 shall be paid to the Seneca Nation, such sum representing its share of the annuity of $1,512 capitalized at 6 percent: *Provided,* That this sentence shall not apply if the Seneca Nation exercises the option granted by section 7.

SEC. 7. The Seneca Nation may have the option to accept the annuity payments payable to the members of the Seneca Nation under the Act of February 19, 1831 (4 Stat. 442), and article VI of the treaty of November 11, 1794 (7 Stat. 46), in one payment each year and assume the responsibility without cost to the United States for any distribution to individual members of the Seneca Nation.

SEC. 8. Nothing in this Act shall—

(a) Abrogate any valid lease, permit, license, right-of-way or other contract heretofore approved, including the treaty of November 11, 1794 (7 Stat. 46), as to the perpetual peace and friendship established between the United States and the Six Nations, as to acknowledging the established reservations as belonging to the tribes mentioned, and as to protecting the Indians in the free use and enjoyment of their reservations;

(b) Affect the status of the members of the Seneca Nation as citizens of the United States;

(c) Affect any claim heretofore filed against the United States by the Seneca Nation; or

(d) Preclude the Seneca Indians from participating in any Federal program that is available to other persons or groups without regard to race.

SEC. 9. The provisions of this Act shall not become effective until a resolution consenting to its provisions has been approved by a majority of the eligible voters of the Seneca Nation voting in a referendum for that purpose which shall be conducted by the Secretary of the Interior.

SEC. 10. There is hereby authorized to be appropriated the sum of $109,900 to pay the capitalized annuities authorized by this Act.

NATIONAL VISITORS CENTER

Mr. TYDINGS. Mr. President, all of us recognize that facilities available to assist the millions of people who visit our Nation's Capital are woefully inadequate. For this reason, Congress enacted last year legislation authorizing a National Visitors Center Study Commission to examine the magnitude of the need and recommend to Congress the facilities required to meet this need. This Commission is ably chaired by Secretary of the Interior Udall, and I am honored to serve as a member.

I am introducing today, for myself and Senator BAKER, Senator BREWSTER, Senator SCOTT, and Senator THURMOND, proposed legislation which represents the best judgment of the Commission that, at a minimum, a National Visitors Center is urgently needed, that this Center should be located in the Union Station terminal, and that the Federal Government be authorized to enter into a lease agreement with the Washington Terminal Co., owner of Union Station, so Union Station can be used for the Center and for parking lots to accommodate visitors. The bill also authorizes the Secretary of the Interior to arrange a shuttle service for visitors between the Visitors Center and the museums and other historic sites along the Mall.

In 1965, an estimated 10 million visitors came to Washington to see our historic buildings and monuments. This means that almost 50,000 people were visiting here every day during the summer months. By 1976, almost double that number—or 96,000 visitors a day—can be expected during the summer months. These figures dramatically illustrate that Washington, D.C., is a mecca for visitors. But we have taken little action thus far to ensure that visitors have a rewarding and educational experience in this city. Enactment of this legislation would be a significant contribution toward meeting our responsibilities to the millions of visitors from this country and abroad who come to the Nation's Capital.

I ask unanimous consent that the full text of the National Visitors Center Act of 1967 be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2391) to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes, introduced by Mr. TYDINGS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 2391

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Visitor Center Act of 1967".

SEC. 2. The Administrator of the General Services Administration and the Secretary of the Interior, on behalf of the United States, are authorized to negotiate and enter into agreements and leases with the Washington Terminal Company, the owner of the property in the District of Columbia known as Union Station, for the use of portions of such property for a national visitor center and for a parking facility in connection therewith.

SEC. 3. (a) The agreements and leases authorized by section 2 of this Act shall be subject to the following terms and conditions:

(1) The Washington Terminal Company shall agree to undertake such alterations of the existing Union Station Building as the Secretary of the Interior deems necessary to provide adequate facilities for visitors, but the total cost of such alterations shall not exceed $5,000,000;

(2) The lease of the Union Station Building to the United States shall commence upon completion of such alterations and shall be for a term of not more than twenty years;

(3) The Washington Terminal Company shall undertake the construction of a parking facility, including a vehicular access ramp thereto, to accommodate approximately four thousand vehicles in the airspace immediately northerly of existing Union Station Building, at a total cost not to exceed $11,000,000, which facility, upon completion, shall be leased to the United States for a term of not more than twenty years;

(4) The Washington Terminal Company shall construct a new railroad terminal in the area immediately northerly of such parking facility; and

(5) The aggregate cost to the United States of the leases entered into under this Act may not exceed $2,935,000 annually.

(b) The agreements and leases authorized by section 2 of this Act shall be subject to such other terms and conditions as the Administrator of the General Services Administration and the Secretary of the Interior prescribe.

SEC. 4. The Secretary of the Interior shall administer the property leased under this Act in accordance with the statutory authority available to him for the administration of the national park system.

SEC. 5. In connection with his responsibilities to administer any areas in the Mall and its vicinity in the District of Columbia which contain points of intensive visitation or interest, the Secretary of the Interior is directed to utilize the authority in the Act of May 26, 1930 (46 Stat. 382) as amended and supplemented, to provide transportation of visitors by the United States when the Secretary deems such action advisable to facilitate such visitation and to insure proper management and protection of such areas. The Secretary is also directed to make provision for such transportation of visitors to the National Visitor Center established pursuant to this Act.

SEC. 6. The District of Columbia shall not, during the term of any lease entered into by the United States and the Washington Terminal Company pursuant to this Act, include in the assessed valuation of the leased properties for tax purposes any increase in value by reason of the improvements made on such properties by said company in meeting its obligations under any lease or agreement made pursuant to this Act.

SEC. 7. (a) In connection with the construction of the parking facility contemplated by this Act, the District of Columbia shall, upon the request of the Administrator of General Services Administration, transfer to the said Administrator any real property under its jurisdiction which may be necessary to provide vehicular access to California Avenue.

(b) Any alteration in the existing traffic pattern in Union Station Plaza necessitated or made desirable by reason of the parking facility shall be made only after prior consultation with the Architect of the Capitol.

SEC. 8. Notwithstanding the execution of any agreement or lease pursuant to this Act, the Secretary of the Interior is directed to make a continuing study of the needs of visitors to the Washington metropolitan area, including therein the necessity and desirability of different or additional visitor centers, and to report to the President who shall submit to the Congress such recommendations as he deems appropriate.

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. BREWSTER. Mr. President, I should like to congratulate my distinguished colleague from Maryland, Senator TYDINGS, for introducing what I consider to be a very important measure, the National Visitor Center bill.

I am proud to be a cosponsor of this legislation.

Ever since I began to work in Washington, I have been troubled by the congested and often confused flow of visitors to the city.

It is estimated that during the course of this year, 21 million tourists will have visited the Capital. In 1960, the figure was only 15 million. In 1970, we can expect 24 million, a figure that by 1980, could rise to 35 million.

I find this trend very encouraging for commerce in the city of Washington. The more who come here, the merrier—as far as the welfare of the city is concerned.

Certainly, there is no city in the United States of greater interest to the visitor than Washington. Not only do these 10 square miles contain the very marrow of our history, but they encompass avenues of unparalleled beauty, parks of great natural splendor, buildings of historical and architectural note, and the embodiment of this, our Government, at work.

Every schoolchild wants to come here, to push the buttons in the Smithsonian, to hear the tommygun fire at the FBI, to see the greenbacks at the mint.

Adults like to stroll on the Mall, listen to a debate in Congress, walk through the National Gallery and the White House, attend a Watergate concert, and share the interesting sights of the city with their children.

No other American city offers the combination of Government activity, cultural life, and sheer physical beauty that makes Washington such an attractive city. As long as Americans continue to travel more, more Americans will visit Washington. It is our job to make their visits pleasant and rewarding.

This job becomes more difficult as traffic jams clog the city, and as lack of parking space makes it increasingly difficult to abandon the family car.

The need reaches beyond parking and transportation. There is so much to see in this city that a tourist needs some central place in which to find out what he can see and when, and where he can learn the history of various landmarks. He needs a place in which to coordinate his visit so that he and his family can make the best of their time in Washington.

Senator TYDINGS' bill, resulting as it does from a yearlong study by the National Visitors Center will provide a centralized information bureau for the convenience of the tourist.

Second, the Center will include facilities for parking 4,000 vehicles and will act as a terminal for intracity sightseeing vehicles. At long last, the visitor will be able to abandon his car—and keep it off the streets—and hop onto a convenient form of public sightseeing transportation.

Third, the informational displays set up inside the Center would help the visitor to understand what actually goes on in the many, many Government office buildings he passes. Today, if the tourist is lucky, he catches a glimpse of Congress in session, and he may even hear a Supreme Court decision. Unfortunately, however, he can get little real feel for the day-to-day working of the Federal Government, so he departs with an incomplete picture.

I should like to see the Center filled with displays, lectures, and films that would put across some of the real excitement of Government, thereby leaving the older visitor with a respect for Government work, and hopefully tantalizing the younger to explore a Government career.

Fourth, Senator TYDINGS' bill envisions the preservation and utilization of an important historical building. This building is, of course, Union Station, a landmark which I have always regarded as the gateway to Washington.

With its vast open space, majestic view of Capitol Hill, and central location, I can think of no building that could be adapted better to use as a Visitors Center than Union Station. Such an adaptation would also insure its preservation from the sort of fate that greeted Pennsylvania Station in New York.

Fifth, with a war raging in Vietnam, we cannot help but be attracted by the economical features of Senator TYDINGS' bill.

Under the terms of the bill, the Washington Terminal Co., which owns Union Station, would spend a total of $19½ million to adapt the building and constructing parking facilities. No Federal funds whatsoever would be involved in construction or renovation.

What the Tydings bill does is to specify the extent of construction and renovation, and then authorizes the Secretary of the Interior to lease the Center for approximately $2.9 annually.

Any way you look at it, this bill gives the taxpayer a very fair deal for his money. In few other projects would he be able to see his tax dollar put to more sensible, practical, and economical use.

In addition, the National Visitors Center, as envisioned in the Tydings proposal, would most certainly bring a long-run increase in revenue to the District of Columbia.

Already, tourists spend over $350 million a year in Washington. It has been estimated that the comfort and convenience of a National Visitors Center could possibly double the average stay of a visitor, thus greatly increasing the numbers of dollars spent in the Capital City.

Once again, in urging strong support for the National Visitors Center bill, I should like to congratulate my distinguished friend and colleague from Maryland, Senator TYDINGS, and the other members of the National Visitors Center Study Commission for their hard work and superior recommendations.

CIGARETTE SMOKING LEGISLATION

Mr. KENNEDY of New York. Mr. President, I rise for the purpose of introducing three bills, for myself and Senator RANDOLPH, which seek to respond to this country's mounting death rate from cigarette smoking. In addition, Senate Moss is a cosponsor of one of the three bills.

The facts and figures are familiar and frightening:

More than 250,000 premature deaths each year from cancer and other diseases associated with cigarette smoking.

Eleven million extra chronic diseases annually among this country's cigarette smokers.

The conclusion in the second Surgeon General's report that cigarette smoking is the "principal" cause of lung cancer and the "most important" cause of death and disability from chronic bronchitis.

Between 4,000 and 5,000 children starting to smoke each day.

A million children now in school dead before their time of lung cancer, if present rates continue.

Something must be done now to control the advertising which encourages young people to start smoking at the rate of 1,500,000 a year. In my judgment, industry self-regulation of advertising has been totally inadequate. Therefore, today I am introducing two bills relating to cigarette advertising.

The first—and this is the bill on which Senator Moss has joined with Senator RANDOLPH and me—would require a warning in all advertising—"Warning: Cigarette Smoking Is Dangerous to Health and May Cause Death From Cancer and Other Diseases." The FTC recently reported to Congress that the 1965 labeling law had been ineffective in discouraging cigarette smoking. I believe, therefore, that it is time we toughened the warning and required it in all advertising as well as on the package. This bill is similar to one introduced recently in the House by Congressman JOHN Moss. It varies from the Moss bill in that it specifically authorizes the FTC to promulgate regulations concerning the form and position of the warning in the ad, in order to prevent evasion of the warning requirement by creative advertising copywriters. It would also amend the labelling act to require that the label be placed on the front of the package. The FTC would be expected to promulgate regulations to insure that the label is conspicuous.

There is one matter about this bill that I would stress particularly. The FCC's recent ruling on the fairness doctrine—demanding television and radio stations carry health messages as well as cigarette advertising—is wise and constructive, and I do not intend that it be impaired in any way by the introduction of the warning legislation. I do not agree with the speculation that a bill such as the one I am proposing today would build compliance with the fairness doctrine into each ad, and eliminate the need for free anti-smoking time. For the health warning in each advertisement does not really state the case against cigarette smoking. More affirmative, more dramatic presentations of smoking's hazards are needed, and that is the point of the FCC's "fairness" ruling.

The second bill I am introducing today would authorize the Federal Communications Commission to regulate cigarette advertising in three additional ways. First, the FCC would be allowed to determine the times at which cigarette advertising might appear. The National Congress of PTAs recently resolved that advertising be discontinued before 9 p.m. That would seem to be a sensible beginning. Second, this bill would authorize the FCC to determine the kinds of programs on which cigarette advertising might appear. Sporting events, for example, have a sizable audience of young people and the FCC may deem it necessary to prohibit cigarette advertising on such programs. Third, the FCC would have the power to set the over-all volume of cigarette advertising.

The third bill I am introducing today is intended to discourage the sale of the more lethal brands of cigarettes. Dr. George Moore told the Senate Commerce Committee last week that cigarettes with less than 15 milligrams of tar are about half as dangerous as the average cigarette. We should never let people delude themselves into thinking that any cigarette is "safe." Yet cigarettes with less tar and nicotine are relatively less harmful, and that is why I am introducing a bill to establish a sliding scale tax on cigarettes. The current rate—$4 per 1,000 cigarettes—would remain on cigarettes with less than 10 milligrams of tar and .8 milligrams of nicotine. Others would be taxed at higher rates, with a rate of $15 per thousand imposed on cigarettes with more than 30 milligrams of tar or 1.6 milligrams of nicotine. This legislation would speed the development of low tar, low nicotine cigarettes, and enable the public to spot the more dangerous cigarettes by their higher prices.

Mr. President, I expanded on all of these matters in remarks yesterday before the World Conference on Smoking and Health. I ask unanimous consent that the three bills and these remarks be incorporated in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills and address will be printed in the RECORD.

The bills, introduced by Mr. KENNEDY of New York (for himself and other Senators), were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

S. 2394. A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes; to the Committee on Commerce:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333) is amended—

(1) by striking out the caption and inserting in lieu thereof "LABELING AND ADVERTISING";

(2) by inserting "(a)" immediately after "SEC. 4.";

(3) by striking out "'Caution: Cigarette Smoking May Be Hazardous to Your Health.'" and inserting in lieu thereof "'Warning: Cigarette Smoking Is Dangerous to Health and May Cause Death From Cancer and Other Diseases"; or the package of which fails to state the average tar and nicotine yields per cigarette in such package as determined by a method approved by the Secretary of Health, Education, and Welfare.";

(4) by striking out "Such statement" in the second sentence thereof and inserting in lieu thereof "Each such statement";

(5) by striking out "on every" in the second sentence thereof and inserting in lieu thereof "on the face of every"; and

(6) by adding at the end thereof the following new subsection:

"(b) It shall be unlawful for any person to disseminate or cause to be disseminated any advertisement which is intended to induce, directly or indirectly, the purchase of any cigarettes in commerce, unless there is included as a part of such advertisement the statement 'Warning: Cigarette Smoking Is Dangerous to Health and May Cause Death From Cancer and Other Diseases', and a statement of the average tar and nicotine yields per cigarette (as determined by a method approved by the Secretary of Health, Education, and Welfare) of the cigarettes referred to in such advertising."

SEC. 2. Section 5 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1334) is amended—

(1) by striking out the caption and subsections (a), (b), and (c) of such section and inserting in lieu thereof the following:

"ENFORCEMENT OF ADVERTISING REQUIREMENTS AND REGULATION OF LENGTHS OF CIGARETTES

"SEC. 5. (a) The Federal Trade Commission, after consultation with the Federal Communications Commission in appropriate cases, is authorized to prescribe the form and manner of the statements in cigarette advertisements required by section 4(b) of this Act.

"(b) Any violation of any provision of section 4(b) of this Act or regulations relating to advertising prescribed pursuant to such section shall constitute an unlawful advertising of drugs for purposes of sections 12, 13, 14, and 15 of the Federal Trade Commission Act (15 U.S.C. 52, 53, 54, and 55) and such provisions and regulations shall be subject to enforcement under such sections.

"(c) If the Secretary of Health, Education, and Welfare determines that longer cigarettes increase the risk to persons smoking such cigarettes of incurring or aggravating any disease or diseases or other debilitating physiological condition or conditions, he may, in cooperation with the Federal Trade Commission, after notice and opportunity for a hearing, prescribe rules establishing a maximum length or maximum lengths for cigarettes.

"(d) It shall be unlawful for any person to manufacture, import, or package for sale or distribution within the United States any cigarette which is longer than the maximum length for such cigarettes under rules prescribed pursuant to subsection (a) of this section."; and

(2) by striking out "(d)" and inserting in lieu thereof "(e)".

SEC. 3. Section 10 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1339) is repealed.

SEC. 4. The amendments made by this Act shall take effect on the one hundred and eighty-first day after the date of enactment of this Act.

S. 2395. A bill to direct the Federal Communications Commission to establish regulations prohibiting certain broadcasting of advertising of cigarettes; to the Committee on Commerce:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part I of title III of the Communications Act of 1934 is amended by inserting at the end thereof a new section as follows:

"PROHIBITION OF CERTAIN BROADCASTING OF ADVERTISING OF CIGARETTES

"SEC. 331. The Commission shall establish, and make effective not later than six months after the effective date of this section, such regulations as may be necessary to (1) prohibit any licensee from broadcasting any advertising of cigarettes between such hours and in connection with such types of programs as the Commission determines would be most likely to influence children of elementary or secondary school age, and (2) regulate the total amount of such advertising broadcast to such extent as the Commission determines for the purpose of protecting the health and welfare of the public and particularly children of elementary or secondary school age."

S. 2396. A bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar and nicotine content; to the Committee on Finance:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5701(b) of the Internal Revenue Code of 1954 (tax on cigarettes) is amended to read as follows:

"(b) CIGARETTES.—On cigarettes, manufactured in or imported into the United States, there shall be imposed the following taxes:

"(1) SMALL CIGARETTES.—On cigarettes weighing not more than 3 pounds per thousand, the tax shall be the lowest tax applicable under the following table:

"If the tar content thereof is—	If the nicotine content thereof is—	The tax per thousand cigarettes shall be—
10 mg. or less and	0.8 mg. or less	$4
20 mg. or less and	1.4 mg. or less	7
30 mg. or less and	2 mg. or less	10
More than 30 mg. or	More than 2 mg.	15

"(2) LARGE CIGARETTES.—On cigarettes weighing more than 3 pounds per thousand, the tax per thousand shall be 2.1 times the tax prescribed by paragraph (1); except that, if more than 6½ inches in length, such cigarettes shall be taxable under paragraph

(1), counting each 2¾ inches, or fraction thereof, of the length of each as one cigarette.

"(3) Determination of tar and nicotine content—

"(A) Testing by Federal Trade Commission.—The Federal Trade Commission shall from time to time (but not less often than once each calendar quarter) test each brand of cigarette manufactured in or imported into the United States for the tar and nicotine contents of cigarettes of such brand. The conditions, methods, and procedures for conducting such tests shall be prescribed by (and may be changed by) the Commission by regulations issued by it for purposes of this paragraph. Until such time as such regulations are first issued, the conditions, methods, and procedures for conducting such tests shall be those approved by the Commission for formal testing which are in effect on the date of the enactment of this paragraph.

"(B) Certification to Secretary.—At least once each calendar quarter, the Chairman of the Federal Trade Commission shall certify to the Secretary or his delegate, on the basis of the tests conducted pursuant to subparagraph (A), the tar and nicotine content of each brand of cigarettes manufactured in or imported into the United States. The tar and nicotine content of a brand of cigarettes as contained in such certification shall, for purposes of applying paragraphs (1) and (2), be the tar and nicotine content of cigarettes of such brand for the period beginning with the day after such certification is made with respect to such brand and ending with the day on which the next certification is made with respect to such brand."

(b) The amendment made by subsection (a) shall take effect on the first day of the first calendar quarter which begins more than 30 days after the date of the enactment of this Act, except that, with respect to the authority of the Federal Trade Commission to issue regulations for purposes of section 5701(b)(3) of the Internal Revenue Code of 1954 (as added by subsection (a)), such amendment shall take effect on the date of the enactment of this Act.

The address, presented by Mr. Kennedy of New York, is as follows:

Address by Senator Robert F. Kennedy, World Conference on Smoking and Health

I am honored to address this distinguished group today. For I believe your conference to be one of the most important meetings ever held to discuss a health problem. Your presence indicates your agreement with that statement—for this is truly a world conference, and it is a conference of the highest order as well. You represent some 34 nations, and it does honor to the conference that so many countries have sent such distinguished delegations of officials. And it is especially appropriate that your conference chairman is Dr. Luther L. Terry, who, as Surgeon General of the United States, was responsible for the historic report without which this conference would perhaps not have occurred.

Nor is it surprising that you attached enough significance to the problem to come here from so far away. All of you face mounting death rates from cigarette smoking, some more serious than in the United States. Great Britain, for example, has a higher death rate from lung cancer than we do. And all of you share with us a distressing lack of knowledge about how to convince people—particularly young people— not only that cigarettes may kill them, but that they should do something about it.

Most of my remarks today will be directed to the situation in the United States. But I believe they are relevant and applicable for all of you in greater or lesser degree depending on your population and the number of smokers in your country.

I need not rehearse the terrible facts about smoking in the United States for you in any great detail:

Over a quarter of a million premature deaths each year from diseases associated with cigarette smoking.

Eleven million extra chronic diseases in the cigarette smoking population.

The fact that one third of all male deaths between 35 and 60 are premature deaths from diseases associated with cigarette smoking.

The conclusion in the second Surgeon General's report that cigarette smoking is the "principal" cause of lung cancer and the "most important" cause of death and disability from chronic conditions.

Neither is there need for me to rehearse the urgency of action in any detail.

Death from lung cancer increasing almost geometrically—from 2,500 in 1930, shortly after smoking started becoming a national habit, to 50,000 now.

48 million Americans smoking 542 billion cigarettes last year, 2.5 percent more than they smoked the year before.

Over 4,000 children starting to smoke every day, nearly a million and a half a year.

A million children now in school dead before their time of lung cancer, if present rates continue.

Nor is there need for me to document these facts extensively. The original Surgeon General's report was based on over 3,000 studies, and the recent supplement to it was based on over 2,000 studies published since 1964. No responsible health organization which has examined the problem has disagreed with these essential facts.

And let me emphasize what I think is the most distressing projection of all. The quarter of a million early deaths are a little less than a seventh of all the deaths in America each year. At present rates, then, one seventh of all Americans now alive—about 28 million people—will die prematurely of diseases associated with cigarette smoking. These are round figures, but they are not far from the mark.

Having stated these facts, let me make my position about them clear:

Every year cigarettes kill more Americans than were killed in World War I, the Korean War, and Vietnam combined; nearly as many as died in battle in World War II. Each year cigarettes kill five times more Americans than do traffic accidents. Lung cancer alone kills as many as die on the road. The cigarette industry is peddling a deadly weapon. It is dealing in people's lives for financial gain.

Cigarettes would have been banned years ago were it not for the tremendous economic power of their producers. If the cigarette industry's economic power were as minuscule as that of the marihuana industry, cigarettes would surely be illegal now and their sale subject to severe penalty as a health hazard.

The cigarette companies have demonstrated a total inattention to public responsibility. But it is also a reflection on our society—on all of us—that cigarette smoking has been permitted to continue in our various countries. There is no reason for another generation of mankind to end up disabled and the victim of premature death. We must act—and act now.

Given the tremendous economic power of those who oppose action, what can we realistically expect to do about this grave public health problem? That is where this conference plays—and must play—such an important role. For I believe you can—and must—use the opportunity to chart a course for the rest of us, in the United States and in your own countries. You can use these few days to say what must be done—by government at all levels, by voluntary agencies, and by the people themselves. Your recommendations for a specific set of actions will be of great value.

There are at least three fundamental questions before you:

What can be done to discourage young people from beginning to smoke?

What can be done to encourage those who are already smoking to end their habit?

What can be done to make cigarettes relatively less harmful?

Each of these questions raises others in turn.

First, what about cigarette advertising? Nearly $300 million a year is spent in the United States alone on television, radio, and newspaper efforts to start young people smoking and continue others in their habit. We cannot seriously expect to make major inroads in people's smoking habits while $300 million a year is being spent to increase the numbers of those addicted. Action is needed to limit and counteract this massive onslaught.

If we were starting fresh, I would say the first line of action would be industry self-regulation of advertising. But we have witnessed a charade of purported self-regulation for some years. The codes of self-regulation have been largely ineffective, and I see little hope for change.

Recently, for example, the Federal Trade Commission reported that the average youngster watches more hours of cigarette-sponsored television than the average adult.

And look at the rather foolish distinctions made in the revised broadcasters guidelines that went in effect just the other day. Active sports such as baseball and tennis cannot be shown, but fishing can be sometimes—that is, passive angling can be depicted, but not fishing that involves exertion, as for marlin or sailfish. And although active sports activity is out, it is all right to show a person with a sports prop—having a smoke after the tennis match, one imagines. Uniformed personnel—airline pilots and the like—cannot appear in the foreground of an ad, but can be part of the background. And doormen and bellboys are all right anytime.

More important, the codes use 45 percent or more of the viewing audience as the test for whether the program is youth-oriented. So far as I know, the Beverly Hillbillies is the only program thus far where advertising, once begun, was discontinued under this test. But there are dozens of nationally televised events—especially sports events—where millions watch, including millions of children even though they are not 45 percent of the audience. The codes do not reach this problem.

So I do not think anyone can be impressed with self-regulation up to now. Nevertheless, I did write recently to the major cigarette companies and the television networks to ask what further self-regulatory steps they plan to take. I am looking forward to discussing the matter with representatives of the two industries.

What might they do? There are at least three minimum steps that I think should be taken: no advertising of cigarettes before 9:00 p.m., a step the National Congress of PTAs called for at its recent convention; a more realistic definition of programs which young people are likely to watch; a limit on the overall amount of advertising. I emphasize the latter to the networks, because some 15 percent of their prime-time advertising is for cigarettes. If a ban on radio and television advertising of cigarettes is enacted at some point—and I favor such a ban—they will be better prepared if they have voluntarily scaled down the volume of cigarette advertising and replaced it with other sponsors.

Short of enacting a ban of advertising, which does not seem likely at the moment, what might we in Congress do now? We can enact the tar-nicotine bill proposed by Senator Magnuson—who has led the fight on smoking and health in Congress and will address you later this week. This bill would require disclosure of tar and nicotine content on packages and in advertising. I believe the bill will encourage a constructive "reverse tar derby," and I think it should therefore be enacted—now.

In addition, I plan tomorrow to introduce two bills relating to advertising. The first is a strengthened version of Senator Neuberger's bill to require a warning in all advertising—"Warning: Cigarette Smoking Is Dangerous to Health and May Cause Death From Cancer and Other Diseases". While the 1965 labelling law was a small step forward, it has not reduced smoking appreciably. It is time the warning requirement was extended to advertising. The second bill would authorize the Federal Communications Commission to regulate the times and types of programs on which cigarette advertising may appear, and the over-all volume of cigarette advertising as well. These are the self-regulatory steps I have called for from the industry, but the Federal Communications Commission should have power to impose them if the industry does not act.

To anyone who opposes these proposals as unprecedented or extreme, I think I need quote only the observation of the Federal Communications Commission in reaffirming its "fairness" ruling just the other day. The Commission said it knew of no other "advertised product whose normal use has been found by the Congress and the Government to represent a serious potential hazard to public health."

There has been one important and encouraging development in regard to cigarette advertising—the FCC's ruling on the "fairness" doctrine, to which I just referred. This decision has already had an impact. A Chicago television station in one recent month provided $17,500 worth of prime time for educational messages on smoking. An Akron, Ohio television station now carrying 46 cigarette ads a day has agreed to carry an equal number of anti-smoking spots. And the American Cancer Society, which distributed 1,100 copies of TV spots over the 3 years before the FCC ruling, has sent out 2,000 in the 3 months since.

Like all laws, this wise and constructive ruling will be of less than full effect unless enforced. Compliance has already been good in some localites. But there are some 3,000 cigarette spots on television each week around the country. According to FCC guidelines, there should, therefore, be about 1,000 health warning spots in response. Some of these should be on the network shows where so many cigarette advertisements appear. To enforce compliance, I would urge the FCC to set up a unit to report on failure to comply. And I trust that radio and television stations will report the volume of health warning messages they carry to the American Cancer Society and other voluntary agencies.

I would also urge the American delegates, when they return home, to organize groups to monitor radio and television stations to check compliance and to demand it and complain to the FCC if it is found wanting. This has already been done in Denver, and perhaps elsewhere. It should be done everywhere, for I believe the FCC ruling is one of the most promising developments that has yet occurred in the effort to acquaint Amercans with the dangers of cigarette smoking.

There has been some speculation that legislation requiring a warning in advertising would build compliance with the fairness doctrine into each ad, and eliminate the need for free antismoking time. I do not accept that interpretation, and will so state in introducing the warning legislation in the Senate. The warning does not state the case against cigarette smoking. Rather, it contains only a conclusion that smoking is harmful. In my judgment, affirmative presentations of the underlying facts would still be very much in order.

Let me say one more word about cigarette advertising, or rather, let Emerson Foote say the last word, since he puts things so well. Here is what he wrote me, and this is the entire letter:

"To me, the situation of cigarette advertising on television is like this:

1. Television advertising encourages people to smoke cigarettes.

2. Cigarettes kill people—in large numbers.

3. It is not morally justifiable to encourage people to kill themselves.

4. Therefore, cigarette advertising on television should be banned."

And with this I agree.

Second, what is to be the content of educational efforts against smoking? We do not yet know enough about what techniques are most effective in convincing young people—and their parents—not to smoke. You must, therefore, exchange views about the content of educational material, about how to conduct withdrawal clinics, about the kind of appeal and guidance that is effective. That exchange is especially important because of the opportunity presented by the FCC ruling. It will benefit us all.

I would only suggest that anti-smoking material should show the danger involved clearly and graphically, and with all the ingenuity that Madison Avenue uses to suggest that smoking is a desirable activity. One suggestion that I thought appropriate would place the tough, rangy man with the tattoo on his hand in front of a hospital ward and have him say, "This is Emphysema country."

Let me add that the matter of education of the parents is important not just for their health, but is critical if we are to have any success with the children. For if the children see their parents and teachers smoking, efforts to convince them not to are unlikely to have much effect.

Third, what is the role of the various institutions in our society in discouraging smoking? We have discussed some things that government might do. Should the government also forbid smoking in facilities—or parts of facilities—that it runs? Should private employers take similar action? Should health agencies expand their activities? These are all questions for your consideration.

I recently urged those airlines in the United States which still distribute free cigarettes to their passengers to end that practice. Are their other ways in which business could indicate its view that smoking is hazardous?

Fourth, how can we encourage the development of less harmful cigarettes? We must above all be careful that this effort does not mislead the public. For it is all too likely that the ordinary smoker will just keep on smoking, content in the belief that the "safe" cigarette is just around the corner. There is no safe cigarette, and there is none foreseeable in the near future. The public must not be allowed to believe otherwise.

On the other hand, we do know that cigarettes with less tar and less nicotine are less harmful. Dr. George Moore told the Senate Commerce Committee last week that cigarettes with less than 15 milligrams of tar are about half as dangerous as the average cigarette. That is why Senator Magnuson's tar-nicotine disclosure bill is constructive. That is why most of the 100 millimeter cigarettes are so especially dangerous, and should be banned. That is why it would be a good idea to put a red circle on the cigarette to warn the smoker when the high tar portion of the cigarette has been reached; even more effective would be an aluminum overwrap which would snuff out the cigarette at that point.

And that is why I will introduce a third bill tomorrow to establish a sliding scale tax on cigarettes. The current rate—$4 per 1,000 cigarettes—would remain on cigarettes with less than 10 milligrams of tar and .8 milligrams of nicotine. Others would be taxed at higher rates, with a rate of $15 per thousand imposed on cigarettes with more than 30 milligrams of tar or 1.6 milligrams of nicotine. The Roswell Park figures show that 18 brands would fall in this category, as would most of the 100 millimeter cigarettes—new since the Roswell Park study was released. This legislation would speed the development of low tar, low nicotine cigarettes, and enable the public to spot the more dangerous cigarettes by their higher prices.

We must also encourage research in other ways to make smoking less harmful—and your discussion can guide such a program. The questions are complex. They range from the possibility of using different portions of the tobacco leaf in the cigarette, to developing different ways to deliver the smoke into the consumer's system. We need your guidance on all of them.

Fifth, since this is an international conference, I urge the delegates from other nations to ask us whether we are right in what we do about cigarettes in your countries. For our Department of Agriculture still spends over $200,000 a year to subsidize the overseas advertising of American cigarettes. And it still shows abroad a Hollywood produced promotional movie for U.S. tobacco, while other government agencies campaign against cigarette smoking here.

None of these are easy questions to answer; if they were, you would not be here today. Nor will the effort which you chart this week result in immediate success—this year or next. And the three bills which I shall introduce tomorrow may not be enacted right away. For the industry we seek to regulate is powerful and resourceful. Each new effort to regulate will bring new ways to evade, just as the television advertising ban in Britain brought forth an intensified coupon war to promote smoking.

Still, we must be equal to the task. For the stakes involved are nothing less than the lives and health of millions all over the world. But this is a battle which can be won—and with the commitment that is demonstrated by this conference; with the commitment that all of you show in being here and in your work at home—I know it is a battle which will be won.

SOCIAL SECURITY AMENDMENTS OF 1967—AMENDMENTS

AMENDMENTS NOS. 303 THROUGH 306

Mr. SMATHERS submitted four amendments, intended to be proposed by him, to the bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

AMENDMENT NO. 309

Mr. SMATHERS submitted an amendment, intended to be proposed by him, to House bill 12080, supra, which was referred to the Committee on Finance and ordered to be printed.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967—AMENDMENTS

AMENDMENT NO. 307

Mr. GRUENING. Mr. President, I introduce, for appropriate reference, an amendment to title VI of the Elementary and Secondary Education Act of 1965 to provide an annual minimum allotment of $100,000 to each State for the education of handicapped children.

The present distribution formula under title VI is based solely on the relative number of children aged 3-21 in each State.

The result is that the smaller States of the Union—smaller in population—are barely able to mount even a basic program of special education.

For example, Alaska, which received a scant $20,000 under the program in fiscal year 1967, has only enough Federal funds to send consultants to local schools on an occasional basis. Only 37 emotionally disturbed children were helped in Alaska last year; more than 1,400 went unaided.

It is true that the larger States have many more handicapped children to educate. However, every State, whatever its size, has certain fixed costs, such as the salaries of a minimum number of special education specialists, which the present distribution formula does not even begin to meet.

Each State should be provided with enough Federal funds to reach at least a minimum number of handicapped children and help them become productive members of society. My amendment would do this by insuring a more equitable distribution of funds under title VI of the Elementary and Secondary Education Act of 1965.

At this point I ask unanimous consent to include in the record a State-by-State analysis of the effect of my amendment.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The amendment (No. 307) was referred to the Committee on Labor and Public Welfare.

The analysis, presented by Mr. GRUENING, is as follows:

ESTIMATED STATE ALLOTMENTS UNDER PUBLIC LAW 89-10, AS AMENDED, TITLE VI, EDUCATION OF HANDICAPPED CHILDREN, FISCAL YEAR 1968, BASED ON APPROPRIATION OF $20,000,000

	Proposed new formula	Present formula
United States and outlying areas	$20,000,000	$20,000,000
50 States and the District of Columbia	19,417,476	19,417,476
Alabama	383,100	393,727
Alaska	100,000	27,416
Arizona	150,789	154,971
Arkansas	199,816	205,359
California	1,608,557	1,653,175
Colorado	191,378	196,687
Connecticut	247,871	254,747
Delaware	100,000	47,999
Florida	493,943	507,645
Georgia	457,850	470,550
Hawaii	100,000	77,930
Idaho	100,000	80,660
Illinois	998,886	1,026,593
Indiana	499,961	513,829
Iowa	290,420	298,476
Kansas	227,214	233,516
Kentucky	342,138	351,628
Louisiana	382,963	393,586
Maine	103,296	106,161
Maryland	331,337	340,528
Massachusetts	502,695	517,666
Michigan	851,164	874,774
Minnesota	370,758	381,043
Mississippi	268,152	275,590
Missouri	430,580	442,524
Montana	100,000	77,429
Nebraska	145,892	149,939
Nevada	$100,000	$29,596
New Hampshire	100,000	64,083
New Jersey	581,547	597,679
New Mexico	117,999	121,272
New York	1,564,079	1,607,463
North Carolina	540,201	555,186
North Dakota	100,000	75,260
Ohio	1,019,708	1,047,994
50 States and the District of Columbia—Continued		
Oklahoma	246,163	252,991
Oregon	187,219	192,412
Pennsylvania	1,121,797	1,152,914
Rhode Island	100,000	88,047
South Carolina	301,113	309,465
South Dakota	100,000	78,312
Tennessee	397,542	408,569
Texas	1,072,706	1,102,461
Utah	111,109	114,191
Vermont	100,000	43,675
Virginia	442,985	455,273
Washington	303,234	311,646
West Virginia	210,711	216,556
Wisconsin	419,603	431,242
Wyoming	100,000	37,818
District of Columbia	100,000	69,224
American Samoa		
Canal Zone		
Guam	[1] 582,524	[1] 582.524
Puerto Rico		
Virgin Islands		

[1] 3 percent of the total amount for 50 States and the District of Columbia reserved for outlying areas, the balance distributed on the basis of 3-21 population, Apr. 1, 1960, with a minimum of $100,000.

VOCATIONAL REHABILITATION FACILITY CONSTRUCTION—AMENDMENT

AMENDMENT NO. 308

Mr. TYDINGS. Mr. President, among the many services which are vital for handicapped persons, none is more important than vocational rehabilitation. The pride and sense of self-reliance, which constructive employment brings, is a necessary part of rehabilitating handicapped persons. With support provided under a series of Federal laws, State and local governments have generally done an outstanding job in providing vocational rehabilitation facilities and services, and I believe these programs should be continued and expanded.

One aspect of the present Federal programs for vocational rehabilitation unfortunately impedes needed expansion. Of the funds made available for vocational rehabilitation, a disproportionately small sum is provided for construction of new facilities. For fiscal year 1968, for example, the Senate-approved appropriations bill provides $287 million for vocational rehabilitation services, but only $4.85 million for construction of new facilities. The House version of this appropriations bill varies only slightly from these figures. Under a 1954 amendment, the Congress provided that funds appropriated for services could also be spent for expansion, remodeling, or alteration of existing buildings. But new construction of facilities remains excluded from these funds.

I believe that this rigid separation of funds available for services, including modernization of existing facilities, and for construction of new facilities is undesirable. In many States, vocational rehabilitation programs are badly hindered by the absence of facilities. It is of little assistance to those States, or to the handicapped persons living in them, to know that if the States had facilities they could obtain significant funds for services or even for remodeling the facilities. In my own State of Maryland, plans have been approved by the general assembly for construction of a comprehensive vocational rehabilitation center which, when completed, will offer a host of new opportunities for rehabilitation of the handicapped. The costs for constructing this center are estimated at $6 million. Since, at the most, only $4.5 million will be available in Federal funds in fiscal year 1968 for construction of facilities throughout the United States, it is obvious that Maryland cannot rely on any significant Federal assistance for this vital project. But the needed expansion of rehabilitation services will be impeded in Maryland because of the absence of facilities, even though Federal funds are available for services alone. In recent testimony before the Select Education Subcommittee of the House Committee on Education and Labor, the National Rehabilitation Association indicated that Maryland's dilemma is shared by a significant number of States.

If, however, a State were able to use for construction a portion of the funds which are now allocated to it for provision of services, I believe that significant advantages to the handicapped would result. I am not suggesting that funds for services in one State be diverted to provide for construction of facilities in another State. I am suggesting that each State be given some discretion so that it can use funds for construction which it is already entitled to receive under Federal programs for vocational rehabilitation services.

That is the purpose of the amendment to H.R. 8981, the Vocational Rehabilitation Amendments of 1967, which I am submitting today. This proposed amendment would permit a State to use for construction up to 10 percent of the funds to which it is now entitled for vocational rehabilitation services. This amendment would thus retain a desirable emphasis on the provision of services and guard against the possibility that excessive amounts would be spent for highly visible facility construction while inadequate attention is paid to provision of services within that facility. This amendment would, however, give necessary flexibility to States so that they could tailor expenditures for vocational rehabilitation more closely to their individual needs. I urge the Senate to take favorable action on this amendment.

I ask unanimous consent that the full text of the proposed amendment be printed at this point in the RECORD.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 308) submitted by Mr. TYDINGS, is as follows:

On page 2, after line 22, insert the following:

"(c) Section 2 of such Act (29 U.S.C. 32) is further amended by adding after subsection (c) (as added by subsection (b)) the following new subsection:

"'(d) The Secretary is authorized to make during any fiscal year, beginning with the fiscal year which ends June 30, 1968, to any State grants, from the funds made available for such year pursuant to section 1(b) (1), to assist in meeting the costs of new construction of public workshops and vocational rehabilitation facilities in such State, except that in no event shall the aggregate of such grants to any State during any fiscal year exceed 10 per centum of the allotment (as determined under subsection (a)) of such State for such year. A grant under this subsection shall be made to a State under this subsection only upon request of the State agency of such State, and any such grant to a State shall be regarded as coming from the allotment of such State (as determined under subsection (a)). The Federal share of the cost of any project with respect to which a grant is made under the preceding sentence shall be determined in accordance with the provisions of subsection (b).'"

A BILL TO PROVIDE UNIVERSAL EDUCATIONAL OPPORTUNITY AT THE POSTSECONDARY LEVEL—AMENDMENT

AMENDMENT NO. 310

Mr. YARBOROUGH. Mr. President, the fundamental principle of equal educational opportunity without regard to financial need has become axiomatic in the American society. Yet, while none would oppose the principle, neither have we formulated concrete proposals to achieve this avowed objective.

In attempts to satisfy the letter of the principle, without satisfying the spirit, we have taken tremendous strides forward in improving the educational opportunities of our citizens. We have developed numerous programs of scholarships, loans, grants, aid to institutions, work-study arrangements—yet we have been unwilling to make the ultimate commitment of resources that universal educational opportunity would require.

We might remember in the formative years of this Nation the U.S. Congress enacted a comprehensive system of institutions of higher education during a time when the very future of the Nation was insecure. Yet, the greatest physical asset of the country—the public lands—were pledged to insure that universal higher education would be available at low cost.

Again, at the end of World War II and Korea, this Nation took the daring action of committing billions of dollars to educating our veterans. The GI bills gave access to education to more people who used it more effectively in a concentrated period, than did any other program in the history of this country. After an 8-year fight, the Congress has again demonstrated its wisdom by passing the cold war GI bill to provide the same benefits to the veterans of the cold war, and only this year Congress has extended the coverage to include on-the-job, on-the-farm, and flight training.

Inherent in all of these programs is the principle that education is a national asset which provides tremendous returns if the adequate investment is made by society. The land-grant colleges have provided the facilities necessary for millions to go to college. The World War II and Korean GI bills have more than paid for themselves through additional taxes paid by the veterans earning higher incomes.

Education cannot be viewed as the ambition of an individual—education is the responsibility of society to its people, and opportunity must be assured without regard to the financial resources of the individual.

It disturbs me when a high-level advisory panel, called upon to review the financing of higher education, recommends that educational opportunity be given by asking the less affluent to sign a life-indenture in return for the privilege of educational opportunity. This is precisely what the recommended loan programs would do, as a student paid back a percentage of his income for 30 years after graduation. This act of desperation may be financially sound, but it aims at the lifeblood of educational opportunity.

Today I am introducing a bill in the form of an amendment to the Higher Education Act, S. 1126, which would declare as the intent of Congress that universal educational opportunity at the postsecondary level be made available through appropriate governmental assistance. My bill would direct the Secretary of Health, Education, and Welfare to make a study, with the assistance of a commission, to determine the alternative plans for providing universal educational opportunity. Congressman JAMES SCHEUER, of New York, is introducing a companion bill in the House.

This great Nation has the resources to make the substantial investment in universal educational opportunity that is demanded by the rigors of the world, for it is an investment in the young people of this Nation, who are our future. We cannot remain great by saddling our young people with a lifetime of indentured service through payment of a portion of their income. Efficiency demands that a comprehensive plan be developed to remove economic ability from educational opportunity, and the future of the Nation demands that it be done now.

I ask unanimous consent that the text of this amendment be printed at this point in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 310) was referred to the Committee on Labor and Public Welfare, as follows:

On page 46, after line 23, insert the following:

"PART F—STATEMENT OF CONGRESSIONAL INTENT ON APPROPRIATE GOVERNMENTAL ASSISTANCE FOR UNIVERSAL EDUCATIONAL OPPORTUNITY AT THE POSTSECONDARY LEVEL; DIRECTIVE TO THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE TO SUBMIT A PLAN AND CONDUCT A STUDY

"SEC. 491. It is the intent of Congress that universal educational opportunity at the postsecondary level be made available through appropriate governmental assistance.

"SEC. 492. (a) The Secretary of Health, Education, and Welfare shall before August 1, 1968, submit to the Congress a plan, or alternative plans, for providing universal educational opportunity at the postsecondary level. A Commission shall be established by the Secretary to assist him in developing such a plan or plans. It shall be the responsibility of the Commission to conduct a study of alternative plans for providing financial assistance to postsecondary education. Such plans shall include, but not be limited to:

"(1) free universal educational opportunity at the postsecondary level made available through outright grants to students or to institutions on behalf of every enrolled student;

"(2) various systems of loans to students or to institutions on behalf of enrolled students;

"(3) the use of the income tax, such as through credits or deductions, and work-study or cooperative education systems;

"(4) existing programs of public and private financial assistance, including the cold war GI bill, and programs formerly in effect, including the World War II and Korean GI bills.

"(b) The study to be made by the Commission shall include, but not be limited to, such factors as—

"(1) the actual or projected cost-effectiveness of alternative plans;

"(2) the immediate and the longrun economic impact of alternative plans;

"(3) financial and social implications to individual students participating under alternative plans;

"(4) institutional implications for postsecondary education or training facilities under alternative plans.

"(c) Members of the Commission who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Commission or while otherwise engaged in the business of the Commission, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem (or, if higher, the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code), including traveltime, and while so serving on the business of the Commission away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

"(d) The Secretary is authorized to furnish to the Commission such technical assistance, and to make available to it such secretarial, clerical, and other assistance and such pertinent data available to him, as the Commission may require to carry out its functions.

"SEC. 493. All other agencies of the Federal Government shall, to the maximum extent feasible, cooperate with the Secretary and the Commission toward the end of assisting them in fulfilling their functions established under this part."

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTION

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from South Carolina [Mr. HOLLINGS], I ask unanimous consent that, at the next printing of the bill (S. 1796) to impose quotas on the importation of certain textile articles, the name of the distinguished Senator from Pennsylvania [Mr. SCOTT] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New Jersey [Mr. CASE] be added as a cosponsor of the resolution (S. Res. 155) relating to a stable peace in the Middle East.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I ask

unanimous consent that, at its next printing, the name of the Senator from Kentucky [Mr. MORTON] be added as a cosponsor of the bill (S. 1637) relating to trial by jury of the issue of just compensation in TVA land condemnation cases.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from South Carolina [Mr. HOLLINGS], the Senator from Georgia [Mr. TALMADGE], and the Senator from South Carolina [Mr. THURMOND] be added as cosponsors of the bill (S. 2127) relating to emergency assistance to first processors of cotton.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS SIGNED

The PRESIDING OFFICER announced that on today, September 12, 1967, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 906. An act for the relief of Luis Tapia Davila;

S. 1448. An act for the relief of Roy A. Parker; and

H.R. 9837. An act to amend the Legislative Branch Appropriation Act, 1959, as it relates to transportation expenses of Members of the House of Representatives, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 12, 1967, he presented to the President of the United States the following enrolled bills:

S. 906. An act for the relief of Luis Tapia Davila; and

S. 1448. An act for the relief of Roy A. Parker.

McGEORGE BUNDY'S CRITICISM OF SUBCOMMITTEE'S REPORT

Mr. CLARK. Mr. President, yesterday, during the transaction of morning business, the Senator from Wyoming [Mr. McGEE] inserted in the RECORD a most interesting communication which had appeared yesterday morning in the Washington Post, signed by Mr. McGeorge Bundy, criticizing the Senate Preparedness Subcommittee for the summary report which it issued during the recess. That report recommended unanimously wider air action against North Vietnam.

Senator McGEE, very much to his credit, endorsed the careful analysis of the Preparedness Subcommittee report contained in Mr. Bundy's communication, and indicated his agreement that Mr. Bundy had pretty well destroyed the argument of the subcommittee.

It would obviously be redundant for me to introduce again today Mr. Bundy's communication, but I should like to express my strong approval of much of what he said and my disapproval of a part of what he said.

Mr. Bundy makes it clear that the Preparedness Subcommittee appealed first not to evidence but to authority. They set a group of generals and admirals up against Secretary McNamara, and they take the position that the generals and admirals are right, and that Secretary McNamara is wrong merely because the generals are military men or professionals and Secretary McNamara is a civilian.

As Mr. Bundy points out, the subcommittee does not demonstrate the military value of the course it urges; it takes it on faith merely because some generals and admirals think this is what we should do, and Secretary McNamara disagrees.

Mr. Bundy further points out that in reaching its conclusions and recommendations the subcommittee ignores all political and diplomatic considerations, and all risks of a wider confrontation; that these military considerations are of the highest importance and the matter should be decided not by generals and admirals in the Armed Forces but by civilians charged with the political direction of our country. In this regard I think Mr. Bundy is clearly correct.

Third, he points out while the subcommittee gives lip service to the principle of civilian control, in effect, it denies that principle and turns us over to the unrestricted judgment of generals and admirals who, to my way of thinking, are running the war in Vietnam and, quite frankly, not running it quite well in terms of results.

Finally, Mr. Bundy points out that the Senators on the subcommittee are moving onto dangerous ground when they suggest that the course chosen by the administration has increased the cost of the war in American lives. He reiterates what we all know: that the President yields to no one in the depth of his feeling for those whose lives are at risk in Vietnam.

He points out there is no evidence whatever, but merely the bald assertions of the generals and admirals, that the restricted character of the war, if it can still be called restricted, is costing American lives. In fact, whatever evidence there is, is to the contrary because the constantly accelerated bombing is costing more lives every day. In these four respects I think Mr. Bundy is correct.

Now, a word about my disagreement with him.

Mr. Bundy is of the view that because there is no hard evidence that a cessation of the bombing of the north would lead us promptly to the negotiating table, we should not consider that alternative. I point out that we are dealing with a question of calculated risk. It is perfectly true there is no hard evidence that Hanoi would be prepared to accept a truce or that the Vietcong would be prepared to accept a truce if we were to unconditionally terminate the bombing of the north. Yet, every knowledgeable student of this problem who is not a member of the State Department, or the Department of Defense, or a general or admiral, is of the view that there will be no end to the war in Vietnam until we stop the bombing of the north. They base it on what they know from the views of Hanoi, what they know about the views of the Soviet Union and Communist China, what they know about the views of the leaders of the National Liberation Front.

I am prepared to take their judgment and suggest that as a matter of calculated risk we should immediately and unconditionally stop the bombing of North Vietnam. I believe this is a condition precedent to any meaningful negotiations looking toward a truce and eventual cessation of hostilities, and the working out of a just and lasting peace. In this regard I believe Mr. Bundy is dead wrong, which does not, however, detract at all from the commendations I would give him for the four points he made in criticism of the Preparedness Subcommittee.

I yield the floor.

THE JOHNSON ADMINISTRATION FOCUS ON THE WORLD

Mr. McGEE. Mr. President, with the press and American opinion seemingly preoccupied with the war and recent elections in Vietnam, there is a tendency to overlook the very significant accomplishments of President Johnson's foreign policy in other parts of the world.

Vietnam is indeed a critical area for our Nation. Our military and economic policies are bearing fruit there. In South Vietnam, we have just witnessed the striking climax of a long and patient effort by the United States to help constitutional democracy emerge.

But Vietnam, critical as it is, is not the whole world. Vietnam cannot and should not be used as the sole yardstick to measure the success of the total Johnson foreign policy.

In recent months, the Johnson administration has achieved economic and political success after success in dealing with world problems. I believe it is time to put these achievements in perspective for the American people.

THE RACE FOR NUCLEAR CONTROLS

On August 24, the United States and the Soviet Union jointly presented a draft nonproliferation treaty to the 18-member nation Disarmament Committee in Geneva, in a joint effort to stop the dangerous spread of nuclear weapons.

This was a milestone in the Johnson administration's continuing efforts to hold down the threat of nuclear holocaust. It was the successful conclusion of a year's intensive negotiations with the Soviet Union and our allies.

This draft treaty brings within our grasp one of the most important arms control measures yet achieved in our lifetime—its success, thus far, must be counted as a milestone in Johnson foreign policy achievements.

FREER WORLD TRADE AND U.S. PROSPERITY

After more than 4 years of unremitting effort, the Johnson administration brought to a successful conclusion the Kennedy round of tariff talks which will reduce tariffs on world trade worth about $40 billion a year.

Concessions made by our major trading partners will offer greatly increased opportunities for American products abroad.

Nearly $870 million in U.S. agricultural goods, for example, will be favorably affected by tariff concessions made on such products as soybeans, tobacco, poultry, and fruit.

During the last weeks of the negotiations, President Johnson kept in close contact with his negotiators, and personally guided them in some of the critical decisions which spelled international approval.

Not only was this a tremendous economic success for the United States, but it enhanced our international reputation as a nation which sticks to its commitments.

Our commitment was and has been freer trade and the reciprocal reduction of tariffs.

The success of the Kennedy round was a spectacular Johnson achievement on the world scene, and will enhance world trade for years to come.

TOWARD AN INTERNATIONAL MONEY SYSTEM

The recent agreement in London on the creation of special drawing rights through the International Monetary Fund, is one of the most significant steps in international money affairs in more than 20 years.

As the driving force behind these negotiations, the United States has now stimulated the development of a truly modern international money system; a system which can keep pace with the increasing demands of rapidly increasing international trade.

This was another quiet but solid economic and diplomatic plus for the Johnson administration.

These highlights of international achievement are, in my opinion, sufficient to establish the lasting worth of President Johnson's foreign policies.

Yet, there is a strong personal element in the President's foreign policy which receives too little attention, and whose benefits are felt in many, many positive ways.

Week after week, month after month, year after year, President Johnson has brought one national leader after another to Washington for personal talks—at the White House or in other congenial surroundings. The results have been immensely productive in cementing bonds between us and our allies.

The most recent and immensely successful visits were those of Chancellor Kiesinger of Germany and the Shah of Iran.

Going back a full year, we can count the official visits of such leaders as President Shazar of Israel, Prime Minister Pearson of Canada, President Marcos of the Philippines, President Senghor of Senegal, Prime Minister Souvanna Phouma of Laos, Prime Minister Holt of Australia, King Bhumibol of Thailand, Prime Minister Rahman of Malaysia, King Hassan of Morocco, President Diaz Ordaz of Mexico, President Sunay of Turkey, and many others.

A listing of the official and informal visits by heads of state and prime ministers with President Johnson during the last year, is a record of heroic effort in personal diplomacy.

Who is to say that the personal diplomacy of leaders meeting as equals in a relaxed and informal atmosphere in Washington is not equally as important as world conferences and international treaties?

If we can take our eyes and minds off of Vietnam for a brief time, evaluate the across-the-broad positive effects of the President's policies as they relate us to the whole world, our candid conclusion must be that the United States stands strong and high in the international arena today.

We are meeting our international military commitments.

We are pursuing peace through every forum.

We have pledged our resources for world economic development.

We have made the world a little safer through the recent United States-Soviet summit talks.

We have brought the world family closer together, politically, economically, and diplomatically.

This is a record of success. It reflects the effective initiatives and leadership of the President.

PRESIDENT JOHNSON AND EQUAL RIGHTS—A RECORD FOR ALL AMERICANS

Mr. PROXMIRE. Mr. President, on August 30, the U.S. Senate made history.

By an overwhelming vote it confirmed Thurgood Marshall as the first Negro American to take his place as Associate Justice of the Supreme Court.

That historic vote reflected credit on the nominee, on the Senate, and on the men who placed Justice Marshall's name in nomination—President Lyndon B. Johnson.

The nomination of the first Negro Supreme Court Justice was not an isolated civil rights act by President Johnson.

It was another graphic illustration of the forward-looking human rights and equal opportunity policies which President Johnson has pursued with vigor and commitment since his first days in the Presidency.

Neither external wars, nor internal civil disorders, nor political attacks should be allowed to obscure the established fact that human rights and human opportunity programs for minority groups have moved further and more successfully under Lyndon B. Johnson than under any President since Abraham Lincoln.

Some say that the time of civil rights had arrived in 1964; that it was a certainty that a comprehensive civil rights act would be enacted.

Yet, the Civil Rights Act of 1964 would not have become law if President Johnson had not given his unswerving public and private commitment to it.

We must not forget or downgrade the dramatic results which this act has had in halting discrimination in publicly supported programs, in increasing employment opportunity for minorities, in strengthening the Government's hand in pursuing the desegregation of educational facilities.

And the record goes far beyond that.

For too many years, voting privileges protected by the 14th and 15th amendments to the Constitution were observed only in the breach for Negro citizens.

But it was President Johnson and many of his supporters in this Congress who in 1965 made the right to vote a reality for all Americans. More than 600,000 Negroes in the South have already joined the voting rolls for the first time since passage of the Voting Rights Act of 1965.

For too many years the Nation watched as the gap between the affluent and the poor grew in America.

We watched as the central cities deteriorated; as urban education declined; and along with it, housing, job opportunity, health, and other public services.

We found ourselves faced with two Americas—one affluent and mostly white; one poor and mostly Negro.

We talked about opportunity. We planned. But national action came only when the Johnson administration declared a national war on poverty—a war against the poverty of hopelessness, against the poverty of joblessness, against the miseries and indignities of being a minority and not having enough money to participate in this great and prosperous society of ours.

We have not licked poverty today. Everyone is not a member of the middle-class. Everyone does not have two cars or a house in the suburbs.

But in 4 short years, the war against poverty—the Johnson war against poverty—has moved a million people—many of them Negroes and other minorities—out of dependence to self-sufficiency.

Hundreds of thousands of men and women have been trained in new skills.

Millions of schoolchildren use new books, have additional teachers, receive added academic and vocational stimulation through funds voted for the Johnson Elementary and Secondary Education Act.

Millions of older people—many of them minorities—have been freed from the financial tyranny of ill health because of the Johnson medicare program.

Long before the recent riots and disturbances, this administration sent to the Congress the programs known as model cities and rent supplements.

There were those who said—at that time and later—that this was too much for Government to invest in urban areas. And the programs were cut; rent supplements was left a bleeding casualty; and model cities became a shadow of itself.

But just a few weeks ago, the Senate Appropriations Committee—true to its statesmanship and vision—saw fit to do the right thing for the cities. It restored the entire rent supplement appropriations. It voted $537 million for the Nation's model cities program. It did this because it knew the President was right, and because it knew that recent riots were a symbol of how badly our cities need comprehensive Federal aid and assistance.

Looking back on the great Johnson record in human rights and human opportunity, some are tempted to ask: Can we do more? Must we do more? And the answer is yes.

We must now make equal opportunity in housing a national policy and not just a national slogan by passing the President's open housing bill.

We must insure the protection of civil rights workers—not agitators—fighting to protect the freedom and opportunity we all cherish.

We must strengthen the enforcement capabilities of the Equal Employment Opportunity Commission.

We must pass measures which make juries more representative of the citizenry in whose name they speak for justice.

And we must approve by large margins the Magna Carta for urban America now before us.

Any Senator who has shared in the passage of the programs I have enumerated, should be proud that when he was called to act, he did act.

The Johnson record on civil rights, on equal opportunity, on helping those who can least help themselves on rebuilding our cities, is a record any leader should be proud to stand on, run on, and to ask the American people to support with their vote.

No rewriting of history; no riots or disturbances; no military commitment abroad; no amount of partisan sniping can alter the fact that Lyndon Johnson, of Texas is the foremost human rights President of this century.

I am proud to be a member of his party and count myself as one of his troops ready to do battle for human dignity, for economic opportunity, and for that first-class American citizenship we all revere.

CAUSES OF POLLUTION IN NORTH BRANCH OF POTOMAC RIVER

Mr. JACKSON. Mr. President, I read with interest the editorial entitled "Potomac Cleanup," published in the Washington Post of September 1. The editorial commented on a report by Mr. Ellery R. Fosdick on the causes of pollution in the north branch of the Potomac River.

The Committee on Interior and Insular Affairs, of which I am the chairman, is familiar with Mr. Fosdick's qualifications. He has ably served the committee for several years as a consultant on water matters. I hope that his suggestions toward restoring clean waters to the Potomac will bear fruit.

I am also hopeful of progress toward a Potomac Valley Park.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POTOMAC CLEANUP

The causes of pollution in the North Branch of the Potomac River in Maryland, Pennsylvania and West Virginia are brought into sharp focus in a report by Ellery R. Fosdick, consulting engineer, for the National Parks Association. Mr. Fosdick found the North Branch fouled by acid mine drainage, effluent from Westernport and two large industrial plants and inadequately treated sewage from Cumberland and many other communities. The techniques for rescuing the stream from its poisons are well known, but little has been done because people have supposed that the cheapest way to dispose of their filth was to dump it into the river.

"The water and beds in some of these streams," Mr. Fosdick reports, "are discolored, and no fish can live in them, and they are unfit for recreation and water supply." A pulp mill and paper plant add suspended solids to the water and various chemicals which give the effluent its reddish-brown color. Most of the cities and towns on the North Branch provide little or no treatment for their sewage before dumping it into the river or one of its branches. Cumberland and Keyser (West Virginia) are the only cities in the North Branch drainage basin that have acquired even primary sewage treatment facilities.

Fortunately, some first steps toward cleaning up the North Branch are being taken. The three states involved have submitted to the Interior Department water quality standards. If these do not satisfy the requirements of the Water Quality Act, the Secretary will fix his own standards. Communities on the North Branch will have to provide sewage treatment facilities. Operators of mines will doubtless be required to control acid mine drainage. Mr. Fosdick concludes that the substantial cost of re-covering abandoned strip mines and sealing abandoned underground mines have to be borne by the Federal Government and the states. He also reports that construction of the proposed Bloomington reservoir is not essential for the dilution of polluted water and that the funds could be better spent to keep acid mine drainage out of the North Branch.

This thoughtful study calls for action on many fronts. It is a national disgrace that any part of the Potomac should be so fouled as to be unfit for human use and enjoyment. We have had long decades of neglect and intensified pollution. Now it is time not only to arrest the process but also to move in with vigor to undo the damage that has been wrought.

THE VIETNAM ELECTIONS

Mr. JACKSON. Mr. President, many critics who saw fit to criticize the conduct of the recent Vietnam elections—before the elections were even held—are now trying to recoup their own credibility with the public by dismissing the elections as meaningless.

As Columnist Roscoe Drummond noted recently:

> You can imagine what the critics of United States policy would be writing if only 38 percent of the eligible voters had gone to the polls instead of a massive 83 percent; or what they would be writing if even one of the 22-man United States observer team had called the voting fraudulent or if the people of South Vietnam had repudiated General Thieu and General Ky.

I think we can all be heartened by the general fairness and responsibility with which the election was handled under the very difficult circumstances of the ongoing struggle to resist the aggression from the north.

In this connection, I ask unanimous consent to have printed in the RECORD Mr. Drummond's observations on the Vietnam election.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Sept. 11, 1967]

VIETNAM-FORWARD MOTION

(By Roscoe Drummond)

WASHINGTON.—Critics of the United States policy in Vietnam, most of whom predicted that elections would never take place, are now dismissing them as meaningless.

A striking example of this is the column written by Tom Wicker, Washington bureau chief of the New York Times, the day after the voting. His thesis is that nothing important had happened and that on balance, "It is hard to know how many steps have been taken forward and how many backward."

You can imagine what the critics of United States policy would be writing if only 38 per cent of the eligible voters had gone to the polls instead of a massive 83 percent; or what they would be writing if even one of the 22-man United States observer team had called the voting fraudulent or if the people of South Vietnam had repudiated General Thieu and General Ky.

GAINS FROM ELECTIONS

The fact is that South Vietnam in orderly, honest, and free elections has taken a long step toward nationhood and its outlook is visibly improved.

No objective person will suggest that the successful elections mean that the future is assured or that the newly elected government will do everything well, or that the Viet Cong will quickly accept the verdict and stop fighting.

But the gains which stem from the elections, in which a 22 percent higher ratio of the voters went to the polls in Vietnam at the height of the war than voted for president in the United States in 1964, are many and significant:

1—South Vietnam now has a government of its own choosing and will be ruled by a popularly elected president and parliament.

2—It now has a legitimate government which can speak authoritatively for the South Vietnamese people and which is in a position to earn the loyalty and confidence of the nation.

3—With 11 candidates in the field, General Thieu won by a substantial plurality; he received more than twice as many votes as his nearest competitor and nearly as many votes as the next three leading contenders combined.

OVERWHELMING UNITY

4—Contrary to some headlines, the voting demonstrated the overwhelming unity of the South Vietnamese toward saving their nation from being overrun by North Vietnam and the Viet Cong. The tendency of some commentators is to concentrate on the 17 percent of the vote which went to the most far-out advocate of peace-at-almost-any-price. He was Truong Dinh Dzu. Since every other presidential candidate supported the continuance of the war until freedom is assured, this suggests that 83 percent opposed peace-at-any-price. I would call that a decisive popular verdict to put freedom ahead of capitulation.

5—The new government should be able to conduct the war more effectively since the elected officials can devote themselves to running the government, leaving the military less encumbered with political duties.

6—The possibility of settlement by negotiation is improved. There are two reasons. The popular strength of the new government, which now has a sturdy base, shows that the Viet Cong are not fighting against a clique but against the overwhelming will of the South Vietnamese people. The VC may be persuaded that the Saigon government is here to stay and conclude that it cannot be overthrown by force.

Second, President-Elect Thieu can now offer to negotiate with Hanoi and the VC from strength and will undoubtedly do so in the near future. He will have the support of the United States in such an offer and then the decision will be Hanoi's—whether to make peace or continue the fighting in the hope that the United States will weary and withdraw.

MEANINGFUL ELECTION

Was the election really fair? The observer-team said yes, that the precautions against fraud were even more thorough than in the United States. But Sen. Robert Kennedy said before the elections that he would prefer to rely on the judgment of the American correspondents on the spot. Here is their verdict:

"A pool of 12 reporters from American newspapers, who had studied the voting throughout the country, concluded that the election had been conducted honestly."

The Vietnam elections were not meaningless; they were meaningful.

IMPERSONAL, COMPUTERIZED TAX COLLECTION

Mr. LONG of Missouri. Mr. President, we get more and more, newer and newer gadgets all the time, but how many of them add one iota to human happiness?

One of the newest gadgets of which the U.S. Government seems to be proudest is its automated, computerized tax-collecting machine.

Somewhere in West Virginia is a monster computer that is attempting—and I stress "attempting"—to digest the Federal tax problems of 200 million Americans. According to the Commissioner of Internal Revenue, it is the greatest innovation since sliced bread.

I wonder.

In the first place, the monster computer appears to make an incredible number of errors; and once they are made, it seems incapable of correcting these errors.

Second, have you ever tried corresponding with an IBM machine? It cannot be done.

Last, but not least, Mr. President, have you ever tried to decipher one of the computer print-outs that IRS sends to all of us? If we knew every section of the Internal Revenue Code by heart, have an engineering degree from MIT, have spent 4 years in the Army decoding section, we might have a chance.

To illustrate the human side of this inhuman machine, I ask unanimous consent to have printed in the RECORD a letter to the editor of the Portland, Maine, Press Herald.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PENSIONER COMPLAINS OF IRS HARASSMENT

EDITOR OF THE PRESS HERALD: The Constitution on which our country is founded promises that all men are free and equal and entitled to the pursuit of happiness. Today we may ask what freedom, what happiness? We are living under a dictatorship as cruel as any in history.

Here is one small example: The writer is 78 years of age, seriously ill, and barely existing on a small pension to which she contributed during her working years. At the proper time and with a real effort she filed an income tax report. No comment having been received from Internal Revenue, she assumed the report was accepted. Then several months later, like a bolt from the blue, came a bill on an IBM form billing her for a ridiculous amount of tax plus interest, with payment demanded within 20 days. Imagine the shock.

This bill was returned to Internal Revenue with an explanation that no exemptions had been credited. There was no reply to this. A second time a bill came with more interest added. Again the writer asked that correction be made. No reply. When the third bill came the matter was taken to a lawyer who filed an amended report.

Now comes a blast from Augusta headquarters threatening to put a lien on any and all property. That means the little home which was to provide shelter for the reclining years. This amounts to persecution.

Again we ask "what freedom, what happiness?"

What rights have poor slobs like us?

We want to know.

MARY S. SPEAR.

Friendship.

Mr. LONG of Missouri. Mr. President, regardless of the merits or demerits of this particular case, I do know that there must be some better way to deal with American taxpayers than the current, de-personalized, implacable computer system being devised by the Internal Revenue Service.

It may make work for the tax collectors a bit easier, but it surely is hard on 200 million Americans.

THE WAR ON POVERTY

Mr. GRIFFIN. Mr. President, I ask unanimous consent that individual views which I have submitted for inclusion in the report of the Committee on Labor and Public Welfare on S. 1545 be printed at this point in the RECORD.

There being no objection, the individual views were ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF SENATOR ROBERT P. GRIFFIN

While I voted to report the bill, S. 1545, I believe Title II should be stricken and referred back to the Committee for appropriate hearings and study. In addition, I am convinced that several of the programs authorized by this legislation would operate more effectively if certain amendments were adopted on the floor.

A. JOB CORPS

It is gratifying to note that some of the criticisms directed at this part finally have been recognized, and revisions are being made. This bill tightens the administration of the Job Corps program, provides specifically for urban skill centers, and improves the machinery for follow up and job placement.

I believe that the Job Corps should be administered by the Office of Education instead of the Office of Economic Opportunity. Such a transfer would help to eliminate areas of overlap between Job Corps and other vocational education programs being conducted by the Department of Health, Education and Welfare.

It is worth noting that, at present, the bulk of the Job Corps training effort is in its 28 urban centers; and that 20 of those centers—more than 70 percent of the total—are run by private enterprise, under contract with OEO. A study made for the Subcommittee on Employment, Manpower, and Poverty as a part of its 1967 review of the war on poverty indicates that private enterprise is generally doing a better job than non-profit organizations in operating centers and training enrollees. The record would seem to justify an expansion of the practice of contracting with private firms for the operation of Job Corps centers.

I also believe that more involvement by the States would be desirable. The mandatory language of section 114 of the pending bill is a move in that direction. As consultant Sar A. Levitan has pointed out (Levitan, "Can the War on Poverty Rise Above Partisan Politics," daily *Cong. Rec.*, Aug. 8, 1967, A4024 and A4025):

"The Job Corps has not sufficiently utilized the educational and vocational capabilities of states. It could have avoided a great many problems if state agencies had been drawn into the administration of centers

"The data developed by the Job Corps indicate that some conservation centers in particular do a poor educational job. The situation may be corrected by turning these centers over to the state educational agencies. . . ."

Section 108(b) of the pending bill expressly authorizes the use of local educational agencies, vocational institutions and technical institutes. This provision contains significant potential for re-establishing a more appropriate Federal-local balance.

In 1964, as a member of the House of Representatives, I joined in minority views when the original Economic Opportunity Act of 1964 was reported by the House Committee on Education and Labor. In those views, Dr. Urie Bronfenbrenner, a distinguished psychologist and professor of the Departments of Psychology and of Child Development and Family Relationships of Cornell University, was quoted as follows (H. Rept. No. 1458, 88th Cong. 2d Sess., 71):

"Unless the young person is trained in a job which his home community can use, unless he has learned patterns of social and civic behavior which are appropriate to that community, and unless that community is prepared to accept him in a new and more positive role, the young person will return only to be pushed back into the part in which he was formerly cast—the social misfit."

We added, "The neeed is to equip these young people to cope with their community: the need is not to equip them to commune with nature."

During the past three years painful experience has indicated the validity of that point. Clearly, community coordination is essential to a program designed to enable youths to join the community.

B. TITLE I–B

The 1967 amendments would place Title I–B under a "prime sponsor" which, in most instances, would be the Community Action Agency established under Title II. The CAA is "encouraged" to use public and private organizations as delegate agencies, to include the poor in planning, in the conduct and administration of programs, and also to provide maximum employment and training opportunities for such persons. The original Title I–B was the "Neighborhood Youth Corps," limited to persons in the 9th to 12th grades. As revised, the Part combines a series of work and training programs for persons age 16 and over and an array of other enumerated "special programs" oriented to the employment of persons of all ages. It adds a program for areas of concentrated unemployment and a private employer incentive program. The CAA is directed to provide systematic planning and linkage (in section 121(c)).

I am concerned that the task of coordination, as well as the administration of such a conglomeration and proliferation of purposes, participants and special activities, will overwhelm the administrative capacities of CAA's; some of them have not distinguished themselves in the past as models of administrative efficiency.

In the 1964 minority views, discussing the Neighborhood Youth Corps, we warned (H. Rept. No. 1458, 73):

"As with the 'Job Corps' proposal, the contribution, if any, that this program will make toward equipping young people for employment is highly questionable. Having recently approved a vocational work-study program for youth in this age group, and having expanded the Manpower Act to assist the same individuals, Congress should place its reliance upon these established Federal activities rather than embarking upon new, costly, ill-considered efforts which would only compete with and confuse the existing programs."

Unfortunately, subsequent events have borne out the accuracy of that warning. A

Subcommittee publication entitled "Emergency Employment Act—Background Information" states (Mangum, "The Need for an Employment Guarantee," 131):

"NYC [Neighborhood Youth Corps] and Job Corps graduates face the same job markets after leaving the programs that they faced before, one-half of the public assistance recipients who enter work experience and training program return to public assistance when they leave it."

A private survey recently revealed that only 38.2 percent of out-of-school NYC enrollees return to school, receive additional training or are employed after completing the program. ("Youth and the War on Poverty," prepared for the Chamber of Commerce of the United States, 29.)

Indeed, as it is operated, the prime function of the NYC may be merely that of an "aging vat" to tide teenagers over until they are able to apply for "real" jobs. While this limited function may have some merit, the NYC experience could be far more meaningful if the NYC program measured up to its initial purpose—to enable participants to attend school or to help them "develop their maximum occupational potential." (Section 112 of the Economic Opportunity Act of 1964.)

The in-school Title I–B program was designed as an educational training and income maintenance program. In my view, this educational program should be transferred to the Office of Education and administered in coordination with other work-study programs. Such a transfer would help preserve the original purpose of the section, reduce overlapping and duplicitous efforts, and would assure that contracts with school systems would be made through the Office of Education.

In addition, I believe that the out-of-school Title I–B program should be transferred to, and administered by, the Department of Labor. That Department would then be in a position to bring these programs into closer coordination with other job training programs—programs which are more closely related to the needs of the job market.

The isolation of Youth Corps programs from "real" jobs could well explain the difficulty experienced in some cities in recruiting enrollees. Understandably, eligible youths see little future in devoting themselves to morale-deflating, make-work projects. As the Subcommittee's publication points out (Mangum, 131 at 133):

"The assumption that the out-of-school, out-of-work youth is eager for steady, low-wage, low prestige job clashes with experience."

The committee added $10 million to the Title I–B authorization for pilot projects in which OEO would provide incentives for the private employment of "hard core" unemployables. The employees would work for private employers, who would be expected to provide useful training and supportive services. Under this amendment, employees would receive not less than the federal minimum wage; and OEO could pay the employer any difference between a worker's real worth and his wage rate, as well as other costs, such as the expenses of counseling, recruiting and transportation.

I have long advocated measures to encourage private industry to train and employ marginal workers, but I am concerned that the approach adopted for the first time in this bill contains pitfalls. I am pleased that the program wisely has been advanced as a pilot project only, so that potential problems may be explored and satisfactory limitations and guidelines may be developed if necessary.

Along with a number of other Members of Congress, I have sponsored a bill entitled the Human Investment Act, which seeks to provide a tax credit for private employers who hire and train the hard-core unemployed. I believe this approach would be preferable.

C. COMMUNITY ACTION

The 1966 requirement that from 5 percent to 10 percent of community action funds be channeled to local groups outside the Community Action Agency has been deleted. In its place the pending bill provides (in section 220(c)) that the Director "may and is encouraged to" assist agencies other than the CAA to carry out component programs. However, the new language qualifies the Director's authority by prescribing that he may act only "after soliciting and considering comments of the community action agency."

The broadening of CAA control may serve to strengthen city-wide coordination; however, in some instances it could also result in the curbing of individual local initiative. For example, if "city hall" controls the CAA, and if the poor mistrust "city hall," then the poor can be expected to mistrust the CAA. In such situations, there may be understandable hesitation on the part of the poor to participate to the "maximum feasible" extent in CAA-run programs. Yet, such participation is supposed to be a key element in the philosophy and purposes of the Act.

Accordingly, it is hoped that the Director will take appropriate advantage of the authority which is left in Section 220(c) to assist local groups outside the CAA where circumstances justify it.

OEO involvement with education

In my view, the OEO should not become intimately involved with ongoing educational programs. Those poverty programs which are essentially part of the educational process should be transferred to, and administered by, the Office of Education. I refer in particular to the following:

i. Title I–B Work-Training (in its education aspects).

ii. Headstart (and see below).

iii. Follow Through (and see below).

iv. Upward Bound.

The Headstart program, according to OEO Director Sargent Shriver, is OEO's "greatest single measurable success." The Job Corps has been vehemently attacked because of scandalously high costs and the misconduct of some enrollees. The Neighborhood Youth Corps has been criticized because of its failure to provide meaningful work and training instead of make-work, and Community Action programs have been under attack because of administrative floundering and politicking. On the other hand, Headstart, in most instances, has been the one shining light that has rallied public support for the poverty war. Many constituents have told me that they think the whole "war on poverty" program should be scrapped—except for Headstart.

Because of the recognized merit of Headstart, Republican members of the Committee proposed that $352 million of the funds to be authorized be earmarked specifically for Headstart. However, this proposal was rejected by majority members. I believe an amendment to accomplish this purpose should be adopted on the floor so that Headstart will not be forced to compete with other schemes and proposals for the administrative favor of OEO.

OEO is talking about spending $120 million in the coming year for its new "Follow Through" program. From all indications, such a sum vastly exceeds the amount needed for the number of programs which can be reasonably mobilized within the year. By now OEO should have learned the price of hasty overspending on new programs. We believe that a substantial portion of the excessive Follow Through funds should be redirected to Headstart.

Follow Through, a $120 million/$160 per child program, contains particularly disturbing implications respecting the established system of Federal-State-local relationships. The program focuses on Headstart children as they go on to kindergarten and the first three grades of elementary school. Thus, the program initiates the actual involvement of OEO in the educational process within the school system. Evidently the involvement contemplated is not limited to contacts with the State agency or local board. Instead, Follow Through envisions the actual conduct of in-school programs by CAA's or their delegate agencies.

What is the extent of the planned OEO involvement with the educational process in Follow Through? The language in the bill is ambiguous. Section 243(4) purports to prohibit general aid to education, but it adds, "other than for special health, welfare, remedial, and other non-curricular services designed to encourage successful participation in school"—whatever that may mean. Further doubts are cast upon the Section 243 disclaimer by Section 221, which describes Follow Through and other "special impact" programs. Section 221(b)(2) authorizes, as a part of the program, "comprehensive services. . . . as described in [the Headstart paragraph]," and that paragraph, detailing the preschool program, expressly cites "comprehensive health, nutritional, *education*, social, and other services." (Emphasis added.)

Section 222 requires the maximum employment of the poor in all component programs. Presumably, this requires the CAA to assure that a maximum number of poor persons are brought into the schools to work on Follow Through projects. Also, VISTA workers could be assigned to these programs. In my view, while involvement of the poor in other OEO programs is important, employment policies within the nation's schools should be left to appropriate school authorities.

Finally, Section 221(b)(2) describes Follow Through as "focused primarily upon children . . . who were previously enrolled in Headstart or similar programs." Accordingly, it appears that children who needed Headstart training but did not get it, for one reason or another, will generally be excluded from the benefits of Follow Through.

As now written, provisions of the bill authorizing the new Follow Through program are loosely worded and leave much to be desired. I believe the language should be revised and tightened.

The above-mentioned 1964 minority views in which I participated foresaw the danger of increasing OEO involvement in areas properly within the jurisdiction of other agencies. At that time, we predicted that (H. Rep. No. 1458, 70):

"This reliance on broad, undefined power [for OEO], with its companion reliance on direct Federal action at all levels of our society, represents a dangerous assault on the established system of State-Federal relationships, as well as upon the orderly administration of programs and policies already entrusted to established agencies of government."

Unfortunately, it is obvious that the assault continues, and jurisdictional overlap within the federal executive branch is increasing.

D. DAY CARE

A new Title V–B has been added to give express authority for establishment of day care projects so that low-income parents may engage in education, training or work.

In addition to making it possible for individual adults to improve or advance themselves, a well-run day-care center may have other desirable effects. For example, it can provide poor children with needed nutritional and social development benefits.

In the administration of the day care program it is hoped that there will not be a repeat of those notorious Headstart "poverty" programs under which 20 percent to 30 percent of the participants came from middle income families. Obviously, when children from middle income families are recruited and allowed to take advantage of programs intended to help the poor, not only are the taxpayers cheated but, in some instances, needy children are deprived of opportunities which the act seeks to provide.

E. FUTURE OF OEO

A central issue underlying any discussion of the Poverty War, I believe, is the future of the Office of Economic Opportunity. I have recommended the transfer of Job Corps, the Neighborhood Youth Corps and certain Community Action programs to other Federal agencies. I advocate such transfers because I believe it is in the national interest to structure an antipoverty effort that will minimize—not maximize—the overlap, competition and duplication of efforts.

A basic myth surrounds the Office of Economic Opportunity: the myth that OEO neatly plans and organizes the nation's antipoverty effort. It does not. On paper, OEO is part of the Executive Office of the President. But, in fact, it enjoys no special status comparable, for example, to the Bureau of the Budget. Rather it has become just another operating agency, like HEW, the Department of Labor and other departments.

As a staff report to the Senate subcommittee observed (JLS, "Issues of Organization and Coordination," June 16, 1967, 2):

"(I) t was inevitable that its [OEO's] operating responsibilities would absorb virtually all of the energies of its leadership and that its Government-wide 'Chief of Staff' functions would suffer. As the consequence, a full-fledged headquarters for the war on poverty as a whole has not developed."

OEO is not fulfilling its primary role as leader, planner and coordinator of the poverty war because it is too busy with the myriad of details involved in operating the various poverty programs.

I do not suggest that OEO must be abolished. But I do believe it should be reorganized—if not administratively, then legislatively.

A reorganized and reoriented "Office of Economic Opportunity" could finally perform the most important function originally intended for it. In form OEO would be smaller, since it would be freed from day-to-day routine formalities and operational paper work. However, the service of OEO to the country should be far more significant than it is today. For the first time it could actually concentrate on becoming the planning and coordinating agency of the three-year-old War on Poverty.

F. EMERGENCY EMPLOYMENT ACT

Unrest in the cities of the Nation has reached grave proportions. The tremendous amalgam of social problems that gives rise to this unrest demands our most urgent attention. But this is a situation in which greater, not less, Congressional wisdom is imperative.

Title II, the so-called "Emergency Employment Act," is an unfortunate example of hasty, unsound Congressional reaction to the riots. It is as extravagant in its promise as it is vague in its operation.

The Committee has had no real opportunity to consider the proposal in depth.

The record contains no statement of the Administration's views regarding the merits of the program, its effect on the poverty war or on the budget.

How such a program would relate to ongoing job creation and training programs has not been explored.

Finally, consideration has not been given to more effective alternatives that are available, *e.g.*, the Human Investment Act proposal which would encourage private industry to hire and train the hard-core unemployed.

Instead of holding hearings, the Subcommittee released a booklet entitled "Emergency Employment Act—Background Materials." The booklet is supposed to establish the need for Title II. In fact, however, the material also emphasizes that superficial, short-term make-work programs do not solve long-term unemployment problems, and that efforts should be directed toward training and education.

As written, the title would constitute a virtual abdication of Congressional responsibility; it would delegate almost unlimited authority and discretion to the Secretary of Labor.

Before Congress approves an expenditure of nearly $3 billion, principally for make-work, no-future "public service" jobs, at least some time should be taken to consider whether that approach is the best of those available.

Unfortunately, weighing alternatives and developing major legislation takes a little time. Nevertheless, I believe it is time that should be taken. The Committee should conduct appropriate hearings on Title II.

DISTRICT OF COLUMBIA HEALTH OFFICIALS TO SEEK STRICTER X-RAY REGULATIONS

Mr. BARTLETT. Mr. President, on August 30 the Committee on Commerce completed 3 days of hearings on S. 2067, the Radiation Control for Health and Safety Act of 1967. The committee heard from a wide range of professional, governmental, and industry witnesses, and is now in the process of evaluating that testimony. Two things seem obvious at this point. One is that our inquiry must be continued, probably early in the second session of this Congress. The second is that we are dealing with a far-ranging and significant set of problems which demand the exercise of foresight and the formulation of an effective legislative remedy. I am confident that we are moving in that direction.

It is always true, however, that a hearing points up more problems than subsequent legislation can solve. One of the hearings's most valuable functions, therefore, is not merely to lay the foundation for legislation but also to increase public and professional awareness of certain problems and to prompt extra legislative attempts to rectify certain situations. This is obviously the case with regard to the testimony we heard regarding the employment of diagnostic medical and dental devices.

S. 2067 might prove to be a partial remedy in that it would authorize the setting of standards for new equipment. It might be amended to provide for the updating of old equipment or to improve existing programs of inspection and training. But a large measure of the responsibility for the protection of operators and patients will continue to rest with State and local governments, with professional societies, with equipment manufacturers, and with individual practitioners. Therefore, it is to be hoped that our hearings will contribute to a greater awareness in these sectors of potential radiation hazards and a greater concern for radiation safety.

One interesting example of local efforts to bring the use of X-ray equipment under more effective control was reported in the Washington Post of September 5. The story is encouraging in its portrayal of a vigorous local effort, but it is discouraging in its relating of the problems that must be met and the obstacles that are still to be overcome. In any case, it is instructive, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STRICTER MEDICAL X-RAY REGULATIONS ASKED

(By Stuart Auerbach)

District health officials, only partially successful in achieving voluntary compliance with their safety recommendations, have decided to seek strict regulations for medical X-ray machines.

Although most dentists complied with recommendations made by Health Department inspectors, Marshall S. Little, chief of the Radiological Health Division, said that individual physicians have been less willing to follow the advice of inspectors who are not doctors. The District Medical Society, however, has cooperated fully, he said.

Little, who began dealing with radiation as a radioisotope chemist with the World War II Manhattan Project that developed the atomic bomb, said some physicians and dentists have refused to allow inspections or follow-up visits.

Karl Z. Morgan of the Oak Ridge, Tenn., National Laboratory testified last week before the Senate Commerce Committee that between 3500 and 29,000 U.S. residents now living may die as a result of exposure to radiation.

Despite the possible dangers that his office has compiled during its three years of existence, Little emphasized that X-rays properly used, are both safe and important for the treatment and diagnosis of many diseases.

As examples of unsafe practices, Little cited these cases:

An X-ray machine placed next to a window overlooking a children's playground. "It can give a pretty high dose to that playground," Little said.

Fluoroscopes with radiation outputs so high that 5 minutes of treatment could give patients a case of radiation sickness.

New fluoroscopes purchased without shutters to focus the beam. Without shutters, the beam "splashes out," posing a hazard to the operator and exposing the patient to more radiation than he needs, Little said.

Failure to provide shielding for the operator of an X-ray machine. One physician who was told shielding was lacking refused to permit a follow-up visit.

"Some doctors say the inspections are a waste of time and taxpayers' money without compulsory regulations," said Little. "They are right in cases like this."

Little is working with an eight-member advisory committee of experts to draft the new regulation, which will be submitted to the District Commissioners along with data developed from inspections.

Safety limits will follow standards set by the National Bureau of Standards, Little said. He also will request regulations to require that new X-ray machines meet safety standards when purchased.

Dentists, Little said, have registered "a tremendous improvement since 1962 when the U.S. Public Health Service conducted a survey in Washington.

"Dental facilities in the District are probably superior to those in the rest of the country," he said.

POSTMASTER GENERAL LAWRENCE F. O'BRIEN

Mr. YOUNG of Ohio. Mr. President, on August 29 it was my privilege and great pleasure to introduce our Postmaster General, Hon. Lawrence F. O'Brien, to an audience of more than 1,100 Ohio citizens gathered in the ballroom of the Neil House, Columbus, Ohio, at a fundraising dinner under the auspices of the Democratic Executive Committee of Ohio. Postmaster General O'Brien's address may be regarded as the opening speech in the campaign to carry Ohio for President Johnson and Vice President HUMPHREY in 1968.

Mr. President, Postmaster General O'Brien is one of the truly great Americans of our time—the strong right arm and confidant of President Lyndon Johnson as he was of the late beloved President John F. Kennedy. As special assistant to both Presidents, he helped to guide through the Congress some of the most significant social and economic legislation in the Nation's history. As Postmaster General of the United States his achievements have been equaled by no one since Benjamin Franklin in colonial times, the first Postmaster General of the Thirteen Original Colonies. He has done more to bring the operation of the Post Office Department out of the horse and buggy era into this fast-moving space age of change and challenge than any of his predecessors. Fortune magazine recently described Larry O'Brien as—

> The best liked and most familiar Administration figure on Capitol Hill . . . A proud and competitive man . . . He came to the fray well-equipped, bringing the analytical mind and organizational skill that marked his previous electoral efforts . . . As Postmaster General, he is demonstrating not only unusual energy, but also a flair for modern management practices.

President Kennedy called him "the best election man in the business." And President Johnson describes him as "a wise counselor, gifted strategist, efficient manager, and warm humanitarian."

The Postmaster General made a truly magnificent address and time and again he was interrupted by resounding rounds of applause and at the conclusion of his speech he received a standing ovation from the audience.

Mr. President, I ask unanimous consent to embody in the RECORD the address made by Postmaster General Larry O'Brien.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN AT A STATE DEMOCRATIC DINNER, COLUMBUS, OHIO, AUGUST 29, 1967

I have been listening intently to the previous speakers and I want you to know that I am happy to be here tonight at the start of the 1968 campaign. We are going to win in Ohio.

The President asked me to give you his greetings and to say that from here forward, the Democratic Party must go on the offensive—as you are doing here in Ohio—must spell out the issues, must place our record before our fellow Americans and urge them to compare it with the empty record of the Republican Party here in Ohio and in the nation.

As an old campaigner, it is great to be here with you tonight. Certainly, I know the President considers this meeting of great importance to the Democratic Party, to the people of Ohio and to the nation.

From the several references made by the other speakers, I am also pleased to note that the Ohio Democratic delegation in the Congress will be substantially increased next year.

During the last seven years we have seen in stark contrast the record of the Democratic Party and the empty record of the Republican Party.

The record of the Democratic Party was expressed in the greatest surge of progressive legislation in any seven year period in the history of this nation.

The 89th Congress alone produced more legislation designed to meet the overriding, too long neglected issues of the day than any Congress in our history.

Think about it for a moment:

Medicare . . . Nuclear Test Ban . . . Elementary and Secondary Education . . . Higher Education . . . Peace Corps . . . Alliance for Progress . . . The Department of Transportation, the Department of Housing and Urban Affairs . . . Minimum Wage . . . Voting Rights . . . Social Security increases . . . Veterans benefits . . . Truth in Packaging . . . Model Cities . . . Rent Supplements . . . Imaginative measures that increased our national income by over $260 billion, a fifty per cent increase in seven years, the greatest record of economic advance in our history.

That is the Democratic record!

During the last seven years, in fact, all of the New Frontier Programs of John Fitzgerald Kennedy and 85 per cent of the Democratic Platform of 1964 have been translated from hope and aspiration, into law and into solid accomplishments.

The record of the seven great Democratic years is clear.

And, the seven long years of Republican obstruction is, I believe, equally clear.

Our Democratic effort is to build. We know it and the people know it.

The opposition's record, their consistent record, is to delay, to denounce, to destroy—in Ohio or in the nation.

The Republican Party in power is important; the Republican Party out of power is the party of knee-jerk opposition.

And the irresponsibility of the Republican Party is not confined to frustrating measures needed at home. They strive to confuse the people about our response to aggression abroad.

Every day we hear of a new Republican policy toward Vietnam. One day a Republican spokesman seeks to bomb everything that moves in North Vietnam; the next day another spokesman says we are bombing too much.

It is our task to remind the American people, again and again, of the true nature of the President's policy in Vietnam. For in Vietnam, and throughout the world, the Democratic policy is one of seeking peace with honor, of assuring that we *solve* conflicts, not hide behind a temporary, patchwork truce. We will never back down on our commitment to prove that aggression does not pay, a commitment that has had much to do with holding the line in Laos, and in the Communist disaster in strategic Indonesia.

My friends, we seek peace; the President of the United States seeks peace. The Book of Matthew says, "Blessed are the peace makers." Nothing is said about peace lovers. Any time, any place, the President is ready, willing, able, and anxious to resolve this problem with honor.

Turning to domestic affairs, we see that the Republican Eyewash Committee recently tried to play partisan politics with the nation's urban and racial crisis.

The Republicans clearly seek to make crime pay—in political terms.

But when it comes to action, when it comes to supporting the President's initiative in the safe streets and crime control bill, the Republican Party shows its true colors: it takes action that would make this vitally needed legislation largely inoperative.

It is at this point that Republican and Democratic policies diverge sharply. It is truly a source of wonder how many Republicans think passing laws against riots will make them go away.

Actually, I am understating the case. For the record shows beyond a shadow of doubt that the Republican policy has been to frustrate, to oppose, to hinder every major effort by this Administration to remove the social combustibles on which riot and disaffection breed.

In contrast to Republican irresponsibility, opposition, blindness, and indifference, the Democratic program has been designed to meet the needs of all segments and sections of our country. The Democratic program recognizes that we have an unfinished agenda both in cities and suburbs, for the small businessman and the farmer, the student and the senior citizen.

No group, no race, no area has a monopoly on Democratic concern—because the Democratic Party and Democratic programs are designed for all the people.

We have been concerned about the plight of minorities *and* the needs of the majority, because we are the party that truly *represents* all of America.

Consider for a moment what seven years of Democratic leadership has meant to an American worker who lives in the suburbs; the man who pays his taxes, supports his church and community activities, hopes to send his children to college, seeks to take care of his aging parents, tries to save some money, and strives to pay off the mortgage.

Though no group has been neglected by our programs, we have failed in one area, we have neglected one task—we have failed to remind everyone equally of the enormous gains *all* have shared as a result of seven years of Democratic administrations. Let's look at some of these areas:

First. *Prosperity*. The suburban American, and all Americans, have a common stake in continued prosperity. When the Republican Administration was coming to an end, the nation was burdened by its third Republican recession. Our growth rate was the lowest in the free world—a mere 2.5 per cent. Since then we have entered the greatest boom in history.

Second. *Medical Care*. The American who lives in the suburbs is usually a highly responsible citizen. He pays his own way. Often in the past the cost of his parents' medical expenses, however, wiped him out or strapped him for years. Over Republican opposition—overwhelming opposition—the Democratic Party succeeded in getting legislation aimed at cleaning the tarnish of crushing medical bills from what should be the golden years.

Third. *Education*. The vast majority of Americans want their children to reach full potential through higher education. Because of Democratic programs and in spite of overwhelming Republican opposition, for the first time in our history, through the Higher Education Act of 1965, scholarships and loans and work opportunities and facilities, will be available for one million young Americans this year and every year who otherwise could not go to college.

Fourth. *Crime in our Streets*. Read what the Washington Post said about the President's Anti-Crime program and the Republican effort to sabotage it:

"If the Republicans are out to make crime and violence a campaign issue in 1968, they are going to have to do much better than they did in the House of Representatives on the Federal anti-crime bill. In one day of action on the floor, the Republicans teamed with States' rights Democrats to mangle that bill almost beyond belief. Instead of strengthening it, as Republican leaders are claiming, the House changed the bill in such a way that it can no longer be considered an effective instrument to help local police to fight crime in the streets."

And let me tell you that the Republican gutting of this legislation and other attempts—model cities, rent supplements, teacher corps—is only temporary. We will lick them—we don't intend to let them get away with it!

My friends, these are some of the issues that directly affect the worker in the city, the man who lives nearby, the American whose numbers increase each year, and who is apt to leave old party loyalties behind when he moves to the suburbs.

If we don't get the message across, if we don't let these people know how much Democratic programs have helped them, then we will not have their votes—and we will *deserve* to lose them.

This is one of the great tasks that face us as Party leaders—everyone in this room—leaders of the Democratic Party, labor and the rest.

We have a great record.

We have a great program.

But leadership, accomplishment, and aspiration are simply *not* enough.

We must also inform and explain. And more important, we must organize, as you are doing here tonight, and we must organize ourselves to attack when necessary. Let's get off our duffs and stop being defensive.

We have many difficult months ahead of us. And, you know as well as I that the struggle here in Ohio is uphill all the way. The only prediction that I can make with certainty is that the Republican Party will continue to criticize, will continue to oppose.

And the Republican Party today seems to have a clear leader, the Governor of Michigan. You remember him well; he gave us the compact car. And he already has a campaign slogan: "Think small and shift for yourself."

But though I do not believe that the American people will turn the future of this nation over to the party with the empty record, we cannot merely sit back and rely on *our* record to win elections for Democrats.

The Republicans have a secret weapon. That weapon is nothing less than Democratic disunity and internal strife. In all candor, we simply cannot afford, and I don't believe the country can afford, the luxury of internal strife. Is there any Democrat in Ohio or this nation who is individually more important than the Democratic Party or its programs? I don't know of one. I can't think of one.

Our leaders are dedicated. They can and will march shoulder to shoulder in 1968.

I can tell you that Lyndon Johnson, Hubert Humphrey, Robert Kennedy and our other national leaders across this nation will stand together in 1968. But what about our leadership on the local level?

What I am asking of you is no less than the kind of cooperation that existed between John F. Kennedy and Lyndon B. Johnson.

You know that in the best American tradition these two men fought valiantly for the Democratic Presidential nomination. When the decision was made, neither man permitted the past to cloud his judgment. John F. Kennedy wanted the most able man he could find for his Vice President. That's why he picked Lyndon B. Johnson. He knew the problems we faced were too vast, the course of human life too uncertain to have anyone but the very best in the Vice President's chair and that was repeated in 1964.

My friends, the sense of mutual responsibility, the ability to forget past differences, certainly paid dividends for our country in those terrible days of November, 1963. The result was simply this: continuity of leadership and continuity in the constructive work of the Democratic Party.

That continuity began with cooperation in 1960. Let us restore and strengthen that spirit and we will again assure continuity in the great unfinished tasks that face all of us, that face our country.

In the final analysis, you—the Democratic leaders of this State and leaders in every State—must show the way to victory in 1968.

My friends, the decision is in your hands.

AMERICAN LEGION OPPOSED TO EAST-WEST TRADE

Mr. MUNDT. Mr. President, just prior to the Labor Day adjournment, I had the opportunity to address the Foreign Affairs Committee of the American Legion during their 49th Annual National Convention in Boston, Mass.

Of great concern to the members of this committee and, indeed, to all Legionnaires was the increasing tendency on the part of the present administration to neglect one aspect of our war in Vietnam. That aspect is the economic one. Over and over again I was asked the question by veterans in Boston: "Why does our Government continue to supply Communist nations with war materiel which are in turn shipped to the North Vietnamese? The United States did not follow this type of a policy when I served during a war."

I cannot supply that answer. The administration can, however; and I believe that they owe an explanation not only to the American Legion but also to all the people of the United States.

As an indication of the Legion's feeling on East-West trade, the national convention in Boston adopted a resolution which I ask unanimous consent to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

[Adopted at the 49th Annual National Convention of the American Legion, Boston, Mass., Aug. 29, 30, 31, 1967]

RESOLUTION 20

Whereas, The American Legion consistently has opposed U.S. trade with communist countries; and

Whereas, communist countries today, led by the Soviet Union and its satellites, are providing the war materials needed by North Vietnam against South Vietnam (and many of the vessels with which the Soviet Union transports goods to North Vietnam are actually United States' "lend-lease" ships which the communists failed to return after World War II); and

Whereas, items of trade furnished such communist countries can be used either directly or indirectly against American forces in Vietnam; and

Whereas, The American Legion insists that this nation must do everything in its power to support its fighting men; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Boston, Massachusetts, August 29, 30, 31, 1967, That The American Legion:

(1) believes that continued trade, or assistance of any form to a communist country which is helping to supply North Vietnam and the Viet Cong is an affront to the American men who are called upon to perform combat duty in the defense of South Vietnam;

(2) urges the President and the Congress of the United States to prohibit further trade between this country and any communist country which is providing North Vietnam with assistance in any form that can increase the war-making potential of its forces, with the consequent killing and wounding of greater numbers of Americans;

(3) calls upon our Government to renew the issue of the "lend-lease" vessels which the United States failed to repossess from the Soviet Union following World War II, and to demand their return at this time inasmuch as they are being used to supply our enemy, North Vietnam, and be it

Further resolved, That The National Organization of The American Legion is authorized and directed to take all appropriate steps to implement this resolution including a petition campaign to make a more forciful presentation of our views and those of the American public generally, to the President of the United States and all other officials of the Federal Government who are responsible for United States trade policy.

VIETNAM SOLUTIONS

Mr. GRUENING. Mr. President, U.S. military involvement in an illegal, immoral, and aggressive war in Vietnam is steadily escalating to a point where a cataclysmic, thermonuclear world war looms ever closer.

For more than 3½ years I have steadily and consistently urged the administration to reverse its course of action in Vietnam.

As long ago as March 10, 1964, in a major speech on the floor of the Senate, I urged:

> This is a fight which is not our fight, into which we should not have gotten in the first place. The time to get out is now before the further loss of American lives. Let us get out of Vietnam on as good terms as possible—but let us get out.

A few weeks later, on April 28, 1964, I stated on the floor of the Senate that—

> We should bring the United Nations into the picture, arrange for a cease-fire, and work for a negotiated peace. I repeat my view that South Vietnam is not worth the life of an American boy.

Since that time—in speeches on the floor of the Senate and elsewhere—I have repeatedly urged that the United States get out of Vietnam.

I am pleased that the senior Senator from Oregon [Mr. MORSE] submitted Senate Concurrent Resolution 44 yesterday urging that the Vietnam crisis be put before the United Nations on an emergency basis. This is one possible way out of Vietnam.

There are other possible ways out of Vietnam.

Last week I joined with Newton Minow, former chairman of the Federal Communication Commission, and Lawrence S. Fanning, a widely known newspaperman, who now publishes the Anchorage Daily News, in sending the following joint telegram to President Johnson:

DEAR MR. PRESIDENT: Mindful of your dedicated pursuit of peace and your pledge that the United States seeks only a stable, unfettered government in South Vietnam, we respectfully propose a tripartite program for your consideration at this moment in history.

Immediately following Sunday's election in South Vietnam, we suggest that you electrify the world by announcing: (1) The immediate cessation of the United States bombing in Vietnam and a carefully programmed orderly withdrawal of United States' combat forces from South Vietnam; (2) The United States' intention to place the South Vietnam question before the United Nations leaving the pursuit of final peace terms to the appropriate agencies of that international organization; (3) The massive national resources which have been mobilized for the war in Vietnam will be redeployed for the war at home in the war on poverty, the war on crime, resources development, pollution abatement and the numerous programs which were so brilliantly legislated under your leadership by the 89th Congress.

As you have said so eloquently: "If this domestic war is lost then every individual in America is threatened in his home, his job and his family." In your skilled hands such a program can spring to life, offering peace and hope and dignity to the deprived and the oppressed the world over.

While I have received an acknowledgment of the receipt of the telegram, there is no evidence that the recommendation will be heeded.

The news this morning of the escalation of the bombing of North Vietnam detracts from the reported efforts of the U.S. Ambassador to the United Nations, Hon. Arthur Goldberg, to seek the support of other members of the Security Council to obtain Security Council review of the war in Vietnam.

INADEQUATE ECONOMIC STATISTICS MAKE TAX HIKE DANGEROUS

Mr. PROXMIRE. Mr. President, a prime weakness of the proposal for a surtax is that it could hit at the wrong time.

It is most unlikely to be imposed before January 1 of next year if at all, and then if the Congress follows the President's prescription it would be for 2 years.

Forecasting for 3 or 4 months ahead has been reasonably accurate. For more than that the record is highly erratic.

Predictions that the next 2 years beginning January 1 will be booming and require increased taxes to take off the inflationary steam could be very wrong indeed. The tax could be a depressant, a promoter of unemployment, of business recession.

This morning's Wall Street Journal carries an excellent policy article analyzing the serious problem confronting the Congress because of the unreliability of forecasting.

I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 12, 1967]

FOGGY FORECAST: TAX-RISE DEBATE PUTS SPOTLIGHT ON INACCURACY OF ECONOMIC STATISTICS—GOVERNMENT OFFICIALS CONCEDE FIGURES OFTEN MISS MARK, BUT REMEDIES ARE ELUSIVE—$33 BILLION GETS OVERLOOKED

(By Richard F. Janssen)

WASHINGTON.—"Consider for a moment that we can easily pinpoint a target on the moon, yet economists cannot forecast the state of our economy a few months ahead without the possibility of considerable error."

The speaker was Stanley S. Surrey, the Treasury's top tax-policy expert, addressing June graduates at Rensselaer Polytechnic Institute in Troy, N.Y. His words foreshadowed a problem that is now a source of growing concern—the widespread misgivings about the Government's ability to be really sure whether President Johnson's proposed income-tax boost will prove to be a mild economic tranquilizer of a dangerous depressant.

For despite the growing technical competence of computer-aided economic forecasters, responsible analysts in and out of the Johnson Administration find ample reason to be wary of the predictions that the economy will be heating up enough a few months hence to dictate a 10% surtax. So, too, do many of the lawmakers who must act on the tax proposal. Certainly Mr. Surrey and most leading economists do support a surtax, but some of the Administration's miscalculations both in forecasting the future and measuring the past have been monumental enough to cause a measure of caution now.

WIDE OF THE MARK

A few samples: The original Commerce Department forecast of 1966 gross national product fell short by $33 billion, roughly equal to overlooking the entire U.S. auto industry, of the economies of Sweden and Switzerland together. In late June this year, Gardner Ackley, the President's top economic adviser, dismissed as "outrageous" Congressional predictions that the budget deficit for the fiscal year begun in July would be anywhere near $30 billion; six weeks later President Johnson warned it could easily reach $29 billion. As for reports on the past, the Census Bureau recently admitted missing about one of every six young Negro males during its 1960 count; slum housing units were undercounted then by some 1.6 million units.

While statistical mishaps have often embarrassed the Government, the shortcomings exposed lately are a particularly sensitive matter in high places. For the Administration is now committed to "fine-tuning" tax and spending policies to prevent economic trouble. Compared with merely reacting to a bad situation already apparent, the much more ambitious new approach requires more solid data on the past as well as more refined methods of forecasting the future, officials say. But, a key Administration planner complains, "The trouble is that our intentions have become much more sophisticated than our statistical tools. . . . We're trying for a precision in policy that we can't match with our numbers."

Some legislators couldn't agree more. The failure to forecast accurately has "severely handicapped Congress," contends Democratic Sen. William Proxmire of Wisconsin, chairman of the Congressional Joint Economic Committee, who finds long-range predictions generally "very unreliable."

SENATOR JAVITS DEMURS

Such reservations are clearly shared by other influential lawmakers; their misgivings, along with the economy's disruption by the auto strike, spell considerable delay in acting on the tax boost. "All we have so far is a prediction that the third and fourth quarters are going to bust out all over," demurs New York's Republication Sen. Jacob K. Javits, who suggests it "may very well be worth" waiting until January to apply any tax increase.

More such skittishness may become evident today when the House Ways and Means Committee hears a string of eminent economists testify on the surtax. While scarcely any recognized economist asserts outright opposition to a surtax, some still harbor doubts about the amount, timing and absolute need; others appear to favor it more on "social" than on pure economic grounds, fearing that without higher revenue the Government would sharply retrench spending on domestic problems.

Ironically, the gravest doubts on the surtax center on the Government's ability to predict the impact of Federal fiscal operations on the economy, and not only because of the vagaries of the Vietnam war. Even assuming the most accurate and most honest of budget estimates, the format of the Federal budget is itself coming under increasing attack as inherently misleading. What's more, some note, the Administration case that the private sector of the economy is about to heat up too much rests largely on assumptions of inventory rebuilding, but inventory statistics are widely regarded as the least reliable of the Government's economic indicators.

How do the Government numbers so often go wrong? The reasons are legion, officials say, and the problems not always solvable. They range from clerical errors in feeding raw numbers into computers to slum-dwellers' tendency to flee when anyone resembling a government authority comes around the corner.

"NOT AN ANSWERING SERVICE"

Busy businessmen often don't take time to fill out all Federal questionnaires, either; in response to an important special survey on the effect of tight money on capital spending, one replied only that "this is a business, not an answering service." To prevent a paperwork rebellion by businessmen, many reports on retail sales, construction and the like are based on samples that may not prove typical; sometimes widely headlined upturns are inconspicuously revised into downturns a month or two later.

The current cause celebre among statistics-watchers, though, is the Treasury's admission in August that it had become apparent by then that in January the department had overestimated revenues for the fiscal year starting July 1 by $7 billion. (The actual outcome won't be known till next summer.) More than half the difference between the January and August expectations was simply due to a scaling-down of forecasts on how fast personal incomes and corporate profits would grow and lift tax collections; this revision is not particularly controversial, however.

The mysterious disappearance of the remaining $3 billion from the original estimate is causing more anguish among analysts because it raises doubts about a basic revenue-estimating method and shows how difficult it is to make any accurate forecasts. It involves the "marginal rate," which measures the extra tax dollars that are collected when an individual's income advances enough to push him into a higher tax-rate bracket.

This figure is tricky to forecast at any time, officials say, because the higher bracket doesn't apply to the full amount of a person's income, but only to the extra, or "marginal," amount above a certain sum. A single person whose annual taxable income is $12,000, for instance, is taxed at only a 14% rate on the first $500, but at a 32% rate on the amount between $10,000 and $12,000. And if his income advances to $13,000 the next year, that extra $1,000 will be taxed at a 36% rate.

To aid in forecasting each year's revenues, Treasury men try to arrive at a marginal rate intended to average out all these changes. And each year for the past three years, "We substantially underestimated it," admits Budget Director Charles L. Schultze; this outcome has usually permitted President Johnson to end up with bigger revenues and a smaller deficit than he proposes. After being only 10.8% for 1963, the marginal rate bounded to 14.3% in 1964 and to 17.2% in 1967; this trend prompted officials to assume in advance a 19.2% rate for 1966.

It was the assumed 1966 rate that they used last January in estimating revenues for the current fiscal year. This course was more cautious than assuming the rise would continue in fiscal 1967 but still meant a high enough figure to promise plump revenues. With spending going up substantially, "We wanted to show every dollar of revenue we could possibly scrape up," an insider recalls.

A COUPLE OF JOLTS

The first jolt came in April when officials could see income-tax refunds pouring out in much greater quantity then they had expected. Another jolt came in July when they had better data on personal income for calendar 1966 and budgeted receipts for the fiscal year just ended. The arithmetic showed that the marginal rate for 1966 turned out to be only 14.1% instead of the assumed

19.2%. As a compromise, officials cut back the estimate for this year to 15.5%, about halfway between the results in 1964 and 1965.

The marginal rate is clearly a critical clue to the size of the prospective budget deficit—and thus to the deficit's inflationary effect on the economy. "If somebody had told me in January" that the marginal rate had been set way too high, Treasury Secretary Fowler bristled at a White House briefing, he would have taken an "entirely different view" of fiscal policy needs.

But as important as it is, the accuracy of the new marginal rate figure for this fiscal year has yet to be proven. Asked if he has any reason to believe it is more correct than the abandoned figure, a well-placed official privately replies in one word: "No." Mr. Schultze himself suggests something of the sort, saying "we don't know yet" why the old assumption proved wrong, although "the Treasury has had a number of consultants in trying to figure out what happened."

Prospects for a clear view of this critical percentage still don't appear bright, analysts say, since the possible causes of confusion are exceedingly complex. The increase in taxable income last year might have been held below expectations, they suggest, by such factors as high interest rates and higher local property taxes; these outlays would prompt more people to take the trouble to itemize such deductions on their tax returns, shrinking their taxable income and thus the marginal rate of extra tax more than if they had simply stuck with the Treasury's standard deduction allowances.

THE CAPITAL GAINS FACTOR

Similarly, the marginal rate depends in part on the amount of income added by capital gains, only half of which are treated as taxable income. "Who can predict," laments one economist, "how many people are going to make how much money on the stock market next year?"

The spending side of the budget fails to serve Federal forecasters as a good guide to economic developments either, particularly in wartime, some critics charge. "We underestimate the effect when a military buildup begins and there's danger we'll act too late" to cushion the impact when peace permits a drop in defense spending, worries Murray Weidenbaum, a leading budget expert and economics chairman at Washington University in St. Louis.

Even the broad "national income accounts" budget usually preferred as a guide to economic impact is misleading. Mr. Weidenbaum complains; its shortcomings may help explain the Administration's delay in taking anti-inflationary action right after President Johnson's mid-1965 decision to escalate the Vietnam war. The problem, Mr. Weidenbaum says, is that the income accounts budget reflects revenue accruals rising quickly from the impact of extra military ordering on the economy but doesn't count the cash outlays for military goods until they're actually delivered—often 6 to 18 months after the new orders caused a pickup in jobs, production and incomes.

The Budget Reform Commission that President Johnson has at work on such problems is keenly aware of this flaw, insiders say. It will likely recommend a new budget format that, among other things, will partly plug this gap by showing the "progress payments" the Defense Department makes while work on contracts is under way.

A MISLEADING REPORT

A related problem, Mr. Weidenbaum asserts, is that the Commerce Department's monthly report on factory orders, shipments and inventories purports to single out the amounts due to defense work. "But it's misleading as all hell," he complains, because this category labeled "defense" also includes any civilian business done in the ordnance, aerospace and communications industries, such as the building of commercial airliners. But it omits, he adds, Pentagon purchasing of ships, uniforms, trucks and many other items. Commerce Department officials admit the problem exists, but aren't sure when they'll be able to correct it.

While the Government's figures on existing business inventories are faulted for various reasons, some analysts are much more concerned about the ability to forecast future accumulations. The key to how expansionary the economy will become, a high official asserts, "is what will happen to inventories from here on." He predicts that they'll soon start rising and that the buildup may lead to strong inflationary strains.

Outside analysts tend to agree but stress that the timing and magnitude of such a buildup can't be forecast with much confidence. The Council of Economic Advisers in early 1966 predicted that year's inventory accumulation would show a "fractional decline" from the unusually large 1965 amount; instead, businesses added $13.4 billion to their inventories last year, sharply above the $9.4 billion of 1965.

The latest surveys show the inventory situation is still uncertain despite Administration hopes of 1967 improvement. A Wall Street Journal survey recently found many businesses still struggling to work down their inventories, and a Commerce Department survey out today shows just as many manufacturers unhappy now about excessive inventories as three months before. Yet the department's report projects both a substantial rise in inventories and a better balance between sales and inventories for late this year.

Top Government planners, aware of the shakiness of many of their statistics, try to make allowances for inaccuracies and don't depend solely on numerical indicators. "Often it just comes down to getting a gut feeling about the economy," one Federal analyst confesses; help is sought also from soundings among business and labor leaders, press accounts and ceaseless checking of other economists' feelings.

"And don't forget," says a prominent private seer, "the Administration has a secret weapon—Arthur Okun." Mr. Okun, a member of the Council of Economic Advisers, often shows an "uncanny" ability to predict trends, others agree, even when statistics and the consensus may point in a contrary direction. The slight second-quarter upturn in profits this year was something he hinted would happen long before the total could be compiled; most observers were predicting another sharp slide.

SECRET RESULTS

While such "judgmental" forecasting continues, officials are striving to make their prophecies more precise by increasing use of "econometric model" methods. These involve cranking into computers complex mathematical equations based on how variables such as Government spending, for instance, have in the past touched off reactions in industrial production and consumer spending. The results of these computer runs aren't made public, though; George Jaszi, director of the Commerce Department's Office of Business Economics, explains that while officials know the results are "subject to large errors," the public might give them "more credence than they deserve."

The computers permit the Government to make vastly more sophisticated analyses of the past, too, but the many complex steps involved sometimes increase the chances for human error. "Every computer program has mistakes," says a Census Bureau expert, Arno Winard. "Sometimes they're caught before they're published and sometimes not until after," he adds. One erroneous computer program instruction caused the bureau to overstate the ranks of Americans classed as impoverished in 1965 by some 800,000 persons.

Confusion arises in the public mind, too, from the variety of statistics and forecasts issued by different Federal agencies. Newspapers on Jan. 3 last year carried the forecast of the Commerce Department's Business and Defense Services Administration that the 1966 gross national product would grow to $710 billion from about $672 billion in 1965, but before the month was out the Council of Economic Advisers was predicting a much bigger jump, to $722 billion; the 1965 figure had by then been scaled up to $675.6 billion.

Mostly because Vietnam spending rose much more sharply than the Government's economists had been led to believe, GNP for 1966 is most recently reckoned at $743.3 billion. And as a result of periodic longer-term revision that's done when precise income information eventually becomes available from the Internal Revenue Service, that 1965 total that once looked like $672 billion is now shown as $683.9 billion.

PRIVATE INDUSTRY EMBARKS ON MAJOR URANIUM HUNT

Mr. BENNETT. Mr. President, one of the major problems that will be facing our country in the not too far distant future will be the problem of sufficient uranium supplies to help meet the demand for both commercial and Atomic Energy Commission requirements.

By 1980 the United States could require more than four times present-day uranium production levels. To meet these requirements a tremendous expansion of exploration and development effort is necessary. I am pleased to report that much of it is already taking place.

Presently known domestic reserves of U^{308} which can be recovered at prices up to $8 per pound are estimated at about 140,000 tons. However commercial delivery requirements through 1980 are estimated to be about 250,000 tons. And this does not include the sales to the Atomic Energy Commission.

Some 35,000 to 40,000 tons of mining and milling production capability will be needed annually by 1980 if U.S. requirements are to be met from domestic sources. This would require a significant expansion of such capability.

Nuclear power reactors in operation, being built and announced, total more than 50,000 megawatts. The AEC's estimates of installed nuclear capacity in the United States have repeatedly proven to be understated. Thus, in 1962 AEC predicted 40,000 megawatts of installed capacity by 1980. Two years later this was increased to between 60,000 and 90,000 megawatts. Again in 1966, the estimate was upped to between 80,000 and 110,000 megawatts. Recently, the Commission again sharpened its pencil and predicted installed capacity by 1980 of between 120,000 and 170,000 megawatts. This, Mr. President, represents more than a 50-percent increase beyond the previous year's estimate.

These spiraling demands for uranium have sparked a tremendous increase in exploration and development work. The AEC now estimates that during the 4-year period 1967–70, about 54 million feet of drilling and costing $77 million will take place. This represents substantially more than double the AEC's 1966 estimate of drilling for the period July 1966 through December 1969.

The expected drilling to take place in

the 1967-70 period is roughly equal to the drilling that occurred during the entire decade of the 1950's, when the great uranium boom occurred.

Today we must look to private industry to carry out the vast bulk of the work to explore for and develop the uranium needed for our nuclear power economy. Judging from past experience, there is good reason to believe that private industry will rise to this great challenge. I am confident that it will and I am pleased that it will be given this opportunity.

However, it is in the national interest for the AEC to continue to support a modest uranium resource investigation effort which should not duplicate the activities of private firms or other government agencies. The Joint Committee on Atomic Energy has, therefore, recommended authorization of several hundred thousand dollars for this work during this fiscal year.

In this connection, I cannot emphasize enough the need for maintaining an adequate reserve in addition to meeting cumulative uranium delivery requirements. An 8-year reserve in 1980, needed to support continued expansion of required production, would be about 400,000 tons of U^{308}. Thus, during the next 13 years, production plus reserves would have to be about 650,000 tons of U^{308}, which will require new discoveries exceeding 500,000 tons.

In addition I should like to go on public record as urging the Atomic Energy Commission to continue to cooperate with private industry in identifying new requirements for uranium, and in assessing the overall supply and demand picture.

Knowledge concerning the quantities of uranium available and the cost of recovery are intimately related to the pace and scope of our country's program for developing more advanced reactors, and the AEC should evaluate and publicize current estimates of total uranium supplies. This involves compiling data supplied by private sources.

Also I feel that attention should be called to the need for the AEC to reevaluate its policies for supplying uranium to private industry from Government stockpiles.

The Atomic Energy Commission has announced a general policy of furnishing stockpiled uranium for commercial use in a way which will not damage the industry. However, additional details of this policy should be spelled out in light of rising demands for uranium. The AEC's uranium supply policies are also intimately related to the Commission's plans for enriching privately owned uranium in the Government's facilities. At present, the Commission will not enrich foreign uranium for domestic use.

The Commission will have to consider the possibility of removing this restriction at a date earlier than 1975—the date which the Commission had previously suggested. Any Commission proposal to remove the current restriction on enriching foreign uranium for domestic use would have to be resubmitted to the Joint Committee under the terms of the 1964 private ownership legislation.

Although nuclear power is assuming an even larger share of our energy supply picture I would like to call attention to the sharply increased demands for fossil fuel to satisfy electric utility needs. I have seen estimates that electric power demands by the year 2000 will require about a sevenfold increase over present generating capacity. Fossil fuel requirements are expected to increase very substantially to help meet these new demands.

There are still many uncertainties associated with the future price of uranium. As we all know, the domestic market price has risen significantly over the past 2 years. Among other things, the cost of equipment and mining practices need to comply with the new radiation safety regulations which will have to be factored into the price.

All in all, the uranium future appears to be quite bright provided private industry continues to obtain the incentives necessary to head down this long and costly exploration path on which it has already embarked. I am hopeful that it will produce the required results.

THE 10TH ANNIVERSARY OF INTERNATIONAL GEOPHYSICAL YEAR

Mr. KUCHEL. Mr. President, I wish to speak today in recognition of an occasion highly significant in the chronicle of human progress. Somewhat over 10 years ago, on July 1, 1957, the International Geophysical Year began. It represented an international effort of unprecedented scope in a systematic study of the earth and its environment. It brought together 30,000 scientists from more than 70 nations cooperating in the study of 11 fields of geophysics, as well as the two emerging areas of rocketry and artificial earth satellites.

The advent of the IGY has left an impact of great importance which transcends the many discoveries encountered during its existence. International cooperation which it brought about was an indispensable precedent, for example, to such landmark developments as the Antarctic and the space treaties.

The IGY is a shining example of the advance to be made through concerted international scientific endeavor. Such a historic discovery as the Van Allen radiation belts, actually a geographic feature of our own earth some 100 miles above its surface, was not an announced goal of the IGY. Rather, it was a logical discovery in the general area in which research was directed. This is an example of the continuing need to give wide scope to man's intellectual initiative and curiosity. I trust that the United States shall not lose sight of the fact that scientific inquiry, as now supported by the Federal Government through the National Aeronautics and Space Administration, is an important and continuing need if we are to carry on the advance of knowledge.

In the years 1955 through 1959, I supported the appropriations of funds for the IGY. Certainly, without the marked support given to the program by President Eisenhower, the project might never have gotten underway. The foresight of the Eisenhower administration can most assuredly be credited with many of the advances in international scientific cooperation which we enjoy today.

I particularly commend Dr. Joseph Kaplan, of the University of California at Los Angeles, whose unstinting efforts as Chairman of the U.S. Committee for the International Geophysical Year were greatly responsible for the very marked success of the IGY. I am proud to call this great fellow Californian my friend. Dr. Kaplan is now president of the International Union of Geodesy and Geophysics, which is continuing part of the work initiated by the IGY. His work continues. Mr. President, I ask unanimous consent that some of his recent writings be printed in the RECORD.

There being no objection, the writings were ordered to be printed in the RECORD, as follows:

INTERNATIONAL UNION OF
GEODESY AND GEOPHYSICS,
June 28, 1967.

Hon. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR TOMMY: On July 1, 1957—ten years ago this coming Saturday—the International Geophysical Year began. Without the understanding support of the Congress and the strong backing of President Eisenhower, this program would never have gotten underway. As the Chairman, of the United States National Committee for the International Geophysical Year, I look back with great pride at the accomplishments of the IGY for the sciences of our environment, science and technology in general, the need for better understanding of science by the general public; science education and, most significant of all, for international cooperation in scientific research. Two of its most notable accomplishments were the initiation of serious research in space using space vehicles as the means of transporting men and instruments into space, and the development of an outstanding program of scientific research in the Antarctic, in which twelve nations participated and as a result of which there came the now famous Antarctic Treaty. The recently approved Space Treaty is in many ways also a direct consequence of the IGY. I hope that the International Council of Scientific Unions (ICSU) which sponsored the IGY on the international level, and to which our own National Academy of Sciences adheres on behalf of the United States, will receive this year's Nobel Prize in Peace for the contributions of the IGY toward peaceful cooperation in science.

Two of the most active U.S. participants in the IGY are no longer with us; one, Lloyd V. Berkner having passed away only a few weeks ago. The other notable participant in the IGY was the late Harry Wexler, Chief Scientist of the U.S. Weather Bureau and the leader of the U.S. IGY program in the Antarctic. Lloyd Berkner was a most significant figure both on the international and national levels of the IGY.

I am writing to you in the hope that you will note this tenth anniversary in the Senate, where we received so much help and understanding. I also hope that the Congress of the United States, noting the important role of this country in the IGY and in many of its successors, will endorse the nomination of the ICSU for the 1967 Nobel Prize in Peace.

Best regards,
Sincerely,

J. KAPLAN.

WATER, WEATHER, AND ISRAEL

(By J. Kaplan)

President Kennedy said that whoever solved the problems of water deserved two Nobel prizes—one for science, one for peace.

President Kennedy, in speaking to the United Nations General Assembly, proposed that nations cooperatively use artificial satellites in order to study and possibly control the motions of the earth's atmosphere. It was my good fortune to have first proposed an International Water Year in a speech at the Don Bosco High School Commencement on June 6, 1960. Out of this, through the initiative of American hydrologists and the International Union of Geodesy and Geophysics (IUGG) grew the International Hydrological Decade (IHD) UNESCO's great attack on the problems of water. The IUGG, through its International Association of Scientific Hydrology, is the principal scientific participant in the IHD.

President Kennedy's speech before the United Nations is bearing fruit. At the present time, the IUGG, acting for the International Council of Scientific Unions (ICSU) is directing the preparations for a Global Atmospheric Research Program, which is a cooperative enterprise involving principally IUGG and the World Meteorological Organization (WMO).

Both UNESCO and the WMO are United Nations entities, thus reaching every national member of the UN. This very effective cooperation between the IUGG and the two UN agencies, thus extends its scientific influence to nearly every sovereign nation in the world. I have been on the IUGG and ICSU Executive Committees during the entire period of development of these programs, because of my positions as Vice-President and later as President of the IUGG. I hope to continue my activities in these fields after my retirement from the IUGG presidency in October 1967.

I headed this short note with the title, "Water, Weather and Israel" for several reasons. Israel represents the hopes of many of the small countries which have attained sovereignty during the past few years. It has already made distinguished contributions to these two areas of geophysics on which man depends for his very survival. Yet, Israel has made only a very small beginning if it is to be in a position to help her African and Asian neighbors to become strong and independent nations. A recent visit to Tanzania, Kenya, Uganda and the Sudan convinced me that geophysics in general, and meteorology and hydrology in particular, can not only add to the economic welfare of these nations, but it can also inspire the development of these scientific programs all the way from the primary grades to the graduate schools. The early development of an Israel Institute of Geophysics is imperative and it might well consist of strong programs in weather, water, oceanography, etc., distributed over the several institutions of Israel, with the Hebrew University as the center. There is such a statewide Institute in the University of California with its center in Los Angeles at UCLA, and it is a very distinguished and successful organization. I had the honor of helping in its organization and acting as its first director.

With my long activity in the American Friends of the Hebrew University, on its Board of Governors, as well as in many other local, national and international Jewish activities, it was natural that my mind would be on Israel, while acting for all the nations which participated in the International Geophysical Year, or are members of the IUGG. The great challenges that face the ICSU and IUGG as a result of the development of the water, weather and other programs, have come on with a suddenness that added to the difficulties of meeting the challenges. As I retire from the Presidency of the IUGG, I am eager to continue to work on its programs emphasizing more than before the role of the developing nations and the way in which Israel and other small and highly developed countries can lead the way. By enabling small countries to help each other, the larger nations can contribute to the peace that President Kennedy must have had in his mind.

The International Union of Geodesy and Geophysics (IUGG) 1963–67

(By J. Kaplan, President, IUGG)

The approach of the next General Assembly of the IUGG, to be held in Switzerland, 25 September to 7 October, suggests that a brief review of IUGG activities since the last General Assembly may be of interest to those who so generously supported it. You may recall that this Assembly took place in Berkeley, August 19–31, 1963. I had the honor of receiving the presidency on the occasion. Your organization was one of the sponsors of the Assembly.

In preparation for the Berkeley Assembly I headed a finance committee which succeeded in raising nearly $400,000 from private and governmental sources. I pointed out to prospective contributors that the IUGG has been the principal participant in the International Geophysical Year (IGY), which pioneered space research and helped to alert the Nation to its responsibilities in the support of scientific and technological research and teaching.

The nearly four years of my presidency have been very fruitful ones. Considerable progress has been made in the carrying out of the Upper Mantle Project, designed to carry out international cooperative studies on the solid earth, involving forty-seven countries. The International Council of Scientific Unions (ICSU) has assigned to the IUGG the responsibility for a Committee on Atmospheric Sciences, which hopes to bring to fruition the dream of the late President John F. Kennedy, of the use of satellites for studies of the earth's weather processes. In these programs, the IUGG cooperates fully with UNESCO and the World Meteorological Organization, thereby establishing links between ICSU and all of the member Nations of the U.N.

The IUGG, at its General Assembly in Helsinki (1960), initiated what has now become the International Hydrological Decade, (IHD) a UNESCO–IUGG enterprise, designed to study the water resources of our planet. The scientific arm of the IHD is the International Association of Scientific Hydrology (IASH), one of the seven autonomous associations of the IUGG. This program has already had meaningful effects on graduate training in hydrology and on the water problems facing mankind. The significance of water for peace cannot be emphasized too often.

The IUGG has been conscious of the explosive character of geophysical research during the past ten years, and it has carefully examined its own structure in order to meet the challenge of the new geophysics. A Future Structure Committee of the Union met in Paris in January 1966 and its recommendations for changes in statutes and practices will be considered by an Extraordinary General Assembly, to be convened in Zürich, immediately before the General Assembly, September 1967.

Following the great successes of the IGY, the ICSU approved the carrying out of a similar program known as the International Years of the Quiet Sun members of its Special Committee were from the IUGG. The IQSY will hold its Assembly in London, July 1967, in order to report on the results of the IQSY.

Also, after the IGY resulted in geophysics entering a period of great development, the ICSU set up a series of scientific committees in areas, each of which had made quantum jumps during the IGY. In each of these committees, IUGG members played a very significant roles. These Committees are as follows:

Scientific Committee on Oceanic Research (SCOR) (1957).

Scientific Committee on Antarctic Research (SCAR) (1958).

Committee on Space Research (COSPAR) (1958).

Scientific Committee on Water Research (COWAR) (1964).

It also established or continued a host of inter-union commissions in most of which the IUGG plays a strong role. The IUGG has been concerned about the proliferation of committees which deal with geophysics and related fields, and it has attempted to lead in the consolidation of these committees and in opposing new committees where a Union could carry out the same functions.

Because of its great involvement in the work of the scientific and special committees of the ICSU, as well as in its inter-union and other committees, the IUGG has become increasingly influential in the affairs of the ICSU. The President and the very able Secretary-General of the IUGG, Professor G. D. Garland, have had the good fortune to have been advised and guided by a devoted Bureau and Executive Committee. This has enabled them to be quite effective during the period of ICSU's greatest growth.

It should be noted that the areas of interest of the IUGG and of the ICSU special and scientific committees which have been mentioned in this note, all have direct and strong influences on some of man's most serious and exciting problems. Continued private support of the activities of the IUGG, particularly in its symposia and general assemblies, will have real world-wide influence.

THE TROUBLES OF PRINCE SIHANOUK, OF CAMBODIA

Mr. McGEE. Mr. President, last week, during the adjournment of the Senate, Columnist Drew Pearson wrote about the troubles Cambodia's capricious Prince Sihanouk faces with Asian Communists, despite the aid and support he and his Government have given Peking and Hanoi. It is clear, as Pearson wrote, that Sihanouk is not the first Asian leader to find out that you can play with the Communists only under their rules. Mr. President, I ask unanimous consent that the column, which I have taken from the Wyoming Eagle for September 7, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Prince Sihanouk Finds He Can't Play Ball With Hanoi, Peking

(By Drew Pearson's associate, Jack Anderson)

Washington.–Cambodia's capricious Prince Norodom Sihanouk, living next door to South Vietnam, has been of great aid to North Vietnam. He has let Communist supplies and troops pour across his border. In return, here is the story of how the rulers in Hanoi and Peking have repaid him.

It is hard to imagine what more Sihanouk could have done to please Hanoi and Peking. He parroted the Communist line calling the Americans "Imperialists" and other nasty names. He spurned American aid and even kicked the Americans out of his country with a great thumbing of his nose.

He opened Cambodia's borders to the Communist guerrillas but screamed shrilly if U.S. troops so much as set a GI boot across the line. He permitted the Communists to use his port of Phnom Penh to smuggle supplies down the Mekong River to the Viet Cong. He offered not only haven and hospitality, but food and medicine to guerrillas while they camped in his country.

All the while, he arranged guided tours

for outside observers to prove he was doing none of these things. But in a rueful statement from Phnom Penh, he has now come close to confessing that he has been playing a double game.

"We have given a great deal of aid to the Viet Minh (North Vietnamese troops) and Viet Cong (South Vietnamese guerrillas)," said Sihanouk. "The Americans are aware of the fact that we have aided them in the political and diplomatic fields. We have also given them aid in many other fields, which I cannot explain in detail. However, our Compatriots are already aware that we have given a good deal of aid to the Viet Minh and the Viet Cong."

SIHANOUK'S REWARD

What has been poor Sihanouk's reward? The Communists have taken advantage of the open door to infiltrate Cambodia against him. They have already started guerrilla action in the Hinterlands, attacking his provincial guard and massacring anti-Communist peasants.

In Phnom Penh, the Communists are tightening their hold on Sihanouk's government. They drove two anti-Communist ministers, Mau Say and Douc Rasy, out of the cabinet with charges of corruption. They also forced the resignation of Prime Minister Lon Nol.

This has brought plaintive protests from Sihanouk, who had supposed his pro-Communist posturing would buy him immunity from Red intrigue. The story is best told in his own words, which U.S. Intelligence has picked up.

"A number of Viet Minh and Viet Cong have infiltrated," the prince protested recently. "Thus, can we in point of fact be sure that our territory will be safe in the future if we turn Communist? . . . I must tell you now that the Vietnamese Communists and the Viet Cong negotiated with us three or four times but that absolutely nothing came out of the negotiations. They did not sign a pledge of respect for our present frontiers."

In another statement, the prince declared: "We only love Cambodia more than we love other countries, and we do not want to be lackeys of the Vietnamese, Chinese and Americans. This is our only fault.

"I am always very sincere and strict with the Americans. With the Americans we absolutely do not want a reconciliation, and we are very strict and severe with them. Yet the Viet Minh have repaid me by saying that Sihanouk has sold the nation to the Americans because Sihanouk is rotten and lackey of imperialism. Such an accusation is very unjust."

LESSONS TO OTHERS

The unhappy prince isn't the first Asian leader who thought he could play ball with the Communists. India's late Prime Minister Nehru tried to curry favor in Peking, and his successors still are more sympathetic to Hanoi than to Saigon. Nehru was repaid with a Red Chinese invasion in 1962.

Indonesia's ousted President Sukarno virtually became a Peking puppet. Confiscated evidence now shows that the Communists intended to reward him by taking over his government.

Prince Souvanna Phouma, trying to walk a neutral line in Laos, joined with the pro-Communist Pathet Lao in opposing the Americans. The Pathet Lao, bolstered by more than 20,000 North Vietnamese troops, merely stepped up its military drive to take over the country. Now the neutralist prince is cooperating wholeheartedly with the United States.

Few have tried harder than the Burmese to get along with their northern neighbors. To placate the communists. Gen. Ne Win eradicated U.S. influence in Burma. Today Burma is one of the chief targets of radio Peking and radio Hanoi.

Even tiny Nepal, which has been safe near the top of the Himalayas for centuries, has now been bitterly denounced for conspiring with "imperialists."

Armed Communist guerrillas are also active in most other Asian countries from Thailand to the Philippines. Yet astonishingly, the prevailing sentiment in Asia is more anti-American than anti-Communist. Even the Buddhists, whose co-religionists have been brutally tortured and dehumanized in Tibet, find themselves repeating Communist cliches.

THE STUBBORN PROBLEMS OF URBAN AREAS

Mr. FULBRIGHT. Mr. President, Mr. Harold Mack, of Carmel, Calif., recently wrote an article entitled "Our Doomed Cities," which was published in the Monterey Peninsula Herald of August 31, 1967. It is an interesting and provocative article concerning one of our most stubborn problems, the problem of what to do about the huge, sprawling urban areas which have grown up in our country.

I commend the article to the reading of Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR DOOMED CITIES

(By Harold Mack)

The President has appointed a high Power Commission to investigate the causes behind the riots which have torn so many cities apart. Before anyone can correct the causes which still are a threat we must first understand what a city really is.

A city is not just a haphazard collection of buildings inhabited by crowds of people. A city is a living organism which grew from a small embryonic beginning into a living and breathing entirety.

It was not born from accidental causes but was born and grew because its location and its natural resources made it economically the place where industry could flourish and where resulting jobs could give to qualified people a chance to work at congenial tasks or embark in profitable business designed to cater to the needs of city dwellers.

Luxury shops, theaters, restaurants and night clubs all came into being, and with the continued existence of the economic factors which originally made the location desirable the city continued to grow and flourish.

Down through the ages many cities have been born, have grown and flourished and then died because the original conditions which made the location a favorable one no longer continued to exist. Take Ephesus on the coast of Asia Minor as an example—it once flourished as a magnificent city with commerce reaching all parts of the ancient world.

Today it only exists as a collection of beautiful marble ruins and sustained by visiting tourists. The reason why it died was because the Meander River which flowed along side carried silt which gradually built up marsh lands and filled up its fine harbour on the Mediterranean.

Gradually instead of it being a seaport it found itself separated from the Mediterranean by miles of this marsh which became a breeding place for malarial mosquitoes, and eventually completely destroying the once great city.

Before modern high speed inventions became commonplace, it was necessary for people to live in close proximity either for protection against enemies or in order to conduct their various businesses. The development and perfection of the telephone, the television, the radio, the automobile and the airplane all combine to make the conditions which engendered cities originally no longer a factor. Business executives and workers can now live at distances away from their offices or factories. Shopping centers catering to every need are springing up in the suburbs.

Decentralization has become the objective of industries of all types where workers can live in comfort and still be near their jobs. The typical city dweller uniquely engendered by city life is rapidly dying out. No longer are the wealthy and the well paid workers willing to live in smog infested areas, crowded and noisy and offering little to compensate for the growing inconveniences of city living. The fine restaurants are being replaced by frozen food processors. The opera and theatre are giving way to television and movies.

For the past twenty years millions of unskilled colored people have left the South to go North and live in the cities. Misled by cheap politicians, and false propaganda they found on arrival that there were no jobs for them and no decent places to live. The only homes they found, that they could afford, were the rundown buildings which were formerly occupied by the white job holders who now had moved to the suburbs or to the new locations where their factories or shops were located.

The colored people had no skills needed to fit into city life. They were primarily farm workers or unskilled laborers. These unfortunate people could not find jobs in the city and could not be left to starve so it became necessary for the city to support their many needy with welfare checks which must come out of the pockets of the successful.

This represents a constantly growing burden on the economic life of the city and a heavy tax on the business and industry in the metropolitan area. The tremendous costs involved of trying to support this heavy influx of unskilled people and the economic effect of this tax is to drive industry away from the cities leaving it increasingly difficult for the ghetto dwellers to find jobs to support themselves. Human beings can stand just so much and as a result have revolted against the intelerable conditions for which there is no real remedy.

A study of evolutionary processes shows how animals like the dinosaur became extinct because the conditions which allowed them to survive and flourish ceased to exist. The same evolutionary process applies to our cities. They are the dinosaurs of our present age and will die out as surely as their animal forebears did before them.

This great country of ours with its millions of square miles of land, most of which is empty, makes it no longer necessary for cities to be crowded into tiny areas such as they are today.

Narrow streets, tall skyscrapers, polluted air and the inability of the streets to carry traffic makes cities a ridiculous example of mans failure to utilize his brains and take advantage of the inventions he has created.

It's much like a man with a house equipped with plumbing carrying pure water to his kitchen, going with buckets every morning to a polluted well, miles distant to bring back his water supply.

The proposals to spend billions to improve the ghettos will not solve the problem of the survival of the cities. It may delay, but cannot change the basic conditions which make cities as we know them a relic of the horse and buggy age. These billions must be spent on the building and planning of new metropolitan areas designed to utilize modern inventions.

Cities must be decentralized. They must be relocated piece by piece into new areas where they can give to the people who must live by work of all kinds a chance to live their lives with pure air to breathe, parks and nature to enjoy, free from the crowding which makes for disease and crime, and where people without the mechanical skills needed by modern industry can find useful employment in rural and farm life with all its rewarding aspects and which is needed to supplement the life of the industrial side of these new expanded centers.

All the remedies proposed are merely palliatives. They, none of them can cure the doomed cities which the modern inventions of rapid means of communication has now made these crowded centers no longer necessary.

The death of the cities is probably a long way off. It may take decades before they finally give up the ghost. Vested interests, their wealth dependent on the cities survival will continue to fight to keep their cities alive and prosperous, but the inexorable economic laws together with the human problems involved will ultimately win over man's efforts to breathe life into the decaying corpses.

Far-seeing statesmen, business executives and engineers will plan and build new centers of commerce and culture where the conditions more favorable for human development, both financially and culturally, will prevail.

They will sense the economic advantage to be obtained by sensible planning where modern inventions can save time and money, and where well planned communities can avoid the heavy tax burdens our present cities must carry.

You can't weigh down a contestant in a race with tons of metal for him to carry and leave his opponent light and free, and expect the weighted down one to win. The same thing applies to the heavily weighted cities, handicapped by their horse and buggy organization and expect them to compete with modern industrial centers built to take advantage of the modern inventions.

POLICE PARTNERS PROGRAM OF NEW ROCHELLE, N.Y.

Mr. KENNEDY of New York. Mr. President, I invite attention to the excellent program adopted by the city of New Rochelle during the summer in an effort to quell civil disturbance. At the first sign of unrest the city inaugurated a police partners program, employing offending youths as partners of policemen on beats in "trouble areas." The program was an immediate success and there was no further disturbance in New Rochelle.

Yesterday I received from Sargent Shriver, Director of the Office of Economic Opportunity, a study titled "OEO and the Riots—A Summary." The summary contains the results of a nationwide survey by the Office of Economic Opportunity of 32 cities which have had and 32 cities which have not had riots or civil disturbances this summer. Among the findings cited was that "not one police chief or mayor said OEO heightened tensions. On the contrary most mayors and police officials felt OEO summer programs had helped to prevent violence in their communities."

New Rochelle was one of the cities studied. In a letter accompanying the summary, Director Shriver wrote me:

> In New Rochelle, the community action program was instrumental in the creation of a Police Partners Program in which 50 Negro men, ages 17 to 22, patrol the target areas six hours each night. Wearing badges and carrying the police identification cards, the youths break up large gatherings and generally keep things cool. Operating out of the CAP Office, the patrol is paid out of police funds and supervised by two CAP employees, an employe of the Human Rights Commission and two Negro patrolmen. Since the inception of the program more than a month ago, there have been no incidents of trouble in New Rochelle.

I wish to commend both the city of New Rochelle and the Office of Economic Opportunity for the success of this program. I also call the project to the attention of Senators who may represent cities where a program similar to New Rochelle's might alleviate unrest.

U.S. OBLIGATION TO UNITED NATIONS REQUIRES SENATE RATIFICATION OF HUMAN RIGHTS CONVENTIONS—PART CXXXIV

Mr. PROXMIRE. Mr. President, the United Nations was founded in San Francisco in 1945.

The first 22 years of the United Nations have produced neither the unqualified successes foreseen by its champions nor the international doom which some critics prophesied.

Like all humans and all human institutions the United Nations has proved to be imperfect in practice. The United Nations accomplishments, however, should provide each of us with real hope and restrained confidence; its shortcomings are hardly the cause for total despair.

In this very Chamber almost a half century ago the death knell was sounded for the League of Nations. The League—the spiritual ancestor of the U.N.—was sapped of its vitality and ultimate effectiveness through the refusal of the United States to join.

Although I disagree with the judgment of the majority of our predecessors on that vote, I must admire their candor and resolution. They met the issue squarely and voted on it.

Will this same Senate be the pallbearer for "that last best hope of mankind"—the United Nations? Will we, by our chronic apathy, offer the requiem for the U.N.—not with the forthrightness of a record vote, but rather by the cruel silence of indifference?

The choices available today are not between a total war of which we cannot conceive or the total peace which we cannot achieve. Our national choice—in a world fraught with grave perils and great possibilities—must be to fortify our institutions of peace and to dismantle the structures of hostility.

This Senate has before it five conventions on human rights. They are not confusing or complex documents. They deal with forced labor, slavery, freedom of association, the political rights of women, and genocide.

The Senate can and should take a major step right now toward endorsing the United Nations by ratifying these five conventions. The United States needs the United Nations and the United Nations needs the United States.

I see no better way for the Senate to affirm this support and this mutual dependence than by immediate ratification of the human rights conventions on genocide, forced labor, freedom of association, slavery, and political rights of women.

VOTER PREFERENCES FOR 1968

Mr. McINTYRE. Mr. President, New Hampshire boasts some of the most perceptive voters in the Nation. Indeed, two of our counties—Coos County and Strafford County—have voted with the winner in every presidential election since 1896.

Recently, a respected newspaper columnist, Mr. Charles Bartlett, journeyed to these two counties to test voter preferences for 1968. His findings will give Republicans little to smile about.

Mr. Bartlett found that President Johnson ran ahead of any of the possible Republican presidential contenders now being talked about.

The President bests Richard Nixon handily.

He runs far ahead of Ronald Reagan.

He easily defeats Governor Rockefeller.

He outdistances Senator Percy and Governor Romney by impressive margins.

In sum, Mr. Bartlett declares:

> The lesson to be drawn from the green valleys and busy towns of Coos and Strafford Counties is that President Johnson remains a formidable contender for re-election.

And the lesson to be drawn from this fact is that the Democratic Party has a great President and a great program to take to the American people in 1968—a vintage year for a great Democratic victory.

Mr. President, I ask unanimous consent that Mr. Bartlett's column be printed in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

New Hampshire Poll Points to L. B. J. Victory

(By Charles Bartlett)

Dover, N.H.—The political focus of this state is upon Richard M. Nixon and Gov. George Romney, but two reliable weathervane counties portend that either Republican will be running uphill against Lyndon B. Johnson in 1968.

Coos County, on the Canadian border, and Strafford County, in the center of the state, enjoy the impressive record of having voted with the winner in every presidential election since 1896. A sampling of their voters indicates now that neither county will be tipped easily into the Republican column in 1968.

President Johnson emerges from a poll of 60 voters in the two counties (25 Democrats, 24 Republicans and 11 independents) as a leader whose political vulnerabilities are outweighed by the majority's lingering preference for the Democratic Party.

The President does not exert any deep personal hold on the New Hampshire voters. In fact, 15 of the 25 Democrats said they will vote for a Robert Kennedy slate of delegates if one is pitted against the Johnson slate in the March primary.

All but two voters described themselves as disturbed by the conditions which they find in the nation. Their displeasure is directed at inflation and taxes, the war and most emphatically at the upheavals in the cities. Even in small border towns remote from minority unrest, the sense of indignation at the Negro revolt is profound.

The voters are deeply split in their view of LBJ's handling of the Presidency. Slightly more than 50 per cent approve of him as President. "I'm a Johnson man. I don't care what they say," declared one Dover Democrat, but many expressions of approbation were tempered by such qualifications as: "He's doing the best he can under the circumstances."

Despite all those handicaps and the fact that Nixon is a strong favorite among Republicans in the two New Hampshire counties, Mr. Johnson ran ahead of him in the poll by a count of 30 to 1. Seven said they could not vote for either man and four declared themselves undecided.

The preference for the President was even more emphatic in a match with Gov. Ronald Reagan. The count was 33 to 14 in LBJ's favor, with 13 undecided. Pitting Mr. Johnson against Gov. Nelson A. Rockefeller, the count was 33 to 17, with eight undecided and two who said they would vote for neither.

The fresher Republican faces fared better because many voters are reserving judgment in regard to them. Paired against Romney, the President ran ahead 24 to 18, with 18 undecided. Paired against Sen. Charles H. Percy (Ill.), the President won 25 to 14, with 21 undecided.

The implication of those tallies is that Nixon, Rockefeller and Reagan, all well known in this state, would have little chance in a race with the President because public opinions on them have crystallized. Republican hopes in these counties seem to rest on a possibility that a fresh candidate could capture the imagination of the majority.

That is not the mood of the Republicans who will vote in the March 12 presidential primary. By a majority of better than 2 to 1, they favor Nixon's nomination. Some rally to Romney as a man of principle, but most feel strongly that Nixon's experience entitles him to preference in 1968.

The outlook of those Republicans does not favor the prospect that Romney will be able to win them over the intense campaign being planned for him in New Hampshire. They are more responsive to the hard line which Nixon presumably will take on the war and race issues than to Romney's middle ground.

These two counties thus illustrate the quadrennial Republican dilemma. The man they like best is least likely to win. The affluence permeating the countryside is a cushion for the Democrats. The irritants which disgruntle the voters are not causing them personal discomfort.

The lesson to be drawn from the green valleys and busy towns of Coos and Strafford counties is that President Johnson remains a formidable contender for re-election.

PRESCRIPTION DRUGS

Mr. SCOTT. Mr. President, by request I ask unanimous consent to have printed in the RECORD a statement submitted to the Subcommittee on Monopoly of the Select Committee on Small Business by Dr. Alfred Gilman, chairman of the Department of Pharmacology of the Albert Einstein College of Yeshiva University.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ALBERT EINSTEIN COLLEGE OF
MEDICINE, YESHIVA UNIVERSITY,
Bronx, N.Y., July 11, 1967.

Senator GAYLORD NELSON,
Chairman, Subcommittee on Monopoly, Senate Select Commitee on Small Business, Washington, D.C.

DEAR SENATOR NELSON: I wish to give you my views, as a pharmacologist, educator and co-editor of a well-known text, "The Pharmacological Basis of Therapeutics," concerning certain matters related to prescription drugs that have been discussed before your distinguished subcommittee. I offer my comments in letter form, because my present schedule will not permit me an opportunity to appear in Washington. I trust, however, that this letter can be made a part of your hearing record.

For purposes of further identification, I am attaching some biographical material to this letter. I might say here that in addition to my work on the text for which Doctor Louis S. Goodman and I are known, I am also Professor and Chairman of the Department of Pharmacology and Associate Dean for Graduate Education at the Albert Einstein College of Medicine of Yeshiva University.

Much has been said, before this subcommittee and in articles and newspaper reports, about so-called "generic equivalents." I am appalled by many of those statements which imply that generic drugs, marketed cheaply by small drug companies, are the equivalent of established trade-marked preparations merely because *chemical analysis* indicates that the preparation actually contains the specified amount of the drug. I am all in favor of open competition in the marketplace once the patent on a drug has expired. However, it should be true competition and not legalized piracy. Let me give you an example. A pharmaceutical company markets a drug after years of investigation. The pharmaceutical formulation receives careful consideration and research and it is finally decided to market the drug in capsule form. Data are submitted in the NDA with respect to onset of action, duration of therapeutic action, effectiveness, and when possible, the relationship of clinical response to blood levels. If the company now wishes to market the *identical drug* in tablet form, all studies mentioned above must be meticulously repeated and are carefully scrutinized. To my knowledge, such studies are not required for the marketing of a "generic equivalent" despite the fact that excipients, particle size, pressure exerted on the tablet and dozens of other quality control measures influence drug availability and activity. Therefore, I suggest that before the so-called "generic equivalent" can be marketed and can be described by the same package insert that applies to drug formulations that have been carefully studied, that laboratory and clinical data relating to absorption, peak effects, duration of action, etc. should be required. If the FDA considers this an irrational requirement, then the drug compendium should indicate that studies relating to the absorption, etc. of the particular package form of the drug have not been conducted.

I am heartened by the careful approach to this matter of therapeutic equivalency that is now being taken by the Department of Health, Education and Welfare. It appears to me that unsophisticated minds, many of them plainly not equipped by training and experience, have approached this problem precipitously, and have reached both premature and simplistic conclusions. I also note more and more instances in which the switching from brand name to generic preparations in large institutions has resulted in a marked change in therapeutic efficacy as evidenced by patient response.

It is my view, Mr. Chairman, that the present practice constitutes a kind of double standard as between originators of compounds and those who later market alleged "equivalents." I very strongly believe that there can properly be no such double standards for the determination of therapeutic efficacy. All producers, and certainly the generic houses, should be required to submit proof of the performance of their drugs in human patients before they are permitted to market them. Once that is required, and this double standard is eliminated, I believe many of the problems facing us will be reduced.

I have read Dr. Richard Burack's "Handbook of Prescription Drugs" and since the book has been given considerable attention by the subcommittee, I would like to offer my reactions to it.

In my opinion, Dr. Burack is attempting to make a case for the prescribing of generic drugs in a completely unobjective manner. He presents one side of the story, his own side, using highly selected data and ignores or dismisses in a cavalier fashion the important dangers and disadvantages of blind generic prescribing. In his attempts to present his case for generic prescribing, he has committed the same sin that he bitterly accuses drug companies of doing; namely, placing a document in the hands of the public that is bound to be most disturbing to physician-patient relationships in an attempt to achieve his objective.

Let me start my comments with the touching case of John Jones treated by John Doe, M.D. which begins the Foreword of the book and is prominently displayed on the back cover. Over twenty years, the parents of John Jones would have saved $1,275 if the prescription had been written for a generic preparation rather than one from a large and reliable pharmaceutical company which invests a large portion of its profits in research and development and the maintenance of a large medical staff. However, let us continue the hypothetical story of John Jones. Unfortunately, he developed a hypersensitivity to penicillin and, likewise, could not tolerate the sulfonamides. Since his disease was life-threatening, his physician placed him on erythromycin and the twenty-year prophylactic therapeutic regimen with erythromycin was completely successful. The cost to John Jones and his family was in excess of a generic penicillin preparation but the therapy may well have been life-saving. The availability of erythromycin was due to the fact that responsible pharmaceutical companies are engaged in intensive research programs fully aware of the fact that an overlap of available antibiotics is not only desirable but essential.

Dr. Burack's dismissal of the importance of drug research by pharmaceutical industry is beyond my comprehension. Apparently, he is of the opinion that once a patent expires on a drug, an ethical drug house can meet the generic price while still supporting large research programs to produce new drugs. I think the records will show that in many drug companies in recent years the outlay for research on new drugs has far exceeded the return on new drugs. I will discuss the threat to drug research below.

Dr. Burack also tends to denigrate a great deal of the value of pharmaceutical research and is rather derisive about molecule manipulators. In his characteristic fashion, he picks out the thiazide diuretics as resulting in little more than confusion on the part of the physician. He neglects areas where molecule manipulation has been of such importance that anyone now prescribing sulfanilamide or other of the earlier sulfonamides would be accused of malpractice since molecule manipulation has resulted in such superior drugs in this class. Furthermore, he neglects to emphasize that much more goes on in pharmaceutical industry than the mere manipulation of molecules and that tens of millions of dollars are being invested in basic research as well as applied research on new and unique drugs.

Dr. Burack takes the expected attitude toward the generic equivalent and indicates that anyone who has the proper ingredients and machinery can make a satisfactory tablet or capsule. He cites his own practice and the experience of his colleagues as evidence that generic drugs are every bit as good as brand-name drugs and their effects are just as predictable.

At one time I shared his opinion, but my experiences with pharmaceutical industry have greatly changed my mind. I have seen instances where slight changes in formulation have doubled the blood levels and halved the therapeutically effective dose of the drug. These were not clinical *impressions* but carefully designed and accurate *studies*. I am, therefore, convinced that there is no such thing as a generic equivalent unless proven by adequate experimental data. In the case of certain drugs, this may not be of great importance; in others, it may be critical. I am sure that Dr. Burack in his practice, would not go blithely from one preparation of digoxin to another with the knowledge that a 50% variation in absorption could result in serious, if not fatal, reactions. In his academic environment he probably relies on the careful purchasing practices of his own hospital pharmacy and the pharmacy committee.

In connection with generic equivalents, I am amazed at the dual standards of the FDA. Apparently, the FDA is satisfied with a few *in vitro* tests for the generics to meet their standard. However, if a large pharmaceutical company wishes to change a drug formulation, they have to perform extensive experiments on clinical efficacy. If these demands were placed on the so-called generic equivalents, and I have said publicly such demands should be placed upon them, then the price differential between generic and trademarked drugs whose patents have expired would be very much less. In fact, many generics would disappear. I was very pleased to read recently of the decision of the USPHS to support clinical investigations to determine the relative degree of clinical efficacy of limited groups of prefabricated medications. The results of this study will be of major interest.

Dr. Burack's attack on the AMA entitled "The Reference Book Gap and the Role of the AMA" is entirely unjustified and I think many of his statements relating to the Council's Seal of Approval and the reason it was abandoned are not accurate. I am certain that the AMA will defend themselves in this area. The statement on page 21 that their annual publication, "New Drugs, the successor to New and Non-official Remedies is an uncritical compilation of newly marketed agents which cannot be taken seriously as a guide to good prescribing practice" is ridiculous. As a teacher of pharmacology, I saw no change other than that of the title. Furthermore, the list of consultants for "New Drugs", in which capacity members of my staff have often acted, is not consistent with an uncritical compilation. It is most amusing that on page 109, Dr. Burack uses New Drugs as an authoritative source of information for his discussion of appetite depressants.

I think Dr. Burack's comments on the extent of drug promotion and the nature of drug promotion are somewhat less subject to criticism. However, I take exception to many of his statements. I don't think that medical educators have been as remiss in the teaching of clinical pharmacology as Dr. Burack indicates. The development of this area is being greatly encouraged by individual drug companies, as for example, Burroughs Wellcome & Company, the PMA Foundation, the Drug Research Board of the National Academy of Sciences/National Research Council and the medical schools themselves. Dr. Burack's own school has an excellent program in clinical pharmacology. I am certain that during a medical student's clinical years, internship and residency, the subject of adequate and proper drug therapy is not neglected. The implication that the drug companies are to blame for "sloppy" drug practices of the average physician is certainly unjustified. It is the physician himself who is to blame if he fails to keep pace with modern medicine. Certainly, it is not because of inadequate source material in the form of up-to-date textbooks, published literature, and so forth. Rather, the busy practicing physician takes the easiest way to fill this gap and there is no question that the pharmaceutical industry has taken advantage. I think it is true that some of the advertising campaigns have been rather excessive and advertising budgets are high. However, the pharmaceutical industry and the FDA seem to have made considerable progress toward a meeting of the minds in this highly controversial field.

The exploitation of a drug by industrial promotion is one of Dr. Burack's major points of attack. He seems to take particular delight in bringing up on several occasions the intensive campaign of Warner-Chilcott in promoting Peritrate, the long-acting vasodilator prescribed for many heart patients. Naturally, the generic companies took advantage of this promotional campaign and one finds many generic preparations of pentaerythritol tetranitrate. Dr. Burack states that there is much honest difference of opinion among doctors as to its value, a fact that cannot be questioned. This drug will receive very careful scrutiny in the Efficacy Review now being administered under FDA sponsorship by the National Academy of Sciences-National Research Council. If it receives a rating of "probably effective" or "possibly effective", this means that a request will be made for further objective clinical studies if the drug is to remain on the market as an effective drug.

This raises very interesting problems with respect to generic versus brand-name drugs. Obviously, the generic companies have neither the resources nor facilities to carry out the required research. Warner-Chilcott, on the other hand, is certainly not going to make a large research investment in further research only to have the small generic companies reap the rewards, especially if government regulations require generic prescribing under Titles 18 and 19. The net result may be the withdrawal of the drug because of lack of proof of efficacy. This may not be a great loss to American medicine but I can predict the reaction of many physicians who have faith in and commonly prescribe long-acting vasodilators.

In other areas of generic versus trademarked drugs, the pharmaceutical industry has probably been remiss and Dr. Burack takes full advantage. Neglecting the problem of the generic equivalent, the price differentials that he quotes in certain areas are excessive and fully justify the accusation that the major drug houses take advantage of their trade names.

Dr. Burack's prescription drug list is going to be a source of infinite trouble with respect to doctor-patient relationship. It is not the sort of thing to be placed in the hands of the layman. He indicates that the drugs in the Handbook are adequate for the treatment of 90% of nonhospitalized patients. I am sure that many physicians would take great exception to limiting the major advances that have occurred in drug therapy over the past two decades to Dr. Burack's limited selection. It reminds me of the days of therapeutic nihilism when a favorite exercise was to attempt to reduce the number of effective drugs to a minimum. I am relieved to see, however, that in his message to physicians he admits that the pharmacological discussion is largely superficial and is designed to be used in conjunction with an authoritative textbook on pharmacology. I could go on and on discussing his drug selection but since it is largely based on drug costs, little would be gained.

Finally, we come to what I consider a major issue with respect to generic prescribing. The costs of drug research are steadily rising at a time when many medical problems remain that can only be solved by the development of new chemical agents. To meet the requirements for a complete and acceptable NDA requires about five years of research effort and the expenditure of millions of dollars. Only a small percentage of drugs that reach the stage of clinical trial pass the rigid tests that are now required. From my experience, pharmaceutical industry is meeting this challenge admirably and I know of no case in which a reduction of R and D activity is contemplated despite the tremendous challenge. On the other hand, I consider the small generic drug company a completely parasitic industry. Their research activities consist primarily of ascertaining the expiration dates of successfully patented drugs. The more successful the drug, the more the generic company is interested. They could not care less about the so-called "prestige" drug which is of inestimable value to a small number of patients and is often sold by large pharmaceutical companies at a loss or very little profit because of the importance of the drug for a small number of patients.

Under these circumstances, it is absolutely impossible for large pharmaceutical companies to meet generic prices even if all advertising and promotional costs were disregarded. Yet continued income from drugs that lose patent protection is essential. If generic prescribing or even prescribing from a formulary became mandatory if drugs are to be paid from federal or state funds, the government would be threatening the future of drug research. Within the next five to ten years, a large number of drug patents will expire and more and more of our therapeutic armamentarium will become available for generic prescribing. If this results in the reduction of research effort in the pharmaceutical industry, the nation will have suffered a major loss of research resources since it is impossible for the academician to fill the gap. The end result would be a sharp decline in the development of new drugs.

Dr. Burack makes the following statement: "There is no doubt that the pharmaceutical industry has made many important research contributions. Many conscientious physicians undoubtedly feel that this one factor alone justifies prescribing brand-name items even though the patents have expired and the patients have to pay more than if generic equivalents are prescribed. There is something to be said for this view, *provided public money is not involved (as with welfare or Medicare patients) and that private patients who foot drug bills directly are agreeable. Patients* (*who are "captive consumers"*) *have a right to know for what services they are paying.*" I take grave exception to the phrase "provided public money is not involved." This is an area where public money should be definitely involved since it is public health that is at stake. It would indeed be unfortunate if in the future a situation develops where pharmaceutical research is threatened because a lack of foresight in legislative planning or a placing of restrictions on a highly imaginative and productive industry.

I would like to end my comments on this book with an item that amuses me very much. From the advance publicity given this book, it has been estimated that hundreds of thousands of copies will be sold. The paperback edition I estimate to be no more than thirty thousand words, printed on coarse, cheap stock and sold at a price of $1.95. At this rate, Goodman and Gilman, a standard textbook of pharmacology and therapeutics, which does not sell in the hundreds of thousands, would be priced at $90.00, if compared with the hard-cover edition at $200.00. Paperbacks with a much smaller potential market commonly sell at one-quarter of the price of the Handbook. Considering Dr. Burack's concern about the consumer's dollar, somebody is going to make a huge profit. Could it be that Dr. Burack is going to reap this reward because of the extensive research that he has put into this product, a reward that he denies to pharmaceutical industry? Or could it be that Dr. Burack is going to turn over part of his profits for research purposes, which is also a practice of legitimate pharmaceutical companies?

Senator Nelson, I believe that much of the material you are studying merits attention, but I feel that there is a real and critical danger that your subcommittee's isolation of drug prices as the prime matter of importance in drug therapy is going to distort the impressions your committee receives about the pharmaceutical industry—and, more important, it may prompt the committee to make most shortsighted, unfortunate recommendations. I believe it is essential to recognize, and recognize most strongly, the genuine contributions the drug industry has made. I also feel that it is entirely improper to imply that advertising, as costly as it appears to be in this industry, does not have a substantal value to the physician, and to those he serves.

In short, I urge you to bring your hearings into more balance and to avoid the attractive but quite unobjective conclusions that could quite easily be made—and which, in perspective, would cripple or ruin an industry we quite plainly need.

I am taking the liberty of sending copies of this letter to all the members of your subcommittee.

Sincerely,

ALFRED GILMAN, Ph.D.,
Associate Dean for Graduate Education.
WILLIAM S. LASDON,
Professor of Pharmacology and Chairman of the Department

CURRICULUM VITAE

PERSONAL INFORMATION

Name: Alfred Gilman.
Date of Birth: February 5, 1908.
Place of Birth: Bridgeport, Connecticut.

EDUCATION

B.S.: Yale University, 1928.
Ph. D.: Yale University (Biochemistry), 1931.

EXPERIENCE

Research Fellow, Biochemistry, Yale School of Medicine, 1931–32.

Research Fellow, Pharmacology, Yale School of Medicine, 1932–35.

Assistant Professor of Pharmacology and Toxicology, Yale School of Medicine, 1935–43.

Captain and Major, Sn-C, A.U.S., Chief, Pharmacology Section, Medical Division, C.W.S., 1943–46.

Associate Professor of Pharmacology, College of Physicians and Surgeons, Columbia University, 1946–48.

Professor of Pharmacology, College of Physicians and Surgeons, Columbia University, 1948–56.

Professor and Chairman, Department of Pharmacology, Albert Einstein College of Medicine, 1956– .

Associate Dean for Graduate Education, Albert Einstein College of Medicine, 1964– .

SOCIETIES

Sigma Xi.
American Physiological Society.
Society for experimental Biology and Medicine.
Harvey Society.
American Society for Pharmacology and Experimental Therapeutics.
New York Academy of Sciences.
New York Academy of Medicine.
Hon. Fellow, American Academy of Allergy.
Hon. Member, Alpha-Omega Alpha.
Fellow, American Association for the Advancement of Science.
Member, National Academy of Science.

OTHER INFORMATION

Member, Pharmacology & Experimental Therapeutics Study Section, United States Public Health Service, 1946–49, 1950–55; Chairman, 1956–60.

Member, Pharmacology Training Committee, United States Public Health Service, 1960–63.

Member, Heart Special Projects Committee, United States Public Health Service, 1963–65.

Advisory Council on Research, New York Heart Association, 1958–61.

Scientific and Educational Council, Allergy Foundation of America.

Editorial Board of American Journal of Physiology, and Journal of Applied Physiology, 1950–56. Consulting Editor, 1956–57.

Editorial Board of Pharmacological Reviews, 1948–55.

Advisory Council, Cystic Fibrosis Research Foundation, 1960–65.

Advisory Council, New York City Health Research Council, 1960–65.

President, American Society for Pharmacology & Experimental Therapeutics, 1960–61.

Executive Committee, Medical Division, National Research Council, 1962–64.

Member, Drug Research Board, National Academy of Sciences, National Research Council, 1963– .

Chairman, Organization Committee, Drug Efficacy Review, National Academy of Sciences, National Research Council, 1966–67.

Chairman, Executive Committee, Drug Efficacy Review Committee, National Academy of Sciences, National Research Council, 1967–

CATCH-AS-CATCH-CAN

Mr. BARTLETT. Mr. President, the most recent edition of the Reporter magazine contained an article entitled "Our Catch-as-Catch-Can Fisheries."

Thomas H. Lineaweaver III, the author of the article, outlines the sad condition of the Nation's once proud fishing industry, explains some of the programs authorized by Congress to help to revitalize our fishing industry, and concludes by stating in a single paragraph the reason why a viable fishing industry is important to the welfare of the Nation.

Mr. Lineaweaver points out that while domestic uses of fish have doubled since 1948, the U.S. catch has shrunk from 80 percent to 40 percent of fish sold domestically. The result is that this Nation, once a leader among fishing nations now leads the world in the amount of fishery products imported.

This decline is not surprising when one reads reports on the condition of our fishing fleet. Let me quote from Mr. Lineaweaver:

> In 1965, to take a particularly disheartening example, 225 of New England's seven hundred-odd fishing vessels called for Coast Guard assistance and many had to be towed upwards of one hundred miles home; the most common problem was engine breakdown, but a leaky hull was not uncommon. Sixteen vessels sank and eleven fishermen were lost.

In face of such reports, some may ask if it really matters whether or not we have a strong fishing industry. Mr. Lineaweaver puts the case for our fishermen this way:

> Their annual catch is worth $450 million at dockside, but to the processor it is worth $1 billion. They have $500 million tied up in vessels that keep shipyards and gear manufacturers busy. The industry and closely allied shore activities provide half a million jobs. U.S. fishermen, whatever their present woes, would appear to be a national asset.

That is a lot of jobs and money to let slip from our economy. That is a lot of fish to leave unharvested in a world hard pressed for adequate food supplies.

Mr. President, I ask unanimous consent that the article be printed in the RECORD. It contains much food for thought.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR CATCH-AS-CATCH-CAN FISHERIES

(By Thomas H. Lineaweaver III)

In March, 1965, Boston longshoremen refused to unload a shipment of foreign-caught fish. Not that there was anything improper about the shipment. A processing firm in Maine had been unable to find a particular fish on the domestic market, so it bought abroad. That was proper. But, considering the circumstances, it was also less than politic. For there hangs in the State House in Boston, opposite the Speaker's desk, a gilded codfish—"a memorial," according to the motion to hang it in March, 1784, "of the importance of the Cod-Fishery to the welfare of this Commonwealth." The fish in dispute were cod.

Moreover, the cod were not simply foreign-caught. They were caught by Russians in—according to local suspicion—waters regarded by Yankee fishermen as traditionally their own. Since 1960 a Soviet fleet that often numbers upwards of two hundred of the world's most modern and efficient vessels has been fishing south and east of Nantucket, a few miles off the New England coast. Trawlers two hundred feet long catch the fish, factory ships four hundred feet long convert the catch to finished products, and some ships serve both functions. Carrier vessels take the finished products to port and bring back supplies. Service vessels, and frequently research ships, are attached to the operation. Similar fleets from the Soviet Union and Japan fish off the Pacific Coast.

The United States has nothing to match these fleets, and the Boston dispute, which inevitably became known as the Boston Cod Party, reflected the ailing condition of the domestic marine fishery. It is the nation's oldest industry and was once its most prosperous, but today, except for regional bright spots, it is in serious difficulty.

DECLINE AND DETERIORATION

In 1948, U.S. fishermen caught about five billion pounds of fish, eighty per cent of our domestic use. Now, while domestic use has doubled, they catch less than forty per cent of it and the country has become the world's foremost importer of fish and fish products—$720 million worth annually.

During the mid-1950's the United States slipped from second to fifth among fishing nations—behind the Soviet Union, Communist China, Japan, and Peru. These other countries raised their catches between 1954 and 1964 (Japan by 40 per cent, the Soviet Union by nearly 100 per cent, China by 150, and Peru by an astonishing 4,598 because of the exploitation of newly discovered anchovy stocks), but the United States catch fell off. In 1966 the United States fell into sixth place behind Norway.

This country's commercial fishing fleet also deteriorated. A survey done last year by a magazine in the field showed that of the fleet's fourteen thousand documented vessels (five net tons and over), some 450 were at least fifty years old; the average age was twenty. In length they averaged under seventy feet. They were generally ill-equipped; ninety-two per cent didn't have refrigeration, seventy-seven per cent didn't have direction finders, sixty-two per cent didn't have electrical plants, and forty-eight per cent didn't have radio-telephones. Three thousand of them were powered by engines from thirteen to twenty years old, and sixteen per cent of the engines had not been overhauled in the past eight years. In 1965, to take a particularly disheartening example, 225 of New England's seven hundred-odd fishing vessels called for Coast Guard assistance and many had to be towed upwards of one hundred miles home; the most common problem was engine breakdown, but a leaky hull was not uncommon. Sixteen vessels sank and eleven fishermen were lost.

The industry's plight has various and even bizarre origins. To begin with, a law signed on New Year's Eve, 1792, by George Washington made it illegal for foreign-built fishing vessels to land their catch in a U.S. port. It is still on the books. Its intent was to protect small domestic shipyards, and for years it had no impact on fishermen. Now, however, when the cost of building a fishing vessel in the United States is fifty-five to sixty-five per cent greater than in, say, West Germany, the Netherlands, or Japan, few U.S. fishermen can afford new vessels that would be competitive with their foreign counterparts.

Although United States postwar policies have been vital to the health of international trade, they have hurt the American fisherman. Tariff barriers of long standing have been lowered or discarded. Foreign aid has been greatly helpful to the development of foreign fisheries, many of which soon began to compete successfully in the United States market. At the same time, a number of allied nations—and such unallied ones as Russia, East Germany, and Poland—have been investing in modern fishing fleets to provide food and, through export, foreign exchange.

As a result, the U.S. fisherman's share of the domestic market continues to shrink. Exports amount to only $85 million—twelve per cent of the import total—and the gap will probably grow larger.

It has been said, with a degree of justice, that the U.S. fisherman is conservative; that he is reluctant to try anything new; that because he doesn't always deliver raw material in the form the processor wants it, the processor is forced to buy elsewhere. There is, however, another side to this. The fisherman has for some time been in a high-risk, low-profit situation. Gambling on new gear or a new method of operation could be ruinous. And there are other discouragements.

The states manage their own fishery resources, usually by limiting or outlawing efficiency on the theory that this is the best way to conserve resources. Massachusetts fishermen can't use a seine to catch striped bass. Many Chesapeake oyster dredgers must use sailboats. Alaska seine boats in the salmon fishery are limited to a maximum of fifty-eight feet in length and in an effort to compensate for this restriction, they are constructed with such wide beams that they are inefficient whether fishing for salmon or any other species.

The nation's 128,000 commercial fishermen are by and large broken up into regional or fishery groups whose interests often diverge. There is no effective national fishermen's association. This situation usually precludes any concerted efforts to change the laws. New England ground fishermen, for instance, favored Congressional action in 1966 to extend the territorial fishing limit from three miles off the U.S. coast to twelve. They fish close to the coast and fear foreign encroachment. Gulf of Mexico shrimp fishermen and California tuna fishermen opposed extension. They frequently fish foreign waters and feel vulnerable to retaliation by other governments.

The nation's eating habits are often cited as contributing to the fishermen's unhappy predicament. The yearly use of fish in the United States averages sixty-three pounds per person, almost twice the world average, but most of the poundage is used as fish meal to supplement the diet of livestock and pets. The per capita use of fish for the table is a relatively modest ten and a half pounds as against one hundred and four pounds of beef, fifty-eight pounds of pork, and thirty-six pounds of chicken. To fishery analysts the breakdown is irrelevant. They emphasize that while the domestic catch is static at about five billion pounds, domestic use is twelve billion pounds and growing at a faster rate than the population. Moreover, they estimate that available fishery resources could sustain an annual catch five times the present harvest. The U.S. fisherman, in brief, lacks neither the market nor the fish, and if he could become competitive it would make small difference to him whether he caught fish for meal or for food.

RESEARCH AND DEVELOPMENT

One step toward competitiveness would be the building of efficient vessels. In 1964 Congress expanded and strengthened an earlier attempt to alleviate the situation that stems from the law Washington signed in 1792 as well as the fishery trends since the Second World War. It authorized $10 million a year for five years for a subsidy of up to fifty per cent to cover the difference between vessel construction costs in U.S. and foreign shipyards. The program has been slow in getting under way; from December, 1964, through June, 1967, only fifty-five subsidy applications were approved and only twenty-two contracts were let. The fact is, relatively few fishermen are able to take advantage of a law that requires the subsidized vessel to be of advanced design, able to operate in expanded areas, and equipped with the most modern gear available. Such a vessel of about one hundred feet in length may cost up to $500,000. In addition to the subsidy program, the government also provides funds to insure vessel mortgages and something in the neighborhood of $3 million a year in loan funds at six per cent interest to build or remodel vessels. Therefore, the government makes available only the modest sum of about $15 million a year for upgrading the fleet.

Efficiency, of course, depends not only on a modernized fleet but also on adequate research. But the Bureau of Commercial Fisheries (BCF), which conducts government research into the marine fishery, is not treated with generosity. Its budget for fiscal 1968 is about $49 million—a modest rise from that of 1967, but a sum that still leaves some research facilities understaffed and some research projects underfinanced. For instance, BCF currently has only seventeen research vessels over seventy feet in length plus one under construction. A research vessel in the 150-foot range, which is not large for an ocean-going ship, costs about $2 million. But the bureau has no funds allocated to new-vessel construction for this fiscal year.

Yet the Bureau of Commercial Fisheries does well by the fisherman. Its efforts in such areas as the prediction of groundfish abundance and the development of new uses and better processing methods are good examples.

In the past, the fisherman sometimes geared his vessel to catch a usually abundant species of groundfish and then found that the species wasn't abundant enough to be profitable. This meant that he might have to lay up, for a change-over in gear to fish another species was often too costly. Today he is forewarned. BCF biologists have learned that the abundance and thus the catch of certain species can be predicted by a year or more by having port agents monitor daily landings and by making month-long cruises to sample the young of the year at perhaps two hundred locations on the fishing grounds.

The BCF also administers a program enacted by Congress in 1964, whereby the Federal government will meet up to seventy-five per cent of the cost of a state research project. During the last two fiscal years, $8.2 million was appropriated for aid to such projects as pink-salmon forecast research in Alaska, oyster-raft production in Alabama, and gear research and testing of improved commercial fishing boats in Puerto Rico.

The bureau is attempting to develop processing methods that will be less costly than present ones, yet give fish a longer and more appealing life in the food store. Irradiation and freeze-drying are two new methods about which there is optimism, and if they broaden the market for food fish the U.S. fisherman stands to gain.

A marine (or fish) protein concentrate developed by the BCF and by the VioBin Corporation could broaden the fisherman's market. Manufactured from the whole fish—head, tail, teeth, innards, and all—the concentrate is an almost tasteless and odorless flour that is very nutritious and, at 20 cents a pound, cheap to produce. A ton of fish can be converted to 320 pounds of concentrate, enough to bolster the diets of thirty undernourished persons for a year at a cost of two dollars each. Since 1.5 billion persons throughout the world suffer from protein malnutrition and population is outstripping agricultural capacity, the concentrate's proponents believe that it will become a major domestic and export commodity, opening the way for U.S. fishermen to exploit billions of pounds of presently unutilized fish stocks on the Continental Shelf. Although the U.S. Food and Drug Administration had withheld approval of the concentrate's sale for six years on the ground that consumers would consider anything made from whole fish to be filthy, the agency has finally acquiesced and Congress has voted funds for construction of a pilot plant and the leasing of another.

SURVEYS AND SOUNDINGS

For all the BCF's good works, its communication with the fishermen is imperfect. It passes along research findings and other pertinent fishery information in its publications and in scientific journals, but it has no formal extension service—a serious gap, considering what the Department of Agriculture's extension service and county-agent system have meant to the farmer in terms of technological education and assistance.

Indeed, the fisherman has poor communications not only with the BCF but also with the twenty-odd government agencies involved in oceanography. Ocean currents, weather, bottom topography, chemistry, and other factors affect the behavior and productivity of fish, yet there is no effective mechanism for relaying information on these topics to the fisherman. A remedy may be in the offing, for Congress and the White House independently took first measures in June, 1966, to centralize the government's ocean research and to co-ordinate it with research being carried out by states, industries, universities, and unaffiliated marine laboratories. Congress created a cabinet-level National Council on Marine Resources and Engineering Development headed by Vice President Humphrey and a Commission on Marine Science, Resources and Engineering Development, which is to issue a report next year. The Panel on Oceanography of the President's Science Advisory Committee, in a study entitled *Effective Use of the Sea*, recommended that something be done forthwith about the commercial fishery. "Clearly," it reported, "the United States lags behind other nations in the technology of fishing and aquiculture. Future food problems of the world require that we develop these technologies and assist other nations to develop them. The Panel assigns very high priority to this task."

Two additional cheering notes were struck in 1966. The University of Rhode Island, where marine research is excellent and growing, announced a two-year academic program designed to graduate well-informed fishermen, the first such university program in this country. And Congress, mindful of the land-grant colleges' influence on agricultural development, passed the National Sea Grant College and Program Act providing grants to further the development of marine resources.

It can be fairly said that U.S. fishermen finally are being noticed and that they have a future. The states probably will eliminate or modify some of the obstacles to efficient fishing. New processing methods undoubtedly will prove more economical than old ones and the market for food fish will expand. Marine protein concentrate also will provide new opportunities for expansion.

The vessel-subsidy program is now starting to contribute substantially to the enlargement and upgrading of the fishing fleet, but the bald fact remains that most of the fleet needs modernizing and the fisherman must have more Congressional help. To reduce the uncertainty and delay inherent in the present system, it has been urged that the subsidy be made a fixed percentage of the construction cost and that the present procedures be simplified. It has also been suggested that tax incentives for vessel construction or improvement could be a spur to progress, as could a plan similar to one operating in Canada that offers a fixed subsidy and an interest-free loan on the balance.

In the short term, however, the fishermen remain in economic jeopardy. Unless something can be done soon, many may be forced to seek other work. A persuasive case can be made for measures to help the fishermen. Their annual catch is worth $450 million at dockside, but to the processor it is worth $1 billion. They have $500 million tied up in vessels that keep shipyards and gear manufacturers busy. The industry and closely allied shore activities provide half a million jobs. U.S. fishermen, whatever their present woes, would appear to be a national asset.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the period for the transaction of morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELECTION REFORM ACT OF 1967

The Senate resumed the consideration of the bill (S. 1880) to revise the Federal election laws, and for other purposes.

Mr. CANNON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CANNON. Mr. President, is there an amendment pending at the present time?

The PRESIDING OFFICER. There is an amendment pending.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. PEARSON. Mr. President, I send to the desk an amendment in the nature of an amendment to the pending amendment by the distinguished Senator from Pennsylvania.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PEARSON. I yield.

Mr. CLARK. Mr. President, it is my understanding that the amendment the Senator is now sending to the desk is an amendment to amendment No. 291.

Mr. PEARSON. The Senator is correct.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. PEARSON. I yield.

Mr. CANNON. Mr. President, amendment 291 is not pending. Therefore, I ask unanimous consent that amendment No. 291 be made the pending business.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. PEARSON. Mr. President, as I understand it, amendment No. 292 is now the pending business. Is that correct?

Mr. CLARK. There is no pending amendment. We set aside both amendments temporarily to conduct morning business without the inhibition of a unanimous-consent agreement.

The Senator could have the amendment to which he desires to introduce his amendment restored.

Mr. PEARSON. Mr. President, I make such a request in the nature of a unanimous-consent agreement.

The PRESIDING OFFICER. The ruling of the Chair is that amendment No. 291 was pending at the time the Senate went into the period for the transaction of routine morning business; that after the morning business was completed amendment No. 291 became the pending amendment.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Mr. President, is there further morning business?

The PRESIDING OFFICER. No; we have disposed of that.

Amendment No. 291 is now the pending amendment.

Mr. CANNON. Mr. President, I ask unanimous consent that amendment No. 291 be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CANNON. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of amendment No. 292.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PEARSON. Mr. President, I thank the distinguished Senator from Nevada.

The PRESIDING OFFICER. Who yields time?

Mr. CLARK. Mr. President, it is my understanding that the unanimous-consent request entered into yesterday provides that amendments to amendments were entitled to 1 hour on each side and, accordingly, the Senator from Kansas [Mr. Pearson] would be able to yield himself time.

Mr. PEARSON. Mr. President, in that event I send to the desk an amendment to amendment No. 292, and ask unanimous consent that it be in order at this time.

The PRESIDING OFFICER. Without objection, the amendment will be stated.

The assistant legislative clerk proceeded to state the amendment to amendment No. 292.

Mr. PEARSON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the Record.

The amendment to amendment No. 292, ordered to be printed in the Record is as follows:

On page 1, between lines 6 and 7, insert the following new sections:

"REGISTRY OF ELECTION FINANCE

"Sec. 202. (a) There is created in the General Accounting Office a Registry of Election Finance, hereafter referred to as the 'Registry'.

"(b) The Registry shall be headed by a Registrar of Election Finance, hereafter referred to as the 'Registrar', who shall be appointed by the Comptroller General of the United States without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and may be removed by him at will.

"(c) The Registrar shall perform such duties as may be delegated or assigned to him by regulations or orders of the Comptroller General. The Comptroller General may designate an employee of the General Accounting Office to act as Registrar during the absence or incapacity of, or during a vacancy in the office of the Registrar.

"(d) All officers and employees of the General Accounting Office serving in the Registry other than the Registrar, shall be appointed under the provisions of title 5, United States Code, governing appointments in the competitive service and shall be compensated in conformity with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

"(e) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following:

" '(78) Registrar of Election Finance, General Accounting Office.'

"ADVISORY BOARD

"Sec. 203. (a) There is hereby established a bipartisan advisory board to be known as the Advisory Board of the Registry of Election Finance, hereafter referred to as the 'Board'. The Board shall be composed of twelve members at least half of whom shall not be in the employ of the United States. The President and the Comptroller General shall each nominate two members; the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives shall each nominate two members, one of whom shall be a Member of Congress. The Comptroller General shall receive such nominations and shall appoint the members of the Board. The Board shall select a Chairman from among its members. A member of the Board shall serve for a term of two years and may serve for more than one term. If for any reason a member of the Board shall fail to serve a complete term, his successor shall be nominated by the official who nominated such member and the successor shall be appointed by the Comptroller General to serve the unexpired term.

"(b) The Board herein established shall be constituted not later than ninety days following the appointment of the Registrar.

"(c) The Board shall advise and make recommendations to the Comptroller General and to the Congress with respect to (1) the means for effectively publicizing the information submitted in the reports and statements required by this title, (2) any need for legislation, and (3) such other matters as the Comptroller General or the Board may determine.

"(d) Members of the Board, while attending meetings or conferences of the Board or otherwise serving at the request of the Comptroller General, shall be entitled to receive compensation at a rate to be fixed by him but not exceeding $75 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently."

On page 11, line 2, strike out "Sec. 202", and insert in lieu thereof "Sec. 204".

On page 12, line 14, strike out "Sec. 203", and insert in lieu thereof "Sec. 205".

On page 14, line 16, strike out "Sec. 204", and insert in lieu thereof "Sec. 206".

On page 17, line 18, strike out "Sec. 205", and insert in lieu thereof "Sec. 207".

On page 17, line 24, strike out "204", and insert in lieu thereof "206".

On page 18, line 3, strike out "Sec. 206", and insert in lieu thereof "Sec. 208".

On page 19, line 11, strike out "Sec. 207", and insert in lieu thereof "Sec. 209".

On page 22, line 20, strike out "Sec. 209", and insert in lieu thereof "Sec. 211".

On page 5 of such amendment No. 292, line 3, strike out "Sec. 210" and insert in lieu thereof "Sec. 212".

On page 5 of such amendment No. 292, line 7, strike out "Sec. 211" and insert in lieu thereof "Sec. 213".

On page 5 of such amendment No. 292, line 9, strike out "Sec. 212" and insert in lieu thereof "Sec. 214".

On page 5 of such amendment No. 292, line 11, strike out "Sec. 213" and insert in lieu thereof "Sec. 215".

On page 5 of such amendment No. 292, line 15, strike out "Sec. 214" and insert in lieu thereof "Sec. 216".

On page 5 of such amendment No. 292, line 17, strike out "Sec. 215" and insert in lieu thereof "Sec. 217".

On page 5 of such amendment No. 292, line 19, strike out "Sec. 216" and insert in lieu thereof "Sec. 218".

Mr. PEARSON. Mr. President, this is, as we now know—through the courtesy of the distinguished Senator in charge of the bill, whom I applaud for his great work in this particular field—a matter of some concern and interest to me. I have introduced a bill in the Senate and have testified before the Finance Committee some time ago. Many of the provisions there have been incorporated in the matter now before us. It is my understanding that the amendment—No. 292—offered by the distinguished Senators from Pennsylvania [Mr. Clark and Mr. Scott] is in the nature of a so-called technical amendment whereby they would strike from the bill the words "Secretary of the Senate and the Clerk of the House," and instead place the authority to receive information concerning contributions over $100 in the aggregate during a year by candidates, and receiving personal services totaling contributions more than $100 in expenditures and loans, and so forth—all that in the Office of the Comptroller General.

With that concept I have expressed agreement, and do so now.

Mr. President, the real thrust of the amendment is the recognition that there is within the Comptroller General no structure in which this enormous volume of information, highly technical in nature, as well as statistical information, can be received, handled, and disseminated to the public. Thus, the purpose of the amendment would be to establish within the office of the Comptroller General a registry of election finances which would give that proper structure and which would give that proper staffing the mechanics and the means to handle this enormous volume of statistical information coming in.

The other part of the amendment is an advisory board of 12 persons, two to be selected by the President, two by the Comptroller General, two by the minority and majority leaders of both House and Senate—some 12 persons who would fundamentally serve three functions:

One, to advise the Comptroller General and Congress as to the ways and means of effectively making public all of this information; two, as to the needs and future legislation; and, three, as to other matters which may be vitally necessary to the goal we all seek.

That, in essence, is the subject of this particular amendment. It is consistent with and follows the recommendations of the Herter Commission appointed by President Kennedy in 1961.

I have discussed this amendment with the Senators from Pennsylvania [Mr. Clark and Mr. Scott], and hope it will be in furtherance of a way to perfect the amendment which they have offered today.

I am hopeful that it will be accepted into the sponsoring measure.

Mr. CLARK. Mr. President, will the Senator from Kansas yield?

Mr. PEARSON. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. I have, as the Senator has just stated, discussed this amendment with him. On behalf of my colleague [Mr. Scott] and myself, I am happy to accept the amendment.

The Senator from Kansas, I think, has made a significant improvement to the amendment which we have jointly sponsored.

Mr. PEARSON. I thank the Senator from Pennsylvania.

The PRESIDING OFFICER. Do Senators yield back all their time?

Mr. PEARSON. Mr. President, I yield back the remainder of my time.

Mr. CANNON. Mr. President, I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kansas.

The amendment was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, with the time to be charged to neither side.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the previous order providing for a vote to begin at 12:15 on the first of the two amendments offered by the Senator from Pennsylvania [Mr. Clark] be vacated, and that the Senate proceed to a vote on amendment No. 291 at 12 o'clock; that vote to be immediately followed by a vote on amendment No. 292; with the time between now and 12 o'clock to be equally divided between the Senator from Pennsylvania [Mr. Clark] and the Senator from Nevada [Mr. Cannon].

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CLARK. Mr. President, it is my understanding, as a result of a conversation with the Senator from West Virginia [Mr. Byrd], that at 11:50, or perhaps at 11:45, we will have a long quorum call in order to get Members of the Senate here, and then the Senator from Nevada [Mr. Cannon] and I can take about 2 minutes each to summarize our views before the vote.

Mr. BYRD of West Virginia. Yes.

Mr. President, I suggest the absence of a quorum, and ask that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that it be in order to order the yeas and nays on amendments 291 and 292 at the same time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I ask unanimous consent that the vote on amendment No. 292 may come first.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. CLARK. Mr. President, amendment No. 291 is an amendment which would call for disclosure by all candidates for congressional office, be they Members or not, of their assets and liabilities.

Mr. President, I have inadvertently made a foolish unanimous-consent request.

I ask unanimous consent that we vote first on amendment No. 291.

Mr. BYRD of West Virginia. Mr. President, reserving the right to objection, do I correctly understand that the Senator intends that we vote immediately on amendment No. 292?

Mr. CLARK. I would like to take 2 minutes on that amendment.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the vote on amendment No. 291 occur at 12 o'clock, and that immediately after the vote on amendment No. 291, there be a period of 5 minutes, to be equally divided between the mover of the amendment and the manager of the bill, following which there will be a vote on amendment No. 292.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CLARK. Mr. President, I yield myself 1 minute on amendment No. 291.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 1 minute.

Mr. CLARK. Mr. President, amendment No. 291 would require a disclosure by all candidates for Congress and of Members running for reelection of their assets and liabilities.

This is a stiffened version of the provision which was in the administration bill last year, which I was then privileged to introduce.

The provision was stricken out by the committee, to my regret, by a vote of 7 to 2.

The pending amendment, if agreed to, would in effect raise itself to the objection often expressed by my distinguished friend, the senior Senator from Illinois [Mr. DIRKSEN], that it would make him a second-class citizen.

I do not think that it would.

I urge the adoption of the amendment as a sound reform which would make public the knowledge of the financial assets and liabilities of individuals who run for Congress.

Mr. President, I yield back the remainder of my time.

Mr. CASE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. CASE. Mr. President, the pending amendment is in line with a measure that I have been urging for a long time, both with the Senator from Pennsylvania [Mr. CLARK] and with other colleagues.

Mr. CLARK. This might well be called the Case bill.

Mr. CANNON. Mr. President, I yield 1 minute to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 minute.

Mr. DIRKSEN. Mr. President, this is an impertinence and an outrage. It ought to be roundly defeated, and the committee ought to be sustained.

That is all I have to say.

Mr. CANNON. Mr. President, I yield 30 seconds to the Senator from Nebraska.

Mr. CURTIS. Mr. President, the subject of the pending amendment is entitled to consideration, but it should not be included in a Privileges and Elections Subcommittee bill. It should be considered by the Select Committee on Standards and Conduct.

This is a matter that would be very difficult in law if we were to attempt to ascertain what real wealth is and show it in a report.

The proposal has had no committee consideration as such, and I think it should be postponed until such time as the Select Committee on Standards and Conduct reports on that general subject.

Mr. CANNON. Mr. President, I yield myself 30 seconds.

The PRESIDING OFFICER. The Senator from Nevada is recognized for 30 seconds.

Mr. CANNON. Mr. President, as I stated earlier, I favor this amendment in principle. But it does not go far enough. It should encompass the three branches of the Government.

On the other hand, the Senate has designated to the Select Committee on Standards and Conduct the specific job of studying this matter.

The committee is considering this and other similar proposals.

It would be folly on the part of the Senate now to step in and take away from the committee a job that it has been working on so long and diligently.

I urge that the amendment be rejected.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CANNON. I think my time has expired.

Mr. MILLER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MILLER. Are we under controlled time?

The PRESIDING OFFICER. The Senate is under controlled time.

Mr. MILLER. Mr. President, will the Senator yield 30 seconds?

Mr. CANNON. Mr. President, if I have 30 seconds remaining, I will yield it to my colleague.

Mr. MILLER. I wish to add that I thoroughly agree with the Senator from Nevada in his comments.

There is one further defect, and that is that it only covers the spouse and the candidate himself. It does not encompass the other members of the family, who should be included in this coverage if we are really going to give the public the information they need.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania. The yeas and nays have been ordered, and the clerk will call the roll.

Th legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Montana [Mr. MANSFIELD], the Senator from Maine [Mr. MUSKIE], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Michigan [Mr. HART] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. METCALF], the Senator from Rhode Island [Mr. PELL], the Senator from Georgia [Mr. RUSSELL], and the Senator from North Carolina [Mr. JORDAN], are necessarily absent.

I further announce that, if present and voting, the Senator from Washington [Mr. MAGNUSON] would vote "nay."

On this vote, the Senator from Michigan [Mr. HART] is paired with the Senator from North Carolina [Mr. JORDAN]. If present and voting, the Senator from Michigan would vote "yea" and the Senator from North Carolina would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. DOMINICK] is necessarily absent.

If present and voting, the Senator from Colorado [Mr. DOMINICK] would vote "nay."

The result was announced—yeas 42, nays 46, as follows:

[No. 244 Leg.]

YEAS—42

Bayh
Boggs
Brewster
Burdick
Carlson
Case
Church
Clark
Cooper
Cotton
Dodd
Gore
Griffin
Harris
Hartke
Hatfield
Hollings
Inouye
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
McGee
McGovern
McIntyre
Mondale
Montoya
Morse
Morton
Moss
Nelson
Pastore
Percy
Proxmire
Ribicoff
Scott
Spong
Tydings
Williams, N.J.
Williams, Del.
Young, Ohio

NAYS—46

Aiken
Allott
Baker
Bartlett
Bennett
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Curtis
Dirksen
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gruening
Hansen
Hayden
Hickenlooper
Hill
Holland
Hruska
Jackson
Jordan, Idaho
Lausche
Long, La.
McCarthy
McClellan
Miller
Monroney
Mundt
Murphy
Pearson
Prouty
Randolph
Smathers
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Yarborough
Young, N. Dak.

NOT VOTING—12

Anderson
Bible
Dominick
Hart
Jordan, N.C.
Magnuson
Mansfield
Metcalf
Muskie
Pell
Russell
Symington

So Mr. CLARK's amendment (No. 291) was rejected.

Mr. CANNON. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. FULBRIGHT and Mr. BYRD of West Virginia moved to lay the motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Chair advises the Senate that there is a 5-minute limitation on amendment No. 292, with the time to be equally divided. Who yields time?

Mr. CLARK. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). The Senator from Pennsylvania is recognized for 2 minutes.

Mr. CLARK. Mr. President, this amendment would substitute the Comptroller General for the Secretary of the Senate and the Clerk of the House for the administration and enforcement of S. 1880 for which, of course, I am happy to vote.

The reason why it is wise and best to vest authority in the Comptroller General is that he is a designated agent of Congress having competence to deal with this matter, with the amendment accepted by my cosponsor, my colleague [Mr. SCOTT], and myself, as proposed by the Senator from Kansas [Mr. PEARSON].

We have given the Comptroller General, in the pending amendment, adequate staffing authority to deal with this enforcement.

There are two reasons why the Secretary of the Senate and the Clerk of the House should not be vested with this authority.

The first reason is that they are partisan, patronage appointees. Charming and able gentlemen though they are, they would be charged with handling a completely impartial duty; namely, to monitor the filing of returns dealing with partisan political elections. To put these two gentlemen, who are partisan, political appointees of the Democratic and Republican Parties, in charge of a job which should be as highly impartial as anything in our democracy can be, I suggest is a mistake.

The second reason is that these two gentlemen, for whom I have the highest regard, the Secretary of the Senate and the Clerk of the House, have absolutely no competence in this area. They know nothing about computers and other kinds of information necessary to assure that the job will be performed efficiently.

There is no room in the Capitol for them to expand. Every Senator here knows he needs another room somewhere in which to carry out his duties. If Frank Valeo and W. Pat Jennings get this authority, they will need more room. But, we have not got it.

Let me say, in conclusion, that the Comptroller General is an agent of Congress and is eminently equipped to handle this job. The fact that he does not want it is irrelevant. The Secretary of the Senate and the Clerk of the House do not want it either. It is a dirty and difficult job which we have to vest in someone.

The Comptroller General, in my judgment, is the individual most able to perform that duty.

Mr. CANNON. Mr. President, I yield 1 minute to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 minute.

Mr. DIRKSEN. Mr. President, it is no accident that the first article of the Constitution is devoted to the creation of the legislative branch. It is, by all odds, as President Monroe once said, the most important branch and the very keystone of our form of government.

Section 5 of the Constitution states—in words that even the Senator from Pennsylvania can fully understand:

> Each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members, . . .

Mr. President, now what does the celebrated Member from the Keystone State wish to do?

He wishes to farm this out to an independent agency that is known as the Comptroller General's Office. Notwithstanding it is under the jurisdiction of Congress, he is still farming out a constitutional responsibility.

Mr. President, this is a constitutional responsibility which should be kept here. It does not make any difference how dirty the job may be. It does not make any difference how soiled someone may become in exercising that responsibility. It still is here. If it were given to me, I would exercise it to the best of my ability. But, this is the place to do it.

This amendment should be turned down by a resounding vote.

I am surprised at the vote we got on the amendment just voted on. It should have been rejected out of hand, as this one should be.

The PRESIDING OFFICER. One minute and a half of the Senator's time has expired.

Mr. DIRKSEN. That is all I have to say.

Mr. CANNON. I yield myself the remaining 1 minute.

Mr. CLARK. Mr. President, I yield myself one-half minute, on my own time——

Mr. DIRKSEN. Although, let me say to the Senator from Pennsylvania, this is the first opportunity I have had to discuss this matter, one minute and a half is not too much.

Mr. CANNON. Mr. President——

The PRESIDING OFFICER. The Senator from Nevada is recognized for 1 minute.

Mr. CANNON. Mr. President, I pointed out earlier that the Comptroller General did not want this job. I thought he made a very good statement and I am going to repeat part of it:

> Basically, the General Accounting Office operates as a control agency in the legislative branch to assure compliance with Federal statutes governing the expenditure of public moneys appropriated by the Congress for the various governmental purposes and to assist in improving the efficiency with which Government financed programs are administered. In executing these functions we operate as an agent or arm of the Congress. The administrative functions and duties contemplated in the proposed bill not only are unrelated to the expenditure of appropriated funds, but, they involve the necessity for governing the reporting of and delving into the political and personal affairs of congressmen who as a body constitute our principal. We do not believe that oversight of the political and personal financial transactions of individual congressmen is consistent with the posture we must maintain in executing our basic mission.
>
> Nor, for obvious reasons, do we believe it appropriate that administration of provisions of law relating to the promotion of high standards of ethical conduct for congressmen be vested in any agency of the executive branch.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for one-half minute.

Mr. CLARK. Mr. President, there is no constitutional question here. The question is which of the two agents of Congress shall be vested with the authority, the Secretary of the Senate, who is our agent, or the Comptroller General, who is already our agent. Of course, he does not want the job. Neither does anyone else. I think we should give it to him.

The PRESIDING OFFICER. All time on the amendment has now expired. The question is on agreeing to the amendment No. 292 of the Senator from Pennsylvania [Mr. CLARK].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of Virginia (after having voted in the negative). On this vote, I have a pair with the senior Senator from Michigan [Mr. HART]. If he were present he would vote "yea"; if I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Montana [Mr. MANSFIELD], the Senator from Maine [Mr. MUSKIE], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Michigan [Mr. HART] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from North Carolina [Mr. JORDAN], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Rhode Island [Mr. PELL], and the Senator from Georgia [Mr. RUSSELL], are necessarily absent.

I further announce that, if present and voting, the Senator from North Carolina [Mr. JORDAN], and the Senator from Minnesota [Mr. MCCARTHY], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. DOMINICK] is necessarily absent.

If present and voting, the Senator from Colorado [Mr. DOMINICK] would vote "nay."

The result was announced—yeas 30, nays 56, as follows:

[No. 245 Leg.]

YEAS—30

Aiken
Bartlett
Bayh
Brewster
Case
Clark
Cooper
Dodd
Gore
Hatfield
Jackson
Javits
Kennedy, Mass.
McGee
McGovern
Monroney
Morse
Moss
Nelson
Pastore
Pearson
Prouty
Proxmire
Ribicoff
Scott
Spong
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—56

Allott
Baker
Bennett
Boggs
Brooke
Burdick
Byrd, W. Va.
Cannon
Carlson
Church
Cotton
Curtis
Dirksen
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Griffin
Gruening
Hansen
Harris
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jordan, Idaho
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
McClellan
McIntyre
Miller
Mondale
Montoya
Morton
Mundt
Murphy
Percy
Randolph
Smathers
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Tydings
Young, N. Dak.

NOT VOTING—14

Anderson
Bible
Byrd, Va.
Dominick
Hart
Jordan, N.C.
Magnuson
Mansfield
McCarthy
Metcalf
Muskie
Pell
Russell
Symington

So Mr. CLARK's amendment (No. 292), as amended, was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CURTIS. Mr. President, I have an amendment at the desk, which I ask to be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed, on page 6, line 23, to change the period to a comma and add: "if not otherwise prohibited by this act."

Mr. CURTIS. Mr. President, I can state the case for this amendment very briefly. Certainly, we are all agreed that, whatever rules there are to be as to raising of finances, they should be applied to all people equally. I have a fear about what construction might be placed upon subsection (f), on page 6. That subsection is just four lines long. I wish Senators would notice it. It is near the bottom of the page. The section reads:

> Nothing contained in this section shall be deemed to prohibit any contribution to a candidate by the spouse or a child, grandchild, parent, grandparent, brother, or sister of the candidate.

Now, what is "any contribution"? Does that mean that, in an endowed family, a grandchild can give a million dollars and that the rest of the candidates who must appeal for funds are limited to contributions of $5,000? Does it mean that it will be interpreted that the individual of modest means who must raise funds for a campaign, when he secures funds from an individual, must have the spouse, husband, and minor child counted as one person, but not so with endowed families?

The reason we are here and the necessity for this legislation is that the great mass of Americans are not able to finance a campaign within a family. Are we going to write a bill that is a special rule, that any contribution can be made by a member of a family of a candidate? All I ask is that the same rules apply to all candidates for the Senate, and that the same rules apply to all candidates for the House of Representatives. Therefore, when reference is made to what members of the family can contribute, I add the words "if not otherwise prohibited by this act," because the section it refers to is a limitation on political contributions and purchases.

I may be in error, but I am afraid of what the courts may interpret this section as meaning. It reads:

> Nothing contained in this section—

That is, the one that puts a limitation on contributions—

> shall be deemed to prohibit any contribution to a candidate by the spouse or a child, grandchild, parent, grandparent, brother, or sister of the candidate.

Mr. President, that is my case. I hope the amendment can be accepted, or, if not, that the Senate will adopt it.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. CANNON. I would like to inquire of the Senator from Nebraska whether or not it would be his intention, if this amendment were adopted——

Mr. PASTORE. Mr. President, we cannot hear the Senator.

Mr. CANNON. Mr. President, I would like to ask the distinguished Senator from Nebraska whether or not it would be his intention, if this amendment were adopted, that a wife in a community property State would therefore be precluded from giving more than $5,000 to her husband's campaign—that is, that the husband could not use more than $10,000 of community funds.

Mr. CURTIS. That is my contention, that if the candidate who must appeal to civic-minded people must be limited as to the amount that any individual can give him, that rule should apply to everybody.

I can understand that there can be some problem about who owns property, husband or wife. But certainly there is no justification for exempting grandchildren and grandparents from the rules that we lay down for everybody else, every humble citizen of the land who has to raise money to run for office, and saying that he must conform to limitations and rules that families of great wealth are exempt from.

Probably the entire section should be stricken; I do not know. There may be some reason for having it. I know that the chairman of the committee acted with the utmost good faith. I do have a fear as to how this might be ruled upon by the courts.

Mr. CANNON and Mr. LAUSCHE addressed the Chair.

Mr. CURTIS. I yield first to the manager of the bill.

Mr. CANNON. Mr. President, I would have no difficulty in going along with the Senator on his amendment if it were changed to make it absolutely clear that a man could use whatever amount of his own money he wished to use.

Mr. CURTIS. I certainly agree with that.

Mr. CANNON. The amendment, as worded, would raise a very serious question in my mind, in a community property State, whether a husband could use more than $10,000 of community funds, if this amendment were adopted.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CURTIS. Let me reply first to the Senator from Nevada.

I would be the last person to say that an individual, if he wants to finance his own campaign, should not be permitted to do so. I believe that we do not have a problem in those things. At any rate, certainly any expenditure that, in truth and in fact, comes from the husband's property, would not be governed by what I propose here.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CURTIS. I promised first to yield to the Senator from Ohio.

Mr. LAUSCHE. The language now written into the bill, in section 608(a), states:

> (a) It shall be unlawful for any person, directly or indirectly, to make a contribution or contributions in an aggregate amount in excess of $5,000

That language places the limitation of $5,000 upon the amount that any person can give.

Then subparagraph (f) under section 608 states:

> (f) Nothing contained in this section shall be deemed to prohibit any contribution to a candidate by the spouse or a child, grandchild, parent, grandparent, brother, or sister of the candidate.

Is it the Senator's fear that that language might be interpreted to put a limitation of $5,000 upon gifts made by anyone except relatives, and that they may give as much as they please, commensurate with their ability to give?

Mr. CURTIS. That is one of my fears, plus this further fact: That if a stranger, at arm's length, makes a contribution of $5,000 to a candidate, under this bill, his spouse cannot do likewise; they are treated as one. Or he cannot give in the name of his children. It is a family limitation.

That is the rule that is applied to the vast majority of candidates. If section (f) stays in here, there is not only the danger that relatives can give in unlimited amounts, but also the danger that every one of them—grandchildren, grandparents, brothers, sisters, and so on—can give, not as family units, but each one could give the limit, if the limit does apply, which I doubt.

Mr. LAUSCHE. My own interpretation would be that subsection (f) completely nullifies the language contained in subsection (a); relatives could give as much as they please, and the very objective of the law intended to place a limitation on amounts, would be applicable to the ordinary individual, but not to relatives of the candidate.

I think the Senator's amendment strikes at a conspicuous weakness in the language of this bill. Whether the language of the amendment is exactly what it ought to be, I cannot say.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. CURTIS. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I, too, noted this deficiency in the bill. I hope very much the manager of the bill may accept the amendment. We certainly do not want this to be a rich man's family bill, which is what it would be if we left this provision intact.

I suggest, since this is a Senate bill and the details can be worked out in conference, that it might be well to take it as the Senator from Nebraska has drafted it, with the understanding that in conference, the problem of the candidate's own resources, whether community property or of his own, can be dealt with.

I think this is a glaring loophole in the bill, and I hope the manager of the bill will accept the amendment.

Mr. CURTIS. I thank the distinguished Senator, and again I pay my respects to the manager of the bill. He was gracious in the consideration of this matter when it was before the committee. I did not have a chance to study this matter as I would have liked.

Certainly, if this amendment is either accepted or agreed to, and it is found deficient when the matter goes to conference, I shall be the first to urge that it be modified so that it will be workable and fair.

Mr. LONG of Louisiana. Mr. President, it seems to me that the amendment, at least in some respects, tends to defeat what the bill seeks to accomplish. I say "in some respects" because, in other respects, it might actually move in the direction of achieving those ends.

As I understand it, the whole purpose of this disclosure is to seek to prevent improper influence of public officials. That, as I understand, is the purpose; the idea being that if one must explain where his money came from, the public can judge; and, that being the case, one would be restrained from accepting contributions that he should not properly accept.

This amendment, as drafted, would strike at this situation: Let us assume that a man is the son of a rich father, and the father is proud of his son, and wants to support his son's candidacy for public office.

What more honest money is likely to come to a candidate to help pay for his campaign, what gift more highly motivated, than that of a father who thinks his son is a decent man and would serve well in public office, and would like to contribute to the son's campaign?

Between two sources of income, which would be better, the $5,000 that a number of private contributors might contribute, or the $15,000 or $20,000, or $30,000, that a father might contribute to his son?

Mr. CURTIS. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I shall yield in a minute.

Mr. President, just looking at the matter practically—and I have not thought about it very much, just since the amendment was offered here—I think it would be somewhat difficult to explain, when a son of a wealthy man seeks public office, his need for contributions.

If I were asked to contribute to help finance the campaign of the son of a rich man who is worth, let us say, $20 million, my reaction would be, "Why should I have to contribute to pay that man's campaign expenses? His father is far better able to pay than I am."

As far as someone who might expect to influence the man's vote or conduct in public affairs is concerned, it would stand to reason that his father would have a more generous motive in simply feeling that his son was a good man whom he would like to support.

In talking about limitations and saying that a rich man's son should not have any more money available to him than a poor man's son, we are talking about an entirely different problem—the problem of overall limitations. The Senate is well aware of the fact that I like the idea of providing that everybody should have adequate financing, and that there should be no special debt due, one way or the other.

But it does seem to me that if we are talking about what source of income we would prefer that a candidate's money come from, I think we would have to agree, and embrace that philosophy, that if a man wants the job badly enough to spend 1 year's salary seeking the job, that that is legitimate money, and there should be no limitation—certainly no $5,000 limitation—on what the man could spend of his own.

Suppose his father or his mother has substantial wealth. As between asking private businessmen to put up the money and putting it up themselves, they prefer to put up the money themselves. And they can well afford it. In which way is that man likely to be less influenced to vote contrary to all his deep convictions—when his family puts up the money or when he seeks the money from private interests?

If we agree to the amendment, it seems to me that what we will do in the case of a son of a wealthy family is that we would require those folks to engage in an indirect way in an activity that they should be permitted to engage in directly.

It is easy enough for a mother or a father with $50 million or $100 million to call upon their business associates to put up $50,000 or any other amount. Some of those people own big banks and big corporations. They can influence their business associates as to how much money they should put up.

If a man happens to be the president or chief stockholder or own the controlling interest in a big insurance company, he can suggest to every person who has a big insurance agency with the company how much money he should put up.

The manager of a big corporation can, not bluntly, but with finesse, suggest to every person who has a connection with that corporation that he ought to make a contribution.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. Mr. President, the Senator is contradicting himself. A person can be corrupted with 10 cents, $100, or $5,000. The very important thing is the glaring publicity.

What the Senator from Nebraska is arguing is that if we are going to limit or restrict a stranger as to a contribution, then we ought to limit the members of a family and treat them the same as we would a stranger.

We do not want to make the Senate of the United States a rich man's club. The idea that a candidate, because he has tremendous wealth in his family, can campaign so extensively and expensively as to smother a poor candidate does not appeal to the senior Senator from Rhode Island. One with unlimited wealth could go into a State and buy up all the available television time if we did not provide equal time under the law. Section 315 of the Communications Act gives us equal time.

Why do we have that section? It is in order to mete out equity to all participants. It shows the intent of the Congress to give a fair deal to candidates for public office. Within our power we want to make sure that character and competence are not overwhelmed merely by a dollar differential.

We do not want to make this a lopsided affair so that if a person is lucky enough that his lucky father born before him—now has a tremendous amount of wealth ready to back up his ambitious son, the son, then, will have a tremendous advantage. We could end up then with a Senate that is composed exclusively of sons of the rich. And I do not believe such a Senate would be truly representative of our democracy.

Mr. LONG of Louisiana. Mr. President, all I am saying is that with regard to the sons of very wealthy people, they can raise the money to finance their campaigns anyway. They can raise that money.

Who around here wants to contend that the son of someone who is worth $50 million or $100 million or more than that cannot raise the money with which to finance his campaign? If his father thinks the son is worthy of holding public office, he can certainly raise enough money with which to finance him, even if that father has to ask for contributions rather than do it directly.

My first question of that man would be: "Why don't you put it up?"

His answer would be: "I can't put it up because Congress forbids me by law to put it up."

That is why the father must call on his business associates to put up the money.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. That is just what gives the poor boy a break. That is exactly what gives the poor boy a break, the fact that he cannot be smothered by the money power of the opposition, not even by the fact that his opponent and all his relatives happen to be rich. This amendment puts everybody on the same level.

That is the equity I am looking for.

Mr. LONG of Louisiana. All I am saying is, and this is very simple, that as between the ways of financing a rich man's son, there is no problem in doing it. There is no problem if a man is worth $100 million. He would have no problem in raising enough money for his son to run for public office, whether it be for the House of Representatives or the Senate, even in a large State. He would have no great problem. He would raise the money from his business associates or put it up himself.

In which way would the son be more likely to be in a position to vote his own deep convictions on a matter—if his father simply puts up the money for his son because he thinks his son is worthy of serving in public office, or if his father has to go to his business associates and ask them for contributions and pass the hat among them and have them put up the money?

I submit that as between the two, the son would be less obligated to any improper influence if his father puts up the money rather than to have the father go around and ask a lot of people with whom he does business to put up the money.

If we put the poor man on the same level as the son of that rich man, we would have some overall limitation on the amount of money that can be raised. That is the decision that was made in reverse because it proved to be so completely impractical to try to limit what people could raise and spend in campaigns. It was decided that we would not do that.

I submit that with regard to the son of a rich man, to limit the rich man to a $5,000 contribution in support of his son's campaign runs into the same logic that caused us to take the overall limitation on the amount that could be spent. People would find other ways of achieving the same purpose.

It resulted in all kinds of hypocrisy and resulted in creating more corruption than it stopped. As we found with the overall limitation, it results in all sorts of evasion and deceit. It did not meet the practical realities of life. We dispensed with it.

If the pending amendment is agreed to, we would prevent a wealthy man from supporting his son when the father is not seeking any special advantage. The father is acting only through pride in his son and pride in his country.

All we would do is make the father insure that his son had enough money for his campaign by urging his business associates to put up the money and explaining to them that the reason he could not put up the funds is that Congress would not permit him to finance his son directly.

Mr. CURTIS. Mr. President, in Omaha, we have a very wonderful institution called Father Flanagan's Boys Town. For generations, homeless boys have come there, and they have gone out and made wonderful records.

Someday in the future one of those boys will be a candidate for high office. I want him on the same starting line with every other candidate for Federal office.

In Omaha, we also have some very philanthropic people, and it is not stretching the imagination too far to suppose that some wealthy individual will be attracted to a homeless boy who had been to Boys Town and say, "Here, young man, if you want to run for Congress, I will pay the bill. I will back you to the limit."

We have a bill here that provides that this cannot be done. There is a $5,000 limit.

I think it is probably debatable whether we should have the limitation or not. I did not put the limit in there. However, it is there.

All my amendment asks is that we apply it across the board and not write in a provision for a few families.

No one has answered the question as to why we have that section.

I hope the amendment can be accepted. If it is defective technically or otherwise, or is impractical and needs some correction, I will be the first one to accept it in conference.

Mr. LONG of Louisiana. Mr. President, if the pending amendment is agreed to, a man of means would be permitted to give 20 men $5,000 apiece as contributions to their campaigns. He could not give $100,000 to support his own son for public office. As between the two means of securing contributions, which would be more likely to put the candidate in a position to vote his own deep convictions on a matter?

That is not the fundamental purpose of the bill.

If you wanted to reduce to the greatest possible extent any danger or any threat of improper influence as a result of the way of financing campaigns, which way would tend to put more burden on those candidates—the man giving the $5,000 to 20 different people of the man giving $100,000 to his son who is campaigning for office? The pending amendment would not prohibit the man from giving $5,000 to a number of people whose friends then would proceed to give $5,000 to his son and who would report it. It would not prohibit achieving the same result in a dozen indirect ways which would tend to obligate the son to those people, but it would seek to prohibit the more proper way of financing the campaign as among the various means available to the parent in that case.

I submit that while the proposed amendment on its face and at first blush would appear to move in the direction of good government, it really does not do so at all. All it does is to require other, less desirable, methods of financing the campaign.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

FONG CALLS PEARSON CHARGES UNTRUE

Mr. FONG. Mr. President, I rise to set the record straight on recent news stories which contain six untrue charges against me.

I refer specifically to two syndicated columns by Mr. Drew Pearson, one appearing in the Washington Post on September 5 and the other in the Washington Post on September 10 which also appeared in Honolulu papers and elsewhere. I also refer to news accounts of a television interview of Mr. Pearson in Honolulu, shown on September 3, 1967.

Ordinarily, it is my policy to ignore inaccuracies that may occur in the news media.

But the flagrant disregard for truth in these instances cries out for correction and for a recitation of the actual facts, facts which Mr. Pearson could easily have obtained.

Not once did Mr. Pearson get in touch with me or with my office to try to verify the accuracy or the inaccuracy of his charges. That is not only unfair. It is poor journalism.

In America we believe in fair play. Anyone accused is entitled to have his side of the story told. But Mr. Pearson did not give me the opportunity to tell my story when he made the attacks against me.

Any victim of Mr. Pearson is at a tremendous disadvantage, for the Pearson column is printed in newspapers all over the country. These columns are not available to his unfortunate victims for rebuttal.

In most cases, the rebuttal never catches up with the charges. His readers may conclude that the charges stand because so far as they know the charges have not been answered.

Therefore, I am taking the Senate floor in the only nationwide media available to me, so that the public record will reflect the truth regarding his charges against me.

I would only hope that Mr. Pearson has a sense of fair play which would impel him to print in his column the facts I give today.

Charge No. 1: On September 4, 1967, Mr. Pearson was quoted as having said during a television interview shown in Hawaii the preceding day that my votes as a Member of the Senate Antitrust Subcommittee "on the whole have been pretty good" but now that the subcommittee is investigating credit life insurance, Fong "has a conflict of interest and I think he ought to get off the committee."

The truth: I am president of Finance Factors, Ltd., an industrial loan institution, and I am president of Grand Pacific Life Insurance Co., Ltd. When a loan is made by Finance Factors, the borrower, if he wishes, may buy credit life insurance from Grand Pacific Life so that in event the borrower dies, his survivors will not be burdened with paying off the loan. Grand Pacific will pay it.

Although I am a member of the Antitrust Subcommittee, I have taken no part in the present credit life insurance investigation. No bill has been presented for a vote. In fact, no legislation is pending before the subcommittee.

Had a bill come before the subcommittee, I would have declared my interest and I would have abstained from voting. I have announced that I will not vote on such legislation if it is presented to the subcommittee in the future.

The only subcommittee action so far is to authorize a staff investigation, which lasted a year, and to hold public hearings, on May 16, 17, 18, and 19 this year.

Neither I nor my staff has contacted the subcommittee or its staff about the content or direction of the hearings before, during, or after the hearings. This can be verified by a check with the subcommittee staff.

Furthermore, as the official record will show, I did not attend a single one of these hearings nor did any of my staff attend. One reason is that each day I had other committee or subcommittee hearings or meetings at the same time the antitrust hearings were held. Another reason is that I realized my attendance, while not in fact conflict of interest, could be so misconstrued.

Since there has been no participation and no action by me on the subcommittee's credit life insurance investigation, there has been absolutely no conflict of interest.

The facts in this situation prove Mr. Pearson's charge is utterly untrue.

Charge No. 2: In his column appearing in the Washington Post on Sunday, September 10, Mr. Pearson stated in regard to credit life insurance:

> The Bank of Hawaii charges only 50 cents per $100 for insurance to protect repayment of the loan, but Senator Fong's company charges $1.50.

The truth: My company charges $1.00, not $1.50.

Mr. Pearson could easily have verified this. He was recently in Hawaii for a month, according to news stories.

The $1 charge is the prevailing rate for credit life insurance charged by the great majority of the 180 industrial loan licensees in the State of Hawaii. Two of the larger banks in Honolulu also charge $1 on a $100 loan. Another bank charges more than $1.

A recent survey by Provident Alliance Insurance Co., Ltd., a Hawaii corporation which writes or re-insures credit life insurance in 47 States, found the $1 rate to prevail in 23 States.

The survey also found a 90-cent rate in one State, 75 cents in 10 States and under 75 cents in 10 States. In three States, the prevailing rate is $2 per $100 of insurance.

Mr. Pearson is welcome to check with the Antitrust Subcommittee to verify that my company's rates are the prevailing rates in more than half the States in America.

The charge of $1, which is generally the prevailing rate for credit life insurance in the State of Hawaii, was in existence long before Finance Factors, Ltd., began business as an industrial loan company. Hence, upon entry into the industrial loan field, Finance Factors, Ltd., adopted the rate which was in existence.

Credit life insurance is purely voluntary with my company. Only 25 percent of Finance Factors loan portfolio is covered by credit life insurance.

Credit life insurance is a very small portion of the business of Grand Pacific Life Insurance Co., which is owned by 429 stockholders.

Once again, the facts prove Mr. Pearson's charge is utterly untrue.

Charge No. 3: News accounts of the television interview of Mr. Pearson reported:

> Pearson charged that Fong formerly operated slot machines in Okinawa. Said Pearson: "He admits he used to run slot machines there, but he says he didn't know about it at the time. He says someone else was running them for him."

The truth: There are two untruths in this account. One, neither I nor any of my business firms has ever run or owned slot machines on Okinawa. Two, I never admitted I had, because the fact is I have not.

Mr. Pearson went even further in his attack this time than he did once before on this subject. Seven years ago, he wrote a column in which it was indicated that I made a trip to Yokosuka Naval Base in Japan to urge Navy officials to renew a Hawaii businessman's contract to place slot machines in service clubs in the Far East.

I have never been to Yokosuka. I never personally discussed the matter with the Navy. Although my staff was making inquiries on behalf of the businessman, I did not know it as I was in the Far East at the time the inquires were made.

Once again the facts proved Mr. Pearson's charges are utterly untrue.

Charges No. 4 and 5: Not content with attacking me as a political officeholder and as a businessman, Mr. Pearson recently attacked my personal family relationships. In a column on race relations in Hawaii, carried in the Washington Post, September 5, Mr. Pearson stated:

> Japanese discrimination against whites is nothing, however, compared with the discrimination between Japanese and Chinese.
>
> When Sen. Hiram L. Fong, a Republican and one of the major investment bankers in the islands, was notified that his son, Hiram, Jr. had married Janet Nishino in Reno last Dec. 23, his comment was not conducive to better race relations. Miss Nishino was a former Cherry Blossom Princess and came from a good Japanese family.
>
> That made no difference to Senator Fong. He hopped on a plane to Reno that same day—too late, however.

The charge that I made a comment "not conducive to better race relations" in regard to my son's marriage to a young lady of Japanese descent is a baldfaced lie. I made no such comment, publicly or privately.

It would not be in my nature to make such remarks. After all, I have a nephew who married a fine girl of Japanese descent and a niece who married a fine boy of Japanese descent.

One of my brothers married a Caucasian-Hawaiian girl and another married a girl of Korean descent.

So my total environment is one of racial understanding and acceptance.

But more than that. My son chose for his wife a lovely, educated young lady from a fine family. We are proud to welcome her into the Fong family.

I am just sorry that, in attacking me, Mr. Pearson may have brought heartache to Janet, particularly since her husband, my son, is in Vietnam serving as a lieutenant with the 25th Division.

The second lie in Mr. Pearson's account is that I hopped a plane to Reno as soon as I was notified of the marriage to try to stop it.

I did no such thing. Mr. Pearson could have checked this fact very easily if he had wanted to check it. After all, the whole State knows when I am in Honolulu, in Washington, in Iran, in Houston, in Canada. They would have known if I had gone to Reno. The people can vouch that I did not, as can the airlines.

At the time of the wedding, my son was on furlough and wanted to take his bride back with him when he returned to his Army post in Georgia.

As his furlough was quite short they decided to be married very quietly. It was such a surprise wedding that Janet did not even tell all her relatives. I gave my son a big check before he took off for the wedding and wished them both all the happiness in the world.

Anyone in public life soon learns that some people will throw brickbats from time to time. Critics even attacked the late President Roosevelt through his little dog, Fala, making F. D. R. quite indignant.

I am even more indignant that anyone would attack me through my son and daughter-in-law, who are completely outside politics.

Mr. President, I have shown the facts to prove Mr. Pearson's charges are untrue.

I do not know the reason for Mr. Pearson's attacks on me.

But I believe his readers will be interested in the truth regarding these incidents.

Mr. President, while I am disturbed about the attacks made upon me personally by Mr. Pearson, I am equally disturbed about the aspersions cast upon the various peoples of Hawaii.

Although his column, which appeared in the Washington Post on September 5, is obstensibly devoted to Hawaii's multiracial harmony, Mr. Pearson proceeded to slander specific racial groups.

In one sentence, Mr. Pearson said the people of Hawaii have "accomplished a miracle of human relations." Yet in the same column he said "Japanese discrimination against whites is nothing, however, compared with the discrimination between Japanese and Chinese." He gave no substantiation for discrimination between Japanese and Chinese except for his attack on me which I have already proved is without foundation.

Contrary to the impressions given in the column, amicable relations between these races are the rule, not the exception. Residents not only of these ethnic groups but of all groups work together, play together, and live together harmoniously in Hawaii.

Mr. Pearson is also grossly unfair and offensive when he accuses the older Japanese of watching "with disapproval the enlistment of their sons in the American army." He also slanders them when he adds:

> What finally won over the older generation, however, was social security. When the pension checks began coming in and they found that their adopted country was supporting them in their old age, they decided it was a great place.

To say that the older generation of Japanese was won over to the United States because of social security—as Mr. Pearson did—is an affront to this group who gave not only their sons to this country's defense but also gave the best years of their lives to help build the prosperous Hawaii of today. They cast their lot with America a long time before social security.

In World War II, after Pearl Harbor, the Japanese immigrant parents in Hawaii encouraged their American-born sons to volunteer for military service. It was with great pride and a deep sense of gratitude to their adopted country that the older Japanese urged their sons to take up arms for the United States.

Their loyalty and patriotism come not from social security checks but from the fact that the immigrant peoples adopted the United States as their country when their children were born as American citizens, were educated in American schools, grew up as Americans and, when put to a test, willingly served in American uniform as a demonstration of their devotion to the country which offered them opportunity and advancement.

In 1943, when the War Department authorized the formation of the 442d Regimental Combat Team, to be composed of all American-Japanese, the call went out for 2,500 volunteers in Hawaii. Five times that number of American-Japanese from the islands responded.

The record of the 442d as well as that of other Hawaii servicemen proved outstanding and proved beyond doubt the complete loyalty and patriotism of Hawaii's people.

I denounce Mr. Pearson's slanders.

Mr. President, so that the record may be complete, I ask unanimous consent to have printed at this point several news articles containing Mr. Pearson's charges and my published answers.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin, Sept. 4, 1967]

FONG DENIES CHARGES BY PEARSON

Washington columnist Drew Pearson has charged Sen. Hiram L. Fong with conflict of interest in a Senate anti-trust committee investigation of credit life insurance.

Fong is president of Finance Factors, Ltd. and the Grand Pacific Life Insurance Co., Ltd. He denied this morning that he has done or plans to do anything wrong.

"What he is charging me with is being a member of the committee," Fong said. Fong is home for the Senate's Labor Day recess.

Pearson made his charges in a television interview he taped while in Hawaii on vacation. The interview which also featured Lt. Gov. Thomas P. Gill, was shown yesterday morning on KHVH-TV.

The Senate Anti-Trust Committee, on which Fong sits, is investigating credit life insurance.

This is life insurance sold to a man who takes out a loan. If the borrower should die before paying back the loan in full, the credit life insurance will pay off the unpaid balance.

Finance Factors is one of Hawaii's largest home-grown small loan companies. Fong said this morning that Grand Pacific Life sells credit life insurance as an underwriter, not as an agent of another company.

Pearson said Fong's votes as a member of the Senate Anti-Trust Committee "on the whole have been pretty good."

But now that the committee is investigating credit life insurance, Pearson said, Fong "has a conflict of interest . . . and I think he ought to get off the committee."

Pearson said later on the show that he did not think members of Congress should always disqualify themselves from voting because of a conflict of interest—and gave the example of a farmer voting on farm legislation. He said that he thought the conflict should be declared, however.

Pearson said he plans to write a column about Fong's alleged conflict of interest when he gets more information.

Fong said the Senate committee has held hearings, but there have been no votes.

"Where is the conflict of interest?" he asked.

"Before you can charge a man with conflict of interest, that man has to do something.

"Our committee has listened to evidence, but other than that we haven't done anything.

"The chairman has not presented any bill for a vote. Until there is a vote, there is no conflict."

Fong said he does not plan to vote if a bill is presented.

"I'm the president of an insurance company, so if a measure is presented for a vote, I would say: 'I have an interest in this. I don't care to vote.' "

Fong said Pearson had no grounds for suggesting that he resign his seat on the Antitrust Committee.

"No matter what committee I'm on, there'll be things that could amount to a conflict of interest," he said.

"The important thing is that I declare an interest and step aside when the matter comes up for action.

"Pearson would probably like to see me just get out of Washington."

Fong said it was typical of Pearson to "touch on a subject and in so doing falsely accuse somebody of wrong-doing."

Pearson also claimed that Fong had operated slot machines on Okinawa but "he says he didn't know about it at the time. He says someone else was running them for him."

Fong said this morning that "I don't know anything about slot machines on Okinawa."

[From the Honolulu Advertiser, Sept. 4, 1967]

SENATOR HITS BACK—PEARSON TAKES SLAP AT FONG

Washington columnist Drew Pearson yesterday charged Hawaii Sen. Hiram L. Fong with conflict of interest in a Senate antitrust committee's investigation of credit investment companies.

Pearson, who was vacationing in Hawaii the past month, made his remarks in a pretaped television interview shown over KHVH-TV yesterday morning.

Pearson said Fong was a member of the Senate Antitrust Committee, "where his votes on the whole have been pretty good.

"But now that they're investigating credit and credit investment companies, he has a conflict of interest . . . and I think he ought to get off the committee."

Asked if he planned to write a column on Fong's alleged conflict of interest, Pearson replied: "I intend to when I get more information."

Fong is president of Finance Factors.

In answer to Pearson's charges, Fong, home for the Labor Day recess, said:

"Our committee has held hearings, but there have been no votes. Where is the conflict of interest?

"Before you can charge a man with conflict of interest, that man has to do something.

"Our committee has listened to evidence, but other than that we haven't done anything.

"The chairman has not presented any bill for a vote.

"Until there is a vote, there is no conflict."

Fong said he does not plan to vote if a bill is presented.

"I'm the president of an insurance company, so if a measure is presented for a vote, I would say: 'I have an interest in this. I don't care to vote.' "

Fong said Pearson was absurd in suggesting he resign from the Antitrust Committee.

"No matter what committee I'm on, there'll be things that could amount to a conflict of interest," he said.

"The important thing is that I declare an interest and step aside when the matter comes up for action.

"Pearson would probably like to see me just get out of Washington."

Fong said it was typical of Pearson to "touch on a subject and in so doing falsely accuse somebody of wrongdoing."

Along with Lt. Gov. Thomas P. Gill, who also appeared on the show, Pearson charged that Fong formerly operated slot machines on Okinawa.

Said Pearson: "He admits he used to run slot machines there, but he says he didn't know about it at the time. He says someone else was running them for him."

To this, Fong replied:

"I don't know anything about slot machines, I don't know anything about Okinawa.

"His charge is the farthest thing from the truth."

Pearson said the press has not always been vigilant in exposing the unethical conduct of public officials.

Referring to the case of Sen. Thomas Dodd of Connecticut he said:

"When we first exposed Senator Dodd, some Connecticut newspapers blacked us out. Even today, some newspapers there have not really told the story of Senator Dodd.

"The press is usually good, but when it comes to exposing a hometown boy, it's not so good."

He said the executive branch of government in the United States is one of the most honest in the world, but that the same could not be said of Congress.

Although he refused to give names, Pearson said there are "probably three senators in Dodd's category."

Asked whether one of them is from Hawaii, Pearson at first replied: "I'm not going to comment on that." But he later added, "No, I don't think so."

Pearson said the fact that Harlem Rep. Adam Clayton Powell was expelled from the House while Dodd was only censured in the Senate indicates that there is a double standard of ethics.

"Powell was not as bad as Dodd," Pearson said. "He was just more flagrant. The chief difference between them is that Dodd was kind to his wife."

HAWAII: A MODEL IN RACE RELATIONS

(By Drew Pearson)

HONOLULU.—The sombre graveyard of sunken ships long ago has been cleared out of Pearl Harbor, but the battleship Arizona still sticks its grim superstructure above the water, and the headquarters building at Hickam Field is still pockmarked with bullet holes from Japanese bombers which flew low on that fateful day in December 26 years ago.

Every so often a new Air Force commander, arriving at Hickham Field determines to put a coat of plaster over the holes of the headquarters building. But his new broom never has a chance to sweep clean. Such a protest comes from the residents of Honolulu, both civilian and military, that the pockmarked walls are allowed to remain.

Despite these reminders of an attack which aroused people to a white heat of hatred, the people who live and work around these grim reminders have accomplished a miracle of human relations.

In no city of the United States have so many people of so many different races, some of them from countries at war with each other, lived so harmoniously together.

SKEPTICAL OLDER JAPANESE

When Congress was considering Hawaii for statehood, critics claimed the Japanese, Chinese, Portuguese and Philippine population would jar with the predominantly Caucasian race of the United States. Today, it's the mainland that has seen bitter big-city race riots, while the many races of Hawaii, now eight years a State, have set an example of racial understanding.

This has not been easy. Rivalries and national jealousies are not subdued by accident. It takes education, understanding and the passage of time. The older Japanese, for instance, watched with disapproval the enlistment of their sons in the American Army. And after the war was over, they could not realize that Japan had been defeated.

What finally won over the older generation, however, was Social Security. When the pension checks began coming in and they found that their adopted country was supporting them in their old age, they decided it was a great place.

What's happened in Hawaii is a healthy reversal of what's happening on the mainland. In Detroit, Newark, and other big cities, it's the young Negro who is the disillusioned troublemaker. In Hawaii, it's the young generation which is building up a loyal citizenry, setting an example of racial understanding.

All this has not been accomplished without some interesting friction, such as when James Michener, the famed novelist, was denied the right to buy a home in a white neighborhood because he had married a Japanese. This exclusion has largely vanished. Today it's the Japanese who sometimes bar white home buyers or who discriminate against whites in job hiring.

CHINESE VERSUS JAPANESE

Japanese discrimination against whites is nothing, however, compared with the discrimination between Japanese and Chinese.

When Sen. Hiram Fong, a Republican and one of the major investment brokers in the islands, was notified that his son, Hiram Jr., had married Janet Nishino in Reno last Dec. 23, his comment was not conducive to better race relations. Miss Nishino was a former Cherry Blossom Princess and came from a good Japanese family.

That made no difference to Sen. Fong. He hopped on a plane to Reno that same day—too late, however.

The Chinese comprise only 5 per cent of the population, yet do a major part of the big business. An illustration is Chinn Ho, whose grandfather came to Hawaii in the 1870s, whose father was born about a mile from famed Waikiki Beach and who has now built in Waikiki a 1400-room hotel, the Ilikai, and is building another.

Land on which his hotel stands was offered to Chinn Ho by the Bishop estate in 1955 for $2.25 a foot. He turned it down. But in 1961 he bought it for $25 a foot. Today it would sell for $50 a foot.

That's the fabulous success story of Chinn Ho and the fabulous success story of Hawaii. The success of the former is wrapped up in the success of the latter, and Hawaii's amazing development has come with statehood, which guaranteed the future, and with the sympathetic understanding among the islands many races.

HAWAIIAN-GO-ROUND

In the Island of Maui, crime is almost non-existent. Lt. Leslie Medaris, chief of police of Hana, hasn't put a man in jail for about a year. His few arrests are for drunkenness and he merely tells the culprit to appear before the judge next morning . . . But in Honolulu the crime rate is rising. Highest crime is among the part-Hawaiians, who live in the poorest sections of the city. Pure Hawaiians, only about one per cent of the population and considered royalty, are admitted to the swank Pacific Club, Oahu Country Club and the Outrigger Canoe Club. Other orientals are not admitted. This caused Gov. John Burns to turn down membership in the Pacific Club.

[From the Honolulu Advertiser, Sept. 6, 1967]

FONG'S REPLY TO PEARSON: "IT'S A BALD-FACED LIE"

U.S. Sen. Hiram L. Fong yesterday called "a bald-faced lie" Washington columnist Drew Pearson's statement that Fong tried to stop his son's marriage to a girl of Japanese descent.

Fong, who is of Chinese ancestry, was asked about Pearson's remarks in a syndicated column in the Honolulu Star-Bulletin and other newspapers on Monday.

Pearson, writing on race relations in Hawaii, said that when Fong was notified of the marriage of Hiram Fong, Jr., to Janet Nishino last Dec. 23 in Reno "his (Fong's) comment was not conducive to better race relations."

"All of Hawaii will vouch for me that it's a baldfaced lie," Fong said. 'He wrote that I 'hopped a plane to Reno' to try to stop it."

Fong was silent a moment.

"This is so absurd that sometimes you don't want to dignify such a thing with an answer. But it was like this. My son was on a furlough of a week or so and wanted to take his bride with him when he went back to the Army.

"I gave him a big check just before he took off. If I had gone to Reno, the whole State would have known. The people here know when I'm home, when I'm in Washington or in Honolulu or in Iran."

Much of Pearson's column praised the racial harmony in Hawaii. But he said many Americans of Chinese ancestry are opposed to their children marrying persons of Japanese descent.

"In one breath he talks of the harmony between races here, and in the next he gives the dagger," Fong said.

"I have a nephew who's married to a fine girl of Japanese descent and a niece who is married to a fine boy of Japanese descent.

"One of my brothers married a Caucasian-Hawaiian and another married a person of Korean descent.

"Who am I to say that I'm better than anyone else or that my race is better than another?

"It's a bald-faced lie."

Fong is home for the 10-day Labor Day recess of Congress. He will return to Washington Sunday.

[From the Honolulu Star-Bulletin, Sept. 6, 1967]

FONG SAYS POLITICAL MOTIVE IS BEHIND PEARSON'S ATTACK

Senator Hiram L. Fong said today that he thinks columnist Drew Pearson may be trying to keep him "from running for public office."

Fong was commenting on critical references made by Pearson in his column in the Star-Bulletin Monday. Pearson wrote the column while vacationing in Hawaii. In it he said that Fong had attempted to stop his son's marriage to a girl of Japanese ancestry.

Fong said today:

"Maybe he (Pearson) came here and found that somebody is aspiring to a certain public office and started a campaign to keep me from running."

The senator declined to specify whether he was speaking of the next race for governor or re-election to the U.S. Senate.

He has often been rumored as a potential contender in the 1970 gubernatorial race if Lt. Gov. Thomas P. Gill decides to seek that office.

Pearson's column, accused Fong of attempting to stop the marriage of his son, Hiram Jr., to the former Janet Nishino.

Fong today called the accusation "insidious."

"There's nothing to what Pearson said. I don't know where such a thing would come from.

"It's a bald-faced lie," he said.

Pearson's column was generally complimentary to race relations in Hawaii.

But it said that Fong flew to Reno last December to try to stop the wedding. Fong says he did not.

So does his daughter-in-law, who thinks her in-laws are "just wonderful people."

"No one tried to prevent our marriage," the schoolteacher said an interview at Farrington High School, where she teaches Japanese.

She received her degree in secondary education at the University of Hawaii in June.

Only a handful of very close friends were told beforehand about the young couple's marriage last December.

"We didn't even tell my relatives," Mrs. Fong said.

"The Fongs have been wonderful about the surprise marriage.

"They have accepted me as a part of their family."

The Fong and Nishino families have met socially several times since the marriage, she said.

Today Fong said that he and his wife have had "a very fine and excellent relationship" with their daughter-in-law during the five days Fong has been home on a Labor Day vacation from Congress.

"We have had dinner with our fine and lovely daughter-in-law. My son is very happy in Vietnam (where he serves with the Army) and he writes his wife every day," Fong said.

Drew Pearson today said he had no political motivations in writing of Sen. Hiram Fong in a recent column.

"My story was a factual one, and I have no interest in Senator Fong's election or political future . . . ," Pearson said in a telephone interview.

"I have no animosity against Senator Fong.

"I did not even know he was up for re-election," Pearson said.

[From the Washington Post, Sept. 10, 1967]

BUSY SENATOR FONG

Sen. Hiram Fong (R-Hawaii), the first Chinese-American ever elected to the Senate, is in a conflict-of-interest position as a result of his far-flung small loan business.

Sen. Fong is one of the busiest small loan operators in the Hawaiian islands and also operates insurance companies, believing one hand should wash the other.

When you borrow from Finance Factors Limited, one of Fong's small loan companies, you also take out insurance to protect your loan with Grand Pacific Life Insurance Co. Limited, "President Hiram L. Fong." And you pay through the nose.

The Bank of Hawaii charges only 50 cents per $100 for insurance to protect repayment of the loan, but Sen. Fong's company charges $1.50.

Sen. Fong is a member of the Senate Judiciary Committee and of the Antitrust Subcommittee under Sen. Philip Hart (D-Mich.) which has been investigating claims that consumers pay $170 million too much for the same type of credit life insurance on loans that Sen. Fong is selling through his insurance company in Hawaii.

In other words, Sen. Fong sits on the subcommittee which is investigating the type of operation practiced by Sen. Fong.

[From the Washington Post, Sept. 11, 1967]

CREDIT LIFE INSURANCE

The charge for Credit Life Insurance on a $100 loan by Finance Factors, Ltd., is $1 and not $1.50 as stated in Drew Pearson's column. The $1 charge is the prevailing rate for Credit Life Insurance charged by the greater majority of the 180 industrial loan licensees in the State of Hawaii.

Two of the larger banks in Honolulu also charge $1 on a $100 loan. Another bank charges more than $1.

Mr. Arthur M. Bauckham, vice president of Provident Alliance Insurance Company, Ltd., a Hawaii corporation which writes or re-insures Credit Life Insurance in 47 States, recently issued a news release to the Honolulu Star-Bulletin.

Mr. Bauckham stated that his survey of charges of rates in the 47 States in which Provident writes insurance shows the rates to be as follows:

$2 per $100 of insurance in 3 States,
$1 per $100 of insurance in 23 States,
$.90 per $100 of insurance in 1 State,
$.75 per $100 of insurance in 10 States,
Under $.75 per $100 of insurance in 10 States.

The charge of $1, which is generally the prevailing rate for credit life insurance in the State of Hawaii, has been in existence long before Finance Factors, Ltd., began business as an industrial loan company. Hence, upon entry into the industrial loan field, Finance Factors, Ltd., adopted the rate which was in existence.

Credit life insurance is purely voluntary. Only 25 per cent of Finance Factors loan portfolio is covered by credit life insurance.

Credit Life is a very small portion of the business of Grand Pacific Life Insurance Company which is owned by 429 stockholders.

The Antitrust Subcommittee of the Senate Judiciary Committee has been listening to witnesses on Credit Life Insurance charges. Although I am a member of the Subcommittee, I have not, as stated by Mr. Pearson, "gotten himself in a conflict of interest position."

The Committee has not presented anything for decision. Without action on my part, there can be no conflict of interest. Should the Committee members be called upon to act, I will refrain from voting.

HIRAM L. FONG.

EASTMAN KODAK BFE TRAINING PROGRAM FOR WORKERS' EDUCATION

Mr. JAVITS. Mr. President, the perennial and perplexing problem of matching manpower and job openings is constantly being met in new ways. The solutions, of course, are not overnight productions, nor are they always so dramatic as we might wish. Yet, progress is being made through effective public and private partnerships, and I am pleased today to report on one encouraging example.

The Eastman Kodak Co., in Rochester, N.Y., in recognition that one of the biggest barriers to some employees being advanced to higher skilled jobs is in the absence of basic educational grounding, is conducting a training program to help such employees to clear this hurdle.

To provide instruction in the rudiments of reading, writing, and arithmetic sufficient to qualify for entrance into skilled trades apprenticeship, Kodak asked the Board for Fundamental Education to establish a curriculum. BFE is a congressionally chartered, non-profit organization that designs and develops self-help programs to raise the living standards of undereducated men and women.

The impressive results which the Kodak-BFE program have produced are reported in an article appearing in the July–August 1967 issue of Personnel, published by the American Management Association, Inc. The article's author is Lee S. Gassler, Director of the Industrial Relations Division at Kodak Park.

Mr. President, so that others may benefit from this accounting of how Eastman Kodak Co. is meeting the problem of the undereducated worker, I ask unanimous consent that Mr. Gassler's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW COMPANIES ARE HELPING THE UNDEREDUCATED WORKER

(By Lee S. Gassler)

There are ten million of what educators call "functional illiterates" in America today. They may not be able to read or write, or they may have only a rudimentary grasp of these skills that most of us take for granted. They are the "disadvantaged"—and we, as well as they, pay the price for their lack of fundamental education.

The undereducated worker is often unable to get over even the first hurdle in obtaining a decent job in our technically oriented society. A simple employment application holds terror for someone who can neither read the questions nor write the answers required by the form. Saddled with his inability to comprehend or communicate the written word, he loses another job even before he has begun.

Today, a growing number of companies are doing something to help these "unemployables" who are unable to qualify for any jobs at all, or at best can work only at the lowest levels of manual labor. Their motives are not entirely altruistic, of course; by developing and implementing programs to upgrade otherwise unqualified individuals, movement upward at all levels of the organization is facilitated, thereby helping to alleviate the more critical shortages in higher-skill jobs. There is little doubt, however, that both the community and the individuals concerned are the major beneficiaries of these educational programs.

Some of the companies conducting basic education programs set up and conduct the courses with their own personnel as trainers; others get aid from outside sources, such as local school systems. The program developed at Eastman Kodak Company provides a good example of the way in which many top companies are upgrading workers' basic skills to enable them to handle the more complex and sophisticated jobs created by today's technology.

Training programs are nothing new in industry, of course. Like most industrial companies, Kodak had long been involved in preparing workers for more highly skilled jobs. In 1962, Kodak was one of the first companies volunteering to join "Plans for Progress," the late President Kennedy's program to promote equal opportunity employment, and in 1964 the company embarked on its first experimental program aimed beyond the objectives of normal industrial training. Beginning with an initial class of fifteen trainees, the program had a specific target: to bring these men in one year to a level that would enable them to meet the entry requirements for the company's long-established skilled trades apprentice training program.

In addition to the regular on-the-job training, the group received 221 hours of special classroom instruction. This included 80 hours of mathematics; a minimum of 14 hours of writing; 15 hours of reading; 56 hours of blueprint reading; and 56 hours of mechanical comprehension. Essentially the same program was repeated in 1965.

Nevertheless, many men were still out of reach of such training, and the teachers, who had been selected from the Kodak Park training department staff, recognized that a better approach was needed. Differences between individual trainees made a tutorial effort necessary to maintain some semblance of balance within the groups, and it became clear that some method of accelerating the learning process on an individual basis would increase the effectiveness of the program.

Using the first two years as a guide, Kodak carried the plan one step further early in 1966, by doubling the number of trade trainees to 36 and starting a new laboratory training program for 16 people. An outside agency was asked to carry on the program for upgrading the basic abilities of those who lacked the necessary education, skills, and experience. The program was to include provision for such training for both new people and individuals already employed by the company.

In the past, other companies have experimented with forms of training beyond the scope of their immediate job needs. Seldom, however, had anyone set about recruiting, interviewing, selecting, and training people from a known unproductive labor source for entry-level jobs with a meaningful future. Nonetheless, this was the main objective when the Indianapolis-based Board for Fundamental Education (BFE) was asked by Kodak to provide instruction in the basic skills of communication and arithmetic.

WHAT IS BFE?

The Board for Fundamental Education, founded in 1948, is a non-profit, non-sectarian national organization which was granted a charter by Congress in 1954. Through an action-oriented research and demonstration program, BFE develops and implements innovative programs designed to raise the standards of living and aspirations of the undereducated. The organization is directing programs in 29 states in the broad areas of education, housing, employment, and health in both the rural and urban environments. Presently emphasizing adult education, BFE currently enjoys a total enrollment in classes throughout the country of 25,000. More than 80,000 persons have benefited from BFE instruction.

Guided by a board of directors made up of leaders in business, education, and public life, BFE has a long and continuous history of successful experiences in the service of people characterized by (1) little or no formal education; (2) subsistence living; (3) lack of knowledge, skills, and abilities to make it possible for them to effectively secure happiness and security in modern life situation and (4) a fatalistic view of life wrought from frustration. Convinced that lasting improvement is rooted in man's self esteem and pride, and that gains are made in proportion to man's personal investment in his own welfare, BFE structures every program around the concept of self-help.

Traditionally extending service through established channels at the community level, BFE entered into an active partnership with industry during 1965, when the organization designed an education program to be used by industry to raise the academic levels of workers who found it impossible to advance because of deficiencies in basic skills. Kodak joined a list of top firms employing the services of BFE.

The challenge in the Kodak program focused on opening doors to richer futures for people who have something—often a great deal—to offer, but who haven't been afforded the opportunity to utilize their potential. Lacking the critical skills of basic communication or the elementary ability to do simple arithmetic, they find it especially difficult to qualify for even the lowest level of work in a technical industry. The result is that nearly all the people selected have been underemployed or unemployed most of their working lives.

REACHING THE UNDEREDUCATED

The BFE adult education program employs at its core a highly specialized set of techniques and materials developed by BFE for exclusive use among older youth and adults. Called System for Success, the program is designed to raise students four complete grade levels within 150 classroom hours. Central to the program are sophisticated communication and motivation techniques that make it possible for BFE instructors to reach the undereducated.

While the company continues to operate the many specialized training programs necessary to provide skilled workers for a large and complex industrial organization, BFE provides training in basic education. The company is directly concerned with training people to run machines and processes, work in chemical laboratories, or function as a skilled craftsman; BFE wants to help the individual to read a newspaper, write a letter, know that an item in a store that's ballyhooed as a bargain at four for a dollar is more expensive than the same item selling at 23 cents each. Satisfied that this approach offered some hope for both the company's problem of a shortage of skilled help and the community's dilemma of a burgeoning population of unemployables, Kodak set about implementing its plan.

LEARNING TO SUCCEED

Early in the game it was recognized that nondiscrimination in and of itself is not enough to insure equal job opportunity. Men who have repeatedly failed throughout their lives need help to extricate themselves from the "failure syndrome." They know what it's like to fail; now they have to be shown what it is to succeed. In Rochester, where Kodak is headquartered, agencies and groups concerned with minority problems welcomed the opportunity to help. Kodak sent out letters to eleven organizations asking for referrals. The response was immediate and continuing. Since the program began, 125 persons have found work at Kodak. Three out of four of them needed BFE; the others were selected for regular employment.

In addition to those referred by the various agencies, other people found their way into the BFE program through the normal hiring channels. Once accepted for employment, individuals who seemed in need of some form of basic educational services were tested. Use of the Standard Achievement Test, Intermediate Battery Number II (the word meaning and arithmetic computation subtests) helped to determine initial placement in the program and to measure accomplishments upon completion.

A GROUP PROFILE

Besides the test, other criteria were used to select candidates: (a) high motivation to achieve a better life for themselves and their families; (b) an environmental background that deprived them in some way of the opportunity to develop their latent abilities; (c) a present state of unemployment; and (d) underachievement or incompleteness in their formal education.

A group profile showed strong similarities in background, but the candidates were still individual human beings. They responded to different stimuli and they learned at differing rates of speed and with greater or lesser retention. Ages ranged from 18 to 31 in the new employees group, and 21 to 58 among those already employed. A large percentage, but not all, were non-whites. Some were school dropouts. They had worked as carhops, dishwashers, and laborers—all jobs with a minimum growth potential. For many of them it was their first exposure to a major industrial environment.

Two BFE instructors (there are now four) were assigned the first group of 27 trainees under the program. They brought with them a uniform concern for teaching and a genuine desire to be of help to others. All had backgrounds in social work and counseling. Since they were recruited locally by BFE, each also had some feel for local conditions and some awareness of area problems. Most important, each appreciated and understood the philosophy under which they were to teach. The method's essential elements are these:

1. Elimination of the competitive classroom situation that causes students such as these—already the recipients of too much failure—to doubt their abilities, thus inhibiting their thinking.

2. Symposium-style classes with every one looking at faces, watching eyes, catching facial expressions, and understanding a speaker's use of his hands as he talks. "No one is looking at the back of anyone's head," is the way one BFE instructor put it, so that communication is personal and highly animate.

3. Individual involvement, every class session, with the teacher acting more as a moderator and the students teaching one another.

4. "A success every day, no matter how small or insignificant it may seem to someone else." Here the instructor plays perhaps his most important role—that of reassuring the trainee on a regular basis that he is making progress.

5. No presuppositions about the student's mental ability or academic status, thus permitting him to start where he is with what he has. As he successfully completes the work for each class period, he can bypass material that he already knows and review lessons that he did not retain.

6. High-interest material that focuses the student's attention on everyday adult situations.

THE TRAINING PROGRAM

Once a trainee has been selected, he moves into a specific work category that will in some way benefit the company, usually a job that gives him a feel for an industrial environment and acquaints him with the company's way of doing things, its products and philosophy, and its over-all objectives. As a worker who, because of poor background, could not meet normal entry-level requirements, the new employee goes into one of five programs:

Trade Trainee: a program that prepares individuals to qualify for the skilled trades as apprentices or by direct on-the-job training in the field.

Trade Handyman Trainee: a program that prepares people to qualify as handymen in the skilled trades field.

Production Handyman Trainee: a program in which men gain experience to qualify for production or service-type jobs.

Laboratory Trainee: a program that prepares men for qualification as assistants in one of the company's many laboratories.

Construction Trainee: a program that provides on-the-job training in work related to the construction trades.

In the first two categories, trainees undergo five weeks of "hands-on" instruction before their assignment to either program. During this period they become familiar with hand tools and simple machine tools by doing real work in a real shop environment under the direction of three vocational training instructors. Their output, after the first introductory project is used just like anything else machined in the plant, and the same degree of quality expected of all company products is required. The teachers know their fields by having worked at them; their qualifications are measured not by degrees but by expertise.

The trainees spend six of their eight work hours daily at these on-the-job activities. For the remaining two hours a day, five days a week, the workers turn students. On company time they learn the three R's, starting in wherever their often limited schooling left off. Because of this, the program may vary anywhere up to 120 hours of classroom instruction per student for each of two levels of instruction.

Level I is designed to bring the undereducated adult or older youth from his pretraining test level to fifth grade. This facet of the program entails: (a) a reading section, which builds a sight vocabulary of up to 800 words and a usable vocabulary to upwards of 3,000 words; (b) practice reading selections taken from adult experiences, including selections from the *Reader's Digest* Science Series; and (c) an arithmetic section that teaches addition, subtraction, multiplication, and division in a vocabulary that is integrated with that of the reading section and oriented toward industrial experience.

Level II starts where Level I left off, working up to the 8th-grade level and beyond. Included are: (a) an expansion in usable vocabulary to upwards of 7,000 words; (b) basic mathematical instruction that teaches the student to solve problems using fractions, decimals, percentages, and graphs; and (c) examples and lessons that seek to foster principles of good citizenship and effective economic planning for the family.

Underlying both levels, and providing the self-involvement so necessary to motivate the undereducated individual, is the "learning team" concept, which permits the more advanced student to share responsibility for teaching the slower student. Besides helping the less able trainee, this experience provides leadership opportunity and training for many who have never acquired these necessary skills.

EMPLOYEES ALSO PARTICIPATE

Not all those limited in job preparation are from the ranks of the "unemployables." Some, because of foreign birth and the consequent language difficulty they encounter in coming to a new land, find themselves handicapped in their opportunity for career advancement by lack of fundamental communications skills. To compensate for this inequity, the BFE program was also made available to regular, full-time personnel of Eastman Kodak Company. Already, 44 such people, among them some with as much as 15 years of service, have graduated from one or another phase of the program, and still others are presently enrolled. These workers also take the prescribed reading and arithmetic tests to determine placement in the program. So they can get the full benefit of the program, the students still are offered up to 120 hours of instruction for each of the course's two levels.

ENCOURAGING RESULTS

Since the program was begun last fall, 152 people have qualified for some or all of the instruction offered by the company. Two classes—a total of 71 persons—have "tested out" and gone through the commencement exercises that accompany successful completion of the program. Preliminary results are encouraging; the program's future looks promising.

Taking the two groups—new trainee and regular employee—separately, results at the conclusion of training indicate:

Training Group.—with ages ranging from 18 to 31 and an average age of 23, showed improvement varying from 0.0 to 5.9 years in reading level, with an average reading level improvement of 1.4 years. Arithmetic improvement ranges from 0.4 to 5.2 years, with an average improvement of 3.0 years.

Regular Employee.—with participants ranging in age from 21 to 58 and an average age of 38, demonstrated progress varying from 0.3 to 6.2 years improvement in the reading level, with an average reading level improvement of 2.7 years. Arithmetic improvement varied from 0.0 to 8.2 years, with an average improvement of 4.0 years.

OTHER CRITERIA

In addition to "before" and "after" testing, other means were used to assay the worth of the program. The company had expected some problems in bringing people in from an environment where regular employment was not the norm and expecting them to quickly adhere to good attendance standards. There have been problems, but they have not been insurmountable. Lateness and absence problems have occurred, but they have been corrected by individual counseling, resulting in an over-all attendance picture that is better than might normally be expected. Considering such factors as the draft age of many of the participants in the program, the drop-out rate has been reasonable—less than 25 per cent.

Supervisory comment provides another gauge of the effectiveness of the program. Foremen who have men taking this instruction comment that they have noticed marked changes in attitude and over-all performance on the job. The trainees adjusted well to the work they were assigned and generally gave a good account of themselves. Occasionally, performance standards would slip, but offenders almost invariably responded well to counseling.

The three R's may seem out of place in the swirl of specialized training activities that go on nowadays in much of American industry. Still, the need exists for both trained and trainable workers, and perhaps industry, which each year takes in tens of thousands of new workers, is equipped to help solve at least part of what is both its own and the nation's growing problem—providing the necessary skills to man an increasingly complex industrial base.

Comments from instructors in the program add a human dimension to the discussion. Says one: "In the classroom we don't want to teach to empty chairs. We want something to happen between the ears. And believe me, when you give a person that second chance, he's not about to throw it away." Another instructor says: "The first week or so of classes in our program, some students hang around outside the classroom. They are not sure of themselves—because they remember the failures they experienced in their previous schooling. They don't know why they are there, and they visualize all sorts of horrible things, until they realize that they will learn here—where they didn't before—because they now want to learn."

Anything that enriches the life of one member of society helps society as a whole.

In this instance, men are learning to read and write. Later, they will be taught vocational skills to match their basic abilities. Along the way, they will pick up the more important skills of living that enable each of us to function in some meaningful manner—on the job, or off—and with some significant measure of achievement and individual dignity.

Regardless of the value of this program to the company—and it has been substantial—this is in itself a worthwhile accomplishment.

BALANCING OUR NATIONAL INTERESTS

Mr. KUCHEL. Mr. President, every American is acutely aware of the fact that many demands currently are being placed on the financial resources of this country. The awesome burden of financing a war thousands of miles away plus the growing demands of our domestic needs continue to strain our economic stability. The administration, in the hope of limiting a dangerously expanding budget deficit, now is proposing an extensive tax increase.

Today, more than ever before, the administration and the Congress have a responsibility to apply sound fiscal restraints where possible. But, at the same time, we cannot afford to recklessly cut any more than we can afford to recklessly spend. Programs which affect our national interests must be scrutinized carefully lest we carelessly sacrifice the future health of our Nation.

It has long been the established policy of this Nation that programs aimed at the exploration of space are inherently related to the national interest. Since the anxious days of Sputnik I, America has been engaged in a sometimes bitter and competitive struggle to be the first to reach the moon and explore the vast recesses of our universe. This Nation has an outstanding commitment and investment in this effort which must not be dismantled. Over $40 billion have gone into our space efforts—a substantial national investment dedicated to achieving certain announced objectives in space exploration: it involves jobs; it involves the economic stability of communities dependent on the aerospace industry; it involves an accumulation of knowledge and technology which can serve man not only in the conquest of space but in the achievement of peaceful goals here on earth.

For these reasons, I was greatly concerned over the recent action of the House of Representatives in substantially reducing appropriations for the National Aeronautics and Space Administration for fiscal year 1968. Of particular concern are the provisions which completely eliminate funds for programs involving advanced missions and the new Voyager project. The House also substantially reduced the funds aimed at continuing the effort to develop nuclear rockets. I do not quarrel with the fact that the financial burdens of our Nation may require a scaling down of various space projects, but I do question discretionary legislative action which may well jeopardize the very existence of such projects and with them, the investment and initiative which America has in a strong space program.

The Voyager program, for example, has been labeled by NASA as one of mankind's "most exciting endeavors in the search for knowledge and the exploration of the universe." It is a major new program aimed at placing spacecraft on the planet Mars by 1973. It will provide the first opportunity for man to obtain sufficiently detailed data concerning the planets of our solar system to permit a significant step in the understanding of planets and to apply this information to the earth itself.

In their recent report, the space science and technology panels of the President's Science Advisory Committee strongly recommended that planetary exploration be given a high priority in the post-Apollo period; the combination of the 1971 Mariner flights and the initiation of a continuing, major Voyager program represent effective translation of these recommendations into action. But the work of the House in completely eliminating funds for this program totally ignores these recommendations and further presents a number of serious implications to the Nation.

The deletion of Voyager may well mean a halt to the U.S. planetary program after Mariner Mars 1969; and thus abdication of the program to the Russians, who have launched 17 planetary missions to our five. Deferring action in 1968 means disbanding the Government and industry Voyager teams that have been building up and working for 6 years at substantial cost. To begin anew again in 2 years would involve substantially higher expenditures. Loss of the Voyager project would cost the Nation important technological information; information invaluable not only to future space programs but to such nonspace uses as medical care, education, transportation, resources management, and urban development.

Economically, the loss of the Voyager program will have a serious impact on the Nation, particularly in my own State of California. It has been reliably estimated that California will lose directly up to 4,000 new job opportunities, and indirectly may lose many, many more. With a number of current projects due to expire in the near future, a severe economic and scientific vacuum will afflict industries dependent on space activities. The financial blow alone will deprive my State of an investment of up to $150 million by 1971. These losses will be reflected on the economic picture of every community dependent on the jobs and money stimulated by the aerospace industry. It seems strange that action aimed at supposedly assisting the economy of the Nation may well have the ultimate effect of creating greater instability.

The objective of another NASA program eliminated by the House was aimed at providing a firm foundation for planning and selecting future manned space flight missions. The advanced missions program hoped to study in 1968 methods for updating the current plan for lunar exploration. Again, its deletion in fiscal 1968 will create a severe imbalance in the U.S. space program; one that can be translated into a serious loss of investment, jobs and technology.

The development of the NERVA nuclear rocket engine is an important step in assuring that this country will continue to exercise leadership in the space program in the years to come. The nuclear rocket is a major advance in propulsion capability. It will provide significant payload and operational benefits in a wide variety of possible heavy payload, high energy future missions, including manned planetary exploration. Close to $1 billion has already been put into the project. But the House slashed the recommended appropriation practically in half. Authorities at NASA indicate that there is just enough left to phase out the program itself. Again, in the name of fiscal responsibility, the House has not only undercut an important space program, but it has done so at the cost of hundreds of jobs at such California industries as Aerojet and Westinghouse. The ultimate consequence may well be fiscal irresponsibility.

Mr. President, let me reemphasize that I believe that current economic pressures may well dictate certain reductions in our space program. But we must, at the same time, balance our national interests. In this era of technological competition with every nation in the world, America cannot afford to suddenly and completely eliminate essential space programs nor substantially reduce others. Sufficient funds must be provided to allow, in the very least, for their continuation in the future. The point that must be remembered is that this Nation has invested too much in money, in people, and in technology, to now sacrifice the existence of valuable space programs in the search for fiscal restraints. I am hopeful, therefore, that the Senate Committee on Appropriations will weigh seriously the action of the House and will, in the end, provide necessary funds to continue programs vital to the protection of our national interests.

CHINA-WATCHING

Mr. McGEE. Mr. President, China-watching is becoming an increasingly complex, confusing, and yet popular pastime. For many, of course, it is an essential duty; for others a compelling challenge. Today, more than even before, perhaps, it is a puzzle. China is a puzzle, a picture of chaos. And this chaos makes it difficult indeed to predict with any confidence what the Peking regime might do with regard to the war in Vietnam. Chalmers Roberts, writing in the Washington Post of September 9, recalled the developments which led up to China's intervention in Korea in October 1950, and the underlying premises, largely based on that experience, which have given us some measure of confidence that China would not enter the war in Vietnam.

The question, of course, is whether China, in its present state of turmoil, can be logically analyzed. Perhaps there is no answer to that question, but Mr. Roberts has done an excellent job of framing it.

I ask unanimous consent that his article be printed in the RECORD.

There being no objection, the article

was ordered to be printed in the Record, as follows:

PREDICTING CHINA: KOREAN PRECEDENT

(By Chalmers M. Roberts)

The other day a Washington-based China watcher in discussing the mounting chaos in the world's most populous nation commented that "it's decreasing my confidence in my ability to predict what they will do." He was referring to the possibility of a Chinese takeover of Hong Kong and to a Chinese intervention in the Vietnam war.

The China watchers, both here and in Hong Kong, have been all but unanimous that Peking's financial gains from Hong Kong precluded any attempt to take over the British crown colony. Likewise, they have stood on the proposition that China will not enter the war as long as American troops do not invade North Vietnam and no attempt is made to destroy the regime of Ho Chi Minh.

In both cases the China watchers have credited the Peking rulers with rationality. It is the seeming irrationality of what is now going on in China which is beginning to shake some of them, though the premise is still official doctrine.

President Johnson is operating on the advice of the China watchers and for that reason he has rejected any thought of a Korean war-type Inchon landing behind North Vietnamese lines to wipe out the threat to the Marines. Likewise he has opposed area bombing in Hanoi where Ho and the other leaders live.

In short, the rule is to do nothing that the Chinese could interpret as threatening their vital interests. It was the mistake of posing such a threat in Korea that led to intervention by Chinese "volunteers," the historians generally agree.

It is worth noting that when the Chinese crossed the Yalu into Korea in October, 1950, the Assistant Secretary of State for Far Eastern Affairs was a man named Dean Rusk. As Secretary of State, Rusk has been quoted as saying that "I was among those who thought they would not come in. I was wrong."

It was Rusk who received the secret dispatch in which the Indian Ambassador in Peking reported, via New Delhi, that the Chinese Army Chief of Staff had told him on Sept. 25 that China would not "sit back with folded hands and let the Americans come up to the (Sino-Korean) border."

There were other warnings, too, though some were not as easy to decipher. Yet the allied forces did drive North and the American Ambassador at the United Nations declared on Sept. 30 that "the artificial barrier which has divided North and South Korea has no basis for existence either in law or in reason."

In late August and again on Sept. 24 the Chinese protested that American planes had violated their border by flying across the Yalu to strafe and otherwise engage in "criminal action."

In the current Vietnamese war the Chinese again have complained of American "intrusions" and have captured at least two American crew members. But there is no sign of any private threat to intervene. Indeed, the bulk of the China watchers believe that the Peking regime has told the North Vietnamese they must win the war on their own according to the doctrine of "wars of national liberation."

Thus in the current war the United States has been careful to admit air intrusions into China, to try to explain them as accidental and on occasion to offer Peking words of apology.

Furthermore, in 1950 the Chinese engaged in a massive redeployment of troops from central China to Manchuria. This occurred during a period of at least a month while China was passing its warnings.

In the case of Vietnam today, American officials have discovered no sign of troop movements and there are far better intelligence devices available than was the case 17 years ago. Furthermore, there is no sign that North Vietnamese forces are being devastated the way the North Korean forces were being destroyed in the march to the Yalu.

Thus it is the Korean parallel, and the steps taken by President Johnson and Rusk to avoid a repetition of the Korean errors, that provides the basis of confidence in Washington that China will not enter the war.

Rusk yesterday referred to the efforts "to move with prudence" but he also said that he could offer no "gold-plated guarantees" of nonintervention. In fact, the scene internally in China is beginning to nag at least some of the China watchers. If the chaos continues, they wonder, will the premises on which nonintervention has been built remain valid? The answer today, at least for some, is beginning to reach the "yes, but—" stage.

OPTIMISTIC STATEMENTS ABOUT THE WAR IN VIETNAM

Mr. FULBRIGHT. Mr. President, an interesting—perhaps incredible is a better word—juxtaposition of two articles occurs in the August 5 issue of the New Republic magazine. The first, entitled "Keep the Faith, Baby," is a brief partial catalog of various optimistic statements made about the war in Vietnam by Secretaries Rusk and McNamara from February 1963 through July 1967. I am always amazed, when I read the statements made in past years, how similar the encouraging words we hear now are to the encouraging words we have heard before—before thousands of Americans were being killed in action every year.

The second article—which stands in sharp contrast to the statements of the Secretaries of State and Defense—is entitled "A Kind of Coexistence With the Vietcong." Written by Francois Sully, it describes the situation in a district capital only 35 miles northeast of Saigon in war zone D which, according to Sully, "is Charley's more than ever."

Is Mr. Sully talking about the same war as Secretary Rusk and Secretary McNamara? I ask unanimous consent that the texts of both articles be printed in the Record, to show why I raise the question.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New Republic, Aug. 5, 1967]

KEEP THE FAITH, BABY

Dean Rusk, February 1, 1963: "There are some definitely encouraging elements. The ratio of casualties between Government and Viet Cong forces, the ratio of arms captured or lost between the two sides, the steady extension of the strategic-hamlet program, the increasingly effective work of the Montagnards along the border areas—all those indicate some turning in the situation."

Dean Rusk, February 13, 1963: "The momentum of the Communist drive has been stopped."

Dean Rusk, April 18, 1963: The South Vietnamese themselves are fighting their own battle, fighting well."

Dean Rusk, April 22, 1963: "There is a good basis for encouragement. The Vietnamese are on their way to success and need our help; not just our material help—they need that—but our sympathetic understanding and comradeship."

White House statement, October 2, 1963: "Secretary McNamara and General Taylor reported their judgment that the major part of the US military task can be completed by the end of 1965, although there may be a continuing requirement for a limited number of US training personnel."

Dean Rusk, November 8, 1963: "We believe that the present [Saigon] regime has moved promptly to consolidate public effort, that they will be able to resolve some of the internal difficulties that grew up, and that there will be a possibility that the people of that country will move in greater unity on behalf of the total effort."

Dean Rusk, February 24, 1964: "I think the resources and capabilities are there to get this job done on the present basis of assistance to the Vietnamese so that they themselves can handle this problem primarily with their own effort."

Dean Rusk, July 1, 1964: "I think they [the Viet Cong] have very serious problems—not only in fact, in terms of losses, disruptions, but in terms of morale. So I am not pessimistic about the situation."

Robert McNamara, November 19, 1963: ". . . Small numbers of the US personnel will be able to return by the end of this year."

Robert McNamara, February 3, 1964: "I am hopeful we can bring back additional numbers of men. I say this because I personally believe this is a war the Vietnamese must fight. . . . I don't believe we can take on that combat task for them."

Robert McNamara, May 14, 1964: I think on balance the number [US training personnel needed in Vietnam] is not likely to increase substantially."

Robert McNamara, November 30, 1965: "The most vital impression I'm bringing back [from Vietnam] is that we've stopped losing the war."

Dean Rusk, August 25, 1966: "We are beginning to see some signs of success of this strategy. The Viet Cong monsoon offensive, which we know from captured documents it was their intention to carry out during the period of May to October, has not materialized because of Westmoreland's tactics of carrying out spoiling operations based on intelligence he has received as to concentrations of Viet Cong. . . . The number of defections this year has doubled compared to the past year. No doubt this is a sign of erosion of morale."

Dean Rusk, January 1, 1967: "I do believe that one basis for optimism is that the other side must surely now understand that they are not going to succeed in seizing South Vietnam by force."

Dean Rusk, April 16, 1967: "I think we have seen some very favorable signs that we are making headway on the military side, but that does not mean that the war is just about over. . . . I must say that I have been impressed by the doubling of the rate of defectors from the other side."

Gen. Westmoreland, July 13, 1967: "During the past year tremendous progress has been made. . . . We have pushed the enemy farther and farther back into the jungles. . . . The ARVN troops are fighting much better than they were a year ago. . . . The number of defectors coming into the government has substantially increased. The ratio of enemy personnel killed to those killed by the enemy continues to increase. . . . It has doubled during the past year. . . . We have succeeded in attaining our objectives. . . . The enemy has not won a single, significant victory during the past year, despite the tremendous effort that he has put forth."

President Johnson, July 13, 1967: "Suffice it for me to say that we are generally pleased with the progress we have made militarily. We are very sure that we are on the right track."

Dean Rusk, July 19, 1967: "The other side is hurting, and they are hurting very badly."

Robert McNamara, July 21, 1967: [Since

last October] "substantial progress has been made in the political, economic and military area."

[From the New Republic, Aug. 5, 1967]

THIRTY-FIVE MILES FROM SAIGON: A KIND OF COEXISTENCE WITH THE VIETCONG

(By Francois Sully)

PHUOC VINH.—Only 35 miles northeast of Saigon, War Zone D is perhaps the oldest Viet Cong stronghold in South Vietnam. It sprawls over 700 square miles of uninhabited tropical forests and thorny bushes contained on three sides by the swift Song Be and Dong Nai Rivers, by abandoned highway 14 on the other. The humid fastness of War Zone D has been a training area for Viet Cong guerrillas recruited from the densely populated Mekong Delta provinces. Viet Cong battalions in the area have periodically raided South Vietnamese district capitals on the periphery of Zone D. Two years ago this month, the Viet Cong nearly captured the Special Forces camp at Dong Xoai, on the northern fringe of Zone D.

Fifteen years ago, the French carried out infantry sweeps in the same area. Five years ago, it was South Vietnamese paratroopers. Today, it is the turn of American heliborne troops, with the same results.

On July 27 guerrillas used a new rocket against Phuoc Vinh. This June, Phuoc Vinh was mortared for three consecutive nights and 17 helicopters were damaged on the 1st Brigade's airstrip, following which a Special Forces "Sigma Company" got into a vicious scrap with two Viet Cong battalions 20 miles north of Phuoc Vinh which were protecting the base camp of the battle-hardened Viet Cong 271st Regiment. It managed to extricate itself after losing the best part of a platoon of Cambodian and Chinese mercenaries. Colonel William B. Caldwell III, who commands the 1st (Black Spade) Brigade, says: "This has been Charley's country for a long time."

I helicoptered to Phuoc Vinh and hardly recognized the once sleepy provincial capital that I had visited five years ago—when no American soldier was in sight. To reach Phuoc Vinh by car in 1962, I had talked my way through a Viet Cong checkpoint. Only 500 yards away, a Vietnamese 5th Division convoy rumbled along a dirt road in vain pursuit of the enemy. Today, the surrounding War Zone D is Charley's more than ever. No one, unless he has a strong heart and is willing to pay a Viet Cong toll fee of 1,000 piastres ($8.50), rides Road 16 to Saigon anymore. Every month or so, the 1st Brigade sends troops, tanks and artillery to reopen the road for its convoys—a major operation involving four to five battalions of U.S. infantry, for the Viet Cong Phu Loi battalion is nearby. Blown-up bridges are repaired for the day.

An airstrip large enough to accommodate noisy four-engined C–130's and the helicopters of an army aviation battalion known as "The Vultures" has been built by U.S. army engineers at Phuoc Vinh. Even Air Vietnam's vintaged C–47's occasionally land here with officials and rice. The well-laid-out camp of the "Black Spade" 1st Brigade covers acres of red soil. There is a medical company, an ice plant, a U.S. army community center staffed by two pretty American girls and a Red Cross worker; and even a brigade radio station, manned by 22-year-old Mike Papale, a former disk jockey from San Antonio's KONO radio station. The hit tune among Phuoc Vinh's 5,000 healthy servicemen is "No Good to Cry" by the Wild Weeds. The half-dozen young Vietnamese waitresses passing excellent hamburgers at the officers club are well coiffed, flirtatious. Some, such as 18-year-old Le Nghi, are daughters of local hamlet officials. They earn twice as much, serving Americans, as their fathers serving the Saigon government. Of the 15,000 Vietnamese in the district (45 percent Catholics), 700 work for the Americans at such good wages that nearly a thousand plantation workers idled by the "accidental defoliation of their rubber trees by American aircraft have applied for work. Every day, the US medical company treats, free of charge, 40 Vietnamese patients.

Phuoc Vinh has been downgraded to the status of district capital, presumably because most of the surrounding real estate is controlled by the Viet Cong. A new officer, the short, stocky Major Luu Yem, 38, rules over the district with the help of some 800, rather passive provincial troops. Three of the largest hamlets a few miles south of Phuoc Vinh are under Viet Cong administration.

Not long ago, the Americans at Phuoc Vinh were alerted by a Vietnamese sergeant that guerrillas were roaming around the key bridge spanning the Song Be River, five miles south of Phuoc Vinh. The sergeant then hurriedly returned to the bridge to command his own men. Twenty minutes later, an American platoon dispatched to the scene discovered the sergeant on the bridge, his throat nearly severed by a knife. Evacuated by "dust-off helicopter to the nearest US army hospital, the Vietnamese sergeant, fearing for the life of his wife and children, refused to say which of his own men tried to kill him. American officers are reconciled to the fact that in the nearby village of Binh Co, the local ARVN outpost coexists with Viet Cong officials who rule the villagers. Said one US officer, "A status quo of sorts has been achieved and the hamlet does not give us trouble."

Tan Binh, largest hamlet of the district with 2,534 inhabitants, remains under Viet Cong control, and no effort is made to change the situation. American officers never leave camp without an armed escort and have little contact with Vietnamese who are not camp followers. Small groups of guerrillas ring the camp at night, laying an occasional claymore mine or a booby trap on tracks traveled by US sentries manning the listening posts. Only the Catholic villages immediately west of Phuoc Vinh are considered "pacified."

To earn the goodwill of villagers, the brigade's S–5 (civil affairs) officer provides rice and financial assistance to six local Vietnamese priests. Avoiding partisan politics, the brigade—at the suggestion of the district chief—has pledged its assistance to the construction of a large Buddhist temple. But the resident Buddhist monk seems to expect that Americans will do the work themselves. Says Captain Larry Walton, 35, from Columbus, Georgia, the brigade's able civil affairs officer, "The locals expect our aid as something due to them. They are not grateful for it. They fight among themselves every time we distribute relief commodities."

Still Phuoc Vinh has changed. A new ville with broad, if unpaved, avenues lined by freshly painted shops has sprouted from the ground. Every evening after chow, when the brigade is not on an operation, the ville is invaded by hundreds of young GI's staggering from one beer parlor to the next. For the more sophisticated there are fairly good restaurants (German, Chinese and French food), spanking new barber shops with manicure attendants, steam baths and even pretty masseuses. There are tailor shops, laundries and bazaars filled with the wares that soldiers in the field need; from boot polish to bright red Vietnamese candles. Some shops are owned by local officials' wives, but business is so brisk that Chinese merchants from Saigon have flocked to Phuoc Vinh. No one is more apprehensive than Phuoc Vinh's shopkeepers when the GI's leave their camp to fight the Viet Cong. As one put it to me, "I might lose some good customers."

Without the arrival of a US brigade, Phuoc Vinh undoubtedly would have been abandoned by the Saigon government—as other positions in the nearby Zone D have been. On the other hand, it is difficult to see what the preservation of Phuoc Vinh as a government-held enclave contributes to the war.

The great majority of Vietnamese officials have never been there, have no desire to go. The rubber plantations are deserted. The lumber trade is moribund. To become a camp follower or a Viet Cong seems the only choice offered the peasant. Security in the countryside is making no progress, mainly because Americans cannot be everywhere at the same time: in the villages and in War Zone D. American officers must choose between pacification and large-scale mobile operations against Viet Cong regiments and battalions. There will never be enough Americans to accomplish both missions concurrently.

SOYBEANS IN THE BRIERPATCH—ADDRESS BY SENATOR McGOVERN

Mr. MONDALE. Mr. President, last month the distinguished Senator from South Dakota [Mr. McGOVERN] made an extremely important and knowledgeable address to the National Soybean Processors Association meeting in Boyne Falls, Mich.

As a former director of the food-for-peace program under President John F. Kennedy, and as a presently acknowledged leader in agriculture in the U.S. Congress, Senator McGOVERN's views and insights are most instructive and valuable to the rest of us who serve in Congress. I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SOYBEANS IN THE GOVERNMENT BRIERPATCH

(An address by Senator GEORGE McGOVERN, Democrat, of South Dakota, before the National Soybean Processors Association, Boyne Falls, Mich., Aug. 7, 1967)

It is indeed a personal pleasure to meet with you in such pleasant surroundings. I'm honored that you are interested in the views of a Senator from a state which is relatively small in soybean production and which does not have a single processing plant. Noting the rapid expansion of your industry and the new plants going up all around, I've been hoping that one of you, or some newcomer, will be putting in a large soybean mill in South Dakota.

My state however, does have a splendid growth record—beyond the national average in soybean production. South Dakota climbed to 346,000 acres in 1966—more than double its 1960–64 average and increased to 370,000 acres in 1967.

Ahead of us is an even greater growth pattern for the soybean industry.

When I accepted your invitation some time ago, I picked up the then-current Outlook Issue of USDA's Fats and Oils Situation, and after looking at the optimistic forecasts, naturally concluded this would be an unusually easy assignment. I would be speaking to you at the end of another record year with new records for production; for processing; for consumption and for exports. With, I might add, a happy industry and happy government officials. Thus, it appeared that my task today would be easy, pleasant and mostly one of extending congratulations to one and all.

Later, as I began to make some mental and a few paper notes and to hear from some of you in trade and government circles that all was not as well as USDA—and some others—had predicted. Far from it. The more

I inquired and as time passed the worse it seemed to get!

Now this is not to imply total unfamiliarity with the soybean industry. I recall with a great deal of pleasure our association during the time of my service as Director, Food-for-Peace, on the staff of President Kennedy. Soybean oil and products were a bulwark in our efforts to feed hungry people abroad. You were then also selling large quantities of soybean oil abroad for dollars.

It is, I think, excusable for me to rely on the official government estimates in appraising a situation. In any event, I did accept them. I hear that so did too many others around the world including perhaps too many farmers who held their soybeans for too much for too long. I know you who contend for free markets will certainly justify the right of the farmer or of any nongovernment buyer or seller to exercise his right of market judgment for loss, or profit.

I would like to make it abundantly clear that there is no question as to the honesty or integrity of these estimates. After all, they are only estimates and conditions do change. I found that the major change had been the emergence of Russian sunflower seed oil as a really large supplier to many importing countries.

So there will be no misunderstanding, the USDA estimates I'm referring to called for a 535 million bushel crush, 275 million bushel exports and a nominal year-end carryover of about 50 million bushels of soybeans. These have, as you know, been successively reduced for both crush and exports. The latest estimate is for a 100- to 110-million-bushel carryover. From all I've heard, this too, may be overly optimistic.

It might be well to note that the "early season" estimates were published in mid-November. Also, that for the first time in some years, USDA did not present or publish its estimate of oil exports. I can only conclude that those charged with the responsibility of estimating the 1966–67 crush and exports were operating under a real handicap.

A little arithmetic gives, I think, a good comparison of the decline from unwarranted optimism to reality. Actually, it doesn't sound too bad when you say that the crush and export of soybeans is going to turn out to be only 7% or 8% under early season estimates. However, it becomes startling when translated into the fact that actual carryover is going to exceed the estimate by 100%, or more, and much of this carryover will be locked up in farm reseal by farmers and by a minimum CCC resale price of $2.86 per bushel in this month of August. It is also startling to note that the variance in crush and exports at the loan rate of $2.50 is somewhere between $150 and $200 million.

This must be a matter of grave concern to you, to farmers and to those of us in Congress interested in the welfare of the miracle growth crop, the farm economy, and U.S. balance of payments.

Secretary Freeman said recently that the two basic goals of farm policy are, "Better income for farmers. Balanced abundance for consumers. . . . A farm policy which sought one and not the other would be unrealistic. A farm policy which achieved one and not the other would be a failure."

Whether the current and indicated soybean situation is a failure under this definition is for each of us to reach his own conclusion. I certainly do not think it can be pointed to with pride as a success.

Perhaps I should again note that the really large quantity of Russian sunflower oil thrown on the market may have been an unforeseen factor and one on which no factual data were available when the estimates were made, or when price support and resale decisions were made. It is nevertheless clear that soybean products have been denied the flexibility to meet this challenge in world markets. This crop year the USSR has obtained nearly $100 million in foreign exchange from sales of sunoil and we all know with complete certainty this is not being used for the benefit of the free world, or for the benefit of the United States.

Let me now outline some of the reasons I think things went wrong in 1966–67. These are important, not to place responsibility or to criticize, but to prevent similar mistakes in the future. Fortunately, the mistakes are man-made and, as such, are subject to correction. I'm quite aware that in the immediate future, we all may be faced with choosing the lesser of several evils.

Disturbing to me and no doubt to others primarily concerned with the welfare of farmers was the well-known concern of the Administration early in the year that soybean oil and other farm prices might rise. Food-for-Peace oil shipments were just about halted. When issued they were handled on a piece-meal basis. I wonder if any of those taking such action ever paused to consider first that soyoil after literally years of depression had barely risen to the price ceiling levels of World War II. Or if they considered the equally important fact that when oil goes down, meal usually goes up. It did. Insofar as consumers are concerned, a meal price rise equivalent to an oil price decline can have a double-barreled effect on the cost-of-living index. This is true in the case of the dairy industry—one of your good customers for soybean meal. On the one hand, the policy to push down soyoil prices made for cheaper margarine in competition with butter. On the other hand, it pushed up the price of soybean meal which the dairyman buys.

With a soybean crop of 930 million bushels and with a processing industry operating far under capacity, I do not see how officials could conclude Food-for-Peace activity would unduly increase oil prices. It is much more logical to conclude that more oil exports would have led to more crush, to more soybean meal availability. In my judgment, and I concede it is now hindsight, the present difficult soybean situation might have been avoided by maintaining rather than cutting back oil export volume.

Recently, in my preparations for this speech, I read a copy of Pete McVay's U.S. Report to the IASC Congress. I commend it for careful study by each of you and by all of our government policy makers.

Certainly we do not want soybeans to go down the cotton road. Use of urea for feed has grown to where it is now equivalent to the meal from somewhere near 100 million bushels of soybeans, or the product of about 4 million acres. Terming urea "rayon feed" is appropriate and I would think this would register most strongly in the Cotton Belt where synthetic fibers and foreign competition have dethroned King Cotton. We do not want soybean products to follow the cotton path, but to regain and maintain their growth pattern.

Soybean products need to be hard competition in world markets. There is no reason why this country should hold another price umbrella over the world to foster and expand competitive production abroad. We should not be losing our dollar markets to Russian sunflower oil. We should not lose markets far from Europe to European soyoil produced from U.S. soybeans. Economics do not permit this and farm policies should not. It could be due to freight rates, to cartel operations abroad, or farm policies, or to a combination of these causes.

I understand your industry has called this situation to the attention of USDA—forcefully, I hope—and that you have offered full cooperation in seeking practical solutions which will benefit your industry, soybean farmers and farmer-feeders who have also been unduly penalized by too-high prices for soybean meal.

Aside from logic and rightness, I must admit to some concern over soybean meal prices because South Dakota is a large buyer of soybean meal.

Reaching a long-term solution is now going to be complicated by the Kennedy Round reduction in U.S. import duties. Slashing the relatively low tariff on sunflower oil by 50% can only add to the problems of the soybean industry, the cottonseed industry, and of the infant U.S. sunflower industry.

In closing, let me revert to the price of soybeans. We must have profitable farm prices. It may become necessary to develop a two-price system, as we have in wheat, feed grains, cotton and other commodities to maintain an adequate farm return and protect our dollar markets abroad. Prices to farmers can, if need be, be maintained by direct payments. Farm income can be handled by CCC oil buying, which could support price while permitting reasonable soymeal costs to feeders. Means exist for correction.

I know there has been some breakthrough on soybean yields and that your association is spending $500,000 on agronomic research to help improve farm per-acre returns. For the long-term, there are good prospects that soybean yields and improved per-acre soybean income will be attained at price levels permitting soybean products to return to hard competition in the world market place on their own.

No one can forecast with certainty when we will attain this happy state. I think in the meantime, we should use the tools at hand to restore soybean products to a competitive level.

This involves immediate government purchase of soybean oil. Meal will take care of itself. You should crush well over 600 million bushels in 1967–68. The oil purchased would be in addition to the charitable donations programs which I am proud to have had a hand in inaugurating, and could be used under Food-for-Peace programs, or sold in normal U.S. export markets at world market price.

Such an oil program promptly inaugurated could even correct the situation before the new crop and serve timely notice on some competing areas that the U.S. umbrella has been lowered.

In making this suggestion, I am not unmindful that soybeans have the lowest oil content of any oilseed—or if you prefer, the highest protein yield. This offers us a powerful lever against other competitive oil production, and an especially useful supply for the War Against Hunger which, in a very large part, is a war against protein deficiency which traps and locks the people of whole nations in a vicious cycle of malnutrition, illness and lethargy, and consequent inability to fight their own way unaided to a better economy and a better life.

ALF LANDON CELEBRATES 80TH BIRTHDAY

Mr. PEARSON. Mr. President, last month the National Educational Television Network broadcast a special interview with Alf Landon from his home in Topeka, Kans. Earlier this year, CBS Television broadcast a similar interview program. Within the past year, Mr. Landon has been the subject of national magazine articles. Last year Kansas State University at Manhattan inaugurated the Alf Landon lecture series. This program has already brought to the campus at Kansas State the major political figures of the Nation.

Mr. President, this type of attention, these tributes, is not particularly unusual, for it is often customary for us to pay tribute to a figure such as Mr.

Landon at this stage in his life for his past accomplishments. However, in this particular instance much more is involved. Although his past contributions are taken note of, this current attention to Mr. Landon is primarily because of his activities and contributions he is making today, and those he will be making tomorrow.

Mr. Landon has not sought public office since 1936, but he has never retired from public life. He has continued to contribute to the national dialog on the great public issues of the day. Most recently he has broken new ground with his discussions of American foreign policy, and he has continued to show originality and understanding of domestic issues such as those involving labor-management relations.

Thus, Mr. Landon receives this attention by the national news media primarily because of what he is saying and doing today. And it is particularly because of this that I want to call to the attention of my colleagues here in the Senate that Mr. Landon celebrated his 80th birthday on this September 9, and to take this opportunity to publicly wish him many more such celebrations.

ELECTION REFORM ACT OF 1967

The Senate resumed the consideration of the bill (S. 1880) to revise the Federal election laws, and for other purposes.

Mr. CURTIS. Mr. President, I ask for the yeas and nays on the pending amendment.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). There is not a sufficient second.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays on the Curtis amendment.

The yeas and nays were ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the rollcall vote on the Curtis amendment occur at 15 minutes before 2 o'clock this afternoon.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, now I ask unanimous consent that the pending amendment be temporarily laid aside.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. YARBOROUGH. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, my amendment reads as follows:

> On page 25 of the bill, renumber Section 214 to 214(a), and insert:
>
> "Section 214(b). In case of any conviction under this Act, where the punishment inflicted does not include imprisonment, such conviction shall be deemed a misdemeanor conviction only, and shall not carry with it a loss of citizenship."

Mr. President, this is almost universal law in the State courts under the State criminal system, but in Federal courts where a person may be convicted and fined only, if someone unwittingly violated the law on elections and pled guilty and paid a $50 fine, unless he had a very astute criminal lawyer as his counsel, he would not realize that he was losing his citizenship. He would lose it, and could have it restored only by the President of the United States, in person, signing a pardon.

I have been in the Senate for 10 years and I have known of only one unusual case of a person pardoned by the President. This man had committed an offense when he was a youth of 19. Since that time he had become a pillar of the community, an officer in many businesses; yet, only when he was 78 years of age was it possible to get him pardoned. They probably thought he was so old that he would not be able to commit any more offenses, so he was pardoned.

Mr. President, I think that our Federal criminal law system should be entirely overhauled in respect to the severe continuing punishment following a conviction. This is a great injustice in comparison with the system prevailing in the States. I hope that the distinguished Senator from Nevada, the Senator in charge of the bill, will accept my amendment.

Mr. LAUSCHE. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. LAUSCHE. I subscribe to the views just expressed by the Senator from Texas.

In my 10 years of service as Governor of Ohio, I was constantly pained by applications which came to my desk from young men who had committed a transgression early in their lives and then lived in rectitude and decency but found hanging over their heads this deprival of their citizenship rights.

Their letters to me would state something like this:

> When I was 19, I committed a felony. I am now 40 years old. I have lived a clean life. I have a wife and children. Yet I am still labeled as a disqualified citizen, deprived of my citizenship rights. Will you help me get a pardon?

Mr. President, that burden was with them until their death unless the Governor granted them a pardon. I have always felt that it was wrong, that there should be rectification of this kind of injustice.

It is my understanding that what the Senator from Texas is urging is in conformity with what I have just described to be a social wrong committed against someone who is forced to carry this black mark on his character until his death, or until a magnanimous Governor granted him a pardon.

I am happy to subscribe to the amendment of the Senator from Texas.

Mr. YARBOROUGH. I thank the distinguished Senator from Ohio. My experience came from being a district judge—a trial judge—in my State, in Austin, the State capital, in a court having both civil and criminal jurisdiction where felony cases were tried.

Mr. COOPER. Mr. President, will the Senator from Texas yield right there?

Mr. YARBOROUGH. I yield.

Mr. COOPER. Does the Senator's amendment apply to every section——

Mr. YARBOROUGH. Every part——

Mr. COOPER. Relating to penalties in this act?

Mr. YARBOROUGH. To every part of the bill, if there was no imprisonment. It would be treated as a misdemeanor and not as a felony and a man would not lose his citizenship.

Mr. COOPER. Would the amendment change the penalties in the bill?

Mr. YARBOROUGH. It does not change that at all. It does not change the degree at all. But if a man is fined only, that is the total penalty. As Federal law now exists, he could be fined $25 and find out that he had lost his citizenship, which could be restored only by a pardon from the President, which is a most difficult process.

Mr. COOPER. I am not going to object to the amendment, but I would hope that in conference it might not be accepted with respect to section 611 on page 7 of the bill, dealing with contributions by Government contractors, by the payment of money or the promise of money to candidates.

I believe that should remain.

Mr. YARBOROUGH. Well, as to corporations, they do not lose their citizenship, anyway.

Mr. COOPER. Corporations?

Mr. YARBOROUGH. As to corporations, it would not apply, because they do not lose citizenship, of course.

Mr. COOPER. That section applies to everyone. I am not saying this will be done, but I do make that comment.

Mr. YARBOROUGH. A corporation does not lose its citizenship, whereas a natural person does. In Federal courts in Texas, I recall defending a corporation which had been indicted and brought into court with all the possible penalties to be inflicted—it would be, say, a vast amount, but then someone from Washington came down and offered to settle it for $250. My client did not want to do it. They wanted to plead not guilty. I told the corporation how long the trial might take and how many thousands of dollars it would cost, but that they could get off with the levy of a fine of $250 only. They did not like that, but I did not want them to have me charging them $5,000 defending a case for 2 weeks, and so I recommended that they do it, and they paid the $250 fine. That was all right. But if it had been a natural person, I could not have let him do it because he would have lost his citizenship. Remember, I am talking about a natural person losing his citizenship, not a corporation. That is a great injustice being done at this moment. We need a complete overhaul of our Federal criminal system. I say, let us start with this and make it part of the pending bill.

Mr. COOPER. I understand what the Senator is trying to do. I remember his speech of yesterday. I think he is correct in saying that such a strict penalty as losing one's citizenship would make it difficult to get a conviction. I also understand what the Senator proposes today in offering his amendment providing that in certain cases conviction, under one of these penalty sections, would not bring about the loss of citizenship.

I am saying that there is one section to which I have referred, section 611, which appears on page 7 of the bill, that deals with contributions by persons, whether they are individuals or corporations, to candidates or parties for the purpose of influencing them. That has been the source of corruption, which the Senator knows.

Mr. YARBOROUGH. I agree.

Mr. COOPER. I believe that when persons contribute for the purpose of securing contracts from the Government or influencing the election of candidates whom they believe would help them in securing contracts, that there exists a source of corruption. I hope the amendment of the Senator from Texas is agreed to and that the conference will maintain the position held with reference to section 611.

Mr. YARBOROUGH. I agree with the Senator with what he has said insofar as Government contracts are concerned, but let me point out that if any person gets imprisoned for 1 day, he has lost his citizenship.

My amendment would not change that. If he goes into jail 1 day, he loses his citizenship. My amendment provides that he would not lose his citizenship if he paid an ordinary fine.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. CANNON. The Senator's amendment would have no applicability to the general criminal code. Is that correct?

Mr. YARBOROUGH. No; it would apply only to this act.

Mr. CANNON. I am completely in sympathy with what the Senator is trying to do, and I am willing to accept the amendment.

Mr. YARBOROUGH. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JAVITS and Mr. McINTYRE addressed the chair.

Mr. JAVITS. Mr. President, I have an amendment to offer. Does the Senator from New Hampshire also have one?

Mr. McINTYRE. No. I have some questions to address to the chairman of the committee on the bill, but I am willing to have the Senator proceed.

Mr. JAVITS. Mr. President, I have an amendment at the desk, which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New York will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 5, line 18, after the word "services", and again after the word "services", in line 22, insert: "(except as provided in section 204(b)(2) of the Campaign Funds Disclosure Act of 1967)".

Mr. JAVITS. Mr. President, I shall take only a minute, because I think the manager of the bill understands the purpose of the amendment very well.

In examining the bill very closely, we find a contradiction in the terms of the bill which it is evident was not intended. It will be noted that both sections which I intend to amend, subsection (b) (1) and (2), on page 5, make it unlawful for a political committee or candidate to sell goods, commodities, advertising, or other articles, or any services to another other than a political committee or candidate.

When we look at a later section—the one I refer to in my amendment is section 204(b)(2), which is found on page 15—an accounting is required for tickets for dinners, luncheons, rallies, and similar fundraising events.

We must know what we are doing. We are either going to or we are not going to allow political testimonial dinners to be held and require them to be reported as campaign contributions—which I have always done, and I agree it should be done; I have one underway now; that is the generally accepted morality—or we should rule them out. We cannot have provisions in the law which are inconsistent.

I believe a testimonial dinner is a perfectly proper way to obtain campaign contributions, provided they are treated as contributions to a candidate—that is, to report the name of each one who buys a ticket, and not just report the generic amount.

The purpose of this amount is to allow such events to take place, but to require them to be reported as campaign contributions, as provided in section 204(b)(2) of this bill.

The reason for using the designation "Campaign Funds Disclosure Act of 1967," which is this bill, is that the section I am amending is a part of the criminal code, whereas the Campaign Funds Disclosure Act will be a separate act.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CANNON. The Senator is correct. It was not the intention of the bill to include the items on page 15 to which the Senator has referred as being in the same category as those on page 5 under subparagraph (b). Therefore, as I understand the amendment which the distinguished Senator proposes, it would make clear that the items on page 15, subparagraph (b)(2), would be specifically exempted from the provisions of subparagraphs (b) (1) and (2) on page 5.

Mr. JAVITS. That is exactly right.

Mr. CANNON. I am willing to accept the amendment.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COOPER. I seem to be the only member of the Select Committee on Standards and Conduct—better known as the Ethics Committee—present on the floor. This is a matter under the consideration of that committee now. I would like the Senator to explain the nature of the problem to which he is addressing his amendment.

Mr. JAVITS. The problem is that a bar to the selling of goods, commodities, advertising, or other articles or services, as contained on page 5—and the amendment would come after the word "services" on that line, and then thereafter, on line 22—would prevent the holding of a frank, accounted-for political testimonial dinner in which every dollar that is taken in is accounted for. Obviously, the bill did not contemplate any such thing, because at a later section, on page 15, at lines 13 to 15, it calls for an accounting as I have described it, for such functions.

I say the only way to remove the inconsistency is by tying both sections together, which is what I am doing.

Mr. COOPER. Then, the purpose of the Senator's amendment would be to preserve the meaning of the section on page 15?

Mr. JAVITS. That is exactly right. It would require a strict accounting for every dollar collected, the need for which was made clear during the debate on the Dodd resolution. We do not want to outlaw these events. We merely want candidates to account for every testimonial dinner.

Mr. COOPER. It refers only to testimonial dinners for political contributions for candidates. Is that correct?

Mr. JAVITS. That is exactly right.

Mr. COOPER. And then if they are held, under the provisions of the bill the committee or the candidate would be required to report the total of the contributions received through the testimonial dinners?

Mr. JAVITS. He would be required to do more than that.

Mr. COOPER. That is my first question.

Mr. JAVITS. Yes, and he would have to report the full name and address of each person who bought a ticket.

Mr. COOPER. That was my second question. He would include the name of the person who bought the ticket?

Mr. JAVITS. Yes, and it is limited to contributions of $100 or more.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. JAVITS. Mr. President, while I have the floor, may I ask one other question of the Senator from Nevada? We also find a difficulty, which I think we can straighten out. If the Senator will look at the words on page 5, lines 9 to 11, which deal with a contribution to two or more political committees substantially supporting the same candidate, my people are worried now—and I think properly—that what I have defined—and if I am incorrect the Senator can correct me—as an established party committee, part of the regular party organization, as it is popularly called, might be included under that limitation. In other words, a county committee or a city committee, a regular part of the party organization, might be included.

Mr. CANNON. It is not the intent to preclude contributions to a general political committee that is supporting all political candidates.

If it is a special committee that is substantially supporting the one principal candidate—and incidentally supporting two or three other local candidates—then it would be covered. But where you have a State committee——

Mr. JAVITS. Or a city or county committee.

Mr. CANNON. Or a county committee or a city committee that is supporting all of the party ticket, and supporting other candidates equally as much as the particular candidate, under the terms of this act, then, the contribution would not be included; that is, he would not be prohibited from making the contribution, in that case, to the committee.

Mr. JAVITS. Would the Senator strike the word "all" and just say "the party ticket"? Because the minute you use the word "all," it is dangerous.

Mr. CANNON. The party ticket, yes. I agree.

Mr. JAVITS. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, I wish to address myself briefly to the Curtis amendment, even though we have very sparse attendance at the moment.

Mr. President, it seems to me that the amendment overlooks the whole purpose of the legislation before us.

Theoretically, in earlier years, the cost of campaigning for Congress was very small. It was not a great expense, and a person was expected to pay his own campaign expenditures. The bill before us pursues the theory that there is nothing wrong about a candidate paying his own expenses of running for office. Therefore, it places no limitation on what a man could spend of his own money to seek public office.

It was subsequently felt that improper influence results from large contributions to persons running for office, on the part of special interests, vested interests, toward achieving the enactment of special-interest legislation and things of that sort. So we passed laws to say that a candidate would have to report contributions. Here we seek to put a limit of $5,000 on the amount that any one person or any family can contribute to a candidate.

However, it is not proposed, in this bill, to put that limitation on what a member of one's own family can contribute, what his father or his mother can contribute to him, on the theory that the father or mother, or even a brother or a sister, really has an interest in the person himself, and rather than an interest in seeking to advance his own financial interests or in seeeking to obtain something for himself, or some benefit to his investments, as a result of the contribution that he makes.

So, recognizing that completely legitimate interest, which has no financial connection to it at all, the bill does not preclude a father from contributing more than $5,000 to support his son, or a mother from making such a contribution, because it is felt that there is nothing improper about their contributing a very substantial amount of money to support a son or daughter.

If we are going to say that they cannot do it, or that a wife cannot contribute to the support of her husband, then, Mr. President, the amendment would defeat its own purpose, anyway, because if a person goes ahead and pays his campaign expenses, and goes in debt to pay them, after the election is over, there is nothing to keep old daddy or mama, or the candidate's wife, from paying off the debt.

So it is a complete exercise in futility to try to impute or imply that there is something improper or unfair, or something wrong, about a family that is well able to pay for the campaign expenses paying the expenses of that son, or the wife paying the expenses of her husband.

There is nothing wrong about it. The whole purpose of limiting the contribution to $5,000 because it was felt that a candidate should not be unduly obligated to any one contributor is defeated here. It is not achieved at all, because, as a practical matter, a father, or mother does have a completely legitimate interest in making a large contribution to the support of a son or daughter; and a wife has a very proper and direct interest, quite apart from politics, in contributing to and aiding in the payment of the campaign expenses of her spouse as a candidate for office, or vice versa.

The PRESIDING OFFICER. The hour of 1:45 p.m. having arrived, in accordance with the previous order, the question is on agreeing to the amendment of the Senator from Nebraska. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Nevada [Mr. Bible], the Senator from Tennessee [Mr. Gore], the Senator from Montana [Mr. Mansfield], the Senator from Maine [Mr. Muskie], the Senator from Missouri [Mr. Symington], and the Senator from Michigan [Mr. Hart] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from North Carolina [Mr. Jordan], the Senator from Washington [Mr. Magnuson], the Senator from Montana [Mr. Metcalf], the Senator from Rhode Island [Mr. Pell], and the Senator from Georgia [Mr. Russell] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett] and the Senator from Michigan [Mr. Hart] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick] is necessarily absent.

If present and voting, the Senator from Colorado [Mr. Dominick] would vote "yea."

The result was announced—yeas 79, nays 7, as follows:

[No. 246 Leg.]

YEAS—79

Aiken
Allott
Baker
Bayh
Bennett
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Griffin
Gruening
Hansen
Harris
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
McClellan
McGee
McGovern
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—7

Byrd, W. Va.
Cannon
Hartke
Hayden
Long, La.
McCarthy
McIntyre

NOT VOTING—14

Anderson
Bartlett
Bible
Dominick
Gore
Hart
Jordan, N.C.
Magnuson
Mansfield
Metcalf
Muskie
Pell
Russell
Symington

So Mr. Curtis' amendment was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, before Senators leave the floor, I would like to ask the distinguished acting majority leader about the program for the balance of the day and tomorrow.

Mr. BYRD of West Virginia. Mr. President, it is anticipated that there will be a rollcall vote on passage of the pending bill. It is hope that that rollcall vote can take place very soon. We want to accommodate one of our Members who must get away within the next 15 minutes to attend the funeral of a relative. Following that, there will be no further votes today.

Tomorrow, it is anticipated that the Senate will consider any one or more of four measures, and they are these: First, a bill by the Senator from North Carolina [Mr. Ervin] to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights; second, a bill by the Senator from Arkansas [Mr. McClellan] and the Senator from Pennsylvania [Mr. Scott] to provide compensation to the survivors of local law-enforcement officers killed while in the performance of their duties; third, the conference report on the Department of Defense appropriations bill; fourth, a bill by the Senator from New Jersey [Mr. Williams] and others to amend the Federal Flood Insurance Act of 1956.

It is anticipated that there will be one or more votes tomorrow. If we do not complete action on these measures tomorrow, there will be business on Thursday and likely rollcall votes on that day.

ELECTION REFORM ACT OF 1967

The Senate resumed the consideration of the bill (S. 1880) to revise the Federal election laws, and for other purposes.

Mr. CANNON. Mr. President, for the information of Senators, so far as I know, only two amendments remain, both of which I expect to be able to accept, so that the time between now and the vote on final passage should not be long.

AMENDMENT NO. 297

Mr. COOPER. Mr. President, I call up my amendment No. 297.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. COOPER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

Beginning with line 9, page 7, strike out all to and including line 4, page 8, and insert in lieu thereof the following:

"Whoever, including a corporation, entering into any contract with the United States or any department or agency thereof either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof or for selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, at any time between the commencement of negotiations for and the later of (a) the completion of performance under, or (b) the termination of negotiations for, such contract or furnishing of material, supplies, equipment, land or buildings, directly or indirectly makes any contribution of money or other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

"Whoever knowingly solicits any such contribution from any such person for any such purpose during any such period—

"Shall be fined not more than $5,000 or imprisoned not more than five years, or both."

Mr. COOPER. I have discussed the proposed amendment with the manager of the bill, and I hope that he will accept it.

The amendment I propose to S. 1880 would amend section 105 of the bill, which is found on page 7, in two respects. Section 105 itself amends section 611 of title 18 of the United States Code relating to contributions by Government contractors. The first change that my amendment would effect is this: Section 611 of title 18 presently prohibits contributions by Government contractors during the time of negotiation and during the period of performance. The present law does not prohibit contributions in an interval or an interim period between the completion of negotiations and the commencement of performance. We know that sometimes there is an intervening period. The amendment I offer would correct this defect and would prohibit contributions from the commencement of negotiations to the completion of performance in dealing with a Government contractor.

The second change would correct a defect in the same section by including language which I believe was left out by inadvertence. Section 611 now prohibits promises to contribute as well as actual contributions by those entering into contracts with the Government. The bill as presently drafted does not include a prohibition against promises to contribute. I believe it is an inadvertence. I have spoken with members of the staff about the matter. My amendment would retain and restore the prohibition against promises to contribute as well as actual contributions.

Mr. HRUSKA. Mr. President, will the Senator yield for a question?

Mr. COOPER. I yield.

Mr. HRUSKA. Let us suppose the instance of a rancher whose lands are being condemned for a reservoir in a flood control project. Sometimes the litigation having to do with the sale of that land takes years and years. Will that man, because these negotiations are pending, be barred from making a contribution, directly or indirectly, to a political party, committee, or candidate during all those years? I refer to the language on lines 5 and 6: "selling any land or building to the United States."

Mr. COOPER. Yes.

Mr. HRUSKA. If so, he would be immobilized from doing what other citizens can do, because a proceeding is pending in court and negotiations are pending between himself and the Government for the sale of land, even though it is an unwilling sale on his part, and he would be barred from participating in political activity.

Mr. COOPER. Let us look at the law as it is today. Section 611 bars a contribution by any person to a candidate for Federal office if that person is engaging in or negotiating to engage in a contract with the Federal Goverment or an agency. It also bars any contribution or promise to contribute during a period of performance.

I believe that if there is some matter between an individual and the Government of the United States, so far as a candidate for Federal office is concerned, the same rule would apply. It is strict. But I believe the example recited by the Senator from Nebraska would be limited in number as compared with the importance of the general rule.

Mr. HRUSKA. There are hundreds of those cases. There are instances where leases are in progress, and that type of situation. I just wondered whether it was in the contemplation of the Senator to include such a situation, with regard for the relevance of a possibility of corruption or dishonesty or influencing improperly—whether, nevertheless, this rule will be clamped upon such people.

Mr. COOPER. That is the law today.

Mr. HRUSKA. Not in the case of land. It is so in the case of procurement contracts. That came about because there were improprieties, and they related directly to those procurement contracts. But that would not be the case in many instances.

Mr. COOPER. We know the problem involved.

Suppose there were no law with respect to this aspect, and a person engaged in a contract with the Government, actually performing or getting ready to perform and negotiating to perform and he makes a contribution to the Senator from Nebraska or to me or to another Member of the Senate. We could have no interest at all in the matter—no desire to participate in it in any way. Nevertheless, it could be considered by many that there was an interest. All I say is that such a situation leads inevitably, in many cases, to corruption.

I believe the example that the Senator has given could occur from time to time, but I believe that the general interest is greater than the proposition of one individual or group of individuals.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. CANNON. I should like to point out, for the benefit of the distinguished Senator from Nebraska, that land is already included in section 611 of the present law. The only thing that the Senator from Kentucky is attempting to do in the proposed amendment is to cover a possible lapse in time between the commencement of negotiations and the actual commencement of performance. I believe that is a good point to make. But the law now covers land and land dealings to which the Senator from Nebraska referred.

With respect to the other point, the omission of promises was inadvertent in the drafting of the bill, and it should be in the law. I am sure everyone will agree with that. Therefore, I am willing to accept the amendment offered by the Senator from Kentucky.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. COOPER. I yield the floor.

Mr. HRUSKA. Is there in this law or in any other statute a provision similar in character that applies to people who are applying for licenses from the Federal Government—for example, the Federal Communications Commission, where they negotiate and they have an annual permit to do business either by way of broadcasting or televising, or a license in any other way? Is there a provision similar to this, a corresponding provision, in the law at the present time?

Mr. CANNON. I would have to say there is no other provision in relation to this particular section, either to the Corrupt Practices Act or the election law. Section 611 refers specifically to contributions by firms or individuals contracting with the United States.

Mr. HRUSKA. And in that period when they are negotiating and there is an adversary interest. Of course, that is where application is made for license to any regulatory body where licenses must be procured in order to do business. For instance, trucking companies must have permits and licenses.

With the Government having its grubby little fingers in virtually all human endeavors these days, if we continue pushing these concepts perhaps we will make it so pure that there will be no place to go except to the Federal Government.

Mr. COOPER. There is a law today with respect to this kind of contract.

My amendment would eliminate a gap in its application.

Mr. HRUSKA. I shall vote for the amendment, but I do wonder, in our desire to be so pure, whether we are going to clog the wheels of a good old political custom in which we should be able to express our views.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. COTTON. Mr. President, I seem to gather from the query of the Senator from Nebraska, and the Senator from Nebraska and the Senator from Kentucky are both able lawyers, a reference to involuntary sales in the sense, I suppose, of eminent domain.

With respect to negotiations for the sale of land, would the present law apply to a long drawn-out battle against a reluctant landowner who is trying not to sell his land and, therefore, there was a contest because the landowner was trying to prevent his land from being taken?

Mr. HRUSKA. It would still be a sale to the Government.

Mr. COOPER. I think that is correct, but I also think that in that kind of case there are always negotiations going on.

Mr. HRUSKA. The Senator is correct.

Mr. COOPER. The law as it is now would apply to that kind of case.

Mr. MILLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Nevada has the floor.

Mr. MILLER. Will the Senator yield, so that I may ask a question of the Senator from Kentucky?

Mr. CANNON. I yield.

Mr. MILLER. Mr. President, I wish to ask the Senator from Kentucky whether the substance of his amendment would cover the following situation. Suppose an individual had a contract or who was negotiating a contract with the Federal Government, let us say, in the amount of $100,000. Would this proposal place him in the position of being subject to imprisonment if he bought a $100 ticket to a Democratic or Republican fundraising dinner?

Mr. COOPER. That is a difficult question that the Senator has asked.

Mr. MILLER. I think it is a very important question.

Mr. COOPER. I think it is, too.

Mr. MILLER. I think it is a very important question, because, as I read this amendment, it provides:

> * * * if payment * * * is to be made * * * at any time between the commencement of negotiations for and the later of (a) the completion of performance under or (b) the termination of negotiations for, such contract or furnishing of material, * * * directly or indirectly makes any contribution of money * * * to any political party, committee, or candidate for public office * * * shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

My question, I think, sets forth a set of facts very common throughout the United States, and not only does it seem to cover the situation of that individual who might buy the $100 ticket, but it would also seem to very well cover some of those people who are out soliciting for the purchase of tickets.

I am wondering, if it is that broad in the coverage, if we are not getting ourselves into something beyond what we want.

Mr. COOPER. I will be perfectly frank. Reading the language of this section, which I emphasize is the language of the law today, it would appear to me that it could be interpreted literally to cover that situation. I want to say that it is the law today. I am not asking that the law be repealed. If it is the law and not wholly effective my amendment would not change it.

Mr. MILLER. I appreciate the usual thorough honesty of my friend and colleague from Kentucky. However, it seems to me that we should do one of two things. Either we should change the language or make legislative history here that there is no intention to cover the situation I mentioned; or if the Senator is willing, let him cover that situation. I believe most Senators would not want to say that if someone were to go out and buy a $100 ticket to a Democratic or Republican fundraising dinner he should be placed in the penitentiary for 5 years because he happens to be engaged in negotiating a contract for the Federal Government, especially if it is out of proportion to that ticket.

Mr. CANNON. The proposal of the Senator from Kentucky [Mr. COOPER] would not change the law in that regard. Everyone recognizes that that custom and procedure has gone on for years. I do not know if anyone has been prosecuted for buying a ticket to a dinner. I cannot imagine the Department of Justice prosecuting anybody for it now. The Senator from Kentucky, who represented one of the two national committees at one time, is in the Chamber. I would seriously doubt that his experience would indicate a person could not buy a ticket to a fundraising dinner without running the risk of being imprisoned.

Mr. MILLER. Mr. President, I wish to say to my friend from Nevada that the substance of his statement that we do not have to worry about it because it has never happened that anyone was prosecuted is no reason for us to lay a foundation for such power in the hands of the Federal Government or is it justification for us to legislate unwisely and sloppily on the floor of the Senate.

The fact that it does not change the present law does not mean this is not going to become the law if we adopt it. I know there are good intentions behind this, but I do not think it has been thought through thoroughly.

Mr. CANNON. The point of the Senator is that the proposal of the Senator from Kentucky does not change the law; there is no change in existing law. There is no intent to make any change in regard to the question that the Senator from Iowa raised.

Mr. MILLER. Does this not become a part of the law if it is adopted?

Mr. CANNON. Yes, but it makes no change in the existing law with respect to the point which was raised by the Senator from Iowa.

Mr. MILLER. Perhaps it was not brought up before in the legislative history behind the present law, but it is being raised now. I submit it is going far beyond what I think most of us want to cover.

Mr. COOPER. Mr. President, will the Senator yield so that I may respond?

Mr. CANNON. I yield.

Mr. COOPER. Mr. President, I think the Senator has raised a very valid point, relating to reporting by political committees, reporting by committees which hold testimonial dinners, and reporting of those who contribute to testimonial dinners, when he suggests that this provision might create a problem, particularly with respect to those who buy tickets to testimonial dinners. However, that does not go to the real purpose, I am sure, which led to the enactment of section 611, and which my amendment would strengthen.

I am certain that the reason for the enactment of section 611 was to remove, as far as possible, the possibility of corruption, graft, and wastefulness, of the Federal Government in giving contracts to people simply because of political reasons.

I hold that it is more important to prohibit this form of wrongdoing, insofar as possible, and to punish those who would use this method to obtain Government contracts. The matter of which the Senator has spoken, I am sure, can be worked out in conference. I would have no objection myself to providing that anyone who bought a ticket for $100 to a testimonial dinner would not violate this section of the act. But I hold—and I shall not back away from it—that the use of contributions to obtain contracts corrupts the Government, the Senate and the House, and every Member who has anything to do with them.

Mr. CANNON. With the Senator's explanation that he does not intend the same type of situation involving a fundraising or a political dinner, I am willing to accept the amendment and ask for a vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. COOPER. Mr. President, the bill before us today providing for full disclosure of campaign contributions and expenditures is designed to provide the American public with important and necessary information concerning the operations of Federal elections. It will do much to increase public confidence in the conduct of our free political institutions. This bill is but one step in a series of steps needed to further increase public confidence and support of these institutions. There remain other areas of conduct and activities involving Members, officers, and employees of the Senate which the Senate must also deal with.

When the rules committee concluded its investigation of Mr. Robert Baker, pursuant to Senate Resolution 212 and Senate Resolution 367, I filed supplemental views with the committee's report in which I made four recommendations, two of which have been enacted by the Senate.

My first recommendation was that the Select Committee of Standards and Conduct, which was established when the Senate adopted my resolution on

July 24, 1964, be activated by the appointment of its members.

The second recommendation I made was to amend the Federal Regulation of Lobbying Act by placing the administration of that act under the Comptroller General. In my supplemental views I stated:

> One of the weaknesses of the act as presently written is that there is no body or authority to administer it, to examine the statements to determine if the terms of the statute have been complied with, and to seek inquiries and make investigations of individuals or organizations who have not filed so as to ascertain if such individuals or organizations are entitled to an exemption or are excepted from the provisions of the act, or are engaged unlawfully in lobbying.

My proposal was reported favorably by the rules committee in the 89th Congress and, although no action was taken then, the main provisions were included in S. 355, the bill to reorganize the Congress which passed the Senate earlier this year.

Two other recommendations I made at that time have not been enacted but are included with other proposals presently being considered by the Select Committee on Standards and Conduct.

The first deals with the need disclosure, and the resolution I originally introduced in the 89th Congress would require each member, officer and employee of the Senate to file annually with the Secretary of the Senate a report open to the public concerning his nongovernmental business, professional or employment activities during the calendar year.

A second resolution I introduced would provide for a new Senate rule prohibiting any officer or employee of the Senate from soliciting or distributing any funds in connection with a political campaign. At that time I stated:

> Throughout the entire investigation of Mr. Robert Baker's activities we found evidence of his collecting, handling and distributing funds for political campaign purposes. Political contributions should be channeled directly to the senatorial campaign committees of either party or to other lawful campaign committees.

Mr. President, I ask unanimous consent that the statement I made on the floor of the Senate on July 6, 1965, under the heading "Recommendations for Senate Action Based on the Baker Investigation," be included in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COOPER. In a letter dated July 20, addressed to Members of the Senate, the chairman of the Select Committee on Standards and Conduct [Mr. STENNIS] informed the Members that the committee is undertaking the preparation of rules and regulations regarding standards of conduct for Members of the Senate and officers and employees of the Senate. In his letter, the chairman outlined several areas that are being considered by the committee and requested comments and suggestions of the Members concerning the following subjects:

First. Outside professional, business or financial activities of Senators.

Second. Gifts to Senators, including testimonials.

Third. Disclosure of income or assets by Senators.

Fourth. Outside professional, business or financial activities or employment of staff members.

Speaking as a member of the committee, I am hopeful that the committee will report its recommendations to the Senate covering these areas of activity prior to adjournment.

In concluding my remarks, I would point out that the Rules Committee has considered amendments to the Federal election laws over the past 10 years. The committee reported favorably S. 2150 in 1957; S. 2426, the Hennings bill, in 1959; S. 2436, which was passed by the Senate in 1961, and S. 2541, which was reported favorably last year but no action was taken by the Senate. In reviewing and studying these bills, it is my opinion that S. 1880, the bill before us today, is more comprehensive, provides for greater disclosure of campaign expenditures and contributions, and will give the American public the needed information and safeguards to make our electoral processes more democratic and more effective. I support and shall vote for the bill.

I would like to congratulate Senator CANNON, the chairman of the Subcommittee on Privileges and Elections, for his fine leadership in developing S. 1880 and the other members of the subcommittee, Mr. HAYDEN and Mr. CURTIS, for their contributions to this bill.

EXHIBIT 1

RECOMMENDATIONS FOR SENATE ACTION BASED ON THE BAKER INVESTIGATION

Mr. COOPER. Mr. President, last year, at the close of the first phase of the Baker investigation, I proposed to the Senate the adoption of a resolution to establish a Committee on Standards and Conduct. The resolution was adopted by the Senate. I understand that it will be implemented.

At the close of the hearings this year, I made several other proposals to the Committee on Rules and Administration for recommendation by the committee to the Senate. One of my proposals was adopted by the full committee and has been recommended to the Senate. It was a proposal to place the administration of the Federal Regulation of Lobbying Act under the Comptroller General of the United States. At present, reports are filed with the Secretary of the Senate and the Clerk of the House. But under existing law no agency, body, or official is charged with administration and enforcement of the act. I thought the Comptroller General a proper authority for the administration and enforcement of the act for several reasons. He is an arm of Congress, he has an investigative staff and makes investigations of various activities both of Congress and of the executive branch, and makes his reports to Congress.

The bill which has been recommended by the Rules Committee, and which I hope the Senate and House will pass, would place the jurisdiction to administer and enforce the Lobbying Act under the Comptroller General. Reports would be filed with him as well as with the Senate and House. The Comptroller General would have the power to study the reports, review them, and determine if they met with the requirements of the act. He would also have the authority, and the staff to determine if those who were lobbying had been registered as provided by law. If he found violations, it would be his duty to report them to Congress and to the Department of Justice for action.

My proposal arose from evidence heard during the investigation. It was evident that persons who should have registered as lobbyists had not done so. One of the most glaring and apparent violations of the law was developed from the testimony of a Mr. Weiner, who received $50,000 for, he said, representing, as a public relations man, an ad hoc trade association in legislation before the Congress. He said that he spoke with members of the staffs of committees, and with Members of the Congress about the proposed legislation, and yet maintained he was not a lobbyist.

I hope that the measure which I proposed in committee and which the committee approved for recommendation to the Senate will be considered and passed.

* * * * *

Mr. President, I made two other proposals in the Committee on Rules and Administration which were not approved by the committee, but which at a proper time, when the report is considered by the Senate, I shall call up for action on the floor. Today I am submitting resolutions to carry out these recommendations when the matter of the report of the Rules Committee comes properly before the Senate.

In committee, I voted for the Clark resolution, which provides for financial reports by Members, officers, and employees of the Senate to be open to the public, it was not adopted. The committee then adopted a proposal made by the distinguished Senator from Nevada [Mr. CANNON], which would require a limited statement of disclosure by Members, officers, and employees to be filed with the Comptroller General, but not to be available to the public or to Congress. If a majority of the Committee on Standards and Conduct, when activated, so directs, such reports would be made available to that committee.

My resolution is narrower than the Clark proposal. I would not offer it unless his should be defeated. My resolution requires Members, officers, and employees of the Senate to file with the Secretary of the Senate a report concerning their nongovernmental business, professional or employment activities during the preceding calendar year. It would require, among other things, a statement of the nature of each business or professional organization of which the individual was an officer, director, partner, or employee and in which activity he was engaged personally for profit during that year; and the name and addresses of such enterprise or organizations.

If this information were available to the Senate and to the public, it would be a brake upon any activities involving an existing or potential conflict of interest. The public would have the means of determining if there was a conflict of interest on the part of either Members of the Senate or of officers and employees of the Senate. If such a Senate rule had been in effect, Mr. Robert Baker, as an officer of the Senate, would have been required to report his outside employment and business activities and, if he had done so—as these reports would have been open to public inspection—his activities would have been known by the Senate and the public.

My third proposal pertains to political campaign funds. The minority recommended in its report that Congress enact a law to prohibit Senate employees from serving as treasurer, or temporary treasurer or as custodian of any type of campaign funds. I proposed a Senate rule because I believe that it may be more difficult to obtain the passage of legislation involving both Houses of Congress.

My proposal to the committee was voted down. However, I shall offer it again because I believe that the handling of campaign funds by Senate employees, could hold great possibilities for corrupting influences. I do not say that in derogation of the character of Senate employees.

Senators are under legal restrictions with regard to campaign funds, as to their acceptance and to the reporting requirements of the Corrupt Practices Act. Campaign committees are set up in various ways. To be frank about it, there is a good deal of concealment of the sources of campaign funds, and a failure to disclose these sources. It is unfair to place on the staffs the responsibility for receiving and distributing campaign funds.

I believe it absolutely unfair to staff members to place on them the responsibility for soliciting, distributing, or acting as the custodian of campaign funds. Throughout our investigation, there ran an undercurrent of the improper use of political contributions, of collecting and distributing these funds, and there were charges of corruption.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. Mr. President, I ask unanimous consent that I be permitted to continue for an additional minute.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 1 additional minute.

Mr. COOPER. I believe the Senate should adopt a rule prohibiting officers and employees from soliciting, distributing, acting as custodians of political campaign funds, and I shall offer such a rule for the truth of the matter is that after having gone through with the investigation, for nearly 2 years, I believe that there is a great need for the overhauling of the entire Corrupt Practices Act.

For that reason, I submit today these two resolutions: One dealing with disclosure and the other prohibiting Senate officers and employees from being charged with any responsibility to collect, hold, or distribute campaign funds.

The PRESIDING OFFICER. The resolutions will be received and appropriately referred.

The resolutions (S. Res. 124) to amend the Standing Rules of the Senate to regulate Members, officers, and employees of the Senate to file certain reports as to their nongovernmental businesses, professional, or employment activities, and (S. Res. 125) to amend the Standing Rules of the Senate to prohibit the solicitation, custodianship, or distribution of political campaign funds by officers and employees of the Senate, submitted by Mr. COOPER, were received and referred to the Committee on Rules and Administration, as follows:

"S. RES. 124

"*Resolved*, That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"'*Rule*—

"'Report on Business and Professional Occupation

"'1. Each individual who is a Member of the Senate, or an officer or employee of the Senate, shall file annually with the Secretary of the Senate, in such form as the Secretary shall prescribe, report with respect to his non-Governmental business, professional or employment activities during the preceding calendar year. Each report filed by any individual for any calendar year shall contain the following information:

"'(a) The nature of each business enterprise and professional practice in which he was engaged personally for profit during that year, the name under which such enterprise or practice was so conducted, and the address at which such enterprise or practice was so conducted:

"'(b) the name and address of each other business or professional organization or enterprise of which he was an officer, director, partner, or employee in any capacity during that year;

"'(c) the capacity in which he was so affiliated with or employed by such organization or enterprise;

"'(d) the period during that year for which he occupied such capacity; and

"'(e) whether he received any compensation of any kind during that year for or in connection with his occupancy of such capacity.

"'2. Each individual who is a Member of the Senate, or an officer or employee of the Senate, at any time during January of any year shall file such report on or before May 1 of that year. Each individual who becomes a Member of the Senate, or an officer or employee of the Senate, after the end of January in any year shall file such report within 90 days after the date on which he becomes a Member of the Senate or an officer or employee of the Senate.

"'3. Each report filed under this resolution shall be maintained by the Secretary of the Senate for a period of not less than 3 years, and during that period shall be available for public inspection during business hours of the office of the Secretary of the Senate.

"'4. As used in this rule the term "officer or employee of the Senate" means:

"'(1) an elected officer of the Senate who is not a Member of the Senate;

"'(2) an employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

"'(3) the Legislative Counsel of the Senate and any employee of his office;

"'(4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporter of Debates of the Senate in connection with the performance of their official duties;

"'(5) a member of the Capitol Police Force whose compensation is disbursed by the Secretary of the Senate;

"'(6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate; and

"'(7) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.'"

"S. RES. 125

"*Resolved*, That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"'*Rule*—

"'Political Campaign Funds

"'1. No officer or employee of the Senate may—

"'(1) solicit, be the custodian of or distribute any funds contributed for use to defray expenses incurred or to be incurred by any other individual for or in connection with any campaign for the nomination or election of any individual to be a Member of the Senate; or

"'(2) be vested with or exercise any authority or responsibility for, or participate in any way in any consideration of or determination with respect to, the allocation between or among two or more Members of the Senate of any funds available for use to defray expenses incurred or to be incurred by any individual for or in connection with any such campaign.

"'2. As used in this Rule, the term "officer or employee of the Senate" means—

"'(1) an elected officer of the Senate who is not a Member of the Senate;

"'(2) an employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

"'(3) the Legislative Counsel of the Senate and any employee of his office;

"'(4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporter of Debates of the Senate in connection with the performance of their official duties;

"'(5) a member of the Capitol Police Force whose compensation is disbursed by the Secretary of the Senate;

"'(6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate; and

"'(7) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.'"

Mr. BYRD of West Virginia. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from West Virginia will state it.

Mr. BYRD of West Virginia. Have the yeas and nays been ordered on the passage of the bill?

The PRESIDING OFFICER. No.

Mr. BYRD of West Virginia. Mr. President, I ask for the yeas and nays on the bill.

The yeas and nays were ordered.

Mr. ERVIN. Mr. President, I offer an amendment which reads as follows:

Amendment to S. 1880, on page 6 strike out section (f) and reletter section (g) as section (f).

The PRESIDING OFFICER. The clerk will report the amendment.

The LEGISLATIVE CLERK. On page 6, line 20, strike out section (f), as follows:

(f) Nothing contained in this section shall be deemed to prohibit any contribution to a candidate by the spouse or a child, grandchild, parent, grandparent, brother, or sister of the candidate.

Mr. ERVIN. Mr. President, I should like to say first that I was in favor of the bill with the exception of section (f) on page 6. I shared the opinion of the distinguished Senator from Nebraska [Mr. CURTIS] that that section had no place in the bill. The Senator from Nebraska offered an amendment which I understand was drawn up on the spur of the moment which had the effect of nullifying this provision. The amendment of the Senator from Nebraska, however, left one provision with his amendment in the bill. I offer this amendment which all it will do will strike out section (f) on page 6 in its entirety and reletter the following section as (f). This will be, I think, a much better way to accomplish the purpose which was accomplished by the amendment of the distinguished Senator from Nebraska.

Mr. CURTIS. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I yield.

Mr. CURTIS. I should like to ask the distinguished Senator, it is not his purpose to negate the action taken on the Curtis amendment?

Mr. ERVIN. No. My purpose is fully to consummate, beyond any question, the Curtis amendment by striking out the section to which the amendment was attached. In other words, the end result of the amendment will be the same as the amendment offered by the distinguished Senator from Nebraska, which was overwhelmingly adopted by the Senate. Its effect will be to place the relative mentioned in the section on exactly the same basis as anyone else.

Mr. CURTIS. In other words it would remove from the bill any special privilege pertaining to a contribution from a near relative and put it on the same basis as a candidate who must raise his money from strings.

Mr. ERVIN. Exactly.

Mr. CURTIS. I have no objection to the amendment.

Mr. CANNON. Mr. President, I am willing to accept the amendment. I think it would clean up the bill and would effect the same purpose as the amendment of the Senator from Nebraska.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McINTYRE. Mr. President, I have some questions I should like to ask of the distinguished Senator in charge of the bill, because I think they need some clarification. So if the Senator from Nevada will give me his attention for a moment, first, I should like to ask him:

Does the maximum $5,000 limitation apply separately to primary and general elections, or does it apply overall to both campaigns? In other words, under this bill, can a person legally make one $5,000 contribution to a candidate in a primary election and another $5,000 contribution to the same candidate in the following general election?

Mr. CANNON. A contributor can make only one $5,000 contribution in a calendar year.

Mr. McINTYRE. That means, then, that he would not be able to give $5,000 in a primary election and another $5,000 in the general election?

Mr. CANNON. No. Assuming that both elections came in the same calendar year, he would not.

Mr. McINTYRE. Another question: The colloquy on the floor yesterday between the Senator from Nevada [Mr. CANNON] and the Senator from Nebraska [Mr. CURTIS] is a bit ambiguous on the question of when a person becomes a candidate.

It is common practice for the campaign committees of both political parties, in both the House and Senate, to assist incumbent Members financially in the next-to-last year of their term to maintain constituent relations. I know of examples where this has taken the form of payment for extra trips back home, or payments for radio tapes, mailings, or television tapes.

These payments by the campaign committees have invariably been reported to the Clerk of the House, but they are not, traditionally, reported by the incumbents who receive them. Under section 201 of this bill, will the recipient of such contributions become a "candidate," when the funds are used exclusively for the purpose of maintaining communications with his constituents, although perhaps on a more intense basis than usual?

Mr. CANNON. Officially, one becomes a candidate, of course, when he complies with the State law. But, for the purposes of the bill, he becomes a candidate when he receives campaign contributions for the purpose of effecting the election or his nomination. Now, if the Senator is saying that he is actually receiving a contribution for the purpose of being elected, then that is when he becomes a candidate for the reporting provisions of the law, and he would have to so report. On the other hand, the Senator raised the question and stated that if funds are used exclusively for the purpose of maintaining communication with his constituents—if I take that premise and that is his purpose—then I would say that he would not be a candidate at that time.

Mr. McINTYRE. It seems to me we put ourselves in the never-never land in determination of additional mailings or additional TV, that this person, as I read it, under the bill, would become a candidate, in the true sense of the word, and be subject to reports thereafter.

Mr. CANNON. This is a matter that the Senator himself would have to decide, based upon his own judgment and his own intent. We cannot, in a bill, spell out every specific circumstance to which the bill is going to apply. We define when he is a candidate. We say that he becomes a candidate, either by an official act, which means carrying out the required steps in his State, or when he receives contributions or makes expenditures for—what?—for the purpose of assuring his election or his nomination. Now, if he does that, he is then a candidate and he would have to report.

Mr. MURPHY. Mr. President, will the Senator from New Hampshire yield?

Mr. McINTYRE. I yield.

Mr. MURPHY. I should like to know whether it is the judgment of my distinguished colleague that this would apply to free time on TV and radio, and equal time, if it is decided that when he accepts a contribution he automatically becomes a candidate.

Mr. CANNON. I do not know that I quite get the point the Senator is raising.

Mr. MURPHY. He is a candidate or he is not. As soon as he accepts the contribution, he is a candidate?

Mr. CANNON. For the purposes specified in the bill.

Mr. MURPHY. From that time on, any appearance on radio or television would guarantee free equal time to his opponents.

Mr. CANNON. Not under these regulations. This has no application to the free-time provision.

Mr. MURPHY. Would it have any application——

Mr. CANNON. This has no application to the free-time provision. That is something for the communications media to arrange.

Mr. MURPHY. This determines when he legally becomes a candidate?

Mr. CANNON. Not when he legally becomes a candidate. It determines when he becomes a candidate for the reporting requirements under the provisions of the bill. He legally becomes a candidate according to the provisions of State law. We say that at a certain time he must make reports. We are not saying he is legally a candidate for all purposes. We are saying, for the reporting provisions of the bill, he is a candidate as of that time.

Mr. McINTYRE. I think the Senator has answered the question—that if he takes a contribution prior to the election, he becomes a candidate, the way I interpret it.

I have another question with reference to page 10, section 201(f). I would like to ask the Senator from Nevada how he treats the following situation. I am a great admirer of the Senator from Nevada. Let us suppose that, in 1970, when the Senator's term of office expires, he should decide to run for reelection, and that I pay my own fare to Nevada to make speeches on his behalf. Will my payments for air fare, which will exceed $100, be treated as either a contribution or expenditure under this bill? Will I have to file a report under section 205 with the Secretary? Or will the Senator from Nevada be required to ask me how much money I have spent on air fare so that he will be able to report it as a contribution?

Mr. CANNON. First, I want to thank the Senator for his fine offer. Second, I would say that a transportation ticket would not be of any value to me as a candidate, and I would not have to report it, since it was not a contribution to me. I do not think the distinguished Senator would have to report that expenditure as a contribution for me.

Insofar as the speech itself is concerned, there might be a serious question there. If we wanted to evaluate how much good it would do, if it might be worth more than $100, there might be a question as to whether I should report that.

Mr. McINTYRE. I thank the Senator from Nevada.

I have one more question. In New Hampshire we hold early presidential primary elections. Currently, there are a number of organizations in New Hampshire receiving contributions or making expenditures on behalf of individuals who have publicly denied their intentions of seeking presidential nominations and running. In some cases, the organizations are operating despite the express disapproval of the individuals for whom they are working. Under this bill, would such organizations be required to file as political committees?

Mr. CANNON. They would be required to if they received or spent more than $1,000 primarily for the election of a candidate under the terms of the bill.

On page 2 we have a definition specifically stating:

> A primary election held for the expression of a preference for the nomination of persons for election to the office of President.

It would not make any difference whether the candidate—or noncandidate, as the Senator indicated—had accepted or not accepted, if he spent money for the selection of the candidate for the particular office for which he was required to file.

Mr. McINTYRE. I thank the Senator.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. CANNON. I yield.

Mr. ERVIN. I note section 302, on page 25 of the bill, states:

> This act shall take effect January 1, 1968.

Is this language to be interpreted to mean that this bill does not apply to any campaign contribution which may be received before that date, if it is received and spent before that time?

Mr. CANNON. The Senator is correct. There is a reporting provision for a committee that would be an organizing committee that would have to report the cash on hand, but the effective date would not require a candidate to report contributions he had received prior to the effective date of the act. It is not retroactive.

Mr. ERVIN. The act is effective January 1, 1968. It is not retroactive?

Mr. CANNON. It is prospective in nature; it is not retroactive.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question? It will take only 2 minutes.

Mr. CANNON. I yield for a question.

Mr. LAUSCHE. I direct the Senator's attention to page 5 of the report, which states:

> The term "political committee" means any individual, committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000.

My question is, What will the situation be with respect to a State political committee that receives contributions covering either the nomination or election not only of a Senator or a Representative, but also of a Governor and other State officials? Will that committee have to file as moneys received the aggregate amounts for all of the candidates, which include a Senator or Representative, or will the State committee be permitted to segregate the amounts expended for senatorial or House candidates as distinguished from the State candidates?

Mr. CANNON. The act provides that the committee must report moneys received for the election or nomination of a candidate, and also expenditures for that purpose. So the committee would be required to report on receipts and expenditures only as they apply to the Federal candidate. As defined under the terms of the bill, appearing on page 18:

> The Secretary—

That is, the Secretary of the Senate—

> or Clerk—

That is, the Clerk of the House—

> may, by published regulation of general applicability, relieve any category of political committees of the obligation to comply with section 204 if such committee (1) primarily supports persons seeking State or local office, and does not substantially support candidates—

As defined in this act—

> and (2) does not operate in more than one State or on a State-wide basis.

Mr. LAUSCHE. That answers the question. I thank the Senator.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and to be read a third time.

The bill was read the third time.

Mr. WILLIAMS of Delaware. Mr. President, I give this bill my enthusiastic support. I think it is a long overdue reform of our election laws. I sincerely hope this bill will be promptly acted upon by the House and sent to the President for his signature.

The Finance Committee has scheduled an executive meeting for tomorrow with reference to reporting a bill to provide a better method for financing these campaigns.

What concerns me is the possibility that this bill may go to the House and get bogged down while the campaign financing bill would be passed by the Senate and the House. I think it would be a great reflection on the Congress if, under any circumstances, the financing bill became law and the election reform bill did not. As one who strongly supports this measure, I want to make it clear now that if this bill, containing these election reforms, has not been acted on in the House by the time the Senate passes the bill providing for a new method of financing campaigns, this bill in its present form, which is about to be voted on and which I am supporting, will be offered as a rider on any financing proposal acted on by the Senate.

By making this a rider on any proposal to provide financing it could then go to conference, and if the House had not already acted on this bill, they both would be before the same conferees.

Mr. President, I strongly support the reform of our election laws. I support these reforms without any financing plan. They should be enacted. But I am unalterably opposed to providing any method of financing if the reforms have not been approved prior thereto, or if they are not a part of the same bill. The administration and the Congress should be on notice that without election reforms there will be no plan for financing campaigns by tax credits or special deductions.

There is a cloakroom rumor—perhaps it is erroneous—but we hear that there is a plan afoot to have the Senate pass a campaign financing bill and an election reform bill as two separate measures and then to let the reform package die in the House. I am unalterably opposed to any plan which embraces the suggestion that the Senate pass any type of a campaign financing arrangement unless either this bill which we are voting on here today will have been approved by the House or these reform amendments are attached thereto as a part of the same package. I shall insist that the reform legislation which we are voting on here today be attached as a part of the campaign financing bill.

The question may be asked, why not offer the financing plan as a part of this particular bill now being voted upon? The bill now before us is a Senate bill. Any campaign financing plan must either originate in the House or be offered as an amendment to a previously enacted House bill. It would therefore be out of order to offer such a proposal as an amendment to this Senate bill; however, the election reform package, as embraced in this bill now before us, would be in order as an amendment to the campaign financing bill.

Lest there be any misunderstanding I emphasize that while I am the author of a bill the purpose of which is to allow either a partial tax credit or a special tax deduction as an incentive to encourage wider participation on the part of the small contributors, nevertheless I will not even support the enactment of my own proposal unless these election reforms have been enacted into law or are made a part of the same bill.

If the Congress ever yields on this point and enacts a law providing an easier method for financing political campaigns without at the same time having enacted a bona fide election reform law there will not be any election reforms in the foreseeable future.

I just want to make sure that without a bona fide election reform bill enacted there will be no plan adopted to ease the burden of campaign financing.

I shall support this bill now with those reservations.

Mr. LONG of Missouri. Mr. President, it is with a great deal of satisfaction that I speak today in support of the pending bill, S. 1880, the proposed Election Reform Act of 1967.

My esteemed predecessor, the late Thomas C. Hennings, Jr., worked long and diligently for most of the reforms included in this bill. The first bill I introduced in the Senate, S. 604 of the 87th Congress, contained these same reforms. As with many proposed changes, it has taken a number of years to establish a general recognition of the need for the reforms, and I am encouraged by the support the bill received in committee.

The bill would replace the minimal reporting requirements of today's law with a comprehensive reporting scheme that would make public practically the total picture of campaign financing for Federal office. If enacted, all candidates for Federal office and all political committees handling more than $1,000 would have to report all contributions received and expenditures made in primary and general elections. It also would establish an effective overall ceiling on the amount one person could contribute for the election of one candidate. The bill, however, would remove ceilings on expenditures. Thus, the philosophy of this bill is to regulate campaign financing by disclosing to the voter the source of campaign funds and how they are spent. The voter would then be able to exercise his own judgment as to the financial conduct of elections. In my opinion, this bill will substantially strengthen our democracy and increase the vitality of our elective process.

The Senator from Nevada [Mr. CANNON], chairman of the Senate Privileges and Elections Subcommitee, is to be commended for his years of leadership on behalf of election reforms, and I urge the Senate to overwhelmingly approve this measure.

Mr. GORE. Mr. President, I commend the chairman and the members of the Committee on Rules and Administration for their action in bringing to the Senate floor a bill to modify existing law in the area of campaign contributions and expenditures. This is an area in which reform has been badly needed for decades.

Earlier in the session this general subject was debated for the better part of 6 weeks. In the course of that debate, many Senators expressed their concern about the inadequacy of existing law and about the need to safeguard the ballot box from the dangers of improper influence of money.

Our election process is the most vital element in our form of government. It is my considered view that current election financing practices so endanger the election process that it would be in the public interest to provide a method of public financing, under proper safeguards, for the legitimate campaign expenses incurred by those who seek Federal elective office. The Committee on Finance currently has under consideration proposed legislation in this area. I hope that a bill will shortly be approved by the committee and by the Senate. If a complete job is to be done, however, it is also necessary that appropriate and effective controls over the giving, the receiving and the spending of private campaign contributions be enacted.

Existing law on the subject of campaign contributions and expenditures is so unrealistic, so ineffective and so easily avoided that there are in practical effect no effective limits whatever on how much can be given and how much can be spent in an election campaign.

The bill before the Senate, if enacted, would substantially strengthen existing law.

Among other things, the bill would extend the application of Federal law to primary elections for Federal office. Primaries are so important an element in the election process that it is essential that financial practices in primaries be subject to Federal regulation.

Further, the bill undertakes to limit effectively the aggregate amount of money that any one individual may contribute to or in behalf of a candidate for Federal office, whether in a primary campaign or in a general election campaign. I strongly support such limitations and, in fact, it is my view that limits on individual contributions more restrictive than those contained in the pending bill are needed. If the concept of "one man, one vote" is to have practical validity, we should limit the degree to which one individual's influence on the outcome of an election may be determined by the size of his pocketbook. The provision in the pending bill on this point, although it does not go as far as I would like to see it go, is surely a step in the right direction.

The pending bill contains provisions which would require more complete and more timely disclosure of the source of private campaign contributions and the purposes for which contributions are spent. This, too, is badly needed and will be helpful.

The major deficiency of the pending bill, in my view, is that it does not establish realistic and effective ceilings on the overall amount that may be spent in a campaign for public office.

Admittedly, the spending ceilings contained in current law are wholly unrealistic. The expenses that may legitimately be incurred in a modern campaign are much higher than at the time existing law was enacted. Accordingly, no effort whatever is made to enforce the ceilings set forth in existing law. They are easily avoided and universally disregarded. I do not suggest that we should continue the ceilings now in the law or that we should establish different ceilings so unrealistically low as to encourage avoidance and evasion. At the same time, I think it would be a mistake to eliminate ceilings altogether as is done in the pending bill.

Our basic objective must be to so safeguard our elective process as to insure to the maximum degree possible that the will of the electorate is freely expressed. No matter how rigidly we undertake to limit the amount that may be contributed by one individual, and no matter how effective may be the provisions for disclosure, the will of the electorate may still be usurped through the excessive expenditure of money in an election campaign.

The potential evil that may come from the use of money in elections may arise from the amount of money used in a campaign as well as from the source of that money. The only legitimate purpose of campaign expenditures is to inform the electorate of the issues in the campaign and the views of the candidates on those issues, and to permit the voters to make an informed judgment as to which of the candidates will best represent the public interest if elected. Expenditures beyond the reasonable amounts necessary for these purposes tend to obscure the issues and the views of the candidates; in some recent campaigns this appears to have been the objective of those who managed the campaigns. I do not believe it serves the public interest to permit the expenditure of large sums of money for use of mass communications media for the purpose of "selling" an image of the candidate in much the same way that Madison Avenue sells soap.

The pending bill, which repeals existing law on overall limitations on spending, is based on the premise that spending ceilings are impractical and unnecessary. It is argued by proponents of repeal that if we have effective provisions for public disclosure of how much is spent and where it came from that public reaction will effectively resolve the problem of excessive expenditures. I do not believe so. In the first place, it is simply impossible to have complete disclosure of the total amount spent or the source from which the funds came in such a way that the public will have this information before the votes are cast and counted. Disclosure after the election that the winning candidate had spent an exorbitant amount of money will not operate to change the outcome at all. Nor, in my view, can it be validly argued that the expenditure of large sums of money will react against a winning candidate in the next election. Although, under existing law, complete disclosure is not required, we frequently see articles in the press indicating that one candidate or another spent substantially larger sums than his competitor. I know of no instance in modern times when this has created noticeably adverse reaction. In fact, I feel that the public has become somewhat immune, if not cynical, to the idea that elections may in fact be "bought" by the expenditure of excessive sums of money for purposes which, in reasonable amounts, would be fully appropriate and in the public interest.

In my view, it is no answer to say that spending ceilings cannot be made effective because they would be difficult to enforce. The ceilings contained in existing law are not enforced because, first of all they are utterly unrealistic, and, secondly, because the law is so loosely drawn that responsibility is not fixed on the candidate or upon anyone else to account fully for the amount spent. It is from the candidates that our public officials are selected. I do not think it is asking too much to place upon the candidate responsibility for controlling the amount of money spent by him and by those who support his candidacy. I have sponsored proposed legislation which would fix such responsibility upon the candidate by requiring him to authorize committees to spend money on his behalf and to include the amount spent by authorized committees in the overall ceiling applicable to his campaign. It may be true that we cannot under the Constitution absolutely prohibit campaign expenditures by individuals or committees not authorized by the candidate, but such expenditures can be sharply limited without violating the constitutional guarantees of freedom of speech.

If we provide by law that there shall be no limit whatsoever upon the amount that can be spent in a campaign for election to Federal office, we shall, in a very real sense, encourage, if not condone, vast expenditures by the candidate who has or who can acquire large sums of money with which to influence the outcome of the election, thus subverting the very democratic process which we seek to safeguard.

For these reasons, Mr. President, I regret very much that the committee has not included in its bill effective provisions establishing realistic and enforceable ceilings on how much can be spent in a campaign for election to Federal office.

Mr. KENNEDY of New York. Mr. President, I rise in support of the Election Reform Act of 1967. The vitality of our electoral system is an item of high importance on our national agenda. This bill is a step toward badly needed reforms in our political structure.

The most important task, in my judgment, is for the Congress to devise a better method of raising and spending campaign funds. The spiraling cost of getting elected, the huge sums required for effective use of the mass media, the consequent reliance on a few sources of great revenue, the mounting difficulty that men of limited means face in trying to enter public life—these trends pose grave threats to the structure of our democratic system.

This bill is not a comprehensive election reform bill. It does not provide a method of public campaign financing; it does not deal with a candidate's access to the media; it does not provide a mechanism by which a man without great wealth can seek office on the basis of his ability and worth.

But it does meet some of the most flagrant abuses in current campaign financing—abuses which have flourished despite the Corrupt Practices Act of 1925. Its disclosure requirements will at least bring to the public's attention the sources of current campaign financing—and in so doing, may help propel a movement toward thoroughgoing reform.

The bill cuts through the maze of ad hoc committees which are often nothing more than conduits for large contributors. It requires all committees—whether local, State or national—to file financial statements if they received or spent more than $1000 in any 1 year. It thus may help end the creation of financial "fronts" whose expenditures are at present outside the scope of supervision.

Moreover, by reaching primary campaign expenditures, the bill will bring supervision to a part of the political process currently without control—yet which is often the only important part of the election campaign.

The Election Reform Act is modest and realistic. It seeks only to bring into public light those practices which now form the most important—and unregulated—part of campaign financing. And it may well give us the information we need to begin the hard task of comprehensive reform of campaign financing.

I urge its adoption.

The PRESIDING OFFICER. All time having expired, and the bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. Bible], the Senator from Montana [Mr. Mansfield], the Senator from Maine [Mr. Muskie], the Senator from Missouri [Mr. Symington], and the Senator from Michigan [Mr. Hart] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Pennsylvania [Mr. Clark], the Senator from North Carolina [Mr. Jordan], the Senator from Washington [Mr. Magnuson], the Senator from Montana [Mr. Metcalf], the Senator from Rhode Island [Mr. Pell], and the Senator from Georgia [Mr. Russell] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. Bible], the Senator from Pennsylvania [Mr. Clark], the Senator from Michigan [Mr. Hart], the Senator from North Carolina [Mr. Jordan], the Senator from Washington [Mr. Magnuson], the Senator from Montana [Mr. Metcalf], the Senator from Montana [Mr. Mansfield], the Senator from Maine [Mr. Muskie], and the Senator from Rhode Island [Mr. Pell] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick] is necessarily absent.

If present and voting, the Senator from Colorado [Mr. Dominick] would vote "yea."

The result was announced—yeas 87, nays 0, as follows:

[No. 247 Leg.]

YEAS—87

Aiken
Allott
Baker
Bartlett
Bayh
Bennett
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
McCarthy
McClellan
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—13

Anderson
Bible
Clark
Dominick
Hart
Jordan, N.C.
Magnuson
Mansfield
Metcalf
Muskie
Pell
Russell
Symington

So the bill (S. 1880) was passed, as follows:

S. 1880

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Election Reform Act of 1967".

TITLE I

AMENDMENTS TO CRIMINAL CODE

Sec. 101. Section 591 of title 18 of the United States Code is amended to read as follows:

"§ 591. Definitions

"When used in sections 597, 599, 602, 608, and 610 of this title—

"(a) The term 'election' means (1) a general, special, or primary election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, or (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President;

"(b) The term 'candidate' means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected. For purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

"(c) The term 'Federal office' means the office of President or Vice President of the United States, or of Senator or Representative in, or Resident Commissioner to, the Congress of the United States;

"(d) The term 'political committee' means any individual, committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000;

"(e) The term 'contribution' means a gift, subscription, loan, advance, or deposit of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, and includes a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution, and also includes a transfer of funds between political committees;

"(f) The term 'expenditure' includes a purchase, payment, distribution, loan, advance, deposit, or gift of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, and includes a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make an expenditure, and also includes a transfer of funds between political committees;

"(g) The term 'person' or the term 'whoever' means an individual, partnership, committee, association, corporation, or any other organization or group of persons."

Sec. 102. Section 600 of title 18 of the United States Code is amended to read as follows:

"§ 600. Promise of employment or other benefit for political activity

"Whoever, directly or indirectly, promises any employment, position, compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, shall be fined not more than $1,000 or imprisoned not more than one year, or both."

Sec. 103. Section 602 of title 18 of the United States Code is amended—

(a) by inserting "(a)" before "Whoever", and

(b) by adding at the end thereof the following new subsection:

"(b) Whoever, acting on behalf of any political committee (including any State or local committee of a political party), directly or indirectly intentionally or willfully solicits, or is in any manner concerned in soliciting, any assessment, subscription, or contribution for the use of such political committee or for any political purpose whatever from any officer or employee of the United States (other than an elected officer) shall be fined not more than $5,000 or imprisoned not more than three years, or both."

Sec. 104. Section 608 of title 18 of the United States Code is amended to read as follows:

"§ 608. Limitation on political contributions and purchases

"(a) It shall be unlawful for any person, directly or indirectly, to make a contribution or contributions in an aggregate amount in excess of $5,000 during any calendar year in connection with any campaign for nomination for election, or election to any political committee or candidate, to two or more political committees substantially supporting the same candidate, or to a candidate and one or more political committees substantially supporting the candidate: *Provided, however,* That nothing contained in this subsection shall prohibit the transfer of contributions received by a political committee.

"(b)(1) It shall be unlawful for any political committee or candidate to sell goods, commodities, advertising, or other articles, or any services (except as provided in section 204(b)(2) of the Campaign Funds Disclosure Act of 1967) to anyone other than a political committee or candidate.

"(2) It shall be unlawful for any person, other than a political committee or candidate, to purchase goods, commodities, advertising, or other articles, or any services (except as provided in section 204(b)(2) of the Campaign Funds Disclosure Act of 1967) from a political committee or candidate.

"(c) Whoever violates subsection (a) or (b) of this section shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(d) Subsection (b) of this section shall not apply to a sale or purchase (1) of any political campaign pin, button, badge, flag, emblem, hat, banner, or similar campaign souvenir or any political campaign literature or publications (but shall apply to sales of advertising including the sale of space in any publication), for prices not exceeding $25 each, (2) of tickets to political events or gatherings, (3) of food or drink for a charge not substantially in excess of the normal charge therefor, or (4) made in the course of the usual and known business, trade, or profession of any person or in a normal arm's-length transaction: *Provided, however,* That a sale or purchase described in paragraph (1), (2), or (3) shall be deemed a contribution under subsection (a) of this section.

"(e) For the purposes of this section, a contribution made by the spouse or a minor child of a person shall be deemed a contribution made by such person.

"(f) In all cases of violations of this section by a partnership, committee, association, corporation, or other organization or group of persons, the officers, directors, or managing heads thereof who knowingly and willfully participate in such violation shall be punished as herein provided."

SEC. 105. Section 609 of title 18 of the United States Code is repealed.

SEC. 106. Section 611 of title 18 of the United States Code is amended to read as follows:

"§611. Contributions by Government contractors

"Whoever, including a corporation, entering into any contract with the United States or any department or agency thereof either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof or for selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, at any time between the commencement of negotiations for and the later of (a) the completion of performance under, or (b) the termination of negotiations for, such contact or furnishing of material, supplies, equipment, land or buildings, directly or indirectly makes any contribution of money or other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

"Whoever knowingly solicits any such contribution from any such person for any such purpose during any such period—

SEC. 107. So much of the sectional analysis at the beginning of chapter 29 of title 18 of the United States Code as relates to sections 609 and 611 is amended to read:

"609. Repealed.

"611. Contributions by Government contractors."

TITLE II—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

SEC. 201. DEFINITIONS.—

When used in this title—

(a) The term "election" means (1) a general, special, or primary election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, or (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President;

(b) The term "candidate" means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected. For purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

(c) The term "Federal office" means the office of President or Vice President of the United States; or of Senator or Representative in, or Resident Commissioner to, the Congress of the United States;

(d) The term "political committee" means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000;

(e) The term "contribution" means a gift, subscription, loan, advance, or deposit of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as presidential and vice-presidential electors, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution, and also includes a transfer of funds between political committees;

(f) The term "expenditure" includes a purchase, payment, distribution, loan, advance, deposit, or gift of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or as presidential and vice-presidential electors, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure, and also includes a transfer of funds between political committees;

(g) The term "Clerk" means the Clerk of the House of Representatives of the United States;

(h) The term "Secretary" means the Secretary of the Senate of the United States;

(i) The term "person" includes an individual, partnership, committee, association, corporation, labor organization, and any other organization or group of persons;

(j) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

ORGANIZATION OF POLITICAL COMMITTEES

SEC. 202. (a) Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and address of the person making such contribution, and the date on which received. All funds of a political committee shall be kept separate from other funds.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

(1) all contributions made to or for such committee;

(2) the full name and mailing address of every person making any contribution, and the date and amount thereof;

(3) all expenditures made by or on behalf of such committee; and

(4) the full name and mailing address of every person to whom any expenditure is made, and the date and amount thereof.

(d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee of $100 or more in amount, and for any such expenditure in a lesser amount, if the aggregate amount of such expenditures to the same person during a calendar year exceeds $100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the Secretary or Clerk, as the case may be.

REGISTRATION OF POLITICAL COMMITTEES; STATEMENTS

SEC. 203. (a) Each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding $1,000 shall, within ten days after its organization or, if later, ten days after the date on which it has information which causes it to anticipate it will receive contributions or make expenditures in excess of $1,000, file with the Secretary or Clerk, as the case may be, a statement of organization. Each such committee in existence at the date of enactment of this Act shall file a statement of organization with the Secretary or Clerk, as the case may be, at such time as he prescribes.

(b) The statement of organization shall include—

(1) the name and address of the committee;

(2) the names, addresses, and relationships of affiliated or connected organizations;

(3) the area, scope, or jurisdiction of the committee;

(4) the name, address, and position of the custodian of books and accounts;

(5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;

(6) the name, address, office sought, and party affiliation of (A) each candidate whom the committee is supporting and (B) any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever; or, if the committee is supporting the entire ticket of any party, the name of the party;

(7) a statement whether the committee is a continuing one;

(8) the disposition of residual funds which will be made in the event of dissolution;

(9) a listing of all banks, safety deposit boxes, or other repositories used;

(10) a statement of the reports required to be filed by the committee with State or local officers, and if so, the names, addresses, and positions of such persons; and

(11) such other information as shall be required by the Secretary or Clerk.

(c) Any change in information previously submitted in a statement of organization shall be reported to the Secretary or Clerk, as the case may be, within a ten-day period following the change.

(d) Any committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding $1,000 shall so notify the Secretary or Clerk, as the case may be.

REPORTS BY POLITICAL COMMITTEES AND CANDIDATES

SEC. 204. (a) Each treasurer of a political committee supporting a candidate or candidates for election to the office of President or Vice President of the United States or Senator, and each candidate for election to such office, shall file with the Secretary, and each treasurer of a political committee supporting a candidate or candidates for election to the office of Representative in, or Resident Commissioner to, the Congress of the United States, and each candidate for election to such office, shall file with the Clerk, reports of receipts and expenditures on forms to be prescribed or approved by him. Such reports shall be filed on the 10th day of March, June, and September, in each year, and on the fifteenth and fifth days next preceding the date on which an election is held, and also by the 31st day of January. Such reports shall be complete as of such date as the Secretary may prescribe, which shall not be less than five days before the date of filing.

(b) Each report under this section shall disclose—

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the full name and mailing address of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events) within the calendar year in the aggregate amount or value of $100 or more, together with the amount and date of such contributions;

(3) the total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (2);

(4) the name and address of each political committee or candidate from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all such transfers;

(5) each loan to or from any person within the calendar year in the aggregate amount or value of $100 or more, together with the full names and mailing addresses of the lender and endorsers, if any, and the date and amount of such loan;

(6) the total amount of proceeds from (A) the sale of tickets to each dinner, luncheon, rally, and other fund-raising event; (B) mass collections made at such events; and (C) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(7) each contribution, rebate, refund, or other receipt of $100 or more not otherwise listed under paragraphs (2) through (6);

(8) the total sum of all receipts by or for such committee or candidate during the reporting period;

(9) the full name and mailing address of each person to whom an expenditure or expenditures have been made by such committee or candidate within the calendar year in the aggregate amount or value of $100 or more, and the amount, date, and purpose of each such expenditure;

(10) the full name and mailing address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses of $100 or more has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(11) the total sum of expenditures made by such committee or candidate during the calendar year;

(12) the amount and nature of debts and obligations owed by or to the committee, in such form as the Secretary or Clerk may prescribe;

(13) such other information as shall be required by the Secretary or Clerk.

(c) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward. If no contributions or expenditures have been accepted or expended during a calendar year, the treasurer of the political committee or candidate shall file a statement to that effect.

REPORTS BY OTHERS THAN POLITICAL COMMITTEES

SEC. 205. Every person (other than a political committee or candidate) who makes contributions or expenditures, other than by contribution to a political committee or candidate, aggregating $100 or more within a calendar year shall file with the Secretary or Clerk, as the case may be, a statement containing the information required by section 204. Statements required by this section shall be filed on the dates on which reports by political committees are filed, but need not be cumulative.

FORMAL REQUIREMENTS RESPECTING REPORTS AND STATEMENTS

SEC. 206. (a) A report or statement required by this title to be filed by a treasurer of a political committee, a candidate, or by any other person, shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths.

(b) A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the Secretary or Clerk, as the case may be, in a published regulation.

(c) The Secretary or Clerk may, by published regulation of general applicability, relieve any category of political committees of the obligation to comply with section 204 if such committee (1) primarily supports persons seeking State or local office, and does not substantially support candidates, and (2) does not operate in more than one State or on a statewide basis.

(d) The Secretary or Clerk, as the case may be, shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that they be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

REPORTS ON CONVENTION FINANCING

SEC. 207. Each committee or other organization which—

(1) represents at State, or a political subdivision thereof, or any group of persons, in dealing with officials of a national political party with respect to matters involving a convention held in such State or political subdivision to nominate a candidate for the office of President or Vice President, or

(2) represents a national political party in making arrangements for the convention of such party held to nominate a candidate for the office of President or Vice President, shall, within sixty days following the end of the convention (but not later than twenty days prior to the date on which presidential and vice-presidential electors are chosen), file with the Secretary a full and complete financial statement, in such form and detail as he may prescribe, the sources from which it derived its funds, and the purposes for which such funds were expended.

DUTIES OF THE SECRETARY AND CLERK

SEC. 208. (a) It shall be the duty of the Secretary and Clerk, respectively—

(1) to develop prescribed forms for the making of the reports and statements required to be filed with him under this title;

(2) to prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make such reports and statements;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes of this Act;

(4) to make the reports and statements filed with him available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person;

(5) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(6) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

(7) to prepare and publish an annual report including compilations of (A) total reported contributions and expenditures for all candidates, political committees, and other persons during the year; (B) total amounts expended according to such categories as he shall determine and broken down into candidate, party, and nonparty expenditures on the National, State, and local levels; (C) total amounts expended for influencing nominations and elections stated separately; (D) total amounts contributed according to such categories of amounts as he shall determine and broken down into contributions on the National, State, and local levels for candidates and political committees; and (E) aggregate amounts contributed by any contributor shown to have contributed the sum of $100 or more;

(8) to prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditures made with respect to preceding elections;

(9) to prepare and publish such other reports as he may deem appropriate;

(10) to assure wide dissemination of statistics, summaries, and reports prepared under this Act;

(11) to make from time to time audits and field investigations with respect to reports and statements filed under the provisions of this title, and with respect to alleged failures to file any report or statement required under the provisions of this title;

(12) to report apparent violations of law to the appropriate law enforcement authorities; and

(13) to prescribe suitable rules and regulations to carry out the provisions of this title.

(b) In the performance of their duties under this Act, the Secretary and Clerk shall coordinate their activities with the activities of the Comptroller General under the Presidential Election Campaign Fund Act of 1966.

STATEMENTS FILED WITH CLERK OF UNITED STATES COURT

SEC. 209. (a) A copy of each statement required to be filed with the Secretary or Clerk by this title shall be filed with the clerk of the United States district court for the judicial district in which is located the principal office of the political committee or, in the case of a statement filed by a candidate or other person, in which is located such person's residence. The Secretary or Clerk may require the filing of reports and statements required by this Act with the clerks of other

United States district courts where he determines the public interest will be served thereby.

(b) It shall be the duty of the clerk of a United States district court under subsection (a)—

(1) to receive and maintain in an orderly manner all reports and statements required by this title to be filed with such clerks;

(2) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(3) to make the reports and statements filed with him available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person; and

(4) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate.

PROHIBITION ON CONTRIBUTIONS IN NAME OF ANOTHER

Sec. 210. No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

PENALTY FOR VIOLATIONS

Sec. 211. Any person who violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

STATE LAWS NOT AFFECTED

Sec. 212. (a) Nothing in this title shall be deemed to invalidate or make inapplicable any provision of any State law, except where compliance with such provision of law would result in a violation of a provision of this title.

(b) The Secretary and Clerk shall encourage, and cooperate with, the election officials in the several States to develop procedures which will eliminate the necessity of multiple filings by permitting the filing of copies of Federal reports to satisfy the State requirements.

PARTIAL INVALIDITY

Sec. 213. If any provision of this title, or the application thereof, to any person or circumstance is held invalid, the validity of the remainder of the title and the application of such provision to other persons and circumstances shall not be affected thereby.

REPEALING CLAUSE

Sec. 214. (a) The Federal Corrupt Practices Act and all other Acts or parts of Acts inconsistent herewith are repealed.

(b) In case of any conviction under this Act, where punishment inflicted does not include imprisonment, such conviction shall be deemed a misdemeanor conviction only, and shall not carry with it a loss of citizenship.

CITATION

Sec. 215. This title may be cited as the "Campaign Funds Disclosure Act of 1967."

TITLE III

AUTHORIZATION OF APPROPRIATIONS AND EFFECTIVE DATE

Sec. 301. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Sec. 302. This Act shall take effect January 1, 1968.

Mr. CANNON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. McINTYRE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CANNON. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make necessary and technical and clerical corrections in the engrossment of S. 1880.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEATH OF THOMAS E. MILLSOP

Mr. RANDOLPH. Mr. President, earlier today an illustrious American, Thomas E. Millsop, died at his home in Weirton, W. Va.

Tom Millsop was more than a great industrialist. His leadership in the steel industry is attested to by the many years during which he headed the Weirton Steel Co., a part of the National Steel Corp., which he served as honorary chairman and director for several years.

Tom Millsop gave of himself in the building of a better community—the community in which he lived his life. He did not wish to seek so-called high public office. There are those who believe—and properly so—that he could have been elected to important office in our State and Nation.

However, Tom Millsop decided otherwise. He was a community man, and so he offered himself as a candidate for the mayorship in that fine city in the northern panhandle of West Virginia where he served several terms while serving also as president of a steel company with some 12,000 devoted employees—the Wierton Steel Co. at Weirton, W. Va.

Tom Millsop was a humanitarian with a special interest in young people.

He served with distinction as a member and later as president of the West Virginia University Board of Governors. This man whom I was privileged to know was a humble individual. He was a man of reasoned convictions. And his opinions were never dogmatic.

There are those of us, not of his party, because he was an outstanding Republican leader, who valued his counsel and good will.

I rise in the Senate this afternoon to express appreciation for the career and the conscience of such a man. His days were filled with the fruits of a good life. All of the employees of the company he headed and in which he was active—he was at his office yesterday—and all of his associates in that vast organization looked on him as one of them. And he was truly that.

Tom Millsop was a leader, but I never thought of him as being only a leader as much as I did of his having asked those in whom he believed to stand alongside him as he walked forward to make useful and meaningful contributions to a life of business, to a life of public service, and to a life of personal success. He shared with others.

Our State and its people, and even the Nation but, more importantly, the community and the company of which he was a part are the better for his having lived fully and well.

The impact of this man's life will be felt in the years ahead.

On behalf of Mrs. Randolph and myself, I extend our sincere sympathy to his wife and daughters, to all members of the family, to the workers of that company to which he was so devoted, and to those who knew him and loved him.

We are deeply conscious of the void which is left by his passing.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to my distinguished colleague from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I can add nothing to the eulogy which has been so appropriately and beautifully expressed by my distinguished senior colleague with reference to the untimely passing of Mr. Tom Millsop, except to say that I join with him in expressing sorrow on my own behalf and on behalf of my family and our fellow West Virginians that this great humanitarian, great industrialist, great West Virginia citizen, and great American has left us; and to say, also, that West Virginia, indeed, and its people are better off for Tom Millsop's having lived and walked among us.

On behalf of myself and my family, I wish to express our sympathy to the family and the close relatives of Mr. Millsop, and to assure them that Mr. Millsop's great host of friends share the sorrow which has come to them.

Mr. RANDOLPH. I thank my colleague for adding this sincere sentiment.

REPORT ON AIR WAR AGAINST NORTH VIETNAM

Mr. STENNIS. Mr. President, on August 31, 1967, the Preparedness Investigating Subcommittee, which I am privileged to chair, issued a summary report on the conduct and effectiveness of the air war against North Vietnam.

The subcommittee report deals with one of the most crucial and critical problems now confronting this Nation. It was adopted unanimously by the full membership of the subcommittee, which is composed of the following Senators: Mr. Symington of Missouri, Mr. Jackson of Washington, Mr. Cannon of Nevada, Mr. Byrd of West Virginia, Mrs. Smith of Maine, Mr. Thurmond of South Carolina, and Mr. Miller of Iowa.

In view of its importance, I ask unanimous consent that certain excerpts from the report be printed at this point in the Record.

There being no objection, the excerpts from the report were ordered to be printed in the Record, as follows:

Air War Against North Vietnam

In view of the importance of the air campaign in North Vietnam on June 28, 1967, the subcommittee announced it would conduct an extensive inquiry into the conduct and effectiveness of the bombing campaign over North Vietnam.

Since commencing hearings on August 9, 1967, we have heard the most knowledgeable and qualified witnesses, including both military leaders and the Secretary of Defense. In order of their appearance, the witnesses were Adm. Ulysses S. G. Sharp, commander in chief, Pacific forces; Adm. Roy Johnson, commander of the Pacific Fleet; Gen. John Ryan, commanding general of the Pacific Air Force; Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff; Lt. Gen. Robert Momyer, commanding general of the 7th Air Force in Vietnam; Gen. John P. McConnell, Chief of Staff, U.S.

Air Force; Adm. T. H. Moorer, Chief of Naval Operations; Secretary of Defense Robert S. McNamara; Gen. Harold K. Johnson, Chief of Staff, U.S. Army; Gen. Wallace M. Greene, Commandant, U.S. Marine Corps; and Maj. Gen. Gilbert L. Meyers, U.S. Air Force (retired), formerly deputy commander of the 7th Air Force in Saigon.

We believe that we now have the basic and fundamental facts which underlie the air campaign against North Vietnam. In view of the fact that this is one of the most crucial and critical problems confronting the Nation, this report is being issued so the Congress and the American people can have the benefit of our findings at this time. A formal and more detailed report will be issued at a later date.

II. PURPOSES OF THE AIR WAR

It must be emphasized that the air campaign against North Vietnam is a highly important, integral, and truly indispensable part of the overall strategy involved in the conduct of the war in Southeast Asia. Its major objectives are (*a*) to obstruct, reduce, harass, and impede the flow of war-supporting materiel and personnel within North Vietnam and from North Vietnam to South Vietnam; (*b*) to destroy those military and industrial resources of North Vietnam that contribute most to the support of its aggression; (*c*) to reduce the flow of external assistance being provided to North Vietnam; and (*d*) to cause North Vietnam to pay an unacceptable price for its aggression.

The subcommittee has always recognized that the air war in the north is not a substitute for the ground war in South Vietnam. We have always considered it to be only one phase, albeit a highly essential and important one, of the overall integrated war effort. Those who suggest otherwise merely create a strawman and waste their energy upon the destruction of it.

That the air campaign has not achieved its objectives to a greater extent cannot be attributed to inability or impotence of airpower. It attests, rather, to the fragmentation of our own air might by overly restrictive controls, limitations, and the doctrine of "gradualism" placed on our aviation forces which prevented them from waging the air campaign in the manner and according to the timetable which was best calculated to achieve maximum results.

III. HISTORY AND DEVELOPMENT OF THE AIR WAR

The bombing campaign against North Vietnam was authorized in February 1965. Shortly thereafter our military leaders, notably the Joint Chiefs of Staff, recommended a list of 94 fixed targets for strike which they considered militarily significant. These targets were not approved. Instead, strikes were limited to a relatively small section in the southern areas of North Vietnam and initially only a small weight of effort was employed.

Throughout, the tempo of the air campaign has been based on a gradual and carefully controlled application of power. Through 1966, the great bulk of the effort was expended on attacking the enemy's lines of communication well south of the vital areas of Hanoi and Haiphong, while the important targets in the vital northeast quadrant of North Vietnam, where the bulk of its war-supporting resources are concentrated, remained relatively untouched. Only 22 of the 242 targets on the Joint Chiefs of Staff list were struck in 1966 and less than 1 percent of the sorties flown were directed against fixed targets on the JCS list.

While it is clear that at least through January 1967, the careful controls and restrictive ground rules had resulted in the application of our airpower in a manner which was of limited effectiveness, commencing in January 1967 the use of our airpower was gradually extended. More consistent attacks were authorized against the enemy's more important military targets, such as its transportation network and war-supporting industries, particularly in the areas surrounding Hanoi and Haiphong. This important northeast area of North Vietnam contains industrial facilities, important military complexes, and key elements of the transportation system which are most important to North Vietnam in enabling it to support the aggression against South Vietnam.

In the spring of 1967, certain important targets were approved for strike and the weight of our air campaign was intensified, particularly with respect to the vital northeast quadrant, including the Hanoi-Haiphong complex. Targets such as electric power systems, the steel industry, airfields, and some important segments of the transportation system were authorized for strike. Thus, military leaders stated that more had been done in the past 3 months than was achieved in the previous 18 months—all because significant targets were being approved, largely for the first time.

Admiral Sharp testified on August 9, 1967, "During the last 3 months, with an expanded target list but with no significant departure from the broad restraints under which we have long operated, we have begun to hurt the enemy in his home territory." He quickly added that: "Now when the enemy is hurting, we should increase our pressures."

The weather over North Vietnam has been unusually good this spring and summer. It must be borne in mind that the northeast monsoon from mid-October to April cuts down severely on the number of targets that can be struck. Hence, in July the military needed many profitable targets to employ its air forces effectively.

It was with gratification that the subcommittee learned that on August 8, 1967, 1 day before the hearing commenced, additional important targets were approved, many for the first time. Notably the list included targets in the buffer zone along the Red Chinese border in which strikes had long been prohibited. In addition, the vital Hanoi bridge over the Red River was hit for the first time. This bridge handles the rail traffic from Red China over the northeast railway and the vital shipments from Haiphong to Hanoi.

It should be noted that since our air attacks began the enemy has accomplished a tremendous and very formidable buildup in his air defenses. The North Vietnamese air defense environment overall, including antiaircraft fire, surface-to-air missiles, and Mig aircraft over the heavily defended targets in North Vietnam, has been described as the most deadly that the world has ever seen. The massive air defenses have exacted a heavy toll of American aircraft and pilots. More than 660 planes have been shot down over North Vietnam. The long delay in approving targets in North Vietnam has almost certainly contributed to our aircraft and pilot losses since it gave the North Vietnamese the time to build up formidable air defenses. Moreover, the long delay enabled the enemy to prepare for a response to the anticipated loss of installations, such as petroleum storage, by dispersal of facilities and building reserve stocks.

An important area of controversy and difference of opinion between Secretary McNamara and the military experts lies in the evaluation of the impact of the air campaign in the north on U.S. casualties in the south. General McConnell was typical of all military testimony when he stated: "It is my opinion that that is correct," in response to the question, "Would not the converse be true in that we probably would have suffered fewer casualties in the south if the air campaign against the north had not been burdened with restrictions and prohibited targets?" All other military witnesses asked the question had the same view.

Secretary McNamara is in clear and complete disagreement with this assessment. He was asked: "Would we in all probability have experienced fewer casualties in the south had those restrictions and prohibitions not been imposed against the bombing of the north?" Secretary McNamara responded: "It is my very firm opinion that regardless of what other merit there might have been for following different practice of air activity against the north in the past, it would not have reduced our casualties in the south."

He continued: "I am simply saying that I have seen no evidence of any kind submitted by any agency that is involved in analysis of our north and south operations that indicates that an accelerated campaign of air attacks against the north in the past would have reduced our casualties in the south and I have seen considerable evidence that points to the opposite conclusion that it would not have."

As stated above, the overwhelming weight of the testimony by military experts is to the contrary.

IV. NATURE AND EFFECT OF RESTRICTIONS

Formerly both the Joint Chiefs of Staff and the commander in chief of the Pacific forces maintained target lists which were used as the basis of planning for attacks on fixed targets. Targets on the JCS list could not be hit without the approval of the Secretary of Defense and other high civilian authority. As a result, *during the entire year of 1966 less than 1 percent of the total sorties flown against North Vietnam were against fixed targets on the JCS target list.* This clearly demonstrates the previous difficulty in obtaining approval for striking the more meaningful fixed targets. The Secretary of Defense has endeavored to leave the impression that the fixed targets on these lists are generally industrial-type targets. The fact is that some of the most important are key bridges, railroad repair shops, storage areas, vehicle repair shops, concentration yards, and other targets which are vital to the enemy's transportation network and which he utilizes in moving materiel and supplies from the Port of Haiphong and the border of Red China through North Vietnam to South Vietnam for use against our troops and those of our Allies.

Recently the JCS and CINCPAC target lists have been combined into the operating target list. This now contains a total 427 targets and as of August 25, 1967, 359 of these had been recommended for strike and strikes had been authorized against 302. Thus, there were 57 targets recommended by the Joint Chiefs of Staff against which strikes have not been authorized.

This addresses itself to only part of the picture. Many long recommended targets were authorized for the first time in August 1967. As a matter of fact, Admiral Sharp had recommended 129 targets to Secretary McNamara when he briefed him in Saigon on July 1967. General Wheeler stated that as of August 9, 1967, there were 111 unauthorized targets and that the JCS recommended that 70 of them be authorized for strike. The remaining 41, while retained on the target list, were not recommended at that time.

It is important to stress that the target list discussed above by no means contains all of the fixed targets in North Vietnam. Targets are added from time to time as they are recognized as profitable and important military targets and other targets are dropped from the list as they become inoperative.

In addition, the authority to make an initial strike upon a target is not always sufficient. The North Vietnamese have shown a great and increasing capacity for repairing and restoring targets so that many targets, even though previously struck, are quickly regenerated, restored, and require restrike. Restrike authority was often not allowed, particularly with respect to important targets around Hanoi and Haiphong and in other sanctuary areas.

Further, there are sanctuary areas in North Vietnam in which strikes are prohibited except with express prior approval from Washington civilian authority. These sanctuary areas obviously cannot be discussed at any length in this unclassified report. However, we do call attention to press reports of airstrikes in recent weeks on targets in the buffer zone along the border of Red China for the first time. Many of these targets are vital to North Vietnam's transportation net.

The existence of the sanctuary areas in North Vietnam are not based exclusively on military considerations. These sanctuaries have enabled the North Vietnamese to concentrate their warmaking materiel in these areas, which are safe and secure from bombing, and ready them for the dash southward over vulnerable land, rail, and water routes under cover of darkness and bad weather. Whether warranted or not, it is clear that the sanctuaries have reduced and curtailed the effectiveness of our air operations and reduced the impact of the bombing campaign upon the enemy's ability to support the war and infiltrate men and materiel to the south. This is one of the reasons why, through January 1967, the application of our airpower was relatively ineffective, and much more ineffective than it should have been.

V. REMAINING MILITARILY SIGNIFICANT TARGETS

On August 25, 1967, there were 57 targets recommended by the Joint Chiefs of Staff against which strikes have not been authorized. Another 68 targets on the operating target list are not currently recommended by the Joint Chiefs. The Secretary of Defense in his appearance before the subcommittee took great pains to minimize and deprecate the significance of the 57 recommended targets which have not been approved. He said: "The present importance of such targets as these has not been shown to warrant risking the loss of American lives." Yet in the past many American lives have been lost by striking approved targets which were clearly of much less significance than many of those recommended but not approved.

It was clearly implied by the Secretary of Defense that few, if any, important military targets remained unstruck. The great weight of the military testimony was to the contrary. General McConnell stated: "There are many valuable targets remaining unstruck." General Wheeler stated that the 57 targets under discussion were worthwhile targets and said: "There is no question about that." Admiral Sharp said: "There are many lucrative targets that have not yet been struck, * * * that we consider important." As late as August 28, General Greene said: "The key targets have not even yet been hit."

Obviously, high on the list, from the standpoint of priority of importance is the closure or neutralization of the Port of Haiphong. As the Secretary of Defense said, the great bulk of North Vietnam's imports now enter through Haiphong, perhaps as much as 4,700 out of 5,800 tons per day. This, the Secretary of Defense said, includes most of the war-supporting materiel, such as trucks, generators, and construction equipment. However, in weighing the risks involved in closing this port, he discounts the value of closing Haiphong and asserts that Hanoi's present heavy reliance on it reflects convenience rather than necessity. He concludes that cutting off seaborne imports would not prevent North Vietnam from continuing its present level of military operations in the south and would not, in fact, eliminate seaborne imports. He said that North Vietnam could sustain its required import rate by way of land, rail, and water from Red China.

This position contrasts sharply with the views of military experts. For example, Admiral Sharp testified: "I have seen studies that say that the roads and the railroads have sufficient capacity even if you mine Haiphong that they would still get enough done. I frankly do not believe it."

Supporting the present level of enemy forces in South Vietnam is not the only problem posed by imports into North Vietnam. Large quantities of war materiel are needed to support enemy forces in the DMZ, and thousands of tons of antiaircraft ammunition are needed to support the air defenses in the North. Practically all of this is imported.

All military witnesses stated that the closure, neutralization, or isolation of the Port of Haiphong was the single most important thing which could be done in North Vietnam from a military standpoint. They felt that this measure, if accomplished, would have a substantial impact on the course of the war and the American and allied casualties in the south. Not only did they feel that it is necessary from a military standpoint, but they think that it is entirely feasible. They also feel that closure of the port would have a very substantial impact on the flow of goods and supplies into North Vietnam.

Obviously, the question of closing or neutralizing Haiphong has important policy and political considerations over and above the pure military requirements, including the reaction, if any, of the U.S.S.R. or Red China. This is a serious and legitimate question, but it does not justify the Secretary in taking the position that closing or neutralizing this vital port is unimportant from a military standpoint, a position which is entirely at odds with the unanimous judgment of all of our military experts. The subcommittee does not believe the Secretary's position on this matter is valid.

VI. IMPACT OF PREVIOUS BOMBINGS

Despite the restrictions and controls placed on our air campaign, it has had a substantial impact on North Vietnam, particularly in the last several months. During this latter period our aviation forces have been able to achieve a level of effort not previously possible. The growing weight of our efforts has brought an extensive destruction or disruption of North Vietnam's war-supporting resources.

The constant attacks on rail lines, truck routes, trucks, railroad rolling stock, and ocean barges have eroded the country's transportation capabilities. As a result, the air campaign held down the infiltration of men and materiel into South Vietnam and significantly restricted the level of enemy forces that can be sustained there. It is important to emphasize that a complete stoppage of the infiltration was never anticipated. However, it is clear that the bombing campaign has reduced the level of infiltration, especially of materiel, well below that which would be possible if the traffic had been left unimpeded. This has served to reduce the enemy's ability to conduct major sustained operations in South Vietnam and, thus, has resulted in the reduction of American casualties.

Members of the Joint Chiefs told us that if the air campaign in the north had not been initiated, the scope of the ground war in South Vietnam might have been greatly expanded. General McConnell said that Hanoi had the potential manpower to build the combined Vietcong and North Vietnamese forces in South Vietnam to nearly double what they are today. He pointed out that coping with such a buildup and capability would have required a large increase in our own ground forces commitment, "perhaps more than 800,000 additional U.S. troops at a cost of $75 billion over what we have already spent."

In addition, as Secretary McNamara himself testified, the North Vietnamese have had to divert over 500,000 people to maintaining and repairing the lines of communication such as roads, rail networks, etc.—not an insignificant number in a country totaling 18.5 million. What they could have done in South Vietnam with 500,000 men freed from the shackles of maintaining lines of communication in North Vietnam is not pleasant to contemplate.

Thus, weighed against the situation which would have existed had the air campaign not been mounted, it is clear that the air effort against North Vietnam has borne substantial fruits and has been as effective as might be expected considering the restrictions and inhibitions placed on our airpower by civilian authorities in Washington. That greater results have not been achieved is attributable, in our judgment, to these restrictions rather than to any lack of skill or ability of our aviation forces or of ingenuity, courage, and dedication of our soldiers, sailors, and airmen.

We believe the air campaign has been crucial and vital in saving many American and allied lives in South Vietnam. We believe also that the enemy has been hurt in his homeland and, while he is thus hurt, the pressure should be increased and not reduced to persuade him that his continued support of the war in South Vietnam is definitely not in his best interests. The propaganda campaign from Hanoi designed to stop the bombing is strong evidence that the enemy is paying a price he does not wish to pay.

VII. PROPOSALS TO SUSPEND OR RESTRICT AIR WAR

Many proposals have been heard recently calling for a curtailment of our air campaign against North Vietnam, including a complete cessation of the bombing in certain vital areas. It is clear from the record that all of these proposals have received some discussion in official circles. It is less clear that they are dead at this time.

Each of these proposals has the serious fault that, if adopted, the inevitable result would be an increased infiltration of men and war goods into South Vietnam and increased casualties among U.S. and allied troops. The impact of a complete cessation of the bombing is clearly apparent. As Admiral Sharp testified: "It generally would be a disaster for the United States in my opinion" as "we would immediately face a large increase in loss of American troops in South Vietnam," and "in my opinion extend the war indefinitely."

A territorial limitation of the bombing would also be a perilous course because it would afford the North Vietnamese many vital sanctuaries and enable them to expand the ground war in South Vietnam with a lesser penalty than is now being exacted. As an illustration, General Wheeler testified that a reduction of our bombing or imposition of additional restrictions on our air forces would cause increased U.S. and allied casualties in South Vietnam.

Those who propose a temporary bombing lull, as evidence of our good intentions in the hope that it would bring Hanoi to the conference table, overlook the hard facts of increased U.S. casualties and past history. The net effect of such truces was shown clearly by the Tet standdown in early 1967. We were told that during the 4-day lapse in air attacks during that period North Vietnam pushed through a volume of supplies that would have required at least 38 days to move during periods of our air activity. As a matter of fact, the tonnage figures reveal that supplies flowing southward during this 4-day lull were at least 600 percent greater than the figures cited by Secretary McNamara.

Conceding that these proposals are well meaning, we feel that they ignore the facts of life. Hanoi continues to demand the unilateral and unconditional suspension of the bombing campaign without any offer of reciprocal reduction of military action on its part. It does not even guarantee that meaningful talks would ensue if we suspended the bombing. It only suggests the possibility of such talks.

The subcommittee is firm in its belief that the desire for an early end to the fighting which we all share must not cause us to be so naive or foolish as to throw away one of our principal military advantages for shortening the war. There is no evidence whatever that North Vietnam has lowered or softened in any way the demands contained in the four-point stand originally proclaimed by Premier Pham Van Dong on April 8, 1967. These four points were that the United States must stop the bombing and other acts of war against North Vietnam permanently and unconditionally, withdraw all free world troops from South Vietnam, recognize the National Liberation Front as the sole genuine representative of the South Vietnamese people, and let the Vietnamese people settle their internal affairs themselves. These four points were reaffirmed as recently as July 1, 1967, by the North Vietnamese Communist Party's official newspaper, Nhan Dan.

VIII. NECESSITY FOR CONTINUING AND MAKING AIR WAR MORE EFFECTIVE

In our hearings we found a sharp difference of opinion between the civilian authority and the top-level military witnesses who appeared before the subcommittee over how and when our airpower should be employed against North Vietnam. In that difference we believe we also found the roots of the persistent deterioration of public confidence in our airpower, because the plain facts as they unfolded in the testimony demonstrated clearly that civilian authority consistently overruled the unanimous recommendations of military commanders and the Joint Chiefs of Staff for a systematic, timely, and hard-hitting integrated air campaign against the vital North Vietnam targets. Instead, and for policy reasons, we have employed military aviation in a carefully controlled, restricted, and graduated buildup of bombing pressure which discounted the professional judgment of our best military experts and substituted civilian judgment in the details of target selection and the timing of strikes. We shackled the true potential of airpower and permitted the buildup of what has become the world's most formidable antiaircraft defenses. This approach had considerable support from those who hoped to accomplish our objectives with minimum force and who feared that a greater use of airpower risked a confrontation with the U.S.S.R. and Communist China. It was adopted over contrary recommendations of the military leaders, but true to their tradition, they faithfully supported and implemented the orders of their civilian superiors.

This strategy has not brought the war to an end. It is true that we have (1) held down the flow of men and materiel infiltrated to the south; (2) raised the morale of the South Vietnamese people; and (3) required North Vietnam to pay a price for their continued aggression. Had we not taken the air action in the north and injected large-scale U.S. ground forces into the battle in the south, the Communists would surely have prevailed and freedom would have perished in South Vietnam. We have not lost, but we have not achieved our objectives and war goes on. The price we have exacted from North Vietnam for its continued aggression is one that it is still willing to pay and the level of interdiction of the southward flow of men and materiel has permitted enough infiltration to enable the enemy to continue the fight in the south.

It is not our intention to point a finger or to second guess those who determined this policy. But, the cold fact is that this policy has not done the job and it has been contrary to the best military judgment. What is needed now is the hard decision to do whatever is necessary, take the risks that have to be taken, and apply the force that is required to see the job through.

For reasons which are apparently convincing to him, although not to us, the Secretary of Defense deprecates the impact of a continued and more effective air campaign on Hanoi's ability and will to support the aggression in the south. The top military leaders of this country are confident that the Port of Haiphong can be closed, the land lines of communication to China interdicted, and Hanoi's receipt and distribution by sea and land routes of war-sustaining materiel greatly reduced by Air Force and Navy aviation if they are permitted to do so.

The subcommittee is of the opinion that we cannot, in good conscience, ask our ground forces to continue their fight in South Vietnam unless we are prepared to press the air war in the north in the most effective way possible. This requires closing the Port of Haiphong, isolating it from the rest of the country, striking all meaningful targets with a military significance, and increasing the interdiction of the lines of communication from Red China. The Secretary of Defense testified that he does not believe that such a campaign can stem the flow of supplies and goods sufficiently to prevent support of North Vietnamese and Vietcong combat activity in South Vietnam at its present level. The Joint Chiefs and other military experts believe it can accomplish more—much more. It is their judgment that less restricted air campaign which interdicts war materiel at the point of entry and the major arteries of supply will result in reduced support for aggression in South Vietnam and at the DMZ, curtailed activity by enemy units, and reduced casualties for American and allied ground forces.

As between these diametrically opposed views, and in view of the unsatisfactory progress of the war, logic and prudence requires that the decision be with the unanimous weight of professional military judgment. From the record made before us, this appears to offer the best and, very possibly, only hope for a successful end to the war as quickly as possible.

IX. CONCLUDING STATEMENT

We emphasize again that nothing in this report is meant to suggest the indiscriminate bombing of civilian or civilian population centers. No witness favored this. Certainly, the subcommittee does not recommend it. It is clear from the testimony, however, that within this limitation, many military actions already discussed which have thus far been withheld or restricted can and should be taken which are calculated to have a direct and adverse effect upon Hanoi's ability and willingness to continue to support the war.

Nor do we derogate in any manner the principle of civilian control of the military. We recognize this as one of the truly great bulwarks of our system of government. The best traditions of the military uphold this principle, and it has been scrupulously adhered to both in the conduct of this war and during these hearings. However, as the subcommittee said in a report issued on October 19, 1962, "If war should come, it can be conducted successfully only by professionals in that art and if strategy or tactics come under the influence or direction of unskilled amateurs, sacrifice in blood is inevitable and victory is in doubt."

All must agree that we are in a major war. More than 500,000 of our fighting men are engaged in deadly combat. We believe that, within the broad policies and objectives laid down by the Commander in Chief, unless compelling reasons to the contrary exist, this requires that greater weight be given to recommendations for military actions which our high ranking military experts, with lifetimes of experience and expertise behind them, believe to be necessary to bring the war to a successful conclusion.

When the decision was made to commit American fighting forces to South Vietnam, certain risks became inevitable. They were assumed at that time; otherwise we would not be in South Vietnam at all. Further and needless risks should not be incurred recklessly, but within this framework it should be our purpose to support our fighting men to the greatest extent possible and, within reasonable limits, to do that which is necessary to bring the war to an end as quickly and successfully as possible. That is the major thrust of this report.

Every military witness who testified emphasized that the air war has been waged under severe handicaps which were contrary to military principles. Complex and complicated rules and controls, plus the necessity to obtain approval in Washington for even relatively insignificant actions and tactics, have been the order of the day. We note that in recent months many of these restrictions have been eased but that others, vital to the success of the air war, remain in effect.

It is high time, we believe, to allow the military voice to be heard in connection with the tactical details of military operations.

A1C DUANE HACKNEY

Mr. GRIFFIN. Mr. President, I am pleased to call attention to the presence in Washington today of an airman from Michigan who was honored last Saturday by his country for extraordinary heroism in Vietnam. This was not the first time that he has been recognized for bravery and performance beyond the call of duty. Indeed, I have reason to believe that this young man is the most decorated American to serve in the Vietnam war.

A1c Duane Hackney, the son of Mr. and Mrs. Glendon Hackney of Flint, Mich., serves as a paramedic in the Air Force. He was sent to Vietnam last fall and was assigned to duty aboard a rescue helicopter. Such helicopters are a welcome sight to downed flyers, but the aircraft are unarmed and provide minimal protection for those inside. Rescue helicopters are prize targets for enemy guns.

On the sixth of February this year, the helicopter to which Airman Hackney was assigned was sent to the northern part of North Vietnam—to the Mu Gia Pass—to search for the pilot of a jet fighter who had just been shot down.

Despite the presence of many enemy troops in the jungles near the pass, Airman Hackney volunteered to be lowered to the ground to search for the missing pilot. Pressure by the North Vietnamese soldiers forced the rescue team to temporarily abandon its efforts and the young paramedic from Flint was hoisted back up to the helicopter.

Later, a second attempt proved more successful. The airman was again lowered to the jungle floor and this time located the downed pilot. Both men were quickly lifted aboard, but before the helicopter could flee to safety, heavy enemy weapons scored several direct hits and started a fire aboard the craft.

Completely disregarding his own safety, Airman Hackney slipped out of his parachute and buckled it around the rescued flyer. While searching for another parachute for himself, more shells ripped into the burning aircraft. Airman Hackney had just slipped his arms through the harness of a second parachute when a violent explosion inside the helicopter blew him through the open cargo door.

Although stunned, Airman Hackney

was able to deploy his unbuckled parachute and make a successful landing. He was rescued a short time later by a companion helicopter.

Airman Hackney has brought the highest credit to himself and the Air Force for his courageous and unselfish action in the face of extreme danger. In a moment of impending disaster, he put responsibility to the rescued pilot above the safety of his own life.

Last Saturday, in a ceremony at Scott Air Force Base, in Illinois, he was presented the Air Force Cross, the second highest honor awarded by the Air Force. For injuries he suffered during the action, he also was presented with the Purple Heart.

Airman Hackney is 20 years old, the youngest man ever to win the Air Force Cross and only the second enlisted man to do so

As I have already indicated, acts of bravery are not uncommon to this young man. He has been recommended to receive the Bronze Star and the Silver Star. He has been awarded the National Defense Service Medal, the Distinguished Flying Cross, the Air Medal, the Airman's Medal for Heroism, and the Air Force Commendation Medal.

Mr. and Mrs. Hackney, of Flint, the people of Michigan, and the people of the Nation have good reason to be very proud of Duane Hackney. His record stands as an inspiration to all.

CAPT. ROBERT C. CRISP, U.S. AIR FORCE

Mr. BYRD of West Virginia. Mr. President, I ask the Chair to lay before the Senate a message from the House on S. 653.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 653) for the relief of Capt. Robert C. Crisp, U.S. Air Force which was, on page 2, line 8, after "Act." insert:

> No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. BYRD of West Virginia. I move that the Senate agree to the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

INCREASE OF APPROPRIATION FOR CONTINUING WORK IN THE MISSOURI RIVER BASIN

Mr. BYRD of West Virginia. Mr. President, I ask the Chair to lay before the Senate a message from the House on S. 1601, a bill to increase the appropriation authorization for continuing work in the Missouri River Basin.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1601) to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior which was, to strike out all after the enacting clause and insert:

> That the Act of July 19, 1966 (80 Stat. 322), is hereby amended by changing "$60,000,000" to "$68,000,000".

Mr. BYRD of West Virginia. Mr. President, I move that the Senate agree to the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

PRINTING AS A SENATE DOCUMENT THE REPORT OF THE PROCEEDINGS OF THE 43D MEETING OF THE CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 547, Senate Concurrent Resolution 40.

The PRESIDING OFFICER. The concurrent resolution will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 40) authorizing the printing of the report of the proceedings of the 43d meeting of the Convention of American Instructors of the Deaf as a Senate document.

The PRESIDING OFFICER. Is there objection?

There being no objection, the concurrent resolution was considered and agreed to, as follows:

S. CON. RES. 40

> *Resolved by the Senate (the House of Representatives concurring)*, That the report of the proceedings of the forty-third biennial meeting of the Convention of American Instructors of the Deaf, held in West Hartford and Hartford, Connecticut, June 25–30, 1967, be printed with illustrations as a Senate document; and that five thousand additional copies be printed and bound for the use of the Joint Committee on Printing.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. PRESIDING OFFICER. Without objection, it is so ordered.

PROTECTING THE PRIVACY AND RIGHTS OF FEDERAL EMPLOYEES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 519, S. 1035. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1035) to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 13, after the word "employment," to insert the following additional proviso:

> *Provided further*, That nothing contained in this subsection shall be construed to prohibit inquiry concerning the national origin of any such employee when such inquiry is deemed necessary or advisable to determine suitability for assignment to activities or undertakings related to the national security within the United States or to activities or undertakings of any nature outside the United States.

On page 3, line 6, after the word "or" where it occurs the second time, to strike out the word "to"; on page 4, after line 6, to strike out:

> (e) To forbid or attempt to forbid any civilian employee of the United States serving in the department or agency to patronize any business establishment offering goods or services to the general public.

On page 4, at the beginning of line 11, to change the subsection from "(f)" to "(e)"; in line 23, after the word "a", to strike out "psychiatrist" and insert "physician"; in line 25, after the word "such", to strike out "psychiatrist" and insert "physician"; on page 5, line 7, after the word "duties", to insert the following additional proviso:

> *Provided further, however,* That nothing contained in this subsection shall be construed to prohibit an officer of the department or agency from advising any civilian employee or applicant of a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge.

In line 13, to change the subsection from "(g)" to "(f)"; in line 23, to change the subsection from "(h)" to "(g)"; on page 6 line 9, to change the subsection from "(i)" to "(h)"; in line 25, to change the subsection from "(j)" to "(i)"; on page 7, line 19, to change the subsection from "(k)" to "(j)"; in line 22, to strike out "(j)" and insert "(i)"; on page 8, at the beginning of line 4, to change the subsection from "(l)" to "(k)"; at the beginning of line 10, to change the subsection from "(m)" to "(l)"; on page 9, line 18, after the word "a", to strike out "psychiatrist" and insert "physician"; in line 21, after the word "such," to strike out "psychiatrist" and insert "physician"; on page 10, line 3, after the word "duties", to insert the following additional proviso:

> *Provided further,* however, That nothing contained in this subsection shall be construed to prohibit an officer of the Civil Service Commission from advising any civilian employee or applicant of a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge.

On page 11, after line 4, to strike out:

> SEC. 4. Any Officer of any executive department or any executive agency of the United States Government, or any person acting or

purporting to act under his authority, or any commissioned officer as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, who willfully violates or willfully attempts to violate any of the provisions of section 1, 2, or 3 of this Act, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed $300, or by imprisonment not to exceed thirty days, or by both such fine and imprisonment.

At the beginning of line 16, to change the section number from "5" to "4"; on page 12, line 13, after the word "violation", to insert:

The Attorney General shall defend all officers or persons sued under this section who acted pursuant to an order, regulation, or directive, or who, in his opinion, did not willfully violate the provisions of this Act.

On page 13, line 15, to change the section number from "6" to "5"; on page 17, line 21, after the word "to" where it occurs the second time, to strike out "sign charges and specifications under section 830 (article 30)" and insert "convene general courts martial under section 822 (article 22"; on page 18, line 13, after the word "subsection", to strike out "(j)" and insert "(k)"; on page 19, after line 5, to insert a new section, as follows:

SEC. 6. Nothing contained in this Act shall be construed to prohibit an officer of the Central Intelligence Agency or of the National Security Agency from requesting any civilian employee or applicant to take a polygraph test, or to take a psychological test, designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters, or to provide a personal financial statement, if the Director of the Central Intelligence Agency or the Director of the National Security Agency makes a personal finding with regard to each individual to be so tested or examined that such test or information is required to protect the national security.

After line 21, to insert a new section, as follows:

SEC. 8. Nothing contained in sections 4 and 5 shall be construed to prevent establishment of department and agency grievance procedures to enforce this Act, but the existence of such procedures shall not preclude any applicant or employee from pursuing the remedies established by this Act or any other remedies provided by law: *Provided, however*, that if under the procedures established, the employee or applicant has obtained complete protection against threatened violations or complete redress for violations, such action may be pleaded in bar in the United States District Court or in proceedings before the Board on Employee Rights: *Provided further, however*, That if an employee elects to seek a remedy under either section 4 or section 5, he waives his right to proceed by an independent action under the remaining section.

And on page 20, line 13, to change the section number from "8" to "9", so as to make the bill read:

S. 1035

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. It shall be unlawful for any officer of any executive department or any executive agency of the United States Government, or for any person acting or purporting to act under his authority, to do any of the following things:

(a) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person seeking employment in the executive branch of the United States Government, to disclose his race, religion, or national origin, or the race, religion, or national origin of any of his forebears: *Provided, however*, That nothing contained in this subsection shall be construed to prohibit inquiry concerning the citizenship of any such employee or person if his citizenship is a statutory condition of his obtaining or retaining his employment: *Provided further*, That nothing contained in this subsection shall be construed to prohibit inquiry concerning the national origin of any such employee when such inquiry is deemed necessary or advisable to determine suitability for assignment to activities or undertakings related to the national security within the United States or to activities or undertakings of any nature outside the United States.

(b) To state or intimate, or to attempt to state or intimate, to any civilian employee of the United States serving in the department or agency that any notice will be taken of his attendance or lack of attendance at any assemblage, discussion, or lecture held or called by any officer of the executive branch of the United States Government, or by any person acting or purporting to act under his authority, or by any outside parties or organizations to advise, instruct, or indoctrinate any civilian employee of the United States serving in the department or agency in respect to any matter or subject other than the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties: *Provided, however*, That nothing contained in this subsection shall be construed to prohibit taking notice of the participation of a civilian employee in the activities of any professional group or association.

(c) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to participate in any way in any activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties.

(d) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to make any report concerning any of his activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties, or unless there is reason to believe that the civilian employee is engaged in outside activities or employment in conflict with his official duties.

(e) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person applying for employment as a civilian employee in the executive branch of the United States Government, to submit to any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters: *Provided, however*, That nothing contained in this subsection shall be construed to prevent a physician from eliciting such information or authorizing such tests in the diagnosis or treatment of any civilian employee or applicant where such physician deems such information necessary to enable him to determine whether or not such individual is suffering from mental illness: *Provided further, however*, That this determination shall be made in individual cases and not pursuant to general practice or regulation governing the examination of employees or applicants according to grade, agency, or duties: *Provided further, however*, That nothing contained in this subsection shall be construed to prohibit an officer of the department or agency from advising any civilian employee or applicant of a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge.

(f) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person applying for employment as a civilian employee in the executive branch of the United States Government, to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

(g) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to support by personal endeavor or contribution of money or any other thing of value the nomination or the election of any person or group of persons to public office in the Government of the United States or of any State, district, Commonwealth, territory, or possession of the United States, or to attend any meeting held to promote or support the activities or undertakings of any political party of the United States or of any State, district, Commonwealth, territory, or possession of the United States.

(h) To coerce or attempt to coerce any civilian employee of the United States serving in the department or agency to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or to make donations to any institution or cause of any kind: *Provided, however*, That nothing contained in this subsection shall be construed to prohibit any officer of any executive department or any executive agency of the United States Government, or any person acting or purporting to act under his authority, from calling meetings and taking any action appropriate to afford any civilian employee of the United States the opportunity voluntarily to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or voluntarily to make donations to any institution or cause.

(i) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family or household: *Provided, however*, That this subsection shall not apply to any civilian employee who has authority to make any final determination with respect to the tax or other liability of any person, corporation, or other legal entity to the United States, or claims which require expenditure of moneys of the United States: *Provided further, however*, That nothing contained in this subsection shall prohibit the Department of the Treasury or any other executive department or agency of the United States Government from requiring any civilian employee of the United States to make such reports as may be necessary or appropriate for the determination of his liability for taxes, tariffs, custom duties, or other obligations imposed by law.

(j) To require or request, or to attempt to require or request, any civilian employee of the United States embraced within the terms of the proviso in subsection (i) to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family or household other than specific items tending to indicate a conflict of interest in respect to the performance of any of the official duties to which he is or may be assigned.

(k) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, who is under investigation for misconduct, to submit to interrogation which could lead to disciplinary action without the presence of counsel or other person of his choice, if he so requests.

(l) To discharge, discipline, demote, deny promotion to, relocate, reassign, or otherwise discriminate in regard to any term or condition of employment of, any civilian employee of the United States serving in the department or agency, or to threaten to commit any of such acts, by reason of the refusal or failure of such employee to submit to or comply with any requirement, request, or action made unlawful by this Act, or by reason of the exercise by such civilian employee of any right granted or secured by this Act.

SEC. 2. It shall be unlawful for any officer of the United States Civil Service Commission, or for any person acting or purporting to act under his authority, to do any of the following things:

(a) To require or request, or to attempt to require or request, any executive department or any executive agency of the United States Government, or any officer or employee serving in such department or agency, to violate any of the provisions of section 1 of this Act.

(b) To require or request, or to attempt to require or request, any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any civilian employee of the United States serving in any department or agency of the United States Government, to submit to any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters: *Provided, however*, That nothing contained in this subsection shall be construed to prevent a physician from eliciting such information or authorizing such tests in the diagnosis or treatment of any civilian employee or applicant where such physician deems such information necessary to enable him to determine whether or not such individual is suffering from mental illness: *Provided further, however*, That this determination shall be made in individual cases and not pursuant to general practice or regulation governing the examination of employees or applicants according to grade, agency, or duties: *Provided further, however*, That nothing contained in this subsection shall be construed to prohibit an officer of the Civil Service Commission from advising any civilian employee or applicant of a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge.

(c) To require or request, or to attempt to require or request, any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any civilian employee of the United States serving in any department or agency of the United States Government, to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

SEC. 3. It shall be unlawful for any commissioned officer, as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, to require or request, or to attempt to require or request, any civilian employee of the executive branch of the United States Government under his authority or subject to his supervision to perform any of the acts or submit to any of the requirements made unlawful by section 1 of this Act.

SEC. 4. Whenever any officer of any executive department or any executive agency of the United States Government, or any person acting or purporting to act under his authority, or any commissioned officer as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, violates or threatens to violate any of the provisions of section 1, 2, or 3 of this Act, any civilian employee of the United States serving in any department or agency of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, affected or aggrieved by the violation, or threatened violation, may bring a civil action in his own behalf or in behalf of himself and others similarly situated, against the offending officer or person in the United States district court for the district in which the violation occurs or is threatened, or the district in which the offending officer or person is found, or in the United States District Court for the District of Columbia, to prevent the threatened violation or to obtain redress against the consequences of the violation. The Attorney General shall defend all officers or persons sued under this section who acted pursuant to an order, regulation, or directive, or who, in his opinion, did not willfully violate the provisions of this Act. Such United States district court shall have jurisdiction to try and determine such civil action irrespective of the actuality or amount of pecuniary injury done or threatened, and without regard to whether the aggrieved party shall have exhausted any administrative remedies that may be provided by law, and to issue such restraining order, interlocutory injunction, permanent injunction, or mandatory injunction, or enter such other judgment or decree as may be necessary or appropriate to prevent the threatened violation, or to afford the plaintiff and others similarly situated complete relief against the consequences of the violation. With the written consent of any person affected or aggrieved by a violation or threatened violation of section 1, 2, or 3 of this Act, any employee organization may bring such action on behalf of such person, or may intervene in such action. For the purposes of this section, employee organizations shall be construed to include any brotherhood, council, federation, organization, union, or professional association made up in whole or in part of civilian employees of the United States and which has as one of its purposes dealing with departments, agencies, commissions, and independent agencies of the United States concerning the condition and terms of employment of such employees.

SEC. 5. (a) There is hereby established a Board on Employees' Rights (hereinafter referred to as the "Board"). The Board shall be composed of three members, appointed by the President, by and with the advice and consent of the Senate. The President shall designate one member as chairman. No more than two members of the Board may be of the same political party. No member of the Board shall be an officer or employee of the United States Government.

(b) The term of office of each member of the Board shall be five years, except that (1) of those members first appointed, one shall serve for five years, one for three years, and one for one year, respectively, from the date of enactment of this Act, and (2) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(c) Members of the Board shall be compensated at the rate of $75 a day for each day spent in the work of the Board, and shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from their usual places of residence, as authorized by section 5703 of title 5, United States Code.

(d) Two members shall constitute a quorum for the transaction of business.

(e) The Board may appoint and fix the compensation of such officers, attorneys, and employees, and make such expenditures, as may be necessary to carry out its functions.

(f) The Board shall make such rules and regulations as shall be necessary and proper to carry out its functions.

(g) The Board shall have the authority and duty to receive and investigate written complaints from or on behalf of any person claiming to be affected or aggrieved by any violation or threatened violation of this Act and to conduct a hearing on each such complaint. Within ten days after the receipt of any such complaint, the Board shall furnish notice of the time, place, and nature of the hearing thereon to all interested parties. The Board shall render its final decision with respect to any complaint within thirty days after the conclusion of its hearing thereon.

(h) Officers or representatives of any Federal employee organization in any degree concerned with employment of the category in which any alleged violation of this Act occurred or is threatened shall be given an opportunity to participate in each hearing conducted under this section, through submission of written data, views, or arguments, and in the discretion of the Board, with opportunity for oral presentation. Government employees called upon by any party or by any Federal employee organization to participate in any phase of any administrative or judicial proceeding under this section shall be free to do so without incurring travel cost or suffering loss in leave or pay; and all such employees shall be free from restraint, coercion, interference, intimidation, or reprisal in or because of their participation. Any periods of time spent by Government employees during such participation shall be held and considered to be Federal employment for all purposes.

(i) Insofar as consistent with the purposes of this section, the provisions of subchapter II of chapter 5 of title 5, United States Code, relating to the furnishing of notice and manner of conducting agency hearings, shall be applicable to hearings conducted by the Board under this section.

(j) If the Board shall determine after hearing that a violation of this Act has not occurred or is not threatened, the Board shall state its determination and notify all interested parties of such determination.

Each such determination shall constitute a final decision of the Board for purposes of judicial review.

(k) If the Board shall determine that any violation of this Act has been committed or threatened by any civilian officer or employee of the United States, the Board shall immediately (1) issue and cause to be served on such officer or employee an order requiring such officer or employee to cease and desist from the unlawful act or practice which constitutes a violation, (2) endeavor to eliminate any such unlawful act or practice by informal methods of conference, conciliation, and persuasion; and (3) may—

(A) (i) in the case of the first offense by any civilian officer or employee of the United States, other than any officer appointed by the President, by and with the advice and consent of the Senate, issue an official reprimand against such officer or employee or order the suspension without pay of such officer or employee from the position or office held by him for a period of not to exceed fifteen days, and (ii) in the case of a second or subsequent offense by any such officer or employee, order the suspension without pay of such officer or employee from the position or office held by him for a period of not to exceed thirty days or order the removal of such officer or employee from such position or office; and

(B) in the case of any offense by any officer appointed by the President by and with the advice and consent of the Senate, transmit a report concerning such violation to the President and the Congress.

(l) If the Board shall determine that any violation of this Act has been committed or threatened by any officer of any of the Armed Forces of the United States, or any person purporting to act under authority conferred by such officer, the Board shall (1) submit a report thereon to the President, the Congress, and the Secretary of the military department concerned, (2) endeavor to eliminate any unlawful act or practice which constitutes such a violation by informal methods of conference, conciliation, and persuasion, and (3) refer its determination and the record in the case to any person authorized to convene general courts martial under section 822 (article 22) of title 10 United States Code. Thereupon such person shall take immediate steps to dispose of the matter under chapter 47 of title 10, United States Code (Uniform Code of Military Justice).

(m) Any party aggrieved by any final determination or order of the Board may institute, in the district court of the United States for the judicial district wherein the violation or threatened violation of this Act occurred, or in the United States District Court for the District of Columbia, a civil action for the review of such determination or order. In any such action, the court shall have jurisdiction to (1) affirm, modify, or set aside any determination or order made by the Board which is under review, or (2) require the Board to make any determination or order which it is authorized to make under subsection (k), but which it has refused to make. The reviewing court shall set aside any finding, conclusion, determination, or order of the Board as to which complaint is made which is unsupported by substantial evidence on the record considered as a whole.

(n) The Board shall submit, not later than March 31 of each year, to the Senate and House of Representatives, respectively, a report on its activities under this section during the immediately preceding calendar year, including a statement concerning the nature of all complaints filed with it, its determinations and orders resulting from hearings thereon, and the names of all officers or employees of the United States with respect to whom any penalties have been imposed under this section.

(o) There are authorized to be appropriated sums necessary, not in excess of $100,000, to carry out the provisions of this section.

SEC. 6. Nothing contained in this Act shall be construed to prohibit an officer of the Central Intelligence Agency or of the National Security Agency from requesting any civilian employee or applicant to take a polygraph test, or to take a psychological test, designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitudes or conduct with respect to sexual matters, or to provide a personal financial statement, if the Director of the Central Intelligence Agency or the Director of the National Security Agency makes a personal finding with regard to each individual to be so tested or examined that such test or information is required to protect the national security.

SEC. 7. This Act shall not be applicable to the Federal Bureau of Investigation.

SEC. 8. Nothing contained in sections 4 and 5 shall be construed to prevent establishment of department and agency grievance procedures to enforce this Act, but the existence of such procedures shall not preclude any applicant or employee from pursuing the remedies established by this Act or any other remedies provided by law: *Provided, however,* That if under the procedures established, the employee or applicant has obtained complete protection against threatened violations or complete redress for violations, such action may be pleaded in bar in the United States district court or in proceedings before the Board on Employee Rights: *Provided further, however,* That if an employee elects to seek a remedy under either section 4 or section 5, he waives his right to proceed by an independent action under the remaining section.

SEC. 9. If any provision of this Act or the application of any provision to any person or circumstance shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 10 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, September 13, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 12 (legislative day of September 11), 1967:

UNITED NATIONS

The following-named persons to be Representatives of the United States of America to the 22d session of the General Assembly of the United Nations:

Arthur J. Goldberg, of Illinois.

William B. Buffum, of Maryland.

L. H. FOUNTAIN, U.S. Representative from the State of North Carolina.

WILLIAM S. BROOMFIELD, U.S. Representative from the State of Michigan.

Adrian S. Fisher, of the District of Columbia.

The following-named persons to be alternate Representatives of the United States of America to the 22d session of the General Assembly of the United Nations:

I. W. Abel, of Pennsylvania.

Robert S. Benjamin, of New York.

Hector P. Garcia, of Texas.

Mrs. Patricia Roberts Harris, of the District of Columbia.

Herbert R. O'Conor, Jr., of Maryland.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Emory S. McNider, Coffeeville, Ala., in place of E. R. Scruggs, retired.

ARIZONA

Curtis L. Steveson, Kearny, Ariz., in place of V. V. Kenemore, resigned.

ARKANSAS

Bunyan W. Matthews, Jr., Magnolia, Ark., in place of G. G. Martel, retired.

George E. Fryer, Russellville, Ark., in place of M. B. Craig, retired.

James F. Cannon, Saratoga, Ark., in place of M. A. Holland, retired.

CALIFORNIA

Bernice M. Willson, Richvale, Calif., in place of L. E. Connor, resigned.

CONNECTICUT

Edward T. Moore, Georgetown, Conn., in place of J. W. Johnson, retired.

FLORIDA

Wendell W. Hunt, Palmetto, Fla., in place of E. M. Cox, retired.

ILLINOIS

John C. Lingle, Alto Pass, Ill., in place of J. W. Arnold, Jr., deceased.

William L. Tomlinson, Carthage, Ill., in place of A. L. Immel, retired.

Robert F. Willms, Lake Forest, Ill., in place of L. M. Moore, retired.

Joseph J. Short, Paxton, Ill., in place of R. H. Burklund, deceased.

Mary Lee C. Crnkovich, Saint David, Ill., in place of James Higgins, retired.

Adele D. Nelson, Watson, Ill., in place of M. R. Lamkin, retired.

INDIANA

Margaret E. Knoy, Freedom, Ind., in place of F. A. Galimore, retired.

Libero A. Baldoni, Mishawaka, Ind., in place of J. M. Bowen, deceased.

Robert L. Kreutzer, Peru, Ind., in place of L. H. Berger, retired.

IOWA

Edward P. Farrell, Algona, Iowa, in place of W. W. Sullivan, deceased.

Walter C. Anawalt, Cedar Rapids, Iowa, in place of E. R. Petro, deceased.

Roy B. Martin, Jr., Clear Lake, Iowa, in place of M. D. Carroll, retired.

Bernard J. Mullaley, Marion, Iowa, in place of J. H. Pazour, retired.

Edmund J. Langenberg, Tiffin, Iowa, in place of J. M. Baldwin, retired.

KANSAS

Ward L. Harold, Beloit, Kans., in place of Dalton Muck, transferred.

Jim L. Palmer, Haysville, Kans., in place of F. D. Beard, resigned.

Gerald L. Carpenter, Neodesha, Kans., in place of C. A. Lockard, retired.

KENTUCKY

Harry H. Boaz, Mayfield, Ky., in place of A. R. Anderson, retired.

LOUISIANA

Bessie R. Brumble, Bethany, La., in place of H. G. Hines, Sr., retired.

Edward O. Douglas, De Quincy, La., in place of L. J. Cryer, retired.

MAINE

Robert A. Winslow, East Boothbay, Maine, in place of C. R. Barlow, retired.

MASSACHUSETTS

Norman W. Daunais, Graniteville, Mass., in place of H. A. Harrington, retired.

Edward M. Bassett, Jr., Leominster, Mass., in place of J. E. Connor, retired.

Raymond L. Stauff, Scituate, Mass., in place of E. M. Duffey, retired.

Kenneth H. Doulette, South Eastern, Mass., in place of B. K. Fuller, deceased.

MICHIGAN

Ella M. Carley, Cooks, Mich., in place of P. V. Thelander, deceased.

Lloyd A. Newland, Tekonsha, Mich., in place of K. L. Patton, transferred.

MINNESOTA

Albin L. Zinda, Appleton, Minn., in place of H. D. Little, retired.

John C. Webster, Beltrami, Minn., in place of P. B. Boyer, deceased.

MISSISSIPPI

Joseph E. Martin, Bentonia, Miss., in place of M. A. Ferriss, removed.

Samantha M. Denton, Crowder, Miss., in place of M. A. Grozinger, resigned.

MISSOURI

Kenneth P. Grace, Albany, Mo., in place of B. F. Degginger, retired.

Lloyd J. McGeorge, Bismarck, Mo., in place of F. W. Goeltz, retired.

Buford A. Patten, Miller, Mo., in place of C. M. Temple, retired.

Charles R. Sands, Jr., Rolla, Mo., in place of J. F. Kilpatrick, retired.

MONTANA

James A. McAndrew, Bigfork, Mont., in place of F. B. Burchard, retired.

NEBRASKA

Robert L. Johnson, Saint Edward, Nebr., in place of Carl Wells, retired.

Carson C. Williams, Stamford, Nebr., in place of A. M. Martin, retired.

NEW HAMPSHIRE

Michael B. Marchetti, Enfield, N.H., in place of L. N. Plummer, retired.

Rudolph E. Curry, Hampstead, N.H., in place of L. C. Darling, deceased.

NEW JERSEY

Ernest M. Muska, Perth Amboy, N.J., in place of H. F. Koons, retired.

NEW YORK

Harris A. Kellogg, Altmar, N.Y., in place of E. A. Ecker, retired.

Edward B. Zunner, Appleton, N.Y., in place of F. C. Wyman, retired.

John L. Martin, Friendship, N.Y., in place of F. E. Miller, retired.

John F. Brzozowski, North Tonawanda, N.Y., in place of H. E. Bollier, deceased.

William J. Newham, Sr., Patchogue, N.Y., in place of G. H. Whitlock, retired.

NORTH CAROLINA

James R. Breedlove, Lake Toxaway, N.C., in place of C. I. Lee, retired.

George H. Wall, Rolesville, N.C., in place of L. W. Jones, retired.

OHIO

David W. Barnes, Homerville, Ohio, in place of W. E. Hastings, transferred.

Nello F. Bianchi, Put-in-Bay, Ohio, in place of N. H. Ladd, retired.

OKLAHOMA

LaWanda M. Smith, Milburn, Okla., in place of V. P. Waddill, retired.

PENNSYLVANIA

Eleanor M. Lynch, Little Meadows, Pa., in place of C. W. Lynch, retired.

Robert N. Wagner, Sagamore, Pa., in place of M. L. Kovalchick, retired.

Charles S. Romanoski, Souderton, Pa., in place of W. K. Wildonger, retired.

PUERTO RICO

Mario Arroyo-Lopez, Toa Baja, P.R., in place of G. S. Herran, retired.

SOUTH DAKOTA

Milo L. Godfrey, Woonsocket, S. Dak., in place of B. F. Moran, retired.

TENNESSEE

Odell J. Trotter, Brighton, Tenn., in place of J. W. Simonton, retired.

Mary Nell S. Harris, Prospect, Tenn., in place of J. W. Jones, retired.

TEXAS

Buna M. Taylor, Harleton, Tex., in place of J. H. Pope, retired.

Lula M. Swim, Roaring Springs, Tex., in place of H. L. Smith, retired.

VERMONT

Bertha M. Grailcourt, Marlboro, Vt., in place of Winchester Warnock, retired.

VIRGINIA

John W. Wood, Jr., Pearisburg, Va., in place of H. C. Davis, resigned.

George E. Kidd, Williamsburg, Va., in place of H. B. Ridenour, retired.

WASHINGTON

Lawrence T. Baker, Airway Heights, Wash., in place of M. E. Mitchell, retired.

Gunnar R. Johnson, Chelan, Wash., in place of J. A. Croy, retired.

WEST VIRGINIA

Charles C. Tickle, Bluefield, W. Va., in place of W. S. Penn, Jr., deceased.

Patricia W. Noel, Pratt, W. Va., in place of H. M. Oliver, retired.

WISCONSIN

Norman E. Anderson, Hudson, Wis., in place of J. J. Hanley, retired.

Wallace J. Regan, Kohler, Wis., in place of C. L. Sutter, retired.

Chris E. Youssi, Muskego, Wis., in place of A. F. Czarnecki, retired.

In the Marine Corps

The following-named officers of the Marine Corps for temporary appointment to the grade of captain, subject to qualification therefor as provided by law:

Paul A. Aadnesen
Michael C. Abajian
Charles K. Ables
David P. Abrams
Roger L. Ackerman
Louis Acosta
Robert L. Adams
Robert L. Adams
John F. Adinolfi
John H. Admire
Bruce M. Albert
Charles T. Allen III
David P. Allen
James P. Allen, Jr.
Kenneth E. Allen
Larry W. Allen
Lloyd Allen, Jr.
Robert C. Allison
William D. Amberson
Raymond H. Ambrose
Dewey E. Amick
Granville R. Amos
Richard H. Amos
George A. Ampagoomian
William G. Andersen
Joseph C. Anderson
Thomas M. Anderson
Denis J. Anderson, Jr.
Michael W. Anderson
Gerard Anderson
Lee H. Anderson
Terrence E. Anderson
James W. Andrews
Richard W. Andrews
William R. Andrews, Jr.
Nickolas J. Angelo
Raymond L. Anti
James B. Archer
John L. Arendale
George L. Armitage
Clifford H. Armstrong
James H. Armstrong
Joseph U. Arroyo
Robert J. Arthur
Charles E. Ash, Jr.
James P. Asher
Louis C. Atiles, Jr.
Hugh S. Atkins
Robert E. Atwood, Sr.
David D. Auld
Frederick S. Avery III
John P. Aymond, Jr.
Albert G. Ayre
Thomas C. Bache, Jr.
Robert A. Baer
Richard A. Bagby
David L. Bagley
John W. Bailey
Leslie W. Bailey, Jr.
Robert G. Bailey
Ross E. Bailey
Willard E. Bailey
Bradley R. Baird
George W. Baker
Paul R. Baker
Robert C. Baker
Theodore G. Balderree
Samuel M. Ballance, Jr.
Glen A. Ballenger
William L Bangs
Barry V. Banks
Roland S. Bannister
Richard D. Barba
Walter E. Barkhouse
Andrew R. Barkovich
Gerald L. Barlow
James M. Barnes
John W. Barnes
Charles E. Barnett
Jerome P. Baroch, Jr.
James V. Barrios
Harold E. Bartell
William E. Bartels, Jr.
Donald L. Bartlett
Charles R. Barton
Walter T. Baschnagel
Joseph F. Bates
Daniel L. Bayse
Lewis C. Beard
Kenneth U. Beasock
Barry N. Beck
Bobby L. Beck
James S. Becker
Dan P. Beckner
Robert A. Beeler
Robert R. Beers
Bernard F. Beggs
John C. Beier
Francis J. Beiling, Jr.
Eugene O. Bell
Michael C. Bell
Timothy C. Bell
Richard O. Bemish
David J. Bena
Ronald Benigo
Stanley L. Benson
Harry L. Bentley
William C. Benton
Roy B. Bentson
Charles H. Berrey
Virgil M. Berdine
Donald J. Berger
Alfred C. Berglund, Jr.
Jon R. Bergquist
Leonard G. Bethards
William A. Biggers
Roy R. Biggers
Spencer G. Bihler
Robert M. Billick
Edward A. Bishop
John E. Bishop
John W. Bishop
John C. Bissell
Donald F. Bittner
Forrest R. Bjornaas
Edward W. Blackwood
Arthur C. Blades
William C. Blaha
Frank S. Blair III
Gary A. Blair
James T. Blake
Mason G. Blake
Richard J. Blanchfield
William A. Blatter
Joseph H. Blichfeldt III
Earl C. Blount, Jr.
Edward L. Bloxom
Dave E. Boatwright
Eugene A. Bodree
Okey L. Boggs
William M. Bokholt
Glenn E. Bolen
James M. Bolson
Edward L. Bonham
Robert L. Bonifay
Donald E. Bonsper
Delmar G. Booze
William B. Bovee
Eugene A. Bowen
Henry E. Bowen, Jr.
Leonard L. Bowman
John T. Boyer
Norman D. Braden
Robert G. Bradley
Dennis F. Brandon
George "H." Brandt, Jr.
Shella R. Bray, Jr.
Philip A. Bream
Arthur R. Brehm
Edward J. Brennan
Charles J. Brennan
Lionel H. Bridges
Robert Bridges, Jr.
William M. Brink
Willard C. Britt
Robert K. Brooks
John F. Brosnan, Jr.
Carol W. Brown
Charles O. Brown
Donald P. Brown
Edwin J. Brown
Edward C. Brown
Elton R. Brown III
Fred A. Brown
Gerald V. Brown
Harry A. Brown, Jr.
James E. Brown
James C. Brown
Palmer Brown
Robert M. Brown
William F. Brown
Paul C. Browne
John N. Bruch
Roland J. Brunelle
Kenneth T. Brunsvold
William L. Buck III
John D. Buckelew
David N. Buckner
Frederick A. Buelow
Duane M. Bugbee
Eugene G. Buglewicz
Charles O. Buirge
Marcus L. Bunn
Jerry E. Bunting
James M. Burch
Verle E. Burch
Bernard V. Burchette
Rodney E. Burdette
Ernest A. Burgett
John J. Burke
James G. Burns
Kenneth R. Burns
Raymond M. Burns
Kenneth F. Burris
Edward B. Burrow, Jr.
Johnnie D. Burtscher
Henry W. Buse III
Edward J. Bush, Jr.
Charles J. Bushey
Louis G. Bushnell
Walter O. Bussey, Jr.
James H. Butler
James T. Butler
William B. Butler, Jr.
Robert R. Butterfield
Ronald F. Byrnes
Clarence Bytof
Jerry R. Cadick
David L. Caldon
William Caldwell
Paul R. Caldwell
William J. Caldwell
Charles M. Calhoon
Bert V. Calhoun
Howard L. Callahan
Donald R. Cameron
Charley M. Campbell
Wallace L. Campbell
William B. Campbell
William S. Campbell
Ray G. Canada
Bruce L. Canaga III
Harold E. Cantrell, Jr.
Paul W. Capelle
Darl G. Capps
Richard L. Carey
Rayon H. Carlisle, Jr.
Kenneth T. Carlisle
Eugene E. Carlton
Edward E. Carmody
James E. Carpenter
James R. Carpenter
William D. Carr, Jr.
William R. Carr
Anthony V.Carrano,Jr.
Stanley E. Carrier, Jr.
Thomas L. Carroll
John L. Carroll
Thomas A. Carter
Lloyd J. Cartmill
John J. Caskey
James J. Castonguay
Leonard J. Catanzaro
Henry I. Cates
Oscar L. Caudill
Thomas J. Caulfield,Jr.
John J. Caussin
Richard M. Cavagnol
James P. Cawley
Alex H. Caylao, Jr.
Russell E. Cazier
Russell C. Cedoz
Norman B. Centers
George W. Champion
Richard E. Chapa
James F. Chapman
Leonard F. Chapman III
Johnny D. Chapman
John T. Chapman
Maurice A. Charles
Rodney R. Chastant

Wayland D. Chavers
Robert L. Chen
Laurence M. Cherbonnier
Edward E. Chipman
Howard J. Christenson
John O. Christiansen, Jr.
Marvin E. Christians
Michael J. Chumer
Stephen E. Chupik
Lawrence J. Chytka
Henry J. Cipolla
William J. Cipperly
John A. Cirie
Philip C. Cisneros
William J. Clancy, Jr.
Kenneth P. Clarendon
Edward T. Clark, III
Jack L. Clark
Kenneth R. Clark
Lawrence D. Clark
Roy L. Clark
Sammy R. Claxton
Kenneth W. Clem
David C. Cleveland
John R. Clickener
Charles M. Cline
Maurice G. Cline
Charles P. Cochran
Jarrett Colbert, Jr.
Bobby D. Cole
Forrest L. Cole
William P. Coll
Donald E. Collier
Geoffrey M. Collins
John L. Collins
Joseph Collura
Joseph P. Colly, Jr.
Charles B. Coltrin
William D. Combs
Leslie R. Conklin
Robert A. Connly, Jr.
John L. Connolly, Jr.
John R. Connors, Jr.
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Gerald J. Polyascko
Carl N. Ponder
Michael H. Ponder
Robert G. Pontillas
Robert W. Poolaw
William S. Poole
Robert E. Pope
Bebe B. Porter
Richard L. Porter
Harry P. Porth, Jr.
Henry Posthuma
Joseph L. Powell, Jr.
William H. Powell
Sam J. Prato
Donald L. Pratt
Donald C. Pretsch
Lawrence A. Price
Robert F. Price
Sanford J. Priddy
Charles L. Pritchard
Patrick M. Prout
James M. Puckett
Robert J. Puskar
Herman W. Quest
Lewis R. Quill
Jon D. Quinn
Garland L. Radford
Cleon H. Rafferty
Michael E. Rafferty
Arvel H. Raines
Gerald K. Rainwater
Jerry A. Raley
James K. Ramaker
Jeffrey K. Ramsdell
Joe D. Ramseur
William Rankin
Morris E. Ransom
Berton M. Ranta
John J. Rapuano, Jr.
William H. Rath
Thomas C. Rauwald
Malcolm S. Rawlins
Philip H. Ray
Ronald D. Ray
Thomas W. Ray
Edwin O. Raymer
Joseph C. Raymond
Dale Raymond
Herbert D. Raymond III
Joseph M. Reber
Thomas E. Redican
Don T. Reed
Doyle R. Reed
Kenneth R. Reed
Richard M. Reilly
Stanley J. Rembish, Jr.
Calix L. Reneau
Robert R. Renier
Homer A. Rentz
John D. Rexroade
Alfred J. Reyer, Jr.
Clarence O. Reynolds, Jr.
Philip F. Reynolds
John L. Rhodes
Larry E. Rhodes
Donald F. Richardson
Larry D. Richards
Robert J. Richards
Dean "J" Richman
Arthur D. Richmond
Robert E. Richter
David J. Richtsteig
David A. Richwine
Kevin G. Rick
Ronald A. Rick
Charles Riggs
Robert K. Riggs
Michael A. Rigney
Carroll J. Riley
William E. Riley
Paul E. Ring
Dean R. Ringler
James P. Riordan
Sebastiano F. Ripa
Harold L. Ritter
Frederick M. Rivers, Jr.
Robert S. Rix, Jr.
Jerry N. Roach,
John R. Robbins
Dennis W. Robbins
Ralph S. Roberts, Jr.
Emmett L. Robertson, Jr.
Jerry L. Robertson
Clarence A. Robinson, Jr.
Ronald L. Robinson
Larry L. Robinson
Nedson K. Robison II
George R. Robison
Frederick S. Roe
Raymond J. Roettger
Robert D. Rogers
Robert J. Romano
James H. Rosenthal
Herbert G. Roser
Leonard Ross
Edward P. Rotchford
John W. Roth
Peter R. Rounseville
Albert C. Rouse
Donald F. Rousseau
Guy F. Rowe
John H. Rowe
Morris E. Ruddick, Jr.
Jack A. Ruffer
Richard L. Ruhlman
James A. Rumbley, Jr.
Leonard D. Russell
Richard S. Russell II
Glenn W. Russell, Jr.
David R. Russell
Victor M. Russillo
Kenneth S. Russom
Bernard R. Rusthoven
Patrick F. Rutkoski
Edward M. Rynne
David E. Saarela
Ivan R. Sable
James S. Sackett
January T. Sakert, Jr.
Charles A. Saldarini
George D. Salum, Jr.
Gerald H. Sampson
Richard S. Sanborn
James J. Sanchack
William J. Sandberg
Richard K. Sanders
Stanley F. Sanders
Stephen H. Sanderson
Charles L. Sands
Eugene D. Sanford
Howard D. Sansom
Edmond S. Sarver
Marion G. Satterfield
Robert W. Saum
Robert S. Saunders, Jr.
Charles W. Savage
Daniel R. Savoy
Harry E. Sawyer, Jr.
Orville L. Sayre
Salvatore J. Scalzo
Neil H. Scarborough
Leroy A. Scheller, Jr.
John L. Schensnol
Paul J. Schiller
Anthony P. Schiraldi
Carl J. Schlack
Leonard L. Schlitz
William C. Schlondrop
Adolph Schmid
Harvey T. Schmit
James H. Schmitt
Roger J. Schneider
Edward C. Schriber
Ernest U. Schultes
Donald D. Schultz
John W. Schwantes
Peter A. Schwartz
Timothy P. Schwartz
Donald M. Schwartz
Thomas E. Schwartz
Frank H. Schwarz, Jr.
Robert V. Scobie
Norvel M. Scott
Thomas F. Seale III
James E. Secrist
Albert L. Selleck, Jr.
William T. Sermeus, Jr.
Merlyn A. Sexton
Ronald J. Shabosky
James A. Shaffer
Paul S. Shank
John E. Sharkey
Joseph B. Shaughnessy
Robert E. Shea
Robert C. Shearer
Robert C. Shepherd
Thomas J. Sheridan
Homer G. Sherry
Michael S. Shirley
Michael F. Shisler
James R. Shoff
Mann Shoffner, Jr.
Richard G. Shore
Denis L. Shortal
Paul R. Siemasko
Daniel L. Siemion
Warren A. Simmons
Roy E. Simolin
"J" "V" Simpkins
John D. Singer III
Stanley A. Skalski
Edward S. Skultety
Howard B. Sligar, Jr.
Blakeslee A. Smith
Carroll J. Smith
Charles W. Smith, Jr.
Darrell M. Smith
David M. Smith
Don "L" Smith
Donald J. Smith
Donald D. Smith
Frank E. Smith
Frederick J. Smith III
George M. Smith, Jr.
George W. Smith
Gordon W. Smith, Jr.
Harold W. Smith, Jr.
Herbert S. Smith, Jr.
James G. Smith, Jr.
John J. Smith
Larry M. Smith
Melvin L. Smith
Ronald R. Smith
Samuel W. Smith, Jr.
William C. Smith
Charles S. Snell
Sidney L. Snellings, Jr.
Donald J. Snooks
Richard W. Snow
Ray G. Snyder
Fletcher B. Sojourner, Jr.
Anthony J. Soltes
Ronald L. Sousa
James B. Southall
Edward J. Spahr
Alan J. Sparks
Leo E. Spears
William R. Spicer
Robert E. Spiker
Raymond J. Spillane
Robert C. Springer
Donald E. Stafford
"T" "J" Stanford
Michael A. Stankosky
Peter N. Stavros
Edward M. St Clair
Gregory C. Steele
Thomas W. Steele
Robert A. J. Steger
Steve R. Stegich III
Herbert M. Steigelman, Jr.
William T. Steinken, Jr.
Louis C. Stengel III
Jack E. Stephenson
George E. Stern, Jr.
Danny H. Stevens
John L. Stevens III
John M. Stevens
James N. Stewart
Raymond A. Stewart, Jr.
Joseph D. Stewart
Dean A. Stiemke
Edward W. Stillman
Robert E. Stimson
John E. Stocking
John A. Stockman
Donald Stokes
Joe W. Stone, Jr.
Thomas Stone
Raymon E. Stoner
James M. Stoops
Stanfard I. Storey
David H. Stoughton
David M. Stout
Raymond H. Stout
James H. Stowell
James M. Stoy
Donald E. Strassenberg
Kenneth E. Strayhorn
Frederick H. Striker
Thomas L. Strohecker
David E. Strong
Guy S. Stroup
Lawrence T. Struwe
William H. Stuckey
Robert J. Sullivan
Daniel J. Sullivan, Jr.
John A. Summa
Frank R. Sutherland
Russell H. Sutton
Howard L. Swain
Ronald E. Swantkowski
Allen M. Sweeney
Charles T. Sweeney
Charles E. Swisher
Steven F. Szabo
Edward A. Taber III
Thomas J. Tandle
William E. Tarry
Arthur J. Taylor
Charles C. Taylor
Charles L. Taylor
Donald G. Taylor
Kenneth E. Taylor
Robert T. Taylor
Thomas F. Taylor
Robert R. Teall
Harold W. Teasdale
Kenneth C. Ter Horst
Jesse H. Terpstra, Jr.
Robert M. Thacher
John L. Thacker
Jimmy R. Theriot
Edgar D. Thomas
Raymond A. Thomas
Stanley B. Thomas
James W. Thomason
Richard A. Thome
Gary R. Thompson
James G. Thompson
Ky L. Thompson
Jack C. Thompson
James R. Thompson
Joseph O. Thornton
Allen B. Thrailkill
Edwin D. Tidwell
Robert O. Tilley
Robert R. Timberg
Fredric M. Timm
Herschel M. Timmons, Jr.
John G. Tinney
William A. Tinsley III
Harry J. Tobin
Charles N. Tofft
Anthony P. Tokarz
Jerry L. Tomlinson
Stanley R. Tomlinson, Jr.
Edgar A. Toney
Francis A. Toth
Ferdinand A. Toval
Robert L. Tracey
Stanley J. Trachta
William A. Trader
John O. Trott
Charles G. True
Robert E. Tschan
Fred Tucker, Jr.
Jacques E. Tucker
Phillip E. Tucker
Robert B. Tucker
Willie R. M. Tucker
Frank L. Turner
Josephy G. Turner, Jr.
Thomas W. Turner
Charles S. Tutt
Charles G. Tyrian, Jr.
Herbert S. Upton
Victor R. Urbanski
David E. Van Amburg
Lloyd H. Van Antwerp
Kenneth R. Vance
Nicholas C. Van Der Does
Rex F. Vanderhoof
Josephy D. Vandermark
Dennis R. Van Dervoort
Del R. Vandiver
Gary R. Van Gysel
Donald L. Van Hoose
Robert A. Van Houten Jr.
William J. Vankat
Thomas A. Varrell
Morton Vaserberg
Jimmie Veater
Lawrence C. Vetter, Jr.
William T. Vincent
Frederick J. Vogel
Donald A. Vogelgesang
Richard J. Vogt
Richard H. Voigt
James A. Vollendorf
Richard A. Voltz
Lloyd R. Wade, Jr.
Curtis L. Wagoner
Donald B. Walaconis
Alan W. Waldenville
Irwin F. Waldvogel
Alfred J. Walke
James R. Walker
Norman J. Walker
Richard W. Walker
Willard C. Walker
Carlton F. Wall
Richard H. Wallace
Virgil E. Wallace
Robert H. Wallace
William J. Wallace, Jr.
Dwight A. Wallick
George O. Walls
William B. Walls
Matthew F. Walsh, Jr.
Lowell W. Walter
Bud R. Walters
Robert A. Waltzer
George F. Ward, Jr.
Joel D. Ward
Joseph E. Ward
Jimmie A. Warfield
Robert T. Warren
Calvin R. Waters
Francis A. Waters
Richard E. Waters
Eric P. Watson, Jr.
Avron J. Watts
John C. Watts
Everett A. Weare
Richard E. Weatherly
Charles L. Weaver
John F. Weaver III
James P. Weaver
David C. Weber
Ronald C. Weber
Ronald H. Wecht
Larry L. Weeks
James A. Wegge
Bruce E. Welch
Jerry H. Welch
Jerome A. Welch
William H. Welch, Jr.
Roger V. Wellbrook
Daniel T. Wellman, Jr.
Robert F. Wemheuer
William R. Wenglare
John L. Wenrich, Jr.
Lloyd M. Wentworth, Jr.
Kenneth L. Werbinski
Gerald C. Westendorf
William K. Westling
Charles D. Wheeler
Paul K. Wheeler
Leonard A. Whelchel
Donald L. Whisnant
Billy K. White
Louis L. White
Richard T. White, Jr.
Thomas A. White
Vance E. White
John J. Whitehouse
Charles B. Whitehurst
Dale J. Whitten
William S. Whorton
Alan E. Wickens
Robert N. Wiggs
Harold B. Wilber
William J. Wilbur
Edward E. Wilcoxen
Jack A. Wilder
Murray R. Wilhelm
Charles E. Wilhelm
James R. Wilkins
James V. Wilkinson
Cecil R. Williaford
Wilbur C. Williams
Gary L. Williams
Robert F. Williams
Saville L. Williams
Raymond H. Williams
Charles G. Williams, Jr.
David B. Williams
Robert S. Williams
Russell L. Williamson
John Willis
Robert O. Wills
Gordon R. Willson
David B. Wilshin
William K. Wilsmann
David C. Wilson
Donald T. Wilson
Bruce M. Wincentsen
John W. Winters, Jr.
Sydney M. Wire
Robin F. Wirsching
Wilfred P. Woldyla
Howard C. Wolfe
James F. Wolfe, Jr.
Charles R. Wood
Mansel M. Wood
William H. Wood, Jr.
Lance P. Woodburn
John A. Woodhead III

Clyde E. Woods
Erik C. Woods
Dalney E. Wooldridge III
Larry A. Wooldridge
Floyd B. Worcester
Bascom C. S. Worley
Clyde V. Wright
Howell F. Wright
James E. Wright
James L. Wright
Joseph D. Wright
Robert C. Wright
William C. Wright
William E. Wright, Jr.
John W. Wroten, Jr.
Floyd C. Wulfeck
Clark H. Wylde
Lonnie V. Yanda
Thomas R. Yanger
Robert H. Yoder
Veo S. Yon
Earnest Young
Earl W. Young II
Charles W. Zadel, Jr.
Thomas Zalewski
Francis Zavacki
David A. Zeferjohn
Stanley M. Zenda
George A. Zettler
Richard B. Zey
James H. Zimmerman
Jack B. Zimmermann
Paul J. Zohlen
Roger D. Zorens

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 12, 1967

The House met at 12 o'clock noon.

Rabbi Bertram A. Leff, Congregation Tree of Life, Valley Stream, N.Y., offered the following prayer:

Let us pray.

Almighty God, in a world made insecure by storm and strife we humbly beseech Thy blessings for an everlasting peace for all mankind. We seek Thy guidance and inspiration for our Representatives in this sacred Chamber of democracy as they strive to uphold the cherished traditions of our country—that of peace, freedom, and justice.

Heavenly Father, send down Thy blessings upon all the people of our beloved country. Open the eyes and hearts of all Americans to the truth of Thy creation, that all are created in Thy divine image regardless of race, color, or creed. We are Thy children and Thou art our Father.

May we joyously proclaim with the Psalmist: *Behold how good and pleasant it is for brethren to dwell together in unity.*

Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

A BILL TO ESTABLISH A QUOTA ON BOTTOM OR GROUND FISH IMPORTS

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, the bottom fishing industry of the United States has been in a steady decline during the past 15 years, as the import of bottom fish has markedly increased. Today, the effect of imports on the American bottom fish industry has become disastrous. Just 15 years ago, this important segment of the U.S. fishing industry was supplying 62.9 percent of the U.S. bottom fish; such as halibut, consumed in this country. However, Mr. Speaker, last year that percentage dropped to only 19.2 percent. The State Legislatures of Washington, Oregon, California, and Rhode Island have memorialized the Congress to do something about this deplorable situation, and today, to meet this critical situation, I am introducing H.R. 12834, a bill to establish a quota on bottom or ground fish imports.

H.R. 12834 would set a quota on the amount of bottom fish that could be imported in fresh, slab, or block form. The quota would be set at an average of the amount of bottom fish imported in 1963 and 1964. This would set the limit at 239,168,500 pounds annually, but would be divided into quarters so no more than approximately 60 million pounds could enter in any one quarter.

This would provide orderly marketing, Mr. Speaker, and protect not only the American consumers, but the fishermen themselves.

VIETNAMESE ELECTIONS HEARTENING VINDICATION FOR AMERICAN POLICY

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, many critics of President Johnson's Vietnam policies went on record before the recent Vietnamese elections with a series of attacks charging rigging and unfair election practices.

Now that the election is over we can see how empty these charges were. The overwhelming evidence of all independent observers—including many distinguished Americans sent to the scene by President Johnson—is that the election was both fair and highly successful.

But still the critics are not satisfied. As Columnist William S. White said recently:

> The new Premier, General Thieu, is being "impeached" by some American critics "for having received less than 40 percent of the total vote."

As Mr. White notes:

> Had he in fact gathered 50 percent or more they would, of course, have clamored that so heavy a victory proved their claims that the election was foreordained to be "rigged" by the military. Now that his triumph is of a more modest order, he is smeared for not having won by a bigger margin.

But there is no escaping the fact that more than 80 percent of the Vietnamese eligible voters participated and that there is no evidence of any unfair election practices.

The critics notwithstanding, the Vietnamese elections are a major victory for that war-weary nation and a heartening vindication for American policy there.

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 243]

Adair
Anderson, Tenn.
Ashbrook
Aspinall
Baring
Bell
Blackburn
Brademas
Cabell
Celler
Clawson, Del
Cohelan
Conyers
Corman
Culver
Daddario
Dent
Diggs
Dorn
Downing
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Feighan
Fisher
Gallagher
Gardner
Gibbons
Green, Oreg.
Gubser
Hagan
Hansen, Idaho
Hansen, Wash.
Hays
Hébert
Heckler, Mass.
Howard
McCarthy
McEwen
McMillan
May
Miller, Calif.
Mink
Morton
Multer
O'Hara, Mich.
O'Konski
Pirnie
Rees
Rivers
Rumsfeld
St Germain
St. Onge
Saylor
Sisk
Stubblefield
Teague, Tex.
Thompson, N.J.
Tiernan
Udall
Williams, Miss.
Willis
Wilson, Charles H.
Wolff
Wyatt

The SPEAKER. On this rollcall 369 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE FOR 1968—CONFERENCE REPORT

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 595)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10738) "making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 9, 10, 11, 13, 16, 17, 19, 22, 26, 28, 29, 30, 31, 32, 33, 34, and 35; and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,942,375,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,653,000,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$391,600,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,367,025,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows: "of which $147,900,000 shall be available only for the F–111B aircraft program"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,505,700,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,816,400,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,240,000,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$446,500,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 12, 14, 18, 20, 21, and 36.

GEORGE MAHON,
ROBERT L. F. SIKES,
JAMIE L. WHITTEN,
GEORGE W. ANDREWS,
DANIEL J. FLOOD,
JOHN M. SLACK, Jr.,
JOSEPH P. ADDABBO,
GLENARD P. LIPSCOMB,
MELVIN R. LAIRD,
WILLIAM E. MINSHALL,
JOHN J. RHODES,
FRANK T. BOW,
Managers on the Part of the House.

RICHARD B. RUSSELL,
LISTER HILL,
JOHN L. MCCLELLAN,
ALLEN J. ELLENDER,
JOHN STENNIS,
STUART SYMINGTON,
MILTON R. YOUNG,
MARGARET CHASE SMITH,
KARL E. MUNDT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—MILITARY PERSONNEL

Military personnel, Army

Amendment No. 1: Appropriates $7,760,300,000 as proposed by the Senate instead of $7,794,000,000 as proposed by the House.

Military personnel, Navy

Amendment No. 2: Appropriates $4,029,100,000 as proposed by the Senate instead of $4,063,600,000 as proposed by the House.

Military personnel, Marine Corps

Amendment No. 3: Appropriates $1,396,300,000 as proposed by the Senate instead of $1,400,800,000 as proposed by the House.

Military personnel, Air Force

Amendment No. 4: Appropriates $5,619,300,000 as proposed by the Senate instead of $5,692,900,000 as proposed by the House.

TITLE II—OPERATION AND MAINTENANCE

Operation and maintenance, Army

Amendment No. 5: Appropriates $6,942,375,000 instead of $6,907,000,000 as proposed by the House and $7,003,375,000 as proposed by the Senate. Reductions below the budget estimates, for items in conference, were agreed to as follows: (1) civilian personnel, $35,000,000, (2) AID/DOD Civic Action Program, $47,400,000, (3) technical manuals, $16,000,000.

Operation and maintenance, Navy

Amendment No. 6: Appropriates $4,653,000,000 instead of $4,636,000,000 as proposed by the House and $4,664,500,000 as proposed by the Senate. Reductions below the budget estimates, for items in conference, were agreed to as follows: (1) $2,000,000 for management studies, (2) $25,100,000 for civilian employees, and (3) $3,000,000 for updating and modernizing technical manuals.

Operation and maintenance, Marine Corps

Amendment No. 7: Appropriates $391,600,000 instead of $391,100,000 as proposed by the House and $392,150,000 as proposed by the Senate. The conferees agreed to the reduction below the budget of $550,000 for management studies.

Operation and maintenance, Air Force

Amendment No. 8: Appropriates $5,367,025,000 instead of $5,352,500,000 as proposed by the House and $5,371,475,000 as proposed by the Senate. $8,000,000 of the amount above the House is only for the support of eight Reserve airlift groups during fiscal year 1968. The conferees agreed to the House reduction of $900,000 for management studies. The conferees agreed to a reduction of $3,550,000 in the Air Force request for civilian employees.

Operation and maintenance, Defense agencies

Amendment No. 9: Appropriates $947,520,000 as proposed by the Senate instead of $955,000,000 as proposed by the House. It is the intention of the committee of conference that $22,000 is for economic adjustment studies by the Economic Research Council. This council provides development assistance to communities adversely affected by DOD decisions.

Contingencies, Defense

Amendment No. 10: Appropriates $10,000,000 as proposed by the Senate instead of $15,000,000 as proposed by the House.

Defense stock fund

Amendment No. 11: Appropriates $118,400,000 as proposed by the Senate instead of $133,000,000 as proposed by the House.

TITLE III—PROCUREMENT

Procurement of equipment and missiles, Army

Amendment No. 12: Reported in technical disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur in the Senate amendment with an amendment appropriating $5,462,500,000 instead of $5,475,000,000 as proposed by the House and $5,478,600,000 as proposed by the Senate. The conferees are in agreement on this amount and have taken the following actions with respect to the amount approved by the House:

1. Restored $12,500,000 of the House reduction of $32,900,000 in termination charges requested for multi-year procurement, as proposed by the Senate.
2. Reduced by $25,000,000 the amount approved by the House for the procurement of communication and electronic equipment, as proposed by the Senate.

Amendment No. 13: Inserts language as proposed by the Senate making $269,000,000 available only for the NIKE–X anti-ballistic-missile system.

Procurement of aircraft and missiles, Navy

Amendment No. 14: Reported in technical disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur in the Senate amendment with an amendment appropriating $2,939,100,000 instead of $2,946,500,000 as proposed by the House and $2,950,700,000, as proposed by the Senate. The conferees are in agreement on the amount and have taken the following actions with respect to the amount approved by the House:

1. Restore $37,500,000 of the House reduction of $75,000,000 based on better management of funds appropriated for this item instead of restoring the full reduction as proposed by the Senate.
2. Restore $10,000,000 of the House reduction of $35,000,000 in multiservice aircraft programs instead of restoring the full amount as proposed by the Senate.
3. Provides $6,000,000 for the procurement of training helicopters as proposed by the Senate.
4. Provides $147,900,000 for the F–111B aircraft program instead of $208,800,000 as proposed by the House and $115,000,000 as proposed by the Senate. In recommending $147,900,000 for this program, it is the intent of the Committee of Conference to provide for the procurement of only eight F–111B aircraft to continue the Navy's research and development program, and to provide not to exceed $10,000,000 for the procurement of P–12 engines to support a possible future buy of this aircraft. No funds have been provided for advance procurement of long lead-time components other than the engines referred to above.

Further, it is the intent of the committee of conference in recommending these funds that it considers the F–111B program to be in the research and development stage, with primary emphasis on efforts to prove that the aircraft can be made carrier suitable. The fact that these funds are provided in this appropriation should not be considered as an indication of approving this aircraft for production.

Amendment No. 15: Provides that, of the funds appropriated herein, $147,900,000 shall be available only for the F–111B aircraft program instead of $208,800,000 as proposed by the House.

Amendment No. 16: Provides that, of the funds appropriated herein, $106,700,000 shall be available only for the EA–6A aircraft program as proposed by the Senate.

Shipbuilding and conversion, Navy

Amendment No. 17: Appropriates $1,297,000,000 as proposed by the Senate instead of $1,420,000,000 as proposed by the House.

Amendment No. 18: Reported in disagreement.

Other procurement, Navy

Amendment No. 19: Appropriates $2,336,000,000 as proposed by the Senate instead of $2,346,000,000 as proposed by the House.

Aircraft procurement, Air Force

Amendment No. 20: Reported in technical disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur in the Senate amendment with an amendment appropriating $5,493,400,000 and containing certain restrictive language, instead of $5,588,900,000 as proposed by the House and $5,547,400,000 as proposed by the Senate. The conferees are in agreement as to this amount and have taken the following actions with respect to the amount approved by the House:

1. Restores $20,000,000 of the House reduction of $90,000,000 in the multiservice aircraft programs instead of restoring $60,000,000 as proposed by the Senate.

2. Deletes $12,500,000 for the procurement of C-7 aircraft as proposed by the Senate.

3. Reduces by $103,000,000 the funds for the A-7 aircraft program instead of a reduction of $50,000,000 as proposed by the Senate.

4. Continues available $55,000,000 from prior appropriation for the F-12 aircraft program instead of making these funds available for other programs as proposed by the Senate. The restrictive language to be proposed would make $55,000,000 of the funds provided in this appropriation available only for the F-12 aircraft program.

Other procurement, Air Force

Amendment No. 21: Reported in technical disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur in the Senate amendment with an amendment appropriating $2,429,800,000 instead of $2,439,800,000 as proposed by the House and $2,433,800,000 as proposed by the Senate. The conferees are in agreement with respect to this amount and have reduced the funds approved by the House for the procurement of electronic and telecommunications equipment by $10,000,000 as proposed by the Senate.

Procurement, Defense agencies

Amendment No. 22: Appropriates $38,000,000 as proposed by the Senate instead of $40,000,000 as proposed by the House.

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Research, development, test, and evaluation, Army

Amendment No. 23: Appropriates $1,505,700,000 instead of $1,501,000,000 as proposed by the House and $1,510,700,000 as proposed by the Senate.

Research, development, test, and evaluation, Navy

Amendment No. 24: Appropriates $1,816,400,000 instead of $1,806,700,000 as proposed by the House and $1,826,400,000 as proposed by the Senate.

Research, development, test, and evaluation, Air Force

Amendment No. 25: Appropriates $3,240,000,000 instead of $3,225,100,000 as proposed by the House and $3,255,000,000 as proposed by the Senate. The committee of conference is in agreement that Project Cloud Gap is to be terminated and that no funds in the accompanying bill or available from amounts previously appropriated shall be used to continue this project.

Amendment No. 26: Provides that $47,000,000 shall be available for the advanced manned strategic aircraft program (AMSA) as proposed by the Senate instead of $51,000,000 as proposed by the House.

Research, development, test, and evaluation, Defense agencies

Amendment No. 27: Appropriates $446,500,000 instead of $444,000,000 as proposed by the House and $449,000,000 as proposed by the Senate.

Emergency fund, Defense

Amendment No. 28: Appropriates $100,000,000 as proposed by the Senate instead of $125,000,000 as proposed by the House.

TITLE V—SPECIAL FOREIGN CURRENCY PROGRAM

Amendment No. 29: Provides $11,200,000 as proposed by the Senate instead of $10,200,000 as proposed by the House.

TITLE VI—GENERAL PROVISIONS

Amendment No. 30: Places a limitation of $86,000,000 as proposed by the Senate instead of $85,000,000 as proposed by the House.

Amendments Nos. 31 and 32: Deletes language proposed by the House relating to international military headquarters and organizations, as proposed by the Senate.

Amendments Nos. 33 and 34: Include language relating to purchase of synthetic fabric as proposed by the Senate.

Amendment No. 35: Inserts new subsection designation as proposed by the Senate.

Amendment No. 36: Reported in technical disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur in the Senate amendment with an amendment raising from 15 to 45 days the waiting period after notice from the General Accounting Office before installing or utilizing new accounting systems.

GEORGE MAHON,
ROBERT L. F. SIKES,
JAMIE L. WHITTEN,
GEORGE W. ANDREWS,
DANIEL J. FLOOD,
JOHN M. SLACK, Jr.,
JOSEPH P. ADDABBO,
GLENARD P. LIPSCOMB,
MELVIN R. LAIRD,
WILLIAM E. MINSHALL,
JOHN J. RHODES,
FRANK T. BOW,
Managers on the Part of the House.

Mr. MAHON. Mr. Speaker, this is the conference report on the defense appropriation bill which passed the House of Representatives on June 13, and passed the Senate on August 22.

This bill represents approximately one-half of the budget for the current fiscal year. In round numbers, the bill provides slightly less than $70 billion for the Defense Department during the current fiscal year, which ends on June 30, 1968.

The bill is $1.6 billion below the budget. It is $358 million below the bill as passed by the House. It is $195 million below the bill as it passed the Senate. It is $293 million below the sum provided for fiscal year 1967.

It might seem rather strange that at a time when we are at war a recommendation would be made that the Defense Department budget be reduced, but I believe it is fair to say that it is the belief of those who have worked closely with this bill that any difficulty in the war is not attributable to lack of funds to prosecute the war.

The problems involved are problems of policy and strategy, and not problems of money.

The report which we presented in support of the bill in June, and the statement of the managers on the part of the House on the conference, and the Senate report are available to the Members of the House. The debates in both Houses are available to Members.

Mr. Speaker, at a later moment I shall ask unanimous consent to revise and extend my remarks, and place in the RECORD pertinent information which might be of interest to the Members, and to others.

Under leave to extend, I include a summary of appropriations by title of the bill and by organizational component. In addition, I include a summary of the additions to and reductions from the budget estimates. As I noted earlier the individual items making up these summaries are set forth in the House, Senate, and conference reports.

It might be well to point out that, in round figures, the bill as agreed to in conference provides for the pay and allowances of military personnel $21.8 billion. This provides for a total, by June 30, 1968, of some 3,464,000 men and women in uniform.

For operation and maintenance, the final version of the bill provides a little more than $19 billion.

For procurement, $22 billion is provided. This is the largest segment in the bill.

The summary referred to follows:

DEFENSE APPROPRIATION BILL, 1968—SUMMARY OF APPROPRIATIONS

[In thousands of dollars]

Item	1967 appropriations	1968 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1967 appropriations	Budget estimate	House	Senate
Title I, military personnel	20,435,044	22,001,000	21,927,800	21,781,500	21,781,500	+1,346,456	−219,500	−146,300	....
Title II, operation and maintenance	19,760,971	19,377,000	18,994,200	19,112,020	19,034,520	−726,451	−342,480	+40,320	−77,500
Title III, procurement	22,932,800	22,917,000	22,261,200	22,086,500	22,000,800	−932,000	−916,200	−260,400	−85,700
Title IV, research, development, test, and evaluation	7,093,459	7,273,000	7,100,800	7,141,100	7,108,600	+15,141	−164,400	+6,800	−32,500
Title V, special foreign currency program	7,348	16,000	10,200	11,200	11,200	+3,852	−4,800	+1,000	....
Total	70,229,622	71,584,000	70,295,200	70,132,320	69,936,620	−293,002	−1,647,380	−358,580	−195,700
Distribution of appropriations by organizational components:									
Army	22,471,015	23,036,628	22,620,628	22,696,603	22,614,503	+143,488	−422,125	−6,125	−82,100
Navy	20,400,100	20,478,400	19,830,100	19,711,550	19,677,900	−722,200	−800,500	−152,200	−33,650
Air Force	23,790,600	24,259,370	24,071,670	23,999,445	23,921,995	+131,395	−337,375	−149,675	−77,450
Defense agencies/Office of the Secretary of Defense	3,567,907	3,890,602	3,772,802	3,724,722	3,722,222	+154,315	−87,380	−50,580	−2,500
Total, Department of Defense	70,229,622	71,584,000	70,295,200	70,132,320	69,936,620	−293,002	−1,647,380	−358,580	−195,700

DEFENSE APPROPRIATIONS, FISCAL YEAR 1968, SUMMARY OF CHANGES FROM BUDGET ESTIMATE

[In thousands]

Title	Budget estimate	Additions	Reductions	Net change	Appropriation
I. Military personnel	$22,001,000	+$11,500	−$231,000	−$219,500	$21,781,500
II. Operation and maintenance	19,377,000	+17,100	−359,580	−342,480	19,034,520
III. Procurement	22,917,000	+345,900	−1,262,100	−916,200	22,000,800
IV. Research, development, test, and evaluation.	7,273,000	+40,000	−204,400	−164,400	7,108,600
V. Special foreign currency program	16,000		−4,800	−4,800	11,200
Total	71,584,000	+414,500	−2,061,880	−1,647,380	69,936,620
Distribution by organizational components:					
Army	23,036,628		−422,125	−422,125	22,614,503
Navy	20,478,400	+241,500	−1,042,000	−800,500	19,677,900
Air Force	24,259,370	+173,000	−510,375	−337,375	23,921,995
Defense agencies/OSD	3,809,602		−87,380	−87,380	3,722,222
Total, Department of Defense	71,584,000	+414,500	−2,061,880	−1,647,380	69,936,620

For research and development, $7.1 billion is provided.

Then there is an amount equivalent to $11.2 million provided for the utilization of excess foreign currencies by the various services, Army, Navy, and Air Force.

I doubt that there is any necessity at the moment, Mr. Speaker, for a lengthy discussion of the bill in view of the fact that it has been before us in one form or another for such a long period of time. I think ample imformation with respect to the content of the bill is available to Members and to the public in reports, hearings, debate, and so forth.

Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. LIPSCOMB], the ranking minority member of the subcommittee.

Mr. LIPSCOMB. Mr. Speaker, the conference report on H.R. 10738, the defense appropriation bill for fiscal year 1968 now before the House is a good report. It represents certain concessions and compromises on the part of both Houses of Congress as to the appropriate amounts of funding for defense items. This of course is generally the case since conferences are a give-and-take proposition.

In my view the final agreement reached by the House-Senate conferees represents a good outcome and I urge support for the report.

The action taken in conference on the defense appropriation bill represents agreements and accord on funding for significant areas of our defense program.

A major point at issue involved the funding for the F-111B, the proposed Navy version of the variable wing aircraft, known previously as the TFX. Because of the serious deficiencies in the F-111B and the delays encountered, the House of Representatives had reduced the budget request for the F-111B to $208,800,000. This was a cut of $78.2 million from the budget request. This amount was further reduced by the Senate to $115,000,000. The Senate report also stated that the intent of the committee was to provide for the procurement of only six F-111B aircraft for the purpose of continuing the research and development program on this plane and to provide approximately $10 million for the procurement of engines to support a possible further buy of the aircraft. No funds were provided for advanced procurement of long leadtime components other than for the engines.

As agreed to in conference an amount of $147.9 million is provided for the F-111B. This is to provide for the procurement of eight F-111B aircraft, instead of six as in the Senate version of the bill, to continue the Navy's research and development program. No other changes were made in the Senate version. It is the intent to provide not to exceed $10 million for the procurement of engines to support a possible further buy of the aircraft and no funds are provided for procurement of long leadtime components other than for the engines.

The conference action on the F-111B I believe is a fair and equitable compromise which will insure ample funds and leeway to thoroughly test and evaluate the F-111B to see whether it will be suitable as a Navy aircraft. The reduction in funds will not hamper the research and development work on the aircraft.

The House position prevailed in the vital area relating to aircraft development, the F-12, the long-range interceptor aircraft which is the most advanced fighter-interceptor aircraft in existence. As approved by the House, H.R. 10738 continued to make available $55 million from prior appropriations for the F-12 funds which were made available in fiscal year 1967 but not used. The bill as agreed to in conference continues to make the $55 million available only for the F-12, and not for other programs as proposed by the Senate.

I think it noteworthy to mention at this time that the Senate in the Defense bill concurred in the earlier House action in supplying an added $11.9 million to retain B-52 aircraft in the active inventory at the present level. The manned bomber aircraft such as the B-52 is a vital element in our strategic forces and our B-52 bomber force should be maintained at the highest level. Funds have been provided for this purpose and I trust that they will be put to good use.

In this connection, it is essential that work on developing the Advanced Manned Strategic Aircraft—AMSA—be carried on so that we have a replacement for the aging B-52 fleet. In spite of this, the Air Force request for funds for AMSA was cut by the Office of Secretary of Defense approximately in half to $26 million. As agreed to in conference the bill contains $47 million for the AMSA program. The funding is available only for this program.

On the Nike X antiballistic missile system Congress has repeatedly made its position clear. The conference report retains all the funds and adds the Senate language making $269,000,000 of procurement funds available only for the ABM system. The House conferees enthusiastically concur with this language which ties the money down for this purpose and for this one purpose only in defending America in the nuclear age. The money thus appropriated cannot be slipped away for use on some other contingency. With this language, we are saying here there is no superior requirement or contingency for the use of these funds. America must be defended and the required immediate steps should be taken to defend ourselves against the ballistic missile threat.

Provisions were included in the fiscal year 1967 defense supplemental appropriation enacted earlier this year to continue through fiscal year 1968 the eight Air Force Reserve troop carrier and airlift units and the three Air National Guard airlift units which the Defense Department intended to deactivate. The defense budget for fiscal year 1968 was drawn up based on the deactivation of those Air Force Reserve component units. Eight million dollars is added to offset part of the estimated cost to support units that were to be deactivated and it is to be used only for that purpose.

The House amendment to the bill concerning shipbuilding is in disagreement. The amendment, known as the Brynes amendment, stipulates that none of the funds provided in the bill shall be used for the construction of any naval vessels in foreign shipyards. This is a sound amendment and it is one from which we should not recede. At issue here is more than the construction of seven out of 16 ocean minesweepers.

The retention in America of the construction know-how—the technical capability to construct ships needed by the U.S. Navy—is a vital consideration in this amendment.

Also important is the requirement to retain more than one source of procurement. If there is to be only one source upon which we must rely then that source, for sound defense planning purposes, should most certainly be an American source.

But nine of these vessels are already provided for in previous years defense appropriation bills and Congress has not restricted foreign yards to bid on those nine. Therefore it must be made clear that the disagreement is not on the willingness or unwillingness of Congress to permit the procurement of minesweepers in Great Britain.

Let me emphasize that the vessels are first models. They have not been built previously. If we were to recede from this amendment and to thus permit foreign shipyards to bid on the entire 16 vessels, then the skill, the know-how, the technical knowledge could be lost to our country. For let there be no mistake about it, if we permit foreign shipyards to bid then U.S. shipyards could be outbid. Primarily because of their wage costs foreign yards can substantially outbid us and we will then become dependent on others for a source of one of our defense needs. I urge the Members to support the House position.

In the House version of H.R. 10738 all the funds requested in the Operation and Maintenance accounts for the implementation of the so-called resources management system of the Department of Defense were deleted. This amounted to a total reduction of $52.7 million in various operations and maintenance accounts. The Senate agreed with the House on this deletion.

The principal element of this system is known as Project Prime, a proposal to completely alter the character of defense budgeting and accounting so as to bring it in consonance with the program system of the Department.

The House Appropriations Committee in their report of June 9 stated on page 6:

> The Committee is of the opinion that this proposal appears to be a case of too much too soon. While it is undoubtedly true that significant changes in the budgeting and accounting system of the Department of Defense should perhaps be accomplished, and this is to some extent true of all agencies of the Federal Government, what is understood of the proposal under Project Prime would indicate a massive change which to some extent would temporarily diminish Congressional control and which appears to be proposed for at least partial initiation without due regard to Congressional expression.
>
> The Committee directs that there be no such change in the budgeting and accounting system of the Department of Defense preparatory to the formulation of the fiscal year 1969 budget presentation.
>
> The Department may find it desirable to conduct tests of a proposed system on a somewhat larger scale than the brief tests (on differing principles) already conducted. The Committee would not object to a further test of a proposed new system provided the breadth of the test does not exceed one major command per military Service. It is the thought of the Committee that with a year's test experience on a larger and uniform sample, the Department would be better equipped to justify a change, if such were to be proposed, in the budget for, but not earlier than, the fiscal year 1970.

The Senate Appropriations Committee in their report of August 4 stated on page 22:

> The committee recommends concurrence in the House action disallowing the requests totaling $52,700,000 included in the various operation and maintenance appropriations for the implementation of the Department's proposed Resources Management System. The committee is in complete accord with the position of the House committee on this proposal. This position was stated in the House report on the bill as follows:
>
> "The committee directs that there be no such change in the budgeting and accounting system of the Department of Defense preparatory to the formulation of the fiscal year 1969 budget presentation."
>
> The committee has no objection to a further test of the proposed system as provided for by the House committee. However, it is the view of the committee that such tests should be funded from available resources and the Department's requests for funds to finance these tests have been disallowed.

On August 7, 1967, the Secretary of Defense, in a letter to the chairman of the House Appropriations Committee stated:

> Internally, we shall use a management control system that focuses on expenses classified according to the organization units responsible for incurring them . . .

Statements such as this and others indicated that the Department of Defense was at least partially implementing the system for which funds were disallowed and which the House and Senate committees said should be tested further.

To assure that the intent of the House and Senate recommendations were understood by the Department of Defense the Senate amended the House bill as follows:

> On page 45, after line 12, insert:
>
> "(b) During the current fiscal year none of the funds available to the Department of Defense may be used to install or utilize any new 'cost-based' or 'expense-based' system or systems for accounting, including accounting results for the purposes prescribed by section 113(a)(4) of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 66a(a)(4)), until 15 days after the Comptroller General of the United States (after consultation with the Director of the Bureau of the Budget) has reported to the Congress that in his opinion such system or systems are designed to: (1) meet the requirements of all applicable laws governing budgeting, accounting, and the administration of public funds and the standards and procedures established pursuant thereto; (2) provide for uniform application to the extent practicable throughout the Department of Defense; and (3) prevent violations of the antideficiency statute (R.S. 3679; 31 U.S.C. 665)."

The House conferees concurred to this amendment except for one technical change. The change raises from 15 to 45 days the waiting period after notice from the General Accounting Office that the proposed system meets the requirements set forth in the amendment before the new accounting system is installed and utilized.

This 45-day waiting period will give Congress and the appropriate committees an opportunity to completely evaluate the proposed new system.

The procedures to be followed are set forth in the amendment. They should answer some very serious questions which the Congress should know.

> First. Does the proposed system meet the requirements of applicable laws with respect to the budgeting, accounting, and administration of public funds?
>
> Second. Is the system designed and developed for uniform application throughout the Department of Defense?
>
> Third. Is the system adequate to provide for a strict enforcement of the Anti-Deficiency Act, which is the basis for the Federal appropriation laws?

There are several areas of primary concern to me in this program. My greatest concern is that there is not a clear understanding of what this program is and how it is to work, either from the standpoint of those who are originating the basic policies, or those who ought to implement these policies, or those of us who are supposedly to derive the benefits from its accomplishments. As presented to our committee, the system apparently is so flexible as to lead one to question the firmness of its foundations. This is borne out by discussions with the military services and other officials throughout the Department of Defense. Differing views exist with regard to the intent, objectives, and potential accomplishments of the program. The lack of a clear statement of the specific objectives to be sought through this project and through the implementation of the resources management system is highly disturbing. Those concerned with implementing this program and those of us responsible for utilizing the data generated from the system in making decisions must know what these new systems are and how they are expected to work.

There is also a question as to what authority the various military services will have in the implementation of various programs. It is certainly not apparent at the present time as to whether this authority will be greater or lesser than that available at the present time. Does this lead to greater centralization of authority in the Office of the Secretary of Defense? Does it take away essential operational and implementational authority from the program managers in the military services and those charged with operational responsibilities? These are questions which should be, but have not been, answered.

It is a matter of concern that these so-called tests may be used as a guise for implementation of this system rather than as stepping stones to the development of detailed systems and procedures based on solid and realistic specifications. We cannot and we must not implement the overall system in any way until the test results have been validated, examined, and incorporated into specific and clear-cut objectives, specifications, and procedures approved by the General Accounting Office, the Bureau of the Budget, and acceptable to responsible congressional committees.

The Department of Defense needs improvement in its accounting systems. This is a worthy goal but care must be exercised to make sure that proper procedures and controls are developed which meet the requirements.

The Senate and House action has been taken to assure that the new system will be designed properly and is properly approved before the system is implemented.

In conclusion, the House should know that the present outlook is that we will need to have a defense supplemental appropriation bill for fiscal year 1968. There will be a need for additional funding before this fiscal year is completed in the areas of personnel, operations and maintenance, and procurement.

This is not an encouraging prospect as we are completing action on the largest single appropriation bill in the history of the Nation. But we must face up to the funding requirements for our defense commitments in the interest of our national security and welfare.

Certainly it is hoped that we can soon end the Vietnam war victoriously and stop the loss of life and the economic drain on our Nation.

I urge adoption of the conference report on H.R. 10738.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I am pleased to yield to the gentleman from North Carolina.

Mr. JONAS. I understood the gentleman from California to say that there is $146 million in the bill now for eight new F–111B aircraft.

Mr. LIPSCOMB. For research and development.

Mr. JONAS. Is this under the contract the Navy has had trouble with General Dynamics?

Mr. LIPSCOMB. It has been reported in the press that the Navy is having trouble with the contractor.

Mr. JONAS. I read a report in the press yesterday that the Navy contends that the planes are not up to specifications and expectations. If that is so, is it not strange that we would be appropriating another $146 million to buy eight planes which the Navy says are not what they need.

Mr. LIPSCOMB. The administration has gotten our defense forces into the position that they need this type of aircraft. They need something which fulfills this particular mission. They have nothing else coming along. Therefore, we are taking the position that we should try to get carrier suitability for the F–111B. The Navy needs research and development planes, to try to get carrier suitability and to get the plane in shape. We provided funds for this purpose and not for initiating production of this aircraft.

Mr. JONAS. Is it the understanding of the conference committee that the Navy will continue to do business with the manufacturer who has delivered planes the Navy says fails to meet its requirements?

Mr. LIPSCOMB. These are research and development planes. Five have been produced already. They are being changed constantly. The weight of the aircraft is questionable and a major problem.

Mr. JONAS. I understood that the Navy said the five that have been delivered are unsatisfactory. I read in the paper that the Navy plans to penalize General Dynamics and thus recover some of the funds already spent with that company. If this is so, I question the desirability of spending more money, in this instance the large sum of $146 million, procuring additional planes unless assurances are given that the new ones will come up to the Navy's specifications.

The SPEAKER. The time of the gentleman from California has expired.

Mr. MAHON. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. JONAS. I believe the House ought to know as much as the committee does about this situation. I do not like to make up my mind on the basis of news reports, either. That is the reason why I am asking these questions.

Mr. LIPSCOMB. There is no doubt that the plane, the F–111B, has not come up to specifications. They are working with it, trying to improve the present capabilities, trying to make it carrier suitable and to make it workable for the Navy.

Mr. JONAS. I hope they will have some understanding with the manufacturer, before we spend another $146 million, that they can produce a plane which will come up to specifications.

Mr. LIPSCOMB. I hope so, too. I hope the plane will do so.

Mr. MINSHALL. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Ohio.

Mr. MINSHALL. This goes far beyond the news reports. As the gentleman will remember, we had testimony before our subcommittee. These were based on classified reports, but I can say that all of the testimony we have had before our subcommittee so far has said, to boil it down to a few words, the F–111B has been a complete "dog."

Mr. LIPSCOMB. The news report I referred to said that the Pentagon was to penalize the producer financially for failing to meet contract specifications.

Mr. MINSHALL. Furthermore, the Air Force version, the F–111A, is also in definite trouble.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the minority leader.

Mr. GERALD R. FORD. Has there ever been a time when the F–111B has met specifications or criteria?

Mr. LIPSCOMB. Not to my knowledge.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Iowa.

Mr. GROSS. Does not the gentleman believe it is unconscionable that we should now spend about $19 million per copy for eight of these planes of extremely doubtful value?

Mr. LIBSCOMB. If we had something to replace the F–111B, which would fulfill the mission which is foreseen, I would say "Yes"; but it is going to leave a gap in our program if we do not try to get a plane. I am willing—and it is a gamble—to spend another $147.9 million to see if we can get it to work.

Mr. MINSHALL. Mr. Speaker, if the gentleman will yield further, I should like to say one additional thing. Our committee has not been "brainwashed" or "snow-jobbed" so far as the F–111B is concerned. We have the facts.

Mr. LIBSCOMB. Mr. Speaker, I urge adoption of the report.

Mr. MAHON. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I support the conference report.

Mr. Speaker, as the conference report of the Defense appropriation bill for fiscal 1968 is adopted, it would be well to be certain that questions previously raised in connection with the organization of the Army Reserve components have been cleared up and that the new Army Reserve component reorganization plan have been found generally acceptable to the Congress and is ready for implementation.

Members of the House will recall that the Committee on Appropriations report in June in connection with the Department of Defense appropriations bill asked that action on the original Army Reserve components reorganization plan be deferred pending an expression of Congress' views. Subsequently, a revised plan providing for the retention of three combat brigades in the USAR was developed by the Army. The Senate Appropriations Committee report based its recommended Reserve components appropriation on the revised plan, and the Senate adopted this report. In the August 23 House-Senate conference the revised reorganization plan was not an issue.

Accordingly, the appropriations in this bill relating to the Army's Reserve components are based on implementation of the revised plan. The plan also incorporates a paid drill strength of 400,000 for the National Guard and 260,000 for the Army Reserve, consistent with the strength floors which are prescribed in this appropriation bill. These are the same strength floors called for by H.R. 2, which has already received a favorable vote of the House.

Now, Mr. Speaker, let me touch upon the capability of the National Guard to deal with civil disturbances. Because of controversy which has developed in recent weeks, all of us are concerned that the National Guard be fully adquate to meet State missions involving civil disturbances. I believe, however, that some of those who have been disturbed over the impact of the revised reorganization plan have overlooked certain key facts:

The Guard has been used by the States 84 times for civil disturbances in the last 10 years. Only twice has it been necessary to use as much as 50 percent of a State Army Guard's strength—in the Watts riot with 62 percent and in Detroit with 85 percent. The average percentage of the post-reorganization Army Guard strength used has been 9 percent. In Newark this summer only 31 percent of the State's Guard strength was used.

The Guard, under the revised plan will have 75 percent of its 400,000 strength in combat and combat-support units.

The reorganization will increase the number of Army Guard personnel in fully supported units by 110,000. That is the number of Guardsmen now in low-priority units. This alone will improve the Guard's capability, because fully supported units have more people, greater mobility, and greater communication capability.

The programed Guard strength under the revised plan will be higher than the average actual strength during 1960–63.

The combined Army and Air Guard strength will be about 480,000. In addition, the Active Army has seven brigades, totaling 15,000 men, earmarked for civil disturbance duty, and thousands of additional Army and Marine Corps troops can be made available if necessary.

I agree with Department of the Army judgment that the strength of the National Guard is adequate for almost all situations which are likely to occur. It is not necessary or economical to build in each State a National Guard organization capable of responding to every conceivable contingency. Extraordinary situations are best met by utilizing the Active Forces or the Guard forces of neighboring States, as Federal law now provides.

Mr. MAHON. Mr. Speaker, I yield such time as he may consume to the gentleman from West Virginia [Mr. MOORE].

Mr. MOORE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, amendments 33 and 34 to the Defense Appropriations Act of 1967 are of great importance to my district and the economy of my State.

This will put an end to some of the buying practices of the Department of

Defense wherein that Department of our Government seeks to award defense contracts to foreign governments to the prejudice of domestic companies, which are small in character, and which are located in depressed areas of our Nation and employ numbers of our men and women. Areas which the Federal Government has expressed interest in helping, only to find another arm of Government destroying a small existing industry which is providing jobs in the free enterprise tradition.

Mr. Speaker, I have within several months had occasion to investigate a situation that deserves the full attention of the House and Nation.

I am speaking of the procedures of the Department of Defense and its policy of awarding defense contracts to foreign firms.

In June a contract was awarded a Taiwan Nationalist Chinese firm for 708,000 inflatable rubber mattresses to be utilized by our Armed Forces. The lowest domestic bid was made by Rubber Fabricators, Inc., of Grantsville, Va., a firm located in my district.

The letting of this contract marks an example of one of the great inconsistencies of our time, wherein the Federal Government on the one hand spends millions of dollars to create employment in depressed areas of our Nation and then the Defense Department awards contracts to foreign firms paying 7 cents per hour for labor, thereby forcing firms in that area to close their doors.

We of the Congress have been encouraged to act and we have responded to the needs of the areas of our country that suffer from chronic unemployment. Our attention has been called to the regions of our Nation that are cited as prime examples of poverty. My own State of West Virginia has received much publicity over its economic difficulties, described in bureaucratic jargon as "depressed and critically wanting."

We have approved legislation that served to correct these deplorable conditions in Appalachia. An extensive and expensive Government program was formulated to attract industries and small business and encourage them to locate in the communities designated as being "labor surplus areas." Low-interest loans, training grants, and other Federal benefits were made to stimulate and revitalize the economy.

Mr. Speaker, now, paradoxically, the Department of Defense is about to force one of our firms to close its doors. Rubber Fabricators, Inc., of Grantsville, W. Va., has been operating successfully for 10 years. They have been utilizing employees from a county located in what is known as the heart of Appalachia. They are now just completing an order for 302,000 of the rubber mattresses of the type awarded to the Taiwan firm.

Mr. Speaker, my investigation revealed several interesting facts. In addition to the labor rates in effect in Taiwan which amounts to almost slave labor, I found that Davisson and Co., the Taiwan firm receiving the award, does not even have manufacturing facilities. It is an import-export firm which, according to the World Trade Journal presently has 22 employees. I can only presume that the units to be produced will be subcontracted to another firm.

Now, this West Virginia industry easily falls within the Government's guideline of a small business. It is also interesting to note that the domestic price of this item has been constant. This particular item was first sold to the Department of Defense. The price per unit was about $7.50. Today, some 15 years later, the price remains about the same. This indicates that there is competition and a willingness to produce necessary items at the minimum domestic price.

Mr. Speaker, I protested vigorously the actions of the Department of Defense. I urged a complete review of this particular contract. In addition to urging a review, I requested that purchasing directives required a part of this contract to be set aside for small business bidders. I am pleased to say that after the exertion of much pressure the Defense Department finally agreed to permit domestic industries to bid on the small business set-aside portion of this contract. Having already given the greater part of the award to the Taiwan company, this was, indeed, a small victory.

I am further pleased, Mr. Speaker, to announce that when the bids were recently opened on this set-aside portion of the contract, Rubber Fabricators of Grantsville, W. Va., was the low bidder. They have been successful in obtaining this $2 million defense contract, no thanks to the original thinking of the Department of Defense.

I am pleased to have aided in making the contract award possible, through constant pressure on the agency involved. Without this monitoring this contract also would have gone to a foreign power.

Now, Mr. Speaker, with this explanation of our difficulty, this amendment looms large in solving our problems of the future. Very simply put, it will remove a contract of this type from the reach of foreign bidders. We can now be permitted to grow economically in Grantsville, W. Va., to rid ourselves of the designation of "depressed area," no thanks to the Department of Defense.

It is indeed a pleasure to be helpful to the employees of this industry and to the citizens of Grantsville, W. Va.

I urge the approval of these amendments to the Defense Appropriation Act of 1967.

Mr. MAHON. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. VAN DEERLIN].

Mr. VAN DEERLIN. Mr. Speaker, I cannot help but wonder if the proponents of the Byrnes amendment to the Defense appropriation bill have fully considered, or are really aware of, its implications and possible consequences. The immediate effect would be to prevent British firms from bidding competitively for the award of contracts to construct some wooden-hulled minesweepers for the U.S. Navy. The long-range effects could well be the cancellation by Great Britain of part or all of more than $2½ billion worth of contracts to buy military equipment from the United States.

Britain has signed an agreement with this country to buy $2.6 billion worth of such products, chiefly aerospace equipment and airplanes such as the C–130, the F–4, and the F–111. Prime contractors for these planes are situated in Georgia, Missouri, Texas, and Pennsylvania. However, there are more than 10,900 subcontractors across the Nation who will benefit from the expenditure of this $2.6 billion by Great Britain in this country. Many of these are in my own State of California, and some are in my own district.

In consideration of Britain's expenditures of this vast sum in this country, we have agreed to let Britain bid, on a competitive basis, on $325 million worth of military equipment contracts. Among these are contracts for construction of the minesweepers. If we now refuse to permit that competitive bidding, Britain may well take the position that we are failing to live up to our agreement, and in turn could well move to cancel all or part of her contracts with us.

Rightly appalled by the possible implications and effects of passage of this amendment, and gravely concerned over possible loss of British orders, firms in the aerospace industry are making urgent attempts to call these facts to the attention of this body. I have today received telegrams from three large California firms, two of them in my district, urging defeat of this measure, not only in the interest of their industry, but of the other industries across the Nation which stand to benefit tremendously from our agreement with Britain.

I consider that we are not only morally obligated to permit British firms to offer competitive bids for construction of these ships within the limits of our agreement, but that the interests of our own industries, particularly aerospace, require us to do so. I urge that we concur with the Senate's action, and recede from support of the Byrnes amendment.

Mr. GROSS. Mr. Speaker, will the gentleman yield to me for one question?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. I assume that all pay for military personnel is contained in this bill. Is it not?

Mr. MAHON. All pay for military personnel is contained in this bill. Of course, if we have a pay increase for Federal employees, including the military, it will probably require funds over and above the amount provided in this bill.

Mr. GROSS. I note in the morning paper that a Navy lieutenant by the name of Ryan Lamb has been assigned to Marine Capt. Charles S. Robb at the White House as his press and social relations man. I assume that this Navy lieutenant is being paid out of this $70 billion fund as the representative for the Marine captain at the White House. Would this be true?

Mr. MAHON. I have not read the story to which the gentleman makes reference, but I repeat this bill carries all pay for all military personnel in the Armed Forces.

Mr. GROSS. Would the gentleman think that a Marine captain stationed at the White House would be entitled to a press relations man, a lieutenant in the Navy? Are we spending money here to train personnel to be used in the armed services of this country or are we training them for press relations and social services?

Mr. MAHON. Well, circumstances alter cases, I would say to the gentleman.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman.

Mr. JONAS. I hope the chairman of the committee can give the House and the country some specific assurances that this $146 million will not be spent for unsatisfactory aircraft. If they do not meet the specifications, then what will happen? I am disturbed and I know that people throughout the country are disturbed, because I have had several telephone calls about that story myself. I think before we finish action on this report whatever assurances can be given should be given that we are just not going to permit the Navy to continue to spend money on unsatisfactory aircraft.

Mr. MAHON. The Navy has been working for many months on the Navy version of the F-111 aircraft, the so-called TFX. It has not been perfected. I do not know of any major aircraft program yet, or any complex military machinery, that has ever been completely effective and perfect from the very beginning.

The Navy hopes desperately that the F-111B will turn out to be a satisfactory carrier plane. I think the chances are certainly reasonably good that this will happen, but you have to spend money to develop an aircraft and see whether or not it can be brought to meet the requirements. That is the way planes have been perfected in the past, and no doubt it will continue to be the method followed in the future.

We in Congress have been very cautious and perhaps too cautious in not giving the Navy a little more leeway. We, perhaps, should have let the Navy go forward more rapidly in developing an operational aircraft along with this development program. Instead, we have been very cautious in providing the funds, and I hope we are doing the right thing. If it turns out to be a plane that cannot be used by the Navy, we may have invested vast sums of money in a project that did not turn out to be successful. This is not anything new, but it is regrettable. We will have to try to provide this plane. The Navy needs it and the Navy wants it, and I will say the Navy is increasingly impressed with the possibilities of the F-111B. The F-111 aircraft is to some extent three aircraft and not just one and the cancellation of one version would not necessarily be a total loss.

Mr. JONAS. Mr. Speaker, if the gentleman will yield further, may I ask the gentleman from Texas [Mr. MAHON] if the gentleman read the article which appeared in the Wall Street Journal of yesterday to which I have referred?

Mr. MAHON. I have not.

Mr. JONAS. As I read some of those reports, they intimated that the Department of the Navy is getting ready to penalize General Dynamics and thus to recover some of the money which it has already paid that firm.

If that is not correct, it is my opinion that a correct statement should be made with respect thereto or that some denial should be made. I say this because I cannot understand if that is true why we would turn around and provide another $146 million to spend with the same firm, until assurances are received that future planes will come up to specifications.

Mr. MAHON. I would say to the gentleman from North Carolina that the Department of the Navy has contracted with this firm. But if there are any damages or claims which could inure to the benefit of the Government, then that course of action should be followed on the part of the Government. It would be questionable whether or not we could, or should, turn over the F-111B to some other manufacturer. The F-111B, as the gentleman from North Carolina knows, essentially is made in the State of New York. But we cannot change, in this short period of time, the contract on the plane, nor should we let it go down the drain, without determining whether or not it can be made into an effective aircraft.

Mr. JONAS. Mr. Speaker, if the gentleman will yield further, I am not suggesting that approach. I am just seeking some assurance that we are not getting ready to waste some more money or are not preparing to pour more funds into the design and construction of a plane that is unsatisfactory for our proposed use.

Mr. LIPSCOMB. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the distinguished gentleman from California.

Mr. LIPSCOMB. Mr. Speaker, I want to point out the fact that these are research and development planes on which we are expending this money. The actions that have been taken by the House conferees and those of the other body are against the Department of Defense going into the procurement of production type aircraft and the setting up of a production line. These funds are basically for research and development aircraft.

Mr. Speaker, I am concerned about the F-111B. I am also concerned that we need a plane. So, this is a gamble.

Now, if the character and suitability of this plane is not worked out, the Department of Defense or the Secretary of Defense should cancel the contract and all of the money that we have put into the F-111B in this bill for airframes and engines should be transferred over to other F-111 type aircraft. Thus, there would be little if any loss from this gamble we are taking.

What we are doing is gambling $147.9 million in order to see if we can obtain a carrier suitability aircraft.

Mr. Speaker, my remarks should not be construed as representing confidence and support of the F-111B program. The manner in which it has been handled has been scandalous, but we do need such a plane. So, we do the best thing we can do in order to obtain a plane that the Department of the Navy can fly and with which it can defend our country.

The $147.9 million contained in this conference report represents, and is the best job we can do under the circumstances.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. MAHON. Yes, I yield to the distinguished gentleman from Alabama, a member of the committee.

Mr. ANDREWS of Alabama. Mr. Speaker, I would like to say that the members of the Committee on Appropriations over the past 2 or 3 years have cautioned again and again the Navy officials not to procure the F-111B, if the contractor did not meet the required specifications. We have been assured by Department of the Navy officials that they would not procure or purchase any planes that do not meet the required specifications. No money, so far, has been appropriated for production of aircraft for the Department of the Navy. All that has been appropriated for the F-111B has been related to research, development, test, and evaluation.

Mr. MAHON. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, I support the conference report.

Mr. Speaker, in the bill before us both the House and Senate provided budgeted amounts and inserted language establishing floors on numbers of personnel, 400,000 for the Army National Guard and 260,000 for the Army Reserve. We have had to take similar action since 1959. On August 26, this year, I spoke to the Mississippi National Guard Association setting out in detail what I say here. Believing that we owe it to ourselves, to the Congress, and to our men in service to present our sincere analysis of our situation, I say frankly we are in serious trouble both at home and abroad. As we take up this huge defense appropriations conference report, I feel the record should show just what a situation we face. I offer these sincere statements in the hope that we may act now for the hour is late and conditions are becoming intolerable.

Mr. Speaker, I became a member of the Appropriations Committee in 1943.

In World War II, I was fortunate enough to be on the Appropriations Subcommittee for the Department of the Navy. As a member of that committee I saw the great job done by members of the Guard and Reserve, who contributed so much to our victory helping to furnish perhaps the most effective military leadership that any nation has ever known.

During that period, our subcommittee was with Admiral Nimitz in the Pacific; General Chenault of the Flying Tigers in Kunming, and Gen. Pat Hurley in Chungking, both in China. We were aboard ship with Admiral McCain of our own State in Leyte Gulf. We were with General MacArthur in the Philippines, and on Iwo Jima a few weeks after the restoration of the flag by our marines who have been honored by the Iwo Jima memorial statue now in Washington. We traveled through Italy, France, and England, and were in Frankfurt, Germany, when we thought our troops were going into Berlin. Unfortunately, as you know, the decision was made to allow the Russians to go in first—a mistake for which we have paid dearly ever since.

After the war was over, I took on other assignments. I was reassigned back to the Subcommittee on Defense Appropriations in the early 1950's where once again I became active in Defense appropriation matters. I made the motion to investigate the procurement practices of the Military Establishment. Our findings caused Secretary of Defense Wilson to say it made him mad and sad to know of conditions in his own Department.

Later, when our committee felt we were not getting full information on Russia, I went there with representatives from our committee staff. We drove by private automobile along Russian highways and rode the trains; we flew the Russian airlines, going from Warsaw, Poland, to major points in Russia such as Moscow, Kharkov, and Kiev. We were in Posnan, Poland, during the war trials there and got out of Budapest, Hungary, just before the slaughter of countless Hungarians by Russian soldiers. Our report was termed invaluable by the CIA Director.

I have served continuously on the Defense Appropriations Subcommittee during the Vietnam crisis.

VIETNAM

Having served on the Committee on Defense Appropriations and listened to all of the key witnesses—to the Secretary of Defense and the Joint Chiefs of Staff on down to more subordinate officers—I must say that things do not go well with us in Vietnam.

Never in history has a war of this size been carried on so long without a plan for victory. Never have we faced a situation where the Secretary of Defense can only claim, as our Secretary does, that "we plan to win by proving to the enemy that he can't win."

From a modest beginning—300 military assistance and foreign aid advisers in 1955—we escalated our involvement to 692 advisers in 1957, and to 10,000 by the end of 1962. In 1963 the Secretary, who each year estimated when our involvement would be over, joined by former Senator Lodge, said the maximum number we would need was 16,500. By July 1965 this number had gone up to 72,000; by November 1965 it had increased to 165,700, and an admitted military operation was on. No longer could the fantasy that our military personnel was there only to counsel and advise be maintained. Today, we know that we have more than 464,000 Americans in Vietnam engaged in combat up to the hilt. The latest plan, according to the President, is for an increase to 525,000 men by June 1968.

Since 1960, our present Secretary of Defense, who finds it most difficult to believe that he could have ever been wrong, has been trying to play poker with orientals where the game of poker was played 5,000 years before our Nation was founded. In his appearances before our committee the Secretary does not seem to realize that every day that this tiny nation of North Vietnam keeps us tied down, spending more than $20 billion a year as we are today, its leaders as well as those of Russia believe they are winning.

Most of our people do not seem to know just how little united support we have in South Vietnam, where our enemies hide among the people which means that the South Vietnamese on our side will not report the other South Vietnamese, the Vietcong who each night war against our men.

Recently I have studied still further the history of Vietnam, of both North and South Vietnam. According to all the records, a large percentage of the South Vietnamese, allied with us, have historically managed to get by with others doing most of the fighting, even during the French occupation. In the early days of the present war, when our men were there to counsel, to advise and then to supervise, the South Vietnamese of course carried the brunt of the fighting which was sporadic. But as time has passed, more and more the full weight of the war has been placed on the shoulders of our American boys.

I know you, like me, find it difficult to accept the fact that a hundredth-rate power such as North Vietnam, supported by the Vietcong, has our Nation, with all its power, tied down halfway around the world. To me, every additional day such a condition continues increases their claim to victory and further weakens our position.

I say here and now we must call on North Vietnam for an immediate peace. If this is not forthcoming, we must knock out every vestige of military power or supporting strength in North Vietnam. We owe to the more than 464,000 Americans we have there now, and to the others who are expected to be assigned there soon, this all-out action. Then, as soon as that job is done, we must turn to local officials soon to be elected in South Vietnam and say:

"We have developed your country. We have built you roads, harbors, and airfields. We have brought you almost unlimited military equipment and taught you how to use it. We have provided more supplies and set up more reserve supplies than your country has ever known. We have virtually knocked your opposition out. Now that we have put you in the saddle, it is up to you to carry on, for we have done our part." And then we need to come home.

After listening to the detailed testimony of our top-flight military leaders and civilians in the Department of Defense through the years, I am convinced this is our only solution.

Any course of action which leaves us involved in a land war in the forests and jungles of this small nation on the continent of Asia, half-way round the world, for years to come is one of failure. We cannot continue to fight indefinitely for people, a large number of whom only half-heartedly fight for themselves.

Mr. RYAN. Mr. Speaker, the conference report on H.R. 10738 recommends the largest appropriation bill for the Department of Defense in our history—$69,936,620,000. Thus $70 billion out of a $135 billion budget, or more than 50 percent, is for military purposes.

While I do not dispute the need to finance the Department of Defense, I am concerned about the magnitude of the military budget, its relationship to the budget for urgent civilian needs, and the imbalance in national priorities which it represents.

Moreover, this $70 billion conference report is permeated with funds for financing a continued escalation of the war in Vietnam. According to the Committee on Appropriations, the Department of Defense estimates that about $20.3 billion in this bill will be required for the war during fiscal year 1968. It is our experience that these estimates always fall short of reality, and we can expect, as usual, that the figures will increase as the year advances. In March of this year we had a $12.3 billion supplemental defense appropriation for Vietnam for fiscal year 1967, and there are few who do not expect a similar or greater supplemental request for fiscal year 1968.

From the beginning I have questioned the policy pursued in Southeast Asia, the Americanization of a Vietnamese war, and the practice of continuing escalation. I have repeatedly urged the administration to seek a political, not a military solution to the conflict. I have consistently voted against the administration's requests for funds specifically earmarked for Vietnam. I have pointed out that fiscal power is the only real power Congress has either to control an agency, to influence foreign policy or to communicate with the executive branch. In this case, the only available option, and my intention today, is to communicate with the President, and to represent my constituents who are, to be sure, deeply disturbed about this war.

Obviously, there are many legitimate defense needs which must be funded. But the bill before us today is grossly distorted by the financing of the Vietnam war, as is the entire shape of the Federal budget. A $70 billion military budget shortchanges our cities at a time when the most profound threat to the security of the Republic is a domestic crisis whose urgency has found no parallel in the administration's response. I have no doubt that the impact and strain of the war mood and the war budget must share a part of the responsibility for this domestic crisis.

The appropriation itself contains $20.3 billion for Vietnam. However, the current level of spending is approaching $2.5 billion per month, or closer to $30 billion annually—according to figures cited by Senator STENNIS.

Thus, although the war accounts for about one-third of the military appropriation, it stands out as the most visible sign of our neglect of crucial priorities at home. It is extraordinary to realize that we are now spending about half as much as our entire domestic budget to finance this war.

Three months ago on June 13, when this House sent H.R. 10738 to the Senate in the amount of $71.6 billion, there had yet been no Newark, no Detroit, no bombing of the Chinese border zone and North Vietnamese ports, no straying of American aircraft into China, no decision for an additional 45,000 troops, and no Presidential message to Congress recommending a 10-percent tax surcharge. One wondered how the situation could worsen, and one found out.

At a time when the portents in Vietnam are only for deeper entanglement, greater loss of life, and risk of wider war, when the voices of moderation in the administration are losing currency, and when the necessary domestic programs we have are in jeopardy, I must protest allocating $70 billion for the Department of Defense.

I have never seen our national priorities more unbalanced; the implications of this imbalance are alarming.

Many elected officials have taken the occasion to say that they will not "reward" rioters. If the conditions which produced this despair are permitted to fester and worsen, we will be "rewarded" with greater unrest.

The President proposes to raise $7.4 billion to help reduce the deficit to manageable proportions through additional taxes, including a 10-percent surtax on income tax liabilities. The same objective could be accomplished through a 10-percent reduction in military spending. Extreme economies are being thrust upon desperately needed domestic programs, yet the military budget grows more bloated than ever.

Unfortunately, under the parliamentary situation today, there is no opportunity to offer amendments proposing a 10-percent reduction, or to vote separately on the spending earmarked for Vietnam. Still, we are confronted with an escalating war, the initial unwisdom of which is being more wisely acknowledged. Goldwater was rejected when he candidly forecast the logical consequence of this military approach to the problems of Southeast Asia.

In 1965 I was one of seven in the House who voted against supplemental defense funds earmarked for Vietnam. In 1966 I was one of four to do so. This year, on March 2 and March 8, I again voted against the supplemental defense authorization bill for Vietnam, and on March 16 against the $12.3 billion appropriation. There were eleven votes in opposition. I argued in the House that a vote for these funds would sanction continued escalation of the war.

Today, in the context of an escalating, yet undeclared war, the unattended problems of our Nation, the administration's effort to impose more burdensome taxation in order to offset the war's cost which this appropriation bill increases, I am unwilling to approve of the policy decisions implicit in this bill.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on the conference report at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 366, nays 4, not voting 62, as follows:

[Roll No. 244]

YEAS—366

Abbitt
Abernethy
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Ayres
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Culver
Cunningham
Curtis
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Donohue
Dow
Dowdy
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Fascell
Findley
Fino
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minish
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Ruppe
St. Onge
Sandman
Satterfield
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Tunney
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wright
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—4

Brown, Calif.
Farbstein
Rooney, N.Y.
Ryan

NOT VOTING—62

Adair
Adams
Anderson, Tenn.
Ashbrook
Aspinall
Baring
Bell
Blackburn
Brademas
Clawson, Del
Cohelan
Conyers
Daddario
Dent
Diggs
Dingell
Dorn
Downing
Edwards, Calif.
Evins, Tenn.
Feighan
Fisher
Gallagher
Gibbons
Green, Oreg.
Hagan
Hansen, Idaho
Hansen, Wash.
Hébert
Heckler, Mass.
Kupferman
Leggett
Lukens
McCarthy
McEwen
McMillan
May
Miller, Calif.
Mink
Morse, Mass.
Morton
Multer
Murphy, N.Y.
O'Hara, Mich.
O'Konski
Pirnie
Poage
Pool
Purcell
Rees
Rivers
Rumsfeld
St Germain
Saylor
Smith, N.Y.
Thompson, N.J.
Udall
Williams, Miss.
Willis
Wilson, Charles H.
Wolff
Wyatt

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. O'Konski.

Mr. Downing with Mrs. Heckler of Massachusetts.

Mr. Udall with Mr. Saylor.

Mr. Aspinall with Mr. Del Clawson.

Mr. Miller of California with Mr. Adair.

Mr. Murphy of New York with Mr. Kupferman.

Mr. Gallagher with Mr. Morse of Massachusetts.

Mr. Dent with Mr. Smith of New York.

Mr. Daddario with Mr. Wyatt.

Mr. Evins of Tennessee with Mr. Hansen of Idaho.

Mr. Rivers with Mrs. May.

Mr. Leggett with Mr. Pirnie.

Mr. Brademas with Mr. Morton.

Mr. Wolff with Mr. Bell.

Mr. Feighan with Mr. McEwen.

Mrs. Green of Oregon with Mr. Lukens.

Mr. Charles H. Wilson with Mr. Rumsfeld.

Mr. St Germain with Mr. Ashbrook.

Mr. Multer with Mr. Blackburn.

Mrs. Mink with Mr. McCarthy.

Mr. Cohelan with Mr. Conyers.

Mr. Adams with Mr. Baring.

Mr. Fisher with Mr. Edwards of California.

Mr. Hagan with Mrs. Hansen of Washington.

Mr. Dingell with Mr. Dorn.

Mr. Rees with Mr. Diggs.

Mr. Anderson of Tennessee with Mr. Williams of Mississippi.

Mr. Thompson of New Jersey with Mr. O'Hara of Michigan.

Mr. Gibbons with Mr. McMillan.

Mr. Purcell with Mr. Willis.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: Page 16, line 2, strike out "$5,475,000,000" and insert "$5,478,600,000".

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein with an amendment, as follows: In lieu of the sum proposed, insert "$5,462,500,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 14: Page 16, line 16, strike out "$2,946,500,000." and insert "$2,950,700,000".

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 14 and concur therein with an amendment, as follows: In lieu of the sum proposed, insert "$2,939,100,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 18: On page 17, line 15, strike out "*Provided further*, That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House insist upon its disagreement to Senate amendment numbered 18.

PREFERENTIAL MOTION OFFERED BY MR. SIKES

Mr. SIKES. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. SIKES moves that the House recede from its disagreement to the amendment of the Senate numbered 18 and concur therein.

The SPEAKER pro tempore. The gentleman from Texas [Mr. MAHON] is recognized for 1 hour.

Mr. MAHON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the matter we are about to discuss is a highly controversial one. It relates to what is known as the Byrnes amendment. The Byrnes amendment would prohibit, in effect, the Department of Defense giving the British shipbuilding industry an opportunity to bid on seven wooden hull minesweepers. It should be understood that most of the machinery for these minesweepers would be produced in this country. As a matter of fact the Government-furnished equipment to be procured in this country represents about 30 percent of the total cost. In addition, if a British firm is successful in bidding on this contract it will undoubtedly procure additional equipment, particularly that involving nonferrous material in the United States.

Mr. Speaker, the British are buying a large quantity of military materiel from us—about eight times as much as we would agree to purchase from them. We would not gratuitously grant contracts to the British, but only give them an opportunity to bid until this procurement goal is reached.

Mr. Speaker, when this bill was pending before the House the amendment was adopted by a vote of 119 to 61. There was not a rollcall vote. The amendment was not discussed in great detail at the time. The bill went to the other body with the amendment contained therein. The other body struck it out. The other body debated the proposal at great length, and after the discussion, no amendment was offered to place the Byrnes amendment in the Senate version of the bill. Neither body would yield in conference. Therefore, the matter is brought back to the House of Representatives in disagreement.

I have offered this pro forma amendment in order to insist upon the position of the House.

Mr. Speaker, I personally feel that this amendment is against the best interest of the United States and I opposed it at the time it was offered. That view is widely shared by officials of the executive branch of the Government and by persons in industry.

I do not quarrel with those whose congressional districts have a special financial stake in this particular amendment. But I would say that those whose districts have a financial interest in defeating the Byrnes amendment are vastly larger in number than those whose districts would be served by the continuation of the Byrnes amendment.

So, Mr. Speaker, while I have moved, in accordance with my position as chairman of the House conferees, to insist on the House position, I believe it would be a serious mistake to do so. I have done this as a matter of parliamentary protocol.

Mr. Speaker, I yield 10 minutes to the gentleman from Florida [Mr. SIKES], who has offered the motion to recede and concur in the Senate amendment.

Mr. SIKES. Mr. Speaker, my proposal would strike from the bill the Byrnes amendment adopted by the House at the time of the passage of the bill.

Basically I am a protectionist. I think the policy of free trade has been overworked. I think many segments of American industry need protection from foreign competition which they are not now receiving. But I am opposed to the restrictive language in this bill and I propose that it be deleted. There are two reasons. Our Government has made an agreement with the British Government which is very heavily weighted in our favor. The British are committed to buy $2,645,000,000 in defense needs from U.S. industry. We have promised to buy in return only $325,000,000 in goods from the United Kingdom. This is better than an 8-to-1 ratio in our favor. If nothing else were involved, this would be good business. But more is involved. Our Government has given its word. The British already have bought $1.7 billion from us; we only $143 million from them. If we jerk the rug out from under the administration, we will be providing the worst kind of example of how to conduct a respectable and effective world trade policy. No government could afford to trust our commitments.

I know how much appeal the House language has and I am fully sympathetic with any Member who feels he has an obligation and a responsibility to protect his own industries. However, that is not exactly what is at stake here. The House language is not designed to protect the American shipyard industry from all foreign shipyard competition. Actually we are talking only about the purchase of seven minesweepers. Even though the proviso prohibits the purchase of all types of ships abroad, we are talking only about the purchase of minesweepers. Sixteen minesweepers are listed but this proviso would apply only to seven of the 16. As far as I can determine, this probably will involve only three shipyards in the United States. These are the only yards which have shown an interest in this comparatively small order. Protection for three shipyards is a far cry from an effort to protect the entire American shipbuilding industry comprising hundreds of yards from the inroads of foreign competition.

These seven minesweepers are estimated to cost $60.7 million. The British might, or might not, be able to bid successfully on this order. In other recent shipbuilding competition, the British firms have lost orders to American yards. One of them being the yard which is the principal advocate for the Byrnes amendment. But assuming that the British could bid successfully for these seven minesweepers at a cost of $60.7 million—$45 million of this to be expended abroad—let's see what the effect would be on the American shipbuilding industry. During the construction period of these minesweepers it is estimated that there will be a total shipbuilding appropriation of $6.2 billion. There is in addition a $7 billion shipbuilding backlog in U.S. shipyards.

The U.S. shipbuilding industry already is in a privileged position. The United Kingdom order would be only a drop in the bucket—less than 1 percent. By further protecting the industry with the language of the House bill, we would place our Government in the position of being unable to carry out a commitment entered into formally and in good faith with the United Kingdom.

Now let us get down to cases. Let us look at the real facts. The United States has sold over $11 billion in military equipment to our allies in the past 5 years. It does not make sense to assume that we can continue to do this without reciprocal purchase of equipment from our allies abroad. They have legislative bodies also and those legislative bodies are just as quick to pounce on a one-sided situation as we are.

You can well imagine what would be said in the British Parliament—how adverse this might be to the existence of the British Government itself.

It has been stated that labor opposes the proposal to permit these minesweepers to be built in foreign shipyards. If so I must say this is a shortsighted attitude. Labor has much more to gain by standing behind the administration's agreement with the British than it has to force its cancellation. If the House refuses to uphold the administration's agreement it must be anticipated that the British Government will refuse to abide by their end of the bargain too, and labor will lose eight times as much as it gains.

There is no question here of a loss of know-how or capability. These ships are only slightly different than previous minesweepers constructed in U.S. yards. The U.S. Government would furnish from U.S. sources all of the complicated equipment to be installed on the ships. Under no circumstances can it be concluded that the U.S. mobilization capability would be increased significantly if these minesweepers were built at home.

Remember that we are just giving the British an opportunity to bid. There is no guarantee that the ships will be built in Britain. Opening up bidding to British concerns does not automatically insure that they will always bid successfully against U.S. firms.

Please note that the British are not getting a free ride. This is not a loose credit transaction or a soft loan. This is a cash-and-credit transaction with credit payments to be handled through the Export-Import Bank. The credit is a hard loan at high interest rates.

The only thing of value which we would lose is our country's word. We cannot live in a world all our own. We must get along with other people. We have to trade with them. Trade can never be altogether one way. If we sell, we also have to buy. We have much the better of the deal which has been entered into. The ratio is 8 to 1 to our advantage but regardless of the ratio, let us not repudiate our Nation's word and let us not forget that we are dealing with one of the very few major countries which still stand with us in most of the questions which confront us in today's troubled world.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the distinguished gentleman from Mississippi.

Mr. COLMER. First, permit me to say that the very able and distinguished gentleman from Florida, a member of this splendid Committee on Appropriations, has made a very convincing argument from his point of view.

Permit me, if I may, first to say——

Mr. SIKES. I hope then that I have the support of the distinguished gentleman from Mississippi.

Mr. COLMER. That remains to be seen. While I represent a shipbuilding industry, I have heard nothing from that industry. So far as I know, they are not concerned with the question. But the thing that concerns me is the precedent that is being set here, and the getting of the camel's nose under the tent, as it were, in this kind of transaction. It may be true that there are only a few wooden ships involved here. But what will be involved later? How far will the executive department go once the Congress has sanctioned this so-called agreement?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MAHON. I yield the gentleman from Florida 1 additional minute, but all the time, I must say, is taken and I cannot yield another minute, if the question takes the minute I am now yielding.

Mr. COLMER. I believe I have made my point. I thank the gentleman for yielding.

Mr. SIKES. I recognize the concern of the distinguished gentleman, and I applaud him for it. This is not a precedent. This is not something we are starting. This is a contract which is already in process. Let me remind you that the British are buying over $2.6 billion from us while we buy only $325 million from them. They have already bought from us $1.7 billion, and we have bought only $143 million from them. We are seeking a continuation of a sound arrangement.

Mr. MAHON. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. BYRNES].

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 10 minutes.

Mr. BYRNES of Wisconsin. Mr. Speaker, I appreciate the chairman of the Appropriations Committee yielding me this time.

An attempt has been made to indicate that the conference report involves only seven little ships. What prompted me to add my amendment to the appropriation bill was not the building of seven little ships. There are basic principles involved. There are fundamental issues that should be decided by this House.

One question involved is whether the Congress or Secretary McNamara will decide whether defense weapons will be built at home or abroad.

We have a law on the statute books. It is called the Buy American Act, and it generally requires the purchase of defense goods in this country. We do have a provision in that act which states that, in case of national emergency or national need, the requirement can be waived, and that is what has happened here, but the basic law provides that these ships shall be built in the United States.

I also call to the attention of the House the language appearing in the bill that is now being debated. That language passed the House and it passed the Senate. What is that language? What does it state? The bill provides:

> *Provided,* That none of the funds herein provided for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign shipyards for the construction of major components of the hull or superstructure of such vessel.

The chairman put that language in. The committee put it in. They would forbid construction of major components in foreign yards. Why are they concerned if we include an amendment that provides that the vessels themselves shall not be constructed, with the money appropriated herein, in foreign yards?

I believe the argument of the gentleman from Texas and the gentleman from Florida falls on awfully rocky soil since they have themselevs put in the language which is just as restrictive as the one they now approve.

There are some other pretty fundamental issues involved here.

Involved is the question of whether Congress will turn over to Secretary McNamara the responsibility given to us by the Constitution to provide and maintain the Navy. Involved is the question of whether this country, in a time of war and world crisis, wishes to place its sole reliance upon a foreign nation for the construction of one of our indispensable defense weapons.

To clarify the issue, Mr. Speaker, let us get down to the specific situation—and if this is not a precedent, I do not know what a precedent is. This Congress authorized and funded construction of four ocean minesweepers for fiscal year 1966, and a year later, five more for fiscal year 1967. None of these ships has been built. They were ready to let the bids last year, but the Defense Department changed its mind and decided to develop a new type of ship, to make extensive design changes. It was also decided then to build seven more, so we would have not nine, but 16. The funds for these seven additional ships are contained in this bill, $61 million. But here is the key point, and here is the point at issue, which makes this an important decision for this Congress.

Secretary McNamara has also decided that all 16 of these ships shall be let to a single builder, in a sole-source, multiple-year procurement. Frankly, I have grave doubts, as I think many Members in this Congress have grave doubts, about the wisdom of the policy being furthered by Secretary McNamara to develop single source procurement, but while I have doubts about that, there is no doubt at all about this particular single-source procurement.

The single-source procurement intended to be pursued by the Secretary in this instance is not only to make a single-source multiple-year procurement of the 16 new-type ships, but to allow this purchase from a foreign yard. That will result in one source of supply, 3,000 miles away, for all 16 of the new type.

Sure, these are comparatively small ships, but, in my judgment, such action would be bad for the security of this country. Certainly it would be a bad precedent all up and down the line—bad for the economy of our country and the health of our shipbuilding industry. If this policy is pursued, if it is approved by Congress, this country will be dependent for these ships and also for future ships upon a single supplier—and a single supplier 3,000 miles away under a foreign government.

Henceforth, Britain will build our ocean minesweepers. We will build up a British yard as a sole source of supply. We will be dependent upon this British yard for our minesweepers. They will have the contracts, they will have the knowhow, and, yes, they will have the experience and expertise. The few remaining American yards and their workers with their special capability in this field will go down the drain. If we approve this course with respect to ocean minesweepers, what will be the next item scheduled by the Secretary of Defense for a single source of supply outside the borders of the United States?

If the Members are not concerned, let me quote from the testimony of Rear Admiral Fahy, commander of Naval Ships Systems Command, before the committee earlier this year, referring to the ocean minesweepers—and let us recognize that he is doing this under a tight rein of the Defense Department of Secretary McNamara, who wants to have these ships bought abroad and have the single source of supply. What does the Admiral say?

> The wooden ship-building know-how for ships of this type and size in the U.S. has diminished over the years to the point where it is expected that only two commercial U.S. firms have sufficient existing capability to stimulate a response to bid on the construction of the proposed ships. Failure of either of these firms will eliminate an opportunity to stimulate maintenance and possible improvement of this potential and conceivably could degrade the potential.

He also says:

> There is concern that perhaps we may lose that capability.

Let me point out to the gentleman from Florida and refresh his memory about a colloquy he had during the hearings in talking about this item.

In talking with Admiral Fahy, the gentleman from Florida [Mr. SIKES] asked:

> Would this make us dependent upon the British for follow-on work?
>
> Admiral FAHY. It would make us dependent in the area of those machinery parts that were of British design that were in the ships.
>
> Mr. SIKES. Would the construction of these vessels in the British yard produce future problems from a maintenance standpoint?
>
> Admiral FAHY. The problems I feel would be principally in the spare parts area.
>
> Mr. SIKES. That could be serious, could it not?
>
> Admiral FAHY. Yes, sir, it could.

I have never seen so many ridiculous arguments being presented by the Defense Department and the administration to support this policy of buying naval vessels abroad.

They argue that we have a commitment. Well, let me say that all we have to do is examine down the line what these commitments and these agreements are. There is no commitment on any single item, and one cannot point to any agreement.

There was no assurance that they were going to get the money in this legislation, that Congress was going to give them the money for seven new ships. How can anyone say there is a firm commitment for all these contracts?

We said to them, "Yes, we will try to make some purchases in order to get you to buy the F–111."

We said, "We will try to find a package of about $350 million over the years of items we might otherwise make at home but which we will try to buy from you. There is another $300 million worth we will hold back on third country markets, so you can purchase."

There is no specific commitment on these specific ships, and they cannot support such an argument at all.

For the information of the House, I include at this point, as part of my remarks, a memorandum on this question of a "commitment" with the British:

MEMORANDUM ON BYRNES AMENDMENT

(Memorandum in relation of Byrnes amendment prohibiting use of funds in FY 1968 Defense Appropriation bill for the construction of any naval vessel in a foreign shipyard to a U.S. "commitment" to Great Britain)

1. The effect of the Byrnes Amendment would be to prevent the Defense Department from allowing British shipyards to compete for (and undoubtedly win) a contract for all 16 of the first, or prototype, vessels of a newly-designed ocean minesweeper (MSO).

It would do so by preventing the procurement abroad of the seven MSO's funded in the FY 1968 bill. *It would not, however, prevent British competition on the 9 MSO's previously funded.*

Insofar as is known, that 7 MSO's are the only naval vessels affected by the Byrnes Amendment.

2. The Defense Department has attempted to create the impression that the adoption of the Byrnes Amendment would renege on a "commitment" of the U.S. to the British government and has so informed important Members of Congress.

Thus, in a statement presumably prepared by DOD and quoted by Mr. Mahon, Chairman of the Appropriations Committee, during debate (p. 15582, June 13, CONGRESSIONAL RECORD), it is claimed the amendment "would place the DOD in a position of being unable to carry out a commitment entered into formally with the United Kingdom and previously discussed with the Congress of the United States."

This statement is untrue.

3. There is no formal U.S. commitment to permit the British to bid upon the MSO contract; there is not even a formal U.S. commitment to permit the British to bid upon any naval vessel, or upon any particular military item.

Appended hereto are copies of a letter of October 14, 1965 to the Secretary of Defense asking specifically the nature of our commitment to the British and the DOD letter in reply which commits the DOD only to (1) searching out possible defense items which might be bought in Britain and (2) "using its best efforts" to procure such items in Britain. No mention is made of any commitment of any nature to allow the British to bid on any item of any kind, including minesweepers.

4. The basis for the agreement between the US and UK has been explained by the DOD as follows: "Our current arrangement with the UK is that the $700 million to $750 million F–111 cost will be offset by (a) a target of $325 million of DOD competitive procurement from UK sources and (b) a target of $400 million for third country sales in connection with which the U.S. will stand aside and let the UK make the sale." (Letter, March 30, 1966, from Deputy Assistant Secretary of Defense, Henry J. Kuss, Jr.)

While $135 million of the $325 million target (not a commitment) of DOD competitive procurement has apparently been planned for naval vessels, this does not represent any kind of agreement, or commitment, unless it has been secretly arrived at without consultation with Congress. Indeed, the Defense Department makes clear that it has not established what part of the offsetting procurement would be met by any one U.S. military Department. The following quotation is from a letter dated April 19, 1967, from Mr. Kuss:

"The $135 million cited by Mr. McNaughton for British competition on U.S. naval requirements represents the total of bidding authorization presently known. No limitation has been established as to what part of the total offsetting procurement will be met by any one U.S. military Department. Nor do we believe an artificial division by military departments is either practical or economical."

5. Adoption of the Byrnes Amendment, requiring U.S. construction of seven of the proposed 16 new MSO's would in no way "place the DOD in the position of being unable to carry out a commitment entered into formally with the United Kingdom." DOD could continue to (1) search out possible defense items which might be bought in Britain and (2) use its best efforts to procure them there. It is to be hoped, however, that in such searching out the Defense Department would not require the small shipbuilding industry to bear such a disproportionate share (135/325) of the entire burden of financing a British procurement of U.S. aircraft. It should be understood that the entire $135 million is concentrated on a few small yards which build small naval vessels in the U.S.

6. If there is, in fact, a secret commitment that the U.S. will either permit the British to bid on all 16 of the new MSO's or on any type or quantity of naval vessel, then the DOD should be asked by what authority it has entered into an agreement precluding action by the Congress in keeping with its constitutional duty "to provide and maintain a Navy." Certainly, it has no formal authority from Congress, nor to the best of knowledge, has it consulted with any Committee of Congress on such an agreement.

GREEN BAY, WIS.,
November 3, 1965.

Mr. HENRY J. KUSS, JR.,
Deputy Assistant Secretary of Defense, Office of the Assistant Secretary of Defense, International Security Affairs, Washington, D.C.

DEAR MR. KUSS: Thank you for your letter of October 21, responding to my request for information on the Arrangement with Great Britain involving F–111 aircraft and naval vessels.

I am puzzled by the quoted paragraph because I see nothing in it which ties the aircraft purchase to the ship procurement, yet you informed the Wisconsin delegation, at the September 15 briefing, that the navy ship procurement was tied directly to the F–111 purchase. You stated, in fact, that while bids on the Navy ships might be advertised to British sources and bids might be received prior to the due date of the F–111 options, or January 1, 1966, that contracts would not be awarded until the options were picked up.

Do we have a definite agreement with the British to open up certain navy ships for British competition? If so, what is the nature of that agreement? Does it relate to any specific kind of navy ships? When was it made? By whom? The answers to these questions, together with any other information you can furnish concerning the nature of our agreement with Great Britain will be most helpful.

Sincerely yours,

——— ———.

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., October 21, 1965.

Hon. JOHN W. BYRNES,
House of Representatives,
Washington, D.C.

DEAR MR. BYRNES: With reference to your letter of 14 October, Paragraph 6. a. of the US-UK F–111 Arrangement is quoted below in response to your request for information on the provision of the Arrangement relating to possible Department of Defense procurement of naval vessels from Great Britain:

"6. a. In consideration of the provisions of this Arrangement, DOD will search out potential DOD requirements which might be filled by procurement of UK equipment and will use its best efforts to procure defence equipment from the UK, subject to two basic conditions: (1) that the equipment meets DOD military requirements as to performance and timing, and (2) that such equipment costs DOD no more than if it were to be procured from US industry."

I am submitting the above unclassified excerpt from the classified F-111 Arrangement because it is the only portion of the text which relates directly to the subject of your query. Please advise if you still have a need for the entire text; we would be happy to send it to you subject, of course, to its being handled in accordance with security requirements.

Sincerely,

HENRY J. KUSS, Jr.,
Deputy Assistant Secretary.

Mr. Speaker, it is also contended, in error, that we endanger $2 billion in British aircraft contracts with American companies if this amendment is adopted. Let me make the following points on that score:

First. The British bought our aircraft primarily because they wanted to reduce their defense costs to 6 percent of their GNP. They canceled three aircraft development programs and contracted for American planes at a saving of $1.5 billion.

The basic reason for the deal, then, was not the quid pro quo of aircraft for ships. It was the savings realized by the British in eliminating their development costs by purchase of American planes.

Second. We offset the $2 billion by providing credit up to $1.25 billion and by setting targets of $325 million for DOD procurement in Britain and $400 million for third country sales in connection with which the United States will stand aside and let the United Kingdom make the sale.

The British are not liable to upset such a favorable arrangement for any specious reason.

Third. The British would have no legitimate complaint. We have made no specific promise—unless there is a secret agreement—that the United Kingdom will be permitted to bid on any specific item, including minesweepers. Our agreement is for DOD to search out and use its efforts to locate up to $325 million in arms purchases in the United Kingdom.

Fourth. The United States is meeting its commitment to buy $325 million in Great Britain: It has already contracted for $143 million; it has permitted the British to bid upon over $61 million in small ships; the Byrnes amendment would permit the British to bid upon an additional $78 million—nine MSO's at $8.7 million—in ships.

I think I should point out to the Members that it is more than a few shipyards which are concerned with this policy of Secretary McNamara. Let me include at this point a telegram I have received from the AFL-CIO Maritime Trades Department which expresses the deep concern of its 6,000,000 maritime workers in support of this amendment:

WASHINGTON, D.C.,
September 11, 1967.

Hon. JOHN W. BYRNES,
Washington, D.C.:

The AFL-CIO Maritime Trades Department strongly endorses the language and intent of H.R. 10738 to prevent the construction of any U.S. naval vessels in foreign shipyards.

Congress must make it clear to the Defense Department, through this legislation, that it does not intend to have Defense appropriations used for the exportation of American jobs or for any worsening of the balance of payments—two things which would result immediately, if the Pentagon were to be permitted to go forward with its build-abroad scheme.

The MTD's executive board, meeting in New York City on September 8, 1967, made clear the department's total opposition to the foreign building concept. Speaking on behalf of the 6 million trade unionists in the 38 national and international unions affiliated with the MTD, the board said that foreign construction of naval vessels would siphon work and jobs away from U.S. shipyards; would hinder technological progress in American yards; and would endanger national security by exposing classified equipment and material to other nations.

We strongly urge you to vote for retention of the present language of H.R. 10738. Which would make certain that none of the Defense Department funds appropriated for fiscal 1968 could be used for building any naval vessels abroad.

PAUL HALL,
President.
PETER M. MCGAVIN,
Executive Secretary-Treasurer.

Mr. Speaker, I ask that the Congress assume its constitutional responsibility by making sure it can provide a Navy—now and in the future. I even ask that we do Secretary McNamara a favor and save him from what I am convinced would be another horrible mistake, another needless risk involving the security of this country. I ask that the House insist upon its amendment.

Mr. MAHON. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, I should like about a half hour to tangle with my friend from Wisconsin, whom I admire greatly, on problems dealing with taxes, but not on problems dealing with defense.

I just want to say one thing on this problem. First, my name is DANIEL JOHN FRANCIS ALOYSIUS FLOOD. Can anyone imagine my being pro-British? My grandfather McCarthy would turn over in his grave.

Second, since 1945 there has been no Member of this House who has had a better record in support of organized labor than the gentleman from Pennsylvania [Mr. FLOOD]—nobody, period.

Labor has nothing to do but gain from this arrangement, and it will lose nothing if the British get this contract.

As to the boilermakers, I have a great boilermakers union in my district. They will lose nothing. The diesel engines, the compressors, the hardware for these ships will be bought in the United States.

As to the great danger to the United States, these are little minesweepers. They are glorified tugboats made out of wood.

In Philadelphia, New York, and California—there is not a big navy yard in the United States which will have anything to do with them.

The piping and tubing for these wooden ships has to be nonmagnetic, nonferrous, bought in the United States.

We have a $3 billion deal with these "Limeys" against $325,000,000 they might get. They lost the last one, and I hope they will lose this one.

This is nothing but an invitation to bid.

The sheetmetal workers will not lose a dime. The boilermakers will not lose a dime.

The economy of America has nothing to do but win.

This is a red herring.

Three little 10- and 20- and 30-ship yards—one in Wisconsin—want to build these wooden crates. That is the argument. Do not kid the troops.

Mr. MAHON. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, to follow DAN ALOYSIUS FLOOD is really to be at a disadvantage, but I was tremendously impressed by the logic of the gentleman from Florida and the gentleman from Pennsylvania. Therefore, I rise in opposition to the Byrnes amendment.

I believe that the Byrnes amendment is not in the national interest—not—n-o-t. Our national interest cannot be based on the protection of narrow parochial interests even if they are on the Great Lakes. It must be based on the balance of national and other nations' interests. It must be reciprocal in nature.

We have a deal on here. The British agreed to buy $2.6 billion worth of aircraft and missiles from us. In return we have agreed to let them bid on about $325 million of material here. If they do not win the bid, they do not get the business. They are going through with their part of the contract. It may not be a written contract. It is an agreement between negotiators. It is a moral commitment.

The British are going through with their part of the agreement and have already bought $1.7 billion from us. They will buy another $1 billion from us if we go ahead with our side of it. Do we want to jeopardize this national commitment for the benefit of a couple of little shipbuilding interests on the Great Lakes and one other maybe somewhere else who are building these little wooden minesweepers? We have thousands and thousands of contractors throughout the United States making C-130 aircraft, F-4 aircraft, F-111 aircraft, Chinook helicopters, and Polaris missile equipment. They are all being bought by the British from U.S. suppliers for the safety and security of the free world. I think it is time for us to rise above petty parochial interests and back up the moral commitment of the negotiators on this deal. This is a good financial deal for America and a good security deal for the free world. You cannot take all the business in the world. You have to let the other allied nations have part of the military business if we are to retain the good faith necessary between free world allies.

Mr. MAHON. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland [Mr. GARMATZ].

Mr. GARMATZ. Mr. Speaker, I am completely opposed to foreign shipbuilding, whether Navy ships or merchant ships. During recent weeks my committee has been hearing advocates of foreign building of vessels for our American merchant marine. Curiously enough, one of the reasons that they give for bypassing our American yards is that our yards are chiefly occupied with Navy work. Now we plan to move Navy work abroad. If we build naval vessels abroad and merchant vessels abroad, what do we plan to leave for our own yards? Somehow those who seek to exhibit such generosity to our foreign competitors fail to give their ideas of where we would stand in a war when we could well be in the position of having to supply all of our ship needs from our own resources. Without shipyards fully experienced and geared to the production of the types of vessels we might need, we might find ourselves in desperate straits indeed.

From another viewpoint, we know that our British competitors have been plagued with wildcat strikes and low production, to the extent, that a recent delivery of a passenger ship was over 6 months late. We know that our Japanese competitors have enough orders to keep all their yards busy for the next 2 to 3 years. Where, then, will we build? Possibly Poland or even Russia, both of which have very efficient yards? It would seem that our own obvious self-interest would dictate against such a course.

I cannot express too strongly my belief that the pursuit of this policy of building ships of any type abroad, is extremely detrimental to our national interest, and can well lead to serious trouble in the future.

I strongly urge the House to instruct our conferees to stand firm on the original action, opposing the use of these funds for work in foreign yards.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I am delighted to yield to the distinguished gentleman from Pennsylvania.

Mr. BARRETT. Mr. Speaker, I rise in support of the retention of amendment No. 18, the so-called Byrnes amendment, which provides that no funds in the Department of Defense appropriation bill for fiscal 1968 shall be used for the construction of any naval vessels in any foreign shipyards.

I cannot, for the life of me, follow the reasoning of the DOD in its position of opposition to this amendment.

We all know the plight of the shipbuilding industry in American shipyards. In the past few weeks there have been a number of newspaper stories regarding the very wise action on the part of the administration to improve the position of our own shipbuilding industry. By requiring that these vessels be built in American yards we support that position and action and we can increase our skilled labor force, with its direct effect on American industrial capacity. People who are now unskilled and untrained can become skilled and trained.

Under the DOD position many shipbuilding jobs in American shipyards would be lost and our balance-of-payments position would suffer.

I urge the retention of this amendment to the bill and the rejection of any action to delete the requirement that U.S. naval vessels be built in American shipyards.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I am glad to yield to the distinguished gentleman from Michigan.

Mr. CEDERBERG. Mr. Speaker, I wish to associate myself with the remarks which have been made by the distinguished chairman of the Committee on Merchant Marine and Fisheries, the gentleman from Maryland [Mr. GARMATZ]. It is my opinion that the gentleman from Maryland is exactly right.

Here, Mr. Speaker, we have a sick industry. I cannot see any reason to make it more sick by the procurement in a British yard of these ships.

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. DOWNING] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. DOWNING. Mr. Speaker, I certainly hope the House will stand fast on this amendment. I am unalterably opposed to spending even $1 of the tax moneys paid by citizens of the United States in support of their Government for the construction or the repair of any type of American-flag vessel in any foreign yard. When I say any type of American-flag vessel, I refer to those built for our primary Defense Establishment, as well as the complementary line of defense, our merchant marine.

Today we are concerned with U.S. naval vessels and so I will address myself primarily to this portion of the question.

There are, it seems to me, too many people in Washington thinking in terms favorable to the interests of other nations at the expense of our own. I certainly am not opposed to being helpful to our allies but I will do anything and everything that one Member of the Congress can do to oppose helping the industry of any foreign nation at the expense of our own industries.

The domestic shipbuilding industry in this country needs all the help it can get if it is to survive. It is an integral part of our national defense capability and we should do nothing to jeopardize it.

The Merchant Marine Act of 1936 specifically requires that maritime ships be built in the United States. This is our Nation's maritime shipbuilding policy. I believe it would be contrary to our national defense policy to build Navy ships abroad just as it is against the law to build merchant ships abroad.

For the life of me, I cannot conceive why these efforts to build abroad persist.

We worry constantly about balance of payments. Certainly it would not alleviate this problem to build our ships in foreign yards.

We talk about keeping our employment level high. To build abroad would take employment away from our people.

When anyone talks of building or repairing U.S. vessels anywhere other than in shipyards of the United States he talks of taking bread out of the mouths of millions of Americans, and I refer not only to the families or the workers in our own shipbuilding industry.

I am certain that each of you recalls that on May 27 of this year our distinguished President spoke in Newport News at the christening ceremonies for the *John F. Kennedy*, the newest in a line of powerful attack aircraft carriers.

As rightfully proud as we are in Newport News of building this ship, we do not pretend that we do the job alone. The *John F. Kennedy*, as is every vessel which is built or repaired in a U.S. yard, is a product of the entire Nation.

Seventy-five percent of the cost of building a naval vessel is represented by the supplies and materials which go into its construction and outfitting. For example, materials for the *John F. Kennedy* are being supplied from 38 States, from 352 cities, and by more than 850 companies which include many small businessmen as well as some of the Nation's largest corporations.

Mr. Speaker, I most definitely believe that implements of war such as naval ships and maritime vessels which will be used in time of war should be built at home. I urge the House to stay with this amendment.

Mr. MAHON. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, I rise in support of the Mahon motion. I hope this House will maintain the position which it took during its consideration of the Defense appropriation bill, when it was acted upon here several months ago. The House position can be maintained today by rejecting the Sikes motion and agreeing to the Mahon motion.

The question before the Congress and the House today is whether we in the Congress of the United States are going to give the executive branch of the Government the right to go out and make deals and to make commitments without congressional approval. I hope my colleagues will support me in insisting on bringing the Senate amendment back in disagreement and insisting on a legislative voice in this matter.

We have heard a lot about trade agreements with the British. The only real trade off here is minesweepers for the British purchase of the F-111A fighter. The F-111A is in serious trouble. Whether the British will ever buy a single plane is open to serious question today.

The F-111B is almost down the drain. The F-111A is in most serious difficulty and great delays are now a certainty. Let us go ahead with nine minesweepers for the British now and seven for the United States. This is a good deal for the British because the possible purchase of $788 million worth of F-111A's could very well turn out to be a fantasy. I personally feel that the F-111A may never be supplied to the British.

It seems to me it is in the interest of

national security to see that we have a second source for these minesweepers. This can only be accomplished by rejecting the Sikes motion and then proceeding to agreeing to the original Mahon motion.

Mr. MAHON. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Speaker, I thank the chairman for yielding me this time. I take this time to find out just what the substance of this agreement is.

In St. Louis, McDonnell Aircraft, which makes the Phantom aircraft, has commitments, it is understood, with the British to buy in the billions in this area. I have heard two different stories; one that this is not involved in this situation. I wonder will the gentleman from Wisconsin on this side of the aisle, and the chairman on the other side of the aisle, clarify this situation?

Mr. MAHON. Mr. Speaker, I believe I can clarify the issue. The British have agreed to buy from McDonnell Aircraft, $951 million worth of F–4 aircraft, made in Missouri. Components, of course are made all over the Nation.

Mr. CURTIS. That is involved in this?

Mr. MAHON. That is involved, heavily involved in this, along with other procurement; the Polaris submarine equipment, and so forth. The general range of commitments and orders were agreed to in 1965. I have a letter from the Secretary of Defense, in which he says that these orders, agreed to in 1965, required the approval of the Prime Minister and the British Cabinet, and resulted in the cancellation of several major British aircraft programs.

The British had been going ahead with certain programs, but they said "We will buy these from you and cancel out our aircraft." We certainly cannot welch on them at this stage since they have canceled their own domestic programs.

The gentleman just made it very clear, I believe that the F–4's made at McDonnell Aircraft represent $951 million, and the $60 million involved in these ships is more or less "chicken feed" by comparison.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to just state, very categorically, that as far as the F–4 is concerned, the British canceled their particular aircraft procurement program and took the F–4's because it was a better aircraft.

That aircraft program is firm. It was made prior to the discussion even taking place on these 16 minesweepers. And if anyone believes the British are going to cancel out that F–4 program, then they are raising a red herring in this dispute.

Mr. MAHON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. Teague].

Mr. TEAGUE of Texas. Mr. Speaker, I rise in support of the position of the gentleman from Texas [Mr. Mahon] and the gentleman from Florida [Mr. Sikes].

Mr. Speaker, I voted for the so-called buy America legislation. But surely in this case it is in the best interest of our country to support the position of the gentleman from Texas [Mr. Mahon], and I hope the House will support that position.

Mr. Speaker, I yield back the balance of my time.

Mr. MAHON. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. Morgan].

Mr. MORGAN. Mr. Speaker, I rise in opposition to the amendment of the gentleman from Wisconsin [Mr. Byrnes]. I think the amendment is special legislation that concerns three small shipyards in this country.

This amendment would seriously interfere with an agreement we have made with the British which is extremely advantageous to the United States. They have agreed to buy from us over $2,600,000,000 of military equipment and in exchange we have promised to purchase only $325 million of equipment from British industry on a competitive basis.

As part of its commitment, the United States has agreed to place 16 minesweepers into competition between United States and United Kingdom industries. Seven of them are involved in this bill and I want to emphasize that the British must bid competitively on them. This amendment would not only prevent our carrying a formal commitment, but it would jeopardize very substantial benefits to American labor and industry.

The British are already carrying out their purchase agreement. I hope that everybody in this House will analyze exactly what the British are doing for the workers of this country by this agreement. Their purchases involve over 4,000 subcontractors and supplies for $310,000,000 of C–130 aircraft; over 2,000 on the purchase of $788,000,000 of F–111 aircraft, and over 4,500 on the $951,000,000 of F–4 aircraft. Many additional suppliers will benefit from purchases of $39,800,000 of Chinook helicopters, and $557,000,000 of *Polaris* equipment.

This $2,600,000,000 of purchases by the United Kingdom in the United States will cover a 12-year span of deliveries and payments. Commercial and Export-Import Bank credits involved in the British procurements will be hard loans earning high rates of interest, making a substantial additional benefit to us.

The Chinook helicopter is built in my own State, in Morton, Pa. Practically every State in the Union will have some project in this defense contract.

Let me remind the House again that this amendment is special legislation that seems to benefit only three small shipyards in this country. Before you vote on this, I urge you to analyze the facts. A vote against the amendment will be a vote for your own district as well as our overall industry and business.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman.

Mr. WHITTEN. I would like to point out something that has not been said in debate, or at least I have not heard it. The Secretary of Defense made a flat agreement with the British that they be given consideration. If this amendment stays in here, where the Navy had determined that this is the proper place and would do no material injury—if this is prohibited it leaves the Secretary obligated to do the same type of thing someplace where it might hurt. The language of the Secretary's letter is quite clear in that regard. So if you prohibit these purchases, you open the thing up to where you do not know where you have to carry it under the agreement.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman.

Mr. CELLER. Does not the chairman of the Committee on Foreign Affairs believe that the floor of the House of Representatives is no place to write foreign policy and that the amendment of the gentleman from Wisconsin [Mr. Byrnes] does write foreign policy?

Mr. MORGAN. The gentleman is absolutely correct. This is no place to write foreign policy, which is something that belongs to the Committee on Foreign Affairs.

The SPEAKER. The time of the gentleman has expired.

Mr. MAHON. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. Rooney].

Mr. ROONEY of New York. Mr. Speaker, it seems to me that the pending issue is very simple. I have said—and I now say—that I will not vote to spend 15 cents of the American taxpayer's money to build an American ship in a foreign shipyard, particularly at a time when our shipbuilding industry is so sick.

I would be derelict in my duties, representing as I do the entire Brooklyn waterfront, if I were to vote to recede and concur in the Senate action which would permit the building of these ships in a foreign shipyard. These ships could well and easily have been built in the Brooklyn Navy Yard if it had not been closed by Secretary McNamara. At the moment, they could be built at the Todd Shipyard in Erie Basin, which is in my district.

To indicate the interest in this subject I am including herewith the following communications received on this matter:

MARITIME TRADES
DEPARTMENT, AFL–CIO,
Washington, D.C., August 24, 1967.

Hon. JOHN J. ROONEY,
House Appropriations Committee,
Washington D.C.:

H.R. 10738 covering Department of Defense appropriations, 1968, includes an amendment by Congressman John W. Byrnes, of Wisconsin, which provides "that none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards." Understand this provision to be voted on again this afternoon. The Maritime Trades Department, AFL–CIO, representing six million members would appreciate your support for keeping provision in.

PAUL HALL,
President.
PETER M. MCGAVIN,
Executive Secretary-Treasurer.

INTERNATIONAL BROTHERHOOD OF
BOILERMAKERS, IRON SHIP BUILDERS, BLACKSMITHS, FORGERS AND
HELPERS.
Washington, D.C., August 24, 1967.

Hon. JOHN J. ROONEY,
House of Representatives,
Washington D.C.

DEAR SIR: H.R. 10738 covering Department of Defense appropriations, 1968, includes an amendment by Congressman John W. Byrnes,

of Wisconsin, which provides "that none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards." Understand this provision to be voted on again this afternoon. Would appreciate your support for keeping provision in.

Respectfully,

RUSSELL K. BERG,
International President.

TODD SHIPYARDS CORP.,
New York, N.Y., August 24, 1967.

Hon. JOHN J. ROONEY,
Rayburn Office Building,
Washington, D.C.:

House-Senate conferees on D.O.D. appropriations bill, H.R. 10738, yesterday failed to agree as to the Byrnes amendment prohibiting use of funds for construction of naval vessels in foreign shipyards. Amendment will be on House floor this afternoon, Thursday. We are very much in support of the Byrnes amendment and ask your help to urge retention of it.

Respectfully,

J. T. GILBRIDE, *President.*

BOILERMAKERS LOCAL LODGE 67,
Brooklyn, N.Y., September 11, 1967.

Hon. JOHN J. ROONEY,
House of Representatives,
Washington, D.C.:

The officers and membership of Boilermakers Local Lodge 67, Brooklyn, urge you to keep the amendment in H.R. 10738.

Sincerely yours,

WILLIAM STEVENS,
Secretary-Treasurer.

WASHINGTON, D.C.,
September 11, 1967.

Hon. JOHN J. ROONEY,
Washington, D.C.:

The AFL-CIO Maritime Trades Department strongly endorses the language and intent of H.R. 10738 to prevent the construction of any U.S. naval vessels in foreign shipyards.

Congress must make it clear to the Defense Department, through this legislation, that it does not intend to have Defense appropriations used for the exportation of American jobs or for any worsening of the balance of payments—two things which would result immediately, if the Pentagon were to be permitted to go forward with its build-abroad scheme.

The MTD's executive board, meeting in New York City on September 8, 1967, made clear the department's total opposition to the foreign building concept. Speaking on behalf of the 6 million trade unionists in the 38 national and international unions affiliated with the MTD, the board said that foreign construction of naval vessels would siphon work and jobs away from U.S. shipyards; would hinder technological progress in American yards; and would endanger national security by exposing classified equipment and material to other nations.

We strongly urge you to vote for retention of the present language of H.R. 10738, which would make certain that none of the Defense Department funds appropriated for fiscal 1968 could be used for building any naval vessels abroad.

PAUL HALL,
President.
PETER M. MCGAVIN,
Executive Secretary-Treasurer.

Mr. Speaker, I trust that the pending motion of the distinguished gentleman from Florida will be voted down.

Mr. MAHON. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Speaker, first let us take a look at this amendment.

The amendment does not say anything about a few minesweepers.

The amendment says:

> *Provided further,* That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards.

Suppose Mr. McNamara decides tomorrow that he is going to build some naval vessels in foreign yards? What is going to happen in Mississippi and in the gulf shipyards down in New Orleans and other yards throughout the country? What is going to happen in these other shipyards?

This amendment does not mention minesweepers—this is a question of naval vessels being built abroad.

This House of Representatives went along with me when I offered an amendment that none of the Coast Guard ships should be built in foreign yards. The House adopted that amendment and there was no question about it.

The biggest industry in Mississippi is shipbuilding, and the largest payroll in that State comes from a shipyard. All you have to do is to start to build some of these vessels abroad and that one great industry, which supports to such a great extent the economy of that State, will be lost.

What happened to your naval shipyards in the past few years? Mr. McNamara destroyed them. This is not a question, my friends, of minesweepers. What have we actually done here? Let us look at page 37 of the bill. Talk about this being an amendment to protect someone, listen to what another part of the bill provides:

> SEC. 623. No part of any appropriation contained in this Act shall be available for the procurement of any article of food, clothing, cotton, woven silk or woven silk blends, spun silk yarn for cartridge cloth, [33] *synthetic fabric or coated synthetic fabric,* or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles) not grown, reprocessed, reused, or produced in the United States.

So I say to you that we have done this, and what we are trying to do now is to protect, as has been said, a sick but a growing and a necessary industry.

I wonder whether perhaps these ships in Great Britain might be built in the same yards that are now building ships which are carrying munitions and the sinews of war into Haiphong under the British flag. Is that the kind of shipyards we are going to support? Or are we going to support American yards?

If the day comes when we have to build fast again, as we were required to do in other emergencies, believe me, my friends, we will need these yards, and if we do not protect them by this kind of language, we shall have failed in our duty. Do not forget that under section 8 of article I of the Constitution the Congress has the authority and the duty to provide and maintain a Navy.

Now, you say that our Government has made a commitment. Who is the Government? Is the Government Mr. McNamara, sitting over in the Pentagon, or is the Government the Executive and the Congress? Was not the Congress entitled to have an opportunity to pass upon the question of whether or not we would destroy American shipyards, and, again, to build up the yards of a so-called ally who is shipping to our enemies?

Mr. Speaker, I hope the Byrnes amendment will be sustained.

Mr. MAHON. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. SLACK].

Mr. SLACK. Mr. Speaker, the question involved here is whether or not we are going to break an existing contract. Our commitment represents an issue about which there has been no secrecy because it has been widely publicized and thoroughly debated on previous occasions. In a bill which totals over $70 billion, it amounts to less than one two-hundredths of the total.

The item of concern to us is in fact a contractual commitment that has already been made and it is not simply a contract to buy defense equipment from foreign purveyors with American dollars. It is an exchange of defense capabilities to the mutual advantage of the United States and the Government of the United Kingdom. We are dealing here, not with a new procurement, but with an ongoing program. The agreement represented by this item in the bill is already underway to this extent:

The United States has committed itself to purchase $325 million of equipment from the United Kingdom industries on a competitive basis, and of this sum approximately $143 million has been awarded to date.

The reciprocal part of the arrangement called for the Government of the United Kingdom to purchase $2.5 billion in equipment from U.S. industries over a 12-year period. To date, $1,980,000,000 has been committed. In other words, orders have been placed, contracts are underway and in some instances deliveries have been made to the United Kingdom. This covers fleet ballistic missiles, CH-47 helicopters, C-130 aircraft, F-4 aircraft, and F-111A aircraft.

This arrangement affords work for some 11,000 American contractors distributed over many of the 50 States. With regard to the controversy over the seven wooden hull minesweepers, it is my understanding that while the United Kingdom will do 70 percent of the work of the construction, the balance of 30 percent will then be done in the United States where the vessels will be outfitted and completed.

The Department of Defense, before agreeing to this arrangement in the beginning, explored the possibility of placing this work in such a manner as to encourage the American shipbuilders with this capability who might be required later on a standby production basis in time of emergency. They reviewed what had happened at the beginning of World War II and again in the beginning of the Korean conflict when there arose emergency requirements for wooden shipbuilding capability.

They found that it was relatively easy and inexpensive to obtain ships of this type from shipyards which were already in operation and producing another type of ship. The Department has established the fact that standardization techniques make it feasible to obtain vessels of this kind at acceptable costs from operating shipyards on relatively short notice in an emergency even though such shipyards located in the United States might not be actually in production with this type of vessel when the emergency arises. This is not, in point of fact, the type of defense production which involves the need for heavy standby investment and maintenance of special skills.

The mission of the Department of Defense is worldwide as we all know, and it is the very broad extent of that mission which constitutes the main reason why the bill totals over $70 billion. The Defense mission, and the costs of that mission, are predicated to a considerable extent upon the military and industrial posture of certain allies. It is to our advantage, therefore, to coordinate the defense production capability of our allies with our own needs whenever costs are acceptable. The funds contained in this bill are designed to defend, among other things, the Atlantic Ocean and the Atlantic community of nations and this includes the United Kingdom where these ships are to be built.

In summary, we are not dealing here with a proposed procurement but rather with a contractual arrangement. A contract, whether between individuals or nations, is a two-way street. To fail to continue the existing arrangement amounts to nothing more than the arbitrary cancellation of a contract between two friendly associates. This is indefensible in business practice and would be a reflection on our national integrity.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. SLACK. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, has the Congress ever approved the alleged contract or agreement with Great Britain?

Mr. SLACK. Not to my knowledge, but our Government has, and the contract is in being.

Mr. GERALD R. FORD. But it is our responsibility in the Congress as a coequal branch of the Government to be considered, to be fully advised before there is any agreement one way or another. In this case we were never consulted and therefore are not bound. After all the Congress could have refused to appropriate the funds.

Mr. SLACK. It is not the responsibility of Congress to ratify contractual agreements.

Mr. MAHON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Speaker, two things need to be considered. First, we have to keep some friends in the world. To keep friends, we have to keep our agreements with our friends. If we have an understanding and dependable friend in the world, surely it is Great Britain. On balance she has been, over the years, the very best friend we have.

To repudiate that friendship, betray that trust, and abrogate this good-faith agreement with our British friends merely for the sake of one domestic special interest group would be both shameful and foolish.

The second thing is that the set of agreements involved in this motion works to the great advantage of American industry, the American economy, and American labor. In dollar volume, the balance is 8 to 1 in favor of America.

In these five major military procurement items which the British are purchasing from us, there are directly involved more than 12,000 subcontractors, big and little, some of them located in every State in the Union, with several hundred thousand American laborers employed.

Several speakers on the Republican side have indicated, erroneously, that the principal purpose of this agreement is to sell F-111 aircraft to Great Britain. Additionally, they have made unwarranted and unsupportable critical statements about that aircraft, as they have done before in the House chamber. It seems to be their basic strategy to undermine confidence in this great new weapons system and thus to reflect discredit on the Secretary of the Defense and the President of the United States. The exaggerations they have indulged make it necessary that the record again be set straight in this regard.

In the first place, the F-111 is on balance a magnificent success. The Air Force likes it and wants more of them. The Navy wants more of them than this bill is allowing. The British like the F-111. They have flown it. They are enthusiastic about it. They want to buy it and to pay hard dollars for it. This is not at all surprising, since it is undoubtedly the most versatile weapons system ever developed by American industry.

But by no stretch of the imagination could it be said that the F-111 is the only item of military procurement, or even the principal item involved in this package agreement with our British friends. They also are buying F-4 aircraft, and in an even greater dollar volume.

Nine hundred and fifty-one million dollars is involved in the British purchase of F-4 aircraft manufactured in the St. Louis area. Also involved are C-130 aircraft, Chinook helicopters, and Polaris submarine equipment. The grand total of the British purchase is—as has been said—$2,645,800,000. Of this amount, the F-111 purchase is considerably less than one-third of the total.

In return, we have agreed only to purchase from our British friends $325 million worth of equipment on a competitive bid basis. In other words, they must successfully underbid American manufacturers in order to get even this much.

Surely, in the interest of our longstanding friendship with Great Britain, in the interest of the American taxpayer, of the balance-of-payments position, in the interest of the American economy itself, and—primarily—in the interest of keeping our word with our friends, we should oppose the Byrnes amendment and support the motion by the gentleman from Florida [Mr. SIKES].

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I commend the gentleman for what he said about the importance of keeping our agreements.

It seems to me there has been a great deal of talk on the other side of the aisle about a credibility gap, and yet our friends on the the other side of the aisle have done more to create a credibility gap, as far as our Government is concerned, by trying to break the agreements of our Government with foreign countries and foreign governments in case after case. I think we ought to keep our word and back up the agreements of our Government.

Mr. MAHON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MCFALL].

Mr. MCFALL. Mr. Speaker, there are two issues here. One is our consideration for our British allies, and that has been discussed.

One point, however, has not been emphasized. Mr. Wilson's government has signed this contract with our Government, whereby he buy $2.6 billion worth of war equipment, when his government is faced with one of the largest unemployment situations this winter that has ever faced the British Government. In all equity, we should keep our agreement and assist him with this opportunity for shipyard employment.

Second, in the interests of the American taxpayer, the Byrnes amendment has been referred to as special legislation. Let us look and see how special it is. National security is not involved, because these yards are now building these ships. They won the contract in bidding against the British. What will happen if the Byrnes amendment is passed is it will eliminate the competition, and it will raise the price of these ships to the American taxpayer.

Mr. ASHLEY. Mr. Speaker, I rise in support of the preferential motion and against the Byrnes amendment.

This issue is not entirely new to some of us. Last July the matter came to my attention when the construction of two ocean survey vessels was awarded to a low-bidding British shipyard. I received protests from representatives of American shipbuilding labor and management, particularly from the district I represent. This was to be expected because the American Ship Building Co., with yards in Toledo, Ohio, was the low domestic bidder, although higher than the successful British concern.

I pointed out at that time, Mr. Speaker, that the decision to open competition for certain ship construction to yards in Great Britain originated in negotiations conducted in 1965 when the British Government agreed to purchase U.S. F-111, F-4 and C-130 aircraft, as well as certain missiles and other military hardware whose value totaled more than $2.5 billion. These orders required the approval of the Prime Minister and British Cabinet and because they resulted in the cancellation of three major British aircraft programs, the British requested that we agree to the procurement of certain defense items from British suppliers when such suppliers were fully competitive in terms of quality and costs with U.S. manufacturers. The Department of Defense agreed to this and a target of $325 million—as against more than $2.5 billion in British purchases—was established for such DOD procurement for the 10-year period. It was clear then and it is clear now that far more American business concerns would be hurt by the failure of Great Britain to procure military aircraft and other hardware from the United States than would be adversely affected by permitting England to compete for a minutely small quantity of U.S. naval ship construction.

Cast in a somewhat broader context, the U.S. foreign military sales program accumulated orders totaling $6.1 billion during fiscal years 1962–65 and commitments for future deliveries in an amount of an additional $3.7 billion. These orders and commitments, which benefit more than 40,000 U.S. suppliers in every State of the Union, were possible only because of U.S. willingness to purchase a considerably lesser dollar volume of foreign items, subject to the provision of competitive cost, quality, and delivery terms. Without such willingness on our part, it would be impossible for the United States to continue to enjoy a favorable trade balance amounting to nearly $6 billion a year and our balance-of-payments situation would soon become catastrophic.

The gentleman from Florida [Mr. SIKES], and the distinguished chairman of the Appropriations Committee [Mr. MAHON] have stated the case for those of us who are concerned with the broader national interests that are involved. Spokesmen for the other side have largely been articulate only for the parochial interests of their district. They would have our Government welch on an agreement properly negotiated with the British 2 years ago, an agreement which manifestly inures to the benefit of American labor and business. They suggest that such agreement has no moral or legal sanctity because it was not reviewed or approved by the Congress. This is patent nonsense. Obviously the executive branch—and especially the Department of Defense—has the responsibility and right to enter into negotiations and agreements within the context of existing statutes. This they have done.

Opponents point out that the American shipbuilding industry is sick and will get sicker if construction abroad is permitted. The fact is that the American ship construction industry is largely supported by Government orders either for military vessels or vessels constructed under the maritime program. To completely outlaw any foreign vessel construction will under no circumstances make our domestic shipbuilding effort more efficient and competitive; on the contrary such a policy—while convenient and pleasing to certain shipbuilding districts—will only perpetuate the inability to compete which is fostered by lack of competition.

The gentleman from Pennsylvania [Mr. FLOOD] has stated that he has as good a labor record as any man in Congress but that he finds no issue here which adversely affects organized labor. I am proud of my record in behalf of the workingman, too, Mr. Speaker, and I agree wholeheartedly with him. In fact I would go further. If we want to risk very real injury to the livelihood of many hundreds and thousands of working men and women, all we need do is to discourage foreign governments and markets abroad from trade with the United States. This is the labor issue, if there is one, and we had better be clear about it.

If we cannot legislate in the national interest, Mr. Speaker, we had better adjourn. I say this because if parochial views are to prevail today, the consequences may well be felt for many years to come.

Mr. DANIELS. Mr. Speaker, I rise in support of the pending amendment to the Defense Department appropriation bill which would prevent the exporting of American jobs in the shipbuilding industry.

Mr. Speaker, I have the honor to represent one of the great shipbuilding areas of the United States and our skilled workers and our shipbuilding firms are the equal of any in the Nation. Yet, for years we have seen the great industry, a cornerstone of the Nation's economy since colonial days, in decline because of shortsighted policies by our Government. The policy advocated by the Department of Defense is not one which merely harms a vital segment of the economy of the 14th District of New Jersey. This policy is one which is robbing this Nation of the expertise and facilities to provide for our shipping needs in time of crisis. No Member of this House needs to be reminded of the ability of the shipyards in the New Jersey-New York City port area to produce under pressure. What we did during the two great World Wars is a proud page in American industrial history. Are we to allow these skills to disappear? I strongly urge all Members to retain the provision in this bill, which prohibits the use of Defense Department funds to build Navy ships in foreign yards. America's safety depends upon our wisdom today.

The SPEAKER. The gentleman from Texas has 8 minutes remaining.

Mr. MAHON. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, it seems to me we are dealing here with a very important principle. In the first place, there has been some talk about the constitutional responsibility of the Congress and the executive department that does not square with the Constitution. It is the duty of the Congress to raise and maintain armies and navies, but it is not the duty of the Congress to enter into agreement with foreign powers. What we have here is an agreement which gives to the United States about an 8-to-1 advantage—$2.5 billion versus approximately $325 million.

It is true, perhaps, that striking out this particular item would not of itself abrogate that agreement, as the gentleman from Wisconsin has indicated. But I do not think there is any question, I will say to the very able gentleman from Wisconsin, but that it would be construed around the world as a breach of the agreement. I think this very discourse here today would indicate this is true. The fact that we are debating this issue, that the Secretary of Defense has made this offer to let the British bid on these particular items, it seems to me, would be read around the world to indicate that the United States was welching upon its agreement.

We have an agreement, and the agreement should be carried out. This is one step in the process of carrying it out.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I have only 3 minutes, but I yield to the distinguished gentleman briefly.

Mr. GERALD R. FORD. I should like to make this comment: Much has been made of the fact that we in the Congress would, by supporting the Byrnes of Wisconsin amendment, break an agreement with Great Britain. Let me point out that 3 or 4 years ago the Secretary of Defense himself—with the acquiescence of the President—broke an agreement with the British, when the executive branch of our Government canceled the Skybolt weapons system.

Mr. ALBERT. May I say to the gentleman, this is the first time I have heard him try to use the actions of the Secretary of Defense as a precedent for what the Congress should do.

Mr. GERALD R. FORD. I question I will be using them much in the future, based on the past record.

Mr. ALBERT. Mr. Speaker, the British have abandoned three major aircraft development programs at home and will buy U.S. aircraft in their place. This was an extraordinarily courageous decision to make—particularly since the British aircraft industry was already in dire straits. It was, therefore, natural that the British Government should have insisted that it could not carry out such decisions in the face of enormous opposition unless the United States agreed to some reciprocal action.

The limited character of this U.S. agreement must be well understood:

First. The DOD did not agree to guarantee or allocate procurement from British sources.

On the contrary, the DOD agreed only that British sources could compete with U.S. sources for purchases up to the amount of the ceiling—some $325 million compared to the $2.5 billion buy in the United States. If British sources do not compete successfully in terms of price, quality, delivery, and supportability, they will not get the order.

Second. The DOD did not agree that the British Government could select what it wanted to sell to us.

On the contrary, the DOD will select the items concerning which it will invite both British and U.S. bids.

Now, U.S. producers, familiar with the rigorous Armed Services Procurement Regulations, equipped with modern management methods and benefited by production runs three to seven times as long as those of the British, have an enormous competitive advantage. Even with labor rates lower than those of the United States, the British lost an early invitation to bid on two tug boats because they estimated 2½ as many man-hours as the winning U.S. yard. The British sharpened their pencils subsequently and won an order for two survey vessels—only to lose later in another competition for the same vessel.

Under this arrangement, with its significant benefits to the United States it is, of course, incumbent upon the Department of Defense to select items which the British can conceivably win in competition with U.S. industry—if we are to carry out the arrangement in good faith.

In addition to various aerospace items, the Navy has also selected the 16 minesweepers, seven of which are in the fiscal year 1968 Defense appropriation bill now before us. The Navy made this selection:

First. Because Great Britain has a good shipbuilding industry which was willing, and considered able, to bid for the order;

Second. Because the ships in question are wooden ships the hulls of which do not advance the state of the art—and production of which in the United States is not essential to the U.S. mobilization base; and,

Third. Because it is possible that a single production run of 16 ships will lead to significant budgetary savings to the United States.

For these reasons, we have promised that the British may bid on minesweepers.

We now have heard vigorous objections from Members from districts that may lose an order for a ship because of British competition. I am, indeed, sympathetic with their complaint. But let us also be sympathetic with the Nation's broader military, political, and economic interests. Let us also note that the more than $2 billion in British aircraft and submarine system orders will benefit the more than 4,000 subcontractors and suppliers in virtually every State in the Union. Finally, let us note that if the Congress forces the United States to abrogate its promise to the British Government the British political ability to maintain their aircraft orders here may well be imperiled.

Accordingly, since an extraordinarily favorable arrangement has been negotiated with the British Government, since this arrangement establishes a 7-to-1 orders balance-of-payments advantage for the United States, since the Navy Department has selected the minesweeper for British competition under that arrangement, having considered technical and mobilization requirements, since the British must still win a fair competition with U.S. yards for the order, since costs will be reduced for a single 16-ship buy, and above all, since we cannot treat lightly the fair expectations of and promises to a valued ally, I submit that we should agree with the other body and avoid any shortsighted limitation on shipbuilding in the bill before us. I, therefore, urge the adoption of the motion of the gentleman from Florida [Mr. SIKES].

Mr. MAHON. Mr. Speaker, the country is confronted with many major problems and responsibilities. The United States cannot afford to stand alone in the free world as the only significant military power.

The military power of the United Kingdom has been greatly diminished since World War II, but this does not diminish our need for as many allies as we are able to secure.

We have embarked on various programs of foreign aid in order to help free countries stand on their own feet and be strong. It is important to us that the United Kingdom be strong militarily—as strong as possible.

The United Kingdom has agreed to buy $2.6 billion worth of defense equipment from us to make that country stronger and therefore more able to help bear the huge burden of maintaining the peace and security of the free peoples of the world.

Why should we, then, as Members of Congress do something to undermine the efforts of the British to build themselves up militarily?

I say to the Members, it would be a most serious mistake to embarrass the British Government, to cause problems for the present Cabinet, and to make it impossible for this one-sided commitment, weighted 8 to 1 in our favor, to be fulfilled. We should not cause this commitment to be discontinued or abandoned.

I for one, as an American citizen and as an official who faces the taxpayers, want to see that someone else is strong militarily. I want to help the British to aid themselves militarily, because it helps my country and my taxpayers.

Not only that, but this arrangement helps big business. It helps contractors in practically every State of the Union.

The minority party is the traditional party of big business, and yet, just for the purpose of protecting a small shipyard in Wisconsin, and perhaps two more, some are undertaking to wreck this program. Such action might cost American business tremendously, if the British are not able to go forward with this agreement.

Not only that, but the agreement benefits American labor. American labor will produce $2.6 billion worth of equipment if this trade agreement is completed. We must protect this agreement, not undermine it.

The British have already bought $1.7 billion from us under the agreement. What is wrong with that? Here is the C–130 aircraft. They are buying $310 million worth of C–130 aircraft from us, and they have already bought some. There is the F–4 aircraft of which the gentleman from Missouri spoke. There is the F–111, not the F–111B, the controversial one—the British are not proposing to buy that—but other versions of the F–111, which are making good progress and which may well be among the great planes of tomorrow. Not only that but the Chinook helicopter made, as someone said, in Pennsylvania is involved. There is also $550 million worth of equipment for Polaris submarines. If we are interested in the defense, the security, and the economic well-being of the United States, why should we throw a monkey wrench into a trade agreement that helps our friend to become stronger and also helps the American taxpayer bear the load? I have a letter here from the Secretary of Defense. I requested this letter because I was interested in having additional details of this arrangement. In this letter he says:

> The Secretary of State, the Secretary of Treasury, and the Secretary of Defense are convinced that this prohibition is not in the national interest.

Now, I do not always agree with these officials, but with respect to this matter I agree with them fully that the national interest will be jeopardized by the approval of the Byrnes amendment.

Then the Secretary continues:

> Sales negotiated with the British Government in 1965 will result in British payments to U.S. industry in excess of $2.5 billion over the period FY 1966–1977. These orders required the approval of the Prime Minister and the British Cabinet and resulted in the cancellation of several major British aircraft programs.

I will insert the letter from the Secretary of Defense at this point in the RECORD.

THE SECRETARY OF DEFENSE,
Washington, September 12, 1967.

Hon. GEORGE H. MAHON,
Chairman, Committee on Appropriations, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing with regard to the Ship Purchase Amendment to the FY 1968 Defense Appropriations Bill. The Amendment provides that no funds in the bill can be used for the construction of any naval vessel in foreign shipyards. The Secretary of State, the Secretary of Treasury, and the Secretary of Defense are convinced that this prohibition is not in the national interest.

Sales negotiated with the British Government in 1965 will result in British payments to U.S. industry in excess of $2.5 billion over the period FY 1966–1977. These orders required the approval of the Prime Minister and the British Cabinet and resulted in the cancellation of several major British aircraft programs. The British purchases are being carried out. They involve over 4,000 U.S. subcontractors and suppliers for the C–130 aircraft, over 2,200 for the F–111 aircraft and over 4,500 for the F–4 aircraft. Numerous additional suppliers are involved in the orders for POLARIS equipment and Chinook helicopters. Practically every state of the Union will participate in the whole package.

During these 1965 negotiations, the British asked us to agree to buy a small amount of defense products from their industries. I stated that we could give no such assurances. They then requested that we agree in principle to consider the procurement of certain defense items from British suppliers when such suppliers were fully competitive in terms of cost and quality with U.S. manufacturers. This we agreed to do.

Under this agreement U.S. defense purchases from British industry are limited to $325 million over the 12-year period. I want to reemphasize that we will be receiving from Britain $2.5 billion over that same period. As of the moment the British have placed $1.7 billion of their orders and have won orders from the U.S. of $143 million.

Awards to British industry are made only on the basis of competitive bidding open to both United States and British firms and only when the British bid is lower than any U.S. bid. In the case of shipbuilding the British lost the first competition for 4 ships. They then won competitions for two small shipbuilding contracts; and within the last few weeks, lost another competition for two survey vessels. To comply with the 1965 commitment, the U.S. has agreed to allow United States and U.K. shipbuilders to bid on 7 minesweepers covered by the FY 68 appropriations. If the Amendment is defeated, the British will have an *opportunity to bid competitively* on the minesweepers. Only three or four shipyards in the United States are interested in this small procurement involving about $45 million. To favor them with special legislations—such as the Amendment does—would prevent the United States from carrying out a formal commitment made in good faith, and jeopardize the benefits to the U.S. economy from the British purchases.

It has been alleged by some that to allow the British to bid on the seven minesweepers would deny the United States an essential defense capability. This contention is not valid. The seven ocean-going minesweepers have been selected as appropriate for this United States-United Kingdom competition by the U.S. Navy. The ship construction itself employs established techniques. The advanced features lie in the equipment and systems incorporated in the ship, not in the construction techniques. These advanced systems will be furnished by the U.S. Government and will represent about 30% of the value of the ships.

In summary:

The contention that the mobilization base would be adversely affected by British competition is without foundation;

The Amendment discriminates in favor of a tiny segment of U.S. industry at the potential expense of thousands of companies and tens of thousands of employees throughout the economy.

In consideration of the above factors, I strongly urge that you make every effort to have the Amendment stricken from the Bill.

Sincerely,

ROBERT S. MCNAMARA.

Do we dare jeopardize such an agreement when it gives us an 8-to-1 advantage? I say emphatically no, Mr. Speaker. I hope that the motion by Mr. SIKES to recede and concur in the Senate amendment will be adopted.

The SPEAKER. All time has expired.

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that the preferential motion of the gentleman from Florida be reread before the vote is taken.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The Clerk reread the preferential motion.

The SPEAKER. The question is on the preferential motion offered by the gentleman from Florida.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 145, nays 232, answered "present" 1, not voting 54, as follows:

[Roll No. 245]

YEAS—145

Adams
Albert
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashley
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brinkley
Brooks
Brown, Calif.
Burleson
Burton, Calif.
Button
Cabell
Casey
Celler
Conte
Corman
Culver
Curtis
Davis, Ga.
Dawson
de la Garza
Dingell
Dow
Dulski
Eckhardt
Edmondson
Edwards, La.
Evans, Colo.
Everett
Fascell
Flood
Flynt
Foley
Ford, William D.
Fraser
Frelinghuysen
Fulton, Tenn.
Fuqua
Giaimo
Gibbons
Gonzalez
Gray
Haley
Hamilton
Hanna
Hawkins
Hechler, W. Va.
Helstoski
Herlong
Holifield
Holland
Horton
Hull
Hungate
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kazen
Kee
King, Calif.
Kirwan
Kluczynski
Kupferman
Landrum
Leggett
Long, Md.
McFall
Madden
Mahon
Matsunaga
Mayne
Mize
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Moss
Murphy, Ill.
Natcher
Nedzi
O'Hara, Ill.
Olsen
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Pickle
Pike
Poage
Pool
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Roberts
Rogers, Colo.
Ronan
Rosenthal
Rostenkowski
Roush
Ryan
Scheuer
Shriver
Sikes
Sisk
Slack
Smith, Iowa
Steed
Stephens
Stratton
Stubblefield
Stuckey
Teague, Tex.
Tunney
Udall
Van Deerlin
Vanik
Walker
Whalen
White
Whitten
Wright
Yates
Young

NAYS—232

Abbitt
Abernethy
Addabbo
Anderson, Ill.
Arends
Ashmore
Ayres
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Bolton
Bow
Brasco
Bray
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Utah
Bush
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Colmer
Conable
Corbett
Cowger
Cramer
Cunningham
Daniels
Davis, Wis.
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dole
Donohue
Dowdy
Duncan
Dwyer
Edwards, Ala.
Eilberg
Erlenborn
Esch
Eshleman
Fallon
Farbstein
Findley
Fino
Ford, Gerald R.
Fountain
Friedel
Fulton, Pa.
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Gilbert
Goodell
Goodling
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hall
Halleck
Halpern
Hammerschmidt
Hanley
Hardy
Harrison
Harsha
Harvey
Hathaway
Henderson
Hosmer
Howard
Hunt
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
Kastenmeier
Keith
Kelly
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
Macdonald, Mass.
MacGregor
Machen
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Meskill
Michel
Miller, Ohio
Minish
Mink
Minshall
Montgomery
Moore
Mosher
Myers
Nelsen
Nichols
Nix
O'Neal, Ga.
O'Neill, Mass.
Pelly
Pettis
Philbin
Poff
Pollock
Price, Tex.
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Robison
Rodino
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roth
Roudebush
Roybal
Ruppe
St. Onge
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Whalley
Whitener
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Bob
Winn
Wydler
Wylie
Wyman
Zablocki
Zion
Zwach

ANSWERED "PRESENT"—1

Hicks

NOT VOTING—54

Adair
Anderson, Tenn.
Ashbrook
Aspinall
Baring
Bell
Blackburn
Brademas
Clawson, Del
Cohelan
Conyers
Daddario
Diggs
Dorn
Downing
Edwards, Calif.
Evins, Tenn.
Feighan
Fisher
Gallagher
Green, Oreg.
Hagan
Hansen, Idaho
Hansen, Wash.
Hays
Hébert
Heckler, Mass.
McCarthy
McMillan
May
Meeds
Miller, Calif.
Mills
Morton
Multer
Murphy, N.Y.
O'Hara, Mich.
O'Konski
Pirnie
Rees
Rivers
Rumsfeld
St Germain
Saylor
Smith, N.Y.
Staggers
Thompson, N.J.
Tiernan
Ullman
Watts
Willis
Wilson, Charles H.
Wolff
Wyatt

So the preferential motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Cohelan for, with Mr. Hicks against.

Mr. Rees for, with Mr. Hébert against.

Mr. Evins of Tennessee for, with Mr. Multer against.

Mr. Hagan for, with Mr. Downing against.

Mr. Brademas for, with Mr. Murphy of New York against.

Mr. Aspinall for, with Mr. Wolff against.

Mr. McMillan for, with Mrs. Green of Oregon against.

Mr. Fisher for, with Mr. St Germain against.

Mr. Watts for, with Mr. Tiernan against.

Mr. Willis for, with Mr. Baring against.

Mr. Charles H. Wilson for, with Mr. Morton against.

Mr. McCarthy for, with Mrs. May against.

Mrs. Hansen of Washington for, with Mr. Wyatt against.

Until further notice:

Mr. Rivers with Mr. Blackburn.

Mr. Gallagher with Mrs. Heckler of Massachusetts.

Mr. Miller of California with Mr. Del Clawson.

Mr. Mills with Mr. Ashbrook.

Mr. Meeds with Mr. Bell.

Mr. Feighan with Mr. Adair.

Mr. Hays with Mr. Rumsfeld.

Mr. Staggers with Mr. Saylor.

Mr. Ullman with Mr. Smith of New York.

Mr. Daddario with Mr. Pirnie.

Mr. Thompson of New Jersey with Mr. O'Konski.

Mr. O'Hara of Michigan with Mr. Hansen of Idaho.

Mr. Edwards of California with Mr. Diggs.

Mr. Anderson of Tennessee with Mr. Dorn.

Messrs. MACHEN, LLOYD, JOHNSON of Pennsylvania, FINO, and STAFFORD changed their vote from "yea" to "nay."

Mr. HICKS. Mr. Speaker, I have a live pair with the gentleman from California [Mr. COHELAN]. If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the motion offered by the gentleman from Texas [Mr. MAHON] that the House insist on its disagreement to Senate amendment No. 18.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: Page 19, line 7, strike out "$5,588,900,000 and insert "$5,547,400,000".

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Mahon moves that the House recede from its disagreement to the amendment of the Senate numbered 20 and concur therein with an amendment, as follows: In lieu of the matter proposed, insert: "and $55,000,000 of the funds available under this head shall be available only for the F-12 aircraft program; $5,493,400,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: Page 20, line 17, strike out "$2,439,800,000" and insert $2,433,800,000".

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Mahon moves that the House recede from its disagreement to the amendment of the Senate numbered 21 and concur therein with an amendment, as follows: In lieu of the sum proposed, insert "$2,429,800,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36: Page 45, line 12, insert:

"(b) During the current fiscal year none of the funds available to the Department of Defense may be used to install or utilize any new 'cost-based' or 'expense-based' system or systems for accounting, including accounting results for the purposes prescribed by section 113(a)(4) of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 66a(a)(4)), until fifteen days after the Comptroller General of the United States (after consultation with the Director of the Bureau of the Budget) has reported to the Congress that in his opinion such system or systems are designed to (1) meet the requirements of all applicable laws governing budgeting, accounting, and the administration of public funds and the standards and procedures established pursuant thereto; (2) provide for uniform application to the extent practicable throughout the Department of Defense; and (3) prevent violations of the antideficiency statute (R.S. 3679; 31 U.S.C. 665)."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Mahon moves that the House recede from its disagreement to the amendment of the Senate numbered 36 and concur therein with an amendment, as follows: In line 7 of said amendment, strike out "fifteen" and inset in lieu thereof "forty-five".

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on the conference report, as well as on the Byrnes of Wisconsin amendment, in connection with the Department of Defense appropriation bill just passed, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SMALL BUSINESS ACT AMENDMENTS OF 1967

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 913 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 913

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10409) to amend the authorizing legislation of the Small Business Administration, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 10409, the Committee on Banking and Currency shall be discharged from the further consideration of the bill S. 1862, and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 10409 as passed by the House.

The SPEAKER. The gentleman from Hawaii is recognized for 1 hour.

Mr. MATSUNAGA. Mr. Speaker, I yield to the gentleman from California [Mr. Smith] for the purpose of debate only, 30 minutes, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 913 provides an open rule with 2 hours of general debate for consideration of H.R. 10409 to amend the authorizing legislation of the Small Business Administration, and for other purposes. The resolution further provides that after passage of H.R. 10409 it shall be in order to take up S. 1862 and amend it with the House-passed language.

Title I or H.R. 10409 would amend the Small Business Act to increase by $650 million the authorization for the Small Business Administration's revolving fund. It would extend the maturity period of regular business loans made for the purpose of constructing facilities from 10 to 15 years and would permit the SBA to set up advisory boards to assist the Administration in dealing with the problems of small business.

Title II of the bill would amend the Small Business Investment Act to provide for new guidelines to be used by the Administrator in granting small business investment company licenses; limit the amount of ownership which banks may have in SBIC's; add a definition of venture capital for use in applying the provisions of the Small Business Investment Act; require an examination of each SBIC at least once a year and extend the provision of the lease guarantee program to all small businesses.

Title III would direct the Administrator of the SBA to conduct a study to determine the impact on small business concerns of robberies, burglaries, shoplifting, vandalism, and other criminal activities, with a view to determining ways in which such concerns may best protect themselves against such activities. An appropriation of $300,000 would be authorized to carry out the purposes of title III, which has the strong endorsement of the Small Business Administration.

All in all, H.R. 10409 as amended and reported out by the Committee on Banking and Currency is a good bill.

Mr. Speaker, I therefore urge the adoption of House Resolution 913 in order that H.R. 10409 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated the the distinguished gentleman from Hawaii, House Resolution 913 does provide for an open rule with 2 hours of general debate for the consideration of H.R. 10409 entitled "The Small Business Administration Act Amendments of 1967." At the conclusion of the consideration of this measure, and if this measure is passed, then the language of H.R. 10409 will be substituted for the language now contained in S. 1862, and the Senate bill, as amended will be passed by the House.

Mr. Speaker, title I of the bill amends the Small Business Act to increase by $650 million the authorization for the SBA's revolving fund.

The SBA estimates that increasing its revolving fund authorization in the above amounts will enable it to continue its various lending programs until the end of fiscal 1970.

The bill also extends from 10 to 15 years the maximum term covering any business loan made under section 7 of the Small Business Act which assists small business firms in financing construction projects.

Finally, title I authorizes the SBA to pay the transportation and per diem expenses of any individual or group who provides information, advice, and guidance to small business concerns. The main purpose of this amendment is to facilitate the work of SCORE, a group of retired business executives who, on a volunteer basis, work with the SBA in providing management assistance to small businessmen.

Title II amends the Small Business Investment Company Act by establishing new criteria to be used by SBA in determining whether or not to grant an operating license for a small business investment company. These new criteria are believed necessary to more adequately serve many parts of the country which clearly need additional small business financing assistance. The bill also amends the Small Business Act to minimize the permitted investment by National and State chartered banks in such small business investment companies in order to insure a lessening of banking control over this industry. These amendments do not require divestiture of bank holdings but limit their holdings to less than 50 percent or $1 million in any small business investment company in which a bank has invested funds.

Title III of the bill authorizes a special study by the SBA of ways in which small business companies may best protect themselves against criminal acts, including riots and other disorders. The study is to be completed within 1 year and the sum of $300,000 is authorized to complete it.

The Small Business Administration and the Bureau of the Budget support the legislation. There are no minority views.

Mr. Speaker, my only personal comment is to this effect: I question title III of this particular bill. If I were the Administrator of the Small Business Administration—and I well realize that they change regularly every year or so—but if I were the Administrator, I would have long before now had reports from various offices throughout the United States where riots have occurred, as to what the results of those riots were, and other pertinent factors connected therewith.

Mr. Speaker, I have great admiration for the Regional Director of the office of the Small Business Administration in Los Angeles, the only office with which I am familiar. I have great admiration for the former Regional Director, as well as for the personnel employed in the Los Angeles office.

Mr. Speaker, we have had the McCone report on the Watts riots as well as many others.

I rather imagine that if the Administrator in Washington were to ask about the effect of this riot on small business in Los Angeles he could have a report within the very near future. I would not be surprised if he does not have one by now. So I rather hate to admit at this late stage that one of our Federal agencies has not done what they should have done in the interest of helping small business. I do not see why they did not do this long ago; they have the authority to do it, but apparently they are sitting around waiting for Congress to approve and give them $300,000 before they can find out the effect of rioting and other criminal activity upon the small businessman, in my opinion, one of the reasons we set up the Small Business Administration in the first place.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, the gentleman referred to the fact that the Administrator should know about what effect these riots had on small business. I just want to make the observation that if the Administrator does not know what effect they have had, then he is possibly one of the few people in the world who does not know what effect they have had. To me it is perfectly ridiculous that we should spend $300,000 of the taxpayers' shortage of funds to make a study on the effect the riots have had on small business in that particular area. We know what happened. They burned them out of business.

Mr. SMITH of California. I thank the gentleman.

I want to do everything I can in behalf of small business, but it feels kind of silly to sit around here after all these riots have taken place, and then tell the Administrator to go out and spend $300,000 to find out what happened down on Central Avenue in Los Angeles where the rioters burned down all the stores. We all know what they did, and I am sure the Los Angeles office knows. I do want to help small business, but I do feel rather silly taking a position on a $300,000 study of the effect of the riots on small business throughout the United States. This should have been done before now by the SBA acting under its existing authority.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. Yes; I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank my friend from California for yielding.

I have read title III as it is contained in the report. I assume it is the same as is in the bill, and I find no reference to rioting. What is being hidden here? It refers to robberies, burglaries, shoplifting, vandalism, and other criminal activities; but rioting is not spelled out. What else in this bill is covered up that relates to the riots and demonstrations that have taken place as they affect small business?

Can anyone give us some information on that?

Mr. SMITH of California. It is my understanding, as I have prepared my remarks, that other criminal acts include riots and other criminal disorders. The testimony before the Committee on Rules was that this was one of the things they wanted to study.

Mr. GROSS. I am sure this language is broad enough to cover it, but in light of what has transpired with respect to rioting, looting, and arson, I am wondering why it is not spelled out somewhere along the line.

That leads me to ask the question of how much more of this bill is dedicated to taking care of the people who have suffered damage as a result of riots and demonstrations? I hope when we get into the general debate on the bill someone on the committee will enlighten us as to how much we are now going to be called upon to spend of the Federal taxpayers' money to take care of the small businesses which have suffered so much from these wanton acts of destruction.

Mr. SMITH of California. I thank the gentleman for his remarks.

Mr. Speaker, I have no requests for time.

Mr. MATSUNAGA. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10409) to amend the authorizing legislation of the Small Business Administration, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 10409, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. PATMAN] will be recognized for 1 hour and the gentleman from New Jersey [Mr. WIDNALL] will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, the legislation before the House today, H.R. 10409, would amend the Small Business Act and the Small Business Investment Act of 1958 through three separate and distinct titles.

I would briefly like to summarize each of the titles. Title I would amend the Small Business Act to increase by $650 million the authorization for the small business revolving fund. It would increase the maturity for regular business loans made for the purpose of constructing facilities from 10 to 15 years and would permit SBA to set up advisory boards to assist the Administration in dealing with problems of small businesses, and allow SBA to make travel and subsistence payments to certain volunteers assisting the agency.

Title II would amend the Small Business Investment Company Act of 1958 to provide new guidelines to be used by the Small Business Administration in granting small business investment company licenses. Title III would limit the amount of ownership by banks of SBIC's and would make mandatory an examination of each SBIC every year.

The title further provides that all small business concerns will be eligible for assistance under SBA's lease guarantee program. Under present law, participation in the lease guaranty program is restricted to small businesses displaced by Federal urban renewal or similar projects.

Title III of H.R. 10409 incorporates the provisions of H.R. 5584, a bill directing the Administrator of the Small Business Administration to conduct a study to determine the impact on small business concerns of robberies, burglaries, shoplifting, criminal vandalism, and other criminal acts, with a view to determine ways in which such concerns may protect themselves against these criminal activities. The study will also look into the possibility of a Government-insurance industry program for small businessmen in riot or high-crime areas.

H.R. 10409 was the subject of intensive hearings by your Banking and Currency Committee. The committee heard from both the old and the new Administrators of the Small Business Administration, as well as from a variety of representatives of the SBIC industry.

The increases contained in title I do not appropriate any additional funds to the Small Business Administration, but rather increases the amount of money that the agency may have outstanding from its revolving funds in the various programs administered by the agency.

Every program operated by SBA is restricted to certain financial limitations with one exception. Members will recall that during the 89th Congress legislation was enacted removing the ceilings on the amount of funds that can be outstanding in the form of disaster loans. It was found that the disaster-loan ceiling was particularly burdensome if a widespread disaster, such as, flooding, earthquake, or fire occurred. It was also found that it was impossible to estimate the funds that would be needed in a disaster program, and thus a ceiling was unrealistic. However, the ceilings on all other programs were maintained. Once SBA reaches that ceiling, it must come to Congress to ask for additional lending authority. Thus, the raising of the lending ceiling is not necessarily asking for additional appropriations, but rather, to allow SBA to spend a greater portion of its own funds.

The figures contained in title I are the estimates for loan limitations for all fiscal years from 1967 to 1970 In order to meet these requirements, the Small Business Administration needs an increase in its lending authority of $650 million. This increased lending authority would be broken down in the following manner. There would be an increase from $1,400 million to $1,900 million in the dollar amount of loans which may be outstanding from the revolving fund for regular business loans and loans under title IV of the Economic Opportunity Act of 1964. There would be an increase from $400 million to $450 million in the amount that may be outstanding at any one time for loans to small business investment companies and an increase from $200,000 to $300,000 for loans to State and local development company programs. This brings the new increased lending authority to $650 million.

In view of the tight money situation, it is imperative that SBA be granted the increased lending authority as quickly as possible, since the money shortage hits the small businessman the hardest.

Title I also extends from 10 to 15 years the maximum term covering any portion of a business loan made by SBA for constructing a facility to be used by the small business recipient.

The operating experience of SBA under the business loan program indicates that it is not uncommon for the size of installment repayments to be so large, as a result of the existing 10-year limitation, as to create an exorbitant drain on the working capital of the borrower. In the past, the Small Business Administration in some instances has felt it necessary, because of the prospect of such a drain, to deny construction loans to applicants who were otherwise eligible. The provisions of section 103 of title I, permitting repayments in smaller installments spread over a longer period, should serve to eliminate or at least reduce such financial strain.

One of the more successful programs in the Small Business Administration has been the work of the Service Corps of Retired Executives—SCORE. About 3,000 retired executives have volunteered to cooperate with SBA in providing management advice and assistance to small businessmen on a person-to-person basis. This advice and assistance is usually offered without cost to the recipient.

This program has proved to be effective in assisting small business, but has one drawback in that the agency is prohibited from paying the travel and subsistence expenses for the SCORE volunteers. Section 105 of H.R. 10409 would remedy this situation, while at the same time provide that no travel expenses or per diem can be expended unless the travel incurred is more than 50 miles from the home of the individual. I want to make it clear that these payments would not be consulting fees or other such payments, but rather would be merely the out-of-pocket expenses that the volunteer has had in performing his work. Under present Government regulations, I believe the maximum per diem that such an individual could draw would be $16 a day.

Along this same line, H.R. 10409 would empower SBA to rent meeting facilities throughout the country for the conduct of SBA business. In the past the agency has had to meet the expenses of these meetings on a contribution basis. H.R. 10409 contains adequate safeguards to make certain that this rental provision is not abused by requiring an annual report of all funds expended under this provision.

All of the foregoing sections are contained in title I of the bill and deal for the most part with amendments to the Small Business Act.

Title II of H.R. 10409 is concerned with the Small Business Investment Act of 1958. As originally introduced, H.R. 10409 would have drastically revised the operations of the small business investment company program. Your committee recognizes that this program has had some rather serious problems in the past and may well have problems in the future, but the committee did not feel that the remedies contained in H.R. 10409, as introduced, would solve the problem. Among other things, as introduced, H.R. 10409 would have required all SBIC's to increase their private capital to $1 million by 1975, or leave the program. The smaller or minimum-size SBIC's objected to this provision, contending that they are being forced out of the program based solely on their size. Your committee examined this question closely and determined that it would not be in the public interest to require such a high minimum capitalization, and consequently this provision was defeated from the reported bill.

At the present time there are 603 SBIC's, including 18 that are in the process of surrender. Thus, the SBIC industry consists of 585 operating companies. Of that figure, however, only 44 companies have private capital of $1 million, or more. If the $1 million private capitalization section were included in the reported legislation, 541 companies would have to increase their capitalization in order to stay in the program. These figures are even more dramatic when the number of companies below the $1 million size are further studied.

There are 57 companies whose private capital exceeds $500,000. It is conceivable that these companies might not experience too great a difficulty in obtaining the necessary funds to reach the $1 million minimum requirement. But there are 144 companies with private capital between $300,000 and $500,000, 122 companies with private capital of between $160,000 and $300,000, and 236 companies with private capital below $160,000.

Thus, there are 502 companies with private capitalization of less than half a million dollars, and your committee feels that the possibilities of these companies reaching $1 million private capitalization by 1975 would be extremely small, given the current market conditions.

The most severely hit group of companies under H.R. 10409, as introduced, would have been the smallest by private capital, but largest by number of all SBIC's. Representatives of minimum-size companies told your committee that it would be virtually impossible for their SBIC's to reach the million-dollar requirement. Numerous letters and telegrams from small companies reinforced these statements. Copies of this correspondence have been printed in the hearings on H.R. 10409.

One of the main reasons put forth by the Small Business Administration for raising the capitalization requirement of SBIC's was that the smallest companies by private capitalization provide the largest number of regulatory problems for the agency, and that by raising the capital requirements the troublemakers could be removed from the program. Your committee does not feel that this is a legitimate function of H.R. 10409. During the 89th Congress, legislation was enacted, Public Law 89–779, to give SBA regulatory tools in dealing with SBIC problems. Only in recent months has SBA begun to make full utilization of the provisions of this law. It is not felt that regulatory difficulties of SBIC's should be solved by raising capitalization requirements. Therefore, your committee rejected the new size standard and at the same time expects SBA to police the SBIC industry through the regulatory powers granted it under Public Law 89–779. In this way SBIC's will not be forced out of existence without due process.

While it may be true that the largest number of regulatory problems arise in companies with the small private capitalization, it must also be pointed out that this size category represents the largest group of all SBIC's. Figures submitted to your committee by the Small Business Administration also indicate that this size group contains the largest number of nonproblem companies of any of the six-size categories in the SBIC program. Your committee does not feel it would be justified in reporting legislation that would penalize all of the smallest companies when, in reality, a vast majority of the small companies are free of major regulatory difficulties.

SBA further contends that the smallest companies, in addition to causing the most regulatory problems, are also the least profitable. Let us for the moment accept this premise. Your committee does not feel that the lack of profitability in a program as young as the SBIC industry should be the basis for highly restrictive legislation that could force a majority of the companies out of business. At the same time, your committee was impressed by the statement of a small SBIC manager who reported that the small SBIC's only recently turned the profit corner for the first time. This is a highly encouraging sign and no action should be taken that would dull this trend.

When the Small Business Investment Act of 1958 was enacted, it provided that national banks and Federal Reserve banks and State nonmember banks where allowed by applicable State law could invest up to 1 percent of their capital and surplus in the stock of small business investment companies. This provision was placed in the act primarily to assist SBIC organizers in raising the necessary private capital to obtain a license. It was not anticipated that banks would wholly own small business investment companies. Commercial banks presently own or have an affiliation with 84 SBIC's, 24 of which are wholly owned by banks. This is an undesirable situation and one loaded with dangerous monopolistic potential. H.R. 10409 would prohibit any further wholly owned bank SBIC's and would limit the amount that a bank may invest in SBIC's to 5 percent of the bank's capital and surplus or $1 million, whichever is the lesser. Banks would be prohibited from holding 50 percent or more of the ownership in the SBIC following enactment of this act. The bank-related portions of H.R. 10409 apply only to investments made after enactment of the act, and will in no way affect existing holdings. Title II of H.R. 10409 also places greater emphasis on equity financing, rather than straight term loans. It requires an examination of each SBIC every year.

Also included in this title is a provision which would make all small businesses eligible for SBA assistance further eligible for assistance under the lease guarantee program. At the present time, this program is limited to small business concerns that have been displaced by a Federal urban renewal or other similar projects.

This would mean that a small business concern could locate in a shopping center, and for a fee have SBA guarantee the payment of the rent. Many shopping centers will not accept a new tenant unless it has a blue chip credit rating. And since most small businesses are not in this category, it is impossible for them to locate in shopping centers, and thus they lose the desired locations. Under H.R. 10409 the small business concerns would now become eligible for this type of assistance.

Title III of H.R. 10409 seeks solutions to one of the most serious problems facing urban small business today, crime. Pick up a newspaper in any metropolitan city on any day and we can easily see the effect that crime has had on small business. Robberies, burglaries, and now looting have become commonplace. Not only are small businessmen in urban areas being ruined by criminals, but they are faced with the severe problem of obtaining adequate insurance, if they are able to obtain any insurance at all.

The problem is well-known, but unfortunately, the answers are not. To this end, H.R. 10409 would direct the Small Business Administration to conduct a study to determine the best ways that small businessmen can protect themselves from burglaries, robberies, shoplifting, vandalism, and other criminal acts, including riots and civil disorders. The study is to be completed within 1 year and the sum of $300,000 is authorized for the study. Among other things, the study will look into the possibility of a Government-insurance industry program of insurance for small businessmen, the desirability of extending low-cost, long-term loans to small businessmen who have been victimized by criminals, and the use of low-cost loans for the purchase of protection equipment, such as burglar alarm systems, by the small businessman.

Title III incorporates all of the provisions of H.R. 5584, legislation introduced by Congressman Annunzio, a member of the Banking Committee, on February 16. The legislation has received both the endorsement of the Small Business Administration and the Bureau of the Budget.

While some Members may feel that $300,000 is too big an expense for a study, it must be pointed out that unless this problem is solved, thousands of small businesses across the country will cease operations and the loss to the economy will be so great that the $300,000 expenditure will seem rather insignificant. The question here today is simple: Is this body willing to invest $300,000 in the future of small business in this country?

A wide variety of plans for aiding small businessmen, particularly in the insurance field, have been suggested during the 90th Congress. It is because of this difference of opinion that the study idea was conceived. It would be indeed unfortunate to adopt one of the plans now being proposed without giving it adequate study, only to find that the plan was not the right one. A great deal of time, energy, and money would have been wasted and the problem would still be far from solved.

By adopting the study approach, it will mean that there will be a central clearinghouse for all ideas, and every idea will be carefully studied by experts in the field. When a final plan of action is adopted, it will have the support of everyone and will be able to be put into effect immediately.

The entire $300,000 may not be needed in this study, nor do we expect the study to take the full year, but we do not feel that we should place roadblocks in the path of the Small Business Administration, if we are to obtain the best possible results. Small businessmen and their trade associations across the country have supported the concept of the study program. I feel it is the best approach. I, therefore, urge the adoption of title III, as well as the other two titles of H.R. 10409.

Mr. Chairman, I suggest that each member of the committee get a copy of our report. I think it is very full and complete. It is a very comprehensive report that goes into this bill and explains, I believe, every major question that could be asked.

I think the bill is a good one. It is a fair bill, and I believe that it should be passed by this House without opposition.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the distinguished chairman yielding. I would like simply to ask a question about title III, in particular the $300,000 here for an additional study by the Director of Small Business Administration. I believe the gentleman referred to this in his opening remarks and said this was actually covered in prior legislation, if I recall correctly in the bill H.R. 5584, and that actually, if my information is correct, this would be a duplicate effort and the SBA has, in fact, established a study for that purpose already under existing funds which they have available perhaps under this other law. Will the gentleman give the House a little more explanation on that point, please?

Mr. PATMAN. Mr. Chairman, may I state to the gentleman from Missouri that this $300,000 could be paid out of the funds of the Small Business Administration. It may not be necessary for other funds to be appropriated. It is true they are making a study now, but they were reluctant to go ahead with it unless the Congress specifically authorized it, and that is the object of this legislation.

On page 16 of the report there is a letter from the present Administrator, Mr. Robert C. Moot, outlining the situation which I think is along the lines I was suggesting. There may not be a need for additional money to be appropriated. The money is now in the hands of the Small Business Administration. But I think they are right in requesting authorization of Congress before finishing up the study. This study has been approved by the Bureau of the Budget. It is approved by all agencies of the administration having to do with the Small Business Administration.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, is it also true that it was included in fiscal year 1968 budget, as well as approved by the Bureau of the Budget?

Mr. PATMAN. This is $300,000, it is one sum. I am told that it is not yet appropriated, and the gentleman is correct, it will be in the 1968 budget. But, of course, it is part of the general funds for the SBA.

Mr. HALL. Was it not provided for in H.R. 5584?

Mr. PATMAN. That was a bill authored by Mr. Annunzio, of Chicago. He sponsored this bill all along. The provisions of his bill were embodied in the bill we are now considering.

Mr. HALL. It is not already separate law?

Mr. PATMAN. No, sir.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, directing the gentleman's attention to title II, on page 11, we see:

> Among other things, to the need and availability for the financing of small business concerns in the geographic area in which the proposed company is to commence business.

Has there been or was there any testimony as to what would constitute a geographic area, or is that something that the Administrator can have some flexibility on in determining what constitutes the geographic area?

Mr. PATMAN. Mr. Chairman, I think every agency has power to establish geographic areas for specific purposes in carrying out the administration of the act they are charged by law with administering. I think the SBA would properly be permitted to establish its geographic areas under this particular language the gentleman read.

Mr. ROGERS of Colorado. Then I would assume under the language that is used—and to take for an example my own congressional district, the city and county of Denver, and we say Rocky Mountain West, of which it is the capital, so to speak, we have a few firms there—does "geographic area" permit them as an example to make investments in not only the city and the county of Denver, but the entire State of Colorado or in the Rocky Mountain West, if there is need there?

Mr. PATMAN. That is correct. The Administrator, of course, would pass upon that.

If he made mistakes, Members of Congress would call them to his attention. If the mistakes were not corrected, they would be taken up before the Congress..

Mr. ROGERS of Colorado. In other words, we do not want to give to him the authority to confine the small business company to its investment in the particular area where headquarters happens to be.

Mr. PATMAN. That is not contemplated, I know.

Mr. ROGERS of Colorado. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. GROSS. I have two or three questions to ask concerning the proposed investigation.

Is there not an investigation presently being conducted, and well financed, by a Presidential commission or some other organization?

Mr. PATMAN. Not to my knowledge, no. There is a Presidential task force commission.

This is a specific investigation of a particular type. It is only for small business.

Mr. GROSS. What is that?

Mr. PATMAN. It is only for small business.

Mr. GROSS. What is only for small business, the task force investigation?

Mr. PATMAN. This investigation in the bill is for small business.

The task force the gentleman refers to, I believe, would refer to all business.

Mr. GROSS. Does the gentleman mean in connection with the riots and demonstrations?

Mr. PATMAN. All causes; vandalism, theft, all types of robbery, riots, and everything else.

Mr. GROSS. I cannot understand why we should raid the taxpayers for another $300,000 to obtain information which surely must be obtainable at only a fraction of that expenditure.

Mr. PATMAN. There is a problem of collecting this information. Information is available for Watts. Information is available for Harlem. Information is available for Detroit. Information is available for hundreds of cities throughout the country, but there must be some one central agency to try to take all this information and evaluate it and try to find out if there is any one thing, or more than one thing, which causes all of these violations we are talking about, and particularly the riots.

Mr. GROSS. So it is planned to set up the Small Business Administration as the center for information?

Mr. PATMAN. No. Just this study group would be the center for it. The study group would be composed of people selected by the Small Business Administrator, who would have charge of the administration of this law.

I believe the gentleman will be impressed with him, when he knows him. He is a fine, able person, with a good record. I feel sure he will be a fine executive and administrator.

Mr. GROSS. I say to the gentleman, this all sounds fine, but I am also aware that it has been said hell is paved with good intentions.

I am thinking now in terms of saving the taxpayers a few dollars in regard to an enterprise which I doubt very much is at all necessary in order to accumulate the information that is wanted or needed.

Mr. PATMAN. A stitch in time saves nine. It is possible that a little money spent this way could save millions or billions in the future.

May I read one sentence from the report, on page 15:

> This legislation was introduced by committee member Congressman Annunzio on February 16. It authorizes a special study by the Small Business Administration of ways in which small business concerns may best protect themselves against robberies, burglaries, shoplifting, vandalism, and other criminal acts including riots and other civil disorders.

That language, I state to the gentleman from Iowa, well describes the duties of the special study commission.

Mr. GROSS. I am able to read the report, but I am still not convinced by a long shot that we need to spend another $300,000 to obtain this information.

Mr. PATMAN. Some of our Members were apprehensive about this, too.

We went into it rather fully for that reason. We came out with a unanimous report of the committee's 33 members.

Mr. GROSS. Did the gentleman say in response to the gentleman from Missouri that this would not require an additional $300,000 and that the funds are already available; that no new money would be required?

Mr. PATMAN. I think I was mistaken about it already having been appropriated. It will have to be appropriated. But it will be funds to be used by the Small Business Administration. It is not new funds to be taken out of the Treasury to be used for this purpose.

Mr. GROSS. Of course, if you take $300,000 of the funds appropriated to the Small Business Administration for this purpose, you do not have it for some other purpose in the Small Business Administration, do you? That is, if you want to make a loan to a small business then that $300,000 is gone; is it not?

Mr. PATMAN. It is not just gone, but it will serve a good purpose and possibly it will save millions and billions of dollars.

Mr. DEVINE. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. DEVINE. I invite the chairman's attention to page 4 of the committee report, under title I, about the middle of the long paragraph there where it says:

> The first of these amendments would increase from $1,400,000,000 to $1,900,000,000 the amount which may be outstanding from the fund at any one time under sections 7 (a), 7(b)(3), 7(e) and 8(a) of this act—

And this is the part I would like to invite your attention to—

> and title IV of the Economic Opportunity Act of 1964.

We are talking first about half a billion dollars. I understand just a portion of that would relate to title IV of the Economic Opportunity Act. Someone over here suggested we are talking about $50 million. Could the chairman explain exactly what this is?

Mr. PATMAN. Only $100 million as disclosed in the table in the report will go for the Economic Opportunity Act.

Mr. DEVINE. How much?

Mr. PATMAN. It is $100 million.

Mr. DEVINE. Is this a separate funding for the Economic Opportunity Act?

Mr. PATMAN. No. The fourth amendment would increase from $100 million to $200 million the amount outstanding at any one time under title IV of the Economic Opportunity Act of 1964.

Mr. DEVINE. I think you are talking about the second amendment. I am talking about the first of the amendments, which would increase from $1.4 billion to $1.9 billion the amount outstanding from the fund at any one time under various sections. Then it says "and title IV of the Economic Opportunity Act." I think we are entitled to an explanation of that. My understanding is we are talking about $50 million. I am wondering if this is a back-door way of getting $40 million for the rat extermination program and having another $10 million to play with under the Economic Opportunity Act.

Mr. PATMAN. No. I am sorry. It is not. This would increase the revolving fund half a billion dollars. That is true. However, only $100 million of that would go to the Economic Opportunity Act.

Mr. DEVINE. I thank the gentleman.

Mr. WIDNALL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WIDNALL. Mr. Chairman, I rise in support of this legislation and can report there was practically unanimous support on both sides of the aisle for this legislation as it was being considered. We have had some discussion since about some amendments that will be presented later and on which I believe there will be agreement on both sides of the aisle. Mr. Brown of Michigan has two amendments which he will offer en bloc. I have one that has to do with a new reporting requirement that has not been offered in the past. Congressman Stephens of Georgia has an amendment which I believe will be accepted. I believe when these amendments are in the bill we will smooth out whatever rough edges there are in it and it will assure the full support of the Members of the House.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. PATMAN. I agree with the statement just made by the distinguished gentleman from New Jersey, the ranking minority member of the committee. I believe that these amendments will iron out some troublesome spots and I think will be acceptable to the Members of the House generally. I am in favor of them.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Do I understand that the amendments to which the gentleman has referred and the amendments which will be offered en bloc by the gentleman from Michigan [Mr. Brown] with reference to the authorization of the increase to the present large and medium investment companies—is that the point to which the gentleman refers?

Mr. WIDNALL. Yes; they do refer to sections 203 and 204 of the act. They will be explained by the gentleman from Michigan [Mr. Brown] at the time he offers the amendments.

Mr. ROGERS of Colorado. I thank the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, I now yield such time as he may consume to the gentleman from West Virginia [Mr. Moore].

Mr. MOORE. Mr. Chairman, I thank the gentleman from New Jersey [Mr. Widnall] for yielding to me. As the ranking member of the Select Committee on Small Business of the House of Representatives, I rise in support of the Small Business Act Amendments of 1967.

We have before us an opportunity to do much to assist the Small Business Administration in its immense task of assisting the Nation's small businesses in an increasingly hostile economic climate.

H.R. 10409, as amended, combined vitally needed improvements to the present act. There is great demand for increased authorization of loan funds; longer repayment provisions must be extended, and assurance of more effective operation of the Small Business Investment Company program is required if this avenue of venture capital for small business is to survive and prosper.

Title II of the bill provides an increased authorization for the SBA revolving fund of $650,000,000, an amount which, we are told, will enable the various SBA loan programs to continue until June 30, 1970.

We are all aware of the too frequently heard explanation by the Small Business Administration of lack of funds. Another deserving small business is thus deprived of life-giving financial support. The present authorization failed to envison the recent loan requirements of businessmen suffering losses in the riot-torn areas. This is but one facet of increased loan needs of small businesses. We must maintain and increase this loan source; $650,000,000 will provide the opportunity for SBA to more adequately meet the rapidly rising demand.

The increase from 10 to 15 years of the maturity of regular business loans made for the purpose of constructing facilities will enable the granting of loans to those now rejected. It will enable substantial growth of capital improvements of small businesses. It will ease the pressure upon new and growing small businesses by extending the period of loan repayment.

The SCORE program, well intended and well conceived, but inadequately supported, has failed to gain the importance we had intended. In this bill a sorely needed boost to the entire program is given by the authorization of travel funds to those volunteers, the Service Corps of Retired Executives. If this good, potentially great program is to grow to its full capacity, provision for travel expenses for its participants is essential.

Just as there was no recognizable source of venture capital for the smaller firms when we first passed the SBIC Act in 1958, so is there none other than the SBIC in 1967. Obviously, this is a tough business and it takes a measure of Government assistance to get investors to put their money in new or young and small firms. Otherwise, there would be many financial establishments seeking to provide venture capital to untried and independent concerns.

I believe these simple facts alone are sufficient to convince us that we should take adequate steps to guarantee the survival of the important SBIC program. I am certain that there may be no SBIC industry worthy of the name left by next year if Congress does not pass good legislation this year.

Leverage is at the heart of the SBIC operation and the amendments introduced by Mr. Brown restore the heart of the SBIC amendments of 1967 to H.R. 10409. I strongly support the amendment and urge my colleagues to do so, too.

Mr. Chairman, I happen to believe that these represent necessary improvements in the act and will certainly permit the Administrator, in many instances, to extend a helping hand to numerous small business entities throughout the country which otherwise would not enjoy the benefits of this program.

Mr. WIDNALL. Mr. Chairman, I have no further requests for time.

Mr. PATMAN. Mr. Chairman, we have some Members on this side of the aisle who wish to clarify their position on certain matters. Therefore, I yield 5 minutes to the gentleman from Wisconsin [Mr. Reuss].

Mr. REUSS. Mr. Chairman, I shall be very brief.

I wish to commend the distinguished chairman of the committee, the gentleman from Texas [Mr. Patman], as well as the distinguished ranking minority member of the committee, the gentleman from New Jersey [Mr. Widnall], in bringing to the floor of the House for its consideration this very constructive piece of legislation.

Although the SBIC industry has had some rough periods, as might be expected in any new industry, I am fully in support of the program. The contribution made by this industry to our economy has been great. The beef-up enforcement powers available to the Small Business Administration by last year's legislation can prevent abuses.

Although the SBIC industry is roughly 8 years old, it has already supplied millions of dollars to small businessmen and created thousands of new jobs. With such credentials, it is important that we provide the SBIC program with every opportunity for continued advancement.

To this end, H.R. 10409, unlike a companion passed by the other body, continues the life of the minimum size company. Under the other body's bill, S. 1862, all companies would be required to have one million dollars in private capital by 1975 or leave the program. Such a requirement would be unrealistic and would arbitrarily remove a majority of the companies from the program without due process. H.R. 10409 does not contain this provision, but allows the minimum size companies to remain in operation and gives them a chance to grow larger without demanding that they reach certain financial peaks in a given period. Not all of the small companies may ultimately prosper, but we should not deny them an opportunity to have the chance to prove themselves.

It must also be noted that for the first time the small companies recently turned the profit corner. As the House report on H.R. 10409 points out, this is an encouraging sign. No action should be taken which would dull this trend.

S. 1862 would reduce the amount an SBIC could lend to any single small business concern to one-half the amount presently allowed. The other body's legislation provides that no SBIC could lend more than 20 percent of its private capital to any one company. True, the legislation does provide a staggered formula for reaching that figure, but within 5 years there would be a 50-percent reduction in the amount that could be lent.

The legislation before this body today, H.R. 10409, does not contain the reduced lending figure, but continues the existing policy of allowing the SBIC to invest an amount equal to 20 percent of its private capital and certain Government borrowed funds in any small business concern. Such a provision is far more equitable than that contained in S. 1862. It would allow an SBIC far more latitude in seeking investment potentials and at the same time would acquit this body of the charge of changing the rules after the game has begun.

It is my understanding that at the proper time the gentleman from Georgia [Mr. STEPHENS] will offer an amendment to allow real estate oriented SBIC's to continue their real estate investment policy without being penalized by the Small Business Administration. I vigorously support this amendment.

As it presently stands, SBA has administratively ruled that SBIC's with more than one-third of their portfolio in real estate investments would be denied additional Government funds, the right to merge, and other benefits unless the real estate holdings were reduced below the one-third minimum.

The ruling countermands earlier SBA regulations which clearly allowed unlimited real estate investments. In short, SBA has changed the rules of the game on the SBIC industry.

In this time of extremely tight money, it is important that every possible consideration be given to aiding the homebuilding industry. Thus, it would seem only logical that we encourage SBIC's to make real estate investments, particularly since it may be one of the answers to saving a great many homebuilders throughout the country.

It is also my hope that after the House passes H.R. 10409, a suitable agreement can be reached in conference with the Senate to include the Senate's provision for additional leverage.

Such additional leverage would, I believe, make a great contribution to the welfare of American small business by guaranteeing the survival of the small business investment company program.

The testimony received by the House Banking and Currency Committee on this bill gives every indication that the SBIC industry is contracting—at a time when our independent businesses need it most. During the past 8 months, some $100 million in private capital has been siphoned out of this important program which now can claim only about $300 million in private capital in contrast to a high mark of well over $450 million several years ago.

This attrition resulted from an increasing awareness on the part of stockholders that the incentives provided to attract and keep their dollars in the SBIC program were just not valuable enough to offset the difficulties and risks involved in making long-term financing available to small business.

The Small Business Administration recognized this fact—as did other segments of the executive branch—and H.R. 10409 was introduced as an administration measure. Before the Banking and Currency Committee, SBA Administrators Bernard L. Boutin and Robert C. Moot strongly urged the enactment of a bill which would give sufficient incentives to hold the present dollars in the program and bring additional new private capital into it.

The Senate considered an identical measure and, on June 28, passed S. 1862 which contained a section 204 which followed closely the recommendation of SBA. It is that section which I am advocating today.

For a number of reasons, the House Banking and Currency Committee while not rejecting the idea that added incentives were needed, struck section 204 completely from the bill before reporting it out. But our committee, by its action did not mean to indicate that it felt that the program should be scuttled.

Nonetheless, the SBIC industry read of our action, and raised the question whether the committee had repudiated its long-time support of this significant program.

I do not believe we should leave that impression. I know that our committee wants a strong, profitable, and expanding SBIC industry, because that is the only way we can be certain that small businesses have access to a dependable source of venture capital for modernization and expansion.

As a member of the Joint Economic Committee, as well as of the Banking and Currency Committee, I am particularly concerned with the growth potential of our national economy. I am convinced that the SBIC program has fostered sound economic growth through providing these equity funds and long-term loans to small business firms. The data collected by SBA prove beyond question that the businesses which have received SBIC assistance have fared far better than the average of all American businesses, large as well as small.

Furthermore, the same data show that tens of thousands of new jobs have been created through this SBIC program, and that small businesses with SBIC help have increased their profits by an average of 265 percent. Obviously, this is of tremendous importance.

One last word about ramifications of the SBIC concept: all of us are troubled by the alarming increase of concentration in the American economy. Some attempts are made to head off this trend by antitrust activities. Enforcement of the antitrust laws is certainly necessary, but I suggest that giving a boost to qualified and ambitious independent concerns is a positive way to seek the same goals. The SBIC program is one of the most significant ways to remove obstacles now facing small business and to lend them a hand up the growth ladder.

Let me summarize:

First, I feel that SBIC's have proven to be useful instruments for achieving the national goal of assisting small business and promoting economic growth.

Second, unchallenged statistics show that the SBIC industry contains less private capital today than it did 3 or 4 years ago, despite the unquestioned need of small business for ever-greater amounts of the type of financing these SBIC's can provide.

Third, resources have drained away from the SBIC program because the incentives have not been sufficient to attract dollars from private investors. This is a tough business—and a risky one. Except for SBIC's, there is no institutional source of such dollars and this probably proves that we must give added incentives to get and keep these private dollars.

Fourth, the leverage amendment should provide those additional incentives which the program requires. It is backed by SBA and has been passed by the Senate. It is held to be absolutely essential by the industry.

The chairman of the Committee on Banking and Currency has asked me to withhold the leverage amendment today in the interest of orderly processes.

May I have an expression from the chairman that when this matter gets to conference, as it inevitably will, sympathetic consideration can be given to that Senate language?

Mr. PATMAN. The gentleman from Wisconsin is a member of our committee, and a very important member, and he is high enough up on the committee so that he is a member of every conference committee that is selected in this committee, and he will be a member of the conference committee for this bill.

I assure the gentleman it will be a pleasure for me to work with him to make sure that full and adequate consideration is given to his views along this line.

Mr. REUSS. I thank the gentleman. It is of course my intention to attempt in conference to secure the addition to what otherwise is an excellent bill, of this Senate language.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, do I understand that the amendment the gentleman has been discussing is somewhat similar to that which has already been approved by the other body?

Mr. REUSS. It is.

Mr. ROGERS of Colorado. And the assurance which was just made by the chairman of the committee that when you do go to conference this amendment which you now have, and which is similar to that which the Senate has is something that will be taken into consideration and if possible make it possible for the larger companies to continue on and expand their business, and help also the small businesses, is that the objective?

Mr. REUSS. That is precisely my understanding, and I am very gratified to have the expression we just had from our distinguished chairman.

I can assure the gentleman from Colorado that I will do everything within my power to see that the Senate language will be contained in the bill when the bill goes to the President's desk.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Chairman, just for legislative history, I understand the gentleman from Michigan is going to offer an amendment expanding the limitations contained in sections 203 and 204. I hope the gentleman is not saying that these amendments are going to be offered and passed on the floor and then are to be washed out in conference.

Mr. PATMAN. Oh, no.

Mr. BROCK. I believe we all share the same objective of not so much helping the big companies, but the middle-sized companies that are being chopped with the bill as it is written today. I believe there is apparently no doubt it is necessary to take some action to alleviate a condition which has to do with who will continue as the recipients. We are, I hope, going to pass an amendment that will attempt to deal with the problem.

Mr. REUSS. Let me say to the gentleman from Tennessee, while I have not had an opportunity to see what amendments would be offered by the gentleman from Michigan [Mr. BROWN], I believe that Mr. Brown's mind and mine are working in the same direction, and I have it in mind to support Mr. BROWN's amendment, and then in conference, if the language can be improved upon along the line of the Senate, I would want the opportunity to improve it.

Mr. BROCK. I thank the gentleman for clarifying his position.

Mr. REUSS. Mr. Chairman, I now yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding.

I am still trying to find out how much of the increase provided for in this bill by way of financial assistance is due to the riots, looting, and burning that has already taken place?

Mr. REUSS. I am glad to answer that question. None of it—this is a provision, and an excellent provision, for a study by the Small Business Administration of matters that existed long before there were any riots, sniping, looting, and anything of that sort. It is very necessary and the SBA welcomes the unanimous initiative of the House Committee on Banking and Currency to fund that study. It has nothing to do with the current riots.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Chairman, I have listened with great interest to the very interesting colloquy and statements that have been made here by my colleagues. I agree with them, and very much so.

Mr. Chairman, I am concerned about this program because I have seen the good that it has done in my own hometown of San Antonio where we have a pecan-shelling factory that is in existence today and giving employment to more than 200 workers by virtue of an investment through the SBIC—to say nothing of the benefit as a result of that to the farmers and growers in the area.

It has also come to my attention at the present time as well as in the past that the SBIC investments have created other sources of enterprise in my district and in the surrounding area.

According to the SBA data, more than 8,500 new jobs have been produced by financing through the SBIC in the State of Texas alone and this does not include the number of jobs that have been saved as in the case of this pecan shelling industry and factory in my district, as well as the number of jobs that have been upgraded as a result of venture capital supplied by the SBIC.

From the testimony received by our committee, I know that the SBIC has had the same results in other States in our country.

Therefore, Mr. Chairman, this is a bill which I think clearly demands our support and our active interest. But I am afraid that it is in not too good a shape at the present time, however, and therefore we do have a stake in seeing to it that this legislation, as it goes forth from our committee will be strengthened further in conference.

I had intended to offer some amendments that would strengthen this legislation and that would attract venture capital rather than discourage it as apparently is the case today. However, I, as well as my colleague, the gentleman from Wisconsin [Mr. REUSS], have decided that because of the overall interest in seeing to it that the main thrust and purpose of this legislation is expressed here and passed by the House of Representatives, and looking forward to the sympathetic interest of the chairman as well as the Members of the other body who will unquestionably be delegated to iron out the kinks in this legislation in conference, I trust that our intentions, as they are reflected in the amendments that we have prepared, will be carried out in conference.

I, of course, defer to the chairman in that respect who has assured us that this too is his intention.

Mr. PATMAN. The gentleman is correct in his statement.

Mr. GONZALEZ. Thank you very much.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Texas [Mr. GONZALEZ] yields back 2 minutes.

Mr. PATMAN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HANNA].

Mr. HANNA. Mr. Chairman, I would simply say to the Members of the House sitting in this Committee of the Whole that we are in a period of time in this country and in a world as a whole when the need for capital is paramount.

The effective banker of small business has been the SBA and its partner, the SBIC. It has been demonstrated to us that to be an effective banker, you have to build a good leverage with your capital and have a multiple use and a flexibility in the turnover of your capital. It seems to me that one of the things lacking in the bill is the failure to see the importance of that leverage section of the amendment that was stricken out during the committee's handling of the bill and which is going to be put back into the bill, as I understand it, by the gentleman from Michigan [Mr. BROWN].

This has to do with the area discussed by the gentleman from Wisconsin and the gentleman from Texas. I certainly strongly support that position.

It seems to me we should encourage banking partners of small business to become both small, medium, and large so that they are on a competitive basis with those who bank for other elements in our society.

They should be able to bring along with them banking, in addition to management skills, to bring in the use of computers and other things that are available to their competitors in the larger business structure. I think that if this bill does that and goes in that direction, it will have made a tremendous contribution to an element in our society that certainly we can ill afford to lose and to lose its effectiveness. I sincerely hope we can strengthen this legislation and that it will have the full support of this House.

Mr. PATMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Chairman, I would simply like to say at this time that I have noted in supplemental views certain amendments adopted in the committee which I regretted, and I hope in these respects the version adopted by the other body will prevail in conference. I am glad to hear that will be given careful consideration by the chairman and the other conferees on the part of the House.

I think we should bear in mind, as the gentleman who preceded me stated, the gentleman from California, that we have to be concerned with very small enterprises, the "mamma and papa" type of stores, but we must also be concerned with the not-so-small. It is the not-so-small that may need the help of larger SBIC's, and we must do nothing to disturb the growth of the larger SBIC's.

I have already noted in my supplemental views to the committee report my regret that we have dropped section 204 "to provide an incentive to the larger companies to increase the amount of equity financing in their portfolios." It is my hope that the conferees for the House will be able to restore it without sacrificing the important steps we have taken to protect the position of smaller SBIC's.

This goes to the most fundamental goal of the SBIC program—to provide equity capital for smaller companies.

One of the risks in talking about small business is that it is so easy to lose your perspective about what is "small" and what is "large." In my view, we must be seriously disturbed at the continuing withdrawals of larger SBIC's from the program. There is a vital role which must be played for small business that probably requires a private capital base of several million dollars. Compared to most SBIC's, that is "large" compared to the size of small companies today—and to the size of their equity financing problems—it is not large at all.

Unless small business grows as fast as the economy as a whole, it loses ground to big business. Unless small businesses that get bigger are replaced in the economy by new and growing small companies, the trend to concentration of ownership and control is not balanced by new entries into the marketplace. The natural consequence as the economy gets bigger, and business units get bigger is that we must keep adjusting our own idea of what a "small business" really is. Otherwise we fall into the trap of being in favor of small business so much that we want it to be smaller and smaller. It does not stand still any more than the economy does.

Just to give some perspective to this question of "larger" SBICs, let me quote to you from the statement of Dr. Willard F. Mueller of the Federal Trade Commission before the Select Committee on Small Business of the Senate on March 15 of this year. Dr. Mueller reported that we are in the midst of a major merger cycle and that in the last 8 years more than 800 significant mergers have been recorded every year.

In 1966—

Dr. Mueller reported—

> they reached an all-time high, when a total of 98 large mergers with combined assets of $4 billion were consumated. Over the period 1948-66, 912 manufacturing and mining companies with combined assets of $31 billion were acquired. About one-half of those assets were acquired in the last 5 years of this 19-year period.

Now, consider the effect of all this:

In 1966—

Again quoting Dr. Mueller—

> the 2,320 manufacturing companies with assets of $10 million or more controlled 83 percent of the assets and 85 percent of the profits of all manufacturing corporations.

That means that 300,000 manufacturing companies were competing for the remaining 17 percent of the assets and producing the remaining 15 percent of the profits.

Bear in mind that SBIC's finance only companies with less than $5 million in assets, $2½ million in net worth and less than $250,000 in net profits.

This is the place where the most serious equity gap is—the place where the biggest number of jobs is created, the place where the most serious pressure on independent business comes.

Still to provide perspective in any given week, the financial press will report mergers and acquisitions of companies with more assets than there are in the whole SBIC industry. Here is a list for the first 10 days of this month: United Shoe and United Carr; Hupp Corp. and White Consolidated; Packard-Bell and Telex; Hamilton Watch and Bush Terminal; International Silver and Taylor Publishing; Smith Industries and Drilco Oil; ITT and Jasper Blackburn; Becton Dickinson and Univis; Litton Industries and Landis Tool, and so on.

These are not trends that the SBIC industry can stop or even influence seriously. But it can be effective in stimulating small and independent companies to grow to replace those being absorbed. But to be effective, it must have both larger and smaller SBIC companies. The small ones can function down at the grassroots, and we need them badly. But we need the large ones just as badly.

We need their ability to provide equity capital to companies that must be able to finance their growth with fresh equity capital or become tomorrow's merger candidates. My concern here is not with the merits of mergers as such. It is with the need to do what we can to eliminate one unfortunate reason for mergers—inadequate equity financing for the smaller company. I hope the joint conference committee will provide us with a strong incentive provision that will keep the larger SBIC's in the program, and stimulate the flow of new private capital to the smaller SBIC's to enable them to grow larger.

Mr. PATMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. RYAN] and I will state that when we go back into the House, I intend to ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material.

The CHAIRMAN. That will have to be done in the House.

Mr. PATMAN. I am just giving notice. I now yield to the gentleman from New York.

The CHAIRMAN. The gentleman from New York is recognized for 2 minutes.

Mr. RYAN. Mr. Chairman, I rise to express my concern about the need to encourage small businesses which are engaged in the construction industry, contracting, or subcontracting. The small contractor or subcontractor often is refused bonding by surety companies and, therefore, he is unable to obtain work. In the light of this situation, I have introduced a bill, H.R. 1254, which is addressed to this problem, and which would permit the Small Business Administration to indemnify surety companies against losses which might result from the bonding of a construction firm:

> ". . . if the Administration determines that—
>
> "'(1) the existence of such an indemnification undertaking on the part of the Administration will materially affect the ability on the small business concern to obtain the bond in quesion; and
>
> "'(2) such action on the part of the Administration will be in furtherance of the objectives of the Economic Opportunity Act of 1964;
>
> unless the Administration determines that there is not a reasonable assurance that the conditions for the discharge of all liability on the bond will be fulfilled.'"

This summer's ghetto disorders have shown us, among other things, that large sectors of the urban population are disaffected. The traditional American way out—advancement through hard work and self-improvement—has been closed to all but the brightest and most fortunate of ghetto minorities by the technological sophistication of affluent America and compounded blight of ghetto America.

One example of the marginality of the ghetto economy and the impediments to developing indigenous private enterprise can be found in the construction industry. Last year a small Harlem contractor told me of the difficulty he had in getting construction work. He said his firm was unable to get jobs because it could not persuade surety companies to provide it with payment or performance bonds. Since most construction contracts require such bonds, this contractor was effectively denied construction.

I have held a series of conversations with the Small Business Administration and the Office of Economic Opportunity. They seem to agree that many potentially viable construction firms are blocked by the difficulty of getting bonding. Ironically, this cycle of discouraged enterprise and blocked jobs virtually guarantees that the ghetto will become an even poorer risk in the future.

My bill is designed to encourage the creation of indigenous enterprise and jobs where they are needed most. Not only will it help small businessmen, but it will help to provide thousands of new jobs for those who live in slums and ghettoes.

In New York at present it is well known that the structure of the conventional construction industry is virtually closed to Negroes and Puerto Ricans.

We must find ways to remove the obstacles to the establishment of small firms and to assist them once they are established. If we fail, the dream of a society whose growth and dynamism is limited only by man's ingenuity will be closed to ever increasing numbers of Americans.

Urban construction is one industry where local enterprise can rebuild self esteem while it rebuilds neighborhoods. H.R. 1254 would remove one major institutional impediment—the difficulty of getting bonding. The best soldiers in the war on poverty must be the poor themselves, if we can break the cycle of economic and social depressants.

I certainly hope that the bill which I have introduced will receive the careful attention of the Committee on Banking and Currency. I have discussed this with the chairman. I urge that the chairman of the committee, the distinguished gentleman from Texas [Mr. PATMAN], hold hearings at the earliest possible moment on this bill. It is crucial to devise a means to answer this problem.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Texas.

Mr. PATMAN. I assure the gentleman that we will do our best to hold hearings as quickly as possible.

Mr. RYAN. I thank the distinguished chairman for that assurance. This is a serious problem, a solution to which could result in giving small businessmen in our major cities the opportunity to engage in construction work, which is so important if indigenous people are to be involved in rebuilding our cities.

Mr. PATMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. TENZER].

Mr. TENZER. Mr. Chairman, I rise to commend the chairman of the committee, the gentleman from Texas [Mr. PATMAN] and the ranking minority member [Mr. WIDNALL], for bringing this legislation to the floor. I rise in support of H.R. 10409.

I am concerned with two problems. One is the establishment by the Small Business Administration of regulations which are not in line with the intent of the Congress in the establishment of the Small Business Loan Act. These guidelines exclude to a very great extent small businessmen who need and require loans. The original intention was that the sole test for the granting of the loans should be the needs of the individual small business applicants, except in case of extreme emergency where the President has declared a regional or sectional disaster area.

During recent weeks I have been concerned with SBA activities in the Nation as a whole and in my own congressional district. I have written several letters to Mr. Robert C. Moot, the Administrator of SBA, and feel that as a result of this exchange of correspondence, we must take affirmative action to remedy several defects in SBA procedure.

I have noticed a drastic reduction in the number of SBA section 7(a) loans in New York State and in the county of Nassau. Statistics furnished by the SBA, in answer to one of my inquiries, discloses that the number of 7(a) loans, in Nassau County, N.Y., dropped from 66 in fiscal 1966 to an unbelievable 13 in fiscal 1967. Allow me to read into the RECORD, at this time, Administrator Moot's letter of August 15, forwarding statistics furnished by the New York regional office of SBA and those furnished by the SBA Congressional Liaison Office, and to cite these statistics for the information of my colleagues:

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., August 15, 1967.

Hon. HERBERT TENZER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN TENZER: I regret the delay in answering your request of July 28. I had hoped to be able to dig out some of the information you requested but find that it will be impossible until our new loan accounting system goes into effect in January.

Specifically, details on the number of banks participating in SBA loans on the federal, state and county levels are being collected and broken down to furnish the greatest possible information, and I shall be happy to send the data to you as soon as it is complete.

I am enclosing a copy of the information which our New York Regional Office gave to Mr. Ken Schanzer of your office by telephone on August 7, as well as a fact sheet summarizing SBA activities, and Annual Reports for 1961 through 1965. The 1966 report will shortly be available and a copy will be sent to you at that time.

If I can be of further assistance, please let me know.

Sincerely yours,
ROBERT C. MOOT,
Administrator.

LOANS APPROVED, STATE OF NEW YORK, FISCAL YEAR 1963 THROUGH FISCAL YEAR 1964

[Dollar amounts in thousands]

	Number	Amount
7–A, business:		
SBA-wide	44,271	$1,785,784
New York State	3,295	90,608
Nassau County	214	5,146
EOL I:		
SBA-wide	3,819	36,802
New York State	760	6,857
Nassau County	42	343
EOL II:		
SBA-wide	1,067	14,522
New York State	84	1,212
Nassau County	2	21

LOANS APPROVED, STATE OF NEW YORK, FISCAL YEAR 1963 THROUGH FISCAL YEAR 1967

[Dollar amounts in thousands]

	Number	Amount
SBA-wide:		
7–A, business:		
Fiscal year:		
1963	6,073	$313,904
1964	6,288	312,212
1965	13,420	418,057
1966	10,404	354,841
1967	8,086	386,770
Total	44,271	1,785,784
EOL I:		
Fiscal year:		
1965	159	1,766
1966	1,689	17,625
1967	1,971	17,411
Total	3,819	36,802
EOL II: Fiscal year 1967	1,067	14,522
New York State:		
7–A, business:		
Fiscal year:		
1963	236	15,484
1964	289	22,705
1965	1,094	26,050
1966	1,473	17,090
1967	203	9,279
Total	3,295	90,608
EOL I:		
Fiscal year:		
1965	19	155
1966	372	3,385
1967	369	3,317
Total	760	6,857
EOL II: Fiscal year 1967	84	1,212
Nassau County:		
7–A, business:		
Fiscal year:		
1963	12	952
1964	45	1,275
1965	78	1,183
1966	66	1,209
1967	13	527
Total	214	5,146
EOL I:		
Fiscal year:		
1965	1	6
1966	27	249
1967	14	88
Total	42	343
EOL II: Fiscal year 1967	2	21

Note: Statistics furnished by SBA Congressional Liaison Office.

In conversations had with SBA officials after they furnished the foregoing statistics, I conclude that some of the figures should be somewhat higher than reported. In view of these disclosures, I have asked Chairman EVINS of the House Select Committee on Small Business, to investigate the matter. I will read the full text of my letter to Chairman EVINS:

SEPTEMBER 5, 1967.

Hon. JOE L. EVINS,
Chairman, Select Committee on Small Business, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: As the Congressman from a district with approximately 20,000 small businesses, I have been concerned with the activities of the Small Business Administration. My examination of SBA programs reveals a startling drop in the number of SBA loans nationwide and in Nassau County, New York, part of which I represent.

Statistics furnished by the SBA show that the number of Section 7(a) loans in Nassau County dropped from 66 in fiscal year 1966 to 13 in fiscal year 1967. On a nationwide basis, the number dropped from 10,404 to 8,086 loans. I have been unable to find any satisfactory explanation for these statistics. In addition it is apparent that the number of banks, willing to participate in SBA loans, has also decreased to an alarming point.

I respectfully request the assistance of the Select Committee on Small Business in 1) investigating this matter in Washington, and 2) sending a representative to Nassau County to explore it fully at the local level.

I would appreciate any assistance you could give me in this matter.

Sincerely,
HERBERT TENZER,
Member of Congress.

Mr. Chairman, the statistics furnish only part of the story, for my investigation has revealed what I consider to be serious defects in the current procedures utilized by the Small Business Administration. In a letter to Administrator Moot on September 8, I outlined several steps which, I believe, would strengthen the efforts of the SBA and provide the Congress with better information with which to evaluate those efforts. Let me read into the RECORD of this debate the text of my letter to Administrator Moot:

SEPTEMBER 8, 1967.

Mr. ROBERT C. MOOT,
Administrator, Small Business Administration, Washington, D.C.

DEAR MR. MOOT: I am writing to express my concern about the apparent decline in the SBA's direct loan program and to offer some suggestions which I believe will strengthen the program.

The statistics which your office furnished me on August 15th reveal the following:

(1) The number of section 7(a) small business loans—nationwide—dropped from 10,404 in fiscal 1966 to 8,086 in fiscal 1967. Even if Economic Opportunity loans are added, the total number dropped from 12,093 to 11,124.

(2) In Nassau County, New York, the number of 7(a) loans dropped from 66 to 13.

(3) In New York State the number of 7(a) loans dropped from 1473 to 225.

(4) Of the more than $386 million in 7(a) loans approved by SBA in fiscal 1967 only 13.7 million went to businesses in New York State and only 2.5 percent of the total number of 7(a) loans approved were spent in a State with 9 percent of the population of the United States and which contributed 19% of the federal tax revenues.

In light of these statistics on September 5, 1967 I requested the House Select Committee on Small Business to inquire as to the reasons for this decline in the number of 7(a) loans.

Because of my concern over the decline in loans, I would like to suggest the following changes in procedure which I believe would benefit the Small Business program and the Congress. They are:

(1) Elimination or modification of the present priority system under which preferences are given to defense oriented industries; loans resulting in substantial increase in employment; loans to businesses contributing to reduction in balance of payments through export sales; businesses contributing to reduction in air and water pollution; and loans based on local economic needs. While I recognize the need for guidelines, these categories of priorities must not become exclusive.

The intent of Congress in creating the SBA was not to single out particular industries for priority but to foster competition and strengthen the small business community in general. The priority system has violated the intent of Congress and should be modified or eliminated.

(2) A change in SBA's reporting system to include in its annual report to the Congress more realistic statistics regarding the total number of loan requests received by SBA.

Officials have admitted in congressional hearings that SBA's application statistics are meaningless since many loan requests are turned down before applications are processed and these are not reported to the Congress. Congress should have this information in order to effectively exercise its watchdog functions. I urge you to change the reporting procedures of SBA accordingly.

(3) Review and revise the allocation system employed by SBA to assure a more equitable distribution of loans throughout the 50 States. It is certainly strange that New York State with 9 percent of the total population of the United States received only a little more than 2 percent of the small business loans approved this year. If this is a result of the priority system then I am more convinced that SBA has strayed far afield from the intent of Congress in creating the SBA.

I make these suggestions because of my concern for providing to the small businessman, who is the backbone of American industry, an effective independent agency which will carry out the intent of Congress. I urge you to review these proposals and invite your comments.

Sincerely yours,

HERBERT TENZER,
Member of Congress.

The three proposals which I have just outlined deal primarily with procedural aspects. At some future time, I would like to appear before the Committee on Banking and Currency to present some substantive deficiencies in the Small Business Act. For the moment, I would recommend that the committee deal with the following:

First, the priority system, which has been criticized by Congress since its inception, should be modified to bring it more in line with the original intent of Congress in establishing the Small Business Administration. Under the present system, a loan to an industry which will result in "substantial" employment is given a high priority. What is the meaning of the term "substantial"? While I agree that we must be concerned with the problem of unemployment, I am constrained to ask how SBA can justify making a single loan of $100,000 to a company which might result in 10 additional jobs and refuse to make six loans of $15,000 each to genuine small businesses and end up with 12 to 15 newly created jobs. If the present priority system has this result, then the system must be questioned.

Second, SBA's reporting system to Congress should be revised. Presently SBA, when reporting the percentage of applications granted, includes only those applications which have first filtered through its priority system. They do not include the number of those denied or refused applications because they do not fit into the priorities. This type of reporting gives rise to exceedingly large percentages of acceptance which belies the actual fact.

Third, the present system of allocation, which in no way corresponds to either the population in a given State or to the number of small businesses within that State. For example, New York State with 9 percent of the total U.S. population received little more than 3 percent of the small business loans in the last fiscal year. If the SBA is to truly help small business, it must do so on a nationwide basis and its allocation system should be brought into line with the latest population and business statistics.

Mr. Chairman, my remarks today do not represent the end of my efforts to help strengthen the SBA. The welfare of this Nation's small businesses is of crucial importance to the prosperity of our Nation and I will support every effort of the SBA to strengthen this vital sector of our economy. I intend to keep the committee, and the House, informed on the results of my own investigation into the SBA and urge my colleagues to inquire into the activities of SBA in their own States and districts. In the absence of administrative action by the SBA, I will introduce legislation to remedy the defects which I have outlined today and any others which may come to my attention in the future. I can only hope that the result will be a strengthened SBA and more prosperous small businesses. The sole test for a small business loan should be the needs of the small businessman to survive. This should be the guideline except in case of extreme sectional or regional emergency or disaster. The small businessman is the very heart of our American free enterprise system and he must be helped when he is faced with difficulty in getting bank participation in loans with SBA.

I would urge the committee to check the regulations adopted by the Small Business Administration without approval of the Congress, to see whether there is a consistency and harmony with the intent of Congress. I hope the chairman will look into these questions.

Mr. PATMAN. Mr. Chairman, I thank the gentleman. We will.

Mr. Chairman, we have no further requests for time.

Mr. WIDNALL. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 10409

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. This title may be cited as the "Small Business Act Amendments of 1967".

SEC. 102. Paragraph (4) of section 4(c) of the Small Business Act is amended—

(1) by striking out "$1,400,000,000" and inserting in lieu thereof "$1,900,000,000";

(2) by striking out "$400,000,000" and inserting in lieu thereof "$450,000,000";

(3) by striking out "$200,000,000" and inserting in lieu thereof "$300,000,000"; and

(4) by striking out "$100,000,000" and inserting in lieu thereof "$200,000,000".

SEC. 103. Paragraph (4) of section 7(a) is amended by striking out "except that a loan made for the purpose of constructing facilities may have a maturity of ten years" and inserting in lieu thereof "except that such portion of a loan made for the purpose of constructing facilities may have a maturity of fifteen years".

SEC. 104. The subsection added to section 7 of the Small Business Act by the Disaster Relief Act of 1966 (Public Law 89–769), and designated thereby as subsection (e), is redesignated as subsection (f).

SEC. 105. Subparagraph (B) of paragraph (1) of section 8(b) of the Small Business Act is amended to read as follows:

"(B) in the case of any individual or group of persons cooperating with it in furtherance of the purposes of subparagraph (A), (i) to allow such an individual or group such use of the Administration's office facilities and related materials and services as the Administration deems appropriate; and (ii) to pay the transportation expenses and a per diem allowance in accordance with section 5703 of title 5, United States Code, to such an individual or group of persons for travel and subsistence expenses incurred at the request of the Administration in providing gratuitous services to small businessmen in furtherance of the purposes of subparagraph (A) or in connection with attendance at meetings sponsored by the Administration;".

SEC. 106. Paragraph (13) of section 8(b) of the Small Business Act is amended to read as follows:

"(13) to establish such advisory boards and committees as may be necessary to achieve the purposes of this Act and of the Small Business Investment Act of 1958; to call meetings of such boards and committees from time to time; to reimburse the members of such boards and committees in accordance with section 5703 of title 5, United States Code, for travel and other expenses incurred in attending the meetings of such boards and committees; and to rent temporarily, within the District of Columbia or elsewhere, such hotel or other accommodations as are needed to facilitate the conduct of such meetings; and".

SEC. 107. Section 8(b) of the Small Business Act is amended—

(1) by striking out "and" at the end of paragraph (13);

(2) by striking out the period at the end of paragraph (14), by inserting "; and" in lieu thereof, and by adding the following new paragraph:

"(15) to disseminate, without regard to the provisions of section 4154 of title 39, United States Code, data and information, in such form as it shall deem appropriate, to public agencies, private organizations, and the general public."

SEC. 108. The subsection added to section 402 of the Economic Opportunity Act of 1964 by section 405 of the Economic Opportunity Amendments of 1966 (Public Law 89–794), and designated thereby as subsection (b), is redesignated as subsection (c).

TITLE II

SEC. 201. This title may be cited as the "Small Business Investment Act Amendments of 1967".

SEC. 202. (a) Section 302(a) of the Small Business Investment Act of 1958 is amended to read as follows:

"(a)(1) Each company which receives a license after the effective date of the Small Business Investment Act Amendments of 1967 (hereafter referred to in this subsection as the effective date) shall, unless prior to such date the company had applied for the license and in connection with such application had received from the Administration a 'Notice To Proceed', have a combined paid-in capital and paid-in surplus of $1,000,000.

"(2) Each company which receives a license or a 'Notice To Proceed' before the effective date shall, except as provided in paragraph (3), comply with each of the following minimum standards of paid-in capital and paid-in surplus:

"(A) A company whose combined paid-in capital and paid-in surplus on the effective date in less than $300,000 shall have a combined paid-in capital and paid-in surplus of at least $300,000 by February 28, 1969; of at least $500,000 by February 28, 1971; and of at least $1,000,000 by February 28, 1975;

"(B) A company whose combined paid-in capital and paid-in surplus on the effective date is at least $300,000, but less than $500,000, shall have a combined paid-in capital and paid-in surplus of at least $500,000 by February 28, 1971; and of at least $1,000,000 by February 28, 1975;

"(C) A company whose combined paid-in capital and paid-in surplus on the effective date is at least $500,000, but less than $1,000,000, shall have a combined paid-in capital and paid-in surplus of at least $1,000,000 by February 28, 1971.

"(3) The Administration may by regulation (A) exempt any group or category of companies from the requirements of paragraph (2), and (B) extend any of the time limits established in paragraph (2) for the benefit of all the companies affected by the limit or any group or category of such companies. The Administration shall exercise its powers under this paragraph whenever it determines that such exemption or extension of time (A) is necessary in order to carry out the purposes of this Act with reference to any geographic area or locality of the United States, or (B) is appropriate for certain types of companies by reason of their adequate profitability, financial soundness, and assistance provided to small business concerns.

"(4) Any company which fails to comply with any of the minimum capital requirements of this subsection applicable to it shall be deemed in violation of this Act."

(b) Section 309(a) of the Small Business Investment Act of 1958 is amended by striking out the period at the end of paragraph (5), by inserting a semicolon in lieu thereof, and by adding the following new paragraph:

"(6) for failure or refusal to comply with any of the minimum capital standards established by section 302(a)".

Sec. 203. Section 302(b) of the Small Business Investment Act of 1958 is amended by striking out "2 per cent" and inserting in lieu thereof "5 percent".

Sec. 204. Section 303(b) of the Small Business Investment Act of 1958 is amended to read as follows:

(b) To encourage the formation and growth of small investment companies the Administration is authorized (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms) to purchase, either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate basis, the debentures of any such company. Debentures purchased by the Administration under this subsection shall be subordinate to any other debenture bonds, promissory notes, or other debts and obligations of such companies. Such debentures may be issued for a term of not to exceed fifteen years and shall bear interst at a rate of not less than (1) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on such debentures, adjusted to the nearest one-eighth of 1 percent, plus (2) such additional charge, if any, toward covering other costs of the program as the Administration may determine to be consistent with its purposes. The debentures shall also contain such other terms as the Administration may fix, and shall be subject to the following restrictions and limitations:

"(1) The total amount of debentures purchased and outstanding at any one time from a company which does not qualify under the terms of paragraph (2) of this subsection, shall not exceed 200 percent of the combined paid-in capital and paid-in surplus of such company. In no event shall the debentures of any such company purchased and outstanding under this paragraph exceed $7,500,000.

"(2) The total amount of debentures which may be purchased and outstanding at any one time from a company which (A) has a combined paid-in capital and paid-in surplus of $2,500,000 or more and (B) has an investment of 65 percent or more of its total funds available for investment in small business concerns invested in equity capital as defined in section 304(a)(2) of this Act, shall not exceed $5,000,000 plus 300 percent of that portion of the company's paid-in capital and paid-in surplus which exceeds $2,500,000. In no event shall the debentures of any such company purchased and outstanding under this paragraph exceed $10,000,000. Such additional purchases which the Administration makes under this paragraph shall contain conditions to insure appropriate maintenance by the company receiving such assistance of the described ratio during the period in which debentures under this paragraph are outstanding.

"(3) Outstanding amounts of financial assistance provided to a company by the Administration prior to the effective date of the Small Business Investment Act Amendments of 1967 shall be deducted from the maximum amount of debentures which the Administration would otherwise be authorized to purchase under this subsection."

Sec. 205. Section 304 of the Small Business Investment Act of 1958 is amended—

(1) by inserting the paragraph designation "(1)" after "(a)" in subsection (a);

(2) by inserting the following new paragraph (2) in subsection (a);

"(2) For purposes of section 303(b)(2) of this Act the term 'equity capital' shall include such common stock, preferred stock, or other financing with subordination or non-amortization characteristics, as the Administration shall determine to be substantially similar to equity financing."

(3) by repealing subsection (c); and

(4) by redesignating subsection (d) as subsection (c).

Sec. 206. Section 306 of the Small Business Investment Act of 1958 is amended to read as follows:

"Sec. 306. Without the approval of the Administration the aggregate amount of obligations and securities acquired and for which commitments may be issued by any small business investment company under the provisions of this Act for any single enterprise shall not exceed 20 percent of the combined paid in capital and paid in surplus of such company: *Provided, however,* That with respect to obligations or securities acquired prior to the effective date of the Small Business Investment Act Amendments of 1967, and with respect to legally binding commitments issued prior to such date, the provisions of this section as in effect immediately prior to such effective date shall continue to apply."

Sec. 207. Section 310(b) of the Small Business Investment Act of 1958 is amended by adding after the first sentence thereof the following new sentence: "Unless waived by the Administration for good cause, each such company shall be examined at least once each year."

Sec. 208. (a) The section heading of section 302 of the Small Business Investment Act of 1958 is amended to read as follows: "CAPITAL REQUIREMENTS";

(b) The description of section 302 in the table of contents of the Small Business Investment Act of 1958 is amended to read as follows: "Capital Requirements".

Sec. 209. The effective date of this title shall be ninety days after enactment.

Mr. PATMAN (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

In page 3, line 4, immediately after "to" insert "any".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, line 5, strike "an".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, line 5, strike "or group of persons".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, line 7, after "Administration" insert "in connection with travel to a point more than fifty miles distant from the home of that individual".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, line 19, strike "to reimburse" and all that follows through the semicolon in line 23.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 4, strike line 3 and all that follows through line 14 on page 4.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 4, line 15, redesignate section 108 as section 107.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Strike all of title II (page 4, line 20, through page 11, line 4) and insert:

"TITLE II

"Sec. 201. This title may be cited as the "Small Business Investment Act Amendments of 1967".

"Sec. 202. Section 301(c) of the Small Business Investment Act of 1958 is amended to read as follows:

"'(c) The articles of incorporation and amendments thereto shall be forwarded to the Administration for consideration and approval or disapproval. In determining whether to approve such a company's articles of incorporation and permit it to operate under the provisions of this Act, the Administration shall give due regard, among other things, to the need and availability for the financing of small business concerns in the geographic area in which the proposed company is to commence business, the general business reputation and character of the proposed owners and management of the company, and the probability of successful operations of such company including adequate profitability and financial soundness. After consideration of all relevant factors, if it approves the company's articles of incorporation, the Administration may in its discretion approve the company to operate under the provisions of this Act and issue the company a license for such operation.'

"SEC. 203. Section 302(b) of the Small Business Investment Act of 1958 is amended by striking 'except that in no event shall any such bank hold shares in small business investment companies in an amount aggregating more than 2 percent of its capital and surplus.' and inserting 'except that in no event may any such bank acquire shares in any small business investment company if, upon the making of that acquisition,

"'(1) the aggregate amount of shares in small business investment companies then held by the bank would exceed

"'(A) 5 percent of its capital and surplus, or

"'(B) $1,000,000

whichever is less, or

"'(2) the bank would hold 50 percent or more of any class of equity securities issued by that investment company and having actual or potential voting rights.'

"SEC. 204. Section 103 of the Small Business Investment Act of 1958 is amended—

"(1) by striking 'and' at the end of paragraph (7);

"(2) by changing the period at the end of paragraph (8) to read '; and'; and

"(3) by adding the following new paragraph at the end:

"'(8) the term "venture capital" means capital supplied by the purchase of common or preferred stock or subordinated debentures as to which there is no amortization or sinking fund requirement for at least five years after issuance.'

"SEC. 205. Section 310(b) of the Small Business Investment Act of 1958 is amended by adding after the first sentence thereof the following new sentence: 'Each such company shall be examined at least once each year.'

"SEC. 206. The first sentence of section 401(a) of the Small Business Investment Act of 1958 is amended by striking out 'that are (1) eligible for loans under section 7(b)(3) of the Small Business Act, or (2) eligible for loans under title IV of the Economic Opportunity Act of 1964'.

"SEC. 207. The effective date of this title shall be ninety days after enactment."

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. STEPHENS

Mr. STEPHENS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. STEPHENS: On page 11, immediately after line 7, insert:

"SEC. 202. (a) Title III of the Small Business Investment Act of 1958 is amended by inserting immediately after section 306 the following new section:

"'REAL ESTATE DEVELOPMENT

"'SEC. 306A. (a) In the case of any small business investment company licensed prior to October 1, 1966, under the provisions of this Act, which has received the approval of the Administration prior to that date of its articles of incorporation or investment policy, and which by the terms and provisions of the approved articles of incorporation or investment policy is empowered to invest in (whether through loans or equity securities) real estate development oriented enterprises and activities, the Administration shall not impose any limitation, formally or informally, by regulation, order, advice or otherwise, in respect of the company's investments in real estate oriented enterprises and activities which is more restrictive than, or otherwise at variance with, the company's articles of incorporation or approved investment policy.

"'(b) No application to the Administration from any licensee referred to in subsection (a) of this section for participation in any of the programs, benefits, activities or services available to licensees under the provisions of this Act shall be denied, or participation in any program limited or withheld by the Administration for the sole reason that the investments of the applicant in real estate development oriented enterprises and activities exceed a percentage of the applicant's total investment portfolio, unless such investments exceed the percentage allowable under the applicant's articles of incorporation or approved investment policy.'

"(b) The table of contents at the beginning of that Act is amended by inserting

"'Sec. 306A. Real estate development.'

immediately after

"'Sec. 306. Aggregate limitations.'"

And redesignate the succeeding sections of title II accordingly.

Mr. STEPHENS. Mr. Chairman, quite a large number of small business investment corporations, with the approval of the Small Business Administration, have concentrated investments in real estate small business concerns. These have provided a great deal of equity money to land developers, apartment and shopping center developers, operative builders, and similar type concerns in the real estate field. Last year the Administrator of Small Business Administration issued a memorandum to the effect that any small business investment corporation previously approved by Small Business Administration for concentration of its investments in real estate small business concerns could not receive any additional funds from the Small Business Administration unless the small business investment corporation agreed to reduce its investments in real estate small business concerns to not more than one-third of the small business investment corporation's portfolio.

Specifically, the purpose of the amendment is to provide that a small business investment corporation which had previously received the approval of Small Business Administration to concentrate its investments in real estate small business concerns would be permitted to continue such concentration and be eligible for the full benefits of the program in the same manner as any other small business investment corporation.

As I have said, the Small Business Administration has licensed a large number of small business investment corporations that have substantial real estate portfolios. The regulation to cut them back to one-third has affected about 100—or one out of every six—and will virtually put these out of the Small Business Administration program. My amendment will stop this. There is no valid reason to put these types of small business investment corporations out of business.

Regulations now exist to prohibit unbridled land speculation by small business investment corporations. Proper policing by Small Business Administration to enforce this regulation is all that is necessary—not an order that will put out of business both the good and the bad—if any—with no distinction.

If these types of small business investment corporations are put out of business, so will the people be out of business who have been their clients, such as small homebuilders, suppliers of homebuilders, and employees of homebuilders such as carpenters, plasterers, and brickmasons. We cannot let that happen.

The amendment has been presented on this side of the aisle, and I believe it is acceptable to the committee, and I believe the minority has passed upon it, and it is acceptable to them.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman from Texas.

Mr. PATMAN. Is it acceptable to the Members on our side?

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman from New Jersey.

Mr. WIDNALL. I believe it is acceptable to all Members on our side.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I am glad to yield to the gentleman from Tennessee.

Mr. BROCK. Why did the Administrator impose this new regulation?

Mr. STEPHENS. The opinion I have is that the original regulation said there would be no land speculation. The small business investment corporations which were organized were not supposed to be engaged in land speculation.

Rather than policing this properly, as should have been done, the procedure has been just to treat everybody exactly alike, the good and the bad, without making any differentiation.

If the Small Business Administration would take the time to look at the good ones—and, if there are any, the bad ones—it should be done on that basis, rather than by arbitrary regulation.

Mr. BROCK. What the gentleman is saying—and I believe I would concur—is that under existing law the Small Business Administration has the authority to stop involvement in speculative or dangerous practices in real estate transactions, but has not exercised the jurisdiction in this regard except by blanket indictment of a practice for all concerned.

Mr. STEPHENS. My amendment would stop that. They would have to do it properly.

Mr. BROCK. The effect of the gentleman's amendment, and I want to have it clearly understood, is not to broaden the authority of the SBIC's to engage in any speculative activity which they would not have been able to engage in before.

Mr. STEPHENS. You are absolutely right.

Mr. BROCK. It does not in any way reduce the authority of the Small Business Administration to pursue these maltransactions if so they be. That is true, is it not?

Mr. STEPHENS. That is correct.

Mr. BROCK. So, in effect, we are saying we have existing authority that the Small Business Administration should be required to enforce the statute as it was originally drawn.

Mr. STEPHENS. That is correct.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I will be glad to yield to the chairman.

Mr. PATMAN. Much of this confusion

I am sure is due to the fact that every year we have had a new Administrator. I think we are nearer on a permanent basis now the time when we would have good people to administer this law than we have been at any time in the past. I believe we will have less confusion under this administration than we have had in the past.

Mr. STEPHENS. Mr. Chairman, I would like to yield now to the gentleman from California [Mr. HANNA].

Mr. HANNA. I thank the gentleman for yielding.

I want to associate myself with his amendment and strongly associate myself with the remarks made by the gentleman from Tennessee [Mr. BROCK], because I know last year we passed the legislation which gave them the powers that would allow them to go ahead and regulate this industry. At the same time they want us to pass a law now that will completely prohibit it. I certainly agree with both gentlemen that we are proceeding in the right way with this amendment.

Mr. PATMAN. Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Georgia [Mr. STEPHENS].

The amendment to the committee amendment was agreed to.

AMENDMENTS TO THE COMMITTEE AMENDMENT OFFERED BY MR. BROWN OF MICHIGAN

Mr. BROWN of Michigan. Mr. Chairman, I offer two amendments to the committee amendment and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

Amendments to the committee amendment offered by Mr. BROWN of Michigan: On page 12, immediately after line 2, insert:

"SEC. 203. The second sentence of section 302(a) of the Small Business Investment Act of 1958 is amended by changing '$700,000' to read '$4,000,000'."

And redesignate the succeeding sections of title II accordingly.

And on page 12, immediately after line 19, insert:

"SEC. 204. Section 303(b)(1) of the Small Business Investment Act of 1958 is amended by changing '$4,000,000' to read '$6,000,000'."

And redesignate the succeeding sections of title II accordingly.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROWN of Michigan. Mr. Chairman, the 1967 small business investment corporation legislative bill—H.R. 10409—as recommended by the Small Business Administration and considered by the House Banking and Currency Committee contains certain provisions which would have granted increased incentive provisions to the industry's medium and larger sized companies without detracting in any way from the small SBIC. Although our committee took no positive action at the time of its hearings to consider or adopt the recommended incentive legislation, it was nevertheless my understanding, and that of my fellow members, that such incentive legislation was vitally important to the SBIC industry and would be given consideration under a separate bill.

Let me point out and emphasize that the committee's failure to take action on the incentive provisions of the bill was by no means meant to indicate that the committee did not agree with such incentive legislation or consider it less than vital to the program. Rather, the committee's action in reporting out H.R. 10409 as it did was to first deal with those matters on which there was general agreement by the committee members. Since the reporting out of H.R. 10409 and talking with various members of the SBIC industry, we have become more convinced then ever that incentive legislation is needed and needed now for the medium and larger companies if the SBIC industry is to survive.

It is, I believe, important to note that the additional incentives requested would not in any way take away or reduce the incentives already provided for smaller SBIC's. As a matter of fact, the ratio of the additional incentives sought by the SBA and industry for the medium and larger SBIC's would not be as large as those presently provided to the smaller SBIC's.

Since the committee's failure to adopt or act upon incentive legislation, two of the largest public companies in the SBIC industry have served notice of their intent to leave the program. The departure of these two companies will take $58 million, or approximately one-sixth, of all the total private funds out of the program.

Obviously, there were probably many reasons which entered into the decisions by these two large companies to leave the program; however, the fact remains that their decisions were not announced until shortly after the committee reported out the SBIC bill without any provision for incentive legislation.

Of major interest to our committee in considering whether to provide incentives for medium and larger SBICs, was the Administration's report that it had established a reserve for losses on Government loans of $50 million. It should be noted, however, that it is impossible to determine at this time, by the Administration or anyone else, if all of this reserve will ever be needed. To date I understand that only $10,000 has actually been charged off by the SBA against this reserve. Although the size of this reserve is certainly significant, we must not lose sight of the fact that this industry, as created by Congress and by its very nature, is "venture" or "risk" oriented and consequently will have some losses. I think it also important to point out that almost 90 percent of this loss reserve has been set up on Government loans to the smaller SBICs and not the medium and larger companies for which incentive legislation is now being requested. No doubt much of the reason for SBA's loss reserve stems directly from the admitted laxity under which SBIC licenses were issued during the first few years of the industry's existence.

Our committee, in considering H.R. 10409, recognized the need for tightening licensing standards and accordingly added appropriate language to this section of the bill. I am informed that representatives of the SBIC industry strongly favor the committee's action in providing tighter licensing requirements. In offering this amendment in committee, I recognized that most of SBA's problems with the SBIC's arise out of inadequate examination of proposed businesses and their chance of success.

It is obvious from my conversation with members of the industry that they feel both smaller and larger SBIC's are equally important to the program. The smaller SBIC is important in that it covers many areas which would not be economically feasible for the larger. On the other hand, it is the larger SBIC which captures the financial writer's interest. And through publicity for the larger SBICs, small businessmen and the financial community as a whole become aware of the existence of this source of capital. The publicity for the large SBIC rubs off on the small businessman looking for a "source" of capital close to home.

In summary, many, if not all, on the committee believe that adequate incentive provisions, along the lines requested by the SBA and the SBIC industry, are required for all small, medium, and large size SBICs if the industry is to continue to meet the demands of small business. Further, we believe that such incentives should be provided as quickly as possible before other large companies leave the program, taking with them a further substantial portion of all private capital presently invested in the program.

To this end I am offering two amendments. Both would reinstate the language of the existing law but would raise the maximums of Government participation.

A résumé of where we stand today with respect to this legislation would be helpful to the Members, I believe.

The present law provides, in section 302, for the purchase by SBA of debentures of our SBIC—subordinated to all other obligations except return of the private capital—of not to exceed $700,000. This is on a one dollar-for-one dollar private capital matching basis.

In turn, the existing law in section 303 provides for loans to be made to an SBIC by SBA in an amount equal to 50 percent of the paid-in capital and surplus of the SBIC but not to exceed $4 million. Collateral must be provided to secure the repayment of loans under this section.

The effect of these provisions taken together is that an SBIC with $7.3 million private capital base can get as much Government participation as another SBIC twice its size; and whereas an SBIC of only $700,000 or less receives, in effect, a 2-to-1 contribution of Government participation, this ratio falls off as the SBIC becomes larger until, at say a $15 million capitalization, this ratio of Government participation to private capital is only 1 to 3.

Recognizing this inequity in the law, the SBA recommended, and the Senate passed, a new provision which would, in effect, combine Government funds available to SBIC's under sections 302 and 303, and increase the maximum available to $7.5 million rather than the $4.7 million maximum of the present law.

A further $2.5 million is made available under the Senate bill to the SBIC's who qualify by having at least 65 percent of their funds in equity type financing.

But repayment of all of this $10 million—that is, the $7.5 and the $2.5 million—of Government funds is completely subordinate to all other obligation and claims of the SBIC except its capital and surplus.

Our House committee, although impressed with the necessity of increasing the maximums of Government funds available to SBIC's and cognizant of the necessity to add incentives for growth, did not feel we were ready to accept a complete subordination of all Government funds as is provided for in the Senate bill. We feel Government should still have at least a major part of its loans collaterally secured.

Therefore, the amendments I am offering do raise the maximums to the same total recommended by SBA and passed by the Senate but retain the requirement of collateral for loans under section 303. The result, section 302 is retained in its present form, but the maximum participation by SBA is raised from $700,000 to $4 million.

Section 303 is retained with its requirement for the furnishing of security but the maximum borrowing permitted under this section is increased from $4 million to $6 million.

In essence, these amendments will limit the unsecured participation by Government in an SBIC financing to $4 million and make available an additional $6 million borrowing maximum, such borrowings to be secured by the furnishing of collateral; whereas, the original bill as proposed by SBA and passed by the Senate would make the total of $10 million available on a totally unsecured basis.

I urge the adoption of these amendments, which I understand the chairman of the committee accepts.

Mr. PATMAN. Mr. Chairman, would the gentleman yield?

Mr. BROWN of Michigan. Let me add one thing first, if I may.

I would further add that these amendments certainly provide a broader basis from which to work in conference than would be the case if they were not adopted.

Mr. PATMAN. I agree with what the gentleman has said; it will provide a broader basis for the conferees to work in. We have discussed the gentleman's amendments; that is, the Members on the majority side, and the Members on the minority side, along with the staff, and we have agreed to accept the gentleman's amendments. I believe Mr. WIDNALL will verify what I am saying, that we have agreed to accept the amendments.

Mr. WIDNALL. We have accepted them.

Mr. BROWN of Michigan. I thank the gentlemen.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Then by the acceptance of the amendments the conferees have an expression of the House that they want to expand on the medium and larger loan companies which are required to get loans from the Federal Government, and that is the expression of the House as well as the Senate, but the details will be worked out in conference at the time of the conference?

Mr. BROWN of Michigan. That is correct.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendments to the committee amendments offered by the gentleman from Michigan [Mr. BROWN].

The amendments to the committee amendment were agreed to.

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. WIDNALL to the committee amendment: On page 13, immediately after line 17, insert:

"SEC. 207. Section 308(g) of the Small Business Investment Act of 1958 is amended (1) by inserting the paragraph designation '(1)' after '(g)', and (2) by adding the following new subparagraph:

" '(2) In its annual report for the fiscal year ended June 30, 1967, and in each succeeding annual report, the Administration shall include in its annual report, made pursuant to section 10(a) of the Small Business Act, full and detailed accounts relative to the following matters:

" '(A) The Administration's recommendations with respect to the feasibility and organization of a small business capital bank to encourage private financing of small business investment companies to replace government financing of such companies.

" '(B) the Administration's plans to ensure the provision of small business investment company financing to all areas of the country and to all eligible small business concerns including steps taken to accomplish same.

" '(C) Steps taken by the Administration to maximize recoupment of Government funds incident to the inauguration and administration of the small business investment company program and to ensure compliance with statutory and regulatory standards relating thereto.

" '(D) An accounting by the Bureau of the Budget with respect to Federal expenditures to business by Executive agencies, specifying the proportion of said expenditures going to business concerns falling above and below small business size standards applicable to small business investment companies.

" '(E) An accounting by the Treasury Department with respect to tax revenues accruing to the Government from business concerns, incorporated and unincorporated, specifying the sources of such revenues by concerns falling above and below the small business size standards applicable to small business investment companies.

" '(F) An accounting by the Treasury Department with respect to both tax losses and increased tax revenues related to small business investment company financing of both individual and corporate business taxpayers.

" '(G) Recommendations of the Treasury Department with respect to additional tax incentives to improve and facilitate the operations of small business investment companies and to encourage the use of their financing facilities by eligible small business concerns.

" '(H) A report from the Securities and Exchange Commission enumerating actions undertaken by that Agency to simplify and minimize the regulatory requirements governing small business investment companies under the Federal securities laws and to eliminate overlapping regulation and jurisdiction as between the Securities and Exchange Commission, the Administration and other agencies of the Executive Branch.

" '(I) A report from the Securities and Exchange Commission with respect to actions taken to facilitate and stabilize the access of small business concerns to the securities markets.

" '(J) Actions undertaken by the Securities and Exchange Commission to simplify compliance by small business investment companies with the requirements of the Investment Company Act of 1940 and to facilitate the election to be taxed as regulated investment companies pursuant to section 851 of the Internal Revenue Code of 1954'."

And redesignate the succeeding section accordingly.

Mr. WIDNALL. Mr. Chairman, this amendment will make sure that regular timely reports specifically devoted to SBIC's, and covering all the agencies whose activities bear on them will be given to us each year. We further want to know specifically that the Small Business Administration, the Treasury Department, the Bureau of the Budget, and the Securities and Exchange Commission are giving continued and serious thought to how the program may be made more simple, more profitable, and more productive. We want to know that they are looking at the SBIC program as an important potential tool to be used to cushion the impact of Federal money policies on small business. We want to know that they view SBIC's as the congressionally designated central approach to the problem of stable, steady small business access to the equity money market. And we specifically want to be able to view the SBIC industry's costs and benefits in the light of how small business is sharing in Federal programs, compared with what it is paying for them in taxes.

We know that SBIC's—good ones—provide their clients with more than money. They provide important management counsel. The executive branch must also provide the SBIC with more than money incentives. It must provide intelligent, thoughtful forward planning. It must anticipate the problems which the SBIC industry will face before they arise. It must provide continuity of regulation so that responsible SBIC managements will not be buried in a maze of conflicting, overlapping laws and regulations. It must provide a continually improving structure for the industry, leading to the maximum use of private capital both directly in the SBIC's capital structures, and in their capacity to borrow privately.

The reports which my amendment will require will provide us with a clear measure of the degree to which the program is being administered responsibly and well. They need duplicate nothing else; to the extent that information is given in them, it can be omitted from other reports. Based on our experience until now, they will duplicate nothing else. Most of the information disclosed about the program in our hearings on this legislation had never been given to us before. We have made much clearer what we want, and the fact that we really want it on a current and coordinated basis. This amendment should make sure that in the future we will get it regularly, currently, and comprehensively.

It is our hope that the legislation which will finally be produced by the Senate and the House conferees will truly open a new and better period for all SBIC's. We know that the incentives provided in this program at present are not adequate to do the job. For my part, I can assure you that the minority conferees are determined to bring legislation back to the House which will make them adequate.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. PATMAN. May I state to the gentleman that the Members on the majority side are familiar with the amendment and favor it. We have examined it, along with the minority Members and the members of the committee staff on each side, and we are convinced that it is a good amendment and we would like to accept it.

Mr. WIDNALL. I thank the gentleman for his remarks.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from New Jersey [Mr. Widnall].

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. The Clerk will report the last committee amendment.

The Clerk read as follows:

> On page 13, line 20, add the following new title:
>
> "TITLE III
>
> "Sec. 301. This title may be cited as the 'Small Business Protection Act of 1967'.
>
> "Sec. 302. The Administrator of the Small Business Administration shall conduct a special study of the impact on small business concerns of robbery, burglary, shoplifting, vandalism, and other criminal activities, with a view to determining ways in which such concerns may best protect themselves against such activities.
>
> "Sec. 303. For purposes of the study authorized by section 302 of this title, there shall be made available to the Administrator upon request the advice and, on a reimbursable basis, the assistance of any department, bureau, or agency of the United States, including especially those having responsibilities with respect to law enforcement or criminal investigation.
>
> "Sec. 304. The Administrator shall report to the President and to the Congress the results of the study conducted pursuant to this title, including such recommendations as he may deem appropriate for administrative and legislative action, within one year after the date of enactment of this title.
>
> "Sec. 305. There is hereby authorized to be appropriated to carry out the purposes of this title the sum of $300,000."

Mr. PATMAN (interrupting the reading). Mr. Chairman, I ask unanimous consent that the amendment may be considered as read, printed in the Record, and open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. HALL

Mr. HALL. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

> Amendment offered by Mr. Hall to the committee amendment: On page 14, strike out all of section 303 and section 305 and renumber section 304 to read "Sec. 303".

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 246]

Adair
Anderson, Tenn.
Ashbrook
Ashley
Aspinall
Baring
Bell
Blackburn
Brademas
Clawson, Del
Cohelan
Conyers
Corman
Daddario
de la Garza
Diggs
Dorn
Downing
Edwards, Calif.
Evins, Tenn.
Feighan
Green, Oreg.
Hagan
Hansen, Idaho
Hansen, Wash.
Hays
Hébert
Heckler, Mass.
Herlong
McCarthy
McMillan
May
Miller, Calif.
Morton
Multer
Murphy, N.Y.
Nix
O'Hara, Mich.
O'Konski
Pirnie
Rees
Resnick
Rivers
Rumsfeld
St Germain
Saylor
Smith, N.Y.
Teague, Tex.
Thompson, N.J.
Tiernan
Van Deerlin
Vander Jagt
Vigorito
Willis
Wilson, Charles H.
Wolff
Wyatt

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Holifield, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 10409, and finding itself without a quorum, he had directed the roll to be called, when 375 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Missouri [Mr. Hall] is recognized for 5 minutes in support of his amendment.

Mr. HALL. Mr. Chairman, at the time the quorum call intervened, the amendment had been read. The amendment simply strikes section 303 and section 305, and renumbers section 304 on page 14. Therefore, Mr. Chairman, it leaves in the title—title III—section 301 as submitted by the committee as an amendment to the Small Business Administration Act and also section 302. This has been a controversial title as written.

Mr. Chairman, this has been a bill that has been considered in an easy fashion. Other amendments have been accepted and I would hope that this amendment might be accepted also. Because this is an act that we have all found to be of advantage to us in the administration of the districts which we are privileged to represent, I, for one, am for these amendments to the act and I think generally they are good.

I intend to vote for the bill whether this amendment is accepted or not. I think it has helped an awful lot. I am particularly proud of what the chairman of the Committee on Banking and Currency said in introducing these amendments to the Small Business Administration Act today about the value of the senior service corps. I have had some experience with many of these 3,000 senior executives who are advising people who participate in small business loans on these matters and certainly this is a bill that has enabled the banking people and small business to secure loans that could not ordinarily be made, and to maintain going concerns or to start new ones.

This amendment would leave the enabling act of title III. It would simply remove the $300,000 which we have all admitted and which, indeed, the Administrator admits is unnecessary.

In his letter dated August 1, 1967, to the distinguished chairman of the Committee on Banking and Currency, he says:

> There seems little doubt that pursuant to the broad powers vested in it by the Small Business Act to promote the welfare of small business that the SBA is already authorized to conduct such a study.

The colloquy on the floor today has brought out that the study is already in progress.

There are already sufficient funds with which to do this.

It has been admitted on the floor, and I will say to those who have not been privileged to hear the entire debate, that there are other studies and indeed they are referred to on page 1754 of the current Congressional Quarterly which states:

> The President's special advisory commission on civil disorders on August 15 appointed a 7 member panel—

This is a most high level panel—

> of distinguished business executives and interested agents to prepare recommendations of that commission for action.

In the other body, the Senate Committee on Commerce held hearings in late August—we have had none—on legislation ordering the Commerce Department to investigate the insurance problems in big cities. Indeed, there is a resolution before the other body asking that the Department of Commerce further study all matters affecting small business as well as business in general, and looking particularly to possible solutions where Federal insurance programs or direct Federal insurance to inner-city areas or homes are concerned.

The statement has been made that business cannot exist without insurance. The other body's Banking and Currency Committee is holding hearings on September 14 and 15 on a bill to provide insurance to small business in riot areas. Mr. Chairman, I realize that the word "riot" is not mentioned in the report or in title III of the bill, as it now exists. But the sum total of objectives adds up to the same.

I repeat that this would still enable us to carry out the purposes and give the letter of marque or the portfolio to the Administrator of the Small Business Administration to carry out his study.

But in this day when the President is asking the Congress and asking the bureaus to hold back on the spending of money, whether it has been authorized or appropriated or not, why should we authorize additional funds for a study already in progress and already funded?

I hope that the amendment will be accepted.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Mississippi.

Mr. COLMER. I thank the gentleman for yielding to me. I just wanted to pinpoint one thing. All your amendment would do would be to strike out the provision for $300,000 which would be authorized to study the impact of riots upon small business. I wish to ask the gentleman if he does not agree with me that that is a waste of funds, that we already know the answer, and that many high-level commissions and committees are studying the matter otherwise. I cannot see any necessity whatever—I repeat what I said earlier today—for the expenditure of this $300,000 in this useless manner when we are facing a $30 billion deficit.

Mr. HALL. Mr. Chairman, I appreciate the contribution of the distinguished chairman of the Committee on Rules, and I appreciate his support. I wish to say that we are doing this in lieu of submitting a point of order, because we want to keep title II, and title III, for that matter, as far as the essence of the bill is concerned.

Mr. REUSS. Mr. Chairman, I rise in opposition to the amendment. I hope that the amendment offered by the gentleman from Missouri will be voted down, because it would deprive small business of a study and an action program, desperately needed if small business in this country is going to survive.

This is not a study of the sociological causes of riots. It has nothing to do with that. It is a hard-headed, small-business-oriented study of how small businessmen can survive in a world where the large business can protect itself against burglary, robbery, and shoplifting by all kinds of elaborate electronic devices, burglary-alarm systems, closed-circuit television, and all the rest of the options not available to small businessmen. When a small businessman is burglarized, all too frequently it results in that small businessman never opening his doors again.

The purpose of this study, which is vigorously endorsed by the Small Business Administration and by the Bureau of the Budget, is to see whether, in conjunction with the other branches of the Government, particularly the Department of Justice, we cannot work out devices that will protect small businessmen against burglary and vandalism and see whether we cannot do for small businessmen in this area of vandalism and shopbreaking what we are doing for them in the area of flood insurance, where we have such a good program going, which will shortly come to the floor of this House.

The amendment offered by the gentleman from Missouri actually forbids the Small Business Administration to use the assistance of other branches of Government, such as the Department of Justice, by striking section 303. The top cost of this study will be $300,000, and it may well be that the cost will be much less, that the Small Business Administration will ask only for such an appropriation as is absolutely necessary pursuant to this $300,000 authorization. The House Committee on Appropriations will, in accordance with its practices, subject that request to a very careful and hard-headed analysis.

This provision, which is sought to be struck, was put in there unanimously by the minority and the majority members of the House Committee on Banking and Currency. There was no suggestion of this amendment, no appearance before the committee, and no testimony on it.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Chairman, the gentleman from Wisconsin made a statement which requires an explanation. I am sure that the Government agencies frequently consult with one another and exchange information without a specific authorization from the Congress for such consultation. I do not see why it is necessary for us to authorize them to talk with one another about a problem that does relate to both, or to more than one agency.

The only purpose of striking section 303, as I understand the gentleman's amendment, is to eliminate the need for SBA to get reimbursement from any other Federal agency assistance. Can they not just talk with one another and exchange information without charging one agency for that service?

Mr. REUSS. No; because the legislative history which I hope we do not make this afternoon, but which is inherent in the Hall amendment, is to strike from the bill section 303. I will read it, because some Members may not have had the opportunity to read it:

> SEC. 303. For purposes of the study authorized by section 302 of this title, there shall be made available to the Administrator upon request the advice and, on a reimbursable basis, the assistance of any department, bureau, or agency of the United States, including especially those having responsibilities with respect to law enforcement or criminal investigation.

That section was put in there for a purpose, and if we strike it this afternoon, we will effectively hamstring the Small Business Administration and tell the small businessmen of America that the Congress has no interest in protecting them against the vandalism and the shoplifting and the abuse which they suffer.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield again?

Mr. REUSS. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Chairman, the gentleman does not believe that if this section were stricken, the head of the Small Business Administration could not call the Attorney General, or the head of the FBI, or any other law-enforcing agency of the Federal Government and get the kind of assistance that is suggested here? I cannot believe that.

Mr. REUSS. Mr. Chairman, I presume that the head of the Small Business Administration is under the impression that action by Congress is not asinine action, and that when we strike a provision which says he can request the views of other agencies, we mean something by it. Therefore, for this and for other reasons I have given, I hope the whole amendment will be voted down, and that this study may proceed.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Missouri [Mr. HALL].

The question was taken; and on a division (demanded by Mr. HALL) there were—ayes 88, noes 55.

So the amendment to the committee amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10409) to amend the authorizing legislation of the Small Business Administration, and for other purposes, pursuant to House Resolution 913, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. PATMAN. Mr. Speaker, I demand a separate vote on the so-called Hall amendment.

The SPEAKER. The Chair will state that that was an amendment to a committee amendment; therefore, a separate vote is not in order.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 913, the Committee on Banking and Currency is discharged from the further consideration of the bill S. 1862.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. PATMAN: Strike out all after the enacting clause of S. 1862 and insert in lieu thereof the provisions of the bill H.R. 10409, as passed, as follows:

"TITLE I

"Sec. 101. This title may be cited as the 'Small Business Act Amendments of 1967'.

"Sec. 102. Paragraph (4) of section 4(c) of the Small Business Act is amended—

"(1) by striking out '$1,400,000,000' and inserting in lieu thereof '$1,900,000,000';

"(2) by striking out '$400,000,000' and inserting in lieu thereof '$450,000,000';

"(3) by striking out '$200,000,000' and inserting in lieu thereof '$300,000,000'; and

"(4) by striking out '$100,000,000' and inserting in lieu thereof '$200,000,000'.

"Sec. 103. Paragraph (4) of section 7(a) is amended by striking out 'except that a loan made for the purpose of constructing facilities may have a maturity of ten years' and inserting in lieu thereof 'except that such portion of a loan made for the purpose of constructing facilities may have a maturity of fifteen years'.

"Sec. 104. The subsection added to section 7 of the Small Business Act by the Disaster Relief Act of 1966 (Public Law 89–769), and designated thereby as subsection (e), is redesignated as subsection (f).

"Sec. 105. Subparagraph (B) of paragraph (1) of section 8(b) of the Small Business Act is amended to read as follows:

" '(B) in the case of any individual or group of persons cooperating with it in furtherance of the purposes of subparagraph (A), (i) to allow such an individual or group such use of the Administration's office facilities and related materials and services as the Administration deems appropriate; and (ii) to pay the transportation expenses and a per diem allowance in accordance with section 5703 of title 5, United States Code, to any such individual for travel and subsistence expenses incurred at the request of the Administration in connection with travel to a point more than fifty miles distant from the home of that individual in providing gratuitous services to small businessmen in furtherance of the purposes of subparagraph (A) or in connection with attendance at meetings sponsored by the Administration;'.

"Sec. 106. Paragraph (13) of section 8(b) of the Small Business Act is amended to read as follows:

" '(13) to establish such advisory boards and committees as may be necessary to achieve the purposes of this Act and of the Small Business Investment Act of 1958; to call meetings of such boards and committees from time to time; and to rent temporarily, within the District of Columbia or elsewhere, such hotel or other accommodations as are needed to facilitate the conduct of such meetings; and'.

"Sec. 107. The subsection added to section 402 of the Economic Opportunity Act of 1964 by section 405 of the Economic Opportunity Amendments of 1966 (Public Law 89–794), and designated thereby as subsection (b), is redesignated as subsection (c).

"TITLE II

"Sec. 201. This title may be cited as the 'Small Business Investment Act Amendments of 1967'.

"Sec. 202. (a) Title III of the Small Business Investment Act of 1958 is amended by inserting immediately after section 306 the following new section:

" '*Real estate development*

" 'Sec. 306A. (a) In the case of any small business investment company licensed prior to October 1, 1966, under the provisions of this Act, which has received the approval of the Administration prior to that date of its articles of incorporation or investment policy, and which by the terms and provisions of the approved articles of incorporation or investment policy is empowered to invest in (whether through loans or equity securities) real estate development oriented enterprises and activities, the Administration shall not impose any limitation, formally or informally, by regulation, order, advice or otherwise, in respect of the company's investments in real estate oriented enterprises and activities which is more restrictive than, or otherwise at variance with, the company's articles of incorporation or approved investment policy.

" '(b) No application to the Administration from any licensee referred to in subsection (a) of this section for participation in any of the programs, benefits, activities or services available to licensees under the provisions of this Act shall be denied, or participation in any program limited or withheld by the Administration for the sole reason that the investments of the applicant in real estate development oriented enterprises and activities exceed a percentage of the applicant's total investment portfolio, unless such investments exceed the percentage allowable under the applicant's articles of incorporation or approved investment policy.'

"(b) The table of contents at the beginning of that Act is amended by inserting

" 'Sec. 306A. Real estate development.'

immediately after

" 'Sec. 306. Aggregate limitations.'

"Sec. 203. Section 301(c) of the Small Business Investment Act of 1958 is amended to read as follows:

" '(c) The articles of incorporation and amendments thereto shall be forwarded to the Administration for consideration and approval or disapproval. In determining whether to approve such a company's articles of incorporation and permit it to operate under the provisions of this Act, the Administration shall give due regard, among other things, to the need and availability for the financing of small business concerns in the geographic area in which the proposed company is to commence business, the general business reputation and character of the proposed owners and management of the company, and the probability of successful operations of such company including adequate profitability and financial soundness. After consideration of all relevant factors, if it approves the company's articles of incorporation, the Administration may in its discretion approve the company to operate under the provisions of this Act and issue the company a license for such operation.'

"Sec. 204. The second sentence of section 302(a) of the Small Business Investment Act of 1958 is amended by changing '$700,000' to read '$4,000,000'.

"Sec. 205. Section 302(b) of the Small Business Investment Act of 1958 is amended by striking 'except that in no event shall any such bank hold shares in small business investment companies in an amount aggregating more than 2 percent of its capital and surplus.' and inserting 'except that in no event may any such bank acquire shares in any small business investment company if, upon the making of that acquisition,

" '(1) the aggregate amount of shares in small business investment companies then held by the bank would exceed

" '(A) 5 percent of its capital and surplus, or

" '(B) $1,000,000

whichever is less, or

" '(2) the bank would hold 50 percent or more of any class of equity securities issued by that investment company and having actual or potential voting rights.'

"Sec. 206. Section 303(b)(1) of the Small Business Investment Act of 1958 is amended by changing '$4,000,000' to read '$6,000,000'.

"Sec. 207. Section 103 of the Small Business Investment Act of 1958 is amended—

"(1) by striking 'and' at the end of paragraph (6);

"(2) by changing the period at the end of paragraph (7) to read '; and'; and

"(3) by adding the following new paragraph at the end:

" '(8) the term "venture capital" means capital supplied by the purchase of common or preferred stock or subordinated debentures as to which there is no amortization or sinking fund requirement for at least five years after issuance.'

"Sec. 208. Section 310(b) of the Small Business Investment Act of 1958 is amended by adding after the first sentence thereof the following new sentence: 'Each such company shall be examined at least once each year.'

"Sec. 209. The first sentence of section 401(a) of the Small Business Investment Act of 1958 is amended by striking out 'that are (1) eligible for loans under section 7(b)(3) of the Small Business Act, or (2) eligible for loans under title IV of the Economic Opportunity Act of 1964,'.

"Sec. 210. Section 308(g) of the Small Business Investment Act of 1958 is amended (1) by inserting the paragraph designation '(1)' after '(g)', and (2) by adding the following new subparagraph:

" '(2) In its annual report for the fiscal year ended June 30, 1967, and in each succeeding annual report, the Administration shall include in its annual report, made pursuant to section 10(a) of the Small Business Act, full and detailed accounts relative to the following matters:

" '(A) The Administration's recommendation with respect to the feasibility and organization of a small business capital bank to encourage private financing of small business investment companies to replace government financing of such companies.

" '(B) The Administration's plans to insure the provision of small business investment company financing to all areas of the country and to all eligible small business concerns including steps taken to accomplish same.

" '(C) Steps taken by the administration to maximize recoupment of Government funds incident to the inauguration and administration of the small business investment company program and to ensure compliance with statutory and regulatory standards relating thereto.

" '(D) An accounting by the Bureau of the Budget with respect to Federal expenditures to business by executive agencies, specifying the proportion of said expenditures going to business concerns falling above and below small business size standards applicable to small business investment companies.

" '(E) An accounting by the Treasury Department with respect to tax revenues accruing to the Government from business concerns, incorporated and unincorporated, specifying the source of such revenues by concerns falling above and below the small business size standards applicable to small business investment companies.

" '(F) An accounting by the Treasury Department with respect to both tax losses and increased tax revenues related to small business investment company financing of both individual and corporate business taxpayers.

" '(G) Recommendations of the Treasury Department with respect to additional tax incentives to improve and facilitate the operations of small business investment companies and to encourage the use of their financing facilities by eligible small business concerns.

" '(H) A report from the Securities and Exchange Commission enumerating actions undertaken by that agency to simplify and minimize the regulatory requirements governing small business investment companies under the Federal securities laws and to eliminate overlapping regulation and jurisdiction as between the Securities and Exchange Commission, the administration and other agencies of the executive branch.

" '(I) A report from the Securities and Exchange Commission with respect to actions taken to facilitate and stabilize the access of small business concerns to the securities markets.

"'(J) Actions undertaken by the Securities and Exchange Commission to simplify compliance by small business investment companies with the requirements of the Investment Company Act of 1940 and to facilitate the election to be taxed as regulated investment companies pursuant to section 851 of the Internal Revenue Code of 1954.'

"SEC. 211. The effective date of this title shall be ninety days after enactment.

"TITLE III

"SEC. 301. This title may be cited as the 'Small Business Protection Act of 1967.'

"SEC. 302. The Administrator of the Small Business Administration shall conduct a special study of the impact on small business concerns of robbery, burglary, shoplifting, vandalism, and other criminal activities, with a view to determining ways in which such concerns may best protect themselves against such activities.

"SEC. 303. The Administrator shall report to the President and to the Congress the results of the study conducted pursuant to this title, including such recommendations as he may deem appropriate for administrative and legislative action, within one year after the date of enactment of this title."

The SPEAKER. The question is on the motion offered by the gentleman from Texas [Mr. PATMAN].

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 10409) was laid on the table.

AUTHORITY FOR CLERK TO MAKE NECESSARY CORRECTIONS IN PUNCTUATION, SECTION NUMBERS, CROSS REFERENCES IN THE AMENDMENT TO S. 1862

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Clerk may make any necessary corrections in punctuation, section numbers, and cross references in the amendment of the House to the bill, S. 1862.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter and tables, on H.R. 10409, just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LOCAL 562 OF THE PIPEFITTERS UNION, ST. LOUIS, MO., FAILS TO REPORT ITS MULTISTATE DISBURSEMENTS FROM A "POLITICAL FUND"

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, on July 21, 1967, the St. Louis Globe-Democrat revealed that Local 562 Pipefitters Union, St. Louis, Mo., had failed to report its multistate disbursements from a "political fund," as required by the Federal corrupt practices law. On July 26, I initiated an inquiry with the Attorney General inquiring whether the Department of Justice is pursuing this legislative violation, to what degree, and if not, why not? I received an interim reply on July 31 and an evasive reply 2 weeks later.

Only after I suggested that the apparent reluctance to prosecute, or even investigate, was political rather than legal, did I receive a letter from the Department of Justice advising that an investigation is underway. It is significant that this letter was delivered to the House Post Office by "special messenger" on the same day that the St. Louis, Mo., Globe-Democrat called attention to the unusual delay and procrastination in responding to my query. It remains to be seen whether the announcement of the investigation is merely a device to forestall any further publicity or whether, in fact, a minimum effort is being made to prosecute a union organization which has contributed heavily to Democrat candidates to public office across the land. Mr. Speaker, at this point in the RECORD I include copies of my correspondence with the Department of Justice, and the article from the St. Louis Globe-Democrat, of September 11, 1967:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 26, 1967.

Hon. RAMSEY CLARK,
Attorney General, U.S. Department of Justice, Washington, D.C.

MY DEAR GENERAL: I would like the position of the Department of Justice, the Attorney General in particular, and all agencies (including the F.B.I.) under your control, re St. Louis Steamfitter Local 562 and its alleged $80,000 in gifts for political campaigns in 1964 on which reports have never been filed in accordance with existing law.

I would particularly like to know whether or not your investigations confirm the fact that $10,000 went to the campaign of the Junior Senator from New York, and whether $52,000 was donated to the Presidential campaign prior to the election in that year.

Furthermore, I would like to know whether or not any reports have been filed, or any action has been taken by the Department in prosecution of ex-convict Lawrence L. Callanan, or other "officers" of Steamfitter Local 562.

In short, Mr. Attorney General, I am anxious to know if the Department of Justice is pursuing legislative violations in this instance, to what degree, and if not, why not?

Respectfully submitted.

DURWARD G. HALL,
Member of Congress.

DEPARTMENT OF JUSTICE,
Washington, August 9, 1967.

Hon. DURWARD G. HALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This is in further reference to your letter dated July 26, 1967, concerning the St. Louis Steamfitter Local 562.

Certain activities of this union have been the subject of a grand jury inquiry which has resulted thus far in the perjury indictment and conviction of one Hugh James Gorham, a member of Local 562. The grand jury is scheduled to resume its inquiry on September 12, 1967.

Sincerely,

FRED M. VINSON, Jr.,
Assistant Attorney General.

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 11, 1967.

Mr. FRED M. VINSON, Jr.,
Assistant Attorney General,
Department of Justice,
Washington, D.C.

DEAR MR. VINSON: Thanks for your letter of August 9th in reply to my inquiry of July 26th concerning St. Louis Steamfitter Local 562.

I regret your reply seems somewhat evasive, or at least fails to respond to my inquiry. The Conviction of Hugh James Gorham involved an insurance scandal and had nothing to do with the political contributions cited in my letter and reported by the St. Louis Globe Democrat.

I believe the Grand Jury, to which you refer, will convene in South Bend, Indiana. There is nothing in your letter to indicate that the St. Louis political contributions, and the failure to report them as required by law are a subject matter for the inquiry.

I would appreciate your further comments and clarification.

Sincerely,

DURWARD G. HALL,
Member of Congress.

DEPARTMENT OF JUSTICE,
Washington, D.C., September 8, 1967.

Hon. DURWARD G. HALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This refers to your letter of August 11, 1967, seeking clarification of my letter of August 9.

The Department of Justice is investigating allegations of possible violations of the Federal Corrupt Practices Act by Local 562, Pipefitters Union, St. Louis, Missouri.

In view of this it would not be appropriate for me to comment upon the details of your letter of July 26.

Sincerely,

FRED M. VINSON, Jr.,
Assistant Attorney General.

[From the St. Louis (Mo.) Globe-Democrat, Sept. 11, 1967]

UNITED STATES CHECKING POLITICAL SPENDING BY STEAMFITTERS—INVESTIGATION WAS PRESSED BY REPRESENTATIVE HALL

(By Al Delugach and Denny Walsh)

The U.S. Department of Justice is investigating the failure of the St. Louis steamfitters to report their coast-to-coast political spending.

In a letter to Rep. Durward G. Hall (Rep.), of Springfield, Mo., Fred M. Vinson, Jr., assistant attorney general in charge of the criminal division confirmed that the probe is underway.

The letter is the fourth in a series of correspondence between the congressman and the Justice Department since The Globe-Democrat revealed July 21 that the steamfitter political fund's failure to report its multistate disbursements is in violation of the federal corrupt practices law.

ACCOUNTING REQUIRED

The law requires regular accounting from any group which collects or expends campaign monies in two or more states.

The department's reluctance to tell Rep. Hall what it intends to do about the situation was reported in Friday's Globe-Democrat.

Saturday morning Mr. Vinson's letter, dated Friday, was delivered by special messenger to the building in Washington, D.C., which houses the Representative's office. It reads:

"This refers to your letter of Aug. 11, seeking clarification of my letter of Aug. 9.

"The Department of Justice is investigating allegations of possible violations of the federal corrupt practices act by Local 562, Pipefitters (Steamfitters) Union, St. Louis, Mo.

"In view of this, it would not be appropriate for me to comment on the details of your letter of July 26."

Indications have been that the department is anything but anxious to prosecute the rich steamfitter fund, which has enriched the campaigns of so many Democratic office seekers on the local, state and federal levels in years past.

In the July letter, addressed to Attorney General Ramsey Clark, Rep. Hall, after citing certain details of steamfitter political spending, reported by The Globe-Democrat, asked "if the Department of Justice is pursuing legislative violations in this instance, to what degree, and if not, why not?"

CALLED EVASIVE

Mr. Vinson's Aug. 9 reply to this letter was considered "evasive" by the congressman, and he sought further comments and clarification in a letter to the assistant attorney general on Aug. 11.

In a statement issued Thursday, Rep. Hall blasted the department for its long silence following his last inquiry and strongly suggested that the motives underlying this apparent reluctance to prosecute may be political rather than legal.

A GREAT STEP FORWARD IN SOUTH VIETNAM

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HICKS. Mr. Speaker, it seems to me that a great step forward has been taken in South Vietnam. It certainly is a step toward that country's self-determination. I most earnestly hope that it turns out to be the deciding step toward peace, and we must take every care to nurture this prospect.

I refer, of course, to the recent presidential election there. As one of those who was skeptical about the prospect of a really honest and representative election, the event itself and its results are very reassuring to me. In the fact of a supreme terrorist campaign on the part of the Vietcong, which saw more than 2,000 civilians killed or maimed or kidnapped to drive voters away from the polls, a greater percentage of eligible voters exercised their franchise than in any American election in history. A full 83 percent of the eligible South Vietnamese voters registered their preferences at the polls.

It would seem to me, Mr. Speaker, that this proof that the people of South Vietnam really want to choose their own destiny and are able to do so in the face of such adversity, strongly indicates that we have reached a turning point in South Vietnam.

My understanding of our commitment is that we are in South Vietnam to prevent the takeover of that country by terror, subversion, and military force, supported from outside the country, and to establish stability under which the people could choose their own way of life and their own government. This to me is a legitimate goal.

Through our vast efforts we have prevented the takeover of the government by the Communists. And the results of the election, the response of the electors, show that we have established stability for this first great step and thus laid the groundwork for further steps.

It gives us the initiative, Mr. Speaker. And by "us" I mean the United States and South Vietnam. If we use this initiative wisely, we will keep it.

The newly elected president of South Vietnam, Nguyen Van Thieu, has voiced a strong desire to negotiate peace. If such negotiations mean a pause in bombing of the north, he has indicated he will ask for such a pause.

This is the initiative to which I referred, Mr. Speaker. This is the possibility, this prospect for peace negotiations, which we must not let slip past.

It has been my unwelcome impression over the past months that both North Vietnam and the United States have become increasingly inflexible in their stands regarding negotiations. I believe here is an opportunity for both sides to lessen that inflexibility, to let the thin end of the wedge be inserted for peace, so to speak. With the new element of a popular South Vietnamese Government now in the picture, it would seem evident that both sides can loosen up a little without either losing face, which seems so important to North Vietnam—and perhaps to the United States, too, since in this case we are forced to think somewhat on oriental terms.

At this turning point, I believe we must first insist that President-elect Thieu remain firm in his peace-seeking efforts and assist him by every feasible and honorable means to find his way to the negotiating table, and second, maintain the stability that exists at the present time.

That second requisite will mean some delicate balancing for a time, no doubt. For we must keep up the pressure on the enemy so he does not think we are softening to the point of surrender, but we must not increase that pressure to the point at which he will not negotiate.

I do not believe we should escalate the war any further. It has not worked in the past, and it would be even less helpful in this new situation.

In short, Mr. Speaker, this postelection time would seem to be a time for negotiation, not escalation. A real opportunity for peace seems to exist now, and to pass it up would be tragic. The sooner we can get out of the business of war and get down to the business of solving the pressing problems at home, the better for the country and for the world.

JAPANESE AMERICAN CITIZENS LEAGUE HAS RICH CHICAGO BACKGROUND

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it was the happy distinction of the Second District of Illinois, which I have the honor to represent, at one time during my representation of the district in the Congress to number among its residents more Japanese Americans than any other district in the entire Nation. They were a large and valued part of our community and all its cultural and social activities. Mary Ono, of my staff, was the first Japanese American congressional secretary. Furthermore, Mary Ono's husband, Harry Ono, was a veteran of the famed and immortal 442d Regimental Combat Team. These proud circumstances have brought me into close association with my Japanese American fellow countrymen and have enriched me with warm and affectionate friendships with many in that group, including Mike Masaoko, tireless, brilliant, and beloved representative of the Japanese American Citizens League in Washington and a key figure in its national organization. To him I am indebted for the following account of the tragic events of 25 years ago that led to the formation of the League and of the League's history in Chicago in the intervening years:

The year 1967 marks the 25th anniversary of an unprecedented event in American history—the evacuation of 110,000 Japanese Americans from their homes on the West Coast to camps in the remote interior parts of America. This was the result of a certain type of misguided but prevalent thinking which held that racially similar people are axiomatically of similar minds.

From the moment of the attack on Pearl Harbor by Japan, every person of Japanese ancestry in the United States became suspect as a potential collaborator with the enemy. Although time and courageous action on the part of Japanese Americans have helped to disprove this unjustified opinion, much suffering and discouragement are embodied in the history of Japanese Americans in the past 25 years.

Standing in the forefront from the beginning of this trying period was the Japanese American Citizens League, literally crying in the wilderness in the name of justice for Japanese Americans. As the only nationwide spokesman for the group, the Japanese American Citizens League (commonly referred to by its initials—JACL) worked tirelessly with legislators, community leaders, and business firms in all parts of the nation to regain citizenship rights for all persons of Japanese descent living in the United States.

At its 7th biennial Eastern and Midwestern District Council Joint Convention held in Chicago, September 1–4, 1967, the JACL was able to look back on a quarter of a century of outstanding accomplishment in behalf of equality and justice for Japanese Americans. Indeed, even to the leaders of JACL, the respect which Japanese Americans enjoy in American society today seemed but an impossible dream 25 years ago.

The Japanese American Citizens League is gratefully cognizant of the great help which was given to them by many fair-minded Americans over the years. This includes many members of the U.S. Congress, state legislators, business concerns who hired evacuees in the face of adverse public opinion, religious groups which were in the forefront of neighborly concern, and the thousands of so-called average Americans in various communities whose compassionate help proved to be the key to successful readjustment in American life for many Japanese Americans. To these true American friends, the Japanese American Citizens League can give but inadequate thanks.

As a token of its gratitude, similarly felt by Japanese Americans throughout the nation toward the various communities in which they have been accepted, the Chicago Japanese American community used the opportunity of the 7th Biennial JACL Eastern and Midwestern District Council Joint Convention to present to the city of Chicago a gift of 1,000 flowering trees to be planted in Lincoln Park. It is hoped that this gift will flourish as a symbol of good-will and appreciation from the Chicago Japanese American community to the people of Chicago whose hospitality and sense of fair play have helped all persons of Japanese ancestry to attain their present stature in the community.

The history of Japanese Americans in the Chicago area actually goes back to the 19th century. In the 1880's there were two officially listed residents. This number grew to about 300 prior to World War II. Among the outstanding early residents were Dr. Isamu Tashiro, a dentist, who devoted much of his life to cementing Japanese-American relations; Franklin Chino, an attorney; Harry K. Shigeta, an internationally known photographer; S. H. Mori, curator for the Spaulding Collection of Oriental art which was later given to the Boston Museum; and Charles Yamasaki, now 92 and the oldest living native resident of Japanese ancestry in the Chicago area. These pre-war residents were of invaluable help in the subsequent resettlement of thousands of evacuees.

The first persons to arrive in Chicago after the mass evacuation from the West Coast were two students who were accepted at the University of Chicago in 1942. This preceded the relocation of over 4000 students who were placed in various colleges and universities in the East and Midwest under the auspices of the National Japanese American Student Relocation Council.

In 1943, the War Relocation Authority, a group set up by the government to help in the resettlement of Japanese Americans in various parts of the country, opened its Chicago office. This was the beginning of the mass relocation of Japanese Americans into the Chicago area which reached a peak of about 30,000 in the period between 1948 and 1952. Today, there is an estimated 15,000 Japanese Americans in the whole of the Metropolitan area.

During the early resettlement period in 1943, hostels were opened by the Church of the Brethren and the American Friends Service Committee to receive evacuees before they found permanent quarters. Hostels were also opened by the Japanese Mutual Aid Society, a self-help group in existence from before the war, and by Kohachiro Sugimoto, one of the early Issei (or first generation Japanese) to choose relocation in Chicago. Many religious groups aided the evacuees in both spiritual and material ways during this period. Although businesses were reluctant at first to risk the hiring of evacuees due to adverse public opinion, this fear was overridden when it was discovered that evacuees were on the whole extremely hard-working and conscientious. This was a difficult time and much credit is due to those businesses which first opened their doors to Japanese Americans in the face of criticism and suspicion.

The Japanese American Citizens League had, in the spring of 1942, opened its Midwest Regional Office in Chicago under the direction of Dr. Thomas Yatabe, a dentist who gave up his practice to carry on the work of the JACL at this crucial time. With the dedicated leadership of Dr. Yatabe, the JACL undertook a public relations job of enormous dimensions throughout the Midwest. The office became the clearing house for all housing and employment contacts with the community. Representatives went out to various business, civic and educational groups to build up a climate of acceptance for Japanese Americans. For this gigantic project a grant of $5000.00 was made by the Carnegie Endowment Fund to the JACL. The grant was used well by tireless workers in opening doors to housing and employment for the evacuees. Many stories can be told of the discouraging resistance initially met by these dedicated men of JACL. This was a period when the war was still raging in the Pacific.

The Chicago Chapter of the JACL was formed in 1945. This is one of eight chapters in the midwestern region which to this day carries on its work of citizenship education and legislative action in the Chicago area. In the same year, the Japanese American Service Committee (then called the Chicago Resettlers Committee), a social service agency, was formed. These two agencies became the center of Japanese American activity in Chicago during the ensuing years.

In 1946, a testimonial banquet for returning veterans of the famed 442nd Regimental Combat Team, a unit composed entirely of Japanese Americans, was held in cooperation with all Japanese groups in the area.

This marked the beginning of unusually harmonious community relations among the various groups which is a distinct earmark of the Chicago Japanese American community. The reputation of the courageous men of the 442nd Regimental Combat Team, the most decorated unit in the U.S. Army during World War II, was also beginning to reach the ears of the community at large. Today, the core group of the American Legion Post #1183 in Chicago is made up largely of these veterans. This group organized the Nisei Ambassadors, a drum and bugle corps made up of young Japanese Americans, whose high achievement has been praised wherever they have performed.

The following years, although marked with some notable discouragements, was a period of general progress for Japanese Americans in Chicago. As their reputation as conscientious and loyal workers grew, more and more businesses opened their doors to them. Today, Japanese Americans can be found in almost every field of endeavor in Chicago at all levels of responsibility from executives to factory workers. Most notable contributions are being made in the fields of architecture, advertising, the arts, education and the sciences.

A great boost to the attainment of first-class citizenship was given when rights to become naturalized citizens, hitherto denied them, were given to persons of Japanese ancestry in 1952. The National JACL, through its Washington, D.C., office under the able leadership of Mike Masaoka performed a herculean task in working for legislation which corrected this long-standing inequity. Since 1953, almost 2000 persons have been naturalized in the Chicago area alone, many of them in their 60's, 70's and 80's. One intrepid lady was 96 years old when she became an American citizen.

Although JACL today continues its work of citizenship education and the correction of remaining problems related to Japanese Americans in the fields of naturalization, alien deportation, evacuation claims and immigration, the organization sees its part in the total picture of human rights for all Americans. With the experience learned as a minority group in America, the JACL is in an unusual position to expand its work toward the attainment of equal opportunities for every citizen of the United States. To this end, work is being carried forth on both the national and community levels toward further involvement in meaningful civil rights activities.

It is also significant that the new Ambassador of Japan to the United States, the Honorable Takeso Shimoda, was the principal speaker at the 7th Biennial JACL Eastern and Midwestern District Joint Convention. It is symbolic of the growth of the Japanese American Citizens League from a relatively narrow self-interest group to one with international interests and concerns. Japanese Americans are playing an immeasurable role in promoting understanding between the two nations.

At the National Convention of the Japanese American Citizens League to be held in Chicago in 1970, it is hoped that further great progress can be reported toward the fullest implementation of the slogan of the Japanese American Citizens League—"For better Americans in a greater America".

FORMER PAST NATIONAL PRESIDENTS FROM THE CHICAGO AREA

Dr. Thomas Yatabe, 1934–1936.
Dr. Randolph Sakada, 1950–1952.
Shig Wakamatau, 1958–1960.
Kumeo Yoshinari, 1964–1966.

CHICAGO CHAPTER PRESIDENTS

Bill Minami, 1945.
Noboru Honda, 1946.
Jack Nakagawa, 1947.
Mari Sabusawa, 1948.
Shig Wakamatsu, 1949–1950.
Ron Shiozaki, 1951.
Abe Hagiwara, 1952–1953.
Kumo Yoshinari, 1954–1955.
Dr. Frank Sakamoto, 1956–1957–1958.
Hiro Mayeda, 1959–1960.
Joe Sagami, 1961–1962.
Mark Yoshizumi, 1963.
Lincoln Shimidzu, 1964–1965.
Henry Terada, 1966–1967.

TUSCALOOSA, ALA., TEAM WINS AMERICAN LEGION BASEBALL TITLE

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, last week, while the House of Representatives was in recess, the "world series" of American Legion baseball was held in Memphis, Tenn., and I am pleased and proud to advise my colleagues in the Congress that the new national champions are from Tuscaloosa, Ala. The Tuscaloosa champions represented the Farley W. Moody Post No. 34 of the American Legion. The commander of Post 34 is Mr. J. R. Moman, of Tuscaloosa.

Before competing for the national championship, the Tuscaloosa team won the Alabama and region 3 titles. The young men from Alabama defeated a strong and determined team from Northbrook, Ill., in winning the championship.

Mr. Speaker, congratulations are in order for the Post 34 players, Manager Jerry Belk, and Coaches Jones Tubb, Mike Griffin, and Joe Hutt. The roster of the Post 34 team includes: Bobby Jones, Johnny Rushing, Wayne Rushing, Bo Baughman, Danny Morrison, Woody Sexton, Johnny Kersh, Marlin Homan, David Elmore, Randy Ryan, Glenn Woodruff, Perry Yawn, Mike Innes, Carl Wright, Larry Norris, and Marvin Herring.

Mr. Speaker, the following editorial from the Thursday, September 7, 1967, issue of the Tuscaloosa News expresses the pride of all Alabamians in this outstanding group of young men:

POST 34 CHAMPS DUE PUBLIC HONOR

Honor has come to Tuscaloosa again in a sports event with the Post 34 team winning the national American Legion baseball championship.

Interest in the Post 34 team has been high this year, for a year ago the team representing the local Post lost in the championship game. From that tournament, Tuscaloosa obtained national recognition as Bill Parker was named the outstanding player.

This year the team wasn't expected to be as strong as last year's. But the young men who played this year included a number who were on last year's runner-up outfit and they were determined to go all the way.

And that is what they have done. Relying mainly on superb pitching, the Post 34 team won the national championship.

There is a line in a song from the musical comedy, "Damn Yankees" which says, "You've got to have heart, miles and miles of heart." The courage and determination of this year's national American Legion champions bore that out.

Congratulations are in order for those who participated on the national championship team. And no small round of applause is due to Jerry Belk, the team's manager-coach. It must be extremely gratifying to him to see these young men come on to win the title, and a great deal of credit for their achievement belongs to him.

National championships are not new in these parts since we are blessed with Alabama's Crimson Tide. But this is a homegrown team that has brought a No. 1 honor to Tuscaloosa.

It would be entirely fitting and proper for Coach Belk, his assistants and the members of the American Legion champions to be given the honor they justly deserve from a proud and grateful city and its civic leaders.

In two successive years these Post 34 representatives have brought to Tuscaloosa a tremendous amount of public recognition and acclaim. And it should not be overlooked that these young men have won the admiration and respect of fans and people in the cities where they have participated in the national tournaments not only for their ability on the playing field but for the way they conducted themselves when not in uniform.

VIETNAM'S ELECTIONS: AN EXPERIMENT IN DEMOCRACY

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, President Johnson has called the Vietnamese elections more important than any military engagement. I think he is right. And I also think the Communists agree with him.

The Communists, as the Hartford Courant points out, saw the elections as so important "and so detrimental" to their cause that—

> They staged an all-out campaign of violence . . . to thwart the polling. But, though the Vietcong killed, injured or kidnapped 2200 persons, this terror did not prevent some 80 percent of the South Vietnam population from voting just the same.

The Courant notes that this election "has been another step in the democratizing of a people who have lived far too long under assorted dictatorships."

The election in Vietnam is a major step toward the freedom and security we seek for that wartorn country. It is a matter of pride, not only for the people of South Vietnam, but also for the American people, who have invested so much to help South Vietnam enjoy the blessings of freedom and peace.

I insert into the RECORD this timely and excellent editorial from the Hartford Courant:

VIETNAM: EXPERIMENT IN DEMOCRACY

It had been predicted from the outset that the Thieu-Ky ticket would win the elections in South Vietnam, and now this prophecy apparently has been borne out. The military party headed by the Chief of State and Premier, who now become President and Vice President, obviously had things going for them, of course. Too obviously, we will doubtless be reminded by opposition civilian candidates in post-election criticism. The junta that had been running South Vietnam for two years had a natural advantage as the party in power, and used it to win votes and influence people. But this is hardly illegal or different than anywhere else.

As a matter of fact, it appears to be the consensus of foreign observers that though the elections may not have been stainless, they were not fraudulent. In addition, the real test of what happened during the campaigning and at the polls does not end with the voting. The military ticket has made a number of promises both to the electorate and the friends and allies of Vietnam, that have been encouraging. If they keep them as they head up the incoming government, their own credibility and that of the elections will certainly be enhanced. Thus the true worth of the election still lies ahead, and Messrs. Thieu and Ky have a plain and important opportunity to show that they and their party deserved the vote that has put—or kept—them in office.

But in any event, something vastly important has happened in Vietnam in principle. President Johnson called the elections more important than any military engagement. The Communists saw them as so important—and so detrimental—to their cause that they staged an all-out campaign of violence during the last fortnight to thwart the polling. But though the Viet Cong killed, injured or kidnaped 2,200 persons, this terror did not prevent some 80 per cent of the South Vietnam populace from voting just the same.

What has been going on has not been just the election of a President, Vice President and 60 senators. It has been another step in the democratizing of a people who have lived far too long under assorted dictatorships. With the writing of a constitution, and other elections still to come, the process will be further advanced, and with it the legitimatizing of the Saigon government. The domestic and international positions of South Vietnam will be strengthened and given prestige. And the war effort should gain support through such national consciousness as the election has engendered. The South Vietnamese are nearer than ever before toward having a country to work for.

Actually, this effort may also become a peace effort. The campaigning of the last month has uncovered widespread desires for an end to the war among the grass-roots in Vietnam, and the junta candidates have promised to try to bring about negotiations with Hanoi. While the chances of these efforts bearing fruit do not seem large, they should and apparently will be undertaken. If they succeed, it will be a world-welcomed miracle. If they don't the new government will at least have tried and should win further support on that account. In any event, these elections have been a historic event in South Vietnam, and the free world may hope for that country many further steps in democratic nationhood.

POLL OF RESIDENTS OF NINTH CONGRESSIONAL DISTRICT OF NORTH CAROLINA

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a poll tabulation.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BROYHILL of North Carolina. Mr. Speaker, during the past several months, I have been conducting a poll of public opinion on a number of issues before the country today.

The tabulation of this poll is now complete and I wish to call the attention of the House of Representatives to the views that have been expressed to me by the residents of the 11 counties of the Ninth Congressional District of North Carolina. These results are based upon responses from 8,569 residents of the district and represent a very large sample of the population of this area of the State. They represent not only the views of individual citizens but of various social and economic groups as well.

Unfortunately, the statistical results of this survey cannot reflect more than general categories of approval or opposition to the questions in the poll. The thousands of comments explaining individual views have been very useful to me in my efforts to represent the people of the district. In these brief remarks today, I shall also try to summarize the main lines of these comments since they also augment and clarify the feelings expressed about these issues.

It comes as no surprise that the most dominant issue in the poll is the war in Vietnam. Obvious, too, is the fact that preoccupation with the war greatly influences attitudes in the ninth district about other issues involving both domestic and foreign policy. The mounting casualty lists, the cost of the war, and the apparently conflicting reports about the progress if the conflict are inspiring a number of basic questions about our Vietnam policy in western North Carolina. Policies that may result in a long war of attrition in Southeast Asia are causing strong dissatisfaction. In the poll, 75.9 percent answered "no" to the question about whether the United States should stop the bombing of North Vietnam. Although this appears to support a so-called "hawkish" position on the conduct of the war, comments have made clear that the attitude on the question of the bombing is largely dictated by a growing impatience with our commitment in Vietnam and a general "win or get out" philosophy.

Second only to the war effort, the poll indicated a deep concern about the fiscal policies of the Federal Government and strong opposition to the President's call for increased income taxes for individuals and corporations. A total of 85.6 percent disapproved the President's plan. A principal and often-expressed complaint contends that the Nation's financial problems stem less from military costs than from spending for costly new domestic programs.

The most severely criticized domestic program in the comments from the ninth district was the President's war on poverty. The poll showed 85.7 percent opposed increases in funds for this program.

For the first time in this series of polls during the past 5 years, considerable doubt has been expressed about the social security program. Strong opposition to increasing the public welfare orientation of the program was evident. Young people were particularly strong in their remarks opposing increases in social security taxes as they indicated a belief that their contributions to the social security fund would greatly exceed the benefits they could anticipate at retirement age. In the poll, social security increases supported by increases in social security taxes were opposed by 60.6 percent of those responding.

Among other issues where the poll showed strong trends in the district's thinking was opposition to the seating of Adam Clayton Powell in the House of Representatives. With only 4.6 percent undecided, disapproval ran to 90.1 percent. More than 83 percent favored Federal legislation to deal with strikes that threaten the national interest. The proposed Federal law to prohibit racial discrimination in the sale and leasing of housing was opposed by 78.8 percent in the poll. A total of 74.6 percent supported the question of amending the Constitution to abolish the electoral college to provide for the direct election of Presidents and Vice Presidents. The proposal to require merchants and lenders to advise customers about the cost of credit and installment buying was favored by 77.8 percent of the people expressing themselves in the survey.

COMPLETE TABULATION OF THE POLL

	Percent		
	Yes	No	Undecided
1. Would you support statehood for Puerto Rico?	40.6	34.8	14.6
2. Would you support reductions in American troop strength in Europe?	55.3	33.0	11.7
3. Do you believe the United States should stop bombing of North Vietnam?	12.6	75.9	11.5
4. Should we expand trade with the Soviet Union and the countries of Eastern Europe?	34.5	48.8	16.7
5. Do you favor the President's request for an income-tax increase?	8.6	85.6	5.8
6. Are you in favor of changes in the draft to establish a lottery system and discontinue student deferments?	41.2	47.3	11.5
7. Do you favor civil rights legislation to prohibit racial discrimination in the sale and leasing of housing?	14.2	78.8	7.0
8. Do you favor increases in social security benefits supported by increases in social security taxes?	32.6	60.6	6.8
9. Do you believe legislation is needed to deal with strikes that threaten the national interest?	83.2	12.5	4.3
10. Should the Federal Government be given greater authority to regulate the sale and shipment of firearms?	44.7	45.5	9.8
11. Should spending for the war on poverty be increased?	8.0	85.7	6.3
12. Should Adam Clayton Powell be seated in the House of Representatives?	5.3	90.1	4.6
13. Should the Constitution be amended to abolish the electoral college so that Presidents and Vice Presidents would be elected by direct popular vote?	74.6	16.2	9.2
14. Should the Federal Government expand economic support of educational television?	27.7	57.4	14.9
15. Would you support a program of Federal aid to States and local governments to combat crime?	59.7	29.9	10.4
16. Should there be a Federal law requiring lenders and merchants selling on credit to give customers information on actual credit costs?	77.8	11.8	10.4

APPOINTMENT OF MEMBERS TO THE GOLDEN SPIKE CENTENNIAL CELEBRATION COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 90–70, the Chair appoints as members of the Golden Spike Centennial Celebration Commission the following Members on the part of the House: Mr. Rogers, of Colorado; Mr. Moss, of California; Mr. Burton, of Utah; and Mr. Brotzman, of Colorado.

TRIBUTE TO THE MEMORY OF THE LATE DR. JOHN L. TAYLOR

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. Berry] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BERRY. Mr. Speaker, it is with a sad heart that I join my colleagues in paying tribute to the memory of a good friend, Jack Taylor. His passing is a real personal loss.

Since he joined the Interior Committee staff in 1953, I worked closely with him on many pieces of major legislation, including statehood for Alaska and Hawaii.

His knowledge of Indian legislation was vast, and in my capacity as ranking Republican on the Indian Affairs Subcommittee, I called upon him with great frequency for advice and assistance. It was always given cheerfully and accurately.

Dr. Taylor was one of the most effective and efficient men I have known. Not only was he a man who had great respect for his work and his position, but he was a family man whose first thoughts were always of his wife and children. A great scholar, a loving husband and parent, his passing leaves a void that will be difficult to fill.

I join with other members of the House Interior and Insular Affairs Committee who have known this man so well for so long in extending our sincere sympathy to his wife and family on the occasion of their great bereavement.

NATIONAL CAPITAL VISITORS CENTER IS PROPOSED

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. Kleppe] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KLEPPE. Mr. Speaker, I have today introduced in the House a bill to establish a National Capital Visitors Center here in Washington, D.C. I have long been concerned with the growing congestion in the metropolitan area, with the resulting inconvenience to both the residents of this city, and the millions of visitors that arrive every year at this mecca of America. I have looked forward with anticipation to the report of the Commission that was set up to study the need for such a center, and am hopeful that the Congress will enact legislation making the plan a reality in the near future.

As proposed, the National Capital Visitors Center would provide a better organized transportation system between the many historic sites in the area. It would also provide visitors with the ease and convenience of having at their disposal a focal point to plan their vacations in the Capital. Without some such focal point within the city, many visitors remember our Capital as a place where the monuments were too spread out; where ground transportation between points was insufficient; where what transportation there was, was congested and inconvenient; and where the parking and parking tickets were a problem. These problems will be minimized once the National Capital Visitors Center is in operation.

I have no doubt that once the National Capital Visitors Center becomes a reality, more visitors will come to Washington, their stay will be more enjoyable—and probably extended, and they will leave with only a heightened impression of the Nation's Capital—both as a national historical center, and as a modern and organized city.

"A TRIBUTE FROM A FRIEND"—DEDICATED TO AUDREY B. McCLORY

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, there are no words by which I can adequately express to our distinguished colleague, Bob McClory, the sympathy we feel in the loss of his wife, Audrey. We who knew her share his loss in no small measure.

Audrey McClory was a truly extraordinary woman. To know her was to understand that to her husband she was more than a wife and mother, more than a housekeeper and hostess, and more than a partner and companion. She was a woman of many talents and an inspiration to her husband and their children.

Under leave to extend my remarks I am inserting in the Congressional Record an article entitled "A Tribute From A Friend", dedicated to Audrey B. McClory. I wish all not privileged to know her personally to have the privilege to know about her:

A TRIBUTE FROM A FRIEND

"This is a wonderful time of our lives to be living here," Audrey McClory said to a visitor recently.

Representative Robert McClory's wife, who died Sunday in Washington, was referring to the McClory's handsome Washington town house a few blocks from the Capitol and the Supreme Court. It was a remark typical of her zest and adaptability to life.

It was a home in which she could, and did, entertain graciously.

But the Washington meaningful to Audrey McClory was not the Washington of the society pages and the cocktail circuit.

She most enjoyed small groups where she could get to know people. She was warm and friendly but not gregarious. The nonsectarian Congressional Wives Prayer Group was important to her, and it met frequently in the McClory home.

Through another small women's club—a writing group of Congressional and Senatorial wives—she discovered and worked at a new talent. She was pleased and proud that she had finished 10 chapters of a book she tentatively titled "The Seedlings."

"It began one way" she would smile, "but it ended up being autobiographical."

She read not only the newspapers, but journals of writing. A charming, small room in the McClory's townhouse "sold" her the home she said. It is a study furnished with some of the antiques she cherished. And since her husband had his office, this, she said, was her "office."

This, in other words, would be the center of the creative part of her life that was her's alone.

There are many official functions to which Congressmen and their wives must go and many people they must meet. But for her the women in her writing and prayer groups became her closest friends.

Audrey McClory was enormously proud of her husband's career. A great asset to her was living close enough to the Capitol so that when he was to speak on the Floor of the House of Representatives, she could hasten over, sit in the gallery and listen.

Mr. McClory is a Member of the Inter Parliamentary Union, an organization of legislators from all over the world, even the Soviet Union, which meets twice a year for discussions aimed at promoting understanding.

Audrey McClory took to these meetings as much in her way as her husband. Partly because of her knowledge of French but more because of her interest in others, McClory praised her as a great asset as such sessions held in such diverse places as Canberra, Australia; Copenhagen, Denmark; and Tehran, Iran.

She loved tennis and went snorkling and skiing with her husband and sons. She talked with great pride of her husband's accomplishments and with undisguised love of her daughter, her two sons and her three grandchildren. But Audrey McClory was also a very important person herself—alert, concerned, interested, and sensitive, she had a bedrock faith in integrity and what to her was right.

"The Seedlings" remains unfinished. But the philosophy of Audrey McClory is complete. To her, without honor and decency there was nothing. And for her, life was full.

SOCIAL SECURITY AMENDMENTS

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CONABLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CONABLE. Mr. Speaker, as a member of the Ways and Means Committee I was gratified by the overwhelming support which the House gave to the social security legislation reported last month by our committee. It was a comprehensive bill containing significant amendments for the social security and welfare programs. I have noticed some of the amendments are now being sharply criticized before the Senate as severe and heartless. However, I think it is significant that the legislation has received strong endorsement from the major newspapers in western New York, an area greatly affected by the legislation. These publications represent diverse viewpoints, but they are agreed on the necessity and equity of the House-passed amendments.

I believe it would be instructive to have representative editorials from these papers reprinted in the CONGRESSIONAL RECORD. I submit editorials from the Rochester Times-Union and the Buffalo Evening News and can state that the Buffalo Courier-Express and other area newspapers have also expressed similar views in their editorials:

[From the Rochester (N.Y.) Times-Union, Aug. 15, 1967]

GOOD CHECK ON MEDICAID COST

At long last, there is a solid chance that Congress will rescue the taxpayers from the folly of runaway Medicaid.

The powerful House Ways and Means Committee has just approved an omnibus package of Social Security amendments. Among them is a sensible ceiling on federal aid to states like New York which have established Medicaid eligibility standards at unreasonably high levels.

Some 30 states now have set up Medicaid programs under Title 19 of the 1965 Social Security Act, which also authorized Medicare for the elderly.

"While most of the state plans raise no question at this time," the committee reported with an accusing finger leveled between the lines at New York, "a few go well beyond . . . what the committee believes to have been the intent of Congress."

The committee deplored the effects of such generosity with taxpayers' money in supplanting private health insurance and in reimbursing medical expenses of "a considerable portion of the adult working population of moderate income."

As the highly respected committee chairman, Wilbur D. Mills (D-Ark.), put it:

"Because the states are projecting programs that will ultimately cost the federal government around $3 billion a year, we think it's high time for us to get a degree of reasonableness into the law."

The committee would achieve this, basically, by limiting the 50 per cent federal reimbursement of state-local Medicaid spending only to those families whose incomes are no more than one-third above the average state welfare payment under Aid to Dependent Children programs.

The committee figures this income maximum in New York at about $4,400 annually for a family of four, after taxes and any payments for health insurance premiums. New York now sets the maximum at $6,000 for a family of four.

To ease the transition in states like New York which have set higher income eligibility standards, the limit on federal aid would start at a slightly higher level for them and drop to the basic standard in 1970.

Opinions differ on the effect of this limitation on New York's Medicaid spending, which now is figured at a whopping $738 million for the current fiscal year.

The total saving might run to $50 million annually at the outset for federal, state and local governments. Most important, however, it would put a checkrein on Medicaid costs, which could skyrocket as more persons sign up for the program or if the New York legislature liberalized it.

The purpose of these amendments is not to deny government medical assistance to the poor, as critics will charge. They will be fully aided, and states would still retain flexibility to devise programs to meet special needs. Low-cost private health insurance still will be available to everyone.

Rather, the bill's aim is to stop a trend under Medicaid to "blanket in" as much as half of a state's population under a program verging on socialized medicine.

Even if that were a good idea in principle, which it is not, an America inundated by high government spending and high taxes because of the Vietnam war and domestic programs simply can't afford so big a handout.

The House committee . . . deserves the taxpayers' thanks for devising a program which protects them as well as the poor. Congress should not fail to approve it.

[From the Buffalo (N.Y.) Evening News, July 31, 1967]

MEDICAID PULLBACK

The stringent curbs on federal cost-sharing for state medicaid programs, on which the House Ways & Means Committee has agreed, should prompt a belated resolve in Albany to make sure that the state and communities are not left holding the bag for last year's hastily conceived medical payment program.

The fears of state officials about the potentially disastrous consequences of the committee's yardstick limitations, if approved by Congress, are probably not exaggerated.

Under the committee's rollback plan, the income eligibility standards for federal cost-sharing purposes would be reduced progressively over three years. Thus the state's present income limitation of $6000 for a family of four would be cut to $4400 next July, and to $3900 by 1970—with the state and its localities left to pay the whole tab for anyone still covered by state law who is over those income limits.

Restrictions of this scope on federal contributions obviously would impose a strain of staggering proportions on the state and communities. Medicaid financing this year is costing them respectively $250 and $210 million, with Uncle Sam providing $276 million.

Rightly disturbed by the extent of the impact, Rep. Conable (R., Alexander) was instrumental in moderating the committee's action to the extent of deferring the beginning date for the federal limitation from next Jan. 1 to July 1, and in staggering the restrictions over a three-year period.

But if there is some consolation in the deferral of aid restrictions beyond the state's current fiscal year, the longer-range omens are such as to well warrant Mr. Conable's warning that New York "will have to live" with the effects of a congressional boom-lowering mood.

A prominent factor prompting the committee's decision, undoubtedly, was New York's adoption of a medicaid program vastly more liberal than Congress contemplated when it wrote its all too loosely-drawn Title 19 invitation to such state programs in the 1965 Social Security Act.

In the perspective of an enormous federal deficit and competing spending priorities—to say nothing of the gathering speed and cost of a New York medical program that already looms far out of proportion with other states in the allocation of federal funds—a limitation on federal pick-up of the tabs is something Albany should have foreseen. Indeed, some state initiative this year in conforming its definition of medical indigency more nearly to what Congress originally had in mind perhaps have headed off the congressional limb-sawing now in prospect.

In any event, the threat now facing the state is far too serious for any stand-pat disposition. Fortunately, the proposed congressional timetable affords the governor and legislative leaders opportunity for reconciling the fundamentally humanitarian purposes of the medical-aid law to fiscal realities. They should make the most of it.

RIOTS: THE MORE THERE ARE, THE LESS WE UNDERSTAND

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, as I have mentioned before, more than 110 cities in the United States have experienced racial violence this year. As a result there is the usual illogical clamoring for action—but as is also usual with this type of clamoring, no one knows just what action is needed. The lesson of Detroit, the model city which had received massive injections of Federal funds and seemingly run the gamut of Federal programs, indicates that even the best examples of the "best" programs did not help enough, or perhaps at all.

The blind approach to the "who" and the "why" of recent riots has brought us to conclusions which apparently don't fit the now emerging facts.

That we cannot solve a problem which we know little about is elementary; that we know little about riots and their roots is indicated in an article in Science magazine by Robert J. Samuelson entitled "Riots: The More There Are, the Less We Understand."

This article is valuable in that it not only says a lot about what we do not know, but it provides another piece of the feeble beginnings of what we should know. In addition, it emphasizes that before we find the solution, we must define the problem, and that helter-skelter spending and massive Federal programs are at best shots in the dark.

While this article admittedly cites only beginning attempts at understanding, it does call into question several misconceptions which are basic and I believe it deserves the attention of all persons interested in the maintenance of the Nation.

The article follows:

RIOTS: THE MORE THERE ARE, THE LESS WE UNDERSTAND

Three successive summers of destructive rioting have shown white Americans how much they do not understand black Americans. Even social scientists, with numerous studies of race relations, have little data on recent riots. President Johnson emphasized this ignorance when he asked his Commission on Civil Disorders: "What happened?" "Why did it happen?" and "What can be done to prevent it from happening again and again?" The questions seemed aimed at ending the Administration's own confusion as much as at charting a new course in domestic legislation.

What scant riot-research there is, however, raises some interesting questions. There is a presumption, for example, on the part of many whites that the riots are irrational; they only destroy Negro homes, kill other Negroes, and alienate white liberal support. Perhaps there is a good case for the irrationality of rioting, but several studies of recent riots show that many Negroes believe otherwise.

Two sociologists working at UCLA, Raymond J. Murphy, associate professor of sociology, and James M. Watson, now assistant professor of sociology at Indiana University, have just completed a large-scale opinion study within the 46.5 square-mile area of the 1965 Watts riot. They found that 42.8 percent of the men sampled and 34.5 percent of the women felt the riot had "helped the Negro cause." Only 23 percent of the men and 19 percent of the women actually thought the riot had "hurt." A commercial polling firm, John F. Krafts, Inc., surveyed Watts and found that 48.4 percent of those questioned believed the riot had helped the "Negro's chances for equality in jobs, schools, and housing."

A common notion about riots is that only a small minority of the Negro population participates in them. Again, this may be so, but available evidence could support the opposite conclusion. In Watts, for example, the UCLA study reports that 73.6 percent of the men and 75.3 percent of the women polled took no part in the riot. Yet, at the same time, 6.3 percent of the men (2.8 percent of the women) were "very active," and 17.1 percent of the men (17.4 percent of the women) were "somewhat active." Is approximately 25 percent of the population large or small?

Equally ambiguous—and probably more significant—is the attitude of the entire Negro community toward the riots. Here, too, the frequent presumption of whites is that acceptance of the riots is low. The Lemberg Center for Violence at Brandeis University has just completed a preliminary study of six American cities. It found that 59 percent of the Negroes felt that only a small minority of Negroes sympathized with the riots. Yet, there was a marked ambivalence: "When Negroes were asked how riots make most Negroes feel, the answers were predominantly negative toward actual riot behavior. When Negroes were asked whether riots help or hurt the Negro cause, they expressed intensely mixed feelings." In Watts, the UCLA study reported, the responses of only about 35 percent of the men and 25 percent of the women were "very favorable" or "somewhat favorable" to the riot, but the opposition of others was often tempered. Said one "unfavorable" respondent: "The only thing I liked was the people expressing themselves. They were out of a cage. They expressed themselves. . . . I disliked the looting and the burning, but I liked the way they got it out of their system." Significantly, the John F. Krafts poll reported that 55.6 percent of its subjects felt more pride in being a Negro after the riot.

What is perhaps the major conclusion of the UCLA study also challenges another common assumption: that the "better off" segment of the Negro community is a stabilizing and moderating influence. The study made a number of comparisons between an individual's class position—his occupation, his area of residence, the neatness of his home—and his attitude about the riots or his activity in it. The results showed very few neat relationships.

For example: when those living in the worst neighborhood were compared with those living in the best, it was found that 25.6 percent of those in the poor neighborhood reported they participated in the riot, against 17.9 percent in the best neighborhood; 23.9 percent in the poor neighborhood were highly favorable to the riot (26.1 percent moderately favorable), against 19.1 percent in the best neighborhood (22.1 percent moderately favorable).

The differences were hardly substantial although the two neighborhoods present a sharp contrast. In the richest, the median income, according to the 1960 census, was $6578, and the median number of years in school was 11.7; 47.2 percent of the workers had white-collar jobs. The corresponding statistics for the poor neighborhood were a median income of $4048 and a median educational achievement of 8.8 years; 14.2 percent held white-collar positions. By way of comparison, the median income for the entire city of Los Angeles in 1960 was $6896, and median educational attainment 12.1 years. The UCLA report concluded: "We suspect many white persons have viewed the middle-class Negro group as a moderating influence in the racial struggle. The 'better element,' it is often argued, will be responsible and orderly and understand the necessity for a gradualist solution to the Negro problem. . . . We find little room for such an optimistic appraisal. If our analysis is correct, the problems of urban life for the Negro, even in the palm-lined spaciousness of Los Angeles, have grown acute and a significant number of Negroes, successful or unsuccesful, are emotionally prepared for violence as a strategy or solution to end the problem of segregation, exploitation, and subordination."

The study's authors were not sanguine about another common theory: that contacts with whites tend to make things better. Once again, they compared a number of groups to see if social contact with whites made a difference in attitudes toward the riot. It didn't. But the study did find that better-off Negroes with high anti-white feelings (based on a test for "social distance"—the respondent was asked whether he would be uncomfortable at a party with a majority of whites) were far more likely to participate in the riot than their peers with lower "social distance." And, though young people had no less social contact with whites than their elders, they did display more anti-white feeling. Not surprisingly, the young were the most active participants in the riots.

The report was again pessimistic. "We expect that continued contact with white persons by those Negroes who have made economic gains would serve to increase their impatience and frustration at not being able to enjoy the same freedom of movement and opportunity taken for granted by white persons in their quest for the 'American dream.'"

All these statistics have relevance to more central questions. Do the riots reflect racial grievances or economic hardship—is this a class or racial matter? No one is trying to make the question an either-or proposition, but more and more commentators have been suggesting that the present disorders are best understood in terms of class dynamics. Thus, Daniel Patrick Moynihan, the author of the controversial government report "The Negro Family: The Case for National Action," told the N.Y. *Times* that though "race interacts with everything in America," the present violence was essentially caused by a "large, desperately unhappy, disorganized lowerclass community" in the core cities.

The authors of the UCLA report seem to be disputing this theory. They hypothesied that different motivations led different segments of the community to participate in the riot: anti-white sentiment for the better-off participants and economic discontent for the poorer.

Their report also seems to take issue with a number of other prevalent ideas. Specifically, it presents data suggesting that:

Alleged police brutality may not be so central to the understanding of the riots as many current theories would make it. The authors asked their respondents to name their largest complaints with life in Los Angeles. Poor neighborhood conditions—dirty streets, dilapidated housing, and so forth—ranked first for both men (28.3 percent) and women (36.7 percent). Mistreatment by whites (including police) ranked second for men (21.2 percent) put last for women (7.9 percent). This relatively low ranking is not surprising because most members of the community do not deal very often with police. Only 10 percent of the men reported they had frequent contact with the police and another 14.9 percent dealt with the police "sometimes"; in contrast, 59.1 percent of the men and 70.9 percent of the women had contact with the police only on rare occasions. These findings, however, do not eliminate the problem of perceived police mistreatment. A third of the men said that police had, at one time or another, shown them lack of respect or searched them unnecessarily; and almost three-quarters of the men believe the police beat up Negroes in custody (though only 1.3 percent report it has happened to them). Police brutality, then, may be more a symbol of community anger, rather than a central cause of the riot.

The idea that recent migrants from the South, bitter and frustrated at their lack of success in Los Angeles, helped stimulate the riot may be a myth. The authors found that 60 percent of the sample (70 percent of the men) had lived in Los Angeles at least 10 years when the riot occurred. And of those who had lived in the city less than 10 years, only one-third of them had been in Los Angeles less than four years at the time of the riot. (These findings coincided with a special census of South and East Los Angeles in 1965 which showed that only 12.4 percent of the Negro population of South Los Angeles lived outside the Los Angeles-Long Beach Standard Metropolitan Area in 1960.) In addition, people from the South were older than those from other regions; participants in the riots tended to be younger.

The conventional measures of class—income, education, occupation—may be ill-suited to study of the Negro ghetto. The report found few significant correlations between these standards and discontent. However, when the authors compared more subjective measures of "life-style" they were able to make more sense out of events. Specifically, two measures of life-style were used—area of residence, and neatness of the respondent's house. Individual measures of socio-economic level (education, occupation, and so forth) showed little relationship with measures of discontent. However, "life-style" showed more consistent trends. . . . in five out of six comparisons, the persons living in better residential areas and exhibiting a more 'middle-class' life-style indicated lower discontent [than those living in poorer neighborhoods or those whose homes were not as neatly kept]."

The UCLA study, and the few others in existence, raise more questions than they resolve. Its conclusions, if correct for Watts, may not apply to other cities. And even its findings about Watts 1965 may no longer be true of Watts 1967. This summer's violence has been too widespread and yet too random to suit simple explanation. Each new disturbance amplifies uncertainty and leaves room for almost as many theories as there are disorders.

—ROBERT J. SAMUELSON.

SACB VITAL TO NATION'S INTERNAL SECURITY DEFENSES

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it is generally acknowledged that some decisions of the Supreme Court in recent years have rendered ineffective the Internal Security Act of 1950 which is the keystone of our internal security system. To correct certain Supreme Court decisions, the House Committee on Un-American Activities held hearings on proposed legislation in August which would amend the Internal Security Act. One agency which figures importantly in our internal security defenses is the Subversive Activities Control Board, a quasi-judicial body. Due to recent Court decisions, the SACB has been hamstrung in its function of alerting the American public to the nature of certain organizations.

On August 17 the Director of the National Legislative Service of the Veterans of Foreign Wars, Mr. Francis W. Stover, testified before the House Committee on Un-American Activities in support of H.R. 10390 and other identical legislation which would amend the Internal Security Act. His testimony illustrated the importance of the SACB in the internal security field and the necessity of informing the public regarding organizations under Communist influence. I place Mr. Stover's testimony in the RECORD at this point:

STATEMENT OF FRANCIS W. STOVER, DIRECTOR, NATIONAL LEGISLATIVE SERVICE, VETERANS OF FOREIGN WARS OF THE UNITED STATES, BEFORE THE COMMITTEE ON UN-AMERICAN ACTIVITIES, HOUSE OF REPRESENTATIVES.

Mr. Chairman and Members of the Committee, thank you for this opportunity to appear before this Committee in behalf of legislation which will make the Subversive Activities Control Board more effective as contained in several bills under consideration.

My name is Francis W. Stover, and I am Director of the National Legislative Service of the Veterans of Foreign Wars of the United States.

By way of introduction—the membership of the Veterans of Foreign Wars of the U.S. is near an all-time high—almost 1,400,000. Our membership has always deeply concerned itself with the menace of communism and all other subversive organizations, whose declared intent and purpose has been to violently overthrow our Government by any method or means, which they may deem appropriate.

It was this kind of background and history which led our membership to strongly support the creation of the Subversive Activities Control Board in 1950. It will be recalled that the purpose of the establishment of this Board was to reveal to the American people the communist front, communist infiltrated organizations, and the members of the communist organizations because such groups and persons, according to the findings of the Congress, constituted a real and continuing danger to our national welfare. Again the V.F.W. lent its fullest support when legislation amending and enlarging the scope of the Board was approved by the Congress in 1954.

It has come as a shock to our organization to learn that legislation has been introduced in this 90th Congress which would abolish this Board. We welcome, therefore, the legislation which is before you which will continue to allow the Board to carry out the purpose and intent of the Congress when it estblished this Board.

Our organization is controlled almost exclusively by the mandates adopted by the delegates to our most recent National Convention. Many of our members were cognizant of the lack of activity of the Subversive Activities Control Board when our Convention was held in New York City August, 1966—just about a year ago. As a result of this concern over the weakening of the Internal Security Act which had shrunk the jurisdiction of this Board, our organization adopted a resolution, identified as No. 268 entitled "To Strengthen Internal Security Act", which reads as follows:

"Whereas, decisions of the United States Supreme Court have greatly weakened the Internal Security Act of 1950; and

"Whereas, the Veterans of Foreign Wars was one of the sponsors and strong supporters of the Internal Security Act and amendments thereto since that time; and

"Whereas, the Veterans of Foreign Wars has always led the fight to expose and identify communists and others who would undermine and destroy our Government and way of life; and

"Whereas, there is now pending in the 89th Congress a bill, H.R. 16584, which would greatly strengthen and improve the Internal Security Act and overcome the decisions of the Supreme Court which have greatly weakened the Internal Security Act; now, therefore

"Be it resolved, by the 67th National Convention of the Veterans of Foreign Wars of the United States, that the Veterans of Foreign Wars supports H.R. 16584 and works for its advancement and approval by the Congress."

Pursuant to this resolution, together with a host of other resolutions, which indicates the great concern of our organization with communism and its threat, both external and internal to the American way of life, we strongly support the purpose and intent of the bills before this Committee.

We do not come here as experts but only to lend our support to legislation which will make the Board effective in registering communists and other subversives, as defined in this legislation, so that the American people can know who they are and to what extent they are a danger or threat.

It cannot be emphasized too much that the Subversive Activities Control Board is the only agency in the Executive Branch which has the authority to provide this type of information to the American public.

The Board, however, does not operate in the dark—behind closed doors. On the contrary, it provides a full and fair hearing if there ever was one. It is a quasi-court which can hear and decide cases only after they have been brought before the Board by the Attorney General of the United States. All hearings are public. Like a court proceeding, there are reporters who keep a stenographic record of all that is said and copies of the hearings are printed. The Board before it makes its decision must make written findings of fact and conclusions of law. Lastly and most important, any final decision or order by the Board is subject to judicial review and when appealed the Board's orders cannot become effective until they have been reviewed and sustained by the court.

During the past 17 years, this Board has performed a magnificent contribution in exposing communists and others of the same ilk as defined by the Internal Security Act. Unfortunately, the language of the Act has been construed on several occasions to be in conflict with the Constitution, which has greatly diminished the jurisdiction of the Board and apparently has been a great deterrent to the Attorney General in bringing more cases before the Board. Coupled with this are the long and lengthy appeals which have kept the orders of the Board tied up in the courts for long periods during which it was inadvisable to proceed with similar or other cases until a final decision had been handed down by the court.

The fact that there has been little activity on the part of the Board is the most compelling reason that this legislation should be favorably considered and reported by this Committee. Something is wrong with the present law and should be remedied as quickly as possible. Because there haven't been any or many cases before a court of law doesn't mean that we want to destroy or eliminate the court. Rather we want to strengthen the court. Similarly, we want to strengthen the Board so that it can do the job Congress intended back when it established the Board in 1950 and, I am sure, wants the Board to continue in 1967.

In summary, the Veterans of Foreign Wars commends this Committee for taking the initiative in counteracting other legislation which has been introduced in the 90th Congress of recent date which would abolish the Board. Your approach is the correct one so far as the Veterans of Foreign Wars is concerned and is the remedy that our organization advocated through the voice of our delegates at our National Convention in New York last August as embodied in Resolution No. 268, as outlined above, and the forthright statement of our Commander-in-Chief, Leslie M. Fry, which he issued to the press on July 24, 1967 concerning efforts to abolish this Board, a copy of which is attached.

Accordingly, the Veterans of Foreign Wars strongly recommends that this Board not only be kept alive and functioning but that it be given the tools which it needs to disclose and regulate the operations of the communist conspiracy in this country. To fail to approve the legislation before you to strengthen the Subversive Activities Control Board will be to permit the communists to win a 17-year battle by default.

You are strongly urged to favorably consider this legislation and report it to the House at the earliest opportunity with the hope that it will go on through the Congress and be enacted into law at an early date.

Thank you.

CLEVELAND GIVES QUESTIONNAIRE RESULTS—ANSWERS IT HIMSELF

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, for the fifth consecutive year I have sent questionnaires to my constituents. Again, I wish to share this year's results with my colleagues. It is too bad that time and space do not permit me to detail the many perceptive and helpful comments which my constituents added with their answers.

New Hampshire has a good record for citizen participation in government. It is consistently among the Nation's leaders in voter turnout, and takes great interest in its government, from town meetings through all levels of government. In view of this, these returns are significant and meaningful as an indication of how a large number of thoughtful and concerned people are thinking, although I make no claim this is a "scientific poll."

QUESTIONNAIRE STRESSES MEANS, NOT GOALS

To the extent possible, I avoided asking if constituents favored such laudable objectives as peace, equal opportunity, the elimination of poverty, better education, clean air and water, fairer taxes, et cetera. Agreement is virtually universal on such goals. The issues we face here are usually how such objectives can best be attained and when. During a time of war, large deficits, and increasing inflation, certain programs may have to be deferred or cut back.

PRIORITIES—NECESSARY AND IMPORTANT

My first question was one to which I invited particular attention. It is my conviction that government, as well as individuals, should establish priorities, and exercise restraint and selectivity in allocating available money and resources to meet needs and problems. For this reason, I asked my constituents which needs and problems are of first importance for action by Congress, with results which I feel are significant.

LABELS—SLOGANS—INSTANT SOLUTIONS

The framing of meaningful questions is difficult. Compounding the problem is the growing practice here of legislation by label and by high-sounding slogans and the current regrettable practice of lumping many different programs into one bill. This, coupled with a prevailing fallacy that almost any problem can be solved instantly if you pass a program through Congress and throw enough money at it, makes meaningful debate and discussion of issues and questions difficult.

RESULTS—PRIORITIES

Of course, the top priority issue in the minds of respondents was the war in Vietnam. Not quite so clear is what Congress can or should do about it. The next issue, clearly second in the minds of the people, is the need for decreased, or at least more restrained, Federal spending.

The third priority issue, classified as "race problems," which includes poverty, city slums, need for increased job opportunities, the recent riots, and the continuing quest for the achievement of civil rights and equal opportunity, reflects a widespread anxiety for the problems of our cities and meaningful solutions.

Concern over increased crime rates has grown dramatically in the last year. Congressional reform and higher standards for politicians also rate high.

RESULTS: FOREIGN POLICY

Several conclusions seem warranted from the complex pattern of answers to question two, on the war in Vietnam. One is that clear support of the administration has lessened. In my 1965 questionnaire, I asked, "In general, do you favor U.S. policy in Vietnam?" The answer was 3 to 1 in the affirmative. Last year, in a more thorough question, there was slight approval of "maintaining our present position and policies," and overwhelming—4 and 5 to 1—support of intensified military activity against North Vietnam. This year, the people seem less inclined to support increased bombing of the north. At the same time, they are now 3 to 1 against present policies, but even more strongly against withdrawal.

While they favor increased military activity against North Vietnam, they favor negotiations even more. The fact that less than one person in five believes he is getting adequate information from the administration is a revealing, significant, and disturbing commentary. Of all the current threats to our democracy, and to her handmaidens—deliberation, debate, and honest dissent—this may well be the greatest.

FOREIGN AID OPPOSED

Following the trend of recent years, foreign aid programs met with continuing disapproval, as did increased East-West trade. While U.S. policy on Rhodesia also met with disapproval, the number of people "not sure" is significant.

WAR ON POVERTY MORE IN FAVOR

While still opposed generally to the administration's war on poverty, my constituents appear to be more in favor than last year. I'm sure they still share my approval of the program's laudable objectives.

The most negative response, incidentally, was to a question regarding the administration's proposal to have Federal subsidies for national election campaigns.

ANSWERS QUESTIONNAIRE

As I do each year, I will now answer, for the record, my own questionnaire.

Along with my constituents, I feel that the defense of South Vietnam is the top priority issue facing the Nation and Congress. While the cost is high, in terms of both men and money, this is a commitment that we must honor. To abandon this commitment because the price is high or because the going gets rough would be to undermine still further the word of the United States around the world. To abandon a commitment that we have declared and affirmed would be to encourage all countries to disregard the United States as a force against aggression, and could, indeed, openly invite further aggression.

On frequent occasions I have suggested that history is emphatic in telling us that firmness in the right is the best long-range insurance against aggression. The North Vietnamese aggression against the South Vietnamese may well have been encouraged by some of the peace pronouncements that characterized the 1964 presidential campaign. It may also have been encouraged since, by this administration's policy of indecisive escalation and by the disproportionate publicity given to opponents of our commitment.

While my questionnaire seems to stress military solutions to the Vietnam problem, that is, of course, only part of the answer. Lasting peace in a poverty-stricken, hunger-ridden country bordering on China will not be won on the battlefield alone.

SPENDING: RESTRAINT AND PRIORITIES

My choice for second priority is restraint in Federal spending. I want Congress to make hard decisions and establish strict national priorities for the best allocation of limited resources, rather than avoiding them by accepting almost every proposal, and passing the consequences on to the people in the form of higher prices, higher taxes, and a weaker dollar.

Third, I would list the growth of reliance on Washington, with its accompanying concentration of power in the Federal Government and distressing erosion of local initiative. This problem, of course, reflects the need for more effective State and local government and tax-sharing formulas to help them meet their responsibilities constructively.

Fourth, I would list the problems of the cities—and, conversely, rural decline—manifested by their ghettos, slums, riots, high crime rates, and poor schools. The first thing to be done is to make it clear that civil order must be maintained and respect for law and order reestablished. While we cannot just buy an end to the ghettos, neither can we ignore them. They will not just go away. I submit that the greatest of the needs lies in the field of education for job opportunities. Another solution might be to reverse migration trends that overcrowd cities and depopulate rural areas, to the detriment of both.

CONSERVATION

Conservation comes fifth. I use the word broadly to include pollution control, better ways to dispose of our waste, preservation of our natural areas, and more efficient—hence less wasteful—use of our limited natural resources.

Sixth, I submit, is the problem facing our senior citizens. Many of them are victims of the ravages of inflation caused, in my opinion, by unwise fiscal policies. It seems ironic that the good news of increased longevity, resulting from scientific triumphs, finds many people, still hale and hearty, unable to benefit from the added years bestowed upon them. That many of these people are discouraged from earning money by income restrictions forced into the social security system by labor economists of yesteryear is but part of the problem. There should be a national effort and concern to improve their opportunities for continuing and constructive contributions.

VIETNAM—CLEVELAND VIEWS

I favor substantially increasing military activity against North Vietnam. Unrefuted evidence here tells us that we have not yet bombed all significant military targets in the north. Until this is done, the commitment of additional American ground troops to Vietnam seems unjustified.

I do not favor present policies which I consider to have been indecisive and conducive to uncertainty, doubt, and miscalculations. Nor do I favor limiting our activity to protecting strategic areas. To unilaterally withdraw and abandon the South Vietnamese to Communist aggression and oppression from the north—from which so many fled when given the chance to do so in 1954—seems to be out of the question.

I favor stronger, more frequent initiatives to begin negotiations for peaceful settlement. Administration efforts for negotiations have often seemed to be directed more toward American public opinion than toward the North Vietnamese or Vietcong. The "credibility gap" which exists in the United States may well exist also between the U.S. Government and the North Vietnamese.

Regrettably, I do not feel that the administration is giving the public—or the Congress—adequate information concerning Vietnam. Indeed, it is this lack of credence that makes it so difficult to know what the United States should do in Vietnam. This lack began, in my opinion, during the presidential campaign of 1964, with emphatic protestations for peace which may well have led since to untold miscalculations, torment, and doubt; all of which could have been avoided by candor and clarity of purpose from the outset.

FOREIGN AID

This year I again voted in favor of the continuation of our foreign aid program. The authorization for which I voted was substantially cut by both the House and the Senate. In the House, the authorization was amended and, in my opinion, strengthened by forbidding aid to those who trade with our enemy. This follows my voting pattern of past years. The temptation to vote against foreign aid as a general protest—particularly in view of the lack of support we are now receiving from erstwhile friends and beneficiaries of the program—is almost overwhelming. The world situation, however, and our commitment to defend free nations against aggression is such that, in my opinion, the general principles of the program still deserve support. It is regrettable that so many friends of foreign aid seem blind to the program's shortcomings and virtually deaf to constructive suggestions for improving them.

My position of last year, that I do not favor at this time increased trade with the Eastern European Communist countries—which support North Vietnam—remains unchanged.

RHODESIA

As much as I would like to join many of my constituents who were "not sure" about the Rhodesian question, my answer here is a reluctant "Yes." If we are to support the U.N., we obviously cannot pick and choose which of its actions we support, and which we oppose. My reluctance is abetted by the fact that while we support the U.N. sanctions, Great Britain, on whose behalf they are imposed, seems indifferent to many of our international problems. Because the sanctions apparently are not having the desired effect, the U.N. position and the sanctions should be reassessed.

MIDDLE EAST

While I was sharply critical of the U.N.'s precipitous removal of its peacekeeping force from the Egypt-Israel border at the beginning of the conflict, I do support its actions during and since the hostilities. The U.N. did at least serve as a medium for the truce, and hopefully will, for a meaningful settlement.

I favor annual disclosure of assets, income, and expenditures by Congressmen, provided all members are required to do so.

I do not feel that we should continue our space expenditures at their present levels. This is a question of priority. We cannot afford everything at once. We should "stretch out" our space efforts. There is evidence that it would improve the program if we did.

I have voted against the so-called war on poverty bill. I have no quarrel with its objectives but support alternative proposals which, I think, would do the job better.

LOWER VOTING AGE

I am on record as favoring a lower voting age—by appropriate State action.

I have introduced legislation which would cause Washington's Birthday, Memorial Day, Independence Day, and Veterans Day to be observed as part of a 3-day weekend.

I favor a tax credit to private industry for expenditures to train, advance, and employ people lacking necessary skills. This is the Human Investment Act which I have introduced as a part of the Republican constructive alternative to the war on poverty.

I do not favor, and voted against, the tax checkoff proposal for Federal financial help to major parties for campaigning costs. However, some solution to the problem of skyrocketing campaign costs must be found.

I favor a tax credit to encourage small, individual contributions.

RENT SUBSIDY

I have again voted against the administration's proposals for Federal programs to subsidize the rents of low- and moderate-income families. As an alternative, and I believe a better solution, I have sponsored the National Home Ownership Foundation Act of 1967 with Senator PERCY and others to encourage home ownership.

Legislation to allow a tax credit for post-high school education costs, which I have sponsored, would help relieve some of the high cost of education. In the process, it would encourage post-high school education and training, an increasingly important national goal.

I have long advocated agreed-on quotas to provide for the orderly expansion of international trade, and give domestic industries a chance to meet foreign competition over a reasonable period of time, with some protection against low wages and subsidy by foreign government.

I favor a convention called by the States to amend the U.S. Constitution to permit States with bicameral legislatures to apportion one branch on factors other than population, subject to approval by a statewide referendum at regular intervals. This would allow States to follow the example, if they choose—if you please—established by the U.S. Constitution for the U.S. Congress.

PRESIDENTIAL PREFERENCE

Because there is a practical limit to the information that can be obtained by the number and structure of questions on specific issues, I decided to query my constituents with respect to their support of current programs and ideas espoused by spokesman in each of the major political parties. I strongly believe that the two-party system is the vital ingredient that has made possible the success of our Government. While I suppose some individuals may be disproportionately influenced by factors other than the merits of the proposals put forward by leading figures in both parties, nevertheless this kind of broad question gives me some further indication, collectively, of my constituents' attitude on the broad range of public policy.

Thus, it is appropriate to ask for presidential preferences in my questionnaire this year. My mail and visitations in my district constantly reflect this vital interest. Under our system of government, with its three coequal branches, the concerns of all are comingled. Much of my mail, many of my problems, most of my time, are taken up with matters that inextricably involve the interrelationship between the courts, the executive, and the legislature.

Many of my constituents did not state their preferences for the 1968 presidential election, saying it was too soon to say. I agree with them. On the implied assumption, however, that I asked for the best candidate for each party at this time, I answer as follows: I agree with the preference of my constituents that, for the Democratic Party, President Johnson is the practical choice. There can be no realistic alternative to renominating an incumbent President. On the Republican side, I find myself in disagreement with my constituents, as I consider Governor Romney the best candidate for his party at this time. Richard Nixon is my second choice. My third preference is a tie between the Republican Governors of the two largest States in the Nation. Although not candidates at this time, they both hold positions in the Nation and their party that entitle them to consideration. The real possibility of a "dark horse" adds interest and conjecture to the question.

QUESTIONNAIRE RESULTS, 1967

Rank in 1967	Rank in 1966		Total responses
		1. Please list in order of importance those issues, problems, or needs which you personally consider to be of primary importance for action by Congress:	
1	1	Vietnam	2,607
2	3	Reduced Federal spending	1,616
3	4	Race problems (including riots and civil rights)	1,465
4	13	Increased crime (and criticism of restraints on police)	967
5	7	Concern over domestic poverty and present war on poverty	948
6	6	Foreign aid	723
7	8	Education: Need for more and better	623
8	15	High taxes and need for tax reforms	613
9	16	Congressional reform	606
10	12	Water and air pollution	587
11	9	General concern for the course of our foreign policy	462
12	2	Inflation	431
13	5	Big government; Federal-State relationship	431
14	(1)	Middle East situation	386
15	11	More aid for senior citizens	376
16	10	Labor-management problems	275
17	17	Draft reform	258
18	20	United Nations	214
19	(1)	Urban problems	171
20	(1)	Space programs	167
21	22	Communist threat	159
22	(1)	Tariffs, restrictive quotas, etc	152
23	(1)	Conservation	149
24	(1)	East-West trade	148
25	(1)	Concern for national security	127
26	(1)	Concern for U.S. economy	113
27	(1)	Transportation	108
28	(1)	Rhodesia	62

[1] Less than 100 total responses in 1966 questionnaire results.

	Yes	No	Not sure	Blank
2. What should the United States do, or not do, in Vietnam?[1]				
(a) Substantially increase military activity against North Vietnam?	2,354	1,488	....	1,027
(b) Continue present gradual but restrained escalation of the war?	792	2,633	....	1,444
(c) Reduce present scale of fighting and bombing, but retain U.S. military presence and concentrate on protecting key military and populated areas?	902	2,529	....	1,438
(d) Withdraw U.S. forces?	660	2,796	....	1,413
(e) In any event, United States should take stronger, more frequent initiatives to begin negotiations for peaceful settlement?	2,955	985	....	929
(f) Do you feel the administration is giving the public adequate information concerning Vietnam?	804	3,306	....	759
In general and on balance, do you favor:				
3. Continuation of our present foreign aid program?	1,165	3,108	430	166
4. Increasing trade with the European Communist countries?	1,637	2,844	348	40
5. Our policy in support of U.N. sanctions against Rhodesia?	1,482	2,057	1,029	301
6. The actions of the U.N. in connection with the Middle East hostilities?	1,758	2,155	549	407
7. Annual disclosure by Congressmen of assets and income?	3,278	1,039	350	202
8. Continuation of present expenditures for space programs?	2,269	1,920	566	114
9. Continuing the administration's war on poverty program?	1,818	2,511	393	147
10. Lowering the voting age (as now permitted in 4 States)?	1,673	2,848	241	107
11. Legislation requiring national holidays to be celebrated on a Friday or Monday?	2,170	2,174	364	161
12. A tax credit to private industry for expenditures to train, advance, and employ people lacking necessary skills?	3,362	1,119	297	91
13. Federal financial help to major parties for campaigning?	677	3,777	325	90
14. A tax credit to encourage small campaign contributions?	2,082	2,401	342	44
15. Federal subsidy for rent paid by low-income families?	1,064	3,270	422	113
16. A tax credit for post-high school education costs?	3,577	1,001	212	79
17. Negotiated quotas to limit imports?	2,765	1,134	757	213
18. A convention called by the States to amend the U.S. Constitution?	1,172	2,489	855	353

[1] Blank will be construed as not sure.

In order of preference, who do you feel would be the best candidates for each party for the 1968 Presidential election?

	1st preference	2d preference	3d preference
Democrat:			
Lyndon B. Johnson	1,426	91	46
Robert F. Kennedy	319	280	118
Hubert H. Humphrey	100	300	112
George C. Wallace	149	35	25
J. W. Fulbright	72	58	28
Edward M. Kennedy	25	33	28
Republican:			
Richard M. Nixon	1,242	554	285
George Romney	667	623	252
Nelson A. Rockfeller	703	389	254
Ronald Reagan	515	481	326
Charles H. Percy	260	342	292
Barry Goldwater	131	134	95
Mark O. Hatfield	57	50	67
John V. Lindsay	27	41	50

THANK YOU

In conclusion I would like to thank my many constituents who participated in this year's questionnaire, not only for returning their questionnaires but for their many constructive comments. Several hundred questionnaires came in too late to be tabulated but their contents were carefully noted.

Congress, which is badly in need of reform, appears to be virtually in year-round session. Thus, it is of particular importance to me as their Representative to hear from constituents and have the benefit of their views.

KANSAS SALUTE TO OUR MISS AMERICA

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SKUBITZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, Kansas has been known as the great wheat State, the center of the Nation, the land of beautiful rolling plains, of waving grains, and I think it is appropriate today to add that Kansas may be known as the land of beautiful girls. Even though one of our beautiful girls, Miss Debra Barnes, now belongs to the country as the reigning Miss America, we Kansans shall always claim her. This claim to fame for our State as the land of beautiful girls arises from Debra Barnes being the second Kansas "Debby" to win the coveted Miss America crown in 3 years. I am very proud that the new Miss America comes from the Fifth Congressional District but I know this pride is not limited to me alone, that it is possessed by all Kansas citizens and I am happy to share in it.

The people of Kansas know they have a great State. They have striven for years to make the home the center of activities but not the circumference of activities for its young people. Our State of Kansas offers the soundest educational advantages and we set high standards for our youth. From this atmosphere, young Kansans emerge to become the best of State and National citizens.

"Debbie" Barnes, as she is known in her hometown of less than 700 population, celebrated her 20th birthday 3 days prior to the Miss America pageant. She is a senior at Kansas State College in Pittsburg, Kans., where she is majoring in music following in the footsteps of her parents, both talented musicians. Our Miss America is a self-reliant girl who has helped to raise herself due to her mother's illness which has confined her to a hospital for many periods of time. Though the presence of the whole family may not always have been possible, the love of both parents must have inspired this Kansas girl to reach for the heights. Our State's motto, "To the Stars Through Difficulty," has had real meaning for many citizens of Kansas who have succeeded in reaching notable goals. It is felt in the heartbeat of our State, and surely must be relevant to the rise of this Miss America. I salute the Barnes family, the community of Moran, Kans., and the State and citizens of Kansas who have all contributed to the growth of Debra Barnes. Finally, I salute you, Miss America—our own Miss Kansas, Debra Barnes. May your year be a glorious one, and may you brighten the other 49 States of this Nation as you have your own State of Kansas.

GOVERNOR AGNEW'S PROGRAM FOR ALCOHOLISM IN MARYLAND

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. GUDE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GUDE. Mr. Speaker, Maryland's Governor, Spiro Agnew, announced August 30 that he will ask the general assembly in January to enact a comprehensive program to help the State's 100,000 alcoholics.

Such a program would allow the Free State to comply with a January 1966 Federal court decision that chronic alcoholics must be referred to treatment facilities instead of being jailed.

Governor Agnew is to be praised for his action on this critical problem. It has been over 19 months since the Driver ruling by the Fourth Circuit Court of Appeals prohibited the jailing of alcoholics for public drunkenness. This ruling affects Maryland, Virginia and North Carolina.

For the past 6 years, more patients were admitted to Maryland State mental hospitals for alcoholism than for any other single diagnosis. As I pointed out to the House on May 16, since 1960 alcoholic admissions to these mental institutions—the only State public facilities providing alcoholism treatment—have more than doubled. In addition, 1 out of every 10 patients admitted for other ailments were reported to have major drinking problems. Thus, alcoholism is related to the patient illness in one-half of all Maryland's mental institution admissions.

More than 14,000 persons annually are arrested for public intoxication in Maryland, and estimates are that 90 to 95 percent of these offenders are chronic alcoholics. The facilities which the State of Maryland has for alcoholism treatment and rehabilitation have been understaffed and overcrowded.

In his statement, Governor Agnew said that a recent study revealed that alcoholics and their families account for $6 million annually of the State welfare budget, with no services or attempts to restore them to economic independence.

The costs of this disease to the health, economy and safety of Maryland—indeed, the Nation—can no longer be ignored. The time has come—in fact, it is overdue—for the development of effective programs to curb and control a disease that constitutes the Nation's fourth ranking health menace and one of its leading social problems. We can no longer continue to burden our police, our courts and the entire criminal law structure with the responsibility for handling a problem that is in reality a matter for public health authorities.

Governor Agnew's proposed revision of State law "to reflect modern thinking and a more practical approach" to alcoholism is a hopeful indication, as are legislative efforts pending in Congress which would assist State and local governments in taking the growing problem of alcoholism out of courts and jails and making it the responsibility of public health and rehabilitation services.

I have cosponsored legislation which would affect this end—H.R. 8523 and S. 1508. This measure would establish a program of matching grants to States like Maryland for use in alcoholism projects such as are envisioned by Governor Agnew. The proposal would also establish, under the U.S. Surgeon General, an Office of Alcoholism, which would assist State and local agencies in developing alcoholism programs.

The same problems facing my own State of Maryland today are to be found in many localities across the Nation. And, with additional court rulings that States and local communities must change their policies in dealing with alcoholism, this national problem will enlarge and expand. In fact, such a case is now pending before the U.S. Supreme Court. Should that Court follow the line of recent decisions on the subject, Maryland's dilemma will spread to every State of the Union.

Obviously, States and communities cannot alter their policies regarding alcoholics overnight. Few have either the necessary treatment and rehabilitation facilities or funds for such institutions. Thus, this national program is urgently needed to give States and localities incentive and assistance in this vital area.

Maryland's Governor has pointed the way, not only for his State, but for the country. The time has come for congressional action to meet the problem of alcoholism in our society.

EMPLOYMENT AND TRAINING

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. AYRES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. AYRES. Mr. Speaker, one of my principal concerns are for jobs for the unemployed and the proper training of our young people. We have inaugurated a series of legislative remedies in an attempt to improve the lot of those who have not been able to take their place in the industrial forces of our Nation. Ofttimes the results have been negligible.

I have often felt that this is because we have relied on the bureaucratic theorists as the drafters of this type of legislation. This is particularly true of the so-called Antipoverty Act.

I believe that it is about time that we turn to the experts in the field of employment—those whose job it is to do the hiring for our industrial, service, and retail organizations. Their services are available to us through the American Society for Personnel Administration.

This organization with its fingers daily on the pulse of manpower placement could well act as our advisers. Mr. Leonard R. Brice, executive vice president of that organization, has assured me that his many thousands of members would be glad to assist us. Mr. Brice has himself had a long background in the personnel field.

Just recently the Manpower Research Council, a nonprofit survey affiliate of Manpower, Inc., conducted a survey amongst a 25 percent selection of the ASPA membership. A total of 4,375,665 workers are employed by the 930 companies which responded to the survey.

According to Wiley I. Beavers, president of ASPA:

> Eighty percent of those polled said the Federal government's Manpower Training Administration has not helped them find qualified employees; and the largest percentage of this group said that this was because the training was given in the wrong skills.

I believe that this most comprehensive report will be of great interest to my colleagues. I wish to congratulate the American Society for Personnel Administration and the Manpower Research Council for its public interest.

The report follows:

RESEARCH REPORT NO. 4: JOB TRAINING

The findings in this report have been compiled from information furnished by 930 companies throughout the United States.

We are grateful to the American Society for Personnel Administration for maknig it possible to include their membership in the research group. This has resulted in an increased number of participating companies.

A detailed analysis of the findings is contained on the following pages. Here is a brief summary:

The 930 participating companies had a total of 4,375,665 employees, an average of 4,705 per company.

It is the feeling of the respondents that numerous institutions are at work in the community to provide skill training, but 60% feel that this training falls short of their company needs.

This remissness is most serious in public high schools and public vocational schools, where many are not offering courses at all and many who are offering courses are not tailoring them to present-day business needs. This occurs despite the fact that local institutions are being provided with specific educational requisites.

Participants in the survey expressed great willingness to serve on advisory boards to correct the situation.

About 50% said they feel their universities lack adequate vocational training facilities and recommended public high school and inplant training as the solution.

An overwhelming percentage (over 85%) are in favor of development of public vocationally-oriented technical colleges on a two-year basis.

In the area of in-plant training, the respondents are evenly divided in their estimate of the potential of in-plant training for opening up new opportunities in beginning jobs. Those who favor more in-plant training say their companies are handicapped by lack of time, lack of competent instructors to design and present courses, and lack of funds.

However, about 70 per cent stated they do not believe that Federal funds should be channeled to companies to subsidize development of in-plant programs.

The majority are not familiar with the proposed Human Investment Act, but feel it would be a spur to companies developing their own training program.

Forty per cent said they have revised their employment qualifications or tests since Jan. 1, 1966, including such measures as lowering of the level of schooling and ability required, and removal of limitations based on sex.

Seventeen per cent have established training programs primarily with a view to attracting minority workers. These were divided 50–50 on whether or not the programs have been successful. In the majority of cases, lack of success was attributed to difficulty in finding trainees and to the fact that trainees drop out, apparently because of lack of motivation.

The Federal Government's Manpower Development Training Administration (MDTA) has not helped find qualified employees for 80 per cent of the respondents; of these 32% feel that the training given is in the wrong skills for their business.

Only 19% have employed persons trained in Job Corps centers, and of that group, 60% regard the experience as satisfactory.

SUBJECT: JOB TRAINING SUMMARY OF FINDINGS

Total companies participating in survey	[1] 930
Total number of employees in participating companies	4,375,665

[1] Variance in the total number of responses resulted because not all respondents answered every question.

1. What institutions or companies are at work in your community to impart hirable skills to youth and to others in need of training? (Check all categories which apply.)

Public high schools:	
Number	906
Percent	100
Private (parochial) high schools:	
Number	567
Percent	62.6
Public vocational schools:	
Number	729
Percent	80.5
Privately owned business or technical schools:	
Number	640
Percent	70.6
Public colleges:	
Number	790
Percent	87.2
In-plant training programs:	
Number	731
Percent	80.7
Manpower development training program (Federal Government):	
Number	614
Percent	67.8
Job Corps:	
Number	428
Percent	47.2
Apprenticeship program:	
Number	580
Percent	64.0
Local chamber of commerce:	
Number	301
Percent	33.2
Local personnel groups:	
Number	280
Percent	30.9

(NOTE.—Most frequently mentioned were: Private colleges, universities, Urban League, State employment service, antipoverty programs, local industries.)

2. Does your experience indicate that any of the above training institutions fall short of meeting your company's needs?

Yes:	
Number	519
Percent	57.3
No:	
Number	234
Percent	25.8
No opinion:	
Number	153
Percent	16.9

3. If you answered "yes" to question 2, please indicate where you feel a specific problem area exists.

Problem area and training institution mentioned most frequently

No courses at all: Chamber of commerce; private high schools.

Poor instruction: Federal Government's manpower development program; Job Corps program; private training schools; public high schools.

No equipment: Public high schools; private high schools; public vocational schools.

Courses not regularly given: In-plant training programs; public high schools; manpower development programs; public vocational schools.

Courses not adequately given: Public high schools; public vocational schools; private high schools; manpower development program; Job Corps program.

Courses too short: Public high schools; public vocational schools; manpower development programs; in-plant training programs.

Antiquated equipment: Public high schools; public vocational schools; private high schools; private training schools.

No field experience: Public high schools; public vocational schools; private training schools; private high schools.

Tuition costs too high: Private training schools; public colleges; private high schools.

Courses not tailored to our needs: Public high schools; public vocational schools; Federal Government's manpower development program; private high schools; private training school; public colleges.

4. What courses for skill training do you feel private and public educational institutions should add to their curriculum to prepare the student for non-managerial jobs?

Most frequently mentioned were: More technical courses in public colleges; courses tied in with Federal Government's manpower development program; apprenticeship program and training.

5. Have you provided local training institutions with specific educational prerequisites for employment by your company?

Yes:	
Number	653
Percent	72.1
No:	
Number	253
Percent	27.9

6. Was this at their request or a self-initiated program?

Their request:	
Number	291
Percent	39.7
Self-initiated:	
Number	442
Percent	60.3

7. If called on, would you serve on an advisory program to review the correct vocational educational program in your community?

Yes:	
Number	793
Percent	88.5
No:	
Number	103
Percent	11.5

8. Does such an advisory council exist in your community at present?

Yes:	
Number	396
Percent	43.7
No:	
Number	201
Percent	22.2

Don't know:	
Number	309
Percent	34.1

9. Do you believe your community lacks adequate vocational training facilities to raise skill levels and train people to fill jobs?

Yes:	
Number	452
Percent	50.6
No:	
Number	442
Percent	49.4

10. If you answered yes to question 9, which of the following solutions would you recommend?

More public vocational high schools:	
Number	387
Percent	40.4
More in-plant training:	
Number	210
Percent	21.9
More privately owned business or technical schools:	
Number	131
Percent	13.7
More liberal apprenticeship rules:	
Number	129
Percent	13.5
An enlarged Manpower Development Training Program:	
Number	102
Percent	10.6

Others most frequently mentioned were: Increase scope and number in classes of technical schools, better curriculum and equipment, more experienced instructors, develop technical programs in senior high schools and junior colleges, vocational post high school courses geared to in-plant training, Government-funded programs through industry.

11. Do you favor the development of public vocationally-oriented colleges on a two-year basis (covering grades 13 and 14)?

Yes:	
Number	770
Percent	85.4
No:	
Number	64
Percent	7.1
No opinion:	
Number	78
Percent	7.5

12. Do you feel that the phrase "vocational education" is: (check one)

Appropriate:	
Number	417
Percent	47.1
Has connotations which are a deterrent to participation by potential trainees:	
Number	468
Percent	52.9

13. Which phrase listed below would you like to see used to describe modern vocational education for children?

	Number
Career guidance courses	302
Technical courses	226
Occupational preparatory courses	201
Occupational training courses	150
Vocational-technical courses	123
Occupational courses	119
Vocational courses	58

14. In your opinion what new approaches to job training by the community would relieve the present shortage of skilled help?

	Number
Encourage high school graduates to attend technical schools	559
More assistance to vocational schools by advisory councils made up of business and industry	559
Set up two-year trade and technical colleges	524
Provide vocational guidance counselors in high schools	493
Let industry spokesmen talk to high school classes about what industry wants and offers	475
Make some practical courses compulsory in high school: shorthand, typing and office machines	408
Add more vocational courses to high school curriculum	404
Promote use of vocational guidance testing in high schools	390
Have high school students combine work and school	383
Enlarge programs of the public vocational school	383
Provide scholarship funds to enable high school graduates to attend technical schools	337
Change union rules which limit new hires and apprenticeships	266

15. Could you increase your new hires at all skill levels if you could provide in-plant training to upgrade present employees?

Yes:	
Number	426
Percent	49.4
No:	
Number	437
Percent	50.6

16. If Yes, what factors prevent such in-plant training from being given?

Lack of time:	
Number	233
Percent	32.5
Lack of competent instructors to design and give courses:	
Number	194
Percent	27.0
Lack of funds:	
Number	115
Percent	16.0
Lack of employee motivation:	
Number	89
Percent	12.4
Management does not consider this as a problem:	
Number	87
Percent	12.1

17. Do you believe that Federal Funds should be channeled to companies in private industry to subsidize the development of these in-plant training programs?

Yes:	
Number	155
Percent	17.1
No:	
Number	631
Percent	69.6
No opinion:	
Number	120
Percent	13.2

18. If Yes, to which of the following levels of training do you believe it should extend? (Rank in order of their importance—1 as most important, 7 as least important).

	1	2	3	4	5	6	7
Manual industrial skills	73	8	21	16	24	9	17
Office skills (typing, shorthand, office machine operation)	50	16	20	29	24	13	4
Semiskilled industrial	47	39	30	25	14	13	7
Skilled industrial	80	28	22	14	3	2	1
Technical	60	32	16	21	21	1	3
Nonmanagerial	13	3	3	5	20	54	24
Managerial	13	6	8	8	5	13	55

19. Are you familiar with the proposed Human Investment Act, which provides a 10% tax credit to companies carrying approved training programs?

Yes:	
Number	322
Percent	36.0
No:	
Number	572
Percent	64.0

20. Do you feel this proposed legislation will increase the number of companies developing their own training programs?

Yes:	
Number	400
Percent	66.4
No:	
Number	202
Percent	33.6

21. What in-plant training does your company presently provide (period from Jan. 1966 to date)?

	Number
Company conducts courses on company time	687
Indoctrination meetings	584
Company conducts courses on employee time	335
Non-tuition courses conducted by outside organization	259
None	72

Other most frequently mentioned were: Tuition refund program, tuition aid for courses conducted by private and public high schools and colleges, management training programs, supervisory training programs, graduate technical courses, on the job training.

22. Do you presently offer courses which are designed to retrain your employees so that they may move to a higher skill level?

Yes:	
Number	466
Percent	50.7
No:	
Number	454
Percent	49.3

23. If Yes, how many employees have done this since Jan., 1966?

Total [1]42,529

[1] This is less than 1 percent of the total number of employees in participating companies.

24. Do you presently offer courses in basic skills (reading, writing, arithmetic)?

Yes:	
Number	91
Percent	11.2
No:	
Number	720
Percent	88.8

25. If No, should such a course be made available to employees in your company?

Yes:	
Number	186
Percent	25.7
No:	
Number	539
Percent	74.3

26. Does your company have an educational tuition refund program?

Yes:	
Number	777
Percent	84.6
No:	
Number	141
Percent	15.4

27. If Yes, check the following which apply:

Refund is for only job related courses:	
Number	518
Percent	66.7
Refund is automatic 100% if course is completed:	
Number	284
Percent	36.6
Refund is percentage based on grade level achieved:	
Number	152
Percent	19.6
Refund is limited to a fixed dollar maximum:	
Number	104
Percent	13.4

28. Have you, in any way, revised your employment qualifications or tests since January 1, 1966?

Yes:	
Number	373
Percent	40.3
No:	
Number	553
Percent	59.7

29. If Yes:

Have you lowered the level of ability required?	
Number	171
Percent	[1]45.8
Have you lowered the level of schooling required?	
Number	165
Percent	44.2
Have you removed limitations based on sex?	
Number	170
Percent	45.6
Have you broken jobs down into lower skills?	
Number	66
Percent	17.7

[1] Some respondents checked more than one.

Others most frequently mentioned were: Increased school and ability requirements, eliminated some tests from testing program, have generally raised entry level skill requirement for clerical help, removed unrealistic requirements which were not truly job related, expanded resident area from which we recruit or hire, updated test material.

30. Have you established any training programs primarily with a view to attracting and training minority workers?

Yes:	
Number	158
Percent	17.6
No:	
Number	741
Percent	82.4

If yes, have they been on the whole successful?

Yes:	
Number	78
Percent	50.7
No:	
Number	76
Percent	49.3

If no, why not?

Difficult to find trainees:	
Number	175
Percent	23.6
Trainees finish training, but do not stay on the job long enough to make it worthwhile:	
Number	54
Percent	7.3
Trainees drop out during training, because of:	
Number	81
Percent	10.9

	Number
Lack of motivation	77
Lack of education	38
Lack of ability to comprehend	47
Family problems	31
Inadequate pay during training period	23
Better off elsewhere	12
Go back to original job	3

31. Have the Federal Government's Manpower Development Training Administration (MDTA) programs helped you find qualified employees?

Yes:	
Number	182
Percent	20.4
No:	
Number	712
Percent	79.6
If No, why not?	
Wrong skills for our business:	
Number	229
Percent	32.2
No MDTA in our community:	
Number	121
Percent	17.0
Not enough trainees to go around:	
Number	113
Percent	15.9
Trainees won't move to job location:	
Number	36
Percent	5.1

Others most frequently mentioned: Lack of motivation, training not satisfactory, too difficult for small company to work with MDTA and massive regulations, no information on programs or candidates.

32. Have you employed any persons trained in Job Corps Centers?

Yes:	
Number	159
Percent	19.1
No:	
Number	672
Percent	80.9

33. If Yes, what has your experience been?

Satisfactory:	
Number	70
Percent	60
Unsatisfactory:	
Number	48
Percent	40

SAM R. DAVENPORT

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Byrnes] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, I join in wishing Sam Davenport the best of everything as he retires from his position with the House as editor in the Coordinator of Information Office. Wisconsin was proud to have Sam as a resident prior to his coming to Washington. He served as a professor at the State college in Eau Claire for almost a decade where he became well known and universally liked and admired. He has been of great service to this House and its Members as the man who knew where to get the answers to any and every kind of congressional inquiry. Sam Davenport will be missed on the Hill. I wish him the best of health and happiness in his retirement.

CONSERVATION OF OUR WATER

The SPEAKER pro tempore (Mr. Pryor). Under previous order of the House, the gentleman from Montana [Mr. Olsen] is recognized for 30 minutes.

Mr. OLSEN. Mr. Speaker, the conservation of our water resources in this country will grow more and more important as time goes on. In my district in western Montana we have done some magnificent things to protect and make the best use of our water supply. Today farmland exists where there was once arid wasteland; today lakes exist where there were none before; today industry is possible and communities have sprung up in areas once considered less than habitable.

But there is more that must be done if we are not to fall behind in a race to assure our children an adequate water supply. Today I am introducing legislation in the House which could lead to a large step forward in that race. This legislation is designed to authorize the Secretary of the Interior to construct, operate and maintain the Jefferson-Whitehall unit of the Missouri River Basin project in Montana. The Reichle Dam and Reservoir and other related projects will, I know, reap impressive benefits for several of our central Montana counties.

Mr. Speaker, conservation of our natural resources must continue to be a priority item for this country.

As I look up the ravaged wastelands of this Nation, its polluted water streams, and the millions of acres that might be brought under cultivation, I am reminded of an early 19th century poet's lines concerning an ancient king whose crumbling statue and shattered visage looked out on nothing. For Shelley truly captured the spirit of that king's barren arrogance when he wrote:

> Nothing beside remains. Round the decay
> Of that colossal wreck, boundless and bare
> The lone and level sands stretch far away.

His dreams, if he had any, came to nothing.

How different from the inspiring features of our great leaders carved in the granite of Mount Rushmore in South Dakota. These likenesses of Washington, Jefferson, Lincoln, and Teddy Roosevelt can only serve to remind us of their leadership and their compassion for their contemporaries and for all future generations.

Their dreams left us a blueprint for action. Not only did they expand the boundaries of America, they were also responsible for programs of conservation and reclamation that have resulted in the harnessing of our streams and the conversion of millions of acres of wilderness and arid land to fertile plains. Their example should give us strength as we face three major crises in our country today—population, food, and water. And water is the determining factor, for without this commodity, all else will wither and die.

I need not remind this body that a world population of 1 billion has tripled since the beginning of this century; that by the year 2000 another 3 billion will be added to the population now on earth.

In America, our current population of 190 million people will have expanded to 245 million by 1980 and will be approaching 400 million by the year 2000.

In the West, our population will grow from its present 45 million to more than 110 million by the beginning of the next century.

We can expect our food requirements to double, and our demand for water to triple before the turn of the century.

The President's Science Advisory Committee on the World Food Problem reflects the challenge of these crises, when it stated in its report:

> The scale, severity, and duration of the world food problem are so great that a massive, long-range innovative effort unprecedented in human history will be required to master it.

And to quote from Senator Moss' recent book, "The Water Crisis"—

> Major Powell's dictum—that land use is limited by water availability—applies to the

> modern West as much as to the one he explored. Irrigation may give way proportionately to industry use of water, but population growth alone requires large additional supplies. For recreation, for agriculture, for industry, or just for personal use, water remains the key to a West of full value to the Nation.

I agree with his further observation that this Nation cannot permit its narrow margin of reserve in water supplies; that water management of the future must put people beyond nature's caprice.

Today we must think boldly and undertake projects to guarantee future generations an adequate water supply. Montanans and other westerners can see at firsthand the fish and wildlife contributions made by a reclamation project in Washington's Columbia Basin development. Here water from the Columbia River has developed not only a rich irrigated area of a half million acres, but, in addition, it has developed scores of fishing and hunting areas where virtually no such facilities existed before. These areas contributed 1.7 million days of visitor use by sportsmen during 1966, and added 25 percent to the fish and wildlife harvest of the State.

Also, in Washington, they can see the plans for the recently authorized Touchet division of the Bureau of Reclamation's Walla Walla project. Here water storage has been provided for minimum flows in 90 miles of the Touchet and Walla Walla Rivers, which will help restore runs of Coho and Chinook salmon which have been virtually extinct in these streams. These and other fishery benefits constitute 51 percent of the potential contributions of the project.

The great West alternately faces periods of severe flooding and severe drought. Floods inundate vast acres of land; leaving havoc and destruction in their wake. Periods of extreme drought parch the land and impair both agriculture and tourism, two of the West's principal industries.

But even between these two extremes, the West remains today largely a semiarid region, dependent on an uncertain nature. Thus, westerners who are guiding the growth of their area are determined that water, their most valuable resource, shall be conserved and utilized not only for human consumption, but also for adding value to wasteland by irrigation.

In our efforts to keep pace with the water demands of our great West, we have, since the Reclamation Act of 1902, maintained an effective partnership between State and Federal Governments. This has resulted in the building of dams, reservoirs, and distribution facilities over the past 50 or 60 years. It has also involved the planning of badly needed current facilities.

One project that has been under study for the past four decades by both the State of Montana and the Bureau of Reclamation is the Jefferson-Whitehall unit. In southwestern Montana the water resources of the upper tributaries of the Missouri are, for the most part, generally confined to eroded channels or steep-walled valleys that are remote from potential areas of use, and frequently rather inaccessible. A complex development plan is necessary to get some of this water out of its channels and transported to areas of actual or potential need and at the same time to retain enough water in the streams to sustain fish and wildlife.

Most of the streams involved are valuable for fishing, but Montanans prefer to use their beautiful streams for both fishing and water supply. Now that the studies have been completed, the Bureau of Reclamation has tentatively proposed a plan of development that will provide flood control protection, bolster the economy of a population-declining three-county area, and at the same time, provide improved fishing and wildlife opportunities for residents and visitors.

Now just what does the Jefferson-Whitehall unit propose to do for southwestern Montana?

First of all, it would create storage facilities for spring flood runoffs which, uncontrolled, can erode stream channels, make flowing streams turgid and roily, and cause damage to homes, roads and agricultural lands. This project would bring flood control benefits estimated at $360,000 annually.

After the excess flows are stored, the water will be made available for multiple beneficial uses in a large area of western Montana. These potential uses include the irrigation of cropland, fish and wildlife enhancement, and public recreation. This pattern of converting a wasted resource to beneficial use has been applied in the arid and semiarid West for the past century, making large expanses of desert land green and living, creating economic prosperity in the irrigated cases and making increased fishing and water-oriented recreation possible for many thousands of residents and visitors every year.

The irrigation water from this proposed Montana project would be delivered to some 64,000 acres of fertile land in Madison, Jefferson, Silver Bow, Broadwater and Lewis and Clark Counties, generally adjacent to the Big Hole, Jefferson and Missouri Rivers and Canyon Ferry Lake. Nearly a third of this acreage is presently irrigated with an inadequate supply of water from tributaries of the Jefferson and Missouri Rivers. The rest is largely dry-farmed wheat lands, where seasonal and cyclical vagaries of the weather make farming uncertain and economically hazardous. Hence, the production of nearly a half million acres of surplus wheat will be replaced by feed grains, beets, potatoes, and livestock production.

Between 1950 and 1960, the total population of Broadwater, Jefferson and Madison Counties decreased by approximately 5 percent, while the rural farm population in these counties declined by 37 percent. We can ill afford this loss.

Besides stabilizing and diversifying the farm production of this declining area, the Jefferson-Whitehall project would provide new economic opportunities in project area communities, both during the 10-year construction period and afterward. New farming opportunities would be created for about 135 farm families and about 80 farm laborers. Jobs in service and trade establishments would be created for about 200 persons, making a total population increase of about 1,200 people in the five-county area. This extra population and business activity would generate nearly $3 million annually in increased spendable income, and produce about $675,000 annually in Federal, State, and local tax revenue.

These project purposes would be achieved by the construction of the proposed Reichle Dam and Reservoir on the Big Hole River; the offstream Milligan Dam and Reservoir, two diversion dams, the Jefferson and Townsend canals, more than 400 miles of supply and lateral canals, and necessary drainage works. Reichle Dam and Reservoir would be the principal storage and regulatory facility, with a storage capacity of 530,700 acre-feet of water. In addition to valuable flood control benefits, this reservoir would yield annually some 350,000 acre-feet of water—13.3 billion gallons—for irrigation, as well as recreation, and fish and wildlife sanctuaries.

Access roads, sanitation, parking, picnicking, camping, and boat launching facilities at Reichle and Milligan Reservoirs will be built at an investment cost of approximately $1 million, according to a National Park Service plan. Reichle Reservoir alone would provide about 10 square miles of boating, water skiing, and lake fishing, and 32 miles of shoreline.

I have urged the construction of the Jefferson-Whitehall project because it not only benefits the State of Montana but, more important, it is a link in the chain of many conservation projects that must be undertaken if the West is going to prove a suitable place for the masses in the next few years.

Where will 100 million additional people live? Should we not provide a suitable countryside for them, if they prefer the rural areas? Or are we going to repeat the mistake of forcing our masses into overcrowded cities? I believe our people should have a right of choice, and knowing westerners, it is not difficult for me to foresee their decisions to inhabit the more wide-open areas.

This Nation was founded on the inalienable right of our citizens to life and those common pursuits necessary to sustain life. This will call for millions of additional fruitful acres, for only in such manner can we provide abundant communities for future generations. The time has arrived for action.

We honor the wisdom of our great forebears when we extend the work they inspired. Let us get on with the grand design before it is too late. Knowing what lies ahead, we should make no little plans.

THE NEIGHBORHOOD ACTION CRUSADE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. BUSH] is recognized for 50 minutes.

Mr. BUSH. Mr. Speaker, on August 1, House Joint Resolution 759 calling for the organization of Neighborhood Action Crusades throughout the Nation's cities was introduced. Since that time elected officials representing 37 States have endorsed the crusade concept, including 10

Governors, 13 mayors, four Senators and 76 Members of the House, as listed below by State:

NEIGHBORHOOD ACTION CRUSADE

ALABAMA

Representative Dickinson.

ALASKA

Governor Hickel.
Representative Pollock.

ARIZONA

Governor Williams.

CALIFORNIA

Lieutenant Governor Finch.
Representative Pettis.
Representative Don Clausen.
Representative Mailliard.
Representative Reinecke.

CONNECTICUT

Representative Meskill.
Mayor Kinsella, Hartford.

DELAWARE

Governor Terry.

GEORGIA

Representative Blackburn.
Mayor Merritt, Macon.

HAWAII

Governor Burns.

IOWA

Representative Mayne.

KANSAS

Representative Mize.

KENTUCKY

Senator Thruston Morton.
Representative Carter.
Representative Cowger.
Mayor Schmied, Louisville.

ILLINOIS

Senator Percy.
Representative Arends.
Representative Rumsfeld.
Representative Railsback.
Representative Findley.
Representative Derwinski.
Representative Anderson.
Representative Collier.
Representative Michel.
Representative McClory.

MARYLAND

Representative Gude.
Mayor McKeldin, Baltimore.

MASSACHUSETTS

Representative Heckler.
Representative Morse.
Representative Conte.
Representative Boland.
Representative Keith.
Representative Bates.
Mayor Collins, Boston.

MICHIGAN

Representative Gerald R. Ford.
Representative Brown.
Representative Ruppe.

MINNESOTA

Representative Quie.
Representative MacGregor.

MISSOURI

Mayor Cervantes, St. Louis.

MONTANA

Representative Battin.

NEBRASKA

Representative Denney.
Mayor Sorenson, Omaha.

NEVADA

Governor Laxalt.

NEW HAMPSHIRE

Representative Cleveland.

NEW JERSEY

Representative Frelinghuysen.
Representative Dwyer.
Representative Widnall.
Mayor Kramer, Paterson.

NEW MEXICO

Representative Morris.

NEW YORK

Representative Goodell.
Representative Conable.
Representative Wydler.
Governor McEwen.
Representative Robison.
Representative Smith.
Representative Grover.
Representative Halpern.
Representative Addabbo.
Mayor Walsh, Syracuse.

NORTH CAROLINA

Governor Moore.
Representative Gardner.

NORTH DAKOTA

Representative Kleppe.

OHIO

Representative Stanton.
Representative Latta.
Representative Taft.
Representative Feighan.
Representative Brown.
Representative McCulloch.

OKLAHOMA

Governor Bartlett.
Representative Belcher.

OREGON

Governor McCall.
Representative Ullman.
Representative Dellenback.

PENNSYLVANIA

Senator Scott.
Representative Saylor.
Representative Biester.
Representative Eshleman.
Representative Johnson.
Representative Schneebeli.
Representative Corbett.

PUERTO RICO

Representative Polanco-Abreu.

RHODE ISLAND

Mayor Doorley, Providence.

TENNESSEE

Representative Kuykendall.
Representative Duncan.

TEXAS

Senator Tower.
Representative Bush.
Representative Price.
Mayor Welch, Houston.

UTAH

Representative Lloyd.

WASHINGTON

Governor Evans.
Representative May.
Representative Pelly.
Mayor Braman, Seattle.

WEST VIRGINIA

Representative Hechler.

WISCONSIN

Representative Steiger.
Representative Laird.
Mayor Festge, Madison.

The Neighborhood Action concept was advanced as a means of defusing the tensions then existing in our cities. Fortunately, those tensions lessened, at least to the extent that the violence subsided, without the nationwide involvement of the people which the resolution calls upon the White House to inspire. I hope that our good fortune in being spared additional death and destruction will not be taken as a signal that the problem is less acute. The passing of summer, and the heights of tension which seem to attend it, represents the hand of a higher authority than man. Without more, we can expect both to return.

We have a breathing spell until next June. Hopefully, these few months will be used to prepare programs which lessen the likelihood of repetition of the civil strife which has marred the summers of 1966 and 1967.

The underlying thesis of the Neighborhood Action Crusade offers that hope. As was indicated at the time of introduction of the resolution, it is not a panacea. It is generally agreed that fresh innovative solutions to the urban crisis must evolve. Unquestionably, a major new commitment of funds, both local and Federal, will be needed, but the efforts of governments alone will never be enough to resolve the economic, social, and psychological problems of which the riots are merely symptomatic.

Every level of society must join in cooperative, constructive action dedicated to achieving full participation of all Americans in our affluent society. The involvement of the business community is imperative if Negro Americans are to share equally in job opportunity. The private and independent sectors must be involved to provide the counseling and job training required to equip less affluent Americans to find and hold the jobs which exist. Governments must move to provide the educational opportunity which can prepare the next generation for the upward mobility it rightfully seeks. The housing problem can only be resolved within the framework of tolerance which is the sine qua non of residential mobility, and through programs such as the Home Ownership Foundation and other imaginative new approaches to diversified homeownership.

In short, the total community must become active in the solution of today's problems, which, it must be noted, extend into the small cities and the rural countryside.

This necessarily includes the less affluent members of our society. They too, must direct their energies through self-help programs, if their aspirations are to be fulfilled. It is here that the underlying concept of the Neighborhood Action Crusade must come into play. Ultimately, this proposal calls for the participation of the people themselves in the solution of the problems they face. A spirit of community must be energized at their level.

Local neighborhood leaders, the only truly natural leaders among any people, must be identified. Through them, the energies of the local residents can be brought to bear on the immediate personal problems of the individual.

There is much that they can do. Simple mechanical programs such as fix-up, clean-up campaigns, such as that recently undertaken in Spanish Harlem, can and do improve local living conditions. Improvised play areas can be fashioned out of vacant lots, and even alleys and side streets. Local residents can provide supervision for play on the improvised playgrounds. Educational trips and outings can be managed in the same way. Such activity can lead to a wide variety of voluntary programs such as homemaking clubs and productive cooperative homework assistance for children.

According to Richard Corneulle of the Center for Independent Action, the success of any program of this kind turns on spreading the work at levels which utilize the familiar abilities of large numbers of people. His success in mobilizing the private sector is the measure of his authority in point.

It is for this reason that we continue to urge the utilization of the Neighborhood Action Crusade approach. It will serve as a medium of communication between the residents on the block and the public authorities in each community. It will serve the efforts of both local authorities and indeed the Office of Economic Opportunity in their largely unsuccessful efforts to identify these leaders. Moreover, as can be seen from the following letters of the Governors and mayors the concept has been useful and will lend itself to further contribution to the solution of pressing problems, if it can be extended.

State of Alaska,
Office of the Governor,
Juneau, August 22, 1967.

Dear Mr. Goodell: I have read your proposal for the establishment of a Neighborhood Action Crusade to ease racial tensions with a great deal of interest.

Your suggestion that the volunteer program be patterned after the air raid warden system of World War II appears to have merit.

It is evident the riots have not been instigated by the responsible people in the various communities. If a volunteer program such as your Crusade would draw the active participation of these citizens, the effort should prove worthwhile.

With warm personal regards.

Sincerely yours,

Walter J. Hickel,
Governor.

Office of the Governor,
State House,
Phoenix, Ariz., August 11, 1967.

Dear George Bush: Thank you for your letter of August first and the enclosed letter, written by you and your associates to the President.

Local action is always more effective than outside force. I hope that you receive favorable response and results from your suggestion.

Sincerely,

Jack Williams.

State of California,
Lieutenant Governor's Office,
Sacramento, August 31, 1967.

Dear Bill: Thanks very much for sending me the material on the Neighborhood Action Crusade.

I think this is an excellent program, and Chuck Goodell is to be commended for his actions in this regard. Programs similar to this have been started in several communities in California, and I hope they will spread to other areas of the country.

Warmest regards,

Sincerely yours,

Robert H. Finch,
Lieutenant Governer.

Office of the Mayor,
Hartford, Conn., August 30, 1967.

Dear Congressman Bush: We were gratified to receive your letter with the information and plans which your Committee outlined in its joint resolution submitted to Congress. We share with you the sure knowledge that the overwhelming majority of our citizens—white and Negro—are opposed to disorder and violence.

I wish to emphasize that the nature of the disturbance here in Hartford had no racial overtones whatsoever. Personal, political power plays between two personalities were involved, both of them Negro.

From our first-hand experiences, we are aware also of the great need for increased communication between government and the citizenry.

We are also cognizant of the need to reduce tensions through the day-to-day attention to individual and community problems. Because of Hartford's understanding of these problems, we have attempted to develop governmental response through neighborhood centers and other efforts designed to translate citizens' involvement into total constructive community actions.

I believe that in Hartford and those cities with similar decentralized services we could successfully implement the Program design. Since this effort would require supervision, training, and leadership, we could employ additional personnel to spend the necessary man hours to develop positive relationships among the citizenry.

We look forward to future communication and the possibility of participating in the program; and we feel that it could have significant impact in tension areas.

Sincerely yours,

George B. Kinsella.

State of Delaware,
Executive Department,
Dover, August 18, 1967.

Dear Representative Bush: This will acknowledge and thank you for writing to me on August 1, 1967, offering your solution to the recent civil unrest in many of our large cities.

Your plan, which would initiate a Neighborhood Action Crusade, has great merit and interests me very much. At least it is a step forward in the right direction, in that it would serve to involve directly the residents of the troubled communities in solving their own problems. I think this aspect is most important, and coupled with national, state and local efforts will go a long way toward preventing the outbreak of future riots and disturbances.

I support you in your endeavor although I would like to point out that the list of Mayors which you have written asking for advice, omitted the Mayor of the City of Wilmington, the Honorable John E. Babiarz.

I am quite certain Mayor Babiarz would have much to offer in the way of constructive criticism and suggestions in the determination of means to cope with civil unrest and solutions to prevent future outbreaks. Wilmington, while not having received the national publicity as other major cities, nevertheless, has been troubled recently with civil unrest. As a matter of fact, as Governor, with the cooperation of the General Assembly, I have proclaimed a State of Emergency for the Wilmington area to prevent any major riots such as those experienced in Newark, New Jersey and Detroit, Michigan.

It has been my distinct pleasure to respond to you as you requested about your Neighborhood Action Crusade.

Sincerely yours,

Charles L. Terry, Jr.,
Governor.

Executive Chambers,
Honolulu, August 16, 1967.

Gentlemen: Thank you very much for sending me a copy of your proposal in your letter of August 1, 1967, to lessen tension in our cities through a Neighborhood Action Crusade.

While there is certainly merit in any program that effectively involves community action, it seems to me that President Johnson has offered some most significant and meaningful measures in this area, especially that generally called the Rat Control Bill. I am impressed by measures the President has proposed aimed at removing both the cause of the unrest and at maintaining peace and order, and I feel that his program deserves full support along with the financial means required to implement it.

As a supplement to that program, neighborhood action is most desirable. Such a program is being carried out with some success. In Hawaii, a neighborhood action program has for years contributed to improving the quality of life for our citizens. Though we have people of many different races and cultural backgrounds living together, we have neither the tensions nor the fearfulness of other regions.

Kind regards. May the Almighty be with you and yours always.

Sincerely,

John A. Burns.

City of Baltimore,
August 16, 1967.

Dear Congressman Bush: This is to acknowledge receipt of your recent letter and attached draft of legislation that you think will help to reduce tensions that are now threatening the lives and property of urban Americans. The Neighborhood Action Crusade, which you proposed, certainly has merit and will be carefully considered.

In Baltimore, I have seen the positive results that accrue when youth from slum neighborhoods are involved in worthwhile and productive activities. For example, Baltimore has a neighborhood recreation program commonly known as "Operation Champ," which allows neighborhood leaders to operate their own program. The success of this program has spread to other cities, and those city's officials have asked to come and see Champ in operation in hopes that they might establish a similar program in their city. In other areas of the city, where the Champ program is not scheduled, I have sought out and enlisted into the service of the city government, known neighborhood leaders who have the ability to galvanize public opinion. Thus in Baltimore, we have the recognized slum neighborhood leaders working for us and not against us.

In addition to recreation, the city has hired nearly 400 people to work and some of these jobs will extend past the summer vacation. The state has promised another 400 jobs and private industry has given us its full cooperation in providing additional employment as well as contributions of money and material. In short, in Baltimore, where there have been no mass disturbances this summer, I am responding to the legitimate grievances of the disadvantaged citizens with a program that will extend past the summer months in an ongoing effort to create a favorable atmosphere and attitudes for further progress for urban stability and growth.

Sincerely,

Theodore R. McKeldin,
Mayor.

City of Boston,
Office of the Mayor,
City Hall,
August 22, 1967.

Dear Members of Congress: The proposed "Neighborhood Action Crusade" represents a positive approach to dealing with fundamental urban problems in that it relies on the leadership and involvement of neighborhood residents in the solution of neighborhood problems.

However, the brief proposal we have reviewed does not seem to offer any program or solution to problems, other than "voluntary citizen participation"—local leaders serving as "stabilizing influences." While in some communities such a program might serve as a first step, in Boston, neighborhood residents are currently developing and operating programs designed to get at the roots of disadvantage and poverty.

Through the OEO-supported community action program, eleven Area Planning Action Councils (APACs) have developed to reach out into the target area communities of greatest poverty to develop a two-way flow of communication and to provide constructive organization for the development and implementation of programs, services, and neighborhood development. Under the direction of indigenous boards of directors, drawn largely from the people being served, the APACs employ community organizers, program developers, technicians, and neighborhood aides dealing directly with the root causes and conditions that lead to riots. (More than 300 neighborhood volunteers are now serving as directors in neighborhood corporations, administering Boston's Anti-Poverty Program.)

Our training and employment programs are developing meaningful and productive work and careers for individuals otherwise relegated to the streets. The outreach activities of our Community Action Programs are seeking to serve and strengthen family units. With sufficient financial support, we are convinced that Boston's neighborhood-based APACs represent viable and constructive alternatives to lawlessness and violence.

While youthful volunteers have proved effective in some areas as "white hats" in breaking up disturbances on an ad hoc basis, institutionalizing them will likely destroy their effectiveness and legitimacy within their own community.

Personally I am convinced that our Boston Police have proved that they can handle disorder effectively and are a persuasive instrument of prevention. Experience of a minor skirmish has provided incentive for further training and preparation for riot prevention.

We are, however, deeply distressed by the reduction in versatile funds available to Boston for our community action program. The reductions imposed by the last Congress have severely hamstrung the efforts of our APACs in their target areas. We would certainly appreciate the infusion of resources through the city and the neighborhood-based Community Action Program that might otherwise go into the duplicating efforts of a proposed crusade.

Very truly yours,

JOHN F. COLLINS,
Mayor.

OFFICE OF THE MAYOR,
St. Louis, Mo., August 16, 1967.

DEAR CONGRESSMAN GOODELL: The idea of a "neighborhood action crusade to diffuse the tensions now threatening the lives and property of urban Americans" is a worthwhile consideration. There is no doubt that something must be done to alleviate the problems confronting American Negroes, particularly those confined to the poverty areas or ghettos of our great American cities. However, although worthwhile, the concept of a neighborhood action crusade is, in itself, not enough, and will be inadequate unless accompanied by the types of programs which are necessary to combat the causes as well as the symptoms of our City's problems.

I would support a campaign of this type locally only if I knew that, with the aid of state and federal government, the types of action programs that are needed would be funded and funded adequately. The programs must be designed to counteract the extreme concentration of lower income families in the central cities. We must direct our attention both toward the development of rural programs to reduce the influx of such families into the cities and toward the acceleration of upward mobility on the part of those already crowding our urban centers.

The problems that we face today relate to the unfulfilled promises that are being made by our political leaders at every level of government. We must now fulfill these promises. Before we can ask the people living in our poverty areas to help (or police) themselves we must be able to assure them that Congress, the President and everyone else concerned will provide them with the necessary tools and money.

The extensive aid needed from Congress is not merely resolutions but, instead, the development of legislation and appropriation of funds to carry out such programs as a greatly expanded War on Poverty and the Model Cities program. Congress's inaction to date is distressing. Instead of looking for solutions, they are dealing with superficial symptoms of the problems, calling for antiriot legislation while cutting back on important appropriations for Rent Supplement and Model Cities. We in Saint Louis feel that the best way to combat our problems is to expand and improve urban programs. At present estimates this would call for one-half billion dollars in Saint Louis alone.

Saint Louis is firmly committed to the philosophy of citizen participation and has encouraged local action crusades of all types. Such participation to date has been frustrated and reluctant because of the mire of red tape and the lack of sufficient funds to carry out the programs citizens have helped design. The Saint Louis Model City proposal is only one example of such commitment on the part of myself and the citizens of Saint Louis to the methods which we all see as needed to rebuild Saint Louis into a truly great city.

We must solve our problems locally. But we are dependent upon you and other members of Congress for the resources that you can bring to us in order to combat poverty as we know it today. If Congress musters the right resources, the tensions found in American cities throughout the United States will be eased. Those who find upward mobility on the socio-economic scale within their grasp do not riot. We must make it our nationwide purpose to ensure that a marked increase in such opportunities is forthcoming.

Very truly yours,

ALFONSO J. CERVANTES,
Mayor.

CITY OF OMAHA,
EXECUTIVE OFFICE,
August 7, 1967.

GENTLEMEN: This will acknowledge your letter of August 1, 1967 to which you attached a copy of your July 27 letter to the President.

All this material refers to a "Neighborhood Action Crusade". You ask for my views. I assume you want me to be frank with you.

As I review your proposal, you place great emphasis on "volunteers" to serve their own neighborhoods. It's a laudable plan.

However, in practice, we find it very, very difficult to find volunteers in the ghetto areas.

Members of the clergy, as well as numerous civic leaders, have discussed with me, time and time again, their frustrations resulting from their inability to get citizens in the low-income areas to render volunteer service. Obviously some of the problem is related to the fact that these people have trouble enough making a living, and their time for any kind of extra curricular activity is indeed limited.

Your goals are most worthy. Actual implementation would serve a need.

I confess to you that I have serious doubts about the ability to recruit the volunteers your plan calls for.

Sincerely,

A. V. SORENSEN,
Mayor.

THE STATE OF NEVADA,
EXECUTIVE CHAMBER,
Carson City, Nev., August 16, 1967.

DEAR CONGRESSMAN GOODELL: Your letter of August 1st was concerned with a letter you wrote the President in the hope of providing suggestions to defuse the tensions threatening the lives and property of urban Americans.

I appreciate the views you expressed in your letter to me, in your letter to the President, and in the joint resolution in the House of Representatives which you also enclosed.

I don't think anyone can disagree with your proposal. We have had underway here in Nevada for some time a similar program in which we have tried to allay tension while, at the same time, have attempted to try to avoid bringing such tension into public focus. There is an element of contagion involved.

We have gone into the localities, I have appeared personally on television and expressed in the news media immediately on receipt of any information which might indicate tension hot spots around the state, some of the factuality surrounding the tensions.

I note in your letter to the President that you state you do not offer your plan as a panacea but that it could be a big step forward for the balance of the summer. I agree with this.

However, we seem to react to the surges of lawlessness, rioting, attacks on time honored American institutions, in a piece-meal fashion when we seek the remedy. It would seem that what we need more than anything else is a massive campaign to lead the country back to the standards of value which made it great, to public and private morality, and to resisting the tendency to blame society in general for the failures and trespasses of the few.

Thank you for writing to me and giving me the opportunity to express myself on this.

Sincerely,

PAUL LAXALT,
Governor of Nevada.

OFFICE OF THE MAYOR,
Paterson, N.J. August 9, 1967.

DEAR CONGRESSMAN STEIGER: I am grateful for your recent letter recommending creation of a Neighborhood Action Crusade.

You and your associates have pin pointed the most essential ingredient in maintaining calm and developing progress through mutual effort.

It is true in many cities that no overall, respected negro leadership exists. Indeed, varying leaders maintain rapport with individual segments of the population. We find that geography, economic status and many other factors seem to divide the community, and only truly indigenous leaders can communicate effectively with their peers.

In Paterson, we have operated for months on this theory, and have involved leaders from various segments of the minority community in continuous dialogues with the administration and in the actual creation of programs to serve their neighbors.

An immediate source of organization strength in many cities lies in the Community Action Program. Here in our City, the Federation of Neighborhood Councils works in individual neighborhoods and serves as a sounding board for both the community and City Hall.

It was because of this close liaison between City officials and ghetto representatives that we have been able to maintain relative calm in our community. And from this program are emanating several fascinating new approaches to tackling the problems of the slum developed in work shop sessions with the residents themselves. Our own Congressman Joelson has been of great assistance to us in this effort.

Sincerely,

LAWRENCE F. KRAMER.

CITY OF SYRACUSE, N.Y.,
OFFICE OF THE MAYOR,
August 10, 1967.

DEAR CHARLES: Thank you for your letter of August 1st, 1967.

I am very much interested in the proposal made by you and other members of your Committee to the President of the United States. I think that it is an excellent idea to initiate action in the neighborhoods on a volunteer basis, and I propose to present your suggestions to the Mayor's Commission on Human Rights when I meet with them next week to go over possible ways in which the City and the neighborhoods can work to relieve the tensions that are developing in all of our cities.

Good luck.

Sincerely,

WILLIAM F. WALSH,
Mayor.

STATE OF NORTH CAROLINA,
GOVERNOR'S OFFICE,
Raleigh, August 15, 1967.

DEAR CONGRESSMAN: Thank you for your letter and the enclosed copy of your correspondence with the President relative to your suggestion to diffuse the tension in some American cities. I appreciate having this information and your suggestion that it might possibly be utilized in this State.

We have had a similar procedure in effect for some time in North Carolina. We have a State-wide Good Neighbor Council which works constantly at improving human relations throughout the State. In addition, a number of our cities and counties have local Good Neighbor or Human Relation organizations which work along the same lines in their communities. These councils have been a most effective means of communication on grievances, as well as concern over problems.

We feel that the Good Neighbor Council approach is working most effectively in North Carolina, and that it has been a major asset in our efforts to solve the problems of our people without violence or discord.

With best wishes, I am

Sincerely,

DAN MOORE.

STATE OF OKLAHOMA,
OFFICE OF THE GOVERNOR,
Oklahoma City, August 29, 1967.

DEAR CONGRESSMAN BUSH: Thank you for your letters of August 1, 1967. All economic and social segments of this state share your concern in this matter that has posed so grave a threat to the peace and security of our urban areas.

I have established in Oklahoma a Full Employment Commission. Under this commission a clearing house has been established to seek from Oklahoma employers all present and upcoming jobs to be earmarked for qualified individuals from sub-standard job opportunity areas. This program also places aspiring individuals into technical training programs to qualify them for future upcoming jobs. This program is designed to raise through broad-scale increased productivity and income of individuals, a significant improvement in both economic and social levels of a large category of heretofore underprivileged Oklahomans.

We feel this program is effective and is largely responsible for the forestalling of any precipitous action of a violent nature. We are, hopefully, establishing a climate wherein all ethnic and racial groups are participating in removing the causes of their frustration.

While the immediate short-term solution techniques suggested are excellent, we feel that the outlined long range program we are pursuing embodies the spirit of your splendid concept.

If I may be of further assistance or if I may provide further information please call upon me.

Sincerely,

DEWEY F. BARTLETT,
Governor.

OFFICE OF THE GOVERNOR,
STATE CAPITOL,
Salem, August 17, 1967.

DEAR CONGRESSMAN BUSH: Thank you for your letter and the copy of the House Resolution. As a short-term riot suppressant, the Neighborhood Action Crusade might prove useful.

I recognize that this program is not seen as a panacea; but this fact is of such fundamental importance, it must continually be reemphasized. I have heard in my contact with the Negro community in Portland that the only real solution is to open and expand opportunities for the Negro. Unless this is done, the neighborhood leaders will have nothing to extinguish the fire of frustration, futility, anger, and ultimately hate. So let us further resolve to create a society of opportunity and thereby assure a successful Neighborhood Action Crusade.

Sincerely,

TOM MCCALL,
Governor.

CITY OF PROVIDENCE,
EXECUTIVE CHAMBER,
Providence, R.I., August 24, 1967.

DEAR CONGRESSMAN GOODELL: I am in receipt of your letter of August 1st concerning your proposal to de-fuse the cities. While we have not officially initiated a "Neighborhood Action Crusade" in Providence, we did establish, during a recent disorder, a group of volunteers whose responsibility it was to provide continuing communication and positive direction in the effort to insure peace in the city.

Our group wore white helmets and patrolled the streets every night of the four days of the curfew. They were, in my estimation, responsible for the fact that our disorder did not precipitate into a riot. This group which was labeled the "Soul Patrol" was a group of anti-poverty officials and citizen volunteers.

In essence, I think that Providence has already undertaken a program like that which you have suggested, and I certainly would like to go on record in support of a national program modelled after our own here in Providence.

Very truly yours,.

JOSEPH A. DOORLEY, Jr.,
Mayor of Providence.

STATE OF WASHINGTON,
OFFICE OF THE GOVERNOR,
Olympia, August 24, 1967.

DEAR CONGRESSMAN BUSH: At a time of national crisis, when all the resources of Municipal, State and Federal Government must be rallied to respond affirmatively to complex human rights problems, I was particularly appreciative of your letter of August 1, 1967, suggesting the initiation of a Neighborhood Action Crusade. The program represents a very tangible and constructive effort to meet the very serious and complex problems related to human rights.

In recent weeks I have devoted a good deal of my time, and I have given top priority to problems dealing with human rights in the State of Washington. I have conducted a series of meetings with traditional civil rights leaders, as well as individual conferences with a number of militant young adults from the City of Seattle, who have suggested to me some specific suggestions to alleviate some of the most serious concerns. Because of my direct personal contact with this issue in the State of Washington, I am in support of the proposed Neighborhood Action Crusade which you have initiated by your letter to the President. This type of program is consistant with my own thinking relative to this matter and I will be happy to cooperate in the implementation of this very unique concept.

Sincerely,

DANIEL J. EVANS,
Governor.

OFFICE OF THE MAYOR,
Seattle, August 10, 1967.

DEAR CONGRESSMAN GOODELL: This will acknowledge your recent letter, together with a copy of a proposed resolution relating to the establishment of "Neighborhood Action Crusades" in various cities.

I of course concur completely in the purpose of the resolution and the way it is proposed that it be implemented. However, I must point out that all of the suggestions made in the resolution are already in effect to one degree or another in existing citizen supported organizations here in the city of Seattle.

Most of these programs are either totally local in nature or are operations under the Economic Opportunity Act. The only difference that I see in the proposed resolution, with which I certainly agree, would be a more complete degree of local control of these programs. I will have to say, however, that up to this point our O.E.O. programs have been quite successful, and we have not been particularly hampered by autocratic interference from federal administrative bodies.

We have, of course, been concerned over some of the efforts to earmark the use of funds, but because of vigorous protest, this has been eliminated to a considerable degree.

However, your resolution would be an improvement to that degree, and I would consequently support it. I would, however, question that anything that will cause a hiatus in the operation of the agencies now under O.E.O. would be disastrous in our endeavors to keep a delicate balance in these troubled areas.

Sincerely yours,

J. D. BRAMAN,
Mayor.

CITY OF MADISON, WIS.,
OFFICE OF THE MAYOR,
August 8, 1967.

DEAR CONGRESSMAN GOODELL: I am pleased to support the resolution introduced by yourself and Congressmen Bush, Cowger, and Steiger. In this resolution you call for a Neighborhood Action Crusade.

I believe that the City of Madison has had such a program for sometime and is working diligently to modify it to recognize any imperfection that may exist.

Let me point out that the City of Madison in 1963 adopted an open housing ordinance which includes all dwellings in the City of Madison except owner occupied single family dwellings and owner occupied houses of four units or less. We have an Equal Opportunities Commission which has been extremely successful in dealing with complaints that have been brought to its attention. The Commission also has engaged in an educational program to inform people of our City about the ordinance and through this educational program has attempted to influence the attitudes of our people. In this area again it has been very successful. Today we have Negro families living in each of the 22 wards of this City.

I would say that we have made a great deal of progress in the past three years; however, I would not say that we have completely erased racial bias. This goal is yet to be attained.

Madison has always had several very effective neighborhood organizations. The Lake Wingra Community Council, for example, together with the Madison Housing Authority and the Common Council, has sponsored a moderate incoming housing development which will provide housing for people in this income bracket who experience difficulty in finding adequate facilities. Other neighborhood organizations have been in existence for varying periods of time and with varying degrees of success. I do believe it is generally recognized in this City that neighborhood organizations can and do serve a very useful purpose to enunciate the problems that may exist in a given neighborhood, to bring the neighborhood together for a discussion about the proposed solutions, and finally to lend support to the implementation of these solutions.

The Mayor's Citizens Advisory Committee is attempting to set up a coordinating body so that the efforts of the individual neighborhood councils could be further strengthened through an overall City unit.

Therefore, I am pleased that you have sponsored a resolution in the Congress of the United States endorsing such a program as we have attempted to implement in Madison.

Sincerely yours,

Otto Festge,
Mayor.

LABOR DAY MESSAGE BY GEORGE MEANY

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Dent] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DENT. Mr. Speaker, the 1967 Labor Day message by George Meany, president of the AFL-CIO, was addressed to the Members of Congress as well as the public.

Since I think that what he said should be carefully considered by us, I include the message in the Record at this point:

The 1967 Labor Day Message by President George Meany, AFL-CIO

This Labor Day finds the American people at mid-point in a great period of national decision.

It is not the kind of decision that is immediately expressed at the polls, although a political choice will be the ultimate result.

Instead, it is a process of re-thinking—of taking a new look at American society as it is and as it ought to be, and a new look at the role of the United States in world affairs.

These are the two main channels in which decisions are being made, on a whole range of separate but related issues, in the minds and hearts of all Americans. These two rivers of thought will eventually converge, and will blend into the great decision that will determine the shape of American life for many years to come, and perhaps the future of the world as well.

Let us first consider them one by one.

Recent years have brought sweeping changes in American society, stemming from a re-birth of idealism and keyed to the vision of America that most Americans cherish.

Beginning in 1961, and continuing at an accelerating pace through 1966, the American people—through their elected representatives, supported by a national consensus—launched an unprecedented campaign to exterminate the remaining evils which blurred that vision.

This campaign drove into the darkest corners. It went under all the rugs where problems had been swept for generations. It dared to make a frontal attack on the "gentlemen's agreements" that had sustained racial discrimination for two centuries. It boldly struck and overthrew the fearsome barriers to greater educational opportunity. It proudly proclaimed that poverty was not a natural state for any free man, and declared a war to end it.

And this wasn't all. Ugliness in every form became an enemy—the pollution of rivers and of the air we breathe; profiteering on essential drugs and the callous promotion of dangerous ones; extortionate interest rates and consumer deception; despoiled forests and littered streets—these abuses and many more were suddenly matters of national concern.

Since the end of 1966 the campaign has slacked off. The elections that November involved no national issue and showed no consistent pattern, but they were interpreted by many members of Congress as evidence that the voters wanted to pause a bit; not to stop the campaign, but to slow it down. We believe this interpretation was wrong. And by accepting it as a guide for action, or inaction—as we in the AFL-CIO repeatedly warned—Congress made a serious mistake.

It was a mistake because the campaign that began in 1961 was still only a beginning. It had identified the needs, and had started to meet them. But in so doing it opened the eyes and awakened the expectations of all Americans who suffered from the abuses at which it was aimed.

The result of the subsequent slowdown has been disillusionment among many and disorder by a few. The disorders, in turn—with calculated and cynical assistance from the enemies of progress—have led some Americans of good will to question the basic concepts of the campaign itself.

To put it bluntly, the conscience and idealism of the affluent majority is being tested in the crucible of reality. It is one thing to overflow with good will toward the disadvantaged who live a thousand miles away; it is quite another thing to recognize the comparable problems of those in the same city or the next block, especially if they are not asking favors but demanding rights.

It would be an unthinkable tragedy if conscience and idealism failed to meet this test. The mindless riots of this unhappy summer cannot be condoned. Arson, looting and murder have no relation to civil rights; they are criminal wrongs, and an affront to the very ideals which motivate the quest for a better society. But neither do the riots offer the slightest justification for calling a halt to programs that strike at the evils which breed riots.

Yet this is precisely what the reactionaries would do, and unfortunately there are troubled citizens, normally of good will, who are tempted to agree. They do not openly renounce their principles, but they are beset by doubts.

So they give no more than lip-service to the unfilled needs—not only to civil rights proposals as such, but to all the hopeful new programs to overcome poverty, ignorance and despair. There is a strong, cold undercurrent running against the idealism and the vision of recent years. Measures designed to help the poor are looked upon as measures to appease the rioters. This is a terrible untruth, but far too many have quietly accepted it as fact.

This is a time for the common sense of the American people to come to the rescue—for sense to overcome sensationalism. The criminal madness of a few must not be visited upon the many, of all races, who desperately need all the help and inspiration they can get. It is not just their future which hangs in the balance; it is ours as well.

This, then, is one of the channels of decision. The other, of course, involves the war in Viet Nam, and indirection, the role of the United States in world affairs.

For almost a generation—since World War II—this country has by the sheer force of events become not just the arsenal of democracy but its one principal defender throughout the world.

It is a new role for America, where isolationism was a tradition for so long. And it is a costly and uncomfortable role.

To defend the freedom of the people of South Viet Nam, we have committed almost a half a million troops and suffered many thousands of casualties. It is a bloody, dirty and indecisive sort of war, not at all in the American tradition.

It is a war that is especially difficult for some young people to understand. They have had no experience with despotism, or with conquerors. They cling to the simple faith that all governments are much like our own, in the sense that their policies are controlled by their people. And because the United States is a large country fighting in a small one, they talk in terms of imperialism and arrogance.

Along with them, with less excuse, march some of their elders, who have forgotten what they lived through. Against all the weight of history they assert that if only the United States would give way, the Communist forces would at once be converted to sweetness and light, in Viet Nam and everywhere.

To complicate things even more, there is still another group which maintains we should annihilate every nation whose leaders question the position of the United States. These super-hawks have no apparent concern for the future of the human race as long as the last survivor can wave the Stars and Stripes.

Here, too, there is an urgent need for common sense, a sense of reality and a sense of proportion. This is the second channel of decision now flowing through the American consciousness and the American conscience.

In both these channels, so different on the surface, the same question is involved: Are Americans prepared to invest in their future?

On the domestic scene—the first channel—the issue is massive social change, supported by massive amounts of money. It involves jobs at good wages for all. It involves the kind of universal and unlimited educational opportunities that will equip every American to fill these jobs. It involves an end to slums and to ghettoes, not on paper but in fact; and an end to discrimination, not on paper but in fact.

The record since 1961 is proof that investment toward these ends pays enormous dividends, in cold cash as well as warm hearts. Clearly the investment should be greater, not less.

In world affairs the issue is an investment in freedom. This is painful as well as expensive, for it demands lives as well as dollars. But here, too, the dividends are there for the counting. By defending the freedom of one small nation by arms, and by helping to preseve the freedom of many others with dedicated manpower and sound financial aid, America is making its contribution toward the attainment of a peaceful future for all mankind.

I said that these channels of decision converge, and indeed they do.

There are those who see very clearly the need to carry forward the war in Viet Nam, but are obsessed by its costs. They call for a moratorium on progress in America, a suspension of investment in a better life and in the fulfillment of the American dream, until a military victory is assured.

They are wrong.

There are also those who are deeply moved by the shortcomings in American society, and see the war only as a financial burden that should be cast aside, on any terms, in the interests of faster domestic progress.

They are wrong, too.

They are both wrong because progress toward the perfection of American society and

> progress toward the security of other free peoples are inseparable parts of a single objective.
>
> America can remain free and secure only in a world where freedom is secure. Freedom can be secure everywhere only if it is assured to all Americans.
>
> This is what Americans must bear in mind during this period of national decision. It is my hope and my faith that they will decide wisely and well.

RONALD REAGAN: DISASTER IN GOVERNMENT

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MOSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MOSS. Mr. Speaker, I have been intrigued by pollsters who, in their desperate effort to find a combination which might possibly give Lyndon Johnson a hard run in 1968 have come up with the ticket of Rockefeller-Reagan or Reagan-Rockefeller.

I am not sure what the poor souls polled thought about that combination, but the Sacramento Bee, noted for its intelligent reporting of the California scene, recently commented on Governor Reagan's foray into State government:

> So far, a failure in reducing the costs of government, Reagan bids fair to be a disaster in the fields of humanity and intellectuality.

The Bee concluded its Reagan profile:

> It would be national suicide to reward such a man with the custodianship of any larger area of government than the one he has now.

This is sound advice.

Gov. Ronald Reagan might be nice on the late, late show, but I would not want to have him as my President or even my Vice President.

He has made cuts in education and in mental health. California's colleges are fast going downhill in the new atmosphere of "business as usual."

I can sympathize with the poor citizen being asked about Governor Reagan and, for his edification, I enter in the RECORD an intelligent and piquant editorial from the Sacramento Bee which gives us all a picture of the man who left Hollywood for General Electric, but wound up in the State House at Sacramento:

GOVERNMENT IS MORE THAN BUSINESS

> In a recent nationwide interview on television Gov. Ronald Reagan reviewed his governorship to date and asserted he had laid the basis for spectacular reform and improved state government.
>
> What did reform and improvement mean in the words of Reagan? It meant cutting expenditures. And how was he to cut expenditures? Through the advice of his task force of businessmen who are putting every part of the state government under a microscope.
>
> And what were the businessmen seeking? Why, means of further cutting the costs of government.
>
> There is nothing wrong about conducting government in a businesslike manner. But the substance of business is in the main directly opposite to the substance of government. Private business seeks private profit. Government, when it is properly run, seeks to provide services to every segment of the population.
>
> A quarter of a century ago America had in President Calvin Coolidge a man who like Reagan, believed "the business of government is business". Never once in the television interview did Reagan mention any segment of the population but business.
>
> Never once did he speak of the poor, of the sick, of the slums, of the need to improve governmental services in any other way than slashing, cutting and trimming costs.
>
> To be sure Reagan spoke of the people, but he cut it no finer than that. In listening to him, his audience would be justified in concluding that Reagan equated the people with business, the voter with the business man.
>
> As a matter of fact Reagan has fathered the highest budget and tax hikes in the history of California.
>
> His cuts have been deepest in the fields of education and mental health. These cuts easily could begin the most ruinous flight of all times from the state's modern and liberal tradition.
>
> Those who have labored hard to improve mental health care had attained one of the greatest ends in the treatment of the mentally sick—the open ward. As a consequence of Reagan's cutbacks in the staff of the mental hospitals, wards, once open, front and rear, are locked tight. Where this has occurred a century of progress has been wiped out in six months of Reagan's tenure.
>
> The university and colleges have had difficulty in filling their teaching staffs as word sped throughout the nation that California was adopting policies hostile to a good teaching climate.
>
> So far, a failure in reducing the costs of state government, Reagan bids fair to be a disaster in the fields of humanity and intellectuality. It would be national suicide to reward such a man with the custodianship of any larger area of government than the one he now has.

POSTSECONDARY EDUCATION

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHEUER. Mr. Speaker, one of the cherished ideals of our society is equal educational opportunity for all flowing from one of the liberal precepts upon which our form of government was founded—the perfectibility of man; it has been echoed throughout the years, and was summed up most succinctly by President Johnson when he said:

> From the very beginnings as a Nation, we have felt a fierce commitment to the ideal of education for everyone.

The Congress of the United States has expressed its willingness to embrace this ideal. Through several measures—the GI bill, the cold war GI bill, the National Defense Education Act, the Vocational Education Act, and the Higher Education Act—Congress has taken several giant steps toward making universal postsecondary education a reality. But these attempts have not been unified, have not been directed and purposeful, have not been broadly effective.

There is a direct and provable correlation in today's sophisticated, automated, technological society between a person's economic status—his income, his tax rates, where he lives—and the amount of education he has received. And the omissions of the father are visited upon the son, for the children of such low-income families have a difficult time attending school, even if they qualify academically. In 1960, 78 percent of high school graduates from families with incomes of $12,000 or more attended college, contrasted with only 33 percent of the high school graduates from families with incomes of $3,000 or less.

Over the years, and particularly in recent months, there have been a flurry of proposals of how to make universal educational opportunity at the post-secondary level a reality. The proposals range from outright grants covering all tuition and expenses—like the GI bill—to various tax deductions and credit proposals, and loans of one sort or another.

However, there has never been a comprehensive study of the history of these programs, of the current plans and proposals; no attempt at a comprehensive evaluation of them, and no recommendation of any favored proposal to the Congress for its deliberations.

Therefore, Mr. Speaker, I am today introducing a bill which will take Congress a major and fundamental step forward, toward enabling our Nation to realize our goal of equal educational opportunity for all. The bill requires the Secretary of Health, Education, and Welfare to make a study of various plans which would provide practical means and programs for providing universal educational opportunity, and return to Congress by next August with a concrete recommendation.

The Honorable RALPH YARBOROUGH, senior Senator from the State of Texas, and a distinguished member of the Senate Committee on Labor and Public Welfare, is introducing a similar measure today as an amendment to the Senate Higher Education Act Amendments of 1967.

In the course of recent hearings before the Special Education Subcommittee of the House of Representatives, Under Secretary of the Treasury, Joseph W. Barr, and U.S. Commissioner of Education, Harold Howe, expressed their eagerness to perform just such a study as it pertained to the GI bill, which, for instance, cost this Nation $14.5 billion, provided for tuition, fees, and subsistence, and yet repaid for itself in the form of increased tax payments in less than 15 years, and, it is estimated, will repay for itself two to three times over within the earning lifetime of the individuals who benefited from it.

The average cost of post-secondary education—both college and vocational—is more than $1,500 per year; for the average family the cost of sending a child to college is the second largest expense in their budget—only a home costs more. These costs are spiraling upwards and will continue escalating; statisticians estimate that tuition for higher education will rise by 50 percent in both public and private institutions over the next decade. Viewed in the context of today's median family income of $6,000, the ever-increasing costs of post-secondary education is progressively pricing it right out of the market for millions of young Americans.

The words of Sir Arthur Hugh Clough, written nearly 120 years ago, ring more than ever true today:

> Grace is given of God, but knowledge is bought in the market.

Mr. Speaker, we must move quickly and decisively to see to it that access to the marketplace of vocational and academic education is made available to every young American with the will to learn.

COMMENDATION OF MR. ARCHIE MOORE

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LEGGETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LEGGETT. Mr. Speaker, Archie Moore, who became light heavyweight champion of the world at age 39 and remained champion until age 50, is now fighting his toughest match against juvenile deliquency and racial hatred.

The Old Mongoose, who registered 136 knockouts during his 29½ years in the ring, is successfully teaching boys dignity and self-respect. Since he left the ring, Archie has started programs that teach youngsters spiritual, moral, and physical strength.

Archie teaches boys good citizenship through athletics. He runs the Los Angeles Little Dodgers, the Better Boys Foundation and Archie Moore Gym, and the ABC—any boy can—best foot forward program. According to Archie, if a boy has confidence that he can defend himself, he can "walk away from trouble without cowardice but with courage and dignity."

If walking away from trouble does not work, Moore drills his students to "strike like a cobra or an automatic (pistol)" at the delinquents that set upon them.

The fighter also gives his boys spiritual and moral guidance. He likens boys to flowers that cannot grow straight and bloom without "the sunlight of basic religious teachings." If the boys tell one lie they are out of Archie's program. If they have done something wrong, they discipline themselves by not accepting privileges.

During the rigorous physical and mental drills of the ABC program, the boys recite in unison their purpose—"to live with dignity, put our best foot forward and become good citizens." They chant what a good citizen does do: "Go to school." "Get a high school diploma." "Go to college." "Go to church." "Be a good American." They shout about "good sportsmanship" playing the game fair and square at all times" and "being clean inside and out."

Moore's ritual of antivandalism continues as the boys shout what a good citizen should not do: "Lie. Cheat. Steal. Smoke. Drink. Gamble. Vandalize. Start riots."

There is nothing corny or discomforting about the boys drill performance. The ritual and their devotion and admiration for Archie give them the impetus to accept and defend these ideas.

> Every boy wants to amount to something—

Archie says.

> He wants to have pride in himself.

Archie aims his ABC program at young boys—ages 8 to 15—whose patterns and goals in life are just forming. He motivates them toward definite goals, such as becoming doctors, lawyers, salesmen, policemen, clergymen and teachers. Often, his boys have never known a man that they could respect and admire, who took an interest in them.

The example of Archie's life and his ideas, keep them ferverently devoted to his program and his teachings. One of Archie's proudest remarks is that any of his boys would speak up for his beliefs in a critical moment.

Archie's motto is "Face the future with harmony for all mankind." He compares it to the five lines and four spaces in music. The lines E, G, B, D, and F signify "Every Good Boy Does Fine."

And all of his boys do do fine. Archie's ABC program has been an astounding success. The average grades of the boys in his program have raised from a D plus to a B plus. Vandalism and juvenile delinquency in Vallejo, where Archie began his pilot ABC program, decreased 99 percent. Vandalism costs sank from $7,000 to $70 a month. The boys' self-esteem has grown along with their aspirations, improving their dress, behavior, personal hygiene, and grades.

Archie had the same problems and fears as a boy as his students do.

> My early years were filled with bitterness—

He says:

> Bitterness between the Caucasians and their refusal to try to understand the plight of the non-white. It led to plenty of embarrassing circumstances. I was beaten, I was afraid, and I was forced to run.

When he was 7 years old, Archie witnessed a phenomenon that changed his life. As he was hauling ice home to his aunt and uncle in Mississippi, he heard shouting and screaming from behind a fence. Peeking through a hole in the fence, he saw two men with gloves on fighting fiercely.

> To me this was the greatest scene I had ever witnessed—

Archie declares:

> I saw that man shouldn't run but stand and fight. And from that day I became serious about doing just that—standing and fighting.

Archie has been standing and fighting for 6 years now trying to teach this experience to boys. He gives a boy dignity by teaching him to stand up for himself and to respect others property.

> Right here in this ring—

Archie said—

> this is where differences should be settled, not in the streets brawling and rioting.

Now Archie, who is an OEO consultant, is seeking to organize his programs on a nationwide and worldwide scale. He wants to take teams of qualified people to the troubled areas of our cities to teach people dignity, self-respect, and harmony with one another.

> If some bigot can misguide—

Archie eloquently said in the San Diego Union—

> then I can guide. I've spent too much of my life building what I've got, to put it to torch just to satisfy some ancient hatred of a man who beat my grandfather. Those men are long dead. Do we have to choke what could be a beautiful garden with weeds of hate? I say no! And I stand ready to start "Operation Gardner." I invite the respected Negro leaders of our country to join me.

REPUBLICANS PLAY POLITICS WITH THE CRIME PROBLEM

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CHARLES H. WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker—

> What the Republicans are doing may be good politics . . . But they may be doing the Nation a disservice.

This observation concerns recent public statements by various Republican groups attempting to discredit the administration's historic program to improve law enforcement and reduce crime.

It was contained in an article by Ronald J. Ostrow in the Los Angeles Times, September 5.

Mr. Ostrow points out that Republican allegations "give the public the impression that panaceas, such as renewed bugging, will do the job that demands years of comprehensive programs."

Mr. Speaker, I respectfully include this article in the RECORD:

GOP SEIZES CRIME ISSUE BUT MAY DEFEAT CRIME FIGHT

(By Ronald J. Ostrow)

It was only six months ago that politicians were shaking their heads in awe over the way Lyndon Johnson had adroitly snatched the crime issue away from Republicans.

But now the GOP has regained control of the issue that Barry Goldwater introduced during his campaign for the presidency.

What the Republicans are doing may be good politics—and possibly rewarding—over the short haul. But they may be doing the nation a disservice.

The Republicans are zeroing in on organized crime by challenging the Administration ban on bugging and wiretapping. At most, this is a tiny part of the fight against crime.

They're also broadening their criticism of Administration crime-fighters by incorporating urban riots and Negro super-militants in the "crime wave" they seek to push back.

This kind of packaging is likely to make lawlessness the No. 2 issue of the 1968 presidential campaign, right behind Vietnam.

So convinced are the Republicans of the crime issue's vote-getting appeal that they're betting both ways on it.

On the one hand, a group of Republican moderates in the House have accused Mr. Johnson of ignoring his own crime commission's proposals for combating organized crime. On the other, House Republicans teamed with Southern Democrats to emasculate the omnibus anticrime bill that resulted from the commission's 18 months of study.

There's far more at stake in this fight than which party will be credited eventually with beating back crime. The partisan battling could defeat the war against crime before it really gets under way.

The Administration bill carried out the crime commission's proposal for reshaping and upgrading police, providing for a system of federal grants and matching funds for this purpose. In the past, state and local funding too often has been wasted, either because politics influenced the spending or because the needed expertise for best use of the money was lacking—or for both reasons.

The Republican-Southern Democrat coalition pushed through the House a measure that would give state governors—not the U.S. attorney general—control over spending the federal law enforcement research grants. Under the bill top priority would be given projects to squelch riots and fight organized crime.

By putting such stress on equipping police to put down riots, the bill ran counter to a basic theme of the crime commission report: the need to view crime in its totality and to strike at its root causes.

Before this nation can hope to reduce crime significantly or lastingly," the commission said, "it must mount and maintain a massive attack against the conditions of life that underlie it."

The emphasis on spending federal money for combating riots came on top of another House-passed bill that would make it a federal crime to cross a state line with the intent of starting a riot.

Like most political claims as the heat of an election year draws near, there is some truth to the GOP's indictment of the Justice Department's anti-racketeering campaign.

The drive has lagged since Robert F. Kennedy resigned as attorney general. He had assigned a No. 1 priority to the organized crime fight.

The slowdown also has reflected the efforts of the department's organized crime and racketeering section to uncover past and pending prosecutions that may have been tainted by illegal eavesdropping—in line with a directive by Atty. Gen. Ramsey Clark.

In the wake of Kennedy's departure, the section's force of lawyers dropped to a low of 38. It has since been built back up to 60. A May, 1966, directive by President Johnson renewed an inter-agency campaign against organized crime, but the drive still falls short of the all-out assault stewarded by Kennedy.

This substance to the Republican criticism, however, does not excuse vastly over-simplified charges. These allegations give the public the impression that panaceas, such as renewed bugging, will do the job that demands years of comprehensive programs.

What of the firearms control bill which had strong commission backing?

The bill, at best, is stalemated. Its leading Senate opponent, Sen. Roman L. Hruska (R-Neb.), is one of the chief advocates of permitting law enforcement bugging as a means of curbing crime.

When the crime commission's findings and recommendations were announced in February, officials invoked the ghost of a similar body—the Wickersham Commission—to make a plea for public support.

This commission, appointed by President Hoover in 1929, also received widespread commendation for its labors. But its reports became mired down in the fight over prohibition and were overshadowed by the depression.

Now, 37 years later, the controversy over eavesdropping and the national concern over urban riots could deal President Johnson's crime commission an equally cruel place in history.

THE RIGHT TO STRIKE

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOLLAND. Mr. Speaker, Labor Day has just passed and we have all been regaled with a long series of speeches about how everyone respects and honors "labor's hard-won rights." Even the most hard-bitten conservatives among us pay lipservice to the notion that "we can't return to the days when labor relations were run according to the rules of jungle warfare." Everyone, on these Labor Day weekends, talks about labor's rights.

Then, the Ford Co. goes out on strike. Then some schools in several large cities go out on strike. Then, Mr. Speaker, we begin to hear the other shoe drop. Everyone continues to assure us that he respects the right to strike. But to respect a right in the abstract is painless, if you always reserve the right to object to any specific person's right to strike against a specific industry. The same people who assure us that labor has the right to refuse to work when working conditions are unacceptable now tell us that "the public can't accept" strikes by automobile makers, schoolteachers, airline employees, railroad workers, and so forth. I am always at a loss to understand the reasoning that says that some people are so essential to the "public interest" that they simply have forfeited the right to say they will not work for unacceptable wages or under unacceptable conditions. I do not understand how we can claim to have eliminated slavery and then turn around and say that some Americans must work, whether they want to or not, at specific jobs under whatever working conditions their employers see fit to afford them. And this is particularly hard to understand when the same people talk most noisily about some strikes being "unacceptable" are usually to be found among those who most vigorously defend the employers' right to be hard-nosed about collective bargaining. Or maybe it is not so hard to understand.

Mr. Speaker, William F. Schnitzler, secretary-treasurer of the AFL–CIO, has commented more eloquently than I can on the basic human freedom to organize, to bargain, and go on strike in his own 1967 Labor Day message. I include this message at this point in the RECORD:

LABOR DAY MESSAGE, 1967, BY SECRETARY-TREASURER WILLIAM F. SCHNITZLER, AFL–CIO

As we in the labor movement pause each Labor Day to take stock of what has happened during the last year and what we hope for in the year ahead, we invariably find in this inventory a mixture of old and new.

There are always new hopes, of course, for this is the nature of our movement. And there are always new problems, since they are a product of progress. But there are also old hopes, not yet fulfilled, and old issues, not fully resolved.

One of these issues is by its very nature a continuing one, and that is the rightful role of the labor movement in our free society.

It is a continuing issue because there is continuing change, both in American society and in the labor movement. The shape of the national economy changes, and so do the functions of government. New generations of workers come into the labor force and into the trade unions. New leaders emerge in labor, management and public affairs. Neither the problems nor the people are constant. Therefore a periodic re-examination of labor's role is not only wise but unavoidable.

There are, of course, a few immutable fundamentals.

Workers organize unions because it is the only way they can have an effective voice in determining their wages and other conditions of employment.

The resulting process of collective bargaining not only is incorporated into the official policies of the United States, but has the support of a great majority of the American people and is accepted by most employers of any consequence.

In other words, it is obvious to all sensible Americans that collective bargaining is the only practical way to conduct labor-management relations in a free, modern society.

But this general consensus leaves out important particulars. One of them involves strikes.

Almost everyone who accepts the idea of collective bargaining also claims to believe in the right to strike. Unfortunately, this belief sometimes wavers when it runs into reality—such as a specific strike that annoys or inconveniences the believer.

At such times, some of those who loudly assert their support of unions in general are found in the camp whose motto is "There ought to be a law." They say that in one case or another, disputes should be resolved by compulsory arbitration, by labor courts or some similar device.

Yet in fact it is the right to strike that gives meaning to collective bargaining, and without that right the whole structure of labor-management relations would collapse. The negotiation of a contract involves basic economic decisions which in a free society should be made by the parties themselves.

There are two fallacies that provide the principal foundation for the idea of compulsory arbitration.

One is that there is always a "right" or "fair" solution to a labor dispute, which a wise outsider could determine. On what basis could such a determination be made? Obviously the decision—like arbitration awards of any kind—would be heavily influenced by precedent, by existing standards elsewhere and by the inherent tendency of such proceedings to compromise between the positions of the litigants.

Such a system would be a built-in brake on progress. It would limit future gains to patterns already established. There would be no new precedents set, for the power to break through old barriers would be gone.

This would not just be bad for union members. It would blight the economic growth of the nation, and lead swiftly and inexorably to an erosion of purchasing-power and a resulting collapse.

The other fallacy is that strikes are often incompatible with the "public interest." A part of this fallacy is that strikes are frequent. This part is easily exploded by an example: Strikes have "cost" only half as much time as industrial accidents and a fraction of the time lost through illness—or coffee breaks.

What about the rest of this fallacy—the so-called "public interest" strikes?

First, a distinction must be made between those strikes that cause public aggravation—a newspaper strike, let's say, that deprives readers of the comics and the columnists—

and strikes that really threaten to cause lasting damage. When the former are sifted out, very few remain.

With respect to those few, the labor movement takes this position: If workers are to be denied the freedom to strike for reasons genuinely involving the national interest, two other provisions must apply. The best possible alternative mechanism must be created for resolving disputes over conditions of employment; and the industry or service where strikes are forbidden must not be operated for private profit.

Surely a basic freedom should not be surrendered without some assurance that justice can otherwise be obtained; and surely this freedom should not be sacrificed for the benefit of private gain.

Let us turn now from the primary function of trade unions to the labor movement's broader role—in some respects an even more important one.

For many years, the AFL–CIO and its predecessor federations have realized that the progress of wage-earners is inseparable from that of America as a whole. We are proud that as our numbers have grown, we have been able to fill with increasing effectiveness the role of people's lobby—advocating and supporting measures that lead toward a better life, with full and equal opportunity for all.

Only a handful of our legislative goals are concerned with unions or union members as such. They are heavily outweighed by the whole range of public issues in which we are involved—civil rights, education, housing, Social Security, medical care, the beautification of the countryside and the purification of rivers—these and all other matters that relate to the general welfare.

We are the only large national force, as diverse in membership as America itself, that can speak for those who have no other voice—not just for union members, but for all. This is our mission. And let us, as we reexamine where we are and where we are going, re-dedicate ourselves to its more effective fulfillment.

HOW TO WRITE YOUR CONGRESSMAN

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOLLAND. Mr. Speaker, last year I introduced a bill to improve the public employment service. A companion bill passed the Senate, but no action was taken in the House. During the course of our deliberations on this legislation, I received a number of vituperative letters from opponents of the bill, and toward the end of the session I took a special order to talk, to some extent about the bill itself, but to a greater extent about the danger to representative institutions which I saw—and still see—in situations in which the opponents of a given bill must stoop to character assassination or to questioning the patriotism or the legitimacy of its sponsors. I said then, and I still believe, that this kind of opposition is, in the short run, harmful to those who practice it, and, in the long run, harmful to the Republic.

Fairness requires of me that when those who oppose such legislation make a sincere effort to avoid these tactics, that I should also take note of that. In a recent edition of the newsletter of the National Employment Association, Mr. A. G. "Bert" Hayes, president of the association, has written a column advising his members how to go about communicating their views to Members of the Congress. Mr. Hayes offers his advice on the apparent premise that Members are grownups, that they are likely to get irritated if they are told that they or their colleagues are bent on wrecking the American way. Mr. Hayes' column is, I think, of value not only to the members of NEA, but to the members of many other organizations interested in legislation. As freely and frankly as I condemned a very few of the NEA members last year for their vicious attacks on last year's bill, so freely and frankly I must compliment President Hayes for his column of this year. There is an administration bill before the Congress this year and I suspect the substantive points at issue between the proponents of this bill and the private employment agencies have not changed significantly. But if President Hayes' advice to his colleagues is followed, the atmosphere in which the bill is considered can change for the better—and this, I think, will be in everyone's interest.

By unanimous consent, I include the column by Mr. Hayes at this point in the RECORD:

THE GOSPEL ACCORDING TO HAYES, OR LOVE THY CONGRESSMAN

Today, brethren, I'm going to preach to you. The lesson for the day is Courtesy, or How to Write Your Congressman.

Our NEA Director of Governmental Affairs has told me of more than several complaints he has received from Congressmen whose constituents have reacted rather violently in print to the introduction of H.R. 11280, the Employment Service Act of 1967. In some instances, statements have been made questioning the ancestry or national allegiance of several of our representatives on the Hill. Believe me, this is not the way to win friends, but it does influence people . . . the wrong way.

There are many ways to express your opinion on a given legislative proposal without resorting to name calling, threats, or intimidation. The majority of our members who have taken the time to make their opinions known have done so in mature and thought-provoking statements. But, as you all know, it is the "lunatic fringe" or the frenetic few by which an organization or group of people is sometimes judged regardless of the good intentions involved.

Now, how do you go about contacting your Congressman? There are many ways . . . by letter, wire, telephone, personal contact. All are effective if properly handled. I would suggest, however, that you not send form letters, petitions, or personalized letters that merely "parrot" the ideas of someone other than the writer. Neither the Congressman nor his staff is stupid. They can tell when they receive a quantity of letters or other communications that are repetitive both in style and content. The sum total of such an effort is zero. The first form letter, petition, etc., is read and all of the rest are filed in the nearest wastebasket.

All of you have received a quantity of information about the bill from our staff in Washington. Contained therein are suggestions on how to inform your elected representative. This material is to keep you abreast of what's going on in the Capitol. How you react is your own business, but you should not merely attach your calling card to the legislative bulletin and send it to Congressman Joe Doakes as representing your personal opinion. At least take time to read the bill, form your own conclusions, and then react accordingly.

Remember this! However you react, you are representing the private placement industry to your Congressman or to a Congressional Committee. Many of these men and women have had no other contact with an agency owner or manager than your communication. First impressions are sometimes everlasting.

We have banded together to form the National Employment Association—to upgrade our industry and to better its position in the general employment field. We believe in our work, its integrity, its honesty, and its contribution to the economic advancement of our Nation. Our success in these endeavors depends largely on the actions of our fellow members.

So, "verbum sap sat", or don't put your foot in your mouth and spoil the work of many years by an unfortunate choice of words or deeds.

BERT HAYES,
President, NEA.

POSTAL RATES LEGISLATION

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OLSEN. Mr. Speaker, in a few days the House Committee on Post Office and Civil Service will report to the House a bill to increase postal rates. The purpose of this bill is to raise additional revenue for the Treasury Department to help meet the rising postal costs and to assure that our citizens continue to receive the best possible postal service.

I am hopeful the legislation reported from the committee will be very similar to the legislation recommended by the Post Office Department. If so, it will be a good bill. The increases will be proportionate and the various classes of mail will be paying approximately the same percentage of their costs that they have traditionally paid. It will be fair and equitable legislation that should be passed by the House.

However, some recent incidents have greatly alarmed me. I speak of the public markup of the bill that has been taking place in the newspapers, on the airwaves, and—to some extent—here on the floor of the House. This is not a good situation. It appears that some of my colleagues are being influenced by what they have read in newspapers or heard on radio and television. I fear some have prejudged the legislation and formed the conclusion that the bill we will report will not be a good one. This is unfair to the Post Office and Civil Service Committee which has been working hard to develop the best possible bill.

The most unfortunate aspects of the public makeup of this bill is that the underlying cause of it is the battle for the advertising dollar. I have worked on rate legislation too long not to recognize the signs. The factions attacking and counterattacking each other are not interested in the plight of poor "Aunt Minnie." Rather, they are intent upon taking the advertising dollar away from their competitors.

I have no quarrel with these factions competing for the advertising dollar. It is important to this country's economy that this competition exists. However, the Congress should be above this struggle. The Congress has an obligation to the Nation to enact responsible legislation—legislation that is beneficial to the public.

I say let us be fair to everyone. The Department has sent the Congress good rate recommendations—recommendations that I think are completely reasonable. I urge all of you, when you consider this legislation, to forget the attacks and counterattacks of the advertising war and give this bill a fair and impartial hearing.

ALFRED H. KIRCHHOFER RETIRES

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, early last year Mr. Alfred H. Kirchhofer retired as editor of the Buffalo Evening News in Buffalo, N.Y. However, he continued to serve as president of WBEN, Inc., the News radio and television stations, until his retirement the first of this month.

An enterprising newspaperman, who recognized early the value of radio and television in the dissemination of news in a fast-moving world, Mr. Kirchhofer not only laid the groundwork for the enviable reputation enjoyed by WBEN AM–FM–TV today, but he has consistently strived to serve the public in the highest tradition of programing and newscasting.

The Buffalo community has been fortunate, indeed, to have had a man of this caliber in the news and broadcasting field. It can also take pride in Mr. Kirchhofer's many achievements that have made our city a better place to live.

With permission, I include an article which appeared in the Buffalo Evening News on September 1, 1967:

PRESIDENT OF NEWS STATIONS, ALFRED H. KIRCHHOFER, RETIRES—FOR 38 YEARS HE GUIDED WBEN AM–FM–TV; MRS. E. H. BUTLER TO HEAD BROADCASTING UNITS

Alfred H. Kirchhofer, president of WBEN Inc., which operates WBEN AM–FM and WBEN–TV, retired today after a 38-year career in electronic communications as the active head of The Buffalo Evening News' radio stations since 1930 and its tellevision outlet since it went on the air in 1948.

Mrs. Edward H. Butler, vice president of WBEN, Inc., who will assume the presidency, lauded Mr. Kirchhofer as a radio and television pioneer who was responsible for many innovations in the radio-television industry.

RETIRED EDITOR OF NEWS

"He kept us always alert to the wider aspects of communications and under his guidance WBEN AM–FM–TV acquired a "quality station' reputation," Mrs. Butler said.

"Mr. Kirchhofer was one of the first editors to insist that the broadcasting of news by radio and television would enhance rather than injure the prestige of newspapers but that the public was entitled to the best and most responsible news service anyway. Applied to the entertainment and public service areas, these standards have become the cornerstone of our broadcasting policy," she said.

Mr. Kirchhofer retired 18 months ago as editor of The News with which he had been associated since 1915.

ILLUSTRIOUS CAREER

Leslie G. Arries Jr., who was named general manager of The News stations by Mr. Kirchhofer in June, becomes a vice president, as does C. Robert Thompson, former general manager who joined The News broadcasting companies in 1938. James H. Righter, publisher of The News, will continue as secretary-treasurer of WBEN Inc., and Mr. Arries will become a member of the WBEN board of directors.

Mr. Kirchhofer moved up from the vice presidency of WBEN Inc. to the presidency in 1956 following the death of E. H. Butler, who was editor and chief executive officer of The News and of its radio-television stations. Mrs. Butler, who is president of The News, has been vice president of WBEN Inc. since early in 1957.

The retiring president, who enjoyed a long and illustrious career in journalism recognized by many honors, and civic, professional and educational awards, has received numerous honors in the electronics field as well.

He will maintain an office at The News building on Main Street where he plans to research and write on the recent Buffalo and Western New York history he helped shape and knows so well.

TO REMAIN ON BOARD

Mr. Kirchhofer took the helm of WBEN in 1929 when the building permit was approved by the FCC. The station went on the air in 1930. In 1936 he also headed WEBR, then also a radio outlet of The News.

In 1948 WBEN became the first telecasting station in Western New York. Mr. Kirchhofer is a charter member of the Society of Television Pioneers.

Mr. Kirchhofer has many friends on the network level and at Columbia Broadcasting System, with which WBEN is affiliated. In 1944 he served on and was spokesman for the Newspaper Radio Committee, which obtained from the Federal Communications Commission the important ruling that newspapers would not be denied ownership of radio stations merely because they were newspapers.

Mr. Kirchhofer will continus as a member of the Board of Directors of The News.

THE ROLE OF THE FEDERAL GOVERNMENT IN MEETING THE CRITICAL HEALTH PROBLEMS FACING OUR NATION TODAY

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PEPPER. Mr. Speaker, I am pleased to call to my colleague's attention the very able address of Dr. Philip R. Lee, Assistant Secretary for Health and Scientific Affairs of the Department of Health, Education, and Welfare.

Dr. Lee addressed the American Academy of Physical Medicine and Rehabilitation on August 28 in Miami Beach, Fla. As we all know, the need to further our knowledge in the rehabilitation sciences is one which is so important in this age of curative medicine. As modern science finds more and more cures for crippling diseases, we must also find new and inventive aids to help those unfortunate persons who have been afflicted by such diseases. Rehabilitation is the first and foremost step which must be taken to aid these people.

Mr. Speaker, I, therefore, offer Dr. Lee's address following my remarks for my colleagues' attention, and for all those who read this RECORD:

KEYNOTE ADDRESS [1]

(By Philip R. Lee, M.D., Assistant Secretary for Health and Scientific Affairs, U.S. Department of Health, Education, and Welfare)

My pleasure in being here tonight is twofold: First, I am honored to be among distinguished physicians who are in the forefront of the Nation's efforts to create better lives for millions of disabled people. Second, I am among friends, including some of my very ablest teachers.

In many ways, rehabilitation lies at the heart of some of today's most exciting events. Much of what is developing in medicine today will profoundly affect your practice, and you in turn will have an equally strong impact on the kind and quality of medicine that the American people receive during the remainder of this century. The opportunity is great. The job will not be easy.

I want to talk to you tonight about some of the critical health problems facing the Nation and the actions which have been taken by the President and his Administration to do something about them.

The role of the Federal Government in the field of health has been significantly altered in the past five years. If there is a word that characterizes this role it is partnership.

The Federal role was a relatively minor one until 1935 when the Social Security Act established new Federal-State grant-in-aid programs in health and welfare. The basis for these grant-in-aid programs had been established almost 15 years earlier in the Smith-Fess Act establishing programs for vocational rehabilitation. The National Cancer Act of 1937 established the principles on which our biomedical research efforts were based.

Many of you are familiar with the general evolution of the Federal role. I can summarize these past thirty years by noting that the role of the Federal Government is now important in the following areas:

1. Programs designed to further research in the solution of disease problems and the advancement of biochemical knowledge.
2. Programs to meet manpower and facility requirements for health services.
3. Programs designed to support local, regional and State initiative in public health.
4. Programs designed to remove financial barriers to medical care.
5. Programs designed to improve the quality and availability of health services.
6. Programs concerning consumer and environmental health protection.

However, the Federal role is not limited to these six major areas. In health we find ourselves more and more involved with a variety of other social problems and needs. Programs in housing, education, traffic safety, civil rights, economic opportunity and even oceanography all involve health or are related to and interact with health programs.

Among the important issues facing American medicine and the Federal Government now, one of the most important is the task of stabilizing and strengthening the health education enterprise. This process will include not only a changing emphasis in Federal support but a major reevaluation by our medical schools and universities. This process appears to be well underway on a variety of fronts.

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[1] Annual Assembly of American Academy of Physical Medicine and Rehabilitation, Americana Hotel, Bal Harbour, Florida, August 28, 1967.

In a recent address on the subject, Dr. Charles Odegaard of the University of Washington, noted:

"I am not trying to chastise medical educators and physicians. It is rather that I wish to make a vigorous appeal to a remarkably conscientious profession which has already done so much for mankind. I urge it to undertake that next big step. In essence medical educators, acting in conformity with a narrow definition of the physician's responsibilities, have so far used a very narrow segment of the intellectual resources of a university. Admittedly what they have done has been to the enormous advantage of our health. But I am convinced that there is yet more treasure in the university to be mined for the improvement of man's health."

I share this view. I believe we must find more effective mechanisms for strengthening our medical schools and other schools in the health professions. More and more this will involve their integration into the fabric of the university. This process of institutional development must not be done at the expense of our biomedical research effort, but rather in close association with it. It will not be accomplished overnight. The issues were clearly described in an address to the Federation of American Societies for Experimental Biology by Dr. James Shannon, Director of the National Institutes of Health:

"Moderate tinkering with our support mechanisms will be inadequate to the broad challenge ahead. Rather, what is needed is a radical restructuring of the relationships of the Federal establishment to institutions of higher education. Perhaps some of our most important shibboleths, cliches, and traditional postures must be given a hard, realistic reassessment. Among these are:

"More or less complete dependence upon the project system of support.

"The value of diverse support through multiple agencies.

"The traditional aloofness and disinterest of the scientist in the condition and fate of his institution.

"Perhaps we need to consider the values of broader and more comprehensive forms of Federal support which can encompass the full scope of academic functions and provide for stability, integrity and sound development of these vital national resources. For the moment, I believe we are in an uneasy state of equilibrium not satisfactory to any party. Further, this uneasy state must not last too long."

At the same time, we should be looking at the organization, financing and delivery of health services. The rapidly rising costs of medical care have been cited by economists as evidence of the need to improve the structure of our health services. The present organization of health and medical care services can, at best, be described as haphazard and uncoordinated.

We must find out why it is that millions of Americans lack the most fundamental of medical services, in this wealthiest of nations. The poor—especially those of minority races—have more chronic disease, higher rates of infant mortality, greater losses of mothers in childbirth, and shorter life expectancies than do those in more fortunate economic and social circumstances.

Some of the underlying reasons, of course, are obvious. Low economic levels, ignorance born of inadequate education, racial customs and social pressures are some of the readily apparent factors. But we must not confine ourselves to the obvious; we must seek out and identify other elements which now remain obscure.

More efficient and effective organization of health services is one of the most urgent problems facing American medicine today. This is particularly true for health services for the poor, for emergency medical services, and for services for the chronically ill and aged.

Every study I have ever seen shows that ill health and disability increase as the income level goes down. Poverty produces poor health, and poor health perpetuates poverty. This is a vicious circle which you and I must help break.

As President Johnson pointed out in his Message to Congress on Urban and Rural Poverty, on March 15 of this year:

"The poor man, making two thousand dollars a year or less—in many cases because of previous illness—will lose twice as many working days from illness as the man who makes seven thousand dollars or more."

I know you see this regularly in your practice with disabled patients.

When we talk about the disabled, we are talking about a lot of people. Some estimates have run as high as 16 million. In terms of those people with disabilities requiring the attention of rehabilitation experts, we probably have about 10 million.

The vocational rehabilitation program in our Department estimates that there are about four million Americans of working age who need and would benefit from the medical and other services of the public rehabilitation program.

Thus, however we measure it, disability represents a sizeable part of the Nation's health problems. We must give the same attention to improving our methods of serving the disabled as we do to improvements in acute care.

In the delivery of medical care, the benefits of automation and other technology have only just begun to be widely recognized. Systems studies, operations research, better economic analyses, behavioral and attitude studies as well as other techniques must be applied to the study and solution of many of these problems. This will not be a simple task. Medical care in this country does not lend itself easily to the techniques that have been effectively applied in industry and in other fields.

In his Health and Education Message this year, President Johnson said:

"America's annual spending for health and medical care is more than $43 billion. But despite this investment, our system of providing health services is not operating as efficiently and effectively as it should.

"We must marshall our best minds to:

"Design hospitals, nursing homes and group practice facilities which provide effective care with the most efficient use of funds and manpower.

"Develop new ways of assisting doctors to reach more people with good health services.

"Devise new patterns of health services."

We need to join forces with many others to meet the Nation's goal stated by the President:

"Good health for every citizen to the limits of our country's capacity to provide it."

In practical terms, there are a number of obstacles to overcome if the goal is to be attained:

The inadequacy of knowledge;

The limited availability of an accessibility to health services—which in turn derives from insufficient resources of manpower and facilities; maldistribution in economic, social and geographical terms; the deficient means for assuring effective coordination and utilization;

The costs of services;

The quality of services;

The attitudinal and motivational deterrents bearing upon the reception and use of health services; and

The still empirical state of the understanding of the action and consequences of exoginous chemical and physical forces upon biological systems; the limited technology for the control of such factors and the economic and political aspects of limiting use of the public domain for private purposes (i.e., discharge of industrial effluents into streams, smoke into the air, automotive exhaust along the public streets and highways).

To succeed against these obstacles will require responsiveness and imagination among those of us who are interested in health progress. Bold, new approaches must be tried, innovations adopted, and changes must be made in the organization and delivery of health services.

Several steps have been suggested and some already have been taken to overcome some of the hurdles:

1. Two years ago a new Bureau was established in the Social Security Administration to administer Medicare. A series of cooperative relationships was established between the Social Security Administration, the Welfare Administration, and the Public Health Service to assure that the best professional talents in the Department were applied to the immense problem of planning and implementation. This was merely a prelude to what was to follow: a major reorganization of the Food and Drug Administration and the Public Health Service.

2. A Bureau of Health Manpower was established in the Public Health Service, Department of Health, Education, and Welfare to focus on, and stimulate the development of health manpower resources throughout the Nation.

3. A National Center for Health Services Research and Development will be established and operating before the end of this year. It will serve as the focus of a national effort to improve the organization and delivery of health services. It will stimulate and support experimentation and the development and testing of new models of organization.

4. A National Conference on Medical Care Costs was convened in June. The Conference brought together leaders of the medical community and other concerned groups as well as public representatives to discuss working together to improve the efficiency of medical care delivery and thus keep down costs.

5. As a result of the Conference, Secretary Gardner established an Advisory Committee on Hospital Effectiveness to make a careful assessment of the Nation's hospital sytem—including geographic distribution, design, administrative staffing and operations—and to make recommendations for improvements. The Committee will study ways in which hospitals may be used most efficiently and economically as the core of area health systems that include such facilities as nursing homes and clinics.

6. A National Advisory Commission on Health Facilities will be appointed to study needs for the total system of health facilities—hospitals, extended care facilities, nursing homes, long-term care institutions and clinics. The authorization for the Hill-Burton program, which helped to provide 386,000 hospital and nursing home beds throughout the Nation, expires on July 30, 1969. Because of this, the Administration believes this is an appropriate time to assess fully the whole area of health facilities and perhaps propose new approaches to meet present and future needs.

7. A two-day conference on private health insurance will convene one month from today to explore ways of broadening the coverage of private health insurance.

Another conference will be held in October to discuss ways of increasing physicians' productivity through group medical practice.

Two weeks ago we had a major reorganization in the Department of Health, Education, and Welfare aimed at capitalizing on the concept and the experience of rehabilitation programs.

To do this, several of the principal service-giving agencies and programs within the Department were reorganized into a new structure. To direct this new organization, the Secretary appointed Miss Mary E. Switzer as Administrator of the Social and Rehabilitation Service. Miss Switzer is well known to all of you for her long and distinguished direction of the Vocational Rehabilitation Administration, which now functions as one of the five agencies under her direction and is now renamed the Rehabilitation Services Administration. The Rehabilitation Services Administration continues to conduct its programs of support for services, research, training, construction, and various other grant programs. In addition, certain new activities have been transferred to the Rehabilitation Services Administration dealing with mental retardation, crippled children, and service programs for certain disabled people on public welfare rolls.

In this marshalling of service components, the accent is on the handicapped, the poor, the aged, and on strengthening family life, particularly for the children. It means that, so far as these Washington agencies are concerned, it should be far easier for them to work together and for you and thousands of others throughout the country to deal more easily with them. This latter point is further strengthened by creating, in each of the nine Regional Offices of the Department, a Commissioner of Social and Rehabilitation Service, who functions as a counterpart of Miss Switzer's organization in Washington in working with States, communities, professional groups and others.

This new organization represents the latest in a series of efforts to arrange our public programs for better delivery of service to the American people generally and to the disadvantaged poor in particular.

The reorganization comes at a time when the Congress is midway in its action on the 1967 amendments to the Social Security Act. The bill passed by the House and now being considered in the Senate, would make some sweeping changes in some of our approaches to welfare problems. In addition, the House deleted a proposal by the President that would have provided health insurance for disabled people covered under the Social Security retirement system. We are urging the Senate to restore this provision, since it represents the kind of protection that more than a million disabled people on the disability retirement roles sorely need.

Several other legislative proposals of the President are nearing the final stage of Congressional action. These include the Comprehensive Health Planning Amendments of 1967; the Mental Retardation amendments and the Air Quality Act.

The Vocational Rehabilitation Amendments of 1967 have passed the House, and the Senate is expected to pass the bill and have it ready for President Johnson's signature by the end of this week.

Throughout the work of our Department, this attention to the concept and the practice of rehabilitation is continuous. It is a concept which Secretary Gardner has expressed this way:

"By rehabilitation I mean giving people the chance—and the challenge—to develop their own resources, inner and outer, to become as independent and responsible as possible. I mean giving people the chance and the challenge to make the most of their talents and their lives and to find personal satisfaction and fulfillment through participation, to live their lives with some measure of dignity."

As we view the changes taking place around us, and plan for still more, we would do well to bear in mind a statement by Alfred Whitehead. He said, "The art of progress is to preserve order amid change and to preserve change amid order."

Today we are saying goodbye to an older era. We are greeting a new one, and a better one. This new encounter is accompanied by difficulties, by problems, and by the demand for energetic and earnest effort. To this, I believe we must all apply ourselves with dedication—and not necessarily in a spirit of martyrdom. I prefer the philosophy of the late Winston Churchill—the cheerful and devoted philosophy which he displayed to a group of temperance ladies when they called on him to protest his inordinate consumption of brandy.

"Why, Mr. Churchill," said one, "if all the liquor you consume in a year were poured into this room, it would fill it to here."

She pointed to a spot midway between the floor and the ceiling.

The Prime Minister gravely regarded the lady, the floor, the ceiling, and the spot she indicated.

"So little done," he murmured, "and so much to do."

TRIBUTE TO LT. COL. JAMES SCOTT OLIVER

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. KYROS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KYROS. Mr. Speaker, I would like to pay tribute to an outstanding member of our Armed Forces from the State of Maine, and by so doing, bring to the attention of my colleagues one of the less dramatic, but most significant, aspects of our military operations in Vietnam.

The citation extended by Gov. Kenneth M. Curtis to Lt. Col. James S. Oliver, honoring Maine men in Vietnam, speaks for itself. It is with pride that I include it in this RECORD:

TRIBUTE TO LT. COL. JAMES SCOTT OLIVER

Hundreds of Maine men are wading through the battlefields of Vietnam today with thousands of comrades from throughout the United States. Each Maine man deserves the deepest respect from all of us. Today I want to salute Maine men in Vietnam through one of their outstanding number just returning, Lt. Col. James Scott Oliver.

Colonel Oliver returned from Vietnam a week ago after a year's tour of duty as the provost marshall of the Army's unique First Air Cavalry Division.

He is a Maine native, born in Lewiston, who has distinguished himself in the service of his country through three wars, World War Two, the Korean war, and Vietnam.

His last duty assignment was to launch a particularly dangerous and effective assault against the almost invisible enemy in that Southeast Asian country, the terrifying Vietcong.

Called *Operation Dragnet*, the effort has routed out scores of those terrorists in hamlets throughout a section of South Viet Nam as large as Cumberland and York counties combined.

Colonel Oliver's plan, conceived less than 6 months ago, is now being used in all the districts of that nation as the United States presses toward the day when a free people can truly be free of Communists sworn to enslave them.

I have asked Colonel Oliver to come to my office to salute him as an outstanding representative of the thousands of Americans we have sent to that country.

His record of service to this country is an envious, and yet, tragically, it is also not uncommon to find men in their early 40's who have had to bear arms for their country three times in three decades.

During World War II, Scott Oliver was a master sergeant in the Army Air Corps and operated an air-sea rescue craft in the enemy-infested waters off the Philippine Islands. His crew was responsible for picking up downed pilots during the battle of Leyte Gulf and the ensuing actions of the Pacific war that finally ended so suddenly after Hiroshima.

In the Korean war he was an officer in the 25th Infantry Division in Korea, and he was wounded twice while serving first as a platoon leader and later as a company commander of a frontline assault force.

For this action he received the *Bronze Star for Valor* and the *Purple Heart* with an oak leaf cluster.

In Vietnam, while serving as provost marshal for the First Air Cavalry Division, Colonel Oliver won the *Air Medal* four times, evidence that he flew over the battle zones of that country more than 500 hours.

He was also awarded the Nation's *Legion of Merit* award and two of the South Vietnamese government's top honors . . . the Cross of Gallantry with Silver Star and the National Police Honor Medal.

Maine has a right to be proud of Colonel Oliver . . . and he has a right to be proud of his record during 21 years in the service.

It is for this reason that today I am presenting him with a token of our State's esteem. . . . this plaque as a small symbol of our great appreciation and our tribute to a soldier who has done more for us than we could ever do for him.

Colonel Oliver, I salute you and ask that you carry this tribute to all Maine servicemen for it serves as a token of our appreciation to all of you.

It must be noted that in spite of the important nature of this mission, many Americans are apparently unfamiliar with any but the broadest of outlines of our military activities in Vietnam. Even the nationally prominent Governor of the State of Michigan, George Romney, could say in a UPI interview published August 20, 1967 in the Portland, Maine, Sunday Telegram that—

> The surest way to a successful conclusion to the conflict in South Vietnam is to concentrate on destroying the guerrilla infrastructure down south. To do that, we need the help of the South Vietnamese. After all, the identification of the guerrillas, the ferreting out of the guerrillas, the winning of the loyalty of the people so that they will help identify the guerrillas, the building of the nation, a viable society in South Vietnam, is primarily a job for the South Vietnamese themselves. The key to bringing the North Vietnamese to the negotiating table is to show that we can destroy that guerrilla infrastructure down south.

The following articles from Newsweek magazine and the New York Times suggest that what the Governor advocates had long since been incorporated into U.S. policy.

The July 24, 1967, issue of Newsweek contained the following mention of Lieutenant Colonel Oliver's work:

> When large numbers of U.S. troops move into an area, the VC political leaders simply hide; when the Americans leave, they pop to the surface again and resume control of the village. The fact is that uprooting this Viet Cong infrastructure in the

villages has proved one of the most frustrating tasks of the war. In one effort to deal with it, the U.S. First Cavalry Division (Airmobile) in Communist-infested Binh Dinh Province recently launched a combined military and police campaign, code-named Operation Dragnet.

Since June 1, when Operation Dragnet began, 86 hamlets have been raided in this way. Each day at least one new hamlet is chosen. Then around 3 in the morning a company of Air Cavalry moves in either by foot or helicopter to form the cordon. At this point, as in the case of Kim Giao, it is up to the PFF, often accompanied by U.S. MP's, to go into the hamlet with the first flight. "The reasons for the early start," explains Lt. Col. James S. Oliver, the Air Cavalry's provost marshal, "is that the members of the infrastructure in this area make a practice of sleeping in the hamlets and then moving out to daytime hiding places about 4:30 a.m."

So far, the results of Operation Dragnet have been fairly encouraging. One hundred and sixty-eight Viet Cong and North Vietnamese soldiers have been captured; 191 Viet Cong identified as members of the infrastructure have been caught. "We're causing them trouble, there's no doubt about it," says Capt. Maynard Eaves, an MP officer under Colonel Oliver. "We're costing them food, intelligence, manpower and the backing of the people. We hope it will evolve to a point where we can get out and move on and the PFF will be authority in the area."

Prospect: But that day, if it comes at all, will not be in the immediate future. "Some of these hamlets will have to be hit a third fourth and fifth time," says Colonel Oliver. And even then, he admits, unless Saigon can follow through by instituting its governmental control over the villages, Operation Dragnet will merely have created a political void.

Nevertheless, the Air Cavalry, which earlier made no fewer than six massive sweeps through the northern villages of Binh Dinh only to see the Viet Cong infrastructure remain intact, is convinced it is on the right track. "To be honest," says Colonel Oliver, "in the past we ignored the police in favor of a big operation. Now, I think that we have shown that this type of operation—Dragnet—can work. Root out that Communist infrastructure. That is the only answer to this war in the long run."

And the New York Times on June 16, 1967, carried this report on the air cavalry's decimation of the guerrilla infrastructure:

Lieut. Col. James Oliver, the division's provost marshal, credited the police today with having accounted for "more than 50 per cent of the captives the division has taken since May 26."

First Lieut. Bill Pritchard, a platoon leader, said: "These cops are much better than the A.R.V.N. (Army of the Republic of Vietnam) or us. They don't go too fast, they know their work, what to look for.

"We have never had results like this in cordon operations when we've run them on our own," he added.

Colonel Oliver said: "Before, we couldn't speak the language. Our troopers have no special training in police techniques. Face it, we were passing right over the tops of the guerrillas.

"The beauty of this operation," he added, "is that all the checking is done right here in the hamlet—we don't have to pack up everyone and take them to the district screening center anymore."

A PROGRAM FOR THE CITIES

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Reuss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REUSS. Mr. Speaker, the official monthly magazine of the AFL–CIO, the American Federationist, recently compiled excerpts from statements by its executive council, AFL–CIO President George Meany, and others on the problems of our cities.

Mr. Speaker, since I believe these analyses and recommendations are well worthy of our study, I insert the summary from the American Federationist in the Record at this point:

A Program for the Cities

ONE MILLION JOBS—NOW

The course of a free society should not and must not be swayed by criminal acts—mob violence, arson, looting and murder. Neither should it be swayed by revulsion against these acts.

. . . It is heartening to see, in this convocation, so many leaders with influence and power in every segment of American life. It is encouraging to see that they have been awakened to the deficiencies and the injustices that persist in today's affluent society and are publicly committing themselves to their correction.

This concern, this commitment, must now be translated into action. That will be harder.

Obviously the first arena will be the Congress, where we have fought so many lonelier battles. But beyond the Congress are the state and local governments, many of which have far worse records. To cite only one example: Housing is one of the most urgent needs; not just open housing, but adequate housing for low-income families. Congressional authorizations have been shockingly inadequate. Yet even more shocking is the fact that much authorized housing has not been built because of the apathy of local governments and the resistance within some communities.

This is one barrier that surely could not stand against the combined forces represented in this room.

Of course, the key need—more immediate than housing and all the rest—is jobs at good wages for all. We have stressed this basic truth time after time; we have related it to every phase of social progress, from civil rights to education.

And to meet this one overriding need, America must have, as a matter of first priority, one million jobs in socially productive work for the presently unemployed. And America must have these jobs right now.

A sweeping, all-embracing attack on urban problems, including short-range remedies and long-range cures, was overdue long before the first rioter threw the first stone. But such an attack, as we in the AFL–CIO are painfully aware, requires the mobilization of many separate forces into many individual campaigns, large and small. The great, broad goals capture the imagination and inspire the spirit; the smaller engagements, like a clash between army patrols, are meaner, without glamour—but complete indispensable.

In a word, we must all go forth from here, not merely with a program, but with a determination to fight for it . . .—*AFL–CIO President George Meany, addressing a new Urban Coalition of over 800 mayors and labor, business, church and civil rights leaders, Washington, D.C., August 24, 1967.*

FULL EMPLOYMENT

We of the AFL–CIO remain firmly convinced that the American economy has the resources for extending our social advances, while meeting the military requirements of the conflict in Vietnam. The cost of the war should not be absorbed by freezing or cutting expenditures for such essential domestic programs as housing and the rebuilding of our cities, aid to education, the war on poverty, the achievement of clean air and water.

. . . Full employment is the top-priority goal of organized labor. As a result, we are disturbed by the Council of Economic Advisers' apparent acceptance of a 4 percent unemployment rate as achievement of its objective.

. . . Full employment, in the context of American society, is considerably less than a 4 percent unemployment rate—which in the past year has been accompanied by very high levels of joblessness for Negroes, youngsters and unskilled workers.

In his report, President Johnson states:

"Nearly 3 million workers were without jobs at the end of 1966. Perhaps two-thirds of them were 'frictionally' unemployed: new entrants to the labor force in the process of locating a job; persons who quit one job to seek another; workers in the 'off' months of seasonal industries; those temporarily laid off but with instructions to return."

The President's comment indicates that full employment, in terms of American life, would be a jobless rate of about 2½ percent of the labor force—and even that level could be reduced by efforts to reduce seasonal unemployment, for example, and to improve the U.S. Employment Service. The objective would be a continued effort to reduce joblessness to a bare minimum, to provide job opportunities, at decent wages, for all who are able to work and seek employment.

The definition of recent unemployment levels as full employment is also contrary to the findings of the President's Automation Commission. "We are not impressed," the Automation Commission observed, "with a 4 percent unemployment rate, or a 3 percent, or any other unemployment rate, as an ultimate goal of economic policy. We take seriously the commitment of the Employment Act of 1946 to provide 'useful employment opportunities for all those able, willing and seeking to work.' "

. . . It cannot be repeated too often that the jobs that can be generated and the goods and services that can be produced by continued economic growth are too crucial to permit any slamming of the economic brakes when unemployment hovers around 4 percent (and more, if those not counted as unemployed in the official figures are included). Professor Robert Solow has said:

"Those last few jobs matter particularly because they will go in large part to the people who need them most: The Negro, the teen-ager, the unskilled manual worker, the dropout or 55-year-old without a high-school diploma.

"It is precisely when the labor market tightens, when the skilled, the educated, the experienced all have jobs, that it becomes the turn of the disadvantaged. To relax now, to give up on the problem of full employment without inflation, is to condemn thousands of our citizens to more or less permanent unemployment."

. . . The long-run health of American society requires the improvement and expansion of public facilities and services, including housing, as well as achievement of sustained full employment.—*Nathaniel Goldfinger, AFL–CIO Director of Research testifying before the Joint Economic Committee of Congress on the Economic Report of the President, February 17, 1967.*

MORE AND BETTER SCHOOLS

We are proud to have played a major part in shaping the Elementary and Secondary Education Act and in helping to secure its passage. In every part of the nation, this federal support is being used to bring new educational opportunities to the children who most need them, the children from low income families who must have excellence in education if they are to break out of the poverty cycle which has entrapped their families, in many cases for several generations.

Other features of this measure have placed books in previously empty school libraries, financed innovative educational centers and programs and strengthened the support for long needed educational research.

The AFL–CIO is deeply concerned over the clear possibility that the Elementary and Secondary Education Act will not be adequately funded. Any congressional action appropriating funds below the authorized amounts will severely damage state and local programs now under way or just getting out of the planning stages.

We are convinced that the great breakthrough in the education field accomplished by the 89th Congress received overwhelming support from the American people. The enactment of P.L. 89–10 brought with it the promise of new educational opportunities for our youth.

For the 90th Congress to appropriate less than half of authorized ESEA funds is to make a mockery of this promise and to destroy the hopes of those seeking to solve the complex problems in our present school systems.—*Andrew J. Biemiller, AFL–CIO Legislative Director, testifying before the House Committee on Education and Labor in support of full appropriations for the aid to education program, March 17, 1967.*

MODEL CITIES, DECENT HOUSING

Today some 135 million Americans live in urban areas, twice the number of a generation ago. By the year 1985, the figure will nearly double again when 80 percent of the nation's people live in the cities on 10 percent of the country's land area.

This is why America's domestic issues focus increasingly on these cities. Sheer population pressure has strained available facilities beyond earlier planned needs. The random sprawl of metropolitan areas has produced water shortages, air and water pollution, inadequate mass transit, overcrowded schools, inadequate housing with cancerous slum ghettos, hard-pressed health facilities and acute shortages of recreational areas and cultural facilities.

It is to these immense, complex urban needs that the comprehensive Model Cities Bill of 1966 was directed, with its multiphased series of programs, including special assistance for metropolitan area program planning. Central to all these programs is the fundamental human right to a decent home.

To meet the needs of a growing population and to eliminate existing substandard housing requires construction of 2.5 million residential dwelling units a year. Last year the rate of non-farm housing starts fell to 826,000 in October. Even today's rate of 1.1 million is less than half the need and the outlook for the balance of 1967 indicates the lowest level of housing starts since 1946.

Current legislation authorizing a variety of programs can make a significant contribution to solving these problems, providing Congress funds them fully.

The landmark Model Cities program authorizes expenditures of $412 million in fiscal 1968 to begin this comprehensive, coordinated approach to the problems of the people who live in our central cities.

The Rent Supplements program, designed as an imaginative new approach to rental housing for lower-income families, requires a $40 million appropriation in fiscal 1968 if it is to serve these families properly. In addition, the full amounts authorized for annual contributions under public housing must be granted lest such programs as urban renewal be set back for lack of homes into which those displaced can move.

Where activities are authorized and funded, there must be full utilization by the appropriate agency of its mandate as in the case of 3 percent loans for cooperatives, non-profit and limited dividend organizations. Even the rather inadequate statutory authority has not been fully implemented by the Administration.

Central to all housing efforts is the ready availability of financing. The decline in interest rates from last year's all-time high is a welcome sign, indeed. The Administration's action to make more funds available for mortgage financing has been a significant step. Even greater efforts must be made, however, if interest rates are to be rolled back to the point where there is an adequate flow of money into housing construction.

These are the minimum practical goals for the current year, which would represent a significant start on the total urban problem—*AFL–CIO Executive Council statement on urban affairs, February 23, 1967. Presented to Congress in AFL–CIO testimony on budget for the Department of Housing and Urban Development.*

We are in full accord with the Administration requests for 1968 fiscal year appropriations for both the continuing and the newer programs which the (Housing and Urban Development) Department is operating. Most particularly, however, we wish to address ourselves to the appropriations as passed by the House and what we believe to be the inadequacy of that action. First of all, let us say quickly that we hope this Committee and the Senate will restore the $30 million for metropolitan development incentive grants adopted in the 1966 authorizing legislation. It certainly does not need a great deal of imagination to understand the problems of urban areas are not confined to the core city alone, whether it be traffic, or recreation areas, or library services, or development of coordinated water and sewer systems, or any of a wide range of problems.

. . . The House also made an unfortunate cut in the request for $20 million for funding new urban research and technology programs to $5 million. We believe that this kind of research effort is every bit as crucial to the effort to cure the ills of cities and towns as is the research effort in the field of medicine essential to curing the ills of the human body.

But let us address ourselves to the problems which we consider most serious in this appropriations bill. These are severe cuts in the funding for the Model Cities program and the Rent Supplements program. Fortunately, there seems to be no controversy about the $12 million item for planning grants for communities to develop effective model city programs. The issue is really one of adequate operating funds for the programs themselves. When the enabling legislation passed the Congress in 1966, a total of $400 million was authorized for the first year's operation of these experimental pilot projects. Most thoughtful persons realized that this was at best a frugal expenditure to meet the needs of an estimated 60 or 70 city programs. For the House to have cut the $400 million request for program money to a mere $150 million is simply a failure to recognize the realistic dimension of the need.

The growing crisis of America's cities is one which can no longer be neglected. It has become a national problem of the first rank. It will become ever more pressing as more and more of our people move into those cities. It is for this reason that we urgently request this Committee to restore the full first year authorization for the Model Cities program in order to assure that federal, state and city governments will meet fully their responsibilities to citizens who live in America's urban areas.

To sum up, Mr. Chairman, it is the urgent request of the AFL–CIO that this Committee meet its duty to the nation by providing the essential support necessary to correct the inadequacy in funding key programs of the Department of Housing and Urban Development caused by the cuts in the House-passed Appropriation Bill, H.R. 9960.—*Andrew J. Biemiller, AFL–CIO Legislative Director, testifying before a Senate Appropriations Subcommittee on the budget for the Department of Housing and Urban Development, July 13, 1967.*

. . . AND FAIR HOUSING

Let me emphasize our profound conviction that the bill before you is extremely important. It is not just a piece of house-cleaning, aimed at picking up a few loose ends left over from the Civil Rights Act of 1964. On the contrary, its ramifications extend into many areas of civil rights already dealt with by that and other measures.

It is not an exaggeration to say that open housing is absolutely essential to the realistic achievement of such accepted goals as desgregated schools and equal opportunity. Indeed, until open housing becomes an operating fact, much of the statutory civil rights progress of recent years—great as it has been—will be no more than inoperative theory.

Schools are the most obvious example. The typical public grammar school is a neighborhood operation. The composition of the student body, therefore, is determined by that of the residents. The result can, in effect, be de facto segregation.

. . . Local school officials, under pressure from the federal courts, have contrived a variety of devices to overcome de facto segregation. These devices may well be necessary as stopgaps to meet the immediate need; but in the long run, the soundest way to attack the segregated neighborhood school is to attack the segregated neighborhood.

This has long been an objective of the labor movement. The 21 fair housing laws that have been passed by state legislatures, and the 43 enacted by cities and counties, were warmly supported and often initiated by organized labor. In the words of the Sixth Constitutional Convention of the AFL–CIO, in December 1965:

"A key feature of labor's housing program is its drive for equal housing opportunity for all Americans. There is no place in America for racial ghettos. Equal access, without regard to race, creed, color or national origin, to every residential neighborhood in every American community should be assured for every family in America."

Moreover, we have fitted our actions to our words. More than 150 housing projects have been sponsored by trade unions and others are on the way. One of the earliest, built by the Amalgamated Clothing Workers in New York City, is now 40 years old. All these projects, large and small, are available to tenants or buyers without regard to race, creed, color or national origin.

The experience of the labor movement amply proves that integrated housing works; that people of different races can live in harmony as neighbors. It should also help put to rest the only other argument against open housing that deserves any consideration at all—the notion that neighborhood standards decline when Negro families move in. This is an ancient superstition, perpetuated by far too many unscrupulous real estate agents.

. . . Everything that I have said about real estate interests applies, Mr. Chairman, with equal vigor to banks, mortgage loan agencies and other private lending institutions who engage in discriminatory practices. There must be some way in which this practice can be halted by the federal government. . . .

. . . To have meaning . . . open housing must go hand in hand with enough housing and housing available at price levels workers can afford.

Because of long neglect and inadequate appropriations, the housing legislation already on the books has never fulfilled its stated purposes. It must now be reawakened.

The facts are appalling. Low-cost public housing was launched by the Housing Act of 1937. In 1949, the Taft-Ellender-Wagner bill authorized the construction of 135,000 housing units a year. But by 1966, all units built over 30 years could house only 605,000 families. There are 11 million urban families whose incomes are below the top limits for public housing tenants.

. . . A massive effort, both public and private, is essential.

Let me make an analogy. Over the years we have said, and we still say, that when unemployment is a problem, the federal government must be the employer of last resort.

We say with equal conviction that when other alternatives have failed, the federal government must be the landlord of last resort.

One way or another, there must be adequate housing for all—open, yes, but adequate, too.—*AFL–CIO President George Meany, testifying before the Senate Subcommittee on Housing and Urban Affairs in support of the Fair Housing Act of 1967, August 23, 1967.*

PROTECTION FOR THE CONSUMER

High on the list of items which demand immediate and extensive attention from the 90th Congress are the problems of the American consumer.

Specifically we will seek:

Action to remedy the exploitation of consumers by those who provide consumer credit.

Consumers are indebted for loans and installment sales purchases in an amount totaling $95 billion. They are paying finance and interest charges at the rate of $13 billion a year on this debt.

A first step toward consumer self-protection in this area is the enactment of the long-standing "truth-in-lending" bill to require all credit vendors to tell the borrower what the dollar cost of the finance charges will be on his credit and to state these charges in terms of a true annual interest rate.

A general investigation by the Congress of the insurance industry in all its aspects.

Action on the over-pricing of key consumer products. . . .

Legislation to provide consumers with unbiased product information.—*AFL–CIO Executive Council statement on consumer legislation, February 24, 1967.*

A WIDER WAR ON POVERTY

The inclusion of more than 9 million additional workers under the (wage-hour) act's coverage, and the increase in the wage floor, constitute by for the greatest single victory up to now in the war against poverty in America.

. . . All forms of poverty are evil. But the least excusable of all its forms is poverty imposed by wages at a less-than-subsistence level upon workers who are fully and usefully employed.

The amendments which are about to take effect will go a long way toward extirpating that abuse. Nearly 5 million of the nation's lowest paid workers will have their wages raised. And, as you have pointed out, the new minimum wage bill will, for the first time, inch above the poverty level.

. . . Last year, some 430,000 workers were underpaid a total of $90 million by employers who flouted the Fair Labor Standards Act—and these figures cover only those who were discovered. The new increases in the minimum wage will further tempt chiselers and the new extension of coverage will enormously enlarge the inspection task. Your budget message to the Congress has taken cognizance of this need and provides for more enforcement apparatus.

. . . For our part, we are launching a campaign through our state and city central bodies to offer assistance to all workers—including unorganized workers—in processing complaints of wage-hour violations.—*AFL–CIO President George Meany in a letter to President Johnson as the new federal wage-hour improvements went into effect, February 1, 1967.*

The legislation that created OEO (Office of Economic Opportunity) directed that a whole series of new programs be created without delay. This included the development of Job Corps Centers providing education and training for poor young men and women between the ages of 16 and 22; local community action agencies to meet the local needs of the poor; a massive program of youth employment and work-study; programs for migrants in the fields of education, housing and job training; loans to small business and small farms; a domestic equivalent of the Peace Corps; a work-experience program to get welfare families off relief; and a method of coordinating the poverty-related activities of all federal agencies.

In the two and a half years since Congress issued this directive to OEO, it not only complied effectively, but it also managed to initiate a broad range of additional programs. It developed and put into operation such pioneering programs as Head Start, legal services for the poor, neighborhood health centers, Upward Bound, Foster Grandparents and Medicare Alert.

I don't think it is necessary to enumerate the achievements of OEO. You are all aware of them. We feel that it is an impressive record. We, therefore, urge this Committee to continue the OEO as the spearhead, the central and unifying force in the war against poverty.

The Community Action Program is an indispensable element of the war on poverty. It has brought the war to the local community, it has given all citizens, including the poor, an opportunity to participate, it has served as the focal point for community action, it has served to identify the problems of the poor, it has served to stimulate the community conscience about the poverty in its midst. For all these reasons, we hope that the Community Action Program will continue within OEO. We hope that it will not be spun off to an existing agency where it will lose its vibrant and crucial role in the war on poverty.

. . . The AFL–CIO supports the "maximum feasible participation" of the poor in Community Action agencies. The war on poverty was never intended to be a dole for the poor, but rather it was conceived as an opportunity for the poor to become involved in anti-poverty programs to assure the fact that these programs respond to their real needs. We are encouraged to note that of the almost 92,000 citizens serving on Community Action agency boards, commitees and advisory councils, over 42,000, or about 45 percent, come from among those being helped. For this the OEO deserves to be commended.

. . . We feel that the Job Corps should be retained as an integral part of OEO and that it merits the continued support of Congress. We urge that it be expanded to offer even greater numbers of these severely disadvantaged young people an opportunity to make a place for themselves in the economic and social life of our country.

To win the war on poverty, much more needs to be done. If more is to be done, more money is essential. The war on poverty should be expanded. The proven programs should be extended. New programs should be developed to meet unmet needs. The Administration's request for fiscal 1968 for $2.06 billion represents a small step forward. But it is not enough. In the face of 32 million persons living below the poverty level, this amount is woefully inadequate. More money is needed to expand such proven programs as Job Corps and Neighborhood Youth Corps, more money is needed for the Community Action Program, for VISTA, for migrant programs. The great need is to press the war on poverty with greater urgency on all fronts and with increased funds if we are to move the poor from their intolerable condition.

. . . For the millions who are still trapped in the mire of poverty, this bright promise must not be allowed to be extinguished. These citizens who have found new hope must be encouraged to continue their efforts to build a better life for themselves.

We have all been distressed by the sorry rollcall of American cities torn by the riots of the past few weeks. We certainly do not condone these riots. Stemming, as they do, from the conditions which exist in our urban ghettos, we feel there is added urgency for more adequate support for the war on poverty. Our urban ghettos require a whole arsenal of programs to help people overcome the handicaps of poverty. The present level of OEO financing is certainly not adequate to meet the needs that exist in our centers of urban poverty.

We, therefore, urge that the level of funding for OEO be raised substantially to enable it to reach greater numbers of the poor. —*Andrew J. Biemiller, AFL–CIO Legislative Director, testifying before the House Committee on Education and Labor on amendments to the Economic Opportunity Act of 1964, July 26, 1967.*

RATS IN WASHINGTON, D.C.

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, on July 20, the House of Representatives defeated the rule to even consider the President's proposal to spend $40 million to eliminate from our slums an estimated 90 million rats.

Editorials from newspapers all across the country and letters from our local constituency called upon Congress to reverse its vote. Some of these editorials and letters even invited Members of Congress to tour our American cities so they might have a firsthand look at the problem.

I suggest that such a long trip is not necessary—a morning's tour around the Capital City would provide sufficient evidence of the need for this program.

Recently, the Washington Post ran a series of three articles describing the problems caused by rats in the District of Columbia. These articles pointed out that Washington's rats, an estimated 600,000 to 800,000, do an estimated $15 to $20 million property damage each year. Yet District government expenditures for rat poison amounted to only $315 last year.

In discussing the human damage, both physical and mental, by rats the article quoted an 11-year-old whose younger brother had been bitten while asleep:

> We got a lot of rats here. I hear 'em behind the washin' machine. Sometimes they come out of the wall and I take a broom and smash 'em. I ain't afraid of rats.

On the positive side, the National Capital Housing Authority initiated a vermin control project in the Barry Farm area in Anacostia where they spent almost $83,000. In one concrete retaining wall in that project area, NCHA officials estimate that they killed 2,000 rats.

Mr. Speaker, the District's problem is only an example of the Nation's problem with rats. It is not necessary to go to Baltimore, to Detroit, to New York

City, to Chicago, nor any other city to see the dimensions of the problem. Just take one morning and tour the District. The case for enacting the Rat Extermination Act will then be compelling. I believe many of my colleagues have already had a change of heart and are eager and willing to support such legislation when it passes the Senate. I urge all Members to do so.

So that my colleagues might read this informative series of articles from the Washington Post, I include them at this point in the CONGRESSIONAL RECORD:

[From the Washington Post, Aug. 13, 1967]

RATS—DISTRICT LACKS PLAN TO FIGHT 800,000 HERE

(NOTE.—This series was reported by Staff Writers Hollie West, Ronald Smothers, Richard Severo and Jim Hoagland and written by Severo.)

You ask the people of Washington about rats and they are ashamed and frightened to talk to you.

They are ashamed because they have the rats, frightened because they don't want their name in the paper. The landlord might see it and evict them.

Then you talk to District officialdom, the people who are supposed to be dealing with the rat problem. And they don't relish talking to you, either.

They are a dispirited group, lacking in staff and cash. Some of them tell you privately they don't believe the District really cares about the rat problem. Some of them tell you the people don't care. All of them are tired and defensive and they are adept only in telling reporters that another department has the primary responsibility for the rat problem, not *their* department.

And so Washington, the pristine white federal city adorned with Greek temples and filled with politicians who say they are representing the common man, the seat of government of the most powerful nation on earth, tolerates squalor and vermin and rats—rats nesting in the crumbling concrete foundations of public and private housing, rats in the cellars of fashionable downtown restaurants, rats on the Mall after the picnickers, in the Kalorama Triangle, on the Gold Coast, in Anacostia, in Cardozo.

Rats nobody cared to kill, rats common enough in some neighborhoods that they are almost accepted as playmates by the children who see them every day.

Rats. Now they threaten to join the sinking of the Maine, Pearl Harbor and Vietnam as a Grade-A political issue.

It was only last Monday that a group of 75 protestors invaded the House of Representatives chanting "rats cause riots." They were there because the House on July 20 defeated an Administration bill that would have spent $40 million in two years in an effort to eliminate an estimated 90 million rats from American slums. It was led by Jesse Gray, 43, a veteran of rent strikes in New York. He says he'll be back this Monday to stage an antirat demonstration in Washington. He's to be joined by Julius Hobson, a local civil rights advocate. Where it will go after that is anybody's guess.

How many rats are there in Washington? Nobody knows for sure. Some authorities say 600,000. Some say 800,000—one for every man, woman and child in the District of Columbia.

Eight hundred thousand rats. Eight hundred thousand chances to spread rat-bite fever, which can be fatal if not treated.

Eight hundred thousand reminders of the typhus and bubonic plague they once caused and could cause again, symbolizing much more than a furry, dirty rodent. Rather, they are a symbol of the worst that urban living produces—the admission that "I've got rats" is a social stigma nobody will admit to.

The presence of rats in Washington is overwhelmingly repugnant. But Washington's efforts to rid itself of rats is something less than overwhelming.

For example, in order to benefit from the District's free rat-poison program, people not only have to be poor, they have to be indigent. One might assume that the Federal City might want to provide the poison free to any public-spirited citizen—even a millionaire—if he wanted to kill rats. But not so.

But let's say that you are indigent and you do "qualify" for the free poison. Where is it available? Why, logically enough, in clean, non-indigent Georgetown, at a Health Department clinic at 3246 P Street, nw.

In an odd departure from the logic that puts free rat poison in Georgetown, the District also offers the stuff in Southwest, at Delaware Avenue and I Street. It isn't far from some low-income housing.

The establishment of two free rat-poison outlets and the maintenance of a four-man rat control team (a man for every 200,000 rats) has somehow failed to motivate the people of the District to rise up in their wrath and go on a Great Crusade against rats.

The District officials who say people don't care about rats have a right to be indignant about this. After all, the District spent $315 on free rat poison last year.

The Washington Post reporters who got out on the streets of Washington to find out about rats received the distinct impression that there isn't about to be a spontaneous outpouring of public anger over the problem.

The people who have the worst problem—the people who live in old rundown litter-filled housing—are least objective about it. They don't even want to admit there is a rat problem. They don't want to admit to an ancient social stigma that puts them at the bottom of the barrel.

If Post reporters believed only what they heard on the streets of Washington, they would have concluded that there is no rat problem.

A woman in Southeast refused to let a reporter into her building that was—to put it diplomatically—rather undistinguished.

"We don't have any rats in here," she told him. "There's a gopher or two that runs through the back yard occasionally, but that's all."

This woman not only believes that gophers stalk the streets of Washington, she thinks that rats can be brought under control by dogs. She thinks that if you have a dog, there'll be no rats.

"I have a dog," she said confidently, "and if any rats come this way he'll see them."

He may see them but it is doubtful that the dog will do combat with the rats.

More to the point, the dog even may attract the rats. Dogs after all are frequently the culprits when the garbage can is overturned. They also scatter bones around their domain. It is a picnic for the rats.

Children also topple garbage cans and have a tendency to throw food around. This doesn't mean that either dogs or children should be made illegal. It simply means adults have to watch out for them.

William Torrance, a District housing inspector who frequently gives illustrated lectures on the need to keep even hovels clean, has a picture of a rat and a dog in the same yard. The two are not fighting.

"I like dogs," Torrence tells his audiences. "Don't get me wrong. Just remember to clean up after them."

A reporter had this to say after touring the city to determine the extent of the rat problem:

"Time and time again people would tell me they had no rats at all, and all I had to do was look around their houses and see the filth they had, which would have given any rat a bold invitation."

"Everybody's got rats," said a woman who lives in such a house in the 1700 block of T Street, nw. But she quickly added: "I have no rats in my house."

However, she did admit to mice. "I have so many," she said, "I don't know what to do."

This was a pattern reporters from this newspaper encountered frequently. People would admit to having mice. Even Dagwood Bumstead has mice. Mice have received a better press than rats. They are almost middle-class.

At any rate, the people with the "mouse" problem are constantly being singled out for sloppy housekeeping by landlords who are often inexplicably more righteous about the value of cleanliness than they are about the value of repair. In short, they say it is the sloppy tenant who creates the rat problem, not the landlord who somehow never gets around to filling in the holes in the foundation of his house.

The tenants—if they say anything at all—point out that if landlords kept repairs up, they might be more predisposed to keep up their end of it.

It would therefore follow that somebody somewhere—either in the District, in a do-good agency or in one of the ever-so-many efforts made by the War on Poverty—might have come forth with a program to tell landlords and tenants the facts of life.

But no such program exists.

Washington, instead, seems to be attacking the local rat problem with inactivity, ineptitude and inertia. Washington is supposed to be a model city but not all other American cities are following Washington's example in dealing with rats.

Detroit—a city that admittedly has problems of tragic proportions—must be credited with an A for effort in trying to rid itself of rats.

Compared with Washington, Detroit is a veritable pace-setter.

In its Bureau of Sanitation, there is a Rodent Control Division that includes nine inspectors, one supervisor and seven trucks out in the field.

Compare this with Washington's four-man pest control section (unlike Detroit's, it also deals with mosquitos, wasps, fleas, squirrels and almost every other kind of sub-human pest) that has two trucks and only limited equipment for field use.

Harry Boyle of Detroit's Rodent Control Division claims his people will cover 225,000 buildings this year, setting rat bait in 30,000 areas of infestation.

It is hard to say what the Washington unit will cover because it does not have either the staff or money to cover the city systematically. Rather, it responds to complaints. And by the time complaints are received, the rat problem in a given neighborhood is usually well out of hand.

Last year, Detroit used more than 50,000 pounds of assorted rat poison. Washington used 4000.

Detroit is not as pretty as Washington. It is not filled with Greek temples. It is not the capital of the United States. It is a dirty city, a busy city, and it has been the place for some of this country's worst civil strife.

But it is trying to solve its rat problem.

[From the Washington Post, Aug. 14, 1967]

RATS—II: CITY WAGES FEEBLE WAR ON RODENTS

> "Behold the Lord High Executioner
> A personage of noble rank and title—
> A dignified and potent officer,
> Whose functions are particularly vital!"

—From "The Mikado" by Gilbert and Sullivan.

Clarence W. Travis is 59, gentle, has a master's degree in biology from Howard University, and is the forgotten man in the Health Department.

He is the director of the Health Department's Vector Control Division. He is the District's Lord High Executioner of rats.

Actually, Travis is on the verge of becoming the ex-forgotten man in the Health Department. Rats are becoming a political issue in Washington, and if the furor waxes big enough, somebody will find the money for a rat eradication program and Travis will be rediscovered.

Mosquitoes—not rats—brought Travis into the Health Department 26 years ago.

But 13 years ago, the Department decided it wanted to do something about rats and Travis moved in that direction.

He has only four men working for him now, but when he began his small-scale assault on rats, eight men worked in rodent control.

But in 1954, the Health Department and the Housing Division split, and it was decided that Travis should have only two employes.

Two men were all he had until about a year and a half ago, when the District gave him two more. Travis says he got the new men after "years of pleading."

Are four men enough?

MORE MEN NEEDED

Travis says that if every housewife in Washington ran her kitchen with operating room cleanliness, and everybody had spanking new metal garbage cans with tops that fit, he would still need about 20 men to go around to contain the rat population.

It should be noted that Travis and his men deal not only with rats, but with other vermin, too. In fact, they spend about 20 per cent of their time trying to control pests other than rats.

Travis loves to talk about rats, and the poisons developed to kill them. He can sit back in his office and recall when poisons were developed and modified. He does it with amazing precision.

It becomes clear that, if the District isn't using much rat poison (last year it spent a total of $3,000 on poison), it isn't because Travis doesn't know his business.

Indeed, talking to Travis causes one to wonder why several dozen exterminators are not on his staff right now. Among the points he makes:

Washington's rats—an estimated 600,000 to 800,000 of them—do $15 million to $20 million a year in property damage.

Contrary to what some believe, rats are not terribly shy and will attack humans "without provocation . . . just for the hell of it."

Washington's official 1966 rat-bite count as reported by hospitals—75—is misleading, representing only a quarter of the total rat bites in the city. Travis is sure many people are too ashamed to report rat bites in their families.

"You won't find a dozen restaurants in the city," Travis says, "that have enough garbage cans. Especially during holidays, you'll find their garbage areas overflowing." Travis claims that enforcement of health regulations as they apply to Washington's restaurants is almost non-existent.

"Virtually no area in the city is rat-free." Reporters were unable to find anybody in Georgetown who would admit to a rat problem. Travis insists the problem is there, although not with the intensity that exists in poorer neighborhoods.

As you listen to Clarence Travis, you realize he is knowledgeable, articulate, alarmed that so many rats live in Washington and utterly fatalistic in his conviction that Washington has turned its back on the problem and will never solve it.

ALLEY SEMINAR EXPERIENCE

His feelings about the intent of District officials are clearly implied by the way he tells you about his staff and budget problems.

His feelings about the people of Washington are more explicit.

He tells you about the time three years ago when he tried to set up an alley seminar at 14th and V Streets nw., so that he could advise people how to deal with their rat problems. He was rewarded for his effort by a shower of bricks and bottles, thrown by hoodlums. One of his men was injured, floodlights were broken and a brick smashed the windshield of Travis' car.

That was the last time Clarence Travis ever tried to give an alley seminar in Washington. One suspects it seriously shook his commitment toward reaching the people of the city and making them aware of the magnitude of the problem.

"I still give programs," he said, "but now I insist that there be four walls around me."

If you ask him about the people of Washington, his eyes flash and he talks of their laziness, their sloppiness.

He is sure that twice-a-week garbage collection would be enough for all neighborhoods in the District if only housewives were tidy.

It amazes him that people in slum neighborhoods tell him that they don't have enough money for food "and then they throw away six gallons of food a week."

Asked if increased garbage collection would help with the rat problem, Travis said he feared it might make matters worse. "We would be indulging people in their laziness," he said. He said he is well aware that some of Washington's homes contain 30 people instead of the 7 or 10 they were designed for (and thus producing much more garbage) but that doesn't change his views on garbage collection.

EDUCATION PROGRAM REQUIRED

It becomes clear from talking with Travis that rat eradication is pointless unless it is accompanied by education. But the understaffed Vector Control program can't deal with education any better than it can with the rats themselves.

Travis arranges meetings, but his assessment of their effectiveness sounds strangely like the assessments given by many others who work in poverty areas. "The people who need the information most won't come to the meetings," he says.

Few—even the best-intentioned—have ever succeeded in really reaching the people who need help the most.

It would not be proper to suggest that Vector Control should take full or even primary responsibility for Washington's rat population.

For Vector Control is but a tiny part of one section of a District establishment that is hopelessly fragmented on the problem of rat control.

The Health Department, the corporation counsel's office and the Housing Division of the Department of Licenses and Inspections are all involved. Each says the other has primary responsibility for rat control.

HOUSING DIVISION INSPECTIONS

The Housing Division's inspectors systematically check to see if there are any rodent violations, caused either by landlords or tenants, in the city.

Reports of violations flood back to Housing Division headquarters, but the Division has long taken the view that so long as the landlord gives any indication that he is going to deal with the violations, he will be given extensions to meet the requirements.

This sounds reasonable enough. But the fact is that some of the owners of low-income property abuse the policy, remedying as few of the violations as possible to keep stringing the Housing Division along.

The landlords complain they can't possibly keep up with the damage done by some careless or ignorant tenants.

Enter the corporation counsel's office. Robert H. Campbell, an assistant corporation counsel who is the city's chief prosecutor at the Court of General Sessions, acknowledges that housing violations persist too long, but he says his office sometimes gets cases that have been sitting in the Housing Division files for a year or more.

But the corporation counsel's office is not in a position to be terribly pious.

The corporation counsel's office has also been granting multiple continuances to landlords. Then, a couple of weeks ago, Campbell said that his office would cease its easy treatment. On Aug. 3, Campbell met with R. Donald Kinney, deputy director of the Licenses and Inspections Department, and Kinney assured Campbell that the Department would speed the forwarding of housing cases to the corporation counsel. Housing cases, of course, have a lot to do with rat cases.

DUNCAN DEFENDS RECORD

Corporation Counsel Charles T. Duncan thinks his office has done a good job in prosecuting rat cases. "We have moved forward," Duncan said. Although Duncan is sure he has moved forward, neither he nor Campbell can find any figures on how many rat cases have been prosecuted.

Duncan also makes it clear that he thinks most of the responsibility lies outside his office.

"I would think," he says, "that a vigorous effort by the officials responsible for rat extermination and control and the citizens in the neighborhood working with them is what we need."

And there we have the District's official position on the rat problem.

Vector Control says sloppy people must be educated, sloppy people say the landlords are to blame, landlords say it's the tenants, housing inspectors blame the judges and the Corporation Counsel thinks that Vector Control has to work harder.

They accuse, and the rats multiply.

[From the Washington Post, Aug. 15, 1967]

RATS—III: THEY ABOUND IN RESTAURANTS, HOMES DESPITE CONTROL EFFORTS

A few weeks ago, Harold Isen, a Washington artist, was in a downtown restaurant with his wife, Anita, and Charles Duff, another artist who had moved here only recently.

Isen had just ordered one of his favorite dishes—beef with broccoli and cheese—and Anita had selected the boneless duck.

"You'll like this place, Charlie," Isen said. "The food is always so fresh."

And then Isen stopped talking.

He stopped talking because he saw a rat in the restaurant.

It was a big, fat, brown rat, maybe a foot long, not including the tail, and it was walking across the restaurant floor, a couple of feet from where Isen was sitting.

"It was so big," Isen said, "that at first I thought it was a cat or a dog."

Isen watched the rat. It went under a booth, climbed up on a seat and then up to an empty table. It was a table that undoubtedly would be used by customers later that night.

Isen was transfixed, speechless, as he watched the rat move across the clean table. The rat stopped at the wall. There was a hole in the wall covered by a piece of paper.

The rat was just about to gnaw through the paper when suddenly there was a scream.

The place was in an uproar and the rat got frightened. It climbed down off the table and disappeared under a chair.

Isen, his wife, and Duff made a hurried exit. "Too bad, Charlie," Isen said as they reached the street, "they used to have good food in that place."

The next day, Isen called the Health Department. Four days later, the Department called him back and told him that no evidence of rats had been found.

A Department inspector told Isen he alone had more than 500 bars, restaurants, carryouts and lunch counters to check. This meant he could not visit each one more than once a year. A lot of rats could walk across a table in a year.

The rat Isen saw bit nobody—but the

threat it presented to everyone in the restaurant was just as real.

Clarence W. Travis, director of the Health Department's Vector Control Division, says that rat droppings can be a factor in food poisoning.

When food poisoning occurs, it is impossible to say for sure that it is caused by rat droppings. But Travis is sure that it happens. The leptospirillum variety of food poisoning, sometimes called Weil's disease, comes from the urine of rats.

If you ask at hospitals, you find few verifiable cases of actual rat bite. At Freedmen's Hospital, for example, records are kept on rat-bite fever. But Freedmen's officials say they have no separate recording system for just rat bites.

For the record, the rat we have is the Norway rat (rattus Norvegicus), which weighs in at around ¾ of a pound, is 9 to 11 inches long (plus tail) and lives about 3 years. It usually lives 20 or 30 feet from its food supply.

The Norway rat is extremely adaptable. It will gnaw on almost anything, and can live anywhere. Often it will burrow into the ground near a house for warmth. If the burrow gets too cold, it might chisel right into a weak spot in the foundation of a house to find more warmth. When exterminators pump cyanide into burrows, they often see dozens of rats scurry from a single burrow.

The average rat litter is 8 to 12, but can be as high as 22. A female rat can have 150 to 200 offspring a year. Under ideal conditions, a pair of rats could start a process that would produce 350 million little rats in three years, according to Travis. Fortunately, baby rats have a high mortality rate.

If you ask people in this city about the rat problem, and you are able to overcome their shame and their fear the landlord will retaliate, the scope of it becomes real—and large.

For instance:

Margaret Royal of 1821 Stanton ter. se., says her 4-year-old son, Darrell, was bitten on the heel by a rat while asleep on July 1. Darrell's heel had a welt on it. "We got a lot of rats here," said Darrell's 11-year-old brother, Anthony. "I hear 'em behind the washin' machine. Sometimes they come out of the wall and I take a broom and smash 'em. I ain't afraid of rats."

Sandra Wood of 1315 Park rd. nw., says her 20-month-old daughter Cynthia, was bitten as she slept less than a month ago. "Cynthia woke up screaming," Mrs. Wood said. "She'll probably never forget it." Mrs. Wood treated the bites with iodine and peroxide. Mrs. Wood says she thought this would be enough.

Ernestine Jones, who also lives at 1315 Park rd., said her 3-month-old daughter, Theresa, was bitten by a rat less than two weeks ago. She waited 24 hours before taking the child to a hospital. Her reason: "I didn't have time."

Mrs. Jones' husband, Thomas, said they were moving out. He set traps for the rats but had little success.

Eva Armwood of 215 L st. nw., said that her daughter, Maurine, of the same address had a terrible rat problem. The rats, she said, had got into her refrigerator. "Rats all over the place," said Mrs. Armwood.

Dr. Kurt Frederickson, a biochemist who lives at 312 V street ne., says he can come home at night, relax with a drink, and watch the rats play in his back yard. He has kept his yard clean, but not all of his neighbors have done the same.

Bernard Gray of 319 Atlantic st. se., called The Washington Post yesterday and said to be sure and emphasize the responsibility the people have for rats.

"A year ago," Gray said, "I tried to get my neighbors to join me in a rat eradication program. One woman told me the District ought to do it. I got some poison and two of my neighbors wouldn't even accept it."

Christine Morgan of 1870 Alabama ave. se., president of the Stanton-Douglas Tenants Improvement Committee, a group of public housing residents, said: "We have a terrible problem with rats." She showed a reporter dozens of rat holes and said, "If you come back after dark, this place will be filled with rats." The reporter did and found the public housing complex alive with dozens of rats.

Jack Smith of 1740 T st. nw., said he asked his landlord, the C. H. Parker Co., for help and was told "everybody has rats."

Wilson Linden of 211 15th st. se., says there are rats in his building. "Some of the rats in this neighborhood are as big as dogs . . . if the city doesn't act, the rats will take over the city."

The situation exists while Washington's Vector Control unit tries to handle the problem with four men who spend a fifth of their time trying to keep rats and roaches out of buildings owned by the District.

Not every branch of District government has been completely inactive in trying to cope with the rat problem. The National Capital Housing Authority has the rats under control at its Barry Farm project in Anacostia.

The effort started in the wake of protests by Barry Farm residents.

The NCHA managed to find another $50,000 a year to spend on vermin control (bringing the annual expenditure to $83,000) and the work began.

As the NCHA started its work, tenant groups at Barry Farm pressed their efforts to persuade some of their sloppy neighbors to shape up.

Emmett Gray, the NCHA's director of engineering and maintenance, hired two extra men for the Barry Farm project (he has since added four more), the Vector Control Division of the District Health Department cooperated in training them and the workmen zeroed in on a concrete retaining wall filled with rats.

The NCHA filled in the holes and treated the wall—and the hill behind it—with cyanide poison. The NCHA figures it killed 2000 rats in the wall alone.

Next, the crew turned its attention to deteriorating concrete porches and foundations. Poison was used repeatedly and holes filled. As new burrows were found, they were poisoned and filled. Over a period of months the problem was brought under control.

Occasionally, someone will see a rat or rat burrow at Barry Farm. When they do, the crew returns immediately with its poison.

OTHER PUBLIC HOUSING SITES

NCHA's Emmett Gray claims he has the rat problem under control in almost all public housing projects.

But not all tenants agree.

Even a casual after-dark visitor can see the rats at Stanton Terrace and the Douglas Dwellings.

At Kenilworth Courts and the Parkside Dwellings, two projects near the Kenilworth dump in far Northeast, even Gray has to admit the problem is virtually uncontrollable.

Gray says that Kenilworth is filled with rats. A few sloppy tenants and a few sloppy garbage collectors are all that is needed to attract the rats to nearby public housing. The problem is so great that an independent rodent-control contractor quit, telling the NCHA the situation was hopeless and he couldn't make any money.

The NCHA's assessment of the rat problem generated by the Kenilworth dump does not jibe with the assessment given by William F. Roeder, chief of the Sanitation Division.

"You won't see any rats at Kenilworth," Roeder said. "There's no garbage out there any more—only trash—and the whole place is baited every two weeks."

Edward Aronov, director of National Capital Housing Authority, disagrees. "How can you effectively bait a place as big as that?" he asked. "Rats could eat there for weeks and not pick up a piece of poisoned food."

Vector Control's Travis agreed there were rats, but said baiting helped. "It helps prevent a population explosion," he said. "If we didn't bait at Kenilworth, there would be a billion rats out there."

There seemed to be some confusion about just who is dumping garbage in Kenilworth and how much of it there is. The District no longer dumps garbage at Kenilworth. But a source reached by a reporter says that he personally dumps trash and garbage at Kenilworth. "The guards out there know me," he said.

The garbage problem at Kenilworth isn't the only one that figures in the rat problem. The problem is Districtwide.

GARBAGE COLLECTION PROCEDURES

Garbage is picked up twice a week in Washington. The way it is picked up is discussed by homeowners with some frequency.

"I don't even let the District pick up my garbage," said the owner of an apartment building in Northeast. "They have so many new people that half the time, they didn't even know where to find my garbage cans."

Said another resident who preferred to remain anonymous: "Is there some early reason why they have to smash the cans on the ground?"

"It's true that we have some turnover and an absenteeism problem," says the Sanitation Division's Roeder.

"It isn't easy to find garbage collectors who really love their work and have a loyalty to it." Garbage collectors in the District now earn $2.10 an hour; Roeder is hopeful the pay can be increased soon.

As to the problem of smashed cans, Roeder says the Sanitation Division has new "packer-type" trucks on order. They cost $15,000 apiece and the District hopes to have 75 of them in hand by 1970. These trucks eliminate the need for hoisting cans of garbage high overhead. The garbage is placed into a trough at waist level. "After we've made the switch, the breakage of cans problem should diminish," Roeder said.

Roeder said the District now spends nearly $3 million a year just cleaning the streets. Trash collection costs $2 million a year, garbage $1 million.

"The amount of garbage in the District is decreasing about 5 per cent a year," he said, "because of increased use of garbage grinders and frozen foods."

Roeder said the Sanitation Division has no enforcement power and only one inspector for the entire city's garbage.

Officials at the Sanitation Division think the twice-a-week garbage collection does not add to the rat problem.

"On the other hand, a once-a-week trash collection isn't enough," said Roy L. Orndorff, director of the District's Department of Sanitary Engineering. "We hope to have more frequent collections soon."

POISON NOT SUFFICIENT

Whatever programs are developed, it is quite clear that poison alone will not do the job.

Travis, the District Government's No. 1 rat fighter, explains:

"Rats develop a shyness to poison. If they ever become sick from a particular poison they never eat the poison again. Rats are very clever that way.

"The reason rats gnaw so much is because they have to. If he didn't, his teeth would grow five inches a year. Their teeth are sharp enough to gnaw through a lead pipe . . ."

It is because of this that Travis and other experts on rats warn against the use of plastic garbage containers. William Roeder says the cans should be metal, and should be placed six inches above the ground.

Some people say they actually see rats during mid-day. This is the case at the Stanton and Douglass public housing.

Travis says this means the problem is especially bad.

"When the food supply isn't enough to

sustain the rats," Travis explained, "the weaker rats start coming out during daylight hours to forage for food because the younger, stronger ones get it all, otherwise. "If you see one rat during the day, you probably have 20 to 40 rats in your house."

HOW TO GUARD AGAINST RATS

What does Washington need to control its rat problem?

Experts in the field feel that, at the outset, it needs (1) a program to provide for intensive poisoning of rodents, (2) an educational program for both landlords and tenants who violate housing and sanitation codes, (3) stricter enforcement against dumping garbage in Washington, (4) better policing of all commercial establishments selling food, and (5) a Sanitation Division with better equipment and men who take care not to handle garbage containers carelessly.

Residents can take these steps on their own.

Buy only metal garbage cans and make certain the lids fit tight. If possible, buy metal stands to keep them six inches off the ground.

Keep garbage out of trash cans and vice-versa.

Keep kitchens, hallways, stairs and alleys free of litter.

Keep doors shut and have broken windows repaired promptly.

Tell children not to topple garbage cans.

Keep dog houses and pet cages clean. Yards and alleys should be kept free of bones.

If rats or rat burrows are seen, tenants should notify their landlords and the Housing Division. The number is 629-4635. Private homeowners must call a commercial exterminator.

Poor persons may secure free rat poison from the Health Department at either 3246 P st. nw., or at a Health Department clinic at Delaware Avenue and I Street nw.

CIGARETTE TAX ENFORCEMENT CONFERENCE

Mr. TENZER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TENZER. Mr. Speaker, I was privileged today to address the taxing authorities and law enforcement authorities of 16 States at the Cigarette Tax Enforcement Conference, sponsored by Gov. Nelson A. Rockefeller, and held at the New York Hilton Hotel in New York City.

The conference dealt with possible methods of curbing and eliminating the illicit practice of cigarette smuggling. I first addressed my colleagues in the House on this problem on March 30, 1966—see the CONGRESSIONAL RECORD, volume 112, part 6, page 7307—the day when I introduced a bill to assist the States to collect cigarette taxes—then H.R. 14153, now H.R. 2153—and to make cigarette bootlegging a Federal crime.

On April 20, 1966, I again addressed my colleagues in the House advising them of the support for this legislation which had been forthcoming from Governor Rockefeller and New York City Mayor John V. Lindsay. See CONGRESSIONAL RECORD, volume 112, part 7, page 8654.

In the 90th Congress I again introduced the legislation—H.R. 2153—and I requested the Federal Bureau of Investigation to conduct an investigation of charges that crime syndicates had taken over the practice of cigarette bootlegging and yesterday I was informed that the FBI investigation is still being conducted. See CONGRESSIONAL RECORD June 1, 1967, page 14573.

Because of the breadth of this problem, I include at this point in the RECORD the program for the conference and the text of my remarks and those of Governor Rockefeller:

CIGARETTE TAX ENFORCEMENT CONFERENCE, TUESDAY, SEPTEMBER 12, 1967

9:00 A.M.

Keynote: Governor Rockefeller.

9:30 A.M.

Untaxed Cigarettes—Anatomy of the problem.

Moderator: John J. McGuire, Deputy Superintendent, New York State Police.

1. Enforcement in New York:

Panelists: The Police Effort; Louis C. Cottell, Deputy Inspector, New York City Police Department; Counterfeiting of Tax Stamps, Nathan H. Mitchell, Director, Special Investigations Bureau, New York State Department of Taxation and Finance; Role of the District Attorney, Joseph Stone, Assistant District Attorney, New York County.

10:30 A.M.

2. The current effort in eastern States:

Panelists: Present Cooperative Efforts, Amos Tilton, Supervisor, New Jersey Cigarette Tax Bureau: Legal Problems, John G. Lynch, Legal Counsel, Pennsylvania Bureau of Cigarette and Beverage Taxes; The Maryland Program, Edward J. McCabe, Program Executive for Public Safety, Maryland.

11:15 A.M.

3. Criminal infiltration of legitimate business. Is the danger real?

Panelists: Edgar Cullman, President, General Cigar Co.; Morris Weintraub, Managing Director of Wholesale Tobacco Distributors of New York, Inc. and Managing Director of Cigarette Merchandisers Association, Inc.; Irving P. Seidman, Assistant District Attorney, Kings County, New York.

12:15 P.M.

Luncheon, Sutton Ballroom South.

1:30 P.M.

Intergovernmental cooperation.

Moderator: Charles Conlon, Executive Director, Federation of Tax Administrators.

1. Interstate cooperation:

Panelists: Prospects for Controlling Contraband Shipments, Ronald S. Regar, Eastern Regional Governor, National Tobacco Tax Association, Harrisburg, Pennsylvania; The Cooperative Program, John J. Purcell, Director, New York State Miscellaneous Tax Bureau and 1967 Coordinator of the Cooperative Enforcement Program of 11 Eastern States and New York City.

2:15 P.M.

2. Future prospects:

Panelists: The Need for a New Look, Roy Goodman, New York City Finance Administrator; Collection at the Source, William G. Colman, Executive Director, Advisory Commission on Intergovernmental Relations, Washington, D.C.

3:15 P.M.

3. Federal cooperation:

Panelists: Federal Legislation, Congressman Herbert Tenzer; The Role of the F.B.I., John F. Malone, Assistant Director, Federal Bureau of Investigation, New York City Office

4:00 P.M.

Conference summary:

Joseph H. Murphy, New York State Commissioner of Taxation and Finance, Conference Chairman.

STATEMENT OF CONGRESSMAN HERBERT TENZER, FIFTH DISTRICT, NEW YORK, PREPARED FOR DELIVERY AT GOVERNOR ROCKEFELLER'S CIGARETTE TAX ENFORCEMENT CONFERENCE, SEPTEMBER 12, 1967

I am grateful to the distinguished Governor of the State of New York, Nelson A. Rockefeller, and to the Commissioner of Taxation and Finance, Joseph H. Murphy, for affording me the opportunity of participating as a panelist in this Cigarette Tax Enforcement Conference.

Only by the fullest cooperation between the taxing authorities of the sixteen states participating in this Conference, on the one hand, and the Federal government on the other, will it be at all possible to curtail and ultimately to eliminate the practice of cigarette smuggling.

I first became interested in the subject in February, 1966, when I was informed that an itinerant purveyor of cigarettes, using a large black limousine, was enlisting high school youths in one of my Long Island communities to sell untaxed cigarettes to family and neighbors at reduced prices. These students, leaving their books as "security" for the return of the cigarettes or the proceeds of sale, were unwittingly becoming involved in the widespread cigarette bootlegging racket. A distressed mother who reported the incident was deeply concerned about the involvement of her son and some of his schoolmates in what I promptly told her was an illegal practice. When she told her son that she had reported the matter to her Congressman, and he in turn notified the unidentified supplier, visits to the community high school terminated. This perversion of our youth, contributing to and promoting juvenile delinquency and disrespect for law and order, motivated me to make inquiry into existing statutes applicable to the situation.

To my utter amazement, I found none. It became evident that the growing practice of cigarette bootlegging was depriving state and municipal taxing authorities of millions of dollars in revenue. I learned that New York State and New York City, both searching for new sources of revenue to meet the increasing cost of government services, were losing between $50 and $60 million dollars annually in tax revenue, because of interstate cigarette smuggling. I also learned that other states and cities were likewise being deprived of tax revenues.

It became obvious that of important significance was the effect of this unlawful trade upon the small businessman—the independent retailer—the chain store and department store—who were not only losing cigarette sales but suffered loss of other business, resulting from the fact that customers were entering stores less frequently. While their sales declined, the bootleggers trade was increasing.

Thus the states not only lose revenue from the sale of cigarette tax stamps, but also the revenue which flows from gross volume and income taxes.

My investigation of Federal legislation disclosed that in 1949 there started a practice of advertising and offering for sale, tax-free cigarettes by mail. This naturally followed wherever a wide difference developed between cigarette prices in one state and that of a neighboring state. At that time, state and city taxing authorities, retailers, wholesalers, and merchants raised their voices and the Congress of the United States passed the Jenkins Act of 1949, later amended. (15 USC 375-378).

The Jenkins Act was passed to assist states in collecting sales and use taxes on cigarettes shipped in interstate commerce. The law required the seller to file reports of such sales with the taxing authorities of the receiving state. It is reported that soon after the Jenkins Act became law the practice of selling cigarettes by mail stopped.

That is why on March 30, 1966, I introduced a bill to amend the Jenkins Act, which would require anyone selling or transporting in excess of 5,000 cigarettes (25 cartons) to file a report with the taxing authorities of the state into which the cigarettes are being shipped or transported.

The purpose of the legislation is to eliminate the bootlegging of cigarettes; to protect the small businessman from economic harm resulting from the illegal practice; and to channel the sale and distribution of cigarettes through legitimate established sources. Just as the original Jenkins Act effectively eliminated the advertising and mailing of cigarettes for tax evasion, so do I believe that my bill to amend the Jenkins Act will effectively eliminate the illegal shipping or transporting cigarettes in interstate commerce.

I am pleased that after I introduced H.R. 14153 in the 89th Congress, my colleagues, the Honorable Richard L. Ottinger and the Honorable Seymour Halpern, both of New York, introduced identical bills. I was also pleased when the Baltimore conference of the taxing authorities of thirteen states, the District of Columbia, and New York City, held on April 15, 1966, unanimously endorsed my bill.

The distinguished Mayor of the City of New York, my former colleague, the Honorable John V. Lindsay, in his letter to me on April 14, 1966, stated as follows:

"We are grateful for your welcome interest in this problem and are anxious to provide you with whatever assistance you feel appropriate. We will help in any way possible to assist you in bringing about the early enactment of critically needed legislation. We have every appropriate agency of the city working on the problem, but Federal legislation is a must if we are to be effective."

I was further encouraged when Senator Joseph D. Tydings of Maryland introduced my bill in the Senate of the United States on May 3, 1966, and reported in detail on the Baltimore conference (see Congressional Record, vol. 112, pt. 8, pp. 9525–9528). Additional impetus was given when our own Governor, at his annual legislative dinner with the New York Congressional Delegation in Washington, held early this year, specifically endorsed H.R. 2153 and pointed out how urgent it was for the Federal government to take appropriate action to assist the states in bringing an end to cigarette bootlegging.

The distinguished Comptroller of the State of Maryland, the Honorable Louis L. Goldstein, in his letter to Senator Joseph D. Tydings on April 19, 1967, stated as follows:

"Congressman Herbert Tenzer, of New York, has recently introduced a bill, H.R 14153, which would amend the Jenkins Act so that it would apply to the present method of bootlegged cigarettes.

"At a recent conference in Baltimore, held at my invitation, the tax representatives from 13 cigarette-taxing States, the District of Columbia, and the city of New York were present and at this meeting a unanimous resolution was adopted to urge our respective Senators and Congressmen to support Congressman Tenzer's bill, H.R. 14153.

"This remedial legislation is needed immediately and your active support of this bill will be greatly appreciated by the State of Maryland and the other States which are being victimized by this insidious form of tax evasion. We are confident that the mere existence of Congressman Tenzer's amendment as a law of the United States would aid the States in their enforcement in much the same manner that the original Jenkins Act put a stop to mail order sales.

"As State comptroller of the State of Maryland, I am vitally concerned with the increased traffic on our highways of contraband cigarettes and the well-organized criminal elements involved and I wish to take every means possible to stop this illicit traffic. At the same time, the tobacco tax revenues of our State must be protected, as well as our other revenues.

"Needless to say, your active participation and support of H.R. 14153 is greatly needed and you will be performing a valuable service for the people of Maryland and our sister States by supporting this bill."

Recently Senator Jacob K. Javits of New York and Senator Clifford P. Case of New Jersey, both introduced companion bills in the Senate. Yet, while tax authorities from the various states affected by cigarette bootlegging have been working together in an effort to curb the illegal practice, they have thus far failed to interest their Senators and Representatives in Congress in support of remedial legislation.

Since 1966, the activity has taken on new dimensions. Cigarettes are now being shipped in interstate commerce not only by private car "trunkload" but in carload and trailer load lots. To escape detection, it was recently revealed that two station wagons loaded with unstamped cigarettes were being transported piggy-back style in a large interstate trailer.

As the city and State taxing authorities increase their surveillance other and more devious means are being employed. The distinguished and courageous district attorney of Kings County, N.Y., Aaron Koota, now has before the grand jury a case involving an arrest made recently "involving over 11,000 cartons of untaxed cigarettes." The district attorney told me that "indications are that the vendor of these cigarettes in North Carolina actively participated in concealing these cigarettes through a form of camouflage so as to prevent detection by law enforcement officials."

Recent grand jury proceedings in New York City have raised speculation that the illicit practice of cigarette smuggling has become such a big business that underground elements have taken over this field. Because organized crime syndicates may be involved and in light of my request for a Justice Department investigation into cigarette bootlegging, I contacted New York State and city officials as well as the district attorneys in the five counties of New York City and Nassau and Westchester Counties asking them to cooperate by turning over any pertinent evidence to the Federal Bureau of Investigation.

I have been told that in order to facilitate distribution of bootlegged cigarettes, counterfeit State tax stamps are affixed to each cigarette pack. Since these cigarettes are shipped in interstate commerce, I contacted the Attorney General of the United States to request a review of existing Federal statutes to ascertain whether there was Federal jurisdiction in such cases.

Assistant Attorney General Fred M. Vinson, Jr., confirmed that Federal statutes are being violated, in his letter to me of May 18, 1967, in which he said:

"The mere affixing of a counterfeit stamp or making of a false meter impression is not a Federal criminal violation unless the package on which it is affixed or imprinted is transported in interstate commerce. The third paragraph of Section 23.14, Title 18, United States Code, proscribes the transportation, in interstate commerce, of 'any falsely made, forged, altered, or counterfeited securities or tax stamps . . .' The fourth paragraph proscribes the transportation, in interstate commerce, of any tool or thing used in the making of such false security or tax stamp. The legislative history of Section 2314 reveals that it was amended in 1961 to cover state tax stamps and meter impressions after state officials had testified before the House Committee on the Judiciary about the large revenue losses suffered by states affected by the use of false stamps and impressions, especially when they had been made in another state.

"Violations of this statute are investigated by the Federal Bureau of Investigation. Investigations of offenses involving 'underworld elements' are given special attention in the Criminal Division."

I was assured that the FBI would undertake an investigation with particular attention to possible underworld involvement and the violation of Federal law.

Recently, two other proposals have been made.

The first seeks to authorize a 20 cent Federal tax on cigarettes in lieu of state and local taxes. The difficulty with this proposal is that it involves a major change in the tax system with a relinquishment of the traditional tax powers of the state.

If I am having difficulty in obtaining a public hearing on my Bill, how much more difficulty would we experience with a Bill incorporating the single Federal tax on cigarettes proposal.

In addition, state taxes range from zero to eleven cents per pack and redistribution of the tax collection would be very difficult. Following is a summary of the amount of State cigarette taxes per pack, now in effect, exclusive of City taxes:

Number of States:	*Taxes per pack* *Cents*
3	11
5	10
2	9
19	8
6	7
1	6½
3	6
3	5
1	4½
2	4
2	3
1	2½
1	2
1	0

Accordingly this proposal, if feasible at all, will require lengthy public hearings with a doubtful outcome.

The second proposal seeks to require state and local tax authorities to collect their taxes directly from the manufacturer—but this proposal would require each manufacturer to earmark each case of cigarettes by state of distribution and maintain separate inventories, it would create operational problems for wholesalers who cross state lines to distribute their products, it will add to consumer prices by creating problems for chains and supermarkets with regional warehouses, serving stores in two or more states, by adding to inventory and shipping costs. This would unduly restrict the free flow of goods in commerce.

The New York *Times* on Sunday, September 10, 1967, in a story about this conference amongst other things referred to my bill as "a proposal that is more modest, and thus more feasible." The article further pointed out that my bill would make "interstate bootleg shipments of cigarettes . . . a Federal crime" while "under present law, it is a Federal crime only when the mails are used."

I urge the delegates to this conference to endorse H.R. 2153, a bill to control all types of illegal transportation of cigarettes.

I would also urge that on your return to your respective state houses you request your governor to call upon the congressional delegation of your state to become interested in the legislation and let their voices be heard on the floor and in letters to the Chairman of the House Ways and Means Committee.

I wholeheartedly endorse the proposal that an interstate body be established to coordinate state efforts to curb the illicit practice of cigarette bootlegging.

Excerpts of Remarks by Gov. Nelson A. Rockefeller Prepared for Delivery at Cigarette Tax Enforcement Conference, New York Hilton Hotel, New York City, N.Y.

I want to thank all of you for accepting our invitation to come here today so that we can tackle a complex problem that affects all our states.

Some call it cigarette bootlegging, others refer to it as buttlegging, but by whatever name, the evasion of cigarette taxes not only robs our governments of much needed revenue;

—it also undermines public morality by making the usually law-abiding citizen an accomplice of big-time racketeers and small-time hoodlums.

And so I am deeply grateful that we have been able to gather this outstanding assembly of experts and authorities to explore ways of curbing the serious and growing traffic in untaxed cigarettes.

Today our subject is tax revenue, and while the evasion of cigarette taxes can inflict losses on all of us, let me illustrate the problem by describing specifically New York State's recent experience.

In April of 1965 New York State doubled the tax on cigarettes from five to ten cents.

As a result we might reasonably have expected our revenue from cigarette taxes to just about double too. But it didn't—it fell far short of our expectations.

I suppose some of the decline might be explained by those reports over the past few years that relate smoking to lung cancer, heart disease and other illnesses.

But I'm more inclined to believe that most smokers fall into the category of the fellow who became so upset reading about the health dangers of smoking that he gave up reading.

Actually, our State Budget Director, Dr. Norman Hurd, estimates that New York State is losing about $40,000,000 this year—through the evasion of cigarette taxes.

Obviously, nobody enjoys paying taxes on cigarettes or any other commodity.

And the fellow who buys his cigarettes under the counter or from someone making the rounds of offices and factories, may get a kick out of beating the tax.

But I wonder if this person—who's basically probably an honest citizen—stops to think that he is fattening the bank roll of a racketeer;

That he is furthering the career of some fast-buck artist;

That he is helping to undermine the moral fiber of our society.

In New York State, the revenue from cigarette taxes helps finance our schools, our health programs, and other vital public services.

If we can't finance these services from one tax source we have to finance them from another.

So the real loser in the cigarette bootlegging business is John Q. Citizen; the only winners are criminals.

Today, the racketeers may be making their money by merely smuggling and selling untaxed cigarettes.

But how long will it be before they decide to move in on the supply end of the business, just as they did during Prohibition; if they haven't already done so.

When this happens, cigarette makers will have a tiger by the tail—organized crime is a vicious tiger to try to deal with.

Consequently, I am very pleased that Governor Dan Moore of North Carolina, the State that is the nation's leading supplier of cigarettes, has sent his representative to this conference.

Yes, all our states have a stake in combatting the illegal traffic in cigarettes.

Here in New York, we have been carrying out a hard-driving campaign against cigarette smugglers, sellers and tax stamp counterfeiters.

The City of New York is waging a superb campaign of cigarette tax enforcement in close cooperation with our State Tax Department.

In the five months ending August 31, this State and City effort has resulted in 264 arrests, 116 convictions and the seizure of illegal cigarettes totalling 741,700 packs.

We have strengthened our state laws.

We have added investigators to our staff.

Right now we are introducing a new joint State-City tax stamping system here in New York to combat the counterfeiting of metered cigarette tax stamps.

And yet we are doing little more than holding our own against the rising tide of untaxed cigarettes crossing our borders.

The problem is that the lines of a single state or city pose no barrier to the cigarette bottlegger.

That is why I have asked you here today—so that together we can attack a problem that harms all of us and which none of us can really resolve alone.

This conference enables us to take a fresh look at the problem.

We must consider:

Stronger laws in our cities and states;

The strengthening of Federal law without impeding legitimate interstate commerce;

The development of better cooperative enforcement efforts among the states;

An expanded role for the FBI in the war against violators;

The possibility of a plan for the collection of taxes at the source to be made by the cigarette manufacturer;

The possibility or even the desirability of centralized collection by the Federal government.

And we must consider industry's responsibility.

And to what extent have criminal elements already invaded the cigarette business?

These are some of the questions we will be raising in the course of this conference.

We won't solve the problem here today. We don't expect to.

But I'm confident that when we gather a group of first-rate people together such as you represent, we are going to come up with some first-rate thinking on the problem at hand.

We also want to make sure that the good ideas born here in the conference don't die here.

Consequently, I have asked Joe Murphy, your conference chairman, to appoint a continuing committee from among those of you present here today.

This continuing committee will follow up on your recommendations to see that they are explored in depth so that the best of them are put to work.

We are bucking a well-organized, sophisticated band of big-time racketeers and a proliferation of petty crooks. We can beat them.

But to do so we are going to have to work together, all of us in every state involved—public officials, law enforcement personnel, legislators, and the cigarette industry itself.

Today we are taking an important first step along the path of cooperation.

This initial effort can demonstrate to cigarette racketeers that we are determined to put them out of business or behind bars.

Again thanks for your cooperation and your presence at this conference.

Mr. Speaker, for the information of my colleagues and to facilitate any inquiries which they wish to make into the effect of cigarette smuggling in their States, I place in the RECORD at this point a schedule of State cigarette tax rates in effect as of September 1, 1967:

STATE CIGARETTE TAX RATES IN EFFECT ON SEPT. 1, 1967

State	Year first enacted	Rate, July 1, 1950 (cents)	Changes	Rate Sept. 1, 1967 (cents)
Alabama	1927	3.0	3–4 cents, July 1, 1955; 4–6 cents, Oct. 1, 1959; 6–7 cents, Oct. 1, 1965	7.0
Alaska[1]	1949	3.0	5 cents, Jan. 1, 1959; 5–8 cents, July 7, 1961	8.0
Arizona	1933	2.0	2–6½ cents, July 1, 1965	6.5
Arkansas	1925	4.0	4–6 cents, Mar. 9, 1951; 6–8 cents, Mar. 5, 1965	8.0
California	1959	0	3 cents, July 1, 1959; 3–7 cents, Aug. 1, 1967	[2] 7.0
Colorado	1964	0	3 cents, July 1, 1964; 3–5 cents, June 1, 1965	5.0
Connecticut	1935	3.0	3–4 cents, Feb. 1, 1956; 4–3 cents, Nov. 1, 1956; 3–5 cents, July 1, 1961; 5–6 cents, July 1, 1963; 6–8 cents, July 1, 1965.	8.0
Delaware	1949	2.0	2–3 cents, Oct. 1, 1953; 3–5 cents, Nov. 1, 1961; 5–7 cents, Aug. 1, 1965	7.0
District of Columbia	1949	1.0	1–2 cents, July 1, 1954; 2–3 cents Nov. 1, 1966	3.0
Florida	1943	5.0	5–8 cents, July 1, 1963	8.0
Georgia	1923	5.0	5–3 cents, July 1, 1951; 3–5 cents, July 1, 1955; 5–8 cents, Mar. 1, 1964	8.0
Hawaii[1]	1939	2.9	3.9 cents, Jan. 1, 1960; 3.9–8 cents, July 1, 1965 (rate is 40 percent of wholesale price)	8.0
Idaho	1945	3.0	3–4 cents, May 4, 1955; 4–5 cents, July 1, 1959; 5–6 cents, July 1, 1961; 6–7 cents, May 19, 1963	7.0
Illinois	1941	3.0	3–4 cents, Aug. 1, 1959; 4–3 cents, June 8, 1960; 3–4 cents, May 1, 1961; 4–7 cents, Aug. 1, 1965; 7–9 cents, Aug. 1, 1967.	9.0
Indiana	1947	3.0	3–4 cents, June 1, 1963; 4–6 cents, May 1, 1965	6.0
Iowa	1921	2.0	2–3 cents, July 1, 1953; 3–4 cents, July 4, 1959; 4–5 cents, July 4, 1963; 5–8 cents, July 1, 1965; 8–10 cents, Aug. 1 1967.	10.0
Kansas	1927	3.0	3–4 cents, Apr. 1, 1957; 4–6 cents, Apr. 1, 1964; 6–8 cents, May 1, 1965	8.0
Kentucky	1936	2.0	2–3 cents, July 1, 1954; 3–2½ cents, July 1, 1960	2.5
Louisiana	1926	8.0		8.0
Maine	1941	4.0	4–5 cents, July 1, 1955; 5–6 cents, July 1, 1961; 6–8 cents, July 1, 1965; 8–9 cents, July 1, 1967	9.0
Maryland	1958	0	3 cents, July 1, 1958; 3–6 cents, July 1, 1961	6.0
Massachusetts	1939	5.0	5–6 cents, July 29, 1958; 6–8 cents, Jan. 1, 1965; 8–10 cents, Mar. 3, 1966	10.0
Michigan	1947	3.0	3–5 cents, Aug. 1, 1957; 5–6 cents, Feb. 1, 1960; 6–5 cents, July 1, 1961; 5–7 cents, July 1, 1962	7.0
Minnesota	1947	4.0	4–5½ cents, Aug. 1, 1959; 5½–7 cents, July 1, 1961; 7–8 cents, May 21, 1963	8.0
Mississippi	1930	4.0	4–5 cents, Mar. 1, 1955; 5–6 cents, July 1, 1958; 6–8 cents, July 1, 1962; 8–9 cents, July 1, 1964	9.0
Missouri	1956	0	2 cents, Jan. 1, 1956; 2–4 cents, May 1, 1961	4.0
Montana	1947	2.0	2–4 cents, Dec. 7, 1950; 4–5 cents, Feb. 25, 1957; 5–8 cents, July 1, 1957	8.0
Nebraska	1947	3.0	3–4 cents, Sept. 20, 1957; 4–6 cents, June 1, 1963; 6–8 cents, Apr. 1, 1965	8.0
Nevada	1947	3.0	3–7 cents, July 1, 1961	7.0
New Hampshire	1939	2.5	2½–3 cents, July 1, 1951; 3½–4½ cents, July 1, 1965; July 1, 1967 (rate is 30 percent of retail price)	6.5
New Jersey	1948	3.0	3–5 cents, Apr. 1, 1956; 5–6 cents, Jan. 6, 1961; 6–7 cents, May 23, 1961; 7–8 cents, June 1, 1963; 8–11 cents, June 16, 1966.	11.0

See footnotes at end of table.

STATE CIGARETTE TAX RATES IN EFFECT ON SEPT. 1, 1967—Continued

State	Year first enacted	Rate, July 1, 1950 (cents)	Changes	Rate Sept. 1, 1967 (cents)
New Mexico	1943	4.0	4–5 cents, July 1, 1955; 5–8 cents, July 1, 1961	8.0
New York	1939	3.0	3–5 cents, Apr. 1, 1959; 5–10 cents, Apr. 1, 1965	10.0
North Dakota	1925	5.0	5–6 cents, July 1, 1951; 6–7 cents, July 1, 1963; 7–8 cents, July 1, 1965	8.0
Ohio	1931	2.0	2–3 cents, Mar. 1, 1956; 3–5 cents, June 1, 1959; 5–7 cents, Sept. 1, 1967	7.0
Oklahoma	1933	5.0	5–7 cents, July 1, 1961; 7–8 cents, July 1, 1965	8.0
Oregon	1966	0	4 cents, July 1, 1966	4.0
Pennsylvania	1935	4.0	4–5 cents, Oct. 1, 1955; 5–6 cents, June 1, 1959; 6–8 cents, June 1, 1963	8.0
Rhode Island	1939	3.0	3–5 cents, June 1, 1958; 5–6 cents, June 1, 1960; 6–8 cents, June 1, 1964	8.0
South Carolina	1923	5.0	5–3 cents, July 1, 1951; 3–5 cents, July 1, 1959	5.0
South Dakota	1923	3.0	3–3¼ cents, July 1, 1955; 3¼–5 cents, July 1, 1959; 5–6 cents, July 1, 1963; 6–8 cents, July 1, 1965	8.0
Tennessee	1925	3.0	3–5 cents, Apr. 2, 1951; 5–7 cents, June 1, 1963; 7–8 cents, June 1, 1967	8.0
Texas	1931	4.0	4–5 cents, Sept. 6, 1955; 5–8 cents, Sept. 1, 1959; 8–11 cents, July 1, 1965	11.0
Utah	1923	2.0	2 to 4 cents, Feb. 19, 1954; 4 to 8 cents, July 1, 1963	8.0
Vermont	1937	4.0	4 to 5 cents, July 1, 1957; 5 to 7 cents, July 1, 1959; 7 to 8 cents, July 3, 1963; 8 to 10 cents, July 1, 1965	10.0
Virginia	1960	0	3 cents. Aug. 1, 1960; 3 to 2½ cents, Sept. 1, 1966	2.5
Washington	1935	4.0	4 to 5 cents, May 1, 1955; 5 to 6 cents, June 1, 1959; 6 to 7 cents, Apr. 15, 1961; 7 to 11 cents, June 1, 1965	11.0
West Virginia	1947	1.0	1 to 4 cents, July 1, 1951; 4 to 5 cents, July 1, 1956; 5 to 6 cents, July 1, 1961	6.0
Wisconsin	1939	3.0	3 to 4 cents, July 1, 1955; 4 to 5 cents, July 1, 1957; 5 to 6 cents, Sept. 1, 1961; 6 to 8 cents, Aug. 15, 1963; 8 to 10 cents, Aug. 1, 1965.	10.0
Wyoming	1951	0	2 cents, July 1, 1951; 2 to 3 cents, July 1, 1957; 3 to 4 cents, July 1, 1959; 4 to 8 cents, July 1, 1967	8.0

[1] Alaska became a State Jan. 3, 1959; Hawaii, July 4, 1960.

[2] Rate will increase to 10 cents, effective Oct. 1, 1967.

PENDING CIGARETTE TAX LEGISLATION

Pending before legislatures still in session	Proposed, but not acted on (legislature has adjourned)	Distribution of States by rate	
		Rate per pack (cents)	Number of States
Alabama, 7 to 8 cents [1]	Michigan, 7 to 10 cents [2]	2½	2
Delaware, 7 to 10 cents	Nebraska, 8 to 10 cents	3	1
Florida, 8 to 10 cents [3]	Oklahoma, 8 to 9 cents	4	2
North Carolina, 0 to 5 cents [4]	Rhode Island, 8 to 13 cents	5	2
Pennsylvania, 8 to 13 cents [5]	South Carolina, Decrease of ½ cent per year through 1971	6	3
		6½	2
		7	7
	Texas, 11 to 12 cents	8	20
	West Virginia, 6 to 7 cents	9	3
		10	5
		11	3
Total			50

[1] Passed by legislature, bill sent back by Governor for reasons not affecting the increase; likely to be approved.

[2] Will have special session in October.

[3] Passed by legislature; vetoed by Governor; veto will probably stick.

[4] Not likely to be approved.

[5] Passed by house, awaiting action by senate; likely to be approved.

Mr. Speaker, I am very pleased that Governor Rockefeller has asked me to serve as a member of the Continuing Committee on Cigarette Tax Enforcement—an eight-member panel which will keep a close watch on all activities which can reduce this practice of cigarette bootlegging and assist the States in the collection of cigarette taxes.

I will serve to the best of my ability and subject to my congressional duties which must take priority. I will continue to press for Federal assistance in this area. I urge my colleagues to review this problem with particular attention to their own States and to support Federal legislation to assist the States in this area.

SUPPORT FOR THE PRESIDENT'S TAX PROPOSAL

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. KING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of California. Mr. Speaker, If there is one subject that makes people unhappy, regardless of their background, their position in life, or their political persuasion, that subject is taxes. President Johnson's proposal for a surcharge on income taxes is no exception to this general rule. Immediately following the announcement, newspapers and magazines were quoting individuals and organizations in opposition to the tax surcharge proposal.

This reaction should not have surprised anyone. It is asking too much of human nature to expect people to smile when they are asked to pay higher taxes. As the days have gone by, however, and as sober second thoughts have set in, people have begun to realize that the tax proposal cannot really be evaluated all by itself. The question is not—should we or should we not have a tax hike? The question is—what are the alternatives to an increase in taxes? Here are just a few: A threat of inflation. Tight money. An enormous Federal deficit. A slowdown in our exports.

In the perspective of time for thoughtful consideration, and from a broader point of view, the Nation and the people seem to be facing up realistically to the tax issue. Based upon a sampling of editorial comment around the Nation concerning the tax proposal, I would say that a new climate of opinion is emerging. I should like to give my colleagues the flavor of this new climate of opinion by quoting from editorials on the tax proposal. Here are some examples:

From the Albuquerque *Tribune*.—"The preferred answer, then, is a substantial tax increase. . . ."

From the Arkansas *Gazette*.—". . . government borrowing to meet deficits is inflationary, and a tax increase tends to the opposite effect."

The Atlanta Constitution.—"This certainly is not too high a price for anyone to pay to meet our commitments at home and abroad and to protect our economy from runaway inflation which would cost much more."

Birmingham Post-Herald.—"The proposed tax increases are essential, popular or not."

The Charleston Gazette, West Virginia.—"Despite Agonies, Tax Hike Is Path U.S. Must Follow."

Chattanooga Times.—"A Necessity, Unfortunately."

Chicago Sun-Times.—"Hardly anyone in banking, industrial or government circles doubts the inevitability or the economic wisdom of a temporary increase in corporate and individual income taxes as requested of Congress by President Johnson."

Commercial Appeal, Memphis, Tennessee.—". . . the nation already has over-spent and higher taxes are needed now. . . ."

The Detroit News.—"The bare bones of President Johnson's tax program must be accepted as necessary for the economic welfare of the country."

The East Oregonian.—"But in the end, the surtax will be approved. It must be."

The Hartford Courant.—"So though the tap on the pocketbook be more than expected, it is an inconvenience small in comparison to what is borne by Americans putting their lives on the line in Vietnam."

The Houston Post.—"Only the reckless or the political haymakers now doubt the need for some kind of tax increase."

The Minneapolis Star.—"But the pace of wage and price inflation indicates that some of the pressure of spending should be removed. A tax hike would do that."

The Post & Times-Star, Cincinnati, Ohio.—"Nobody really wants to pay more taxes . . . Business is vitally affected . . . But it is no more affected than the individual taxpayer."

Rocky Mountain News.—(repeating the statement of the president of the NAM) "a tax increase would be a shock to the economy, but so would a $29 billion deficit."

San Antonio Light.—"The President's request . . . represented a simple facing of undeniable facts."

San Francisco Examiner.—" . . . federal income and the nation's economy absolutely must be kept in a healthy balance."

Springfield, Massachusetts *Daily News.*—". . . a tax rise seems the best way of maintaining the nation's economic health."

Mr. Speaker, these editorials come from newspapers in every section of the country, and they represent many different points of view. But they are united in their agreement that a tax increase is needed at this time. For the edification of my colleagues, I insert these editorials in the Record.

[From the Albuquerque (N. Mex.) Tribune, Aug. 25, 1967]

The Economy and Tax Boost

At the hearings before the House Ways and Means Committee on President Johnson's request for a 10 per cent increase in the income tax, the testimony naturally has been quite varied. Nobody really wants to pay more taxes.

This week the committee mostly has been hearing from business leaders. Business is vitally affected by a raise in taxes, just as it is affected by a raise in the cost of labor or the raw materials which go into its products.

But it is no more affected than the individual taxpayer, who has the additional disadvantage of not being able to pass on to a customer any part of his increased costs of living.

The National Assn. of Manufacturers urged the Ways and Means Committee to raise taxes, although the NAM spokesman said eight per cent would be enough if the government also would cut spending.

The United States Chamber of Commerce flatly opposed any tax increase, saying this should be deferred until we see whether the economy will launch another boom. Meanwhile, it too recommended severe cuts in spending.

W. P. Gullander, president of the NAM, said a tax increase would be a "shock" to the economy. But, he said, so would the $29 billion deficit the government has in prospect if there is no tax increase.

That, of course, is the issue. The economy is going to get jolted in any case. But government borrowing to meet deficits is inflationary, and a tax increase tends to the opposite effect.

The preferred answer, then, is a substantial tax increase, because it is the lesser of two bad deals—much the lesser.

But even a 10 per cent tax increase won't solve the problem unless there also is a substantial slowdown in government spending. This Mr. Johnson promises and Congress talks about—but there is little sign of real cutting.

Walker Winter, the spokesman for the Chamber of Commerce, asked the billion-dollar question:

"Can the country ever hope to live within its revenues?"

The answer is yes—Whenever the President and Congress decide to do it. And that time will come when the NAM, the Chamber of Commerce and everybody else decide rampant government spending has become too expensive (in taxes and inflation) and insist on the President and Congress returning to at least a semblance of fiscal sanity.

[From the Atlanta (Ga.) Constitution, Aug. 17, 1967]

Surcharge Would Cost Less

Congressmen of both parties are digging in their heels against efforts by President Johnson to put through a 10 per cent surcharge on income taxes, but so far the only suggested alternatives to it have been very vague demands to "cut federal spending."

Not many congressmen are helpful in suggesting just where spending should be cut, although there is fairly general agreement that it should not be in defense spending.

But when we get into the nondefense sector of our current $135 billion budget, we are talking about less than half of the total, or about $61 billion. Of this $61 billion, about $50 billion is pretty well locked in for payments such as veterans' pensions and farm subsidies, payments under contracts let in previous years, and federal payrolls.

So we're left with about $11 billion to whittle away at. Congress might attempt to cut some of the pork from this barrel of money but, judging from past performances, most of the pork will stay in.

This country is faced with a budget deficit of $29 billion which most economists say would be unmanageable, especially in an economy such as ours which is under tremendous inflationary pressures.

In a falling economy, such a deficit might be manageable because demands for credit would be relatively light. But if the federal government were to go into the money market to borrow $29 billion when the demand for private borrowing was also on the upswing, interest rates would tend to go out of sight. This would have a devastating effect on our economy.

What the Administration hopes to do, through the 10 per cent tax surcharge and carving about $2 billion out of current programs, is reduce this deficit to about $14 billion. Such a deficit, Administration economists say, would be "manageable" and would not court runaway inflation.

When we get down from the giddy heights of $135 billion budgets and $29 and $14 billion deficits, the cost of the surcharge to the average taxpayer is much easier to understand. It would cost between a few cents and $9 a month and still would not make his tax bill as high as it was three years ago when federal taxes were cut.

This certainly is not too high a price for anyone to pay to meet our commitments at home and abroad and to protect our economy from runaway inflation which would cost much more.

[From the Charleston (W. Va.) Gazette, Aug. 5, 1967]

Despite Agonies, Tax Hike Is Path United States Must Follow

When President Johnson finally dropped his tax-boost shoe on Congress Thursday, it set off a round of resigned rumbling.

But few reasonable Americans can argue with its purpose. The largest peacetime federal budget in history—now up $8.5 billion above the $135 billion budgeted for fiscal 1967—is cause enough for alarm.

There appears little likelihood that Johnson will get as much as he asks for as soon as he wants it. A reluctant Congress likely will not go for the full 10 per cent surtax on individual and corporate income and almost certainly will delay the start of any new taxation until Jan. 1 of 1968.

That, as few need be reminded, is a presidential election year. Ever since the January forecasts of a record federal budget and the later warnings of a needed tax boost, Republicans have been opting for reduction in domestic spending. But with racial unrest flaring in numerous cities, it is virtually assured that more federal efforts to solve some of the problems of urban ghettos will be necessary.

This places Republican and Democrat fiscal conservatives in Congress squarely over a pork-barrel. If they support the Vietnam buildup and an intensified war on urban poverty, other federal programs such as Appalachian economic development will suffer. In an election year, those facing reelection may have to explain to voters not only higher taxes but reduced benefits.

Johnson termed the requested tax boosts "vitally necessary." This cannot be disputed in the light of economic forecasts of a business boomlet and a public spending surge in the last half of this year.

The President must be applauded for his forthright action—however belated—in the clear face of inflationary dangers. As a man well-schooled in congressional battles, he is bound to be aware of the political agonies it will cause many of his old friends.

What he has bluntly told the American people and Congress is: there is no such thing as a free lunch—or a cutrate war.

But other adverse developments outside of government complicate the situation. The escalating Vietnam war and other defense spending will cost almost $80 billion this year. Another $2.5 billion is needed for new civilian outlays.

At the present government spending pace, the U.S. budget deficit for this fiscal year could rise to an astronomical $29 billion.

In the private sector, increased wage and price gains are reflected in the climbing cost of living, up 0.3 per cent in June for the fourth consecutive month.

It all adds up to a further weakening of the dollar value and the very real prospect of runaway inflation. Already some economists are saying that Johnson's proposed 10 per cent tax increase is "too little and too late."

Taking private income out of the spending stream is only a partial solution to the overall economic problem. If Congress enacts the President's surtax proposal in the form he outlined it Thursday, this would sop up $7.4 billion in available private spending. Next fiscal year the tax boosts would take in $12.3 billion.

If these tax bites fail to check the inflationary spiral, the unpalatable alternatives must be tighter credit restraints—which plunged the housing industry into a recession last year—or wage-price controls, an unheard of peacetime policy.

Aside from the raw economic implications inherent in President Johnson's special message to Congress, there are political and social ramifications.

[From the Chattanooga (Tenn.) Times, Aug. 5, 1967]

A Necessity, Unfortunately

It is not comforting in the face of increased local and state taxes to contemplate the 10 per cent surcharge proposed Thursday by President Johnson on individual and corporate income taxes. Comfort is not a consideration here, however; necessity is.

Mr. Johnson made it very clear that his proposal—up four per cent from the earlier surcharge recommendation—is necessary to counteract "a clear and present danger to America's security and economic health."

The danger the President spoke of is a budget deficit that could reach $23.6 billion or more if we continue present commitments without a tax increase.

Families whose earnings are $5,000 or less should be exempt from the surcharge, the President proposed, and we hope Congress agrees.

The new tax recommendations go beyond the sphere of personal and corporate income, including proposals to postpone the effective dates of reduction and eventual elimination of certain excise taxes.

There will undoubtedly ensue now arguments about priorities, and an either-or approach to international and domestic needs and challenges. Priorities must be set, but the either-or approach should be discarded in the consideration of urgent national commitments—i. e., the war in Vietnam and the war on poverty. Our resources are not unlimited, but they are vast enough to argue against any reductions in critical domestic spending to finance the war effort, or vice versa.

[From the Sun-Times, Aug. 16, 1967]

Taxes: Lesser of Two Evils

Hardly anyone in banking, industrial or government circles doubts the inevitability or the economic wisdom of a temporary increase in corporate and individual income taxes as requested of Congress by President Johnson.

One such doubter seems to be Rep. Wilbur D. Mills (D–Ark.), the powerful chairman of the House Ways and Means Committee which began hearings on the President's request Monday. But even Mills acknowledges the dangers of a deep budget deficit that would bring inflationary higher prices and still higher interest rates. These could lead him to "the conclusion that something should be done."

The "something that should be done" may turn out to be congressional approval of a surtax on business and individual incomes but not as high as the 10 per cent Mr. Johnson asked for. Before agreeing to any tax increase, Chairman Mills wanted assurances on two questions.

Would the increase be truly only temporary, ending when the Vietnam war is over? Can the economy, which has been slowing down, take a tax increase?

The administration, naturally, says that when the present war crisis is over the special tax can be ended. No one can truly predict the future but past performances do show taxes can be lowered.

Although the average person may feel that federal income taxes keep going up and up, they have fluctuated over the years. An individual's taxes go up mostly because his salary goes up. A Brookings Institution study by Joseph A. Pechman shows these changes in personal income tax rate for selected years:

[In percent]

Year:	*Lowest bracket*	*Highest bracket*
1913	1	7
1918	6	77
1929	⅜	25
1933	4	63
1945	23	94
1967	14	70

To the second question, can the economy take a tax increase, Chairman Gardner Ackley of the President's Council of Economic Advisers replied that the softness in the economy during the first half of the year is abating and the outlook is for a "buoyant economy." Other observers of the economic scene may not be as optimistic as Ackley but pessimism seems to be lifting.

The First National City Bank of New York says, "in general there is a pervasive feeling that, although there may be bumps ahead, economic activity is on the upgrade once more." Across the country, in Los Angeles, the Bank of America says, "We believe the economy can successfully weather the current burden of tax increases on a temporary basis."

Without a tax increase the federal government is headed toward a $29 billion budget deficit. Even with the tax increase and a $2 billion cut in expenses the administration has pledged, the deficit still will be close to $20 billion—the highest since 1946. (The government went over $200 billion in the red in World War II.)

When the government spends more than it takes in, it must borrow. This sends interest rates up. Prices go up. People on fixed incomes suffer the most.

In the long run it is far better for the average citizen to pay slightly higher taxes than to suffer even greater losses in purchasing power through inflation. The family of four earning $10,000 would pay $111 a year more in income tax under Mr. Johnson's proposal.

In the past two years, the cost of living index has gone up 6 per cent. That means the $10,000 family has suffered a loss in purchasing power of $600 due to inflation. It's painful to be caught between inflation and rising taxes but if higher taxes can help stem the spiralling inflation they will be the lesser of the two evils.

[From the Commercial Appeal, Memphis, Tenn., Aug. 19, 1967]

Congress Dallies on Taxes

The Senate is showing concern over Administration foreign policy commitments which ignore the Senate's right to advise and consent on foreign affairs.

But this is not the only area in which Congress is in danger of losing its proper function.

The House Ways and Means Committee, charged with initiating all revenue measures, is holding long, complicated hearings on the Administration proposal for a 10 per cent surtax on the present income taxes of individuals and corporations.

Hearings are proper. But there are indications that hearings and floor debates may postpone tax action until late this year, or perhaps let it carry over into next year.

The hearings have become involved in many side issues and seem to miss the main point. That is that the nation already has over-spent and higher taxes are needed now—indeed, are long overdue—to settle the accounts and prevent heavy Government borrowings at very increasing rates of interest.

Businessmen facing a similar problem can sit down, study the matter for a few days and come to a decision which relatively is as large for them as is the tax measure for Congress.

But some members of Congress don't like to pass tax increases without a hard fight. They want to go back to the voters able to prove that they oattled to keep taxes low.

They should keep in mind that there is a proposal now circulating which would permit the President to raise or lower Federal taxes within certain limits at his discretion. That movement is gaining support from failures of Congress to recognize and act promptly on evidence of changing economic conditions.

Given much more politicking on tax measures, the voters may come to believe that it would be better for the President to have such powers over taxes. If that day comes, Congress will have lost even more of its constitutional authority.

[From the Detroit News, Aug. 7, 1967]

L. B. J.'s Tax Program—It's Necessary, But—

Higher federal income taxes, postponed excise tax cuts and faster corporate tax collections are the proper policies to offset a soaring government deficit. But we question some of the supporting arguments and excuses in President Johnson's special tax message to Congress.

The message implies the multi-billion dollar errors of the administration's original January budget are the unhappy result of unforeseeable circumstances. Hardly. When the budget was published many experts recognized an unmistakable decision to use revenue and expenditure estimates most favorable to the administration. The original budget deficit of some $8 billion was as much wishful thinking then as it is so obviously now.

The special message tells the public and Congress to tighten their belts for both higher taxes and lower expenditures to reduce a potential $24 billion deficit to "manageable proportions." And what will the new manageable deficit be? According to the President, a range of $15 billion to $18 billion.

In January, all this nation could afford in the way of a deficit was $8 billion; now we are asked to believe it can rise to more than $15 billion without reviving the threat of higher interest rates, rising prices and a host of other economic disturbances. White House economists must be alchemists! Or is the public just so gullible?

The special tax message rings with a call for sacrifice, both for Vietnam and the social battle at home. Yet, Johnson the politician can't seem to let Johnson the national leader have the floor to himself. The nation is also told the new tax burden is a small inconvenience, amounting to a few cents to $9 a month for most families. Judging from the deficit that remains, the President's definition of sacrifice includes a low threshold of pain.

Finally, the message is loaded with propaganda for the wisdom of President Johnson's January recommendations: He had wanted a tax increase in July; Congress is spending more for some things than he recommended; Congress wouldn't let him cheat a little by issuing more participation certificates.

What the President chooses to ignore is that he made no tax proposal to Congress until August; that he doesn't have to spend all the money allotted by Congress and that participation certificates are just a fancy name for spending which doesn't show up in the budget.

The bare bones of President Johnson's tax program must be accepted as necessary for the economic welfare of the country. Whether the proposal will be sufficient, or whether Congress will act favorably and in time, are questions which must still be answered. But we do wish the White House would stop trying to make the bones of its policies more palatable by cluttering them up with watery gravy and parsley. It doesn't help a bit.

[From the East Oregonian, Aug. 8, 1967]

It Will Be Approved

The Congress will agonize but in the end it will approve the President's request for a 10 per cent surtax on individual and corporate income taxes.

Republicans will try to hurt the President politically and both Republicans and Democrats who must stand for reelection next year will work hard at trying to set themselves right with the voters.

But in the end the surtax will be approved. It must be. As the leader of the Republicans in the Senate, Everett Dirksen, said, a federal deficit of some $30 billions cannot be permitted. Neither can inflationary forces, already at work, be permitted to gain more ground.

Hardly had the President sent his message to the Congress when the political warfare started. Some of the early statements would have been better left unsaid.

Sen. Vance Hartke of Indiana said he wasn't going to swallow the President's line that Americans must make some sacrifices. Perhaps he isn't going to swallow it but the President was right in saying it. With men dying in Vietnam most Americans have been untouched by the war. They have had life as usual. The President should not apologize for asking them to pay for the escalating cost of the war.

Most citizens aren't going to be hit very hard by the surtax. A family that is paying $100 in federal income taxes will pay $10 more.

Before the politicians have finished their oratory on the subject the impact of the surtax will be made to seem much larger than that. That will be unfortunate but we hardly can expect it to be otherwise. President Johnson will be running for reelection next year and so will many of them. The surtax will be thoroughly debated. After all of the oratory it will be approved.

[From the Hartford Courant, Aug. 4, 1967]

The 10 Percent Surtax? Grin and Bear It

Today, loud cries of "Ouch!" will surely be heard around the nation. President Johnson had long been expected to ask Congress to adopt a 6 per cent surcharge on individual and corporate income taxes. Waiting for him to do so, where the average citizen was concerned, was like waiting for the man upstairs to drop the other shoe. Well, now he's dropped it, and the sound of it carries extra shock. Instead of asking for 6 per cent, the President is calling for 10.

Yet, when one looks the situation squarely in the face, the only answer can be to grin and bear it. The extra money is needed, as the President says, to give American fighting men the weapons, equipment and help they require; to hold the budget deficit within limits; and to continue the vital programs needed for education, health, urban and other projects aimed at making this a great country—and particularly right now, a just and wise one.

There is hardly any need to rehearse the statstics contained in the President's message. What they mean is that expenditures, largely arising from the war in Vietnam, are up, and revenues are down, in each case beyond budgetary expectation. One just cannot go on raising the debt ceiling, nor permitting an increasing deficit which would result in further spiraling inflation, higher interest rates and tighter money, any and all of which will put the country and the people in a greater economic bind.

Much of the money will go—or at least is intended to go—to fight domestic ills. And no one can say that we don't need to provide a better and more equitable life for millions of Americans. But beyond this we are committed to a struggle to bring freedom and liberty to other corners of the world. The war in Vietnam is bitter, and everyone will be glad to see it over with. But there is no sign at all that the other side is ready to stop fighting and begin reasoning. We shall have to slug on—and this too must be paid for out of the surtax for which the President asks, not only to help our men overseas now, but the extra forces the President says are needed.

So, though the tap on the pocketbook be more than expected, it is an inconvenience small in comparison to what is borne by Americans putting their lives on the line in Vietnam, This should help most of us to omit the "Ouch!" altogether.

[From the Houston Post, Aug. 21, 1967]

Dollar Drain Continues

The dollar drain from this country continues, and, says Secretary of the Treasury Henry H. Fowler, one of the country's most practical tools to helping it would be a tax increase.

This is the picture that Secretary Fowler paints:

The gold flow from the United States topped $1 billion during the first half of the year, the highest figure for a six-month period in more than two years. The deficit in the United States balance of payments averaged about $1.35 billion in both 1965 and 1966. It is too early to predict what will happen during the rest of the year. Nevertheless, all indications now seem to point to a high deficit, perhaps $2.1 billion, with the Vietnamese war alone adding more than $1 billion to it.

Fowler predicts that congressional passage of the administration's 10 per cent tax surcharge would provide "significant reinforcement" to the fight to cut the balance deficit. Fowler believes that without a tax increase inflationary pressures will be increased. With the increase, he said, imports could be kept within bounds and exports competitive with other nations.

Confidence in the dollar remains high, said Fowler. He based his statement by a recent lack of foreign gold purchases. Second quarter payments figures also reflect an increase of about $300 million in United States bank deposits from abroad and foreign purchases of long-term certificates of deposit.

Fowler said the trade surplus rose from an annual rate of $2.9 billion at the end of last year to $4.5 billion during the second quarter of 1967. He said imports have increased substantially from 2.9 per cent of the gross national product between 1961 and 1964 to 3.1 per cent in 1965 and 3.4 per cent in 1966.

He warned that efforts to increase exports will not be successful "unless we succeed in maintaining price and cost stability and avoid excessive demand."

Only the reckless or the political haymakers now doubt the need for some kind of tax increase. Its need is great. Its effects, as indicated in Secretary Fowler's statement, will penetrate deeply into our economy and the economies of other nations.

Although discussions of the balance of payments always manage to seem esoteric and vaguely detached, it affects each of us deeply, even though few of us sit up nights wondering where the country's gold is going.

[From the Minneapolis Star, Aug. 7, 1967]

Tax Boost Better Than Inflation

The negative response of many congressmen and business leaders to President Johnson's tax boost proposal is disappointing. They argue that the economy isn't robust enough to stand the 10 per cent surcharge and that domestic spending should be cut to reduce the impending deficit of $30 billion.

Congress hasn't done much about reducing spending so far. Both the executive and the legislative branches should trim any fat out of appropriations bills. But both know that Vietnam costs are bound to keep rising under the present mood of the belligerents and both should know that some expensive programs connected with unrest in the cities need more funds.

It is true that the economy slowed down a bit in the first half of 1967. Present signs are for an upturn in the second half. But the pace of wage and price inflation indicates that some of the pressure of spending should be removed. A tax hike would do that. Even so, the deficit still would be about $23 billion, Mr. Johnson said. That's inflationary enough.

Not only should Congress vote the 10 per cent surtax the President asks—labor and business should take a more responsible course with price increases and wage demands. For those boosts keep the spiral moving, everybody's costs go up, and few benefit in the end.

There is one more important move for the administration to make. That is a re-examination of the Vietnam commitment with a view to reducing costs by an end to bombing of the North and by "de-escalating" the overblown U.S. civilian establishment there.

[From the San Francisco Examiner, Aug. 9, 1967]

The Strong Case for a Tax Hike

Only three years ago President Johnson asked Congress for a tax cut which lopped $23 billion from government revenue. Now, because of the mounting costs of our guns and butter economy, he has asked for restoration of approximately $7.5 billion of that revenue.

The President's request for a boost in both personal and corporate income taxes represented a simple facing of undeniable facts. Expenses of the Vietnam war, the unexpectedly large federal budget deficit and the danger of spiraling inflation made his action as inevitable as it was proper.

It was inevitable because federal income and the nation's economy absolutely must be kept in a healthy balance. It was proper because the day-to-day costs of government operations morally should be paid for by today's taxpayers rather than passed on to their descendants. Especially when business is good and personal income never has been higher.

A primary duty of Congress in the weeks ahead will be to determine whether the 10 percent surcharges requested by the President are needed. It is possible that smaller surcharges would suffice if all unnecessary government expenses were cut to the bone, and we hope this can be done.

But determining what is a necessary expense and what is not in these days of crisis on many fronts will require the most careful and responsible deliberation of which our lawmakers are capable. It is not a situation in which the old game of politics as usual can safely be played.

[From the Springfield (Mass.) Daily News, Aug. 22, 1967]

Tax Increase Debate

The debate on the President's proposed 10 per cent tax increase is continuing in House Ways and Means Committee hearings this week.

Few are arguing against the necessity for an increase to offset the expected $20–25 billion deficit for fiscal 1968. Many, however, are skeptical of the need for a tax surcharge as high as 10 per cent.

There are of course many ways to alleviate the budget deficit. The principal one is to eliminate "nonessential" expenditures. The President has, in fact, stated his intention to cut some nondefense spending to help keep the deficit down. Republicans on Capitol Hill argue that the need for a tax increase could have been avoided by more extensive cutting of nondefense expenditures.

The President's economic advisers and the President himself have several times stated their belief that the economy is on the verge of an upsurge and that a deficit in the area of $20–25 billion would result in rapidly rising demand and an "overheated" economy sometime during the last quarter of this year and the second quarter of next.

Advocates of the "new economics" led by Sen. William Proxmire, D–Wis., feel that such a large surtax will preclude the economic resurgence expected by most later this year. The new economics argument says that a large deficit is beneficial for the economy at this time because it needs continued stimulation to insure an upsurge later in the year.

Probably the President and his advisers are right in their forecast of an overheated economy if the deficit is allowed to climb over $20 billion. The greatest influence on the economy during the past three years has been the Vietnam war, and it shows no signs of decreasing its stimulant effects on spending.

Furthermore, vastly increased expenditures to cope with the urban problems that confront the nation will be called for sometime in the early part of next year; and at the very least, not to maintain the programs already enacted would be politically foolhardy, as well as politically immoral.

There may be some cogency in the arguments of those who say that a smaller surcharge—say, from 6 to 8 per cent—would be more in keeping with the present state of the economy. But with the Vietnam war, the need for expenditures to help the nation's cities and the prospect of a business upsurge all putting inflationary pressures on the economy, a tax rise seems the best way of maintaining the nation's economic health.

NEW PROOF SETS FOR THE COIN COLLECTOR

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FASCELL. Mr. Speaker, the coin collectors of the Nation have something to be happy about again, for the Bureau of the Mint has announced resumption of proof coin set production of 1968 coins. The sets will be manufactured at the U.S. Assay Office in San Francisco, with each proof coin bearing an "S" mint mark on its face. This will be the first time that a U.S. coin will show an "S" mint mark since the San Francisco Mint ceased coin production in 1955.

The manufacture of U.S. proof sets was cut off in 1964, with the mint's announcement on January 10, 1964, that no further orders would be accepted, due to the coin shortage. That spring the Legal and Monetary Affairs Subcommittee of the Committee on Government Operations, of which I am chairman, instituted a study to determine the causes of the coin shortage, and how the Government could remedy the shortage and improve its processes to make certain that the Nation never again would encounter a situation where its businessmen had too few coins to conduct their normal commercial affairs.

One of the first measures taken to overcome the drastic shortage was to terminate proof coin production, so that the mint could use the facilities that had been devoted to proof coins in increasing its production of ordinary coin. Coin collectors were direct casualties of the war on the coin shortage.

Because of the genuine concern the members of the Legal and Monetary Affairs Subcommittee had for coin collectors, in our first report on the coin shortage we recommended that the mint promptly resume its proof set and mint set operations when their suspension was no longer required by the shortage.

That recommendation was made in House Report No. 194, 89th Congress, first session. Other reports issued were House Report No. 195 in that session, and House Report No. 1468 in the second session of the 89th Congress. Happily, the Director of the mint, Eva Adams, shared that concern, and as soon as possible took steps to aid coin collectors.

On March 8, 1966, the mint announced it would receive mail orders for what it called special mint sets, to be made at the U.S. Assay Office in San Francisco, bearing 1965 dates, with no mint marks. The mint had previously discontinued accepting mail orders for uncirculated coin sets, on May 7, 1964. The mint has also provided special mint sets for coin collectors, dated 1966 and 1967.

The mint, I believe, has done well by the collector despite the fact it had to cope with a severe coin shortage. It furnished a continuous series of special sets during the entire shortage period, so that collectors were provided with sets bearing dates of each year. This is a tribute to the production capability of the mint, as well as its continuing interest in catering to the needs of the collector. And now it is resuming proof sets. I believe it is to be commended for its efforts to aid the coin collector to pursue his hobby.

NEW INTERNATIONAL MONETARY ASSET EXPLAINED

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FASCELL. Mr. Speaker, there have been many articles written on the recent action by the finance ministers of the group of 10 nations in moving to create a new international monetary asset to supplement gold, the dollar, and sterling reserves for settling international accounts. Most of those that I have seen have discussed in detail the needs for international monetary reform and the plan that is now up for consideration by the International Monetary Fund. The discussions, however, have been quite complex, because the matters they deal with are far from simple.

One article that has come to my attention, however, presents the whole issue so succintly and yet with such clarity and simplicity that I believe every Member will profit from reading it. That article appeared on the editorial pages of the Miami Herald for August 29, 1967, and reads as follows:

A Currency To Help the Trading Nations

World commerce and international finance often have been twin jungles in which the weak and unwary could be trapped and destroyed. Out of them emerged the terrifying Great Depression of a generation ago.

A little civilizing long has been in order. So, after six years striving for it, 10 world powers reached agreement last weekend on world monetary reform that will make life safer for the trading nation.

Under a draft "treaty" to go before the 106-nation International Monetary Fund in Rio de Janeiro next month, nations would have greater leeway in borrowing existing currencies from the IMF and would have "special drawing rights" to be used in settling accounts.

In effect, the "rights" are a new form of currency. They have been called "paper gold," but they are not quite that. The arrangement involves liberal credit in paying international balances but strict accountability within the IMF structure.

"The fundamental aim of the plan is to avoid trade-stifling policies by countries that are short of current international reserves, chiefly gold, dollars and existing automatic rights to borrow currencies from the IMF," explains The Wall Street Journal. "The reserves are used to tide countries over the balance-of-payment deficits, which occur when more money leaves a country than returns."

Dull stuff, maybe. But it touches every one of us in its promise to regularize international trade and spare nations drastic economic measures.

The other day, for instance, we discussed the fear that Britain might have to devalue the pound sterling. If this works, devaluation won't be necessary; nor will tight credit, higher taxes and other devices to curb the outflow of one's currency.

The details of the plan are less exciting than the fact that such a plan now exists. It took some figurative head-knocking, for both Britain and the Common Market countries (including France) were involved in the dickering.

Our own balance of payments, slightly improved by news on the same day that the trade surplus is running ahead of 1966, may at length require fewer restrictive measures if the reforms under the International Monetary Fund work as designed. We hope so. Public confidence in the economy would then enjoy a sudden shot of what is good for it.

ROBERT KING HIGH: A PUBLIC MAN

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FASCELL. Mr. Speaker, in the Congressional Record of August 31, 1967, on page 24915 I had the sad duty of advising my colleagues of the untimely death of the mayor of Miami, Robert King High.

In the days that followed, the harsh realization of his loss became apparent. But also eloquently evidenced were the many tributes to Robert King High, who was truly, "a public man."

The following comments amply demonstrate the esteem and the thanks of a grateful and sorrowful citizenry:

[From the Miami (Fla.) Herald, Aug. 31, 1967]

He Served Miami Well

Robert King High, as he once said of himself, was "a public man." He lived in the limelight, among people, listening to their problems and trying to help them as much as he could.

In Miami, he was His Honor, the Mayor, and in a surprisingly large number of Latin American cities he was known as El Alcalde, and was recognized as he walked along the streets as he liked to do.

Robert King High had large aspirations and many disappointments but he served Miami well. His untimely death was a shock to all who knew him, and the number is large. His passing leaves a gap in leadership in Miami, which needs leadership so badly.

[From the Miami (Fla.) News, Aug. 31, 1967]

Miami's Mayor: Robert King High, 1924–67

As we mulled over the all too short career of Mayor Robert King High, the word that kept popping into our thoughts were "incorruptible."

We know a lot of people who questioned Mr. High's judgment from time to time, but we know of no one who ever questioned his integrity.

That is saying quite a bit for a man who was elected mayor of the state's largest city five times, and who twice ran for governor.

It may be the finest tribute that can be paid to a politician, which is what Mayor High was, in the largest sense of the word.

But Mr. High had much to recommend him besides his incorruptibility. It is true, as his political opponents took pains to point out, that the post of mayor under the City Charter is largely ceremonial. And Mr. High was a fine and tireless ceremonial mayor.

SERIOUS WORK OVERSHADOWED

It is unfortunate, however, that his countless appearances as a greeter and ribbon cutter tended to overshadow his more serious work as the leading policy maker of the city government during 10 busy and troubled years.

Long before the thought occurred to many other politicians, especially in the South, Mayor High foresaw the need to ameliorate racial differences in the city, and he risked his political neck doing it. Step by step, the barriers to integration were lowered in Miami. Mayor High had more to do with these developments than many people know.

The thousands of Cuban refugees who poured into our city had no votes, yet Mayor High realized they must be accepted in the name of simple humanity, and he did much to present Miami to the rest of the country as a generous city, one willing to fulfill a responsibility that belonged to the entire nation.

HIS ASSISTANCE TO INTERAMA

He took the larger view in most matters. When the long dream of Interama seemed to become attainable, it was Mayor High who helped the project along by making it possible for the city to turn over valuable land to the authority.

He was a great friend of Latin America and its citizens, and more than once he turned down offers of ambassadorships to Latin countries. At one time, when the city was in a crisis with the refugees, he told President Kennedy he believed he was needed more in Miami than in Guatemala.

He was a colorful mayor. We recall fondly his periodic crusades against bolita and the strip joints and his jousts with the Police Department. These flourishes generated headlines, as the mayor surely knew, but they also helped make Miami a cleaner and better city for the mayor's children and for ours.

When he decided to run for governor he ran in a rather novel way, deciding to turn down the large gifts that normally find their way to nominees for this important office.

He told a friend that large gifts put handcuffs on a man before he ever became governor. He said he would rather not be governor than go in with handcuffs. In the same vein, it can be said that he did not use his office as mayor to enhance his law practice.

In his campaign for governor, as in his career as mayor, he was forever the enemy of small but powerful interests who resist reform and modernization with all the resources at their disposal. It is a political cliche to say that he was the friend of the little fellow, but no cliche was ever truer.

HIS EFFECTIVE LEADERSHIP

Mayor High did more to stabilize the city's government and to improve its efficiency than he got credit for. During his 10 years in office, he benefited from his association with some fine fellow commissioners. During most of the time, the city administration has been in the capable hands of Manager Melvin Reese.

Seldom was there any question, however, that the leadership for city programs, ranging from sewers to playgrounds through housing and redevelopment, sprang from Mayor High.

Progressive on social issues and visionary in his plans for the future, he was at the same time cannily conservative in fiscal affairs. For better than two thirds of his tenure City Hall was able to increase services while reducing or holding the line on taxes.

It should go without saying that Miami, the city, will miss Mayor High sorely. Thousands will miss him as a friend.

We grieve especially for his fine wife and six young children. His death came tragically soon.

[From the South Dade (Fla.) News Leader, Aug. 31, 1967]

MAYOR HIGH'S DEATH SADDENS THOUSANDS

Robert King High, the "Tennessee poor boy" who rose to become mayor of Miami and who came within grasp of the governor's mansion in Tallahassee, is dead.

Except for a stunning Republican upset, he would have been chief executive of Florida at the time of his death Wednesday in Miami at the age of 43.

The "little man" from Flat Creek left a big imprint on Miami. He rose from a struggling young lawyer to win a seat on the City Commission and was serving his fourth term as Mayor of the Magic City.

He fought successfully for lower utility rates and worked hard to redevelop downtown Miami. He was identified as a strong supporter of the "little people" and the underprivileged. He fought to improve their lot and met with a great deal of success.

Under his leadership Miami became one of the leading cities in the United States.

In politics, he overthrew, to some extent, his liberal image to become the Democratic Party's nominee for governor in 1966.

To do so he earned the name of giant-killer by defeating incumbent Gov. Haydon Burns in a gruelling primary race.

That epic struggle plus his battle to fight off a strong Republican trend at the polls in November no doubt hastened his early death.

Mayor High's supporters and friends numbered in the thousands and despite his defeat in November they envisioned a still bright political future for him.

The death of the peppery, little redhead from Tennessee at such an early age is saddening to Miamians, Dade Countians and Floridians whatever their political inclinations.

[From the Key West (Fla.) Citizen, Aug. 31, 1967]

INTEGRITY IN GOVERNMENT: HIGH LIVED HIS CONVICTIONS

Robert King High, 43, was more than mayor of Miami—he was a friend of Key West and a leader to tens of thousands of Floridians who lived beyond the boundaries of Miami. High literally died for these people. He drove himself on their behalf right up to his last day. He maintained a pace that would have been difficult for a healthy man, much less one with a previous history of coronary trouble.

Governor Claude Kirk, on learning of High's death, praised his former opponent for being a hard fighter . . . a man with the courage of his convictions . . . a government leader who believed in the philosophy that elected officials should be public servants. These words of praise from a man who was Robert King High's most bitter opponent leave little for High's friends to add.

Robert King High was a familiar visitor to Key West and the Florida Keys during the past two gubernatorial elections. One of his slogans was that he wanted to be a "representative of the little people." Thousands of Monroe Countians who met High will testify that this was more than a slogan—it was a way of life for Robert King High.

High leaves his wife and six children. The Citizen expresses its deepest sympathy for this grieving family. When time has eased the immediate shock of death, we're sure that his wife and children will take great pride in the fact that Robert King High lived his convictions up to his last day in office. He was a "public servant" and "integrity came first" in all his affairs. He placed the welfare of all Floridians above the prudent safety of his own health.

Florida will miss Robert King High.

[From the Miami (Fla.) Times, Sept. 1, 1967]

NEGRO COMMUNITY MOURNS DEATH OF MAYOR BOB HIGH

A general sadness enveloped the Negro community on Wednesday afternoon when word came of the death of Miami Mayor Robert King High.

The diminutive 43-year-old mayor has always been a strong favorite with Miami Negroes because of his strong liberal approach and unrelenting fight for the little man.

High was admitted to Doctor's Hospital in Coral Gables at 4 a.m. Wednesday after complaining of stomach pains and vomiting. Death came at 2:35 p.m. with his wife, Faith at his bedside. The couple, married 13 years, had six children.

Mayor High reached the height of his popularity in February, 1966 when he engineered the move for the city commission to appoint Mrs. Athalie Range to fill the unexpired term of Commissioner Sidney Aronovitz who had resigned from the commission for business reasons.

Mrs. Range had lost in her bid for a city commission seat by a mere 1460 votes in the November, 1965 election. She had led her opponent, Irwin Christie by 1,021 votes in the primary, but fell victim to the racial issue in the runoff.

High was a veteran campaigner and was elected five times as Mayor. Working on a "poor man's budget" High pulled off a big upset last spring by beating out Gov. Haydon Burns for the Democratic gubernatorial nomination. He suffered a bitter defeat to Gov. Claude Kirk in the general election, but took the loss like the champion he was.

High was a political protege of the Kennedys and was repeatedly attacked by his opponents as an arch liberal. A man of strong personal convictions, he never relented. In every one of his campaigns he polled almost the entire Negro vote.

High was a public man, champion of the man in the streets. He took on the biggest corporate entities in the state—The Florida East Coast Railway, the phosphate mining interests, public utilities. You name it. If Bob High thought he could get a better deal for the people, he woud fight unashamedly for it, asking no quarter, and giving none.

A great man has fallen. We shall miss him.

[From the Diario las Americas, Sept. 1, 1967]

ROBERT KING HIGH

As soon as the news was known in the afternoon of Wednesday, August 30th, of the sudden death of the renowned Miami Mayor, Honorable Robert King High, an extraordinary manifestation of mourning was felt not only in the City's metropolitan area, but also all over the State of Florida, to which the illustrious public man was especially bound. Furthermore, since his name and his merits had crossed the State's boundaries, in the whole United States, as well as in Latin American countries visited and loved by the Honorable King High, the news of his death was received with deep sorrow.

Robert King High, dead at the early age of forty-three, was an exceptional example of human qualities and of civic virtues. He was an excellent husband, father, friend, citizen and servant of the community. In his brilliant political career he always demonstrated firmness of democratic convictions, generosity of purposes regarding public life, humility before success and chivalry in defeat. For ten consecutive years he was Mayor of Miami and had an outstanding participation in the political life of the State of Florida, for the governorship of which he was the Democratic Party's losing candidate in the last elections. In all his campaigns, including the one that was adverse to him, he distinguished himself as a political leader of high civic quality. His name and his fundamentally positive work will always be remembered in all this part of the United States with admiration and with respect.

All the Latin Americans of this city and of all the others that make up the metropolitan area, particularly the Cubans, have lost with the passing of the Honorable Robert King High, a noble friend who always opened the doors of his heart to the feelings and the needs of all. It can be said that the Latin American and the Cubans very especially, to whom he was particularly generous, considered him as a Mayor from their own ranks. To them he was a fellow countryman. That is why, this large percentage of the community—the Latin Americans—has joined in touching expression of sorrow to the mourning of the State of Florida at the death of one of its most enlighted representative values.

Diario Las Americas in commenting the death of the noted leader, Honorable Robert King High, joins the sorrow of the community, duly exalts the outstanding merits of the illustrious gentleman and public man, and expresses its sympathy to his small children Bobby, Holly, Cindy, Valerie, Bonni Lou and Susan, and particularly to his widow, who was the noble partner of his life, Mrs. Faith High, a woman of great spiritual sensibility who shared with him the home and his civic preoccupations, encouraging him with her human enthusiasm and her talent to fulfill his civic duties.

May in the peace of God rest the generous soul of the Honorable Robert King High.

[From the Jewish Floridian, Sept. 8, 1967]

Mayor Robert King High

The outstanding characteristic of the career of Miami Mayor Robert King High was that he always sought to serve the little man and in doing so he often was faced with formidable odds in many ventures.

In his struggle to make Miami a better city, Mayor High sometimes tackled powerful interests which, in his view, stood in the way of local progress.

Mayor High also deserves a good deal of the credit for the relatively smooth manner in which Miami passed through an era of transition in the field of civil rights. It was in this area particularly that he was able to offer a happy blend of wisdom and common sense that paid dividends for Miamians of all races and creeds.

Last week, the Miami Jewish community along with all other Miamians were shocked at the sudden death of the dynamic young leader who had achieved a nationwide reputation during his decade in office.

His leadership will be missed and his contributions to a better Miami will not be forgotten.

[From the Times of the Americas, Sept. 6, 1967]

Names in the News

Robert King High, Miami's spunky mayor, is dead of a heart attack. Mayor High spoke considerable Spanish, and had a keen interest in the entire hemisphere, and especially in Miami's refugee colony. He is one of the few Florida political figures who helped the state justify its title as the "Gateway to Latin America." Only two weeks ago he received considerable publicity after he challenged Castro to a debate. A Latinist at heart, High almost became Florida's governor last fall after he upset the incumbent in the primary, only to lose out to his Republican opponent in the November elections. "Bob" High will be remembered by Latins as a friend—a man who really cared.

[From the Miami (Fla.) News, Sept. 5, 1967]

We've Suffered Great Loss

City of North Miami, Fla.

To the Editor:

The untimely passing of Robert King High is indeed a loss to the Greater Miami community. As Mayor of the City of North Miami, it has been my privilege many times during the past two years to work closely with Bob High on projects which involved both of our cities. He was a man of rare integrity, dedication and true desire to perform public service.

On a more personal basis, Bob High was not only an outstanding Mayor, but an unusually fine person. His friendship was something I greatly valued and will sorely miss. I can only hope that his wife, Faith, and their fine children will take solace in the knowledge that he was greatly loved and highly respected by the community which he so dedicatedly served.

Sherman S. Winn, *Mayor*.

North Miami Beach, Fla.

To the Editor:

We lost two of our bravest and most beloved men—in the prime of life: Robert King High and John F. Kennedy. We needed them both, but God needed them more.

Jules Glickman.

Greater Miami Jewish Federation.

To the Editor:

The Greater Miami Jewish community joins all Miamians in mourning the passing of our beloved Mayor Robert King High. His untimely death is a grave loss to the city which he loved so much and served so well.

Arthur Rosichan,
Director.

Miami, Fla.

To the Editor:

Bob High's death is very sad. It is hard to understand why he was taken in the very prime of his useful life. He had devoted 10 years—nearly one-fourth of his life—to useful and productive public service. He had a bright potential of many more years of the kind of service the public so sorely needs in these troubled, threatening times.

Florida is not likely to find in the forseeable future a public man who can carry the burden he laid down last Wednesday when his tired heart stopped beating.

Dade County's million-plus citizens are the beneficiaries of an extra-ordinary service he rendered. Almost alone, Bob High saved Greater Miami from racial convulsions such as have shattered many other American cities, including Tampa, Jacksonville, and Riviera Beach.

Almost from the day he took the oath of office as Mayor of Miami, Bob High started building bridges of good will, cooperation, and understanding between white and colored citizens. Although born in the rural South, of Confederate stock, he was wholly free of racial prejudice. Despite his background, he was completely "color" blind. All humanity was his constituency. He devoutly believed all human beings are children of the same Creator, and this belief guided and controlled his conduct, both public and private.

Bob High had the courage of a jungle lion. As a public man, he was almost recklessly courageous. I never considered myself timid, but I believe I would have backed away from some of the fights Bob High took on—and won.

Bob High was a religious man and he lived his religion every day of his life. It is comforting to believe he has finally found the rest and peace that he could never let himself take the time for in his life.

Fuller Warren.

Miami, Fla.

To the Editor:

Those of us who knew Bob High deemed it a privilege—we who truly loved this man felt it an honor to be even an infinitesimal part of his life. His joys, disappointments, especially his heartbreak, were ours.

A handful of his campaign workers greeted him as he arrived for his first council meeting after the general election last November—he was surprised and pleased—then promptly told us he was sorry he lost the election. He felt the need to comfort us; this was the timber of this man.

Irene Young.

Robert King High: Miami's Little Giant

(Broadcast over WTVJ, channel 4, Miami, Aug. 30, 1967)

Bob High came a long way for a small boy from a small town. He nearly made it from Flatcreek, Tennessee, to the Tallahassee, Florida, Governor's mansion.

Twice he tried only to have the governorship whisked from his hands because the timetable of political history worked against him.

His was the classic case of a man of small physical stature being afraid of no one and demonstrating this by taking on the big giants.

It was Bob High against the utility companies and their rate structures, it was Bob High against the railroad, it was Bob High doing what he thought was for the public interest. It was also Bob High for the underdog, for the senior citizens, for Cuban exiles displaced from their homeland, for improvements to his city which resident and tourist might enjoy and benefit from.

Such a person, particularly in political life, is bound to rile tempers, to make some enemies and to be the object of criticism. But this in no measure detracts from the motivation of the man—his sincerity or his ability.

Robert King High served Miami well as its Mayor.

He served with distinction, sensitivity and honesty. Now the timetable of life has taken him at the early age of 43.

To his wife, Faith, and five daughters and son we extend our sincere sympathy.

Mayor High: A Politician With High Principles

(Broadcast over WTVJ, channel 4, Miami, Aug. 31, 1967)

Bob High's death leaves a void in the ranks of Miami's public servants. With his passing comes the reflection that his type of political service was rather uncommon.

He tried to elevate the profession of politics to a level where to be an office holder was to achieve a noble goal. He tried to conduct his office in a manner which gained public respect along with admiration.

We would hope that other young men of this community and elsewhere would emulate what he called "a new mood."

Too many persons seek public office to merely satisfy their own egos and to use political office as a wedge to improve their business positions and profits. Because of the behavior of some office holders, the public tends to hold a politician with disdain.

America is more a nation of men than of laws. It is men who make the laws and administrate them. The survival of the country depends on getting good, able, honest, visionary men into government—on local city councils, in county commissions, in legislatures, the Governor's chair and the Congress and Presidency.

We would hope that as flags throughout Miami fly at half-mast tomorrow, this will signal in the minds of young men the fact that another politician is needed to fill the ranks now diminished by one and assuredly by others on the morrow or perhaps the day after.

John F. Kennedy's last official words were the conclusion of a speech he was to have delivered in Dallas. What he intended to say sets the high tone of public service needed today. Here are the final words:

"We ask, therefore, that we may be worthy of our power and responsibility—that we may exercise our strength with wisdom and restraint—that we may achieve in our time and for all time the ancient vision of peace on earth, good will toward men. That must always be our goal and the righteousness of our cause must underlie our strength. For as was written long ago: 'Except the Lord keep the city, the watchman waketh but in vain.' "

A HUGE VOID

(By Bernard E. Neary, vice president and general manager, WGBS radio, Miami, Aug. 31, 1967)

Robert King High, Mayor of the City of Miami, died yesterday afternoon from a heart attack. He left behind a family, hundreds of thousands of friends, and a record of which he could be proud.

Robert King High often called himself a "Public Man". And he was just that.

He was a man who believed in what he did. He was a man who seldom ducked an issue or a threat. He was a man Miamians liked as their Mayor.

Robert King High set a high standard for himself and lived up to it.

He was willing to fight for that in which he believed and whether he won or lost he accepted the public decision and went back to work.

It is quite possible that it was his passion for activity that took him from us so suddenly.

Robert King High had suffered from heart trouble before. It was a heart attack that struck him down yesterday afternoon.

Yet until the end he refused to let up. He was not a man to sit quietly and watch life and life's problems pass him by.

For Miami and for Florida, Robert King High was a symbol of changing times.

Twice he demonstrated that the rural cracker-barrel politics of the last century could not and would not long survive.

Five times he demonstrated that clean honest politics were acceptable to the citizens of Miami.

Now this public man is gone and there is a huge void.

THE ECONOMIC MYTH OF "RIGHT-TO-WORK" LAWS

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, Sam B. Barton, professor of economics at North Texas University, Denton, Tex., has examined the statistics used by supporters of right-to-work legislation and finds fallacies both in the logic and in the figures. His report is contained in the current issue of the AFL-CIO official monthly magazine, the American Federationist.

This analysis deserves our careful study and I therefore include the article in the RECORD at this point:

THE ECONOMIC MYTH OF "RIGHT-TO-WORK" LAWS

(By Sam B. Barton)

During the recent controversy concerning repeal of Section 14(b) of the Taft-Hartley Act, proponents of "right-to-work" legislation gave wide circulation to statistics showing *rates* of economic growth in "right-to-work" states to be faster than in "other" states.[1]

As proof of the beneficial effect of such laws, these figures involve obvious fallacies both in logic and statistics and would mislead no statistically sophisticated person. Apparently, however, they were not directed to a statistically literate audience and (in view of congressional action) may have seemed convincing to many influential people. Inasmuch as belief in the economic benefits of "right-to-work" legislation may be a major basis for the popularity of such laws with legislators and others, an exploration of the issues raised seems worthwhile.

This paper will not discuss the general issues in the "right-to-work" controversy, which have been treated at length elsewhere, but will be limited to an examination of the validity of the statistics cited as proof of the alleged economic benefits flowing from laws banning union security. Before becoming involved in the detailed analysis of the figures under discussion, we may note the elementary statistical principle that similarity in the pattern of two variables (such as "right-to-work" laws and rates of growth) does not prove one variable *causes* the other. Both might result from some third influence or the similarity might be wholly accidental. In fact, the rapid rate of growth in "right-to-work" states might result because of, independent of, or in spite of, the "work" legislation.

The statistics offered by "work" advocates also violate an elementary principle of statistical tables in omitting the gross quantities from which the rates of increase are computed. The inclusion of these data weakens the propaganda value of the figures by showing that the faster rates of increase in the "work" states are based on much smaller numerical amounts and involve smaller numerical increases.

The data omitted in the statistics under discussion are supplied in Table I for five of the more significant indices cited by the National Right-to-Work Committee. Rates of increase taken alone, as the RTW committee presented them, seem to support its position, with the "work" states exceeding "other" states in each instance (see column 4). Examined in relationship with the omitted data (columns 1, 2, 3 of Table I), they convey a different picture. In each instance, the higher rates of increase for "work" states in column 4 are seen to be based on comparatively small gross values. Except for "number of production workers," the *numerical* increases of "work" states are small relative to "other" states (column 3). When these gross figures are related to population and workforce, the advantage remains with the "other" states. Thus when "value added by manufacture" is expressed in terms of per capita (column 5), rates of increase favor the "other" states rather than the "work" states.

These observations are not intended to imply that rate of increase figures are not legitimate and significant measures, but that the significance is not clear where they are published without the numerical figures on which the rates are based. The gross figures and additional indices shown in Table I do indicate that the more rapid rates of growth of the "work" states are based on much smaller base figures and that the smallness of the bases tend to inflate relatively small *volume* increases into relatively large *rate* increases.

TABLE I.—COMPARISON OF GROWTH RATES, RIGHT-TO-WORK VERSUS NON-RIGHT-TO-WORK STATES, 1947-63

[Greater percentage rise in right-to-work States rests on low base; full data show advantage of non-right-to-work States in per capita gains]

	1947 (1)	1963 (2)	Increase, 1947-63 (3)	Percent increase, 1947-63 (4)	Increase per capita (5)
Value added by manufacturing, (gross value, dollars in thousands):					
Right to work	$10,719,564	$35,378,000	$24,658,436	230.03	$460.66
Nonright to work	$63,607,194	$154,379,000	$90,771,806	142.71	$680.67
Capital expenditures, (dollars in thousands):					
Right to work	$1,231,005	$2,526,000	$1,294,995	105.20	$24.19
Nonright to work	$5,390,682	$8,533,000	$3,142,318	58.29	$23.56
Number of production workers (average for year):					
Right to work	2,010,000	2,742,000	732,000	36.42	....
Nonright to work	9,896,000	9,547,000	−349,000	−3.58	....
Population:					
Right to work	40,445,000	53,529,000	13,084,000	32.35	....
Nonright to work	102,111,000	133,357,000	31,246,000	30.60	....
Per capita income:[1]					
Right to work	$1,000	$1,961	$961	96.10	$947
Nonright to work	$1,441	$2,637	$1,196	83.00	$1,103

[1] Computed from aggregate personal income and population data from the 2 groups.

Let us now turn to an examination of comparative rates of increase in the two groups of states before and after 1947, the year of Section 14(b) and most "right-to-work" laws. This comparison (Table II) clearly shows that the more rapid rates of increase in "work" states preceded the enactment of "work" legislation. In fact, both groups experienced faster rates before 1947 than after. This, of course, reflects the economic stimulation of a depressed economy by the Second World War. Surely the supporters of "right-to-work" laws would not have us believe that such legislation accounts for rates of growth advantages that existed even before such laws were invented? One might argue with equal logic that "work" laws were responsible for the *decreased* rates in both groups *after* 1947.

If the long-term rates of increase advantage shown in Table II are really significant, one would expect the "work" states to show improvement in their relative standing in per capita income over the period. Yet the data presented in Table III indicate little improvement over a period covering more than three decades and no improvement of 1963 over 1947 in quartile standing of the RTW states. Individual rank comparisons shown below similarly fail to indicate any very impressive change in the income rank of "work" states after, as compared with before, 1947.

	1929–47	*1947–63*
Rank improved	8	9
Rank deteriorated	9	5
Rank unchanged	1	4

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[1] *See "Economic Progress in Right to Work States," The National Right-to-Work Committee (May 1965); "America's Choice: Right to Work or Compulsory Unionism" (same source); "Report from Washington," Senator John Tower (R-Tex.), May 1965.*

TABLE II.—COMPARISON OF ECONOMIC GROWTH BEFORE AND AFTER RIGHT-TO-WORK LAWS

[Data show more rapid rates of increase in right-to-work States existed before 1947, when Taft-Hartley sec. 14(b) and most right-to-work laws were passed]

	1939	1947	1963	1939–47 percent increase	1947–63 percent increase
Value added by manufacturing (thousands):					
Right to work	$3,183,216	$10,719,564	$35,378,000	236.8	230.0
Nonright to work	$21,260,729	$63,607,194	$154,379,000	199.2	142.7
Average yearly increase:					
Right to work				29.6	14.9
Nonright to work				24.9	8.9
Capital expenditures (thousands):					
Right to work	$206,248	$1,231,005	$2,526,000	496.9	105.2
Nonright to work	$1,040,510	$5,390,682	$8,563,000	418.1	58.9
Average yearly increase:					
Right to work				62.1	6.6
Nonright to work				52.3	3.7
Number production workers (average for year):					
Right to work	1,328,703	2,009,938	2,742,000	51.3	36.4
Nonright to work	6,471,710	9,895,243	9,547,000	52.9	−3.5
Average yearly increase:					
Right to work				6.4	2.3
Nonright to work				6.6	−.2
Population (thousands):					
Right to work	37,261	40,445	54,435	8.6	32.4
Nonright to work	96,965	102,111	135,190	5.3	30.6
Average yearly increase:					
Right to work				1.1	1.9
Nonright to work				.7	1.8
Per capita income:[1]					
Right to work	$352	$1,000	$1,927	184.1	96.1
Nonright to work	$608	$1,441	$2,602	137.0	83.0
Average yearly increase:					
Right to work				23.0	6.0
Nonright to work				17.1	5.2

[1] Represents total personal income divided by total population for the given year.

Table III, however, does show that most of the "work" states are poor. Measured in terms of rank in per capita income over the period 1929 to 1963, only one state, Nevada, has ranked in the highest quarter. Only two have ranked in the second quarter in any one year. In 1929, 17 and in 1963, 15 of the 18 "work" states ranked below the national medium. Throughout the five periods shown, approximately half (8-9) of the "work" states ranked in the lowest quarter. The quartile standing of the "work" states was no better in 1963 than in 1947, when Taft-Hartley's 14(b) and most of the "right-to-work" laws were passed.

On the basis of the figures presented in Table III, we may conclude that the income standing of "work" states was about as unfavorable during the years following as in the years preceding passage of Taft-Hartley's 14 (b) and state "work" laws. There is little, if any, evidence to support the assumption that "work" legislation had any substantial effect on income standing. Those southern states which traditionally have used cheap labor, substandard protective legislation and similar devices most aggressively in bidding for industry show little or no improvement in income rank for the post-1947 period. Those southern states showing more favorable performance (like Virginia, Texas, Florida) represent special cases, in which factors other than "work" legislation would appear to be controlling. Thus Virginia has become a populous suburb of Washington, D.C., Texas has developed a great petro-chemical industry and Florida's sunny climate has attracted much population and wealth.

An examination of a map shows that the "right-to-work" states all lie outside the great "industrial heartland" of the United States north of the Ohio and east of the Mississippi. This suggests that our previous statistics may involve essentially regional comparisons between the industrially more mature northeastern states (none of which has RTW legislation) and the industrially young southern and western states (which include all of the "work" states). If the hypothesis that regional location is a major factor in the different rates of increase in the "work" and "other" states is correct, regional comparisons of the northeastern with southern and western states should yield comparative rates paralleling those between "other" and "work" states.

TABLE III.—NATIONAL RANKING OF 18 RIGHT-TO-WORK STATES IN PER CAPITA INCOME

	1929	1939	1947	1953	1963
Highest quarter	1	1	1	1	1
2d quarter	0	0	[1] 2	[1] 2	[1] 2
3d quarter	8	8	7	6	7
Lowest quarter	9	9	8	9	8

[1] 1947 North Dakota and Kansas; 1953 Kansas and Arizona; 1963 Nebraska and Iowa.

An examination of Table IV indicates an amazing parallelism in the comparative relationship between these two sets of data, both in the northern-eastern region and the "other" states showing consistently and similarly slower rates of increase than the southern-western and the "work" states. This pattern of similarity characterizes the period before, as well as after, 1947 and seems to indicate that geographical location rather than presence or absence of "right-to-work" laws is a major factor responsible for the faster rates of growth in the RTW states. It suggests that regional location may account significantly both for rates of growth and legislation, rather than legislation causing rates of growth. In fact, geographical location may be one of the third factors, as suggested earlier, that influence both rates of growth and type of legislation. The South and West, in the mid-20th century, seem to be experiencing the growth spurt of industrialization that the Northeast experienced in the late 19th century.

A regional approach also reveals that the "work" states themselves fall into three,[2] rather than one, regional groupings: southern, west-north central and mountain, with different climates, populations, industries and politics. Meaningful comparisons would require thorough examination of the matrix of many interacting forces which shape both economic growth and legislative enactment. Such an undertaking lies beyond the scope of this analysis, but in passing we may note three factors which may have influenced industrial growth in the South even more than "work" laws. These include political, technological and resource factors.

First is the well-known political advantage possessed by the southern "right" states in their disproportionate share in the chairmanships of powerful congressional committees. This advantage, during a period of vast expansion of military installations and of defense industries, assured these states a substantial share in the gigantic war and cold war industrial expansion of the past quarter century. Their mild climate and remoteness from Soviet missiles were additional considerations in the location of "defense installations" in the South and West.

Second, the development and popularization of air conditioning, by blunting the deterence to industrial expansion of the South's long, hot summers, has contributed substantially to the industrial growth of this region during the past two decades.

Finally, the expanded use of natural gas as an industrial fuel and the development of the petro-chemical industry have been a major factor for economic expansion in the Southwest.

TABLE IV.—THE REGIONAL FACTOR AS AN EXPLANATION OF GROWTH

[How both right-to-work and non-right-to-work States paralle growth rates of their regions, in percent]

	1939–47	1947–63
Value added by manufacturing:		
Northern and eastern regions	[1] 24.0	[1] 7.5
Non-right-to-work States	24.9	8.9
Southern and western regions	29.1	14.5
Right-to-work States	29.6	14.4
Capital expenditures:		
Northern and eastern regions	47.6	3.1
Non-right-to-work States	52.3	3.7
Southern and Western regions	66.9	5.9
Right-to-work States	62.1	6.6
Number of production workers:		
Northern and eastern regions	6.3	−.7
Non-right-to-work States	6.6	−.2
Southern and western regions	7.2	2.0
Right-to-work States	6.4	2.3
Population:		
Northern and eastern regions	1.0	1.6
Non-right-to-work States	.7	1.9
Southern and western regions	1.8	2.5
Right-to-work States	1.1	2.0

[1] Average annual percentage increase for indicated periods. Based on aggregate values not adjusted for price changes.

RTW legislation may be viewed as one among numerous regional devices used by these industry-hungry states of the South and West in their frantic bid for industry. The success of tax subsidies, free plants, low wages, anti-union laws, weak unions, etc., in attracting certain types of business firms may be granted. Whether the types of firms attracted by such policies contribute to the wealth of the region and the income of its people is less certain. For example, Mississippi, one of the most aggressive practitioners of this policy for the past three decades, remains, as it was at the beginning, lowest in the nation in per capita income.

In support of the hypothesis that "right-to-work" legislation is merely one of many substandard devices popular in some southern and western states, we may note that none of the "work" states has a minimum wage law that approaches federal standards in level and coverage, whereas 12 of the "other" states have such laws.[3] Only five of the "work" states have fair employment practice laws while 25 of the "other" states have these laws.[4] Similarly, old-age pensions and unemployment benefits are substandard in most of the "work" states.[5]

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[2] *Southern: Va., N.C., S.C., Ga., Fla., Tenn., Ala., Miss., Ark., Tex., West North Central: Iowa, N.D., S.D., Neb., Kan., Mountain: Ariz., Nev., Utah.*

[3] *Arkansas: $1.00 a day starting; $1.25 after 6 months' experience. Nevada: (Covers females only) $1.00/hr. if under 18; $1.12½/hr. if over 18. North Carolina: $.85/hr.; South Dakota: $15/wk. in cities over 2,500 pop., $12/wk. in other cities (covers females only). Bureau of National Affairs, Labor Relations Expediter, pp. 69–99.*

In this brief analysis, we have indicated that the rate of economic growth statistics offered in support of "right-to-work" legislation are faulty on several grounds. First, as presented they constitute incomplete and misleading statistics. Second, they involve faulty logic in implying that similarities in statistical pattern between two variables prove a causal relationship. Third, they ignore the fact that rate of growth advantages existed before the passage of "work" legislation. Fourth, we demonstrated that the advantage of "work" states in rates of growth was insufficient to affect significantly the per capita income standing of the states over long periods of time.

Fifth, we demonstrated that comparisons between "right" states and "other" states were basically regional comparisons between the newer and older industrial areas of the nation. Sixth, we indicated that various political, technological and resource factors, other than "work" legislation, could account for the differences in growth rates. And, finally, we noted that "work" laws may be viewed as part of a general system of legislation prevalent in "work" states where statutes unfavorable to workers have long been promoted as creating "a favorable business climate."

PRESIDENT JOHNSON'S PASSION FOR PEACE MOVES NUCLEAR NONPROLIFERATION TREATY FORWARD

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the month of August 1967, may well go down in history as one of the most auspicious months in recent history.

For August was the month when two of the greatest powers of the modern world, the United States and the Soviet Union, joined forces to offer to the world the famous nuclear nonproliferation treaty.

And one of the men who justly deserves the praise which history will bestow on him for that event is President Lyndon B. Johnson.

While charges and countercharges on Vietnam fill the air, Lyndon B. Johnson has pursued the course of nuclear disengagement for years with the passion and intensity of a man who knows he holds in his hands the destiny of his Nation, and perhaps the destiny of the world.

The offering of the nuclear nonproliferation treaty to the Disarmament Committee in Geneva is a remarkable and outstanding achievement.

The treaty is not perfect. What treaty is? But it symbolizes the deep responsibility which both nations feel for the preservation of mankind.

I insert an editorial from the Newark News which commends the United States for its disarmament efforts in this critical area:

THE NUCLEAR TREATY

On the day after Moscow warned that the step-up in bombing North Vietnam would "inevitably lead to the necessary retaliatory steps," the Soviet Union and the United States joined in offering a nuclear nonproliferation treaty to the world.

If such inconsistency confuses, consider Hanoi's perplexity. There, uncertainty must be doubled in spades. For not only has North Vietnam's Soviet ally cooperated with Washington but Red China, its other supposed ally, appears bent on making enemies in every possible direction.

Duality, of course, is nothing new to foreign relations. And a mutual interest in survival has a way of prevailing over ideology. In this regard the nonproliferation treaty qualifies as a step toward making life on earth a little more certain by restricting the manufacture of nuclear weapons.

Serious shortcomings remain. Red China and France, both of whom have the ability to make H-bombs, are not signatories. The United States and the Soviet Union are not precluded from making additional weapons. And the entire control section of the treaty was left blank because agreement wasn't reached on how inspection was to be carried out.

Nevertheless, any positive step in a field so fraught with peril is welcome. The treaty seeks to discourage nations from venturing into the costly business of making nuclear weapons while applying safeguards to the peaceful exploitation of atomic energy.

It's a case of something being better than nothing. Where man's survival is concerned, even slight progress is a gain for life over death.

AIR SAFETY

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, just before the Labor Day recess, I held a press conference to describe the congestion in the airspace over metropolitan New York and to suggest some basic changes in air safety administration.

This press conference produced unusually heavy coverage by both network television and the national press.

One reason for my meeting with the press was the neglect I detected for the interests of the nonflying public in air safety. I have been gratified that much mail has come to me after this publicity, from all parts of the country, from people who do not fly regularly but who feel they have a stake in air safety.

Because of this unusual response, I am summarizing below my statement on a new approach to air safety:

My interest in air safety derives from two considerations: first, my district includes most of La Guardia Airport—one of the Nation's busiest; and all of Flushing Airport, a private field only 2 miles from La Guardia. My constituents—airport neighbors in a congested area—are subject day and night to the dangers of all types of air accidents.

The second reason for my concern is a belief, which I have pursued in other fields, that in Government there are often unwritten and unspecified sympathies between Government agencies and the industry they regulate. These sympathies ignore the interest of the average citizen. I believe, for reasons I am about to describe, that such neglect exists also in the field of air safety.

With many other Americans I, too, am a frequent air traveler. About 10 percent of our population travels regularly by air. I am concerned with the 90 percent who remain on the ground, but who have an important stake in air safety.

This 90 percent of our people is, I believe, unrepresented when air safety is considered.

One of the pecularities of air travel is that it jeopardizes the completely innocent. With other modes of travel, some acceptance of risk is implicit. Whether you drive your car, or cross a street or a railroad track, or mount a stepladder, you understand that, by your actions, you take a certain risk. But those who do not fly are the true innocents when we consider air disasters. They may be in their homes, their cars, or schools or hospitals, and become victims of an air accident.

For those who reply that such things do not happen often, I can only say that they will happen more often in the future. For those who say that accidents will always happen, I reply that complacency has never saved a single life.

To find out on my own how serious the air safety problem was in the New York area, I began an intensive study of the near-miss reports which pilots file voluntarily after incidents they think potentially dangerous.

I have analyzed over 80 near-miss reports from the New York metropolitan area from 1965 to the present. Since the present reporting system is completely voluntary, no one knows what percentage of the total number of near misses these 80 represent.

For this same reason, the 462 near-miss reports received by the FAA last year nationwide are only part of the story of the dangers of midair collision.

Even this partial reporting of near misses suggests urgently needed changes in our present air safety system. In the conclusion of this statement, I have summarized some of these accounts, not for their dramatic impact, which is certainly there, but rather to show the kinds of problems which develop almost every day over the New York metropolitan area.

These problems, which I have considered in detail in the second attachment, represent areas where I believe our present organization of air safety responsibilities is deficient.

In preparing this information we have relied on many sources including FAA reports, regulations, and policy statements.

We have also considered the viewpoints of the various special groups within aviation—airline pilots, controllers, manufacturers, airline operators—who today, often through FAA, are the only voices representing air safety interests.

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[4] *Iowa, Kansas, Nevada, Utah, Nebraska, North Dakota have sanctions, but no administration. Bureau of National Affairs, Labor Relations Expediter, p. 1891.*

[5] *Some of the western states are above average in benefits.*

The one viewpoint which is not represented at the present is: How can we best protect the interests of the airline passenger and of the great majority of Americans who do not fly at all, but who may be the innocent victims of airline disasters?

These neglected areas of air safety, and my recommendations to improve them, are:

1. NEAR-MISS REPORTING

THE PROBLEM

Near-miss reporting, as presently organized by FAA, is neither complete nor properly used by FAA in developing better air safety standards. Unless near-miss reporting becomes the basis for independent judgment on the adequacy of the present air safety system, we will remain ignorant of the causes and frequency of near-midair collisions. Today we have not even developed a system which describes accurately what the midair risks are.

RECOMMENDATION

Near-miss reporting should be made mandatory. To make this possible, pilots should not be subject to punitive action on the basis of their own reports. In hearings held as a result of near-miss incidents, FAA should not serve as prosecutor, judge, and jury—it should be the prosecutor before an independent tribunal with the defendant-pilot entitled to counsel and other protections of our legal system.

2. FAA AND GENERAL AVIATION

THE PROBLEM

General aviation, which includes all civil flying except scheduled airliners, is by far the fastest growing segment of American aviation. I believe that pilots and manufacturers who speak for this segment have a disproportionate voice within the FAA. It seems to me that the commercial value of the expansion of general aviation is exaggerated, within FAA, to the detriment of improved air safety. The vast corps of general aviators, through their insistence on their "right" to fly anywhere, represent a growing hazard to air safety.

RECOMMENDATION

FAA policies should give explicit priority for scheduled airliners and their passengers within American aviation. Only by such a drastic alteration of existing values within FAA can we represent the interests of the 99 percent of the public outside general aviation, whose rights have largely been ignored. FAA's organization and budgeting, including research and development funds, must reflect this priority.

3. PRIVATE FLYING OVER CONGESTED AREAS

THE PROBLEM

The problems of general aviation become critical over our cities. The lack of experience among pilots of small aircraft and the absence of basic navigational and communications equipment on their planes imperils airline passengers, those residing near airports, and other completely innocent people on the ground, especially if midair collisions occur.

RECOMMENDATION

A system of restricting private planes over metropolitan areas is essential. This system must take full account of the priority of scheduled aircraft, based on their size, passenger load, speed and importance in general transportation. Further account must be taken of the inherent danger in mixing small planes, scantily equipped and piloted by amateurs, in heavily traveled airport areas where split-second timing and maximum public risk are involved.

A commitment by FAA to "thin out" air traffic—despite private aviation's predictable opposition—is the first step needed.

Formulation of this restriction should be made by a public air safety authority with proper public representation. The simplest approach, which may be the best, would eliminate all planes without specified minimum equipment within a radius of metropolitan areas. Further, pilots without training and experience in such equipment would be excluded.

An alternate restriction would ban private aviation from certain corridors leading to key metropolitan airports.

Such equipment and pilot standards would avoid the standard rebuttal to proposals to exclude private planes from large airports—the air space over metropolitan areas would remain just as congested if private planes are simply diverted from one airport to another. We accept this objection. We believe, therefore, that only by setting higher safety standards for planes over metropolitan areas can safety be improved.

4. COLLISION AVOIDANCE SYSTEM (CAS)

THE PROBLEM

A system already exists which will warn pilots of impending danger from other aircraft, and tell them what evasive action to take. It is costly, but economically feasible for large commercial planes. FAA leadership in encouraging such systems and broadening its potential use is confused, leisurely and halfhearted.

RECOMMENDATION

The Federal Government should show the same devotion to air safety that it is now displaying toward auto safety despite industry reluctance. FAA leadership in requiring CAS is the first step toward meeting this obligation.

5. ACCIDENT INVESTIGATION

THE PROBLEM

Responsibility for investigating aviation accidents is presently divided between FAA and the National Transportation Safety Board—which assumed the CAB's investigative responsibilities. Both are part of the Department of Transportation. Consequently, investigations are subject both to intraagency protectiveness and to in-house rivalries. As a result, the pilot, often dead or otherwise defenseless, is frequently blamed for accidents. No one considers the possible fault of the agencies or the air safety system they have developed.

RECOMMENDATION

Air accident investigations should be conducted in a court of inquiry system, outside the Department of Transportation. Participants in the inquiry should have the protection and opportunities of our legal system.

CONCLUSION

In ending this review of my reasons for a continuing concern for air safety, I would recommend that Congress consider these facts and act on them. Specifically:

First. I urge that the Government Operations Committee, of which I am a member, study the organization of air safety responsibility within the Federal Government. I do not believe the present system of air safety gives the public its proper representation. FAA must be reexamined and perhaps rebuilt to give this representation.

Second. I recommend that Congress establish Public Air Safety Boards outside the Federal Government, especially for the highly developed urban areas. These boards will represent, better than FAA or any Government agency, the public's true interest in air safety.

People will say that these recommendations cannot be carried out; that private pilots have equal rights with airliners and that we must let FAA make these decisions.

There is no parallel in our society to the present unrestricted freedom, with its concomitant danger, that a few hours of flight training gives a private pilot.

When it comes to a choice between one private pilot and his rights, and the rights of hundreds of passengers in a single airliner, and the rights of thousands of helpless people on the ground, my vote is going to the many, not the few, and to the safety of millions and not the private business or pleasure flying of the minority.

AHEPA CONVENTION HONORS JOHN LAWRENCE

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. CABELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CABELL. Mr. Speaker, at the recent AHEPA Convention in Dallas, Mr. Nick Zelios, convention chairman, arranged one of the high spots of the convention in which a luncheon program described what an American company had done for the Greek island of Mykonos.

I insert in the RECORD at this point a summary of this recognition given to John Lawrence and Dresser Industries for its fine work in furthering the educational opportunities on this Greek island:

AHEPA CONVENTION HONORS JOHN LAWRENCE

A gift to help build a school on a Greek island brought unexpected recognition to Dresser Industries, Inc., of Dallas, Texas, at the 45th Supreme Convention of AHEPA in Dallas.

John Lawrence, President and Chairman of Dresser Industries, accepted three awards on behalf of his company at the annual AHEPA Business and Professional Men's

Luncheon on Wednesday, August 23. Lawrence suggested that American business operations abroad are, in a way, an "American Industrial Peace Corps." He urged American industry overseas to "help its friends everywhere to achieve higher standards of living and education."

The Order of AHEPA, with 1,129 local chapters and auxiliaries, is composed mainly of American and Canadian citizens of Greek descent.

Dresser developed a barite mine on the Greek island of Mykonos in the Aegean Sea in 1956. The company has been the largest employer on the tiny island for a decade, and last year contributed $10,000 towards construction of the first high school on Mykonos.

Although no announcement of the Dresser gift to the Mykonos school was made in the United States, Nick Zelios, General Chairman of the AHEPA convention, learned of it and organized the tribute to the company. Dresser assisted in the preparation of a slide film on Mykonos shown at the luncheon.

Zelios, a Dallas businessman, presented Lawrence with a model boat and a note from Franciscos Mazos, Mayor of Mykonos, reading: "With all our love I send you a small gift from our island."

A plaque was presented to Lawrence by Kimon A. Doukas, Supreme President of AHEPA, "in recognition and grateful acknowledgement of his company's educational contribution to the island of Mykonos, Greece."

A message from the Prime Minister of Greece was read by Basil Phokas of Athens, director of Hellenism abroad for the Greek government. He announced that a special medal was being struck for the occasion and added: "This medal is being forwarded by the Greek government for Dresser Industries to commemorate Dresser's contribution to Greece and more particularly to Mykonos."

Accepting the awards at the luncheon, Lawrence said:

"I deeply appreciate these awards and gratefully accept them in the name of my company and on behalf of the many Dresser people who worked so unselfishly on the Mykonos school project. I hope that the help we gave will result in lasting benefits for the people of Mykonos.

"I might add that this is a good example of how American industry can be helpful in foreign lands. We hear a lot these days about the wonderful work being done by our young people in the Peace Corps. In a manner of speaking, American industry can also be called an American Peace Corps. In short, American industry must not overlook its opportunity to help its friends everywhere to achieve higher standards of living and education."

Mykonos, often described as an "unspoiled" Greek island is arid and rocky. It is only 30 square miles in area and has a population of about 3,000. Except for a few fishing boats and tourists, there was no industry on the island until Dresser geologists discovered barite deposits.

Barite is a heavy mineral mixed with water to make "drilling mud" for oil and gas well drilling. The drilling mud lubricates the drill bit, flushes crushed rock to the surface, and helps prevent "blow outs."

Dresser has contributed substantially to the economy of Mykonos since coming to the island with a capital investment of $1.3 million. The company has taught new skills to residents, directly supported one-quarter of the population, and donated labor and equipment for a wide variety of civic projects such as road building, the construction of a harbor breakwater, and a meteorological station.

Dresser has shipped more than a million tons of barite from Mykonos in the last ten years. Small sample bags of barite labelled "A Little Bit of Greece" were given to guests at the AHEPA luncheon.

Members of AHEPA were so moved by the story of the school on Mykonos that they asked for more sample bags of barite to be sold in local chapters for $1 each. Dresser agreed to donate the bags and accept the proceeds of their sales for transmittal to the Mykonos school board.

Most children on the island receive only a few years of schooling. Some children are able to leave the island each year to continue school on a neighboring island or in Athens. The people of Mykonos long had wanted a secondary school to provide 12 years of instruction, but the Greek Ministry of National Education was unable to provide the funds.

In 1963, a native of Mykonos now living in the United States donated a plot of land on the edge of the city of Mykonos and $3,000 in cash to the Mykonos School Board with the stipulation that construction of a school begin within three years. Otherwise, the land would go back to the owner.

Plans for the school were drawn, but no financing was available by mid-1966.

When Dresser learned of the deadline, it offered $10,000 to the Ministry of Education if matching funds were provided by the Ministry. The offer was accepted and the skeleton of the school has been erected.

The slide film presented at the luncheon showed views of Mykonos, its people, its children, the cornerstone laying ceremony for the new school, and the construction of the school.

TRIBUTE TO SAMUEL RICHARDSON DAVENPORT

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. MONTGOMERY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, Sam Davenport has meant much to me since I first came to Washington. Not only has he been a great help to me in my work, but also he has been a close friend through our prayer breakfast meetings.

My office staff became especially fond of him for his sincere and capable assistance on matters of importance to the office.

Mr. Davenport has set an example of dedication to his work that would behoove everyone to follow. He has been an inspiration to me here on the Hill, and I will be forever grateful for his many courtesies.

PERSONAL ANNOUNCEMENT

Mr. THOMPSON of Georgia. Mr. Speaker, I wish to state that on yesterday I was in my district on congressional business and unable to attend. Had I been present on rollcall vote 240, I would have voted "yea."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COHELAN, for September 11–15, 1967, to attend as a delegate the Japanese-American Assembly, Shimoda, Japan.

Mr. HAGAN (at the request of Mr. FOUNTAIN), for today, September 12, on account of official business.

Mr. MCCULLOCH (at the request of Mr. GERALD R. FORD), on account of official business—National Advisory Committee on Civil Disorders.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. OLSEN, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. STANTON) to revise and extend their remarks and to include extraneous matter:)

Mr. BUSH, for 30 minutes, on September 12.

Mr. TAFT, for 20 minutes, on September 13.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. STANTON) and to include extraneous matter:)

Mr. QUIE.

Mr. PETTIS.

(The following Members (at the request of Mr. TENZER) and to include extraneous matter:)

Mr. NIX.

Mr. WRIGHT.

Mr. PHILBIN.

Mr. ADDABBO.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 163. An act for the relief of CWO Charles M. Bickart, U.S. Marine Corps (retired).

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 9837. An act to amend the Legislative Branch Appropriations Act, 1959, as it relates to transportation expenses of Members of the House of Representatives, and for other purposes.

ADJOURNMENT

Mr. TENZER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 49 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 13, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1069. Under clause 2 of rule XXIV, a letter from the Assistant Secretary of the

Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 21, and for other purposes, was taken from the Speaker's table and referred to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee on the Judiciary. H.R. 8338. A bill to create a new division for the Western District of Texas, and for other purposes (Rept. No. 629). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. S. 828. An act to amend section 5(b) of the act of March 18, 1966 (Public Law 89-372), so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such act (Rept. No. 630). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. S. 1465. An act to provide for holding terms of the District Court of the United States for the eastern division of the Northern District of Mississippi in Ackerman, Miss. (Rept. No. 631). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 1165. An act to provide for the disposition of judgment funds now on deposit to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians (Rept. No. 632). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 2828. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission docket No. 138, and for other purposes; with amendment (Rept. No. 633). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 8580. A bill to convey certain land to the Squaxin Island Tribe of Indians; with amendment (Rept. No. 634). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. H.R. 10130. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; with amendment (Rept. No. 635). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 11428. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission docket No. 75, and for other purposes (Rept. No. 636). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 637. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:

H.R. 12819. A bill to amend title II of the Social Security Act to provide that a divorced wife may qualify for benefits on her former husband's wage record, even in the absence of continuing support (or any right to such support) from him, if she received a substantial property settlement upon their divorce; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 12820. A bill to amend title 23 of the United States Code to increase the total mileage of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. EILBERG:

H.R. 12821. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 12822. A bill to amend the act of May 14, 1948, in order to exclude from burial in national cemeteries the remains of persons determined to have been subversive; to the Committee on Interior and Insular Affairs.

H.R. 12823. A bill to supplement the purposes of the Public Building Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

H.R. 12824. A bill to amend the Internal Revenue Code of 1954 to provide the same benefits for employees of public hospitals with respect to certain pensions and profit-sharing plans as those presently provided for employees of private nonprofit hospitals, other charitable organizations, and public and private schools; to the Committee on Ways and Means.

By Mr. ERLENBORN:

H.R. 12825. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. ESCH:

H.R. 12826. A bill to amend section 503 of title 38 of the United States Code to exclude from consideration as income, for the purpose of determining eligibility for pension, all amounts paid to an individual under public or private retirement, annuity, endowment, or similar type plans or programs; to the Committee on Veterans' Affairs.

H.R. 12827. A bill to amend chapter 15 of title 38, United States Code, in order to increase by 20 percent the income limitations imposed by that chapter on persons entitled to pensions thereunder; to the Committee on Veterans' Affairs.

By Mr. FARBSTEIN:

H.R. 12828. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. HARSHA:

H.R. 12829. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 12830. A bill to reduce the depletion allowance for oil and gas; to the Committee on Ways and Means.

By Mr. KLEPPE:

H.R. 12831. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. MONTGOMERY:

H.R. 12832. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 12833. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Jefferson-Whitehall unit, Missouri River Basin project, Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PELLY:

H.R. 12834. A bill to amend the tariff schedules of the United States to provide that the amount of groundfish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964; to the Committee on Ways and Means.

By Mr. ROUDEBUSH:

H.R. 12835. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. SCHEUER:

H.R. 12836. A bill to provide a statement of congressional intent on appropriate governmental assistance for universal educational opportunity at the postsecondary level; to direct the Secretary of Health, Education, and Welfare to submit a plan and conduct a study; to the Committee on Education and Labor.

By Mr. SCHNEEBELI:

H.R. 12837. A bill to amend the tariff schedules of the United States with respect to the temporary rate of duty for color television picture tubes; to the Committee on Ways and Means.

By Mr. BRASCO:

H.R. 12838. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. GATHINGS:

H.R. 12839. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 12840. A bill to provide for the adoption of the perpetual calendar; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York:

H.R. 12841. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

By Mr. PHILBIN:

H.R. 12842. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 12843. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. GILBERT:

H.R. 12844. A bill relating to the carryover of net operating losses of certain railroad corporations; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 12845. A bill to extend second-class mailing privileges to certain publications of offices of State secretaries of state; to the Committee on Post Office and Civil Service.

H.R. 12846. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. HOWARD:

H.R. 12847. A bill to amend title 39 of the United States Code in order to proscribe the mailing of certain matter not desired by addressees; to the Committee on Post Office and Civil Service.

By Mr. KUYKENDALL:

H.R. 12848. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Interstate and Foreign Commerce.

By Mr. SISK:

H.R. 12849. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.J. Res. 815. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. DUNCAN:

H. Con. Res. 504. Concurrent resolution expressing the sense of the Congress that the Supreme Court should adhere to the literal meaning of the Constitution; to the Committee on the Judiciary.

By Mr. WHALLEY:

H. Res. 918. Resolution amending the rules of the House in order to transfer jurisdiction over military and national cemeteries from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES:

H.R. 12850. A bill for the relief of Ku Eun Yong; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 12851. A bill to authorize the transfer of two vessels to the Harry Lundeberg School of Seamanship for nontransportation use in the training of merchant marine personnel; to the Committee on Armed Services.

By Mr. FARBSTEIN:

H.R. 12852. A bill for the relief of Benito Chow Wong, also known as Cho Chia Yuan; Chan Pui Koon, also known as Chan Pui Koon De Chow; Tin Yee Chow and Elisa Chow Chow; to the Committee on the Judiciary.

By Mr. GARDNER:

H.R. 12853. A bill for the relief of Zenaida I. Biroq; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 12854. A bill for the relief of Fiorvante Leo; to the Committee on the Judiciary.

By Mr. IRVIN:

H.R. 12855. A bill for the relief of Gelsomino and Anna Amatulli; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 12856. A bill for the relief of Vito Delisi; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 12857. A bill for the relief of Matsu Tengan and his wife, Kama Tengan; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 12858. A bill for the relief of Konstantinos Kiriakakis; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 12859. A bill for the relief of Tung Yick Chin; to the Committee on the Judiciary.

By Mr. STEPHENS:

H.R. 12860. A bill for the relief of Dr. Luis Ravenet; to the Committee on the Judiciary.

By Mr. WALKER:

H.R. 12861. A bill for the relief of certain individuals employed by the Department of the Air Force at Kirtland Air Force Base, N. Mex.; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Remedy for Farm and City

EXTENSION OF REMARKS

OF

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1967

Mr. QUIE. Mr. Speaker, I wish to call to the attention of my colleagues a recent editorial which appeared in the authoritative publication, the Farm Journal. It is titled "Remedy for Farm and City" and is reprinted in a newspaper from my home district, the Daily Republican Eagle of Red Wing:

REMEDY FOR FARM AND CITY

The most promising long-range solution to the "farm problem" is more off-farm jobs in rural America. Such jobs would let those farmers who want to, or have to, leave farming, part way or all the way, do so. They might well make more money, and so would the farmers who would be left. Meanwhile all of them could continue to live where they do now, or not far away. How much better for them than to move as strangers to South Chicago, South Philadelphia, or South Big City anywhere!

The big cities would benefit, too. They might begin to solve their problems of crime, traffic, wretched housing, slums and ghettos. How much better off Detroit would have been if the people who swarmed in from rural communities had been able to find jobs, and the vocational education to go with them, where they came from.

It's no wonder big cities have riots. It is simply abnormal for so many people to live atop one another in so little space, like ants in an ant hill. Nor is it any longer necessary in this day of rapid transportation, of communications media that bring the best of the arts that the cities have to offer, of branch stores of the biggest emporia of large cities, of decentralized health and education facilities. The Mayo Clinic is in Rochester, Minn. Many universities are in small places, and now Community Colleges are bringing higher education to the countryside.

The nation as a whole would gain, both economically and socially, from a spread-out of people and jobs. It would be sounder of fibre if more of its people had a little elbow room, access to the open country, a part in community affairs—in short a normal kind of life.

Mr. Speaker, I fully agree that making rural and small town life more attractive could help to stem the tide of migration to large cities which are already beset with a myriad of problems.

Mr. Speaker, at the same time I believe the present administration could take immediate action to alleviate the growing problem by assuring farmers a better break economically. A cause of this continued rush to the cities is the unfair treatment farmers have received from the present administration. As I have pointed out many times in recent years, the present administration has all but abandoned farmers. The administration, through the U.S. Department of Agriculture, has sought to hold down farm prices. The only motive, as far as I can see, for the deliberate attempt to penalize farmers, is to court the votes of urban residents.

Even the present administration should understand that this is self-defeating. Low farm prices are driving more and more farmers to the cities where they in turn add to the burden of the cities, which are already heavy enough.

Mr. Speaker, I urge the administration to examine its shortsighted policy of trying to hold down the prices of commodities produced by farmers. If prices were not continually and artificialy depressed, many more farmers would stay on the farm and the Nation as a whole would be much better off.

War on Poverty Defended

EXTENSION OF REMARKS

OF

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1967

Mr. WRIGHT. Mr. Speaker, today, when it seems to be in fashion to spout forth irresponsible charges about the Office of Economic Opportunity, it is a real pleasure to read an objective analysis of the program.

Such an assessment recently was prepared by my distinguished colleague, the Honorable EARLE CABELL, of Dallas, Tex. With his usual clear thinking and sense of fairness, the Congressman has set forth the issues involved as we prepare to debate the antipoverty bill. I agree with Congressman CABELL's conclusion that the war on poverty must go on. With unanimous consent, I insert his statement in the RECORD so that all Members may benefit from it:

STATEMENT OF CONGRESSMAN EARLE CABELL

Despite a growing volume of criticism of the War on Poverty, there appears little real sentiment in Congress for ending it completely.

Along with the daily reports of criticism from all areas are small signs from divergent sources that the effort being made in this field needs to be expanded rather than contracted.

Even in Dallas a few days ago when Representative Ray Roberts of McKinney painted a dark picture for the future of the $1.4 billion OEO appropriation, he suggested that a replacement had to be made and his idea was a make-work program that carried a $4 billion price tag. This would be along the lines of the old N.Y.A. during the 30's.

In an appearance before the House Education and Labor Committee, John Burkhart, an Indiana insurance executive and chairman of the United States Chamber of Commerce education committee, testified that "the problems of poverty cannot be swept under the rug," and had high praise for the Community Action Program.

And in a recent issue of the U.S. News and World Report, this weekly magazine strongly implied our priorities are out of balance and that the war against poverty is receiving a pittance when compared with the war in Viet Nam.

As yet, no final bill has been approved by the House Education and Labor Committee for funding this year's Poverty War program and any criticism of it at this time would be premature.

Much of the headline content today centers around the possible role played by local OEO units in the recent riots, but these give a distorted picture of the entire program.

I am familiar with the work done by our Dallas CAP and am convinced much of the credit for our current peaceful situation is a direct result of its intelligence and understanding.

I know that the War on Poverty has faults. I know that it has not yet achieved all of the goals it so hopefully raised two years ago. I know that it is only beginning to be effective and that many of its programs have yet to get off the ground.

The major weaknesses that I have observed and which I believe merit correction are:

(1) The proponents have "oversold" it and built up false hopes as to immediate and dramatic results;

(2) Many community leaders have not given it sufficient time and guidance to keep it on an even keel, and

(3) The Administration has been hesitant in eliminating obviously poorly designed programs and have leaned too heavily on sociological "dreamers" and not enough on horse sense.

But I also wonder what might happen to this country if the underprivileged were told that all Poverty funds were to be cut off and all such programs abandoned.

We have opened a door. I cannot see how it can ever again be shut.

The best hope that I can offer is an assurance to do all in my power to see that the poverty authorization written in Congress contains as much money as is prudent to keep the programs going and that all possible safeguards against a repetition of past mistakes are built into the program.

The Plight of Our Teachers

EXTENSION OF REMARKS

OF

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1967

Mr. PETTIS. Mr. Speaker, I am profoundly disturbed by strikes in many cities among teachers needed to educate our country's children. I am convinced that wages, while much talked about, are not the only issue. People who go into this profession do not do so for the money.

But the role of teachers in many communities is gradually being undermined by much publicized poverty war people, who, though usually better paid, often lack the level of professional skill attained by our teachers.

These teachers, Mr. Speaker, are thoroughly upset. With a breakdown of discipline in the homes, a disrespect for law and order in the streets, and archaic conditions in many classrooms, the teachers are prevented from doing what they know to be best for their students. Because of a discipline crisis, many teachers have almost given up the battle. They have told me that their position is rapidly becoming untenable.

"How can we instill principles of honor and industry in our students when these virtues are denied by wholesale Great Society programs?" they say. "These programs, with their waste, graft, and giveaway philosophy are destroying any sense of realism or economic integrity our children may have developed. The value of a dollar is forgotten and individual pride and their sense of personal responsibility evaporate."

Our American teachers, Mr. Speaker, have played and must continue to play an important and basic part in the preservation and development of our free society. If they lose their idealism and sense of mission, we are in real trouble. The sooner we get away from artificial elements and stimuli in our economy, the sooner we can move forward to genuine growth and solid progress.

Project Pride

EXTENSION OF REMARKS

OF

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1967

Mr. NIX. Mr. Speaker, perhaps thousands of words have been spoken here about riots, slums, poverty and their cure or possible cure.

In recent months, I have spoken some of them.

There is no cure-all or panacea or magic formula to solve these problems. If there were, I am sure that by now, someone, either within these walls or without, would have come forth with that solution.

The cure is a long one, almost arduous, spiced liberally with a great deal of patience and understanding and most of all with the sincere desire to help cure these conditions.

Mr. Speaker, in line with these thoughts, I take this opportunity to comment on the much publicized and sometimes controversial Project Pride which recently ended a successful summer of operation in the streets of Washington, and now promises to embark on a yearlong operation.

Mr. Speaker, I have commented before that the myth that poverty stricken people do not want to work is exactly that—a myth.

At that time, I discussed a project in Philadelphia called Jobmobiles which encountered a great success—which made opportunity to work available and which opportunity was eagerly grasped by a waiting mass of persons.

Project Pride follows along this path.

Project Pride combined the opportunity of working with the opportunity of performing a civic deed—that of cleaning up the streets and alleys of those areas that are called slums and ghettos.

Project Pride is aptly named for it deals with youth whose pride has been restrained, yes almost beaten down.

A youth to whom opportunity has been somewhat limited and whose earning power has been and promises to be less than limited.

Now they have something to grip on to. A job with the blessing of the community, a job that pays more money than they dreamed could be earned with their limited training.

The beauty of the whole project however is that the youth are now being offered this job part time.

They are being encouraged to continue with their schooling while aiding the financial situation of their homes.

Now they will have the money for proper food, for presentable clothing plus the opportunity to gain more schooling.

At the crux of each situation are two words—opportunity and training.

Combined, they make perhaps the best medicine for a discontented corps of people.

This is what Jobmobile sought to do. This, I believe is what Project Pride seeks to do.

Let us do all in our power to continue making available opportunity and training.

I do not believe that these people will let us down—that is if we do not let them down.

Serious Pilot Shortages

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1967

Mr. PHILBIN. Mr. Speaker, recent hearings in the other body indicate that serious pilot shortages now exist in the Navy and Air Force and are expected to continue at least through the fiscal year 1971.

Many reasons are given to account for these shortages—failure to increase pilot training in time to meet the expanded needs of combat in Vietnam; the adverse effects of the war itself on the retention of pilots in service, and the intense recruiting of Air Force and Navy pilots by the civilian airlines.

It is also stated that the decision not, to allow the Navy and the Air Force to call up their reserve pilots is likewise a factor in the shortages.

The Air Force is said to be suffering from a shortage of 6,815 pilots and would still have a shortage of 3,636 pilots in the fiscal year 1971.

The Navy also faces a shortage of 2,430 aviators, and this shortage, according to Admiral McDonald, would not be made up until 1974.

Officials say that these shortages have not affected air operations in Vietnam, but no doubt further checks will be made on this point to ascertain the facts, even though it is said that combat pilots have been maintained at 100 percent.

The Air Force states that it has been forced to return to flight status 2,400 officers who had been relieved from flight duty because they had reached the age of 45. The Air Force also testified that it has reduced the normal pilot manning levels of squadrons in the United States and Europe and cut back on the number of qualified pilots sent to advanced training schools.

It was testified by Admiral Miller, director of the Navy's Aviation Plans and Requirements Division, that the Navy had taken similar measures and that pilot manning levels in the carrier attack squadrons of the Atlantic and Mediterranean fleets were below the strength desired in case of an emergency. For security reasons, the exact strength of these squadrons cannot be publicly disclosed.

It further appears that since July 1962, the Air Force had requested an annual output of 3,000 pilots by 1966, and that in 1963 the Air Force had asked to build 3,400 pilots annually by 1968, but the request was disapproved and only 2,760 pilots by 1967 and 1968 were approved.

In July 1966, the Air Force asked the Defense Department to allow it to expand pilot training by 912 men over the 2,760-man level reached in the fiscal year just ended. Last December, however, the Department of Defense reduced this request by an additional 476 pilots.

Intense recruiting by private airlines was seriously affecting the ability of the Air Force to retain pilots in the service, and by last summer 80 percent of the pilots resigning from active duty said they were doing so to join the airlines. In 1966 the Air Force expected to lose only 638 pilots through resignations, but instead lost over 1,000. In previous years, the Air Force was able to retain for at least 6 years 70 percent of the pilots that it recruited. Now, however, it is testified that the proportion has fallen to 60 percent and appears to be declining further, and 67 percent of the pilots now leaving the Navy said they were doing so to join the airlines.

There are alarming implications in the testimony given to the committee of the other body, indicating that the Air Force and the Navy are paying a heavy price for certain, economy decisions that substantially scale down reliance on manned aircraft and put the overall defense of the United States more increasingly dependent on missile systems, and weaken our potential for coping with so-called brush and conventional wars, in which we are now engaged, although I do not want in any sense to minimize the seriousness of Vietnam, which is very costly in terms of young men, aircraft, Navy components like the *Forrestal*, which was so severely damaged with heavy loss of life and diminished prestige in the world for American arms, American policy, American know-how, and American judgment in handling its military and diplomatic problems.

I recognize that the administration has been continuing to make massive efforts to establish peace, and I have persistently joined these efforts to render every assistance in my power toward the goals of peace, not only in Vietnam, but elsewhere.

However, until fighting ceases and peace comes, we must zealously insist upon maintaining and building all necessary strength, and that is a duty we cannot take lightly, nor can we brush it under the table, and I am greatly concerned by present shortages of men and equipment, some of which have undoubtedly sprung from unfortunate miscalculations.

I do not wish to belabor these points at this time, rather, I want to urge again, as I have done so many times, that we intensify our efforts to keep strong at all levels, because much of the world, and unfortunately, much of the Nation, are aflame with revolutionary spirit, and we must make very sure that we are not lacking in any element of the overall power package that comprises total defense and the necessary potential of this country to face up to every contingency at home and abroad.

Missile systems, especially nuclear missile systems, are no answer to our present military engagements. In fact, they are no answers, in my judgment, to any of our problems, because their use in any event would be when we come in extremis, and would produce a horrifying holocaust on this earth that no person in his right mind would want to take the responsibility for.

Among other things, added to our international problems, we have the frightening problems at home of maintaining law and order in local communities and the several States, and this problem must receive top priority, and cannot be subordinated or neglected.

I am not going into the causes of lawlessness here, because they are known to the American people, to the extent they are sparked or augmented by social needs. We must move to close any existing gaps in national programs that are designed to attack and alleviate these deplorable conditions. At the same time we must demonstrate keenest awareness of all facets of these problems.

To the extent that subversive elements may be involved in inflaming public sentiment and inspiring lawlessness, we must move speedily into the breach and check and punish known malefactors that contemptuously and wantonly violate our laws. Above all, we must be ready to meet any contingency and emergency that arise, and we cannot afford to take chances or risks with the security, stability, law and order of this great free society of ours—the lives, the homes, the property of our people.

Let it not be said that this Congress has been unwilling to face up boldly to these problems of external and internal security, national defense, striking power, and peace because the American people are waiting and watching to see whether we, as their representatives in this body will carry out their mandate, as we should, or trifle with or delay in striving with all possible vigor, determination, sound judgment, and speed for necessary solutions.

I have pointed out the Congress must, and should, practice practical economy, wherever and whenever we can do so. This must be done in the interest of our taxpayers as well as in the interest of our great free economy and our vital, high standards of living. But our economy must not be practiced unsoundly at the expense of the national defense, national needs, or the imperative essential demands of this Government and this Nation.

Failure to keep strong and powerful, because of questionable economy would be a great mistake, just as lavish, unnecessary expense for defense, or any other purpose, would be a grave error and injustice to the American people.

The budget of no governmental activity should be beyond careful scrutiny by Congress to apply justified economy. But shortsighted, unjustified economy should not and cannot be practiced or exercised, and that is true in defense, and any other ncessary activity of this Government.

I hope that all high officials and all officials of Defense and every other department will have these principles in mind, so that if we avoid lavishness and imprudence in expenditures, we may likewise prevent peremptory, poorly conceived, unjustifiable cuts in critically important activities, and that goes for the Navy, the Air Force, the Army, the Defense Department, as well as all other departments and agencies of Government.

The Need for Balance and Equity in Financial Policies

EXTENSION OF REMARKS

OF

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1967

Mr. ADDABBO. Mr. Speaker, my colleague from New York, Representative JACOB H. GILBERT, recently addressed the annual convention of the Savings Association League of New York on the subject of "The Need for Balance and Equity in Financial Policies."

The remarks of Congressman GILBERT, who is a member of the Ways and Means Committee, were timely and informative, and I wish to call them to the attention of other Members of the House:

THE NEED FOR BALANCE AND EQUITY IN FINANCIAL POLICIES

(Address of the Honorable JACOB H. GILBERT, Member of the Congress, 22d District, New York, before the 1967 annual convention of the Savings Association League of New York State, White Sulphur Springs, W. Va., September 5, 1967)

I am truly pleased to be here and to address this group which plays such an important role in the thrift industry of our great State of New York.

As a member of the House Ways and Means Committee, I have been in touch, from time to time, with some of you and your colleagues in the field of finance in the common effort to devise the best possible public policies. May I take this occasion to thank you for the assistance and advice you have rendered me in this regard.

MAKING ECONOMIC POLICY

First, I want to discuss briefly the results of our present, economic policy from my viewpoint as a Representative in Congress and a member of the Ways and Means Committee. One personal belief to which I adhere very strongly is that true progress in this area can only be achieved through a partnership of Government and the private sector seeking a policy that is both balanced and equitable. Such a partnership and such a policy goal have contributed so much to the great economic gains of the American economy. These gains, while familiar to most, are impressive and thus worthy of some review by me here again.

In the past 3½ years of the Johnson Administration, our economy has grown at a rate of about 4.9% a year in real terms, and the value of our goods and services has increased by some $170 billion, more than the total gross national product of Italy and France combined; almost 8.7 million nonfarm jobs have been added, and unemployment has been cut by 1.1 million people; some four million people are estimated to have been lifted out of poverty; personal income, after taxes, has grown by 30%; corporate profits, after taxes, have increased 35%.

All of these gains have helped produce the longest postwar business upturn in U.S. history. This great economic accomplishment could not have been made except for a growing sense of partnership between American business and American Government striving for a balanced and equitable economic policy.

As an essential part of the total economic picture, the business of finance should likewise be developed by balanced and equitable policies. For these policies are like an investment portfolio. They are not something which we can acquire and then stow away in a safe and forget. They need watching and revising.

With this in mind, I would like to discuss today some areas where the need to achieve a policy of balance and equity is of great importance in the future.

THE TAX SURCHARGE

First and foremost of these areas from the standpoint of current national interest is the 10% tax surcharge that President Johnson has recommended. To be sure, there are a host of vital economic considerations that must be weighed by Congress before taking action on the President's proposal. I haven't committed myself yet on the proposal, but, in my mind a most important consideration—one which I know you here are very interested in—is what might happen in the financial markets without the tax increase.

One of the important questions posed in the Committee's present public hearings is whether or not the financial markets can tolerate the kind of demand for money they would receive in this current fiscal year from a Federal deficit of the size that would emerge without the proposed tax surcharge. Many of the witnesses have voiced the opinion that without enactment of the surcharge, market pressure would cause an interest rate escalation similar to, if not worse than, what occurred last year.

President Johnson voiced the Administrations rather solemn prediction on this specific point in his August 3 message to Congress; and I quote:

"Spiraling interest rates and severly tight money would return.

"What the Government does not raise through taxes, the Government must borrow.

"That additional borrowing would be imposed on financial markets already strained by the unprecedented demands of private borrowers and State and local governments. Long-term interest rates are already near their peaks of late last summer, and short-term rates have begun to climb.

"Without a tax increase, I am informed by Chairman Martin that nothing the Federal Reserve System could responsibly do could avoid the spiraling of interest rates.

"As interest rates rose, a starvation of mortgage funds would throw housing into a new depression before it had even recovered from the last one.

"Every other borrower—but most of all the small businessman and the farmer—would bear the cost of our fiscal irresponsibility."

One of the explicit goals of the Administration's surtax proposal is, therefore, to achieve measurable progress in bringing about equity and balance in the nation's financial markets—to enhance the prospects of more stable and sound conditions in such markets in the months that lie ahead.

Representatives of the savings and loan industry have already appeared before the Committee on Ways and Means in the public hearings now being conducted on the President's proposal. You may be assured that their testimony, which is generally favorable to the surtax, and that of all the other witnesses that come before the Committee in these current hearings will be given very careful consideration before any action is taken.

The Committee incidentally will complete its schedule of public hearings around the middle of this month. As you know, the legislative step that next follows will be executive sessions in the Committee in which the initial, very difficult legislative decisions on the surtax recommendation will have to be made.

FEDERAL MUTUAL SAVINGS BANKS

I would also like to discuss an item which is of particular interest to you—and that involves the chartering of Federal mutual savings banks. Some feel that a very good case can be made that such a move would be in the public interest. The argument is advanced that Federal mutual savings banks can potentially enhance the mobility of savings in response to investment needs, and can contribute to a stronger system of mutual thrift institutions.

But I am aware also that a question has been raised whether the present tax treatment of mutual savings banks is adequate.

Let me review the tax question for you.

Prior to the Revenue Act of 1962, mutual savings banks and savings and loan associations were virtually exempt from Federal income tax. By that Act, the Congress sought to correct the income tax provisions applicable to mutual thrift institutions generally. It provided a comprehensive set of rules governing the tax deductibility of additions to a reserve for bad debts and, with respect to savings and loan associations but not mutual savings banks, Congress enacted a detailed definitional requirement based on the nature of the lending functions of savings and loan associations.

As a result of that legislation, tax payments of $168 million from savings and loan associations and $32 million from mutual savings banks were anticipated. In fact, 1963 tax payments were $116 million from savings and loan associations and only $3 million from mutual savings banks. With respect to mutual savings banks, this situation has not improved significantly since 1963, I am told.

Some feel that the tax and chartering issues are naturally linked. If we are to broaden the powers of mutuals by allowing them Federal charter, perhaps concomitant legislative action should be considered to insure that these institutions carry, commensurately, a fair share of the tax burden compared with other financial institutions. A policy of equity, balance, and uniformity toward financial institutions would seem to me to necessitate such a consideration.

Thus far, I have discussed areas where balance and equity are necessary standards for future policy making. I would now like to turn to a final example, but one in which it appears such standards have been well applied. This involves the regulation of interest rates by Federal authorities.

As you all well remember, I'm sure, interest rates early last year began escalating sharply after December 1965 when the Federal Reserve Board allowed commercial banks to pay up to 5½% instead of 4½% on time deposits.

The repercussions of this move for financial institutions were great as a war for savings and time deposits developed. As 1966 progressed, the developing pressures suggested more clearly the need for a policy that would moderate the impact of rising interest rates and increased rate competition on thrift institutions, the mortgage market, and home building activity. It also became increasingly clear that Government authorities did not have the powers to maintain the competition for savings on a sound basis and avoid the excesses of unrestrained competition.

As a result, legislation was approved by the Congress and signed by President Johnson on September 21 that gave the Federal Reserve Board and the Federal Deposit Insurance Corporation temporary authority to set different rates on time deposits according to their size and other criteria. It also gave the Federal Home Loan Bank Board temporary authority to set interest ceilings on savings shares of insured savings and loan associations.

This legislation, by and large, contributed significantly to a moderation in the excessive competition for consumer savings and facilitated in an increased flow of funds into thrift institutions. In short, it worked. While I am aware of some limited competitive problems that developed, I believe the action illustrates the effectiveness of a balanced and equitable Government policy—both in terms of its aims and results—that should be sought.

In closing, may I emphasize that the task of carefully watching over our financial policies and their use is a task that every responsible group and every thoughtful citizen must share with the Government in partnership to realize the full potential of the American economy in the years ahead.

We know that financial policies, unless periodically reviewed and reformed, can become slipshod, develop grave defects, and can become obsolescent in a way which can both act as a barrier to sound economic growth and at the same time check popular faith and morale. We cannot let this happen.

The need to modernize financial policy in a balanced and equitable way is, of course, a long term concern. And I would hope and expect the thrift industry to play a vital and leading role in the achievement of this goal.

Thank you.

HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let not your heart be troubled; believe in God.—John 14: 1.

Let us pray.

O God, our Father, who are ever seeking to strengthen Thy children, make us strong as we face the arduous tasks of this day and as we carry the heavy responsibilities placed upon us—keeping freedom alive in our world and promoting justice and good will among our people. Give to us the faith which will enable us to meet fearlessly the forces of tyranny which threaten to engulf us.

Bless the Members of this body. Lead them in their labors, direct them in their decisions, fortify their faith, strengthen their spirits, elevate their endeavors that they may lead our Nation into wider areas of truth and righteousness and good will.

Bless our men and women in the service of our country—many exposed to danger and death. Heal the wounded, strengthen the prisoners, relieve the suffering, and comfort the sorrowing. Hasten the day when nations will learn to live together in peace and good will.

In the name of the Prince of Peace we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one its clerks, announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 653. An act for the relief of Capt. Robert C. Crisp, U.S. Air Force; and

S. 1601. An act to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior.

The message also announced that the Senate had passed a bill and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1880. An act to revise the Federal election laws, and for other purposes; and

S. Con. Res. 40. Concurrent resolution authorizing the printing of the report of the proceedings of the 43d biennial meeting of the Convention of American Instructors of the Deaf as a Senate document.

APPOINTMENT OF CONFEREES ON S. 1872, THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, with House amendments thereto, insist upon the House amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

The Chair hears none, and appoints the following conferees: Messrs. MORGAN, ZABLOCKI, Mrs. KELLY, Messrs. HAYS, ADAIR, MAILLIARD, and FRELINGHUYSEN.

PURCHASE OF A RETAINING RING BY THE DEPARTMENT OF THE AIR FORCE FROM THE BENDIX CORP. IN TOWSON, MD., FOR $2.30 APIECE

Mr. PIKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PIKE. Mr. Speaker, yesterday the House considered a $74 billion Department of Defense appropriation bill and concluded it would be pretty stupid if we bought anything outside America. Sometimes it is pretty stupid when we buy things inside America.

Here is a little item called a retaining ring which the Air Force this year bought from the Bendix Corp. in Towson, Md., for $2.30 apiece. They could have bought them for 43 cents apiece, but the really sad thing is that they did not need to buy them at all. They were not only already in stock in the Defense Industrial Supply Center in Memphis, Tenn., but they have been in stock for so long without moving that most of them have been described as "disposable excess." I am afraid that no matter where the Department of Defense spends our money there is some "disposable excess" in it.

SOUTHEAST ASIAN SUPPORT FOR THE AMERICAN POSITION IN VIETNAM

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, an intense debate has been going on for the last year about America's commitments in Vietnam. A vast majority say we must remain and carry out our commitments. A small but vocal minority say that we must withdraw unilaterally.

But in this great debate, hardly anyone bothers to consult those most immediately threatened by Communist expansion in Asia. What do they think? The people of Southeast Asia are almost unanimous in their support of the American presence in South Vietnam.

The Prime Minister of Singapore said some months ago that if the Americans leave Vietnam, "we're finished."

The Prime Minister of Malaysia has said the American presence "has made the difference" between Asian stability and Asian chaos.

The President of the Philippines, the Prime Minister of Australia, the leaders of Thailand and Cambodia have all echoed similar sentiments.

We are not alone in South Vietnam. There is strong support for our policies and our intentions throughout Southeast Asia. The United States is looked upon as the only nation with the resources and commitment to prevent a step-by-step takeover of the area by communism.

NO GUERRILLA WARFARE IN TEXAS

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, last night's papers quoted the Governor of Michigan to the effect that this country faces a serious threat of guerrilla warfare. I recognize that the trend of decisions by our Federal courts, particularly and especially by our Supreme Court, might logically lead one to this conclusion. But, I am sure that on reflection, we all realize that guerrilla warfare—and I might say looting and mass stealing—occurs only where the would-be guerrillas have reason to believe that they will not actually be treated as guerrillas upon apprehension.

Certainly, there is a danger of guerrilla warfare in any State where the Governor lacks the judgment and fortitude to enforce the laws. But there will be no guerrilla warfare where a State has a Governor who has the fortitude, the judgment, and the strength to assure any prospective guerrillas that they will be treated as guerrillas.

It is not my purpose to condemn or criticize the administration of any State, and I will not pass judgment beyond the borders of my home State. But in Texas we have a State administration which in my judgment has the fortitude and the determination to enforce the laws—all the laws—and we anticipate no guerrilla warfare in Texas.

MEETING OF PRESIDENT'S CABINET COMMITTEE ON THE AFFAIRS OF MEXICAN-AMERICANS

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. de la GARZA. Mr. Speaker, I was very happy to hear that the Honorable Vicente Ximenez, Chairman of the President's Cabinet Committee on the Affairs of Mexican-Americans, has, after consultation with the President at the White House, announced a meeting of said Committee to be held at El Paso, Tex., on October 27 and 28. Commissioner Ximenez stated that all members of the Committee would attend, and it is hoped that the President also will be in attendance.

In the Congressional Record of May 19, 1966, during a discussion of the problems of the Mexican-Americans, among other things I called for such a meeting. When Commissioner Ximenez was appointed to the Committee I again asked that such a meeting be held and invited them to have it in the 15th Congressional District of Texas. I regret that it was not possible to have it there, but I respectfully yield to the logic of having it at El Paso, and I am today informing Commissioner Ximenez of my utmost cooperation in this endeavor and of my best wishes for a fruitful and very successful meeting.

THE QUESTION WHETHER ELECTRONIC SURVEILLANCE IS NECESSARY FOR EFFECTIVE LAW ENFORCEMENT BROUGHT RENEWED DISCUSSION ON THE FLOOR OF CONGRESS TODAY

Mr. TAFT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TAFT. Mr. Speaker, recently, the Republican task force on crime and another group of Republicans issued separate papers urging passage of court-supervised bugging and wiretapping. The GOP statement called the wiretap legislation a necessary tool for effective law enforcement. The Justice Department wants it too—but only when the President and Attorney General decide it is necessary.

The Justice Department now says that FBI-investigated organized crime convictions were up 39 percent over last year. This is padded with petty offenders. There are more interesting figures that deserve comment.

The President's Crime Commission and others have identified the Cosa Nostra as the core of organized crime and estimated its membership at some 5,000. Since 1961 only about 130 identified Cosa Nostra members have been convicted by the Federal Government. That is a yearly conviction rate of less than half a percent.

Those 130 convictions in 7 years, incidentally, represent the efforts of 26 Federal investigative agencies, 94 U.S. attorney's offices and, of course, the Organized Crime Section of the Justice Department.

Until that Department recognizes the need to utilize every legal weapon, the fight against organized crime will continue to be a losing battle.

Mr. Speaker, I would call the attention of the Members to the fact that a special order has been obtained for later this afternoon to go into some detail with regard to the need for some fair and impartial type of wiretapping and electronic surveillance legislation in order to attack this very real and growing problem of organized crime.

CALL OF THE HOUSE

Mr. BRAY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 247]

Adair
Andrews, Ala.
Aspinall
Baring
Bell
Brademas
Celler
Clawson, Del
Cohelan
Collier
Corman
Daddario
Diggs
Dulski
Evins, Tenn.
Feighan
Flood
Gallagher
Green, Oreg.
Griffiths
Hansen, Idaho
Hansen, Wash.
Hébert
Heckler, Mass.
McCarthy
McClory
McCulloch
McEwen
McMillan
May
Miller, Calif.
Morton
Moss
Multer
Murphy, N.Y.
O'Hara, Mich.
Pettis
Rivers
Rumsfeld
St Germain
Saylor
Sisk
Teague, Tex.
Vander Jagt
Willis
Wilson, Charles H.
Wolff
Wyatt

The SPEAKER. On this rollcall 384 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PRESIDENT JOHNSON'S APPEAL TO PRIVATE ENTERPRISE TO HELP TACKLE THE PROBLEMS OF THE CITY IS ANSWERED BY AMERICA'S LIFE INSURANCE COMPANIES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, today marks an historic development in the partnership between business and Government in working together to tackle the complex urban problems confronting the Nation.

The White House has announced that the Nation's life insurance companies have pledged $1 billion for investment in American cities to improve housing conditions and to finance job-creating enterprises.

These funds are to be made available as quickly as possible for projects which would not ordinarily be financed under normal business practices because of their location and risk.

As President Johnson noted today, what the Federal Government is doing for our cities—and it is a splendid record of achievement—is really only the beginning. He said:

> Private efforts are not just essential to success—they are central to success.

The record will show that the Johnson administration has led the way toward encouraging private enterprise to share in the responsibility of building a better America.

Business concerns have performed admirably in administering Job Corps training programs in the poverty program. Many of our leading companies are deeply involved in advancing American education. And perhaps the best example of how fruitful is the partnership between Government and private enterprise can be found in our pioneering space program.

During the past 2 weeks, the administration initiated Project Turnkey to encourage private industry not only to develop and build new housing, but to manage such public housing projects in our cities.

There is no question but that business incentives and business efficiency can produce the kinds of results that we all hope to achieve in the American city.

But at the same time, I would remind my colleagues in the House that the Federal Government must do its share to meet its responsibilities to the American city dweller. And we must begin by restoring the President's full request for the rent supplement program. This program is really an effort to involve private enterprise in the work of solving urban problems. And we in Congress cannot turn our backs on this effort at a time when American business is beginning to respond in an unprecedented way.

Today, America's business community has demonstrated its confidence in the future of the American city. We in Congress must match this faith by a vote of confidence for rent supplements.

Mr. Speaker, I warmly congratulate the insurance companies of the United States who have taken a major step toward helping to solve a major problem in American society—the need to rebuild urban communities and plant new opportunities for those who have lived too long without hope and without help.

Private enterprise made America strong and great. Today, we have good reason to believe that American business will help to lead us forward to a new and better future.

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1967, AND AMENDMENTS TO THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 910 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 910

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 602) to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the amendment in the nature of a substitute recommended by the Committee on Public Works now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Tennessee is recognized for 1 hour.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to my distinguished colleague from Tennessee [Mr. Quillen] and, pending that I yield myself such time as I may consume.

Mr. Speaker, this is a recommendation for an open rule calling for 3 hours of debate and waiver of points of order on S. 602, a bill to revise and extend the Appalachian Regional Development Act of 1965 and to amend title V of the Economic Development Act of 1965. Title I amends the Appalachian Act. Title II amends the EDA legislation with respect to other regional development programs.

The Rules Committee was impressed with the legislation fashioned by the Committee on Public Works.

I would like to pay tribute at this point to the Ad Hoc Subcommittee on Appalachia which did the spadework on the bill and its very able chairman, the gentleman from Alabama [Mr. Jones]. He has once again demonstrated the quality of his leadership in bringing an excellent piece of legislation to the floor.

There is a great concern these days about the troubles of our cities, about the increasing depth and complexity of the whole urban problem. Part of this problem, of course, is the seemingly endless influx of people from rural areas and small towns into metropolitan areas. This bill is aimed at providing opportunities—jobs—in Appalachia and with moving forward with plans for other regions. It is a choice between this and poverty. Perhaps more to the point it is a choice between this and the high cost of migration from the region of unequipped, impoverished people.

Title I of this bill is the second increment in a 6-year attack on the economic decline that has plagued the Appalachian region.

This program began, in one respect, as an experiment in government. It broke new ground in Federal-State relations that so far has given great promise.

In its other aspects, the program is unique because it consists of a regional approach to a regional problem. The very name "Appalachia" has come to imply underprivilege and want.

The program consists of highways, health facilities, land conservation, timber harvesting, restoration of land damaged by mining, an inventory of water resources, housing, vocational education, sewage treatment and antipollution and supplemental assistance in an array of other Federal programs. These are all designed for the peculiar terrain and economic characteristics of the Appalachian region.

The bill authorizes $221.3 million for all nonhighway programs for the next 2 years and an additional $175 million for highways for the next 4 years.

This program has already made inroads into the Appalachian problem. Highways, vocational schools, mine restoration, and public facilities have introduced hope into the region. This is a noteworthy beginning. It should be allowed to continue.

Title of this bill gives some more muscle to the five regional commissions established under the Public Works and Economic Development Act of 1965. These commissions, patterned after the Appalachian Commission, encompass all or parts of New England, the Upper Great Lakes, the Ozarks, the Southeast Coastal Plains, and the four corners of the Far West.

The bill amends the law to direct $2.5 million per year to each of the commissions for research, planning, demonstration projects, and administrative expenses. The money was authorized in the 1965 act, but the commissions have been slow to get underway. The amendment directs that the Secretary of Commerce, under whose jurisdiction the commissions fall, makes the funds available to them.

In addition, the bill authorizes $5 million this fiscal year and $10 million next fiscal year for each commission to use in supplemental assistance. The prototype for this program—helping localities take advantage of available Federal grants-in-aid—has been very successful in Appalachia and it should be helpful elsewhere.

I urge adoption of the rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Tennessee. I yield to the distinguished gentleman from Iowa.

Mr. GROSS. Mr. Speaker, will the gentleman explain why the rule provides for a waiver of points of order on this bill?

Mr. ANDERSON of Tennessee. The reason for the waiver is that section 112 (b), starting on page 43 of the bill and continuing on pages 44 and 45, involves a revolving fund of $5 million, which could be considered to be in the nature of an appropriation. This revolving fund, called the Appalachian housing fund, has as its principal purpose the enabling of the Federal Government to pay up to 80 percent of the cost of planning and the cost of obtaining insured mortgages for housing projects.

Mr. GROSS. That is the sole reason for the waiver of points of order?

Mr. ANDERSON of Tennessee. It is my understanding that is the sole reason, I will say to the distinguished gentleman, and I am sure also the gentleman has noted the rule does provide and make in order consideration of the substitute bill.

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. Quillen].

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the distinguished gentleman from Tennessee [Mr. Anderson] has stated, House Resolution 910 provides for an open rule with 3 hours of general debate, waiving points of order, for the consideration of S. 602, the bill to revise and extend the Appalachian Regional Development Act of 1965 and to amend title V of the Public Works and Economic Development Act of 1965.

The rule provides for a waiver of points of order because on pages 44 to 45 of the bill a revolving fund is provided for which is in the nature of an appropriation of funds.

Title I of S. 602 contains the amendments to the Appalachian Regional Development Act and authorizes increased expenditures for the program. Authorized to be expended is $936.7 million, of which $396.7 million represents new money. The remainder is a reauthorization of funds for the highway program now underway in the area.

Several new projects are added to the act, including a housing program similar to the low- and moderate-income program of section 221 of the Housing Act, and a new acid mine pollution control program.

I am happy that this bill contains an additional $35 million for access highway construction. This will make it possible for the various States to build more access roads, which will serve a useful and needed purpose.

New counties are added to the region included in the Appalachian area, 24 in number, stretching from New York on the North to Mississippi in the South.

The act is amended to provide that all moneys appropriated will not become entangled in the cobwebs of the various executive departments.

Title II of the bill contains amendments to the Public Works and Economic Development Act. These amendments require that $2.5 million be allocated for technical assistance and research for each regional development commission now in the creation stage. Second, supplemental grants are authorized in each regional development area similar to those available in Appalachia. For 1968, $5 million is authorized for each area; for 1969, $10 million.

Mr. Speaker, I have long been a champion of the Appalachian regional program, and I know from personal experience how helpful the program has been to the people of my district. I strongly support it, and I want to see it continue as effectively as it has been in the past.

The Appalachian program is a good program, and this is a good bill. A fine beginning has been made in 2 years and the promise which this program holds for the future is real. In a relatively brief time, enormous progress has been made to construct a development highway system in the region, to develop health and education facilities, to deal with erosion, water resources, and other improvements, to unlock the enormous potential of this time-honored area of our country. This progress is substantial, but it is not enough. Much remains to be done, and this program certainly has proved itself as the way to do it.

What has been accomplished is fundamentally a tribute to the close cooperation of all levels of Government and people of different political persuasions in taking the limited assistance authorized by the Appalachian Act and making it work for the welfare of the Appalachian people. The Appalachian Regional Commission itself is the prime example of this cooperation between States and the Federal Government in making the decisions which are fundamental to the program. It is not a matter of a Federal bureaucrat or some department or bureau handing out orders. Within the Appalachian Commission there is an opportunity for the States to sit down, discuss their problems, discuss their needs, discuss their priorities, and to participate in the decisions on the expenditure of funds and the policies for their expenditure. This is healthy;

this is wholesome. More importantly, it works. And, putting responsibility on the States for the development of plans, programs, and projects—making them prove their cases—gives local people someone they can get hold of—the Governor.

It should be noted that the Appalachian Regional Commission, which has authority over the funds authorized by the Appalachian Act, and makes the key decisions on their expenditure, is a good institution partially because it is practically a nonpartisan institution. Four members of the Commission are Republicans—the Governors of Ohio, Pennsylvania, New York, and Maryland. Their votes within the Commission are as potent as those of their Democrat colleagues. Their judgments on the expenditure of funds in their States hold as much sway as those of Democrat Governors.

There has been little hint of partisanship in the conduct of the Commission's affairs. The fact that the Republican Governors, whose States are participating in the program, have strongly urged its continuation is further testimony on this point.

I concur in the statement of my colleague from Tennessee that the benefits of this program go not just to the immediately affected region but beyond that to the country as a whole. If we are to begin to deal with the problems of the cities of which we are reminded daily by the press, by Members of Congress, and by events, we must find opportunities—jobs—outside the great metropolitan areas of the country.

Enormous migrations have taken place from the mountains of the Appalachian chain to the great metropolitan areas of the North and Northeast. This process has proceeded virtually unabated for 30 years and more. If it is not abated, solutions to our urban problems will become increasingly expensive and increasingly complex. Further, if Appalachia continues to impose a drain on the Nation's resources for welfare, for support and subsistence, the ultimate cost to the American taxpayer will be far greater than the immediate cost of a remedial effort such as authorized by the Appalachian Regional Development Act.

The program which it authorizes is hardnosed. Its focus is not on welfare or relief but on opportunity. It attacks the fundamental obstacles to economic growth in this region, the need for access, the need for better education, for health facilities, for erosion control, for exploitation of its water resources, and for dealing with the peculiar legacy of coal mining. Beyond these forms of assistance, the focus is on organizing all levels of government to do a better job with other Federal, State, and local programs and funds. The ultimate objective is to attract private capital, productive enterprise, and jobs which in the final analysis is the solution to the Appalachian problem.

A truly impressive start has been made to use the special assistance program authorized by this legislation. This beginning is the prolog to a new era for this region. It deserves further support of the Congress.

To capitalize on this start, I feel it would be wise and effective for us to approve the change in the appropriations procedure called for in this bill.

This House very seldom gets the opportunity to do anything more than talk at great length about States rights, State sovereignty and the slow erosion of the federal system. This is one of those rare occasions when we can do more than just talk about it.

The Appalachian program is State-oriented. It was conceived and born in and of the States. They are its essential components. Their rights and their prerogatives are given full sway.

If we authorize the appropriation of funds to the Commission as proposed, I think we are doing a lot more than just paying lipservice to States rights. We are dignifying the whole concept of the Commission and thereby the whole idea of State responsibility. We are saying to the States that we believe you are fully capable of spending these funds prudently and carefully.

This approach is not a blank check. The guidelines and rules and regulations of each agency concerned must be fully adhered to. The expenditure of this money will be subjected to all the checks and balances all Federal funds are.

So I see little danger here in ending the confusion and diffusion of the present procedure. In fact, I see more than one plus. I see a better framework for the Congress to keep this program under scrutiny.

At the same time, we would be recognizing the effectiveness of essential management of the money for this program. Scatter-gun appropriations obviously lack the force of the single direct stroke in applying the money where it does the most good. We have already recognized the effectiveness of an association of States into a single commission for the purposes of this program. Why should we not extend the same recognition to the coordination of funding?

I would urge sanction of this method of financing if only as an experiment. After all, the Appalachian program itself is an experiment and if we can do anything to help guarantee its success, I believe it is incumbent on us to do so.

I take this opportunity to call to the attention of all Members and urge that they read the minority views contained in the report on S. 602, starting on page 72 and ending on page 85. There are also supplemental and additional views, which might be of interest and which follow the minority views in the same report, and I, likewise, call these to your attention.

Mr. Speaker, I urge that the rule be adopted.

Mr. Speaker, I have no further requests for time, but I reserve the balance of my time.

Mr. ANDERSON of Tennessee. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 602 to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

The SPEAKER. The Chair designates as Chairman of the Committee of the Whole the gentleman from Illinois [Mr. Price], and the Chair requests that the gentleman from Massachusetts [Mr. Boland] temporarily assume the chair.

IN COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 602, with Mr. Boland in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Maryland [Mr. Fallon] will be recognized for 1½ hours and the gentleman from Florida [Mr. Cramer] will be recognized for 1½ hours. The Chair recognizes now the gentleman from Alabama [Mr. Jones].

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the Committee on Public Works, the gentleman from Maryland [Mr. Fallon].

Mr. FALLON. Mr. Chairman, when President Lyndon B. Johnson signed into law the Appalachian Regional Development Act of 1965, he called it the "truest example of creative federalism in our time." The bill had run the gauntlet of hearings in the House and the Senate in both the 88th and 89th Congresses. Behind the bill lay a solid year of work by a Presidential Commission broadly representative of the States, various Federal agencies, and other interests concerned with the well-being of the Appalachian region. In spite of that long history, however, we could not know how prophetic the President was. This program has truly harnessed Federal, State, and local governments to use the funds and the time allotted to them in the best interests of the people of the Appalachian region.

The bill before the House today would extend the Appalachian program for an additional 2 years, make minor amendments in it, and, based on its experience, authorize limited funds for other regional development programs.

The Committee on Public Works is proud to report this legislation to the House. This is a good bill. The committee and the House are indebted to the gentleman from Alabama [Mr. Jones] for his outstanding work as chairman of the Ad Hoc Subcommittee on Appalachia. That this program has been successful is due in no small measure to the time and efforts expended on it by that subcommittee and the full Committee on Public Works in 1965.

There is no need for me to recount the reasons the Appalachian program was enacted. The plight of this region and its people have been recounted and analyzed many times over the national press and in testimony before committees of the Congress. Because of recent developments in the country, however, I think it should be noted by Members of this body that the national interest is involved in this bill and in this program. It is currently appropriate to recount and to dwell on the problems of the cities and to suggest elaborate and extremely expensive cures for those ailments. What we have in the Appalachian program is some preventive medicine, for without an intensive and creative development effort for this region, out migration will continue. And that means out migration to the great metropolitan areas of this country where the costs of economic dislocation grow higher and higher with each passing year.

The cost of this medicine is small. In my judgment, this is one of the best investments in the future of the country authorized by the legislation before this body today.

Mr. JONES of Alabama. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the Committee on Public Works has today brought to the floor of the House for its consideration the bill S. 602, to revise and extend the Appalachian Act of 1965 and to amend the Public Works and Economic Development Act of 1965 with respect to regional development programs, fostered under title V of that program.

At the outset, Mr. Chairman, I would like to commend the steadfastness of the members of the special subcommittee, along with the members of the full committee, for giving complete and very deliberate study to all of the problems involved in this program.

Mr. Chairman, it is my opinion that it is significant that during the course of several months we have received a wide group of people and have heard from them, representing every interest and from every local government, and not a single witness appeared before the committee to protest the aims and the aspirations contained in the legislation.

Gov. Hulett Smith, the cochairman with the States' other chairmen, appeared to represent the States. The Governors and their representatives testified at great length as to the value and the importance of this legislation in developing a meaningful program that would give relief and assistance to depressed areas of our country. This bill is the second installment of the program.

Back in 1965 we passed the previous development highway section of the bill which would last until 1971. The other programs, of which there are a variety, we felt it would be necessary for us to make seasonable examinations as to how they were being received, how they were being administered, and the results they were obtaining in their administration. So it is for that reason that we are extending the other programs in making additions to the development highway section, brought about by the addition of the State of New York, which I will go into a little bit later.

I believe it is also worthwhile that we discuss the historical background and development of this program. In 1960 the Governors of the affected States met in a conference to examine what could be done in a concerted fashion to have programs that would be helpful to these underprivileged areas that were not showing economic growth, that were faced with health problems, and where educational qualities were deteriorating. They came out with the response that they needed a coordinated program along with the Federal Government.

President Kennedy appointed a commission that worked with the Governors. As the result of those consultations a proposal was made which was submitted by President Johnson and was later drafted in the bill that we have had under consideration.

Mr. Chairman, the Appalachian area of our country is central to the history of our Nation. Its hardwoods built most of the great cities of our Nation. Its coal fired the furnaces and provided the power to build our economy. Its waterways were the avenues of commerce which marked the early history of this Nation. But too much of the coal was mined without adequate care, too much of the timber was cut without proper conservation, and too many rivers were polluted with industrial waste, mine acids, and other foreign matter.

The small subsistence farms which were the early base of American economy and society were going, and going very rapidly, even more rapidly in Appalachia than elsewhere in the country because the limited terrain and the topography did not lend itself to an expansion of large land areas. These factors created all the problems we are dealing with now. A new economy had to be built. We had to have new enterprises, new jobs.

So it was that the Appalachian Regional Development Act took into account some of the major aspects of the problem. This is centered on transportation in providing funds for a system of major highways throughout the region complementary to the interstate routes, and to provide new access for commerce, and to gain access into the region.

You will recall that the major portion of this program of $840 million was set aside for highway and access road development, because it was felt that transportation was the most wanted need in the entire area.

We had to make better use of our regions of water resources through the development of a comprehensive plan for the region.

We had to have better use of the land in the region by land damaging and mining and through treatments of other land which are Federal cost sharing.

We had to have better health facilities.

We had to have better educational institutions, and particularly vocational education.

We had to have sewer treatment plants, and through a program of supplemental grants in aid, to make better use of Federal programs which had not been fully effective in these areas.

We had to have better organization through the creation of a joint Federal-State commission to administer the program and place primary responsibility for a concerted development effort upon the State governing bodies.

The Appalachian Regional Development Act created a commission proposed by the Governors of the Appalachian States and the representatives of the Federal Government who serve as cochairmen with one of the Governors.

This has been a very fine arrangement. It has worked well. I am told there has not been a dissenting vote in any of the meetings of the commission on the aims and programs that have been discussed in the Governors' conference or with the conference of the Governors' representatives.

Now, because of the leadtime needed for planning and right-of-way acquisition, the highway program, as I have just stated was for a 6-year period is just getting started. It is expected to utilize some 2,350 miles of development highways and approximately 1,000 miles of access roads.

Other programs such as health, land stabilization, timber, mining, water resources were included in the 2-year program.

All of this is designed to achieve one objective: the economic betterment of a perpetually underprivileged part of America.

It was recognized that this could not be accomplished, that the region could not become self-sustaining, simply through a random application of Federal grants-in-aid programs of funds.

The Congress even laid this down as a mandate by declaring in the findings and the statement of the purpose of the act of 1965:

> The public investments made in the region under this act shall be concentrated in areas where there is a significant potential for future growth and where the expected return on public dollars invested will be the greatest.

The CHAIRMAN. The gentleman from Alabama has consumed 10 minutes.

Mr. JONES of Alabama. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, this Appalachian program is a means to an end rather than an end itself. The ultimate solution lies in the investment of private capital in the region and, perhaps more importantly, the retention of its own capital wealth through reinvestment.

This has been a unique program, Mr. Chairman, because the States have provided the initiative in deciding their own needs and priorities within the framework of the Appalachian Commission and then worked with the Federal Government to meet their goal. It was the Governors who approached the Federal Government for assistance, and the States have an equal voice in making the decision in carrying out the program.

It is also unique that the States have not uniformly adopted the same program, because the necessities of one State may not fit the requirements or the immediate needs of other States. Consequently, there has been a diverse use of employment of the Federal programs that went into play in developing this total program.

The Appalachian Act of 1965 authorized $840 million for development highways and access roads and $252.4 million for all other programs. The committee bill, in effect, reauthorizes the amount and adds an additional $175 million to the highway program to provide $140 million for the highway corridors that are to be constructed in the States of Pennsylvania and New York, and $35 million for access roads over and above that heretofore authorized. So we have an additional amount in the bill for highways of $175 million.

There was not any insistence that mileage be increased. There was not any insistence that the Commission would come back and re-petition for an enlargement of the program. But so far the program has advanced to where the construction is underway. Other highways are being planned and programed.

When we were considering the act of 1965, I said:

> In the past, most Appalachians have earned their income from three major activities—coal mining, lumbering, and farming. Each of these occupations has declined over the past quarter of a century. Each has declined nationally, but the effects in Appalachia have been particularly severe. That means that new skills must be provided and for that reason we have included in this bill a program that will accelerate the construction of vocational education facilities in Appalachia.

That acceleration has taken place. Seventy vocational schools have been initiated. Fifteen thousand students will attend class this fall in vocational education schools that have been stimulated by this program. Schools now under construction will accommodate another 18,000 students. Funds expended for this purpose are essential to insure that 10 or 20 years from now this body will not be called upon to consider an Appalachia problem. Because of this impressive activity which has been undertaken to provide vocational education—skills and jobs—and because of what can be accomplished in the next 2 years, the committee increased the funds authorized for this purpose by $8 million over the Senate bill. The bill authorizes $26 million for 50-percent matching grants for vocational education through fiscal year 1969.

This is the only increase that was made by the House committee. Virtually all funds authorized and appropriated for the land stabilization, mine area restoration programs have been committed to capitalize on the land available for development in the region, and we are providing for a continuation of this program.

Water resource surveys have been on schedule, and the bill carries $2 million additional for that purpose.

The philosophy in the 1965 act was not only to provide extra financial assistance to the Appalachian region, but also to make better use of existing Federal grant-in-aid programs in which the Appalachian area had not participated to a full extent because of a lack of matching funds and the know-how to make these programs work.

The evidence presented to the committee established quite clearly that the Appalachian program is meeting these needs. Federal grants-in-aid to the programs eligible for supplementary grants have almost doubled from $65 million in 1965 to $131 million in 1967. Rarely does this House get such clear evidence that a program is doing what it is supposed to do.

The other section of the bill is the recognition of the critical needs in housing. It amends the Appalachian Redevelopment Act to produce better use of section 221 of the National Housing Act relating to low- and moderate-income housing, through loans to underwrite the costs of planning projects, obtaining insured mortgages, and related activities in Appalachia.

Testimony further shows that of all the areas in Appalachia, only Pittsburgh, Pa., and Birmingham, Ala., have utilized this program.

The bill also adds 20 additional counties in Mississippi, which is a contiguous area which has the economic dislocations that are characteristic of the area. It also adds two additional counties in Alabama, one in the State of Tennessee, and one additional county in New York. The committee felt justified in including these additional counties because of their relationship to the Appalachia area.

Now, with respect to title II of the bill. That title amends the Public Works and Economic Development Act to earmark funds for research, planning, demonstration projects, and administrative expenses for regional development commissions organized under that act. It also authorizes funds for supplementary grants similar to those that were included in the Appalachian Act. These provisions were added by the Senate because these programs had been proven in Appalachia, and it was the expectation in enacting the Economic Development Act of 1965 that those five commissions would pursue the same effort that the Governors made in Appalachia, and collect all the genius of their people, and their knowledge and information, and work out their own program.

Five regional commissions have been organized under the Economic Development Act. They are as follows: the Ozark, which includes parts of Arkansas, Missouri, and Oklahoma; the Upper Great Lakes, including parts of Michigan, Minnesota, and Wisconsin; New England, including Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont; the Coastal Plains, including the coastal areas of Georgia, North Carolina, and South Carolina; and the Four Corners Region, including parts of Arizona, New Mexico, Colorado and Utah. There is demonstrated need in these areas and demonstrated capabilities of the people to put together a useful program that will inure not only to the benefit and profit of these areas, but will have a wholesome and welcome effect upon the economy of the entire United States.

I apologize to the Committee for having taken so long, but I felt there was need to review before the Committee the basis of the act and the experience in its administration and experience in programing.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

How many States presently are involved in this thing known as Appalachia?

Mr. JONES of Alabama. Twelve States.

Mr. GROSS. Twelve States. It has not reached out to California yet, has it?

Mr. JONES of Alabama. No.

Mr. GROSS. But it has gotten into Alabama, Mississippi, and New York?

Mr. JONES of Alabama. Under the act of 1965, the State of New York had the license to come in. It did not at that time, because their program schedule was not sufficiently advanced to permit them to come in.

The State of Mississippi, on the other hand, felt it would rather wait to see the effect of the program in other States before being admitted.

At the Governors' conference on admissions, in the deliberations, there was not a single vote by any State to deny them the admission of those counties.

The CHAIRMAN pro tempore (Mr. ROSTENKOWSKI). The time of the gentleman from Alabama has again expired.

Mr. JONES of Alabama. Mr. Chairman, I yield myself 2 additional minutes.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Kentucky.

Mr. PERKINS. I should like to compliment the distinguished gentleman from Alabama for a great amount of work on a most important piece of legislation.

Since I come from the heart of the Appalachian area, I am concerned about the main artery highways. If I understood this correctly, up until July 1, 1966, the Federal Government paid not only 70 percent for advance engineering, design, and acquisition of highway rights-of-way, but also 70 percent for the actual construction of four lanes.

Mr. JONES of Alabama. Not for four-lane highways. That was for access roads of two lanes. The amount made available for four lanes has been 50 percent.

Mr. PERKINS. Since July 1, 1966, it has been 50 percent. For the main artery highways today it is the policy to pay 70 percent for the acquisition of rights-of-way and advance engineering, but only 50 percent for construction. If the States wants to go ahead with a four-laning of main artery highways the State has to pay 50 percent of the construction; is that correct?

Mr. JONES of Alabama. That is correct.

Mr. PERKINS. But that is only a policy of the Bureau of Public Roads, and there is nothing in this bill to prevent the Federal Government from paying 70 percent of the actual construction on four lanes today; is that correct?

Mr. JONES of Alabama. As I understand the gentleman's question, it is: Can they pay up to 70 percent? They can pay up to 70 percent, but have not engaged in paying up to 70 percent on four-lane highways.

Mr. PERKINS. There is no limitation to prevent them from paying 70 percent, if the Federal Government so desires, on main artery four-lane highways?

Mr. JONES of Alabama. That is correct.

Mr. PERKINS. Mr. Chairman, I approach this Appalachian legislation with conflicting feelings. I am, of course, heartily in favor of it. Yet, I am gravely disappointed that the amounts of money are so much smaller than the sums I feel are necessary to accomplish the job we have set out to do: to improve the economic status of the people who live in the mountain areas of the eastern United States.

My viewpoint is a bit different from that of many Members of the House.

First, because I am from this Appalachian mountain area, I know the need; I know the deprivation that exists in my part of the country. I also know that while this program does not have all the answers, it is certainly on the right track and holds the best promise of something better.

Second, as chairman of the Committee on Education and Labor, I sit in on the authorizing of billions of dollars for education and welfare—the program to end poverty, to help schools, and to provide other programs. I know something of the needs of the people.

But the Appalachian program is different from the welfare programs. It is intended to build an economic base by providing highways, sewer systems, airports, industrial parks, hospitals—all the elements which would make it possible for this mountain region to attract to it the industry which would provide jobs for a population which, with the proper training, would supply a pool of intelligent and capable workers.

Among all the many worthwhile features of the Appalachian program, I feel that the one which would benefit the region the most is the one which would make our cities and town and creek hollows accessible to the rest of the world. I mean the program under which the Appalachian Commission is helping State highway departments pay for the construction of highways in the mountain area where such construction is far more expensive than in the flatlands of so much of our Nation.

It is here that I feel my greatest disappointment with the measure before us. What we need to open the Appalachian region to the rest of the world is the construction of four-lane highways. Yet, the amounts contained in the bill for roadbuilding have been so reduced that it will be a great temptation for State highway departments to be content with two-lane main artery roads.

I know that the Committee on Public Works has done the best it could with this measure. My own ideas of what should be authorized are far above the amounts the President put in his budget. I wish the committee had not reduced the sums requested by the President.

I most earnestly urge the House not to go below the figures arrived at by the Public Works Committee. It is greatly important that the Appalachian program, which has been in existence 2 years, not lose any of the momentum it has acquired during its brief life.

I am especially pleased that the committee has increased the authorization for vocational education from the sum of $18 million to $26 million. Roadbuilding, industrial development, greater access to the outside world will call more and more for the skills the vocational schools of Appalachia can impart to our people.

I urge vigorously that this bill be approved.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 248]

Adair
Ashley
Aspinall
Baring
Bell
Berry
Bolling
Brademas
Brown, Calif.
Celler
Clawson, Del
Cohelan
Collier
Corman
Daddario
Dingell
Dorn
Evins, Tenn.
Feighan
Fisher
Flood
Gallagher
Green, Oreg.
Hanna
Hansen, Idaho
Hansen, Wash.
Hébert
Heckler, Mass.
Hicks
Holland
Leggett
McCarthy
McCulloch
McMillan
May
Miller, Calif.
Moss
Multer
Murphy, N.Y.
O'Hara, Mich.
Pirnie
Rivers
Rumsfeld
St Germain
Saylor
Sikes
Steed
Teague, Tex.
Ullman
Vander Jagt
Willis
Wilson, Charles H.
Wolff
Wyatt

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 602, and finding itself without a quorum, he had directed the roll to be called, when 376 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, we have before us today a bill known as the Appalachian Regional Development Act Amendments of 1967, which in effect is a potpourri of public works, a warmed-over, accelerated public works program, Area Redevelopment Administration reincarnated, all of those programs having proved to be an abject failure. So we are trying again to do something about poverty through public works, from which we never get a full dollar's worth of value for each dollar spent.

This is a program for which we have already appropriated in previous years approximately $300 million for development highway and access roads, and $166.9 million for other Appalachian programs, a total of nearly a half billion dollars.

Secondly, we are asking in this legislation, or the committee is, for new authorizations for Appalachia of $396 million. This together with existing unappropriated authorizations for development highways and access roads of $540 million, totals $936.7 million. The Congress previously appropriated $466.99 million, so the total previous appropriations, plus future authorizations, including this bill is $1.4 billion—and this is for 4 years of a 6-year general program and 6 years of the highway program, so there are 2 more years to go at least on the general program. To make sure all these other EDA areas get in on some of the Appalachian goodies, there is $75 million more for those EDA areas.

Of course, that is the move. That is what is coming. All of these EDA areas are involved. They have already announced some five of them regional commissions, and there are two more under consideration, and there is a third they are talking about in the gulf coast area. They are all going to get these special potpourri programs.

So this Appalachia is the pattern for endless public works, for accelerated public works programs. I believe we should realize that.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I shall be glad to yield to the gentleman when I have finished my remarks.

Mr. HAYS. I should like for the gentleman to yield briefly, on the subject of EDA. That is only thrown in to dredge up enough votes to pass the parent bill.

Let me say that I have six counties in Appalachia, and it is the greatest boondoggle which ever came down the road.

Mr. CRAMER. I will say to the gentleman, I am delighted I yielded. The gentleman always makes a valuable contribution, and particularly so in this instance.

That was the next subject I was to get to. That was a mighty fine preface.

One of the previous speakers said that President Johnson suggested this was the beginning of creative federalism.

The gentleman suggests, and I suggest, it is one of the best examples or the perfect example of creative favoritism. As a matter of fact, there is going to be a discussion by the distinguished gentleman from Nebraska [Mr. DENNEY] as to whether or not it is constitutional to provide such favoritism to Appalachia, to the exclusion of the rest of America.

The gentleman is eminently correct. EDA has been thrown in to attract votes.

Members will notice that the principal speaker had to list every State which is going to get special treatment under this EDA title II, to make sure that those who come from those States vote for this thing, not because they are in Appalachia but because they are going to get a little something, perhaps, out of title II, in EDA, which should not be in this bill in the first place.

This is supposed to be the Appalachia bill. It is clear that many Members of the House believe, as I do, that this is basically discriminatory legislation, discriminating against the rest of the Nation. If it is good for Appalachia, why should it not be good for the rest of the Nation?

It is quite obvious. There is no evidence that this total package of potpourri accelerated public works is doing the job or will do the job on a permanent basis.

ARA did not do it. APW did not do it. This is warmed over failure.

Why, they are talking about demonstration health facilities, land stabilization, timber development, mining restoration, water resources surveys, a new housing program, vocational education, sewage treatment, supplemental grants across the broad spectrum of Federal aid, with programs up to 80 percent of the cost thereof, local development district assistance, and highways.

Highways, incidentally, are very interesting. When this bill was presented to us a few years ago I was under the impression that this was going to open up new areas, that this was going to take the mountain region of Appalachia and permit the development of highways and opening up these distant areas, separated from the rest of the country by these craggy mountains and these valleys, areas which are inaccessible, and this was going to open up the great region for development.

What happened? Here is what they have done. They have decided they want to build arterial highways, not new ones. They want to reconstruct and improve presently existing highways which they say are not built to a high enough standard.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. In view of the gentleman's contribution a while ago, I yield briefly.

Mr. HAYS. I wonder if the gentleman can enlighten me about what a developmental highway is. In my State they are retreading U.S. Route 50 to Cincinnati. I did not know Cincinnati was in Appalachia, but that is what they are doing with all the money.

As the gentleman says, the whole original concept of access highways has been lost. They are just rebuilding already existing highways, with an awful lot of money.

Mr. CRAMER. The gentleman is eminently correct. That is the point I was attempting to make.

Here is the map of what they are building. The idea is they want to have connecting arterial highways. This is in addition to the primary system, to the secondary system, and to the urban highways already approved for Federal participation. This is in addition to the interstate highway system.

Boy, if anybody got a bonus out of the Interstate Highway System it was West Virginia, shortly after the election in 1960. Prior to the election, interstate mileage in West Virginia totaled 385 miles. Out of the 528 miles left undesignated, they got an additional 125 miles, yet they have to have more highways, arterial highways, through the State of West Virginia and other States.

So what they are doing is retreading, as the gentleman from Ohio [Mr. HAYS] says, the present highways and building them up to higher standards. I am not debating this. I want to say in all fairness that there is an access road program, which is possibly what the gentleman from Oklahoma wants to say. I will yield to him in just 1 minute. However, how much of the $1.015 billion are we putting into access highways for opening up new areas? It is $35 million. That is generous, is it not? They are asking us for $35 million more in this bill. That is what they want for opening up new areas.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

I know what a campaign he had on States rights. I am sure he is aware that the decisions within the States on what the priority needs are in Appalachia are being made by the highest elected officer in the State almost without exception, that is, by the Governor of the State or his duly constituted highway authority. So the gentleman apparently is not satisfied with a State determination as to what the highest priority need is for highway development within the Appalachia region.

Mr. CRAMER. I will say to the gentleman that there were certain guidelines suggested by the executive branch of the Government and the Bureau of Public Roads, which they naturally took into consideration. Secondly, there was a study made by a regional commission prior to that time, and they made certain suggestions. I do believe that whether it is Federal or State officials, if you are going to open up new areas, I believe you should spend money for that and not for retreading old roads.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Ohio.

Mr. HAYS. The guideline in my State was very clear. It was, let us build highways to where the most votes are. To hell with Appalachia. We do not care about access roads to those hill counties, because there are only a few people down there, maybe 16,000 or 20,000 people. Let us build a road to Cincinnati, because there are 500,000 or 600,000 people there and maybe more.

Mr. CRAMER. The gentleman from Ohio expressed it far more colorfully than I dare to on the floor of the House.

So, what does this bill do? The bill provides basically for substantial additional funds. We can expect at least $2 billion more. We can expect when it is over with that the problems are not going to be solved, either. That is what bothers me. If I thought this would solve the problems of Appalachia over a 6-year period, that would be something else. Now, do not tell me they are not going to have to do it again, if you are going to do the job, because there will be another $2 billion here for another 6 years. If I thought it would do the job and help these poverty-stricken people, and if we had the evidence that they were getting the help any more than they are under the Office of Economic Opportunity, then that would be different. If I thought they were the ones who were going to benefit by this, then that would be different. The facilities that are going to be built are going to be built in the big city areas rather than the poverty areas. If they were not then I would be much more inclined to support the legislation even though it will be discriminatory. But in my opinion, if it is not going to do the job, it is discriminatory by itself.

What are they doing in this bill? This will not do the job. Is it capable of doing the job? No. It is just a mustard plaster on an area which is supposedly suffering from the cancer of underdevelopment. It is just in the inherent nature of the area. They are saying that it is not doing so well so far, so we had better expand it. Let us get a lot of $2 billion programs into this Appalachia region and apply some of these mustard plasters on top of others. Let us inject some new elements in this. Let us mix up a potpourri of public works, and maybe this will help some. Of course, at the same time they are saying that we had better change the man who is at the head of the program. Do you know who is going to head the program up under this bill? It is a man who has all kinds of time to do it. He only has to deal now with Vietnam, with the budget, with taxes, and with everything else. He is the President of the United States. He is going to be in charge of this program under this new suggested bill that is before us. He is going to be the one who will control the money and decide which agencies get it and how much.

Of course, he can do it to some extent anyway. But we direct in this bill that he is the man to whom the money is going. We are putting all of it into the hands of the President. The bureaucratic maze, that we will have to go through in order to get decisions will be intolerable, as compared to decisions under the present law.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield to me?

Mr. CRAMER. I really did not expect to take this much time, but if the gentleman is interested in propounding a question, I shall be glad to listen.

Mr. FARBSTEIN. I want to make a very short statement to the effect that if you are given an opportunity to vote for an amendment to aid the cities, and if the gentleman is so concerned about them, I do hope the gentleman will support my amendment when it is offered.

Mr. CRAMER. I do not recall making that statement. The gentleman knows full well that I oppose such an amendment.

Mr. FARBSTEIN. Mr. Chairman, if the gentleman will yield further, then the gentleman belies his own statement?

Mr. CRAMER. Well, I do not think the gentleman from New York [Mr. FARBSTEIN] quite understood what I was saying. What I was saying is that the money goes to the President. I do not know what that has to do with the problems of the cities.

Mr. Chairman, what else will they do? They are amending this bill and are adding to it 24 new counties, new counties that are not located in the mountain land areas, as well as 17 other counties in an area unrelated to this problem. They do not represent regional development problems. That is what has been stated that is going to be done, added to a part of the mountainous regions or to a part of our mountain lands.

But, lo and behold, this may be another matter or indication or location where we may need to get a few more votes and therefore, we have got to bring into the coverage of this program 24 more counties; we have got to add a few in New York, we have got to add a few here and there, we have got to bring in some Mississippi counties, because of an oversight or otherwise we left them out, a substantial number of counties.

And, Mr. Chairman, what else have we got to do? We have got to expand the program by authorizing funds in excess of the amounts that have been appropriated in the past for any given fiscal year.

This year the President asked for fiscal 1968 approximately $64 million. And, what is being asked for in this bill? The $220 million is being requested for a period of 2 years, for 1968 and 1969. The amount which will be left over for fiscal year 1969 represents an amount about 2½ times the amount which was asked for in fiscal year 1968.

How does one possibly justify that request?

Of course, I will admit that there is a $42 million carryover of appropriated funds but if you add that to approximately $64 million budget request for 1968, there will be approximately $106 million total available for expenditure in 1968. If $220 million is authorized for fiscal years 1968 and 1969, some $156 million will be available for appropriation in 1969.

Mr. Chairman, we know that we have on our hands a war. And, based upon the best authority in the House of Representatives, the statement of the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], unless we pass a surtax this year, we will have a $28 billion deficit. It is my opinion that our consideration of the legislation dealing with Appalachia must be considered in view of the deficit with which we are confronted and based upon the amount of money which we can reasonably and logically expend.

For that reason, Mr. Chairman, an amendment will be offered to cut the amount which has been requested to a reasonable amount, the amount which was requested for fiscal year 1968 plus unexpended funds carried over from 1967, and to provide for the same amount for fiscal year 1969.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. CRAMER. Mr. Chairman, I yield myself 5 additional minutes.

The CHAIRMAN. The gentleman from Florida is recognized for 5 additional minutes.

Mr. CRAMER. So, Mr. Chairman, what they are proposing for fiscal year 1969, which starts during the period of the Presidential election, which will be held in November 1968, is that the President should have under his control, and not under the control of the various departments and agencies, $156 million, about 2½ times what he is asking for this year for accelerated public works in the area of Appalachia.

Mr. Chairman, we do not like that arrangement. We think it is unreasonable. We think that the departments and agencies that have been administering the program should be considered and that the program ought to continue to operate as it has in the past and that the Congress should handle and approve the authorization. Also, we think that the amount which is being requested in this legislation is unreasonable.

Mr. Chairman, what else has been done in this legislation? They have proposed the expansion of a number of programs. Secondly, they have added new programs. And, if you want to read the bill and what it contains with reference to new programs—and this program, incidentally, came out of the Committee on Public Works, you will find a housing program. It did not come out of the Committee on Banking and Currency—we on the Committee on Public Works now are authorities on housing and real estate, all of a sudden.

According to this language, which is contained on page 43 of the bill, section 207, we are going into assistance for planning and other preliminary matters with reference to proposed housing projects under the National Housing Act.

So, Mr. Chairman, what we are going to do is to provide for the making of loans not to exceed 80 percent to private enterprise or public associations, for the purpose of making preliminary surveys, analyses of market needs, as well as preliminary site engineering and architectural fees as well as even site options.

The cost of site options will be money loaned for that purpose. This is a matter that should be considered by the Committee on Banking and Currency, not by the Committee on Public Works. An effort will be made to strike it out until the committee that should properly consider it looks into the problem.

I have discussed briefly the money involved here, and I will deal with that to a greater degree when the debate period commences.

Now we are moving into EDA, which has no business being in this whatsoever. That is not only my word; that is the same thing the manager on the part of the other body said on the floor of the other body when it was up for consideration, we have no business going into an EDA matter in an Appalachian bill. What did he say? He said:

> It is impossible for me, however—

And this is the manager on the Senate side, and this appears at page 84 in the minority views—

> It is impossible for me, however, to accept an amendment for the authorization of substantial sums of money for programs which have not been given adequate hearing.

The administration did not ask for title II. The administration did not ask for it. The gentleman from Ohio put his finger on it when he said that in order to get enough votes for Appalachia they threw it in. They knew they were in trouble on Appalachia, because it relates to this authorization, so they threw in EDA. It has no business being in there.

The floor manager on the Senate side said:

> However, the money that is in there is just seed money.

And have we not seen these seeds grow into big, fat, spending trees before? That is exactly what is going to happen here. The $75 million will be $500 million.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Ohio.

Mr. HAYS. They are reaching out and touching everybody, in Ohio they give every school in Appalachia, every school some money, about 50 cents a student.

Mr. CRAMER. I believe that is further evidence that this program is not going to do the job, because it does not get down to the person in need. This is obvious. I am confident this is not going to be the answer. If I thought it would be the answer, if I thought it would do the job in Appalachia, that would be one thing, but it will not do it.

But I recognize the realities of life, and this bill very probably will pass. It probably will, because it is part of an ongoing program, therefore the only alternative left will be to work toward trying to make a decent bill out of it. So we will in good conscience, in carrying out our responsibilities, offer an amendment. We offered some 29 amendments in the committee itself, and some 15 were passed, and I thank the majority for giving reasonable consideration to those amendments.

There are others remaining that should be considered. We hope to eliminate the housing title section. We hope we can come out with a dollar figure of a reasonable amount. We hope we can take EDA out of this. It does not belong in here whatsoever in the first place. We hope we can leave the spending authority where it belongs, in the agencies that administer the specific programs. I hope the Members will give serious consideration and attention to those amendments that are intended to make a better program out of this.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Kentucky.

Mr. SNYDER. Mr. Chairman, I rise in support of this legislation. It appears that the work of the Appalachian Regional Commission represents about the only exception among the new programs initiated by this administration which has not created more problems than it has helped to solve. I give my support to this legislation with cautious optimism, but hasten to indicate that any reluctance comes from what I believe to be an indaequate consideration of the achievements of the past 2 years and potential problems that may or may not exist. On the surface it appears that the implementation of this act has resulted in accomplishments without charges of mismanagement, political interference, or the many other charges so prevalent in other programs. The surface should be scratched to be certain.

There are several things about the proposed amendments incorporated in the House version of S. 602 which do concern me and which I would like to see cleared up.

This legislation was originally intended to expedite the economic development of the Appalachian region which I believe to be those counties in the Appalachian

Mountain area which share the similar characteristics of rugged terrain and some degree of isolation by virtue of the terrain. In 1965 the Senate added 13 new counties in New York and the Senate in the current bill has added 18 counties in the State of Mississippi, two additional counties in Alabama, and one additional county in New York to which the House Committee on Public Works has agreed. In addition, the House Committee on Public Works has added three additional counties. The House should delete any of these new counties which are not in the Appalachian Mountain Range, because it merely tends to dilute the appropriation that will be made and thereby deprive existing bona fide counties of funds that would otherwise be allotted to them.

I believe I am correct in my understanding that, with one or two exceptions, these new counties do not fall within the general understanding of what we consider mountain country. If the Congress continues to increase the area covered by this program, it will lose its significance to the area it was designed to help. I am not impressed with the argument that this legislation is "favoritism." Admittedly, it is—so is agriculture legislation to the rural areas of agriculture abundance that it helps—so is urban renewal to the cities and much other legislation that is enacted.

The supplementary views of the Senator from California [Mr. MURPHY], as they appear in the Senate's report on S. 602, are very compelling to me.

It is essential that the House support the committee's action in deleting from the Senate bill "the cultural programs" since this act is designed to improve the economic standards of the area affected rather than the esthetics of the area. In addition, the House should give consideration to the deletion of the title "Assistance for Planning and Other Preliminary Expenses of Proposed Housing Projects Under Section 221 of the National Housing Act," as the Farmers Home Administration and the Federal Housing Administration have been handling the situation in the Appalachian region without any serious problems and adequately enough.

As I indicated earlier, this program is about the only one which has not found itself embroiled in conflicts and disputes over jurisdiction with other agencies; this housing section could well be the end of the honeymoon in that respect.

As the Members know, this act will cease to be in effect on July 1, 1971, and its 2 years of life thus far indicate that it may well accomplish the purpose for which it was designed if it can be kept within the concept of the original act.

Mr. HAYS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 249]

Adair
Ashley
Aspinall
Baring
Bell
Brademas
Celler
Clawson, Del
Cohelan
Collier
Corman
Cowger
Daddario
Dent
Dickinson
Diggs
Evins, Tenn.
Feighan
Flood
Flynt
Fraser
Gallagher
Gathings
Green, Oreg.
Hansen, Idaho
Hansen, Wash.
Hébert
Herlong
Holland
Irwin
Kleppe
McCarthy
McCulloch
McMillan
May
Miller, Calif.
Multer
Murphy, N.Y.
O'Hara, Mich.
Pirnie
Pool
Rivers
Rumsfeld
St Germain
Saylor
Sikes
Teague, Tex.
Ullman
Vander Jagt
Willis
Wilson, Charles H.
Wolff
Wyatt

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 602, and finding itself without a quorum, he had directed the roll to be called, when 378 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. JONES of Alabama. Mr. Chairman, I yield 10 minutes to the distinguished member of the Committee on Public Works, the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, as one who has enjoyed through the years debating now and then with my good friend, the distinguished gentleman from Florida, on various pieces of legislation, I enjoyed particular pleasure in hearing several of the gentleman's remarks in his preliminary argument today in connection with the consideration of this legislation.

In the first place, it was a real pleasure to learn from the gentleman from this well that the minority really does not expect to defeat this bill; that all they are undertaking to do in the offering of amendments—and they do have in mind the offering of a considerable number of amendments. I cannot help but think immediately when I hear this statement of the famous old story about the fisherman who upon having caught an old catfish, said, "Hold still, little catfish; I am not going to hurt you; I am just going to cut your guts out."

Mr. Chairman, I think the gentleman from Florida has something like that "catfish operation" in mind when he says they are going to offer constructive amendments to the bill on the floor today.

The fact of the matter is that the Committee on Public Works in working upon this particular piece of legislation, has already accepted and agreed to approximately 20 amendments that were offered by the gentleman from Florida and by his distinguished colleague, the gentleman from Iowa [Mr. SCHWENGEL], as well as various other members of the minority.

As a matter of fact, we adopted so many amendments offered by the minority while we were marking up this bill that I got to believing we were going to have to call it the Jones-Cramer-Schwengel bill before we got through marking it up to bring it to the floor of the House. Because what we did in committee, I say to my friends in this House, was to take the cream of the amendments that were offered by the other side, and I believe they did improve the bill in some particulars, and I believe we owe a debt of gratitude to our friends on the minority side for some of the amendments that were offered in committee.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. Yes, I yield to the gentleman from Florida.

Mr. CRAMER. Does the gentleman say that those were gutting amendments? I would hope the gentleman would take another look at the ones we expect to offer, because they are not really gutting amendments, except on title II, and we would like to kill that fish entirely.

Mr. EDMONDSON. I would like to say to the gentleman that when he speaks about deleting entirely title II, the gentleman is certainly in the position of gutting that section, and that is what it means to me and to the people throughout the country.

Mr. CRAMER. We will take the whole fish on that one, we will defeat it entirely.

Mr. EDMONDSON. After we had adopted these 20-some odd amendments, some of them helpful amendments, we then faced a situation in which even with all these amendments, even with a reduction of more than $50 million below the Senate figure, our good friends on the other side still were not satisfied with the product. As a matter of fact, I understand that some of them are circulating amendments here today that were not even offered in the committee when we considered this bill, and are asking us to give consideration on the floor to those amendments.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I propose to offer an amendment that will clean this bill up real good; I propose to offer an amendment striking out the enacting clause.

Mr. EDMONDSON. The gentleman I believe has made his feelings about this bill fairly clear already. I understand his feelings about it. I regret the gentleman, who is always constructive and always informed on any subject, could not find the time to come to the Committee on Public Works when we were considering this bill over a period of days when there were a series of hearings held on it, so that we might have the ideas and suggestions the gentleman has to offer about improving it. But I know the gentleman is a busy man, and I know he was in attendance those days on the floor of the House when we were meeting into the afternoon in trying to get this bill out.

Mr. Chairman, the second remark of the gentleman from Florida that I particularly appreciated was what I understood to be his major argument against title II.

If I heard the gentleman correctly and understood him correctly, the principal argument he has against title II, which provides the grant-in-aid money for these other regional commissions, is that the administration did not ask for it. That is the principal argument made by the gentleman from Florida, that the administration did not even ask for this.

Mr. Chairman, I wonder if any of my friends on this side of the House last fall heard the attacks over and over again which were leveled at those of us on the Democratic side of this House, that we were rubberstamps, and we were rubberstamps because we were voting for the things the administration had asked for. The things we had acted upon and voted for, that were asked for by the administration, drew fire all over this country from those on the other side of the aisle.

Now we come before this House with a piece of legislation on which we have exercised legislative initiative, on which we have recognized a need for these five new regional commissions for grant-in-aid money, or for specific authorization of administrative money or technical assistance and planning money, and the big argument on the other side is "Well, the administration did not even ask for it."

Am I to assume from that, Mr. Chairman, that the rubberstamps in the House today are my friends on the other side of the aisle, my Republican friends, who are not going to go along with this because the administration did not ask for it?

Am I to assume that if the administration does not ask for something that my friends on the other side are going to vote against it, that they are going to be the rubberstamps in this Congress insofar as requests by the administration are concerned?

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. Yes, I am glad to yield to the gentleman.

Mr. CRAMER. We do not say that President Johnson is wrong all the time. We just say that he is wrong most of the time. In this instance he is right and I compliment him for not unbalancing the budget further by asking for these programs. I do not want to impose upon the indulgence of the House by taking up too much time, but there are stated and elucidated five or six reasons in the minority views as to why title II should not be in here. I call attention to page 83 of the report. I thank the gentleman for yielding.

Mr. EDMONDSON. I think if anybody wanted to explore the minority views and turn to the minority report, they can find about 15 different versions of what the minority thinks about this. There are about as many versions of the minority views as there are minority members of the committee—and some of them signed two or three different versions.

It all adds up to the fact in my personal judgment that our friends of the minority, or at least some of them, are not ready to make good on another commitment of the Congress of the United States.

Yesterday I commented on the fact that our friends on the minority side, or at least some of them, have been doing everything in their power apparently to create a credibility gap for our Government and to create it by legislative action.

I pointed to the fact with regard to our commitments under the Alliance for Progress, commitments to our neighbors in this hemisphere, that our friends on the minority side had lead a drive to make it impossible to fulfill those commitments for the Alliance for Progress.

Yesterday I pointed out that they had taken another position against fulfilling our commitments to Great Britain with regard to minesweepers, giving Britain an opportunity to bid on Navy minesweepers. Once again they created by their votes and their position yesterday a credibility gap for the United States by voting not to honor a commitment of our Government.

Now we come, my friends, to commitments to the citizens of the United States and commitments to Governors of the several States and commitments to the sovereign States of the Union that are parts of these regional commissions. I point out the fact that when we passed this Appalachian bill in 1965, we said in very clear language, and I think in unmistakable terms, that if it was the decision of the Appalachian Commission to admit the counties in New York into the Appalachian Commission—if it was the decision to bring them in and submit plans for economic development in these counties in New York that the Congress would then act to honor the commitments with regard to those counties in the Appalachian Commission. That is in the bill that was passed in 1965. You will find the specific language on page 17 of the Act. The Appalachian Commission proceeded to admit some of the counties of New York and thereby created a specific need for funding for those counties. Most of the money involved for Appalachia—new money—is money to build this corridor highway across Pennsylvania and the State of New York that was spoken about by the gentleman from Florida.

But here again we have a clear commitment—this time not a commitment of the Secretary of State; this time not a commitment of the Secretary of Defense, but this time we have a commitment of this Congress, if you please—the Congress of the United States—and we propose to fulfill that commitment to the people of New York and to the people of Pennsylvania and of the Appalachia region and to the five new regional Commissions as well, because those were created specifically in accordance with the provisions of the Public Works and Economic Development Act of 1965.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman.

Mr. CLEVELAND. Is it not true that the gentleman now in the well is the chairman of a special subcommittee of the Committee on Public Works to investigate the workings of the Economic Development Act, and is it not true that that committee has met only once this year for a hearing and that that committee is not fully staffed? Am I substantially correct in that statement?

Mr. EDMONDSON. I do not think the gentleman is correct in the statement he makes as to the number of times that the subcommittee met. I do not think he is far from wrong in saying that we are not fully staffed, since, like most subcommittees, we would like to have additional staff if feasible. We have had excellent assistance from the general committee staff, however.

Mr. CLEVELAND. I question the implication of the gentleman in the well—and I have the highest regard for him—that the minority is acting irresponsibly or in bad faith. If you read the minority views carefully, bearing in mind that the investigatory committee to look into the Economic Development Act is totally understaffed and has had only 1 day or so of hearings, I think the minority position to look with askance at adding title II to this bill without benefit of public hearings is not unwise and not unjustified.

Mr. EDMONDSON. Let me say to the gentleman that I have made no implication of bad faith on the gentleman's part intentionally. If the gentleman read that from my remarks, I regret it very much, because when I speak about tactics that are pursued by the other side in their efforts to achieve objectives that I think they have, I certainly do not question their motives and their good faith in connection with those tactics. If the gentleman wants to read something that is injurious to him from the fact that, as I see it, some amendments are being talked about here today that were not offered in the committee, well, I do not believe that is a matter of bad faith. I think that is a matter in this instance of not very good procedure with regard to a matter that you want the committee to accept or agree to.

I think the amendments you are proposing today to enlarge Appalachia and to splinter the New England Commission, if I understand the gentleman correctly in what he is proposing, is something that should have been presented to the ad hoc Subcommittee on Appalachia.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CRAMER. Mr. Chairman, I yield 15 minutes to the gentleman from Iowa [Mr. SCHWENGEL].

The CHAIRMAN. The gentleman from Iowa is recognized for 15 minutes.

Mr. SCHWENGEL. Mr. Chairman, I am pleased to rise to acknowledge the talents of the people with whom I have worked and the talent which has been evident on the floor here.

First, I wish to pay tribute to the chairman of the full Committee on Public Works, who is one of the finest presiding officers under whom I have ever served in any legislative effort. He is eminently fair, and he gives the minority a chance to be heard.

I am glad to note the broadminded attitude of the gentleman from Oklahoma [Mr. EDMONDSON], who wants to give we of the minority credit. He calls this the "Jones-Cramer-Schwengel bill." I like that already, but I would like to see it amended so it would be truly bipartisan through the acceptance of the amendment of the gentleman from Ohio [Mr. HAYS] so that it would be called the "Jones-Cramer-Schwengel-Hays bill." Then it will be vastly improved.

Mr. Chairman, the distinguished and capable ranking minority member of the

Committee on Public Works, the gentleman from Florida [Mr. CRAMER], has very effectively and thoroughly outlined the responsible and constructive minority position on the legislation before us. I wish he would have had time to elucidate further on his version and on his ideas, because he so well expresses the minority attitude and does it so very understandably.

The Appalachian regional development program, as has been suggested, is not based on "creative federalism"; rather, as has also been stated, it is "creative favoritism." It is a program of economic discrimination. It is a program of preferential treatment. It is a program which I believe, in some respects, is misdirected. Certainly, I think it can be proved that it is untimely and, in some respects and in some areas, is cruel.

As we pointed out in the minority report on S. 602, prosperous counties within Appalachia receive special Federal financial assistance while less prosperous counties elsewhere do not. Economically depressed counties in Appalachia receive special financial assistance under both the Appalachian program and the Public Works and Economic Development Act of 1965, while economically depressed counties outside Appalachia receive special financial assistance only under the Public Works and Economic Development Act.

Mr. Chairman, as I have just indicated, the name of the Appalachia game is preferential treatment, and, in what I believe to be the best interests of the entire Nation, I feel constrained to voice my objections to this preferential treatment for Appalachia.

I concur strongly in the objections of the minority to the enactment of S. 602, as reported by the committee.

I sincerely hope that all members of this committee will read the minority report.

There are several principal areas of concern which many of us share.

First, sections of the bill before us would authorize the appropriation to the President—I repeat, to the President—of all funds to carry out the Appalachian Regional Development Act, except funds to cover the administrative expenses of the Appalachian Regional Commission, which are authorized to be appropriated directly to the Commission. In accord with the objections to this procedure, as outlined today by the gentleman from Florida [Mr. CRAMER], such provisions of the bill should be stricken and the original procedure left intact.

Second, S. 602, as reported, would expand the Appalachian region by adding 24 additional counties. One in New York, one in Tennessee, two in Alabama, and 20 in Mississippi. **Some of the areas of Mississippi to be included as part of the Appalachian region if S. 602 is enacted lie west of the longitude of Chicago. This seems to be stretching the definition of the Appalachian region too far.** Who knows where it will eventually stop? **Maybe Los Angeles?** I see no justification, in fact or in theory, for an expansion of this region.

Third, an excessive authorization of funds is contained in S. 602, as reported. At a time when fiscal matters of the Federal Government must be closely watched, this is no time—as is any time—to authorize an excessive amount of funds. Authorizations should be only for the funds justifiable and not in excess of requests or needs.

Fourth, I am opposed to the adding of new programs in the overall Appalachian development program, including the very questionable low- and moderate-income housing assistance program and the development of a new acid mine pollution control program. Such programs are now being undertaken on a nationwide scale, and I see no need to give the Appalachian region even further specialized treatment, especially when the region has not even made adequate use of programs available to any section of the Nation.

Mr. Chairman, for these reasons alone, every Member should support the minority amendments to S. 602. They are constructive. They are not dilatory. They are in the best interest of good legislation and very much in the public interest.

Mr. Chairman, at this time, I would like to dwell on two matters surrounding this legislation which deserve particular attention: First, the lack of adequate minority staffing to assist the minority members of the Committee on Public Works in carrying out their responsibilities with respect to this legislation; and second, matters relating to the so-called land stabilization, conservation, and erosion control section of the 1965 act, section 203, and amendments thereto embodied in S. 602, as reported. These are matters about which every member of the Committee should know. They are matters which should be called to the attention of all America.

INADEQUATE MINORITY STAFFING

Mr. Chairman, as we pointed out in additional views on S. 602, consideration by the committee of S. 602 again presented the minority members of the committee with the unsurmountable problem of trying to prepare alternative, more effective legislation without staff assistance in the highly specialized field of economics.

Since 1962, the Committee on Public Works has been responsible for handling legislation designed to promote economic development of, and to reduce unemployment in, various portions of the country through Federal grants and loans for public and other facilities, and by providing other types of financial assistance. As additional social legislation was considered by the committee and enacted into law, the minority made repeated requests of the chairman of the committee to authorize the employment of a qualified and experienced economist on the minority staff. All such requests have been rejected.

Mr. Chairman, Federal economic stimulation programs can have far-reaching impact, either beneficial or detrimental, upon both the areas of the Nation to which they apply and other areas which do not qualify for the assistance provided. The massive spending of Federal funds, together with required matching funds, can substantially affect the economy of the entire Nation, the national debt, inflationary spirals and the value of the dollar, the location of new industrial and commercial enterprises, and decisions to close or to not enlarge existing enterprises.

It goes almost without comment that members must rely upon committee staffs, who are experts in specialized fields, to collect countless volumes of data needed for a full understanding of the problems proposed to be alleviated by legislation, to organize and digest such material into manageable proportions, and to evaluate the material in light of their specialized knowledge and experience. In the absence of such staff assistance, enactment of legislation to cure economic ills must, to a large measure, be pursued in a hit-or-miss fashion without any assurance that the benefits to be produced justify the cost, or that the legislation will achieve the results desired.

I think it important to point out at this point that not only do the minority members of the Committee on Public Works suffer from the lack of an adequate number of staff members with varied professional training and experiences, but so do the majority members. The majority, likewise, has no economist on the committee staff to review, analyze, and make recommendations with respect to the ever increasing social and economic proposals coming before the committee. The minority needs a chief clerk, yet it has none. It needs an economist, yet it has none. It needs an associate counsel to take the load off the back of the majority's chief counsel, yet they have none. They need additional engineering assistance, yet they have none. As every Member can now see, these staffing problems relate to the majority, as well as to the minority. For the second session of the 89th Congress, 1966, the chairman of the committee turned back over $100,000 in committee funds which went unexpended, at a time when additional staff—majority and minority—was needed. The expenditure of several thousands of dollars for experienced, trained staff, in the long run, could save the American taxpayers millions of dollars. I suggest that the committee leadership is being pennywise and pound-foolish in its staff hiring policies. Why not have well-qualified and adequately compensated staff members? Majority and minority.

The obvious result of inadequate staffing is that the committee must stumble along as best it can without being able to make adequate evaluation of legislation requested by the executive branch, whose witnesses come before the committee armed with facts and figures to prove whatever they desire.

When faced with the substantial amendments contained in S. 602, most minority members desired to make a complete review of the effectiveness of both the Appalachian program and the Economic Development Act program, for there are obvious deficiencies and objectionable features in each. We desired to combine the two programs into one nationwide program to eliminate duplication and to make the resulting program

more effective. We think the vast resources of the private sector of the economy should be made an integral part of a comprehensive economic development program.

When faced with the monumental task of searching out and collecting essential information and data, visiting representative areas of the country to determine their problems and needs, conferring with State and local officials and business and labor leaders in an effort to develop a really workable and effective program, we soon came to the conclusion that our limited, though capable, staff could not even make a dent in this workload in the short amount of time available to us. Reluctantly, I might say very reluctantly, we were forced to abandon, at this time, the development of constructive alternative legislation.

Mr. Chairman, as a member of the ad hoc Subcommittee on Appalachia of the Committee on Public Works during the 88th Congress, I stressed repeatedly the need for a first-hand examination of the Appalachian region and its problems. I repeatedly asked the chairman of that ad hoc subcommittee to make an official factfinding tour of the region. My requests went unanswered. Likewise, no factfinding trips were made into the region, to hold hearings among the people, during the 89th Congress, when the Appalachian Act was enacted. We are being asked to act on legislation without first-hand knowledge, as a committee, of the area, its people, and its problems.

During the summer of 1964, while consideration of the Appalachian Regional Development Act of 1964 was proceeding before the ad hoc subcommittee, I launched out with several minority staff members from the committee staff and my office staff and at my own expense to investigate the needs of the region. I held a full day's hearings among the people of this region. What I saw and heard showed to me conclusively that the Appalachian program, as it stands today, will not solve the problems of the region by 1971, the target date for the termination of the Appalachian regional development program. It is, in my opinion, very unfortunate that all members of the committee were not afforded an opportunity to make a factfinding tour of the region. Even if all the committee members had been unable to make such a tour, it could have been made by the staff—if we had had a full staff complement. But we did not then and do not today.

During the consideration of S. 602 by the Committee on Public Works, the overworked and understaffed minority staff worked many, many nights past midnight, trying to do the work which would have required twice the number of staff members to do justice to the legislation. Yet they stuck with it. And they did a very commendable job with the amendments and the minority report. They are to be praised for it. They should be thanked. We have the most capable minority staff on the Hill, in my opinion, but we need more of them.

As we pointed out in our views in the report, the public interest is not served when a committee of the Congress is unable to properly analyze and evaluate proposed legislation and to develop alternative measures itself because of the lack of professional staff assistance in specialized fields.

All Members of the House should be able to look to the Committee on Public Works for the detailed evaluation and fully informed consideration of legislation reported by the committee. To the extent that the committee is unable to fully discharge its responsibilities because of inadequate staff—majority and minority—Members of Congress are unable to legislate in the best interest of the American public.

I believe that the best guarantee of sound legislation and good government is knowledge that every legislative proposal on which a Member of Congress is asked to vote is subjected to critical analysis and evaluation, and that the varying viewpoints are fully developed in debate.

For the two-party system to work in the best interest of the American people, however, the minority party, whichever it may be, must be afforded adequate qualified staff assistance to fully discharge its legislative responsibilities.

Mr. Chairman, in this instance, we have had to take the only course available to us, and that is to attempt to eliminate the obviously undesirable provisions of S. 602, rather than to propose a comprehensive alternative measure to completely reorient the programs embraced by this bill, which should, in our opinion, be done.

I respectfully ask, on the record, that the committee leadership give further consideration to the staff needs of our committee—majority and minority. The committee will benefit. The American people will benefit.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield on the point of staffing, so I may clarify one point on that?

Mr. SCHWENGEL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, the gentleman has spoken about minority staffing with reference to this particular program. Is it not a fact that both the minority staffing and the majority staffing on the subcommittees that deal with this particular field have been supplied from other subcommittees of the full committee, that the majority side and the minority side are in substantially the same position with reference to staffing on these committees? Is that not correct? No new people have been brought in.

Mr. SCHWENGEL. Mr. Chairman, as I indicated, both majority and minority have inadequate staffs. The Special Subcommittee on Economic Development Programs, chaired by the gentleman from Oklahoma [Mr. EDMONDSON], has no staff of its own at all. Its two staff members have been assigned to it on a part-time basis from another subcommittee. How is such a subcommitteed to do a good job, under such circumstances.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Is it not true that although the Public Works Committee is deeply and heavily involved in economic matters we have no one with any particular expertise or experience, on either the majority or the minority staff of the committee, who knows anything about economics?

Mr. SCHWENGEL. We have no professionally qualified economist on either the majority or the minority side of the aisle. The gentleman is correct.

Mr. CLEVELAND. Is it not true, to the gentleman's knowledge, that we have continually requested this type and other expert staff support?

Mr. SCHWENGEL. We have requested it on many occasions.

Mr. CLEVELAND. We do not have any statisticians, and we do not have any people with any special knowledge in the field of Appalachia, which essentially is an economic development approach to unemployment, and we do not have anybody with particular expertise, on either the majority or the minority staff, in this regard.

Mr. SCHWENGEL. The gentleman is correct.

Mr. CLEVELAND. Is that not the point the gentleman is addressing himself to?

Mr. SCHWENGEL. That is exactly the point I am making.

Mr. CLEVELAND. I commend the gentleman in the well, because on this point he is on absolutely and irrefutably sound ground. There is no question that the Public Works Committee has not been staffed with the necessary experts to really consider these matters and really go into them.

Mr. SCHWENGEL. That is right.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Ohio.

Mr. HAYS. I just say to the gentleman, if there are not any economists on the staff, you might be lucky. This is a situation like the one of the old professor I used to have, who gave the same 10 questions on his examination every year, but everyone did not get an A, because he changed the answers every year.

You might be better off because you do not have one on the staff.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Florida.

Mr. CRAMER. I say for the record, I had not intended to get into this aspect of the problem, but I believe the Members know that I and some others have been strong proponents of adequate minority staff, as being the only way the two-party system in Congress or America can really work.

In relation to this particular matter of the EDA Subcommittee, the special investigating and oversight committee, the gentleman who is the chairman of the committee, the gentleman from Oklahoma, has correctly stated that no staff has been made available for this specific purpose, although staff has been borrowed from elsewhere.

The staff of the minority side is overborrowed. They do not have time to do this and everything else which needs to be done.

I specifically requested, in the early part of this session, as I am sure the gentleman knows, at least one additional minority staff member, to be somehow made available specifically for the purpose of trying to provide staffing for the EDA Oversight Committee. If we do not have proper staff for such an oversight committee, there is no way to tell what is tried and true and what will do the job or meet the problem at this time, or any other time.

Mr. SCHWENGEL. The gentleman makes a very good point.

Before I yield further to Members I should like to say that the gentleman knows and the minority Members know that our first attempt was to rewrite this bill so as to take out the discrimination and favoritism which is so patently evident here. But we discovered very early that we did not have staff available nor the necessary time to do the kind of job we wanted to do, to provide what we believed would be better answers to the problems we are trying to solve with legislation of this type.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Maryland.

Mr. FALLON. There has been some discussion about whether the minority has been treated fairly on staffing of the subcommittee, or whether help has been given to the minority.

May I say that when we were the minority party and were minority members of the committee, we had one minority employee on our committee. That was when we were in the minority.

Today the minority has eight, and that compares with not that much of an increase in the staff of the full committee. There has been no increase in the staff of the full committee at all, but the minority has eight employees, more than we had when we were in the minority.

Mr. CRAMER. Mr. Chairman, will the gentleman yield to me to ask the distinguished chairman a question?

Mr. SCHWENGEL. I yield to the gentleman from Florida.

Mr. CRAMER. The chairman knows my position on this matter. Is it not true, I ask the distinguished chairman, that early this year, on behalf of the minority, I did request staffing specifically for the purpose of helping to staff the minority on the EDA Oversight Committee? Is that not a correct statement? That is what I said.

Mr. FALLON. That is a correct statement, but there are eight minority employees, from the staffing of the committee.

When we were in the minority we had only one. I might say we were very much more generous and fair when we staffed the committees when we were in power than was true when we were in the minority.

Mr. CRAMER. As far as this Member is concerned, I am living in the present and I am dealing with present problems. I know we have a serious problem with staffing on our side. We only have eight out of 36 staff members. The best evidence of this is that on the EDA Oversight Committee, we believe our request for an additional member for that specific committee was well justified.

Mr. FALLON. The chairman of the subcommittee, who is responsible for this legislation on the floor today, has not complained about the help or the type of help given him in getting the bill on the floor today. We feel the people who have been working on this bill this year have been very competent and very satisfactory to the chairman of the subcommittee.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield for one moment further?

Mr. SCHWENGEL. You are taking all of my time, and I want to make some observations on this point as well as other material. Yes, I yield.

Mr. EDMONDSON. I simply wanted to concur wholeheartedly in what the chairman just said about the absence of any complaint on behalf of the chairman of the subcommittee. I know the ranking minority member of the subcommittee felt differently about it, but I also know that the ranking minority member has had the benefit of a very able man with a great deal of time and experience devoted to it on the minority side. In the same way we have had the benefit of a very able man from the general staff to assist us. I am personally more interested in ability and quality than I am in quantity.

Mr. SCHWENGEL. Mr. Chairman, I request 2 additional minutes.

Mr. CRAMER. We do not have any time. Perhaps the gentleman on the other side will be able to yield to you.

Mr. JONES of Alabama. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. SCHWENGEL. The minority has committed itself to a new policy on minority staffing. I have introduced legislation to grant the minority, whatever it may be at the time, 40 percent of the staff available to the committee in any session of the Congress.

WATERSHED PROJECTS FOR APPALACHIA

Now I would like to cover one other point. This is the discrimination which is so evident here.

I am a conservationist. I am keenly aware of the importance of watersheds in the food-producing areas of the United States. Those of you who follow this problem closely know that the present program calls for completing the watersheds in these areas by the year 2000, but that is too late. This area in this bill comes under the same program for watersheds that the entire United States does, but through this program you have created 10 additional watershed projects or structures for early completion. That is discrimination. You have Appalachia favored treatment on land that does not compare in any way with the Midwest lands which need watersheds much more urgently than this area does.

SECTION 203: MISDIRECTED, DISCRIMINATORY, UNWISE, UNTIMELY, AND CRUEL

Mr. Chairman, a number of minority members of the committee felt constrained to include supplemental views in the report on S. 602, voicing strong opposition to section 203 of the Appalachian Act of 1965, entitled "Land Stabilization, Conservation, and Erosion Control," and the provisions of section 108 of S. 602, as reported, to amend section 203, to authorize additional appropriations to carry out that section.

The majority and the minority opposed the enactment of a similar section in 1964, for fear that it would put additional pastureland into production. The minority opposed the enactment of section 203 of the act in 1965, feeling that assurances made to assuade fears of the section were inadequate. I feel that opposition to this particularly unfair and discriminatory section should not lapse and that opposition to any expansion of the program or any additional authorizations for appropriations to carry out the section is essential. I am joined in this view by a number of members of the committee.

There are a number of reasons for our opposition to this section.

First, the section is patently discriminatory to the rest of the Nation.

Second, section 203 funds for erosion control are being expended for the improvement of pastureland and cropland, and for fencing, hunting, fishing and sporting improvements, and recreation.

Third, this is a most unauspicious time to be spending money on pastureland improvement to support larger beef stocks.

Fourth, section 203 has the effect of subsidizing dying, marginal farmland.

And last, the administration unwisely seeks increased authorizations for appropriations for section 203 while at the same time failing to ask for appropriations even equal to the authorizations for the past fiscal years.

Let us look at these in more detail for a moment.

SECTION 203 IS PATENTLY DISCRIMINATORY

The fact that this section is patently discriminatory to the rest of the Nation is beyond question. Yet Appalachia is not a particularly productive agricultural area. To a great degree, if not for the most part, it is a land of upthrust mountain and of narrow valleys, a land of barren rock and scarred earth. Yet, under the provisions of section 203, this region is being given federally financed preferential treatment over the more productive agricultural areas of our Nation, areas which are in in many instances in dire need of preserving immeasurably valuable and fertile topsoil through enhanced conservation, erosion control, and land stabilization measures. The special treatment being afforded to Appalachian farmers is most unfair to other sections of the Nation which need additional assistance to save valuable topsoil that is an essential national resource.

The funds expended for the construction of about 10 watershed projects in the Appalachian region since the enactment of the 1965 Act, for instance, could have been much better expended in areas of tremendous agricultural production and topsoil value, such as the plains region of our great Midwest and the black belt of the Deep South.

SECTION 203 FUNDS BEING EXPENDED ON QUESTIONABLE ITEMS

It was disturbing to us to find that section 203 funds for erosion control are being expended for the improvement of pastureland and cropland, and for fencing, hunting, fishing and sporting improvements, and recreation. There is no provision in section 203 which prohibits the expenditure of funds under the section for the improvement of pastureland. In the words of the gentleman from Texas [Mr. Wright], a member of the committee:

> I ask you if you can find in that entire section (section 203) one word that relates to livestock or one word that relates to pasture land.

The gentleman from Texas [Mr. Wright] was right in making that comment during the 1965 hearings on the legislation. Pastureland is not mentioned once in the text of the act. Democrats and Republicans alike fought in 1964 and again in 1965 to obtain assurance that section 203 would not be used for the improvement of pastureland, which would give beef producers in Appalachia a federally financed advantage over food producers in other areas. Yet with what were regarded as reasonable assurances from those in this body responsible for the enactment of the legislation, section 203 was enacted in 1965.

What were some of these reasonable assurances during the 1965 deliberations? Let me quote briefly from a few such assurances:

In hearings before the ad hoc subcommittee on March 3, 1965, the gentleman from Texas [Mr. Wright] commented:

> The first thing I think we must establish is that, contrary to the expressions made by the minority, this section 203 is not a livestock section in this bill this year. * * * [This] bill contains no such feature as that. * * * I ask you if you can find in that entire section one word that relates to livestock or one word that relates to pasture land. * * * So, unless you want to believe that the Senate, the committee, and the Secretary of Agriculture are all misleading us, and deliberately so, then this is not a livestock section.

During floor debate in the other body, the floor manager for the legislation, the senior Senator from West Virginia, now the chairman of the Senate Committee on Public Works, stated emphatically: "It is not a pasture program."

Mr. Chairman, here are assurances at greater length:

> "Mr. Wright. * * * The first thing I think we must establish is that, contrary to the expressions made by the minority, this section 203 is not a livestock section in this bill this year. It has been entirely and completely rewritten from the bill under committee consideration last year to which they have referred. It is quite true, as the gentleman explained, that last year I personally stated if that bill then presenting a program encouraging livestock production on 25 acres of land were to come to the floor in that form, I would offer a motion to strike out that particular section. I strongly felt that it would not be fair to encourage anybody to think he could have a viable livestock operation on 25 acres of land. Nor was it fair to others throughout the country who have been struggling all along to make a living in the livestock industry, where prices are falling, to put others into competition with them.
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> "*But this bill contains no such feature as that.* (Emphasis added.)
>
> "I invite your attention to section 203 as completely rewritten in the Senate committee, and again on the floor of the Senate, and *I ask you if you can find in that entire section one word that relates to livestock or one word that relates to pasture land.* (Emphasis added.) This section is an attempt to control the erosion and siltation, the washing away of the remaining acres of top soil which would provide the economic possibility of help for these small farmers who have tried and are trying to live and earn their living there.
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> "A few days ago, I asked the Secretary of Agriculture if there was anything in the section which he could or would use or permit to be used to encourage widespread expansion of livestock operations. He personally assured me that there was not, and said emphatically that such would not be the intent or purpose of the Department of Agriculture. *So, unless you want to believe that the Senate, the committee, and the Secretary of Agriculture are all misleading us, and deliberately so, then this is not a livestock section.*" (Emphasis added.) This is from the remarks of Rep. James C. Wright, Jr., *Congressional Record*, March 3, 1965, daily edition, p. 3901.
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> "Mr. Randolph. * * * To return to the substitute amendment for section 203, we retain the same funds which were authorized in Senate 3 as it was offered. However, in the Public Works Committee we have broadened the program, and it is oriented more specifically toward soil conservation, land improvement, and erosion and sediment controls.
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> "I emphasize the fact that the committee amendment provides no assistance for beef raising, and *it is not a pasture program.*" (Emphasis added.) This quote is from the remarks of Senator Jennings Randolph, Floor Manager for the legislation, *Congressional Record*, January 29, 1965, daily edition, p. 1539f.
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> "Section 203 embodies provisions aimed at conserving the land resources of the region. * * * Such practices as terracing, upstream tanks, flood-control ponds, and the planting of leguminous crops can be of great long-range benefit." This statement is from House Report No. 51, 89th Cong., 1st Sess., entitled "Appalachian Regional Development Act of 1965," p. 15.
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> "Mr. Cramer. How do you consider this an improvement over that, since the most objectionable section—one of them I think the gentleman from Texas even suggested before the Rules Committee that he felt it should be deleted from the bill? How does this meet the objection raised by many members of this committee?
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> "Mr. Sweeney. I would rather have Mr. Wright answer, if the gentleman would yield.
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> "Mr. Wright. Yes; I would say that this new section inserted by the other body fully meets the objection that those of us had to the section originally contained in the bill, in that we felt that section issuing an invitation and encouragement to the expanded operation of cattle was putting people in the Appalachian region not only in competition with a distressed industry in our country but on the other hand was putting them into an unprofitable and uneconomic business, which they would not find viable themselves.
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> "* * * So I think it is an entirely different philosophy we have in this section; and I think it completely meets the objections of those of us who found the other bill wholly unacceptable." This colloquy is from hearings before the Ad Hoc Subcommittee on Appalachia, House Committee on Public Works, February 3, 1965; printed as Committee Print No. 89-2, p. 53f.

Thus, with such assurances as these, section 203 was enacted without the opposition which had arisen to confront it the previous year.

Yet today, section 203 money is being expended by the administration to improve pastureland. I do not, at all, question the faith of those in Congress who gave us these assurances. They were acting on what they had been told by the administration spokesmen. It is the administration whose assurances I question here today. What I have just quoted reflects these assurances to this body.

The most recent figures on expenditures under section 203 indicate that over three-fourths of all funds expended have been either for improvement of existing pastureland and cropland or for the conversion of unused land into pastureland and cropland, with the remainder of the expenditures being made for the conversion of existing pastureland and cropland into forest land and for other questionable purposes.

"What kind of questionable purposes?" you ask. To our great surprise, we have also discovered that section 203 funds—intended for land stabilization, conservation, and erosion control—have been expended for such diverse items as pastureland fencing, hunting and fishing enhancement, sports facilities improvements, and recreation.

In our opinion, this is pure nonsense, and we stated so in the supplemental views on the bill before us.

UNAUSPICIOUS TIME FOR PASTURELAND IMPROVEMENT

As I indicated earlier, this is a most unauspicious time to be spending Federal money on pastureland improvement to support larger beef stocks.

During the past half decade, the production of beef in the United States and the importation of beef reached alltime highs, resulting in the decline of gross cash receipts for beef producers and a reduction in the average net price of beef for the producer. Although this problem is not as critical today as it was several years ago, it still remains a problem of great concern for our beef-producing and dairy areas.

Since the committee began the consideration of amendments to the 1965 act, I have had an opportunity to discuss section 203 of the 1965 act and amendments thereto embodied in this bill with many beef producers and dairy farmers in the Midwest. These men, who earn their living from the production of beef and dairy products, should not be penalized by unfair competition from federally assisted beef production in Appalachia. These men are still very much concerned over the unfair treatment they are receiving because of the provisions of section 203.

DYING, MARGINAL FARMLAND SUBSIDIZED BY SECTION 203

Section 203 has the effect of subsidizing dying, marginal farmland. As we pointed out in the supplemental views, providing Federal assistance to farms of a marginal character for the improvement of cropland and pastureland will have the effect of subsidizing these marginal units and thus prolonging the inevitable closing of uneconomic farm units and delaying the development of higher and better uses of such land.

We feel this section will perpetuate the status quo rather than doing away with rural poverty.

ADMINISTRATION CANNOT JUSTIFY REQUESTS

As I indicated earlier, the administration unwisely seeks increased authorizations for appropriations for section 203 while at the same time failing to ask for appropriations even equal to the authorizations for past fiscal years. The administration's own budgetary actions with respect to section 203 show better than anything else that the program is not needed in Appalachia. The 1965 act authorized the appropriation of $17 million to carry out section 203 for the last 3 months of fiscal year 1965 and for all of fiscal years 1966 and 1967.

Despite the administration's cries about the need for these funds in the Appalachian region, the administration requested only $12.88 million appropriations for section 203 for that 27-month period. This was some $4.12 million less than that authorized by the Congress, an authorization in the amount the administration requested. Of the $12.88 million requested by the administration, only $10 million was appropriated by an administration-dominated 89th Congress. The $10 million appropriated is slightly more than one-half of the authorizations for the section. To me, this does not indicate a great need for section 203 expenditures in Appalachia.

Despite the obvious lag in implementation of this section, the administration has asked for an increased authorization for appropriations for fiscal years 1968 and 1969, to carry out section 203, in the amount of an amazing $19 million. Yet the administration has requested an appropriation of only $3 million of this $19 million for fiscal year 1968, leaving an authorization balance of $16 million for fiscal year 1969. The request of a mere $3 million for fiscal year 1968 indicates to me that this program is not needed.

Mr. Chairman, I want to make this closing statement. At the proper time amendments will be presented which will vastly improve this bill. I have one which will strike title I, not with the view of halting the objectives of this program but with a view toward going back and taking a new look at the total need for all of the United States so that the methods of solving the problems in the Appalachia region can be applied nationwide, and with such a revised program we could eliminate waste and foolishness and duplication and thus have a program which we can truly say is a creative Federal program.

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 250]

Adair
Aspinall
Baring
Bell
Brademas
Celler
Clawson, Del
Cohelan
Collier
Conyers
Corman
Daddario
Diggs
Dulski
Edwards, Calif.
Evins, Tenn.
Feighan
Flynt
Gallagher
Green, Oreg.
Hansen, Idaho
Hansen, Wash.
Hawkins
Hébert
Holland
Irwin
Kazen
McCarthy
McCulloch
McMillan
May
Miller, Calif.
Multer
Murphy, N.Y.
O'Hara, Mich.
Pirnie
Resnick
Rivers
Rumsfeld
St Germain
Saylor
Sikes
Ullman
Vander Jagt
Willis
Wilson, Charles H.
Wolff
Wyatt

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 602, and finding itself without a quorum, he had directed the roll to be called, when 382 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. CRAMER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. Conable].

Mr. CONABLE. Mr. Chairman, I am voting against this bill again this year despite the fact that it has been generally conceded to be one of the better run Great Society programs. I am sure there is considerable virtue in the program, and that it benefits some persons in a depressed part of the country. It is 80 percent a highway construction program, and as such, it takes some pressure off State highway construction and permits other highway funds to be allocated in greater proportion to other sections of the country not fortunate—or unfortunate—enough to be physically part of the Appalachian chain.

But this does not mean that the criteria of the program are sound. It still rests on discriminatory geographic factors rather than economic factors. No matter how much we vote to broaden the program geographically—efforts I will generally support—some deprived parts of the country still will not have the opportunity under this bill to prove their claims to Federal participation in public works designed to improve their economic climate.

I must confess this is another reason why I am not supporting this bill, Mr. Chairman. I am sitting in the daily deliberations of the Ways and Means Committee, having witnesses testify in behalf of the President's surtax proposal as an antidote for the poor fiscal condition of the country. We are told constantly that the poor will suffer the most from the inevitable inflationary results of a Federal deficit in excess of $25 billion. And I am satisfied from soundings of my own that the tax surcharge cannot be passed at this point, largely because of a failure of support by those small liberal Democrats of whose vision of the larger role of the Federal Government this bill speaks. Mr. Chairman, something has to give, whether some in this Chamber are willing to admit it or not. I do not enjoy voting against this kind of program any more than anyone else, but the time is late and the condition serious. Since this is primarily a public works bill, with a discriminatory geographic base, we can cut one-half billion dollars here much more easily than in many other authorization bills that will be before us.

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi [Mr. Montgomery].

Mr. MONTGOMERY. Mr. Chairman, I rise in support of the Appalachian Regional Development Act Amendments of 1967. Of particular interest to me is the addition of 20 northeast Mississippi counties to the Appalachian program, of which three are located in my congressional district.

I have watched very closely the results of the Appalachian program as it has been applied in the several States involved since its enactment. I find this to be one of the best programs ever enacted by the Congress to assist the underdeveloped areas of our Nation.

The program was born out of the desire of the people in the area, working through their Governors with the Federal agencies in a true spirit of partnership. This partnership has demonstrated beyond our fondest dreams what can be done when local initiative and know-how, coupled with our Federal capability, are put to work on economic problems.

I am grateful to the members of the subcommittee and of the full Committee on Public Works for adding 20 counties in Mississippi to the area designated to participate in the benefits authorized in the bill. I had hoped 26 counties in Mississippi that have a real desire to become a part of this program could be included. The judgment of the committees was such that the area of my State added was limited to the 20 counties included.

It is not only desirable but inevitable that northeast Mississippi be incorporated in the Appalachian program. The economic structure of northeast Mississippi is, and has been, historically an integral and inseparable part of the southern Appalachian region. Geographically, these 20 counties are a part of and contiguous to the southern Appalachian range, sharing common problems and potentialities. It is my firm belief that the addition of these counties to the Appalachian program will be mutually beneficial to all concerned.

I would like to respectfully request that my colleagues join me in supporting this very important measure.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from West Virginia [Mr. Kee], a member of the committee.

Mr. KEE. Mr. Chairman, as a member of the ad hoc committee and of the full committee which considered this legislation, I rise to enthusiastically support the bill now under consideration.

At this time I highly commend the distinguished gentleman from Alabama [Mr. Jones], the chairman of our ad hoc committee, for his thorough and objective presentation made on the floor of the House this afternoon.

Mr. Chairman, the Appalachian Regional Development Act was requested by the Governors of the States in the Appalachian region.

The Commission resulted following long and thorough discussions which actually started in 1960.

Mr. Chairman, these States in the Appalachia region did not and do not have the financial resources to do the job that must be done. I compliment these Governors because they did not sit down and cry and wring their hands. They did something about it. The individual

States asked for this help. The Commission has been in operation now for 2 years. During this period of time it is amazing to see the close cooperation between the States and the Federal Government in starting so effectively to solve the problems of the region. My entire home State of West Virginia is in the heart of the Appalachia region. It should be noted that every decision made by the Commission—that is, the Federal coordinator and each of the Governors, has been by unanimous vote.

Mr. Chairman, this accomplishment has been unexcelled. Through this legislation the Appalachia region is moving ahead economically. With the passage of the legislative proposal before us today the Appalachia region will not only have a chance but it will make its full contribution to our national output and to our national wealth; it will continue to create and make its contribution to a stronger America.

The two most effective provisions of this act provide for assistance. These two items are: First, the construction over a period of 6 years of the Appalachia highway program. Specifically this is development highways and access roads so essential to our economic growth and development. Second, the vocational educational facilities to train those about to enter the labor force and to the upgrading of skills for those presently unemployed so that they can qualify for productive employment in private industry.

Mr. Chairman, in brief, the Federal funds that have been spent and which will be spent under this program will prove to be an investment in the future of our Nation. Mr. Chairman, therefore, because I have seen with my own eyes, coming from the heart of the Appalachia region, the justification for this investment to create a sound economic base, I respectfully urge my colleagues to support this legislation without amendment.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. KEE. I will be delighted to yield to the gentleman from Arizona.

Mr. UDALL. I want to commend my friend for the statement he has made and commend the sponsors of this legislation. I also wish to express my support for this legislation, especially the provisions of title II which are important to the four States in the four corners region, that is, Arizona, Utah, Colorado, and New Mexico.

Mr. Chairman, S. 602, revising and extending the Appalachian Regional Development Act of 1965 and amending title V of the Public Works and Economic Development Act of 1965, will be of particular value to the four corners region of Colorado, New Mexico, Utah, and Arizona.

This region, the most recent to be designated as such under title V of the latter act, now has a distinguished Federal cochairman, the Honorable Orren Beaty, Jr. Mr. Beaty was nominated by the President, confirmed by the Senate, and on August 17, 1967, took his oath of office. Together with the Governors of the four participating States he has moved rapidly to inaugurate regional economic development planning in our region. Next Tuesday, September 19, the organizational meeting of the Four Corners Regional Commission is to take place, at the point where the four States come together.

The 92 counties of the four States in the four corners region will benefit promptly from the passage of S. 602 as recommended by the committee. While a thoroughgoing comprehensive, regionwide development plan is worked out, substantial progress can be shown by the supplemental funds that will be made available by this proposed act. Our experience with, and reports on, the Appalachian program graphically demonstrate the value of supplemental assistance for Federal grant-in-aid programs. Authorization of $5 million, per region, for fiscal year 1968, and $10 million, per region, for fiscal year 1969 will be of substantial help to the regional commissions. The Federal cochairmen have already begun work on the best possible application of the supplemental funds sought to be made available. The regional Commissions, composed of the Governors and the Federal cochairmen, must approve each program or project in accordance with established criteria. All will be based on a long-range comprehensive economic plan. This amendment will permit an increase in the Federal share up to 80 percent in any covered program. All applications for such supplements must come through the State members of the Commission.

I strongly urge the adoption of the bill.

Mr. ALBERT. Mr. Chairman, will the gentleman yield to me?

Mr. KEE. I am delighted to yield to the majority leader.

Mr. ALBERT. Mr. Chairman, I take this time to compliment the distinguished gentleman on his statement and to associate myself with his position. I also wish to say that he has been one of those who have really fought for this program and he has been a bulwark of strength in his support of it.

Mr. Chairman, I also at this time wish to pay my respects to this fine committee and the excellent work of our distinguished colleague, the gentleman from Alabama [Mr. Jones], who for years has been one of the builders of America as a member of the Committee on Public Works and as a Member of the House.

Mr. KEE. I thank the gentleman for that statement.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. KEE. I am delighted to yield to the distinguished gentleman from Pennsylvania [Mr. Flood].

Mr. FLOOD. Mr. Chairman, I support the pending bill which revises and extends the Appalachian Regional Development Act of 1965.

For the impact which it has had in my own district and on the State of Pennsylvania, I must say that the Appalachian regional development program is one of the best programs enacted as long as I have been a Member of Congress.

The Appalachian region covers a lot of territory from New York to Alabama and contains a lot of problems which have to be corrected if the region is to share fully in the national economic prosperity. Northeastern Pennsylvania is quite different from eastern Kentucky just as northern Alabama is quite different from western North Carolina. Yet all of these Appalachian States have something in common. They all share a particular problem or set of problems which have retarded their economic growth throughout the century.

The genius of the Appalachian program is that it is designed to permit solutions for different problems peculiar to the several areas of the region.

The anthracite region of Pennsylvania has for almost a century suffered heavy consequences from the mining of the world's largest deposits of anthracite coal. The Appalachian program has in its short lifetime brought new hope to the people of northeastern Pennsylvania by dealing with one of the area's most serious problems today—the debris left from a hundred years of intensive mining.

Let me illustrate how this works under the Appalachian program as applied to my part of Appalachia and to the part of Appalachia represented by Mr. Perkins and Mr. Carter in eastern Kentucky. Northeastern Pennsylvania is not receiving highways under the Appalachian highway development system because when this regionwide system was planned in 1965, northeastern Pennsylvania was very adequately served by the Interstate System. Five Interstate highways criss-cross the Wilkes-Barre-Scranton area, providing excellent access to New York, Philadelphia, New England, Canada, and the Midwest.

Eastern Kentucky—and West Virginia I might add—showed a very great need for new modern highways to serve areas which are bypassed by the Interstate Highway System and it is in Kentucky and West Virginia where almost 900 miles of Appalachian highways will be built—where the need is greatest. This, I believe, is as it should be.

On the other hand, anthracite Pennsylvania has a very serious problem which is highly unique. Hundreds of square miles of land are threatened by subsidence as a result of underground mining activities. Mine fires—both above and below the ground—pose a constant threat to human lives, property and industry. These fires—some of which have burned for over 50 years—pollute the air with their foul, obnoxious gases and endanger the health and safety of people in the area.

The Appalachian program has provided the means to attack these situations on a far larger scale than ever before.

Mr. Chairman, it is unthinkable that this House would cut back the splendid efforts and progress that have been made over the past 2 years in restoring the ravaged coal mining areas of the Appalachian region.

The $30 million authorized in this bill for mining restoration is the minimum amount of money necessary to carry the reclamation efforts generated by the Appalachian Regional Development Act of 1965.

Let me point out that the funds already appropriated under the Appalachian Act for putting out mine fires and filling mine voids are bringing new life at this very moment to communities in

Pennsylvania and other parts of Appalachia.

The Appalachian States have also made special efforts, to match the special efforts that the Federal Government has made under the Appalachian program to restore the abuses of past mining operations. We cannot and we must not disappoint them nor can we turn our backs on the people in the communities whose very futures depend on ending the threat of mine fires and mine subsidence.

Three years ago—in the summer of 1964—I testified before the Public Works Committee on the need for the Appalachian program and what benefits it could bring to Pennsylvania's anthracite areas. At that time, I specifically cited the desperate mine-fire situation that existed in Laurel Run Borough, adjacent to my town of Wilkes-Barre. I told the committee that Laurel Run mine fire had been burning for 45 years and the Federal and State officials were trying to decide what to do about it. This was a fire that if allowed to burn unchecked could have spread through the entire city of Wilkes-Barre, causing a disaster of unprecedented proportions.

Since 1964, we have made progress on the Laurel Run fire which covers the entire side of a mountain. This progress was made possible by the Appalachian program which has contributed $3 million toward extinguishing the fire. The $3 million has been matched by $1 million in State funds—for a total of $4 million which will thwart the fire, thus literally saving Wilkes-Barre from immolation.

Four million dollars is a lot of money, but it is not too much for the protection of human lives, nor for the protection of property worth many times that amount.

The $24,850,000 which has been appropriated for mining restoration projects under the Appalachian program has been used wisely. It is of peculiar significance to anthracite Pennsylvania. The $30 million authorization, in the bill under discussion today, is essential to the economic future of Wilkes-Barre and Scranton and many other communities in Pennsylvania's anthracite region.

The $30 million authorization for mining reclamation projects is the absolute minimum of Federal money needed to continue this work during the next 2 years. Let no one be fooled into believing that the Federal Government is taking all the responsibility in bearing all the costs for these programs.

The State of Pennsylvania has already made substantial investments toward putting out mine fires and preventing surface subsidence. The State will be making even larger investments in the future. This year Pennsylvania voters approved a $500 million bond issue to accelerate the State's conservation efforts over the next 10 years. Fifty million dollars of that sum has been earmarked by the State for extinguishment of underground mine fires and burning culm banks. These State funds will be used with the money authorized by the Appalachian Act to put an end to the longstanding problems that have plagued our coal areas.

There can be no doubt that Pennsylvania seriously intends to do all it can in combating mine fires and mine subsidence. The Pennsylvania Legislature is currently considering a bill which would give the Pennsylvania Department of Mines and Mineral Industries the right, without liability, to enter upon private lands to combat mine fires, refuse bank fires and subsidence resulting from mining.

Extension of the Appalachian Regional Development Act will continue the valuable work of the Appalachian program in its broad-based and long-range attack upon the problems of Appalachia. This program has started the actions which are necessary to cure the problems of deteriorating communities, the rehabilitation of mining areas, the serious education problems which have held the region back, and the inadequate access that has long plagued Appalachia.

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, I, too wish to associate myself with those who have spoken in laudatory commendation of the able gentleman from West Virginia [Mr. KEE] and for the policy and political wisdom which he has followed and which was established by the gentleman's distinguished father in bringing into fruition this dream and the impact which it may have upon the people throughout this land.

Mr. Chairman, I commend the gentleman from West Virginia for his remarks on this legislation, and I hope that this program will go forward and that it will even more prove to be a program which will realize the aspirations which the gentleman from West Virginia has so long maintained.

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, the bill before us having to do with Appalachia has included in its extension 20 counties in Mississippi. These counties are a continuation not only of the terrain and topography of the Appalachia region but to a very great degree have all of the problems that the original counties have.

I have had the privilege of representing a number of these counties through the years since I first came to the Congress and others since the first of January. Mr. Chairman, you will recall that when the original Appalachia program was proposed north Mississippi counties were included in the study and in the counties designated as qualified, or so it was generally accepted. At that time, however, this being a new program, the State of Mississippi did not take action to be included and that is the reason these counties have not been in the program all the time.

Mr. Chairman, I earlier introduced a bill which went before this Committee on Public Works, which would include the counties to the foothill area adjoining the delta. The committee felt it could not include those counties but did include eight counties within my present district.

May I say to you and to the membership of the Committee that this area is badly in need of additional highways and access roads, which if this bill is passed I understand could be studied and plans provided within the present calendar year. There also is an urgent need for additional vocational education programs to qualify many of the people who have been displaced from the farms, through mechanization, for other work.

Mr. Chairman, it has been said that all things look differently to those who are in different positions. As the membership knows, I have served for some years as chairman of the Appropriations Subcommittee for Agriculture, where we have tried to deal with the problems of geographic areas on a fair basis, even though the same funds do not go to other regions which have different problems. In other words, we have tried to be fair and objective. Also, as you know, I serve on the Committee on Appropriations for Public Works. This year, with few exceptions, just about every member of Congress was before that committee requesting Federal assistance with which to meet problems in their area. The committee made every effort to be fair to all members and all regions, and I make no apologies for the funds we provided in our appropriations bill, for I long since made a distinction between the funds for all the protection and development of our own country and those that go to questionable programs. I trust the membership will support the inclusion of these new counties in the bill before us, for as I pointed out to the committee, for generations we have provided Federal funds for New York Harbor, for the harbor at San Francisco, and Tampa, Fla. Billions of dollars have been spent on navigation of certain of our rivers and on flood control in many, many areas. Now I ask, if it so happens that a region such as the Appalachia region does not happen to have a harbor and does have all these other problems, would it not be sound to have a program which meets the problems of such area?

Thus, again, I hope we can have the support of the membership in retaining these 20 counties of Mississippi in the program. They do not have a harbor and only one county touches a navigable stream for only a few miles. They do, however, have low income, need for roads, need for vocational education, and many other things. I think we all should be convinced that the development of one segment of our country has always proven to be of great benefit to all of our country. It is on this basis that I have worked as chairman of the Appropriations Subcommittee for Agriculture and as a member of the Appropriations Subcommittee for Public Works. I trust that those who come before these committees will look at this matter objectively and realize that while the geography is different and the problems are in a different area, it is worthy of Federal assistance just as much as the harbors and navigable streams are to other sections.

Mr. Chairman, I would like to read here the statement made by Mr. Thompson Pound, executive secretary, Tombigbee River Valley Water Management District, who appeared both for himself and Governor Johnson before the committee, as well as a letter from Governor Johnson:

STATEMENT OF THOMPSON POUND, EXECUTIVE SECRETARY, TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT, STATE OF MISSISSIPPI

Mr. POUND. Thank you, Chairman Jones, and members of the committee. I am happy for the privilege of appearing before your committees on behalf of Governor Johnson, who sends his regrets in not being able to meet with you today. He is very interested in Mississippi becoming a part of the Appalachian program and has asked me to represent Mississippi in your hearing. I have with me Governor Johnson's statement and a report that I would like to present for your consideration.

The laws of the Appalachian Regional Act of 1965 have been studied by us and we are in accord with the legislative intent of the act. In making a study of the social and economic problems of the 373 counties that are a part of the Appalachian program, we find that the 26 counties in the hill section of northeastern Mississippi share the economic and social characteristics of the southern portion of the region, and are in the Appalachian terrain, or are contiguous to the Appalachian region. There already exist multiple-county activities among the hill counties in northern Mississippi. It is felt that the inclusion of this portion of the State of Mississippi will further the purpose of the Appalachian Act, as outlined in section 2.

The operations and functions of the Appalachian Regional Commission have been observed by us and we think this is an effective and efficient organization—one which we like and can work with.

We have prepared a file of information which backs up our decisions, and beliefs. I would like to leave it with you for your considerations.

STATE OF MISSISSIPPI,
EXECUTIVE DEPARTMENT,
Jackson, May 5, 1967.

Hon. GEORGE FALLON,
Chairman, Public Works Committee,
House of Representatives, Washington, D.C.

MY DEAR CONGRESSMAN: I very much appreciate the opportunity to present information relative to the possible inclusion of an area of Northeastern Mississippi in the Appalachian Regional Development Program. We in Mississippi are greatly pleased that the United States Senate has seen fit to include in the Appalachian Regional Development Act, S. 602, an amendment providing for participation by 18 Mississippi counties in the Appalachian Regional Program. It is to your interest and decision on this question that my comments and the attached materials are directed.

I should like, respectfully, to submit to your committee a report to me relative to Mississippi's participation in the Appalachian program which was prepared by Mr. Thompson Pound, Executive Secretary, of the Tombigbee River Valley Water Management District, Tupelo, Mississippi, and was submitted to me originally on July 1, 1966.

I want to stress to the committee that we in Mississippi were originally attracted to the Appalachian program on its merits and that we intend to pursue our participation in the program on that basis over and above the fact that Northeastern Mississippi is clearly related by the nature of geography and economics to the contiguous southern portion of the Appalachian region.

The past history of developmental activity by the people of Northeastern Mississippi bears out a further relationship to the philosophy and working approach of the Appalachian program. The community and area development activities in and around Tupelo, Mississippi, has been a subject of international interest for a number of years. Repeated study and visitation by interested persons from many places have given what is called "The Tupelo Plan" a highly regarded reputation among students of economic and social development. Similarly, the comprehensive approach to area development in which the interest and involvement of local people is directly tied in with a broad approach to resource development follows the same philosophy and has attracted wide respect in the development field. Within our state government in Mississippi, we are carefully but aggressively pursuing the comprehensive area approach for all parts of our State. Through our state agencies and our Research and Development Center, as well as our universities and development organizations throughout the State, we are relating our public activities to those goals which are carefully designed to bring about increased citizen action as well as technical support for the creation of job opportunities, higher income and improved living conditions in our communities. The people in Mississippi are becoming increasingly involved in programs of this type and are increasingly successful in the contributions they are making to help themselves toward development objectives.

For these reasons, I am not surprised but I am greatly pleased that the interest in joining the Appalachian program came directly from the people through their area development leadership in Northeastern Mississippi.

I am positive that when I carry the request of these people that they be given the opportunity to participate in the Appalachian program, I can assure you that their participation will add to the effectiveness of the program and will live up to the high standards of accomplishments which this program has thus far established.

Along this line, I particularly want to make it clear that I regard the Appalachian Regional Program as the finest example of government in action today on a basis which can effectively deal with the kinds of problems confronting our people in these complex and difficult times.

I believe that this program can deliver the promise of the affluent society to all of our people in a constructive, sound and progressive fashion.

Our interest in the Appalachian program was not developed shortly nor is it based on the expectation of short-range returns. I have discussed our interest in this program since the very inception of the Appalachian Regional Development Act with the other governors of the region, with the officials and staff of the Appalachian Commission and with our Mississippi people. We have constantly received encouragement from all of these persons to the end that our case was sound for inclusion in the program in that our reputation for progressive area development made our request for inclusion in the program welcome. We would not have pursued this interest without the encouragement of the people who have worked so hard and so successfully to make this new approach sound and effective.

The enclosed report, I believe, constitutes evidence of our sincere interest in this program, outlines the benefits that can be derived from participation and describes the type of cooperation that can be expected from Mississippi in the event the Regional Appalachian Development Act is amended to include my State. The report relates to the possible inclusion of 26 counties. The interest in Mississippi extends to those counties rather than to just the 18 counties provided for in the amendment to S. 602 passed by the Senate. However, we in Mississippi will certainly respect the judgment of the Congress in your final determination.

The first three years of my administration have been blessed with notable success in implementing an agricultural, industrial and commercial economic developing program, which has contributed much to the steady progress and sound growth of this State.

I can think of no better way of closing my administration than by insuring this State's participation in what I believe is the most significant regional development program initiated during the 20th Century.

Your assistance in securing this end would, indeed, be sincerely appreciated by me and by the people of the State of Mississippi.

Sincerely yours,
PAUL B. JOHNSON, *Governor*.

Mr. CRAMER. Mr. Chairman, I yield 10 minutes to the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. CLEVELAND. Mr. Chairman, before beginning my remarks, which will chiefly be devoted to an amendment that I shall offer at the appropriate time, I would like to continue for a bit upon the colloquy which we had earlier in connection with the minority staffing problem and, actually, the entire staffing problem.

Now, Mr. Chairman, during the colloquy with reference to the staffing problem, there was some reference to the fact that the minority had eight people on the Public Works Committee staff. We are grateful for this. However, the fact should be remembered—and I want the RECORD to show it—that during the past year the Public Works Committee has concerned itself also with the problems of highway safety, large dams, as well as the problem commonly referred to as the "billboard" problem and the problem of highway beautification, the cutback in the highway program which concerned so many of us last winter, disaster relief, as well as the very important problem of water pollution and the problem of toll roads as well as other items.

Mr. Chairman, the pending legislation upon which we are called to act involves previous appropriations as well as future authorizations of $1,400 million.

So, I do not believe when we are discussing the problem of staffing that we should get into a numbers game as to how many staff members we have. The question for the consideration of this body is whether or not we have an adequate staff with which to perform our constitutional duties.

Mr. Chairman, the point, I believe, that the gentleman from Iowa [Mr. SCHWENGEL] was making, as well as the point which was so well made by the gentleman from Florida [Mr. CRAMER], and the point which I am undertaking to make is simply this: That we are not adequately staffed to effectively and properly acquit our responsibilities as Members of Congress, a responsibility which extends across a broad spectrum of programs.

I believe the RECORD should make that indubitably clear. It is not just a matter of how many we have, and if we have more than the minority of yesteryear used to have. The question is whether we have enough to do the job properly.

I might say in that connection it is regrettable—and I welcome the opportunity while I am speaking about general matters of congressional reform to call the attention of the Members to the fact that the Legislative Reorganization Act of 1967 is still tied up in the Committee on Rules. It has been there for more than

5 months, with only 1 day of hearings on it. It passed the Senate, as all of us know, after 3 weeks of debate last March by an overwhelming vote.

Now, about my amendment: The gentleman from Oklahoma [Mr. Edmondson] has criticized me in advance for offering my amendment which, briefly, will include the crowning glory of the Appalachian Mountains in the Appalachian region. He has criticized me for bringing it in now and in not submitting it to the committee. I will address myself to that point right now.

The reason this amendment was not brought in earlier was that the minority on the Committee on Public Works first considered the possibility of introducing a constructive alternative not only to the Appalachian Act, but the Economic Development Act. Our alternative would apply not only to one region of this country, but it would be a national program; it would apply to all 50 States equally, just as our highway programs do, and most of our other programs do.

We had under consideration a constructive alternative that would take the best of Appalachia and the best of the Economic Development Act and apply this on a broad national scale, which is the way we should legislate, because this is a national legislative body.

It soon turned out because of the limitation of time and staff that this approach was impossible. As a result of that I have now turned to my amendment which will bring in parts of New York State, the Adirondack Range, the hills of northwestern Connecticut, the Berkshire Mountains of Massachusetts, the Green Mountains of Vermont, the White Mountains of New Hampshire, and the Mount Katahdin range in Maine.

Anybody who knows anything about mountains knows these mountain chains are a legitimate part of the Appalachian Mountains.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. Will the gentleman yield?

Mr. CLEVELAND. I cannot yield just now, because I understand we are running short of time on our side, but I will yield as soon as I have concluded.

The World Book Encyclopedia defines the Appalachian Mountains as the chief mountain system of eastern North America and the oldest mountains in the United States:

> They stretch southwestward for about 1,500 miles from the Gaspé Peninsula in Quebec—

Be of good cheer, I am not tying Quebec into the amendment—

> to central Alabama. The mountains are part of the Appalachian region which extends into Newfoundland—

And I do not have that in the amendment either—

> The chief ranges of the northern Appalachians are * * * the Green Mountains in Vermont, the White Mountains in New Hampshire, and the Adirondack Mountains in New York.

I have to my left here a map of the United States, a topographical map. Anybody who looks at this map has to admit that the Adirondacks, the Berkshires, the White Mountains, and the Green Mountains should definitely be included in Appalachia.

Mr. Jones mentioned during his testimony that the chief characteristics of the Appalachian area were coal mining, lumbering, and farming. It is perfectly true that in Northeastern United States there is not much coal mining, but the fact of the matter is that it was lumber and farming that were the chief sustaining economic forces of the northeastern part of the Appalachian Mountains.

And as Congressman McEwen and I sat through the Appalachian hearings, and as they described the situation in the Appalachian Mountains of Pennsylvania, West Virginia, North Carolina, western Virginia, and so forth, and the other parts of that chain that were described, it was exactly what had happened in the northern New England region. There, too, we have had a problem with the small, declining farms. There, too, we have had troubles with forests that have been cut and not fully replaced. There, too, we have had the problem of outmigration to the cities, leaving a declining number of people to support the tax base and to make it attractive for new industries to move in.

Mr. Chairman, the amendment I propose is one that I hope the committee will accept. I think in all fairness that the committee should accept it. All of the logic and supporting evidence that supports the Appalachian regional act applies equally to the northernmost part of this chain of mountains. It is difficult for me to conceive of having this legislation enacted without including in it a legitimate part of the mountain chain and area for which it is named. This is so particularly in view of the fact that the need for the act and the described conditions in the area are almost identical with the northern part of New York State and northern New England.

These problems that they encounter, their economic problems, are almost identical with the problems that are faced by other parts of Appalachia.

Now I want to point out in conclusion one more reason that makes the case for my amendment almost irrefutable.

Consider this map that is here before you—consider please that they are adding many counties in Mississippi. I am not necessarily opposed to adding these counties in Mississippi, but consider the topographical map—these counties in this area are not as much a part of the Appalachian chain as the counties I am asking to include in northern New York and New England.

I ask all of you to study this map before you pass judgment on my amendment which will be offered at the appropriate time.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from New York.

Mr. FARBSTEIN. Your amendment will cover the broad spectrum of such areas and people throughout the Nation—that is your intention; is it not?

Mr. CLEVELAND. My intention is to add the Adirondack Mountain Range, the Berkshires, the Green Mountains, the White Mountains, and the Mount Katahdin area.

Mr. FARBSTEIN. Do you not think that when you are adding the counties in Mississippi and northern New York, you should also include in your amendment the riot-torn pockets of poverty in the cities?

Mr. CLEVELAND. As a matter of fact, I welcome the gentleman's question because what the Republican minority was attempting to do, as I described it earlier, was to devise legislation which would take the best of the Economic Development Act and the best of the Appalachian Act and then enact legislation which would apply nationally, through the States. If that were done, some of the drive and some of the focus of this type of legislation might well apply to the cities.

Let me add this—for the gentleman's benefit—at least some of us on the Committee on Public Works, as we have listened to the testimony before us have come to the conclusion that the problem of the city is back to back with the problem of rural decline.

The CHAIRMAN. The time of the gentleman from New Hampshire has expired.

Mr. CLEVELAND. May I ask for a couple of minutes of additional time?

Mr. CRAMER. As the gentleman knows, the time has been allotted. Perhaps the gentleman on the other side of the aisle can yield some time to the gentleman.

Mr. BLATNIK. Mr. Chairman, I yield 2 minutes to the gentleman from New Hampshire [Mr. Cleveland].

Mr. CLEVELAND. Mr. Chairman, as I was saying, some of the members on the Committee on Public Works have been very impressed with the fact that the problem of the cities is back to back with the problem of rural decline. This is so because as rural areas decline, it often forces people to go to the cities and as they go to the cities they create problems there, which apparently some of the cities are not equipped to handle.

Some of us on the Committee on Public Works feel and I think this is true of some of the Members on both sides of the aisle, that one of the keys—but not the only solution—but one of the keys to this problem will be to reverse this outmigration from the country into the city, and to help to alleviate some of the problems of the cities.

Mr. FARBSTEIN. Does not the gentleman think that at this time when you are assisting the rural areas and the mountain areas throughout the country, you also might think of the depressed areas and about the people who because of their lack of jobs and opportunities and means to make a living find it necessary to riot in order to call attention to their deplorable condition? Do you not think at this time that we should also seek to aid those areas in the cities where there are explosions and where there will continue to be explosions throughout the next year or 2 years, and who knows for how long?

It would seem to me that this would be an appropriate time for me to suggest that you include your amendment, and I would be satisfied to allow you to handle the amendment which I will submit at the proper time in order to aid those pockets of poverty in the riot-torn cities throughout our Nation.

Mr. CLEVELAND. I thank the gentlemen. I yield back the balance of my time.

Mr. BLATNIK. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, I support the pending bill to extend the Appalachian program. I know this program is working in Georgia and I know it is working overall, because its approach is sound. Any program which lets the States pace the Federal Government, I feel, is bound to work.

Georgia knows its problems and I think knows best how to solve them, and that is the heart of this program. The Federal Government is not telling us what to do and how to do it. It is asking us, and that is a very big difference.

I know the program is working in my district because I can see the promise as well as the fulfillment in soil conservation, school and college improvements, airport, hospital, health care, libraries, and nursing homes. I know that tying the district to the rest of the State and to other parts of Appalachia with highways and access roads is good because it is a need fulfilled.

I know what this means to our people because ultimately it is they, through their Governor, who have asked for them. So I know that Appalachian funds, together with the other Federal money the Appalachian program has attracted, is well spent, and I urge approval of the legislation.

These programs have received support from members of this Committee whose districts are not affected, for they know that the development of regional resources and the solution of regional problems is good for the country as a whole. All of these programs receive support well beyond the areas where their benefits are felt, because all of them are judged by their contribution to the Nation as a whole.

More purchasing power in Appalachia means greater demand for goods and services produced in other parts of the country. A stronger Appalachian economy means a stronger national economy. Thus the Appalachian program serves the needs of the Nation. The Nation has decided it will no longer tolerate the continued existence of poverty, unemployment, and underdevelopment which exists in this region.

A great deal has been said and written recently about the plight of the cities. I believe that all concerned recognize that the problems of the cities stem in large part from the influx of untrained, unskilled people from the rural areas of this Nation. Much of this migration has come from the Appalachian region, which has lost 2 million people to cities of the North and the Northeast in the two decades between 1940 and 1960. This outmigration will continue with the high toll both to the region and to the urban areas of the country unless something is done to provide opportunities closer to home. This fact is beyond contest.

Mr. Chairman, the statement that the Appalachian program constitutes preferential treatment or is discriminatory against other areas of the country is grossly misleading. Practically every bill that comes before this House is preferential in one way or another. The Appalachian Act was passed because Appalachia was viewed as a national problem. It was thought to be wiser to invest money to make this region self-sustaining rather than to continue to pour funds into a welfare program.

This decision was made out of concern for the people of the Appalachian region, but it was also made as a wise public policy for the Nation as a whole. It is true that the immediate benefits from this legislation flow only to a designated area. The highways, the schools, the hospitals are to be built within the Appalachian region. Their effect will eventually be enjoyed by the country as a whole, by making this region self-sustaining and able to carry its load in paying taxes to the Federal Treasury.

What is discriminatory, please, about linking up the great southeastern metropolis of Atlanta, Ga., with that fine beautiful and growing city in western North Carolina, Asheville, and providing an opportunity for the citizens of these two great cities to have an exchange of their products in commerce that does not exist today and increase their capacity to make a contribution to the national economy?

How many bills does this House see which are not designed to benefit some special area or some special group?

Certainly the price support programs for wheat, for cotton, for rice, and for other commodities are limited in application to relatively small areas of the country. The Great Plains Conservation Program is regional in character. TVA and Bonneville and the great reclamation projects of the West are no less regional than the Appalachian program.

Thus, the bill before us is not parochial or regional legislation. It is legislation to serve the national interest, and in a very real sense it is as important to the metropolitan areas of this country as it is to the Appalachian region. Why do we want to deny ourselves the resources with which to prevent these cancers that are developing the cities? Why do we want to continue to leave these people in the rural areas of Appalachia without the skills, without the basic understanding and responsibility of citizenship? Why do we want to leave them to migrate and go out of that country, because they have nothing to do, and allow them to load upon the cities in the stacked-up slums and ghettos, where they will add to the very problems that have brought about the tragedies that we all so deplore, that have happened this summer.

I can tell the Members that in the Appalachia region of the district I am privileged to represent, on the 14th of August we opened a newly constructed area vocational technical school with a capacity to train 400 people. I was astonished on the first day, in the first week of its operation, that more than 300 were clamoring for admission, to learn how to meet the demands in the fields of automobile repair, of drafting and of designing, of air conditioning and of electronics, of cosmetology and of business training and of welding, all of those things that go to provide the skills that people in this day and time demand, and that the labor market says we must have if our young men and women are going to get the employment that is necessary to make them contributing taxpayers and remove the causes that have made so many of them unfortunately tax eaters.

Talk to me about boondoggling. Talk to me about discrimination. Is it boondoggling or is it discrimination for us to marshal the resources of this great Nation and make them available to the young men and women so they can come into manhood and womanhood and discharge the responsibilities that are going to fall upon them much more heavily than they are falling upon us today?

I never think of this program of Appalachia and what its potential is in setting out examples for the rest of the Nation, that I am not reminded of the inscription etched in the stone above the Speaker's dais here.

That was said in this Chamber by Daniel Webster:

> Let us develop the resources of our land, call forth its power, build up its institutions, promote all its great interests and see whether we also in our day and generation may not perform something worthy to be remembered.

We are doing something here to conserve and develop human resources. We are not enriching the coffers of any region or any special group. We are enlarging the opportunity for cultural and educational development of the Nation, which the last one-third of the 20th century demands.

I call upon members of the Committee to give us the power which is in this act, to prescribe the preventive medicine which is in this act, and let us treat these problems in such a way as they may not continue to grow and plague us.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. McEWEN].

Mr. McEWEN. Mr. Chairman, at the proper time, when the amendment is offered by my colleague, the gentleman from New Hampshire, I shall join in supporting that amendment to bring into the Appalachian region northern Appalachia.

I have listened to what many of my colleagues have said here today about the benefits of this program and what it means to the Appalachian region.

Tomorrow, if that be the time when the gentleman from New Hampshire offers his amendment to bring in the Appalachian areas of New York, Massachusetts, Vermont, New Hampshire, and Maine, I shall be supporting a concept which I advocated in this House when the original Appalachian Regional Act was before us 2 years ago.

Mr. Chairman, if we are to treat with the problems of Appalachia, I fail to see why we should not in this act embrace all of Appalachia. I am referring to that part of the Appalachian chain which lies in New York and the New England States. The problems of the lack of job opportunities and outmigration which have been indigenous to southern Appalachia have prevailed there also.

I hope, at the proper time, when the amendment is offered, those who support this concept will support the amendment and bring the Appalachian Regional Commission to the entire Appalachian area.

Mr. CRAMER. Mr. Chairman, I yield 3 minutes to the gentleman from Arkansas [Mr. HAMMERSCHMIDT].

Mr. HAMMERSCHMIDT. Mr. Chairman, I would like to pay my tribute to the chairman of the Public Works Committee, the gentleman from Maryland [Mr. FALLON], the chairman of the ad hoc subcommittee, the gentleman from Alabama [Mr. JONES], and also my gratitude to our respective ranking members of the minority, the gentleman from Florida [Mr. CRAMER] and the gentleman from Iowa [Mr. SCHWENGEL].

Their help in guiding me to an understanding of legislation and duties before our committee has meant much. Having this deepest respect for their knowledge and background, I feel, perhaps, a little frustrated in finding myself on the opposite side.

Mr. Chairman, I stand generally in favor of the bill we consider today. By and large, this is a good measure. It returns decisions of Federal spending and programs back to the community and State.

I am especially heartened by the title II provisions which will enable the continuation of administrative bodies and planning actions related to five separate economic regions of the country, judged in need of help—namely those areas served by commissions in the Ozarks, the Great Lakes, New England, coastal plains, and the four corners regions. It is quite important that these programs be sustained, even in times of budgetary problems. To eliminate or retard the development of these regions in their capacity to plan to act—in the name of economy—would, indeed, be serving false economy. The ends of false economy are, I am sure, those we would use all means to avoid.

All in all, the measure seeks to sustain and further implement the program know as Appalachian regional development. At this time I am generally opposed to enlargement of this section. The measure also seeks to sustain and further implement, to a smaller extent, the regional commissions which have been established to seek solutions to long-time economic ills in five other geographic areas.

These problems are such that they have no chance of being solved by inaction. We must act. And, we must act largely as provided in this bill.

I regret that in committee we did not maintain the boundaries of Appalachia as prescribed in the original legislation. As you know, the concept of regional development is based on common socioeconomic conditions needing particular treatment so as to improve per capita income. I believe we will do serious damage to this concept if we expand this area without regard to the established criteria.

Mr. Chairman, it is probably too early to make a real judgment of the effect of many projects and programs implemented in the Appalachia region. My observation is that if it has a weakness its greatest weakness is that it may lack overall economic planning and coordination and may be instead treating only symptoms and not causes of low incomes.

We might validly ask what our alternatives are toward regions in need of economic development. Some are familiar because we have tried them; others are daring and harder to envision.

Our first choice is to actually hinder the region. We can do this by actually working against the region or by working in a favorable and discriminatory way for other regions. Historically, we have done this by our expenditure of funds for national defense and research. Today, we are seeing the problem this has created for us. Some of the problems in urban centers today stem from the hope people have placed in real and imaginary opportunities. People have left rural America and migrated to the city. Today, the city is everything but the dream it has been portrayed to be. If this urban problem is to be controlled, we must return opportunities and people to the rural areas.

Our second alternative is to ignore the region. This has been our traditional approach and one which some here would like to see continued. To continue this policy is to ignore the problem of both the people in the rural area and the populated area.

The third approach we might take is that of subsidizing the region. Appalachia is partially a story of subsidization. We have expanded welfare, we have constructed public works, but to me it is still lacking in overall regional coordination to meet the problems causing the low income.

A fourth procedure would be to relocate the people of the region. I need not tell you how unpopular this idea is with the citizens or the political leaders. This would work to eliminate one part of the problem—the people would be moved to an area where opportunity was greater. Of course, the problems of the urban area would be increased as the price of solving the rural problem, and in the longrun, we will create more problems.

The fifth choice places emphasis on expansion. This advocates more jobs with the hope per capita income will benefit. For some people, this may prove to be the answer, but again the basic causes of low incomes are not attacked.

The sixth and last alternative is economic development. This, the harder approach, works for the development of better jobs. Not just more jobs, but better jobs. These jobs produce a higher per capita income because potentials are identified and met.

The challenge to the new regions being formed under the authority of the Economic Development Act is to change the system. We must see that it is a system actually capable of eliminating, or significantly reducing, the causes of low per capita incomes. The solutions to these root causes are found in the regions and not in Washington. I feel these changes are effectively promoted by title II of S. 602 and that is why I support it strongly.

I can only speak of my experiences in the Ozarks region. But, I am sure these experiences are much like those of my colleagues in other areas.

In Arkansas, the local people have started to work on identifying the needs required to solve the basic causes of the low incomes. They are not looking for welfare. Our local communities, counties, and State government, through the coordination of the Governor are working to help apply the solutions that are planned. When we do identify our needs in coordination with the needs of adjoining counties of other States in our depressed Ozark region we will be ready to join forces with the Federal Government.

This is the logical reason, it appears to me, that we need our overall plan to be presented to one executive position at the Federal level—so that the program as a total approach, not piecemeal, may be evaluated and coordinated with all of the executive departments involved. Admittedly, in finding a solution our region and others will be calling upon the operating agencies of the Federal Government for technical evaluation as they develop. At this moment the new regions are not as immediately concerned with the problem of agency coordination because their funding in this bill is for technical assistance, planning, and supplemental grants in aid, which will be under the control of the Secretary of Commerce. However when regional planning develops programs that justify expenditures in addition to these supplemental grants in aid the regional commissions should be operating on the same footing as the Appalachian Commission.

Any discussion about Federal coordination requires attention be directed toward the cost of the program. In this case, Mr. Chairman, we must look at two costs. The cost of acting and the cost of not acting.

In the part of Arkansas that is included in the Ozarks region, the local, State, and Federal governments were cheated of $344 million in tax revenues last year. These levels of government would have had this much additional revenue had the people of this small area enjoyed the average national income.

To coordinate the Federal portion of an effective regional development program in fiscal year 1968, it will cost $7.5 million per regional commission and in 1969, it would cost around $12.5 million. I feel this is a reasonable amount to start a program that may be regional in its geographic concept but must be considered national in its economic implications for the future.

Mr. CRAMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. McDADE].

Mr. McDADE. Mr. Chairman, I rise to give my unqualified support to this bill.

The program carried out by the Appalachian Regional Commission has had a solid and constructive beginning. It is a program which represents a unique relationship between the Federal and State Governments, and has proven itself a useful and effective way to do business.

It should, in my judgment, be considered a precedent for the handling of other Federal programs. The Governors have their say; the Federal cochairman appointed by the President has his say; and out of this joint process have come wise and prudent decisions on the expenditure of Appalachian Act funds.

I hope I may recall to your attention, Mr. Chairman, the birth of this bill in the Congress. At the time, the Governors of the several States appeared before the committee to testify. Our own Governor, the distinguished William W. Scranton, appeared not only to testify to the merits of this whole concept, but more particularly to request that there be added to the Appalachian Act the mine restoration section which deals specifically with assistance to those communities which find themselves facing a serious problem by reason of underground mine fires and mine subsidences. I have seen that program working in my own district, and I assure you that this is a program of immense value, in terms both of human life and of property.

The northern section of the anthracite region in Pennsylvania terminates in my congressional district. The principal city in the area is the city of Scranton. Out of this region has come, for a century, millions of dollars' worth of anthracite coal, which not only fueled the homes and industries of America, but which also created a major industry in the area in which it was mined.

Unfortunately, the story has another side. The very process of mining left behind the threat of subsidences in the terrain over the mines. The residue of mining left behind the possibility of fire breaking out in abandoned areas. We have faced both of these problems in my district. And we have faced them with great success precisely because of the assistance given through the Appalachian Act.

We have built a whole new economy in the area that once depended for its existence on the anthracite mining industry. Where once we had unemployment, we have built a new prosperity in the diversity of industries which have come to our area.

And these industries started to come long before our public institutions focused their attentions on the problems of unemployment. In the city of Scranton the concept of self-help through industrial development was born and blossomed. Countless millions of dollars voluntarily given by people from all walks of life permitted us to begin our own attack on the problem of unemployment and we are succeeding. New industrial giants like the Radio Corp. of America, Litton Industries, and the American Can Co. have joined the list of corporate citizens who have long made this area their home.

But we have other problems—difficult problems—problems that are beyond the scope of local resources which this act permits us to conquer. I am sure that most of my colleagues in the House are not readily familiar with the problems which can be created by an underground mine fire or an underground mine subsidence. They can be exceedingly difficult if the proper tools are not available.

Many years ago a mine subsidence or mine fire represented a critical threat to the future of the community where it occurred. Today these problems are solvable because we have the machinery to deal with them quickly and effectively, and that machinery is the bill which we consider today.

Let me give you two examples:

Recently two mine fires burning underground were discovered within my district. Potentially they contained the seeds to destroy the industrial base which the people of my area have fought for 20 years to build. Potentially they contained the seeds to destroy the homes of people who had spent a lifetime paying for them. But, thanks to the machinery of this bill, thanks to the expertise of people who have developed a new technology to deal with the horrible problem of an underground mine fire, we are able to deal with them with quiet confidence.

Take away this act, take away the muscle that is its authorization, take away the expertise that has developed this technology, and you will have dedestroyed one of the most enlightened and important steps we have taken in the 5 years that I have been a Member of this body.

In short, Mr. Chairman, there are literally hundreds of thousands of people in my own congressional district alone for whom the Appalachian Act has been the beginning of an era instead of the end.

I wish, at this time, to address myself particularly to a section in the bill which would permit the States and/or local units of government to include the cost of acquiring land as part, or all, of their 25-percent matching funds on strip-mine reclamation projects. According to a study by the Department of Interior, only 4 percent of the strip mine areas in Appalachia are owned by public bodies. Because of the present restrictions in the Appalachia Act, prohibiting the expenditure of funds on lands not in public ownership, few projects have developed in the strip mine areas. This section, permitting local or State units of government to acquire these lands as part of their contributions, would be a significant step to the further development of our region.

Mr. Chairman, I have long believed that that government is best which is closest to the people. Through the Appalachian Act, we have seen the Federal Government move closer to the people through the partnership which has come about with the governments of the States. I have observed no attempt on the part of the administrators of this program to make this a political program. We have had two successive Republican administrations in Pennsylvania. The first, in the person of Governor Scranton, helped shape the bill. The second, in the person of Governor Shafer, heartily endorses it.

I hope there will be no funds cut from this bill. It is doing a vital job and is doing it well, not only in the area of mine restoration, but in the construction of essential roads, and in other projects which are needed in the Appalachian region.

The work we have done in rebuilding our area into an area of industrial distinction has been hailed as a miracle all across the United States. I assure you, Mr. Chairman, that we intend to go further on the path of distinction, and I assure you equally that this bill is a vital tool for us to use along the way.

Mr. CRAMER. Mr. Chairman, I yield 7 minutes to the gentleman from Kentucky [Mr. CARTER].

Mr. CARTER. Mr. Chairman, I ask the endorsement of this House today for S. 602, which extends the Appalachian Regional Development Act of 1965, for another 2 years. I especially urge the approval of section 211 of this act—providing funds for vocational education—at the authorization level that was recommended by the Committee on Public Works.

I wish to commend the Appalachian Regional Commission for the spirit of bipartisanship which has dominated its work during the 2 years that it has been in existence.

I think that the Commission has done an admirable job of administering the Appalachian program. At no time has there been any evidence of partisan influence on the operation and administration of the program. This, I believe, is a real tribute to the members of the Commission, representatives of the Federal Government, and the 12 Appalachian States.

In the past, most people in the Appalachian region have earned their income from one of three major activities—coal mining, heavy industry, and farming. Nationally, employment in these occupations has declined over the past quarter century, but the effects in the Appalachian region have been particularly severe.

Additionally, thousands of young Appalachians enter the labor force each year. It is essential that they meet the world of work possessing some occupational skills, lest they jump from school rolls to welfare rolls without ever holding a job.

The answer to this dilemma is vocational education. Section 211 of the Appalachian Regional Development Act of 1965 authorized $16 million for construction of new vocational education centers—either in conjunction with high schools or separately—and for purchases of equipment for these new schools. The full authorization was appropriated and, by the end of fiscal year 1967, virtually every penny has been used.

Vocational training is indisputably one of the most essential ingredients in the development and improvement of the Appalachian region. The Appalachian States have all recognized the importance of providing vocational training to the greatest possible number of people who can profit from it. In fact, the vocational education program has been one of the most successful and most popular of the various programs under the Appalachian Act.

Appalachia's most valuable asset is its people. But the region has not used its people wisely. To often, they have been ignored and neglected. They have been allowed to go without jobs, usually because they do not possess the skills which are necessary to perform today's jobs. That is why there are hundred of thousands of Appalachian people who are forced to subsist on welfare and who have lost all hope of working.

That is also why millions of Appalachian people have left the region and gone to the big cities where they hope to find work. Massive migration to the cities has been no solution. It has only compounded the national problem of what to do about the hordes of unskilled who have crowded into the cities.

The way to alleviate the plight of the unemployed in Appalachia is contained in the vocational education program which we are now considering. This program will take the high school dropout and the poorly trained adult and equip him to perform a worthwhile job. These jobs can be found and they can be found in Appalachia. Some of these jobs are going begging right now in Kentucky and West Virginia and elsewhere in the region because there are not enough people who are trained to fill them. But, unless these people get the training that they so desperately need, they will only linger as statistics on the unemployment rolls and the welfare rolls of Appalachia—or perhaps Chicago and Detroit and other big cities.

The House Public Works Committee—at the suggestion of the Appalachian Regional Commission—set the authorization for vocational education projects for the next 2 years at $26 million, or $10 million more than the 1967–68 period. The Appalachian Commission indicates that current estimates for vocational education facilities could use $40 million in Federal funds in fiscal year 1968. Approximately $20.5 million will be available to the Appalachian region in fiscal year 1968 under the Vocational Education Act of 1963. The rapid pace of vocational school construction in the region has placed an increasing burden on these funds for operations. Even with an additional $13 million in fiscal year 1968—half of the Commission's biennial request—Federal funds will fall considerably short of the level which could be effectively utilized.

These statistics make clear that the $26 million authorization for Appalachian vocational education facilities in the next 2 years is a justifiable and desirable investment.

Mr. DENNEY. I yield 4 minutes to the gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I rise in support of this legislation. It is never a pleasure to oppose the ranking member of the minority, because there is no one in the House of Representatives for whom I have greater respect and admiration. His sincerity certainly is unquestionable.

Mr. Chairman, I have been interested in the remarks of my colleagues who call this legislation favoritism. In the makeup of our country we have had and always will have an unequal distribution of Federal funds for certain Federal programs. This bill does favor my area of Appalachia. However, the people of my area also believe that other areas of this country are favored by other Federal programs.

For example, the total expenditures of Federal aid for highway construction in our State of Tennessee is $28.16 per capita, but we are not complaining because Nevada received $95.53 per person, Alaska received $199.79 per person, Montana $84.04, Wyoming $146.49 per person, and a great number of other non-Appalachian States receive as much as 100 percent more than does our State, and other Appalachian States surrounding our State.

We are not also complaining because Florida, Alaska, California, Arkansas, Kansas, Louisiana, New York, Oklahoma, Rhode Island, and Iowa, and 20 other States, receive a considerable amount more Federal funds per capita for public assistance than does my State and other States in my area.

We have heard much about agriculture conservation, and I understand there will be an amendment to delete any work for agriculture conservation, or any conservation in Appalachia.

The Members may be interested in knowing about and hearing these figures, and I will ask them how they sound when we talk about favoritism. Would the Members believe that the per-capita expenditure for the program in agriculture conservation is $165.98 in North Dakota, $112.79 in Nebraska, $101.29 in South Dakota, $86.58 in Kansas, $75.85 in Iowa, while at the same time in these five States in my Appalachian area these figures read as follows: Alabama $9.93, Georgia $10.87, Virginia $4.18, Tennessee $9.96, and Kentucky $13.31.

We also find from these figures—and I received these figures from the Library of Congress—that in these same States that we call the "prosperous States" they receive more Federal funds per capita for education than do most of the States in the Appalachian program.

So, Mr. Chairman, I say let us be fair when we talk of favoritism.

Mr. Chairman, I yield back the balance of my time.

Mr. CRAMER. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. HARSHA].

Mr. HARSHA. Mr. Chairman, I rise in support of the pending legislation to revise and extend the Appalachian Regional Development Act for a period of 2 years.

When the Appalachian bill was considered by Congress in 1965, it was understood that this special, remedial program, to deal with the chronic economic problems of the Appalachian region, would have a 6-year life. The highway portion of the program was authorized for 6 years in recognition of the fact that such a major construction program could not be accomplished in a shorter term. The Appalachian Regional Commission was chartered for a 6-year period to administer the program.

Other sections of the act were authorized for only 2 years to give the Congress an opportunity to examine the program after 2 years of operation and to determine what, if any, modifications should be made in it. The bill before us would authorize for an additional 2 years programs to improve the public facilities of the region, with particular interest on health and education, programs to deal with the legacy of mining which afflicts so much of the region, programs for land conservation and for utilization of the region's water resources.

There is little question that 2 years experience with the Appalachian Regional Development Act of 1965 leads to the conclusion that this House was correct in its initial judgment to establish the program. The minority views, in fact, filed by several of my colleagues on the House Public Works Committee contain no criticism of the administration of the program by the Appalachian Regional Commission and, indeed, make the point that all evidence presented to the committee points to the fact that the program has been "honestly and conscientiously administered."

There has been a good deal of talk, off and on, over the past several years about States rights, about States prerogatives, and about how the Federal Government has usurped almost all of them.

There is also talk of an attempt to reverse this trend, of revenue sharing with the States, block grants to the States and a general restoration, within our Federal system, of State sovereignty.

I submit that the bill before us today is one of the best things this House has seen for doing just that, for recognizing and restoring the responsibility of State government.

The way it works is that the States in league with their local communities decide their own needs and their priorities for the use of Appalachian Act funds, and then justify them to their sister States and the Federal Government. This process requires the Governors of these States, as the officials most intimately concerned, to make the fundamental decisions on the investment of funds.

Each and every specific project is born in and of the States. Local communities, working with the State governments, form and shape the programs which the States then submit to the Commission.

If, for example, a State decides its needs lie in the field of vocational education, it then makes the commitment to invest available Appalachian funds to fill this need. More and more States, incidentally, are finding that vocational education is a key to economic advancement.

Vocational education helps to meet two of the region's greatest needs: upgrading the skills of the unemployed and providing skills to those about to enter the labor force. One of Appalachia's deepest seated problems has been lack of skilled people who can neither find productive work nor keep up with the rapid technological changes which make the old skills obsolete.

I am pleased, for that reason, that our committee has seen fit to increase the authorization for vocational education for the next 2 years from $18 to $26 million. In the first 2 years of the program, nearly $16 million has been obligated to build some 70 such schools. I hope a lot more will be built in the next 2 years.

At the same time I would note that the committee has made a considerable reduction in the authorizations that were recommended by the other body. This reduction amounts to over $53 million.

The point here is not so much the amount of money to be spent nor for what purpose it is to be spent. The point I am trying to make is that in my State of Ohio and all the other States the people and their Governors decide the things needed to give Appalachia economic equity. They are not told in any instance by the Federal Government what is best for them. They decide in their own interest what is best for them.

It seems to me that this is the way a lot of us would like to see things operate. We keep talking about the role of the States and their better qualifications for deciding their own best interests. Today, gentlemen, we are being asked quite frankly to put our money where our mouth is.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I merely wish to compliment the gentleman for a very fine statement, and I think a statement that is consistent on the point of the role of the States in connection with our resource development and the development of our human resources. I think the gentleman has stated very correctly the great strength of this Regional Commission approach as we have been following it. We have relied very heavily upon the States for initiative and decision in connection with this program. I think that is the secret of its success and its popularity at the grass roots in the States. That is why it is so inconceivable to me that some of the very outspoken champions of States rights in this body apparently have abandoned this principle insofar as this program is concerned.

Mr. HARSHA. I thank the gentleman.

It was stated earlier that the intent of the Appalachian highway program has been violated by the application of funds on routes where some kinds of roads now exist. This gives a total false impression of what this program is about and why it was enacted.

It is true that this program is to "open up new areas"; it is not only to make those cities and towns, where employment exists, accessible to people who live in the Appalachian region, but also to open up the Appalachian areas to stimulate new investment in those areas to encourage travel and tourism therein.

Many of the corridors designated by the Appalachian program for the receipt of these funds are now traversed by a road because there are few avenues of passage through these mountains. These roads are circuitous and often dangerous. They are not, in many cases, capable of handling heavy commercial traffic or making these areas attractive for new plant location and the development of new jobs. Straightening out and rebuilding these roads to provide a regional system of highways is essential to the growth of the region.

It should be noted that even dealing with corridors where existing right-of-way is used and, in some cases, even existing pavement, the estimated cost of providing adequate highways in the designated system is close to $2.2 billion. The Appalachian Commission, with the States concurring, voted to live with what was authorized for the original system—$840 million—and the bill before us does not provide for any general increase. This was done because of an awareness for the need for economy and careful use of these funds. If totally new locations were used, the cost would be astronomical.

My colleague from Ohio earlier referred to Route 50 as being a poor choice for an Appalachian corridor because it went to Cincinnati. Route 50 is a key link in the Appalachian system, traversing the central area of the region where unemployment has been a major problem. It provides an east-west route from Cincinnati to the Baltimore-Washington area, through the heart of Appalachia—southern Ohio and West Virginia. The commerce it will generate through this area will return many times over its cost. Other routes serve other key population centers such as the corridor from Columbus, south to Asheville, N.C.

An adequate highway system in this day and age is a prerequisite to economic progress.

Mr. OLSEN. Mr. Chairman, will the gentleman yield at that point?

Mr. HARSHA. I yield to the gentleman from Montana.

Mr. OLSEN. The highway goes the other way from Cincinnati also, does it not?

Mr. HARSHA. Highway 50?

Mr. OLSEN. Yes.

Mr. HARSHA. I think it probably does.

Mr. OLSEN. The implication was that it went to Cincinnati. I just wanted to know if it went the other way, too.

Mr. HARSHA. I think it does.

Mr. OLSEN. It traverses several counties that need this highway. Is that not correct?

Mr. HARSHA. I do not think the Appalachia portion of it extends beyond there.

Mr. OLSEN. But there are several counties?

Mr. HARSHA. It goes clear across the country, but it is a key link to the Appalachian system. It provides an East-West link.

There has been a lot said about the pending bill amending the original act to provide for the appropriation of all Appalachian Act program funds to the President.

It is true this procedure is in contrast to the present law under which appropriations are made to the several departments of the Federal Government, having responsibilities under the act. However this change has been suggested to permit consolidation of the program for budgetary purposes and permit flexibility in the use of Appalachian Act appropriations.

To my mind, the essential reason for this change—and its primary justification—is that it manifests a vote of confidence in the Appalachian Regional Commission and the conception of Federal-State partnership which it involves. Appropriation of funds to the President is a further means of emphasizing the prerogatives and roles of the States in the planning of these funds. It permits the Appalachian Governors to deal with confidence with the Federal cochairman of the Commission, the President's representative, and to participate in the key decisions regarding where limited funds can best be used within the framework of the program.

This change emphasizes the independence of the Appalachian Regional Commission which is so rare a creature that we should give it every possible chance for complete success.

The line agencies responsible for the basic program areas in which the Commission operates would not be shut out because there is provision in this bill that all their standards and criteria be met and their opinions and recommendations, rules, and regulations be honored.

This is a gesture of belief that we know what we are talking about when we say the several States should be an equal partner in the federal system.

Furthermore, Mr. Chairman this legislation is the product of bipartisan contributions and consideration. Many amendments recommended by the minority were adopted. The minority in their report maintain that the program is being honestly and conscientiously administered. With such a commendation it would seem quite reasonable to ask this body to extend this program for another 2 years. A truly impressive beginning has been made and the promise this program holds for the future is such that continuation of it is unquestionably in the national interest. We are trying to preserve the resources of this Nation.

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. TAYLOR].

Mr. TAYLOR. Mr. Chairman, I am giving strong support to this legislation. The Appalachian program is an historic landmark in State-Federal relationships. It is one of the Nation's best examples of success through teamwork by Federal, State, and local units of government. This is the best administered program which I have seen since coming to Washington.

It was the Appalachian Governors who first urged an interstate approach to the problems of the region and who originated the Appalachian program. A remarkable degree of cooperation between the Federal Government and the Governors has marked the work of the Appalachian Commission from the very beginning. The Appalachian program is bringing new hope to the 18 million people who live in the hills and mountains of Appalachia.

The strength of this program, in part, lies in its adaptability from State to State, each State using it to solve its own problems and to meet its own needs. It has permitted national goals to be translated into workable programs to meet local needs. This program is making possible the construction of vitally needed highways, health and vocational facilities, sewage treatment plants and other community facilities.

The Appalachian program is, in my opinion, the most important piece of legislation for the people of western North Carolina that has been enacted since I became a Member of Congress.

This is a program to rebuild and revitalize the economy of the entire Appalachian area. The highway building proposals in the Appalachian bill, coupled with its other features, promise relief to an area which has suffered economically because of an inadequate highway system.

The rugged geography of the Appalachian region creates tremendous transportation problems and much higher construction costs.

Appalachia is an underdeveloped region with vast untapped human and physical resources. In most sections of the Appalachian Mountains, as in my area, the people have been active in trying to solve their own problems. They have been resourceful, self-reliant, and courageous. They have worked hard and accomplished much.

Since 1948, Western North Carolina Associated Communities has been an active organization promoting regional development. This organization founded the Western North Carolina Regional Planning Commission which, with the aid of a professional planning agency, made an economic analysis of the area and outlined a development program. The development report stated that the key to the development of western North Carolina is roads and highways, and I know that the same applies to other sections of Appalachia.

I am strongly supporting S. 602. It offers continued hope and economic uplift to a section of our Nation. But I will confine my remarks in the main to the importance of the highway construction and the vocational education provisions of the bill.

Isolation is the prime problem of Appalachia. Highway and rail builders usually found it easier to bypass this mountainous region than to traverse it.

Civilization moves with transportation and transportation has been an important factor in the development of each section of our great country. The Appalachian region lies close to great concentrations of people and wealth, but isolation caused by inadequate highways and transportation facilities has prevented the extension of such growth and economic prosperity into the Appalachian Mountains.

Highways are needed to ease traffic congestion in some places and are needed as an instrument of economic development throughout the Appalachian area.

By opening the door to transportation, we lay the foundation for private enterprise to come in to build and develop wealth and jobs. The area is rich in climate, in water, and timber resources, and in human resources. Make the area accessible with modern highways and these resources will bring about its development along industrial and recreational lines and will convert it into a land of promise.

I am proud to report that practically all of the Appalachian corridor highways approved for western North Carolina are in some stage of development—either in the engineering, right-of-way acquisition, contract letting, or construction stage. The first link of Appalachian corridor highway was completed and dedicated last fall near Asheville, N.C. This new highway system is breaking down the isolation caused by North Carolina mountains so as to permit the area to engage more fully in interstate and international commerce. The construction of access roads under this program will increase job opportunities for the people.

The new roads and prospects of new roads are already causing new industries to locate in the region and present industries to expand. The new roads planned are already becoming an important factor in the expansion of the area's tourist business.

The vocational training and manpower training features of the program have done much to promote development of technical and vocational training facilities in western North Carolina. As the doors open to vocational training we do much to reduce unemployment, create job opportunities, and to make workers employable by providing new skills. This vocational training development benefits every businessman and every service establishment by increasing the earning ability and per capita income of our citizens. Such training is a safeguard against the effects of automation in this age of science and technology. It provides that our most valuable natural resource, the brains and muscles and ingenuity of our people, can be most effectively utilized.

The Appalachian program is promoting local, State, and Federal cooperation in meeting the economic needs of an important section of our Nation. It is encouraging people to help themselves. It deserves the continued support of Congress.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER of West Virginia. Mr. Chairman, I rise in support of a bill which attempts to go to the heart of the problems faced in the Appalachian areas of our Nation.

This bill is based on the concept that several States, working together, can be better armed to fight economic problems in unison than separately. Since economic problems do not stop at State lines, it is imperative that we approach their solution on a regional basis.

The States solicit the help of the Federal Government in areas such as unemployment, lack of adequate educational facilities, and economic isolation due to lack of good transportation facilities. This idea and this approach have been eminently successful. They should be continued.

Representing many shades of opinion, many philosophies, and many political beliefs, the States have worked remarkably well together in providing a common attack on the problems they face. The States in the Appalachian region have acted with respect for each other, with concern for each other's problems and in keeping with the philosophy of the program and the mandates of the law.

This concept of State equality, an integral part of the whole program, does not bog down in any Alphonse and Gaston-ism. The central program has direction and thrust. It can be given even more with an alteration of the appropriations procedure so that the money can go through the central authority of the Commission which has built-in safeguards of Federal supervision and regulation and also can preserve sufficient flexibility.

What this program has achieved thus far is a beachhead. It has made a beginning.

Let me give a concrete example of one of the types of assistance which can be mobilized under the legislation under discussion. The two largest cities of West Virginia, Charleston and Huntington, are located 50 miles apart. Each city has a population of less than 100,000. They are joined by an interstate highway. Each city now has its own airport. Each airport is inferior by jet standards, and in 2 or 3 years when the airlines convert to jets they will not be able to land safely at either airport. But how can local communities of the size of Charleston and Huntington afford to finance a new airport?

We have been fortunate in enlisting the interest of the States of Ohio and Kentucky, our neighbors on the west, who have many passengers interested in better air service. They are willing to go over into West Virginia to obtain this service. But how do you put together a complex mechanism involving three States and crossing a number of county lines? Here is where the Appalachian Regional Development Act is coming into play. Just this morning, the Appalachian Regional Commission announced a technical assistance grant of $12,000 to enable the start of preconstruction planning on a midway regional airport, halfway between Charleston and Huntington. This $12,000 is drawn $4,000 each from the States of West Virginia, Kentucky, and Ohio's allocations. It is supplemented by $8,000 in local funds from the counties of Cabell and Putnam. The Federal Aviation Administration is putting up $20,000 to help finance this preconstruction planning.

I doubt if we could tie these numerous pieces together were it not for the Appalachian Regional Commission, which will help break the economic isolation by building a great new airport which will serve the most people at the least cost.

This is not being done by Federal administrative fiat. Yesterday, the voters of Cabell County were called on to vote their share of $2.5 million for the building of the airport. The cynics said that Cabell County would never vote to build an airport in another county, yet they came out in recordbreaking numbers. An unprecedented 40 percent came to the polls, and they voted 86.2 percent in support of the midway airport—by a smashing vote of over 16,000 to 2,500.

This could never have been done without the assistance of the Appalachian Regional Commission, which is helping with the preconstruction planning funds, and also will help with the construction funds.

Mr. Chairman, I hope that this bill will win wide and enthusiastic support of the House.

Mr. JONES of Alabama. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Chairman, I favor this legislation. The only trouble is, I do not believe it goes far enough.

I was touched by the heart-rending plea of the gentleman from Georgia, and

I echo his sentiments, when he talks about stacked up slums and ghettos.

As a matter of fact, I heard much of the debate which was going on this afternoon, and the only thing which really surprised me was that nobody, but nobody, mentioned the fact that the cities, the areas of grief, the pockets of poverty, the slums, are not at all being attacked.

It seems to me that if there is any discrimination in this legislation, it is discrimination against the cities. You hear talk of people dreaming of a better life. Do they dream of a better life only in the rural areas? Do you not think they dream of a better life in the city slums and ghettos?

You talk about the migration of people to the cities out of the rural areas. You send these people up to the cities and then you wash your hands of them. When we ask you to help us, you turn a deaf ear. Is this fair? Is this decent? Is this aid to the Nation or is this aid solely to particular little areas? When we in the cities come here for housing, you turn a deaf ear to us; but when you want funds for the farmers, well, that is fine. We have to give it to you. And we do.

Tomorrow I am going to offer an amendment to include pockets of poverty in the cities, which, I hope, will be added to this legislation. I hope I will get your support, because we need vocational schools in the cities. We have to take those people off the welfare rolls and give them jobs. Why do you suppose you have riots throughout the country? In Newark, Detroit, Watts, Harlem, and Bedford Stuyvesant? It seems to me that the crying need throughout the entire Nation is for aid to those people living in the infernos. But you ignore this cry of despair. There has not been one person on the floor today except for myself so far, who has gotten up and raised his voice on behalf of the riot-torn cities. Is this discrimination? Well, if there was ever discrimination, this certainly is it.

Mr. Chairman, I do hope you gentlemen on the committee will take into consideration the fact that there are people who need help besides the rural areas and the fact that you have to talk about other things than mountains. You have to think about people. I hope I will get the assistance of all of you gentlemen tomorrow when I offer my amendment.

Thank you.

Mr. JONES of Alabama. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Chairman, I listened to the remarks of my colleague, who preceded me. He has raised a very important question, one which we raised before the Committee on Public Works last year. I testified on May 24, 1966, in support of a bill which I had drafted in conjunction with the gentleman from California [Mr. Hawkins] some 4 or 5 years ago which would have made eligible for public works aid under the then existing depressed areas legislation poverty areas of 50,000 population within cities. Unfortunately, under the present law either an entire county or an entire municipality of 250,000 persons or more must meet the criteria in order to qualify for assistance under the Public Works and Economic Development Act of 1965. This means that poverty areas within the major cities such as Cleveland, Los Angeles, Chicago, and New York are excluded and do not receive the assistance which is necessary in order to meet the problem of unemployment as it affects America; not only rural America but urban America, and it affects practically all of the districts which are represented among the 435 of us.

I have drafted an amendment which I submitted to the distinguished floor manager of the pending bill, the gentleman from Alabama [Mr. Jones]. I have advised him that I expect to offer it when the bill is open for amendment tomorrow.

My amendment is similar to my bill, H.R. 1251. It would make eligible for designation as a redevelopment area a part of a county with a population of 50,000 or more or a part of a municipality with a population of 50,000 or more.

Mr. Chairman, it is essential to reach pockets of poverty and hard-core unemployment within our cities.

In 1965 the Congress passed the Public Works and Economic Development Act. This far-reaching piece of legislation provided programs of grants and loans for public works, development facilities, commercial expansion, technical assistance and aid to planning agencies, as a means of assisting the economies of distressed areas.

Redevelopment areas for the purposes of the act are designated on the basis of median family income or unemployment levels. As I pointed out, in order to qualify for assistance on the basis of these criteria, a municipality of 250,000 persons or more is treated as a whole. Because of this statutory definition of a redevelopment area, some of the most needy urban areas, which would otherwise qualify, have been excluded from assistance. This stems from considering unemployment rates for entire municipalities, regardless of the disparity within them.

Many urban areas whose extremely high unemployment has made them riot-prone nevertheless are excluded from assistance because the city in which they are located taken as a whole does not qualify. This quirk in the act affects the Watts area of Los Angeles, western Detroit, the Hough district of Cleveland, and Harlem, Bedford-Stuyvesant, and south Bronx in New York.

My proposal would not only permit the inclusion of needy areas whose accidental geographical association with more affluent areas now excludes them, but it would also rationalize the converse situation where an entire larger area has been pushed over the margin by the existence of a badly depressed area within it. If for example, the unemployment rate in central Cleveland were to rise slightly, all of Cleveland, including the prosperous areas, would then be eligible.

In testifying on my bill last year, Eugene P. Foley, then Director of the Economic Development Administration, stated that his agency was "aware of and sympathetic with the plight of these isolated and impoverished urban areas."

Unfortunately, more than a year later the situation in the cities has worsened. If one wants an ironic example of how the present criteria operate, he need only look at Cleveland, where a slight improvement in the overall employment picture last year disqualified the Hough area, which has the highest unemployment in the Nation. This took place two weeks before the Hough riots.

By pinpointing the areas of greatest need, we will insure that the aid will go where it is most sorely required, and that qualification will not be dependent on the economic health of an entire geographical unit.

So, Mr. Chairman, I urge support of the amendment discussed by the gentleman from New York [Mr. Farbstein] and support of my proposed amendment, both of which are designed to reach this particular problem. It is my opinion that we cannot wait any longer. A year has now gone by without any action by the Committee on Public Works. We have had the summer of 1967 and we have had Newark and Detroit. One of the basic causes of this civil disorder, of course, is unemployment. One of the basic reasons is lack of job training and lack of job opportunity.

Mr. Chairman, I urge that this problem be met now and not be postponed any longer.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I listened with a great deal of interest to the colloquy which has been held relating to this proposed amendment. However, I feel that there are several aspects pertaining thereto which I would like to mention. I think this proposed amendment is the best evidence of the Pandora's box that is being opened by the inclusion in this bill of title II, relating to EDA.

If title II had not been brought into the actual consideration of this measure as an unrelated matter, this issue would not be before the House at this moment, an issue on which the Congress of the United States does not claim to have an answer at the moment. It is a matter which is now under study. It is a matter on which, if one takes the approach being proposed, means the adoption of the continuation of programs that have proven to be failures, and very new programs which would be added to the EDA, which would take over the present programs and add to them, with bonus money.

So, Mr. Chairman, I do not feel that anyone could feel with proper justification that by adding some of these 50,000 persons in poor areas it would substantially solve the problem, a problem which we cannot solve today with the basic programs which are now in existence. We cannot solve many of these problems with money. We cannot solve many of them with so-called demonstration cities programs. We cannot solve them with urban renewal programs. We cannot solve them with the variously proposed housing programs. We cannot solve them with public housing. And further, we cannot solve them with millions more in the OEO program as well as adding anything and everything to the EDA program.

Mr. Chairman, the only answer is that

we would be giving a little more money to the present program, and this entire Pandora's box is opened up, I feel, unwisely.

So, if this decision could be met by an amendment at the present time, it has not been adequately considered; there is nothing magic about the figure of 50,000 persons; it has to be considered with relation to all of the present and planned new programs.

Mr. Chairman, by just placing another layer on the cake of the present programs is not the answer. However, the main point here today is the fact that this Pandora's box is opened because they choose to use the EDA approach as a rider when, in fact, we should be talking about Appalachia.

Mr. Chairman, as we are about to finish general debate on this matter, I think it wise that all Members have an accurate idea of the various financial matters relating to the Appalachian program. Tomorrow, we will begin the consideration of amendments to S. 602, as reported. Some of these amendments will concern authorizations for appropriations. So that all Members can intelligently discuss the amendments to be offered tomorrow, I will request, when we go into the House, unanimous consent to include a financial analysis of the Appalachian regional development program.

The following table shows the financial analysis of the Appalachian region development program and the effect of S. 602:

APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965 (PUBLIC LAW 89-4)

[Financial analysis, in millions of dollars]

Section	Program	Department	27-month authorization	Appropriations								Committed as of June 30, 1967	Carryover	Unapportioned authorization	S. 602 authorization	S. 602 plus or minus carryover	Budget request, fiscal year 1968
				Fiscal years 1965 and 1966 (15 months)				Fiscal year 1967			Total Appropriation						
				Request	Appropriation	Commitment	Carryover	Request	Appropriation	Available							
105	Administrative expenses	ARC	[1] 2.40	1.30	1.29	1.29	0	1.11	1.10	1.10	2.39	2.39	0	0.01	1.70	1.70	0.785
202b	Health facilities	HEW	41.00	21.00	21.00	0	21.00	2.50	2.50	23.50	23.50	0	23.50	45.50	50.00	73.50	15.00
202c	Health operations	HEW	[2] 28.00														
203	Soil conservation	Agriculture	17.00	8.50	7.00	6.38	.62	4.38	3.00	3.62	10.00	10.00	0	7.00	19.00	19.00	3.00
204	Timber development	do	5.00	1.35	1.00	0	1.00	.50	0	1.00	1.00	.75	.25	4.00	1.00	1.25	0
205	Mineral resources	Interior			16.00	10.77	5.23	10.57	7.00	12.23	23.00	20.90	3.95	11.65	30.00	33.95	.80
	Fish and wildlife	do	36.50	18.00	1.35	0	1.35	1.35	.50	1.85	1.85						.40
206	Water resources	Corps of Engineers.	5.00	1.70	1.50	1.23	.27	1.80	1.50	1.77	3.00	3.00	0	2.00	2.00	2.00	2.00
207	Housing	HUD	New												5.00	5.00	0
211	Vocational education	HEW	16.00	8.00	8.00	3.42	4.58	8.00	8.00	12.58	16.00	15.99	.01	0	26.00	26.01	7.00
212	Sewerage treatment	Interior [3]	6.00	3.00	3.00	1.56	1.44	3.00	3.00	4.44	6.00	5.00	1.00	0	6.00	7.00	3.00
214	Support grants	Commerce	90.00	45.00	45.00	18.19	26.81	35.00	30.00	56.81	75.00	64.00	11.00	15.00	71.00	82.00	30.00
215	Culture	A. & H.	New														0
302	Res. LDD	Commerce	5.50	3.00	2.50	1.60	.90	3.00	2.75	3.65	5.25	3.02	2.23	.25	10.00	12.23	3.00
401	Total, exclusive of highways		252.40	110.85	107.64	[4] 44.42	[4] 63.22	[4] 71.20	59.35	[4] 122.57	166.99	125.05	41.94	85.41	[5] 220.00	[5] 261.94	[5] 64.20
201	Highway systems	Commerce	[6] 805.00	200.00	200.00	176.55	9.22	130.00	100.00	109.22	300.00	171.00	129.00	540.00	715.00	844.00	100.00
	Access roads	do	[6] [7] 35.00			14.23											
	Total		1,092.40	310.85	307.64	235.20	72.44	201.20	159.35	231.79	466.99	296.05	170.94	625.41	936.70	1,107.64	164.985

[1] $2,200,000 from sec. 105 plus $200,000 from sec. 401.

[2] Not to be appropriated or needed until construction facilities are completed under sec. 202b.

[3] Transferred from HEW to Interior per Reorganization Plan No. 2 of 1966, effective date May 10, 1966.

[4] Totals do not agree due to rounding of figures.

[5] Does not include sec. 105 which under S. 602 would be only funds not authorized to be appropriated to the President.

[6] 6-year authorization.

[7] Authorization of sec. 201 is $840,000,000. Appalachian Regional Commission apportioned funds as shown.

Mr. CRAMER. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. DENNEY].

Mr. DENNEY. Mr. Chairman, the hour is getting late. I know many of the Members are tired of sitting here. I am confronted with a situation that I heard an eminent jurist once make when he said "the hour of decision is a lonely one."

To my mind the hour of decision on this bill is a lonely one, because each and every one of us are going to have to decide whether this bill is proper, whether it is the best that this House of Representatives can produce.

Ladies and gentlemen, I sat and listened to 97 witnesses. I made a trip with our esteemed subcommittee chairman who, I want to say at this point in the RECORD, is one of the finest men I have ever met in my life. He showed me every courtesy throughout these hearings. As a freshman in the House, he allowed me to delve into the witnesses and ask the questions I wanted, but I have some reservations, ladies and gentlemen, about this bill for this reason: I come from the midwestern area, from Nebraska. There we believe that a man can go just so high if he develops a self-help, if he develops a desire, and an initiative to proceed to lift himself up.

I am concerned about some of the amendments in this bill. For example, the appropriation of the funds directly to the President. Of all things, if this bill is as good as the proponents have said, why is it that it must be changed? Why not leave it in the hands where it was, and let it continue to work, as they say, in such a remarkable manner. I believe the President has all he can do at the present time with the problems he is faced with, both domestic and in foreign affairs.

I am concerned about the expansion of Appalachia so that it is gradually expanding throughout the United States.

If the Members will take a map—and I have one here—and if they will draw a line from Madison, Wis., directly south, they will see that with the proposed 20 counties in Mississippi they have covered approximately 40 percent of the United States. It is gradually going on and on and on. This was not the original concept.

As I read the original report, there were seven States that the President investigated through a regional commission. That was the idea of Appalachia. We will now have 12 States. We have one more county in New York, two more in Alabama, one in Tennessee, and 20 in Mississippi. How much farther shall we go? When the regional commission reported it said Appalachia because it had the bold upthrust of land that it was a region separate and apart, it did not have good access, and the people in that area needed help. Yet in 18 of those 20 counties in Mississippi the highest elevation is 806 feet above mean sea level. Is that a bold upthrust of land?

Mr. Chairman, to my mind this is just an open door to try and get more.

I am seriously considering, if this bill passes, drafting a bill at the next session and introducing it to ask for a midwestern regional development area out in the Great Plains area. Why not? What is wrong with it?

Also, I am concerned with the fact that we have these two bills together. For example, Appalachia was conceived and made into law March 9, 1965. EDA was made into law on August 26, 1965. Two separate bills. Yet here today in 1967 we are faced with one, and I believe the distinguished gentleman from Florida hit it right on the head when he said there is a reason for it. Everybody who believes they can qualify under UDA will vote for this bill, so that they will not kill the EDA provisions.

Mr. Chairman, I also want to spend just a few minutes—and this is where the hour of decisions is lonely, again—I have discussed with Members throughout the House of Representatives that I have the opinion that title I of this bill is unconstitutional, and I have been told, "Well, that was all taken up in 1965, that was discussed."

Then I have had it said to me that the Attorney General of the United States at that time ruled that it was constitutional. Well, several of you are lawyers in this room, and the Attorney General puts on his trousers just like you and I do—one at a time—and his opinion is no better than his research and the research that his staff does. But I would like to call your attention to a different approach than the approach that was argued back in 1965.

On page 92 of the report accompanying this bill, this briefly outlines my thinking as to why I believe the Appalachian Regional Development Act of 1965 and title I of this bill is unconstitutional, although it is not unconstitutional per se as to the Federal Government. Let me say right here, ladies and gentlemen, I thought that the gentleman from Georgia did an outstanding job of appealing to the emotions of all of us here in this room.

I was down in Appalachia. I saw little kids in threadbare rags. I saw mud 3 feet high in houses. There is no question but what my heart goes out to these people. But the point is that we are still a government of laws and not of men. Are we going to conform to the rules and regulations that have made this country great? Or are we going to say that because there are certain areas in our country that need some help that we are going to feed in Federal funds?

Right at this point, I want to say because of the operation of the equal protection clause of the 14th amendment which provides that all States must treat their citizens equally, that there is only one State under title I of this law that qualifies, and that is the State of West Virginia, because every single county in West Virginia is in Appalachia.

Look at the State of New York. The distinguished gentleman from New York [Mr. FARBSTEIN] has brought out that the city of New York and its residents must pay taxes to help to keep Appalachia rolling to the tune of millions of dollars—920 million and some odd dollars in this next year.

How can each one of you go back to your constitutents—you in California and to Kansas, and to my State of Nebraska, and all over the country and say, "Yes, we made a special law for people in an area which is gradually eroding—but just be patient and we will get out to the Midwest and out to the west coast eventually."

The Appalachian Regional Commission under section 1(a) has one member for each participating State.

Under section 102 the Commission develops plans and determines the priorities and since the States involved have only a portion of their counties in the program, the State contribution comes from revenues extracted from all of the counties—this would constitute discrimination against the counties not in the Appalachia program.

I would like to call attention to section 211 of the 1965 act which authorizes $16 million in grants for the construction of vocational education facilities in the region. These funds are in addition to sums provided to the Appalachian States under the Vocational and Education Act of 1963.

Mr. Chairman, I am sure all of my colleagues who have any legal experience are acquainted with the case of Brown against the Board of Education of Topeka, a landmark case, wherein it was held that:

> Today education is perhaps the most important function of our State and local governments.
>
> In these days it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the State has undertaken to provide it, is a right which must be made available to all on equal terms.

In the same case on page 692, the court said:

> We conclude that in the field of public education the doctrine of separate but equal has no place.
>
> Separate educational facilities are inherently unequal.
>
> Therefore, we hold that the plaintiffs are deprived of equal treatment of the laws guaranteed by the Fourteenth Amendment.

Mr. Chairman, I can see no difference between racial discrimination and geographical discrimination.

Here you would have a State providing separate and additional educational or vocational facilities in one part of the State and not in another. This, to me, seems likewise inherently unequal.

Section 202 of the 1965 act, in the demonstration health project authorizes $41 million for constructing and equipping health facilities and $28 million for their operation.

S. 602 would authorize additional funds to be used for training personnel or for possible deficits.

This is again a matching-funds project. The Court held in the case of Beal against Holcombe that it is the individual who is entitled to equal protection of the laws, and if he is denied a facility or a convenience which under substantially the same circumstances is furnished to another, he may properly complain that his constitutional privilege has been invaded. In terms of a local government offering a facility to its citizens, I believe the reason is even more compelling to make health facilities available to all citizens.

Mr. Chairman, I have the idea—and there will be a motion to strike title I—that title I is unconstitutional. I think title II is constitutional because it sets up a formula that provides equal treatment to all citizens of a class throughout the United States. I think definitely that the Appalachian region could qualify under title II. Why is it necessary to have a separate bureaucracy appropriate different money and continue to proliferate these Federal programs?

It is high time for Congress to take a stand and say to the American people who are paying the tax bill, "Look, we are going to cut down on some of this. We have a good program that is working. We will fit these programs together. We will consolidate them, and we will get more of a tax dollar value out of your money that is being sent to Washington."

I definitely believe that title I is unconstitutional. I ask you all to carefully consider how it does discriminate against the citizens of States that are involved in this program. Those citizens who are not in the Appalachian region are likewise being discriminated against. This is a different approach than was made 2 years ago.

Mr. Chairman, I yield back the balance of my time.

Mr. JONES of Alabama. Mr. Chairman, I yield 16 minutes, the remainder of my time, to the distinguished gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Chairman, as we come to the conclusion of this general debate, it might be well for us to review the basic philosophy of this Appalachian program.

First, let us address ourselves to the question of whether or not it constitutes favoritism or preferential treatment for one section of the country. Perhaps it is appropriate for me to comment on this subject since I represent a district rather far removed geographically from the Appalachian region. There is no conceivable way in which the district that I have the privilege of representing could become eligible for the entitlements under this bill.

And yet if we examine the broad sweep of the history of the United States and the actions of our Government, we are forced to conclude that this bill contains no more regional favoritism than literally hundreds and probably thousands of programs that have been advanced by this Congress.

As early as 1785, one of the very first years of the life of this struggling, infant Republic, the Northwest land ordinance was enacted requiring relatively more prosperous citizens of the better developed areas along the eastern seaboard to share of their affluence with those relatively less-developed and poverty-ridden areas west of the Ohio River. Ever since that time, there has been an absolute parade of legislation that superficially favors one area of the country. Almost any economic bill that we pass in Congress benefits to a greater extent than others either some geographic section or some economic group or some industrial or business interest.

Surely we have had many examples of regional programs. The Tennessee Valley Authority could be said to be nothing other than regional in its approach. The Bonneville Power Authority surely could be said to be nothing other than regional.

If it should be contended certain counties and certain States being eligible while others are not eligible would render this bill somehow subject to a constitutional challenge, then I invite the attention of the gentleman who raises that point to the fact that the Great Plains conservation program makes eligible a total of 408 counties in 10 different States—and only those are eligible—for the benefits of the Great Plains conservation program. Surely then that is a regional program.

Surely we could say nothing else but that the great reclamation program, which has reclaimed desert land through the benefits of irrigation in 11 of our Western States, is a regional program.

Certainly the agricultural subsidy programs that this Government has had for more than a generation are regional in their effect. Cotton is regional where it grows. Corn is regional. Wheat is regional. Peanuts and tobacco are regional. Therefore, the application of these programs is strictly regional.

Certainly one could not challenge the fact that our Economic Development Administration program approaches in a regional sense the scattered pockets of poverty throughout our country. The demonstration cities program that this Congress enacted applies to 40 or 50 individual cities. So these are local in their application. Every public power project, every public works project, every navigation project, every flood control project is regional or local in the application of its benefits. So there is nothing new in this principle.

If it is said that this would be favoritism or preferential treatment, then I should think we would have to see it as preferential only in the sense that it attempts to help the people of an economically deprived area of our country achieve something approaching economic parity with the rest of the country. That has been basically the purpose of these other bills I have described.

Parenthetically, may I add that my particular district does not qualify for eligibility under a single one of these scores of programs. Yet I have supported them, because I am convinced they are good for America. Surely it would not be productive of any legislation if each of us were to support only those bills that directly benefited his own district. Certainly we could not produce any legislative approach to domestic problems at all if that were our reaction.

This bill proceeds on the assumption bespoken by the late President John F. Kennedy when he said: "A rising tide raises all boats." Certainly if the people of the Appalachian region achieve a better state of economic self-sufficiency, it will help the entire Nation. They become better customers for the goods and products produced in the other districts of the Nation. They pay more taxes and thus pick up a fairer share of their portion of the tax burden of the Nation.

So we approach this from the standpoint that whenever any part of the American family falls on hard times, then it behooves the rest of us to assist as best we can to give them the tools by which they can better their own lot. That is the philosophy of this bill. It is not a handout. It is a hand up. It is only attempting to give to the people of an area that has become geographically and historically deprived the means by which it can lift itself by its own bootstraps.

The Appalachian region has witnessed a historical decline through no fault of its own, isolated by these great mountain barriers, isolated from commerce, having seen the decline of the three pillars of its economy—coal and farming and timber. These citizens need something else. Clearly they need the infrastructure to permit them to come into the last third of the 20th century and to make their contribution. This bill attempts to do that. It attempts to permit those in that region to better their lot by giving vocational training to people who may have known nothing other than coal mining, which no longer is as economic an operation as it once was. It attempts to benefit them and the rest of the Nation by connecting them through this ribbon of concrete with the other parts of the Nation, that they may then make their contribution.

It is not a perfect bill. I believe that no one has made the contention that the program has become a panacea, but it has made strides in the 2 years of its life.

Perhaps one of the best proofs of the success of the program is the fact that many Members who most opposed it 2 years ago are now attempting to get their particular districts qualified to participate in its benefits. That to me indicates it has been to some degree successful.

It has raised hopes. It has permitted people to lift their chins and look to the future with a greater degree of enthusiasm in this historically smitten region.

On balance, I believe it is a good program.

This has been a constructive debate. Our committee attempted, in its deliberations, to take into account the legitimate and constructive criticisms of the administration of the program. We adopted many of the recommendations suggested by our colleagues on the Republican side of the aisle. They made some notable contributions to our committee deliberations.

Due to some of the amendments which were accepted in the committee approximately $54 million has been deducted from the total cost of the bill.

I believe what we have ultimately brought to the House is a good package—not a perfect package; few things are, in this imperfect world—a good package which helps us to build one more paving block in the road to a better and stronger and more prosperous America for the future.

Mrs. DWYER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. DWYER. Mr. Chairman, I must regretfully but vigorously oppose the present bill—regretfully because the legislation indicates that we are still far from developing a Federal grant-in-aid program which will bring assistance, in a precise and effective way, to the people of economically depressed areas, and vigorously because I can find no justification for supporting a bill which will authorize additional hundreds of millions of dollars for a program which has fallen so far short of its objective as the Appalachian regional development program has.

A program of this kind is essentially preferential and discriminatory, by its very nature. It singles out one part of this country for special assistance which is not available to other sections—not on the basis of need or of ability to use the aid in the national interest, but on the strength of an arbitrary geographical designation. It is undeniable that portions of Appalachia are among the most deprived areas in the United States. But so are other parts of the country. Economic assistance should be provided wherever the need is great but it should be administered through programs which are available to all areas on the basis of their need and their potential for effective use of the aid.

The present program, Mr. Chairman, is a classic case of grants-in-aid gone wrong. In addition to being highly discriminatory, it has been wasteful, duplicating, and ineffective, and the pending bill proposes to proliferate these objectionable features. Instead of being limited to a region of similar economic characteristics and problems, it is proposed to expand it to embrace an area extending from Mississippi to upstate New York—an area which includes many regions and many different economic problems. Though designated and justified as an antipoverty program, its assistance goes as often as not to the region's more affluent parts. Rather than direct its aid specifically to people who need help, the program has devoted the great bulk of its funds to the improvement of existing highways, thereby freeing conventional Federal and State highway funds for use outside the region. The net gain in the fight against poverty seems pretty close to zero.

And now, through this bill, additional counties and States have their hands out, areas which have never been considered a part of the Appalachian region, as broad and loosely defined a description as that has already become. It is apparent, once again, that the easy availability of Federal money is just too much to resist.

In my judgment, Mr. Chairman, there are no circumstances which would justify legislation of this kind. But faced, as we are, with a terribly expensive war in Vietnam, with a proposed 10-percent income tax increase, with competing claims from superior programs for scarce resources, and with tragically unmet needs in the real war against poverty, then we have no alternative but to defeat the present legislation.

Mr. RHODES of Arizona. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Chairman, in this period of fiscal crisis and mounting war costs, we do not believe that special domestic programs such as the Appalachian Regional Development Act should be expanded and enlarged. S. 602 would expand this program by adding 24 new counties that are outside the established Appalachian region. It would authorize funds for new purposes and in excess of the amounts requested and appropriated in prior years. In addition, S. 602 would amend and expand the Public Works and Economic Development Act even though the administration did not ask for these amendments, made no provision for the additional authorized funds in the budget, and presented no testimony regarding this proposal to the House committee.

When Congress enacted the Appalachian Regional Development Act, it did so on the basis that it was providing special assistance to help solve specific economic problems within an identifiable region. S. 602 would expand the region by adding 24 counties—one in New York, one in Tennessee, two in Alabama, and 20 in Mississippi. This is totally inconsistent with the original concept. The new counties in no way fit the description of "a mountain land boldly upthrust" and they are chiefly characterized by their lack of "ridges and twisted spurs and valleys." If the Appalachian region were to be enlarged to include counties such as these, it would mean that legislation designed to meet a unique problem in a specific economically deprived area has been changed into general assistance legislation. Moreover, other counties in the Appalachian range that do fit this description are not included.

Under the present Appalachian Regional Development Act, appropriation requests have been submitted as a part of the budget of the executive department responsible for implementing a particular program. Such requests have been considered along with all other appropriation requests by that department. The funds that appear to be necessary to operate a particular program then have been appropriated to the requesting department.

S. 602 would change this procedure completely. It would authorize the appropriation of the Appalachian development funds directly to the President. Thus the President, rather than the various executive departments, would be responsible for the proper administration, allocation, and expenditure of such funds. Under this system, there is a grave possibility that those who administer the programs could be effectively insulated from congressional scrutiny and oversight. In view of the pyramiding of officials through whom the funds will pass and the dilution of responsibility, this change cannot be justified.

As reported by the committee, S. 602 would authorize the appropriation of a total of $220 million for fiscal years 1968 and 1969 for Appalachian programs, other than the $1.015 billion for 6 years for highways. Of this $220 million, the President has requested the appropriation of $64.2 million for fiscal year 1968, which is in line with the average annual expenditure of about $55 million during the first 27 months of the program. Thus, if all of the funds requested by the President for 1968 are appropriated, there would remain $155.8 million authorized to be appropriated for fiscal year 1969. This is almost three times the average annual expenditure to date and two and one-half times the President's 1968 budget request.

Unless the Johnson-Humphrey administration plans to launch a dramatically expanded spending program just prior to the election, there is no need for this sharp increase in authorization. We believe the amounts authorized by S. 602 for general Appalachian programs should be reduced to provide for a level of commitments that the budget requests of the President now indicate will be undertaken.

Despite the fact that the basic purpose of S. 602 is to authorize the appropriation of funds for the continuation of the Appalachian development program, title II of this bill would amend and expand the Public Works and Economic Development Act. Proposals to amend this completely different and distinct act should be considered on their own merits. There is time to do this for all of the EDA authorizations run through fiscal 1968. Moreover, the administration did not ask for the immediate authorization of new programs for EDA, and neither the House nor the Senate Committee on Public Works heard testimony from the administration or from the regional Commission regarding these amendments.

On August 3, 1967, the President forwarded a message to Congress wherein he urged the immediate enactment of a 10-percent surtax. In this message, it was stated that unless expenditures are tightly controlled and the tax increase is imposed, the deficit for fiscal 1968 could be more than $28 billion. The Secretary of the Treasury has warned that a budget deficit of this magnitude would force so much borrowing by the U.S. Treasury as to disrupt credit markets and send interest rates "sky high." We welcome this concern over the present fiscal situation and this newfound support for our efforts to cut governmental expenditures. We believe that the pledge of the Director of the Budget to cut $2 billion in civilian spending is a step in the right direction. We hope that it will be implemented.

Unfortunately, the Johnson-Humphrey administration has given no indication that it is really prepared to carry through on this pledge. Its theories on cutting government expenditures have been much preached but little practiced. If this country is to avoid a sharp tax increase, substantial spending reductions must be made. Certainly, in this period of fiscal crisis, the Appalachian program should not be expanded.

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, I support this bill. It has particular relevance in my State and for the whole Nation as well.

The objective of this program is to restore or elevate various parts of the country to economic equality. It is preferential treatment only so far as any Federal program is for any purpose. The objective, plainly stated, is equal opportunity to share in the Nation's abundance.

What is different and interesting about this program is the way in which it sets out to achieve its purpose. The formation of the regional Commission for Appalachia, for New England, for the Coastal Plains, for the Great Lakes, for the Ozarks, and for the four corners is founded on the theory of States rights, State sovereignty, and State equality within the federal system. These commissions are doubly significant vehicles for the accomplishments of this purpose. They are significant in their makeup—the partnership of the State and Federal Governments—and they are significant in what they portend for the future.

If we ever expect to accomplish anything conclusive and beneficial, particularly in the field of domestic economic development, it will have to be in this way. It will have to be the Federal Government working in concert with the States as their partner rather than as their ruler.

We have seen this concept succeed already in the Appalachian Regional Commission. This Commission has proven beyond a shadow of a doubt that such a governmental partnership can work. This is reason enough for us to approve its continuation.

The other regional commissions, cut from the same cloth, should enjoy the same success and accomplish the same things. This is reason enough that they should be allowed to begin.

The Committee on Public Works has been vindicated in its confidence 2 years ago that this program would work. The evidence has shown that we were right then and the House agreed with us. This is no time to rescind our action or regret our approval. This is the time to say, "good job, keep going."

We should not overlook the fact of the larger national meaning of this bill. Besides giving vitality to the theory that State and Federal Governments can be completely compatible, and besides bringing different regions of the country to a full productive share of the regional economy, this bill can very well serve to ease our massive urban problems.

We all know that the urban problems are compounded, if not actually created, by the mass migrations from rural areas and small cities and towns into our large metropolitan centers. If a way can be found to bring prosperity and livelihood to these rural sections to slow down the rush to the cities, would not that at least give the cities a little breathing space? The answer of course lies in economics which is really what makes the country tick. This bill is geared to redress the economic imbalance in this Nation. It may very well help redress the social imbalance also.

The committee was impressed that both titles of this bill are worthwhile. We worked hard to improve them.

I know personally how well the Appalachian program works and I am optimistic that the Coastal Plains program can be at least as successful.

I urge you to support this bill and to do something positive for the Nation which you can defend and justify under any circumstances.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1967

SEC. 101. This title may be cited as the "Appalachian Regional Development Act Amendments of 1967".

SEC. 102. Section 102 of the Appalachian Regional Development Act of 1965 (hereinafter in this title referred to as "the Act") is amended (1) by inserting "and" at the end of clause (7); (2) by striking out the semicolon and the word "and" at the end of clause (8) and inserting in lieu thereof a period; and (3) by striking out clause (9).

SEC. 103. Section 105 of the Act is amended to read as follows:

"ADMINISTRATIVE EXPENSES OF THE COMMISSION

"SEC. 105. (a) For the period ending on June 30, 1967, the administrative expenses of the Commission shall be paid by the Federal Government. Thereafter, such expenses shall be paid 50 per centum by the Federal Government and 50 per centum by the States in the region, except that the expenses of the Federal Cochairman, his alternate, and his staff shall be paid solely by the Federal Government. The share to be paid by each State shall be determined by the Commission. The Federal Cochairman shall not participate or vote in such determination. No assistance authorized by this Act shall be furnished to any State or to any political subdivision or any resident of any State, nor shall the State member of the Commission participate or vote in any determination by the Commission while such State is delinquent in payment of its share of such expenses.

"(b) To carry out this section, there is hereby authorized to be appropriated to the Commission, to be available until expended, not to exceed $1,700,000 for the two-fiscal-year period ending June 30, 1969. Not to exceed $400,000 of such authorization shall be available for the expense of the Federal Cochairman, his alternate, and his staff. Unexpended balances of appropriations under the authorization in this section prior to amendment by the Appalachian Regional Development Act Amendments of 1967 shall remain available for the purposes of this section, as amended, until expended."

SEC. 104. Clause (7) of section 106 of the Act, entitled "ADMINISTRATIVE POWERS OF THE COMMISSION", is amended to read as follows:

"(7) enter into and perform such contracts, leases (including, notwithstanding any other provision of law, the lease of office space for any term expiring no later than June 30, 1971), cooperative agreements, or other transactions as may be necessary in carrying out its functions and on such terms as it may deem appropriate, with any department, agency, or instrumentality of the United States (which is hereby so authorized to the extent not otherwise prohibited by law) or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association or corporation."

SEC. 105. Title I of the Act is amended by inserting at the end thereof a new section as follows:

"COMMISSION EMPLOYEE PROTECTIONS

"SEC. 109. Section 5334(a) of title 5, United States Code, is amended by adding at the end thereof the following new sentence: 'For the purpose of this subsection, an individual employed by the Appalachian Regional Commission under section 106(a) of the Appalachian Regional Development Act of 1965, or by a regional commission established pursuant to section 502 of the Public Works and Economic Development Act of 1965, under section 506(2) of such Act, who was a Federal employee immediately prior to such employment by a commission and within six months after separation from such employment is employed in a position to which this subchapter applies, shall be treated as if transferred from a position in the executive branch to which this subchapter does not apply.'"

SEC. 106. Section 201 of the Act is amended to read as follows:

"APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

"SEC. 201. (a) In order to provide a highway system which, in conjunction with the Interstate System and other Federal-aid highways in the Appalachian region, will open up an area or areas with a developmental potential where commerce and communication have been inhibited by lack of adequate access, the Secretary of Transportation (hereafter in this section referred to as the 'Secretary') is authorized to assist in the construction of an Appalachian development highway system and local access roads serving the Appalachian region. The provisions of title 23, United States Code, that are applicable to the construction and maintenance of Federal-aid primary and secondary highways, and which the Secretary determines are not inconsistent with this Act, shall apply, respectively, to the development highway system and the local access roads. Construction on the development highway system shall not exceed two thousand seven hundred miles. Construction of local access roads shall not exceed one thousand two hundred miles that will serve specific recreational, residential, educational, commercial, industrial, or other like facilities or will facilitate a school consolidation program.

"(b) The Commission shall transmit to the Secretary its designations of (1) the general corridor location and termini of the development highways, (2) local access roads to be constructed, (3) priorities for the construction of segments of the development highways, and (4) other criteria for the program authorized by this section. Before any State member participates in or votes on such designations, he shall have obtained the recommendations of the State highway departments of the State which he represents.

"(c) In no event shall the Secretary assist in any construction (including right-of-way acquisition) which would require for its completion the expenditure of Federal funds (other than funds available under title 23, United States Code) in excess of the appropriations authorization in subsection (g). On its completion each development highway not already on the Federal-aid primary system shall be added to such system and each development highway and local access road shall be required to be maintained by the State as provided for Federal-aid highways in title 23, United States Code.

"(d) In the construction of highways and roads authorized under this section, the States may give special preference to the use of materials and products indigenous to the Appalachian region.

"(e) For the purposes of research and development in the use of coal and coal products in highway construction and maintenance, the Secretary is authorized to require each participating State, to the maximum extent possible, to use coal derivatives in the construction of not to exceed 10 per centum of the roads authorized under this Act.

"(f) Federal assistance to any construction project under this section shall not exceed 50 per centum of the costs of such project, unless the Commission determines that assistance in excess of such percentage is required in furtherance of the purposes of this Act, but in no event shall such Federal assistance exceed 70 per centum of such costs.

"(g) To carry out this section, there is hereby authorized to be appropriated to the President, to be available until expended, $715,000,000 for the four-fiscal-year period ending June 30, 1971.

"(h)(1) When a participating State proceeds to construct a segment of a development highway without the aid of Federal funds, in accordance with all procedures and requirements applicable to the construction of segments of Appalachian development highways with such funds, except insofar as such procedures and requirements limit a State to the construction of projects for which Federal funds have previously been appropriated, the Secretary, upon application by the State and with the approval of the Commission, is authorized to pay to the State the Federal share not to exceed 70 per centum of the costs of the construction of such segment, from any sums appropriated and allocated to such State to carry out this section.

"(2) This subsection shall not be construed as a commitment or obligation on the part of the United States to provide funds for segments of development highways constructed under this subsection, and shall not increase the limitation on construction in subsection (c)."

SEC. 107. Section 202 of the Act is amended to read as follows:

"DEMONSTRATION HEALTH PROJECTS

"SEC. 202. (a) In order to demonstrate the value of adequate health facilities and services to the economic development of the region, the Secretary of Health, Education, and Welfare is authorized to make grants for the planning, construction, equipment, and operation of multicounty demonstration health projects, including hospitals, regional health diagnostic and treatment centers, and other facilities and services necessary to health. Grants for such construction (including the acquisition of privately owned facilities not operated for profit and initial equipment) shall be made in accordance with the applicable provisions of title VI of the Public Health Service Act (42 U.S.C. 291–291o), the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 282), and other laws authorizing grants for the construction of health-related facilities, without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

"(b) No grant for the construction or equipment of any component of a demonstration health project shall exceed 80 per centum of such costs. The Federal contribution may be provided entirely from funds authorized under this section or in combination with funds provided under other Federal grant-in-aid programs for the construction or equipment of health-related facilities. Notwithstanding any provision of law limiting the Federal share in such other programs, funds authorized under this section may be used to increase Federal grants for component facilities of a demonstration health project to a maximum of 80 per centum of the costs of such facilities.

"(c) Grants under this section for operation (including initial operating funds and operating deficits comprising among other items the costs of attracting, training, and retraining qualified personnel) of a demonstration health project, whether or not constructed with funds authorized by this section, may be made for up to 100 per centum of the costs thereof for the two-year period beginning, for each component facility or service assisted under any such operating grant, on the first day that such facility or service is in operation as a part of the project. For the next three years of operations such grants shall not exceed 50 per centum of such costs. No grant for operation of a demonstration health project shall be made unless the facility is publicly owned, or owned by a public or private nonprofit organization, and is not operated for profit. No grants for operation of a demonstration health project shall be made after five years following the commencement of the initial grant for operation of the project. No such grants shall be made unless the Secretary of Health, Education, and Welfare is satisfied that the operation of the project will be conducted under efficient management practices designed to obviate operating deficits. Notwithstanding section 104 of the Public Works and Economic Development Act of 1965 (79 Stat. 554), a health-related facility constructed under title I of that Act may be a component of a demonstration health project eligible for operating grant assistance under this section.

"(d) The Secretary of Health, Education, and Welfare is authorized to provide funds to the Commission for the support of its Health Advisory Committee and to make grants for expenses of planning necessary for the development and operation of demonstration health projects for the region. The amount of any such grant shall not exceed 75 per centum of such expenses.

"(e) Not to exceed $50,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 108. Subsection (i) of section 203 of the Act, entitled "LAND STABILIZATION, CONSERVATION, AND EROSION CONTROL", is amended to read as follows:

"(i) Not to exceed $19,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 109. Subsection (b) of section 204 of the Act is amended to read as follows:

"(b) Not to exceed $1,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 110. (a) Clause (1) of subsection (a) of section 205 of the Act, entitled "MINING AREA RESTORATION", is amended to read as follows:

"(1) make financial contributions to States in the region to seal and fill voids in abandoned coal mines and abandoned oil and gas wells, and to reclaim and rehabilitate lands affected by the strip and surface mining and processing of coal and other minerals, including lands affected by waste piles, in accordance with provisions of the Act of July 15, 1955 (30 U.S.C. 571 et seq.), to the extent applicable, without regard to section 2(b) thereof (30 U.S.C. 572(b)) or to any provisions therein limiting assistance to anthracite coal formation, or to the Commonwealth of Pennsylvania. Grants under this paragraph shall be made wholly out of funds specifically appropriated for the purposes of carrying out this Act."

(b) Strike out clause (3) of subsection (a) of section 205 of the Act.

(c) Subsection (b) of section 205 of the Act is amended to read as follows:

"(b) For the fiscal years 1966, 1967, 1968, and 1969, notwithstanding any other provision of law, the Federal share of mining area restoration projects, including reasonable planning and engineering costs, carried out under subsection (a) of this section and conducted on lands other than federally owned lands shall not exceed 75 per centum of the total cost thereof. The non-Federal share of the total cost of any project carried out under subsection (a) of this section may include reasonable land acquisition costs incurred in acquiring land necessary for the purposes of implementing such project, if such land is acquired after the date of enactment of the Appalachian Regional Development Act Amendments of 1967."

(d) The first sentence of subsection (d) of section 205 of the Act is amended to read as follows: "Not to exceed $30,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 111. Subsection (g) of section 206 of the Act, entitled "WATER RESOURCE SURVEY", is amended to read as follows:

"(g) Not to exceed $2,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 112. Part A of title II of the Act is amended by inserting at the end thereof a new section as follows:

"ASSISTANCE FOR PLANNING AND OTHER PRELIMINARY EXPENSES OF PROPOSED HOUSING PROJECTS UNDER SECTION 221 OF THE NATIONAL HOUSING ACT

"SEC. 207. (a) In order to encourage and facilitate the construction or rehabilitation of housing to meet the needs of low- and moderate-income families and individuals, the Secretary of Housing and Urban Development (hereafter in this section referred to as the 'Secretary') is authorized to make grants and loans from the Appalachian Housing Fund established by this section, under such terms and conditions as he may prescribe, to nonprofit, limited dividend, or cooperative organizations, or to public bodies, for expenses of planning and of obtaining an insured mortgage for a housing construction or rehabilitation project, under section 221 of the National Housing Act (hereinafter in this section referred to as 'section 221'), in any area of the Appalachian region determined by the Commission to have significant potential for future growth.

"(b) No grant under this section shall exceed 80 per centum of those administrative expenses, incident to planning a project and obtaining an insured mortgage under section 221, which the Secretary considers not to be recoverable from the proceeds of a mortgage insured under such section: *Provided,* That no grant shall be made to an organization established for profit.

"(c) No loan under this section shall exceed 80 per centum of the cost of planning a project and obtaining an insured mortgage under section 221, including, but not limited to, preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, Federal Housing Administration and Federal National Mortgage Association fees, and construction loan fees and discounts. Loans may be made without interest, or at any market or below market interest rate authorized for a mortgage insured under section 221: *Provided,* That any loan made to an organization established for profit shall bear interest at the prevailing market rate authorized for a mortgage insured under such section. The Secretary may, except in the case of a loan to an organization established for profit, waive the repayment of all or any part of a loan made under this section, including interest, which he finds the borrower is unable to recover from the proceeds of a mortgage insured under section 221.

"(d) All funds allocated to the Secretary for the purposes of this section shall be deposited in a fund which shall be known as the Appalachian Housing Fund and shall be used as a revolving fund by the Secretary for carrying out such purposes. General expenses of administration of this section may be charged to the fund. Moneys in the fund not needed for current operation may be invested in bonds or other obligations guaranteed as to prinicpal and interest by the United States.

"(e) Not to exceed $5,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 113. (a) Subsection (a) of section 211 of the Act, entitled "VOCATIONAL EDUCATION FACILITIES", is amended by inserting before the word "needed" in the first sentence, the following: "and for the equipment of such facilities and other school facilities".

(b) Subsection (b) of section 211 of the Act is amended to read as follows:

"(b) Not to exceed $26,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 114. Subsection (b) of section 212 of the Act, entitled "SEWAGE TREATMENT WORKS", is amended to read as follows:

"(b) Not to exceed $6,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 115. (a) Section 701(a) of the Housing Act of 1954 (40 U.S.C. 461(a)) is amended by striking out "and" at the end of clause (8) and all of clause (9) and inserting in lieu therof the following:

"(9) the Appalachian Regional Commission, for comprehensive planning for the Appalachian region as defined by section 403 of the Appalachian Regional Development Act of 1965; and

"(10) local development districts, certified under section 301 of the Appalachian Regional Development Act of 1965, for comprehensive planning for their entire areas, or for metropolitan planning, urban planning, county planning, or small municipality planning within such areas in the Appalachian region, and for planning for Appalachian regional programs."

(b) The proviso of the first sentence of section 701(b) of the Housing Act of 1954 is amended by inserting after "States" the words "and local development districts".

SEC. 116. Section 214 of the Act is amended to read as follows:

"SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

"SEC. 214. (a) In order to enable the people, States, and local communities of the region, including local development districts, to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the President is authorized to provide funds to the Federal Cochairman to be used for the sole purpose of increasing the Federal contribution to projects under Federal grant-in-aid programs, as hereafter defined, above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. Funds shall be so provided for Federal grant-in-aid programs for which funds are available under the Acts authorizing such programs and shall be available without regard to any appropriation authorization ceilings in such Acts. Any finding, report, certification, or documentation required to be submitted to the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of any Federal grant-in-aid program shall be accepted by the Federal Cochairman with respect to a supplemental grant for any project under such program.

"(b) The Federal portion of such costs shall not be increased in excess of the percentages established by the Commission, and shall in no event exceed 80 per centum thereof.

"(c) The term 'Federal grant-in-aid programs' as used in this section means those Federal grant-in-aid programs authorized by this Act for the construction or equipment of facilities, and all other Federal grant-in-aid programs authorized on or before August 1, 1967, by Acts other than this Act for the acquisition of land or the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; part IV of title III of the Communications Act of 1934; Higher Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; National Defense Education Act of 1958. The term shall not include (A) the program for the construction of the development highway system authorized by section 201 of this Act or any other program relating to highway or road construction, or (B) any other program for which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act.

"(d) Not to exceed $71,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 117. (a) The first sentence of section 221 of the Act, entitled "MAINTENANCE OF EFFORT", is amended by striking out "exclusive of Federal funds," and inserting in lieu thereof the following: "exclusive of expenditures for participation in the National System of Interstate and Defense Highways, and exclusive of local funds and Federal funds,".

(b) The second sentence of such section is amended by inserting after "Highways" the following: "and expenditures of local funds and Federal funds".

SEC. 118. Section 223 of the Act is amended to read as follows:

"PROGRAM IMPLEMENTATION

"SEC. 223. No program or project authorized under any section of this title shall be implemented until (1) applications and plans relating to the program or project have been determined by the responsible Federal official to be compatible with the provisions and objectives of Federal laws which he administers that are not inconsistent with this Act, and (2) the Commission has approved such program or project and has determined that it meets the applicable criteria under section 224 and will contribute to the development of the region, which determination shall be controlling."

SEC. 119. (a) Subsection (a) of section 224 of the Act, entitled "PROGRAM DEVELOPMENT CRITERIA", is amended (1) by striking out "In developing recommendations on the" and inserting in lieu thereof: "In considering"; and (2) by striking out "within those recommendations".

(b) Subsection (b) of such section is amended by striking out clause (1) and inserting in lieu thereof the following: "(1) to assist establishments relocating from one area to another;".

SEC. 120. Section 302 of the Act, entitled "GRANTS FOR ADMINISTRATIVE EXPENSES OF LOCAL DEVELOPMENT DISTRICTS AND FOR RESEARCH AND DEMONSTRATION PROJECTS", is amended by (1) striking out subsections (a) through (c); (2) redesignating subsection (d) as subsection (e); and (3) inserting the following new subsections (a) through (d):

"(a) The President is authorized—

"(1) to make grants to the Commission for administrative expenses, including technical services, of local development districts, but (A) the amount of any such grant shall not exceed 75 per centum of such expenses, (B) no grants for administrative expenses shall be made for a local development district for a period in excess of three years beginning on the date the initial grant is made for such development district, and (C) the local development district contributions for administrative expenses may be in cash or in kind, fairly evaluated, including but not limited to space, equipment, and services; and

"(2) to make grants to the Commission for investigation, research, studies, technical assistance, and demonstration projects, and for training programs, but not for construction purposes, which will further the purposes of this Act.

"(b) The Commission is authorized to make a survey and study of acid pollution in the region resulting from mining activities and the effects of such pollution, in full cooperation with the Secretary of the Interior and other appropriate Federal, State, and local departments and agencies, with the objective of developing a comprehensive action program for the appropriate control, reduction, or elimination of such pollution in the region or the effects of such pollution. The Commission shall submit to the President a report, including specific recommendations for such program and for the policies under which it should be conducted, and the President shall submit the report to the Congress, together with his recommendations, not later than March 31, 1969. The study shall, among other matters—

"(1) Identify sources of acid mine pollution in the region and their type, area, ownership, and other characteristics; the relative contribution of each source; and the impact of each source on water quality in the streams affected.

"(2) Identify present and potential water-using and other activities which are affected by acid mine pollution in the region, or originating in the region, and the economic and social costs and effects attributable to such pollution.

"(3) Identify known methods and costs for the control and abatement of acid mine pollution.

"(4) Estimate economic and social benefits, public and private, that are likely to result from reducing to various levels acid mine pollution in the streams of the region and identify the types of beneficiaries and the relative distribution of the benefits to such beneficiaries.

"(5) Consider the appropriate roles of Federal, State, and private interests in programs for the control, reduction, or elimination of acid mine pollution in the region and the relative costs which each should bear, including specifically (A) the extent, if any, to which private interests can bear the cost of such programs within the economics of mining activity, (B) the effectiveness of past action by Federal, State, and local units of government in remedying or controlling the adverse effects of acid mine pollution, (C) relationships which might be established among Federal, State, and local units of government, and with private interests, for implementing and funding such programs, and (D) the need for appropriate Federal and State legislation, including adequate enforcement provisions, for such programs.

"(6) Formulate a program for the appropriate control, reduction, or elimination of acid mine pollution in the region, including the identification of specific objectives and costs, with due consideration to: (A) the developmental effects of the program, (B) the economic benefits of the program in relation to costs, (C) the social effects of the program, (D) the avoidance of unwarranted financial gain to private interests, and (E) the types and sources of aid required to accomplish the program.

"(c)(1) The Commission shall, as required by the President, maintain accurate and complete records of transactions and activities financed with Federal funds and report thereon to the President. The records of the Commission shall be available for audit with respect to such grants by the President and the Comptroller General or their duly authorized representatives.

"(2) Recipients of Federal assistance under the provisions of this section shall, as required by the Commission, maintain accurate and complete records of transactions and activities financed with Federal funds and report thereon to the Commission. Such records shall be available for audit by the President, the Comptroller General, and the Commission or their duly authorized representatives.

"(d) Not to exceed $10,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section. Not to exceed $3,000,000 of such authorization shall be available for the purposes of subsection (b)."

SEC. 121. Section 303 of the Act is amended to read as follows:

"PROJECT APPROVAL

"SEC. 303. An application for a grant or for any other assistance for a program or project under this Act shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate the application for approval. Only applications for programs and projects which are approved by a State member as meeting the requirements for assistance under the Act shall be approved for assistance. No project shall be approved by the Commission unless the Commission is satisfied that the project will be properly administered, operated, and maintained."

SEC. 122. Section 401 of the Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 401. In addition to the appropriations authorized in section 105 and in section 201 for the Appalachian development highway system and local access roads, there is hereby authorized to be appropriated to the President, to be available until expended, not to exceed $220,000,000 for the two-fiscal-year period ending June 30, 1969, to carry out this Act."

SEC. 123. (a) Section 403 of the Act, entitled "DEFINITION OF APPALACHIAN REGION", is amended—

(1) by inserting in the clause relating to the counties in Alabama after "Jefferson," the following: "Lamar," and after "Morgan," the following: "Pickens,";

(2) by inserting after the clause relating to the counties in Maryland the following:

"In Mississippi, the counties of Alcorn, Benton, Chickasaw, Choctaw, Clay, Itawamba, Kemper, Lee, Lowndes, Marshall, Monroe, Noxubee, Oktibbeha, Pontotoc, Prentiss, Tippah, Tishomingo, Union, Webster, and Winston;

"In New York, the counties of Allegany, Broome, Cattaraugus, Chautauqua, Chemung, Chenango, Cortland, Delaware, Otsego, Schoharie, Schuyler, Steuben, Tioga, and Tompkins;"; and

(3) by inserting in the clause relating to the counties in Tennessee after "Campbell" the following: "Cannon,".

(b) Such section is further amended by striking out the colon following "West Virginia" and inserting in lieu thereof a period, and by striking out all of the remainder of such section and inserting in lieu thereof the following:

"No recommendation for any change in the definition of the Appalachian region as set forth in this section shall be proposed or considered by the Commission without a prior resolution by the Committee on Public Works of the Senate or of the House of Representatives, directing a study of such change."

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent that title I be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and

the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 602) to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965, had come to no resolution thereon.

THE CHALLENGES FACING THE LABOR MOVEMENT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, the challenges facing the labor movement for the good of the entire community, especially those still in poverty, were the object of attention by Joseph A. Beirne, president of the Communications Workers of America, and vice president of the AFL-CIO, in a special Labor Day radio broadcast.

I include the text of Mr. Beirne's address, heard on the American Broadcasting Co. radio network, in the RECORD, as follows:

ADDRESS BY VICE PRESIDENT JOSEPH A. BEIRNE

It is always a temptation on an occasion such as this . . . the 85th year in which we celebrate Labor Day . . . to review our achievements and to count the milestones in our progress one by one. I propose to yield to that temptation only in the way that an author of a book, very popular early in this century, yielded to it. The author, Edward Bellamy, called his book Looking Backward. But the point in time from which he looked backward was a period many years in the future. He used that device to project his concept of our society as it would exist . . . or as he thought it should exist . . . and to comment on the present state of affairs.

And perhaps that is the only vantage point that we can use . . . a period some years distant . . . to look at ourselves today. The world and its customs and patterns are changing so fast that any attempt to look at our society from a stationary position would limit us to a very brief glimpse as it whizzed by.

President Kennedy was fond of illustrating the pace of our change in these terms. Condense if you will . . . he would say . . . the fifty thousand years of man's recorded history into half a century . . . fifty years. On that scale man emerged from his cave 10 years ago. Five years ago man learned to write. Last month he got electric lights and telephones and automobiles and airplanes. Only last week, nuclear power. And we will have reached the stars before midnight tonight.

We are told by eminent professors that about half of all the scientific material ever published has been published since 1950 . . . that eighty percent of all the scientists the world has known are alive today. And we are told by the chairman of our atomic energy commission that man might be able to create life itself with all its mysteries before the end of the century.

Each of us, I know, has his own yardstick for measuring change, whether it's the fact that store-bought pies don't taste as good as those that mother used to make or whether the skirts are above the knees or the other way around.

And what this all has to do with Labor Day . . . is simply this. It emphasizes the speed of the change that is taking place in our society. More important, it emphasizes the need of each of us to keep pace with that change.

If we want to look backward we have to keep moving forward very fast indeed.

And that is what the American labor movement is doing today . . . moving forward fast . . . looking ahead to the new problems we will face . . . looking ahead for the solutions to these problems. We recognize that the labor movement . . . to survive and to justify its survival . . . must be working today in the context of today's society.

For the inescapable fact is that our society is infinitely more complex than it was in 1882 when Peter McGuire led his Labor Day parade into Union Square. And the labor movement is infinitely more inter-connected and inter-twined in our society than it was in those more simple days.

Today the range of interests of the American labor movement is the range of interests of the American people. We are interested in the quality and caliber of our schools . . . in our communications system . . . in the nature of our cities and the ability of our police forces to cope with the kinds of problems that exist . . . far more sophisticated than ever before. We are concerned . . . and vitally so . . . with air and water pollution . . . with the conservation of our natural resources. Our nation's tax structure and economic policy . . . our relations with the nations in Europe, Latin America and the Orient . . . the space program and its implications for the world in which we live . . . these, too, are matter of concern for the American labor movement.

The fact is that there is only one substantial private organization in the United States whose primary dedication is to the widest and best interests of all the American people. It is the only organization whose vast resources, manpower and money, are used in the interests of all the American people. And that organization is the American labor movement represented by the AFL-CIO.

By substantial I mean well organized, large and influential. By private organization I mean one that is not part of our governmental structure. By best interests of the American people I mean the interests of the business community, the educational community, the religious community as well as the rank and file citizen. I specifically suggest the AFL-CIO and its member unions work day in and day out, longer and harder, and expend its manpower and money in the interests of the entire American community rather than in the narrow area of responsibility to dues-paying members only.

It is for this reason and within this context that the American labor movement today is reaching out in two broad directions. The first is toward the growing area of white and grey collar workers . . . the people who handle and service the machines and the products of those machines, whether the products are paper work or a hardier substance . . . whose need for protection against exploitation and misuse is as great as that of the miner or railroad worker 60 years ago.

To those of you who fall into this category . . . who spend your working lives in today's white collar factories producing paper work . . . I extend a cordial invitation. Visit your nearest union office . . . my own union, the Communications Workers of America . . . CWA . . . would be glad to help . . . and find out about today's unions. Find out what they're doing for other people . . . in the newspaper and radio industries . . . in insurance companies and electronic data processing firms . . . for teachers and nurses. You'll find people like yourselves . . . people interested only in translating the spirit of our American democracy into everyday, practical terms . . . interested only in helping our country and the labor movement which serves it . . . move ahead toward a fuller realization of the American dream.

You need our strength just as we need yours.

Our second major area of concern is the existence of poverty in our country and the disturbances in our cities that are a reflection of that poverty . . . poverty of morale as well as of pocket.

We in the American labor movement constitute the front line troops in our nation's war against poverty. Recently the Communications Workers negotiated an agreement with one of the nation's telephone companies that opens the door wide to training for those who are now disadvantaged.

From a longer range point of view, we must improve our schools so that the people we train today will be able to cope with the technology of tomorrow. The teaching machines and the modern instructional techniques now in use in private industry and private schools must be made available on the broadest possible public basis. If, in earlier days, it was a matter of sound public policy to provide each of our children with a free grade school education, as a minimum, surely in today's society and that of tomorrow, we should regard it as a matter of sound public policy to provide a free education through the doctor's degree for everyone who has the ability and the desire to reach that goal.

And we need to get on with the job of eliminating our slums and our ghettos. There's little excuse for a nation as wealthy and resourceful as ours to tolerate rat infested slums . . . waterless, airless rooms with five or six people to the room . . . trash-filled streets . . . parks in which one dare not walk after night-fall.

Poverty is an old and ancient enemy of ours. We have faced it in the mining camps . . . in the company towns . . . on the waterfront . . . in the factory lofts of great cities . . . wherever working people were without means to fight exploitation.

It remains today our relentless foe . . . a barrier between the people of our land and the promise of our land. It is a foe against which we have won many battles but not yet the war.

Ending poverty in America . . . keeping pace with our galloping technology and applying its benefits fairly and equitably . . . building a society of unlimited opportunity and boundless horizons . . . these are the goals of the American labor movement as we look "backward" on this Labor Day of 1967. And, by our own good efforts and with the help of God, we shall achieve them.

THE TEXAS RANGERS

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROBERTS. Mr. Speaker, this morning the lead article in the Wall Street Journal dealt with one of the most famous law enforcement agencies in the world. Except for the Northwest Mounted Police, probably the best-known police organization in history is the Texas Rangers, all 62 of them.

The Journal, a respected publication, pointed out some aspects of the current storm raging over the Rangers concerning attempts by a union to organize Latin

American farm laborers in the Rio Grande Valley of Texas. A detachment of Rangers was sent some months ago, by Gov. James Connally to restore law and order in the sometimes violent situation. As a result of the Rangers' usual efficient handling of the situation, they have been barraged with charges ranging from brutality to enfringement of civil rights.

If there is any truth in these charges, I certainly do not condone misdeeds. However, it is my view and the view of respected law enforcement officials around the Nation that the Rangers are one of the best groups of lawmen in the world. They have an unparalleled record of arrests leading to the conviction of criminals. There is no denying that the Rangers are a tough bunch. Their code of honor is the chivalry of the Old West; their code of law is equal justice for all and swift, sure punishment for offenders. Like Canada's Mounties, the Rangers always get their man.

The Texas Rangers really need no defense, for their proud record is already secure in history. However, it is interesting to note that such a man as Mr. Ferris Lucas, executive director of the National Sheriffs Association, says he considers the Rangers one of the Nation's best police groups. Mr. Wendell W. Faile, national director of public relations for the National Police Officers Association, said his organization views the Rangers as "one hell of an effective law enforcement agency. We have been closely following the Rio Grande Valley situation and think if anything the Rangers should be commended for their work there."

One of the criticisms has been that the Rangers harass minority groups. The Rangers are an elite corps of the Texas Department of Public Safety. Often, Rangers are recruited from within the department's own ranks. Significantly, a number of men of Latin American ancestry serve in the department. Further, one of the Rangers' most famous officers was of Spanish ancestry. Capt. M. T. "Lone Wolf" Gonzaules retired a few years ago after a long and honor-filled career with the Rangers.

A spokesman for the department of public safety has assured me that there is no discrimination because of race in the selection of Rangers, although it is difficult for anyone to join this select force. There are now more than 5,000 applications on file.

The Texas Rangers are under attack, but I say to them to keep their own unwritten motto in mind: "A Ranger Never Retreats."

Mr. Speaker, the article in the Journal I referred to is as follows:

THE TEXAS RANGERS—LAWMEN GET THEIR MAN, BUT THEIR TACTICS ARE CURRENTLY UNDER FIRE—CELEBRATED FORCE IS ACCUSED OF STRIKEBREAKING, ASSAULT; IT TERMS CHARGES FALSE—LAW AND ORDER, RIGHT AND JUSTICE

(By Dennis Farney)

RIO GRANDE CITY, TEX.—Sporting six-guns and white stetsons, the legendary Texas Rangers brought "the law" to this tense border town this year. The result: An uproar that could threaten their national reputation as elite lawmen.

Officially, the tough, taciturn Rangers came to keep order in a bitter strike to organize a farm workers union here in the Rio Grande Valley. But critics charge that the Rangers broke the strike, assaulted and intimidated union organizers and sympathizers and sided with management from the beginning.

Now the Rangers are embroiled in a controversey that reaches to Texas Gov. John Connally and the U.S. Senate. Ralph Yarborough, Democratic Senator from Texas who is a political foe of the Democratic governor, calls the Rangers "Connally's strikebreakers." The Rangers have been investigated by the FBI and an arm of the U.S. Civil Rights Commission. A Senate subcommittee has criticized them. In Texas, Mexican-American political groups are calling for their abolition.

The dispute has even produced a hit record—a hit, at least, among the Mexican-American farm workers who support the unionization attempt. It describes itself, in Spanish, as "a sad story about these poor campesinos (countrymen) who were beaten by these damned Rangers." It calls Mr. Connally "a bad governor who hates the Mexicans and laughs at suffering."

A RANGER NEVER RETREATS

Controversy, of course, long has dogged the colorful Rangers, who still embody the tradition of the frontier Texan: Independent, free-wheeling and quick on the draw. Formally organized in 1835 during the Texas revolution, Rangers fought in the Mexican War, helped drive the Indians from Texas into Oklahoma, faced down gunslingers and weathered periodic reorganizations as their political support waxed and waned. "Chivalrous, bold and impetuous in action, he (the Ranger) is yet wary and calculating, always impatient of restraint, and sometimes unscrupulous and unmerciful," wrote a U.S. Army officer who observed the Rangers during the Mexican War.

But rarely has the criticism come from U.S. Senators or received national publicity. And so the Rangers—who live by the unwritten code "a Ranger never retreats"—lash back angrily.

"The history of the Texas Rangers has always been filled with minority people who for devious reasons have tried to abolish the Rangers," says Col. Homer Garrison, head of the Texas Department of Public Safety, which includes Rangers. "Criminals and racketeers have tried it, and in this day of rather perverted ideas of the rights of people" it is happening again, he maintains.

Sitting ramrod-straight at his desk, the colonel adds: "I'm as confident as I sit in this chair that as long as there is a state of Texas there will be a Texas Ranger force—because the people of this state believe in law and order, right and justice." Col. Garrison calls charges of Ranger brutality "totally false and unfounded." Gov. Connally says the Rangers were sent "as a routine matter to enforce the law" and "have nothing to hide."

AN ELITE BRIGADE

Attacks on the Rangers appear far from over, however. Sen. Harrison Williams (D., N.J.) gathered complaints against the lawmen during hearings this summer by his migratory labor subcommittee. He probably will cite them in his legislative push to bring farm laborers under the National Labor Relations Act. Rangers are defendants in suits filed by union members and the Texas Council of Churches. And in Washington, a spokesman says the Justice Department still is weighing the FBI report on "allegations of Ranger brutality and Ranger misconduct."

The Rangers' original purpose was to guard the Texas frontier. Today, only 62 strong (there were 1,089 Rangers at one point during the Civil War), they are a kind of elite brigade, ready to back up local authorities or tackle special problems. They are handpicked men. Ranger headquarters has a file of about 5,000 applications; more arrive daily, "not just from Texas but from all countries of the Free World," says Col. Garrison. Recently admission requirements were changed so that Rangers no longer need be native Texans.

There never have been many Rangers, but the corps' tradition of individual courage runs deep. Once a cowtown that had sent an urgent telegram requesting a whole company of Rangers to control a mob was dismayed when only one, Capt. Bill McDonald, stepped off the train. "Well," drawled the captain to the anxious citizens committee, "you ain't got but one mob, have you?" The mob promptly dispersed. More recently, single Rangers scattered angry mobs protesting school integration in Mansfield and Texarkana.

LET'S CUT OUT THIS STUFF

When 80 inmates seized control of the Rusk, Texas, state hospital for the criminally insane, captured its superintendent and six attendants and threatened to kill them, state and local police ringed the institution, and Ranger Capt. R. A. Crowder walked inside alone. Ten minutes later he emerged, followed by the superintendent, the guards—and the 80 inmates who then stacked their weapons and surrendered.

With typical Ranger terseness, Capt. Crowder later explained: "I just said (to the inmates) 'Let's cut out this stuff.'" And Ranger George Roach, who once single-handedly disarmed a man who had barricaded himself inside a barn, noted merely in his report: "I apprehended the man."

Ranger companies still keep horses for use in rugged areas. But more often they pursue lawbreakers in their fleet of 1967 Plymouth Furys or by airplane or boat. One Ranger captain got his man by borrowing an Army tank. For the first six months this year, Rangers arrested 589 suspects in felony crimes, resulting so far in 430 convictions, 3,052 years of prison sentences, two death penalties and two life imprisonments.

The Rangers' fame is widespread among criminologists. "They're the nation's first state police," says Franklin G. Ashburn, a former academic criminologist and now director of planning and research for the Baltimore Police Department. "From what I hear, they're a good outfit with high esprit. Of course they might be a little flashy for Maryland. But if that's what the citizenry wants—cowboy boots, pearl-handled revolvers and all that—okay."

For decades, Texas Rangers have been sent into explosive surroundings, and the situation here in Rio Grande City is no exception. Officials of the National Farm Workers Organizing Committee, which successfully organized grape pickers at Delano, Calif., had been working for more than a year without any real breakthrough, amid conditions of extreme poverty. (Three or four Starr County families live on less than $3,000 a year.) There already had been trouble: A railroad trestle had been burned, and costly vandalism had occurred at La Casita Farms, the main union target.

Critics see the Ranger intervention as the predictable result of a political pattern that favors the growers at every turn. Starr County Attorney Frank Randall Nye, who officially requested the Ranger aid, is on retainer to Starr Produce Co., which operates another big farm here. At the time of the Ranger intervention, Starr County already listed 40 "special deputies," including the brother of Ray Rochester, La Casita's manager. And a union source maintains that when things got hot, Gov. Connally's office set up a press conference in Austin for attorney Morris Atlas, who represents La Casita.

"Traditionally, the Mexican-American has looked upon Rangers as the ones who protected the white—the Anglo—and his encroachment upon old Spanish land claims," says Texas State Senator Joe Bernal, who wants the Texas Senate to investigate the Rangers' role here. "The Mexican-American in South Texas has taken law enforcement by the Texas Ranger as one of the everyday hardships he has to live with."

THE UNION'S CHARGES

After their arrival, "the Rangers had no communication with union members at all, except when they arrested them," claims James McKeithan, union attorney. Union members say they saw La Casita's Ray Rochester buy the Rangers dinner at the Rattler's Den, a local restaurant; another observer saw a local politician treating them to a barbecue. Concluded three liberal Texas state senators who conducted an unofficial investigation: "They (the Rangers) assumed a partisan stance on their very first day."

In three mass arrests, the Rangers charged about 50 union members and sympathizers with picketing in violation of Texas laws, disturbing the peace or other offenses. Union members charge bitterly that the Rangers escorted Mexican workers to the fields, blunting the strike's impact.

Several matters are at the heart of the controversy. One is the arrest of the Rev. Edgar A. Krueger, his wife, Esther, and a friend, Doug Adair. Mr. Krueger, openly sympathetic to the strike effort, is a United Church of Christ minister assigned by the Texas Council of Churches to serve the farm workers. Mr. Adair is an editor of a small pro-strike magazine.

Mr. Krueger maintains the Rangers arrested him while he photographed them guiding a melon train through a crossing that had been picketed earlier. He says, when Mrs. Krueger attempted to photograph the Rangers arresting her husband, she was arrested and her camera forcibly taken from her. The Rangers saw Mr. Adair looking on and arrested him too, Mr. Krueger alleges.

In a statement given Sen. Williams' subcommittee, Mr. Kreuger said: "One of the Rangers threw Doug's smoking pipe on the front seat. It bounced off, falling in the doorway. Automatically, I reached down to put it back on the seat. At that, Ranger Jack Van Cleve slapped me with tremendous force on the left cheek. As Doug Adair was getting into the car . . . A Ranger kicked his leg, and then slammed the door on it."

A second source of contention was the arrest a few nights later of Magdaleno Dimas and Benito Rodriguez, union members, at the time, on complaint of a La Casita official who said they drove near a packing shed and displayed a rifle in a threatening manner.

In a judicial hearing on La Casita's request for an injunction against union picketing, Mr. Dimas testified that Capt. A. Y. Allee and one of his Rangers arrested the two men inside a house, ordered them outside and then hit them from behind with shotguns as they filed past. Mr. Dimas testified:

"When I pass Mr. Captain Allee is when they hit me, right on my head, to put me down . . . I remember I get up, they hit me again, and put me down again, and I get up, and they hit me right on my neck, and I coming down." Mr. Rodriguez testified that he also was struck from behind and "as I was going down I was struck repeatedly."

Dr. Ramiro R. Casso examined Mr. Dimas the next morning at the request of Mr. McKeithan, the union attorney. Dr. Casso says he found "a cut in back of his head 1½ inches long, and he had developed signs of brain concussion: A persistent headache, nausea, vomiting and dizziness." Another doctor who examined Mr. Dimas earlier at the request of local sheriff's deputies, who participated in the arrest, says the injuries weren't that serious.

Mr. McKeithan says he ordinarily views charges of police brutality "with a grain of salt." But he continues: "What convinced me—I saw them a few hours after the incident. Dimas had obviously been beaten—all sides, front and back. Such a beating hadn't been necessary even if he had resisted arrest." Mr. Dimas hasn't been charged with resisting arrest. Mr. Nye, the county attorney, says the alleged beating is "of such notoriety" that he will refer it to a special grand jury.

NEWSMEN'S CHARGES

Newsmen charge the Rangers with hindering legitimate news coverage. Lee Harr, news manager of KGBT–TV, Harlingen, Texas, says he was photographing Ranger arrests of picketers when Ranger Van Cleve told him: "If you want that camera busted just use it again." Felix Ramirez, a professional photographer, says he was taking pictures for the Associated Press when Capt. Allee ordered him to stop, warning: "If you take any more pictures, I'll take your damn camera off of you." Mr. Ramirez stopped taking pictures.

Sen. Williams twice asked that Capt. Allee appear before his subcommittee. Both invitations were declined. After hearings, the Senator said he had heard "a great deal of testimony that Capt. Allee and the Rangers under his direction have trespassed upon private property, have made numerous arrests without legal cause, used physical force far beyond that required to take a subject into custody, participated in acts of strikebreaking and committed other infringements of personal and property rights. That testimony stands uncontradicted by Capt. Allee."

Elsewhere, however, the Rangers vigorously deny all charges against them. "All those charges of brutality—it just didn't happen," growls Capt. Allee, a burly, gravel-voiced man and a Ranger for 35 years. "This damn era we live in now—a man who works to violate the law has more civil rights than good people," he adds. The captain recalls fondly that when he broke in "we were still a horse company." Of course, he adds, "everything's modern now, even crime." Capt. Allee's grandfather and father were Rangers; his son is a Ranger, too.

Answering a suit filed by the Kruegers, the Texas Council of Churches and others, the Rangers deny they have "indulged in any unlawful acts." In the hearing on La Casita's injunction request, Capt. Allee testified that Mr. Dimas and Mr. Rodriguez didn't respond to his order to bring their hands out from under a table to stand up. "I then kicked the table back, and I hit Magdaleno Dimas with the barrel of the shotgun on the head, didn't hurt him, didn't knock him to the floor at that time at all," Capt. Allee said.

Then, the captain added, the two men ran from the room and "they either stumbled over a chair, or something happened to them, I don't know what it was, or tripped and fell down."

Certainly the controversy hasn't damaged the Rangers in the eyes of Col. Garrison, who counts FBI Director J. Edgar Hoover among his friends and who says with emotion that "the greatest tribute I've ever had in my life" was when the Rangers unanimously asked him to become their leader in 1938. To Col. Garrison, a Ranger has what counts for most in a man—courage.

"The Rangers have a great tradition, and their great tradition comes from the fact that a Ranger never retreats," says the colonel. "If it's necessary to die in his tracks, a Ranger dies in his tracks. People know that, and consequently, he seldom has to die in his tracks."

Col. Garrison says proudly that only two Rangers have resigned since 1935. "However, some years ago it became my sad duty to fire a Ranger, because he showed a lack of courage—the only Ranger I've ever fired," he adds.

"What he did was allow himself to be captured by a bank robber. Then he made no attempt to escape. We felt he should have made an attempt to get his gun back. So we fired him for two things. First, he wasn't alert. Second, he showed no guts. His brother Rangers would never have worked with him after that."

HOOVER'S UNIFORM CRIME REPORTS

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include statistics and tables.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, the Attorney General of the United States unfortunately appears to be preoccupied as a social reformer rather than aggressively acting as the chief law enforcement officer of this Nation.

Although the Federal Bureau of Investigation comes under the U.S. Department of Justice, under the able leadership of J. Edgar Hoover, the FBI is an efficient organization and has just released its report, "Uniform Crime Reporting."

The Attorney General, as you know, recently said the increase in crime was trivial and not a great problem. Well, I would like to invite his attention to the statistics coming out of the FBI under the Department of Justice and specifically direct his attention to the situation right under his nose here in Washington, D.C. This relates to the first 6 months of this year as compared to the first 6 months of last year. I will cite only a few instances.

As to robberies—there were 800 more robberies in the District of Columbia this year than last year, that is, comparing the first 6 months.

Then here is an appalling statistic—as to burglaries, breaking, and entry, there was an increase of 2,500 in the first 6 months of this year; there was 650 more larcencies; and 1,100 more automobiles were stolen in the first 6 months of 1967.

I think all of you will want to read in detail the statistics that I am including with my remarks, as follows:

UNIFORM CRIME REPORTING (JANUARY–JUNE, 1967)

Crime in the United States as measured by the Crime Index rose 17 percent during the first six months of 1967 over the same period in 1966. The violent crimes as a group increased 18 percent with robbery up 30 percent, murder 20 percent, aggravated assault 11 percent and forcible rape 7 percent. The voluminous property crimes rose 17 percent as a group. Auto theft registered a 19 percent rise, burglary 18 percent and larceny $50 and over 16 percent. All cities when grouped according to population had crime increases ranging from an average of 7 percent in cities with over one million population to 23 percent in cities having a population of 500,000 to one million. The suburban areas reported an increase of 18 percent and the rural areas were up 15 percent. Geographically, the upward crime trend was consistent throughout the country. Crime in the North Central States rose 20 percent, 18 percent in the Northeastern States and 16 percent in the Southern and Western States. Murder registered the highest percentage increase in the North Central States while in the Southern, Western and Northeastern States the crime of robbery showed the sharpest increase.

TABLE 1.—CRIME INDEX TRENDS (JANUARY–JUNE, PERCENT CHANGE 1967 OVER 1966, OFFENSES KNOWN TO THE POLICE)

Population group and area	Number of agencies	Population	Total	Murder	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny, $50 and over	Auto theft
Total, all agencies	4,635	142,749,000	+17	+20	+7	+30	+11	+18	+16	+19
Total, cities over 25,000	804	75,084,000	+17	+25	+9	+30	+10	+17	+15	+19
Suburban area	1,727	45,107,000	+18	+13	+9	+33	+12	+18	+17	+19
Rural area	1,054	20,902,000	+15	+2	−4	+22	+14	+19	+11	+3
Over 1,000,000	4	9,605,000	+7	+30	+6	+17	+6	+6	+7	+3
500,000 to 1,000,000	20	12,540,000	+23	+33	+4	+40	+11	+20	+17	+31
250,000 to 500,000	25	8,722,000	+22	+20	+24	+41	+22	+19	+24	+23
100,000 to 250,000	95	13,706,000	+21	+22	−4	+34	+9	+22	+17	+27
50,000 to 100,000	217	15,089,000	+15	+25	+15	+27	+8	+18	+11	+16
25,000 to 50,000	443	15,422,000	+16	+9	+19	+33	+14	+18	+16	+11
10,000 to 25,000	918	14,362,000	+17	+13	+14	+40	+10	+17	+18	+19
Under 10,000	1,605	8,944,000	+18	+23	+18	+34	+19	+19	+18	+14

TABLE 2.—CRIME INDEX TRENDS BY GEOGRAPHIC REGION (JANUARY–JUNE, 1967 OVER 1966)

Region	Total	Murder	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny, $50 and over	Auto theft
Northeastern States	+18	+25	+8	+28	+14	+18	+10	+26
North Central States	+20	+36	+4	+25	+15	+21	+19	+19
Southern States	+16	+13	+11	+36	+9	+16	+13	+31
Western States	+16	+15	+6	+33	+8	+17	+18	+10

The nationwide rise in aggravated assault included a 24 percent increase in the use of a firearm in these attacks. Armed robbery which comprises 58 percent of the robbery offenses increased 37 percent during the six-month period. Street robbery was up 24 percent, robbery of business houses 39 percent, service station robbery up 30 percent, chain stores 48 percent and robbery of residences 12 percent. Bank robbery which makes up 1 percent of all robbery showed a 57 percent increase during the six-month period. In the larceny classification purse-snatching showed a 26 percent increase and theft of personal property from automobiles was up 18 percent. Burglary of residences during the six-month period increased 15 percent over 1966, while non-residency burglary was up 20 percent.

TABLE 3.—OFFENSES KNOWN TO THE POLICE, JANUARY THROUGH JUNE, 1966 AND 1967, CITIES OVER 100,000 IN POPULATION

	Murder, nonnegligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary-breaking or entering	Larceny, $50 and over	Auto theft
Abilene, Tex.:							
1966	4	4	4	23	310	220	83
1967	----------	2	3	14	311	231	70
Akron, Ohio:							
1966	5	18	182	84	1,007	832	919
1967	11	25	283	123	1,245	1,114	1,686
Albany, N.Y.:							
1966	1	2	19	34	501	217	277
1967	1	6	45	50	727	205	459
Albuquerque, N. Mex.:							
1966	4	20	97	283	2,079	551	610
1967	5	25	131	236	2,204	1,121	636
Alexandria, Va.:							
1966	1	8	56	162	389	339	166
1967	3	13	89	170	583	392	181
Allentown, Pa.:							
1966	2	1	11	13	187	188	81
1967	1	3	18	9	235	205	87
Amarillo, Tex.:							
1966	5	12	16	127	586	457	171
1967	2	7	38	97	603	584	192
Anaheim, Calif.:							
1966	----------	9	35	43	924	591	222
1967	3	12	47	44	1,086	665	279
Arlington, Va.:							
1966	3	11	35	84	644	601	198
1967	2	8	45	120	638	681	288
Atlanta, Ga.:							
1966	61	60	212	468	2,386	2,549	1,130
1967	54	60	268	413	2,659	2,179	1,273
Austin, Tex.:							
1966	8	19	68	222	1,179	374	328
1967	12	21	100	270	1,324	581	384
Baltimore, Md.:[1]							
1966	----------	----------	----------	----------	----------	----------	----------
1967	99	185	2,530	2,887	7,369	5,365	4,372
Baton Rouge, La.:							
1966	8	18	50	74	1,140	897	327
1967	7	15	60	93	1,344	1,196	440
Beaumont, Tex.:							
1966	7	----------	8	166	425	125	66
1967	6	----------	27	200	585	159	90
Berkeley, Calif.:							
1955	1	24	89	40	843	222	219
1967	1	19	108	40	1,070	362	337
Birmingham, Ala.:							
1966	26	25	138	439	1,872	1,480	573
1967	24	20	147	416	2,243	1,489	744
Boston, Mass.:							
1966	15	55	553	477	2,386	1,525	5,128
1967	36	63	623	548	2,593	1,192	6,799
Bridgeport, Conn.:							
1966	4	----------	33	35	640	370	387
1967	2	1	77	73	878	308	673
Buffalo, N.Y.:							
1966	7	34	128	187	2,376	1,106	1,339
1967	10	41	313	275	2,455	1,450	1,990
Camden, N.J.:							
1966	6	15	100	71	604	285	315
1967		20	193	107	1,007	324	488

Footnote at end of table.

TABLE 3.—OFFENSES KNOWN TO THE POLICE, JANUARY THROUGH JUNE, 1966 AND 1967, CITIES OVER 100,000 IN POPULATION—Continued

	Murder, nonnegligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary-breaking or entering	Larceny, $50 and over	Auto theft
Canton, Ohio:							
1966	3	8	24	33	304	309	134
1967	4	5	51	50	388	356	151
Cedar Rapids, Iowa:							
1966	------------	5	8	7	145	181	110
1967	------------	2	6	7	191	155	103
Charlotte, N.C.:							
1966	11	22	158	399	1,377	721	318
1967	26	12	131	407	1,504	907	359
Chattanooga, Tenn.:							
1967	11	11	92	89	1,024	229	514
1967	14	10	104	72	1,051	176	499
Chicago, Ill.:							
1966	196	653	7,868	5,263	14,211	7,955	13,703
1967	273	683	8,298	5,885	15,021	8,202	13,531
Cincinnati, Ohio:							
1966	21	59	168	342	1,544	967	422
1967	28	50	225	357	1,589	1,067	591
Cleveland, Ohio:							
1966	57	62	1,069	508	2,945	540	3,062
1967	79	72	1,716	596	3,807	1,818	5,076
Columbia, S.C.:							
1966	3	4	42	92	617	411	251
1967	9	4	29	138	609	438	370
Columbus, Ga.:							
1966	6	1	19	30	558	283	158
1967	8	5	26	46	590	367	269
Columbus, Ohio:							
1966	9	49	245	256	2,420	1,458	1,155
1967	15	58	366	258	3,369	2,031	1,209
Corpus Christi, Tex.:							
1966	12	12	45	201	1,161	872	252
1967	9	16	82	256	1,303	1,285	314
Dallas, Tex.:							
1966	53	55	307	973	3,578	1,241	1,623
1967	67	65	433	898	4,121	1,287	1,952
Dayton, Ohio:							
1966	11	24	126	196	1,344	499	461
1967	23	39	360	259	1,690	691	779
Dearborn, Mich.:							
1966	------------	2	41	18	481	393	341
1967	------------	5	76	25	477	512	356
Denver, Colo.:							
1966	9	90	310	338	2,826	1,524	1,574
1967	13	90	375	359	3,189	2,122	1,946
Des Moines, Iowa:							
1966	8	8	47	35	484	596	292
1967	3	12	66	25	720	629	387
Detroit, Mich.:[1]							
1966	------------	------------	------------	------------	------------	------------	------------
1967	111	367	5,391	2,225	17,694	6,728	6,746
Duluth, Minn.:							
1966	------------	1	7	7	290	238	133
1967	1	2	10	8	474	244	171
Elizabeth, N.J.:							
1966	2	14	74	142	631	226	285
1967	------------	5	74	155	641	255	405
El Paso, Tex.:							
1966	7	21	77	141	1,366	443	474
1967	5	19	102	152	2,023	688	640
Erie, Pa.:							
1966	2	3	29	44	307	178	238
1967	2	4	50	37	537	189	384
Evansville, Ind.:							
1966	5	10	49	102	684	585	300
1967	2	10	61	135	610	559	261
Flint, Mich.:							
1966	4	37	155	588	869	1,066	396
1967	11	33	204	566	1,136	1,352	683
Fort Lauderdale, Fla.:							
1966	3	17	85	123	956	738	270
1967	11	12	98	84	1,108	746	286
Fort Wayne, Ind.:							
1966	3	5	24	37	531	535	200
1967	1	12	59	26	818	789	296
Fort Worth, Tex.:							
1966	21	44	192	244	2,027	716	752
1967	35	36	230	255	2,439	796	1,081
Fresno, Calif.:							
1966	4	5	97	66	1,312	1,010	601
1967	3	6	76	71	1,791	1,033	702
Garden Grove, Calif.:							
1966	2	4	17	64	722	490	179
1967	------------	9	46	45	770	522	211
Gary, Ind.:							
1966	19	43	253	224	763	720	553
1967	19	19	375	216	865	766	730
Glendale, Calif.:							
1966	------------	7	29	27	429	480	259
1967	2	7	36	20	538	641	287
Grand Rapids, Mich.:							
1966	2	10	80	3	973	559	334
1967	6	12	157	109	1,338	586	465
Greensboro, N.C.:							
1966	5	8	33	422	452	443	196
1967	3	11	48	312	470	610	201
Hammond, Ind.:							
1966	2	1	47	49	350	486	280
1967	1	5	73	57	541	558	345
Hampton, Va.:							
1966	3	5	18	34	455	284	56
1967	6	6	17	29	394	195	76
Hartford, Conn.:							
1966	2	12	92	119	833	357	354
1967	17	15	108	151	901	458	698

Footnote at end of table.

TABLE 3.—OFFENSES KNOWN TO THE POLICE, JANUARY THROUGH JUNE, 1966 AND 1967, CITIES OVER 100,000 IN POPULATION—Continued

	Murder, nonnegligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary-breaking or entering	Larceny, $50 and over	Auto theft
Honolulu, Hawaii:							
1966	6	6	49	96	2,555	1,099	938
1967	3	7	48	80	2,596	1,276	1,073
Houston, Tex.:							
1966	95	88	1,026	1,254	8,279	2,461	2,618
1967	119	112	1,580	1,246	7,880	3,100	3,263
Huntsville, Ala.:							
1966	3	13	22	157	525	543	248
1967	5	2	4	186	539	533	290
Independence, Mo.:							
1966	2	10	25	57	393	216	93
1967	----------	3	20	74	364	215	83
Indianapolis, Ind.:							
1966	20	58	569	250	2,894	1,215	1,843
1967	26	60	485	218	3,797	1,511	2,284
Jackson, Miss.:							
1966	8	----------	5	53	39	224	116
1967	14	1	19	61	550	258	127
Jacksonville, Fla.:							
1966	11	21	300	218	1,501	836	477
1967	20	33	380	432	1,922	825	510
Jersey City, N.J.:							
1966	8	10	86	85	540	79	1,166
1967	9	12	104	103	497	86	1,468
Kansas City, Kans.:							
1966	7	25	109	131	801	195	294
1967	11	18	220	171	1,275	232	612
Kansas City, Mo.:							
1966	28	99	719	571	3,346	1,925	1,654
1967	32	93	941	625	4,287	2,070	2,319
Knoxville, Tenn.:							
1966	10	11	41	232	948	305	279
1967	8	3	41	154	1,036	391	394
Lansing, Mich.:							
1966	1	9	40	42	471	609	335
1967	----------	8	38	83	663	674	319
Las Vegas, Nev.:							
1966	7	4	92	66	468	349	217
1967	2	3	66	53	506	388	229
Lincoln, Nebr.:							
1966		6	6	51	274	289	90
1967	1	11	6	28	315	266	72
Little Rock, Ark.:							
1966	5	7	72	235	624	714	155
1967	9	13	72	382	790	778	151
Long Beach, Calif.:							
1966	8	53	309	213	2,273	1,382	1,378
1967	7	55	477	247	2,690	1,564	1,316
Los Angeles, Calif.:							
1966	102	653	3,733	4,675	26,773	16,261	11,393
1967	121	700	4,812	5,006	29,165	17,698	11,923
Louisville, Ky.:							
1966	16	29	292	211	1,997	2,002	1,427
1967	28	31	380	313	2,260	2,144	2,175
Lubbock, Tex.:							
1966	7	12	42	127	734	653	152
1967	7	14	46	142	1,029	841	163
Macon, Ga.:							
1966	6	11	60	88	737	291	191
1967	17	11	69	82	832	387	163
Madison, Wis.:							
1966	3	5	12	9	279	377	250
1967	----------	7	13	7	383	513	221
Memphis, Tenn.:							
1966	10	34	236	90	3,207	2,267	725
1967	27	53	354	219	3,962	1,979	957
Miami, Fla.:							
1966	27	42	682	1,191	3,164	1,644	768
1967	24	48	731	1,255	3,412	1,832	944
Milwaukee, Wis.:							
1966	13	13	82	197	1,319	1,963	1,700
1967	17	23	231	260	1,785	2,452	2,382
Minneapolis, Minn.:							
1966	18	40	440	349	3,403	1,724	1,635
1967	6	72	587	644	4,362	1,661	1,590
Mobile, Ala.:							
1966	3	10	79	192	1,502	553	309
1967	7	17	95	255	1,503	596	350
Montgomery, Ala.:							
1966	12	7	36	36	578	485	151
1967	12	9	54	31	744	524	167
Nashville, Tenn.:							
1966	19	48	109	457	2,054	1,399	790
1967	25	55	255	730	3,041	1,721	1,432
Newark, N.J.:							
1966	26	62	731	962	4,625	1,963	2,209
1967	28	80	827	980	4,635	2,077	2,500
New Bedford, Mass.:							
1966	1	2	23	35	406	179	372
1967	1	4	42	49	569	298	684
New Haven, Conn.:							
1966	2	4	15	62	581	295	477
1967	5	3	25	70	1,045	329	694
New Orleans, La.:							
1966	57	89	631	614	3,326	2,410	2,287
1967	62	94	1,002	790	3,879	3,299	3,020
Newport News, Va.:							
1966	5	4	68	109	412	243	106
1967	7	10	47	105	576	408	151
New York, N.Y.:[1]							
1966	----------	----------	----------	----------	----------	----------	----------
1967	346	929	16,041	13,609	68,693	54,645	23,341
Niagara Falls, N.Y.:							
1966	----------	4	25	92	290	305	104
1967	1	4	46	116	349	319	160

Footnote at end of table.

TABLE 3.—OFFENSES KNOWN TO THE POLICE, JANUARY THROUGH JUNE, 1966 AND 1967, CITIES OVER 100,000 IN POPULATION—Continued

	Murder, nonnegligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary-breaking or entering	Larceny, $50 and over	Auto theft
Norfolk, Va.:							
1966	11	16	175	401	1,608	958	750
1967	20	42	276	351	2,006	1,551	761
Oakland, Calif.:							
1966	18	32	474	264	2,847	1,638	979
1967	14	55	663	305	4,102	2,354	1,328
Oklahoma City, Okla.:							
1966	15	35	248	143	1,831	283	760
1967	21	58	174	253	2,166	814	656
Omaha, Nebr.:							
1966	5	22	99	24	1,351	306	823
1967	13	31	208	257	1,557	580	734
Orlando, Fla.:							
1966	7	16	55	173	671	502	192
1967	9	3	64	147	542	599	311
Pasadena, Calif.:							
1966	3	19	78	66	964	541	294
1967	5	16	112	92	1,128	714	282
Paterson, N.J.:							
1966	8	5	84	45	594	88	450
1967	6	8	107	80	718	153	542
Peoria, Ill.:							
1966	5	14	90	74	803	348	332
1967	4	10	147	90	677	351	272
Philadelphia, Pa.:							
1966	87	239	1,181	1,944	5,605	2,303	3,492
1967	113	238	1,429	1,749	6,136	2,098	3,334
Phoenix, Ariz.:							
1966	18	58	244	337	3,216	2,731	1,477
1967	23	53	354	432	4,497	2,906	1,828
Pittsburgh, Pa.:							
1966	13	92	779	337	2,938	1,942	2,689
1967	16	89	862	430	2,957	2,192	3,525
Portsmouth, Va.:							
1966	5	4	114	78	762	356	254
1967	12	6	97	85	886	364	288
Providence, R.I.:							
1966	4	6	61	102	1,037	324	1,166
1967	7	7	87	123	1,397	369	1,580
Pueblo, Colo.:							
1966	3	------------	18	41	217	278	77
1967	2	3	16	75	338	356	122
Raleigh, N.C.:							
1966	6	5	28	235	455	395	119
1967	3	4	40	165	417	511	145
Reading, Pa.:							
1966	1	1	15	17	341	113	104
1967	2	1	25	37	341	128	161
Richmond, Va.:							
1966	24	39	132	207	1,588	758	869
1967	23	35	195	229	1,742	487	930
Riverside, Calif.:							
1966	3	15	30	115	946	729	277
1967	1	13	52	91	1,171	856	294
Roanoke, Va.:							
1966	1	5	24	108	476	237	174
1967	6	4	26	85	539	436	248
Rochester, N.Y.:							
1966	14	17	60	128	1,169	820	584
1967	12	32	166	268	1,481	1,003	451
Rockford, Ill.:							
1966	5	2	25	22	339	287	126
1967	3	------------	48	47	394	364	154
Sacramento, Calif.:							
1966	5	18	172	98	1,675	1,068	1,121
1967	15	18	178	94	1,452	1,085	935
Saginaw, Mich.:							
1966	6	9	91	78	340	153	232
1967	7	7	72	119	461	126	130
St. Louis, Mo.:							
1966	47	155	1,058	1,009	6,080	1,230	2,335
1967	90	114	1,331	1,091	6,169	1,494	3,156
St. Paul, Minn.:							
1966	7	39	190	173	1,919	914	1,010
1967	4	30	258	186	2,489	1,256	1,302
St. Petersburg, Fla.:							
1966	7	24	140	269	1,073	639	171
1967	5	9	136	157	1,297	701	224
Salt Lake City, Utah:							
1966	3	13	102	65	1,120	1,035	483
1967	2	12	142	85	1,292	1,063	383
San Antonio, Texas:							
1966	26	44	163	616	4,121	1,977	1,227
1967	38	53	224	723	3,653	2,074	1,121
San Bernardino, Calif.:							
1966	------------	8	54	54	846	586	279
1967	------------	13	69	56	1,050	860	285
San Diego, Calif:							
1966	4	28	175	289	1,618	2,746	1,060
1967	4	31	211	276	1,779	3,318	1,084
San Francisco, Calif.:							
1966	19	43	1,180	923	5,569	1,975	3,669
1967	34	78	1,721	1,061	7,543	2,366	4,592
San Jose, Calif.:							
1966	8	29	76	56	1,907	473	724
1967	4	24	110	84	2,130	568	823
Santa Ana, Calif.:							
1966	3	11	39	81	567	236	185
1967	1	15	50	86	834	319	252
Savannah, Ga.:							
1966	8	9	126	306	601	540	165
1967	8	14	120	63	868	613	255
Scranton, Pa.:							
1966	1	------------	6	24	286	81	113
1967	------------	1	9	46	330	89	165
Seattle, Wash.:							
1966	15	62	270	171	2,331	2,193	995
1967	20	51	554	348	3,663	2,924	1,655

TABLE 3.—OFFENSES KNOWN TO THE POLICE, JANUARY THROUGH JUNE, 1966 AND 1967, CITIES OVER 100,000 IN POPULATION—Continued

	Murder, nonnegligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary-breaking or entering	Larceny, $50 and over	Auto theft
Shreveport, La.:							
1966	12	4	45	223	506	212	262
1967	8	5	28	273	661	275	324
South Bend, Ind.:							
1966	3	6	30	23	444	194	220
1967	2	2	57	41	809	291	295
Spokane, Wash.:							
1966	2	4	20	16	479	235	233
1967	1	3	31	19	467	337	297
Springfield, Mass.:							
1966	2	2	4	5	211	261	435
1967	7	3	31	82	496	172	759
Springfield, Mo.:							
1966	....	4	16	14	391	148	67
1967	1	....	12	7	446	187	73
Syracuse, N.Y.:							
1966	1	20	80	198	853	810	203
1967	6	34	141	220	1,115	1,096	276
Tacoma, Wash.:							
1966	2	9	25	60	533	320	217
1967	5	9	54	119	662	494	284
Tampa, Fla.:							
1966	15	23	251	394	2,335	1,295	558
1967	13	24	347	404	2,982	1,503	674
Topeka, Kans.:							
1966	1	7	31	87	358	193	74
1967	....	4	39	121	504	279	159
Torrance, Calif.:							
1966	3	10	43	51	820	815	293
1967	....	13	57	46	910	1,074	395
Trenton, N.J.:							
1966	4	21	151	79	645	159	555
1967	8	10	165	111	892	357	745
Tucson, Ariz.:							
1966	3	23	50	120	1,032	591	514
1967	4	12	71	112	1,158	709	399
Tulsa, Okla.:							
1966	6	32	65	87	1,184	1,135	432
1967	10	30	103	165	1,475	1,307	692
Utica, N.Y.:							
1966	....	1	10	11	139	85	54
1967	1	1	14	13	196	40	52
Virginia Beach, Va.:							
1966	2	9	17	104	330	316	95
1967	1	5	18	71	437	493	108
Waco, Tex.:							
1966	2	7	30	228	868	308	88
1967	5	10	43	155	700	305	114
Warren, Mich.:							
1966	....	8	37	64	582	602	223
1967	2	11	44	156	819	743	262
Washington, D.C.:							
1966	74	69	1,466	1,449	4,574	2,349	2,582
1967	88	85	2,666	1,509	7,067	3,016	3,611
Waterbury, Conn.:							
1966	1	2	22	28	359	214	205
1967	3	3	28	28	536	218	217
Wichita, Kans.:							
1966	5	20	50	132	868	627	391
1967	5	28	54	177	1,136	910	569
Wichita Falls, Tex.:							
1966	5	3	13	82	205	163	103
1967	....	2	17	123	207	147	97
Winston-Salem, N.C.:							
1966	7	6	42	460	553	281	153
1967	15	4	54	457	703	336	209
Worcester, Mass.:							
1966	2	9	91	46	1,223	463	801
1967	1	13	51	52	1,115	542	1,033
Yonkers, N.Y.:							
1966	4	1	36	59	566	550	404
1967	2	3	56	114	664	654	479
Youngstown, Ohio							
1966	4	7	64	77	484	164	307
1967	9	2	135	116	718	213	575

[1] 1966 figures not comparable with 1967.

Note: All 1967 crime figures from reporting units are preliminary. Final figures are published in annual report.

NO MORE FEES

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include pertinent extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, opposition continues to grow in regard to the variety of admission fees, boat dock fees, guide fees, and various other fees that have been imposed at our Federal reservoirs by the Johnson administration. Surely the time has come for this matter to be considered by the Congress through the vehicle of H.R. 11236, now pending before the House Public Works Committee.

In that vein, I insert in the RECORD at this point an article by Bill Potter, outdoor editor of the Joplin, Mo., Globe:

POTTERING AROUND WITH BILL POTTER

An item appearing on the sports pages of The Joplin Globe of August 16 gave this newsman a jolt.

The same news account caused a flashback in time, perhaps as much as 55 years.

As I read the Associated Press article with the Washington dateline it was not the shock of the facts in the story that startled me but rather the alleged explanation of the subject contained in the release.

Across my mind raced a scene from childhood days. I couldn't have been more than eight years of age. I recall it was one of those delightful adventures when my dad would take me fishing with him.

On this particular day dad waxed philosophical. It was 1912 and William Howard Taft was in the White House. Dad was a militant Republican. In those days we lived in a great society but there was no "Great Society." The home was the important unit of the nation in that era and it took no man in a gray flannel suit from Madison Avenue to coin a phrase such as "the family that plays together, stays together." That was an era when the family prayed and played together and stayed together. It was a nation of families living in a sound economy and believing in a Lincolnesque form of government that was "of the people, for the people and by the people."

Dad was doing real well with his fishing that day. He had caught quite a string of bass and crappie and bream plus a catfish or two. I was too busy catching worm-stealing perch to catch the significance of a statement he made at that time. I can't give an exact quote but the essence of his statement came back quite forcefully the other day when I read the story from the "Great Society" capitol of 1967. This, I think, is the way dad put it that sunny Saturday afternoon:

"William, this is something that will always be free. Not even the government will invade your right of free access to the water. Fishing is a sport for all the people. God meant it this way because many of our poor people depend upon this fish for their food. As long as there is water and those waters shelter fish, this will be free for all people."

My dad is gone and so is his dream.

Of course those words were spoken probably before the U.S. Army Corps of Engineers ever decided that they would dam up most of our free-flowing rivers, build mammoth impoundments and then step-by-step and little by little flaunting their authority upon the people.

That's the story I'm talking about—the Associated Press dispatch of August 15 in which the Corps issued its "pay-or-else" edict to dock owners and other such installations on America's 230 lakes under their tenacious control. Deadline for "else" is Jan. 1. That's the date under this latest imposition that owners of such installations start paying rent to the government.

So the "grabbing for the green" boys are at it again. Never satisfied. Just greedy.

Let it be said, however, that the officials of the Corps are getting their orders from the higher ups in the executive branch. I suspect the "higher up" in this case might be the man from Arizona who heads up the Dept. of Interior, Stewart Udall.

Little by little my dad's prophecy of fishing for free has swung the other way until now it becomes fishing for a fee.

There are many angles to which this infringement of personal rights might be attacked. But with so many of our citizens bordering on the apathetic and fearful of "big government," we suspect the millions who pursue the sports of boating, fishing, cruising, skiing or just plan living "on the lake," will remain silent and pick up the tab.

My primary concern in this particular column (and there will be more, let me assure you now) is a statement of explanation made by a Corps spokesman when commenting on the fee to be imposed on the folks who have private docks, duck blinds, private or semi-private fishing piers, etc.

Here is the explanation and it bugs me, neighbor, really bugs me:

"The fees are designed to give adequate compensation to the government for granting private interests a valuable right to use public property."

That's what the man said.

Now, let me say something!

Just who in the hell does that spokesman think paid for that "public property" in the first place. Who's kidding who about what? I realize it is not too gentlemanly to show your ire in public but this is one of those times when it seems to me we ought to practice the slogan we use to try out new typewriter ribbons and improve our touch typing when we write, "Now is the time for all good men to come to the aid of the party."

If the sportsmen and property owners of this nation lack the guts to stand on their two feet and protest these impositions of rights then they ought to pay through the nose and admit that Mr. Lincoln was wrong and it's not a government "for the people" nor "by the people."

If the fraternity of folks who utilize our great impoundments and parks—paid for by their tax dollars—don't speak up now and demand the Congress and the "Great Society" brass tone down their green grabbin' tactics by (1) repealing the big deal that started this whole vicious circle of making the people pay for enjoying that which they have already paid for, "Operation Golden Eagle," (2) the recent order of the Corps concerning the limitations of licensed guides and (3) the more recent fee farce that imposes "rental" on lake installations, then those hot little hands of the fee fanatics will reach out for more until there isn't anything left to "fee" and that would just about drive them nuts.

Maybe it's time for another Boston tea party. Those patriots were mad about taxation without representation. The new edition could well be a "fee" party. The preliminaries could start now and the main show could be held in 1968 at the ballot boxes in every precinct of our land. We could let our elected officials of the various branches of government, especially the executive and legislative branches, understand that if they are not willing to stand up and be counted on our side and will not tell the Corps to head in and halt this fee-grabbin' gimmick, then those who seek election to the Congress or to some executive branch of the capitol's capers, had better not plan on living in Washington.

Let me use a bit more of today's column space and dare you to write your Congressman and your two senators and tell them how you feel about this fee fuss. And, when the politicians solicit your vote in 1968 (a bonus year for the voters when they can start right at the top) let them know you want the proper representation in Congress and part of that proper representation consists of eradicating these fee impositions being ordered by whoever it is that tells the U.S. Corps of Engineers what to do.

Perhaps this is the time when a Martin Luther should arise from the fraternity of outdoor enthusiasts and tack on the doors of Congress the demands for a modern reformation.

Nor would a 1957 Patrick Henry be out of order. Certainly there's a cry of warning that needs be shouted.

And if the leaders of our Great Society wanna talk about "Head Start," let them read of the head start the Central Crossing Association has recently given in protest to the latest Corps edict. Some 23,000 names were signed to petitions requesting the House Public Works Commission to study "the entire recreation policy of the U.S. Corps of Engineers." Hooray for Howard McIlrath and that organization's move to initiate a modern-day inquisition.

They keep telling us we must fight to preserve the freedom we have.

It seems that it's also time to do a bit of fighting to keep the big boys from taking away what freedoms we are supposed to have—like a little water recreation fun for free. Huh!

IS OEO REALLY NECESSARY?

Mr. KUYKENDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, from its past performance, is the OEO really necessary? That is a question I believe we should seriously consider before giving this organization any additional funds or authority. There have been numerous unanswered charges of failure in OEO programs as well as charges of the use of OEO as a partisan political vehicle.

Recently a situation in my own community, Memphis, raises the question of the competency of some OEO officials and their right to be employed in public service. Here are some facts I have gathered as a result of a personal investigation.

The University of Tennessee, College of Medicine at Memphis, made a valiant attempt to initiate a neighborhood clinic program in Memphis. The university's medical school has a long record of worthy achievement in Memphis in serving the medically indigent. The number of people who come to the emergency room of the John Gaston Hospital and the Gailor Clinics is so enormous that it virtually inundates the staff and facilities. The only possible way to resolve the problem, run a more orderly hospital, and render more acceptable services to the patients is to decentralize the services and set up a number of neighborhood clinics.

After lengthy consultation with the county medical society and much thought and effort on the part of the health department of Shelby County, the college of medicine, and the Shelby County Poverty Committee, a grant application was submitted last spring by the university to set up neighborhood clinics. In the preparatory phases of the application, the Office of Economic Opportunity sent a consultant to Memphis, presumably hired on a contractural basis from a business firm in Connecticut. The consultant suggested certain additions in the application for neighborhood clinics such as day care services for the children of patients, homemaker education programs for the mothers and training programs for paramedical personnel within the neighborhood clinic. While all of these proposals are desirable, they are not necessary additions for the purely medical operation of a neighborhood clinic.

In July the university received a notice from Dr. John M. Frankel, director of the health division of the community action program, OEO, that the application had been turned down due to lack of funds. However, at the same time OEO had approved 41 such applications including grants for Nashville and Chattanooga, both much smaller communities and certainly with no greater need than Memphis. OEO also approved a second grant for Denver, Colo.

It is evident the application from Memphis was turned down because the medical college did not agree to become involved in operations beyond the scope of a medical clinic to serve the immediate needs of the poor.

Now, Mr. Speaker, I would like to point out an almost unbelievable attitude on the part of the OEO office charged with the responsibility for medical programs for the poor. When the grant application for a neighborhood clinic was turned down, officials of the Memphis Medical College called Dr. Frankel and asked for an opportunity to discuss the application. They were informed by Dr. Frankel that everyone in his office was going on vacation at that time and after that they were going to a meeting in Chicago or Detroit, and that they were all tired. For these reasons Dr. Frankel indicated no meeting could be held on the Memphis application at that time and if such a meeting were held, OEO would decide when and where. It is now the middle of September and the Memphis people have not had a single word from Dr. Frankel or any other official of the Health Division of OEO. It would seem that 2 months should give the personnel in this office sufficient time to rest up from their vacations to resume the responsibilities of their jobs.

Mr. Speaker, is it not proper for us to ask how interested these people really are in medical care for the poor? What kind of an operation is it which closes down completely so its workers can all take vacations at the same time? How much concern do these people have for the poor and the sick when they cannot take time to review an application for funds to bring medical care to the medically indigent because they, the bureaucrats, are too tired?

I say it is past time for a complete investigation of OEO and such branches as the Health Division. It is time Congress takes action to make sure that the money we appropriate for taking care of the poor is used for that purpose and not merely to maintain a bureacracy where interdepartment conventions and vacations and time to rest up from vacations is more important than the welfare of the sick and the poor.

FOUR VESSELS FLYING THE BRITISH FLAG CALLED ON NORTH VIETNAM DURING AUGUST

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, I was gratified that the House yesterday insisted that no defense funds should be used to construct any naval vessels in foreign shipyards. This action which was directed at barring the British from building 16 minesweepers is consistent with new prohibitions written into the foreign aid authorization bill by the House just a few weeks ago providing that no defense articles shall be acquired from any country which permits ships under its registry to transport any supplies to or from North Vietnam. Since the vote yesterday indicated some may have reservations about the wisdom of this policy, I take the time to advise my colleagues that according to information just made available to me by the Department of Defense during August—just last month—six free world flag ships called on North Vietnam. Four of these vessels flew the British flag. These included the *Rochford* and the *Taipieng*. The latter ship is a tanker of some 8,800 deadweight tons and while the nature of its cargo is classified, one could not speculate for long about its contents. The names of the other two ships are also classified. This brings the total number of British-flag ship arrivals to North Vietnam during 1967 to 41.

Now I am aware that the apologists for this British-flag shipping argue that these vessels are owned and operated by Hong Kong concerns some of which are, in fact, controlled by Communist Chinese. But, Mr. Speaker, the fact remains that they fly the British flag and are registered in accordance with British law. It is British law that permits this. It is nothing more than an arrangement to rent the British flag to those who find it to their advantage to have one. The question of what steps must be taken to effectively stop this type of aid and comfort to the Hanoi regime is one for the British to answer. Until they do, I cannot see why the Congress should be too concerned about the British building 16 minesweepers for the U.S. Navy.

However, the problems of the British should in no way dissuade us in our efforts to bring an end to this aid to the enemy.

The British have used extraordinary measures to cut off trade with Rhodesia. I say it is time that they become more concerned about the trade they are aiding and abetting with North Vietnam.

WILL THE AMERICAN PEOPLE "STAY AWAKE"?

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the highly respected journalist, Mr. David Lawrence, has put the meaning of the Vietnam war in proper context in his editorial in the U.S. News & World Report for September 18, 1967. The theme of the editorial should be imprinted in the memories of those who are concerned about the security of free men:

> Most people are not aware of what the Vietnam war means. They continue to assume that the conflict is something into which the Government has stumbled just to assist one nation to repel the aggression of another. The American people have not yet been aroused to the dangers of the Communist conspiracy, whose menacing hand is reaching into nearly every part of the globe.

This editorial by Mr. Lawrence should be read, reread and thoroughly digested. The presence of the international conspiracy of communism explains why Vietnamese Communists butcher fellow Vietnamese; why Chinese Communists decimated literally millions of their Chinese brothers; why Hungarian Communists, with the help of the Soviets, mowed down thousands of Hungarian compatriots in 1956; why Korean Communists could slaughter fellow Korean civilians during the Korean war.

Never in all recorded history has one single motivating force turned one countryman against another in mankind's greatest bloodbath. Yet today learned men shout for a halt to the bombing of North Vietnam and whisper not a word against the enslavement of communism's millions. Others hesitate not an instant to call the U.S. role in Vietnam immoral, but 50 years of communism's inhumanity to man have passed by and they have still to take the moral initiative against it.

With Mr. Lawrence, I prayerfully hope that the American people, despite the sincere but dangerous statements of some men of reputation, will be alert and call upon their sense of justice and self-preservation to extend further the areas of freedom throughout the world.

I include the editorial of Mr. David Lawrence, from the September 18 issue of U.S. News & World Report in the RECORD at this point:

WILL THE AMERICAN PEOPLE "STAY AWAKE"?

(By David Lawrence)

Back in 1940, John F. Kennedy wrote a book, entitled "Why England Slept," in which he traced the mood of indifference in the 1930s as England failed to recognize the threat of Hitlerism and instead continually curtailed armament expenditures.

Today it is feared that America may be "sleeping" while the menace of two nations—both nuclear-equipped—grows in intensity. The United States meanwhile gropes in futility for some comfort out of a treaty that would merely bar other nations from developing the nuclear weapons which Red China and the Soviet Union have already learned how to make.

Do the American people know the true meaning of the Communist menace? Or do they think the Vietnam war is simply a colossal blunder by which American troops have been dragged into fighting against a small nation in Southeast Asia?

For it isn't generally realized just what the relationship is between the Vietnam war and the safety of the United States itself.

Many Americans have forgotten the periodic news reports from different parts of the world in the last few years disclosing the activities of Communist infiltrators—and, indeed, in the case of Cuba, the actual building and equipping of missile bases by the Soviets within 90 miles of our own sea coast.

The realistic fact is that the United States is not yet providing adequate defenses against the contingency of a nuclear attack. Not only have we failed to set up a new program to build more Polaris and nuclear-attack submarines, but we have dillydallied about the construction of an anti-ballistic-missile system. This is happening even while the Soviet Union is expanding its naval power, including nuclear submarines, and is deploying its own ABM system around its cities.

Official Washington seems to believe it can persuade the Soviets not to increase armament expenditures but to adopt an attitude of self-restraint, although all signs thus far clearly show the men in the Kremlin are continuing to reach out for world power not only through Southeast Asia but through the Middle East.

This is not the time to turn away from substantial spending for defense. For the security of the United States is certainly more important than the comforts of the "Great Society."

The conspiracy of Communist imperialism aims to gain control of the avenues of world commerce by dominating vital areas. Its efforts have been thwarted in Indonesia, and will be checkmated in Southeast Asia if the Vietnam war is successfully prosecuted by the United States and its allies. But what does the Soviet intrigue among the Arab nations mean? Why has the Suez Canal been closed, even though this has been hurting Egypt considerably?

As was pointed out in the August 28 issue of this magazine, in an article entitled "Now A New Ocean For U.S. To Defend," the United States is confronted with new problems in the waters from Africa to Australia, where Polaris-submarine bases are needed, in case of attack, "to give the U.S. an 'angle' it does not now have on Russian and Red Chinese targets." America must, moreover, fill the gap in what experts describe as a "communications-blackout area" in the Indian Ocean in order to monitor Soviet and Red Chinese space and missile activities.

American policy in Vietnam is regarded by the Communists as in a critical stage today. For if, as Moscow and Peking hope, the United States tries to wiggle out of Vietnam, the pressure by the Communists in Africa and Asia, as well as in Europe, will be intensified. The Communists still maintain a headquarters in Cuba from which they send agitators trained in guerrilla warfare to make trouble in Venezuela, Colombia and other Latin-American countries.

Too many Americans forget that Communism is a worldwide apparatus. The Vietnam war is just a part of the global mechanism which the Communists have set up in order to achieve control over the vast underdeveloped areas whose resources will increase in importance as the Soviets provide funds to develop them.

The United States cannot afford to "sleep" while the Communist imperialists are watching for every opportunity to make more gains.

Most people are not aware of what the Vietnam war means. They continue to assume that the conflict is something into which the Government has stumbled just to assist one nation to repel the aggression of another. The American people have not yet been aroused to the dangers of the Communist conspiracy, whose menacing hand is reaching into nearly every part of the globe.

May we prayerfully hope that no book will ever have to be written telling a tragic story of "What Happened When America Slept"!

MEDICINE'S NOT SO SILENT PARTNER

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, a distinguished Member of this body, the gentleman from Missouri, Mr. Durward G. Hall, occupies the valuable position in Congress of being both effective and energetic legislator and physician. From these dual specialties, he has often provided an insight into problems facing the Nation which few of us can have.

I wish today to insert in the Record a speech by the gentleman from Missouri [Mr. Hall], "Medicine's Not So Silent Partner" given before the Annual Conference of Presidents and Other Officers of State Medical Associations on June 17, 1967.

The gentleman from Missouri discusses the partnership between members of the medical profession and the Government and concludes:

> I am still convinced that cooperation is the best road to travel, but cooperation which must be in its best and truest and fullest meaning. It must work both ways, and those representing quality care of patients must have the guts to stand for belief and principle.

What the gentleman from Missouri [Mr. Hall] has to say needs to be heard. The trends and "fouls" need to be made clear and I include the speech in full at this point:

Medicine's Not-So-Silent Partner

(By the Honorable Durward G. Hall, M.D., Congressman, Seventh Missouri Congressional District)

Since that crucial vote in the U.S. House of Representatives on April 8, 1965 when 286 House members defeated 191 opponents of federal medicine and Medicare started on its way—our profession has been asked by the federal government officials to join in partnership with the federal government, which is building bridges these days.

Leaders in all branches of Medicine freely offered their time and experience attending advisory committee meetings held in Washington, D.C. and Baltimore. Even some of the most liberal members of the radio, television, press, and periodical world who had been chewing on physicians for 20 years commended the professions new attitude of cooperation.

I, for one, urged cooperation then, and I urge it now, but its time to blow the whistle at the *fouls* being committed by Medicine's new "partner," or "intervener," the federal government. I know of no other profession, group or industry, certainly not labor, not the legal profession, not the professional chemists, or the professional engineers, who in spite of their good works and contributions to society, are the victims of such malicious invectives and accusations, as is the medical profession.

THE SUBTLE HAND

In spite of being the only group which is subject to the draft up to age 35, in spite of the fact that many physicians give so generously of their time caring for the indigent, on unpaid hospital and other medical committees and boards, in medical missions in Vietnam and throughout the entire world, there is a growing long list of current smears, legal actions, punitive investigations, and intended regulations, some of which I will cite, and all of which demonstrate that with a friendly partner like this, who needs enemies?

Let me cite a few examples. . . . The Medicare law's legislative author, Mr. Mills, guaranteed on the floor of the House of Representatives that the Social Security Administration would not use the new law to disturb existing patterns of medical practice. Yet Mr. Ball, the Administrator, now proposes that hospital-based physicians, especially the pathologists and radiologists, become employees of hospitals.

. . . During the testimony before the House Ways and Means Committee prior to passage of the legislation HEW officials vowed they wanted only to cover the 65 and older members of society, yet in the first session of Congress following enactment of the law, coverage of the disabled is requested—irrespective of whether such person is able to afford his own medical expenses.

. . . Though the law guaranteed two modes of payment for physicians, i.e., direct billing using receipted bill, or by the assignment method, just three weeks ago while organized labor stumped the nation and filled the press with charges that organized Medicine was ruining the program by not using the assignment route exclusively.

HEW officials, behind closed committee doors, sought to require a statement by the physician on his receipted bill that charges shown were his total charges, thus permitting the federal government to exercise fixed-fee-control over any physician in the Medicare program. This isn't "keeping the faith, baby," if you ask me. HEW's own testimony shows about half the doctors have used assignment during the first six months of the program.

PROPAGANDA AT TAXPAYER'S EXPENSE

. . . Disregarding the advice of the medical profession, our fair-weather partner sends its emissaries throughout the land, at the taxpayer's expense, in support of the use of "generic-drugs-only" in welfare programs.

. . . Pro-administration Senators Philip Hart and Gaylord Nelson, who possess not a single hour of medical credit in their educational background, and whose professional staff rosters fail to include any medically trained personnel unless you count hangers-on of the Kefauver inquisition as such, tell the American people, who have the finest medical system in the world, that physicians must:

a. Turn over to the optometrists some elements of care and treatment of the eye.

b. Must relinquish to the druggists the right to select from their stocks of generic drugs the drug of the company which offers to the druggest the highest mark up.

c. They would deny physicians the right to prescribe either a generic or trade name drug.

. . . Now Webster defines partner as—an associate; sharer; participant. The federal government is hardly living up to its role in this definition when its OEO opens neighborhood clinics in cities where the local medical society's notice of the event is seen for the first time in a copy of the evening paper of the day of the grand opening. This has happened in several places—most recently, in my own state, in Kansas City. Nor is the government playing the game when, in its demonstration cities' legislation there is provided mortgage guarantees wherein preference is given to those groups who offer prepaid care. These usually are labor organizations plans wherein physicians are hired on a salary and their earnings exploited in a way contrary to medical ethics.

"PROFIT" TAXES ON REVENUES

. . . Nor is the federal government a friendly partner when in return for such good deeds as the voluntary Vietnam Medic Program for the civilians of that war torn country, its Commissioner of Internal Revenue proposed regulations to tax at the rate of 48 per cent net, advertising revenue of national and state medical journals and the journals and magazines of nearly every cultural organization in this country including the Boy Scouts and the Girl Scouts, the American Bar Association, the American Farm Bureau, the U.S. Chamber of Commerce, and I could go on naming some 600 educational, scientific, service, and cultural organizations whose members are from the professions, business, and labor.

These proposed regulations are based upon a 1950 (17 year old) law originally enacted by Congress to curb the abuse of tax free universities owning and operating manufacturing businesses in competition with tax paying businesses.

Our friendly partner's IRS has recently notified the Student American Medical Association that it is recommending withdrawal of the Association's status as a tax exempt organization. IRS says the group derives most of its income from advertising revenue in its magazine, the *New Physician*, and from sales of life insurance to its members.

Though we all know that voluntary community blood banks are organized "not for profit," and reduces costs of medically needed blood, yet our "friendly" partner's FTC claims they are a business, and in interstate commerce, and therefore are subject to the antitrust laws.

FIRST STEP IN HARASSMENT

Our friendly partner's Justice Department has filed a civil antitrust suit charging the College of American Pathologists and its members with conspiring to monopolize the medical laboratory testing industry by price-fixing and forcing laboratories, owned by nonmembers, out of business by what it called "boycotting agreements." As you know the College pointed out that the timing of this action, coming as the inception of Medicare and immediately following the AMA Annual Meeting, makes it appear that this is but the first step in a campaign of harassment of the entire medical profession by the government.

There are times when the American public can hardly escape the conclusion that the Administration in power is deliberately out to destroy the good name of the American

> physician, and to make him a subject of ridicule and contempt. For those who in one pious breath attack "McCarthyism" and in the other breath use such broad brush methods of innuendo, there is a double standard of immense contradictions.
>
> I am still convinced that cooperation is the best road to travel, but cooperation which must be in its best and truest and fullest meaning. It must work both ways, and those representing quality care of patients must have the guts to stand for belief and principle.

JOHN BARRY

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, often called the father of the American Navy, John Barry served our country early, long, and well. On the 13th of September 1803, this great hero of the Revolutionary War died at the age of 58 in Philadelphia. His career entitles him to the respect and admiration of all Americans.

Born at Ballysampson, Tacumshane Parish, County Wexford, Ireland, he went to sea as a boy, and about 1760 settled in Philadelphia, where he eventually became a notably successful shipmaster and later a shipowner. In 1776, he espoused the cause of the Colonies against British oppression and was placed in command of the brig *Lexington* by the Continental Congress.

On April 7, 1776, he captured the British sloop, *Edward*. This was the first capture in actual battle of a British warship by a regularly commissioned American cruiser. Barry's dispatch, headed "In sight of the Capes of Virginia, April 7, 1776," was addressed to the Marine Committee of the Continental Congress:

> I have the pleasure to acquaint you—

He wrote—

> that at one P.M. this day I fell in with the sloop *Edward*, belonging to the *Liverpool* frigate. She engaged us for near two [hour-] glasses. They killed two of our men, and wounded two more. We shattered her in a terrible manner as you will see. We killed and wounded several of her crew. I shall give you a particular account of the powder and arms taken out of her, as well as my proceedings in general. I have the pleasure to acquaint you, that all our people behaved with much courage.

Barry brought the *Edward* as a prize into Philadelphia. He had demonstrated the ability of the colonists to contest the sea with British vessels, something many leaders of the patriot cause had doubted could be done.

Barry even volunteered for duty with the American Army, and participated with distinction in the Trenton campaign. He was then given command of the *Raleigh* with which he fought a gallant battle on September 25, 1778, in Penobscot Bay against superior British naval forces. He finally was obliged to beach his ship, but saved most of his men from capture.

Taking out letters of marque from the State of Pennsylvania, he assumed command of the brig *Delaware* on February 15, 1779. He made two cruises to Haiti, and captured the British sloop *Harlem*.

His most successful cruise started on February 11, 1781, when he sailed from Boston for France commanding the *Alliance*, the American Navy's largest and finest vessel. He captured the *Alert* en route. He put down a mutiny, and then captured the *Mars* and *Minerva*. After a fierce engagement, he forced the two British brigs, the *Atalanta* and the *Trepassey*, to strike their colors. Barry was badly wounded in the action.

To Barry belongs the distinction of having fought the last naval action of the War for Independence. Aboard the *Alliance*, he arrived at Martinique early in January of 1783. On the return voyage, he encountered the *Sybil*, a British frigate, on March 10. His first mate, John Kessler, wrote as follows about the battle between the two vessels:

> Captain Barry went from gun to gun on the main deck, cautioning against too much haste and not to fire until the enemy was right abreast. He ordered the main topsail hove to the mast so that the enemy (who had already fired a bow gun, the shot of which struck into the cabin of the *Alliance*) might come up as soon as he was abreast, when the action began, and before a half hour her guns were silenced and nothing but musketry was fired from her. She appeared very much injured in her hull. She was of thirty-two guns and appeared very full of men, and after an action of forty-five minutes she sheared off. Our injured were, I think, three killed and eleven wounded (three of whom died of their wounds) and one sail and rigging cut.

John Barry's service to his country did not end with the winning of the Revolution.

In 1794, when the Congress of the United States ordered the construction of six frigates to combat the depredations of Algerian pirates, Barry was named senior captain and placed in command of the *United States*, being as was said, "of all the naval captains—the one who possessed the greatest reputation for experience, conduct, and skill."

During hostilities with France, Barry was placed in command of all the American naval forces in West Indian waters. He remained there until the beginning of May 1799. In December of that year, he escorted American envoys to France. On his return, he took command of the Guadaloupe station in the West Indies, a post he retained until 1801. He died 2 years later at the head of the U.S. Navy.

On this anniversary of his death, we salute the memory of a great man, a great naval leader, and a great Irish American, Commodore John Barry.

EULOGY TO ERNEST HENDERSON, SR.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the passing of a man like Ernest Henderson, Sr., conjures a mixture of emotions in each of our hearts. The first emotion we feel is one of sadness at our loss. For men like Mr. Henderson are of a rare and excellent mold, and they are deeply missed when they pass from our midst.

But mixed in with all the sadness and regret is another feeling—a feeling of the warmth and privilege of having known such a man. Each of our lives is richer because part of that precious gift—life—was spend in the company of Ernest Henderson. His vitality, enthusiasm, belief in himself and others, and his many-faceted interest in making this a more exciting world to live in rubbed off on all he encountered. For Ernest Henderson had so many plus qualities that he could not help spilling some of his surplus energy and enthusiasm over onto others.

His business success provides the most tangible example of this quality: 30 years ago with his partner and former college classmate from his Massachusetts Institute of Technology days, Robert L. Moore, he purchased one hotel, the Stonehaven, in Springfield. Today, that enterprise has expanded to a multimillion-dollar chain, and the phrase "Sheraton Hotel" is known the world over as symbol of a quality place to stay.

People bring to their business their own personality. Mr. Henderson was a quality man. He admired and recognized the superlative. It was no small coincidence that one of the very next hotels he and his partner Moore were to acquire was located in Boston and named the "Sheraton." Ernest Henderson knew Boston was a quality city, and it was only fitting to name his hotel after a man whose workmanship never fell below superior: the 19th-century English cabinetmaker Sheraton. The Sheraton hotel chain took more than a name from this man who would settle for nothing less than the very best. The Sheraton hotel chain also took a standard.

Business success is merely one of the more tangible ways of measuring excellence in a man. There were many other ways in which Ernest Henderson benefited society with his ability and enthusiasm. I am sure all of you realize how demanding the expansive interests of the Sheraton chain were, yet somehow Ernest Henderson found time to give of his ability and energy to community and civic needs. He served as president of the U.S. Chamber of Commerce, president of the World Affairs Council, as a member of the American Academy of Arts and Sciences, and was a founding member of the people-to-people program.

Through these civic activities, as well as in his personal life, Ernest Henderson by example spurred others to strive for his own standards. Each of us is a better person because he knew Ernest Henderson. It is the warm feeling which stems from that knowledge that should be the prevailing one today. It should be the feeling that is central in our minds and hearts, for our personal friendship with Ernest Henderson and the fulfillment that it brought with it, is what will offer us some compensation for our loss.

I also would like to call attention to a splendid editorial on the late Ernest

Henderson which appeared in the Boston Herald-Traveler on Friday, September 8, 1967, and for the information of the House I include herein the editorial:

ERNEST HENDERSON, SR.

Ernest Henderson Sr. was the kind of person a community likes to claim as a citizen. Besides being a remarkable success as a businessman, he cared deeply about what was happening in his city and took part (and provided leadership) in a broad range of civic activities. One of his prime concerns was education. He helped guide several institutions of higher learning in this area, and Northeastern University's center for adult education in Weston bears his name. But in addition, he was a colorful and interesting person. He had a sense of humor, and his interests and accomplishments were varied—photography, antique-collecting, ham radio, music (he composed as well as played, and once his work was performed by the Boston Symphony Orchestra). He even found time to write his autobiography.

As we say, this was the kind of fellow it's nice to have around. It would have been easy for Mr. Henderson to be "around" some other community than Boston. The Sheraton Corporation of America, which he headed, is the world's largest hotel chain, with 153 hostelries in eight countries. But despite the international nature of his business, Mr. Henderson chose to remain in Boston, and to play an important role in what went on here, and our community is the richer for it. Mr. Henderson's funeral is at noon today, and all Boston can feel sorrow that he will be around no more.

RESTRICTIONS ON EXPORTS TO COUNTRIES DEALING WITH NORTH VIETNAM

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, many of us are anxiously awaiting the publication of the testimony of Treasury Under Secretary Joseph W. Barr, Commerce Secretary Alexander B. Trowbridge, and Export-Import Bank President Harold F. Linder before the House Banking Committee on Tuesday.

Until such time as the full testimony is made public in print, I can only echo the sentiments of my friend and colleague from New York, PAUL FINO, who was aghast at the administration's placing more interest in dollars and cents than in American lives.

The Senate-passed restriction on exports to countries dealing with North Vietnam was one that would certainly meet with the approval of the overwhelming majority of the American people, and Representative FINO is to be commended for his challenging the administration spokesmen who are trying to sell this body of the Congress on a stand against such restrictions.

The life of one American serviceman is too dear a price to pay for this Nation's trading with our enemy and its allies. I cannot believe that there are businessmen in this country who would be selfish enough and so self-serving that they would put their balance sheets ahead of the lives of our troops who are slogging through the jungles to keep the heavy boot of communism off the necks of our friends and our own United States.

I again commend the gentleman from New York [Mr. FINO], and join with him wholeheartedly in his effort to show the other side of the coin and to place the lives of our servicemen above the dollars and cents value that the administration apparently chooses to place on them. I cannot help but wonder how much of our effort in Vietnam is motivated by our stumbling economy, and how much is motivated by a sincere effort to see a free South Vietnam, in view of the administration's testimony yesterday.

RETIREMENT OF SAM DAVENPORT

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. BERRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BERRY. Mr. Speaker, when I first came to the House some 17 years ago, it was my good fortune to make the acquaintance of Sam Davenport. I quickly learned that when I needed fast, accurate information on the inner workings of Washington, I need only give Sam a call in the office of the House Coordinator of Information. He not only supplied the answers, but followed up to make sure I had encountered no problems.

We had another mutual interest and bond of friendship when his daughter and her family temporarily resided in my congressional district while his son-in-law was stationed at Ellsworth Air Force Base. Through them, Sam had an opportunity to learn firsthand of the beauties of the Black Hills of South Dakota.

It was with regret that I learned of Sam's retirement, but I hope it will afford him and his wife the opportunity to do many of the things they have postponed for years, beginning with a trip to Ireland. With him go the very best wishes of myself and my staff, along with his many friends on Capitol Hill.

INTERESTING SERIES ON BALTIC STATES

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, among the tragically forgotten peoples of the world are the long-suffering Baltic States, who were seized by the Soviet Union in 1940 in a manner so brazen that even our State Department has not officially recognized their seizure.

It was with great interest that I noted a series of articles in the Chicago Tribune by Frank Starr, chief of the Tribune's Moscow bureau, on his visit to Latvia and Estonia. Even though one can read between the lines and sense the restrictions under which he operated and the propaganda that was fed, these articles make interesting reading, and I place them in the RECORD as a continuation of my remarks:

LITTLE ESTONIA DWARFS GIANT U.S.S.R. IN ITS URGE TO EXCEL

(By Frank Starr)

(NOTE.—Frank Starr, chief of the Tribune's Moscow Bureau, was invited to tour Latvia and Estonia, a rare treat for American correspondents living in the Soviet Union. This is the first of a series of stories which will appear daily on the two countries, which have been incorporated in the U.S.S.R.)

TALLINN, ESTONIA, September 2.—Among the people of the Soviet Union's 15 republics, Georgians are thought to be the loudest braggarts, but Estonians may have the most to brag about.

In their own way they let the visitor know that they lead the Soviet Union in a variety of areas from ski manufacture thru book publishing to church attendance.

RULED BY NEIGHBORS

With a quiet but proud dignity Estonians maintain a flair for living, an aloofness, a cultural level, ingenuity, and a native urge to excell not found elsewhere in the Soviet Union.

Since they appeared in the Baltic area eight centuries ago, these people of Finno-Ugric origin have been dominated by nearly all their neighbors at one time or another—Germans, Swedes, Danes, Poles, and Russians.

The German period brought the prosperity of the Hanseatic league and with it the construction of much of this city. The Swedish period was largely one of learning. After the arrival of the Russian Czar Peter the Great, Estonian peasants slowly gained legal and property rights.

The 20th century brought political upheaval, a short period of independence, then, after 1940, heavy industrialization and collectivization under Soviet rule.

LIKE ANOTHER COUNTRY

In the 23 years since Estonia was transformed into a soviet socialist republic its inhabitants have made their land one of the most admired of the 15.

Russians, when asked about their vacation in Tallinn, will answer, "It's such a cultured city, and so beautiful."

One said: "It's like going to another country. It's the only place in the Soviet Union where a sales clerk wraps my package before handing it to me and then says, 'Thank you.' "

Another described Estonia as "already western, you know."

FIFTY MILES FROM FINLAND

Indeed, Tallinn's connection with the west is strong. And its effects are obvious.

This city is only 50 miles across the Gulf of Finland from Helsinki. There are two boats daily, and Finns can and do visit Tallinn often for one day at a time without a visa.

Altho soviet officials say Estonians can also visit Finland and do "by the thousands," Estonians privately say that such a trip is nearly impossible.

A cab driver said he had been trying for two years to go to Helsinki and had recently given up the plan.

WESTERN DRESS, DANCING

But Helsinki comes to Tallinn. It can be seen on the streets and in the restaurants where stylishly-dressed couples dance perfect dancing-school tangoes and waltzes with grace and elegance.

Estonian youths know who Batman is and Danny Kaye and Perry Mason. They see American films on Finnish television which they can receive with a special antenna usually available in electronic shops.

This visitor was startled to see while wandering thru the drab but clean passageways of Tallinn's old city "The Beatles," written in English with chalk on the side of a medieval house.

MORE FREEDOM APPARENT

Westerners in Moscow believe that the Soviet government allows latitude to the Baltic states that doesn't exist in other parts of the union.

There would be good reason for it. Visitors to other republics and even within the Russian federation usually hear a recitation comparing poverty and illiteracy statistics before the "great October socialist revolution in 1917" with conditions today.

But in Estonia by 1886 only 2 percent of the military recruits were unable to read, and two-fifths of the privately-owned land was held by peasants. Peasant sons had been eligible for study at Tartu university since its founding in 1632.

Altho it only accounts for one million of the Soviet Union's 220 million people, Estonia contributes much, including electric energy, instruments, machines, fuel and lubricating oils textile fabrics, and live stock, to the development of other Soviet republics.

MANY OWN THEIR HOMES

It has been estimated that one-third of Tallinn's population of 300,000 lives in privately-owned homes. The city has thousands of attractive two-story brick houses with peaked roofs, neat yards, and attached garages.

Altho there are some privately-owned homes in Moscow, too, they are generally being replaced by vast developments of apartment blocks. Those that remain are usually of old Russian wooden style and are poorly kept up.

Thruout the Soviet Union thousands of churches have been closed, and some towns have no churches at all. In Tallinn there are about 20, and natives say that every one of them is functioning. More than half are Protestant.

RUSSIAN SECOND LANGUAGE

Russification of this republic appears to be slight. Russian is clearly the second language, and the Russian population accounts for about 19 percent which, according to soviet figures, is somewhat less than the percentage before the war.

Most signs are in both languages—Estonian first. The governmental bodies use Estonian, and the first deputy premier, Edgar Tonurist, apologized for the state of his Russian and expressed hope he would be understood.

In answer to a question about the Russian influence on Estonian national culture he said: "I cannot say that they lower the level of our cultural life. Hostility between nations occurs when there is no work and no bread. These conditions do not exist here, so you cannot say that there is any hostility between us."

It was a standard answer.

TRY HARD TO EXCEL

But certainly the urge to excel and the competitive spirit are tied to the ethnic identity that Estonians feel.

One youth noted with visible pride that in a recent basketball tournament in Moscow the Estonian team had beaten the Moscow team and had placed second after the Ukrainians.

"You know, even in sports money has a lot to do with success," he said. "They have 200 million people to chose from and we have one million, but we outplayed them."

There is also a desire to make life as comfortable as possible, and on that score, too, the success appears to be well above the soviet average. On the outskirts of Tallinn is an exhibition of economic and cultural achievement marking the 50th anniversary of the Bolshevik revolution.

MANUFACTURERS HIGH GRADE

It is ironic because, shortly after the revolution, Estonia declared its independence, and it wasn't until 1940 that it became one of the soviet republics.

The exhibition is a good display of the quality of Estonian-manufactured consumer goods. Furniture, tho still lacking style, is superior to that available in Moscow shops.

Glassware and stainless steel table utensils approached Scandinavian products in design and quality. Handicrafts, including pottery and leatherwork also were far superior to the usual Russian fare.

Unfortunately, lamented one Estonian, there are almost 350,000 tourists a year, and they buy up such products as quickly as they hit the shelves. Only 25,000 of those tourists are non-Soviet, according to soviet figures.

LOWEST BIRTH RATE

Estonians count for themselves several first place achievements among the soviet achievements among the soviet republics—and one last place.

They are credited with the first place in book publishing per capita, the highest rate of housing construction, and the highest percentage of employment.

But they have the lowest birth rate—14.4 per 1,000.

ESTONIA SETS FARMING PACE—23 PERCENT OF LAND IS UNDER CULTIVATION

(By Frank Starr)

TALLINN, ESTONIA, September 3.—Early this month, the Kremlin published the admission that there are "major shortcomings" in the production and sale of meat and dairy products thruout the Soviet Union.

Production of many of these items, the statement said, "does not meet the requirements of the population." The quality and variety of some products were unsatisfactory, including such sophisticated items as dietetic products.

BLAME SOVIET BUREAU

The soviet ministry of the meat and dairy industry and local government and party organizations were blamed for not making full use of available funds for capital investment.

In March, 1965, a plenary meeting of the party central committee had authorized a considerable increase in state purchases of cattle and milk products. However, there was a gross disproportion between this new demand and the current supply.

SETS HIGHER GOALS

Thus the Kremlin set higher goals and ordered vast new construction and demanded retooling and improvement of existing facilities.

Further, for the period, 1968 to 1970, 1.66 billion dollars has been allocated for the development of the industry.

Yet Estonia, whose number one products are meat and milk, makes direct export deals for the sale of those items produced above the requirements of its state plan.

For example, meat and milk are exported to East Germany in exchange for agricultural machinery produced there.

Butter and cheese produced near Tallinn are exported to France, East and West Germany, Hungary, Czechoslovakia, and last year for the first time, to England. Lactose is also exported to India.

Estonia produces seed grain and pedigreed live stock for sale to other republics within the Soviet Union.

In short, Estonia appears to be the showcase of the Soviet Union's lagging agricultural establishment.

Twenty-three per cent of the republic's territory is under cultivation, and 23 percent of the working population is engaged in agriculture. In 1966, they accounted for 24 percent of the republic's over-all revenue. Three-quarters of this income came from the raising of live stock.

FORM STATE FARMS

Historically an area given primarily to agriculture, Estonia underwent heavy industrialization after it was absorbed into the Soviet Union in 1940.

Almost immediately afterward began the process of combining individual farms into large state and collective farms.

Collective farms are those operated autonomously by a board of managers and a chairman ostensibly responsible to the members of the farm.

The land belongs to the state and is granted to the farmer without rent. The farm has a single market for its produce—the state. However, individual farmers may sell at a farmers' market what they grow on their own small plots.

BELONG TO THE STATE

A state farm is operated like any state industrial enterprise with the land, the equipment, and the produce belonging to the state.

Estonians say their collective farmers produce higher yields and take home larger salaries than state farmers whose maximum pay will be $111 a month. The specialists who work for such farms may make as much as $166.50 monthly.

The Estonian Research Institute of Agriculture and Land Improvement at Saku, not far from here, is one of two such organizations in Estonia.

Its first concern is also one of the main problems of Estonian agriculture—improvement of the rocky, marshy land that covers much of the countryside.

PROFIT IS THREEFOLD

The institute has 8,648 acres of which 4,447 acres are considered arable. With this land, operated as a state farm, and the 1,800 cows and calves, the organization, according to its director, makes a profit which is three times the government's cost of operating the institute.

Although this farm is a little larger than the average state farm, both state and collective farms run much larger than an average farm in the United States midwest. Many small farms were combined during the period of collectivization.

The farm's milk herd produces 1,004 gallons of milk per cow per year which western agricultural experts say is "quite good—well above the national average."

DAIRY PROFIT IS 6.9 CENTS

Live stock and milk are the staples, and a considerable amount of grain and potatoes are raised for fodder. The farm's average yield of 7.7 tons of potatoes per acre has been surpassed considerably by some collective farms which say they get 9.7 tons.

Modern milking methods are becoming available altho they are presently in use for only 19 per cent of the republic's cows. However, milk handling facilities in the institute's cow barn would compare favorably with a well-equipped barn in Wisconsin.

Tallinn's only dairy takes in 240 tons of milk daily of which half is pasteurized and bottled for sale and half is used in the production of other dairy products.

The dairy pays collective farms 17.4 cents for a quart of milk, which it sells to Tallinn's stores for 24.3 cents. The stores sell milk for 27.5 cents.

Last year, the soviet government began trying a new system of full accountability on farms in an effort to realize higher profits.

This meant that losses, once underwritten by the state, now must be accounted for and absorbed by the farms themselves.

The plan was applied only to the most progressive farms—about 3 per cent thruout the country. However, it is thought that all of the farms in Estonia are using the new system.

DIFFICULT TO RESOLVE

To westerners, however, soviet profit and loss figures are difficult to resolve, because the prices are not established according to costs and demand in a free market but by the state.

Thus by setting the prices for what it buys as well as for what it sells the state can determine whether a farm realizes a profit or a loss.

Further, farm managers often cannot decide what crops to raise on the basis of their relative profitability but must raise what the state determines its needs to be.

ESTONIA MAJOR U.S.S.R. POWER SOURCE—SUPPLIES MANY OTHER RUSS STATES

(By Frank Starr)

TALLINN, ESTONIA, September 4—High over the exit of the Kalinin mercury electrifier plant hangs a sign, in Russian, which reads, "Thank you, if you worked well!"

Under it every day pass 2,500 workers, many of them young women who make $127.65 a month and work a five-day week of 41 hours.

They are part of a vast industrialization that has been been going on in Estonia since it became part of the Soviet Union in 1940.

Today, according to soviet figures, industry accounts for 67 per cent of Estonia's national income.

SHORT OF RESOURCES

Altho, it is short of natural resources, Estonia's contribution to the soviet industrial economy includes machinery, excavators, precision instruments, electric equipment, textiles, building materials, electricity, and fuel.

The one raw material that exists in abundance here is oil shale, which is being rapidly mined and processed to produce oil, gas, and numerous by-products.

The exploitation of this resource has resulted in the construction of the Baltic Thermo-Electric Power station which was finished two years ago. Officials say it is the world's first such point working on oil shale.

In the year of its completion, Estonia met all of its own electric power demand and provided to other soviet republics 3 billion kilowatt hours of power.

FACTORY DATES TO 1870

The Kalinin plant is one of the oldest factories in Estonia, dating back to 1870. Originally a producer of railroad equipment, the plant was re-tooled 10 years ago to produce mercury electrifiers used in electric locomotives. It also makes other equipment including transformers.

One of the republic's showcase factories, it was one of those which went on the new economic reform [profit incentive] as of Jan. 1. The director reports that already production has increased more than 35 percent over last year.

The plant managers now are free to do some of their own production planning and to find their own domestic markets. The director said, however, that markets are no problem since the demand is far above the plant's production.

INCOME IS SUBSTANTIAL

In the first six months of this year, the director said, the plant realized a net income of 4.6 million rubles—600,000 over what the state plan demanded. The income would be $5,106,000 at the official exchange rate of $1.11 to the ruble.

Of the excess income, 50 per cent went to the state. Of the remainder, half—or 150,000 rubles—was used for plant improvement and half was used for workers' bonuses.

The girls working in the Kalinin plant, however, fared better than some.

A large dairy that produces all of Tallinn's milk products realized an excess income (over the 1.5-million-ruble plan) of 70,000 rubles. Of that figure, 70 per cent went to the state. Of the remaining 21,000 rubles, 60 per cent went for plant improvement, and 40 per cent for workers' bonuses.

If the bonuses were divided evenly among each plant's workers without regard for salaries, the dairy workers would have received 8.40 rubles for six months, and the factory workers 60 rubles.

PRICE PLAN INTRODUCED

The state, however, has just introduced a new price plan that will considerably reduce the Kalinin factory's profit, the director said.

Many of the old socialist labor incentives still exist. Posted in a prominent place are the photographs of individual workers who have over-fulfilled their quotas.

Nearby is a bust of Mikhail Ivanovich Kalinin for whom the factory is named, and behind glass is the lathe Kalinin used when he worked at this factory in 1902 and 1903.

FLAG, BONUS AWARDED

Kalinin, an organizer and active participant in the 1917 Bolshevik revolution, joined the revolutionary movement in 1898 and worked in the St. Petersburg Putilov steel works, which was the scene of heavy revolutionary activity.

Another incentive is a prize flag and 21,000 ruble bonus awarded a top factory every three months by Moscow. The Kalinin plant, the director said, has won both for a year and half.

Three quarters of Estonia's output in light industry is accounted for by textile manufacture. In this area the little republic ranks fourth among the Soviet Union's 15, but it ranks first in per capita output.

Using raw cotton produced in the southern republics—Uzbek, Turkmen, Tajik, Kirghiz, and Kazakh—Estonia's huge Kreenholm combine in Narva sends fabrics all over the Soviet Union and to Poland, Hungary, and Finland.

The Kreenholm works also dates back to the turn of the century, when it was one of the largest textile mills in Europe.

SILENT ON PROBLEMS

The problems faced by soviet enterprises are difficult to learn; most managers just won't admit that they have any, or they answer that they are struggling to construct communism.

However, the loss of manpower suffered in the Baltic states during and immediately after World War II emerges as the source of one of the problems.

Officially Estonia boasts about its high employment rate—94 per cent of eligible adults and working school children. Even women, as in other parts of the Soviet Union, can be seen swinging picks and shovels in construction projects, or driving heavy excavating equipment.

Particularly in the building industry is the shortage of manpower noticeable. The Estonian government is negotiating with Finland for the employment of Finnish workers to build three new hotels in Tallinn—one of which is to rise 22 stories.

HANDLE ENTIRE JOB

A government spokesman said the Finns would perform the entire job and be paid by the Estonian government. They would travel weekly by boat, spending their week-ends across the gulf in Finland.

The spokesman expressed confidence that the deal would be closed without difficulty.

Another sign of this shortage, according to city officials here, is the use of prefabricated wall sections in the construction of apartment and office buildings. The advantage is that they reduce the amount of manpower necessary.

One type of section, made without the use of cement and, therefore, relatively inexpensive, has been invented by an Estonian who won a Lenin prize for his work. The material is called silikaltsiit and is being sold in foreign countries including Japan and Italy.

RIGA CHURCH CROSSES BROKEN

(By Frank Starr)

RIGA, LATVIA, September 5.—In a prominent place opposite the Latvian government buildings on Lenin street—Riga's main thorofare—stands a Russian Orthodox cathedral.

Even from a distance its outline rises above the trees that shade benches and pathways and the meandering stream that offers a kind of rustic peace to tired pedestrians.

It is traditional in style with its five little towers, each one topped by an onion-shaped dome and the center one a bit larger and higher than the surrounding four.

But the Orthodox crosses that normally top each dome have been knocked off, leaving only a stub of a shaft; the arched entrance has been plugged with a pane of glass and a single swinging glass door; inside instead of high vaulted ceilings is a low false one hiding indirect lighting.

SOUND OF LAUGHTER

Under this ceiling is a carpeted room looking remarkably like an American movie lobby, and thru another door comes the sound of an audience in exuberant laughter.

The building is Riga's House of Knowledge—a hall for lectures, movies, and exhibits. Except for its traditional shape, it bears no evidence whatsoever of religious purpose.

Across town in the old section, where narrow cobblestone streets wind among centuries-old houses, stand two freshly painted buildings. They are the only ones in the neighborhood and among very few in the entire city that have new paint.

One is considered to have historical importance and therefore enjoys the protection of the government. The other is a small neighborhood church.

CHURCH IS PROUD

Because, as the officially athiest Russians put it, church and state are separate in the Soviet Union, the parish has the full responsibility to maintain its church, and some, like this one, are maintained with pride when funds are available.

But Riga is a collection of paradoxes and contradictions.

Along Lenin street and in the wandering park that crosses it perpendicularly are neat, well kept flower gardens and trimmed lawns. Thru its commercial section are numerous shops well stocked with attractive products.

Yet there are streets in the old section which, when deserted at dusk, as they often are, bear no sign of life at all—like a city uninhabited for decades.

What may once have been neat little corner cafes now look colorless and shabby, their dark windows staring blankly onto the abandoned street. There are no signs, no fresh paint, not plant life, no lights, no color.

Across a vacant lot on the blank wall one can just make out the faded but familiar bold block letters SHELL. A Russian newsman comments that the sign must have been painted there for the filming of a picture in Riga.

A bit further on is another sign showing thru the paint over it. It is a long arrow bearing the German words: Escape Route Along Canal. Dating from the World War II German occupation, it is another piece of Riga's turbulent past.

HANDICRAFTS ARE ATTRACTIVE

Latvian handicrafts made here are among the Soviet Union's most attractive, and their artists among the most popular.

Decorative textiles of wool and linen, scarves, shawls, table cloths, and bed spreads, are woven by women who work in the artists combine operated by the artists' union.

Using generally subdued colors and carefully following the principle of symmetry they make their own designs and weave their own cloth on looms owned by the union.

At this work, a combine leader said, they make 80 to 100 rubles a month. [A ruble is $1.11 at the official rate.]

Others there work with pottery, ceramics, glass mosaics, and leather. In addition there are sculptors and painters.

MUST SELL THROUGH COMBINE

An artist who creates his own work outside the combine but who is a member of the union will sell his work through the combine, which takes a 25 per cent commission.

The director said that artists may work outside the union and sell their works through commission shops, which also take their cut and sell everything from antique jewelry to used rugs.

The combine has five salons throughout Riga that serve as outlets for the work of its members. These are some of Riga's most attractive shops.

The V.E.F. factory, looking much like any factory in the world in the 1930s with a cluster of drab brick buildings surrounding a central yard, provides radios and telephones.

Its director, Alexander Egle, is a small wiry man of 62 who likes to tell his guests that in 1931 and 1932, "under the bourgeois regime," he was unemployed.

REPORTS PRODUCTION UP

He also tells how the factory he directs produces in five days what it took a year to produce "under the bourgeois regime," and how, before 1940, there was only one woman engineer and now there are hundreds. In fact, 60 per cent of the workers are women.

The factory is not only the place of work but the social center for thousands of people. It organizes its own recreation outings including camping, its own sports teams and events, its own social functions, and its own educational endeavors. Thus it occupies both working and leisure time.

Estonians Fish, Raise Mink—Red Collective Gains From Initiative

(By Frank Starr)

Tallinn, Estonia, September 7.—An integral part of the fishing business—at least according to Oscar Kuul—is raising mink.

Kuul is the president of a fishing collective near Tallinn, and he knows the meaning of the word business.

But what has fishing for sprats got to do with mink? Well, he answered with refreshing enthusiasm, sprats cannot all be canned—some must be culled out, and mink thrive on fish meal.

And there, in a nutshell, is why Tallinn fishermen raise mink.

RUNS WHOLE OPERATION

The Tallinn collective, like many collectives, is largely self-sufficient and performs every operation from catching the fish thru gluing labels on the cans to finding a profitable place for the garbage.

But this one appears to benefit from considerably more initiative than many collectives.

Presently there are three buildings going up at once to enlarge the canning operation, and Kuul said the membership is increasing each year by 200.

It was here that one of the officials urged guests to hurry along, "because time is money." And it was here that one member built an assembly line machine because purchasing would have meant two machines and twice the cost.

BUILT OWN CAR

The same mechanic is the proud owner of a rather sporty low-slung automobile—a refreshing switch from the stiff and staid soviet machines. He built it himself in his spare time.

The fish, mostly sprats—a small European herring—and flounder, are smoked in the collective's own ovens and canned by women who must pack the sprats by hand.

This is necessary, it was explained, because fish packed together must be of uniform size, and it would take an electronic device not available here to automate that function.

These women, Kuul said, make 150 to 160 rubles [$166.50 to $177.60] per month during the season and 50 rubles per month during the two months when there is no work.

OWNS 50 VESSELS

The collective owns 36 small trawlers used for Baltic fishing and 14 medium sized ones used for Atlantic fishing. Further, in its own small ship yard, it builds about one ship a year.

It repairs its own nets, builds its own houses, and furnishes them with its own furniture, Kuul said. Among the 1,300 members of the cooperative are 140 construction workers, an architect, and 40 furniture makers whose furniture is sold outside the collective when all the internal needs are met.

Canning facilities do not yet match the collective's fishing capacity. During the season about 50 per cent of the catch must be canned elsewhere, tho the director hopes that this situation will be remedied by 1970.

In order to reduce the idle season, fish are purchased in Latvia and elsewhere to wring the longest use of canning facilities.

AMONG BEST PAID

Fishermen, Kuul said, make as much as 2,700 rubles per year—or 225 per month. This would make them some of the best paid collective workers in the Soviet Union.

Kuul said the collective had a gross income of 3.8 million rubles last year and has planned for 4.2 million this year, altho he hopes to reach 5 million. Half the income above the plan is divided among the members.

The fur farm came into the picture in 1961, 11 years after the collective was formed. Such branching out, Estonians said, is not uncommon here.

OTHERS HAVE SIDELINES

A nearby farm which grows potatoes built a starch factory and now buys potatoes elsewhere to supplement its own supply. Some of these sidelines were established before capital improvement of the farm took place.

The fishermen began in 1961 with 400 animals, silver fox as well as mink. Today they have 5,500 animals, of which 3,800 are mink. They expect a total of 20,000 by 1970.

The mink have a life span of 8 to 10 months before being killed for fur in December and January. Last year the fur business yielded 182,000 rubles, Kuul said.

Mr. Speaker, we will not have lasting peace and true freedom in the world until the tragic results of World War II diplomacy are corrected and the people of the Baltic States and other captives of the Soviet Union are allowed to enjoy their right of self-determination.

"PROBLEMS IN PARADISE"

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. Reifel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. REIFEL. Mr. Speaker, from October 1953 to November 1959, the American territories of American Samoa and Guam were imaginatively and progressively governed by a distinguished South Dakotan, Richard Barrett Lowe.

Each of these South Pacific possessions was a matter of great concern to Washington at the time prior to his appointments. Both were facing innumerable problems internally and in their relationships with the United States.

The man sent to deal with these difficulties was well suited to this challenge. He possessed an outstanding record of production and creativity and a varied background uniquely complimentary to the scope of his job.

Governor Lowe was born and reared in South Dakota and was accustomed to hard work at an early age. He became a teacher of American history and government with such a talent for administration that within a short time he had been president of two South Dakota colleges and dean of a college in Nebraska.

Joining the Navy during World War II, he gained the rank of lieutenant commander and was military government officer on an island in the South Pacific. After the war he was able to revise the entire recruiting approach of our armed services, an innovation which brought his talents to the attention of Washington and eventually led to his governorship appointments.

His experiences in American Samoa and Guam are now recounted in a book, "Problems in Paradise," that is part travel guide, part history, part government organizational manual, part sociology, part sheer amusement, and all fascinating.

This book contains a little of everything about these islands as seen in "the view from Government House."

The Honorable Wayne N. Aspinall, distinguished chairman of the House Committee on Interior and Insular Affairs, gives full credit to Governor Lowe's contributions in the foreword to "Problems in Paradise" which I insert in the Record.

Foreword

(By Hon. Wayne N. Aspinall)

In government, understanding without action is valueless. Advancement is inevitably precluded until the appearance on the scene of a responsible, able, industrious and dedicated public servant. Such a man is Richard Barrett Lowe, Governor of American Samoa from October 1, 1953 to October 14, 1956, and Governor of Guam from October 15, 1956 to November 14, 1959.

Before the arrival of Governor Lowe, the people of American Samoa had been through the unsettling experience of having four appointed civilian governors and four acting governors within a period of 24 months. As a Congressman, I was concerned about the effect of such executive instability upon the economic, social and political progress of the islands. My first personal association with Barry Lowe and his charming and helpful wife, Emmy Lou, took place in November 1954 when I arrived in American Samoa with a small group representing the House Committee on Interior and Insular Affairs. Governor Lowe had been in office nearly 14 months when our group arrived in Pago Pago. The greeting by him, his wife and staff was most friendly and sincere. The official leaders of the Samoan people thoroughly enjoyed their part in the welcoming ceremonies. Nothing was left to be desired by a first-time visitor like myself. It was a splendid introduction to the beautiful islands of American Samoa and their loyal and hospitable people.

Our visit lasted five days. During that time nearly every wakeful hour was filled with work. From the beginning I became aware of the ability, the industry, the dedication and the goals of Governor Lowe. A new day had dawned in American Samoa, and the wonderful thing about it was that the Samoan people themselves realized it. The long and arduous task of bringing these island Americans into closer union with the rest of us, of building a more stable economy and of moving toward more self-government had started. Governor Lowe and his supporters had recognized the needs of the people and were laying the sound foundations to meet them. While it was true that the work was slow and tedious (due in a great measure to the unresponsive attitude of the Congress and of the National Administration), nevertheless the forward movement had at last begun and, in my opinion, was brought about largely by the efforts of Governor Lowe.

In his inaugural address Governor Lowe stated that his administration would relinquish appropriate authority to capable Samoans as rapidly as they were ready to assume responsibilities. Accordingly, several noteworthy achievements took place during his tenure. The legislature and executive structure of the territory was restyled and stabilized. Early in 1954 he issued an executive order establishing a Constitutional Committee "to bring many of the benefits of organic legislation and at the same time permit the people of Samoa to maintain their territorial system of land tenure and social organization so long as they meet Samoan needs." This committee took the first steps to draft the existing Constitution of American Samoa.

Among other things the defunct tuna packing plant located in Pago Pago Harbor was leased to the Van Camp Seafood Company by Governor Lowe in 1953, and has been operating profitably and employing hundreds of Samoans during the past 14 years. The rebuilding of the abandoned and inadequate military airport at Tafuna, which now accommodates transoceanic jet liners, was authorized and initiated in Lowe's administration.

It was my duty and pleasure to follow closely the activities of Governor Lowe during his term of office in American Samoa and later in Guam, where he continued his efforts to lead the people toward economic, political and social improvement. He was a man who never dodged an important issue. His dedication, his industry, his ability and desire to serve his country and the people of his immediate responsibility remained with him throughout his public career. His was a job well done. Both in Samoa and Guam, Governor Lowe's work had been so distinguished that for the first time native sons were appointed as his successors upon his recommendation.

The readers of this book will enjoy, as I have, the many interesting and humorous stories contained herein. More important, however, they will find many valuable and worthwhile lessons in history and government set forth clearly for their easy reading and enjoyment.

REACHING THE ADMINISTRATION

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. LANGEN. Mr. Speaker, I am happy to see that the Republican task force on agriculture has finally reached the administration's conscience. It is obvious by Mr. ALBERT's comments of August 31, 1967, that he is defending the current conditions for which the administration officials are taking great pride.

I have two items of interest to the Members of the U.S. Congress. They are some of the agriculture cash prices as listed on Monday, September 11, 1967, in the Wall Street Journal, and an editorial from the Grant County Herald, Elbow Lake, Minn.:

CASH PRICES

	Mon.	Yr. Ago
FOODS		
Flour, hard winter NY cwt	$6.75	$7.67
Butter, Fresh A-92 sc NY lb	.67½	.74¾
Eggs, Lge-mix Ext, Chgo, doz	.31½	.48½
Broilers, 3 lb & under DelMV lb	.10½	.16¼
Hogs, Chicago top cwt	20.50	24.75
GRAINS AND FEEDS		
Wheat, No. 2 ord hard K Cbu	1.52	1.95
Corn, No. 2 yel Chicago bu	1.20½	1.44
Oats, No. 1 wh. heavy, Chgo, bu	.74	.75
Rye, No. 2 Minneapolis bu	1.17⅝	1.26
Barley, Malting NY bu	1.70	1.76
Soybeans, No. 1 yel Chicago bu	2.70⅜	3.16
Bran, Buffalo ton	38.00	50.00
Linseed Meal, Minneapolis ton	73.50	82.00
Cottonseed Meal, Memphis ton	80.00	87.00
Soybean Meal, Decatur, Ill. ton	77.50	86.50
FATS AND OILS		
Cottonseed Oil, crd. Miss Vly lb	.11⅞	.15½
Corn Oil, crude Chicago lb	.12½	.14¾
Soybean Oil, crd Decatur, Ill. lb	.0933	.1219
Peanut Oil, crd Southeast lb	.12	.14½
Lard, Chicago lb	.0725	.1212
Tallow, bleachable, NY lb	.05¼	.07¼
Linseed Oil, raw NY lb	.1358	.1358
TEXTILES AND FIBERS		
Print Cloth, 64 x 60 38½ in. NY yd	.13½	.16
Print Cloth, 80 x 80 39 in. NY yd	.19¼	.21
Sheetings, 56 x 60 40 in. NY yd	.21	.22¼
Burlap, 10 oz. 40 in. NY yd	.1365	.1470
Wool, fine staple terr. Bstn, lb	1.21	1.37
Wool Tops, NY lb	1.595	1.730
Rayon, Satin Acetate NY yd	.23	.24½
MISCELLANEOUS		
Hides, light native cows Chgo lb	.14	.19½

Mr. Speaker, certainly the items listed on the above price list show that the price-cost structure in agricultural commodities at the present time is not even as good as the poor conditions of 1 year ago. Let me name just a few. Wheat is down 43 cents, corn 24 cents, and soybeans off 46 cents. The farmers of this country are reacting to these conditions, and the recent meeting of 35,000 farmers at the National Farmers Organization convention in Des Moines, Iowa, is just the beginning of a massive movement to get the administration to listen and act on programs that will improve this bleak price-cost outlook. I only wish that those that paint such a rosy picture of the agriculture scene in this country would visit with the farmers who are receiving the parity ratio of 75 for their goods. I spoke with those people, and I am convinced that the present administration, through poor management of Government programs, has not been on the side of the American farmer. This poor management shows farm income down $2.5 billion from 1 year ago, while the wage earners' national income has risen $36.1 billion. No wonder the editorial below expresses the concern felt by the people I spoke with over this last Labor Day recess:

WE WELCOME CONCERN

Agricultural Secretary Orville Freeman, in a recent statement before Utah farm leaders, requested farmers to market their record-breaking crops cautiously this fall in order to avoid a possible sharp price drop during the harvest season.

The Secretary was quoted as saying that careful marketing could help feed grain and soybean producers sidestep the problems encountered this year by wheat growers, who the Secretary said loaded the marketing channels at harvest, resulting in temporary gluts that pushed prices down.

We are certainly glad the Secretary has expressed some concern about the depressed farm commodity markets. And we're glad he recognizes that a temporary glut forces prices down. But it must depend on whose farm commodity sales are glutting the market. It seems unique that the Secretary should acknowledge such a fact of life at this time, when only a short time ago he denied the Agriculture department's CCC dumping of grains on the market had any effect at all.

American farmers should be able to recall all too clearly the times when the department announced huge dumpings of CCC stocks on the market, with the resulting drop in farmer prices. But the department emphatically denied such glutting was responsible. At least it is now recognized by all that any temporary dumping of a commodity on the market has the effect of reducing price.

Farmers have every right to be indignant over the shoddy treatment they have received from the department and Administration policy-makers. In order to give our agricultural producers a square deal, they must be assured that their productive efforts will be equitably rewarded and that there will be no repetition of the many anti-farm price maneuvers of the executive branch of the Federal government.

Mr. Speaker, as far as the American farmer is concerned, it is not a matter of restoring the "G" in GOP as the gentleman from Oklahoma [Mr. ALBERT] has suggested, but rather putting a "D" back into Democrat when it comes to offering the farmer a square deal.

TO FARM OR GO FISHING?

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. LANGEN. Mr. Speaker, anyone who looks at the farm statistics these days knows that many of our farmers are leaving the land. In almost all cases, it is not by choice, but due to the fact that the farmer still lags far behind the rest of the population in income. This year, his income is dropping while his expenses keep rising. It is small wonder that we in the Midwest see increasing numbers of auction sale notices.

Mr. Roy Larson, of Wolverton, Minn., recently sent me a clipping from the Forum, the daily newspaper from Fargo, N. Dak., that vividly portrays the problems of the farmer. I call particular attention to the opening sentence of this sale bill, which shows an ironic sense of humor, tragic as the case may be.

The sale bill from the Forum is included at this point in the RECORD:

AUCTION SALE

5 miles north on Highway 75 and 80 rods west of Kent, or 4½ miles south of Wolverton on Highway 75 and 80 rods west. Having farmed for more darn years than I care to mention and upon the advice of our honorable Mr. Freeman, I've decided to say the heck with it and go fishing.

TUESDAY, SEPTEMBER 12—1 P.M.

1—1966 Case 931 Comfort King with 3 point hitch, less than 500 hours; 1—1960 Cockshutt 550 gas with 4 row cultivator only 1700 hours; 1—1959 Cockshutt 428 combine with pickup chopper, loose bar and Hume reel; 1—15 foot pull type Cockshutt swather; 1—14 foot pull type Moline swather; 1—14 foot John Deere press drill with fertilizer and grass attachments; 1—12 foot Oliver low wheel drill; 1—13'4" Kewanee wheel carrier tandem disc; 1—14 foot International chisel plow; 1—14 foot International field cultivator; 1—12 foot International field cultivator; 2—7 section drags with transports; 1—4 section John Deere rotary hoe; 1—4x16" Massey Harris plow; 1—3x14" Case plow; 1—7 foot Cockshutt mounted mower; 1—Pollard wheel rake; 1—Johnson hydraulic loader, manure fork; 1—8 foot snow bucket; 1—28 foot auger elevator with engine; 1—1950 L–160 International 2 ton grain truck, hudraulic hoist, just completely overhauled. Terms: Cash unless arrangements are made with clerk before bidding.

Edwin Beaudin, owner. James Smykowski, auctioneer. Farmers and Merchants State Bank, Breckenridge, Minn., Clerk.

LEGAL INFORMATION FOR THE CONGRESS

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the need for better information handling by the Congress is obvious. The problem we have today is not that we lack sufficient information, but rather the lack of sufficient organization of that information in concise, coherent, and usable forms.

The Legislative Reference Service has a dedicated and exceptionally qualified expert in the area of information handling.

Recently he made a speech entitled "Legal Information for the Congress" at a conference on computers and taxes, sponsored by the National Law Center of George Washington University, in cooperation with the American and Federal Bar Associations of Washington, D.C.

His presentation is excellent and contains information that should be read by all Members of Congress:

Legal Information for the Congress, Ramifications of Utilizing Automatic Data Processing

(A presentation before the Conference on Computers and Taxes, sponsored by the National Law Center of George Washington University in cooperation with the American and Federal Bar Associations, Washington, D.C., by Robert L. Chartrand, information sciences specialist, Science Policy Research Division, Legislative Reference Service, Library of Congress, Washington, D.C.)

(NOTE.—The views expressed in this paper are those of the author and are not necessarily those of the Legislative Reference Service nor the Library of Congress.)

PREFACE

Mr. Chairman, members of the panel, ladies and gentlemen of the second annual conference on computers and taxes:

It may be said that the United States Congress has a certain identifiable involvement in the taxation process, including the authorization of projected programs and operations, and the appropriation of tax monies to best serve the needs of the Nation. The basis for deciding how, when, and to what extent these programs are to be supported resides in the information provided the Congress by the Executive Branch departments and agencies.

Today, there often is the problem of *too much,* as opposed to too little, information which the Members and committees of the Congress must read, review, and relate to the requests placed before them. In no sector of the American society has the "information explosion" been felt more keenly than in the Federal Congress. The information needs of this elective body are as kaleidoscopic, numerous, and ever-changing as the constituencies which the Members represent. Among those information needs are ones involving various types of legal facts and interpretive information.

Within the past 25 years our civilization has been witness not only to the proliferation of written material, but to the development of automatic data processing (ADP) which has been put to use in many fields. During the past decade, a number of developmental projects has been initiated by government, foundation, university, and industrial groups interested in improving legal information handling. The needs of legal scholars, legislators, and practitioners have been identified. Major emphasis has been placed upon evolving techniques and procedures for aiding in legal research, law office management, and various aspects of the law practice.

During the course of this presentation, we shall consider the ways in which automatic data processing can help the Congressman as he seeks various forms of legal advice, analyses, and supporting information. A marked awareness has come into being on the part of many Members of the Congress that they must avail themselves of every possible tool and technique related to the indexing, abstracting, storage, correlation, and retrieval of priority information. As the legislators strive to orient and educate themselves in this unfamiliar milieu, they must do so in the light of the needs and opinions of those whom they represent. The rightness, legality, and utility of their decisions must stand the test of time and events yet to transpire.

INTRODUCTION

Contemporary Congressmen are hard pressed to be aware of the pro's and con's of the major issues demanding their scrutiny and judgment. Dr. Ernest S. Griffith has pointed out that "in a given session of Congress there are forty or fifty issues . . . which are a reflection of a specialized, but interlocked technical age."[1] Another factor affecting the Congress is that our population is growing daily in size, complexity, and mobility; an estimated 12 million persons moved in the past two years. These conditions pose unprecedented problems for the conscientious Member.

Not only must the Member of Congress handle as many as hundreds of visitors and telephone calls each week, but he must respond also to the written opinions and demands of his constituents. Senator Thomas Kuchel reports that "between 1,000 and 2,000 letters reach my office each day";[2] and he represents a state comprised of almost 19 million people.

And so the sheer volume of on-going tasks places the Congressman and his staff in an almost untenable position. How can they cater to the letters, calls, and visits of the voters and still manage to become knowledgeable about the multitudinous major and minor issues which require decisions? Thus far, the Members of the 90th Congress have introduced more than 13,000 public and private bills and resolutions.[3] What aids are available, and should be utilized, to assist the individual Member and his supporters (whether personal staff or committee) to learn enough about these pieces of legislation to formulate alternative courses of action?

The challenge of devising new ways of performing traditional tasks, especially when existing procedures and work patterns no longer suffice, often is being met today on an interdisciplinary basis. Legislators, scientists, and information specialists are teamed to create new concepts and implementing mechanisms for coping with increasingly untenable working environments.

CONGRESS NEEDS LEGAL INFORMATION

Legal information, to serve the needs of the Congress, should possess the qualities of completeness, accuracy, timeliness, and *relevance.* The requester may prefer, or require, information in the form of digests, citations, indices, advisory opinions, analyses, surveys (e.g., state laws or Supreme Court decisions), or the full text of selected documentation. Some inquiries may be fulfilled by a telephone consultation while others may necessitate prolonged, interpretive research by a legal specialist.

The broad range of Congressional demands for legal research, opinions, and supporting information collection and compilation is reflected in the types of general studies prepared at the request of the Congress by the American Law Division of the Legislative Reference Service (LRS) in the Library of Congress. Recent studies[4] have included:

"Equal Employment Opportunity: Legislative History and Analysis of Title VII of the Civil Rights Act of 1964."

"Initiative and Referendum with Particular Reference to Apportionment of State Legislatures."

"The Mallory Rule: Including State Court Decisions."

"Compilation of Court Decisions on Religious Instruction in the Public Schools."

"The Power of Congress to Prohibit Racial Discrimination in the Rental, Sale, Use and Occupancy of Private Housing."

"The Federal Lobbying Act."

The potential for computerized information retrieval was tested by the Legislative Reference Service in an instance when a Congressional request involved a search of the United States Code for all mention of the "death penalty." Concurrently with a search by LRS legislative analysts, the University of Pittsburgh was asked to conduct a machine search of the full text of the U.S. Code. The two search results included a heavy majority of the same citations, but each search effort did retrieve certain unique citations.[5]

The availability of legal-type information in readily accessible form in many cases places serious limitations on sufficiently rapid recall to answer the needs of the Congressman. With the advent of the electronic computer, a new dimension to legal research has been projected. Experimental projects undertaken by a number of groups in the private sector, or by government agencies working with outside consultants, have indicated a promise of information handling techniques and computer programs which might benefit the Congress.

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[1] Griffith, Ernest S. Congress, its contemporary role. New York, New York University Press, 1961. p. 72.

[2] Reform of Congress: David B. Truman (ed.), the Congress and America's future—a discussion. *In* Political science quarterly, v. LXXX, n. 4, December 1965. p. 611 [Review by Senator Thomas H. Kuchel.]

[3] Reflected in the latest issues of the Congressional record and the Digest of public general bills and resolutions.

[4] Library of Congress. Legislative Reference Service. LRS multilithed reports, cumulated issue with index for numbers 1–14, September 1965–December 1966. p. 1–3.

[5] Information provided by Lester S. Jayson, Director, Legislative Reference Service, Library of Congress.

For the past several years the possibilities inherent in utilizing ADP have been explored by highly motivated individuals and groups, with the encouragement of special committees on computer applications formed by such legal professional organizations as the American Bar Association, Federal Bar Association, Association of American Law Schools, and the Association of American Law Libraries.[6]

Much attention was given by the various Associations' committees and the other innovators to the categories of legal data which might be susceptible to treatment through ADP technology:[7]

*1. statutes.
*2. court decisions.
*3. administrative decisions.
*4. administrative decisions and orders.
5. title records.
6. mortgages, liens, and similar recorded instruments.
*7. cases and judgments in courts of record.
*8. patents.
*9. trademarks.
*10. legislative history.
*11. legal periodicals and other literature.
*12. files, records, and evidence in significant cases.

(The asterisked * items would be of probable value to the Congress.)

The needs of the United States Congress for legal information are highly diverse, quite often unpredictable, and cover the gamut from broad philosophical commentaries to excruciating minutiae.

LEGAL INFORMATION RESOURCES FOR THE CONGRESS

Traditionally, the Congress has had several established sources of legal advice and information. Most Senators have designated Legislative Assistants, and many House staff personnel serve in a similar capacity. The American Law Division of the Legislative Reference Service is called upon to handle a heavy volume of Congressional requests; in 1966, more than 12,000 inquiries were received from Members, committees, and (through Members' offices) constituents.[8] Executive Branch agencies and departments offer substantial support to the Congress. In addition, the Congressmen have called upon law school faculty members, foundations, not-for-profit institutions, and lobbyist organizations for legal-type support.

The ability of any single resource group to respond to a Congressional request for support often is a sum of many factors. Is the key resource person available? In what form and where is the desired information? Will conventional research techniques extract the requsite data within an acceptable time frame? Are there over-riding considerations of non-technical nature which preclude the resource group usually called upon from responding?

CONSIDERATIONS OF USING AN ADP SYSTEM

There has been much debate within professional organizations and in leading journals regarding the necessity for full-text storage vis-a-vis some form of index-abstract. Although the legal community generally has accepted the full text approach for statutory information, several other developmental projects have featured the "Sematic Coded Abstract" (Western Reserve University),[9] the "Points in Law" approach of Oklahoma State University,[10] the "root file" approach of the Southwestern Legal Foundation,[11] "Key Words in Combination" (University of Pittsburgh),[12] Maron and Kuhns' proposed "probabilistic indexing,"[13] and the synonym Dictionary Generator (SYNDIG) Thesaurus developed by Irving Kayton at George Washington University.[14]

Thus, many approaches have been taken toward solving the spectrum of problems connected with converting, indexing, abstracting, storing, manipulating, and retrieving legal information. New applications of ADP to legal information handling are under development today. Yet with all of this activity and progress, the busy Congressman does not need to be an expert to use an ADP-oriented system. He will have to attempt to define his requirements, since:

> The basic requirement for successful computer searching is knowledge of the legal issues involved in the problem to be searched—the same type of knowledge which is needed for statutory research using traditional methods. Knowledge of computing is no more necessary for computer searching than is knowledge of printing for reading a book.[15]

The question often asked, and rightfully so is: Can an ADP-centered information handling system provide better legal information to the Congress than existing capabilities? The answer is not apparent at this point in time, but several salient considerations regarding the possible utilization of automatic data processing in this role need to be noted: identification of the basic problems involving cost effectiveness and selection of system parameters; definition of those specific (priority) areas where the computer can help the legislator and his legal advisors; selection of the bodies of information *per se* to be considered for ADP storage and manipulation; and determination of alternative technical approaches for handling legal information by using machine programs and man-machine techniques.

The justification for creating and maintaining a legal information handling system, involving an electronic computer, for support of the Congress should be tied closely to the considerations noted above. The utility of such a system:

> . . . must be measured by drawing a balance between the cost and effort that the user must expend and the completeness and correctness of the information that he gets as well as the convenience and speed with which he gets it. Thus, the usefulness of a retrieval system is determined not only by the speed at which it can treat a large volume of material but on the efficiency of organization of the material, and the form of the intended output.[16]

EXISTING REPOSITORIES OF LEGAL INFORMATION IN ADP FORM

The amount of legal literature available to the would-be researcher currently is estimated at 2⅓ million case reports and 1½ million statutory sections. The estimated rate of growth: 25,000 new opinions published annually, along with 29,000 statutes.[17] Lawyers everywhere are concerning themselves with the problems of indexing, storing, and retrieving pertinent information.

Establishment and maintenance of machine-readable legal information repositories commenced about ten years ago. Significant pioneer work was commenced in 1957 in the area of health law statutes at the University of Pittsburgh under the leadership of Professor John Horty. Selecting the full-text approach, combined with a "Key Words in Combination" handling of vocabulary holdings, the computer was programmed "to find and report all documents containing a certain word, or, preferably, certain words appearing in specified combinations.[18] Today, the magnetic tape holdings of the University of Pittsburgh Health Law Center include the complete codes of New York, Pennsylvania, Ohio, and New Jersey; the United States Supreme Court decisions since 1950; the health statutes of ten states; the Internal Revenue Code and Regulations; and other ordinances, court rules and reports, and legislative information.[19] This information is available, upon request and with modest charges, to outside groups such as the Congress.

Another major source of legal information for the Congress is Project LITE (Legal Information Through Electronics), under the direction of the Air Force Accounting and Finance Center in Denver, Colorado. This System features a "keyword-in-context" (KWIC) access to full text information such as: the complete United States Code (updated to the 1965 supplement); the Comptroller General's Decisions complete to the last published volume, and also the unpublished decisions from 1955 to the present; the Armed Services Procurement Regulations; international agreements of interests to the Department of Defense (DOD); ten volumes of courts-martial reports; and other assorted DOD administrative materials such as Air Force Manuals, etc.[20]

Several Executive Branch agencies and departments also are developing limited holdings of machine-readable information which may be accessioned by other users. The Federal Aviation Agency (FAA), for example, has decisions of the FAA from 1958 to the present, indexed in depth, and computer maintained.[21] Quarterly publications reflecting holdings are scheduled for publication. The Federal Communications Commission (FCC) is involved in the computerization of FCC Reports commencing with the second series. The system also will include FCC late reports. All reports will be indexed in depth and the index, maintained through the use of computer programming, will be published by the Government Printing Office.[22]

A major project is the effort called "Reports and Information Retrieval Activity" (RIRA) sponsored by the Office of the Chief Counsel for the Internal Revenue Service, U.S. Department of the Treasury. This project [23] features the use of ADP in handling basic data on pending tax cases. Information provided includes the name of the case document, stage of case awaiting to be tried, classification of the case (e.g., prime versus standard), etc. The information, placed in a publication called *Issue Sequence*, has been indexed using an eight-digit number. Access to this material is not unlimited, due to invasion of privacy considerations; an Amercian Bar Association request for access now is under consideration.

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[6] National Academy of Science-National Research Council. Digital computer needs in universities and colleges. Washington, D.C., National Academy of Sciences, 1966. p. 100.

[7] Loevinger, Lee. Jurimetrics: the methodology of legal inquiry. *In* Jurimetrics. New York, Basic Books, Inc., 1963. p. 9–10.

[8] Statistics provided by Basil T. Owens, Administrative Officer, Legislative Reference Service, Library of Congress.

[9] Loevinger, *op. cit.*, p. 13.

[10] *Ibid.*, p. 16.

[11] Jurimetrics: the electronic digital computer and its application in legal research. *In* Iowa law review, v. 50, summer 1965. p. 1130.

[12] Horty, John F. The "Key Words in Combination" approach. *In* M.U.L.L., March 1962. p. 54–55.

[13] Loevinger, *op. cit.*, p. 20.

[14] Kayton, Irving. Retrieving case law by computer: fact, fiction, and future. *In* George Washington law review, v. 35, n. 1, October 1966. p. 31–42.

[15] Sample computer search on Pennsylvania statutes. Health Law Center-School of Law. Pittsburgh, University of Pittsburgh, 1963. p. 11.

[16] Bushor, William E. Information storage/retrieval. *In* Electronics, 1962. p. 49. [Quoting G. L. Ordway.]

[17] Wilson, Robert A. Computer retrieval of case law. *In* Southwestern law journal, v. 16, n. 3, September 1962. p. 409. [Quoting Vincent Fiordalisi.]

[18] Digital computers needs, *op. cit.*, p. 98.

[19] Law school research projects reported. *In* M.U.L.L., September 1965. p. 122.

[20] Status information provided by Grant Reynolds, Office of the Air Force General Counsel, June 1967.

[21] Status information provided by John C. Lyons, Co-Director, National Law Center, George Washington University, and Burton Lamkin, Librarian, Federal Aviation Administration, June 1967.

[22] Status information provided by Hilburt Slosberg, Associate General Counsel, Federal Communications Commission, June 1967.

Useful information of a legal nature, such as statutory and legislative material, has been converted to ADP form by several states. In New York, for example, state Senate committee chairmen are provided each week with a computer-initiated list of all bills pending before their committees.[24] In Wisconsin, a statutory retrieval system is being developed for the state by Data Retrieval Corporation of America; in this instance, the entire text of the Wisconsin statutes comprises the data base, and may be accessed by free-form requests.[25]

CONGRESS SEEKS AN ADP SUPPORT FACILITY

Members of the 90th Congress have taken steps to provide themselves with an automatic data processing support capability through direct action. More than a dozen bills [26] have been introduced (H.R. 21, et al.) by a bi-partisan group of House Members, calling for the establishment of an ADP facility located in the Legislative Reference Service. Representative Robert McClory of Illinois has cited the problem facing him and his colleagues:

> The tools and techniques which have been developed in connection with the evolution of the electronic computer have much to offer the burdened decision-maker. The growing dilemma of the Congressman and his staff centers about the voluminous written information—reports, books, periodicals, specifications, memoranda—that must be screened, reduced to a useable length, filed, and later used as a reference.[27]

Contained in the Legislative Reorganization Act of 1967, passed by the Senate as S. 355, is a provision introduced by Senator Hugh Scott of Pennsylvania[28] which embodies the essence of the McClory bill. This Senate bill now is being considered by the House Committee on Rules. Featured as one of the priority application areas to be developed in conjunction with the operation of such a Congressional facility is the storage, retrieval, and dissemination of legal information. This is reflected in a study prepared at Congressional direction entitled "Automatic Data Processing for the Congress." [29]

SUMMARY

In response to the question as to why a computer should be considered for use in handling legal information, three significant reasons have emerged:

1. The time of the lawyer spent in routine, methodical research may be reduced;
2. Selected areas of meticulously indexed legal material can be machine-searched; and
3. Attention of the lawyer may be focussed upon only those areas which remain unsearched.

Essentially, the time of the legislator, his advisory staff, and legal research elements, is precious. If machine-stored information, thoroughly indexed, can be searched through the use of the computer, the human is freed for more demanding and judgmental tasks.

As the Congress strives to cope with the problems of the 1960 decade, its Members must know the legal ramifications of much of the legislation which is being considered. Our national security and standard of living are dependent upon the scope, ingenuity, and constitutionality of the scientific and social programs undertaken by the Federal, State, and local governments. To this end, the lawmakers must utilize the full resources, both human and technological, which can make possible the fulfillment of our Nation's goals.

FORGET THE GADGETRY IN VISIONS OF YEAR 2000

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the need to look to the future has been recognized by the American Academy of the Arts and Sciences. This group has formed a Commission on the Year 2000.

Dr. Daniel Bell, professor of sociology at Columbia University, is chairman of the commission. Last Sunday an article appeared in the Washington Post which was an excerpt of an article written by Dr. Bell regarding the work of this commission.

The article follows:

FORGET THE GADGETRY IN VISION OF YEAR 2000

(By Daniel Bell)

(NOTE.—The 1,000-page summer issue of Daedalus, Journal of the American Academy of Arts and Sciences, is devoted to a first report on the labors of the Academy's Commission on the Year 2000. The preface stresses that the magazine's contents are "intended to be exploratory and tentative . . . the reader is not being offered a finished document. Rather, he is being invited to participate in an ongoing discussion, largely speculative, about which the commission would never think to speak with a single voice."

(Created in 1964, the Commission on the Year 2000 is made up of biologists, psychiatrists, economists, political scientists, Government people and scientists. It has held two plenary sessions, its members have written many papers, some of which are reprinted in Daedalus, and eight "working parties" are considering several problems in detail.

(The accompanying article is excerpted with permission from the introduction to this issue of Daedalus. Entitled, "The Year 2000—Trajectory of an Idea," it is by Daniel Bell, chairman of the Commission, professor of sociology at Columbia University and author of "The Reforming of General Education" and other books.)

Time, said St. Augustine, is a threefold present: the present as we experience it, the past as a present memory and the future as a present expectation. By that criterion, the world of the year 2000 has already arrived, for in the decisions we make now, in the way we design our environment and thus sketch the lines of constraints, the future is committed.

Just as the gridiron pattern of city streets in the 19th century shaped the linear growth of cities in the 20th, so the new networks of radial highways, the location of new towns, the reordering of graduate school curricula, the decision to create or not to create a computer utility as a single system will frame the tectonics of the 21st century.

This is the premise of the Commission on the Year 2000. It is an effort to indicate now the future consequences of present public policy decisions, to anticipate future problems and to begin the design of alternative solutions so that our society has more options and can make a moral choice rather than be constrained, as is so often the case when problems descend upon us unnoticed and demand an immediate response.

But what began a few years ago as a serious academic enterprise has been seized, predictably, by the mass media and the popular imagination. The Columbia Broadcasting System has revamped its documentary program, "The 20th Century," into "The 21st Century," to depict the marvels of the future. Time has published a compact essay on "The Futurists: Looking Toward A.D. 2000." The theme of the year 2000 now appears repeatedly on lecture circuits and in the feature pages of newspapers.

A MAGIC NUMBER

All of this was probably to be expected. Much of the attention given the year 2000 is due clearly to the magic of the millennial number.

Men have always been attracted by the mystical lure of the *chiloi*, the Greek word for 1000 from which we get our religious term *chiliasm*, the belief in a coming life free from the imperfections of human existence. The early Christian expectation of a *parousia* (phophesied in Revelations 20) placed its hopes for a Second Coming at the end of a 1000-year period.

The millennial point is only 33 years away and within the lifetime expectation of more than three fourths of all Americans now alive.

A good deal of today's interest in the future arises also from the bewitchment of technology and the way it has transformed the world, and most of the images of the future have concentrated on dazzling technological prospects. The year 2000 has all the ingredients for becoming, if it has not already become, a Hula Hoop craze.

All of this has its good side and its bad. What is bad, to begin with, is that a serious and necessary effort is in danger of being turned into a fad, and any fad trivializes a subject and quickly wears it out. A second evil is that many more expectations are aroused than can be fulfilled. There do not exist today any reliable methods of forecasting (even in technology).

The third drawback is that our major attention, reflecting an aspect of our culture, becomes concentrated on "gadgets," and breezy claims are made that such gadgets will transform our lives. Not only do people forget the predicted gadgets that failed to appear—for example, the replacement of the daily newspaper by facsimile that would come out of the television set—but the startling claims of yesterday quickly become the prosaic facts of today.

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[23] Status information provided by Charles Casazza, Branch Chief, Legal Attorney, Office of the Chief Counsel for the Internal Revenue Service, U.S. Treasury Department, June 1967.

[24] Brydges, Earl W. The electronic solon. *In* National civic review, July 1965. p. 351.

[25] Wisconsin computerizes state law. Reprint from State government administration magazine, May 1967.

[26] Chartrand, Robert L. Information for the Congress: implications of automatic data processing. A presentation before the Technical Information Machine Systems Seminar, The American University, Washington, D.C., April 17, 1967. Figure 1, p. 14.

[27] McClory, Robert. An automatic data processing facility to support the Congress. Remarks in the House. Congressional record. [Daily ed.] (Washington), v. 112, October 19, 1966. p. 26787.

[28] Scott, Hugh. Remarks in the Senate during debate on the Legislative Reorganization Act of 1967. Congressional record. [Congressional record. [Daily ed.] (Washington), v. 113, February 16, 1967. p. S2124.

[29] Chartrand, Robert L. Automatic data processing for the Congress. *In* Extension of remarks of Honorable Robert McClory. Congressional record (Washington), v. 113, January 30, 1967. p. 1803.

Twenty-five years ago, the technology magazines were filled with the coming wonders of "fractional horsepower," which would lighten all our burdens. And although small motors with fractions of horsepower have been developed, they have also resulted in such things as electric toothbrushes and electric carving knives.

A STABLE FRAMEWORK

The simple point is that a complex society is not changed by a flick of the wrist. Considered from the viewpoint of gadgetry, the United States in the year 2000 will be more like the United States in the year 1967 than different.

The basic framework of day-to-day life has been shaped in the last 50 years by the ways the automobile, the airplane, the telephone and television have brought people together and increased the interactions among them. It is highly unlikely that in the next 33 years (if one takes the year 2000 literally, not symbolically) the impending changes in technology will radically alter this framework.

Supersonic transport will "tighten" the network and bring the world more directly into the domestic frame. The major challenges and problems already confronting our society, however—a livable physical environment, effective urban planning, the expansion of postgraduate education, the pressures of density and the reduction of privacy, the fragility of political institutions beset by many pressure groups—will extend to the end of the century.

This is not to say that substantial changes will not take place as they have been doing in the past 33 years. But one has to be clear about the character of such changes. In general, there are four sources of change in society, and they can be charted with differential ease.

The first source of change is technology. In the next 33 years, we are likely to see great changes growing out of the new biomedical engineering, the computer and possibly weather modification.

Biomedical engineering, particularly its possibilities of organ transplant, genetic modification and control of disease, promises a substantial increase in human longevity. Previous steps, principally the control of infant mortality, raised the average life expectancy; now the prolongation of life by the control of aging may be at hand. This may accentuate a tendency, already visible, in which the chief concern of a person (particularly in middle age) is not death from disease but staying young, thus strengthening the hedonistic elements in our culture.

The impact of the computer will be vast. We will probably see a national information-computer-utility system with tens of thousands of terminals in homes and offices "hooked" into giant central computers providing library and information services, retail ordering and billing services and the like. But while the social and economic consequences will be huge, the effect will be greater on the structure of intellectual life and the character of organizations than on the day-to-day life of the person.

Weather modification, still only on the horizon, would shape a control of environment men have dreamed of for thousands of years, but the working out of the economic and social arrangements would pose some difficult problems for human civilization.

In all this, one should note that "technology" is itself changing. Instead of a machine technology, we will have increasingly an "intellectual technology" in which such techniques as simulation, model construction, linear programing and operations research will be hitched to the computers and will become the new tools of decision-making.

A PROBLEM OF SIZE

The second source of change, one of the most powerful engines in American society, represents the diffusion of existing goods and privileges in society, whether they be tangible goods or social claims on the community. This, in effect, is the realization of the promise of equality which underlies the founding of this country and the manifestation of Tocqueville's summation of American democracy: What the few have today, the many will demand tomorrow.

When diffusion begins to take rapid sway (as has recently been seen in higher education), it changes the size and scale of the servicing institution and, consequently, that institution's character. Dealing with such problems of size and scale and planning for the kind of institution we want becomes the urging task of anticipating, not predicting, the future; for example, the university should not become a corporate entity because of the pressure of size.

A third kind of change involves structural developments in society. The centralization of the American political system in the last 30 years has marked an extraordinary transformation of American life. It is the result, in part, of our becoming a national society through the new transportation and the mass media. But it also grew out of the need for central instrumentalities first to mediate the conflicts between large functional groups and later to mobilize the society because of the demands of war.

A different, more subtle structural change has been the transformation of the economy into a "postindustrial" society. The weight of the economy has shifted from the product sector to services; more importantly, the sources of innovation are becoming lodged in the intellectual institutions, principally the universities and research organizations, rather than in the older industrial corporations.

The consequences of such a change are enormous for the modes of access to place and privilege in the society. They make the universities the "gatekeepers" of society. They make more urgent the husbanding of "human capital" rather than financial, and they raise crucial sociological questions about the relationship of the new technocratic modes of decision-making to the political structures of society.

The fourth source of change—perhaps the most important and certainly the most refractory to prediction—is the relationship of the United States to the rest of the world. In the last 25 years, our lives have been transformed most drastically by our participation in World War II, by our military and political posture in the Cold War and by our relationship to the extraordinary number of new states that have emerged since 1945. The problem of detente in a nuclear age, the gap between rich and poor nations, the threatening role of "color" as a divisive political force, the changing balance of forces—both technological and moral—are all questions that reach from the present into the distant future.

We have begun to realize—and this is the positive side of the current interest in the year 2000—that it is possible to direct some of this change consciously, and because a normative commitment underlies any humanistic approach to social policy, we can try to widen the area of choice. Looking ahead, we realize that the rebuilding of American cities, for example, entails a 35-year cycle, and one can rebuild cities only by making long-range commitments.

In the process, we are also forced to consider the adequacy of our political mechanisms, since Congress neither has a capital budget nor budgets money for long-range commitments. Furthermore, one must question whether a national society can sensibly be structured according to the present crazy-quilt pattern of 50 states and thousands of unwieldly municipalities.

In short, what matters most about the year 2000 is not the gadgets that might, on the serious side, introduce prosthesis in the human body or, on the lighter side, use silicones to lift wrinkles, but the kinds of social arrangements that can deal adequately with the problems we shall confront.

More and more we are becoming a "communal society" in which the public sector has a greater importance and in which the goods and services of the society—those affecting cities, education, medical care and the environment—will increasingly have to be purchased jointly. Hence, the problem of social choice and individual values—the question of how to reconcile conflicting individual desires through the political mechanism rather than the market—becomes a potential source of discord.

The relation of the individual to bureaucratic structures will be subject to even greater strain. The increasing centralization of government creates a need for new social forms that will allow the citizenry greater participation in making decisions. The growth of a large, educated professional and technical class, with its desire for greater autonomy in work, will force institutions to reorganize the older bureaucratic patterns of hierarchy and detailed specialization.

The individual will live longer and face the problem of renewed education and new careers. The family as the source of primordial attachment may become less important for the child, in both his early schooling and his emotional reinforcement.

This will be a more mobile and more crowded world, raising problems of privacy and stress. The new densities and "communications overload" may increase the potentiality for irrational outbursts in our society.

Finally, there is the growing disjunction between the "culture" and the "social structure." Society becomes more functionally organized, geared to knowledge and the mastery of complex bodies of learning. The culture becomes more hedonistic, permissive, expressive, distrustful of authority and of the purposive delayed-gratification of a bourgeois, achievement-oriented technological world. This tension between the "technocratic" and the "apocalyptic" modes, particularly among the intellectuals, may be one of the great ruptures in moral temper, especially in the universities.

MORE OPEN CONFLICT

The only prediction about the future that one can make with certainty is that public authorities will face more problems than they have at any previous time in history. This arises from some simple facts:

Social issues are more and more intricately related to one another because the impact of any major change is felt quickly throughout the national and even the international system. Individuals and groups, more conscious of these problems as problems, demand action instead of quietly accepting their fate.

Because more and more decisions will be made in the political arena than in the market, there will be more open community conflict. The political arena is an open cockpit where decision points are more visible than they are in the impersonal market; different groups will clash more directly as they contend for advantage or seek to resist change in society.

For all these reasons, the society of the year 2000 will be more fragile, more susceptible to hostilities and to polarization along many different lines. Yet to say this is not to surrender to despair, for the power to deal with these problems is also present.

It resides, first, in the marvelous productive capacity of our system to generate sufficient economic resources for meeting most

> of the country's social and economic needs. It is latent in the flexibility of the American political system, its adaptability to change and its ability to create new social forms to meet these challenges—public corporations, regional compacts, nonprofit organizations, responsive municipalities and the like.
>
> The problem of the future consists in defining one's priorities and making the necessary commitments. This is an intention of the Commission on the Year 2000.

VIETNAM

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. GOODLING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLING. Mr. Speaker, the time has come to stop the increasing drain of American lives and national strength into South Vietnam by insisting that those in this area increase their war effort. Lacking this, those in South Vietnam are apt to feel that the execution of the war is our sole responsibility and none of theirs.

That there is danger of such a drift is evidenced by the fact that just recently President-elect Ngyuen Van Thieu appeared on a radio-television program recorded in Saigon, urging that American troops should handle most of the heavy fighting in Vietnam. It would be interesting to know what prompted him to arrive at this conclusion.

That America is already is doing more than its share in this war is evidenced by the fact that American casualties since January 1967, are now running almost twice as heavy as the Vietnamese casualties.

If we do not demand greater participation by the South Vietnamese in this war, Asians increasingly will be made to feel that their cause is just so long as they can fight to the last drop of American blood to advance and protect it.

The war in Vietnam can never be carried out to a successful conclusion until Asians of the Vietnam area are fired by the same spirit that drove the American Revolution to a successful end. The President of the United States should immediately issue a mandate that now is the time for all good Vietnamese and allied Asians to come to the aid of the country of Vietnam; that the Asian effort must be proportionately larger than America's.

American lives and vitality cannot continue to be spent on an Asian cause which Asians, themselves, will not recognize as being worthy.

WONDERFUL WISCONSIN WEEK

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, on next Sunday, the 17th of September, Wisconsinites will salute the start of a 7-day observance of "Wonderful Wisconsin Week." The theme for the festivities will be apropos, as it will be entitled "We Like It Here."

It is heartwarming to realize that a fierce State pride still exists in Wisconsin. Many of the so-called internationalists would have us believe that we should put the other nations of the world in a more favorable position than we do our home areas. I am happy to say that the citizens of Wisconsin are most singly proud of the State in which they reside, and of the accomplishments that Wisconsinites have attained throughout the years, and are indeed accomplishing daily. We are not isolationists by any stretch of the imagination, but we do recognize the tremendous importance of our own State. Our industry flourishes and grows. Our agriculture supplies Midwestern and in fact all of our Nation's markets with produce and milk and milk products with an abundance envied by our neighbors. Our tourist business attracts hundreds of thousands of out-of-State visitors in both summer and winter so that they may enjoy the boating, skiing, swimming, golfing, and so forth which are not readily available in their own locales.

Wisconsin can take great pride in the celebration which will present a varied program for each of the 7 days of "Wonderful Wisconsin Week." On the 17th of September, "Heritage Day" will be celebrated; the 18th will mark "Education and Youth Day"; "Government Day" will take place on Tuesday the 19th; Wednesday, Thursday, and Friday, the 20th, 21st, and 22d will pay tribute to "Wisconsin at Work"; and Saturday the 23d will be "Hospitality Day."

I urge those of you who are thinking of journeying into the marvelous Midwest during the next 10 days to take the time to join with us in an examination of the assets and attributes of Wisconsin in the celebration of "Wonderful Wisconsin Week." Even a short exposure to our State will quickly convince you that we rightfully have a strong State pride. We hope that many of you will be able to attend the festivities.

22D NATIONAL CONFERENCE ON CITIZENSHIP

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I have called the attention of the House to "Wonderful Wisconsin Week" in other remarks today. I would also join with most of my colleagues in saluting the 22d National Conference on Citizenship which is to be held next week at the Mayflower Hotel in Washington, D.C. Many of us will participate in at least the get-acquainted session in the east room of the hotel on Monday morning between 8:30 and 9:30, and I hope that a large group from the Congress will be able to attend the workshops and discussions and to hear the banquet address of the very able Senator from Texas, JOHN G. TOWER.

TAFT CHALLENGES JUSTICE DEPARTMENT ON STATISTICS

The SPEAKER pro tempore (Mr. VIGORITO). Under previous order of the House, the gentleman from Ohio [Mr. TAFT] is recognized for 20 minutes.

Mr. TAFT. Mr. Speaker, the statement dated August 29 by Deputy Attorney General Warren Christopher in reply to criticism by Republican groups of the administration's war on crime deserves a direct retort. It evades questions, quotes meaningless statistics, pleads partisanship, and usurps credit where none is due.

The House Republican Task Force on Crime commented on the Attorney General's limitation of legal electronic surveillance and simply questioned why it was necessary to exceed the strict and perhaps excessive limitations of the Supreme Court outlined in the Berger decision. The task force asked what the logical purpose of the additional restrictive regulations was, and where the Attorney General derives the authority to establish them. These questions remain unanswered.

In another statement, 23 House Republicans, including myself, recently outlined a 12-point program for combating organized crime nationwide and asked a number of questions such as:

First. Why the activities of the Organized Crime Section of the Justice Department have been dramatically reduced since 1964?

Second. Why the administration influenced the Crime Commission to reverse an earlier recommendation for wiretap legislation?

Third. Why the administration persists in its position that court authorized electronic surveillance is of little value despite statements to the contrary from almost every law enforcement official in the country?

Fourth. Why the administration has ignored almost every recommendation by the President's Crime Commission on organized crime?

These questions remain unanswered by Mr. Christopher and the Justice Department.

Instead, Mr. Christopher says FBI-investigated organized crime convictions rose 39 percent from the previous year and two new measures to aid the fight against organized crime are pending in Congress.

> With Republican aid, these bills could be promptly passed—

Christopher comments. He adds—

> The partisan obstruction of the Republicans only serves to interfere with the war against crime.

The two bills referred to have been the subject of legislative proposals since 1961. Both have received broad Republican support, both have been sponsored in this session of Congress, in House and Senate, by Republicans and Democrats alike. These bills are bipartisan efforts, and were among recommendations of the President's Crime Commission.

With respect to the administration's statistical justification of its war on organized crime, we must note that it is carefully confined to FBI-investigated convictions. It makes no mention of who the subjects of conviction were or what their standing was in the hierarchy of organized crime. What of IRS-investigated organized crime convictions? Hitherto, they have accounted for 60 percent of the success of the entire Federal effort. In addition, how many "high echelon" organized crime figures are among those convicted? Conversely, how many numbers writers, petty bootleggers, prostitutes, racetrack touts, and similar small fish have found their way into their statistics?

Since the Justice Department cited the number of convictions in a selected area as a measure of their success in fighting organized crime, additional figures deserve comment. The President's Crime Commission called Cosa Nostra the core of organized crime and estimated its membership at some 5,000. Since 1961 only about 130 identified Cost Nostra members have been convicted by the Federal Government. That amounts to roughly 2.6 percent of Cosa Nostra membership for the entire 7-year period—a conviction rate of 0.4 percent per year. Current issues of Life magazine detail the dominance over the underworld of those remaining free.

And the 130 convictions represent the sum total of the efforts of 26 Federal investigative agencies, 94 U.S. attorney's offices and, of course, the Organized Crime Section of the Justice Department.

Criticism of the Organized Crime Section of the Justice Department is not intended. The section should not be dissuaded from prosecuting even low-level figures in whatever way they can. They are as much a part of organized crime as anyone else. In addition, no one can tell when a conviction might lead to important further prosecutions. It is a well known fact, however, that the high echelon racketeers—the syndicate gamblers, the mob leaders, Cosa Nostra members—are extremely well insulated from the day-to-day criminal activities they direct. As a result, they are extremely difficult to prosecute. The problem is basically one of uncovering evidence.

It is to the credit of the Organized Crime Section that they have accomplished even this much under present Justice Department rules laid down for them and the evidence gatherers they supervise. But the claimed import of their success is obviously quite misleading.

The most dramatic and typical issue is the authorization of court approved electronic surveillance, within constitutional limits, as one of the necessary tools for obtaining evidence against syndicate leaders. Until the Justice Department recognizes the need to utilize every legal weapon, the fight against crime will continue to be a losing battle.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I shall be glad to yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, I have listened with a great deal of interest to the statement which has just been made by the distinguished gentleman from Ohio [Mr. TAFT]. I wish to commend the gentleman upon his bringing this matter to the attention of the House of Representatives. I know that the gentleman has given much thought and much study to this question. I am hopeful that as a result of the gentleman's contribution as well as the contribution of others who have similar ideas on this important problem that the House of Representatives will give serious consideration to the legislation pending before it so that we can get at the solution of this problem, a problem which is a very real one, and one in my opinion which can be solved through law, in large measure.

Mr. Speaker, I thank the gentleman from Ohio for yielding and for the gentleman's contribution.

Mr. TAFT. I thank the gentleman from Iowa for his kind remarks.

Mr. Speaker, I yield back the balance of my time.

CLARIFY THE VIETNAM ISSUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. EDWARDS], is recognized for 15 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, earlier this year a distinguished Senator made a remarkable proposal for solution of the Vietnam problem.

He said that the United States should simply declare itself a winner in the war and then pull out.

The idea was received in a humorous vein. Everyone had a good laugh about it. But now it appears that we might very well witness events in the next months which will follow closely that very same proposal.

This kind of magic will not develop all at once. It will evolve over a period of months, and, indeed, has already started. It began with Secretary McNamara's announcement that he was going to build some kind of barrier between North and South Vietnam ostensibly to cut down on infiltration of Ho Chi Minh's men and supplies from north to south.

It is highly unusual for a military commander, in time of war, to make a public announcement of a major military project designed to aid in the prosecution of the war unless the announcement is designed to serve a nonmilitary purpose.

McNamara's barrier between North and South Vietnam cannot possibly reduce infiltration significantly by itself. To be any where near effective the barrier must either continue westward across Laos or else follow the Laos-South Vietnam border southward through many, many miles of mountainous jungle.

Since neither of these extensions of the barrier is likely, the announcement of the barrier was intended for other purposes. It was meant as a preliminary step to a future McNamara news conference he can call to announce a dramatic reduction in infiltration.

With this move U.S. military action in Vietnam can be gradually slackened off and perhaps even some troops can be returned to the United States. This can be done with or without continuation of the bombing of North Vietnam.

But it seems likely that with infiltration reduced even a very small amount, reasonable justification can be found by the administration to stop the bombing. And with even a few American soldiers withdrawn, a basis can be found with Ho Chi Minh for an agreement to begin some form of talks.

The newly elected regime of South Vietnam is already referring to peace talks. The stage is being set for both sides in the war, after a process of evolving military and diplomatic maneuvers, to proclaim victory.

Each side will come off with a maximum of face-saving and will be able to say its objectives have been won. This might develop either with the actual conclusion of negotiations or with a stalemated conference.

THANKFUL

If this process should actually develop in fact, the American people, the Vietnamese people, and all the world will, of course, be thankful that the conflict will have been brought to an end.

But the question we should ask ourselves is whether President Johnson's stated objectives will have been met or not. In April of 1965 the President said the U.S. objective was a free and independent South Vietnam. He rejected any meaningless agreements as suitable basis for withdrawal of U.S. support for South Vietnam.

If, in 1968, a form of agreement results in lessened military activity and a partial withdrawal of U.S. troops from South Vietnam, and then leads in 1969 to a Communist takeover of South Vietnam, how can we justify today's effort in that tragic country?

If the administration harbors thoughts that this progression of events might actually develop then it has a deep moral obligation to set the facts before the people.

And yet the history of administration explanations of this war has been far from adequate. At no point in the Johnson administration has the reasoning behind our interest in Vietnam been quite clear to the people.

At various times we have been told that we are in Vietnam because of the SEATO treaty, because we need to save the Vietnamese people from a Communist future they do not want, or a combination of these and other reasons.

But the real issue is whether U.S. security is involved, and this point has never been adequately presented to the people. If it had been, the President would, I am convinced, have the support of the American people today and throughout the period of the conflict.

Also, and perhaps even more important, if the President had made clear our security interest in Vietnam, the opposition would have found our determination and national will to be sufficiently credible so that we never would have needed to come this far down the road of war with its immense cost and sacrifice of American life.

CLARIFICATION

Today across this country there is doubt and confusion running deep in the minds and hearts of thoughtful people. I call upon the President to restate the aims and objectives of our effort in Vietnam.

I ask him to sweep away the side issues and to deal directly with the heart of the matter: our U.S. national security. I ask him to say what he has not yet said about our interest in Vietnam.

If our national security is thought to be at stake in Vietnam then the President must say so directly and without qualification. In doing so he would unite the country behind him.

On the other hand, if our national security is not at issue, then it is my opinion that the American people favor a quick end to the war under almost any circumstances. But they will strongly oppose a staged conclusion to the fighting with paper agreements which will result in anything less than the President stated as his aims in April of 1965.

RUSSIA

What assurances do the American people have that the administration will not paper over a withdrawal from Vietnam, trying to make a defeat look like victory?

The byword in administration foreign policy is "building bridges" with Russia and Russia's East European satellites. And without the active help of Russia and Russia's satellite governments North Vietnam could not continue the war and still survive.

Our Government behaves toward Russia as though the cold war is all over. The theory is that if we only act friendly enough Russia will reciprocate no matter how much the Kremlin seems to be waging economic, diplomatic, and psychological war against us, and no matter how much military equipment Russia is pouring into Cuba, North Vietnam, the Arab countries, and other places where damage can be done to U.S. interests.

In effect, the Johnson administration has declared by itself that the cold war is over, and has withdrawn from the competition. It is only one more step to do the same in Vietnam—to declare the war over, and withdraw.

What are the reasons for concluding that our Government has pulled out of the competition with Russia?

Latin America is one reason. The State Department is so busy assuring itself that Castroite subversion is getting nowhere in Latin America, that when new cases of this subversion continue to appear the Department has no apparent policy with which to deal with it.

The proposed antiballistic-missile system is another reason. For many months we have asked Russia to enter into talks designed to prevent the costly construction of a missile defense system in either country. And we have delayed the construction of such a system.

But Russia has gone right ahead to build her own antiballistic-missile system while leading our negotiators, evidently, to believe that talks might actually develop.

PROPAGANDA, TOO

This same illusion about Russia's behavior serves also to paralyze our activity on the propaganda front.

In March of 1966, the United States and Russia entered into a cultural agreement with great fanfare. The agreement was actually a renewal of the earlier and similar agreement which had been openly broken by Russia on at least one major occasion.

The 1966 agreement clearly stated the specific details of exchanges between the two countries of scientific, technical, educational and cultural materials and people. For example it provided for the exchange "on the basis of reciprocity" of an American magazine distributed in Russia and a Russian magazine distributed in the United States.

It specifically provided for increases in circulation of the magazines to be agreed upon jointly. The entire agreement was carefully and repeatedly based on the idea of reciprocity: one magazine exchanged each way.

Then, apparently to the surprise of the State Department, a second Russian magazine appeared on U.S. newsstands in January of this year. The new magazine was called "Sputnik," a Reader's Digest-type publication printed in English in Finland, and shipped into this country through the Port of New York.

The new magazine was, of course, not covered by the 1966 agreement or any other agreement with Russia.

I wrote to the State Department a few days later to ask what steps were being taken to seek reciprocity with Russia in the form of arrangements for a new American magazine distributed in Russia.

The State Department wrote in response that a request to this effect had been addressed to Russia and a response was then awaited.

In August, 7 months later, I again wrote the State Department to ask the status of the matter. They responded saying that efforts were continuing to arrange for distribution of an American magazine in the Soviet Union.

It is not my contention here that we should protect the American people from exposure to Russian propaganda materials. It is my contention, however, that Russia continually evades and defies agreements in her continuing conduct of cold war tactics while our Government appears to be either unwilling or unable to meet the challenge.

We should demand reciprocity in the exchange of publications in accord with the 1966 cultural agreement that was hailed by administration backers as such a diplomatic achievement for the United States.

We should demand that Russian supply ships stay away from North Vietnam or risk damage from American bombers engaged in the conduct of war.

We should demand that Russian ships stay away from Cuba or risk action that we would take in accord with President Kennedy's quarantine of 1962.

And until the administration moves in this direction the American people should ask that American objectives in Vietnam be clarified before the tragic course of war be continued.

AMERICA'S FIGHTING MEN UNDERSTAND WHY WE ARE IN VIETNAM

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, do the American people support President Johnson in Vietnam?

One indication that they do is the fact that 100,000 members of the U.S. Army have volunteered for duty in Vietnam during the past 3 years. And of 200,000 American troops stationed in Europe, one in 20 have asked for transfers to Vietnam in the first 6 months of this year.

In addition, 20 percent of the marines now in Vietnam have requested further combat service after completing their 13-month tour of duty.

I believe these facts indicate that our people understand the meaning and purpose of our commitment to South Vietnam. And this understanding is certainly reflected in the spirit of our fighting men now in Vietnam or among those desiring to serve there.

In a recent editorial, the Kansas City Times cites these statistics to conclude that our people understand "that to fight armed communism in Vietnam is the best way to prevent a wider war that would directly threaten the United States and its free world allies."

The Kansas City Times challenges a recent article in the London Times which claimed that as many as 1,000 Americans had abandoned their units in Europe, largely to escape the Vietnam combat zone.

The Kansas City Times reports that the present list of Army deserters in Europe totals 338, many of whom took such drastic action due to personal difficulties that had nothing to do with Vietnam.

As for the general attitude of young Americans in our Armed Forces, the fact that 100,000 of them have volunteered for Vietnam indicates to me that America has nothing to worry about when it comes to the spirit and dedication of their young people.

Under unanimous consent I insert into the Record the excellent editorial from the Kansas City Times:

Surge of U.S. Volunteers in the Vietnam War

Here is a piece of news that we wish the London Times would pick up to atone for the out-of-character, journalistic dunderheadedness that it committed the other day:

More than 100,000 members of the U.S. Army have volunteered for duty in Vietnam during the last three years. The breakdown for the total of 103,635 volunteers is 9,435 officers and 94,200 enlisted men. Also, of the more than 200,000 U.S. troops stationed in Europe, approximately 10,500, or one in 20, have applied for transfer to Southeast Asia during the first six months of this year. In addition, headquarters of the Fleet Marine force for the Pacific reports that 20 per cent of the marines in Vietnam have requested further combat service after completing their 13-month tours.

But the prestigious London Times has published a conflicting—and erroneous—version of mass desertions in Europe by American soldiers determined to avoid fighting in Vietnam. The Times sent out a task force of reporters who claimed that as many as 1,000 Americans had abandoned their units in Europe, largely to escape Asian combat.

The London newspaper displays what, at best, is naivete in attributing the same motive to a large number of men without having interviewed more than a sampling. Of course the Times could not know the motivation of 1,000 deserters who would never be available for comment because most do not exist. The facts are quite different.

In response to the London Times account, the U.S. Army headquarters at Heidelberg, Germany, reports the present list of long-term absentees as totaling 338, some dating back several years. This figure is small for so large a U.S. garrison. Moreover, many of the deserters made their move after getting into personal entanglements that had nothing to do with Vietnam.

As for the general attitude of young Americans toward the war, of course there are many who want no part of military service if they can avoid it. Those youths appear most concerned over the perils and privations of combat in Vietnam. But among those who eventually find themselves on active duty through the draft or by enlistment, an entirely different attitude prevails.

A generation that many of its seniors feared was "soft" has come through magnificently in the hard tasks of Vietnam. Some American commanders declare the servicemen of today to be the best that this country has ever had. These men are not running out on the war. Their actions support the viewpoint that to fight armed communism in Vietnam is the best way to prevent a wider war that would directly threaten the U.S. and its free world Allies. The London Times needs to get its facts straight.

PROVISION OF CREDIT TO KINGS RIVER WATER USERS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SISK. Mr. Speaker, on behalf of myself and the gentleman from California [Mr. MATHIAS], I have today introduced, for appropriate reference, a bill to provide for credit to Kings River water users in our districts for excess payments under their repayment obligation contracts for the years 1954 and 1955.

These water users are members of the Kings River Water Association and the purpose of this legislation is to give the Department of Interior authority to correct certain bookkeeping entries to prevent an inequitable collection of water storage contract repayment funds.

Congress authorized the construction of the Pine Flat Dam and reservoir on the Kings River in California in section 10 of the Flood Control Act of 1944. Agreement was reached that the water users would pay $14,250,000 under the terms of a repayment contract entered into after a long period of negotiation. Prior to the conclusion of a final contract, an interim contract was signed which resulted in the payment during 1954 and 1955 of $1,098,579.92 in excess of the costs of operation and maintenance of the project facilities for those years.

For all of the years following 1955, under the terms of a provision inserted in the temporary contracts, credit was given for such overpayments.

The Department of Interior has determined that there is no authority of law which permits it to give credit for the years 1954 and 1955. Without such credit, the water users would be required to repay not the agreed sum of $14,250,000 but an amount of $15,348,579.92. This was not contemplated by either the Government or the water users and would amount to an overpayment to the United States.

The passage of this bill will not result in any expenditure of Government funds nor a refund to the water users but merely a credit on the books of the Department of the Interior so that with the eventual payment of the repayment obligation, there will not be an overpayment by the several water districts in our area and equity will be provided.

THE CAMP ROBERTS PROJECT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. CORMAN. Mr. Speaker, I would like to bring to the attention of my colleagues an editorial which recently appeared in the Los Angeles Times concerning efforts to send 2,400 youngsters from Watts to summer camp at the Army's Camp Roberts. At the time the editorial was written, there were still some details to be ironed out. I am pleased to add that all the arrangements were successfully completed and that the children did get to camp.

The editorial points out the tremendous cooperation between governmental, military, and union officials along with representatives of the private sector. It is cooperation such as this which is the backbone of our efforts to eradicate poverty. It is cooperation such as this which has marked the activities of the Office of Economic Opportunity and its efforts to help the poor. I would hope that as the Congress prepares to consider the OEO legislation the same spirit of cooperation will be at work.

The editorial follows:

[From the Los Angeles Times, Aug. 19, 1967]

NEW SUMMER "CAMPS" FOR SLUM YOUTH

A highly imaginative program to provide summer vacations for underprivileged youngsters at military bases could begin sending 2,400 Watts young people to Camp Roberts this week—if final arrangements can be quickly completed.

Still to be settled are important questions of final state approval and of governmental, military, union and private sector coordination.

Remarkable progress through government channels already has been achieved. The proposal was first made to Washington only three weeks ago by Ted Watkins, head of the union-sponsored Watts Labor Community Action Council.

The idea was picked up and pushed by Vice President Humphrey, as chairman of the President's Council on Youth Opportunity. Defense Secretary Robert McNamara's approval assured the cooperation of military officials.

Success of the pilot project at Camp Roberts could lead to similar camping experiences next year for as many as one million needy boys and girls at military posts throughout the country.

Labor unions and private corporations responded on short notice to the call for necessary camp personnel, equipment and food. Camp counselors and teachers are being recruited, and a request for transportation help has been made to Southern Pacific officials.

The program is the latest and most ambitious anti-poverty effort by the Labor Community Action Council and by Watkins, who is on leave from the United Auto Workers union.

Although the Camp Roberts project will include disadvantaged young people from 7 to 24, the big majority will be 13 and younger with those over 18 serving as counselors.

All who have worked so diligently to set up the camp program deserve praise and support. The Times earnestly hopes that they have made a successful start on what will become a nationwide program of outdoor opportunity for slum children.

IN OPPOSITION TO INTERNATIONAL CONTROL OF THE OCEAN FLOOR

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HANNA, Mr. Speaker in just the last two decades we have seen an almost unparalleled expansion of interest in exploration and exploitation of the ocean floor. The surge of many groups to capture and capitalize on the vast potentialities of this underwater treasure trove is parallel, in many respects, to the similar surge which engulfed our Nation in the 19th century when countless thousands pushed west in quest of that region's likewise boundless resources. We are all aware of the strife and conflict that were a part of the development of the West. The legendary land grabs, range wars, and gold rushes make up a vivid, yet regrettable, chapter in our country's history. The present and possible problems facing us, as a member of the international community, are far greater and potentially more destructive than those that so long inflamed the Old West.

All of us, I think, want to avoid a repitition of history's bitter lessons. We all want to avoid unnecessary conflict which might result between nations competing to tap the resources of the ocean deep. Few, however, agree on how this aim should be realized. There is substantial division on this question among legal scholars, oceanographers and, yes, politicians.

In recent months it has become increasingly clear that the administration has committed itself to a single course of action. It has apparently concluded that title to the ocean floor should be given to a single international body. It has painstakingly constructed a case to support this view. Recently President Johnson said:

> We must insure that the deep and the ocean bottoms are and remain the legacy of all human beings.

Vice President HUMPHREY, in a speech delivered on July 29 of this year, restated the President's commitment and added:

> It is essential that we work with all countries, including the Soviet Union, bilaterally and *through international organization* in exploring, understanding, and using the seas and their resources.

One of our country's delegates to the 21st session of the United Nations, Idaho Senator FRANK CHURCH, has been most explicit. On February 15, 1967, Senator CHURCH proposed that our Nation should support "conferring title on the United Nations to mineral resources on the ocean floor beyond the Continental Shelf, under an international agreement regulating their development."

Within the last few days I have received reliable reports which indicate that our Nation's representatives to the United Nations will, in the upcoming session of the General Assembly, support a program to vest control of the ocean bottom in the United Nations.

A TRAGIC AND MONUMENTAL ERROR

Mr. Speaker, blithely giving the U.N. title to the vast resources of the ocean floor would be a tragic and monumental error. At this time, no proposal can be intelligently considered. At present, the international community cannot even agree on what the term "ocean floor" connotes. The absence of widespread acceptance of a common definition of the parameters of the ocean floor means that discussion of this subject is, at best, muddled with uncertainty and that debate of the subject is virtually impossible.

Of even greater concern to me is the fact that we, the Congress and the American people, do not now know the extent of the ocean's resources; nor do we understand adequately the implications of their development for our country. We have not fully considered the full legal and political implications of any such move. We have not, in short, defined what our Nation's self-interest is. Until these questions are considered and our self-interest is defined, how can we expect to proceed on anything but pious hopes and good intentions?

Last year, the Congress authorized the establishment of two groups to study the ocean deep and participate in defining our Nation's vital interests in its future development. The two committees—the National Council on Marine Resources and Engineering Development, and the Commission on Marine Science, Engineering, and Resources—have been selected. Among their membership are numbered some of the world's leading authorities on this subject.

Both these committees have met several times. They are working industriously to prepare recommendations on how our country should proceed in its efforts to marshall the resources of the ocean deep. To take irreversible steps to vest the resources of the ocean floor in an international body before these distinguished bodies have had an opportunity to speak on the subject would make a mockery of their efforts as well as the legislation passed by the Congress to bring them into being.

WIDESPREAD OPPOSITION

The several leading groups which have considered the prospect of vesting the control of the ocean floor in the United Nations have been almost unanimous in their opposition to unilateral control of the ocean floor. In their recent meeting at Long Beach, Calif., delegates to the American Bar Association adopted a resolution stating, in part:

> Prior to framing any policy *vis-a-vis* other nations with respect to sea resources not covered by existing law, the United States Government (should) be urged to review thoroughly the issues at stake in consultation with representatives . . . competent in the field of international law, with scientific and technical experts, and with leaders of American industry interested in oceanic development.

The National Oceanography Association's president expressed his opinion that—

> Conferring title to mineral resources on the deep ocean floor on the United Nations or any other group at this time would be premature and ill-advised.

The American Legion has stated that it opposes giving to the United Nations title to off-shore property, regardless of location.

THE UNITED NATIONS QUESTIONABLE CAPABILITY

I am not persuaded, Mr. Speaker, that international control of the ocean floor is feasible or desirable. Were I of this persuasion, I would be hard pressed to justify turning the task of managing one-half of the earth's surface over to the United Nations. This organization's checkered history in dealing with less complicated and equally sensitive questions calls its capability into question.

From a political standpoint, the United Nations is encumbered by the fact that in seeking solutions all its parliamentary checks would be effective. Its actions would be determined by all nations—the great as well as the small, the landlocked and the insular—exercising a single vote. Yet, the omnipresent veto would also be available to the members of the Security Council. The Soviet Union could therefore, as it has so often in the past, exercise its veto to frustrate the will of the other nations of the world.

The task of administering one-half of the earth's surface is immense. The job of formulating policies, developing procedures, and carrying out the day-to-day responsibilities for controlling the exploration and exploitation of this immense area would require a quality and quantity of administrative expertise of great proportions. I seriously question whether the United Nations, burdened as it is with the political problems of a deeply troubled world, should be asked to assume yet another burden when it is obvious to all that it is straining under the weight of the problems already upon it.

Based on our experience to date, it would seem, Mr. Speaker, that should future events dictate the desirability of some form of multilateral arrangements for administering the ocean floor, the most workable approach would be a regional one. Recent experience in the North Sea as well as the Pacific indicates that workable agreements can be made by the interested countries of the region to govern the use of undersea resources.

A RESOLUTION OF OPPOSITION

Mr. Speaker, I have introduced a resolution, today, which would make clear the opposition of this Congress to any move to vest title to the ocean floor in the United Nations.

Mr. Speaker, I include as part of my remarks a copy of the resolution:

H.J. RES. 820

A joint resolution in opposition to vesting title to the ocean floor in the United Nations

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That whereas strong efforts are being exerted by certain groups and individuals to immediately place the United Nations in control of the resources of the bed of the deep ocean beyond the Continental Shelf; and

Whereas our national goals for the development of the ocean floors resources have not been clearly defined, nor has an approach to the development of these resources been formulated; and

Whereas at present we have only limited understanding of the extent of the undersea resources, the means of obtaining access to them, the conditions for processing and marketing them, and the impact which activities connected with their extraction and mining will have on other uses of the sea, and

Whereas the Congress of the United States in 1966 enacted Public Law 89-454 for the expressed purpose of establishing two official bodies—the National Council on Marine Resources and Engineering Development, and the Commission on Marine Science, Engineering, and Resources—to identify national objectives concerning undersea resources and recommend Federal programs to accomplish these aims, and

Whereas a number of highly responsible national organizations, representing a broad segment of the American public as well as many of the parties interested and experienced in the development of undersea resources have expressed opposition to conferring title at this time to such undersea resources upon the United Nations: Now, therefore, be it

Resolved, That it is the sense of the Congress that any action at this time to vest control of deep ocean resources in an international body would be premature and ill-advised, and be it further

Resolved, That the Congress of the United States memorialize the President to instruct American representatives of the United Nations to oppose any action at this time to vest control of the resources of the deep sea beyond the Continental Shelves of the United States.

JAPAN'S TAKEO MIKI: A CHAMPION OF JAPAN-UNITED STATES FRIENDSHIP

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, as most Members of Congress are no doubt aware, the sixth meeting of the Joint Japan-United States Ministerial-Cabinet Committee on Trade and Economic Affairs convened this morning here in Washington. The idea of such top-level meetings was agreed to by the late President Kennedy and the late Prime Minister Ikeda as an opportunity not only for certain American Cabinet Secretaries and their counterpart Japanese Ministers to become acquainted on a personal basis but also to discuss frankly and freely problems of mutual concern and interest. President Johnson has strongly endorsed and supported the continuance of these meetings. Only with Canada does the United States have similar high-level exchanges.

The first of these annual meetings was held in Tokyo some 6 years ago in 1961. Since then, the meetings have been alternated between the Japanese capital and Washington.

Secretary of State Dean Rusk heads the U.S. delegation, which includes Treasury Secretary Henry H. Fowler, Secretary of the Interior Stewart L. Udall, Secretary of Agriculture Orville L. Freeman, Secretary of Commerce Alexander B. Trowbridge, Secretary of Labor W. Willard Wirtz, and Gardner Ackley, Chairman of the President's Council of Economic Advisers.

Foreign Minister Takeo Miki heads the Japanese delegation, which includes Minister of Finance Mikio Mizuta, Minister of Agriculture and Forestry Tadao Kuraishi, Minister of International Trade and Industry Wataro Kanno, Minister of Transportation Takeo Ohashi, Minister of Labor Takashi Hayakawa, and Director General of the Economic Planning Agency Kiichi Miyazawa.

U.S. Ambassador to Japan, U. Alexis Johnson, and Japan's Ambassador to the United States, Takeso Shimoda, will also participate in the meetings.

Because Foreign Minister Miki heads the Japanese delegation, members may be interested in some details regarding his career and his philosophy.

Born some 60 years ago, he spent part of his youth in the United States and, accordingly, has many personal friends among Japanese Americans and others both in Hawaii and on the continental mainland. His long record of advocating friendship and cooperation with the United States in promoting the peace and the prosperity of the Pacific is second to none. Indeed, in the difficult years before World War II, he was among the very few Japanese who publicly urged this friendship and cooperation with the United States.

A year ago, last September, the University of Southern California which he attended for a time in the early 1930's at a special convocation conferred upon him an honorary doctor of laws degree in recognition of his leadership in promoting not only United States-Japan relations but the rule of law in international relations.

An excellent summary of Foreign Minister Miki's philosophy and objectives is contained in some excerpts from a speech which he made in Japan recently and which was printed in the Honolulu Star-Bulletin this past Saturday, September 9.

There is also in the East magazine, in its October-November 1967 issue, some background information concerning Mr. Miki and a summary of his basic concepts in the area of Japan's foreign policies.

I believe that both articles are of interest to the Members of Congress, and I insert both of these revealing features in the CONGRESSIONAL RECORD.

[From the Honolulu Star-Bulletin, Sept. 9, 1967]

JAPAN HOPES COOPERATION WILL UNITE ASIANS

(NOTE.—Japan's foreign minister, Takeo Miki, is flying to Washington this weekend for the sixth meeting of the U.S.-Japan Committee on Trade and Economic Affairs.

(One of his goals will be to encourage both his nation and the U.S. to give more help to the underdeveloped nations of Asia.

(Following are excerpts of remarks he made recently explaining his thoughts about a greater Asian role for Japan and other "have" nations.)

In December last year, when I assumed the post of Foreign Minister, I said that I would like to promote Japan's Asia-Pacific policy. Since then, Japan's Asia-Pacific policy has created interest both in this country and abroad. Today, I would like to express my thinking on Japan's Asia-Pacific policy as well as Japan's economic co-operation.

It has always been my belief that one of the biggest tasks confronting the world in the future is how to cope with the gradually expanding disparity between advanced and developing countries. In other words, a solution to the so-called "North-South" problem, I believe, is one of the most crucial tasks to be tackled by the world in the future.

The advanced countries are constructing affluent societies supported by their huge volume of production and consumption. On the other hand, developing countries are far from creating abundant societies. As a matter of fact, most of the people in these countries are living on a minimum subsistence level and are even not certain of tomorrow. The fact is that even a little increase in the production of foodstuffs cannot cope with the increase in population.

The increase rate of the Gross National Product of the developing nations averages 4 per cent annually, but the population increase rate is 2.5 per cent. Therefore, the per capita increase rate of the GNP comes to only 1.5 per cent, indicating the extreme seriousness of the living conditions in these countries. The fact that these people constitute two-thirds of the entire population of the world indicates the seriousness of the problem.

I sometimes feel apprehensive that world peace and prosperity might disintegrate from this direction if something is not done about it soon. Peace and prosperity cannot be attained merely by praying for them. The key to the attainment of peace and prosperity, I believe, lies in efforts toward the elimination, one by one, of the conditions which are proving to be obstacles to the achievement of peace and prosperity. The biggest and most serious problem obstructing the attainment of peace and prosperity in the world today, I believe, is the problem of the dire poverty of the people in the developing countries who constitute two-thirds of the world's population.

Let us take the Vietnam War as an example. The cause of the war can be traced to the following developments. The Diem regime failed to come up to the expectations of the people of Vietnam in tackling the problem of poverty. As a result, the people began to vent their dissatisfaction on the Diem policies, but the regime failed to cope with the problem with constructive measures. On the contrary, the Diem regime tried to suppress the people, thus intensifying their dissatisfaction. This dissatisfaction spread into a wide-scale anti-Government movement, which in turn was utilized by Communist elements in North Vietnam, resulting in the outbreak of the war. The people's dissatisfaction against poverty is the cause of civil war.

Asia is not only the most populous area in the world today but it is fraught with some of the most serious problems in the world. Without a peaceful and prosperous Asia, there can be no peace and prosperity in the world. All the world is yearning for a stabilized Asia today and it is the duty of Asia to realize this hope. But in order to bring about a stabilized Asia, it is first necessary to eliminate poverty among its peoples. The per capita annual income of the peoples in Asia averages less than $100, compared with the annual income of $3,000 of the people living in the United States and the $700 of the Japanese.

However, the problem of poverty is impossible to be solved by the efforts of Asia alone, no matter how hard it tries. I believe it is necessary for the world in general and the countries located in the Asia-Pacific area, in particular, to co-operate in tackling and solving the problem of Asian poverty.

Particularly in the case of Japan, which is a contact point between the countries in Asia and those in the Pacific area, is destined, I believe, to play the role of a bridge to link the advanced countries of the Pacific area with Asia.

The Kennedy round negotiations have been concluded satisfactorily. This was a round for the advanced industrial nations, but the next round will be for the developing countries. The "North-South" problem is increasingly becoming a grave world issue. I believe that we should tackle the "North-South" problem in Asia more seriously. This is the background of my thinking about advocating the importance of an Asia-Pacific policy for Japan.

The term Asia-Pacific seems simple enough, yet it contains numerous differing aspects. For example, within it are represented the Orient and the Occident, the yellow race and the white race, developing nations and advanced nations and two different groups of regional societies which have been nurtured in different types of culture and traditions. The only common foundation on which the region stands is a mutual yearning for the construction of a more peaceful and affluent society.

If the Asia-Pacific region should succeed in establishing strong ties within itself, it would contribute immensely toward the solution of the "North-South" problem. At the same time, it would bring about a rapprochement between the Orient and the Occident and be of major significance to the progress of mankind. However, I must admit that this is not an easy problem. Yet, nothing can be achieved unless we actually try to do something about it.

I believe that there are four aspects in implementing an Asia-Pacific policy: The first aspect concerns that of enlightenment. In other words, there is the need to arouse an awareness among the nations of Asia and the Pacific that they are in the same boat and are sharing the same destiny.

The second aspect is that concerning regional co-operation in Asia. I attended the second Ministerial Conference for the Development of Southeast Asia in Manila in April and I noticed that there was a rising trend among the participating nations for the realization of regional co-operation in Asia. The stage is now set for the actual implementation of regional co-operation programs.

For example, the Asian Development Bank, with its headquarters in Manila, has been opened for business. An Agricultural Development Fund will be set up as a special fund within the Asian Development Bank and we are now in the stage of soliciting many nations to contribute to the fund.

Preparations have also been initiated for the establishment of two fishery development centers, one in Bangkok and the other in Singapore.

Most of the Asian countries have acquired political independence after the war and begun to push programs for industrialization in an effort to achieve economic self-support. However, they recognize, through their experience, that it is impossible to achieve economic independence suddenly without following tried economic laws.

Consequently, the thinking of the various countries has now become more unpretentious. They are beginning to realize the need for efforts to attain self-support and for regional cooperation. I believe that in response to these constructive tendencies, Japan should co-operate in fields of capital, technology and ideas. It is my intention to further promote Japan's effective co-operation in these fields in the future. This is the second aspect of my efforts.

The third aspect is promoting co-operation among the advanced nations of the Pacific area. This does not mean the establishment of a "rich man's club" nor the monopolization of the benefits accrued. It also does not mean the creation of a closed or inward-looking bloc.

Today, we are in an era where economics and trade should be considered from a world-wide point of view. However, there exist a number of problems in the countries of the Pacific area which are peculiar to that region. On the other hand, there are numerous benefits that could be accrued through regional co-operation and it would be of significance to deepen co-operative relations among the countries.

The fourth aspect concerns the "North-South" issue in the Asia-Pacific area. In a nutshell, this aspect concerns the necessity of the "have" nations in the Pacific area assisting the "have not" countries in Asia. This, I believe, is the most important aspect of an Asia-Pacific policy.

In terms of 1964 figures, assistance to the developing nations in the world on a per capita basis is $4.3 for Latin American countries, $6.2 for countries in Africa, and $3.1 for countries in Asia. As the figures indicate, aid to Asian countries is only half of that extended to countries in Africa. Of the countries in Asia, aid to the nations in Southeast Asia amounts to only $2.5 per capita.

This figure indicates that Southeast Asia is almost a "forgotten" area. I have appealed at every available opportunity to the advanced countries in the world to double their assistance to the countries in Asia. I have appealed time and again, particularly to the advanced countries in the Pacific area, which have close relations with Asian countries, to increase their assistance. It is my intentions to repeat such appeals in the future whenever the opportunity arrives. This fourth aspect of my efforts, I believe, is the most important of all.

[From the East magazine]

A STATESMAN AND HIS PLAN: "ASIA AND PACIFIC NEIGHBORS" IN SOLIDARITY—LIFE AND OPINION OF TAKEO MIKI, THE MINISTER OF FOREIGN AFFAIRS

(NOTE.—Which way will Japan turn, to the East or to the West? This is one of the great enigmas of modern international relations. In a recent exclusive interview with the East, Mr. Miki, the Minister of Foreign Affairs, gave his views concerning this and other pertinent problems.)

THE JOB AND THE MAN

Mr. Miki's secretary kindly provided us with a schedule of a typical day in the Foreign Minister's busy life, Friday June 30, 1967:

10.00: See Prime Minister of Ceylon off at Tokyo International Airport. 10.45: See Prime Minister and Mrs. Sato off to attend the presidential inauguration ceremonies in Korea, also at Tokyo International Airport. 10.00–1.00: Attend Standing Committee on Foreign Affairs at the House of Representatives. 1.00–3.00: Attend official funeral service of a prominent Liberal-Democratic Party member at Aoyama Cemetery. 2.30–4.30: Preparations for the ASPAC (Asia-Pacific Council) in the Minister's office of the Ministry of Foreign Affairs. Appointment with the new Japanese Ambassador to Paraguay. 4.30–4.45: Appointment with the new Swiss Ambassador at the Ministry of Foreign Affairs. 4.45–5.00: Appointment with the new Vietnamese Ambassador, also at the Ministry of Foreign Affairs. 5.00–5.05: Appointment with the new Japanese Ambassador to the OECD (Organization for Economic Cooperation and Development). 5.05–5.15: Appointment with the Hungarian Ambassador. 5.15–5:30: Appointment with the Soviet Ambassador. News conference in the news conference room of the Ministry of Foreign Affairs. 5.30–8.30: Informal meeting with party colleagues at a Japanese restaurant. 8.30: Party at another restaurant for the newspaper men attending the ASPAC.

This tight schedule is a reflection of the complex duties of the Japanese Foreign Minister whose task is to preserve a delicate balance between East and West.

The man in charge of this delicate balance is rather short, with up-turned brows, a squarish chin and sharp penetrating eyes. When he smiles, however, his eyes take on a gentle aspect. Externally, at least, he is typically Japanese. The many and varied experiences of a long, hard political career have left him with a clear, crisp way of speaking. He is one of few Japanese statesmen who can combine logic, eloquence and persuasiveness in his speeches.

A VARIED EARLY CAREER

Mr. Miki does not base his success on an established reputation in some other field or high scoial connections. He is a career politician who entered politics after university and has never looked back.

He was born in 1907, the only son of a farmer in a small village north of Tokushima in Shikoku. His family were of the typical rural middle class; devout Buddhists who sold fertilizer on the side. In keeping with the patriotic fervor resulting from the recent Japanese victory over Russia, they named their son Takeo, which refers to samurai.

Following his parents wishes that he become a business man, Takeo Miki entered the commerce department of Meiji University. His strong feeling for justice and concern with social matters led to an early interest in politics. After one semester at the university, he persuaded his parents to let him travel around the world for one year and three months.

Nowadays, most young people travel only for pleasure but for young Takeo Miki, travel offered much more. In conservative and ultra-nationalistic Japan, traveling abroad was still rare and adventurous. The international situation—the Great Depression in America, Fascism in Germany and Italy, early Communism in the Soviet Union—offered boundless opportunities for a young, active mind. Miki felt that he had to see the world, at any cost.

After returning home, he became aware how self-righteous and narrow-minded most Japanese politicians were. Unable to find mental-satisfaction at home, his quest for knowledge took him back to the United States where he entered Southwestern University. Here he was able to obtain an international outlook impossible in conservative Japan. At this time he decided to enter politics.

On returning to Japan, he entered Meiji University once again, majoring in law. He graduated when he was 30 years old in 1937, in the same year that the Hayashi Cabinet dissolved the Diet. The political parties of the time had lost the confidence of the people and a political cleanup was in order. The minimum age to run in an election was thirty and Miki decided that he would lose no time. Luckily, his home constituency, Tokushima Prefecture, looked favorably on younger candidates. In spite of strong opposition, Miki's eloquence won him the seat.

A PLEDGE TO JAPANESE-AMERICAN FRIENDSHIP

Three months after his election, in July, 1937, Japan embarked on its undeclared war in China, which attracted international rebuke. Japanese-American relations were deteriorating daily and many felt that war between the two countries was inevitable. Mr. Miki, with his broader outlook on international affairs, saw that something must be done. He decided to hold a meeting in Hibiya Public Hall in June, 1939, to advocate a strengthening of friendship between Japan and the United States. This anti-war stand was one of the few instances of anyone defying the militarists at such a late stage.

Partly out of respect for such courage and partly out of curiosity, the hall was filled to capacity. Right-wing hecklers were on hand to distribute propaganda pamphlets but the meeting continued.

The American Ambassador to Japan, Mr. Grew, was very much impressed with this show of bravery in a country where freedom of speech was so severely curtailed. The noted Senator from Idaho, William Borah, wrote a letter of encouragement and made a speech in the Senate in which he appealed for support of the Miki Movement. Anti-Japanese sentiment was, however, strong in the United States at the time and a boycott of Japanese goods was in force. The wife of former President Hoover even changed from silk to cotton stockings.

In this tense atmosphere, Mr. Miki organized the Japan-American Friendship Society and devoted himself to preserving peace. He was fighting an up-stream battle, and nothing could stop a war which by this time had become inevitable.

In 1942, with the Tojo Cabinet in power, he ran for re-election. During this wartime election, the government classified candidates in two groups—recommended and non-recommended. Mr. Miki was naturally in the latter group, but in spite of considerable interference from military agents and the police, he won the election, a rare thing for a so-called "non-recommended candidate." Since the war, he has won ten elections by a large majority. His consistent support of peace has always proven popular with the voters.

After the war Mr. Miki organized a party on a progressive conservative platform. This party later joined another progressive party which eventually merged with the ruling Liberal Democratic party. Mr. Miki has occupied many influential positions in his party and held three cabinet portfolios before becoming Foreign Minister: Minister of International Trade and Industry, Minister of Transportation and Minister of Home Affairs. His stress on following a logical policy has prevented him from becoming involved in the usual party intrigues and power struggles.

Mr. Miki leads a simple home life with little of the eccentricities of the old-style politicians. Raising potted plants and practicing calligraphy are his only pastimes.

THE ASIA-PACIFIC PLAN

Soon after he became Minister of Foreign Affairs in December, 1966, Mr. Miki announced his long-range "Asia-Pacific Plan" which represents the very essence of his policy. All of the details are not clear as yet but even in its early stages, the plan has attracted considerable attention both in Japan and abroad.

Mr. Miki explains his plan as follows:

"One of the major problems in the world today is the so-called 'North and South' problem. Two thirds of the world's population lives in underdeveloped countries. The economic gap between the 'have' and 'have not' nations is ever-widening and without some basic solution to this dilemma, world peace is a long way off."

The Foreign Minister claims to have devised his Asia-Pacific Plan in an attempt to solve this problem. In Asia, it is necessary to develop the poorer countries and combat poverty. For instance, poverty and misgovernment are at the root of the Vietnam problem which can only be solved by cooperation of all nations in the Pacific Area.

The East. Now that the general scale of the plan is clear, would you mind giving us some more details?

Mr. Miki. First of all, we have to develop a sense of solidarity in Asia and the Pacific Area. I stressed this point at the Asian and Pacific Ministerial Conference in July and I believe that there was some positive response. If there is no peace in Asia, there can be no peace in the Pacific area. In the same way, all nations facing the Pacific must contribute if there is to be any advances made in Asia. It is essential to realize that both of these concepts are one and the same.

Secondly, it is necessary to promote full cooperation between the various parts of Asia. In this respect, Japan has led the way at the Ministerial Conference for Southeast Asian Development, and in the establishment of the Asian Development Bank and the Agriculture Development Fund in Southeast Asia. There is now a strong tendency in Asia to solve economic problems in a practical way without resorting to politics and ideologies.

Thirdly, there must be mutual cooperation between the more advanced countries facing the Pacific. These five nations—Japan, the United States, Canada, Australia and New Zealand—must make a combined effort through trade and aid to help their less fortunate neighbors.

The next problem is to find a means of providing closer connections between the highly developed countries in the Pacific Area and the underdeveloped countries in Asia. Since it is not possible to form an equivalent of the EEC, I would suggest the establishment of several cooperative projects, like the Asian Development Bank. A Settlement Bank is one possibility. The whole matter is a long-range plan which first must obtain the consent and cooperation of the United States.

I feel that the United States is gaining a better understanding of Asia through the Vietnam war. If they would only carry their plans one step further and turn their efforts to peaceful and constructive purposes, there would be no wars like the one in Vietnam.

Let me outline briefly what these advanced countries have done so far in Asia. In 1964, each person in Latin America received US$4.30 and in Africa US$6.20, but in Asia the figure was only US$3.10. In Southeast Asia, it was even lower—US$2.50 per head. Excluding Vietnam, the figure drops even lower for the remaining countries in Southeast Asia—only US$1.50 per head. I miss no opportunity to persuade the more highly developed countries to step up their aid in Asia.

The East. I can see your fundamental ideas concerning the implementation of this plan. It seems that Japan will act as a bridge between the two groups of countries since Japan stands at the crossroads between the East and West. But is this really feasible? In economic development, for example, Japan seems to be veering strongly to the West.

Mr. Miki. This is why I feel that Japan must help the lesser developed nations first as much as possible; otherwise it will be hard to persuade the others to give aid. We can not excuse our lack of aid by the fact that Japan's own personal income is small. We must not mix "assistance" and "business." Like other countries, we must differentiate clearly between aid, and trade connected with this aid. Besides, aid does not always mean monetary gifts. There must be plans to use the money efficiently, accompanied by direct technological assistance.

The most important thing is to incorporate our ideas of aid into our foreign policy. Japan is not going to develop nuclear weapons; she has no wish to build up her military forces or become involved in the center of world politics. We must avoid these things and discover a way to contribute to international, peaceful prosperity. The "Asia-Pacific Plan" must not be considered merely as another version of the struggle against Communism. We must not categorize nations into those who "rule" and those who "are ruled."

The East: Every aspect of your "Asia-Pacific Plan" now seems clear. You conceive of a long-range plan to establish a cooperative economic organization among the advanced countries facing the Pacific Ocean. Turning now to domestic problems, do you think that the setup of political parties in Japan reflects a delicate balance between East and West?

Mr. Miki. In Japan, there are 5 major political parties: the Liberal-Democrat Party which holds ⅔ of all seats in the Diet; the official opposition, the Japan Socialist Party; and the lesser Democratic-Socialist, Komei-to (Clean Government) and Communist parties which have only a few seats. The great policy differences between the Liberal-Democrats and the Socialists leave no room for compromise. In defense, for instance, the Liberal-Democrats are in favor of a Self-Defense Force, while the Socialists advocate complete demilitarization and are avidly opposed to the Japan-United States Security Treaty.

The "above-party" politics practiced in most countries is not possible in Japan at present. The advantages of a constructive opposition and frequent changes of government are also missing here. The Liberal-Democratic Party has been ruling for so long that certain troubles come up merely because of complacency. I do not feel that party politics in Japan are very healthy at present.

Japan's economy has developed so rapidly since the end of the war that it is no longer possible for a single party to rule solely for the benefit of its members or a certain social class. In the Japan Socialist Party there is a tendency to realize the necessity of reform, and there is a modernization group even in the Liberal-Democratic Party. There are healthy signs; yet, it is still very difficult to prepare a common ground between the ruling party and the opposition—we still have a long way to go.

DR. WILLARD E. EDWARDS' PERPETUAL CALENDAR DESERVES SERIOUS AND FAVORABLE CONSIDERATION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. Matsunaga] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, yesterday I introduced a bill providing for the adoption, as of January 1, 1973, of the perpetual calendar devised by Dr. Willard E. Edwards, of Honolulu. Lest it be considered a crackpot of an idea, I have given the proposed calendar and its creator my very serious study.

Dr. Edwards has devoted many years to research in calendar reform. Born in Chatham, Mass., in 1903, he attended the Massachusetts Institute of Technology and the University of Oklahoma where he received his degree in engineering.

He was called into the service of the Navy during World War II and attained the rank of lieutenant commander. He has had extensive aeronautical and electronics experience and is a retired electrical and corrosion-control engineer.

A man with a mission, Dr. Edwards on weekends and vacations, has for 45 years pursued the enormous undertaking of acquainting the world with his proposal for a new international standard civil calendar and of asking for its adoption.

This has been his hobby ever since 1922 when he first published "The Perpetual Calendar." Since then he has written and lectured on his plan in over 300 cities in 90 countries outside the United States on six trips around the world. His aim is to replace the irregularities of the present variable calendar with a fixed calendar of 12 months and four equal quarters.

As a schoolboy in Quincy, Mass., he learned that the present civil calendar is due to changes made by two Roman emperors. Julius and Augustus Caesar each had a month named after themselves. The fifth and sixth months of the Roman calendar, Quintilis and Sextilis, were renamed July and August.

One of these months had only 30 days, and Romans considered even-numbered months unlucky. In order to make both of them "lucky number," or 31-day months, it is said that 1 day was taken from February. This month used to have 29 days, and it was then the 12th month of the year.

Dr. Edwards says that continuing the use of a 28-day month is very costly. Excepting holidays, February has 24 working days plus Sundays, in ordinary years. Yet January and March, the months preceding and following it, may have 27 working days plus Sundays. When these 2 months are compared with February, we find a difference of three twenty-fourths of 12½ percent more in the number of workdays.

Workers paid by the hour earn considerably less in February but may have the same monthly bills to pay. Employers paying their people a fixed monthly salary get less work from them in February. This short month is thus unfair to many people. It is confusing in all statistical, accounting, and comparison work.

Also, in ordinary years, the first 3 months have 90 days, the second quarter has 91, and the third and fourth have 92 days each. In addition to these various unequal divisions in the present calendar, the other main fault is its lack of fixity. Each year starts on a different day of the week, and no two years are alike in succession. There is actually no such thing as a comparable period last year in our present calendar system.

To correct these two serious faults of unequal division and lack of fixity, Dr. Edwards freely offers his calendar proposal for international adoption. It is known worldwide as the perpetual calendar. The first day of this proposal will become a day apart; an international holiday preceding January 1, to be known simply as New Year's Day. Without this revision, any other proposed calendar change becomes impractical. New Year's Day need not have a number, except that bankers and accountants would call it "January zero" or plain New Year's Day for necessary accounting purposes.

Others may call it a "second Sunday," since it follows Sunday, December 31, and precedes Monday, January 1. We may now have a "second Sunday"—or any other day of the week—when crossing the 180th meridian traveling eastward. Such a calendar correction is made for the sake of civil uniformity in timekeeping. It has been accepted by intelligent people at the international date line ever since its adoption in 1884. This was our last calendar correction.

Zero, by the way, is a perfectly good cardinal number. The prime meridian of longitude through Greenwich is "the zero meridian," and the first hour of each day is "the zero hour." We don't say it is 1 o'clock or 01:00 until 1 hour past midnight, the beginning of the second hour of the day.

In the perpetual calendar, January 1 becomes the second day of the new year. It will always be Monday, the first day of the week. Dr. Edwards says it will be a business day in his proposal, as shown herein. The preceding day is New Year's Day, and it may be abbreviated as NYD.

In leap years, a second "day apart" in the middle of the year is called "leap-year day." It may be abbreviated as LYD, and it would be called "July zero" for necessary accounting purposes. These 2 "year days" will be the third days of 3-day weekends, since they follow a Saturday and Sunday and precede a Monday. Their only purpose is to make the civil calendar fixed and perpetual.

With New Year's Day as a day apart, the remaining 364 days in ordinary years are readily divisible into 52 complete weeks. Each 3 months will then have exactly 91 days—13 weeks—the months being arranged in a 30-, 30-, 31-day sequence. This allows each month in the year to have 26 workdays, plus rest days or sabbaths.

The last day of each quarter, a Sunday, can be efficiently used for accounting purposes. Each quarter's bookkeeping and tax figuring may then be completed within that quarter. Accountants will be paid overtime for that day, and they will not be interfered with by the usual weekday customer work.

Dr. Edwards also suggests that we print Sunday at the end of the week on our present calendars. It is printed that way now in most European countries. Saturday and Sunday are "the weekend," and Monday is commonly used as the first day of the week. This may also be noted on the printed timetables of international airlines.

The perpetual calendar is a scientific plan to correct the two costly faults of our present calendar, unequal divisions and lack of fixity. Its approval by this body will hasten the date of its adoption. Its civil use will actually save hundreds of thousands of hours and dollars now lost annually through needless accounting and calculation caused by existing calendar irregularities.

Legislatures of two States of our Union, Hawaii and Massachusetts, have officially endorsed the perpetual calendar. It has also been approved by many chambers of commerce, heads of governments, and large companies. College presidents, editors, and thousands of others interested in world progress and efficiency have also endorsed it. But Dr. Edwards is still looking for sponsors to actively carry on current promotional work and to help multiply his efforts all over the world.

He says no progress is ever made without change. He would be proud to see the government of any nation take an interest in his calendar plan. If any one nation adopted the perpetual calendar, he believes other countries would soon follow. The international metric system of weights and measures, for example, is gradually being adopted by one nation after another. Also, right-hand highway driving, and the dollar system of currency, are slowly being adopted internationally.

Dr. Edwards says there are now more people in the world—Buddhists, Hindus, Mohammedans, and so forth—using other calendars than there are those using the Gregorian calendar. There are at least 15 different calendars in use in India, three in Thailand, and five in the one city of Jerusalem. The late distinguished Prime Minister of India, Mr. Nehru, once remarked that he would be very happy to see just one international civil calendar in use, like one international civil clock.

The perpetual calendar is proposed only as a fixed civil calendar, to be used internationally for business, educational, and social purposes. Religious calendars can continue to be used along with it, just as they are now used. We have a 24-hour clock in international civil timekeeping; why not one fixed international civil calendar? The clock and the calendar simply record the passing of time; in seconds, minutes, hours, days, weeks, months, quarters, and years.

It is easy to calculate your birthday anniversary under the new calendar. Simply count the number of days in the present calendar from the beginning of the year to your birthdate. Then count the same number of yeardays in the perpetual calendar starting with "New Year's Day." Thus, a person born on January 31 under the old calendar could celebrate his birthdate on January 30 in the new calendar.

Persons born on May 31 could observe May 29, and those born on July 31 could use July 29. There will never be more than 2 days difference between the two calendars. Those born on August 31 could celebrate on August 30, and those born on October 31 would find October 30 to be the same yearday. No one would need to lose a birthday anniversary, but many would gain one. Those born on February 29 in leap years would be able to observe that same date every year in the perpetual calendar.

Easter is proposed on April 14 to conform with the original historic date and a provisional bill of the British Parliament enacted in 1928. The bill asked for observance of Easter on the first Sunday after the second Saturday in April. Good Friday will never then fall on Friday the 13th, there being no such day in the perpetual calendar. In this plan there will be more 3-day weekend holidays falling on their actual dates than in any other calendar. They are: New Year's Day, NYD; President's Day, February 13; Easter Monday, April 15; Labor Day, September 4; Columbus Day, October 12; and Christmas Day, December 25. Other holidays may also be changed to Monday or Friday, if so legislated. Current bills to do this are now pending in Congress and in State legislatures.

The perpetual calendar will permit everyone to celebrate his birthday, wedding anniversary, and all holidays on the same day of the week each year. This will make it easy to remember anniversaries. To replace the present calendar jingle of "30 days hath September, April, June, and November, and so forth," Dr. Edwards offers the following:

> With a day apart, the year's begun,
> Followed by thirty, thirty, thirty-one
> Months always start a certain way,
> On Monday, Wednesday, and Friday.
> Each quarter and each year the same,
> Is the perpetual calendar's aim.

Mr. Speaker, the perpetual calendar is truly deserving of our serious and favorable consideration. Under unanimous consent I include it in the RECORD:

THE PERPETUAL CALENDAR

[New Year's Day (a day apart from any week or month) is the first day of each year, a holiday between Dec. 31 and Jan. 1. It is followed by the 364-day fixed calendar shown below]

January							February							March						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
1 8 15 22 29	2 9 16 23 30	3 10 17 24	4 11 18 25	5 12 19 26	6 13 20 27	7 14 21 28	6 13 20 27	7 14 21 28	1 8 15 22 29	2 9 16 23 30	3 10 17 24	4 11 18 25	5 12 19 26	4 11 18 25	5 12 19 26	6 13 20 27	7 14 21 28	1 8 15 22 29	2 9 16 23 30	3 10 17 24 31

April							May							June						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
1 8 15 22 29	2 9 16 23 30	3 10 17 24	4 11 18 25	5 12 19 26	6 13 20 27	7 14 21 28	6 13 20 27	7 14 21 28	1 8 15 22 29	2 9 16 23 30	3 10 17 24	4 11 18 25	5 12 19 26	4 11 18 25	5 12 19 26	6 13 20 27	7 14 21 28	1 8 15 22 29	2 9 16 23 30	3 10 17 24 31

[Leap-Year Day (a second day apart) is observed only during leap years between June 31 and July 1 as the first day of the second half-year, a holiday] [1]

July							August							September						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
1 8 15 22 29	2 9 16 23 30	3 10 17 24	4 11 18 25	5 12 19 26	6 13 20 27	7 14 21 28	6 13 20 27	7 14 21 28	1 8 15 22 29	2 9 16 23 30	3 10 17 24	4 11 18 25	5 12 19 26	4 11 18 25	5 12 19 26	6 13 20 27	7 14 21 28	1 8 15 22 29	2 9 16 23 30	3 10 17 24 31

October							November							December						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
1 8 15 22 29	2 9 16 23 30	3 10 17 24	4 11 18 25	5 12 19 26	6 13 20 27	7 14 21 28	6 13 20 27	7 14 21 28	1 8 15 22 29	2 9 16 23 30	3 10 17 24	4 11 18 25	5 12 19 26	4 11 18 25	5 12 19 26	6 13 20 27	7 14 21 28	1 8 15 22 29	2 9 16 23 30	3 10 17 24 31

[1] These 2 Year-Days are definitely named and have a definite purpose. When considered apart from any week, they allow the calendar to become fixed and perpetual.

OPPORTUNITY FOR OUR NATION'S YOUTH

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ALBERT. Mr. Speaker, there has been so much written lately about our Nation's youth that I imagine each of us considers himself singularly well informed on their activities, beliefs, likes, and dislikes. But there is a small proportion of our young people about whom very little is written. Their activities more often than not end them up in jail. Their beliefs are often uncommunicable to the reading public—or unprintable. These are the 7 million young people between the ages of 16 and 21 that have dropped out of school, a large percentage of whom have not been able to find employment. These are the four dropouts out of every 10 that are living at home with families that pull in less than $3.000 annual income. These are the 1 million youngsters who are trying to find jobs, equipped with only an elementary education—or less.

Because their stories are often not happy ones, because their future often looks bleak, our society has in the past more or less ignored them and left them to fend for themselves as best they can. In the meantime, the juvenile delinquency rate skyrockets. Youth loses out. And so do we.

The Johnson administration and the Congress are trying to change all this. First by calling attention to the cracks in our affluent society into which some of our youth are being drawn. Chasms of poverty, despair, and violence. But the administration has not stopped with drawing attention to the needs of our youth. In recent years, it has made a concentrated effort to remedy the most serious problems that face many of our youngsters by introducing legislation in the areas of juvenile delinquency, youth employment, and education. This has been opportunity-creating legislation which authorizes hope, not handouts. Its real purpose has been to make responsible, independent citizens of those of our young people who have gotten the short end of the stick in the past: through inadequate educational facilities, through lack of opportunity to learn a trade, through insufficient exposure to the material and moral environments that our more fortunate children have been enjoying all their lives.

Perhaps the greatest progress has been made in education. If the word had not been used to death in recent times, I think it would be proper to call the change in attitude and opportunity in the last few years an educational revolution. The Johnson administration and the 89th Congress were the first to insist that education must be a national concern, that our country as a whole cannot continue to make progress unless all of its people are able to obtain the kind of education that will enable them to take their places as responsible citizens, able to pay their own way and conscious of their social obligations. People are not born responsible citizens. In the past, we have been lucky in that the majority of homes, schools, and other institutions have been able, by a hit-or-miss process, to give most of our Nation's youth the background and education which it takes to turn them into responsible citizens. But there has always been a minority who were scarcely touched by all our good efforts and in the past decade this minority has been growing. We now know, I think, the potential for destruction that this group, outside the mainstream of American life, carries within it. And we are trying to do a number of things that will reintegrate them into society.

The Elementary and Secondary Education Act of 1965 is the first law in our Nation's history to mobilize the resources of the Federal Government to help all of our States and communities meet the educational needs of our schoolchildren. It is a unique piece of legislation in another way also. For the first time, we have an Education Act that is oriented toward the needs of people, of children. Under this act, Federal grants have been made to aid in the purchase of educational equipment and textbooks, in the establishment of communitywide educational centers, and for setting up research programs which will study the needs of our children not merely the managerial needs of institutions they attend. In all, at least 69 million children throughout the country are already educationally richer due to Elementary and Secondary Act programs.

The Higher Education Act of 1965 provides similar grants to colleges and universities so that they can expand and provide a better education for a greater number of students. Grants for needy students were also made available and the National Teacher Corps was created to provide trained teachers for the Nation's urban and rural slums.

One of the most exciting programs for youth was announced by Sargent Shriver, Director of the Office of Economic Opportunity, in 1965. This is Upward Bound, a precollege program for secondary school students, involving a full-time summer program and followup sessions during the regular school year. Upward Bound seeks to rescue the youngster whose brains and ability may be lost to society, or worse yet, be directed against society unless he can be motivated to apply his talents and energies constructively. The program aims to turn these youngsters around; and, in the process, it may turn around some thinking about education.

Out of a total of 2,061 students enrolled in the first experimental Upward Bound programs in the summer of 1965, 1,994 are now on their way out of poverty through education. The turnabout of these students from an attitude of apathy or hostility to an eagerness for learning and a new sense of responsibility for their own destiny has been remarkable. Just as Headstart, which prepares disadvantaged children for successful performances in primary school, Upward Bound had its share of critics and scoffers when the program was first begun. But both programs have been such successes that their opponents have had to eat their words. They are fulfilling a genuine need of our youth.

Other administration legislation has eased college housing loan interest rates, extended social security benefits to schoolchildren and provided them with a variety of health services. Federally insured loans for vocational technical and business schools have been made available under the Vocational Student Loan Insurance Act.

The Johnson administration has also taken the lead in expanding job opportunities for youth. The Job Corps, part of the President's war on poverty, will eventually enlist 100,000 young men and women whose background, health, or education handicap their efforts to find useful work. At Job Corps centers, the enrollees participate in programs of basic education, development of responsible citizenship attitudes, skill training, and constructive work experience for an average of 9 months. After graduation, corpsmen are assisted in finding jobs, returning to school, or entering the Armed Forces. Forty-five thousand young people—at least 23 percent of whom were women—had been enrolled by the end of fiscal year 1967.

Other Economic Opportunity Act programs run by the Department of Labor provide work-training for young people from low-income families to assist them to stay in school, return to school, or to increase their employability. Youth also benefits from provisions of the Manpower Development and Retraining Act of 1962, which provides for training programs in major cities for people who might otherwise be out of work and unlikely to get work. Training has been authorized for more than 600,000 individuals under this act. About 75 percent of the graduates of MDTA projects have been placed in jobs and are now contributing members of society.

The list of bills and acts and programs is long and impressive. Nothing, however, shows Executive concern over youth more clearly than Vice President HUBERT HUMPHREY's enthusiastic and successful chairmanship of the Youth Opportunity Campaign which has provided over 1 million summer jobs for American youths in each of the last two summers. This is the sort of leadership that can lick problems. I think all of us have been proud to see it displayed so strongly in the hitherto neglected area of helping out our disadvantaged youth.

Steps forward in the areas of employment and education mean progress in curing some of the social ills on which juvenile delinquency thrives. The Federal Government is also an active partner with States and communities in developing programs for the rehabilitation of juvenile offenders. The Juvenile Delinquency Control Act, which has been in effect since 1961, provides grants for experimental demonstration and training projects in urban areas throughout the United States. The administration, through its support of this legislation, has again signified its concern with problems besetting our young people.

But what about the majority of our Nation's youth, the ones we do read about, who come from homes where their material welfare is taken care of by doting parents. To think about Government aid in connection with these youngsters seems ludicrous. But in one area at least, parents do not think it is funny at all. During the next year, the Nation's education bill will set a record—more than $52 billion. Parents will tell you that costs for higher education are skyrocketing for the 6½ million students who are enrolling in colleges and universities this fall. Here again, we are helping to fulfill a real need. The guaranteed student loan program which falls under the Higher Education Act is intended primarily to help students from middle-income families meet the rising costs of college by enabling them to procure loans underwritten by the State, the interest of which is paid by the Federal Government during study years. Almost 1 million students will be reaping the benefits of this program during the ongoing school year.

But perhaps in the long run, our greatest contribution to many of our materially well-off youth is an intangible one which has, however, had perceptible effects on their attitudes and actions. In extreme contrast to the noninvolvement of our young people in the fifties, the sixties have seen a tremendous change in their feelings about their roles in the community, in the Nation, and as members of a world community. It is hard to put your finger on this change, but parents of young people, I believe, will understand what I am talking about. The events of 1962 in a number of ways ushered in a new era in our history. Not the least important "happening" was the creation of the Peace Corps. Few proposals in government aroused as much skepticism as the Peace Corps and few proposals have had such dramatic success. Far too many people in this country were quite convinced that our young people were not capable of handling their own problems, much less taking on those of others. They did not understand that a program like the Peace Corps was what thousands of youngsters were looking for, that it provided an outlet for their idealism and an opportunity to help individual people who were in dire need of personal attention. The little group of 35 volunteers which were sent to Tanzania in 1962 has expanded until today there are almost 15,000 volunteers in the field; 13,000 have returned and are sharing their valuable experiences with the rest of us. How many of their older brothers and sisters, how many of their parents for that matter, have shared in their excitement and wished that such an opportunity had been available to them when they were that age.

In the last few years, young people have realized that they need not go abroad to be of service to their fellow man. That there are plenty of people closer to home who desperately need a dose of their idealism and willingness to give of themselves. President Johnson understands, perhaps, better than many of us this need of youth to be of service and he has done a very obvious thing: he has paired up the needs of our country with its greatest untapped resource—its youth. It is surprising that this was not done before—but it was not. Perhaps some of our current domestic difficulties stem from the fact that it was not.

Young people have responded in a wonderful way to the opportunities for service at home which were created by legislation passed by the 89th Congress. Volunteers in Service to America, which was established under the Economic Opportunity Act, has recruited the vast majority of its volunteers from the ranks of youth. Today there are over 3,500 full-time VISTA volunteers in the field, working in the slums, on our Indian reservations, and among our migrant workers. Another 2,000 volunteers worked during the summer. The Teacher Corps, which was authorized in the Higher Education Act of 1965 and has been struggling for its existence ever since, attracted over 2,000 applicants in 1967, even though its very future was in doubt.

To be sure, all young people interested in service have not flocked to jobs initiated by the Federal Government. But the Government has taken the lead in providing opportunities for youth to serve and this example has stimulated State and local governments and private organizations to do the same. Every large city is recruiting young people as volunteers now for community action work; even smaller communities and rural areas are finding their services of value.

It is not surprising that young people, participating in service projects almost as a matter of course while growing up, are becoming increasingly attracted to a career in social service, and this, for many of them, includes Government service. Some years ago, government work at any level was the last thing that interested a bright, idealistic young person but this is not true any more. We are starting to get an impressive number of capable young people dedicated to public service choosing a career in Government. This is reflected in the tremendous expansion here in Washington of summer intern programs which give students an opportunity to work in Government agencies or on Capitol Hill during their vacations. Last summer, for example, we had around 7,000 interns working on Capitol Hill in congressional offices and for committees; this number is more than double what it was in 1966 when the program was first expanded, partially because of the impetus provided by a law passed by the 89th Congress giving Congressmen extra appropriations to hire summer help.

Our young people are a valuable national resource; their intelligence, energy, and dedication are finally being tapped, a process which can only strengthen our government and improve the welfare of the people which it serves.

PROTECTION OF CONSTITUTIONAL RIGHTS AND PRIVACY OF FEDERAL EMPLOYEES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. LONG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. LONG of Maryland. Mr. Speaker, I have today introduced legislation which would protect the constitutional rights and privacy of Federal employees.

Violations of Government employee privacy have been the subject of hearings and investigations by the Senate Subcommittee on Constitutional Rights during the past five Congresses. Each section of this bill is based on hundreds of employee complaints. Every major employee organization and union, and many of this country's law professors urge enactment of this legislation.

Why should the 3 million employees of the Federal Government not enjoy the same privacy as their fellow citizens who work for private employers? The fear, suspicion, and resentment generated by a "Big Brother" type of regimentation drive many competent professionals to quit in disgust, while others develop a "do not rock the boat" attitude which stifles initiative and imagination.

Despite congressional representations and negotiations with the executive branch, the Civil Service Commission has not acted effectively to institute general remedial measures. Congress must therefore establish a statutory basis for the protection of employee rights. This legislation would not only attract and retain qualified employees, but would serve as a model for the personnel procedures of State and local government and private industry.

Case after case of intimidation—including threats of loss of job, promotion, or security clearance—have come to the attention of Congress in connection with bond sales and Government charity drives. Federal employees have complained of required attendance during their leisure time at outside activities totally unrelated to job performance or skills. Government employees have had to answer insulting—even obscene—questions about their sexual behavior, and attitudes toward family and religion. Others have had to fill out unnecessary, detailed financial statements listing their own assets and those of their family—everything from cash in the bank to Christmas presents.

The bill I have introduced outlaws these abuses of personal privacy. It also sets up an independent, three-man Board on Employees' Rights. The Board would receive complaints from individuals or unions, hold hearings, and make rulings on violations. If the Board determined that a violation of the act had been committed or threatened, it could issue cease and desist orders against the offending employee, and work to eliminate unlawful practices by conciliation and persuasion. In the case of a first offense, the Board might also issue an official reprimand, or order suspension without pay of the offending employee for up to 15 days. In the case of a second or subsequent offense, the Board might order suspension without pay for up to 30 days, or order the employee's removal from office. Either the complaining employee or the Government could appeal the Board's decision in Federal district court. Redress of a violation could also be sought directly from a Federal district court.

Only through the establishment of this Board can Federal employees be assured effective recourse against personnel practices which violate their rights. Placing authority for remedial action within the Civil Service system is not the key to effective action. Prof. Alan F. Westin, professor of public law at Columbia University, has said:

> The theory of our Government is that there should be somewhere within the executive branch where this kind of malpractice is corrected and that good administration ought to provide for control of supervision or other practices that are not proper. But the sheer size of the Federal Establishment, the ambiguity of the relationship of the Civil Service Commission to employees, and the many different interests that the Civil Service Commission has to bear in its role in the Federal Government, suggest that it is not an effective instrument for this kind of complaint procedure.

The House should hold hearings and take action on this bill as soon as it is passed by the Senate. The evidence is in; the need for legislation is indisputable. Additional delay is unnecessary.

COMMODORE JOHN BARRY DAY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, I rise today to commemorate Commodore John Barry Day.

John Barry came to America from Ireland in 1759. His brilliant naval career began during our War for Independence; he was the first regularly commissioned American officer to capture an enemy ship, he was the first senior captain in the American Navy, and he fought in both the first and last naval engagements of the war. One cannot study our War for Independence without realizing the significant role he played, and it is for this reason that John Barry is often considered to be the father of the American Navy.

He continued his brilliant naval career after the Revolutionary War, and saw action against the pirates of Algiers. At the time of his retirement he was a commodore in the Navy.

The American people today can look back on this era of our history and be proud that John Barry made his home on our shores. His contributions to the establishment and growth of our Republic are considerable. Although the joint resolution I have introduced to authorize the President to proclaim Commodore John Barry Day has not been considered in this Congress, I urge my colleagues and all Americans to join with me in honoring Commodore John Barry.

The joint resolution follows:

H.J. RES. 84

Joint resolution to authorize the President to proclaim the 13th day of September as Commodore John Barry Day

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue annually a proclamation designating the 13th day of September of each year as Commodore John Barry Day in commemoration of the life and service of Commodore John Barry, father of the American Navy, and calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

STATEMENT OF AFL-CIO EXECUTIVE COUNCIL ON AMERICAN FARM BUREAU FEDERATION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BINGHAM. Mr. Speaker, the executive council of the AFL–CIO yesterday issued a statement supporting the courageous efforts of my colleague from New York [Mr. Resnick] to uncover the facts with regard to the nature and activities of the Farm Bureau Federation.

I commend this statement to the attention of my colleagues and the other readers of the Congressional Record:

Statement by AFL–CIO Executive Council on American Farm Bureau Federation

America's working farmers along with their fellow nonfarm workers have been the consistent target of the ultraconservative, big business-oriented American Farm Bureau Federation.

Operators of small and medium sized farms have been financially maimed by the Farm Bureau's campaign for smaller Federal farm subsidies. Oil interests, simultaneously, have cheered the Farm Bureau in its lobbying efforts toward maintaining and increasing the oil depletion allowance, a major tax loophole that costs Americans billions of dollars a year.

Many farmers fight for survival against the poverty plague sweeping the rural areas. The Farm Bureau stands tall in the ranks of the enemies of the struggling farmer by opposing with their vast resources all rural area development and anti-poverty programs.

Elderly Americans have been victimized by the determined effort of the Farm Bureau to weaken, if it cannot kill, Federal and State Medicare legislation. Americans young and old can find the Farm Bureau actively opposing improved Social Security benefits.

Farm Bureau leadership has fought the application of any minimum wage to farm workers. The battle by farm workers to receive the protection of the National Labor Relations Act, as accorded millions of nonfarm workers, finds the Farm Bureau aligned in solid opposition.

Right to Work legislation is actively pursued by the Farm Bureau leadership as a part of its campaign to destroy trade unionism. The Farm Bureau would further damage organized labor by prohibiting industry-wide collective bargaining, by stopping unions from attempting to save the jobs of men and women replaced by machines, by shackling unions with anti-trust laws.

Farm Bureau policy calls for the recruitment of farm laborers from Mexico and other foreign lands for exploitation by large farm operators in America.

The Farm Bureau is a haven for right wing extremists, providing them platforms and pay for speeches and distributing literature which attacks with venom the institutions that are the foundation of democracy and freedom.

The Executive Council of the American Federation of Labor-Congress of Industrial Organizations now takes note of the courageous attempt by Congressman Joseph Y. Resnick of New York to unveil the tainted business and lobbying activities of the Farm Bureau. Though opposed by the House Agriculture Committee of which he is a member Congressman Resnick, alone with his own funds, has revealed startling new information about the operations of the Farm Bureau. In conducting hearings as a one-man ad hoc committee, the Congressman contends that:

1. The Farm Bureau's membership make-up violates the tax-exempt status given the organization since nearly half of its purported membership of 1,600,000 are not farmers.

2. The Farm Bureau operates a massive insurance trust that encompasses more than fifty companies with interlocking directorships of Farm Bureau officials. These companies have in force more than ten billion dollars worth of insurance. The Farm Bureau uses membership as a device for selling insurance.

3. The Farm Bureau buys and sells human labor through the operation of at least five migrant labor camps, locking employees into a condition of abject poverty and filth.

4. United States Government buildings are used to headquarter Farm Bureau operations, including insurance sales offices, giving the impression that the Farm Bureau has the endorsement of the Federal Government.

5. Though a tax-exempt organization, the Farm Bureau is engaged in oil, chemical and fertilizer businesses, as well as operating multi-million dollar shopping centers and other retail outlets. Farmers are frequently squeezed by these endeavors, being forced to sell to and buy from the Farm Bureau enterprises.

6. The Farm Bureau manipulates the editorial policies of rural newspapers through the pressures that can be applied with its heavy advertising disbursements.

7. The Farm Bureau has issued "patronage dividends" to customers of its cooperatives which under no circumstances are convertible to cash and which cannot be used as credits against purchases—which are, in fact, worthless.

8. The Farm Bureau has subverted many rural youth organizations, including the Federally supported 4–H Clubs and Future Farmers of America, by indoctrinating them with right wing extremist propaganda.

9. The Farm Bureau wields an iron first over its subdivisions, punishing those who disagree with Farm Bureau policy.

10. The Farm Bureau in many areas dominates the Agricultural Extension Service, a Federal agency, by maintaining such an intertwined relationship that many are led to believe the Extension Service is a Farm Bureau agency.

We, the members of the Executive Council of the AFL–CIO, support Congressman Resnick in his endeavors to get the Farm Bureau to make public the true nature of that organization.

We further call upon the House Agriculture Committee to work with, rather than hamper, Congressman Resnick in his attempt to find the truth about all farm organizations.

Further, we call upon the appropriate agencies of the United States Government to investigate in depth the Farm Bureau's tax-exempt status, its lobbying activities, its use of United States property and personnel to advance its fortunes and its ultra-right wing philosophies.

POVERTY AIDES HERE NOT INCITING UNREST, TATE SAYS IN LETTER

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Byrne] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, Mayor James Tate of Philadelphia has replied very forcefully to those who are of the mistaken belief that antipoverty workers may have been involved in urban unrest. A recent edition of the Philadelphia Inquirer has reported the mayor's statement which credited Philadelphia's antipoverty workers with promoting understanding among Philadelphians of all races. Specifically, Mayor Tate said:

> With regard to the anti-poverty program, let me assure you that I have no reason to believe that any workers in this program in Philadelphia were in any way involved in instigating, stimulating or abetting the disorders which have occurred in the community.

Mayor Tate went on to point out that Philadelphia did not have any major disturbances this summer. In this connection he said:

> It is my belief that the efforts of the anti-poverty program, together with programs conducted by other city agencies, have had much to do with the peace that has prevailed.

The article above mentioned follows:

[From the Philadelphia (Pa.) Inquirer, Sept. 2, 1967]

Poverty Aides Here Not Inciting Unrest, Tate Says in Letter

(By Jerome S. Cahill)

Washington, Sept. 1.—Mayor James H. J. Tate has defended Philadelphia's antipoverty program in a letter to a Texas Congressman, declaring that, to his knowledge, none of the workers in the program was fomenting racial disorders.

On the contrary, Tate, in the letter made public Friday, credited the city's antipoverty workers with promoting understanding among Philadelphians of all races.

TWENTY-FOUR MAYORS QUERIED

Tate was one of 24 mayors from across the country responding to a letter from Rep. Bob Casey (D., Tex.), who earlier this month inquired as to whether poverty workers on the payroll of the U.S. Office of Economic Opportunity were behind the recent city rioting.

Casey also asked the mayors whether present Federal standards for urban assistance were too rigid to meet the needs of their cities.

On the question of involvement of OEO personnel in the riots, Casey said only two mayors complained of questionable behavior.

TATE'S COMMENTS

He reported that 18 others said the OEO employes were not involved and that "many commented favorably on the tremendous work done by these employes in preventing violence."

Tate had this to say on the subject:

"With regard to the antipoverty program, let me assure you that I have no reason to believe that any workers in this program in Philadelphia were in any way involved in instigating, stimulating or abetting the disorders which have occurred in the community.

"We have not, of course, had any major disturbances this summer, and it is my belief that the efforts of the antipoverty program, together with programs conducted by other city agencies, have had much to do with the peace that has prevailed."

MEAT INSPECTION: THE NEW JUNGLE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Smith] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, one of the most ardent followers of the hearings concerning meat inspection and one of the most enterprising reporters in digging out the facts concerning the need for amendments to meat inspection laws has been Nick Kotz, a correspondent for the Des Moines Register and Minneapolis Tribune. An article by him is now appearing in the September 18 issue of The Nation.

I want to call the attention of my colleagues to the article and I am inserting it in the CONGRESSIONAL RECORD so that all who are interested in it will have an opportunity to read it.

This article specifically points out something that people should know and that is that to be sure, a buyer should look for the Federal meat inspection seal.

It is as follows:

MEAT INSPECTION: THE NEW JUNGLE

(By Nick Kotz)

WASHINGTON.—Does the American citizen have an inherent right to safe, government-inspected meat, even when traveling through a state that does not provide meat inspection? Aled P. Davies, genial and skilled chief lobbyist for the American Meat Institute, nonchalantly denies it.

When Rep. Thomas Foley (D., Wash.) peppered him in mid-July with questions about how the traveler can be assured the hamburger he buys is made of safe, federally inspected meat. Davies replied casually that he might variously demand federally inspected meat, ask to see the meat package, determine the meat's condition by smelling it, or—if he is really nervous—carry his own meat with him.

Lounging easily in the witness chair before a House Agriculture Livestock Subcommittee, which usually follows the advice of his industry, Davies said he was not nervous. He expressed complete confidence in the wholesomeness of American meat, whether federally inspected, state inspected, or not inspected at all.

The hearing was called to consider legislation to modernize a 1906 federal meat inspection law which has not been significantly changed since Upton Sinclair provoked it with *The Jungle,* which deals inadequately with conditions in a fast-changing meat industry and which leaves 15 per cent of American meat slaughtering and 25 per cent of meat processing exempt from federal inspection. But since the sessions were sparsely attended and largely ignored by the press, the vast majority of Americans were not privy to Davies' view that visitors to a state are no more entitled to special meat protection than to special hunting laws. State laws differ on many issues, he said.

Meat produced for interstate commerce must be federally inspected, but 8.7 billion pounds (enough to feed 30 million people) are sold annually intrastate without federal inspection. It is doubtful that many consumers know that only twenty-five states require inspection of both slaughtering and processing and that even these states usually have insufficient trained personnel to enforce their laws.

Congressman Foley, a subcommittee member, is aware of these facts and their unappetizing significance. The 38-year-old sophomore Representative perked up when Davies said of state inspection systems: "We believe that generally speaking they have provided the kind of consumer protection that the people living in those states have thought necessary and have been willing to pay for."

Foley, who is urging that federal inspection be extended to cover virtually all meat sold in the United States, does not for a minute share Davies' confidence in the public satisfaction. He believes that most housewives feel secure at the market only because they falsely assume that all meat has undergone rigid federal inspection.

Davies is vice president of the American Meat Institute, which represents the largest meat packers. The hostility he expressed toward the need for any new legislation was echoed by representatives of the Independent Meat Packers Association, Western Meat Packers Association, the National Renderers Association, and the National Association of State Departments of Agriculture (NASDA).

One week later, however, most of the major trade associations and NASDA had altered drastically their position and switched their lobbying tactics. Suddenly, most of the meat lobbyists openly or privately began to back a Johnson Administration bill that would strengthen federal enforcement and would provide up to 50 per cent of federal funds to states willing to approximate federal inspection standards. The bill, however, would *not* expand federal inspection to any more plants.

The meat industry and NASDA now want the bill approved quickly and quietly, their new objective being to head off tougher legislation proposed by Foley and Rep. Neal Smith (D., Ia.). Foley and Smith propose not only to close loopholes in the present law but to bring large intrastate packers under federal inspection, so that 97 per cent of the nation's meat supply would be federally inspected.

The two Congressmen can see no legal logic to limiting federal meat inspection by a 1906 interpretation which restricts the term "interstate commerce" to actual sales across state lines, since most federal laws regulating industry have long assumed jurisdiction over firms having sufficient volume of business "to affect interstate commerce." The federal minimum wage law applies to businesses grossing $250,000 or more a year, and that is the figure the sponsors of the new bill adopt.

The worst fears of NASDA and the meat industry in the last five years have suddenly become a reality. A few newspapers and consumer critic Ralph Nader have begun to reveal the stomach-turning details of a Department of Agriculture investigation showing conditions in non-federally inspected plants throughout the country. The survey, made in 1962, revealed unbelievably foul sanitary conditions, the use of diseased animals, adulteration of meat products, and labeling practices which mislead consumers as to the contents of luncheon meats, wieners and sausage. It also showed most state and local inspection systems to be completely inadequate, either because of limited laws, insufficient appropriations, unskilled inspectors or lax enforcement.

The report was never released or legislation pushed because the department was transfixed in a Hamlet-like conflict between its responsibility to consumers and its responsibility to promote meat sales. But now the unsavory details are getting about, and the meat industry and cooperative Congressmen want the Administration bill adopted quickly before public alarm and disgust provide pressure for the Smith-Foley bill.

Following a cozy private conference between the industry and leaders of the Agriculture committee, the subcommittee and full committee have quickly approved the Administration bill. The Smith-Foley substitute plan was defeated by overwhelming votes in both the subcommittee and full committee. The committee does not plan to print the report of the 1962 USDA investigation or of a new survey made in July of this year, a survey that confirms the 1962 findings of filth, adulteration, deceptive labeling and farcical state inspection. Most committee members agreed that the USDA studies should be withheld in order to protect the legitimate industry.

But Smith and Foley, joined by a small but growing band of new supporters, are now armed with the reports and are unafraid to use them as they carry their fight to the House floor. Furthermore, Sen. Walter Mondale (D., Minn.), shocked by news accounts of abuses, is now pushing an even stronger bill in the Senate. Adopting concepts from the Administration's earlier 1965 bill, Mondale would make all meat subject to federal inspection but would permit states to inspect intrastate meat when the Secretary of Agriculture finds that they have established adequate systems to guarantee federal standards.

The Administration backed away from the 1965 bill only because NASDA and the meat industry had successfully blocked the legislation from even receiving a hearing in the 89th Congress. Now Smith has asked President Johnson to reassert the Administration's support for stronger legislation.

The most recent USDA survey is not pleasant reading, but it makes vivid the conditions which the proposed legislation is designed to correct. Least surprising were reports from the eight states (Alabama, Alaska, Colorado, Delaware, Maryland, Minnesota, New Hampshire and South Dakota) which provide no state inspection. Among the conditions reported by experienced USDA meat inspectors:

At a New Hampshire plant: "All rooms were dirty, caked with blood, grease and filth. Men with dirty clothing were boning dirty meat on dirty tables."

At a Colorado plant: "The band saw had not been cleaned for several days and the bone dust in the bottom of the saw was filled with maggots. I noticed rat droppings and tracks on boxes and wrapping paper in sawdust on the floor."

At an Alabama plant: "The cooler contained a dressed hog with a sore on the side which had not been trimmed and several hogs with excess hair."

The federal inspectors found similar conditions at plants in many of the thirteen states which provide voluntary meat inspection; that is, meat packers may have state inspection if they request it. These states are Arizona, Kansas, Kentucky, Louisiana, Mississippi, Montana, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island and Texas.

At a Pennsylvania plant: "Ninety per cent of beef quarters showed evidence of bruises, sores, etc. General sanitation of the entire establishment was very poor."

At a Texas plant: "Meat drums were very dirty, contaminated with rust and the insides showed a very poor job of washing."

At an Oklahoma plant: "This company slaughters and processes a full line of sausage and smoked meat products in a building which isn't fit to be a dog food plant. Sewage water was backing up in one room. A dead mouse was lying in the corner of one cooler."

At a Nebraska plant that advertises "sausage products with that old-world taste," the inspector noted a curing vat "in which corrosion was from one-fourth to one-half inch thick."

Most disturbing, perhaps, were field notes from the twenty-five states which theoretically require inspection. Although industry officials testified that California has the best state meat inspection system, the USDA investigator noted that "canned meat product is produced without any semblance of inspection on the part of California state meat inspection." Of one canning plant in the Los Angeles area, the inspector said: "The operation is located in a building that is falling apart. It is infested with flies, cockroaches and rodents. The whole place smells bad. There is no semblance of sanitation."

Of general practices in many Wisconsin processing plants: "Ham loaf rarely includes ham; pork trimmings and veal with appropriate amounts of cereal would be more likely."

At a Florida plant: "In viewing the trimmings being dumped into the chopper chute, we noted a little trash, such as paper drinking cups, in the raw product."

At the largest non-federally inspected plant in Indiana: "The equipment was contaminated and rusty. Rack trucks used in the transportation of meat were covered with fat and heavily contaminated grease."

The 1967 report does little to support the NASDA and meat industry argument that states are rapidly improving their inspecting systems. Neither does a reading of U.S. Public Health Service statistics which show 20,040 reported cases of *salmonellosis*, an intestinal disease which can be transmitted by meat products, in 1966. Public Health Service officials say that probably only 1 per cent of instances of this disease are actually reported.

Meat industry spokesmen also contend that the inspection problem is gradually taking care of itself as an increasing number of plants come under federal inspection. The American Meat Institute stressed that the number of federally inspected plants has doubled since 1950 and that meat under federal inspection has risen by 5 per cent. But the institute did not point out that total meat production has increased by 50 per cent during this period, and that the actual amount of non-federally inspected slaughter has actually risen from 4.2 billion pounds in 1950 to 4.9 billion in 1966.

Various opponents of expanded federal inspection have their own particular reasons for disliking it. The state agriculture department officials do not want the federal government to take over part of their domain, particularly with the clear implication that they are not doing their job. Many independent meat packers know that they would be unable to meet rigid federal requirements, especially those for plant construction. Some conservative Congressmen, state officials and meat firm executives simply are opposed in principle to any expansion of federal government into state activities.

One would suppose, however, that the giant firms would favor complete federal inspection, since more than 90 per cent of their production is already federally inspected. Yet interviews with officials of the eight largest meat packing firms reveal that only one—Oscar Mayer and Co.—favors expanded federal inspection. It is perhaps not coincidence that Mayer is one of the very few national firms which does all of its slaughtering and processing under federal inspection.

Publicly, officials of the largest firms say only that they fear Congress will not appropriate adequate funds to maintain an expanded federal system. They also express fear that dual federal standards will develop, less rigid standards being applied to smaller companies. USDA officials estimate it would cost $30 million annually to provide expanded inspection as proposed by Foley and Smith. Smith points out that the expense amounts to less than one-tenth of a cent per pound of meat and would be a small price to pay for the safety inherent in rigid federal meat inspection.

In these inspection procedures, federal inspectors scrutinize meat continuously in the production process, beginning with inspection before slaughter, followed by examination of organs of the slaughtered animal, and continuing through whatever processing may be involved. Last year, federal inspectors examined more than 25 billion pounds of meat and condemned 250 million pounds because of disease, spoilation or adulteration.

Several witnesses before the livestock subcommittee have suggested that a more vital concern for some of the largest firms is to avoid federal inspection of their relatively few branch processing plants which sell entirely within a state. Arnold Mayer, legislative representative for the Amalgamated Meat Cutters and Butcher Workmen of North America (AFL–CIO), testified:

"Live cattle which obviously cannot pass inspection is sent to uninspected plants. This is done not only by the small number of get-rich-quick operators but also by some highly respectable firms. The very competitive situation in the industry currently leaves them no alternative. Their competition does it. They must do it."

An official of one of the largest firms admitted privately that his company could not compete effectively in sales of luncheon meats in several important markets if the company's branch plants had to meet federal requirements for sausage and weiner ingredients.

The Agriculture Department has deleted the names of plants inspected in its new investigation, but the 1962 survey reported improper conditions in a number of non-federally inspected branch plants operated by several large national firms.

Swift & Co., the nation's largest packing firm, was criticized for conditions in several of its branch plants. A spokesman for Swift said that 97 per cent of the firm's slaughtering and 90 per cent of its processing is carried out under federal inspection. The company reportedly sells about 4 billion pounds of meat annually. Of the eight national firms interviewed, only Swift declined to reveal how many plants it operates without federal inspection.

Rodney Leonard, Deputy Assistant Secretary of Agriculture, told the subcommittee that modern technology—in addition to providing a wide variety of better and handier meat products—has made it easier for unscrupulous operators to mask the true condition of meat. He referred to the use of high-speed equipment, the prevalence of frozen meat (which must be defrosted for effective inspection), fast curing processes, artificial smoking, coloring agents, "and other additives which are potentially deceptive and dangerous to one's health when their use is not regulated."

Leonard acknowledged that the federal inspection system is struggling to keep up with such technological innovations, and believed that few, if any, state inspection systems have sufficient competent personnel to inspect complicated, modern processing plants.

Most supporters of expanded federal inspection readily admit that even the present Administration bill would be a step in the right direction. Most important, it would give the Agriculture Department authority to keep so-called inedible meat out of human food supplies. At present, USDA has virtually no power to check on the activities of renderers, dog and cat food manufacturers, and other handlers of inedible meat that sometimes gets slipped illegally into products which are intended for human consumption.

Labor union official Mayer and other supporters of expanded federal inspection doubt, however, that state meat inspection will be greatly improved by the offer of federal funds and technical assistance. Referring to this provision in the Administration bill, Mayer said: "It would leave the situation almost the way it is now. It is an effort to buy the states into enacting meat inspection laws. But there is no requirement for the states to do so. Nor are there any real sanctions to assure that the legislation and its enforcement is effective."

The proposal of legislation has at least led to some changes in the meat buying habits of a number of secretaries on Capitol Hill. Girls in the offices of Congressmen dealing with the legislation confess they are for the first time examining processed meat packages to make sure that they contain the federal stamp of approval. It is denoted by a circle with the wording "U.S. inspected and passed by the Department of Agriculture." Federally approved raw meat bears the purple stamp, "USDA inspected." If consumers generally would insist on the federal stamp, they might get the legislation they deserve.

U.S. ARMY AND WELFARE, RECREATION, AND MORALE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Rarick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RARICK. Mr. Speaker, the 1967 Contemporary Military Reading List compiled by the U.S. Army for the education of our military leaders is frightening.

Recommended are the warped materials of such anti-Americans as Max Lerner without even a note or caution that the author has been cited as subversive.

A review of the reading list, Army Regulation No. 28–86, and the book reviews may awaken some to wonder if the Army is now promoting a mental revolution against constitutional government among its officer corps.

Mayhaps the recommended reading list is compiled to prepare our military leaders for the establishment of the new International Peace Keeping Force under the United Nations plan recently passed by the House as a portion of the foreign aid bill.

Mr. Speaker, I here insert the Contemporary Military Reading List and reviews for each book in the Record:

[Circular No. 1–13]

Expires (1 year)

Headquarters,
Department of the Army,
Washington, D.C., March 24, 1967.

ADMINISTRATION—1967 CONTEMPORARY MILITARY READING LIST

1. General. Department of the Army responsibilities and policies, and information on the availability of books for the Contemporary Military Reading Program are specified in AR 28–86.

2. Reading list. A brief synopsis for each book is given in the appendix.

AUTHOR, TITLE, AND YEAR

Bartlett, Ruhl, "Policy and Power: Two Centuries of American Foreign Relations," 1963.

Beaufre, Andre, "An Introduction to Strategy," 1965.

Bloomfield, Lincoln P., ed., "Outer Space: Prospects for Man and Society," 1962.

Claude, Inis L., "Power and International Relations," 1962.

*Cleveland, Harlan, "The Obligations of Power: American Diplomacy in the Search for Peace," 1966.

Clubb, O. Edmund, "Twentieth Century China," 1964.

Cross, James E., "Conflict in the Shadows: The Nature and Politics of Guerrilla War," 1963.

Deitchman, Seymour J., "Limited War and American Defense Policy," 1964.

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*Books new to this list.

Fainsod, Merle, "How Russia Is Ruled" (Rev. ed.), 1963.

Fifield, Russell H., "Southeast Asia in United States Policy," 1963.

Galula, David, "Counterinsurgency Warfare: Theory and Practice," 1964.

Gilpin, Robert and Wright, Christopher, ed., "Scientists and National Policy-Making," 1964.

Greenfield, Kent R., ed., "Command Decisions," 1959.

Halperin, Morton H., "China and the Bomb," 1965.

*Hitch, Charles J., "Decision-Making for Defense," 1965.

Huntington, Samuel P., "The Common Defense: Strategic Programs in National Politics," 1961.

*Jacobsen, Hans A. and Rohwer, Jurgen, "Decisive Battles of World War II: The German View," 1965.

Kaufmann, William W., "The McNamara Strategy," 1964.

*Kissinger, Henry A., ed., "Problems of National Strategy," 1965.

Kissinger, Henry A., "The Troubled Partnership," 1965.

Kulski, W. W., "International Politics in a Revolutionary Age," 1964.

Lerner, Max, "The Age of Overkill: A Preface to World Politics," 1962.

Nehemkis, Peter, "Latin America: Myth and Reality," 1964.

Osanka, Franklin M., ed., "Modern Guerrilla Warfare: Fighting Communists Guerrilla Movements, 1941–1961," 1962.

Padelford, Norman J. and Lincoln, George A., "The Dynamics of International Politics," 1962.

Pogue, Forrest C., "George C. Marshall. Vol. 1: Education of a General, 1880–1939, 1962 *Vol. 2: Ordeal and Hope, 1939–1942," 1966.

Quigg, Phillip W., "Africa: A Foreign Affairs Reader," 1964.

*Schwarz, Urs, "American Strategy: A New Perspective," 1966.

Warren, Sidney, "The President as World Leader," 1964.

Wolfe, Thomas W., "Soviet Strategy at the Crossroads," 1964.

APPENDIX

Synopsis

"Policy and Power—Two Centuries of American Foreign Relations," by Ruhl Bartlett (1963): The history of American foreign policy, from the seeds of the Revolution through the Cuban crisis to the present, tracing the thinking of US national leaders as the nation arose out of the century of isolation into the status of a world power.

"An Introduction to Strategy," by Andre Beaufre (1965): A carefully formulated study on strategy, written by a French general, with the purpose of bringing that branch of knowledge into phase with the real world. The book relates the thought processes involved in military strategy to the political, economic, and diplomatic fields for the employment of a total strategy in which the West can achieve its aims in the global conflict.

"Outer Space: Prospects for Man and Society," edited by Lincoln P. Bloomfield (1962): Eight articles, each prepared by an authority in his field, provide an excellent analysis of the conquest of space from political, economic, social and psychological points of view; and discuss the problems that result from the impact of the space age on society. Solutions to the technical aspects of space exploration, the task of government, possible peaceful uses, problems of international cooperation, and public policy considerations are also analyzed, in a manner easily understood by the lay reader.

"Power and International Relations," by Inis L. Claude (1962): A study of the problem of the management of power in international relations; and an examination, comparison, and evaluation of the three leading theoretical approaches to such management: the balance of power system; collective security, as an alternative; and world government, as a monopoly of power.

*"The Obligations of Power: American Diplomacy in the Search for Peace," by Harlan Cleveland (1966): Written by a former Assistant Secretary of State for International Organization Affairs and the present US Ambassador to NATO, this book is an excellent review of and forecast of US policy. A short and very readable account of US successes in the cold war emphasizes lessons for crisis management, means of maintaining peace, and the usefulness of development assistance.

"Twentieth Century China," by O. Edmund Clubb (1964): A political history of China which seeks to demonstrate that present day Communist China is an evolutionary product of her past history rather than a revolutionary product of Marxism-Leninism. The parallels discovered between the policies and objectives of Mao Tse-tung's China of the 1960's and those of the earlier rulers, lend credence to the contention that the Chinese Communists are Chinese first and Communists only second.

"Conflict in the Shadows: The Nature and Politics of Guerrilla War," by James E. Cross (1963): A contemporary analysis of the history of guerrilla warfare, its military and political implications, and the means of combating it that are available to the West. The book includes an evaluation of the theories of Mao Tse-tung, T. E. Lawrence and Che Guevara, in the light of major historical and current insurrections.

"Limited War and American Defense Policy," by Seymour J. Deitchman (1964): A timely and comprehensive analysis of limited war, including a history of such wars over the past 20 years, the kinds of limited war likely to face the United States, and the areas and environment where they may be fought. The book considers tactical nuclear weapons, battlefield mobility, tactical air support, command and control, force structure, and the impact of technology on limited war; and examines the issues to be resolved and the alternatives available to bring U.S. military capabilities into consonance with U.S. foreign policy.

"How Russia Is Ruled," (Rev. ed.) by Merle Fainsod (1963): A most authoritative and comprehensive source book on the political and social structure of pre-Khrushchev Communist Russia, brought up to date, in this revised and enlarged edition, with a discussion and analysis of the Khrushchev era—through December 1962. Included are: 1) an historical analysis of those forces, factors, and events that caused the Russian Revolution, of the Bolshevik takeover, and of the subsequent transformation of the character of the regime under Lenin, Stalin and Khrushchev; 2) the role of the Party in theory and practice; 3) the organizations and instruments employed by the Party to maintain control of the State; and 4) an analysis of the impact of Party controls on industry and agriculture, and of the problems and tensions arising therefrom.

"Southeast Asia in United States Policy," by Russell H. Fifield (1963): An exhaustive, historical review of the social, cultural, political, economic, and military pressures that have influenced the development of Southeast Asia, as well as Far Eastern, South Asian, and Australian postures in the world today. In addition, the book analyzes U.S. policy toward Southeast Asia and evaluates U.S. objectives, doctrine, and tactics associated with the efforts to create area stability and viable, independent governments under the mantle of that stability.

"Counterinsurgency Warfare: Theory and Practice," by David Galula (1964): A well-organized discussion of the causes of insurgency, with an analysis of the stages or phases in the development of insurgency and the delineation of a step-by-step politico-military approach toward combating and defeating revolutionary war. The author is a French officer whose intimate knowledge of his subject was obtained through personal experience as an observer of, or participant in most of the major counterinsurgency campaigns conducted during the past 20 years.

"Scientists and National Policy-making," edited by Robert Gilpin and Christopher Wright (1964): Ten scholars examine aspects of the roles of scientists in national policy-making; the place to which scientists have risen in American political life and the reasons for this development; the activities of science in relation to national security; and the new types of expertise that must be developed by "scientific strategists" to cope with the problems created by the interactions of science, technology, and society.

"Command Decisions," edited by Kent R. Greenfield (1959): Twenty command decisions of World War II, seven concerning the war in the Pacific and thirteen dealing with operations in Europe and Africa, are discussed and evaluated by sixteen historians of the Office of the Chief of Military History, Department of the Army. The dilemmas, alternatives and options involved in such controversial operations as the attack of Pearl Harbor, the withdrawal to Bataan, the landings at Anzio, the Normandy invasion, the closing of the Argentan-Falaise gap, and the use of the atomic bomb are analyzed in detail and in a scholarly and objective fashion.

"China and the Bomb," by Morton H. Halperin (1965): A timely treatment of a critically important subject. The book effectively analyzes the antagonisms and mutual suspicions existing between the United States and the Chinese Communists, the means by which Red China developed the bomb, and the strategic implications of her nuclear potential in the present fabric of national power relationships.

"Decision-Making for Defense," by Charles J. Hitch (1965): A composite of four Gaither Memorial lectures delivered at the University of California by the former Assistant Secretary of Defense (Comptroller), this book provides a basis for the cost-accounting approach to decision-making. Included are the evolution of the national military establishment from 1789 to the beginning of the Kennedy administration, a description of programming and the application of cost-effectiveness studies to decision-making, and an evaluation of these techniques.

"The Common Defense: Strategic Programs in National Politics," by Samuel P. Huntington (1961): An examination of the strategic aspect of the military policy of the United States with focus on the period from 1945 to 1960 and including an analysis of the political processes involved in the development of strategic programs within the American system of government. A thorough review of NSC 68, the New Look, The New New Look, and other current strategies and programs is undertaken, together with a discussion of the influences of fiscal and domestic policies, party politics and interservice rivalries on the innovation of strategic programs.

"Decisive Battles of World War II: The German View," edited by Hans A. Jacobsen and Jurgen Rohwer. Translated from the German by Edward Fitzgerald (1965): Ten selected campaigns of World War II are discussed by German historians, many of them distinguished military commanders. Included are campaigns from Dunkirk to the Ardennes. Tactical conduct of the operation is reviewed as well as the relation of controlling elements such as geography, political systems, resources, and intelligence. Each campaign concludes with a summary of the lessons to be learned.

"The McNamara Strategy," by William W. Kaufmann (1964): An excellent and detailed narrative account of the changes made in the Department of Defense since the beginning of the Kennedy administration with the emphasis on Secretary McNamara's actions and the rationale behind them. The "search for options" is described, as well as the long term considerations of the Secretary with respect to nuclear power, conventional forces, arms control, and research and development. The book also discusses, with clarity and simplicity, the system of planning and budgeting which has been established in the Department, and evaluates some defense implications for the future.

"Problems of National Strategy," edited by Henry A. Kissinger (1965): This anthology of readings on basic national security policy is of equal value to the serious student of national strategy and the lay reader. In presenting viewpoints on both sides of key issues, Dr. Kissinger, Professor of Government at Harvard University, provides an excellent representation of governmental, scientific, and academic thought on the major defense policy problems confronting the United States today.

"The Troubled Partnership," by Henry A. Kissinger (1965): The study deals with the future of the Atlantic Community and examines U.S. relations with and policies toward Western Europe. The book also examines the changes in thinking that have occurred since the development of the Alliance and presents the background to the problems of deterrence as well as a critical appraisal of the multilateral force concept.

"International Politics in a Revolutionary Age," by W. W. Kulski (1964): An examination of the important aspects of the relations between contemporary states—political, military, economic, ideological, legal, and diplomatic—in depth and detail, and in the multiple perspectives of the Western bloc, the Communist bloc, and the developing nations. A view of the revolutionary trends and awesome complexities facing today's leaders as they seek the solutions to the problems of international politics.

"The Age of Overkill: A Preface to World Politics," by Max Lerner (1962): An analysis of the conduct of world politics in the Age of Overkill. The book describes the present roster of power centers and the grand design of communism; analyzes the broad military, social, ethical, and political forces in the nations of the world; examines their leadership; and concludes with a discussion of a hopeful transition to world order as the only alternative to world destruction now that man can move beyond the power principle in world politics.

"Latin America: Myth and Reality," by Peter Nehemkis (1964): A comprehensive review of the history and development of Central and South America, blending competent analysis with concise factual reporting. Opposing points of view are presented objectively and military, political, sociological and economic implications significant to the current world power struggle are examined thoroughly and perceptively.

"Modern Guerrilla Warfare: Fighting Communist Guerrilla Movements, 1941–1961," edited by Franklin M. Osanka (1962): A symposium of writings on major guerrilla activities during the last 20 years. The book is organized in three parts, with the first reviewing guerrilla warfare in the past and its modern strategic uses; the second, a world coverage on the application of guerrilla principles; and the concluding section dealing with counterguerrilla procedures and policies.

"The Dynamics of International Politics," by Norman J. Padelford and George A. Lincoln (1962): The framework for a systematic analysis of a rapidly changing political world, the text examines: the major social, economic and political problems operating in the sphere of international relations; the attempts of nations to influence and manipulate these forces by means of their foreign policies; the techniques and instruments which translate policies into effective programs of action; and, the concerted attempts of nations to organize an international community for peace, security and welfare.

"George C. Marshall: Vol. 1—Education of a General, 1880–1939; Vol. 2—Ordeal and Hope, 1939–1942," by Forrest C. Pogue (1962): The first two volumes of a projected 4-volume definitive biography. Vol. 1 follows Marshall's progress from his childhood in Uniontown, Pa., to 1939 when Hitler marched into Poland and Marshall took the oath as Chief of Staff of the United States Army. The development of the United States as a world power, and of Marshall's early role in that development, are shown. Vol. 2 carries his career in Washington through the difficult early years of World War II, and portrays his skillful leadership in the struggle to strengthen the Army.

"Africa: A Foreign Affairs Reader," by Philip W. Quigg (1964): An edition of 24 articles that have appeared in Foreign Affairs over the past 40 years. The diverse opinions presented on diverse political and social convolutions, and covering so extended a period of time, provide a broad spectrum of useful information for the reader who is interested in analyzing the forces that will shape Africa's future.

"American Strategy: A New Perspective," by Urs Schwarz (1966): This book presents an interesting and balanced study of the growth of strategic thinking in the United States as seen by the foreign editor of a Swiss newspaper. After tracing U.S. strategic thought through both World Wars to 1966, the author concludes with the analysis that NATO has failed primarily because European thinkers and leaders have failed to keep pace with and to understand the strategic theories and concepts advanced by the United States.

"The President As World Leader," by Sidney Warren (1964): An historical study of the men who have occupied the office of the President during the period of America's transition from traditional isolation to intimate involvement in world affairs. This book is a study of those men, from Theodore Roosevelt to John F. Kennedy, who played the major role in the shaping of U.S. foreign policy, and of the fundamental changes brought about in the nature of the Presidency itself.

"Soviet Strategy at the Crossroads," by Thomas W. Wolfe (1964): An interesting study and scholarly analysis of Soviet documents which traces the course of the Khrushchev-Malinovsky debate over defense strategy and over the priority for the allocation of national resources between consumer and defense industries. The book also provides an insight into the military's demands for a greater measure of autonomy in basic policy-making and Malinovsky's concern about the excessive Party-political intrusion into military affairs.

By Order of the Secretary of the Army:
HAROLD K. JOHNSON,
General, United States Army,
Chief of Staff.

Official:
KENNETH G. WICKHAM,
Major General, United States Army,
The Adjutant General.

Distribution: To be distributed in accordance with DA Form 12–9 requirements for Administration: *Active Army:* A. *NG:* None. *USAR:* None.

[ARMY REGULATIONS No. 28–86]

HEADQUARTERS,
DEPARTMENT OF THE ARMY,
Washington 25, D.C., March 6, 1963.

WELFARE, RECREATION, AND MORALE—UNITED STATES ARMY CONTEMPORARY MILITARY READING PROGRAM

Paragraph
General ---------------------------- 1
Purpose ---------------------------- 2
Annual list---------------------------- 3
Responsibility ---------------------------- 4
Availability of books---------------- 5

1. General. The complexities of modern warfare require that all military leaders keep themselves currently informed on military affairs, as well as matters of national and international interest. The voluntary reading of authoritative, provocative, and timely books in these fields is an important adjunct to more formal training towards this objective. The U.S. Army Contemporary Military Reading Program has been established to assist Army personnel by calling attention to, and making available, books of professional value and interest. It is emphasized, however, that the selection of a book for inclusion in the program does not imply an official indorsement by the Department of the Army of the views contained therein.

2. Purpose. This Army-wide program is designed to stimulate constructive thinking concerning problems of prevailing and future military importance; encourage Army personnel to engage in a systematic program of voluntary reading to improve their professional competence; deepen comprehension and understanding of the significant role of the Army in world affairs; furnish guidance in the selection of reading materials through publication of an annual list of books written by outstanding authorities on military and allied subjects; and make copies of these books readily available for loan to military personnel.

3. Annual list. An annual reading list comprised of up-to-date titles in the fields of military science and world affairs will be published as a DA circular.

4. Responsibility. *a.* Under the supervision of the Deputy Chief of Staff for Personnel, The Adjutant General provides technical direction and staff supervision over all matters pertaining to the administration and operation of this program.

b. The Commandant, United States Army War College, reviews the annual list and recommends to The Adjutant General additions to and deletions from the list.

c. Commanders at all echelons are responsible for actions necessary to insure the success of this program. While the reading of recommended books is voluntary, promotional efforts should be directed toward stimulating personnel to read as many books as possible.

5. Availability of books. *a.* Copies of all books on the current annual list will be available for loan from Army installation libraries, an activity of Special Services.

b. Army personnel not having ready access to an Army installation library may arrange for loan of these books from the nearest Army installation library. For this purpose, direct correspondence between the individual and the post librarian concerned is authorized. Official envelopes or labels with the postage and fees paid indicia may be used for this purpose. See AR 341–10. Army personnel stationed at MAAGs and missions may arrange for direct loan of books by contacting the Special Services Office of the nearest oversea command.

By Order of the Secretary of the Army:
EARLE G. WHEELER,
General, United States Army,
Chief of Staff.

Official:
J. C. LAMBERT,
Major General, United States Army,
The Adjutant General.

Distribution: *Active Army:* To be distributed in accordance with DA Form 12–9 requirements for DA Regulations—Administration—A. *NG:* None. *USAR:* None.

Bartlett, Ruhl J. *Policy and Power; Two Centuries of American Foreign Relations.* New York: Hill and Wang, 1963. (JX1416 B3151); Review by Col K. W. Kennedy.

This book traces the history of American foreign policy from the seeds of the revolution, through the Cuban crisis, to the present. It sets forth some little known background of political maneuvering and the thinking of our national leaders as we gradually emerged from a century of isolation to a world power with vast economic and political commitments. The author pulls no punches in describing how the United States assumed an imperialistic stance based upon its growing military and economic might. While emphasizing American foreign policy and diplomacy, *Policy and Power* also provides the reader with an excellent review of American history.

Beaufre, Andre. *An Introduction to Strategy*. New York: Praeger, 1965. (U161 B38 1965); Reviewed by Col H. W. Lange.

This small and extremely interesting book by retired French General Beaufre is important to individuals at the US Army War College level. It will probably become a *classic*—more famous than the books of Aron, Kahn, or Kissinger. Far from writing solely *An Introduction to Strategy*, the author leads readers toward new thinking about past strategies and present or future world conditions. He stresses that rigid or partial hypotheses (including certain US interest in mathematical evaluation) can prevent complete thought about changes in operational strategy.

General Beaufre has the distinction of being the first general of his high grade to write a well-rounded theoretical study of modern strategy. He has been highly regarded in France because of his remarkably young appointment to the General Staff (1935), his position as a deputy for operation in the First French Army during World War II, and with the CINC (General de Lattre de Tassigny) in Indochina. He commanded the ground forces at Suez and later served with SHAPE and the Standing Group in Washington.

His reported "early" retirement in April 1962 may infer some disagreement with President de Gaulle, although there were no such indications previously. His book contains a few comments hardly acceptable to de Gaulle, such as: a) the credibility of a second-rank nation threatening to use counter-city nuclear weapons is weak; b) a visable state must be so large that international entities are bound to form; c) an international force will become feasible; and d) the decline of the West comes from its lack of a united front.

His continued activity as the civilian Director of the French Institute of Strategic Studies (an "unofficial" agency established by the Ministry of Defense) will be watched with interest as a result of this book.

A thorough analysis of strategy results from the author's review of the key strategists from ancient times to modern. He weighs strategy as an art—not a science. He defines its many aspects, lists the components and identifies the patterns so that new facets are added to even the extensive reasoning of current American "intellectuals." He warns that it is a dangerous misconception to believe that the evolution of strategy depends on tactics or techniques.

The Beaufre concept is that, while military force is important, there are invisible but most definite limits to the use of direct armed actions. The recognition of the type of situation, or "area of freedom" where military resources may be employed, is part of the new art of strategy. Preparation for this action is now more important than the execution thereof. Most unprecedented is that there is now a vital component, which Beaufre terms "indirect strategy," whereby force is applied through nonmilitary fields. Thus the protean forms of national power can be applied. Each Department (Ministry) must have its own "overall" strategy in its particular field. The Head of Government then orchestrates the product of these components into a national "total" strategy.

All too often people have not perceived that the focal point of struggle was not in the area where fighting was taking place but outside it.

It is impossible to stop "erosion warfare" until a new type deterrent is developed against the enemy's indirect strategy; one must also reduce his area of freedom for military action.

Outer Space, Prospects For Man and Society, edited by Lincoln P. Bloomfield. Published by Prentice-Hall Inc., 1962. 202 pages (TL 790 A43).

Outer Space was prepared to provide background for the discussions of the Twentieth American Assembly at Columbia University October 1961. The eight chapters, each prepared by a different author considered by the editor to be especially well qualified in that particular field, provide an excellent summary of the various aspects of the impact of outer space exploration on society. Both the present and the next twenty years are considered. The technical, economic, military and legal problems posed by Outer Space exploration are presented for consumption by a general audience. The task of government, possible peaceful uses, problems of international cooperation, and public policy considerations are also briefly analyzed in a manner easily understood by the lay reader. The discussion of the status of solutions to the technical aspects of space exploration and some factors to be considered in the development of US policies for space activities are particularly informative.

Recommendation: It is recommended that *Outer Space* be added to both the CMRL and the USAWCRL. It provides coverage for an area of vital importance which is not presently covered by either list hence is not properly a substitute for any book presently on the list.

Claude, Inis L. *Power and International Relations*. New York; Random House, 1962. (JX1395 C 55); reviewed by Col. J. G. Kalergis.

This book is a study of the problem of the management of power in international relations. As used by Inis L. Claude, power denotes a military capability; that is, specifically those elements which contribute directly or indirectly to the capacity to coerce, kill, and destroy. Mr. Claude points out that the management of power is the real issue in the world today.

As expressed in this book the theory of international relations contains three basic concepts which may be regarded as relevant to the problem of the management of power balance of power, collective security, and world government. In his book, Mr. Claude examines, compares, and evaluates these three basic concepts as theoretical approaches to the problem of the management of power in international relations.

On balance of power the author concludes that while the suitability of the world for the operation of the balance of power system has been steadily diminishing for well over a century, the system still exists today by default since efforts to replace this system have only introduced modifications of its operative mechanisms.

Collective security is examined as an alternative to balance of power with the conclusion that while the urge to create a system of collective security has been discarded, the doctrine has left a considerable deposit.

World government as a monopoly of power, a concept associated with World War II, and the subsequent Cold War period are evaluated as a progression toward centralization of the international system. The author concludes that the theory of world government does not in itself answer the question of how catastrophic international conflict can be avoided.

The Obligations of Power: American Diplomacy in the Search for Peace. By Harlan Cleveland. 168 pages. Harper and Row, Publishers, 1966. $4.50. Reviewed by LTC William I. Gordon.

A former Assistant Secretary of State for International Organization Affairs and, presently, US Ambassador to NATO, Harlan Cleveland is eminently qualified to write this review of and forecast for US policy: "an up-to-date way for American citizens to think about the use of American power in a world of disorder and diversity." Ambassador Cleveland, as he puts it, has been "privileged to watch the management of US foreign policy from close at hand . . ." Though short, and very readable, the book presents more than a viewpoint; it contains a wealth of substance in a field of interest to all Americans. It traces the spirit of the American people which has driven us to "place our power in the service of a world of diversity." This is the opposite of imperialism and, as a policy, it is the source of the tremendous strength of our position in the world. And we're not yet stretched, though many of our citizens have expressed concern about our ability to "police the world." We have no idea of how strong we really are, and how much we can do. This, as Ambassador Cleveland notes, is a world of small wars and our power gives us some responsibility for peace everywhere. "The price of power is involvement. . . . The alternative to world war, it seems, is not world peace. It is a world full of small wars and rumors of wars."

But do we have to be involved? The answer is, "yes,". Because we do not want to use our ultimate power, we must constantly be using more limited power. We are too large and powerful to hide.

The remainder of the book traces US success in the Cold War, recommends some lessons for crisis management, discusses the means by which we must search for peace, analyzes the peacekeeping abilities of the UN and the usefulness of development assistance, and addresses the problems of China in the UN and nuclear proliferation. He ends with a list of seven points to teach an American youngster which, essentially, add up to the concluding sentence of the book: "The wave of the future is still the open society—and the engine of that society is still the open mind of the free individual."

Clubb, O. Edmund, *20th Century China*. New York: Columbia University Press, 1964. (DS774 C55); Reviewed by Col. W. R. McCutchen.

The author, a former Consul General in Peiping and presently a lecturer in Chinese history, describes his book as a "political history" of China in the twentieth century—an attempt to recount the development of present day (1962) Communist China out of the circumstances surrounding the end of the Manchu dynasty, the Chinese Revolution of 1911 and the collapse of the Confucian order the "war lord" era and the right-wing Nationalist interregnum, and the consolidation of power under the Communists.

Mr. Clubb maintains that the Chinese Communists are Chinese first and Communists only second. In other words, their thoughts and actions are shaped more by China's past history than by a faithful adherence to Marxism-Leninism. He finds a parallel between Mao Tse-tung's autocratic, anti-feudal rule and that of Ch'in Shih Huang-ti, the first emperor of China in 250 B.C. Also, Mao's ideas of socialism are strikingly similar to those used in China 1800 years before Marx. Thus, the present-day rulers of China are true proponents of the "Middle Kingdom," with unchanging ideas of China as the ruler of a vast empire surrounded by vassal states. Communism, rather than Confucianism, serves as a more suitable cloak of legitimacy in today's world to control the Chinese people.

The kaleidescopic changes in China's political history, particularly in the war lord era, are difficult to follow at best. Unfortunately, the author does little to help the reader through this maze. Sun Yat-sen is seen as a shadowy opportunist, who is remembered more for his Three Principles than for any concrete political accomplishment. Chiang Kai-shek is portrayed as a right-wing, blundering militarist and an embarrassing ally of the United States.

Cross, James E. *Conflict in the Shadows.* New York: Doubleday, 1963. (U240 C71); Reviewed by Col. P. D. Phillips.

The galley proofs of *Conflict in the Shadows—The Nature and Politics of Guerrilla War* were furnished to the Commandant by the publisher. This is a very fine, solid book on counterinsurgency, not because there is too much new, but because the author writes clearly, concisely, completely, and colorfully. This short volume covers adequately the underlying social, political, and psychological facets of insurrection but with emphasis on the military. Some national policy implications are discussed in the last chapter.

Deitchman, Seymour J. *Limited War and American Defense Policy.* Cambridge: M.I.T. Press, 1964. (UA23 D38); Reviewed by Lt. Col. A. J. Hughes.

This book offers an up-to-date and very comprehensive analysis of limited war including a history of such wars over the past 20 years, the kinds of limited wars likely to face the United States, and the areas and environments where they may be fought. It considers tactical nuclear weapons, battlefield mobility, tactical air support, command and control, force structure, and the impact of technology on limited war. Comparative tables are used throughout the text with good effectiveness.

The author points out that our military and economic strength and our network of free world associations tend to demand US participation in the anti-Communist struggle. He holds that our current position of leadership leaves the United States no alternatives. He stresses, too, the importance of improving responsiveness and reducing the overall limited war threat. The book examines the issues to be resolved and alternatives available in bringing US military capabilities into consonance with US foreign policy in various parts of the world.

This is a carefully written, complete, very worthwhile study of the problems of limited war. The book is particularly timely.

Fainsod, Merle. *How Russia Is Ruled.* Rev. ed. Cambridge, Massachusetts: Harvard University Press, 1963. (JN6531 F3 1963). Reviewed by Colonel L. R. Seibert.

The first edition of *How Russia Is Ruled,* published in 1953, is generally acknowledged to be the most authoritative and comprehensive single English language source book on the political and social structure of pre-Khrushchev Communist Russia. The only weakness of the 1953 edition—lack of coverage of the Khrushchev era—has been corrected in this revised and enlarged 1963 edition, which includes a discussion and analysis of events through December 1962.

One of the outstanding features of the earlier printings, retained in this edition, is the method of presentation: a unique arrangement of material into four sections and seventeen chapters, all self-sufficient yet complementary. Each section and each chapter stand alone as a complete essay, yet fit neatly into the whole. This arrangement facilitates the efficient utilization of the book as a reference source in any examination of the various aspects of the Soviet Russian social experiment.

Part One is essentially a historical analysis of those forces, factors, and events which caused the Russian Revolution; of the Bolshevik takeover of the Revolution; and of the subsequent transformation of the character of the Communist regime under Lenin, Stalin, then Khrushchev. This entire section, particularly Chapters 2 and 3 which deal with Bolshevik theory and practice as applied to the Revolution, merits careful analysis by those who wish to gain a better understanding of current Communist revolutionary doctrine. The amazing success of Lenin's strategy, since repeated many times on a smaller scale, can perhaps be more fully appreciated when one considers that with a force roughly the equivalent of the population of Carlisle, Pennsylvania, Lenin seized control of the Revolution, and subsequently of a nation of 150,000,000 persons.

Part Two deals with the Party, particularly with the evolutionary changes regarding the role of the Party in theory and practice. Although every chapter in this section contains a wealth of information, valuable in attaining a better appreciation of Party principles and methods, War College students should find Chapters 5, 7, and 10 particularly helpful in gaining an understanding of the role of the Party and of the nature of those men who have led, and are now leading, the Party. In this connection, Fainsod demonstrates that although many of the tenets of the Party have been modified—even reversed or abandoned—over the years, there are certain fundamental doctrines which no leader has as yet had the temerity to openly defy. Put another way, although tactics may change daily and strategy may change yearly, the goals and objectives of the Party have remained constant. Fainsod's analysis should prove helpful to students in determining the Soviet national purpose.

Part Three examines the organizations and instruments employed by the Party in maintaining control of the state. Here again, Fainsod demonstrates the constancy of goals and objectives as opposed to the gradual evolution in strategy and tactics. If Khrushchev has rejected Stalin's strategy of terror, it is only because he is convinced that he can achieve better results using other means. He has shown little reluctance to revert to Stalinist methods—as in the repeal of his "judicial reform" laws, or in ordering armed intervention in Hungary—when lesser control measures have failed. Khrushchev's "benevolent" leadership does not indicate any willingness to relinquish absolute Party control of the domestic or satellite populations, in Fainsod's opinion. Although Chapters 13 and 14 of this section are particularly applicable to War College students, the entire section merits careful perusal.

Part Four is devoted to an analysis of the impact of Party controls on industry and agriculture, and of the problems and tensions arising therefrom. The final chapter, completely rewritten for this edition, is devoted to an appraisal of the Soviet political system. It contains, in essence, a brief review of Parts Two, Three, and Four, with commentaries on current problems and future prospects. This chapter, in my estimation, is the highlight of this consistently outstanding book; a "must" for all War College students and faculty.

Fifield, Russell H. *Southeast Asia in United States Policy.* New York: Praeger, 1963. (DS518.8 F5); Reviewed by Lt Col J. F. Ladd.

Russell H. Fifield, Professor of Political Science at the University of Michigan, has written a significant and comprehensive digest of far more than the policy theme which the title of his book implies. South east Asia runs as a core throughout the study, but the author reaches deep into the Far East, South Asia, and Australia to tie together the historical and current aspects of social, cultural, political, economic, and military pressures which have influenced the region. In addition to providing an analysis of United States policy toward Southeast Asia, this book considers and weighs US objectives, doctrines, and tactics associated with that government's efforts to create area stability and viable independent governments within the mantle of that stability. Critical problems that confront the United States in Southeast Asia are realistically brought to the fore. In many instances, however, problem areas are not developed to expose the frustrations and complications which inhibit Western-oriented solutions to essentially oriental problems. This book is, nevertheless, an excellent vehicle for the military reader to use in reviewing the southeast Asian situation and provides a solid springboard of thought-provoking information from which further related study and analysis can be launched.

Calula, David. *Counterinsurgency Warfare: Theory and Practice.* Foreword by Robert R. Bowie. New York: Frederick A. Praeger, Inc. 1964. 143 pages. $4.50.

Although guerrilla warfare and revolutionary activities have been well recorded and documented, the methods of combatting insurgency have for the most part been neglected. This well written, well organized, relatively short book tends to answer this need. It tells the other side of the story. It goes into the causes of insurgency and stresses the point that the main idea, or the action often lacking, is the need for building a political machine from the grass roots population upward.

The author's theme is that revolutionary wars are political in nature and thus can be won only through political means. Obviously the military are involved, but a pure military victory will not remove the causes of insurgency nor bring about a lasting settlement.

The book presents a step-by-step politico-military approach to defeating insurgency and is timely and thought provoking reading for the military person.

Gilpin, Robert and Wright, Christopher, eds. *Scientists and National Policy-Making.* New York: Columbia University Press, 1964. (Q127 U5G5); Reviewed by Lt Col A. J. Hughes.

Eight authorities in science and political science, besides the two editors, discuss concisely, critically, and not always in accord, the role of scientists in US policy-making. They endeavor to determine in what way and to what degree the involvement in advisory, administrative, or diplomatic capacities of scientists needs to be reduced, altered, or augmented to meet today's changing problems realistically and constructively.

One of the messages portrayed in the book is that scientists and politicians are gaining more mature concepts of each other. The book also assesses the actual role scientists have played and ought to play in the formulation of government policy.

The authors provide good coverage of the scientific establishment, scientists and politics, the President's Scientific Advisors, scientific strategists, and other related areas. The book provides the military reader a comprehensive, timely look at the impact of science and technology on U.S. governmental operations, decision-making and foreign policy.

Halperin, Morton H. *China and the Bomb.* New York: Praeger, 1965. (JX1570.5 H3); Reviewed by Col M. Goldenthal.

This is a timely treatment of a critically important subject which probably portends a shift in the present fabric of national power relationships. Mr. Halperin is particularly effective in his clear analyses of (1) the antagonisms and mutual suspicions which have existed between the US and Red China; (2) how and why Red China developed the "bomb"; and (3) Red China's nuclear potential and strategy.

Unfortunately, Mr. Halperin's attempts at establishing guidelines for American policy and at analyzing the implications of Red China's nuclear capability are understandably less lucid. Both attempts rather hurriedly enunciate the many variables involved and raise more questions than are answered. These variables are more or less painfully obvious and the author's academic treatment points out the various alternative opportunities in formulating US policy. In short, Mr. Halperin is excellent in treating the past but somewhat less authoritative with the present and future. However, at least he has collected most of the current ideas and views on this vexing problem in his short book.

Decision-Making for Defense. By Charles J. Hitch. 78 pages. University of California Press, Berkeley and Los Angeles, California, 1965. $2.95; reviewed by LTC William I. Gordon.

In January 1961, Charles J. Hitch was appointed Assistant Secretary of Defense (Comptroller) by President Kennedy with the mandate to organize the financial management system of the Defense Department in terms of meaningful program entities—to enable the Secretary of Defense to look at the defense program and budget in terms of major military missions.

As Mr. Hitch points out, the financial management system not only must provide a budget in a form acceptable to the Congress but it must also "provide the data needed by top management to make the really crucial decisions, particularly on the major forces and weapons systems needed to carry out the principal missions of the defense establishment." Programming, a new function, and one that provided a bridge between military planning and the budget, was Mr. Hitch's contribution to the system.

The book is a composite of four Gaither Memorial Lectures delivered by Mr. Hitch at the University of California. The first of the series traces the evolution of the national military establishment from 1789 to the beginning of the Kennedy Administration. The second and third describe the purposes and functioning of programming and the application of the techniques of cost-effectiveness studies to decisionmaking. Finally, in the last chapter, the book attempts to evaluate these innovations and to defend, in particular, the device of the "cost-effectiveness" study against the not infrequent criticism leveled against it since 1961.

The book is an excellent primer for those who would understand the present system of defense management and, as such, can provide an interesting introduction to any military and civilian personnel who will be entering the Pentagon for their first assignment in those busy halls.

It is unfortunate, however, that it does not provide answers to the many questions concerning the effectiveness of systems analysis or whether and how this technique has been applied by the top defense management in arriving at the far-reaching decisions of the past four years.

The Common Defense. Strategic Programs in National Politics, by Samuel P. Huntington. 500 pages. Columbia University Press. 1961.

To paraphrase the author, this book examines not what military policy ought to be, but what it has been and why. Its focus is on the strategic aspect of that policy during the period from 1945 to 1960.

The New Look, NSC 68, The New New Look, the "remainder method" of budgeting, interservice rivalries—all of these and numerous other aspects of military policy are examined in this scholarly and objective work.

The portion which probably is of greatest interest to the professional soldier examines the political processes involved in the development of strategic programs. Such diverse subjects as lobbying and an explanation of how the executive actually legislates strategic programs give an insight into strategy making, which could not be gained except by participation in the highest levels of government.

The book also analyzes in detail our development of different programs, examines four of these (strategic deterrence, European defense, continental defense, and limited war), studies the influences on fiscal policy, and closes with thoughts on the period "beyond deterrence."

Some statements in the book will make the professional soldier uncomfortable. Some are open to question, if not outright argument. But the reader will find it difficult to find fault with either the reasoning or the detailed research of the author.

This book will be of interest to those who have served, are serving, or will serve on a high-level staff.

Decisive Battles of World War II: The German View. Edited by Hans A. Jacobsen and Jurgen Rohwer. Introduction by Cyril Falls. Translated from the German by Edward Fitzgerald. 509 pages. G. P. Putnam's Sons, New York, 1965. $10.00; reviewed by Col. D. P. Boyer, Jr.

Dedicated to Frederick the Great's maxim, "Experience is useless unless the right conclusions are drawn from it," ten German historians—some of them distinguished military commanders in World War II—have prepared a distinguished contribution to field of military history. Each writer has concentrated on one of ten selected battle-campaigns: Dunkirk, the air war over Britain, Crete, Moscow in 1941, Mediterranean in 1942, Stalingrad, U-boat campaign of 1943, Normandy, collapse of Army Group Center in Russia in 1944, and the Ardennes ("Battle of the Bulge").

By far the most readable, in the opinion of this reviewer, of various accounts by German authors on the conduct of World War II, each campaign study is concluded with a summary of what we in the US Army term "Lessons learned." Of interest to a War College reader is the attention given, not alone to the tactical conduct of the campaign and the influence of Hitler, but to the controlling elements of geography, political systems, resources, and—above all—to the necessity for accurate intelligence.

This authoritative and objective volume should be read by every serious student of World War II.

Kaufmann, Willim W. *The McNamara Strategy.* New York: Harper & Row, 1964. (UA23 K281); reviewed by Lt Col N. A. Parson.

The McNamara Strategy is an excellent detailed narrative account of the changes which the nation's leaders have made in the Department of Defense since the beginning of the Kennedy administration. The emphasis is on Secretary McNamara's actions and the rationale behind his actions. The book is rather biased in favor of the administration and Secretary McNamara specifically. The author, often in the Pentagon on a consultant basis, voluntarily submitted the manuscript to the Defense Department for clearance; the result is a description of a McNamara who can do no wrong.

The author first describes developments prior to 1961 and the situation which existed when Secretary McNamara took office. The second chapter discusses the "search for options" to present the communist world with an effective response to any form of aggression. NATO problems and the Secretary's actions with respect to them are then presented in considerable detail. A chapter entitled "The Long View" follows, presenting the long term considerations of Secretary McNamara with respect to nuclear power, buildup of conventional forces, arms control, and research and development. Chapter 5 describes with remarkable clarity and simplicity the system of planning and budgeting (almost synonymous terms to McNamara) which was estabilshed. A rigorous technique of weighing cost against effectiveness, not to establish a budget ceiling but to establish an adequate military force, is now a way of life in the Pentagon.

Following a most interesting narrative of the political controversy which Secretary McNamara's changes have created, the author attempts to prove how effective these changes have been in the international arena—and with some success. The final two chapters point out some of the defense implications of the future, a future dominated by a brilliant, dynamic Secretary of Defense.

The book depends heavily upon quotations from Secretary McNamara's speeches and congressional sessions. Some direct interviews and extensive staff interviews are also relied upon. Although the book is entirely sympathetic to Mr. McNamara's point of view, it is the most complete and succinct discussion of the Secretary's actions and the reasons behind them on the market.

Problems of National Strategy. Edited by Henry A. Kissinger. 477 pages. Frederick A. Praeger, New York, 1965. $8.50; reviewed by LTC D. E. Fowler.

Dr. Kissinger, the eminent Professor of Government at Harvard University, has carefully compiled an anthology of readings on basic national security policy which can be of great value to both the serious student of national strategy and the lay reader.

In presenting viewpoints on both sides of key issues, Dr. Kissinger provides a better than fair representation of governmental, scientific and academic thought on the major defense policy problems confronting the United States today.

The book is divided into five parts; each with an introductory chapter, written by Dr. Kissinger, that serves to clarify the issues that will be discussed. The five areas covered provide a brief outline of US problems: Strategic Doctrine and American Defense Policy; Alliances in the Nuclear Age; Neutrality and the Problem of Insurgency; the Control of Modern Weapons, and; National Security Policy and Governmental Organization. The authors of the 25 articles are eminently qualified to write in these areas, and include such experts as: Kahn, McNamara, Enthoven, Schelling, Buchan, Gallois, Kennedy, Rusk, and Teller.

Dr. Kissinger completes his masterful assembly effort by prefacing each article with an introduction to the author and an analysis of his thesis.

In all, the book is recommended reading for anyone, student or dilettante, interested in the real problems of national strategy facing the United States.

Kissinger, Henry A. *The Troubled Partnership; A Re-appraisal of the Atlantic Alliance.* New York: McGraw-Hill, 1965 (JX 1987 A41K44); reviewed by Col S. V. Titterud.

The Troubled Partnership is the first book of the Atlantic Policy Study undertaken by the Council on Foreign Relations. The study deals with the future of the Atlantic Community and examines United States relations with and policies toward Western Europe. Dr. Henry A. Kissinger, author and lecturer in the fields of national and international politics, Professor of Government and a faculty member of The Center of International Affairs, Harvard University, presents a well-argued and illuminating reappraisal of the Atlantic alliance.

The book examines the changes of thinking that have occurred since the development of the Atlantic relationship and gives a background on problems of deterrence and alliances of this community. President de Gaulle's policies are assessed in comparison to those of the United States in order to give a better understanding to the overall problem facing Western Europe. A critical appraisal is made of the MLF. Kissinger says that the most important lesson learned regarding the MLF is not to try to solve political problems with technical expedients. He proposes an allied nuclear force with certain limitations and a united Europe through a partnership. He further argues that the Atlantic Community cannot have a dominant partner as they have had—"it is the community rather than American control which is the best cohesion of the alliance."

Kulski, Wladyslaw W. *International Politics in a Revolutionary Age.* New York: Lippincott, 1964. (D843 K8); reviewed by Lt Col D. E. Fowler.

This new text on international relations is one of the most "readable" to the nonprofessional political scientist that has been published. Professor Kulski has succeeded admirably in his effort to cover the international relations spectrum by an eclectic approach for the nonspecialist and the practitioner. His introduction contains a concise historical view of the field of international relations, foreign policy, contemporary paradoxes, and also defines key terms of the profession. The remaining chapters cover military strategy (including disarmament), alliances, the nation-state and nationalism, national power, the East-West conflict, international law, morality and public opinion, economic tools, international organizations (not solely the UN), diplomacy (including propaganda), and an extensive discussion of the developing nations (3 chapters). This last topic includes racism, demography, economic and social factors, colonialism, urbanization, industrialization, and foreign aid.

The material in the book provides a basic understanding of international relations—the book is a primer in international politics. The categorized table of contents along with two indices, one by place-names and one by subjects, facilitates reference. There is an extensive bibliography arranged by function.

Prof. Kulski spent 17 years in the Polish Foreign Service, 4 years as a professor at the University of Alabama, and since 1951 has been a professor at Syracuse University. He thus writes as both an academician and an experienced diplomat.

Lerner, Max. *The Age of Overkill; a Preface to World Politics.* New York: Simon & Schuster, 1962. (D843 L43); reviewed by Col. A. W. Masters.

This book is an important scholarly work which reflects tremendous depth of research, excellent analytical logic, and a degree of intuitive perception not normally found in political tomes. As the subtitle suggests, the book is a reflection of Mr. Lerner's belief that the old political order is dead and a new political world order is evolving. The author focuses specifically on broad military, social, ethical, and political forces and relates these forces to what could be the world of tomorrow. For this he coins the word "possibilism."

The thesis of the book is that the transition to world order is the only alternative to world destruction. This thesis, of course, has been supported by many other scholarly works which have been published since 1625. To Mr. Lerner's credit is the fact that he supports his judgment with a logic of reality rather than with a logic of emotionalism. The author calls on knowledge in depth of all the major academic disciplines. Further, he recognizes and exploits the ideas found in the arts and mythology. Throughout you sense Mr. Lerner's skill as a practicing journalist who knows people of all type and who knows intuitively how they will react in various situations.

In summing up, Mr. Lerner dips into psychology projected on a world-wide basis to determine in his mind whether civilization as a whole will fulfill a "death wish" or whether it will follow the opposite emotional drive toward accommodation to sustain life. Happily Mr. Lerner believes the latter will occur and that not only will civilization survive but also that man will move beyond the power principle in politics to a point where controlled power will find its place as a tool to insure world order and the good life for the majority of the people in it.

The prose in this book is lyrical in a sense and throughout Mr. Lerner's tremendous skill in using applicable metaphors and aphorisms greatly enhances the pleasure in its reading.

Nehemkis, Peter. *Latin America: Myth and Reality.* New York: Knopf, 1964. (F1408 N4); reviewed by Col. P. L. Bogen.

Throughout the book the impact of the world power struggle and the importance of developing areas is presented in objective yet stimulating manner. The restrained thoroughness with which opposing forces are analyzed and opposing points of view presented makes this a model of academic objectivity.

The style is a pleasing blend of personalized analysis, concise factual reporting, and shrewd analysis. "Latin America, Myth and Reality" presents a comprehensive review of the history and development of Central and South America. It is a fine blend of historical and current fact and thoughtful political, sociological, and economic analysis. Full consideration is given to the military situation, implications, and role in the area.

Osanka, Franklin M., ed. *Modern Guerrilla Warfare; Fighting Communist Guerrilla Movements, 1941–1961,* New York: Free Press of Glencoe, 1962. (U240 08); reviewed by Lt. Col. C. L. Steel, Jr.

Modern Guerrilla Warfare is a symposium of writings on major guerrilla activities worldwide during the last twenty years. The book is organized in three parts with the first being a review of guerrilla warfare in the past and its modern strategic uses; the second being a world coverage on the application of guerrilla principles; and the concluding section dealing with counterguerrilla procedures and policies. The introduction by Huntington is particularly noteworthy in that he gives comprehensive classification of wars and warfare of today and tomorrow. A bibliography is included with over 600 references and represents perhaps the finest bibliography on this portion of the spectrum of warfare. Present American policy is well covered by Presidential Advisor, W. W. Rostow, whose article stems from a graduation address given at the Army Special Warfare Center at Fort Bragg in 1961 and which has been reproduced in many different publications. The worldwide coverage is particularly interesting in that it vividly portrays both the common characteristics and the facets which are peculiar to a given country or region.

Although the general reader may not be interested in all the articles, he will certainly find ample food for thought on this most vital subjects in today's cold war.

Padelford, Norman, J., and Lincoln, George A. *The Dynamics of International Politics.* New York: Macmillan, 1962. (JX1308 P281); reviewed by Col. R. W. Schafer.

The authors consider the subject of international relations as an involved, active, and ever changing field of study. They have divided their analysis of international relations into five major subdivisions, the first of which depicts the setting of international politics today. Here, in providing the basic ingredients of international relations, the authors discuss the nation-state system, the balance of power system, bipolarity, international organization, and new forces such as nationalism and technology which are having a profound effect on the international order. They also establish their approach to international politics as essentially a pragmatic examination of the present, looking for the various pressures which affect the actions and interactions of states.

The second part of the text examines major social, economic, and political factors, e.g., population, geography, technology, economics, psychology, ideology, nationalism, imperialism, colonialism, and the quest for security, which cut across the patterns of states and their relationships. Part Three directs attention to the nature and role of foreign policy and to the political processes by which the United States, parliamentary democracies, and Communist nations evolve their foreign policies. Part Four analyzes the use of diplomacy, armed force, economic actions, and psychological tools as instruments by which a state executes its plan of action in the pursuit of its national goals. In the final section of the text the authors deal with the formalized aspects of the world order, assessing the role of international law in the world today and discussing both the universal approach to world organization, principally the United Nations, and the more limited groupings of states, e.g., NATO.

This volume is a well-balanced text on the principles of international relations, and its information is presented in an interesting and challenging manner.

Pogue, Forrest C. *George C. Marshall: Ordeal and Hope, 1939–1942,* New York: Viking Press, 1966. (E745 M37P6 v. 2); reviewed by Col. G. S. Pappas.

This second volume of Pogue's biography of General of the Army George C. Marshall is of particular interest and value to the professional soldier. Covering the period from 1939 to 1942, the book constantly points out ways by which Marshall tried to prepare the small United States Army for its future involvement in the war, involvement which was obvious to every serious-thinking American of the time. His diplomatic liaison with Congress and other executive branch officials, his negotiations with British officials, his concern over economic effects of increasing the armed forces, his problems with temperamental subordinates, his efforts to program Army growth—each of these, and all, teach a military lesson to the reader. The preparations for the North African landings, discussions about the eventual invasion of Europe, and the worries of the Pacific theater also add to the value of the work. This book is a must for the reading list—the biography, when completed, will rank beside Freeman's "Robert E. Lee" as one of the finest of the century.

Africa: A Foreign Affairs Reader, synopsis by Col. H. W. Lange; edited by Philip W. Quigg; published by Frederick A. Praeger, Inc., New York, 1964.

This edition of 24 selections, by different authors, presents articles which have appeared in *Foreign Affairs* over the past 40 years—1924 to 1963.

It is intriguing to read items from a period seemingly so remote and to view their relationship to known events. The selections are spread: a few in the 1920s, a few in the mid-period, and most in the latest decade.

The division of Africa among European nations did not seem open to challenge—it was either first come first served, or else the lion's share to the boldest and strongest.

Yet in the span of the articles in this book the discussion of African affairs and the points of reference have changed. The different colonial systems—regardless of their merit—had reached an end. A virtually bloodless transformation, without precedent in the growth of numerous new states, has occurred.

The authors contributing to *Foreign Affairs* were truly free to write as they saw fit and to present diverse opinions. The magazine accepted articles with contradicting points of view—each with elements of truth—and the reader may thereby apprehend the political forces which will be shaping Africa in the future.

The subjects mostly concentrate on "Black Africa" and especially on the political and social aspects. Contrasts between the English and French colonial procedures, viewed by the colonialists themselves and now analysed by scholarly commentators or critiqued by the incumbent African leaders, are clearly instructive.

For the specialist in African affairs certain of the articles provide a most valuable explanation of the racial and tribal foundations to the regional problems.

"American Strategy: A New Perspective." By Urs Schwarz. Doubleday and Company, Inc., 1966. $4.50. Reviewed by LTC D. E. Fowler.

This book presents a very interesting and balanced study of the growth of strategic thinking in the United States as seen by the foreign editor of a Swiss newspaper. In the first third of the book, he traces the history of United States strategic thought through both World Wars, providing an excellent insight into the traditional sharp division between policy (or politics) and military affairs. The remainder of the book is devoted to the significant trends in United States strategic thinking down to the present (1966). He explains in very clear terms various aspects of our current strategic thought and the contributions that the leading individual writers have made to debate. He concludes by stating that NATO has failed primarily because European thinkers and leaders have failed to keep pace with and to understand the strategic theories and concepts advanced by the United States for the common defense of the North Atlantic Community.

While this small book (178 pages) is not, in my view, "a comprehensive study on the growth of strategic thinking in the United States of America" (as inferred by the author), it does provide a very fine over-view of the subject.

Warren, Sidney. *The President as World Leader*. Philadelphia: Lippincott, 1964. (JX-1416 W34); reviewed by Col. W. R. McCutchen.

Although the United States has become one of the major world powers in the Twentieth Century, the nation has assumed its role of world leadership with reluctance. The men who have occupied the office of the President during this period have played the major part of shaping American foreign policy during this period of halting transition from traditional isolation to intimate involvement in world affairs.

This book is a story of these men, from Theodore Roosevelt to John F. Kennedy. It is also an analysis of that foreign policy which they were chiefly responsible for creating and carrying out. Along with the changing role of the United States in world affairs, there were fundamental changes brought about in the nature of the Presidency itself. The author also shows clearly the interpretation each President made of the responsibilities and prerogatives of his office.

This is an informative and often dramatic account of modern United States history, focused as it is on the President as the chief actor. It is probably the first major treatment of this history in this manner.

"Soviet Strategy at the Crossroads." By Thomas W. Wolfe. 342 Pages. Harvard University Press, Cambridge, Massachusetts, 1964. $5.95. By Lt. Col. William I. Gordon, Inf.

On November 26, 1964, the Soviet Union disclosed the appointment of Marshal Matvia Zakharov as Chief of the General Staff, restoring him to a post he held for the three years prior to February 1963.

Zakharov, who is one of the conservative members of the Soviet Defense establishment, was a victim of the Khrushchev-Malinovsky battle over defense strategy which has been waged behind the Kremlin walls for the past several years.

The issues were clear-cut. Khrushchev was an advocate of qualitative military superiority over the West, believed that any future war must be short and would be won or lost in the first nuclear exchange, that the advent of thermonuclear weapons made any kind of confrontation with the United States foolhardy and dangerous and demanded political and Party primacy over military matters.

Malinovsky, the Defense Minister, is the leader of the conservative military group which urged quantitative as well as qualitative superiority over the West, pressed for the retention of massive armies to fight protracted wars, sought a greater measure of military autonomy in basic policymaking and looked upon excessive Party-political intrusion into military affairs as a threat to military effectiveness.

Thomas W. Wolfe, a retired Air Force officer and now a senior staff member of the Social Science Department, The RAND Corporation, has traced the debate between Khrushchev and his military leaders as it has been revealed in a wealth of Soviet source material.

Khrushchev had appeared to be winning the battle and his replacement of Zakharov with Marshal Sergei Viryusov (a Khrushchev adherent and rocket expert) was one illustration of his success. (Viryusov was killed in an airplane crash in Yugoslavia in October.)

The final blow to the conservative forces appeared to be the Soviet budget published in December 1963 which reduced the military forces and gave a major share of national resources to consumer industry.

How much this blow to the military affected Khrushchev's ouster is not yet known. But the restoration of Zakharov to his high post may indicate a vindication of Malinovsky's position. The future course of Malinovsky's fortunes is still in doubt, however, and Mr. Wolfe has done us all a service in his clear and well-documented analysis of the debate. Soviet strategy is still at the crossroads. Which path it takes is of the greatest concern to the Free World.

MEMORANDUM No. 621-4[1]

U.S. ARMY WAR COLLEGE,
Carlisle Barracks, Pa., January 10, 1966.

EDUCATION AND TRAINING

Reading list panels

Pursuant to paragraph 4, USAWC Memorandum 28-1, dated 28 June 1963, the Reading List Panel to select books to be recommended for inclusion in the USAWC Reading List and the Department of the Army Contemporary Military Reading List is appointed to meet at the call of the chairman. The panel will be constituted as follows:

Lt. Col. W. I. Gordon, ODI&R, Chairman.
Col. R. B. Rigg, USACDCIAS, Member.
Col. R. K. Jones, DEPMILPLNG, Member.
Col. D. S. Bussey, DEPSTRATAPRSL, Member.
Mr. A. J. Blanchard, Library, Member.

For the Commandant:

WILLIAM J. GALLAGHER,
Colonel, Artillery,
Secretary.

Distribution: Z.

THE UNITED NATIONS: THREAT TO SOVEREIGNTY?

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RARICK. Mr. Speaker, the Alabama Legislative Commission To Preserve the Peace has recently compiled a study and commentary on the possible threat posed by the United Nations Organization.

An informed people are the greatest bulwark against tyranny and oppression and despotism, and I feel our colleagues will find the Alabama study both alarming and informative.

Mr. Speaker, I insert the complete text of the study and commentary in the body of the RECORD:

THE UNITED NATIONS: THREAT TO SOVEREIGNTY?

(A Study and Commentary by the Alabama Legislative Commission To Preserve the Peace, submitted August 1967, to Alabama Legislature)

Commission members: Senator John H. Hawkins, Jr., Chairman; Representative Ira D. Pruitt, Vice-Chairman; Senator James S. Clark; Representative W. M. (Monty) Collins; Representative Robert C. (Bob) Gafford; Edwin Strickland, Staff Director.

FOREWORD

The Legislature of Alabama, in its 1966 Regular Session, directed that a study be made by the Alabama Legislative Commission to Preserve the Peace into the possible threat posed by the United Nations, its charter and its operation, against the sovereignty of the State of Alabama and of the United States.

Pursuant to this directive, we have utilized all sources and research material available to us in assessment of this threat.

When the United Nations was organized in San Francisco in 1945, following the close of World War II, the American people, tired of conflict, accepted its promise as an instrument of peace. Few people realized at that time that much of the pre-planning for this meeting was done in Moscow, Russia, or that an American traitor, Alger Hiss, was the chief American architect of this proposed super government.

During the years more and more American citizens, including military leaders, members of congress and persons charged with the security of this nation, have become acutely aware of the threat of the United Nations to the sovereignty and security of this country. J. Edgar Hoover, director of the Federal Bureau of Investigation, has warned repeatedly that we are embracing upon our shores a wellspring of espionage. Repeatedly our government has unearthed spy and espionage rings operating out of the United Nations headquarters in New York. Yet, since these delegates from communist countries enjoy full diplomatic immunity, we can do little except to declare persona non grata those who are apprehended, and to allow them to be replaced by equally well trained communist agents.

Taxpayers of the United States have been placed in the frustrating position of bearing approximately one half the expenses of the U.N. and its various interlocking agencies, while communist countries press for more and more control over American freedoms through exercise of the various charter provisions which supersede our own laws and even constitutional provisions.

We began with the deck stacked against us. As a "have" nation, we stood to lose more, materially, than other U.N. members. As a nation with a proud heritage of freedom, we stood to lose these freedoms while the people of slave nations could not lose what they did not possess.

Today we see most of the members of the U.N. arrayed against the free nations of South Africa and Rhodesia. The United Nations, a "peace" organization, has even planned the invasion of The Republic of South Africa, using American military power and troops. This plan was set forth in detail in what has become known as the "Rand Report" paid for by the Carnegie Foundation.

The influx of "emerging nations" into U.N. membership in recent years has weighted the voting power heavily in favor of communist bloc nations. These unstable nations of Africa look with envy and greed at South Africa and Rhodesia, among the few stable, self-sustaining nations left in that part of the world. The sin of these nations, in the eyes of the U.N., is that they will not submit to takeover by unqualified Negro majorities.

Fresh in the minds of alert Americans is the United Nations fiasco in South Korea, where American troops were under the overall supervision of a Soviet national acting in his United Nations capacity. This was the only war ever fought by American forces in which we were not allowed to bring about military victory, but forced to settle on a communist compromise.

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[1] This memorandum supersedes USAWC Memo 350-2, 19 May 1964. Last series for 1965.

As will be developed in this study. The United States has allowed many of its internal policies, including its racial problems to be dictated by the United Nations Charter.

The threat to the sovereignty of our nation and to the several states of which it is comprised is becoming widely known. And with this knowledge, freedom loving Americans are mounting a determined counter attack upon the source of this threat—The United Nations.

In the interest of brevity in this study, we have refrained from lengthy documentation on many points raised. Source material is available in the office of this Commission Room 332, State Capitol Building.

We claim no expertise on the subject of the United Nations, but we have used the studies from many sources. Special thanks should be extended to Major Arch E. Roberts both for his personal help and the valuable background of documentation contained in his authoritative book, Victory Denied.—Edwin Strickland, Staff Director, Alabama Legislative Commission To Preserve the Peace.

UNITED NATIONS—ITS ORIGIN

On April 26, 1945, representatives of most of the civilized nations of the world met in San Francisco to create an organization of nations which would become a pattern for world government and—it was hoped by its sincere supporters—insure lasting peace to a world long weary of war. The conference was completed on June 26, 1945, with the adoption of the UN Charter.

Before the San Francisco convention, however, much groundwork had been done by various groups in the United States and elsewhere, designed to make the world organization acceptable to the United States, which had, after World War I, rejected membership in the League of Nations.

For a period of approximately three years before the actual formation of the United Nations, there was conducted in the United States a full-blown, expensive campaign to overcome the natural objections of a free and powerful nation to giving up of its national sovereignty.

In 1941, there was organized a group called the International Free World Association, and this group began publishing a magazine called *Free World*. The secretary of this group was Louis Dolivet, who was later identified in testimony before the Senate Internal Security Subcommittee by Louis Budenz as a member of the Communist Party. (see IPR Hearings, 1951–52, P. 562.) Budenz was a high Communist Party functionary who defected and gave valuable testimony to the U.S. Government concerning communist spy networks in America.

The fact that the United Nations was envisioned by its planners as a world government, superseding the sovereignty of nations, was not hidden. On Aug. 6, 1946, the Chicago Tribune published an article concerning the one-world plans of the UN, and headed it "Radicals, Rich Unite To Push World State; Fight Defenders of U.S. Sovereignty."

The Council on Foreign Relations, in conjunction with the U.S. State Department, played an important role in the "conditioning" of the U.S. Congress and public to accept the UN Charter and its restrictions on national sovereignty. This is set out in State Department Publication 3580 (1950) on P. 108. This Subcommittee on International Organization was headed by Sumner Welles, of the State Department. Proving the direct link between the old League of Nations and the United Nations, was the fact that two members of this subcommittee had also served on the staff of Col. E. M. House at the Paris Peace Conference in 1918, at the time of the founding of the League of Nations. They were Dr. James T. Shotwell and Isaiah Bowman.

Before the San Francisco Conference, preliminary meetings were held in Moscow, Russia, in October, 1943, to lay groundwork for the United Nations. The Moscow Conference was attended by the top diplomats of the United States, Russia, Great Britain and by the Chinese Ambassador to Russia. This meeting was held under the cold, calculating eye of Joseph Stalin, and received his blessing.

Later, at Dumbarton Oaks, final plans for the United Nations organization were hammered out. The chief planner at this conference, and later a top aide at the United Nations Convention, was Alger Hiss, who was later to be exposed and convicted as a Soviet spy working inside the U.S. Government.

To fully understand the planning behind the United Nations prior to 1945, we should look more closely at the Free World Association, which had such close ties to our own State Department. The organization, through its publication, *Free World*, made no effort to hide the fact that they were planning a world organization, with powers to enforce international decrees, and that the sovereignty of nations could no longer be allowed to stand in the way of this lofty goal.

One of those most active in the Free World Association was Carlo Emanuel a Prato, who was a member of the International Editorial Board of *Free World*.

For background on Mr. Prato, we quote from the daily CONGRESSIONAL RECORD, July 11, 1950, page A5016:

"Associated in the OWI Division under control of Alan Cranston was an alleged Italian Communist, Carlo Emanuel a Prato, who had been expelled from Switzerland as a Soviet agent, entered the United States on a Czech passport issued to Milan Janota."

An ad in *Free World*, August, 1945, made the following statement:

"This month marks the *Free World's* fourth anniversary. Its first objective—a charter for world organization—is realized. Now we move on toward broader world democracy."

The objectives of the Free World Organization was set out as early as October, 1942, in its publication:

"The creation of the machinery for a world government in which the United Nations will serve as a nucleus is a necessary task of the present in order to prepare in time the foundations for a future world order."

Following the formation of the United Nations, and continuing right up until today, numerous ultra liberal and "left" organizations have been organized around the promotion and defense of the United Nations. One of the earliest of these was United World Federalists, formed on Feb. 22, 1947, by merger of several other organizations interested in world government. These merged groups were Americans United for World Government; World Federalists; Massachusetts Committee for World Federation; Student Federalists; World Citizens of Georgia and World Republic. (N.Y. Times, Feb. 23, 1947, P. 25)

Their statement quoted at that time included the following:

". . . World peace can be created and maintained only under world law, universal and strong enough to prevent armed conflict between nations . . . Therefore, while endorsing the efforts of the United Nations to bring about a world community favorable to peace, we will work primarily to strengthen the United Nations into a world government of limited powers adequate to prevent a war and *having direct jurisdiction over the individual.*" (italics added).

The frankness with which the proponents of one-world government discussed their plans, alarmed many Americans who objected to surrendering our sovereignty, and even the basic right to defend ourselves.

In 1953 the move was made by the UN forces when the World Federal Government Conference met in Copenhagen, and recommended a revision of the UN Charter to provide for the following:

1. That the United Nations be made into a World Federal Government.
2. That there must be universal membership.
3. No right of secession.
4. Complete and simultaneous disarmament, enforced by UN inspection and UN police powers.
5. International courts, world legislature, world executive Council be established.
6. World citizenship through UN Membership, with world law applicable to individuals.

These proposals, if adopted, would have removed all traces of national sovereignty and, by definition, the sovereignty of member states. Implicit with this proposal was the power of taxation of the individual by a world legislature dominated by have-not nations envious of the great wealth and industry of the United States, where resides only six percent of the world population, but which controls half the world wealth and production capacity.

In 1954 another similar conference was held in London by a group known as World Movement for World Federation. Similar proposals were made. The membership and makeup of these two conferences indicated that they were being given considerable weight in official U.S. circles.

It was these blatant movements to end national sovereignty that caused Senator John Bricker to propose his "Bricker Amendment," which would have written into the U.S. Constitution the safeguards against our making of treaties which would bring about world government through treaty law.

The Bricker Amendment, after a long battle, fell just one vote short of receiving the necessary two-thirds majority in the Senate.

Frank Holman, former president of the American Bar Association, wrote of the Bricker Amendment:

"The Amendment is designed to write clearly into the Constitution the simple proposition that treaties and executive agreements shall not make domestic law for the people of this country except by congressional legislation within the constitutional power of the Congress. Then no State Department, now or in the future, would be able, by an international agreement, to authorize or permit the representatives of other nations to have a voice in our domestic affairs and initiate changes in our basic rights as protected by our own Constitution and Bill of Rights."

Holman warned of the dangers inherent in the defeat of the Bricker Amendment in the following terms:

"We must never forget that the issue involved in the Bricker Amendment is the greatest issue which faces America today . . . The Bricker Amendment is a Bill of Rights against uncontrolled 'treaty power.' The issue is the basic issue of whether we and our children are to have a government of men or a government of adequate constitutional safeguards . . . ."

Of course the Bricker Amendment was fought by all the "one-world" organizations and the "internationalists" in and out of government. Among those high in our federal government who led the fight were U.S. Supreme Court Justice William O. Douglas, Sen. Ralph Flanders (R. Vt.), Sen. Hubert Humphrey (D. Minn.), John J. McCloy, former assistant Secretary of War and former

High Commissioner to Germany; Paul G. Hoffman, of the State Department, Thomas K. Finletter, and many others.

Prior to the introduction of the Bricker Amendment, a joint resolution was introduced in the House of Representatives, and passed, having the following wording:

"Resolved by the House of Representatives (the Senate Concurring) that it is the sense of the Congress that it should be a fundamental objective of the foreign policy of the United States to support and strengthen the United Nations and to seek its development into a world federation, open to all nations, with defined and limited powers adequate to preserve peace and prevent aggression *through the enactment, interpretation and enforcement of world law.*" (italics added.) (CONG. RECORD, June 7, 1949, p. 7356–7.)

It is significant that this resolution, which was sponsored by many of the House liberals, called for acceptance of the United Nations as a proper body to *make* international law, interpret international law, and *enforce*, international law.

By February, 1950, the stampede was on by congressmen who had endorsed the world government resolution, to revoke such endorsement. They had heard from an irate public back home.

Rep. Bernard W. Kearney (R. N.Y.) called a meeting of the sponsors of HCR 64, and made the following statement:

"We signed the resolution believing we were sponsoring a movement to set up a stronger power within the United Nations for world peace.

"Then we learned that various organizations were working on state legislatures and on peace movements for world government action under which the entire U.S. Government would be submerged in a super world government.

"Perhaps we should have read the fine print in the first place. We do not intend to continue in the role of sponsors of any movement which undermine U.S. sovereignty. Many other congressmen feel as I do. We will make our position thoroughly clear."

Rep. Kearney had reference to the fact that the world government advocates had gone to the various state legislatures and induced many of them to follow the Congressional resolution, endorsing the UN as a vehicle for world government. A total of 23 states had responded.

Within two years, 18 of the states which had passed the resolution, had rescinded it.

By this time we had gone through the Korean War, in which Russia, a member of the United Nations, had directed a war of aggression against South Korea, and against American and United Nations forces defending South Korea. This was a bizarre and sobering experience for many Americans. They saw the United Nations (largely represented by U.S. forces) engaged in fighting communist aggressors, while the United Nations machinery having direct involvement in the war was under control of a Russian national, and Russia was aiding the communist aggressor forces.

On May 15, 1954, the U.S. Defense Department released an official statement of Russian involvement in Korea. This statement was summarized by U.S. News & World Report (5–28–54) as follows:

"It is the evidence of direct Russian participation in the Korean War . . . it shows, in detail, how Russians planned the Korean attack, built up the forces required, ordered the assault, then directed the communist forces in action . . . you get the evidence, too, of more than 10,000 soldiers and vast stocks of Russian arms used in that "non-Russian" war."

We have examined in some degree how the communist influence exerted by such persons as Hiss, Dolivet and Carlo a Prato, was dominant in the thinking and planning of the United Nations. Other State Department planners with established communist links, such as Phillip Jessup and Dean Acheson, were of nearly equal importance. (Phillip Jessup now sits on the UN World Court as the American representative.)

It is important at this point to show that the American people really had no choice in accepting or rejecting our role in the United Nations.

Dr. James T. Shotwell, another left-leaner, admitted in his book, An Autobiography (Bobbs-Merrill Co., 1961), that it was he who in 1939 set up a group called a Commission to Study the Organization of Peace. He said there were 100 members of the group who met in small committees to study the question.

"This work was, naturally, well known to the State Department. When it set up a small committee with Sumner Welles, the Under-Secretary of State, as chairman to draft a post-war policy, both Clark Eichelberger, of the League of Nations Association, and I were invited to serve on it."

The result of this committee's work, with few revisions, became the Charter of the United Nations, Shotwell said.

But to show how closely it was coordinated with communist world leaders, we again quote:

"The work of the planning committee of the State Department was kept secret until finally, at a conference of foreign ministers in *Moscow* in November, 1943, Secretary Hull *secured the consent of Stalin* to establish a general organization . . . for the maintenance of international peace and security."

This agreement with Stalin resulted in the San Francisco meeting in April, 1945, to draft the UN Charter. That, supposedly, was the beginning of the United Nations. But in a State Department publication, No. 3580, released February, 1950, we find the following references to the United Nations, which supposedly was yet to be born. The report was from the first meeting of an Advisory Committee on Post-War Foreign Policy held February 12, 1942, in the office of Sumner Welles.

"Thought was given to the possibility of informing the public immediately of the establishment and work of the committee. It was felt that the circumstances at the moment, when the United States was being driven back in the Pacific and the *United Nations* cause was suffering on every front, rendered secrecy imperative until a favorable turn in the war . . ."

The work of the subcommittee referred to, the report revealed, established that an international organization should be set up during the war to be ready when needed to create a world political organization.

The political subcommittee which worked out these details was discussed in the report:

"Its discussions throughout were founded upon belief in unqualified victory by the *United Nations*. (Italics ours) It predicted, as an absolute prerequisite for world peace, the continuing strength of the United Nations through unbroken cooperation after the war."

The United Nations was created with a Security Council consisting of 11 members, which has veto power. The five permanent members are the United States, Russia, France, United Kingdom and China. The membership in the other six places is rotated.

A General Assembly of the UN constitutes the other main organ of the organization itself. It is comprised of all the members of the United Nations in good standing, and has no enforcement powers.

The UN, however, quickly set up many specialized agencies to work under U.N. banners in all member countries and in almost every field of human endeavor. Some of the major subsidiary organizations are:

The World Health Organization; The United Nations Educational, Scientific and Cultural Organization; The World Court of Justice; The United Nations International Childrens Emergency Fund; The Economic and Social Council; The Commission on Human Rights; International Labor Organization; Commission on the Status of Women, and many, many others. Subcommittees of these committees are formed in great proliferation. It gives the UN the machinery to interfere or interject its influence into the affairs of any member nation.

One of the most important departments of the United Nations itself is the Department of Political and Security Affairs, a part of the UN Secretariat, and the head of this is appointed by the Secretary-General.

In a letter dated June 24, 1966, the United Nations described the duties of this department thusly:

"This Department provides such services as are required by the Security Council and its subsidiary organs, the Political Committee of the general assembly, the Disarmament Commission, and other bodies set up to deal with matters relating to the maintenance of international peace and security. This includes issuing documentation required, providing secretariat services during meetings, and drafting the annual report. The Department may also prepare memoranda to assist the Secretary-General or in pursuance of resolutions of the United Nations organs.

The post of the Under-Secretary for political and Security Council Affairs has been held by the following people:

1946–49	Arkady Sobolev (USSR)
1949–53	Constantine Zinchenko (USSR)
1953–54	Ilya Tcherychev (USSR)
1954–57	Dragoslav Protitch (Yugoslavia)
1957–60	Anatoly Dobrynin (USSR)
1960–62	George Arkadev (USSR)
1962–63	E. D. Kiselev (USSR)
1963–65	V. P. Suslov (USSR)
1965–67	A. E. Nesterenko (USSR).

Thus, during the Korean War, when the United States was fighting under UN banners in Korea against Russia aggression, the United Nations official in command of military affairs was Constantine Zinchenko, of Russia.

This same department, under Suslov, a Russian, and currently under Nesterenko, a Russian, has been and is in control of present UN plans to overthrow the established government of Rhodesia. This department served as "advisor" to plans set forth in the Rand Report, financed by the tax-exempt Carnegie Foundation. The Rand Report, which will be further discussed, is a plan for UN action, using American and Russian forces as a requisite, to militarily invade South Africa to overthrow the constituted government of this member nation.

It should be noted that the under-secretary in charge of the Department of Political and Security Council Affairs has, in all cases except one, been a Russian national. In that single exception, he was a communist national of Yugoslavia. This is not by accident. Secretary-General Dag Hammerskjold revealed that his hands were tied by an agreement between Russia and the American planners, granting Russia the permanent right to name the person who should hold this important post.

With this agreement in effect, and with the precedent set in an unbroken line, Russia would, in effect, have complete control over any military planning and military operation of forces put under UN Command.

Article 25, of the UN Charter carries the authority to force members to obey decisions of the Security Council. It reads:

"The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter."

Article 26 reads:

"In order to promote the establishment

and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments."

Here, again, we see the strategic position occupied by Russia under its agreement to permanently name the chief of the UN Staff for military operations.

Articles 41 through 51, reproduced below, deal with action that the UN may take against any nation, whether member or not, to enforce its decrees and policies. This may consist of measures short of war, such as withdrawal of diplomatic relations, economic relations, even postal, radio, air service, sea, rail or telegraphic contact by UN Members with such a quarantined nation. (This has currently been applied, with some modifications, to Rhodesia).

The next step authorized is the use of military demonstrations, blockade, etc., of the target nation.

Articles 43 through 45 require member nations to furnish military forces to be used against such nation, under UN command.

Article 48 gives the UN the power to select *which* nations may be ordered to furnish armed might, and how much.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional process.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfillment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Chapter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Articles 52 through 54 deals with regional agreements, such as NATO, SEATO and Organization of American States, and places them under UN authority, and makes them available, at UN command, to be used in enforcing UN policy.

Our operation in Vietnam is under our SEATO commitment, therefore, under UN Charter control.

Chapter VIII—Regional arrangements

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement agencies shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

Chapter IX and Chapter X of the Charter deal with internal affairs of member nations, and their provisions may be invoked by a majority of the members of the General Assembly present and voting. (There is no veto provision in the General Assembly, which is presently dominated by the have-not, emerging nations and weighted heavily against the United States.)

Under these sections, the UN is given authority to enforce domestic policy dealing with equal employment, human rights, economic development, cultural matters and matters relating to health. It is under these sections that many specialized agencies have been set up, and their policies dealing with many domestic matters have been enacted into law in the United States after first having been pronounced by the agencies of the United Nations.

Chapter IX—International ecomonic and social cooperation

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

(a) higher standards of living, full employment, and conditions of economic and social progress and development;

(b) solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and

(c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Article 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

Article 58

The Organization shall make recommendations for the coordination of the policies and activities of the specialized agencies.

Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

Article 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

Chapter X—The Economics and Social Council

Composition

Article 61

1. The Economic and Social Council shall consist of eighteen Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, six members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election, eighteen members of the Economic and Social Council shall be chosen. The term of office of six members so chosen shall expire at the end of one year, and of six other members at the end of two years in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

Functions and powers

Article 62

1. The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.

3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may coordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized agencies. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with carrying out of the recommendations of the General Assembly.

2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

In this connection we point out that the fact that the year 1968 has been designated by UN resolution, as the International Year for Human Rights.

Under this noble sounding purpose, the resolution proposes to:

1. Abolish all racial discrimination.
2. Abolish right to work laws (in effect) under resolutions adopted by the International Labor Organization.
3. Deal with the Status of women.
4. Urge all governments to review their own laws and policies and bring them into conformity with the Universal Declaration of Human Rights, adopted by the UN.
5. Elimination of apartheid, and all forms of discrimination in education.
6. Use the medium of press, radio, movies and the performing arts in a mass propaganda assault upon any practices not in line with UN pronouncement.

This was set forth in detail by Hon. John R. Rarick, (D. La) on March 20, 1967. (Daily Cong. Record, March 20, 1967, p. A1386–89)

In his opening remarks, Rep. Rarick titled his speech "Target Date for Subjugation: 1968."

"Mr. Speaker, many taxpayers, constituents puzzled businessmen and concerned parents are writing inquiries asking why all the emphasis is being placed on 1968 as a must year for forceful compliance with every guideline, edict, and program to regulate our lives, our businesses, our unions, and our children's futures, our manner of worship in this country.

"So that all may know and remember the source of the pressure and the cause, I am asking that the international blueprint, that is, the UN resolution—'International Year For Human Rights', designating the year 1968 as the International Year—be printed en toto in the Record, with this question: Must the Governments of South Rhodesia and South Africa be overthrown before the end of 1968?"

To indicate, further, to what degree the United States has imperiled its own sovereignty and emasculated its own power, we have but to look at the hearings conducted by the Senate Internal Security Sub-Committee in March, 1954, on the *Activities of United States Citizens Employed by the United Nations*.

These United States citizens referred to in this report virtually thumbed their noses at their own government, even after the communist party affiliations of many of them were disclosed. The U.S. demanded that they be fired by the United Nations. The Secretary General did fire many of them on the complaint and evidence furnished by the United States, but a judicial body of the U.N. overturned every one of the dismissals that was based upon communist affiliations, and held that the U.S. had no power to inquire into the political beliefs of employes of the United Nations even though they were United States citizens.

This action was taken despite the fact that almost half of the financial support of the United Nations is furnished by the United States, and in spite of the further fact that the United Nations headquarters is located on United States soil.

Through the medium of the United Nations, Russia has benefited to a greater degree than any nation. This is evident by the fact that the United States government, following an unbroken line of appeasement, has continued to give economic aid to the Soviets, and her satellites, even while we are engaged in serious confrontation in Berlin, in Cuba, in Vietnam and in scores of other places in South America, Asia and Africa. We have bolstered the Russian economy by furnishing wheat to Russia, while that country was aiding Cuba with shipping food and machinery; we continue our foreign aid programs to Russian-dominated nations in Europe, thereby alleviating pressure which would be exerted on the struggling Russian economy.

The United States challenged Russia and France in the UN Security Council, for failing to pay "peace-keeping" assessments in the Congo. All during the 1964–65 session the U.S. stood firm under article 19, against allowing Russia to vote. Then came ambassador Goldberg and capitulation. After admitting defeat, and wallowing in humility, the United States again gave in to Russia. It is reliably reported out of Washington that the United States is merely waiting for an opportune time to make up the UN deficit by a large "voluntary contribution."

All this degradation of the United States is "official policy" in Washington despite the fact that J. Edgar Hoover, Director of the FBI, and several congressmen, have continued to warn that we harbour in this country a well-spring of subversion in the hundreds of Communists and pro-Communist delegates at the UN.

With unbecoming audacity—and in light of the still unpaid "peace-keeping" bills incurred while trying to overthrow Tshombe, of the Congo (one of the few pro-Western African leaders), the U.N. is now putting out unofficial feelers aimed toward the military subjugation of anti-Communist South Africa. This feeler was in the form of a study prepared under the auspices of The Carnegie Endowment for International Peace. (It might be noted that while this tax exempt foundation is not an official appendage of the United Nations, it is headquartered at the United Nations Plaza, 46 St. New York, N.Y.)

The study, edited and largely written by Amelia C. Leiss, is called Apartheid and United Nations Collective Measures, published in March, 1965.

In the foreword to this amazing tome, the editor professes a long history of interest in the United Nations on the part of the Carnegie Foundation.

In the concluding chapter, though professing to recommend no course of action, the author discusses in great detail the naval, air and ground forces estimated to be necessary for the military subjugation of The Republic of South Africa, a stable nation and, incidentally, a dues-paying member of the United Nations. Adding another ironic touch the editor credited Major Sam C. Sarkesian, Department of Social Science, U.S. Military Academy, with assisting on the chapter dealing with military measures.

This brings up a delicate point of order; Should an officer of the United States military forces engage in plans for a military invasion of a friendly nation on behest of an "unofficial" study group?

The United Nations has not limited its activities to international issues but has insinuated itself even into the internal affairs of sovereign states of the United States. One such incidence was on the occasion of the Selma-to-Montgomery Civil Rights march in the Spring of 1965. An official of the United Nations, Ralph Bunche, participated in the march and the banner of the United Nations was carried at the head of this rag-tag parade which featured many known communists and fellow travelers. Bunche also launched a verbal attack on Alabama and on the governor of Alabama in addressing the mob in front of the Alabama State capitol.

The head of the United Nations was much in evidence in the shaping of the 1964 Civil Rights law. This was purely internal legislative matter, but this did not deter this international group of social architects from intervening.

This thinking is reflected in the Carnegie Endowment study previously referred to. On page 159 of this study the author: observes;

"Nevertheless the question must be asked: what will be the impact on the capacity of the United Nations to grow and to enhance its authority if it demonstrates that it can not only discuss and pass judgment upon a member's social system but also change it by force?"

The mere voicing of this philosophy is sinister in meaning. But when it is coupled with the avowed aim of the United Nations (i.e. to exercise a sovereignty above that of member states) it becomes more sinister. The early pronouncements and actions of Ambassador Goldberg seem to indicate that he will be more favorable to relinquishing U.S. sovereignty in specific instances, than have been any of his predecessors.

Chapter XVI, including Articles 102 through 105 of the UN Charter, are called "Miscellaneous Provisions."

In these articles the right of the UN to physically come onto or occupy the land territory of a member state, for fulfillment of its purposes is further spelled out.

This, taken together with the rights to intrude into domestic affairs, as granted under Chapter IX and X, and the proposals for the year 1968, will demonstrate to what extent the sovereignty of any local territory, or subdivision, of a member state, may be abridged by UN authority.

Chapter XVI—Miscellaneous provisions

Chapter 102

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

Article 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

By ratification of the UN Charter and by subsequent ratification by the United States of various declarations and documents of the United Nations, our government is bound under treaty law to its provisions. This includes, incidentally, the declarations on the International Year of Human Rights for 1968, which received an affirmative vote by Ambassador Goldberg.

Under this treaty law, the provisions of the United Nations Charter, and the declarations of its various specialized agencies, have application in all states and territories of the United States. State and federal courts have ruled in many cases that the UN treaty law was superior to the laws of states or of the federal government. A number of such rulings have been made in California.

We do not here treat with the authority of this legislature, or of the legislature of any state, to rescind or nullify such treaty law as ultra vires or against public policy.

We herein respectfully submit our findings in accordance with the request of the Alabama Legislature, as heretofore set out.

THE WORLD JUDICIAL THREAT TO THE UNITED STATES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RARICK. Mr. Speaker, quite recently Dr. Arthur Larson, subsidized by tax free foundations, issued a pamphlet glorifying a world ordered under someone's law and offered questions and answers to pacify the people to set the stage for abolishing the cherished Connally Reservation of 1946.

Mr. Charles K. Pulse, attorney at law of Cincinnati, Ohio, has prepared a rebuttal to Dr. Larson's planned program which should be read and re-studied by all attorneys and scholars to understand the grave threat posed by the Larson material.

Mr. Speaker, I include Mr. Pulse's work in the RECORD at this point for all to review:

QUESTIONS AND ANSWERS ON THE INTERNATIONAL COURT OF JUSTICE AND THE UNITED STATES—OR WHY THE CONNALLY RESERVATION MUST BE PRESERVED

(A rebuttal to answers of Dr. Arthur Larson, director, World Rule of Law Center, Duke University, to his own questions, by Charles K. Pulse, attorney at law)

DECLARATION OF UNITED STATES ACCEPTING COMPULSORY JURISDICTION OF THE INTERNATIONAL COURT OF JUSTICE

I, Harry S. Truman, President of the United States of America, declare on behalf of the United States of America, under Article 36, paragraph 2, of the Statute of the International Court of Justice, and in accordance with the Resolution of August 2, 1946, of the Senate of the United States of America (two-thirds of the Senators present concurring therein), that the United States of America recognizes as compulsory ipso facto and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes hereafter arising concerning

(a) The interpretation of a treaty;

(b) Any question of international law;

(c) The existence of any fact which, if established, would constitute a breach of an international obligation;

(d) The nature or extent of the reparation to be made for the breach of an international obligation;

Provided, that this declaration shall not apply to

(a) Disputes the solution of which the Parties shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future; or

(b) Disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America *as determined by the United States of America;** or

(c) Disputes arising under a multilateral treaty, unless (1) all parties to the treaty affected by the decision are also Parties to the case before the Court, or (2) the United States of America specially agrees to jurisdiction; and

Provided further, that this declaration shall remain in force for a period of five years and thereafter until the expiration of six months after notice may be given to terminate this declaration.

Done at Washington this fourteenth day of August, 1946.

HARRY S. TRUMAN.

ORGANIZATION OF THE INTERNATIONAL COURT OF JUSTICE

(As prescribed in Chapter 1, Statute of the International Court of Justice)

The Statute provides that the Court shall be "composed of a body of independent judges," selected without regard to nationality, "who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law."

The Court consists of fifteen members, "no two of whom may be nationals of the same state," elected by the General Assembly and the Security Council of the United Nations, from a list of persons nominated by national groups in the Permanent Court of Arbitration, and by committees appointed by governments of nations not members of the Permanent Court of Arbitration. Each national "nominating committee" is instructed to consult with its own nation's highest court of justice, legal faculties and schools of law, national academies and national sections of international legal academies.

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*The italicized portion is popularly known as the Connally Amendment.

From the list thus made, the General Assembly and the Security Council, voting independently, elect by majority vote.

The term of office is nine years; the Court sits at The Hague.

PREFACE

Several months ago Dr. Arthur Larson, of World Rule of Law Center, Duke University Law School, issued a pamphlet of questions and answers on the subject "The World Court and The United States," aimed at discrediting the Connally Reservation. The questions propounded in that booklet, and the answers there provided, all point toward Dr. Larson's theme that the Connally Reservation should be rescinded.

Believing that this question is of the gravest import to the people of the United States, and to freedom cherishing people everywhere, and that the opposing view should be presented in rebuttal to Dr. Larson's answers and conclusions, we have prepared our own set of answers to his questions.

In this pamphlet, which we call a rebuttal to Dr. Larson, the questions taken verbatim from the Duke University pamphlet are here set forth in italic type, followed by our answers, which are annotated. This work is meant for Americans generally, but especially for those who have had access to Dr. Larson's booklet.

1. What is the issue?

The issue is whether the United States of America should waive its national sovereignty and its blood-bought, cherished independence, not simply in "questions of international law and treaties" but in all fields of international affairs, and in a dangerously expanding field of domestic affairs affecting the peace, welfare and security of its citizens; and ultimately, accept in exchange the internationally imposed authority of a "world government." That is the issue.

Shall the United States of America become simply a province, an inferior member of a supreme world state?

Shall the flag of the United Nations, or of some other worldwide entity be flown above, or to the exclusion of the Stars and Stripes?

Shall the people of the United States of America retain the right to make and interpret their own domestic laws and govern their own lives, or shall that right be surrendered to an international body?

There is but one issue; but the connotations of that issue are infinite.[1]

2. What is the "Connally amendment"?

The Connally Amendment (or Reservation) is a thin small line of words protecting the rights and liberties of 185,000,000 American citizens and of future generations of Americans.[2]

3. How would the relevant parts of the United States' declaration read if the Connally amendment were omitted?

Stress is laid, of course, by the opponents of the Connally Reservation, upon that portion of the declaration of adherence to the World Court reading as follows (the Connally Amendment omitted):

"Provided that this declaration shall not apply to . . . (b) Disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America; . . ."

The claim is that the domestic jurisdiction of the United States is still protected by the emasculated declaration.[3] That is not true.

The term "essentially within the domestic juristiction" is an indefinite term, and cannot be relied on to protect American liberties.[4]

To assume that the World Court will consistently construe this phrase in such a manner as to protect the American citizen is to ignore the essential make up of the Court, composed of fourteen of its fifteen "judges" chosen from countries (excepting the United Kingdom and Australia, who may not always have representation on the Court)[5] whose concepts of human freedom spring from the idea that the individual lives for the state, and derives his rights and freedom from the state; whereas our conception of freedom and government springs from the philosophy of the Declaration of Independence—

"That all men are created equal, that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed;"

4. What is the main effect of the Connally amendment?

"It is the only real safeguard . . . we have against that school of internationalists who believe it honest and necessary for world peace to circumvent and distort the language and intendments of the Charter [United Nations Charter, Article 2(17)] with respect to the sovereignty and independence and the domestic affairs of the United States." Holman, Frank E.—"Statement of Views Regarding the Retention or Withdrawal of the Connally Reservation." (Privately printed, 1960.)

(Mr. Holman is a past President of the American Bar Association; recipient of the American Bar Association Gold Medal Award, 1953, for conspicuous service in the field of American Jurisprudence, and of many honors and awards for Distinguished Service in the Legal and Academic fields and in the Interests of the United States of America. He is an outstanding leader of those patriots who are fighting to preserve the Connally Reservation.)

It protects the individual and national liberty and security of the people of the United States of America.

The United States has accepted jurisdiction in many cases before the World Court. The effect of the Connally Reservation is not to "prevent adjudication in any case brought before it." However, the purpose of the reservation is to enable the United States to protect its people in their domestic affairs, and when that protection is required the United States can and should rely on the Connally Reservation.

Connally repealers point to the so-called "Norwegian Loans case"[6] as constituting a strong refutation of the wisdom of the Connally Reservation. It is argued that this decision of the World Court was a defeat for the United States.[7] Nothing could be further from the truth. The United States had nothing to do with the Norwegian Loans case. With or without "reciprocity" the litigation involved a domestic issue vis-a-vis Norway, and Norway so declared. But Norway had no "Connally Reservation"; it therefore had to rely on the "reciprocity" objection. Had it not been for that recourse, it is possible that the ICJ would have ruled the issue to be international and not domestic, for the Permanent Court of International Justice, that was the predecessor of the present International Court of Justice, decided a similar case along that theory in the case of the Serbian and Brazilian Loans.[8] The fact that Norway won a case that was an essentially domestic matter, not that France lost, is what irks the proponents of the unrestricted World Court.

Is there anything immoral in preserving a nation's domestic sovereignty intact? No! On the contrary, to sacrifice that sovereignty is the highest degree of immorality, just as treason is the highest degree of crime.

5. What is the World Court?

It is not a proper court at all. There is no provision for appeal. It follows no precise statutory or codified law. It is not permitted by the enabling statute to formulate a body of authoritative precedents. It has no legal method of enforcing its judgments. It is basically an arbitration tribunal set up in 1945 under the United Nations Charter for the declared purpose of settling disputes between nations that might, if not adjudicated, endanger world peace and security. It was preceded by the Permanent Court of International Justice (established in 1920), and that by the Permanent Court of Arbitration (formed in 1899).[9]

Almost from its establishment, there has been a strong and vociferous movement[10] aimed at enlarging the powers of this Court to cut through the sovereignty of nations, and to reach individual persons; not only to "protect" the individual person, but also to prosecute and punish him for international crimes rather than for crimes against the individual's national community. These international crimes have as yet been but dimly envisaged, are not yet defined. In order to define them and codify them the world government must and will intervene in the domestic affairs of the individual person.

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[1] "It is essentially a battle between those who want to retain our independent nationality under our Constitution and the internationalists who want a world government and in order to accomplish their purpose are willing to tear down our Constitution and surrender our sovereignty." From the Connally Reservation and The International Court of Justice (World Court), by Carl Zeiss, of Woodstock, Ill.

[2] On August 3, 1946, by a 51 to 12 vote, the Senate of the United States wrote into the Resolution of adherence to the International Court of Justice (The World Court) eight words—"as determined by the United States of America," so that the adherence of the United States to the jurisdiction of the World Court contains the complete reservation that it "shall not apply to disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America, as determined by the United States of America." These last eight words constitute the "Connally Reservation."

[3] For a comprehensive argument for repeal of the Connally Reservation, see "The Facts, The Law, and The Connally Amendment," by Arthur Larson, Duke Law Journal, Volume 1961, Number 1, Winter, pages 74–119.

[4] "International Law; an Introduction to the Law of Peace," by Kurt von Schuschnigg, Milwaukee, Wisc. 1959. (Immediate citation, page 301):

"the term lacks an exact definition; whether or not a given issue is essentially domestic is not so much a matter of law as a matter of fact, to be decided by practical standards, and, to put it bluntly, by political considerations."

[5] For an impressive analysis of the membership of The International Court of Justice, see "The Connally Reservation and National Security," by Frank B. Ober, Past President, Maryland Bar Association, Vol. 47, ABAJ No. 1, page 63, January 1967; "The Connally Reservation and The International Court of Justice," by Carl Zeiss.

[6] ICJ Reports, 1957, page 9.

[7] Larson, page 81.

[8] Permanent Court of International Justice Reports, Series A, Nos. 20 and 21.

[9] von Schuschnigg, page 308 et seq.

Mr. Roy Willy, a member of the Sioux Falls, South Dakota Bar, prominent in the activities of the American Bar Association, and a leader in the fight to preserve the Connally Reservation, in a debate with Dr. Arthur Larson before the Cincinnati Bar Association, at Cincinnati, Ohio, October 20, 1960, declared that the International Court of Justice is not a "court," but an "agency of the United Nations."

[10] Proposals for Changes in the United Nations, by Francis O. Wilcox and Carl M. March, Brookings Institute, Washington, D.C. 1955 (page 390 et seq); World Peace Through World Law, by Grenville Clark and Louis B. Sohn, Harvard University Press 1960; Blueprint for A Peaceful World, by Paul Shipman Andrews, Current History, August 1960.

6. What sort of disputes have been brought to the World Court?

Only 29 cases [11] have been considered by the International Court of Justice since its organization in 1945. These may be roughly divided into two classes:

A. Disputes between governments and states (although in such disputes the rights of individuals are necessarily involved), e.g., fishing and maritime rights, territorial disputes, conflicting claims to specific chattel or personal property, and aerial incidents.

B. Those disputes which, although sponsored by the governments of the individuals involved,[12] yet pertain specifically to the rights, business and property of individuals and corporations.

7. How many cases has the Court dealt with?

The International Court of Justice has, since its inception in 1945, concluded but twenty-six cases.[13] Of these, five cases have been dismissed without judgment and with no consideration by the Court of the merits of the cases, because one or more of the parties involved had not acceded to the Court's jurisdiction.

Hungary, Czechoslovakia, the USSR, Albania and Bulgaria, having consistently refused to accept the Court's jurisdiction in any way (although the USSR has a representative, or "Judge" sitting on the Court) have refused to abide by its judgments.[14]

Champions of the Court claim a total of sixty-seven cases decided. However, they include in that list, thirty-eight cases that were heard and decided by the predecessor Court, i.e., the Permanent Court of International Justice,[15] during its twenty-five years of existence prior to 1945.

8. What law does the Court apply?

Proponents of greater latitude for the ICJ argue that it follows "International Law." This statement poses the question, "What is International Law? What constitutes International Law?"

"International Law or the Law of Nations may be defined as law regulating the intercourse of States, which does not take its origin from individual nations but from customs and international treaties, and which is considered binding upon civilized nations in their mutual relations." [16]

There is no body of codified International Law, except in certain relatively specialized fields, such as maritime law. What International Law there is consists of the reported decisions of such bodies as the Hague Tribunal, the Permanent Court of International Justice, the Court of International Justice, and international agreements and declarations such as the United Nations Charter, the Atlantic Charter and other multilateral international agreements.

By the terms of the special provisions of the annex to the United Nations Charter, which provides for a Court of International Justice, the World Court is admonished to recognize: "international custom," "general principles of law recognized by civilized nations," "judicial decisions of the various nations," "teachings of the most highly qualified publicists."

A realistic, careful view of the whole matter gives no possible picture of what law or what theory would be followed in deciding any given case.[17]

There are eight great legal systems extant in the world today maintaining sovereignty in widely varying degrees over some two and one half billions of people, distributed among a hundred or more nations. Eight legal systems have become extinct in historical times but have left enduring influences on the existing systems.[18]

There can be no possible precision in evolving judicial decisions on the "vast number" of disputes envisaged by those urging repeal of the Connally Reservation and the establishment of a World Court as an unrestrained judicial body. The World Court could well become the dictatorial ruler of the world, exercising an "ad hoc" power and an unrestrained discretion. Being haled before such a court would throw the litigant completely and entirely upon the mercies and the judgment of judges who most likely would have little or nothing in common with the litigants.

Already, before the system has gone beyond its embryonic stage, visionary plans are proposed for regional systems within the mother system.[19] What an era of chaos this would engender it is only necessary to ponder on briefly to be appalled by it.[20]

9. Does the United States stand to gain anything by repealing the Connally amendment?

No.

The United States stands to lose its independence and its national freedom by repeal.

The claim of the critics of Connally, that the United States, its citizens, its corporations and business interests are losing the opportunity and being deprived of the means of satisfaction of legal claims, is a mendacious statement, entirely unfounded.[21]

The legal satisfaction of any possible claim arising as the result of international relations must take secondary importance as regards the peace, security and liberties of the citizens of this nation.

10. What happened in the Norwegian loans case?

What did happen? Dr. Arthur Larson [22] holds this case up as the scarecrow warning away all timorous souls, as a moving example of how the USA will be deprived of its legal rights by the Connally Reservation. Again we say that the argument is false.

In the Norwegian Loans case France had invoked the International Court of Justice to compel Norway to meet certain contractual obligations on Norwegian bonds. Norway accepted the Court's jurisdiction without reservation. France had a reservation similar to the Connally Reservation.

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[11] Larson, pages 76–77 (Dr. Larson lists certain cases as being two contentious matters, whereas others consider them as but one).

The International Court of Justice: Its Compulsory Jurisdiction and Contentious Cases (Library of Congress Legislative Reference Service), by A. Luini del Russo, Legal Analyst (American Law Division), May 27, 1959.

Ober, pages 63 et seq.

von Schuschnigg, page 308 et seq.

Yearbooks, International Court of Justice.

[12] Article 34 (1) of Chapter 11, of the Statute of the International Court of Justice, provides:

"1. Only states may be parties in cases before the Court."

Vol. 59, U.S. Statutes at Large, page 1055, adopted June 25, 1945, as appended to and an integral part of the United Nations Charter.

[13] Larson counts the number of cases considered by the ICJ as 29 concluded.

[14] Corfu Channel Case, ICJ Rep. 15 UK v. Albania.

Hungarian Treatment of Aircraft and Crews, ICJ Rep. 99 USA v. Hungary. Same subject and cause of action, ICJ Rep. 103 USA v. USSR. (Listed by Larson as two cases; other authorities consider these disputes to constitute one case.)

Aerial incident of March 10, 1953, ICJ Rep. 6 USA v. Czechoslovakia.

Aerial incident of October 7, 1952, ICJ Rep. 9 USA v. USSR.

Aerial incident of July 27, 1955, ICJ Rep. 146 USA v. Bulgaria. Aerial incident of July 17, 1955, ICJ Rep. 264 UK v. Bulgaria. (Listed by Larson as two cases; other authorities consider these disputes to constitute one case.)

Aerial incident of July 27, 1955, ICJ Rep. 127 Israel v. Bulgaria.

Aerial incidents of November 7, 1954, ICJ Rep. 276 USA v. USSR.

Aerial incident of September 4, 1954 (Navy Neptune Case), ICJ Rep. 158 USA v. USSR.

[15] The International Court of Justice is a new organization, and not simply the continuation of the PCIJ. Wilcox and March, page 376.

[16] Schuschnigg, page 3.

[17] "What World Law are we talking about?" asks Harold A. Jones, in Vol. 46 ABAJ, page 1300, December 1960, in his article "World Peace Through Law, the Bedrock of the Problem."

"Article 59 of the Statute of the Court provides 'The decision of the Court has no binding force except between the parties and in respect to that particular case.' This makes it impossible for the Court to build up a body of decisions which are precedents that a nation can rely upon as established law in any particular situation. It is merely an international board of arbitration." Carl Zeiss (of Woodstock, Ill.) in "The Connally Reservation and the Cliches of the Internationalists," 1961. (A privately printed brochure.)

"Does anyone know what the phrase 'General principles of law recognized by civilized nations' means? This phrase is without possibility of present definition. What are the 'civilized nations' and what are the 'general principles of law' recognized by as many as a half dozen nations?" An International Bill of Rights, by Frank E. Holman, 34 ABAJ, page 984, November 1948.

"International law is, therefore, not law at all in the strict sense of the term. . . . It is nothing more than a generalized statement of the rules which nations have actually recognized in their treaties with one another made from time to time." From Woodrow Wilson's "The State, Elements of Historical and Practical Politics" (1890), as quoted in Proceedings of American Society of International Law, April 25, 1946, page 7.

Law to be applied by the Court:

Article 38, Statute of International Court of Justice, appended to UN Charter.

Holman, Frank E. Pamphlet, 1960.

Elizabeth Chesnut Barnes, DAR Magazine, April 1960, page 288.

[18] A Panorama of the World's Legal Systems, by John Henry Wigmore, Washington, D. C., 1936.

[19] World Peace Through World Law, page 335; Human Rights and World Order, by Moses Moskowitz, New York, 1958, Chapter XII, page 153 et seq.

[20] "The international primitive community (at present the United Nations) is not yet and probably never will be as solidly and efficiently organized as an average civilized state." von Schuschnigg, page 8.

[21] A Clear and Present Danger to Our National Security, by Frank B. Ober, Spotlight, No. K–485–486; also see Frank B. Ober, Vol. 47 ABAJ, No. 1, January 1961, page 63; Judicial World Supremacy and the Connally Reservation, by Charles S. Collier, Vol. 47 ABAJ, No. 1, January 1961, page 68; The Connally Amendment, by Vincent F. DeCain, National Review, March 11, 1961, page 143.

"Fundamentally . . . the ultimate purpose of our foreign policy must be to protect the liberty of the people of the United States. . . . To achieve that liberty we have gone to war, and to protect it we would go to war again. Only second to liberty is the maintenance of peace." From A Foreign Policy for Americans, by Robert A. Taft, New York 1951, page 11.

[22] The Facts, the Law, etc., by Arthur Larson, page 81.

Norway answered to the suit (1) that the matter was completely within the domestic jurisdiction of Norway, and therefore under Article 2 (7) of the Charter of the United Nations was not within the jurisdiction of the Court; and (2) that since France retained the right to deny jurisdiction in domestic matters, Norway, by reciprocity, had the same right. The Court held for Norway on the latter ground.

Actually this case should be considered as justification for the retention of the Connally Reservation.

11. Would Norway have won the Norwegian loans case anyway, on the ground that the issue was in fact domestic?

It should have, under the terms of Norway's acceptance of the Court's jurisdiction, and the structures of Article 2(7) of the UN Charter.

We are reminded of the dollar devaluation cases decided by the United States Supreme Court in the 1930's. The Supreme Court ruled that bonds and mortgages issued in the United States, "in the absence of any claim of international rights based upon the treaty provision of the constitution," were "domestic obligations to be interpreted and enforced according to the law of the country." [23]

Norway's mode of payment of the bonds, as a consequence of Norway's going off the gold standard, was strictly a domestic matter.

The right to determine its own fiscal and monetary policies is indispensable to a nation's independence.[24]

12. Did France have any other remedy?

It is inconceivable that France and Norway could not in some way resolve their differences. The channels of diplomatic settlement are always open.

The great, emotional argument of the World Court enthusiasts is that it must have unlimited jurisdiction in order to prevent war.

Should Americans sacrifice their safeguards against tyranny and usurpation of power simply to allow some unknown bondholders to litigate with greater facility?

13. What countries have made declarations recognizing the compulsory jurisdiction of the Court?

First, there is a distinction in the acceptances. The distinction lies between those nations accepting without substantial limitation, and those whose limitations are of consequence.

Seven nations have Connally type reservations, or reservations even broader than Connally.[25]

Fifteen nations have retained the privilege of withdrawing from the Court on notice of varying lengths of time, from the right of the United Kingdom to terminate on notice effective as of the time of notice, to Liechtenstein's provision for one year notice.

Other nations have special exceptions and reservations, or limited acceptances, as, e.g., the United Arab Republic accepts only as to Suez Canal matters and arrangements.

Only seven nations have no reservation in their acceptances, viz: Columbia, Dominican Republic, Haiti, Panama, Uruguay, Nicaragua, and Paraguay.

It finally must be remembered that sixty-three nations have given no adherence to the World Court whatever.

14. How many of these declarations contain self-judging clauses?

Liberia, Mexico, Pakistan, Sudan, South Africa, Portugal, and the United States of America—seven countries in all, have unambiguous reservations protecting their sovereignty.

However, in addition to these, France excepts "disputes arising out of a crisis affecting the national security." Britian (the United Kingdom and Northern Ireland) reserves the right to terminate its acceptance on notice, immediately, and so do India, Australia, Israel, Liechtenstein, Pakistan and Switzerland. Honduras has accepted for "an indefinite term," which is tantamount to an "at will" acceptance. New Zealand, having first accepted for a five-year term, now continues on an "at will" basis, as also do the Philippines.[26]

The term "self-judging" is misleading; in that it is not "self-judging" whatever that the nations have reserved, but rather to sharply and clearly spell out a vital definition of national sovereignty. Quoting Carl Zeiss (26):

"Its only effect is to foreclose the remedy of a hearing in the World Court which the plaintiff is not entitled to in any event because the case involves a matter within our domestic jurisdiction." [27]

15. Suppose one of the 38 countries with declarations nationalized American industries and properties without compensation. Could the United States on behalf of the American investors today bring that country into the World Court?

The "repealers" answer this question "No" and cite the Norwegian Loans case and the Interhandel case as supporting that answer.

We have commented on the Norwegian Loans case.

In the Interhandel case the Court ruled by a divided vote, nine to six, that under Article 36, Paragraph 6, of the ICJ Statute, in spite of the Connally Reservation, it had jurisdiction.[28]

This case had been previously litigated in the Federal Courts of the United States. The ICJ held that the litigants had not exhausted their local remedies.

The answer given by Connally "repealers" and World Court enthusiasts implies that there is no road to redress other than the ICJ.

In truth there are many other recourses, including diplomatic channels, arbitration, and frequently (as in Interhandel) the national courts of the nations involved.

The nature of the hypothetical case used as the basis for the question is such that its issues would very likely not be justifiable in any court. When nations nationalize or expropriate the properties of the nationals of other nations, the act is invariably the result of a revolutionary or other entirely political upheaval in which emotion has generated to an excessively high degree. Judicial settlement cannot in such cases avail. Only delicate and extended diplomatic negotiations can avert war and effectuate compensation or repossession.[29]

16. In the same case, could the United States bring the country into court, if the Connally amendment were repealed?

The answer of the World Court champions assumes a willingness of the nations litigant to submit to World Court jurisdiction. This is not a sound assumption. Sixty-three nations have so far refrained from accepting jurisdiction in any sense. None of the "iron curtain" countries have acceded to the Court's jurisdiction in any degree, nor will they ever, including Communist China and Communist Cuba, unless the decision as to any dispute is a foregone conclusion favorable to that country.

If the issue is one that requires solution to avoid war, if the breaking out of war or the accomplishment of peace hangs on the determination of the dispute, rarely if ever will the nation losing the judgment (in the event that the World Court does consider it) accede to that judgment.[30]

17. As a matter of American self-interest, is the United States apt to lose more by being unable to claim as plaintiff than it gains by being able to get out of suits in which it is defendant?

By this question the Connally repealers pose the issue as an economic matter.

Since American citizens, they argue, have some 27 billions of dollars of direct private investment in other countries, we cannot afford to deprive them of a certain and sure means of protection under the law. Let us analyze that briefly.

The means of protection, as has been pointed out, is not certain and sure.

It is true that Americans have some billions invested in other countries, both privately and governmentally. Likewise, citizens of most of the major powers or nations of the world have considerable money invested in the United States. It would be interesting to know how these investments, both of Americans in foreign nations, and of foreign investors in the United States, are divided amond the adherents to the ICJ, and especially among the nations represented by their nationals on the Court itself.

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[23] Perry v. United States, 294 United States Reports, page 263 and page 330. Other gold payments cases are reported in Vols. 294 and 307 United States Supreme Court Reports.

[24] See: The Connally Resolution Should Not Be Withdrawn (article), by Albert J. Schweppe, Vol. 46 ABAJ, page 735, July 1960.

"The trouble with this argument (of the repealer) is that it backfires, for the question of whether Norway had a right to repudiate payment of Norwegian bonds in gold appears to be a domestic matter and one for the Norwegian courts. It would seem that a nation has the right, as a domestic matter, to protect its financial stability without rendering itself internationally liable. Most nations, including our own, have indulged in repudiating gold clauses for domestic reasons."

(Mr. Schweppe is a former President of the Washington State Bar Associations; a former Dean of the University of Washington Law School, a member of the American Bar Association and a prominent practicing attorney of Seattle, Washington.)

[25] We are indebted to the late Mr. Carl Zeiss, Route No. 1, Woodstock, Illinois, for an analysis of the World Court's membership, in his copyrighted brochure—The Connally Reservation and the International Court of Justice (World Court), 1961.

Ober, Vol. 47 ABAJ, No. 1, January 1961, pages 63–64.

Pamphlet: Retain the Connally Reservation; Questions and Answers, by John B. Gest, Esq., of Philadelphia, Penn.

[26] The Connally Reservation and the Cliches of the Internationalists, by Carl Zeiss.

[27] Chapter 1, Article 2, Section 7, of the Charter of the United Nations:

"Nothing contained in the present Charter shall authorize the United Nations to intervene which are essentially within the domestic jurisdiction of any state. . . ."

(Note)—The word "intervene" has not been authoritatively defined, nor have the words "essentially within the domestic jurisdiction of any state." Moskowitz, pages 32–33.

And Moskowitz also maintains that: "Whether a matter is, or is not, essentially within the domestic jurisdiction of a state is not necessarily a legal question. It depends upon the state of international relations at a particular time." Pages 32–33.

Withdrawal of the Connally Reservation would therefore throw the definition of these vital terms unreservedly within the discretion of the World Court. See Ober and Collier, supra.

1959–1960 Yearbook of the International Court of Justice, pages 222–257.

For a list of instruments granting special jurisdiction to the ICJ, see page 258 et seq.

[28] Switzerland v. USA: ICJ Rep. 11.

Statute of the ICJ. Appended to the UN Charter.

[29] Felix Frankfurter Reminisces, by Dr. Harlan B. Phillips, New York 1960, page 196.

[30] The Connally Reservation, Peace and Law, by Frank W. Grinnell, Vol. 46 ABAJ, page 737, July 1960.

"The fact is well known that the Soviet Union never accepted the jurisdiction of the Court in any way, shape or form." Alexander C. Dick (in Views of the Readers, 46 ABAJ No. 9, page 928, Sept. 1960).

In most cases brought before the ICJ in which the United States would be a party, the membership of the Court, being 14 to 1 against the USA (assuming that the USA always has a representative on the Court—which is an assailable assumption), would be "stacked" as to self-interest overwhelmingly against the USA.[31]

It would be like a lender presenting a case against a debtor-defendant before a jury composed of fourteen individuals all of whom were debtors to the lender-plaintiff. No competent trial lawyer would rely on such a jury for a fair verdict. The situation would be no less unbearable if, instead of a jury of laymen, the "jury" consisted of fourteen jurists all or a majority of whom were indebted to the plaintiff.

The great issues that make or prevent wars are never solely economic. Economics may be involved, but the issues that precipitate wars are overwhelmingly political and the ICJ in attempting to settle such problems must adopt political expedients and solutions.[32]

American investors and American tourists and residents abroad are entitled to a more certain protection that that furnished by a World Court fourteen to one[33] against America and with no powers of enforcement of its judgements.

18. What is the effect of the Connally amendment under economic aid agreements?

If, as is urged by proponents of repeal of the Connally Reservation, economic aid agreements between the United States and other countries normally require a bilateral or multilateral agreement to accept jurisdiction of the World Court or some other tribunal, then such countries should be expected to abide by their agreements. If it is a binding agreement no reciprocal loophole should avail. On the other hand, provisions in any international agreement entered into by the United States of America through its executive or administrative offices that ignore the Connally Reservation are contrary to its spirit and purpose and a violation thereof, and violations of law.

The Connally Reservation protects American domestic rights under the Economic Aid agreements, and is a stumbling block only to those who, either through misguided good intentions or selfish purpose, would circumvent the fundamental domestic interests of the United States.[34]

19. Have other attempts to incorporate the Connally amendment in international agreements been made?

This question as framed by Dr. Larson creates a subtle inference that the rule is the exception and the exception the rule.

The Connally Reservation *is the law today,* and it is the law until it is rescinded. The "attempts" that have been made vis-a-vis Connally have been and continue to be attempts to circumvent and repeal.

Many treaties have been formulated and affirmed, most of them bilateral, containing provisions avoiding the Connally Reservation.[35] The Law of the Sea was presented to the Senate with a Connally nullification clause in it. To this date, the attempt to bypass Connally has prevented ratification of this multilateral treaty.

The Law of the Sea Convention is that type of treaty that creates or codifies a wide field of international law. There appears to be general agreement that its provisions to the extent that they pertain to international trade, commerce and maritime matters are salutary. However, as this Convention would be almost universal in its application, the devotees of world government saw a golden opportunity in by-passing the Connally Reservation, to bring the dream of "One Worldism" nearer. That is what has held up the approval of this Convention.

One World devotees seek through the multilateral treaty and convention to set up provisions that will be considered by the ICJ and other judicial, executive and administrative bodies as systems of international law. The people of the United States are constitutionally entitled to say, through their duly elected representatives in Congress, what the laws governing the American people shall be. Approval of such treaties and conventions by the Senate alone is not the constitutional method of enacting domestic law. Neither are executive agreements.[36]

The Connally Reservation merely spells out clearly and unambiguously a traditional American position in international relationship, consistently followed through the Republic's history. It is not a new principle. It is not opportunistic. The honesty and clarity of the eight words of the reservation is what galls the internationalists and the one worlders.

20. If the acceptance and use of the Court were increased, could it help settle important disputes that threaten world peace?

Let us ask three counter questions:

(1) To what degree should the acceptance and use be "increased"?

(2) What standard or norm will measure the effectiveness of the Court, to the degree that it will "*help* settle important disputes that threaten peace"? (Emphasis supplied.)

(3) To what extent are the people of the United States willing to surrender their individual freedom and their liberty, as a pawn to secure this uncertain approach to world order?

The earnest desire of large segments of mankind to avoid war should not lead us into grievous abandonment of our own civil and political rights. That is not a selfish statement. It is common sense. It is predicated upon both national interest and long range international well being.

Any dispute that is vital enough and basic enough to cause war is not a justifiable matter. Such disputes are political and emotional conflicts.[37]

The seven aerial incident cases brought before the ICJ but never concluded because the Communist countries will not consent to jurisdiction nor abide by a judgment prove the insufficiency of lawsuits to preserve peace. Cuba will never submit its expropriation issues to the ICJ unless Cuba is certain beforehand of a favorable decision.

21. Has the Connally reservation affected the United States' position in the world community?

Connally repealers argue "The United States is now the only major power retaining this (self-judging) reservation." [38]

This statement, which is repeated and reiterated time and again by all those who in varying degrees, from out and out One Worlders, and World Federalists, to those who are just confused people, is simply not true. (See answers to questions 13 and 14.) With the Connally Reservation rescinded, in the event of an encroachment by the International Court of Justice upon the domestic jurisdiction of the United States, our nation's alternative to meek submission or war (and that being a war against the United Nations) would be to invoke its right of veto in the Security Council, or to withdraw from the Court on six months' notice (which action, taken *after* the abhorrent judgment were rendered, would likely be of no avail).[39]

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[31] Ober, page 65; von Schuschnigg, pages 327–331.

[32] Theory and Practice in Public International Law, by Charles De Vischer, pages 328, 348, Princeton University Press 1957.

[33] The disparity could be 15 to 1, in the event a nation not represented on the Court should exercise its right under Article 31, Paragraph 2 of the Statute.

For a scholarly discussion of the effect of the Connally Resolution, see Schweppe, Vol. 46, No. 7 ABAJ, page 732, July 1960.

[34] Economic Cooperation Act, Aug. 13, 1948, 62 Stat. 147.

1960 Hearings of the Foreign Relations Committee on S.R. 74.

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From page 198 of the 1958–59 World Court Yearbook:

"The Court's jurisdiction is based, on the one hand, on various treaties and other instruments concluded after the Second World War, and, on the other, on some agreements and instruments concluded before 1945 and still in force today."

Pages 199 through 333 of the 1958–59 Yearbook:

"The World Court lists documents on which its jurisdiction rests. Forty of the specific documents listed are American foreign aid agreements with other nations."

(Dan Smoot Report, Vol. 6, No. 31, August 1, 1960, page 242.)

[35] See Congressional Record (Senate), 86th Congress, May 26, 1960, pages 10385 and 10386, for list of 38 treaties of recent date bearing exceptions to the Connally Reservation.

Hearings on the Law of the Sea (Executive J, K, L, M, and N), Committee on Foreign Relations, Senate, 86th Congress, 2nd Session, page 79.

[36] Treaty Law Making: A Blank Check for Writing a New Constitution, by Frank E. Holman, Vol. 36, ABAJ, page 707, September 1950.

The United States has always claimed the right to unilaterally invoke a domestic jurisdiction reservation. "But such a right has always been claimed by the United States." (Professor Sidney R. Jacoby, in American Journal of International Law) 1958.

The foregoing quotation appears in an article—United States Policy Regarding International Compulsory Adjudication, by Eleanor A. Finch, 46 ABAJ, page 852, August 1960.

Miss Finch states, page 854: "The Connally Reservation represents in succinct form the consistent policy of the United States as laid down by the Senate. The proposal to withdraw the reservation is essentially one to alter radically the U.S. position on the subject."

Schweppe, supra, page 736: "The Connally Reservation is completely consistent with our foreign policy beginning with the Monroe Doctrine, namely, that the United States has consistently reserved the exclusive right to pass on what have been called in official language 'American question.'"

[37] "The crisis in international relations is a crisis of the spirit and structure of contemporary society; it can be resolved only in respect for human values. . . . There is no foundation for the international order if the international order has not provided it." Charles de Visscher, page 122.

"All history shows that disputes which have led to wars were not legal but political in character, and therefore not 'justiciable.'" A Clear and Present Danger to Our National Security, by Frank B. Ober, Spotlight, No. K–485–486.

"It is wishful thinking to believe that there is an easy road to peace by going further and submitting all international disputes to the World Court for decision on legal grounds." The World Court Cannot Become a Substitute for War to Remedy Injustice, by Eustace Seligman, ABAJ Vol. 46, No. 3, page 251, March 1960.

"At any rate, there are still disputes which are, as a rule, not susceptible of peaceful settlement by the regular methods and procedures provided by international conventions, including the UN Charter." Schuschnigg, page 302.

[38] Larson Pamphlet, page 15.

We do not need to agree with these conclusions to be warned. If we do agree with them, it is inconceivable that we should concur in the efforts to rescind or circumvent the Conally Reservation.

22. Is there a relation between increasing judicial settlement of disputes and the prospects of disarmament?

To a point which cannot be clearly defined or identified, the reduction of armaments and of military facilities for aggression would reduce world tensions. The formulae have never been reliable because they depend on too many imponderables. The great disruptive issues are not subjects amenable to judicial settlement.[40] This is not, however, to deny the efficiency of prayer and hope. These, plus courage, at times seem to be the individual's last resort.

However, the means and opportunities for judicial settlements are already provided. Let the International Court of Justice prove its worth within present limits. There's opportunity for it to perform its functions without asking the surrender of the final vestiges of American freedom to an extremely uncertain, well-nigh hopeless cause.

The development and codification of International Law must proceed far beyond the present stages. There are great areas untouched by any systematic legal philosophy, and fundamental differences that offer insurmountable obstacles to a world-wide legal hegemony.

You do not erect a grain elevator in a wilderness peopled only by savages. First you must tame the wilderness, then settle it with trained and orderly people; you must create a community.

Law does not create the community of man. It's the other way around—the Community of Man creates the Law.

23. Is the Connally amendment valid under international law?

The only serious question about this is in the minds of the Connally repealers. World Court enthusiasts argue that the bounds of the Court's jurisdiction are strictly limited by "the World Court statute and by the terms of the declarations deposited with the Court." [41]

Article 36 (6) of the statute is a self-judging provision:

"6. In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court." [42]

Yet Connally repealers are indignant at the thought of "self-judging."

Why is it good manners for the World Court to judge the limits of its own jurisdiction (with no possibility of appeal to a higher tribunal, mind you) while it is poor manners in the international set for the United States and those other nations participating under similar reservations to retain the right to judge what is domestic and what is not domestic?

However, the Connally Reservation is valid internationally, and is in accord with the historic policy of the United States.

There is no binding rule of International Law that can invalidate any act of any national legislature excepting by the act or consent of the government of the nation involved.[43]

To argue that a national legislature cannot enact laws and limitations to preserve the nation's domestic life and entity is to argue that the nation must of necessity commit suicide. But, it is urged, the obligations under the UN Charter require the nullification of the Connally Reservation. That is not true.

"The principle of loyalty to treaty obligations neither necessitates nor justifies suicide." [44]

The whole trouble about this matter arises out of misconception or ignorance of the fundamentals of American government, and, let us face the fact, in some cases reckless indifference. Under our system government derives its powers from the consent of the governed.[45] Under most systems of the world, the governed derive their liberties (such as they are) by consent of the government. Those countries where liberty is revered, where freedom approaches the degree of freedom retained by the American citizen, are countries where the approach has been made toward, if not up to the American ideal.

Of course the Connally Reservation is valid under International Law [46] and under American law as well, which in the last analysis is the only law that should matter to an American citizen.

As von Schuschnigg points out [47] the United States is not alone in maintaining the right of self-preservation. Argentina denies that treaties may derogate national law; and the Netherlands, the United Kingdom, Switzerland, Italy, Germany, France and Canada require treaty provisions to be enacted as national law before their citizens shall be domestically bound thereby.

24. If the Connally amendment is invalid, what is the effect of its invalidity?

In the first place, the Connally Reservation is not invalid.

The World Court, as it was presented to the nations of the World who signed the United Nations Charter, was only a somewhat dressed up and advanced arbitrational tribunal. Jurisdiction was to be based strictly upon consent. Unless a nation accepted its jurisdiction, that nation was not to be subject to the Court's judgments. Consequently, Russia, Bulgaria, Albania, and some sixty other nations of the world having never accepted the Court's jurisdiction are not subject to its judgments.

Acceptance of its jurisdiction could be general, specific, or general with reservations. The last option was taken by the United States and most other nations consenting to jurisdiction.

Adherence to the Court was presented to the United States Senate, and to the people of America as above described, and not as the keystone to a world government edifice.[48]

The people who want to form a World Government are unhappy and frustrated. So characteristically, they can think of but one thing; that it is the United States and not the Communist nations, not the sixty-three other nations that have refrained, but the USA that is blocking their dreams. Therefore, they say, the United States should remove all obstacles on faith that the millenium will result.

The opinions of the ICJ indicative of its claims to determine its own jurisdiction is a matter of opinion only, based, it may be, upon an ad hoc declaration designated a "statute"; it may be upon a tenet of International Law for which the most to be said is that it is debatable, a self-serving opinion in that the fifteen judges on that Court thereby seek to place the mantle of an awesome power upon their shoulders.

If the ICJ is to have unlimited power, and that is what is desired by all or most World Court enthusiasts if we assume the full import of their arguments, then there will be no liberty in the world, for the World Court will be the autocrat and the ruler; and the only appeal will be to deity, God, Jehovah,

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[39] "Our two remaining safeguards after repeal of the Connally Amendment, namely, our right to veto the enforcement of a judgment, and our right to withdraw from the Court on six months' notice, are surely as 'self-judging' as the Connally Amendment, and would appear to be much worse in the eyes of other countries, since these actions would be taken after, rather than before, the Court assumes jurisdiction." Benjamin Wham, of the Chicago, Illinois Bar in letter to ABAJ Vol. 46, No. 11, November 1960, page 1172.

See also: Alfred J. Schweppe's remarks before the House of Delegates, American Bar Association, on page 1235 of the same issue of ABAJ.

Carl Zeiss, in his brochure "The Connally Reservation and the Cliches of the Internationalists," sums up his "veto-escape hatch" argument as follows:

"After the Connally Reservation is repealed, it would suddenly be discovered that the veto theory is unsound, that the escape hatch does not exist, that a proper construction of the Charter and the Court Statute requires the judgment defendant to abstain from voting on a decision in the Security Council in regard to enforcement of the judgment. 'Too bad! There is nothing that can be done about it now.' "

Mr. Zeiss may well have read the statement of Sir Gerald Fitzmaurice, K.C.M.G.-Q.C., in The British Yearbook of International Law, Vol. 34, 1958, in his series of articles on "The International Court of Justice, Questions of Jurisdiction and Procedure," wherein at page 16, we find the following:

"In all these cases the 'offer' cannot be withdrawn, so far as the particular case goes once it has been accepted in the appropriate way; nor, when it is a case of a treaty obligation, can any notice terminating the general treaty obligation affect proceedings already instituted. . . . Again, a standing declaration may be terminated, cancelled, expire or not be renewed; but this cannot affect proceedings already commenced in virtue of it."

[40] "The settlement of disputes between states, is never comparable to the settlement of disputes between individuals." de Visscher, page 328.

"The most dramatic and irreconcilable conflict of present times has assumed the forms of a defensive crusade against offensive despotism. . . . To dream about the possibilities of a legal settlement through judicial procedures would be utterly unrealistic." von Schuschnigg, page 283.

"The issues that are justicable between nations are very limited." Frankfurter Reminisces, Phillips, page 196.

[41] Larson, Pamphlet, answer to Q. 23; Larson, Connally Amendment, etc., pages 75–76.

[42] A Manual of International Law, by George Schwarzenberger, 4th Edition, N. Y. 1960, page 26.

"A nation's jurisdiction within its own territory is 'necessarily exclusive and absolute. It is susceptible of no limitation not imposed by itself.' The nation itself must consent to any restrictions upon its 'full and complete power . . . within its own territories.' " Life of John Marshall, by Albert J. Beveridge, Vol. 4, page 122, quoting Marshall's words from "Schooner Exchange Case," 7 Cranch, page 136.

[43] See Schweppe, supra page 735.

[44] von Schuschnigg, page 264.

[45] Declaration of Independence.

[46] "Before such a persistent affirmation of freedom of action, the Court whose competence is based exclusively upon the consent of the defending state, can only respect an essential condition of this consent and give it its full effect." Eleanor H. Finch, supra, quoting Charles de Visscher, former Judge of the Permanent Court of International Justice, in reference to the International case, 46 ABAJ No. 8, page 853, August 1960.

[47] von Schuschnigg, page 259. See also: Treaty Provisions in Foreign Constitutions, by Richard Young, Vol. 38 ABAJ, page 513, June 1952.

[48] de Visscher agrees that the "unreserved undertaking to submit all disputes without exception" is at present impracticable, particularly as to the great powers. de Visscher, pages 348, 351.

Allah, Buddha, Damballah, Quetzacoatl, the tree Gods of Africa, the Thunderbird of the American Indians, or the Gods that live in the seas. You will take your choice of what God you look to for relief according to your belief. If you are an atheist, or a humanist, you will have nothing to look to, nothing but the World Government.

25. If the Connally amendment were repealed, would the International Court have jurisdiction over essentially domestic American matters?

The proponents of World Government say "no," and go on in typical doubletalk to support their answer.

We say "the World Court will assert such jurisdiction" under the interpretations of the word "domestic" by such authorities as Jessup and Lauterpach,[49] and supported by certain unpleasantly prophetic pronouncements of our own Supreme Court[50] and of our State Department which has declared to the world: "There is no longer any real distinction between 'domestic' and 'foreign' affairs."[51] Eminent students of International Law as well as of American Constitutional Law look upon the Connally Amendment as the chief present defense against such encroachment upon American liberties.[52]

26. Does the Court have a guiding rule of law to determine what matters are essentially for international or domestic jurisdiction?

No, it does not.[53]

The norms that are supposed to guide the Court are set by Article 38 of the Statute.

Conventions and treaties are limited in number, and usually in scope. Where, in such as the draft covenant on human rights and multilateral treaties and conventions, a general field is approached, it is often done in vague terms permitting the widest variance of opinion as to the meaning and application.

Custom is only *evidence* of acceptable practice. "General principles of law" is an indefinite phrase.[54] Under what standards and by whose fiat are the "highly qualified publicists" chosen as authority?

Dr. Larson quotes the PCIJ in the Tunis-Morocco case.[55] The quotation is inadequate.

Professor Briggs[56] also cites this opinion:

"The question whether a certain matter is or is not solely within the jurisdiction of a state is an essentially relative question; it depends upon the development of international relations."

In other words there is no certain reliable definition of domestic jurisdiction. Let us read further:

"Matters of domestic jurisdiction are not those which are unregulated by international law, but are those which are left by international law for regulation by States. There are, therefore, no matters which are domestic by their 'nature.' All are susceptible of international legal regulation and may become the subjects of new rules of customary law or of treaty obligations."

The only rule possible in the absence of the Connally Reservation is the rule of opportunistic ad hoc procedure and adjudication of many of the vital issues that would come before the ICJ. That is not a rule justifying surrender of American liberties.

27. If the Connally amendment were repealed, would United States' control over raising or lowering tariffs be considered an international rather than a domestic matter?

28. Would immigration quotas be taken out of the control of the United States if the Connally amendment were repealed?

29. Would the United States' rights in the Panama Canal be endangered if the Connally amendment were repealed?

30. If citizens of Panama were to attempt to assert control over the canal by force (as distinguished from legal action), what legal remedy would the United States have?

The answer of the foes of Connally is, of course, "No," as to each of the first three questions of these four.

The answers we have given to many of the preceding questions would apply with equal force to any and all of the above last four questions.

Glib reasons given to show why the ICJ would not exercise jurisdiction in these types of cases, causes us to wonder why there is so much energy expended in arguing for the broadening of the powers of the ICJ—for that is what would result by the repeal of Connally. We are supposed to believe that the ICJ is completely thwarted now, by Connally. Thwarted from what? From exercising the jurisdiction vested in it by the Charter? The jurisdiction and power to do what it is supposed to do as represented to us when the Charter was adopted? No. Of course not. The Court is thwarted, or its champions are thwarted, because the Court so far cannot do the very things they say it will not do after Connally is repealed.

Dr. Larson[57] suggests that, since much tariff policy and execution is now governed by treaties, which are subject to international law, the continuation or repeal of the Connally Reservation will make little difference to Americans. He uses a similar approach to the matters of Immigration Policy and the Panama Canal.

That prompts us to ask, why such an insistence that the Connally Reservation be repealed? Why cannot the World Court operate effectively under its present setup? Its predecessor, the Permanent Court of Int'l Justice, carried on its functions effectively for many years[58] even though the U.S. Sen-

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[49] "Professor Jessup (now a member of the World Court) has suggested that inclusion in the Charter of provisions with regard to fundamental human rights lifts these out of the reservation concerning domestic questions (art. 2, No. 7) and makes them matters of international concern." Clyde Eagleton, in Proceedings of the American Society of Int. Law, 1946, at page 26.

See: A Modern Law of Nations, by Philip C. Jessup, MacMillan, 1948, pages 40, 41, 42, for Dr. Jessup's own words.

"At this point one must be reminded of the new international interest, or meddling if you will, in matters which once were thought to be essentially domestic. Although the U.S. Government does not agree, the international movement in favor of human rights and against such specific crimes as genocide (which may be wholly territorial) has considerable support." Philip C. Jessup, Transnational Law, New Haven, 1956, page 51.

"The power of governments to derogate from rights of the citizens, which in the United States are considered fundamental, is a typical characteristic of United Nations treaties." The Need to Restrain the Treaty Making Power of the United States Within Constitutional Limits, by George A. Finch, American Journal of International Law, Vol. 48, No. 1, pages 57–58.

International Law and Human Rights, by Sir Hersch Lauterpach, New York, 1950.

[50] United States v. Pink, etc., 315 United States Reports, pages 203, 230, 231; Oyama et al. v. California. 332 United States Reports, pages 633, 647, 748, 673; United States v. Belmont, 301 United States Reports, page 324.

In the last mentioned case, at page 331, Justice Sutherland stated: "In respect of all international negotiations and compacts, and in respect of our own foreign relations generally, state lines disappear. As to such purposes the State of New York does not exist."

[51] U.S. Department of State, Pub. No. 3972, General Foreign Policy Series No. 26, Our Foreign Policy, 1950. See Schweppe, supra page 733, etc.

[52] Judicial Supremacy, etc.

Collier at page 69: "without the Connally Reservation the only principle or rule of limitation on jurisdiction of that court really will be merely the rule of discretionary self limitation."

Page 70: "The result would probably be that the World Court under the terms of its basic statute (Chapter 2, Article 36, Par. 2) would assume jurisdiction over all the domestic issues in any legal dispute where there was a single potentially decisive issue of international law."

Page 73: "There is no effective limitation expressed or implied set forth anywhere in the controlling 'constitutional instruments' of the U.N. that even purports to limit the judicial jurisdiction of the international court with regard to any 'domestic jurisdiction' subject matters as such."

See letter of Ralph T. Catterall, of Richmond, Va., in ABAJ, Jan. 1961, Vol. 47, page 6.

"When it comes to the 'interpretation of a treaty' it only becomes necessary to incorporate in treaty form any matter involving our domestic affairs for the World Court to obtain jurisdiction over such matters." Holman Pamphlet, page 13.

State of Missouri v. Holland, United States Game Warden, 252 United States Reports, page 416.

Report of State Bar of Texas as cited by Barnes, DAR magazine, page 288, April 1960.

"The disposition of the General Assembly (of the UN) as evidenced by its decision in the France-Algeria matter, appears to regard every question as international."

The United Nations, Planned Tyranny, by V. Orvall Watts, Devin-Adair, 1955.

Page 62: Dr. Watts cites the statement of the U.S. Consultant at the San Francisco Conference, where the United Nations Charter was born, who declared that any nation signing the Charter became at once subject to the Charter and the Security Council in all its acts and domestic affairs. (Citing "One World in the Making," Boston, 1946, at page 45.)

[53] See answers to question 8 and annotations, supra.

[54] An International Bill of Rights, by Frank E. Holman, 34 ABAJ, page 984, November 1948, at 1078.

[55] Tunis-Morocco Nationality Decrees, Permanent Court of International Justice—1923. Seris B, No. 4. Hudson, World Court Reports 1, 143.

[56] The Law of Nations; Cases, Documents, Notes, by Herbert W. Briggs, 2nd Edition, New York 1952, pages 24, 452.

[57] Larson, page 99.

[58] de Visscher, page 179, while recognizing that migration (and immigration) "are held today in the reserved domain of the state," yet declares this subject to be "clearly of international interest."

Therefore, one wonders, "What of the morrow?" not only in relation to immigration, but as well in relation to many other phases of domestic relations, including tariffs and the Panama Canal.

Holman (Story of the Bricker Amendment, Frank E. Holman, N.Y. 1954) points out that Article 14 of the Declaration of Human Rights declares that "everyone has the right to seek and enjoy in other countries asylum from persecution" which appears to indicate a purpose to limit or regulate the rights of states to limit immigration as well as emigration.

(Immigration) "Here are some of the specific documents which the 1958–59 World Court Yearbook lists as 'providing for the Jurisdiction of the Court.' The July 28, 1951, 'Convention relative to the status of refugees'; the October 19, 1953, 'Constitution of the Intergovernmental Committee for European Migration'; and the 'Constitution of the International Refugee Organization.'" Dan Smoot Report, page 243.

(Tariffs) "The whole Reciprocal Trade

ate never ratified the League of Nations Statute setting up that Court.

Sumner Welles, former Assistant Secretary of State, is quoted as saying:

"It is asserted that any subject whatever that is dealt with in a treaty between two nations becomes, by virtue of that fact, a subject of international concern."[58a]

31. Would such matters as civil rights and school integration in the United States be considered international law questions rather than domestic, because of the Universal Declaration and Draft Covenant on Human Rights?

Mrs. Franklin D. Roosevelt is quoted as declaring that the Human Rights document "does not purport to be a statement of law or legal obligations."

One hesitates to accept Mrs. Roosevelt as an authority on law, especially since she went on to say that the provisions of the Declaration and Draft Covenant should be used as an authoritative interpretation of the meaning of the UN Charter.[59]

It is a theory of International Law that when a multilateral treaty, which is considered to be a "law-making treaty"[60] such as the United Nations Charter, or the Covenant on Human Rights is adopted by a majority of the nations of the World, or even by a majority of the "great powers," that its provisions then become universally binding, even upon those nations not formally accepting it.

The effect of such treaties takes still another course. All we have to do is to look to our own Supreme Court for clear and loud warnings on this score, when UN Charter and Human Rights provisions are relied upon by members of that august judicial body to support conclusions affecting the law and welfare of the entire United States in domestic matters.[61]

32. Is there any danger that individual Americans might be tried criminally by the World Court?

Opponents of Connally say "No." They are wrong, and they know it.

The answer is "Yes." There is great danger.

Those who have been most strident in opposition to the Connally Reservation have voiced their opinion and their purpose—their opinion that for the system of worldwide government to be effective the individual person must be reached in two ways. He must be protected, and he must be made subject to the World legal system; be controlled and restrained, prosecuted and punished, imprisoned, even executed for violation of "international crimes." The purpose, to bring this about.

It is not alone the international, United Nations bureaucracy that must be guarded against. Often more dangerous to the American's freedom are his fellow Americans, unfortunately many of them elected or appointed officials of his government, fired with a sense of responsibility to an international, one-world concept, such as we have found in the Fujii case in California, and the land restrictions cases of Missouri and Michigan.[62] We have also seen the clear warning in the decisions of Chief Executives of this nation, in application to the Steel Strike case, and the Little Rock disorders.

Such moves were in the direction of providing sinews of authority within the formless mass of the United Nations. All that is required is time and a continuation of this un-American allegiance to complete the metamorphasis of UN from a debating society to a completely formed World Government. Once such a governmental power is formulated and backed by a world police force, or by the power of a Soviet-backed satellite empire, human liberty and human freedom will be dead, and mankind will in truth live within the opaque shadow of an Orwellian existence.[63]

33. Does the court's record show an inclination to expand its jurisdiction beyond its legal limits?

Larson quotes Jessup[64] for the negative answer.

The past record of this Court can no more be taken as the basis for the answer than the record of the U.S. Supreme Court before Marshall's epochal decisions. Rather we must look to plans for expansion, of those most active in fighting for repeal of the Connally Amendment; as indicated in answers to the preceding questions.[65]

34. The future—Regardless of the past record of the court, can it be trusted for the future?

The future is all that we are concerned with. There is no assurance that the Court will retain its present philosophical, culture or political composition which its champions point to as evidence of trustworthiness. There is no rule or law that will keep it static in any respect. The *people* of the world have no control over the Court's composition. Its members are not elected by any method of popular vote, nor are those who select the Court's members elected by any vote of major segments of the world's peoples, nor are they responsible to their theoretical constituents.[66]

The composition can change within a short time. There is no vested right to membership on the Court's bench. In the USA we are familiar with the changes that take place in our own Supreme Court due to death, resignation, retirement, and the sweep of political tides.

"The future" that is meant in this question is not the immediate future, nor is the Court expected to remain the same Court. Its proponents and the anti-Connally people do not want the Court to remain the same. They foresee a Court with unlimited power, buttressed by a world police force, a world prosecuting attorney, a world detective force, a world-wide bureaucracy. All this and more. The repeal of Connally would be a big step in that direction.

Repeal would be followed by a gradual accession to power through decisions and assertion of authority, that would inexorably extend the field of arbitrary government, of world socialism, of world dictatorship, and most likely of world-wide communism.

Organs of the UN already formed would blossom in new vigor and arrogance and extend their powers into areas they dare not now invade. The judiciary and executive officers of some nations would submit to the decrees and mandates of the World Court and its hierarchy. Others would resist. Wars and revolutions would result.

For the influence of omnipotent world government would not act uniformly throughout the world. In "advanced" countries like the United States of America, Canada, Australia, the United Kingdom, a few European nations, and possibly India, the people would be propagandized into accepting this latter-day divine right to govern. Africa would be the dependency. (No, not a colony, for that is a horrible word in this new bright age.) The USSR would not be a part of this United Nations hegemony, for the USSR has its own world government. There would not be one world, but two worlds, until the Armageddon of mutual destruction.

No, we would not trust the Court of the future as the opponents of Connally see it. We cannot and we never will trust unlimited power anywhere in any form.

35. Might a change in composition of the Court lead to a change from the past record of conservatism to an attitude which could prejudice the United States' interests?

The opponents of Connally argue "No" on the grounds that through forty years the

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Agreements Program of the Federal Government (instituted under Cordell Hull's aegis in 1934) is based on agreements between the United States government and foreign governments. . . . The American government has probably made more agreements with foreign nations on the general subject of tariffs than on any other subject." Dan Smoot Report, ibid.

[58a] Report of Standing Committee on Peace and Law through the United Nations, Vol. 77, American Bar Reports, page 511 (1952).

Specialized Agencies (of UN)

". . . the various specialized agencies which act in cooperation wtih the United Nations such as the ILO and the FAO, often operate through conventions which are framed by a particular agency and then submitted to the separate countries for ratification. . . . these conventions offered by the specialized agencies have all the scope of treaties and are of a distinctly legislative character. When a nation adheres to the constitution of a specialized agency it may become bound by the regulations issued by the agency. The specialized agencies operate under a constitution and regulations framed by their member governments." Allen, pages 38, 39.

[59] An International Bill of Rights, Holman, page 985: "In order to enforce the provisions of a bill of rights the United Nations will have to interfere continually and minutely in the internal affairs of member nations."

"Uniformity of legislation by withdrawal from state legislative control of such subjects as marriage and divorce, labor legislation, the ownership and inheritance of property, and all matters affecting aliens would be possible by exertion of the necessary treaty power." Quotation from 29 Yale Law Journal, 445, 449, as cited in Treaties versus The Constitution, by Roger Lea MacBride, The Caxton Printers, Ltd., 1956.

[60] von Schuschnigg, page 48.

The Law of Nations, by Herbert W. Briggs, 2nd Edition, New York 1952, pages 45, 46, 871.

"On the other hand, the UN Charter (Art. 2, Sec. 6) binds nonmember States to comply with the principles of the Charter 'so far as may be necessary for the maintenance of international peace and security.'" Schuschnigg, page 263.

[61] Oyama et al. v. California, 332 United States, page 633 at 647, 648 and 673; Rice v. Sioux City Memorial Park Cemetery, Inc., 348 United States Reports, page 880; 245 Iowa Reports, page 147.

"But the realistic fact remains that every citizen of the United States, if the proposed Covenant of Human Rights is approved by the Senate, ratified, and goes into force, will have domestic law made for him by treaty submitted to only one legislative body, the Senate, and not enacted by his Congress." Allen, ibid page 29.

[62] Supra.

[63] An International Criminal Court has been proposed by a commission within the UN. See von Schuschnigg, page 324.

For the application to individual persons, see: World Peace Through World Law, by Clark & Sohn, pages (preface) XV and XVL, 341, 342 and 343; "Blueprint for a Peaceful World," by Paul Shipman Andrews, Current History, August 1960; An International Criminal Court, by George A. Finch, vol. 38 ABAJ, page 645, August 1952.

(Note) Article 27, of the Draft International Covenant on Economic, Cultural and Social Rights provided: "The provisions of the Covenant shall extend to all parts of federal states without any limitations or exceptions." Moskowitz, page 213.

[64] Larson Pamphlet.

[65] Andrews, Clark-Sohn, Moskowitz, others, supra.

[66] Statute of The International Court of Justice, Chapter 1, Articles 2 to 15, inclusive.

"The electoral machinery for world court judges plainly invites political maneuvering." Ober, page 65.

Court has remained steadfastly "conservative."

Here we suggest, we hope not perversely, that steadfast conservatism is the last thing the Connally repealers want. If the Court is to remain as it is and has been, there would be no demand for repeal. If the Court is to continue unaffected by the repeal of Connally, then why all the fuss?

However, you cannot judge the future by the past forty years. The first twenty-five years, of the Permanent Court of International Justice, was a period of a different Court under a different concept. The last sixteen years, the period of the ICJ, has been the era of the birth of the UNO and all the agencies and semi-independent organs under that body. The era has seen the efforts to adopt the Genocide Convention, to establish an International Criminal Court, and to bring about the recognition of the Declaration of Human Rights. These attempts threw shadows of totalitarian and welfare government over every home in America. These past sixteen years have seen attempts to lay the foundation and erect the facade of a world government. Most tragic of all, International Communism has grown to frightening power, and the words "cold war" have labeled the most bitterly fought ideological struggle in man's history, when millions of humans have been enslaved and brainwashed, and other millions threatened with like fate in furtherance of communism's surge toward world rule.

Finally, this era has seen the United States of America completely forsake its traditional aloofness and through multilateral treaties so entangle itself that now it stands as a giant bound, blind and apparently impotent from restraints largely of its own contriving.

To give the ICJ unlimited powers, and that is what is intended by the Connally repealers, would be to write the death sentence to freedom in America and kill the growth of freedom everywhere.[67]

In the Senate hearings on the Law of the Sea, in the Spring of 1960, Arthur H. Dean, of the State Department, was asked by Senator Long (La.) [68]

"Would you be willing to have that Court have unconditional jurisdiction if the Communist powers gain a majority on that Court?"

And Mr. Dean answered:

"No, I think that would be unthinkable. I personally think the whole method of selection of the judges and a whole study of the statutes of the Court, and the whole question . . . ought to be studied."

36. Even though the interests of the United States are not threatened under present international law, may not international law itself change?

Connally opponents give a two-pronged answer to this:

(1) That treaties binding the USA cannot be changed or created against the will of the people of the USA.

The fallacy in this is two-fold: (a) Treaties are not enacted by the full legislative mechanism of the Congress, but by the President with the approval of only two-thirds of the Senate present at the time of voting; and (b) treaties may be construed against the interests of the USA and of any nation, and in fields over which the USA never intended that there should be external encroachment, especially in domestic fields.[69]

(2) That according "to practice and customary international law, in view of the 'dominant place' occupied by the USA in international affairs and practices, a practice or custom rejected by the US would not be considered to be a general one acquiesced in by the States" (i.e., Nation States or Nations).

Here again there is a fatal flaw in the reasoning. The United States may not long hold its "dominant place"; in fact, there are many who feel that time has already passed. The whittling away of the foundations of "American dominance" by such proposals as that of repealing Connally has already gone far towards destroying America's influence. Moreover, instead of fifty members of the United Nations, as was the case in 1945, today there are one hundred and three and tomorrow there may be a hundred and twenty-five, or more.

If a practice or custom is to be recognized by the World Court because a great power recognizes that practice or custom, we conceive that the World Court can conclude that a practice or custom recognized by the USSR, as the dominant Communist power and in view of the precarious and shifting balance of power, may prevail over that relied on by the USA. For example, the right to private property is not recognized by the Communists. So, the World Court could on this theory assert that private ownership of property is not an international custom, but that communism is, and so on.

Connally repealers say that the USA because of its "dominant position" could block a change in international law. Isn't that dishonest? Cheating? Sharp Dealing? To propose repealing of Connally, which protects us against such unfriendly charges, and at the same time say, "But see, if the other nations get tough we can use our dominant position and block them!" Where would the vaunted efficacy of world law serve in such a case? If it served at all it would be as an injunctive force prohibiting the USA from refusing to "cooperate."

There are strong suggestions for the amendment of the Charter of the United Nations and consequently accomplishing some of the changes in international law anticipated by Dr. Larson.[70] Such changes would alter the constitutional make-up of the UN and impress many socialistic, communistic and otherwise totalitarian practices upon the people of the world. We must not forget that the Charter is a treaty, and as such, in the United States, is "law of the land."

37. Is a court, composed of judges from various legal systems, in addition to the Anglo-American, likely to disregard Anglo-American concepts of law and justice?

Yes. It cannot avoid doing so. In spite of the judges' presumed learning, of their assumed attitude of fairness and of passion for world law and justice, they are human, not automatons. They are subject to differing psychological, racial and national habits, and to a wide range of political tensions. Moreover, the assumption that international law is a "uniform system of law" is entirely erroneous. It is neither uniform nor certain. There is but little codification of it. Great areas exist in it where there is no developed law whatever. In such areas the Court must either refrain from acting, or as the "statute" admonishes it to do [71] it must "declare" the law to be something, by ad hoc rulings if there are no established rules on the issue.[72] The Connally repealers ignore the true character of international law.

38. Do the judges feel obliged to "represent" their particular countries' interests when deciding cases?

By analysis of the voting of the judges in the past one might, if such could be done, come to a variety of conclusions. Patriotism, even chauvinism, might sway the judges. Zeal for world government, world federalism, or "union now" might do likewise. How a judge shall feel "obliged to vote," no one can say. Common sense tells us that the judge will usually be human, unless he be from a communist country. In that case he will vote as he is ordered to do.[73] In spite of the fact that only legal questions are supposed to be decided by the ICJ [i.e., until an equity tribunal is established as is urged by some],[74] political demands could be and probably would be decisive in crucial cases. We cannot establish the probabilities of the Court's conduct by Gallup Poll methods.

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[67] "The United States voted to enter the Court of International Justice with reservations. . . . If this reservation had not been made, the decisions of the Court of Int'l Justice would have become the supreme law of the United States," Barnes, DAR Magazine, April 1960, page 286.

"Whatever the reasons of the Senate at the time of the passage of the Connally Reservation, the reasons now for its retention are clear and manifold." Holman Pamphlet, page 43.

"At this time of world revolution and cold war we Americans need to observe the utmost caution in taking any steps which might impede our freedom of action in unforeseen emergencies." Philip Marshall Brown, former Prof. of International Law, Princeton University, quoted in Saturday Evening Post, May 12, 1960.

[68] "Conventions On the Law of the Sea." Hearing Before the Committee on Foreign Relations, U.S. Senate, Second Session, 86th Congress, January 20, 1960.

"Since nine judges constitute a quorum, and a decision is made by a majority of those present, it follows that five judges (and those might some day all be Communist judges) could make an unappealable decision as to whether an issue is or is not within the domestic jurisdiction of the United States." Frank Holman (in an address made before Suffolk Law School Alumni Association, Boston, Mass., February 24, 1961, and since published in pamphlet form).

[69] The Treaty as an Instrument of Legislation, by Florence Ellinwood Allen (Justice of U.S. Circuit Court of Appeals, Sixth Circuit), New York, 1952.

"We have innumerable rights all over the World under treaties. These would all be permanently at risk." Carl Zeiss, "Cliches," id.

[70] Proposals for Changes in the United Nations, Francis O. Wilcox and Carl M. March, Brookings Institute, Washington, D.C., 1955.

This work indicates that the International Court has disappointed its champions, who are desperate for some change to give it new life and power. Proposals for amending the Charter and Statute include—Extending jurisdiction of the Court in political matters; granting international organizations access to the Court; empowering the Court to settle disputes between individuals and states; establishment of an international criminal court; establishment of a court of international human rights.

[71] von Schuschnigg, page 321.

[72] "At Tokyo the objection of American defense counsel to heresy evidence seemed hardly to be understood by the French, Dutch, and other judges whose systems allow heresy. The Indian judge regarded the failure to comply with certain practices employed in the Courts of his country as constituting the denial of a fair trial." (And the Russians complained that Anglo-Saxon procedures unnecessarily delayed the trials.) An Introduction to International Law, by Wesley L. Gould, Harpers, N.Y. 1957, page 669.

"President John F. Kennedy, in last week's address to the nation, recognized that 'the soviets and ourselves give wholly different meanings to the same words; war, peace, democracy and popular will.'" Barron's National Business and Financial Weekly, June 12, 1961.

See: Criminal Justice in Japan: Its Historical Background and Modern Problems, by Haruo Abe, Public Prosecutor, Japanese Ministry of Defense, Vol. 47 ABAJ, page 555, June 1961.

"Our experience in the postwar reform taught us the invaluable lesson that abstract studies of comparative law sometimes are worse than useless . . . To make comparative law a real science, one must have some insight into the dynamic relationship between law and national tradition."

[73] Alfred J. Schweppe (supra page 733) discusses the "Three Types of Judges" that will be found in the World Court. He considers

39. Do Communist judges vote the Communist Party line?

This question must have been coined by a naive person, or by one who has lived within an ivory tower these past forty years. Let anyone wanting to know about Communist justice, read the narrative of a Hungarian lawyer, when he tells of Communist justice in his unhappy land, who testifies to: "completely arbitrary exercises of judicial power by Communist judges without previous legislation . . . and alterations in judicial practice or in the law itself were made according to the political necessities of the day . . . in every field of law. Communist morality became a decisive factor, and militated against the old, time-honored maxims of Hungarian law based on Western legal principles and Christianity."[75]

40. If the Connally amendment were repealed, would the United States be sued by Communist countries against its will?

Yes, if the Communist countries chose so to do. A Communist country could under Chapter II of the Statute make a special acceptance of jurisdiction or a general acceptance for a limited time. But be sure, no Communist country will or would go to the World Court unless it were certain that such action suited its purpose.

41. How can the Soviet Union have a judge on the Court when it has not accepted the Court's obligatory jurisdiction?

The question should be: By what moral right does a nonadhering nation have representation on the Court?

At this time there are seven judges of the Court who come from non-adhering nations. One of them (the Communist Polish representative) is presiding judge of the Court.

The answer to this is, of course, the provisions of Article 2, of Chapter 1 of the Statute of the International Court of Justice.

42. Does repeal of the Connally amendment imply favoring "world government"?

Repeal of the Connally Reservation would be a decisive step towards World government. In addition to the judicial system of the International Court of Justice, there would be under various conventions and the UN Charter itself, a world bank, a world economic body, a world labor organ, a world health agency, world food agency, UNESCO, a postal union, and a world legislative body in embryo. All of these organs exist today in generic form. In addition there are dozens of other, lesser, but none the less potentially potent alphabetic agencies, subsidiary and ad hoc bodies. Soon after the repeal of Connally there would follow a revision of the UN Charter, or if not a revision, the ICJ would supply advisory opinions construing the Charter, to provide a world Prosecuting Attorney, a world Regional Court, a world Police Force, and a correlation of all these into a cohesive body for world government.[76]

43. Will decisions of the court be obeyed in the absence of an international police force?

Dr. Larson states that only Albania, in the Corfu Channel case, has neglected to comply with an adverse judgment.[77] Yet in the Monetary Gold case,[78] in five Aerial Incidents cases [79] and the Navy Neptune case [80] communist nations have refused to accede to World Court jurisdiction. As to all the other cases considered by the Court since 1945, with the possible exception of the Honduras-Nicaragua boundary dispute [81] and the Minquiers and Ecrehos case which involved sovereignty over English Channel islands,[82] none involved issues that traditionally are supposed to cause war. Even in relation to the Aerial Incidents cases, war was not the result of the failure of the Court to acquire jurisdiction. There has been no accomplishment of the Court so far that gives any color to the claim that it will be a war-avoiding instrumentality.

The United States of America would accede to World Court judgments probably to the point of national suicide if its citizens were supine enough to follow the lead of the internationalists. Obedience would be placed on an "honor" basis, as morally necessary, as a "prestige" requirement, and World Court zealots would demand obedience with religious fervor. What other nations would do would depend entirely on the political nature of those nations. Red China, Russia, the iron curtain countries, Cuba, would they accede to an adverse judgment? Not at all.

However, once the World Court were vested with the full power its champions demand for it there would follow the establishment of a World Police Force and other instrumentalities to accomplish and maintain the supremacy of international government over national government.[83]

44. Is American opinion ready for repeal of the Connally amendment?

Americans are not being adequately informed of the truth about the movement to repeal the Connally Reservation. The opponents of the Connally Reservation are not telling the whole truth. They are asking the American people to trust their liberties to people and organizations over whom the American people can have no control or restraint. Americans who are fully informed on the issues involved are staunchly against repeal.

The American Legion, whose living members have fought in three wars for American liberties, the Daughters of the American Revolution, whose ancestors wrote the Constitution of the United States and the Bill of Rights after having won their freedom by daring sacrifice and revolution, and many other patriotic bodies, have consistently stood for retention of the Reservation. Influential leaders of conservative Americans, including many of the most eminent, highly honored lawyers and jurists, are fighting for its retention. Editorial policy of the leading newspapers and journals of the country have followed this purpose. Students of International Law have likewise advised retention until some time in the future when International Law may have developed sufficiently to warrant such an experiment.

We challenge the statement that "American opinion is ripe for repeal."[84]

45. Is American opinion ready to accept the prospects of losing as well as winning cases before the Court?

This question indicates an assumption that "winning cases" and "losing cases" are ultimate consequences of adherence to the World Court; whereas in truth the outcome of any one of a dozen cases is of small importance compared to the pervasive influence of judicial decrees and declarations of world law based upon such law-making treaties and conventions as the UN Charter, the Declaration and Covenant on Human Rights, the Labor Convention, the Law of the Sea, and so on, which will be impressed on nations as domestic law whether they like it or not; and the coining of new theories and dicta, through ad hoc pronouncements. Thus, and not by the deciding of particular cases would

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the Communist Judge to be one "who is not his own master . . . to ignore these realisms seems a blind idealism."

"Communist judges are agents of the State and not independent." Ober, page 65 (citing Vishinsky and others, footnote 15).

The Lawyer in Communism, by Kalman, post.

[74] Clark and Sohn, supra.

[75] The Lawyer in Communism. Memoirs of a Lawyer, by Dr. Lajos Kalman, Boston, 1960.

The Communist is entirely cynical. "He cannot understand evenhanded justice. Khrushchev points to UN actions in the Congo . . . and claims there is no such thing as a neutral man." William R. Frye, U.N. Correspondent of Cincinnati Enquirer, July 2, 1961.

[76] Frank Holman brands the efforts of those who seek to rescind Connally as one of a "variety of devious maneuvers and clever resorts to semantics, to transform the United Nations into a 'world government' or to give it many of the incidents thereof." (Holman Pamphlet, page 7.)

Regional institutions "should be created all over the world," says Charles S. Rhyne (An Effective World Court Is Essential), in 46 ABAJ No. 7, page 753, July 1960.

See also: Clark and Sohn, supra; Andrews, supra; Wilcox and March, supra.

Dean Clarence Manion, in his Weekly Broadcast of the Manion Forum, February 7, 1960, stated: "If the Connally Reservation is shunted, the United States has passed another milestone to one-worldism and loss of sovereignty."

[77] United Kingdom v. Albania, ICJ Rep. 15.

[78] Italy v. France, United Kingdom and U.S.A., id. 19.

[79] Israel v. Bulgaria, id. 127; United States v. Hungarian People's Republic, id. 99; United States v. USSR, id. 103; United States v. Czechoslovakia, id. 6; United States v. USSR, id. 9.

[80] United States v. USSR, id. 158.

[81] Honduras v. Nicaragua, id. 192.

[82] France v. United Kingdom, id. 47.

[83] Blueprint for A Peaceful World, by Paul Shipman Andrews, Current History, August 1960; In Place of Folly, Norman Cousins, Harpers, 1961 (the author suggests a police force of one million); World Peace Through World Law, Clark and Sohn (who propose a police force of 10,000).

[84] "We seem always to have in this country a considerable number of ordinarily patriotic citizens who have convinced themselves that the only way to attain world peace is to give America away . . . not only in the form of money and material resources, but also in the form of giving up and surrendering our sovereignty and our precious American rights and liberties as fixed and guaranteed by our Constitution and our Bill of Rights, and hitherto regarded as inalienable." Holman Pamphlet, page 17.

See series of seven articles by political analyst and columnist Forrest Davis, in the Cincinnati Enquirer, August 1960.

Leading Editorial Opinion of the land supports preservation of Connally (a partial list follows):

The New Age—April 1960.
Review and Outlook—August 31, 1960.
Chicago Daily Tribune—August 6, 1960.
Saturday Evening Post—March 12, 1960.
Indianapolis Star—March 8, 1960.
Richmond News Leader—September 2, 1960.
The Baltimore Sun—January 24, 1961.
The Tablet (Brooklyn)—January 14, 1961.
Seattle Post Intelligencer—September 2, 1960 .
Wall Street Journal—October 14, 1959.
Tulsa Daily World—September 2, 1960.
Chicago Daily Tribune—September 26, 1960.
The Cincinnati Enquirer—August 12, 1960.
Inquirer, Philadelphia—September 2, 1960.
Evening World Herald (Omaha).
Times-Picayune-New Orleans—February 18, 1960.
Review and Outlook—February 29, 1960.
New York Daily News—January 9, 1961.
Caholic Standard and Times—October 7, 1960.

the ICJ move to become the actual ruler of the world.

But to return to the matter of winning and losing cases. Americans have been losing so much ground in international dealings recently that they have become accustomed to inept fruitless foreign adventures of their servants in the government; have in fact come to feel almost fatalistic about such matters.

When Americans do realize the truth about the implications of unlimited adherence to the World Court, and the inexorable shift into a world government, they will respond in no uncertain terms. The response will be a surprise to those who think they can impose an autocratic or bureaucratic world government upon 185,000,000 American citizens.

"The first step toward World Law is for the nations of the world to develop the habit of submitting international disputes to the World Court for settlement and not to beguile themselves into the idea of giving up the right to determine when a dispute is domestic and when international."—Frank E. Holman.

STEUBEN AND THE GERMAN CONTRIBUTION TO THE WINNING OF AMERICAN INDEPENDENCE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Howard] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HOWARD. Mr. Speaker, September 17 marks the 237th anniversary of the birth of Friedrich Wilhelm Ludolf Gerhard Augustin von Steuben, or to use the name that he assumed in later life, Friedrich Wilhelm August Heinrich Ferdinand von Steuben. On this occasion it is fitting to reflect upon the German contribution to the cause of American independence.

Steuben was born at Magdeberg where his father was stationed as a lieutenant of engineers in the army of Frederick William I of Prussia. He was educated in the Jesuit schools in Breslau and in his seventeenth year he entered the officer corps of the Prussian Army. He served with credit throughout the Seven Years' War. It was his experience as a general staff officer from May 1762 to the end of the war that especially equipped Steuben for his service to the cause of American independence.

After a period of service as chamberlain at the Court of Hohenzollern-Hechingen, he sought service with the American forces. Armed with a letter of introduction from Benjamin Franklin, he landed at Portsmouth, N.H., on December 1, 1777, and journeyed overland to York, Pa., the temporary seat of Government. His services were accepted by the Continental Congress and he was directed to report to Washington at Valley Forge, where he arrived on February 23, 1778.

His efforts toward the training and discipline of the American troops were so successful that Congress on May 5 confirmed his appointment as inspector general with the rank of major general. He developed a system of property accounting that went far to check the waste of public property that had formerly prevailed. After the disastrous retreat of Charles Lee at Monmouth, Steuben reformed the disordered troops and led them back into battle. In these and many other respects, Steuben's services proved of incalculable value to the patriot cause.

After his honorable discharge from the Army on March 24, 1784, he made his residence in New York and became a popular figure in the social life of the city and State. He served as president of the German Society and of the New York branch of the Society of the Cincinnati. In 1787 he was elected one of the regents of the University of the State of New York. In 1786 the State of New York granted him 16,000 acres of land north of Utica. Always careless in his business affairs and extravagant in his charities and hospitality, he found himself in financial difficulty and was saved from bankruptcy only by a friendly mortgage on his New York lands arranged by Alexander Hamilton and other influential friends. In June 1790 the new Federal Government granted him a pension of $2,500 a year. He died on November 28, 1794, on his estate in the Mohawk country and there he is buried.

Steuben was not the only German who came from foreign shores to aid the American cause. John Kalb, or Baron de Kalb as he is sometimes called, Gerhard von der Wieden, Heinrich Emanuel Lutterloh, Johann Paul Schott, and Baron Friedrich Heinrich von Wissenfels were among the others who contributed their services.

It does not detract from the credit due these distinguished officers to say that possibly even more significant were the efforts of hundreds of colonists of German birth or extraction. Inspired by Peter Mühlenberg, Nicholas Herkimer, Christopher Ludwig, and other leaders, they rallied to the patriot cause. A regiment called the German Fusiliers was organized in 1775 in Charleston, S.C. In 1776 a German regiment consisting of four companies from Maryland and four from Pennsylvania was raised, and in the following year a ninth company was added. The Salzburgers of Georgia served nobly in the struggle for freedom, as did German militia and sharpshooters from the Mohawk Valley and the Valley of Virginia. Germans participated in battles at Princeton, Brandywine, Savannah, Monmouth, Oriskany, and Yorktown, to mention only a few. They contributed in no small measure to the successful outcome of the war for American independence.

CITIZENSHIP DAY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Howard] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HOWARD. Mr. Speaker, in the oppressive heat of a muggy Philadelphia summer in 1787, a group of 55 men of every shade of opinion, occupation, and age sat down to contemplate the creation of a more perfect Union, a state of political felicity such as civilized man has never known. For 4 months they thrashed out the great issues of political theory and practical politics. When they stood up, the fruit of their labor was found to be a simple but sophisticated mosaic of second choices, a bundle of compromises which breathed life into our infant Nation and secured the blessings of liberty both to them and their posterity.

The blessings of liberty were indeed secured for us, who live in an ultramodern and extraordinarily complex 20th-century America extending from sea to sea and yet beyond, by a group of men living in a predominately rural and confined area of the eastern seaboard. This fact, in itself, stands as just tribute to their wisdom and genius. Yet further tribute is fitting for their remarkable success and for their ability to create a document so simple in language yet so sophisticated in ideas as to endure two centuries of profound change in our American society.

Because the Constitution was signed in the 17th day of September 1787, and because it made possible for us a kind of life for which we should be thankful, we have chosen that day to honor it and to rededicate ourselves to its principles by celebrating Citizenship Day. On this day, we should contemplate the wisdom of that document by which we have grown to be the greatest Nation on the face of the earth. Its impact on our growth and on the world at large cannot be underestimated. Conceived in the wealth of our English heritage, born in the aftermath of victory, and written in the blood of those brave souls who died to realize such victory, it set forth unique, lofty, and lasting principles of liberty and justice for all and of a sovereign union of sovereign States. Bold in conception and yet a basis to happiness, these principles were able to bridge the gap between theory and practice and to provide us with a citizenship of freedom unparalled in the world. It is the torch which lights the free world by its example and flickers in the darkness of the world in chains, offering hope to the oppressed.

Liberty and justice are the keystones of our citizenship, and responsibility is their guardian. We must not falter in that responsibility to uphold democracy, to participate in our Government by voting, to support our laws, and today, especially, to cherish our citizenship. For our strength is in our good citizenship and in our dedication to carrying forward our great heritage.

LABOR DAY ADDRESS BY I. W. ABEL

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HOLLAND. Mr. Speaker, I. W.

Abel, president of the United Steelworkers of America, and a vice president of the AFL–CIO, declared in his Labor Day address that the people of America's ghettos today are suffering an unemployment rate far worse than that experienced in the worst of the great depression.

Mr. Abel, who is a member of the President's Special Advisory Commission on Civil Disorders, not only described the situation in our slum areas today, but proposed means of correction. The talk was heard on the Columbia Broadcasting System radio network.

So that we may all be able to be familiar with what Mr. Abel said, I insert the text of his message in the RECORD at this point:

This is labor's day, traditionally, a brief period of rest, recreation and acknowledgment of the role that labor plays in the progress of our great country. But on this Labor Day there perhaps is one subject that is uppermost in our thoughts—and that is the literal imprisonment of millions of Americans in the nation's ghettos.

The violence, destruction and death that has been suffered in more than 30 American cities this year compels us to conduct a national search for the right answers to the problems that exist in our cities.

President Johnson defined this serious domestic problem very well in his message on the cities in 1966. At that time, he said: "We cannot become two people, the suburban affluent and the urban poor, each filled with mistrust and fear, one for the other."

Two years ago, the President put the issue in this context: "The problems of the cities are problems of housing and education. They involve increasing employment and ending poverty. They are, in large measure," the President added, "the problems of American society itself."

So far there has been a virtual cascade of recommendations to solve the problem. There have been suggestions for immediate action and long-range action. Some talk about a Marshall Plan for the cities. Others call for the Government to act as the employer of last resort—that is, if a worker is willing and able to work and cannot find a job, the Government will hire him for some type of public works project.

Interestingly enough, the latter proposal should forcefully remind us that full employment is a goal to which our nation has been committed since passage of the Employment Act of 1946. Just a few weeks ago, a bill that would help us reach that goal was introduced in the United States House of Representatives. It would provide a million new jobs a year for persons now unemployed or seriously underemployed.

The sponsor of this bill, Democratic Representative James O'Hara of Michigan, said the bill calls for a massive investment in the grants to federal, state and local government agencies . . . and to private non-profit groups . . . to bear the cost of providing the jobs. Representative O'Hara concedes that such a law will not solve all our problems, but we of labor agree that it is a forthright beginning to get at the root-*cause* of our problems.

There can be no quarrel with the general objectives of this and many other suggestions that are being made. Nor can there be any quarrel that something must be done, and done in a hurry, to bring positive hope to the ghettos and to restore domestic tranquility.

Today I would like to talk about one approach to solving the over-all ghetto problem . . . a long-range approach as contrasted to the many, short-term, immediate steps that have been suggested in recent weeks.

I believe that, regardless of what is done in the months and the year ahead of us, two keys to the long-range solution of the ghetto problem are education and job training. An examination of the employment crisis in the cities' slum areas . . . and it is a crisis of serious proportions . . . underscores the necessity of education and job training for any lasting answer to the immediate problem.

The United States Department of Labor and the New York State Labor Department recently worked together in a project to assess the total problem of unemployment in the slum ghettos. The usual employment indexes count only those able and willing to work. The U.S. Labor Department and the New York department took what they called "a *sub*-employment index" as a more accurate means of measuring the actual number of jobless people. They counted the regular unemployed, the jobless who have dropped out of the labor market in despair, those who have low-paying part-time jobs but still trying to get full-time jobs, and those known to be living in the slum ghettos but who do not show up in either employment or unemployment surveys. The results of the sub-employment study were quite shocking.

They showed, for example, a sub-employment rate of 33% for East Harlem, 28% for Central Harlem, 45% for New Orleans, 34% for Philadelphia, 38% for St. Louis, 47% for San Antonio and 24% for San Francisco.

Our economy is producing more jobs but the lack of education and training make it impossible to match the jobless of the slums with the new jobs that are being created. In just one of our major cities for example, there is an area with 10,000 jobless people who have an eighth-grade education or less.

The people of America's ghettos today are suffering an unemployment rate that is far worse than what everybody else experienced during the worst of the Great Depression. In other words, the Depression has never ended for many Negroes and members of other minority groups, in our cities.

There is no doubt that people of the slum areas must be given better educations to allow them to compete for jobs more successfully. And Negro children need special training and education because they tend to come mainly from homes where learning and books are both unknown. Actually, more than 400,000 eighteen-year-old Negroes enter the job market every year and hardly ten percent of them have the true equivalent of a normal white middle-class education.

So without any question, the quality of education in the ghettos must be improved and any special training that is required to compensate for any learning handicaps must also be provided. This is not to say that no special effort has been made in the past, because eight million disadvantaged children are today benefiting from the landmark education bills passed by Congress in 1965. But it is to say that much more needs to be done. And President Johnson has shown his compassion for this need by recommending funds totaling $1.6 billion under the Elementary-Secondary Education Act for fiscal 1968.

Organized labor supported the Elementary and Secondary Education Act when it was passed in 1965 by the 89th Congress. We did so not only because Labor traditionally supports efforts to improve our educational system, but also because the act placed a special emphasis on aiding children from low-income families.

The 89th Congress extended and expanded the Manpower Development and Training Act to help jobless workers displaced by automation and to help other workers upgrade their skills to prepare them for better jobs. Again, in his legislative recommendation for the next fiscal year, President Johnson has recognized the important role of such a program by calling for an appropriation of $439 million.

This emphasis upon job training and retraining is one of the keys to a long-range solution of ghetto problems that I mentioned earlier.

I am happy to say, along this line, that organized labor is not only doing what it can to win congressional approval of such manpower programs but we are helping in other ways. We are developing job training programs of our own, in cooperation with industry and the Government.

Specifically, the United Steelworkers of America this month—in fact tomorrow—will begin a voluntary pilot training program for some 1600 unskilled and untrained workers. The program is designed to upgrade the workers' educational levels to enable them to qualify for job opportunities when available. Arrangements for the program were made by the Steelworkers Union, the major basic steel companies and the Federal Government. The program will be funded by the Federal Government under the Manpower Development and Training Act of 1962.

The format of the plan was developed as a result of a joint study provided for in the current agreement between the union and the 10 major basic steel companies. Seven of the companies have plants in the Chicago and Baltimore areas, the two locations selected for the pilot program.

At the end of the training program, the workers will have gone through 150 hours of upper level grade school and high school courses at a rate of six hours a week. They will do their studying before or just after the working shifts.

The program drew words of praise from Secretary of Labor W. Willard Wirtz. He called the program "a most significant effort that could prove of great value not only in upgrading the educational levels of steelworkers but also workers in other areas."

"This is the kind of concerted action" . . . the Secretary said . . . "that is so vital in our national efforts to help every American better enjoy the dignity and economic security that flow from the full use of his talents."

Secretary Wirtz put it very well. Added dignity and more economic security are the two ingredients which are basic to the real enjoyment of life but which are still out of reach for the untrained and under-educated.

But this pilot training program, involving the steelworkers, the major basic steel companies and the Government, will help make such ingredients a reality for many workers who otherwise would find their present jobs blind alleys.

This is the kind of forward step that doesn't attract too much attention when it is first announced. But that doesn't detract from its importance as an event of real significance in our over-all efforts to help people help themselves.

Labor is also working with Government and other groups along these same lines for providing jobs and training. Labor's close identity with the Job Corps has led to the development of a Job Corps Visitation and Recruiting Program. It also has brought labor leaders together with officials of the Job Corps Center to help in the placement of youths and in recruiting for the Job Corps. More than 25 international unions and 23 state central bodies have participated in the program.

Labor is also working with the National Urban League in a program called LEAP—the Labor Education Advancement Program. As an example of what this means, LEAP has started a program sponsored by the Baltimore Urban League and the Baltimore Building Trades Council, financed under a contract with the Federal Manpower Administrator. Through this program, minority youth groups will be recruited and prepared to qualify for placement in building trades apprenticeship programs which will teach them a craft, such as carpentry and plumbing.

These kinds of programs, as I said, do not produce front-page headlines. But they are the bits and pieces which, taken together, will help us solve the total problem. They are the kind of long-range programs that must be repeated many times in as many locations as possible. Just as the short-range, immediate programs have their place, these other kinds of educational and job training programs also have a place in providing a genuine and lasting answer to the problems of the ghettos.

The immediate task before us this Labor Day 1967 is to do what must be done to find as many jobs as are needed to give the jobless some real hope for a brighter tomorrow. The long-range task is to continue and expand what already has begun—in the way of education and job training—so that such hopes can endure beyond tomorrow.

RONALD REAGAN RIDES AGAIN

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RESNICK. Mr. Speaker, out of a scene reminiscent of a thundering wild west movie—with papier mache six guns blazing, and sound stage cameras rolling—Gov. Ronald Reagan has shown the world that Barry Goldwater is not the only Republican with an itchy finger on the atomic button.

Yesterday in Sacramento, Governor Reagan made it crystal clear that when he urges the use of America's "full technology" to wage war in Vietnam, he means the unrestricted use of atomic weapons.

Is this the man America wants to entrust with the destiny of its country?

Is this the irresponsible man Republican leaders are talking up as a possible presidential nominee?

A respected California newspaper, the Sacramento Bee, recently wrote of Governor Reagan:

> It would be national suicide to reward a man with the custodianship of any larger area of government than the one he has now.

This is sound advice.

For Governor Reagan is not only easy with the atomic trigger, he would also give responsibility for sharp escalation of the Vietnam war to military commanders.

But what about the consequences? What about possible Chinese involvement? What about our Constitution which says the President is the Commander in Chief of the Armed Forces?

I am not sure how Governor Reagan's remarks are going over in the rest of America.

But I will tell you that they scare me, as they should scare any responsible American citizen.

Vietnam is not a sound stage. The decisions there are not made by script girls or directors. And the fate of the Nation is not decided at the box office.

I suggest that we take this Reagan film, cut it, and can it, for release in the year 2000—for purely historical purposes.

EAST-WEST BARRIERS MUST BE TORN DOWN

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Kluczynski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, an editorial in the Chicago Daily News of August 22 makes the point that in this world, progress toward peace can only come about through lowering barriers between East and West, not through raising barriers. This is particularly true in the case of trade, which the writer aptly describes as a potential instrument for peace. I insert this thoughtful editorial in the Record at this point:

> Commerce Works for Peace
>
> The American Legion's national commander, John E. Davis, finds any expansion of East-West trade unthinkable while "hostilities backed by the entire Communist world continue in Vietnam." That is a rousing stand but hardly a realistic one. The Communist world (or rather, worlds by now) is divided over a number of issues, including the conduct of the war in Vietnam.
>
> Whether it stays split, or divides even further, may well depend upon just such instruments as U.S. trade with the non-Chinese Communist countries. Yugoslavia and Romania are examples of bloc countries whose ties with the Soviets have been loosened by trade with the West.
>
> But more important than the sheer politics of the matter is the fact that trade is a potential instrument for peace, opening avenues of communication and advancing the mutual welfare.
>
> Davis argues that "anything that we do to provide consumer satisfaction in the Soviet Union frees Soviet energies and resources for their aggressive external policies." More likely, more consumer goods in a Communist country would only whet the popular appetite for more and more of the same. That is a tendency of human nature that can supersede Marxian dogma. And energies spent by the Communist countries in satisfying consumer appetites cannot be devoted to building tanks and planes.
>
> So we disagree with the Legion's Davis, and with Sen. Dirksen, who would bar Communist countries from buying U.S. consumer goods through the Export-Import Bank. In the real world we live in, progress can come only through tearing down barriers, not raising them.

LET US ALL JOIN FORCES FOR A NEW URBAN AMERICA

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Barrett] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BARRETT. Mr. Speaker, the announcement today at the White House that the insurance industry of America is ready and willing to invest $1 billion in housing and jobs for the central city areas, is a dramatic illustration of the country's ability and willingness to write a Magna Carta for urban America.

It is a stunning salute to the tireless efforts of President Johnson and his allies in the Congress.

It is a public call to renewed effort to rebuild our cities, and give their inhabitants the housing, job and other opportunities to which they are entitled as first-class citizens.

But today's announcement is more—it is a challenge to the House of Representatives.

It is a challenge to redress the ill-conceived action which rejected the full funding for rent supplements.

It is a challenge to restore the full appropriations for model cities.

It is a challenge to stop political debate and vote the President's full request for this year's antipoverty program.

It is a challenge to every elected official to get on with the work of making our cities the finest, the best, the healthiest, the most emulated in the world.

President Johnson's blueprint for urban America stands revealed before us.

Private enterprise has now said yes to it with hard cold cash.

Can the Congress do any less?

I do not think so.

The people are waiting for us to act.

REPUBLICANS BACK CRIME IN ITS FIGHT AGAINST SMALL BUSINESS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, the Republican Party in recent weeks, particularly the distinguished minority leader and the gentleman from Missouri [Mr. Hall] have gone to great lengths to criticize President Johnson's war on crime. They have charged that the President is not doing enough or moving fast enough to fight crime. Of course these charges are entirely politically motivated and have nothing to do with the facts. While I do not question the right of any member of the minority party to engage in political distortions, at the same time I must strongly object when such partisan politics are used to hurt the small businessmen of our Nation.

Yesterday, this body passed H.R. 10409, a bill that provides new authorizations for the Small Business Administration and also revamps the small business investment company program. A third portion of that bill would have appropriated $300,000 for a study to be conducted by the Small Business Administration to determine the best ways that small businessmen can protect themselves from burglaries, robberies, shoplifting, vandalism, and other criminal acts. This clearly was legislation designed to fight the crime problem as it now exists. The study was not designed to find out if small businessmen were being victimized by criminals but rather to find answers and solutions to the problem. The study was not designed to look into the sociological reasons behind the recent riots but rather was designed to help small businessmen protect their businesses if riots should develop. The study has been endorsed by the Small Business Administration and the White House and by small businessmen and their business groups across the Nation. It was hoped that as an outgrowth of this study, a Government-industry insurance program would be devised so that small businessmen could obtain adequate insurance protection.

Despite the pressing need for such a study, the Republican Members of this body, with only a few exceptions, voted to strip the funds from this study, a move that might possibly mean that the study cannot be undertaken. Even if the study can be conducted, it will mean that the Small Business Administration will not be able to hire outside consultants and to bring experts to Washington to lend their much needed assistance.

It is interesting to note that the two Members of this body who have criticized the Johnson administration for not doing enough to fight crime, were the leaders of the gutting move, the distinguished minority leader and the gentleman from Missouri [Mr. HALL]. It was the gentleman from Missouri who offered the amendments to strip the funds from the study and it was the distinguished minority leader who urged Members not to vote for the funds.

Based on the actions of the Republican Party with regard to this study, it can only be assumed that Republicans are willing to sacrifice the small businesses of our Nation to score a few political points. It is unfortunate that the millions of small businessmen of our Nation were chosen as the victims of the Republican political plot.

Once again the Republican Party has used one of its four legislative horsemen, "Cut," "Gut," "Weaken," and "Stall," to victimize the American people.

While the Republicans charge President Johnson with not doing enough to fight the war on crime, the Republicans have stepped up their attack to help crime fight small business.

TRIBUTE TO JOHN L. TAYLOR

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITE. Mr. Speaker, the remarkable success of the committee system in our legislative branch of Government is due in large measure to the faithful service, year after year, of experts in many fields on our committee staffs.

The House Interior and Insular Affairs Committee has been highly favored with the diligence and the wealth of knowledge of a man whose profession was "geographer," an expert on the world and its peoples. The recent death of this man, Dr. John L. Taylor, has left a vacancy which can never again be filled in quite the same manner, for there is only one such man.

During my first term in Congress, I was asked by our committee chairman to undertake a trip to the Pacific Trust Territory. Because those of us who made the trip were well briefed by Dr. Taylor before we left, we went to Micronesia as a committee with a stated purpose: to investigate the social, economic, and educational conditions of these island peoples, and to report and recommend.

Throughout our trip, Dr. Taylor was at our service with the information he knew we would need. As a relatively new Congressman, I was given a feeling of the great importance of our mission. We saw, we worked, we recommended.

Partly as a result of this visit, I introduced legislation to establish a memorial on Guam to all who gave their lives to liberate these Pacific Islands in World War II. Here again, Dr. Taylor was of great assistance in providing necessary information for this bill.

The depth of this fine man's feeling for the welfare of the islands placed under the legislative care of his committee is reflected in the fact that his family requested that those wishing to honor him at his funeral might make contributions to the John L. Taylor Scholarship Fund, to help provide the educations needed to prepare these people in the far Pacific for free and effective self-government.

His great knowledge and dedicated efforts will continue to bear fruit for many years to come.

STRONG SUPPORT FOR OEO

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WILLIAM D. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, I see the Office of Economic Opportunity as a tower of hope on the landscape of poverty. The programs of the OEO have reached into the poorest rural communities and city slums in America. They have touched preschool children with Headstart, and unemployed teenagers with the Job Corps; they have touched talented youngsters in poverty with Upward Bound, and our neglected aged citizens with Foster Grandparents; touched our sick with health services, and our exploited poor with legal services.

The riots which leveled parts of our cities left that tower of hope standing. I think Mr. Shriver himself put it very well when he appeared before the House Education and Labor Committee. He pointed out:

> In the 27 cities where riots have occurred, the total damage to buildings in the ghettos is $273,652,800. OEO pays rent on 491 facilities in these 27 cities. Not a single one was burned. Not a single one was looted. Why? Because like buildings displaying the Red Cross in time of war, the people recognized that these facilities were among the few places where they could find refuge and aid.

Mr. Speaker, I think the present criticism of the OEO represents a terrible irony. Now that OEO has survived the riots and stands alone like a beacon astride a now even more needy population, it is enduring the lightning bolts of misdirected wrath by those who seek a scapegoat for our urban woes. I think Mr. Shriver's reference to the Red Cross was appropriate. No one in his right mind thinks that by bombing a Red Cross hospital he is hastening an end to the war. In the war on poverty the OEO, like the Red Cross hospital, is on the field of battle to treat the casualties, not to stir up trouble.

In the cities served by the poverty program in which there have been riots, there are more than 12,000 people employed in the poverty program. In these same cities the police arrested some 6,700 persons. Of these 6,700 persons arrested only seven were paid poverty workers. Only seven individuals out of 12,000 employed. And of those arrested none were charged with anything in excess of a misdemeanor. Are we to fire 12,000 people and thereby punish the tens of thousands they serve because seven people were arrested? I certainly hope not. And let me add that none of these seven have yet been convicted of any crime.

I certainly hope we have not come to the point of utter foolishness where we abolish a program and write off the population it serves just because of the arrest of seven individuals. We are not so silly as to burn the barn to roast the pig.

The unwarranted recent criticism of the war on poverty has, in fact, obscured some terribly important examples of how antipoverty workers have actually helped prevent the outbreak of violence, even when there was imminent danger of physical harm to themselves.

Mayor Tollefson of Tacoma, Wash., has said:

> In city after city persons associated with the poverty program have actually made important contributions to preventing or minimizing disturbance which has threatened.

Mayor Doorley, of Providence, R.I., told an antipoverty group:

> As far as I'm concerned, there is no telling how bad this might have been if it hadn't been for you.

The Minneapolis police have said that poverty workers were "a key factor" in limiting the violence in the streets of that city.

Captain Bruno, of the Youngstown, Ohio, police department, praised poverty program police cadets as people "who calm down a hothead spoiling for a fight or mingle in a crowd urging excited youngsters to go home."

Police Commissioner Spina, of Newark, has described as "magnificent" young Neighborhood Youth Corps police cadets who worked 12-hour shifts during the worst part of the Newark riot assisting police.

Captain Francis Pierce, of the Grand

Rapids, Mich., riot squad, has had high praise for 50 antipoverty workers who worked in that city's riot area helping the police. He said:

> They are doing a beautiful job and, believe me, we appreciate it.

And I might add that two of these youngsters were wounded by shotgun blasts in the performance of their duties.

This same story of poverty workers working to assist law-enforcement officials keep the peace has been repeated in Toledo, Ohio; Chicago, Ill.; Elizabeth, N.J.; East and West, North and South.

And this positive work has not been confined to riot prevention. Two hundred VISTA volunteers have gone to work rebuilding in the ruins of Detroit. They went, without expectation of reward or remuneration, at the call of Governor Romney and Mayor Cavanaugh. And more than 4,000 other VISTA volunteers are quietly going about their selfless work around the country as I speak to you.

Mr. Speaker, it is an old saying that a man is known by the company he keeps. I think that is a fair statement. I think it is also true that you can tell a lot about a man by who his enemies are.

Well, Sargent Shriver and his Office of Economic Opportunity have some very fine friends, some very distinguished friends. Rev. Billy Graham is one of the friends of the poverty program. So are some of the most prominent leaders of all our other religious faiths.

The poverty program has friends in business, too. Men like Walker L. Cisler, chairman of the board of the Detroit Edison; men like Roger Sonnabend, president of the Hotel Corp. of America; men like Dr. Charles Jones, president of the Humble Oil & Refining Co.; men like Carl Gerstacker, chairman of the board of the Dow Chemical Co. These are a few of the more than 50 most respected leaders of American business and industry who compose the Business Leadership Advisory Council of the Office of Economic Opportunity.

The OEO enjoys the strong support of the American Bar Association for its legal services program. It has the support of prominent educators, doctors, and social scientists for its Headstart program. It cooperates with 18 major corporations who operate OEO Job Corps centers. It works with more than 200 colleges and universities who have OEO Upward Bound projects.

And OEO has the support of people who know the problems of our cities and are charged with the responsibility of solving them. No Governor I know of has urged that OEO be abolished, nor any mayor of any major city.

The OEO, under Sargent Shriver's brilliant leadership, has gained the kinds of friends, and enjoys the kinds of support among respectable organizations and institutions, that reflects the growing evidence of its great success.

The OEO has earned the kind of enemies, in my opinion, that are equally a measure of its success. The OEO is opposed by Stokely Carmichael and Rap Brown. The OEO was condemned by the recent conference on "black power" in Newark. The OEO has been assailed by extremists of the left and extremists of the right. It is under consistent and mounting attack from the black racists who know that when OEO succeeds in a community the ground is no longer fertile for demagoguery.

Mr. Speaker, I ask the opponents of OEO in this Congress to become aware of the company they keep. I am, of course, not suggesting that all opponents of OEO are individuals of the Rap Brown or John Birch variety. But I invite those who find themselves in a jeering section with such people to rethink their position.

The OEO is a marvelous young program. It enjoys the support of serious men. And it deserves such support.

WILL THE WALL DIVIDE VIETNAM?

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, ever since Mr. Robert S. McNamara, our Secretary of Defense, proposed the building of a wall which would be a barrier in the demilitarized zone of Vietnam, much has been written and said about its possible effectiveness.

I cannot see how this highly complex installation will prevent the infiltration of the North Vietnamese or the Vietcong into South Vietnam. As expensive and as highly technical a device as it can be, I do not feel that it will keep away the invader if he desires to infiltrate into South Vietnam.

Stronger fortifications have been built in the past, and each was the ultimate in design of the times. But, each had its failings and each fell to the attackers in time.

In connection with the proposal of Secretary McNamara, I would like to bring to the attention of my colleagues an editorial which appeared on September 11, 1967 in the Record, a highly respected paper with wide circulation in Bergen County, N.J., part of which is the congressional district I have the honor to represent in Congress.

There is much food for thought in this editorial and I commend it to my colleagues for a review of its contents.

Mr. Speaker, I include this editorial as part of my remarks on McNamara's proposal:

MR. MCNAMARA'S CHINESE WALL

> It is likely to be exceedingly difficult to discuss Secretary McNamara's plans, announced in a dazzling display of secrecy, to build a barrier strip parallel to the demilitarized zone dividing the two Vietnams—at any rate, to discuss the plans with a straight face.
>
> Nobody with any decent veneration of science will let himself hoot at a wall consisting of things like chlorphenyl dimethyl urea and geophone seismic detectors. Such sophisticated weaponry may not annihilate the foe, but if he stops to pronounce the names he'll be rendered helpless by dislocation of the jaw.
>
> So nobody is likely to protest the establishment of the chemically and electronically sterilized cordon—it's technique, and if it facilitates United States troops' locating infiltrators and running them off the premises, fine! What does arouse the conditioned reflex called suspicion is the public relations buildup, the atmosphere of gimmickry, the sad shrill cry that here is what you have been waiting for—instant miracles!
>
> Mr. McNamara, opponent of escalation and proponent of the theory that the enemy in Vietnam cannot be bombed to the negotiation table, might be suspected, if he were a less humorless man, of engaging in an elaborate spoof. We can't stop the Communists with jet bombers and blockbusters, tanks and napalm and Navy rifles; so we'll stop them by building a Chinese Wall. How's that for a switcheroo? All that's wrong with it is this: the Great Wall of China never did stop any invaders who meant business. Well, then, let's call it our own impregnable Maginot Line.
>
> And let's try to forget that, as Hitler flanked the Maginot Line and left it impregnable till it surrendered, Ho can flank the chlorphenyl dimethyl urea line by veering west through Laos, Cambodia, and so on. That wouldn't escalate the war. It would merely extend it across southeast Asia—and our commitment with it. Don't chuckle.

INVOLVEMENT OF PRIVATE ENTERPRISE IN REBUILDING AMERICAN CITIES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ASHLEY. Mr. Speaker, another key step was announced today in the President's plans to insure maximum involvement of the private sector in rebuilding our cities. The life insurance companies have agreed to commit $1 billion for investment in the city core areas to improve housing conditions. Each life insurance company will subscribe their share of this amount on a pro rata basis according to assets.

In announcing this commitment, Mr. Fitzhugh, president of Metropolitan Life Insurance, said that the life insurance associations had sought for some time to define a larger role for companies in the progress of our core cities. Last May 19 a special committee on urban problems was created, which was composed of chief executive officers of representative companies. They questioned how their investment capabilities could be more usefully brought to bear while at the same time safeguarding the interest of policyholders. The announcement today was but the first of the recommendations of this committee. They are continuing their work on this problem.

Certainly, I offer my congratulations to Mr. Fitzhugh and the life insurance companies for their commitment of resources to rebuild our core city areas. This is an adventurous step for private enterprise and one which I hope will serve as an example to companies across the Nation.

Also, I believe that we should take notice of the direction in which this administration is moving to assure that private enterprise does have the option to participate in the rehabilitation of our cities. In mid-August President Johnson and Secretary Weaver announced the launching of Turnkey II effort which will provide a profit element in management as well as construction of low-income housing. Already developers are preparing private construction and management projects in three cities. For example, in New York City, a 929-unit facility will be built by a private contractor and operated by a private management firm.

Also, there was a recent agreement between HUD and SBA to aid the development of small businesses by encouraging the provision of commercial space in FHA 221(d)(3) projects. Still another effort that offers promise for involving private enterprise is the rent supplement program.

These efforts combined with today's announcement of a $1 billion commitment by life insurance companies provide a highly sophisticated degree of cooperation between Government and business. It is with this type of interchange and cooperation, I believe, that we can begin the massive task of rebuilding our cities.

RENT SUPPLEMENT PROGRAM OFFERS OPPORTUNITY FOR $1 BILLION INVESTMENT BY INSURANCE INDUSTRY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Stephens] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. STEPHENS. Mr. Speaker, today Mr. Eugene Fitzhugh, president of Metropolitan Life Insurance, reported to President Johnson and Secretary Robert C. Weaver that the life insurance industry has pledged a special effort to work toward alleviation of the problems of the central cities. In making this announcement Mr. Fitzhugh said:

> We recognize the size of the task this nation faces if it is to improve the social and physical fabric of our central cities and the quality of the life of the people there. To help accomplish this task we shall divert from the normal stream of our investments $1 billion for investment in the city core areas to improve housing conditions and to finance job creating enterprises.

This capital will be made available for projects which would not ordinarily have been financed under normal business practices because of the high risks involved. Specifically, Mr. Fitzhugh pointed out that the rent supplement program offers many opportunities for constructive action.

Accordingly, I believe that this type of corporate commitment provides ample evidence as to why Congress should support the rent supplement program. Many supporters of the rent supplement program have contended that it is a unique vehicle for encouraging private enterprise to participate in programs designed to meet the housing needs of low-income families. Today's announcement substantiated those arguments.

I would urge my colleagues to join with me in commending Mr. Fitzhugh and the life insurance companies, President Johnson, and Secretary Robert C. Weaver for making possible this unique example of private enterprise's willingness to work toward improving the quality of life in American cities.

PRESIDENT'S PROPOSED "NEW COMMUNITY" OFFERS CHALLENGE FOR INGENUITY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, a major step forward in the development of the District of Columbia was announced recently by President Johnson when he called for the creation of a new community on the site of the National Training School for Boys.

The President envisions this development as "a new attractive and well-balanced community at a major gateway to the Nation's Capital."

This community will be well balanced, providing housing for approximately 1,500 low-income families, 2,200 moderate-income families, and 800 high-income families. A wide variety of services, including schools and shopping facilities, will be provided within the community.

It is intended this community will be compatible with a detailed land-use study of the area and will adhere to the 1985 comprehensive plan for the District of Columbia prepared by the National Capital Planning Commission.

And this community will use the best efforts of the Federal Government, the local government, private industry, and the people of the city. The President's plan contemplates the construction of much of this needed housing by private enterprise, using the turnkey process developed by the Department of Housing and Urban Development as the vehicle for constructing the housing.

Under this process, which saves both time and money, private developers will construct housing using their own plans and specifications, their own techniques and processes, and when the housing is finished, it will be purchased by the Federal Government through the local housing authority.

The President declared:

> This new development in Washington can be the best of communities.

By combining the best talents of the public and private sector, this new community could well become "the best of communities." It offers a challenge for ingenuity.

JOHN BARRY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. Kelly] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mrs. KELLY. Mr. Speaker, each year I have supported the joint resolutions introduced in this House that if approved would authorize the President to issue a proclamation designating September 13 as John Barry Day, the anniversary of the death of one of our great naval heroes. I regret that such a measure has not yet been approved, and I shall continue to express my support for honoring the memory of John Barry.

Called by many "the father of the American Navy," John Barry served the United States with valor and devotion. On the 13th of September, 1803, this great hero of the Revolutionary War died at the age of 58 in Philadelphia. His distinguished naval career elicits the respect and the admiration of all Americans.

He was born at Ballysampson, Tacumshin Parish, County Wexford, Ireland. As a boy he went to sea and settled in Philadelphia in 1760. There he eventually became a notable shipmaster and an eventual shipowner. He displayed enthusiasm for the cause of the Colonies against British oppression and was placed in the command of the brig *Lexington* by the Continental Congress.

He captured the British sloop, *Edward*, on April 7, 1776, and on that date he addressed a dispatch headed "In sight of the Capes of Virginia, April 7, 1776," to the Marine Committee of the Continental Congress:

> I have the pleasure to acquaint you that at one P.M. this day I fell in with the sloop *Edward*, belonging to the *Liverpool* frigate. She engaged us for near two [hour-] glasses. They killed two of our men, and wounded two more. We shattered her in a terrible manner as you will see. We killed and wounded several of her crew. I shall give you a particular account of the powder and arms taken out of her. . . . I have the pleasure to acquaint you, that all our people behaved with much courage.

John Barry exemplified the ability of the Colonists to contest the British vessels at sea, something many leaders of the cause had doubted could be done. He volunteered for duty with the American Army, and participated with distinction in the Trenton campaign. He was then given the command of the *Raleigh* with which he fought a gallant battle on September 25, 1778, in Penobscot Bay. He, finally obliged to beach his ship, saved most of his men from capture. On February 15, 1779, he assumed command of the brig *Delaware* and made two cruises to Haiti.

On February 11, 1781, Barry, commanding the *Alliance*, America's largest and finest vessel, sailed from Boston to France. En route, he captured the *Mars* and the *Minerva*, and he put down a mutiny on his own ship. After a fierce engagement, he forced two British brigs, the *Atalanta* and the *Trepassey*, to strike their colors. Barry was badly wounded in the action.

To John Barry belongs the distinction of having gallantly fought in the last naval action of our War for Independence. Aboard the *Alliance*, he encountered the *Sybil* on March 10, as Barry was returning from Martinique in 1783. In 1803, John Barry, as commodore of the U.S. Navy, died. Today we salute the memory of John Barry, a great naval officer and a great American.

THE NATIONAL GUARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. Staggers] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, an editorial appearing in the September 1967 number of Nation's Business deserves strong emphasis and widespread attention. The editorial deals with the services of National Guard units. These units have been under fire in some quarters as being no longer useful. Some of us have been compelled to fight for their continued existence. We are happy to enlist the support of a publication which carries so much prestige as Nation's Business.

The editorial to which I refer reports approvingly the role of the National Guard in maintaining public order. The Guard is increasingly becoming our principal reliance in periods of riot and extreme disorder, when small local and State police forces are no longer able to control the situation. But this is by no means the only, or even the most important, public service of the Guard. In disasters great and small, whether from storms or fire or failure of various utility systems, the Guard is almost instantly on the scene, bringing succor to the helpless.

The Nation's Business editorial reads as follows:

"Thank God for the National Guard"

That's what citizens all over the country are saying. The Guard has been called out to put down riots more than 40 times since the Little Rock incident a decade ago.

Every state has Guard units. Army National Guard now totals 417,000; Air Guard, 81,000.

Average Guardsman gets at least six hours special riot control training, how to get quickly into formations to break mobs into smaller bunches, for instance. Now they'll get more since LBJ's call for added training.

Military police units in Guard get more of this type training, of course. Guardsmen's tactical training also prepares them to fight rioting hoodlums. Generally they meet regular Army training requirements. Three out of four Guardsmen are under 25.

Guard could be even stronger in many states this fall when new reorganization takes effect to consolidate units and provide better distribution of equipment.

Though Pentagon for years has been trying to cut Guard strength, Congress has held out to keep Guard strong.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. McCulloch (at the request of Mr. Gerald R. Ford), on account of official business—National Advisory Committee of Civil Disorders.

Mr. McMillan (at the request of Mr. Albert), for the rest of the week on account of official business.

Mr. Corman (at the request of Mr. Boggs), for today, on account of official business—the President's Commission on Disorder.

Mr. Morris of New Mexico, for September 14, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ashbrook, today, for 15 minutes; and to revise and extend his remarks and to include extraneous material.

Mr. Pucinski, today, for 1 hour; and to revise and extend his remarks and to include extraneous material.

(The following Members (at the request of Mr. Wampler) and to revise and extend their remarks and include extraneous matter:)

Mr. Edwards of Alabama, for 15 minutes, today.

Mr. Ashbrook, for 15 minutes, on September 14.

Mr. Staggers (at the request of Mr. Montgomery), for 5 minutes, today.

Mr. Long of Maryland (at the request of Mr. Montgomery), for 15 minutes, September 14.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Cramer to include tables with his remarks made today in the Committee of the Whole on S. 602.

(The following Members (at the request of Mr. Wampler) and to include extraneous matter:)

Mr. Collier.

Mr. Horton.

Mr. McDade in two instances.

(The following Members (at the request of Mr. Montgomery) and to include extraneous matter:)

Mr. Kee.

Mr. Rees.

Mr. Eilberg.

Mr. Carey.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1880. An act to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

S. Con. Res. 40. Concurrent resolution authorizing the printing of the report of the proceedings of the 43d biennial meeting of the Convention of American Instructors of the Deaf as a Senate document; to the Committee on House Administration.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 636. An act for the relief of Mrs. Chin Shee Shiu;

S. 653. An act for the relief of Capt. Robert C. Crisp, U.S. Air Force; and

S. 1601. An act to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p.m.), the House adjourned until tomorrow, Thursday, September 14, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1070. A letter from the Architect of the Capitol, transmitting a report of all expenditures during the period January 1, 1967, to June 30, 1967, pursuant to the provisions of Public Law 88–454; to the Committee on Appropriations.

1071. A letter from the Director, United States Information Agency, transmitting the 28th semiannual report of the U.S. Information Agency covering the period January 1 to June 30, 1967, pursuant to the provisions of Public Law 80–402; to the Committee on Foreign Affairs.

1072. A letter from the Administrator, Veterans' Administration, transmitting a copy of personnel claims paid during the fiscal year ended June 30, 1967, pursuant to the provisions of Public Law 89–185; to the Committee on the Judiciary.

1073. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee on Education and Labor. H.R. 478. A bill to amend the Fair Labor Standards Act of 1938 to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas (Rept. No. 638). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 1340. A bill to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain an extension of the Blue Ridge Parkway in the States of North Carolina and Georgia, and for other purposes; with amendment (Rept. No. 639). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 11576. A bill to amend the act of January 17, 1936 (40 Stat. 1094).

reserving certain public domain lands in Nevada and Oregon as a grazing reserve for Indians of Fort McDermitt, Nev. (Rept. No. 640). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bill and resolutions were introduced and severally referred as follows:

By Mr. DON H. CLAUSEN:

H.R. 12862. A bill to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

By Mr. COLLIER:

H.R. 12863. A bill to limit the quantity of baseball and softball gloves and mitts which may be imported into the United States; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 12864. A bill to amend the tariff schedules of the United States to provide that the amount of groundfish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 12865. A bill to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes; to the Committee on Agriculture.

By Mr. GROVER:

H.R. 12866. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. HECHLER of West Virginia:

H.R. 12867. A bill to provide for uniform annual observances of certain and national holidays on Mondays; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 12868. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 12869. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 12870. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. ROUDEBUSH:

H.R. 12871. A bill to amend the Economic Opportunity Act of 1964 to prohibit projects and programs which compete with private retail and wholesale businesses; to the Committee on Education and Labor.

H.R. 12872. A bill to amend the Economic Opportunity Act of 1964 to prohibit programs and projects involving the publication of newspapers in competition with private newspapers; to the Committee on Education and Labor.

By Mr. ROYBAL:

H.R. 12873. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 12874. A bill to amend title 38, United States Code, to provide survivor benefits for military career personnel; to the Committee on Veterans' Affairs.

H.R. 12875. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax to offset losses of retired pay sustained by certain individuals who retired from the Armed Forces before June 1, 1958; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 12876. A bill to amend title 18 of the United States Code to make it unlawful to injure, intimidate, or interfere with any fireman performing his duties during the course of any riot; to the Committee on the Judiciary.

H.R. 12877. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. TAYLOR:

H.R. 12878. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. UDALL:

H.R. 12879. A bill to amend the United States Housing Act of 1937 to extend coverage to all classes of low-income families in Indian areas; to the Committee on Banking and Currency.

By Mr. CHARLES H. WILSON:

H.R. 12880. A bill to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes; to the Committee on Agriculture.

H.R. 12881. A bill to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURTON of California (for himself, Mr. PERKINS, and Mr. HOLLAND):

H.R. 12882. A bill to provide for the payment of administrative expenses for the safety program under the Longshoremen's and Harbor Workers' Compensation Act; to the Committee on Education and Labor.

H.R. 12883. A bill to provide for the payment of expenses of administration of compensation payments under the Longshoremen's and Harbor Workers' Compensation Act by insurance carriers and self-insurers authorized to insure under section 32 of the act, and for other purposes; to the Committee on Education and Labor.

By Mr. CUNNINGHAM:

H.R. 12884. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. HENDERSON:

H.R. 12885. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. LONG of Maryland:

H.R. 12886. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

By Mr. NEDZI:

H.R. 12887. A bill to amend section 5042 (a)(2) of the Internal Revenue Code of 1954 to permit individuals who are not heads of families to produce wine for personal consumption; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 12888. A bill to require consultation with local planning agencies with respect to proposed Federal construction projects within their jurisdiction; to the Committee on Public Works.

By Mr. BEVILL:

H.R. 12889. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 12890. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more; to the Committee on Ways and Means.

By Mrs. REID of Illinois:

H.R. 12891. A bill to amend the Economic Opportunity Act of 1964 to further limit political activity on the part of workers in poverty programs; to the Committee on Education and Labor.

By Mr. SISK (for himself and Mr. MATHIAS of California):

H.R. 12892. A bill to provide for credit to the Kings River Water Association and others for excess payments for the years 1954 and 1955; to the Committee on Interior and Insular Affairs.

By Mr. BYRNE of Pennsylvania:

H.J. Res. 816. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. CLARK:

H. J. Res. 817. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. DOWNING:

H.J. Res. 818. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. GARMATZ:

H.J. Res. 319. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. HANNA:

H.J. Res. 820. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. HELSTOSKI:

H.J. Res. 821. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. LENNON:

H.J. Res. 822. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. ROGERS of Florida:

H.J. Res. 823. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. REINECKE:

H.J. Res. 824. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. UDALL:

H. Res. 919. Resolution amending the Rules of the House of Representatives to set aside a portion of the gallery for the use of scholars engaged in studies of the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12893. A bill for the relief of Fran-

cesco Tortorelli; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H.R. 12894. A bill for the relief of Mrs. Ruth Brunner; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 12895. A bill for the relief of Adalbert Gardos; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 12896. A bill for the relief of Francesco Bologna; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 12897. A bill for the relief of Guiseppe Cucinotta; to the Committee on the Judiciary.

SENATE

WEDNESDAY, SEPTEMBER 13, 1967

The Senate met at 12 o'clock meridian, and was called to order by the Honorable HERMAN E. TALMADGE, a Senator from the State of Georgia.

Rev. Donald D. M. Jones, executive, Presbytery of Seattle, United Presbyterian Church, U.S.A., Seattle, Wash., offered the following prayer:

O Lord, God of our fathers and Father of all peoples, we turn to Thee for wisdom and guidance as we face the complex issues of our society and our world.

May Thy wisdom guide us, may Thy spirit lead us, and may we respond with conviction that our country and our people may live with dignity and brotherly love to Thy glory.

In the name of Christ, we pray. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 13, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HERMAN E. TALMADGE, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. TALMADGE thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate a mesage from the President of the United States submitting sundry nominations, which was referred to the Committee on Labor and Public Welfare.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 12, 14, 20, 21, and 36 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate; and that the House insisted upon its disagreement to the amendment of the Senate numbered 18 to the bill.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5091. An act to amend Public Law 87-752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States; and

H.R. 11816. An act to provide certain benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law.

The message informed the Senate that, pursuant to the provisions of section 1, Public Law 90-70, the Speaker had appointed Mr. ROGERS of Colorado, Mr. Moss of California, Mr. BURTON of Utah, and Mr. BROTZMAN of Colorado, as members of the Golden Spike Centennial Celebration Commission, on the part of the House.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 163. An act for the relief of CWO Charles M. Bickart, U.S. Marine Corps (retired);

S. 636. An act for the relief of Mrs. Chin Shee Shiu;

S. 653. An act for the relief of Capt. Robert C. Crisp, U.S. Air Force; and

S. 1601. An act to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior.

HOUSE BILLS REFERRED OR PLACED ON THE CALENDAR

The following bills were each read twice by their titles, and referred or placed on the calendar, as indicated:

H.R. 5091. An act to amend Public Law 87-752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States; to the Committee on Interior and Insular Affairs.

H.R. 11816. An act to provide certain benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law; placed on the calendar.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, September 12, 1967, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements made during the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SPONG in the chair). The clerk will call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there be no reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF STATE

The legislative clerk proceeded to read sundry nominations in the Department of State.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

AGENCY FOR INTERNATIONAL DEVELOPMENT

The legislative clerk read the nomination of H. Rex Lee, of Idaho, to be an Assistant Administrator of the Agency for International Development.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

PEACE CORPS

The legislative clerk read the nomination of Brent K. Ashabranner, of Oklahoma, to be Deputy Director of the Peace Corps.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Crab Orchard National Wildlife Refuge in Illinois

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report on Personnel Claims Paid by Veterans' Administration

A letter from the Administrator, Veterans' Administration, transmitting, pursuant to law, a report on personnel claims paid by that Administration during the fiscal year ended June 30, 1967 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the American Bar Association, Chicago, Ill., praying for the enactment of legislation relating to the creation of additional judgeships in the U.S. Courts of Appeals; to the Committee on the Judiciary.

A resolution adopted by the Plumber's Local Union No. 15, of Minneapolis, Minn., expressing its appreciation to the Secretary of Labor for his expressed humanitarian principles; ordered to lie on the table.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session.

The following favorable report was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without reservation:

Executive I, 90th Congress, first session, Consular Convention between the United States of America and France, together with a Protocol and two exchanges of notes relating thereto, signed at Paris on July 18, 1966 (Ex. Rept. No. 15); ordered to be printed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 2397. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income certain prizes and awards made in recognition of athletic achievement; to the Committee on Finance.

(See the remarks of Mr. Smathers when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2398. A bill for the relief of Marcos Rojos Rodriguez; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 2399. A bill for the relief of George B. Cabot; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia (for Mr. Clark):

S. 2400. A bill for the relief of Rocco Vernisi; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 2401. A bill to provide for loans to Indian tribes and tribal corporations and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KUCHEL (for himself and Mr. Murphy):

S. 2402. A bill to provide for credit to the Kings River Water Association and others for excess payments for the years 1954 and 1955; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

A NEW APPROACH TO FINANCING COLLEGE EDUCATIONS

Mr. PROUTY submitted a resolution (S. Res. 169) relating to a new approach to financing college educations, which was by unanimous consent jointly referred to the Committees on Finance and Labor and Public Welfare.

(See the above resolution printed in full when submitted by Mr. Prouty, which appears under a separate heading.)

TAX LIABILITY OF ATHLETES FOR PRIZES AND AWARDS

Mr. SMATHERS. Mr. President, I introduce a bill which would amend section 74 of the Internal Revenue Code with respect to the taxability of awards for athletic achievements.

The bill would permit an athlete to receive a prize or award without being required to pay income taxes on its value, provided the recipient is selected on a national or international basis in a manner comparable to awards in other fields.

Section 74(b) of the Internal Revenue Code currently provides favorably for awards in other forms of accomplishment by excluding their value from the recipient's income: This provision reads as follows:

> (b) Exception—gross income does not include amounts received as prizes and awards made primarily in recognition of charitable, scientific, educational, artistic, literary or civic achievements.

This rule has been in the law since 1954, and furnishes the basis for the winners of the Nobel and Pulitzer Prizes to accept their awards free of tax. There is no mention, however, of athletic achievements.

On June 14, 1967, the Tax Court rendered an opinion in the case of Maury Wills, currently of the Pittsburgh Pirates. As many Members of this body and baseball fans throughout the country will recall, Wills formerly played for the Los Angeles Dodgers. In 1962, he broke the major league baseball record for the most stolen bases in one season, a record that had been set some 47 years earlier by Ty Cobb. In the same year, he batted .299 and tied with three other ballplayers for the most triples hit in the National League.

In consequence of this record of accomplishment, Mr. Wills was named athlete of the year by the Associated Press and Sports magazine, and received several tangible prizes, including an MG automobile, and the S. Ray Hickok Belt, which is awarded annually to an outstanding professional athlete. The belt is described as studded with 27 1½-carat diamonds and other simulated stones and having a 3½-pound gold belt buckle.

The Tax Court held that the car and the belt constituted gross income to Mr. Wills, relying upon the grounds that Congress intended that their value should be taxable, since it has not acted to exempt the value of such awards.

Mr. President, athletics hold many values for the Nation. Competition teaches teamwork and good sportsmanship. The discipline of training fosters individual development, in body, mind, and character. And, organized games at many levels offer wholesome and constructive outlets for the abilities and energies of our people. Those who excel in athletics are often heroes to our youth, and rightfully so. It thus seems to me that Congress should encourage achievements in athletics as it does in other fields.

It is, I believe, pertinent to note that there are many instances in the sports world when outstanding achievements are recognized by presentation of a trophy or other token which may be intrinsically valuable. I do not feel it is fair that an athlete should be penalized if what is intended as a prize or award happens to be fashioned out of finer rather than less expensive materials.

Perhaps precious stones are an extreme example. Under the prevailing rationale, however, there would seem to be an argument for taxing the recipient on the value of any award. If my amendment were adopted, it would not do away with all doubtful cases. However, I feel that the athlete should be given the benefit of the doubt in such cases.

After all, the achievements of Mr. Wills and others are in the line of their athletic endeavors: they are not performing with a view to winning a particular award, have no influence on the process which selects them to receive such a prize, and certainly have no control over the objects chosen for presentation.

Mr. President, I certainly do not mean to be critical of the Tax Court in this matter. The court correctly observed that Congress has not expressed itself in this area by placing athletic awards on a par with those given for religious, charitable, scientific, educational, artistic, literary, and civic achievement, for which section 74 now provides an exclusion from gross income.

My own feeling is that prizes of this nature do not constitute income in the generally accepted sense of that term, and should not be regarded as such. This amendment would furnish a vehicle for legislative action to bring about this result.

Again, I point out that this proposal would extend only to bona fide national and international awards comparable to those already covered by section 74. It should be noted that the income tax regulations further narrow the exclusions from gross income for prizes and awards. For instance, door and contest prizes are specifically included in income, as are: "any prizes and awards from an employer to an employee in recognition of some achievement in connection with his employment." (Regulations, section 1.74–1(a).)

It is my feeling that such safeguards are sufficient to assure a reasonable and sound amendment along these lines.

I, therefore, ask unanimous consent that the bill which I now send to the desk be printed in the RECORD at the conclusion of my remarks for the information of all concerned.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2397) to amend the Internal Revenue Code of 1954 to exclude from gross income certain prizes and awards made in recognition of athletic achievement, introduced by Mr. SMATHERS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2397

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 74(b) of the Internal Revenue Code of 1954 (relating to exclusion from gross income of certain prizes and awards) is amended—

(1) by striking out "or civic" and inserting in lieu thereof "civic, or athletic"; and

(2) by striking out "and" at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and"; and by adding at the end thereof the following:

"(3) in the case of a prize or award received in recognition of athletic achievement, the recipient was selected from individuals considered for such prize or award on a nationwide or international basis.

(b) The amendments made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act, but only with respect to prizes and awards received after such date.

CREDIT TO THE KINGS RIVER WATER ASSOCIATION AND OTHERS FOR EXCESS PAYMENTS FOR THE YEARS 1954 AND 1955

Mr. KUCHEL. Mr. President, on behalf of myself and my able colleague from California, [Mr. MURPHY], I introduce, for appropriate reference, a bill to provide for credit to members of the Kings River Water Association and other adjoining water districts in California for excess payments under their repayment obligation contracts for the years 1954 and 1955.

The purpose of this legislation is to give to the Department of the Interior the authority to correct certain bookkeeping entries to prevent an inequitable collection of water storage contract repayment funds.

Congress authorized the construction of the Pine Flat Dam and Reservoir on the Kings River in California in section 10 of the Flood Control Act of 1944. Agreement was reached by the Army, the Department of the Interior, and the water users that the sum of $14,250,000 would be paid by the water users for conservation storage behind the dam. During the early negotiations for a permanent contract establishing the repayment obligation, an arbitrary figure was set which for the years 1954 and 1955 resulted in payments to the Department of the Interior an amount of $1,098,579.92 in excess of the operation and maintenance costs for those years. For all years following 1955, under the terms of a provision inserted in the temporary contracts, credit was given for such overpayments.

The Department of the Interior has determined that there is no authority of law which permits it to give credit for the years 1954 and 1955. Without such credit, the water users would be required to repay not the agreed sum of $14,250,000 but an amount of $15,348,579.92. This was not contemplated by either the Government or the water users and would be an unjust enrichment to the United States.

By the passage of this bill, there will be no expenditure of Government funds nor a refund to the water users but merely a credit on the books of the Department of the Interior so that with the eventual payment of the repayment obligation, there will not be an overpayment by the several water districts in my State and equity will be done.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2402) to provide for credit to the Kings River Water Association and others for excess payments for the years 1954 and 1955, introduced by Mr. KUCHEL (for himself and Mr. MURPHY), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

STUDENT INVESTMENT ACT

Mr. PROUTY. Mr. President, as one of those who have often declared in favor of fresh initiatives toward the financing of higher education, I wish to applaud Dr. Kingman Brewster, Jr., president of Yale, for focusing attention on a most ingenious and unique plan for meeting that need.

This proposal, Mr. President, may well be referred to as the Student Investment Act. In brief, President Brewster has suggested that funds to finance a student's education should be made available in return for an agreement by the student to repay such an investment in his education through the addition of a specified percentage to his Federal income tax rate during his productive, earning years.

Four years ago, Mr. President, Dr. Charles Killingsworth, professor of labor and industrial relations at Michigan State University, appeared at a hearing held by the Senate Subcommittee on Employment, Manpower, and Poverty. It was the hearing, Mr. President, on America's Manpower Revolution.

Professor Killingsworth submitted an essay—during the hearing—outlining in considerable detail the main aspects of a similar program calling for a fresh approach to the financing of higher education.

Both the Killingsworth plan and the Brewster proposal share the novel approach of providing that financial wherewithal, at minimum cost to the taxpayer, for many thousands of poor, but able, students.

Under the plan, the college student could borrow funds from a private, nonprofit, federally chartered education bank. The student would repay the loan during his productive earning years—after graduation—by paying a modest additional percentage to his Federal income tax.

The agreement between the individual student and the education bank would make us all partners in the economic career of any boy or girl educated under the plan.

It would, Mr. President, be a kind of social security in reverse. That is, the benefits would come first, then the repayment. A sort of learn now, pay later plan. And strictly voluntary, let me hasten to add.

As President Brewster expressed it, the income tax plan would preserve the university's integrity, now threatened by rising Government subsidies and research grants.

I believe this plan, Mr. President, would help many colleges and universities more closely meet their financial needs through tuition charges; it would foster greater financial independence and academic initiative, and promote the accelerated advancement of higher quality, higher education—free from the restrictions imposed by programs requiring approval by Federal agencies.

Even with the recent hikes in Federal contributions to education, the Federal Government continues to invest less than 8 percent of its budget in educational programs.

The time has come, Mr. President, when we must reassess our Nation's priorities for educational purposes. I feel very strongly that renewed effort must be brought to bear toward the passage of educational aid programs that will meet our pressing, and still unfulfilled, needs.

Unfortunately, Mr. President, many excellent, but small, private colleges are fighting for economic survival. Indeed, Columbia's President Grayson Kirk noted recently that tuition charges at private schools have had to be doubled, and even tripled, in the last few years.

He said, and I quote Dr. Kirk:

> The problem of further rises is serious because of the burden which this places upon many parents. Also, since the institution is really interested more in the intellectual quality, rather than the affluence, of its student body, each rise in tuition requires an even greater increase in the provision of funds for student aid programs.

For most such institutions, Mr. President, the main source of income is tuition. To raise that tuition even higher now would be to price the colleges even further out of the reach of low- and middle-income families than they are already.

That these smaller colleges are faced with almost insurmountable problems, no one can deny. Yet, the national interest will certainly suffer if the smaller schools lose their battles for survival.

A nation can neither afford to ignore these students nor the teachers whose records in inspiring graduate students have long been recognized, Mr. President.

A solution that fails to maintain the distinctive character and integrity of the small college, or which relegates it to a wholly satellite status, is no solution at all.

As Dr. Kirk said—and I quote him again, Mr. President:

> It is of the highest importance that our people be made to realize the magnitude of this financial problem and the dimensions that it is likely to assume in the years ahead. The plain fact is that we are facing what might easily become a crisis in the financing of American higher education, and the sooner we know about it, the better off we'll be.

Increased tuition, Mr. President, will merely widen the opportunity gap between families of moderate means and those of ample means

I am convinced there are better ways of using our resources for financing higher education. To this end, Mr. President, I am submitting a resolution calling for consideration of this proposal by both the Finance and the Labor and Public Welfare Committees—sitting jointly—to study, investigate, and recommend legislation along the lines suggested by Drs. Brewster and Killingsworth.

I see this, Mr. President, as a serious effort to meet an important and pressing problem affecting the long-range national interest.

I ask unanimous consent that the resolution be jointly referred to the Committees on Finance and Labor and Public Welfare.

The PRESIDING OFFICER. The resolution will be received; and, without objection, the resolution will be referred jointly to the Committees on Finance and Labor and Public Welfare; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 169) was jointly referred to the Committees on Finance and Labor and Public Welfare, as follows:

S. RES. 169

Resolved, That the Committee on Finance and the Committee on Labor and Public Welfare, acting jointly, shall conduct a thorough study of the most expeditious means of financing higher education in the United States. Such study shall particularly include a thorough exploration of the following:

(1) various means by which a loan fund may be established to assist students to defray the expenses of higher education.

(2) the feasibility of repayment by students of such funds through the device of an increase in Federal income tax rates during their more productive years.

SEC. 2. (a) In making the study under this resolution, the committee shall hold such public hearings as they deem necessary.

(b) Each meeting of the committees under this resolution, whether for the purpose of holding public hearings or otherwise, shall be held alternately under the chairmanship of the chairman of the Committee on Finance and the chairman of the Committee on Labor and Public Welfare or their designee.

SEC. 3. The committees shall report the results of the study under this resolution, together with their recommendations, to the Senate at the earliest practicable date.

COMPENSATION TO SURVIVORS OF LOCAL LAW ENFORCEMENT OFFICERS KILLED WHILE APPREHENDING PERSONS FOR COMMITTING FEDERAL CRIMES—AMENDMENTS

AMENDMENT NO. 311

Mr. YARBOROUGH. Mr. President, I submit amendments, intended to be proposed by me, to the bill (S. 798) to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes. I ask unanimous consent that the amendment be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 311), submitted by Mr. YARBOROUGH, is as follows:

AMENDMENT NO. 311

On page 4, line 12, immediately after "Section 1.", insert the subsection designation "(a)".

On page 4, line 17, immediately after "United States,", add the following phrase: "or his lawful prevention of, or lawful attempt to prevent, the commission of a crime against the United States,"

On page 4, after line 24, insert the following new subsection:

"(b) If a local law enforcement agency satisfies the Attorney General that the death or disabling injury of a citizen resulted from his lawful apprehension of, lawful attempt to apprehend, or lawful assistance rendered to a local law enforcement officer for the apprehension of, any person for the commission of a crime against the United States, or his lawful prevention of, or lawful attempt to prevent, the commission of a crime against the United States, then the Attorney General shall pay the disabled citizen or the survivor of such citizen (referred to in this Act as the 'qualifying citizen') the compensation provided in section 2. Compensation shall be paid to the disabled citizen or survivor of such qualifying citizen where the individual apprehended or attempted to be apprehended is wanted for both a Federal and a State or local crime."

On page 5, line 3, strike out "disabled officer", and insert in lieu thereof "qualifying officer, a qualifying citizen,".

On page 5, line 5, immediately after "qualifying officer", insert "or qualifying citizen".

On page 5, line 14, immediately after "officer", insert "or citizen".

On page 5, line 22, immediately after "qualifying officer", insert "or a qualifying citizen".

On page 5, line 23, immediately after "disabled officer", insert "or disabled citizen".

On page 5, line 24, immediately after "qualifying officer", insert "or a qualifying citizen".

On page 6, between lines 11 and 12, insert the following new paragraph:

"(1) 'local law enforcement agency' means a law enforcement agency of a State, the Commonwealth of Puerto Rico, a political subdivision of a State, or the District of Columbia."

On page 6, line 12, strike out "(1)", and insert in lieu thereof "(2)".

On page 6, line 16, strike out "(2)", and insert in lieu thereof "(3)".

On page 6, line 19, strike out "(3)", and insert in lieu thereof "(4)".

On page 6, line 21, strike out "(4)", and insert in lieu thereof "(5)".

On page 6, line 22, immediately after "qualifying officer", insert "or a qualifying citizen".

On page 7, line 3, strike out "(5)", and insert in lieu thereof "(6)".

On page 7, line 8, strike out "(6)", and insert in lieu thereof "(7)".

Amend the title so as to read: "A bill to provide compensation for totally disabled local law enforcement officers or citizens, or survivors of local law enforcement officers or citizens, killed or disabled while apprehending persons suspected of committing Federal crimes."

STATEMENT ON DEPRECIATION OF SLUM PROPERTY—AMENDMENT

AMENDMENT NO. 312

Mr. PROXMIRE. Mr. President, recently the mayor of Boston, John F. Collins, testified before the Housing Subcommittee as a representative of the National League of Cities. Mayor Collins made a most interesting proposal for encouraging slumlords to maintain their property in accordance with local housing codes. The proposal would require property owners to maintain their property in accordance with housing codes in order to obtain the depreciation tax benefits under the Internal Revenue Code.

This suggestion was also made by the Architects Renewal Committee in Harlem, Inc., in testimony presented to the House Banking and Currency Committee, in 1966.

I believe the denial of tax benefits to slumlords who persistently violate housing codes can be an effective inducement to better housing in the urban ghettos. The Senate Banking and Currency Committee has been striving for years to insure that Federal housing programs are not rendered ineffective by lax code enforcement. In 1964 the committee inserted a provision in the Housing Act which required an effective code enforcement program to be a part of the community's workable program. Beginning in July 1967, the Secretary of Housing and Urban Development, in certifying a community's workable program, must also determine the community has an adequate program of local code enforcement.

It is, therefore, national policy on the part of the Federal Government to encourage adequate code enforcement activities on the part of local governments. I believe that the proposal to deny Federal tax benefits to code violators is in keeping with this national policy. It would strengthen the hands of local officials and provide for a more effective program of local code enforcement.

I am, therefore, submitting an amendment intended to be proposed by me to S. 2100, Senator KENNEDY's tax incentive housing bill. The amendment would amend section 167 of the Internal Revenue Act requiring that before any deductions for depreciation of any real property could be allowed, the owner of the property would have to certify the property is not in violation of any law, code, or regulation which is required to be in effect as part of the community's workable program. Thus, this amendment to the Internal Revenue Act would strengthen the provision contained in section 101(c)(2)(A) of the Housing Act of 1949.

In order to illustrate the working of this proposal, assume a slum building is purchased for $200,000. Of this amount, the owner may pay $80,000 in cash and finance the other $120,000 by a mortgage. Let us further assume that the interest on the mortgage, taxes, utilities and other expenses come to $25,000 per year, and that the yearly rentals come to $45,000 per year. Thus, the owner would earn $20,000 per year on his original cash investment of $80,000. If the useful life of the building is 20 years, under the straight line depreciation method he could deduct $10,000 against his income and pay taxes on only $10,000. Thus, depending upon the owner's tax bracket, he could save from $2,200 to $4,800 on his tax bill through the depreciation deduction. Thus, the denial of this benefit could be a material inducement in persuading the owner to spend the $1,000 to $2,000 needed to maintain the property adequately.

Very often local penalties range from $50 to $100 for code violations. These are treated as a minor business expense by the slumlord. The needed repairs are consequently ignored. However, the denial of Federal tax benefits is a much more powerful potential loss. It would make an owner think twice before he would let his property run down.

Mr. President, I ask unanimous consent that the text of this amendment be printed in the RECORD following my remarks.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 312) was referred to the Committee on Finance, as follows:

AMENDMENT NO. 312

On page 51, line 2, insert the following new section and renumber thereafter.

"TO ENCOURAGE COMPLIANCE WITH LOCAL HOUSING CODES

"SEC. 303. That section 167 of the Internal Revenue Code of 1954 (relating to deduction for depreciation) is amended by redesignating subsection (i) as subsection (j), and by inserting after subsection (h) the following new subsection:

"'(i) DEPRECIATION DEDUCTION DENIED IN CASE OF CERTAIN UNSAFE OR UNSANITARY HOUSING.—No deduction shall be allowed under this section for any taxable year with respect to any multifamily dwelling which is determined by the housing, public health, or other appropriate authority of the unit of general local government in which such dwelling is located to be in violation of any law, code, or regulation which is required to be in effect and enforced as a condition of eligibility for Federal grants-in-aid.'"

SOCIAL SECURITY AMENDMENT: THREE-WAY FINANCING

AMENDMENT NO. 313

Mr. HARTKE. Mr. President, I am submitting today one of several amendments intended to be proposed by me to the social security bill, H.R. 12080. While the amendments to the bill which I shall offer next week supplement this one to provide a package of changes, the one I submit today goes to the root of a problem which faces us again this year, and which will face us again and again in the future as we try to maintain the actuarial soundness of the trust funds while continuing, as we must, to expand the scope of the protection offered to beneficiaries.

That problem is the problem of financing. The tax rate is already substantial, and there can be no doubt that one reason the bill we have received from the House is smaller than the administration's proposal in its benefits lies in the fact that higher benefits require more funds for financing.

We have set in this country as a reasonable poverty line a figure of $3,000 for an urban family of four. Actually, $3,000 is somewhat below the figure as calculated by the Census Bureau, while for a nonfarm family of seven persons it runs up to $5,440.

Yet for the poor wage earner with an income of only $3,000, trying to support his family and scarcely able to do so, even though his income is so small as to exempt him from income tax, the present rate of payments for him takes away $132 in social security and health insurance deductions. The same sum, of course, is paid on his behalf by the employer. For the breadwinner with five children at the poverty figure of $5,440 the sum withheld from his pay envelope for these purposes comes to $261—a very sizable amount for such a worker.

These amounts are at the present rate. To make them higher will work added hardship on those in the lower income categories, to whom the loss of even an additional $5 or $10 is keenly felt. Under the bill now before the Finance Committee, the maximum tax next year, with the base raising to $7,600 from $6,600 at present, will increase by $44. By 1971 the higher percentages applied to payroll tax will raise the individual's contribution by more than $100.

I believe firmly that we must modify somewhat the self-financing contributory principle, which is already evidencing in the bill before us—considerably reduced in benefits from those in the original administration proposal, H.R. 5710—a drag upon the level of benefits in the face of clearcut need for considerably greater improvement. I am proposing, therefore, that in effect the present rates be frozen and the cost of additional benefits be provided from the general fund.

It is perhaps largely forgotten that for a time during the 1940's the social security law contained a provision authorizing appropriations from the general revenue if needed to finance benefits. As it turned out, however, the trust funds were maintained in actuarial soundness without such general appropriations, and the authority was never used, being eventually repealed. But the precedent does exist, and the use of the less regressive tax sources of other Federal revenue I believe is sounder practice in the economy than the continued buildup of individual taxation upon the lower income persons who make up the great majority of OASDHI taxpayers.

There is further precedent in the arrangement we have made for a matching contribution by the Government of $3 per participant in the supplementary medical program, and in the provision for the present $35 payment—far too low—to those over 72 who are not fully qualified for benefits by their previous work experience. In short, we already have tentatively, and in a small way, embraced the principle which I propose, of using the general revenue as a supplementary source of financing.

Actually, to freeze the employer and employee contributions at the present level will not require immediately a contribution from the Treasury even though the amendment will authorize it. But as the years go on, the Treasury financing will increase until, when the needs of the trust funds require a total of 14.4 percent—and that sum is foreseeable—the division will be equal, with 4.8 percent as at present being contributed by each of the three parties.

So far we have used the machinery of the Federal Government in this vast program mainly as the conduit through which money is received from mandatory contributions—taxes, if you will—by employers and employees. The system has paid for itself; there has not been any appreciable share contributed by the Federal Government for the elderly retired, the disabled, the medically needy now covered. It has been, financially speaking, little different from private insurance where the risk is spread, the premium paid, and the benefit collected. In a sense, it is hardly entitled to be called "social" insurance, since society in the broader meaning of the total national economy, has not shared in its support. It is a privately financed even though Government-operated, insurance system. A move toward sharing in the financing by the Government itself is a move toward making it truly social insurance, with the society as a whole assuming responsibility it does not now undertake.

I would, in fact, be happy to adopt the principle of equal sharing as of the present time rather than waiting for the differential to rise over a period of years until the Government's share is a full third. But we have a system now, it is working, the burden is a familiar one, and any effort to reduce employer and employee shares would probably be impossible to secure. But for the future, as I have outlined, we should lay the burden of the additional costs more heavily upon the less regressive taxes of the general revenue rather than upon the individuals and the employers alone.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 313) was referred to the Committee on Finance.

ADDITIONAL COSPONSOR OF BILL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wisconsin [Mr. NELSON] be added as a cosponsor of the bill (S. 2268) to assist in the protection of the consumer by requiring meaningful disclosure of the cost of credit in advertising designed to promote retail installment sales, installment loans, or open end credit plans.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE GENERALS AND ADMIRALS MUST NOT BE PERMITTED TO DIRECT THE POLICIES OF OUR NATION—CIVILIAN AUTHORITY MUST BE SUPREME OVER MILITARY AUTHORITY

Mr. YOUNG of Ohio. Mr. President, the Constitution of our country provides:

> The President shall be commander in chief of the army and navy of the United States . . .

It would be well to recall that George Washington presided over the Constitutional Convention which created this immortal document during a period of 4 months in 1787. The Constitution itself and the records of the debates in the Convention bear witness that the Founding Fathers wisely decreed that in the United States civilian authority must always be supreme over military authority.

The Founding Fathers in 1787 anticipated what a great 20th century French statesman, George Clemenceau, would assert 125 years later:

> War is too serious a matter to be entrusted to generals.

Mr. President, the recent outbursts by some of the Nation's top generals and admirals arrogantly advocating an extension of the bombing of North Vietnam and voicing criticisms of the judgment of our President and his Secretary of Defense have raised serious issues of civilian versus military control of defense policy and of foreign policy. The Nation recently witnessed the spectacle of three members of the Joint Chiefs of Staff publicly disagreeing with the Secretary of Defense before the Senate Preparedness Investigating Subcommittee and in various public forums.

Secretary of Defense McNamara has stated that all that bombing of North Vietnam is really accomplishing is imposing a price on North Vietnam which the Government at Hanoi and the people are able and willing to pay. It consists of some loss of lives, considerable labor in repairing damage, some damage to unimportant industrial facilities, and the evacuation of key cities by nonessential civilians. The Secretary stated that North Vietnam cannot be "bombed to the negotiating table," and he expressed strong opposition to expanding and enlarging the air war to new targets which would involve a great risk of spreading the war.

At the same time, Army Chief of Staff, Gen. Harold K. Johnson, called for bombing the port of Haiphong and other presently off-limit targets in North Vietnam. He publicly differed with his civilian superior, Secretary McNamara, who told the subcommittee such attacks would not hamper Hanoi's war operations in South Vietnam but would be costly in American casualties and involve great risk of conflict with the Soviet Union and Communist China.

Earlier, Air Force Chief of Staff Gen. John P. McConnell told the subcommittee that an additional 800,000 American troops would have been needed in South Vietnam had there been no bombing of North Vietnam. This so-called statistic is completely at variance with official intelligence estimates released by Secretary McNamara showing that the volume of war supplies moving from North Vietnam to South Vietnam is "significantly under 100 tons per day, a quantity that could be transported by only a few trucks."

Gen. Wallace M. Greene, Jr., Marine Corps Commandant, emerged from a closed hearing of the Senate Preparedness Investigating Subcommittee and sounded off publicly urging the bombing of four additional Mig air bases in North Vietnam very close to the Chinese border. He also reportedly criticized as aiding the Hanoi administration alleged slowness and delays on the part of Defense Secretary McNamara and President Johnson in approving enlarged target lists. Furthermore, in what is perhaps the most recent grotesque distortion of the traditional role of the military in American life, General Greene, in addressing an American Legion convention, stated that the war in Vietnam is more important than the plight of America's riot-torn cities and slum areas.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 10 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, General Greene is undoubtedly a highly competent and experienced military officer. However, I know of nothing in his past or present record which qualifies him as an expert on the relative importance of the many and serious domestic problems facing our Nation. If he wishes to publicly voice his opinions on them, then it would be proper for him to resign from active duty in our Armed Forces, and then as a private citizen expound his views on domestic problems to his heart's content. Otherwise, it appears to me the general should bear in mind and attest by his public statements, if he feels the urge to make any, that he is an officer of our Armed Forces responsible to and subordinate to the Secretary of Defense and the President of the United States.

In the past Adm. U. S. Grant Sharp, the Pacific Fleet commander, and Gen. William C. Westmoreland, the commander in Vietnam, have publicly called for more bombing and for wider escalation and expansion of the war in North Vietnam. Unfortunately, the Joint Chiefs of Staff and other generals and admirals have arrogated to themselves the right to direct policies of war and peace instead of looking to their jobs as officers of our Armed Forces whose duty it is to follow out the instructions of the Commander in Chief and his Secretary of Defense.

After 2½ years of steadily increasing escalation, a buildup to approximately 600,000 men and a level of bombing exceeding that in Europe in World War II, the situation in South Vietnam is no better today than when we first began this tragic mistake and became involved with our Armed Forces in an ugly civil war in Vietnam and doing the fighting instead of merely advising. After more than 2½ years of bombing at an enormous cost in warplanes and men, the Vietcong has more than doubled its troop strength south of the demarcation line temporarily dividing Vietnam and is beginning to hit our bases and men with rockets and mortars and new weapons of all kinds in the Saigon area and elsewhere in South Vietnam. Our escalation of the war has been matched by the Vietcong and the North Vietnamese. The result has been a stalemate which has merely moved the war to a higher level of combat, casualties and destruction, and in particular, killing and wounding more civilian men, women, and children in North Vietnam.

The military leaders who advised the President to take this tragic course have failed dismally to produce any results for this huge investment. Now they are the chief opponents of a bombing pause which is generally regarded as indispensable if there is to be a conference opening negotiations between the Hanoi and Saigon regimes and with the National Liberation Front, the political arm of the VC, seeking a ceasefire and a political solution of the war. It is well understood that an end to the bombing is the first step toward negotiation.

If bombing of the north has failed, as it has; and if further bombing closer to the border of Communist China would involve too great a risk of spreading the war and bringing into combat ground forces of Communist China, as occurred in North Korea, then why continue the bombing at all? Except for the appalling destruction of private dwellings, cottages, and bridges visited on North Vietnam, the ineffectiveness of the bombing attack is conceded by almost every qualified observer except, of course, the generals and admirals.

The hawkish generals and admirals who had a field day before the Senate Preparedness Investigating Subcommittee refuse to face the fact that unlimited bombing, by every prudent estimate, will not end the war but would probably expand it into a war with China and possibly a war with the Soviet Union. They refuse to face the fact, now well demonstrated, that the bombing is a failure. They refuse to face the fact that unless we wish to pour millions of troops into total occupation of South Vietnam and North Vietnam also, no end of this bloodletting, bitter fighting and terrorism seems possible within the next few years except by arriving at a political settlement at the negotiating table.

Mr. President, the technique during the recent Senate Preparedness Investigating Subcommittee hearings in which heavily braided generals and admirals gave secret testimony, and subsequently the substance of their remarks was publicly revealed in great detail to whip up public demand for increased bombing seems to me to be repugnant to the democratic process. It is one more manifestation of the arrogant power which the Military Establishment has taken unto itself and which weakens the very basis of our society. The Preparedness Subcommittee, in my considered judgment, was definitely off base when it issued the critical statement that President Johnson and Secretary McNamara have "employed military aviation in a carefully controlled, restricted, and graduated buildup of bombing pressure which discounted the professional judgment of our best military experts and substituted civilian judgment." All members of that Preparedness Subcommittee and all staff members should know that this is exactly and precisely what our Constitution provides. Military judgment in our United States must never be permitted to override and overrule the judgment and decision of the Commander in Chief, the President of the United States.

Mr. President, in the Preparedness Subcommittee report it was stated that the Senators heard the most knowledgeable and qualified witnesses, including military leaders and the Secretary of Defense. The witnesses were: Adm. U. S. Grant Sharp; Adm. Roy Johnson, commander of the Pacific Fleet; Gen. John Ryan, commanding the Pacific Air Force; Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff; Lt. Gen. Robert Momyer, commanding 7th Air Force in Vietnam; Gen. John P. McConnell, Air Force Chief of Staff; Adm. T. H. Moorer, Chief of Naval Operations; Defense Secretary Robert S. McNamara; Gen. Harold K. Johnson, Army Chief of Staff; Gen. Wallace M. Greene, Marine Corps Commandant; and retired Maj. Gen. Gilbert L. Meyers, former deputy commander of the 7th Air Force.

It is noteworthy that the subcommittee did not hear the testimony of other extremely knowledgeable and qualified witnesses. Why did not the subcommittee call Lt. Gen. James M. Gavin, former Chief of U.S. Army Plans and Operations, a famed combat paratrooper, and a former Ambassador to France? General Gavin has made the following incisive statements concerning our involvement in Vietnam:

> To increase the bombing and to bomb Hanoi—or even Peiping—will add to our problems rather than detract from them, and it will not stop the penetrations of North Vietnam troops into the south.
>
> . . . bombing attacks intended to achieve psychological impact through the killing of noncombatants is unquestionably wrong. Likewise the attack of targets near areas highly populated by civilians, where civilians are likely to be casualties, is also militarily as well as morally wrong. . .

In testifying before the Senate Committee on Foreign Relations in February 1966, General Gavin asked the following penetrating question:

> Is Vietnam at this point worth this investment of our national resources, with all the other commitments we have worldwide? Are we not becoming too mesmerized with this? Are we not losing sight of the total global picture?

Why did not the subcommittee hear from Gen. Matthew B. Ridgway? General Ridgway, former Army Chief of Staff and commander of our forces during the Korean war, earlier this year said:

> It is my firm belief that there is nothing in the present situation or in our code that requires us to bomb a small Asian nation back into the stone age.

General Ridgway also has warned that the United States is at present committed "to an upward spiraling course that may approach annihilation."

Why did not the subcommittee take testimony from another great American military leader, Gen. David M. Shoup, former Commandant of the Marine Corps? General Shoup has publicly stated:

> I don't think the whole of South East Asia, as related to the present and future safety and freedom of the people of this country, is worth the life or limb of a single American.

Of course, in view of the selective process followed by the Preparedness Subcommittee in listening to the testimony of certain generals and in not requesting the testimony of other generals whose achievements in war and in later civilian life have been most noteworthy, it is not surprising that the subcommittee rejected the testimony of Secretary McNamara, who spoke for the Commander in Chief, President Johnson, when he said:

> Bombing of North Vietnam is supplemental to, not a substitute for, fighting the war in South Vietnam.

There is clear and direct conflict between Secretary McNamara and the generals who testified before the Preparedness Investigating Subcommittee. The subcommittee in its report declared:

> As between these diametrically opposed views . . . logic and prudence required that the decision be the unanimous weight of military judgment.

This is a direct assertion that the views of the generals and admirals should prevail over the views of the Commander in Chief. This represents a reversal of the doctrine established in our Constitution by the great patriots we Americans should revere.

Mr. President, there is a serious erosion taking place in the constitutional balance that supposedly places the military under civilian control and direction. Only President Johnson would be able to restore civilian control of national policy through the exercise of his presidential prerogatives under the Constitution. Pressure from the Military Establishment should be countered to keep this a limited war, to end the bombing of North Vietnam and to negotiate a cease-fire and an armistice and an eventual end to our involvement in a miserable civil war which has already taken the lives of more than 15,000 young Americans, wounded more than 70,000 others, and afflicted untold thousands of young Americans with malaria and other jungle diseases from which many of them will suffer for the remainder of their lives. All this in a little country 10,000 miles distant and of no strategic or economic importance to the defense of the United States.

Mr. President, every effort must be made to counteract the pressure of the generals and admirals who strive to override the decisions of their civilian superiors. Let us hope that President Johnson will soon announce an unconditional cessation of our bombing of North Vietnam and take meaningful steps toward obtaining a cease-fire and an armistice. If bombing has not brought the VC and the Hanoi government to the negotiating table with the Saigon junta, why not try an unconditional halt to the bombing? Nothing would be lost. No other course really makes sense.

MINI-CONSENSUS FOR ADMINISTRATION'S TAX-HIKE PROPOSAL

Mr. PROXMIRE. Mr. President, there is a disturbing lack of convincing evidence for the tax increase proposed by the President. On numerous occasions I have pointed out, both on the floor of this body and otherwise, the dangers involved in hurtling ahead to impose a heavy tax increase on the basis of an expected future outburst of economic demand.

It is interesting to note that Mr. M. J. Rossant of the New York Times in a column in today's issue of that paper speaks of the "rickety look about the consensus that the Administration has assembled to support the President's demand for tax increases." He notes the difference between the present contradictory attitudes of businessmen, bankers, economists, and labor leaders toward the tax proposal and the rather solid support that was shown for the 1964 tax cuts. As Mr. Rossant points out, a large number of the Nation's business economists have increased their opposition to the tax hike. He also mentions the danger that the administration's forecasts may overstate the extent of any pickup in demand just as it failed to predict the full extent of the letdown experienced earlier this year. As I have pointed out on previous occasions, our industrial capacity is at a lower rate of utilization now than it was in 1964 when the recessed condition of the economy was given as a major reason for a tax cut.

I might point out that Mr. Rossant shows that a very large proportion of the Nation's business economists oppose the tax increase, although the financial section of the Washington Post this morning has given the impression that the economists are overwhelmingly for it. They certainly are not.

I ask unanimous consent that Mr. Rossant's column be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Mini-Consensus: Support for a Tax Increase Is Said To Lack Conviction and Enthusiasm

(By M. J. Rossant)

There's a rickety look about the consensus that the Administration has assembled to support the President's demand for tax increases. Few of those who have given their backing have gone down the line for the Johnson package. Most, it seems, just want to put an end to the uncertainty over tax policy that has prevailed for the last 18 months.

Certainly the new consensus bears no resemblance to the solid and broadly based coalition of businessmen, bankers, labor leaders and economists rallying around the Administration's tax reduction program in 1964. Then, there was no real opposition to the tax-cut bandwagon.

The tax-increase bandwagon, though, is a much less impressive affair. It is always more difficult to muster support for raising taxes than for lowering them, but even so, the present mixed-up, mini-consensus is notably lacking in conviction and enthusiasm.

MISCALCULATIONS SEEN

It is clear, for instance, that the consensus endorsing tax increases is not a consensus providing wholehearted backing for the Administration's economic policies.

On the contrary, the Administration is coming under fire from many supporters of tax increases who think that the economic problems posed by a swollen Federal budget deficit and inflationary price and wage rises stem primarily from miscalculations made by the President and his advisers.

The groups who want taxes increased have different motives for doing so. Labor unions want to soak big business and the rich; businessmen want to see reductions in Government spending; bankers want to make sure that there is no repeat performance of last year's painful credit squeeze; and economists appear to be suggesting that tax increases are needed if the economic upturn is as strong and as vigorous as the Administration is saying it will be.

SOME CLEAR DISSENT

There also are some outright dissenters. The National Association of Business Economists reported that one-quarter of its members polled in a recent survey were against tax increases, while the United States Chamber of Commerce and a number of individual forecasters are far from convinced that the upsurge in business will conform to the Administration's optimistic expectations.

Administration supporters, led by Walter W. Heller, former chairman of the President's Council of Economic Advisers, managed to get 260 academic economists to sign a joint statement calling for tax increases. Since academic economists are not forecasters, they gave a qualified endorsement based on the assumption that the Administration will turn out to be right about the extent of the upturn.

But the Administration's forecasts have been far from accurate, which is one reason that its policies have gone awry.

Quite apart from the automobile strike that could turn out to be a definite if temporary check to the recovery, there is considerable evidence indicating that the Administration may be as wide of the mark in overstating the extent of the pickup in business now as it was in underestimating the slowdown earlier this year. Many economists, at any rate, are unwilling to join the forecast consensus as readily as they have in the past.

Harvard's Otto Eckstein, who served on the Council of Economic Advisers under President Johnson, parted company with the Administration in telling the House Ways and Means Committee that he expected a fairly moderate advance in economic activity. In his view, he added, the Administration's tax proposal seemed "rather austere."

A similar stand has been taken by Columbia's Raymond J. Saulnier, who suggested that the rise in activity "will be a relatively slow one, not only over the rest of this year but in 1968, too."

But both Dr. Saulnier and Dr. Eckstein think that some tax increase is necessary to relieve financial pressures. Dr. Eckstein argued that tax increases were needed to permit the recovery in housing to continue and to keep interest rates from rising out of hand, while Dr. Saulnier took the view that tax increases must also be accompanied by limits on federal spending if the economy was to enjoy a resumption of noninflationary growth.

These divergent views underline the jerry-built nature of the tax consensus. The Administration can no longer claim the strong support that it had before and after the passage of its 1964 tax reductions, when it seemed that it could do no wrong.

Now, much of the consensus is made up of critics who feel that if tax increases are needed, it is mainly because the Administration has been doing so little right.

RECENT PRICE INCREASES WOULD BE AGGRAVATED, NOT SLOWED, BY TAX INCREASE

Mr. PROXMIRE. Mr. President, the newspapers again this morning report a number of price increases, including sugar, chemicals, carpets, and batteries.

Members of Congress should be aware that none of these price increases are the result of increasing demand. None of these price increases would be stemmed by an increase in taxes.

Indeed, a tax increase might very well contribute to greater price increases.

I call this to the attention of my colleagues today because the prime argument in favor of the administration's tax hike has been that it is necessary to stem inflation.

If the tax increase would stop prices from rising or slow the price rise down, it might be a price worth paying.

But the kind of inflation we have suffered in the past month, indicated by price increases in steel, where demand is far below last year; in autos, where demand is well below 1965 and 1966 and falling; in color television, which is suffering a serious recession in demand; and now in a variety of other products—this kind of inflation cannot be stopped by reducing demand still further through the imposition of a tax increase.

In each of the cases of price increases reported in today's papers the stated cause is cost—I repeat, costs; cost increases; not shortages of supply; not limitations on factory capacity; not labor shortages; not a zooming market.

The economic support for the administration's tax increase has been woefully superficial. There has been little or no analysis of the kind of inflationary pressure we face. Such an analysis suggests that a tax increase is exactly the wrong medicine.

I ask unanimous consent that an article from this morning's New York Times reporting the price increases be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Prices Advanced on Several Goods—Increases in Sugar Posted, Chemicals, Carpets, and Batteries Affected

(By William Freeman)

Still more price rises were posted yesterday for a variety of products, among them sugar, chemicals, carpeting and carpet fibers and storage batteries. The sugar advance was new. Most of the others were additional producers following the lead of competitors.

American Sugar Company, a cane-sugar refiner, advanced refined sugar 15 cents a hundred pounds at the wholesale level. The advance applies both to industrial grades and consumed packages.

The new price for the base industrial grade packed in 100-pound bags will be $10.75, up from $10.60 in the Northeast. In the Southeast it will be $10.50, in the Gulf area $10.35 and in the West $10.

LEAD FOLLOWED

National Sugar Refining Company and Refined Syrups and Sugars, Inc., Eastern refiners, were quick to follow American's lead.

The refiners will take business at current prices for delivery through the close of business Sept. 29.

This is the first change in the basic Northeastern price since last December, when domestics raws sold at $7.12 a hundred pounds delivered in New York. Now the price is $7.33.

Sugar men ascribed the advance to increases in operating costs.

The General Battery and Ceramic Corporation said it would increase prices on automotive batteries and spark plugs on or before Oct. 1. Harry J. Noznesky, president, ascribed the action to higher labor, material and transportation costs.

Specific price changes were not disclosed. The company earlier had increased prices on industrial batteries.

RISES CONSIDERED

On Monday, Gould-National Batteries said it was considering substantial rises in the near future on name-brand private-label batteries.

Advances of 5 to 8 cents a pound were announced by E. I du Pont de Nemours & Co., Inc., on its Dacron polyester staple used in carpets.

The fibers division of American Cyanamid Company announced a rise of 2 cents a pound for its acrylic fiber for carpeting. Martin B. Friedman, director of marketing of the division, said high-bulk Type 61B fiber for stock-dyeing and high-bulk Type 68 fiber for piece-dyeing would go to 64 cents a pound, effective at once.

The Roxbury Carpet Company of Saxonville, Mass., informed its distributors that prices of selected grades of carpet would go up 2 to 7 per cent. Most nylon grades will be affected because of recent rises in fiber costs.

The Union Carbide Corporation said it would raise the price of two alcohols in 100-gallon drums on Oct. 1. Bulk quantities are not affected.

VIOLATION BY U.S.S.R. OF 1958 GENEVA CONVENTION ON THE SEAS

Mr. PERCY. Mr. President, the recent action of the Soviet Ministry of Foreign Affairs in refusing permission for two U.S. Coast Guard icebreakers to pass

through the Vilkitsky Straits north of the Soviet Union in my judgment is a violation by the U.S.S.R. of the 1958 Geneva Convention on the Seas ratified by the Senate.

The Soviet Union was a party to this Convention, which states:

> There shall be no suspension of the innocent passage of foreign ships through the straits which are used for international navigation between one part of the high seas and another part of the high seas or the territorial sea of a foreign State.

The Coast Guard icebreakers *Edisto* and *Eastwind* were on a routine oceanographic research trip on the polar route. The Soviet Government had been informed by the Department of State in advance as a courtesy. There was no justifiable reason, legal or otherwise, for the Soviet Government to state that it would regard passage of the icebreakers through the straits as a violation of Soviet frontiers.

This unfriendly act of the Soviet Union serves only to put in jeopardy the efforts of those in the Congress and in the administration who seek a relaxation of tensions between the United States and the Soviet Union. If the Soviet Union desires further steps of detente between the two nations, she would be well advised to abandon such unwarranted practices which do not contribute to mutual understanding between governments and peoples.

MIAMI BEACH: AN IDEAL POLITICAL CONVENTION CITY

Mr. HOLLAND. Mr. President, some time ago, the Republican National Convention Site Committee chose Miami Beach as the location for their 1968 convention. This week a highly representative contingent from the Dade County area, headed by Miami Beach Mayor Jay Dermer, the city commission, hotel operators, and officials of the chamber of commerce, came to Washington and appeared before the Democratic National Committee Chairman, John Bailey, and members of his staff and site selection officials, accompanied by Senator Smathers, Representatives Fascell and Pepper, and myself. Our effort was to have Miami Beach named as a site for the 1968 Democratic National Convention. I think we made a highly persuasive presentation and I hope that all of us, working cooperatively, will be able to bring this second important national gathering to Miami Beach in 1968, where the natural charm and up-to-the-minute facilities combine to make that city a logical and desirable choice for both of the outstanding national political conventions.

GEORGIA STATE SOCIETY LUNCHEON ON SEPTEMBER 16 TO HONOR SENATOR RUSSELL

Mr. TALMADGE. Mr. President, it is my privilege and pleasure to call attention to a luncheon to be held this Saturday in honor of the senior Senator from Georgia, Richard B. Russell, that is sponsored by the Georgia State Society of Washington.

This society, one of the most active and outstanding in Washington, is composed of Georgians who now reside in this area. Organized in 1885, it boasts an active membership of almost 200.

The luncheon for Senator Russell will be held at 12 noon Saturday in the Willard Hotel Ballroom, and all Georgians and other friends of Senator Russell are invited to attend. Interested parties should contact Mr. Carl Hancock, society president, 6817 Valley Brook Drive, Falls Church, Va.

The purpose of the luncheon is to bring together Georgians now occupying high positions in the Federal Government and all the many friends of the senior Senator from Georgia in order to pay tribute to him for his long and distinguished service to his State and to the Nation. In addition to members of the Georgia congressional delegation, persons expected to attend include Secretary of State Dean Rusk; Dr. Glenn W. Sutton, Acting Chairman of the U.S. Tariff Commission; and I. K. Hay, Deputy General Counsel for the Interstate Commerce Commission and a former administrative aide to Senator Russell.

This will be indeed well-deserved recognition of the outstanding public service Senator Russell has rendered for most of his lifetime. He is now in his 35th year in the Senate and prior to coming to this body he served with distinction as Governor of Georgia. I know that this luncheon will be a memorable occasion for him, and I share great pride with all Georgians in the splendid work that he is doing in the Senate.

A DESERVED TRIBUTE TO PRESIDENT JOHNSON

Mr. SMATHERS. Mr. President, shortly before the recent congressional adjournment, President Johnson celebrated his 59th birthday.

Of all the good wishes and kind words the President received, I think none are more appropriate than those by Mr. Gould Lincoln, columnist for the Washington Evening Star.

Mr. Lincoln noted that Lyndon Johnson has put in "30 turbulent years of public service" in the House, the Senate, as Vice President, and as Chief Executive.

And he said:

> No President has had more or heavier burdens placed upon his shoulders than has he in the nearly four years he has occupied the White House. No President has stood up to them more firmly, under bitter fire from many quarters.

I agree. And as Mr. Lincoln points out:

> President Johnson has conducted his office with remarkable restraint. He has to think of the welfare of the American people, which he has sworn to protect—and he does. He has been accused of playing politics—but if his accusers are correct, he is doing the utmost to ruin himself politically. This does not sound like selfish politics.

I think Mr. Lincoln's observation is the best birthday tribute that President Johnson could receive. We Americans seem to appreciate our Presidents only after they have left office.

President Johnson deserves the commendation and respect of us all for the wisdom and courage he has shown as the leader of this Nation. And I can think of no better time to extend this appreciation than right now, while the burdens of his office weigh heavily upon him.

I ask unanimous consent to have printed in the Record, Gould Lincoln's excellent article entitled "Johnson's 30 Turbulent Years."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

JOHNSON'S 30 TURBULENT YEARS

(By Gould Lincoln)

Lyndon Baines Johnson last Sunday celebrated quietly the 59th anniversary of his birth. He might well have celebrated at the same time 30 turbulent years of public service, first as a member of the House, then senator, vice president and President of the United States.

No President has had more or heavier burdens placed upon his shoulders than has he in the nearly four years he has occupied the White House. No President has stood up to them more firmly, under bitter fire from many quarters, including members of his own political party as well as of the Republican party.

Today, when the country needs unity to a greater degree than at any time since the days of Abraham Lincoln, Johnson is the target of attack from the Vietnam peace advocates, from the war advocates, from the leaders of the Negroes whom he has sought to aid, from the press and other news media, from the Congress and from opponents of the war he is making against poverty, and from those who oppose any tax increases.

He is going his way with remarkable restraint. He has to think of the welfare of the American people, which he has sworn to protect—and he does. He has been accused of playing politics—but if his accusers are correct, he is doing the utmost to ruin himself politically. This does not sound like selfish politics.

Who are his chief accusers?

The latest is Gov. George Romney of Michigan, who is seeking the Republican nomination for President and who has called Johnson "a political animal." Romney is only one of a long list who have sought to pin, to them, an uncomplimentary political label on Johnson. According to them, nobody, but nobody, is playing politics except the President.

Heaven save the mark! Romney, the Republican leaders in Congress, Senators Robert F. Kennedy of New York, William Fulbright of Arkansas, Morse of Oregon, have none of them ever heard of politics, or ever played the game—for personal advantage? Or have they?

Johnson became President in an hour of national sorrow and upheaval, due to the assassination of President John F. Kennedy. Under Johnson's leadership, there was no break, no hesitation in the transition from a Kennedy administration of the federal government to a Johnson administration.

Johnson, living up to a promise, continued the Kennedy policies and has developed his own with firmness, in both cases. He obtained from Congress a mass of progressive legislation to carry out these policies—and he is continuing to make similar gains in Congress, notwithstanding the constant attacks made upon him.

A native of one of the 11 states that sought to form the Confederacy and break away from the Union, largely over the slave issue, Johnson has exerted every effort to win for the Negroes of this country full civil rights. While he was majority leader of the Senate he engineered the first civil rights bill to pass that body—and become law—since Reconstruction days. As President he has continued the fight. He has appointed the first Negro member of the President's cabinet. He has appointed and the Senate has confirmed his appointment of a Negro to serve as associate justice of the Supreme Court.

Recently, it has become a dirty idea that we should fight Communist aggression. Johnson is fighting such aggression in Vietnam and he is reviled for it by many at home who should know better, and by our supposed allies abroad.

He was not responsible for the Communist take over in Cuba, but he promised there would not be another "Cuba" in this hemisphere if he could prevent it—and he did in the Dominican Republic.

The President is attacked from many sides for "doing nothing" about crime in the streets of our cities. Many of those attacking him are those primarily responsible for protecting our citizens against criminals. Under our government this responsibility originates in local and state governments. And there the prime responsibility continues to lie.

If a scapegoat is worth finding in this terrible condition where crime has become a habit and criminals have been permitted to run loose, it is not the President. It is the courts and their decisions, beginning with the Supreme Court. Decisions that have paralyzed law enforcement and made a mockery of justice; decisions which have been directed to the protection of the criminal's rights not those of his victim.

Little is perfect in this government of ours. But Johnson has more points to his credit than many of his detractors.

THE JOHNSON EDUCATION RECORD, OPPORTUNITY UNLIMITED

Mr. YARBOROUGH. Mr. President, this past week a new school year dawned for millions of young Americans in schools and colleges across the Nation.

We can be very proud that over 44 million students are enrolled in public schools today, with 6.5 million enjoying the benefits of higher education at private and public American colleges and universities.

We can be proud that there is in Washington an administration, with allies in Congress, which cares deeply about educational opportunity, and whose programs are responsible for some of those millions of students getting an education which might not have been theirs.

As we move forward and engage new problems, we ought not to forget the spectacular progress made by the Johnson administration in expanding educational opportunity in the last 3 years—progress which will affect the future of American education for generations to come.

In its first year, the Elementary and Secondary Education Act of 1965 helped 8 million economically deprived students get a better education. Last year, 9 million benefited.

These may seem like statistics. Yet we are talking about millions of young human beings, poor, disadvantaged, discriminated against or simply forgotten, who now have new books, new teachers, new libraries, or a new lease on the future.

These things did not come about simply because some people thought the time for Federal aid to education had long arrived.

These programs were enacted because the President and Members of the Congress and friends of education worked long and hard for an educational transformation in this country—and because the American voter in 1964 approved a blueprint for America's educational future.

In 1966, the Higher Educational Facilities Act provided $24.5 million in grants for library construction and improvement to 2,000 colleges and universities in every State in the Union.

This again appears like another statistic, yet libraries are absolutely essential for improved higher education. Indeed, I believe that libraries are the essence of any education.

During the last academic year, nearly a million and a half college students were attending colleges and universities of their choice with the aid of the cold war GI bill, National Education Act loans, federally insured loans, educational opportunity grants, or under Government-aided work-study programs.

This means perhaps 1½ million students are now attending college with Government help who might not otherwise have made it.

Surely, there is a moral here.

How many engineers, doctors, businessmen, lawyers, administrators, scientists and technicians, writers, thinkers would we have lost without these imaginative Government-aid programs—programs written into law as part of the Johnson record?

How many fine talents would be lost to the American scene if President Johnson had not proposed and the Congress supported the Elementary and Secondary Education Act of 1965, the Higher Education Facilities Act of 1965, Economic Opportunity Act of 1964, and extended various Federal scholarship and loan programs—if Congress had not enacted these proposals and the cold war GI bill?

We have begun to experience a virtual revolution in educational opportunity at all levels in the United States.

The American educational system constructed on the idea of quality education for all—is moving closer to its goals. Today, the time has come for American education to arrive without a personal price tag on it.

Let us recall, in the days ahead, just how much has been achieved in moving education forward, and where much of the credit should go—to the administration and to the Congress—especially when we hear repeated attacks that the Johnson administration is not doing enough in one area or another.

Those of us who serve on the Education Subcommittee and the Labor and Public Welfare Committee of the Senate are proud of our accomplishments for education, but this record of legislation was possible because of the interest, cooperation, and encouragement of the administration.

There is nothing more valuable that any government can give to its citizens than the resources and stimulus for a superior education.

The administration of Lyndon B. Johnson has been an educational administration.

There is more to be done. But the record as written cannot be undone. It is a record of great credit for all who participated in it and supported it.

Those of us who joined the President to write that record take pride in our accomplishments for the people, the Nation, and our children.

LOUISIANA TREE FARM DEDICATION

Mr. ELLENDER. Mr. President, on September 8 I had the privilege of participating in a rewarding experience.

The occasion was the dedication of the Homer C. Mitchell Tree Farm, in Rapides Parish, La. Homer Mitchell was a pioneering employee of the Soil Conservation Service. He spent a dedicated career helping small woodland owners make their trees pay off. His interests in his profession continued unabated until his death early this year.

Homer Mitchell distinguished himself by his imagination and inventiveness that produced a philosophy that continues to influence Soil Conservation Service policy today. Dr. D. A. Williams, Administrator of the Soil Conservation Service, described this philosophy at the dedication ceremonies on September 8. He said:

> The farm woodland has been an integral part of the SCS since the Congress first charged us with the job of halting the march of erosion and protecting our land and water resources. In the early days we operated demonstration projects and Civilian Conservation Corps camps. Our woodland conservation work on farms and ranches was directed by the project and camp directors. Labor was supplied by CCC enrollees. Tree planting stock was supplied from SCS nurseries. All of this assistance was provided without cost to the landowner.
>
> We soon learned that measures applied free by the government were not appreciated as much as those that the landowner himself applied. We also learned that a landowner would not accept and establish a measure unless he understood what he was doing and why he was doing it.

Mr. President, Dr. Williams has herein stated a philosophy which has application to much broader field than tree farming. In fact, it sets a tap root for progress in our democracy. I ask unanimous consent that the text of Dr. Williams' address be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF D. A. WILLIAMS, ADMINISTRATOR, SOIL CONSERVATION SERVICE, U.S. DEPARTMENT OF AGRICULTURE, AT DEDICATION OF HOMER C. MITCHELL TREE FARM, RAPIDES PARISH, LA., SEPTEMBER 8, 1967

It is a great pleasure to be here today to pay tribute to Homer C. Mitchell and to participate in the dedication of this living memorial to him.

And it is a memorable occasion to visit a place such as this where conservation principles have been combined so successfully and thoughtfully with the enjoyment and welfare of a community.

This tree farm is, I am sure, by far the largest tract of land that has ever been dedicated to a Soil Conservation Service employee. We are proud to have counted Homer Mitchell as one of us.

Homer Mitchell—whose interest in his profession continued unabated until his death early this year—was one of the early employees of the Soil Conservation Service. He distinguished himself by his imagination and inventiveness that produced a philosophy that continues to influence Soil Conservation Service policy today.

The farm woodland has been an integral part of the work of the SCS since the Congress first charged us with the job of halting the march of erosion and protecting our land and water resources. In the early days we operated demonstration projects and Civilian Conservation Corps camps. Our woodland conservation work on farms and ranches was directed by the project and camp directors. Labor was supplied by CCC enrollees. Tree planting stock was supplied from SCS nurseries. All of this assistance was provided without cost to the landowner.

We soon learned that measures applied free by the government were not appreciated as much as those that the landowner himself applied. We also learned that a landowner would not accept and establish a measure unless he understood what he was doing and why he was doing it.

Homer Mitchell understood this feeling. He had a sensitivity to the people's need for knowing the why's and how's.

He set out to find a way to help the small woodland owner. At that time he was not so concerned about the large lumber and paper interests, for they had their own professional foresters. He wanted to help the small woodland owners who hoped that someday their woodlands would pay off.

Let me quote Mitchell's own words as he looked back later: "They don't, for the most part, know quite what to do to hasten the payoff. It is surprising how many of them are eager to learn.

"How to reach people with a woodland program they could understand and practice was the big question the Soil Conservation Service had to answer or give up its ideal of coordinated land use."

Mitchell went on to say: "Forestry techniques usually had been designed for application by professional foresters. The thinking of the smaller woodland owner required a translation of technical language into terms he could understand. He is accustomed to handling his own operations with livestock and field crops and, with rare exceptions, does not see why he cannot do the same with his woodlands. The alternatives were to help owners manage their own woodlands or see all but the exceptional jobs go undone." Those are Homer Mitchell's words.

In helping owners develop conservation plans that included their woodlands, the Soil Conservation Service also needed to simplify techniques for our soil conservationists who worked with the landowners. Soil conservationists were a new kind of technician we had developed—the first of their kind in the world. They served, and still serve, you might say, as general practitioners. They melded the techniques of foresters, biologists, agronomists, engineers and others trained in the physical sciences into a new profession—Soil Conservationist. They, too, needed simplified methods that were technically sound if they were to help landowners develop and install a balanced conservation land use plan that included all his land and all its uses—present and potential—woodland, cropland, grassland, swampland, wildlife land, recreation land, and so on.

Homer Mitchell resolved to meet these needs. He set out to design a "do-it-yourself" woodland technique.

Thus the "D-plus" concept was born . . . a diameter-space relationship upon which was based a system of management and improvement cutting. The simplicity of its use enabled many landowners to realize a regular annual income from their woodlands for the first time.

While Mitchell originally developed the "D-plus" concept for southern pine, its principles of spacing trees applied to all other species. Although it hasn't been accepted entirely by the profession, it is being recognized more widely as its value spreads. The tree farm that we dedicate today is, to the best of my knowledge, the largest industrial application of the "D-plus" concept in the United States.

Homer Mitchell was a talented scientist. He was a great teacher as well. This is a rare combination.

One method he devised to get messages to woodland owners was the use of large tree tags—placed when woodland was marked for cutting. On a tree to be left, a tag reading "Leave the best—with space to grow" or "Spaced to grow the most per acre," might be posted. A tree for salvage might have a tag reading "Remove dying trees while they are still salable." Each tag told a message. Each told the "why" that the woodland owner wanted to know. Each helped him understand how to make a profit from his land.

To speed up the woodland job and make it easier, Mitchell devised a so-called woodland information stick. You might call it a notebook on a stick, for it gives about all the information you would need for measuring and calculating size, height, and board feet, and for answering questions that arise when working in a woodlot. It was so widely accepted that it is now available commercially. Originally designed for southern pine, it has been developed for use in the midwest and northeast also. And I understand that they are working on one for the west, too. The Forest Service helped adapt research data for some of the sticks.

I am told that these sticks have another practical purpose . . . They come in mighty handy when confronted by a snake or heavy brush.

For these contributions of improved methods and techniques, Homer Mitchell received in 1951 one of the highest awards of the United States Department of Agriculture—the Superior Service Award. This was a great honor indeed—but to be recognized by fellow citizens and industrial professionals as he is today is by far the greatest honor that a civil servant could receive.

The 90,000-acre tree farm that we dedicate to him is a story in itself. It is a source of interest and amazement to all who have watched it from the time the idea of its development was first conceived . . . from the time it was merely a vast acreage of cutover, barren land.

"Gigantic," "fabulous," and "monumental" are words that have been used to describe the efforts and accomplishments associated with it. And rightly so. I can think of no better terms.

The tract has brought together in one place the knowledge, the talents, and the skills of many. It is a model of conservation and development at its best.

It is an example of the pioneering spirit of many:

The T. L. James Company and Don Burkhalter set the pace. In fact they set the forestry profession agasp when they dared attempt what seemed an impossible—or at least foolhardy—thing to do.

The Forest Service had an important part. Their new technique—direct seeding—has proved itself here beyond question. It was a huge undertaking—possibly the largest area in the world where this new and exciting idea has been tested. It brings us to a new plateau in forestry. The results illustrate the unlimited possibilities for this new technique. This less costly and less time-consuming method has opened the door to still other new concepts that will serve people far into the future.

Many others cooperated in the endeavor.

The equipment companies worked alongside the foresters devising special machinery.

The State Forestry Commission, the local soil conservation district, and others helped or had an interest in this great feat.

The people in the area also contributed to the progress as the land became productive once again. And as they have shared in making this tree farm a success, now they also may share in its use and productivity. While it is an example of scientific know-how, it is also an example of the impact that applied know-how can have on a community. It has created new jobs and offers vast recreation opportunities free under the company's good neighbor policy.

It is what we in the Department of Agriculture call "Resources in Action."

Early this summer Secretary of Agriculture Orville L. Freeman released new conservation policies of the Department of Agriculture. This was in answer to President Johnson's call for creative conservation. In it the Secretary points out that by the year 2000 we may expect, among other things, the demand for outdoor recreation to triple and the need for wood products to double.

He emphasized that demands upon our natural resources are growing at a tremendous pace. More people and higher standards of living will call for more food, wood, water and space for outdoor recreation, and the other products and services provided by our resource base. He underscored the urgency of conservation action to meet these needs.

We have a great Nation. Its greatness could not have been achieved without the continuous and abundant supply of wood to support its growth since the earliest times. Our economy continues to command a dependable and sufficient supply of this versatile raw material. There is no reason why we cannot assure adequate timber supplies for the years ahead and still use our woodlands and forests for other purposes. The Forest Service has used the multiple-purpose concept for many years in managing our national forests. We in the Soil Conservation Service urge multiple land uses as a sound practice when it is feasible.

We will need to make special efforts now to get the Nation's forest land in shape to meet projected requirements for wood. More than half of the private forest and woodland in the United States needs conservation treatment. And timber crops do not grow overnight. With proper planning and management, benefits—as illustrated here in Louisiana—will extend not only to the immediate area, but to the metropolitan centers that have a thousand and one uses for wood products.

That is a look into the future.

The mission that has brought us here today is to acknowledge, in the dedication of a parcel of land, the lasting contribution by Homer C. Mitchell to the profession of woodland conservation and to the future we envision.

Many of us here knew and respected Homer Mitchell for the man and fellow worker he was—thoroughly devoted to his profession, skilled in the techniques of it, and impelled by an inner force to serve in the interest of forest conservation where he could.

Untold thousands of acres of woodland in our Nation, in conservation use, constitute a memorial to this man. Let us say here that in this tract—the Homer C. Mitchell Tree Farm—is rooted for all time the gratitude shared by all of us for an immeasurable achievement in his profession. This we now dedicate to the memory of a man who worked a lifetime for principles that he recognized and who has left to a profession and to an industry a legacy that will grow, as the forest grows, in importance and meaning.

RETIREMENT OF FORMER SENATOR ARTHUR V. WATKINS FROM FEDERAL SERVICE

Mr. MOSS. Mr. President, this morning's Washington Post contains an editorial concerning Senator Arthur V. Watkins, of Utah. The editorial points out the very distinguished career of this fine public servant and former Member of this body.

Since I succeeded Arthur Watkins in the Senate, I would like to add my voice acknowledging his integrity, devotion to his State and his country, and his efforts for the causes in which he believes.

After leaving the Senate, Arthur Watkins continued to serve his Government beyond his 80th birthday. I salute this outstanding man, as I know other Senators do, and wish him many happy and productive years to complete the projects which he has set for himself.

I ask unanimous consent that the Washington Post editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ARTHUR WATKINS'S STORY

When he celebrated his 80th birthday a few months ago, former Sen. Arthur V. Watkins was warmly saluted by many friends in part because he was still in harness as a public servant. Although old enough to retire in 1958 when he was replaced in the Senate by Frank E. Moss, he took a job as consultant to the Secretary of the Interior and then became chief commissioner of the Indian Claims Commission. Now a fresh round of congratulations are in order, not merely because he has decided at last to relinquish public office, but chiefly because he intends to write his memoirs.

This country is deeply grateful to Mr. Watkins. At a time when the orderly conduct of government was in grave peril from the wild and seemingly uncontrollable prairie fire known as McCarthyism, the unassuming Senator from Utah brought the nightmare to an end by a fair and factual investigation which led to the censure and complete undoing of the Nation's unprincipled tormentor. Critics laughed when the Senate leadership sent the little-known Arthur, with only his sling of integrity, out against the giant slayer of Communist dragons. But the mirth soon turned to applause when the Watkins Committee adopted strict rules to avoid another McCarthy-dominated extravaganza and its chairman sternly gaveled the irrepressible fanatic into silence.

Few episodes in recent history have given the country a stronger feeling of mingled pleasure and surprise. A quiet and conservative man with a profound sense of duty held the ideological lion of the Senate at bay and then methodically assembled the facts which undermined his power. It was a superb performance and a great surprise only to those who did not know Arthur Watkins. His close friends had long been aware of his inner toughness and his dogged ability to follow through once he had determined that his course was right.

It is gratifying that the former Senator intends to write the story in complete detail along with the other significant events of his life. This encounter in a modern-day "valley of Elah" will long remain an exhilarating chapter in the history of the Senate.

FAIR FARM INCOME THROUGH ADEQUATE FARM PRICES

Mr. LONG of Missouri. Mr. President, the achievement of fair farm income through adequate farm prices is the greatest concern of millions of farm families throughout the country. While farm technology has increased and farmers have invested great sums in new equipment to utilize the technological improvements, farmers have not obtained fair return through increased incomes.

In the September issue of Missouri Farmer, Fred V. Heinkel, a member of the National Advisory Commission on Food and Fiber and president of the Mid-Continent Farmers Association, discusses the study made by the commission and its recommendations. It is his opinion that the report fails to attack the basic problem of present farm policy, the need for higher domestic farm prices.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DESPITE A MAJOR SHORTCOMING THE FOOD-FIBER REPORT IS A SIGNIFICANT DOCUMENT

(By F. V. Heinkel)

After 18 months of study and discussion the report of the National Advisory Commission on Food and Fiber has been completed. Its analysis of farm policy is detailed. Its conclusions are sweeping. Without question they will prove controversial. This, no doubt, is to be expected.

Proposals made in the report were not always unanimously agreed on. Twenty-nine persons including college professors, food processors, manufacturers, labor leaders, farm organization leaders, food and fiber producers and others made up the Commission. These individuals were obviously chosen to provide a cross-section of agricultural interest. Wholehearted agreement on farm policy by all would have been an unrealistic goal. To reach it would have required a group picked with this aim in mind, or a willingness by members to water down their report to achieve unanimity.

Neither occurred. The Commission did split its recommendations. The basic point of disagreement was over the desirability of farm commodity programs. The majority recommended to retain them with improvements. The minority favored a rapid phasing out of these price support and supply adjustment programs.

The charge given the Commission when it was appointed by President Johnson was to fully appraise agricultural and foreign trade policies. Then it was to make recommendations which might guide future farm policy.

As a Commission member, I had many soul-searching moments. I was determined to express the policies molded by MFA members through resolutions and action. It is easy in such a large group to be swallowed up in the consensus. On the other hand a person can become so sensitive to specific details, important as each might be, to destroy his effectiveness in the group action.

This report contains some 300 pages of statements and recommendations. I am in agreement with the general tenor of it. There are some points which I believe erroneous. On these I exercised my privilege of making statements of exception and clarification. There are numerous statements which I would have liked to change. A word here or there, which admittedly might mean different things to different persons, could have strengthened proposals in my opinion.

My greatest criticism of the report is that it fails to attack directly the crucial fault with today's national farm policy. Farm prices are too low. Farmers are putting more into their business. They are better managers. They have invested in new equipment and technology. They have achieved national goals of abundance and high quality of food and fiber. But they have not been paid fairly for this vital contribution to the welfare of the country.

The need for higher domestic farm prices is the key to fair farm income. But this report does not deal forthrightly with this need.

This is its major short-coming. And in this respect I am disappointed with it.

Farmers right now are suffering from rapidly increasing costs without the necessary increase in prices to cover them. The instability of prices from season to season is also a harsh economic fact which farmers, almost alone among our major industries, continue to face. In an economy which has made rapid progress by relating returns with efficiency, farmers have been left out.

On the whole, agricultural efficiency has made tremendous strides. Some farmers, of course, are better managers than others or have greater financial resources at their command. But I cannot subscribe to any theory or proposal which attempts to define a large number of farm families as inefficient producers. By any measure the productive ability of farmers is way out in front. This must be recognized and rewarded. Other problems are secondary to this realization.

To improve farm policy we must continue, more forcefully and more positively, toward the goal of raising domestic farm prices. This will meet head-on the major problem and will correct many of the side problems of national concern. It will put money in farmers' pockets to cover rising production costs. It will allow farmers to accumulate the necessary equity capital to expand their family units and stave off the serious danger of corporate takeover of farm production. It will renew and strengthen rural communities.

The commission report does recognize the need to bolster our sagging rural economy. It deals in some detail with suggestions for greater rural employment opportunity, better education and spells out a plan to provide minimum income protection for low-income families. These are desirable areas of consideration. But there is nothing which would do more to correct the nagging problems of rural America than an increase in the income of farm families.

A capacity to produce more food and fiber than needed is set forth as a major factor in backing up the majority of the Commission members in their conclusion that price support, supply adjustment and direct payments continue to be needed. The minority, however, insisted that these programs interfere with efficient allocation of resources and recommends they be phased out.

Some people just cannot appreciate the necessity of strong, voluntary, cooperative programs between farmer and government to adjust supply to demand for specific farm products. It is significant that all of the farmers but one on the Commission favored continuing these commodity programs. We had to battle this one out at every turn.

The Commission recommended a new concept of parity prices be devised, declaring the present method obsolete. I did not agree. When a better, more accurate approach is suggested, we can discuss its merits. Until then, we need to pay more attention to the one we have. The big fault with the parity index is its present level, not its alleged inaccuracy.

WORK EXPERIENCE AND TRAINING PROGRAMS

Mr. McCARTHY. Mr. President, the Committee on Finance is holding hearings on the social security amendments approved by the House.

One of the major provisions in the House bill involves programs and procedures for reducing dependency upon welfare assistance. There is general support for this objective, but I have reservations about some of the methods required in the House bill, including the decision to place responsibility for work experience and training programs with the Department of Health, Education, and Welfare and welfare agencies. It is my view that it would be much more effective to place the authority with the Department of Labor and thus to coordinate work experience and training for those under public assistance with other job training programs.

The Subcommittee on Employment, Manpower, and Poverty recently published a study by Dr. Sar A. Levitan on the effectiveness of existing work experience and training programs.

I am pleased that Ramsey County, Minn., which includes the city of St. Paul, has been singled out as a successful example but regret that other experience is not encouraging. I ask unanimous consent that an article about the report, by Albert Eisele, published in the St. Paul Pioneer Press of September 10, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

RAMSEY WELFARE LAUDED—SINGLED OUT IN SENATE STUDY

(By Albert Eisele)

WASHINGTON.—The Ramsey County Welfare Department's work and training program has been singled out in a new Senate study as one of the few bright spots in the nation's effort to help the poor get off relief rolls.

The study, made public this week by the Senate Employment, Manpower and Poverty subcommittee, points to the Ramsey County program as one of the few that is achieving any significant measure of success.

The generally critical study, made by a George Washington University poverty consultant, cites Ramsey County as a model that could have been copied by other welfare-operated work training programs.

However, the study states, most work-training programs have failed to carry out their announced goal of helping relief recipients achieve economic independence by improving their employment opportunities.

According to Sar A. Levitan, who has been conducting a three-year evaluation of war on poverty programs for the Ford Foundation and who was commissioned by the Senate Poverty subcommittee, about three out of every four enrollees in work-training programs never completed their assigned courses of training.

In his study of work-training programs—enacted as part of the war on poverty legislation in 1964—Levitan found substantial evidence that most welfare agencies are ill-equipped to train and place enrollees in jobs.

"Except for isolated cases and numerous anecdotes, there is little reason to believe that (the program) has improved the employability of a significant proportion of the first 150,000 persons enrolled," the study declared.

With some isolated exceptions, such as Ramsey County, the study found that work-training programs deteriorated into old-fashioned work-relief projects which gave the poor money but did not equip them with skills to become self-sufficient.

Calling the program's goal "too ambitious," the study suggested the need for a variety of approaches, including sheltered workshops, subsidization of private jobs by the government and creation of jobs by the government acting as employer of last resort, particularly in depressed areas where few jobs are available on the open market.

"On the other hand, in places like Ramsey County, Minn., where job opportunities, staff and training facilities are available, the emphasis should be, as it was, on training and work experience, supportive services and job placement.

"Even where tight labor markets exist, too few (work-training) projects have developed the capability and results of the Ramsey County project where seven of every 10 former male participants are employed."

The study declared that any effective program to improve job opportunities for relief clients must include a number of incentives, including President Johnson's proposal to permit families to earn up to $150 monthly without reduction in relief payments.

The study's findings appear to buttress administration arguments againts House-passed welfare amendments to the pending Social Security bill to give federal and state welfare departments the responsibility for massive new work-training programs.

The work-training programs are operated by the Welfare Administration's Bureau of Family Services through the state welfare departments with 100 per cent federal financing.

The Ramsey County program, begun three years ago, will receive about $2.3 million for the fiscal year ending in April, 1968, to enroll about 510 women and 390 men. Project director is Donald Henry.

WELFARE WORK-TRAINING PROJECT HAS AIDED 2,514

The Ramsey County Welfare Department's work and training project, cited as tops in the nation, has served 2,514 heads of families—both men and women—in the past 27 months.

A total of 901 left for gainful employment and 900 are currently on the project. The balance left for a variety of reasons ranging from illness to disappearance.

Estimated annual wages of those who left the project for employment is more than $3,800,000 according to James W. Edmunds, director of administrative services of the Welfare Department.

And because they are working, the savings in assistance payments which would have been made to them if they still were unemployed comes to more than $2 million, according to Edmunds' report.

ST. LOUIS POST-DISPATCH URGES RATIFICATION OF HUMAN RIGHTS CONVENTIONS—CXXXVI

Mr. PROXMIRE. Mr. President, the St. Louis Post-Dispatch, one of America's outstanding newspapers and a consistent and articulate supporter of the United Nations, on September 2, 1967, editorially urged the Senate to take positive action on the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

The Post-Dispatch, like so many of the advocates of U.S. ratification of the Human Rights Conventions including the senior Senator from Wisconsin, is at a loss to understand the Senate's failure to act.

In the editorial, Ernest A. Gross, an expert in international relations with service in both the United States and the State Department, is reported to attribute Senate inaction to the fear on some people's part that if the United States were to become a party to these conventions pressures would increase for more rapid expansion of human rights at home.

I do not want to believe this is the case. But I must confess that I am not able to refute Mr. Gross' argument.

The rights established by these conventions are all in accord with U.S. law, both State and Federal.

I believe that the lesson of our own national experience is inescapable; the establishment of human rights as strict national policy inevitably leads to the making of a productive, creative, and stable society. Certainly we can ask no less for our fellow citizens of the world.

Mr. President, I commend the St. Louis Post-Dispatch for its forceful support of U.S. ratification of the Human Rights Conventions and ask unanimous consent that its editorial, entitled "Genocide and Slavery," published on September 2, 1967, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

GENOCIDE AND SLAVERY

Four years ago President Kennedy sent to the Senate three United Nations covenants dealing with slavery, forced labor and the rights of women. No senator has said that he is for slavery or forced labor or against rights for women. Still, no ratification.

Nineteen years ago President Truman sent the Senate the UN genocide convention. No senator has defended the appalling crime of mass national, racial or religious murder. Still, no ratification.

The concise explanation of senatorial laggardliness was provided in a recent speech in Kansas City by Ernest A. Gross, an expert in international law with service in both the UN and the State Department. He said:

> Why has the Senate dragged its feet? For precisely the same reasons that impel some senators and too many like-minded people to oppose civil rights legislation. They fear that if the U.S. were to become a party to treaties protecting human rights—even those treaties which deal with rights already guaranteed by our own Constitution—pressures would be increased for more rapid and effective expansion of human rights and civil liberties in the United States.

It is shameful enough for the United States to fail to commit itself on these issues of human rights for all the world to see, but it is more shameful that this failure stems from the unwillingness of a Senate minority to make the same commitment at home.

COMMENDATION OF SENATOR HIRAM FONG'S ADDRESS ON "VIETNAM: A CALL FOR UNITY"

Mr. HANSEN. Mr. President, I am pleased to invite attention to a speech delivered last week by the distinguished senior Senator from Hawaii [Mr. Fong], urging Americans to unite on Vietnam. The occasion was the 10th anniversary dinner of the Grand Pacific Life Insurance Co., of which Senator Fong is president.

I commend Senator Fong's speech for its clear perception of the issues involved in Vietnam, its incisive analysis of the alternatives proposed, and its call for unity in our Nation to hasten peace.

It is a most timely address, delivered during this critical period when our national purpose in Vietnam is clouded by divisive debate and our national unity is strained by continuing controversy. I recommend it to all who wish to see light rather than heat focused on this most difficult situation.

I ask unanimous consent that Senator

Fong's speech, as given in Honolulu on September 7, 1967, be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Vietnam: A Call for Unity

(By Senator Hiram L. Fong)

When Grand Pacific Life Insurance Company was first organized ten years ago, Hawaii was still a Territory of the United States.

So much has happened in that decade. Hawaii became a full-fledged state, and the progress and prosperity that attended statehood still continue. The growth of Grand Pacific was part of the tremendous growth of our State and national economy during these ten years.

For eight of these past ten years it has been my privilege to serve Hawaii as one of its two United States Senators.

I have just returned from Washington, where the problem uppermost in everyone's mind is the war in Vietnam.

It is the biggest concern here in Hawaii too. We are geographically the state nearest to the battlefield, and our state is bearing the greatest brunt of the war in the rate of battle deaths.

Without a doubt this is one of the most difficult, frustrating and costly wars in our nation's history.

It is also one of the most divisive.

Day after day controversy boils over U.S. involvement in the war in South Vietnam. Many of those in high office to whom Americans look for guidance and leadership are riding off in all directions, leaving confusion and bewilderment behind them.

Press stories highlight criticism of the President's course—from doves as well as hawks.

Editorial writers, columnists, opinion molders and the press, radio and television provide a steady stream of conflicting and confusing views on Vietnam.

Public opinion polls reflect the widespread confusion among Americans and sometimes produce misleading headlines that add to the confusion.

Proposals for action range from "Get out" to "Hit 'em with everything and win"—from "Stop the bombing" to "Clobber all the targets."

The American people are groggy with so much contradictory advice. Confusion is confounded. The national purpose is fuzzy and the unity so essential to successful conclusion of the Vietnam war is undermined.

The very progress of the war is befogged in contradictory accounts. Some say, "We can't win. The enemy will wear us down." Others say, "The enemy is hurting at last. When will they quit shooting and start talking?"

In my brief remarks today, I hope I can focus some light in the fog and darkness that dim our vision.

Let me begin by describing the situation as it is.

As of now, the United States has half a million men in Vietnam, and 45,000 to 50,000 more are due to go there by next June. These figures do not include the many thousands manning our ships at sea and our air bases in Southeast Asia outside Vietnam and in the far Pacific.

American forces have suffered more than 12,000 combat deaths, nearly 80,000 wounded in action, and more than 2500 non-combat dead. More than 830 aircraft have been lost to enemy action.

The war is costing Americans more than two billion dollars every month, and costs are still rising.

These forces and these funds are in support of America's commitment to help the 15,000,000 people of South Vietnam repel armed aggression by the Viet Cong and the North Vietnamese—who beyond shadow of doubt are directed and equipped by Hanoi with substantial help from Soviet Russia and Red China.

President Johnson has pledged that America will not withdraw until peace is assured.

Hanoi refuses to negotiate, blocking our government's efforts to stop the combat and start peace talks.

This is our nation's predicament: We have neither won the war nor have we achieved the peace.

Some critics say America should not be involved in Southeast Asia and the President had no right to commit the United States to the Vietnam war without Congressional consent.

The President says the United States is committed under SEATO and furthermore, Congress gave its consent in approving the Gulf of Tonkin Resolution by overwhelming vote in 1964.

Section 1 of the Resolution says: "The Congress approves and supports the determination of the President, as Commander-in-Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."

Section 2 of the Tonkin Resolution states: "The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in Southeast Asia. Consonant with the Constitution and the Charter of the United Nations and in accordance with its obligation under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps including the use of armed forces, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."

Section 3 provides that the Resolution shall expire when the President determines that the peace and security of the area are reasonably assured by international conditions created by action of the United Nations or otherwise.

Section 3 also provides that Congress—on its own initiative and without any Presidential action—may terminate the Resolution at any time by passing a concurrent resolution by majority vote of the House and Senate.

Congress is in no mood to terminate this Resolution at this time. I doubt if more than a handful of votes would be cast to repeal the Gulf of Tonkin Resolution.

Two years ago, Congress passed the Resolution by overwhelming majorities—only two opposing votes in the Senate and none in the House of Representatives.

Since then, Congress has time and again given overwhelming support to all appropriation bills to fund United States defense forces in Vietnam. Two weeks ago only three Senators voted against defense appropriations—84 Senators voted for them.

As long as our Commander-in-Chief orders American military personnel to combat, I intend to give them every dollar they need.

The great majority in Congress will do the same.

Inasmuch as we have been deeply involved in active combat in Vietnam for two and one-half years, what useful purpose—I ask—does it serve now to prolong the hassle over the way the United States became involved in the war?

The point is we are in it.

And the question now is not "How did we get into this mess"—but "How do we get out of it?"

Let us examine the alternatives proposed.

Some say "Stop the bombing"—that bombing is a barrier to peace.

The fact is, that we *have* stopped bombing North Vietnam in the past on six different occasions—once for 37 days. It did not bring Hanoi to the conference table—even though Hanoi insists the bombing must stop before peace talks can begin.

What assurance do we have that the enemy would agree to talk if we stop bombing *today?*

Past experience has taught us a costly lesson: While we stopped bombing, the enemy rebuilt his forces with more troops, more weapons and more equipment. Sworn testimony given Congress disclosed that during one bombing lull of 96 hours—that's four days—the enemy brought in 20 to 25 thousand tons of materiel to supply thousands of its troops for a long, long time.

Instead of shortening the war, the bombing pause actually helped the enemy to prolong the fighting.

So Hanoi gives us no recourse but to continue bombing unless and until North Vietnam de-escalates the war or agrees to talk peace.

Disengagement and disinvolvement are also advanced as alternatives.

Just what disengagement and disinvolvement mean is not clear.

Do they mean we will gradually decline to engage the enemy or decline to be involved by omitting North Vietnam from our air attacks? If this is so, it means making the enemy's homeland a privileged sanctuary from where he can conduct tougher war against the South.

Since the United States, South Vietnam, and Allied forces occupy no North Vietnam territory, do disengagement and disinvolvement mean we retreat from areas in South Vietnam and let the enemy take over those areas? And how far are we to disengage—out of South Vietnam completely?

Then what about the mechanics of disengagement and disinvolvement?

How do our troops protect themselves while in the process of disengaging?

Unless Hanoi is prepared and willing to disengage and disinvolve its forces—which so far it is not—disengagement and disinvolvement by our forces can only mean a setback for the United States, for South Vietnam, and for our allies.

Disengagement and disinvolvement are appealing words—but in the midst of battle and in the struggle for survival of South Vietnam, these alternatives are not practical.

An "enclave policy" also has been recommended. Under this proposal, our troops would be withdrawn and concentrated in enclaves or restricted areas in South Vietnam, mainly along the coast.

The practical result of this policy is abandonment of all the territory of South Vietnam outside the enclaves. The enemy could proceed at will throughout this outer territory and prepare himself for all-out attack, possibly annihilation, of the enclaves. With the sophisticated weapons now available to Hanoi, can anyone doubt that total destruction of enclaves is indeed possible?

And so what is advanced as an alternative is no real alternative at all.

Another alternative advanced is withdrawal.

Let us examine what withdrawal means and what the logical consequences would be.

Obviously, for the United States to withdraw now would mean abandonment of 15 million South Vietnamese to the mercy of the enemy. For them it means a reign of terror and revenge. For them it means death of freedom, independence and self-determination.

Can anyone doubt this, particularly after events of the past several weeks when the Vietcong conducted a brutal campaign of terror against civilians just to keep them from voting?

Remember, in North Vietnam there are no free elections. There would be none in the South if the Communists take over.

Remember also, that the South Vietnam election was held in a nation without real experience in democracy; a nation tortured by foreign attack and internal subversion; a nation subjected to vicious terrorism by the Communists who killed, wounded or kidnapped more than 2000 civilians.

Mortar attacks were directed against villages, homes, hospitals. Bombs were thrown into buses and schools. But electioneering continued and the people turned out to see and hear the candidates.

On election day, as 28 dead fell to Communist attack, as 86 wounded sought medical attention, as 278 innocents were kidnapped, the South Vietnamese by the millions marched to the polls.

Think of it! In the face of such adversity, 83 per cent of the registered voters actually cast their ballots!

This is a bigger turnout than in any Presidential election in America.

My friends, I salute the brave and gallant people of South Vietnam.

They have given the world a magnificent lesson in real courage.

And they have proven by their ballots how much they cherish freedom, independence, and the right to govern themselves.

Now that they have chosen their President and Vice-President, it is only fair to give the new administration a chance to perform.

With a new government taking the reins in Saigon and another election due in October, for members of the House of Representatives, let us take a fresh look at the proposal for the United States to withdraw.

Today, as before the elections in Vietnam, the deadly war against South Vietnam continues with no let-up in sight.

Withdrawal would show the world that America cannot keep going when things get tough and that we don't honor our commitments. This would be the signal to potential aggressors around the globe that they can move ahead because America won't stand by her allies.

Withdrawal would encourage takeover of Thailand, Laos, Cambodia, all of Southeast Asia. After Southeast Asia, the danger moves to Taiwan, the Philippines, Indonesia, Australia, New Zealand, Japan, and Korea.

And where does the danger stop?

America has bilateral and multilateral treaties with more than 40 nations around the world. Withdrawal from our commitment to South Vietnam would make our allies doubt our resolve to fulfill our commitments to them.

Our word would no longer be believed—either by friend or foe.

Suppose our neighbors in the Philippines were attacked as the people of South Vietnam were attacked. Under our commitments, we have pledged to help defend the Philippines. Then when the going gets tough, would we withdraw?

And what are the further consequences of withdrawal to our own country?

Withdrawal from South Vietnam would eventually require pullback of our Pacific security defense line to Guam and other Western Pacific islands; Midway in the Central Pacific; and then—to Hawaii.

More and more we would find ourselves "going it alone," in a world where the danger for us is escalating.

If we had a super-weapon that no other nation had and that would ensure our survival no matter who attacked us, then isolationism might be an acceptable alternative for America. But what kind of a world would we be living in?

So we had better have some friends in this world.

Withdrawal by no means guarantees peace will follow.

On the contrary, withdrawal may very well increase the prospects for war not only in Southeast Asia but in many other vital parts of the world.

So withdrawal is an alternative fraught with grave dangers.

By far the most desirable alternative is negotiation.

During the past two and a half years, America has made at least 18 major efforts to resolve the Vietnam war by negotiations.

Other nations and world leaders have offered their good offices in an effort to bring the parties together at the conference table.

None of these efforts succeeded.

Hanoi would rather fight than talk.

Hanoi won't talk unless we stop the bombing and pull out all our troops. She offers no reciprocal military de-escalation.

President Johnson says he is willing to negotiate without preconditions. But he cannot negotiate alone.

It takes two sides to make peace.

For my part, I strongly support continued efforts by our government to take the Vietnam war from the battlefield to the conference table.

So far we have been repeatedly rebuffed by Hanoi. But we should preservere for peace as we persevere in war.

I would welcome action by the United Nations or by the new government of South Vietnam to resolve the war and bring peace at long last.

I believe any peace settlement, whether by direct talks or by U.N. action, or by any other means, must preserve the independence and the territorial integrity of South Vietnam.

Negotiations are indeed a desirable and feasible alternative—one which we should pursue with all vigor. Sooner or later Hanoi must come to the conference table.

While we continue to work toward negotiations, what else can we do but to persevere and continue to mount military pressure to end the war?

This we are doing—in the fervent hope that thereby we hasten the day of peace.

We deplore the awful toll that war exacts in human lives, human suffering, family separations, destruction of property, land, and resources. No one can compute the entire cost of war or the total tragedy it brings.

For peace-loving people like Americans and the South Vietnamese, war is especially repugnant.

But unfortunately, in every age and every generation there are tyrants and despots—Genghis Khan—Attila the Hun—Stalin—Hitler—who use war as a deliberate policy to expand their boundaries and their power.

To stop Hitler and Tojo, we went to war in 1941. To repel Communist aggression we went to the aid of Iran in 1946, Greece and Turkey in 1947, Berlin in 1948, and Korea in 1950.

Today in Vietnam, the Communist aggressor wages war in the age-old pattern to subjugate the South Vietnamese. And once again we find ourselves in battle against aggression.

If the United States, the leader of the Free World and the most powerful nation on earth, should falter or abandon the struggle to repel aggression, to which we have solemnly committed ourselves, what hope is there for freedom, liberty, human dignity, human betterment for mankind?

It is only the power of the United States that keeps the Free World out of the clutches of predatory aggressors who openly boast of their plans for conquest.

We are the strength, the hope, the promise for billions of human begings on this planet.

For ourselves and for them, we must persevere.

So in this hour when our will and our spirit in the cause of freedom and peace are severely tested, the time has come for all Americans to close ranks, to unite in full support of our defense effort, to show the enemy we will not weaken or tire.

Unity and perseverance will speed the day of peace—not only for ourselves but for the billions of people who count on us.

ALASKA NATIVES AND FEDERAL HIRE

Mr. BARTLETT. Mr. President, shortly after the 1964 Alaska earthquake disaster, a committee was formed to deal with poverty and other grave problems facing Alaska in these early years of statehood, the Federal Field Committee for Development Planning in Alaska. There have been and still are skeptics who view the Field Committee as just another study group established to compile endless statistics in endless reports with no developments to show for their efforts and monetary expenditures.

I am not, and never have been, one of the skeptics. It has always been my belief that those who opposed the Field Committee simply did not understand its function. Its main task is to cordinate and give direction to Federal activties in Alaska to relieve rather than aggravate the State's economic problems. A certain amount of study and statistical compilation will be necessary, but this will form the basis for concrete recommendations for action.

Anyone who doubts what I have just said should obtain a copy of a recently published staff study prepared for the Federal Field Committee by Robert D. Arnold and Esther Wunnicke entitled "Alaskan Natives and Federal Hire." Mr. President, if you have ever traveled in the remote villages of Alaska, you know there is poverty and unemployment in these communities. Marshaling facts and figures in their staff study, Mr. Arnold and Miss Wunnicke tell just how bad the situation is—the unemployment rate among the Eskimos, Indians, and Aleuts of Alaska is a "staggering 60 percent." While they make up one-fifth of Alaska's civilian population, Alaska's native people hold less than one-tenth of the jobs.

If the Arnold-Wunnicke staff study stopped with the quotation of alarming figures, the skeptics might well be justified in saying, "I told you so." I am pleased to report that this is not the case. Mr. Arnold and Miss Wunnicke have gone deeply into the unemployment problem and have suggested Federal hire as one approach to alleviating it. They point out, after careful analysis of Federal hiring practices in Alaska, that the barrier native jobseekers face is not the simple one of discrimination but a combination of several factors, difficult but not impossible to overcome.

First, Alaska natives are generally less well educated and less well trained than nonnatives. Moreover, most of the native unemployed are remote from where the job openings occur. It follows that the natives in remote villages lack knowledge of where jobs exist. Finally, agencies that would be inclined to hire native workers are unable to locate skilled workers who choose to live in the villages.

More than a dozen Federal agencies and departments are active in Alaska and are staffed by roughly 14,000 workers. Less than one Federal employee in 10 is an Alaska native. Arnold and Miss Wunnicke point out that Federal employment of Alaska natives would serve another end while providing jobs for the unemployed. The other end served would be economy in government. The economy would be achieved in several ways:

First, the transportation of an employee and his family to Alaska from outside is figured at $5,000 on a round-trip basis. In addition, reemployment leave benefits afforded Federal employees hired outside Alaska cost about $1 million annually. Finally, providing jobs for the unemployed natives would cut back the welfare assistance, which is now nearly $2 million per year.

On March 17, 1966, at the Government Equal Employment Opportunity Program, President Johnson said:

> These plans must tax the limits of our imagination and our creativity. If we are going to have equal employment opportunity in the Federal Government, we must attack the problem on many fronts.

Taking their cue from the President's remarks, Arnold and Miss Wunnicke have developed an enlightened, yet practical, affirmative action program for Federal agencies in Alaska. After presenting the facts in a tightly drawn well-documented paper, they present logical and fair conclusions, followed by 16 specific recommendations which the field committee has fully endorsed and presented to the President's Review Committee.

In my view, the recommendations are sound and should be put into action without delay. I intend to make my view known to the chairman and members of the President's Review Committee and politely peer over shoulders from time to time to assure that the recommendations are being followed.

Mr. President, I wish to commend Mr. Arnold, Miss Wunnicke, and the Federal Field Committee for Development Planning in Alaska for the fine work they are doing. I look forward with interest to future studies and recommendations.

RENT SUPPLEMENTS

Mr. SCOTT. Mr. President, the rent supplement program is a private housing program that stimulates our free enterprise system while alleviating the shortage of low-cost housing and avoiding many of the onerous stigmas of public housing.

Rent supplements do not impair individual incentive for self-improvement. A tenant would be allowed to remain in his home even though his rising income may reduce or eliminate the subsidy paid to him.

The range of support for this program is indeed impressive. The National Association of Home Builders, the National Association of Real Estate Boards, and the Mortgage Bankers Association of America are but a few of the supporters of the rent supplement program.

Recently, the Washington Evening Star added its voice to the call for overwhelming Senate support for this measure. I commend this statement to my colleagues and ask unanimous consent for its printing in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Evening Star, Sept. 4, 1967]

Repair the Damage

President Johnson's request to Congress this year for urban assistance offered little enough hope for cities, and much of that was dimmed by the harsh action of the House on the model cities and rent supplement programs. Fortunately, however, in regard to those modest proposals, the Senate Appropriations Committee has attempted to restore some reason to the situation.

Of the two, the fledgling model cities program is in the least peril. To be sure, the House approved only about a third of the $662 million the administration requested. The $537 million appropriation recommended by the Senate committee last week, however, would seem to assure that at least a reasonable portion of that amount will be made available this year to be scattered among the dozens of cities which are clamoring for it.

The more crucial vote, however, was the Senate committee's decision to support the administration's full $40-million request for rent supplement funds. For the House, in an action last May which defied any rational explanation, had cut this promising program off without a cent.

The House antagonism, especially among Republicans, dates back to a confused disagreement over the purposes of rent supplements when the proposal was first advanced a few years ago. And the opposition has succeeded ever since in holding the program's appropriations to a pittance. There is no reason for confusion, however, as the program is now limited and defined. It is intended solely to generate private housing in which a number of low-income families may be accommodated through the subsidization of a portion of their monthly rents—as an alternative to endless construction of the discouraging, ghetto-like public housing projects of the past. The concept, as an experiment, is eminently sound, but it can never be proved unless the program is financed sufficiently to have a chance to work.

What are prospects? They are apt to depend largely, when the Senate takes up the appropriation shortly after the Labor Day recess, upon the endorsement of such influential leaders as Senator Dirksen, who only recently declared his support for the rent supplement approach. The immediate problem is that a slim margin of victory in the Senate may not be good enough. Without an impressive vote of Senate approval, it may be impossible to win the restoration of any funds from House conferees. And in that event, of course, the entire program would slide worthlessly down the drain.

AMERICAN BROADCASTING CO. PROGRAM ON AFRICA

Mr. McCARTHY. Mr. President, the American Broadcasting Co. presentation of a 4-hour program on Africa last Sunday evening has been hailed as a landmark in television.

This comprehensive effort to provide an insight into the history, geography, diverse cultures, and aspirations of a vast continent—and one largely unknown to the American people—deserves special commendation.

The program included examples of the social, economic, and health problems of African nations and, within the limits of time, a picture of the needs and hopes of the many peoples who inhabit the continent. It reviewed some of the political accomplishments and frustrations of nations recently freed from colonialism and of those such as South Africa where apartheid is the law.

The program demonstrated the special ability of television to present an overall view of a complex series of problems and of responsibility on the part of networks to use prime time for educational purposes as well as entertainment.

The sponsor of the program was the Minnesota Mining & Manufacturing Co., of St. Paul, Minn. I hope the example of the 3M company will encourage other sponsors to support similar serious and imaginative programs.

I ask unanimous consent that reviews of the program which were published in the New York Times and the Washington Post be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Sept. 11, 1967]

TV: 4 Hours of Africa—ABC's Prime-Time Study of the Entire Continent Is Hailed as a Landmark

(By Jack Gould)

An extraordinary primer on the way of life on an entire continent—fascinating and contradictory Africa—was presented last night by the American Broadcasting Company in a dimension without parallel in television.

An entire evening of prime time—four hours running from 7 to 11—was devoted to a composite study of a part of the world about which so much is heard and so little known. By any conceivable standard the effort was a landmark in commercial TV, fulfilling a notable educational and informational purpose.

A year's work by 16 producers, directors and cameramen, under James Fleming, executive producer, and Blaine Lyttell, project producer and a veteran correspondent in Africa, was spent in preparing "Africa." Their reward is literally miles of film, of which only a portion could be used; the balance should be a permanent library of priceless material for extensive educational uses.

To attempt a kaleidoscopic inspection of the cultural traditions, economics, politics, strife and geography of so many nations on one continent in a bewildering process of change would be a formidable challenge of editorial organization for any journalist. Predictably, "Africa" was a mixture of absorbing depth and hurried superficiality of content, but the total achieved its announced goal.

At the evening's end the audience was left with a far greater insight into the complexities, turmoil and restlessness of an Africa that is both determined to pursue independence yet finds it achievement fraught with problems. "Africa" was a TV social document that in its exceptional range of subject matter reflected the continent's own diversity.

In an interesting concession to popular television, "Africa", for which Gregory Peck was narrator, began with pictures of the continent's wildlife, presumably to catch the attention of the young viewers who control the set in early evening. Then, by deft juxtaposition, Mr. Fleming and Mr. Lytell gradually introduced more serious matters, switched back at midevening to a segment on entertainment and then returned to magnificent insights into Kenya's efforts to arrange multiracial harmony and finally a most extended and uncompromising segment on apartheid in South Africa.

The closeups of humans in suffering, in luxury, in abandon, in puzzlement and in smug resistance was a gripping study in contrasts. And the program's conclusion was almost a poem on the subject of change—the different meaning of Christmas to a white and to a black.

An excellent color film, of which the small home screen could reproduce only a part of the vivid perspective that the cameras undoubtedly captured originally, "Africa" was primarily concerned with that portion of the continent south of the Sahara.

In the first hour, aside from the scenes of animals, there were views of the primitive bushmen of the Kalaharie Desert, the early civilization yet slow progress that are the heritages of Ethiopia and the birth of the new independent state of Botswana.

In the second hour there were a detailed analysis of the tribalism that tears at Nigeria's stability, the diseases that strike down so many in Africa, the controversy over what kind of education would best help the continent's masses and the vanity that led the deposed Kwame Nkrumah to undermine the stability of Ghana.

In the third hour, after mention of the rise of competitive sports in African society and its own theatrical culture, there was a supremely hard-hitting indictment of how the enslavement of Africans had left its bitter residue all over the world, including the United States.

[From the Washington Post, Sept. 11, 1967]

Four-Hour Africa Show a Solid Achievement

ABC-TV (Channel 7) introduced something new to television last night—a four-hour endurance contest under the generic title, "Africa."

Those who survived the 7 to 11 p.m. contest were richly rewarded with splendid color film footage and the low-key narration of Gregory Peck. For those who gave in to the temptations of entertainment programs on rival channels, hope remains. ABC-TV has promised to break the telecast into four equal, one-hour segments and have them telecast at times suitable for school children.

In the young television business, obsessed with tonnage and fascinated with such adjectives as "longest" and "most expensive," the "Africa" evening was a major achievement. It was well worth the $2 million production budget.

Peck's narration was not the kind that one associates with travelogues. He referred to Haile Selassie's Ethiopia as a place where history has been suspended. He found most of the population living in "crushing poverty" and a look at the individuals was called a "shattering" human portrait.

Anthropologists have assured us that man survived and became supreme because of the power of his brain. A different view came from British archeologist Dr. Louis S. B. Leakey, who thinks that the first man lived at Olduvai Gorge in north-central Tanzania, East Africa.

Man survived, he guessed, because he made such a poor meal for predatory animals. "He doesn't smell nice; he doesn't taste nice," said Dr. Leakey. He added another unflattering possibility: "Or perhaps both."

Peck showed particular restraint in introducing a young Peace Corps teacher named Jonathan Peck, who works in Tanzania. Jonathan is the son of Gregory and Greta Rice Peck.

No attempt was made to hide such African problems as tribal warfare and lack of medical facilities. Peck contrasted the U.S. ratio of one physician to 730 persons with the African ratio of one physician to 20,000 persons.

At one grade school a teacher taught children to use the English word, "shoes." As the children repeated key phrases, the camera concentrated on the bare feet.

The program was well served by newsman Howard K. Smith's brisk description of Africa's political leaders and by Signe Hasso's reading from Isak Dinesen's "Out of Africa."

In all, it was certainly a beneficial, worthwhile undertaking. The eight months that producer James Flemin's nine production units spent collecting this material may even have succeeded in ridding some U.S. citizens of the Hollywood stereotype of Africa. Certainly Fleming has given ABC-TV a remarkable library of material on this continent.

The four hours did, of course, deal in some monumental trivia along with political realities and Africa's mammoth collection of problems. The trivia, however, was needed both to sustain visual interest and to give the hardiest viewer a little relief.

No, it didn't turn each viewer into an instant expert of Africa. That couldn't be done in four hours or, for that matter, in 400 hours.

"Africa," however, did give ABC-TV and indeed all of television a new, fresh reason to be proud.

L. L.

AFL–CIO URGES SENATE TO PASS POVERTY BILL WITH EMERGENCY EMPLOYMENT ACT WITHOUT AMENDMENT

Mr. KENNEDY of New York. Mr. President, the Committee on Labor and Public Welfare has reported to the Senate S. 2388, a bill amending the Economic Opportunity Act, authorizing additional funds for antipoverty programs, and containing a new emergency jobs program, the Emergency Employment Act of 1967. The reported bill results from the 5-month study of the war on poverty of the Subcommittee on Employment, Manpower, and Poverty, under the leadership of the senior Senator from Pennsylvania, Senator Clark. As a member of that subcommittee I had the privilege of traveling to most of the 13 communities in which the subcommittee held hearings and conducted field inspection trips.

As one who helped develop the reported bill and as a cosponsor of the Emergency Employment Act, I commend this legislation to the Senate and join with Senator Clark in urging its passage by both Houses of the Congress.

Yesterday, the executive council of the AFL–CIO, at its quarterly meeting in New York City, issued a statement calling upon the Congress and the American people to support the committee's antipoverty bill and urging the Congress to adopt the bill without amendment.

The council's statement refers to the Emergency Employment Act as "an important first step" in the emergency public service and private employment program recommended by the urban coalition on August 24. The council concludes by strongly urging the Senate to approve the Emergency Employment Act of 1967.

Mr. President, I ask unanimous consent that the AFL–CIO executive council's statement on antipoverty legislation be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of AFL–CIO Executive Council on the War on Poverty

We must bring the millions living under conditions of privation and poverty into the mainstream of our national life.

The war on poverty being carried on under the Office of Economic Opportunity is an important step in the right direction. It was intended, and to a large degree has been successful in involving the poor in such community action programs as Head Start, neighborhood health centers, legal services, Neighborhood Youth Corps, and a host of other programs.

The war on poverty under the OEO is not the whole answer to the problem of the ghetto, but it is a good beginning. As such it deserves the continued support of the American people and of the Congress, it deserves more adequate funding so that it can expand its various programs, it deserves to be retained as an entity as the central anti-poverty agency of the Federal government.

Earlier this year the Subcommittee on Employment, Manpower and Poverty of the Senate Committee on Labor and Public Welfare, under the leadership of Senator Joseph S. Clark of Pennsylvania made an extensive survey of OEO's anti-poverty programs. The results of this study have largely been incorporated into the bill amending the Economic Opportunity Act and reported out by the Senate Committee on Labor and Public Welfare. The legislation now before the Senate deserves the support of Congress and the American people. The AFL–CIO Executive Council endorses it and urges that it be adopted without amendment.

The present bill closely follows the original Act in concept and language. However, it does make some changes which may be regarded as strengthening the existing program. The bill provides for the continuation of the 90 percent Federal—10 percent local funding ratio; it provides for a two-year authorization period instead of the current one-year period; it continues the local community action agencies as the spearhead of the local war on poverty and permits greater flexibility in their organization and operation; and it provides for continuation of the Job Corps, the In-and-Out-of-School Neighborhood Youth Corps, the Nelson Amendment (Operation Mainstream), the Scheuer Amendment (New Careers) and the Concentrated Employment Program.

An important innovation in this bill is a new Emergency Employment Act of 1967, which provides for a major employment program. The program would provide jobs in both the public and private sectors for the unemployed and disadvantaged in the slum areas in such fields as health, public safety, education, welfare, recreation and also in municipal and neighborhood improvement, maintenance, reconstruction and beautification projects. The program is intended to provide meaningful jobs and socially-productive employment.

The bill calls for the expenditure of one billion dollars in the current fiscal year for the creation of an estimated 200,000 jobs.

The AFL–CIO called for a massive job creation program in its testimony before the Subcommittee on Employment, Manpower and Poverty last March. While we believe, along with the Urban Coalition that at least one million jobs are needed annually, the Emergency Employment Act as part of the omnibus OEO bill, is an important first step. We strongly urge the Senate to approve it.

The House Education and Labor Committee is scheduled to begin marking up the anti-poverty bill this week.

One proposal before the Committee would provide a direct 25% wage subsidy to private, profit-making companies employing unskilled youth. The AFL–CIO strongly opposes such a wage subsidy as an ill-advised incentive for short-term, substandard jobs when the emphasis should properly be placed on the training necessary for permanent employment of young people as gainful members of the work force.

The war on poverty cannot be regarded as a partisan effort. It is and, in fact, should be above partisan politics. It is a war from which there must be no retreat, and the AFL–CIO intends to push steadfastly on to victory over poverty.

SPEECH DELIVERED BY DONALD M. KENDALL

Mr. MURPHY. Mr. President, the National Assembly of the American Legion recently concluded its annual meeting in Boston. I have heard many reports from persons who attended the convention of the excellent address given by Donald M. Kendall, the distinguished president of Pepsico, Inc. Believing that many persons across the country will want to have the benefit of Mr. Kendall's incisive comments on current national events, I ask unanimous consent that his speech be printed in the Congressional Record at this point.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Donald M. Kendall, President, Pepsico, Inc., Before the National Assembly of the American Legion, Boston, August 31, 1967

To be a guest of those we admire or respect or like, is a rewarding experience. And I admire the American Legion; I respect the American Legion; I like the American Legion.

I'm honored to stand here in the presence of men and women whose principles, programs and performance for half a century, have enriched the land we love, and brightened the hope and the pride of all who treasure its greatness.

As a fellow veteran of World War II, I share your firm convictions that the concepts, institutions, and practices that made us great and guide us yet, shall not perish from the earth. And that the Nation's treasured inheritance—Social, Political, or Economic—shall be preserved inviolate.

We meet in a city aglow with our first schoolboy lessons in American History. Nearby atop a hillside . . . . in a church window with lanterns . . . . on horseback for a midnight ride and aboard a tea-bearing ship in the harbor, men who saw what ought to be, bought America's Freedom . . . . . always with anguish, sometimes with their blood.

The risk was always high . . . . . "There," shouted John Hancock, as he grandly put the first signature on the Declaration of Independence . . . . . "John Bull may now double his reward of five hundred pounds for my head."

This freedom, bought by courage, has been retained by equal heroism.

"The inescapable price of Freedom," said General Douglas MacArthur, "is the ability to preserve it from destruction."

Nobody's been more deligent in that preservation than the American Legion. You can be proud!

Whenever in human history breathed a freerer people in a nation more blessed?

Every freedom that the human mind can want and the social order can abide, individual and public, is ours . . . . . strengthened by custom, and protected by law.

Singly and collectively, we're free to select or dismiss all who govern us and any law they enact.

We vote men into political office, harass and embarrass them, and then vote them out again.

We're free to voice our opinions on every subject from astronauts to astrodomes, miniskirts to the Mann Act, taxes to tadpoles—and, do so, far too often!

We ride any road, walk every street . . . . . join, resign, deplore, or worship as we will.

We're free to change economic group or social level, job or school or neighborhood, even wives or husbands.

And we're also free to stay home alone, if we prefer, and do nothing.

Yes, we've built a great, free Nation . . . . . the most powerful, influential, affluent and leading Nation in the history of man . . . . and we've built not alone for today but for tomorrow.

Coming on full tilt into this affluent society is the massive younger generation . . . . . nurtured in the freedom of individual expression . . . . . restless and rebellious against ignorance, prejudice and pretense . . . . . wanting a better world of their own.

Now some may question this . . . . . but the pure truth is, that we've spawned a younger generation in many ways better equipped than we ourselves.

Our young people breathe deeper, grow taller, climb faster and live longer than you and I.

They're better educated in broader numbers, more alert and cynical, less naive, with equal passion for the right.

Yes, they have their malcontents, their upside-down cakes . . . even as you and I. But for every loud-mouth agitator on the campus soapbox, a thousand pursue their sober and orthodox ways unnoticed. For every draft-card burner, ten thousand stand steady, firm, and true in Viet Nam.

Let's not be deceived by a few degenerates. Our children are potentially the finest generation this country has ever known.

But even as we stand bathed in the golden glow of accomplishment, I would ask you this . . . Are we truly living, the life our forefathers dreamed of?

Are we a contented people, secure at home and protected without; at liberty to come and go and stay at will, in a free and disciplined society of law and order?

Is this the cultural climate we live in at the end of Summer in 1967?

How goes it now in the land we love?

In this happy Nation on which God has smiled, as on no other in History, our people are rent by passions . . . uglier, more bitter, and more cruel than any we've known since 1865. Passions spelled out in flame and rifle fire down the streets of a score of cities.

In this most prosperous of times, in this richest of lands when jobs have never been so plentiful nor wages so high . . . men rob, assault, rape, and murder their fellow citizens at the highest incidence in history.

The FBI tells us that every year for a decade the crime rate has risen six times faster than population, and more sharply last year than ever before.

Coincidentally, the very laws intended to protect society, have been so interpreted by hair-splitting courts as to protect the criminal.

It's become cynically commonplace to say that the normal steps in a crime today . . . are planning, execution, arrest, confession, release, and condemnation of the police.

Is this that disciplined society under law, protective of the free rights of others for which eight generations of Americans have fought and bled and died?

Look before and after; look left or right. Ugly blotches of defiance and rebellion mar the patterns of peace.

A great and honored leader publicly urges masses of people to rebel in civil disobedience, disrupt our cities, and impede the pursuits of a majority of citizens.

From public platforms other leaders urge a multiplicity of misbehaviors, misdemeanors, or felonies . . . to assault fellowmen, to burn the cities, to take L.S.D., to live together and to bear children out of wedlock, to choose jail over military service . . . in short, to betray America.

Now I suppose we should be deeply grateful for the marvelous advice we're getting so freely from those real experts in world affairs . . . at least that's what they call themselves.

Experts like a night club performer, a pediatrician, a female folk singer . . . and a boxing champion eager to fight anybody except his Country's enemies.

The National Student Association resolves to encourage draft-dodging.

In poor neighborhoods, under-cared-for young people in gangs loot and destroy; in rich suburbs, under-disciplined youths roam the countryside in automobile packs, looking for trouble.

Students picket teachers, teachers picket the school board.

And then of course, there are the Hippies . . . six hundred thousand of them I'm told . . . trying to escape from reality into drug-induced dreams.

I believe these misguided children are trying to tell us something—that they don't think much of the world as it is, that they want no part of it—no part of war, of unsolved social problems, or greed and selfishness and evil.

I feel very sorry for them because they don't understand that there isn't any escape from reality . . . that the answer to the world's ills isn't found in withdrawal . . . that none of us is smart enough or strong enough to restore paradise.

Evil must be fought, and perhaps the greatest crime of all is cowardice in the face of it.

Withdrawal is cowardly and irresponsible and hopeless. But at least the withdrawal of these children reminds us that the dedicated task of building America is incomplete and must go on.

Beyond the hippies, more frightening occurrences disrupt an orderly society.

A mere handful of malcontents sends great newspapers to their death and paralyzes transportation systems, and violently disjoints a complex but orderly cityful of peaceful, lawful citizens.

I ask you again, is this the free society for which eight generations have fought and bled and died?

We've struggled to achieve individual freedom. Have we achieved with it, group chaos?

In recent months the Nation has been repeatedly shaken by violent race riots.

We've been told over and over that these are the bitter fruit of a changing social order, and that the cures will take massive doses of compassion and cooperation and gold.

Most of us recognize that to reconstitute great masses of people and their relationships to others, isn't the work of a month or a year.

We know it will take time to turn slums into happy places . . . just as we know it will take time to make useful, employable, responsible citizens, of the physically and socially impoverished misfits in our towns and cities . . . We also recognize that we must try.

But while we're going through the long and tedious process of orientation, can this Nation ignore dangers to the personal safety of its peaceful majority, and permit compassion for the sinner to indulge his sin?

I say to you that as dramatic as the collapse of social order in the slums might be, rioting and looting and vilification of the police are only parts of a much larger threat to our society . . . the threat brought on by continued deterioration of disciplined responsibility and by widening disrespect for law, order, authority, and the rights of others.

Commonly, wars are followed by periods of license; the Second World War was no exception. Respect for orderliness, law, and authority has long been disintegrating in our Country.

Spirited youngsters, indulgent parents, and permissive school authorities more interested in sociology and politics than in education, produce undisciplined adults.

Cowardly office holders afraid to lose a single vote, rebellious voices running free, public apathy, idealism with no anchor . . . all these contribute to compounding the decay.

Unless our nation re-establishes a spirit which hampers the criminal instead of his captor . . . which protects the majority as well as the minority . . . which permits compassion to temper but not to replace justice, and which requires that all who enjoy the liberty of a true democracy assume responsibility for maintaining it . . . we shall have no democracy, no freedom, no peace.

World War Two ended twenty-two years ago.

Isn't it about time we called a halt to disrespect, disobedience, and dishonor? Isn't it about time to support the forces that protect us, instead of hampering them? Isn't it about time to declare ourselves on the side of the good guys?

I think the huge majority of our citizens are good guys. We don't rob and loot and pillage and rape and murder.

We don't interfere with the schools, paralyze transportation and communication, threaten the President, desecrate the flag and refuse the draft. Why should we condone these crimes in other people?

Let me touch a far more sensitive nerve.

Most of us grew up in a society which respected discipline and the rights of others. We grew up with adults strong-willed enough to keep it that way.

Somehow, now that we are adults, a lot of that strength seems to have vanished.

Not a single one of us here today likes it.

We're tired of the fear and uneasiness that envelops much of our lives. We're tired of the extremists white and black . . . tired of cowardly office holders unable to deal with disorders, tired of abuses heaped on a population wanting peace, tired of disobedience, disrespect, and defiance.

I think it's time to do something about it. And what group of Americans anywhere is stronger, better qualified to face this difficult undertaking than the American Legion?

What must we do? What can we do?

We can begin in our homes. We love our children enough not to spoil them with excesses of liberty, money and the right to insult their superiors . . . sure, it's harder to discipline than to indulge them, but we must help them build character.

A Seattle University senior told a Newsweek Magazine Reporter . . . "Our generation was born in security and wealth. We don't understand hard work." A Yale freshman asked to describe his goals in life said, "To be like my parents . . . upper middle class, married and with children."

A Tennessee coed admitted her life's goal was to live in a circular house . . . completely automatic.

What's going around in their heads?

Where do such desires for mediocrity and triviality come from?

Why is it these students aren't looking forward as they once did, to being a colossal success—to making a million dollars, climbing the highest mountain, shaking the world?

Can it be that the fun goes out of winning a race when everyone is assured of winning a prize, and no one is allowed to lose?

Can it be their ambitions have been dulled . . . their characters weakened by an abundance of false values and a shortage of healthy, old fashioned standards of conduct?

Who took away the stars and the mountains and the impossible dreams, that used to be as much a part of youth as its leaping energy and colossal confidence?

Yes, you and I can begin in our homes—with our children.

Second, we must insist that our public schools continue the disciplines we teach at home, and that they be free to do so without interference from office holders more interested in winning votes, than in educating the young.

Third, we must insist that our Government Representatives at every level set examples of honesty and courage . . . courage to hold our citizens . . . black, white, rich, or poor—strictly to account for violating the social order.

We must free those forces which keep us secure in our homes and our . . . the police and the courts . . . to do so effectively and swiftly.

Fourth: At every opportunity, we must stimulate our friends, our associates, our fellow citizens to support the Democracy under law.

These four things we must do.

What else can we do?

We can make sure that our zeal for order and discipline doesn't become prejudiced vengeance. The love of America, not the exercise of bigotry should guide us . . . hate is a poor substitute for inspiration.

In the whole history of man not a single nation was ever developed on a slogan like "Burn, Baby, Burn."

Eliminating Rap Brown and Stokely Carmichael wouldn't end disorder in America, any more than jailing Cassius Clay and Adam Powell would make all men honest and patriotic.

Punishment alone is negative. After we've filled the jails, then what do we do?

Let's face up to the fact that as a society we've done a poor job in protecting ourselves against criminals.

Our laws, our courts, our police are all inadequate to the huge responsibility, and seldom supported with sufficient strength and money and public effort.

Let us also face up to the fact that many of the unemployable and defiant poor, need our help and will never become productive citizens without it.

I refer to that semi-literate, maladjusted mass of migrants . . . which because of the technological advances in recent years, became surplus population in the rural South and moved into urban centers.

These people haven't enough training to get a job, no real education. Even with the small amount they have, they're incompetent to stand up against the complex problems of employment and urban living.

They grow helpless in a world they can't comprehend. Like animals, they prey on others or are fed by others—usually public welfare.

They're pushovers for the emotional rantings of racial rabble-rousers, a drain on our economy, a menace to our peace and personally miserable.

Until we've done something about them, they'll continue to be.

There is something real and practical that many of us in this room and a large segment of the population can do. We can train these people to become employable.

Oh we can dispute and deplore the difficulties . . . the subtle relationships of family, school, housing, society, class structure, and citizenship . . . until doomsday. But the cold, hard truth is, that the first step up from disintegration, the first step toward personal pride and usefulness, is the ability to be a wage earner.

U.S. business almost overnight . . . certainly within a few months, can take frustrated, rebellious men now wholly unprepared for work and on public welfare, and turn them into self-reliant wage earners.

I don't speak from an ivory tower. I speak from hard-headed, first-hand knowledge. A Division of my own Company has already trained such men and has graduated them. We did this in cooperation with the State of California.

Less than ten months ago, these men were hard-core unemployed and impoverished negroes in Los Angeles . . . completely unprepared for any kind of job requiring knowledge.

With the State of California, we helped train them to recondition used cars sold by auto dealers.

Today, almost all the hundred and seventy who went through the training are working. They're earning from three-hundred and fifty to six hundred dollars a month. The dropout rate has been only three percent. None of them has engaged in a riot.

This effort is small, but the future to which it leads is gigantic.

If all of American business can rise to the challenge, it can create a future where thousands who take from society will contribute instead.

A future where wage-earners accept the responsibilities of family life and community life.

A future where men who once participated in crime or stood by apathetically, have property and position of their own to protect.

And this will be a future where less tax money goes to fewer people on welfare, and more people earn income, become customers, buy more, and improve the economy for everyone.

It's to the selfish interest of American business from one end of this country to the other, to join in the training of the unfit.

For the moment, I'll ignore the obvious benefits to each community and to the nation. But I call on every business man here to think how his own operation would be improved by such training.

I call on the most practical instincts of all American business to help in this training.

What happier situation could business desire than a productive society of wage-earning customers living in peace and harmony?

I'm confident that you men and women of the American Legion desire such a future with all your hearts.

You deplore the disorder which cripples our country today. You didn't march to battle to make the country safe for street riots. You didn't fight to protect the rising crime rate. You didn't bleed in a foreign land to see your families bleed at home.

So I'm going to call on you as good guys to help restore and give strength to our society.

I'm going to call on you as parents, as citizens, as businessmen, and as leaders of influence, to help re-establish peace under law . . . without which this nation or any other . . . cannot long stand.

Thank you.

ECONOMIC OPPORTUNITIES FOR UNDERPRIVILEGED CITIZENS

Mr. BROOKE. Mr. President, at the triennial ecumenical assembly of Church Women United, held at Purdue University from July 11 to 16, the following resolution was approved unanimously by the 2,000 delegates to the assembly:

> Since it is now possible for the first time in history to eliminate poverty, as Christians we have a clear and compelling mandate to support even stronger efforts than have yet been made towards this end.
>
> Our experience with thousands of girls in poverty throughout the country leads us to the conviction that the Job Corps program is absolutely essential if this generation of disadvantaged girls is to receive adequate assistance.
>
> Believing that the essential coordination of all services for the poor and the continuing necessary innovation in these programs and services can be accomplished only through a single administrative agency, we support the Office of Economic Opportunity as that agency.
>
> Therefore, Church Women United, Assembled in Lafayette, Indiana, July 16, 1967, urge members of our Congress to support the Economic Opportunity Bill and further urge our members as individuals and as groups to make known their support of this Bill.

I invite the attention of the Senate to the admirable objectives expressed in this resolution, and urge that we heed the advice of these ladies by passing legislation, during the remainder of this session, which will make economic opportunities available to our underprivileged citizens.

SENATOR PROXMIRE FIGHTS THE SST PROGRAM

Mr. NELSON. Mr. President, the very able Senator WILLIAM PROXMIRE appeared before the Transportation Subcommittee of the Senate Appropriations Committee on August 21, 1967.

My distinguished colleague made a brilliantly logical argument against further appropriations for the ill-advised SST program.

I cannot help but endorse his view fully that we have better things to do with the taxpayers' money. In the light of the President's request for a 10-percent tax surcharge, this project certainly does not rank anywhere near the top of the list of priorities.

We are engaged in a costly war. Our cities are in flames. A large proportion of our population is ill-fed, ill-housed, and unemployed or underemployed.

Certainly we are compounding our errors by engaging further in this unwise program.

I ask that Senator PROXMIRE's statement be printed in the RECORD so that all the Senate can benefit from its reading.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR WILLIAM PROXMIRE BEFORE THE TRANSPORTATION SUBCOMMITTEE OF THE SENATE APPROPRIATIONS COMMITTEE, AUGUST 21, 1967

Mr. Chairman, it would be a serious mistake, in my view, for Congress to appropriate additional funds for the supersonic transport and I urge this Committee to strike out the $142,375,000 for that item in the bill now before it and to direct a severe stretch-out of the SST program utilizing the substantial funds left over from previous appropriations.

SUBTRACT SST BEFORE ADDING TAX SURCHARGE

It would be a mistake to vote more funds for the SST because we have better things to do with our money. First, we have an obligation to spend the taxpayer's money according to some rational set of priorities and the SST would stand at the top of the list only in a world turned upside down. And, second, we owe it to the taxpayer to cut out frivolous expenditures of this kind before we consider asking him to dig into his pocket to pay a 10 percent tax surcharge, as the President is proposing. This is particularly true at a time when we are fighting a costly war in Asia and are faced with growing pressures here at home to mount a massive assault on the problems of our beleaguered cities.

AN UNNEEDED PROTECTION

It would be a mistake to appropriate money for this project because it is an attempt to protect from foreign competition a thriving aviation industry which doesn't need the protection and to provide jobs for highly skilled workers who have all the work they want. The Boeing Company's backlog of orders for subsonic jets and space and defense items, for example, increased in the last year from $3.2 billion to well over $5 billion. United Airlines placed an order with Boeing a few weeks ago for 61 subsonic jet transports. That order was worth $520 million. Boeing is in the process of building the world's largest manufacturing plant at Everett, Washington, for construction of the 747 jumbo jet which, in its own way, promises to revolutionize air travel as much as the SST. To illustrate Boeing's financial prowess, the 747 program was funded by a $700 million financial package the company put together during a period of tight credit in 1966. The 747's will be flying before the Anglo-French SST, the Concorde, is introduced, and I believe these high payload, low fare jets will be extremely difficult to displace. The great damage we are told the Concorde will do to our aviation industry could turn out to be a myth.

If at some point in the future, the marketplace register a genuine need for an American SST, I have no doubt that it could be financed privately just as the 747 has been. As for manpower, the great demand for the scarce scientific and engineering talent required in the aircraft industry is reflected in the want ad section of nearly every West Coast newspaper. There are many more jobs than people to fill them. The SST would only put more pressure on this supply of skilled manpower which is far more urgently needed, at this point, in the production of defense materials and in other alternative areas.

THREAT TO AIR TRAVEL

It would be a mistake to spend additional money on the SST because it could threaten the predicted vigorous growth in air travel that we all hope for in the years ahead. The SST will be faster, to be sure, but not as safe as present airliners simply because it will be operating in a more hostile environment. By leaping into the supersonic speed regime, planes enter a completely different medium. Bo Lundberg, former Director General of the Swedish Aeronautical Research Institute, has said that even a decade of intense testing of full-scale SST structures would not give nearly the same confidence in structural safety as is obtainable in months for subsonic structures. For these, fatigue testing is greatly speeded up by high frequency testing machines in the laboratory.

I'm told this is not possible for heat exposure which is the principal stress at supersonic speeds. An SST disaster would strike a dramatic blow to the already tenuous public confidence in air travel which could seriously affect the now rosy market outlook for the air carrier industry. Safety and comfort are as important to potential airline passengers as speed. Yet, the passenger today is no safer spending an hour in the air than he was a decade ago, despite a high rate of technological gain. Fatalities per passenger mile have remained relatively static since 1955, compared to the steady and quite steep downward trend in the years before that. Air crashes grow even more spectacular. But as the Senate Committee on Aeronautical and Space Sciences reported last year, the FAA spent a total over the previous five years of only $20 million on research related to air safety.

It has been suggested by some aeronautics authorities that the air safety problem is partly due to the introduction every year or two of new transports, each bigger and faster than the preceding model and each requiring new handling techniques. Yet, in spite of the fact that we haven't mastered the problem of safety in the air at subsonic speeds, we're bulling ahead with construction of a supersonic transport that will only magnify the problem. A veteran airline pilot with 26 years of experience summed it up in a very pithy way in a recent NBC television program on the "Aviation Revolution". He said: "As far as the SST is concerned, I not only don't want to fly it, I don't want to ride in one."

It would be a mistake to spend more tax money on the SST because the enormous cost of buying, operating and maintaining these planes would, I think, ultimately be reflected in the general fare structure of the air carriers, perhaps checking the present steady and beneficial downward trend in air fares—a trend that would be sure to become even more pronounced when the jumbo jets and airbuses begin flying were it not for the cloud on the horizon represented by the SST's.

THREAT TO AVIATION INDUSTRY

It would be a mistake to appropriate this money because the present SST development plan raises the specter of monopoly in aircraft manufacturing if the plane is successful and even poses the threat that Government subsidization might be required to bail out airlines crushed by the financial burden of buying and operating a fleet of SST's. These are developments that would damage the aviation industry in this country far more than the Concorde ever could with its competition for sales.

CONTRACT LOOPHOLES

It would be a mistake to appropriate this money because under the contract arrangements worked out with the SST manufacturers by the Federal Aviation Administration, the taxpayer's entire investment—which by conservative estimates could run to $2.6 billion and probably much more—could be lost regardless of whether the plane is a roaring success or a huge failure. The contracts for prototype development contain a section outlining the formula by which the Government will recoup its investment in the program through royalties from the manufacturers when and if the plane goes into production. Contrary to the advice of a Recoupment Advisory Group consisting of Government lawyers and economists from the Budget Bureau and the Justice and Treasury Departments, the FAA wrote a definition of what will constitute a "royalty-bearing airframe" (one upon which royalties will be paid) that specifies that it would be "principally of titanium structure" and would achieve "a maximum speed of not less than Mach 2.2 nor more than Mach 3.1." This is so narrow that the Government could be completely cut out of its share of returns on the SST if changes are made in the production model if, after a couple of years, Boeing switches from titanium to another more superior metal alloy or if the top speed is pushed a hair above Mach 3.1.

Boron filament and boron reinforced plastics are only a couple of examples of materials that may have a big future in high-speed planes because of their extremely high tensile strength-to-weight ratios.

I am not saying, and never have said, that we have reached a point with any of these materials that would permit us to use them on the initial SST's. For one thing, at $300 a pound boron costs too much. But two years ago, its cost was close to $2,000 a pound. Yet, even now, the Defense Department is considering the possibility of using boron filament in the horizontal tail surface, the landing gear door and other sections of a selected number of F–111 production models. If the price of boron continues to drop, it could well become a strong competitor to titanium. And because the 4,000 mile range of the SST may be a significant limitation on its ability to compete in the market, switching to a lighter alloy could become important. And, don't forget, it will be six years before the first American SST goes into service, following the present schedule. And it would be another three or four years before the Government even *begins* to receive royalties on its investment. A lot can happen in metals technology in that time.

General McKee, the FAA Administrator, would have us believe—according to his testimony before this Committee last week—that if Boeing decided to wrap the SST in boron, the change would be so fundamental, so drastic, that it would be a completely new plane and the Government wouldn't deserve to collect royalties on it. I completely disagree. Going to another metal, like boron, or pushing the speed up a little would be minor steps compared to the giant first step of developing an SST in the first place and the Government should not be cheated out of its investment in that first step by this kind of sophistry. Never in the past has development of a new commercial plane resulted, in one jump, in much more than a 20 percent increase in speed *or* more than a 40 percent increase in weight over previous models. The SST will represent a 200 percent increase in speed *and* a 200 percent increase in weight over present transports. These are enormous gains. The taxpayer is footing between 80 and 90 percent of the cost of making them. A contract should have been drawn to protect his interest. But the FAA neglected its responsibility to the public when it agreed to this contract.

MENACE TO MOST, BOON TO FEW

It would be a mistake to provide more funds for the SST, Mr. Chairman, because it would mean callously swapping the peace and well-being of the populations of whole continents because of the sonic boom in return for a fleet of planes that would streak from city to city carrying the miniscule one to five percent of all Americans it has been estimated would ride in them. Ironically, the time saved would be idled away as the plane circled in a holding pattern over the airport or wasted away in a taxi or bus inching through a traffic jam between the airport and the final destination.

In that connection, I recently came across an interesting comparison of flight times between New York and Philadelphia that illustrates the point. Twenty-seven years ago, you could fly from New York to Philadelphia in a 185-mile-per-hour DC-3 in 46 minutes. Today, during the dinner hour rush, it takes 51 minutes in a 500-mile-per-hour jet. It takes as long today, if you take off between 4 and 5 p.m., to fly from New York to Boston as it did back in 1946. Admittedly, these are short-run flights. Nevertheless, these statistics say something about our priorities, about the futility of building faster and faster planes.

Mr. Chairman, the SST would benefit only a tiny minority of the population while imposing a staggering list of social costs on the whole nation. It was a monumental mistake for the Government to get involved in this venture and it would be an even bigger mistake if at this time of great pressure on the Federal budget Congress failed to curtail its participation in the project not only for the purpose of easing budgetary pressures but also to allow time for a full-scale Congressional inquiry into the advantages and the many serious drawbacks of the SST.

LACK OF SPECIFIC AUTHORIZATION

Congress has never given specific formal authorization for the development of an SST. Yet it has already appropriated $511 million for it and if the SST funds in the bill before you are approved, the total will go to $653 million. When Phase III, the prototype stage, is completed, the Government by conservative estimates will have expended $1.3 billion on this project. Booz, Allen & Hamilton, the FAA's financial consultant, has predicted that, beyond Phase III, the Government will probably have to fund the major share of the program costs of the certification stage, Phase IV, and the early part of the production stage, Phase V. The consultant estimates that this would result in an additional cost to the Government of another $1.3 billion. This would put the total Government investment at $2.6 billion. And if there are major cost overruns, as there inevitably will be if our experience with the development of military aircraft is a good guide, the Government investment could go far higher than that.

Mr. Chairman, are we to go ahead with a spending program of this magnitude based on the shadowy implied authority of Section 312 of the Federal Aviation Act of 1958, which allows the FAA to procure "experimental aircraft"? This is the statutory authority upon which all appropriations for the SST have been based thus far. Haven't we in Congress already given away enough of our responsibilities to the Executive? Is the Congress going to allow billions of dollars worth of the Nation's resources to be committed to development and construction of an airplane that may well be irrelevant to the country's real needs without even giving it a hearing, without even taking a hard look at *both* sides of the issue?

There are those who will argue that the phrase in the law enacted last year creating the new Department of Transportation which empowers the Transportation Secretary to "develop and construct a civil supersonic aircraft" constitutes specific authorization for this program. This language, however, was never intended to be a mandate for, or an endorsement of, the SST program but simply an expression that administrative authority over SST development should rest with the Transportation Department when and if specific authorization is given. The program should receive no additional appropriations without such authorization.

STRETCH-OUT CALLED FOR

Let me say at this point, Mr. Chairman, that I am *not* proposing that the Government terminate its contracts with Boeing and General Electric for development of the prototypes at this time, although I do think the loopholes should be closed. What I *am* calling for is a severe stretch-out of the program utilizing the substantial amount of money left over the previous appropriations for the SST. Striking the SST funds from this bill will by no means leave the program penniless. There is a $99 million carryover from the money appropriated for Fiscal 1967. There is also $25.5 million in the payback reserve fund established by the FAA to repay the contractors in the event the Government unilaterally withdrew from the contract. The House Appropriations Committee ruled this fund was not necessary because the Government would be obligated to pay contract termination costs if it withdrew in any case and the Committee, therefore, directed that the money in the fund be applied to program costs. I think the House Committee's ruling was a wise one and I urge this Committee to endorse it.

The carryover from FY 1967 and the money in the payback reserve fund totals $124.5 million. This amount alone would constitute about a fourth of what the FAA has said would be needed for the SST program from all sources in FY 1968, if one subtracts from their "need" figure the $18.8 million they planned to put in the payback reserve fund in FY 1968.

There will also be another source of funds in FY 68: airline contributions. The ten U.S. air carriers with orders placed for SST's promised on June 5, 1967 in an agreement with the Boeing Company to contribute during 1968 a total of $52 million in risk capital toward development of the SST. These contributions are contingent, however, on Congressional appropriation of funds for FY 68 for financing "all or *any portion* of the costs of Phase III contract work."

I suggest the Congress approve a token appropriation of $1 million to ensure that this agreement continues to be legally binding. Six other airlines have promised in recent weeks, under a similar agreement, to contribute another $12 million in 1968. Thus, even if Congress doesn't appropriate a penny this year, the SST program could still have as much as $188.5 million to draw on in FY 68.

BENEFITS OF A STRETCH-OUT

A stretch-out of the program would allow more time for research on the sonic boom, which is really the fatal flaw in this project. And it would give the aviation industry an opportunity to explore the possibility of private financing if it was felt more rapid progress was required. Private financing of the SST is an option that has never been adequately investigated, in my opinion.

The resulting delay, far from being fatal, might, indeed, be quite beneficial in terms of the quality of the SST ultimately constructed. It would benefit not only from extended sonic boom research, but also from a detailed assessment of the performance of the Concorde prototypes. The Institute for Defense Analyses, which projected potential demand for the SST to 1990 for the FAA, declared that even if introduction of the American SST were set back from mid-1974, the current target, to mid-1976 the total number of Concordes and SST's sold would ultimately be substantially identical to the number sold if there had been no two-year slip. A two-year delay, in other words, would make almost no difference. We're behind the Concorde anyway. We're building what, in effect, is a second generation SST and we're doing it without waiting to find out how the 1st generation Concorde works out. We're not competing with the Concorde at all. It pushes aluminum technology to its limits. We're leapfrogging that and going to the more heat-resistant titanium, but it puts us in a different ball game. The success of our SST will depend much less on *when* we introduce it as how good it is when we do introduce it. If it's little better than the Concorde, then it won't matter whether it's introduced in 1974, 1976 or 1990, it will be a lemon in the marketplace. And my definition of a "better" plane is one that successfully incorporates *some* solution to the sonic boom problem. The French and the British can't afford to ignore this problem any more than we can. The SST that will take the brass ring will be the one that can fly at supersonic speeds over both land and oceans without turning the world into a huge drop forge foundry.

The tests at Oklahoma City in 1964 and those at Edwards Air Force Base, which were completed last January prove that for a very large proportion of the population the sonic boom even at relatively low intensities will never be acceptable. And if—because of this —the SST is restricted to transoceanic flights, as it should be if the boom isn't muffled, then I don't believe it has a very good chance of being a commercial success. Furthermore, how do we know the sonic boom won't have unacceptable consequences at sea when these planes begin plying ocean routes regularly? No one has attempted to gauge the effect on fish, for example. Officials in the Bureau of Commercial Fisheries will only begin talks with the FAA and the Defense Department *this week* to map out a study of this question.

The FAA, by pushing into the prototype stage even though the SST design was unsatisfactory from the sonic boom standpoint, demonstrated its total lack of concern for the public interest. By assuming, in addition, that an SST would be a commercial success even if it were restricted to ocean flights, the FAA has been guilty of looking at the market projections through rose-colored glasses. It has refused to accept the word of its own economic consultants, the highly respected Institute for Defense Analyses (IDA), which projected that a total of only 279 SST's would be sold by 1990 if the plane were restricted because of the sonic boom and if the selling price were $40 million, as the FAA now predicts it will be. The FAA insists, however, that under these conditions 500 SST's would be sold. The picture drawn by IDA looks even worse if costs outrun estimates, as they normally do in aircraft development. If the plane is priced at $60 million, IDA foresees a market under boom restrictions for only 101 SST's. Royalty payments designed to allow the Government to recoup its investment don't even begin until the 101st plane is sold. The Government doesn't recover its investment, under the current recoupment plan, until the 300th plane is sold.

BALANCE OF PAYMENTS ARGUMENT COUNTERED

Mr. Chairman, one of the chief arguments which has been used to defend the Government's investment in the SST is the balance of payments argument. We must build the SST, we're told, because that is the only way we can defend ourselves from the severe negative impact on our balance of payments that would result from the sale of Concordes to U.S. airlines and the displacement of U.S. built subsonic planes in foreign airline fleets.

This argument, as Professor George W. Hilton of UCLA, chairman of the President's 1964 task force on transportation, points out, is based on an extremely optimistic view of the prospects of supersonic transports relative to the subsonic jets for which this country has a comparative advantage so great that it provides most of the commercial aircraft for the free world. I think we are being excessively alarmist if we think the Concorde is going to destroy that comparative advantage or even damage it very much. If the Concorde is successful, I'm confident the market mechanism will draw forth a privately-financed American SST that would preserve that advantage.

Even if we do build an SST, economists are not altogether certain it will have the dramatic positive effect on our balance of payments that the FAA predicts. The Institute for Defense Analyses, which studied this question for the FAA, agreed that there would be an effect on the balance of payments but said it could as easily be either very minor on the positive side or even slightly negative if export sales of American SST's reduced exports of American subsonic planes or if U.S. airlines lost passengers to foreign airlines operating American SST's.

The important point, it seems to me, is this: the SST, like a stone dropped into a pool of water, is obviously going to have an effect of some kind on international trade but, like the ripples in a pond, the effects will flow throughout the economies touched by it and it will cause an almost infinite number of economic reactions and counter-reactions, each with an influence on the balance of payments. To measure one ripple and say that that is the sum total of the stone's effect is an absurdity. The same is true if one looks only at the aircraft account in the balance of payments, as the FAA prefers to do in order to preserve its position on this issue. Most able economists consider the whole balance of payments question irrelevant to a decision on the SST. Let me read you a statement in a letter I received recently from Professor Charles Kindleberger of MIT, one of this country's leading international economists: "The United States ought to decide whether to invest in the SST on the basis of the cost-benefit criteria related to tastes and productive resources, not the balance of payments. The latter concept relates to liquidity, or the cash position, and should not have a major impact on expenditure decisions."

The SST program is simply unwise and the balance of payments argument does not change that. To quote Professor Hilton once more: "To undertake a program otherwise uneconomic to benefit our balance of payments position is a pure protectionist measure of the sort that American administrations of both parties have sought to avoid since the mid-1930's. As Adam Smith pointed out, a public subsidy of a commodity for export can only attract resources from more economic to less economic uses."

SST AN UNNECESSARY DEMAND

Professor Hilton, I might add, concluded in the article from which I am quoting that all the criteria used by economists to evaluate public expenditures—in particular, cost-benefit ratios—dictate hostility to the decision by the Federal Government to invest in the SST.

Mr. Chairman, I urge this Committee to heed the words of President Johnson in the message which accompanied his veto a week ago of the life insurance bill for Government employees. He said: "Today, we dare not divert our resources for unnecessary demands when there are many more crucial needs which urgently require our support." The SST is one of those unnecessary demands—one of the most expensive—and we owe it to the American taxpayer to bring Government financial participation in this project to an end.

INTERNATIONAL DRUM CORPS WEEK

Mr. BROOKE. Mr. President, International Drum Corps Week affords us an opportunity to call to the attention of the world some of the best of our American youth. In our efforts to reduce juvenile delinquency, we have often focused our attention—and that of the world—on the problem cases among our young people. It is fitting, then, that at this time we set aside a week to note the increased participation in another type of youth activity, the drum and bugle corps.

The boys and girls who have chosen to devote their time and efforts to drum and bugle activity have given America's image the rousing lift of a marching tune. They are showing the world that democracy is something to "blow their horns about." For a democracy can successfully exist only when the majority of the citizens exhibit responsibility, dependability, and cooperation; when they strive for improvement and, in so doing, continually raise their standards of performance. These very traits are developed, in no small measure, through drum and bugle corps participation. Hence, by their activity in such groups these young men and women of America are saying to the world: "We believe in our democracy." And they are saying it in music—the language of the world.

All the members of the drum and bugle corps are deserving of our pride and appreciation. But I would like to pay special tribute to a group from my own State, the Boston Crusaders, who are favored contenders in this year's national championship. It gives me great pleasure to represent in the Senate the type of youth who are representing America so favorably to the world.

USE OF NUCLEAR WEAPONS IN VIETNAM

Mr. McINTYRE. Mr. President, I was greatly disturbed to read statements by Gov. Ronald Reagan, of California, that the United States should use all the power at its command to win the war in Vietnam.

The Governor proposes that the military authorities be given full authority to use all the technology at our disposal to win the war in Vietnam. And, by that statement, I can only assume that he means the authority to utilize nuclear weapons.

Quite frankly, I am alarmed at even the most subtle suggestion that we consider using nuclear weapons in Vietnam. Such statements demonstrate a total misunderstanding of the stakes—and dangers—involved in a decision to deploy these weapons.

Such a proposal could easily lead to direct confrontation with the Soviet Union. The danger of a third world war is continually on the mind of our President. And he knows full well that the easiest—and potentially most costly—decision he could make would be to drop atomic bombs on North Vietnam. He has not made that decision because he knows both the costs and dangers of such an action.

I do not question the sincerity of Governor Reagan. But the implication that nuclear weapons could solve all our problems in Vietnam is, in my mind, neglectful of the real dangers that such a decision could pose.

Yes, we could end the Vietnam war in 30 days. But, by taking such a course, we could easily end the world in 40 days.

DIFFERENCE OF VIEWS REGARDING RIOT CAUSES

Mr. TYDINGS. Mr. President, no problem confronting America is more serious nor has aroused more concern and debate than the problem of rioting in our urban areas.

The recent Senate Judiciary Committee hearings on the bill to make it a Federal crime to travel in interstate commerce for the purpose of inciting a riot has vividly demonstrated the divergence of opinion among responsible persons as to the causes of these riots. Nowhere have I seen this contrast more clearly delineated than in the testimony of Maryland's adjutant general, George Gelston, one of the finest National Guard officers and outstanding military men in our country, and the editors of the Daily Banner of Cambridge, Md.

General Gelston, in his testimony before the Judiciary Committee, and the Daily Banner, in its editorial, both examined the causes of the recent riots in Cambridge. The disagreement between the general and the newspaper are so singularly demonstrative of the divergence in opinion one encounters as to the causes of the riots that I ask unanimous consent that both be printed in the RECORD for the examination of Members of Congress at the conclusion of my remarks.

I believe this divergence of opinion clearly indicates that the investigation of the riots which the Senate has authorized its Permanent Investigations Subcommittee to conduct must encompass the fullest possible range of opinion. It is my hope, and I know the hope of a great number of Senators, that the committee not restrict itself to the narrowest view of the riot situation—as a question of law enforcement—but go far beyond it into the problem areas in which the seeds of rioting are nurtured for long months and years before the outbreak of violence.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland?

There being no objection, the items were ordered to be printed in the RECORD, as follows:

TESTIMONY OF GEORGE M. GELSTON BEFORE THE SENATE COMMITTEE ON THE JUDICIARY REGARDING H.R. 421, AUGUST 25, 1967

I am George M. Gelston. I have been Adjutant General of Maryland since January 1, 1966 and I was Police Commissioner of Baltimore from February 3, 1966 to September 22, 1966. I commanded the National Guard in Cambridge, Maryland for five months in 1963, two months in 1964, and during the recent disorders in early August of this year. I might add that during this period the Guard has yet to fire its first round of ammunition and that no citizen has been injured by Guard action. Shortly after I was appointed Commissioner of Police, the Congress of Racial Equality announced Baltimore as its target city; there were demonstrations but no riots.

Based on experience in Cambridge and Baltimore and close observation of other areas, it is my opinion that the prevention of riots is not primarily the duty of police officers, but that of political administrations at all levels. Only they, by recognition of grievances, real or imagined, can apply the solution that can cure; law enforcement agencies can only apply a bandaid to the cancer.

However, the Chief of Police is in a unique position. The nature of his work takes him into the areas where conditions exist that provoke unrest, and gives him the opportunity of meeting and knowing the leaders of the so-called ghetto areas; the leaders who will be in the streets should trouble erupt and who may very well be his immediate adversaries. While administrations meet only with the middle class, educated lawyers, doctors, etc., who in many cases know little of what goes on in the poverty areas, the Police Chief has the opportunity to meet with the more isolated, frustrated groups, and he should take advantage of this.

By recognition of this group and of their grievances, he is in a situation where he can bring to the attention of other proper authorities conditions that can be cured easily and tensions thereby relieved. Many of the grievances are of a minor nature and indeed the responsible authorities may be unaware that they exist—but they are of the irritating variety that may very well, given some slight ignition, produce a violent reaction. I think we might face the fact that most of us here, faced with poor garbage collection, will get pretty fast reaction if we call the Department of Sanitation, but I doubt that the inhabitants of poverty areas would receive the same reaction, if they ever got through the bureaucratic red tape to present the problem.

In areas such as these the Police Chief, with agents in every area and with a constant source of intelligence and information, can present and resolve the problem, and thereby establish confidence that he is the man to whom to take troubles. Thus he can establish an invaluable link between the aggrieved and the administration—*but only if the administration backs him up with reasonable action.*

To further this, Baltimore, and I believe St. Louis led the way, has established "store fronts" in poverty areas, manned by police, where anyone can take a problem. Believe me, there is a marked reluctance on the part of many to go to a police station to protest, or seek help, but in the store front there is a man-to-man informal discussion. It is imperative that the police representative speak the language of the group. Not all of the aggrieved group are articulate and, in fact, the reason many of them follow the local leader is because the leader can usually put into words what they feel. Frequently an understandable explanation can resolve a problem satisfactorily. This, plus a strong Community Relations Department that responds to every potentially dangerous incident, has done much to maintain peace in Baltimore.

Despite the actions and efforts of the police, grievances will continue to exist beyond the police capacity to solve, and the threat of violent demonstrations and riots will continue until political action resolves the grievances. War is an extension of politics by force, and riots are a form of war.

When violence appears imminent the police must react, but in a manner not calculated to produce hysteria. The ranking members should be in the area trying to calm, not create agitation by over reaction, parading of police dogs and shotguns. In Baltimore last summer potentially dangerous demonstrations, where both demonstrators and counter demonstrators appeared, there was a reasonable show of police, but without helmets, without shotguns and carrying their nightsticks in a scabbard. Be assured we had ample offensive strength nearby, but out of sight.

When rioting, sniping and looting begin, the reaction must be swift and decisive, but should not involve indiscriminate shooting. Gentlemen, I guarantee you that harmless CS gas will clear any street and clear it immediately.

Much has been said about, and indeed this law is aimed at, so-called outside agitators. As a matter of fact, I have seen no evidence that at Watts, Detroit, or Newark, there were any "outside agitators" or indeed any agitation beyond an event that triggered an already existing disenchantment.

Many civil rights organizations, locally led, have called in outsiders to dramatize and call attention to themselves and to their problems. Were there no problem, there would be no need for an invitation. H. Rap Brown was invited into Cambridge in July of this year by a very minor group seeking to gain recognition for itself in the area. There had been numerous cases of arson in the town for three weeks prior to Brown's appearance, evidence of some unrest. Perhaps, had the local administration given some recognition to the group and heard their complaints, real or imagined, the group would not have sent for Brown and Cambridge would have been spared a disaster.

I think it to be a sweeping and inaccurate generalization to determine that an outsider—a very loose designation anyway—necessarily creates disorder. Further, I believe the laws of the several states are sufficient to deal with those inciting to riot regardless of their residence. For the police officer, unfortunately, it is difficult to enforce an "inciting to riot" law until it is too late.

[From the Cambridge (Md.) Daily Banner, Aug. 28, 1967]

When Maj. Gen. George M. Gelston testified before the Senate Judiciary Committee Friday, his remarks confirmed what most of us here in Cambridge learned about the man several years ago. And that is; he may know a little something about the army but he certainly does not understand the racial problem.

Consider his one remark, "Cambridge might have been spared a disaster last month if local officials had given some recognition to Negro grievances."

We don't know where the general has been concentrating his attention during the past few years, but for his edification, we'll outline a few of the things that have been done here "in recognition of Negro grievances."

For the past two and one-half years, a Community Action Agency, which has included membership from every segment of the Negro community, has heard and acted on every major Negro grievance that has been presented. The present leader of the Black Action Federation is a member of that Community Action Agency and has every opportunity to be heard. In addition, the Upward Bound Boys, a Negro group devoted to securing recreational facilities was organized and implemented by the Community Action Agency. According to the officials of that agency, at no time has a single grievance or request been neglected or denied study by the group.

Head Start, which is funded by the Office of Economic Opportunity has been established for the past three summers in Dorchester County. In 1966, $16,575 was spent on the program. During 1967, this year, a seven-week program was carried out costing $31,372.

An adult basic education program was carried out during the school year 1965–66 offering instruction to underprivileged adults. This program cost $12,500 for that year. During the school year 1966–67 adult basic education centers were conducted for the underprivileged at a cost of $14,397.

During the summer of 1965, a desegregated summer school was established at Cambridge High School with offerings in all the major secondary fields. The Office of Economic Opportunity underwrote the federal share for this project for $44,627. During the summer of 1966, the same type of program was offered to persons interested in furthering their education. $58,570 in federal funds were used to pay for this project.

This summer of 1967, the Dorchester County Board of Education developed a summer recreational-educational program costing $90,000. This program provided educational facilities, playgrounds and the Arena swimming pool for both Negroes and whites.

A six-week summer program for the children of migratory workers was held this summer at Hurlock. The program cost $35,361.

The Office of Economic Opportunity funded a program during the summer of 1967 designed to assist students financially to remain in school. One hundred twenty-nine Negro students and seven white students were hired in that project at a cost of $63,660.

During the school year 1966–67 a preschool program designed to provide help for children who are ready to begin school was held at a cost of $190,570. This was funded by the Dept. of Health, Education and Welfare.

Over 2,000 students, all Negro, received health counseling, guidance, social and psychological services during the school year, 1966–67 in an improvement of reading project which cost $113,128.

Since 1965, the Dorchester County Commissioners have put more cash into the antipoverty program than allocated by any of the other eight counties on the Eastern Shore.

45 teen-agers were enrolled this summer in work-training courses at the Eastern Shore State Hospital.

A manpower development and training program was started in Dorchester County four years ago and has graduated about 400 persons into gainful employment.

Courses are presently being offered by the vocational high school section of the State Department of Education in auto mechanics, other service station work, sewing and various types of hospital work.

In 1961, when Cambridge knew very little of racial troubles, the mayor and city council launched a federal housing program that created a model community in the Negro area housing 150 families. The housing project cost more than $2 million. Recently, the city council sent the Federal Department of Housing and Urban Development an application for funds to expand the 150 units by 75 more regular units plus 50 additional units for the elderly. This project is now on the drawing boards.

About 1,500 new jobs have been created in the county since 1961 as the result of an aggressive industrial development program and the bulk of these jobs have gone to Negroes. The unemployment rate this summer has been down to 3 percent. Since 1964, the annual rate has dropped from more than 9 percent to 6 percent.

All new industries moving into this county since 1961 have hired employees on a nondiscriminatory basis and Negroes and whites work side by side in these plants.

These are only a few of the things this community has done "in recognition of Negro grievances". We know Cambridge has a problem in race relations. So does Detroit, so does Newark, so does Minneapolis, and so do hundreds of other cities across this nation.

Before riots struck Newark, that city prided itself on the fact that it spends $277 per capita on repairing urban blight—the highest annual urban renewal figure for the nation's 50 biggest cities. Newark officials claim an overall unemployment figure of 7%—down from 14% since 1962. Newark had 125 federal poverty workers who spent $2,000,000 last year on community-action projects. Certainly Newark can say it "recognized Negro grievances" but the city had a riot.

In Detroit, fully 40% of the city's Negro families own their own homes. No city has waged a more massive and comprehensive war on poverty. The city has received $42 million in federal funds for its poverty programs. $10 million of that goes toward special training and placement programs for the unskilled and illiterate. A $4,000,000 medical program furnishes family-planning advice, outpatient clinics and the like. $3 million was allotted for this summer's Head Start and recreation program. Certainly Detroit can say it "recognized Negro grievances" but the city had a riot.

Much is being done to try and solve the Cambridge problem. Much remains to be done.

Maj. Gen. Gelston would perhaps have made a major contribution to the Senate Judiciary Committee's hearing had he pointed out that the recognition of every Negro splinter group's demands by government leaders and agencies, the passage of stopgap legislation, and trips to major league baseball games will not solve community problems. In fact, that kind of approach in Cambridge only tends to obscure the progress being made by the many community agencies presently in operation here.

After studying the experiences of Newark and Detroit and considering the efforts in Cambridge, the members of the Senate Judiciary Committee will find Gen. Gelston's unwarranted statement hard to follow.

THE COTTON SITUATION

Mr. TOWER. Mr. President, the Department of Agriculture has been conducting meetings in the Texas cotton belt recently in conjunction with the Texas Agricultural Stabilization and Conservation Committees to obtain an expression of views by cotton farmers on their problems and suggestions for future cotton programs.

Several groups of cotton producers thoughtfully sent me copies of their statements at these meetings, and I ask that they be reprinted in the RECORD at the conclusion of my remarks.

I am essentially in agreement with the views expressed in the statements. Particularly, I want to note that I am in total agreement with the organizations' idea that skip-row penalties should be eliminated. This would achieve the production of higher grade cotton, and is the only just course for the Department to take toward producers in skip-row areas of Texas.

It is also most important that the Department build an effective export program for cotton. I have urged this many times on the floor and to Secretary Freeman. Such a program would be most helpful now.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT AND RECOMMENDATIONS PREPARED BY THE ROLLING PLAINS COTTON GROWERS, INC., OF STAMFORD, TEX., REPRESENTING 32 COUNTIES OF TEXAS, CONCERNING THE CURRENT COTTON SITUATION AND THE 1968 COTTON PROGRAM

History has proven that supply and demand and government policy have tended to create shortages and surpluses within the cotton carryover many times in past history. You do not have to look back many years to find the current situation completely reversed where shorter staple cottons were in short supply and longer staples cottons were being over-produced. At that time there were no major movements to curtail longer cotton production because everyone realized it was a short term condition. One which would work itself out if price, supply and demand were allowed to function.

We believe that the current situation will work itself out in the near future in much the same manner when price begins to fully dictate what cottons are spun or not spun by our mills.

However, Rolling Plains Cotton Growers recognizes the apparent forthcoming shortage of certain staple length. We recognize the need for maintaining adequate supplies of all qualities of cotton to meet mill market needs, both domestic and export.

We are in agreement, therefore, that some changes are needed in the 1968 program to meet these needs. However, if the cotton farmers interest is kept foremost in mind, which it most assuredly must be, we believe that restraint, good judgment and fair mindedness must prevail in making any adjustment in the current cotton program to encourage additional production in 1968.

With this in mind we wish to make six (6) specific recommendations:

1. The current crisis in cotton has been brought about largely by the lack of an effective export program. According to the National Cotton Council, our share of an expanded world market on an annual basis should fluctuate between 6 and 7 million bales.

In passing Section 203 of the Agricultural Act of 1956, Congress made it crystal clear that the United States Department of Agriculture was to adopt pricing policies and take all action necessary to re-etsablish and maintain a fair historical share of the world market for U.S. cotton. The fact of the matter is except for a few years, the general intent of the Act of 1956 has not been achieved.

The cotton export figures since 1956 clearly show this:

Year	*Bales*
1956	7, 598, 000
1957	5, 717, 000
1958	2, 789, 000
1959	7, 182, 000
1960	6, 632, 000
5-year average	5, 988, 600
1961	4, 915, 000
1962	3, 351, 000
1963	5, 662, 000
1964	4, 060, 000
1965	2, 942, 000
1966	4, 832, 000
6-year average	4, 293, 666

You will note that the average annual export for 1956–1960 exceeded average exports for 1961–66 by 1,687,934 bales. Had we maintained our exports at the 1956–60 rate, we would not have had to make as drastic reduction in the U.S. cotton crops as we have in the past 2 years and we would not now be facing any cotton crisis.

In order to re-create a healthy cotton industry in the U.S. we therefore recommend that Section 203 of the Agricultural Act of 1956 be again as Congress intended and that the U.S. regain its fair share of world markets.

2. We urge that restraint be used in making changes in the current program designed to increase production until new legislation can be enacted to protect producer income. With this in mind, we recommend that there be no change in the mandatory diversion provisions of the 1967 program. Every producer in the U.S. should be required to divert 12½% of his effective allotment with diversion payment in order to participate in the 1968 program.

3. We believe that the most logical first step in securing additional production of quality cotton in 1968 would be the elimination of skip-row penalties imposed for the past 2 years. Skip-row planting will not only raise more pounds but they will also be higher quality pounds and this is exactly what everyone wants. With the need for more bales of quality cotton clearly defined, therefore we recommend the abolition of skip-row penalties and return to measuring practices as they were in 1962–65.

4. According to departmental figures the present program will produce 11.2 million bales. If we remove skip-row penalties, production will increase to 12.8 million bales. We believe that this will not be a sufficient volume of cotton produced in 1968. We recommend therefore a reduction of voluntary diversion permitted from 22½% as it was in 1967 to 12½% in 1968 with full diversion payments. This will provide a projected production of 13.7 million bales in 1968, by USDA figures. We believe this to be adequate to meet all needs and protect producer income to the greatest possible limit under the present law in 1968.

5. We further recommend that government programs providing special assistance to foreign countries and involving shipments of U.S. cotton should to the greatest extent possible encourage the use of these qualities that are in surplus.

6. We also recommend that projected yields for all States, counties and individual farmers be fairly administered in 1968. We know that this was not done in 1967. It will be to the best interest of cotton that administration policies be developed that will pay fair returns to farmers who deserve these returns.

In conclusion we must say that the Rolling Plains Cotton Growers recognize the need for some additional production in 1968. We believe, however, that the methods herein outlined for reaching this production are better than the alternative. We wish to again point out that price, supply and demand have always in the past decided which cottons are spun and which are not. We sincerely hope that no action is taken by the Department which will keep us from finding out what the true price differentials on all qualities of cotton should be in 1967 and 1968.

I am Donnell Echols, representing the Dawson County Cotton Growers. This is an organization of both cotton producers and area businessmen who seek to promote the welfare of cotton and the economic environment of the Community. We want to express our appreciation for the opportunity to discuss the cotton program with you.

I. The Present Cotton Program:

A. As a producer and business organization, we recognize the merits of the existing program.

B. We are definitely aware of the surplus problems but feel that significant improvement has been made in this situation:

1. Due to acreage reductions.
2. Due to inclement weather the past two seasons.
3. Due to penalties on skip-row planting.

C. Cottons improved outlook brought about by the 1965 cotton bill has indicated a need to:

1. Gradually increase production in line with consumption.

2. Give particular emphasis to quality.

3. Improve our export market situation as the program was intended and written to do.

II. The economic situation in every local community is dependent upon cotton and cannot suffer further decline in cotton income. Every effort should be made to regain a full cotton economy as consumption and exports will permit.

III. Those of us in agriculture would like for you to recognize the role we play in the labor market. Our peak labor requirements come during the summer months at which time school children, women, older people, and others not qualified for full time employment, and thus could not locate other employment, are used to help produce cotton. We want you to represent our interests in the Welfare and Labor Departments of the Government because an Agricultural economy contributes greatly to the opportunities of many people not directly involved in cotton production.

IV. Improvements needed in program:

A. Permit the use of skiprow planting without penalty.

B. Move more cotton through export trade.

V. Skip row planting would achieve the goals of the Department of Agriculture and the cotton producer.

A. Would tend to increase production to a level that seems economically necessary.

B. Would enable producers to carry out improved methods of soil and water conservation.

C. Would permit production of a better quality cotton.

D. Would tend to have a stabilizing effect on volume of production.

E. Would not increase the cost of the cotton program;

1. Any increase in production resulting from skiprow planting would not cause an increase in the cotton program, to be accomplished by adjusting payment rates to yield.

VI. We sincerely feel that the goals of the Department of Agriculture and the goals of the cotton producer have never been closer. We also are convinced that these goals can best be achieved through the elimination of penalties on the practice of skiprow and that no other changes are necessary at this time.

Respectfully submitted,
Dawson County Cotton Growers.

Texas Cottonseed Crushers'
Association, Inc.,
Dallas, Tex., September 6, 1967.

Hon. Orville Freeman,
Secretary of Agriculture,
U.S. Department of Agriculture,
Washington, D.C.

Dear Secretary Freeman: In the opinion of the Texas Cottonseed Crushers' Association none of the alternate 1968 programs outlined by U.S.D.A. in the Texas Hearings will result in the production of sufficient cotton to meet domestic and export market demands for the coming year. The economics of cotton production are such that merely eliminating diversion payments will not induce farmers to plant the acreage needed.

We respectfully propose, therefore, that the domestic allotment be increased to 75% of effective allotment and that 12.5% mandatory diversion be retained to provide some assurance of adequate grower income.

Exports should be increased to minimum of 5,000,000 bales which is well below our fair historical share of the foreign markets.

We do not attempt to tell you how these things can be done, but we would suggest that the per acre yield used in calculating the domestic allotment be lowered to a more realistic level, and that the domestic consumption estimate be set at a higher figure consistent with the results expected from our new CPI program.

The 1968 year will stand out as the year in which the U.S. cotton economy began its return to prosperity or the year in which it began a decline that led to poverty for many millions of people. No effort should be spared to prevent this latter possibility. Directors of the Texas Cottonseed Crushers' Association representing well over ⅓ of the total U.S. crushing capacity have voted unanimously for such a program and we will appreciate your earnest consideration of our views.

Yours very truly,
Dixon White,
President.

LIFE INSURANCE INDUSTRY COMMITS $1 BILLION FOR CITIES

Mr. MONDALE. Mr. President, I was delighted to learn that Mr. Eugene Fitzhugh, president of the Metropolitan Life Insurance Co., and chairman of the Urban Problems Committee of the American Life Insurance Association, has announced a new $1 billion commitment by the Nation's life insurance industry to improve housing and to finance job-creating activities in urban areas. This is a new step that should be heralded by those who recognize the necessity for involving private enterprise in the job of rebuilding our core cities.

Also, this announcement clearly illustrates the need for supporting the rent supplement program. As noted by Mr. Fitzhugh, the rent supplement program offers the most promising avenue of participation by private enterprise. This announcement serves as an example of private enterprise's willingness to participate if Government programs encourage such participation.

Speaking today at a luncheon in New York City for top executives of New York banks and savings and loan associations, Robert C. Wood, Under Secretary of the Department of Housing and Urban Development, gave details of this new billion-dollar commitment by the life insurance industry. So that my colleagues might read his statement I ask unanimous consent to include in the Record a copy of the press release from Secretary Wood's office.

There being no objection, the press release was ordered to be printed in the Record, as follows:

Under Secretary Robert C. Wood gave details today of a new $1 billion commitment by the nation's life insurance industry to President Johnson for investment in city core areas to improve housing and to finance job-creating activities. Mr. Wood explained this major effort at a luncheon in New York City for top executives of New York banks and savings and loan associations. The White House had previously announced the program at an 11:30 conference led by Secretary Weaver of HUD and Mr. Eugene Fitzhugh, who is the President of the Metropolitan Life Insurance Company and Chairman of the Urban Problems Committee of the American Life Insurance Association.

This is another step, Mr. Wood noted, in the development of a systematic and coordinated approach to the solution of America's urban problems, an approach which began with the enactment of the rent supplement and Model Cities programs.

During the last six months, Mr. Wood announced, major progress has been made in the Administration's plan for designing federal programs to insure maximum involvement of the private sector. The already proven Turnkey method for construction of low rent public housing has a new streamlined procedure allowing a developer to be designated quickly and reducing his risk. The Turnkey II effort, inaugurated on August 17, 1967, by President Johnson and Secretary Weaver, recognizes the profit element in *management* as well as construction of low income housing. In three cities, developers are already preparing private construction and *management projects.*

In New York City a 929-unit facility will be built by a private contractor and operated by a private management firm. Recently, Mr. Wood noted, HUD and SBA executed an agreement to aid the development of small businesses by encouraging the provision of commercial space in FHA 221(d)(3) projects. Another private involvement program, rent supplements, Mr. Wood noted, shows renewed promise with Senate Banking and Currency Committee's approval of a full appropriation.

In addition, a major new national program is underway, designed to make federal surplus land readily available to meet urban needs, especially in low and moderate income housing. The first site announced was a 335 acres formerly occupied by the National Training School in Washington.

The $1 billion life insurance commitment will provide capital for projects that would not, because of risk and location, ordinarily be financed under normal business practices. The plan contemplates, at least at the outset, that investments will be made under provisions of existing governmental programs, particularly FHA mortgages or loans under state development authorities. The rent supplement program offers the best opportunity for such constructive action. It is the industry's intention to make loans at interest rates no higher than regular market rates for normal operations.

The industry believes that through the combined cooperation of Federal, state and local agencies and the companies participating in the plan, new ways may be found to improve the quality of urban life.

VIETNAM DISENCHANTMENT

Mr. HARTKE. Mr. President, recently the Lou Harris poll showed that a growing number of disenchanted Americans, 34 percent, favor getting out of Vietnam as soon as possible. Only a few more, 37 percent, expressed favor for the administration policy of fighting a limited war with negotiations as a goal. These, together with the smaller number favoring fighting on for total military victory, comprise a majority in the combined category of "support" for our Vietnam policy.

But that combined total of 61 percent needs to be set against the figure for a 6-weeks-earlier poll where the figure was 72 percent. The fact is inescapable that support for what we are doing in Vietnam is dropping, so far as the military action is concerned. It is indeed remarkable that there should be 34 percent now committed to the idea of getting out as soon as possible. Probably, with the results of the election now in, and with the lapse of time since the interviews, that figure is now even higher.

The Terre Haute Tribune, in its September 2 issue, commented editorially on this situation. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Vietnam Disenchantment

It is often remarked that the United States has never fought a war less popular with its citizens than the one now being fought in Vietnam. This appears to be a fair judgment, and not merely the self-serving conclusion of those who counsel pulling out of this confusing morass.

The evident unpopularity of the Vietnamese War has been further confirmed by a Louis Harris survey showing that basic public support of the U.S. presence in Vietnam has substantially declined over the past month and a half. The "support" figure in the poll combines those who favor total military victory and those who want our forces to continue fighting until peace negotions are achieved. This figure now encompasses 61 per cent of those interviewed, as compared with 72 percent in a similar poll six weeks before.

Sixty-one percent is still a substantial majority. It is far from the preponderance one might normally expect, however, when the nation has half a million troops committed to battle. Under ordinary circumstances, the emotional chords struck by involvement on such a scale would tend to rally all but a tiny percentage of the public to support of national policy.

This is emphatically not the case now. The Harris poll shows only 37 percent of those interviewed favoring the apparent administration policy of fighting under some self-imposed restraints with peace negotiations as the goal. Almost that many, 34 percent, favored getting out of Vietnam as soon as possible.

Though there seems to be a widespread feeling that our stand in Vietnam is required to curb the spread of communism in Asia, a great number of Americans are confused and uncertain about the reasons for our continuing involvement. The poll findings cited above, couple with other indications of public unrest, suggest rising disenchantment with the course that is being followed.

HEROISM IN VIETNAM

Mr. PELL. Mr. President, on April 28, 1967—3 days before his departure for the United States—a Rhode Island serviceman, Pvt. Norman Plante, of Pawtucket, was killed in Vietnam. Tonight in Providence, R.I., his mother will receive five medals of commendation which include the Purple Heart, the Silver Star for gallantry in action, the Bronze Star with first oak leaf cluster for heroism, and the Republic of Vietnam's Gallantry Cross with a bronze star.

It is quite probable that Private Plante would have qualified for a deferment from overseas duty since has father has been confined in a hospital for the past 4 years, he had two school age sisters, and his mother was not in the best of health. In fact, his mother had accumulated much documentation to support such a request. However, as Mrs. Plante states in a recent letter to me "he thought it was his duty to God and his country," and consequently asked that no further action be taken with regard to his remaining in the United States.

During these days when there are far too many instances of draft evaders and card burners, I find it most encouraging to know that there are those individuals who still possess the much-admired qualities of loyalty and integrity and still firmly believe in the fulfillment of those obligations which insure the safety and well-being of us all.

HAT DAY IN CONNECTICUT

Mr. DODD. Mr. President, I wish to bring to the Senate's attention a proclamation issued by the Honorable John Dempsey, Governor of the State of Connecticut.

The Governor's proclamation designates today, Wednesday, September 13, as Hat Day in Connecticut.

The hat has played a very prominent role in the history of Connecticut's economic development. Perhaps more than any other product of Connecticut's industry, the hat typifies Connecticut's tradition of superior workmanship.

I would like to take this opportunity to pay tribute to the many industries in Connecticut engaged in manufacturing products for the whole country and indeed, the world to enjoy. Many of Connecticut's products are famous the world over for their quality, beauty, and fine workmanship.

Mr. President, I ask unanimous consent that the proclamation be printed in the Record.

There being no objection, the proclamation was ordered to be printed in the Record, as follows:

A Proclamation of the State of Connecticut

By the middle of the 19th century Connecticut had attained a position of preeminence among the manufacturing states.

The skills of industrious workmen, the continuing effort on the part of manufacturers to improve production methods, and the development of sound marketing techniques brought early renown to our State as a source of quality goods.

Industrial production, even then, was a vital factor in the economy of many Connecticut communities. The busy looms in the textile mills of eastern Connecticut had largely eliminated the need for tedious weaving by hand at home. The factories in central Connecticut were finding new ways to produce vast quantities of clocks and other metal products. In Danbury, hat makers were turning out the then new "derby," a style which enjoyed popularity for many years.

In the 1860's, a few years after the introduction of the soft felt hat, the hat shops in the Danbury area were measuring their annual production in millions of units and were winning recognition for Connecticut as the nation's hat center.

The General Assembly has directed that a day be set aside each year to call public attention to the role of the hat industry in Connecticut's economic history. Accordingly, I designate Wednesday, September 13, to be Hat Day.

In honoring at this time the men and women who contributed to the development of the hat industry, let us also render deserved tribute to the employees in all types of manufacturing in our State for their commendable dedication to the Connecticut tradition of superior workmanship.

Attest:

John Dempsey,
Governor.

By His Excellency's Command:

Ella T. Grasso,
Secretary of State.

OUR "FORGOTTEN" AMERICANS

Mr. HARTKE. Mr. President, not long ago I spoke in a newsletter sent to constituents of our "forgotten Americans." I said of them that—

> The forgotten Americans are those who work hard year after year to meet their bills and pay their taxes, giving generously of their time to civic, school and church activities. They are generally of middle class income, of all races and creeds. They have no lobbyists and neither do they demonstrate. In the twilight of their lives, their "riches" generally are grandchildren born of sons and daughters like themselves.
>
> Their distinguishing characteristic is that they want to earn their own way in life, neither asking nor receiving any special advantage. You, the reader, know who they are on your street and in your community; perhaps you are one of these "Forgotten Americans."

That concept, and that definition of our solid citizens whom we take so much for granted in our preoccupation with the problem children of all ages in our society, brought an unusually heavy response. It evidently struck a responsive chord.

One of those responses, in the warmest of terms, came from a longtime personal friend who sent along the text of an address bearing on the same theme. Its author was Miller Upton, president of Beloit College in Beloit, Wis., and it was delivered at an honors convocation at that college. It places a needed perspective on our scene, for a change lauding excellence instead of decrying the weak spots in our society. It is a refreshing reminder of values, and a word of encouragement to that "forgotten American" who is a solid citizen.

Mr. President, I ask unanimous consent that this address, published in the July 10 U.S. News & World Report, be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

It's Time To Stand Up For the Upperdog

(From an address by Miller Upton, president of Beloit College, Beloit, Wis., which he delivered recently at the honors convocation of Ripon College, Ripon, Wis.)

I have just about reached the end of my tolerance for the way our society at the present time seems to have sympathetic concern only for the misfit, the pervert, the drug addict, the drifter, the ne'er-do-well, the maladjusted, the chronic criminal, the underachiever, the loser—in general, the underdog.

It seems to me we have lost touch with reality and become warped in our attachments, if not in fact psychotic.

In short, I feel it is time for someone like me to stand up and say, "I'm for the upperdog!" I'm also for the achiever—the one who sets out to do something and does it; the one who recognizes the problems and opportunities at hand and endeavors to deal with them; the one who is successful at his immediate task because he is not worrying about someone else's failings; the one who doesn't consider it "square" to be constantly looking for more to do, who isn't always rationalizing why he shouldn't be doing what he is doing; the one, in short, who carries the work of his part of the world squarely on his shoulders.

Not the wealthy, necessarily; not the ones in authority, necessarily; not the gifted, necessarily—just the doer, the achiever—regardless of his status, his opulence, his native endowment.

We are not born equal; we are born unequal. And the talented are no more responsible for their talents than the underprivileged for their plight. The measure of each should be by what he does with his inherited position.

No one should be damned by the environmental condition of his life—whether it be privileged or underprivileged. . . .

It is a dying fashion to pay respect to those who achieve—who really "have it," to use the vernacular. This is the day when the fashion is to be for the underdog. The attitude is being developed that if you really want people to care for you—and who doesn't?—don't be successful; be a misfit, a loser, a victim of one's environment. This is an occasion to honor the successful—to say it is better to win than to lose, better to receive an A than a C, that class rank is meaningful, that those who have developed the pattern of achieving in college will go on achieving out of college, and, because of their achievement, the rest of us will live richer and easier lives.

I'm not entirely sure of the reason for what appears to me to be a general social-psychological aberration, but I suspect it springs from a massive social guilt.

Each of us individually is so aware of our personal limitations that we have developed a form of masochistic reaction to problems of the day. Instead of attempting to deal with the problems in a forthright way, we berate ourselves, we martyr ourselves, we pillory ourselves.

Or, if the problems seem too much for us to handle, we mitigate our sense of guilt by heaping all blame on convenient scapegoats or by concerning ourselves with the problems of others at a conveniently remote distance.

Let me illustrate my point by specific reference:

I have become increasingly bored and resentful of the ridicule and snide references made of the WASPS—the white, Anglo-Saxon, Protestant suburbanites. I wouldn't feel the point so strongly were the criticisms leveled by those outside of the circle. Such could be looked upon as healthy social criticism and competition. But when it comes mainly from those who are part of the circle—WASPS stinging themselves—it assumes the nature of sick self-immolation.

Our society's treatment of the Negro over the years is deplorable. In fact, that's too mild a term for it. The word "sinful" in its full theological sense is more accurate. But this fact does not justify us, in our sense of guilt, condemning a particular segment of society which in many ways constitutes the backbone of American social existence.

If damning by association is wrong, as I would maintain strongly it is, then how horribly wrong it is to level our guns of hostility, envy and ridicule in this fashion on the successful white man who more often than not struggled financially to get a college education, who more often than not works at his job more than 60 hours a week, who buys a comfortable home in the suburbs with the welfare of his family in mind, who is active in his church and community affairs, who gives his time to service on boards of education and social-welfare agencies, and in some cases is shortening his life span through overwork and anxiety resulting from the basic social responsibilities he must carry.

These are among the chief doers and achievers of today. And where would our society be without them? For one thing, we would not have Ripon College or Beloit College or the University of Wisconsin as we know them today were it not for the likes of these people. Nor could we afford to have a major portion of the population going to school for 12 to 20 years. Nor would we enjoy the leisure time, recreational activities and cultural advantages which are a direct product of our material welfare. However, there would be one by-product advantage: We would have to be so concerned individually with eking out our own meager existence that there would be no time to be wasted on such irrelevant and dishonest name-calling and buck-passing.

BLAMING ECONOMIC SYSTEM UNFAIRLY

Or, just as we point an accusing finger at those who succeed within our economic system, so we accuse the system itself of faults which are not of its creation. In short, we tend to blame the economic system for the faults of individuals who operate within it.

It is important to recognize that the quality of any society is directly related to the quality of the individuals who make it up. Therefore, let us stop referring naively to creating a "great" society. It is enough at this stage of our development to aspire to create a "decent" society. And to do so our first task is to help each individual be decent unto himself and in his relationship with other individuals.

A decent society cannot be created out of a vacuum and imposed. It can only evolve out of the lives of constituent members. In this regard, our economic system has become the scapegoat for the failures of our educational, religious and family institutions to develop decent and responsible individuals.

Whenever one blames another group of individuals for one or more of the ills of mankind—beware! He is expressing personal hostility and offering no solution. There is no single scapegoat for the world's ills, unless it be our own personal limitations as finite beings.

Also, the Puritan ethic and religious morality in general have come in for some heavy-handed humor and disdain. I can support that criticism which focuses on arbitrary value judgments. But we seem to be in the process of developing a much more perverse kind of moralism—a moralism which says that since love is the one absolute virtue of man, the one way we will solve the problems of poverty, crime, racial discrimination and the like is by forcing everyone to love everybody else—we must love the white man because he is white, or the black man because he is black, or the poor because he is poor, or the enemy because he is the enemy, or the perverse because he is perverse, or the afflicted because he is afflicted! Rather than because he is a human being, any human being who just happens to be white or black, poor or rich, enemy or friend.

This is a hideous abuse of the notion of love that avoids the hard facts that love is a uniquely personal experience.

If it is idle to attempt to legislate individual morality, it is even more idle, and even arrogant, to attempt to force individual love. There can be no love unless it is genuine and authentic. To love, or go through the pretense of loving, without truly feeling that way is one of the lowest forms of hypocrisy. It is dishonesty at its worst. And the fruit of such dishonesty, as with all forms of dishonesty, is distrust, degradation, chaos. We should respect all people so much that we would not dare demean one by pretending to love him when we don't. . . .

We need to start being honest with ourselves in more ways than one. It is too bad that we have failed to heed the charge that Polonius made to his son: "This above all, to thine own self be true." For were we to do so we would have to admit honestly and joyously that love in its very essence is selfish. Were it not so, there would be none—not real love—only a martyred imitation. . . .

We have serious problems and issues facing our society at the present time. Let there be no doubt about it. But they can be solved over time if we will attack them directly and honestly—that is, if we will be willing to pay the price in time and persistent personal effort.

They will never be subject to instant solutions—to wishing it so. Nor will they be solved by blaming others for their existence, or by making certain segments of society the scapegoat for the general ills of society. Nor will they be solved by running away from them by concerning ourselves with remote situations rather than those at hand. Nor will they be solved by application of the perverse notion that to love means only to sacrifice one's self.

The one most certain point is that they will be solved by doers—not people with good intentions, but individuals with good deeds. Not those who talk a good game, but those who play a good game—the achiever.

ENCOURAGE INDIVIDUAL EXCELLENCE

We will never create a good society, much less a great one, until individual excellence and achievement is not only respected but encouraged. That is why I'm for the upperdog—the achiever—the succeeder. I'm for building an ever better society, and this will only be done by those who take seriously their responsibility for achievement, for making the most of their native ability, for getting done the job at hand.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, if there is no further morning business, I ask that morning business be concluded.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

PROTECTING PRIVACY AND RIGHTS OF FEDERAL EMPLOYEES

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 519, Senate bill 1035.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1035) to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to; and the Senate resumed the consideration of the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. ERVIN. Mr. President, I ask unanimous consent at this time that George Autry and Marcia J. MacNaughton, members of the staff of the Subcommittee on Constitutional Rights, be allowed on the floor of the Senate to assist me in the presentation of this bill. They are members of the staff of the subcommittee which handled this bill, and their intelligent and industrious work on the bill has made the bill possible. Another member of the staff who has made an important contribution is Lewis Evans, who is also present in the Chamber.

The PRESIDING OFFICER. Is there

objection? Without objection, it is so ordered.

A BILL TO PROTECT THE CONSTITUTIONAL RIGHTS OF GOVERNMENT EMPLOYEES AND TO PREVENT UNWARRANTED INVASIONS OF THEIR PRIVACY—S. 1035

Mr. ERVIN. Mr. President, S. 1035 is a bill unanimously approved by the Judiciary Committee to protect the constitutional rights of civilian employees of the executive branch and to prevent unwarranted governmental invasions of their privacy.

The purpose of the bill is to prohibit indiscriminate requirements that employees and applicants for Government employment:

Disclose their race, religion or national origin; attend Government-sponsored meetings and lectures or participate in outside activities unrelated to their employment; report on their outside activities or undertakings unrelated to their work; submit to questioning about their religious beliefs and practices, personal relationships or sexual attitudes and conduct through interviews, psychological tests, or polygraphs; support political candidates or attend political meetings; buy bonds or make charitable contributions under coercion from supervisors; or disclose their own personal assets, liabilities, or expenditures, or those of any member of their families unless, in the case of specified employees, certain items would tend to show a conflict of interest.

It provides a right to have a counsel or other person present, if the employee wishes, at an interview which may lead to disciplinary proceedings.

It accords the right to a civil action in a Federal court for violation or threatened violation of the act.

It establishes a Board on Employees' Rights to receive and conduct hearings on complaints of violation of the act, and to determine and administer remedies and penalties.

Mr. President, with this bill, Congress has a chance to reaffirm the belief of the American people in a value system as old as Western civilization: That is, in the dignity of the individual; in the unfettered enjoyment of his personal thoughts and beliefs free of the control of government; and in the worth of the expression of his personality in the democratic society.

This bill affords Congress the opportunity to take a stand on one of the most crucial philosophical and practical problems facing our society—the preservation of individual freedom in an age of scientific technology.

Many learned people have analyzed the legal and scientific issues raised by the needs to meet certain goals of government in a country as vast and diverse as ours. But they have balanced the interests back and forth until they have lost track of the basic issues of liberty involved.

The Founding Fathers drafted a constitution that was meant to protect the liberty of Americans of every era, for its principles are enduring ones. One of the fundamental aspects of our liberty as freemen is the privacy of our innermost thoughts, attitudes, and beliefs: this includes not only our freedom to express them as we please, but the freedom from any form of governmental coercion to reveal them. Another aspect is the constitutional protection against self-incrimination for civil servants as well as for criminals and others.

In its report on S. 1035, the committee stated:

> Each section of the bill is based on evidence from many hundreds of cases and complaints showing that generally in the Federal service, as in any similar organizational situation, a request from a superior is equivalent to a command. This evidence refutes the argument that an employee's response to a superior's request for information or action is a voluntary response, and that an employee "consents" to an invasion of his privacy or the curtailment of his liberty. Where his employment opportunities are at stake, where there is present the economic coercion to submit to questionable practices which are contrary to our constitutional values, then the presence of consent or voluntarism may be open to serious doubt. For this reason the bill makes it illegal for officials to "request" as well as to "require" an employee to submit to certain inquiries or practices or to take certain actions.

Much has been said and written of the problems we deal with in S. 1035. The hearings and committee report, as well as the subcommittee's last three annual reports, amply document the need for such legislation. But let no one be deluded that this bill is a panacea for all the ills besetting the Federal service, all of the invasions of privacy, all of the violations of basic due process principles.

There are many areas left untouched, as the subcommitte daily mail will show. Passage of the bill will correct some violations, and provide some recourses against violations. But more importantly, it will establish a precedent in this area of the law and create a climate for decisionmaking in the executive branch.

The zealous men, the unthinking, careless, hurried, impatient, pressured, or misinformed men will still make unreasonable or illegal decisions. We cannot legislate against all manner of fools or their follies. Where their decisions affect the liberties of the citizen, we can only provide the basic standards by which they can be controlled. For the conscientious administrator anxious to do his job well, achieving the maximum benefit for Government and observing individual rights at the same time, the bill provides a uniform guide. He will not need to sit and ponder whether to follow his conscience or an illegal order or whether or not to utilize a questionable scientific method.

The law will state clearly what his own rights and duties are in certain areas.

I confess that were I legislating alone, I would rather see fewer compromises and exceptions than are now contained in the bill. I see no necessity for any of the practices prohibited in S. 1035.

Unfortunately, some people, both in Government and out, have not yet been alerted to the dangers posed by these policies and practices. For them, the symbolic act or the technique—the means—still triumph over purpose, however unrelated the two.

A threefold need for this bill is outlined in the committee report.

The first is the immediate need to establish a statutory basis for the preservation of certain rights and liberties of those citizens who now work for Government and those who will work for it in the future. The bill not only remedies problems of today but looks to the future in recognition of the almost certain enlargement of the scope of Federal activity and the continuing rise in the number of Americans employed by their Federal Government or serving it in some capacity.

Second, the bill meets the Federal Government's need to attract the best qualified employees, and to retain them with the assurance that they will be treated fairly and as people of honesty and integrity.

Third, is the growing need for the beneficial influence which such a statute would provide in view of the present impact of Federal policies, regulations, and practices on those of State and local government and of private business and industry. Considerable interest in the bill has been demonstrated in this respect. An example is the following comment by Allen J. Graham, secretary of the Civil Service Commission of the city of New York:

> It is my opinion, based on over 25 years of former Government service, including some years in a fairly high managerial capacity, that your bill, if enacted into law, will be a major step to stem the tide of "Big Brotherism," which constitutes a very real threat to our American way of life.
>
> In my present position as secretary of the Civil Service Commission of the City of New York, I have taken steps to propose the inclusion of several of the concepts of your bill into the rules and regulations of the city civil service commission.

AMENDMENTS

With one exception, all of the amendments added in subcommittee and committee are meritorious. They clarify possible ambiguities and insure that the purpose of the bill is achieved.

The one exception is the new section 6 pertaining to the Director of the Central Intelligence Agency or the Director of the National Security Agency. Upon a personal finding that any psychological testing, polygraph testing, or financial disclosure is required to protect national security, they could allow these measures in individual cases.

Prior to adoption of this amendment, I met several times with representatives of the CIA and NSA; and all legitimate objections on grounds of security were met.

Personally, I would not favor even the limited exemption in section 6. As I have stated before, the subcommittee's study of psychological testing clearly demonstrated that such tests are both useless and offensive as tools of personnel administration; and my own research has convinced me that polygraph machines are totally unreliable for any purpose. If the security of the United States rests on these devices, we are indeed pitifully insecure. Fortunately, it does not, for the FBI does not use these examinations.

But even if it could be shown that psychological tests and polygraphs have mystical powers and can be used to predict behavior or divine the truth, I would still oppose their being used to probe the religious beliefs, family relationships, or sexual attitudes of American citizens. A fundamental ingredient of liberty is the right to keep such matters to oneself. And without liberty, "national security" is a hollow phrase. The truth is, there is no place for this sort of 20th century witchcraft in a free society.

Nevertheless, I am requesting the committee amendment granting a partial exemption to the CIA and NSA be accepted with the other amendments. I do this for two reasons. First, the amendment will require that use of the examinations by the two agencies be severely curtailed; and for the first time Congress will be withholding its permission for the agencies to kick American citizens around with impunity. Second, it is clear to me that a number of the bill's 55 cosponsors prefer that the CIA and NSA be allowed this partial exemption. I trust the Directors of the Agencies will use it with restraint.

I want to make clear my own convictions that for all of the policies and techniques restricted by this bill, there are valid alternatives.

In this connection, the subcommittee has found especially helpful the testimony of Prof. Alan Westin, of Columbia University, who directed the study by the special committee on science and law of the Bar Association of the City of New York. This bar committee has been concerned with an analysis of the ways in which science and technology are creating new pressures on traditional patterns of privacy in American society. Professor Westin analyzed the alternatives to show how we have allowed polygraphing and personality testing to expand the scope of questioning in a way that our law and our governmental practice have rejected for direct interrogation.

He makes the point which has been evident throughout congressional study of these problems that—

> One of the key problems of science and privacy is that things are being done in the name of science which we would not allow to be done directly.

Unfortunately, however the Constitutional Rights Subcommittee study shows that, in practice, the questions which our standards of fairness should not allow to be asked even in personal interviews are being asked directly, and that they are obviously beyond the control of the leadership in the executive branch.

Mr. President, I ask unanimous consent that excerpts from the testimony of Prof. Alan Westin before the Constitutional Rights Subcommittee hearings on S. 3779 be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ERVIN. Mr. President, in addition to the provisos for the Central Intelligence Agency and the National Security Agency, and technical amendments, the following major changes were adopted in the bill and are explained in the committee report.

An exemption was made for questions concerning national origin where the information is needed for security purposes and overseas assignments.

The section relating to prohibitions on patronizing business establishments has been deleted.

The criminal penalties have been deleted.

Provisos were added to assure that sections 1(f) and 2(b) will not be construed to prohibit an officer of the department, agency, or Civil Service Commission from advising the employee or applicant of a specific charge of sexual misconduct made against him and affording him an opportunity to refute the charge.

Another amendment spells out the power of the Attorney General, in certain circumstances, to defend an official against whom a charge is brought.

Section 9 was added to provide that nothing shall prohibit establishment of agency and department grievance procedures for enforcing the act, but the existence of such procedures shall not preclude a person from pursuing other remedies. It also provides that if an individual shall elect to seek a remedy through the Board on Employee Rights, he waives his right to proceed by an independent action through the U.S. district court. Similarly, if under the act he elects to proceed through the court, he waives his right to seek a remedy through the Board on Employee Rights.

I ask unanimous consent that the complete list of amendments from pages 1 to 3 of the committee report be included at this point in the RECORD.

There being no objection, the list of amendments was ordered to be printed in the RECORD, as follows:

AMENDMENTS

1. Amendment to section 1(a) page 2, line 13:

"*Provided further,* That nothing contained in this subsection shall be construed to prohibit inquiry concerning the national origin of any such employee when such inquiry is deemed necessary or advisable to determine suitability for assignment to activities or undertakings related to the national security within the United States or to activities or undertakings of any nature outside the United States."

2. Amendment to section 1(b), page 2, line 25: Strike "to" (Technical amendment.)

3. Delete section 1(e), page 4, lines 1–4 (prohibitions or patronizing business establishments,) and renumber following sections as sections 1 (e), (f), (g), (h), (i), (k), and (l), respectively.

4. Delete section 4, page 10, lines 12–23 (Criminal Penalties) and renumber following sections as section 4 and 5, respectively.

5. Amendment to section 1(f), page 4, line 25:

"*Provided further, however,* That nothing contained in this subsection shall be construed to prohibit an officer of the department or agency from advising any civilian employee or applicant of a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge."

6. Amendments to section 1(f), page 4, at lines 17 and 19: Change "psychiatrist" to "physician."

7. Amendment to section 1(k), page 7, at line 10: Change (j) to (i).

8. Amendment to section 2(b), page 9, at line 6 and line 9: Change "psychiatrist" to "physician."

9. Amendment to section 2(b), page 9, at line 15:

"*Provided further, however,* That nothing contained in this subsection shall be construed to prohibit an officer of the Civil Service Commission from advising any civilian employee or applicant of a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge."

10. Amendment to section 5, page 11, line 21: Insert after the word "violation." the following:

"The Attorney General shall defend all officers or persons sued under this section who acted pursuant to an order, regulation, or directive, or who, in his opinion, did not willfully violate the provisions of this Act."

11. Amendment to section 6(l), page 16, at line 24: Strike "sign charges and specifications under section 830 (article 30)" and insert in lieu thereof: "convene general courts martial under Section 822 (Article 22)" (Technical amendment.)

12. Amendment to section 6(m), page 17, line 14: Change subsection (j) to (k). (Technical amendment.)

13. Amendment, page 18, add new section 6:

"SEC. 6. Nothing contained in this Act shall be construed to prohibit an officer of the Central Intelligence Agency or of the National Security Agency from requesting any civilian employee or applicant to take a polygraph test, or to take a psychological test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters, or to provide a personal financial statement, if the Director of the Central Intelligence Agency or the Director of the National Security Agency makes a personal finding with regard to each individual to be so tested or examined that such test or information is required to protect the national security."

14. Amendment, page 18, add new section 8, and renumber following section as section 9.

"SEC. 8. Nothing contained in Sections 4 and 5 shall be construed to prevent establishment of department and agency grievance procedures to enforce this Act, but the existence of such procedures shall not preclude any applicant or employee from pursuing the remedies established by this Act or any other remedies provided by law: *Provided, however,* That if under the procedures established, the employee or applicant has obtained complete protection against threatened violations or complete redress for violations, such action may be pleaded in bar in the United States District Court or in proceedings before the Board on Employee Rights: *Provided further, however,* That if an employee elects to seek a remedy under either section 4 or section 5, he waives his right to proceed by an independent action under the remaining section."

Mr. ERVIN. Mr. President, during the last few months, the Civil Service Commission has made a good faith effort to eliminate some of the privacy-invading practices of the Federal Government. Also, as a result of complaints which the subcommittee has sent to the Civil Service Commission, some individual grievances have been remedied.

But while isolated cases of injustice may be corrected by congressional intervention, they do not, as with judicial decisions on the rights of criminals, establish a precedent for protecting rights of all employees. There are vast numbers of Federal agencies with decentralized personnel systems, responsive in different ways to policy directives. In some cases, they lack any control at all by Congress, the President, the Civil Service Commission, or, in some instances, even by the head of the department or agency.

They are, in effect, beyond the reach of the law.

The reply of some in the executive branch has been that Government employment is a privilege, and if the individual does not like his treatment, he can quit.

The Association of the Bar of the City of New York has a reply to this. Their report on the bill states:

> The Ervin bill recognizes the existence of some serious shortcomings in the behavior of the Executive Branch of the Federal Government as an employer. There are today almost three million persons employed by the Federal Government and the number can be expected to grow. It is not possible, therefore, to deal with the problem within the narrow framework of an employee's option to quit his employment if the conditions are not to his taste.
>
> Employment by the Federal Government should not be regarded as a privilege to be withheld or conditioned as the Government sees fit. Indeed, there is an obligation on the part of the Federal Government to have more than the usual respect for rights of privacy.

It is already a late date for the Federal Government to begin showing respect for the rights of privacy. But the Senate can and must take the first step today by passing S. 1035.

I ask unanimous consent to insert at this point in the Record an excerpt from the Judiciary Committee report on the bill—Senate Report No. 534, pages 7 through 44. This contains the legislative history of the bill and a section-by-section analysis of S. 1035.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

SENATE REPORT NO. 534, 90TH CONGRESS, FIRST SESSION; PROTECTING PRIVACY AND THE RIGHTS OF FEDERAL EMPLOYEES

LEGISLATIVE HISTORY

Violations of rights covered by S. 1035 as well as other areas of employee rights have been the subject of intensive hearings and investigation by the subcommittee for the last five Congresses.

In addition to investigation of individual cases, the Subcommittee on Constitutional Rights has conducted annual surveys of agency policies on numerous aspects of Government personnel practices. In 1965, pursuant to Senate Resolution 43, hearings were conducted on due process and improper use of information acquired through psychological testing, psychiatric examinations, and security and personnel interviews.

In a letter to the Chief Executive on August 3, the subcommittee chairman stated:

"For some time, the Constitutional Rights Subcommittee has received disturbing reports from responsible sources concerning violations of the rights of Federal employees. I have attempted to direct the attention of appropriate officials to these matters, and although replies have been uniformly courteous, the subcommittee has received no satisfaction whatsoever, or even any indication of awareness that any problem exists. The invasions of privacy have reached such alarming proportions and are assuming such varied forms that the matter demands your immediate and personal attention.

"The misuse of privacy invading personality tests for personnel purposes has already been the subject of hearings by the subcommittee. Other matters, such as improper and insulting questioning during background investigations and due process guarantees in denial of security clearances have also been the subject of study. Other employee complaints, fast becoming too numerous to catalog, concern such diverse matters as psychiatric interviews; lie detectors; race questionnaires; restrictions on communicating with Congress; pressure to support political parties yet restrictions on political activities; coercion to buy savings bonds; extensive limitations on outside activities yet administrative influence to participate in agency-approved functions; rules for writing, speaking and even thinking; and requirements to disclose personal information concerning finances, property and creditors of employees and members of their families."

After describing in detail the operation of two current programs to illustrate the problems, Senator Ervin commented:

"Many of the practices now in extensive use have little or nothing to do with an individual's ability or his qualification to perform a job. The Civil Service Commission has established rules and examinations to determine the qualifications of applicants. Apparently, the Civil Service Commission and the agencies are failing in their assignment to operate a merit system for our Federal civil service.

"It would seem in the interest of the administration to make an immediate review of these practices and questionnaires to determine whether the scope of the programs is not exceeding your original intent and whether the violations of employee rights are not more harmful to your long-range goals than the personnel shortcuts involved."

Following this letter and others addressed to the Chairman of the Civil Service Commission and the Secretaries of other departments, legislation to protect employee rights was introduced in the Senate.

S. 1035 was preceded by S. 3703 and S. 3779 in the second session of the 89th Congress. S. 3703 was introduced by the chairman on August 9, 1966, and referred to the Judiciary Committee. On August 25, 1966, the chairman received unanimous consent to a request to add the names of 33 cosponsors to the bill. On August 26, 1966, he introduced a bill similar to S. 3703, containing an amendment reducing the criminal penalties provided in section 2. This bill, S. 3779, was also referred to the Judiciary Committee, and both S. 3703 and S. 3779 were then referred to the Subcommittee on Constitutional Rights.

Comments on the bill and on problems related to it were made by the chairman in the Senate on July 18, August 9, August 25, August 26, September 29, October 17 and 18, 1966, and on February 21, 1967.

Hearings on S. 3779 were conducted before the subcommittee on September 23, 29, 30, and October 3, 4, and 5, 1966. Reporting to the Senate on these hearings, the subcommittee chairman made the following statement:

"The recent hearings on S. 3779 showed that every major employee organization and union, thousands of individual employees who have written Congress, law professors, the American Civil Liberties Union, and a number of bar associations agree on the need for statutory protections such as those in this measure.

"We often find that as the saying goes 'things are never as bad as we think they are,' but in this case, the hearings show that privacy invasions are worse than we thought they were. Case after case of intimidation, of threats of loss of job or security clearance were brought to our attention in connection with bond sales, and Government charity drives.

"Case after case was cited of privacy invasion and denial of due process in connection with the new financial disclosure requirements. A typical case is the attorney threatened with disciplinary action or loss of his job because he is both unable and unwilling to list all gifts, including Christmas presents from his family, which he had received in the past year. He felt this had nothing to do with his job. There was the supervisory engineer who was told by the personnel officer that he would have to take disciplinary action against the 25 professional employees in his division who resented being forced to disclose the creditors and financial interests of themselves and members of their families. Yet there are no procedures for appealing the decisions of supervisors and personnel officers who are acting under the Commission's directive. These are not isolated instances; rather, they represent a pattern of privacy invasion reported from almost every State.

"The subcommittee was told that supervisors are ordered to supply names of employees who attend PTA meetings and engage in Great Books discussions. Under one department's regulations, employees are requested to participate in specific community activities promoting local and Federal antipoverty, beautification, and equal employment programs; they are told to lobby in local city councils for fair housing ordinances, to go out and make speeches on any number of subjects, to supply flower and grass seed for beautification projects, and to paint other people's houses. When these regulations were brought to the subcommittee's attention several weeks ago, we were told that they were in draft form. Yet, we then discovered they had already been implemented and employees whose official duties had nothing to do with such programs were being informed that failure to participate would indicate an uncooperative attitude and would be reflected in their efficiency records.

"The subcommittee hearings have produced ample evidence of the outright intimidation, arm twisting and more subtle forms of coercion which result when a superior is requested to obtain employee participation in a program. We have seen this in the operation of the bond sale campaign, the drives for charitable contributions, and the use of self-identification minority status questionnaires. We have seen it in the sanctioning of polygraphs, personality tests, and improper questioning of applicants for employment.

"In view of some of the current practices reported by employee organizations and unions, it seems those who endorse these techniques for mind probing and thought control of employees have sworn hostility against the idea that every man has a right to be free of every form of tyranny over his mind; they forget that to be free a man must have the right to think foolish thoughts as well as wise ones. They forget that the first amendment implies the right to remain silent as well as the right to speak freely—the right to do nothing as well as the right to help implement lofty ideals.

"It is not under this administration alone that there has been a failure to respect employee rights in a zeal to obtain certain goals. While some of the problems are new, others have been prevalent for many years with little or no administrative action taken to attempt to ameliorate them. Despite congressional concern, administrative officials have failed to discern patterns of practice in denial of rights. They seem to think that if they can belatedly remedy one case which is brought to the attention of the Congress, the public and the press, that this is enough—that the heat will subside. With glittering generalities, qualified until they mean nothing in substance, they have sought to throw Congress off the track in its pursuit of permanent corrective action. We have seen this in the case of personality testing, in the use of polygraphs, and all the practices which S. 3779 would prohibit.

"The Chairman of the Civil Service Commission informed the subcommittee that there is no need for a law to protect employee rights. He believes the answer is 'to permit executive branch management and executive branch employees as individuals and through their unions, to work together to resolve these issues as part of their normal discourse.'

"It is quite clear from the fearful tenor of the letters and telephone calls received by the subcommittee and Members of Congress that there is no discourse and is not likely to be any discourse on these matters between the Commission and employees. Furthermore, there are many who do not even fall within the Commission's jurisdiction. For them, there is no appeal but to Congress.

"As for the argument that the discourse between the unions and the Commission will remedy the wrongs, the testimony of the union representatives adequately demolishes that dream.

"The typical attitude of those responsible for personnel management is reflected in Mr. Macy's answer that there may be instances where policy is not adhered to, but "There is always someone who doesn't get the word." Corrective administration action, he says, is fully adequate to protect employee rights.

"Administrative action is not sufficient. Furthermore, in the majority of complaints, the wrong actually stems from the stated policy of the agency or the Commission. How can these people be expected to judge objectively the reasonableness and constitutionality of their own policies? This is the role of Congress, and in my opinion, Congress has waited too long as it is to provide the guidance that is desperately needed in these matters.

"As I have stated on many occasions, S. 3779 is merely a blueprint for discussion: the other 35 cosponsors and I have no pride of authorship in the language. However, we are determined that Congress shall take affirmative action to protect the constitutional rights of employees enunciated in the bill. Many illuminating and valuable suggestions have been made in the course of the subcommittee hearings and investigation, and they will be given careful and thoughtful study. It is my intention to reintroduce the bill next January in the hope of obtaining prompt action on it early in the next session."

S. 1035, 90th Congress

On the basis of the subcommittee hearings, agency reports, and the suggestions of many experts, the bill was amended to meet legitimate objections to the scope and language raised by administrative witnesses and to clarify the intent of its cosponsors that it does not apply to the proper exercise of management authority and supervisory discretion, or to matters now governed by statute.

This amended version of S. 3779 was introduced in the Senate by the chairman on February 21, 1967. As S. 1035, it was referred to the Judiciary Committee. The 54 cosponsors are Senators Fong, Burdick, Smathers, Long of Missouri, Tydings, Bayh, Eastland, Hruska, Scott, Dirksen, Thurmond, Brewster, Montoya, Prouty, Fannin, Bible, Byrd of Virginia, McIntyre, Young of North Dakota, Talmadge, Bartlett, Williams of New Jersey, Lausche, Jordan of North Carolina, Nelson, Jordan of Idaho, Yarborough, Randolph, Inouye, Miller, Metcalf, Mundt, Muskie, Cooper, McCarthy, Brooke, Sparkman, Moss, Hatfield, Hollings, Carlson, Hansen, Clark, Dominick, Church, McGovern, Tower, Hill, Percy, Pearson, Spong, Dodd, Magnuson, and Gruening.

Comparison of S. 1035 and S. 3779

As introduced, the revised bill, S. 1035, differs from S. 3779 of the 89th Congress in the following respects:

1. The section banning requirements to disclose race, religion, or national origin was amended to permit inquiry on citizenship where it is a statutory condition of employment.

2. The provision against coercion of employees to buy bonds or make charitable donations was amended to make it clear that it does not prohibit calling meetings or taking any action appropriate to afford the employee the opportunity voluntarily to invest or donate.

3. A new section providing for administrative remedies and penalties establishes a Board on Employee Rights to receive and conduct hearings on complaints of violation of the act, and to determine and administer remedies and penalties. There is judicial review of the decision under the Administrative Procedure Act.

4. A specific exemption for the Federal Bureau of Investigation is included.

5. Exceptions to the prohibitions on privacy-invading questions by examination, interrogations, and psychological tests are provided upon psychiatric determination that the information is necessary in the diagnosis and treatment of mental illness in individual cases, and provided that it is not elicited pursuant to general practice or regulation governing the examination of employees or applicants on the basis of grade, job, or agency.

6. The section prohibiting requirements to disclose personal financial information contains technical amendments to assure that only persons with final authority in certain areas may be subject to disclosure requirements.

7. For those employees excluded from the ban on disclosure requirements, a new section (j), provides that they may only be required to disclose items tending to show a conflict of interest.

8. Military supervisors of civilian employees are included within the prohibitions of the bill, and violation of the act is made a punishable offense under the Uniform Code of Military Justice.

9. A new section 2 has been added to assure that the same prohibitions in section 1 on actions of department and agency officials with respect to employees in their departments and agencies apply alike to officers of the Civil Service Commission with respect to the employees and applicants with whom they deal.

10. Section (b) of S. 3779, relating to the calling or holding of meetings or lectures to indoctrinate employees, was deleted.

11. Sections (c), (d), and (e) of S. 3779—sections (b), (c), and (d) of S. 1035—containing prohibitions on requiring attendance at outside meetings, reports on personal activities and participation in outside activities, were amended to make it clear that they do not apply to the performance of official duties or to the development of skill, knowledge, and abilities which qualify the person for his duties or to participation in professional groups or associations.

12. The criminal penalties were reduced from a maximum of $500 and 6 months' imprisonment to $300 and 30 days.

13. Section (h) of S. 3779 prohibiting requirements to support candidates, programs, or policies of any political party was revised to prohibit requirements to support the nomination or election of persons or to attend meetings to promote or support activities or undertakings of any political party.

14. Other amendments of a technical nature.

QUESTIONS ON RACE, RELIGION, NATIONAL ORIGIN

Many complaints received by the subcommittee concerned official requests or requirements that employees disclose their race, religion, or ethnic or national origin. This information has been obtained from employees through the systematic use of questionnaires or oral inquiries by supervisors.

Chief concern has focused on a policy inaugurated by the Civil Service Commission in 1966, under which present employees and future employees would be asked to indicate on a questionnaire whether they were "American Indian," "oriental," "Negro," "Spanish-American" or "none of these." Approximately 1.7 million employees were told to complete the forms, while some agencies including the Department of Defense continued their former practice of acquiring such information through the "head count" method. Although the Civil Service Commission directive stated that disclosure of such information was voluntary, complaints show that employees and supervisors generally felt it to be mandatory. Administrative efforts to obtain compliance included in some instances, harassment, threats, and intimidation. Complaints in different agencies showed that employees who did not comply received airmail letters at their homes with new forms; or their names were placed on administrative lists for "followup" procedures, and supervisors were advised to obtain the information from delinquent employees by a certain date.

In the view of John McCart, representing the Government Employes' Council, AFL–CIO:

"When the Civil Service Commission and the regulations note that participation by the employee will be voluntary, this removes some of the onus of the encroachment on an individual's privacy. But in an organizational operation of the size and complexity of the Federal Government, it is just impossible to guarantee that each individual's right to privacy and confidentiality will be observed.

"In addition to that, there have been a large number of complaints from all kinds of Federal employees. In the interest of maintaining the rights of individual workers against the possibility of invading those rights, it would seem to us it would be better to abandon the present approach, because there are other alternatives available for determining whether that program is being carried out."

The hearing record contains numerous examples of disruption of employee-management relations, and of employee dissatisfaction with such official inquiries. Many told the subcommittee that they refused to complete the questionnaires because the matter was none of the Government's business; others, because of their mixed parentage, felt unable to state the information.

Since 1963, the policy of the American Civil Liberties Union on the method of collecting information about race has favored the head count wherever possible. Although the policy is presently under review, the subcommittee finds merit in the statement that:

"The collection and dissemination of information about race creates a conflict among several equally important civil liberties: the right of free speech and free inquiry, on the one hand and the rights of privacy and of equality of treatment and of opportunity, on the other. The ACLU approves them all. But at this time in human history, when the principle of equality and nondiscrimination must be vigorously defended, it is necessary that the Union oppose collection and dissemination of information regarding race, except only where rigorous justification is shown for such action. Where such collection and dissemination is shown to be justified, the gathering of information should be kept to the most limited form, wherever possible by use of the head count method, and the confidential nature of original records should be protected as far as possible."

Former Civil Service Commission Chairman Robert Ramspeck told the subcommittee:

"To consider race, color, religion, and national origin in making appointments, in promotions and retention of Federal employees is, in my opinion, contrary to the merit system. There should be no discrimination for or against minority persons in Federal Government employment."

As the hearings and complaints have demonstrated, the most telling argument against the use of such a questionnaire, other than the constitutional issue, is the fact that it does not work. This is shown by the admission by many employees that they either did not complete the forms or that they gave inaccurate data.

Mr. Macy informed the subcommittee:

"In the State of Hawaii the entire program was cut out because it had not been done there before, and it was inadvertently included in this one, and the feeling was that because of the racial composition there it would be exceedingly difficult to come up with any kind of identification along the lines of the card that we were distributing."

The Civil Service Commission on May 9 informed the subcommittee that it had "recently approved regulations which will end the use of voluntary self-identification of race as a means of obtaining minority group statistics for the Federal work force." The Commission indicated its decision was based on the failure of the program to produce meaningful statistics. In its place the Commission will rely on supervisory reports based solely on observation, which would not be prohibited by the bill.

As Senator Fong stated:

"It should be noted that the bill would not bar head counts of employee racial extraction for statistical purposes by supervisors. However, the Congress has authorized the merit system for the Federal service and the race, national origin or religion of the individual or his forebears should have nothing to do with his ability or qualifications to do a job."

Section 1(a) of the bill was included to assure that employees will not again be subjected to such unwarranted invasion of their privacy. It is designed to protect the merit system which Congress has authorized for the Federal service. Its passage will reaffirm the intent of Congress that a person's religion, race, and national or ethnic origin or that of his forebears have nothing to do with his ability or qualification to perform the requisite duties of a Federal position, or to qualify for a promotion.

By eliminating official authority to place the employee in a position in which he feels compelled to disclose this personal data, the bill will help to eliminate the basis for such complaints of invasion of privacy and discrimination as Congress has received for a number of years. It will protect Americans from the dilemma of the grandson of an American Indian who told the subcommittee that he had exercised his option and did not complete the minority status questionnaire. He did not know how to fill it out. Shortly thereafter he received a personal memorandum from his supervisor "requesting" him to complete a new questionnaire and "return it immediately." He wrote: "I personally feel that if I do not comply with this request (order), my job or any promotion which comes up could be in jeopardy."

The prohibitions in section 1(a) against official inquiries about religion, and in section 1(e) concerning religious beliefs and practices together constitute a bulwark to protect the individual's right to silence concerning his religious convictions and to refrain from an indication of his religious beliefs.

Referring to these two sections, Lawrence Speiser, director of the Washington office of the American Civil Liberties Union testified:

"These provisions would help, we hope, eliminate a constantly recurring problem involving those new Government employees who prefer to affirm their allegiance rather than swearing to it. All Government employees must sign an appointment affidavit and take an oath or affirmation of office.

"A problem arises not just when new employees enter Government employment but in all situations where the Government requires an oath, and there is an attempt made on the part of those who prefer to affirm. It is amazing the intransigence that arises on the part of clerks or those who require the filling out of these forms, or the giving of the statement in permitting individuals to affirm.

"The excuses that are made vary tremendously, either that the form can only be signed and they cannot accept a form in which 'so help me God' is struck out, because that is an amendment, and they are bound by their instructions which do not permit any changes to be made on the forms at all.

"Also, in connection with the giving of oaths, I have had one case in which an investigator asked a young man this question: 'For the purposes of administering the oath, do you believe in God?'

"It is to be hoped that the provisions of this bill would bar practices of that kind. The law should be clear at this time. Title I, United States Code, section 1 has a number of rules of construction, one of which says that wherever the word 'oath' appears, that includes 'affirmation,' and wherever the word 'swear' appears, that includes 'affirm.'

"This issue comes up sometimes when clerks will ask, 'Why do you want to affirm? Do you belong to a religious group that requires an affirmation rather than taking an oath?' And unless the individual gives the right answer, the clerks won't let him affirm. It is clear under the *Torcaso* case that religious beliefs and lack of religious beliefs are equally entitled to the protection of the first amendment."

The objection has been raised that the prohibition against inquiries into race, religion, or national origin would hinder investigation of discrimination complaints. In effect, however, it is expected to aid rather than hinder in this area of the law, by decreasing the opportunities for discrimination initially. It does not hinder acquisition of the information elsewhere; nor does it prevent a person from volunteering the information if he wishes to supply it in filing a complaint or in the course of an investigation.

CONTROL OF EMPLOYEE OPINIONS, OUTSIDE ACTIVITIES

Reports have come to the subcommittee of infringements and threatened infringements on first amendment freedoms of employees: freedom to think for themselves free of Government indoctrination; freedom to choose their outside civic, social, and political activities as citizens free of official guidance; or even freedom to refuse to participate at all without reporting to supervisors.

Illustrative of the climate of surveillance the subcommittee has found was a 13-year-old Navy Department directive, reportedly similar to those in other agencies, warning employees to guard against "indiscreet remarks" and to seek "wise and mature" counsel within their agencies before joining civic or political associations.

In the view of the United Federation of Postal Clerks:

"Perhaps no other right is so essential to employee morale as the right to personal freedom and the absence of interference by the Government in the private lives and activities of its employees. Attempts to place prohibitions on the private associations of employees; mandatory reporting of social contacts with Members of Congress and the press; attempts to "orient" or "indoctrinate" Federal employees on subjects outside their immediate areas of professional interest; attempts to "encourage" participation in outside activities or discourage patronage of selected business establishments and coercive campaigns for charitable donations are among the most noteworthy abuses of Federal employees' right to personal freedom."

An example of improper on-the-job indoctrination of employees about sociological and political matters was cited in his testimony by John Griner, president of the AFL–CIO affiliated American Federation of Government Employees:

"One instance of disregard of individual rights of employees as well as responsibility to the taxpayers, which has come to my attention, seems to illustrate the objectives of subsections (b), (c), and (d), of section 1 of the Ervin bill. It happened at a large field installation under the Department of Defense.

"The office chief called meetings of different groups of employees throughout the day * * *. A recording was played while employees listened about 30 minutes. It was supposedly a speech made at a university, which went deeply into the importance of integration of the races in this country. There was discussion of the United Nations—what a great thing it was—and how there never could be another world war. The person who reported this incident made this comment:

" 'Think of the taxpayers' money used that day to hear that record.' I think that speaks for itself."

Other witnesses were in agreement with Mr. Griner's view on the need for protecting employees now and in the future from any form of indoctrination on issues unrelated to their work. The issue was defined at hearings on S. 3779 in the following colloquy between the subcommittee chairman and Mr. Griner.

"If they are permitted to hold sessions such as this on Government time and at Government expense, they might then also hold sessions as to whether or not we should be involved in the Vietnam war or whether we should not be, whether we should pull out or whether we should stay, and I think it could go to any extreme under those conditions.

"Of course, we are concerned with it, yes. But that is not a matter for the daily routine of work.

"Senator Ervin. Can you think of anything which has more direful implications for a free America than a practice by which a government would attempt to indoctrinate any man with respect to a particular view on any subject other than the proper performance of his work?

"Mr. Griner. I think if we attempted to do that we would be violating the individual's constitutional rights.

"Senator Ervin. Is there any reason whatever why a Federal civil service employee should not have the same right to have his freedom of thought on all things under the sun outside of the restricted sphere of the proper performance of his work that any other American enjoys?

"Mr. Griner. No, sir."

With one complaint of attempted indoctrination of employees at a Federal installation, a civil servant enclosed a memorandum taken from a bulletin board stating the time, place, and date of a lecture by a sociology professor on the subject of the importance of racial integration. Attendance was to be voluntary but the notice stated that a record would be made of those attending or not attending.

Concerning such a practice, one witness commented: "If I had been a Federal employee and I cared anything about my job, I would have been at that lecture."

Employees of an installation in Pennsylvania complained of requirements to attend film lectures on issues of the cold war.

Witnesses agreed that taking notice of attendance at such meetings constituted a form of coercion to attend. Section 1(b) will eliminate such intimidation. It leaves unaffected existing authority to use any appropriate means, including publicity, to provide employees information about meetings concerning matters such as charity drives and bond-selling campaigns.

Section (c) protects a basic constitutional right of the individual employee to be free of official pressure on him to engage in any civic or political activity or undertaking which might involve him as a private citizen, but which has no relation to his Federal employment. It preserves his freedom of thought and expression, including his right to keep silent, or to remain inactive.

This section will place a statutory bar

against the recurrence of employee complaints such as the following received by a Member of the Senate:

"DEAR SENATOR ———: On ———, 1966, a group of Treasury Department administrators were called to Miami for a conference led by ———, Treasury Personnel Officer, with regard to new revisions in Chapter 713 of the Treasury Personnel Manual.

"Over the years the Treasury Department has placed special emphasis on the hiring of Negroes under the equal employment opportunity program, and considerable progress in that regard has been made. However, the emphasis of the present conference was that our efforts in the field of equal employment opportunity have not been sufficient. Under the leadership of President Johnson and based on his strong statement with regard to the need for direct action to cure the basic causes leading to discrimination, the Treasury Department has now issued specific instructions requiring all supervisors and line managers to become actively and aggressively involved in the total civil rights problem.

"The requirements laid down by chapter 713 and its appendix include participation in such groups as the Urban League, NAACP, etc. (these are named specifically) and involvement in the total community action program, including open housing, integration of schools, etc.

"The policies laid down in this regulation, as verbally explained by the Treasury representatives at the conference, go far beyond any concept of employee personnel responsibility previously expressed. In essence, this regulation requires every Treasury manager or supervisor to become a social worker, both during his official hours and on his own time. This was only tangentially referred to in the regulation and its appendages, but was brought out forcefully in verbal statements by Mr. ——— and ———. Frankly, this is tremendously disturbing to me and to many of the other persons with whom I have discussed the matter. We do not deny the need for strong action in the field of civil rights, but we do sincerely question the authority of our Government to lay out requirements to be met on our own time which are repugnant to our personal beliefs and desires.

"The question was asked as to what disciplinary measures would be taken against individuals declining to participate in these community action programs. The reply was given by the equal employment officer, that such refusal would constitute an undesirable work attitude bordering on insubordination and should at the very least be reflected on the annual efficiency rating of the employee.

"The principles expressed in these regulations and in this conference strike me as being of highly dangerous potential. If we, who have no connection with welfare or social programs, can be required to take time from our full-time responsibilities in our particular agencies and from the hours normally reserved for our own refreshment and recreation to work toward integration of white neighborhoods, integration of schools by artificial means, and to train Negroes who have not availed themselves of the public schooling available, then it would seem quite possible that under other leadership, we could be required to perform other actions which would actually be detrimental to the interests of our Nation."

Testifying on the issue of reporting outside activities, the American Civil Liberties Union representative commented:

"To the extent that individuals are apprehensive they are going to have to, at some future time, tell the Government about what organizations they have belonged to or been associated with, that is going to inhibit them in their willingness to explore all kinds of ideas, their willingness to hear speakers, their willingness to do all kinds of things. That has almost as deadening an effect on free speech in a democracy as if the opportunities were actually cut off.

"The feeling of inhibition which these kinds of questions cause is as dangerous, it seems to me, as if the Government were making actual edicts."

Witnesses gave other examples of invasion of employees' private lives which would be halted by passage of the bill.

In the southwest a division chief dispatched a buck slip to his group supervisors demanding: "the names * * * of employees * * * who are participating in any activities including such things as: PTA in integrated schools, sports activities which are intersocial, and such things as Great Books discussion groups which have integrated memberships."

In a Washington office of the Department of Defense, a branch chief by telephone asked supervisors to obtain from employees the names of any organizations they belonged to. The purpose apparently was to obtain invitations for Federal Government officials to speak before such organizations.

Reports have come to the subcommittee that the Federal Maritime Commission, pursuant to civil service regulations, requested employees to participate in community activities to improve the employability of minority groups, and to report to the chairman any outside activities.

In addition to such directives, many other instances involving this type of restriction have come to the attention of the subcommittee over a period of years. For example, some agencies have either prohibited flatly, or required employees to report, all contacts, social or otherwise, with Members of Congress or congressional staff members. In many cases reported to the subcommittee, officials have taken reprisals against employees who communicated with their Congressmen and have issued directives threatening such action.

The Civil Service Commission on its Form 85 for non-sensitive positions requires an individual to list: "Organizations with which affiliated (past and present) other than religious or political organizations or those with religious or political affiliations (if none, so state)."

PRIVACY INVASIONS IN INTERVIEWS, INTERROGATIONS, AND PERSONALITY TESTS

Although it does not outlaw all of the unwarranted personal prying to which employees and applicants are now subjected, section 1(e) of the reported bill will prohibit the more serious invasions of personal privacy reported. The subcommittee believes it will also result in limitations beyond its specific prohibitions by encouraging administrative adherence to the principles it reflects.

It will halt mass programs in which, as a general rule, agency officials conduct interviews during which they require or request applicants or employees to reveal intimate details about their habits, thoughts, and attitudes on matters unrelated to their qualifications and ability to perform a job.

It will also halt individual interrogations such as that involving an 18-year-old college sophomore applying for a summer job as a secretary at a Federal department.

In the course of an interview with a department investigator, she was asked wide-ranging personal questions. For instance, regarding a boy whom she was dating, she was asked questions which denoted assumptions made by the investigator, such as:

"Did he abuse you?

"Did he do anything unnatural with you? You didn't get pregnant, did you?

"There's kissing, petting, and intercourse, and after that, did he force you to do anything to him, or did he do anything to you?"

The parent of this student wrote:

"This interview greatly transcended the bounds of normal areas and many probing personal questions were propounded. Most questions were leading and either a negative or positive answer resulted in an appearance of self-incrimination. During this experience, my husband was on an unaccompanied tour of duty in Korea and I attempted alone, without success, to do battle with the Department.

"I called and was denied any opportunity to review what had been recorded in my daughter's file. Likewise my daughter was denied any review of the file in order to verify or refute any of the record made by the State Department interviewer. This entire matter was handled as if applicants for State Department employment must subject themselves to the personal and intimate questions and abdicate all claims to personal rights and privileges.

"As a result of this improper intrusion into my daughter's privacy which caused all great mental anguish, I had her application for employment withdrawn from the State Department. This loss of income made her college education that much more difficult.

"Upon my husband's return, we discussed this entire situation and felt rather than subjecting her again to the sanctioned methods of Government investigation we would have her work for private industry. This she did in the summer of 1966, with great success and without embarrassing or humiliating Gestapo-type investigation."

Upon subcommittee investigation of this case, the Department indicated that this was not a unique case, because it used a "uniform policy in handling the applications of summer employees as followed with all other applicant categories." It stated that its procedure under Executive Order 10450 is a basic one "used by the Department and other executive agencies concerning the processing of any category of applicants who will be dealing with sensitive, classified material." Its only other comment on the case was to assure that "any information developed during the course of any of our investigations that is of a medical nature, is referred to our Medical Division for proper evaluation and judgment." In response to a request for copies of departmental guidelines governing such investigations and interviews, the subcommittee was told they were classified.

Section 1(e) would protect every employee and every civilian who offers his services to his Government from indiscriminate and unauthorized requests to submit to any test designed to elicit such information as the following:

"My sex life is satisfactory.

"I have never been in trouble because of my sex behavior.

"Everything is turning out just like the prophets of the Bible said it would.

"I loved my father.

"I am very strongly attracted by members of my own sex.

"I go to church almost every week.

"I believe in the second coming of Christ.

"I believe in a life hereafter.

"I have never indulged in any unusual sex practices.

"I am worried about sex matters.

"I am very religious (more than most people).

"I loved my mother.

"I believe there is a Devil and a Hell in afterlife.

"I believe there is a God.

"Once in a while I feel hate toward members of my family whom I usually love.

"I wish I were not bothered by thoughts about sex."

The subcommittee hearings in 1965 on "Psychological tests and constitutional rights" and its subsequent investigations support the need for such statutory prohibitions on the use of tests.

In another case, the subcommittee was told, a woman was questioned for 6 hours "about every aspect of her sex life—real, imagined, and gossiped—with an intensity that could only have been the product of inordinately salacious minds."

The specific limitation on the three areas of questioning proscribed in S. 1035 in no way is intended as a grant of authority to continue or initiate the official eliciting of personal data from individuals on subjects not directly proscribed. It would prohibit investigators, or personnel, security and medical specialists from indiscriminately requiring or requesting the individual to supply, orally or through tests, data on religion, family, or sex. It does not prevent a physician from doing so if he has reason to believe the employee is "suffering from mental illness" and believes the information is necessary to make a diagnosis. Such a standard is stricter than the broad "fitness for duty" standard now generally applied by psychiatrists and physicians in the interviews and testing which an employee can be requested and required to undergo.

There is nothing in this section to prohibit an official from advising an individual of a specific charge of sexual misconduct and affording him an opportunity to refute the charge voluntarily.

POLYGRAPHS

Section 1(f) makes it unlawful for any officer of any executive department or agency or any person acting under his authority to require or request or attempt to require or request any civilian employee or any applicant for employment to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs, practices or concerning his attitude or conduct with respect to sexual matters. While this section does not eliminate the use of so-called lie detectors by Government, it assures that where such devices are used for these purposes it will be only in limited areas.

John McCart, representing the Government Employees Council of AFL–CIO, supported this section of the bill, citing a 1965 report by a special subcommittee of the AFL–CIO executive council that:

"The use of lie detectors violates basic considerations of human dignity in that they involve the invasion of privacy, self-incrimination, and the concept of guilt until proven innocent."

Congressional investigation[1] has shown that there is no scientific validation for the effectiveness or accuracy of lie detectors. Yet despite this and the invasion of privacy involved, lie detectors are being used or may be used in various agencies of the Federal Government for purposes of screening applicants or for pursuing investigations.

This section of the bill is based on complaints such the following received by the subcommittee:

"When I graduated from college in 1965, I applied at NSA. I went to 2 days of testing, which apparently I passed because the interviewer seemed pleased and he told me that they could always find a place for someone with my type of degree.

"About one month later, I reported for a polygraph test at an office on Wisconsin Avenue in the District or just over the district line in Maryland. I talked with the polygraph operator, a young man around 25 years of age. He explained how the machine worked, etc. He ran through some of the questions before he attached the wires to me. Some of the questions I can remember are—

"'When was the first time you had sexual relations with a woman?

"'How many times have you had sexual intercourse?

"'Have you ever engaged in homosexual activities?

"'Have you ever engaged in sexual activities with an animal?

"'When was the first time you had intercourse with your wife?

"'Did you have intercourse with her before you were married? How many times?'

"He also asked questions about my parents, Communist activities, etc. I remember that I thought this thing was pretty outrageous, but the operator assured me that he asked everybody the same questions and he has heard all the answers before, it just didn't mean a thing to him. I wondered how he could ever get away with asking a girl those kind of questions.

"When I was finished, I felt as though I had been in a 15 round championship boxing match. I felt exhausted. I made up my mind then and there that I wouldn't take the job even if they wanted me to take it. Also, I concluded that I would never again apply for a job with the Government, especially where they make you take one of these tests."

Commenting on this complaint, the subcommittee chairman observed:

"Certainly such practices should not be tolerated even by agencies charged with security missions. Surely, the financial, scientific, and investigative resources of the Federal Government are sufficient to determine whether a person is a security risk, without strapping an applicant to a machine and subjecting him to salacious questioning. The Federal Bureau of Investigation does not use personality tests or polygraphs on applicants for employment. I fail to see why the National Security Agency finds them so fascinating."

COERCION TO BUY BONDS AND CONTRIBUTE TO CAUSES

The hearing record and subcommittee complaint files amply document the need for statutory protection against all forms of coercion of employees to buy bonds and contribute to causes. Involved here is the freedom of the individual to invest and donate his money as he sees fit, without official coercion. As the subcommittee chairman explained:

"It certainly seems to me that each Federal employee, like any other citizen in the United States, is the best judge of his capacity, in the light of his financial obligations, to participate or decide whether he will participate and the extent of his participation in a bond drive. That is a basic determination which he and he alone should make.

"I think there is an interference with fundamental rights when coercion of a psychological or economic nature is brought on a Federal employee, even to make him do right. I think a man has to have a choice of acting unwisely as well as wisely, if he is going to have any freedom at all."

The subcommittee has received from employees and their organizations numerous reports of intimidation, threats of loss of job, and security clearances and of denial of promotion for employees who do not participate to the extent supervisors wish. The hearing record contains examples of documented cases of reprisals, many of which have been investigated at the subcommittee's request and confirmed by the agency involved. It is apparent that policy statements and administrative rules are not sufficient to protect individuals from such coercion.

The president of the United Federation of Postal Clerks informed the subcommittee:

"Section I, paragraph (i) of S. 3779 is particularly important to all Federal employees and certainly to our postal clerks. The extreme arm-twisting coercion, and pressure tactics exerted by some postmasters on our members earlier this year during the savings bond drive must not be permitted at any future time in the Government service.

"Our union received complaints from all over the country where low paid postal clerks, most having the almost impossible problem of trying to support a family and exist on substandard wages, were practically being ordered to sign up for purchase of U.S. savings bonds, or else. The patriotism of our postal employees cannot be challenged. I recently was advised that almost 75 percent of postal workers are veterans of the Armed Forces and have proven their loyalty and patriotism to this great country of ours in the battlefield in many wars. Yet, some postmasters questioned this patriotism and loyalty if any employee could not afford to purchase a savings bond during the drive."

The president of the National Association of Government Employees testified:

"We are aware of instances wherein employees were told that if they failed to participate in the bond program they would be frozen in their position without promotional opportunities.

"In another agency the names of individuals who did not participate were posted for all to see. We have been made aware of this situation for some years and we know that Congress has been advised of the many instances and injustices Federal employees faced concerning their refusal or inability to purchase bonds.

"Certainly, the Government, which has thousands of public relations men in its agencies and departments, should be capable of promoting a bond program that does not include the sledge-hammer approach."

Some concern has been expressed by officials of the United Community Funds and Councils of America, the American Heart Association, Inc., and other charitable organizations, that the bill would hamper their campaigns in Federal agencies.

For this reason, the bill contains a proviso to express the intent of the sponsors that officials may still schedule meetings and take any appropriate action to publicize campaigns and to afford employees the opportunity to invest or donate their money voluntarily. It is felt that this section leaves a wide scope for reasonable action in promoting bond selling and charity drives.

The bill will prohibit such practices as were reported to the subcommittee in the following complaints:

"We have not yet sold our former home and cannot afford to buy bonds while we have both mortgage payments and rental payments to meet. Yet I have been forced to buy bonds, as I was told the policy at this base is, "Buy bonds or Bye Bye."

"In short, after moving 1,700 miles for the good of the Government, I was told I would be fired if I didn't invest my money as my employer directed. I cannot afford to buy bonds, but I can't afford to be fired even more."

* * * * *

"Not only were we forced to buy bonds, but our superiors stood by the time clock with the blanks for the United Givers Fund, and refused to let us leave until we signed up. I am afraid to sign my name, but I am employed at * * *."

A representative of the 14th District Department of Employees, of the American Federation of Government Employees, Lodge 421 reported: "the case of a GS–13 professional employee who has had the misfortune this past year of underwriting the expenses incurred by the last illness and death of both his mother and father just prior to this recent bond drive. This employee had been unofficially informed by his supervisor that he had been selected for a then existing GS–14 vacancy. When it became known that he was declining to increase his participation in the savings bond drive by increasing his payroll deduction for that purpose, he was informed that he might as well, in effect, kiss that grade 14 goodby."

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[1] Hearings and reports on the use of polygraphs as "lie detectors," by the Federal Government before a Subcommittee of the House Committee on Government Operations, April 1964 through 1966.

DISCLOSURE OF ASSETS, DEBTS, AND PROPERTY

Sections (i) and (j) meet a need for imposing a reasonable statutory limitation on the extent to which an employee must reveal the details of his or his family's personal finances, debts, or ownership of property.

The subcommittee believes that the conflict-of-interest statutes, and the many other laws governing conduct of employees, together with appropriate implementing regulations, are sufficient to protect the Government from dishonest employees. More zealous informational activities on the part of management were recommended by witnesses in lieu of the many questionnaires now required.

The employee criticism of such inquiries was summarized as follows:

"There are ample laws on the statute books dealing with fraudulent employment, conflicts of interest, etc. The invasion of privacy of the individual employee is serious enough, but the invasion of the privacy of family, relatives and children of the employee is an outrage against a free society.

"This forced financial disclosure has caused serious moral problems and feelings by employees that the agencies distrust their integrity. We do not doubt that if every employee was required to file an absolutely honest financial disclosure, that a few, though insignificant number of conflict-of-interest cases may result. However, the discovery of the few legal infractions could in no way justify the damaging effects of forced disclosures of a private nature. Further, it is our opinion that those who are intent on engaging in activities which result in a conflict of interest would hardly supply that information on a questionnaire or financial statement. Many employees have indicated that rather than subject their families to any such unwarranted invasion of their right to privacy, that they are seriously considering other employment outside of Government."

The bill will reduce to reasonable proportions such inquiries as the following questionnaire, which many thousands of employees have periodically been required to submit.

(Questionnaire follows:)

CONFIDENTIAL STATEMENT OF EMPLOYMENT AND FINANCIAL INTERESTS

(For Use By Regular Government Employees)

Name (Last, First, Initial)	Title of Position
Date of Appointment in Present Position	Organization Location (Operating Agency, Bureau Division)

PART I. EMPLOYMENT AND FINANCIAL INTERESTS

List the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational, or other institutions: (a) with which you are connected as an employee, officer, owner, director, member, trustee, partner, adviser, or consultant; or (b) in which you have any continuing financial interests, through a pension or retirement plan, shared income, or other arrangement as a result of any current or prior employment or business or professional association; or (c) in which you have any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts. If none, write None.

Name and Kind of Organization (Use Part 1 designations where applicable)	Address	Position in Organization (Use Part 1(a) designations, if applicable.	Nature of Financial Interest, e.g., Stocks, Prior Income (Use Part 1(b) & (c) designations if applicable)

PART II. CREDITORS

List the names of your creditors other than those to whom you may be indebted by reason of a mortgage on property which you occupy as a personal residence or to whom you may be indebted for current and ordinary household and living expenses such as household furnishings, automobile, education, vacation, and similar expenses. If none, write None.

Name and Address of Creditor	Character of Indebtedness, e.g., Personal Loan, Note, Security

PART III. INTERESTS IN REAL PROPERTY

List your interest in real property or rights in lands, other than property which you occupy as a personal residence. If none, write None.

Nature of Interest, e.g., Ownership, Mortgage, Lien, Investment Trust	Type of Property, e.g., Residence, Hotel, Apartment, Undeveloped Land	Address (If rural, give RFD or county and State)

PART IV. INFORMATION REQUESTED OF OTHER PERSONS

If any information is to be supplied by other persons, e.g., trustee, attorney, accountant, relative, please indicate the name and address of such persons, the date upon which you requested that the information be supplied, and the nature of subject matter involved. If none, write None.

Name and Address	Date of request	Nature of Subject Matter

(This Space Reserved for Additional Instructions)

I certify that the statements I have made are true, complete, and correct to the best of my knowledge and belief.

(Date) (Signature)

The vagueness of the standards for requiring such a broad surrender of privacy is illustrated by the Civil Service Commission's regulation applying this to any employee whose duties have an "economic impact on a non-Federal enterprise."

Also eliminated will be questionnaires asking employees to list "all assets, or everything you and your immediate family own, including date acquired and cost or fair market value at acquisition. (Cash in banks, cash anywhere else, due from others—loans, etc., automobiles, securities, real estate, cash surrender of life insurance; personal effects and household furnishings and other assets.)"

The view of the president of the United Federation of Postal Clerks reflected the testimony of many witnesses endorsing sections 1 (i) and (j) of the bill:

"If the conflict-of-interest questionnaire is of doubtful value in preventing conflict of interest, as we believe, we can only conclude that it does not meet the test of essentiality and that it should be proscribed as an unwarranted invasion of employee privacy. Such value as it may have in focusing employee attention upon the problem of conflict of interest and bringing to light honest oversights that may lead to conflict of interest could surely be achieved by drawing attention to the 26 or more laws pertaining to conflict of interest or by more zealous information activities on the part of management."

The complex problem of preserving the confidential nature of such reports was described by officials of the National Association of Internal Revenue Employees:

"The present abundance of financial questionnaires provides ample material for even more abusive personnel practices. It is almost inevitable that this confidential information cannot remain confidential. Typically, the financial questionnaire is filed with an employee's immediate supervisor. The net worth statements ultimately go into Inspection, but they pass through the hands of local personnel administrators. We have received a great number of disturbing reports —as have you—that this information about employees' private affairs is eing used for improper purposes, such as enforced retirement and the like."

Inadequacies in agency procedures for obtaining such information from employees and for reviewing and storing it, are discussed in the Subcommittee report for the 89th Congress, 2d session. Widely disparate attitudes and practices are also revealed in a Subcommittee study contained in the appendix of the printed hearings on S. 3779.

The bill will make such complaints as the following unnecessary in the future conduct of the Federal Government:

"DEAR SENATOR ERVIN: I am writing to applaud the stand you have taken on the new requirement that Federal employees in certain grades and categories disclose their financial holdings to their immediate superior. Having been a civil service employee for 26 years, and advanced from GS-4 to GS-15, and been cleared for top secret during World War II, and because I currently hold a position that involves the disposition of hundreds of thousands of the taxpayers' money, it is my conviction that my morality and trustworthiness are already a matter of record in the files of the Federal Government.

"The requirement that my husband's financial assets be reported, as well as my own assets and those we hold jointly, was particularly offensive, since my husband is the head of our household and is not employed by Government.

"You might also be interested in the fact that it required 6 hours of after-hours work on our part to hunt up all the information called for and prepare the report. Since the extent of our assets is our private business, it was necessary that I type the material myself, an added chore since I am not a typist.

"Our assets have been derived, in the main, from laying aside a portion of our earnings. At our ages (64 and 58) we would be far less deserving of respect had we not made the prudent provisions for our retirement which our assets and the income they earn represent. Yet this reporting requirement carries with it the implication that to have "clean hands" it would be best to have no assets or outside, unearned income when you work for the Federal Government.

"For your information I am a GS-15, earning $19,415 * * *.

"Thank you for speaking out for the continually maligned civil servant.

"Sincerely yours,

"——— ———."

"Dear Senator Ervin: I am a GS-12 career employee with over 15 years service.

"The highest moral and ethical conduct has been my goal in each of my positions of employment and I have found this to be true of a vast majority of my fellow workers. It may be true a few people do put material gain ahead of their ethics but generally these people are in the higher echelons of office where their influence is much greater.

"Our office has recently directed each employee from file clerk to the heads of sections to file a "Statement of Financial Interest." As our office has no programs individuals could have a financial interest in and especially no connections with FHA I feel it is no one's business but my own what real estate I own. I do not have a FHA mortgage or any other real property and have no outside employment, hence have nothing to hide by filing a blank form. Few Government workers can afford much real property. The principal of reporting to "Big Brother" in every phase of your private life to me is very degrading, highly unethical and very questionable as to its effectiveness. If I could and did use my position in some way to make a profit I would be stupid to report it on an agency inquiry form. What makes officials think reporting will do away with graft?

"When the directive came out many man-hours of productive work were lost in discussions and griping. Daily since that date at some time during the day someone brings up the subject. The supervisors filed their reports as "good" examples but even they objected to this inquiry.

"No single thing was ever asked of Government employees that caused such a decline in their morale. We desperately need a "bill of rights" to protect ourselves from any further invasion of our private lives.

"Fifteen years ago I committed myself to Government service because: (a) I felt an obligation to the Government due to my education under the GI bill, (b) I could obtain freedom from pressures of unions, (c) I could obtain freedom from invasion of my private life and (d) I would be given the opportunity to advance based solely on my professional ability and not on personal politics. At this point I certainly regret my decision to make the Government my career.

"Sincerely

"——— ———."

"Dear Senator: I write to beg your support of a 'Bill of Rights' to protect Federal employees from official snooping which was introduced by Senator Ervin of North Carolina.

"I am a veteran of two wars and have orders to a third war as a ready reservist. And I know why I serve in these wars: that is to prevent the forces of tyranny from invading America.

"Now, as a Federal employee I must fill out a questionnaire giving details of my financial status. This is required if I am to continue working. I know that this information can be made available to every official in Washington, including those who want to regulate specific details of my life.

"Now I am no longer a free American. For example, I can no longer buy stock of a foreign company because that country may be in disfavor with officials of the right or left. And I cannot 'own part of America' by buying common stocks until an 'approved list' is published by my superiors.

"I can never borrow money because an agent may decide that debt makes me susceptible to bribery by agents of any enemy power. Nor do I dare own property lest some official may decide I should sell or rent to a person or group not of my choosing.

"In short, I am no longer free to plan my own financial program for the future security of my family. In one day I was robbed of the freedom for which I fought two wars. This is a sickening feeling, you may be sure.

"It seems plain that a deep, moral issue is involved here that concerns every citizen. If this thing is allowed to continue, tomorrow or next year every citizen may come under the Inquisition. The dossier on every citizen will be on file for the use of any person or group having enough overt or covert power to gain access to them.

"Sincerely,

"——— ———."

In August 1966 Federal employees who were retired from the armed services were told to complete and return within 7 days, with their social security numbers, a 15-page questionnaire, asking, among other things:

"How much did you earn in 1965 in wages, salary, commissions, or tips from all jobs?

"How much did you earn in 1965 in profits or fees from working in your own business, professional practice, partnership, or farm?

"How much did you receive in 1965 from social security, pensions (non-military), rent (minus expenses), interests or dividends, unemployment insurance, welfare payments, or from any other source not already entered?

"How much did other members of your family earn in 1965 in wages, salary, commissions or tips? (Before any deductions.) (For this question, a family consists of two or more persons in the same household who are related to each other by blood, marriage, or adoption.) If the exact amount is not known, give your best estimate.

"How much did other members of your family earn in 1965 in profits or fees from working in their own business, professional practices, partnership, or farm?

"How much did any other member of your family receive in 1965 from social security, pensions, rent (minus expenses), interest or dividends, unemployment insurance, welfare payments; or from any other source not already entered?"

RIGHT TO COUNSEL

Section 1(k) of the bill guarantees to Federal workers the opportunity of asking the presence of legal counsel, of a friend or other person when undergoing an official interrogation or investigation that could lead to the loss of their jobs or to disciplinary action.

The merits of this clause are manifold; not least of which is that uniformity and order it will bring to the present crazy quilt practices of the various agencies concerning the right to counsel for employees facing disciplinary investigations or possible loss of security clearances tantamount to loss of employment. The Civil Service Commission regulations are silent on this critical issue. In the absence of any Commission initiative or standard, therefore, the employing agencies are pursuing widely disparate practices. To judge from the questionnaires and other evidence before the subcommittee, a few agencies appear to afford a legitimate right to counsel, probably many more do not, and still others prescribe a "right" on paper but hedge it in such a fashion as to discourage its exercise. Some apparently do not set any regulatory standard, but handle the problem on an ad hoc basis.

On a matter as critical as this, such a pointless diversity of practice is poor policy. So far as job-protection rights are concerned, all Federal employees should be equal.

A second anomaly in the present state of affairs derives from recent developments in the law of the sixth amendment by the Supreme Court. In view of the decisions of *Miranda* v. *Arizona*, 384 U.S. 436 and *Escobedo* v. *Illinois*, 378 U.S. 478, it is clear that any person (including Federal employees) who is suspected of a crime is absolutely entitled to counsel before being subjected to custodial interrogation. Accordingly, some agencies, such as the Internal Revenue Service, acknowledge an unqualified right to counsel for an employee suspected of crime but decline to do the same for coworkers threatened with the loss of their livelihoods for noncriminal reasons. In the subcommittee's view, this discrimination in favor of the criminal suspect is both bad personnel policy as well as bad law. It would be corrected by this section of the bill.

The ultimate justification for the "right-to-counsel" clause, however, is the Constitution itself. There is no longer any serious doubt that Federal employees are entitled to due process of law as an incident of their employment relation. Once, of course, the courts felt otherwise, holding that absent explicit statutory limitation, the power of the executive to deal wih employees was virtually unfettered.

The doctrinal underpinning of this rule was the 19th-century notion that the employment relation is not tangible "property." Both the rule and its underpinning have now been reexamined. The Supreme Court in recent years has emphasized the necessity of providing procedural due process where a man is deprived of his job or livelihood by governmental action.

While the courts have as yet had no occasion to articulate a specific right to counsel in the employment relationship, there can obviously be no doubt that the right to counsel is of such a fundamental character that it is among the essential ingredients of due process. What is at stake for an employee in a discharge proceeding—often including personal humiliation, obloquy and penury—is just as serious as that involved in a criminal trial. This is not to suggest that all the incidents of our civilized standard of a fair trial can or should be imported into Federal discharge proceedings. But if we are to have fair play for Federal employees, the right of counsel is a sine qua non. It is of a piece with the highest traditions, the fairest laws, and the soundest policy that this country has produced. And, in the judgment of this subcommittee, the clear affirmation of this basic right is very long overdue.

The need for such protection was confirmed at the hearings by all representatives of Government employee organizations and unions.

The president of the National Association of Letter Carriers testified:

"It is a practice in the postal inspection service, when an employee is called in for questioning by the inspectors on a strictly postal matter that does not involve a felony, to deny the right of counsel. The inspectors interrogate the employee at length and, at the completion of the interrogation, one of the inspectors writes out a statement and pressures the employee to sign it before he leaves the room. We have frequently asked the postal inspection service to permit these employees to have counsel present at the time of the interrogation. The right for such counsel has been denied in all except a few cases. If the employee is charged with a felony, then, of course, the law takes over and the right for counsel is clearly established but in other investigations and interrogations no counsel is permitted."

Several agencies contest that right to counsel is now granted in formal adverse action proceedings and that appeals procedures make this section unnecessary for informal questioning. Testimony and complaints from employees indicate that this machinery does not effectively secure the opportunity of the employee to defend himself early enough in the investigation to allow a meaningful defense.

The predicament of postal employees as described at the hearings reflects the situation in other agencies as reported in many individual cases sent to the subcommittee. While it is undoubtedly true that in some simple questioning, counsel may not be necessary, in many matters where interrogation will result in disciplinary action, failure to have counsel at the first level reacts against the employee all the way up through the appeal and review. In the case of a postal employee, the subcommittee was told—

"The first level is at the working foreman's level. He is the author of the charges; then the case proceeds to the postmaster, who appointed the foreman and, if the individual is found guilty of the charge at the first level, it is almost inevitable that this position will be supported on the second level. The third level is the regional level, and the policy there is usually that of supporting the local postmaster. A disinterested party is never reached. The fourth level is the Appeals Board, composed of officials appointed by the Postmaster General. In some cases, the region will overrule the postmaster, but certainly the individual does not have what one could style an impartial appeals procedure."

Employees charged with no crime have been subjected to intensive interrogations by Defense Department investigators who ask intimate questions, make sweeping allegations, and threaten dire consequences unless consent is given to polygraph tests. Employees have been ordered to confess orally or to write and sign statements. Such interviews have been conducted after denial of the employee's request for presence of supervisor, counsel, or friend, and in several instances the interrogations have resulted in revocation of a security clearance, or denial of access to classified information by transfer or reassignment with the resulting loss of promotion opportunities.

Witnesses testified that employees have no recourse against the consequences of formal charges based on information and statements acquired during a preliminary investigation. This renders meaningless the distinction urged by the Civil Service Commission between formal and informal proceedings.

EXCEPTIONS

The bill, under section 7, does not apply to the Federal Bureau of Investigation. Furthermore, section 6 provides that nothing in the act will prohibit an official of the Central Intelligence Agency and the National Security Agency from requesting any employee or applicant to take a polygraph test or a psychological test, or to provide a personal financial statement, designed to elicit the personal information protected under subsections 1(e), (f), (i), and (j). In such cases, the Director of the Agency must make a personal finding with regard to each individual to be tested or examined that such test or information is required to protect the national security.

ENFORCEMENT

Enforcement of the rights guaranteed in sections 1 and 2 of the bill is lodged in the administrative and civil remedies and sanctions of sections 3, 4, and 5. Crucial to enforcement of the act is the creation of an independent Board on Employee Rights to determine the need for disciplinary action against civilian and military offenders under the act and to provide relief from violations.

Testimony at the hearings as well as investigation of complaints have demonstrated that in the area of employee rights, a right is only as secure as its enforcement. There is overwhelming evidence that employees have heretofore frequently lacked appropriate remedies either in the courts or the Civil Service Commission for pursuing rights which belong to them as citizens.

Under the remedies afforded by sections 3, 4, and 5 of the bill, an employee who believes his rights are violated under the act has several courses of action:

(1) He may pursue a remedy through the agency procedures established to enforce the act, but the fact that he does not choose to avail himself of these does not preclude exercise of his right to seek other remedies.

(2) He may register his complaint with the Board on Employee Rights and obtain a hearing. If he loses there, he may appeal to the district court, which has the power to examine the record as a whole and to affirm, modify, or set aside any determination or order, or to require the Board to take any action it was authorized to take under the act.

(3) He may, instead of going directly to the Board, institute a civil action in Federal district court to prevent the threatened violation, or obtain complete redress against the consequences of the violation.

He does not need to exhaust any administrative remedies but if he elects to pursue his civil remedies in the court under section 4, he may not seek redress through the Board. Similarly, if he initiates action before the Board under section 5, he may not also seek relief from the court under section 4.

The bill does not affect any authority, right or privilege accorded under Executive Order 10988, governing employee-management cooperation in the Federal Service. To the extent that there is any overlapping of subject matter, the bill simply provides an additional remedy.

THE BOARD ON EMPLOYEE RIGHTS

As a result of hearings on S. 3779, the section creating a Board on Employee Rights was added to the bill for introduction as S. 1035.

Employees have complained that administrative grievance procedures have often proved ineffective because they are cumbersome, time-consuming, and weighted on the side of management. Not only do those who break the rules go unpunished many times, but the fearful tenor of letters and telephone calls from throughout the country indicate that employees fear reprisals for noncompliance with improper requests or for filing of complaints and grievances. Oral and written directives of warning to this effect have been verified by the subcommittee. Section 1(e) of the bill, therefore, prevents reprisals for exercise of rights granted under the act and in such event accords the individual cause for complaint before the Board or the court.

Concerning the original bill in the 89th Congress, which did not provide for a board, representatives of the 14th department of the American Federation of Government Employees commented that the remedies are the most important aspects of such a bill because "unless due process procedures are explicitly provided, the remaining provisions of the bill may be easily ignored or circumvented by Federal personnel management. As a matter of fact, we believe, the reason employees' rights have been eroded so rapidly and so devastatingly in the last few years is the absence of efficient, expeditious, uniform, and legislatively well defined procedures of due process in the executive departments of the Federal Government."

An independent and nonpartisan Board is assured by congressional participation in its selection and by the fact that no member is to be a government employee. Provision is made for congressional monitoring through detailed reports.

Senator Ervin explained the function of the Board established by section 5 as follows:

"The bill sets up a new independent Federal agency with authority to receive complaints and make rulings on complaints—complaints of individual employees or unions representing employees. This independent agency, which would not be subject in any way to the executive branch of the Government, would be authorized to make rulings on these matters in the first instance. It would make a ruling on action in a particular agency or department that is an alleged violation of the provisions of the bill, with authority either on the part of the agency or the part of the individual or on the part of the union to take an appeal from the ruling of this independent agency to the Federal court for judicial review."

Throughout its study the subcommittee found that a major area of concern is the tendency in the review process in the courts or agencies to do no more than examine the lawfulness of the action or decision about which the employee has complained. For purposes of enforcing the act, sections 3, 4, and 5 assure adequate machinery for processing complaints and for prompt and impartial determination of the fairness and constitutionality of general policies and practices initiated at the highest agency levels or by the Civil Service Commission or by Executive order.

Finding no effective recourse against administrative actions and policies which they believed unfair or in violation of their rghts, ndivdual employees and ther families turned to Congress for redress. Opening the hearings on invasions of privacy, Senator Ervin stated:

"Never in the history of the Subcommittee on Constitutional Rights have we been so overwhelmed with personal complaints, phone calls, letters, telegrams, and office visits. In all of our investigations, I have never seen anything to equal the outrage and indignation from Government employees, their families, and their friends. It is obvious that appropriate remedies are not to be found in the executive branch.

"The complaints of privacy invasions have multiplied so rapidly of late that it is beyond the resources of Congress and its staff to repel effectively each individual official encroachment. Each new program brings a new wave of protest."

Prof. Alan Westin, director of the Science and Law Committee of the Bar Association of the City of New York, testified that these complaints "have been triggered by the fact that we do not yet have the kind of executive branch mechanism by which employees can lodge their sense of discomfort with personnel practices in the Federal Government and feel that they will get a fair hearing, that they will secure what could be called 'employment due process.' "

To meet this problem, Professor Westin proposed an independent board subject to judicial review, and with enforcement power over a broad statutory standard governing all invasion of privacy. Although it is continuing to study this proposal, the subcommittee has temporarily rejected this approach in the interest of achieving immediate enforcement of the act and providing administrative remedies for its violation. For this reason it supports the creation of a limited Board of Employee Rights.

Perhaps one of the most important sections of the bill, if not the most important section, according to the United Federation of Postal Clerks, is the provision establishing the Board. The subcommittee was told—

"It would appear absolutely essential that any final legislation enacted into law must necessarily include such a provision. We can offer no suggestions for improvement of this section. As presently constituted the section is easily understood; and the most excellent and inclusive definition of the proposed 'Board on Employees' Rights' which could possibly be enacted into law. It defines the right of employees to challenge violations of the proposed act; defines the procedures involved, as well as the authority of the Board, penalties for violation of the act, as well as establishing the right of judicial review for an aggrieved party, and finally provides for congressional review, and in effect, an annual audit by the Congress of all complaints, decisions, orders, and other related information resulting from activities and operations of the proposed act."

Sanctions

The need for sanctions against offending officials has been evident throughout the subcommittee's investigation of flagrant disregard of basic rights and unpunished flaunting of administrative guidelines and prohibitions. It was for this reason that S. 3779 of the 89th Congress and S. 1035, as introduced, contained criminal penalties for offenders and afforded broad civil remedies and penalties.

Reporting on the experiences of the American Civil Liberties Union in such employee cases, Lawrence Speiser testified:

"In filing complaints with agencies, including the Civil Service Commission, the Army and the Navy, as I have during the period of time I have worked here in Washington, I have never been informed of any disciplinary action taken against any investigator for asking improper questions, for engaging in improper investigative techniques, for barring counsel when a person had a right to have counsel, or for a violation of any number of things that you have in this bill. Maybe some was taken, but I certainly couldn't get that information out of the agencies, after making the complaints. I would suggest that the bill also encompass provision for disciplinary action that would be taken against Federal employees who violate any of these rights that you have set out in the bill."

Other witnesses also pointed to the need for the disciplinary measures afforded by the powers of an independent Board to determine the need for corrective action and punishment, and felt they would be more effective than criminal penalties.

In view of the difficulty of filing criminal charges and obtaining prosecution and conviction of executive branch officials which might render the criminal enforcement provision meaningless for employees, a subcommittee amendment has deleted the criminal penalties in section 4 from the bill as reported.

Although the Civil Service Commission and the executive agencies have advocated placing such administrative remedies within the civil service grievance and appeals system, the subcommittee believes that the key to effective enforcement of the unique rights recognized by this act lies in the employee's recourse to an independent body.

"The theory of our Government," Professor Westin testified, "is that there should be somewhere within the executive branch where this kind of malpractice is corrected and that good administration ought to provide for control of supervision or other practices that are not proper. But the sheer size of the Federal Establishment, the ambiguity of the relationship of the Civil Service Commission to employees, and the many different interests that the Civil Service Commission has to bear in its role in the Federal Government, suggest that it is not an effective instrument for this kind of complaint procedure."

SECTION-BY-SECTION ANALYSIS

SECTION 1

Section 1(a) makes it unlawful for a Federal official of any department or agency to require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency or any person seeking employment to disclose his race, religion, or national origin, or the race, religion, or national origin of any of his forebears.

This section does not prohibit inquiry concerning citizenship of such individual if his citizenship is a statutory condition of his obtaining or retaining his employment. Nor does it preclude inquiry of the individual concerning national origin when such inquiry is thought necessary or advisable in order to determine suitability for assignment to activities or undertakings related to national security within the United States or to activities or undertakings of any nature outside the United States.

This provision is directed at any practice which places the employee or applicant under compulsion to reveal such information as a condition of the employment relation. It is intended to implement the concept underlying the Federal merit system by which a person's race, religion, or national origin have no bearing on his right to be considered for Federal employment or on his right to retain a Federal position. This prohibition does not limit the existing authority of the executive branch to acquire such information by means other than self-disclosure.

Section 1(b)

Section 1(b) makes it unlawful for any officer of any executive department or executive agency of the U.S. Government, or for any person acting or purporting to act under this authority, to state, intimate, or to attempt to state or intimate, to any civilian employee of the United States serving in the department or agency that any notice will be taken of his attendance or lack of attendance at any assemblage, discussion, or lecture held or called by any officer of the executive branch of the U.S. Government, or by any person acting or purporting to act under his authority, or by any outside parties or organizations to advise, instruct, or indoctrinate any civilian employee of the United States serving in the department or agency in respect to any matter or subject other than (1) the performance of official duties to which he is or may be assigned in the department or agency, or (2) the development of skills, knowledge, or abilities which qualify him for the performance of such duties.

Nothing contained in this section is to be construed to prohibit taking notice of the participation of a civilian employee in the activities of any professional group or association.

This provision is designed to protect any employee from compulsion to attend meetings, discussions, and lectures on political, social, and economic subjects unrelated to his duties. It prevents Government officials from using the employment relationship to attempt to influence employee thoughts, attitudes, and actions on subjects which may be of concern to them as private citizens. In particular, this language is directed at practices and policies which in effect require attendance at such functions, including official lists of those attending or not attending; its purpose is to prohibit threats, direct or implied, written or oral, of official retaliation for nonattendance.

This section does not affect existing authority for providing information designed to promote the health and safety of employees. Nor does it affect existing authority to call meetings for the purpose of publicizing and giving notice of activities or service, sponsored by the department or agency, or campaigns such as charitable fund campaigns and savings bond drives.

Section 1(c)

Section 1(c) makes it unlawful for any officer of any executive department or agency, or for any person acting or purporting to act under his authority, to require or request or to attempt to require or request any civilian employee serving in the department or agency to participate in any way in any activities or undertakings unless they are related to the performance of official duties to which he is or may be assigned in the department or agency or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties.

This section is directed against official practices, requests, or orders that an employee take part in any civic function, political program, or community endeavor, or other activity which he might enjoy as a private citizen, but which is unrelated to his employment. It does not affect any existing authority to use appropriate techniques for publicizing existence of community programs such as blood-donation drives, or agency programs, benefits or services, and for affording opportunity for employee participation if he desires.

Section 1(d)

Section 1(d) makes it unlawful for any officer of any executive department or agency, or for any person acting under his authority to require or request or attempt to require or request, any civilian employee serving in the department or agency to make any report of his activities or undertakings unless they are related to the performance of official duties or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties, or (2) unless there is reason to believe that the employee is engaged in outside activities or employment in conflict with his official duties.

This section is a minimum guarantee of the freedom of an employee to participate or not to participate in any endeavor or activity in his private life as a citizen, free of compulsion to report to supervisors his action or his inaction, his involvement or his noninvolvement. This section is to assure that in his private thoughts, actions, and activities he is free of intimidation or inhibition as a result of the employment relation.

The exceptions to the prohibition are not legislative mandates to require such information in those circumstances, but merely provide an area of executive discretion for reasonable management purposes and for observance and enforcement of existing laws governing employee conduct and conflicts of interest.

Section 1(e)

Section 1(e) makes it unlawful for any officer of any executive department or agency, or any person acting under his authority, to require or request any civilian employee serving in the department or agency, or any person applying for employment as a civilian employee to submit to any interrogation or examination or to take any psychological test designed to elicit from him any information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

In accordance with an amendment made after hearings on S. 3779, a proviso is included to assure that nothing contained in this section shall be construed to prevent a physician from eliciting such information or authorizing such test in the diagnosis or treatment of any civilian employee or applicant where he feels the information is necessary to enable him to determine whether or not the individual is suffering from mental illness. The bill as introduced limited this inquiry to psychiatrists, but an amendment extended it to physicians, since the subcommittee was told that when no psychiatrist is available, it may be necessary for a general physician to obtain this information in determining the presence of mental illness and the need for further treatment.

This medical determination is to be made in individual cases and not pursuant to general practice or regulation governing the examination of employees or applicants according to grade, agency, or duties.

Under an amendment to the bill, this language is not to be construed to prohibit an official from advising an employee or applicant of a specific charge of sexual misconduct made against that person and affording him an opportunity to refute the charge. While providing no authority to request or demand such information, the section does not prevent an official who has received charges of misconduct which might have a detrimental effect on the person's employment, from obtaining a clarification of the matter if the employee wishes to provide it.

This section would not prohibit all personality tests but merely those questions on the tests which inquire into the three areas in which citizens have a right to keep their thoughts to themselves.

It raises the criterion for requiring such personal information from the general "fitness for duty" test to the need for diagnosing or treating mental illness. The second proviso is designed to prohibit mass-testing programs. The language of this section provides guideliness for the various personnel and medical specialists whose practices and determinations may invade employee personal privacy and thereby affect the individual's employment prospects or opportunities for advancement.

A committee amendment in section 6 provided an exception to this prohibition in the case of the use of such psychological tests by the Central Intelligence Agency and the National Security Agency, only if the Director makes a personal finding that the information is necessary to protect the national security.

Section 1(f)

Section 1(f) makes it unlawful for any officer of any executive department or agency or any person acting under his authority, to require or request or attempt to require or request any civilian employee or any applicant for employment to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices or concerning his attitude or conduct with respect to sexual matters. While this section does not eliminate entirely the use of so-called lie detectors in Government, it assures that where such devices are used, officials may not inquire into matters which are of a personal nature.

As with psychological testing, the Central Intelligence Agency and the National Security Agency, under section 6, are not prohibited from acquiring such information by polygraph, provided certain conditions are met.

Section 1(g)

Section 1(g) makes it illegal for an official to require or request an employee under his management to support the nomination or election of anyone to public office through personal endeavor, financial contribution, or any other thing of value. An employee may not be required or requested to attend any meeting held to promote or support the activities or undertakings of any political party in the United States.

The purpose of this section is to assure that the employee is free from any job-related pressures to conform his thoughts and attitudes and actions in political matters unrelated to his job to those of his supervisors. With respect to his superiors, it protects him in the privacy of his contribution or lack of contribution to the civic affairs and political life of his community, State and Nation. In particular, it protects him from commands or requests of his employer to buy tickets to fundraising functions, or to attend such functions, to compile position papers or research material for political purposes, or make any other contribution which constitutes a political act or which places him in the position of publicly expressing his support or nonsupport of a party or candidate. This section also assures that, although there is no evidence of such activities at present, no Federal agency may in the future improperly involve itself in the undertakings of any political party in the United States, its territories, or possessions.

Section 1(h)

Section 1(h) makes it illegal for an official to coerce or attempt to coerce any civilian employee in the department or agency to invest his earnings in bonds or other government obligations or securities, or to make donations to any institution or cause. This section does not prohibit officials from calling meetings or taking any other appropriate action to afford employees the opportunity voluntarily to invest his earnings in bonds or other obligations or voluntarily to make donations to any institution or cause. Appropriate action, in the committee's view, might include publicity and other forms of persuasion short of job-related pressures, threats, intimidation, reprisals of various types, and "blacklists" circulated through the employee's office or agency to publicize his noncompliance.

Section 1(i)

Section 1(i) makes it illegal for an official to require or request any civilian employee in the department or agency to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family. Exempted from coverage under this provision is any civilian employee who has authority to make any final determination with respect to the tax or other liability to the United States of any person, corporation, or other legal entity, or with respect to claims which require expenditure of Federal moneys. Section 6 provides certain exemptions for two security agencies.

Neither the Department of the Treasury nor any other executive department or agency is prohibited under this section from requiring any civilian employee to make such reports as may be necessary or appropriate for the determination of his liability for taxes, tariffs, custom duties, or other obligations imposed by law. This proviso is to assure that Federal employees may be subject to any reporting or disclosure requirements demanded by any law applicable to all persons in certain circumstances.

Section 1(j)

Section 1(j) makes it illegal to require or request any civilian employee exempted from application of section 3(i) under the first proviso of that section, to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditure or those of any member of his family or household other than specific items tending to indicate a conflict of interest in respect to the performance of any of the official duties to which he is or may be assigned.

This section is designed to abolish and prohibit broad general inquiries which employees have likened to "fishing expeditions" and to confine any disclosure requirements imposed on an employee to reasonable inquiries about job-related financial interests. This does not preclude, therefore, questioning in individual cases where there is reason to believe the employee has a conflict of interest with his official duties.

Section 1(k)

Section 1(k) makes it unlawful for a Federal official of any department or agency to require or request, or attempt to require or request, a civilian employee who is under investigation for misconduct, to submit to interrogation which could lead to disciplinary action without the presence of counsel or other person of his choice, if he wishes.

This section is intended to rectify a longstanding denial of due process by which agency investigators and other officials prohibit or discourage presence of counsel or a friend. This provision is directed at any interrogation which could lead to loss of job, pay, security clearance, or denial of promotion rights.

This right inures to the employee at the inception of the investigation, and the section does not require that the employee be accused formally of any wrongdoing before he may request presence of counsel or friend. The section does not require the agency or department to furnish counsel.

Section 1(l)

Section 1(l) makes it unlawful for a Federal official of any department or agency to discharge, discipline, demote, deny promotion, relocate, reassign, or otherwise impair existing terms or conditions of employment of any employee, or threaten to commit any such acts, because the employee has refused or failed to comply with any action made unlawful by this act or exercised any right granted by the act.

This section prohibits discrimination against any employee because he refuses to comply with an illegal order as defined by this act or takes advantage of a legal right embodied in the act.

SECTION 2

Section 2(a) makes it unlawful for any officer of the U.S. Civil Service Commission or any person acting or purporting to act under his authority to require or request, or attempt to require or request, any executive department or any executive agency of the U.S. Government, or any officer or employee serving in such department or agency, to violate any of the provisions of section 1 of this act.

Specifically, this section is intended to ensure that the Civil Service Commission, acting as the coordinating policymaking body in the area of Federal civilian employment shall be subject to the same strictures as the individual departments or agencies.

Section 2(b) makes it unlawful for any officer of the U.S. Civil Service Commission, or any person acting or purporting to act under his authority, to require or request, or attempt to require or request, any person seeking to establish civil service status or eligibility for civilian employment, or any person applying for employment, or any civilian employee of the United States serving in any department or agency, to submit to any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

This section is intended to assure that the Civil Service Commission shall be subject to the same prohibitions to which departments and agencies are subject in sections 1 (e) and (f). The provisos contained in section 1(e) are restated here to assure that nothing in this section is to be construed to prohibit a physician from acquiring such data to determine mental illness, or an official from informing an individual of a specific charge of sexual misconduct and affording him an opportunity to refute the charge.

Section 2(c) makes it unlawful for any officer of the U.S. Civil Service Commission to require or request any person seeking to establish civil service status or eligibility for employment, or any person applying for employment in the executive branch of the U.S. Government, or any civilian employee serving in any department or agency to take any polygraph test designed to elicit from him information concerning his personal relationships with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

This section applies the provisions of section 1(f) to the Civil Service Commission in instances where it has authority over agency personnel practices or in cases in which its officials request information from the applicant or employee.

SECTION 3

This section applies the act to military supervisors by making violations of the act also violations of the Uniform Code of Military Justice.

SECTION 4

Section 4 provides civil remedies for violation of the act by granting an applicant or employee the right to bring a civil action in the Federal district court for a court order to halt the violation, or to obtain complete redress against the consequences of the violation. The action may be brought in his own behalf or in behalf of himself and others similarly situated, and the action may be filed against the offending officer or person in the Federal district court for the district in which the violation occurs or is threatened, or in the district in which the offending officer or person is found, or in the District Court for the District of Columbia.

The court hearing the case shall have jurisdiction to adjudicate the civil action without regard to the actuality or amount of pecuniary injury done or threatened. Moreover, the suit may be maintained without regard to whether or not the aggrieved party has exhausted available administrative remedies. If the individual complainant has pursued his relief through administrative remedies established for enforcement of the act and has obtained complete protection against threatened violations or complete redress for violations, this relief may be pleaded in bar of the suit. The court is empowered to provide whatever broad equitable and legal relief it may deem necessary to afford full protection to the aggrieved party; such relief may include restraining orders, interlocutory injunctions, permanent injunctions, mandatory injunctions, or such other judgments or decrees as may be necessary under the circumstances.

Another provision of section 4 would permit an aggrieved person to give written consent to any employee organization to bring a civil action on his behalf, or to intervene in such action. "Employee organizations" as used in this section includes any brotherhood, council, federation, organization, union, or professional association made up in whole or in part of Federal civilian employees, and which deals with departments, agencies, commissions, and independent agencies regarding employee matters.

A committee amendment provides that the Attorney General shall defend officers or persons who acted pursuant to an order, regulation, or directive, or who, in his opinion, did not willfully violate the provisions of the act.

SECTION 5

Section 5 establishes an independent Board on Employees' Rights, to provide employees with an alternative means of obtaining administrative relief from violations of the act, short of recourse to the judicial system.

Section 5(a) provides for a Board composed of three members, appointed by the President with the consent of the Senate. No member shall be an employee of the U.S. Government and no more than two members may be of the same political party. The President shall designate one member as Chairman.

Section 5(b) defines the term of office for members of the Board, providing that one member of the initial Board shall serve for 5 years, one for 3 years, and one for 1 year from the date of enactment; any member appointed to fill a vacancy in one of these terms shall be appointed for the remainder of the term. Thereafter, each member shall be appointed for 5 years.

Section 5(c) establishes the compensation for Board members at $75 for each day spent working in the work of the Board, plus actual travel expenses and per diem in lieu of subsistence expenses when away from their usual places of residence.

Section 5(d) provides that two members of the Board shall constitute a quorum for the transaction of business.

Section 5(e) provides that the Board may appoint and fix the compensation of necessary employees, and make such expenditures necessary to carry out the functions of the Board.

Section 5(f) authorizes the Board to make necessary rules and regulations to carry out its functions.

Section 5(g) provides that the Board shall have the authority and duty to receive and investigate written complaints from or on behalf of any person claiming to be affected or aggrieved by any violation or threatened violation of this act, and to conduct a hearing on each such complaint. Moreover, within 10 days after the receipt of such a complaint, the Board must furnish notice of time, place, and nature of the hearing to all interested parties, and within 30 days after concluding the hearing, it must render its final decision regarding any complaint.

Section 5(h) provides that officers or representatives of any employee organization in any degree concerned with employment of the category in which the violation or threat occurs, shall be given an opportunity to participate in the hearing through submission of written data, views, or arguments. In the discretion of the Board they are to be afforded an opportunity for oral presentation. This section further provides that Government employees called upon by any party or by any Federal employee organization to participate in any phase of any administrative or judicial proceeding under this section shall be free to do so without incurring travel cost or loss in leave or pay. They shall be free from restraint, coercion, interference, intimidation, or reprisal in or because of their participation. Any periods of time spent by Government employees during such proceedings shall be held to be Federal employment for all purposes.

Section 5(i) applies to the Board hearings the provisions of the Administrative Procedure Act relating to notice and conduct of hearings insofar as consistent with the purpose of this section.

Section 5(j) requires the Board, if it determines after a hearing that this act has not been violated, to state such determination and notify all interested parties of the findings. This determination shall constitute a final decision of the Board for purposes of judicial review.

Section 5(k) specifies the action to be taken by the Board if, after a hearing, it determines that any violation of this act has been committed or threatened. In such case, the Board shall immediately issue any cause to be served on the offending officer or employee an order requiring him to cease and desist from the unlawful practice or act. The Board is to endeavor to eliminate the unlawful act or practice by informal methods of conference, conciliation, and persuasion.

Within its discretion, the Board may, in the case of a first offense, issue an official reprimand against the offending officer or employee, or order the employee suspended from his position without pay for a period not exceeding 15 days. In the case of a second or subsequent offense, the Board may order the offending officer or employee suspended without pay for a period not exceeding 30 days, or may order his removal from office.

Officers appointed by the President, by and with the advice and consent of the Senate, are specifically excluded from the application of these disciplinary measures; but the section provides that, in the case of a violation of this act by such individuals, the Board may transmit a report concerning such violation to the President and the Congress.

Section 5(l) provides for Board action when any officer of the Armed Forces of the United States or any person acting under his authority violates the act. In such event, the Board shall (1) submit a report to the President, the Congress, and to the Secretary of the military department concerned, (2) endeavor to eliminate any unlawful act or practice through informal methods of conference, conciliation, and persuasion, and (3) refer its determination and the record in the case to any person authorized to convene general courts-martial under section 822 (article 22) of title 10, United States Code. When this determination and report is received, the person designated shall immediately dispose of the matter under the provisions of chapter 47 of title 10 of the United States Code.

Section 5(m) provides that when any party disagrees with an order or final determination of the Board, he may institute a civil action for judicial review in the Federal district court for the district wherein the violation or threatened violation occurred, or in the District Court for the District of Columbia.

The court has jurisdiction to (1) affirm, modify, or set aside any determination or order made by the Board, or (2) require the Board to make any determination or order which it is authorized to make under section 5(k) but which it has refused to make. In considering the record as a whole, the court is to set aside any finding, conclusion, determination, or order of the Board unsupported by substantial evidence.

The type of review envisioned here is similar to that obtained under the Administrative Procedure Act in such cases but this section affords a somewhat enlarged scope for consideration of his case than is now generally accorded on appeal of employee cases. The court here has more discretion for action on its own initiative. To the extent that they are consistent with this section, the provisions for judicial review in title 5 of the United States Code would apply.

Section 5(n) provides for congressional review by directing the Board to submit to the Senate and to the House of Representatives an annual report which must include a statement concerning the nature of all complaints filed with it, the determinations and orders resulting from hearings, and the names of all officers or employees against whom any penalties have been imposed under this section.

Section 5(o) provides an appropriation of $100,000 for the Board on Employee Rights.

SECTION 6

Section 6 is a committee amendment which provides that nothing in the act shall be construed to prohibit an officer of the Central Intelligence Agency or of the National Security Agency, under specific conditions, from requesting an applicant or employee to submit a personal financial statement of the type defined in subsections 1 (i) and (j) or to take any polygraph or psychological test designed to elicit the personal information protected under subsection 1(e) or 1(f).

In these Agencies, such information may be required from the employee or applicant by such methods only if the Director of the Agency makes a personal finding with regard to each individual that such test or information is required to protect the national security.

SECTION 7

Section 7 provides that the Federal Bureau of Investigation shall be excluded from the provisions of this act.

SECTION 8

Section 8 is a subcommittee amendment. It provides that nothing contained in sections 4 or 5 shall be construed to prevent the establishment of department and agency grievance procedures to enforce this act. The section makes it clear, however, that the existence of such procedures are not to preclude any applicant or employee from pursuing any other available remedies. However, if under the procedures established by an agency, the complainant has obtained complete protection against threatened violations, or complete redress for violations, such relief may be pleaded in bar in the U.S. district court or in proceedings before the Board on Employee Rights.

Furthermore, an employee may not seek his remedy through both the Board and the court. If he elects to pursue his remedies through the Board under section 5, for instance, he waives his right under section 4 to take his case directly to the district court.

SECTION 9

Section 9 is a statement of the standard severability clause. In the event that any provision in this act is held invalid, the remaining parts of the act are not to be affected by its invalidity.

Mr. ERVIN. Mr. President, I ask unanimous consent that various articles and editorials reporting the purposes of the bill be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. ERVIN. Mr. President, I ask unanimous consent that the committee amendments to the bill be agreed to en bloc, and that the bill, as amended, be considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXHIBIT 1

EXCERPT FROM TESTIMONY OF PROF. ALAN WESTIN BEFORE CONSTITUTIONAL RIGHTS SUBCOMMITTEE HEARINGS ON S. 3779

There is a wealth of evidence, including hearings and reports of this subcommittee, that show the seriousness of the problem of Federal practices in the areas that are being examined in these hearings. First of all, personnel selection and periodic employee checking by means such as polygraphs and personality testings have been used by a wide variety of Federal agencies, and are still used today, often in situations where there is no real need to resort to such techniques of psychological surveillance and when other methods that intrude far less into personal privacy are available to serve the legitimate needs of Federal agencies.

If I can give one example of this—in the general field of personality testing the main argument that is made for the need to use personality testing, either to select among employees or to screen employees for promotion purposes, is that other techniques of assessing them are not as profound or not as penetrating as the personality tests. This is a premise which has never been proved in the psychological literature. More than that, there are other techniques such as the careful interview, record analysis of a person's performance in jobs in the past, aptitude tests that will allow you to form a judgment on the individual's capacity to perform the kind of job that he is being considered for, and simulated exercises which will present the kinds of problems an individual will be called on to deal with on the job. This is illustrated by the in-basket executive technique, which gives a person a set of descriptions of a company, and calls on him to write certain memos and react to certain problems.

Another kind of important test which gets at things important in making personnel decisions, but does not invade privacy improperly are tests to gage whether a prospective employee understands the role that he is going to play in the organization. This calls for individuals to be able to describe what kind of qualities are desirable in a salesman for Sears, Roebuck or a person going to be a farm agent for the Department of Agriculture. To be able to describe these in a way of insuring that the candidate comprehends the social role he is being called on to play, but does not try to find out whether he really is such a person deep down in his private self.

This is not an invasion of privacy because it does not use questions about sex, religion, ideology, and personal life to try to get an individual to reveal what he really is inside, but rather you ask him to project himself into the role that he is being considered for in an agency, and thus you are able to ask a person: "Do you understand what is expected of you? Can you play the game that is expected of you as a corporate executive or as an employee of the Government?"

While some might argue that this still calls on him to say things that are an indication of his capacity to be like all others in the organization, it is not an invasion of privacy. * * *

It is often said that an interview is often more of an invasion of privacy than the administration of personality tests. This is not an effective argument because there is a saving human quality in the oral interview. People cannot be as aggressive or as deceptive in interviews as on the personality tests because American society has built up a set of social conventions about what is fair interviewing. Thus you cannot ask a person face to face many of the questions that are written down in personality tests for the individual to fill in or answer.

Also, if you ask someone a question directly, he knows about it, it becomes common knowledge in that agency, its use is reported to hearings such as this subcommittee is conducting or to the press. The questions are there for the public to judge and to assess. If an employer asks a candidate directly, "Do you believe in the second coming of Christ?" this would probably be regarded by the agency itself as an improper question for an interview, and society would decide very quickly that this is not the kind of question it wants in an oral interview for the selection of someone for the Peace Corps. But, because it is wrapped in the mantle of science, and there is supposed to be some kind of unproved scientific verification of this question being relevant in some way to the person's emotional stability, we have crept into the practice of allowing that question to be asked indirectly, through a personality test, in a way that we would never tolerate that question being asked directly in an interview with that person when he applied for selection or evaluation within an agency.

I use these as examples of the fact that we have allowed ourselves to let polygraphing and personality testing expand the scope of questioning in a way that our law and our governmental practice has rejected for direct oral questioning or written interrogation of individuals.

This is one of the key problems of science and privacy—that things are being done in the name of science which we would not allow to be done directly. It is at this point that scientists who support these techniques must justify their case, and do so in a way that persons who defend the personality test have never been able to justify in any public hearing—before the Congress or in their own literature nor has this been done in terms of the ethical issue of the role a psychologist is supposed to play in his relationship to the individual who trusts him and reveals himself for purposes of other kinds of occasions, such as helping an individual who is mentally disturbed or who seeks counseling for vocational choice. Trading on this kind of reputation for confidence the psychologist has allowed himself to become an agent of extraction for institutional employers—corporations and government.

I would suggest that, despite some ongoing work by special committees that have been set up by the executive branch, the Federal executive branch has not established clear and sensitive rules governing the occasions on which techniques such as polygraphs and personality testing might be used, and surely has not yet established careful procedures for conducting such interrogations in any of the limited areas in which it might be justified.

EXHIBIT 2

[From the Columbus (Ohio) Sunday Dispatch, July 30, 1967]

ERVIN BILL SEEKS TO CURTAIL NOSY ACTIONS OF BIG BROTHER

(By Richard Wilson)

Big Brother has been putting in overtime watching his good and faithful servants and reporting to the computers when and how long they go to the rest room, how many are pregnant, how they like their sex, and how many savings bonds they buy.

Five large filing cabinets in the offices of the Constitutional Rights subcommittee of the Senate Judiciary Committee are bulging with the complaints of the good and faithful servants who resent, not to say detest, Big Brother's nosiness.

Anyone who wishes to understand what intrusion of privacy really means can find out by getting a government job.

The range of the intrusion runs to psychiatric interviews, psychological testing, probing interrogations about religious, family, and sexual matters, coercion to buy bonds and support political parties, filling out race and national origin forms, disclosure of personal finances and creditors, pressure to take part in community activities having nothing to do with an employe's job, and the imposition of general behavior patterns conforming to those approved by a supervisor.

A majority of the United States Senate, 55 members, has joined in sponsoring legislation proposed by Sen. Sam J. Ervin, D-N.C., giving federal employes and their families, some 10 million people, a little more privacy.

But Senator Ervin's bill means more than that. It means that the federal government will set an example for many millions more of state and local employes, and for the still many more millions in the computerized world of private employment.

What is most astonishing about Senator Ervin's bill is that it must be stated in statutory form that executives of the government shall not order the federal employe to patronize any business establishment, shall not make him reveal "his attitude or conduct with respect to sexual matters," shall not make him take a lie detector test, shall not require him to buy savings bonds, shall not make him disclose his personal and domestic expenditures, shall not make him buy tickets to testimonial dinners, and so on.

And Senator Ervin's subcommittee could agree to a bill on employe rights only after eliminating criminal penalties for officials violating the act. The bill originally provided for a fine of $300 or 30 days in jail.

This indicated that a majority of the committee members had something less than strong convictions about the workability of the bill.

An independent board on employes rights would be set up and an employe could also make his complaint to a local federal judge.

As weak as these provisions are, they are at least a beginning in the war against the computerization of mankind.

A dozen million white collar workers ought to be grateful for this small beginning and write their congressmen about intrusions of privacy in private as well as public employment.

Either that, or be prepared for the day when all their behavior patterns and beliefs, private as well as public, have to be approved in advance by self-automated supervisors and bosses activated by the holes in IBM cards.

[From the Winston-Salem (N.C.) Twin City Sentinel, July 3, 1967]

Ervin and the Snoopers

Before Sen. Sam Ervin Jr. came along, some federal agency chiefs evidently derived a great deal of pleasure—for what such pleasure was worth—snooping into the private lives of government employes.

The Library of Congress, for example, demanded from workers a complete description of their sexual habits. The U.S. Air Force, which was often portrayed by actor James Stewart as a swinging, liberal outfit, prohibited employes from visiting the personnel office without first explaining to their superiors why they wanted to visit the personnel office. The Federal Aviation Agency had a rule which threatened reprisals against employes who wrote letters of complaint to congressmen. The Defense Department twisted a few arms when it came to promoting saving bonds sales among military personnel—and the Civil Service Commission frowned on employes who were not part of a "Be a Booster" group.

These invasions of personal privilege and privacy have now gone by the board, not because the agencies no longer relish snooping but because Sen. Ervin is threatening them with his "Bill of Rights" for government workers. More than 50 senators have signed this bill and chances are that it will be passed in the 90th Congress. And just the threat of such legislation has been enough to scare federal officials into abolishing some of the more absurd regulations.

Sen. Ervin means many things to many people. But his efforts to free federal employes from bureaucratic pressures shows that his fight for individual choice is not strictly limited to restaurant owners engaged in interstate commerce. When Sen. Ervin says that the individual citizen must be absolutely protected from conformist government pressures, he isn't just whistling Dixie—and this connotes an honesty often lacking among those southern congressmen who, unlike Ervin, refuse to apply their "freedom of choice" doctrine to nonsoutherners.

[From the Washington (D.C.) Evening Star, June 20, 1967]

Quiet Victory for Senator Ervin

The Civil Service Commission has moved to reduce the number of federal employes required to file statements on their personal finances. The announcement indicates this will affect a substantial segment of government workers, and it strikes us as a wise if overdue move by the Commission.

Until now employes in lower grades, with little or no influence in making policy, had been obliged to submit detailed information about their financial interests and those of their immediate families. The regulation was a blunderbuss, aimed at hundreds of thousands of persons who were not in a position to conduct conflict-of-interest shenanigans, even if they had the desire.

The development demonstrates that proposed legislation doesn't necessarily have to be signed into law to achieve results. Senator Ervin of North Carolina has been pressing for financial disclosure changes and included them in his "bill of rights" for federal employes introduced last year.

So far the Senate Constitutional Rights Subcommittee hasn't acted on the Ervin bill, but the CSC apparently has made this and other changes in response to reforms proposed in his legislation. The Commission has stopped federal agencies from requiring employes to state their race, for example. It also has taken action to bar unwarranted invasions of privacy, such as medical questionnaires which ask intimate sex questions.

The Ervin bill faces a long and difficult road before it can reach the President's desk. Even there the possibility of a veto exists because of objections to the harsh penalties provided for administrators who violate employes' rights.

But if the effects of the bill on the Commission continue at the present rate, it won't be many months before the Senator will have achieved most of his worthy ends in a bloodless battle.

[From the Greensboro (N.C.) Daily News, July 5, 1967]

Privacy for Federal Employees

Sen. Sam Ervin Jr. continues his praiseworthy efforts to insure that federal employees will not have their private rights threatened by the government they serve.

From an original attempt to protect the national security by assembling personal data files for key workers, some federal agencies have gone on to sweeping personnel policies that include financial investigation, psychological testing, crude sleuthing and "confidential" interviews that border on institutional voyeurism.

Perhaps less insidious but equally annoying are directives for after-hours conduct, discriminatory record-keeping, and group pressures for certain contributions and "loyalty" demonstrations.

Senator Ervin was not the first to notice and deplore all of this, but he is leading a strong attempt to stop it.

The senator's methods are varied. He has written a "bill of rights" for government employees, and has persuaded more than half of the U.S. Senate to sign it. He is pushing for full congressional consideration of the bill and is hoping it can become law.

Using the bill and growing public sentiment for its guarantees, Sen. Ervin is applying pressure on many federal agencies to change "invasion of privacy" policies toward their employees. The threat of congressional action already has had some laudable effects.

The Civil Service Commission, for example, has reduced its widespread requirements for financial disclosures and has stopped insisting on race listings on personnel forms. The Library of Congress has discarded inquiries about sex habits. The Federal Aviation Agency no longer discourages its employees from complaining to their congressmen. The Defense Department and its branches have reduced pressures on servicemen to buy savings bonds and have withdrawn directives concerning off-duty associations.

Obviously, Sen. Ervin is not the only person working to protect the privacy of government workers; other officials and many agency leaders realize that their personnel policies have gone too far. The reported results are encouraging, but the protection needs to be consistent among the agencies and guaranteed for all employees.

In a recent letter to constituents Sen. Ervin noted that "the need for the (privacy) bill is still great, because regulations by government agencies are subject to change according to the whim and caprice of the administrators." Well said.

The sentor's immediate concern is to protect employees of the federal government, and surely that is the most appropriate starting point. But no less compelling is the need to end invasions of employee privacy in business and industry. For that enormous task, Sen. Ervin will need the help of a great many others who believe that people have a right to be left alone.

[From the Federal Times, May 17, 1967]

Back Door Rights

The bill of rights proposed by Senator Sam Ervin may never become law. But, it already has had a good effect on government policy.

The Civil Service Commission now is acting to put into operation measures to curb abuses cited in the Ervin proposal.

Clear rules are being drafted on the conduct of charity drives. Ahead are restrictions on the use of lie detector tests and the requirement for financial statements.

Racial questions on applications are being re-examined.

Sufficient action by the commission may result in an agreement with Senator Ervin on the contents of his bill.

The present moves constitute a clear admission that the abuses pointed out by Ervin do in fact exist.

It is unfortunate that the commission had to wait to be pushed by Ervin before taking action.

[From the Indianapolis (Ind.) Star, April 23, 1967]

The Bond Business

United States savings bonds are an excellent investment. They represent a share in the United States and are about as secure an investment as this nation is itself.

But the persons who purchase these bonds should have the right to decide for themselves if they wish to buy them.

In stories emanating from Vietnam are tales of American fighting men being badgered by their superiors to buy U.S. savings bonds. The reports are so prevalent that one is forced to believe the reports are true, which leads to the belief that the superiors doing the badgering are doing so on orders.

The situation is serious enough that Senator Sam J. Ervin, Jr., of North Carolina has introduced a bill to prohibit coercion of servicemen to buy bonds or contribute to charity fund drives. Senator Ervin said he was "disgusted" with stories of forced sale of bonds to servicemen flowing into his office.

These stories included one from a private who reported that men refusing to buy savings bonds had been threatened with extra duty and told it would "go hard" on anyone who did not subscribe to a bond plan.

We agree with the Army enlisted man who complained that his unit's savings bond officer had threatened to continue savings bond "pep rallies" until every soldier had signed up.

"I am here to do a job," the soldier wrote. "I ask little more than to be left alone to do that job. With commanders perpetually 'on one's back' it does not create a very good atmosphere for completing a mission."

The pay of our fighting men in Vietnam is the highest of any Army in the world. But we submit that those fighting men are privileged to spend their money in whatever way they see fit. By being in the service they are being asked to put their lives on the line for their country. They should not, in addition, be expected to finance their own service unless they choose, of their own free will, without coercion, to do so.

[From the Dothan (Ala.) Eagle, Apr. 24, 1967]

They Have Rights, Too

Senator Sam J. Ervin, Jr. (D.-NC) is chairman of the Senate's Subcommittee on Constitutional Rights and, as such, is concerned with the rights of all people—not merely those of loud, pushy and pampered minorities. In fact, he is exploring reports that rights of men in service have been abused and this is something all Americans will applaud.

Furthermore, Senator Ervin is letting the public in on what he finds as his search goes along. His latest accounting, which follows, should be of interest not only to members of the Armed Forces but to their families, friends and the public as well:

In the past two weeks numerous additional complaints about coercion to buy savings bonds have been received from servicemen stationed in many parts of the world, including Vietnam.

In connection with these cases, the Subcommittee's attention was directed to a recent advertisement which appeared in Sunday news supplements on March 26 showing men in battle uniform being presented a Minute Man flag for having over 90% participation in Payroll Savings plans. The ad states: "Buy bonds where you work—they do" and continues: "These men, now in Vietnam, deserve your support. When you purchase Savings Bonds regularly, you show men of the 1st Brigade you're with them."

Commenting on the letters from servicemen, the Chairman stated: "I deeply believe that the fighting men in Vietnam deserve the support of all Americans. However, on the same day that I read this advertisement, I also read a letter from Vietnam signed by over 30 enlisted men expressing support for the Subcommittee's efforts to end coercion of these same fighting men. I can only endorse the plea of the airman who wrote: 'Aren't we doing enough for our fellow man as it is?' "

During March, complaints included the following: A private at Fort Hood, Texas, was called a Communist and threatened with denial of promotion because he refused to participate. Another private wrote that he and his comrades were threatened with K.P. on weekends if they didn't buy bonds. Eventually, the Battalion Commander was presented with his own Minuteman flag for obtaining 100% participation. A private writing from Pleiku, Vietnam, reported that non-buyers had been threatened with extra work and loss of three-day passes. Another soldier wrote from Germany, "It is the policy of this Battery that in order to get promoted, one must have a savings bond." A private wrote that his sergeant had trumped up a minor disciplinary charge and then offered a choice—take the punishment or take a bond. He took a bond.

Letters of support for S. 1036 to prohibit coercion have been received from officers as well as enlisted men. According to a Lt. Colonel, "the charity-abuse bill will protect not only the men, but the commanders themselves who suffer fantastic pressures from post commanders and high-level commanders who want 100% participation. If the soldiers think they are being pressured they should attend a commanders' 'kick-off' meeting at about the time the local community chest drive begins."

A Captain in Massachusetts stated that junior officers are expected to display their military "leadership ability by getting 100% participation from their units." This officer said that after 7 years of such pressure he had finally adopted the practice of contributing his own money to cover those of his men who did not wish to participate. In that way "I can meet the goals set for me and still live with my conscience," the officer wrote. Commenting on these letters, Senator Ervin stated: "As long as senior officers measure the 'leadership ability' of their junior officers in this way, all the fine-sounding directives from the Pentagon expressing support for 'voluntarism' will not end this coercion. These military techniques are by no means limited to servicemen, but apply with equal force to civilian employees of the Defense Department. Clear and unequivocal legislative prohibitions such as S. 1035 and S. 1036 are urgently needed."

[WSPD editorial, April 27, 1967]

Congress Should Protect the GI Against High Pressure Promoters

We imagine that it's a rare ex-serviceman who does not recall having his arm twisted by some superior to contribute to a particular charity or to buy savings bonds.

In the past, the long-suffering G.I. would simply continue to submit in silence. He would contribute rather than balk and be marked for some kind of subtle retaliation . . . such as being picked for extra k.p. duty, or missing a pass or liberty.

Apparently, today's serviceman is getting the same kind of pressures to sign up, but he's not keeping mum about it.

According to Senator Sam Ervin, Jr., of North Carolina, letters from men in Viet Nam are flowing into his office. The letters complain of coercion being used to make the boys subscribe for savings bonds and charities.

One letter from a father was followed by a second which gave permission to use his name, since his son had been killed in action and was beyond any retaliation for complaining.

Expressing disgust at the whole sorry spectacle of men being squeezed for money while they're risking life and limb, Senator Ervin has introduced a bill to prohibit any and all high-pressure fund-raising.

Here's one proposal that should have been on the books wars ago. Nothing could be more contemptible than an eager-beaver leaning on his subordinates to meet specious quotas that make a mockery of voluntary giving.

There's nothing wrong with servicemen being given an opportunity to save. But if a man doesn't want to contribute to a charity or to buy bonds . . . or if he wants to limit his giving, no superior should be allowed to punish him. This goes double for servicemen who are already doing everything anyone should ask of them.

[From the Rocky Mount (N.C.) Telegram, Apr. 11, 1967]

The Coercion Must Be Stopped

The government drive to force civil federal employes and servicemen to buy U.S. savings bonds and participate in other such fund drives is beginning to stir up protests from the victims. American troops fighting a war in Vietnam complain they are being badgered by their superiors to buy bonds; many are quite unhappy about it.

They have written to Sen. Sam Ervin expressing their anger at being pressured into such contributions. "Aren't we doing enough for our fellowman as it is?" one American airman demanded in a letter to the senior Tar Heel senator.

Ervin has been fighting such harassment for a long time. He has proposed legislation to prohibit coercion of servicemen and civilian employes to buy bonds or contribute to charity fund drives.

One Army specialist-five complained that his unit's "savings bond officer" had threatened to continue having savings-bond pep rallies until every soldier had signed up. This sort of thing disgusts Ervin, as it should disgust every citizen.

Certainly a serviceman wearing the uniform of his country is obligated to obey orders; he would be a poor citizen if he didn't. But there are some limits to what he should be required to do. What he does with his meager pay is his own affair; the government has no right to force him to buy bonds or participate in any other charity fund drive. That should be solely a matter for the individual to decide personally, without coercion.

One soldier wrote: "I am here to do a job. I ask to do that job. With commanders perpetually on one's back, it does not create a very good atmosphere for completing a mission."

From Pleiku, South Vietnam, a private reported that men refusing to buy savings bonds had been threatened with extra work and loss of three-day passes. Some 34 GIs wrote to thank Ervin for his bill. They called arm-twisting to buy bonds "a problem which has troubled members of the military for quite some time."

A private first-class serving in Vietnam now recalled that during training at Ft. Gordon his company commander would announce, "there goes a cheapskate," when spotting non-bond-buying soldiers.

Ervin's files turned up one letter from a father in California who reported his son was fighting in Vietnam, despite the family's conviction that the war was unjust. "This is insult enough without his also being forced to buy savings bonds which he does not want, to make it easier for a government to spend money on a war we are ashamed of."

The man's son was later killed near Saigon.

Citizens who oppose such bureaucratic coercion of individuals should offer their wholehearted support of Ervin in his fight to gain approval of his proposal which would prohibit coercion of servicemen and civilians who are on the government payroll.

[From the Southern Pines (N.C.) Pilot, Apr. 12, 1967]

Minor Freedoms, Too, Are Important

A "civilian employee privacy bill," to protect Federal workers from unwarranted invasions of their constitutional rights, was introduced recently in the U.S. Senate by Sen. Sam J. Ervin and 52 other Senators who are disturbed by the shocking amount of coercion and interrogations to which government agencies are increasingly subjecting their employees.

A companion bill was introduced at the same time, to protect the rights of military personnel from coercion in savings bond campaigns and charity drives.

The nation should be grateful for these efforts. How the proposed legislation stands as this is written we do not know, but we hope to see its enactment into law.

"Employees by the thousands," reports Senator Ervin, "are constantly badgered with interrogations on such intimate matters as sex, religion, their willingness to invest in savings bonds, their disclosures of property down to the last bottle-cap received from the Welcome Wagon hostess, and their willingness to work while off-duty for causes unrelated to their employment . . ."

All this, says the Tar Heel senator "smacks of Big Brotherism," and he makes this telling point: "What has been lost sight of in the bureaucratic process is that the best way to attract men of dignity to public service is to treat them with dignity."

There is a built-in coercive potential in a government job, in which a person's employer is not an individual or even a group of individuals, such as a private firm's board of directors—with whom rational, personal dealings are possible—but a vast, authoritative, administrative machine. This is even more true with the armed forces.

On the rights of military personnel, Senator Ervin notes: "I think it is a national disgrace to deny weekend passes, allot restrictions, assign K.P., specify forced marches and give adverse efficiency reports to military personnel simply because they are unwilling to spend their small paycheck as the Government dictates."

There is, of course, a great deal of sentimental nonsense spoken and written about the evils of "big government" and its domination of "private business"—and the like. In a huge nation, with a complicated economy and numerous areas of life in which "private" efforts are necessarily inadequate to meet people's needs, the government must be given and must exercise power.

However, the areas of rights and privileges and dignities which Senator Ervin's proposals would protect are a different matter and irrelevant to the main concerns of government.

Indeed, an old truth is revived here: the petty annoyances of minor bureaucrats can make life more miserable than legitimate major invasions of personal privacy such as the income tax, social security and the draft.

Senator Ervin and his colleagues are on the right track in their attempts to protect what might be called the minor freedoms that all citizens, but most particularly government employees, should enjoy.

[From the Columbia (S.C.) Record, Mar. 16, 1967]

CONTROLLING BIG BROTHER

Big Brother has breathed too long down the necks of Federal employees, intruding without warrant into the privacy of their lives and unduly interfering with their constitutional rights.

Fifty-two Senators, including Sam Ervin of North Carolina, have set about correcting the injustice. Introducing his bill, the North Carolinian said: "It is time for Congress to forsake its outdated reluctance to tell the Executive branch how to treat its employees. When so many American citizens for so many years are subject to unfair treatment, to being unreasonably coerced or required without warrant to surrender their liberty, their privacy, or their freedom to act or not to act, or to reveal or not to reveal information about themselves, and their private thoughts and actions, then Congress has a duty to call a statutory halt to such practices and to penalize their resumption."

We hope that the bill passes and that Federal employees and their relatives will be relieved of the reams of regulations, guidelines and questionnaires they've been inundated with in the past.

We hope that the new Board on Employee Rights will protect the South Carolina employees of the Federal government from such indiscriminate requirements as disclosure of their race, religion or national origin; compulsory attendance at government-sponsored meetings not directly related to their work; submitting to very personal questioning needless to their employment; and support of political candidates or attendance at political meetings.

Coercion of employees to contribute to various charitable drives, to purchase bonds and the like will no longer—if the bill passes—be legal.

A great burden will have been lifted from the backs and minds of loyal federal servants, who've been smothered with Big Brotherism.

[From the Christian Science Monitor, Mar. 21, 1967]

IMPROPER QUESTIONS

Certain tests and questionnaires used by the federal government threaten an unjustified invasion of the privacy of government employees. For several years, Sen. Sam J. Ervin's subcommittee on constitutional rights has kept a sharp eye open to detect possible infringement of individual liberties.

The subcommittee extensively probed the psychological testing of federal government employees. It pointed to the use of some testing forms which include what many would consider objectionable questions relating to religion, sex, and other personal matters.

From one test, the following, for example, were to be answered "true" or "false":

"Christ performed miracles."

"I pray several times a week."

"I like to talk about sex."

"I am a special agent of God."

More recently, the subcommittee found that various government agencies were using a "report of Medical History" which includes questions of an extremely personal nature, some of which have no apparent bearing on the individual's physical fitness.

After the subcommittee and the American Civil Liberties Union pressed the matter with the United States Civil Service Commission, the commission dropped the form for all civilian employees and job applicants. But the Defense Department continues to use it for military personnel.

A "false or dishonest answer" to this questionnaire is punishable by fine or imprisonment. It was by no means clear that access to these forms would be strictly limited to medical staff. If they were made available to personnel or security officers, answers irrelevant to physical fitness might well have resulted in exclusion from government service.

Government must, of course, obtain certain information about applicants in order to select able, conscientious, and reliable employees. But there are some personal matters which government has no right to extract from an individual as a condition of employment.

We are encouraged that both Congress and an organization dedicated to the preservation of civil liberties have seen fit to look into the matter. It deserves continuing surveillance.

[From the Winston-Salem (N.C.) Journal, Mar. 8, 1967]

ERVIN'S PRIVACY CAMPAIGN

Sen. Sam Ervin Jr. has summoned the faithful—that means most of us—to join him in a crusade to rid government and industry personnel files of information that infringes on individual privacy.

We are with him, right down to the last cartridge.

It is preposterous, silly, idiotic and maybe even a trifle totalitarianist for a bureaucrat or an industrial personnel director to have in hand the most intimate information about an employee.

Who do you love more—your father or your mother?

Do you ever dream of fire?

Do you seek extra-marital relations?

Have you ever had an impulse to murder another person?

Would you rather go hunting with a group of male friends or take your wife on a second honeymoon?

These and thousands of other similarly goofy questions appear on dozens of "personnel questionnaires" across the land. Sen. Ervin dislikes the compilation of such information—and seeks to put an end to it.

The defenders of such questionnaires and dossiers and lie-detector tests are numerous and powerful; and they rationalize their enthusiasm for this peek-a-boo nonsense by solemnly intoning the need to find out what "motivates" a potential employe. Their arguments rarely touch on the efficiency or dedication of such employees; what they are interested in primarily is his private thoughts, dreams and frustrations.

But what may win this war for those Americans who believe individual privacy to be as important as the constitutional bar to self-incrimination is the fact that those officials who demand such questionnaires are not serious men at all. They are *voyeurs*—sophisticated versions of those poor souls who derive pleasure from peeking into other people's windows at night.

Sen. Ervin believes they can be curbed; and the American people have a greater stake than most of us realize in the success of his efforts to do just that.

[From the Gainesville (Fla.) Sun, Mar. 5, 1967]

BILL OF RIGHTS FOR FEDERAL EMPLOYES

The Central Intelligence Agency (CIA) was accused recently of having threatened to forge psychiatric records in an effort to discredit an officer of the National Student Association (NSA).

Whether this charge is true or not, there is reason to believe that officials in some federal agencies have accused employes of being mentally ill as a method of forcing them to retire. Robert G. Sherrill made this charge in an article in The Nation magazine on Civil Service Commission practices. More than 13,000 civil service employes left government employment between 1955 and 1962 for what was labeled mental or nervous disorders—half of them under protest.

An employe may be told he needs attention and ordered to go to a Civil Service psychiatrist. If he refuses, he can be discharged for violating orders. Usually the employe does not get the opportunity to go to a private psychiatrist. There is no hearing before or after the psychiatric examination.

Senator Sam Ervin (Dem., N.C.) is again pushing for action at this session on legislation to protect federal employees against such treatment. Interest in the proposed "bill of rights" for federal employes has increased as a result of disclosures of spying, coercion and invasions of privacy.

The Ervin bill would create an independent Board on Employe Rights. This would give employes a place to make complaints without fear or reprisal.

The legislation would prohibit indiscriminate requirements that employes submit to questioning about their religion, personal relationships or sexual attitudes through interviews, psychological tests or lie detector tests.

Federal employes would not be required to report to their bosses on outside activities unrelated to their business, nor would they have to attend political meetings. They couldn't be coerced into buying bonds. They would have the right to counsel or other representation at an interview which could lead to disciplinary proceedings. They also could bring civil action for violation of the act.

Senator Ervin thinks federal employes are being "smothered by tons of big brotherism." Congress has the responsibility, he believes, "to assure as far as possible that those in the executive branch responsible for administering the laws adhere to constitutional standards in their programs, policies and administrative techniques."

We agree with Senator Ervin and hope this legislation gets favorable attention at this session of Congress.

[From the Charleston (S.C.) Evening Post, March 1, 1967]

SAM ERVIN'S RIGHTS BILL

Sen. Sam J. Ervin of North Carolina recently introduced a civil rights bill that all good and reasonable men can support. If his bill passes, federal employes will get back those rights of citizenship that our heavy-handed bureaucrats have robbed them of. Moreover, any future robberies could land the offending bureaucrats in jail.

It has long been the practice in many federal agencies to recruit political ambassadors from the ranks of civil service. Sometimes this has taken the form of requiring government workers to further, in their off hours, various community projects of which Big Brother approves. A case that recently came to light involved an agency directive commanding civil servants to enlist in local projects aimed at promoting "open housing" laws. This is only one example. Such compulsion is commonplace.

In election years, the machinery of bureaucracy operates in such a way as to enrich the political warchest of the ruling party. Donations are solicited on the sly, and a variety of subterfuges are resorted to in an effort to escape the prohibitions of the Hatch Act. Government workers have even been known to get the word from above that outright campaigning is expected of them.

Invasions of privacy are likewise a common oocurrence. In the famous case of Otto Otepka, to cite a single example, employes spied on a fellow worker, bugged his office phone, rifled his trash basket and even broke into his confidential files—all on orders from higher up in an attempt to get evidence in no way related to furthering national security. In many other less celebrated cases, bureaucratic muckety-mucks have also trampled with impunity on the private rights of their underlings.

If Senator Ervin's bill is enacted into law, all this will change. His bill outlaws such practices altogether. Furthermore, it establishes a three-member Board of Employe Rights to investigate individual complaints, conduct hearings and fix penalties. No member of the board may be otherwise employed by the federal government, and the penalties it could impose are substantial: fines of up to $300 for each offense and jail terms up to 30 days.

Any federal supervisor who tampered with the rights or personal lives of his subordinates would be subject to punishment, and the *Washington Post* reports that the word is already spreading throughout the bureaucracy to lay off, lest some new scandal propel the Ervin measure through Congress.

Fortunately, the bureaucracy seems to have moved too late. Last year, the Johnson administration successfully fought off a similar measure, also introduced by Senator Ervin, but the bureaucrats learned little from the experience of a close shave. The old ways were resumed once the bill was beaten. This year is different. Senator Ervin has persuaded 50 of his colleagues—a majority—to co-sponsor the measure. If the House will go along, the temptation for the government to manipulate the private lives of its workers will be greatly reduced.

[From the Wilmington (N.C.) Morning Star, Feb. 23, 1967]

MATTER OF PRIVACY

The bugging with hidden microphones and the tapping of telephones are far from the only ways of depriving us of our personal privacy in this age which has become Orwellian before its forecast 1984 time.

Nearly every government questionnaire required to be filled out requests information that is not only pertinent to the subject and immediate usage, but gives away such personal matters as religion, living standards, politics, family relationships and like manner of data most of us have long held as privileged and private.

In the tracking down of income tax information, for further, instance, the federal government employs informers to come up with income dossiers on private citizens and taxpayers—for a fee, of course; a percentage of whatever additional taxable sums are unearthed.

As Sen. Sam J. Ervin, Jr., North Carolina's senior U.S. Senator charged Tuesday "a very large segment of our population is being smothered by tons of big-brotherism."

Sen. Ervin has introduced a bill, with 50 other senators as co-patrons, to protect the privacy of public workers. His bill would prohibit indiscriminate requirements that employes and applicants disclose their race, religion or national origin. It would also free these from having to report on much of their activity which is normally considered personal.

The Ervin bill would also protect servicemen from coercion in savings bond campaigns and in charity drives.

In this day of increasing person-to-person prying, Sen. Ervin's bill should be comforting to all those in public employment.

The bill, or an enlarging amendment to it, would be universally acclaimed if it could help restore a measure of privacy to private citizens.

[From the Richmond News Leader, Feb. 23, 1967]

THE PROPOSAL OF SENATOR ERVIN

Senator Sam J. Ervin of North Carolina was in fine form Wednesday night in his address here to the Virginia Sons of the Revolution and, needless to say, he was among friends. Senator Ervin's benignity, his judicial background and his shrewd balance have made him a formidable Southern tribune in Washington. All this was in evidence as he spoke in behalf of a remedy that would restrain the U.S. Supreme Court from acting as legislature and redeem it as an interpreter of the Constitution as written.

Yet Senator Ervin, for all the light he cast upon the subject and the force of his indictment of the court as a power pirate, did not convince all his listeners that he had indeed perfected the remedy.

Senator Ervin proposed a constitutional amendment altering the fashion in which justices of the court are appointed. He would provide that the chief justice of the highest State appellate courts recommend a small eligible roster of lawyers; the President would make a selection; the Senate would be called upon to confirm.

The fact is, the 1787 constitutional provisions concerning the U.S. Supreme Court and its powers represented an unfinished symphony. No qualifications for the justices were established (until this day a justice need not be a lawyer and a non-lawyer has served) and it required the genius, not to mention inventiveness, of John Marshall to establish something so basic as Judicial Revue.

The thrust of Senator Ervin's proposal for insuring the appointment of fit justices is by no means new and is found in the 1787 debates within the Constitutional Convention. There was a strong disposition not to endow the President with exclusive appointive power, though this disposition was overcome. The genius of Benjamin Franklin had to have its horse laugh along with a seventh-inning stretch and, in the debate on Ervin-like proposals, he pointed to the custom in Scotland. There, Franklin said, the judges were nominated by the lawyers, and the lawyers happily selected the ablest of their brethren "in order to get rid of him and share in his practice among themselves."

This sally launched James Madison on an alternate mode of selection in which the power of appointment would have been confided to the Senate.

For much of the life of this Republic, the Supreme Court has been abominated by one-half of the citizenry and cherished by the other half. It has been packed and unpacked. It has bent to the political winds and has been flatly defied by Presidents such as Andrew Jackson and Abraham Lincoln, not to mention some of the States. All in all, we wonder that Senator Ervin has not given more thought to the election of the kind of President who could be depended upon to appoint fit justices to the exclusion of legislative justices. The means is there, only the will is missing.

[From Roll Call (D.C.), Feb. 2, 1967]

RIGHT TO PRIVACY—GOVERNMENT IS BIG BROTHER TO ITS EMPLOYEES

(By Allan C. Brownfeld)

The Founding Fathers did not specifically write a "right of privacy" into the Constitution. They felt that this was understood by civilized men, but history has shown us that this was not the case. In fact, Mr. Justice Brandeis felt the need in Olmstead vs. United States in 1928 to clearly state that "The right to be alone—the most comprehensive of rights, and the right most valued by civilized men" was one guaranteed by our laws.

This week Senator Sam Ervin of North Carolina will introduce in the Senate a bill which he calls a "bill of rights" for federal employees, protecting them from what his committee's hearings have found to be clear invasion of their privacy, coercion, and often forced indoctrination.

Senator Ervin's committee found that far from creating a "welfare state" in which the good of each employee is considered of overriding importance, the government had created for its own employees a system which they felt deprived them of their own freedom, and unfairly pried into their pirvate lives.

The examples have been numerous. When President Johnson sought to increase the purchase of United States Savings Bonds the request that government employees step up their buying was often put in terms which left little to the imagination. At the National Science Foundation employees were asked if they had been "prudent and intelligent" and signed up for the program, or "are you a rebel without a cause who wants a little attention?" A marine general sent representatives into Vietnam foxholes and "kept track of the patrols so that every individual had an opportunity to hear how he could invest his money in a worthwhile program."

This, and other efforts by government agencies to intimidate their employees and pry into their privacy resulted during the last session of Congress in a series of hearings by Senator Ervin's Subcommittee on Constitutional Rights.

John F. Griner, president of the 220,000-member American Federation of Government Employees, spent nearly three hours before this committee telling of pressure, propagandizing, and intimidation, and of "secret dossiers" kept on government workers. In addition to the snooping, pressure to buy savings bonds, and similar coercion, Griner said that some Federal installations have held sessions with employees to mold their attitudes on civil rights, the United Nations, and other public issues.

He told of a case at a Defense Department field installation where groups of employees were assembled to hear a thirty minute recorded speech on the "Importance of integration" and the "greatness" of the United Nations. The AFL–CIO leader pointed out that if this continues an Administration with a different attitude might hold employee indoctrination sessions on the "Evils of the United Nations" or on whether or not we should be involved in the Vietnam war.

Government questionnaires ask employees to identify themselves as "American Indian, Negro, Spanish American, none of these." George B. Autry, a Committee staff aide, noted that preliminary reports indicate "that there are an awful lot of American Indians in the State Department which we didn't know about."

Employees have often refused to fill out such forms, believing that the government was meant to be "color blind" in its relationship with its employees, as with all citizens. It seems a clear double standard, for example, to have a national Civil Rights Act barring discrimination in private employment and have a federal government policy of keeping employee records on the basis of race.

Senator Ervin attacked the government questionnaires, which he said are supposed to be confidential but aren't, on the racial backgrounds of employees and their outside financial interests. He said that he "saw no need" for the racial questionnaires which the government says it uses to check on equal employment opportunities, "unless the government is interested in establishing a system of racial quotas."

Union leader Griner also accused the Internal Revenue Service of being especially hard on employees. He said it has bugged telephones and fired employees accused of, but not proven guilty of, taking bribes. He said that the IRS is an "outstanding example of an agency that believes every one of its employees is dishonest until proven honest."

In Huntsville, Alabama, the union leader said, Army investigators were questioning a man about some alleged thefts from a candy machine. During the long grilling session, they repeatedly asked "if he knew his wife was running around with a fellow employee?" In another instance a security investigator asked neighbors of a government employee whether or not he and his wife treated their adopted children in a proper manner. Until that time, no one in the community knew that the children had been adopted. Government prying led to this unfortunate circumstance.

Senator Ervin's proposed bill is meant to put an end to pressure from higher up on civilian and military people voluntarily to join in charity or bond drives which have pre-set quotas or dollar amounts for all the volunteers. The bill may provide criminal and/or administrative penalties for supervisors, who join in the pressure exercise, or otherwise invade the privacy of their workers.

Supreme Court Justice William O. Douglas spelled out in graphic detail the full extent of this whole trend. He said: "We are rapidly entering the age of no privacy; where everyone is open to surveillance at all times; where there are no secrets from government. The aggressive breaches of privacy by the government increase with geometric proportion. Wiretapping and 'bugging' run rampant, without effective judicial or legislative control . . . Personality tests seek to ferret out a man's innermost thoughts in family life, religion, racial attitudes, national origin, politics, atheism, ideology, sex and the like."

Justice Douglas notes that "Taken individually, each step may be of little consequence. But when viewed as a whole, there begins to emerge a society quite unlike any we have seen—a society in which government may intrude into the secret regions of a man's life at will."

In 1901 in the case of Roberson v. Rochater Folding Box Company, Chief Justice Alton B. Parker of the New York Court of Appeals stated that "A man has a right to pass through this world, if he wills, without having his pictures published, his business enterprises discussed, his succesful experiment written up for the benefit of others, or his eccentricities commented upon, whether in handbills, circulars, catalogues, newspapers or periodicals."

This is not 1901, but 1967. Senator Ervin believes that this right of privacy still exists for Americans, and as the Senate begins discussions of this bill we will see whether or not that is, in fact, the case.

[From the Greensboro (N.C.) Record, Feb. 24, 1967]

Fighting Big Brother

In his battle with "big brotherism" in the federal bureaucracy, Sen. Sam Ervin has picked up some varied supporters.

Among the 50 senators supporting the Tar Heel's proposals to give federal employes a "bill of rights" against overly inquisitive job interviewers or supervisors, are Democratic liberal Joe Clark of Pennsylvania and Republican conservative Strom Thurmond of South Carolina.

Senator Ervin has uncovered a number of cases in which would-be secretaries were subjected to psychological examinations which would be of dubious value even when applied to prospective CIA employes. The call to kick in to various "voluntary" fund drives is also a target for Senator Ervin's wrath. All too often, the drives are voluntary in name only, and he wants to put a stop to it.

The aims of the bill are laudable, and its prospects for passage appear bright, given the broad spectrum of support it has won from both sides of the Senate aisle, and from federal employe groups. Senator Ervin has often presented a lamentably blind eye to civil rights proposals, but his latest effort does something to redress the balance.

He is quite right in contending that federal employes should enjoy the rights of other citizens. Regimentation and unwarranted invasion of privacy should not be part of the price for employment with the government.

Rights for Federal Employes

(This Editorial was broadcast on February 24 and 25, 1967, over WTOP Radio and Television.)

This is a WTOP Editorial.

On the theory that federal employes are full-fledged American citizens, Senator Sam Ervin of North Carolina has proposed a bill to protect certain fundamental rights of members of the federal establishment.

To say that his measure is receiving support is to understate the case. So far, 50 senators of all shades of political opinion have joined as co-sponsors, including the two senators from Maryland and the two from Virginia.

Mr. Ervin undoubtedly has found a popular cause. It grows out of the well-founded suspicion that federal employes sometimes are exposed to interrogations and other techniques which go a long way beyond normal or decent practice.

By this we mean lie detector tests and impertinent psychological test questions about the private life of an employe or prospective employe, questions dealing with sex habits and other intimate matters which are nobody's business.

Inquiries like these, the senator declares, are intolerable invasions of privacy. He feels the same about attempts by the armed forces to use coercion—the threat of KP, for example—to compel servicemen to buy savings bonds or contribute to various charities. The bill would stop these abuses also.

The Senate Subcommittee on Constitutional Rights, which is handling the Ervin bill, intends to give the Civil Service Commission and other agencies plenty of time to make their views known. Civil Service was hostile to a similar measure last year; its attitude this year may be considerably more conciliatory.

Even if Senator Ervin's complaints about personnel abuses are overdrawn—which is always possible—there's plenty of reason to believe that abuses exist that ought to be corrected. Upward of three million federal employes obviously need protection they do not now have but are very likely to have before 1967 is over.

This was a WTOP Editorial, Jack Jurey speaking for WTOP.

[From the Washington (D.C.) Daily News, Aug. 2, 1967]

U.S. Employees Are Denied Basic Right

(By John Cramer)

The Senate Constitutional Rights Subcommittee, headed by Sen. Sam Ervin (D., N.C.) reports a passel of Federal employe complaints alleging that U.S. agencies are ignoring—or greatly diluting—that recent Civil Service Commission order guaranteeing employes free access to their personnel offices.

Under heavy pressure, the commission issued the order several months ago after the sub-committee turned up numerous agency and installation policies virtually prohibiting employes with grievances or other problems from seeking personnel office advice.

The order itself is excellent. It directed agencies to make sure that they put no "road blocks" in the way of free access to personnel offices. Supervisors no longer can deny such access, as they frequently did in the past. They no longer can demand to know the employe's reasons. They may require only that he schedule his personnel office visit so as to cause minimum work disruption.

Consider, however, how descending echelons of the Railroad Retirement Board, Headquarters Chicago, diluted the order as they filtered it down to employees. According to the subcommittee files:

RRB itself relayed the order to major units almost word for word.

One lower echelon added language saying: "This is not to be construed as an invitation to go over the head of your immediate supervisor or violate lines of authority."

That can be read only as a warning to employees: Go to the personnel office, and you're in the doghouse.

And a still lower echelon told employees that if they wished to contact designated personnel officers, "you must ask your immediate supervisor to arrange an appointment for that purpose."

That, of course, was the precise sort of thing the commission order was designed to prevent.

SHOCKER

But for a real shocker, there's the Air Force case reported to the sub-committee by an Alaska official of the AFL–CIO American Federation of Government Employes.

The colonel in charge of a segment of a major AF unit there appeared, at least, to take the commission order seriously. He posted it on official bulletin boards. Along with it, he posted his personal notice assuring employees that he had "an open door" . . . that he and his station commanders were available "around the clock" to hear employe grievances . . . without fear of reprisal.

So a female employe took him at his word. She went to her station commander, an AF captain, with her problems.

Soon thereafter, she found herself confronted by her immediate superior and the base personnel director, who informed her she must never, ever go direct to the Station Commander again.

When she asked "Where, then, can I go?", the personnel director, according to the AFGE official, brightly replied:

"Oh, to the President, his name is Johnson, I believe . . . or the Vice President . . . or Secretary Rusk . . . or the Air Force Secretary."

RESOLVED

The AFGE took her grievance (an unusually messy one) to the Ervin sub-committee. It has since been resolved in her favor.

[From the Washington (D.C.) Daily News, July 27, 1967]

When Will the Navy Get Wise?

(By John Cramer)

Here I am, back again, on that piddling little matter I first wrote about a few weeks back—a Navy installation which requires its employes to display names and insurance expiration dates on bumper-sticker permits for on-base parking.

Piddling perhaps, but another example of Government-type privacy invasion which never would be tolerated by employes in private enterprise.

The installation is the big Naval Training Center, Great Lakes, Ill., where some 15,000 vehicles park daily.

PROTEST

Sen. Sam Ervin (D., N.C.), the Constitutional Rights Subcommittee chairman, wrote Navy to protest the privacy invasion in the Great Lakes practice.

In reply, he got a letter from Richard A. Beaumont, Deputy Under Secretary for Manpower, who blandly supported everything about the Great Lakes rule . . . finding nothing "unreasonable" . . . absolutely no privacy invasion.

As Mr. Beaumont explained it, Great Lakes requires employes to have not less than $10,000/$20,000 bodily injury and $5000 property damage insurance.

He said that each bumper (or maybe windshield?) sticker must be of a distinctive color to indicate "whether the owner is an officer, enlisted man, civilian employe, vendor, or contractor's employe."

That's just about as bureaucratic as you can get, but no doubt it won a promotion for the eager-beaver Navy milicrat who dreamed it up.

PREVENT THEFT

In Mr. Beaumont's view, however, it's a highly-desirable system because he said it assists in identifying non-insured characters who have stolen stickers . . . helps prevent theft and speeds the recovery of stolen vehicles . . . makes for rapid owner identification when it's "necessary to remove automobiles at the scene of fires, emergency construction work, snow removal operations, etc."

All this sounds great.

But consider a moment, and you'll begin to wonder whether the Great Lakes system really accomplishes the things Mr. Beaumont claims.

Maybe I'm thick, but I completely fail to see what it can do to prevent theft or help recover stolen cars. And I suspect the great U.S. Navy is entirely capable of identifying vehicles moved in emergencies—without requiring names and insurance expiration dates on parking stickers.

INSULTING

In fact if I were Sen. Ervin, I'd consider Mr. Beaumont's letter, with its absurd claims, pretty close to insulting.

That, however, isn't the point.

The point is that Government agencies have no damn business requiring of their employes more than is required by law . . . more than is required of employes in private enterprise.

No business demanding insurance in excess of state law—unless the agencies themselves are prepared to pay for it.

No business requiring an employe's name on his car—license tag identification is entirely enough.

At the risk of belaboring, let it be said again that if Government can require seat belts, and names-and-insurance-data on parking stickers, it also can require power brakes, power steering, air conditioning, roll bars, and any number of other desirable safety features.

I strongly suspect that Mr. Beaumont's letter was prepared by a subordinate . . . that Mr. Beaumont didn't take the time to read (or at least understand it).

May I say, sir: One of the things you're paid for is to double-check official Navy answers to U.S. Senators!

[From the Washington (D.C.) Daily News, July 6, 1967]

MONSTROSITY OF BIG BROTHERISM

(By John Cramer)

Perhaps this is just a piddling little thing. Perhaps it's something more.

Given the creeping Big Brotherism so evident in the Government's dealings with its employes (and the rest of us) I happen to think the latter. Mebbe I'm wrong. You judge.

Anyway, Senate Constitutional Rights Subcommittee Chairman Sam Ervin (D., N.C.), who had worked so effectively to educate U.S. agencies against invading Federal employe privacy, recently related a protest to Navy Department.

OBJECTED

Relayed the protest of employes at a small Navy installation, who resented an order directing that future bumper-style sticker permits for parking at the installation would carry spaces to show: (1) the employe's name; (2) the expiration date of his auto insurance.

To the Senator's letter, Navy blandly replied that it found in the order "nothing inappropriate"—or words to that effect.

Sen. Ervin disagrees. Me, too.

As it happens, I wish we had compulsory insurance for all drivers. But until we do, I can be nothing but unhappy with eager-beaver milicrats who buck for promotion by requiring more than is required by law.

ADVANTAGE

I can even see some advantage—to the milicrats—in requiring names to be displayed on parking stickers.

(And I also can understand that neither names nor insurance expiration dates would be necessary if the Navy people were bright enough to install relatively private coding systems for bumper stickers numbers.)

The line has to be drawn.

But so long as rank-happy "base security officers" or whatever they call them in various parts of the military, are permitted to do their own line drawing, we'll have privacy-invasions to disgrace the entire Federal Establishment.

COULD BE

Give them their heads, and we'll soon have base parking stickers with any number of additional blanks to help these characters perform their assigned duties with more promotable efficiency. Like:

Social Security numbers—Well, lots of people have them don't they?

Home phone number—In case of serious on-base traffic accident.

Office phone—Ditto.

Grade and pay—To guide the arresting officer in issuing on-base traffic tickets.

National origin, whether white, Negro, American Indian, Spanish-American, or other—for same purpose as above.

Finanical assets of employe and family—as above.

Blood type—In case the on-base accident requires a transfusion.

Religion—In case it threatens to be fatal.

Name and phone number of pastor—ditto.

SUCKLES

Answers to all of these questions can help the base security officers spend more time at their jobs and appear to be more efficient and more worthy of promotion.

But Big Brotherism suckles, thrives, and eventually flourishes to full monstrosity on just such things.

Piddling, they may be. "Nothing inappropriate," that may be.

On guard, good citizens! On guard!

[From the Washington (D.C.) Daily News, July 3, 1967]

FTS CALLED SAD-SACK OPERATION

(By John Cramer)

Here's more about that sad-sack operation, the Federal Telecommunications System (FTS).

FTS is Government's own long distance telephone network. It's supposed to save tax dollars, but actually wastes them—because Federal secretaries lose so much time getting busy signals from its overloaded circuits.

Anyway, an Office of Education official tells me:

OE does a lot of business by long distance phone with university executives. Frequently, an OE man will place a call to an executive who isn't immediately available. The latter ordinarily then will call back by commercial phone—collect.

When that happens, OE has a policy.

The policy says the OE man's secretary must reject the collect call, explaining that her boss is out.

The boss then is supposed to return the call by FTS. And this is supposed to save money—because, theoretically, FTS calls are cheaper than commercial calls.

In practice, however, what the policy does is to force the boss's secretary to waste another half hour or more getting thru by FTS.

Its circuits overload badly each day as soon as West Coast Federal offices go to work.

General Services Administration is the agency in charge of this mis-managed operation.

BITING COMMENT

The independent National Federation of Federal Employees, in the current issue of its monthly newspaper, has biting comment on that recent Civil Service Commission order telling U.S. agencies to make sure their employes have free access to agency personnel offices.

The order was issued after the Senate's Ervin Constitutional Rights Sub-committee turned up numerous instances in which agencies had made it difficult or impossible for employees to consult personnel people.

Says the NFFE:

"Does it not seem ironical . . . does it not strike any unbiased observer as a graphic commentary on the unhappy state of employee-management relations in the Federal service . . . that in this day and time the CSC should find it necessary to issue, belatedly, an order on such a basic matter?

"Consider this directive in all of its implications . . . or consider only the single statement that Federal agencies should not deny Federal employees' access to personnel offices.' In either case, as a whole or in its separate parts, this directive, certainly well enough intentioned by CSC, is an unwitting but nevertheless shocking indictment of conditions prevailing in too many Federal agencies.

"It reflects how far the Federal Government has yet to go to improve and bring its employee relations fully into the third quarter of the twentieth century.

"In this directive the CSC is asking Federal departments and agencies to take only the most elementary of steps . . . only to accord Federal employees rights which are the most basic . . . only to be sure that the door is not kept locked or slammed in the employee's face.

"It is scarcely to be wondered that the issuance of this revelatory directive has not been greeted with loud huzzas by career Fededal employes."

[From the Washington (D.C.) Daily News, June 13, 1967]

SHE SPOKE UP AND WAS FIRED

(By John Cramer)

Sen. Sam Ervin (D., N.C.), chairman of the Constitutional Rights Sub-committee, has called on Civil Service Commission to set up new safeguards for Federal employes fired from Government during their probationary first year of service.

He thoroly agrees with the idea of probation for newcomers.

His concern is for those who find their records permanently tarnished because they are dismissed by incompetent or unscrupulous supervisors.

WROTE MACY

Thus, he has written Commission Chairman John Macy:

"While I am aware of the need for a probationary period to insure that Government employes meet the highest standards, I believe that the present system may not contain sufficient guarantees to protect individuals, particularly professional people, from the impact of arbitrary dismissals and unfounded charges which can bar them from employment elsewhere, either in Government or private enterprise."

He suggested hearings, under certain circumstances, in such cases, or deleting the charges from personnel records.

The Ervin proposal was prompted by numerous complaints from former employes whose records—on the surface at least—strongly indicated they had been the victims of unscrupulous supervisors.

One case: A professional woman who antagonized her boss, and subsequently was dismissed as incompetent, because she correctly suggested that her agency's procedures in her field did not follow accepted professional safety standards.

Now she's saddled with a record—very possibly unwarranted—which may prove an insurmountable handicap when she seeks other employment.

Surely, Sen. Ervin can be nothing but right when he proposes some form of appeal in such cases.

[From the Washington (D.C.) Daily News, June 5, 1967]

Compromise in "Bill of Rights" for Employes

(By John Cramer)

Both sides are cagey—but there's at least reason to hope that the Administration may be nearing essential compromises with Sen. Sam Ervin (D., N.C.), the Constitutional Rights Subcommittee chairman, on his proposed "bill of rights" for Federal employes.

The Civil Service Commission, speaking for the Administration, has backed somewhat off its original position that there's no need whatsoever for the Ervin bill.

And Sen. Ervin, in response, has indicated increasing willingness to listen to commission proposals large and small, intended, it's said, to make the legislation more "workable."

There's a long way yet to go. But the signs are hopeful, a word used advisedly—because of an abiding conviction here that something approaching the Ervin bill is desperately needed to protect rank-and-file Federal workers against the father-knows-best inclinations of their well-intentioned superiors.

FROM STRENGTH

Sen. Ervin pitches from strength. His bill has been cosponsored by 54 other Senators.

But the commission has a lot of clout, too. So long as the bill remains in its present form, it has every reason to believe it could persuade LBJ to veto.

The bill is designed to protect Federal workers against invasions of privacy by their agencies—officious orders requiring any number of supposedly good things not required by law.

It would, among other things, prohibit the coercion of employes in charity drives and U.S. bond drives . . . restrict financial disclosure by employes to those potentially in true conflict-of-interest situations . . . prohibit agencies from requiring employes to state their race, creed, or national origin . . . prohibit lie detector tests . . . drastically restrict so-called psychological tests.

It would set up an independent Board of Employe Rights to adjudicate complaints against alleged violations . . . provide both civil and criminal penalties for violators . . . give employes direct access to Federal Courts to seek redress or injunction against real or threatened violations.

The commission particularly dislikes:

The proposed independent Board of Rights.

Criminal penalties for violators.

Direct access to the Courts.

On all of these things, however, there are signs—at least some signs—of compromise.

For instance, there's a proposal that the commission itself set up machinery to perform many of the functions proposed for the Board of Rights. It would do this by making violations of key "bill of rights" provisions subject to employe appeal under strengthened Commission grievance procedures.

PENALTIES SCRAPPED

There's another proposal that criminal penalties in the Ervin bill be scrapped with only civil penalties—dismissal, suspension or the likes—remaining for violators.

Under this proposal, the civil penalties could be invoked either by the commission, under its grievance procedures, or by the Courts.

Finally, there's a proposal to limit the almost-unrestricted access to Federal Courts provided in the original Ervin bill.

The orignal would allow employes to go direct to Court to seek redress or restrainers. The compromise plan first would force them to exhaust their administrative remedies—whatever appeals processes were available thru their agencies or the Commission.

But the compromise also would place a time limit on the appeals processes. Neither agencies nor employes would be permitted to stall indefinitely.

INSISTENT

Also—and it's understood Sen. Ervin is insistent on this—employes, once their administrative remedies were exhausted, would be permitted to take their cases to Court "de novo."

In legal parlance, that means their cases would be considered by the courts as new . . . not confined by Executive Branch interpretation of the law . . . in no way affected by decisions reached as they exercised their administrative remedies.

There's no assurance these compromises will be worked out. As of now, they're discussion points—on both sides.

It's promising, however, that both sides are discussing.

[From the Washington (D.C.) Daily News, June 1, 1967]

You Can, Too, Beef if You Want

(By John Cramer)

Here are two more major victories for the Senate Constitutional Rights Sub-committee, headed by Sen. Sam Ervin (D., N.C.), which is pushing that proposed "bill of rights" for Federal employees.

Victory No. 1—Civil Service Commission has issued a strongly-worded directive to all agencies, telling them to make sure that employes have free access to their personnel offices, and that "road blocks are not placed in the way of an employe who wishes to visit the personnel office, file a grievance, or talk with" appropriate officials.

The CSC action stems directly from hundreds of letters to the Ervin Sub-committee from employes complaining that they were denied the right to take problems to their personnel offices.

SUPPORTED

In many cases, the denials were supported by agency (or installation) regulations.

The CSC directive said:

"An employe has the right to communicate with the personnel officials of his agency, the equal employment opportunity officer, and a supervisory or management official of higher rank than his immediate supervisor . . .

"An employe has the right to file a complaint, a grievance, or an appeal under the procedures of his agency or the Commission without interference or threat of reprisal. An employe acting in an official capacity for an agency shall not interfere with or attempt to interfere with such right . . .

"It is not enough for a supervisor to abstain from overt acts or threats of interference; he should refrain from making any statement or taking any action that has the flavor of threat, interference or intimidation."

CSC said it's permissible for an agency to require that an employe wishing to consult his personnel office ask his supervisor to designate a convenient time which will not disrupt work.

UNNECESSARY

But the employe is not required to state his reasons for wanting to see a personnel officer or other management official.

Victory No. 2—involved a 1954 (McCarthy era) Defense Department regulation, which:

Warned employes against "indiscreet remarks; unwise selection of friends or associates; membership in an organization whose true objectives are concealed behind a popular or innocuous title . . ."

Advised them "to study and seek wise and mature counsel prior to association with persons or organizations of any political or civic nature, no matter what their apparent motives may be . . ."

A companion directive ordered key officials to provide the "wise and mature counsel."

Under pressure from the Ervin Sub-committee, both recently were canceled.

In addition, however, the Commission has ordered all agencies to re-examine their own regulations to make sure they contain nothing similar.

The Commission quoted the Sub-committee as being "concerned with a general climate of fear and coercion revealed by employe letters to the Sub-committee, and with the implications of a Government-wide policy of surveillance of citizens, especially employes."

It said it "shares this concern."

Chief officers of the Patent Office Professional Association, have recommended that PO employes undertake a boycott of merchants at Crystal Plaza, Va., to which major units of the Office recently were moved under circumstances shrouded in unusual secrecy.

MAIN OBJECTION

Their chief complaint: After a month in the new location, parking privileges in the PO garage have been jumped "by a whopping 50 per cent" to $15 per month.

They allege that the garage is "filthy with trash, mud and dust costing you a small fortune just to keep your car clean . . . large stagnant lakes . . . and no lighting at all in some areas."

Patents Office management they say, disclaims all responsibility, but: "We challenge them to admit that they have a responsibility for the welfare of their employes."

The Association has asked all employes to ballot on the propositions: 1. Boycott of the garage; 2. Boycott of all Crystal Plaza facilities; 3. Boycott of both.

[From the Washington (D.C.) Daily News, May 19, 1967]

You Could Be Wrong, Mr. M!

(By John Cramer)

Civil Service Commission Chairman John Macy continues to insist there's absolutely no need for the "bill of rights" sponsored by Sen. Sam Ervin (D., N.C.) and 54 other Senators to protect Federal employes against privacy invasions by bureaucrats and milicrats.

He should read my mail! Yesterday's, for instance.

There was a note from an employe at Andrews Air Force Base—

"Base regulations say we must have auto insurance in order to qualify for registration stickers entitling us to drive and park on the Base.

"If you utilize the parking facilities at Air Force Systems Command and are a GS–7 or higher, all that is required is a verbal statement that you have adequate insurance.

"However, if you are a GS–6 or lower or an enlisted person, you are required to submit the actual insurance policy to the Air Police. "This surely shows that the old military adage, 'RHP (Rank has its privileges), is practiced at Andrews here with a vengeance."

Here, Your Government Reporter interrupts with two questions:

Even tho permitted, as it is by AF regulations, is it really the proper business of the Andrews milicrats to check employe insurance?

Do they honestly believe that GS–6s are less trustworthy that GS–7s?

The letter writer then goes on to say that, altho Andrews brass is real super-efficient about the insurance thing, it can't manage such a simple matter as soap for women's restrooms.

"There has been none for the last 2 or 3 weeks. We're told there will be none until the first of the fiscal year—July 1. No money appropriated for soap?!!"

By way of Sen. Ervin's Constitutional

Rights sub-committee came a letter from a GS–9 employe at a military installation—

"Recently, my military supervisor called me into his office, and told me to join the Officers' Club or face the loss of my job.

"It seems the commander of our installation was dissatisfied with the response of civilian employes in attending his cocktail parties (to which he invites many non-paying guests for his personal gain).

"Dues at the Club are $7.50 per month for civilians with no voting rights or say in the management of the club. The rate is the same for military officers, who can vote and manage the club!

"Needless to say, civilians are 'second-class' members who are tolerated only because the club wants and needs the dues money."

And finally, a letter from a serviceman's wife in Indianapolis—

"On April 5, I was interrupted at my Government job by two military police and a county police sergeant, who had papers stating my husband was AWOL. I told them he was at Ft. Carson. They called me a liar, and said he never had been there.

"Since I had received numerous telephone calls and letters from him at Ft. Carson, I knew their accusation was unfounded.

"They informed me the Army never makes mistakes, and requested proof that he was at Ft. Carson. The only way this could be accomplished was to drive to my home, approximately 15 miles.

"I had to return to my office for the keys to my car, and when I came back was escorted, like a common criminal, to the parking lot by the two M.P.'s. This was especially humiliating because the incident took place at a congested hour.

"At my home, they looked at the letters and still were not convinced. Therefore, I had to call Ft. Carson to satisfy them. When they had been assured that my husband was indeed there, they said it must have been a name mixup.

"After all this humiliation, I asked them to call my boss and explain.

"They refused."

Just one day's mail, Mr. Macy, from Federal employes who know just how badly they need a "bill of rights".

[From the Washington (D.C.) Daily News, Apr. 13, 1967]

Kook Has a Pregnant Question!

(By John Cramer)

Today, I crown a new Government privacy invading champion—A Pennsylvania-type kook, who richly deserves to be immortalized among the most officious of all Federal bureaucrats.

He succeeds to the throne briefly held by that Omaha, Neb., Air Force major, who, in an official order, now countermanded by top Pentagon brass, presumed to tell his subordinates exactly how far they could drive their private cars on week-end trips.

My new champion is a minor wheel—clearly of the two-bit variety—in Social Security Administration's Philadelphia Award Processing Branch.

LETTER

According to a letter to Sen. Sam Ervin (D., N.C.), chairman of the Constitutional Rights Subcommittee, from Lawrence B. James, president of Lodge 2006 of the AFL–CIO American Federation of Government Employes:

"On March 30, female employes of the Award Processing Branch, both married and single, were asked by their supervisors whether or not they were pregnant!

"We have signed statements from the employes who suffered this injustice."

On the phone, Mr. James told me:

That the Branch has about 200 female employes.

That the signed statements number 20.

That all eight supervisors in the Branch were asked to conduct the pregnancy poll.

That four, however, had the good sense to refuse.

That it's his understanding that Branch management justified the poll on "safety" grounds, saying it planned special consideration for the pregnant gals in fire drills.

REPORT ASKED

Sen. Ervin wrote Social Security Commissioner Robert M. Ball, April 5, requesting a full report.

So far, he has no reply.

When he gets one, I'll relay the word.

In the circumstances, I'd think Mr. Ball would want to convey his own apologies to the embarrassed employes.

And a sharp reprimand to my new privacy invading champ.

[From the Washington (D.C.) Daily News, Feb. 22, 1967]

Bill of Rights Gets Big Backing

(By John Cramer)

Sen. Sam Ervin (D., N.C.), chairman of the Constitutional Rights Subcommittee, yesterday re-introduced his proposed "bill of rights" for Federal employes, with impressive backing from 52 other Senators who signed as co-sponsors.

That means the bill now has the support of a clear majority of the Senate—a consensus which will bring no joy to Administration spokesmen who were alone in opposing it at Sub-committee hearings last year.

In 1966, co-sponsors totalled 35.

GUARD

The "bill of rights" is designed to protect Federal workers against growing invasions of their privacy by their agencies—invasion attested in a remarkable outpouring of thousands of letters to the Sub-committee.

In re-introducing it yesterday, in slightly-revised form, Sen. Ervin told the Senate:

"It is time for Congress to forsake its outdated reluctance to tell the Executive branch how to treat its employes.

"When so many American citizens for so many years are subject to unfair treatment, to being unreasonably coerced or required without warrant to surrender their liberty, their privacy, or their freedom to act or not to act, or to reveal or not to reveal information about themselves and their private thoughts and actions, then Congress has a duty to call a statutory halt to such practices, and to penalize their resumption.

"The reams of regulations, guidelines, and questionnaires issued for applicants, employes and their families to promote various causes make it clear that a very large segment of our population is being smothered by tons of big-brotherism."

The bill would prohibit these agency practices, among others:

Requiring or pressuring employees to disclose their race, religion, or national origin.

Requiring or pressuring them to attend meetings or participate in other outside activities not connected with their duties.

Forbidding them to patronize specified business establishments.

Requiring them to submit to psychological or lie detector tests which include questions about their relationships with relatives, religious beliefs, or sex attitudes and conduct. An exception to the general ban on psychological tests would be made for individual employes being examined for possible mental illness.

Requiring or pressuring employes to attend political fund-raising functions.

Coercing employes to purchase U.S. Bonds, or contribute to charity campaigns. However, reasonable, noncoercive solicitation would continue to be permitted.

Requiring employes to disclose financial assets and those of their relatives. The Ervin bill would restrict such disclosure to employes in potential conflict-of-interest situations—and only to such portion of their assets as might occasion a conflict.

Requiring employes undergoing criminal investigation to submit to questions without benefit of counsel.

WOULD APPLY

The bill's prohibitions would apply—in slightly different manner—to both civilian and military supervisors of civilian employes.

It would give employes the right to bring civil actions in Federal District courts to enjoin threatened violations—or redress actual violations.

And it would make "willful" violation a misdemeanor, punishable by up to $300 fine or 30 days in prison.

In addition, the bill would set up a three-member Board of Employe Rights, appointed by the President and confirmed by the Senate.

The Board would have the power to investigate and conduct hearings on alleged violations, and issue cease-and-desist orders.

In the case of first violations by civilian officials, it could issue official reprimands and suspensions up to 15 days. For subsequent violations, it could suspend up to 30 days, or order the official's dismissal.

Military violators would be reported to the President, the Congress and the heads of their services, and would be subject to Code of Military Justice procedures.

Both officials and employes would have the right to ask Federal District Courts to review Board decisions.

An Ervin bill introduced yesterday would outlaw coercion of military personnel in Savings Bond and charity campaigns.

[From the Greensboro, (N.C.) Daily News, June 28, 1967]

Ervin Bill Brings Federal Workers Personal Privacy

(By Roy Parker, Jr.)

WASHINGTON.—Employes of the Library of Congress no longer must fill out medical forms describing their sexual habits.

The Air Force has called off a directive forbidding most employes from telephoning or visiting their personnel office without explaining to their immediate boss.

The Federal Aviation Agency has quietly buried a personnel rule which threatened reprisals against employes who wrote complaining letters to their congressman.

The Civil Service Commission has reversed a policy order which encouraged government workers to take part in off-duty "community activities."

These and other reversals of policy have flowed from North Carolina Sen. Sam Ervin's pressure on the federal bureaucracy to stop what he calls "invasions of privacy" of the army of government workers.

The Tar Heel senator has authored a "Bill of Rights" for government workers that has been signed by more than half the 100 members of the Senate.

Ervin this week listed some of the changes that have been wrought by the mere threat of the legislation.

While he negotiates with executive branch officials for even further shifts in policy, Ervin said he would continue to push for Senate consideration of his bill. He did not rule out the possibility that the original version might be watered down somewhat in view of the policy changes.

However, said Ervin in a newsletter to constituents, "the need for the bill is still great, because regulations by government agencies are subject to change according to the whim and caprice of the administrators."

One of the most significant results of Ervin's pressure was a Civil Service Commission order reducing the requirement that thousands of federal workers file financial disclosure information in a program designed to head off influence-peddling and conflict of interest.

The commission has also called off its race-count program under which government workers were encouraged to list their race on personnel forms. Instead, government managers will keep such statistics through an informal "head count" method.

The government has also begun to relax some of the "be a booster" programs which were borrowed from private industry and business.

The Defense Department has watered down its promotional methods for savings bond sales among military personnel. It has also withdrawn a directive telling employes to "seek wise and mature counsel" concerning friendships, associations, and civic activities.

To head off Ervin's call for an independent personnel grievance council, the Civil Service Commission has also issued a new regulation spelling out employees' rights "without interference or threat of reprisal" to visit personnel offices and make formal complaints, appeals, and grievance claims under existing personnel regulations.

[From the Washington Post, June 8, 1967]

CSC Launches Employe Study

(By Jerry Kluttz)

A broad review of the Government's collection and use of data on its nearly 2.9 million civilian employes has been undertaken by the Civil Service Commission.

Chairman John W. Macy said the inquiry had a dual purpose: to assist Federal managers to plan and meet manpower needs, and to guarantee that the privacy of individual employes will not be violated.

The study is another victory for Sen. Sam J. Ervin (D-N.C.) who has been pounding away at the Government in general, and CSC in particular, for violating the privacy of Federal workers.

Charles J. Sparks, deputy director of CSC's Bureau of Management Services, will head the study group. Serving with him will be half a dozen agency personnel directors. The group also hopes to find better ways to use computers in personnel work.

Meantime, CSC is exploring the possibility of working out a compromise on Ervin's bill which is cosponsored by more than 50 senators, a majority of the Senate. The bill would protect the constitutional rights of both civilian and military personnel.

[From the Washington Post, Apr. 16, 1967]

Ervin Fighting the Battle

(By Jerry Kluttz)

Sen. Sam J. Ervin (D-N.C.) turned his spotlight yesterday on two practices at the Navy Finance Center here which he said were invasions of privacy and unwarranted surveillance of its civilian employees.

The chairman of the Constitutional Rights Subcommitte said that Navy efficiency experts monitor the women's restrooms to determine how many minutes they are in there.

The agency, located in the Munitions Building here, checks on all actions by its employes, including the blowing of their noses, according to the Senator, who was given the information by an employe there.

Ervin contends that we look to the First Amendment to the Constitution for protection against any form of tyranny and that Federal agencies in recent years had disregarded it. Said he:

"A regulation which threatens surveillance, or worse, for indiscreet remarks or unwise choice of associates is covered by this Amendment. Within its restrictions fall requirements to submit to interviews, tests and polygraphs which solicit information about a person's politics, religious beliefs and practices, sexual attitudes and conduct, or relationships with members of one's family.

"To condition a citizen's employment on submission to such pumping of his mind and thoughts and beliefs, is to exercise a form of tyranny and control over his mind which is alien to a society of free man.

"Similarly," the Senator continued, "to require him to state his associations, his outside activities, his financial interests and his creditors, and to make them factors in decisions affecting his employment interests, is to force conformity of thought, speech and action to some subjective, pre-established standard, unrelated to his official assignments.

"To ask him to report his civic and political organizations is as intimidating as to tell him to go out and lobby for legislation, or to take part in beautification projects when he would rather go fishing. Yet the Government does both.

"To coerce him to contribute a given amount to charity, or to buy savings bonds against his will as a condition of employment is equally reprehensible. Yet Federal officials do this.

"These practices affect not only the right to speak and act according to the dictates of his conscience; they invade also his right not to speak at all, not to act at all, and not to participate at all. In today's society . . . this may be the most precious right enjoyed by civilized man."

Voting Block: Nine Civil Service Commission investigators have been restrained from compiling eligible voter lists in the Louisiana parishes of DeSoto, Caddo, and Bossier. The temporary order was issued by Federal District Judge Ben Dawkins of Shreveport.

Dawkins concluded that Attorney General Ramsey Clark who had ordered CSC investigators into the three parishes, had said earlier that there was no voter discrimination in them. The Government will appeal the case.

Meantime, CSC will continue to list voters in five other Louisiana parishes that weren't affected by the ruling. Under the Voting Rights Act the Attorney General has the authority to order CSC investigators into counties where he believes voter discrimination is practiced to police voter registration and voting.

[From the Atlanta (Ga.) Constitution, May 20, 1967]

Protecting Government Workers

There has been considerable comment that college graduates find no challenge in working for private enterprise and that they would rather work for some branch of government. It is therefore interesting to read an article in the March, 1967, "Engineer in Government Newsletter," published monthly by the National Society of Professional Engineers.

It says that Sen. Sam J. Ervin of North Carolina is sponsoring a federal employe "Bill of Rights" which would guarantee employes legal protection from snooping and coercion by federal agency officials.

Ervin's bill "would . . . outlaw the practice of coercing employes to make political or charitable contributions, and would greatly restrict the conditions under which an agency could require the submission of information concerning an employe's financial or other private affairs . . . make it unlawful to: Require employes or applicants to take tests asking questions about their personal relationships . . . their attitudes about religion or sexual matters. . . . Forbid employes to patronize any business; require employes under investigation to answer questions without the presence of counsel; request or require employes to refrain from participating in outside activities unless related to official duties, or to state that notice will be taken of attendance or lack of attendance at non-job related meetings."

Other coercive practices are objected to by the engineers. Working under such restrictions would seem to be depressant rather than a challenge to an energetic and ambitious individual with forward-looking ideas.

[From the Washington Post, May 11, 1967]

Pressure Hit in Fund Drives

(By Mike Causey)

Memo to fund-drive keymen and Savings Bond salesmen.

Subject: Arm-twisting.

From: Civil Service Commission Chairman John W. Macy Jr.

Remarks: Don't do it!

That, in effect, is the message Macy has sent around for all agencies to read and not forget.

Macy doesn't want to put a damper on any of the programs. But he wants to head off any intimidation or setting individual goals, which have been common in many agencies during the last couple of years.

The CSC Chairman echoed the words of Savings Bond Chairman Lawrence F. O'Brien, who earlier told his keymen not to lean on people to buy bonds.

Macy's directive said that agencies are to make it plain that the fund drive and bond programs are voluntary, and if people can't or won't give, they should be left alone.

Agencies may continue to use the "fair share" guides, which indicate what donations people might make according to their salary. "But there may be no requirement that individual employe contributions meet such guides," Macy warned.

In addition, donations and bond purchases are supposed to be kept confidential this year. They were supposed to be confidential last year, but some overzealous supervisors—military and civilian—posted the names of nongivers or "cheapskates" on bulletin boards, or accused them publicly of being un-American. Macy said CSC would issue instruction soon to advise employes of grievance procedures, if they are being pressured to give.

Sen. Sam J. Ervin Jr. (D-N.C.) has gotten CSC's report * * * which would protect employes from pressure, snooping and invasions of privacy. Fifty-five other Senators are cosponsoring Ervin's bill, which would provide stiff enforcement penalties for supervisors found guilty of invading employe privacy.

But Ervin says that CSC doesn't want any criminal penalties for arm-twisting officials, that it feels the situation can be met "with administrative proclamations."

Ervin, the chairman of the Senate Constitutional Rights Subcommittee, will meet with CSC officials Friday, when he hopes agreement can be reached on his bill.

[From the Durham (N.C.) Herald, April 29, 1967]

Ervin Outlines Battle Tactics in All-Out War on Snooping

A U.S. Senator who has waged an all-out war against government snooping outlined his battle tactics at the Duke University Law School Friday.

Sen. Sam. J. Ervin Jr. denounced invasion of privacy on the part of federal administrators and predicted Congress will enact additional legislation this year to protect employes and job applicants.

Sen. Ervin said his experience as chairman of the Senate Constitutional Rights Subcommittee has convinced him "about the most important thing a man has is his right to privacy and to individual dignity."

The senator charged the federal government has been bent on setting itself up as the "Great Protector" of personal habits, thoughts, actions and emotions of its vast work force.

"This over-protectiveness and big brotherism of government has led it to devise ingenious means to rob employes of the American dream of freedom," he asserted.

Questions addressed to an individual's sex habits, religion, and family relationships were attacked by Ervin in his appearance before the Duke law students. He denounced them as "an unwarranted and substantial invasion of privacy."

Ervin said his investigation led to the uncovering of abusive uses of financial questionnaires required of employes as far down the Civil Service scale as the raisin inspectors in the Department of Agriculture.

He acknowledged that conflict-of-interest scandals provided the use of financial disclosures to apprehend a few corrupt individuals.

"Still it seems unwarranted to require countless thousands to reveal personal business and financial affairs," he added.

Ervin said he is proud to be a sponsor of the administration's current bill to restrict wiretapping. And he announced that his own bill restricting the use of questionnaires has the signatures of 54 colleagues in the Senate—or a comfortable majority.

Prior to his address, Ervin told a news conference he will vote for the censure of Sen. Thomas Dodd of Connecticut as recommended by the Senate Committee on Standards and Conduct.

He also criticized members of Congress who have voiced opposition to an address by Gen. William Westmoreland, commander of American forces in Vietnam.

"I'm a great believer in free speech. The people opposing him believe in free speech when they are involved," Ervin told the newsmen.

Expressing vigorous opposition to a bill that would allow taxpayers to deduct from their annual income taxes $1 for a presidential campaign fund. Ervin offered his own program for contributions.

He suggested that each taxpayer be allowed a "reasonable deduction"—he mentioned $50—for contributions to the party or candidates of his choice.

[From the Washington (D.C.), Evening Star, June 9, 1967]

Rules Eased on Employe Filing of Detailed Financial Statements

(By Joseph Young)

The Civil Service Commission today acted to "significantly reduce" the number of federal workers who must file detailed financial statements on behalf of themselves and their families.

The CSC modified its regulations on the ethics and conduct of government employes after the Senate Constitutional Rights subcommittee headed by Sen. Sam Ervin, D-N.C., had sharply criticized the system. Heretofore hundreds of thousands of federal employes, many of them in lower grades and in non-policy jobs, had been required to file these statements.

The CSC said the revised program will be limited "to those in positions in which the possibility of conflict-of-interest involvement is clear."

RECOMMENDED DIVISIONS

The former mandatory inclusion of all employes above grade GS-15 and all hearing examiners has been eliminated. Statements on an employe's outside employment and financial interests, including those of members of an employe's immediate family, will be required only from employes in grade GS-13 and above who are responsible for making decisions or taking actions in regard to contracting, procurement, grant or subsidy administration, regulating a non-federal enterprise, or another activity having an economic impact on a non-federal enterprise.

An employe who merely recommends a decision or action will no longer be required to file a financial statement. An employe below grade GS-13 will be required to file only if his employing agency justifies to the CSC that his filing is essential.

To further assure that the filing requirement extends only to employes whose positions make it essential for the government to have the information sought, the CSC has authorized agencies to exclude any employe whose duties make the likelihood of his involvement in a conflict-of-interest situation remote.

Also, an agency may exclude employes from the reporting requirement when the agency has an alternative procedure that the CSC has approved.

The new regulations also specify that no question may be used in an agency's form on employment and financial interests unless it is one included on the CSC's standard form or has the CSC's approval.

GRIEVANCE PROCEDURE

Also, each employe must be informed that his agency's grievance procedure is available to settle any complaint against being required to file a statement. Also, agencies may excuse an employe from reporting an interest too remote or inconsequential to affect the integrity of his work.

The former requirement that employes file quarterly supplements to their statements of employment and financial interests has been canceled. From now on, only an annual statement will be required from those who must file.

Other changes will provide better assurance of the confidentiality of financial statements by requiring agencies to designate which employes are authorized to review the statements and by making these employes responsible for restricting the use of information contained to that necessary in carrying out the purpose of the ethics regulations.

The new regulations also incorporate a recent decision by the Comptroller General that federal officials and employes are not to accept non-government reimbursement (such as from industry) for travel on official business.

[From the Washington (D.C.) Evening Star, Apr. 21, 1967]

Voiding of "Big Brother" Directive May Have Started in Home Drama

(By Joseph Young)

From the Federal Spotlight Column, Evening Star, April 18: Ervin subcommittee discloses Defense directive cautioning civilian employes against joining any organization, political or civic or forming friendships, without first getting the "mature advice" of their supervisors. Employes also admonished about use of "indiscreet" remarks.

AP Story, Evening Star, April 20. Defense cancels directive.

The Defense Department's decision to cancel its Big Brother directive could have stemmed from its employes getting into sticky situations like the one described below.

Scene: the living room of a Navy civilian employe. The employe is seated, reading "Alone" by Adm. Richard Byrd, while his wife stands over him and glares.

WIFE. I'm sick and tired of our boring existence. No friends, not even neighbors that we can talk to . . . no place to go.

HUSBAND (sighing). I know what you mean. But I'm a loyal Navy employe. And you know what that means.

WIFE. I think you're a Casper Milquetoast. Why can't you at least make friends with some of our neighbors? We've lived here for a month now, but we're not on speaking terms with anyone.

HUSBAND. But you know what the directive said . . . It . . .

WIFE (interrupting). The hell with the directive!

HUSBAND. Careful! You know what it says about indiscreet language.

WIFE. (her face flushed with anger). I never was so humiliated in my life as I was the day we moved in. Mr. Jones, our next door neighbor came over to say hello and introduced himself . . . and what did you do!

HUSBAND. Well, I was sorry to have to ignore his outstretched hand. And I really felt very bad about slamming the door in his face without replying to his greeting. But what could I do? I'm not allowed to make any friendships without the mature advice of my supervisor.

WIFE. Well, why don't you clear it with your supervisor?

HUSBAND. I'm afraid to. He's a misanthrope. He hates everyone, and I'm sure he would blackball our neighbor.

WIFE (ignoring his explanation). And why did we have to hide and pretend we weren't home when the Welcome Wagon lady came to our door with those little gifts.

HUSBAND. Simply following instructions not to strike up new acquaintances or friendships.

WIFE (continuing to vent her indignation). And forbidding me to say good morning to the mailman. And to think that they're the ones who get us our pay raises each year!

HUSBAND (suddenly contrite). I guess we are a little harsh on him.

WIFE. As if all this isn't bad enough, you're even afraid for us to join the Parent Teachers Association or let Junior join the Boy Scouts.

HUSBAND. But you know what the directive says about that. (He moves over to the television set and takes from the top of the set the Defense directive. He looks for a particular passage.)

Here, I found it. (He reads aloud) . . . "A number of our citizens unwittingly expose themselves to unfavorable or suspicious appraisal which they can and should avoid. This may take the form of an indiscreet remarks, an unwise selection of friends and associates, membership in an organization whose true objectives are concealed behind a popular and innocuous title. . . .

Therefore, it is advisable to seek wise and mature counsel prior to association with persons or organizations of any political or civic nature. . . ."

WIFE (interrupting). That's enough. You've read that to me 50 times.

HUSBAND. But that's why I'm hesitant about us joining the PTA or Junior joining the Boy Scouts. The way things are happening these days, these groups could be fronts for hippies, topless something or others or heaven knows what.

WIFE (starting to cry). But what's left for us. What kind of a life are we destined to lead.

HUSBAND (suddenly brightening). Well, who knows. Maybe one of the television networks will reschedule our favorite program and we can "Sing Along with Mitch" again.

[From the Washington (D.C.) Star, Apr. 18, 1967]

Some Workers Can't Blow Noses Without Entry in Personnel File

(By Joseph Young)

Such is the rapid encroachment of Big Brother in government that some employes literally can't even blow their noses without it being noted in their records.

The Senate Constitutional Rights subcommittee discloses that eagle-eyed methods engineers in one Navy unit sit in front of the room monitoring all actions of employes.

When an employe blows his nose, this is noted on his "personal" card, the subcommittee said.

In another Navy office, methods engineers monitor the women's restrooms to see how much time each female employe spends there.

Sen. Sam Ervin, D-N.C., chairman of the Senate unit, describes these indignities as ranging from the "ludicrous to the pathetic."

While Ervin feels such actions are definitely symptomatic of an increasing invasion of employes' rights to privacy, he is even more concerned over a recent Navy directive to employes.

The directive instructs employes not to join any organization, political or civil, or strike up new friendships without first securing "mature counsel" as to the wisdom of these moves.

Presumably the "mature counsel" is the employe's supervisor who will advise in this sort of thing.

Employes also are cautioned to be careful at all times of their conversation. "An indiscreet remark" could backfire on an employe, the Navy directive warns.

John Macy, chairman of the Civil Service Commission, in response to Ervin's query as to what he thought of the directive, said he felt Navy "had gone too far."

"It goes beyond the bounds of reasonable security precautions," he said.

Meanwhile, Ervin predicts early action by his subcommittee on his "bill of rights" for government employes.

He has given government agencies until April 20 to file their reports on this bill.

The subcommittee is expected to approve it shortly after that.

Fifty-four senators—a majority of the Senate—have joined Ervin in sponsoring the measure.

[From the Omaha World-Herald, Apr. 8, 1967]

U.S. Employees Say Rights Invaded

The chairman of the Senate Constitutional Rights subcommittee has asked Defense Department opinion of a series of policy letters issued by an Omaha Army officer, which the Senator suggests are "misguided . . . paternalistic."

Senator Sam J. Ervin's (Dem., N.C.) letter to Secretary of Defense McNamara, which are tied to his long-continuing legislative battle to prevent unwarranted invasion into the private lives of military and civilian employees of the Government, deals with policy letters issued in January over the signature of Maj. Edward M. Corson, commander of the Armed Forces Examining and Entrance Station in Omaha.

Since the subcommittee began its investigation several years ago, it has received thousands of complaints from all the states from Federal employees contending that their rights have been invaded.

Mr. Ervin is the author of two pending bills, one relating to civilian employees and another to military personnel.

They are designed to prohibit coercion in solicitation of charitable contributions or the purchase of United States Savings Bonds—a frequent complaint—as well as requests for disclosure of race, religion and national origin, or pressure to attend functions, or reports on their outside activities unrelated to their work.

In one of his policy letters, Major Corson wrote that the President had urged Government personnel to buy Savings Bonds, and he said:

"All personnel of this station will aid this program by participation in the Army Savings Bond program."

Of this, Senator Ervin told Secretary McNamara:

"Major Corson's enthusiasm on behalf of the savings bond drive appears to be misguided."

A memorandum issued by the Pentagon last December 21 says "The choice of whether to buy or not to buy a United States Savings Bond is one that is up to the individual concerned. He has a perfect right to refuse to buy and to offer no reasons for that refusal."

In another policy letter, relating to military personnel, Major Corson wrote:

"Several functions and activities are planned and sponsored by this station during the course of the year. All personnel will attend such events unless excused by the commander because of extenuating circumstances, such as financial hardship, physical indisposure, leave, etc."

In another policy letter, the major said all personnel "are required to have at least two front seat belts in their privately owned vehicles." He said also that maximum travel in a privately owned vehicle on a two-day week end is 250 miles, for a three-day week end, 350 miles.

A number of Nebraska employes of the Federal Housing Administration protested FHA practices, particularly what they said was a requirement that questionnaires regarding outside employment include information on an employe's family and outside jobs held by them.

There was criticism of a regulation said to require information on either the sale or purchase of a residence even when FHA is not involved.

MAJOR CORSON: NO STATEMENT

Contacted in Omaha Friday, Major Corson said he has no statement at this time.

Russell M. Bailey, director of the Nebraska FHA, was asked for comment. He said his office follows the regulations of the Civil Service Commission and the Federal Employment Manual.

These include rules to avoid conflict of interest, he said, which is why questions are asked about outside employment and property purchases.

[From Newsday, Garden City, Long Island (N.Y.) 1967]

The Absolutely Trustworthy Idiot

(By Charles McDowell, Jr.)

WASHINGTON.—A reporter was talking on the telephone the other evening to an official of the International Monetary Fund who was working overtime in his office at the agency's fancy new building here. Suddenly the official said, "Oops, pardon me. The computer just turned off my lights."

There was the sound of the telephone being laid on the desk, followed by the sound of the official stumbling over his wastebasket in the dark. Then he returned to the telephone after switching on the lights.

The poor fellow explained that the agency's computer turned off the lights in all the offices at 6:30 p.m. every day. This officious machine's regular job involved, of course, things like calculating interest rates in Peru, car-loading in Zambia, and the potential export market for Australian wombats.

In its spare time, however, the computer handled a variety of economical housekeeping chores like turning off a man's lights and causing him to trip over his wastebasket.

This sort of reliance on computers is sweeping Washington. The federal government has 2,600 computers attended by 71,000 keepers. According to the Budget Bureau, the computers are saving money left and right as they track space satellites, issue Social Security checks, shuffle census figures, order supplies, file records and perform heaven knows what duties for the CIA.

Senator Sam J. Ervin, a Democrat of North Carolina, thinks the computers are getting out of hand and something ought to be done about them before it is too late.

He is worried but he is not stuffy about it. Ervin says, for instance, "The day may come when we will replace politicians with computers. Judging from some of the reasoning of politicians I've seen over the years, I know I would sooner take the logic of a computer. The machine may suffer the same lack of intelligence as some politicians, but at least there is consistency in its idiocy."

As chairman of the Senate Subcommittee on Constitutional Rights, Ervin is seriously concerned about the information that computers are storing up on 3,000,000 civilian employees of the federal government. With every test and interview these people ever submitted to being available at the push of a button, Ervin sees the danger of wholesale invasions of privacy.

Various government agencies give so-called personality tests when screening people for employment and promotion. Ervin is frankly appalled to know that computers keep a record of individual citizens' reactions to such test propositions as these:

I am very seldom troubled by constipation.
At times I feel like swearing.
I do not always tell the truth.
I believe in a life hereafter.
My mother was a good woman.
Many of my dreams are about sex matters.

It is hardly reassuring to Ervin to know that mighty machines can remember forever anyone's responses to such nosiness, co-ordinate it with even more personal information gathered in lie-detector tests, cross-file it with job histories, credit checks and random gossip, and regurgitate it all instantly for a button-pusher. (Today a computer tricks a man into falling over his wastebasket; tomorrow it blabs his private life to a computer in California that tells anyone who is interested.)

Senator Ervin suggests "a massive nationwide clean-up campaign to cleanse present files of improperly acquired, irrelevant personal information." He is proposing legislation to protect federal employees from psychologists, snoops and Orwellian nuts working in conspiracy with computers.

Like everyone who gets serious about computers, Ervin knows that mankind must take the blame for what the machines do. As Dr. Charles DeCarlo, a computer expert, told him, "A computer is an absolutely trustworthy idiot."

And the villainy of small-minded men in all this reminds Sam Ervin of a line from William Faulkner: "Men ain't evil; they jest ain't got no sense."

[From the Boston (Mass.) Christian Science Monitor, Mar. 21, 1967]

Improper Questions

Certain tests and questionnaires used by the federal government threaten an unjustified invasion of the privacy of government employees. For several years, Sen. Sam J. Ervin's subcommittee on constitutional rights has kept a sharp eye open to detect possible infringement of individual liberties.

The subcommittee extensively probed the psychological testing of federal government employees. It pointed to the use of some testing forms which include what many would consider objectionable questions relating to religion, sex, and other personal matters.

From one test, the following, for example, were to be answered "true" or "false":

"Christ performed miracles."
"I pray several times a week."
"I like to talk about sex."
"I am a special agent of God."

More recently, the subcommittee found that various government agencies were using a "report of Medical History" which includes questions of an extremely personal nature, some of which have no apparent bearing on the individual's physical fitness.

After the subcommittee and the American Civil Liberties Union pressed the matter with the United States Civil Service Commission, the commission dropped the form for all civilian employees and job applicants. But the Defense Department continues to use it for military personnel.

A "false or dishonest answer" to this questionnaire is punishable by fine or imprisonment. It was by no means clear that access to these forms would be strictly limited to medical staff. If they were made available to personnel or security officers, answers irrelevant to physical fitness might well have resulted in exclusion from government service.

Government must, of course, obtain certain information about applicants in order to select able, conscientious, and reliable employees. But there are some personal matters which government has no right to extract from an individual as a condition of employment.

We are encouraged that both Congress and an organization dedicated to the preservation of civil liberties have seen fit to look into the matter. It deserves continuing surveillance.

[From the Norfolk (Va.) Virginian Pilot, Mar. 8, 1967]

THOSE QUESTIONS—AGAIN

Senator Ervin of North Carolina, long a champion of the right to privacy, has renewed, and broadened, his crusade. In a speech before the American Management Association's annual conference on electronic data processing, he called for the government and private employers "to cleanse present files of improperly acquired, irrelevant personal information."

As examples of such information, the Senator cited questions being asked in Federal "personality tests" administered to job applicants. They include queries about sex life, belief in the second coming of Christ, and love of parents. Mr. Ervin says such questions, whatever the source, are invasions of privacy. We agree. And that such questions have been asked for a long time makes even more pertinent not only a purge of such information from present files, but a revision of business and government estimates of the nature and relevancy of information demanded from employes.

The spreading use of computers—which can instantly produce potentially damaging information without the applicant's having an opportunity to explain, modify, or challenge answers that might have been given under stress years before—heightens the urgency for regulation. Mr. Ervin's assessment of the threat as coming not from the computer as a machine but from its abuse by political executives, managers, and technicians is correct. His call for a "code of ethics" involving "self-regulation and self-restraints," however, seems insufficient.

The need is for a re-establishment of the Fourth Amendment, for congressional action to extend its guarantee of privacy to cope with the insidious erosion produced by man's amazing technology. Unnecessary probing into private lives by whatever means, and necessity exists only in national security cases, must cease if the Bill of Rights is to win the race with electronics—and the political executives, managers, and technicians.

[From the Charlotte (N.C.) Observer, May 7, 1967]

ERVIN HITS PRIVACY INVASION—NATIONAL DRIVE URGED BY SENATOR

NEW YORK.—Senator Sam J. Ervin, Jr., D-N.C., called Monday for a massive nationwide campaign to rid government and industry personnel files of data that jeopardizes privacy.

Ervin told the American Management Association that business and management must place immediate restraints on the type of information they force employes to give about themselves.

"They must launch a massive nationwide clean-up campaign to cleanse their present files of improperly acquired, irrelevant personal information," Ervin added.

Ervin said if these steps are not taken before proposed personnel data computer centers are set up, the public will demand strict congressional controls.

"Government appropriations for research and development will be denied and the computer will become the villain of our society," Ervin said.

Ervin, chairman of a Senate judiciary subcommittee on constitutional rights, addressed the association's annual conference on electronic data processing.

He said the subcommittee has a huge dossier of complaints by federal employes about computerized questionnaires and even lie-detector interviews that probe into their private affairs.

If such information is consolidated into a central computer center it will make possible a massive invasion of the privacy of millions of persons, Ervin said.

"Decisions affecting a person's job, retirement benefits, security clearance, credit rating or many other rights may be made without benefit of a hearing or confrontation of the evidence," he said.

"The computer reduces his opportunity to talk back to the bureaucrats," Ervin said. "It raises the specter of a possible program of routine denial of due process."

[From the Washington Post, Sept. 3, 1967]

OUTSIDE THE LAW

The Central Intelligence Agency has not shown any valid reason for its demands for exemption from a bill designed to protect the privacy of Federal employes. Senator Ervin hardly overstated the case when he asserted that the agency was seeking an "unmitigated right to kick Federal employes around." This "right" is sought, of course, in the name of national security; and there is no question that the CIA needs to screen its personnel with the utmost care. But national security is not served by disregarding the rights of Government employes.

As reported to the Senate, the Ervin bill already contains an amendment exempting the CIA and the National Security Agency from provisions which prohibit Federal agencies from asking their employes about their religion, sexual activities or family relationships. There is no reason for such an exemption and no reason why any Federal agency should intrude so offensively upon areas of privacy. Government investigators have too often been known to make such inquiries wantonly and pruriently. They demean the Government itself as well as the individuals involved. And it is highly doubtful that they yield information of the slightest value in determining the trustworthiness of employes.

To make matters worse, moreover, these offensive inquiries are commonly undertaken in conjunction with lie detector tests. Lie detector tests ought to be forbidden in determining qualification for employment in any Federal agency—and especially an agency affecting national security—if for no other reason than that they are, like the reading of tea leaves or other forms of divination, notoriously unreliable.

The CIA and the NSA are now seeking exemption, in addition, to provisions of the Ervin bill which give Federal employes the right to have legal counsel present during disciplinary hearings and which permit employes to bring suits to enforce their rights. These are elements of due process designed to insure fairness in dealing with employes, and there is no reason why sensitive agencies should be empowered to deal with personnel arbitrarily and capriciously.

Senator Ervin gave the CIA and the NSA ample opportunity to present their case for exemption in the course of committee hearings. Instead, they chose, after the bill had been reported out, to state their objections in a letter stamped "Secret" and in private conversations with Senators; and for this purpose they have persuaded the Senate to postpone a vote on the bill. One can hardly help supposing that their arguments are so specious that they will not bear inspection. We commend to the Senate Lord Acton's wise observation that "Everything secret degenerates, even the administration of justice; nothing is safe that does not show it can bear discussion and publicity."

[From the Raleigh (N.C.) News and Observer, Aug. 31, 1967]

IN THE NAME OF SECURITY

Sen. Sam J. Ervin has proposed, and already guided through the Senate Judiciary Committee, an excellent bill to protect the privacy and civil rights of federal employes. In the main, it would prevent agency officials from delving into the unquestionably private aspects of an employe's life. And it would give government workers protection against being pressured to support supposedly worthy causes unrelated to their jobs, sometimes outside of government offices.

Senator Ervin has worked long and carefully to shape this bill. It deserves—almost certainly it will gain—passage in both the House and the Senate. Perhaps it should apply equally to protect workers within the Central Intelligence Agency and the National Security Agency. But doubts about that, particularly from CIA officials, have resulted in postponement of Senate action and the provoking of Senator Ervin's anger. Some exceptions are written into the bill to meet CIA objections, he insists, and the measure ought not to be delayed further.

This is not just a collision between basic rights of individual workers and the practiced abuses of an overbearing employer. The CIA does indeed operate above the law, as most of us understand that phrase. It is answerable only to a small, select committee of the Congress; its appropriations are not identifiable in the budget; its expenditures are not audited for public accountability; its activities, which include discrete violation of American codes of law as well as those of enemy, neutral and allied nations, are shrouded in super secrecy. Such a spy agency is deemed essential to the security of this country and the furtherance of its foreign policy. Changing its posture or limiting the scope of its activities is not at issue in Senator Ervin's bill.

The question which his measure raises is whether CIA employes should not be entitled to legal protection of their privacy the same as all other government workers. That could be amended to ask whether the CIA should even seem to be just another government agency. It ought not to abuse the rights of its employes. It is given, and no doubt it uses, the authority to do much more in the name of security.

[From the Raeford, (N.C.) News-Journal, Sept. 7, 1967]

SAM GETS MAD

Sen. Sam Ervin of North Carolina all but "blew his stack" on the floor of the U.S. Senate one day last week after the Central Intelligence Agency (CIA) maneuvered behind the scenes and allegedly had scratched from the Senate agenda an Ervin-sponsored bill to safeguard the rights of federal employes. The senator was justifiably perturbed, and his allegation that the CIA wants "to stand above the law . . . wants the unmitigated right to kick federal employes around . . . deny them the basic rights which belong to every American" has the familiar ring of CIA super-secrecy and behind the curtain intrigue.

The Central Intelligence Agency, the Federal Bureau of Investigation, the Secret Service, and other agencies enjoy almost total immunity to regulation and supervision. There have been many criticisms of the CIA, dating back to the Bay of Pigs fiasco, but Senator Ervin's denunciation was the strongest attack to date.

He objects to the CIA and the National Security Agency—or any other investigating agency—asking employes or job applicants about their sex habits, family relations or religious beliefs as part of certain tests. The sole exception is that when the national security may be involved.

Senator Ervin contends federal employes

are brow-beaten by the CIA and others. Certainly, the rights of federal employes ought to be protected, and the CIA ought to be restrained from lobbying. Senator Ervin may have yet another shot at the CIA, however, because he is a member of the Senate Armed Services Committee, which has jurisdiction over the CIA.

[From the Boston (Mass.) Morning Globe, Aug. 29, 1967]

Foot-in-Mouth Disease

The Central Intelligence Agency, backed by the National Security Agency, has been caught with its foot in its mouth again. This awkward position is deplorable in any event, but it is twice to be deplored in the case of agencies which could play a vital role in the international cloak-and-dagger market if they were run judiciously.

Their latest affront to the democratic process is the successful maneuver, uncovered by The Christian Science Monitor, to remove from the U.S. Senate calendar a scheduled debate on a bill designed to protect Federal employees from police-state intrusion. It is the so-called "Right to Privacy bill" sponsored by 54 senators who are appalled at the CIA–NSA technique of "strapping an applicant (for employment) to a machine and subjecting him to salacious questioning" to determine whether he would or would not be a "security" risk.

Sen. Sam J. Ervin (D-N.C.), chief sponsor of the bill, points out that the Federal Bureau of Investigation does not resort to such tests in hiring its staff and overseeing employee conduct because it knows that such tests are not foolproof in sifting truth from falsehood and because other and acceptable techniques are available for testing the character, reputation and capacity of job applicants.

"The basic premise of the bill," says Sen. Ervin, "is that employees of the Federal government sell their services, not their souls. The idea that a government agency is entitled to 'the whole man' and to the most intimate knowledge and control of all the details of his personal and community life, his religious beliefs and sexual attitudes is more appropriate for totalitarian countries than for a society of free men. The questioning process disgusts many applicants and sours some against taking any Federal job."

The CIA and NSA, which spurned all requests to testify before a Senate subcommittee, now demand to be heard by the Judiciary Committee behind closed doors. The request has been denied on the ground that there is already too much secrecy in government, that the public business should be conducted publicly.

A showdown on this issue can come none too soon, for it is even larger than the rights of Federal employees to be treated as American citizens. What is at stake is nothing less than the right of the U.S. Senate to conduct its own affairs, and certainly its own debates, without behind-the-scenes interference, especially from what is essentially a secret police agency.

[From the Christian Science Monitor, Aug. 29, 1967]

"Spy" Agencies Resist "Privacy" Bill Coverage

(By Lyn Shepard)

Washington.—The Central Intelligence Agency is making an 11th-hour effort to remain exempt from a "right to privacy" bill before the Senate now.

The bill, sponsored by Sen. Sam J. Ervin, Jr. (D) of North Carolina, would protect federal employees from prying questionnaires and other means of invading a worker's private life.

But the CIA holds that its mission requires the "right to pry" by means of polygraph or "lie detector" tests in order to know the personal attitudes of its staff. It contends that the national security is often at stake.

The Ervin bill, which boasts 54 cosponsors, cleared the Senate Judiciary Committee unanimously Aug. 21. It was scheduled for floor debate Aug. 25 but withdrawn from the calendar following a unique CIA request.

Though the agency earlier spurned Senator Ervin's invitation to testify before his subcommittee, it now has asked to state its case before the full Judiciary Committee.

This poses an unusual dilemma for Sen. James O. Eastland (D) of Mississippi, its chairman. Senator Ervin has consented to the unprecedented request—but only if the CIA testifies in public. The agency follows a strict rule of speaking "off the record" and behind closed doors.

Thus Senator Eastland must decide whose wish to grant; the CIA's or a close Southern ally's. Senator Ervin holds two aces which could sway his chairman's thinking.

A committee amendment already gives the directors of the CIA and the National Security Agency (its counterpart in the Defense Department) the authority to use polygraph tests in individual cases when they believe the national security demands it.

The Federal Bureau of Investigation does not rely on such tests in hiring its staff or overseeing its conduct. Nor does it regard them as foolproof in sifting truth from falsehood.

Behind the closed doors of the Judiciary Committee, Senator Ervin had opposed any moves to grant the CIA and NSA special "right to pry" privileges. The limited-testing amendment proposed by Sens. Birch Bayh (D) of Indiana and Edward M. Kennedy (D) of Massachusetts, gained a majority anyway.

AGENCIES STAY QUIET

Despite this amendment, the agencies have sought a hearing in hope of recommitting the Ervin bill. In a letter to Judiciary Committee members dated Aug. 25 Senator Ervin fought back.

"These agencies are apparently lobbying for complete exemption on the Senate floor from all provisions of the bill, an action which I consider both unwise and unconstitutional," he wrote.

The Senator reminded his colleagues that FBI Director J. Edgar Hoover found the polygraph unreliable. Even if it were dependable, he said, qeustions relating to an applicant's family relationships, religious beliefs, and sexual attitudes do not belong in such a test.

"The basic premise of this bill," he noted, "is that a man who works for the federal government sells not his soul, but his services.

"The idea that a government agency is entitled to the 'total man' and to knowledge and control of all the details of his personal and community life is more appropriate for totalitarian countries than for a society of free men."

The security agencies decline official comment on their operation, including the use of polygraph tests without the proposed restrictions.

One Senate source close to the issue, however, said that such tests serve a dual purpose. At times they screen out undesirable applicants who might be subject to enemy blackmail pressure. And sometimes they are used to deliberately "screen in" such undesirables so the agency can make contacts in vice circles.

"The other big issue is the 'right to pry' " the source said. "These agencies are in the prying business. They have to ask some of these questions—no matter who they offend.

"They have to recruit some drug addicts and sex deviates to contact others like them in London, Paris, or hippy circles wherever to find out what the agencies need to know."

In this way, the source maintained, the CIA and NSA seek to justify their curiosity in the "total man." Senator Ervin contended during hearings that the questioning process disgusts many applicants and sours some against taking any federal job.

"Surely," he said, "the financial, scientific, and investigative resources of the federal government are sufficient to determine whether a person is a security risk, without strapping an applicant to a machine and subjecting him to salacious questioning."

SENATOR UNMOVED

The CIA–NSA arguments obviously leave Senator Ervin unmoved.

"They want the unmitigated right," he told other members, "to kick federal employees around, deny them respect for individual privacy and the basic rights which belong to every American regardless of the mission of his agency."

The administration has opposed the Ervin bill from the beginning. Its spokesman, the chairman of the Civil Service Commission, John Macy, testified that any grievances can be resolved without a law through federal employee unions.

But a majority of the Senate—including at least 35 Democrats—disagrees. It is this support which Senator Ervin looks to as a showdown with the security agencies draws near.

[From the New York Times, Aug. 30, 1967]

CIA Wins Delay in Bill To Restrict U.S. Job Inquiries

(By Fred P. Graham)

Washington, August 29.—The Senate granted today an 11th-hour plea by the Central Intelligence Agency for a delay in considering a bill designed to protect Federal employees from being asked personal questions.

The action evoked an angry outburst from the bill's author, Sam J. Ervin, Jr., Democrat of North Carolina, who said the C.I.A. was seeking a complete exception from the bill to give it the "unmitigated right to kick Federal employees around."

A spokesman said the agency would make no comment on Senator Ervin's charges. However, it was learned that the C.I.A. has complained that the bill might undermine its ability to protect itself from penetration by enemy agents.

Under the bill, which had been scheduled to be debated and possibly voted upon today, Federal agencies would be prohibited from asking their employes about their finances, religion, sex activities or family relationships. It would also forbid questions about employes' outside activities, unrelated to their work, and their race, religion or national origin. In addition the bill would prohibit pressure tactics aimed at coercing Federal workers to buy bonds or support political candidates.

The bill contains an exemption that would permit the C.I.A. and the National Security Agency to ask its employes about their finances, sex attitudes, religion and family affairs if necessary in specific cases to protect the national security.

FEAR OF DISCLOSURES

However, these agencies would be covered by the other provisions of the law, and the C.I.A. is said to fear that the law would expose it to suits that could embarrass the agency and disclose some of its secrets.

Among the provisions that reportedly worry the C.I.A. are those that give employes the right to have legal counsel present during disciplinary discussions with superiors and that permit employes to bring suits in Federal court to enforce their rights.

Both security agencies are also said to resent the fact that the Federal Bureau of Investigation has been exempted entirely from the bill.

A spokesman for Senator Ervin said today that this was done to give the F.B.I. a free hand in investigating employes of other agencies.

Senator Ervin appeared particularly miffed today because the C.I.A., after declining twice in the last two years to testify publicly about the bill, asked for a delay only hours before the final Senate vote was scheduled to be held.

He said such a request by a Federal agency was "without precedent."

Senate majority leader Mike Mansfield said in an interview that he had "never heard of such a request" before, but that he granted it to give the agency time to explain its case to Senate leaders before the vote was taken.

Mr. Mansfield announced later from the Senate floor that the bill would be taken up on Sept. 19.

In his speech, Senator Ervin said the C.I.A. had given its objections to the bill in a 10-page letter stamped "secret," and in private meetings with his staff.

He said the agency's objections were so "specious" that he insisted that any C.I.A. testimony be given publicly. The intelligence agency has agreed only to private hearings. It is known that a number of changes have been made in the original bill to make it more palatable to the agency.

One significant C.I.A.-inspired amendment modified a section that, in the original version, forbade any agency to ask its employees "to support any candidate, program, or policy of any political party by personal endeavor or contribution of money or other thing of value."

The C.I.A., which has been accused on occasion of dabbling in foreign political affairs, was reportedly responsible for an amendment that changed this section to apply only to elections within the United States.

[From the Winston-Salem Journal, Aug. 30, 1967]

SENATOR ERVIN PROTESTS BILL'S DELAY

(By Bill Connelly)

WASHINGTON.—Sen. Sam J. Ervin, Jr. of North Carolina protested angrily yesterday when the Senate postponed action at the request of the Central Intelligence Agency, on a bill to protect the private rights of government employes.

In a 30-minute floor speech, Ervin said it was unprecedented for such an agency to hold up the Senate's business. He said the bill has been under study for a year.

He questioned whether the CIA, by seeking the Senate delay, has violated a federal law which forbids excessive lobbying activities by employes of federal agencies.

He also implied that CIA employes need more protection than most civil servants from snoopy supervisors and lie-detector tests.

HAS CLEARED COMMITTEE

Ervin introduced the bill, which prohibits federal departments from questioning employes on personal matters and from asking them to take lie detector tests and psychological tests.

The measure has cleared the Senate Judiciary Committee. It includes a partial exemption for the CIA and the National Security Agency. But the CIA is said to want total freedom in its personnel policies.

The bill was scheduled for floor action yesterday, but was postponed at the request of minority leader Everett Dirksen, R-Ill., who said the CIA had asked him to seek the delay.

Dirksen later told an informal news conference that he favors the Ervin bill, with or without an exemption for the security agencies, but feels there will be no harm in postponing a vote.

BLUNT SPEECH

Because of the postponement, the Senate probably wil not act on the measure until after the Labor Day recess. The majority leader, Mike Mansfield, D-Mont., said it likely would come up around Sept. 19.

Ervin said in his blunt speech that he sees "no practical or policy reasons" for exempting the CIA from his bill. "It is neither necessary nor reasonable," he said.

The safeguards of the Constitution, Ervin said, "were meant to apply to all Americans; not to all Americans with the exception of those employed by the Central Intelligence Agency and the National Security Agency.

"My research has revealed no language in our Constitution which envisions enclaves in Washington, Langley or Fort Meade, where no law governs the rights of citizens except that of the director of an agency. Nor have I found any decision of the (Supreme Court) to support such a proposition."

Ervin said it is inconceivable that the CIA and NSA could be hampered by provisions of the bill. The bill would—in addition to prohibiting personal questions, lie detector tests and psychological tests—keep agencies from making employes buy bonds, lobby for legislation, support political candidates or take part in activities unrelated to their work.

Do the CIA and NSA, Ervin asked, want to make their employes do these things?

"Is (their mission) such that they must be able to order their employes to go out and lobby in their communities for open housing legislation or take part in Great Society poverty programs?" he asked.

"Must they order them to go out and support organizations, paint fences, and hand out grass seeds . . .?"

Ervin said the Constitutional Rights subcommittee, of which he is chairman, has found ample evidence of very personal questioning of government employes and prospective employes. One of the worst offenders, he said, is the CIA.

He said "some of the brightest young people in this country" are refusing employment with the CIA because of its "deplorable personnel practices." He said applicants for jobs in this and other agencies had been asked intimate questions about sex, family relationships and personal finances.

Nevertheless, he said, the privacy bill as now written allows the directors of the CIA and NSA to waive the restrictions when they feel employes must be questioned in specific cases involving national security. Ervin opposed even this exemption, which he said was unnecessary.

"What more do they want?" Ervin asked. "Apparently, what they want is to stand above the law."

It was earlier reported that both the CIA and NSA were attempting to have Ervin's bill returned to committee. Ervin said yesterday, however, that only the CIA appears to be trying to hold up action. It is uncertain now whether there will be an attempt to return it to committee or whether an amendment will be offered on the Senate floor.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. ERVIN. Mr. President, I gladly yield to one of the cosponsors, the able and distinguished Senator from Nebraska, who has done a tremendous amount of work in bringing the bill to its present state.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HRUSKA. Mr. President, I thank the Senator from North Carolina.

Mr. President, prior to the Labor Day recess, I spoke in favor of the Constitutional Rights Subcommittee's bill which had been approved by the full Judiciary Committee. S. 1035 is designed to protect Government employees as to personnel and employment practices, and it has my wholehearted approval.

This bill is long overdue. Case after case of flagrant violation of basic rights has been reported to and reported by the subcommittee. These documented incidents compel this Congress to draw the line, to decide how much of his dignity a man must surrender to become a Government employee.

This Government was the first to proclaim in a Constitution the first amendment freedoms, the fifth amendment freedoms, the concepts of due process and equal protection of the laws. Our courts vigorously defend these constitutional restrictions. Government agencies espouse the principles. And yet the Government is a flagrant violator of those rights.

Subcommittee hearings over the last three Congresses have documented the need to protect the employee. However well intentioned the Civil Service Commission, however voluntary the study, however beneficial the goal of surveys and fund drives, the fact remains that the individual has been coerced into revealing personal information, forced to account for his off duty hours, and compelled to donate his time and money to projects and drives. His integrity has been questioned without reason, and, in extreme cases, he has been stripped of his dignity. All of this has been done in the name of high ideals.

We all recognize that procedures are required to insure that capable employees perform governmental duties. We recognize that, in some cases, the security of the Nation depends on the integrity and stability of these employees. This bill does not restrict control over the qualifications of Federal employees.

What is prohibited is indiscriminate probing, snooping, direction, and control. Overzealous officials and well meaning supervisors are restrained. But with all the resources and resourcefulness of our Federal Government, security risks can be detected, criminal conduct can be discovered, and charitable fund drives can succeed. The legitimate activities of Government can continue, hampered only by the constitutional requirements of due process and equal protection.

Mr. President, I wish to take this occasion once again to commend the senior Senator from North Carolina for his very steadfast and persistent efforts. I hope and trust that the Senate will approve this measure.

Mr. ERVIN. I thank the Senator from Nebraska for his very gracious remarks. I should like to reiterate my statement that if it had not been for the diligence and the dedication of the Senator from Nebraska, this measure would not be here in its present state.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. KENNEDY of Massachusetts. I should like to join with the Senator from Nebraska and the other Members of the Senate in congratulating the Senator from North Carolina for the work he has done in the preparation and the development of this measure. It is a tribute to his own sense of fairness and his conscientiousness, and his efforts to provide legislation which would protect Federal employees, that S. 1035 is before us today.

I have had an opportunity to review the Senator's statement, and I am reminded that on page 3 the Senator said:

> I confess that were I legislating alone, I would rather see fewer compromises and exceptions than are now contained in the bill. I see no necessity for any of the practices prohibited in S. 1035.

Since I believe this is important, I am wondering if the Senator, recognizing that his own personal views may differ, could review for the Senate and for the record the principal reasons asserted for the exemptions in the bill and the need for such exemptions. I should also appreciate being apprised of the Senator's own attitude toward this matter.

Mr. ERVIN. There is an exception of a special type, and that is one which exempts the Federal Bureau of Investigation entirely from the provisions of the bill. That exemption was made for two reasons. In the first place, the Federal Bureau of Investigation has been operated in such a way that it has not been charged with any substantial violations of any of the provisions of this bill. On the contrary, if all the agencies and departments of Government had been operated in the manner in which the Federal Bureau of Investigation has been operated, there would be no necessity for a bill of this character. That is one of the reasons for the exemption of the Federal Bureau of Investigation.

The other reason for the exemption of the Federal Bureau of Investigation from the coverage of the bill is the feeling among many of the cosponsors of the bill that the Bureau should not be included for the reason I have stated, and for the further reason that it must conduct investigations in respect to violations of law and should not be handicapped in so doing by any of the provisions of the bill.

In addition to this specific provision exempting the FBI from the coverage of the bill, certain exemptions are written into the bill to meet objections voiced by various departments and agencies, principally the Central Intelligence Agency and the National Security Agency.

Most of the exemptions for certain activities otherwise covered by the bill were included in order to meet objections voiced by those agencies, for which I believed there might be some reasonable basis.

I believe that in its present form the bill meets all legitimate objections that can be raised to the bill by any agency or department of the Government. It also provides employees of the Federal Government a minimum of protection in having their constitutional rights observed and their rights to privacy respected.

I should also like to say that the distinguished senior Senator from Massachusetts, as a member of the committee which considered and reported this bill, has done a great service in assisting in bringing the bill to its present state.

Mr. KENNEDY of Massachusetts. I appreciate the comments of the Senator from North Carolina, and also the explanation that he has given with regard to the exemptions.

I, too, share the understanding of the Senator from North Carolina with respect to the fine record of the Federal Bureau of Investigation in conducting investigations and in recruiting their personnel. My understanding is similar to that of the Senator from North Carolina, that they have not, particularly recently, engaged in polygraph tests and the other kinds of tests which are proscribed in the pending measure.

Mr. ERVIN. That is my understanding. I have been assured by the FBI that it does not use psychological tests or polygraph tests in its personnel work.

Mr. KENNEDY of Massachusetts. Is the Senator satisfied, and has he received assurances from people within the Bureau who have the principal responsibilities in this connection, that in the future these rights will continue to be respected?

Mr. ERVIN. I have been assured by the FBI that it does not regard psychological testing or polygraph testing as a reliable method of determining the capacity and the loyalty of employees. I have been assured by the FBI that it considers other methods of determining these qualities of an employee far superior to those that are employed, unfortunately—more than by any other branches of the Government—by the Central Intelligence Agency and the National Security Agency.

Mr. KENNEDY of Massachusetts. And the Senator is further satisfied that the techniques which are utilized by the FBI are not violative of the spirit or the letter of the measure which the Senate is considering this afternoon?

Mr. ERVIN. Yes. With the exception of one case which has been called to the attention of the subcommittee, in which an employee was interrogated without an attorney or a friend, I have received no reports of transgression on rights or activity on the part of the FBI which would constitute a violation of the proposed bill. In that particular case, my understanding is that no request was made by the employee for the presence of counsel or a friend at the time of the interrogation.

Mr. KENNEDY of Massachusetts. Is the Senator prepared to give us what assurance he can that he at least is satisfied that the FBI will respect the purposes and the spirit of the measure? I would be interested in his assurances with respect to this matter, because I know of the great amount of time he has spent on the problem and the amount of study he has given to it. I am of the opinion that his assurances would be very helpful to many of us who are concerned about the problem of the exemptions from this bill.

Mr. ERVIN. I reiterate that if all the departments and agencies in the executive branch of the Government had been conducted as the FBI has been conducted in times past, insofar as its relationship with its employees is concerned, there would be no necessity for a measure of this nature.

In view of the statements made to me about their practices and their evaluation of psychological testing and the use of polygraphs, I am satisfied that the FBI will not resort to their use in the future.

However, I would say to the Senator from Massachusetts that if they should depart from that course of conduct, I would be one of the first to offer an amendment to the law to make the agency comply with the terms of the act.

Mr. KENNEDY of Massachusetts. I appreciate the response of the Senator.

Mr. ERVIN. I thank the Senator from Massachusetts not only for his concern in this matter, but also for the very fine assistance he gave in bringing the bill to its present state.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. HRUSKA. One of the complaints in the political field that was quite typical was the practice of soliciting Government employees to buy tickets to political testimonial dinners.

Page 5 of the bill, commencing at line 23, makes it illegal "to require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to support by personal endeavor or contribution of money or any other thing of value the nomination or the election of any person or group of persons to public office in the Government of the United States or of any State, district, Commonwealth, territory, or possession of the United States, or to attend any meeting held to promote or support the activities or undertakings of any political party of the United States or of any State, district, Commonwealth, territory, or possession of the United States."

Is that language broad enough to cover letter solicitations of Government employees for the purpose of buying tickets to testimonial dinners, or other such political activities?

Mr. ERVIN. I think there is no doubt of that because this would prohibit requiring or requesting, or attempting to require or request any civilian employee of the United States serving in the department or agency to support by personal endeavor or contribution of money or any other thing of value, these political activities.

Mr. HRUSKA. However, that language is applicable only, as line 2 on page 6 indicates, to the "nomination or the election of any person or group of persons."

A testimonial dinner could be held to replenish the coffers of the Republican Party or the Democratic Party.

Mr. ERVIN. I think it is broad enough because the money put in the coffer of the national committee is put there to assist in the election of certain candidates for the presidency and vice presidency of the party.

Mr. HRUSKA. Even though the efforts of the national committee are somewhat indirect, nevertheless, they do affect the elections of certain persons or groups of persons. Is it sufficiently clear that the intent of the section would include such activity?

Mr. ERVIN. It is my judgment that a proper construction of this section would include that.

As the Senator from Nebraska knows, a person goes to one of these dinners and makes a contribution far in excess of the value of the food or entertainment he is going to receive. The object is to have a surplus above cost and value of those things, to be devoted to political purposes, to promote the election of the presidential and vice-presidential candidate, or the election of some person for some other office.

Mr. HRUSKA. My recollection is that the matter had been discussed in the subcommittee and in the committee; that the language is considered sufficiently broad for the purposes interrogated into; and that there are other statutes applying to such situations.

Mr. ERVIN. Yes.

Mr. HRUSKA. I am satisfied that this will be the fact. However, I thought it would be well to develop the legislative history and intent.

(At this point, Mr. Inouye assumed the chair.)

Mr. BAYH. Mr. President, will the Senator yield at this point in this context, so that my remarks may be consistent?

Mr. ERVIN. Mr. President, I am delighted to yield to the Senator from Indiana, with the understanding that I do not lose my right to the floor.

Mr. BAYH. I would not want to deprive the Senator of his right to the floor. However, it might be helpful, inasmuch as the Senator from Nebraska is making some important legislative history, to point out specifically an item to which he referred, and that is the fact that we have just passed another measure, the campaign financing measure, which deals with Federal employees.

I thought it might be helpful to get the opinion of the Senator, as well as the opinion of the distinguished chairman of the committee, that Senators were careful, as I recall the colloquy on this amendment, to point out that we were talking about efforts made directly to zero in on coercion only of Federal employees. Indeed, we would not be wise, it seems to me, to consider in either of these bills the establishment of a small group or class of U.S. citizens which could be denied the right to participate in the political process. In other words, if a person were collecting funds throughout an entire neighborhood, and he solicited individual Federal employees by chance, we do not want to get ourselves into the position where the bill which was passed the other day or this bill would make that a crime.

Mr. HRUSKA. It would not, and this bill would make it unlawful for any officer of an executive department or executive agency to try to levy tributes on employees in his department, which is another thing from an active party official who can solicit contributions from Government employees, but any party official not an official in the executive agency or department would not be in a position to say, "Well, you are now up for this position, but when I sent a letter for that $100 ticket last fall, you did not respond. I am sorry."

That is the situation we are trying to meet here. There would be no detriment to engaging in politics by Government employees under the Hatch Act.

Mr. BAYH. I agree with the Senator. I wanted to be sure the Record brought that matter into better focus.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the Senator from Alaska.

GOVERNMENT EMPLOYEES SHOULD NOT BE TREATED AS SECOND-CLASS CITIZENS

Mr. GRUENING. Mr. President, for far too long loyal, dedicated Federal civil servants have often been made the object of unwarranted harassment. These civil servants perform a vital role in the functioning of the Federal Government, working quietly and efficiently at their tasks.

The least we could expect is that their constitutional rights should be safeguarded and that their right to privacy should be preserved.

Because a man or woman is employed by the Federal Government should not mean that he or she thereby is somehow downgraded to second-class citizenship.

S. 1035, which would protect the privacy and rights of Federal employees, is a highly commendable effort to clarify the position of Federal employees and to set an example of good employer-employee relations in this age of the growing use of electronic snooping devices and computers.

I am happy to be a cosponsor of S. 1035 and hope that it will go a long way toward accomplishing its three objectives of, first, establishing a statutory basis for the protection and preservation of the rights not only of those who work for the Federal Government now but also of those who will be employed in the future; second, serving as an incentive in attracting the best brains in the country to work for the Federal Government; and, third, acting as a model for the protections which should be accorded all employees in the United States working for State and local governments or working for private employers.

The able and distinguished senior Senator from North Carolina [Mr. Ervin] is to be highly commended for his leadership in this very important matter and in bringing this bill to the Senate for a vote.

I hope that the bill will be speedily enacted and will be rigidly enforced so that no person employed by the Federal Government will be subjected to any form of harassment or will be considered to have given up any of his rights by virtue of that employment.

Mr. President, I have just recorded my enthusiastic support for the pending bill, but I wish to make a reservation against one of the amendments approved by the committee and now incorporated in the revised version.

In the report of the distinguished chairman, the Senator from North Carolina [Mr. Ervin], on pages 21 and 22 of the report, is the section on polygraphs, beginning with the first paragraph and ending with the words "so fascinating," I ask unanimous consent to have it printed in the Record because it gives the reasons for the exclusion in the sponsor's draft of the bill of one very objectionable type of harassment, but which, regrettably, was in part restored by the committee.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

POLYGRAPHS

Section 1(f) makes it unlawful for any officer of any executive department or agency or any person acting under his authority to require or request or attempt to require or request any civilian employee or any applicant for employment to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs, practices or concerning his attitude or conduct with respect to sexual matters. While this section does not eliminate the use of so-called lie detectors by Government, it assures that where such devices are used for these purposes it will be only in limited areas.

John McCart, representing the Government Employees Council of AFL–CIO, supported this section of the bill, citing a 1965 report by a special subcommittee of the AFL–CIO executive council that "the use of lie detectors violates basic considerations of human dignity in that they involve the invasion of privacy, self-incrimination, and the concept of guilt until proven innocent."

Congressional investigation[1] has shown that there is no scientific validation for the effectiveness or accuracy of lie detectors. Yet despite this and the invasion of privacy involved, lie detectors are being used or may be used in various agencies of the Federal Government for purposes of screening applicants or for pursuing investigations.

This section of the bill is based on complaints such as the following received by the subcommittee:

"When I graduated from college in 1965, I applied at NSA. I went to 2 days of testing, which apparently I passed because the interviewer seemed pleased and he told me that they could always find a place for someone with my type of degree.

"About one month later, I reported for a polygraph test at an office on Wisconsin Avenue in the District or just over the District line in Maryland. I talked with the polygraph operator, a young man around 25 years. He explained how the machine worked, etc. He ran through some of the questions before he attached the wires to me. Some of the questions I can remember are—

"When was the first time you had sexual relations with a woman?

"How many times have you had sexual intercourse?

"Have you ever engaged in homosexual activities?

"Have you ever engaged in sexual activities with an animal?

"When was the first time you had intercourse with your wife?

"Did you have intercourse with her before you were married? How many times?

He also asked questions about my parents, Communist activities, etc. I remember that I thought this thing was pretty outrageous, but the operator assured me that he asked everybody the same questions and he has heard all the answers before, it just didn't mean a thing to him. I wondered how he could ever get away with asking a girl those kinds of questions.

"When I was finished, I felt as though I had been in a 15 round championship boxing match. I felt exhausted. I made up my mind then and there that I wouldn't take the job even if they wanted me to take it. Also, I concluded that I would never again apply for a job with the Government, especially where they make you take one of these tests."

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[1] Hearings and reports on the use of polygraphs as "lie detectors," by the Federal Government before a Subcommittee of the House Committee on Government Operations, April 1964 through 1966.

Commenting on this complaint, the subcommittee chairman observed:

"Certainly such practices should not be tolerated even by agencies charged with security missions. Surely, the financial, scientific, and investigative resources of the Federal Government are sufficient to determine whether a person is a security risk, without strapping an applicant to a machine and subjecting him to salacious questioning. The Federal Bureau of Investigation does not use personality tests or polygraphs on applicants for employment. I fail to see why the National Security Agency finds them so fascinating."

Mr. GRUENING. Section 6, which is now in the bill, was also not favored by the sponsor of the bill, the distinguished Senator from North Carolina. He made an eloquent statement on it, pointing out that, although he was personally opposed to it, he decided to accept it.

I ask unanimous consent that that portion of his prepared statement, beginning on page 4 with the words "With one exception" and continuing through the words "use it with restraint," on page 5, be included in the RECORD as a part of my remarks. It gives his reasons for his personal opposition to the amendment and his acceptance of it because of the committee's action.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

> With one exception, all of the amendments added in Subcommittee and Committee are meritorious. They clarify possible ambiguities and insure that the purpose of the bill is achieved.
>
> The one exception is the new section 6 pertaining to the Director of the Central Intelligence Agency or the Director of the National Security Agency. Upon a personal finding that any psychological testing, polygraph testing or financial disclosure is required to protect national security, they could allow these measures in individual cases.
>
> Prior to adoption of this amendment, I met several times with representatives of the CIA and NSA; and all legitimate objections on grounds of security were met.
>
> Personally, I would not favor even the limited exemption in section 6. As I have stated before, the Subcommittee's study of psychological testing clearly demonstrated that such tests are both useless and offensive as tools of personnel administration; and my own research has convinced me that polygraph machines are totally unreliable for any purpose. If the security of the United States rests on these devices, we are indeed pitifully insecure. Fortunately, it does not, for the FBI does not use these examinations.
>
> But even if it could be shown that psychological tests and polygraphs have mystical powers and can be used to predict behavior or divine the truth, I would still oppose their being used to probe the religious beliefs, family relationships or sexual attitudes of American citizens. A fundamental ingredient of liberty is the right to keep such matters to oneself. And without liberty, "national security" is a hollow phrase. The truth is, there is no place for this sort of 20th Century witchcraft in a free society.
>
> Nevertheless, I am requesting the Committee amendment granting a partial exemption to the CIA and NSA be accepted with the other amendments. I do this for two reasons. First, the amendment will require that use of the examinations by the two agencies be severely curtailed; and for the first time Congress will be withholding its permission for the agencies to kick American citizens around with impunity. Second, it is clear to me that a member of the bill's 56 cosponsors prefer that the CIA and NSA be allowed this partial exemption. I trust the Directors of the agencies will use it with restraint.

Mr. GRUENING. Mr. President, I share Senator ERVIN's view that this is not a desirable amendment. Considering its restraints, so that the action permitted it limited to the executive directors of the two agencies, and in view of the committee's action, we have to accept it, but I want to say I was not one of those referred to when the distinguished sponsor of the bill said it was clear to him that a majority of the 55 cosponsors preferred that the CIA and the NSA be given this partial exemption. I am not in favor of giving those agencies this partial exemption. I regret to see any vestige of salacious snoopery remain in the bill. Nevertheless, the bill has so much good in it that, with the reservation here stated, I repeat my expression of hope that this bill will become law.

Mr. HRUSKA. Mr. President, it is observed that the Senator from Delaware [Mr. WILLIAMS] is in the Chamber, and he was present in the Chamber when there was colloquy in connection with subsection (g), which has to do with soliciting political contributions from Government employees. I ask the Senator from Delaware if the colloquy between the Senator from Indiana [Mr. BAYH] and the Senator from Nebraska was in accord with his understanding insofar as his amendment to the elections law approved by the Senate yesterday is concerned?

Mr. WILLIAMS of Delaware. The amendment which was adopted yesterday specifically prohibits any solicitation of campaign contributions from Government employees as Government employees. I think we have adequately taken care of the situation. The present law reads to the effect that whoever being a Senator or Representative or delegate or resident commissioner to or candidate for Congress, or an individual elected as a Senator or Representative, and so forth, solicits these employees would be subject to certain penalties. But the loophole in the existing law was that someone could solicit employees on our behalf or on behalf of the political party. For example, the head of an agency would not be a Member of Congress nor would he be a candidate for public office, yet either he or on one of the State or national committees, could make the solicitation. Perhaps a private citizen outside of Government might make the solicitation. Thus, we amended that law in the bill passed yesterday. In addition to continuing the same prohibitions we also declared that whoever acting on behalf of a political committee or acting on behalf of any public official knowingly or intentionally solicits Government employees, would be subject to rather severe criminal penalties.

I believe that the amendment adopted yesterday to the campaign reform bill, will adequately take care of that situation and prohibit the solicitation of campaign contributions in any manner whatsoever, whether through the sale of dinner tickets or whatever, of Government employees by anyone acting either for or on behalf of elected officials or on behalf of any political committee.

Mr. HRUSKA. The Senator is aware, is he not, that section 1 of the bill, S. 1035, page 1, reads:

> It shall be unlawful for any officer of any executive department or any executive agency of the United States Government, or for any person acting or purporting to act under his authority, to do any of the following things:

Mr. WILLIAMS of Delaware. Yes.

Mr. HRUSKA. So that the bill we are considering today is much more limited in character in this regard than the bill approved by the Senate yesterday; is that not correct?

Mr. WILLIAMS of Delaware. Yes, I think it will take care of the situation, coupled with the amendment adopted yesterday. I have the feeling that Government employees will be fully protected against any coercion in all of these solicitations. All that we will need is proper enforcement.

Mr. HRUSKA. I thank the Senator for his enlightening information.

Mr. BAYH. If the Senator from Delaware would indulge me, I should like to pursue this question one step further. I recall, last year, when we discussed this same amendment, the Senator and I had an exchange as to the interpretation of the amendment.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Indiana yield at that point for a unanimous-consent request?

Mr. BAYH. I yield.

Mr. BYRD of West Virginia. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. BYRD of West Virginia. I thank the Senator from Indiana.

Mr. BAYH. Interpretation of the measure, as I understand it, last year, is different from the interpretation the Senator places on it this year.

In colloquy before passage of the bill last year, as I recall—and I would be the last one to want to put any words in the mouth of my distinguished colleague—the effort was directed at any solicitation of Federal employees, whereas this year the Senator makes clear the fact that the effort is to prohibit direct zeroing in on Federal employees, by organizations, parties, or candidates canvassing an entire neighborhood in which resides Federal employees, that they would be treated exactly as citizens; namely, that they would have the right to refuse or agree to make a contribution.

Mr. WILLIAMS of Delaware. I do not believe there is any difference between the amendment offered last year and the one of yesterday. That question was raised both times. I checked with legislative counsel, who made it clear that the amendment as it was drawn both times was directed to solicitation of Federal employees as such, and would not have covered a situation, for example, of a party making a wholesale mailing list solicitation. For example, if they sent a form letter to all boxholders in the city of Washington and some of them happened to be Government employees they would have no way of distinguishing that. That was not intended to be covered. The amendment makes it clear that if solicitation were intentional and knowingly or willfully done it would be a violation of the law. It does stop the abuse which all of us know did exist; namely, that employees were being solicited on a more or less free-will offering as it was called, yet, at the same time, they knew they were going to be checked up on, either by their bosses or someone else, who would note whether they were present. On occasions they would invite the employees to stop by the bosses' house for a reception before the dinner, which made it easier to check up on those who were actually going, and at the same time it presented an opportunity to gently remind them of the dinner or the fund drive.

But all of those subtle approaches to coerce employees would be specifically abolished under the amendment approved yesterday. In my opinion the bill now before us carries out the same intent.

Mr. BAYH. I thank the Senator from Delaware for his information.

Mr. ERVIN. Mr. President, on that question, we had evidence—and placed an article in the record of the hearings on page 455—that the Democratic National Committee solicited the sale of $100 tickets to an affair in Washington and had the invitations sent out through the agency in such a way as to chill the employees who received them, because their grade number was written in ink on a corner of the invitation.

The article further stated they took that as an indication that if they wanted to rise to a higher grade, they had better buy a ticket. This, I think, is a very subtle form of coercion.

Mr. WILLIAMS of Delaware. I think it is, too. That was one of the specific examples in mind when the amendment was approved yesterday, and that would definitely be a violation of the law.

Mr. ERVIN. This bill covers only supervisors of employees and makes it illegal for any officer of any executive department or agency even to request any political contribution. We put in the word "request" there, along with the words "or require" advisedly. When we discussed the bill with the Chairman of the Civil Service Commission, Mr. Macy, he said that some of the things Federal employees were asked to do which are outlawed in this bill, were just requests and not requirements.

I told him that when I served in the Army and was studying the infantry drill regulations, one little sentence embedded itself indelibly in my mind; namely, that the request of a superior is equivalent to a command.

Mr. WILLIAMS of Delaware. Yes.

Mr. ERVIN. That is the reason why we used those words advisedly. I think this provision of the bill supplements the bill passed yesterday and also the provisions of the Hatch Act, in that it provides security from such coercive practices against Federal employees.

Mr. WILLIAMS of Delaware. I think it does. We recognized that occasionally the head of an agency or an official may turn over a list of names to someone entirely outside the Government who might act on behalf of these people. I think we have this fully airtight now, and the measure before us will supplement it.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BAYH. Mr. President, in the judgment of the junior Senator from Indiana, this bill, protecting the privacy and rights of Federal employees, could be called a monument to the determination and dedication of the distinguished Senator from North Carolina [Mr. ERVIN]; in particular, to his continuing dedication to the principles and spirit of the Constitution of the United States, for which he is so well known in this body.

We often hear in our Nation today the fear expressed that Government, unreined and unchecked, could become the "big brother" portrayed in the frightening Orwell novel. We have taken great and unprecedented strides throughout our history as a nation to guarantee to every individual American his sacred right to privacy; his right to be left alone; to have within his own home and in his own mind his own thoughts and hopes and dreams that could be his alone, inviolable by any power except that of the Almighty.

Like freedom itself, the right to privacy is a blessing which must be preserved through constant vigilance in every generation.

There have been chapters in our history that tend to darken the otherwise shining light of liberty that the United States of America has provided for the world—from the witch hunts in Salem to the witch hunts of the 1950's; from the panic over suspected Jacobins after the French Revolution to the panic over Americans of Japanese ancestry after Pearl Harbor.

But always, after that beacon of freedom had flickered so slightly, it burned back strong and true, as we remembered that ours is a government of laws and not of men, of inalienable rights and not of momentary emotions.

Ours has grown into a vast, complicated and interactive society in a complex and sometimes chaotic world—and the Government has, of necessity, grown apace.

We search for the most talented among us to devote at least a portion of their lives to Government service so that the difficult and often gravely important tasks of Government may be performed in a manner acceptable to and beneficial for the people, which is and must always remain the master of Government.

It seems, therefore, logical fitting, and supremely just that Government itself, in relation to its employees, should be the first and strongest guardian of all individual rights—not the least of which is the right to privacy.

This bill, S. 1035, upon which we will act today, was developed with the concept that Government employees—vast numbers of whom work for less than they could demand in private industry, and do so because they have a desire to serve their fellow Americans—should not be treated as second-class citizens; that they should not be subjected to indignities of prying, snooping, and inquisition that no other group of American workers would ever be subjected to, much less tolerate.

It is a straightforward proposal that does much to clarify and solidify the implicit and explicit guarantees contained in our fundamental law regarding an American's right to privacy.

I must admit that, if it were left to me alone, I would have preferred, as the distinguished Senator from North Carolina knows, to have exempted from the provisions of this bill two agencies of Government—the Central Intelligence Agency and the National Security Agency.

Just as the Senator from Alaska, as one of the cosponsors of the bill, reported that he was not one of those who supported the amendment contained in section 6, I did support it. I would like to point out that these two agencies, the CIA and the NSA, as most Members of this body know, deal every hour of every day with matters of the most urgent national security; and it is no exaggeration to say that much of the highly classified material that passes through these agencies is occasionally available to many individuals, ranging from the Director to a courier, to the person in the lowest echelon.

These agencies are so specialized in their work, and their work is of such a sensitive nature, it seemed to me that practices which I would not condone elsewhere in Government would be permissible, in regard to the interrogation and testing of prospective employees, in these two agencies, because, in my judgment, the interrogation might very well be necessary to protect the security of our country. It is an unfortunate fact of life that Communists and others who would wish to subvert our Government have made and will continue to make vigorous efforts to infiltrate these agencies or to find weaknesses among agency employees that could be viciously exploited at the expense of national security.

I would like to once again say that, in my judgment, the Senator from North Carolina has earned another star in his crown, which is already resplendent with many which have preceded this new one, because he has long championed this effort, over a period of 3 or 4 years. I trust that in the near future he will see the success of his efforts in this body and ultimately in the other body.

In my opinion the aspects of the bill as he described them are meritorious. I for one firmly believe that those who work for the Federal Government are dedicated persons and that we owe them deep gratitude for their service; many of them receive far less compensation than they could in private industry. The Government needs the best people it can get.

However, in my judgment—and I am sure the Senator from North Carolina agrees with me in this statement, although he disagrees on the import of the exclusion of these two agencies—I believe no one has a right to seek Federal employment if he would be a security risk to our country. It seems to me no one can argue that question. The place where we have disagreed is in the means, the extent to which we should go to try to find, before a person is employed, whether one is a security risk who might endanger our Government.

This is not a milk and honey world. It is not entirely a rosy world. There are those who would try to take our freedoms away from us, and who would use tactics of the worst magnitude to do so. It seems to me it is important that the Nation have someone who is willing, if necessary, to fight fire with fire. I know the agencies involved have been subjected to a tremendous amount of criticism. I suppose it is not popular for one to stand on the floor of the Senate and say there is a need for a CIA or a National Security Agency. As long as there are those who would threaten our security, we need someone who can deal with them on a fight-fire-with-fire basis.

There are certain aspects of this measure which clearly should be applied to the National Security Agency and the CIA. For example, I do not think anyone should compel any of their employees to participate in political activities. I do not think anyone should compel them to contribute to political functions. I do not think they should be compelled to contribute to the Red Cross, meritorious as that sounds. I do not think they should be compelled to attend political meetings.

But if the directors of these agencies feel that it is important to use certain of these tests to try to ferret out weaknesses of character which sometimes exist in human beings today, if they feel that that is better than having the fact disclosed by a breach in our security, then I, for one, think those agencies should be excluded from the bill, and be given the opportunity to use such techniques.

The work and efforts of the Senator from North Carolina—as, let me say, I am sure he knows—will cause the directors and the interrogators of these agencies to pay much closer attention to the questions that are asked and the means that are pursued to guarantee our security. But I would be somewhat less than honest with myself, being a member of the Committee on the Judiciary, to sit here and watch this measure pass, and vote for it—which I intend to do—without pointing out that in my judgment it contains one or two weaknesses about which I would feel much better were they not there.

Mr. President, I have no further comment.

The **PRESIDING OFFICER**. The bill is open to amendment. If there be no amendment to be proposed——

Mr. **BYRD** of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

The bill is open to amendment.

Mr. **ERVIN**. Mr. President, I should like to make just a few observations in response to the remarks of my good friend, the distinguished Senator from Indiana.

I thank him, first, for his most gracious remarks.

Mr. President, there is nothing in this bill which will handicap the Central Intelligence Agency or the National Security Agency in protecting America against her enemies. All this bill does is try to make these agencies and every other Federal agency respect the right to privacy of their employees, and the constitutional rights of their employees.

Personally, I have no faith in the polygraph test. I have no faith in psychological tests which put such a question as this to applicants for Government employment:

> When telling a person a deliberate lie, do you have to look away, being ashamed to look him in the eye?

I have no respect for polygraph or personality tests that require the individual applying for employment to evaluate what kind of parents he has. I have no respect for the validity of psychological tests and polygraph tests which require an individual to reply to such questions as this:

> Have you ever committed a serious undetected crime? Have you ever suffered from a serious mental or nervous disorder? Have you taken part in any homosexual activity during your adult life? Have you engaged in any unethical practices? Have you been involved in any way with illegal drugs or narcotics? Have you done anything else of a similarly serious nature?

If they depend on the individuals to confess those things themselves, I do not think they are properly guarding the security of this country. I think they could better find out about those things by making inquiries about the individual involved, and conducting the thorough background investigations they should be making.

When I had the privilege to serve as a superior court judge in North Carolina, I was confronted with the problem of whether or not I would receive in evidence a polygraph test in a homicide case.

At that time, I made a serious study of the polygraph, and I have continued the study ever since. I have found that the polygraph test merely measures physical reactions such as respiration, temperature, blood pressure, pulse rate, and heart beat.

I found that the polygraph test is not admissible in any court in the United States, because of its unreliability. I came to the conclusion that you can give a polygraph test to a man, and if he is a brazen liar, he can pass it without difficulty. If he is a nervous man or an agitated person, or a person who resents insults, no matter how honest he might be, he would flunk the polygraph test. It is a totally unreliable test, and has been outlawed by statute in at least five States, including the State of Hawaii, whose able and distinguished junior Senator now occupies the chair.

I have done a little CIA-ing for myself, and I can tell you the number of polygraph tests that the CIA and the NSA administered to applicants for employment and to their employees during a recent year. I am not going to do it, but every Member of the Senate would be astounded to know how many thousands of people were required to take those tests.

I might say, incidentally, that the two employees of NSA who betrayed the United States and defected to Russia, Vernon F. Mitchell and William H. Martin, both passed polygraph tests.

Furthermore, Mr. President, it is my belief that a man who will believe in the polygraph will believe in witchcraft.

I hate to think that the security of the United States is dependent upon persons who want to have polygraph tests administered to those who seek employment in the U.S. Government.

Here is a complaint received by the subcommittee, which I cited in my remarks on August 29 when the bill was postponed. A man who applied for a job with the NSA was given a polygraph test in their installation in Maryland. Here is what he said about it:

> When I graduated from college in 1965, I applied at NSA. I went to 2 days of testing, which apparently I passed because the interviewer seemed pleased and he told me that they could always find a place for someone with my type of degree.
>
> About one month later, I reported for a polygraph test at an office on Wisconsin Avenue in the District or just over the district line in Maryland. I talked with the polygraph operator, a young man around 25 years of age. He explained how the machine worked, etc. He ran through some of the questions before he attached the wires to me. Some of the questions I can remember are—
>
> When was the first time you had sexual relations with a woman?
>
> How many times have you had sexual intercourse?
>
> Have you ever engaged in homosexual activities?
>
> Have you ever engaged in sexual activities with an animal?
>
> When was the first time you had intercourse with your wife?
>
> Did you have intercourse with her before you were married? How many times?
>
> He also asked questions about my parents, Communist activities, etc. I remember that I thought this thing was pretty outrageous, but the operator assured me that he asked everybody the same questions and he has heard all the answers before, it just didn't mean a thing to him. I wondered how he could ever get away with asking a girl those kind of questions.
>
> When I was finished, I felt as though I had been in a 15 round championship boxing match. I felt exhausted. I made up my mind then and there that I wouldn't take the job even if they wanted me to take it. Also, I concluded that I would never again apply for a job with the Government, especially where they make you take one of these tests.

If I were legislating all by myself, I would outlaw every polygraph test. The courts have found them totally unreliable; and, as I say, five States have outlawed them. However, this bill, as introduced, allows any official in the CIA or in the NSA to ask any kind of question during any polygraph test except questions about a man's religion, his personal relationship to his immediate relatives, and his sexual attitudes and practices. And even under the amendment which my good friend, the Senator from Indiana [Mr. BAYH], offered and persuaded a majority of the members of the Judiciary Committee to accept, the Director of the CIA or the Director of the NSA can even ask questions of that type if he deems it necessary to the national security. I do not know what more the CIA or the NSA could want. They could ask all other questions at any time but with respect to these three restricted types, they could only ask them if it is directed by the Director himself.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. YARBOROUGH. Mr. President, under the provision that the distinguished Senator referred to, would it be possible for the Director of the CIA in his discretion to decide that he would ask everybody those questions?

Mr. ERVIN. It would not be.

Mr. YARBOROUGH. Does the Director have to have a good reason to ask that kind of question?

Mr. ERVIN. It has to be on the individual basis. And it has to be based on a personal finding by the Director that the examination of each individual to be so tested or examined is required to protect the national security.

Mr. YARBOROUGH. Is it not a fact also that the results of polygraph tests can often be determined by the examiner?

Mr. ERVIN. The polygraph test does not interpret itself. All the polygraph machine does is to note a record of various physical reactions such as blood pressure, respiration, temperature, and heart beat.

Mr. YARBOROUGH. And is it not a fact that a person who has taken the polygraph test a number of times can so conduct himself that the examiner cannot learn anything from the test?

Mr. ERVIN. The Senator is correct. I stated a moment ago that if a man is a brazen liar and cannot be insulted by insulting questions, he can pass the test with flying colors. However, a man such as myself who is concerned about the rights of individuals could not pass the test. I could not pass the test because if I happened to think about the outrageous conduct of the CIA and the NSA with respect to their employees, it would certainly make my blood pressure shoot up high.

Mr. YARBOROUGH. I congratulate the distinguished Senator for his leadership on this bill. I think he is fighting for the liberty and rights of the people of the United States.

I agree with the Senator. I wish that the restrictions on people who give the polygraph tests were tougher. They run around and when they give the test they ask about all the girl friends a man has ever had. I am suspicious of that type of test. Psychology teaches us to be suspicious of people that have that kind of matter on their minds all the time.

Mr. ERVIN. There is a very interesting article in the Science Newsletter of August 14, 1965, concerning an experiment being made in the development of a lie-detecting machine by means of which a person can be tested without his knowing it. It is a very interesting article.

The machinery referred to in the article is called the "wiggle seat." The device looks like an ordinary office chair. At least, that is what it is supposed to look like. A person sits in this office chair, which is really a "wiggle seat," and is given a lie detector test without his knowing anything about it.

I have been informed by reliable sources that the CIA has been engaged in research on the project.

So, if the Senator has any contact with the CIA, he had better be careful of where he sits. I do not know if they have it in operation yet, but they have contemplated it.

Mr. YARBOROUGH. A person does not generally come into one's office and say: "I am representing the CIA." We may have all seen representatives of the CIA without ever knowing it.

Mr. ERVIN. It grieves me to think that the security of the United States is in the hands of men who place their faith in the polygraph machine and the "wiggle seat."

The CIA has a most important job to do, and the NSA has a very important job to do. It is their duty to guard the security of the United States. I think they would do a far better job of it if they would spend less time kicking their employees around and abandoned their fascination with the polygraph machine and the "wiggle seat."

Mr. YARBOROUGH. I agree. I think they would win more of the confidence of the American people if they were to use a more ethical type of examination, pursue more ethical methods, and ask more ethical questions.

I do not believe that they can win the confidence of the American people with some of the tactics that the distinguished senior Senator from North Carolina has uncovered in the course of the hearings had on the pending bill.

Mr. ERVIN. The statement just read by me of the young man who applied for a job with the NSA shows that these methods are driving away from Government some of our most able young people. They are being driven away because they do not want to be insulted by the type of questions asked in the course of a polygraph test.

I thank the Senator from Texas.

Mr. YARBOROUGH. I congratulate the Senator from North Carolina.

Mr. ERVIN. The Senator from Texas is one of the cosponsors of the pending bill, as is, indeed, my good friend, the Senator from Indiana [Mr. BAYH], who has contributed much to bringing the bill in its present state.

Mr. BAYH. Mr. President, I wish to ask my friend, the Senator from North Carolina, some questions in order to explore the matter a little further for the RECORD.

How many complaints has the Senator received from applicants for positions, such as the young man whose sensitivity was shocked so greatly? I believe what the Senator from North Carolina and the Senator from Texas have said is very true—that the person who administers the polygraph can indeed, if he improperly administers it, get a wrong answer.

I, for one, believe that those charged with administering NSA and CIA—General Carter and Director Helms—have one primary objective: They both want to protect the security of the country. They do not want to embarrass young men and women newly graduated from school. They want to take the steps they believe are necessary for this purpose. If they have an unreliable or incompetent administrator, I believe they would be as anxious as the Senator or I would be to dismiss him, at least as far as polygraph tests are concerned.

Is there substantial evidence demonstrating that this particular series of questions is the series of questions that is asked repeatedly?

Mr. ERVIN. Yes.

Frankly, employees of these agencies come in and talk with staff members individually. They telephone, and in a few cases they have committed their complaints to writing.

I am informed by the general counsel of the Subcommittee on Constitutional Rights that 10 of them have called within the past week.

Mr. BAYH. Ten of them?

Mr. ERVIN. Yes; the majority of them telephone.

Mr. BAYH. How many people are employed at CIA and NSA?

Mr. ERVIN. I asked them that question. They said it is top secret information. But I can tell the Senator how many polygraph tests they have conducted.

Mr. BAYH. If we could clear the Chamber, I could tell the Senator how many people have been apprehended who have passed every other scrutiny, every other test that was given; yet, they were not discovered to be a weak link, in the judgment of the CIA, until these tests were given.

Perhaps it is unpopular to champion the CIA. I do not know. But I believe the Senator recognizes, as do I, that the country needs both the CIA and the NSA. It is rather foolish to say we need these agencies and then not give them the proper tools to make them as effective as possible.

Mr. ERVIN. I agree with the Senator. I would have them concentrate their attention on counterintelligence and preservation of our national security instead of devoting their time to these matters.

This is what one young lady informed the committee she was asked by the CIA:

> When did your mother stop buying your clothes?
>
> When did your great grandparents die, and where are they buried?
>
> What diseases did they have?

What does that have to do with protecting the security of this country?

Mr. BAYH. That is a good question, and I should like to take 5 minutes or so to state what, in my judgment, they may have to do with security.

I am not an expert polygrapher or a psychological tester. In fact, I hesitate to say what might be learned if I were asked to interpret an ink blot. But let me reiterate that I do not believe that those in charge of these programs are asking questions just for spite, or because they like to make people sit on the "wiggle seat." Those who are charged with responsibility at CIA and NSA do not sit on the "wiggle seat"—they sit on the "hot seat." All of us recognize that this is a tough job.

Although I agree with the Senator from North Carolina in many respects, I do not agree with his statement that anyone who thought there was a place for polygraphs or psychological testing believed in witchcraft. I do not believe in witchcraft.

Mr. ERVIN. I say that, in my judgment, faith in polygraph testing is similar to belief in witchcraft.

Mr. BAYH. I am sure we have such respect for each other that, although the Senator from North Carolina might in all fairness think it is witchcraft, he would not attribute that to his friend from Indiana. I do not think it is witchcraft. In fact, I would be the first to say that even if applicants were given all sorts of tests, even if they were subjected to bodily torture—which no one in this Chamber would be in favor of—there is no perfect way of guaranteeing that a human being would not crack under some of the circumstances to which he might be subjected in some of the perilous posts where he would be asked to serve.

Mr. ERVIN. I would say that I think that a man who would not crack under the type of tests I read awhile ago is unfit to be trusted with employment with the Government.

Mr. BAYH. The Senator from North Carolina recited accurately some of the interrogatories that are asked. He doubted whether there was any reason to ask particular questions concerning whether a person had been previously convicted of a crime, whether he had any previous mental disorder, whether he was subject to the use of drugs, whether he had participated in homosexual activities, whether he had become involved in or ever practiced unethical conduct. It seems to me that those are very real matters of concern, not only so far as the NSA and the CIA are concerned, but also, frankly, so far as membership in this body is concerned. I believe those are proper questions for real concern.

The question that the Senator is driving at, it seems to me, is how do we find out whether the individuals involved are participating or have participated in this type of activity.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. BAYH. I yield.

Mr. ERVIN. Does the Senator from Indiana not agree with the Senator from North Carolina that the FBI engages in investigations comparable with intelligence work within the borders of the United States?

Mr. BAYH. The Senator is correct.

Mr. ERVIN. The FBI does not use the polygraph machine or psychological testing. Why is it necessary for the NSA and the CIA to use a method of investigation which the FBI repudiates as being worthless?

Mr. BAYH. Let me suggest to the Senator that the FBI and the CIA are playing in a somewhat different league. The FBI is known to employ, perhaps, the highest-trained, highest-caliber individuals of any agency in the Government. The Senator from North Carolina, as a distinguished member of the bar, and I, as a relative neophyte member of the bar, know the extent to which the FBI will go in trying to get this caliber of individual. They ferret out persons accused of crimes and those who might be enemies of this country in every way possible, within the continental United States; and they are to be complimented for their jobs.

However, let me point out that the very nature of a CIA agent means that some individuals must be employed who will be able to associate with individuals of their type, with persons who are not college honor graduates, who are willing to work in a country that does not have the safeguards—the police at his telephone—that are available in this country. Some of these people have to go into the jungles of Communist countries and live with rather sordid and suspicious characters. If they cannot do that, they will not be successful agents.

For example, one of the subjects that has been a matter of some concern is whether an applicant should be asked what his race is. As the Senator from South Carolina knows, I have been one of the main supporters of some of the Civil Rights Acts. In fact, perhaps it is only in that area that we have differed, because we usually fight elbow to elbow for or against some of the most important issues; today I find myself in the unique circumstance of opposing the Senator on a matter of constitutional right such as this. But why should someone be asked what his race is? Is not that a violation of his constitutional rights? How in the world can a CIA agent be effective in one of the countries of darkest Africa, where everybody's skin is dark colored, if his own skin is not likewise so colored? So the CIA Director must know whether the agent's skin is dark colored.

Mr. ERVIN. Could not the CIA Director tell by looking at the agent's skin, without subjecting him to a polygraph test? [Laughter.]

Mr. BAYH. The Senator is absolutely correct; but when we talk about such a person being effective, it is then that the polygraph test becomes useful.

Another question sometimes asked concerns a man's religion or his ethnic background. It would be rather questionable wisdom to send a person of Jewish background into an Arab country today. I think there are reasons why it is often necessary to seek such information.

Let me discuss the practice that is followed. The Senator from North Carolina is absolutely correct in saying that if the only thing to be done is to bring prospective job applicants through the front door and immediately subject them to being wired for sound. That is the wrong way to approach the problem.

A complete check of prospective employees is made by the CIA. They are carefully investigated and interviewed. All procedures known to man, short of psychological and polygraphic testing, are used by the CIA in determining which persons it thinks are acceptable.

It is only at that stage, when the examination reaches the place where the CIA or NSA want and need to make the final check, that applicants have been subjected to tests that I wish, frankly, were not necessary. I wish that we lived in a world where it was not necessary to subject anyone who seeks Federal employment to a polygraphic test or a psychological test. But that is not the kind of world we live in.

In examining the procedure that is followed, it must be understood that neither the Director of NSA nor CIA asks these questions. I doubt whether either of these gentlemen is a qualified psychologist or polygraph operator. These agencies must rely on eminent psychologists for their purpose. If they are trying to find a flaw in someone's character, or determine whether someone participates in homosexual activity, or learn whether a person would crack under strain, what are the questions that are going to be asked? I could not say what those questions should be—a qualified psychologist must draw up those questions. Leeway must be allowed to ask those questions which will bring out the answers. For instance, it may be necessary to know whether an individual will crack when he is subjected to great strain or severe stress.

The Senator from North Carolina acquitted himself with honor and distinction in pursuing this measure to provide safeguards for Federal employees, but I wish to reiterate that no one in my opinion has a vested interest in seeking employment or being granted employment if his very presence might provide a security risk. To be sure, one cannot be perfect, but if I am going to err on matters of national security I would rather err on the side of safety rather than leniency.

(At this point, Mr. HOLLINGS assumed the chair.)

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. BAYH. I yield.

Mr. ERVIN. I think the Senator can answer this question without difficulty.

Is there anything in the bill that would prevent the Director of CIA from asking a person any question whatever by way of a psychological test or by way of a polygraph test?

Mr. BAYH. Shall we place section 6 in the RECORD at this time? I think the Senator from North Carolina, as a good lawyer, knows the answer before he asks the question. There is nothing in the bill to prohibit the Director of CIA from making a personal finding with regard to each individual to be so tested or examined.

That means that if the CIA agent in charge of an area in Eastern Europe feels we need an agent selected in one of the Communist countries, he cannot make a test or decision; no determination can be made in this area unless the Director himself makes it.

It seems to me if we are going to require the Director of CIA to determine all of these questions or make the test, we are going to give him a burden which would make him ineffective as the Director.

Mr. ERVIN. The President of the

United States, a rather busy man, has to sign every commission of a regular military officer and each of the hundreds of bills passed by Congress; is that correct?

Mr. BAYH. The Senator is correct. The President does not ask questions about polygraph and psychological testing.

Mr. ERVIN. And there is nothing in the bill which would prevent the CIA or the NSA from asking any question they wish to ask on a psychological test or on a polygraph machine test. A person can be asked any question on a polygraph test or psychological test by any department or agency of the Government with the exception of three types of questions: First, questions which relate to his personal relationship to his relatives; second, questions which relate to his religion; and, third, questions relating to his attitude on matters of sex. With the exception of those three questions, any department or agency can ask the questions during a psychological test or a polygraph test.

Under the amendment of my distinguished friend from Indiana, which was adopted by the Committee on the Judiciary, and which I have asked with reluctance be included in this bill, and which has been approved, the Director of the CIA or the Director of NSA can ask questions even in those three forbidden fields if he makes a personal finding that it is necessary to the national security.

Mr. BAYH. That is correct. I wish to explain. I do appreciate the willingness of the Senator from North Carolina to hear me on this matter. He is the author of this bill and has worked on it for many years. I know that he feels very strongly about it and he is a fighter. He does not think this should be in the bill at all.

Mr. ERVIN. I do not.

Mr. BAYH. This amendment is a great concession from him and I appreciate it. However, I would like to explain that as far as I am concerned and as far as the Directors of these Agencies are concerned this is a very small salve for a very deep wound. The problem is that a personal finding means, literally, a personal finding.

This means that a man who is supposed to be the director of an international intelligence agency will have to make a personal finding that an examination should be made using polygraph machines or psychological testing, which seems to me to be poor administrative practice.

Mr. ERVIN. All that means is that the Director has to make the decision instead of the agency charwoman.

Mr. BAYH. I think the Senator from North Carolina is correct. I do not want the charwoman or a half-baked psychologist making the determination. We want a psychologist who is thoroughly trained and competent.

I think the insistence of the Senator from North Carolina is going to make these two agencies more careful in applying the tests. Let me answer the question about the weakness I see in section 6. If we are talking about a personal finding, it seems to me that this means if an administrator is to abide by the law, and there is no need to put it in there unless he does so, he is going to have to accumulate a significant amount of evidence. By the time he can accumulate this evidence, in my opinion, it means the man could already be employed and already be in a position where he could damage the country. By the time the director could make a personal finding to fire him or not hire him, there would be no longer the need to make that finding.

Mr. ERVIN. I disagree with that interpretation.

Mr. BAYH. I know the Senator disagrees with the interpretation.

Mr. ERVIN. If the Director wanted to send an undercover agent to Poland or Czechoslovakia he could say, "I find it is necessary for him to have a polygraph test or take a psychological test in the interest of national security."

The very nature of the job assigned to him would fully justify making that finding.

Mr. BAYH. I explored this procedure in my mind, and I think that the Senator from North Carolina is judicious in his thoughts on this—at least we have both thought about it, so it must be judicious—but I have reached a different conclusion. Very frankly the National Security Agency, on occasion, has refused to inform the Congress of sensitive activities in which they are engaged until some public disclosure has necessitated replies to congressional inquiries. The CIA purchases land out in the country and attempts to secure it so that no one could shoot a laser beam off a window and read the sound vibrations inside to find out what the CIA is doing. If we are talking about security activities to protect the health, safety, and welfare of the country, then anyone, even a chauffeur or a courier could hide in the bushes and, by using the latest scientific technology available, acquire secrets which are important to the United States.

This may be an exaggeration, but we are living in a tough world. I know that the Senator from North Carolina is sincere in his thought, and I know that he shares my concern. As previously mentioned, I am going to support the bill, but I am obliged by my deep concern about this matter to speak out.

We live in a hard world in which war, bribery, and espionage are common intelligence tools. Frankly, I do not like polygraph tests or psychological tests. But, in this kind of world, these things do exist. The other side will use them. There will be occasions when we will have no alternative but to use the same unscrupulous methods in order to protect the freedom of this country.

Mr. STENNIS. Mr. President, the provisions of the pending bill that have been discussed by the Senator from North Carolina and the Senator from Indiana for the past several minutes are the subject to which I should like to address myself, if I may speak to the Senate on this subject as one of the members of the CIA Subcommittee of the Armed Services Committee—there is also a subcommittee on the CIA from the Appropriations Committee—and we sit and operate together.

Mr. President, the application of the bill to the CIA and the National Security Agency is a serious and far-reaching matter. These Agencies present some of the most sensitive questions and problems that we have to deal with, and they are difficult to operate.

In 1947, Congress passed the National Security Act. It provided for our entering a field that most of us wished we did not have to go into. Intelligence gathering had aspects and activities which our Government had never been in before, and our people still do not like.

Events of the past 20 years have certainly proved the wisdom of the enactment of this act in 1947, since which time we have had this worldwide activity, contending with revolutions, the changes, the unrest, and uncertainties all over the world, of systematized, organized, smart, diligent, effective intelligence organization on the other side pitted against us in the free West. As a whole, being novices in that field, we have made our share of mistakes, but we have also accomplished some very effective and far-reaching work, much of which will not be known.

The National Security Act provided that the Director of the CIA should have unrestricted authority to terminate the employment of any officer or employee of the Agency, whenever he determined that such termination was necessary or advisable in the interests of the United States. That power was thought to be necessary and it was far reaching as language could make it.

I speak with all deference to the author of this bill and the members of the committee who reported it, but the pending bill would make serious impingements on and would throw handicaps upon the Director of the CIA. With one sweep of the pen, so to speak, it would limit the main thrust of the power which in 1947 was considered necessary for the Director of the CIA to have—and time has proved that that power was necessary.

Mr. ERVIN. Mr. President, will the Senator from Mississippi yield at that point?

Mr. STENNIS. I should like to complete my brief remarks first. I do not have a prepared text. I have not made a special study in this particular field; if it is agreeable to the Senator from North Carolina, I should like to complete my statement first, before yielding to him.

Mr. President, this is no inconsequential matter. We are dealing with many thousands of employees all over the world, working under all kinds of conditions. We are dealing with activities of the CIA and the National Security Agency—my remarks apply to both—with many thousands of employees and an annual cost of many millions of dollars. Those exact figures are all classified. The budget is known by Congress but is not public knowledge.

I emphasize that now in stating that we are dealing with no small matter in just dollars and cents. Yet the bill, in an indirect way, would partly handicap and make ineffective the operation of these agencies.

I am convinced in my mind that these agencies should be totally excepted from the operations of the pending bill, that there is far more good on the side of their exclusion than there is on the other, and that this partial exception which the bill would provide, in making it possible for the Director to make a personal finding, and thereby limit the application of some restrictions, would be impractical and burdensome. It would require the Director to devote disproportionate time to one aspect of his responsibility. Just as every Senator cannot personally answer every letter, compose every paragraph, or read every line of every report placed before him, as a pracitcal matter, this would be an impossible chore to place upon the Director.

I would rather this provision be in the bill than to leave it out entirely. I am not critical of the amendment so far as it goes, but, nevertheless, it would leave the Director of the CIA in a position where it would be difficult for him to operate.

In order to justify such changes as this bill makes in these basic laws, they deserve and should have the utmost consideration and the most minute examination by men who are highly versed in the field. I think they should be brought here and this question should be considered only in executive session, and explained to every Member of this body.

I warn now that if this bill becomes a law, it is going to be cited as an instance where the legislative branch of the Government stepped in and said, "We will assume full responsibility; we take it away from the executive agency, where it properly belongs. We assume the responsibility for the subject matter of this bill, so far as the employment of people is concerned."

We know that, if there is any kind of flaw in a person's character, the secret, highly organized, and effective agencies of the other side move in on it, whether it be financial distress, homosexuality, something about a relative, or anything else. That is why it is necessary to have the most exhaustive screening.

Mr. President, I am authorized to speak for the chairman of the CIA Subcommittee and the chairman of the Armed Services Committee [Mr. Russell]. I am authorized to say that from the beginning he has thought, and still thinks, there ought to be a total exemption from this bill for the CIA and the NSA. He has thought that from the first, and he thinks it now; and if he can be present for the vote, he is going to vote against this bill on that account. That shows how serious this matter is—that from a man who I think knows more about the operation of the CIA than any man in the Congress, and I speak with all deference to others.

The Senator from North Carolina [Mr. Ervin] asked that I yield to him. I yield to the Senator from North Carolina.

Mr. ERVIN. I would like the Senator from Mississippi to point out any provision in the bill which affects in any way the right of the CIA to discharge any of its employees, with or without any reason at all. There is not a thing in this bill in conflict with that right.

Mr. STENNIS. The main thing I am concerned about, frankly, is not about somebody being discharged. It is about getting the wrong kind of person in to begin with, who is a security risk, and, before anyone knows anything about it, the dirty work has already been done. To just discharge him then would be an act of futility, almost. That is where the rub is, the sore spot—the bringing in of these people. This was the problem. That is where the issue is.

Mr. ERVIN. With all due regard to the Senator's views, certainly the Senator from Mississippi could not say that the CIA should be exempted from the provisions of the bill which prevent employees from being forced to lobby open housing ordinances, engage in political activities, or join the NAACP.

Mr. STENNIS. One could make an argument like that about those provisions, but that does not go to the very gist of our concern. I do not think anybody on this particular committee supports everything the CIA has to do. I know almost none of the employees except some of those now carrying on some of the major responsibilities. The real problem is getting the wrong man or woman to start with so the devilment can be done and the security of this Nation imperiled.

Mr. ERVIN. I do not see how any provision of this bill would prevent the CIA from asking any question whatever.

Mr. STENNIS. Well, I have already covered the point. The limited exemption could be invoked only by the personal certification of the Director. That is just an impractical, inadequate authority for him to have. Even for a discharge—and I do not think that is so important—get a hearing. I stand on the danger of getting the wrong man in to start with.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. JACKSON. I should like to associate myself with the able remarks of the ranking member of the Armed Services Committee and the CIA watchdog subcommittee, on which I also have the honor to serve.

I also wish to associate myself with the able remarks of the Senator from Indiana. I think there are provisions of the bill in which the CIA should be included, namely, those stipulating that employees do not necessarily have to attend certain meetings and participate in bond drives, and so on. But I think the able Senator from Mississippi has pointed out one of the key problems, which is related to preventing people from getting in the CIA who should not, in the first instance, be in.

Last year over 100 security risks were stopped by the polygraph tests. All other means of security inquiry, all other means of testing failed. The polygraph does not necessarily establish truth or untruth. I have real questions about the polygraph as a general proposition, but it can be a valuable aid in providing investigative leads. I want to point out that last year the CIA was able to stop over 100 people who would have been definite security risks had it not been for the investigative leads given through the polygraph.

Some of us who have been in the Senate and the House over a period of many years remember that period not too long ago when the executive branch of Government was charged with being lax in personnel matters. There were charges about all kinds of security risks in the Government.

I think it would be most unwise to turn around now and unduly tie the hands of the Central Intelligence Agency and the National Security Agency, dealing as they do with the most sensitive matters in the Government.

I mention this because Congress, month in and month out, year in and year out, is taking after the executive branch for failing to do the job of rooting out security risks who should have been rooted out, and to stop security risks from getting in who should have been stopped from getting into the Federal Government.

What we are doing here, as I read the bill, is that if we are going to maintain the authority that the Director of the CIA or the Director of the National Security Agency has had heretofore, he would have to personally certify that these questions of a sensitive nature and of a highly personal nature must be asked. He could not even delegate that authority under the present provisions of this bill.

If the Director has to personally certify, when thousands of people are interviewed each year for jobs, what kind of certification will that be? It seems to me it is completely unrealistic.

As I have pointed out, 100 security risks have been stopped in 1 year because of investigative leads provided by the polygraph.

I can see what the Senate and the House would be doing if those risks had gotten into Government. Congress would be jumping down the throat of the Central Intelligence Agency and asking, "Why did you not do something about that? Why did you permit this person to get in?" Some of the most notorious defectors, people who have walked away with secrets vital to our country, have been sexual deviates.

I think the Senate should understand what it is doing in connection with the pending proposal. I say that every Member of the Senate has a solemn obligation to understand what is really involved as far as the Central Intelligence Agency and the National Security Agency are concerned, with the provisions of the bill as they now stand.

Mr. STENNIS. I thank the Senator very much for his timely remarks.

I yield now to the Senator from North Dakota [Mr. Young], who is a very valuable member of the Appropriations Committee and of the subcommittee concerned.

Mr. YOUNG of North Dakota. I thank the Senator from Mississippi. I wish to associate myself with his comments.

All three of the Republican members of the Appropriations Committee dealing with the CIA take the same position, that the CIA should be exempted. There certainly is far more reason for the CIA to be exempted from the provisions of this bill than for the FBI. It deals with highly sensitive information from all over the world. Even the smallest countries now have intelligence agencies.

To cite one example, the CIA would have to know at all times what contact one of its agents might have with foreigners, one of whom might be, for example, a member of the Russian KGB. Therefore, they must have more authority over their employees than the Government has over the average employee. The information it would be necessary to have concerning a CIA agent is a far cry from that required on a postal clerk in my hometown.

He can make any kind of speech he wants to. His private life might be thoroughly reprehensible, and may not hurt the Government.

But the CIA does have to know as much as it possibly can about its agents, because they deal with highly sensitive information gathered all over the world, and not only on the main streets, but they have to go into the back alleys along with all the other intelligence agents of the world.

I think it would be a serious mistake if the CIA, the National Security Agency, and the Defense Intelligence Agency were not exempted from the provisions of the bill. As one of its cosponsors, I am very proud of its other provisions; but if those agencies are not exempted from the provisions of the bill, I shall be compelled to vote against it, although I am a cosponsor.

Mr. STENNIS. I thank the Senator.

Mrs. SMITH. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Maine, who is also a member of the subcommittee.

Mrs. SMITH. Mr. President, I share the concern of my able and distinguished colleagues, the Senator from Mississippi and the Senator from North Dakota.

I want Government employees to be protected but our national security must not be impaired. I find there is a potential conflict between national security and some individual employees employed by the CIA and the FBI.

I feel obliged to vote for the bill but I would hope that the conflict would be resolved in the House committee or in conference.

Mr. STENNIS. Mr. President, to reiterate a point I have already made: I am convinced, from what I know about the problems involved in getting the right kind of recruits from among so many different types of people in so many different circumstances, that this bill, as now written, puts too many far-reaching restrictions upon the CIA, and that we would thereby greatly impair our capacity to protect our security.

I think further that this matter about the possibility of some employee being unjustly discharged is purely a secondary matter. It is serious and important to the person involved, I do not discount that. But certainly it is secondary to the security of the Nation.

To have to go through a hearing in a regular court, and have a proceeding there that could be used to harass the agency and its director with endless litigation, would in itself impair our national security. Certainly there would be exposure. If we act here without having a chance to make a full study of the bill, I venture to say that once it becomes the law and these restrictions do apply, we are going to have a different reaction, a different attitude toward the CIA as an entity; and the same applies to the National Security Agency.

This organization being so vital and necessary, its activities should not be restricted, and certainly should not be restricted without the most minute inquiry and weighing of the language, and the points involved, and also submission of this matter to the Senate in executive session, where so many more of the actual facts that pertain to the problem could be fully aired, and thereby fully weighed by each Senator. Every Member of this body, before passing on these important matters, should have before him all the facts involved, and that is simply impossible to achieve in an open session, and at the same time protect the security of our country.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. YOUNG of North Dakota. Would not the CIA find themselves in much the same position we are in today, if they wound up in court over firing an employee? They are charged by Congress with protecting their sources of intelligence, no matter where they get them. We are charged with the same responsibility.

If we could have an executive session, and explain all the reasons why these agencies should be exempt, it would be a different matter. But we cannot do so publicly without divulging matters which should be kept secret.

Mr. STENNIS. That is a good point. I wish to point out again a point made by the Senator from Indiana: We exempt from the provisions of this bill the FBI, and very properly so. The FBI is an organization nearly all of the employees of which, I assume, are of the very highest character. They always seek to employ people of a high order of character and intelligence.

The CIA, without going into detail, has to employ for some missions persons who are not of the very top quality, and not the very finest characters. In producing intelligence information, we must at times use persons that would not be suitable as regular, full-time employees. But these agencies must go into every conceivable possibility or circumstance under which the man may operate, and what his reaction under given circumstances might be.

Furthermore—and I say this with emphasis—those with whom they have to deal, the agencies representing the Soviets and any others that are against us are always trying to pick and find flaws in the people we have, not only in the key spots but in the lower spots as well; and it is nearly always through that avenue that they are attempting to penetrate, achieve a sell-out, lead us down a blind alley, and get our secrets.

So we are dealing here with two of the most sensitive and important agencies of our Government; and with all due deference, I submit that we are going into it without sufficient knowledge and information.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The bill is open to amendment.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1862) to amend the authorizing legislation of the Small Business Administration, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House insisted upon its amendment to the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MORGAN, Mr. ZABLOCKI, Mrs. KELLY, Mr. HAYS, Mr. ADAIR, Mr. MAILLIARD, and Mr. FRELINGHUYSEN were appointed managers on the part of the House at the conference.

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate, a message from the House on S. 1862, with the amendment of the House thereto.

AMENDMENT OF LEGISLATION AUTHORIZING THE SMALL BUSINESS ADMINISTRATION

The PRESIDNG OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1862) to amend the authorizing legislation of the Small Business Administration, and for other purposes which was, to strike out all after the enacting clause and insert:

TITLE I

SEC. 101. This title may be cited as the "Small Business Act Amendments of 1967".

SEC. 102. Paragraph (4) of section 4(c) of the Small Business Act is amended—

(1) by striking out "$1,400,000,000" and inserting in lieu thereof "$1,900,000,000";

(2) by striking out "$400,000,000" and inserting in lieu thereof "$450,000,000";

(3) by striking out "$200,000,000" and inserting in lieu thereof "$300,000,000"; and

(4) by striking out "$100,000,000" and inserting in lieu thereof "$200,000,000".

SEC. 103. Paragraph (4) of section 7(a) is amended by striking out "except that a loan made for the purpose of constructing facilities may have a maturity of ten years" and inserting in lieu thereof "except that such portion of a loan made for the purpose of constructing facilities may have a maturity of fifteen years".

SEC. 104. The subsection added to section 7 of the Small Business Act by the Disaster Relief Act of 1966 (Public Law 89-769), and designated thereby as subsection (e), is redesignated as subsection (f).

SEC. 105. Subparagraph (B) of paragraph (1) of section 8(b) of the Small Business Act is amended to read as follows:

"(B) in the case of any individual or group of persons cooperating with it in furtherance of the purposes of subparagraph (A), (i) to allow such an individual or group such use of the Administration's office facilities and related materials and services as the Administration deems appropriate; and (ii) to pay the transportation expenses and a per diem allowance in accordance with section 5703 of title 5, United States Code, to any such individual for travel and subsistence expenses incurred at the request of the Administration in connection with travel to a point more than fifty miles distant from the home of that individual in providing gratuitous services to small businessmen in furtherance of the purposes of subparagraph (A) or in connection with attendance at meetings sponsored by the Administration;".

SEC. 106. Paragraph (13) of section 8(b) of the Small Business Act is amended to read as follows:

"(13) to establish such advisory boards and committees as may be necessary to achieve the purposes of this Act and of the Small Business Investment Act of 1958; to call meetings of such boards and committees from time to time; and to rent temporarily, within the District of Columbia or elsewhere, such hotel or other accommodations as are needed to facilitate the conduct of such meetings; and".

SEC. 107. The subsection added to section 402 of the Economic Opportunity Act of 1964 by section 405 of the Economic Opportunity Amendments of 1966 (Public Law 89–794), and designated thereby as subsection (b), is redesignated as subsection (c).

TITLE II

SEC. 201. This title may be cited as the "Small Business Investment Act Amendments of 1967".

SEC. 202. (a) Title III of the Small Business Investment Act of 1958 is amended by inserting immediately after section 306 the following new section:

"REAL ESTATE DEVELOPMENT

"SEC. 306A. (a) In the case of any small business investment company licensed prior to October 1, 1966, under the provisions of this Act, which has received the approval of the Administration prior to that date of its articles of incorporation or investment policy, and which by the terms and provisions of the approved articles of incorporation or investment policy is empowered to invest in (whether through loans or equity securities) real estate development oriented enterprises and activities, the Administration shall not impose any limitation, formally or informally by regulation, order, advice, or otherwise, in respect of the company's investments in real estate oriented enterprises and activities which is more restrictive than, or otherwise at variance with, the company's articles of incorporation or approved investment policy.

"(b) No application to the Administration from any licensee referred to in subsection (a) of this section for participation in any of the programs, benefits, activities, or services available to licensees under the provisions of this Act shall be denied, or participation in any program limited or withheld by the Administration for the sole reason that the investments of the applicant in real estate development oriented enterprises and activities exceed a percentage of the applicant's total investment portfolio, unless such investments exceed the percentage allowable under the applicant's articles of incorporation or approved investment policy."

(b) The table of contents at the beginning of that Act is amended by inserting

"Sec. 306A. Real estate development."

immediately after

"Sec. 306. Aggregate limitations."

SEC. 203. Section 301(c) of the Small Business Investment Act of 1958 is amended to read as follows:

"(c) The articles of incorporation and amendments thereto shall be forwarded to the Administration for consideration and approval or disapproval. In determining whether to approve such a company's articles of incorporation and permit it to operate under the provisions of this Act, the Administration shall give due regard, among other things, to the need and availability for the financing of small business concerns in the geographic area in which the proposed company is to commence business, the general business reputation and character of the proposed owners and management of the company, and the probability of successful operations of such company including adequate profitability and financial soundness. After consideration of all relevant factors, if it approves the company's articles of incorporation, the Administration may in its discretion approve the company to operate under the provisions of this Act and issue the company a license for such operation."

SEC. 204. The second sentence of section 302(a) of the Small Business Investment Act of 1958 is amended by changing "$700,000" to read "$4,000,000".

SEC. 205. Section 302(b) of the Small Business Investment Act of 1958 is amended by striking "except that in no event shall any such bank hold shares in small business investment companies in an amount aggregating more than 2 percent of its capital and surplus." and inserting "except that in no event may any such bank acquire shares in any small business investment company if, upon the making of that acquisition,

"(1) the aggregate amount of shares in small business investment companies then held by the bank would exceed

"(A) 5 percent of its capital and surplus, or

"(B) $1,000,000

whichever is less, or

"(2) the bank would hold 50 percent or more of any class of equity securities issued by that investment company and having actual or potential voting rights."

SEC. 206. Section 303(b)(1) of the Small Business Investment Act of 1958 is amended by changing "$4,000,000" to read "$6,000,000".

SEC. 207. Section 103 of the Small Business Investment Act of 1958 is amended—

(1) by striking "and" at the end of paragraph (6);

(2) by changing the period at the end of paragraph (7) to read "; and"; and

(3) by adding the following new paragraph at the end:

"(8) the term 'venture capital' means capital supplied by the purchase of common or preferred stock or subordinated debentures as to which there is no amortization or sinking fund requirement for at least five years after issuance."

SEC. 208. Section 310(b) of the Small Business Investment Act of 1958 is amended by adding after the first sentence thereof the following new sentence: "Each such company shall be examined at least once each year."

SEC. 209. The first sentence of section 401 (a) of the Small Business Investment Act of 1958 is amended by striking out "that are (1) eligible for loans under section 7(b)(3) of the Small Business Act, or (2) eligible for loans under title IV of the Economic Opportunity Act of 1964,".

SEC. 210. Section 308(g) of the Small Business Investment Act of 1958 is amended (1) by inserting the paragraph designation "(1)" after "(g)", and (2) by adding the following new subparagraph:

"(2) In its annual report for the fiscal year ended June 30, 1967, and in each succeeding annual report, the Administration shall include in its annual report, made pursuant to section 10(a) of the Small Business Act, full and detailed accounts relative to the following matters:

"(A) The Administration's recommendations with respect to the feasibility and organization of a small business capital bank to encourage private financing of small business investment companies to replace Government financing of such companies.

"(B) The Administration's plans to insure the provision of small business investment company financing to all areas of the country and to all eligible small business concerns including steps taken to accomplish same.

"(C) Steps taken by the Administration to maximize recoupment of Government funds incident to the inauguration and administration of the small business investment company program and to insure compliance with statutory and regulatory standards relating thereto.

"(D) An accounting by the Bureau of the Budget with respect to Federal expenditures to business by executive agencies, specifying the proportion of said expenditures going to business concerns falling above and below small business size standards applicable to small business investment companies.

"(E) An accounting by the Treasury Department with respect to tax revenues accruing to the Government from business concerns, incorporated and unincorporated, specifying the source of such revenues by concerns falling above and below the small business size standards applicable to small business investment companies.

"(F) An accounting by the Treasury Department with respect to both tax losses and increased tax revenues related to small business investment company financing of both individual and corporate business taxpayers.

"(G) Recommendations of the Treasury Department with respect to additional tax incentives to improve and facilitate the operations of small business investment companies and to encourage the use of their financing facilities by eligible small business concerns.

"(H) A report from the Securities and Exchange Commission enumerating actions undertaken by that agency to simplify and minimize the regulatory requirements governing small business investment companies under the Federal securities laws and to eliminate overlapping regulation and jurisdiction as between the Securities and Exchange Commission, the Administration, and other agencies of the executive branch.

"(I) A report from the Securities and Exchange Commission with respect to actions taken to facilitate and stabilize the access of small business concerns to the securities markets.

"(J) Actions undertaken by the Securities and Exchange Commission to simplify compliance by small business investment companies with the requirements of the Investment Company Act of 1940 and to facilitate the election to be taxed as regulated investment companies pursuant to section 851 of the Internal Revenue Code of 1954."

SEC. 211. The effective date of this title shall be ninety days after enactment.

TITLE III

SEC. 301. This title may be cited as the "Small Business Protection Act of 1967".

SEC. 302. The Administrator of the Small Business Administration shall conduct a special study of the impact on small business concerns of robbery, burglary, shoplifting, vandalism, and other criminal activities, with a view to determining ways in which such concerns may best protect themselves against such activities.

SEC. 303. The Administrator shall report to the President and to the Congress the results of the study conducted pursuant to this title, including such recommendations as he may deem appropriate for administrative and legislative action, within one year after the date of enactment of this title.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Alabama [Mr. SPARKMAN] I move that the Senate disagree with the amendment of the House and request a conference with the House thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SPARKMAN, Mr. MCINTYRE, Mr. PROXMIRE, Mr. PERCY, and Mr. TOWER conferees on the part of the Senate.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 3 o'clock and 1 minute p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 3:05 p.m., when called to order by the Presiding Officer (Mr. MONTOYA in the chair).

PROTECTING PRIVACY AND RIGHTS OF FEDERAL EMPLOYEES

The Senate resumed the consideration of the bill (S. 1035) to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

Mr. STENNIS obtained the floor.

Mr. STENNIS. Does the Senator from North Carolina desire that I yield to him?

Mr. ERVIN. Mr. President, will the Senator yield to me briefly?

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the Senator from North Carolina without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Carolina is recognized.

Mr. ERVIN. Mr. President, I cannot modify the bill without unanimous consent, because the yeas and nays have been ordered. Therefore I ask unanimous consent that I may modify the bill on page 19 in the following respects:

On line 16, page 19 between the word "Agency" and the word "or" I would modify the bill so as to insert these three words "or his designee", and on line 17, page 19 between the word "Agency" and the word "makes" I would modify the bill by unanimous consent by inserting the words "or his designee", so that the bill would provide that the Central Intelligence Agency and the National Security Agency could ask the three forbidden types of questions if the Director of the Central Intelligence Agency or his designee, or the Director of the National Security Agency or his designee "makes a personal finding with regard to each individual to be so tested or examined that such test or information is required to protect the national security."

Mr. President, I ask unanimous consent that I may modify the bill by those amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. STENNIS. Mr. President, may I say to the Senator from North Carolina and to the Senate that in our opinion that meets, in part, some of the objections that several of us have felt to the bill.

If I may ask the Senator now, I raise the point with him about the court procedure that the bill before the Senate now contemplates on the part of an employee, particularly with reference to employees discharged from either one of the agencies.

Let me extend my question further not only to the matter of the discharge of an employee but also to the violation of any provisions of the National Security Act or the national security law. If the Senator would express himself on that, so far as security is concerned, because questions might arise in open court, I shall appreciate it.

Mr. ERVIN. In my judgment, this bill does not undertake to regulate in any way the tenure of a person's employment. It does not undertake to change any law relating to the tenure of any employment. It merely attempts to regulate the relationship between a department or agency and its employees as long as the employment relationship exists.

The statute relating to the CIA is found in title 50, section 403, subsection 3, of the United States Code, which provides that "notwithstanding the provisions of section 652 of title 5, on the provisions of any other law, the Director of the CIA may, in his discretion, terminate employment of any officer or employee of an agency whenever he shall deem such termination necessary or advisable in the interest of the United States."

There is a similar statute applicable to the National Security Agency.

There is not a thing in the bill which would alter those statutes, because the bill does not affect what summary dismissal powers they have.

The only question, as I see it, that could possibly come up before a court or the Board of Employees' Rights created by this bill would be whether the CIA or the National Security Agency had violated provisions of this act and had attempted to make an employee do something which the act forbids them to make him do. I cannot imagine any controversy arising pursuant to the bill in which any secret matter would be relevant in a hearing before a court or before the Board. I think that there is no danger there.

Mr. STENNIS. Let me interrupt the Senator there. I believe, as I understood it, he used the words "secret matter." The Senator was referring, was he not, to secret matters concerning the security of the country?

Mr. ERVIN. That is right. In other words, the sole question that would be relevant in any proceeding, either before a court or a board, under this act, would be whether the agency had violated the rights of employees as spelled out in the act.

Thus, I cannot imagine any circumstances under which any matter of national security would ever become germane or relevant to the suit. Besides, in my judgment, we have the rule of evidence which forbids disclosure of State secrets in litigation. I think that would exclude security information, if it were offered. That is my judgment.

Mr. STENNIS. On that last point, the Senator does not contend and does not believe that this proposed law we are passing on now changes that rule; is that correct?

Mr. ERVIN. That is correct.

Mr. STENNIS. I am happy to yield to the Senator from Indiana. Does he not want me to yield to him at this point?

Mr. BAYH. Yes. I thank my colleague. I should like to restate a point which the Senator touched upon earlier. That the Senator from North Carolina would not desire to take away any rights dealing with the protection of Government employees, or to remove the common law executive privilege of refusing to disclose information in the interest of national security of the country. This is an age-old tradition which we have had for a number of years. I think that the Senator from North Carolina, if I understood him correctly, comes out foursquare that that is not the intention of this act.

Mr. ERVIN. I do not think the statute would be relevant.

Mr. STENNIS. Would the Senator speak a little louder, please.

Mr. ERVIN. I said that I do not think any decision concerning disclosure of matters relating to national security would have any relevance to a case brought pursuant to the provisions of this bill.

Mr. STENNIS. It would not be admissible if deemed relevant.

Mr. ERVIN. There are a number of statutes dealing with this subject. I have here a letter from Mr. Lawrence Speiser, director of the Washington office of the American Civil Liberties Union, under date of August 29, 1967. He represents an organization very much concerned with the rights of individuals. He suggests that we should go further and change the statutes which give these organizations the right to discharge their employees without cause.

Frankly, I sometimes think that myself; but I am not attempting that now.

Mr. BAYH. If I might ask just one question——

Mr. ERVIN. Since CIA officials have

leaked so much material to the press in recent days, I should think it would be all right for me to do a little leaking, too. They would like to be exempted from all responsibility and accountability to law, and everything else on earth, in the heavens above, and the waters beneath them. I think that is asking a little too much. The CIA——

Mr. STENNIS. The Senator might be surprised to know how little the CIA has talked to me about this matter—virtually none. I certainly do not represent them, as the Senator knows.

Mr. ERVIN. I have suggested that perhaps the CIA could be brought into court for violating the statute which forbids lobbying at public expense, but I do not propose to ask for a prosecution at this time.

Mr. STENNIS. Mr. President, I yield further to the Senator from Indiana.

Mr. BAYH. I must say that I have indeed talked to both members of the CIA and the National Security Agency in an effort to try to secure more information about the impact of this legislation. The way the National Security Agency is structured, those who are serving on the committee to which it is directly responsible, are the only ones who really can tell us the impact of this particular legislation. Those who are on the Judiciary Committee have been forced to try to find out as best we could by talking to members of the agency involved—the Director and his staff.

Let me make this one last statement because my position on the Judiciary Committee has put me at least on the committee that is discharging this measure. As I see it, the Senator from North Carolina, by accepting the modification of the bill which he himself has proposed, and by the colloquy which we are proceeding with here, is dealing with two points that are the most sensitive.

First, which the Senator from Mississippi brought into the colloquy here, that the agencies are concerned about being brought into court and being compelled to disclose secrets of vital interest to the national defense and the security of this country. From the statement just made by the Senator from North Carolina, that is not his intention, nor the intention of the Senate.

The second point we discussed would require the Directors of these two agencies to assume a tremendous burden of personally validating the authenticity or the necessity of using these two particular kinds of tests, or asking the three kinds of questions.

By permitting the Directors to appoint a designee, the modification would shift the burden from their shoulders to the shoulders of a subordinate who would serve as a watchdog to prevent the practices which we are trying to prohibit. This would allow the maximum degree of protection insofar as security risks in these agencies are concerned. This would be going a long way toward correcting the weaknesses.

I thank the Senator from North Carolina for his contribution.

Mr. STENNIS. I thank the Senator. I think he has made a contribution in the debate as well as in the committee.

I yield now to the Senator from Nebraska.

Mr. HRUSKA. I thank the Senator for his courtesy.

Concern has been expressed that there are serious impingements on the authority of CIA inherent in this bill and that they would particularly bear on the right of the CIA to separate employees from their staffs.

Is it not a fact that in any appearance in court which would be entered by an employee or an applicant for employment with the CIA, they would have very limited recourse and the court would have its jurisdiction limited very highly in any such proceeding? At page 12 of the bill, starting with line 17, we have the language:

> Such United States district court shall have jurisdiction—

Skipping to line 22—

> to issue such restraining order, interlocutory injunction, permanent injunction, or mandatory injunction, or enter such other judgment or decree as may be necessary or appropriate to prevent the threatened violation, or to afford the plaintiff and others similarly situated complete relief against the consequences of the violation.

Mr. ERVIN. Yes.

Mr. HRUSKA. I ask the Senator if it is not true that the only questions involved in such a lawsuit would be whether there had been a violation of the prohibitions of psychological tests and polygraphs and questionings, and that only the question of the mechanics of those violations would be raised in the lawsuit, to the exclusion of any substance with regard to the disclosure of material which would be harmful to the national security.

Mr. ERVIN. That is true, because the controversies which would arise under the bill would relate only to the question of whether or not the agency was violating this act. This act has nothing to do with the collection of security information.

Mr. HRUSKA. Violation of the act with reference to the procedures used in employment practices, but not its substance?

Mr. ERVIN. Only as related to the rights enumerated in the bill.

Mr. HRUSKA. But only the procedural matter, the fashion in which it was done, not as to substance?

Mr. ERVIN. The right to discharge employees would remain unhampered, except the agency could not discharge an employee because he refused to comply with a request or requirement which is illegal under the act.

Mr. HRUSKA. So there would not be any serious impingement on the statutory power of the CIA to discharge if it saw fit, and this act would have no effect on that authority?

Mr. ERVIN. Except in the situation where the employee refused to agree to a violation of the act.

Mr. HRUSKA. That is what the act is for. It provides that the agency shall not use such procedures.

Mr. ERVIN. It would not affect the right of the agency to discharge employees on any other ground at all.

Mr. HRUSKA. That is my understanding. I am grateful to the Senator for his explanation.

The Senator from North Carolina and I have had long discussions on this subject. If there were any intimation, if there were any suggestion, that there would be an adverse effect upon the national security by this bill, I would not be for it and would not be urging the Senate to enact the bill into law.

Mr. ERVIN. As a matter of fact, I think the bill would promote the national security and would increase the value of the personnel of the CIA and NSA if the agencies would abandon this 20th century witchcraft, and ascertain information about their employees from other sources.

Mr. HRUSKA. I thank the Senator.

Mr. ERVIN. I think they are driving away from employment some of the best brains in this country—people who do not like to be humiliated by the questions put to them under the polygraph procedures.

Mr. STENNIS. Mr. President, I am going to yield to the Senator from Maryland [Mr. TYDINGS], but may I make this statement. Several Senators have inquired about this. As far as the Senator from Mississippi knows, there will be no further amendment offered to the bill.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. YOUNG of North Dakota. I may offer an amendment to strike out lines 20 and 21, on page 19, which exempt the FBI. I do not know why the FBI should not be included.

Mr. STENNIS. I beg the Senator's pardon. I had not been informed about that.

I yield now to the Senator from Maryland [Mr. TYDINGS].

Mr. TYDINGS. Mr. President, I wish to take this opportunity to commend the Senator from North Carolina on the splendid public services he has performed in the draftsmanship of this legislation for the protection of civil service employees. As he knows, I have worked with him in committee and worked on the language of one of the amendments which was adopted.

For the purpose of the legislative record of this debate, I would like to make clear what I already understand to be the Senator's position and the meaning of certain parts of the legislation. I am particularly concerned with those sections which have to do with the right of counsel by the employee and the right to judicial review. It is my understanding that the rights intended here are not intended to be used in such a way as to violate the national security.

The issue which I can see arising is on the discharge of an employee on the grounds of national security, with reference to the section on the right of counsel in taking the case into court or the right of judicial review, and in court the Government having the option of either trying to prove that it is a national security case and disclosing matters which might be vital to the national security or dismissing the prosecution. The situation arose in 1964 in the Buturko case in New Jersey. The Government had the option of disclosing the nature of the evidence and going ahead with the dismissal proceeding—I think it was an espionage case—or dropping the proceedings and not disclosing the evidence.

I wanted to get the Senator's view on this particular problem as it could possibly or theoretically arise.

Mr. ERVIN. Under the statute I read a moment ago, the CIA has absolute authority to discharge an employee for any reason or no reason whatever, and there is no remedy for the employee.

Then, under Public Law 88–290, similar authority is given the Secretary of Defense to fire any employee of the National Security Agency. The only due process given the employee is the arbitrary decision that his dismissal is in the interest of the United States.

The only issue under S. 1035 that could ever be raised in court concerning a discharge of an employee would be whether he was discharged because he refused to violate the act or refused to accede to an action made illegal by the act. I repeat, that is the only limitation. I do not see how other matters could ever get into court under the act. The employee could be fired for any other reason on the face of the earth, or for no reason, and there could be no recourse. The only point that could be relevant would be whether the agency had violated the act.

Mr. TYDINGS. So the provisions of subsection (k), which have to do with the right to counsel, and also the provisions which the distinguished Senator from North Carolina read having to do with judicial review, would not be intended to circumscribe the right or the power of either of the intelligence agencies to discharge an employee without the disclosure of national security data.

Mr. ERVIN. That is true.

Mr. TYDINGS. I thank the Senator.

Mr. ERVIN. I believe that under the statutes any matters sought to be admitted but affecting national security would be held to be incompetent, even if they were relevant; and I do not see how they could be relevant.

I wish to thank the Senator from Maryland for his gracious remarks and to say that he has been instrumental in bringing the bill to its present state. As a member of the Committee on the Judiciary, he made a number of helpful suggestions.

Mr. TYDINGS. I thank the distinguished Senator.

Mr. STENNIS. Mr. President, I do not expect to continue to hold the floor for more than a few minutes. I should like to ask a question of the distinguished Senator from Nebraska, who is an eminent lawyer and devoted much time and work to the bill.

Do I correctly assume that the Senator from Nebraska heard the responses of the Senator from North Carolina [Mr. ERVIN] about the point that was raised concerning court proceedings, especially the response that any matter concerning the security of the Nation or the States would not be admissible in evidence?

Mr. HRUSKA. I am sure that is true.

Mr. STENNIS. Could I get the Senator's opinion on that point?

Mr. HRUSKA. Mr. President, I did hear the colloquy between the Senator from Mississippi and the Senator from North Carolina, and I fully subscribe to the interpretation that was placed upon this entire situation by the Senator from North Carolina.

The bill as drafted would not be the basis for permission to get into the substance in any manner whatsoever. If procedural matters which are prohibited in this bill have been violated, and the prohibitions have not been abided by, then a court action would lie. I have already read into the RECORD the language as to the jurisdiction of the district court in the matter; but I shall do so again, for purposes of emphasis. The jurisdiction of the court, after the evidence is in, would be "to issue such restraining order, interlocutory injunction, permanent injunction, or mandatory injunction, or enter such other judgment or decree as may be necessary or appropriate to prevent the threatened violation, or to afford the plaintiff and others similarly situated complete relief against the consequences of the violation."

So there would be no room under this bill, if it became law, to get into the substance of any of the records of the CIA or the NSA.

Mr. STENNIS. I thank the Senator. I value his opinion.

Mr. President, I propose to conclude my remarks, now, with this thought: I think the modification made by the Senator from North Carolina, adding at the proper place the words "or his designee," has met, in part at least, the objection to that provision of the proposed act.

In the second place, our colloquy with reference to the courts, while I do not suggest that Senators in debate can change the law or control the courts, as far as they go, with the Senators' statements of their ideas about the subject matter I think are a contribution to the debate and to the record of the legislative history.

Mr. President, under all the circumstances controlling here, I still have some very serious questions and very strong doubts in my mind about the applicability of this proposed act to the CIA and to the NSA; and for that reason I shall not vote for the bill, but will oppose it.

However, under all the circumstances, as far as I am concerned, I shall not offer any amendment; but I do wish to reserve the right, if the bill comes back, after it goes to the House of Representatives, with provisions in it that I think are seriously objectionable, to be free to oppose it at that time.

Mr. President, I yield the floor.

Mr. ERVIN. Mr. President, I should like to make just one comment. This bill would make only one limitation on firing employees. They can still be fired for any cause, or without any cause, except for the cause that they refused to violate the act or give up any of their rights under the act. That would be the only thing relevant to the inquiry.

Mr. STENNIS. I thank the Senator.

Mr. YOUNG of North Dakota. Mr. President, I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from North Dakota [Mr. YOUNG] proposes an amendment, as follows:

On page 19, strike out sections 6 and 7, lines 6 through 21, and insert:

"SEC. 6. Nothing contained in this Act shall be construed to prohibit an officer of the Central Intelligence Agency or of the National Security Agency or of the FBI from requesting any civilian employee or applicant to take a polygraph test, or to take a psychological test, designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters, or to provide a personal financial statement, if the Director of the Central Intelligence Agency or his designee, or the Director of the National Security Agency or his designee, makes a personal finding with regard to each individual to be so tested or examined that such test or information is required to protect the national security."

Mr. YOUNG of North Dakota. Mr. President, all this amendment would do would be to put the FBI in exactly the same category as the CIA and the NSA. I do not know why that should not be done. To single out these two Agencies—the CIA and NSA—would certainly give them a bad name throughout the world. All three are intelligence-gathering agencies, and why one should be expected and not the others, I cannot understand.

I hope that the author of the bill will accept the amendment.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. ALLOTT. Is the Senator aware that in the reading of the amendment, in that portion which is now at lines 16 and 17, the Director of the FBI or his designee is omitted?

Mr. YOUNG of North Dakota. No; I am not.

Mr. ALLOTT. It was omitted.

Mr. YOUNG of North Dakota. Mr. President, I ask to modify my amendment to include it.

THE PRESIDING OFFICER. The Senator may modify his amendment.

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER. The Senator from North Dakota has the floor.

Mr. ALLOTT. Will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. ALLOTT. I see that in the amendment, as sent to the desk, the FBI is included at that point, although it was omitted when the amendment was read.

I thank the Senator for yielding.

The LEGISLATIVE CLERK. The amendment as proposed by Mr. YOUNG of North Dakota was as follows:

On page 19, strike out sections 6 and 7, lines 6 through 21, and insert:

"SEC. 6. Nothing contained in this Act shall be construed to prohibit an officer of the Central Intelligence Agency or of the National Security Agency or of the FBI from requesting any civilian employee or applicant to take a polygraph test, or to take a psychological test, designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters, or to provide a personal financial statement, if the Director of the Central Intelligence Agency or his designee or the Director of the National Security Agency or his designee or the Director of the FBI or his designee makes a personal finding with regard to each individual to be so tested or examined that such test or information is required to protect the national security."

Mr. YOUNG of North Dakota. Mr. President, I would hope that the Senator from North Carolina, who is handling this bill, would be able to accept this amendment. If not, I shall ask for the yeas and nays.

Mr. ERVIN. Mr. President, I feel I cannot accept the amendment, because my committee, having voted on the question of whether the FBI should be included in the bill, voted to exempt it.

I can answer my good friend from North Dakota as to the reason for the exemption. If all of the departments and agencies of the Government had conducted their relationships with their employees in the same manner in which the FBI has conducted its relationships with its employees, this bill would not have been introduced. There would have been no occasion whatever for it.

I do not see much use in putting restrictions on use by the FBI of polygraph tests or psychological tests, because it does not use either of them. The other two security agencies to which the restriction has been applied use them all the time. They use them daily, and they are driving away from Government employment some of the best brains that come to them, because of the insults they heap on their applicants in these polygraph tests. That is the distinction.

Mr. YOUNG of North Dakota. In effect, what we are doing then is legislating to exonerate one official and condemn another.

The Director of the Central Intelligence Agency has been changed three times since I have been a member of that committee. I do not know which particular Director the legislation is directed at. If it is not directed at any particular one, why should we not put them all in the same category?

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The question is on agreeing to the amendment of the Senator from North Dakota.

The Senator from New Hampshire is recognized.

Mr. COTTON. Mr. President, in view of the fact that the yeas and nays have been ordered on the amendment of the distinguished Senator from North Dakota [Mr. YOUNG], the Senator from New Hampshire wants to make it plain before the roll is called that he is perfectly willing to vote for, and will vote for, the amendment. He sees no reason why the very meritorious bill of the distinguished Senator from North Carolina should not be universally applied. However, in voting for the amendment, the Senator from New Hampshire wants it distinctly understood he recognizes the fact that insofar as he knows and has ever heard in the years he has been here, the FBI has not been guilty of any conduct that would require this legislation, and that this amendment is to be agreed to merely in the interest of uniformity.

Mr. President, the Senator from New Hampshire recognizes the undoubted service that the CIA has rendered in the interest of national security. It is very rare that the Senator from New Hampshire finds himself somewhat in disagreement with some of the distinguished Senators who have so seriously defended the CIA. He certainly wants its functions in preserving national security to be unhampered and thoroughly preserved.

However, although he is perhaps regarded as a conservative and not too popular with many of the organizations who hold themselves out as being the champions of individual rights, the Senator from New Hampshire wants to say that from his experience in the Senate, he is reluctantly compelled to observe that the CIA has been in many instances a very arrogant and very powerful agency of our Government.

The Senator from New Hampshire does not question the motives of patriotism or the diligence of any of the executives of that Agency, but all of the enemies of our country are not necessarily foreign enemies. I do not imply that we have any enemies in the CIA as individuals. However, the Senator from New Hampshire for a number of years has viewed with some degree of apprehension the growth of power and secrecy of this particular organization, as he views with apprehension any department of the Government that can operate with such secrecy and so much power, because there is always danger of the invasion of our country's liberties when we create within the Government any kind of a Frankenstein monster that enjoys particular privileges of secrecy and exercises those privileges to such degree.

Certainly, no one wants any of our agents endangered by the disclosure of information. It has been the experience of this Senator, however, that even as a member of the Appropriations Committee, he has not only found it impossible to get certain information about the expenditures of money and about the general policies of the CIA, but he has also actually had the experience of going to his colleagues in the Senate who serve on committees and who are possessed of that information, and those colleagues have been compelled to tell him that they cannot even disclose the information to him because the nature of the information is so secret that it can be known only to a few Members of Congress who serve on certain committees.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. YOUNG of North Dakota. Does this same situation not apply to other classified information? We get highly classified information on military affairs, and oftentimes I do not feel that I should tell a colleague what I was told in committee.

The same thing applies with regard to the Atomic Energy Commission. I have never been able to get much information there.

Mr. COTTON. The Senator from New Hampshire specifically referred to the expenditure of money. I do not have and do not want military secrets, but at the same time I have no difficulty in determining how our military appropriations are being spent. I do not want to know secrets of the Atomic Energy Commission, but again I have had no trouble in finding out how its money is being spent. This is not true of expenditures made by CIA.

I think, however, that every Member of the U.S. Senate is entitled to a reasonable amount of information, particularly if he serves on the Appropriations Committee, as to how money is being expended. And I doubt whether it is necessary to divulge dangerous secrets to do so.

This is not said with hostility toward the CIA. It may sound so. It is said merely because I did not want the debate to close without indicating the apprehension at least one Senator feels about the creation of this or any other blue-ribbon agency within the structure of the U.S. Government.

I think the Senator from North Carolina is to be commended for his bill.

I, of course, refrained from impeding the progress of the Senate by objecting to his request for unanimous consent to revise and accept an amendment. I will be honest and say that I regretted the acceptance of that amendment. I felt that it unnecessarily weakened his bill and that it practically meant that the Director of the CIA could delegate to anybody, or to a different person every day, the authority to do the acts that the bill was intended to curb.

I shall vote for the amendment offered by the distinguished Senator from North Dakota. That vote, however, is not to be construed as a reflection on the FBI, an agency for which I have the greatest respect. It merely reflects the belief of this Senator that every department and agency should be subject to the provisions of the very meritorious bill presented by the Senator from North Carolina and his colleagues.

I yield the floor.

Mr. HOLLAND. Mr. President, I shall vote for the amendment of the distinguished Senator from North Dakota, but for a different reason from any that have been suggested.

If Senators will note the title of the bill, they will note that it reads:

> To protect the civilian employees of the executive branch of the United States Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy.

I would not like to see the Senate take action which would make it appear that we are less interested in protecting the employees of the FBI than we are in protecting the employees of any other Government agency from any action of the type that is protected against.

My own feeling is that there is no real justification for the section that excludes the FBI—that is section 7—and that unless there is some justification about which I have not yet heard, we shall all desire to give similar treatment and similar protection to all employees of the executive agencies, which I surely believe we should give. For that reason, I shall support the amendment.

Mr. YOUNG of North Dakota. Mr. President, if the Senate is ready to vote, I ask unanimous consent to rescind the order for the yeas and nays.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Is there objection to the request of the Senator from North Dakota? The Chair hears none, and the order for the yeas and nays is rescinded.

The question is on agreeing to the amendment of the Senator from North Dakota.

The amendment was agreed to.

Mr. COTTON. Mr. President, in view of the fact that the remarks just made by the Senator from New Hampshire were made simply because of the yeas and nays having been ordered, the Senator from New Hampshire now asks unanimous consent that his remarks be stricken from the RECORD, although he meant every word. But there was no need for his remarks unless there was to be a rollcall vote on including the FBI.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and it is so ordered.

Mr. ERVIN. Mr. President, the Senator from New Hampshire was so eloquent that I am inclined to object to his request. I am inclined to object, especially since he paid me a nice compliment in his remarks. In order that I not be put in the position of making such objection, I ask the Senator from New Hampshire to withdraw his request that his remarks be stricken from the RECORD. [Laughter.]

Mr. COTTON. Mr. President, I am willing to yield to the Senator's request. I now ask unanimous consent that my remarks remain in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FONG. Mr. President, every American is aware of the fact that under our republican form of government, the will of the people is accorded primacy. Our Government is responsive to this will, for it is a government of laws—administered by men whose decisions reflect the value judgments of the governed.

Whenever administrative decisions have not reflected those values, the electorate usually responded by electing to office men whose views are in tune with public sentiment.

By statute, the representatives of the people have implemented many of the protections guaranteed under our Constitution. These laws have provided extensive protection for the rights of citizens against arbitrary administration.

In recent years, Federal activities have expanded at a breathtaking rate. With this expansion and with the rapid escalation of technological dvelopments, departures from constitutional liberties once deeply cherished have become increasingly evident.

This has been particularly true in the case of one large and vitally important segment of our population—the thousands of employees and private citizen-advisers who serve the Government.

It seems to me rather ironic that Government employees, so necessary in the carrying on of the functions of Government, do not themselves reap the harvest of liberty, but rather are more and more subject to harassment and intrusions into their private lives.

For some time now, the Judiciary Subcommittee on Constitutional Rights, of which I am a member, has received disturbing reports from responsible sources concerning violations of the rights of Federal employees. The invasions of privacy have apparently reached such alarming proportions and are assuming such varied forms, that the matter now demands immediate corrective measures.

The misuse of privacy-invading personality tests for personnel purposes has been the subject of extensive subcommittee hearings. Other matters, such as improper and insulting questioning during background investigations and abridgment of due process guarantees in denial of security clearances have also been the subject of study.

Other employees complaints, fast becoming too numerous to catalog, concern such diverse matters as psychiatric interviews; lie detectors; restrictions on communicating with Members of Congress; pressure to support political parties, and yet, restrictions on political activities; coercion to buy savings bonds; extensive limitations on outside activities, and yet, administrative influence to participate in agency-approved functions; rules for writing, speaking, and even thinking; and requirements to disclose personal information concerning finances, property, and creditors of employees and members of their families.

Many of the practices now in extensive use have little or nothing to do with an individual's ability or qualification to perform a job.

The subcommittee has sought by hearings and investigation to remedy these problems on a case-by-case, agency-by-agency basis. Although response has been uniformly courteous, it has brought no satisfaction. Corrective legislation is clearly required.

The bill now before the Senate, S. 1035, introduced by the distinguished Senator from North Carolina and chairman of the subcommittee [Mr. ERVIN], is designed to halt many of the practices of which Federal employees have complained and to protect them from further incursions into their privacy.

This measure is intended to be a bill of rights for government employees. The bill contains provisions for administrative remedies and penalties, to be administered through an independent Board of Employees' Rights, which the proposal would create.

Creation of this Board will assure that employees have a place to lodge their complaints of violations of the act without fear of reprisal and with the knowledge that the issues will be considered free of administrative and executive interference.

The bill would make it unlawful for an officer of any department or agency to require or request, or attempt to require or request, any employee or applicant for employment to disclose his race, religion, or national origin. It should be noted that the bill would not bar head counts of employee racial extractions, for statistical purposes, by supervisors.

However, Mr. President, the Congress has authorized a merit system for the Federal service—and the race, national origin, or religion of an individual or his forebears should have nothing to do with his ability or qualification to do a job.

An inquiry as to citizenship, where it is a statutory condition of employment, would be allowed.

The bill prohibits requiring or requesting employees to participate in any function or activity not within the scope of official activities.

Reports have come to the subcommittee, for instance, that some agencies have either prohibited flatly or required employees to report all contacts, social or otherwise, with Members of Congress or congressional staff members.

The prohibitions of the bill regarding attendance at outside meetings, reports on personal activities, and participation in outside activities do not apply to the performance of official duties or to the development of skill, knowledge, and abilities which qualify the person for his duties, or to participation in professional groups or associations.

Under the bill, officers may not forbid or attempt to forbid any employee of the department or agency to patronize any business establishment offering goods and services to the public. This provision is designed to meet complaints that some agencies tell the employees where they can eat, shop, or do business.

The bill would forbid the Government to submit its employees or any applicant for employment to any interrogation, examination, or psychological or polygraph test which is designed to elicit from him information concerning his relationship to any person related to him by blood or marriage, or concerning his religious beliefs and practices, or his attitude or experience in sexual matters.

Testimony received by the subcommittee, as well as other committees of Congress, shows that the instruments testing response to questions about such personal areas of an individual's life, habits, and private thoughts are of questionable validity.

The invasion of personal privacy by use of such techniques has no place in the Government's relationship with its employees or applicants for employment. Nor do interview techniques used on job applicants in some agencies.

Scandalous cases have been reported to the subcommittee involving high school graduates, college students, and professional people seeking Government employment who have been subjected to harrowing sessions with security investigators or psychologists. They probe the relationships of the applicant with friends and members of their families regarding religious and sexual experiences. Surely, these practices can only seriously damage the image of our Federal civil service, increase the turnover in good people, and jeopardize recruitment.

Exceptions to these privacy-invading practices are provided upon psychiatric determination that the information is necessary in the diagnosis and treatment of mental illness in individual cases.

Such personal questions, however, may not be a part of a general practice or regulation governing the examination of employees or applicants on the basis of grade, job, or agency.

Under the bill employees may not be required or requested to support any candidate, program, or policy of any political party or to support any political party by personal effort or contribution of money or other thing of value. These activities are prohibited, whether they are designed to support the election or the nomination of persons to public office.

A major area of complaint received by the subcommittee has related to outright coercion and intimidation of employees to buy everything from savings bonds to electric light bulbs for playgrounds.

While the bill would prevent coercion to invest in Government bonds or other securities, or make donations for any cause, it would not prevent calling meetings or taking any action appropriate to afford employees the opportunity to invest or donate voluntarily.

This bill, with a few limited exceptions, would prohibit requiring disclosure of an employee's assets or liabilities, or his personal or domestic expenditures or those of any member of his family.

Only persons with final authority in certain areas may be subject to disclosure requirements.

The massive disclosure requirements issued by many Federal agencies pursuant to Executive Order No. 11222 go far beyond the proper concern with the prevention of conflict of interest and corruption in Government. At the time of the issuance of the Presidential directive, White House and civil service spokesmen said that it would affect but 2,000 political appointees. Now, as agency after agency issues regulations to implement the order—with the imprimatur of the Civil Service Commission—not only has a big brother counseling system been established in each agency, but thousands of regular employees and private sector advisers and consultants are being required without option to fill out such questionnaires periodically.

Aside from the invasion of privacy, and the fact that the Federal Government is made to look foolish, the expense of these programs to the taxpayers is simply so much money poured down the drain.

Moreover, it has become evident that the cost in terms of civil service morale is already being reflected in frustration and indignation by many of our civil servants.

An individual's economic liberty and his right to privacy are so important, that an employee suspected of misconduct should not be required to submit to interrogation which could lead to disciplinary action, without the presence of counsel or other person of his choice. The bill would give him this right.

The Subcommittee on Constitutional Rights has been studying this matter for some time, investigating numerous serious complaints. It found that there were widely divergent practices among the regulations of agencies involving this fundamental right.

Our system of justice affords every accused facing criminal charges the right to counsel, even in preliminary interrogations. Certainly, we can do no less for civil servants facing severe economic penalties in the loss of jobs or loss of clearance for sensitive positions in Government and private defense industry.

The bill would make it unlawful to discharge, discipline, or deny promotion to an employee who refuses or fails to submit to any of the requirements, requests, or actions described in the bill. Penalties are established for any officer who willfully violates the act.

The bill would thus enable the employee or applicant to look to the Federal district court at any point in the administrative process to halt privacy invasions. He may ask for an order, injunction, or other judgment, and for complete relief against the consequences of the violation.

The bill rightly takes into account national security considerations. Specifically exempted from all provisions of the bill is the Federal Bureau of Investigation. In addition, nothing in the bill would prohibit an official of the Central Intelligence Agency and the National Security Agency from requesting any employee or applicant to take a polygraph test or a psychological test, or to provide a personal financial statement designed to elicit the personal information protected under other provisions of the bill. In these cases, the Director of the Agency must make a personal finding with regard to each individual to be tested or examined that such test or information is required to protect the national security.

Mr. President, when this bill was initially scheduled for Senate debate more than 2 weeks ago, consideration of the proposal was postponed because of objections raised by the Central Intelligence Agency and the National Security Agency. These Agencies felt that they should be completely exempted from the requirements of the bill.

I do not believe they should be exempted.

The subcommittee has been giving this matter our most careful study and analysis during the past 3 years, when we first started investigation of the broader aspects of the problem.

The distinguished chairman of the subcommittee [Mr. ERVIN], who has been in the forefront of efforts to protect the constitutional rights of Federal employees, has been in almost constant touch with all the agencies of our Government having to do with national security questions.

After a most exhaustive analysis of the whole picture, the subcommittee adopted amendments to the bill exempting the FBI, and granting a partial exemption to the CIA and NSA, as I explained earlier.

I strongly agree with my good friend, the distinguished senior Senator from North Carolina [Mr. ERVIN], that all Federal employees should be accorded the protection of their privacy and basic rights, regardless of the mission of the agency for which they happen to work.

The CIA and NSA have had ample opportunity to present their views and discuss their problems with the subcommittee over these last 3 years. By raising objections to the bill at the 11th hour is to me only an attempt to kill the legislation.

Mr. President, the invasions of privacy under threats and coercion and economic intimidation are widespread in our Federal civil service system today. They represent tyranny of the worst kind. In their effect on individuals and in their impact on society as a whole, they surpass any privacy invasions and illegal searches and seizures to which arbitrary rulers and administrators attempted to subject our forefathers.

They constitute an admission by the Civil Service Commission and the agencies that they are having great difficulty in operating the merit system, despite all the tests and rules for determining the qualifications of applicants and employees, and making a selection on the basis of merit.

The degree of privacy in the lives of our civil servants is small enough as it is, and is still shrinking with further advances in technical know-how. That these citizens are being forced by economic coercion to surrender this precious liberty in order to obtain and hold jobs is a form of tyranny which should greatly disturb every American.

S. 1035 is a good, strong measure, which at the same time effectively balances the interests involved, first, on one hand, the interest of the Government in attracting the best qualified individuals to its service, in protecting the national security, promoting equal employment opportunities, assuring mental health, and conducting successful bond-selling campaigns; and, second, on the other hand, the interest of the individual in protecting his rights and liberties as a private citizen.

The balance of these interests achieved by S. 1035 assures our Government employees constitutional rights long considered minimal in our democracy.

Congressional action on this legislation to protect the constitutional rights of our citizens who are also employees of Government is long overdue. I urge the Senate to adopt the bill S. 1035.

Mr. MONTOYA. Mr. President, I congratulate the distinguished Senator from North Carolina [Mr. ERVIN] for his initiative, foresightedness, and determination in making it possible for us to be considering here in the U.S. Senate today, a most essential measure designed to safeguard the right of privacy of Federal employees. I am indeed pleased to be one of the cosponsors of this measure.

S. 1035 is long overdue. The establishment and enforcement of minimum standards in this area is essential if our cherished American concept of personal freedom is to be vital and meaningful.

Safeguarding constitutional guarantees and civil liberties of our Federal employees must come high on our list of musts, without which there can be no individual freedom for any of us. Government and the people it serves suffer when such workers are not protected from the overzealous or overly curious investigator. Unwarranted snooping or coercion of any kind must stop now, not later.

The provisions of this bill are of special significance in this moment in history when science and technology are busy producing a multitude of new procedures and devices which, although they have great potential usefulness for mankind, might also, unless their use is carefully regulated and controlled, result in great personal damage or hardship to the individual, either in or out of Government service.

The provisions of S. 1035 have been spelled out for us here today. I believe that each of us are familiar with and know of the very practices which it is designed to protect against. The corridors of Government are being stalked by the specter of the lie detector test, the unwarranted psychological and so-called sanity test, enforced buying of bonds and probing questions asked on religious beliefs and sexual attitudes.

Too often do we hear of a Federal employee being, in effect, forced into attending Government-sponsored meetings and lectures out of fear of losing their jobs or not receiving that long-expected promotion. Too often do we hear of Federal employees being forced to participate in outside activities or undertakings unrelated to their work.

Government employees have had their constitutional guarantees eroded or abrogated outright, and have been inhibited in their behavior, if not outrightly coerced to a frightening extent. How can our Government function and serve our people with this type of repressive atmosphere anywhere within its confines?

We must put a stop to these practices now and S. 1035 will provide the necessary machinery.

I do not wish to leave the impression that these practices are the rule rather than the exception. I am confident the great majority of Federal supervisors do not resort to such practices. But it is important that the rights of the employee be protected from the unwise or prejudicial actions of the few who are less scrupulous or conscientious.

Rightly so, section 1 not only makes it unlawful to do any of the acts prohibited by the bill but it also makes it unlawful to persuade or attempt to persuade others to take such prohibited actions. Thus a supervisor cannot subject his subordinates to performing any of the acts or submit to any of the requirements made unlawful by this measure.

Significantly, the bill cannot be characterized as an exercise in wishful thinking. The bill before us has teeth in it.

Under section 4, the injured Federal employee or the applicant for Federal employment, may bring a civil action for violation. We can anticipate, however, that the more usual enforcement procedure will be through the Board of Employees' Rights which the bill establishes under section 5.

The Board of Employees' Rights shall have the authority and duty to receive and investigate written complaints from or on behalf of any person claiming to be affected or aggrieved by any violation or threatened violation of this measure and to conduct a hearing on each such complaint. After a fair and impartial hearing if the Board determines that there has been a violation of this act, the act provides for appropriate remedies and punishment.

The Board in and of itself represents a significant advance. Many of the complaints that can be expected to be handled under this act will inevitably be of the kind that in the past were handled under the existing grievance procedures. Professional people have been complaining for a long time that these procedures were seriously inadequate, particularly in that the department or agency concerned acted simultaneously in inconsistent capacities.

So far as its own actions are concerned, the very actions about which the employee was complaining, the defendant department or agency acted as both judge and jury. The aggrieved employee was never able to present his case before an impartial tribunal, and the result has been that employees generally lost faith in the system and did so to such an extent that it has come to be used relatively little.

The establishment of this Board will surely represent a long step forward in correcting this situation. If the bill did nothing more than this—although it does do much more—it would still be worth enacting.

Finally, if these procedures do not prove, in any given case, to be efficacious, the aggrieved employee is specifically authorized to file suit in the U.S. District Court.

This bill is a most essential one and it is a most timely one. In this period of extraordinary unrest and discontent, groups of all sorts are organizing and demanding rights which, in the past, they never realized they had. It seems to me that this proposed legislation reflects a degree of foresight and statesmanship on the part of the distinguished Senator from North Carolina, Sam Ervin, and he should be greatly commended for his initiative.

By enacting this bill, the Congress will be recognizing at least by implication, what mistakes have been made in this area in the past; but by taking steps to prevent their repetition in the future, it will be reinforcing the procedures of law and order, and above all it will be protecting the rights of the individual.

I urge this body to give this measure prompt and final approval and I call upon our colleagues in the House of Representatives to join us in the immediate future in our action here today.

Once again, my congratulations to Senator Sam Ervin for proposing this landmark bill and my thanks to him for permitting me the opportunity to become a cosponsor of the measure.

Mr. YARBOROUGH. Mr. President, there are certain individual rights which must be considered fundamental to our social and political framework, and as such, the protective mechanisms which we erect about them must always remain impregnable. Those imaginative and perceptive gentlemen who gathered in Philadelphia in the spring of 1787 were well versed on the subject of individual rights, and the fruit of their labors is above all an affirmation of the inherent dignity and inalienable liberty of the individual citizen.

Of all individual rights, that of personal privacy is most basic in our system. The very First Congress submitted and the requisite States subsequently ratified the first amendment to the Constitution, the spirit of which protects the citizen's private thoughts, beliefs, attitudes, and actions. This principle is the essence of constitutional liberty in our free society. It has long been affirmed and has been continually extended by the courts of the land.

Yet it is nonetheless a fact that there are today an intolerable number of cases involving Federal employees where even minimal bounds of privacy have been invaded. Much has been written of the progressiveness of the Federal Government as employer, but these blatant violations blight the record and cannot be ignored. Thus it is that I joined with scores of my colleagues in the Senate to cosponsor S. 1035, a bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy. I take this opportunity to commend especially the distinguished gentleman from North Carolina [Senator Ervin] for his sponsorship of this urgently needed measure, and for the leadership that he has provided throughout its legislative history.

A civil servant relinquishes no constitutional rights by seeking a public career, and he cannot be considered less a citizen for having made this choice. The public employee remains a private man, and Congress has a moral and legal obligation to maintain a rigid separation between the restrictions of the former and the liberties of the latter.

In a society that includes a rampantly developing technology, a propensity for centralized organization, and an appetite for the mass produced, there is a vital need for leaders to look beyond efficiency and take care that individual liberty and privacy are protected from unwarranted intrusions. S. 1035 takes this long look. Mr. President, for the benefits that it would provide our Federal employees today and for the promises that it holds for tomorrow, I have cosponsored, will actively support, and recommend passage of this Federal employee rights bill.

Mr. SCOTT. Mr. President, I am pleased to support S. 1035, which I cosponsor. The bill is designed to protect the constitutional rights of Federal employees and prevents unwarranted invasion of their privacy.

This is one more step in the historical defense of American privilege, liberty, and of our inherited rights.

S. 1035 prohibits indiscriminate requirements that employees and applicants for Government employment disclose their race, religion, or national origin, prevents unwarranted invasion into or control over personal attitudes, opinion, and activities unrelated to their employment.

It makes it illegal to coerce an employee to buy bonds or make contributions; or to require him to disclose his personal assets, liabilities, or expenditures or those of any member of his family except where conflict of interest is possible.

Under S. 1035, an employee is given the right to have counsel present at any interview which could lead to disciplinary proceedings, accords the right to civil action in a Federal court for violation or threatened violation of the act, establishes a Board on Employees' Rights to receive and conduct hearings on complaints of violation of the act, and to determine and administer remedies and penalties.

Mr. STENNIS. Mr. President, I ask for the third reading.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. Bible], the Senator from Oklahoma [Mr. Harris], the Senator from Michigan [Mr. Hart], the Senator from Montana [Mr. Mansfield], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], and the Senator from Missouri [Mr. Symington] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Pennsylvania [Mr. Clark], the Senator from North Carolina [Mr. Jordan], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Montana [Mr. Metcalf], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. Bible], the Senator from Pennsylvania [Mr. Clark], the Senator from Oklahoma [Mr. Harris], the Senator from Michigan [Mr. Hart], the Senator from North Carolina [Mr. Jordan], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Utah [Mr. Moss], and the Senator from Florida [Mr. Smathers] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick] and the Senator from Arizona [Mr. Fannin] are absent on official business.

The Senator from New York [Mr. Javits] is also necessarily absent.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senator from Arizona Mr. [Fannin], and the Senator from New York [Mr. Javits] would each vote "yea."

The result was announced—yeas 79, nays 4, as follows:

[No. 248 Leg.]

YEAS—79

Aiken
Allott
Baker
Bartlett
Bayh
Bennett
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Ellender
Ervin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
McCarthy
McClellan
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Murphy
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Spong
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—4

Eastland
Hollings
Russell
Stennis

NOT VOTING—17

Anderson
Bible
Clark
Dominick
Fannin
Harris
Hart
Javits
Jordan, N.C.
Long, La.
Magnuson
Mansfield
Metcalf
Moss
Muskie
Smathers
Symington

So the bill (S. 1035) was passed.

Mr. ERVIN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make all necessary technical corrections in the engrossment of the bill which has just been passed by the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, even though I am a cosponsor, I voted against the bill because it weakens the security of our Nation by hamstringing the CIA, the NSA, and other intelligence agencies in their work.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I would like to ask the distinguished acting majority leader about the program for the remainder of the day, and also what he foresees for tomorrow and possibly the rest of the week.

Mr. BYRD of West Virginia. Mr. President, it is my understanding that the distinguished junior Senator from Mississippi [Mr. Stennis] will proceed immediately to bring before the Senate the Defense appropriation conference report. In discussing this report with the Senator from Mississippi, I am led to believe there will be no rollcall vote on this conference report. That being the case, there will be no more votes today.

It is anticipated that the Senate will adjourn until 12 o'clock noon tomorrow when it completes its business today.

Before adjourning, it will be the intention of the leadership to lay before the Senate as the pending business for tomorrow, S. 1985, a bill to amend the Federal Flood Insurance Act of 1956.

Mr. STENNIS. Mr. President, will the Senator yield to me on that point?

Mr. BYRD of West Virginia. I yield.

Mr. STENNIS. The Senator mentioned the conference report. Even though I shall not ask for a rollcall vote, as I see it, there are matters of interest to many Senators that will doubtless come up for discussion and other Senators may ask for the yeas and nays.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. BYRD of West Virginia. I yield.

Mr. TOWER. Will the matter of the House insistence on the denial of the opportunity for the British to bid on the seven minesweepers in the bill come up? Is this going to be a matter of controversy?

Mr. STENNIS. I would like to make a statement on that point in a few minutes, if the Senator will permit the leadership to finish the statement.

Mr. BYRD of West Virginia. Following action by the Senate on S. 1985, the Federal Flood Insurance Act of 1956, it is the intention of the leadership to bring before the Senate S. 798, a bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes, which is a bill by the Senator from Arkansas [Mr. McClellan] and the Senator from Pennsylvania [Mr. Scott].

That is all the leadership can foresee at the moment. If the Senate completes its business on those three measures this afternoon and tomorrow, it is anticipated that the Senate, on the completion of business tomorrow will go over until Monday next.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. MILLER. I was hoping to have a rollcall vote on the conference report, and I do not want to do anything to inconvenience my colleagues, but as I understand it, there will not be a long discussion on it.

Mr. BYRD of West Virginia. The Senator is not precluded by anything I have said from asking for a rollcall vote. I merely stated that it was the feeling of the Senator from Mississippi that he did not intend to ask for a rollcall vote and he did not foresee any.

Mr. STENNIS. Mr. President, I want to make it clear that the reason why we were not going to ask for a rollcall vote, so far as the conferees were concerned, was that the bill we bring back has somewhat less money than the Senate bill, and less than the House bill. It is under last year's budget appropriation. It is under the budget estimate by $1.6 billion.

There are two amendments in which we are interested, which I shall explain.

Mr. MILLER. Mr. President, I should like to ask for the yeas and nays on the conference report.

The PRESIDING OFFICER. The Chair informs the Senator that the conference report is not yet before the Senate.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1968—CONFERENCE REPORT

Mr. STENNIS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Sept. 12, 1967, pp. 25191–25193, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MILLER. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. Let me state that I do not object to the yeas and nays on the conference report, but since the bill is less than that voted on by the Senate previously, when we did have a rollcall vote, I thought it was agreeable to omit a rollcall. However, I have no objection to one.

Mr. MILLER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. STENNIS. Mr. President, the committee of conference on this bill spent approximately 5 hours in considering the Senate amendments and have reached agreements on all of them with the exception of No. 18, pertaining to the construction of naval vessels in foreign shipyards. This matter is in actual disagreement, and I will discuss it in detail in a few minutes.

The conferees agreed on appropriations totaling $69,936,620,000, which is under the Senate bill, $195,700,000; under the House bill, $358,580,000; under the budget estimates, $1,647,380,000; and under appropriations for fiscal year 1967, $293,002,000.

As is usual in conferences on appropriation bills, there were compromises on most of the Senate increases and decreases, and I will be glad to respond to any questions with respect to any specific item that Members may have.

Mr. President, I invite the attention of the Senate to the fact that the amount agreed to is under the budget. In large measure, that is due to the very careful analysis and rewriting of the bill by the distinguished Senator from Georgia [Mr. RUSSELL], who makes us all very happy by being in the Chamber this afternoon.

He is the architect of the bill, together with the distinguished Senator from North Dakota [Mr. YOUNG]. They did their usual fine piece of work—in fact, it is an extraordinarily fine piece of work.

Mr. President, compromises were made, particularly with reference to the appropriation amounts, as is always true in a conference of this kind, for the House had also given the utmost study to the bill. It was a harmonious conference, even though there was one matter in complete disagreement.

The committee of conference devoted considerable time to the Navy's F–111B aircraft program and finally agreed on an appropriation of $147,900,000, which is an increase of $32,900,000 over the Senate allowance for this aircraft program. The program agreed upon by the conference committee differs in only one respect from the program approved by the Senate; namely, the Senate provided for the procurement of six aircraft to continue the Navy's research and development program, and the conference committee has agreed upon the procurement of eight aircraft for this purpose. The Senate program also included approximately $10 million for the advance procurement of P–12 aircraft engines to support a possible future buy of this aircraft. No funds were included in the Senate program for the advance procurement of long leadtime components other than these engines. The committee of conference did not change this advance procurement program. Thus, essentially, it was just an increase of two airplanes, and that was the essential difference.

Mr. President, I ask unanimous consent that the two paragraphs appearing on page 6 of the statement of the managers on the part of the House be printed in the RECORD at this point, and it should be noted that these paragraphs reflect the intent of the full committee of conference.

There being no objection, the paragraphs were ordered to be printed in the RECORD, as follows:

> Provides $147,900,000 for the F–111B aircraft program instead of $208,800,000 as proposed by the House and $115,000,000 as proposed by the Senate. In recommending $147,900,000 for this program, it is the intent of the committee of conference to provide for the procurement of only 8 F–111B aircraft to continue the Navy's research and development program, and to provide not to exceed $10,000,0000 for the procurement of P–12 engines to support a possible future buy of this aircraft. No funds have been provided for advance procurement of long leadtime components other than the engines referred to above.
>
> Further, it is the intent of the committee of conference in recommending these funds that it considers the F–111B program to be in the research and development stage, with primary emphasis on efforts to prove that the aircraft can be made carrier suitable. The fact that these funds are provided in this appropriation should not be considered as an indication of approving this aircraft for production.

Mr. STENNIS. Mr. President, as I indicated earlier, amendment No. 18, on which the committee of conference could not reach an agreement, pertains to the construction of naval vessels in foreign shipyards. This amendment reads as follows, and I quote from page 17 of the bill as it passed the Senate:

> *Provided further*, That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards.

During the consideration of the bill in the Senate, it was pointed out that the Senate committee had recommended the deletion of this provision inasmuch as it was the view of the committee that this provision would impair our efforts to improve the balance-of-payments situation through the sale of military equipment to our allies, and the Senate concurred in this recommendation. That is what is known as the Byrnes amendment, Mr. President, which was passed by the House and, as I just stated, omitted from the Senate bill.

The Senate conferees stood solidly against that amendment. The House conferees stood solidly, perhaps with one exception, for its inclusion.

Mr. President, I desire to take a few minutes to present the issue involved.

The United Kingdom has agreed to purchase from U.S. manufacturers military equipment, mostly airplanes, the value of which totals approximately $2 billion, during the period 1966 through 1977. In return, the United States has agreed to allow United Kingdom manufacturers to compete on Department of Defense procurement contracts without the application of the "buy American" differential until these manufacturers had successfully bid on contracts totaling $325 million during this 12-year period.

To date, the United Kingdom has placed firm orders with U.S. manufacturers totaling $1.4 billion, and the United Kingdom manufacturers have received orders from the Department of Defense and its contractors totaling $143 million.

This provision is applicable to the $1.3 billion included in this bill for the construction and conversion of naval vessels. Of this total amount, $60.7 million is for the construction of seven wooden ocean minesweepers.

That was the only amount in controversy—the $60.7 million.

In addition to the funds in this act, there is available $76.7 million from prior years for the construction of nine of these minesweepers. Pursuant to our agreement to let British manufacturers bid on an equal footing with American manufacturers on certain Department of Defense procurement actions, the Secretary of Defense has advised the Government of the United Kingdom that the United Kingdom shipyards will be permitted to bid on all 16 of these minesweepers without the application of the "buy American" differential. If the amendment I have referred to remains in the bill, it will not be possible for the Secretary of Defense to fulfill his commitment with respect to all 16 of these minesweepers. However, it should be noted that if this provision is retained in the bill, the Secretary of Defense could allow the United Kingdom shipyards to bid on those nine that were funded in prior fiscal years without the application of the "buy American" provision. On the other hand, with respect to the original agreement calling for $325 million of U.S. orders to United Kingdom manufacturers, there would still be ample opportunity for the Department of Defense to fully comply with this agreement during the 12-year period.

Of course, that means if it were not prohibited by the Congress. The only appropriation involved is $60.7 million for the construction of seven wooden minesweepers. They are in this bill. The nine mentioned were in last year's bill, and that money can be spent as the Secretary of Defense wishes, letting bids in Great Britain for the minesweepers if they are the low bidders. The agreement will be open for the 12-year period. But we thought, the agreement having been made in good faith by all parties, and in the process of being carried out by Great Britain, that there ought not to be a refusal on our part to follow through with the agreement, especially in view of the relatively small amount involved.

The Byrnes amendment to which I referred was originally adopted on the House floor on a division vote of 119 to 61.

For the benefit of Senators who may not have been here previously, I state again that we held out for the Senate's position. So the House conferees took the amendment back to the House floor in disagreement. But yesterday the House again approved this amendment by a rollcall vote of 233 to 144. That was after a thorough and exhaustive debate in which a substantial number of interested parties on both sides participated.

I think it is unfortunate that the House has insisted on this action, which places the Secretary of Defense and the Nation in the position of not being able to fulfill a commitment they have made with respect to these minesweepers. However, I do not think that anything could be gained by further insisting on the Senate amendment and requesting another conference with the House on this matter.

That was a conclusion reached after a very careful survey of the situation. I am not much of a nose counter, but I found out that perhaps we could sustain our position here in the Senate. That is my opinion. But I was overwhelmingly convinced that we would be up against a wall in the House that would not yield, and that there was no use in going back to conference. With all deference to the Senate position, it would be a vain thing. The Members of the House had argued this thoroughly, considered it a long time, and had gone on record by an 89-vote majority. So it was only a practical matter, that the conferees concluded to recommend to the Senate to take the Byrnes amendment, with the hope—I want to express this—that the agreement with Great Britain will be carried out in time in some manner.

I do not think there is anything else to do. The agreement was made. We are accepting the fruits from the tree, and I think we ought to let them have their fruit. I know this is a delicate matter with many.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from North Dakota, who has worked so hard in this conference and in other conferences.

Mr. YOUNG of North Dakota. I thank the Senator for his kind comments.

Mr. President, I want to associate myself with the comments of the Senator from Mississippi. I fully supported the Senate's position, and I think we had a good position. In fact, I think there should be a little more competition in shipbuilding here in the United States. A ship can be built for half the cost and one-fourth the time in Japan. A little competition would do a lot of good. But the House has taken a strong position in two separate votes. I think if we went back they would probably have a bigger vote. In the meantime the Defense Department is losing a great deal of time by not letting contracts that they should for their major equipment items.

Mr. STENNIS. I thank the Senator for his remarks. The Senate can be doubly assured that we studied this matter thoroughly. I talked to people in the House who are in a position to know. I talked to Mr. McNamara. I talked to many Senators. I do not think there is any doubt that the Senator is correct in his conclusion.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. STENNIS. In 1 minute, if I may. I want to make clear that we are not, by this action, repudiating a promise on an obligation, because the matter is still open. I believe in another atmosphere, it will be worked out in some fashion.

Although this was not the controlling issue, we also felt that the appropriation bill should not be deferred any longer. For these reasons I shall move, at the appropriate time, that the Senate recede from amendment No. 18. The effect of that would be to put in the bill the Byrnes amendment.

Now I am glad to yield to the Senator from Maryland, who has expressed interest in this matter for some time.

Mr. BREWSTER. Mr. President, first of all, let me thank the Senator from Mississippi for yielding, and commend and congratulate him on the great effort he has put into this measure and upon the great wisdom he has displayed. I would like to comment here only briefly upon amendment No. 18.

On August 21 here in the Senate I argued the point that the U.S. merchant marine was a very, very important part of the Armed Forces of America; that our merchant marine had very sadly deteriorated; that our shipbuilding industry was at rockbottom; that it was on the shoals; that we ought to do something about it; that if we were faced with another international confrontation similar to Vietnam, we could not build the ships needed to defend the United States.

I then argued, as I argue now, that at the end of World War II the United States was the preeminent maritime nation of the world; that its shipbuilding industry was second to none. Today, of all the major shipbuilding nations, we are 16th.

I have a very particular, personal interest in this, because we build a lot of ships—regrettably we do not build more—in the Port of Baltimore.

Today only 7 percent of U.S. shipping is carried in our own bottoms. Therefore, in view of the condition of the maritime industries, I argued on August 21, and argue again today, that it only makes sense to build U.S. naval vessels exclusively in U.S. shipyards; and I am very pleased that it is now apparent that the House position will prevail here.

I recognize that there is a need for give and take; and I do not recommend that we raise high, strict, tariff barriers or other legal barriers to the purchase of equipment overseas. But I do think that when our merchant marine is in such terrible shape, it only makes sense to build our own naval vessels in our own ports.

Therefore, I am very pleased that the chairman has taken the position he has just indicated.

I thank the chairman for yielding.

Mr. STENNIS. I thank the Senator for his remarks. I know of his great interest in these matters.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Colorado.

Mr. ALLOTT. I should like to say a few words at this point, because I feel that the legislative history on this conference report, as stated by the distinguished Senator from Mississippi, should be made very clear here.

The principle involved in Amendment No. 18 was really whether or not we should continue to sell extensive equipment to Great Britain, and not give Great Britain a small chance to recoup some part of the adverse balance of trade created by reason of her dealing with us.

I know that the distinguished Senator from Mississippi, as well as the distinguished Senator from North Dakota, worked very hard in the conference committee. But I think it is important that the history of this legislation, as the Senator has already made clear, is such that the practical, political possibilities of the conference report at the present time do not justify going back to the House with it, because we might achieve even a larger vote against us.

However, it is important to make the legislative history here that we are not in any way abrogating, with Great Britain, the implied and tacit understanding we have with them that, in consideration of their purchase of these millions of dollars worth of material and equipment from us, they be permitted to offset it to some degree by building in Great Britain some—and it is a very small proportion—of the ships which we would need.

This needs to be underscored very strongly. If there is one nation in the world upon whom we have been able to count in almost every instance, it has been Great Britain. We cannot walk away from this obligation and feel that we have done ourselves, Great Britain, and the world justice, if we lie down and take the action of the House of Representatives as the final word in the matter.

I congratulate both the chairman of the committee and the senior Senator from North Dakota for the work they have done, and particularly for this legislative history, which makes it clear that we are not abrogating our responsibility.

In this respect, I should also pay my great respects to the distinguished senior Senator from Georgia [Mr. RUSSELL], who is the chairman of the committee, and for whom the distinguished Senator from Mississippi has been acting recently, because in most of this legislation the distinguished Senator from Georgia, with his great sense of balance, has shown, like the other members of the committee, his understanding of the real nature of the balance between these countries, and that we must not abrogate our implied or tacit or actual agreement and understanding with Great Britain.

Mr. STENNIS. Mr. President, the Senator from Colorado, as always, has made his reasoning very clear, and I think he has contributed substantially to the legislative history on this question, and has made a fine statement.

May I emphasize, without seeking to make unfavorable comparisons with the managers on the part of the House, that the Senate conferees stood solidly for continuing this matter with Great Britain. Some of the House conferees, at considerable, I will not say hazard, but political inconvenience, stood with us. Earlier, the Senator from Georgia had greatly inspired the Senator from Mississippi to hold to that position, and, as a matter of fact, I called him on the telephone during the conference and talked to him again about it, and, as always, he stood for the very highest principles as he saw them, and for reciprocity with respect to this agreement. I would not say that he did so at political hazard—I doubt whether one could find anything that would constitute a political hazard for him—but it was not exactly the easiest route to follow.

I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, in the first place, I commend the distinguished Senator from Mississippi and the other members of the committee for their substantial reduction in spending. This was a $1.647 billion reduction below the administration request. I compliment the Senator from Georgia, the chairman of the subcommittee, Senator STENNIS, Senator YOUNG of North Dakota, and others on the subcommittee who did such a fine job in this respect.

Frankly, I am very grateful to the distinguished chairman and to the members of the committee for agreeing to accede to the House position and accept the Byrnes amendment. The shipbuilding industry in this country is not a growing, thriving, booming industry. It is a vital industry, but one that has been in trouble, and serious trouble, in my State and throughout the country.

Here is an industry which, by giving up the nine minesweepers in the 1967 appropriation bill for Britain's bid of $76.7 million, has already made what I think could well be considered a very large contribution to the total of $325 million, which is the 12-year total of U.S. procurement which Britain is to provide until 1977. Now, to provide that seven of the minesweepers can be constructed in this country makes sense, from a defense standpoint as well as from a recognition of the serious importance that this is going to have to the American shipbuilding industry.

I express my gratitude, not only in my own behalf, but that of my colleague [Mr. NELSON] and of all the people of my State. The people of Wisconsin, especially in the Sturgeon Bay, Superior, Manitowoc, and other shipbuilding areas, but in other areas as well, have expressed themselves very strongly on this point, and I think the Senator from Mississippi, the Senator from Georgia, the Senator from North Dakota, the Senator from Maine, and other Senators, have done a very fine job on this bill. I believe they were wise to recognize that there was some equity in the House position.

Mr. STENNIS. I thank the Senator. I yield now to the Senator from Texas.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). The Senator from Texas is recognized.

Mr. TOWER. Mr. President, I think I stand second to no one in this body in my concern for the fate of the American merchant marine. As a matter of fact, I am the author, with 10 cosponsors, of Senate Joint Resolution 104, which I introduced here on the 16th of August, which calls for a study by a commission of the deterioration of our merchant marine, and calls attention to our dwindling fleet, as opposed to the growing Soviet fleet. That fleet is a potential economic weapon in the cold war.

I have noted that we must present a complete program for the renovation of our merchant marine to Congress for its consideration and action. It is true that about 70 percent of our vessels now in service are 17 or more years old; many of them are much older than that. We are in a sad plight, with fewer than 1,000 blue-water vessels carrying American foreign trade overseas, although we are the No. 1 naval power.

But I submit that the building of seven wooden hulls is not going to have a very great effect on the American shipbuilding industry.

We are talking about seven small wooden hull vessels, and we are just talking about the hulls. The diesel engines and tubing are all to be procured in the United States of America.

We have made a commitment to the British. They have virtually dismantled their military aircraft industry in order to rely almost in toto now on the United States of America to fabricate, plan, design, and build the military aircraft that they will use, and many of their other weapons systems.

We are now selecting one thing that they are pretty good at, and that is building wooden hull vessels, and saying: "No. We will not even let you bid on it."

There are a few things that are made in my State that are also made by the British. Perhaps I should have gotten my oar in earlier and said: "Let us exempt a few things that are made in Texas."

This is the kind of introspective, self-seeking, engraft type of exclusion that we include in legislation that, if it is carried to its logical conclusion, lets everybody who has a special interest get into the boat. Then, what will happen?

We must remember that they are buying $2.5 billion worth of military hardware in this country, and we are committed, not to buy $325 million worth of supplies, but only to let them bid on $325 million worth.

I think that the House action was not responsible. How long can we expect the British Government to be able to justify to its people the dismantling of a domestic industry on the ground that the United States can supply that material for them and at the same time affect our procurement in Britain of things they can provide for us, things that they do well. We from time to time say: "Well, we mean everything but little bitty wooden hull vessels. We mean everything but this, that, or some other thing we make in this country that somebody back home has got a vested interest in protecting."

The British make a number of things that we make in Texas, and they do a good job of it. Does that mean that I should come here every time there is a bill affecting the manufacture of that product and say: "Let us bar this item or that item?"

I hope that we will not be shortsighted from now on and if, indeed, we are in a position of having to accept the House position on this matter, I hope that we make it clear in the Senate—and I hope that somebody else will say something about it—that we will not make it a recurring practice to exclude this or that item.

If we do that, we cannot expect to maintain good relations with the British. We have been urging them: "Please keep your military commitment. Please help us police the world from Asia to Hong Kong."

The British say: "Good grief. We can't afford it. The pound is in danger. We are overextended. We are facing an unfavorable balance of payments."

How do we expect them to aid us in military commitments all over the world if we pull this kind of doublecross on them, and that is precisely what it is.

I hope that this will not be a habit in the future.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. STENNIS. Mr. President, I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, along the line of what the Senator has been saying, I think it might be well to place in the RECORD the fact that we have firm orders from Great Britain at the present time—and this is just a part of it—for 50 F-111 aircraft with support, over 200 F-4 aircraft with support, over 60 C-130 aircraft with support, 15 Chinook helicopters with support, and Polaris equipment for submarines with support, all of which comes to more than $2.5 billion.

This is just one point that I bring up along the line of the statement expressed so ably and well here by the Senator.

Mr. TOWER. Mr. President, I thank my friend, the Senator from Colorado, for including that itemized list. It is an accurate list.

I point out further that the provision of those items includes the job of rendering support on those items. We will be selling spare parts on those things for a long time.

What we propose to do here, if we refuse to accept the House position on the Amendment No. 18, would be to say to them: "You can come in and bid on the construction of these wooden hulls. We are not saying that we will buy them from you. You can bid on them, but the machinery and the tubing and everything else will be made in our country."

This is pretty petty on the part of a great power like the United States of America, with its tremendous gross national product, to engage in this kind of practice, in my judgment.

Mr. STENNIS. Mr. President, because of the principle involved here, I would like the Senator from Georgia to address himself to this matter.

Mr. RUSSELL. Mr. President, I had not intended to undertake to add anything to the very able statement made on this subject by the distinguished Senator from Mississippi.

I feel very strongly that the other body has made a grievous mistake with respect to this matter. It is not going to help anyone in this country very greatly, and it is going to tend to impair the image of this Nation as one which carries out its commitments to the letter.

I am glad that the Senator from Mississippi has made it perfectly clear that this is not a precedent, and that we intend in the future to undertake to see that commitments of this kind are carried out.

I will say in all candor that I think it would be somewhat better if the committees of the respective Houses had been completely advised of the commitments that had been made. However, that was not done. The Senate would have been in a much stronger position if that had been the case.

The Senator from Texas has said that it does not mean that we will award the contract to the British yards. It only means that the British yards would be permitted to bid without application of the "buy America" differential on the construction of these seven wooden minesweepers, which are very small vessels.

While it is likely that these vessels would be built in the British yards, it should be noted that the engines and other equipment will have to be procured in the United States. It does get into a rather petty classification when we create such a tremendous commotion over a small item.

As I said, we do not consider it to be a precedent. In the future, I hope that we will have a clear understanding with the executive branch of the Government with relation to these matters, so that no one can claim that he was not fully advised or that any advantage was being taken of him or of his constituency.

Mr. President, while I am on my feet, I wish to express my profound appreciation to the distinguished Senator from Mississippi [Mr. STENNIS], the distinguished Senator from North Dakota [Mr. YOUNG], and to the other Senate conferees for the magnificent job they did on this measure.

I did a great deal of hard work on the bill in committee. Unfortunately, I could not be present at the time the bill was taken up on the Senate floor nor when it went to conference.

I do point with pride to the fact that this bill is more than $1.6 billion below the budget figure that was sent to Congress by the executive branch of the Government.

I think I can say that the requested funds were eliminated with most extreme care and that no muscle or bone from our fighting forces has been in anywise affected by that reduction. It is a substantial sum of money. As a matter of fact, I do not know of any other bill this year in which a comparable amount or larger percentage of the total has been eliminated.

I congratulate the conferees on the part of this body—and I can do it with all modesty, because I was not sitting in the conference—on the magnificent job they did in reconciling the positions of the two bodies and reporting out a sum that was below both that of the Senate and of the House. I am very pleased and very proud of the subcommittee that I am honored to chair, the Subcommittee on Appropriations for the Department of Defense, for the magnificent job they did.

I wish to reiterate, before I take my seat, that this is in nowise to be considered a precedent, but rather it is merely a matter of such little consequence to the overall relations between the two nations that it did not justify holding up this bill any longer and delaying very important contracts that should be let which have a direct relationship to the fighting power and strength of the American Armed Forces.

Mr. STENNIS. I thank the Senator from Georgia, and express great delight that he is here to vote on the bill.

Mr. President, I ask unanimous consent that I may yield to the Senator from West Virginia for the purpose of making a unanimous-consent request.

The PRESIDING OFFICER. (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

Mr. BYRD of West Virginia. I thank the distinguished Senator.

Mr. President, I ask unanimous consent that, notwithstanding rule 12, the Senate agree to a vote on the pending matter at 10 minutes after 5 o'clock this afternoon.

Mr. MORSE. I object, Mr. President.

Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MORSE. I have been in the committee room of the Committee on Foreign Relations, and I did not know that this bill had been brought to the floor of the Senate until I was notified there. Therefore, I need answers to a few questions for my information.

After this discussion I will be interested, may I say to the Senator from West Virginia, in reaching a unanimous-consent agreement; but I am in no position to agree to such a request until I have all the information I need before I vote. I have missed the Senator's preliminary remarks, and I am sorry if there will be some repetition.

My understanding is that in connection with the conference report, the House conferees went back to the House for instructions. Is my understanding correct?

Mr. STENNIS. The Senator is correct, with respect to what is called the Byrnes amendment, which related to the construction of naval vessels in foreign shipyards.

Mr. MORSE. Is it correct that the House, by a vote of nearly 100 majority——

Mr. STENNIS. Yes. A majority of 89 were in favor of insisting on the retention of the Byrnes amendment. I will give the Senator the exact figures on that vote, so he will have the information before him. It pertained to amendment No. 18. The vote was 233 to 144.

Although I do not know which side the Senator is on, I say further that it was only after the most exhaustive consideration——

Mr. MORSE. I am on the House side.

Mr. STENNIS. Of this matter that we decided to yield without asking the Senate to vote for a further conference.

Mr. MORSE. I want to be sure that I understand the procedure before I vote. Does the vote in the House, in effect, mean that the House has rejected the report of its conferees?

Mr. STENNIS. Not at all. It means that it has accepted the report of the conferees but voted to stand firm on the Byrnes amendment. It was reported in disagreement by the conferees, and the House then voted to stand by its position. But the remainder of the conference report has been agreed to.

Mr. MORSE. Is the situation in the Senate at the present moment that the House conferees have receded on this matter?

Mr. STENNIS. No. They moved to insist on the inclusion of the Byrnes amendment—offered by Representative BYRNES, of Wisconsin—which would prohibit Great Britain being allowed to bid on these minesweepers.

The Senate took the other position, and deleted the Byrnes amendment. In conference we did not yield and they did not yield. We agreed on everything else in the bill. They took the Byrnes amendment back in actual disagreement, and on a rollcall vote, which I have already recited, the House voted to stand by its original position on the Byrnes amendment, which prohibited the construction of ships in foreign shipyards.

The Senate conferees recommend to the Senate that the Senate recede. If that motion is agreed to, the Byrnes amendment will be a part of the law.

Mr. MORSE. I was not aware of that point. That is the procedure I want to understand.

So that when we have the rollcall vote in the Senate, it is in effect, a rollcall vote that the Senate conferees recede on the Byrnes amendment. Is my understanding correct?

Mr. STENNIS. There will be three votes. We first must vote on the conference report. Following that vote, I will move that the Senate concur in the amendments of the House to amendments Nos. 12, 14, 20, 21, and 36, which are the amendments in technical disagreement. When these amendments are disposed of, I will then move that the Senate recede on amendment No. 18, which is the Byrnes amendment. This procedure provides the Senate with an opportunity to vote specifically on the Byrnes amendment.

Mr. MORSE. I am sorry. I am still perplexed.

Let us assume, hypothetically, that we adopt the conference report. That does not mean that you have an agreement with the House, if the House is standing firm on the Byrnes amendment. All it means is that you go back to conference——

Mr. STENNIS. No. We can take a vote in the Senate instead of going back to conference. We can take a vote here, following the agreement on the remainder of the report, and that would adopt the Byrnes amendment into the bill.

Mr. MORSE. If we take the conference report——

Mr. STENNIS. No.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. RUSSELL. This amendment is in disagreement. The remainder of the bill has been agreed to.

The first question will come on the adoption of the conference report, which does not affect this amendment in any degree. The second question will come on the motion made by the Senator from Mississippi with respect to the five amendments in technical disagreement, which will be followed by a motion dealing specifically with the Byrnes amendment.

Mr. MORSE. Take me through the next step. Let us assume, hypothetically, that the Senate adopts the conference report and——

Mr. RUSSELL. I has no effect whatever on the Byrnes amendment.

Mr. MORSE. And on the rollcall vote, the Senate refuses to recede with respect to amendment No. 18.

Mr. RUSSELL. It means that the bill will be sent back to conference, to consider further the Byrnes amendment.

But I may say that in view of the position taken by the conferees on the part of the Senate, that is a highly unlikely and speculative question that the Senator has raised.

Mr. MORSE. I have seen so many highly unlikely and speculative things come to pass in the Senate, that I want to look at that bridge before I crossed it.

I understand the procedure. I only wish to say that I completely agree with the position of the House, for several reasons. The Senator from Georgia has put forth the most important reason, so far as I am concerned, for I had looked into the matter and found that the legislative committee, I am advised, had not been advised by the administration that it was seeking to eliminate this arrangement. So the legislative committee, the Appropriations Committee, apparently was confronted with an accomplished fact—that the understanding had been entered into. Is that true?

Mr. STENNIS. The Senator from Georgia can answer that.

Mr. RUSSELL. I do not know that that is wholly correct, but that is essentially correct. We knew that an agreement was in process—at least I did, as chairman. I was apprised of that fact by the Secretary of Defense.

I may say that, of course, it is not binding on the legislative branch of the Government. The Senator from Oregon is well aware of that, as is every other Member of this body. If the executive department is not aware of it, they will be when the vote is had on this amendment. But under our system, the executive branch cannot commit this Nation to a proposal of this kind without the approval of Congress.

In this instant case I would think, although we were not advised of all the details, that the agreement was highly favorable to this country from the standpoint of the balance of trade. It would give us about $2.5 billion to make up for the enormous loss we have had in the balance of trade and help protect what little gold reserves we have left. But apparently the other body did not see it that way. They agree with the Senator from Oregon.

The Senate, rather than prolong the passage of the bill with its hundreds of other items of much greater importance, in my opinion, will agree with the House and will accept this amendment.

Mr. MORSE. This is the first point I want to make a few brief remarks about. I, too, am accustomed to the growing trend in this country of the executive branch entering into arrangements, agreements, or understandings with foreign countries without officially notifying the committees of Congress in regard to their arrangements until after it is an accomplished fact; then they present them to us. That is one of the great problems developing in foreign policy.

Mr. RUSSELL. I agree with the Senator. I think it is a mistake for the executive branch to enter into these agreements without at least taking into their confidence the committees that are directly affected. So far as the Senator from Georgia is concerned, I have no hesitancy in voting against any arrangement the executive branch makes, whether or not it has advised the Congress of its purposes. I go on my obligation to the Nation and to my oath of office and vote for what I think is good for the country. I vote against what I think is injurious, whatever the source of thinking of the agreement.

It so happens that in this instance, as a procedural matter, Congress had not been advised. However, this is one of the few contracts made by the Department of Defense in recent years that is highly favorable to the economic position of this Nation.

Mr. MORSE. I understand the record of the Senator from Georgia on the principle I am talking about. In fact, it has been one of the encouragements to me in taking the position I have taken because of my respect for his understanding of our constitutional system.

However, if we do not stop always yielding to this kind of, what I consider to be, extra constitutional conduct on the part of the administration, I do not know when the trend will stop. This principle is worth a lot to the American people that cannot be spelled out in dollars and cents; what some may think of as favorable contracts that secret economic diplomacy has resulted in.

I have had considerable experience with this problem in connection in the Committee on Foreign Relations in dealings with Latin America. In recent years we have made some progress in correcting the situation, because now, as members of the Committee on Foreign Relations listening to me know, there has been quite a change in the State Department's dealings with our Committee on Latin America. They know they had better not come up to us about an agreement entered into about which we only had rumors, or not even rumors. They are beginning to pay some attention to what the constitutional process calls for.

When I heard that we were dealing here, to all intents and purposes, with another secret deal as being entered into, in this case by the Department of Defense and Great Britain, I did not look on it with favor. I would vote against it if that was the only mistake made. We have to stop the administration from entering into these deals ahead of time and then coming to us and saying, "You cannot let us down. We got it negotiated. It was hard to do, We had to make concessions, but we got many benefits."

That is the line. I heard it for many years, but it is not in keeping with the relationship of cooperation that should exist between the administration and the committees of Congress. As long as we take it they are going to give it to us. But when we start exercising our rights of checking that extralegal conduct of the executive branch of Government we can stop it.

Not long ago we had this problem in connection with proposals for amending the OAS Charter. Some of us got wind of it and suggested on our initiative that the department come and tell us about it. When we put them on the spot, so to speak, they said negotiations had been going on and commitments made. We made clear that if they were to bring up a treaty based on those commitments, they were headed for serious trouble in committee and on the floor of the Senate.

This is what the Fulbright resolution is about: whether or not we are going to place a check on the executive branch from doing this very thing. I hope that when we get to the Fulbright resolution, we will be able to convince a good many Senators that we cannot approve of these behind-the-scenes agreements; we have to deny them.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. STENNIS. I think this matter has been through the wringer so much that the Department of Defense knows now that it would be better to notify the committes in advance.

Mr. MORSE. The Senator is a wonderful optimist. If the Senator thinks they will learn without turndowns, I think he is wrong. The only way to exercise the right of Congress is to exercise it. When they bring up behind-the-scenes agreements, we should reject them until they go through normal procedures. I would have voted against this deal on that principle alone. I shall vote against it.

MARGINAL INDUSTRIES SHOULD NOT BE SACRIFICED FOR PROFITABLE INDUSTRIES

That brings me to my second point. I will vote against it because of the effect of the deal on my own country. I do not agree with the argument that we are dealing with a deminis problem here of seven wooden hulls. We are dealing with a precedent that is mighty important to the defense economy of this country.

From reading the House debate and

the communications of the Defense Department, there is not the slightest doubt in my mind that these minesweepers are being offered for foreign bidding because the American bidders are small shipyards. They are not the giants of industry that maintain stables of expense account lobbyists to create and track down Defense contracts.

They are the sacrificial lambs in this deal with Britain. Their sacrifice is intended to bring even more business—foreign business—to the huge aircraft companies that already receive the vast proportion of U.S. defense contracts.

What we are dealing with is an attitude on the part of the Pentagon, that is a big-business attitude. It says: "To heck with the little fellow." We had better start paying more attention to the small business problems in this country. It is the small businesses that are in economic trouble, not the big-business aircraft manufacturers, such as Lockheed, General Dynamics, Boeing, Martin, and the rest. The big companies are making economic killings out of contracts with our own Government for our own great air armada. Those companies are not starving for want of contracts from England, Germany, or any other country.

We have enough to worry about on an economic basis and a full-employment basis in this country, without worrying about the aircraft-manufacturing industry. We had better pay attention to how we are letting slip away a highly important shipbuilding industry in this country. Seven wooden hulls are merely a symbol, in this instance, of the plight of the small shipbuilding firms in this country. They are desperate for contracts. They are the ones that should be guaranteed defense business. The foreign competition should come in industries that have ample business.

There has been a tendency in the past few years for the Pentagon to involve itself not only in this instance but in other instances of ship construction in foreign shipyards. We had better take a look at the interests and the rights of the small shipbuilding interests on the gulf, the Great Lakes, and the two coasts of the country. We can take all the lead pencils we want and add up the so-called dollars-and-cents balance sheet to show the losses on the seven hulls, as to which it is argued that they have the opportunity to bid.

I shall let time prove me wrong if Senators think such bids will not end up in British shipyards, whose wage standards are not comparable with the high standards of our own yards. If Senators think the foreign shipyards are not going to get business, they could not be more wrong, in my judgment. That is the purpose of this arrangement.

He is a great symbol that we ought to protect. We ought to make it perfectly clear that we are going to recognize the importance of protecting our own shipbuilding industry. There is where we have an employment problem. There is where we need to put men to work. It is not necessary to put men to work in the manufacture of military aircraft in this country; the aircraft manufacturers are loaded with contracts.

These small yards know that the repair work will be done in British yards, too, and because they are prototype vessels, future minesweepers will also be built in Britain.

I ask unanimous consent to have printed at this point in my remarks two communications I have received from affected Oregon businesses on this matter.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

WILLAMETTE IRON & STEEL CO.,
August 29, 1967.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: We respectfully refer you to Appropriations Bill HR 10738 containing Rep. Byrnes amendment prohibiting use of any funds appropriated therein for use in building U.S. naval ships in Foreign yards. We understand that this is the one issue outstanding between the House and Senate versions of the Appropriations Bill, and it is to come up for consideration on September 12.

It goes without saying that we certainly urge you to please vote to retain the Byrnes' amendment or any other legislation that will prohibit the building of U.S. Navy ships in foreign yards.

We do not enter the field of new construction here in Portland, Oregon, but we do endeavor to provide an average of 400 to 600 steady jobs on repairs and reconversions of Navy vessels, and it is very obvious that should the building of U.S. naval vessels be permitted in foreign yards, it would be only a matter of time until repair and conversion work would follow.

From the standpoint of economic logic and patriotic common sense, we just cannot see where contracting work to foreigners that should be accomplished by American workmen is buying us anything. We have seen many thousands of man-days lost here in our shops in Portland to foreign turbine and valve manufacturers on Bureau of Reclamation, Corps of Engineers and Public Utility District Projects which are paid for with American taxpayers' dollars. We cannot comprehend a government policy such as this, and any justification is unrealistic. Please bear in mind that if we make a profit on our work, the Federal and State corporation taxes take over 50% of it. Then too, considering the raw material from the point of origin, at least 80% of our end product represents labor, and all of our people enjoy at least a participation in income taxes of both Federal and State up to 25 to 30% of their gross wages. This is important revenue, and in view of our deplorable unbalanced budget, it should not be lost. Furthermore, our balance of payments and gold drain are in a rather sad state.

With these things in mind, it is so obvious to us that just the thought of building U.S. Navy ships in foreign yards is not worthy of serious discussion. We certainly hope that you share our opinion on this issue, and that you uphold Mr. Byrnes' amendment prohibiting any funds for foreign construction.

Thank you.

Very truly yours,
G. W. WINTZ,
Vice President and General Manager.

COLUMBIA ASBESTOS CO.,
Portland, Oreg., August 30, 1967.

Re H.R. 10738.
Hon. WAYNE L. MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: We understand that Bill HR-10738, Defense Appropriations Bill will be returned for consideration of the Byrnes (R.Wisc.) amendment to prohibit funds to build ships for the U.S. Navy in foreign ship yards. We understand that this is scheduled for final vote on September 12, 1967.

In a future emergency, such as we have experienced in the past, it would be well to have immediate facilities to construct ships in this country. However, if we award U.S. Navy ship contracts to foreign countries, it may discourage some of our local yards which will cause them to dismantle their present facilities.

You of course realize that our local yards profits are limited, and these profits are also subject to Federal Income Taxes, State Income Taxes, real estate and personal property taxes, without considering the loss of Payrolls to our workmen, when construction contracts are awarded to foreign countries.

After considering the possible losses that we could have, we believe that you will give the Byrnes Amendment your very serious consideration, and vote to prohibit building U.S. Navy ships in foreign countries.

Very truly yours,
CHARLES D. FOX,
Secretary-Treasurer.

Mr. MORSE. Mr. President, finishing this point, let me say that I would vote against adopting a conference report that would permit carrying out this deal that the Pentagon entered into without even notifying committees of the Senate, not only because of the principle I have already discussed, which I considered to be an extra-legal course of action for the Pentagon, but also because on the merits I think the small shipbuilding yards of this country should be protected by rejection of this deal. This symbol will spread to other contractors if we do not stop it today. If we can make perfectly clear that we are not going to approve this deal, then perhaps the administrative branch of the Government will take a look at some of the other deals they may be contemplating and take judicial notice that they are for the transferral of other maritime contracts, especially when the small maritime businesses in this country would be interested.

The third and last point I wish to make—I do not ask for agreement on it—deals with basic philosophical views in regard to how much we are promoting peace by encouraging arms races.

If we read the British press we know there are no "huzzahs" being shouted over in Great Britain about a contract for the building of the F-111B. There is a divided public opinion. There is no certainty that Britain will ever buy them, even if it is ever perfected. The deal could end up like the Skybolt deal ended. I am not too enthusiastic in the name of the balance-of-payments argument contributing to what I think in the long term will prove to be increasing the danger of war by encouraging Great Britain to buy these planes when, at the same time, she wants to reduce her manpower in Germany on the basis of her balance-of-payments problem—another rationalization she gives, although she has never, at any time, kept her commitments under NATO.

Thus, I have a few doubts in my mind as to whether agreement for the building of more mankillers in the air is the way to promote peace. I would be much more interested if they were building passenger planes, which would be more conducive toward promoting peace, than building the F–111B to be used for further devastation and possible annihilation of civilization itself, if we get into that third world war.

I do not think much of the deal, if it materializes. I do not think we are helping our reputation around the world by encouraging Great Britain to buy these mankillers in the air from the United States. I would much rather sell her something else which would promote peace.

Therefore, let the RECORD show that I shall vote against the conference report, and if given the opportunity, shall vote to support the House in the position it has taken on ship construction.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the Senator from West Virginia for the purpose of making a unanimous-consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the vote on the adoption of the conference report occur at 25 minutes to 6 o'clock, and that that vote be immediately followed by a vote on the amendments in disagreement.

Mr. STENNIS. That includes the Byrnes amendment.

Mr. TOWER. Mr. President, reserving the right to object——

Mr. STENNIS. Mr. President, I yield now to the Senator from Texas.

Mr. TOWER. Mr. President, I do not object, and thank the Senator from Mississippi for yielding to me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I certainly do not favor the idea of deals being made behind the back of Congress, without Congress being informed. I just fail to understand why we select out one item and say, "This is one you cannot have."

I think what we should do, perhaps, is to have some reservations in the Senate that we are not going to approve any more such deals, or at least not permit any such deals unless Congress is fully informed.

Mr. President, I understand that the F–111 program has come in for further discussion this afternoon, and I would like to add a few thoughts on what has become a continuing dialog on the subject.

First, I hope that Senators will resist the temptation to blame the contractors and their employees for shortcomings which are, in fact, a direct result of an originally mistaken management decision in the Office of the Secretary of Defense.

Neither General Dynamics nor Grumman Aircraft, nor their employees, is at fault in this controversy which properly lies only between the Congress and the Secretary of Defense. Nor are the Navy and Air Force to be ridiculed and penalized for their civilian superiors' bad decisions.

Let us remember that we must today view this problem from where we are today, not from where we were 2 years ago. It is impossible to turn back the clock. The facts are that both the Navy and Air Force desperately need new and advanced aircraft to face the enemy threat projected for the 1970's. I know all Senators are concerned that those aircraft be provided.

The original managerial decision on the F–111 was abysmally bad. One aircraft cannot be made to do the work of two or four. It cannot be the best high and the best low. It cannot be the best fast and the best slow. It cannot be a top penetrator and a top loiterer. This was obvious from the first to everybody but the Secretary of Defense. The subsequent contractor and technicians cannot be blamed for the massive problems flowing from such a mistaken original concept.

But, neither can our Navy and Air Force be doomed to exist in the 1970's with no plane because we cannot give them a perfect plane. The tyranny of time and enemy threat force us today to make the best of the situation. We must continue to develop and perfect the F–111A and the F–111B because for all their problems they are a workable weapons system and the best that can be available when we need them.

I do not think anybody in this Chamber or outside of it expected that the few already-flying research models of the F–111B would be either perfect or combat ready. Research models never are. Those who tell us the F–111B research models are not suitable for combat are attacking a strawman—they were never supposed to be suitable for combat. This Senate's proper concern has been that the F–111B program proceed in an orderly fashion toward developing a combat-suitable plane. That is exactly what is going to happen unless we substitute emotion for commonsense.

If any Senator in the Chamber can tell me where and how we can start from scratch and produce for the Navy a better plane in time to meet the requirements of the very near future, I will be the first to join the Senator in accomplishing that goal.

But it simply cannot be done in time.

I would like to make another important point today. I see that the distinguished senior Senator from Arkansas is quoted today by UPI as saying the "whole family" of F–111 planes is somehow unsatisfactory.

I am sorry to see the F–111A—the Air Force version—lumped into what have previously been concerns directed at the Navy version.

The facts are that the Air Force version is progressing very nicely indeed and may even be engaged in combat operations before the year is out.

Perhaps the most telling testimony on the value of the Air Force version come from the Air Force test pilots who have flown the aircraft at Nellis Air Force Base, Nev. A complete report on these pilot reactions was published a month ago in the Fort Worth Star-Telegram.

I ask unanimous consent that that report be printed in the RECORD subsequent to my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TOWER. I want to quote just briefly from the detailed reports from talented test pilots as published in the Fort Worth Star-Telegram:

Col. James Randall said the F–111A "exceeds expectations."

Gen. R. G. Taylor calls the F–111A "a great airplane."

Col. Robert Mead calls the F–111A "a fine bird."

Col. Charles Reed calls the F–111A a pilot's "complete challenge."

Other pilots have referred to it as a "Cadillac of the air," a "super battle bird," and "the greatest thing with wings since angels."

I commend this test-pilots' view to the attention of my colleagues. I hope that they will study carefully the success which has attended the F–111A.

May I also take this opportunity to urge all of my colleagues to take advantage of the opportunity to see the F–111 display now at the Sheraton Park Hotel in conjunction with the Air Force Association meeting here. This display containing a wing and yoke section of the plane provides a clear explanation of the capabilities of the aircraft.

The F–111A is a variable swept-wing aircraft. There is no such aircraft in any other country. The Soviets have their version in the embryo stage. We have a variable swept-wing aircraft that can travel at high speed, at high altitudes; it can be slowed down so that it can have a runway landing capability with about a 3,000-foot roll.

I urge my colleagues to go to the Air Force Association and take a look at it. The Russians have an experimental version; we have an operational version. I think we should accept it.

[From the Fort Worth Star-Telegram, Aug. 15, 1967]

SUPER-BIRD GOING TO WAR SOON—AIR FORCE PILOTS EAGER TO TEST F111 IN BATTLE

(By Jerry Flemmons)

NELLIS AIR FORCE BASE, Nev.—The F111 is a super battle bird, the greatest thing with wings since angels.

It is the "Cadillac of the Air."

It flies high and low, fast and slow, throws a power punch tougher than five World War II heavy bombers and sniffs out targets like a thirsty vampire.

The F111 and its internal organs are a "radical effective departure" from any contemporary aircraft. The supersonic plane is "the shape of things to come."

Air Force pilots—who should have been asked earlier—are saying these things about the Fort Worth-built F111. They like the plane. It exceeds expectations, they agree.

All of which causes one to ponder the last five exhausting, often infuriating, years in which the swing-wing aircraft was treated like a sweatshop orphan, flogged with angry words and pushed around like a shuffleboard puck from political whim to political fancy.

The doers, pilots who will use the plane, have the F111 here, hardly a silver dollar's throw from Las Vegas' gaudy neon-nylon gambling and entertainment strip.

In the words of one pilot, the F111 is "having its legs flown off."

"We're flying in the morning, flying in the afternoon and sitting in the cockpit when it's on the ground. We want to learn about this aircraft," he added.

Nellis Air Force Base is a Tactical Air Command headquarters, home of TAC Command Center—"Central authoritative agency for deployment of fighters worldwide." It is the only such center in the continental United States.

The base's principal runway stretches north and south before a bare, red-clay mountain. Fronting the runway is a wooden building, out of which operates the 4520th Combat Crew Training Unit.

Presently the unit incorporates the activities of about 20 students and seven instructor pilots.

This is Harvest Reaper.

The code name, or project designation, will carry the F111 to war, which means Vietnam since Vietnam is the only war the United States has at the moment.

"Of course, it will be used in Southeast Asia," one 4520th member said. "You don't build a $5 million aircraft to fly over the Nevada desert."

Harvest Reaper, however, officially is a closed subject. Ask, and the reactions are uniformly similar. Officers assume a bland military expression, toe the ground in abstract gesture.

Eyes turn to the blue Nevada sky or to the reptilian-backed scraggy mountains which ring the Las Vegas basin. The officer searches for the right words. Eventually, he finds them: "No comment."

"No comment" is a fine, standardized, all-purpose retort full of security preservation and non-information. Military officialdom is no-commenting itself into hoarseness.

What it means, though, is that the F111 is going to war. Soon. Probably within six months.

One clue to the Air Force's anxiety to place the new aircraft in battle is the fact that the pilot training program was scheduled to begin in September when first production models of the F111A—Air Force version of the plane—emerge from General Dynamics-Fort Worth.

Instead, pilots began the familiarization procedure last month, leaving General Dynamics to rush through replacement parts and ground support equipment.

When plane No. 31—the first assembly line model—is delivered to Nellis in September, Harvest Reaper will become the 4480th Tactical Fighter Wing, a 250-man unit whose ultimate strength will be as many as 72 F111's.

And, by Jan. 1, 1968, or thereabouts, the F111 will be flying in Vietnam.

The first F111 arrived here July 17, without prior public announcement or fanfare. Still, word moved around the base that the already-famous plane was due in. Children, wives and off-duty airmen swarmed to the field to see the aircraft.

"It wasn't an arrival, it was a welcoming."

That was George Davis, a General Dynamics-Fort Worth executive, speaking. He and a GD crew are watching the training with a cautious eye.

Davis, who shoulders the heavy title of executive assistant to the vice president in charge of the General Dynamics F-111 program, admits his company is maintaining a special vigil over the swing-wing aircraft ("closer than normal"), presumably because of the controversy that still rages around the plane.

Davis, a test pilot for 12 years, has flown his pet plane and knows the project from blueprint to finished product.

"The F111 is a highly versatile plane—this is an overworked word—but it really is readily adaptable," he said. "It has a good fuel and good load capacity, high speed, good systems, can navigate well plus deliver a heavy weapons load.

"One F111 can put more bombs on target than any other contemporary airplane," he added.

The F111 is a needle-nosed, crew-of-two with cockpit-loaded mysterious black boxes capable of directing the fighter anywhere in the world in one day, carrying nuclear or conventional weapons.

Its terrain radar scanning devices and automatic pilot capabilities lock in on any target in any kind of weather. Sweptback wings ("Like the ears of a racing greyhound") allow speeds up to Match 2.5—about 1,750 miles per hour.

The Air Force doesn't think of it as an airplane: It is a weapons system.

The Department of Defense has ordered 439 of the planes, 331 of which are for TAC. Remainder will go to the Navy, Strategic Air Command, the Royal Australian Air Force and the British Royal Air Force.

Pilots are undergoing the transition from conventional jet to the super F111. ("We take off and land and fly in between.") Here, there is no bombing—yet—nor is there an attempt to reach the maximum flight speed.

TAC pilots work within a "tight envelope" of the plane's capability. Still, they test and suggest improvements within the restrictions imposed upon them.

What they think is important, perhaps more so than the political and high brass faction which has warred over the F111 since its conception—five years ago.

Capt. John D. Phillips is an experienced pilot. He first flew the F111 at Edwards Air Force Base in California, later came to Fort Worth to continue training. He was one of four pilots who flew two F111's to Paris in June for an air show.

"The weapons system is the most advanced I have seen," he says. "Unbelievable.

"It is far advanced over anything else we have got. It is no longer necessary for a pilot even to see the terrain or the target. He can make a hit by using the terrain following radar.

"This (the F111) is the forerunner of all other aircraft to come," he added.

Gen. R. G. Taylor is commander of the USAF Tactical Weapon Center. He has flown the F111. "It's a great airplane, a smooth airplane," he claims.

He particularly likes the plane's slow approach speeds and landing techniques.

Col. James E. P. Randall, an 18-year Air Force veteran, is director of operations for the F111 project. He flew P51s in Korea and the F105 in Vietnam. He has 109½ hours in the F111.

"It is an easy airplane, a smooth airplane. The plane is more than I expected, particularly the radar systems. The radar systems exceeded all expectations," he said.

The auto-pilot-radar-scanning system is a little unnerving at first, he said. "It's hard enough for a pilot to trust himself to fly a plane, let alone a little black box."

Col. Charles Reed, director of the F111 project at Nellis, called the plane "real new and different, a complete challenge to pilots."

Capt. John Shatz, the project maintenance officer, praised the plane's easy maintenance capabilities. "It is engineered and designed well. Maintenance was well thought out. The craft is easier to work with than the F105. Everything on the F111 is tailored to fit."

Col. Bobby Mead is the wing commander. He is a Vietnam combat veteran.

"It's easy to fly," he says.

"There are a lot of gauges which make it look hard but the gauges are easy to go through and control. A pilot can go in blind and still do a good job, good or bad weather.

"One of the biggest problems is to get used to that guy in the seat next to you."

(The F111 has lateral seating with the aircraft commander on the left; the second man is navigator, systems operator and backup pilot.)

For those who will fly it in battle, this is the picture of the F111.

The super battle bird is going to war, to put the claims of its maker and its fliers to the ultimate test, despite the no-commenting of officials.

Painted a natty two-tone green and tan camouflage, packed with computerized innards and holding the confidence of the men who will fly it, the F111 is going to war.

That's war by Jan. 1, 1968.

Happy New Year, F111.

Mr. COOPER. Mr. President, reserving the right to object——

Mr. STENNIS. Mr. President——

Mr. COOPER. Mr. President, I said I reserved the right to object. I shall be brief.

My understanding is that the Senate will vote on the conference report and then on the so-called Byrnes amendment.

Mr. STENNIS. Yes.

Mr. COOPER. I shall vote for the conference report. I shall then vote against acceptance of the Byrnes amendment.

I know that there is a great deal of controversy today about the effect of an executive agreement as a commitment and also about arms sales, but I do not believe we should vote for this amendment upon that basis. It seems to me, as a practical matter, that the arrangements which have been made between our Government and Great Britain are greatly to our favor and advantage.

As I understand the Byrnes amendment, it would require that all United States vessels be built in American shipyards. In studying the debate of the House I note that the subject matter of the disagreement concerns seven minesweepers costing $60.7 mililon, and representing only about 1 percent of the total of the shipbuilding contracts which have been let in this country and for which appropriations have now been made.

Furthermore, I note from the House debate that Great Britain will purchase from U.S. industry $2,645,000,000 worth of equipment, while we have agreed to buy in return only $325 million worth.

Presently Great Britain has reduced its shipping, and aviation construction capacities, with the result that Great Britain is dependent upon other countries, and more dependent upon the United States for certain types of procurement.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. COOPER. Yes.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the previous order be vacated and that the Senate vote on the pending matter at 15 minutes until 6 o'clock.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD of West Virginia. And that the vote be immediately followed by the vote on the amendments in disagreement, and that the time after the Senator from Mississippi completes yielding to the Senator from Kentucky [Mr. COOPER] be given to the Senator from Oklahoma [Mr. MONRONEY].

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. COOPER. Mr. President, I have the floor.

I would hope the Senate would not accept the Byrnes amendment, for these reasons:

First, the procurement arrangements agreed to are distinctly to our economic advantage;

Second, our longstanding relationship with Great Britain is unique in the world today in our relations with other countries;

Third, by reducing her aviation manufacturing facilities and domestic procurement programs, Great Britain has placed herself in a position of great dependence on U.S. procurement.

Last, I view the Byrnes amendment as an irresponsible act entirely inconsistent with our country's position of world leadership.

I hope very much the Senate will vote against the Byrnes amendment.

Mr. STENNIS. Mr. President, I yield 2 minutes to the distinguished Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, I wish to thank the distinguished Senator from Mississippi.

I just want to commend the members of the conference committee for their fine job on this bill.

This bill from conference is under the budget estimates by $1,647,380,000.

It is under the House bill by $358,580,000.

It is even under the Senate bill by $195,700,000.

This bill is a most important bill. It is one of the most important bills the Senate can act on this year. We are now in a war in Vietnam. This bill carries the important appropriations for that war.

I think the Senate conferees have done a very fine job in handling the matter. I especially wish to commend the distinguished and able Senator from Mississippi [Mr. STENNIS] and the distinguished and able Senator from Georgia [Mr. RUSSELL] for the outstanding leadership they have provided in the formulation, preparation, and action upon this bill.

Mr. STENNIS. Mr. President, I thank the Senator.

I yield the remaining time to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I too appreciate the wonderful job done on this complex and difficult bill and the bringing about as much agreement as has been brought about. I know it has been largely due to the sound leadership of the distinguished chairman of the Appropriations Subcommittee on Military Matters [Mr. RUSSELL] and his very able colleague, Senator STENNIS, that so much agreement has been obtained. But I do want to take this time to urge that the Senate send back to the House the matter dealing with the exchange or swap of British minesweepers for the F–111. I think we are being very unwise or careless in refusing this very logical, sensible, and cooperative enterprise to permit Great Britain to supply these minesweepers in such small numbers while we supply in such large number our F–111's.

As we all know, it is most important to have our own planes supplied to our allies. It simplifies and reduces the spare parts problem. It simplifies the manufacture. It makes for a commonality in fighting equipment that is beneficial to us and our allies.

The F–111 is a good airplane. It is a fine airplane for land use, but because of its present weight, it is less desirable for carriers.

Anybody familiar with aviation difficulties would have expected this. It has been impossible thus far, as I understand it, to reduce the weight of the F–111 sufficient for its use on aircraft carriers. Quite to the contrary, with adequate runways, the F–111 is practical, useful, and valuable.

If we do not supply these planes to Great Britain and proceed with our purchase from them of minesweepers, I do not know where Great Britain will get a variable geometry wing supersonic fighter. Practically all future supersonic fighters, from what I see in aviation circles, will have to be of the swept wing, variable geometry wing type.

The fact that we have been able to interest Great Britain in this plane has led to their giving up the joint manufacture, with France, of another airplane of a variable geometry configuration. They would concentrate, if they could on their purchases here.

It is going to be quite difficult, I feel sure, for the present Government of Great Britain to explain to the people of Great Britain why they should be buying such a great quantity of our F–111 sweptwing aircraft, if we cannot permit our oldest, closest, and I believe most valuable ally to supply something as simple and as easy to make in their shipyards as these minesweepers.

Mr. President, I am growing quite weary of having the Appropriations Committee of the House of Representatives dictating, in so many, many bills, the course of appropriations of this Congress. I have sat in a number of conferences, and have seen the conferees from the other body insist on their point of view, even to the exclusion of an adequate discussion of the differing votes between the two Houses. Mr. President, we are coequal bodies. It is true that the Constitution gives the House of Representatives the right to originate tax bills. Because the Ways and Means Committee of the House of Representatives formerly not only wrote the tax bills, but also made the appropriations, the House has preempted unto itself primacy on appropriation matters.

But though they can claim, by tradition, the right to originate appropriation bills, it does not give them the exclusive right to dictate in this field. I think on a matter where foreign policy is concerned in appropriations—and as I think every Member of this body must realize, our foreign policy is involved here—the Senate should insist upon making this slight concession on these minesweepers, in order for our closest ally to have the same type of fighter, and I think the finest swept-wing fighter that is available in mass production. It could be delivered promptly to the European theater, where it is so greatly needed to buttress the western wall against any threat from the Communist world.

Mr. President, I plead that when the vote comes, following this next vote, on insisting on our disagreement with the House, and insisting on this amendment that so wisely provides for the manufacture of this plane and its sale to England, and to consummate the purchase of the minesweepers. We should vote to send it back to the House, and insist that we are a coequal body, and that we have a right to be heard in these matters, militarily as well as otherwise. I hate to see a strong point in foreign policy carelessly or callously disregarded because a few people in the House of Representatives want to say, temperamentally, "We intend to remain isolationist, even though we are geared closely together with our allies of Western Europe.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MONRONEY. I am not criticizing our conferees. I am criticizing the attitude of Members of the House when they go to conference with Members of the Senate, especially with our distinguished leaders in the military appropriations field, who have been engaged in this activity so long and so ably.

Mr. STENNIS. Mr. President, I think the Senator misunderstands the situation. As far as I know, and I am sure the other conferees will agree, we did not yield on this point. The Byrnes amendment did not originate in the House Appropriations Committee, but originated on the floor of the House of Representatives. It went back to the House in disagreement, and was reaffirmed yesterday on a rollcall vote, by an 89-vote margin. I think that is the situation.

Mr. MONRONEY. But the members of our Appropriations Committee, I am certain, could persuade the Senate, if they would insist we go back, not by an 89-vote margin out of 435, but could come up with the votes of almost 100 percent of the Senate, by insisting on disagreement with the House of Representatives on this vital matter.

The PRESIDING OFFICER. The Senator's time has expired. All time having expired, the question is on agreeing to the conference report. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. What is the question?

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. STENNIS. That does not include the Byrnes amendment, is that correct?

The PRESIDING OFFICER. It does not include the Byrnes amendment; the Senator is correct.

Mr. STENNIS. I thank the Chair.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. BIBLE], the Senator from Mississippi [Mr. EASTLAND], the Senator from Michigan [Mr. HART], the Senator from Montana [Mr. MANSFIELD], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Pennsylvania [Mr. CLARK], the Senator from North Carolina [Mr. JORDAN], the Senator from Louisiana

[Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from Montana [Mr. Metcalf], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. Bible], the Senator from Michigan [Mr. Hart], the Senator from North Carolina [Mr. Jordan], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from Utah [Mr. Moss], and the Senator from Florida [Mr. Smathers] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick] and the Senator from Arizona [Mr. Fannin] are absent on official business.

The Senator from New York [Mr. Javits] is necessarily absent.

The Senator from Vermont [Mr. Aiken], the Senator from Iowa [Mr. Hickenlooper], the Senator from Illinois [Mr. Percy], and the Senator from Pennsylvania [Mr. Scott] are detained on official business.

If present and voting, the Senator from Vermont [Mr. Aiken], the Senator from Colorado [Mr. Dominick], the Senator from Arizona [Mr. Fannin], the Senator from New York [Mr. Javits], the Senator from Illinois [Mr. Percy], and the Senator from Pennsylvania [Mr. Scott] would each vote "yea."

The result was announced—yeas 74, nays 3, as follows:

[No. 249 Leg.]

YEAS—74

Allott
Baker
Bayh
Bennett
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Ellender
Ervin
Fong
Fulbright
Gore
Griffin
Hansen
Harris
Hartke
Hatfield
Hayden
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
McCarthy
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morton
Mundt
Murphy
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell
Smith
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—3

Gruening
Morse
Young, Ohio

NOT VOTING—23

Aiken
Anderson
Bartlett
Bible
Clark
Dominick
Eastland
Fannin
Hart
Hickenlooper
Javits
Jordan, N.C.
Long, La.
Magnuson
Mansfield
McClellan
Metcalf
Moss
Muskie
Percy
Scott
Smathers
Symington

So the report was agreed to.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I ask that the amendments in technical disagreement be stated.

The PRESIDING OFFICER. The amendments will be stated.

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 12 to the bill (H.R. 10738) entitled "An Act making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes", and concur therein with an amendment, as follows: In lieu of the sum proposed, insert "$5,462,500,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 14, to aforesaid bill, and occur therein with an amendment, as follows: In lieu of the sum proposed, insert "$2,939,100,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 20, to aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter proposed, insert "and $55,000,000 of the funds available under this head shall be available only for the F-12 aircraft program; $5,493,400,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 21, to aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed, insert "$2,429,800,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 36, to aforesaid bill, and concur therein with an amendment, as follows: In line 7 of the matter proposed to be inserted by said amendment, strike out "fifteen", and insert "forty-five".

Mr. STENNIS. Mr. President, these amendments do not involve the Byrnes amendment at all. These are mere technical disagreements because of a peculiar situation in the bill. This, I am sure, is satisfactory to everyone. We can agree to these amendments by voice vote.

I move that the Senate concur in the amendments of the House to the Senate amendments numbered 12, 14, 20, 21, and 36.

The PRESIDING OFFICER (Mr. Spong in the chair). The question is on agreeing en bloc to the amendments of the House.

The amendments were agreed to.

Mr. STENNIS. Mr. President, that brings us to the single remaining matter in this bill, and that is amendment No. 18, pertaining to the construction of ships in foreign shipyards.

I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

Resolved, That the House insist upon its disagreement to the amendment of the Senate numbered 18, to aforesaid bill.

Mr. STENNIS. Mr. President, I move that the Senate recede on its amendment No. 18.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the previous order be vacated, and that the vote on amendment 18 occur within 10 minutes, the time to be equally divided between the Senator from Mississippi [Mr. Stennis] and the Senator from Oklahoma [Mr. Monroney].

Mr. MORSE. Mr. President, may we have the yeas and nays ordered on the amendment before we have the agreement? I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. Without objection, the unanimous-consent agreement is entered.

Mr. STENNIS. Mr. President, at this time I should like to state this rather important matter. This amendment concerns the question of permitting foreign shipyards, particularly those of Great Britain, to bid on seven wooden minesweepers without the application of the "Buy American" differential.

It relates to an agreement that Mr. McNamara made with Great Britain concerning the purchase of a great number of planes by them from us, and in turn British concerns were to be permitted to bid, over a 12-year period, on an equal basis with American concerns, until they received contracts totaling $325 million. The House of Representatives, on amendment from the floor, prohibited the use of funds for the construction of naval vessels in foreign shipyards. It pertains only to this fiscal year.

We did not adopt that amendment in the Senate, but in conference everything was agreed to except that one item. The Senate would not yield, and the House would not yield, so it went back to the House in disagreement.

Yesterday, on a rollcall vote, the House stood by its previous position by a majority of 89—233 to 144.

The conferees on the part of the Senate do not want to yield in principle, but we are driven to the conclusion that the House will not yield on this point this year. We made full inquiry about that of Members on both sides of the aisle in the House, of Mr. McNamara, and got the opinion of all concerned in connection with it. I have no doubt about that, and neither does anyone else who was at the conference.

This is a practical matter. Time is running out. It is now the 13th of September. The bill involves more than $69 billion. There are new items in the bill that must move. For that reason, the conferees move that we recede on our amendment, which means that we approve the Byrnes amendment.

I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I believe we should back up our conferees and recede from our former action. I regret that we have to do that.

I have read the debate of yesterday. I find that the chairman of the House Appropriations Committee, Representative Mahon, of Texas, who is also chairman of the subcommittee, and Representative Sikes, of Florida, both argued very diligently for the House to recede from its former action, and they lost by 89 votes.

Mr. President, this bill covers $20 billion for our men in Vietnam. We have already been necessarily delayed by our little vacation and for other reasons. I do not believe we should hold this matter up longer, particularly when the Senator from Mississippi, the Senator from North Dakota, and the senior Senator from Georgia all join in saying that they believe we should now recede from our former action, and I hope we shall do so.

The PRESIDING OFFICER. The first 5 minutes under the unanimous-consent agreement have expired.

Mr. MONRONEY. Mr. President, I

yield such time as he may desire to the distinguished senior Senator from Texas.

Mr. YARBOROUGH. Mr. President, I regret that our commitments with Great Britain in this matter have been cast aside with respect to this item of procurement, particularly in a situation which means so much to the United States in the field of international relations with one of its most friendly powers in the world.

I commend our conferees for the fight they have made. They have been turned down twice by the House. This is a matter involving agreements with respect to an item of procurement, not a change in American law. If we cannot swap goods in this manner, I believe that in the future we will have great difficulty working out such procurement agreements.

I shall vote against concurring in the House amendment. I do not desire to take more time, because I know that other Senators wish to speak.

Although I am appreciative of the great skill of our conferees, I do not believe we should yield on this point. If we do yield, and if the amendment is adopted, I still will be hopeful that the administrative officers of the Defense Department and the executive department, supported by the able Senate conferees and the Senate Armed Forces Committee, will find other means of implementing this agreement, which was made in good faith, without any idea that it would be turned down by either branch of Congress.

Mr. MONRONEY. Mr. President, I yield 1 minute to the Senator from Maryland.

Mr. BREWSTER. I thank the Senator from Oklahoma.

I believe we can argue with great honor that the U.S. Navy should be built in U.S. shipyards. I argue that our shipbuilding industry has fallen to an all-time low; that in this area alone, Congress should do something about this industry, which is vital to the security and defense of America.

Mr. MONRONEY. Mr. President, I yield 1 minute to the Senator from Texas.

Mr. TOWER. Mr. President, as I have said earlier, I have always been interested in building our maritime fleet in this country. I have a bill pending to study our maritime fleet.

We are talking about seven little wooden hulls for small boats. This will have no significant effect on the American shipbuilding industry. On military hardware we have reduced the British. They have contracted for $2.5 billion for military hardware. All we have agreed to is that we will allow them to bid on some $325 million worth of orders from this country to be constructed or provided by British manufacturers or industry.

I think it is pretty petty for a great power like the United States to welsh on an agreement of this kind.

Mr. MONRONEY. Mr. President, I think the United States would be making a great mistake if we would throw Great Britain down in this crucial hour. She asks to send us or sell us 11 minesweepers. She starts a program that will run hundreds of millions of dollars of her money to buy our planes, and then she will buy the swept-wing supersonic transport. Mr. President, it is to our vital interest to equip Great Britain with our type aircraft. It is an infinitesimal amount she asks in return.

We embarrass her government, we embarrass her cabinet, and we embarrass ourselves by the failure to be a good partner with our oldest and most reliable ally. This was approved by the President, the Department of Defense, the Committee on Armed Services, the Subcommittee on Military Affairs, the Committee on Appropriations, by the Senate itself, by the conferees, by the House and the Senate; and then, because of a sudden drive, we know not why, the Byrnes amendment comes in and all of the investigation, study, and common sense go out the window.

I think we should go back to the House of Representatives and insist on our rights as a coequal body and not give up on this matter which is of vital interest to our country.

Mr. GRIFFIN. Mr. President, I wish to emphasize that my vote for the so-called Byrnes amendment does not indicate a position on my part that the United States should buy no ships constructed in foreign shipyards.

After this appropriations bill is enacted, funding will be available for construction of 16 minesweepers.

The Byrnes amendment requires only that seven out of the 16 minesweepers will be built in U.S. shipyards. The British will still be able to bid for construction of the other nine.

Under the circumstances, I believe the Byrnes amendment is a reasonable limitation which merely assures that a minimum capability in the United States to construct such ships will continue to be available.

Mr. STENNIS. Mr. President, the conference report and all amendments in disagreement, with the exception of amendment No. 18 pertaining to the construction of ships in foreign shipyards, have now been disposed of.

As I stated earlier, I think that it is unfortunate the House has insisted on its position on this amendment. However, I do not think there is any purpose to be gained by requesting another conference with the House on this amendment.

Therefore, I move that the Senate recede on its amendment No. 18.

Mr. President, in substance, a vote of "yea" would sustain the recommendation of the Senate conferees and that will complete the bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi that the Senate recede on its amendment No. 18. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Ohio [Mr. Young], the Senator from Alaska [Mr. Bartlett], the Senator from Nevada [Mr. Bible], the Senator from Mississippi, [Mr. Eastland], the Senator from Michigan [Mr. Hart], the Senator from Montana [Mr. Mansfield], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], the Senator from Missouri [Mr. Symington], and the Senator from Georgia [Mr. Talmadge], are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Pennsylvania [Mr. Clark], the Senator from North Carolina [Mr. Jordan], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from Montana [Mr. Metcalf], and the Senator from Florida [Mr. Smathers] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick] and the Senator from Arizona [Mr. Fannin] are absent on official business.

The Senator from New York [Mr. Javits] is necessarily absent.

The Senator from Iowa [Mr. Hickenlooper] is detained on official business.

If present and voting, the Senator from Arizona [Mr. Fannin] would vote "yea."

On this vote, the Senator from Colorado [Mr. Dominick] is paired with the Senator from New York [Mr. Javits]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from New York would vote "nay."

The result was announced—yeas 49, nays 29, as follows:

[No. 250 Leg.]

YEAS—49

Allott
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Curtis
Dodd
Ellender
Ervin
Fong
Griffin
Hansen
Hartke
Hayden
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, Idaho
Lausche
McGee
McGovern
McIntyre
Miller
Morse
Mundt
Nelson
Pastore
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smith
Sparkman
Spong
Stennis
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.

NAYS—29

Aiken
Baker
Bayh
Bennett
Brooke
Cannon
Church
Cooper
Cotton
Dirksen
Fulbright
Gore
Gruening
Harris
Hatfield
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
McCarthy
Mondale
Monroney
Montoya
Morton
Murphy
Pell
Percy
Tower
Yarborough

NOT VOTING—22

Anderson
Bartlett
Bible
Clark
Dominick
Eastland
Fannin
Hart
Hickenlooper
Javits
Jordan, N.C.
Long, La.
Magnuson
Mansfield
McClellan
Metcalf
Moss
Muskie
Smathers
Symington
Talmadge
Young, Ohio

So Mr. Stennis' motion was agreed to.

Mr. STENNIS. Mr. President, I move that the vote by which the motion was agreed to be reconsidered.

Mr. HOLLAND. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I ask

unanimous consent to have printed in the RECORD a tabulation giving a summary of the professional action on each appropriation, including the Department of Defense appropriation bill for fiscal year 1968.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

SUMMARY OF CONGRESSIONAL ACTION ON DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1968 (H.R. 10738)

TITLE I—MILITARY PERSONNEL

Item	Appropriations, 1967	Budget estimates, 1968	House allowance	Senate allowance	Conference action	Conference action compared with—		
						Budget estimate	House	Senate
Military personnel, Army	$6,893,400,000	$7,870,000,000	$7,794,000,000	$7,760,300,000	$7,760,300,000	−$109,700,000	−$33,700,000	
Military personnel, Navy	3,950,600,000	4,065,000,000	4,063,600,000	4,029,100,000	4,029,100,000	−35,900,000	−34,500,000	
Military personnel, Marine Corps	1,265,900,000	1,402,000,000	1,400,800,000	1,396,300,000	1,396,300,000	−5,700,000	−4,500,000	
Military personnel, Air Force	5,500,800,000	5,694,000,000	5,692,900,000	5,619,300,000	5,619,300,000	−74,700,000	−73,600,000	
Reserve personnel, Army	309,311,000	297,200,000	297,200,000	297,200,000	297,200,000			
Reserve personnel, Navy	113,400,000	116,100,000	116,100,000	116,100,000	116,100,000			
Reserve personnel, Marine Corps	37,300,000	38,300,000	38,300,000	38,300,000	38,300,000			
Reserve personnel, Air Force	70,800,000	67,700,000	72,300,000	72,300,000	72,300,000	+4,600,000		
National Guard personnel, Army	370,333,000	345,000,000	345,000,000	345,000,000	345,000,000			
National Guard personnel, Air Force	84,200,000	85,700,000	87,600,000	87,600,000	87,600,000	+1,900,000		
Retired pay, Defense	1,839,000,000	2,020,000,000	2,020,000,000	2,020,000,000	2,020,000,000			
Total, Title I—Military personnel	20,435,044,000	22,001,000,000	21,927,800,000	21,781,500,000	21,781,500,000	−219,500,000	−146,300,000	

TITLE II—OPERATION AND MAINTENANCE

Operation and maintenance, Army	$7,148,477,000	$7,103,000,000	$6,907,000,000	$7,003,375,000	$6,942,375,000	−$60,625,000	+$5,375,000	−$61,000,000
Operation and maintenance, Navy	4,667,400,000	4,706,000,000	4,636,000,000	4,664,500,000	4,653,000,000	−53,000,000	+17,000,000	−11,500,000
Operation and maintenance, Marine Corps	424,600,000	395,000,000	391,100,000	392,150,000	391,600,000	−3,400,000	+500,000	−550,000
Operation and maintenance, Air Force	5,537,100,000	5,412,000,000	5,352,500,000	5,371,475,000	5,367,025,000	−44,975,000	+14,525,000	−4,450,000
Operation and maintenance, Defense Agencies	912,600,000	966,000,000	955,000,000	947,520,000	947,520,000	−18,480,000	−7,480,000	
Operation and maintenance, Army National Guard	231,000,000	241,000,000	241,000,000	241,000,000	241,000,000			
Operation and maintenance, Air National Guard	254,700,000	266,970,000	272,570,000	272,570,000	272,570,000	+5,600,000		
National Board for the Promotion of Rifle Practice, Army	494,000	428,000	448,000	428,000	428,000			
Claims, Defense	34,000,000	[1] 30,000,000	[1] 30,000,000	[1] 30,000,000	[1] 30,000,000			
Contingencies, Defense	15,000,000	15,000,000	15,000,000	10,000,000	10,000,000	−5,000,000	−5,000,000	
Court of Military Appeals, Defense	600,000	602,000	602,000	602,000	602,000			
Army Stock Fund	315,000,000	60,000,000	60,000,000	60,000,000	60,000,000			
Navy Stock Fund	77,000,000							
Marine Corps Stock Fund		4,000,000				−4,000,000		
Air Force Industrial Fund		44,000,000				−44,000,000		
Defense Stock Fund	107,000,000	133,000,000	133,000,000	118,400,000	118,400,000	−14,600,000	−14,600,000	
Total, Title II—Operation and maintenance	19,760,971,000	19,377,000,000	18,994,200,000	19,112,020,000	19,034,520,000	−342,480,000	+40,320,000	−77,500,000

TITLE III—PROCUREMENT

Item	Appropriations, 1967	Budget estimates, 1968	House allowance	Senate allowance	Conference action	Conference action compared with—		
						Budget estimate	House	Senate
Procurement of equipment and missiles, Army	$5,598,300,000	$5,581,000,000	$5,475,000,000	$5,478,600,000	$5,462,500,000	−$118,500,000	−$12,500,000	−$16,100,000
Procurement of aircraft and missiles, Navy	3,541,900,000	3,046,000,000	2,946,500,000	2,950,700,000	2,939,100,000	−106,900,000	−7,400,000	−11,600,000
Shipbuilding and conversion, Navy	1,756,700,000	1,824,000,000	1,420,000,000	1,297,000,000	1,297,000,000	−527,000,000	−123,000,000	
Other procurement, Navy	2,255,300,000	2,359,000,000	2,346,000,000	2,336,000,000	2,336,000,000	−23,000,000	−10,000,000	
Procurement, Marine Corps	515,900,000	665,000,000	665,000,000	665,000,000	665,000,000			
Aircraft procurement, Air Force	5,320,300,000	5,582,000,000	5,588,900,000	5,547,400,000	5,493,400,000	−88,600,000	−95,500,000	−54,000,000
Missile procurement, Air Force	1,234,500,000	1,343,000,000	1,340,000,000	1,340,000,000	1,340,000,000	−3,000,000		
Other procurement, Air Force	2,658,600,000	2,477,000,000	2,439,800,000	2,433,800,000	2,429,800,000	−47,200,000	−10,000,000	−4,000,000
Procurement, Defense Agencies	51,300,000	40,000,000	40,000,000	38,000,000	38,000,000	−2,000,000	−2,000,000	
Total, Title III—Procurement	22,932,800,000	22,917,000,000	22,261,200,000	22,086,500,000	22,000,800,000	−916.200,000	−260,400,000	−85,700,000

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Research, development, test, and evaluation, Army	$1,568,700,000	$1,539,000,000	$1,501,000,000	$1,510,700,000	$1,505,700,000	−$33,300,000	+$4,700,000	−$5,000,000
Research, development, test, and evaluation, Navy	1,794,100,000	1,858,000,000	1,806,700,000	1,826,400,000	1,816,400,000	−41,600,000	+9,700,000	−10,000,000
Research, development, test, and evaluation, Air Force	3,129,600,000	3,287,000,000	3,225,100,000	3,255,000,000	3,240,000,000	−47,000,000	+14,900,000	−15,000,000
Research, development, test, and evaluation, Defense Agencies	476,059,000	464,000,000	444,000,000	449,000,000	446,500,000	−17,500,000	+2,500,000	−2,500,000
Emergency fund, Defense	125,000,000	125,000,000	125,000,000	100,000,000	100,000,000	−25,900,000	−25,000,000	
Total, Title IV—Research, development, test, and evaluation	7,093,459,000	7,273,000,000	7,101,800,000	7,141,100,000	7,108,600,000	−164,400,000	+6,800,000	−32,500,000

TITLE V—SPECIAL FOREIGN CURRENCY PROGRAM

Special foreign currency program	$7,348,000	$16,000,000	$10,200,000	$11,200,000	$11,200,000	−$4,800,000	+$1,000,000	

TITLES I, II, III, IV, AND V—TOTALS

Grand total	$70,229,622,000	$71,584,000,000	$70,295,200,000	$70,132,320,000	$69,936,620,000	−$1,647,380,000	−$358,580,000	−$195,700,000

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[1] Submitted as an annual indefinite; considered as $30,000,000 request in this tabulation.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRYING TO FIND OUT WHAT HAPPENS TO OUR TAX DOLLARS

Mr. BAKER. Mr. President, Charles Keely, the astute correspondent in Rio de Janeiro for Copley News Service, has written an article on problems he encountered in trying to get an answer to what appears to be a relatively simple question. This is a classic example of the old runaround. I sincerely hope that this is not indicative of the kind of treatment representatives of such highly respected organizations as Copley News Service are receiving from our representatives abroad. The public has a full right to know what is happening to the tax dollars that we are spending in foreign aid.

I ask unanimous consent that the article by Charles Keely of Copley News Service be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

OFFBEAT DIARY: TRACKING A TAX DOLLAR IS TOUGH

(By Charles Keely)

RIO DE JANEIRO.—If you wonder what happens to your tax dollars earmarked for foreign aid, think twice before asking the U.S. Agency for International Development (AID).

AID has more than 100 U.S. specialists in their new, 11-story modernistic offices here. There's a well-staffed press section to answer reporters' questions, turn out a newsletter, newspaper, photographs, speeches, press releases.

This press section, of course, is entirely separate from the smaller U.S. Embassy press staff. The undermanned embassy has only 65 Americans in its 10-story building.

I telephoned AID the other day and asked how much money the United States has spent in Brazil since 1962 on education programs. I also asked what percentage of total U.S. aid to Brazil during this period it would represent.

"That's very difficult," the press officer told me. "You see, the overlapping disbursements of the obligations and of course commitments along with self-generating funds from Food for Peacewise spending tied to matching funds must be taken into consideration."

"How much money has the United States spent in Brazil under the Alliance for Progress?" I asked.

"You mean dollar-wise expenditures programmed through fiscal '67 including undisbursed pipeline funds?"

"Yes, yes," I responded. "Exactly."

"Well, that I just don't know. Apart from balance of payments loans and counterpart funds generated from programs initiated before the Alliance . . ."

"How about just education?" I interrupted.

A quick answer: "We have seven current programs. Actually there were many more since way back after the war which we have at times terminated or otherwise modified into these seven."

"Ah, I see," I said.

"Can you tell me how much money went into these programs?"

"I should have that here," he answered. "We're writing an article about this for our 'Alliance Reporter' for the (pause of profound reverence), sixth anniversary of the Alliance for Progress.

"Yes, here it is. It's 10.5 per cent of total U.S. assistance."

"And what's the total?" We were back where we started.

"Well, as I said, it's almost impossible to compute unless . . ."

I thanked him and called the AID director's office.

"That shouldn't be very difficult," an assistant told me. "We'll get back to you in a few minutes."

Ten minutes later my press officer friend called me. "I have a note here from the director's office to call you," he said. I suggested we let the whole thing drop.

"Say," he added brightly before I could hang up. "We're having a cocktail party tonight to celebrate our anniversary. Why don't you come? Probably the director or his assistant will be there. You could ask them. It's a great opportunity. They know everything.

INFLATION

Mr. LAUSCHE. Mr. President, on the subject of inflation, I should like to read into the Record part of a letter which I received from Milford, Ohio, today, written by the Rev. Carl R. Steinbicker, of St. Andrews Church in Milford, Ohio.

In it, he states in part:

> A year and a half ago I had to close Blessed Elizabeth Seton school at Mt. Repose, Ohio, because a neighboring farmer had secured an injunction against our sewage disposal plant; this school belongs to this parish but is situated six miles from here; at present there are 306 pupils attending it.
>
> At the time of its closing, you came to our assistance magnificiently; within days you secured for Clermont County some $139,000.00 planning money to get busy preparing an adequate sewage system for the whole area; that money has been used, the plans have been accepted all round, but for some reason I do not know of, the work was not started this spring when we were all expecting it would be started. Now the County Commissioners have let me know that the cost of the work, since the plans were accepted, has risen roughly from $3,800,000 to over $5,000,000; it's my understanding that about half of this must be raised by the County through bonds, while the remainder will come from Uncle Sam. This situation looks like it will result in the indefinite postponement of the installment of a sewage system for us at Mt. Repose.

Mr. President, the point I want to make is that in the course of approximately a year and a half the cost of this project rose from $3.8 million to $5 million—less than 33 percent.

The cause of that rise has been a 40-percent increase over a period of 3 years in the wages of building craftsmen.

Why the Federal Government did not intervene through Mr. Ackley while the negotiations were being carried on, and through which the labor unions were granted a 40-percent increase in wages over a period of 3 years, I do not understand.

If Senators are worried about inflation, I ask them to consider this project in Milford, Ohio.

In the course of 18 months, the cost has risen from $3,800,000 to $5 million.

LEGISLATIVE PROGRAM

Mr. BYRD of West Virginia. Mr. President, before asking the clerk to state the pending business for tomorrow, I wish to state that that pending business will be the bill to amend the Federal Flood Insurance Act of 1956.

Following the completion of that bill tomorrow, the Senate will consider Calendar No. 506, S. 798, a bill to provide compensation to survivors of local law-enforcement officers killed while apprehending persons for committing Federal crimes.

Then, for the information of Senators who may read the Record in the morning, it will be the intention of the leadership, upon completion of business tomorrow, to make Calendar No. 532, H.R. 9960, a bill making appropriations for the Department of Housing and Urban Renewal, the pending business for consideration when the Senate again meets at 12 o'clock noon on Monday next.

There is a possibility that there will be one or more rollcall votes tomorrow.

FLOOD INSURANCE PROGRAM

Mr. BYRD of West Virginia. Mr. President, for the purposes of making it the pending business for tomorrow, I move that the Senate proceed to the consideration of Calendar No. 533, S. 1985.

The PRESIDING OFFICER. The bill will be stated for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1985) to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Banking and Currency, with amendments, at the top of page 5, to insert a new section, as follows:

DEFINITIONS

SEC. 4. As used in this Act, the term—

(1) "Flood" shall have such meaning as may be prescribed in regulations of the Secretary, and may include inundation from the overflow of streams, rivers, or other bodies of natural water, and from tidal surges, abnormally high tidal water, tidal waves, hurricanes, and other severe storms or deluge;

(2) "United States" (when used in a geographic sense), and "State", respectively, include the several States, the District of Columbia, the territories and possessions, and the Commonwealth of Puerto Rico;

(3) "Insurance company", "other insurer", "insurance agents and brokers" include any organizations and persons authorized to engage in the insurance business under the laws of any State (as "State" is defined in paragraph (2));

(4) "Insurance adjustment organizations" includes any organizations and persons engaged in the business of adjusting loss claims arising under insurance policies issued by any insurance company or other insurer authorized to engage in the insurance business under the laws of any State (as "State" is defined in paragraph (2));

(5) "Person" includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons, including State and local governments and agencies thereof; and

(6) "Secretary" means the Secretary of Housing and Urban Development.

On page 13, line 15, after the word "after", to strike out "the identifications of hazardous flood plain areas under paragraph (1) of section 301 have been published by the Secretary," and insert "identification of the area in which such property is located has been published under paragraph (1) of section 301,"; on page 15, line 2, after the word "section", to strike out "215" and insert "214"; in line 4, after the word "section", to strike out "216" and insert "215"; in line 21, after the word "section", to strike out "216" and insert "215"; on page 19, line 20, after the word "person", to strike out "for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage"; after line 22, to insert:

"(1) for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage"; on page 20 in line 4, after "(2)", to insert "except in the situation provided for under paragraph (3) for the physical loss, destruction, or damage of real and personal property, to the extent that such loss or destruction, or damage"; after line 24, to insert:

(3) in order to assure that the provisions of paragraph (2) will not create undue hardship for low-income persons who might otherwise benefit from the provision of Federal disaster assistance, the Secretary shall provide by regulation, for the circumstances in which the provisions of paragraph (2) shall not be applicable to any such persons.

On page 22, line 10, after "SEC. 113" to strike out "(a)"; on page 23, line 4, after the word "laws" to strike out "which shall consist of not more than fifteen persons selected from among representatives of the insurance industry and from among members of the public,"; after line 11 to insert:

(b) Such committee shall consist of not more than fifteen persons and such persons shall be selected from among representatives of—

(1) the insurance industry,
(2) State and local governments,
(3) lending institutions,
(4) the home building industry, and
(5) the general public.

At the beginning of line 20, to strike out "(b)" and insert "(c)"; on page 26, line 14, after the word "participate" to strike out "proportionately"; at the beginning of line 16, to strike out "including the maximum amount of profit which may be realized by such pool (and the companies or other insurers participating therein),"; after line 18, to insert:

(3) the maximum amount of profit established by the Secretary under section 108 (and prescribed in regulations under section 108(a)), which may be realized by such pool (and the companies or other insurers participating therein),

At the beginning of line 24, to change the section number from "(3)" to "(4)"; on page 27, at the beginning of line 1, to change the section number from "(4)" to "(5)"; in line 2, after the word "section" to strike out "215" and insert "214"; in line 3, after the word "section" to strike out "216" and insert "215"; on page 28, line 1, after the word "claim" to insert "or upon the refusal of the claimant to accept the amount allowed upon any such claim,"; in line 4, after the word "disallowance" to insert "or partial disallowance"; after line 11 to strike out:

AUDIT OF ACCOUNTS

SEC. 214. Any pool authorized to be formed, associated, or otherwise created under this part (and the companies or other insurers participating therein) shall maintain an integral set of accounts which shall be subject to audit by the Secretary.

At the beginning of line 19, to change the section number from "215" to "214"; on page 29, line 3, after the word "section" to strike out "216" and insert "215"; on page 30, at the beginning of line 8, to change the section number from "216" to "215"; on page 31, line 8, after the word "Program" to strike out "With Industry Assistance"; in line 11 after "SEC. 221." to insert "(a)"; in line 21, after the word "utilizing" to strike out "as may be practicable"; at the beginning of line 23, to strike out "insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, as fiscal agents of the United States." and insert "either-"; at the top of page 32, to insert:

(1) insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, as fiscal agents of the United States,

(2) officers and employees of the Department of Housing and Urban Development, and such other officers and employees of any Executive agency (as defined in section 105 of title 5 of the United States Code) as the Secretary and the head of any such agency may, from time to time, agree upon, on a reimbursement or other basis, or

(3) both the alternatives specified in paragraphs (1) and (2).

(b) Upon making the determination referred to in subsection (a), and at least thirty days prior to implementing the program of flood insurance authorized under title I through the facilities of the Federal Government, the Secretary shall make a report to the Congress and such report shall—

(1) state the reasons for such determination,

(2) be supported by pertinent findings,

(3) indicate the extent to which it is anticipated that the insurance industry will be utilized in providing flood insurance coverage under the program, and

(4) contain such recommendations as the Secretary deems advisable.

On page 33, line 6, after the word "claim" to insert "or upon the refusal of the claimant to accept the amount allowed upon any such claim"; in line 9, after the word "disallowance" to insert "or partial disallowance"; on page 37, after line 12, to insert a new section, as follows:

RECORDS AND AUDITS

SEC. 234. (a) Any flood insurance pool formed, associated, or otherwise created under section 211 of this Act receiving financial assistance under part A of this title and any such pool, or insurance company or other private organization executing any contract, agreement, or other appropriate arrangement with the Secretary under parts B and C of this title shall keep such records as the Secretary shall prescribe, including records which fully disclose the total costs of the program undertaken or the services being rendered, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the pool, insurance company, or other private organizations that are pertinent to the costs of the program undertaken or the services being rendered.

On page 39, line 26, after the word "damage" to insert "where appropriate,"; on page 41, after line 6, to strike out:

DEFINITIONS

SEC. 401. As used in this Act, the term—

(1) "Flood" shall have such meaning as may be prescribed in regulations of the Secretary, and may include inundation from the overflow of streams, rivers, or other bodies of natural water, and from tidal surges, abnormally high tidal water, tidal waves, hurricanes, and other severe storms or deluge;

(2) "United States" (when used in a geographic sense), and "State", respectively, includes the District of Columbia, the territories and possessions, and the Commonwealth of Puerto Rico;

(3) "Insurance company", "other insurer", "insurance agents and brokers", and "insurance adjustment organizations" include any organizations and persons authorized to engage in the insurance business under the laws of any State (as "State" is defined in paragraph (2));

(4) "Person" includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons, including State and local governments and agencies thereof; and

(5) "Secretary" means the Secretary of Housing and Urban Development.

On page 42, at the beginning of line 8, to change the section number from "402" to "401"; at the beginning of line 23, to change the section number from "403" to "402"; on page 43, at the beginning of line 4, to change the section number from "404" to "403"; at the beginning of line 9, to change the section number from "405" to "404"; in line 10, after the word "contrary" to strike out "and" and insert "any"; at the beginning of line 18, to change the section number from "406" to "405"; at the beginning of line 23, to change the section number from "407" to "406"; and on page 44, at the beginning of line 16, to change the section number from "408" to "407"; so as to make the bill read:

S. 1985

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Flood Insurance Act of 1967".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds that (1) from time to time flood disasters have created personal hardships and economic distress which have required unforeseen disaster relief measures and have placed an increasing burden on the Nation's resources; (2) despite the installation of preventive and protective works and the adoption of other public programs designed to reduce losses caused by flood damage, these methods have not been sufficient to protect adequately against growing exposure to future flood losses; (3) as a matter of national policy, a reasonable method of sharing the risk of flood losses is through a program of flood insurance which can complement and encourage preventive and protective measures; and (4) if such a program is initiated and carried out gradually, it can be expanded as knowledge is gained and experience is appraised, thus eventually making flood insurance coverage available on reasonable terms and conditions to persons who have need for such protection.

(b) The Congress also finds that (1) many factors have made it uneconomic for the private insurance industry alone to make flood insurance available to those in need of such protection on reasonable terms and conditions; but (2) a program of flood insurance with large-scale participation of the Federal Government and carried out to the maximum extent practicable by the private insurance industry is feasible and can be initiated.

(c) The Congress further finds that (1) a program of flood insurance can promote the public interest by providing appropriate protection against the perils of flood losses and encouraging sound land use by minimizing exposure of property to flood losses; and (2) the objectives of a flood insurance program should be integrally related to a unified national program for flood plain management and, to this end, it is the sense of Congress that within two years following the effective date of this Act, the President should transmit to the Congress for its consideration any further proposals necessary for such a unified program, including proposals for the allocation of costs among beneficiaries of flood protection.

(d) It is therefore the purpose of this Act to (1) authorize a flood insurance program by means of which flood insurance, over a period of time, can be made available on a nationwide basis through the cooperative efforts of the Federal Government and the private insurance industry, and (2) provide flexibility in the program so that such flood insurance may be based on workable methods of pooling risks, minimizing costs, and distributing burdens equitably among those who will be protected by flood insurance and the general public.

(e) It is the further purpose of this Act to (1) encourage State and local governments to make appropriate land use adjustments to constrict the development of land which is exposed to flood damage and minimize damage caused by flood losses, (2) guide the development of proposed future construction, where practicable, away from locations which are threatened by flood hazards, (3) encourage lending and credit institutions, as a matter of national policy, to assist in furthering the objectives of the flood insurance program, (4) assure that any Federal assistance provided under the program will be related closely to all flood-related programs and activities of the Federal Government, and (5) authorize continuing studies of flood hazards, in order to provide for a constant reappraisal of the flood insurance program and its effect on land use requirements.

AMENDMENTS TO THE FEDERAL FLOOD INSURANCE ACT OF 1956

SEC. 3. (a) The second sentence of section 15(e) of the Federal Flood Insurance Act of 1956 (79 Stat. 1078) is amended—

(1) by striking out "rate" the second time it appears in such sentence, and inserting in lieu thereof "market yield", and

(2) by striking out "as of the last day of", and inserting in lieu thereof "during".

(b) Section 15(e) of such Act is further amended by striking out the last sentence thereof.

(c) Sections 2 through 14, subsections (a) through (d), and (f) and (g) of section 15, and sections 16 through 23 of such Act are hereby repealed.

DEFINITIONS

SEC. 4. As used in this Act, the term—

(1) "Flood" shall have such meaning as may be prescribed in regulations of the Secretary, and may include inundation from the overflow of streams, rivers, or other bodies of natural water, and from tidal surges, abnormally high tidal water, tidal waves, hurricanes, and other severe storms or deluge;

(2) "United States" (when used in a geographic sense), and "State", respectively, include the several States, the District of Columbia, the territories and possessions, and the Commonwealth of Puerto Rico;

(3) "Insurance company", "other insurer", "insurance agents and brokers" include any organizations and persons authorized to engage in the insurance business under the laws of any State (as "State" is defined in paragraph (2));

(4) "Insurance adjustment organizations" includes any organizations and persons engaged in the business of adjusting loss claims arising under insurance policies issued by any insurance company or other insurer authorized to engage in the insurance business under the laws of any State (as "State" is defined in paragraph (2));

(5) "Person" includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons, including State and local governments and agencies thereof; and

(6) "Secretary" means the Secretary of Housing and Urban Development.

TITLE I—THE NATIONAL FLOOD INSURANCE PROGRAM

BASIC AUTHORITY

SEC. 101. (a) To carry out the purposes of this Act, the Secretary of Housing and Urban Development is authorized to establish and carry out a national flood insurance program which will enable interested persons to purchase insurance against loss resulting from physical damage to or loss of real property or personal property related thereto arising from any flood occurring in the United States.

(b) In carrying out the flood insurance program the Secretary shall, to the maximum extent practicable, encourage and arrange for—

(1) appropriate financial participation and risk-sharing in the program by insurance companies or other insurers, and

(2) other appropriate participation on other than a risk-sharing basis by insurance companies or other insurers, insurance agents and brokers, and insurance adjustment organizations,

in accordance with the provisions of title II.

SCOPE OF PROGRAM AND PRIORITIES

SEC. 102. (a) In carrying out the flood insurance program the Secretary shall afford a priority to making flood insurance available to cover residential properties which are designed for the occupancy of from one to four families.

(b) If on the basis of—

(1) studies and investigations undertaken and carried out and information received or exchanged under section 104, and

(2) such other information as may be necessary,

the Secretary determines that it would be feasible to extend the flood insurance program to cover other properties, he may take such action under this Act as from time to time may be necessary in order to make flood insurance available to cover, on such basis as may be feasible, any types and classes of—

(A) other residential properties,

(B) business properties,

(C) agricultural properties,

(D) properties occupied by private nonprofit organizations, and

(E) properties owned by State and local governments and agencies thereof,

and any such extensions of the program to any types and classes of these properties shall from time to time be prescribed in regulations.

(c) The Secretary shall make flood insurance available in only those States or areas (or subdivisions thereof) which he has determined have—

(1) evidenced a positive interest in securing flood insurance coverage under the flood insurance program, and

(2) given satisfactory assurance that by June 30, 1970, permanent land use and control measures will have been adopted for the State or area (or subdivision) which are consistent with the comprehensive criteria for land management and use developed under section 302, and that the application and enforcement of such measures will commence as soon as technical information on floodways and on controlling flood elevations is available.

NATURE AND LIMITATION OF INSURANCE COVERAGE

SEC. 103. (a) The Secretary from time to time shall, after consultation with the advisory committee authorized under section 115 and appropriate representatives of the insurance authorities of the respective States, provide by regulation for general terms and conditions of insurability which shall be applicable to properties eligible for flood insurance coverage under section 102, including—

(1) the types, classes, and locations of any such properties which shall be eligible for flood insurance;

(2) the nature of and limits of loss or damage in any areas (or subdivisions thereof) which may be covered by such insurance;

(3) the classification, limitation, and rejection of any risks which may be advisable;

(4) appropriate minimum premiums;

(5) appropriate loss-deductibles; and

(6) any other terms and conditions relating to insurance coverage or exclusion which may be necessary to carry out the purpose of this Act.

(b) In addition to any other terms and conditions under subsection (a), such regulations shall provide that—

(1) any flood insurance coverage based on chargeable premium rates (under section 105) which are less than estimated premium rates (under section 104(a)(1)), shall not exceed—

(A) in the case of residential properties which are designed for the occupancy of from one to four families,

(i) $15,000 aggregate liability for any dwelling unit, and $30,000 for any single dwelling structure containing more than one dwelling unit, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related thereto; and

(B) in the case of any other properties which may become eligible for flood insurance coverage under section 102, $30,000 aggregate liability for any single structure; and

(2) any flood insurance coverage which may be made available in excess of any of the limits specified in subparagraphs (A) and (B) shall be based only on chargeable premium rates (under section 105) which are not less than estimated premium rates (under section 104(a)(1)), and the amount of such excess coverage shall not in any case exceed an amount which is equal to any such limit so specified.

ESTIMATES OF PREMIUM RATES

SEC. 104. (a) The Secretary is authorized to undertake and carry out such studies and investigations, and to receive or exchange such information as may be necessary, to estimate on an area, subdivision, or other appropriate basis—

(1) the risk premium rates for flood insurance which,

(A) based on consideration of the risk involved and accepted actuarial principles, and

(B) including—

(i) applicable operating costs and allowances prescribed under section 108 to be reflected in such rates, and

(ii) any administrative expenses (or portion of such expenses) of carrying out the flood insurance program which, in his discretion, should properly be reflected in such rates,

would be required in order to make such insurance available on an actuarial basis for any types and classes of properties for which insurance coverage shall be available under section 102;

(2) the rates, if less than the rates estimated under paragraph (1), which would be reasonable, would encourage prospective insured to purchase flood insurance, and would be consistent with the purposes of this Act; and

(3) the extent, if any, to which federally assisted or other flood protection measures initiated after the effective date of this Act affect such rates.

(b) In carrying out subsection (a), the Secretary shall, to the maximum extent feasible and on a reimbursement basis, utilize the services of the Department of the Army, the Department of the Interior, the Department of Agriculture, the Department of Commerce, and the Tennessee Valley Authority, and, as appropriate, other Federal departments or agencies, and for such purposes, may enter into agreements or other appropriate arrangements with any persons.

(c) The Secretary shall give priority to conducting studies and investigations, or making estimates under this section in those States or areas (or subdivisions thereof) which he has determined have evidenced a positive interest in securing flood insurance coverage under the flood insurance program.

ESTABLISHMENT OF CHARGEABLE PREMIUM RATES

SEC. 105. (a) On the basis of estimates made under section 104 and such other information as may be necessary, the Secretary from time to time shall, after consultation with the advisory committee authorized under section 115 and appropriate representatives of the insurance authorities of the respective States, by regulation prescribe—

(1) chargeable premium rates for any types and classes of properties for which insurance coverage shall be available under section 102 (at less than the estimated risk premium rates under section 104(a)(1), if necessary), and

(2) the terms and conditions under which and areas (including subdivisions thereof) within wihch such rates shall apply.

(b) Such rates shall, insofar as practicable, be—

(1) based on a consideration of the respective risks involved, including differences in risks due to land use measures, floodproofing, flood forecasting, and similar measures,

(2) adequate, on the basis of accepted actuarial principles, to provide reserves for anticipated losses, or, if less than such amount, consistent with the objective of making flood insurance available, where necessary, at reasonable rates so as to encourage prospective insureds to purchase such insurance, and

(3) stated so as to reflect the basis for such rates, including the differences (if any) between the estimated risk premium rates under paragraph (1) of section 104(a), and the estimated rates under paragraph (2) of such section.

(c) Notwithstanding any other provision of this Act, the chargeable rate with respect to any property, the construction or substantial improvement of which the Secretary determines has been started after identification of the area in which such property is located has been published under paragraph (1) of section 301, shall not be less than the estimated risk premium rate for such area (or subdivision thereof) under section 104(a)(1).

(d) In the event any chargeable premium rate prescribed under this section is—

(1) at a rate which is not less than the estimated risk premium rate under section 104(a)(1), and

(2) such rate includes any amount for administrative expenses of carrying out the flood insurance program which have been estimated under clause (ii) of section 104(a)(1)(B),

a sum equal to such amount shall be paid to the Secretary, and he shall deposit such sum in the fund authorized under section 107.

TREASURY BORROWING AUTHORITY

SEC. 106. (a) All authority which was vested in the Housing and Home Finance Administrator by virtue of section 15(e) of the Federal Flood Insurance Act of 1956 (70 Stat. 1084) (pertaining to the issue of notes or other obligations to the Secretary of the Treasury), as amended by section 3 (a) and (b) of this Act, shall be available to the Secretary for the purpose of carrying out this Act.

(b) Any funds borrowed by the Secretary under this authority shall, from time to time, be deposited in the National Flood Insurance Fund established under section 107.

NATIONAL FLOOD INSURANCE FUND

SEC. 107. (a) To carry out the flood insurance program authorized by this Act, the Secretary is authorized to establish in the Treasury of the United States a National Flood Insurance Fund (hereinafter referred to as the "fund") which shall be available, without fiscal year limitation—

(1) for making such payments as may, from time to time, be required under section 214;

(2) to pay reinsurance claims under the excess loss reinsurance coverage provided under section 215;

(3) to repay to the Secretary of the Treasury such sums as may be borrowed from him (together with interest) in accordance with the authority provided in section 106 of this Act; and

(4) to pay such administrative expenses (or portion of such expenses) of carrying out the flood insurance program as he may deem necessary; and

(5) for the purposes specified in subsection (d) under the conditions provided therein.

(b) The fund shall be credited with—

(1) such funds borrowed in accordance with the authority provided in section 106 of this Act as may from time to time be deposited in the fund;

(2) premiums, fees, or other charges which may be paid or collected in connection with the excess loss reinsurance coverage provided under section 215;

(3) such amounts as may be advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

(4) interest which may be earned on investments of the fund pursuant to subsection (c);

(5) such sums as are required to be paid to the Secretary under section 105(d); and

(6) receipts from any other operations under this Act which may, from time to time, be credited to the fund (including premiums under the conditions specified in subsection (d), and salvage proceeds, if any, resulting from reinsurance coverage).

(c) If, after—

(1) all outstanding obligations have been liquidated, and

(2) any outstanding amounts which may have been advanced to the fund from appropriations authorized under section 407(a) (2)(B) have been credited to the appropriation from which advanced, with interest accrued at the rate prescribed under section 15(e) of the Federal Flood Insurance Act of 156, as amended by section 3(a) of this Act, the Secretary determines that the moneys of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

(d) In the event the Secretary makes a finding in accordance with the provisions of section 221 that operation of the flood insurance program, in whole or in part, should be carried out through the facilities of the Federal Government, the fund shall be available for all such purposes incident thereto, including—

(1) the costs incurred in the adjustment and payment of any claims for losses, and

(2) payment of applicable operating costs prescribed under section 108,

for so long as the program is so carried out, and in such event any premiums paid shall be deposited by the Secretary to the credit of the fund.

OPERATING COSTS AND ALLOWANCES

SEC. 108. (a) The Secretary from time to time shall negotiate with appropriate representatives of the insurance industry for the purpose of establishing—

(1) a current schedule of operating costs applicable to both risk-sharing insurance companies or other insurers, and insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations participating on other than a risk-sharing basis, and

(2) a current schedule of operating allowances applicable to risk-sharing insurance companies or other insurers,

which may be payable in accordance with the provisions of title II, and such schedules, from time to time, shall be prescribed in regulations.

(b) For purposes of subsection (a)—

(1) the term "operating costs" shall include, without limiting such term, the following:

(A) expense reimbursements covering the direct, actual, and necessary expenses incurred in connection with selling and servicing flood insurance coverage;

(B) reasonable compensation payable for selling and servicing flood insurance coverage, or commissions or service fees paid to producers;

(C) loss adjustment expenses;

(D) other direct, actual, and necesary expenses which the Secretary finds are incurred in connection with selling or servicing flood insurance coverage; and

(2) the term "operating allowances" shall include, without limiting such term, amounts for profit and contingencies which the Secretary finds reasonable and necessary to carry out the purposes of this Act.

PAYMENTS OF CLAIMS

SEC. 109. The Secretary is authorized to prescribe regulations establishing the general method or methods by which proved and approved claims for losses may be adjusted and paid for any damage to or loss of property which is covered by flood insurance made available under the provisions of this Act.

DISSEMINATION OF FLOOD INSURANCE INFORMATION

SEC. 110. The Secretary shall take such action as may, from time to time, be necessary in order to make information and data available to the public and to any State or local agency or official, with regard to—

(1) the flood insurance program, its coverage and objectives, and

(2) estimated and chargeable flood insurance premium rates, including the basis for and differences between such rates in accordance with the provisions of section 105.

PROHIBITION AGAINST CERTAIN DUPLICATIONS OF BENEFITS

SEC. 111. (a) Notwithstanding the provisions of any other law, no Federal disaster assistance shall be made available to any person—

(1) for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage is covered by a valid claim which may be adjusted and paid under flood insurance made available under the authority of this Act, or

(2) except in the situation provided for under paragraph (3) for the physical loss, destruction, or damage of real and personal property, to the extent that such loss, destruction, or damage could have been covered by a valid claim under flood insurance which had been made available under the authority of this Act, if—

(A) such loss, destruction, or damage occurred subsequent to one year following the date flood insurance was made available in the area (or subdivision thereof) in which such property or the major part thereof was located, and

(B) such property was eligible for flood insurance under this Act at that date,

and in such circumstances the extent that such loss, destruction, or damage could have been covered shall be presumed (for purposes of this subsection) to be an amount not less than the maximum limit of insurable loss or damage applicable to such property in such area (or subdivision thereof), pursuant to regulations under section 103, at the time insurance was made available in such area (or subdivision thereof).

(3) In order to assure that the provisions of paragraph (2) will not create undue hardship for low-income persons who might otherwise benefit from the provision of Federal disaster assistance, the Secretary shall provide by regulation, for the circumstances in which the provisions of paragraph (2) shall not be applicable to any such persons.

(b) For purposes of this section "Federal disaster assistance" shall include any Federal financial assistance which may be made available to any person as a result of—

(1) a major disaster (within the meaning of that term as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to State and local governments in major disasters, and for other purposes", as amended (42 U.S.C. 1855–1855g)),

(2) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), and

(3) a disaster with respect to which loans may be made under section 7(b) of the Small Business Act, as amended (15 U.S.C. 636(b)).

(c) For purposes of section 10 of the Disaster Relief Act of 1966 (80 Stat. 1316), the term "financial assistance" shall be deemed to include any flood insurance which is made available under this Act.

STATE AND LOCAL LAND USE CONTROLS

SEC. 112. After June 30, 1970, no new flood insurance coverage shall be provided under this Act in any area (or subdivision thereof) unless an appropriate public body shall have adopted permanent land use and control measures (with effective enforcement provisions) which the Secretary finds are consistent with the comprehensive criteria for land management and use under section 302.

PROPERTIES IN VIOLATION OF STATE AND LOCAL LAW

SEC. 113. No new flood insurance coverage shall be provided under this Act for any property which the Secretary finds has been declared by a duly constituted State or local zoning authority, or other authorized public body, to be in violation of State or local laws, regulations, or ordinances which are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

COORDINATION WITH OTHER PROGRAMS

SEC. 114. In carrying out this Act, the Secretary shall consult with other departments and agencies of the Federal Government, and interstate, State, and local agencies having responsibilities for flood control, flood forecasting, and flood damage prevention, in order to assure that the programs of such agencies and the flood insurance program authorized under this Act are mutually consistent.

ADVISORY COMMITTEE

SEC. 115. (a) The Secretary shall appoint a flood insurance advisory committee without regard to the civil service laws and such committee shall advise the Secretary in the preparation of any regulations prescribed in accordance with this Act, with respect to policy matters arising in the administration of this Act, and shall perform such other responsibilities as the Secretary may, from time to time, assign to such committee.

(b) Such committee shall consist of not more than fifteen persons and such persons shall be selected from among representatives of—

(1) the insurance industry,
(2) State and local governments,
(3) lending institutions,
(4) the home building industry, and
(5) the general public.

(c) Members of the committee shall, while attending conferences or meetings thereof, be entitled to receive compensation at a rate fixed by the Secretary but not exceeding $100 per day, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

INITIAL PROGRAM LIMITATION

SEC. 116. The face amount of flood insurance coverage outstanding and in force at any one time under this Act shall not exceed the sum of $2,500,000,000.

REPORT TO THE PRESIDENT

SEC. 117. The Secretary shall include a report of operations under this Act in the annual report to the President for submission to the Congress required by section 8 of the Department of Housing and Urban Development Act.

TITLE II—ORGANIZATION AND ADMINISTRATION OF THE FLOOD INSURANCE PROGRAM

ORGANIZATION AND ADMINISTRATION

SEC. 201. Following such consultation with representatives of the insurance industry as may be necessary, the Secretary shall implement the flood insurance program authorized under title I in accordance with the provisions of part A of this title and, if a determination is made by him under section 221, under part B of this title.

PART A—INDUSTRY PROGRAM WITH FEDERAL FINANCIAL ASSISTANCE

INDUSTRY FLOOD INSURANCE POOL

SEC. 211. (a) The Secretary is authorized to encourage and otherwise assist any insurance company or companies and other insurers which meet the requirements prescribed under subsection (b) to form, associate, or otherwise join together in a pool—

(1) in order to provide the flood insurance coverage authorized under title I; and

(2) for the purpose of assuming, on terms and conditions as may be agreed upon, such financial responsibility as will enable such companies and other insurers, with the Federal financial and other assistance available under this Act, to assume a reasonable proportion of responsibility for the adjustment and payment of claims for losses under the flood insurance program.

(b) In order to promote the effective administration of the flood insurance program under this part, and to assure that the objectives of this Act are furthered, the Secretary is authorized to prescribe appropriate requirements for insurance companies or other insurers participating in such pool including, but not limited to, minimum requirements for capital or surplus or assets.

AGREEMENTS WITH FLOOD INSURANCE POOL

SEC. 212. (a) The Secretary is authorized to enter into such agreements with any pool which is formed, associated, or otherwise created under this part, as he deems necessary to carry out the purpose of this Act.

(b) Such agreements shall specify—

(1) the terms and conditions under which risk capital will be available for the adjustment and payment of claims,

(2) the terms and conditions under which such pool (and the companies or other insurers participating therein) shall participate in premiums received and profits or losses realized or sustained,

(3) the maximum amount of profit established by the Secretary under section 108 (and prescribed in regulations under section 108(a)), which may be realized by such pool (and the companies or other insurers participating therein),

(4) the terms and conditions under which operating costs and allowances prescribed under section 108 may be paid, and

(5) the terms and conditions under which premium equalization payments under section 214 will be made and reinsurance claims under section 215 will be paid.

(c) In addition, such agreements shall contain such provisions as the Secretary finds necessary to assure that—

(1) no company or other insurer which meets the requirements prescribed under section 211(b) and which has indicated an intention to participate in the flood insurance program on a risk-sharing basis, will be excluded from participating in any such pool,

(2) the companies or other insurers participating in such pool will take whatever action may be necessary to provide continuity of flood insurance coverage by such pool, and

(3) any insurance companies, other insurers, agents and brokers, and insurance adjustment organizations will be permitted to cooperate with such pool as fiscal agents or otherwise, on other than a risk-sharing basis, to the maximum extent practicable.

JUDICIAL REVIEW

SEC. 213. Such companies and other insurers which form, associate, or otherwise join together in a pool under this part may adjust and pay all claims for proved and approved losses covered by flood insurance in accordance with the provisions of this Act and, upon disallowance by any such companies or other insurers of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance of the claim, may institute an action on such claim against the companies or other insurers in the United States district court for the district in which the insured propertly or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PREMIUM EQUALIZATION PAYMENTS

SEC. 214. (a) The Secretary shall, on such terms and conditions as he may from time to time prescribe, make periodic payments to such pool as may be formed, associated, or otherwise created under section 211, in recognition of such reductions in chargeable premium rates under section 105 below estimated premium rates under section 104(a)(1) as are required in order to make flood insurance available on reasonable terms and conditions.

(b) Such payments shall be based only on the aggregate amount of flood insurance retained by such pool after ceding reinsurance in accordance with the provisions of section 215, and shall not exceed an aggregate amount in any payment period equal to the sum of the following:

(1)(A) an amount for losses which bears the same ratio to the amount of all proved and approved claims for losses under this Act during any designated period as

(B) the amount equal to the difference between

(i) the sum of all premium payments for flood insurance coverage in force under this Act during such designated period which would have been payable during such period if all such coverage were based on estimated risk premium rates under section 104(a)(1) (excluding any administrative expenses which may be reflected in such rates, as specified in clause (ii) of section 104(a)(1)(B),

(ii) the sum of premium payments actually paid or payable for such insurance under this Act during such period,

bears to the amount specified in clause (i) of this subparagraph; and

(2) subject to the terms and conditions specified in the agreement entered into under section 212, a proportionate amount for appropriate operating costs and allowances prescribed under section 108 during any designated period, which bears the same ratio to a total amount during such period as the ratio specified in paragraph (1)(B).

(c) Designated periods under this section and the methods for determining the sum of premiums paid or payable during such periods shall be established by the Secretary.

REINSURANCE COVERAGE

SEC. 215. (a) The Secretary is authorized to take such action as may be necessary in order to make available to such pool as may be formed, associated, or otherwise created under section 211, reinsurance for losses (due to claims for proved and approved losses covered by flood insurance) which are in excess of losses assumed by such pool in accordance with the excess loss agreement entered into under subsection (c).

(b) Such reinsurance shall be made available pursuant to contract, agreement, or any other arrangement, in consideration of such payment of a premium, fee, or other charge as the Secretary finds necessary to cover anticipated losses and other costs of providing such reinsurance.

(c) The Secretary is authorized to negotiate an excess loss agreement, from time to time, under which the amount of flood insurance retained by such pool, after ceding reinsurance, shall be adequate to further the purposes of this Act, consistent with the objective of maintaining appropriate financial participation and risk sharing to the maximum extent practicable on the part of participating insurance companies and other insurers.

(d) All reinsurance claims for losses in excess of losses assumed by such pool shall be submitted on a portfolio basis by such pool in accordance with terms and conditions as may be established by the Secretary.

PART B—GOVERNMENT PROGRAM

FEDERAL OPERATION OF THE PROGRAM

SEC. 221. (a) If at any time after consultation with representatives of the insurance industry, the Secretary determines that operation of the flood insurance program as provided under part A cannot be carried out, or that such operation, in itself, would be assisted materially by the Federal Government's assumption, in whole (or in part), of the operational responsibility for flood insurance under this Act (on a temporary or other basis) he shall promptly undertake any necessary arrangements to carry out the program of flood insurance authorized under title I through the facilities of the Federal Government, utilizing, for purposes of providing flood insurance coverage, *either*—

(1) insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, as fiscal agents of the United States,

(2) officers and employees of the Department of Housing and Urban Development, and such other officers and employees of any Executive agency (as defined in section 105 of title 5 of the United States Code) as the Secretary and the head of any such agency may, from time to time, agree upon, on a reimbursement or other basis, or

(3) both the alternatives specified in paragraphs (1) and (2).

(b) Upon making the determination referred to in subsection (a), and at least thirty days prior to implementing the program of flood insurance authorized under title I through the facilities of the Federal Government, the Secretary shall make a report to the Congress and such report shall—

(1) state the reasons for such determination,

(2) be supported by pertinent findings,

(3) indicate the extent to which it is anticipated that the insurance industry will be utilized in providing flood insurance coverage under the program, and

(4) contain such recommendations as the Secretary deems advisable.

ADJUSTMENT AND PAYMENT OF CLAIMS

SEC. 222. In the event the program is carried out as provided in section 221, the Secretary shall be authorized to adjust and make payment of any claims for proved and approved losses covered by flood insurance, and upon disallowance by the Secretary of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance by the Secretary, may institute an action against the Secretary on such claim in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PART C—PROVISIONS OF GENERAL APPLICABILITY

SERVICES BY INSURANCE INDUSTRY

SEC. 231. (a) In administering the flood insurance program under this title, the Secretary is authorized to enter into any contracts, agreements, or other appropriate arrangements as may, from time to time, be necessary for the purpose of utilizing, on terms and conditions which may be agreed upon, the facilities and services of any insurance companies or other insurers, insurance agents and brokers, or insurance adjustment organizations, and such contracts, agreements, or arrangements may also include provision for payment of applicable operating costs and allowances for such facilities and services prescribed under section 108.

(b) Any such contracts, agreements, or other arrangements may be entered into without regard to the provisions of section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), or any other provision of law requiring competitive bidding.

USE OF INSURANCE POOLS, COMPANIES, OR OTHER PRIVATE ORGANIZATIONS FOR CERTAIN PAYMENTS

SEC. 232. (a) In order to provide for maximum efficiency in the administration of the flood insurance program and in order to facilitate the expeditious payment of any Federal funds under the flood insurance program authorized by this Act, the Secretary may enter into contracts with any pool which may be formed, associated, or otherwise created under section 211, or any insurance companies or other private organizations, for the purpose of securing performance by such pool, company, or organization of any or all of the following responsibilities:

(1) estimate and later determine any amounts of payments to be made;

(2) receive from the Secretary, disburse, and account for funds in making such payments;

(3) make such audits of the records of any insurance company, other insurers, agent or broker, or insurance adjustment organization, as may be necessary to assure that proper payments are made; and

(4) otherwise assist in such manner as the contract may provide to further the purposes of this Act.

(b) Any contract with any pool, insurance company, or other private organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate for carrying out responsibilities under subsection (a), and may provide for payment of any costs which the Secretary determines are incidental to carrying out such responsibilities which are covered by the contract.

(c) Any contract entered into under subsection (a) may be entered into without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

(d) No such contract may be entered into with any pool, insurance company, or other private organization under this section unless the Secretary finds that it will perform its obligations under the contract efficiently and effectively, and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds pertinent.

(e)(1) Any such contract may require such pool, company, or organization or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amount as the Secretary may deem appropriate.

(2) No individual designated pursuant to a contract under this section to certify payments shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

(3) No officer disbursing funds shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by an individual designated to certify payments as provided in paragraph (2) of this subsection.

(f) Any contracts entered into under this section shall be for a term of one year, and may be made automatically renewable from term to term in the absence of notice by either party of an intention to terminate at the end of the current term; except that the Secretary may terminate any such contract at any time (after reasonable notice to the pool, company, or organization involved) if he finds that the pool, company, or organization has failed substantially to carry out the contract, or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the flood insurance program authorized under this Act.

SETTLEMENT AND ARBITRATION

SEC. 233. (a) The Secretary is authorized to make final settlement of any claims or demands which may arise as a result of any financial transaction which he is authorized to carry out under this title, and may, to assist him in making any such settlement, refer any disputes relating to such claims or demands to arbitration, with the consent of the parties concerned.

(b) Such arbitration shall be advisory in nature, and any award, decision, or recommendation which may be made shall become final only upon the approval of the Secretary.

RECORDS AND AUDITS

SEC. 234. (a) Any flood insurance pool formed, associated, or otherwise created under section 211 of this Act receiving financial assistance under part A of this title and any such pool, or insurance company or other private organization executing any contract, agreement, or other appropriate arrangement with the Secretary under parts B and C of this title shall keep such records as the Secretary shall prescribe, including records which fully disclose the total costs of the program undertaken or the services being rendered, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the pool, insurance company, or other private organizations that are pertinent to the costs of the program undertaken or the services being rendered.

TITLE III—COORDINATION OF FLOOD INSURANCE WITH LAND-MANAGEMENT PROGRAMS IN FLOOD-PRONE AREAS

IDENTIFICATION OF FLOOD-PRONE AREAS

SEC. 301. The Secretary is authorized to consult with, receive information from, and to enter into any agreements or other arrangements with the Secretaries of the Army, the Interior, Agriculture, and Commerce, the Tennessee Valley Authority, and the heads of other Federal departments or agencies (on a reimbursement basis), or the head of any State or local agency, in order that he may—

(1) identify and publish information with respect to all flood plain areas, including coastal areas located in the United States, which have special flood hazards, within five years following the effective date of this Act, and

(2) establish flood risk zones in all such areas, and make estimates with respect to the rates of probable flood-caused loss for the various flood risk zones for each of these areas, within fifteen years following such date.

CRITERIA FOR LAND MANAGEMENT AND USE

SEC. 302. (a) The Secretary is authorized to carry out studies or investigations, utilizing the existing facilities and services of other Federal departments or agencies to the maximum extent practicable, and State and local governmental agencies, and any other organizations, with respect to the adequacy of State and local measures in flood-prone areas, as to land management and use, flood control, flood zoning, and flood damage prevention, and may enter into any contracts, agreements, or other appropriate arrangements to carry out such authority.

(b) Such studies and investigations shall include, but not be limited to, laws, regulations, or ordinances relating to encroachments and obstructions on stream channels and floodways, the orderly development and use of flood plains of rivers or streams, floodway encroachment lines, or flood plain zoning, building codes, building permits, and subdivision or other building restrictions.

(c) On the basis of such studies and investigations, and such other information as he deems necessary, the Secretary from time to time shall develop comprehensive criteria designed to encourage, where necessary, the adoption of permanent State and local measures which, to the maximum extent feasible, will—

(1) constrict the development of land which is exposed to flood damage where appropriate,

(2) guide the development of proposed construction away from locations which are threatened by flood hazards,

(3) assist in reducing damage caused by floods, and

(4) otherwise improve the long-range land management and use of flood-prone areas,

and shall work closely with and provide any necessary technical assistance to State, interstate, and local governmental agencies, to encourage the application of such criteria and the adoption and enforcement of such measures.

PURCHASE OF CERTAIN INSURED PROPERTIES

SEC. 303. The Secretary may, when he determines that the public interest would be served thereby, enter into negotiations with any owner of real property or interests therein which—

(1) was located in any flood-risk area, as determined by the Secretary;

(2) was covered by flood insurance under the flood insurance program authorized under this Act; and

(3) was damaged substantially beyond repair by flood;

and may purchase such property or interests therein, for subsequent transfer, by sale, lease, donation, or otherwise, to any State or local agency which enters into an agreement with the Secretary that such property shall, for a period not less than forty years following transfer, be used for only such purposes as the Secretary may, by regulation, determine to be consistent with sound land management and use in such area.

TITLE IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

STUDIES OF OTHER NATURAL DISASTERS

SEC. 401. (a) The Secretary is authorized to undertake such studies as may be necessary for the purpose of determining the extent to which insurance protection against earthquakes or any other natural disaster perils, other than flood, is not available from public or private sources, and the feasibility of such insurance protection being made available.

(b) Studies under this section shall be carried out, to the maximum extent practicable, with the cooperation of other Federal departments and agencies and State and local agencies, and the Secretary is authorized to consult with, receive information from, and to enter into any necessary agreements or other arrangements with such other Federal departments or agencies (on a reimbursement basis) or State and local agencies.

PAYMENTS

SEC. 402. Any payments under this Act may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary may determine.

GOVERNMENT CORPORATION CONTROL ACT

SEC. 403. The provisions of the Government Corporation Control Act, as amended, shall apply to the program authorized under this Act to the same extent as applicable to wholly owned Government corporations.

FINALITY OF CERTAIN FINANCIAL TRANSACTIONS

SEC. 404. Notwithstanding the provisions of any other law to the contrary, any—

(1) financial transaction authorized to be carried out under this Act, and

(2) payment authorized to be made or to to be received in connection with any such financial transaction,

shall be final and conclusive upon all officers of the Government.

ADMINISTRATIVE EXPENSES

SEC. 405. Any administrative expenses which may be sustained by the Federal Government in carrying out the flood insurance program authorized under this Act may be paid out of appropriated funds.

APPROPRIATIONS

SEC. 406. (a) There are hereby authorized to be appropriated such sums as may from time to time be necessary to carry out this Act, including sums—

(1) to cover administrative expenses authorized under section 406;

(2) to reimburse the fund established under section 107 for—

(A) premium equalization payments under section 215 which have been made from such fund: and

(B) reinsurance claims paid under the excess loss reinsurance coverage provided under section 216; and

(3) to make such other payments as may be necessary to carry out the purposes of this Act.

(b) All such funds shall be available without fiscal year limitation.

EFFECTIVE DATE

SEC. 407. This Act shall take effect one hundred and twenty days following the date of enactment, except that the Secretary, on the basis of a finding that conditions exist necessitating the prescribing of an additional period, may prescribe a later effective date which in no event shall be more than one hundred and eighty days following such date of enactment.

Mr. BARTLETT. Mr. President, this bill deals with an involved and greatly needed program.

The need for national flood insurance is emphasized by two facts.

First, the private sector has been unable to come up with a program which combines acceptable rates and adequate coverage. To quote the September 8, 1967, edition of Congressional Quarterly:

> Insuring homeowners and businesses against flood damage has always been considered a risk too big to take even by the largest private insurance companies.

Second, according to figures printed in the report accompanying this bill, the Senate Committee on Banking and Currency stated that estimated losses from floods were $652 million in 1964 and $788 million in 1965, reflecting a pattern of steadily increasing losses from floods suffered in this country since 1903.

Mr. President, twice in recent weeks I have visited Fairbanks, Alaska, which is struggling to clean up and rebuild following a record flood last month. The struggle is intensified by the cruelest of deadlines—the first freezeup which heralds the advent of winter.

The statistics of the Fairbanks flood emphasize the need for a national insurance program.

The Small Business Administration has estimated that more than 3,000 homes were damaged by the flood. Of that total, an estimated 2,500 homes may be eligible for disaster loans to repair damage to houses and to household contents. Disaster loans on house and contents damage are expected to average between $12,000 and $15,000. Selecting an average figure of $13,500, the Small Business Administration could be asked to approve about $34 million in home loans in the Fairbanks area.

The SBA also could be asked to make between 800 and 1,000 business loans averaging $50,000 each, for an estimated total of $45 million.

Contrasted to these estimates is a report from the Alaska State Division of Insurance that losses in Fairbanks amounted to $2.3 million, of which almost $2 million were losses to automobiles.

Clearly, if a national flood insurance program had been in effect this past August, many of the owners of the damaged homes would have been receiving insurance payments instead of SBA loans.

Let me make clear that I, in no way, wish to criticize the SBA disaster programs. They are designed to assist people after disaster. However, whenever possible, it makes more sense to prepare for disasters before they occur. That, of course, is the principle of insurance. That is one of the principles in S. 1985.

A flood insurance program will assist the persons suffering loss from floods in three ways.

Persons holding flood insurance policies would receive promptly funds to rehabilitate damaged property without having to wait for special legislation or for the area to be declared a disaster area.

Persons could receive funds to repair flood damage whether or not the area was declared a disaster area.

In paying for insurance ahead of time, persons would receive funds to repair damage without incurring increases in mortgage obligations as they do under existing disaster relief programs.

In setting up a subsidized flood insurance program to cover existing structures, Congress also will, in effect, be establishing a method for individuals to help pay in advance a portion of any losses resulting from floods. If, as is hoped, the private sector puts up some risk capital for the venture, an even greater share of flood losses will be covered by non-Government sources.

Under the program proposed in S. 1985, one- to four-family residential properties will be covered. Owners will be able to purchase insurance coverage at less than actuarial rates up to limits of $15,000 a unit and $30,000 a dwelling. The limit on coverage of household contents at less than actuarial limits would be $5,000. Coverage above those limits will be available at actuarial rates.

Judging by the SBA estimated average disaster loans in Fairbanks, it would appear that the proposed program would cover most of the home losses incurred in the recent flood. Of course, S. 1985 does not include coverage of businesses, but the bill does provide for extending available coverage after some administrative experience has been gained.

Mr. President, as I said at the beginning of my remarks, S. 1985 was concerned not only with a much needed program, but a highly complicated one. Obviously it is going to take some time to work out the rate schedule, particularly because the rates will vary area by area as the probability of floods vary and as types of structures vary.

It will also take time to learn how effective the incentive offered by this program will be in discouraging new construction in flood prone areas. In this case, the results will depend on the cooperation of State and local governments working with the Federal Government in flood control programs and in establishing zoning and construction regulations.

This creation of an incentive to discourage new or unsafe construction in flood areas is another principle of S. 1985. Obviously, the Federal Government should not be encouraging new construction in flood prone areas through some sort of subsidy as envisioned in S. 1985. Therefore, S. 1985 provides that persons building new homes in flood prone areas should not be eligible for national flood insurance at less than actuarial rates.

Mr. President, I do not think any of us here today can predict how successful this program will be. There certainly will be great pressures to expand its coverage and to eliminate eligibility regulations with each new flood. However, I do not think that the possibility that such pressures will come should in any way detract from support for S. 1985.

This bill envisions a modest program, a program from which we can learn. The need for such a program is great. We must start somewhere and learn how to meet this great need. S. 1985 is that start.

At this point, I want to commend the junior Senator from New Jersey [Mr. WILLIAMS] for his long and untiring efforts on behalf of the bill. He has worked for a number of years on this problem and the bill we consider today is a direct result of a bill introducd in the last Congress by the Senator. That bill, which became part of the Southeast Hurricane Disaster Relief Act of 1965, authorized the Department of Housing and Urban Development to undertake a study on the feasibility of flood insurance. That act also included an amendment by the junior Senator from Washington [Mr. JACKSON] and me authorizing a feasibility study of other natural disaster insurance programs, including earthquakes. That study is moving ahead.

The Environmental Science Services Administration recently completed studies in seismicity and earthquake damage statistics. This study is the foundation on which development of an earthquake insurance program must rest. However, much remains to be done before the feasibility of a national earthquake insurance program can be determined. Looking ahead, this study must establish the relationship among earthquake frequency, earthquake damage, and earthquake dollar loss by class of construction. Obviously, development of this material will require an extended study going beyond the 3-year period authorized in the Southeast Hurricane Disaster Relief Act of 1965. S. 1985 would authorize the Department of Housing and Urban Development to carry out this study until completion, without regard to deadline. Enactment of this provision would be in keeping with language approved by the Senate Appropriations Committee in the report accompanying the appropriations bill of 1968 for the Department of Housing and Urban Development, instructing the Department to move ahead with the study.

So it is, Mr. President, that I have two reasons for urging as strongly as I can that the Senate approve this bill.

First, the bill would authorize a program under which modest but meaningful development of a much needed flood insurance program could begin.

Second, the bill would authorize continuation of a study already in progress, a feasibility study on a much needed earthquake insurance program.

ADJOURNMENT TO 10 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 30 minutes p.m.) the Senate adjourned until tomorrow, Thursday, September 14, 1967, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate September 13, 1967:

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be senior surgeons

Lamar A. Byers
Elaine A. Schwinge

To be surgeons

Willard R. Brown
Daniel W. Bruce

To be senior assistant surgeon

Kenneth L. Bryant

To be dental surgeon

Leo N. McKenzie

To be sanitary engineers

Perry C. Brackett
Raymond E. Johnson

To be senior assistant sanitary engineer

Jackie DeMarco

To be assistant sanitary engineer

Francis W. Norris, Jr.

To be assistant pharmacist

Francis A. Quam

To be scientist

Richard E. Marland

To be sanitarians

Robert E. Adams
Gerald I. Goldschmidt

To be senior assistant veterinary officer

Amos E. Palmer

To be nurse officer

Pauline R. Turner

To be assistant dietitian

Geraldine A. Jevnikar

To be senior assistant therapist

James D. Ebner

To be health services officer

Martin J. Walsh

To be senior assistant health services officers

Elizabeth S. Trever
Roger W. Turenne

II. FOR PERMANENT PROMOTION

To be surgeons

Richard L. Bates
Donald L. Morton

To be sanitary engineers

Jay S. Silhanek
Lyle D. Thomas

To be senior assistant sanitary engineer

Billy F. Martin

To be senior assistant pharmacist

James E. Farr

To be senior assistant sanitarian

Richard W. Peterson

To be senior assistant therapist

Wayne C. Farmer

To be senior assistant health services officer

Phillip H. Buchen

CONFIRMATIONS

Executive nominations confirmed by the Senate September 13, 1967:

AMBASSADORS

Martin J. Hillenbrand, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Hungary.

William A. Costello, of Minnesota, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Trinidad and Tobago.

William O. Hall, of Oregon, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ethiopia.

Fredric R. Mann, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Barbados.

Geoffrey W. Lewis, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Central African Republic.

Albert W. Sherer, Jr., of Illinois, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Togo.

AGENCY FOR INTERNATIONAL DEVELOPMENT

H. Rex Lee, of Idaho, to be an Assistant Administrator of the Agency for International Development.

PEACE CORPS

Brent K. Ashabranner, of Oklahoma, to be Deputy Director of the Peace Corps.

EXTENSIONS OF REMARKS

Tribute to Councilman Edmund D. Edelman

EXTENSION OF REMARKS

OF

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1967

Mr. REES. Mr. Speaker, I want to call to the attention of Members of the House an event which is taking place in my district at the Century Plaza Hotel, in the Los Angeles Room, on Wednesday, September 27, 1967, at 7 p.m. At that place and time, City Councilman Edmund D. Edelman, who represents the Fifth District, will be honored by citizens of my district as well as citizens of the city of Los Angeles not only on the occasion of his 37th birthday, but also for having completed his first 2 years in office as a city councilman.

Councilman Edelman has had a long and distinguished career in government service prior to his election to the city council in May 1965.

After graduating from UCLA Law School in 1958, he worked as a law clerk for U.S. District Court Judge William M. Byrne, in Los Angeles. He then became a deputy legislative counsel to the California State Legislature in Sacramento. He came to our Nation's Capital in 1962 as counsel for the Special Subcommittee on Labor headed by my distinguished predecessor, Congressman James Roosevelt. He worked in the Kennedy administration as a special assistant to the General Counsel on the National Labor Relations Board, also in Washington, D.C.

In his first 2 years as a city councilman, Mr. Edelman has made significant contributions to this district which he represents and to the city as a whole.

I would like to call to the attention of the Members of the House one particular area where Mr. Edelman has been most active; that is, finding solutions to the growing problem of financing local government.

As you know, Mr. Speaker, the cities of our Nation are finding it increasingly difficult to meet their responsibilities to provide municipal services to the people of the urban areas. These services include police and fire protection, street cleaning and street maintenance, recreation and parks, libraries, and all the other essential areas that make life in our cities safe, enjoyable, and meaningful. Mr. Edelman, as chairman of the Revenue and Taxation Committee of the Los Angeles City Council, has approached the problem of financing Los Angeles city government in an enlightened and tangible way. He has, for the first time in the history of the city of Los Angeles, asked academic experts in the field of municipal taxation from various universities in California to come before his committee and present recommendations on reforming the tax structure of the city of Los Angeles as well as suggesting new sources of revenue with which to finance city government.

As a result of Mr. Edelman's efforts this past year, the property tax rate in the city of Los Angeles was reduced by a fraction of a cent. In this age of ever-increasing tax burdens being placed upon property owners, this result was certainly welcomed by the citizens of Los Angeles. There is now also in preparation a report by Dr. Harold Somers, of UCLA, which will have significant impact for city governments throughout California as well as the Nation. This report looks into the problems of the future financing of the city government of Los Angeles.

Mr. Edelman, as chairman of the Revenue and Taxation Committee, has traveled to Sacramento on numerous occasions, conferring with the leaders of the legislature to bring to the attention of the State the importance of finding common solutions to help city governments meet their municipal obligations. As a result of Mr. Edelman's efforts, an Assembly Interim Committee on Revenue and Taxation will meet in Los Angeles later this year to find ways by which the State government can assist cities in California.

Mr. Edelman is also a member of the National League of Cities' Revenue and Taxation Committee as well as the Revenue and Taxation Committee of the League of California Cities.

I believe his work truly merits the commendation of all those who are interested in approaching the urban problems of our cities and who are attempting to meet them in a thoughtful way.

Mr. Edelman has also been active in the fight for progressive legislation in the city of Los Angeles. He was the sponsor of the establishment of a City Human Relations Commission. He also was cochairman of the citizens committee against the so-called clean amendment, known as "proposition 16" and aided immeasurably in its defeat in November 1966.

Mr. Edelman has constantly raised his voice in defense of civil liberties. Recently in a motion he introduced in the city council, he called for an investigation of the handling by the police of the June 23 peace march at the Century Plaza Hotel.

Beyond these accomplishments for the city as a whole, Mr. Edelman has given tremendous service to his particular councilmanic district. Not only has he established a district office for the convenience of his constituents but he has helped the senior citizens by the opening of a new senior citizens' center on Fairfax and by the expansion of facilities for senior citizens at the Robertson Playground; he has helped those who use the libraries by insisting that the Robertson Library maintain hours for the public on Sundays; and he has helped pedestrians and motorists through his concern for traffic safety by obtaining the installation of new stop signs and signals at various problem intersections in his district.

Mr. Speaker, I am truly pleased to call Ed Edelman my friend. He certainly represents an independent and enlightened voice in the city hall of Los Angeles.

The Reverend Andrew Stim

EXTENSION OF REMARKS

OF

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1967

Mr. McDADE. Mr. Speaker, the Holy Ghost Catholic Church of the Ruthenian Rite in Jessup, Pa., is commemorating the 40th anniversary of their pastor, the Reverend Andrew Stim, in the holy priesthood. They are also paying their own testimony to his spiritual and physical achievements in his 20 years as pastor of this parish.

It is easy to point to the physical memorials which Father Stim has given this parish. There is the beautiful church with its artistic Renaissance interior and marble altars. There is a modern school and a new convent building. There is also a modern yet modest rectory.

It is far more difficult to define the spiritual achievements of this splendid man. One need only note, however, the active sacramental life of this parish and the enthusiastic activity of the parish organizations covering every age group to learn what Father Stim has meant to the Holy Ghost Parish in Jessup.

In almost every other job in America a man who has worked 40 years puts that work behind him but in the work of Father Stim, he will never put his work away.

I know the esteem and love the people of Jessup hold in their hearts for Father Stim. I know I speak for every one of them when I wish him many more fruitful years of service to God and to his people. We are fortunate indeed to have such a distinguished servant of God among us. He has made all of our lives richer by his own life.

Congressman Horton Says Insurance Industry Pledge of Massive Investment in Inner City Jobs and Housing Shatters Myth of Disinterested Industry

EXTENSION OF REMARKS

OF

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1967

Mr. HORTON. Mr. Speaker, today Mr. Eugene Fitzhugh, president of Metropolitan Life Insurance Co., announced that the life insurance companies of this country have pledged $1 billion for investment in city core areas to improve housing conditions and to finance job-creating enterprises.

This is an outstanding example of enlightened corporate action. During the past year, both the executive and legislative branches have recognized that any Federal effort to rehabilitate our slum areas must be accompanied by private investment. However, we were warned time and again that private enterprise would never invest in rebuilding our slums because the risks far outweighed possible returns on the investments.

Mr. Fitzhugh has destroyed the cliche that private enterprise is unwilling to take high risks to meet necessary social goals.

This cliche was resoundingly crushed earlier this year by the leading industries of Rochester, N.Y. More than 40 Rochester industries joined civic leaders to form Rochester Jobs, Inc. Through Rochester Jobs, the local industries pledged to hire 1,500 untrained, disadvantaged men and women; to provide them with whatever training is necessary to make them employable; and to put them to work on full-time jobs. Further, industries and other private groups in Rochester and throughout the country are working to provide rehabilitated housing for the inner city poor.

Mr. Speaker, this is creative participation in urban rehabilitation by private enterprise. It is positive proof of industry's realization of its responsibility to lead the rebuilding of our cities as an important means of promoting a healthy economy under our free enterprise system.

The actions announced today by the life insurance industry and the programs of Rochester Jobs, Inc., and numerous other groups have set precedents for others to follow. I applaud these people because we so desperately need the investment of private funds in the massive task ahead. I hope that other companies will add their strength to this fight to rebuild urban America.

Further, I hope the Congress will continue to support programs which foster this urgently needed participation of the private sector.

The Kee Report—World Food Shortage

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a recent public service television and radio newscast, "The Kee Report."

The subject discussed in this report is the steps being taken to avoid the threatened world food shortage.

WORLD FOOD SHORTAGE

This is Jim Kee—bringing you the Kee Report.

In the past few years, a grim warning has been coming from our experts in the field of nutrition. Unless world food production is doubled within the next few decades, the results will be mass starvation on a frightening scale.

The work being done to prevent this catastrophe is known as the war on hunger. The United Nations is playing a major role in this campaign and so is the Government of the United States. A basic cause of the projected food shortage is the rapid increase in world population. But other causes also contribute and unless these are eliminated, the campaign for food expansion will end in failure. In this brief talk, I would like to outline what the problem is and how it should be met.

The American people are the most generous on earth. They have given lavishly to other peoples in distress since this nation was founded and they always will. In former times, when famine threatened in Asia, Africa, or South America, the sufferers could count on food in abundance being shipped from the United States.

But, in the current race between food and population, the mere export of agricultural products will not be enough. Unless production is drastically improved, the war on hunger will be lost. In that event, even the entire grain surplus of the United States would do little to relieve the situation.

Those working on the problem agree that the primary need is for the export of American farm know-how to those regions where farming is being carried on just about as it was a thousand years ago. In other words, as one expert said, the biggest teaching job in history is the only thing that will win the war on hunger.

The fascinating story of how modern methods have increased the quantity and quality of American food may be summed up in a few words. Even though we have fewer farmers than twenty-five years ago, they grow more food on fewer acres. Even with fewer acres planted, the sale of farm machinery has increased more than sixty percent since the year 1960. As a result, the output per man-hour has increased seventy-five percent. Another factor is the increased use of fertilizers by American farmers. These factors combine to make our agricultural industry the most efficient on earth.

These are some of the things which must be taught in those countries where farmers are still scratching the soil with wooden plows. Government experts will do a large part of the teaching job. But the Johnson Administration has appealed to private industry to help bear the burden, and our businessmen are responding in splendid fashion. American corporations are establishing food processing factories in those countries where they are urgently needed. Food spoilage is a dreadful problem in most needy countries and local officials are being taught how to process, store, and transport food after it leaves the farm.

A recent news item shows the need for this. This report said that in India, where food is already in short supply, from three to five million tons of food are consumed each year by rats, squirrels, birds and monkeys. This is just about the amount imported each year to avoid starvation.

If this experience is repeated in other countries, the war on hunger will certainly fail. That is why a teaching campaign is so urgently needed.

Thank you for listening.

Widely Differing Functions of Commodity Futures Markets: "Lloyds of London and Las Vegas"

EXTENSION OF REMARKS

OF

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1967

Mr. EILBERG. Mr. Speaker, the futures markets, on which $75 billion of trading in agricultural products is conducted annually, are now receiving the attention of the House Committee on Agriculture. Proposed legislation, H.R. 11930, is designed to improve the regulatory legislation under which the markets have operated for many years.

The need for regulation of these markets, both in their own interest and that of the public, arises largely from that fact that they are the scene of two types of operation which on their surface might seem unrelated and conflicting.

The feature of these markets which is most directly related to the distribution of the actual commodities is that of "hedging," that is, transferring price risk from handlers who wish to be rid of it to speculators who are willing to assume it. This is a sort of "Lloyds of London" insurance function.

The other function of the markets is to provide a place where persons speculating on price movements can back their judgment with their money. This has some of the characteristics of activities associated with Las Vegas.

Actually the two features are interdependent. Without the Las Vegas type activity there would be no speculators to whom risks of price could be shifted. Without active participation by many thousands of speculative traders the markets would quickly wither and die.

The Lloyds of London aspect is equally essential to the existence of the markets. Even though only a relatively small part of the trading is connected with the handling of actual commodities, it is essential to the operation of futures markets that there be this relationship to the production and marketing of the physical products.

The reconciliation and control of the potentially disrupting effects of these differing market forces has been carried on under the Commodity Exchange Act and earlier legislation for some 45 years. The amendments now proposed in H.R. 11930 are designed to correct certain deficiencies in the present law and promote continuation of the orderly and constructive operation of the markets.

The 222d Anniversary of Commodore John Barry's Birth

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1967

Mr. CAREY. Mr. Speaker, the first American commodore, John Barry, was born on this day in 1745, in the village of Tacumshane, Ireland. Of poor and humble parentage, he became, before his death, a signal figure in the U.S. Navy, a gifted and spirited leader in the American struggle for independence from Great Britain.

He early displayed a love of the sea, and at the age of 11 adopted America as his home. Until the commencement of the American Revolution, he made several voyages in merchant ships, and upon the outbreak of hostilities in 1776, offered his services to the American Government. He was one of the first officers commissioned by Congress in the naval service, and thereafter enjoyed a distinguished and brilliant career in positions of increasing responsibility.

As commander of the ship *Lexington*, he captured the British vessel *Edward* in the spring of 1776, and was thereafter transferred to the *Effingham*. His command of that ship was distinguished by the daring capture in the Delaware River of several vessels loaded with munitions and stores intended for the British. In December of 1781, in command of the *Alliance*, he sailed from Boston with the Marquis de Lafayette, bound for France on public business. He succeeded in capturing a number of enemy ships during the remainder of the war.

Following the cessation of hostilities, he was appointed to oversee the construction of the frigate *United States*, intended for his command. In 1798 he saw active duty in the West Indies and became in 1802 senior officer in the Navy. He died in Philadelphia in 1803, secure in the knowledge that his adopted land was a free and independent power.

The example of John Barry should be remembered, as a testament not only to the courage and devotion of the man, but also to the worth of the ideal for which he fought. It is altogether fitting that we pay tribute, on the day of his birth, to a great American and an able seaman, Commodore John Barry.

Report From the 10th Congressional District

EXTENSION OF REMARKS

OF

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1967

Mr. McDADE. Mr. Speaker, each year I have had the opportunity of listening to the voices of my constituents through their answers to my annual questionnaire. This year, as before, I commend the answers to these questions to the attention of my colleagues here in the Congress. This is the thinking of the 10th Congressional District on the questions I placed before them:

[In percent]

1. Would you favor expansion of trade in non-strategic items with the Soviet Union and the countries of Eastern Europe?

Yes	53.0
No	34.0
Undecided	13.0

2. Do you favor an effort to reach an enforceable arms control and disarmament agreement with the Soviet Union?

Yes	72.0
No	21.0
Undecided	7.0

3. In the light of our current position in South Vietnam should we (mark one):

Continue our present course?	9.0
Mount a stronger effort for military victory?	57.0
Hold key positions and try to negotiate a settlement?	24.0
Withdraw gradually and completely?	10.0

4. Do you approve continued U.S. opposition to the admission of Red China to the United Nations?

Yes	65.0
No	22.0
Undecided	13.0

5. Do you favor a cutback of our troops in Europe?

Yes	50.4
No	33.6
Undecided	16.0

6. Do you favor an increase in the present limitation of $1,500 on outside earnings for those receiving social security benefits?

Yes	69.0
No	25.0
Undecided	6.0

7. Do you favor the proposed 6% surcharge on corporate and individual income taxes to help pay the cost of the war in Vietnam and hold the lid on inflation?

Yes	23.0
No	65.0
Undecided	12.0

8. Do you favor a reduction in Federal domestic spending in place of a 6% surcharge?

Yes	72.0
No	18.0
Undecided	10.0

9. Do you favor a tax-sharing arrangement, under which the Federal Government would return a portion of income tax revenues to the States, with no strings attached?

Yes	58.0
No	23.0
Undecided	19.0

10. Do you favor an income tax credit for parents with children in college?

Yes	65.0
No	29.0
Undecided	6.0

11. Do you favor an increase in social security benefits, to be financed through an increase in the social security payroll tax?

Yes	43.0
No	48.0
Undecided	9.0

12. Do you favor a rent supplement program to aid lower-income families?

Yes	28.0
No	60.0
Undecided	12.0

13. Would you favor a new Federal law which would: (mark one)

Totally ban the use of electronic listening devices?	7.0
Permit their use, at the discretion of the Attorney General, in national security cases?	21.0
Permit their use, as requested by the Attorney General and approved by court order, in investigations involving either organized crime or national security?	72.0

14. Do you favor a substantial increase in Federal expenditures to control air and water pollution?

Yes	68.0
No	23.0
Undecided	9.0

15. Would you approve granting tax credits to assist industrial plants in installing air and water antipollution facilities?

Yes	60.0
No	28.0
Undecided	12.0

16. In our present agricultural program, do you favor: (mark one):

Increased farm price support and increased crop control?	8.0
The present price support and crop control program?	16.0
A program to end farm price support and crop control?	76.0

17. Do you favor legislation limiting the import of dairy products?

Yes	64.0
No	27.0
Undecided	9.0

18. Would you favor the drafting of younger men first, rather than the present system of drafting the older ones first?

Yes	42.0
No	38.0
Undecided	20.0

19. Present draft laws call upon local draft boards to furnish quotas of men classified 1-A. Would you favor a law which would place all 1-A's in a national pool, with draft quotas filled from the pool by lottery?

Yes	41.0
No	38.0
Undecided	21.0

20. Do you favor the present system of deferring a college student who is in good standing?

Yes	57.0
No	33.0
Undecided	10.0

21. Do you favor legislation prohibiting the sale of firearms by mail?

Yes	65.0
No	31.0
Undecided	4.0

22. Do you favor raising postal rates to meet the deficit in our Postal Department?

Yes	43.0
No	49.0
Undecided	8.0

Observes 25th Anniversary of Death March

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1967

Mr. COLLIER. Mr. Speaker, on Sunday, September 10, the residents of my congressional district observed the 25th anniversary of the Bataan death march. Thousands of residents lined the route of a mammoth parade in which scores of service, veterans, and civic organizations participated. Included among those taken prisoner were 98 men from Maywood and surrounding suburbs of Chicago.

The harsh and bitter memories of Bataan are doubtless indelibly impressed upon the minds of those who have survived, but for most of their contemporaries recollections of the fall of Bataan have been crowded out by a never-ending series of other episodes, and for the 90-some millions of Americans who have been born since 1942, Bataan may have little meaning. That is why, as your Representative in the Congress of the United States, I have again introduced a measure that would help keep green the memory of the gallant men who gave their lives in the defense of Bataan, as well as express our appreciation of the heroism of those who fought and bled with them.

My resolution calls on the President of the United States to proclaim the second Sunday in September of each year as Bataan Day in memory of the courageous defenders of the Bataan Peninsula and the fortress of Corregidor during the early days of World War II. I am hopeful that it will soon be adopted by both the Senate and the House of Representatives.

I want to narrate the story of Bataan and Corregidor, as well as the events that preceded and followed. To those who lived through those stirring days, this will be a mere rereading of an old chapter from your book of memories, but perhaps it will inspire the young people who will be hearing it for the first time.

America was unable to defend the Philippines, as the treacherous Japanese attack on Pearl Harbor on December 7, 1941, had immobilized her Pacific Fleet and made it impossible for her to get reinforcements and supplies to the 7,000 American and 75,000 Filipino troops that were commanded by Gen. Douglas MacArthur. These forces were concentrated chiefly on the island of Luzon, which was the keystone of the Commonwealth's defense system.

Because of its devastating attack on Pearl Harbor and its highly successful raids on our airfields in the Philippines, Japan had air and naval supremacy. She was all but immune from naval or aerial attack as her troops invaded the Filipino Archipelago. While MacArthur's army could not win and could only postpone the day of inevitable surrender, such delay would help America and her allies by slowing down Japan's advance elsewhere.

The Japanese landed on Luzon on December 10, 1941. Two of their armies which drove toward Manila had as their objective the encirclement of MacArthur's greatly outnumbered units. He avoided the trap by evacuating Manila and withdrawing his forces to Bataan Peninsula. The fall of the Philippine capital took place on January 2, 1942.

The defense of Bataan's rugged terrain began on the following day. Despite the fact that they were outnumbered by 5 to 1, the Americans and their Filipino comrades were in an excellent position for a prolonged defense of the peninsula.

MacArthur skillfully parried an attack on his right flank on January 11 and the Japanese suffered heavy losses. Eight days later he crushed another attempt to break through his lines. On the 29th, fierce artillery fire broke up headlong Japanese infantry assaults against both flanks simultaneously. On February 2, an invading force which assembled opposite Corregidor was smashed by a sudden bombardment from the fortifications, and the following day small American motor torpedo boats attacked a warship and torpedoed Japanese transports.

MacArthur's lines held firm throughout February and March, but the enemy continued to send reinforcements into the region of Bataan. The defenders of the peninsula had suffered heavy casualties, their remaining equipment consisted of a few tanks and cannon, and the men were exhausted by almost 3 months of constant fighting without air support. A few patched up pursuit planes constituted their air force. Even if they had been able to obtain aerial reinforcements, there were no airfields in the Bataan sector, neither were supplies of gasoline, bombs, or other ammunition available. Supplies could not be brought in from outside, as the American fleet was still out of commission as a result of the attack on Pearl Harbor.

General MacArthur was ordered to Australia and Gen. Jonathan M. Wainwright succeeded him. Late in March Gen. Tomoyuki Yamashita demanded that Wainwright surrender. The demand was refused and the Battle of Bataan continued.

The Japanese general began the effort to dislodge the defenders on March 28 with a heavy bombardment of the American lines. On the 31st, enemy infantry units, who were protected by a barrage of shellfire from offshore warships, forced a breach in the Bataan lines. The gap was widened by tanks, while enemy aircraft harried Wainwright's rear lines and disrupted communications. In the fiercest attack of the campaign, on April 8, waves of enemy shock troops poured through the crumbling defense lines. Wainwright's eastern flank collapsed and on the 9th the Japanese overran the entire Bataan sector.

Of Wainwright's entire force of 43,000, some 36,000 were captured, killed, or wounded in this battle. The general himself, leading a force of 7,000 soldiers, marines, and sailors, along with 3,000 civilian refugees, escaped to Corregidor, which was less than 5 miles away. Gen. Masaharu Homma's 80,000 troops held Manila and the entire rim of Manila Bay.

In a 10-mile triangle left to Gen. Edward P. King, Jr., now in command on Bataan, were 12,500 American officers and enlisted men, mostly army; 66,500 Philippine army men; 6,000 Filipino civilians, employees of the army; and about 20,000 refugees, many of them women and children. Hospitals and aid stations had 24,000 patients and disease was spreading, aided by bad diet and bad water. Food was almost gone. Bataan's defenders had eaten the peninsula's 600 water buffaloes, as well as the 250 horses and 48 mules of the cavalry.

"We have no further means of organized resistance," General King told his officers. He had orders not to surrender, but the alternative was slaughter. The general refused to accept the alternative and 12,500 Americans and 66,500 Filipinos were surrendered to the Japanese.

General Wainwright was determined to hold out as long as possible on the island of Corregidor, but the position of the fortress was hopeless. It was surrounded by a huge force which was supported by a heavy concentration of air power. There was no hope of reinforcement in men, guns, ammunition, food, or medicine. The exhausted garrison was subjected to daily bombardments. The Japanese attack on the fort began early in May. Corregidor's beach defenses were destroyed by a terrific bombardment from heavy guns emplaced in the mountains on Bataan Peninsula. Enemy landing parties which stormed the fortress captured it in an all-out asault on May 6. After having held out for 26 days, the sick and starving garrison capitulated.

Let us listen to the eloquent words of Gen. Douglas MacArthur:

> Corregidor needs no comment from me. It has sounded its own story at the mouth of its guns. It has scrolled its own epitaph on enemy tablets, but through the bloody haze of its last reverberating shots, I shall always seem to see the vision of its grim, gaunt, and ghostly men, still unafraid.

After the fall of Bataan, nearly 200,000 people were herded together on the lower end of the peninsula—the advancing Japanese army, the defeated American-Filipino army, and thousands of civilians. General Homma, whose bag of prisoners was twice the size he had anticipated, had barely sufficient food, medicine, and transport for his own army and was unprepared for the thousands in the hospitals, for other thousands hardly able to walk, and for thousands who had no food. The Japanese general wanted Bataan Peninsula cleared of his enemies and took care not to ask how it was accomplished.

The first of the survivors began to walk out of Bataan on the morning of April 9. Although they did not know it at the time, they were destined for Camp O'Donnell, which was 65 miles to the north. After the marchers had covered 31 agonizing miles on foot, they traveled 25 miles by rail, and then marched the final 9 miles to their prison.

Many of them failed to make it. Anyone who was caught with Japanese money in his possession was assumed to have taken it from a Japanese he had killed and was himself killed. At one point, nearly 400 Filipino soldiers were marched into the woods, tied together, and beheaded with sabers. The conditions under which the emaciated, hungry, and ill men marched are almost too horrible to relate.

General King estimated that 9,300 Americans had reached Camp O'Donnell by the end of May and that between 600 and 650 Americans had died on the march. Probably 10,000 Filipinos also died, while 6,000 escaped.

Throughout the pages of our history, brave men have written their names in blood so that their descendants could read about their heroic deeds and be inspired to emulate them. Valley Forge, Lake Erie, Chapultepec, Gettysburg, San Juan Hill, the many battles of the two World Wars, and the wars in Korea and Vietnam, are all accounts of brave men who fought to obtain, preserve, and extend freedom. Let us reserve one of the brightest pages for those who fell in the defense of Bataan and Corregidor and thus paid with their lives for the precious time that enabled other brave men to keep the enemy from extending his conquests.

Let us pause on one Sunday afternoon in each and every year to pay reverent tribute to these fallen heroes and to salute those who survived the sieges of Bataan and Corregidor and the infamous death march. How grateful we are that many of them have assembled here today, 25 years after they experienced a living hell. Let us hope that they will have many happy and useful years ahead of them and that the Nation for which they did so much will never forget them.

SENATE

THURSDAY, SEPTEMBER 14, 1967

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all grace and glory, whose goodness and mercy has followed us all our pilgrim years, and whose love will not let us go, this day may the meditation of our hearts and the words of our lips be acceptable in Thy sight, O Lord, our strength and our Redeemer.

Renew our faith in Thy power and in the victory of Thy purposes. Here let us see again the vital and eternal things that are stronger than the noise of the world.

We pray for the children of this stricken generation, that they and their children may see peace on the earth—peace with honor and human dignity, and social justice.

In the midst of all that saddens and perplexes in this difficult yet splendid day, give us an inner radiance, not knowing that our faces shine, but humbly glad that in a world that lieth in darkness we are the children of light: in the dear Redeemer's name. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of proceedings of Wednesday, September 13, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements made during the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HATFIELD in the chair). Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND FRANCE

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Executive I (90th Cong., first sess.), a consular convention between the United States of America and France, together with a protocol and two exchanges of notes relating thereto, signed at Paris on July 18, 1966.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the convention, which was read the second time, as follows:

CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND FRANCE

The President of the United States of America and the President of the French Republic, wishing to define the rules applicable in the consular relations between the two States,

Have decided to conclude a consular convention and have appointed as their plenipotentiaries for this purpose:

The President of the United States of America:

The Honorable CHARLES E. BOHLEN, Ambassador of the United States of America at Paris,

The President of the French Republic:

M. MAURICE COUVE DE MURVILLE, Minister of Foreign Affairs,

Who, having communicated to each other their respective full powers, which were found in good and due form, have agreed as follows:

PART I

DEFINITIONS

Article 1

For the purposes of the present Convention, the following expressions shall have the meanings hereunder assigned to them:

1. "consular post" means any consulate-general, consulate, vice-consulate or consular agency;
2. "consular district" means the area assigned to a consular post for the exercise of consular functions;
3. "head of consular post" means the person charged with the duty of acting in that capacity;
4. "consular officer" means any person, including the head of a consular post, entrusted in that capacity with the exercise of consular functions;
5. "consular employee" means any person employed in the administrative or technical service of a consular post;
6. "Consular agent" means any person who, whatever his nationality, has been entrusted

in this capacity with the exercise of certain consular functions;

7. "member of the service staff" means any person employed in the domestic service of a consular post;

8. "members of the consular post" means consular officers, consular employees and members of the service staff;

9. "members of the consular staff" means consular officers, other than the head of a consular post, consular employees and members of the service staff;

10. "member of the private staff" means a person who is employed exclusively in the private service of a member of the consular post;

11. "consular premises" means the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used exclusively for the purposes of the consular post;

12. "consular archives" includes all the papers, documents, correspondence, books, films, tapes and registers of the consular post, together with the ciphers and codes, the card-indexes and any article of furniture used exclusively for their protection and safekeeping.

PART II

ESTABLISHMENT AND CONDUCT OF CONSULAR RELATIONS

Article 2

1. A consular post may be established in the territory of the receiving State only with that State's consent.

2. The seat of the consular post, its classification and the consular district shall be established by the sending State, and shall be subject to the approval of the receiving State.

3. Subsequent changes in the seat of the consular post, its classification and the consular district may be made by the sending State only with the consent of the receiving State.

4. The prior express consent of the receiving State shall also be required for the opening of an office forming part of an existing consular post elsewhere than at the seat thereof.

5. Consular functions may also be exercised, with the agreement of the receiving State, by members of the staff of the diplomatic mission of the sending State assigned to a consular section of the diplomatic mission.

Article 3

1. Heads of consular posts are admitted to the exercise of their functions by the receiving State, according to the rules and formalities established in that State, after presentation of their consular commission. The exequatur shall indicate their consular district and shall be delivered without delay and free of charge.

2. A State which refuses to issue an exequatur is not required to communicate the reasons for its refusal to the sending State.

3. Pending delivery of the exequatur, the head of a consular post may be admitted on a provisional basis to the exercise of his functions.

Article 4

As soon as the head of a consular post is admitted to the exercise of his functions, the receiving State shall take the necessary measures to enable such head of a consular post to carry out the duties of his office and to have the benefit of the provisions of the present Convention.

Article 5

1. If the head of a consular post is unable to carry out his functions or the position of head of consular post is vacant, an acting head of post may act temporarily as head of the consular post.

2. The full name of the acting head of post shall be notified by the diplomatic mission of the sending State to the receiving State. As a general rule, this notification shall be given in advance. The admission as acting head of post of a person who is neither a diplomatic agent nor a consular officer of the sending State in the receiving State shall be conditional on the consent of the receiving State.

3. When, in the circumstances referred to in Paragraph 1 of this Article, a member of the diplomatic staff of the diplomatic mission of the sending State in the receiving State is designated by the sending State as an acting head of post, he shall, except as provided in Paragraph 4 of Article 31 of the present Convention, continue to enjoy diplomatic privileges and immunities.

Article 6

1. Members of the consular staff other than the head of post are admitted by the receiving State to the exercise of their functions according to the rules and formalities established in that State, as soon as their appointment has been notified to it.

2. The receiving State shall, upon the request of the sending State, issue for each consular officer so appointed a document recognizing his right to exercise consular functions.

Article 7

The receiving State may at any time inform the sending State that a consular officer is *persona non grata* or that any other member of the consular staff is not acceptable. In that event, the sending State shall, as the case may be, either recall the person concerned or terminate his functions with the consular post.

Article 8

1. The receiving State shall be notified of:

(a) the appointment of members of a consular post, their arrival after appointment to the consular post, their final departure or the termination of their functions and any other changes affecting their status that may occur in the course of their service with the consular post;

(b) the arrival and final departure of a person belonging to the family of a member of a consular post forming part of his household and, where appropriate, the fact that a person becomes or ceases to be such a member of the family;

(c) the arrival and final departure of members of the private staff and, where appropriate, the termination of their service as such;

(d) the engagement and discharge of persons resident in the receiving State as members of a consular post or as members of the private staff.

2. When possible, prior notification of arrival and final departure shall also be given.

PART III

FACILITIES, PRIVILEGES AND IMMUNITIES

Article 9

The receiving State shall accord full facilities for the performance of the functions of the consular post.

Article 10

1. The sending State shall have the right to the use of its national flag and coat-of-arms in the receiving State in accordance with the provisions of this Article.

2. The national flag of the sending State may be flown and its coat-of-arms displayed on the building occupied by the consular post and at the entrance door thereof, on the residence of the head of the consular post and on his means of transport when used on official business.

Article 11

1. The sending State shall have the right, in the territory of the receiving State, to acquire, own or lease for any period of time, such lands, buildings and appurtenances as may be necessary and appropriate for governmental purposes, including residences for members of its diplomatic and consular posts.

2. The sending State shall have the right to erect buildings and appurtenances on the land which it had acquired in accordance with Paragraph 1 of this Article.

3. The rights recognized in Paragraphs 1 and 2 of this Article shall be subject to compliance with local building, zoning and town planning regulations applicable to all land in the area in which such land is situated.

Article 12

1. Consular premises shall be inviolable to the extent provided in this Article.

2. The authorities of the receiving State shall not enter that part of the consular premises which is used exclusively for the purpose of the work of the consular post except with the consent of the head of the consular post or of his designee or of the head of the diplomatic mission of the sending State. The consent of the head of the consular post may, however, be assumed in case of fire or other disaster requiring prompt protective action.

3. Subject to the provisions of Paragraph 2 of this Article, the receiving State is under a special duty to take all appropriate steps to protect the consular premises against any intrusion or damage and to prevent any disturbance of the peace of the consular post or impairment of its dignity.

4. Lands, buildings and appurtenances, including the furnishings and property contained therein, held or occupied for consular purposes by the sending State, as well as vehicles owned by the sending State, shall not be subject to any form of requisitioning. Such lands, buildings and appurtenances shall not be immune from expropriation for purposes of national defense or public utility, in accordance with the laws of the receiving State. If expropriation is necessary for such purposes, all possible steps shall be taken to avoid impeding the performance of consular functions, and prompt, adequate and effective compensation shall be paid to the sending State.

Article 13

1. Lands and buildings situated in the territory of the receiving State, of which the sending State is the owner or lessee and which are used exclusively for diplomatic or consular purposes shall be exempt from taxation of every kind, whether national, state, regional or municipal, other than assessments levied for services or local public improvements by which these premises are benefitted.

2. The sending State shall be exempt from the payment of all taxes and similar charges with respect to the acquisition, occupation or leasing of the lands and buildings referred to in Paragraph 1 of this Article.

3. The exemptions from taxation referred to in Paragraphs 1 and 2 of this Article shall not apply to such dues and taxes if, under the law of the receiving State, they are payable by a person who contracted with the sending State or with the person acting on its behalf.

Article 14

The consular archives and documents shall be inviolable at all times.

Article 15

1. The receiving State shall permit and protect freedom of communication on the part of the consular post for all official purposes. In communicating with the Government, the diplomatic missions and other consular posts, wherever situated, of the sending State, the consular post may employ all appropriate means, including diplomatic couriers, the diplomatic or consular pouch and messages in code or cipher.

2. The official correspondence of the consular post, regardless of the means of communication used, and the sealed diplomatic

pouch bearing visible external marks of its official character, shall be inviolable.

3. The consular pouch shall be neither opened nor detained. Nevertheless, if the competent authorities of the receiving State have serious reasons to believe that the pounch contains something other than official correspondence or documents or objects for official purposes, they may request that the pouch be opened in their presence by an authorized representative of the sending State. If this request is refused by the authorities of the sending State, the pouch shall be returned to its place of origin.

Article 16

1. The consular post may levy in the territory of the receiving State the fees and charges provided by the laws and regulations of the sending State for consular acts.

2. The sums collected in the form of the fees and charges referred to in Paragraph 1 of this Article, and the receipts for such fees and charges, shall be exempt from all dues and taxes in the receiving State.

Article 17

The receiving State shall treat consular officers with due respect and shall take all appropriate steps to prevent any attack on their person, freedom or dignity.

Article 18

A consular officer shall be exempt in the receiving State from arrest or detention pending trial except when he has been charged with the commission of an offense under the laws of the receiving State which, upon conviction, might subject the individual guilty thereof to a sentence of imprisonment of at least two years.

Article 19

1. Consular officers and consular employees shall not be amenable to the jurisdiction of the judicial or administrative authorities of the receiving State in respect of acts performed in the exercise of consular functions, except as provided in Paragraph 4 of Article 31.

2. The provisions of Paragraph 1 of this Article shall not, however, apply in respect of a civil action either:

(a) arising out of a contract concluded by a consular officer or a consular employee in which he did not contract expressly or impliedly as an agent of the sending State; or

(b) by a third party for damage arising from an accident in the receiving State caused by a vehicle, vessel or aircraft.

Article 20

A consular officer or employee shall have the right to refuse a request from the administrative or judicial authorities of the receiving State to produce any documents from the consular archives or to give evidence relating to matters connected with the exercise of his functions. Such a request, however, shall be complied with in the interests of justice if it is possible to do so without prejudicing the interests of the sending State. The administrative or judicial authorities requiring testimony shall take all appropriate steps to avoid interference with the performance of official duties, and wherever possible arrange for the taking of such testimony, orally or in writing, at the residence or office of the consular officer or employee.

Article 21

1. The sending State may waive, with regard to a member of the consular post, any of the privileges and immunities provided for in this Convention.

2. The waiver shall be express and shall be communicated to the receiving State in writing.

Article 22

Consular officers and consular employees and members of their families forming part of their households shall be exempt from all obligations under the laws and regulations of the receiving State in regard to the registration of aliens and residence permits.

Article 23

1. Members of the consular post shall, with respect to services rendered for the sending State, be exempt from any obligations in regard to work permits imposed by the laws and regulations of the receiving State concerning the employment of foreign labor.

2. Members of the private staffs of consular officers and of consular employees shall, if they do not carry on any other gainful occupation in the receiving State, be exempt from the obligations referred to in Paragraph 1 of this Article.

Article 24

1. Consular officers and consular employees and members of their families forming part of their households shall be exempt from all dues and taxes, personal or real, national, regional or municipal, except:

(a) indirect taxes of a kind which are normally incorporated in the price of goods or services;

(b) dues or taxes on private immovable property situated in the territory of the receiving State;

(c) estate, succession or inheritance duties, and duties on transfers, levied by the receiving State, subject to the provisions of Paragraph 2 of Article 26;

(d) dues and taxes on private income, including capital gains, having its source in the receiving State and capital taxes relating to investments made in commercial or financial undertakings in the receiving State;

(e) charges levied for specific services rendered;

(f) registration, court or record fees, mortgage dues and stamp duties.

2. Members of the service staff shall be exempt from dues and taxes on the wages which they receive from the sending State for their services.

3. Members of the consulate post who employ persons whose wages or salaries are not exempt from income tax in the receiving States shall observe the obligations which the laws and regulations of that State impose upon employers concerning the levying of income tax.

4. Members of the consular post and members of the staff of the diplomatic mission of the sending State shall be exempt from all taxes incident to the licensing, registration, use or circulation of their vehicles.

Article 25

1. The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes and related charges other than changes for storage, cartage and similar services, on:

(a) articles for the official use of the consular post;

(b) articles for the personal use of a consular officer or members of his family forming part of his household, including articles intended for his establishment. The articles intended for consumption shall not exceed the quantities necessary for direct utilization by the persons concerned.

2. Consular employees shall enjoy the privileges and exemptions specified in subparagraph (b) of Paragraph 1 of this Article in respect of articles imported at the time of first installation.

3. Personal baggage accompanying consular officers and members of their families forming part of their households shall be exempt from inspection. It may be inspected only if there is serious reason to believe that it contains articles other than those referred to in subparagraph b) of Paragraph 1 of this Article, or articles the import or export of which is prohibited by the laws and regulations of the receiving State or which are subject to its quarantine laws and regulations. Such inspection shall be carried out in the presence of the consular officer or member of his family concerned.

Article 26

In the event of the death of a member of the consular post or of a member of his family forming part of his household, the receiving State:

1. shall permit the export of the movable property of the deceased, with the exception of any such property acquired in the receiving State the export of which was prohibited at the time of his death;

2. shall not levy national, regional or municipal estate, succession or inheritance duties, and duties on transfers, on movable property the presence of which in the receiving State was due solely to the presence in that State of the deceased as a member of the consular post or as a member of the family of a member of the consular post.

Article 27

The receiving State shall exempt members of the consular post and members of their families forming part of their households from all personal services, from all public service of any kind whatsoever, including jury duty, and from military obligations such as those connected with requisitioning, military contributions and billeting.

Article 28

Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State, especially traffic regulations.

Article 29

Members of the consular post shall comply with any requirement imposed by the laws and regulations of the receiving State in respect of insurance against third party risks arising from the use of any vehicle, vessel or aircraft.

Part IV

CONSULAR FUNCTIONS

Article 30

A consular officer shall be permitted within his consular district:

(1) to issue and amend visas and passports and to issue such notices to, and receive such declarations from, a national of the sending State as may be required under the laws of the sending State;

(2) to prepare, attest, receive the acknowledgments of, certify, authenticate, legalize, and, in general, take such action as may be necessary to perfect or to validate any act, document or instrument of a legal character, as well as copies thereof, including commercial documents, declarations, registrations, testamentary dispositions and contracts, whenever such services are required by a national of the sending State for use outside the territory of the receiving State or by any person for use in the territory of the sending State;

(3) to take any evidence in commercial and civil matters on behalf of the courts of the sending State, voluntarily given by any person in the receiving State, and administer oaths to such persons, in accordance with the laws of the sending State;

(4) to obtain copies of or extracts from documents of public registry;

(5) to inquire of local authorities on behalf of a national of the sending State into matters concerning his person, holdings or interests, especially shares in estates, pension rights, insurance or workmen's compensation benefits;

(6) to further the commercial, artistic, scientific, professional, cultural and educational interests of the sending State.

Article 31

1. In the case of the death of a national of the sending State in the territory of the receiving State, without leaving in the territory of his decease any known heir or

testamentary executor, the appropriate local authorities of the receiving State shall as promptly as possible inform a consular officer of the sending State.

2. Consular officers of the sending State may, if authorized by the appropriate judicial authorities and if permissible under the law of the receiving State:

(a) take provisional custody of the personal property left by a deceased national of the sending State, provided that the decedent shall have left in the receiving State no heir or testamentary executor appointed by the decedent to take care of his personal estate; provided that such provisional custody shall be relinquished to a duly appointed administrator;

(b) at their request, obtain copies of all documents filed with a court relating to the administration of an estate of a deceased national of the sending State who is not a resident of the receiving State at the time of his death, who leaves no testamentary executor and who leaves in the receiving State no heir;

(c) protect the interests of a national of the sending State in an estate in the receiving State, provided that such national is not a resident of the receiving State, unless or until such national is otherwise represented. However, nothing herein shall be interpreted as authorizing a consular officer to act as an attorney at law.

3. Unless prohibited by law, consular officers may, within the discretion of the court, agency or person making distribution, receive for transmission to a national of the sending State who is not a resident of the receiving State any money or property to which such national is entitled as a consequence of the death of another person. This money or property may include shares in an estate, payments made pursuant to workmen's compensation laws, pension and social benefits systems in general, and proceeds of life insurance policies. The court, agency, or person making distribution may require that a consular officer comply with conditions laid down with regard to:

(a) presenting a power of attorney or other authorization from such non-resident national,

(b) furnishing evidence of the receipt of such money or property by such national, and

(c) returning the money or property in the event he is unable to furnish such evidence.

4. Whenever a consular officer performs the functions referred to in Paragraphs 2 and 3 of this Article, he shall be subject, with respect to the exercise of such functions, to the laws of the receiving State and to the jurisdiction of the judicial and administrative authorities of the receiving State in the same manner and to the same extent as a national of the receiving State.

Article 32

1. Consular officers may take all appropriate measures to enforce the shipping laws of the sending State and for this purpose may visit vessels and be visited by the masters and crews of vessels of the sending State. They may also visit vessels of any registry destined to a port of the sending State to execute documents or to request information required by the sending State.

2. Without prejudice to the superior right of the administrative and judicial authorities of the receiving State to take cognizance of crimes or offenses which disturb the peace of the port or to enforce the laws of the receiving State applicable to vessels of any State within its waters, consular officers may exercise jurisdiction pursuant to the laws of the sending State over controversies, including wage and contract disputes and disciplinary offenses, aboard vessels of the sending State which are in the waters of the receiving State, and may also conduct investigations and convene boards of inquiry. Consular officers may request the assistance of competent authorities of the receiving State in performance of such duties.

3. (a) If it is the intention of the authorities of the receiving State to arrest or otherwise detain in custody any person on board a vessel under the flag of the sending State who is not a national of the receiving State, including an officer or crew member thereof, the master or other officer acting on his behalf shall be given an opportunity to inform a consular officer of the sending State and, unless this is impossible on account of the urgency of the matter, to inform him in such time as to enable the consular officer to be present if he so desires;

(b) when the authorities of the receiving State make such an arrest or seize any property aboard such a vessel under the flag of the sending State and a consular officer is not present, they shall inform a consular officer of the sending State thereof and shall accord him full opportunity to visit and communicate with the person arrested and to take the measures necessary to safeguard the interests of such person or such vessel.

4. If a vessel of the sending State is wrecked in waters of the receiving State, the appropriate authorities of the receiving State shall inform a consular officer and shall take all practicable measures for the preservation and protection of the vessel, persons and property on board. If the owner, or anyone he has authorized to act for him, is unable to make necessary arrangements in connection with the vessel or its cargo, the consular officer may make arrangements on his behalf. The consular officer may under similar circumstances make appropriate arrangements in connection with cargo owned by nationals of the sending State and found or brought into port from a wrecked vessel of other registry, except a vessel of the receiving State. No customs duties shall be levied against a wrecked vessel of the sending State, or its cargo or stores unless they are delivered for use in the receiving State.

5. The term "vessel", as used herein, means all types of vessels, whether privately owned or operated, or publicly owned or operated; but this term does not, except with reference to Paragraph 4 of this Article, include vessels of war.

Article 33

1. For the purpose of the protection of the nationals of the sending State and their property and interests, consular officers shall have the right, among other things:

(a) to interview, communicate with and advise nationals of the sending State;

(b) to inquire into incidents affecting the interests of these nationals;

(c) to assist these nationals in dealing with the authorities of the receiving State and, when necessary, arrange for legal assistance for them.

2. For the purposes set forth in Paragraph 1 of this Article, consular officers shall have the right to address themselves to the competent authorities of their consular district and, in the absence of a diplomatic agent of the sending State, to the central authorities of the receiving State.

3. Nationals of the sending State shall have the right at all times to communicate with appropriate consular officers and, unless they are under detention, to have access to consular posts of the sending State.

Article 34

1. The competent authorities of the receiving State shall immediately inform a consular officer of the arrest and detention in his consular district of all nationals of the sending State who request them to do so. Such notification shall also be given at the request of a consular officer, unless the nationals concerned do not desire such notification. A consular officer shall have the right to visit such detained nationals, conforming to penal regulations, and to converse with them with a view to taking all necessary steps for their legal defense.

2. All communications addressed to a consular officer by such nationals shall be forwarded to him by the competent authorities.

3. When a national of the sending State has been convicted and is serving a sentence of imprisonment, a consular officer in the consular district where he is imprisoned shall have the right to visit him after the authorization of the competent authority. Such visits must enable the consular officer to converse with the prisoner, in conformity with penal regulations.

Article 35

In addition to the functions specified in this Convention, a consular officer shall be permitted to perform such other consular and related functions as are recognized by the receiving State as being appropriate to his office.

PART V

CONSULAR AGENTS

Article 36

1. Consular agents shall be permitted to exercise their functions upon the approval of the receiving State.

2. Under the same conditions, they may be granted the title of honorary consul. In such case, the provisions of Articles 37, 38 and 39 shall be applicable.

Article 37

Consular agents may, in addition to their consular functions, engage in a gainful occupation in the receiving State.

Article 38

The consular archives and documents of a consular agency shall be inviolable at all times, provided that they are kept separate from other papers and documents and, in particular, from the private correspondence of the consular agent and of any person working with him, and from the materials, books and documents relating to their profession or business.

Article 39

Consular agents shall be entitled only to such facilities, privileges and immunities as may be granted to them by the receiving State. However, the provisions of Articles 19 and 20 shall be applicable to such persons.

PART VI

GENERAL PROVISIONS

Article 40

1. Members of the diplomatic staff of the diplomatic missions of the High Contracting Parties who are authorized to exercise consular functions in accordance with the provisions of this Convention shall be entitled to the rights and shall be subject to the obligations of consular officers provided for in the present Convention.

2. Except as provided in Paragraph 4 of Article 31 of this Convention, the performance of consular functions by the persons referred to in Paragraph 1 of this Article shall not affect the diplomatic privileges and immunities granted to them as members of the diplomatic mission.

Article 41

1. Except in so far as additional facilities, privileges and immunities may be granted by the receiving State, members of the consular post who are nationals of or permanently resident in the receiving State or who engaged in any private gainful occupation in the receiving State shall enjoy only the immunities provided by Article 19 and 20 of the present Convention.

2. (a) Members of the families of the persons referred to in Paragraph 1 of this Article shall enjoy facilities, privileges, and immunities only in so far as these are granted to them by the receiving State;

(b) Members of the family of a member of the consular post who are themselves nationals or permanent residents of the receiving State or who engage in any private gainful occupation shall enjoy facilities, privileges and immunities only in so far as these are granted to them by the receiving State.

3. The receiving State shall exercise its jurisdiction over the persons referred to in Paragraphs 1 and 2 of this Article in such a way as not to hinder unduly the performance of the functions of the consular post.

Article 42

The present Convention shall replace and terminate the Consular Convention signed at Washington on February 23, 1853.

Article 43

1. The present Convention shall be ratified. It shall enter into force one month after the exchange of the instruments of ratification, which shall take place at Washington.

2. The present Convention shall have an initial term of ten years. It shall remain in force thereafter until either High Contracting Party terminates it by giving one year's written notice to the other High Contracting Party.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed the present Convention and have hereunto affixed their seals.

DONE in duplicate, in the English and French languages, both texts being equally authentic, at Paris, this eighteenth day of July, one thousand nine hundred sixty-six.

[SEAL] CHARLES E. BOHLEN.
[SEAL] M. COUVE DE MURVILLE.

PROTOCOL

The undersigned Plenipotentiaries, duly authorized by their respective Governments, have also agreed upon the following provision, which forms an integral part of the Consular Convention between the United States of America and France dated the eighteenth of July, one thousand nine hundred sixty-six.

The provisions of Article 13 shall also apply to the lands and buildings held by the sending State for the residences of members of its diplomatic or consular posts or for official information and cultural activities.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed the present Protocol and have hereunto affixed their seals.

DONE in duplicate in the English and French languages, the two texts being equally authentic, at Paris, this eighteenth day of July, one thousand nine hundred sixty-six.

CHARLES E. BOHLEN.
M. COUVE DE MURVILLE.

JULY 18, 1966.

His Excellency The Honorable CHARLES E. BOHLEN,
Ambassador of the United States of America, Paris.

EXCELLENCY: At the time of signing the Consular Convention between France and the United States, I have the honor to inform Your Excellency that with respect to the official information and cultural activities referred to in the Protocol annexed to this Convention, the United States will, subject to reciprocity, be exempt from all direct taxes of a personal nature in French territory.

Accept, Excellency, the assurances of my high consideration.

M. COUVE DE MURVILLE.

JULY 18, 1966.

His Excellency M. MAURICE COUVE DE MURVILLE
Minister of Foreign Affairs, Paris.

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's note of July 18, 1966 which reads as follows:

"At the time of signing the Consular Convention between France and the United States, I have the honor to inform Your Excellency that with respect to the official information and cultural activities referred to in the Protocol annexed to this Convention, the United States will, subject to reciprocity, be exempt from all direct taxes of a personal nature in French territory."

I am authorized to inform Your Excellency that my Government is happy to take due note of these provisions.

Accept, Excellency, the assurances of my high consideration.

CHARLES E. BOHLEN.

JULY 18, 1966.

His Excellency The Honorable CHARLES E. BOHLEN,
Ambassador of the United States of America, Paris.

EXCELLENCY: At the time of signing the present Consular Convention between France and the United States, I have the honor to call Your Excellency's attention to the following:

The new system under the Convention will put an end to the taxes claimed in France from American cultural centers (payment of 5 per cent on wages and personal property tax) and, in the United States, the taxes on real property belonging to France and used for consular purposes, as well as on certain property owned by France which is located outside Washington, D.C., and which it uses for official information and cultural activities.

With regard to the back taxes claimed in our two countries, each of the two Governments will take the necessary steps to arrive, in so far as possible, at a mutually satisfactory solution of this problem.

Accept, Excellency, the assurances of my high consideration.

M. COUVE DE MURVILLE.

JULY 18, 1966.

His Excellency M. MAURICE COUVE DE MURVILLE,
Minister of Foreign Affairs, Paris.

EXCELLENCY: I have the honor to acknowledge receipt of Your Excellency's note of July 18, 1966, which reads as follows:

"At the time of signing the present Consular Convention between France and the United States, I have the honor to call Your Excellency's attention to the following:

"The new system under the Convention will put an end to the taxes claimed in France from American cultural centers (payment of 5 per cent on wages and personal property tax) and, in the United States, the taxes on real property belonging to France and used for consular purposes, as well as on certain property owned by France which is located outside Washington, D.C., and which it uses for official information and cultural activities.

"With regard to the back taxes claimed in our two countries, each of the two Governments will take the necessary steps to arrive, in so far as possible, at a mutually satisfactory solution of this problem."

I am authorized to inform Your Excellency that the terms of this note meet with the approval of the United States Government.

Accept, Excellency, the assurances of my high consideration.

CHARLES E. BOHLEN.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, at 1 o'clock p.m., there be a vote on Calendar No. 21, Executive I (90th Cong., first sess.).

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent agreement is as follows:

Ordered, That the Senate proceed to vote on the resolution of ratification of Executive I (90th Cong., first sess.), the consular convention between the United States of America and France, at 1 o'clock p.m. on Monday, September 18, 1967.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that on today, September 14, 1967, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 163. An act for the relief of CWO Charles M. Bickart, U.S. Marine Corps (retired);

S. 636. An act for the relief of Mrs. Chin Shee Shiu;

S. 653. An act for the relief of Capt. Robert C. Crisp, U.S. Air Forces; and

S. 1601. An act to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF JEWISH RESTITUTION SUCCESSOR ORGANIZATION

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, Washington, D.C., transmitting, pursuant to law, a report of the Jewish Restitution Successor Organization, for the period ended June 30, 1967 (with an accompanying report); to the Committee on the Judiciary.

RECOMMENDATIONS OF INTERNATIONAL LABOR ORGANIZATION

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting, for the information of the Senate, two recommendations of the International Labor Organization, adopted at its conference at Geneva, on June 23, 1965 (with accompanying papers); to the Committee on Labor and Public Welfare.

WITHDRAWAL OF CERTAIN TREATIES—REPORT OF A COMMITTEE (EX. REPT. NO. 16)

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported the following original Executive resolution (S. Ex. Res. 1) and submitted a report thereon, which was ordered to be printed and the resolution was placed on the Executive Calendar:

S. Ex. Res. 1

Resolved, That the Secretary of the Senate be, and is hereby, directed to return to the President of the United States, in accordance with his request, the following treaties:

1. Protocol dated at The Hague September 28, 1955, to amend the Convention for the unification of Certain Rules Relating to International Carriage by Air signed at Warsaw on October 12, 1929 (Executive H. 86th Congress, 1st session).

2. Convention (No. 109) concerning wages, hours of work on board ship, and manning, adopted by the International Labor Conference at its 41st (maritime) session, Geneva, May 14, 1958 (Executive L. 86th Congress, 2d session).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 2403. A bill for the relief of Dr. Teobaldo Cuervo-Castillo; and

S. 2404. A bill for the relief of Dr. Heriberto Jose Hernandez-Suarez; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 2405. A bill for the relief of Ming Chang; to the Committee on the Judiciary.

By Mr. SMATHERS (for himself and Mr. Dirksen):

S. 2406. A bill to allow a credit against Federal income tax to small business concerns which received noninterest bearing awards under the War Claims Act in cases where their business properties, released from enemy confiscation, were again irrevocably lost without compensation at the end of World War II by reason of treaties made between the United States and the Soviet Union; to the Committee on Finance.

By Mr. JAVITS (for himself, Mr. Scott, and Mr. Percy):

S. 2407. A bill to establish a program of crime protection insurance for small businessmen; to the Committee on Banking and Currency.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 2408. A bill to amend the Internal Revenue Code of 1954 to permit an individual who is a national, but not a citizen, of the United States and who is a resident of a possession of the United States to qualify as a dependent for income tax purposes; to the Committee on Finance.

By Mr. BAYH (for himself and Mr. Hartke):

S. 2409. A bill for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 2410. A bill to provide a program of economic incentives to assist and encourage industry to assume its responsibility for abating and preventing the pollution of the atmosphere by wastes from industrial sources, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE (for himself, Mr. Hatfield, Mr. Bartlett, Mr. Brooke, Mr. Gruening, and Mr. Muskie):

S. 2411. A bill to amend the Tariff Schedules of the United States to provide that the amount of groundfish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964; to the Committee on Finance.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for Mr. Jackson) (for himself and Mr. Magnuson):

S. 2412. A bill to authorize the Secretary of the Army to convey to the State of Washington certain lands in the counties of Yakima and Kittitas, Wash., in exchange for certain other lands, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Byrd of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 2413. A bill to provide for the establishment in the Small Business Administration of a Latin American Industrial Development Information Office; to the Committee on Banking and Currency.

(See the remarks of Mr. Smathers when he introduced the above bill, which appear under a separate heading.)

EXECUTIVE RESOLUTION

WITHDRAWAL OF CERTAIN TREATIES

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original Executive resolution (S. Ex. Res. 1) for the withdrawal of certain treaties, which was placed on the Executive Calendar.

(See the above Executive resolution printed in full when reported by Mr. Fulbright, which appears under a separate heading.)

THE JOSIAH K. LILLY COIN COLLECTION

Mr. BAYH. Mr. President, I am introducing today, for myself and the senior Senator from Indiana [Mr. Hartke], a bill for the relief of the estate of Josiah K. Lilly and asking that it be referred to the appropriate committee. This bill, which is being introduced today in the House of Representatives under the joint sponsorship of the Members from Indiana, would in effect permit transferring the ownership and custody to the Smithsonian Institution of the largest and most valuable private collection of gold coins in the world.

Dr. V. Clain-Stefanelli, Curator of the Smithsonian Institution Division of Numismatics, has stated that the Lilly collection "surpasses any other collection of gold coins ever assembled by one person." It contains many rare and unique pieces. In the U.S. section alone are some 1,227 items, many of which are not now in the national numismatic collections.

There also are more than 1,200 Latin American coins and in excess of 3,200 European pieces, many of which are great rarities. For instance, the collection includes 665 large eight escudos, six Brazilian ingots, two 100 ducats—the largest gold denomination known—and many other scarce, if not unique, items not to be found in other comprehensive collections.

Likewise, there are 38 extremely rare ancient Greek gold coins dating back to the sixth and seventh centuries, 66 Roman coins, and 77 Byzantine gold pieces.

Two hundred and forty-three come from Africa, Asia, and the Far East in general.

Dr. Clain-Stefanelli has asserted that there is "no museum in the United States or for that matter the entire Western World which has a comparable collection of gold coins." Even the National Numismatic Collection duplicates comparatively few of the items which are in the Lilly collection.

Because of this, it would be tragic if the Lilly collection were to be sold piece by piece and scattered round the world in different hands. Dr. Clain-Stefanelli compares the possible dispersal of these priceless coins to the "loss of an irreplaceable work of art or historical monument." It is for this reason that Senator Hartke and I believe that prompt action should be taken to preserve this unique collection for future generations.

At present, the collection is part of the estate of the late Josiah K. Lilly, who died in May 1966. An appraisal by reputable, internationally known experts has fixed the value at $5,534,808. The bill which we are introducing would provide a credit for this amount to the Lilly estate as an offset against the obligation to pay Federal estate tax. Let me emphasize that it would in no way lessen the taxes which would be due the United States and the State of Indiana if the collection were to be offered for private sale.

The executor of the estate has no authority to contribute outright the collection of gold coins to the Smithsonian because the will grants no power to make gifts of any kind. The executor has stated that he will be obliged to liquidate all of the assets of the estate, including the gold coins, unless some way can be found for the Nation to acquire the collection. All agree that the best way this can be accomplished is to transfer the collection to the custody of the Smithsonian Institution through a bill for the relief of the estate.

Mr. President, I urge that prompt attention be given to this measure so that this invaluable collection will not be offered for sale at public auction and so it may be preserved intact as a part of our national heritage.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2409) for the relief of the estate of Josiah K. Lilly, introduced by Mr. Bayh (for himself and Mr. Hartke), was received, read twice by its title, and referred to the Committee on the Judiciary.

GRANTS AND LOANS TO INDUSTRY TO FIGHT AIR POLLUTION

Mr. NELSON. Mr. President, when the Senate passed unanimously the Air Quality Act of 1967, we took perhaps our greatest step yet toward controlling air pollution.

Since the first Federal legislation was passed in 1955 we have operated on the assumption that air pollution abatement and control are problems of State and local government. It has long since become obvious that although some States and municipalities have established sound air pollution abatement programs, the majority of our State and local governments have done nothing in the last 12 years.

The facts are that only 14 States have started to adopt air quality and emission standards and that less than 100 local governments have air pollution control programs in operation. More importantly, air pollution is not always a local problem but rather it is a regional or an interstate problem yet there is today not a single effective interstate air pollution control program in the Nation.

Under the Air Quality Act of 1967, the States are required to adopt air quality standards as well as a plan to implement and enforce those standards within the next 15 months. The bill also gives the Secretary of Health, Education, and Welfare authority to enforce air quality standards in designated control regions if the States fail to act.

The provisions of this bill have sweeping significance, particularly to those industries which will be compelled to install costly pollution abatement equipment. The Senate Public Works Committee in its report recognized this problem and suggested that the appropriate Senate committee consider legislation which would provide financial relief for those industries which will be hard pressed to meet the costs of abating pollution.

Many measures have been presented which would alleviate the situation through a system of special tax credits for the affected industries. Objections to this approach to the problem have been raised and it has been pointed out by some that a system of special tax credits would have a very disruptive effect on our tax program.

I have long been an advocate of grant and loan programs and, therefore, I am introducing today a bill to provide relief to industries in the form of short-term grants or loans in order to assist and encourage industry to assume its responsibility for abating and preventing air pollution. I am the author of a similar measure which would aid industry in offsetting the costs of installing water pollution abatement facilities.

To help industries meet their air pollution problems, this bill provides for grants and low cost loans to industries which cannot get money from other sources. Funds would be provided for the construction of waste treatment works and for waste reducing changes in manufacturing facilities which are certified as conforming to State and Federal pollution control programs and objectives. These programs would be administered by the Secretary of Health, Education, and Welfare.

Grants and loans would be made for amounts up to 50 percent of the cost of treatment works or manufacturing changes except that no single grant or loan may exceed $2 million. It would be possible for an industry to get both a grant and a loan if its economic circumstances indicated that this was necessary. Five hundred million dollars a year for 5 fiscal years would be authorized for the two programs.

The pollution and degradation of our air has reached alarming proportions and all indications are that the situation is going to get a lot worse before it gets any better. This vast pollution represents a serious threat to the quality of human life and the growth and survival of all living things.

I feel very strongly that no one—no individual, no company, no municipality—has the right to pollute, that each pollutor must bear the cost of his pollution, and that the cost of preventing pollution is a normal cost of doing business.

I recognize that the pollution abatement can be a very costly venture and that certain industries will need financial help over a short period of time in order to help them meet their responsibilities for pollution control. It is with these points in mind that I submit this piece of legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2410) to provide a program of economic incentives to assist and encourage industry to assume its responsibility for abating and preventing the pollution of the atmosphere by wastes from industrial sources, and for other purposes, introduced by Mr. Nelson, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 2410

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Industrial Air Pollution Abatement and Prevention Act of 1967".

DECLARATION OF POLICY AND PURPOSE

Sec. 2. (a) The Congress finds and declares—

(1) that the pollution and degradation of the atmosphere of the Nation has attained alarming proportions and will become increasingly worse in the future, seriously threatening and damaging the quality of human life and the growth and survival of all living things;

(2) that the pollution of the atmosphere by wastes from industrial sources of various kinds is a significant part of the national pollution problem and that present funds and programs are wholly inadequate to bring it under control;

(3) that the present inadequate waste disposal practices of industry do not differ in principle from those which have prevailed throughout the Nation, but that it is now necessary that all waste disposal practices be changed as rapidly as possible.

(4) that no one has a right to pollute, that each polluter must bear the cost of his pollution, and that the cost of preventing pollution is therefore a normal cost of doing business;

(5) that effective permanent prevention of industrial air pollution involves the reduction of waste output through product, process and other manufacturing changes, and treatment of only an irreducible minimum of waste, but that the achievement of this goal requires time-consuming and expensive economic and technological changes by industry; and

(6) that to realize immediate progress in the prevention of industrial air pollution and yet avoid extensive economic dislocations among firms, industries, communities, and States, industry and the public should at first share certain of the costs involved, but that after a reasonable period of time for the necessary technological and economic adjustments, each firm must bear the cost of controlling its air pollution and be fully liable for failing to do so.

(b) The purposes of this Act therefore are to enhance the quality and value of the Nation's atmosphere by establishing a program for the abatement and prevention of industrial air pollution through—

(1) providing economic incentives to encourage and assist firms to reduce to a minimum their waste output and to construct facilities for the treatment of their wastes; and

(2) establishing research and development programs for advanced waste treatment methods and processes.

INCENTIVE TO INDUSTRY

Sec. 3. The Clean Air Act is amended by inserting after section 107 the following new section:

"LOANS AND GRANTS TO INDUSTRY

"Sec. 108. (a) The Secretary is authorized to make loans and grants pursuant to this section to persons for (1) the construction (including reconstruction, installation, or acquisition) of air pollution control facilities, and (2) changes in manufacturing facilities which result in a substantial reduction in air pollution caused by such facilities.

"(b) Any such loan or grant—

"(1) shall be made upon application upon such form and containing such information as may be required by the Secretary;

"(2) shall be made only for such construction or changes which are certified by the appropriate State air pollution control agency, and determined by the Secretary, as being necessary for conformance with State and local and Federal programs and regulations for air pollution control; and

"(3) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

"(c) Any such loan—

"(1) shall be made in an amount, not exceeding 50 per centum of the cost of such construction or changes as determined by the Secretary, or $2,000,000, whichever is the lesser, and only if the applicant is unable to secure such amount from other sources upon terms and conditions equally favorable;

"(2) shall be secured in such manner and shall be repaid within such period as is determined by the Secretary; and

"(3) shall bear interest at a rate which the Secretary determines to be adequate to cover the cost of the funds to the Treasury, as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having comparable maturities.

"(d) Any such grant—

"(1) shall be made only if the Secretary determines there is an immediate need for such construction or changes in order to carry out the purposes of this Act, and that the applicant would be unable financially to manage such construction or changes without the grant;

"(2) shall be made in an amount, not exceeding 50 per centum of the cost of such construction or changes as determined by the Secretary, or $2,000,000, whichever is the lesser; and

"(3) shall be made only upon satisfactory assurance that the remainder of such cost will be paid by the applicant, but the applicant's share of such cost may be financed in whole or in part with a loan pursuant to this section.

"(e) For the purposes of this section—

"(1) the term 'air pollution control facility' means any facility (including land, buildings, improvements, machinery, equipment, or any combination thereof) which is used by a person in his trade or business or in connection with property held for the production of income for the control of air pollution by removing, altering, or disposing of wastes;

"(2) the term 'manufacturing facility' means any facility (including buildings, processes, machinery, equipment, or any combination thereof) which is used by a person in his trade or business or in connection with property held for the production of income, for the production of raw materials, semifinished or finished products of any kind; and

"(3) the term 'change' means any alteration in or addition to an existing manufacturing facility, undertaken for and having the principal result of reducing the water pollution caused by such facility.

"(f) There is authorized to be appropriated for the purposes of this section $500,000,000 for the fiscal year ending June 30, 1968, and for each of the four succeeding fiscal years. Thereafter only such amounts may be appropriated for the purposes of this section as the Congress may hereafter authorize by law."

CONTINUING SURVEY AND RESEARCH AUTHORITY

SEC. 4. Section 103 of the Clean Air Act is amended by inserting at the end thereof the following new subsections:

"(f) The Secretary shall conduct a continuing investigation and study of industrial air pollution, including the extent to which such pollution has been abated, new sources of such pollution, progress in the development of processes for the elimination of such pollution and for the prevention of such pollution, and such other matters as he considers relevant. He shall make an annual report to the Congress on the results of such investigation and study and shall include in such report any recommendations for necessary legislation to eliminate such pollution, including his recommendations for extension of the authorization contained in section 108 (f) of this Act.

"(g)(1) The Secretary is authorized to make grants to any State, municipality, or intermunicipal or interstate agency, to any qualified private agency, group, company, institute or individual, or to any public or private university or college for the purpose of assisting in the development of any project which will demonstrate new or advanced features of waste collection and treatment systems and new or advanced waste treatment and air purification methods, processes, and facilities, and for the purpose of reports, plans, and specifications in connection therewith.

"(2) For the purposes of this subsection, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and for each of the nine succeeding fiscal years, the sum of $100,000,000."

BOTTOM FISH IMPORTS

Mr. MORSE. Mr. President, the offshore fishery industry is of tremendous importance to the State of Oregon, as well as to other coastal States of our country. In recent years, the fishing industry of our Nation has received serious setbacks due to the activities of foreign countries. Several months ago, I pointed out to colleagues in the Senate the problems the States of Oregon, Alaska, and Washington have experienced due to intensified activities of the Russian fishing fleets, but our problems are not limited to fishing fleets alone. We have suffered heavily through the invasion of foreign imports of groundfish or bottom fish.

Members of the Senate and House of Representatives from Oregon have received a great deal of correspondence on the growing threat of groundfish and bottom fish imports and we are particularly indebted to Dr. E. W. Harvey, administrator of the Otter Trawl Commission of Oregon in supplying pertinent evidence. For example, Dr. Harvey has supplied us with reports such as these:

> Imports of groundfish fillets into the United States are now 81 percent of the supply. The 1966 imports figure was 315 million pounds, which is 105 million pounds above the five year average of 210 million pounds for 1960–1964.
>
> Statistics released by the Bureau of Commercial Fisheries . . . show that the domestic catch in the United States during 1966 was the smallest domestic catch since 1953.
>
> Imports of groundfish and ocean perch fillets reached a record of 315,980,000 pounds which amounted to 80.8 percent of the supply. The figure represents a 6.8 percent increase in imports for 1966 over the 1965 total of 294,954,000 pounds, which was 79.3 percent of that year's supply.
>
> Since 1948, imports of groundfish and ocean perch fillets in 1966 was up 488 percent from 53,565,000 pounds to 315,098,000. The 1948 imports represented 28 percent of the total supply.
>
> Domestic production of ground fish and ocean perch fillets in 1966 was 74,945,000 pounds, or 19.2 percent of the total supply. The catch is 2.8 percent below that of 1965 when production was 77,180,000 pounds, or 20.7 percent of the supply.

Dr. Harvey also called to our attention the following statistics:

Supply of fishery products, 1966

[In pounds]

Product	*Domestic*	*Imports*
Fillets	74, 945, 000	315, 000, 000
Steaks	9, 833, 471	53, 417, 951
Portions	146, 637, 000	[1] 315, 098, 000
Fish sticks	81, 295, 000	

[1] Imports of blocks and slabs used to make portions and fish sticks.

The foregoing statistics supply convincing evidence that the marketing power of our fishery industry faces even further decline unless legislative action is taken to stem the tide of disabling competition by other nations. The bottom fish industry in particular is confronted with unreasonable competition in the marketing place. Foreign competitors who enjoy lower labor costs and who in many instances are favored by subsidies, have been able to claim an ever increasing share of the bottom fish market. Until today, U.S. fishermen supply only 19.2 percent of the national demand compared to 62.9 percent as recently as 1951.

In the northern coastal area of Oregon the number of vessels engaged in the bottom fish industry has declined from 23 in 1956 to only 13 in 1967. Under the present situation, the future of the offshore fishery industry for Oregon is not bright.

Trade between the nations must be encouraged, but our own natural resources and industries that depend upon them must also be considered and strengthened because of their present and future importance.

Legislation to assist the groundfish and bottom fish industry has been introduced in the House of Representatives and it is my hope that prompt action will be taken on that legislation because time is of the essence in dealing with this problem.

In order to assist in giving this serious situation the consideration it deserves, I am introducing at this time on behalf of my colleague, Senator HATFIELD, and Senators BARTLETT, BROOKE, GRUENING, MUSKIE, and myself, a bill, for appropriate reference, designed to amend the Tariff Schedules of the United States to provide that the amount of groundfish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

I also ask unanimous consent that at the close of my remarks there be printed two additional items supplied by Dr. Harvey of the Oregon Otter Trawl Commission entitled "Fisheries Subsidies of the Norwegian Government," and "U.S. Imports of Fishery Products Competitive with the Domestic Groundfish Industry, 1957–65."

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and items will be printed in the RECORD.

The bill (S. 2411) to amend the Tariff Schedules of the United States to provide that the amount of groundfish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964, introduced by Mr. MORSE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2411

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the headnotes to part 3 of schedule 1 of the Tariff Schedules of the United States (19 U.S.C. 1202) are amended by adding at the end thereof the following new headnote:

"(5) Notwithstanding any other provision of the schedules, the aggregate number of pounds of fish which may be entered under item 110.20, 110.47, 110.50, 110.55, or 110.60 in the calendar year 1968 or in any subsequent calendar year shall not exceed the average annual number of pounds of fish described in such item entered during the calendar years 1963 and 1964 (as determined and published by the Secretary of the Interior). Of the aggregate number of pounds of fish permitted by the preceding sentence to be imported into the United States during any calendar year under any item, not over one-fourth shall be entered during the first three months, not over one-half during the first six months, and not over three-fourths during the first nine months of that year. For the purposes of applying this headnote, item 110.20 shall be treated as not including salmon."

The items presented by Mr. MORSE, are as follows:

FISHERIES SUBSIDIES OF THE NORWEGIAN GOVERNMENT

(Reported by Bureau of Commercial Fisheries, Aug. 17, 1964)

Norway may increase ex-vessel price subsidies. A Norwegian Government proposal to Parliament would increase State support to fisheries about 17 percent to an estimated Kr 195 million (U.S. $27 million). Most of that would go to maintain ex-vessel prices for ground-fish and herring. In addition to the subsidies asked, the Norwegian Government proposed to set up a loan fund of Kr 12 million (U.S. $1.7 million) for the freezing industry to cover possible losses in the fish block export trade.

Total price subsidies for cod and related species are calculated at 83.2 million Kroner (U.S. $11.6 million) in 1967–68, or 34 million Kroner (U.S. $4.8 million) more than last year.

State support to the Fishermen's Social Fund would be increased by 43 percent to 10 million Kroner ($1.4 million).

U.S. EMBASSY, OSLO, *June 23, 1967.*

U.S. IMPORTS OF FISHERY PRODUCTS COMPETITIVE WITH THE DOMESTIC GROUNDFISH INDUSTRY, 1957–65

[In millions of pounds]

Product and country	1965	1964	1963	1962	1961	1960	1959	1958	1957
Groundfish fillets, fresh or frozen:									
Cod:									
Canada	22.5	21.7	20.5	21.4	20.6	21.5	28.4	36.3	35.9
Iceland	8.5	10.3	9.8	8.5	9.9	7.4	17.2	8.1	6.4
Norway	.1	.3	.6	1.0	.3	.1	3.1	.3	.7
Denmark	2.1	.8	1.6	1.7	1.3	.2	5.6	3.6	2.0
Other countries	.5	.4	.2	.4	.1	.3	.6	.3	.6
Total	33.7	33.5	32.7	33.0	32.2	29.6	54.9	48.6	45.6
Haddock (including hake, pollock, and cusk):									
Canada	13.4	15.6	15.3	16.1	17.0	14.4	18.2	16.8	19.3
Iceland	5.9	6.2	6.3	6.7	5.1	4.7	4.5	4.6	5.1
Norway	.4	.9	1.2	1.3	1.0	.7	1.8	1.5	2.7
Other countries	1.0	1.3	1.4	1.3	2.5	2.1	2.3	2.1	1.1
Total	20.7	24.0	24.2	25.4	25.6	21.9	26.8	25.0	28.2
Ocean perch:									
Canada	22.1	16.9	16.2	14.4	12.9	10.9	10.9	14.8	11.5
Iceland	1.0	1.2	.9	1.1	2.8	2.2	5.0	4.6	3.8
West Germany	1.7	3.3	3.9	3.6	2.2	.7	1.0	2.0	1.1
Other countries	1.0	1.5	.6	.4	.8	.6	.9	.4	.3
Total	25.8	22.9	21.6	19.5	18.7	14.4	17.8	21.8	16.7
Blocks:									
Canada	119.8	98.7	75.8	76.1	68.5	55.3	43.2	37.8	38.2
Iceland	47.1	39.3	31.8	28.4	26.7	17.9	16.4	21.3	7.9
Norway	11.4	9.2	17.5	17.7	7.8	3.4	12.5	3.6	1.1
Denmark	10.7	4.7	12.0	9.3	8.5	6.1	10.2	5.5	1.9
West Germany	4.2	2.7	4.3	3.1	2.0	1.9	1.4	1.4	......
Greenland	11.5	6.7	8.0	6.3	3.8	3.9	1.4	......	......
South African Republic	.7	2.2	2.8	......	......	......	......	......	......
Other countries	9.4	2.7	1.1	2.6	1.3	1.2	.2	.5	1.1
Total	214.8	166.2	153.3	143.5	118.6	89.7	85.3	70.1	50.2
Total groundfish fillets	295.0	246.6	231.8	221.4	195.1	155.6	184.8	165.5	140.7

AUTHORIZATION TO CONVEY CERTAIN LANDS IN YAKIMA AND KITTITAS, WASH., IN EXCHANGE FOR CERTAIN OTHER LANDS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Washington [Mr. JACKSON], I introduce for him and his senior colleague from the State of Washington [Mr. MAGNUSON], a bill to authorize the Secretary of the Army to convey to the State of Washington land in Yakima and Kittitas Counties, Wash., in exchange for other land, and for other purposes.

I understand that this legislation will enable the Secretary of the Army to relocate the western perimeters of the Yakima firing center in conformity with the route selected for construction of Interstate I–82 between Yakima and Ellensburg, Wash.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2412) to authorize the Secretary of the Army to convey to the State of Washington certain lands in the counties of Yakima and Kittitas, Wash., in exchange for certain other lands, and for other purposes, introduced by Mr. BYRD of West Virginia (for Mr. JACKSON) (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Armed Services.

A BILL TO ASSIST SMALL BUSINESS AND LATIN AMERICAN ECONOMIC DEVELOPMENT

Mr. SMATHERS. Mr. President, I introduce, for appropriate reference, a bill entitled "The Interamerican Financial Development Center Act" and ask that it be referred to the appropriate committee of the Senate.

The purpose of this bill is to assist the economic development of the nations of Central and South America. It would seek to accomplish this by providing a center in the U.S. Small Business Administration through which information relating to the development and financial programs and institutions of these countries could be readily available to the small business community of the United States.

In my position as chairman of the Committee on Small Business, I am very much aware of the fact, which may not be generally known, that 90 percent of the manufacturing and nearly 100 percent of agricultural business in the United States is done by small, independent enterprises.

The efficiency, diversity, dynamism, and capacity for service to our people of these firms are a source of strength to this Nation. I feel, also, that any contact which these small businesses may have with our neighboring countries to the south will have positive influences upon small business and upon the economic development of these countries.

It seems to me that the natural processes of liaison could be accelerated by providing an opportunity for interested countries to send a representative to the Financial Center proposed by this bill. The representative of each nation could explain the particular advantages of doing business in his country and the various programs of incentives, financing and other assistance which are available to small U.S. businessmen and investors.

The Center would be a focus in several ways. First, a U.S. businessman could, in the course of a single visit, and with a modest expenditure of time and effort, learn of the relative strengths and weaknesses of several countries without traveling from one country to another, or even from one embassy to another, via various financial institutions. He would also be talking with specialists, both U.S. and foreign, who were trained and sensitive to his particular requirements.

Second, our people could gain an understanding of both the domestic and international programs of assistance and the relations between them. Third, a man could receive on-the-spot individual counseling as to the specific alternatives which seem most promising to his company.

It seems to me that this concept is both quite simple and dramatic. It is simple because it is very clearly in the interest of our neighboring countries to explain their programs to the widest possible audience.

On this basis, the bill contemplates that the Latin American countries will train and pay their own representatives and that the limited function of the SBA would be to provide the space and clerical and professional assistance as necessary to operate the Center.

It strikes me as dramatic because, as far as I know, it would be the first U.S. program to give our neighboring countries the opportunity and the mechanism to reach our small businessmen on a regular and continuing basis.

This center is designed to be under the jurisdiction of the Small Business Administration, but the bill provides for consultation with the State Department to provide that the center is operated "in a manner consistent with the foreign policies of the United States."

It might be emphasized that this would be a completely voluntary program: any inter-American nation can choose to associate with it to any extent it wishes, at any time it wishes, and on any basis. It could also modify or conclude its association at any stage that appears favorable to it.

The limited commitment of the SBA resources makes this kind of flexible arrangement practical as well as desirable.

Mr. President, there is a great reservoir in this country of interest, affection, and desire to assist the peoples of Latin America which share many of the same origins and aspirations as those of our own people. These sentiments are not always fully expressed, although we believe we have been doing better during the last 10 years. The financial center proposed by this bill would be one more tangible expression of this regard. It would, I feel, be a powerful instrument of communication, mutual education, and assistance, as the forces of history draw the threads of our national lives ever closer together in the years to come.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record at this point of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2413) to provide for the establishment in the Small Business Administration of a Latin American Industrial Development Information Office, introduced by Mr. Smathers, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 2413

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Inter-American Financial Development Center Act," and that section 8 of the Small Business Act is amended by adding at the end thereof a new subsection as follows:

"(g) In cooperation with interested Latin American nations, the Administration shall establish within the agency a Latin American Financial Center to cooperatively establish the procedures for and to develop and make available information and data with respect to industrial and commercial developments and the financing thereof in the various nations of Latin America participating in this development program. This Center shall seek to facilitate the participation of U.S. business in the private sector of the economic development program of such nations by—

"(1) providing a central facility for the dissemination of relevant information to interested business, particularly small business enterprise, with regard to investment, business and industrial opportunities in Latin American countries;

"(2) fostering direct contacts between the American business and financial community and representatives of Latin American business and financial enterprise and the effective government department or agencies;

"(3) furnishing information and assistance with regard to the availability of public and private credit incentives and other programs in aid of economic development in Latin America;

"(4) providing information with regard to currency controls, export and import controls, tax considerations, labor requirements, developmental priorities, licensing, regulatory policies, and other relevant matters affecting economic development in particular Latin American countries;

"(5) furnishing advise and assistance in the preparation of requisite forms and documents in aid of such activities in participating countries;

"(6) assigning such professional personnel to assist in the operation of the Financial Center as are necessary and appropriate; and

"(7) providing such other information and assist as the Administration deems appropriate in furtherance of the objectives of this section and to ensure the fullest possible participation of small-business enterprise in the accomplishment of such objectives.

The Administration shall, in carrying out this section, provide such office facilities and clerical assistance to representatives of Latin American countries as it deems appropriate in furtherance of the objectives of this section. The Administration may also pay the expenses incident to travel within the United States and a per diem in lieu of subsistence to, such representatives while away from their offices in the Financial Center in connection with activities in furtherance of the objectives of this section, but such expenses shall not exceed those authorized for officers and employees of the agency traveling in connection with activities under this section.

"Programs and activities under this section shall be carried out by the Administration in consultation with the Secretary of State for the purpose of assuring that the authority conferred by this section shall be exercised in a manner consistent with the foreign policy of the United States."

URBAN EMPLOYMENT OPPORTUNITIES DEVELOPMENT ACT OF 1967—AMENDMENTS

AMENDMENTS NOS. 314 AND 315

Mr. KENNEDY of New York submitted two amendments, intended to be proposed by him, to the bill (S. 2088) to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas, which were referred to the Committee on Finance, and ordered to be printed.

URBAN HOUSING DEVELOPMENT ACT OF 1967—AMENDMENT

AMENDMENT NO. 316

Mr. KENNEDY of New York submitted an amendment, intended to be proposed by him, to the bill (S. 2100) to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low income and lower middle income persons, which was referred to the Committee on Finance and ordered to be printed.

NOTICE OF HEARINGS ON EXPANSION OF EXPORTS IN REGIONAL INDUSTRIES IN MOBILE, ALA.

Mr. SPARKMAN. I am pleased to announce that the Senate Small Business Committee will hold hearings on expansion of regional export industries in my State of Alabama in late October or early November. Public testimony from leaders of business, industry, local and State governments, trade associations, universities, and others will be taken at the new International Trade Center at Mobile.

It has been my contention for some time that Mobile, Ala., would be an opportune location for export expansion hearings.

At present, both the port and the region stand at the threshold of a promising era in foreign trade. The city's sheltered harbor and State dock system is at the focus of a fine network of inland waterways, and is a natural gateway for trade with the Caribbean, Latin America, and even more distant ports of call.

In the near future, the development of the Tennessee-Tombigbee Waterway will open the entire east-central part of the United States to deepwater navigation by way of this system.

Another factor is that Alabama's industry has now "come of age," raising some intriguing possibilities for developing products as a result of interaction between different industries, and between industry and agriculture.

The object of the hearings will be to assess what the export potential for all the businesses of the region may be over the next 10 years, and the barriers standing in the way of fully developing this business. Organizations throughout Alabama and the entire region will have the occasion to take a long look ahead with these purposes in mind.

One example of a regional industry that has come to the attention of the committee is cast iron pipe, of which Alabama manufactures about 60 percent of the Nation's total. Authoritative studies estimate the need for water systems in Latin America alone might amount to $690 million a year for 10 years, with pipe and related equipment coming to more than $250 million a year. Since pipe industry exports are presently about $6 million annually, it seems likely that there would be room for expansion of exports in this area. If we can identify both the potentials and the problems, it will then be possible for all of those interested to work together more closely at the points of greatest opportunity to develop this trade.

Similarly, we hope to explore the possibilities for overseas engineering and contracting business, exports of forest products, several agriculture commodities, and other industries which are important to this region.

Having the hearings in the field will, in accordance with the committee's wishes, enable those with the practical experience in these matters to present their views and suggestions. This approach, which was initiated in our Pacific Northwest hearings in Portland, has already had some positive results. The committee therefore hopes that the work of the witnesses at Mobile, and the other hearing sites, will continue to have benefits for our export trade, the small business community and our balance of payments.

All those having an interest in the hearing are invited to contact the Select Committee on Small Business at 424 Old Senate Office Building, telephone 225-5176.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 14, 1967, he presented to the President of the United States the following enrolled bills:

S. 163. An act for the relief of CWO Charles M. Bickart, U.S. Marine Corps (retired);

S. 636. An act for the relief of Mrs. Chin Shee Shiu;

S. 653. An act for the relief of Capt. Robert C. Crisp, U.S. Air Force; and

S. 1601. An act to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior.

ECONOMIC CASE AGAINST A TAX INCREASE

Mr. PROXMIRE. Mr. President, I invite attention to a statement made before the House Committee on Ways and Means yesterday by Mr. Norman B. Ture, of the National Bureau of Economic Research. Mr. Ture was formerly a member of the staff of the Joint Economic Committee and is known to me and other members of the committee as an eminent and highly competent analyst, particularly in the fiscal policy field. His present association is one that certainly puts a premium on careful analysis of factual information; the National Bureau of Economic Research is renowned for its extensive empirical work on economic questions.

In his statement, Mr. Ture points out that the burden of proof rests on the proponents of a tax increase. He points out, very aptly in my opinion, that the Council of Economic Advisers overstated the growth in GNP in its January forecast, and that the year before, in calendar 1966, the Council underestimated the actual increase in GNP. This is in no way meant as a criticism of the Council of Economic Advisers. These gentlemen are outstanding scholars and highly dedicated public officials. But they are faced with a tremendous task in trying to evaluate the many variables that come to bear on our economic development. As a result, projections of our economic behavior are tenuous, at best, and must be used cautiously. Mr. Ture is troubled by the same thing that troubles me; namely, the administration's willingness to predicate a tax increase on its anticipations about the performance of the economy. With respect to the forecast for the immediate future, he points out that housing threatens to fall short of the administration's projections, plant and equipment investment need to be revised downward from the January figure, and defense spending is more stable than previously indicated.

Mr. Ture's analysis is cogent, in my opinion, and I commend it to the Senate. I ask unanimous consent that his statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF NORMAN B. TURE,[1] NATIONAL BUREAU OF ECONOMIC RESEARCH, INC., BEFORE THE HOUSE OF REPRESENTATIVES, COMMITTEE ON WAYS AND MEANS, SEPTEMBER 12, 1967

I appreciate the opportunity to appear before the Committee on Ways and Means and to state my views on President Johnson's August third tax proposals.

Permit me to preface my statement by stressing that the burden of proof of the necessity, desirability, and efficiency of the proposed tax increases rests on their proponents. It is to be hoped that the Committee will continue to examine the arguments advanced on behalf of the proposed tax increases with rigorous objectivity. These hearings, I believe, clearly demonstrate the advantages of Congressional participation in fiscal policy making, rather than, as is sometimes urged, leaving to executive discretion matters of such grave moment to the Nation.

The basic arguments advanced in favor of the proposed tax increases are:

(1) In the absence of the tax increases, aggregate demand will advance so rapidly over the next year as to generate unacceptable inflationary pressures; and

(2) without the tax increases, the deficit in the current fiscal year (1968) may be so large that financing it would place an unacceptable burden on the Nation's financial markets, resulting in ". . . sharply rising and record-high interest rates . . .," to quote the recent statement to this Committee by Budget Director Charles Schultze.

In the following discussion, I'll try to evaluate these arguments in some detail. At the outset, let me make it clear that I do not find them persuasive nor do I agree that responsible fiscal policy calls for tax increases on these grounds. Moreover, substantial tax increases, like those proposed, would represent a reversal of the program of frequent tax reduction that has been followed over the past several years. Any such change should be based on deliberate consideration of the longer-range issues of fiscal policy which are involved.

I. THE ECONOMIC OUTLOOK

The argument that without a tax increase, aggregate demand—gross national product—will rise so rapidly as to generate unacceptable inflationary pressures raises three questions:

(A) Is the forecast of the increase in gross national product correct?

(B) If the forecast of the increase in gross national product is correct, does it necessarily imply setting in motion additional inflationary pressures?

(C) If the gross national product forecast is accurate and does imply additional inflationary strains, will the proposed tax increases be effective in moderating the expansion of total spending and inflationary pressures?

A. The accuracy of the gross national product forecast

In his recent appearance before this Committee, the Chairman of the Council of Economic Advisers, Gardner Ackley, forecast an increase in GNP during the second half of this year of between $29 billion and $35 billion, if the President's tax proposals are not enacted. With the current estimates for the first half of this year, the projected second half increases would yield a total for 1967 of between $783 billion and $785 billion, or about 5.4 to 5.7 per cent above the total for 1966. Allowing for the price increases that have already occurred and are likely, in any event, to occur during the remainder of the year, the real increase in GNP in 1967 over 1966, implied by Chairman Ackley's forecast, is between 2.5 and 3.0 per cent.

For calendar 1968, Chairman Ackley forecast a gross national product expansion, if not checked by tax boosts, of $60 billion or more, perhaps 7.5 to 8 per cent above his forecast total for the current year.

Chairman Ackley is to be commended for providing in public hearing and in connection with the proposal for tax increases, a forthright statement of the economic outlook as the Council sees it. This Committee is, by the same token, to be congratulated for eliciting his testimony. Part of the task before you now is to evaluate the forecast, an assignment which is just as difficult to discharge responsibly as is Chairman Ackley's in reading the future. However, courageous as it may be, how accurate is the forecast?

In assessing the Council's projections, it may be useful to review past performance. The record is not reassuring.

1. In the January 1967 Economic Report, the Council forecast a $47 billion or 6.4 per cent increase in GNP, assuming the President's tax increase recommendation were enacted. If one adjusts for the revision since the first of the year in the estimated GNP for 1966, the Council's January forecast called for a GNP of $790 billion in 1967, *with the tax increases taking effect on July 1, 1967*. The current estimate is $783 billion to $785 billion, *if the proposed tax increases are not enacted,* and by inference, about $780 billion, if the fiscal proposals are carried out. While the difference between the January and current forecasts for the year's total GNP, $5 billion to $7 billion is not large—less than 1 per cent—viewed as a fraction of the current estimate, it is quite substantial—13.5 per cent to 17.9 per cent—viewed as a fraction of the currently estimated year-to-year increase. And, of course, it is the increase in GNP, not its absolute level, which is at issue.

In other words, the Council's forecast just 8 months ago significantly overstated the likely increase in this year's GNP, according to the Council's own current estimates.

2. Referring to last fall's suspension of the investment credit and accelerated depreciation, Chairman Ackley in his August 14 statement to this Committee observed that "The capital boom was finally brought to a halt by a combination of forces—the suspension of tax incentives which Congress enacted last October, the direct and indirect impact of tight money, the moderate pace of over-all economic activity, and the related relaxation of inflationary psychology." This statement clearly implies that the capital boom ended sometime in the fourth quarter of 1966, after the investment credit suspension. Defining a capital boom is very difficult, indeed; in fact, the definition is seldom offered in rigorous terms. But if one takes Chairman Ackley's statement to mean that the rate of increase in fixed investment slackened, then surely he has misread the data which clearly show that the capital goods "boom" was over in the spring quarter of 1966 and had ended well before the President's proposal for suspension of the investment credit was transmitted to the Congress.

3. In January 1966, the Council forecast a 6.9 per cent increase in GNP during the year. Making allowance for the subsequent revisions in the estimate of the GNP for 1965, this forecast called for a 1966 GNP of $731 billion, plus or minus $5 billion. Actual GNP in 1966 is estimated at $743.3 billion. The Council's forecast for 1966 was off by between $7.6 billion and $17.6 billion; they underestimated the actual *increase* in GNP by between 12.8 per cent and 29.6 per cent.

4. In January 1965, the Council forecast a $33 billion to $43 billion, or 5.3 per cent to 6.9 per cent, increase in 1965's GNP over 1964's. Again adjusting for the subsequent revision of the data for 1964, the Council missed 1965's actual outcome by not less than $7.9 billion or as much as $18.0 billion. They underestimated the year-to-year increase by 15.3 per cent, using their upper figure, or 35 per cent using their lower estimate.

This record offers little basis for confidence in the Council's current assessment of the economic outlook for the second half of this year and for 1968. But apart from past performance, some of the specific elements underlying the current forecast appear to be questionable.

1. The $3½ billion increase in housing expenditures forecast for the second half of the year implies an annual rate of $26.6 billion to $27 billion in the fourth quarter, some $5.2 billion to $5.5 billion above the first quarter rate. Since the end of World War II, an increase of that magnitude in the same period of time has occurred only once, between the third quarter of 1958 and the second quarter of 1959, when mortgage market conditions were considerably more favorable than today. It is unlikely that this segment of gross private domestic investment will meet the Council's expectations.

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[1] The views expressed herein are my own. They are not to be construed as a report of findings or conclusions by the National Bureau of Economic Research, Inc.

2. The Council's statement that ". . . plant and equipment spending should . . . remain on its high plateau . . . in the absence of a tax increase, it would rise by $1 billion." is, if anything, on the optimistic side. The September 6 release of the SEC-Commerce survey of plant and equipment spending for 1967 shows a downward revision from the May findings for the same period. While the current survey shows a slight—2.3 per cent—increase in 1967 over 1966, it also and more importantly shows that each quarter's outlays in 1967 will be below those of the last quarter of 1966. And the fourth quarter 1967 spending rate is now estimated at $1 billion less than the May survey indicated. Downward revisions in the September estimates under the spring estimates have generally been associated with further reductions in the actual results. The present survey, therefore, suggests an even steeper downturn in actual plant and equipment spending during this year.

This projection, moreover, appears to be confirmed by other important indicators. Machine tool orders have not revived. July's contract awards for nonresidential construction were down 15 per cent from June's and 4 per cent from last year's. After a brief upturn in May and June, factory durable goods orders turned down in July and are well below last year's level. Finally, the National Industrial Conference Board's survey shows capital appropriations for the second quarter of 1967 were down 4 per cent from the first quarter and 18.4 per cent from a year earlier, the fourth consecutive quarterly decline. Since these appropriations foretell expenditures nine to twelve months later, they clearly imply a continuing slide in the *production* of plant and equipment.

3. In his August 14 statement, Chairman Ackley predicted a second half 1967 increase in Federal purchases of goods and services of $3 billion to $6 billion, ". . . depending on defense contingencies and on *Congressional* decisions regarding the Federal pay bill and other key civilian issues." This implies a total of between $90 billion and $91 billion, or $1 billion to $2 billion above the January 1967 forecast. It also implies an extremely rapid build-up in Federal purchases for the remainder of the year, an increase of $11 billion to $14 billion in a year's time. Since defense production, as derived from the data in the General Business Indicators compiled by the Office of Business Economics, has been virtually level for the past year, the increases in defense spending during the remainder of this year are not likely to account for the forecast increase in total purchases, unless there is a very rapid acceleration of defense *deliveries*.

These considerations lead me to believe that Chairman Ackley's current estimate of the economic outlook for the next year is overly optimistic. On the other hand, the reservations expressed here and elsewhere about the degree of exuberance in the next half year or so do not necessarily imply a bearish view. Contrary to Chairman Ackley's assertion, one needn't expect continued sluggishness in the economy if one finds the Council's forecast too high. The options are infinitely greater than boom or recession.

All in all, the $29 billion second-half increase forecast by the Council probably represents the upper end of the range of probable outcomes, rather than the lower end.

B. Prospects for price increases

Chairman Ackley, in discussing the prospect for prices, quite correctly pointed out that whether or not the prospective increase in aggregate demand over the next half-year to a year places serious strain on our production capabilities, ". . . the general price level will continue to rise in response to inflationary forces . . . set in motion during the rapid expansion of late 1965 and early 1966." The question is whether the expansion of GNP which he forecasts will occur in the absence of a tax increase will involve substantial additional pressures on the general level of prices.

It is important to emphasize, I believe, that today's price movements are the responses to factors operating in the past, often many months before. Frequently, the price movements that account for departures from the trend in the price indexes are the result of changes in the composition of demand and of output. Thus, the price indexes may occasionally show acceleration even when the change in total demand relative to the change in production capability does not suggest the existence of inflationary strains. By the same token, the prediction that total demand will increase faster than total capacity does not necessarily imply general price increases at that time.

In a number of important segments of the economy, market conditions, present and foreseeable (even under the Council's forecast), do not portend any substantial upward movements. Durable goods prices in general, have been quite steady at the wholesale level during most of this year. Industrial commodities at wholesale had risen smartly in 1966, particularly in the machinery and equipment group. These prices, however, have been leveling out since the beginning of the year. The present forecast of demand for machinery and equipment indicates little general upward pressure in this area. Metal and metal products prices in July were scarcely higher than a year earlier. The recent rises in posted steel prices are not calamitous and have no predictable or necessary consequences for prices of other metals or metal products.

The Council's forecast of a rapid spurt in total demand during the last half of the year implies little direct price impact in any of the key sectors of the economy. For example, even the top side of the estimate assumes little increase in plant and equipment spending or in purchases of stock for inventory. No sharp acceleration of demands in particular sectors are suggested in the Council forecast as the basis for temporary price surges in bottleneck situations.

The current rate of capacity utilization has probably picked up somewhat from the second quarter of this year when it was at its lowest level—84.7 per cent—since the first quarter of 1964. Hopefully, the expansion of demand and output during the remainder of the year will result in a further rise in this index. It is far from certain, however, whether its rise, even with the Council's outsized forecast of the GNP expansion lacking a tax increase, will be so precipitous as to involve, from this source, any severe inflationary strains on top of the price movements now in prospect.

It is sometimes argued that wage demands—and likely wage settlements—have been and will be bolstered by the cost-of-living increases of the past two years. This may very well be so. Whether the escalation of wage rates results in any pronounced movement in unit labor costs will depend on the increase in productivity during the year. If the expansion of output were to be repressed, productivity increases would be dampened. Since wage settlements will not be negotiated at lower levels as a consequence of tax increases, if tax increases were to have any effect in curbing demand and output, the consequence would far more certainly be an increase in unit labor costs.

Would such increases in unit labor costs result promptly in price increases? The Council's position appears to be that they are likelier to do so the more rapidly demand expands. Whether or not this is true, consider the opposite outcome; i.e., if price increases are indeed held back by curbing the expansion of demand while wage rates and unit labor costs rise, the result has to be further erosion of profits as a share of national income originating in corporations. The consequences of that development are highly predictable—a curtailing of demand for plant and equipment, with adverse implications for expansion of the economy's production capabilities and output.

C. Efficiency of tax increases

Assuming the Council's GNP forecast for the next half-year to a year were correct and that indeed it were to imply intensification of upward price pressures, would the proposed tax increases prove effective in moderating the expansion of private demands?

The assertion that they would be effective is based on the assumption that private spending, by households and businesses, responds quickly to changes in the rate of expansion of private disposable income. Few economists, if any, would represent corporate spending decisions as affected at all by temporary changes in corporate profits after taxes, let alone quickly affected. Even more implausible is the notion that small changes in the *timing* of tax payments, involving no change in tax liabilities, have any noticeable effect on business spending. Even fewer corporate decision makers would attempt to alter spending plans on the basis of changes in effective tax rates when these changes are designated as temporary.

In the case of households, there is a widespread consensus among economists that current consumption decisions and behavior are not a function of the household's *current* after-tax income and that whether changes in current after-tax income result in changes in consumption depends on numerous other factors. While there is a continuing argument among economists concerning the determinants of consumption, there is much less disagreement about the proposition that temporary income tax changes are likely to have little near-term impact on consumption.

Whether or not one finds the theory appealing, actual experience of the U.S. economy in the years since World War II affords no convincing evidence of a predictable relationship between changes in fiscal policy and in the pace of economic activity. Perhaps the least demanding test one might require of the view that there is such a relationship is that decreases and increases in the so-called "full-employment surplus" should result in speeding up and slowing down, respectively, of the expansion of GNP, within a reasonably short period of time. In fact, this test is failed at least as often as it is passed, based on quarterly data, lagged or unlagged, since the first quarter of 1947.

To take a couple of specific examples, between the last quarter of 1947 and the last quarter of 1948, the full-employment surplus was reduced by about $12 billion, as the result of a $5 billion tax reduction and a $10 billion increase in expenditures. Surely this "highly stimulative" fiscal policy should have produced a sharply accelerated increase in total spending and output. As you know, however, the contrary was true; the economy experienced a sharp recession beginning in November 1948.

Currently the favorite example of fiscal impact on the economy offered by the advocates of frequent tax changes for stabilization purposes is the tax reduction of 1964. Is is perfectly true that aggregate demand increased strongly *following* the tax reduction. It is conveniently overlooked by fiscalists, however, that aggregate demand had also been increasing sharply for a year *before* the tax cuts went into effect.

In summary, the postwar experience affords no evidence upon which one could objectively conclude that income tax increases or reductions, per se, act promptly to curb or stimulate total demand in the private sector.

Failing the assumption that private spending will change quickly in response to a temporary change in the private sector's disposable income, the case for tax increases now in order to slow the rate of expansion of total spending during the remainder of this year and the first half of next is very weak, indeed. Even more feeble, on anti-inflation grounds, is the case for acceleration of corporation tax payments. Whatever the other merits of putting the corporate business community more completely on a current payment basis, the mere fact of acceleration of corporate tax payments can hardly be deemed to be significant for the volume of corporate spending.

To recapitulate, in my view, the Administration's tax proposals are not justified by the argument that they are needed to check an otherwise inflationary expansion of GNP during the ensuing half-year to a year. The GNP forecast presented to this Committee by the Chairman of the Council of Economic Advisers is based on a number of debatable assumptions. Even if the forecast is correct, it does not necessarily imply additional inflationary pressures. Most important, even if the forecast is correct and even if it does portend an intensification of inflationary pressures, the Administration's temporary income tax surcharges are not likely to have any prompt and significant effects in curbing private spending, either by businesses or by households.

II. FISCAL POLICY AND MONETARY CONDITIONS

The second major argument advanced for the Administration's tax proposals is that without the tax increases, the deficit in fiscal 1968 may be so large that its financing will wreak havoc in the financial markets, leading to soaring interest rates. This argument, too, raises a number of questions:

(A) How big is the deficit likely to be in fiscal 1968 without the tax increases?

(B) What is the outlook for the money markets in the absence of a tax increase?

(C) Would the proposed tax increases materially change conditions in the financial markets?

A. How large a deficit in 1968?

It is very difficult to answer this question on the basis of statements by the Administration witnesses on this score. It is also difficult to understand why Secretary Fowler and Budget Director Schultze chose to frame their estimates in terms of the Administrative Budget, since it is widely known that that budget is scarcely useful either as a measure of fiscal activity or the relationship of such activity to the economy.

In the Administrative Budget, however, the deficit without enactment of the tax proposals is estimated by the Administration as low as $19 billion (assuming the target $2 billion in expenditure reductions is achieved), and as high as $29 billion. With a range as wide as this, one must wonder how the Administration arrived at the amount of additional taxes it feels must be raised.

My own estimate is that in the absence of the requested tax increases, the deficit is expected to be about $19–20 billion. This implies that if the current estimate of revenues, without the tax increase, is correct, expenditures will be approximately $135 billion. In the cash budget, the equivalent deficit would be about $11 billion, while in the National income accounts, Federal receipts would fall short of expenditures by roughly $6 billion.

Not all of the estimated Administrative Budget deficit, of course, will need to be financed in the financial markets, as Secretary Fowler has pointed out. A $20 billion deficit might imply money market demands of about $16 billion. While a deficit of this magnitude will surely be embarrassing, the issue is whether it is cause for alarm.

B. Outlook for financial markets

The present cross-currents in the Nation's financial markets make prediction of developments in the next several months to a year extremely difficult. Indeed, the ambiguities in the situation should give pause to any confident assertions that a Federal deficit in excess of any specific amount will unduly imperil the Nation's financial health.

Among the various factors now observable are, on the one hand, the upward pressures on mortgage rates emanating from the upturn in housing and the similar pressures in both the corporate bond market and short-term commercial bank rates, resulting from business demands for funds. On the other hand, the latter pressures now appear to be easing. Business loans at large commercial banks, for example, have been declining sharply since mid-July. Corporate bond issues are also expected to decline in the next several months. Consumer installment credit has been growing sluggishly.

These developments are in line with earlier assessments to the effect that the heavy demands for funds by the business community during the first half of the year reflected anticipations of sharp increases in interest rates and limitations on availability of credit during the latter part of the year. In addition, the heavy rate of corporate long-term borrowing has been deemed to be the result of the deferral of issues last year during the severe monetary stringency. Surely these corporate demands for funds have not reflected anything like equivalent increases in business activity.

In other words, the market very likely has already made alowance for a rise in interest rates by shifting borrowing from the latter part of this year and the early part of next to the last several months. In this event, market rates are probably at or very close to their highs.

At the end of August, some shading of interest rates on short maturities was observable. One tree doesn't make a forest, but there is probably as much basis for a cautious optimism concerning conditions in the financial markets as there is for the dire prediction of chaotic developments as the Federal Government attempts to meet its financing needs.

One possible development in the financial markets which should not be overlooked would result from a sharp reversal of Federal reserve policy. The rate of expansion of member bank reserves and the money supply since early this year has far outrun the hectic pace of April 1965 to April 1966. Should the Federal Reserve slam on the brakes in the near future, repeating its actions of April 1966 to January 1967, the same sorry sequence of soaring interest rates and sluggish economic activity can be expected. The Federal Government's fiscal policies will hardly have been the culprit.

C. Will tax increases ease the money markets?

The view that the Federal financing requirements implied by a $20 billion deficit will send money rates soaring rests on the assumption that private demands for funds will continue to increase at the rate of the first half of this year. By the same token, the view also assumes that a tax increase will not only reduce Federal demands for funds but private demands as well, since it is assumed that the tax increase will promptly curb private spending.

An objective view of the situation, however, would stress that the outcome is far less certain. In the first place, as already indicated, private sector demands for funds in the absence of a tax increase are not clearly predictable. The view that corporate borrowing so far this year has been largely aimed at hedging against credit stringency later in the year and at making good last year's financing deficiencies clearly implies a slackening of demands from this source. And unless the 1968 automobile models gain somewhat more enthusiastic consumer acceptance than now seems probable, consumer-installment debt may well continue to rise at a slower and slower rate.

With a tax increase, the government's financing requirements will, of course, be less than otherwise. But if, as seems highly likely, household and business spending is not promptly reduced by the additional taxes below the levels it would otherwise attain, then the reduction in private sector disposable income will result in an increase in private credit demands, beyond the amount that would be sought in the absence of the tax increase. In short, the reduction in the government's financing needs probably would be matched by an increase in the private sector's. In the near term, say over the next year or so, the tax increase may well serve to change the *composition* of credit demands; it is much less likely to change the total amount of financing sought by any significant amount.

Efforts to justify the tax increase as a means of holding back interest rate increases rest on very shaky theoretical grounds. On the basis of the *evidence* of the postwar years, the case is just as feeble. Presumably, greater fiscal constraints, either with the same or with a greater degree of monetary ease should result in reductions in interest rates. By the same token, easier fiscal policy and tighter monetary policy should result in higher interest rates. Using changes in the full-employment surplus as the measure of fiscal constraint, one finds in fact that interest rates changed as would be expected on only one occasion in the postwar years when fiscal and monetary policies moved in opposite directions. The Administration's contention that tax increases are needed to hold back interest rates is not validated either by theory or by experience.

III. IN CONCLUSION

The substance of this discussion is that the proposed temporary income tax increases are not likely to have any significant effect on the volume of private spending nor on total credit demands. Moreover, it is by no means clear that the pace of private spending during the second half of this year and next year will be so great as to generate any additional inflationary strains. The forecasting record of the Council of Economic Advisers in recent years does not afford the basis for confidence in their current predictions. Indeed, the average difference between their estimates and the actual outcomes of GNP is greater than the reduction in total demand which the Administration apparently hopes to accomplish with the tax increases.

If, however, the Council's current forecast is accepted, if it is taken to portend intolerable increases in inflationary pressures, and if tax measures are to be used to curb private spending in the short run, temporary tax increases which bear directly on prices are likely to prove much more effective than temporary income tax increases. This means the imposition of selective excises on those goods and services the purchase and sale of which it is desired to curb. Alternately, it calls for a value added tax. Under the present circumstances, selective excises would certainly appear to be preferable. There is hardly any occasion for imposing fiscal constraints against private capital formation, since virtually all forecasts show little, if any, increase in this sector of aggregate demand. Moreover, having just restored the investment tax credit and accelerated depreciation in recognition of this fact, it makes little sense now to reverse the action. Indeed, it is hard to understand why it is now proposed to increase corporate tax liabilities unless the proponents agree that additional corporate taxes will not affect corporate capital outlays.

The answer that might be given is that the proposed income tax increases are aimed not merely at the stated economic objectives but as well at ensuring that all of us participate proportionately in defraying the costs of the Vietnamese war. Let me cite three reservations against this view.

1. To characterize the proposed tax increases as war taxes is to assert that the increase in revenue requirements is attributable to the expected increase in defense spending. In fact, as the attached tables show, *non*-defense spending as measured either in the cash budget or the National income accounts is scheduled to increase more than defense outlays, whether low "contingency" or high "contingency" estimates are used.

2. The proposed income tax surcharges do not, in fact, call for equal proportional sacrifices by all taxpayers. Using the tables presented by Secretary Fowler, the single individual with $2,000 of wage income would pay $16 more tax in 1968 than under present law. His disposable income would be reduced by .9 per cent. The after-tax income of an individual with $10,000 of wage income would be reduced by $174 or by 2.1 per cent. The $35,000 a year man would pay $1,163 more in taxes and his after-tax income would be cut by 5.0 per cent. A married couple with two children and with $5,000 in wages would pay no additional tax; with $10,000 the take-home pay would be cut $111 or 1.2 per cent, and with $35,000, disposable income would be reduced by $753 or 2.7 per cent.

3. Equal proportional sacrifice (even if this were the case) to pay for additional budget outlays should not be the top priority goal of public policy in the current circumstances. Providing for a continuing, strong expansion of the Nation's production capabilities is a more important goal. Assuring the economic exuberance which enlists business' participation, in its own self-interest, in job training and retraining, which expands employment opportunities for the less well-trained and educated persons in the labor force, and which makes labor force participation more attractive than idleness is a far more important goal. Under the present circumstances, one percentage point in the expansion of economic potential and output is more important in creating new jobs and in alleviating poverty than the entire antipoverty program. If the cost of that percentage point gain in potential and output is one percentage point in every interest rate or one percentage point in every price index, it would be a very small price to pay, indeed.

FEDERAL DEFENSE AND NONDEFENSE EXPENDITURES, SELECTED YEARS, 1960–68

A. NATIONAL INCOME ESTIMATES

[Dollar amounts in billions]

Period	Defense expenditures	Nondefense expenditures	Total expenditures
Calendar year:			
1960	$45.9	$47.1	$93.0
1963	$52.1	$61.7	$113.9
1966	$62.3	$80.6	$142.9
Percent increase, annual rates:			
1960–66	5.2	9.4	7.4
1963–66	6.1	9.3	7.9
Fiscal year:			
1961	$47.7	$50.3	$98.0
1964	$52.4	$64.5	$116.9
1967	$69.6	$85.6	$155.2
1968:			
January estimate	$74.1	$95.1	$169.2
August estimate (1)	$74.1	$96.3	$170.4
August estimate (2)	$78.1	$96.0	$174.1
Percent increase, annual rates:			
1961–68:			
January estimate	6.5	9.5	8.1
August estimate (1)	6.5	9.7	8.2
August estimate (2)	7.3	9.7	8.6
1964–68:			
January estimate	9.0	10.2	9.0
August estimate (1)	9.0	10.5	9.8
August estimate (2)	10.5	10.5	12.2
1967–68:			
January estimate	6.5	11.1	9.0
August estimate (1)	6.5	12.5	9.8
August estimate (2)	12.2	12.1	12.2

FEDERAL DEFENSE AND NONDEFENSE EXPENDITURES, SELECTED YEARS, 1960–68—Continued

B. ADMINISTRATIVE BUDGET

[Dollar amounts in billions]

Fiscal year:			
1961	$47.5	$34.0	$81.5
1964	$54.2	$43.5	$97.7
1967	$70.7	$55.0	$125.7
1968:			
January estimate	$75.5	$59.5	$135.0
August estimate (1)	$75.5	$61.5	$136.5
August estimate (2)	$79.5	$62.7	$142.2
Percent increase, annual rates:			
1961–68:			
January estimate	$6.8	$8.3	$7.5
August estimate (1)	6.8	8.8	7.6
August estimate (2)	7.6	9.1	8.3
1964–68:			
January estimate	8.6	8.1	8.4
August estimate (1)	8.6	9.0	8.7
August estimate (2)	10.1	9.6	9.8
1967–68:			
January estimate	6.8	8.2	7.4
August estimate (1)	6.8	11.8	8.6
August estimate (2)	12.4	14.0	13.1

C. CASH BUDGET

Fiscal years:			
1961	$47.7	$51.8	$99.5
1964	$54.5	$65.8	$120.3
1967	$71.8	$83.5	$155.3
1968:			
January estimate	$76.8	$95.6	$712.4
August estimate (1)	$76.8	$98.7	$175.5
August estimate (2)	$80.8	$100.4	$181.2
Percent increase, annual rates:			
1961–68:			
January estimate	7.1	9.2	8.2
August estimate (1)	7.1	9.6	8.4
August estimate (2)	7.8	9.9	8.9
1964–68:			
January estimate	9.0	9.8	9.4
August estimate (1)	9.0	10.7	9.9
August estimate (2)	10.3	11.1	10.8
1967–68:			
January estimate	7.0	14.5	11.0
August estimate (1)	7.0	18.2	13.0
August estimate (2)	12.5	20.2	16.7

Source: Bureau of the Budget and Office of Business Economics, Department of Commerce.

Note: For fiscal 1968, 2 alternative estimates to the January 1967 budget messag: estimate are provided. The first, designated August estimate (1) gives effect to the increases in outlays already effected, as of Aug. 17, 1967, according to the estimates of the Bureau of the Budget. The second, noted as August estimate (2), adds the maximum amounts of the so-called contingency increases in expenditures, as estimated by the Director of the Bureau of the Budget on Aug. 17, 1967, and deducts an estimated $2,000,000,000 of savings in nondefense expenditures yet to be effected through administrative agency efforts.

AMERICAN BROADCASTING CO. PROGRAM ON AFRICA

Mr. BROOKE. Mr. President, on Sunday, September 10, the American Broadcasting Co. presented a 4-hour television program on the history, the culture, the problems, and the prospects of the many peoples and nations which compromise the continent of Africa. It is a subject that is deeply intertwined with the future peace and security of the world. The American people need to be as well informed about problems around the world as they are concerned with their own problems at home.

The American Broadcasting Co. and Minnesota Mining & Manufacturing Co., the sponsor of the program, are to be congratulated for the service they have rendered in presenting a broad view and a better understanding of a part of the world about which, too often, too little is known.

I hope that the networks and sponsors will continue to present such worthwhile programs to the American people, and that the expanding possibilities for education and information through television will continue to be explored and developed by all the networks.

BOMBING TARGETS IN VIETNAM

Mr. McINTYRE. Mr. President, recently there has been much discussion in the press concerning disagreement between civilian and military authorities in regard to bombing targets in Vietnam.

Of more than ordinary interest, therefore, were remarks made on this and related subjects by Secretary of the Air Force Harold Brown and Air Force Chief of Staff Gen. John P. McConnell, in speeches at the Air Force Association anniversary dinner this week.

I ask unanimous consent that the remarks of both Secretary Brown and General McConnell be printed in the RECORD.

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

ADDRESS OF GEN. J. P. McCONNELL, CHIEF OF STAFF, U.S. AIR FORCE

As we commemorate the twentieth anniversary of the United States Air Force as an independent Service, we should also remember that the beginnings of military airpower in this country go back exactly sixty years.

It is most fitting that we reflect with pride and gratitude on the accomplishments of the nation's pioneer airmen because their great record, especially during the two World Wars, helped bring about the establishment of the United States Air Force in 1947. But whether we go back twenty years or sixty, we find no parallel to the new airpower chapter that is being written in the skies over Vietnam today.

I will not dwell on the contributions airpower is making in this war. But I do want to use this opportunity to clarify one misconception concerning this conflict.

I have heard and read—as I know you have—recent commentaries which make it appear that there are fundamental disagreements on the conduct of the bombing campaign between the President and the Secretary of Defense, on the one hand, and the Joint Chiefs of Staff on the other. In my view this is an erroneous conception. To be sure, there have been differences of opinion, but the expression and consideration of different points of view are essential elements of our form of government. If the Joint Chiefs of Staff failed to put forward their opinions and recommendations—regardless of what these may be—to their civilian superiors, they would not be conforming with the requirements of law. And if the Commander in Chief and the Secretary of Defense did not modify or disapprove some of these recommendations when, in their opinion, it served the best interest of the nation to do so, they would not be conforming with the law or the Constitution of the United States.

We, the Joint Chiefs, are given every opportunity to express our opinions and recommendations freely to the President, to the Secretary of Defense and before Congressional Committees. We do so in our capacity as military advisers and Service Chiefs, and the recommendations we make are based on our thorough evaluation of military requirements, with full realization that other factors are also involved and must be considered.

Our recommendations may not always be accepted to the full degree which we consider militarily desirable. But once the decisions have been made, it is the job of the military to implement these decisions to the best of our ability.

Speaking for the Air Force, I am proud to say that this is widely understood by our men, from generals to airmen. The many hundreds of men of all ranks to whom I talked during my various visits to Southeast Asia know what is expected of them, and they perform their assigned duties loyally, professionally and effectively. They recognize that there are considerations other than military, and they abide strictly by the rules established by proper authority and do so with the unquestioning discipline that is the mark of the true professional.

Let us never forget that, in a democracy such as ours, it is the grave responsibility of the elected Commander in Chief to make the final decisions. He does so after carefully weighing the counsel he has obtained from the Congress and from his various advisers, including the military. I believe that a better understanding of this democratic process would be more helpful to all concerned.

I am grateful for the opportunity to discuss this matter before such a distinguished audience. This is not the first time—and surely not the last—that the Air Force Association has provided a forum for discussing subjects of national interest. And so, in conclusion, I want to express to the Air Force Association and its leaders my sincere appreciation for the invaluable service they have rendered to the Air Force and to the nation throughout the past twenty years. Their active interest and dynamic support have helped to make airpower one of the most vital assets in the protection and defense of our national security.

ADDRESS OF HON. HAROLD BROWN, SECRETARY OF THE AIR FORCE

It is truly a great honor as well as a great pleasure for me to be with you tonight on this occasion which marks the 20th Anniversary of the United States Air Force as a separate service. The exhibits which we have seen are only one indication of how far airpower and the Air Force have come during the past twenty years—in the development and use of technology, in effectiveness, and in support of our national objectives.

I would like to associate myself with the remarks the Chief of Staff has just made. In recent weeks there has been a good deal appearing in the press, and in other news media, about alleged divisions between civilian and military authorities in the government.

These allegations bother me. They bother me because our military leaders are cast in the role of irresponsible militarists on the one hand, or prophets in revolt on the other. Some charge our generals with going behind the backs of their civilian superiors to lobby with Congress, the press, and industry for a program of unlimited and indiscriminate bombing. Others argue that our military leaders have a sure solution to the conflict while civilian officials are uncertain, bemused, and inconsistent.

Both of these pictures seem to me to be completely baseless. I think I am in a position to know the truth about this. I am a civilian by education and experience. Yet two years as Air Force Secretary, and over 15 years before that in the field of national security have given me close connections with the military, and with the Air Force in particular.

I have been in Vietnam and to Thailand twice during the last twenty months, and talked with hundreds of our pilots. I have spent a great deal of time with our commanders in the field. I spend most of nearly every day with senior Air Force generals at Headquarters. I find neither a clique of irresponsible militarists nor a set of supermen who have the only right way to succeed in a terribly complex and difficult war.

What I see is a group of professionals who understand how to apply airpower within the constraints which the larger picture imposes, and who have done so in a very precise and skillful way. I see a group many of whom are fighting their third war—and in all three, airpower has played a vital role. I see men who understand the military picture and who appreciate the fact that this is not simply a military conflict. They know it has unique diplomatic, international-political, and other important components. They are thoughtful; they are loyal to their military and civilian superiors; they have integrity.

Spike Momyer in Saigon, Jack Ryan in Honolulu, and J. P. McConnell in Washington are neither irresponsible advocates of the use of airpower nor men who pretend to have all the answers. They know their job. They make their recommendations on the basis of military and other factors as they see them, but recognize that the factors other than the immediate military situation not only enter the picture but in many cases can be overriding. They recognize that all factors—the military factors, the intelligence estimates, the international and diplomatic situation—must be balanced by the authorities constitutionally responsible for making the overall decisions. And when those decisions are made our airmen—from the Chief of Staff through the pilots who fly and crews who maintain the aircraft—carry them out promptly and with professional skill.

Our Air Force leaders and the people of the Air Force are not justly served by either of two implications. They are not justly served by the implication that our top officers oppose national policies and are *right* in doing so. Neither are they done justice by the implication that they oppose national policies but are *wrong* in doing so. In fact, our military leaders support national policies, and they carry them out superbly.

Because many of you have "felt the heat in the kitchen"—to paraphrase President Truman—you have the advantage of being able to put today's events and attitudes into their proper perspective. You had—some still have—a part in the hammering-out process through which decisions are made in our government. You understand this process and trust its inherent rightness. Those of you here tonight, therefore, can make a special contribution by assisting others to understand the real issues at stake as well as by helping those in authority to meet the difficult problems at hand. To do so is to do no more than you have *always* done—and in the true tradition of our Air Force.

QUALITY CONTROLS NEEDED ON DAIRY IMPORTS

Mr. NELSON. Mr. President, in its current issue, Hoard's Dairyman, one of the Nation's oldest and most distinguished agricultural magazines, has published a feature story and an editorial on my bill to improve quality controls on foreign dairy imports.

Founded in 1885 by W. D. Hoard in Fort Atkinson, Wis., Hoards' Dairyman has done an unequaled job in keeping America's farmers informed about dairy prices and pooling, dairy feeding, and breeding. W. D. Hoard, Jr., and W. D. Knox have continued the magazine's fine traditions to the present day, earning the publication its title—"The National Dairy Farm Magazine."

The publication points out that last year the Food and Drug Administration reported that they inspected only 4 percent or 551 of 13,722 shipments of the dairy products offered for importation to the United States during the 1965 fiscal year and, of these, 5 percent were contaminated and unsuitable for human consumption.

I have asked the Food and Drug Administration for the latest statistics regarding the number of unsanitary dairy products detained in 1966, a record year for imports.

Last year, dairy imports shot up from 900 million pounds in 1965 to some 2,700 million pounds in 1966—a 300-percent increase.

With this huge increase in dairy imports during 1966, I am afraid that we will find that the rate of inspection declined sharply. I assume that the FDA was not able to make a 300-percent increase in its inspections to match the increase in imports.

So it is logical to assume that there was a tremendous increase last year in the number of contaminated and unsanitary dairy products coming into the country.

This bleak outlook points more and more toward the pressing need for improving the quality controls we exercise on foreign dairy imports.

I am sponsoring the Foreign Dairy Inspection Act, which will require foreign dairy farms and plants producing dairy products for importation to the United States to meet sanitary standards established by the U.S. Government.

It costs our American dairymen thousands of extra dollars for the equipment and facilities needed to meet our Government's health regulations. This places him at a definite disadvantage when he competes against his low-cost foreign counterpart, who is not required to operate under comparable sanitary standards.

In the first 3 months of this year, 170,240 pounds of Colby cheese from New Zealand, 150 loaves of Reggianito cheese from Argentina, 6,490 pounds of swiss and Gruyer processed cheese from Switzerland, 62 pounds of butter from Venezuela, and 1,500 packages of Emmentaler cheese from West Germany were among the thousands of pounds of foreign dairy products that were detained by our Government officials at our ports because the imports were unsanitary, contaminated, or otherwise unsuitable for human consumption.

These cases clearly demonstrate that foreign dairy products are prepared for importation to the United States with little apparent concern for the very minimum sanitary standards.

Improved quality controls on dairy imports are needed to correct this gross injustice to our American dairy products and to protect our consumers from this potential health hazard.

I ask unanimous consent that the article and editorial published in Hoard's Dairyman be printed in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

INSPECTION OF FOREIGN DAIRY IMPORTS ASKED—SENATOR CHARGES A "DOUBLE STANDARD" IN PROTECTING THE NATION'S HEALTH—ONLY 4 PERCENT OF IMPORTED LOTS ARE INSPECTED AND 5 PERCENT OF THESE ARE FOUND TO BE FILTHY OR CONTAMINATED

A stringent crackdown on unsafe imported dairy products is advocated under Senate Bill 1962, introduced by Wisconsin's U.S. Senator Gaylord Nelson. Under it, all imported dairy products would have to be made from milk produced on farms and processed in plants which meet U.S. sanitary standards.

As he introduced his bill, Nelson presented a "report of import detentions" from the U.S. Food and Drug Administration. It is reproduced in part below. In presenting it to the Senate, the senator said the report "is only a partial listing of the thousands of foreign dairy products that have been found to be contaminated and unsanitary."

A year ago, Wisconsin Congressman John Race revealed, through an exchange of correspondence with officials of the Food and Drug Administration, that few importations of foreign dairy products were actually inspected. M. D. Kinslow, Food and Drug's director of legislative services, wrote Race that there were 13,722 lots of dairy products offered for importation into the United States during the fiscal year 1965. But only 551 lots were examined. Of these, 46 lots were placed under detention for the following reasons:

Mandatory labeling omitted	16
Contaminated with filth	14
Contaminated with mold	5
Contaminated with pesticide	5
Contained decomposed substance	2
False labeling	2
Deviated from standard of identity	2

Percentagewise, in the period involved, Food and Drug inspected only 4 percent of the imported lots and, of these, 5 percent were contaminated with filthy or dangerous material. If the uninspected lots had the same percentage rejection as the others, about 660 lots of filthy and contaminated shipments came into this country without examination and seizure.

Since the rate of dairy importation in the fiscal year 1965 was far less than during the 1966 and 1967 fiscal years, dairy industry leaders suspect the rate of inspection has been far less than during the 1964–65 period.

In defending the present government policy on inspections, one highly placed official asserted, "The bulk of the dairy imports come from Australia, Canada, New Zealand, and West European dairy countries. All of these are extremely jealous of their reputations as exporters of pure, wholesome dairy products. Dairy exports in some of these countries may be made only under governmental supervision and goods which do not meet standards of excellence may not be exported."

But one industry leader told Hoard's Dairyman in Washington recently, "This is all true, perhaps, but we have reason to believe that much of the cheese and butterfat-sugar mixes are simply reprocessed in the so-called country of origin. West European butterfat could well originate on farms in the Communist bloc. We have no way of knowing. And the stubborn fact remains that, regardless of the origin, 1 lot in 20 is filthy or contaminated. This is a very poor record."

As he introduced the Foreign Dairy Inspection Act, Senator Nelson said, "For far too long, our American dairy farmers and processors have been on the short end of a double standard regarding the sanitary requirements that they must meet.

"They must invest thousands of dollars in new pipeline milkers, bulk tanks, coolers, and milk houses, almost as clean as hospitals, to meet local, state, and federal health regulations. But we have no assurance that foreign dairy farms and plants, whose products are imported to the United States, operate under comparable sanitary requirements.

"These quality controls of dairy imports are necessary to correct this gross injustice to our American dairymen and protect our consumers from this potential health hazard."

Referring to the high cost to American dairymen complying with the current domestic sanitary requirements, Nelson said, "To impose this burden upon them without any comparable requirements on the producers of foreign products, which directly compete with American products, is totally unfair and discriminatory.

"In addition, our government maintains a stringent quality control program for all domestic facilities that produce dairy products exported to foreign countries under the U.S.-sponsored export programs. In effect, we are protecting the health of citizens of foreign countries that receive our dairy products, through the Food for Peace program and various AID projects, but we are not presently applying the same safeguards to dairy imports from those foreign countries."

REPORT OF DAIRY IMPORT DETENTIONS—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FOOD AND DRUG ADMINISTRATION

Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Date
Cheese, 1,151 lb.	Switzerland	Geska	Contains poisonous substances, pesticides	Jan. 13, 1965
Cheddar cheese, 4,050 lb.	Canada	Black Diamond Cheese, Ltd., Belleville, Ontario	Contains live mites	Jan. 8, 1965
Cheddar cheese, 3,420 lb.	do	do	Mite infested	Apr. 7, 1965
Colby cheese, 56,899 lb.	Australia	David Lavery & Son Proprietary, Ltd., Melbourne	Contains poisonous substances, DDT and related compounds.	Apr. 15, 1965
Graddost cheese, 510 lb.	Sweden	Svensha Mijeviennas Riksforening, Stockholm	Mandatory labeling omitted	Apr. 9, 1965
Pecorino Romano cheese, 5,752 lb.	Italy	Pirtro Ansetmi Compagnano, Roma	Insect filth	Apr. 14, 1965
Cheese, 2,310 lb.	England	Cow & Gate, Ltd., Guidford, Surrey	Moldy	Apr. 28, 1965
Cheese, 28,448 lb.	Argentina	Polaris Jose M. Delle Donney Cia., Buenos Aires	Insect filth	Apr. 16, 1965
Colby cheese, 27,563 lb.	Australia	David Lavery & Son Proprietary, Ltd., Melbourne	Contains poisonous substance, DDT and related compounds.	Apr. 19, 1965
Neufchatel cheese et al., 17 cases	France	Baudotu & Co., Paris	Short weight, deviates from standard; contains less than 50-percent fat; mandatory labeling omitted.	Apr. 22, 1965
Ricotta cheese, 3,021 lb.	Italy	Ditta M. DiTrani, Macomer	False labeling, mandatory labeling omitted	Do.
Stilton cheese, 12 cartons	United Kingdom	Cow & Gate, Ltd., Surrey, England	Moldy and decomposed	May 10, 1965
Grana cheese, 8,489 lb.	Italy	Figli Di Virginio Canterelli and C. S. Iliario D'Enza, Emeila.	Contains poisonous substances. pesticides	June 10, 1965
Cheese, Kashkoval Kasseri, 5,891 lb.	Yugoslavia	Agroexport Export-Import, Beograd	Contains insect fragments and manure	Oct. 29, 1965
Cheese spread, Gruyere, 35 packages	France	Entremont, Switzerland	Deviates from standard, contains nonpermitted ingredients.	Oct. 22, 1965
Calpis, 50 cartons	Japan	The Calpis Food Industry Co., Ltd., Shimizu	Mandatory labeling omitted	Aug. 31, 1965
Kashkoval cheese, 9,530 lb.	Yugoslavia	Agroexport Export-Import, Boegrad	Insect filth and manure fragments	Sept. 14, 1965
St. George cheese, 4,603 lb.	Portugal	Luis Da Mata, St. Michael's, Azores	Insect filth	Aug. 31, 1965
Colby cheese, 2,720 cartons	Australia	David Lavery & Son Proprietary, Ltd., Melbourne	Contains poisonous substances, DDT, DDE, and TDE	Jan. 10, 1966
Sapsago cheese, grated, 480 cartons	West Germany	Julius Von Engelbrechten, Hamburg	Short weight	Mar. 10, 1966
Cheese, 50 cartons	Argentina	Casanto Sociedad Responsabilidat Ltda., Buenos Aires	Contains benzene hexachloride	Apr. 14, 1966
Cheese, 92 lb.	Canada	Canada Packers, Ltd., Toronto, Ontario	Mite infested	Apr. 19, 1966
Cheese, 300 lb.	Denmark	J. Hansen Co., Aarhus	Contains dieldrin	Mar. 28, 1966
Cream, frozen, 3,465 cartons	New Zealand	New Zealand Dairy Production & Marketing Board, Wellington.	Contains rodent hairs	Dec. 16, 1965
Cheese, 200 cartons	Italy	Elli Mannoni fu Paolo, Thiesi	Contains fly eggs and maggots	Mar. 28, 1966
Sardo cheese, 14,339 lb.	Argentina	River Plate Dairy Co. S.A., Buenos Aires	Contains an unsafe food additive, benzene hexachloride.	May 16, 1966
Edam cheese, 5,861 cartons	Netherlands	Bernard Schulisch, Hamburg, West Germany	Insect infested	June 23, 1966
Grapex, 330,680 lb.	Belgium	Ecoral, Dilbeek	Contains an unsafe food additive, pesticide residues	July 5, 1966
Junex, 14,980 cartons	do	Nicolas Falise, Antwerp	Contains unsafe food additives; benzene hexachloride, DDT, DDE, dieldrin, and TDE; contains nondescript dirt and was held under insanitary conditions during shipment.	July 14, 1966
Pecorino cheese, 2,302 lb.	Italy	Ropconl, Naples	Filthy, unfit for food	Aug. 8, 1966
Sap Sago cheese, 1,800 boxes	West Germany	Julius von Engelbrechten, Hamburg	Deviates from standard, contains excessive moisture	July 13, 1966
Cremex, 228,346 lb.	Belgium	Ecoval, Antwerp	Contains unsafe food additives	Aug. 16, 1966
Butter-sugar mixture, 36 cases	France	Union Export Co., Paris	Contains a deleterious substance, benzene hexachloride.	Sept. 21, 1966
Kasseri cheese, 22,004 lb.	Bulgaria	Rodopa, Associated State Enterprise, Sofia	Contains an unsafe food additive and animal dung	Sept. 26, 1966
Cheese spread, with smoked herring (pasteurized), 2 cases.	Norway	O. Kavli, A/S, Bergen	Contains a poisonous substance, pesticide chemicals	Oct. 20, 1966
Edam cheese, baby, 180 packages	Netherlands	De Producent, Gouda	Insect infested	Oct. 21, 1966
Colby cheese, 220,460 lb.	Bulgaria	Rodopa, Associated State Enterprise, Sofia	Contains an unsafe food additive, benzene hexachloride.	Nov. 23, 1966
Colby cheese, 8,333 cartons	New Zealand	New Zealand Dairy Board, Wellington	Contains pesticide residue	Dec. 21, 1966
Colby cheese, 10,316 lb.	do	Maori Chief, Patua & Taranaki, Auckland	Contains an unsafe pesticide chemical	Jan. 18, 1967
Swiss cheese and Gruyere processed cheese, 6,490 lb.	Switzerland	Weitifurrer International, Zurich	Unfit for food, dimethyl aniline present in product and containers.	Feb. 17, 1967
Emmentaler cheese, 1,500 packages	West Germany	Alpen-Silber-Kaswek Kemplen, Allgun, Hamburg	Deviates from standard of identity, mandatory labeling omitted.	Mar. 7, 1967

Inspection of Dairy Imports

It is with some reluctance that we present the "detentions" of dairy imports listed on page 1022 of this issue. Certainly there is no desire on our part to reflect on the quality of foreign dairy products. We know well the pride with which certain dairy nations enter their products in world trade. Further, it is inevitable that some lots will be seized. Human error and carelessness serve to nullify the efforts of the most conscientious.

In evaluating the inspection results, we must admit that our own products are not above reproach. Of 1,806 laboratory examinations of domestic lots of dairy products during the fiscal year 1965, there were 16 detentions because of contaminations. But our rate of failure is less than 1 percent while the foreign rate is five times greater.

We are not certain that the Foreign Dairy Inspection Act is the realistic solution to the problem. It would appear to be a tremendous task to administer the enforcement.

What concerns us most is that the Food and Drug Administration is inspecting only 4 percent of the imported lots. During the 1965 fiscal year, 5 percent of the lots inspected were found to be contaminated by filth, mold, decomposed substances, and pesticides. The later report, provided by Senator Nelson, reveals in more detail the nature of the contamination. This report does not make appetizing reading.

Would it not be more realistic to provide the Food and Drug Administration with the funds to inspect all foreign dairy imports? The rate of failure to pass inspection would appear to justify such a move. And, we suspect, there is greater opportunity to get the added funds than there is to secure passage of the act.

LABOR DAY ADDRESS, DELIVERED BY W. A. BOYLE, PRESIDENT, UMWA, IN WHEELING, W. VA., SEPTEMBER 4, 1967

Mr. BYRD of West Virginia. Mr. President, Mr. W. A. "Tony" Boyle, is a great president of a great labor union, the United Mine Workers of America. On September 4, 1967, Mr. Boyle delivered an interesting and challenging Labor Day address in Wheeling, W. Va., concerning the future safety and health of the people of the United States.

I ask unanimous consent that this address be inserted in the Record.

There being no objection, the address was ordered to be printed in the Record as follows:

Mr. Chairman, reverend clergy, distinguished guests, ladies and gentlemen and my brother coal miners:

I am delighted to see so many of you here today. You know we are just about the only labor organization left in America that conducts such Labor Day rallies. I am delighted to be here in this rich panhandle of West Virginia. Within a few hundred miles of me in any direction there is untold wealth in coal to power this beloved nation of ours. I am informed that there are hundreds, perhaps thousands of visitors here today from our surrounding bituminous and anthracite districts, guests of our host District No. 6. I am delighted that you have been able to attend. I compliment you on the jobs you are doing in continuing to build the strength of our great Union.

I would like to express my appreciation to the officers of District 6 and to the Labor Day committee who made the arrangements for this magnificent celebration. I would be remiss if I did not acknowledge the presence today of my associate International officers, Vice President George Titler and Secretary-Treasurer John Owens. These two distinguished officers, whose personal friendship I value so highly, are rendering dedicated and loyal service to our organization.

George Titler and I have only had the privilege of visiting your district from time to time. But you all know John Owens, who has devoted a lifetime to serving the membership of District 6, first as a local union officer, then as a district officer and now as an International officer. The membership of District 6 was called upon to make a tremendous sacrifice when they sent their district president, John Owens, to Washington.

But let me assure you that you have every reason to be proud of your sacrifice because it enabled all UMWA members to share him. John Owens' brilliant financial ability, his faithful championship of the rights of the working men and women of this country, and his courageous leadership have all contributed to make him the greatest International Secretary-Treasurer in the history of the United Mine Workers of America. John, I'm mighty proud to be serving with you!

As I look at this large group here today, I am reminded of a favorite quotation. It has been said that the Almighty God must have loved poor people and the workingman because he made so many of them. A great humanitarian, President Abraham Lincoln, said that between Labor and Capital, Labor came first because without Labor there would be no Capital. And the same President fought a great war to free human beings from slavery. And so in the many long years that followed, other great humanitarians—John L. Lewis, John Owens, Phil Murray, Tom Kennedy, George Titler and others—took on the task to free the working people of this country from human bondage by organization and by collective bargaining agreements. And since I have been your President, together with my associate officers, we have maintained those agreements and made improvements thereon. And there is more to come.

Draw a circle on a map around where we stand today and you will surround what truly can be said to be the rich industrial heart of America. For here is coal and water put down by a Bountiful Providence; here are mills, and factories and chemical plants and electric power complexes made possible by that coal. But most of all there are the people—yes—the sturdy, God-fearing coal miners and their families that I have the honor to represent.

Within such a circle one can truthfully say are the guts and the backbone of the greatest nation the world has ever seen. Let's keep it that way.

During the last four years that I have served as president of the United Mine Workers of America, I have addressed many messages to the members of our union. None of them will have been more serious than the message I will deliver today.

I am going to ask your help and the help of everyone within the sound of my voice. I have had the honor of representing my fellow coal miners in one capacity or another for many years. I worked underground in the coal mines of this country for many years. I am a coal miner. I know something of the problems of coal miners. You have elected me to an exalted position but I will never forget the pits from which I came. I know some of the thoughts that are going through your minds as coal miners because I am one of you.

Thanks to my own experiences as a working coal miner and the training I have received from the great leaders of our Union, I know something about the coal mining industry in which we all work and the problems it faces. And when I speak to you I speak, to the best of my ability, the thoughts that are utmost in our minds.

What I am going to say to you gathered here today in these beautiful West Virginia hills on this Labor Day, 1967, may shock some of you. I do not intend to dwell at length on past glories except to mention, especially for our younger members and those of you who do not belong to our Union, some of the pertinent facts that enable the United Mine Workers of America today to be the great labor organization that it is.

The problems and dangers of which I speak today are faced by all of us, coal miners and their wives and children and all other Americans.

The environment in which we live today in this great nation of ours is the most dangerous that mankind has created.

As an individual there is virtually nothing that I can do to correct this situation. But as your President, and with your loyal support, my voice becomes an effective instrument to do battle in your behalf in the councils of government and in the halls of public opinion.

I ask your support and loyalty so that I may—to paraphrase a great President of the United States, Theodore Roosevelt—walk softly and carry a big stick. You people here today are my "big stick." You are and always have been the shock troops of American labor. You are and always have been—and God willing always will be—in the forefront of the progressive and humanitarian forces of our beloved nation.

Our great organization is almost 78 years old. For nearly a half century before this Union was established in Columbus, Ohio, on January 25, 1890—not very far west of here in the middle of our host District No. 6—American coal miners debated and died and argued and died and fought and died that they might eventually form this great collective weapon—the United Mine Workers of America—to represent them as a unified voice in their battle with coal operators, with state legislatures, with the Congress of the United States—and yes, with Presidents of the United States, whoever they might be and from whatever political party. We are a dynamic, fighting organization. And as long as the breath of life is in me as your President we shall continue to do what we know is right and honorable for coal miners and members of their families and for all Americans.

That is our job as a Union. That is my job as your President, and I do not intend to back away from any man or any government or industry officials in battling for the things that are rightly yours.

In my first Labor Day message as your President on September 1, 1963, I mentioned that the improved living standards which we enjoy are due to the gains made possible through free collective bargaining.

I emphasized then and I repeat now that we are not unmindful of the millions of unemployed men and women in America, thousands of them right in this area.

I said then and I repeat that the United Mine Workers of America is struggling continuously to obtain legislative and executive action that will provide jobs for jobless coal miners and all other unemployed Americans.

We seek more unemployment relief. We seek the creation of new jobs through research and development of our great industry. We seek limitations on imports of cheap fuels that displace our American coal—and thus destroy jobs for American coal miners.

We have obtained by legislation a greater degree of safety in the coal mines of America—everywhere! And I am proud to state that it has been during my term as your President that we finally were able to get through the Congress of the United States a Federal Coal Mine Safety Law that applies to all coal mines in the United States—no matter how small or how large.

I would remind you that the United Mine Workers of America pioneered in the fields of social legislation, social security, unemployment compensation, industrial safety and workmen's compensation. This Union of ours was the first to advocate and carry out the organization of the mass production workers in other industries in the United States. But these things are history now. They should be recalled. And don't you ever forget them and the fact that you and your fathers made them possible by your loyalty and devotion to the policies and leadership of this Union.

The United Mine Workers Welfare & Retirement Fund has provided the members of our union with welfare benefits unexcelled by any other labor organization. In the fiscal year just ended over 172,000 miners and their families received Fund benefits totaling $135 million.

Since the pension program began in September 1948 a total of over 125,000 miners have been the recipients of pensions. During this same period pension payments to those miners have exceeded one billion dollars! Just think—more than one billion dollars in pensions alone and more than two billion in all benefits. For this tremendous accomplishment we must pay tribute to our representative on the Board of Trustees administering the Welfare Fund, our beloved President Emeritus John L. Lewis.

You made these accomplishments of our Union possible and you made them real. So I salute you and the men who have gone before, and I never forget for one minute the magnificent history of our Union. Thoses historic facts have brought respect and admiration to our Union throughout the world.

But let me warn you that today as I stand here before you—still with the right to address you freely—there are "little minds and big government" in Washington who would take these things from you.

We are all partly to blame. We are partly to blame because we have in many cases become too complacent, too self-satisfied. I say to you honestly that we have not brought into the ranks of our Union all of the coal miners who are eligible. You know this and I know it. This is a never-ending job but it must be accomplished.

Now let me say something about our government in Washington that has become so big and cumbersome that it has really lost touch with the people.

I can recite to you incident after incident, some of which you know. For example, what has happened to the great war on poverty? You know it has bogged down because of bungling and political back-stabbing. The present Congress—and I make no particular distinction as to political party—is busily cutting the heart out of programs that were even in the first instance inadequate to meet the needs of the people.

For example, what has happened to the Appalachian program that was supposed to rid this area and the rest of the Appalachian region of its material and human blight? You know what has happened. Virtually nothing.

I can tell you again that the present Congress has passed the most anti-labor law in American history. This is the "forced labor" law that was enacted to drive railroad workers back to their jobs under unsatisfactory conditions. This is the law that takes away from free Americans—and I say the word free advisedly—their sacred right to quit work in protest over unfair conditions of work.

You know about these things. You have read them in your newspapers and in our own Journal. But did you know that the same kind of law can be passed by the same kind of Congress in the case of coal miners? The groundwork has been laid; the precedent has been set. And don't think for a minute that a hostile government will hesitate to pass such a law against you.

These are some of the things about which I, as your President, must concern myself 24 hours a day.

But let me tell you now about what I regard as the greatest threat of all. This is, as far as I am concerned, a subject that has been hushed up in Washington and elsewhere in our country simply because some government bureaucrats and some greedy business tycoons don't want you—the people—to know the truth. The fact is that the truth is frightening and horribly shocking!

I am speaking of the threat to the American people of the dangerous growth of atomic power plants across the length and breadth of the land.

You already know that atomic power is a threat to the coal industry's biggest market—the generation of electric power. And I am opposed to the government using your tax money and my tax money to support an unnecessary industry that could put us all out of work.

But the threat of which I speak is bigger than that. I state here today that the government subsidized atomic power industry is a threat to the public safety and the health of all Americans. It should be stopped.

But the multi-billion dollar Atomic Energy Commission and its stooges on Capitol Hill and in the Executive Departments of government are engaged in a conspiracy of silence to keep the facts from you.

We have heard a lot recently about so-called pollution of the air from coal and oil. Have you heard anything about the poisonous radioactive pollution from atomic power plants? Did you know that this radioactive pollution is, right now, a threat to every man, woman and child in our nation?

Did you know that uranium miners in the Western states are dying right now from cancer caused by working with radioactive materials? The government in Washington has permitted this outrage to go on for more than 20 years. It is only in the past few months that the situation has gotten out of hand and into some of the press. But it's too late for an estimated 6,000 men—who will die miserable deaths in the next few years.

Did you know that trucks and railroad cars are transporting radioactive waste materials at night through urban centers across the states to dump it in areas of sparse population where they hope—but are not sure—that it won't kill anyone?

The Atomic Energy monsters in Washington—and in my book they are monsters—are throwing a lot of razzle-dazzle phoney statistics around. And the average reporter is too lazy or too uninformed or too scared to dig into the real story.

Well, I can tell you here today that your Union is digging into the story and we intend to inform the American public so that they may know the true facts.

We already know some of the facts because we have talked to some of the experts who have not been bought off by the Atomic Energy Commission with fancy high-paid jobs.

The true statistics of the Atomic Energy Commission today are the statistics of death from cancer, of a slowly wasting disease of the lungs of uranium miners, of radioactive fish on the West Coast, of radioactive milk of sick cows. They are the statistics of a "nuclear holocaust" that is more dangerous than the atomic bomb because it is here with us right now.

This atomic power plant network that is being built across the country is a network of death and disease and radioactive sickness.

In Washington some have been lulled into inaction in the past by our so-called friends in the electric power industry. It does no good to try to frighten people, they say to us. The coal industry must meet the threat of atomic power on a competitive basis.

Well, how in hell can you compete with the Federal government?

I'm sick and tired of being told that it does no good to frighten people. I'm frightened! I'm frightened for myself and my family and a fine young grandson of mine living in Montana right in the path of some of these radioactive railroad trains that are carting this poisonous waste across the country and back again.

I know enough about this subject to know that my grandson is in danger. And as President of your organization I don't intend to sit back and say: "Well, there's nothing I can do about it." And I might add we are doing something and will continue to do so.

I intend to use the full power and authority of my office to call on other labor organizations to join with the United Mine Workers of America in this campaign against needless radioactive illness and death. The Steelworkers Union, for example, has said—and I agree—that if digging uranium out of mines in the West means death for the miners then the uranium mines should be shut down. We don't need them.

It has been said that we have more nuclear weapons right now than we will ever need. If we need atomic bombs, so be it.

And I say this because I do not intend to argue with the military about defense policy. I pray to God that they will never be used. But I am not talking about national defense. I am talking about the unnecessary building of dangerous, poisonous radioactive civilian atomic power plants. I am talking about an industry that is being built on the tortured bodies of the men who for more than 20 years have dug this poisonous uranium from the ground.

I am talking about pollutants that come from these atomic power plants and poisonous waste material that is being dumped around the country in out-of-the-way places where the "experts" hope it won't be seen. I am talking about the Hanford Atomic plant polluting the waters of the Columbia River. I am talking about the power company executives who are so greedy for government subsidies that they would endanger the lives of millions of Americans in our big cities by building atomic power plants in or near the heart of these cities.

I am calling on the rest of organized labor in America to join with us in this crusade against this great evil. I will talk to the Railroad Brotherhoods whose members have to work on the trains that carry these poisonous wastes to dumping grounds. I intend to talk to the Teamsters whose members drive the trucks that handle these materials.

I intend to call on the coal operators, through the National Coal Policy Conference, to back us in our fight.

And right now I am talking to our friends on Capitol Hill who have not been led astray by the Atomic Energy Commission with its huge slush fund.

I will be talking to the newspapers and the radio reporters and the television commentators of America. We need their help in revealing the truth about this malignancy which is threatening our nation. The time has come for action. The time has come to stop backing away from this fight.

I'm not afraid of the Atomic Energy Commission. But I am afraid of what it is doing to our nation and our people.

So here and now today on this Labor Day, 1967, I lay down the challenge. I ask for the help and support of all of you. I know that I can depend on the coal miners of America to join the battle. I hope and pray that we shall be joined in our fight by other Americans who are concerned.

This is a crusade for the future safety and health of the people of the United States.

And if there are those who say I protest too much; so be it, but I intend to protest a lot more, and a lot more often.

Thank you.

WHO OUR ENEMIES ARE

Mr. MUNDT. Mr. President, it is high time we get hardheaded and realistic about finding out who our enemies are during this period when our men are fighting and dying on the battlefield. Our enemy is not only the man with the rifle, sitting in a bunker a quarter mile away. Our enemy is everyone who supplies that man with any part of his equipment or support.

I have been making serious efforts to call that fact to the attention of the Senate and to the attention of American citizens generally. Many of our international trade policies make a mockery of our war effort.

Just who is it that is supporting our enemy in the field? How extensively is he doing it? In justice to our brave men fighting in Vietnam we ought to be fully informed on the answers to those questions.

The fact that there are governments which are aggressively trying to undermine the free people of this world does not escape everyone. It is heartening when a national organization, such as the Veterans of Foreign Wars, makes a clear-cut pronouncement about the situation. Brig. Gen. J. D. Hittle, USMC, retired, who is director of national security and foreign affairs for the VFW, has written an editorial published in the current issue of that organization's monthly magazine. I commend it as sound information and good reading. I am sure that General Hittle has the support of millions of Americans in his position. His statement is in strict harmony with the resolution of the national American Legion convention in Boston which I read into the body of the RECORD last Tuesday, I trust that the wisdom of General Hittle's observations will not be lost on official Washington. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NATIONAL SECURITY

(By Brig. Gen. J. D. Hittle, USMC, retired)

The evidence of Kremlin aggression continues to pile up.

So, every once in a while it is a good idea to compare Kremlin words and deeds.

Such a review may not convince the Kremlin apologists in the U.S. of Communist wrongdoing. But, at least, it will help keep the record straight for the realists.

First, of course, is the Vietnam War. There is no better example of Kremlin double-talk and double-dealing than the difference between its words and deeds concerning this conflict.

Kremlin bigwigs never miss an opportunity to talk about their hope for "peace" in Vietnam. As usual they have their own meaning for the word "peace." All we have to do to get it is, in effect, surrender. We can do this by stopping the bombing of North Vietnam and recognizing the Communist Liberation Front in South Vietnam.

However Russia's propaganda may phrase it, it still means surrender by the U.S.

While talking so piously about peace, the Kremlin keeps pouring war supplies into North Vietnam. It's these Russian and European Red-bloc armaments that are responsible for the increasing toll of U.S. and allied casualties.

Even while Kosygin was at the United Nations, and meeting with President Johnson at Glassboro, N.J., the Kremlin was taking steps to intensify the war. Right on the heels of the Glassboro conference, the Kremlin, in an official dispatch, pledged continued and increased support to Ho Chi Minh.

In other words, Moscow promised to help Hanoi Reds kill more U.S. and allied troops.

Then, too, there is the Middle East. There Russian expansionist policy was set back—but not stopped—by Israel's blitz of the Nasser-led Arabs. Moscow talks about a peaceful settlement in the Mid-East. But like Vietnam, it has to be on Kremlin terms. And while the phony peace proposals keep coming from Moscow, Russian planes, tanks, guns and munitions keep pouring into Egypt, rebuilding Nasser's military force.

In this war crises, Russia has moved large elements of her Navy into the Mediterranean. This puts Russian missile ships on NATO's southern flank and further challenges U.S. seapower in the Mediterranean.

Nor should we forget Latin America. There we get more of the same Russian double-talk. For U.S. public consumption Moscow appears to be putting the brakes on Castro; but it keeps sending guns, bullets and rubles to him.

This is how Castro, with Russian backing, is stepping up guerrilla terror in Central and South America. Again, as in Vietnam and the Mid-East, this Russian war-by-proxy is designed to destroy, ultimately, the U.S.

All of which suggests that those who still believe the Kremlin is really on our side and wants peace will believe anything.

THE CHAIRMAN OF PRESIDENT'S TRANSPORTATION TASK FORCE OPPOSES SST

Mr. PROXMIRE. Mr. President, the Chairman of President Johnson's 1964 Task Force on Transportation, Prof. George W. Hilton, of UCLA, recently outlined in the most persuasive of terms, in an article in Business Horizons, the case against Federal participation in the development of a civil supersonic transport.

Few in this country are better qualified to pass judgment on the economics of Federal involvement in this venture than Professor Hilton, and he makes his position very clear. He believes that the Government's participation should be based solely on an evaluation of prospective costs and benefits given what we know about the technology of supersonic flight. On that basis, Professor Hilton states, the conclusion must be thoroughly hostile to the project.

I think it is important that this article be read by all Senators before voting on the proposed $142 million item for continued development of the SST in the transportation appropriations bill when it comes up. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FEDERAL PARTICIPATION IN THE SUPERSONIC TRANSPORT PROGRAM

(By George W. Hilton)

On New Year's Eve, 1966, President Johnson announced that the federal government had decided upon the Boeing variable-wing design for the proposed American supersonic transport, and also upon General Electric's engine design. The President stopped short of a budgetary commitment to the project, however; the action was interpreted as a show of ambivalence toward the undertaking, an attitude characteristic of both the Kennedy and Johnson administrations.

The movement for federal participation in development of a commercial supersonic transport began with a suggestion of the Federal Aviation Agency in 1959, hot upon the introduction of commercial subsonic aircraft in 1958. Congress appropriated $11 million for research on the project in 1961, but the federal government showed little further interest until the British and French began to advance significantly with their joint project to bring forth the "Concorde"—a plane able to fly at twice the speed of sound. When Pan American announced its order for six "Concordes" in 1963, President Kennedy immediately responded with a proposal that the United States proceed with development of an American supersonic transport. President Johnson, in July, 1965, ordered an additional eighteen months of study of proposed designs for the plane, which was expected to fly at three times the speed of sound, and in December, 1966 chose the variable-wing over the fixed-wing alternative.

Since budgetary authority to proceed with the project remains in abeyance, the issue of federal participation in development of a supersonic transport remains one of the most immediate issues in American transportation policy. Consequently, it is appropriate to inquire into some of the technological problems involved, the economic prospects of the supersonic transport, and finally whether this is an appropriate area in the economy for federal intervention as judged by some fairly elementary critreia for evaluation of public expenditures. As economists are wont to do, I shall organize my observations around the demand and supply conditions of the project. It should be stated that both involve a high degree of uncertainty, but this is not unusual in the instance of a technological innovation.

TECHNOLOGICAL PROBLEMS

Certain technological problems of supersonic aircraft will greatly affect both passenger comfort and safety. Passengers will have to be strapped into seats at least for takeoff and landing, and, owing to the delicacy of the center of gravity in supersonic flight, they may not be permitted the present freedom and movement on foot during the rest of the flight. Since the temperature of the aircraft's skin at 2,000 miles per hour is about that of an oven (350–500° Fahrenheit), it is also questionable whether passengers can be protected entirely from extremes of temperature.

Further, it is unlikely that the safety experience will approximate that of subsonic jets. Visual guidance by the pilot is of limited help in an aircraft that requires 100 miles to change course. Given the high power of the engines, yaw in the event of flameouts will be extreme, and the problem of trimming the aircraft hydraulically in approaches to the airport is expected to be critical. The rate of descent will be so steep that the plane will have to be trimmed by pumping fuel from forward to aft tanks in a period of about fifteen seconds; malfunction of this operation would be disastrous. Similarly, when the federal government adopted the Boeing variable-wing design—probably correctly—it opted for somewhat greater flexibility in choice of speeds (especially in allowing subsonic flight in intermediate distances) and some incidental advantages, but it also chose the risk of greater dependence on hydraulic functions. A hydraulic malfunction that prevents the extension of the wings as the plane approaches the airport would require the plane to land at about 300 miles per hour.

Loss of pressure at the expected altitudes of 60,000–80,000 feet would prove immediately fatal to passengers clad in ordinary clothes; oxygen masks would be of no assistance. Thus, to reduce transcontinental travel time from four-and-a-fraction hours to one-and-a-fraction, a passenger would have to face a considerably increased risk of death.[1]

Finally, existing aerial navigation systems will be inadequate for supersonic flight. The expense and difficulty of making evasive maneuvers necessitate more extensive advance knowledge of weather conditions (and possibly even of cosmic rays), oncoming aircraft, and congestion at the destination airport than is necessary with current technology. The turbulence in the wake of supersonic aircraft is expected to render the air unfit for other planes for some five minutes.

ECONOMIC PROSPECTS

The demand for supersonic aircraft is, of course, a derived demand, dependent on the public's willingness to buy tickets, and, despite the technological problems involved, there is likely to be a market for such travel. Federal authorities involved in evaluation of this project estimate the premium on supersonic tickets over present subsonic rates at 10-20 per cent. They also estimate that supersonic aircraft will have to be operated with a load factor of about 75 per cent to be economic, as opposed to the 55 per cent factor for present subsonic jets. To generate such load factors in aircraft of some 200 seats, flights must be restricted to the few most heavily traveled long-distance routes. For such travel, the supersonics offer the prospect of about a tripling of airspeed. Against this must be set off the marked reduction in comfort.

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[1] On the engineering problems of supersonic aircraft, see J. E. Gibson, "The Case Against the Supersonic Transport," *Harper's Magazine* (July, 1966), pp. 76 ff.

The present secular rate of increase of air travel is about 14 per cent, and even with a fall in this rate, passenger volume by air should increase to about 500 per cent of the present by 1990. Some percentage of all air travelers will presumably opt for supersonic movement, and thus a market for 150-600 supersonic aircraft is envisioned for 1990. There is room for little optimism, however, for the attractiveness of the supersonic alternatives is about to increase appreciably. The C5A type of aircraft, including the Boeing 747, will be capable of moving some 500 pasengers at approximately present speeds, but with either lower fares or greater roominess—and possibly both.

Consequently, instead of competing with subsonic jets on the basis of present rate structures, supersonic jets may be confronted with subsonic fares at levels of 60-80 per cent of current fares. The supply conditions of supersonic aircraft involve solution to a variety of problems, some of which I have already mentioned: development of a heat-resistant skin, presumably of titanium; hydraulic trimming, pressurizing, and air-conditioning systems; high-output engines of great dependability; and guidance and control systems of advanced design. A frame capable of withstanding great stresses must also be developed.

The investment required is large indeed; popular estimates are in the range of $4-5 billion for development and manufacture, but since the benefits of the investment are some years off, their discounting is relatively heavy. One federal study indicates that resources amounting to $10 billion may be tied up in the program, including interest on the investment. To be competitive with subsonic jets, supersonic aircraft should promise a return of about 20 per cent before taxes and interest, or a net return of about 10-15 per cent on the investment. This may be most difficult to generate; United Airlines estimates that operating costs of a supersonic jet will be 43 per cent above existing jets for Chicago-Los Angeles flights, and 26 per cent for transcontinental. The anticipated price tag of supersonic jets is $25-40 million as compared with $5-8 million for existing jets. Some favorably situated airlines may achieve returns of 10-15 per cent on such investments; returns of 0-5 per cent seem more likely.

The private sector alone will not bring forth the supersonic aircraft; analytically, the reason is quite clear. Speed like any other service, is produced at increasing marginal cost. In this instance, marginal cost is discontinuous at the sonic barrier, since control mechanisms, metallurgy, and other properties of the aircraft become markedly more expensive at that point. Similarly, increases in speed yield diminishing marginal benefits. A railroad train with a top speed of 80 miles per hour can make the trip from Los Angeles to Chicago in 40 hours. A jet capable of 600 miles per hour can cut the time to somewhat under 4 hours. A jet capable of 2,000 miles per hour, however, can reduce the time only another 2½ hours.

If one considers point-to-point travel rather than airspeed, the situation is even more apparent. Development of a supersonic aircraft entails no improvement in transportation to and from airports. Indeed, supersonic jets may require new airports more remote from populated areas to isolate their noise, to provide a greater variety of runways so that they may be aimed where they are going, and to provide low-frequency landings and takeoffs in an effort to minimize aerial holding time. Even if existing airports are used, successive increases in airspeed result in successively smaller relative savings in time between specific urban points—a typical situation of diminishing returns from expenditures of a variable factor relative to a fixed one.

Consequently, the explanation of why the market mechanism fails to bring forth a supersonic aircraft is no different from the explanation of why it fails to bridge Lake Michigan, fly us about in private helicopters, or do any of a wide variety of other things; the marginal cost exceeds the anticipated marginal benefit.

Instead of external benefits unique to this project, one encounters an impressive variety of social costs. The reasons why an unfavorable safety record, relative to subsonic jets, is anticipated have already been described. The noise level of supersonic aircraft will be appreciably higher than that of existing aircraft in the vicinity of airports. Sonic booms will be a problem of greater magnitude for they will follow the plane across a width of some 70 miles. They will range from the familiar thunderclap, which merely rattles windows and chinaware, to something that can collapse walls and cause physical damage to the population. Presumably, normal practice would be to restrict such booms to the less damaging type by breaking the sound barrier only at high altitudes, but, if supersonic flight becomes routine, it will be difficult to avoid occasional booms of major magnitude in abnormal or emergency situations. This is a social cost of exactly the character of the smoking chimney and stinking slaughterhouse hallowed in economic literature.

In this instance, however the social cost is almost certain to reduce the potential market for the aircraft. Switzerland, West Germany, and other countries where avalanches occur will almost assuredly prohibit supersonic flights over their territories. Other countries may prohibit supersonic flight simply through political pressure from a population unwilling to undergo continual sonic booms.[2] If restricted to flight over water, the market for supersonic aircraft is likely to be only 40 percent of its potential.

FEDERAL INTERVENTION

The demand and supply conditions are such that the private sector of the economy will not bring forth supersonic transports unaided. Firms in the aerospace industry are expected to be willing to risk some 10–20 percent of the initial investment, leaving the federal government to invest some $4–5 billion in the project if the supersonic transport is to fly. The most popular justification advanced for the intervention is simply that the investment is huge, but that is hardly an argument to satisfy most economists. The private sector has brought forth many innovations that entailed large investments, as judged by the standards of their time, from the building of Pennsylvania Station to the construction of the 500-passenger subsonic aircraft now on the drawing boards.

In most such circumstances, the government refrains from intervening; the question arises why it should intervene in this instance. It is not a situation akin to the building of highways, in which the technology is such that private persons could not possibly collect the user charges. One might expect the reason to be that the supersonic aircraft is expected to yield some external benefits, possibly to the military establishment. In this instance, the technology of supersonic flying has been worked out for military aircraft. Any external benefits of knowledge will be serendipitous, of the sort that may occur with any technological advance. Such considerations are not unique justification of this technological advance.

If this project is not to be justified by the impossibility-of-collection argument, and if one encounters social costs more weighty than external benefits, one concludes that the project is to be justified, if at all, on the ground that the supersonic transport is a premature enterprise. That is to say, the federal government may consider the project economic but feel that its benefits are so far in the future that the market processes will not adequately take account of them, and will fail to bring the supersonic transport into being. Such thinking (coupled with considerations of external benefit) motivated the government to participate in the financing of the Western railroads. The recent researches of Robert W. Fogel and Albert Fishlow [3] on the railroad industry in the nineteenth century should give pause to anyone using this argument. Fogel for the Union Pacific and Fishlow more generally have demonstrated that what were thought to be premature enterprises were in fact economic from the outset. In the case of the supersonic transport, the uncertainties are undoubtedly less than in the case of railroads built in lightly populated Western territory; thus, a stronger presumption exists that the market determination is correct.

Fogel's findings concerning the Union Pacific are particularly relevant. The private sector of the economy thought the Union Pacific project, like the supersonic transport, to be uneconomic in the short run and expected it to fail. The federal government participated in the project by issuing a set of land grants, which incidentally obligated the Union Pacific to issue a heavy volume of funded debt. The railroad emerged with a more highly leveraged capital structure than it would have had without federal intervention. The consequences were exactly what one would expect: when the railroad proved economic, the promoters reaped a huge windfall gain; when the first major depression occurred (1893), the railroad went bankrupt.

A similar prospect is impending for the supersonic transport. If the government provides 80 per cent of the financing without participating in the entrepreneurial risk, the project will have such leverage that—if the supersonic transport proves unexpectedly successful—the contractors who invested 20 per cent of the total will gain an enormous return, plus probably a monopoly position of some value to boot. Fortunately, the current administration recognizes this problem and is endeavoring to make institutional arrangements whereby the government may share in the profits or losses of the project and also recover its investment.

The problems involved in recovery of the government's share of the investment are considerable. If the government's subvention is made simply from general tax revenues, without an effort to recover the expenditure on some basis of benefit, it promises to be a regressive expenditure of the character of current subsidies to American-flag passenger vessels. The supersonic transport is certain to be patronized only by high-income persons with a high value of time, mainly traveling on expense account. To subsidize such travelers at the expense of the rest of the population—85 per cent of which does not travel by air at all—is unconscionably regressive.

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[2] On sonic booms, see Bo Lundberg, "The Menace of the Sonic Boom to Society and Civil Aviation," Memorandum PE–19, The Aeronautical Institute of Sweden, 1956, and other publications of this author.

[3] Robert W. Fogel, *The Union Pacific Railroad: A Case in Premature Enterprise* (Baltimore: The Johns Hopkins Press, 1960), and Albert Fishlow, *American Railroads and the Transformation of the Ante-Bellum Economy* (Cambridge: Harvard University Press, 1965).

Unfortunately, financing the expenditure out of other than general tax revenues involves problems that will seriously impede the entire project. Since the project is one in which the beneficiaries of the expenditure are readily identifiable, it ideally ought to be financed on a benefit basis. A tax on the supersonic aircraft, its tickets, or its fuel will discourage its sale, relative either to domestic subsonic aircraft or foreign supersonic aircraft. A tax on all aircraft fuels would benefit higher income travelers at the expense of lower, since the majority of air travelers will undoubtedly continue to move on subsonic planes, including presumably almost all low-income or non-expense-account travelers. Similarly, a levy on all aircraft fuels would benefit operators with a heavy social cost in the form of sonic booms at the expense of operators of subsonic aircraft who have relatively small social cost. Consequently, almost any alternative to financing the project out of general tax revenues involves either self-defeating elements or inequities similar to those involved in recourse to general funds.[4]

Finally, the supersonic project is widely defended on the ground that it is necessary to the maintenance of the American balance-of-payments position. Some advocates of the supersonic aircraft argue that the nation faces an adverse movement of some $36 billion in the balance of payments if the British and French develop the "Concorde" and we do not respond with a superior model. This argument is based on a most optimistic view of the prospects of supersonic transport, relative to the subsonic jets for which America has a comparative advantage so great that it provides most of the commercial aircraft for the free world. Given the restriction of supersonic planes to long distances and heavily traveled routes, and the growth in prospect of air travel in the C5A-747 type aircraft, it is by no means clear that the nation faces an important loss of exports.

Even if the Anglo-French "Concorde" program entails an adverse movement in our balance of payments, it does not follow that the federal government should undertake the subsidy of an American supersonic transport in response. To undertake a program otherwise uneconomic to benefit our balance-of-payments position is a pure protectionist measure of the sort that American administrations of both parties have sought to avoid since the mid-1930's. As Adam Smith pointed out in a particularly excellent chapter, "Of Bounties," a public subsidy of a commodity for export can only attract resources from more economic to less economic uses.[5]

If Anglo-French subsidy of a supersonic transport results in an unfavorable movement in our balance of payments, the appropriate remedy is to allow the market process to reallocate resources domestically so that our exports may be expanded in accordance with our comparative advantage. That is to say, increased American purchases of foreign aircraft and decreased foreign purchases of American aircraft will generate a larger supply of dollars in foreign currency markets than heretofore. The consequences will be a general expansion in American exports of commodities for which we have a comparative advantage.

It is by no means inconceivable that someone will come forth with improvements that will do for the supersonic aircraft what Frank J. Sprague did for the electric streetcar in 1888, and so leave arguments for subsonic aircraft as empty as the laudatory articles on the cable car one encounters in the street railway journals of the mid-1880's. The decision of whether the federal government should intervene in the development of this aircraft must be made on the basis of evaluation of the prospective costs and benefits of the program, given what we now know of the technology of supersonic flight. So viewed, the conclusion must be thoroughly hostile to the project. A stronger case could be made for prohibiting supersonic aircraft even if they are economic than for subsidizing them if they are uneconomic.

THE MAJOR ILLNESSES OF OUR NATION

Mr. CURTIS. Mr. President, the new national commander of the American Legion, Mr. William Galbraith, of Beemer, Nebr., very aptly and knowledgeably described the major illnesses of our Nation in his acceptance speech. Moreover, he treated these as challenges for solutions by the American people in the future. And he pledged to lend his very capable leadership toward this end.

Many Americans heard his speech on television. I ask unanimous consent that it be printed in the Record in order that Mr. Galbraith's astute and stirring observations may be shared with any who might not have had the privilege of hearing him.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Acceptance Speech by New National Commander, the American Legion, at 1967 National Convention, Boston, Mass.

Delegates to this great Convention, distinguished guests, ladies and gentlemen, the honor which you have just bestowed upon me is the greatest I have ever received.

This is the happiest moment of my life. I am thankful for the vote of confidence you have just given to me, and extremely grateful to all of you who have labored so long and so diligently to make this moment possible. I accept the charge you have given me with a sense of deep responsibility to our beloved America and to this great American Legion of ours.

I take this opportunity to salute retiring National Commander John Davis for a job well done on behalf of The American Legion this past year. I also accept the challenge he gave to us on Tuesday of this week—that is to lead The American Legion to a fourth consecutive year of membership growth—with the help of all of you and those whom you represent, I know we can and will do it.

You have entrusted to me the leadership of The American Legion at a moment in history when our nation is beset by grievous troubles. On every hand we hear of public apathy, moral decay and a growing lack of respect for law and order. Indeed, these are signs of our times. These signs were magnified this summer by civil strife and civil disobedience throughout the land.

These are the deadly banners which have marked the beginning of the end for many of the great societies of recorded history. They *cannot*, they *shall not*, be permitted to mark the beginning of the end for this great Republic.

My own life has been lived close to the land that you and I love, and I have spent countless hours meditating our present situation, both during the time I have engaged in the hard physical labor demanded of a Nebraska farmer, and during the time I have traveled this country consulting my fellow Legionnaires in the quest for this office to which you have just elected me.

I have arrived at some basic conclusions which I believe to be valid, and which I should like to pass on to you.

Every Legionnaire knows that when you're under fire, life itself depends upon your comrades. It is then that an ounce of loyalty is worth a pound of cleverness. In coping with our troubled times, an ounce of truth is worth more than all the good intentions ever conceived.

In these next few minutes I will speak the truth to you as I believe it to be. We will speak freely and openly of both the good and the bad. Surely it is necessary to spotlight our shortcomings and expose them to discussion, for our citizens must be sufficiently aroused to correct those shortcomings, and to correct them in the American way—legally and peaceably.

Name calling contributes nothing to the solution of our problems. To counterbalance the ill effects of the futile process of charge and counter-charge, we must provide a program of emphasis on the many positive aspects of our national life. Our job now, as I see it, is to promote a program of positive progress while we strive with equal vigor to eliminate the evils of apathy, self pity and greed.

This American Legion is a service organization. Service to God and country is our very reason for being. Many of you bear the scars of service to America in time of war. You know, from personal experience, that the priceless blessing of freedom exacts a price.

Freedom, as we know it, was purchased by the blood of our forefathers. Each new generation of Americans, and at least three generations are represented in this hall, has been called upon to make its installment upon the initial purchase price. You have assumed a certain responsbility for protecting that original investment, and no one is more aware than you that "freedom is not free."

No one knows better than you that this fact must be made to live in the hearts and minds of every American. No group is better qualified than The American Legion to promote this vital theme throughout the land.

I now challenge every member of The American Legion attending this Convention, and those back home whom you here represent, to emblazon these words, and their meaning, all across America during the coming year. I challenge you to teach those who seemingly do not know that "freedom is not free." Awaken the apathetic to the fact that

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[4] The problems involved in the financial arrangements between the government and the manufacturers are discussed at length by Stephen Enke in "Government-Industry Development of a Commercial Supersonic Transport," a paper delivered at the meetings of the American Economic Association, San Francisco, Dec. 28, 1966. Publication is pending in the *American Economic Review*, May, 1967.

[5] Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (New York: The Modern Library, 1937), pp. 472–90. Compare p. 473: "The trades, it is to be observed, which are carried on by means of bounties, are the only ones which can be carried on between two nations for any considerable time together, in such a manner as that one of them shall always and regularly lose, or sell its goods for less than it really costs to send them to market. But if the bounty did not repay to the merchant what he would otherwise lose on the price of his goods, his own interest would soon oblige him to employ his stock in another way, or to find out a trade in which the price of the goods would replace to him, with the ordinary profit, the capital employed in sending them to market. The effect of bounties, like that of all the other expedients of the mercantile system, can only be to force the trade of a country into a channel much less advantageous than that in which it would naturally run of its own accord."

"freedom is not free." Remind the conscientious that "freedom is not free."

Above all, I challenge you to make young Americans wholly aware that the task before them—the task of maintaining their great heritage of freedom—never has been, and never will be, free of pain—free of struggle—or free of individual and collective effort.

I have had some personal experience as an educator, and I believe that this dynamic American Legion is equipped to do a superb job of education and salesmanship on this very important subject.

Our stock in these United States of America was purchased on dozens of battlefields around the world, in the skies and on the seven seas. Now the opportunity is ours to tell the true meaning of our priceless heritage to all of our people, and to awaken them to the grave responsibilities that are theirs to keep that heritage alive.

By every means available to us, we must strive this year to drive home to every American the fact that this precious freedom, which too many take for granted, bears a high price tag. During the year ahead it becomes our duty to make certain that every citizen understands that "freedom is not free."

We can strengthen America by insuring that all people know what this great country stands for—the things that have made it great and kept it great. It must be known and understood by all of our people that America's enemies seek to weaken us through insidious attacks against the freedoms for which a million Americans have died.

Our enemies are on the move. They are bringing pressures from within and without. It is both startling and sickening to note that a number of Americans appear to be willing to do their work. The subtle forces directing the attack against freedom have, unfortunately, enjoyed some degree of success.

They have persuaded some misguided individuals to alienate themselves from the democratic ideas and processes which are the foundation of this great Republic.

There is a growing hostility toward law and order, toward accepted standards of decent behavior—indeed, to the very concept of liberty under law. These negative factors become increasingly apparent with the growth of movements which flout the very institutions that support our government.

Embers of anarchy smoulder, and are fanned by a small minority of malcontents with nothing to offer to replace the social structure they seek to destroy.

The American people are deeply concerned to note the efforts of small groups promoting demonstrations which amount to civil disobedience. Americans are more concerned, shocked and angry over the destructive demonstrations and devastating riots that have rocked many of our major cities in recent months.

All of us recognize the inalienable right of every citizen to petition and to peaceably demonstrate on behalf of the cause which he supports. All of us recognize the difference between *rights* and *riots*. It is identical to the difference between *liberty* and *license*. "Freedom is not free," for without exception, freedom places upon every individual the responsibility for his acts.

F.B.I. Director J. Edgar Hoover recently made this observation on the devastation and ruin in the wake of riots, and the burden these acts impose upon law enforcement. He said:

". . . Police officials, as well as the general public, are becoming weary of persons who, for self-aggrandizement and monetary gain, exploit noble causes and agitate peaceful groups into rioting. Some so-called leaders seem to blow hot and cold with the same breath. Their preachments are beginning to have a hollow ring. They claim to support non-violence, but do they? For instance, to publicly pinpoint certain cities where riots and violence may occur seems to be inconsistent with the doctrine of non-violence. Rather, it is more like an open invitation to hotheads and rabble-rousers in those areas to move them into action on cue. It puts them on notice that they are expected to riot. Where are the reason and judgment in this type of leadership?"

To repeat Mr. Hoover's question: "Where, indeed, are reason and judgment?"

There is no limit to the variety of exploiters on the American scene today. Let's take a look at the so-called "New Left" whose members harangue us day-in and day-out about peace, their freedom of speech, and all of their other inherent rights.

These people conveniently ignore the fact that the rights and freedoms they enjoy are inherent in the social structure which they seek to destroy. The distorted logic of this group, if indeed it is logic, offers a fascinating study. In their eyes, America is the disturber of international peace, the oppressor, the power-mad giant. They will never admit that American power has been used only to counter direct and active communist threats to peace.

Some would have you believe that the activities of the "New Left" student group are merely college high jinks comparable to the panty raids of the past. They are raids all right, but the trophy they seek is authority—authority which has been vested in, and must remain with, the faculty and officials of our institutions of learning.

Some of these campus groups have asserted the right to come and go as they please and to say and do what they choose. In some instances they have vehemently, and sometimes violently, resisted permitting those who hold opposing views to speak on their campuses. This is very peculiar behavior for rabid defenders of free speech.

This tiny minority of students in rebellion would have us believe that their voice is the voice of young America. Well, it isn't, and their arguments and their attitudes are both illogical and irrational. If they lack the imagination to grasp what would happen to them should they seek to launch such movements in Russia, Red China or Cuba, there is little hope for them. The American Legion believes the vast majority of American college students are smart enough to avoid being taken in by the sham that some of their contemporaries would foist upon them.

The communist party sees a tremendous opportunity in that segment of today's young people whose primary motive in life seems simply to stand in opposition—opposition to anything. The party will overlook no opportunity to capitalize on the seeds of dissent which these groups are sowing.

Among the loudest and most militant of the malcontents are the Students for a Democratic Society and the W.E.B. DuBois Clubs of America. The involvement of some young Americans in efforts so destructive to America must raise the questions: Where have we failed? What have adult Americans neglected to do? Why do some of our young people revolt against the values on which the American system is founded?

First, I believe we have gone too far in accepting the concept of permissiveness. There has been an overemphasis on *rights* and too little emphasis on the *responsibilities* that accompany those rights. We have not given proper emphasis to the fact that where individual rights are not recognized, anarchy reigns. Even though many have seen it with their own eyes, too many Americans seem incapable of grasping that fact.

Some seem to think that the ills that beset America can be purged by the fires of destruction and violence, yet they have not proposed any type of government to replace the constitutional system they seek to destroy. Is this vital matter to be considered only after our system lies in ruins under vicious attack?

The second point I would make is this: We who know that "freedom is not free" have failed to impart the knowledge as widely and as fully as we should have to the present generation. Every adult citizen of this country must shoulder his share of burden of blame for this failure, and for permitting a very real and deadly threat to develop in our midst, because we didn't take the time to make our children aware of the realities of life.

In this respect, I am reminded of a comment by the late President Herbert Hoover during the time young Americans were fighting the communist menace in Korea. He said: "Our greatest danger is not from invasion by foreign armies. Our dangers are that we may commit suicide from within by complacence with evil. Or by public tolerance of scandalous behavior. Or by cynical acceptance of dishonor. These evils have defeated nations many times in human history." Then he added: "The redemption of mankind by America will depend upon our ability to cope with these evils right here at home."

These statements of our late President are all too prophetic. They support our theme: "Freedom is not free." There can be no freedom without sacrifice, no rights without responsibilities, no rewards without effort.

During the coming year, I ask you to help me to put the mighty shoulder of The American Legion to the wheel of public opinion in promoting this theme. Help me to persuade other like-minded citizens and organizations to join with us in this effort.

We have, in the past, and with striking results, linked arms with other veterans organizations, with the National Education Association, the Chamber of Commerce, the Junior Chamber of Commerce and other equally outstanding groups, in the advancement of programs to promote our country's welfare. We can do so again, and we must make every American aware that "freedom is not free."

Again, I thank you for the faith and confidence you have expressed in me. I pledge to you that during this year I shall devote my full time—indeed, my life—to the furtherance of those things which you desire for the good of America and for the good of The American Legion.

In return, I ask only that you pledge to join me in this crusade to teach the unknowing, to awaken the apathetic, to remind the conscientious that the precious freedom which we cherish is not free.

Thank you.

OFFICE OF ECONOMIC OPPORTUNITY PUBLICATIONS

Mr. McGEE. Mr. President, I was pleased to receive, during the Labor Day adjournment of Congress, a report from the Office of Economic Opportunity of the State of Wyoming on the unfortunate and unwarranted criticism that was made recently of certain Federal OEO publications—principally the State summaries of Federal social economic programs and the catalog of Federal assistance programs.

I was pleased because the report confirmed my view of these publications: That they are extremely valuable and helpful to those of us who are concerned with bringing the maximum amount of effective Government assistance to the citizens we serve.

The report, sent to Wyoming's congressional delegation by Charles G. Newton, coordinator of OEO programs for Governor Hathaway in Wyoming, stressed the usefulness of the information in these publications on the kinds of Government assistance available to States and local communities.

Mr. Newton surmised that perhaps the publications could be produced more cheaply in a less sophisticated form and that they may be going to many people who do not really have a need for them. His points in this connection deserve consideration, certainly.

In answer to the broadside criticism recently made in the House of Representatives against these publications, however, he had this to say:

Of the summary of Federal social economic programs—

> I personally find them to be most advantageous and helpful.

Of the catalog of Federal assistance programs—

> I support the idea of this catalogue, believing it to be a very worthwhile instrument . . .
> I believe—

He concluded—

> that both publications . . . are excellent works, especially for those dealing with such programs on a day to day basis or at least quite often.

His evaluation certainly bears out the view of the Congress, which authorized the works in the first place, and I was most gratified to see the recent irrational criticism answered.

I ask unanimous consent that the releases be printed in the RECORD.

There being no objection, the releases were ordered to be printed in the RECORD, as follows:

STATE OF WYOMING,
OFFICE OF ECONOMIC OPPORTUNITY,
Cheyenne, Wyo., August 29, 1967.

To: Wyoming's congressional delegation.
Subject: OEO newsletter, file No. 7.

Attached is OEO News Release dated August 14, 1967, received in this office August 28, 1967, Representative Robert Michel, (R., Ill.), indicated "Summary of Federal Social Economic Programs," was "expensive propaganda." These are put out on a quarterly basis, and I personally find them to be most advantageous and helpful.

I will, however, have to agree in part with Representative Michel and disagree in part, since I believe that possibly if one actually has need for these "Summarys" they are without question a big help. However, I do feel that possibly too many people are receiving these that have no use for them, or at any rate, they only look at them once or twice, which simply means I believe, that they could do without them and thus reduce publication cost.

I believe, however, that the "Catalogue of Federal Assistance Programs," which contains I believe a total of 479 assistance type Federal programs could have some cost cutting done on them. I do not object, in fact I support the idea of this catalogue believing it to be a very worthwhile instrument, providing you are working with these programs day in and day out. I have found that these catalogues are being given away to people in offices whom I feel have any if little every day need for them. Such people with little difficulty, could borrow a copy from an office that does have one when they need only an occasional look. Hard bound covers cost money and the art work thereon likewise is expensive. I would suggest the following:

1. Cut down on the number of recipients receiving these "Summary of Federal Social Economic Programs," State Summary as well as the "Catalogue of Federal Assistance Programs."

2. Cut out the hard bound covers on the catalogue above mentioned and the art work.

I believe that both publications above mentioned, are excellent works, especially for those dealing with such programs on a day to day basis or at least quite often. With the maze of federal programs now in operation and which will no doubt grow, this type of catalogue is worthwhile and certainly the "Summary of Federal Social Economic Programs, " is a most worthwhile one for the individual States and their officials. I agree with Representative Michel that some thought to cutting these charges are in order, but I would not wish to agree in cutting out the entire publication.

Yours very truly,
STATE TECHNICAL ASSISTANCE OFFICE,
CHARLES G. NEWTON, *Coordinator.*

[Release from the Office of Economic Opportunity, Aug. 14, 1967]

OEO STATEMENT ON FEDERAL INFORMATION EXCHANGE SYSTEM REPORTS

Representative Robert Michel (R., Ill.), today charged that a state-by-state report on Federal programs, issued through the Office of Economic Opportunity by authority of Congress, is ". . . expensive propaganda . . ."

The reports, titled: "Summary of Federal Social Economic Programs," are issued as part of the Federal Information Exchange System.

The cost for printing one set of 52 state reports is not $2,900, as reported by Congressman Michel, but actually averages $156—or about $3.00 for each book.

The reports are of service to Congress, are authorized by law, and reflect Congressional interest in domestic programs. They are used by Congressmen, the government, states, municipalities and public organizations. These reports are the first consolidation, in one report, of the efforts of all Federal departments and agencies.

The reports on the 50 states, District of Columbia, trusts and territories, represent one activity of the Federal Information Exchange System, operated by the OEO Information Center.

Total annual operating costs for the entire Federal Information Exchange System is $580,000.

FOOD IS FIRST AID FOR A HUNGRY WORLD

Mr. McGOVERN. Mr. President, a well-informed and discerning discussion of America's food aid policy is contained in a column entitled "Food Is First Aid for a Hungry World," written by Walter B. Moore, editor of the Texas Almanac, and published in the Dallas Morning News of August 22.

The column, questioning whether people in less developed nations will have energy to lift themselves by their bootstraps without some aid, also questions whether we can anticipate a peaceful world if hunger is allowed to persist.

I am myself deeply concerned about the consequences of our failure to assure our farmers a fair return on sufficient production to wage a real war against hunger, not just for humanitarian reasons, but also to assure development and an end to the unrest and wars which continue to plague mankind.

I share Mr. Moore's concern when he asks:

> Are we saving dollars but gambling with human lives, perhaps driving foreigners to fight for food in order to sustain life?

I ask unanimous consent that Mr. Moore's column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"RACE IS BEING LOST": FOOD IS FIRST AID FOR A HUNGRY WORLD

(By Walter B. Moore)

Food is first aid. We all know this when a neighbor gets sick, someone suffers from bad luck or disaster strikes a community.

But the importance of food, in peace and war, too often is forgotten in international affairs. If it isn't overlooked, the need for producing and supplying food may be ignored for political reasons.

Recent events in Washington support this viewpoint. As the first significant step toward renewing economic aid to the Middle East, our government agreed to provide Israel with $27.5 million worth of agricultural products, most of which was for feed and food.

Those commodities were sold on credit, partly for U.S. dollars and partly for Israeli pounds.

Quietly, the U.S. also has been resuming the help it had been giving before the conflict to Arab nations. First, and chief postwar beneficiary has been Jordan, which did not sever relations with us as did most of the Arab states.

Conflict in the Middle East has created increasing need for food supplies from the United States and other areas of abundance, or at least those with greater stocks and productivity than in the have-not nations.

That same disruption of peace and production has renewed the criticisms and questions many Americans have of the federal government's current policy of restricting production of grains and some other foods.

The reasons for doing this are obvious. Grain prices are weak. Producers and speculators are clamoring for government help. It would be politically suicidal, in all probability, not to bolster grain prices at the moments. So it's easy to see why production was curtailed.

But what this policy of restriction will do from a humanitarian standpoint is something else; whether it is wise, from the standpoint of our own self-interest, in the long run, is another question to ponder.

A farm-state Democrat, Sen. George McGovern of South Dakota, has been among the critics of foreign-aid cutbacks.

"We can't expect any peaceful development of poor countries while half the people are hungry all of the time, said Sen. McGovern. "Instead of cutting back aid agreements, we should be moving in the other direction," he commented as he participated in a meeting where Agriculture Secretary Orville L. Freeman defended the decision to cut winter wheat acreage 13 percent to avoid what U.S. Department of Agriculture fears would be a price-depressing surplus.

Nonpolitical critics of the grain program are numerous, too. Among them have been members of a presidential advisory committee on food. This group consisted of experts in that field who made a careful study. They concluded that a staggering food crisis looms ahead by 1975.

The only way to avoid this critical problem, in the views of those chosen for their authoritative knowledge, is for the United States and other more affluent nations to begin "massive, long-range efforts unprecedented in human history."

Their specific recommendations were that the world's better-fed nations put up $12,000,000,000 a year more than they now are spending to feed the hungry countries.

Their plea arrived at the White House about the time that announcement was being made that this nation is cutting wheat acreage approximately nine million acres. It comes as Congress rings with oratory demanding that we slash foreign aid and do something to increase the price of grain to producers which means, of course, the cost to consumers.

This is a complex situation. No one blames the farmer for wanting better prices for his products. No one blames Congress for wanting to help American producers.

There are plenty of reasons for trying to eliminate waste in foreign aid, for seeking to cut down on our huge outlay to help others. Advocates of these things can make a convincing case for their viewpoint.

But starvation exists and is likely to increase. The hunger in India today is widespread, as it is in some other countries. Americans have never "walked on the other side of the street," in the words of President Johnson, when their fellowmen were suffering.

Are we getting ourselves in a situation where we can't help anyone, even our strongest friends and allies, with food in the future?

Are we saving dollars but gambling with human lives, perhaps driving foreigners to fight for food in order to sustain life?

No one knows the answers to such questions. But the leaders of this nation face the responsibility of weighing all of the arguments, evaluating all of the data and arriving at conclusions that are best for the American people and humanity as a whole. Guessing wrong could have frightful consequences.

One wonders if anything has happened since Jan. 10, 1967, to change the situation which the President described in his State of the Union message as follows:

"Next to the pursuit of peace, the greatest challenge to the human family is the race between food supply and population increase. That race tonight is being lost.

"The time for rhetoric has passed. The time for concerted action is here."

RACIAL HYSTERIA

Mr. MOSS. Mr. President, in the Salt Lake Tribune of August 25, John Mooney, the Tribune sports editor, has written a column entitled "'Old Mongoose' Makes Sense Amidst Racial Hysteria." I believe that this is a thoughtful and well-written column and that it contains a profound lesson for all of us. I commend Mr. Mooney, and especially Mr. Archie Moore. I ask unanimous consent that the column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

"Old Mongoose" Makes Sense Amidst Racial Hysteria

(By John Mooney)

Archie Moore, one of the great modern fighters in his prime, liked to call himself "the old Mongoose," an inference that he was a bit smarter than the average creature in the fistic jungle.

But since his retirement, the Mongoose has shown more native intelligence than he displayed in the ring, and that's quite an achievement.

Speaking of the racial situation recently, Archie was quoted in the San Diego Union as saying:

"The devil is at work in America and it is up to us to drive him out. Snipers and looters, white or black, deserve no mercy.

"Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

"I'll fight the man who calls me an 'Uncle Tom.' I have broken bread with the heads of state, chatted with presidents and traveled all over the world.

"I was born in a ghetto, but I refused to stay there. I am a Negro, and proud to be one. I'm also an American, and proud of that.

"The young people of today think they have a hard lot. They should have been around in the 30's when I was coming up in St. Louis. We had no way to go, but a lot of us made it. I became lightheavyweight champion of the world.

"A neighbor kid, Clark Terry, became one of the most famous jazz musicians in the world. There were doctors, lawyers and chiefs who came out of that ghetto. One of the top policemen in St. Louis came from our neighborhood," Archie adds.

HAD A GOAL TO SEEK

The Old Mongoose continued, "We made it because we had a goal, and we were willing to work for it. Don't talk to me of your 'guaranteed income.' Any fool knows that this is insanity. Do we bring down those who have worked to get ahead, down to the level of those who never gave a damn?

"The world owes nobody—black or white—a living. God helps the man who helps himself!

"Now then, don't get the idea that I didn't grow up hating the injustices of this world. I am a staunch advocate of the Negro revolution for the good of mankind.

"I've seen almost unbelievable progress made in the last handful of years. Do we want to become wild beasts bent only on revenge, looting and killing and laying America bare?

"Hate is bait, bait for the simple-minded.

"Sure, I despised the whites who cheated me, but I used that feeling to make me push on. If you listen to the professional rabble-rousers, adhere to this idea of giving up everything you've gained in order to revenge yourself for the wrongs that were done you in the past—then you'd better watch your neighbor, because he'll be looting your house next.

"Law and order is the only edge we have. No man is an island."

LONG WAY FOR SHAKE

Archie concludes, "Granted, the Negro still has a long way to go to gain a fair shake with the white man of this country. But, believe me, if we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams.

"We have to have a meeting of qualified men of both races. Mind you, I said qualified men, not some punk kid, ranting the catch phrases put in his mouth by some paid hate-monger.

"There are forces in America today bent upon the destruction of America, your America and mine," Moore warns.

That is plain talk and sensible talk from a man who has been through the ropes many times.

It's the kind of thinking Willie Price and his neighbors in the northwest section of Salt Lake City evidenced a week ago when they decided to do something for themselves in the way of establishing neighborhood pride and achievement, instead of waiting for someone else to do the job.

No one ever gained acceptance by burning down the neighborhood or destroying buildings while looting, sniping and burning.

But few people of Archie's stature among the youngsters of all creeds and races have said it so well, and at such an opportune time.

STATEMENT OF THE HONORABLE DOUGLAS DILLON BEFORE THE HOUSE WAYS AND MEANS COMMITTEE CONCERNING THE ADMINISTRATION'S TAX PROPOSALS

Mr. COOPER. Mr. President, yesterday the former Secretary of the Treasury, Douglas Dillon, testified before the House Ways and Means Committee in support of the administration's proposed increase of 10 percent in corporate and individual income taxes. In his statement Mr. Dillon discusses important aspects of the tax increase as it relates to problems of inflation, balance of payments, and the position of the United States in world trade.

Mr. Dillon has served his country with distinction as Ambassador to France, as Under Secretary of State, and more recently as Secretary of the Treasury, and his comments on this important subject merit the attention and consideration of Senate Members.

Mr. President, I ask unanimous consent that Mr. Dillon's statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of the Honorable Douglas Dillon Before the House Ways and Means Committee, September 13, 1967

It is a pleasure, unexpected but none the less real, to appear before you once again. Since leaving the Treasury Department, I have been engaged in the investment business in New York. I am currently the President of United States and Foreign Securities Corporation, a registered, closed-end investment company. I am also a Director of the Chase-Manhattan Bank and of the American Telephone and Telegraph Company.

I am here today to support a temporary, across-the-board increase of 10 percent in corporate and individual income taxes. I have subscribed to the statement of principles signed by a large group of business men and filed with you by Mr. Saunders. This is a novel experience for me as, during my days in the Treasury, my time was largely absorbed in efforts to persuade the Congress to reduce taxes. However, the situation today, with an annual $20–$25 billion drain for the war in Vietnam is very different from what it was in 1963 and 1964. Largely as a result of these unforseen expenditures we now face the possibility of a budget deficit of upwards of $25 billion in the current fiscal year.

In the absence of a major recession such a deficit is clearly unacceptable. It must be reduced. It demands, first of all, heroic measures to reduce expenditures both on the part of the Congress and of the Executive Branch. But this alone will not be enough. A temporary tax increase is also required to lessen the inflationary pressures of such a heavy budget deficit.

Without a tax increase we face the alternatives of further sharp increases in prices or a period of tight money and higher interest rates that could make last year's experience look like a picnic. Neither course is acceptable. Responsible fiscal management demands a temporary across-the-board tax increase so that all segments of our population will bear a fair share in fighting this inflationary threat, brought on by the costs of our military effort in Vietnam.

I would like to say a few words about the relationship of a tax increase to our balance of payments. While it is impossible for anyone to pinpoint the moment when a continuing U.S. payments deficit would lead to catastrophe, such a result is certain unless we bring our payments into effective balance. And the time of danger is close enough at hand to merit every effort on our part to close the gap. As I see it there are two main ways in which the gap can be closed—a strong trade balance and increasing returns from our direct investments overseas. Both are necessary. But the sine qua non is a strong and favorable trade balance.

Secretary Fowler has given you facts and figures showing the marked effect of excess demand on the growth of our imports during

1965 and 1966. They increased by 15 percent in 1965 and by a further 18 percent in 1966, compared to a normal growth rate of around 6 or 7 percent. In 1966 our imports were equivalent to 3.4 percent of our GNP compared to a long-term average of 3 percent. And while that extra 4/10 of 1 percent may seem small, it meant about $3 billion of imports in 1966 over and above the normally expected level, which contributed substantially to last year's payments deficit.

These soaring import figures clearly show the serious and immediate adverse influence of excess domestic demand on our trade balance. However, this influence is essentially temporary in nature. When demand returns to normal, the unusually rapid growth in imports also subsides. This happened during the first half of this year, leading to a significant recovery in our trade balance.

What concerns me even more is the longer term and more permanent effects of inflation on our world-wide competitive position. Our last rapid increase in prices, as a result of inflationary pressures, took place during the mid-fifties. At that time the competitive position of our products was impaired, both in export markets and here at home. As a result of the cost and price stability which we experienced during the years from 1958 to 1965, we slowly regained a good part of what we had lost in the mid-fifties.

But in late 1965 and 1966 we embarked on a new inflationary spree that has not yet been paid for. And it can only be paid for in one of two ways: by a reduction in demand sufficient to eliminate the pressure on prices, or by price increases. We have not followed the first course, since it is generally considered to be unacceptable. On the contrary, the Federal Reserve this year has carried out a policy of unparalleled credit ease. This has been successful in staving off a recession, but at a cost. It has made it certain that the 1965–66 inflationary expansion will be paid for by a rise in the price level. While there has been a natural lag in this process, the recent flood of price increases indicates that a general price rise is now in full force and will not be stopped until it has run its natural course. This will undoubtedly impair our trade prospects for some years to come, and increase the difficulty of reaching the necessary effective balance in our international payments.

What is now essential is that this round of price increases be held to the minimum, and that we avoid adding further fuel to the inflationary fires. This will require restrictive monetary or fiscal action, or some combination of both. In the absence of strong fiscal action we will face the bleak prospect of a choice between unacceptably tight money accompanied by soaring interest rates, and an equally unacceptable further round of price increases—truly a Hobson's choice. To help our money managers out of this impossible dilemma we must adopt a strong, active and responsible fiscal policy. Such a policy should include both strict expenditure control and a temporary but significant increase in taxes. In the circumstances, a temporary, 10 percent across-the-board increase in corporate and individual income tax liabilities seems a relatively modest price to pay, and I am here today to record my wholehearted support for such a tax increase.

AMERICAN BAR ASSOCIATION TESTIFIES ON HUMAN RIGHTS CONVENTIONS—CXXXVII

Mr. PROXMIRE. Mr. President, yesterday Mr. Max Chopnick, of New York City, and Mr. Eberhard P. Deutsch, of New Orleans, testified on behalf of the American Bar Association before the Committee on Foreign Relations on the subject of the Human Rights Conventions.

Both men, able and respected members of the bar, sincerely presented the position of the American Bar Association in support of the Slavery Convention and in opposition to the Convention on Political Rights of Women. The ABA took no position on the Forced Labor Convention.

I believe the legal case for the ratification of all three Human Rights Conventions was convincingly presented by U.S. Ambassador Arthur Goldberg before Senator Dodd's subcommittee last February.

The ABA disagrees with Ambassador Goldberg and with me. This is their right.

But I think some other facts should be pointed out for the information of both the Senate and the committee.

First. Every one of the individuals or spokesmen for national organizations who testified before the subcommittee this year endorsed U.S. ratification of the Human Rights Conventions.

Second. The American Bar Association is the only group in the entire country which has formally opposed ratification of the Human Rights Conventions.

Third. No local bar association in the country, to my knowledge, has opposed ratification. At least seven local bar associations have endorsed ratification: Alaska, Colorado, District of Columbia, Los Angeles, New Jersey, New York City, and New York State.

Fourth. It is not seriously maintained by any knowledgeable observer that the provisions of these conventions conflict with fundamental rights guaranteed by our Constitution and our statutes.

Mr. President, my intention is not to dismiss the criticisms of the ABA or its representatives. I merely want to put that criticism in a proper perspective.

Once again I urge the Committee on Foreign Relations to report favorably and quickly the Human Rights Conventions on Forced Labor, Political Rights of Women, and Slavery. I also request the committee to revive its consideration of the Conventions on Freedom of Association and Genocide.

When all five of these conventions are ratified by the United States, then, and only then, will we be able to meaningfully commemorate 1968 as International Human Rights Year.

SENATOR DOMINICK PRAISED

Mr. FANNIN. Mr. President, so much attention has been paid recently to events in Asia and the Middle East that equally disturbing events in our own hemisphere have gone almost unnoticed, at least by the overwhelming majority of Americans. All available evidence points to increased Communist activity throughout Latin America, particularly in guerrilla warfare in Bolivia, Colombia, and Venezuela. All Latin America is threatened.

It is, of course, not surprising that our Nation's attention is focused elsewhere, to those areas of the world where Americans already are fighting or are committed, at least morally. This is understandable. But failure to recognize the seriousness of the problem in this hemisphere, and failure to deal with it effectively and now, is neither understandable nor forgivable. The oversight—neglect?—can only compound the very real problems of our neighbors to the south, who almost without exception, are in no position militarily or economically to resist Communist aggression that flows freely by way of Cuba.

The threat is immediate and real.

One man who is not affected by tunnel vision is our own Peter Dominick, the junior Senator from Colorado. Time and again he has warned the Nation not to become so preoccupied with Asia and the Middle East that we forget Latin America. He has told us of the "new Vietnams" that are threatened in that part of the world. He has revealed the true role of the Communists, Russian and Cuban, in those efforts. And in this capacity his service to the Congress and to the Nation has been invaluable.

Senator Dominick clearly practices what he preaches, if in reverse. His concern over developments in Latin America has not lessened his interest in happenings in Vietnam, from where he just returned as an observer. His catholic approach to foreign policy and military strategy, based on a thorough and scholarly knowledge of the nature of communism and Communists, has made him a highly respected member of the Committee on Armed Services and of the Senate generally. He is both informed and articulate.

I was happy to see that he has been given the credit due him. In the Washington Post of August 21, nationally syndicated Columnist John Chamberlain was very free in his praise of Senator Dominick. And well he should have been. Peter Dominick is one of the many bright new stars of the Republican Party.

I ask unanimous consent that Mr. Chamberlain's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Lonely Voice of Senator Dominick

Three years ago, when Republican conservatives were counting their "in depth" strength behind such obvious leaders as Barry Goldwater, the name of Sen. Peter Dominick of Colorado kept cropping up. He was young (a classmate of Kennedy-in-law Sargent Shriver), he was personable, and he was, at the very least, an excellent vice presidential prospect. But today he seems blotted out by the newer figures, such as Gov. Reagan of California, Gov. Kirk of Florida, or even such moderates-veering-toward-conservatism as Sen. Percy.

The reason that Sen. Dominick has receded a bit is due to the optical tricks played by the daily headlines. The reading and TV-viewing world has room for only one crisis at a time. Lately it has been the Israeli-Arab confrontation. Now, once again, it is the Vietnamese war.

The recent Latin American Solidarity Organization Conference staged by Fidel Castro in Havana, however, points to the urgency of what Sen. Dominick keeps talking about. Before Castro's gang of international cutthroats convened in Havana to launch what amounts to a New Left Communist Internationale, with the specific blessing of Stokely Carmichael, Dominick was warning in the Senate about the development of "new Vietnams", in such places as Bolivia and criticizing Castro's training and financing of guerrilla groups for export to Venezuela, Colombia, and elsewhere, but also Soviet Russia's part in sustaining Castro's "Maoism."

Unfortunately, many Americans still cannot grasp the fact that the Soviets confront the world with a dual policy, one "for show" and the other "for real."

To further its "for show" policy, Kosygin and Brezhnev publicly side with the old-time "legal" Communist Parties in Latin America, which profess the hope of winning by parliamentary means.

But the presence of such Kremlin-linked groups as the Communist International Journalists Organization and such Moscow-oriented personalities as Alexis Dzasilov, secretary of the Asian-African Solidarity Conference, at the Havana meeting bespeaks a hearty below-the-surface cooperation.

Why is it left to a few lone voices such as Sen. Dominick's to tell us that Soviet Russia could break up Castro's guerrilla campaign, simply by taking Fidel off the Russian payroll? If Kosygin wants peace and legalism in Latin America, why did he take time off during his Havana trip to visit the Cuban headquarters of the revolutionary Puerto Rican Independistas?

Kosygin talks peace with Venezuela and Colombia because (a) he wants trade and (b) he doesn't want the sort of Latin American complaints to the U.N. that followed the more inflammatory Soviet utterances at the original Tricontinental Conference at Havana. But if Castroite guerrillas were to overthrow the existing order in Venezuela or Bolivia, the cooperation of the "legal" Communists controlled by Kosygin would automatically follow.

Sen. Dominick is quite right in saying Castro can do nothing without the sanction of the Russians. After all, they control the network of military caves throughout Cuba and the shipping that sustains the life of the island. Herminio Portell-Vila, the editor of Radio Free Americas, keeps pointing out that Cuba is utterly dependent on Russia for its oil.

So when it is reported from Havana that there is a difference between the "Soviet line" and the "Cuban line," forget it. As Dominick says, it's just the old Soviet dual policy.

SUPPORT FOR EXPORT PROGRAM BY THE SMALL BUSINESS ADMINISTRATION

Mr. MORSE. Mr. President, in April of this year, the chairman of the Select Committee on Small Business [Mr. Smathers] requested that I announce the series of hearings which the committee would be holding at principal seaports across the country on the possibilities for expanding exports of regional products during the next 10 years. At that time I was privileged to review the efforts of the Small Business Committee under the chairmanship of the Senator from Florida [Mr. Smathers] and the Senator from Alabama [Mr. Sparkman] to quicken the interest of the Small Business Administration, the Department of Commerce and other Government agencies in the prospects of building export industries and markets abroad.

Beginning with an interim report in October 1965, and in subsequent annual reports, the committee has emphasized the fact that only about 5 percent of our gross national product was exported and that this business is being done by considerably less than 5 percent of American firms.

The April announcement summarized, in some detail, the advantages that would flow from expanding both the number of firms and the volume of small business exports. I ask unanimous consent that this excerpt be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, it also seemed appropriate to repeat at that time the remarks which I made at that Senate on February 3, 1967, in the course of requesting that the regional field hearings be held:

> (Our committee would) be pleased to make (the results of its hearings) available to the Administration. We shall be pleased to cooperate in every way in strengthening (our country's trade) program, in order that the resources in both governmental and business can be fully mobilized in the mutual interest of both.

It appeared to be necessary to lay down a foundation of this sort in view of the fact which emerged at the Portland hearings that the SBA had eliminated its Office of Foreign Trade and the remainder of its export program some time ago.

However, I am pleased to report that the SBA now fully endorses the Nation's export effort particularly as to smaller bussinesses at home and developing nations abroad. Henceforth the SBA will be "stepping up its efforts to encourage small firms to seek out and cultivate foreign markets." This declaration was made in the public testimony of the Associate Administrator, Irving Maness, before the Subcommittee of the House Committee on Foreign Affairs on September 12.

It is gratifying to learn of this development and to know that the committee's advice has been taken to heart. I commend the SBA and shall look forward to working with that agency as well as all others interested in furthering export trade as a means to strengthening markets for American small business and the economies of our trading partners overseas.

I ask unanimous consent that a press release announcing the small business export policy and the excerpt, which I previously mentioned, be printed at this point in the Record.

There being no objection, the release was ordered to be printed in the Record, as follows:

Small Business Administration,
Washington, D.C., September 12, 1967.

The Small Business Administration wants small firms to play a more important role in export trade, particularly with economically underdeveloped countries.

The Agency's views were expressed by Associate Administrator Irving Maness in testimony September 12, 1967, before the House Subcommittee on Foreign Economic Policy of the Committee on Foreign Affairs, chaired by Representative Leonard Farbstein.

Maness told the Subcommittee that under Administrator Robert C. Moot, SBA is stepping up its efforts to encourage small firms to seek out and cultivate foreign markets, as part of President Johnson's goal for expanding American export trade.

In his testimony Maness said:

"In America *forty* percent of the Nation's goods and services are produced by small firms; small business has been the keystone and foundation on which America has built its industrial strength and power.

"If we intend to help the underdeveloped countries grow, we must focus our attention upon helping them develop healthy small business communities."

Maness endorsed the views of Anthony M. Solomon, Assistant Secretary of State for Economic Affairs, who urged that efforts be made to reach and encourage the "very small entrepreneur in the poor countries."

"It is the American small businessman," Maness said, "who can play a vital role in the economic development of the emerging nations, and that encouraging them in this role is 'in our national self-interest.' "

"Until recently our Government has placed almost exclusive emphasis upon large business to create and maintain an American image in the world of foreign trade," Maness said.

"Now, President Johnson has stressed the need for expanding the role of the American small businessman, and to provide him with the opportunity to prove himself also in the foreign arena.

"The President believes, and rightly so, that the potential for small business in foreign trade is vast and relatively untapped. At the same time he is determined that the drive, energy, and creative imagination of the small businessman be given every opportunity to express and develop itself, not only domestically but in the foreign trade as well."

Maness said that many of the developing countries fear American domination, but that American small business concerns in their dealing with them will help allay such fears.

"The Small Business Administration has the trust and confidence of America's small business community," Maness said. "We have the vast experience in assessing investment opportunities peculiarly suited to small business . . . We want the chance to lend our expertise in a common effort with those Government agencies which have already primary roles. Of course, in addition to our management programs, our financing programs can make a substantial contribution to this cause and, simultaneously, help our balance of payments."

Maness revealed that the SBA and the Department of Commerce are at present actively engaged in the negotiation of a bilateral agreement which is designed to secure for the SBA its rightful and indispensable role in the promotion of small business activity in the economically less developed countries. The SBA is also anticipating that the Department of Commerce will include small business specialists in government-organized trade missions and trade fairs, and consider stationing such specialists in United States embassies and consulates in underdeveloped countries.

Exhibit 1

All too often these statistics and public comment on overseas activities of U.S. firms are based to a substantial degree upon the operations of what might be called the "Fortune 500." These are the large international corporations which have a tendency to show to foreign countries a picture of the "private enterprise system" which is actually "large-scale corporate enterprise," and which is frequently out of proportion to local needs, the capacity of local businessman, and the scale of host economies.

Another aspect of holding these hearings before the Committee on Small Business is to emphasize the potential benefits to foreign lands as well as our own of the U.S. firms entering international trade. In numbers, small business constitutes about 90 percent of U.S. manufacturers, and virtually 100 percent of farmers, ranchers, and other agricultural producers and processors. It is my impression that the totality of small firms possesses a great potential that has only been partially tapped in the U.S. effort to improve our exports and the U.S. balance of payments. Further, the enterprise of this small business community can add flexibility and growth to the economics of our trading partners, as well as our own. At the same time, we would be projecting to these countries a more representative view of our society. As Secretary of the Treasury, Henry Fowler, commented to the Small Business Committee during his appearance on March 22.[1]

> I can see unqualifiedly that . . . the most vital aspect of our whole international balance of payments problem is the development and maintenance of a healthy trade surplus. And that the role of the small business enterprises in this country . . . ought to continue to be one of the most important aspects of our international program.
>
> It would be interesting to know just how many of the products that we take for granted in the United States . . . are actually available in the markets of the world. I would suspect that a great many are not. And these are not necessarily products that are produced by the large enterprises . . . I think we can and must do a great deal more in pressing forward on this point.
>
> I think it is a very real frontier that ought to be pushed.

Another frontier for this Nation are the vast rimlands of the Pacific Ocean. In Asia alone, the population is about 2 billion, and when this is added to the other trade areas such as Oceana and western South America, which are accessible from our west coast, the total approaches two-thirds of the human race. Furthermore, the Pacific Ocean area is a region of profound economic need and accelerating development. Our country should recognize these factors and be preparing for the future in relation to these likely markets.

FURTHER ACTION IN THE EXPORT FIELD PURSUANT TO SMALL BUSINESS COMMITTEE HEARINGS

Mr. SMATHERS. Mr. President, again, it is my pleasant duty to congratulate the Senator from Oregon [Mr. Morse] on the occasion of action taken by the administration in behalf of the small businessman in the export field.

As Members of this body will recall, the first of the Small Business Committee's regional hearings on export expansion were held in the Pacific Northwest at Portland on the weekend of May 19 and 20, 1967. The sessions were conducted by Senator Morse and probed deeply into what might be done to improve the Nation's capability to assist small and independent business to build long-term commercial markets overseas.

Following the hearings, in fact, on the Monday following, the name of Acting Secretary of Commerce Alexander Trowbridge, was sent to the Senate as a nominee for the position of Secretary of the Department. I commented favorably upon this action during the morning hour on May 23, 1967.

This time, we note with some satisfaction that the export program of the SBA has been revived with appropriate ceremony.

I feel that the program announced on September 12 by the SBA can have important benefits for the small business community of this country, the balance of payments, and our friends overseas with whom we will be carrying on this trade.

In due course, I will have some additional comments on this subject. Suffice it to say now, that matters appear headed in the right direction, and a commendation is thus in order for the Small Business Administration, as well as the Senators and others who have been working on this project.

GOP URGES PLAN TO PINPOINT JOB LOCATIONS

Mr. BAKER. Mr. President, on September 1, 1967, the Republican Coordinating Committee's Task Force on Job Opportunities and Welfare issued an excellent position paper entitled "Where the Jobs Are."

Prepared under the talented and able leadership of Don Paarlberg, professor of agricultural economics at Purdue University and U.S. Representative George H. W. Bush, of Houston, Tex., this study underlines the need for the Government to undertake a continuing National Job Opportunity Survey, and a companion communications system to disseminate the information it produces, as a means of directing jobseekers to jobs and thereby reducing critical unemployment gaps.

This recommendation was adopted by the GOP Coordinating Committee at its July 24 meeting in Washington.

This position paper ties in with Senate Joint Resolution 64, introduced by the senior Senator from South Dakota [Mr. Mundt], to establish a Committee on Balanced Economic Development. Senate Joint Resolution 64, which I am pleased to cosponsor, recognizes the imperative need to meet the challenges posed by our advancing technological revolution. Among other things, this Commission will identify and evaluate economic, social, and political factors affecting the industrial growth and development of our Nation.

The findings of this Commission, coupled with the new information which should be made available to the unemployed as to the needs of specific skills, will go a long way toward meeting the challenges our Nation faces as we move forward in technological discoveries.

I ask unanimous consent that the task force report be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Where the Jobs Are

The Republican Party believes:

In the objective of full employment in an economy of free competitive enterprise.

That no arbitrary overall percentage of unemployment is a satisfactory measure of full employment.

That with the government's policy stress on expansionary economic policy to stimulate demand and thereby create jobs, too little attention has been paid to significant structural differences at the root of the unemployment problem.

That a major cause of unemployment is not lack of desire to work but lack of information about what jobs are available, what skills the individual must develop to fill available jobs and where the individual can go to develop such skills.

That the inadequacy of data on job vacancies and the job market hampers well-directed planning for vocational curricula, leads to misdirected training in unneeded or obsolete skills, frustrates effective placement service and proper counseling and is a roadblock to the formulation of intelligent recruitment and training objectives by employers. In spite of the relatively high levels of employment in recent times, too many Americans have been left out, too many lack jobs, too many are underemployed.

In urban slums and depressed rural areas, the goal of self-fulfilling work and eocnomic security has proven much harder to reach than in the society as a whole. The unemployment rate in slum districts is about three times the overall national rate. Workers whose last job was in agriculture have an unemployment rate about twice the national rate. Rural areas are being drained of young people who add to urban unemployment problems. Teenage unemployment has emerged as an increasingly critical matter, particularly among Negroes.

The problems of unemployment, then, have not been solved. Yet, while large numbers of Americans are either unemployed or have only subsistence work, many good jobs go begging for lack of qualified applicants to fill them.

America needs more machinists, mechanics, electricians, sales personnel and social workers. There are shortages in automatic data processing, in design engineering, in library science, in counseling, in teaching, in nursing and other health services.

Most of these areas of occupational shortage are not open to the unskilled. Thus, clearly, there has developed what might be called a skills gap. This trend need not continue.

But, in order to close the skills gap, the necessary first step is to close the informational gap relating to it. We need to obtain more relevant information about emerging skills, outmoded jobs, the demand side of the employment picture.

The next step is to establish an efficient network for disseminating this information to places where it will be of value.

At present we lack these vital ingredients for the creation of broadly effective public and private manpower programs.

Therefore, the Republican Party recommends a continuing National Job Opportunity Survey.

The Survey would involve:

a. A nationwide collection of data on job market conditions, unfilled jobs, developing job needs, labor supply, regional and local patterns and the skills needed to meet the demands.

b. A nationwide communications system making this data available to vocational educators, counselors, placement personnel, the Armed Services, labor unions, business enterprises.

The National Job Opportunity Survey represents an initiative in manpower policy urged by Republicans since the mid-1950's when Professor Arthus F. Burns, then Chairman of the Council of Economic Advisers, called for a national statistical series on job vacancies.

In early 1961, the House Republican Policy Committee conducted a study involving forty-nine Congressmen, entitled "Employment in the Dynamic American Economy," that developed recommendations for a Manpower Development Training Act. Among the strong recommendations made in the report was a need for a national skills survey to match jobs with people.

Again in 1962, in his book "87 Million Jobs," Republican Representative Thomas B. Curtis pointed out the desirability of immediate action to develop job availability statistics. During the same year, Congress adopted a Republican substitute manpower program developed and introduced by Republican Congressman Charles Goodell. The provisions of that substitute required the Labor Department to undertake forthwith a national skills survey to determine the immediate and long-range skills shortages. In hearings on the Manpower Development and Training Act since 1962, Republicans have repeatedly chided the Secretary of Labor for failing to move in this area.

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[1] The Status and Future Small Business in the Economy, hearings before Select Committee on Small Business, March 2, 1967. Transcript, page 1018.

The Survey, as a new instrument to help match men and jobs, would carry out a legislative proposal made last year by Republican Representatives Albert Quie and Charles Goodell in the Opportunity Crusade Act of 1966 and again this year in the Opportunity Crusade Act of 1967.

The proposal is responsive to changes which technology is generating in the nature of employment in America. The Dictionary of Occupational Titles updated by the Department of Labor in 1965 showed over 6,400 new occupation listings since 1949. It is estimated that at least 5,000 new titles will be added in the decade of the 60's alone. Therefore, the National Job Opportunity Survey would be, to a significant extent, future-oriented. It would be used not only to identify today's jobs but also to detect long-term trends.

And the Survey would put the dissoveries of technology directly to work in solving the problems technology itself has created. It would utilize electronic data processing and telecommunications systems for the storage, retrieval and communication of job and worker information.

A pioneering job vacancy study was begun in the spring of 1964 by the National Industrial Conference Board. NICB undertook a survey in the Rochester, New York area to determine the feasibility of attempting to assemble meaningful data.

Finally in late 1964 and early 1965, the Department of Labor conducted surveys in 16 metropolitan areas about the number of kinds of jobs which were currently vacant.

Perhaps the most important result of these limited efforts was the enthusiastic reception by employers canvassed. These pilot studies indicated clearly that accurate data on job vacancies can be obtained and provided every reason to believe a broader, more comprehensive survey would be successful.

However, as NICB pointed out, the usefulness of such data-gathering is dependent on a continuing collection of statistics. A single survey cannot do much more than demonstrate its own feasibility. The National Job Opportunity Survey would be an ongoing data collection effort, constantly deriving new input and modifying its statistics accordingly.

In 1966, the Joint Economic Committee conducted hearings on the subject of job vacancy statistics and recommended that regular collection of vacancy data proceed as rapidly as possible and that the scope of present activities in this regard be expanded.

Thus, the progress registered to date—largely at Republican instigation—shows that we are ready to undertake the National Job Opportunity Survey.

The potential benefits of the Survey are many:

On the level of national economic policy, the statistics derived would be a help in determining whether aggregate expenditures need to be raised to reduce unemployment. Professor Arthur Burns has pointed out that job vacancy data would be of value in determining the proper policy mix of stimulation of demand and selective approaches concentrating on matching men who seek work with the jobs that need to be filled. He has noted that when the number of vacant jobs is equal to or larger than the number of the unemployed, there is no deficiency of demand. With knowledge of this circumstance, the government could hold expansionist spending in check and lessen the danger of inflation without retreating from the objective of full employment.

However, just as important as its potential influence on fiscal and monetary policy, the National Job Opportunity Survey could become a major force in meeting structural problems by directing training to identified skill shortages.

(1) Its findings could become the very basis of vocational training and guidance at all levels—in the public school system, in proprietary schools, in apprenticeship programs, in business.

(2) Such information would militate against continued instruction in obsolete skills or skills not in demand in a given locality.

(3) The availability of reliable information on new skill needs would of necessity require vocational and guidance personnel to upgrade their own skills.

(4) Vacancy statistics would aid the Employment Service in improving its placement efforts within areas and among areas.

(5) Such data would stimulate private sector activity in training.

(6) Business firms could use job vacancy statistics to get a better idea of the demand for a given type of worker and to develop effective recruiting programs.

(7) Job opportunity data would be of value to labor unions in determining the needs for the skills of their members and in developing apprenticeship activities.

(8) Survey information could be systematically used by the Armed Services in their broad vocational activities.

(9) The job-seeker himself would be given a clearer picture of where jobs are located and what the skills requirements are.

MEMBERS OF THE REPUBLICAN COORDINATING COMMITTEE'S TASK FORCE ON JOB OPPORTUNITIES AND WELFARE

Don Paarlberg, Chairman, Professor of Agricultural Economics, Purdue University.

George H. Bush, Vice Chairman, Member of Congress from Texas.

Yale Brozen, Professor of Business Economics, University of Chicago.

Thomas B. Curtis, Member of Congress from Missouri.

Robert H. Finch, Lieutenant Governor of the State of California.

Len B. Jordan, United States Senator from Idaho.

Charlton H. Lyons, Chairman of the Republican State Central Committee of Louisiana.

James D. Martin, Member of Congress from Alabama, 1965–67.

Carl H. Madden, Economist.

Lee W. Minton, International President, Glass Bottle Blowers Association.

Arch A. Moore, Jr., Member of Congress from West Virginia.

Mrs. Helene M. Morris, National Committeewoman for Florida.

Marshall J. Parker, Owner, Oconee Dairies, Seneca, South Carolina.

Mrs. Elly M. Peterson, Chairman of the Michigan Republican State Central Committee.

Winthrop Rockefeller, Governor of the State of Arkansas.

John H. Stender, Vice President, International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers (AFL–CIO).

Prentiss L. Walker, Member of Congress from Mississippi, 1965–67.

W. O. Walker, Director of Industrial Relations for the State of Ohio.

Miss Malise C. Bloch, Secretary to the Task Force.

WASHINGTON POST REFUTES TAX HIKE ARGUMENT

Mr. PROXMIRE. Mr. President, this morning's Washington Post contains an incisive editorial entitled "Taxes, Deficits, and Inflation." The editorial, in what I think is a very precise and clear analysis, takes a hard look at the two basic arguments used in support of a tax increase, and comes to the conclusion that neither is well founded in economic logic.

First, proponents of a tax increase argue that if we do not promptly enact the President's proposal, the country will soon be faced with near runaway inflation. But as the editorial so wisely points out, much of the pressure on prices is arising, not from an excess in private demand at the present time, but from a delayed response to the economic upsurge of 1965–66. This is particularly apparent in relation to manufacturing prices, where the pressure is coming on the cost side. Labor unions feel that they have some catching up to do this year to make up for prior price increase. It is interesting to recall that Walter Heller, who is now leading the forces for the tax increase, warned our committee in February of this very situation, terming it "echo" inflation. I think it is very doubtful that a tax increase can have much effect on cost-push inflation.

The second argument so frequently used in calling for a tax increase, is that in its absence we will experience a reoccurance of last summer's credit "crunch." The editorial, quite aptly, I think, concludes that this view is based upon psychological rather than economic analysis. Certainly, all signs would point to a relatively fluid situation in the capital markets, unless the Federal Reserve drastically shifts its policy. Corporate liquidity is largely restored and there has been steady growth in the money supply. Consequently, I agree with the Post editorial that it is tenuous to argue that if we do not enact the tax increase which the money men are allegedly counting on, we will undermine confidence and disrupt the capital markets.

The Post has presented a very perceptive and convincing case against the tax increase. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Sept. 14, 1967]

TAXES, DEFICITS, AND INFLATION

If the House Ways and Means Committee were susceptible only to the rhetoric of witnesses appearing before them, they would doubtless accede promptly to the Administration's requests for a 10 per cent income-tax surcharge. The dominate theme sounded by most business executives and economists is that a failure to raise taxes is a decision to court a crisis, a crisis that would be manifested in "cruel" inflation and the rise of interest rates to "ruinously" high levels. Conjuring images of imminent disaster is an effective means of eliciting public support for an inherently unpopular measure. But in this instance there is an unbridgeable gap between the image and the actual gravity of the problem. To collect about $7 billion in additional taxes will have no appreciable effect on the current price inflation, and unless there is a drastic change in the direction of monetary policy, the much feared "crunch" in the money and capital markets is not likely to recur.

The more perceptive witnesses, among them Douglas Dillion, the former Secretary of the Treasury, told the Committee that the current round of price increases is a delayed response to a strong upsurge of total demand in 1965. It is now far too late to check those upward price pressures, and so the relevant argument turns on whether raising taxes now will check further inflationary pressures that have been built in and which could emerge in the future.

What is involved in the anti-inflation aspect of the argument for higher taxes is the validity of an economic forecast and the effectiveness of fiscal restraint. The evidence on hand does not support the Administration's forecast of a very rapid increase in private demand, and it is noteworthy that some respected proponents of the surcharge share this skepticism. And if the Administration's forecast were validated, it does not follow that the tax increase, especially one of the magnitude likely to be levied, would alter the course of the inflation.

The Administration's economists and their academic supporters are wont to assume that higher taxes will effect a timely reduction in private expenditures, thereby eliminating excess demand. But Norman B. Ture, the sole dissenter on the Economists' panel, tellingly challenged that preconception. Assuming that the surcharge is levied, what is there to prevent consumers from maintaining their customary levels of consumption by drawing down savings or borrowing? That possibility is a particularly relevant one when it recalled that the surcharge would be "temporary" and that its secondary objective is to prevent the tightening of credit. How can spending and inflation be checked if credit is easy?

The recurrence of the monetary crunch, as one knowing witness conceded after determined prodding by Chairman Wilbur D. Mills, devolves in the end upon "psychology." The men who make the money and capital markets, so the reasoning runs, expect that Congress will enact a surcharge; disappointment would disrupt markets and undermine confidence. But it is generally conceded that the spurt of corporate borrowing in the first half of this year was in anticipation of heavy Treasury financing. Corporate liquidity is now largely restored, and there is nothing in the capital expenditures [illegible] that presages an upsurge in the demand for funds. So unless the Federal authorities again halt the growth of bank reserves and the money supply—a possibility that cannot be precluded—a failure to levy the surcharge will do more to outrage individual psyches than it would to harm the economy.

Inflation is a serious problem. So too is the control of Federal expenditures through the rational ordering of priorities and their related programs. But those problems are not going to be solved by a surtax. Indeed, Chairman Mills was right when he suggested progress in the search for solutions may be enhanced by incurring an outsized deficit.

SENATOR NELSON ON VIETNAM

Mr. McGOVERN. Mr. President, the distinguished Senator from Wisconsin [Mr. Nelson] recently made a thoughtful statement concerning the Vietnam elections and the events leading to the adoption of the Tonkin Gulf resolution.

Senator Nelson reiterates his position that if the Senate had known the full effect of the resolution, it would not have adopted it.

In addition, he restates President Johnson's remarks, made in the late summer of 1964, that Asian boys would do the fighting in Asia.

I wish to recommend to the Senate the reading of the full text of Senator Nelson's statement. I ask unanimous consent that it be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Gaylord Nelson on Vietnam, September 1, 1967

In recent weeks there have been renewed and vigorous discussions about the meaning and intent of the Tonkin Bay Resolution. It has lately been repeatedly asserted by Administration spokesmen, writers and others that the overwhelming vote for the resolution in 1964 expressed Congressional approval of whatever future military action the Administration deemed necessary to thwart aggression in Vietnam including a total change in the character of our mission there from one of technical aid and assistance to a full scale ground war with our troops.

This, of course, is pure nonsense. If such a proposition had been put to the Senate in August, 1964, a substantial number of Senators, if not a majority, would have opposed the resolution. What we are now witnessing is a frantic attempt by the Hawks to spread the blame and responsibility for Vietnam on a broader base. They should not be allowed to get away with it. It is not accurate history and it is not healthy for the political system. The future welfare of our country depends upon an understanding of how and why we got involved in a war that does not serve our national self interest. If we don't understand the mistakes that got us into this one we won't be able to avoid blundering into the next.

The intent and meaning of any proposition before the Congress is determined by the plain language of the act itself, the interpretation of that language by the official spokesman for the measure and the context of the times in which it is considered.

Because of my concern about the broad implications of some of the language I offered a clarifying amendment. The official Administration spokesman for the resolution, Mr. Fulbright, said the amendment was unnecessary because the intent of the resolution was really the same as my more specific amendment. In short, according to Mr. Fulbright, the resolution did not intend to authorize a fundamental change in our role in Vietnam.

Three Presidents had made it clear what that limited role was, and this resolution did not aim or claim to change it.

If the official Administration spokesman for a measure on the floor is to be subsequently repudiated at the convenience of the Administration, why bother about such matters as "legislative intent"? In fact, why bother about Administration spokesmen at all? At the conclusion of these remarks I will reprint from the Congressional Record my colloquy with Mr. Fulbright which formed the basis for my vote on the Tonkin Bay Resolution. Had he told me that the resolution meant what the Administration now claims it means I would have opposed it and so would have Mr. Fulbright.

However, an even more important factor in determining the intent of that resolution is the political context of the times when it was considered by the Congress. It was before the Senate for consideration on August 6 and 7, 1964. We were in the middle of a Presidential campaign. Goldwater was under heavy attack for his advocacy of escalation. The Administration clearly and repeatedly insisted during that period that we should not fight a ground war with our troops. No one in the Administration was suggesting any change in our very limited participation in the Vietnam affair.

The whole mood of the country was against Goldwater and escalation and particularly against the idea that "American boys" should fight a war that "Asian boys" should fight for themselves, as the President put it in September of that year.

For the Administration now to say that the Tonkin Resolution considered during this period had as part of its purpose the intent to secure Congressional approval for fundamentally altering our role in Vietnam to our present ground war commitment is political nonsense if not in fact pure hypocrisy.

If Mr. Fulbright, speaking for the Administration, had in fact asserted that this was one of the objectives of the resolution the Administration would have repudiated him out of hand. They would have told him and the Congress this resolution had nothing to do with the idea of changing our long established role in Vietnam. They would have told Congress as they were then telling the country that we oppose Goldwater's irresponsible proposals for bombing the North and we oppose getting involved in a land war there with our troops. That was the Administration position when the Tonkin Resolution was before us. They can't change it now. It is rather ironic now to see how many otherwise responsible and thoughtful people have been "taken in" by the line that Congress did in fact by its Tonkin vote authorize this whole vast involvement in Vietnam. The fact is neither Congress nor the Administration thought that was the meaning of Tonkin—and both would have denied it if the issue had been raised.

The current intensity of the discussion over the military status of Vietnam, the Tonkin Resolution and the elections signal a new phase of the war dialogue. What's really new in the dialogue now is the sudden, almost universal recognition by a majority of the Hawks that this is after all a much bigger war than they had bargained for.

They now realize for the first time that to win a conventional military victory will require a much more massive commitment of men and material than they ever dreamed would be necessary. How many men? A million at least and perhaps two million without any assurance that a clear cut military victory would result in any event. Furthermore, it has finally drawned on the Hawks that a military victory does not assure a political victory—in fact there is no connection between the two and one without the other is of no value whatsoever.

This new recognition of the tough realities of Vietnam afford the opportunity for a reappraisal of our situation in Vietnam and a redirection of our efforts.

The danger we now face is the mounting pressure from military and political sources for a substantial escalation of the bombing attack in the North. The fact is the whole military-political power establishment (both Republican and Democratic) has been caught in a colossal miscalculation. They have been caught and exposed in the very brief period of 24 months since we foolishly undertook a land war commitment.

They did not then nor do they now understand the nature, character and vigor of the political revolution in Vietnam. But in order to save face they are now demanding an expansion of the war. If they prevail we will then see another fruitless expansion which will not bring the war to a conclusion but will extend our risk of a confrontation with China.

Unfortunately the Administration continues its policy of so called controlled expansion of pressure on the North which really is nothing more nor less than endless escalation which will likely lead to a vast expansion of the war. It ought to be understood once and for all that no amount of pressure on the North will settle the war in the South. A complete incineration of the North will not end the capacity of the guerrilla to continue the fight in the South.

Though we committed a grave blunder in putting ground troops into Vietnam in the first place, it does not make sense to compound the blunder by pouring in additional troops. The Administration proposal for 45,000 additional troops with tens of thousands more demanded by the military is simply a blind and foolish move in the wrong direction.

What the military really needs is a million or two million ground troops for the war they want to fight. Furthermore, no one can explain what possible proportional benefit this country or the free world will get for this kind of massive allocation of resources—even assuming this would win the military-political war which I think is highly doubtful.

There is no easy solution to our involvement, but now, before it is too late, is the time to decide what direction from here we are going to go in Vietnam.

There is, it seems to me, only one sensible direction to go and that is toward de-escalation and negotiations.

It was a mistake for us to Americanize this war in the first place, and it is an even greater mistake to continue it as an American war. As soon as the elections are over this Sunday we should cease bombing the North in order to afford the opportunity to explore the possibility of negotiations. It is rather ironic that Chief of State Thieu, the military candidate for President, favors a bombing pause but our military oppose it. Whose war is this?

Next we should fundamentally alter our military and political policies in the South. We should notify the South that henceforth it will be the job of South Vietnamese to do the chore of political and military pacification of the South. While our troops occupy the population centers, furnish the supplies, transportation and air cover, it must be the job of the Vietnamese to win the political and military war in the South. If they do not have the morale, the interest, the determination to win under these circumstances then their cause can't be won at all.

Surely it ought to be understood by now that if there is going to be a meaningful solution to the Vietnam problem they must be the ones who make it meaningful.

Furthermore, if it is true, as our State Department says, that all other South East Asian countries feel they have a stake in Vietnam, let them send some troops of their own to prove their interest.

Under this approach we will reduce the loss of our troops to a minimum and we will find out whether our allies in the South really believe they have something to fight for. If they do, they have the chance to build their own country. If they don't, then we should get out.

This it seems to me is our best alternative to the fruitless policy of endless escalation.

ADDRESS BY VICE PRESIDENT HUBERT H. HUMPHREY IN INDIANAPOLIS

Mr. BAYH. Mr. President, on September 1, Vice President HUMPHREY delivered a major address at a civic luncheon in Indianapolis, Ind., which had been sponsored by Mr. Eugene Pulliam, publisher of the Indianapolis Star and the Indianapolis News. Along with my senior colleague [Mr. HARTKE], it was my privilege to attend this luncheon and to hear the informative and provocative message of the Vice President.

Presidential and senatorial elections were held in South Vietnam only 2 days after the Vice President spoke. Quite appropriately, his remarks, in part, were directed toward answering some of the criticisms which had been voiced previously about the campaign and election. The Vice President pointed out that the announced intention of the Ky government to seek constitutional government by the end of 1967 was being observed, that the election for the constitutional convention and the drafting of the Constitution had been successfully carried out, and that care was being taken to guarantee all normal safeguards for a free and honest election. Free transportation, free radio and TV time, free campaign funds, and no censorship marked the campaign.

Moreover, the Vice President stressed that a popularly elected, representative government should prove to be of great value in resisting the "pressure, terror and propaganda of the Vietcong." Certainly we must agree with him that one of our primary objectives in South Vietnam has been the establishment of the principle of self-determination. The recent election, although perhaps not perfect, should prove to be a major step toward achieving that goal.

Parenthetically, let me point out that the distinguished group of officials and other experts sent by President Johnson to observe the conduct of the elections reported that, so far as could be determined, there was no evidence of any significant amount of fraud, corruption, harassment, or other unfair campaign or election tactics.

Mr. President, I ask unanimous consent that the full text of the speech by the Vice President be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, CIVIC LUNCHEON, INDIANAPOLIS, IND., SEPTEMBER 1, 1967

Sunday is election day in South Vietnam.

We have heard charges by prominent Americans that the election will be a "fraud" and a "farce" . . . that the result has already been fixed . . . and that the Republic of South Vietnam is therefore not worthy of continued American support.

No one who hears these charges can hear them complacently or without giving them full attention. For, as a people who believe in the democratic process, we are repelled by the idea that that process might be subverted—especially in a place where so many American lives and resources have been committed.

Moreover, the election stands out as a hopeful and familiar beacon in a situation which all Americans find complex and frustrating.

Today I would like to share with you my thoughts about the forthcoming election, about the charges that have been made, and about its relativity to the American commitment in Asia.

First, may I say that the election campaign in South Vietnam does not resemble one in Bloomington, Indiana—nor should we expect it to. The people of South Vietnam have some experience with the democratic processes at the village level, but they are inexperienced in such things as the national election campaign.

They are also trying to conduct that campaign in the midst of a military conflict and in the face of terrorism and assassination by the forces of the Viet Cong, which have as a prime objective the undermining of the electoral process. So things are *not* tidy and orderly. They are confused and disorderly.

A good example of that came a few days ago—when a plane carrying several non-government candidates to a political rally was diverted to another airport because of weather conditions. Because of this, the small crowd at the original destination missed the candidates.

Now if this were to happen in the United States—and it has—it would be the subject for some humor on the Huntley-Brinkley Report, and, at the minimum, a newspaper column by Art Buchwald or my friends Evans and Novak. I can see in my mind's eye the headlines: "Ill Wind Blows. Humphrey Misses Crowd at Rally" or "HHH Plan Diverted: Sorry, Wrong Airport" or even "Irate Humphrey to Pilot: What Goes on Here?"

Now it happens that there were several American observers who witnessed that incident in Vietnam. They reported that the wind *was* blowing, that the candidates' plane *was* diverted, and that the small crowd assembled missed the rally.

They also reported that several of the candidates on the plane, when they found themselves stranded at the wrong airport without any voters, were less than pleased.

So what did that incident become for several critics here at home of the South Vietnamese government and of our involvement in Vietnam? It became a deep plot by the regime to undermine the opposition candidates. It became a subject for speeches and public denunciations.

I have no doubt that the critics spoke out in good faith. I have no doubt that their concern was genuine.

But I would ask this: When the stakes are so high . . . when it is so important that the American people know what is and is not going on in Vietnam, wouldn't it have been a good idea to check the facts?

What are the facts concerning this election?

In January 1966—seven months after assuming power—Prime Minister Ky announced his government's intention to seek constitutional, representative government by the end of 1967. That schedule has been adhered to.

In September of last year, elections were carried out for a Constituent Assembly to draft a constitution. In those elections some 532 candidates competed for 117 seats. Some 4.3 million people voted—or over 80 per cent of those registered—despite calculated terror and disruption on the part of the Viet Cong.

Despite predictions that it could not be done, the Constituent Assembly—after open and often angry debate—completed a draft constitution within the stipulated period of six months. Despite predictions that it would never do so, the Vietnamese government promulgated that constitution without change on April 1 of this year.

In accordance with the transitional provisions of the new constitution, the Assembly prepared draft election laws for the Presidential and legislative elections. These laws provide for all normal safeguards for a free election, including full and equal representation by all candidates in campaign activities, in vote-counting and election supervision.

This Sunday, Presidential and Upper House elections will be held. Lower House elections will take place October 22.

For the Presidential election, no less than 19 slates filed. One dropped out and seven were disqualified by the Assembly (not by the ruling directorate), for a variety of reasons under the elected Assembly's own ground rules. This leaves 11 slates in the running.

For the Upper House, 64 slates filed. Of these, 16 were disqualified for failing to meet requirements of the election law. This leaves 48 slates remaining, or 480 candidates, offering a wide choice of persons from all sects and non-Communist political persuasion, for the 64 Senate seats.

In addition to these political developments at the national level, elections have also been taking place at the local level. Elections for village councilors were held on successive Sundays in April. Some 77 per cent of the registered electorate in the villages voted—some 2.5 million people.

There were 12,719 candidates for the 8,948 seats on these councils. The Viet Cong responded to the village elections by threatening voters and by killing 12 and kidnaping 31 candidates.

In May and June elections were held on successive Sundays for hamlet chiefs. Some 78 per cent of those registered for these elections voted—some 2.3 million people. Some 4,476 hamlet chiefs and 507 assistant hamlet chiefs were elected from among 11,643 candidates. The Viet Cong harrassed voters and polling places and assassinated two hamlet chiefs. By the end of this year about half of South Vietnam's hamlets will have held elections for their local leadership.

Now, in the important presidential election, there is no question that the Thieu-Ky ticket enjoys an advantage because it is in power . . . because it is by far the best known of the 11 Presidential slates . . . and because its opposition is divided and fragmented.

Yet, according to the reports filed by our diplomatic and other representatives in South Vietnam, their election is by no means a sure thing.

There has been criticism here, and in South Vietnam, of press censorship. But since July 21 there has been no censorship; numerous articles have been published which are critical of the present government; and all candidates' views have been given coverage.

There have been claims that some of the candidates have been harassed. Yet, our observers can find no solid evidence of this. The Government of South Vietnam—perhaps because of expressed concern on this point—has gone beyond the legal requirements to see that each candidate has gotten a full hearing.

Free transportation (not required by law), free radio-TV time, and even campaign funds have been provided to each candidate. Posters and leaflets for each candidate have been printed at government expense. Needless to say, these are things that in the United States would be the responsibility of each candidate to do for himself.

What have been the issues in the campaign? Much of the campaigning has focused on criticism of the government and the Thieu-Ky ticket.

There has been a good deal of debate on economic and social development—and on the best way to find peace.

Most of the candidates advocate negotiations with Hanoi and some accept the idea of informal discussions with the Viet Cong. However, it is not surprising that the candidates' individual personalities seem to be playing as important a role as anything else.

What is our interest in this election?

There is no doubt we have a stake in it. We have always believed—and the documents and broadcasts show that Hanoi believes—that a popularly-elected, representative government in Saigon could be a powerful and positive antidote to the pressure, terror and propaganda of the Viet Cong.

And we as a government, have made it crystal clear that, in our view, any subversion of the electoral process—any denial of the chance for democratic government in South Vietnam—would be a setback on the road to progress and to peace.

Last week President Johnson appointed a distinguished group of Americans—a cross-section of the leadership community in this country—to go out to South Vietnam and take a first-hand look at the elections on behalf of the American people. That delegation is now in Vietnam.

Other nations are also sending observers—including Japan, Australia, Laos, New Zealand, Belgium, Turkey, and the Republic of Korea so far.

And the election will, of course, be observed and covered by hundreds of American and other reporters.

But until those reports come in, I suggest that it is time for some restraint and some application of a sense of perspective by those who would pre-judge those elections.

I think, in short, it is time for a Moratorium on Hasty Impressions and Galloping Conclusions.

I think it is time to watch, to wait, and to listen.

Finally, may I say this:

Self-determination has been one of our foremost objectives in South Vietnam. Americans are entitled to feel a considerable amount of satisfaction because of the very fact that elections will be held on Sunday.

Regardless of who wins, regardless of whether any candidate gets a clear majority of the vote, the South Vietnamese people have participated in a nation-wide election campaign. Despite terrorist intimidation, voter registration is at an all-time high. The people have heard vital national issues publicly debated. On Sunday they will express their will at the polling places.

Once it is acquired, the habit of self-determination is hard to overcome. But it also requires a lot of maturing before it provides a stable foundation for democracy.

Lest we forget, our own history offers some valuable perspective on the growth pains that go with self-determination. Our Articles of Confederation were adopted in 1777, but it was over four years before all states had ratified them. Meanwhile a good share of General Washington's Continental Army had deserted, and at least a third of the population thought the whole idea of the Revolution was a bad one.

The Confederation had serious flaws, so in 1778 delegates from each state were invited to Philadelphia to make a fresh start. The first 29 delegates assembled a week and a half after the appointed time.

It was several weeks before all 55 delegates had appeared, and Rhode Island never did send a delegation.

By September 15, 1778, when the draft Constitution was voted on, 13 delegates had gone home. Three more refused to sign. Rhode Island refused to join the Union for three years.

It wasn't until 1865 that we were really sure we were in business as one nation.

So even if Sunday's election proves to be an unqualified triumph of popular government . . . even if the sternest of the skeptics is proved completely wrong, that election will be only one more tortuous step—an important one, to be sure—on the road to self-determination and to peace in Vietnam.

We are dealing there with a struggle that has been years in the making and that is being waged not just militarily, but above all socially, politically, economically and psychologically.

And we are dealing with an adversary who—according to all our information—still genuinely believes that time is on his side . . . an adversary who, despite his military setback after setback, still believes that we must ultimately tire and withdraw. And that is why he will not come to the conference table.

Our hearts cry out at the human and material loss we see in Vietnam. All of us desperately want an end to the struggle.

But, despite these feelings, we have no choice but to persevere, choosing neither the reckless and irresponsible choices of massive escalation nor of withdrawal—but sticking with the difficult but necessary middle course which can finally bring the conflict to a just and peaceful end.

I am talking of the middle course which means keeping tirelessly day-by-day at the business of meeting and defeating the enemy forces . . . of building security and a better standard of living in the Vietnamese countryside . . . of tirelessly seeking honorable negotiation, until one day our adversary realizes that time is *not* on his side.

Yes, we must persevere.

For what is at stake in Vietnam is more than the fate of one nation. It is the fate of a long-standing American involvement in Asia which goes back at least to Pearl Harbor.

We have been involved in economic development of the non-Communist nations of Asia, both on a national and regional basis.

We have been involved in building the freedom and independence of those nations.

We have been involved in preventing the expansion of Asian communism through either subversion or open aggression.

And I believe our involvement has been right.

Due in large part to our involvement and protection, Japan is a staunchly democratic nation, and among the great economic powers of the world.

Aggression has been repelled in South Korea. Korea's economy is flourishing.

The Republic of China is self-sustaining, no longer depends upon American foreign aid, and is extending aid to others around the world.

The Philippines is a dynamic, developing democracy.

The people of Indonesia have opted against communism, against expansionism, and for peaceful national development.

Thailand is a flourishing and developing nation.

Burma, Cambodia, Laos, Malaysia, Singapore—all are independent, all are developing.

And all the nations of Southeast Asia are working together in a spirit of cooperation unknown only a few years ago.

None of these nations is a mirror image of America. None wants to be.

Nor can we claim all the credit for their successes.

But I have talked first-hand and face-to-face with the leaders and the people of the nations of non-Communist Southeast Asia. Without exception, they have told me that, if we fail and withdraw in Vietnam, they cannot help but fear for their own safety and independence in the future. And the pressures would be great for them to come to accommodation with those who would have their way in Asia by subversion and force.

Lee Kuan Yew, the non-aligned Prime Minister of Singapore, summed it up when he said recently:

"I feel the fate of Asia—South and Southeast Asia—will be decided in the next few years by what happens in Vietnam."

A senior correspondent of the New York Times wrote the following after a recent tour of Southeast Asia:

"Non-Communist countries of Southeast Asia appear to be more confident about the future as a result of the United States' stand in Vietnam and the political convulsions in Peking. . . .

"The officials (in these countries) believe that in the pause occasioned by allied resistance in Vietnam and Communist China's turmoil, this area can be strengthened to the point of successful resistance to political subversion and economic pressures."

I believe that what those Southeast Asia officials have said is, in all probability, true.

In any case, I believe the risks—to all that has been achieved in Asia since World War II—are far too great to act on any other assumption.

To act otherwise, and to be proved wrong, would go down as one of the massive blunders in history.

Lastly, a personal word.

These are difficult times for America—both at home and in the world.

Our achievements surround us—unprecedented prosperity—our increasing mastery of technology . . . progress in slowing down the nuclear arms race . . . a Western world that has raised itself from World War II . . . social progress in our nation.

On all sides we see the evidence of what we have done, and we have reason to be proud of it.

Yet the satisfactions seem somehow to be missing. For, at the same time, for instance, we bear the pain of Vietnam and of the disturbances in our cities. And there is the inescapable feeling that—no matter what we do—we shall be surrounded by problems for as far ahead as we can see.

I wish I could tell you that were not so. But I cannot. For that is the way it is.

Yes, there is no immediate end to our problems in sight.

But one thing is certain: We will not find peace in Vietnam, nor will we build better American cities, simply by applications of money or of power. For if money or power were enough, we would long since have solved those problems.

No, we shall need the qualities that have always pulled this nation through its trials.

We shall need courage. We shall need patience. We shall need confidence. We shall need humility and understanding. We shall need hope.

And, above all, we shall need faith—and if we persevere, I believe that the problems of today can be the victories of tomorrow, and that the future can lie open ahead.

BRAINWASHING

Mr. McGEE. Mr. President, we have heard much of late about the subject of brainwashing. Governor Romney, of course, has been the focal point of this subject because of his contention that he himself had been brainwashed on the subject of the Vietnam war, the conduct of which he has chosen to criticize in recent days or weeks.

The Governor is not alone, of course. Among the other distinguished Americans who have articulated their vacillation is Gen. James Gavin, who in the course of a year has switched his position approximately 180 degrees. One might well ask, Mr. President, Who has "brainwashed" the General? Certainly not the President, nor General Westmoreland, nor Secretary McNamara.

I ask unanimous consent to have printed in the Record extracts from General Gavin's testimony before the Committee on Foreign Relations on February 8, 1966, and again on February 21, 1967, which, I believe, illustrates the point made here.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Exhibit 1: General James Gavin, testifying before Senate Foreign Relations Committee, February 8, 1966:

"Senator Symington. The editors [of *Harper's* magazine, advertising a critique of American policy in Vietnam by General Gavin] say, 'He urges the stopping of our bombing of North Vietnam'; is that true?"

"General Gavin. No; it is not true."

"Senator Symington. Then they say you want 'a halt in the escalation of the ground war.' Is that true?"

"General Gavin. No; it is not true."

"Senator Symington. Then they say you recommend 'withdrawal of American troops to defend a limited number of enclaves along the South Vietnamese coast;' is that true?"

"General Gavin. Not true."

"Senator Symington. I wonder why the editors were deceived as to what your thoughts were?"

"General Gavin. I do not know. I suggest you bring the editor in here and talk to him." (*Hearings* on S. 2793, 89th Congress, 2d Session, pp. 271–272.)

Exhibit 2: General Gavin, testifying before Senate Foreign Relations Committee, February 21, 1967:

"General Gavin. First, I opposed the bombing of North Vietnam at the last hearings, and I still oppose the bombing of North Vietnam, and I think the bombing should be stopped." (*Hearings* on "Conflicts between United States Capabilities and Foreign Commitments," Committee offprint, p. 22.)

VIETNAM WALL

Mr. CHURCH. Mr. President, during the past week Secretary of Defense McNamara announced plans to construct a barrier between North and South Vietnam. This is good news to those of us who believe that the war, by its very nature, must be won in the south.

The Defense Department's own figures indicate that since the beginning of the year there has been an increase in enemy forces in spite of losses, and that U.S. forces have suffered nearly twice as many casualties as the South Vietnamese forces have incurred. The need, then, of an effective barrier is clear, and nowhere has the case for it been better made than in an editorial published in the Twin Falls, Idaho, Times-News.

I ask unanimous consent that the August 25–26 editorial, entitled "Vietnam Wall," be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Vietnam Wall

Unbelievable as it may sound, the great national debate now raging between the bomb-less and bomb-more partisans may be entirely academic to the people who will be most directly affected by its outcome.

According to some observers of the Vietnam war, the North Vietnamese long ago wrote off Hanoi, Haiphong and every other modern industrial and transportation target the nation possesses.

Whether or not the port of Haiphong is eventually sealed, whether or not the North Vietnamese air force is completely knocked out of action and its bases destroyed, whether or not all bombing restrictions are lifted, the air war will have little effect on the course of the real war on the ground, according to this assessment of North Vietnamese strategy.

For this is not a war pitting the industrial might of two nations against one another. It is a war being fought by small units of soldiers using small arms in small-scale actions in which a small nation has, so far, shown itself capable of slugging it out with the largest.

No amount of bombing can hope to stop the movement of men and material needed to keep this kind of war going. Only invasion of North Vietnam—something no one has seriously proposed as yet—and actual seizure of the infiltration routes into South Vietnam could do that.

But even then, the upshot would likely be to convert what is now a guerrilla war in only half the country into an even more bitterly contested guerrilla war involving both Vietnams—with the added nightmare of military infiltration from Red China.

There may be another alternative, however—to build a wall of steel and flesh, guns and mines and detection devices around the border of South Vietnam to plug these infiltration holes.

Up till now, the idea has been rejected as too difficult, too impractical, too costly, requiring too many men.

The bombing is hurting North Vietnam, we are constantly told. Yet the level of reinforcement in the south constantly rises, as does the need for more and more U.S. troops to counter it.

It is at least possible that if some of the terrific effort and expense that are being devoted to blistering the North Vietnamese countryside were put into fashioning an effective barrier between north and south, the question of bombing would become academic in Washington as well as Hanoi.

ATTACK RURAL POVERTY WHERE IT IS

Mr. McGOVERN. Mr. President, speaking at a State Farmers Union convention in Little Rock, Ark., recently, President Tony T. Dechant, of the National Farmers Union, proposed that city riots be dealt with at their sources, and pointed out that one source is low farm prices and neglect of rural America.

Failure of rural areas to support their own population growth has resulted in the migration of 15 million persons from rural to urban America since 1950. President Dechant said:

> I am not suggesting that the rioters are displaced farm people. I am saying that mass migration from the farms have greatly overtaxed the resources and facilities of the cities, which for many years have fallen short of meeting the needs of their people.

Dechant cautions that unless there is an improvement in the agricultural situation, the migration will continue.

The fact that big city papers are running stories this summer about city riots and large, corporate entries into farming are significant, he said, because both have to do with the same problem.

> If the corporations are successful in taking over agriculture, they will push hundreds of thousands more off the land each year.

I ask unanimous consent that Mr. Dechant's interesting address be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of Tony T. Dechant at the State Convention of the Arkansas Farmers Union, Hot Springs, Ark., August 22, 1967

A few days ago the *Wall Street Journal* ran a front-page story that concluded that the independent farmer has neither the money nor the know-how to compete with the vast corporations trying to take over farming.

A factory-in-the-field agriculture, it said, is inevitable.

Another national newspaper, the *Christian Science Monitor*, ran a story the same week linking this summer's big city riots with the in-migration of poor and jobless rural people.

Continuing to jam 500,000 rural people into hot and overcrowded ghettos every year, it indicates, makes rioting inevitable.

The fact that these stories appeared at about the same time is no coincidence. Both reflect the unsettling *symptoms* of the most serious domestic problem of our time . . . the steady decay of the economic and social fabric of rural America. This problem is both neglected and widely misunderstood.

It is difficult to understand why other farm groups do not rise up and demand that something be done to stop the rush of non-farm interests into agriculture. Don't they recognize the consequences of a national policy that undermines the independent farmer and pushes hundreds of thousands of people off the land every year?

It also is difficult to understand why big city mayors, and urban-oriented organizations, ignore *rural* problems when they try to find out why more ghettos erupt into violence every summer.

All we get from big city spokesmen . . . and from most politicians . . . are demands for more billions to pay for badly needed housing, schools and jobs in the cities. These demands for billion-dollar cures get widespread public attention while much more modest proposals for rural America are virtually ignored.

Too few people realize that a little patent medicine applied in the country the past few years would have prevented the need for most of this major surgery in the cities. And few realize that there's still time to apply some of these simple remedies in rural areas now.

For much too long, Congress has been slipping a little rural development into legislative proposals for the big city programs . . . but doing it only as a *sop* to get a few rural votes.

When will people realize that this isn't a problem that deserves the "sop" treatment? When will they realize that rural development and adequate farm income are also important to the cities . . . and that we have an *opportunity*, through *rural* programs, to change the future of this country?

We need help in getting this message across to the troubled policymakers in Washington . . . to government people at the State Capitols . . . and to officials in the City Halls of our metropolitan centers.

I want to pay tribute here to a rural leader who is as effective as anyone I know in getting this message across . . . who is unwilling to settle for low farm prices or the "sop" treatment on rural development.

That man is "Red" Johnson, your president and a rural development leader who is way ahead of his time. His appointment to the President's Commission on Rural Poverty speaks for his reputation in this area.

Red knows, as you do, what corporate interests have already done in one area of agriculture—broiler production. He knows how independent producers were squeezed out, one way or another, by the Arkansas Valley Industries and Ralston Purina takeover right here in Arkansas.

He has seen, as you have, the thousands of poor and jobless folks from rural Arkansas move on to St. Louis, or Chicago, or Detroit, in search of a better life. And the young people going off to the city and never returning.

He recognized, long before most people, that this would lead to serious trouble . . . for the cities, for rural Arkansas, and for agriculture.

The Arkansas Farmers Union is recognized as an organization that faces up to this situation . . . that leads in showing how local people, using government programs, can deal effectively with this serious rural problem.

It also has convinced the public here in Arkansas that this fight cannot be waged on a single front. It insists that rural development, good farm prices, and "quality of life" programs *all* are necessary to reverse the out-migration of a state.

The list of rural opportunity programs launched here is imaginative and impressive . . . on-the-job training, Green Thumb, CASA, farm worker retraining, and Neighborhood Youth Corps.

You know the continuous siphoning off of rural wage earners loads the independent farmer (who is usually in a community with no industrial tax base) with a bigger and bigger share of the cost of public programs. This simply means he's hit with *regressive* taxation . . . *property* and *sales* taxes . . . that go higher and higher.

This is what makes local and state solutions to rural problems a near impossibility . . . makes upgrading of schools and other public facilities such a burden . . . and makes it so important that the Federal Government assume more responsibility for stopping this wholesale migration to the cities.

This *isn't* just an Arkansas problem. This drain of human resources, going on throughout rural America, is behind much of the sickness in our biggest cities. The rebellion in the ghettos, which is tearing at the foundations of our society, has its roots in the neglect of rural communities and of the farm economy.

I am not suggesting that the rioters are displaced farm people. I am saying that mass migrations from the farm are taxing the facilities and resources of the cities, which for years have fallen short of meeting the needs of people.

The refugees from rural America, including many who left dairy farms or small-town businesses or a job that was too seasonal, add to the pressure for city jobs. They compete for housing, schools and recreation space . . . all too short in supply. They increase the drain on city water and help overload sewage disposal systems. They push others into the welfare rolls, or may even end up there themselves.

City governments can't cope with these problems, mainly because they're unable to tax themselves enough to carry such an added burden.

I think the *Washington Post* recently said best what I am trying to say:

"Our urban society is now finding that the rural labor surplus is the most formidable of all farm surpluses. It might have been cheaper if we had dealt with rural poverty in the countryside instead of moving it into the cities and transforming it into urban poverty. It might be easier to attack rural misery where it is rather than move it to town."

It makes sense, then, to talk about direct action to reverse this country-to-city movement . . . this upheaval that since 1950 has sent 15 million people to the city to find jobs and enjoy what they thought would be a better life.

For a good many, however, we know that this search was in vain. They were ill-equipped to take advantage of city opportunities. Few could adjust to the impersonal tempo of city living. And hundreds of thousands have ended up living under-employed, or unemployed, in the slum sections of our cities.

They are piled in with the 70 percent of our people who now live on only 1 percent of the land. And, even worse, they probably will be joined in the next 35 years by another 100 million people, giving us vast metropolitan complexes covering most of the coastline of the Great Lakes, the Gulf, and the Atlantic and Pacific oceans.

It should be clear to almost anyone that our country is stumbling along the policy path that leads to all this. It is up to us in Farmers Union, and others who believe and feel as we do, to get some help in *revitalizing* and *recapitalizing* both agriculture and rural America.

Fundamental in rural revitalization is a basic farm price structure that will put some dollars back into the rural economy . . . and make it possible for farmers to compete with the big corporate interests trying to take over farming.

We need strong supply-management programs, increased bargaining power for producers, and a fair price for commodities produced for export.

We're unwilling to accept below parity prices for increasing production for such priority national needs as restoring our food and fiber reserves to adequate levels . . . and for providing commodities to implement our foreign policy.

That's why we are opposing more production right now . . . in cotton, for example, and a few weeks ago in wheat.

Most agricultural economists aren't happy anymore unless they're cooking up some new way to squeeze all the so-called "inefficient producers" out of farming. They defend below parity prices by arguing that, in a few years, many of the farmers working today will no longer be needed anyway.

No other group is asked to contribute essential goods and services without an equitable return in the name of "increased efficiency" or as a way of cutting the size of an industry work force.

We don't find labor economists telling factory workers they should accept substandard wages just because automation is gradually cutting into the size of the blue collar working force. And there's no reason why they should.

The Department of Agriculture is shirking its responsibility in insisting that price and income stabilization should be assured only to farms with sales of $10,000 a year or more . . . with rural community development provided to help provide income for all others on the land.

This nullifies the opportunity of two-thirds of our farm people for fair prices and parity of income.

The fact is, however, that we have *neither parity prices nor adequately funded rural programs*. Congress has rejected our request for funding of commodity programs at the higher limits the law allows . . . and is unwilling to adequately fund the rural programs that we know will work in rural America.

Although we know there will be fewer farmers in the future, the number of people engaged in agriculture may actually increase.

Most of our agricultural workers *can* and *should* remain in rural areas. We can help them to do so by encouraging plants that process and ship agricultural commodities to locate in small towns and cities, slowing this uneconomical concentration in high-cost metropolitan areas.

Along with that we need recapitalization and revitalization of rural communities to turn them into places people will want to live. That means better schools, dependable water supplies, community health facilities, good housing, and adequate recreational outlets.

Such increasingly scarce items as clean air, open spaces, and lack of tension and congestion are there already.

We support the concept of multi-county rural development that is being pushed by Secretary Orville Freeman. This involves planned development of community facilities by people in a natural trade area . . . pooling their resources to get the population and tax base necessary to support hospitals, colleges and other good public services.

It is ridiculous to think that every small town, rural service center, or farm community can meet, single-handedly, all the complex needs of society. Without good highways and telephone services, it would be a waste of time and money to even try.

Farmers Union is working hard to help convince Congress it should provide $20 million to help rural people start this multi-county planning effort.

And, finally, we need a massive infusion of capital into agriculture . . . and on this front the supply of credit from commercial banks and other traditional sources of money is inadequate beyond description. High interest rates and tight money make the problem even worse.

But, even in normal times, credit is a problem because the banks that have served small communities for so long don't see much future in rural America as it is now . . . many feel there's too much risk in backing the low-profit independent farmer with his high costs and low prices.

It is this lack of local and farm-generated capital, probably more than any other factor, that is creating the vacuum that permits huge billion-dollar corporations to move into agriculture.

We must find new ways to assure independent farm operators that they will have the capital to modernize and take advantage of available technology . . . to get this money without becoming beholden to a rich, off-farm interest or corporation . . . or the family farm system will soon be a thing of the past.

We asked Congress this spring to give the Farmers Home Administration another billion dollars to provide adequate credit for both farm operations and for rural programs. It was kind of a lonesome experience on Capitol Hill because very few of those who should have been in the front line came in to help us. As a result, we didn't get the money.

This has been an outline of some of the things we need so desperately in rural America. But most of all, at this point in history, we need a better understanding by the public of the relationship between the revolution in the cities and the long-time neglect of agriculture and of rural America.

If the public understands that riots stem from the mass migration to the cities . . . that we can't keep piling more and more people into the ghettos . . . that rural areas *can* and *must* be recapitalized and revitalized . . . and that rural development is actually an *opportunity* for this country, then we will have the turn-around we so badly need in public policy.

PROPOSED CONNECTICUT RIVER NATIONAL RECREATION AREA

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the text of a speech regarding the proposed Connecticut River National Recreation Area, which I made recently in East Haddam, Conn., be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

We are gathered together tonight on the banks of the Connecticut River—a few yards from one of the most priceless assets of our State and all New England.

We have come here to talk about the River, united in a concern that the beauty of its Valley be preserved—dedicated to the goal of restoring the quality of the river's water for the future.

I do not need to recite the history of the Connecticut River. You know that better than anyone. We are proud of our heritage in Connecticut—but more than that, we are not afraid to grapple with the challenge of today.

What has happened to the proud and beautiful Connecticut River?

In far too many areas, man has turned his back on it. Man has used it as a sewer for his wastes—as a resource for his industry—as a background for his junkyards—all without thought for the future, let alone today.

Because of the efforts of some dedicated conservationists—the concern of far-sighted public officials in our State—and, to be honest, the good fortune of nature and history—the Connecticut River is not yet lost.

The Connecticut is the only river of its size in the world that has no major city at its mouth. Its shores have been protected for long reaches by flood plains. Alternative methods of transportation—and the rocky shoals above Hartford—have kept it from becoming a major highway of commerce.

But now we are in a critical time. The population of Connecticut is today nearly three million. It took us more than three hundred years to reach this point. Consider how Connecticut has changed in three hundred years—and then consider the fact that by the end of this century, less than 33 years away, Connecticut's population will have doubled to six million.

What kind of a State do we want for the year 2000? That, it seems to me, is the key question of today.

Do we want a society lighted by neon signs, filled with the roar of traffic and urban life? Do we want our children and grandchildren to live in a world paved with asphalt and concrete?

We can agree on the answers. We need to preserve the beauty of what we have—like the lower Connecticut valley—conserve our resources—like the Connecticut River—and restore the quality of our environment where it has been lost.

But if we fail to take constructive steps now to provide for the future, can we expect the future to provide for itself? Can we reasonably believe that the Connecticut River will still have the beauty it does—if we do nothing to shape the future to our goals?

In William Holly White's report on Connecticut's natural resources, he pointed out that the Connecticut River is "the most underexploited natural resource potential in the East." Unless steps were taken to protect this resource, he predicted it could easily turn into a marine version of the Berlin Turnpike.

We have seen what can happen. We have seen tank farms spring up, developers carve away thoughtlessly into hillsides, and dredges destroy marshlands and fisheries. We have seen the bright hue of dyestuffs in the river—and the bubbles of sludge boil up to the top.

I said we are in a critical time. We are. We are also, however, in the beginning of a time of hope. This Nation has entered a new era of conservation—and we in Connecticut are a real part of that era.

There is hope for the Connecticut River—if we act now.

That is why I introduced legislation to authorize the Secretary of the Interior to conduct a study of the Connecticut River Valley. The legislation was enacted into law with the support of every Senator, Congressman St. Onge, and the concerned private citizens in the four states touched by the Connecticut River. The study, as you know, has been underway for nearly 10 months.

What is the study all about? Since this is the key question, let us refer back to the legislation that authorized the effort.

First, the law states the reason for the study—"in order to consider preserving the Connecticut River area and appropriate segments of adjoining land in their natural condition for public outdoor recreation, and preserving the priceless natural beauty and historical heritage of the river valley. . . ."

Second, the law spells out what the study must include, and what the Secretary should recommend after the study is completed. To read from the words of the law itself.

"The Secretary's report shall contain, but not be limited to, findings with respect to . . .

"the scenic, scientific, historic, outdoor recreation, and the natural values of the water and related land resources involved, including driving for pleasure, walking, hiking, riding, bicycling, swimming, picnicking, fish and wildlife management, scenic and historic site preservation, hunting, fishing and winter sports. . . ."

The Secretary is required to recommend the type of Federal program that is feasible and desirable to preserve these values—and have a minimum impact on private property owners.

The men of the study team who have been conducting the study have been up and down the Connecticut valley. They have studied the land use of the area: the geology, soil types, pollution densities, water quality and accessibility of the area by road and from the river itself.

They are trying to determine how best we can preserve the natural beauty of the river and what reaches of the river deserve special emphasis to preserve that beauty. They are studying the needs and desires of the recreation-minded people of the Connecticut valley—and they are trying to determine what should be done to protect the peace and quiet of the pepole who live along the river.

This study, as you can see, is no simple task. The law authorizes the Secretary to take up to two years to complete the effort, and it now seems clear that the study will take about that long.

I would rather see haste made slowly and things well done, than see a crash effort made that ignored or underestimated important factors.

The law also provided, at my insistence, for public hearings—called by the Governors of any of the affected states—at which the people of the States could express their opinions and give their recommendations. I have never believed that government should operate in a vacuum, and I am very pleased that a hearing will be held here in Connecticut at Governor Dempsey's request, later this year.

What will the Department of the Interior recommend for the Connecticut Valley? At this time, we do not know with certainty. And because the study is not completed, rumors have flown up and down the valley.

I deeply appreciate the invitation to come here tonight. You have given me the opportunity to share some of my thoughts on the Connecticut valley—and an opportunity to dispel some of the rumors and misinformation. The Committee has supported the concept of a National Recreation Area for the valley and this feasibility study from the very beginning, and I am especially grateful to them.

A great number of people have talked with me, and written to me of their fears for the Valley. There have been rumors and fears. They share one characteristic. They are just not so. Some believed a National Recreation Area would include high-speed parkways along the river. Others have gained the impression that such an area would call for intensive development in the lower valley, with everything from roller-coasters to bowling alleys attracting crowds of people who would overrun areas of natural beauty. People from New Hampshire and Vermont are concerned that Grand Coulee-type dams would be erected.

These are the rumors and the fears.

After conversations with the Secretary of the Interior and his staff, I can assure you that this recreation area will not include high-speed parkways along the river. Such an area would not call for intensive development in the lower Valley with everything from roller coasters to bowling alleys. People from New Hampshire and Vermont can be assured that no Grand Coulee-type dams would be erected.

I can assure you that the feasibility report will not include any recommendations to disturb the peace and tranquility or the natural beauty of the lower Connecticut valley. I can assure you further that the Department of the Interior will recommend a strong and vital role for the towns along the banks of the river. There is no intention to allow a Federal juggernaut to roll over the Connecticut valley.

The goal of the feasibility study is to recommend the steps that need to be taken—at all levels of government and by private action—to insure that the beauty of the Connecticut River is preserved where it remains unspoiled. In the lower valley, this means stressing the maintenance of the scenic values of the highlands and lowlands that border the river, and preservation of historic sites and areas of unusual interest along the Connecticut. This also means restoring the quality of the river for fish and wildlife purposes, so that the Connecticut River will deserve the title of the "world's most beautiful river."

I strongly believe that the Department of the Interior has shown itself to be one of the most constructive forces for conservation this nation has ever known, and I am convinced that a federal role in the Connecticut River valley would give conservationists another ally and friend. What we need is a partnership—formed of all levels of government and private citizens—working toward a common goal of conservation.

The establishment of a National Recreation Area in the Connecticut valley will take time—time in which much that is against the interest of the valley could happen. I suggest that this time be used constructively to provide for the future.

The State of Connecticut, for example, has been buying land along the Connecticut River for years. We are truly fortunate to have a Governor as concerned about the Connecticut River as Governor Dempsey, and we can be proud of his leadership and that of men like Joe Gill.

The State plans to continue acquiring land and easements along the river. I strongly urge that the plan to acquire the right-of-way of the Middletown-Old Saybrook line of the New Haven be carried forward if the railroad is abandoned. State ownership of the railroad right-of-way is vital to the preservation of its integrity.

There is an equally vital role to be played by the towns along the valley. They can do much through planning and zoning ordinances to assure that the character of the areas within their particular jurisdictions do not change. Towns can also purchase areas along the river for open space preservation. With federal and state help, the town could acquire these lands for as little as twenty-five percent of their cost.

The state and local governments can do much. But perhaps the greatest challenge and opportunity exists in the private sector.

Through such legal means as land trusts and retention of development easements, private landowners can preserve for all time properties along or in the area of the river. There is an opportunity here to establish a Connecticut River Land Trust, set up to provide a mechanism for accepting and maintaining land donated for conservation purposes. Such land trusts have been successful in many areas including our own shore line. The Guilford and Madison Land Conservation Trusts, for example, have been instrumental in preserving hundreds of acres of valuable wetlands and marshes.

A Connecticut River Land Trust could provide a means for saving some of the best land along the river—including land that it might not be possible for federal, state or local governments to acquire now or in the near future.

You represent the conservation-minded citizens of the Connecticut Valley, and there is a rich variety of talents among you. You have lawyers who could draft the legal framework for a Connecticut River Land Trust. You have able organizers and administrators who could put their time and abilities to work establishing and running a private conservation trust. Others among you have resources—in land or in private means—that could be donated to such a trust.

I point out the roles to be played by all levels of government and private groups because the Connecticut River belongs to all. The valley's beauty needs to be preserved, and the river waters must be cleaned up.

Cleaning up the Connecticut River is a battle—and we must win.

Connecticut's new clean water program is now underway, and it will make state aid available to help towns construct sewage treatment facilities.

New and stronger Federal laws are now on the books, too. In a few weeks, on September 27th, the Conference on Pollution of the Connecticut River will be reconvened. This is the conference that was held in 1963 to set a timetable for cleaning up the Connecticut River pollution that stems from Massachusetts.

A timetable was set that called for abatement of Massachusetts pollution by 1967—and that timetable has not been met. I urged the Secretary of the Interior to reconvene the conference—and I am pleased he agreed to do so—because I am convinced the time has come to get tough with those who foul the air and waters of our environment without regard to the consequences to society.

I expect the conference to explore the reasons for the delay in abating the pollution of the Connecticut in depth, and to arrive at an acceptable agreement between the States and with the Federal government to end the pollution.

Under the water quality standards submitted by the State of Connecticut to the Federal government under the recent Federal Clean Waters Act, the Connecticut River will be cleaned up and held to a standard of water suitable for swimming. If we get on with the job, the Connecticut River can be cleaned up to that extent by 1974—none too soon, in my opinion.

I am deeply concerned that the Federal government has not kept its promise of Federal financial help in sewage treatment construction. The Administration requested less than half—$203 million—of the $450 million authorized by law for the purpose. In practical terms, that means a loss next year to Connecticut of $3.5 million in desperately needed funds to build pollution control facilities.

The House of Representatives went along with the Administration request, but there is real hope that we in the Senate may be able to increase the amount. I have strongly urged the Senate Appropriations Committee to do so in testimony before the Committee, and I pledge my best efforts to increase the appropriations for pollution control.

I will try to do my part for the Connecticut valley, and I know you are doing yours.

You recognize the essential truth of the proposition that we are the stewards of our resources. Through responsible work today, we can lay the groundwork for a Connecticut River area in which there is still a measure of peace and tranquility. We can assure to our children and grandchildren the chance to watch the majestic wild goose in its flight—to walk through quiet woods and listen to the brook, uninterrupted by the noise of canned music or the crash of traffic.

These are the things worth saving—worth working for—worth doing something about. We have a job ahead of us—for what we fail to do today may well haunt us in a different world tomorrow.

VIOLENCE AND WANTON DESTRUCTION OF PROPERTY

Mr. MOSS. Mr. President, flying back to Washington after my visit home over the Labor Day adjournment of Congress, I had the opportunity to read an article written by Eric Sevareid and published in Look magazine for September 5, 1967. The article is entitled "Dissent or Destruction?" In my opinion, this is a thoughtful treatment of a problem that plagues us at this time. I am sure there is great concern in Congress and elsewhere over the rising violence and wanton destruction of property by those who riot in our cities and on our streets.

I commend this article to all Members of Congress and to others as food for thought. Perhaps out of this may generate some thinking of ways to deal with this most serious situation. I ask unanimous consent that Mr. Sevareid's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DISSENT OR DESTRUCTION?

(By Eric Sevareid)

These are odd times. Tens of thousands of Americans of every age, color, sex, and economic and intellectual condition are daily and hotly invoking every right and privilege mentioned in the Constitution, the Bible and Bartlett's *Familiar Quotations*. Others are busy invoking self-serving "higher laws" to supersede the national rulebook. None of them seems familiar with the words "duty" or "obligation."

The production curve on putative saints and martyrs has been rising rapidly—possibly in direct proportion to the availability of press and TV cameras. The country bears the aspect of one vast wailing wall, washed down daily with the tears of the self-pitying.

The general import of their varying messages, taken as a whole, seems to be that: all American policemen have joyfully renounced their days off in order to bludgeon Negroes as a wholesome exercise; the armed services of the United States, drunk with bloodlust, eagerly notch their guns for every Vietnamese civilian they kill; administrators burn the midnight oil in order to conceive new ways to coerce, threaten, silence and otherwise "alienate" that oppressed *lumpenproletariat*, American college students.

And all the while, a mysterious group known as the "Power Elite" or the "Establishment" sits in Washington, New York, Chicago and Los Angeles, fat cigars in one hand, telephones in the other, engaged in a round-robin conversation featured by chortling remarks, such as "Hi, fella, how many of the downtrodden did you trod on today?"

As a result of all this, the familiar quotation that comes first to mind for an increasing number of other Americans is one of the opening lines of *The Man Who Came to Dinner*—"I may vomit."

Still others who believe firmly in free speech can no longer find the strength even to murmur Voltaire's celebrated remark that while he disapproved of what you say, he would defend to the death your right to say it, because they are already half-dead—with boredom.

When we reach the point, which we have, where an organization is formed, called "Proxy Pickets," to rent out picketers for any cause at so much an hour, then we know that the fine, careless rapture of this era of protest is all over and that the corruption of faddism has begun to set in. Every movement becomes an organization sooner or later, then a kind of business, often a racket. This is becoming the age of the cause Cause. Kids will soon be hanging around back lots trading causes the way they used to trade aggies.

One of the oddest things about the period, no doubt, is that anyone like me should feel moved to say these things. I have always believed in the Negro "revolution," if that's the right word. I have not believed, for some time now, in the Vietnamese war because to me the official rationale for it simply does not add up, and as a college kid in the thirties, I was a hollering "activist" and even voted for that Oxford oath—"I will not fight for flag or country" (though I couldn't sleep that night for doubts about it, which will merely prove to today's hip set that I had the seeds of squaredom in me at an early age).

But it seems clear to me now that a high percentage of today's protests, in these three areas of civil rights, the Vietnam war and college life—all of which commingle at various points—have gone so far as to be senselessly harming the causes themselves, corroding the reputations of the most active leaders and loosening some of the cement that holds this American society together. There never was any real danger that this country would find itself groaning under Fascist oppression, but there is a measure of real danger that freedom can turn into nationwide license until the national spirit is truly darkened and freedom endangered.

The notion is abroad that if dissent is good, as it is, then, the more dissent the better, a most dubious proposition. The notion has taken hold of many that the manner and content of their dissent are sacred, whereas it is only the *right* of dissent that is sacred. Reactions of many dissenters reveal a touch of paranoia. When strong exception is taken to what they say by the President or by a General Westmoreland, the dissenters cry out immediately that free speech is about to be suppressed, and a reign of enforced silence is beginning.

What is more disturbing is that a considerable number of Liberal Left activists, including educated ones, are exhibiting exactly the spirit of the right-wing McCarthyites 15 years ago, which the liberal Left fought so passionately against in the name of our liberties. For the life of me, I cannot see the difference in morality between the right-wing woman in Texas who struck Ambassador Adlai Stevenson and the left-wing students and off-campus characters at Dartmouth College who howled down ex-Governor Wallace of Alabama and tried to smash his car.

The use of force to express a conviction, even if it takes so relatively mild a form as a college sit-in that blocks an administration building, is intolerable. When Dr. Martin Luther King, who may well be one of the noblest Americans of the century, deliberately defies a court order, then he ought to go to jail. Laws and ordinances can be changed, and are constantly being changed, but they cannot be rewritten in the streets where other citizens also have their rights.

I must say that, kooky as we may have been in that first real American student movement in the thirties, we never, to my memory, even dreamed of using force. We thought of the university, much as we often hated its official guts, as the one sanctuary where persuasion by reason must rule alone and supreme, if the university itself were to be preserved from the outside hands of force and unreason. What makes today's college activists think they can take the campus forcibly into national politics without national politics—in the form of police or legislature or troops—forcibly coming onto the campus? (Some of the activists, of course, are pure nihilists and *want* this to happen, but that's another story.)

The wild riots that have exploded in the Negro areas of American cities the last few summers should not be confused with protest movements. Most of them do not even deserve the designation of race riot. We had genuine race riots in Chicago, Detroit and Tulsa nearly half a century ago, whites against Negroes, and mass murders occurred. Nearly all the recent summer-night riots have chiefly involved Negro kids smashing and looting the nearest property, most of which was owned by other Negroes. This is sheer hoodlumism, involved as its psychological and sociological origins may be. It is a problem for sociologists, psychologists and economists only in the second instance. In the first instance, it is a police problem, as are the episodes of mass vandalism staged by prosperous white kid on the beaches of New Hampshire or Florida. Majorities have a right to protection quite as much as minorities, heretical as this may sound.

If there were no protests at all about the Vietnamese war, the American society would really be in sad shape. We were in this war very deeply almost before the average busy citizen grasped what had happened, and there was no serious congressional debate on the issue until the winter of 1966. The present national disunion, including the disaffection of so much of the "intellectual community," is just what happened in the War of 1812, the Mexican War of 1846–1848, the Spanish-American War and the war in the Philippines that followed. As historian Henry Steele Commager has pointed out, the only wars during which the President had all but universal support were the two world wars, and both were debated and discussed all over the nation for many long months before we got into action.

So the present protests about Vietnam are entirely within the American tradition. Even so, the law, public necessity and human reason must impose certain limitations.

It is outrageous and insupportable for anyone to desecrate the flag, the one symbol of nationhood that reminds all citizens of the country's meaning. It is disgusting for paraders to chant, "Hey, hey, LBJ, how many kids did you kill today?" These deaths in battle are eating at his soul, too, and vulgarities can help no high-minded cause.

It is a crime for rioters to terrorize cities as they did in the disgraceful upheavals in Newark and Detroit.

It is silly for a group of American artists to ask Pablo Picasso to withdraw his famous Spanish Civil War painting, *Guernica*, from the Museum of Modern Art in protest against our bombings in Vietnam.

It is unreasonable to become indignant about the civilian casualties our forces accidentally cause in Vietnam while remaining silent about the thousands of assassinations of civilian leaders by the Vietcong's "murder committees." The President rightly calls this "moral double bookkeeping."

It is unfair to say that some members of Congress don't mind the war because it helps defense industries in their districts, as Senator Fulbright did say—and then apologized.

It is damaging to the national awareness of reality, and to his own name and cause, for Dr. King to declare that the U.S. "is the greatest purveyor of violence in the world," and that "we may have killed a million [Vietnamese civilians]—mostly children." These statements are untrue. The first is a subjective generalization. The second bears no relationship to what civilian casualty figures we have been able to gather.

It is unreasonable to maintain that President Johnson does not *want* a negotiated peace and is intent on a military victory, because to say that is to say he has deliberately and repeatedly lied to the people, and for that, there is no convincing evidence.

If some of the war protesters go out-of-bounds, so do some of the war supporters and counterprotesters:

It is unfair for them to charge that the protesters are "letting the boys down." Serious protesters want to save the boys entirely by getting the war ended, and in the meantime will insist they have every bullet and article of use they require.

For the same kind of reason, it is unfair for the President to imply, as he did, that a Medal of Honor winner died by an enemy weapon shipped down during one of the bombing pauses. Rightly or wrongly those calling for a pause in the bombing believe it may lead to an armistice saving the lives of *all* our heroes in Vietnam, and while they can only ask for the pause, it is the President who decides it.

It is grossly self-serving for Administration spokesmen to imply repeatedly that our domestic disunion over Vietnam keeps Hanoi fighting on in expectation that we will quit the war. Of course, Ho Chi Minh's regime *hopes* our will is going to break; but the overwhelming American reality they see before their eyes and that surely governs their reactions is our ever-increasing land force and our continuous bombing of the North. I am persuaded that were there no debate whatsoever in this country, Ho's regime and the Vietcong would be fighting just as relentlessly as they are today.

It was pettifogging, and indeed illegal, for General Hershey to support the drafting of young protesters by deliberately reclassifying them 1–A. The draft is not a punitive instrument.

It was pettifogging for state boxing commissions to strip Cassius Clay of his title—even before his conviction—because he refused to accept the draft. If he can lick any man in the world, he's still champion of the world. These silly irrelevancies are counterproductive.

It is wrongheaded for any maritime union to refuse to load or unload a foreign ship because they disapprove of that nation's philosophy or actions. It is hard enough for the Government to conduct foreign policy, without such presumptuous handicaps.

I happen to feel that the experience of American Negroes these many generations is the one deep stain in the American national soil. I cannot help a greater readiness to condone their excesses than those of prosperous white college students (though the law cannot be morally choosy). But there are some basic misconceptions about both.

One is that youths of both colors have been driven to action because their conditions of oppression were becoming intolerably miserable. The reverse is the truth. The barriers to Negro equality were beginning to fall before the period of mass physical action set in; this, in fact, is *why* mass action swept the nation. It is a commonplace now among social historians that change produces revolution before revolutions add to and institutionalize change. Basically, it has not been the street orators and marchers who have been bringing desegregation, for example; the marchers were set in motion by the fundamental changes of principle and law won in the courts by the quiet work of leaders like Roy Wilkins and Thurgood Marshall.

Totally oppressed people, here or in Africa or Asia, do not go into action. It is when the chains have been loosened, when they see some light at the end of the tunnel, that is, when *hope* is aroused, that the people arouse themselves.

In a certain sense, this pattern also applies to white college students protesting their "alienation" and the "establishments" they feel oppress them. Youth in any generation feels alienated because youth is the precarious, emotionally unrooted stage between childhood and maturity. But while individual youths of any generation are self-conscious because of this biochemical transition, today's collective self-consciousness of the young was not generated by them. The great American "youth cult" was generated by older people concerned with youth, from popular psychologists to advertising writers who realized that youth for the first time had sizable spending money, to publishers of girlie magazines who realized old moral barriers were giving way—and not, incidentally, from pressure by the young.

It is easy to sympathize with students in the massive institutions who feel they are treated as index-card numbers, not as individual souls, and various forms of decentralization must come about. But these youths will never persuade the graduating classes of the thirties, who faced the quiet desperations of the jobless. Depression *and* the unmistakable imminence of a vast world war, that their lot is a tragic one. From my own life experience and travels, I would happily hazard the conjecture that to be young and to be a student in the United States of today is to enjoy the most favored condition that exists for any large, identifiable group anywhere in this world.

But experience, as every parent knows, is scarcely transferable. That hilarious slogan—"you can't trust anybody over thirty"—is, indeed, the explicit denial of the validity of experience.

When I listen to the young vigorously suggesting that if *they* had the governing influence, peace, love, beauty and sweet reason would spread o'er the world, I am tempted to remind them of the barbarities of the Hitler *Jugend*, the Mussolini Youth, the Chinese Red Guards, the Simbas of the Congo—but perhaps that would be overegging the pudding, as the English say.

When I hear the passionate arrogances of a Mario Savio (the Berkeley fellow) or read about hundreds of University of Wisconsin students smashing windows and stopping traffic because they're sore about a bus-route schedule (or was it the price of textbooks?), I mutter to myself a private remark of Winston Churchill's: "I admire a manly man and a womanly woman, but I cannot abide a boyly boy."

If youth were complacent, devoid of the spirit of innovation and challenge, we would be in a bad way because some of the source springs of the American genius would dry up. Yet I think the "generational gap" in viewpoint will always be with us, for this reason: Youth can measure society only in one direction—forward, from things as they are, to their ideals. Older people, by the imperatives of experience, must add two other equally valid directions—backward, to things as they used to be, and sideways, to the other societies in the world they know.

Older people know something else: that the Savios, the Adam Clayton Powells and the Stokely Carmichaels are not, despite appearances, genuine leaders. Because they are not the strong men but the weak ones. They have not the moral stamina for the long haul, with its inevitable routines and periods of boredom. Eloquence, brilliance and perhaps even physical bravery are not what count in the end. What counts is the quality the Romans defined and respected above all others—*gravitas*, meaning patience, solidity, weight of judgment. As Eric Hoffer puts it, "people in a hurry can neither grow nor decay; they are preserved in a state of perpetual puerility."

Furthermore, it is usually true that the habitual protester, the man with a vested emotional interest in protest, unconsciously does not *want* his goals to be realized. Success would leave him psychically bereft. Many successful revolutionaries in other lands had to be replaced as leaders when the new order of life was installed, partly because of their practical incompetence, partly because they continued in one way or another as protesters, as their nature obliged them to do.

There is a great deal wrong with American society of mid-twentieth century. There are some very ugly areas in our life; but never have they been so thoroughly exposed, researched and organized against. Never in our history have we seen an assault on these evils mounted on the level of Federal action to compare with the legislation and programs started under the Kennedy and Johnson Administrations, particularly the latter. Were it not for the creeping calamity of the Vietnam war, Mr. Johnson would, I think, stand revealed to everyone as one of the most vigorously humanitarian Presidents America has had, in spite of those personal crudities that upset the fastidious.

America has never been a frozen, rigid society, caught in conformity. At times we may seem becalmed, but as the Frenchman Jacques Maritain wrote, "Wait a moment, another current will appear and bring the first one to naught. A great country, with as many windshifts as the sea." We are not repeating the experience of Europe, whatever the Marxists and other doctrinists may think. America has eloped with history and run away with it, says Eric Hoffer.

Conformity, mass-mindedness? Go to the totalitarian or to the primitive societies if you wish to see them. Not here. If we live in a web of conforming laws and regulations, it is *because* we are so individualistic, so infinitely varied in our ideas, desires, ambitions and fears, and so very free to express them and to act upon them. Those who despair of getting public action on, let's say, our fearful urban problems, are wrong in thinking this is because "people don't take enough interest in public affairs." It is for the opposite reason; it is because so many groups, interests, points of view conflict. Ask any mayor. Ask any congressman whose desk is daily heaped with windrows of petitions, complaints, suggestions or denunciations.

It is not our freedom that is in peril, in the first instance. We have never had more freedom to speak out, to organize, to read what we choose, to question authority, whether political or cultural, to write, to film, to stage what would have been impermissible years ago. Never has the police authority been more restricted, never have defendants been so girded with legal protections.

Our freedom will be imperiled only if it turns into license, seriously imperiling order. There can be no freedom in the absence of order. There can be no personal or collective life worth living in the absence of moderation. Repeatedly, since the ancient Greeks, people have had to relearn this. Aristotle expressed it no better than Edmund Burke, the Anglo-Irish statesman, who said:

> "Men are qualified for civil liberties in exact proportion to their disposition to put moral chains upon their own appetites . . . society cannot exist unless a controlling power upon will and appetite be placed somewhere, and the less of it there is within, the more there must be without. It is ordained in the eternal constitution of things that men of intemperate minds cannot be free. Their passions forge their fetters."

THE NUMBERS GAME

Mr. CHURCH. Mr. President, an editorial published recently in the Saturday Evening Post deserves special attention. Entitled "The Numbers Game," it is one of the finest I have read on the war in Vietnam, for it puts the question of our objectives there on the line:

> Who, on either side, dares tell his followers that the goal may not be worth the cost?

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE NUMBERS GAME

"The war is not a stalemate. We are winning, slowly but steadily."—Gen. William Westmoreland

It has been 21 years now that Ho Chi Minh has led the Communist insurgency in Vietnam. Boys have been born, raised, recruited and killed all within the span of this endless war. It was some 15 years ago that the United States began subsidizing the French forces fighting Ho's Communists, and countless millions of dollars' worth of planes and armaments and supplies all ended in the apocalypse of Dien Bien Phu. It has been about 10 years now since the United States began "helping" the South Vietnamese with dollars and then guns—five years since American troops appeared on the scene, and two years since they engaged in full combat. And during all these years, during battles and during lulls, somebody has been prophesying victory in much the same words that General Westmoreland used last month.

When General Westmoreland took command of the Vietnam campaign three years ago, he had an expeditionary force of about 25,000 troops. Now he has 460,000, and, "to reinforce our mounting pressure," he wants still more. Defense Secretary McNamara, who must find the means of providing such additional troops, was reluctant to agree. One of his first questions to General Westmoreland was how he could achieve more results with the forces already in Vietnam. In the end, it seems a foregone conclusion that more men will be provided—fewer than General Westmoreland wants, more than Secretary McNamara wants. It also seems a foregone conclusion that these forces will not be enough, and that it is only a matter of time before General Westmoreland asks for more.

To provide still more troops, and yet to deny Westmoreland the forces he asks, seems to be an evasion of the real questions of how this war is going and how it can be brought to an end. Despite Westmoreland's claims of victory, his request for 140,000 more troops seems in itself a confession of failure—not of defeat but of the stalemate that he denies. If all these troops are really necessary, it seems hard to see how he can be "winning," slowly or otherwise. Still, let us assume that the average commander is an optimist, and that he invariably feels a good job could be done even better if there were just more troops to throw into the fight.

The more fundamental evasion seems to be that of Secretary McNamara. For if our commander in the field declares that he needs a certain number of reinforcements, how can anyone from Washington tell him he doesn't really need them? But conversely, if he is not really winning the war with the 460,000 men he now has, how can a "compromise" reinforcement of a few thousands achieve victory? In short, if our force in Vietnam is too small to achieve its goals, then it's presumably a lot too small. The likeliest explanation for McNamara's reluctance is that the political and financial cost of sending massive reinforcement is more than the Administration wants to face.

Behind this evasion, of course, is the evasion of the whole American people. According to the latest Harris Poll, 58 percent of Americans want an increased military effort, whereas only 36 percent want a greater effort at negotiating a settlement. As for specifics, 72 percent favor the continued bombing of North Vietnam, and no less than 48 percent favor a ground invasion of North Vietnam. Despite their belligerent views, however, one can't help wondering whether these hawks don't somehow expect somebody else to do the shooting. According to most estimates, the war, as it is now being fought, will last for years, perhaps five, perhaps ten. Thus, if Americans are now getting killed at a rate of 7,500 a year, the question becomes: Are we prepared to sacrifice 75,000 American lives in order to win the war in Vietnam?

Perhaps a majority would answer yes, but the implication of these appeals for greater military effort is that a greater effort would end the war sooner and at smaller cost. It is an unrealistic implication. If it takes a half million men to win the war "slowly but steadily," how many would it take to win the war quickly? A million? Even more? Then the questions to be asked in a poll are: Do you favor calling up the reserves? Do you favor ending all draft exemptions? Do you favor increasing taxes by, say, one quarter?

One of the great illusions about our struggle in Vietnam has always been that it could be won fairly easily, that the Communists, facing our overwhelming strength, would simply end their 20-year struggle and give up—that it is not, in short, a real war. One suspects that Secretary McNamara himself was once a victim of this illusion, and that the Communists' dogged refusal to give up has provided him with a terrible lesson in the illogicality of warfare. For though he can provide still more forces, the fact is that the

Communists, too, still have reserve forces that haven't yet even entered the battle. And who, on either side, dares tell his followers that the goal may not be worth the cost?

TENNESSEE COUNTY JUDGES APPLAUD REVENUE SHARING

Mr. BAKER. Mr. President, too often discussions of Federal revenue sharing focus on the problems of State rather than local governments. This is unfortunate because city and county officials are closer to the myriad of problems demanding government attention than any of the rest of us. And revenue sharing is a program designed to help revitalize local governments as well as State governments.

Since it is important that revenue sharing be subjected to critical examination by officials of local government, I recently wrote to a number of county judges in Tennessee asking their comments on S. 1236, the revenue-sharing measure which I introduced on March 9 with the cosponsorship of 15 of my colleagues.

I am pleased to report that the reaction of the county judges was favorable. Several county courts, including the Hawkins County Court and the Roane County Quarterly Court, have formally endorsed S. 1236.

The responses I have received from these distinguished local officials are thoughtful and incisive. I ask unanimous consent for their inclusion in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAURY COUNTY,
OFFICE OF COUNTY JUDGE,
Columbia, Tenn., August 25, 1967.

Senator HOWARD H. BAKER, JR.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BAKER: Reference is made to your letter dated August 1, 1967, concerning S. 1236, The Tax-Sharing Act of 1967.

I read with great interest the copy of the Bill which you sent as an enclosure with your letter, and the remarks made in the Senate concerning it. I am honored that you would ask my views on this Bill, and as best I can I will attempt to explain my attitude toward it.

First and foremost, I am definitely in favor of a State conducting its governmental operations with as little Federal control as possible, and I like the feature of the Tax-Sharing plan that money returned to the States will have no strings attached. If the Federal Government, by reducing expenditures and through economy in operations, can return tax money to the State as proposed in your Bill without the necessity for raising additional taxes, I think that there is considerable merit to the Bill. I think that it is very important that some effort be made on the part of our representatives in Washington to bring some reductions in Government spending, and that effort be made to be assured that what money is spent is utilized to the best advantage and that proper controls be placed over its distribution so that it will not be wasted.

I plan to make your letter and copy of this Bill available to various members of the Maury County Quarterly Court, and ask them to either let you know their views on this matter, or inform me so I can pass it on to you.

Personally, I believe your Bill has great merit, but I would hope that the passage of this Bill would not cause additional taxes to be levied by the Federal Government in order to implement it, but rather could be carried out through economy and reduction in expenditures.

If I can ever be of service to you in this part of Middle Tennessee, please do not hesitate to let me know.

Very truly yours,
JOHN S. STANTON,
Maury County Judge.

OVERTON COUNTY,
Livingston, Tenn., September 1, 1967.

Re Bill S. 1236.
Hon. HOWARD H. BAKER, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BAKER: I have neglected answering your letter of August 1 in order that I might talk to as many members of the County Court as possible. We do not meet in regular session until October.

I would like to commend you for introducing bill S. 1236 and certainly wish that it can be looked upon favorably. I also feel that we have too many strings attached to what money we get from Washington. I feel that local government is not given enough credit in many instances.

I will read this letter to my court in October and will appreciate any further news from you as to the action taken upon caption bill.

Sincerely yours,
ELMO SWALLOWS,
Overton County Judge.

HAWKINS COUNTY COURT,
Rogersville, Tenn., August 5, 1967.

Hon. HOWARD H. BAKER,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BAKER: On April 11, 1967 the Hawkins County Quarterly Court adopted unanimously "The Tax Sharing Resolution for Education." Our Resolution was read into the Congressional Record—Senate on May 25, 1967, as I recall there were only two resolutions included in this record dated May 25, that of Hawkins County, and the Council of the City of Knoxville.

I am in complete accord with all provisions of S–1236, however, I would have liked to have seen the Cities and Counties mentioned specifically in this bill.

I concur with your thinking on the Tax-Sharing, and I also feel that with this extra revenue we can provide better and more effective local government.

With kind personal regards, I am,
Sincerely,
J. B. HOWE,
County Judge.

SHELBY COUNTY QUARTERLY COURT,
Memphis, Tenn., August 14, 1967.

Hon. HOWARD H. BAKER, Jr.,
Committee on Government Operations,
U.S. Senate, Washington, D.C.

DEAR SENATOR BAKER: This will acknowledge receipt of your letter August 16, 1967 in regard to S. 1236 introducted by you.

I am enclosing copy of a letter from Mr. William H. Williams, County Attorney of Shelby County, which may be of some benefit.

The Shelby County Quarterly Court will not meet until October 1967, therefore I am unable to get an expression from each member at this time.

It is my own personal belief that the bill would be a benefit to the states and local governments and wish you success in obtaining its passage.

With kindest regards.
Sincerely,
C. W. BAKER,
Chairman, Shelby County Quarterly Court.

GIBSON COUNTY COURT,
Trenton, Tenn., August 8, 1967.

Hon. HOWARD H. BAKER,
Member of U.S. Senate,
Washington, D.C.

DEAR SENATOR: May I congratulate you and heartily endorse your bill to return part of federal revenue to state and local governments without strings attached.

I think aside from the fact that the states and local governments need the revenue, the biggest importance would be to decentralize our National Government which I believe is a must if our system of Government is to continue. I don't believe that the founders of our government ever intended that National Government have the power it has today. On the local level we can see waste on every hand where Federal Funds are involved.

My brother Wayne Hunt tells me he was in the University of Tennessee with you and visited in your home. You have many friends in this area and if you are ever in Gibson County I would consider it a privilege to meet you. With kindest regards and best wishes I am.

Sincerely yours,
WALTER HUNT, Jr.

SHELBY COUNTY LEGAL DEPARTMENT,
Memphis, Tenn., August 7, 1967.

Chairman C. W. BAKER,
Memphis, Tenn.

DEAR CHAIRMAN: At your request I have reviewed United States Senate Bill #1236 recently introduced by the Honorable Howard H. Baker, Jr. on March 9, 1967, in the United States Senate.

I believe the Bill to be excellent and would hope that its chances of passage are very good. I find no objection to the formula whereby each state would receive a distributive share of that revenue from the income tax collections after deduction has been made for the national defense and debt service.

The money would be distributed to each state at the direction of a council to be known as a Council on Tax Sharing composed of twelve members, five of whom would be appointed by the President and who would be governors of a state, two to be appointed by the President from persons who are mayors of a city, and a final five members appointed by the President and approved by the Senate who would be persons holding no Federal, state, or local government office. This Act would be administered by the Council on Tax Sharing. Section 8 of said Senate Bill provides for judicial review by any state before the United States Court of Appeals in each circuit where that state may be located. I notice under the formula for distribution that the State of Tennessee would receive approximately $11,090,000.00.

Section 6, sub-section (b) (1), requires each state to file on or before the beginning of each fiscal year a report to the Council on Tax Sharing its plan for the use of the funds it will receive under this Act during the fiscal year. Such report must include the anticipated distribution of such funds by each state to its political subdivisions for their own use.

It would, therefore, appear to me that the only real question we in the local county governing body would be interested to know would be the plan of distribution to the counties and/or cities within the State of Tennessee. The Act is meaningless unless the advantages of the Act are passed down to local governing bodies.

I therefore conclude that the Act is proper and would be of great benefit to the states and local governing bodies therein and recommend its passage by Congress.

Very truly yours,
WILLIAM H. WILLIAMS,
County Attorney.

Bradley County,
Cleveland, Tenn., August 15, 1967.
Senator Howard Baker, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator Baker: Thank you very much for your letter of August 1st together with the copy of S. 1236 which would return part of the federal revenue to the state and local governments for their use without strings attached. I took the bill home with me last weekend and read it, and, although I don't know how it compares with other similar bills, its provisions seem very sound.

The passage of such a bill as yours would be of tremendous help to local governments toward providing them with the financial resources needed to provide more effective government. You are to be commended for your recognition of the seriousness of the situation and your desire to do something about it.

You have my personal gratitude for your efforts and my best wishes for their success.

Sincerely,
Nelom B. Jackson,
County Judge.

Williamson County,
Franklin, Tenn., August 25, 1967.
Hon. Howard H. Baker, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator Baker: This is to acknowledge receipt of your letter dated August 1, 1967 and to assure you that I am all for the bill introduced on March 9, of this year.

You requested the views of our County Court, however court only meets quarterly, in our county, and is not scheduled to meet again until October 9, therefore, I felt it would be too late to reply.

Hoping this letter will be of some help to you, I remain,

Very truly yours,
Fulton Greer,
County Judge.

Lake County,
Tiptonville, Tenn., August 22, 1967.
Senator Howard H. Baker, Jr.,
U.S. Senator,
Nashville, Tenn.

Dear Senator Baker. In regard to your letter of August 1, concerning the return of part of the federal revenue to the state and local governments for their use without strings attached, the Lake County Quarterly Court goes on record as being in favor of the Act.

Sincerely,
Richard Helton.

DEMILITARIZED ZONE BARRIER IN VIETNAM

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the Record an editorial published in the Christian Science Monitor of September 11. The editorial welcomes the recently announced barrier along the demilitarized zone in Vietnam as a worthwhile experiment.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Worthwhile Experiment

Secretary of Defense McNamara has at last given the go-ahead for a barrier between North and South Vietnam to obstruct the flow of men and material southwards into the hands of the Viet Cong. As long-time advocates of either a wall or a swath, we welcome the decision. We know that there are military experts who have always pooh-poohed the idea. But we believe that the proof of the pudding is in the eating. And since bombing is proving a costly and even questionable means of trying to interdict the enemy movement southwards, it seems to us that there is stronger reason than ever to give the wall a try. There is no doubt that in concept it is far more humane than bombing or shelling.

In military terms, one can but come to the reluctant conclusion that the situation in South Vietnam continues a stalemate.

The United States still finds it hard to seize and maintain an initiative on a broad front—if it is possible to use such a figure of speech for the guerrilla fighting in South Vietnam. Dealing with the Viet Cong is still somewhat like dealing with a swarm of determined hornets and mosquitoes when one has neither effective repellent nor mosquito net. They just keep coming.

Earlier this year, things seemed to be going with greater swing than ever before for General Westmoreland and his brave men. That was in Operation Junction City. But then the United States command was robbed of the initiative by the development of a grave threat away to the north, in the area of the demilitarized zone. This was typical of the tactics by which the Viet Cong and their Northern allies are able to dissipate much of the American military effort in the South by forcing the command to scatter its men and weapons to meet actual or potential threats in widely separated parts of the country.

Obviously, geography makes the South Vietnamese provinces immediately below the demilitarized zone the most vulnerable to any sudden thrust from the North. It might seem tempting to Americans to outflank the zone by a landing just to the north of it. But quite apart from the possibly dangerous political repercussions, this would in fact be more likely simply to widen and thus weaken the area exposed to Viet Cong guerrilla action.

This, it seems to us, strengthens the case of those who have long urged trying a physical barrier. We recognize that there is a host of attendant difficulties and problems to be tackled. Not least is just how far and in what direction it should be extended inland from the coast. Should it reach into Laos? Or will it have to swing southward along the Vietnam-Laos border? Hitherto the neutralist but friendly Premier of Laos has wanted nothing to do with it.

But unless Secretary McNamara and his advisers were not now persuaded that there were answers in sight to the military, technical and political objections raised to the wall idea hitherto, presumably he would not have given the go-ahead signal.

THE VICE PRESIDENT SPEAKS ON INDIAN AFFAIRS

Mr. McGOVERN. Mr. President, as chairman of the Subcommittee on Indian Affairs, I have had opportunity to witness firsthand the problems and desires, the hopes and frustrations of our Indian people. I have also found that the American Indian has no better friend in the United States than Vice President Humphrey.

Recently, the Vice President made a brilliant speech on the Navajo Reservation in Window Rock, Ariz. In clear and concise language, the Vice President explores the whole spectrum of Indian problems ranging from education to economic development. I commend his address to other Senators and ask unanimous consent that the text of his remarks be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Vice President Hubert Humphrey, Navajo Indian Reservation, Window Rock, Ariz., September 9, 1967

I am happy to have this chance to come to the land of the Navajos . . . to meet with the leaders of the Tribe . . . and to see and hear first hand what your problems are and what we are doing together to solve them.

When I say that we are working together, I am referring to the cooperative efforts of the Navajo Tribe and the federal government.

For the problems which you face are serious and it takes our combined efforts to overcome them.

Government programs imposed from the outside, without local involvement, are doomed to failure even though they may be well-intentioned.

At the same time we must recognize that Indian tribes lack the resources to cope on their own with the serious problems of poor health, inadequate education, and lack of employment.

A true partnership between the Tribal and federal government can indeed provide us with what is needed: Federal technical and financial assistance and the understanding of local problems which comes from active Tribal participation.

This partnership concept is a cornerstone of the policies of President Johnson, whether we are dealing with states, cities, or Indian tribes. Underlying it all, though, is a concern for people—for people in need and for people with problems.

A generation ago President Roosevelt spoke of one-third of a nation ill-housed, ill-clad, and ill-fed.

In most of our country, life has improved a great deal since that time. But we are painfully aware of the fact that there *are* people who suffer from these same conditions today.

It is for that reason that, under the leadership of President Johnson, we are trying to help local communities change this situation. For we cannot shrug our shoulders and look the other way when we are faced with school-age children for whom there are no schools . . . with persons in need of medical care for whom there are no hospitals . . . with persons in need of housing for whom there is no home.

We know the problems of our Indian people, including the Navajos, and we are pledged to pursue programs and policies designed to eliminate these problems.

We recognize that our first and foremost task must be to end the scourge of chronic unemployment.

We are all aware of the fact that your land base is not adequate to support your entire population in agriculture.

Sheepherding could sustain a great many Navajo families when your population was much smaller. It is simply not adequate to sustain a population of 100 thousand.

To be sure, with the cooperation of your Congressional delegation, you have been able to obtain the assurance of desperately needed water through the Navajo Chama diversion project.

This will provide you with a new area of arable land and will permit farming where agriculture has in the past not been feasible.

But, considering the needs of your people, this is clearly not the whole answer.

Some people have suggested that the best way of helping Indians is to get them to leave home and move to the large employment centers.

During my early years as a member of the United States Senate I did, in fact, watch the efforts of the Bureau of Indian Affairs to encourage Indian people to move off the reservations and into the large cities.

I saw the results of the movement to the cities first-hand in my home state of Minnesota.

If the people from the Chippewa reservations had education or training, they *were* able to make a good adjustment to life in

Minneapolis. But those who lacked these essential ingredients—and there were many of them—simply converted an Indian reservation problem into an Indian city problem.

Your tribal leadership and the leadership other Indian tribes were correct in questioning the relocation program as a basic solution to the problem of Indian poverty.

In the crisis which our cities are now undergoing, we recognize that the migration of the rural poor to the large metropolitan areas—unprepared and untrained for life in the cities—serves only to make a bad problem worse.

Your own Chairman, Mr. Nakai, and other forward-looking Indian leaders, have pointed out for many years that an important answer to the problems of Indian poverty lies in the location of new industries in the Indian country.

The Bureau of Indian Affairs has, for the last six years, fully supported this new effort to improve living conditions on Indian reservations.

In your own case, the cooperative effort of your Tribal Government and the Bureau of Indian Affairs has brought the new Fairchild plant to Shiprock.

In a short while, General Dynamics will be opening a new plant at Fort Defiance.

Other industries, we hope, will follow—thus creating employment centers, offering permanent, year-round job opportunities at decent wages right here on the Navajo Reservation.

Some of these new industries have been used to employing only women in their plants in the cities. They will have to be taught about the available labor supply on the Indian reservations, so that jobs are offered on a truly non-discriminatory basis and young men and heads of families have an equal chance to find jobs.

Nor have you waited for outside industry to shoulder the entire burden of providing industrial employment.

With your own efforts, and your own resources, you have built the impressive sawmill which now employs hundreds of Navajos.

You are to be congratulated for this outstanding example of self-help.

The cooperative efforts in industrial development have been accompanied by cooperative efforts in other public services as well. Let me cite a few examples:

At long last there is a desk in a classroom available for every Navajo child. The massive school building program authorized during the last six years has closed the education gap which permitted thousands of Navajo children to grow up without having had an opportunity to attend school. While formal school education must be coupled with other training, training in the family, to make a whole man, there is no doubt that formal school education is essential for the younger generation which will be living and working in the America of tomorrow.

I have spoken of the new schools which have been built in recent years.

But buildings, brick and mortar, are only the foundation on which an educational program can be built. Ultimately, it is the program itself that counts.

I am, therefore, happy to know of the many existing new educational programs which have been initiated on your reservation, including the experimental school at Rough Rock.

I also want to commend your Chairman, who has spoken to me of his plans for a junior college, for his interest in post-high school children.

There is no doubt, that, in order for the Navajo Tribe to continue to move forward, it will need an ever larger number of young men who have received technical or academic training beyond the high school.

With the assistance of the United States Public Health Service the Tribe has made major strides in reducing the incidence of death and illness from communicable diseases.

Tuberculosis, a serious threat ten years ago, has now been almost stamped out. Infant mortality has been sharply reduced. The sanitation program, financed by the federal government and the Navajo Tribe, has for the last six years provided an increasingly larger percentage of the Tribal population with clean drinking water and sanitary sewage facilities.

Hospital care can cure illness; it cannot prevent it. Inadequate and unsanitary housing conditions can often breed disease. That is why the housing program initiated by your Tribe with the help of the Housing Assistance Administration provides you with another milestone on the road to progress. The 200 homes which have been built so far, the 400 homes now under construction and the additional 500 homes which have been authorized, make the Navajo Reservation program one of the largest federally-assisted housing programs in the Southwest. Yet it is only a beginning.

I certainly hope that you continue with your efforts to eliminate all sub-standard housing on your reservation.

As you know, President Johnson has a deep personal interest in the programs initiated under the Economic Opportunity Act of 1964. He will be glad to know that the Navajo Reservation has been one of the important beneficiaries of this law. The Head Start, Home Improvement, Job Training, Legal Aid and other programs are all designed to accomplish one goal: To enable the Indian people, the members of the Navajo Tribe, to have the same opportunities, to enjoy the same benefits, which our country offers to the rest of the population.

Some outsiders might raise questions about the wisdom of the programs which I have mentioned on the ground that they do not fit in with Tribal traditions.

Let me say that I am a firm believer in the principle that, under our democratic system, every group wishing to preserve its cultural heritage has the right to do so.

That is why I feel that in your case, particularly, it is so important there be active local participation in federally-assisted programs. We want to be sure that the programs which we have begun are really wanted.

With this one safeguard built in, I have no concern that you will not reach conclusions which are in your best self-interest.

I happen to believe that, beyond all cultural differences, there are desires which are common to all human beings.

A man who is hungry wants to eat, whether he lives in Minneapolis or Tohatchi.

A mother whose child is ill wants the child cured, whether in Phoenix or in Tuba City.

A father with family responsibilities wants to be able to provide for his wife and children, whether he lives in New York City or in Shiprock.

These needs and aspirations are common to most people in our country.

And most of them, I am firmly convinced, want to use their own abilities to obtain their goals.

But—and this is the key to the problem—circumstances of geography or family or both, circumstances beyond a person's control, prevent some people from getting to the starting line at which most others begin.

For many decades the opportunities which our nation has offered to most of its people have by-passed the Indian country. This has meant that Indians, by and large, did not start at this general American starting line but substantially behind it. The programs and policies which your federal government has followed in recent years, in close collaboration with your Tribal government, have had the purpose of bringing the Navajo people, and all people suffering from disabilities of the same kind, up to that starting line.

My purpose in speaking to you today is to pledge to you the determination of your President to continue on the road on which we have embarked.

When President Johnson announced in his first State of the Union message that we would wage war against poverty, he made it clear that that war will be fought until it is won.

And that means that it must and will be won everywhere, including right here in the Navajo country.

VON STEUBEN DAY

Mr. GRIFFIN. Mr. President, Americans of German origin have traditionally celebrated September 17 as Von Steuben Day, in recognition of General von Steuben's invaluable services to the American Revolutionary cause and to the birth of our country.

Von Steuben Day is a fitting occasion to pay tribute to the continuing contributions which German-Americans are making to our national life.

Born at Magdeburg, Prussia, in 1730, Friedrich Augustus von Steuben arrived at Portsmouth, N.H., in 1777. He volunteered to join in the war against Great Britain and rose to the rank of general. Impressed by Von Steuben's practical military knowledge, Gen. George Washington appointed him Inspector General and directed him to undertake the training of the American Army at Valley Forge.

Predominantly because of Von Steuben's skilled drill instruction and his training methods, the Continental Army proved itself the equal of British regulars in discipline and motivation.

Although he left the Army in 1784, Von Steuben continued to serve the new Nation. He formulated plans for the founding of a military academy, which were used years later in establishing West Point. He drafted a system of fortifications for New York. And he became the first president of the German Society of New York, a group devoted to the task of facilitating the transition from immigrant to citizen for thousands of new Americans.

Von Steuben's influence in converting the American Army into an effective and disciplined military force was of vital importance to ultimate victory in the Revolution.

In commemorating the anniversary of his birth, I join in acknowledging Von Steuben's manifold services to his chosen country. His dedicated life symbolizes the enduring loyalty and talent which citizens of German descent have contributed toward the development of the American Nation.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

FLOOD INSURANCE PROGRAM

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business, Calendar No. 533, S. 1985.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1985) to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask that the Senate staff notify interested Senators that the Senate is about to proceed with the unfinished business.

The legislative clerk proceed to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the committee amendment.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

Mr. WILLIAMS of New Jersey. Mr. President, the pending legislation deals with flood insurance. Congress has been committed to a program of national flood insurance, speared by the Federal Government, since 1956. The bill that is before us is the ultimate product of this decade of consideration.

Mr. President, the bill before us was cosponsored by 30 Senators. Many of them are not here because they are on official business in other areas. I ask unanimous consent that the names of the 30 sponsors of the bill be printed in the Record.

There being no objection, the list of sponsors was ordered to be printed in the Record, as follows:

Mr. Williams of New Jersey, Mr. Bartlett, Mr. Bennett, Mr. Bible, Mr. Brewster, Mr. Brooke, Mr. Cannon, Mr. Clark, Mr. Dodd, Mr. Gruening, Mr. Hart, Mr. Hatfield, Mr. Hickenlooper, Mr. Inouye, Mr. Jackson, Mr. Kennedy of New York, Mr. Long of Missouri, Mr. McGee, Mr. Mondale, Mr. Morse, Mr. Moss, Mr. Pell, Mr. Percy, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Smathers, Mr. Sparkman, Mr. Tower, Mr. Tydings, and Mr. Yarborough.

Mr. WILLIAMS of New Jersey. Mr. President, it is not my intention to request a rollcall vote because I am aware of the fact that some Senators who have been very influential in the development of this legislation cannot be here today because they are attending to official business elsewhere.

Mr. President, today it is my pleasure to bring to the floor of the Senate, S. 1985, the proposed National Flood Insurance Act of 1967, which was reported unanimously by the Banking and Currency Committee. The bill was cosponsored by 30 other Senators, including the chairman of the Banking and Currency Committee, the Senator from Alabama [Mr. Sparkman], and the ranking minority member, the Senator from Utah [Mr. Bennett]. It represents a joint effort by both the Federal Government and the private property insurance industry to make available a program of flood insurance to occupants of flood-prone areas. The bill would fill a significant gap in needed insurance protection for these individuals.

Damages caused by severe floods have been steadily rising in recent years in spite of protective measures taken by the Federal Government. Many areas of the country have been particularly hard hit by these devastating storms. In many cases, homeowners or small businessmen may never be able to recover financially from a major disaster. Existing Federal disaster relief programs have been inadequate to deal effectively with the problems encountered by the property owner following severe floods. Subsidized loans from SBA or the Farmers Home Administration, as helpful as they may be, must still be repaid by the borrower. Loans do not adequately compensate the victim as would an insurance program.

Mr. President, only last month a severe flood caused more than $200 million in damages to the city of Fairbanks, Alaska. Many other towns and cities across the country have also been struck by flood disasters this year. At the present time we read about a series of tropical storms developing in the Caribbean, some of which may strike our eastern seaboard. A program of flood insurance would be of tremendous assistance to occupants of these areas.

Congress has been aware for many years of the lack of flood insurance from private sources. In 1956, a flood insurance law was enacted, but no satisfactory program was developed and Congress failed to appropriate any funds for the program.

I thought it was a good bill when it was enacted. However, it was purely a Federal program, financed entirely through Federal funds. The Appropriations Committees did not share the enthusiasm of those of us who authorized the legislation. No funds were ever appropriated under the 1956 authorization. Since that time, however, there has been increasing interest on the part of many Members of Congress in developing some sort of a national flood insurance program.

In 1962, I first sponsored legislation to authorize the executive branch to make a study of various alternatives for a Federal program of flood insurance. This bill eventually found its way into law as section 5 of the Southeast Hurricane Disaster Relief Act of 1965. The report that HUD subsequently filed with Congress was a very informative document that examined in detail the subject of flood insurance. S. 1985 embodies many of the recommendations for legislation contained in that study.

The Subcommittee on Securities held 3 days of hearings on this proposal. At these hearings, every major segment of the private property insurance industry supported S. 1985, including the proposed association of flood insurers, a group of companies who plan to commit a certain amount of capital to the program. The National Association of Insurance Commissioners, who represent the State insurance regulatory authorities, also appeared in support of this legislation. The insurance commissioners have also been extremely helpful in formulating a legislative proposal of their own in this area. Other witnesses from Government and interested organizations appeared before the subcommittee in support of S. 1985. As a matter of fact, and this is unusual in my brief experience in the Senate, there was no adverse testimony on the bill.

The program authorized under S. 1985 would be administered by the Department of Housing and Urban Development, but other Government agencies would participate in providing data upon which premium rates would be based. Initially, coverage would only be available for certain residential properties, but later the Secretary could extend coverage to include certain business and other types of properties.

The facilities of the private insurance industry would be used to the maximum extent practicable to sell and service flood insurance policies. Private insurance companies could commit risk capital to an industry pool which would be used to absorb a share of the losses of the program in heavy flood years. The Federal Government would assist the program by providing premium subsidies to the pool and also by providing reinsurance coverage for losses above a certain point. The insurance companies in the pool would pay a premium to the Government for this reinsurance coverage in years of low-flood losses. Other non-risk-bearing insurance companies could participate in the program as fiscal agents of the Government.

A property owner in a flood-prone area would pay a reasonable premium that would be designed to encourage him to purchase flood insurance. The Federal Government subsidy would be the difference between this reasonable premium and the full actuarial cost of writing the insurance for the property. Individuals who built or substantially improved their properties in areas where flood insurance was available would be required to pay the full actuarial cost of the insurance.

For residential properties, there would be maximum subsidized coverage for $15,000 for any single dwelling, and $30,000 for any structure containing from two to four units. Contents could also be insured for $5,000. Any other properties which might be eligible for insurance in the future could be insured at the subsidized rate for $30,000 of coverage per structure. Insurance coverage could be doubled, but any excess over these limits would require the payment of premium rates at full cost.

In the event that the joint Government-industry program under part A of the bill cannot for some reason be agreed upon, authority is given to the Secretary under part B either to organize a Government program where the insurance industry would serve only as fiscal agents to sell policies, or to take over the program on a totally Federal basis. However, both the insurance industry and the Government have agreed that the joint approach under part A would be preferable to the Government approach under part B. All efforts will be directed to making certain that the joint program under part A works out.

An important element of the program would be to encourage State and local governments to adopt and enforce appropriate land use provisions to restrict the future development of land which is exposed to flood hazard. The bill also provides that other Federal disaster assistance would be denied to persons who failed to purchase flood insurance when it was available. An exception to this later provision would be made for certain low-income groups. In areas that have not been zoned, other disaster relief would still be available.

Any funds needed to pay the Government's share of the program would be obtained by borrowing from the Treasury. The Secretary would then ask for appropriations to repay to the Treasury any funds that he may have borrowed.

The bill would authorize that studies be undertaken to determine the extent to which insurance protection may not be available for certain other types of natural disasters.

Under the supervision of HUD, other Government agencies have compiled and analyzed flood damage data for different flood-risk zones in 42 areas of the country with different types of flood perils, which will make it possible for the Department to establish actuarial rates. The other Government agencies are now prepared to move into some 40 other areas to develop data as soon as this legislation is enacted. The legislation would authorize these agencies to identify all areas with special flood hazards within 5 years and to establish flood-risk zones within 15 years.

I believe that the program under this bill would fill a serious gap in insurance protection for residents of flood-prone areas. It represents a prime example of how industry and Government can cooperate to seek workable solutions to grave national problems. This legislation would provide a more orderly and dependable method of dealing with disaster than special legislative proposals after each disaster. It would make it possible for victims of flood disasters to overcome many of the hardships that they now must face and help them on the road to full recovery.

I urge that the Senate adopt this needed legislation.

Mr. BOGGS. Mr. President, will the Senator from New Jersey yield?

Mr. WILLIAMS of New Jersey. I am happy to yield to the Senator from Delaware.

Mr. BOGGS. Mr. President, the bill under consideration, S. 1985, fills a definite need in our Nation. Since the private insurance industry has not been able to combine reasonable rates with adequate coverage for flood victims, it is necessary for the Federal Government to lend a cooperative and helping hand, as this bill provides.

This legislation wisely provides a gradual development of the coverage. It makes it possible to gain experience before broadening coverage beyond residential properties.

Another significant feature of the bill is the incentive created to discourage new or unsafe construction in flood areas. By establishing flood-risk zones in flood plain areas, including coastal areas which have special flood hazards, the Secretary of Housing and Urban Development will help to lessen future flood damage and strengthen flood insurance protection.

In my own State of Delaware, we are fortunate to have few areas where flooding is likely. However, it may be recalled that in 1962 we suffered considerable loss along our sea coast due to a violent storm and ocean flooding. This year, in the northern part of our State, the excessive rains produced flood conditions in an area in Newcastle County, near the city of Wilmington, and especially in the area of Elsmere.

In both instances I believe the type of flood insurance provided in this bill would have offered protection which Delaware homeowners sorely needed.

I would also like to point out that the Governor of Delaware, the Honorable Charles L. Terry, Jr., and our insurance commissioner, the Honorable Robert A. Short, have both urged support of S. 1985.

These expressions from my own State reinforced my already-formed conviction that flood insurance protection, as is provided in this legislation, is long overdue, and I certainly urge its passage.

I would like to especially congratulate my friend the distinguished junior Senator from New Jersey [Mr. WILLIAMS] and the cosponsors for their leadership in developing this important piece of legislation before the Senate today. I urge favorable action upon it.

Mr. WILLIAMS of New Jersey. Mr. President, I certainly appreciate the kind comments directed to me by the Senator from Delaware. It seems to me that this program can fill the enormous gap that exists for people who suffer property loss from floods. Yes; we do have disaster relief, and it has been effective to a degree. When one of the constituents of the Senator from Delaware, for example, loses his home totally in a flood and gets a business loan, he was more than likely paying on an old mortgage, and now he is paying on a new mortgage.

Mr. BOGGS. The situation as it exists is difficult, and this legislation certainly should provide a great deal of security and confidence for families and businesses in the future. These occurrences of flooding may not cover the whole State, as I pointed out, but in the certain areas where they occur they cause great damage. In fact, in the Elsmere area in Delaware, which I spoke of, we had flood rains which ran many people out of their homes and they had to move in with other people. It took considerable time to move back, because of damage to furniture, heating systems, wiring systems——

Mr. WILLIAMS of New Jersey. To them it was a total loss.

Mr. BOGGS. It was a total loss. I have talked to many of them over the phone and have visited many of them over the years, as these floods have occurred. Legislation to help prevent future flood damage loss is very important. We have to look to the future.

Mr. WILLIAMS of New Jersey. I thank the Senator from Delaware.

I see the Senator from Utah [Mr. BENNETT] is on the floor. As the Senator who introduced this bill, I was glad indeed that the Senator from Utah [Mr. BENNETT] was one of the sponsors of the bill.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I certainly do.

Mr. BENNETT. I appreciate the comments of the Senator from New Jersey. The committee worked very hard on this bill. In some ways it is a difficult bill to write, because we are trying to write a pattern for cooperation and joint participation of private industry with the Federal Government.

Of course, there are bound to be some items in which there is not complete and general agreement.

Mr. President, the bill before us represents what I consider to be a satisfactory approach to the most difficult problem of providing assistance to victims of floods.

This problem has received a great deal of attention and study for over three decades. During that period, the Federal Government has invested more than $7 billion in flood protection and prevention programs but, despite all that has been done each year, floods damage millions of dollars worth of property, and we are asked to consider special legislation providing relief for those who have experienced property loss. This has been a haphazard and unfair approach to a problem that can strike almost any area.

I think it is unfair, because unless the disaster covers a wide area, no special relief is provided and yet for the individual whose home or property is destroyed, the burden is just as great, regardless of the amount of other property destroyed by the disaster. Another shortcoming of the present approach is that a person owning a property in a high-flood-risk area is not required to make any special contribution toward the assistance that he receives. It is also unfortunate that despite the contribution made by private organizations in granting relief and the various Government programs, including those of the Small Business Administration, the Farmers Home Administration, the Office of Emergency Planning, the Corps of Engineers, and the special disaster relief legislation enacted in the past few years, the assistance provided has not been adequate to get individuals and communities back on their feet economically.

What is needed, of course, is a program which would allow individuals in flood-risk areas to purchase insurance against flood damage. Up until this time, such a program has not been available for several reasons. The private insurance industry has been unable to provide flood insurance because of the unusual and catastrophic potential of flood risks, the lack of loss experience from actual insurance operations on which to base an actuarially sound program, and the unwillingness of property owners in high risk areas to pay premiums sufficient to cover the estimated risk.

In 1956, after an unusually high year of flood damage, a Federal Flood Insurance Act was passed. However, the program set up under that act was based on the conclusion that actuarial rates for flood insurance could not be computed. When the House Appropriations Committee was asked for funds to operate the program without an adequate basis for determining rate schedules for various areas and without a way of determining the Federal Government's contingent liability, the funds were denied and the program never became effective.

As the result of a study requested by the Congress in 1965, a conclusion was reached that it is possible to set up a flood insurance program on an actuarial basis. This conclusion was accepted by major segments of the private insurance industry, and industry representatives indicated a willingness to participate with the Federal Government in the establishment of a joint program, including a risk sharing arrangement whereby the private firms would absorb losses up to a specified limit.

In our hearings on the legislation, both those representing the Department of Housing and Urban Development and those representing private industry favored a program in which industry participated to the maximum extent. The bill as introduced provides for several alternatives. The first is the favored joint approach with private industry utilizing its facilities for distribution and services and participating in an industry pool which would manage the individual company's activities. The second alternative would allow the Secretary of the Department of Housing and Urban Development to set up an all-Federal program in which private companies participate as fiscal agents of the Government, in the event that he determined such action would materially assist the operation of the program or if the joint program could not be carried out. The Secretary would also be empowered to set up an entirely Federal program without any private industry participation.

Since private industry representatives have indicated their willingness to participate in a joint program, and since they have also shown their intent to participate in the risk through providing risk capital for the venture, I believe that the alternatives should be considered only as last resort measures in the event that all reasonable efforts to make the joint approach work, failed.

The risk-sharing approach has several important advantages over the other approaches, in my view. First and foremost, it allows private industry to provide all of the services and risk its capital to the extent that it desires, and the Federal Government would participate only to the extent that the private sector is unable to take care of the whole program. It is also possible, as was brought out in our hearings, that at some future time, after private industry has had an opportunity to gain some experience under the program and after the insurance base has had an opportunity to be broadened through purchase by a wide segment of property owners, the program could become an all-private one. While no one expects this to become a fact for a good many years because of the present necessary Federal subsidy for existing properties in areas of high-flood risk, it nevertheless could occur in time.

A third important advantage is that a joint operation would be more efficient. Since it allows for a reasonable profit to private participants and the profit would no doubt be based to some degree on efficiency, it could be expected that this incentive would result in greater efficiency of operation. It is also worthy of mention that the private insurance industry is already set up to handle the administration, selling, and claims service through its present organization.

It is expected that flood insurance would likely become part of an overall insurance package and the incremental costs for making this available throughout the country would be minimal if it is accomplished through the presently established private system. In the absence of private participation, the Federal Government would necessarily be required to set up an administrative organization, including a central office, regional offices, and local distribution facilities and personnel.

In our hearings, the witness for the Department of Housing and Urban Development was asked if the Federal Government was going to end up in the insurance business since the provision is in the bill for such an all-Federal program. Mr. Wood, the Under Secretary for the Department, answered:

> Our expectation is at this time that it will not occur, and certainly the intention of the Secretary is that it is not to happen.

When asked if the Department has sufficient cooperation from the insurance industry to put the joint program into immediate operation, the answer was that the general principles have been agreed upon and that the program should be in operation within a year.

It seemed to me that in light of all of the testimony and industry's full cooperation thus far in the program, the alternative of an all-Federal program is of such a nature that before it were given serious consideration, the Congress should be completely informed why the joint industry Government program would not work. It was with this thought that I offered an amendment to the bill as introduced requiring the Secretary of the Department of Housing and Urban Development to make such a report to the Congress at least 30 days prior to the implementation of an all-Federal program.

The amendment which was accepted by the Banking Committee without objection would require in the report reasons for the Secretary's determination that the industry-Government program could not be carried out supported by pertinent findings and the extent to which he anticipated the industry would be utilized in all-Federal program.

The committee report on the bill, in discussing this amendment, stated that the report "would state the reasons why the industry refused to participate in the program." The report language could result in the view that industry was not anxious to participate and might refuse to be part of a reasonable joint program. In my discussions with industry representatives and in all of the testimony presented at the hearings, there is not one shred of evidence that industry will not cooperate in a reasonable program.

The danger that concerned me and the reason for the amendment is the power that the Secretary had to make the terms of the program as disadvantageous to industry as he desired and that he could, in effect, force industry acceptance by holding as a weapon the authority he had without any notice to Congress to completely exclude the private sector from the program.

There may be valid reasons for the unusual procedure of legislating in advance the authority for the Federal Government to step in, in the event of such catastrophic losses that the private segment is unable to continue in the capacity of providing risk capital, but, in my opinion, the valid reasons do not include the use of a Federal takeover as bargaining power against which the private companies must agree to unreasonable terms. Nor would they include authority for the Secretary without overwhelming evidence and a review by the Congress to establish a completely Federal Government insurance program.

The intent of the amendment was to be sure that the joint industry-Government approach be given every reasonable opportunity to succeed, including full cooperation both from industry and the Secretary of the Department of Housing and Urban Development.

It could just as easily be unworkable if the Department chose to make it so that industry could not participate as if industry chose not to cooperate. I believe that, since there are some decisions such as reasonable profits allowable to industry and the subsidies to be provided by the Federal Government that must be worked out after the legislation is passed, Congress should be completely informed as the program develops. I suspect that many of us will approve this program on the basis of full industry participation who would not be willing to set up a complete duplicate Federal insurance program. This amendment was intended to put the Secretary on notice that the burden of proof that the joint industry-Government program under part A will not work is to be presented to the Congress before an all-Federal program could take effect, and that this will be done far enough in advance that if the Congress determines against an all-Federal program, there will be time to act. It is questionable that the 30-day minimum is long enough. I think it would be desirable to increase the period.

Another amendment to the original bill which I feel was important is one broadening the membership of the industry advisory committee from members of only the insurance industry and the public to include representation from State and local governments, lending institutions, and the homebuilding industry. Full cooperation of all segments concerned will be necessary if this program is to be successful, and participation in its development will assure better cooperation.

Lending institutions will likely be involved with broadening the coverage of the insurance, and local governments and homebuilders will be especially interested in the section of the bill dealing with land-use regulations and restrictions. All recognize that an effective flood insurance program must have provisions to minimize future risk of flood losses, but this must be carefully balanced against the possible advantages possessed by sites subject to flood hazards.

Since all new construction and all major additions will result in a premium for the flood insurance equal to the full actuarial premium with no Federal subsidy, limits on land use need not be overly restrictive. Local government representatives and representatives of the homebuilding industry have a great stake in seeing that the restrictions are reasonable.

Since no one will be required to purchase insurance, the bill includes a provision that those who experience losses without insurance will not be eligible for other Federal aid if insurance is available for a reasonable period before the loss occurs. Availability of other Federal aid would reduce the incentive for purchasing insurance to some degree and thus jeopardize the effectiveness of the program.

The committee recognized that there may be some individuals living in high-risk flood areas which have a level of income insufficient to permit purchase of flood insurance, even with a Federal subsidy. We, therefore, added a provision allowing certain exemptions to be made so that individuals who are in this low-income category could receive disaster relief from other Federal programs.

Let me conclude with my judgment that this program is worthy of acceptance by the Senate. I think we all realize that it is experimental to the extent that it is a new approach to protect against flood losses and thus it may experience some difficulties, but the goal of providing a method of protecting property owners against catastrophic loss from flood, making such a program actuarially sound and allowing private enterprise to participate to the maximum extent with Federal participation only to the degree necessary to make the program feasible, is worthy of our support.

Mr. President, in this problem of trying to strike a balance or develop a pattern of cooperation, it has been the strong opinion of the Senator from Utah that we should first make use of the assets and the strength of the private insurance companies and that the Federal Government should come in only when and to the extent that the private insurance companies might be unable to cope with a particular situation or with so great a combination of floods as to exhaust the resources that they are able to bring to bear in this need for insurance. I think that is the American way, the free enterprise way, to approach the problem. That the life insurance industry is interested in helping solve our domestic problems is evidenced by the fact that yesterday private insurance companies pledged that $1 billion would be allocated to help solve the housing problems in the so-called ghettos of our cities.

Part A of this bill, providing that private insurance companies through a pool arrangement accept all the responsibility and risk that they can and that the Federal Government participate only to the extent to make the program feasible, is in that same spirit.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. WILLIAMS of New Jersey. We first passed the legislation authorizing the Housing and Home Finance Agency, to make a study of a realistic program that we thought might be developed and would work. Was not one of our requirements that existing insurance companies be used to the maximum extent?

Mr. BENNETT. I am sure there is no disagreement between the Senator from New Jersey and myself or with respect to the basic intent of the policy of the Department of Housing and Urban Development.

Mr. WILLIAMS of New Jersey. I feel that the Department of Housing and Urban Development has honored the congressional intent and that this bill represents maximum participation.

Mr. BENNETT. Part A of the bill certainly does. If I did not say so clearly, I am glad the Senator gave me the opportunity to repeat it. The Department of Housing and Urban Development testified strongly in favor of that alternative as I have already mentioned.

As I said, there always will be some disagreement as to the technical provisions of the bill, but I think, so far as the spirit of the bill is concerned, there is no essential disagreement.

Mr. WILLIAMS of New Jersey. I think they have honored our original congressional intent. It is provided for in the bill. We are in agreement. I can only admire the Senator from Utah, who comes from a State where there is not a surplus of water——

Mr. BENNETT. But not an absence of floods.

Mr. WILLIAMS of New Jersey. I will say that the Senator from Utah has been a tower of strength in this area.

Mr. BENNETT. The Senator from Utah, just within the last 24 hours, has been trying to put pressure on the Corps of Army Engineers to get moving on a program we have been working on for 7 or 8 years to obviate floods in our biggest city in Utah, Salt Lake City, because it lies at the foot of rather tall mountains, and when we have sudden summer rainstorms many of our streets are under water, with resulting damage.

Mr. WILLIAMS of New Jersey. I am glad the Senator described that, because encompassed within this bill, its report, and its history are several kinds of floods, including the flash flood. The Senator is talking about the flash flood?

Mr. BENNETT. Yes; that is correct.

Mr. WILLIAMS of New Jersey. In establishing the premium rate, the flash flood is considered with the flood in depth, such as experienced in Fairbanks.

Mr. BENNETT. In Alaska; yes.

Mr. WILLIAMS of New Jersey. The Senators from Alaska have told me that just about every home in Fairbanks had 7 feet of water in it. That is an example of flooding in depth, you see. Flash flooding and flooding in depth were considered together, in establishing the premium that will be paid by the homeowners.

In this bill, we are dealing only with residential property at this point.

Mr. BENNETT. That is correct, 1- to 4-family dwelling units.

Mr. WILLIAMS of New Jersey. Single dwellings up to 4-family dwellings. This develops the premium rate, an actuarial and reasonable rate for the homeowner. But the State of Utah has the flash type flood.

Mr. BENNETT. That is correct. The people who have built their homes in that general area, I am sure, will be very grateful to have an opportunity to obtain insurance.

Mr. WILLIAMS of New Jersey. All of the departments of Government that have expertness in understanding these things—the Soil Conservation Service, the Coast and Geodetic Survey, the Army Corps of Engineers—are all partners with Housing and Urban Development in establishing realistic rates of insurance under this program.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMATHERS. Mr. President, the pending bill, in my opinion, is one of the more constructive pieces of legislation being considered by the Congress this year, and I want to compliment the very able and distinguished Senator from New Jersey [Mr. WILLIAMS], for the able manner in which he processed this legislation through committee and on the floor.

The measure will provide an orderly and effective means of making insurance available for victims of floods and hurricanes with the help of the Federal Government in cooperation with private insurance companies.

Though Congress did enact a flood insurance law over 10 years ago, the program was never funded and no insurance was made available under it. I supported the earlier legislation, but can frankly say that I continued to be greatly disappointed that the program was never implemented.

Despite the difficulties of the past, my interest in this subject has not waned. I was very pleased to join with Senator WILLIAMS of New Jersey and numerous other Senators in introducing the pending legislation, which I believe will establish an effective program of flood insurance.

I might point out that it was my pleasure that during hearings held earlier this year I had an opportunity to introduce to the members of the Subcommittee on Securities of the Senate Banking and Currency Committee the insurance commissioner of the State of Florida, my friend Mr. Broward Williams, who at that time also represented the National Association of Insurance Commissioners. The National Association of Insurance Commissioners, as well as the major insurance trade associations, have voiced their wholehearted support for the pending bill.

With the hurricane season approaching my State, you can be sure that the citizens are acutely aware of the lack of insurance protection from floods and hurricanes.

Although homeowners and businessmen may purchase insurance protection under extended clauses for wind damage from hurricanes, there is no insurance coverage at reasonable rates for water damage from various tropical storms that frequently hit not only the State of Florida but other States as well.

Undoubtedly, a very large percentage of total damage to buildings and personal property is caused by the water component of the storms. The possibility of destruction of homes or businesses which have inadequate insurance coverage looms as a very real threat to many citizens of the State of Florida.

The pending bill provides for maximum participation of the private insurance industry. I believe that it is extremely desirable to utilize existing personnel and know-how of the industry rather than to use some type of an all-Federal program.

Under the program that would be authorized by the pending measure, existing facilities of the private insurance companies would be used to sell insurance policies and many companies would take a certain percentage of the risks involved in writing flood insurance.

This is one of the areas where private industry is unable to offer insurance without some form of Government assistance. Under the pending bill, the Federal Government would assist the program by making subsidy payments to an industry pool of insurance companies and would provide reinsurance coverage for excessively high losses.

Normally I have always been cautious about any unnecessary intrusion of the Government into private enterprise. However, there are certain areas where insurance would not be available without this help. Consequently, there is a compelling public need why it should be made available.

All of us are aware of the Federal Deposit Insurance Corporation which provides insurance for bank deposits, Federal crop insurance, FHA mortgage insurance, Export-Import Bank insurance, as well as other examples of Government assistance to the insurance industry.

I would like to point out that flood insurance would not immediately become effective in all parts of the country. It will take the Department of Housing and Urban Development, with the help of other Government agencies, some time to develop insurance rates for all parts of the country which have a special flood hazard. I believe that the Department should move as quickly as possible in developing these rates so that insurance can be made available to those property owners who desire it.

Under the provisions of the legislation, there would be a priority for insurance coverage for smaller residential properties. It is felt that the greatest need for insurance lies within this particular group. However, insurance coverage could later be extended to include other types of properties, principally business properties.

I would hope that the Department would do whatever is necessary to expedite making insurance available for business properties as experience is gained with the program.

Existing relief programs have been of great assistance in Florida and other areas of the country in easing the financial burden following a major storm. Small Business Administration subsidized loans have helped many of our residents, and the Office of Emergency Planning has done a fine job in restoring basic community facilities for many areas. However, these programs do not fully compensate the victim as would an insurance program, nor would the recipient be saddled with mortgage obligations under the insurance program.

A workable program of flood insurance is long overdue. I am hopeful that this legislation can be enacted as soon as possible in order that residents along our sea coasts and rivers can have this needed protection.

Mr. DODD. Mr. President, I rise today to speak in support of a measure of great importance to the homeowners of this country, the National Flood Insurance Act.

We like to think that property owners of all kinds can obtain insurance coverage against almost every conceivable risk, but the fact of the matter is that there have always been some risks for which adequate insurance has been conspicuously and tragically unavailable.

The private insurance companies of this country, through no fault of their own, have not been able to provide any kind of reasonable coverage against damage caused by many types of natural disasters.

This gap in insurance coverage available to the property owners of this country is a major one, indeed, and has long been the cause of great hardship to the victims of natural disasters.

Too many inland homeowners have watched in grief as their uninsured homes were washed away by roaring rivers, swollen by torrential rains or by the heavy snows of a cold winter.

Too many coastal homeowners have had their life's investment destroyed by storm-driven ocean waters.

Too many towns and cities have seen their entire community become a disaster area as a result of destructive floods.

In my judgment we have been delinquent in not having provided a remedy for these unnecessary hardships at an earlier date.

So I am very pleased that today we have an opportunity to pass upon this national flood insurance bill which will provide these victims of floods with the opportunity to purchase insurance for their property at a reasonable cost.

I have long been interested in the problems of the insurance industry and its policyholders but my interest in disaster insurance is particularly strong and goes back many years.

Eleven years ago, as a Congressman in the House of Representatives I introduced a bill which established insurance and loan programs to provide protection against all kinds of natural catastrophes.

These programs were to be financed entirely by the Federal Government, but they would have been administered, at least partially, by the private insurance companies.

The bill which we have before us today is less comprehensive in scope than the one which I introduced in the House. However, the present bill has been refined and improved; and it is designed to deal only with damage by water, which is probably the most prevalent form of natural disaster.

The bill which I introduced in 1956 provided insurance against floods, hurricanes, earthquakes, tornadoes, dust storms, snowslides, and many other types of natural disasters.

It called for a Federal corporation which would provide direct insurance as well as reinsurance contracts for private insurance companies and it provided non-interest-bearing loans for disaster victims.

My bill authorized combinations of insurance and loans in such combinations that would be deemed appropriate by the Federal corporation to meet certain disasters.

As the present bill does to a greater degree, my bill also demanded that private insurance companies be used as agents wherever possible and authorized that the corporation provide only that insurance which private insurance companies could not provide.

We were successful in our efforts to enact natural disaster insurance legislation in 1956, and I was fortunate in getting the loan features of my bill, known as the Dodd plan, incorporated into the final act. But because of appropriation and implementation failures the act, much to my dismay, never achieved its potential.

I am confident that the bill now before us will not have the same difficulties because it is a substantial improvement over the 1956 act and is sufficiently fortified against the obstacles which that act encountered.

There is no question that floods present the greatest risk to the property owners of this country as a group. Destruction wrought by water is usually more extensive and more complete than other forms of property damage.

A flood can sweep away whole neighborhoods and spread its ugly destruction over entire communities, towns, and cities as far as the eye can see.

Moreover, a homeowner who has had his house taken from him in this fashion is often faced with burdens even greater than the replacement of the domicile which he has lost.

In many cases, homes destroyed by water are heavily mortgaged, and the individual who has lost his home must not only somehow provide for a new one, but he must also continue to make payments on a house which no longer exists.

This is enough to break the spirit of even the strongest of men.

The Government has several times attempted, after particularly large floods or hurricane disasters, to relieve the sufferings of the victims by means of specific legislation aimed at providing some kind of compensation for loss in the given disaster area.

However, this kind of legislation has usually proved unsatisfactory for several reasons.

It fails to meet the needs of the small homeowner who, as I have indicated, is often burdened with the unpaid mortgage on the destroyed property.

In addition, such stopgap relief legislation is tremendously expensive for the Government because the Government pays the entire cost of the relief without any contribution from the people whose property is being protected, and because stopgap relief legislation does not strike at the heart of the problem; it does not discourage people from continuing to build vulnerable structures in flood-prone areas.

Consequently, the need for stopgap relief arises again and again.

It is for all these reasons that this bill recognizes the fact that what is needed for flood assistance is insurance—not relief.

It has, however, so far proved impossible for the private insurance industry to provide flood coverage.

Insuring against a flood is not quite so simple as insuring against a car accident, for example.

When an insurance company provides protection to a number of car owners, it can be fairly sure from statistical probabilities that it will have to meet and pay claims on a certain number of these policies. The insurance company calculates its risk on the basis that car accidents happen to a certain percentage of people, and more importantly, that they happen to only one person at a time.

A flood is somewhat different. It is very difficult to insure against a flood for the simple reason that when one occurs it happens to everyone at once in what can be very large areas.

This makes it somewhat difficult to spread the risk.

It is obvious that the capital resources of the private insurance industry are not adequate at this time to step in and offer flood coverage on their own. They simply do not possess the financial capability to assume the entire burden of this unspreadable risk.

It is equally evident that the underwriting of insurance has been, and should continue to be, primarily with the province of the private companies. They know the business from years of experience and are set up to administer it in a capable and efficient manner.

It seems, then, that if flood insurance is to be provided, it can only come from a joint effort of Government and industry working together.

This kind of cooperative insurance seems to have certain very definite advantages:

It extends insurance coverage to new high-risk areas of our expanding economy.

It maintains the position of private enterprise in the industry by giving private companies a share in providing this new coverage.

Most importantly for the policyholder, the policies issued are supported and guaranteed by the vast financial resources of the Federal Government.

The legislation before us today represents an effort to extend this idea of Government cooperation with private industry into the field of flood insurance.

The present effort differs substantially from the Federal Flood Insurance Act of 1956. That act set up a flood insurance program which was to be entirely financed and administered by the Federal Government with only minimal participation by the insurance industry.

That program failed for many reasons, but probably one of the most significant factors contributing to its failure was the lack of any sensible system of premium rates based on the particular flood risk in different areas.

But now with the help of the private insurance industry, the Department of Housing and Urban Development and various other Government agencies have determined sensible and workable rates for many flood-prone areas.

What makes the legislation before us a truly workable solution is the fact that it has now been shown that these sensible rates can be worked out.

The system by which these rates are to be determined was developed through cooperation of Government and industry. It is this very close cooperation which constitutes one of the major differences between the present bill and the 1956 act.

The bill now before us presents two alternative forms which this Government—private insurance company cooperation could take.

By the provisions of the first form, the private companies and the Government would share both the risk of the underwriting and the expense of administering the program.

Under the second version, the Government would bear all the risk and expenses of the program, and the private companies would act only as their fiscal agents.

The bill gives preference to the first version and provides that the second should be tried only if the first proves impracticable.

It is the first version that represents a truly new and constructive approach to the problem. By its terms, Government and industry would become full partners in a dramatic new program of public service.

Under this version, both industry and Government would bring funds and know-how to bear on the problem of flood insurance.

The private companies would provide enough capital to assume a limited part of the risk liability. More importantly, they would bring to the proposed program the great knowledge and experience of their years of providing all kinds of insurance coverage, as well as the apparatus at their command for selling and servicing insurance policies.

None of this administrative know-how could be provided by the Government.

The Federal Government in its turn assures that the policies issued will be honored by backing them with its financial resources. In addition, by means of cooperation among HUD, the Army Engineers, the Soil Conservation Service, TVA, the Geological Survey, and other agencies, the Government would contribute a significant body of knowledge about the danger of floods and the damage which is caused by them.

The first and preferred alternative offered by the bill thus provides for a full sharing of expenses and risks rather than merely a principal-agent relationship.

One of the major factors contributing to the creation of this full partnership is this new and sophisticated system of determining premium rates.

An understanding of this rate-determining arrangement is essential to a proper understanding of the bill before us.

Obviously, in an area where there is a high flood risk, if a private insurance company were to try to provide flood insurance on its own, it would have to charge a very high premium rate in order to provide this insurance and still remain solvent.

This rate would be much too high for any homeowner to pay.

However, under this bill the homeowner would be required to pay only a reasonable premium—one which he could afford.

In areas with high flood risk, this rate might be only 25 percent of the premium which should be charged. In areas with less probability of flood, the rate which the customer must pay might be as high as 75 percent of the rate which should be charged.

The homeowner would pay this partial premium to the private insurance companies who would act as collectors and paying agents for the program.

However, since the private companies would receive only part of the premium which would cover the full risk, they would only be responsible, when floods come, for providing payments to cover part of the damage.

The Government would be responsible for covering that percentage of the damage which was not covered by the premiums paid to the private companies.

In areas of high flood risk, because the premiums paid by the customers would be low compared to what should be paid, the Government would be liable for a large part of the damage claims.

In areas of low flood risk the Government's burden would be less.

Under the administrative provisions of the bill, because the private companies would do all the selling and servicing of the policies issued, the Government would pay its share of the damage claims to the private companies, and the private companies would pay the policyholders.

It is true that during the early years of the system, the main burden of the cost will be borne by the Government.

However, despite this, the bill is an economical one—partly because it contains numerous provisions which insure that the Government's expenditures will be kept to a minimum and more importantly because it provides that the Government's share of the risk burden will be gradually reduced, while that of the private companies will be increased.

In the first place, the program cannot help but be cheaper than the previous stopgap emergency relief legislation, because it provides that, for the first time, property owners will pay at least part of the cost of their own protection.

Equally obviously, the bill provides that those people who are covered by flood insurance shall not receive as duplicate payment any Federal relief funds which may be appropriated to meet a specific water disaster emergency.

It also provides that the flood insurance program will gradually take the place of this stopgap sort of emergency relief appropriation. It does this by stipulating that such relief funds will not be made available to those people who have lived for a year or more in an area where flood insurance was available, but who have not bought the insurance.

The proposed legislation thus strongly encourages property owners in these areas to rely on the flood insurance as their protection against disaster.

Perhaps most importantly of all, the bill provides for a long-range program of regulation of land use.

This program is designed to provide that the property in certain areas with high flood risk will become over the years less prone to flood damage.

Theoretically, land in these areas will be developed in such a way that its usefulness cannot be severely damaged by flood.

As this happens, the premium rate necessary to cover the full cost of providing insurance coverage in the area will decrease so that it is closer to the reasonable amount which can be paid by any customer.

As a result, because the risk of flood damage in these areas will be lower, the private insurance companies will be able to bear most of the burden of the risk themselves, and the Government's expenditures in the program will drop off.

This sort of land development will, of course, take a number of years, but the bill insures that the implementation of land use reform will begin promptly.

The flexibility of the bill is also quite impressive. It provides that the bill's authority can be extended at a later date to cover other than just residential property and also other types of natural disasters.

Once the bill has demonstrated its practicability and its effectiveness the Secretary of Housing and Urban Development may consider expanding its coverage.

I shall look forward to this day for it is what I envisioned back in 1956 when I introduced my natural disaster insurance bill.

The bill now before us thus provides for the best possible type of cooperation between the Government and private industry.

It establishes a partnership which makes possible a new form of public service.

In keeping with the traditions of the past several decades, the bill provides that the Government will assume the greater part of the initial burden of developing this public service.

But in keeping with the best American traditions of private enterprise, it envisions further that the Government role in providing flood insurance shall gradually be phased out, and that the private companies will eventually provide this service by themselves.

At its best, this bill calls for a constructive and forward-looking cooperation between Government and private industry in an effort to provide a public service which has long been badly needed.

I urge that this legislation be approved.

I should like to say a word about the great efforts of the Senator from New Jersey [Mr. WILLIAMS] in behalf of this legislation. He has devoted a great deal of energy and time toward the passage of this most significant legislation. He deserves our deepest appreciation.

I think that it would be very helpful in order to bring out the full historical development of this act to insert in the RECORD, at this point, a part of the debate in the House of Representatives in 1956 on the Flood Insurance Act which was enacted at that time.

Mr. President, I ask unanimous consent that this debate be inserted in the RECORD together with two statements I made back at that time before the Senate and House committees which held hearings on the same legislation.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

Mr. DODD. I come from a State where we have many great home insurance offices. I have been working on this business of flood insurance for about two years. I started on it after the disastrous flood and hurricane of 1954. I have talked with a great many people whom I believe are well qualified in this field and got the best advice I could.

I think the committee has come up here with a good bill. I do not think it is letter perfect. It is extremely difficult to write legislation of this kind. But we are faced with recurring disasters on a very wide scale. There were floods in Maryland only last night with six people drowned. I do not know what the property loss will be, but I fear it will be large. We have had floods in the Far West, we have had floods over the Middle West, we have floods in the South, so this is not just a New England problem at all.

If the private insurance companies could write this kind of insurance on a profit basis they would certainly do it, but they are not able to do it.

In the New England floods of last year we suffered an enormous loss of money and life. I think the important thing to remember is that we the people of the United States are paying for it anyway. This is actually so. The Federal Government had to go in there and spend millions of dollars in one way or another to try to get these people who were wiped out back on their feet. It is not an easy situation to handle. You cannot disregard a disaster area, you cannot ignore the people who have been flooded out, you cannot say to them: "It is just too bad; you lost your home, many of your people lost their lives, but we cannot do anything about it."

Now we come forward with a plan to try to meet in an equitable way the severest effects of these disasters.

How much it will cost we do not know, but we do know from past experience that a very essential consideration is to get this coverage on a broad basis. If you have people in the New England area only subscribing to it that is a narrow base. If you have the people in the Ohio Valley participating in it the base has been broadened, and then if you bring in the people of the Far West and the South you have a really broad base and some chance of bringing the premiums down to a reasonable level.

Mr. Chairman, after the terrible destruction of last year's August flood, a great number of people in Connecticut and other Northeastern States were most anxious to purchase some form of flood or disaster insurance to protect their economic well-being in the event of another flood.

There was obviously a large market for flood insurance, but private insurance companies were unable to offer the necessary protection due to the enormous risk factor.

Less than 2 months after last August's disaster, another devastating flood struck the same area, and again no insurance was in effect to lessen the terrible loss suffered by so many homeowners and businessmen through no fault of their own.

It is apparent that private citizens and private enterprise cannot for long sustain such great economic losses without it having an extremely detrimental effect on the overall economic condition of some of the Nation's most productive areas. However, private insurance companies are not to be considered delinquent in failing to offer insurance contracts that would cover floods or other natural disasters. Private insurance institutions, although sympathetic to the needs of the country, cannot accept risks that might bring about bankruptcy and destroy the protection against other losses presently being given existing policyholders.

It is not the nature of Americans to be content with the mere hope that in the event of disaster the Government will furnish relief. It is rather their nature to sustain their economic position by insuring against loss by paying a fair and reasonable premium rate for insurance protection.

Now that it is apparent that private enterprise will not be able to undertake a program of either flood or natural disaster insurance and the recent floods have pointed out the great need for such protection, it is clearly the responsibility of the Federal Government to meet the need of its people by undertaking a disaster insurance program.

The risk factor involved with flood insurance or disaster insurance cannot be accurately determined at this time due to the lack of adequate acutarial information. Due to the imponderable risk factor, private insurance companies are reluctant to offer a flood insurance policy to the public, and if they were willing to accept the risk it is realized that the premium rate might necessarily be prohibitive.

Because the Federal Government is obligated to promote the general welfare of its people, it does not work under the same criteria as private insurance institutions do. When the Government undertakes a program such as disaster insurance it obviously would not be doing so with the intent of making a profit. Rather than hoping to make a profit, the Government in meeting a need of its people would expect to expend reasonable funds to meet that need.

The problem, however, is how much money should the Government spend on a disaster insurance program, or whether or not in promoting the general welfare, Federal funds could be better spent on flood prevention measures. Of course, as more flood prevention measures are put into effect the risk factor will be diminished, and when the risk is lowered to a reasonable degree, it can be expected that private insurance institutions will be able to offer flood or disaster insurance policies in the same way that they presently offer life or fire insurance.

The problem is basically to find a solution to the problem of how the Federal Government can offer some degree of economic protection against natural disasters to all its people and still do so without expending large Federal subsidies.

It must be realized that no panacea to this problem will be found. When a disaster such as a flood strikes, a great economic loss is inevitable. It is my belief that this bill will furnish a means by which that loss can be equitably shared. This bill cannot be expected to solve all the problems, but it is hoped that it will furnish the legislative means by which many of the problems can be lessened.

Mr. Macdonald. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield.

Mr. Macdonald. I want to compliment the gentleman for the fine speech he is making and ask unanimous consent that I may extend my remarks following those of the gentleman from Connecticut.

The Chairman. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. Patterson. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield to my colleague from Connecticut.

Mr. Patterson. Are we not just trying to set up some kind of schedule or program that we can follow in order to give a little more security of life to people in a district like mine which the gentleman knows so well?

Mr. Dodd. Yes. The gentleman's district was very badly damaged.

Mr. Patterson. Mr. Chairman, it would be useless for me to cite the urgent need for Federal disaster insurance; for I am sure that every Member of this House is fully aware of the millions of dollars in property losses suffered in the flood disasters of last August and October, and the more recent floods that occurred in California.

In my district—the Naugatuck Valley of Connecticut which was the worst hit of all flood-devastated areas—there were many persons who had worked hard for many years to earn and own a home, only to see the fruit of their labor float pathetically down the turbulent rivers. They had no insurance on their homes, and hence in many cases the savings of a lifetime vanished overnight by a single stroke of nature. The reason was that they had no insurance on their homes, because flood insurance is not obtainable from private insurance companies. In sharp contrast, without difficulty a person can obtain insurance from private insurers against losses incurred by fire and certain other disasters, but not against floods.

Therefore, in areas such as the Naugatuck Valley and other flood hazard areas, even after a devastating flood there is initial reluctance on the part of homeowners to rebuild their homes because they live in constant fear that a similar tragedy may strike any time without warning.

Now I realize that the foremost necessity for protection against losses incurred by floods is not a flood insurance plan, but rather a foolproof flood control plan that would protect our citizens against future floods. With this there would be no need for flood insurance. This, of course, is presently being worked out by our engineers with the support of the Congress, State, and local officers; but unfortunately, such a flood control plan cannot be put into operation overnight, and may require a number of years before becoming a reality.

Therefore, in the meantime it is the duty of this Congress to afford our citizens with protection against flood devastation until persons in flood hazard areas are certain that floods will not occur in the future.

Mr. Rivers. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield to the gentleman from South Carolina.

Mr. Rivers. I and those from my section of the country are very deeply impressed by the presentation the gentleman from Connecticut is making, and also by the great amount of work he has done on this subject.

Mr. Dodd. I am very grateful to my friend who has been most helpful on this and many other problems.

* * * * *

Mr. Dodd. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

"Amendment offered by Mr. Dodd: Page 26, strike out lines 12 to 16 inclusive and insert in lieu thereof the following:

" 'Each such contract shall contain such terms and conditions, and require from any such person such monetary consideration, as the Administrator may prescribe by regulation. In issuing such regulations the Administrator shall fix such monetary consideration at the lowest practicable amount, following generally the same principles as apply under section 7(a) with respect to the establishment of fees for insurance'."

Mr. Spence. Mr. Chairman, I think the amendment is very desirable and while the Committee has taken no action on it I personally would accept it.

Mr. Dodd. I thank the gentleman. It is simply a clarifying amendment. It is practically self-explanatory. It puts the loan part of this bill on the same basis as the conventional or traditional insurance part.

The amendment clarifies a technical aspect of two important sections of the bill before the House. I refer to section 5 entitled "Loan Contracts" and section 6 entitled "Combination of Insurance and Loans." The amendment simply provides that in determining premium rates that the same principles shall be followed for the "loan plan" as are prescribed for determining the rates for conventional insurance.

As many Members of the House know, I have a great interest in the loan feature of this bill. In January of this session I introduced H.R. 7885. The sense of sections 8 and 9 of my bill, I am pleased to say, has been incorporated into sections 5 and 6 of the bill presently under consideration.

This "loan plan" is a good one and I think that time will prove that it will play a large part in making Federal flood insurance a practical reality.

I feel that the loan plan that I have presented will offer a unique solution to the dilemma of finding some form of insurance against floods which can be offered to the public at a low-premium rate without large Federal subsidies.

Briefly, the loan plan offers a solution which provides that a party can purchase a policy at a low-premium rate in which the Government would give the policyholder an absolute promise of a long-term, non-interest-bearing loan in the event of loss through flood disaster.

The absolute right to obtain such a loan would give the person holding such a policy the means by which the destroyed property could be promptly restored. The primary loss would ultimately lie on the person whose property was destroyed, but through the loan plan the loss could be spread out over a long period of time.

In order that the Government will not unduly enter into the banking business, the bill provides that the money shall be borrowed from private lending institutions with the Government acting as guarantor. If the loan, for some unforeseen reason, cannot be had through a private lending agency the Government will then make the loan directly.

Thus, under this plan, a man owning a small factory or business concern which was destroyed by a flood, and left with only goodwill and know-how, would be provided as a matter of contractual right with the means to promptly put these two remaining assets back into operation. The repayment of the loan could be made over an extended period of time, and the burden could be spread out in the same way as depreciation.

The only risk that the Government would be taking under such a plan would be its obligation as guarantor to make good on any defaulting loans. It is anticipated that these expenses will be paid from the premiums taken in under the plan.

Under the provisions of the loan plan combinations of the usual insurance plan where reimbursement is made in cash and this novel loan plan where the insured gets a contractual right to borrow money are to be offered. Under the plan, a great variety of policies will be made available in which part of the reimbursement in the event of loss would be made in cash and part in a non-interest-bearing loan.

Thus, an individual or business concern that could only pay a very small premium rate could enter into a contract that would provide reimbursement in the form of a loan. Another party not willing to accept the burden of such a loan, and still unable to pay a substantial premium rate, could, for example, take out a policy which would provide him with 30 percent in cash and 70 percent in a non-interest-bearing loan, and with a slightly higher premium rate.

The Administrator under the bill before the House will thus be able to offer the public a multitude of policies which would be sold at premium rates in accordance with the degree of protection the person taking out the policy felt that he could afford.

The premium rate would largely depend on what percentage of reimbursements would have to be paid in cash. A person who wishes to be completely reimbursed in cash would pay a maximum premium rate.

The exact type of policy to be offered, and premium rates, I feel, are matters to be determined at a later date in accordance with administrative discretion.

It has been generally accepted that Federal flood insurance is essentially experimental. The loan plan embodied in sections 5 and 6 of the bill presently before the House will offer a great variety of policies to meet individual needs. I believe through the addition of this loan plan the possibility of a successful flood insurance program, with a minimum of Federal subsidies, is greatly enhanced.

Mr. Chairman, I ask the support of the Members of the House for the amendment to the "loan plan" that I have just introduced. By passing the amendment, the criteria for determining the premium rates for the loan contracts under the bill should be clarified.

Mr. Oliver P. Bolton. Mr. Chairman, would the gentleman yield for a question on the amendment?

Mr. Dodd. I yield to the gentleman from Ohio.

Mr. Oliver P. Bolton. Do I understand from the gentleman's statement that his amendment would make the provision on page 29 which has to do with the Administrator's right to reduce the rates also apply to the loan guarantee field?

Mr. Dodd. If I understand your question correctly, I would say not.

Mr. Oliver P. Bolton. I did not think that was what the gentleman meant. I wish the gentleman would explain it further.

Mr. Dodd. I feel I have explained it.

Mr. Johnson of California. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield.

Mr. Johnson of California. Will the gentleman specify the paragraph he is seeking to amend?

Mr. Dodd. It is on page 26. It strikes out lines 12 to 16, and instead it states:

"Each such contract shall contain such terms and conditions, and require from any such person such monetary consideration, as the Administrator may prescribe by regulation."

In other words, it gives him the authority to fix the premium on the loan as it gives him the authority to establish the premium for the insurance.

Mr. Oliver P. Bolton. But it does not give him authority to reduce the premium for the loan?

Mr. Dodd. That is a different matter.

Mr. Boland. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield to the gentleman from Massachusetts.

Mr. Boland. I want to compliment the gentleman on the stand he has taken all through the debate. Last Saturday when this matter came to the Chamber floor it appeared as if we would not have enough people here even to consider the bill. It was through the efforts of the gentleman from Connecticut and his colleagues that we were able to maintain a quorum and keep business going.

Mr. Dodd. I am very grateful to the gentleman.

Mr. Fogarty. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield to the gentleman from Rhode Island.

Mr. Fogarty. Mr. Chairman, I want to take this opportunity of commending the gentleman from Connecticut [Mr. Dodd] for all the work that he has done on this bill.

I also wish to commend him for the loan provisions in sections 5 and 6 of the bill which were made part of this legislation at Mr. Dodd's request.

In my estimation, the Dodd loan plan is one of the best features of this bill. I predict that the adoption of this bill with this provision in it will prove a monumental contribution in the field of Government insurance.

I was keenly aware of the gentleman from Connecticut's interest in the plight of the people of his State.

Almost a year ago when Mr. Dodd was working on drafting a bill on flood insurance, I know that he had the interest of the flood sufferers of his State in mind, and yet he also had the interest of the American taxpayers in mind.

Mr. Chairman, I feel that the Dodd loan plan provides for both flood sufferers and the American people.

I feel that Mr. Dodd's plan will give insurance protection at a premium rate that potential flood sufferers can afford to pay, and for this, I feel the people in Connecticut and the people of my own State of Rhode Island who suffered so terribly in last year's floods will be grateful. The Dodd loan plan in my opinion will accomplish this without large Federal subsidies, and for this I feel the American people will be grateful.

Mr. Dodd. I am most grateful for the very kind and generous remarks of my colleague [Mr. Fogarty].

Mr. Philbin. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield to the gentleman from Massachusetts.

Mr. Philbin. I also want to take this opportunity to commend the gentleman from Connecticut on his outstanding contribution to the consideration of this bill and also the many valuable services he has rendered in connection with flood relief and rehabilitation arising out of the terrible flood disasters we suffered in the Northeast last year.

Mr. Dodd. I am very grateful to the gentleman.

Mr. Wainwright. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield to the gentleman from New York.

Mr. Wainwright. I have a question on the matter of recurring floods. Would the gentleman like to clarify that?

Mr. Dodd. Yes, I would like to talk about it. Recurring floods are not ineligible under the provisions of this bill.

Some question has been raised about this bill with respect to the experience required under the crop insurance program. It occurred to me it might be worth while to point out that there is a different situation here.

I think that we will make great progress in the field of flood prevention and it is not unreasonable to suggest we can look forward to a day when the risk in this field may be very negligible and premiums may be very low. You will have this insurance program, and all of the people engaged in it in the States and the Federal Government will be urging flood prevention as people in fire insurance urge and work on fire prevention. We have had some great success in that field.

Mr. Dodd. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The Chairman. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. Dodd. I have tried in considering this whole problem to get the best advice that I could. I think I said to this House in general debate that in my opinion we are faced with this kind of situation: Nobody knows, nobody can tell us when floods will occur, and believe me, this is not just a New England problem. In nearby Maryland the other night we had six people drown and I do not know how much loss of property. We have similar disasters in the South, in the West, in the Middle East, and in the Southeast. It is difficult to foretell where and when this kind of disaster may occur.

We are faced with one of two alternatives: You can make this a matter of charity, and every time there is a disaster you can say, "All right, we will just hand out more money and do the best we can to put these people back on their feet"; or you can do it the way I think the American people want it done. That is, to give them a chance to pay for what they get and put this on a business basis.

The insurance companies will enter into it, for this bill provides for the participation of private insurance companies, with their tremendous know-how acquired over years of experience in determining the risks and fixing the premiums and making investigations of losses. That is the information I wanted to give the gentleman from California [Mr. Phillips].

I think the gentleman's fears about a widespread bureaucracy is not well founded because these insurance offices are established and, I think, they are competent to do a good job in this field in cooperation with the Federal Government. I think it is as simple as that. I think if any of you who have ever had a flood, and if you never had one you are fortunate and I hope you never do, but if you have ever had a flood, you will understand better, I believe what is involved here, and your people will feel badly if you pass by this opportunity to set up some kind of protection. Everyone says that it is experimental. And that is correct. It is experimental. That is true of almost every new field that we enter. The money that is provided, which sounds so great and large in amount, is substantial, but it is really not an appropriation—it is a backstop. As someone said here in the well of the House, the entire experience in the insurance field shows that total losses of this kind never do take place. I think we have a good bill here and I hope it is passed by the House.

Mr. Patterson. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield.

Mr. Patterson. Coming from the Naugatuck Valley, I know how much an insurance bill will mean to us. It will give the people an opportunity in that particular area, if these terrible floods should ever happen again, to restore their homes and businesses. I commend the gentleman for all the work he has done on this particular piece of legislation.

Mr. Dodd. I thank the gentleman.

Mr. Wainwright. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield.

Mr. Wainwright. As the gentleman from Connecticut knows, I represent a large area of Long Island. In 1938 and 1944 and 1954 and 1955, we along the coast, as you in Connecticut, were hit with hurricanes. Our disaster on Long Island was caused by damage from the hurricane itself far more than the question of flooding as raised by the gentleman from Ohio [Mr. Bolton]. Now the gentleman from Maine [Mr. Hale] asked the chairman of the committee whether it included the damage that would come from hurricanes when he raised the point as to the word "recurring" because the question is raised as to whether these hurricanes are recurring. The chairman of the committee said, "No." I talked to a member of the staff of the committee and he indicates that the answer is "No." This is a very serious matter to us on Long Island.

Mr. Dodd. If I understand the gentleman correctly, the gentleman is asking me if on Long Island where you have had hurricanes you would be eligible?

Mr. Wainwright. No, I am raising the question and I would like to have a member of the committee answer.

Mr. Dodd. My understanding is that you ask if you had 2 or 3 hurricanes, would you be eligible for this type of insurance. Is that right?

Mr. Wainwright. Yes.

Mr. Dodd. I think you would be eligible for insurance, although the rates would probably be different from those in areas without recurring hurricanes.

Mr. McDonough. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield?

Mr. McDonough. We are not attempting to duplicate any commercial enterprise insurance here where private industry will insure. A hurricane is different and insurance can be bought from the insurance companies.

Mr. Dodd. Yes, hurricane insurance can be bought—that is true.

Mr. Wainwright. Then to make the question as simple as possible. Does this bill cover hurricane insurance?

Mr. McDonough. It does not.

Mr. Wainwright. It does not?

Mr. Dodd. If you mean by that water damage from a hurricane, I think it does.

Mr. McDonough. Oh, yes.

Mr. Dodd. I have answered that question and I think my friend agrees. You would be eligible under this program for insurance against damage suffered by high waves even if it was in the course of a windstorm.

Mrs. Rogers of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. Dodd. I yield.

Mr. Rogers of Massachusetts. I would like to ask the gentleman if flooding from heavy rains through the clapboards of a house would be eligible for insurance. I know rain coming through the windows would not, but I understand that water coming through the clapboards of a house, as a result of an intense rain, would be considered so. Would the gentleman answer that question?

Mr. Dodd. This is a technical question which I am not prepared to answer at this time.

Mrs. Rogers of Massachusetts. I congratulate the gentleman on his fine work with reference to this much needed legislation.

Mr. Boland. Mr. Chairman, I want to congratulate the gentleman from Connecticut for the tremendous amount of work and study that he has put into this matter. He has been in the forefront of the battle to push through some kind of a flood insurance bill in this session of the Congress. That ambition is about to be realized this afternoon. There were times when those of us who were genuinely interested in this program were disturbed that this would not come to pass. On late last Saturday when this bill was called up on the floor, it was touch and go as to whether or not a quorum could be mustered to consider it. Mr. Dodd spent much time in contacting Members personally to express his deep interest and to request that they join in assisting us to get a flood-insurance bill through the House. His efforts have met with succes today.

Mr. Chairman, the remarks of the gentleman from Connecticut [Mr. Dodd] on this bill today constitute his last speech in the well of this House from which he has spoken so eloquently on matters affecting the Nation and the world. This is his valedictory. His voice, his words, and his great ability are today mustered in a plea and for a cause that is of overriding importance to his great State of Connecticut. I compliment him for the service he renders today and for the outstanding record he has made as a Member of this House over the past 4 years. And, Mr. Chairman, I add my best wishes as he seeks to elevate himself in the public service of his State.

Statement of Thomas J. Dodd, a Representative in Congress From the State of Connecticut

Mr. Dodd. Senator Lehman and Senator Bush, first of all I want to express my appreciation for this opportunity to appear before your committee, and also to say that we, that is, all the members of my own office staff, have received a great deal of advice and help and technical assistance from members of your staff, and we are grateful for all of that help. We have also received a great deal of assistance from the members of your own staff, Senator Lehman.

Next I want to commend Senator Lehman for his promptness in getting into this whole problem. I know how many other things you are concerned with, but I think it is a great credit to you that you got these hearings underway as rapidly as you did. We are certainly all benefiting from them.

My own interest in this problem of insurance goes back to a little more than a year ago. You will remember, in this State and beyond it we suffered severe damage, particuuarly along the coast, from the hurricanes. Through conversations with some small-business people on our coast in Connecticut I learned what I had not known before, that is, that these people suffered damage from great waves, sometimes called tidal waves. I found that they had suffered this damage more than once and were not able to buy insurance against a repetition of this loss or damage.

That caused me to look into the whole business and I came across the Bowles bill and others. Then came the dreadful disaster in August, which accentuated the whole problem.

I want to make clear at this time that all I am trying to do is to make some contribution, and I am sure it will be small, toward the general solution of the great problem. I do not have any panacea or any new suggestions except perhaps one small one, but I am hopeful out of all our efforts and thinking we can come up with a bill which will answer the problems that confront us more acutely now than perhaps they have at any other time.

Also, I have tried to think in terms, to some extent, of traditional insurance. I recognize the fact that that is not completely possible to do, because the nature of this problem is larger and greater than problems which ordinarily confront the insurance industry; but it would seem to me as I have tried to understand the problem, that we either have to consider or think about it in terms of insurance, or else think about it in terms of outright subsidy or grant. Maybe there is a middle way of compromising the two.

At times it has seemed to me that is perhaps the way we will ultimately resolve this whole problem. As you well know, I think it is an accurate statement to say a larger number of people throughout the United States want to buy protection against damage from floods or natural disasters. It is just not available, I am convinced, from private insurance sources. However, it seems to me it is not too difficult to move to the next step, that if it is not available certainly it is the responsibility of Government under the general welfare clause of the Constitution to make available to people some kind of protection.

I hasten to say I doubt very much we can do everything we would like to do for everybody. That is not as attractive as to say perhaps that we will do everything for everybody, but it would seem to me, as in other efforts of this kind, we will have to begin somewhere on as wide a base as we can and try this thing out, with the advice of experts, and perhaps have it grow rather than start out at full growth.

As I say this I am reminded of the conversation here a little earlier today about how much should be the face value of a policy. Well, in the proposal which I have tried to draft I have used what I think is an arbitrary figure of $250,000, but I do not have any particular concern about that as far as I am concerned, because I am not an insurance expert. I do not know whether it should be $250,000 or $300,000 or $1 millon, but it does seem to me from the little bit I have devoted in time and study to it, that there must be some relationship between the amount of insurance available and the limit on the face value of any one policy, or else, it seems to me, a few people conceivably might buy up all of the insurance and their losses might be enormous, and the thing would be in terrible shape, from a financial standpoint.

However, I speak of it as a layman and not an expert and I do not know all about it, so I wish you would understand that my figure is more or less arbitrary and I think this question would best be answered by those who know much more than I do about the whole insurance problem.

In the proposal I have drawn up I want to point out it seems to me it is not in the nature of Americans to be content with the mere hope that in the event of disaster the Government will furnish relief. I think it is rather their nature to sustain their economic position by insuring against loss by paying what has been described as a fair and reasonable premium rate for insurance protection.

There are two suggestions made in this proposal. One is that the Government directly write insurance where it is not available from private insurance sources, but that it be sold and that the administration of the insurance program, as sold by the Government, be handled by private insurance companies.

Secondly, private insurance companies sell this type of insurance on the basis of a backup by the Federal Government, or on a reinsurance basis.

Both of those proposals are contained——

Senator Lehman. Do you mind being interrupted?

Mr. Dodd. Not at all, Senator.

Senator Lehman. Do you include in your bill provision that not only should the insurance be sold by the private companies, but that they should be used and employed in the settling of claims?

Mr. Dodd. Yes.

Senator Lehman. And appraisal of damage?

Mr. Dodd. Yes, sir; I do Senator. That is included. But those two suggestions are made and then I make a third one, which I offer for your consideration. You may reject it, as it is just an idea and I have no particular pride of authorship in it.

It provides what I call something of a new or novel solution to the dilemma of finding some sort of insurance against these disasters, such as floods and other natural disasters, which can be offered to the public at a low premium rate without large Federal subsidies, because it seems to me in both of these other situations we will have to make large Federal grants.

Briefly, the plan that offers this solution provides that a party can purchase a policy at a low premium rate in which the Government would give the policyholder an absolute promise of a long-term, non-interest-bearing loan, in the event of loss through natural disaster.

The absolute right to obtain such a loan would give the person holding such a policy the means by which the destroyed property could be promptly restored. The primary loss would ultimately lie on the person whose property was destroyed, but through the loan plan the loss could be spread out over a long period of time.

In order that the Government will not unduly enter into the banking business, the bill provides that the money shall be borrowed from private lending agencies, with the Government acting as guarantor and paying all interest. If the loan, for some unforeseen reason, and I cannot think of one, cannot be had through a private lending agency, then the Government will make the loan directly under this proposal and, of course, charge no interest.

Thus, under this plan, a man owning a small factory or business concern which was destroyed by a flood, and left with only goodwill and know-how, would be provided as a matter of contractual right with the means promptly to put these two remaining assets back into operation.

The repayment of the loan could be made over an extended period of time and the burden could be spread out in the same way as depreciation.

The only risk that the Government would be taking under such a plan would be the obligation to pay the interest on loans that would be made under the contracts, and its capacity as guarantor to make good on any defaulting loans.

I think it is anticipated that these expenses will be paid from the premiums taken in under the plan.

Also I have suggested under the provisions of this bill——

Senator Lehman. May I interrupt you to make an observation?

Mr. Dodd. Yes.

Senator Lehman. I think this third proposal is a very novel one and a very interesting one. I do not believe it is in any of the other bills.

Mr. Dodd. Not to my knowledge.

Senator Lehman. Thank you.

Mr. Dodd. As I say, it is just an idea and it was intended to meet that middle group who would seem to me would have difficulty in buying any insurance which we think of in traditional insurance terms.

Under the provisions of this bill, combinations of the usual insurance plan could be offered where reimbursement is made in cash in the traditional type of policy and loan plan as suggested. For example, a man could take out a policy, it occurred to me, on the traditional insurance basis, for 30 percent of what he contemplates his risk to be, and 70 percent on a loan basis. This would make the premium very much lower and I think it would be attractive to a lot of people, particularly the smaller people.

I am not only thinking of business people, but I am thinking of homeowners also, of course.

I include in this proposal coverage for personal property as well as real property. I have suggested that a Federal corporation be set up—a special one. I know many feel this operation should be carried on by already existing agencies, but I am inclined to lean toward the special corporation, because I think there are problems here which require a very special type of knowledge in the insurance and financial world. But I am not too much concerned about that.

If we find an agency already existing which can do the job, it is all right with me.

I have stressed the fact that we ought to utilize private business to the fullest extent in the carrying out of this program. We should make use of private insurance companies, as I have already said, and make use of private lending agencies.

I have tried to draw the proposal to avoid any competition between the Government and private insurance companies and private lending agencies. There are probably places where that can be broadened, but that has been the intent.

Finally, Senator Lehman, I am particularly interested in your bill, which I have not had an opportunity to study adequately, because I have been away, but I have been in touch with it through my office. I suggest here that some study be carried on by this corporation with respect to other types of risk loss, such as are included in your bill. Maybe we should include them all, as you do. About that I am not prepared to give much helpful advice or knowledge, and certainly you know much more about it than I do, but I would like to see it as comprehensive as we can make it. I think your bill is the most comprehensive that I have seen.

All I want to stress and point out, Senator Lehman, is that it is not really a proposal I would ask you to accept in lieu of your own, but rather a suggestion you might find helpful as you struggle with this problem of legislation in your committee.

Once again I say I am grateful to you for permitting me to appear here. I have learned a good deal this morning, and I expect to learn more from your hearings. I would like to leave this statement, which I have partially read from. I have not read it all, but parts of it.

Senator LEHMAN. Without objection, the full text of your statement will be inserted.

Mr. DODD. Also may I submit to you the proposal as part of that statement?

Senator LEHMAN. Without objection, the full statement and the bill itself will be included in the record.

(The prepared statement and proposed bill by Mr. Dodd follow:)

"STATEMENT ON PROPOSED DISASTER INSURANCE BILL SUGGESTED BY CONGRESSMAN THOMAS J. DODD, OF CONNECTICUT

"*I. Need for disaster insurance legislation*

"After the terrible destruction of this year's August flood a great number of people in Connecticut and other Northeastern States were most anxious to purchase some form of flood or disaster insurance to protect their economic well-being in the event of another flood.

"There was obviously a large market for flood insurance, but private insurance companies were unable to offer the necessary protection due to the enormous risk factor.

"Less than 2 months after the August disaster another devastating flood struck the same area, and again no insurance was in effect to lessen the terrible loss suffered by so many homeowners and businessmen through no fault of their own.

"It is apparent that private citizens and private enterprise cannot for long sustain such great economic losses without it having an extremely detrimental effect on the overall economic condition of some of the Nation's most productive areas. However, private insurance companies are not to be considered delinquent in failing to offer insurance contracts that would cover floods or other natural disasters. Private insurance institutions, although sympathetic to the needs of the country, cannot accept risks that might bring about bankruptcy and destroy the protection against other losses presently being given existing policyholders.

"It is not the nature of Americans to be content with the mere hope that in the event of disaster the Government will furnish relief. It is rather their nature to sustain their economic position by insuring against loss by paying a fair and reasonable premium rate for insurance protection.

"Now that it is apparent that private enterprise will not be able to undertake a program of either flood or natural disaster insurance and the recent floods have pointed out the great need for such protection, it is clearly the responsibility of the Federal Government to meet the need of its people by undertaking a disaster insurance program.

"*II. Basic problems concerned with disaster insurance*

"The risk factor involved with flood insurance or disaster insurance cannot be accurately determined at this time due to the lack of adequate actuarial information. Due to the imponderable risk factor, private insurance companies are reluctant to offer a flood insurance policy to the public, and if they were willing to accept the risk it is realized that the premium rate might necessarily be prohibitive.

"Because the Federal Government is obligated to promote the general welfare of its people, it does not work under the same criteria as private insurance institutions do. When the Government undertakes a program such as disaster insurance it obviously would not be doing so with the intent of making a profit. Rather than hoping to make a profit, the Government in meeting a need of its people would expect to expend funds to meet that need.

"The problem, however, is how much money should the Government spend on a disaster-insurance program, or whether or not in promoting the general welfare, Federal funds could be better spent on flood-prevention measures. Of course, as more flood-prevention measures are put into effect the risk factor will be diminished, and when the risk is lowered to a reasonable degree, it can be expected that private insurance institutions will be able to offer flood or disaster insurance policies in the same way that they presently offer life or fire insurance.

"The problem is basically to find a solution to the problem of how the Federal Government can offer some degree of economic protection against natural disasters to all its people and still do so without expending large Federal subsidies.

"It must be realized that no panacea to this problem will be found. When a disaster such as a flood strikes, a great economic loss is inevitable. It is my belief that the bill I am presenting for consideration will furnish a means by which that loss can be equitably shared. The bill cannot be expected to solve all the problems, but it is hoped that it will furnish the legislative means by which many of the problems can be lessened.

"*III. Features of the Dodd disaster-insurance proposal*

"(*a*) Direct Disaster Insurance and Reinsurance To Be Made Available

"This proposed disaster-insurance bill is designed to provide a means by which an individual or a businessman may insure his property against destruction by such natural disasters as floods and tidal waves in the same way that he can presently purchase insurance protection against fire. Thus the bill provides for a type of policy in which the insured party, in the event of disaster, would be reimbursed in cash to the extent of the face value of his policy.

"This type of insurance would provide complete protection, but unfortunately in the absence of large Federal subsidies the risk factor is so great that for most people the premiums would prove too expensive. With limited Federal subsidies, and because the Government would be operating on a nonprofit basis, it is expected that such insurance could be offered at premium rates considerably lower than private insurance companies would be able to offer it, although not low enough for the average homeowner or businessman.

"By offering insurance against all natural disasters, it is believed that a wider base can be established, which in turn will result in lower premium rates.

"This proposal provides for both direct insurance and reinsurance. Reinsurance in which private companies offer their own policies and contract with the Government to lessen their risk is to be stressed because it affords a more acceptable means of eventually converting the program into one entirely run by private enterprise.

"(*b*) Contracts in Which the Government Will Enable the Insured To Obtain, in the Event of Disaster, a Long-Term Loan. Without Interest, and Without Regard to Traditional Credit Rating Requirements

"This bill offers a new solution to the dilemma of finding some form of insurance against floods and other natural disasters which can be offered to the public at a low premium rate without large Federal subsidies.

"Briefly, the plant that offers this solution provides that a party can purchase a policy at a low premium rate in which the Government would give the policyholder an absolute promise of a long-term, non-interest-bearing loan in the event of loss through natural disaster.

"The absolute right to obtain such a loan would give the person holding such a policy the means by which the destroyed property could be promptly restored. The primary loss would ultimately lie on the person whose property was destroyed, but through the loan plan the loss could be spread out over a long period of time.

"In order that the Government will not unduly enter into the banking business, the bill provides that the money shall be borrowed from private lending agencies, with the Government acting as guarantor and paying all interest. If the loan, for some unforeseen reason, cannot be had through a private lending agency the Government will make the loan directly, and, of course, charge no interest.

"Thus under this plan a man owning a small factory or business concern which was destroyed by a flood and left with only goodwill and know-how would be provided as a matter of contractual right with the means to promptly put these two remaining assets back into operation. The repayment of the loan could be made over an extended period of time, and the burden could be spread out in the same way as depreciation.

"The only risk that the Government would be taking under such a plan would be the obligation to pay the interest on loans that would be made under the contracts, and in its capacity as guarantor to make good on any defaulting loans. It is anticipated that these expenses will be paid from the premiums taken in under the plan.

"(*c*) Combination of Plans Offered in Sections (*a*) and (*b*)

"Under the provisions of this bill, combinations of the usual insurance plan where reimbursement is made in cash as discussed in section (a) and the loan plan discussed in section (b) are to be offered. Under the plan a great variety of policies will be made available in which part of the reimbursement in the event of loss would be made in cash and part in a non-interest-bearing loan.

"Thus an individual or business concern that could only pay a small premium rate could enter into a contract that would provide reimbursement in the form of a loan. For example, another party not willing to accept the burden of such a loan, and still unable to pay a substantial premium rate, could take out a policy which would provide him with 30 percent in cash and 70 percent in a non-interest-bearing loan, and with a slightly higher premium rate.

"The premium rate would largely depend on what percentage of reimbursements would have to be paid in cash. A person who wishes to be completely reimbursed in cash would pay a maximum premium rate.

"The exact type of policy to be offered, and premium rates are matters to be determined at a later date in accordance with administrative discretion.

"(*d*) Federal Corporation To Be Set Up

"It is the concept of this proposed bill that a separate Federal agency should be established for the exclusive purpose of offering to the public and administering insurance against certain risks for which there is a national need, and which is not obtainable through private enterprise. The immediate type contemplated is national disaster insurance, but other types such as war damage insurance might be added. Eventually this proposed Federal corporation might be used to administrate many of the existing insurance programs presently offered by the Government.

"(*e*) Private Enterprise To Be Utilized to the Fullest Extent

"This bill provides that in the administration of the proposed disaster-insurance program, private insurance companies will be used as agents of the Government in selling policies, investigating claims, and in the general handling of insurance functions of the plan.

"The bill provides that private lending agencies will be given the opportunity to make the loans and generally conduct the administration of the plan's lending functions.

"This proposal makes it clear that the Federal Government is not to be in competition with private insurance and lending institutions. It is further provided that the Government is to engage in this field of insurance only until such time as private enterprise is capable and willing to take over the responsibility.

"(*f*) Personal As Well As Real Property To Be Insured

"The question of what types of property should be insured is a problem that confronts all those attempting to find a solution to this overall matter. To limit the disaster insurance only to real property such as homes and factories is avoiding some of the fundamental ills that disaster-insurance legislation should be expected to cure. The problems of what personal property should be insured, and how it can be properly inventoried and how depreciation can be accounted for, may be difficult to solve, but these problems can be solved by an agency set up to administrate the offering of insurance.

"Whatever legislation evolves should provide a means by which a person can be assured that he can replace his possessions such as furniture, cars, and general household belongings, and a businessman can replace his inventory if it is destroyed by flood or other natural disaster.

"(*g*) Study and Report To Be Made on Other Types of Insurance by Corporation

"Among the primary functions of the Disaster Insurance Corporation will be to gather all possible information on the public's need for, the possibility of, and the proper means of administering other types of insurance not presently being offered by private insurance institutions. One of the first things that the Corporation would be directed under the bill to study and report to Congress on is war-damage insurance. It will be the responsibility of the Corporation to present all the necessary facts, and propose solutions to problems where the people of this Nation have a need and desire to insure against certain risks and are unable to do so with private insurance companies."

"DRAFT OF PROPOSED LEGISLATION PRESENTED BY CONGRESSMAN THOMAS J. DODD, CONNECTICUT, FOR CONSIDERATION PRIOR TO THE RECONVENING OF CONGRESS

"A bill to provide for national disaster insurance, and for other purposes

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

"Short title

"SECTION 1. This Act may be cited as the 'National Disaster Insurance Act.'

"Congressional declaration of purpose

"SEC. 2. The Congress hereby declares that it is the purpose of this Act to promote the general welfare and further the national interest by providing a means by which the people of the United States can insure real and personal property against certain losses caused by unpredictable and widespread disasters for which no reasonable insurance protection is presently offered by private enterprise. Through this Act the Congress establishes a body corporate which shall be empowered to enter into contracts of direct insurance, contracts of reinsurance, and contracts making available loans at low premium rates. It is further the purpose of this Act to direct the aforesaid body corporate to utilize private insurance institutions and private lending institutions as its agents in carrying out the functions of this Act whenever possible as determined by the duly appointed directors of the aforesaid body corporate. The purpose of the insurance contracts or the non-interest-bearing Government guaranteed loan contracts shall be to offer economic protection against the capriciousness of nature which has resulted, from time to time, in meteorological and other disasters such as floods, hurricanes, earthquakes, tornadoes, and tidal waves. It is further the intent of the Congress that the aforesaid body corporate shall conduct a study of war damage and other types of insurance not generally made available through private enterprise and for which, in the national interest, there is or may be a need and to report the results of such study to the Congress for such future legislative action as may be deemed necessary.

"Definition of natural disaster

"SEC. 3. As used in this Act, the term 'natural disaster' means any flood, tidal wave, hurricane, tornado, blizzard, dust storm, hailstorm, or other severe storm, earthquake, landslide, snowslide, severe freeze, heat wave, volcanic eruption, or other like catastrophe or disaster occasioned by weather changes.

"Creation of corporation

"SEC. 4. (a) To carry out the purposes of this Act, there is hereby created as an agency of the United States a body corporate to be known as the 'National Disaster Insurance Corporation' (hereinafter referred to as the 'Corporation'). The principal office of the Corporation shall be located in the District of Columbia, but agencies or branch offices may be established elsewhere in the United States under rules and regulations prescribed by the Board of Directors.

"(b) The Corporation shall have a non-assessables capital stock of $50,000,000 subscribed by the United States of America. There is hereby authorized to be appropriated to the Secretary of the Treasury not more than $50,000,000 for the purpose of subscribing to such stock. Receipts for payments by the United States of America for or on account of such stock shall be issued by the Corporation to the Secretary of the Treasury, and shall be evidence of the stock ownership by the United States of America. Sums so received by the Corporation shall be deposited to its credit in the National Disaster Insurance Fund established by this Act.

"Corporation management and personnel

"SEC. 5. (a) The management of the Corporation shall be vested in a Board of Directors (hereinafter called the 'Board') consisting of five persons appointed by the President of the United States by and with the advice and consent of the Senate, one of whom shall be designated by the President as Chairman of the Board. Not more than three members of the Board shall be members of the same political party. Each such appointment shall be for a term of six years, except that (1) of the directors first appointed two shall be appointed for terms of two years each, two for terms of four years each, and the Chairman for a term of five years, and (2) whenever a vacancy shall occur other than by expiration of term, the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of his predecessor. The Chairman shall receive a salary at the rate of $17,000 per annum, and other directors at the rate of $16,500 per annum.

"(b) Each director shall devote his time principally to the business of the Corporation. No person shall hold office as a director of the Corporation while holding any office, position, or employment in any privately or publicly owned insurance company.

"(c) So long as there shall be three members in office, vacancies shall not impair the powers of the Board to execute the functions of the Corporation, and three of the members in office shall constitute a quorum.

"(d) Within the limitation of appropriated funds, the Board shall (1) select, appoint, employ, and fix the compensation of such officers, attorneys, experts, employees, and agents as shall be necessary for the transaction of the business of the Corporation, (2) define their authority and duties, (3) delegate to them such of the powers vested in the Corporation as the Board may determine, and (4) obtain and procure bonds, in accordance with law, for such of them as the Board may designate.

"Corporate powers

"SEC. 6. The Corporation—

"(1) shall have succession in its corporate name until dissolved by or pursuant to an Act of Congress;

"(2) may adopt, alter, and use a corporate seal, which shall be judicially noticed;

"(3) may adopt, amend, and repeal bylaws, rules, and regulations for the conduct of its business and the exercise of the powers granted to it by law;

"(4) may make contracts and purchase, lease, hold, and dispose of such real and personal property as may be necessary and incident to the conduct of its business;

"(5) may sue and be sued in its corporate name in any State or Federal court of competent jurisdiction;

"(6) may conduct or cause to be conducted such researches, surveys, and investigations as may be determined by the Board to be necessary and incident to the performance of its functions or the exercise of its powers;

"(7) with the consent of any board, commission, independent establishment, or executive department of the Government, including any field service thereof, or of any wholly owned or mixed-ownership Government corporation may avail itself of the use of information, services, facilities, officers, and employees thereof in carrying out the provisions of this Act;

"(8) may receive from or exchange with any State insurance commission or agency or with any private corporation or association engaged in the writing of insurance against property loss within the United States such loss-experience information as may be necessary to the establishment of premium rates for reinsurance authorized to be issued by the Corporation upon a sound actuarial basis and upon the lowest practicable level;

"(9) shall be entitled to use of the United States mails without prepayment of postage; and

"(10) may exercise, by the Board or duly authorized officers or agents of the Corporation, all powers specifically granted by the provisions of this Act and such incidental powers as are necessary to carry out the functions and powers of the Corporation.

"Direct insurance and reinsurance involving cash reimbursement

"SEC. 7. The Corporation is authorized to provide insurance or reinsurance, or both, against damage to, or loss of, real and personal property (excluding property owned by Federal, State, and local governments) due to natural disasters occurring within the United States and its Territories and possessions. Such insurance and reinsurance will provide cash reimbursement to the insured.

"Contracts for direct Government and Government guaranteed non-interest bearing loans

"SEC. 8. (a) The Corporation is also authorized to enter into loan contracts pursuant to which—

"(1) the Corporation will guarantee in whole or in part any public or private financing institution against loss in connection with any loan (including interest thereon) by such institution to any party for the purpose of financing such party in connection with any loss of or damage to real and personal property as a result of a natural disaster; and

"(2) if any such loan from such institution is not obtainable or available, to make a loan directly, without interest or other charges, to such party, upon application therefor, in an amount not to exceed the amount of such loss or damage.

"(b) In connection with any contract of guaranty authorized by paragraph (1) of subsection (a) of this section, the Corporation may enter into any such contract through the agency of private insurance companies or any Federal Reserve bank. Any Federal Reserve bank may also act as fiscal agent of the United States in carrying out any such contract of guaranty with funds supplied and disbursed by the Corporation out of the National Disaster Insurance Fund. Each such bank and private insurance company shall be reimbursed by the Corporation for all administrative expenses incurred in connection with its functions under this subsection including attorneys' fees and expenses of litigation. Such contracts of guaranty shall contain provisions limiting the amount of guaranty and such terms and conditions and require such monetary consideration therefor as the Corporation may prescribe. Such monetary consideration shall be in the lowest practicable amount.

"(c) Loans under paragraphs (1) and (2) of subsection (a) of this section shall be on an extended, long-term basis if so requested by the party to whom such loan is to be made.

"Combination of insurance and loans

"SEC. 9. The Corporation is also authorized and directed to establish, under such regulations as it may prescribe, a program combining direct insurance and loans in order to provide the greatest variety and amount of protection against loss and damage due to natural disaster to the greatest number of affected parties in accordance with individual needs.

"Related provisions covering insurance and loans

"SEC. 10. (a) The Corporation shall prescribe premium rates for the insurance and reinsurance authorized by this act upon consideration of (1) the risks involved and (2) the desirability in the public interest of providing insurance protection which would not otherwise be available.

"(b) The Corporation shall by regulation provide for the determination of (1) the types of property with respect to which insurance, reinsurance, and loans will be granted, (2) the nature and limits of losses or damage which may be covered by such insurance, reinsurance and loans, and (3) such other matters as may be necessary to carry out the purposes of this Act.

"(c) Insurance, reinsurance, and loans shall be provided by the Corporation under this Act only to the extent that they are not otherwise available at reasonable rates and upon reasonable conditions from private sources. In providing such insurance and reinsurance, the Commission shall utilize the facilities and services of private insurance companies to the maximum extent practicable.

"(d) The Corporation may receive from or exchange with any State or territorial insurance commission or agency or with any private corporation or association engaged in the writing of insurance against property loss within the United States and its Territories and possessions such loss experience and other information as may be necessary for the establishment of premium rates under this Act.

"(e) The Corporation may decline such applications and risks and may establish from time to time such regulations with respect to the classification, limitation, and rejection of applications and risks as may be advisable to carry out the purposes of this Act.

"Deductibility clause and maximum insurance and loan amounts

"SEC. 11. (a) Insurance, reinsurance, and loans shall be provided under this Act only with respect to amounts exceeding the first $——— of the approved claim.

"(b) The aggregate amount of insurance or reinsurance under this Act covering loss of or damage to a single item of property shall not exceed $250,000. The amount of each loan (including interest thereon) covered by contracts of guaranty entered into by the Corporation and the amount of each direct loan made by the Corporation, shall not exceed $1,000,000.

"(c) The aggregate amount of insurance and reinsurance by the Corporation under this Act outstanding and in force at any one time shall not exceed $1,000,000,000. The aggregate amount of direct and guaranteed loans under this Act outstanding and in force at any one time shall not exceed $2,000,000,000. Each such aggregate amount may be increased, with the approval of the President, by not to exceed $500,000,000 in any one fiscal year.

"Payment of claims

"SEC. 12. Under such regulations as the Corporation may prescribe it shall adjust and pay valid claims for losses covered by insurance, reinsurance, and contracts of guaranty under this Act. In the investigation of claims under this Act, the Corporation is authorized, by contract or otherwise, to utilize the facilities, services, information, and agency of private insurance companies. Upon disallowance by the Corporation of any such claim, the claimant, within one year after the date of mailing of notice of disallowance by the Corporation, may institute an action on such claim in the United States district court for the district in which the insured property or the major part thereof shall have been situated. Exclusive jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

"National disaster insurance fund

"SEC. 13. (a) There is hereby established in the Treasury of the United States a fund to be known as the 'National Disaster Insurance Fund' (referred to hereinafter as the 'fund'). All premiums paid to the Corporation for insurance and reinsurance and monetary considerations for loans under this Act shall be deposited and covered into the Treasury to the credit of the fund, which, together, with interest earned thereon, shall be available for the payment of liabilities under such insurance, reinsurance, loan contracts, and direct loans. Payments from the fund shall be made upon and in accordance with awards by or under authority of the Corporation.

"(b) The Corporation is authorized to set aside out of the fund such reserve amounts as may be required under accepted actuarial principles to meet all liabilities under such insurance, reinsurance, loan contracts, and direct loans. The Secretary of the Treasury is authorized to invest or reinvest all or any part of the remainder thereof in interest-bearing obligations of the Government of the United States, or in obligations guaranteed as to principal and interest by such Government, and to sell such obligations for the purposes of such fund.

"(c) Administrative expenses of the Corporation shall not be paid from the fund, but out of specific appropriations for such purpose. There is hereby authorized to be appropriated to the Corporation, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the administration and operation of the Corporation.

"Insurance advisory committee

"SEC. 14. (a) The Corporation shall appoint an advisory committee, consisting of not less than twenty members experienced in the writing of insurance against property loss, to advise the Corporation with respect to the execution of its functions under this Act and may also employ such consultants and advisory personnel as the Corporation may deem necessary in carrying out the purpose of this Act. Persons so employed who, while so serving, hold other offices or positions under the Government of the United States or the government of the District of Columbia shall receive no additional compensation for such service. Other persons so employed shall serve without compensation; but they shall be allowed in accordance with the Travel Expense Act of 1949 and the Standardized Government Travel Regulations actual transportation expenses, without regard to section 10 of the Act of March 3, 1933 (5 U.S.C., sec. 73b), and other travel expenses, including not to exceed $50 per diem in lieu of subsistence, while away from their homes or their regular places of business.

"(b) Service of an individual under this section shall not be deemed subject to the provisions of section 281 or 283 of title 18 of the United States Code, unless the conduct made unlawful by such section is performed with respect to a matter in which the Corporation is directly involved.

"Investigation and reports

"SEC. 15. The Corporation is authorized and directed to collect information with respect to the public need for other types of insurance not presently available from private sources and to study methods of providing a program for making such insurance available to the public. The Corporation shall make a special study of the problems of war damage insurance with a view to the practicability of providing an insurance, reinsurance, and loan program covering the loss of and damage to real and personal property as a result of risks of war and shall report to the Congress the result of such special study as soon as practicable. The Corporation shall submit to the Congress, as soon as practicable before the first day of February each year, a report of its operations under this Act and shall include therein a review of the work, activities, and functions authorized under this Act for the preceding year.

"Exemption from taxation

"SEC. 16. The Corporation, including its franchise, capital, reserves and surplus, and its income and property, shall be exempt from all taxation now or hereafter imposed by the Government of the United States, any Territory, dependency or possession thereof, any State, county, or municipality, or by any other local taxing authority.

"Service of process

"SEC. 17. The Board shall designate an agent upon whom service of process may be made in each State, Territory, or jurisdiction in which property upon which the Corporation has issued insurance may be situated.

"Amendment of government corporation control act

"SEC. 18. Section 101 of the Government Corporation Control Act is amended (a) by striking out 'and' immediately preceding the name 'Tennessee Valley Associated Cooperatives, Incorporated,' and (b) by inserting immediately after such name a semicolon and the following: 'and National Disaster Insurance Corporation.'"

Senator LEHMAN. Senator Bush.

Senator BUSH. Has the Congressman given any thought as to whether we should have a term bill here, as has been proposed in some of these proposals, where it might be set up for a period of 3 to 5 years, or whether we should attempt to set up a permanent program?

Mr. DODD. I have thought about it, Senator Bush, and I will tell you just how I thought about it. It is my hope, and I am sure it is the hope of all of us, that we can reduce the incidence of loss by reason of water or flood damage, for example, very greatly, by flood-prevention work. If we ever reached the time where we had very few floods, obviously the need for this type of insurance on water damage would be negligible.

What we can do about earthquakes I do not know. I do not know how you ever prevent them, or how you can prevent hurricanes or tornadoes and other great natural disasters. Thus it seems to me we had better fix it as a permanent thing now, because while you can prevent floods, or the engineers can, I do not know of anybody who can prevent an earthquake or a tornado. The solution to it may come down the road one of these days and I am sure we will all be glad to see and hear about it. However, for the reason that we do not have any solution to those now, I am of the view that it ought to be permanent.

Senator BUSH. One of the difficult problems the committee has, I think, came up on the question of retroactive recognition in this situation.

Mr. DODD. Yes.

Senator BUSH. Have you given any thought to that?

Mr. DODD. Yes; I have. I would like to restore everybody who ever suffered a loss to the position he or she occupied before the loss. It is an easy thing to say and I am sure it will have great popular appeal to people who have suffered recently. As a practical matter I think it presents the largest of difficulties.

As someone suggested here today, how far back are you going to go? People who suffered this year deserve and will receive our full sympathy and help. But I cannot forget about the people who were terribly hurt in 1954 in the hurricane, and a few years earlier than that also. There have been floods and all kinds of disasters that have occurred.

It seems to me it would be impossible to achieve. If anyone knows an easy way to do it, I will be for it, but I have not been able to think of one.

Senator LEHMAN. I want to compliment you on a very interesting statement. Thank you very much.

STATEMENT OF HON. THOMAS J. DODD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CONNECTICUT.

Mr. DODD. Mr. Chairman, members of the committee, I am grateful to you for this opportunity to be heard.

The CHAIRMAN. We are very sympathetic with you for the disaster which has befallen your constituents.

Mr. DODD. Thank you, Mr. Chairman, I won't take the time of the committee to talk about the disaster which afflicted my district and indeed much of Connecticut and much of New England. I think that story is well known by now. Except to say that we suffered not only in August, but we suffered again in October.

Actually, my interest in this problem of insurance against floods and tides, and other types of natural disaster, arose after the 1954 hurricane. At that time there was considerable damage suffered along the Connecticut coastline, and in a casual way I discovered what I had not known before, that property owners on that coastline of Connecticut—and I am sure it is true of Rhode Island, Massachusetts, New Hampshire, and Maine—were not able to buy insurance against damage suffered from wind and wave.

Consequently, last March I asked the Legislative Counsel to work with me on a program of Federal insurance, on a bill for insurance against this type of loss, and I received very much assistance and help, and I want to give credit this morning for that work and help.

At that time I talked with representatives of the insurance industry, both in my own district, in Hartford, and as well with insurance representatives from other places. Some of them came to my office in Washington last March; and we talked this matter over at that time. I did not introduce a bill last spring, because I thought I could do more work on the subject, and I decided to let it go over until the second session of this Congress, but in the meantime this flood occurred, and so I did introduce the bill, as you know, on the first day of this second session.

Now, the bill which I have introduced, Mr. Chairman, is in most respects, similar to the other proposals which have been made; that is, it provides for what I call the traditional type of insurance against loss and it provides for reinsurance by the Federal Government, or insurance backed up by the Federal Government. But it does something else: It offers a new type of insurance in the form of a guaranteed loan.

The plan is essentially this: It provides that an individual, or a corporate entity, can purchase an insurance policy at a low premium rate, in which the Government gives the policyholder an absolute promise, a contractual right, to a non-interest-bearing loan, in the event of loss through natural disaster.

Now, this absolute contractual right to obtain such a loan would give the policyholder the means by which the destroyed or damaged property could be promptly restored. The primary loss would ultimately lie on the individual, but through this loan provision the loss could be spread over a long period of time.

In order that the Government will not unduly enter the banking business, this bill provides that the money shall be borrowed from private lending agencies, with the Government acting as guarantor and paying the interest. If the loan for some unforeseen reason cannot be had through a private lending agency, then, and only then, the Government will make the loan directly, and charge no interest.

Thus, under the plan a man owning a small factory, for example, or a business of any kind, destroyed or damaged by flood, and left with only good will—and, believe me, Mr. Chairman, and members of the committee, we had several such cases in my district—left only with good will and know-how, such an individual would be provided for, as a matter of contractual right, with the means to promptly put these only remaining assets, good will and know-how, back into operation.

And the repayment of the loan could be made over an extended period of time, and thus the burden of restoration would be spread out.

The risk the Government would be taking under such a plan would be the obligation to pay the interest on loans that would be made under the policies, and, of course, in its capacity as guarantor to make good on any defaulting loans.

Now, I think such a type of insurance could be sold at a low rate which would otherwise not be available in any form of insurance.

From what I have been able to learn, the great problem here is how to find a wide enough base for an insurance program of this kind, so that the premium rate will be moderate.

From all I have been able to learn, the base, on traditional insurance, apparently would not be wide enough to provide insurance at a reasonable rate, or at a rate which people could pay. But this loan policy, I think, would make it possible to sell this insurance at a low rate, even without a wide base.

The CHAIRMAN. What would you call a low rate? That is what we have been trying to find out. We have been told that surveys have been made on two towns. One is Martins Ferry, Ohio.

What is the other town, Mr. Clerk?

The CLERK. The other town is in Massachusetts, but has not been specifically identified for us.

The CHAIRMAN. Well, they said the cost would be $115 to $620 a year for a $10,000 policy. The insured would pay 60 percent of that which would be $69 to $372. I think that would be prohibitive.

Mr. DODD. I do, too.

The CHAIRMAN. What would you consider would be a reasonable rate?

Mr. DODD. I don't know as I could cite a figure which I would consider to be reasonable because it is an underwriter's problem.

The CHAIRMAN. It has to be worked out, that is true.

Mr. DODD. I am not an insurance expert. But I am sure this information can be obtained. It seems to me that this loan-type insurance will cost less; among other factors, the insurer will not have to pay out cash on proof of loss. If you get a large loss, at a specific time, you have to pay out a large amount of money at once. You don't have to do that in this program because you give the policyholder a contractual right to borrow money from a private lending institution.

Mr. MULTER. You don't mean the agency will not have to pay it out? It will have to be paid out. But it will eventually be repaid?

Mr. DODD. No; I mean exactly what I said. It does not have to be paid out in one chunk by the insurer. Because under this program a private lending agency pays it out. The policyholder goes to a bank with his policy and borrows the money.

The CHAIRMAN. Who will pay it when the loan is made?

Mr. DODD. The insured will get his money from the private lending agency.

Let me spell it out: Suppose I have this type of loan policy, in which I am guaranteed the right to borrow $10,000 on proof of loss. Instead of getting $10,000 in cash my policy says on proof of loss I can go to any bank and borrow $10,000, without interest, to be paid back over a period of time. If I suffer a loss I can go to a bank and ask to borrow $10,000. The bank would not be likely to refuse the loan because in the event the borrower failed to repay the loan, the Government as guarantor would pay it.

The Chairman. Who pays the interest?

Mr. Dodd. The Government.

Mr. Betts. Who pays back the loan to the bank?

Mr. Dodd. The insured; over a period of time.

The Chairman. Are those loans secured by mortgage?

Mr. Dodd. I think they could be. I haven't spelled out this detail, but certainly I think they might very well be. I think adequate protection could be given, but I think people will pay it back. And I think they would much prefer to feel that they have got something here that they are entitled to, that they paid premiums for, rather than have the Government say "We will give you $10,000 as a handout."

Now we are going to do this one way or another. We are either going to hand them money as an outright grant or subsidy, or we are going to make some kind of insurance available to them, and if you try to do it on the traditional insurance basis it will not work out. I sincerely believe that Congress will have to resort to an in-between way as presented in this bill.

The Chairman. If his property is swept away it will be a personal credit loan?

Mr. Dodd. That is right. The insured would be entitled to a loan as a matter of contractual right.

Under these provisions a policy holder could get money to rebuild.

The Chairman. Do you have any estimate or any approximation as to what that might cost the Government?

Mr. Dodd. No; I don't know. It would depend upon how many people would buy the insurance, and how many losses would be suffered. Those are figures that insurance experts could give.

The Chairman. Would everybody pay the same? Under most of the bills before us there would be a graduated scale based on the risk. In your bill is there any such provision?

Mr. Dodd. Yes, sir; I think so. That would be my idea. I think certainly the risks are greater in certain areas, and for certain types of property, more than for others, but I think we can get that advice from the insurance experts who underwrite this all the time. They ought to be able to tell this committee what volume of business you can expect to do, and they ought to be able to tell you about what it would cost in terms of premiums. And they ought to be able to tell you what variations would exist as between policyholders.

I don't have that information, Mr. Chairman, because, I repeat, I am not an insurance man. I am a layman. I am trying to find some way to make provision against this type of disaster that has hurt a lot of people in this country over the years, and we ought to find some way to help them.

Mr. Multer. Mr. Dodd, your very congressional district has been long looked upon as the world center of the insurance industry.

Mr. Dodd. That is right.

Mr. Multer. You have tried to get some help from the insurance people, haven't you?

Mr. Dodd. Yes, and I have received some help.

The Chairman. What is their attitude?

Mr. Dodd. Well, I don't think I can speak for them. I have talked to several of the people in the field, but I don't know what their attitude as a group is toward this proposal.

Mr. Multer. They haven't given you too much encouragement for a program like this, have they; I don't mean your specific program, but any disaster insurance?

Mr. Dodd. I think not. I think they have very grave doubt about any type of insurance for this type of loss.

Mr. Kilburn. I would think that the insurance companies would go into it if they were satisfied that they had a broad enough base and could get an experience whereby they wouldn't lose their shirts.

Mr. Dodd. You are absolutely right. I think they feel, and I am sure justifiably, that as a business matter this is not a good proposition. If so, they would be in it, because that is their business. They want to sell insurance, but they probably believe that they will lose money on this type of insurance.

Mr. Kilburn. I think it is a pretty difficult thing to set up. I would think that if the Federal Government and the States could put into the kitty enough to make insurance companies take the low risk, where they would be satisfied that they would come out all right, then I would think they would enter into it. Wouldn't you?

Mr. Dodd. They might. I know that is a suggestion that has been made. I think that is the administration bill.

Mr. Kilburn. I don't know.

Mr. Dodd. I think it is. I have grave doubts about the States contributing with the Federal Government. I don't think it works out well, for reasons that have appeared in similar situations.

Mr. Betts. In the example you gave, a person has a loss and he goes to the bank and gets a loan?

Mr. Dodd. Yes.

Mr. Betts. I am just not quite clear on the insurance feature that enters into it.

Mr. Dodd. I will go over it again.

Mr. Betts. Please do.

Mr. Dodd. The traditional insurance policy says if you suffer a loss we will pay you a specified sum of money. The "loan" feature of this bill provides that if you suffer a loss you will be guaranteed the right to borrow a certain sum of money from a private lending institution, on which the Government will pay the interest and stand as guarantor of the loan.

Mr. Betts. I see. It is sort of a reinsurance feature, then?

Mr. Dodd. In a sense. Reinsurance in the traditional sense is also provided for in the bill.

Mr. Kilburn. Who says that?

Mr. Dodd. The Government of the United States.

Under this bill the traditional type of policy at the necessarily high premium rate and the "loan" type of policy could be combined, to illustrate, you may write a policy like this: Suppose I own a factory worth a hundred thousand dollars. I might feel I could afford $50,000 of what I describe as traditional insurance. That would cost me quite a high price. The other 50 I might take under this loan provision. So you could have a policy in which you would have $50,000 of conventional insurance and $50,000 under this loan provision. It is my belief that the Government would offer such a policy at a reasonable premium rate, and I think you would get people to buy it. You might get more people to buy the loan type outright because of the low premium rate, but you might get many people to buy the type of policy in which the two types are combined.

Mr. Betts. Under that plan the premium rate would probably be lower?

Mr. Dodd. That is right. That is the point. I was trying to find, Mr. Betts, some way to sell this insurance to people at a price which they could afford to pay. That is the whole purpose of this new loan feature. Everything I have learned, indicates to me that the premium rate of flood or disaster insurance would be too high and people couldn't afford to buy it. So I devoted my energy toward finding a way to make some kind of insurance available at a price people can pay. Insurance people tell me that there is no doubt that this could be sold at a much lower rate than conventional types of insurance.

My own opinion, Mr. Chairman, is that if we are going to get an insurance plan it will have to be something like this, and I don't think your committee is ever going to get an insurance plan unless it is something like this because the cost of conventional insurance is prohibitive because the base is narrow.

Mr. Kilburn. On the loan feature which you just mentioned, where they get $50,000 of insurance and the $50,000 of loan, who collects the loan and how do they collect?

Mr. Dodd. The bank collects it just as they collect any loan.

Mr. Kilburn. If they collect any loan, if the fellow is wiped out and he has $50,000 of insurance, they will take the $50,000 of insurance to pay the loan?

Mr. Dodd. Well, you can make provisions against that without much difficulty. The repayment of the loan would be made just as the repayment of any other loan.

Mr. Multer. Mr. Dodd, with reference to your bill, that feature of your bill which calls for insurance guaranteeing a loan, should we not make inquiry of the bankers to find out if they would carry this type of loan, because if the Government guarantees the policyholder a right to a loan, and the private lending agency refuses to give the loan, then the Government would have to give the loan.

Mr. Dodd. Do you seriously think any bank would refuse a loan guaranteed by the Government with the interest paid by the Government?

Mr. Multer. Yes, I do.

Mr. Dodd. I cannot imagine it.

Mr. Multer. Let us analyze it for a moment. I have lost my property, I have nothing. I have lost my business and my house. I have nothing to start over with except my knowhow and my will to make good. I go to the bank and want a loan. It is guaranteed by the Government. I want a loan for $10,000 with with which to rebuild a modest house and I want $20,000 with which to start over again my modest business, which might have been worth as much as a hundred or more thousand dollars.

Mr. Dodd. You might not want to start again, at all.

Mr. Multer. So I want $10,000 for my home and $20,000 for my modest business. That is $30,000. How long a term will it be?

Mr. Dodd. Now, you are asking me a banking question. I am not a banker any more than I am an insurance man.

Mr. Multer. That is the point I am making. We have to bring the bankers in and get their reaction.

Mr. Dodd. I have no fault to find with that, but what I had doubts about was that the banks would refuse this kind of business. I don't think they would because I cannot think of anything better for a bank than to loan money to people under these terms.

Mr. Multer. Would this have to be a long-term loan?

Mr. Dodd. In certain instances it would. Not in all instances. Generally it would be up to the insured.

Mr. Multer. Have you any idea what the interest rate should be? What interest should the Government pay? The borrower is not going to pay it under your program.

Mr. Dodd. That is right.

Mr. Multer. What interest rate should the Government pay?

Mr. Dodd. I am not prepared to say. That is a banking matter, and we can get advice on that. What I have been trying to do is to get your interest this morning in the principle of this bill. I am neither a banker nor an insurance man. I cannot tell you what the rate of interest should be, what the rate of the premium should be. I don't have these figures. I think you can get them. They must be available. If you take this idea and say to our bankers and insurance people, "What about this?" you will get the answers you are seeking from them which I cannot give you. These are matters of administration of the problem.

Mr. Multer. I am not being critical.

Mr. Dodd. I know you are not. I am glad you asked.

Mr. Multer. But before we can determine whether this is a good principle—at first blush it looks good—but is it going to work? Is it practical?

From my banking experience, I doubt whether the banks are going to take long-term loans looking to the Government for payment of interest. The interest will have to vary from time to time, necessarily. The banks are not going to take less than the going rate. In many States you will have to probably change the local laws so they will be able to make long-term loans of this kind.

We had to change the laws in almost every State of the Union to permit FHA loans.

Mr. Dodd. Did you have to change the law to make joint small-business loans?

Mr. Multer. Those are being made by a Federal agency. In some States before the bank could participate they had to make changes in their State laws, too.

Mr. Dodd. Maybe so. I am not familiar with the banking laws in every State. But I am sure if the changes have to be made the people of the States will be for making changes. If you come up with an insurance program I think you can get those changes through the several legislatures.

The Chairman. The limitation of the interest rate, I think, should be inserted in the bill, if you are going to protect your people.

Mr. Dodd. I think it should be.

Mr. Multer. He has a provision in the bill that the interest rate would have to be the lowest practical amount.

Mr. Dodd. I think that can be set up in the bill. I didn't try to set it up exactly. The figures that appear in the bill that I have offered are arbitrary and only for the purpose of having figures. These are technical questions, and this great committee ought to be able to get the answers to those questions from people more informed than I am.

The Chairman. Mr. Dodd, we are trying to probe this whole field.

Mr. Dodd. I know that.

The Chairman. We are sincerely trying to find some answer.

Mr. Dodd. I know you are, and I commend you for it.

The Chairman. I think if you could get some additional information as to what it might cost, and whether the banks would be glad to participate, all of those questions are pertinent and very material, and I think if you could get that information for us we would be glad to consider it.

Mr. Dodd. It would be very difficult for me to do it. I am but one Member, and I have no staff or facilities for this. I have put in a lot of time on this already. This great committee ought to be able to get that information. I do have a prepared memorandum that I believe might be of some assistance in clarifying certain points that I have tried to make today, and with the chairman's permission I would like to submit it for the record.

The Chairman. We are very glad to have your views.

Mr. Kilburn. Of course, you would have to set up the interest rate in competition with the long-term Government market. You might have to give the banks a little more than the long-term market in order to get them to do it.

Mr. Dodd. You might have to do that.

The Chairman. If there are no further questions, you may stand aside, Mr. Dodd. We are glad to have your views, and we will consider them when we go into executive session.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. YARBOROUGH. Mr. President, exactly 6 years ago today the proud State of Texas was in the throes of one of this Nation's most tragic natural disasters—Hurricane Carla. From September 3 through September 15, of 1961, the people of Texas withstood the fury of wind and water. Carla's devastating swath left an estimated $225 million worth of damage. Needless to say, this figure does not approach even the true economic loss, for when floods strike developed urban areas, as Carla did in its sweep across the coast of Texas, all regular activities are disrupted, productive capacity is impaired, and strategic transportation facilities cannot be used. This amounts to an uncalculable loss of productivity and income. The great Dow Chemical plant at Freeport, Tex., suffered extensive damage when Carla raged across that area. Similarly, large oil refineries across the Texas coast were put out of commission. When productive capacity of this nature is impaired or even halted, the entire Nation suffers. There are no means available to calculate this sort of economic blow, so it is generally accepted that flood damage estimates are always understated.

Of course, the true loss in any natural disaster cannot be calculated in dollars and cents. Unfortunately we pay the much greater price of human lives and human misery. Referring again to the Texas experience in 1961, 34 people died, 465 were injured, and an estimated 250,000 citizens were evacuated from their homes to escape the onrushing water. And in this case, Mr. President, the people were "lucky," for Hurricane Carla stalled in the Gulf of Mexico about 30 miles offshore and gave threatened Texans an unanticipated 12 or 15 hours to evacuate—otherwise, thousands would have suffered death by drowning. Others have not been so fortunate. Indeed, the opposite may occur, as in Louisiana when a hurricane rushed landward a night earlier than had been predicted.

Where do people go, Mr. President, when their homes and personal property are destroyed in a flood? To whom do they turn? The nature of floods is such that insurance companies have been unwilling or unable to write insurance policies that will provide relief for these flood victims. I think the private sector has been timid in this matter. They have lacked the boldness to pioneer and provide insurance on this risk. I am reminded of a similar hesitancy during the thirties, when the private sector would not insure farmers against damage to or loss of crops by hail. Under President Franklin D. Roosevelt, the U.S. Government stepped into the void and filled the need. Once this pioneering government program was established, the private companies were quick to get into line. Today the Farm Bureau, the Farmer's Union, and other farm organizations have insurance companies as auxiliaries. They fight competitively to write this hail insurance. They do a good business. I think that once we have established a Federal flood insurance program, the private sector of the economy will respond as before and begin to compete for that business.

For too long, Mr. President, the Federal Government has been all too unresponsive to this need. For the last few years I have been actively engaged with others of my colleagues in the search for a sound flood insurance program. To date our best efforts have been thwarted. In 1955 a disastrous hurricane raged up the Atlantic coast into New England. In response to this, Congress enacted the Lehman-Kennedy Flood Insurance Act of 1956. It was sponsored by the late Senator Herbert Lehman, of New York, and then Senator—later President—John F. Kennedy. This act is on the books today and could be implemented without the enactment of any additional legislation. I have made repeated appeals to several Presidents to implement that legislation. Since 1961 I have met with many executive branch officials to effect the measure—at one time President Kennedy directed representatives from the Corps of Engineers, the Bureau of the Budget, and the Geodetic Survey to confer with me on the issue. Unfortunately, no agreement was reached and nothing was done. My continued pleas have been in vain.

In the Senate the record has been a bit better. During the last Congress, I was pleased to join with my friend, the distinguished Senator from New Jersey [Mr. Williams] in cosponsoring his measure to authorize a study of this subject. This search for a feasible program has resulted in S. 1985, in which I join some 30 other Senators as cosponsor.

This measure is limited. It has been explained that it is limited in amount. It is limited in the types and areas.

Those who say that the measure is not feasible and that it would be too difficult to administer because of different property values overlook the experience had from the fire insurance. There are sometimes three or four different rates of fire insurance in the same block. The rate depends on whether a building is of fireproof construction, a brick and stone building that is not fireproof, or a frame construction. We frequently have three different rates on the same side of the street in the same block with respect to fire insurance.

The damage occasioned by floods differs according to the elevation above sea level. That is particularly true in the gulf coastal areas which are subject to be hit by hurricanes. The chances for damage happening to property is dependent on how many feet the property is located above sea level. If the property is only 5 feet above sea level, water can go inland for 1 mile. The hurricane can drive the water inland. If the property is 15 feet above sea level, there would be less chance of damage to property located only one-quarter of a mile inland than there would be to property located 5 feet above sea level that is farther removed. We can determine this factor by the contour lines and by our past experience regarding loss.

Turn again to the 1961 experience with Hurricane Carla. At that time, water was driven inland for 30 miles from the Gulf of Mexico. It was said that no one could foretell the distance that the water would be driven inland. Nobody could tell except one industrial engineer who had made computations. That man said that it would be possible, if a hurricane were to hit there, that water would come inland for 30 miles. He put up bench marks, and he hit it within 1 mile of the 30 miles distance from the Gulf of Mexico that the water was driven by that hurricane. He based his estimate on the contour lines.

I am convinced that when major disasters such as floods occur the full faith and credit of the United States are necessary to protect its citizens. This is not just an academic matter—we have seen literally hundreds of our friends and fellow citizens damaged through flood loss against which they could not buy insurance. In spite of the flood prevention measures now available, each year the homes and personal property of thousands of families are destroyed or damaged by floods. S. 1985 commits the leadership and resources of this Nation to aid these people, and I am pleased to give it my support.

I wish to pay tribute to the work of the distinguished Senator from New Jersey. This is not the first session in which he has introduced this bill. He has worked for years to bring it this far. I am proud to join with him, and I hope that the House will see the wisdom of this measure, as the Senate does.

Mr. WILLIAMS of New Jersey. I appreciate the persuasive statement of the Senator from Texas, and I am honored, indeed, by his personal reference.

Mr. PROXMIRE. Mr. President, I call up an amendment which I have at the desk, and ask that it be read.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The amendment will be stated.

The Assistant Legislative Clerk. On page 31, after line 7, insert the following new subsection:

> (e) Such pool shall make no distribution of earnings for a period of up to five years based on flood insurance premiums, unless the aggregate cumulative premiums, fees, or other charges established for excess loss reinsurance under subsection (b) and collected for deposit in the National Flood Insurance Fund exceeds the aggregate cumulative expenses paid for reinsurance claims by such fund.

Mr. PROXMIRE. Mr. President, the proposed amendment would insure that no profits would accrue to insurance companies until the Federal Government recovered its expenses in providing reinsurance.

Under the terms of the bill, it is envisioned that the insurance companies would purchase excess loss reinsurance from the Government to cover catastrophic losses. The premiums for such reinsurance should constitute a reserve to be available for reinsurance claims. However, should an unusually heavy loss occur early in the program, the premiums collected by the Government might not be sufficient to pay claims. In this event, the amendment would restrict the future profits of the insurance companies until the Government deficit was eliminated, but for no more than 5 years.

A similar provision was contained in S. 1290, which was introduced by the Senator from New Jersey [Mr. Williams]. I might say that the proposed amendment has been discussed with the distinguished Senator from New Jersey [Mr. Williams] and with the distinguished Senator from Utah [Mr. Bennett]. It has been worked out on the basis of some very sensible proposals to modify it, and I hope that the manager of the bill will be able to accept it.

Mr. BENNETT. Mr. President, the Senator from Wisconsin is correct in saying that I have discussed the amendment with him and the Senator from New Jersey. I was not aware until a few moments ago that such an amendment was to be offered and because of the complexity of and the careful balance that has been achieved in this bill as reported by the committee, I am unable on a moment's notice to analyze what the entire effect of this suggested amendment will be. The record should show that there is an obvious doubt as to whether or not this proposal would act as a brake or a deterrent on the private insurance companies and thus influence them not to become members of the pool. We do not have the answer to that question, and have had no time in which to give the private insurance companies an opportunity to express their viewpoint.

I have just been informed by the minority staff director of the committee that he has just talked by telephone with officers of two of the major insurance associations involved in the development of the bill reported by the committee. In answer to a quick reading over the telephone, they expressed a first reaction that it could jeopardize the whole program.

I very seriously question the advisability of accepting the amendment. I understand it is the intent of the Senator from Wisconsin to limit any possible profits of private insurance companies until the Government deficit paid out as a result of flood loss in excess of the amount of premiums paid for reinsurance into the Government national flood insurance fund has been repaid. What this in essence means is that private firms would be required to carry all of the risk and all of the flood damage loss and that it would just be spread over a broader period of time. Apparently the Senator is concerned that the private companies would make some profit from this program.

The bill clearly outlines that the profits shall be reasonable and the reasonableness will be determined by the Secretary of the Department of Housing and Urban Development.

On page 18 of the bill, section 108, we find the authority to limit operating allowances, profits, and contingencies to amounts which the secretary finds reasonable and necessary to carry out the purposes of this act. He also has authority to determine premium schedules and the terms and conditions under which and areas within which such rates shall apply. He also sets up land use regulations with which local communities must conform in order that properties be eligible for flood insurance after June 30, 1970.

I see no reason for concern that private industry is in a position of receiving unreasonable profits.

I also am given to understand that the Department of Housing and Urban Development will likely be opposed to the amendment.

The bill must go to the other body and there will be time and opportunity for the insurance companies and the Department to assess the possible effects of the amendment. Therefore, there will be an opportunity available to strike the amendment from the bill.

Realizing that these conditions exist, I will not without further study and discussion with the parties involved oppose the amendment offered by the Senator from Wisconsin.

Mr. WILLIAMS of New Jersey. Mr. President, I should like to join in the statement made by the Senator from Utah.

At this point we will not etch the idea into stone; but, in the legislative process, we will accept it, and then we will see what develops. We certainly do not wish in any way to discourage private insurance companies from being full partners in cooperation with respect to this matter.

Mr. PROXMIRE. Mr. President, if the Senator will yield on that point, I agree wholeheartedly. As author of the amendment, I wish to state that I do not want in any way to discourage insurance companies from taking part in this program. Indeed, it cannot succeed unless they do. There must be incentive and encouragement. The purpose of the proposed amendment is simply for the protection of the taxpayer. But in no sense and under no circumstances should it be viewed as a method of discouraging or slowing down the insurance companies from taking part in the program.

Mr. WILLIAMS of New Jersey. I view this colloquy with the Senator from Utah, the Senator from Wisconsin—who is the author of the amendment—and myself as indicating that we are in harmony.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. ELLENDER. Mr. President, I am very much in favor of the bill, and I would not want to vote for any provision that would in any measure deter privately owned insurance companies from participating.

Under the bill, in the formation of these pools, what is the proportionate share of risk that is assumed by the Government in comparison with that which is assumed by the privately owned insurance companies?

Mr. PROXMIRE. May I yield to the distinguished manager of the bill?

Mr. WILLIAMS of New Jersey. The percentages are not in the bill. We have provided for the Secretary of Housing and Urban Development to negotiate this matter with the insurance companies. They have been talking, and they are waiting for our legislation. But we do give latitude to the Secretary to establish these relationships.

Mr. ELLENDER. Is that done without limitation? Is it not possible that the Federal Government would assume a greater percentage of the losses than would the privately owned insurance companies?

Mr. BENNETT. Mr. President, will the Senator yield? I should like to respond to the question of the Senator from Louisiana.

Mr. WILLIAMS of New Jersey. I yield.

Mr. BENNETT. This is a situation in which there is no record of experience, because floods are completely unpredictable in terms of their occurrence and their size. So it seems to me that we have gone as far as we could go in the bill.

The insurance companies have indicated that they are anxious to consider the formation of a pool in which they expect to assume liabilities up to, say, $50 million.

They will then use a part of their premiums to purchase reinsurance from the Federal Government.

Mr. ELLENDER. I can understand how that would be accomplished, but the point I raise is, what is the extent of their liabilities compared with the liabilities of the Federal Government.

Mr. BENNETT. It would be my feeling that the actual proportion would have to be worked out between the insurance companies and the Federal Government. If the insurance companies feel that the burden of their share is too great, there will be no pool.

Mr. ELLENDER. I understand; but that raises this question: The insurance companies may rely a good deal on what the Federal Government will do, and the Federal Government in the long run may carry too large a share of this burden—in other words, out of proportion to what the privately owned insurance companies may contribute. There is no limitation. I understand it is left to the administrator to set a limit. I am wondering why it is that the committee did not place a limitation in the bill.

The Senator from Wisconsin [Mr. PROXMIRE] is desirous of assisting and protecting the taxpayers; but without a limitation, it may be that the payments by the Federal Government will be out of proportion to the payments made by privately owned insurance companies.

Mr. PROXMIRE. It is my understanding that there will be no losses by the insurance companies. This would mean that their profits from this particular operation, from this particular pool, would be restricted for a maximum of 5 years, and then only under the most catastrophic circumstances, with the Government taking up 95 percent of the risk. But in the long run, there is no question that the private insurance companies would be able to make profits from this operation. There is a 5-year limitation. So the liability of the insurance companies would be strictly limited, on the basis of the amendment and of the bill, according to my understanding.

Mr. ELLENDER. Two or three years ago Congress provided funds to enable a designation of areas in the United States which are subject to floods. Do I correctly understand that the areas that have been designated by the Corps of Engineers to be subject to floods are the ones to which the insurance provided by the bill would be applicable?

Mr. WILLIAMS of New Jersey. They would be the starting point. As I recall, 40 areas were studied by the branches of Government that understand this particular bit of geography.

There are many areas that have not been studied, but the Geodetic and Soil Conservation Agency and the Army Engineers have studied 40 areas. Their studies would initially present the data that could establish the premium to the homeowner.

Mr. ELLENDER. What about the areas that are affected by hurricanes, such as New Jersey, Florida, and other areas in the South? Is there any special provision in the bill to protect those areas although they may not be in the designated flood areas? Do we recognize that situation as we do the overflow of a river and things of that kind?

Mr. WILLIAMS of New Jersey. The hurricane-type flood is, of course, a flood and would be covered.

Frankly, I cannot define the 40 areas that have been studied but I am certain it must be that the 40 areas already studied would include these areas such as Florida where there have been problems with hurricanes and floods. I would also mention Louisiana and areas along the coast, towns along the Mississippi River, and other rivers that are flood prone areas. The bill would provide for a continuing study to establish a rate that is actuarially sound for flood insurance in areas that are flood prone.

Mr. ELLENDER. I notice throughout the bill that this insurance program is not to take effect in States unless the States cooperate and do certain things by way of passing certain legislation. It would seem to me that there may be quite a lot of delay in the application of this program in areas that may need assistance immediately.

Has any provision been made to include areas where the State may not be able to undertake its part at once? I can well understand that many of the States may not be capable of passing laws that would conform with the administrator's suggestions for this insurance program. I am wondering if any provisions are made in the bill to deny insurance protection to those localities where the local people insist on building after they have been told that they are in a flood area. In my judgment, there are quite a few ambitious developers who take almost any kind of land they can pick up, buy it cheap, and then construct a lot of buildings on that land, and sometimes the buildings are washed away.

It strikes me that we should have strong provisions in the bill to prevent such a situation because I know that if this is not done the losses sustained would be much greater than they would be otherwise.

I am wondering what protection has been placed in the bill in that regard.

Mr. WILLIAMS of New Jersey. Now, I know why the Senator from Louisiana has been here for—how many years?

Mr. ELLENDER. Thirty-one years.

Mr. WILLIAMS of New Jersey. The Senator is a wise man, indeed. In listening to the statement of the Senator it sounded almost as if he had written the bill.

Those protections are in the bill.

Mr. ELLENDER. They are in the bill?

Mr. WILLIAMS of New Jersey. They are in the bill. I am grateful, indeed, for the statement the Senator made.

Mr. ELLENDER. Although I did not participate in the drafting of the bill I have been very much interested in it.

Mr. WILLIAMS of New Jersey. It sounded as though the Senator had written the bill.

Mr. ELLENDER. I was instrumental in providing funds to make the studies I have been talking about available.

Mr. WILLIAMS of New Jersey. I am aware of that.

Mr. ELLENDER. It would seem to me that if we would instill in the local authority the obligation on their part to prevent the building of houses and other buildings in areas they know in advance are subject to floods we would be going a long way toward preventing these huge losses.

Mr. WILLIAMS of New Jersey. I agree completely with the Senator. We have incorporated the ideas of the Senator in the bill and the Senator can be assured that they are in the bill.

Mr. ELLENDER. I am glad to hear that. That is one of the provisions I thought should have been taken care of a long time ago. It is my belief that many of the privately owned companies did not wish to take insurance or issue insurance because of those conditions. If in some way we can prevent that situation, I think we would be going far toward making it possible for the privately owned insurance companies to handle the whole loan rather than to bring the Federal Government into the picture.

Mr. WILLIAMS of New Jersey. I agree. I wish to make a personal inquiry of the Senator. When they build houses on stilts down in the bayou country, they do not have too much trouble with floodwaters, do they?

Mr. ELLENDER. No; but we seldom build on stilts. We elevate the land and sometimes construct on pilings, but that happens on the islands where we have resorts. Insofar as construction of buildings on land far removed from the sea by 25 or 30 miles, buildings are not built on stilts, they are built on the terrain.

Mr. WILLIAMS of New Jersey. But when they build along coastal areas or river areas, if they build on stilts they have a better chance than if they build on sand.

Mr. ELLENDER. There is no doubt about that, the way they select the high spots on which to build properties.

Mr. WILLIAMS of New Jersey. I should not have diverted this colloquy because the Senator certainly made his point and we certainly agree that this legislation incorporates all of these knowledgeable ideas.

Mr. ELLENDER. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator from New Jersey yield?

Mr. WILLIAMS of New Jersey. I do not have the floor. The Senator from Wisconsin has the floor.

Mr. PROXMIRE. Will the Senator permit me one brief remark? Unfortunately, I have to go back to a hearing which I recessed in order to be in the Chamber, but I should like to add that the Senator from New Jersey deserves enormous credit for his persistence year after year in this crusade. I think he has done a marvelous job. I want to make the record clear that I approve wholeheartedly of the work he has done, as well as the fine assistance he has received from the distinguished ranking minority member on the committee, the Senator from Utah [Mr. BENNETT].

Mr. WILLIAMS of New Jersey. Will the Senator from Wisconsin yield to me to ask a question of the Senator from Florida?

Mr. PROXMIRE. I am happy to yield.

Mr. WILLIAMS of New Jersey. I just wish to ask the Senator from Florida whether his discussion will deal with the amendment of the Senator from Wisconsin, or generally to the bill?

Mr. HOLLAND. Generally to the bill.

Mr. WILLIAMS of New Jersey. I wonder whether we could have a vote on the Proxmire amendment? I have accepted it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

Mr. HOLLAND. Mr. President, will the Senator from New Jersey now yield to me?

Mr. WILLIAMS of New Jersey. I am certainly happy to yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, for some years, we have had trouble in the hurricane area arising from the fact that commercial insurance companies are perfectly willing to issue windstorm insurance, just as they issue earthquake insurance and the like in other areas, but they have not been willing to issue insurance covering water damage from floods, which has caused us great difficulties because so frequently the two things go together; that is, a hurricane comes along with its terrific winds but pushes great bodies of water before those winds and the damage is a dual damage resulting from both water and windstorms.

Mr. President, I note that the insurance commissioner of the State of Florida, who is chairman of the appropriate committee of the National Association of Insurance Commissioners, has shown great interest in the bill. I wonder whether the Senator would yield to me so that I might read certain paragraphs from the able report of the committee which quote Commissioner Williams and refer to his testimony.

Mr. WILLIAMS of New Jersey. I certainly would appreciate that inclusion in our legislative record.

Mr. HOLLAND. Mr. President, on page 3 of the report, I read as follows:

> Hon. Broward Williams, treasurer and insurance commissioner of the State of Florida and chairman of the Property and Casualty Subcommittee of the National Association of Insurance Commissioners (NAIC), was one of several witnesses representing the State Commissioners of Insurance at the hearings. His statement indicates the great concern which the commissioners have had about the unavailability of flood insurance.
>
> "Some 20 years ago, the National Association of Insurance Commissioners began to formulate a plan wherein our citizens could secure insurance protection against flood damage to their homes without the necessity of going to the Federal Government for relief. The Association envisioned the addition of this insurance to the fire and windstorm policies that people now carry on their dwellings."

The report continues:

> He pointed out that their flood subcommittee, in their efforts to make flood insurance a reality, had met with representatives of the insurance industry in Seattle, Minneapolis, New York, Miami, Houston, Birmingham, Richmond, Atlanta, Phoenix, Boston, New Orleans, Philadelphia, and Washington.
>
> This concern with the need for flood insurance coverage led the NAIC subcommittee to propose legislation which would encourage the industry to begin writing flood coverage. The commissioners have long been concerned about the unavailability of flood insurance. Because of this concern they sponsored legislation to provide for such insurance and support the proposals of S. 1985 as a feasible means of extending this very necessary protection to property owners in their States.

Mr. President, the recital of the report that the National Association of Insurance Commissioners is supporting this specific legislation is correct, is it not?

Mr. WILLIAMS of New Jersey. Absolutely correct. As a matter of fact, I have never sponsored proposed legislation which had total unanimity of approval as this one. The insurance commissioners, the administration, and all people having an interest in this program support it. There are no negatives.

Mr. HOLLAND. That was my understanding, too.

Mr. President, am I correct in my understanding that this pending legislation represents amendments offered now to the so-called Lehman Act of 1956?

Mr. WILLIAMS of New Jersey. That is right.

Mr. HOLLAND. Which was introduced to begin an approach to this particular field.

Mr. WILLIAMS of New Jersey. I did not know that the 1956 act was called the Lehman Act, after one of our great Senators, at a time when it was a national expression of concern for the gap in property loss. But, it was never implemented, as the Senator knows. This is the legislation which is an amendment to the Lehman Act which will realistically implement that national concern.

Mr. HOLLAND. I want to compliment and congratulate the Senator from New Jersey and other members of his committee and the subcommittee. I strongly supported Senator Lehman at the time the original act was introduced. I have felt that we should proceed as soon as data were available so that this missing link, so to speak, in insurance coverage, could be supplied. I hope that this act will prove to be all that we now hope for.

Again I congratulate the distinguished Senator from New Jersey.

Mr. WILLIAMS of New Jersey. I appreciate that comment from the Senator. So far as I am concerned, I should like to end debate on that most persuasive, strong, and convincing statement of the Senator from Florida. I most appreciate it.

Mr. ELLENDER. Mr. President, will the Senator from New Jersey yield to me so that I may ask him another question?

Mr. WILLIAMS of New Jersey. I would just as soon end with the Senator from Louisiana and the Senator from Florida. I am happy to yield.

Mr. ELLENDER. I note on page 5 of the bill, beginning on line 3 and ending on line 8, the definition of flood, which states:

> (1) "Flood" shall have such meaning as may be prescribed in regulations of the Secretary, and may include inundation from the overflow of streams, rivers, or other bodies of natural water, and from tidal surges, abnormally high tidal water, tidal waves, hurricanes, and other severe storms or deluge;

On the Louisiana coast, we have quite a few canals which have been constructed for the purpose of reaching the oil fields. Also, in Louisiana, and I am sure in other parts of the country, we have other canals which have been constructed by man for other purposes.

I have in mind in particular the tidewater canal in New Orleans. It happened that the tidewater canal was almost completed just about 8 months before Hurricane Betsy struck the gulf coast. This storm caused much damage in New Orleans. Because of the size of that canal, tidal water caused it to overflow its banks. That was due to the fact that a large tidal wave struck in that area, and pushed the water up the canal. I have no doubt that the canal made it possible for so much water to enter the city of New Orleans.

I am wondering if a canal constructed by man would be covered by the definition incorporated in section 4(1) on page 5 of this act.

Mr. WILLIAMS of New Jersey. I would certainly believe that that would be covered. Is this a manmade canal?

Mr. ELLENDER. Yes.

Mr. WILLIAMS of New Jersey. And through that canal comes the water, I suppose, from where?

Mr. ELLENDER. From the sea; from the gulf.

Mr. WILLIAMS of New Jersey. That is natural water; is it not?

Mr. ELLENDER. Here the section reads: "regulations of the Secretary, and may include inundation from the overflow of streams, rivers, or other bodies of natural water."

There is a distinction there. Personally, I would think it would be covered, but I simply wanted to make it certain. In the case of New Orleans there is no doubt that the tidal wave had a lot to do with providing the water that filled the canal. Then the winds came from a southerly direction and they actually caused the water to rise more quickly than ordinarily would be the case.

I imagine the bill would cover such a situation.

Mr. WILLIAMS of New Jersey. In my judgment, it certainly would cover that situation. If there were any doubt, I would be willing to take out the word "natural." This is not manufactured water; it just happens to be a canal——

Mr. ELLENDER. It is a canal that serves as an artery to carry ships, just as a natural river would.

Mr. WILLIAMS of New Jersey. Just to

make certain, I wonder whether it would not be wise to remove all ambiguity and take the word "natural" out, and just leave the language "or other bodies of water"?

Mr. ELLENDER. Very well.

Mr. WILLIAMS of New Jersey. Would the Senator move that?

Mr. ELLENDER. Mr. President, with the consent of my good friend from New Jersey, I move, on page 5, line 6, to strike out the word "natural," and in lieu of that language have the language read, "or other bodies of water."

Mr. WILLIAMS of New Jersey. "Or other bodies of water." That is certainly acceptable to me.

There are canals all over the country, and if there is any ambiguity, this change would clarify it.

The PRESIDING OFFICER. It takes unanimous consent, since it is an amendment to an amendment already agreed to.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent to strike out the word "natural" on line 6, page 5.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendment is agreed to.

Mr. ELLENDER. Mr. President, one concluding question. Has any estimate been made of the cost of this bill over the years?

Mr. WILLIAMS of New Jersey. The estimate is that there will be Treasury borrowing authority for $500 million.

Mr. ELLENDER. That is, to create the fund?

Mr. WILLIAMS of New Jersey. That is the Federal contribution to the fund. There will be premiums, of course.

Mr. ELLENDER. Added to that?

Mr. WILLIAMS of New Jersey. Yes.

Mr. ELLENDER. And this sum, as well as the premiums, I presume, will bear interest?

Mr. WILLIAMS of New Jersey. Yes.

Mr. ELLENDER. And this fund will increase?

Mr. WILLIAMS of New Jersey. That is exactly right.

Mr. ELLENDER. I thank the Senator.

Mr. WILLIAMS of New Jersey. Mr. President, I am going to conclude my remarks. I certainly appreciate the contribution to this debate that the Senator from Louisiana [Mr. ELLENDER], the Senator from Florida [Mr. HOLLAND], the Senator from Texas [Mr. YARBOROUGH], the Senator from Delaware [Mr. BOGGS], and other Senators have made who have spoken and who have sponsored this bill.

Mr. HRUSKA. Mr. President, I should like to comment upon section 221, found at pages 31 and 32, particularly with reference to the provision in that section which enables the Secretary to report to the Congress that he is going to go into the insurance business.

I must apologize for my lack of thorough research on the bill and report. One of the reasons is that we are engaged in the Judiciary Committee on the matter of a legislative veto of the delegation of legislative power. We say to the executive department, for example, in the Small Watershed Act, "When you perform delegated legislative powers in the Department of Agriculture, you must report back to the committees in Congress and get final approval." The President and the Bureau of the Budget have said that is unconstitutional because Congress is meddling with executive prerogatives. There are those of us who say we are not doing any such thing; that we are merely continuing a part of the legislative process which we have reserved to ourselves.

It will simply not do for us merely to blandly say they will have to come back to the Senate at some future date and plan A will not work. Here we say to the Secretary, "You try plan A, and if it does not work, go into plan B. All you have to do is to give Congress 30 days' notice prior to implementing plan B and state the reasons for such determination. These reasons must be supported by pertinent findings. They must indicate the extent to which it is anticipated that the insurance industry will be utilized in providing flood insurance coverage, and contain such recommendations as the Secretary deems advisable."

It does not say "persuasive." It does not even say "reasonably certain," to be a foundation or a basis for plan B to be implemented, and plan A abandoned. Yet we are going to be content to provide that the Secretary will be able to walk over to the Secretary of the Treasury and say, "Give me half a billion dollars. I am going into the insurance business." It may not be that Congress will be in accord with it.

Here we just blandly delegate this legislative power in advance to the executive, and the executive happily accepts it. But then they say, "If you want to have any strings on it, it is unconstitutional."

It is no such thing, in my judgment.

There are several alternatives which could be utilized in this instance. One approach would be that the congressional review period should be 90 days, and upon the affirmative resolution of one or the other House that it is satisfied with the recommendations and conclusions of the Secretary.

Another approach would be that there shall be further legislation necessary in order to implement a Government plan.

Perhaps a third alternative would be to try plan A for a reasonable time such as 3 or 4 years. After such time as plan A is tried and determined not to be a practical subject for private insurance, then it could be handled on a Federal basis.

Insurance presupposes paying into a common "pot" certain amounts, on an actuarially sound and practical basis in which the "pot" can be devoted to the payment of losses occuring under the insurance plan.

Perhaps the situation is such that it will not lend itself to insurance on an actuarial basis. If so, here we give the Secretary the authority to borrow a half billion dollars, and he will call for more funds if that is not enough. There are no disciplines built into plan B execpt the limitless expanse of the Federal Treasury and the borrowing authority of this Government. We are asked to make that decision in advance. I do not believe it is advisable to do so.

I do not know what the position of the industry is. I am told the industry would not want plan B stricken. But I certainly would not wish to be one of those who would give the Secretary authority in advance, regardless of the damages resulting from floods or hurricanes, and say, "If you cannot make it work with the private companies, we are going to get the Government into it."

And with half a billion dollars of backdoor financing to start, Mr. President.

We have had some experience. The chairman of the Subcommittee on Agriculture Appropriations well knows that we have had experience with hail insurance for crops. It was not a very happy experience, Mr. President. We had to draw in our horns and provide selected places where that insurance would be available. Why? Because the incidence of hailstorms and hail damage was so great in some areas, it would not permit the principles of insurance to attach to those situations. The losses were much too great to warrant a premium that the farmers could afford to pay.

If that develops in this case, the Federal Government will be in the insurance business in a big way.

Experience tells us that when we have a Federal program of this kind started, very seldom is it reversed. Very seldom is it repealed. If it is, it is only after disastrous and catastrophic raids upon the Federal Treasury happen to a degree so scandalous that we are forced to do it.

We should not invite that kind of situation here. As I have stated, in the Committee on the Judiciary we are canvassing this very problem. We have had enough. I wish the senior Senator from North Carolina were present, because he would recognize this, as I do, as a classic example of very injudicious and indiscreet delegation of legislative power.

I suppose, with a little time, an appropriate amendment could be fashioned which would require further legislative authority before we open the gate to the Federal insurance business that would be created by plan B.

Mr. WILLIAMS of New Jersey. Mr. President, I appreciate the comments and wise observations of the Senator from Nebraska. I think his comments, included in this RECORD, will be in the nature of a caveat to the administration.

Our basic thrust is to include private industry to the maximum extent possible in this insurance program. If for any reason that does not work out, before the administrative branch of the Federal Government goes to an alternative program, they have to come back to Congress.

But the statement of the Senator from Nebraska will, I think, just be further assurance that the administrative branch of the Government will be alert to our congressional intent.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. WILLIAMS of New Jersey. Yes, sir.

Mr. PASTORE. Do I understand the Senator from New Jersey to say now that before plan B can take effect, there is a choice on the part of Congress?

Mr. WILLIAMS of New Jersey. That is right.

Mr. HRUSKA. What was the question?

Mr. PASTORE. The argument made by the Senator from Nebraska would be that while we are being notified, the program under plan B can go into effect without any decision.

Mr. HRUSKA. That is correct.

Mr. WILLIAMS of New Jersey. But am I correct on this: While we sit, we can change existing law; am I right?

Mr. PASTORE. In other words, what the Senator from New Jersey is saying is that that puts us on notice that if we are dissatisfied, we can take action?

Mr. WILLIAMS of New Jersey. That is my interpretation. I would rely more strongly on the parliamentary experience of the Senator from Rhode Island than on my own. The way that reads to me——

Mr. PASTORE. Plan B can take effect only if there is negligence on the part of Congress, if it is dissatisfied, to act?

Mr. HRUSKA. No; I see no warrant for such a statement in the language of this bill.

Mr. PASTORE. Well, let me repeat it.

I listened very attentively to the Senator from Nebraska. There is a requirement here that if plan A does not work out—in other words, if we cannot interest the private insurance companies to undertake this program—then there must be some kind of an insurance plan for people who are victims of a disaster.

In that event, if plan A does not work out, the agency is to so notify Congress?

Mr. WILLIAMS of New Jersey. Exactly.

Mr. PASTORE. Whereupon Congress, at that time, can modify plan B if it wants to, or it can repeal plan B if it wants to; the fact remains that we are being told that plan A did not work out, that now they are in the process of coming in under plan B, and we can act in the meantime if we want to.

Now, at that time, pursuant to the notice given to us, in the period of 30 days, if we feel within that period of time that plan B is not, at that moment, a judicious piece of legislation, we can either repeal it or modify it. I ask the manager of the bill, is that not correct?

Mr. WILLIAMS of New Jersey. I appreciate the simple but eloquent description of exactly what this bill would do.

Mr. PASTORE. I wish to say to the Senator from Nebraska that I think he raises a very valid point, and I am happy that he is making good legislative history here. Apropos of his point in the atomic energy area, we were confronted with more or less the same problem on the possibility of catastrophic loss in case of an accident involving a reactor. We set up a billion dollars, or a half billion dollars, there also. I say to Senators that we have never been called upon to put out one penny in that respect; but I can very well understand that there may be some actuarial difficulties in this whole plan under B.

I think, myself, that at that moment we will have enough time to consider it. But what the Senator from Nebraska is actually doing at this moment is just opposing the whole bill.

Mr. HRUSKA. Mr. President, I am not opposing the whole bill. I would not wish to do that. This is a very difficult problem. But if private industry, with the counsel and the advice, and at the urging and the guidance of the Secretary, cannot make this plan work as an insurance plan, we say: "Mr. Secretary, here is a situation that cannot be dealt with on a practicable or workable insurance basis, but you wave your magic wand of multibillions of dollars, and try to make it work as an insurance plan."

We are just kidding ourselves. Why do we not consider something like this: For a reasonable time interval, such as 3 or 4 years, under which this will be tried with the private carriers, if it will not work, then to come to Congress and say why it will not work. Then we can say, "Instead of having an insurance plan, let us have a relief plan."

Mr. PASTORE. Mr. President, if the Senator will yield, I think he has an excellent idea there.

Mr. WILLIAMS of New Jersey. This comes as a new idea to me, but if the Senator has an amendment, we would certainly be very agreeable to considering it.

Mr. HRUSKA. In response to the Senator from Rhode Island, who is always fair and has such perceptive powers of analysis, may I call his attention to this language in the present bill. You see, it is not that the Secretary just makes a report. That is not it. Read on page 31 with me:

> If at any time after consultation with representatives of the insurance industry, the Secretary determines that operation of the flood insurance program as provided under part A cannot be carried out, or that such operation, in itself, would be assisted materially by the Federal Government's assumption, in whole (or in part), of the operational responsibility for flood insurance under this Act—

And here is the punch line—

> he shall promptly undertake any necessary arrangements to carry out the program of flood insurance authorized under title I through the facilities of the Federal Government.

He gives us 30-day notice and a report. So what? We have given him authority. There is nothing in the 30-day notice provision that enables us to say "No."

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. PASTORE. I think we are engaging in semantics. I never said——

Mr. HRUSKA. But the Senator raised the question.

Mr. PASTORE I asked what would happen if we did have an opportunity to be notified by a report. I realize that the effect of the bill, under section 221, is that the Secretary can carry out the mandate in the law. There is no question about it. But I say again that I believe the Senator has made a fine suggestion in saying that there ought to be a termination date, so that we will know where we are going before we get into the problem knee deep.

Mr. HRUSKA. The Secretary has a mandate.

Mr. PASTORE. I understand.

Mr. HRUSKA. "He shall."

Mr. PASTORE. I do not dispute that at all.

Mr. HRUSKA. Among other things, he has to send notice to Congress that he is taking such action. That is all. He must give 30 days' notice. But he is not required to say what will happen during the 30 days.

Mr. PASTORE. I understand, but Congress will have to put up the money.

Mr. HRUSKA. No. This is a backdoor financing arrangement. The Secretary can draw on the Treasury to the extent of $500 million. We as members of the Committee on Appropriations will not get a look at it, except to find that the additional amount will make the total much larger than it was before. There ought to be provision in this plan for a justification of additional funds.

Would the committee consider a recommittal of the bill for the purpose of trying to formulate a provision that would take into consideration the analysis that we have made?

Mr. PASTORE. I think it would be wiser to lay the bill aside for a few minutes, to see if we can work out an amendment.

Mr. HRUSKA. That would be agreeable to me. If we cannot, perhaps we should consider recommital of the bill with instructions to report to the Senate in a week or 10 days, or whatever time is necessary to get the job done.

Mr. WILLIAMS of New Jersey. The Senator from Nebraska is concerned with the time in which Congress can consider if it is necessary to proceed to plan B. Plan A, by the way, is going to work, in my judgment, because it has been under discussion in negotiations with all the parties involved, including the major insurance carriers. Plan A will work.

If it would make the Senator from Nebraska feel better—and I know that he has not had time to fully examine the record or the bill, as he said—we could include 90 days as the point of time within which Congress consider whether it would go to plan B.

Mr. HRUSKA. Could we include the further provision that if either House by resolution will call for hearings and express authority——

Mr. WILLIAMS of New Jersey. They would have to do that anyway.

Mr. HRUSKA. I am happy to hear the bill is that flexible and that is what it means.

Mr. PASTORE. If we were to provide that if at any time after consultation with representatives of the insurance industry, the Secretary of Housing and Urban Development determines that the operation of the flood insurance program as provided cannot be carried out, he shall so notify the Congress, and after 90 days he shall do so and so, it would give us 90 days within which to act.

Mr. BENNETT. Mr. President, there have been occasions when Congress was out of session for more than 90 days, and there is no provision to cover that.

Mr. PASTORE. We could provide that it would be while Congress is in session. Nobody here is trying to put anything over on anybody. We are trying to satisfy everybody. The big question is whether we want flood insurance or not.

How do we achieve that goal? We

would like to see the insurance companies achieve it themselves. However, they cannot do it. Therefore, the Government must step in.

This is a necessity. All we are talking about is Government participation where private industry cannot afford to participate.

The question is how we do it.

A very wise suggestion was made here that we want some alternatives in the event we cannot interest the private insurance companies to participate. I am just trying to be agreeable.

Mr. HRUSKA. Mr. President, I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, the provision concerning the time of delay already appears in the bill in subsection 3 at line 14 on page 32.

It seems to me that the simple thing would be—and I think the completely effective thing—to substitute for the 30 days, 90 days and put in additional wording to make it clear that it would be 90 days during which time Congress is in session.

Mr. PASTORE. The Senator is correct.

Mr. HOLLAND. I have heard the distinguished Senator from New Jersey suggest 90 days. I wonder if the Senator would be agreeable not only to the substituting of 90 days for the 30 days appearing in the bill, which he has already indicated, but also to the insertion of words indicating that those 90 days be while Congress is in session.

It would be very simple to add such words.

Mr. WILLIAMS of New Jersey. I think I would even add the words "regular session." I would not want to think of Congress coming back in special session.

Mr. HOLLAND. It seems to me—may I say to the Senator from Nebraska—that by the changing of 30 to 90 days and by the insertion of wording to provide that those 90 days shall be while Congress is in regular session, we will have accomplished what the Senator from Nebraska desires—that is, to give adequate notice to Congress and adequate time for Congress to act.

It seems to me that perhaps the carrying out of those two suggestions would not be harmful to the bill and would meet in the main the points made by the Senator from Nebraska.

Mr. WILLIAMS of New Jersey. As the manager of the bill, it is agreeable to me.

Mr. HRUSKA. That would be very agreeable. I wonder what would happen in that 90 days.

Mr. HOLLAND. I have seen things happen, such things as railway strikes and threatened railway stoppages where there were questions of grave concern to be considered by Congress. They were handled in a good deal less than 90 days.

It would be inconceivable to me that effective action of some kind could not be taken within 90 days in a regular session of Congress.

I think that the insertion of 90 days in place of the 30 days and wording that those 90 days shall be during a regular session of Congress would give complete protection in the matter.

Mr. HRUSKA. Mr. President, that makes sense. I presume that if a situation were flagrant and one that would challenge the commonsense that we possess in the House and in the Senate, perhaps 90 days is enough. The President and the Secretary would be very foolhardy indeed if they were to try to do something which would meet the disapproval of one or the other of these bodies.

I again direct attention to the fact that this is backdoor spending. It is not $500 million. It says that they shall have outstanding at any one time an amount not to exceed $500 million or such greater amount as may be approved by the President in notes, debentures, and bonds, and so forth.

The sky is the limit if the President approves a program that Congress does not want.

There are sufficient problems there to be a little cautious about it unless we say: "We will pass a bill and have a system of insurance. Mr. Secretary, you work it out."

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. HOLLAND. The Senator from Florida pins his main hope in this matter to the effort to get the Government and the insurance industry together. In the case of Florida losses, the insurance commissioner in my State has had to be very hard in insisting on the payment of damage claims where it was difficult to decide whether the damage was from the hurricane or from the water that was thrown by the hurricane. The insurance companies have run into this type of situation not only in Florida but elsewhere as well. I believe they will go a long way in trying to work this matter out so that private industry can have its full part in this plan. That is my hope.

I believe that the existence of a second line of defense to fall back to may be of some importance in this matter, in getting the insurance industry to go as far as it possibly can in cooperating with the Government.

I hope that the Senator from Nebraska will be satisfied by the two changes that have been suggested; namely, the substitution of the 90-day period for the 30-day period and the inclusion of words to make clear that those 90 days shall exist during a regular session of Congress. If Congress believes that somebody is trying to impose on it, and if we cannot act in 90 days, we are a much less industrious body than I think we are under such conditions.

I believe that the private insurance industry does not want the Government to go on its own into this matter, and I believe that the private insurance industry will go a long way, as far as it can safely go, to cooperate with the Government in this field.

Therefore, we will have a plan which will mean much to many people who have been in distress, and it will mean much to the Federal Government; because we have had to appropriate large sums of money from time to time to meet distressing conditions resulting from flood, which to some degree at least will be avoided by this plan.

I hope the two changes will be agreeable to the Senator from Nebraska.

Mr. HRUSKA. I say to the Senator from Florida that the changes will be agreeable and acceptable to me. It is a notable improvement.

We cannot solve all the problems in this matter in one bill. There will be recurring problems. Perhaps the amounts will be too little or too large in the coverage. But I am willing to accept the changes in the light of what the Senator from Florida has said.

Mr. HOLLAND. Mr. President, may I suggest to the distinguished acting majority leader that a 5-minute delay at this time should enable the distinguished manager of the bill and the distinguished Senator from Nebraska to get together on the wording which will be agreeable to both, and we can proceed to pass this very important bill.

Mr. HRUSKA. We have some language here.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION—CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND FRANCE

Mr. BYRD of West Virginia. Mr. President, I move that the Senate go into executive session for the purpose of considering Calendar No. 21, Executive I, 90th Congress, first session.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the Consular Convention between the United States of America and France, together with a protocol and two exchanges of notes relating thereto, signed at Paris on July 18, 1966.

Mr. BYRD of West Virginia. Mr. President, Senators should be on notice that there will be a rollcall vote on the convention on Monday next. I ask for the yeas and nays on the Consular Convention on Monday.

The yeas and nays were ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Arkansas [Mr. FULBRIGHT], I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 15—explaining the purpose of the Convention.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

MAIN PURPOSE OF CONVENTION

The Consular Convention With France, which was signed at Paris on July 18, 1966, will terminate and replace the 1853 convention presently in force. It is accompanied by a protocol and two exchanges of notes.

The provisions of the convention itself are designed to formalize the understandings of the two countries with respect to the treatment to be accorded consular personnel. They cover such matters as (1) the establishment of consular posts and the conduct of consular relations; (2) facilities for the performance of the functions of consular posts and privileges and immunities of the sending state and its consular personnel, including certain tax exemptions and customs privileges; and (3) the functions which a consular officer may perform and the authority of consular officers in the settlement of estates and in shipping matters.

The committee wishes to point out that the immunity provisions of the pending convention do not give unlimited exemption from criminal jurisdiction for consular personnel as is the case of the Consular Convention With the Soviet Union. Under the terms of the convention with France (see art. 18), a consular officer is not exempt from arrest or detention when he has been charged with an offense which, upon conviction, might subject him to a sentence of imprisonment of at least 2 years. The Soviet consular convention, on the other hand, provides that consular officers and employees "shall enjoy immunity from criminal jurisdiction" irrespective of whether the individual has been charged with a misdemeanor or a felony.

The protocol to the convention provides that lands and buildings held by the sending state for the residences of members of its diplomatic or consular posts or for official information and cultural activities shall be exempt from taxes and similar charges. One of the exchanges of notes provides that, with respect to the official information and cultural activities referred to in the protocol, the United States will, subject to reciprocity, be exempt from all direct taxes of a personal nature in French territory. The other exchange of notes provides that the two Governments will take the necessary steps to arrive at a mutually satisfactory solution of the problem of certain back taxes claimed in the two countries from cultural centers and on real property used for consular purposes, as well as official information and cultural activities.

DATE OF ENTRY INTO FORCE

The convention will enter into force 1 month after the instruments of ratification are exchanged. It will remain in force for an initial term of 10 years and thereafter until either Government terminates it by giving 1 year's written notice. In this connection, the State Department has informed the committee that ratification on behalf of the French Government was completed on July 6, 1967.

COMMITTEE ACTION AND RECOMMENDATION

The Committee on Foreign Relations held a public hearing on the Consular Convention With France on August 19, 1967. At that time testimony in support of the convention was received from Mr. J. Edward Lyerly, Deputy Legal Adviser, Department of State. No other witnesses testified and the committee is not aware of any opposition to the convention. The transcript of that hearing is reproduced as an appendix to this report.

The convention was considered in executive session on August 22 and September 12, 1967, and on the latter date the committee ordered it reported favorably with the recommendation that the Senate give its advice and consent to ratification thereof.

The PRESIDING OFFICER. If there be no objection, the convention will be considered as having passed through its various parliamentary stages up to and including the presentation of the resolution of ratification.

The clerk will read the resolution of ratification.

The legislative clerk read as follows:

Resolved, (two-thirds of the Senators present and concurring therein), That the Senate advise and consent to the Consular Convention between the United States of America and France, together with a protocol and two exchanges of notes relating thereto, signed at Paris on July 18, 1966.

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia subsequently said: Mr. President, since asking earlier that the Senate vote at 1 o'clock on Monday next on the treaty, Executive I (90th Congress, first sess.), I have been advised that a vote at that particular time would inconvenience various Senators. So I ask unanimous consent, as in executive session, that the order for the time for the vote be modified so as to permit a vote a 3 o'clock Monday afternoon, instead of 1 o'clock Monday as earlier ordered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

FLOOD INSURANCE PROGRAM

The Senate resumed the consideration of the bill (S. 1985) to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, several cosponsors of the pending bill are absent on official business. I ask unanimous consent that their expressions and statements on the bill may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I am happy to yield to the Senator from Indiana.

Mr. BAYH. I thank the Senator from New Jersey. I wish to make one or two observations. First, I compliment the Senator for the tremendous effort he has made to bring to the attention of the Congress, and the Nation as a whole, the continuing problem of disasters. As the Senator knows, last year Congress finally enacted a comprehensive revision of the National Disaster Act which had been passed by this body a year earlier. I was not satisfied with the measure as it was modified by the House of Representatives because many of the important features were eliminated. It was adopted only in the last week or two of the session and the practicality of the matter indicated that if an attempt were made to iron these things out, we would kill the bill.

Let me point out that on page 42, section 401 of the current bill it is provided:

> The Secretary is authorized to undertake such studies as may be necessary for the purpose of determining the extent to which insurance protection against earthquakes or any other natural disaster perils, other than flood, is not available from public or private sources, and the feasibility of such insurance protection being made available.

In my opinion, this section is important because there are certain other kinds of major disasters which have affected many parts of the country which would not be covered by flood insurance alone. In the study that we conducted in the Committee on Public Works it was demonstrated that there are certain disasters that cannot be covered by insurance. If we are going to provide funds for people in distress throughout the world, we should give attention to this type of need at home as well. I hope that we continue the study. I commend the Senator from New Jersey for the contribution he has made.

Mr. WILLIAMS of New Jersey. I appreciate the statement of the Senator and I appreciate all of the help that the Senator from Indiana has rendered in developing this legislation.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield to the Senator from New York.

Mr. JAVITS. I am very grateful to my colleague from New Jersey.

Mr. President, I ask unanimous consent that I may proceed out of order.

The PRESIDING OFFICER. The Senator from New York is recognized.

SMALL BUSINESS CRIME PROTECTION ACT OF 1967

Mr. JAVITS. Mr. President, I send to the desk a bill entitled "Small Business Crime Protection Insurance Act of 1967." I send this bill to the desk as the ranking minority member of the Select Committee on Small Business.

Mr. President, small business must be preserved as a viable and effective force in our society and we have a responsibility to consider necessary and proper remedies to problems which it confronts. Small business today is faced with a serious challenge to its survival as a result of increasing criminal activity in our Nation, and the difficulty it is experiencing in getting adequate insurance coverage for this serious risk. To deal with this condition I introduce today proposed legislation to be entitled the "Small Business Crime Protection Insurance Act of 1967."

Mr. President, I point out that in the ghettoes and slum areas of this Nation, there is the danger that small business will relocate rather than rehabilitate its property and remain after having sustained injury. This is due to the present situation which it confronts.

This legislation has as its purpose the establishment of a small business crime protection insurance program, through the cooperative efforts of the Federal Government and the private insurance business, to compensate small business for injury arising from criminal activity which causes damage to or loss of real and personal property owned and used for commercial purposes.

In its many varied forms, crime is a major problem confronting the Nation and its insidious effects reach into every facet of our society. I need only refer to the impact of civil disorder in our urban areas and to available statistics on crime for confirmation. No segment of society is immune; yet, none has been more adversely affected than has small business.

It is ironic that those qualities which often distinguished the small businessman have acted to impose greater risk in the conduct of his business affairs. He is often the independent, individual retail store merchant operating in direct contact with the public. Such accessibility makes him especially vulnerable to robbery and burglary. The impact which these types of crime alone have had upon business activity is statistically available. During hearings conducted by the Senate Select Committee on Small Business in April of this year, figures offered by the chief of police for Washington, D.C., showed that robberies against commercial establishments increased an astonishing 190 percent between 1962 and 1966. In the context of dollar value of goods stolen, the percentage was 182.5 percent.

A recent study conducted for the President's Commission on Law Enforcement and Administration of Justice for selected areas of Chicago, Boston, and Washington, revealed that in 1965, robberies were committed against one out of every five businesses at least once during a 12-month period. Of this number, almost two-thirds were the victims of from two to seven robberies. Nationally, 30 percent of all robberies during 1965 took place in commercial establishments.

Unfortunately, no statistical distinction exists between large and small business under the information compiled; however, when one considers that the ordinary merchant is in the category of small business and that approximately 95 percent of all business in the United States consists of small business, it is reasonable to conclude that this sector bears the brunt of injury sustained through criminal conduct directed against business establishments.

The existence of high-risk conditions imposed upon the small businessman creates the need for protective measures to permit continuation of his business. Principal among these is the obtaining of casualty and multiple-peril insurance. Yet, there is strong evidence that serious barriers exist for the small businessman in achievement of this goal.

Witnesses have testified before the Senate Small Business Committee that initial insurance coverage is, in itself, difficult to obtain for small businessmen located in areas of high risk. The reason is obvious: increased risk makes issuance of casualty insurance unattractive to insurance companies. Even when such insurance is issued, the small businessman incurs the risk of cancellation subsequent to submission of a claim under a policy. Furthermore, although no cancellation may occur, there is the likelihood that the rates for such insurance may be substantially increased. This is a heavy burden particularly for those who operate on a small margin of profit, and one which the insured small business may not be able to endure.

This bill offers, I believe, a reasonable and effective approach for establishment of an effective casualty and multiple-peril insurance program to assist the small businessman. It is premised upon the establishment of a workable partnership between the Federal Government and private insurance. The expertise, experience, and facilities of private insurance must be employed directly to maximize effective insurance coverage for the small businessman. Any legislation adopted to effect this purpose must place primary emphasis upon participation by private insurance companies acting individually or under pool arrangements.

Private insurance facilities should be fully utilized to sell and service policies for small business and Federal assistance should be in the form of premium subsidies and reinsurance coverage to compensate for unusual losses. The subsidies would consist of the difference between the actuarial rate and the chargeable premium rate to the insured. On those occasions when the pool should sustain heavy losses, the insurance companies would be protected by Federal reinsurance. Insurance companies would share risks only to a certain percentage above the dollar amount of the premiums collected from the insured: Federal reinsurance would cover losses in excess of such amount.

In the event private insurance risk participation should prove unworkable, a program could be operated under which the private insurance companies would act as fiscal agents for the Federal Government. This alternative would provide for the Federal Government to assume the financial risks involved in writing crime protection insurance policies, but could at least use present facilities for administration and loss ascertainment.

The Senator from Florida [Mr. SMATHERS] has introduced a bill which proposes to establish a governmental corporation to accomplish this objective. I respectfully submit that the bill I have introduced offers an approach which is more sound. The plan I propose parallels the National Flood Insurance Act of 1967, which is now before the Senate.

The objectives of that bill and the legislation which I have introduced are compatible and the merits of the approach taken in S. 1985, apply to the method which I suggest for a small business crime protection insurance program. I believe it is a sound approach: its value is premised upon utilization of existing facilities of the private insurance business in a cooperative venture with the Federal Government for achievement of maximum insurance coverage at most reasonable cost to the small businessman.

I am convinced that there is an immediate and compelling need for the Federal Government to provide for a system of small business crime insurance coverage and that the best approach is through a partnership in this endeavor with the private insurance business. I hope very much that the Congress will consider and enact legislation to achieve this result as soon as possible.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a section-by-section analysis of the bill, and the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and the section-by-section analysis will be printed in the RECORD as requested by the Senator from New York.

The bill (S. 2407) to establish a program of crime protection insurance for small businessmen, introduced by Mr. JAVITS (for himself, Mr. SCOTT, and Mr. PERCY), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2407

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Small Business Crime Protection Insurance Act of 1967."

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds that (1) criminal conduct and activity have created business and personal hardships for small businessmen with resultant adverse impact upon the economy; (2) that the existence of this condition has placed an increasing burden upon the resources of this Nation; (3) that as a means for alleviation of this condition, a need exists for extension of insurance to small businessmen to provide protection to real and personal property owned and used in their business activity; (4) that as a matter of national policy, a reasonable method of sharing the risk of business and commercial losses incurred as a result of criminal conduct is through a program of crime protection insurance which can complement and encourage preventive and productive measures; and (5) that through initiation of such a program, knowledge can be gained and experience appraised, thus eventually perfecting crime protection insurance coverage to persons who have need for such protection on reasonable terms and conditions.

(b) The Congress also finds that (1) many factors have, at times, made it uneconomic for the private insurance industry alone to make casualty and multiple-peril insurance available to those in need of such protection on reasonable terms and conditions; but (2) a program of crime protection insurance with large-scale participation of the Federal Government and carried out to the maximum extent practicable by the private insurance industry is feasible and can be initiated.

(c) The Congress further finds that a program of crime protection insurance can promote the public interest by providing appropriate protection against the perils of losses incurred through criminal activity and encourage sound economic activity by minimizing exposure of property to losses which result therefrom.

(d) It is therefore the purpose of this Act to (1) authorize a small business crime protection insurance program by means of which crime protection insurance, over a period of time, can be made available on a nationwide basis through the cooperative efforts of the Federal Government and the private insurance industry, and (2) provide flexibility in the program so that such crime protection may be based on workable methods of pooling risks, minimizing costs, and distributing burdens equitably among those who will be protected by crime insurance and the general public.

(e) (1) It is further the purpose of this Act to encourage lending institutions, as a matter of national policy, to assist in furthering the objectives of the crime protection program; (2) to assure that any Federal assistance provided under the program will be related closely to all criminal prevention programs and activities of the Federal, State, and local government; and (3) to authorize continuing studies of hazards to small business resulting from such criminal activities in order to provide for a constant reappraisal of the crime protection insurance program.

TITLE I—THE NATIONAL SMALL BUSINESS CRIME PROTECTION PROGRAM

BASIC AUTHORITY

SEC. 101. (a) To carry out the intent and purposes of this Act, the Administrator of the Small Business Administration (hereinafter referred to as "Administrator") is authorized to establish and carry out a small business crime protection insurance program which will enable interested persons to purchase insurance against loss resulting from physical damage to or loss of real property or personal property related thereto which is owned and used for business or commercial purposes arising from any criminal activity occurring in the United States.

(b) In carrying out this insurance program, the Administrator shall, to the maximum extent practicable, encourage and arrange for—

(1) appropriate financial participation and risk-sharing in the program by insurance companies or other insurers, and

(2) other appropriate participation on other than a risk-sharing basis by insurance companies or other insurers, insurance agents and brokers, and insurance adjustment organizations,

in accordance with the provisions of title II.

NATURE AND LIMITATION OF INSURANCE COVERAGE

SEC. 102. The Administrator from time to time shall, after consultation with the advisory committee authorized under section 112 and appropriate representatives of the insurance authorities of the respective States, provide by regulation for general terms and conditions of insurability which shall be applicable to properties eligible for crime protection insurance coverage, including—

(1) the types, classes, and locations of any such properties which shall be eligible for crime protection;

(2) the nature of and limits of loss or damage in any areas which may be covered by such insurance;

(3) the classification, limitation, and rejection of any risks which may be advisable;

(4) appropriate minimum premiums;

(5) appropriate loss-deductibles; and

(6) any other terms and conditions relating to insurance coverage or exclusion which may be necessary to carry out the purpose of this Act.

ESTIMATES OF PREMIUM RATES

SEC. 103. (a) The Administrator is authorized to undertake and carry out such studies and investigations, and to receive or exchange such information as may be necessary, to estimate on an area or other appropriate basis—

(1) the risk premium rates for business or commercial insurance which,

(A) based on consideration of the risk involved and accepted actuarial principles, and

(B) including—

(i) applicable operating costs and allowances prescribed under section 107 to be reflected in such rates, and

(ii) any administrative expenses (or portion of such expenses) of carrying out the crime protection insurance program which, in his discretion, should properly be reflected in such rates,

would be required in order to make such insurance available on an actuarial basis for any types and classes of properties for which insurance coverage shall be available;

(2) the rates, if less than the rates estimated under paragraph (1), which would be reasonable, would encourage prospective insureds to purchase crime protection insurance, and would be consistent with the purposes of this Act; and

(3) the extent, if any, to which federally assisted or other crime protection measures initiated after the effective date of this Act affect such rates.

(b) The Administrator shall give priority to conducting studies and investigations, or making estimates under this section in those States or areas which he has determined have evidenced a positive interest in securing crime protection insurance coverage for their respective small business communities under the crime protection insurance program.

ESTABLISHMENT OF CHARGEABLE PREMIUM RATES

SEC. 104. (a) On the basis of estimates made under section 103 and such other information as may be necessary, the Administrator from time to time shall, after consultation with the advisory committee authorized under section 112 and appropriate representatives of the insurance authorities of the respective States, by regulations prescribe—

(1) chargeable premium rates for any types and classes of properties for which insurance coverage shall be available (at less than the estimated risk premium rates under section 103(a)(1)), if necessary, and

(2) the terms and conditions under which such rates shall apply.

(b) Such rates shall, insofar as practicable, be—

(1) based on a consideration of the respective risks involved;

(2) adequate, on the basis of accepted actuarial principles, to provide reserves for anticipated losses, or, if less than such amount, consistent with the objective of making crime protection insurance available, where necessary, at reasonable rates so as to encourage prospective insured to purchase such insurance, and

(3) stated so as to reflect the basis for such rates, including the differences (if any) between the estimated risk premium rates under paragraph (1) of section 103(a), and the estimated rates under paragraph (2) of such section.

(c) In the event any chargeable premium rate prescribed under this section is—

(1) at a rate is not less than the estimated risk premium rate under section 103 (a)(1), and

(2) such rate includes any amount for administrative expenses of carrying out the crime protection insurance program which have been estimated under clause (ii) of section 103(a)(1)(B),

a sum equal to such amount shall be paid to the Administrator and he shall deposit such sum in the fund authorized under section 106.

TREASURY BORROWING AUTHORITY

SEC. 105. (a) The Administrator is authorized to issue to the Secretary of the Treasury from time to time and have outstanding at any one time, in an amount not exceeding $100,000,000 (or such greater amount as may be approved by the President) notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Administrator, with the approval of the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States of comparable maturities or of the last day of the month preceeding the issuance of such notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations to be issued under this subsection and for such purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of such notes and obligations.

The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations, shall be treated as public debt transactions of the United States.

(b) Any funds borrowed by the Administrator under this authority shall be deposited in the Small Business Crime Protection Insurance Fund provided for under section 106.

SMALL BUSINESS CRIME PROTECTION INSURANCE FUND

SEC. 106. (a) To carry out the crime protection program authorized by this Act, the Administrator is authorized to establish in the Treasury of the United States a Small Business Crime Protection Insurance Fund (hereinafter referred to as the "fund") which shall be available, without fiscal year limitation—

(1) for making such payments as may, from time to time, be required under section 215;

(2) to pay reinsurance claims under the excess loss reinsurance coverage provided under section 216;

(3) to repay to the Secretary of the Treasury such sums as may be borrowed from him (together with interest) in accordance with the authority provided in section 105 of this Act; and

(4) to pay such administrative expenses (or portion of such expenses) of carrying out the crime protection insurance program as he may deem necessary; and

(5) for the purposes specified in subsection (d) under the conditions provided therein.

(b) The fund shall be credited with—

(1) such funds borrowed in accordance with the authority provided in section 105 of this Act as may be deposited in the fund;

(2) premiums, fees, or other charges which may be paid or collected in connection with the excess loss reinsurance coverage provided under section 216;

(3) such amounts as may be advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

(4) interest which may be earned on investments of the fund pursuant to subsection (c);

(5) such sums as are required to be paid to the Administrator under section 104(d); and

(6) receipts from any other operations under this Act which may, from time to time, be credited to the fund (including premiums under the conditions specified in subsection (d), and salvage proceeds, if any resulting from reinsurance coverage).

(c) If, after—

(1) all outstanding obligations have been liquidated, and

(2) any outstanding amounts which may have been advanced to the fund from appropriations authorized under section 307(a)(2) (B) have been credited to the appropriation from which advanced, with interest accrued at the rate prescribed under section 105 of this Act,

the Administrator determines that the moneys of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

(d) In the event the Administrator makes a finding in accordance with the provisions of section 221 that operation of the crime protection insurance program, in whole or in part, should be carried out through the facilities of the Federal Government, the fund shall be available for all such purposes incident thereto, including—

(1) the costs incurred in the adjustment and payment of any claims for losses, and

(2) payment of applicable operating costs prescribed under section 107.

for so long as the program is so carried out, and in such event any premiums paid shall be deposited by the Administrator to the credit of the fund.

OPERATING COSTS AND ALLOWANCES

SEC. 107. (a) The Administrator from time to time shall negotiate with appropriate representatives of the insurance industry for the purpose of establishing—

(1) a current schedule of operating costs applicable to both risk-sharing companies and other insurers, insurance agents and brokers, and insurance adjustment organizations participating on other than a risk-sharing basis, and

(2) a current schedule of operating allowances applicable to risk-sharing insurance companies or other insurers,

which may be payable in accordance with the provisions of title II, and such schedules, from time to time, shall be prescribed in regulations.

(b) For the purposes of subsection (a)—

(1) the term "operating costs" shall include, without limiting such term, the following:

(A) expense reimbursements covering the direct, actual, and necessary expenses incurred in connection with selling and servicing crime protection coverage;

(B) reasonable compensation payable for selling and servicing crime protection coverage, or commissions or service fees paid to producers;

(C) loss adjustment expenses;

(D) other direct, actual, and necessary expenses which the Administrator finds are incurred in connection with selling or servicing crime protection insurance coverage; and

(2) the term "operating allowances" shall include without limiting such term, amounts for profit and contingencies which the Administrator finds reasonable and necessary to carry out the purposes of this Act.

PAYMENT OF CLAIMS

SEC. 108. The Administrator is authorized to prescribe regulations establishing the general method or methods by which proved and approved claims for losses may be adjusted and paid for any damage to or loss of property which is covered by crime protection insurance made available under the provisions of this Act.

DISSEMINATION OF SMALL BUSINESS CRIME PROTECTION INSURANCE INFORMATION

SEC. 109. The Administrator shall take action as may, from time to time, be necessary in order to make information and data available to the public and to any State or local agency or official, with regard to—

(1) the crime protection insurance program, its coverage and objectives, and

(2) estimated and chargeable crime protection insurance premium rates, including the basis for and differences between such rates in accordance with the provisions of section 104.

PROHIBITIONS AGAINST CERTAIN DUPLICATIONS OF BENEFITS

SEC. 110. Notwithstanding the provisions of any other law, no Federal disaster assistance shall be made available to any person for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage is covered by a valid claim which may be adjusted and paid under crime protection insurance made available under the authority of this Act.

COORDINATION WITH OTHER PROGRAMS

SEC. 111. In carrying out this Act, the Administrator shall consult with other departments and agencies of the Federal Government, and interstate, State, and local agencies having responsibilities for crime protection and civil disorder prevention, in order to assure that the programs of such agencies and the crime protection insurance program authorized under this Act are mutually consistent.

ADVISORY COMMITTEE

SEC. 112. (a) The Administrator shall appoint a crime protection insurance advisory committee without regard to the civil service laws which shall consist of not more than nine persons, four of whom shall be selected from among representatives of the insurance industry and the remainder from among members of the public, and such committee shall advise the Administrator in the preparation of any regulations prescribed in accordance with this Act, with respect to policy matters arising in the administration of this Act, and shall perform such other responsibilities as the Administrator may, from time to time, assign to such committee.

(b) Members of the committee shall, while attending conferences or meetings thereof, be entitled to receive compensation at a rate fixed by the Administrator but not exceeding $100 per day, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 4, United States Code, for persons in the Government service employed intermittently.

INITIAL PROGRAM LIMITATION

SEC. 113. The face amount of crime protection insurance coverage outstanding and in force at any one time under this Act shall not exceed the sum of $100,000,000.

REPORT TO THE PRESIDENT

SEC. 114. The Administrator shall make a comprehensive report to the President for submission to the Congress under existing law on all programs provided for under this Act. This report shall include such recommendations, if any, for legislative changes deemed by the Administrator desirable to improve the operation of programs authorized under this Act.

TITLE II—ORGANIZATION AND ADMINISTRATION OF THE SMALL BUSINESS CRIME PROTECTON INSURANCE PROGRAM

ORGANIZATION AND ADMINISTRATION

SEC. 201. Following such consultation with representatives of the insurance industry as may be necessary, the Administrator shall implement the crime protection insurance program authorized under Title I in accordance with the provisions of part A of this title and, if a determination is made by him under section 221, under part B of this title.

PART A—INDUSTRY PROGRAM WITH FEDERAL FINANCIAL ASSISTANCE INDUSTRY CRIME PROTECTION INSURANCE POOL

SEC. 211. (a) The Administrator is authorized to encourage and otherwise assist any insurance company or companies and other insurers which meet the requirements prescribed under subsection (b) to form, associate, or otherwise join together in a pool—

(1) in order to provide the crime protection coverage authorized under title I; and

(2) for the purpose of assuming, on terms and conditions as may be agreed upon, such financial responsibility as will enable such companies and other insurers, with the Federal financial and other assistance available under this Act, to assume a reasonable proportion of responsibility for the adjustment and payment of claims for losses under the crime protection insurance program.

(b) In order to promote the effective administration of the crime protection insurance program under this part, and to assure that the objectives of this Act are furthered, the Administrator is authorized to prescribe appropriate requirements for insurance companies or other insurers participating in such pool, including, but not limited to, minimum requirements for capital or surplus assets.

AGREEMENTS WITH CRIME PROTECTION INSURANCE POOL

SEC. 212. (a) The Administrator is authorized to enter into such agreements with any pool which is formed, associated, or otherwise created under this part, as he deems necessary to carry out the purpose of this Act.

(b) Such agreements shall specify—

(1) the terms and conditions under which risk capital will be available for the adjustment and payment of claims,

(2) the terms and conditions under which such pool (and the companies or other insurers participating therein) shall participate in premiums received and profits or losses realized or sustained,

(3) the maximum amount of profit established by the Administrator under section 107 (and prescribed in regulations under section 107(a)), which may be realized by such pool and the companies or other insurers participating therein.

(4) the terms and conditions under which operating costs and allowances prescribed under section 107 may be paid, and

(5) the terms and conditions under which premium equalization payments under section 215 will be made and reinsurance claims under section 216 will be paid,

(6) the terms and conditions under which any insurance cancellation provision can be established and invoked on the initiative of the insurer.

(c) In addition, such agreements shall contain such provisions as the Administrator finds necessary to assure that—

(1) no company or other insurer which meets requirements prescribed under section 211(b) and which has indicated an intention to participate in the crime protection insurance program on a risk-sharing basis, will be excluded from participating in any such pool.

(2) the companies or other insurers participating in such pool will take whatever action may be necessary to provide continuity of crime protection insurance coverage by such pool, and

(3) any insurance companies, other insurers, agents and brokers, and insurance adjustment organizations will be permitted to cooperate with such pool as fiscal agents or otherwise, on other than a risk-sharing basis, to the maximum extent practicable.

(d) Any insurance company or companies and other insurers which form, associate or otherwise join together in a pool shall, prior to participation therein and as often thereafter as shall be prescribed by the Administrator, file with the Administrator a report listing applicable actuarial rates for insurance already being issued in those areas to be covered by the pool.

JUDICIAL REVIEW

SEC. 213. Such companies and other insurers which form, associate, or otherwise join together in a pool under this part may adjust and pay all claims for proved and approved losses covered by crime protection insurance in accordance with the provisions of this Act and, upon disallowance by any such companies or other insurers of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance of the claim, may institute an action on such claim against the companies or other insurers in the United States district court of the district in which the insured property or the major part thereof shall have been situated and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

AUDIT OF ACCOUNTS

SEC. 214. Any pool authorized to be formed, associated, or otherwise created under this part (and the companies or other insurers participating therein) shall maintain an integral set of accounts which shall be subject to audit by the Administrator.

PREMIUM EQUALIZATION PAYMENTS

SEC. 215. (a) The Administrator shall, in such terms and conditions as he may from time to time prescribe, make periodic payments to such pool as may be formed, associated, or otherwise created under section 211, in recognition of such reductions in chargeable premium rates under section 104, below estimated premium rates under section 103 (a)(1) as are required in order to make crime protection insurance available on reasonable terms and conditions.

(b) Such payments shall be based only on the aggregate amount of crime protection insurance retained by such pool after ceding reinsurance in accordance with the provisions of section 216, and shall not exceed an aggregate amount in any payment period equal to the sum of the following:

(1)(A) an amount for losses which bears the same ratio to the amount of all proved and approved claims for losses under this Act during any designated period as

(B) the amount equal to the difference between

(i) the sum of all premium payments for crime protection insurance coverage in force under this Act during such designated period which would have been payable during such period if all such coverage were based on estimated risk premium rates under section 103(a)(1) (excluding any administrative expenses which may be reflected in such rates, as specified in clause (ii) of section 103 (a)(1)(B)), and

(ii) the sum of premium payments actually paid or payable for such insurance under this Act during such period,

bears to the amount specified in clause (i) of this subparagraph; and

(2) subject to the terms and conditions specified in the agreement entered into under section 212, a proportionate amount for appropriate operating costs and allowances prescribed under section 107 during any designated period, which bears the same ratio to a total amount during such period as the ratio specified in paragraph (1)(B).

(c) Designated periods under this section and the methods for determining the sum of premiums paid or payable during such periods shall be established by the Administrator.

REINSURANCE COVERAGE

SEC. 216. (a) The Administrator is authorized to take such action as may be necessary in order to make available to such pool as may be formed, associated, or otherwise created under section 211, reinsurance for losses (due to claims for proved and approved losses covered by crime protection insurance) which are in excess of losses assumed by such pool in accordance with the excess loss agreement entered into under subsection (c).

(b) Such reinsurance shall be made available pursuant to contract agreement, or any other arrangement, in consideration of such payment of a premium, fee, or other charge as the Administrator finds necessary to cover anticipated losses and other costs of providing such reinsurance.

(c) The Administrator is authorized to negotiate an excess loss agreement, from time to time, under which the amount of crime protection insurance retained by such pool, after ceding reinsurance, shall be adequate to further the purposes of this Act, consistent with the objective of maintaining appropriate financial participation and risk sharing to the maximum extent practicable on the part of participating insurance companies and other insurers.

(d) All reinsurance claims for losses in excess of losses assumed by such pool shall be submitted on a portfolio basis by such pool in accordance with terms and conditions as may be established by the Administrator.

PART B—GOVERNMENT PROGRAM WITH INDUSTRY ASSISTANCE

FEDERAL OPERATION OF THE PROGRAM

SEC. 221. (a) If at any time after consultation with representatives of the insurance industry, the Administrator determines that operation of the crime protection insurance program as provided under part A cannot be carried out, or that such operation, in itself, would be assisted materially by the Federal Government's assumption, in whole (or in part), of the operational responsibility for crime protection insurance under this Act (on a temporary or other basis) he shall promptly undertake any necessary arrangements to carry out the program of crime protection insurance authorized under title I through the facilities of the Federal Government, utilizing, as may be practicable for purposes of providing crime protection insurance coverage, insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, as fiscal agents of the United States.

(b) Upon making the determination referred to in subsection (a), and at least thirty days prior to implementing the program of crime protection insurance authorized under title I through the facilities of the Federal Government, the Administrator shall make a report to the Congress and such report shall—

(1) state the reasons for such determination,

(2) be supported by pertinent findings,

(3) indicate the extent to which it is anticipated that the insurance industry will be utilized in providing crime protection insurance coverage under the program, and

(4) contain such recommendations as the Administrator deems advisable.

SEC. 222. In the event the program is carried out as provided in section 221, the Administrator shall be authorized to adjust and make payment of any claims for proved and approved losses covered by crime protection insurance, and upon disallowance by the Administrator of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant within one year after the date of mailing of notice of disallowance or partial disallowance by the Administrator, may institute an action against the Administrator on such claim in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PART C—PROVISIONS OF GENERAL APPLICABILITY

SERVICES BY INSURANCE INDUSTRY

SEC. 231. (a) In administering the crime protection program under this title, the Administrator is authorized to enter into any contracts, agreements, or other appropriate arrangements as may, from time to time, be necessary for the purpose of utilizing, on terms and conditions which may be agreed upon, the facilities and services of any insurance companies or other insurers, insurance agents and brokers, or insurance adjustment organizations, and such contracts, agreements, or arrangements may also include provision for payment of applicable operating costs and allowances for such facilities and services prescribed under section 107.

(b) Any such contracts, agreements, or other arrangements may be entered into without regard to the provisions of section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), or any other provision of law requiring competitive bidding.

USE OF INSURANCE POOLS, COMPANIES, OR OTHER PRIVATE ORGANIZATIONS FOR CERTAIN PAYMENTS

SEC. 232. (a) In order to provide for maximum efficiency in the administration of the crime protection insurance program and in order to facilitate the expeditious payment of any Federal funds under the crime protection insurance program authorized by this Act, the Administrator may enter into contracts with any pool which may be formed, associated, or otherwise created under section 211, or any insurance companies or other private organizations, for the purpose of securing performance by such pool, company, or organization of any or all of the following responsibilities:

(1) estimate and later determine any amounts of payments to be made;

(2) receive from the Administrator, disburse, and account for funds in making such payments;

(3) make such audits of the records of any insurance company, other insurers, agent or broker, or insurance adjustment organization, as may be necessary to assure that proper payments are made; and

(4) otherwise assist in such manner as the contract may provide to further the purposes of this Act.

(b) Any contract with any pool, insurance company, or other private organization under this section may contain such terms and conditions as the Administrator finds necessary or appropriate for carrying out responsibilities under subsection (a), and may provide for payment of any costs which the Administrator determines are incidental to carrying out such responsibilities which are covered by the contract.

(c) Any contract entered into under subsection (a) may be entered into without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

(d) No such contract may be entered into with any pool, insurance company, or other private organization under this section unless the Administrator finds that it will perform its obligations under the contract efficiently and effectively, and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds pertinent.

(e)(1) Any such contract may require such pool, company, or organization or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amount as the Administrator may deem appropriate.

(2) No individual designated pursuant to a contract under this section to certify payments shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

(3) No officer disbursing funds shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by an individual designated to certify payments as provided in paragraph (2) of this subsection.

(f) Any contracts entered into under this section shall be for a term of one year, and may be made automatically renewable from term to term in the absence of notice by either party of an intention to terminate at the end of the current term; except that the Administrator may terminate any such contract at any time (after reasonable notice to the pool, company, or organization involved) if he finds that the pool, company, or organization has failed substantially to carry out the contract, or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the crime protection insurance program authorized under this Act.

SETTLEMENT AND ARBITRATION

Sec. 233. (a) The Administrator is authorized to make final settlement of any claims or demands which may arise as a result of any financial transactions which he is authorized to carry out under this title, and may, to assist him in making any such settlement, refer any disputes relating to such claims or demands to arbitration, with the consent of the parties concerned.

(b) Such arbitration shall be advisory in nature, and any award, decision, or recommendation which may be made shall become final only upon the approval of the Administrator.

RECORDS AND AUDITS

Sec. 234. (a) Any crime insurance pool formed, associated, or otherwise created under section 211 of this Act receiving financial assistance under part A of this title and any such pool, or insurance company or other private organization executing any contract, agreement, or other appropriate arrangement with the Administrator under parts B and C of this title shall keep such records as the Administrator shall prescribe, including records which fully disclose the total costs of the program undertaken or the services being rendered, and such other records as will facilitate an effective audit.

(b) The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the pool, insurance company, or other private organizations that are pertinent to the costs of the program undertaken or the services being rendered.

TITLE III—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

DEFINITIONS

Sec. 301. As used in this Act, the term—

(1) "Administrator" means the Administrator of the Small Business Administration;

(2) "Small business" shall have the same meaning as prescribed by the Administrator pursuant to section 3 of the Small Business Act (15 U.S.C. 632);

(3) "Crime" shall consist of those acts constituting either a misdemeanor or felony committed in violation of Federal, State or local law;

(4) "United States" (when used in a geographic sense), and "State", respectively, includes the District of Columbia, the territories and possessions of the United States, and the Commonwealth of Puerto Rico;

(5) "Insurance company", "other insurer", "insurance agents and brokers", and "insurance adjustment organizations" include any organizations and persons authorized to engage in the insurance business under the laws of any State (as "State" is defined in paragraph (2));

(6) "Person" includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons, including State and local governments and agencies thereof.

STUDIES OF OTHER DISASTERS

Sec. 302. (a) The Administrator is authorized to undertake such studies as may be necessary for the purpose of determining the extent to which insurance protection for small business is not available from public or private sources, and the feasibility of such insurance protection being made available.

(b) Studies under this section shall be carried out, to the maximum extent practicable, with the cooperation of other Federal departments and agencies and State and local agencies, and the Administrator is authorized to consult with, receive information from, and to enter into any necessary agreements or other arrangements with such other Federal departments or agencies (on a reimbusement basis) or State and local agencies.

(c) The Administrator shall compile from studies made and information received under this Section statistical data to show annual national insurance rates for all types of casualty and multiple-peril insurance being issued and losses sustained thereunder.

PAYMENTS

Sec. 303. Any payments under this Act may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Administrator may determine.

GOVERNMENT CORPORATION CONTROL ACT

Sec. 304. The provisions of the Government Corporation Control Act, as amended, shall apply to the program authorized under this Act to the same extent as applicable to wholly owned Government corporations.

FINALITY OF CERTAIN FINANCIAL TRANSACTIONS

Sec. 305. Notwithstanding the provisions of any other law to the contrary any—

(1) financial transaction authorized to be carried out under this Act, and

(2) payment authorized to be made or to be received in connection with any such financial transaction, shall be final and conclusive upon all officers of the Government.

ADMINISTRATIVE EXPENSES

Sec. 306. Any administrative expenses which may be sustained by the Federal Government in carrying out the crime insurance program authorized under this Act may be paid out of appropriated funds.

APPROPRIATIONS

Sec. 307. (a) There are hereby authorized to be appropriated such sums as may from time to time be necessary to carry out this Act, including sums—

(1) to cover administrative expenses authorized under section 306;

(2) to reimburse the fund established under section 106 for—

(A) premium equalization payments under section 215 which have been made from such fund, and

(B) reinsurance claims paid under the excess loss reinsurance coverage provided under section 216; and

(3) to make such other payments as may be necessary to carry out the puropses of this Act.

(b) All such funds shall be available without fiscal year limitation.

EFFECTIVE DATE

Sec. 308. This Act shall take effect ninety days following the date of enactment, except that the Administrator, on the basis of a finding that conditions exist necessitating the prescribing of an additional period; may prescribe a later effective date which in no event shall be more than one hundred and fifty days following such date of enactment.

The analysis, presented by Mr. Javits, is as follows:

Section-by-Section Summary of the Small Business Crime Protection Insurance Act of 1967

Section 1. Short title: This section provides for the act to be cited as the "Small Business Crime Protection Act of 1967."

Section 2. Findings and Declaration of Purpose. This section states the congressional findings and purposes, emphasizing the fact that criminal activities have created hardships for small businessmen, resulting in adverse effects on the national economy; that a program of Small Business Crime Protection Insurance is both feasible and needed; and that if the program is commenced on a gradual basis, experience will allow an effective system of insurance coverage for those who need it. Congress also finds that the Federal Government must participate in this program on a large scale to make it practicable and that once begun the program will promote the public interest and encourage economic activity.

This section also calls for Federal cooperation with state and local crime prevention programs and a continuing investigation of hazards to small business in order to render the insurance program more effective.

TITLE I—THE NATIONAL SMALL BUSINESS CRIME PROTECTION PROGRAM

Basic Authority

Section 101. This section establishes the authority of the Administrator of the Small Business Administration to carry out a small business crime protection program, thereby allowing interested persons to purchase insurance against damage to or loss of real and personal property from criminal activity.

This program should be implemented to the maximum extent possible through financial participation and risk-sharing by insurance companies and other appropriate participation other than risk-sharing, in accordance with Title II.

Nature and Limitations of Insurance Coverage

Section 102. This section calls for the Administrator to provide for general terms of insurability which shall be applicable to properties eligible for crime protection insurance coverage; that said terms should be constructed after consultation with the insurance representatives of the states in question; and that these terms should include the findings of insurability necessary for the carrying out of this Act.

Estimates of Premium Rates

Section 103. This section authorizes the Administrator to carry out such investigations as may be necessary: (1) to estimate on any appropriate basis the risk premium rates for businesses which would be required in order to make insurance available for those businesses considered insurable; (2) to compute the rates, if less than found under (1), which would encourage purchasing of the insurance and be consistent with the purposes of the Act; (3) and to determine the effect of other Federal crime protection programs on the premium rates.

This section also calls for the Administrator to give priority in the application of the Act to those states which have evidenced a positive interest in receiving crime protection insurance coverage under this Act.

Establishment of Chargeable Premium Rates

Section 104. This section authorizes the Administrator to prescribe by regulation chargeable insurance rates for all insurable properties and the terms of application for said rates. The rates will be based on a practical risk-loss ratio in order both to provide reserves and to encourage the purchase of the insurance. If the premium rate is not less than the rate under section 103(a)(1) and the rate includes administrative expenses, a sum equal to that amount will be paid to the Administrator and deposited in the fund authorized by Section 106.

Treasury Borrowing Authority

Section 105. The section authorizes the Administrator to issue notes and other obligations in an amount not to exceed $100,000,000, to the Secretary of the Treasury. The Secretary of the Treasury may at any time sell said notes or obligations as public debt transactions of the U.S. These borrowed funds shall be deposited in the Small Business Crime Protection Insurance Fund provided for under Section 106.

National Small Business Crime Protection Insurance Fund

Section 106. This section authorizes the Administrator to establish a fund which shall be used to pay reinsurance claims, debts, expenses and other obligations incurred by the application of this Act. The fund shall be credited with borrowed monies, premiums, appropriations, interest earned, and other earnings incurred by the application of this Act. The Administrator may invest such funds as he deems excess to the needs of the insurance program.

If, in accordance with Section 221, the Administrator finds that the program must be run by the Federal government, then the fund is available for all such purposes.

Operating Costs and Allowances

Section 107. This section directs the Administrator to negotiate with insurance company representatives a schedule of operating costs and allowances on a risk-sharing basis.

Operating costs are defined as those expenses which the Administrator finds are incurred through selling and servicing insurance. Operating allowances are construed to be such costs that the Administrator feels are necessary to carry out the purposes of this Act.

Payment of Claims

Section 108. This section authorizes the Administrator to establish the general methods and policies for payment of claims.

Dissemination of Small Business Crime Protection Insurance Information

Section 109. This section directs the Administrator to make information available to the public concerning the insurance program coverage and estimated premium rates.

Prohibition Against Certain Duplications of Benefits

Section 110. This section prohibits Federal disaster assistance to firms to the extent that any loss is covered by this Act's insurance program.

Coordination With Other Programs

Section 111. This section calls for cooperation between Federal agencies and state and local governments in order to insure unity of purpose.

Advisory Committee

Section 112. This section directs the Administrator to appoint an advisory board consisting of members from the insurance industry and members of the general public.

Committee members are paid "per diem" at a rate of not more than $100 a day.

Initial Program Limitation

Section 113. This section limits the total insurance coverage to $100,000,000.

Report to the President

Section 114. This section requires that the Administrator make a full report to the President for submission to Congress with suggestions, if any, for new legislation under this Act.

TITLE II—ORGANIZATION AND ADMINISTRATION OF THE SMALL BUSINESS CRIME PROTECTION INSURANCE PROGRAM

Organization and Administration

Section 201. This section charges the Administrator with the responsibility of implementing this Act in accordance with Title I and Part A of Title II and in accordance with section 221 under Part B of Title II.

Part A—Industry program with Federal financial assistance

Industry Crime Protection Insurance Pool

Section 211. This section authorizes the Administrator to assist the pooling of insurance companies in order to provide crime protection coverage and for the purpose of assuring a reasonable ratio of risk insurance under the program as authorized in Title I.

This section also authorizes the Administrator to require, if he so desires, minimums for capital, surplus assets, etc.

Agreements with Crime Protection Insurance Pool

Section 212. This section authorizes the Administrator to enter into agreement with any pool formed under this part as he deems necessary to carry out the purposes of this Act. These agreements will include conditions of availability of risk capital; proportionate participation in premiums, profits, losses and maximum profit; operating costs and allowances (Section 107); premium equalization payments and insurers' use of policy cancellation provisions.

The Administrator will see that no insurance company will be excluded from a pool against its will; that continuity of coverage is maintained by the pool; and that other insurance organizations will be allowed to cooperate on other than risk capital levels.

Also participating companies are required to file reports with the Administrator listing applicable actuarial rates for insurance already being issued in areas to be covered by the pool.

Judicial Review

Section 213. This section grants the power of judicial review to the local District Court concerning a controversy over claims of any amount dealing with the insurance companies.

Audit of Accounts

Section 214. This section charges the pools formed with keeping accounts subject to auditing by the Administrator.

Premium Equalization Payments

Section 215. This section authorizes the Administrator to make payments to pools formed under this Act, in recognition of reduction in chargeable premium rates as are required to make crime protection insurance available on reasonable terms. Such payments are based only on the aggregate amount of insurance retained by such pools.

Reinsurance Coverage

Section 216. This section provides for authorization of payment to pools whose loss ratio has exceeded the maximum loss agreed on through a contract agreement. The Administrator is authorized to re-negotiate these contracts pursuant to changing reinsurance conditions.

Part B—Government program with industry assistance

Federal Operation of the Program

Section 211. The Administrator is charged with the decision concerning the advisability of continuing the crime insurance program on a private or on a Federal (in whole, or in part) basis.

Section 222. In this section the right of the pool agents to judicial review by the District Court is reaffirmed.

Part C—Provisions of general applicability

Services by Insurance Industry

Section 231. This section authorizes the Administrator to make agreements with any insurance organization in order to make use of the services of said organization with provisions for payment for the services. These contracts can be entered into without competitive bidding.

Use of Insurance Pools, Companies, or Other Private Organizations for Certain Payments

Section 232. This section authorizes the Administrator to enter into contract with any pool created under Section 211 or any private organization for the purpose of estimation of payments, disbursal of payments, audits or any other assistance in carrying out the purposes of this Act.

These contracts may be made without competitive bidding and the Administrator is authorized to pay for these services. The Administrator may require surety bond to the U.S. in any amount deemed appropriate, though the officers of the contract may not be held responsible in the absence of fraud or gross neglect. These contracts are to be one year in length and the Administrator is charged with the responsibility of renewal.

Settlement and Arbitration

Section 233. This section charges the Administrator with the responsibility of settling all claims and/or demands arising under this title. The Administrator can refer the dispute to arbitration but he remains the ultimate authority.

TITLE III—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

Definitions

Section 301. This section defines "crime," United States, insurance company, persons, administrator, and small business as they are used in this bill.

Studies of Other Disasters

Section 302. This section authorizes the Administrator to investigate and determine the need for additional insurance coverage for small businesses. These investigations should be carried out to the largest practical degree, in cooperation with other Federal agencies.

Payments

Section 303. This section charges the Administrator with the responsibility of making payments required under this Act.

Government Corporation Control Act

Section 304. This section states that the provisions of the Government Corporation Control Act shall apply to this Act as it would to a wholly owned Government Corporation.

Finality of Certain Financial Transactions

Section 305. This section states that all financial transactions and payments under this Act shall be final.

Administrative Expenses

Section 306. This section states that all expenses incurred under this Act shall be paid out of the appropriated funds.

Appropriations

Section 307. This section authorizes the appropriation of such sums as may be necessary to carry out the purpose of this Act, and that these funds shall be appropriated without fiscal year limitations.

Effective Date

Section 308. This section fixes the date of effectiveness of this Act between 90 and 150 days after the day of enactment, depending on the discretion of the Administrator.

Mr. WILLIAMS of New Jersey. I appreciate the statement of the Senator. Our colleague, the Senator from Florida [Mr. SMATHERS] is working in the same area for small businessmen.

FLOOD INSURANCE PROGRAM

The Senate resumed the consideration of the bill (S. 1985) to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes.

Mr. WILLIAMS of New Jersey. Mr. President, I think that this is the end of the debate on this bill with the exception of an amendment to be offered by either the Senator from Nebraska [Mr. HRUSKA] or the Senator from Utah [Mr. BENNETT], and I am glad to yield for that purpose.

Mr. HRUSKA. Mr. President, I offer the following amendment on behalf of the Senator from Utah [Mr. BENNETT] and myself:

On page 32, to strike out lines 13 through 25, and, in lieu thereof, to insert the following:

"(b) Upon making the determination referred to in subsection (a), the Secretary shall make a report to Congress of his determination to implement the program of flood insurance authorized under Title I through the facilities of the Federal government. This report shall—

"(1) state the reasons for such determination,

"(2) be supported by pertinent findings,

"(3) indicate the extent to which it is anticipated that the insurance industry will be utilized in providing flood insurance coverage under the program, and

"(4) contain such recommendations as the Secretary deems advisable.

"No action may be taken to implement this report until after it has been before the Congress for at least 90 days, during all of which time the Congress has been in session."

The PRESIDING OFFICER. Will the Senator forward his amendment to the desk? Under the rules of the Senate, it would take unanimous consent for the Senators to offer his amendment to the committee amendment, which has already been agreed to. Does the Senator wish to ask for unanimous consent?

Mr. HRUSKA. Yes. Mr. President, I ask unanimous consent that that be done.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and the amendment is now in order.

The clerk will report the amendment.

Mr. HRUSKA. Mr. President, I ask that reading of the amendment by the clerk be dispensed with, because it is written in a system of the private shorthand of the Senator from Utah supplemented by my own. It would be rather difficult to read.

However, the official reporters' language, I am sure, will be precise, and we will work with him to see that it is in that fashion.

This will accomplish the purpose which all of us have had in mind; namely, that Congress can, at that juncture, examine the matter and decide whether it wants to offer any guidance to the Secretary in this matter.

I want to take advantage of this opportunity, however, to commend the committee for making the efforts it has to work out something in which the private carriers can participate, and to fashion a program of this kind. I hope that as matters develop, that will come about.

Mr. BENNETT. Mr. President, will the Senator from New Jersey yield?

Mr. WILLIAMS of New Jersey. Before I yield, I should like to say that the Senator from Nebraska, I think, has made a considerable contribution to the debate on this bill. His amendment is certainly within the spirit of the bill. If the initial program does not live up to its promise, Congress has another 90-day look while it is in session. We are certainly grateful to the Senator from Utah who is cosponsoring the bill and has helped us so much on it.

I am happy now to yield to the Senator from Utah.

Mr. BENNETT. I want to underline what the Senator in charge of the bill has said about the Senator from Nebraska. I think he has brought to the Senate, very clearly and successfully, a problem which was inherent in the bill from the beginning. In the committee we were able to include an amendment to allow for a report to Congress and evidence that there is no alternative to the changeover from the private to the public sector in operating and managing the insurance program.

I am delighted that we have made this progress and that the time period has been extended from 30 to 90 days. I think that we should act on the amendment today. I am very much pleased that the amendment has been offered and I hope that it will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from Louisiana withhold his request for a moment?

The PRESIDING OFFICER. Does the Senator from Louisiana withhold his request?

Mr. LONG of Louisiana. Mr. President, yes, I do.

Mr. President, I have wanted to make a brief statement about this matter and engaged in colloquy with the Senator from New Jersey in order to make sure that the legislative history from my point of view will be in the RECORD. My senior colleague [Mr. ELLENDER], has already expressed himself very well on this subject.

I do not insist on a quorum, if I can have assurance from the Senator in charge of the bill that during the day we can discuss this matter and make clear how the bill applies to the particular problems I have in mind.

Mr. WILLIAMS of New Jersey. I would certainly be agreeable to that discussion. Let me say that I think the Senator from Louisiana [Mr. ELLENDER] was very helpful in making clear exactly what we were doing with the flood insurance bill. It is all in the record.

Mr. LONG of Louisiana. The Senator knows that we have had some severe problems in Louisiana with devastating hurricanes, especially the one which hit New Orleans only a few years ago.

Mr. WILLIAMS of New Jersey. The Senator from Louisiana knows that it was the Southeast Hurricane Disaster Relief Act of which the Senator from Louisiana was a sponsor which was the vehicle for the study which led to the bill now before the Senate. It is, of course, of great interest to Louisiana. Louisiana has contributed greatly to the insurance program we are now debating today. It is all in the bill.

Mr. LONG of Louisiana. Can the Senator assure us that this bill is tailored reasonably well to the experiences we had during Hurricane Betsy a few years ago, when almost $1 billion in damage to property occurred, most of which could not be insured?

Mr. WILLIAMS of New Jersey. We would not be here today with this bill if we had not had the tragedy of Hurricane Betsy. It was the Southeast Hurricane Disaster Relief Act—that was the name of the bill, I believe—which was the vehicle to study the proposals which resulted in the general flood insurance bill for the whole country now before the Senate.

Mr. LONG of Louisiana. I want to thank the Senator from New Jersey for the diligent efforts he has made in this area, and also to compliment the distinguished members of his committee on both sides of the aisle who worked together zealously to bring us this legislation. I join him in the hope that the bill will meet the problems of severe disasters such as have occurred in my State of Louisiana. I salute the members of the committee which has performed a diligent and conscientious work in the public interest. I certainly hope should another tragedy strike, even within a month, that the pending bill will provide the kind of relief needed.

Mr. WILLIAMS of New Jersey. I appreciate that very much. It is sad, indeed, when tragedies of this kind occur. Let me say again that the tragedy in Louisiana was the trigger of congressional response to a big gap in our economic needs for insurance against these awful risks.

Mr. LONG of Louisiana. I was at the site of the disaster in New Orleans when Hurricane Betsy struck that area. The President was kind enough to go immediately to New Orleans to see what had happened there.

I recall one of the statements that he uttered more or less as an observation as he had seen some of the tragedies that had been inflicted on that area by an act of nature. He said, "Just imagine what this would be if there were an atomic attack." As one who had been on the Joint Atomic Energy Committee, he could imagine what an atom bomb would do to a city and compare it with what he saw in New Orleans after that tragic happening.

I am glad the Committee on Banking and Currency followed through when we initiated the bill following Betsy, when we called on the committee to make a study and bring us the best recommendation and legislation it could propose.

I join with the sponsors of the bill in the hope it will do everything that it is hoped to do.

Mr. TOWER. Mr. President, one of the most beneficial pieces of legislation to come forth from the Banking and Currency Committee on which I serve is the legislation to provide for a national program of flood insurance, amending the Federal Flood Insurance Act of 1956. I am pleased to have cosponsored the National Flood Insurance Act of 1967, introduced by my distinguished colleague from New Jersey [Mr. WILLIAMS].

The twin objectives of this timely legislation are to assist victims of flood damage in restoring their homes, businesses, and other property; and to alleviate the future risk of flood losses in areas and situations where the risk of loss exceeds the prospect of gain from use of the site.

In 1965 alone, an estimated loss of $788 million resulted from inland floods. Since the beginning of the 20th century, flood damage has risen in a graduated scale of about 5½ percent annually, while population has increased less than 2 percent annually. However, there are probably hundreds of very small floods occurring each year which are not fully reported and chronicled. The incalculable damage from 1967's largest coastal storm or hurricane ran to well over $1 billion.

No statistics can fully register the economic loss and disruption resulting from flood damage. When rivers or coastal waters are rampaging, nearby urban areas suffer in disruption of activities, impaired productive capacity, and paralyzed transportation and communication facilities.

Some three decades ago the first national flood protection policy was inaugurated, and since then Federal investment in flood protection and prevention through the Corps of Engineers and the Soil Conservation Service has amounted to more than $7 billion. The current rate for such expenditures, according to a Presidential task force, is $500 million a year. As is the case in many other areas, Federal involvement has not brought the ultimate panacea. There are limitations under the special Federal assistance programs on the amounts of money that are available at any one time to meet these emergencies. Even the most important type of assistance to disaster victims, loans from the Small Business Administration's disaster land program, often leave the victims with considered mortgage obligations.

Unfortunately flood insurance is not available from private insurance companies, for the reason that private insurers have not been able to write flood insurance policies on an economically feasible basis.

S. 1985 combines the talents and resources of Federal involvement with the initiative and flexibility of private enterprise in the insurance industry. With a helping hand from the Government, private insurance companies could either assume a portion of the risk in carrying out the program or could participate in a nonrisk basis. Risk-sharing companies would commit risk capital to an industry pool of companies which would absorb a share of the losses and expenses of the program. The Federal Government would make premium equalization payments to the pool to cover losses and also would provide re-insurance coverage to the pool for excessively high losses.

The bill also encourages State and local governments to adopt and enforce appropriate land use provisions to restrict the future development of land which is exposed to flood hazard. A long-range effect of this legislation encourages a study to determine the extent to which insurance protection may be available for certain other types of natural disasters, such as earthquakes.

Thus, the Flood Insurance Act of 1967 is an important step in the right direction: a partnership of local, State, and Federal resources to help solve a natural problem common to every State and region in our America.

Mr. GRUENING. Mr. President, I support the intent of S. 1985 to provide assistance to those thousands of citizens whose lives, homes, and personal possessions are damaged or ofttimes destroyed by floodwaters.

Last month the city of Fairbanks, the second largest city in Alaska, and the city of Nenana were inundated by a flood. Resulting deaths fortunately were few. However, property damage ran into the hundreds of millions.

Although Federal, State, and local officials are working hard to assist Fairbanks in recovering from the disaster, it is clear to me after personally inspecting the area and viewing the recovery efforts, that the present governmental machinery is inadequate to provide adequate financial compensation to those who have suffered from floods.

The bill we are considering, S. 1985, by providing flood insurance through an insurance pool created jointly by the Federal Government and private insurance companies, is a vital step toward providing a responsive way to take care of financial losses incurred by an act of nature totally outside of human controls.

Of course, while I support this bill as reported, I urge that the study to investigate the possibility of extending insurance coverage to other natural disasters, such as earthquakes, be speeded. We must look ahead and provide to all citizens the means to recover from the effects of any major natural disaster.

Meanwhile a flood control project for Fairbanks is a "must." I have asked that $50,000 be appropriated so that the Corps of Engineers of the U.S. Army, which is revising its project, may be able to proceed with its investigation without delay. Its previous study was undergoing revision at the time of the last urgent flood. It now appears that the rise in the waters of the Chena River was so far beyond any previous record that a rerevision is imperative.

Mr. PERCY. Mr. President, 2 years ago the floodwaters of the great Mississippi River and its tributaries wrote a tale of misery and hardship from Minnesota to Missouri. Several persons died, hundreds were driven from their homes, and the cost amounted to a staggering $140 million.

Particularly hard hit were my constituents in Illinois—in Fulton, the Quad-Cities, Quincy, as well as other localities. I personally witnessed the deep distress to which these people were subjected by the floods that year. In 1961, floods in the Wabash Valley area, Illinois and Indiana—brought great loss to the residents and businesses in scores of rural counties.

Earlier this year, a record flood damaged thousands of homes in Fairbanks, Alaska. As my distinguished colleague from that State [Mr. BARTLETT] has pointed out, their distress has now been intensified by the first freeze which marks the coming of winter.

Periodically at this time of the year, hurricanes sweep out of the Caribbean and wreak death and destruction along our coastlines. Two years ago this month, Hurricane Betsy smashed into Louisiana inflicting damage of more than $1 billion. Only last week Hurricane Beulah snuffed out 16 lives in the Caribbean and threatened out entire southeastern seaboard. This year's season is not yet over, as Doria's antics presently demonstrate.

Accordingly, I was pleased to cosponsor and am gratified now to support passage of a bill designed to help the homeowner who finds his life investment and savings put in peril by floods. The 1967 National Flood Insurance Act will permit these homeowners to help themselves by enabling insurance to protect them from the financial hardship imposed by flood damage.

The flood insurance would be sold by private companies which are part of an industry pool. The Government would provide reinsurance. The private insurance companies would bear the loss up to a certain point; after this, Government assumes the burden.

The cost is estimated between $25 million and $45 million per year. If a truly disastrous flood occurred, such as the 1965 flood along the Mississippi and the 1967 flood in Fairbanks, the cost would be higher. But what is of key significance is that the bill will decrease the Federal burden of responding to these occurrences, which has taken the form in recent years of enactment by the Congress of numerous disaster relief measures.

The proposal seems to me to be a responsible merger of private enterprise and Government effort. In fact, the history of flood insurance is a good example of the private sector and the Government combining their ingenuity and effort to come up with a program from which the people will be the direct beneficiaries in an "alliance for progress" here at home.

In 1964 and 1965, the estimated losses for inland floods were $652 million and $788 million. Since 1903, flood damage costs have risen at the rate of 5½ percent a year.

The 84th Congress passed the Federal Flood Control Insurance Act of 1956, but it was never funded by Congress and remains inoperative. That measure provided for the States to put up a certain amount of the cost. The States susceptible to flood conditions feared, however, a significant catastrophe might bankrupt them, and the plan was never implemented by them, and of course, was not enacted by States where the hazard either did not exist or is minimal.

In the last Congress, the Senate asked for a study of the problem while in the House, a bill was reported by committee but died without floor action.

At this point the insurance industry stepped in. The National Association of Insurance Commissioners offered a set of proposals, as did the National Association of Insurance Agents together with many insurance firms. The bill we are considering today has the support of the insurance industry. It is in part because of their active support that we have the chance to act on this measure today.

Mr. President, for this reason I regard flood insurance as a Federal undertaking completely consistent with traditional proper Federal concern for national problems caused by flooding. Our progressive program in public works flood control projects over the years has made a most significant contribution to the safety and preservation of a great total area of valuable land resources, not to mention the great amount of property in rapidly developing areas that is located in such areas.

Federal efforts in a multitude of similar undertakings work toward the same goal of assuring the security of our people from destructive natural phenomena. Consider such undertaking as the use of space communication satellites in relaying from inaccessible areas information from instruments which periodically report river levels and flow information—a program which has recently been announced. This dramatic step forecasts the day when remote sensing devices in orbiting satellites will scan and transmit continuous information on the levels of rivers and contents of the many watersheds which contribute to seasonal flooding. The use of weather satellites in tracking hurricanes has already demonstrated an effective capability of space technology in minimizing the damage caused by such destructive phenomena. Accordingly, Mr. President, I am confident that as progress in controlling floods continues over a broad front at the Federal level, this initial step in affording flood insurance to homeowners can be extended to protective coverage of other properties and undertakings in flood-prone areas.

The National Flood Insurance Act of 1967 is a tribute to the long and diligent efforts of my colleague from New Jersey [Mr. WILLIAMS] and my colleague from Delaware [Mr. WILLIAMS]. I applaud them both for their leadership and perseverance that has brought about this historic legislation. I urge all Senators to vote in support of their efforts.

Mr. BYRD of West Virginia. Mr. President, the junior Senator from New Jersey [Mr. WILLIAMS], is to be commended for his excellent presentation of the bill which we are about to pass. As the floor manager of that bill, he has spoken cogently and his presentation has been most lucid and succinct. His knowledge of the subject has been demonstrably thorough, and I congratulate him on a job well done.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (S. 1985) was passed, as follows:

S. 1985

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Flood Insurance Act of 1967".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds that (1) from time to time flood disasters have created personal hardships and economic distress which have required unforeseen disaster relief measures and have placed an increasing burden on the Nation's resources; (2) despite the installation of preventive and protective works and the adoption of other public programs designed to reduce losses caused by flood damage, these methods have not been sufficient to protect adequately against growing exposure to future flood losses; (3) as a matter of national policy, a reasonable method of sharing the risk of flood losses is through a program of flood insurance which can complement and encourage preventive and protective measures; and (4) if such a program is initiated and carried out gradually, it can be expanded as knowledge is gained and experience is appraised, thus eventually making flood insurance coverage available on reasonable terms and conditions to persons who have need for such protection.

(b) The Congress also finds that (1) many factors have made it uneconomic for the private insurance industry alone to make flood insurance available to those in need of such protection on reasonable terms and conditions; but (2) a program of flood insurance with large-scale participation of the Federal Government and carried out to the maximum extent practicable by the private insurance industry is feasible and can be initiated.

(c) The Congress further finds that (1) a program of flood insurance can promote the public interest by providing appropriate protection against the perils of flood losses and encouraging sound land use by minimizing exposure of property to flood losses; and (2) the objectives of a flood insurance program should be integrally related to a unified national program for flood plain management and, to this end, it is the sense of Congress that within two years following the effective date of this Act, the President should transmit to the Congress for its consideration any further proposals necessary for such a unified program, including proposals for the allocation of costs among beneficiaries of flood protection.

(d) It is therefore the purpose of this Act to (1) authorize a flood insurance program by means of which flood insurance, over a period of time, can be made available on a nationwide basis through the cooperative efforts of the Federal Government and the private insurance industry, and (2) provide flexibility in the program so that such flood insurance may be based on workable methods of pooling risks, minimizing costs, and distributing burdens equitably among those who will be protected by flood insurance and the general public.

(e) It is the further purpose of this Act to (1) encourage State and local governments to make appropriate land use adjustments to constrict the development of land which is exposed to flood damage and minimize damage caused by flood losses, (2) guide the development of proposed future construction, where practicable, away from locations which are threatened by flood hazards, (3) encourage lending and credit institutions, as a matter of national policy, to assist in furthering the objectives of the flood insurance program, (4) assure that any Federal assistance provided under the program will be related closely to all flood-related programs and activities of the Federal Government, and (5) authorize continuing studies of flood hazards, in order to provide for a constant reappraisal of the flood insurance program and its effect on land use requirements.

AMENDMENTS TO THE FEDERAL FLOOD INSURANCE ACT OF 1956

SEC. 3. (a) The second sentence of section 15(e) of the Federal Flood Insurance Act of 1956 (79 Stat. 1078) is amended—

(1) by striking out "rate" the second time it appears in such sentence, and inserting in lieu thereof "market yield", and

(2) by striking out "as of the last day of", and inserting in lieu thereof "during".

(b) Section 15(e) of such Act is further amended by striking out the last sentence thereof.

(c) Sections 2 through 14, subsections (a) through (d), and (f) and (g) of section 15, and sections 16 through 23 of such Act are hereby repealed.

DEFINITIONS

SEC. 4. As used in this Act, the term—

(1) "Flood" shall have such meaning as may be prescribed in regulations of the Secretary, and may include inundation from the overflow of streams, rivers, or other bodies of water, and from tidal surges, abnormally high tidal water, tidal waves, hurricanes, and other severe storms or deluge;

(2) "United States" (when used in a geographic sense), and "State", respectively, include the several States, the District of Columbia, the territories and possessions, and the Commonwealth of Puerto Rico;

(3) "Insurance company", "other insurer", "insurance agents and brokers" include any organizations and persons authorized to engage in the insurance business under the laws of any State (as "State" is defined in paragraph (2));

(4) "Insurance adjustment organizations" includes any organizations and persons engaged in the business of adjusting loss claims arising under insurance policies issued by any insurance company or other insurer authorized to engage in the insurance business under the laws of any State (as "State" is defined in paragraph (2));

(5) "Person" includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons, including State and local governments and agencies thereof; and

(6) "Secretary" means the Secretary of Housing and Urban Development.

TITLE I—THE NATIONAL FLOOD INSURANCE PROGRAM

BASIC AUTHORITY

SEC. 101. (a) To carry out the purposes of this Act, the Secretary of Housing and Urban Development is authorized to establish and carry out a national flood insurance program which will enable interested persons to purchase insurance against loss resulting from physical damage to or loss of real property or personal property related thereto arising from any flood occurring in the United States.

(b) In carrying out the flood insurance program the Secretary shall, to the maximum extent practicable, encourage and arrange for—

(1) appropriate financial participation and risk-sharing in the program by insurance companies or other insurers, and

(2) other appropriate participation on other than a risk-sharing basis by insurance companies or other insurers, insurance agents and brokers, and insurance adjustment organizations,

in accordance with the provisions of title II.

SCOPE OF PROGRAM AND PRIORITIES

SEC. 102. (a) In carrying out the flood insurance program the Secretary shall afford a priority to making flood insurance available to cover residential properties which are designed for the occupancy of from one to four families.

(b) If on the basis of—

(1) studies and investigations undertaken and carried out and information received or exchanged under section 104, and

(2) such other information as may be necessary, the Secretary determines that it would be feasible to extend the flood insurance program to cover other properties, he may take such action under this Act as from time to time may be necessary in order to make flood insurance available to cover, on such basis as may be feasible, any types and classes of—

(A) other residential properties,

(B) business properties,

(C) agricultural properties,

(D) properties occupied by private nonprofit organizations, and

(E) properties owned by State and local governments and agencies thereof,

and any such extensions of the program to any types and classes of these properties shall from time to time be prescribed in regulations.

(c) The Secretary shall make flood insurance available in only those States or areas (or subdivisions thereof) which he has determined have—

(1) evidenced a positive interest in securing flood insurance coverage under the flood insurance program, and

(2) given satisfactory assurance that by June 30, 1970, permanent land use and control measures will have been adopted for the State or area (or subdivision) which are consistent with the comprehensive criteria for land management and use developed under section 302, and that the application and enforcement of such measures will commence as soon as technical information on floodways and on controlling flood elevations is available.

NATURE AND LIMITATION OF INSURANCE COVERAGE

SEC. 103. (a) The Secretary from time to time shall, after consultation with the advisory committee authorized under section 115 and appropriate representatives of the insurance authorities of the respective States, provide by regulation for general terms and conditions of insurability which shall be applicable to properties eligible for flood insurance coverage under section 102, including—

(1) the types, classes, and locations of any such properties which shall be eligible for flood insurance;

(2) the nature of and limits of loss or damage in any areas (or subdivisions thereof) which may be covered by such insurance;

(3) the classification, limitation, and rejection of any risks which may be advisable;

(4) appropriate minimum premiums;

(5) appropriate loss-deductibles; and

(6) any other terms and conditions relating to insurance coverage or exclusion which may be necessary to carry out the purpose of this Act.

(b) In addition to any other terms and conditions under subsection (a), such regulations shall provide that—

(1) any flood insurance coverage based on chargeable premium rates (under section 105) which are less than estimated premium rates (under section 104(a)(1)), shall not exceed—

(A) in the case of residential properties which are designed for the occupancy of from one to four families,

(i) $15,000 aggregate liability for any dwelling unit, and $30,000 for any single dwelling structure containing more than one dwelling unit, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related thereto; and

(B) in the case of any other properties which may become eligible for flood insurance coverage under section 102, $30,000 aggregate liability for any single structure; and

(2) any flood insurance coverage which may be made available in excess of any of the limits specified in subparagraphs (A) and (B) shall be based only on chargeable premium rates (under section 105) which are not less than estimated premium rates (under section 104(a)(1)), and the amount of such excess coverage shall not in any case exceed an amount which is equal to any such limit so specified.

ESTIMATES OF PREMIUM RATES

SEC. 104. (a) The Secretary is authorized to undertake and carry out such studies and investigations, and to receive or exchange such information as may be necessary, to estimate on an area, subdivision, or other appropriate basis—

(1) the risk premium rates for flood insurance which,

(A) based on consideration of the risk involved and accepted actuarial principles, and

(B) including—

(i) applicable operating costs and allowances prescribed under section 108 to be reflected in such rates, and

(ii) any administrative expenses (or portion of such expenses) of carrying out the flood insurance program which, in his discretion, should properly be reflected in such rates,

would be required in order to make such insurance available on an actuarial basis for any types and classes of properties for which insurance coverage shall be available under section 102;

(2) the rates, if less than the rates estimated under paragraph (1), which would be reasonable, would encourage prospective insureds to purchase flood insurance, and would be consistent with the purposes of this Act; and

(3) the extent, if any, to which federally assisted or other flood protection measures initiated after the effective date of this Act affect such rates.

(b) In carrying out subsection (a), the Secretary shall, to the maximum extent feasible and on a reimbursement basis, utilize the services of the Department of the Army, the Department of the Interior, the Department of Agriculture, the Department of Commerce, and the Tennessee Valley Authority, and, as appropriate, other Federal departments or agencies, and for such purposes, may enter into agreements or other appropriate arrangements with any persons.

(c) The Secretary shall give priority to conducting studies and investigations, or making estimates under this section in those States or areas (or subdivisions thereof) which he has determined have evidenced a positive interest in securing flood insurance coverage under the flood insurance program.

ESTABLISHMENT OF CHARGEABLE PREMIUM RATES

SEC. 105. (a) On the basis of estimates made under section 104 and such other information as may be necessary, the Secretary from time to time shall, after consultation with the advisory committee authorized under section 115 and appropriate representatives of the insurance authorities of the respective States, by regulation prescribe—

(1) chargeable premium rates for any types and classes of properties for which insurance coverage shall be available under section 102 (at less than the estimated risk premium rates under section 104(a)(1), if necessary), and

(2) the terms and conditions under which and areas (including subdivisions thereof) within which such rates shall apply.

(b) Such rates shall, insofar as practicable, be—

(1) based on a consideration of the respective risks involved, including differences in risks due to land use measures, floodproofing, flood forecasting, and similar measures,

(2) adequate, on the basis of accepted actuarial principles, to provide reserves for anticipated losses, or, if less than such amount, consistent with the objective of making flood insurance available, where necessary, at reasonable rates so as to encourage prospective insureds to purchase such insurance, and

(3) stated so as to reflect the basis for such rates, including the differences (if any) between the estimated risk premium rates under paragraph (1) of section 104(a), and the estimated rates under paragraph (2) of such section.

(c) Notwithstanding any other provision of this Act, the chargeable rate with respect to any property, the construction or substantial improvement of which the Secretary determines has been started after identification of the area in which such property is located has been published under paragraph (1) of section 301, shall not be less than the estimated risk premium rate for such area (or subdivision thereof) under section 104(a)(1).

(d) In the event any chargeable premium rate prescribed under this section is—

(1) at a rate which is not less than the estimated risk premium rate under section 104(a)(1), and

(2) such rate includes any amount for administrative expenses of carrying out the flood insurance program which have been estimated under clause (ii) of section 104(a)(1)(B),

a sum equal to such amount shall be paid to the Secretary, and he shall deposit such sum in the fund authorized under section 107.

TREASURY BORROWING AUTHORITY

SEC. 106. (a) All authority which was vested in the Housing and Home Finance Administrator by virtue of section 15(e) of the Federal Flood Insurance Act of 1956 (70 Stat. 1084) (pertaining to the issue of notes or other obligations to the Secretary of the Treasury), as amended by section 3 (a) and (b) of this Act, shall be available to the Secretary for the purpose of carrying out this Act.

(b) Any funds borrowed by the Secretary under this authority shall, from time to time, be deposited in the National Flood Insurance Fund established under section 107.

NATIONAL FLOOD INSURANCE FUND

SEC. 107. (a) To carry out the flood insurance program authorized by this Act, the Secretary is authorized to establish in the Treasury of the United States a National Flood Insurance Fund (hereinafter referred to as the "fund") which shall be available, without fiscal year limitation—

(1) for making such payments as may, from time to time, be required under section 214;

(2) to pay reinsurance claims under the excess loss reinsurance coverage provided under section 215;

(3) to repay to the Secretary of the Treasury such sums as may be borrowed from him (together with interest) in accordance with the authority provided in section 106 of this Act; and

(4) to pay such administrative expenses (or portion of such expenses) of carrying out the flood insurance program as he may deem necessary; and

(5) for the purposes specified in subsection (d) under the conditions provided therein.

(b) The fund shall be credited with—

(1) such funds borrowed in accordance with the authority provided in section 106 of this Act as may from time to time be deposited in the fund;

(2) premiums, fees, or other charges which may be paid or collected in connection with the excess loss reinsurance coverage provided under section 215;

(3) such amounts as may be advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

(4) interest which may be earned on investments of the fund pursuant to subsection (c);

(5) such sums as are required to be paid to the Secretary under section 105(d); and

(6) receipts from any other operations under this Act which may, from time to time, be credited to the fund (including premiums under the conditions specified in subsection (d), and salvage proceeds, if any, resulting from reinsurance coverage).

(c) If, after—

(1) all outstanding obligations have been liquidated, and

(2) any outstanding amounts which may have been advanced to the fund from appropriations authorized under section 407(a)(2)(B) have been credited to the appropriation from which advanced, with interest accrued at the rate prescribed under section 15(e) of the Federal Flood Insurance Act of 1956, as amended by section 3(a) of this Act,

the Secretary determines that the moneys of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

(d) In the event the Secretary makes a finding in accordance with the provisions of section 221 that operation of the flood insurance program, in whole or in part, should be carried out through the facilities of the Federal Government, the fund shall be available for all such purposes incident thereto, including—

(1) the costs incurred in the adjustment and payment of any claims for losses, and

(2) payment of applicable operating costs prescribed under section 108.

for so long as the program is so carried out, and in such event any premiums paid shall be deposited by the Secretary to the credit of the fund.

OPERATING COSTS AND ALLOWANCES

SEC. 108. (a) The Secretary from time to time shall negotiate with appropriate representatives of the insurance industry for the purpose of establishing—

(1) a current schedule of operating costs applicable to both risk-sharing insurance companies or other insurers, and insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations participating on other than a risk-sharing basis, and

(2) a current schedule of operating allowances applicable to risk-sharing insurance companies or other insurers,

which may be payable in accordance with the provisions of title II, and such schedules, from time to time, shall be prescribed in regulations.

(b) For purposes of subsection (a)—

(1) the term "operating costs" shall include, without limiting such term, the following:

(A) expense reimbursements covering the direct, actual, and necessary expenses incurred in connection with selling and servicing flood insurance coverage;

(B) reasonable compensation payable for selling and servicing flood insurance coverage, or commissions or service fees paid to producers;

(C) loss adjustment expenses;

(D) other direct, actual, and necessary expenses which the Secretary finds are incurred in connection with selling or servicing flood insurance coverage; and

(2) the term "operating allowances" shall include, without limiting such term, amounts for profit and contingencies which the Secretary finds reasonable and necessary to carry out the purposes of this Act.

PAYMENT OF CLAIMS

SEC. 109. The Secretary is authorized to prescribe regulations establishing the general method or methods by which proved and approved claims for losses may be adjusted and paid for any damage to or loss of property which is covered by flood insurance made available under the provisions of this Act.

DISSEMINATION OF FLOOD INSURANCE INFORMATION

SEC. 110. The Secretary shall take such action as may, from time to time, be necessary in order to make information and data available to the public and to any State or local agency or official, with regard to—

(1) the flood insurance program, its coverage and objectives, and

(2) estimated and chargeable flood insurance premium rates, including the basis for and differences between such rates in accordance with the provisions of section 105.

PROHIBITION AGAINST CERTAIN DUPLICATIONS OF BENEFITS

SEC. 111 (a) Notwithstanding the provisions of any other law, no Federal disaster assistance shall be made available to any person—

(1) for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage is covered by a valid claim which may be adjusted and paid under flood insurance made available under the authority of this Act, or

(2) except in the situation provided for under paragraph (3) for the physical loss, destruction, or damage of real and personal property, to the extent that such loss, destruction, or damage could have been covered by a valid claim under flood insurance which had been made available under the authority of this Act, if—

(A) such loss, destruction, or damage occurred subsequent to one year following the date flood insurance was made available in the area (or subdivision thereof) in which such property or the major part thereof was located, and

(B) such property was eligible for flood insurance under this Act at that date,

and in such circumstances the extent that such loss, destruction, or damage could have been covered shall be presumed (for purposes of this subsection) to be an amount not less than the maximum limit of insurable loss or damage applicable to such property in such area (or subdivision thereof), pursuant to regulations under section 103, at the time insurance was made available in such area (or subdivision thereof).

(3) In order to assure that the provisions of paragraph (2) will not create undue hardship for low-income persons who might otherwise benefit from the provision of Federal disaster assistance, the Secretary shall provide by regulation, for the circumstances in which the provisions of paragraph (2) shall not be applicable to any such persons.

(b) For purposes of this section "Federal disaster assistance" shall include any Federal financial assistance which may be made available to any person as a result of—

(1) a major disaster (within the meaning of that term as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to State and local governments in major disasters, and for other purposes", as amended (42 U.S.C. 1855–1855(g)),

(2) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), and

(3) a disaster with respect to which loans may be made under section 7(b) of the Small Business Act, as amended (15 U.S.C. 636(b)).

(c) For purposes of section 10 of the Disaster Relief Act of 1966 (80 Stat. 1316), the term "financial assistance" shall be deemed to include any flood insurance which is made available under this Act.

STATE AND LOCAL LAND USE CONTROLS

SEC. 112. After June 30, 1970, no new flood insurance coverage shall be provided under this Act in any area (or subdivision thereof) unless an appropriate public body shall have adopted permanent land use and control measures (with effective enforcement provisions) which the Secretary finds are consistent with the comprehensive criteria for land management and use under section 302.

PROPERTIES IN VIOLATION OF STATE AND LOCAL LAW

SEC. 113. No new flood insurance coverage shall be provided under this Act for any property which the Secretary finds has been declared by a duly constituted State or local zoning authority, or other authorized public body, to be in violation of State or local laws, regulations, or ordinances which are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

COORDINATION WITH OTHER PROGRAMS

SEC. 114. In carrying out this Act, the Secretary shall consult with other departments and agencies of the Federal Government, and interstate, State, and local agencies having responsibilities for flood control, flood forecasting, and flood damage prevention, in order to assure that the programs of such agencies and the flood insurance program authorized under this Act are mutually consistent.

ADVISORY COMMITTEE

SEC. 115. (a) The Secretary shall appoint a flood insurance advisory committee without regard to the civil service laws, and such committee shall advise the Secretary in the preparation of any regulations prescribed in accordance with this Act, with respect to policy matters arising in the administration of this Act, and shall perform such other responsibilities as the Secretary may, from time to time, assign to such committee.

(b) Such committee shall consist of not more than fifteen persons and such persons shall be selected from among representatives of—

(1) the insurance industry,

(2) State and local governments,

(3) lending institutions,

(4) the home building industry, and

(5) the general public.

(c) Members of the committee shall, while attending conferences or meetings thereof, be entitled to receive compensation at a rate fixed by the Secretary but not exceeding $100 per day, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

INITIAL PROGRAM LIMITATION

SEC. 116. The face amount of flood insurance coverage outstanding and in force at any one time under this Act shall not exceed the sum of $2,500,000,000.

REPORT TO THE PRESIDENT

SEC. 117. The Secretary shall include a report of operations under this Act in the annual report to the President for submission to the Congress required by section 8 of the Department of Housing and Urban Development Act.

TITLE II—ORGANIZATION AND ADMINISTRATION OF THE FLOOD INSURANCE PROGRAM

ORGANIZATION AND ADMINISTRATION

SEC. 201. Following such consultation with representatives of the insurance industry as may be necessary, the Secretary shall implement the flood insurance program authorized under title I in accordance with the provisions of part A of this title and, if a determination is made by him under section 221, under part B of this title.

PART A—INDUSTRY PROGRAM WITH FEDERAL FINANCIAL ASSISTANCE

INDUSTRY FLOOD INSURANCE POOL

SEC. 211. (a) The Secretary is authorized to encourage and otherwise assist any insurance company or companies and other insurers which meet the requirements prescribed under subsection (b) to form, associate, or otherwise join together in a pool—

(1) in order to provide the flood insurance coverage authorized under title I; and

(2) for the purpose of assuming, on terms and conditions as may be agreed upon, such financial responsibility as will enable such companies and other insurers, with the Federal financial and other assistance available under this Act, to assume a reasonable proportion of responsibility for the adjustment and payment of claims for losses under the flood insurance program.

(b) In order to promote the effective administration of the flood insurance program under this part, and to assure that the objectives of this Act are furthered, the Secretary is authorized to prescribe appropriate requirements for insurance companies or other insurers participating in such pool including, but not limited to, minimum requirements for capital or surplus or assets.

AGREEMENTS WITH FLOOD INSURANCE POOL

SEC. 212. (a) The Secretary is authorized to enter into such agreements with any pool which is formed, associated, or otherwise created under this part, as he deems necessary to carry out the purpose of this Act.

(b) Such agreements shall specify—

(1) the terms and conditions under which risk capital will be available for the adjustment and payment of claims,

(2) the terms and conditions under which such pool (and the companies or other insurers participating therein) shall participate in premiums received and profits or losses realized or sustained,

(3) the maximum amount of profit established by the Secretary under section 108 (and prescribed in regulations under section 108(a)), which may be realized by such pool (and the companies or other insurers participating therein),

(4) the terms and conditions under which operating costs and allowances prescribed under section 108 may be paid, and

(5) the terms and conditions under which premium equalization payments under section 214 will be made and reinsurance claims under section 215 will be paid.

(c) In addition, such agreements shall contain such provisions as the Secretary finds necessary to assure that—

(1) no company or other insurer which meets the requirements prescribed under section 211(b) and which has indicated an intention to participate in the flood insurance program on a risk-sharing basis, will be excluded from participating in any such pool,

(2) the companies or other insurers participating in such pool will take whatever action may be necessary to provide continuity of flood insurance coverage by such pool, and

(3) any insurance companies, other insurers, agents and brokers, and insurance adjustment organizations will be permitted to cooperate with such pool as fiscal agents or otherwise, on other than a risk-sharing basis, to the maximum extent practicable.

JUDICIAL REVIEW

SEC. 213. Such companies and other insurers which form, associate, or otherwise join together in a pool under this part may adjust and pay all claims for proved and approved losses covered by flood insurance in accordance with the provisions of this Act and, upon disallowance by any such companies or other insurers of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance of the claim, may institute an action on such claim against the companies or other insurers in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PREMIUM EQUALIZATION PAYMENTS

SEC. 214. (a) The Secretary shall, on such terms and conditions as he may from time to time prescribe, make periodic payments to such pool as may be formed, associated, or otherwise created under section 211, in recognition of such reductions in chargeable premium rates under section 105 below estimated premium rates under section 104(a) (1) as are required in order to make flood insurance available on reasonable terms and conditions.

(b) Such payments shall be based only on the aggregate amount of flood insurance retained by such pool after ceding reinsurance in accordance with the provisions of section 215, and it shall not exceed an aggregate amount in any payment period equal to the sum of the following:

(1)(A) an amount for losses which bears the same ratio to the amount of all proved and approved claims for losses under this Act during any designated period as

(B) the amount equal to the difference between

(i) the sum of all premium payments for flood insurance coverage in force under this Act during such designated period which would have been payable during such period if all such coverage were based on estimated risk premium rates under section 104(a)(1) (excluding any administrative expenses which may be reflected in such rates, as specified in clause (ii) of section 104(a)(1) (B)),

(ii) the sum of premium payments actually paid or payable for such insurance under this Act during such period,

bears to the amount specified in clause (i) of this subparagraph; and

(2) subject to the terms and conditions specified in the agreement entered into under section 212, a proportionate amount for appropriate operating costs and allowances prescribed under section 108 during any designated period, which bears the same ratio to a total amount during such period as the ratio specified in paragraph (1)(B).

(c) Designated periods under this section and the methods for determining the sum of premiums paid or payable during such periods shall be established by the Secretary.

REINSURANCE COVERAGE

SEC. 215. (a) The Secretary is authorized to take such action as may be necessary in order to make available to such pool as may be formed, associated, or otherwise created under section 211, reinsurance for losses (due to claims for proved and approved losses covered by flood insurance) which are in excess of losses assumed by such pool in accordance with the excess loss agreement entered into under subsection (c).

(b) Such reinsurance shall be made available pursuant to contract, agreement, or any other arrangement, in consideration of such payment of a premium, fee, or other charge as the Secretary finds necessary to cover anticipated losses and other costs of providing such reinsurance.

(c) The Secretary is authorized to negotiate an excess loss agreement, from time to time, under which the amount of flood insurance retained by such pool, after ceding reinsurance, shall be adequate to further the purposes of this Act, consistent with the objective of maintaining appropriate financial participation and risk sharing to the maximum extent practicable on the part of participating insurance companies and other insurers.

(d) All reinsurance claims for losses in excess of losses assumed by such pool shall be submitted on a portfolio basis by such pool in accordance with terms and conditions as may be established by the Secretary.

(e) Such pool shall make no distribution of earnings for a period of up to five years based on flood insurance premiums, unless the aggregate cumulative premiums, fees, or other charges established for excess loss reinsurance under subsection (b) and collected for deposit in the National Flood Insurance Fund exceeds the aggregate cumulative expenses paid for reinsurance claims by such fund.

PART B—GOVERNMENT PROGRAM

FEDERAL OPERATION OF THE PROGRAM

SEC. 221. (a) If at any time after consultation with representatives of the insurance industry, the Secretary determines that operation of the flood insurance program as provided under part A cannot be carried out, or that such operation, in itself, would be assisted materially by the Federal Government's assumption, in whole (or in part), of the operational responsibility for flood insurance under this Act (on a temporary or other basis) he shall promptly undertake any necessary arrangements to carry out the program of flood insurance authorized under title I through the facilities of the Federal Government, utilizing, for purposes of providing flood insurance coverage, either—

(1) insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, as fiscal agents of the United States,

(2) officers and employees of the Department of Housing and Urban Development, and such other officers and employees of any Executive agency (as defined in section 105 of title 5 of the United States Code) as the Secretary and the head of any such agency may, from time to time, agree upon, on a reimbursement or other basis, or

(3) both the alternatives specified in paragraphs (1) and (2).

(b) Upon making the determination referred to in subsection (a), the Secretary shall make a report to Congress of his determination to implement the program of flood insurance authorized under title I through the facilities of the Federal Government. This report shall—

(1) state the reasons for such determination,

(2) be supported by pertinent findings,

(3) indicate the extent to which it is anticipated that the insurance industry will be utilized in providing flood insurance coverage under the program, and

(4) contain such recommendations as the Secretary deems advisable.

No action may be taken to implement this report until after it has been before the Congress for at least ninety days, during all of which time the Congress has been in session.

ADJUSTMENT AND PAYMENT OF CLAIMS

SEC. 222. In the event the program is carried out as provided in section 221, the Secretary shall be authorized to adjust and make payment of any claims for proved and approved losses covered by flood insurance, and upon disallowance by the Secretary of any such claims, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance by the Secretary, may institute an action against the Secretary on such claim in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PART C—PROVISIONS OF GENERAL APPLICABILITY

SERVICES BY INSURANCE INDUSTRY

SEC. 231. (a) In administering the flood insurance program under this title, the Secretary is authorized to enter into any contracts, agreements, or other appropriate arrangements as may, from time to time, be necessary for the purpose of utilizing, on terms and conditions which may be agreed upon, the facilities and services of any insurance companies or other insurers, insurance agents and brokers, or insurance adjustment organizations, and such contracts, agreements, or arrangements may also include provision for payment of applicable operating costs and allowances for such facilities and services prescribed under section 108.

(b) Any such contracts, agreements, or other arrangements may be entered into without regard to the provisions of section 3709 of the Revised Statutes, as amended

(41 U.S.C. 5), or any other provision of law requiring competitive bidding.

USE OF INSURANCE POOLS, COMPANIES, OR OTHER PRIVATE ORGANIZATIONS FOR CERTAIN PAYMENTS

SEC. 232. (a) In order to provide for maximum efficiency in the administration of the flood insurance program and in order to facilitate the expeditious payment of any Federal funds under the flood insurance program authorized by this Act, the Secretary may enter into contracts with any pool which may be formed, associated, or otherwise created under section 211, or any insurance companies or other private organizations, for the purpose of securing performance by such pool, company, or organization of any or all of the following responsibilities:

(1) estimate and later determine any amounts of payments to be made;

(2) receive from the Secretary, disburse, and account for funds in making such payments;

(3) make such audits of the records of any insurance company, other insurers, agent or broker, or insurance adjustment organization, as may be necessary to assure that proper payments are made; and

(4) otherwise assist in such manner as the contract may provide to further the purposes of this Act.

(b) Any contract with any pool, insurance company, or other private organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate for carrying out responsibilities under subsection (a), and may provide for payment of any costs which the Secretary determines are incidental to carrying out such responsibilities which are covered by the contract

(c) Any contract entered into under subsection (a) may be entered into without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

(d) No such contract may be entered into with any pool, insurance company, or other private organization under this section unless the Secretary finds that it will perform its obligations under the contract efficiently and effectively, and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds pertinent.

(e) (1) Any such contract may require such pool, company, or organization or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amount as the Secretary may deem appropriate.

(2) No individual designated pursuant to a contract under this section to certify payments shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

(3) No officer disbursing funds shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by an individual designated to certify payments as provided in paragraph (2) of this subsection.

(f) Any contracts entered into under this section shall be for a term of one year, and may be made automatically renewable from term to term in the absence of notice by either party of an intention to terminate at the end of the current term; except that the Secretary may terminate any such contract at any time (after reasonable notice to the pool, company, or organization involved) if he finds that the pool, company, or organization has failed substantially to carry out the contract, or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the flood insurance program authorized under this Act.

SETTLEMENT AND ARBITRATION

SEC. 233. (a) The Secretary is authorized to make final settlement of any claims or demands which may arise as a result of any financial transactions which he is authorized to carry out under this title, and may, to assist him in making any such settlement, refer any disputes relating to such claims or demands to arbitration, with the consent of the parties concerned.

(b) Such arbitration shall be advisory in nature, and any award, decision, or recommendation which may be made shall become final only upon the approval of the Secretary.

RECORDS AND AUDITS

SEC. 234. (a) Any flood insurance pool formed, associated, or otherwise created under section 211 of this Act receiving financial assistance under part A of this title and any such pool, or insurance company or other private organization executing any contract, agreement, or other appropriate arrangement with the Secretary under parts B and C of this title shall keep such records as the Secretary shall prescribe, including records which fully disclose the total costs of the program undertaken or the services being rendered, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the pool, insurance company, or other private organizations that are pertinent to the costs of the program undertaken or the services being rendered.

TITLE III—COORDINATION OF FLOOD INSURANCE WITH LAND-MANAGEMENT PROGRAMS IN FLOOD-PRONE AREAS

IDENTIFICATION OF FLOOD-PRONE AREAS

SEC. 301. The Secretary is authorized to consult with, receive information from, and to enter into any agreements or other arrangements with the Secretaries of the Army, the Interior, Agriculture, and Commerce, the Tennessee Valley Authority, and the heads of other Federal departments or agencies (on a reimbursement basis), or the head of any State or local agency in order that he may—

(1) identify and publish information with respect to all flood plain areas, including coastal areas located in the United States, which have special flood hazards, within five years following the effective date of this Act, and

(2) establish flood risk zones in all such areas, and make estimates with respect to the rates of probable flood-caused loss for the various flood risk zones for each of these areas, within fifteen years following such date.

CRITERIA FOR LAND MANAGEMENT AND USE

SEC. 302. (a) The Secretary is authorized to carry out studies or investigations, utilizing the existing facilities and services of other Federal departments or agencies to the maximum extent practicable, and State and local governmental agencies, and any other organizations, with respect to the adequacy of State and local measures in flood-prone areas, as to land management and use, flood control, flood zoning, and flood damage prevention, and may enter into any contracts, agreements, or other appropriate arrangements to carry out such authority.

(b) Such studies and investigations shall include, but not be limited to, laws, regulations, or ordinances relating to encroachments and obstructions on stream channels and floodways, the orderly development and use of flood plains of rivers or streams, floodway encroachment lines, or flood plain zoning, building codes, building permits, and subdivision or other building restrictions.

(c) On the basis of such studies and investigations, and such other information as he deems necessary, the Secretary from time to time shall develop comprehensive criteria designed to encourage, where necessary, the adoption of permanent State and local measures which, to the maximum extent feasible, will—

(1) constrict the development of land which is exposed to flood damage where appropriate,

(2) guide the development of proposed construction away from locations which are threatened by flood hazards,

(3) assist in reducing damage caused by floods, and

(4) otherwise improve the long-range land management and use of flood-prone areas,

and shall work closely with and provide any necessary technical assistance to State, interstate, and local governmental agencies, to encourage the application of such criteria and the adoption and enforcement of such measures.

PURCHASE OF CERTAIN INSURED PROPERTIES

SEC. 303. The Secretary may, when he determines that the public interest would be served thereby, enter into negotiations with any owner of real property or interests therein which—

(1) was located in any flood-risk area, as determined by the Secretary;

(2) was covered by flood insurance under the flood insurance program authorized under this Act; and

(3) was damaged substantially beyond repair by flood;

and may purchase such property or interests therein, for subsequent transfer, by sale, lease, donation, or otherwise, to any State or local agency which enters into an agreement with the Secretary that such property shall, for a period not less than forty years following transfer, be used for only such purposes as the Secretary may, by regulation, determine to be consistent with sound land management and use in such area.

TITLE IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

STUDIES OF OTHER NATURAL DISASTERS

SEC. 401. (a) The Secretary is authorized to undertake such studies as may be necessary for the purpose of determining the extent to which insurance protection against earthquakes or any other natural disaster perils, other than flood, is not available from public or private sources, and the feasibility of such insurance protection being made available.

(b) Studies under this section shall be carried out, to the maximum extent practicable, with the cooperation of other Federal departments and agencies and State and local agencies, and the Secretary is authorized to consult with, receive information from, and to enter into any necessary agreements or other arrangements with such other Federal departments or agencies (on a reimbursement basis) or State and local agencies.

PAYMENTS

SEC. 402. Any payments under this Act may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary may determine.

GOVERNMENT CORPORATION CONTROL ACT

SEC. 403. The provisions of the Government Corporation Control Act, as amended, shall apply to the program authorized under this Act to the same extent as applicable to wholly owned Government corporations.

FINALITY OF CERTAIN FINANCIAL TRANSACTIONS

SEC. 404. Notwithstanding the provisions of any other law to the contrary, any—

(1) financial transaction authorized to be carried out under this Act, and

(2) payment authorized to be made or to

be received in connection with any such financial transaction, shall be final and conclusive upon all officers of the Government.

ADMINISTRATIVE EXPENSES

SEC. 405. Any administrative expenses which may be sustained by the Federal Government in carrying out the flood insurance program authorized under this Act may be paid out of appropriated funds.

APPROPRIATIONS

SEC. 406. (a) There are hereby authorized to be appropriated such sums as may from time to time be necessary to carry out this Act, including sums—

(1) to cover administrative expenses authorized under section 406;

(2) to reimburse the fund established under section 107 for—

(A) premium equalization payments under section 215 which have been made from such fund; and

(B) reinsurance claims paid under the excess loss reinsurance coverage provided under section 216; and

(3) to make such other payments as may be necessary to carry out the purposes of this Act.

(b) All such funds shall be available without fiscal year limitation.

EFFECTIVE DATE

SEC. 407. This Act shall take effect one hundred and twenty days following the date of enactment, except that the Secretary, on the basis of a finding that conditions exist necessitating the prescribing of an additional period, may prescribe a later effective date which in no event shall be more than one hundred and eighty days following such date of enactment.

Mr. WILLIAMS of New Jersey. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXTENSION OF TIME FOR COMMITTEE ON FINANCE TO FILE REPORT ON AMENDMENTS OF PRESIDENTIAL CAMPAIGN FUND ACT

Mr. LONG of Louisiana. The Committee on Finance has today ordered reported to the Senate H.R. 4890, a House-passed bill to establish a working capital fund for the Department of the Treasury, with an amendment entitled the "Honest Election Act of 1967."

Today's action by the Committee on Finance is pursuant to the instructions of the Senate on April 25, 1967, which directed the committee to report back, within 6 weeks, provisions with respect to the Presidential campaign fund law of 1966. The April 25 instructions were subsequently modified on three occasions to give the committee additional time to make its report. The most recent extension expires September 15, 1967.

Committee prints of the bill ordered reported today by the Senate Committee on Finance will be available to Members of the Senate tomorrow.

We believe we can give the Senate a more comprehensive and thorough report on the bill if we take a few more days to complete our draft of it. Our staff has worked very diligently in this area. They have pleaded for additional time in order to prepare the best possible report on this bill. I therefore trust the Senate will accept the bill as ordered reported by the committee, although it has not been reported formally, to be in compliance with the Senate's mandate that the committee report to the Senate by September 15.

I assure the Senate we shall formally report the bill and we shall have a reported bill and the committee report on it by the end of next week.

So, Mr. President, I ask unanimous consent that the Senate Committee on Finance have until Friday next week to report H.R. 4890, as amended, and to file its report on that measure.

The PRESIDING OFFICER. Is there objection? The Chair hears none, it is so ordered.

Mr. LONG of Louisiana. Mr. President, after the Finance Committee received its instructions from the Senate on April 25, following more than 5 weeks of debate in the Senate on the subject of campaign financing, it conducted 6 days of hearings—June 1, 2, 6, 7, 8, 9—on political campaign financing proposals.

At those hearings anyone who wished to speak on the subject was heard. Twenty-four persons testified in person and nine others supplied written statements for the record.

Following the open hearings, your committee met in executive sessions to formulate a package of proposals to report to the Senate. At these executive sessions, your committee made tentative decisions and instructed its staff to draft appropriate language. This draft was approved, with modifications, today and has been ordered reported under the name "Honest Election Act of 1967," as section two in H.R. 4890.

During the entire period of deliberations by your committee, numerous conferences have been held with a great number of persons both within and outside Government to obtain as many helpful suggestions as practical.

The "Honest Election Act of 1967" contains four titles: Title I provides an income tax credit for political contributions; title II provides for the Federal financing of presidential election campaigns and for the Federal financing of senatorial election campaigns; title III is the text of the Election Reform Act of 1967 passed by the Senate unanimously September 12; and title IV prohibits in Federal elections vote solicitation at polling places and paying people to transport voters to the polls.

The tax credit portion of your committee's amendment will permit any taxpayer to reduce his income tax by as much as $25 for a contribution to the candidate, committee or political party of his choice. The credit against taxes is for one-half of a contribution up to $50 a year, and the contribution may be made in behalf of a candidate for any public office in the United States.

Under the committee's amendment, candidates for the offices of Senator, President, and Vice President of the United States for the first time in history will have an alternative to financing their political campaigns from their own funds or from funds contributed to them by their friends and supporters. The alternative is exclusive public financing of campaigns in general elections for candidates for Federal offices who prefer not to accept private campaign contributions. If presidential, vice-presidential, or senatorial candidates choose to use Federal funds to finance their campaigns, they cannot accept or spend private contributions. If a candidate for one of these offices elects to use privately given contributions to defray his campaign costs, he cannot receive a payment from the Government.

Among the rules your committee has set forth governing public financing of presidential and senatorial elections are:

First, a candidate of a major party, a party whose presidential candidate received 25 percent or more of the popular vote in the previous election, will receive a Federal payment of 20 cents multiplied by the number of popular votes cast for all presidential candidates in that previous election. A presidential candidate of a minor party, a party whose presidential candidate received from 5 to 25 percent of the popular vote in the previous election, will receive a Federal payment of 40 cents for each popular vote cast for that party's presidential candidate in that previous election. A presidential candidate of a party whose presidential candidate did not receive 5 percent of the votes in the previous election nevertheless will receive a Federal payment of 40 cents for each popular vote he receives in the current election, providing he gets at least 5 percent of the vote in that current election.

Second, Federal payments to senatorial candidates will operate somewhat differently because of population differences in the various States. In general terms, the cost to the Government will be slightly more than 20 cents per vote cast for federally financed candidates. However, to make the provisions practical in States with small population certain minimum amounts are provided. Based on the number of votes received by all senatorial candidates or by all presidential candidates in whichever of the two preceding senatorial elections or the preceding presidential election produced the largest vote, a senatorial candidate of a major party, if he elects not to accept any private campaign contributions, will be eligible to receive a Federal payment of 50 cents per vote for the first 200,000 votes, 35 cents per vote for the next 200,000 votes, and 20 cents per vote for each additional vote, with a minimum of $100,000. Based on the number of votes received by the candidate of a minor party in whichever of the two preceding senatorial elections or the preceding presidential election produced the largest vote for the party's candidate, a senatorial candidate of a minor party will be eligible to receive a Federal payment of $1 per vote for the first 100,000 votes, 70 cents per vote for the next 100,000 votes, and 40 cents per vote for each additional vote. This same scale of payments based on a current senatorial election applies also to a senatorial candidate of a party which did not receive enough votes in the preceding elections to qualify as a minor party, but which does receive the requisite 5 percent of the vote in the current senatorial election.

Third, a major party candidate for

President or for the Senate cannot receive or accept private contributions to defray his qualified campaign expenses. A minor party candidate can receive private contributions but only to defray that portion of his qualified campaign expenses which his Federal payments do not cover. And in no event can a minor party candidate receive private contributions which together with his Federal payment exceed the Federal payment to a major party candidate.

Fourth, a qualified campaign expense will be an expense of a candidate for President or for the Senate or of a committee authorized by him incurred to further his election within a period beginning 60 days before the election day and ending 30 days after the election day and which is not a violation of a law.

Fifth, the Federal payments will be made directly to the presidential or sentorial candidates, not to the parties.

Sixth, the payments are to be from permanently appropriated funds in the Treasury.

Seventh, the Comptroller General of the United States will examine the expenses of eligible candidates and certify what payments are to be made to them by the Secretary of the Treasury. The candidates will have to disclose to the Comptroller General all of their records, books, and other materials relating to their expenses and will have to indicate how they will spend their money in the foreseeable future.

Eighth, thorough audits and examinations by the Comptroller General will be made after each election and if the Comptroller General determines that excessive amounts were paid to the candidates or that amounts paid were improperly used, then such amounts must be repaid by the candidates to the Treasury.

Ninth, there will be criminal penalties imposed for any misuse of the Federal payments or other wrongdoing under the law.

Tenth, the Comptroller General, as the campaign progresses, will make public preliminary expenditure estimates by the candidates. After the election, the Comptroller General will make a full report on the operation of the law to the Congress.

Under the Federal payment formula set forth above, in 1968, the presidential candidates of the major parties, the Republican and Democratic Parties, can each receive up to $14 million in Federal funds to pay for qualified campaign expenses.

In 1968, no party will qualify as a minor party in the presidential race, but the candidate of a party which receives at least 5 percent of the vote in the 1968 presidential election can receive after the election 40 cents for each vote he receives in that election.

If the Democratic and Republican candidates for the Senate in each State in which there is a senatorial election in 1968 elect public financing, the total Federal payments to those candidates will be $26,428,000. The following table shows how this money is allocated on a State-by-State basis:

APPLICATION OF PAYMENT FORMULA FOR MAJOR PARTY SENATORIAL CANDIDATES BASED ON VOTES CAST IN A PRECEDING ELECTION

[Total votes received by all candidates (*denotes election used in computing Federal payment)]

State	1962 senatorial election	1964 senatorial election	1966 senatorial election	1964 presidential election	Amount of maximum Federal payment [1]
Alabama	397,079	----------	*802,600	479,085	‡$251,000
Alaska	58,181	----------	65,250	*67,259	‡100,000
Arizona	362,605	468,801	----------	*480,783	‡186,000
Arkansas	312,880	----------	([2])	*560,426	‡202,000
California	5,647,952	7,041,821	----------	*7,050,985	‡1,500,000
Colorado	613,444	----------	634,837	*772,749	‡245,000
Connecticut	1,029,301	1,208,163	----------	*1,218,578	‡334,000
Delaware	----------	200,703	164,531	*201,334	100,000
Florida	987,207	1,560,337	----------	*1,854,481	‡461,000
Georgia [3]	306,250	----------	631,330	*1,139,157	‡318,000
Hawaii	196,361	*208,814	----------	207,271	‡103,000
Idaho	258,786	----------	252,456	*292,477	‡132,000
Illinois	3,709,216	----------	3,822,724	*4,702,779	‡1,031,000
Indiana	1,800,038	2,076,963	----------	*2,091,606	‡508,000
Iowa	807,972	----------	887,491	*1,184,539	‡327,000
Kansas	622,228	----------	671,345	*857,901	‡262,000
Kentucky	820,088	----------	749,884	*1,046,132	‡299,000
Louisiana [4]	421,904	----------	437,695	*896,293	‡269,000
Maine	----------	380,551	319,535	*380,965	163,000
Maryland	708,855	1,081,049	----------	*1,116,407	‡313,000
Massachusetts	----------	2,312,028	2,076,826	*2,344,798	559,000
Michigan	----------	3,101,667	2,440,643	*3,203,102	731,000
Minnesota	----------	1,543,590	1,244,426	*1,554,462	401,000
Mississippi	----------	343,364	393,900	*409,038	172,000
Missouri	1,122,259	1,783,043	----------	*1,817,879	‡454,000
Montana	----------	*280,010	259,863	278,628	$128,000
Nebraska	----------	563,401	485,098	*548,154	207,000
Nevada	97,192	133,730	----------	*135,433	‡100,000
New Hampshire	224,811	----------	229,129	*286,094	‡130,000
New Jersey	----------	2,709,575	2,130,688	*2,846,770	659,000
New Mexico	----------	325,771	258,193	*327,647	145,000
New York	5,703,117	7,151,581	----------	*7,166,015	‡1,523,000
North Carolina	813,155	----------	901,978	*1,424,983	‡375,000
North Dakota	223,737	*258,945	----------	258,389	‡121,000
Ohio	2,994,986	3,830,389	----------	*3,969,196	‡884,000
Oklahoma	----------	912,174	638,742	*932,499	‡276,000
Oregon	636,556	----------	685,067	*783,796	‡247,000
Pennsylvania	4,383,475	4,803,145	----------	*4,818,668	‡1,054,000
Rhode Island	----------	386,322	324,169	*390,078	167,000
South Carolina	312,642	----------	436,252	*524,748	‡195,000
South Dakota	254,319	----------	227,080	*293,118	‡133,000
Tennessee	----------	1,091,088	866,961	*1,144,046	319,000
Texas	----------	2,603,837	1,493,179	*2,626,811	615,000
Utah	318,411	397,384	----------	*400,310	‡170,000
Vermont	121,376	*164,350	----------	163,069	‡100,000
Virginia	----------	928,373	733,879	*1,042,267	298,000
Washington	943,229	1,213,088	----------	*1,258,374	‡342,000
West Virginia	----------	761,087	491,216	*792,040	248,000
Wisconsin	1,260,168	1,673,776	----------	*1,691,815	‡428,000
Wyoming	----------	141,670	122,689	*142,716	100,000

[1] Amounts are rounded to the nearest $1,000. The amounts shown are the Federal payment which would be available to each major party candidate assuming there was a senatorial election in the State in 1968.

[2] Not available.

[3] The Republican candidate in Georgia would be neither a major nor a minor party candidate since no Republican ran in the 2 preceding senatorial elections. (The percentage of votes received by a party's candidate in either of the 2 preceding senatorial elections determines whether the party qualifies as a major or a minor party. 5 percent is needed to qualify as a minor party and 25 percent is needed to qualify as a major party.) Of course, a Republican candidate in the 1968 senatorial election in Georgia who received at least 5 percent of the vote would be entitled to a Federal payment based on the number of votes he received.

[4] The Republican candidate in Louisiana would be a minor party candidate since the party's candidate in the 1962 senatorial election received 24.4 percent of the vote. (There was no Republican candidate in the 1966 senatorial election.) The Federal payment to a minor party candidate is determined by applying the minor party formula to the number of votes received by the party's candidate in the base election (in this case, the 1964 presidential election, where the Republican candidate received 509,225 votes in Louisiana). Under this formula, the Federal payment to the Republican senatorial candidate in Louisiana would be $294,000. This amount, however, exceeds the Federal payment of $269,000 to the major party (Democratic) candidate, because the Republican candidate in the base election received more than 50 percent of the vote. Therefore, the payment to the minor party (Republican) candidate is limited by the draft to the $269,000 payment to the major party (Democratic) candidate.

‡ Denotes State in which there will be a senatorial election in 1968.

Note: If the Democratic and Republican candidates in each State in which there is a senatorial election in 1968 elected public financing, the total Federal payments to those candidates would be $26,428,000.

If all Democratic and Republican candidates in the 1968, 1970, and 1972 senatorial elections (over which period there would be an election for each Senate seat) elected public financing, the total Federal payments to those candidates for the 6-year period would be approximately $73,222,000.

[This latter amount might be somewhat larger in actuality because future elections will be available as a basis for computing the Federal payments for the 1970 and 1972 senatorial elections, and a larger number of votes might be cast in those future elections.]

No financing of House elections is provided because your committee believes the House of Representatives should be granted the courtesy of deciding for itself how it wants its election financed.

The senatorial and presidential election financing provisions provide for the establishment of an advisory board to assist the Comptroller General in his duties under this act.

In addition to the tax credit and public financing provisions, your committee's bill includes the text of the Election Reform Act of 1967 as it passed the Senate September 12 by a unanimous vote of 87–0, plus a prohibition against soliciting votes within 500 feet of a polling place in a Federal election and a prohibition against paying for the transportation of voters to and from polling places in a Federal election.

Your committee has labored long and, we feel, productively, to come up with the amendment that today has been ordered reported to the Senate. It is hoped that the Senate will soon schedule this measure for action and that Congress will enact this comprehensive campaign financing and election reform measure during this first session of the 90th Congress.

The majority of us who voted for the public financing features feel that these provisions will cost much less and do a great deal more to assure that public issues are decided by the votes of people rather than the economic strength of campaign contributions.

Until today, the financing of political campaigns was the shadowy, backroom skeleton in the closet of American government. With this bill we prepare to put it honestly and unashamedly in the full light of day on Main Street.

The bill we order reported today is no pious pretense as has too often occurred in the past. This is the hard-headed judgment of practical men in Government as to how best to eliminate corrupt and improper influences.

COMPENSATION TO SURVIVORS OF LOCAL LAW ENFORCEMENT OFFICERS KILLED WHILE APPREHENDING PERSONS FOR COMMITTING FEDERAL CRIMES

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 506, Senate bill 798.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 798) to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

DETERMINATION OF RIGHT TO COMPENSATION

SECTION 1. If the law enforcement agency which employed a local law enforcement officer who was injured or killed satisfies the Attorney General that the death or disabling injury of such officer resulted from his apprehension of, or attempt to apprehend, any person for the commission of a crime against the United States, then the Attorney General shall pay the disabled officer or the survivors of such officer (referred to in this Act as "qualifying officer") the compensation provided in section 2. Compensation shall be paid to the disabled officer or survivor of such qualifying officer where the individual apprehended or attempted to be apprehended is wanted for both a Federal and a State or local crime.

PAYMENT OF COMPENSATION

SEC. 2. (a)(1) The Attorney General shall pay to a disabled officer or such other person—

(A) who is an eligible survivor (as defined in section 5(4)) of a qualifying officer at the end of a month for which a benefit is payable under paragraph (2), and

(B) who has made application for such benefit in accordance with subsection (b), a benefit equal to $250 per month: provided, That where there is more than one eligible survivor at the end of such month such amount is to be divided by the number of eligible survivors.

(2) A benefit shall be payable for each month beginning with the month of disabling injury or death of such officer and ending with (A) the ninety-ninth month after such month of disabling injury or death, or (B) the month preceding the first month in which there is no eligible survivor, whichever is sooner.

(b) A person or persons may apply for benefits under subsection (a), in a manner prescribed by the Attorney General, at any time after he becomes disabled or becomes an eligible survivor of a qualifying officer.

(c) Compensation under this Act to the disabled officer or survivors of a qualifying officer employed by the District of Columbia shall be in addition to any other compensation to which they may be entitled under any other law of the United States.

SEC. 3. There are authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 4. The Attorney General is authorized to promulgate rules and regulations not inconsistent with this Act for carrying out his duties hereunder.

DEFINITIONS

SEC. 5. For purposes of this Act the term—

(1) "local law enforcement officer" means a full-time law enforcement officer employed by a State, the Commonwealth of Puerto Rico, or a political subdivision of a State, or by the District of Columbia;

(2) "crime against the United States" means any Federal crime and includes any act made a crime by a law applicable only to the District of Columbia;

(3) "survivor" or "survivors" means a widow, child, or children, or parent or parents;

(4) "eligible survivor" or "eligible survivors" with respect to a qualifying officer means—

(A) a widow;

(B) if such officer leaves no widow or if she dies or remarries, a child, or children;

(C) if no person is eligible under subparagraph (A) or (B), a parent or parents;

(5) "disabled" or "disability" means the inability to engage substantially in any gainful activity by reason of any medically determined physical or mental impairment which can be expected to be of long-continued and indefinite duration or to result in death;

(6) subject to such regulations as the Attorney General may deem appropriate, the terms "widow", "child", and "parent" have the same meaning as they have for purposes of subsections (d), (e), and (h), respectfully, of section 202 of the Social Security Act; except that an individual is a "child" only if in addition he is unmarried and satisfies clauses (i) and (ii) of section 202 (d)(1)(B) of such Act.

Mr. McCLELLAN. Mr. President, S. 798 is a bill to provide compensation for totally disabled local law enforcement officers or survivors of local law enforcement officers killed or disabled while apprehending persons wanted for the commission of a Federal crime.

This is a time when the American people have a very keen recognition of the indispensable services that are rendered by our local police officers.

Law and order in our country are gravely threatened by the mounting rate of serious crimes being committed against our citizens and society.

The FBI Uniform Crime Report shows a 17-percent increase in the incidence of serious crime in the first 6 months of 1967 over the same period last year.

In 1966 a serious crime was committed every 10 seconds.

One murder was committed every 48 minutes. A forcible rape was committed every 21 minutes. A burglary was committed every 23 seconds. A robbery was committed every 3½ minutes. An aggravated assault was committed every 2 minutes. An auto theft was committed every 57 seconds. A larceny of $50 or more was committed every 35 seconds.

The chance that each citizen will become a crime victim in 1967 has increased 48 percent over his chances in 1960.

Thus the proposed legislation is intended not only to lend encouragement and support to our local law enforcement officers for the dedicated and dangerous work they do, but also to pay some measure of just compensation when great loss is sustained by them in the performance of their hazardous duties.

The bill as amended differs mainly from the bill as introduced in that compensation of $250 a month for 99 months, or a total of $25,000, is provided for the local police officer himself who is totally disabled while enforcing Federal laws, as well as for his survivors when such qualifying officer has been killed in the line of duty.

Pertinent statistics reveal that during the years 1960 to 1966, inclusive, 335 police officers were killed in the line of duty. Of this number, 16 police officers were killed while endeavoring to enforce Federal laws. It is estimated by insurance officials that during this 7-year period, an additional 96 local police officers were injured or disabled while attempting to enforce Federal laws—I mean disabled to the extent that they would be covered by the provisions of the bill.

In the light of this summer's civil disorder, rioting, and vandalism, the Nation is acutely conscious of the extreme need for able and courageous police officers.

Yet, because of the risk involved and other factors, there is greater and greater tendency on the part of well-qualified men to reject the occupation of policeman. Mr. President, there is no longer any incentive for any man to make the police service a career. The risks to life, limb, and health are great; the pay is small; the probability of injury without any compensation therefor is a constant reminder to the officer that he is not being adequately compensated, and that no compensation is provided for the extraordinary risks that he incurs when he undertakes to perform a hazardous duty.

Private insurance affording the police needed protection is a costly item to these public servants. A comparison between what a policeman pays for coverage and the amount paid by an average workman makes it vividly clear that the hazards of the occupation increase the financial burden of an already underpaid profession. An average worker, I understand, pays about $19.80 per month for $5,000 of life insurance coverage, plus $1,000 for his wife and each child. For that same $19.80 monthly premium, the policeman can get only $3,000 of life insurance coverage.

By enacting this legislation, Congress can appropriately recognize the contribution that our local police officers are making in the field of Federal law enforcement. As the U.S. Attorney General recently stated in a letter:

> Throughout the country, local law enforcement officers supplement the activities of Federal law enforcement personnel, thereby obviating, in large measure, the need for a larger Federal force.

The enactment of this legislation authorizing compensation to such non-Federal officers who are killed or permanently disabled while aiding in the enforcement of Federal laws appears to be an appropriate recognition of the contribution made by these local forces, and also provides a measure of compensation, or an additional reward, for their services.

Mr. President, this is not expensive legislation. I have stated the number of officers who were killed in the last 7 years in the performance of their duties, who would have been covered by this bill—I believe the number was 16—and the estimated number, some 96, who probably would have been entitled to receive compensation by reason of disability.

On that basis, if these estimates are near correct, the cost of this measure would be small as shown in paragraph 4 on page 4 of the committee report. I ask unanimous consent that that paragraph from the report be printed in the Record at this point.

There being no objection, the excerpt from the report (No. 521) was ordered to be printed in the Record, as follows:

The projected approximate cost of this program would be $3,000 per case annually.

First year: Two death benefits, 13 disability benefits—$45,000.

Second year: Four death benefits, 26 disability benefits—$90,000.

Third year: Six death benefits, 39 disability benefits—$135,000.

Fourth year: Eight death benefits, 52 disability benefits—$318,000.

Fifth year: 10 death benefits, 65 disability benefits—$225,000.

Sixth year: 13 death benefits, 78 disability benefits—$273,000.

Seventh year: 15 death benefits, 91 disability benefits—$318,000.

Eighth year: 17 death benefits, 104 disability benefits—$363,000.

The bill provides that payments will be made to qualified applicants for a period of 8 years and 3 months, or until there are no more eligible survivors. Where there is no widow, eligible unmarried children of a qualifying deceased police officer will receive compensation until the age of 18 or if engaged in college training until they reach the age of 21.

Mr. McCLELLAN. I direct attention to the final note there, that for the 8th year this program would be expected to level off, and that the total cost of it annually thereafter would be about $363,000—which is certainly of little consequence in a budget of more than $100 billion.

I would assume that these estimates are low. I do not know. Most estimates of the cost of any program are low at the time the legislation is first considered.

But even if it cost twice, three times, or five times as much as is now estimated, I feel this is an obligation that it is proper for the Federal Government to assume. This is a time in the history of law enforcement in this country when encouragement is needed. A measure of encouragement could and should be provided by a demonstration of support and appreciation for the law-enforcement officers of our country. With crimes of violence increasing as rapidly as they are; with the basic salaries of our policemen as low as they are; in many areas and in many instances with the poor equipment that they have to work with; the risks that they have to incur; and, of course, as the rate of crime increases, the risks they must take increase with it—I think it is imperative, or at least certainly highly proper, that the Federal Government reach out as far as it can to manifest its appreciation and to demonstrate its purpose in meeting the responsibility that it has. It is proper for the Federal Government to provide more rewarding compensation and at least a measure of security for the survivors of officers who are killed in the line of duty while undertaking to assist in the enforcement of the Federal criminal laws.

This bill we are presenting, Mr. President, I am sure is not perfect, but it does go beyond a mere gesture. It does something concrete and specific. It may not do enough, and it may not be as broad as it ultimately should be.

This is a beginning. I would hope that the bill can be enacted in substantially the form in which it was reported by the committee.

Some amendments will be offered. These amendments will be strengthening amendments. I think that they are proper amendments and will add to and improve the bill.

Some other amendments will be offered, the objective and purpose of which may well be meritorious and worthy of consideration. However, I would like to proceed with the bill and perfect it in the areas that it now covers. I hope that we can get the bill passed in this session of the Congress and have it enacted into law without unnecessary or undue delay.

I hope that other proposals to expand and enlarge upon what we are undertaking to do here will be properly introduced in the form of bills so that we can give them appropriate study.

It would be my inclination at this time to support in principle some of the proposals that the pending bill does not cover.

I anticipate that certain amendments which I have examined since the bill was reported—amendments which would strengthen the bill—will be offered promptly.

The PRESIDING OFFICER. The committee amendment in the nature of a substitute is open to amendment.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. BYRD of West Virginia. Who sponsored the bill in the House of Representatives?

Mr. McCLELLAN. The House has passed a bill dealing with the same subject matter. That bill is H.R. 11816. It is on the calendar as Calendar No. 549. We will make the necessary motion at the proper time to bring the two measures together so that they can go to conference.

I ask unanimous consent to have the names of the sponsors of H.R. 11816 printed in the Record, and the Senate bill will show the Senate cosponsors.

There being no objection, the list was ordered to be printed in the Record, as follows:

SPONSORS OF H.R. 11816

Mr. Byrne of Pennsylvania, Mr. Poff, Mr. Rodino, Mr. Dowdy, Mr. Feighan, Mr. Eilberg, Mr. Biester, Mr. Ashmore, Mr. Hungate, Mr. Tenzer, Mr. Smith of New York, Mr. Meskill, and Mr. Sandman.

The PRESIDING OFFICER. The committee amendment, in the nature of a substitute, is open to amendment.

Mr. HRUSKA. Mr. President, the pending bill is a response to the concern and the misgivings that many Americans have expressed in the fields of law enforcement and of crime control.

The objectives of the bill are very limited. The bill applies only to local police officers killed or disabled while engaged in the apprehension of persons charged with Federal crime, or who are fugitives from Federal criminal justice, or to situations in which an officer is either injured or killed while engaged in protecting material witnesses in Federal criminal proceedings.

The bill demonstrates the interest and concern of Congress in a very concrete and practical way. It does so by providing benefits to an injured officer or, in the event of his death, to his family members. The bill specifies who those beneficiaries are and to whom the payment shall be made.

We should bear in mind that it is a limited situation.

As the manager of the bill, the distinguished chairman of the subcommittee has indicated it is true that after the development of experience under this measure, perhaps there will be a revision of the bill.

Mr. President, it will be my purpose at this time to submit a series of four amendments, and I ask unanimous consent that they be considered en bloc at this time.

The PRESIDING OFFICER. The clerk will state the amendments.

The assistant legislative clerk proceeded to state the amendments.

Mr. HRUSKA. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with. The distinguished Senator from Arkansas [Mr. McClellan] has a copy of the amendments we have discussed and we have agreed upon them.

Mr. McCLELLAN. Mr. President, I have no objection to the amendments being considered en bloc, and I have no objection to dispensing with further reading of the amendments. However, the amendments have not been printed, and other Senators may want time to study them. I am not trying to preclude anybody from having a clear understanding of the amendments.

The amendments are more or less perfecting amendments. They would not inject any new theory or any new substance into the bill.

Mr. HRUSKA. The only new element contained in my first amendment is that it would extend to "any person who at that time was sought as a material witness in a criminal proceeding instituted by the Federal Government."

Mr. McCLELLAN. That would be while the man was in custody and under their protection.

Mr. HRUSKA. The Senator is correct.

Mr. McCLELLAN. I do not consider that beyond the purview of the purposes of the bill basically and fundamentally.

If they had in custody a material witness, and in trying to protect or guard him, they sustained injury or were killed, I believe it would be appropriate for it to apply. That is the intent of the amendment, as I understand it.

Mr. HRUSKA. That is the intent.

Mr. President, I concur in the characterization of these amendments as being perfecting amendments and clarifying amendments. They do not enlarge the scope. They do not introduce additional substance. Rather, they draw the bill to a more sharp focus in certain respects.

The PRESIDING OFFICER. Without objection, the reading of the amendments will be dispensed with, and, without objection, the amendments will be considered en bloc and printed in the RECORD.

The amendments ordered to be printed in the RECORD are as follows:

1. On Page 4, line 16 after the word "apprehend" add "(1)" and on line 17 after the word "States" insert "or (2) any person who at that time was sought by a law enforcement authority of the United States for the commission of a crime against the United States, or (3) any person who at that time was sought as a material witness in a criminal proceeding instituted by the United States."

2. On page 4, line 20 after the numeral "2", strike all on line 20 through 24 and insert "(b) No person otherwise eligible to receive a benefit under this Act because of the disability or death of a local law enforcement officer shall be barred from the receipt of such benefit because the person apprehended or attempted to be apprehended by such officer was then sought by a law enforcement authority of a State for the commission of a criminal offense against a State."

3. On page 5, line 17, insert after the word "survivor", "or (C) in the case of payment for disability, the month next following the month in which such disability terminates, whichever of these three events occurs first. Payment of such benefits shall be made to the qualifying officer during his life, and thereafter to his eligible survivor or eligible survivors. In any case in which there is more than one eligible survivor, payment of such sum shall be made in equal shares to all such survivors."

4. On page 6, strike all on line 12 through line 15 and insert in lieu thereof "(1) local law enforcement officer means a full-time law enforcement officer employed by a State; (2) 'State' means any State of the United States or any political subdivision thereof, The District of Columbia, and the commonwealth of Puerto Rico;" and renumber succeeding sections accordingly.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The amendments were agreed to en bloc.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KENNEDY of Massachusetts. Mr. President, I wish to express my congratulations to the distinguished chairman of the Subcommittee on Criminal Laws for identifying a most important area of concern to law enforcement, and for bringing it to the attention of the Senate in the form of the measure now before us. I wish also, in advance, to thank him especially for bringing this matter to my attention, for everything I shall say today was triggered by my consideration of his bill and the proposed committee report on it.

When this bill was presented in committee, the proposed report contained this statement:

> Law enforcement is national in scope. The local law enforcement officer is charged with the duty to enforce all law whether Federal, state or local. In a letter of March 7, 1967, endorsing this measure, the Attorney General observed that local law enforcement officers supplement the activities of Federal law enforcement personnel in enforcing Federal law, and that this makes possible a greatly reduced Federal force.

And the Attorney General's opinion went on to say that this bill would constitute a way of recognizing the contribution made by local police forces to national law enforcement. The Attorney General also said:

> If the Congress gives favorable consideration to this proposal, it should keep the subject matter under study [and it should ask:] "What can be done to encourage better compensation and insurance programs for all law enforcement officers?"

Only a few months before, the National Crime Commission had expressed a similar concern in its report on the Nation's police. That report cited the fact that our police forces were 10 percent under authorized strength, that it was difficult to recruit qualified applicants for police careers, that police morale needed improvement, and that law enforcement officers lacked an adequate sense of being professionals. As one important factor in alleviating these problems, the Commission had recommended that in addition to better salaries, "all police departments should insure that fringe benefits such as retirement plans, group health and life insurance, and vacation and sick leave are comparable to those offered in private industry."

In the light of these factors it was apparent that Senator McCLELLAN's fine bill focused on one small symptom of a much larger problem. The underlying reason for the bill is that, by and large, police officers just do not have adequate life insurance protection. Their families have little or no protection in case they die, whether in or out of the line of duty.

Why is this so? The best information I can obtain seems to indicate that, except in a few large cities, a police officer just cannot obtain, at a cost he can afford with his present salary, the kind and amount of life insurance coverage he needs, to protect his family. I must say that in many places the insurance companies have, in recent years, taken significant steps to give equal treatment to the police officer, but the fact remains that in some places he still pays a higher rate for basic coverage; almost everywhere he pays more—up to double what you and I pay—for double indemnity coverage; if he is a motorcycle policeman or vice squad detective he pays more for basic coverage and in most cases cannot get double indemnity at any price; he and his colleagues cannot get a low-cost group plan unless they can get all other city employees to join the plan; his pay is so low that he cannot afford to buy insurance on his own, even if it is available to him.

We had a tragic example in Massachusetts just this week. A young policeman was shot and killed by a gunman in the small town of Ashland. The gunman was killed in the battle, but this was little consolation to the wife and four children of the dead officer. They were left with a $12,439 mortgage, and the unpaid installments on their car, not to mention the task of starting a new life without a husband and father. Against this, they would have received $4,000 under the town's accidental death plan and another $2,000 under a police department program. As it turns out, however, they will be comparatively lucky. For Massachusetts has what is known as the 100 Club, an organization of public-spirited citizens which comes to the aid of the families of police and firemen killed in the line of duty. The club, as is its practice, paid the widow $1,000 for immediate expenses, $10,000 to be applied to the mortgage, and enough to pay the car installments.

I am proud to be a member of this club, and am gratified that the idea is spreading to other States and cities. But such groups can only fill a part of the need. They can only provide a very limited amount of funds. They do not cover the officer who is killed while not in the line of duty, and who does not have adequate insurance coverage precisely because of his line of duty. And more than that, they cannot give him the security and dignity and feeling of status that he would have with the kind of contractual, businesslike, insurance policies to which most other Americans have easy access. As one police chief said when he was asked about this problem just the other day:

> As fine and important as these voluntary organizations are for meeting difficult situations, a policeman does not really want to rely solely on the charity and beneficience of a few people for his family's security.

In any event, the fact that there are groups of citizens who provide this assistance to the police cannot obscure the fact that the public as a whole has a responsibility to law enforcement. If because of their occupations and level of compensation, police officers cannot obtain insurance on their own, then the rest of us who rely for our daily security on their tireless efforts have a duty and an obligation to see that access to such coverage is provided to them, not as a matter of grace but as a matter of right.

These are some of the concerns which S. 789 brought to mind when it was raised in committee. And despite the utility of this bill, I was driven to ask the committee:

> Is this the most we in Congress can do in this field? Can we not find something we can do beyond a bill which will help only a few officers each year? Why should our help to an officer and his family depend on the happenstance that the man who shoots at him has hijacked an interstate shipment rather than an intrastate shipment? Isn't there something we can do to assist in providing a measure of security and protection for all police officers all over the country?

The solution seems to lie in the benefits which the Federal Government makes available to its employees, including its many tens of thousands of law enforcement officers. Federal officers, such as FBI agents, narcotic agents, border patrolmen, White House Police, Park Police, U.S. marshals, and so on, have very easy access to a basic degree of personal and family security because they are part of the Federal employees group life insurance plan. This plan offers them the opportunity to obtain low cost life insurance coverage as a matter of right, regardless of their work assignment, age, health history, the size of their employment unit, or the State in which they live.

Mr. President, I believe that we can provide immediate and substantial support to local law enforcement by giving every policeman in the United States the same opportunity. I therefore send to the desk an amendment to S. 798, which would add to the bill a provision to provide for coverage of State and local law enforcement officers under the Government employees life insurance program. My amendment would add to the list of eligible participants in the Federal programs all State and local police officers in agencies which choose to join the program. They would pay the same premiums as Federal employees, and the cost of the employer's share would be divided equally between the local agency and the Federal Government. The benefits provided would be the same, except that the post-retirement free insurance provisions, which are not adequately funded by premium receipts, would not be included.

As an example of how this would work, we can take the case of a policeman earning $7,100 a year. He would be entitled, if his department joined the plan, to purchase $8,000 worth of insurance with double indemnity for death by accident or violence, on or off duty, and with coverage for loss of limbs or sight. The cost to him would be $52 per year. His agency would contribute $13, and the Federal Government would contribute $13.

Mr. President, I realize that it is a departure from existing patterns to allow non-Federal employees to have access to a program such as this. And I know that there might be other ways of assisting in providing policemen with insurance—for example, by a direct grant program to subsidize employer shares of locally organized insurance plans. Yet I do not believe any such alternatives will meet the need soon enough or well enough. They would require setting up new programs and plans, the writing of new policies, the passage of new local laws, and the establishment of new administrative machinery in every affected agency, all of which would have to be reviewed for compliance with Federal standards. My proposed amendment takes advantage of existing law, existing policies, and existing administrative machinery. It can be instituted and applied immediately. It requires and permits no Federal review or oversight of local action.

And Mr. President, we have had full and persuasive evidence of the immediacy of the need and the need for Federal action. We have the report of the Crime Commission; we are about to act to give a different kind of assistance to local law enforcement through the safe streets bill; we have had police witnesses appear before the subcommittees and the full Judiciary Committee to stress the need for public support, professional dignity, and higher self-esteem for law enforcement. We face a real crisis of confidence in law enforcement in this Nation, and this unique and extraordinary need calls for extraordinary action. The action I propose will not only have a direct practical effect for those policemen who lose their lives because of their public service, and for those who lose their lives away from their jobs but without insurance protection because of their jobs but it will also provide an immediate boost in morale for all police officers. It will demonstrate forcefully that we, and all those we represent, have faith and trust in our police, that we support them in their work and recognize the sacrifices they make for our safety and well-being.

Mr. President, I am almost embarrassed to say that the cost of this program to the Federal Government will be comparatively small. There are about 300,000 State and local police officers who are potential beneficiaries of this program. Even if all of them participated—which will not be the case—and even if their average pay rate is between $7,000 and $8,000—which it is not—so that the average coverage would be $8,000, the maximum cost of the Federal contribution would be only 300,000 times $13, or $3,900,000. In fact it will be much less. Truly this is a bargain, and a bargain we cannot and should not pass up.

I would like to add a word about the possible impact on the life insurance industry of this proposal. To the best of my knowledge, the primary and most significant effect of the proposal would be to bring into the life insurance market thousands of people who are not now in it and to increase substantially the coverage of thousands who already are in it to some degree. This is so, first, because the program would be most attractive to those agencies and those officers who will not or cannot get adequate coverage through participation in existing plans, and, second, because the Federal employee group policy is placed with a consortium of private life insurance companies. Thus by providing readily available coverage and a very small subsidy, the Federal Government will actually be developing many thousands of new customers for the private insurance industry. I want to emphasize again that where presently available group and individual policies provide adequate and low-cost insurance, they will in all likelihood contine to be used, and, if anything, the Federal program will only supplement rather than substitute for them. Nevertheless for the future we should be considering ways to offer incentives to police agencies and insurance companies to make available even more insurance at even lower cost to the policeman. The life insurance companies have certainly, in their most exciting announcement yesterday, demonstrated clearly that they are willing to work in the public interest, and if in the next few years they can develop and suggest policies and programs to supplant the method of this amendment, which provides immediate relief, then the amendment will certainly have fully served its purpose.

Mr. President, again I express my regret that I could not present this proposal with the full panoply of hearings and reports behind it. But since it is simple and straightforward, ripe, and relevant, and does draw from the accumulated evidence of many hearings over many months, I think it merits consideration now. I have informally checked with the relevant agencies of the executive branch, and while they, of course, have not expressed a policy opinion on such short notice, they have found no technical, legal, or constitutional barriers to the amendment.

I should say that this proposal has had the enthusiastic support and approval of every police official and policeman I have contacted in recent weeks, and I have received word from the International Association of Chiefs of Police, now in convention in Kansas City, expressing their support for this proposal.

Mr. President, I have discused this measure with the Senator from Arkansas in recent days, and I hope I have addressed and answered the questions he has raised. Like many other members of the Judiciary Committee, he has expressed deep interest in, and general support for, the purposes of the amendment, and I am hopeful that he will now be able to accept it as a product, derivative, and elaboration of his bill, and therefore as an addition to it.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. CARLSON. Mr. President, the Senator from Massachusetts has raised a very meritorious question concerning the insurance of our police officials, in view of the service they render to this country. However, I would like to ask the Senator this question. I regret that I did not hear all of the statement. Does the Senator's proposal relating to State, municipal, and other officials, cover them under the life insurance program of the Federal Government?

Mr. KENNEDY of Massachusetts. This would only relate to full-time State and local police officers. There are some 300,000 of them. It would not provide for inclusion in the Federal employees' insurance program of other State and local employees who are not police officers.

Mr. CARLSON. I have one observation. The life insurance program and the proposals dealing with Federal employees are handled, as the Senator from Massachusetts knows, by the Committee on Post Office and Civil Service, and a similar committee in the House of Representatives.

I would sincerely question the advisability of enacting legislation covering people in a program that was enacted for Federal employees, and including therein State and municipal employees without a hearing before our committee.

I think the amendment has great merit and I would help in getting hearings, but I would be hesitant to step into a field I feel certain should have some consideration. I think the committee itself would be somewhat concerned about the inclusion of people outside without hearings. It could seriously affect the insurance of Federal employees.

The Senator from Massachusetts and I and other Senators unanimously approved an increase in payments to our Federal employees which was vetoed by the President. I hope we can bring that bill up again and I think we will under the leadership of the Senator from Oklahoma. At that time I would commit myself to insist that the particular amendment be considered. I think it is important that it be considered, but I do not believe that this afternoon the Senate should act on a program built for Federal employees without determining how much effect it might have on the future benefits that many persons receive.

I hope the Senator from Massachusetts understands my views.

Mr. KENNEDY of Massachusetts. I understand.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. SCOTT. Mr. President, I have joined in the introduction of this bill (S. 798) with the distinguished Senator from Arkansas [Mr. McCLELLAN]. I, of course, do support the bill.

Relatively speaking, with regard to the Federal employees generally, this proposal is really de minimis, it seems to me. The amount is quite small. It is simple justice to take care of those people.

It is simple justice to take care of the officers who have been injured and the families of officers who have been killed in the course of enforcing the Federal crime laws. Therefore, I am happy to be listed among the Senators who support the bill.

Mr. KENNEDY of Massachusetts. I appreciate the comments of the Senator from Pennsylvania.

In response to the Senator from Kansas, I refer to the "Statement" which begins on page 3 of the report and also to the letter of the Attorney General, especially the first full paragraph on page 6. The Attorney General speaks about the interrelationship and interdependence between Federal law enforcement and local law enforcement. It is because of a continuing recognition of this interrelationship and its importance that the very appropriate benefits that the McClellan bill provides should be supplemented by those that this amendment provides. It seems to me, as I have said earlier, that it is difficult to draw a distinction between a police officer who is involved in investigating the robbing of a federally insured bank, and a police officer in the next room who is involved in pursuing the robber of a State bank which has no Federal deposit insurance. One officer would come under the benefits of the McClellan bill; the other would be outside it.

During the hearing of the Committee on the Judiciary on the riot bill, we heard the testimony of a number of police officials. Although they did not testify directly and specifically on this proposal, they certainly communicated strong feelings about the needs which underlie it. It seems to me that such testimony is pertinent and persuasive, although I do not deny the fact of the general jurisdiction of his committee that the Senator has raised.

Mr. HRUSKA. Mr. President, will the Senator yield so that I might propound an inquiry to the Senator from Kansas?

Mr. KENNEDY of Massachusetts. I yield.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. CARLSON. The Senator's amendment has great merit; there is no question about it, when we consider that Federal and State officials engage in the same type of work and are confronted with the same kind of dangers. But I question seriously entering into a program of this type without some consideration by the Civil Service Commission, which, after all, is responsible for Federal employees, their retirement, their insurance, and every other fund.

I have no problem with what the distinguished Senator is trying to do. In fact, I could support it but I question whether we should do that in the Senate without a hearing. We have not had hearings, as I am sure the Senator would agree with me. That is the only reason, absolutely.

Mr. HRUSKA. This is the question I should like to propound—with the kindness of the Senator from Massachusetts—of the Senator from Kansas: Is it not true that law enforcement officers are engaged in a hazardous occupation? Would not the objective of a hearing be at least to determine what actuarially sound premiums should be assessed against the reserves that would have to be added to the present fund? Would not questions of that kind arise immediately when a subject like this is considered?

Mr. CARLSON. If the Senator from Massachusetts will permit, I am the author of the life insurance bill for Federal employees. We wrestled with this problem for years, in order to get an actuarial program which we figured would be sound and the contributions which would have to be made on the part of the Federal Government and its employees.

I think we are operating now, after some years of experience, in a satisfactory manner.

The distinguished Senator from Texas [Mr. YARBOROUGH] is in the Chamber. He and I worked together for years on this problem. We feel good about the way we have it working now.

We tried to increase the benefits. The President determined that we had gone too far. In his veto message, he said that based on the payments we were making, the collections from the employer and the employee were not sufficient to justify the increase.

My only concern is that we should not do anything to this great program for Federal employees without knowing exactly what we are doing.

I have no quarrel with the Senator's amendment. It has great merit and I admire him for offering it.

Mr. KENNEDY of Massachusetts. Mr. President, partly in an attempt to recognize the need for leaving undiluted the benefits for Federal employees, the amendment which I propose does not give the newly eligible participants the benefit of what I understand is one of the most costly and underfunded aspects of the insurance benefits; namely, the continuance of free insurance after retirement. Instead they would utilize the benefit which allows purchase of an individual policy with medical examination after retirement.

I have been in touch with the Civil Service Commission, who reviewed the proposal from a technical point of view while I can understand the general reluctance on their part to expand the scope of the plan to make eligible 300,000 additional members from outside the Government, there was no objection from them purely from a technical point of view.

It would seem that because police officers generally must meet higher standards for health than those which apply to a Federal employee, this would be one of the factors which would work to their advantage, although clearly there are other factors such as risk, which might work to some extent to their disadvantage.

The distinguished Senator from Arkansas [Mr. McCLELLAN] has enumerated the number of police officers who have lost their lives in line of duty over the years and this is certainly tragic and terrible. The bill of the Senator from Arkansas, would certainly be one step in reducing the impact of these murders. But I, and many others, do feel that there is more we can do to face up to the problem that our law enforcement officials are facing. In view of the rather modest amounts of money involved, and the rather restrictive nature of the amendment itself, I would hope that it might be considered by the Senator from Arkansas.

The PRESIDING OFFICER. Does the Senator from Massachusetts wish to offer his amendment?

Mr. KENNEDY of Massachusetts. The amendment is now at the desk, and I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read as follows:

> On page 4, before line 11, insert the designation "Title I."
>
> On page 7, after line 25, add a new title as follows:
>
> "TITLE II"
>
> Chapter 87 of title 5, United States Code, which relates to the Government employees live insurance program, is amended as follows:
>
> (1) Strike out the word "and" at the end of section 8701(a)(8); insert the word "and" at the end of section 8701(a)(9); and after section 8701(a)(9) insert the following new subparagraph:
>
> "(10) an individual employed as a full-time law enforcement officer by a State or a political subdivision thereof or by the Commonwealth of Puerto Rico, but only if such individual's employing agency has notified the Civil Service Commission that it wishes to make the benefits of this chapter available to persons so employed by it;".
>
> (2) Add the following new sentence at the end of subsection 8706:
>
> "The provisions of this subsection shall not apply to an employee referred to in section 8701(e)(10) of this title."
>
> (3) Add the following new subsection at the end of section 8708:
>
> "(d) In the case of an employee referred to in section 8701(a)(10) of this title, one-half of the sum required by subsection (a) of this section shall be paid by the employing agency and one-half of such sum shall be paid by the Civil Service Commission. There is authorized to be appropriated to the Civil Service Commission such amounts as may be necessary to provide for the payments required to be made by it under this subsection."

Mr. McCLELLAN. Mr. President, I join others in commending the distinguished Senator from Massachusetts with respect to his interest in this problem. I am not prepared to say that what he has offered as an amendment is not the answer or not a worthy contribution to resolving some of the problems with respect to law enforcement.

On its face, it certainly evidences that, if enacted, Congress would be expressing an interest in making provisions that are calculated to benefit law enforcement officials. It would certainly strengthen their morale and give them an opportunity to provide for their own security, or help to provide for their security—opportunities that they are not now afforded.

It is with some regret—and I say this sincerely—that I feel constrained to oppose the adoption of the amendment—not necessarily the enactment of the amendment or certainly legislation that would carry out the objectives of the amendment. This is a little complicated. It is not as simple as it may appear on the face of it.

Of course, at the outset, I may say that I have had no opportunity to consider the amendment. I saw the amendment for the first time at 12:30 today, and since that time I have been occupied with this bill. The amendment was not presented to the committee when it was considering this bill. No testimony was taken on its provisions, or the aspects of what is needed in this field and what the consequences would be, or what provisions of law would be desirable.

I do not believe the Senate can act judiciously on those provisions this afternoon. I call attention to what the Attorney General said, which has been referred to by the distinguished Senator from Massachusetts. In his letter to Senator EASTLAND, chairman of the Judiciary Committee, on March 7, with reference to the bill that we have before us, he said:

> If the Congress—

I repeat, if the Congress—

> gives favorable consideration to this proposal, it should keep the subject matter under study.

He did not say Congress ought to cover this or expand it or go into the field of insurance in this bill, but keep the subject matter under study. Then he illustrates what he means:

> What can be done to encourage better compensation and insurance programs for all law enforcement officers?

I do not think we are prepared here on the floor of the Senate, without any hearings, without a report from any of the agencies involved, to make a determination about that this afternoon—that is, to judiciously consider it and arrive at a proper decision.

He asked further:

> Should programs relating to Federal law enforcement officers be reviewed?

I do not know. I do not think we can determine that here on the floor this afternoon.

> Should administration of such programs be placed in the Department of Labor which has broad experience in their implementation?

Well, those are questions that are to be studied.

He goes on to say:

> Is a more comprehensive program desirable for officers in the District of Columbia Police Department?

That may be unrelated to what we are considering here, but the Attorney General does point out that this is an area of probable responsibility to which the Congress should give attention and to which the Federal Government should give consideration.

I am not opposing a thorough examination into these problems, but I do question, I do doubt, the wisdom, the propriety and the advisability of the Senate's acting on an amendment which has not been printed. I cannot answer what the consequences of it would be. I have not had an opportunity to study it. I am not prepared to support it as an amendment to this bill.

I suggest that the distinguished Senator from Massachusetts himself realizes that this is not as simple as it may appear on its face, because in his statement a few moments ago he said:

> Mr. President, I realize that it is a departure from existing patterns to allow non-federal employees to have access to a program such as this.

If we are departing from practices, if this is an innovation, and we are going into a new field which becomes involved, I think it needs study.

I could be wrong about this, but there may very well be a constitutional question involved in this matter. I would not like to see any amendment or provision added to this bill this afternoon or enacted in the bill which might raise a serious constitutional question and thus nullify our labors and our efforts.

This is a small bill as it is. It is not designed to cover all these areas. It was not considered for that purpose, but there was an effort and a purpose to reach out in an area which we could clearly identify. No one could question its desirability, but I think we could say there was an obligation of the Federal Government to give recognition to the need and provide some compensation for a loss, injury, or death sustained in the performance of a service for the Federal Government.

That is what we are doing here. We are not going beyond that in this bill. We are simply saying that if an officer who is an officer of a State or a municipality undertakes to assist in the apprehension of someone who is wanted for a Federal crime, and in the course of performing that duty, which is a service to the Federal Government, he sustains an injury that disables him for a long period of time, or for an indeterminable duration, which prevents him from carrying on a gainful occupation, he is entitled to the compensation this bill provides.

If he suffers a fatal injury, then the compensation should be paid to his survivors.

This is a small step. I do not think a single Member of the Senate would vote against the passage of the bill. It is a small step, but it is an action which should be taken, and I think it is appropriate and urgent to take it at this time when there is a need to strengthen the morale of the law enforcement officials of our Nation. I would like to see us do that.

I wish to say to our distinguished colleague from Massachusetts that, if he will introduce a bill in the form of the amendment, or with whatever other provisions he feels would be appropriate, and if that bill is referred to the Judiciary Committee, and then to the subcommittee of which I am chairman, I will assure him that it will receive immediate hearings.

I would be keenly interested. I would want to develop it. Without making an all-out commitment of support, I would be interested, and would wish to expedite consideration of it.

If, however, the provisions of the bill were such as to require it to be referred to some other committee, for example the Committee on Post Office and Civil Service, then, Mr. President, while I would give any cooperation I could to that committee, the primary responsibility, of course, for processing the bill would be with the committee having jurisdiction.

The question of constitutionality has been raised. Under that procedure, the subject matter of the amendment could be thoroughly considered when the bill was introduced, and we could proceed accordingly.

I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I compliment the Senator from Arkansas for his diligence and his timely effort in bringing this legislation to the Senate. With crime as prevalent in our streets as it is today, and more organized crime rampant throughout our Nation, I think this legislation is long overdue. I think it behooves us to do everything possible to give encouragement to our law officer to raise the morale of the public servants who are entrusted with the protection of the safety, the lives, and the property of our citizens.

I am inclined to support the amendments of the Senator from Massachusetts and the Senator from Texas. I appreciate the arguments being made by the distinguished chairman of the committee, and I can understand his rationale. But I wish to say this: That if these two amendments are not appended to this bill, I hope in the future they will be given serious consideration.

I compliment the Senator. I think his committee has done a magnificent job. Legislation of this kind is long overdue.

Mr. McCLELLAN. I thank the Senator. Again, I assure my fellow Senators that this is not an opposition attitude. It is not an obstructionist technique on my part. It is simply trying to follow what I believe is the proper procedure. And I would think, in all probability, it may very well be the advisable course, because if we load this bill down with these things that have not been studied and are not too clearly understood, we may enact no bill at all. I hope we will not do that. After all, we have to go to the House of Representatives and work out some differences here; and if we can keep this bill as it is now, I think we can get a bill out at this session of Congress. I believe this can be enacted. I hope we can make that much progress.

I do think, however, that there is some risk, and I do not say that just as an argument against the amendment, but I believe that we would be incurring some risk if we load this bill down, now, with some things that have not been carefully and appropriately considered by committees having the responsibility and the jurisdiction of the subject matter.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CARLSON. Mr. President, I want it distinctly understood that I think this amendment has great merit, as I stated earlier. If called upon to vote for it on a rollcall vote this afternoon, I would vote for it; but I would do so with reservations, for these reasons:

We have here a proposal to amend a life insurance program set up for the benefit of 2½ million employees of the Federal Government. Their Government has written that program for their protection. This may be an appropriate place to amend it. It may be something that we should do. The distinguished chairman of the Post Office and Civil Service Committee is now on the floor, and may have some other ideas.

It is my personal idea—and I would hope that the distinguished Senator from Massachusetts would agree—that he should withdraw this amendment, with some assurance from the chairman of the committee and from me, a minor member of the committee, that we will give consideration to it later.

I think every Senator will agree that these officers, State patrolmen, and others, who are rendering this service do stand in practically the same position as Federal officials, and might well be given some consideration of this type. But, once again, we have an obligation to protect first the 2½ million Federal employees for whom we wrote this insurance; and I would not wish to do anything that would in any way endanger that, despite my willingness to do everything I can to help the people who are pursuing this work in this dangerous capacity.

I hope the distinguished Senator from Massachusetts will be willing to withdraw his amendment, with at least the assurance of a minor member of the committee that we will give some consideration to it.

Mr. McCLELLAN. Mr. President, I should like to add this: Frankly, I feel favorable toward what, as I understand it as of now, the Senator from Massachusetts is trying to do. With a little opportunity to study it in the form of a bill, an opportunity to consider it, I think I would very probably seek the privilege of being a cosponsor; because I am not opposed to it. I am not saying it is not good. I am not saying I know it will not work on this bill; but I think we are taking a chance, and an unnecessary chance, and that we have available a better procedure.

I think propriety calls for full consideration of it in due legislative process. I believe that is vital, and I urge my friend from Massachusetts to join us, and let us pursue that course.

When the bill is introduced, as I have stated, it may very well go to the Post Office and Civil Service Committee. But if it does come to our committee, I can assure my friend from Massachusetts and every other Senator who is interested that it will receive expeditious attention.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. KENNEDY of Massachusetts. Mr. President, first of all, I wish to express my appreciation to the Senator from Arkansas for his comments. I think every one of us knows that the whole genesis of this idea was in the work and the dedicated effort of the Senator from Arkansas.

Just to review the background with the Senator from Arkansas, I remind him that I did bring this matter up in our final meeting of the full Committee on the Judiciary. At that time, I did not have the amendment itself printed out, and was only able to sketch it out for the Senator from Arkansas; and so I recognize full well that he has not had the chance to give it the kind of thorough consideration that a proposal of this nature should ordinarily be given.

At the time of the meeting of the full Judiciary Committee, one of the principal objections raised to this proposal, as I remember it, was the question of constitutionality.

In the meantime, since our last meeting, I have had a chance to consult informally with the Department of Justice on this question. One high official was willing to be quoted as saying that he personally thought it was "not even open to serious question," that the proposal was constitutional. Right offhand he was able to cite many programs through which the Federal Government directly assists or funds the efforts of law enforcement agencies outside the Federal Government, such as the FBI National Academy, the Treasury Department Law Enforcement School, the National Crime Information Center, and other vital FBI assistance to local law enforcement, and the Law Enforcement Assistance Act. Under the Law Enforcement Assistance Act and under the proposed Safe Streets Act the United States can contribute directly to the salaries and other costs of local officers. There are many other fields, like that of State unemployment programs and employment offices where the Federal Government takes on the administrative costs of State and local programs. So I would hope that any such doubts that any Senator might have had on the matter can be dispelled here and now.

As I mentioned before, I introduced this amendment because I felt that there was a dramatic need which had been presented to the members of the Committee on the Judiciary during the course of a host of hearings, in which the Senator from Arkansas was a participant, on the Safe Streets Act and the antiriot bills, throughout which we were constantly reminded of the critical needs that existed for the protection and support of law enforcement personnel. It was for that reason that this program was developed and proposed, to meet what I think remains an extraordinary need. I certainly take my hat off to the Senator from Arkansas for his recognition of this need and his effort to take the first step to meet it.

I do feel that this is a rather simple means of meeting a vital need. I think that, although there have not been specific hearings on this proposal as such, if the amendment were accepted now, we would have time to review the program in detail with the Civil Service Commission prior to the time of its consideration by the conference committee. Since there is no proposal similar to this one in the House of Representatives it would be a topic for consideration in conference. We would have a chance to review it and perfect it, and if for some reason we ran into extraordinary obstacles, I could understand if it were receded from in the conference committee.

But nevertheless, though I would like to see the matter considered now, I am heavily persuaded by the distinguished Senator from Kansas [Mr. CARLSON], who has expressed a high degree of sympathy for this proposal, and would be for it today, but who believes strongly that it should be reviewed first in the Post Office and Civil Service Committee.

I have not had the chance this afternoon to talk to the Senator from Oklahoma [Mr. MONRONEY] who is the chairman of that committee, concerning this proposal except in a very sketchy way.

It is still unclear to me whether the measure would go to that committee or to the committee of the distinguished Senator from Arkansas [Mr. McCLELLAN]. However, with the assurance of support for the idea and concept of this measure that has been expressed by both Senators McCLELLAN and CARLSON, and the interest that has been expressed by the Senator from Oklahoma, I am prepared to withdraw the amendment, with the understanding that I would have a chance to consult with these Senators to see if we can achieve the objectives proposed in my amendment in a cooperative, constructive, and expedited way, and with the further hope that I would have their support when I introduce this program as a separate bill.

Mr. CARLSON. Mr. President, the distinguished Senator from Massachusetts has demonstrated by his action here this afternoon that he is truly a statesman. He has offered to withdraw his amendment, so that it may have further study.

The amendment offered by the distinguished Senator is a meritorious amendment. I assure him, as I did earlier, that from my standpoint I will do everything I can to see that his amendment is given consideration in a hearing.

Mr. McCLELLAN. Mr. President, I thank the Senator from Massachusetts. I will cooperate as much as I can to see that the matter is expedited.

I think the Senator has performed a very fine service here today by offering his amendment and discussing it, and pointing up the need of alerting the Senate to its responsibility in this field.

I hope that, when the Senator drafts his bill, he will give me the opportunity to see the bill and that he will afford me the privilege of cosponsoring it.

Mr. MONRONEY. Mr. President, I deeply regret that I was not present in the Chamber when the Senator was sketching the proposed coverage of the local law enforcement officers under the general Federal employee insurance plan.

I do know that he speaks of a situation that needs attention because of the gross undercoverage or lack of protection afforded to many of our peace officers who help keep our cities and smaller towns and counties safe from degradation by criminals.

The problem is a very serious problem, as the Senator knows. It will require a great deal of study to determine whether it would be propitious to place this under the federal system without our having control of the number of police officers or their salaries or the benefits they receive through the years, either while they are on the job or after they have retired.

It is hard to say. However, I do feel that it would be very wise to go into this matter further, and at a time when the Senator has formulated these ideas in the form of a bill, we can have hearings at which those who are interested can appear and testify before the committee.

I appreciate very much the action of the Senator in withdrawing his amendment.

The PRESIDING OFFICER. Does the Senator from Massachusetts withdraw his amendment?

Mr. KENNEDY of Massachusetts. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. ERVIN. Mr. President, as a cosponsor of S. 798, I rise to urge the Senate to adopt the proposed legislation.

Mr. President, after years and years of rampantly increasing crime rates, we must all agree that crime constitutes one of our Nation's most serious domestic problems. Statistics available from the Federal Bureau of Investigation indicate that this problem is growing worse. For example, serious crimes throughout the United States for the first quarter of 1967 increased 20 percent over the same period last year and nowhere is the end in sight.

There is no question that the problem of increasing crime is intimately related to the effectiveness of law enforcement and today we are considering a bill, S. 798, which gives us an unusual opportunity to take a significant step in upgrading law enforcement activities.

Because of the realization that we must be able to call upon the most talented young men in our Nation to combat crime effectively, it must follow that poor pay and job benefits for the men charged with enforcing the law is a luxury we can no longer afford. We must attract the most capable young men to law enforcement as a profession and be willing to reward them at a level commensurate with their ability and education.

I have long felt that it is incumbent upon local communities to raise policemen's salaries and job benefits so that they might become competitive with other professional levels. Along this same line, the bill we are considering today, S. 798, is designed to ease the financial burden of these local police families affected by injury or death resulting from local police enforcing the Federal laws. The local law enforcement officer is charged with enforcing Federal, State, and local laws and I feel that they should receive some measure of support from the Federal level for their activities. S. 798 would provide a benefit of $250 per month for 99 months to the officer or his family if the officer was killed or disabled while enforcing the Federal criminal law.

S. 798 presents Congress with its first opportunity to express appreciation in a concrete way to some 400,000 policemen for a job well done in law enforcement. As the Attorney General of the United States stated, this bill grants Congress an opportunity to give "appropriate recognition of the contributions made by local forces." The activities of local police in enforcing all of the laws of the land supplements the efforts of Federal agents and thus makes possible a greatly reduced Federal force. Therefore, Congress has a clear-cut obligation to recognize this contribution that our local policemen are making in enforcing Federal laws and providing for the safety of our land.

The FBI Uniform Crime Report shows an average of 335 local police officers killed in the lines of duty in the 7-year period of 1960–66. Of these, 16 died as a result of enforcing the Federal laws. Also, in this 7-year period it is estimated that there would be an average of some 96 local police officers totally disabled while enforcing Federal laws. Many of these men come from small towns where only one to three policemen are employed. Such a small town force would not be able to afford a costly compensation program for death of or injuries to their policemen. Thus, the financial picture is bleak in the event of a catastrophe and, these facts are certainly a deterrent to police recruitment.

Also, because of risks inherent in their activities, the insurance of police officers places a protection plan burden on the police profession. The average worker pays $19.80 per month for $5,000 life insurance plus $1,000 for his wife and each child. For that same $19.80 monthly premium the police officer gets only $3,000 coverage because of his hazardous occupation. Thus, we find the average policeman without adequate insurance protection for himself and his family. S. 798 is designed to deal with this inequity.

The desire for more effective law enforcement by the American people and an increase in police personnel can be realistically expressed through the Congress by the enactment of S. 798, and I urgently hope the Senate will act favorably on this bill.

AMENDMENT NO. 311

Mr. YARBOROUGH. Mr. President, I call up my amendment No. 311.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, further reading of the amendment will be dispensed with, and the amendment, without objection, will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 4, line 12, immediately after "SECTION 1.", insert the subsection designation "(a)".

On page 4, line 17, immediately after "United States,", add the following phrase: "or his lawful prevention of, or lawful attempt to prevent, the commission of a crime against the United States,".

On page 4, after line 24, insert the following new subsection:

"(b) If a local law enforcement agency satisfies the Attorney General that the death or disabling injury of a citizen resulted from his lawful apprehension of, lawful attempt to apprehend, or lawful assistance rendered to a local law enforcement officer for the apprehension of, any person for the commission of a crime against the United States, or his lawful preventon of, or lawful attempt to prevent, the commission of a crime against the United States, then the Attorney General shall pay the disabled citizen or the survivor of such citizen (referred to in this Act as the 'qualifying citizen') the compensation provided in section 2. Compensation shall be paid to the disabled citizen or survivor of such qualifying citizen where the individual apprehended or attempted to be apprehended is wanted for both a Federal and a State or local crime."

On page 5, line 3, strike out "disabled officer", and insert in lieu thereof "qualifying officer, a qualifying citizen,".

On page 5, line 5, immediately after "qualifying officer", insert "or qualifying citizen".

On page 5, line 14, immediately after "officer", insert "or citizen".

On page 5, line 22, immediately after "qualifying officer", insert "or a qualifying citizen".

On page 5, line 23, immediately after "disabled officer", insert "or disabled citizen".

On page 5, line 24, immediately after "qualifying officer", insert "or a qualifying citizen".

On page 6, between lines 11 and 12, insert the following new paragraph:

"(1) 'local law enforcement agency' means a law enforcement agency of a State, the Commonwealth of Puerto Rico, a political subdivision of a State, or the District of Columbia."

On page 6, line 12, strike out "(1)", and insert in lieu thereof "(2)".

On page 6, line 16, strike out "(2)", and insert in lieu thereof "(3)".

On page 6, line 19, strike out "(3)", and insert in lieu thereof "(4)".

On page 6, line 21, strike out "(4)", and insert in lieu thereof "(5)".

On page 6, line 22, immediately after "qualifying officer", insert "or a qualifying citizen".

On page 7, line 3, strike out "(5)", and insert in lieu thereof "(6)".

On page 7, line 8, strike out "(6)", and insert in lieu thereof "(7)".

Amend the title so as to read: "A bill to provide compensation for totally disabled local law enforcement officers or citizens, or survivors of local law enforcement officers or citizens, killed or disabled while apprehending persons suspected of committing Federal crimes."

Mr. YARBOROUGH. Mr. President, this is a "Good Samaritan" amendment. It is limited in scope. It does not change the nature of the pending bill. It raises no constitutional question. It would require no possible referral to any other committee.

The amendment is in the main stream of the purpose of the bill.

I congratulate the distinguished senior

Senator from Arkansas [Mr. McClellan] for his sponsorship of the bill. The bill is an entirely just and logical proposal. I support it wholeheartedly.

Congress has established whole categories of offenses against Federal criminal law such as kidnaping, robbery of national banks, taking stolen automobiles across State lines for which the enforcement and apprehension of the criminals falls in great part upon local law enforcement officers. Since we ask them to expose themselves to the dangers of enforcing Federal law, it is only just that we should compensate them as though they were Federal officers should they sustain injury or death in the performance of these duties.

This obligation to compensate certain victims of crime is an aspect of my proposal to compensate all injured victims of crime that I approve.

As the distinguished Senator from Arkansas knows from my testimony before his subcommittee, I advocated a program in my bill, S. 646, to compensate victims of crime who suffer death or bodily injury.

My proposal in that bill extended only to those areas in which there is general Federal police jurisdiction and responsibility, such as the District of Columbia.

The pending bill takes a different but no less valid approach to the jurisdictional question by pinning the necessary Federal interest on the commission of an offense under Federal criminal law.

The question that I raise here regarding the pending bill concerns its adequacy to provide benefits to all classes of persons who logically should be the beneficiaries of this humanitarian proposal.

My amendment would complete the coverage of the bill in two respects. It would not change the thrust or purpose of the bill.

The bill as reported provides compensation only for those killed or injured while apprehending a criminal.

It seems to me that the language as drafted would limit the application of the bill to those suffering injury after the criminal action had been completed. A clear-cut case deserving benefits is presented when an officer is attempting to prevent a crime but may not be in the process of actually apprehending a person for the commission of a crime against the United States.

He moves in to stop a crime before it is committed. For instance, a city policeman may be standing outside a national bank and may attempt to prevent the entrance of a man holding a revolver. If the policeman is then injured, does his case fall within the scope of the bill? I believe it should be clearly stated.

So my amendment has two facets: First, it would add to section 1 of S. 798 the phrase "or his lawful prevention of, or lawful attempt to prevent, the commission of a crime against the United States."

It would merely add this language on page 4, line 17, after the words "United States": "or his lawful prevention of, or lawful attempt to prevent, the commission of a crime against the United States."

It applies to the policeman shot down when he tries to halt a man starting into a bank with a pistol and tries to prevent what looks like a crime, rather than waiting and trying to apprehend the criminal after a crime. The first part of my amendment would apply only to that situation.

It seems to me, Mr. President, that the prevention of Federal crimes should be recognized as being of as great benefit to society as the apprehension of the criminal after the crime.

In the second category, my amendment would add to the State or local law enforcement officers proposed to be benefited by the bill the ordinary citizen who might be injured while attempting to prevent a Federal crime or to arrest a criminal.

We have all been shocked in recent years by reported instances in which scores of citizens stood aloof while a crime was being committed in their presence. Even more shocking have been the cases where a citizen attempting to prevent a crime or stop a criminal has been killed or injured, and no local compensation could be provided for him or his family by what should have been a grateful government.

For the all-too-rare citizen who might place himself in a position of peril during the commission of a Federal crime, our Government should be no less willing to compensate for his injuries than in the case of the State or local law enforcement officer.

Indeed, the citizen who volunteers to assist in law enforcement may be even more deserving of special consideration than the police officer, and is less likely to be covered by an adequate existing compensation plan.

Let me point out that police officers have police retirement plans that are often wholly inadequate, as shown in the fine report filed with this bill. So we pass this bill today to help out. But what of the private citizen who moves in when the police officer calls for help? I should like the distinguished Senator from Arkansas to consider this. Suppose the police officer calls for help. We know what has happened. Most people stand by.

Suppose a courageous, good Samaritan moves in and is shot? There are far fewer of these people than the number of policemen covered in the bill.

I ask the Senator from Arkansas to accept this modest amendment. These people should be rewarded for being courageous and bold and compassionate enough to try to help prevent the commission of a crime. My proposed amendment would extend the benefits of this compensation to the citizen who prevents a Federal crime or apprehends one who has committed a crime. The amendment would assure compensation for anyone killed or injured in enforcing the Federal criminal statutes. I believe we have a clear responsibility to those who place themselves in peril to assure a security from criminal action for the remainder of society. It is a needed step toward doing justice to all those suffering injury from crime in our society.

I ask this question of the distinguished Senator from Arkansas: Is it his purpose in this bill to protect people who aid a Federal officer in the prevention of the commission of a crime? That is the purpose of the bill, I take it.

Now, it is said, "We will help him only if he has a commission from a State, a county, a precinct; if he is a constable, a city officer, a police officer, a sheriff, a deputy sheriff, a State highway patrolman. We will protect the people who help the Federal officer enforce the criminal statutes only if he has commissioned status."

We know that any citizen has a right to arrest a person committing a crime, under the general criminal law of this Nation which has been handed down through the common law of England. But few ever accept that responsibility. Why? Because they are unarmed. They are not allowed to carry arms. They have no protection if they are killed. A police officer who is killed has some protection for his family.

The proposed amendment would not change the nature of the bill. I appeal to the Senator from Arkansas to accept the amendment and take it to conference. The number of good Samaritans is far less than the number of police officers who would be affected. It would offer protection for the few brave souls who do assist. It would be encouragement to the body politic to be aroused and to help the police.

I recall that in 1922, when I was in my teens and was working on board a ship at sea, we docked in London for a few days. An English officer was assassinated there at that time. The assassins fled down the street. The police were unarmed at that time, and four police officers were shot down. Outraged citizens, without weapons, ran those criminals down and caught them barehanded.

I have in my hand a clipping from the Washington Post of August 25, which reads as follows:

> BANK WILL EMPLOY GUN-TOTING TELLERS
>
> SAN FRANCISCO, August 24.—The first class of gun-toting tellers has been graduated by the Bank of America. They are nine San Francisco policemen who have taken moonlighting jobs in the banks.
>
> "I know that policemen have to supplement their income with part-time jobs," said bank vice president Alfred R. Zip. "Most tellers are women, and just the presence of a man around the place does a lot of good."
>
> The policemen will not wear uniforms while behind the tellers' cages. However, they are required by department regulations to carry their guns at all times, on duty or off.

That illustrates the growing problem of law enforcement.

Suppose a teller had a gun and was not a policeman off duty? Is the policeman off duty to be covered when he is being paid as a teller? Is there a distinction drawn between a teller who has a gun and is not a policeman and the policeman who is off duty? Questions of interpretation like this would be avoided under my amendment, which would cover them all.

It seems to me that we need to encourage help by the people themselves in law enforcement. The growth of crime is so overwhelming in this country that it is tearing down society itself.

The uncompensated volunteer, the

person with no compensation, no workmen's compensation, no police pension plan, who comes in, out of his high sense of duty as a citizen, to try to stop crime should be included under this bill.

Unlike the insurance amendment that was offered, the proposed amendment would not change any other Federal law. It would add no great cost.

I have the greatest respect for the fight that the Senator from Arkansas has waged for law enforcement. I know of his experience as a prosecuting officer in the State of Arkansas, which adjoins my home State of Texas. I know of his great competence there in law enforcement before he began his service in the Senate.

Let me point out that it should be more important to provide incentives to prevent crime than for the apprehension of a person for a crime already committed.

That is the first part of my amendment. Even if it remains limited to officers, we should provide the same rewards to the family if he is killed while trying to prevent a crime as are provided if he is killed while trying to apprehend a criminal.

If the law applies only to capture, it could foster a let-it-be-done-first attitude on the part of police officers. It could be that they would be reluctant to act first. Let him walk in, and then take your gun out and try to catch him.

Crime has grown so much that many banks have hired guards who wear uniforms. They are not legally officers, unless they get a special deputy's commission of some kind. They carry arms. They have a serious responsibility in enforcing laws against robbing national banks. They would be covered in the bill if my proposed amendment is accepted, but not in the original form. They should be covered, also. They work in a dangerous situation. They carry arms and wear a type of uniform. Under the pending bill, they would not be compensated.

The average citizen is deterred from helping to prevent a crime or helping an officer arrest a criminal. Why, when a police officer calls for help, do people stand by and look on? Because, they have no protection. They think of their wives and children who might be left penniless. They have no workmen's compensation.

When there is a robbery or crime think of the situation when a car is commandeered by the police and the driver is told, "Chase that man." He chases the man and if there is some violence and the driver of the car is injured he is not compensated. Even if my amendment were accepted he would not be compensated for the car but only for personal injuries.

A citizen might face the alternative of helping to chase a criminal or the loss of his abilities to support his family, and perhaps the workmen's compensation law would not provide; or if he were injured he could not come under the existing compensation law.

If we compensate someone for injury received in line of duty, as is provided in the bill of the Senator from Arkansas, it seems to me it should be more important to compensate someone who is injured who went beyond the call of duty, where he had no duty. The private citizen who is standing there goes beyond the call of duty to help enforce the laws of his country.

Mr. President, I point out to the distinguished Senator, the author of the bill, that this is a modest amendment in cost. Even among all police officers killed or injured the report shows a limited number who were enforcing Federal criminal laws. The number of good Samaritans would be even smaller. The cost would be small. Think of the small number of people who come to the aid of the police. This would encourage more people to stand up with the law enforcement officers and side with them against the forces of destruction of society and thereby help to maintain law and order in this country.

Pages 2 and 3 of the report indicate the number of police officers killed during the period 1960–65, how many were local policemen in the enforcement of Federal laws of the country? It shows that 278 police officers were killed in the line of duty, but only 13 were local policemen killed as a result of attempting to enforce Federal law. The number of good Samaritans would not be more; it would be less.

This bill, if my amendment is accepted, extends the protection to all people who help Federal officers enforce the law. It seems to me that the bill of the distinguished Senator from Arkansas narrowly defines a special class and makes a class distinction. I think it should be that every American citizen who helps a Federal officer in the enforcement of the law should receive compensation if injured, but the bill does not so provide unless they are in this special class. My proposal is more rational and reasonable.

First, my proposal would provide that if a person stepped in to help the Federal officer and that person gets shot down, we will take care of his widow and children. The bill of the Senator provides that we will only help if that person belongs to this special category of people, such as the sheriff, deputy sheriff, constable, State trooper, ranger, and so forth; the person would have to be in a special category. My proposal is that any American who responds to help enforce the Federal law should have special treatment. I point out to the Senator from Arkansas that my amendment would make it possible for the bill to apply to every American, but I bring in fewer people, more than would be brought in under his original bill.

Mr. President, the Senator from Rhode Island [Mr. PASTORE] wanted to speak on this matter. I ask unanimous consent that the name of the Senator from Rhode Island [Mr. PASTORE] be added as a cosponsor of my amendment.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Without objection, it is so ordered.

Mr. YARBOROUGH. The Senator from Rhode Island had asked that I add his name as a cosponsor before he left. He had planned to be here but he had to leave. He was sorry that we did not complete action on the flood insurance bill so that he would be here for this amendment.

Mr. President, I am informed that California has such a law now so it is not entirely new. I again appeal to the Senator from Arkansas to accept the amendment, or to take it to conference to see what might be done. I do not desire to load the bill down and kill the bill. I urge that the amendment be taken to conference; if it does not endanger the bill let us give equal treatment to all of the people who come to the aid of law enforcement officials.

Mr. McCLELLAN. Mr. President, any proposal that gives promise of aiding in the law enforcement in this country, or of improving law enforcement, or rewarding those for injury or losses that occur by reason of crime, have a strong and almost compelling appeal to me because I do not think we can overemphasize the critical condition that prevails in America today. The situation is growing graver all the time with respect to instances of serious crime that are being committed.

I make some public addresses. I have been pointing out for the last 4 years that the present increase of crime cannot continue and this country survive. No society can survive the assaults—the magnitude of assaults which are now being made on our society by the criminal element. No government can preserve its sovereignty if crime continues to rise at the rate it has in the past few years. We are marching toward chaos and toward anarchy and it has to be stopped.

I want to say that I do not care how much you work on a bill, Mr. President, there is always someone who can make a suggestion that is helpful. I think the distinguished Senator from Texas has made one suggestion here that would strengthen the bill. I am not now disparaging the other proposal that he has made, but I want to express my appreciation to him for this proposal. His first amendment to make this bill apply to an officer who has undertaken to prevent the commission of a Federal crime. I see no reason why it should not so apply. That demonstrates how one can work on a bill and think he has accomplished what he set out to do and then be guilty of some oversight.

I shall want to accept that part of the Senator's amendment. I shall not only take it to conference but I shall undertake to sustain him and the Senate and myself in accepting it.

Mr. YARBOROUGH. I want that to be discussed as a separate amendment, but I do not want to offer it first. I will offer it later and leave it now with the Senator's counsel. I am hopeful that the Senator will take both amendments.

Mr. McCLELLAN. I want to congratulate the Senator. I appreciate it. I simply have no purpose, in the position I occupy in the Senate as chairman of the subcommittee, except to give our best and work with our colleagues to the end that we may develop legislation or draft legislation and process it so that it will combat this crime menace.

I go further than most people, I guess—a good many people, at least—in my belief as to the kind of weapons we need to fight crime.

I think we are going to have to take

off our powder puff gloves and put on something stronger if we are going to stop this crime wave. I am not timid about it. I think we have got to go a whole lot farther and correct some of the conditions now prevailing if we are going to get the results so badly needed to protect our American society.

I appreciate the Senator's offering this part of his amendment, and we will arrange it so that in a few moments we can accept it, if the Senator will offer it separately.

As to the other part, I am reluctant to accept it. I am not the committee. The committee has not studied it. I do not know whether the committee would want to go that far. It has some complications. I am sure the language needs some revision. We are dealing with people now who, in the bill, are in a profession employed to perform a service to do a job of protecting society as a law enforcement official.

We are trying to provide some incentive to them, and trying to express and demonstrate some appreciation for the sacrifices they make and the risks that they take.

Whether this should be made to apply to some individual who may either ill advisedly, impetuously, or through lack of proper information, exercise poor judgment and just rush out into the fray saying, "I am going to do this, or I am going to do that," whether we want to go that far, I am not sure. There would be instances and cases where a citizen at the time a crime is about to be committed might undertake to lend his cooperation and valuable assistance to law enforcement officers who are performing their duty and who in the course of that performance might be injured and might be entitled to compensation.

But I say to my friend from Texas that I think he should be studying now the language prepared and drafted so that we will do what we want to do and not leave a big gap that might do many things we do not want to do. I say that in all earnestness.

Mr. YARBOROUGH. Will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. YARBOROUGH. I notice that the distinguished Senator sat in this Chamber all through the noon hour waiting for this bill to be debated. In an effort to save time I made a unanimous-consent request that the reading of the amendment be dispensed with. Since it was not read, I want to make sure that the attention of the Senator is directed to the safeguards in the amendment to provide that if the local law enforcement agency satisfies the Attorney General that the death or disabling injury of a citizen results from a lawful apprehension of an unlawful act, rendered with lawful assistance, rendered by the local law enforcement agency, this local law enforcement officer, through local State or city agencies, must certify to the Attorney General of the United States that this was lawfully done and was not a rash thing.

Mr. McCLELLAN. If it were done rashly, then it would not be lawfully done. He cannot blurt out something even with all good intentions.

Mr. YARBOROUGH. He has got to pass muster by the local police department. If they do not certify it, then it will never come to the Attorney General unless it is first certified that it was properly done. And then, of course, the Attorney General passes on it.

Mr. McCLELLAN. This bill was introduced—when was it?—back on February 1. That is some 7 months ago. We did not have the benefit of the suggestion in committee. I do not know what the committee would have done. I am not complaining. The Senator has been in the Senate for a good while and he knows how we legislate. We do so with some measure of precaution and some judiciousness. These processes have been found over the years, after having been tested and tried, to be the best we can devise. Coming here with an amendment that extends this—and I am here trying to speak for the committee, as far as I know how to speak for it—I am not prepared to say what the committee would do with the amendment, and I cannot accept it.

I think I can accept the other part of it, because I do not think anyone would question what the Senator has offered in the first part of his amendment. I do not think anyone would question it. I frankly confess that I will take the responsibility for accepting it. Of course, the Senate will have to vote on it. It is in line with what we are trying to do. It is a substantial contribution to this measure.

Mr. YARBOROUGH. The Senator will note that we did offer the amendment yesterday. It is printed in the RECORD on page 25386. I am the cosponsor of another law enforcement bill offered by the distinguished Senator from Arkansas. This is a more limited bill than the general anticrime bill of the Senator from Arkansas. We might call it a spinoff from it. It is considered to be a limited bill in a more limited category. But I did testify before the Senator's subcommittee on the proposition of compensating victims of crime.

I failed to offer the amendment as early as I planned to, but with the bill before us, I immediately asked the legislative counsel to draw up this amendment. It is not a haphazardly drawn amendment.

Mr. McCLELLAN. I wish the Senator had given us the benefit of it a long time ago. The Senator says he introduced it yesterday. I think it came to my attention only this morning. That is the first I knew about it.

Mr. YARBOROUGH. We had it printed.

Mr. McCLELLAN. I heard yesterday that the Senator was considering an amendment. I did not know what it was. It just came to my attention today.

Mr. YARBOROUGH. I tried to contact the Senator in the Chamber several times, but we apparently missed each other by minutes. This is not a spur-of-the-moment thing; it was drafted by legislative counsel with every safeguard included.

But it is to carry out this aim to encourage private citizens to help our law enforcement officials. I am regretful that the Senator cannot at least take it to conference, in spite of larger amendments offered by other Senators which might jeopardize the bill.

Mr. McCLELLAN. I felt that way about it. I said it sincerely. I do not think this is going to be an easy bill to get through in conference.

Mr. YARBOROUGH. We do not ask the Senator to take it and jeopardize the bill.

Mr. McCLELLAN. I cannot do that unless I am pretty well convinced myself. I am not opposed to the general idea but I do think it may need some refinement. I do not like to take anything and go to conference with it and say, "Here, this was thrown at me over there and I assume it is all right." We have a little more responsibility than that. I know that we do take things to conference, sometimes even without any hope that they will be sustained in conference. It is a nice, friendly gesture, however.

But here I not only make a gesture to the Senator; I have commended him. I again say he has performed a service by offering this amendment because it has something in it that I do not think any Senator would object to. He has made a contribution to this bill. I want to take it. I hope he will offer it. If he does not offer it, perhaps I will, because I think the first part of his amendment ought to be in the bill. He has made a contribution.

Trying to develop legislation in the field of law enforcement is in its incipiency. I think we will be on this problem not only this session of Congress and the next session of Congress, but possibly many thereafter. First, because of the seriousness and the gravity of the crime situation, we have to do everything legislatively possible to provide all the tools, within the purview of the constitutional authority, to fight this war on crime—this growing crime menace.

I am not going to say I oppose what the Senator is trying to do, but I say we will have time to study it. Let us get this legislation through and see how it is going to work. Then, as we hold more hearings—and there will be—the Senator can offer that proposal and let us study it. If I am convinced this can be done, and we get it in the right terminology, with provisions that are sound, I will be just as enthusiastic in supporting it if I find it comes in these categories——

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. McCLELLAN. Yes; I am happy to yield to the Senator, who is a member of the committee.

Mr. ERVIN. I will ask the Senator if there was not a great deal of difficulty in phrasing this bill in order to be certain that it encompassed what was in the minds of the subcommittee, and not go beyond those points.

Mr. McCLELLAN. We tried to be careful. We tried to make progress with caution, and judiciously—that is the best term I can use.

Mr. ERVIN. Does not the fact that the bill was entirely rewritten after the bill was originally introduced manifest the difficulty of the committee's arriving at the proper phraseology and the attempt to put the bill in such phraseology as to be certain it would contain the committee's intentions?

Mr. McCLELLAN. That is correct, and we adopted amendments, and are willing to adopt the one which the Senator from Texas has suggested.

Mr. ERVIN. Does not the amendment offered by the Senator from Texas, which the Senator from Arkansas has agreed to accept, show the difficulty, even with the best of care, to phrase the bill so it calls for something which was within the contemplation of the drafters of the bill, but they failed to set that language out?

Mr. McCLELLAN. It was a difficult task. It was not in the contemplation of the committee to extend the bill, at the time we considered it, beyond the officials. I may say to my colleague and the distinguished Senator from Texas that I am reluctant to accept and say I will go to conference with something that I know the committee did not contemplate. I was willing to accept what I know the committee did contemplate and wanted to write into the bill.

Mr. ERVIN. The Senator from Texas has made a very significant contribution by offering something that was omitted through oversight of the committee, and that is his first amendment.

Knowing something of the difficulty of phrasing this legislation, it would be somewhat hazardous to incorporate the second amendment offered by the Senator from Texas. I think I am entirely in sympathy with its objective, but I am not certain whether it is narrow enough. I think the Senator from Texas would be rendering a great service if he withdrew that amendment to the bill and offered it as an independent amendment or bill.

Mr. YARBOROUGH. I thank the distinguished Senator from North Carolina for his contribution to the discussion. He is a great constitutional lawyer and a former justice of the Supreme Court of the State of North Carolina. I honor him and the distinguished Senator from Arkansas, both of whom are very able members of the Judiciary Committee, both having served in the judiciary systems of their respective States before they came here.

The distinguished Senator from Arkansas has stated that hearings would be held.

Will the Senator yield for a question?

Mr. McCLELLAN. I yield.

Mr. YARBOROUGH. I understand the Senator from Arkansas is offering to have hearings on this point.

Mr. McCLELLAN. If the Senator will introduce the bill and the bill is referred to the committee.

Mr. YARBOROUGH. Or an amendment to an existing bill?

Mr. McCLELLAN. I cannot overemphasize that I am as interested in law enforcement and whatever is necessary to build and strengthen not only the law enforcement officials but the morale of our people and the courage of our people as is the Senator from Texas, because I think it is the gravest threat to our Nation today. I do not think Vietnam is the greatest threat, nor do I think that communism is the greatest threat, except as Communists infiltrate into the political and social fabric of our country and thus either instigate, agitate or incite to crime, violence, insurrection and revolution.

I think they will do it at every opportunity, and I have no doubt that they have their finger in many things that are happening to our country today.

I think our greatest danger is from internal, not external forces.

Mr. YARBOROUGH. I think the Senator inadvertently used one phrase—to build the morale of our people——

Mr. McCLELLAN. I say that advisedly, because I feel our people at times almost despair that crime can flourish as it is flourishing today. They look to us. I think they not only look to the Congress. I think they are looking to the President to be a little firmer in his leadership. I think they are looking to the Supreme Court of the United States to be more concerned with the safety of society and give the scales a greater balance than they have heretofore.

Mr. YARBOROUGH. I commend the Senator. The whole purpose of my amendment is to build the morale of the people of the United States.

Mr. McCLELLAN. Give them some hope.

Mr. YARBOROUGH. If a policeman is shot down under fire, at least there is some existing law to take care of his orphans and widow, but a citizen does not have that hope.

Mr. McCLELLAN. I am not sure, but I think that many of them in the past have been compensated by private bills. I do not want to make that as a positive statement.

Mr. YARBOROUGH. But there is no existing law to take care of them.

Mr. McCLELLAN. I know.

Mr. YARBOROUGH. The Senator knows, having dealt with crime in his State, that at the split second of danger, a person does not think of all the dangers involved. He does not have to. Past recollections give him the impression he has gained from the past at the moment when there is danger. Nature shoots those recollections through a man's mind faster than he could ever think of them. Those are impressions. That is what a man thinks at the time of danger, when there is gunfire, for example. There shoots through his mind the thought, "If I do anything, my wife and children will be unprovided for."

But if the Senator feels adamant——

Mr. McCLELLAN. I do not feel adamant. I am simply trying to exercise the best, the most judicious, processes I can under the circumstances.

Mr. YARBOROUGH. I thank the Senator for his sympathy to the idea.

Mr. President, I will withdraw the amendment.

Mr. McCLELLAN. Did the Senator offer the other one?

Mr. YARBOROUGH. Mr. President, I withdraw the first amendment and at this time I send to the desk and offer another amendment.

The PRESIDING OFFICER. The first amendment is withdrawn.

The amendment now offered by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 4, line 17, immediately after "United States" to add the following phrase: "or from his lawful prevention of, or lawful attempt to prevent, the commission of a crime against the United States."

Mr. McCLELLAN. Mr. President, I have no objection to that amendment. I urge the Senate to accept it.

Mr. HRUSKA. Mr. President, I want to concur in the declaration by the manager of the bill that it will be an improvement and that the Senator from Texas has done much to help the bill cover a situation that needs covering.

With respect to the part of the amendment he was kind enough to withdraw, I want to tell the Senator from Texas the committee has approached this matter somewhat cautiously. We know the time will come when it will be necessary to consider the enlargement of its coverage, but we were careful to limit this bill to full-time, local law enforcement officers.

Mr. President, I quote from the language of the bill:

> "Local law enforcement officer" means a full-time law enforcement officer employed by a State, the Commonwealth of Puerto Rico, or a political subdivision of a State, or by the District of Columbia;".

That does not include part-time police officers or sheriffs. It does not include people who are deputized for specific enterprises, such as pursuing a fugitive, even though a Federal crime is involved.

The reason for these omissions has been explained well by the Senator from Arkansas. This is a new direction. We should enter it in such a way that we will be on firm ground.

With experience, with hearings, and some showings on other classes, then will be the time to go into it; but the floor of the Senate is not the appropriate place to frame and to phrase legislation of this complexity.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. YARBOROUGH—

> If justice is to be done, My Lord, all places are temples and all seasons are summer.

Mr. HRUSKA. That is right.

Mr. YARBOROUGH. On the floor of the U.S. Senate, justice should be done anytime.

Did I understand the Senator to say that if a crime is committed, and an officer sees it, rushes out, the criminal is leaving, and the officer commandeers a car and says to the driver, "Follow that car," and the citizen has to obey the order, and follows him, and the citizen is shot and killed in pursuit of the criminal, that citizen is not protected?

Mr. HRUSKA. He is not protected under this bill.

Mr. YARBOROUGH. Then I think it is an unjust bill. I think he ought to be. He is just as bad off as would be the officer if he were killed.

Mr. HURSKA. I agree with the Senator. But we are attempting to make a cautious start.

Mr. YARBOROUGH. The widow and the orphan of the man who is killed are just as much in need and just as deserving as those of the officer, and both were engaged in the enforcement of the Federal law.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. McCLELLAN. Mr. President, I move that the Senate proceed to the consideration of H.R. 11816.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. An act (H.R. 11816) to provide certain benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. McCLELLAN. Mr. President, I move to strike out all after the enacting clause of H.R. 11816, and insert in lieu thereof the text of S. 798, as amended.

The motion was agreed to.

Mr. BYRD of West Virginia. Mr. President, the bill now before this body would provide benefits either to a police officer disabled while apprehending a person who has committed a Federal crime, or to that officer's widow and children, should the policeman be killed in the line of duty while attempting to capture such criminal.

The merits of the bill are beyond question. Policemen are a main safeguard that stands between law-abiding citizens and the forces of crime and anarchy. Policemen are pledged to give of themselves and make the highest sacrifices necessary in the defense of law and order. Clearly, the least that we can do, both as citizens and taxpayers and as elected representatives of the people, is to show our police that we are proud of their efforts in our behalf, and that we are willing to stand behind them should tragedy befall them.

Money, of course, is no consolation for a permanent disability, nor can it bring back the life of a husband for a grieving widow or a father for his children. But it can at least provide partial financial remuneration for the lost income which such a tragic event ordinarily brings on a family.

Mr. President, I wish to congratulate the distinguished senior Senator from Arkansas on the excellent presentation that he has made regarding the bill before the Senate; and I congratulate those members of the committee who have worked with him in preparing this legislation for action by the Senate today. I join with the Senator from Arkansas in saying, in essence, that this is a step in the right direction, and that, although there needs to be a great deal more done, such action as we are about to take today is necessary to increase the morale of our police officers.

Mr. President, as the Senator from Arkansas has indicated, much more is needed, not only to provide adequate enforcement of the laws of this country, but also to adequately strengthen the morale of our police officers and their families. Mr. President, we view from day to day the growing evidences of the epidemic of crime that is sweeping all over this great Nation. As the Senator from Arkansas has pointed out, during the first calendar quarter of 1967 there was an increase in the commission of serious crimes over the same period last year of 20 percent. Mr. President, last year, according to the FBI reports, there were approximately 3.25 million serious crimes reported in this country, as against approximately 2.75 million crimes the previous year. This represented an overall increase of 11 percent in the commission, or at least in the reporting, of serious crimes. We have no way of knowing precisely how many crimes were committed. But roughly 3.25 million serious crimes were reported.

This represented, as I have indicated, an 11-percent increase over the number of serious crimes reported the previous year. There was an increase of 14 percent in the number of robberies reported last year over the previous year. There was an increase of 13 percent in the number of auto thefts. There was a 13-percent increase in the number of larcenies reported last year over the previous year. There was an 11-percent increase in the number of murders reported; a 10-percent increase in the number of forcible rapes reported; a 10-percent increase in the number of burglaries reported; a 9-percent increase in the number of aggravated assaults reported last year over the previous year.

There were 153,400 robberies and 1,370,000 burglaries reported last year.

There were 557,000 auto thefts reported.

There were 2,790,000 larcenies reported last year.

There were 10,920 murders reported last year.

There were 25,330 forcible rapes reported last year.

Mr. President, on the timeclock of crime this represents a serious crime reported every 10 seconds last year compared with every 12 seconds the year before; a murder every 48 minutes last year compared with every 53 minutes the year before; an auto theft every 57 seconds last year compared with every 60 seconds the year before; a forcible rape every 21 minutes last year compared with every 23 minutes the year before; a burglary every 23 seconds last year compared with every 27 seconds the year before; an aggravated assault every 2 minutes last year compared with every 2½ minutes the year before; a robbery every 3½ minutes last year compared with every 4½ minutes the year before.

Last year, while the population increased 1.1 percent, the number of serious crimes increased 10 times as fast—11 percent over the previous year.

All of this is an indication that the job of the policeman is becoming more difficult and more dangerous as the days go by.

As the distinguished Senator from Arkansas pointed out, 57 policemen were killed while acting in the performance of their duty last year. This brings to a total of 335 the number of policemen who have died while enforcing the law since 1960.

I know that the Senator could have gone on and pointed out that of the 442 individuals involved in the murders of these policemen, 76 percent had been arrested prior thereto for the commission of some serious crime, and over one-half of these had committed the assault type of crime such as forcible rape, murder, assault with a deadly weapon, and so on.

He could have also pointed out that of those individuals who participated in the killings of policemen, 67 percent had been convicted upon some prior occasion for the commission of one or more serious crimes, and that of this group, 69 percent had received leniency in the form of probation or parole on at least one of these prior convictions, and that of those individuals who participated in the murder of the policemen, 11 had been arrested for the commission of murder on a prior occasion. Of these 11, nine had been paroled on the murder charge. Two of the 11 were escapees, one of whom had fled confinement while serving a murder sentence, and the other of whom had escaped from prison while awaiting trial for murder.

Mr. President, we could go on and on quoting statistics which would undergird the alarming fact that crime has reached epidemic proportions in this country, and that if this country is to remain a great republic, we are going to have to experience a revival of respect for law and order. In the process, it will be necessary to boost the morale of the policemen who stand between all of us and those who would take our lives and destroy our properties.

Incidentally, the District of Columbia, the Nation's Capital, has risen since 1957 from 12th place to second place among 16 cities of comparable size with regard to the crime rate.

As of August 31, 1967, there were 364 vacancies in the Police Department of the Nation's Capital. This number of vacancies is growing.

It is becoming an increasingly difficult problem to recruit policemen to fill the vacancies in the Police Department in this Capital of the greatest republic ever conceived in the minds of men. And this problem is going to grow.

Why is it going to grow? It will continue to grow because the morale of the policeman is at an alltime low. Why is it low? It is low because of a number of reasons. However, one of the principal reasons is that the Federal courts of the country too often do not back up the police departments.

The police make arrests, and the courts on tenuous technicalities turn the felons back out on the streets where they can look for additional victims and pursue a profession in crime.

I join with the Senator from Arkansas in pointing the finger at the President of the United States. And I am thinking of the office rather than any individual who may at a particular time hold that office, whether he be a Democrat or whether he be a Republican.

That is where action must begin—it must originate with the appointing authority. If there is to be any hope of reversing the crime trend, the appointing authority of the United States must recognize that unless members of the highest court in the land stop straitjacketing the police departments of the country, all other efforts will be in vain.

As I said sometime ago, if we wish to strike a real blow at the roots of crime, the place to start is in the nominations to the Supreme Court of the United States. And I now repeat that statement.

Woodrow Wilson said:

> Constitute them how you will, governments are always governments of men, and no part of any government is better than the men to whom that part is entrusted.
>
> And the courts do not escape the rule. So far as the individual is concerned, a constitutional government is as good as its courts—no better, no worse.

So there is much to be done, and the battle must be fought on many fronts. Today's Senate action will be a positive step.

This is a necessary bill. It is one that we should speedily pass, and it is one which I hope soon becomes law. But, once again I say that we must not close our eyes to the fact that we are just hacking away at the branches in our efforts to give strengthened morale to the police departments of the country.

Something will have to be done with regard to the appointment of judges to the Supreme Court of the United States, and I consider it my duty as a Senator and the duty of all of us to be more careful in the future than ever in the past in lending consent to the nominations of Supreme Court Justices when their names are sent to this great body for confirmation.

I again commend the Senator from Arkansas [Mr. McClellan] for his good work in bringing this bill to the floor. He has long been saying what I have said today, and he has long been waging the battle against crime.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 11816) was read the third time and passed.

The title was amended, so as to read: "A bill to provide compensation for totally disabled local law enforcement officers or survivors of local law enforcement officers killed or disabled while apprehending persons suspected of committing Federal crimes."

Mr. McCLELLAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD of Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McCLELLAN. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McClellan, Mr. Eastland, Mr. Ervin, Mr. Hart, Mr. Kennedy of Massachusetts, Mr. Hruska, Mr. Scott, and Mr. Thurmond conferees on the part of the Senate.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that S. 798 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had insisted upon its amendment to the bill (S. 1862) to amend the authorizing legislation of the Small Business Administration, and for other purposes; disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Patman, Mr. Multer, Mr. Barrett, Mrs. Sullivan, Mr. Reuss, Mr. Ashley, Mr. Widnall, Mr. Brock, and Mr. Brown of Michigan were appointed managers on the part of the House at the conference.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 12 o'clock noon Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO SIGN BILLS, RECEIVE MESSAGES, AND FILE REPORTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the adjournment of the Senate from the conclusion of business today until noon Monday next, the Secretary of the Senate be authorized, until 5 o'clock tomorrow afternoon, to receive messages from the President of the United States and from the House of Representatives and that committees be entitled to file their reports during the same period, including minority, individual, supplemental, and additional views thereon.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF EXPORT-IMPORT BANK ACT

Mr. BYRD of Virginia. Mr. President, during the past 24 hours I walked to the other end of the Capitol, to the House of Representatives. I have been told that one of the greatest arm-twisting campaigns in the history of the present session of Congress is now in progress in the House of Representatives. The administration is determined to defeat the amendment to the Export-Import Bank bill which the Senate put on that bill on the 10th day of August by a vote of 56 to 26.

Now, what would this amendment do? This amendment provides that money of the American taxpayers shall not be used to finance transactions with those countries that are supplying and shipping to North Vietnam. It would not restrict trade. It merely says that American taxpayers' money shall not be used for the benefit of those nations supplying our enemies in Vietnam.

During this week, Mr. President, the Secretary of Commerce, Mr. Trowbridge, appeared before the House Banking and Currency Committee in opposition to the amendment. Mr. Trowbridge is a very powerful individual in his capacity as Secretary of Commerce. Also appearing before that committee in opposition to the amendment was Mr. John W. Barr, the Under Secretary of the Treasury, also a very powerful individual in his capacity as Under Secretary of the Treasury. Also appearing before that committee this week in opposition to the amendment was Mr. Harold F. Linder, the President of the Export-Import Bank, also a very powerful individual in his capacity as President of the Export-Import Bank, because the Congress of the United States has provided that Bank with $13 billion.

But these public officials were not the only ones to appear this week before the House Banking and Currency Committee in opposition to the amendment. Others have appeared, and I assume that others will appear.

It is of some significance, I believe, that, on August 24, the chairman of the House Banking Committee held a press conference in which he stated—I am using his words, not mine—that the "fat cats" will buttonhole the Members of Congress and, as a result, the House of Representatives will defeat the amendment put on the Export-Import Bank bill by the Senate.

In this connection, Mr. President, I believe it is well to point out certain figures. In the first place, the United States, whether some members of its government want to recognize it or not, is in a major war. We have 500,000 men fighting on the ground in Vietnam; 500,000 Americans have been taken from their communities, from their homes, from their families, and sent 12,000 miles from the Capital City of our Nation to Southeast Asia, to fight a war.

I submit that if the Congress of the United States is going to draft men, take them away from their families, take them away from their homes, and send them to a far-off land to fight, then certainly the least we can do is to see that the American taxpayers' money is not used for the benefit of those nations which are supplying and trading with the enemy who is killing and wounding Americans in South Vietnam.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am glad to yield to the distinguished Senator from Texas.

Mr. TOWER. I appreciate the objective and the motivation of the distinguished Senator from Virginia in offering the amendment in the first place; and, since it is the Senate position, I believe the Senate should try to make it prevail in conference, even though I voted against it.

I should like to point out one factor, however, to the distinguished Senator from Virginia. A loan by the Eximbank to a foreign country for the purchase of goods in this country is not subsidization by the American taxpayer, because the money is actually loaned at interest and is paid back; and the American people, from the commercial standpoint and the monetary standpoint, are ultimately the beneficiaries.

For example, if we lend money to a British concern to buy goods, those goods are to be bought in this country; and, therefore, not only does it affect favorably our balance of payments, but also it means that interest is paid into the Eximbank, which is one of the few moneymaking agencies we have in the Government of the United States.

Mr. BYRD of Virginia. I thank the Senator for his observation, and I welcome his observation.

I must say, frankly, that, so long as we are engaged in a major war, I am not concerned with profits, with what companies might make profits, or whether our balance of payments might be bettered, if we trade with those who are trading with our enemy. That is not the point I am suggesting.

Mr. TOWER. May I say to the distinguished Senator that I understand that, and certainly that is no justification. But I did want to clarify the point that it is not a matter of the taxpayers subsidizing it.

Mr. BYRD of Virginia. The Senator from Texas is correct in stating that it is not a subsidy, and I do not believe I ever said it was a subsidy. What I said is that the taxpayers' money, if this amendment is not adopted, can be used and will be used for the benefit of commercial transactions with those nations which are trading with the American enemy in North Vietnam.

Let us consider the port of Haiphong, where most of the trading takes place. During the month of June 1967, twice as much shipping went through Haiphong as went through that port during the month of June of 1966.

Another significant fact: A majority of the ships which went through the port of Haiphong in June of 1967 flew the flags of free-world nations.

Another factor that I think is worth pointing out is that total U.S. casualties in Vietnam for the first 8 months of 1967 were 48,684.

Mr. President, it seems to me that it is time for our country and our leaders to decide whether we are taking this war seriously, whether we want to get it over with and, if we do want to get it over with, I submit we are obligated to do everything possible in a financial way and a diplomatic way in an effort to bring this war to a successful and honorable conclusion.

Mr. President, included in this amendment is the denial of the right of the President to do what he has proclaimed he will do, which is to take $50 million of taxpayers' money and use that to help build a Fiat automobile plant in the Soviet Union. The President has stated frankly that is what he wants to do, that is what he intends to do, and, unless the Senate amendment prevails, presumably that is what he will do.

The Senate can stop him. The Senate, by its vote in August, has stopped him. The House of Representatives must make a decision whether it wants to follow or take the same course the Senate took and deny the President the authority to use taxpayers' money to build an automotive plant in the Soviet Union, at a time when the Soviet Union is the chief supplier of war materials to the North Vietnamese.

In the long run it would be the American people themselves who would make this decision. The American people themselves, through their elected representatives, will determine whether, in time of war—and I submit we are in a time of war—taxpayers' money will be used to finance the building, or help to finance the building, of an automobile plant in the Soviet Union which is supplying the bulk of war materials to our enemy in North Vietnam.

Mr. TOWER. Mr. President, will the Senator yield on that point?

Mr. BYRD of Virginia. I yield.

Mr. TOWER. Mr. President, I commend the Senator from Virginia for once again focusing attention on this Fiat deal.

I think that perhaps the fact that this was uncovered was a blessing because I think it alerted us to the kind of backdoor financing that can go on to enable the Communist countries to better prepare their productive facilities for the production of war materials which could ultimately go to kill American boys.

If ever there was a heinous deal it was this backdoor deal, through Italy, the Export-Import Bank, and the Soviet Union for this Fiat plant. I do not care how many protest that this is a plant to build automobiles, a plant that is capable of building automobiles for commercial use can also build trucks and tanks for military use.

Public attention should be focused on this matter to the extent that the public will never allow the Government of the United States to go through with it.

Mr. BYRD of Virginia. I thank the Senator. I concur in the remarks of the Senator from Texas. I think the Senator is correct in what he said.

The fact is that a tremendous campaign is being made among Members of the House of Representatives to eliminate the amendment adopted by the Senate on August 10 by a vote of 56 to 26. If that amendment is eliminated in the House of Representatives, the President of the United States has the authority, which he has already said he expects to use, to use the funds of the Export-Import Bank to finance the building of an automobile plant in the Soviet Union.

I think it is very important that this tremendous campaign by the administration does not succeed. Of course, that is up to the individual Members of the House of Representatives. I know that each one of them will do what his conscience believes is best in the interest of our Nation. I personally feel very strongly that if we are going to win the war and get the war over, we had better bring to bear every financial pressure and every diplomatic pressure that we can against other nations of the world who are trading with and supplying the North Vietnamese and the Vietcong, at whose hands the American people are daily suffering very severe casualties.

I yield the floor.

THE BYRNES AMENDMENT IS HARMFUL TO THE FOREIGN ECONOMIC POLICIES OF THE UNITED STATES AND ITS RELATIONSHIP WITH OUR ALLY, THE UNITED KINGDOM

Mr. COOPER. Mr. President, yesterday the Senate, in my view, took a backward step against meeting our international responsibilities by voting to recede on amendment No. 18, in the conference report on the defense appropriation bill. The Senate voted in substance to accept the Byrnes amendment to H.R. 10738.

The effect of this amendment is to deny to Great Britain the opportunity to bid on the construction of seven minesweepers at an estimated cost of $60.7 million. No assurance was given or could be given by our Government that a British firm would be able to bid successfully on this order. Further, assuming that a British firm did bid successfully on this contract, such firm would undoubtedly find it necessary to buy needed equipment, especially nonferrous materials, in the United States to fulfill the contract.

But even more important, the arrangements previously made are greatly to our economic advantage, for Great Britain has agreed to purchase from U.S. industry $2,645,000,000 of equipment to meet her defense needs while we agreed to buy in return only $325 million of equipment. The end result of this amendment is to require that all U.S. vessels be built in American shipyards.

I understand that the total value of this contract, even if it were to go into force, would represent about 1 percent of the total value of all vessels under construction in our shipyards.

Yesterday I spoke briefly against receding on amendment No. 18, and I stated on the floor of the Senate my reasons. I shall now read the reasons that I gave yesterday:

> First, the procurement arrangements agreed to are distinctly to our economic advantage;
>
> Second, our longstanding relationship with Great Britain is unique in the world today in our relations with other countries;
>
> Third, by reducing her aviation manufacturing facilities and domestic procurement programs, Great Britain has placed herself in a position of great dependence on U.S. procurement.
>
> Last, I view the Byrnes amendment as an irresponsible act entirely inconsistent with our country's position of world leadership.

Mr. President, I have thought and reflected on the action the Senate took yesterday and have concluded that, if there had been more time for the exposition of the consequences of adopting the amendment, and if it could have been debated more thoroughly and at greater length, keeping in mind the valiant effort made to inform the Senate as to its consequences by the distinguished Senator from Texas [Mr. TOWER] and by the distinguished Senator from Oklahoma [Mr. MONRONEY], I would have hoped that our action would have been more considerate and that we would not have taken the step to recede and to accept the Byrnes amendment, even though the House insisted upon its amendment and might continue to insist.

I believe that the Senate has its responsibilities to do what it can to see to it that our country live up to its commitments and its word.

This morning's New York Times contains an editorial commenting on the harmful effect of this amendment in our relations with our ally, Great Britain, and on our country's foreign economic policy in general.

Mr. President, I ask unanimous consent to have this editorial inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COOPER. Mr. President, furthermore, I was able to secure a copy of the morning cable of the British Broadcasting Corp.'s news service summarizing editorials which were published today in several British newspapers about the action then taken by the House on Tuesday and by the Senate yesterday.

These newspapers question now the validity of any arrangements that their country makes with our country. They question—some do—whether Great Britain should not now look toward tying its defense squarely on a European basis rather than depending upon the whims of Congress, as was expressed in the Daily Telegraph's editorial.

I shall read from the cable of the BBC's news service:

> The refusal by the United States Congress to allow British shipyards to build minesweepers for the American Navy is the subject of a long editorial in the Times. The paper calls it "a clear breach of an international understanding" and says it strikes at the very base of the Anglo-American offset agreement on the F-one-eleven aircraft. The Times writes: "Unless the American Government can produce a much more formal guarantee for the offset, which can withstand the buffeting of congressional criticism, Britain would do much better to cancel the F-one-eleven order now, since it has already proved to be an expensive relic of the British Government's former defence policy. Contracts which are broken are not binding on the party which suffers from the breach. The Government should now void this contract if the United States still refuses to honour it."
>
> That was the Times.
>
> The newspaper says that part of the bargain between Britain and America when Britain decided to buy fifty F one-eleven aircraft was an undertaking by the American Defence Secretary to waive the Buy American Act so that British tenders for American arms orders would not have to surmount the fifty percent restrictive tariff previously applied. Yet, the paper says, he is now powerless to prevent Congress from upsetting his undertaking. And the administration is unlikely to ride rough-shod over the views of the majority of American politicians. What then should the British Government do? The Times writes: "The need for an F one-eleven force east of Suez has now been largely vitiated by the Government's decision to make such drastic military reductions in that part of the world. . . . The present situation brought about by the House of Representatives may now provide Britain with an unexpected justification for cancelling the purchase of the aircraft.
>
> "The spirit of the offset agreement has been broken in Washington to an extent that must jeopardize British confidence in the future of artificial arrangements of this kind." That was the Times.
>
> "If Congress can flout agreements once, it will do so again in the name of protection. Other instances of American discrimination are fresh in mind. The sale of Canberra Aircraft to Peru was banned for frivolous reasons. The BAC one-eleven has been up against some unscrupulous competition in the foreign field. According to representatives of trade unions involved in the concord project, American-financed propaganda is, in advance, undermining sales of this aircraft. There is to cap all this, a plan in Congress to halt all purchases of British military equipment as a reprisal for continuing trade with North Vietnam. Is this really the way the special relationship is going? If so, the sooner Britain moves squarely on to a European basis for defence, the safer she will be from the whims of Congress." That was the Daily Telegraph.
>
> The Daily Mail speaks of the growing tendency of the Americans to legislate against foreign competition. The Daily Mail writes: "It is hardly an advertisement for the American way of life when the country's elected representatives repudiate their Government's word and discriminate against a poorer nation." That was The Daily Mail.

Mr. President, I thought there was much more at stake than this matter of seven minesweepers. In fact, as I tried to point out yesterday, and now today, I believe that our trade with Great Britain—in fact, perhaps, all of Europe—is at stake.

Some time ago, at the beginning of this session, there was much talk about opening up the channels of trade with Eastern Europe. That proposition was very quickly "sunk without trace."

Now it seems that Congress may be determined not to trade even with our allies, except when all the trade goes from our country to Europe or Great Britain.

I hope very much that, before this session is over, the Senate will have an opportunity to debate this issue at greater length and cover it more carefully and considerately.

I further hope that there will come an opportunity, through legislation, to reverse if we can the action taken by the Senate and the House, and to restore as far as possible the position of the United States as a country responsible in standing by its commitments.

I fervently hope that this opportunity will come.

EXHIBIT 1

[From the New York Times, Sept. 14, 1967]

AMERICAN ROULETTE

Congress has been playing with foreign economic policy in a way that threatens to damage the essential interests of the nation.

The game started with the foreign-aid bill, which the Administration unfortunately made little effort to salvage after its severe mauling by Congress. Now Congress has thought up a new device calculated to injure American relations with this country's closest ally. A proposal requiring all United States naval vessels to be built in American shipyards, just approved by Congress, would scuttle a Presidential agreement to permit Britain to bid on the construction of sixteen minesweepers. This move, engineered by Representative John W. Byrnes, chairman of the Republican Policy Committee, was clearly calculated to chastise the executive branch for acting without full consultation with the House. But it will be far more harmful to Britain, the most loyal of America's friends, than to the President.

There is no question that Congress is in a querulous mood, increasingly frustrated and dissatisfied over Mr. Johnson's policies. Yet in denying Britain the right to bid, which was given her in return for her agreement to purchase American F–111 warplanes, Congress is misdirecting its resentment. In victimizing the British, Congress is casting doubt on this country's integrity and undermining the most durable of its alliances.

Meanwhile, the House Banking and Currency Committee is considering two similarly misguided Senate proposals designed to prevent the Export-Import Bank from financing exports to any nation trading with Hanoi and to prohibit a loan for a Soviet automobile factory built by Fiat. Since there are already ample provisions to deal with nations supplying the enemy, there is no reason for these new restrictions. Indeed, their main impact would be to do away with a potentially useful economic lever that the Administration may well be in need of in its efforts to build bridges with Communist countries and to maintain its ties with the non-Communist world.

While Congress has been indulging in such irresponsible mischief, the Administration itself is asking for trouble by seeking to continue the Export-Import Bank's practice of financing arms sales to developing countries. All traffic in arms cannot be halted; but it is a mistake to channel this business through the Eximbank, which was not set up to do this job.

It is high time that an end was called to this game of American roulette. Congress may feel that it is reflecting the disaffected mood of the electorate in sniping away at the Administration. But it is questionable whether the electorate is so blind and destructive as these actions suggest. The one thing the nation does not want and cannot afford is recklessness in the field of foreign economic policy.

Mr. TOWER. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am very happy to yield to the Senator from Texas.

Mr. TOWER. I want to offer my profound thanks to my distinguished colleague from Kentucky for pointing up once again the tragic mistake that I think was made on the Senate floor last evening.

I have read the editorials referred to by the distinguished Senator from Kentucky. The British people are shocked that the United States of America would not live up to its commitments.

I know that we get terribly annoyed in Congress when the executive branch goes off and makes agreements that must be implemented by congressional action without consulting us first. We have a right, I think, to be annoyed. But I think we also lose sight of good judgment when in an effort to vent our annoyance, to slap the administration on the wrist, we cut off our noses to spite our faces. We are going to show the administration a thing or two, even if it means the loss of probably our best and strongest ally in this world, even if it means the loss of in excess of $2 billion in purchases made in this country, even if it means that the British will say, "We can no longer take any responsibility for policing the world, because, for one thing, we cannot afford it, and for another, we cannot expect the United States to live up to its commitments."

This is a pretty terrible price to pay, just to teach the administration a lesson.

Now if the administration had come to Congress with this agreement, I think that the leadership in Congress would have agreed to it. It is a pretty good deal for us. We sell them in excess of $2 billion worth of materials, already virtually contracted for, and in exchange we say to them, "You may bid on $325 million worth of wooden hulls. If you are low bidder, you can have the contract. If you are not, then you cannot have it. You take the risk along with our domestic bidders."

The distinguished Senator from Kentucky [Mr. Cooper] has long been known for his experience in the field of horse trading. I am sure that he would agree that is pretty good horse trading.

Mr. COOPER. It is pretty hard to think of a better one.

Mr. TOWER. Certainly, we are not coming out on the short end of the stick economically. It would be conducive to a favorable balance of payments for us.

For years now, the United States has had a favorable balance of trade with Great Britain. A few little shipyards making wooden hulls can mean a great deal to the economy of Great Britain, which is economically in so much trouble today. It does not really mean too much to the United States with its vast gross national product. It does not affect to any significant degree our American shipbuilding industry.

What we need to do in this country is to motivate the rehabilitation of our large shipyards so that we can build the big, blue-water vessels necessary to carry the world's trade, so that the United States can have a thriving, first-class merchant marine and not the second-class merchant marine we have today.

I have long been a supporter of a first-class merchant marine for the United States.

But, I fail to see the significance of building seven little wooden hulls to the great American shipbuilding industry which has fallen on its uppers.

I think there will probably be a demand from responsible elements of those who have power in Britain now, and British opinionmakers generally, that the British reconsider its dependency on the United States for military hardware, that it reconsider its military associations with the United States, and turn elsewhere.

This is precisely the result that able men in the House and Senate predicted would come about from acceptance of the unfortunate Byrnes amendment.

I do not know why Great Britain should trust us any more after World War II. We forced them into divesting themselves of their imperial possessions before they were ready to do so. We pulled the rug out from under them in the Middle East in 1956. We pulled another rug out from under them on one of their defensive weapons systems which they were developing in connection with the United States.

We finally prevailed on them virtually to dismantle the British military aircraft industry and to accept the TFX or the F-111 as a new weapons system. But, we agreed that they could bid for a military contract from the Government of the United States in the amount of $325 million. Just bid for it.

Now we are going to start excluding other things, saying that they cannot bid for seven little wooden hulls.

How many more special interests will be coming in here saying, "Let us exclude something else that we make in my State."

Perhaps, later, someone will come in and say, "We are going to exclude something made in my State, too."

This kind of thing can go on and on and on.

Right now, British confidence in the word of the United States, and in the good will and good intentions of the United States of America, is badly shaken.

And I submit this is not the time for us to be consciously and wittingly alienating friends of the United States of America. For all its disagreements with us, the British are still our friends and are still a great people, and they are our own flesh and blood.

I deeply regret this tragic thing we have done. I hope the consequences will not be as great as it appears they might be, but I hope we will, as my distinguished and able friend from Kentucky, so versed in the field of foreign affairs, has suggested, take the earliest opportunity in the Congress of the United States to rectify the terrible mistake we have made.

I thank the Senator from Kentucky.

Mr. COOPER. I thank my colleague.

CORRECTION OF PRINTING OF AMENDMENT NO. 302

Mr. BYRD of West Virginia. Mr. President, on Monday, September 11, in the absence of the senior Senator from Washington [Mr. Magnuson], I submitted a notice of a motion to suspend the rule. I did this in his behalf on the Independent Offices and Department of Housing and Urban Development appropriation bill, 1968.

As appears on page 25007 of the Record for that date, I was submitting an amendment intended to be proposed by him to House bill 9960. In the printing of that amendment an error was made, so that the amendment reads in this way:

> Intended to be proposed by Mr. Byrd of West Virginia (for himself and Mr. Magnuson) to H.R. 9960.

And so forth. The words "himself and" should be deleted.

So I ask unanimous consent to insert in the Record at this point the corrected amendment.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

> H.R. 9960
>
> Amendment intended to be proposed by Mr. Byrd of West Virginia (for Mr. Magnuson) to H.R. 9960, an Act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes, on page 24, line 19, insert the following:
>
> "Any officer who has served with the Selective Service System in the position of a State Director of Selective Service or comparable executive position on the Staff of the Director of Selective Service for a period of fifteen (15) years will, upon retirement from active duty, be advanced in rank on the retired list to the next highest pay grade and be entitled to the retired pay of that grade as computed under appropriate provisions of law applicable to such person."

Mr. BYRD of West Virginia. Mr. President, I did that entirely independently of how I might vote on the amendment. I might very well support the amendment, but I did not want to presume on Senator Magnuson, in his absence, to include my name as one of those who would join in proposing the amendment. And so the correction will show that I did this for Senator Magnuson, not for myself, in his absence.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

Mr. BYRD of West Virginia. Mr. President, in order to make it the pending business, I move that the Senate proceed to the consideration of Calendar No. 532, H.R. 9960.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, it is my understanding that the Senator from Washington [Mr. Magnuson] will be here on Monday to floor manage this bill.

I remind Senators that on Monday, at 3 o'clock, there will be a vote on the consular treaty, and the vote will be a rollcall vote.

ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock Monday next.

The motion was agreed to; and (at 3 o'clock and 34 minutes p.m.) the Senate adjourned until Monday, September 18, 1967, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 14, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Blessed are they that hear the word of God and keep it.—Luke 11: 28.

Eternal God, our Father, so high above us that we cannot comprehend Thee and yet so deep within us that we cannot escape Thee, make Thyself real to us as we pray today.

Tired are we of our littleness and pray that Thou wilt lift us into the fellowship of great minds. Tired are we of our thoughts of discouragement and pray that Thou wilt lift us into the companionship of great hearts. In this fellowship and from this companionship may our faith be renewed, our hope strengthened, and our courage confirmed.

Bless these Representatives of our people. During these days may they be wise with Thy wisdom, strong in Thy power, and faithful through Thy faithfulness to them. According to our needs may the riches of Thy grace enter the heart of every one of us. In Jesus' name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1035. An act to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1862) entitled "An act to amend the authorizing legislation of the Small Business Administration, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPARKMAN, Mr. MCINTYRE, Mr. PROXMIRE, Mr. PERCY, and Mr. TOWER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10738) entitled "An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes."

The message also announced that the Senate recedes from its disagreement to amendment No. 18 to the foregoing bill.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 251]

Adair
Ashley
Aspinall
Baring
Bell
Blatnik
Brademas
Broomfield
Brown, Calif.
Button
Clawson, Del
Cohelan
Curtis
Daddario
Diggs
Edwards, Ala.
Feighan
Ford, Gerald R.
Fulton, Tenn.
Gallagher
Green, Oreg.
Hansen, Idaho
Hébert
Heckler, Mass.
Leggett
McMillan
Miller, Calif.
Morris, N. Mex.
Multer
Murphy, N.Y.
O'Hara, Mich.
Pike
Pirnie
Rivers
Rostenkowski
Rumsfeld
St Germain
Saylor
Smith, N.Y.
Udall
Ullman
Vander Jagt
Willis
Wilson, Charles H.
Wolff
Wyatt

The SPEAKER. On this rollcall, 389 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONFERENCE REPORT ON H.R. 9547—INTER-AMERICAN DEVELOPMENT BANK ACT AMENDMENTS OF 1967

Mr. PATMAN submitted a conference report and statement on the bill (H.R. 9547) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and for other purposes.

AMENDING THE AUTHORIZING LEGISLATION OF THE SMALL BUSINESS ADMINISTRATION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1862) to amend the authorizing legislation of the Small Business Administration, and for other purposes, with amendments of the House thereto, insist upon the House amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. PATMAN, MULTER, BARRETT, Mrs. SULLIVAN, and Messrs. REUSS, ASHLEY, WIDNALL, BROCK, and BROWN of Michigan.

VIETNAM

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, the American Forces in Vietnam have shown fine spirit and morale. I believe it is high time the American people joined ranks in support of the wonderful efforts of our fighting men. Let us put criticism of the war aside and renew the spirit of 1776.

We need to adopt once again the spirit of Patrick Henry when he chose liberty or death, the spirit of Lincoln at Gettysburg, the spirit of Teddy Roosevelt as he led his Rough Riders over San Juan Hill, the spirit of Sergeant York in France during World War I, the spirit of Colin Kelly in World War II, the spirit that prevailed on Pork Chop Hill in the Korean conflict.

I can guarantee you our troops in Vietnam have that spirit. General Westmoreland has reported to the Nation that the morale of American troops in battle has never been better throughout the history of our country. Capt. Bill Carpenter is one well-known hero of the Vietnam conflict, but there are hundreds of enlisted men and officers who have displayed equal courage and heroism. All Americans should be proud of these efforts of our fighting men to preserve freedom and liberty—and all Americans should stand behind our Nation's policy of resisting Communist aggression in Southeast Asia.

SUPPORT PRESIDENT JOHNSON IN VIETNAM

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I want to join in the remarks of the previous speaker who discussed the fact that the morale of our troops in Vietnam is very high.

I think it is very important that the American people realize that as of now, the cost of Communist aggression in South Vietnam is going to start going up. We have been in South Vietnam and North Vietnam roughly 24 months. When we got there after the Tonkin Bay incident, Saigon Harbor was hopelessly blocked and ships were sitting in the harbor for 5 and 6 months unable to be unloaded. The whole logistical situation was simply impossible to wage any effective war against the Communists.

But in the last 24 months our American troops have done a monumental job. They have built Cam Ranh Bay and they have opened up communications and supply lines. Today our troops are waging a victorious war.

I think it is important to realize that the Communists have not won a single major battle in the last year. It is safe to predict that from now on, their losses will increase substantially and their ability to hold out will decrease markedly.

I think at this time, now when the President of the United States is carrying this battle victoriously to the Communists, it is time for all Americans to pull together and get behind the President and recognize the fact that the only way we are going to get our boys out of Vietnam, is by winning, and that is being done by our troops and I think they need our full support.

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1967, AND AMENDMENTS TO THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 602) to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, S. 602, with Mr. Price of Illinois in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, it had agreed that title I of the committee substitute, ending on page 56, line 9, be considered as read and open to amendment at any point.

Are there any amendments to title I?

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Cramer: On page 55, line 3, strike out "$220,000,000" and insert in lieu thereof "$170,000,000".

The CHAIRMAN. The gentleman from Florida is recognized for 5 minutes in support of his amendment.

Mr. CRAMER. Mr. Chairman, this is a simple amendment. It would strike $50 million from the authorized $220 million for additional authorizations for nonhighway programs. How is this reduction in authorization justified? It does not touch highway authorizations. It has nothing to do with the $1,015,000,000 authorized for highway construction. It deals only with programs other than highways in Appalachia, meaning such programs as those for health facilities, soil conservation, timber development, mine restoration, water resources, a new housing section, vocational education, sewage treatment, supplemental grants, and administrative expenditures of the districts.

Why is this $50 million reduction offered? What is the reason for it? Why the amount?

Let me say at the outset that if we want to start practicing economy, this is the way to do it. This morning I read in the newspaper that some members of the Committee on Ways and Means said that they are not even going to give consideration to tax-increase legislation until Congress shows its good faith intent to reduce spending. It is my belief that if we reduce spending where it is possible to reduce it—and it certainly is here—we can avoid the necessity of increased taxes from the American taxpayer, at a time when I personally believe that to impose those taxes would result possibly in throwing us into a recessionary spiral. This is not the time for increases, when spending cuts is a logical answer.

Why is $50 million offered as an amount for the cut? I am the first to admit that approximately $54 million—$53.6 million—was cut by the committee from the amounts authorized in the Senate-passed bill, but there was still too much fat in it, and there is still too much fat in it.

This cut would, in fact, affect fiscal year 1969 funding rather than that for 1968, in that the Congress is in the budgetary process now, and the administration is asking for $64 million this year for Appalachia. I repeat, $64 million. If the proposed cut is not made, there will be $155 million available for the fiscal year 1969 for the same programs for which they are asking only $64 million this year. It does not make any sense to provide almost three times as much in the fiscal year 1969 as we are providing, as requested in the budget, in fiscal year 1968. My amendment is a reasonable cut. We are giving them over twice as much in fiscal year 1969 as in fiscal year 1968. The amendment would reduce the amount so that there would be enough available in the fiscal year 1969 to equal the $64 million that is requested this year in the budget plus an amount equal—and this is for 1969—to that plus the $42 million carryover.

So for the next year they will have over $100 million for these supplementary Appalachian programs outside of highways. This is ample, unless, of course, we want to do as apparently some want to do, and in an election year—and this would be an election year—give away a great deal of money. They just also happen to be turning all this money to the President, which is an entirely new procedure. The money now is going to the agencies. The highway money goes to the Department of Transportation, for instance. But now they want to give it to the President. All the funds for these other programs now are going to the administrative agency, but in this bill they want to give them to the President. It just happens that fiscal year 1969, as I said before, covers the election year period. There will be about $100 million, if this amendment carries, available for expenditures in fiscal year 1969, which starts July 1, 1968.

The amount in my amendment is a reasonable amount. Every Member on the floor of the House, even if he is in the Appalachian region, can conscientiously and conscionably vote for this amendment. There is in this bill a total of $936.7 million, of which $396.7 million is new authorization. My amendment is a mere $50 million cut. This is a mere $50 million of the $936.67 million authorization.

I think it is a reasonable approach, I think it is a logical approach. I do not think it is going to gut any program. The say-so as to where cuts will come in the individual programs under this amendment is up to the administering agencies, where it should be.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. Cramer was allowed to proceed for an additional minute.)

Mr. CRAMER. The agency administering the program, and the Appalachian Regional Commission itself will be given the responsibility of deciding what programs it wants to give high priority to, and which it can cut. It can certainly be cut, because the Committee on Public Works, itself, added money to a number of these programs. Vocational education is one of them.

The administration and the Appropriations Committees—the committee of this House and the committee of the Senate—can make the determination as to where the cuts should be. This is the way it should be. Let them look over the program. Let them decide where the reasonable cuts ought to be made. They will make the cuts. That is the way it should be done.

I am offering this in lieu of amendments to the specific amounts, because I think this is the proper management way to do it.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield for the purpose of a question?

Mr. CRAMER. Yes, I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I believe I understood the gentleman to say the effect of this amendment would be to cut $50 million and to put the money in the agencies instead of with the President. Did I misunderstand the gentleman on that point?

Mr. CRAMER. The gentleman did misunderstand me, Mr. Chairman. Our side has an amendment to be offered at a later hour dealing with that subject matter.

Mr. EDMONDSON. Mr. Chairman, I thank the gentleman.

Mr. CRAMER. This merely deals with the amount of money.

Mr. EDMONDSON. I thank the gentleman for that clarification.

Mr. CRAMER. If we want to start cutting, this is the place to start cutting, at this point.

Mr. SCHWENGEL. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Chairman, if the gentleman's amendment is adopted, the program for the roads will not be curtailed one iota over the plans that are envisaged in the legislation?

Mr. CRAMER. The gentleman is correct. The reduction does not deal with highways, but rather with the balance of the program which is the $220 million which would be authorized for that purpose.

Mr. JONES of Alabama. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the pending amendment will mean that $50 million will be cut from the activities and programs that are now being utilized. In the course of the committee's consideration of this bill, we cut the health amounts, set by the Senate at $70 million, down to $50 million; the timber development we reduced $3 million; mine restoration, $9 million. Vocational education was the only item, the single item in the program that we increased.

That increase was from $18 million to $26 million.

For supplemental grants we cut $26 million.

We cut $500,000 from the cultural program and $3 million from the land development program.

We have been very careful in seeing that the amounts were compatible with the outstanding unobligated amounts that have been carried forward.

The gentleman from Florida makes great moment of the fact that all the funds which have heretofore been authorized and appropriated have not been fully employed. Of course, it does take time for these communities, which are handicapped for lack of organization, to petition to the States and to the Commission and to the Congress for these various types of programs until they are all in the pipeline.

This is based upon the expectation that when the programs are submitted the funds will be available for commitment and for utilization.

It would seem to me that we should not say to these communities, which have gone to tremendous expense and great effort, "No, we do not have sufficient funds to do what we thought we would do for you."

There was not a single bit of evidence presented to the committee to warrant that type of change.

Let us see what we are doing in the Appalachian areas. In the health programs we are trying to establish community health facilities. There will be land treatment programs, timber development, mining area restoration, water resources survey, vocational education, sewage treatment works, and supplemental grants for other types of programs.

It seems to me that if we were to make an indiscriminate cut in the total amount this would not rationalize with the amendment and its necessity, because it would not single out where the cuts should be made. I do not believe that a blanket approach is very wise or very prudent for Congress to adopt in the practice of considering programs and their relationship to the total objective sought by this legislation.

These are needed programs. These are the programs which have been established by the State commissions, by the Governors and the local communities, who have presented to the Congress their urgency and their great need.

I hope, Mr. Chairman, that the amendment will not be accepted.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the distinguished gentleman from Kentucky.

Mr. CARTER. I happen to live in the Appalachian area, and I have observed this program very carefully. This program has helped my district a great deal, and has been very important in respect to establishment of vocational schools. They have been providing training and education for those who are untrained and unable to work. It has meant much to them. In some classes of teaching in these schools 100 percent of the people have gone immediately into industry to employment. In all cases at least 80 percent of those who go to these schools are later employed.

This has meant much to my part of Appalachia, and certainly I should hate to see a cut made.

I thank the gentleman from Alabama for his excellent statement.

Mr. MOORE. Mr. Chairman, I rise in opposition to the amendment to reduce funds for the Appalachia Regional Development Act by $50 million.

I regret very much to take issue with my distinguished colleague; he is certainly well oriented with respect to the Appalachia Regional Development Act and I am sure has strong feelings on this matter.

I feel very strongly that we have to make a decision in this Congress as to whether we are going to be consistent, or the least bit consistent, with respect to our concern for some of the problem areas of the country.

I think it is generally known in this body by those who have served here for any period of time that I was primarily responsible for the defeat of the area redevelopment program. I make no apology for this act on my part. In concert with a number of individuals who were disenchanted with the program, I organized a sufficient number of opposition votes from among those who had previously supported the legislation—particularly from the areas that were supposedly the beneficiaries of the Area Redevelopment Act. At that time, the debate in this body took this particular turn. It was suggested that the program was not a good one for the country because it did not help the disadvantaged areas economically and it made its funds available on a 50-State basis rather than making itself fully and effectively felt in the areas of greatest need.

As a result of that action, I like to think that we played and perhaps this Member in particular played a great part in giving birth to the theory of regional development to the disadvantaged areas of our country and particularly in fathering the Appalachia Development Act. It was felt at that time and I reassert that position here today that the Nation would have to engage in a rifle approach with respect to the difficulties that existed in the problem areas of the country.

The area of Appalachia generally was referred to as an area which was experiencing economic, educational, social and cultural underdevelopment. That it was in fact a depressed area of our Nation in every sense of the word. Granted that part of its problems were a direct result of the failure of the various States to provide leadership in solving the problems from within, it was widely advertised as an area of our country suffering from economic, educational, social and cultural blight. It was used as an example widely throughout the Nation as an area of great need for which a legitimate function of the Federal Government would permit the utilization of Federal dollars to bring about a general rebirth of opportunity in the areas and States involved.

I believe at the time we enacted the Appalachia Redevelopment Act that it had merit. I believe that it has merit today. I cannot conceive that this legislation would do violence to any constitutional concept much less destroy the sovereignty of the individual States. The reason for my observations in this regard is that I recognize as much as anybody in this Chamber recognizes that the primary responsibility to lead this area of the country out of its difficulties is basically the responsibility of the States themselves. But wherein the State has failed to provide the leadership, then I believe under our Constitution, the Federal Government has a secondary responsibility to move in and to do the job in order to remove any area of economic, educational, social and cultural blight as it might exist in the country. In other words, where the States have failed and where blighted areas such as Appalachia exist, the secondary responsibility, my friends, falls to us in the Federal Government to provide the wherewithal and the leadership to move the area forward.

If we do not do it or if we fail to fund this program as envisioned by the committee recommendations, and if we fail to follow through and see that this particular program works—if we do anything that materially reduces or destroys the effectiveness of the program, then I believe you might as well consider, once and for all, the inclusion of this part of the United States in the general category of being the No. 1 welfare area of the country.

Mr. Chairman, the Federal Government has moved in many areas in a geographic way to aid in its growth and progress the vast areas of the West where development was encouraged by the Federal Government and by Federal tax dollars. The reclamation programs that seek to take arid land and make it producing land have done so under several Federal programs; the difficulty of the State of California in not having sufficient water—as well as the Southwest generally—is a case in point. Water was brought to the areas under an assortment of Federal programs and legislative enactments. The farmers of this Nation were in trouble; Federal dollars were used to encourage them and even until today are used to subsidize them and their products. The tremendous investment made by the Federal Government in the Tennessee Valley Authority is another example of the Federal Government moving in with Federal tax dollars to help advance the progress of an area of our country. A further example could be enumerated in this debate wherein certain areas of our country have benefited from various Federal spending programs. Very little is available to the area of Appalachia in the public works appropriation bill passed so very recently by this House, and if I might use a particular case in point—in the military authorization bill, not only this year, but for the last 8 years, my State of West Virginia has not received one dime of military construction funds while a large majority of those States whose Representatives today oppose this legislation are the beneficiaries not only of those two suggested legislative enactments, but who share tremendously in the defense spending dollar, whereas my State and Appalachia generally have very little if any share in the defense dollar that is spent in America today.

Mr. Chairman, it seems to me that the

suggested amendment would materially hamper the operation of the program in particular areas which are of the utmost importance. Areas concerning sewage treatment facilities, mine area restoration, vocational education facilities and many others. Therefore, I urge the defeat of this amendment. I happen to believe that if we want to do something for the disadvantaged areas of our country that we should do everything possible to strengthen and to materially add to the tools now available to the States and areas of Appalachia so that they can, with the aid of the Federal tax dollar, seize this opportunity to exercise the responsibility which has been theirs, but until now which they have neglected.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield to me?

Mr. MOORE. I am glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding. I want to commend him for a very fine statement and also for the consistent record he has made in this House as a supporter of the Appalachian Regional Development Act and adequate funding for it. One of the inherent evils of the amendment pending before us is that the amendment does not identify the areas in which they propose to put this $50 million cut. Under the amendment as it has been presented to us and argued by the gentleman from Florida, the entire $50 million could be put into vocational education, or the entire $50 million could be put into a field such as water pollution control. In fact, when you go through the grant-in-aid programs that are supposed to be funded by this authorization, can the gentleman identify any of them in which the Appalachian region is not deficient in its funding and in need of additional funding at this time?

Mr. MOORE. May I say that I cannot. May I say that the Appalachian region has a tremendous challenge in all areas which this amendment touches.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield to me at this point?

Mr. MOORE. I would prefer that the gentleman from New York permit me to finish my comment, following the remarks of the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. Chairman, we are not going to be able to rebuild these disadvantaged areas—and they are disadvantaged areas; they are areas of economic and educational as well as social blight, brought about by, as I say, the lack of leadership in the States themselves but, nevertheless, if we are to follow the tenor of this amendment, it would be possible for this $50 million which has been proposed to be cut here, to come entirely from any one single program contained in this overall program. The language of the amendment does not limit itself to any one particular program. However, its adoption could very much prejudice, for instance, the area of vocational education as well as the sewage treatment plant facilities, and so on down the line.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I am happy to yield to the gentleman from New York.

Mr. FARBSTEIN. I would like for the gentleman from West Virginia to know that I favor the bill as presently drawn and that I oppose the amendment which has been offered to delete this sum of money.

It is my further opinion that the gentleman from West Virginia has made a very appealing case in opposition to the amendment.

However, I would like to know if the gentleman from West Virginia would be good enough to apply the statements which the gentleman has made insofar as they affect the depressed areas of the cities, the riot-torn cities, the areas of frustration and other places that breed all of those things that we abhor?

I am sure the gentleman from West Virginia is aware of this situation that exists in the pockets of poverty throughout the cities which have been the real reason for the difficulties that we have encountered—some of them that we have already experienced and which we may continue to experience. I would like to have the comments of the gentleman from West Virginia upon that situation.

Mr. MOORE. I thank the gentleman from New York for his support.

Mr. Chairman, I urge the defeat of the amendment.

Mr. DENNEY. Mr. Chairman, I rise in support of the amendment.

Mr. CRAMER. Mr. Chairman, will the gentleman yield in order for me to answer some of the questions raised by the previous colloquy?

Mr. DENNEY. I shall be very happy to yield to the distinguished gentleman from Florida.

Mr. CRAMER. Mr. Chairman, the gentleman from Oklahoma [Mr. EDMONDSON] has made considerable out of States' rights, and I compliment the gentleman. I, naturally, am a States' Righter myself. I am interested in the various rights of the States.

Mr. Chairman, what this amendment proposes to do, if adopted, is to leave with those States and the members of this Commission, the decision where they think the expenditures could be more wisely made, instead of being dictated to by the Congress of the United States, and instead of the Congress dictating to them where they should apply the expenditure of these funds.

Mr. Chairman, the purpose of the amendment is designed to permit the Commission itself to make this decision as to where the cuts should be made.

We are being dishonest in the consideration of this bill, in my opinion, in authorizing $220 million, when we know full well that there was only appropriated this last year $59.35 million. However, when we note that the President only asked for fiscal year 1968 the sum of $64.2 million, and yet we have an authorization of $220 million for fiscal years 1968 and 1969; thus it leaves $156 million to be appropriated in fiscal year 1969. We appropriated an average of $55 million over the last 2 years, but yet they are asking for $64 million this year. Congress, everytime, has cut the President's request.

So that there is not any question in my mind but with the budgetary problems we have in 1968 and obviously will have in 1969, that we are offering false hopes, yes, to the gentleman from West Virginia and his great State, and to the gentleman from Kentucky who just spoke, and his great State. Yes, in the Appalachian region we are offering false hopes. We know that we are going to authorize all this money knowing full well it is not going to be appropriated.

Mr. Chairman, I say let us for once be honest, and cut down this bill to a figure that makes sense, and one that is reasonable, knowing full well we are not going to triple the program in fiscal year 1969.

Will the gentleman yield so that I can make just one further comment?

Mr. DENNEY. I yield to the gentleman from Florida.

Mr. CRAMER. That is to the effect that the amendment will have on the bill—somebody said we could spend all the funds for sewage treatment. There is a $6 million maximum limitation in the bill. There are maximum expenditure limitations on every item. It is not a minimum, it is the maximum.

So we could not possibly spend, out of what is left out of the $50 million, more than $6 million, for sewage treatment, and the amounts written in to limit all the other programs.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DENNEY. I will be glad to yield to the distinguished chairman of the subcommittee.

Mr. JONES of Alabama. Mr. Chairman, I thank the gentleman for yielding.

The gentleman from Florida says this is a dishonest approach. I do not see how anybody could suggest that this is a dishonest approach because the committee acted upon the recommendations of the Governors. The Governors of the States submitted their requirements; we took them into account; and wrote a bill in keeping with their needs.

Mr. Chairman, will the gentleman yield further?

Mr. DENNEY. I yield further to the distinguished subcommittee chairman.

Mr. JONES of Alabama. To come here and say that the Congress next year or the following year is not going to make appropriations is not a matter for us to decide here today. Our decision should be based upon the testimony of the required needs and the programs that have been accepted by four Republican Governors, and eight Democratic Governors.

Does the gentleman believe that the Governor of the State of New York made a dishonest estimate of the needs of his State?

Does the gentleman believe that Governor Rhodes of Ohio made a dishonest accounting to the committee for his needs?

Does the gentleman believe that the other two Republican Governors in submitting their recommendations to the committee were dishonest?

Mr. Chairman, we are here today to try to write a bill based upon the needs and requirements of the several States involved.

Mr. CRAMER. Mr. Chairman, will the gentleman yield further?

Mr. DENNEY. I yield to the gentleman from Florida.

Mr. CRAMER. I do not want to take up all of the gentleman's time, but $53 million is authorized for the next 2 years in excess of what was appropriated over the last 2 years. This is offering a false hope. They are hoping next year's authorization will be three times what we are appropriating this year.

I say this is offering false hopes to these Governors who submitted what they said was needed, but it is wrong to believe those people are going to get that kind of money when they are not.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. DENNEY. Mr. Chairman, I would just like to say that I appreciate the attention the Members have given to the words that I have not as yet spoken.

Mr. CRAMER. Mr. Chairman, I ask unanimous consent that the gentleman from Nebraska [Mr. DENNEY] may proceed for an additional 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DENNEY. I thank the gentleman.

Mr. Chairman, I feel it is time for Congress to put a halt to the present administration requesting authorizations for appropriations for huge amounts of money for widely specialized programs, and then when the chips are down they come in and ask for appropriations to fund those programs for substantially lesser amounts.

Mr. Chairman, there are many things wrong with this type of approach. I would like to point out two of them.

As the gentleman from Florida said, one is falsely raised hopes. Second, congressional legislative committees have the responsibility to insure the amounts authorized for a particular program and have a reasonable relationship to the expected costs of that program.

Mr. Chairman, I have arrived at one or two conclusions on this situation; either that the President has no intention of asking for full funding of these programs, or he plans to launch a hugely expanded spending program in a year that, interestingly enough, happens to be a presidential election year.

It seems to me that the good faith of all your people back in our respective districts require that we demand efficient operation of the program, and we should see that the level of commitments for the fiscal year 1969 be comparable to that which the budget request of the President indicates will be undertaken during fiscal year 1968.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think the gentleman from Nebraska in his remarks, just concluded, very, very accurately and very, very honestly, stated that our responsibility is to authorize at a figure that reasonably approximates the cost of a program.

The figure we have in this bill is a figure that reflects the best information and evidence that we can get as to what the cost would be. That is the level we are trying to establish by authorization, to do the adequate job that we want to do with regard to these particular grant-in-aid programs.

Is it our responsibility to try to estimate what that cost is going to be and to authorize that cost? Or do we bear the responsibility, which apparently the gentleman from Florida believes that we do bear, to make an authorization that is going to anticipate what the appropriation will be?

I say to you, consistently the role of the Committee on Public Works down through the years dealing with all types of projects and all types of programs has been to estimate, as the gentleman from Nebraska said, what the cost of a program would be, and what we should set as an authorization level for the program.

This is what we are trying to do when we authorize for the various basin projects. This is what we are trying to do when we authorize flood control projects and when we authorize beach erosion projects. That is what we have done. But in this instance the gentleman from Florida is asking for an entirely different yardstick.

Mr. DENNEY. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I am glad to yield to the gentleman.

Mr. DENNEY. Is it not true that it is also our responsibility to authorize the amount of funds that the American taxpayers can afford to pay in the event the authorized funds are appropriated?

Mr. EDMONDSON. Of course, we have to keep in mind continuously the ability of the Government to finance these different things. This is a factor that is considered by the Committee on Appropriations and by the Congress when it acts on appropriations—just as it is considered by the committees that deal with the authorizations.

But in this instance it should be clearly borne in mind that we do not offer a false hope to a flood control project or to a beach erosion project or to a navigation project when we set an authorization figure that reflects the cost of that project. That is the responsibility of the Committee on Public Works. That is what we have uniformly endeavored to do in all of these projects. That is what we are trying to do with this particular program.

The gentleman from Florida may be entirely right in saying that we are not going to be able to appropriate this money in the year that it is authorized for in this bill in 1969, that is fiscal year 1969, and that our war needs may be such that we cannot appropriate up to that level.

But suppose that there is a successful conclusion of the Vietnam conflict? Suppose we do not have the heavy burden of the Vietnam war on our hands? That instead there are the problems of rehabilitation and readjustment following the termination of the war in Vietnam. We are anticipating that eventuality with this appropriation authorization in this bill.

I do not think it is unreasonable or unstatesmanlike for us or for the committee to set a figure that leaves flexibility in the Congress and in the Committee on Appropriations on this particular subject.

Mr. Chairman, I hope that this amendment will be defeated. I think this amendment strikes directly at justified authorization figures for health needs, educational needs, and for the various basic community facilities needs of Appalachia. I think it is a figure that reflects a reasonable approximation of what the costs are going to be, just as the gentleman from Nebraska said that it should.

Mr. Chairman, I hope that the committee report and recommendation will be supported and that the committee figure will be sustained and that the amendment will be defeated.

Mr. DENNEY. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman.

Mr. DENNEY. You and I are both from the Midwest. Do you not believe that in any Federal-State partnership program, which in effect this amounts to, that we should never hold out an open door to any segment of the country or to any classification of people other than to say that we stand ready and willing to help, but we are not going to take the entire load? Do you not believe that it is possible that if we would cut down on this authorization, the States involved would try to perform more self-help than they are now doing?

Mr. EDMONDSON. Obviously I do not agree with the gentleman in the instance of the amendment before us.

Mr. HAYS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 252]

Adair
Aspinall
Baring
Bell
Blatnik
Brademas
Broomfield
Brown, Calif.
Cederberg
Celler
Clawson, Del
Cohelan
Conyers
Daddario
Dent
Dorn
Edwards, Ala.
Feighan
Foley
Ford, Gerald R.
Fuqua
Goodell
Green, Oreg.
Grover
Hansen, Idaho
Hansen, Wash.
Hébert
Irwin
McMillan
Miller, Calif.
Morris, N. Mex.
Multer
Murphy, N.Y.
Nedzi
O'Hara, Mich.
Pirnie
Riegle
Rivers
Rumsfeld
St Germain
Saylor
Sikes
Teague, Tex.
Ullman
Willis
Wilson, Charles H.
Wolff
Wyatt

Accordingly the Committee rose; and the Speaker pro tempore (Mr. BOLLING) having assumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 602, and finding itself without a quorum, he had directed the roll to be called, when 384 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Chairman, I repeat again that I rise in opposition to the amendment to reduce the $220 million by $50 million.

Mr. Chairman, the committee considered this very, very carefully. There has not been a single application filed for these benefits except those that came in from the States to request this financial aid, this financial assistance. I believe it is not entirely accurate to say that the people are being led down a blind alley, and that is what was said here before I asked for time.

If we should authorize the funds available and this House approves these funds on the authorization level, they still have to go to the Committee on Appropriations for the actual appropriations.

Mr. Chairman, I do not think it is fair to cut our people down after the long hard work they have put in to improve their conditions and working from the grassroots as they have.

Therefore, Mr. Chairman, I very strongly oppose the amendment offered by my distinguished colleague, the gentleman from Florida [Mr. CRAMER].

Mr. Chairman, I yield to the distinguished dean of the West Virginia delegation [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, I too rise in opposition to the amendment.

I wish to concur in the remarks of my colleague, the gentleman from West Virginia. I believe it would be inappropriate at this time to cut the funds for this program.

Mr. HAYS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not know whether to be for the amendment on the ground that it cuts some; or to be against it because it does not cut enough.

I do not know whether the amendment will cut out enough money—to take care of all the money that this Commission spends in their meetings.

I wonder if the gentleman from Alabama [Mr. JONES] knows where this Appalachia Commission meets?

Mr. JONES of Alabama. I do not have an accounting of the location of their meetings.

Mr. HAYS. Let me tell the gentleman, I could not get an accounting. I asked for one, but when this arrogant pipsqueak, Mr. Sweeney, was chairman, or Federal cochairman, I tried to call him on several occasions and I found that he was at a meeting of the Appalachia Commission. One time the meeting was in such a poverty-stricken place like Sea Island, Ga. Another time they were helping the poor people at a place called Hot Springs, Va. I am told that they also went to such a pocket of poverty as Gatlinburg, Tenn., and also White Sulphur Springs, W. Va.

Now I do not know how much money they spend doing that and going to places like that, but it becomes pretty obvious that this Commission meets and they have met where they can talk about doing something for the poor.

Mr. JONES of Alabama. I am sure the Governors of the respective States paid for their own travel.

Mr. HAYS. Are you sure about that?

Mr. JONES of Alabama. I am not positive.

Mr. HAYS. I would not advise the gentleman to bet on that. He would probably find out and he would lose his money. I happen to know something about Governors of States.

These people keep fairly quiet where they meet. Newspapers being like they are, you would assume that you could find it so that you could read about it in the press.

If your committee met down at Sea Island, Ga., and you took them down there, I imagine it would make headlines; would it not?

Mr. JONES of Alabama. Yes; and I imagine not only the Commission would make headlines but I am sure quite a number of Members of Congress would make headlines if they made an accounting of the hostelries that they often visit.

Mr. HAYS. I assume they pay out of their own funds.

Mr. JONES of Alabama. I would assume that.

Mr. HAYS. Therefore, did this Commission pay their own expenses?

Mr. LANDRUM. Mr. Chairman, will the gentleman yield.

Mr. HAYS. I yield to the gentleman.

Mr. LANDRUM. I am aware, as the gentleman says, that the Appalachian Commission has met in Georgia and that they met at Jekyll Island and at Sea Island, Ga., and that they met there at the invitation of the former Governor of Georgia, Gov. Carl Sanders, to come down and be his guest.

Mr. HAYS. Did he pay for their fare down there and for their stay there or did he just invite them to come down to Sea Island?

You know I go down to Tennessee every once in a while to a horse sale and they invite you and send you a letter of invitation. Do you know how the invitation reads? It says, "Keep Tennessee green—bring money."

Did they send that kind of an invitation, or did they send the money?

Mr. LANDRUM. I do not know about that, but all I know, as the gentleman well knows, is that the Governor of Georgia is a member of this Commission.

Mr. HAYS. That is right.

Mr. LANDRUM. The Governor of each State is a member as well as the Governor of Ohio—and that might have something to do with the way the gentleman feels about this. Maybe the gentleman did not want the Governor of Ohio to go there.

Mr. HAYS. I think it would be nice—you know, this Commission is set up by Federal law. Mr. Sweeney's expenses obviously were paid out of some of the funds we are being asked to authorize, or rather some of the funds that we did authorize. I think it would be only fair if a Member of Congress asked for a list of the meeting places that they supply it. Do you know what Mr. Sweeney said to me? He said, "That is none of your business. You vote the money and we will handle the allocation of it. I do not know whether your committee has any oversight or not."

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I think the gentleman, however, should note the fact that the item we are talking about is the item for grants-in-aid for various programs like vocational training and like higher education facilities and things of that sort, and we are not talking about administrative expenses of the Commission now. We are talking about grants-in-aid.

Mr. HAYS. If the gentleman will let me have a minute of my own time, I understood this could be applied to any place they wanted to cut. If the gentleman will say to me that he will offer a substantial cut in administrative expenses, he might get me to vote for that amendment, and it is even possible I might consider voting for the bill. I think 75 or 80 percent of the area of my district is in Appalachia and 75 percent of the population, and the benefits that we have gotten out of Appalachia are negligible. They are talking about the highway program.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYS. Mr. Chairman, I ask unanimous consent to proceed for an additional 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. ARENDS. Mr. Chairman, reserving the right to object——

Mr. HAYS. Go ahead and object.

Mr. ARENDS. I will not object. It is senseless, because the gentleman has already made the request. But I think there is some desire on the part of the Members to go ahead with this bill this afternoon, and I would hope in the future Members will limit themselves to the time allotted.

Mr. HAYS. I say to my distinguished friend that I have yielded more than half of my time to others, and I would like to shed a little light on this bill if it is possible.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. The point I wanted to make is that the administrative expenses item of the Commission is covered on page 32 of the bill, section 105(b), and the item we are talking about has to do with grants-in-aid.

Mr. HAYS. I am well aware of that. What are you trying to do, filibuster on my time?

Mr. EDMONDSON. The point I wish to make——

Mr. HAYS. I do not yield any further. I would like to say a few things about this bill. You talk about building highways. They are going to build a highway clear across the State of West Virginia, they say. Let me tell you about West Virginia and its highway program. They have 15 miles on Interstate 70, and that is the part of the Federal highway program which has been in effect lo these many years, and the biggest single bottleneck in the United States on any Federal highway is in West Virginia on that 15-mile stretch.

Why, they have not even had the ambition to come down to Washington with a bag and take home their 90 percent.

You had better get an Appalachian bill, because if they are going to build any highways, I promise you they will have to have all the money and then be paid to come and get it.

I know about West Virginia. I have been there lots of times. I am a neighbor to it. My mother came from there. I do not know whether they know the northern panhandle is part of the State or not. For 20 years or longer they have had a law providing that you cannot buy liquor by the drink, and there was not a bar, hotel, or restaurant in the whole northern panhandle that has not been selling it openly for 20 years.

It is not part of Ohio. It is not part of Pennsylvania. The map says it belongs to West Virginia. But they do not believe it.

You know, I would even vote for this Appalachian bill, bad as it is, if I felt they would build that 15 miles of Interstate 70. Why, they can get 90 percent of the money and the Appalachia bill would give them 10 percent for building. I will vote for the bill if you put that amendment in there.

They are going to build a road in Ohio. I got a letter. I asked them how much of it they built. Do you know what the story is on this big highway they are going to retread? They have 6 miles of it under plan. That is what they have done under Appalachia in Ohio.

Then they want to make everyone feel good and make sure I was for the bill. So they gave every school in my district some money. Every school in Appalachia got some money, all of them.

It figured out to about 50 cents a student. That is going to help them learn about poverty and how to beat it. I can send them some copies of the CONGRESSIONAL RECORD about Appalachia for nothing, and they will learn more than that.

I voted for these programs. I was one of the enthusiastic workers for the Appalachian program. I went to the meeting in Athens.

The CHAIRMAN. The time of the gentleman has expired.

PREFERENTIAL MOTION OFFERED BY MR. HAYS

Mr. HAYS. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. HAYS moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. HAYS. Mr. Chairman, I know how to get time around here. I have not watched John Rankin and H. R. GROSS all these years for nothing.

As far as this, as I was saying, I was for this bill, I was for the program, because we needed something in Appalachia. This is like a lot of other programs we have voted for here in Congress. I have made the statement on the floor before, and I make it again. Congress does not pass too many bad laws. By the time a law goes through the committee, through the majority and minority, comes on the floor, goes through the amending process, and goes to the other body, we do not pass too many bad laws. But we sure get a lot of sorry administration downtown.

That is what has happened on this Appalachian program. The concept was all right. The idea was not bad. The program needed to be done. But it has not been administered very well.

I have no assurance that it is going to be administered any better in the future. I think probably the best way to wake up some of the bureaucrats is to cut the program off, fire them all, and then start all over.

I do not know whether it was a coincidence that the AID bill came up in the one week in the year when I had promised to take my little girl to the horse show, but it did. It only passed by eight votes. I will tell the Members something about AID. The only way we are going to cure that program is to kill it. Why do I say that? I voted for it for 18 years. I believed in the principle of it. But they have so many sorry people hanging on under civil service that they cannot get rid of, so the only way we can ever cure it, is to kill it, then a year later start it over, and then put in some people who will work.

Let us kill this one now. That is why I pulled this thing out of my pocket. I think this is the time to kill it, early in the game, and get some people in who will do something. I have no faith in the kind of administration it is getting, any more than I have faith in the Bureau of Public Roads.

Some idiot down there agreed to build a four-lane modern highway from Washington, D.C., to Breezewood, Pa., to funnel all that traffic on the overworked Pennsylvania Turnpike to New Stanton, the most dangerous segment of highway in the world for the traffic it is bearing. I do not mind the 85-cent toll. I would pay them twice that if the highway were safe to travel on, but it is the particular highway program which is run by this same committee, and it is here with Appalachia, that allowed them to do this thing. For 85 miles Interstate 70 goes over the Pennsylvania Turnpike, carrying additional heavy traffic added to all the traffic there is on that road. If any Members think that is not suicide alley, try to drive it some Sunday afternoon and see how many dead bodies there are in the 85 miles.

I do not know whether there is any cure for administration around here. I know when I tried to pass a bill—it did pass here, but it died in the other body—to put a selection-out system in the State Department, there were an awful lot of cries around here about how I was raping civil service. Civil service has about the same virtue around here, when we say the word, as "motherhood" and "maidenhood" have, but the acid test would come—and I have asked a lot of times for this body to do this—if all the people who shed so many tears over civil service, who really believe in it, would bring in a bill to put their office staffs under civil service. Are there any volunteers? I will tell you why there are not any volunteers. It is because if we had our offices staffed with typical civil service workers, we would not be here after the next election.

The New York Times said that I took on all the Government workers and called them a bunch of sloths. That word is not in my vocabulary, because it is too difficult to pronounce. What I did say, and I will repeat again, is that I paraphrased Churchill by saying—it is a bad paraphrase, but it is apt—"Never have I seen so many who did so little for so much money."

Of course, the Members would not be here if they had civil service workers in their offices, because their mail would not get answered, and their constituents would think they were not here, and they would want to send somebody down here who would answer the mail.

But we are entrusting these millions to these kinds of people, who tell Members of Congress, "Don't bother calling up here. You vote the money. We administer the bill."

I would not even mind that, I will tell the truth, for I wish I never had to call one of them. A Member of Congress would not have to call them if they did their jobs. We have to call them because they do not do their jobs, because somebody has put in an application and has not heard from them.

I hardly ever call them and ask them to approve an application. I just ask them to give me an answer. Try to get an answer from them.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I take this time merely to try to put this into proper focus. I believe it is important for all of us to understand exactly what the Cramer amendment would affect and what it would not affect.

In the first place, all of us ought to understand clearly that the Cramer amendment has nothing whatsoever to do with administrative expenses.

I invite the attention of Members to page 32 of the bill, wherein the amounts for the administrative expenses of the Commission are clearly set forth and are limited by the terms of the bill to not more than $1.7 million for the 2-year fiscal period.

I further invite attention to page 54 of the bill, wherein is provided a further limitation applying to local administrative expense. None of these administrative expenses are involved in the item against which the Cramer amendment would apply.

The amount that is in question, the $220 million, is the guts of the bill. This is the amount the gentleman from Florida would cut.

He would cut it not 5 percent, and not 6 percent, as some of our friends on the other side of the aisle have been trying to do on most of the bills which has come up this year. He would cut the committee-approved figure by almost 25 percent. And this cut would apply not against administrative expenses as some of the discussion might indicate. It would apply against the very heart of the bill.

Mr. CLEVELAND. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CLEVELAND. What is the question before the House?

The CHAIRMAN. The preferential motion offered by the gentleman from Ohio [Mr. HAYS].

Mr. WRIGHT. Mr. Chairman, that is not a point of order. I do not want to yield to that point, because I am discussing the matter which has a bearing on our vote.

The CHAIRMAN. The gentleman from Texas declines to yield.

Mr. CLEVELAND. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Texas yield for a parliamentary inquiry?

Mr. WRIGHT. Mr. Chairman, I do not believe I wish to yield for that kind of a parliamentary statement.

I am talking about what we are getting ready to vote on. That is what all of the Members want to know about.

Let me tell what would be cut. Vocational schools would be cut. That is what would be cut. Do the Members want to cut vocational education? Do they want to make it impossible for those who are disadvantaged in the area of Appalachia—yes, Ohio and West Virginia and those areas where they have not had an opportunity to pull themselves into the last third of the 20th century because they have not had an opportunity to train themselves—to go to school? If that is what the Members want to cut, that is what they are getting ready to cut. And they are getting ready to cut it by a meat axe approach.

The amendment would cut health centers, in a part of the United States where public health care is lower than in the rest of the country. Do the Members want to cut that money?

Let us understand exactly what we are asked to cut. That is the kind of thing we are asked to cut. If the Members vote for the amendment, that is what is going to be cut.

This will cut the program for reforestation in this area which has depended all through the years on forest products, where the growing and marketing and transporting of hardwood lumber no longer is viable in the economy.

Do the Members want to make it impossible for those people to pull themselves up by their bootstraps? If that is what they want to do, that is what they will do by cutting these items.

Let us understand that we are asked by the Cramer amendment to cut the program to help the marginal farmers. We are asked to cut the program to help those who want vocational education so that they can hold a job, in this day when the average industrial worker has to change his job 15 times in the course of his career and be reclaimed three times in the course of his career.

That is what would be cut. Let us understand what would be cut.

Aside from the highway program which is authorized in a separate section, we are asked to cut the real heart of the Appalachia program.

This amendment would cut it by a lopsided $50 million.

That is what is at issue here. Therefore, I urge you to vote down the preferential motion and the amendment.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. For the record, it should also be clear that this $50 million in the Cramer amendment comes on top of a $53 million cut already totaled against the items that go into this $220 million figure, which was a cut made in the committee itself. This brings the total cut in the Senate figure to over $100 million.

Mr. WRIGHT. The gentleman is absolutely correct. The House Committee on Public Works already has trimmed these figures by $53 million in order to accommodate the gentlemen on the other side of the aisle. We felt we made a good and reasonable and prudent cut. If this additional cut were voted that is recommended by the gentleman from Florida, it would amount to a $103 million cut below the amount voted by the other body. If that is what you want to do—that is, cut it by one-third in a meat-ax approach, cut the meat and potatoes of the program, then go ahead and vote for the Cramer amendment. But, do not make a mistake about it, that is what you are doing.

The CHAIRMAN. The question is on the preferential motion.

The question was taken; and on a division (demanded by Mr. JONES of Alabama) there were—ayes 78, noes 86.

Mr. ARENDS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. HAYS and Mr. JONES of Alabama.

The Committee again divided, and the tellers reported that there were—ayes 108, noes 118.

So the preferential motion was rejected.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in today's Washington Post there appeared an article showing how many jobs today were dependent upon the war in Vietnam. It has been my view, and it is now, that the jobs should not have anything to do with the war in Vietnam, and that it is almost an insult to the American people to indicate that war should be considered in connection with jobs that it might create on a temporary basis.

Mr. Chairman, I believe it well at this point to just stop and think a little bit about what is pending before this Committee.

First, this is a cut in an authorization. Now, doubtless when the Committee on Appropriations does meet it will take into consideration the present state of the Treasury, the present conditions that we have in the fiscal area.

Mr. Chairman, I am on two subcommittees that deal directly with this subject. I say that since six counties are added to my district it has caused me to give more attention to the subject matter than heretofore. I also say that the debate which has occurred here on the floor has also given me an insight as to what we on the Committee on Appropriations should do in supervising the actions under this program.

But let me say this: Today there are two or three things that I believe are major trouble spots throughout the United States. One of them is in the cities. One of the major reasons offered by many people, although I believe perhaps the courts' actions have gone ahead of everything else, is the fact that through mechanization and through other actions we are having more and more rural people go to the cities untrained to carry on jobs in industry.

This cut would cut the authorization for such training.

There is another problem that we have, and that is the people leave rural areas and go to the cities when there is inadequate housing. This is the one area where there would be some chance to bring about an improvement in rural conditions which might cause people to stay in the rural areas.

Third, this is the one bill where the Governors of the States can have a say as to what comes into their States, and I say here and now that if there is a poor program in any State, the Governor of that State is responsible in that he has the right to approve what comes into his State, or in fact he has to refuse it.

Mr. Chairman, let us get down to brass tacks.

Mr. Chairman, I say candidly I have studied this problem and, as the Members know, I have sat on the Committee on Appropriations since 1943, and on the Subcommittee on Agricultural Appropriations, and I have had many of my colleagues from all over the United States come in and ask help for watershed treatment in their areas, asking for water loans in their areas, and I trust and hope our subcommittee has been fair to all of the United States.

I ask my friends, do you know that the request from the State of Florida alone for flood control will exceed the total amount of this bill? And we sit on that committee, and do our very best to help them. But because Appalachia does not have a harbor like Tampa, or like Jacksonville, or an inland waterway, or because the Appalachian area does not have a New York City Harbor or a San Francisco City Harbor, are we saying that this region of the country, with all the adverse circumstances this area has, is not to have any Federal program or Federal assistance notwithstanding that annually we appropriate any amount of money, almost, to handle the harbors of this country in those areas where they are so fortunate as to have them?

Let me point out to you here so that you will know, last year as a result of Federal appropriations which were for harbors and navigable streams being opened up, that 573 million tons of traffic were handled.

This area that we are referring to here has its problems as a matter of geography. It has its problems as a matter of time—because they have slipped behind.

It has problems because small farming is out—and it requires big acreage.

It has its problems because of a lack of adequate resources.

Now if you go further and penalize them, why just consider the work done on harbors, rivers, and navigation in areas from which many of our colleagues who are doing the speaking here today come from.

Remember again that this is an authorization. Are you going to lower the boom on what is possible? Let me give you a little homely illustration, if I may. Someone has said that if the war was over, we would have a real depression. That is not true, if we were smart enough to direct this extra effort into public works and efforts to develop our own country so that we would have a richer country. Keep in mind that this is an authorization.

I, for one, can assure you that I would give all I have to try to bring order out of chaos if it existed.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. HAYS. I would say to the gentleman that he has made a very persuasive speech as an enthusiast in favor of this bill, since he has his counties in it—as I was in the beginning when mine were in it—and I would feel exactly as the gentleman does now if I had not had the experience that I have had with the administration of this.

Mr. WHITTEN. I can appreciate the gentleman's feelings. I do not know of anybody in this Congress who is more candid. But I say that the answer is not in lowering the ceiling when it is not possible. The answer is in the control of the appropriation in the hearings rather than in lowering the ceiling. So I would say that I would defeat this amendment and assure the gentleman that I will do all I can to bring as much order out of chaos as possible.

Mr. HAYS. I appreciate the assurance of the gentleman. I think if he does that, and I am sure he will if he says he will, it will be very helpful.

Mr. WHITTEN. I certainly will.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. EDMONDSON. I think the gentleman from Mississippi has made a real contribution in pointing out that where there are problems in connection with the administration of this program, you can go directly to the Governors of the States who are responsible for the handling of these problems.

Most of the Members of the Congress who represent districts in Appalachia are not only supporting this bill, but enthusiastically supporting it.

I do not think there is a single Member of the Congress including my good friend, the gentleman from Ohio, who came before our committee when we held public hearings to hear Members of Congress in connection with this who came in and testified against it.

To me, it is rather indicative, Mr. Chairman, that the Members of the Congress in the entire Appalachia area are supporting this bill.

Mr. WHITTEN. That is correct. Of course, I do not mean to say that we do not need to look into the administration of this program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CRAMER and Mr. JONES of Alabama.

The Committee divided, and the tellers reported that there were—ayes 102, noes 100.

So the amendment was agreed to.

Mr. HARVEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HARVEY. Mr. Chairman, on August 29 of this year the Secretary of Housing and Urban Development made a statement on Republican opposition to the rent supplement and model cities appropriations. I was shocked to read this statement, for it was a bitter, partisan, and personal attack upon the minority leader, the gentleman from Michigan, the Honorable GERALD R. FORD. I was even more shocked to learn that the Secretary had mailed this statement in the form of a press release, at Government expense, all across America.

Mr. Chairman, those of my colleagues who served in the previous Congress know of my position on the rent supplement program. I served on the Housing Subcommittee which first reported out this novel approach to low-income housing. I first opposed the rent supplement program until the regulations under which it was administered were revised to make certain that the assistance it provided would go to truly low-income families. Since that time I have wholeheartedly supported the program.

But, Mr. Chairman, though I support this program with enthusiasm, I am the first to recognize that it is one on which reasonable people can disagree. There are persuasive arguments that can be made not only for the rent supplement program, but also for public housing and the proposed National Home Ownership Foundation as suggested by Senator PERCY, of Illinois.

I happen to believe that all three methods are useful and that the need for all of them is great. Secretary Weaver apparently believes that only the rent supplement program and public housing are the proper means. Our minority leader, JERRY FORD, believes that the proposed National Home Ownership Foundation is the best approach. I might say, however, that I have had several conversations with our minority leader relative to the great need for low-income housing which exists in America, and I have found him to have an open mind on the subject.

Needless to say, it serves no useful purpose for Secretary Weaver to call our minority leader "calloused to the housing needs of low-income citizens;" "an old enemy of legislation for decent housing"; nor one who has "turned his back to the problems of the urban American and poorer residents."

I might point out to Mr. Weaver that the citizens of Michigan's Fifth Congressional District have elected Mr. FORD on 10 consecutive occasions by tremendous margins, and he will not convince them that JERRY "is an enemy of the poor." I would further point out to the Secretary if he is looking for votes for the rent supplement and model cities program on the Republican side of the aisle, that he is using the wrong approach.

Mr. Chairman, I have high regard for Secretary Weaver. I believe he is an able man and dedicated to improving urban life in America. As a matter of fact, I was one who wrote to President Johnson urging Dr. Weaver's appointment as the first Secretary of Housing and Urban Development. But, Mr. Chairman, his statement on August 29 demeans his office, and as one of the supporters of both the rent supplement and model cities programs, I want to disassociate myself from its contents and make clear that I ascribe honorable and reasonable motives to my Republican and Democrat colleagues who on the last vote rejected one of these programs.

I intend to continue working for the adoption of these programs because I believe that they are necessary in the age in which we live, but I deplore such unfair and uncalled-for bitter, partisan, and personal attacks upon one of our most distinguished Members of Congress.

Mr. Chairman, I include at this point the complete press release by Robert C. Weaver which I have previously referred to:

REPUBLICAN OPPOSITION TO RENT SUPPLEMENTS AND MODEL CITIES APPROPRIATIONS, AUGUST 29, 1967

(Statement by Robert C. Weaver, Secretary, U.S. Department of Housing and Urban Development)

Again Representative Gerald R. Ford has repudiated aid for the poor and assistance to our cities. By continuing to lead Republican opposition to rent supplements he is callous to the housing needs of low-income Americans. By directing a feeble criticism against the administration of the Model Cities program and thereby attempting to justify opposition to it, he is again turning his back to the problems of urban America and its poorer residents.

Mr. Ford's current opposition to rent supplements places him not only in opposition to leading business, church, real estate, home building, and civic groups across the country. It also is directly against the stand taken by 10 Senate Republicans and the position expressed by Senator Dirksen.

Mr. Ford is an old enemy of legislation for decent housing and national assistance to orderly processes of urban development. During this session of Congress alone he has led the opposition to the recommendations of the House Appropriations Committee for reasonable financing of urban and housing programs enacted by the Congress. He also led the attack upon the request for a rat control bill.

Our poor need more housing.

Our cities need more assistance.

The urgency of these needs is clear.

> The appropriations now before the Congress are a significant step toward meeting these needs.
>
> I regret that Mr. Ford does not recognize these facts. For this is the time when we must support our troubled cities.

Mr. LAIRD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the tactics of the Department of Housing and Urban Development or some overzealous public relations officer in HUD in attacking the minority leader, by franking a press release to newspapers, radio and TV stations throughout the Nation, using this kind of public financing to attack the minority leader of the House of Representatives, is something which should be repulsive to all Members of Congress, whether they are Democrats or members of the minority party.

The time has come, it seems to me, when this Congress must exercise a much greater degree of legislative oversight over the executive agencies of our Government.

This kind of attack, which is the work of paid public information officers in this new Department, should not go unnoticed by the Government Operations Committee or by the House Appropriations Committee, because any one of us could be next in the attack by an executive agency, using the taxpayers' money to support their attacks.

I realize that this new agency probably has many extra public information officers, and they do not have much to do in these days, but it does seem to me that this Congress should immediately call the agency to task, should have them come up here to appear before the appropriate committee, to see how many of these were sent out and what the policy is going to be in the future.

This is a violation of the law. We have a prohibition in the Appropriation Act as well as in the basic statutes of this country so far as this kind of use of public funds and civil service employees is concerned.

I hope that this Congress will join, Democrats and Republicans alike, in seeing to it that the executive branch is not used for this kind of attack in the future, whether it be on a Republican or a Democrat.

This agency has overstepped the rules so far as this Member is concerned. I hope Democrats will join with me in this complaint.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I am happy to yield to the gentleman from Minnesota.

Mr. NELSEN. I should like to join in the observations which have been made today, and to add another.

I just read a press release that the REA Administrator was to make three speeches in the State of Wisconsin at fund raising dinners. This has traditionally been considered a violation, for the REA Administrator to be involved in partisan politics, and now he is out making speeches at fund raising dinners for the Democratic Party in the State of Wisconsin.

I also point out that the violations of the Hatch Act, of the Corrupt Practices Act, within the REA Administration have been covered up. Nothing has been done.

In my judgment this is another instance of improper use of a governmental agency for political reasons, for a program which has always begged for bipartisan support. It is now being used as a partisan arm in our administration, which I think is a violent mistake.

I thank the gentleman for yielding.

I wish also to advise this House that at a later date I intend to take a special order and that all details relative to the performance in the Rural Electrification Administration that I have referred to will be placed in the RECORD.

Mr. LAIRD. I thank the gentleman from Minnesota for his contribution, but I want to keep this compaint on the basis of the use of the executive agency's information officers, using the franking privilege of the executive agency and using civil service employees, to prepare these kinds of attacks on Members of the House of Representatives. This is not proper. It is a violation of the law. I believe it should be called to the attention of the proper committee, and I hope the proper committee will investigate this.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I am happy to yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I should like to add to the words of the gentleman from Wisconsin. The Secretary apparently is not even accurate in his attack, for he says in the same press release, in his attack on the gentleman from Michigan [Mr. GERALD R. FORD]:

> He also led the attack upon the request for a rat control bill.

I have just been advised by the gentleman from Michigan [Mr. HARVEY] that Congressman FORD was not even on the floor that day and had nothing to do with it.

Mr. LAIRD. That is correct. The Congressman was not even on the floor. He is also the author of the National Home Ownership Act, which is up for consideration in this 90th Congress. He has also supported the rent certificate program as an adjunct to the rent supplement program. His record is clear not only in the area of housing but as far as the fact that he was not here the day the Secretary referred to in his press release. But the purpose of my calling this to the attention of the Members of the House is that this could happen to anyone. The executive branch has some 17,000 public information and related personnel. Let us not turn them loose on the Congress of the United States.

Mr. ABERNETHY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, northeast Mississippi is a natural part of the Appalachian terrain. The area is contiguous to the presently established Appalachian region and is largely undeveloped. It has historically relied upon a very minimum of basic industries, particularly agriculture which is marginal in character. Such has failed to provide an economic base essential to a sustaining and vigorous growth.

Northeast Mississippi is comparable in all respects—social, economic, geographical, topographical, and otherwise—to the southern part of the presently established Appalachian region. It is confronted with the same problems of development and growth. We place on the record with some hesitancy the fact that considerable poverty exists in northeast Mississippi; but it does and that is the reason we are here seeking to be included in this program. This does not mean, Mr. Chairman, that our people are not trying to do something for themselves, because they are. They are proud and industrious, working and hoping for a better day.

They have their own development foundations, all of which are spiritedly endeavoring to bring industry and a better agriculture to their respective communities. Progress is being made, but the area is lagging behind other sections. Many of the counties are losing population. Per capita income is lower than that of any group of counties now participating in the Appalachian program.

More than one-fifth of the entire population of Mississippi lives in this northeast depressed area.

Our State is pressing hard with a long-range program of economic development. Industry is growing within the State but not at a rate sufficient to meet the slack of unemployment. Reductions in cotton acreage have left thousands of our people unemployed. A rapid movement toward farm mechanization and the application of minimum wage to the agricultural enterprise has created further unemployment. New industries are growing up in the State and expansions are underway. We are encouraging industry to come our way, and much of it is coming in. However, this industrial growth is inadequate to meet our unemployment and low-income problems.

Our State has sponsored trade missions to both Europe and South America. These missions have resulted in the sale of millions of dollars worth of industrial products produced in the State. We are aggressively expanding our educational institutions and offering better opportunities to our youth. Although our sources of State revenues are the lowest in the Nation, we earmark a higher percentage of our revenue to education than any State in the Nation.

As I say, Mr. Chairman, we are not just sitting by, crying poverty and allowing the economy to fall of its own weight. The people of every community, every city, every county, and of the State itself are doing something to solve the economic problems which plague them.

We see an opportunity to further help our cause through the program of the Appalachian Act. We know that the northeast counties of our State are a natural part of the region; and, we know that our economic problems are identical to those of the region. Only an imaginary boundary line now separates us from the benefits of the program. My purpose here is to respectfully plead with you to remove that boundary and take us in.

For your consideration you can be assured of my everlasting gratitude and that of my people.

Mr. HAYS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I made a speech today about legislative oversight, and I heard the gentleman from Wisconsin talking about it. I had not intended to announce it until tomorrow or Monday, but as chairman of the Subcommittee on State Department Personnel and Foreign Operations, I am going to hold hearings. I do not think we can get to them next week, but certainly the week after next we will. The purpose will be to find out which members of the State Department, if any, and who they were, brainwashed people who have been to Vietnam. We want to find out what they did, because I think this is reprehensible if it is going on. It comes within the purview of my committee and the chairman of our full Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN], has given me permission for these hearings. The first witness, I hope, by invitation—and I will extend him an invitation—will be the distinguished Governor of the State of Michigan. If he does not care to come, then I propose to subpena one Jonathan Moore, a former State Department employee, who now I understand is the staff writer for the Governor on foreign policy. I am going to get to the bottom of this brainwashing in one way or another, and if it is going on, we will put a stop to it.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman.

Mr. WAGGONNER. Is an invitation or a subpena going to Catfish Mayfield to see whether or not he has brainwashed anybody? He has been escorting a prominent Governor lately.

Mr. HAYS. Let me say to the gentleman, No. 1, I am dead serious that we are going to have such hearings and I am going to invite the other members out there. No. 2, if Catfish Mayfield, whoever he is, was brainwashed by anybody in the State Department we will have him in, too.

Mr. JONES of Alabama. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to inform the Members here that we have a number of amendments. If we are going to go about our business with dispatch, we will have to have some limitation of time and will have to be relieved of trying these extraneous issues. The Committee well knows the limitation of time should be reasonable to the point where we can have a full and complete discussion of all the amendments presented to us, but I hope we can proceed with the business at hand.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CRAMER: On page 36, line 20, strike out "President" and insert in lieu thereof "Secretary of Transportation".

Mr. CRAMER. Mr. Chairman, this is a simple amendment also. I will do my best to expedite the proceedings. I will say to the gentleman I certainly want to dispose of these amendments. They are easily understood. I am hopeful we can get down to the business of doing so, and certainly we are in the position of wanting to do so. I will briefly explain what this amendment does. It is very simple. I discussed it previously in general debate. What it does is on page 36, strike the words "the President" and insert in lieu thereof the words "the Secretary of Transportation."

If my amendment is adopted, the money will go where it should go for highways—to the Secretary of Transportation.

Mr. Chairman, over $1 billion is contained in Appalachian legislation with which to construct highways in Appalachia. But this program is not really opening up new highways, for they are just rebuilding present highways. They are only improving the present highways.

Now, certainly, if there is any program that ought to be under the direct control of the Secretary of the Department of Transportation, a Secretary who is supposed to control all other highway matters, it is this Appalachian arterial highway system, which is the largest portion of the Appalachian regional development program and which represents the largest portion of the Appalachian development program money involved.

Mr. Chairman, all my amendment does is to keep the President of the United States from being injected from an administering standpoint into the budgetary procedures of this program which is provided for under the present law. My amendment would reinstate the procedure embodied in present law. The present law does not permit the President to make these decisions.

Mr. Chairman, I do not think the President has the time during which to make these decisions. I certainly hope that the President would not take time away from far more important and urgent problems of paramount importance to this country such as Vietnam, our balance-of-payments problems, these other issues which are significant and important to America, and would not waste his time with determining how a certain highway is going to be constructed in Appalachia.

Mr. Chairman, that is the rightful purpose of the Appalachian Regional Commission, the Department of Transportation, and the participating States.

This is especially true inasmuch as we have written all sorts of responsibilities into the authority contained under the jurisdiction of the Secretary of the Department of Transportation in this bill.

Mr. Chairman, I call the attention of the Members to page 34, line 16 of the bill, to line 16 on page 35 of the bill, and to line 9 on page 36 of the bill, all references relating to the Secretary of the Department of Transportation and to highways.

Mr. Chairman, when it comes to the money, who gets it under S. 602, as reported? The President does. However, under the present law as now contained on the statute books, the Secretary of the Department of Transportation receives it. He is the man that should receive it in the future.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am glad to yield to the distinguished gentleman from Arizona.

Mr. RHODES of Arizona. Mr. Chairman, the gentleman from Florida refers to the fact that he is mystified at the change of the law by the insertion of the word "President."

I am mystified too. Can the gentleman from his vantage point as the ranking member of the Committee on Public Works of the House of Representatives tell the Committee of the Whole House on the State of the Union why this change was made and what is the reason for this rather strange language?

Mr. CRAMER. I refer the gentleman to the testimony of the Federal cochairman of the Appalachian Regional Commission, which testimony contains the only explanation as to why they are undertaking to do this. This is what they say:

> The Senate bill provides, at page 28, for the appropriation of all funds to be under the administration of the President—

While the bill does not spell out the means for transferring it, the funds, to the agencies. There is not any provision contained herein for the President transferring appropriated funds to the administering agencies involved. It is nonetheless assumed that the President would subsequently transfer them for allocation to the Department of Transportation. Obviously, I add parenthetically, as the President sees fit. Unparenthetically, they say that this could go before separate subcommittees of the Committees on Appropriation relating to housing, as well as, for instance, vocational education.

I will say, in further answer to the interrogation which has been propounded by the gentleman from Arizona, that they require such requests to go before the respective subcommittees which deal with the basic current programs, such as the Department of Transportation Subcommittee of the Committee on Appropriations. However, what they want to do is to make a composite program of these operations and remove the use of this money out of the hands of the various subcommittees of the Committee on Appropriations and from the discretion and direction of an administrator who has expertise on the subject of the basic programs involved, and turn it over to one composite basic procedure, thus requiring the Committee on Appropriations to conform not to its present procedure but instead to a new procedure upon which many of the decisions of the Congress in the future will have to be made.

Mr. RHODES of Arizona. Mr. Chairman, if the gentleman will yield further. I thank the gentleman from Florida for his very thorough and analytical diagnosis of the question involved here.

Mr. Chairman, as one member of the Committee on Appropriations, I feel it would be absolutely wrong not to adopt the amendment.

Mr. Chairman, it is hard enough for the subcommittees of the Committee on Appropriations to keep track of all the various programs involved in the various projects which come under the surveillance of the Committee on Appropriations. However, this program, which is duplicatory in nature is very hard to oversee by the Committee on Appropriations. The language of this bill would make it harder. It should be amended.

Mr. CRAMER. The gentleman and members of his subcommittee have no difficulty in administering these programs under the present law today. Therefore, I am merely speaking for the preservation of the present law.

We are merely trying to preserve the language of the present law.

Mr. RHODES of Arizona. Mr. Chairman, the gentleman is absolutely correct.

Mr. CRAMER. Let us leave it with the Department of Transportation, where it belongs.

Mr. HAYS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have found myself agreeing with the gentleman from Florida considerably in the last couple of days, but on this point I very definitely disagree with him. I will tell you why.

I believe this is what the trouble is with a lot of these agencies downtown, because not even the President of the United States can call them up and say "do this," or "do that." There are too many safeguards built into the law so that too many people have no responsibilities to anyone. People who never were elected to anything, who never stood before the voters, are making the decisions.

Further, I have a very personal reason for being against this amendment. The reason I have been less than enthusiastic about Appalachia, after being one of the people who did everything he could to get it passed in the first instance, was because its first Director was a fellow by the name of Sweeney who told me over the telephone that he did not do business with Congressmen, he was the Federal coadministrator, and he did business with the Governors, and Congress could stay out of it.

In other words, we can be the big spenders by voting them money, but we cannot even call up and get the time of day from them.

What does that have to do with this amendment? Well, this fellow became so obnoxious they got rid of him. Do you know where he wound up? He is Deputy Director of Transportation.

So, Mr. Chairman, I just say to the gentleman from Florida [Mr. CRAMER] that he really ought to withdraw this amendment because I am sure he does not want to have anything to do with that guy.

I do not know where this fellow came from, but I understood that he was—and God help me if I ever get appointed to anything that has to be confirmed—that he was an administrative assistant to a Member of the other body. All of us know that all administrative assistants over there think they are superior to Congressmen. So he came up through a good school, and he will not have anything to do with even talking on the telephone to a Member of the House of Representatives.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. HAYS. Yes, I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I do not want to get involved in any controversy over Mr. Sweeney.

Mr. HAYS. I will say to the gentleman that he might get involved if he is asking me to yield to him while I am talking about this Sweeney.

Mr. EDMONDSON. But I did want the gentleman to know that this particular change in the basic law was not something requested by the President. The White House has not sought this authority. This is conferred in the White House and in the President by this bill, and it represents a decision of the other body which our committee agreed with, that it would bring about a more concise picture of what is involved in appropriations for the Appalachia program.

Mr. HAYS. Do not tell me why you did it; I do not even need to know. I just say if this is going to give any more power to Mr. Sweeney, then do not do it. And I am talking about the Republican Members and the Democratic Members, because this man believes Democratic Congressmen are pretty low, but he thinks Republican Congressmen are several rungs below that, so all the Members should vote against this amendment.

Mr. HARSHA. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

(By unanimous consent, Mr. HARSHA was allowed to proceed for an additional 3 minutes.)

The CHAIRMAN. The gentleman from Ohio [Mr. HARSHA] is recognized for 8 minutes.

Mr. HARSHA. Mr. Chairman, I have asked for this additional time to discuss this particular amendment because it will be offered on three more occasions, and I would direct my remarks to the package of amendments on this particular issue.

What we are confronted with here is not only the appropriation of this highway money to the President of the United States, but in three other instances in the bill the language requests that the appropriations shall be made to the President rather than to the various agencies involved.

This is a change in the present situation, the present law. But can the Members imagine anything more cumbersome than the situation that now exists?

The Appalachia Commission has to go through six separate agencies to get their appropriations through the Congress.

For example, the entire Congress has already passed the appropriation for the Department of the Interior.

The budget for HUD, which has passed the House, is lying in the other body.

The Commerce Department budget has passed the House and again is in the other body.

The Department of Agriculture budget is in conference between both bodies.

The Transportation budget has passed this House and is in the other body.

The Department of Health, Education, and Welfare budget is in conference.

Yet, this Commission and its program cannot operate and cannot facilitate or expedite its operations until it determines how much money it has to operate with.

What more chaotic situation can we imagine or envision than that; they would not know what they finally have to work with until the last appropriation bill is passed, they cannot even plan the year's programs until they learn what moneys are available. Why should we not try to consolidate such an operation?

Certainly the purpose of this effort is to be able to present a composite budget to the Committee on Appropriations and to facilitate matters so that the Appalachia Commission will know what it has to work with.

The point will be raised, I am sure, in debate before too long and it was raised in the minority views, that maybe this will enable the President to hide some of the money or to cover it up.

Let me point out to the Committee that this program calls for $50 million for health facilities. This will appear in the budget for the Department of Health, Education, and Welfare which has over a $13 billion budget. How much easier would it be to hide a portion of this program in that budget than it would be for the Commission to come before the Committee on Appropriations and present their entire package that only authorizes $220 million.

We have had $19 million here for soil conservation.

The agricultural budget is in excess of $5 billion.

How much easier it would be to hide or to cover up a $19 million program in a $5 billion budget than it is to hide it in a $220 million budget. Another example is the $5 million for housing. How much easier would it be to bury a $5 million item in a budget exceeding $2.5 billion than one of only $220 million.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman.

Mr. EDMONDSON. The chairman is making an excellent statement directed to the merits of this particular question. I think it focuses the spotlight upon the point that the Congress and the Committee on Appropriations will get a much clearer picture of what the Appalachia program is and what money is being appropriated for it if it is in one package and if it comes to the Committee on Appropriations in one package and comes to the floor of the House in one package.

That is what this is intended to do basically from the standpoint of appropriations.

Insofar as the Committee on Appropriations and its handling of this is concerned, there is nothing of any sort mandatory so far as the Committee on Appropriations is concerned. If the appropriation committee chairman wants to have these items heard by individual subcommittees that are familiar with the subject, there is nothing in the world to prevent him from doing that. They could simply keep the total appropriation in one package when it is brought out as a bill.

Mr. HARSHA. The gentleman is absolutely right. This provision in no way dictates to the Committee on Appropriations how they shall handle their business. But to the contrary should make it easier to dig into the various programs and budget requests to determine if the intent of Congress is being carried out. There is just too much fragmentation of the budget requests as they now are handled.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman.

Mr. HAYS. I want to concur in the argument that the gentleman is making in addition to what I said.

I will say from my experience this is the problem we have with the foreign aid bill. It is scattered all over the Congress. Nobody—and I mean but nobody—really ever knows how much money is involved and who gets what. If this keeps it in one package, that is another very cogent reason it seems to me why the amendment ought to be defeated and why this language ought to stay in the bill.

Mr. HARSHA. I will say to the gentleman that that is my understanding of this provision of the language in the bill, that it will keep it in a single package and it will make it possible for the Appalachian Commission and the Governors to get together and present a composite budget and they have to appear before the Committee on Appropriations and argue in behalf of that budget.

Another thing is, we have $2 million here for water resources. Can you imagine trying to find that item in the Corps of Engineers overall budget? You talk about hiding or covering up some of the expenditures in this program. As the situation presently exists it is really conducive to such procedure should the agencies so desire.

I wish to point out that it will probably be said in argument before we are through considering all these other amendments that if we put it in the hands of the President, he will have an opportunity to be more political with it. That argument seems to be inferred at least from the minority views. I have heard it a number of times, at least in discussions of the bill on and off the floor. But anyone who is familiar with the facts of political life knows that that argument will not hold water, because the President, if he wants to play politics with it, can do it when it is in the hands of an agency, the heads of which he appoints, and the heads over which he has control, just as well as he could if he should present it to the Federal cochairman.

One other important phase of this is that when the Appropriations Committee gets into the meat of this thing and gets to handling the large budgets of the various agencies and they begin to cut what they feel in their good judgment is fat from the bill, the members of the agencies that are presenting the budget to the Appropriations Committee are not so vitally concerned with a little item of $26 million for vocational education that they do not have too much control over, and that goes to Appalachia. So there is not the interest of the advocates of the Department's budget for a specific item that they do not have the control over as they do in their own departments.

As a result, the Appalachian funds suffer, where if it were presented in a composite budget with representatives of the Appalachian Commission carrying the fight, they could present a much more forthright argument for the needs of these programs, and be more effective and forceful in their justification for the request.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. Yes, I am glad to yield to the gentleman from Florida.

Mr. CRAMER. The amendment that I have offered deals solely with highways. No one can hide a $1 billion of expenditures for highways. Does not the gentleman feel that if the decision is to be made about the highway program it ought to be made by the agency that administers the $4-billion-plus basic Federal-aid highway program, as well as this $1 billion Appalachian highway program, and not by the President, who does not have the time to do so?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HARSHA. Mr. Chairman, I ask unanimous consent that I may proceed for 1 additional minute.

The CHAIRMAN. Is there any objection to the request of the gentleman from Ohio? The Chair hears none, and the gentleman is recognized for 1 additional minute.

Mr. HARSHA. It is true that your specific amendment deals with highways and highways only, but it is my understanding that three additional amendments will be offered. In an effort to expedite and facilitate these proceedings, I am anticipating the other three amendments. But I think my argument will apply to highway programs as well, particularly in view of what my colleague from Ohio has said about the Secretary of Transportation or the Assistant Secretary, and this amendment should be defeated. But the sole purpose of this, as the distinguished gentleman from Florida has pointed out, was to present a composite budget, to facilitate and expedite the handling of the affairs of the Appalachian Commission. This will in effect give the Governors an opportunity to work with the Commission and work with the Federal cochairman in presenting a budget. Then they will know how much money they will have to operate on the rest of the year. It will inject into the program greater thrust and flexibility. The present procedure, with an array of agencies handling the funds has a built-in delay factor and clumsiness. The change as recommended by this new language will facilitate the effectiveness of this program and expedite its progress. At the same time the consolidation of the funding process would ease the burden of Congress in its appropriating and oversight functions. We would be better able to follow the money and determine how and why it is being spent.

I see no valid objection to this change, I see only improvement and urge the defeat of this amendment.

Mr. RHODES of Arizona. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and three Members are present, a quorum.

For what purpose does the gentleman from Alabama rise?

Mr. JONES of Alabama. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Florida. This amendment was dealt with at great length in the committee. The observations made by our colleague, the gentleman from Ohio [Mr. HARSHA] were found to be sound, and that was the reason we adopted the provision.

That was the reason we adopted it. We felt this would give greater authority for the Commission itself to promulgate the program, submit their requests for moneys to the President. This is strengthening the so-called States' rights concept. I think the explanation is sufficient to justify the defeat of the amendment.

Mr. DENNEY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I have come from the electorate probably as recently as anybody in this House. I am out in my district at least twice a month on weekends. One of the big problems in the United States today, that we are hearing about all over the United States, is the question about what in the world is the matter with Congress, why do they abrogate their oversight powers to the President of the United States?

When this bill was conceived in 1965, it was not a recommendation of the President that the money be appropriated to him. It was not in the recommendation that was sent up by the President's Appalachian Regional Commission. This is a proposal that has been conceived and is being sold to the Members of the House on the grounds that it would make it easier to administer the program.

Ladies and gentlemen, I stand here today to say I have logged as much time in this House as any freshman ever did. I make every single committee meeting. We should see to it that we do our jobs and not abrogate them to one man. This is the problem, I think.

We heard the very distinguished gentleman from Mississippi here just a half hour ago say that he as a member of one of the subcommittees of the Appropriations Committee would see to it that they would render oversight as far as the funds are concerned. Who ever heard of the President of the United States coming before a subcommittee to report how this money has been spent?

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DENNEY. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, the amendment does not increase the authority of the President, nor does it disturb the appropriation process. It gives a more intimate relationship between the Governors of the States and the President of the United States. So nothing is being done that would do that.

Mr. DENNEY. As I understand it, the amendment says, strike out the word "President" and insert "Secretary of Transportation."

Mr. JONES of Alabama. That is exactly what it does. And it will be accommodating the Governors in dealing with the President.

Mr. DENNEY. Are we not assuming a fact not in evidence?

Mr. JONES of Alabama. I point out to the gentleman this same amendment will be offered to other sections.

Mr. DENNEY. To three more.

Mr. JONES of Alabama. It is to give it to the President of the United States, in response to a demand made, or requests made by the Governors of the respective States.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. DENNEY. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I say to the gentleman I think he and I would like to see the same objective, but the way it is now, it is impossible to pin anybody down about anything. The President is going to have to appoint somebody to administer this, and we can go to that man and put the finger on him. All they do now is pass the buck.

Mr. DENNEY. Let me say to the gentleman from Ohio, I sat in on the hearings when the Federal cochairman—who is now Mr. Joe Fleming, who took Mr. Sweeney's place—and this is not a question whether we like Mr. Sweeney or not.

Mr. HAYS. I understand.

Mr. DENNEY. The point is, I asked him, "Mr. Fleming, will you give this committee some record of what has been accomplished by the money that has been spent in the past 27 months?" And he said, in effect, "We are not able to do that. That has to be done through the States."

Mr. HAYS. That is correct. That is exactly where the trouble is.

In the foreign aid bill we appropriate the money to the President of the United States. He in turn appoints the Administrator of foreign aid. When we want to know something about the part which comes before our committee—and the gentleman understands that Public Law 480 and the lending for various international banks does not come before our committee—we can bring the Administrator in and he will lay the information before our committee.

If there is an Administrator directly responsible, appointed by the President, who has to come to the Congress, we will get a lot more information than if it is scattered through a dozen different agencies.

Mr. DENNEY. But if the President tells the Administrator not to come, what is the situation?

Mr. HAYS. Suppose he tells the Secretary of Transportation not to come.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. DENNEY. I am glad to yield to the gentleman from Florida.

Mr. CRAMER. In respect to the gentleman's question or suggestion, this bill before us does not make money available to the Federal cochairman; it makes it available to the President. There is no instruction as to what the President shall do or to whom he shall allocate funds. The money goes to him.

But the responsibility the gentleman is concerned about will remain with the Secretary. All of the responsibility will be with him, but the money will go to the President.

So far as Mr. Sweeney is concerned, I am sorry the gentleman from Ohio [Mr. HAYS] is not happy about Mr. Sweeney and his operation now and in the past, and this Member has raised many questions with Mr. Sweeney during his appearances before the committee, but the man who is supposed to make policy decisions in transportation is Mr. Boyd, the Secretary, and the head of the Bureau of Public Roads, not Mr. Sweeney. I would be very disappointed if Mr. Sweeney were the man making policy decisions. I do not want Mr. Boyd to abdicate to him that responsibility.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CRAMER and Mr. EDMONDSON.

The Committee divided, and the tellers reported that there were—ayes 91, noes 103.

So the amendment was rejected.

Mr. WAGGONNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask some questions of the chairman of the committee handling this bill. My questions relate to section 107 having to do with demonstration health projects. There is an appropriation of $50 million authorized for this section to provide demonstration health projects; which funds can be expended for planning, construction, equipment, and operation of facilities. This money can be used for treatment or any other health need. The term "multicounty" is used in trying to make a determination of who is eligible for participation in the grants authorized by this section. I would like to ask the chairman of the committee what is meant by "multicounty" as used in section 107. Are we talking about one, two, or three counties or what?

Mr. JONES of Alabama. It could be even more than three counties. It would be determined by the location with relationship to population. For instance, if a hospital could be constructed to serve three counties, it would reduce the overall cost to the several county governments to pool their resources and build one central health center or hospital for the accommodation of the health needs of the general area.

Mr. WAGGONNER. Generally speaking, then, do you mean three counties or more?

Mr. JONES of Alabama. It could be six counties if it would serve that purpose.

Mr. WAGGONNER. But one county alone would not be eligible under the definition?

Mr. JONES of Alabama. Yes; it would, if the hospital served more than one county even though it is located in the county designated under the act.

Mr. WAGGONNER. But then it would be necessary for the administrator of this health grant program to make a determination that if one county made an application for a grant, that this grant being made was for the purposes or the uses of people of more than one county to be served?

Mr. JONES of Alabama. That is correct.

Mr. WAGGONNER. Over on page 38 of the bill, lines 7 and 8, the words "and other laws" are used in talking about authorizing grants. Is this a reference to the Hill-Burton legislation?

Mr. JONES of Alabama. If it is a matter which refers to public health hospitals, the Hill-Burton Act as well as other authorized programs to which the Federal Government is either the principal participant or primary mover are involved.

Mr. WAGGONNER. The grants authorized by the Hill-Burton Act will continue to contain the 66⅔ limitation, will they not?

Mr. JONES of Alabama. Yes; that is correct. For instance, in the State of Tennessee they participate, or the Federal cost is 66⅔ percent. Now, if Appalachia makes a grant, it would only be to the extent of 13 percent which would be made over and above that figure under the Appalachian program.

Mr. WAGGONNER. In other words, a grant under the Hill-Burton legislation requires, under the present administrative procedures, the approval of the State departments of hospitals or State boards, or whatever the official title might be, would it not?

Mr. JONES of Alabama. It would have to be under the Hill-Burton Act. The application would have to be made by the local communities. It could not be initiated by the Federal Government alone.

Mr. WAGGONNER. Would this be true, as is the case under the Hill-Burton Act, that grants under the pertinent sections for these purposes would have to have the necessary approval of the State boards involved?

Mr. JONES of Alabama. It would be necessary, but it would also require that the Governor submit it as a project in the State. So, it goes even further than the provisions of the Hill-Burton Act and requires local approval, because they are in fact the applicants.

Mr. WAGGONNER. The gentleman from Alabama said that this would authorize grants in excess of the Hill-Burton grants to the extent of 13 percent.

Was the gentleman, in fact, saying that no grants would be made in excess of the Hill-Burton provisions, or does the gentleman mean that this would only be used to supplement the provisions of the Hill-Burton Act? Or, would it in fact be possible to construct through this grant method, a hospital and defray up to 80 percent of the construction costs thereof without regard to the provisions of the Hill-Burton Act?

Mr. JONES of Alabama. Mr. Chairman, if the gentleman will yield further, this is not expected to be that type of program because of the limited amount of money involved is of a supplementary nature.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. WAGGONNER. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to

the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. In other words, the gentleman from Alabama is saying that it is the intention of this program to supplement Hill-Burton funds designed for this purpose?

Mr. JONES of Alabama. Hill-Burton funds or other local capabilities toward investing, perhaps, the principal amount.

Mr. WAGGONNER. But, as a matter of general practice, it would not be the purpose of this legislation to have an entirely new program without regard to the provisions of the Hill-Burton Act?

Mr. JONES of Alabama. No, indeed.

Mr. WAGGONNER. And would it be possible—would it conceivably be possible—under the provisions of this legislation for the funds, the grants of funds under this legislation, to be used to subsidize the operating deficit of private hospitals which are operated for profit?

Mr. JONES of Alabama. No; that is not the intent of this act at all.

Mr. WAGGONNER. I thank the gentleman.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER: On page 43, strike out line 1 and all that follows through and including line 11 on page 45, and renumber succeeding sections and references thereto accordingly.

Mr. CRAMER. Mr. Chairman, this is a very simple amendment also. It strikes section 112 of the bill, entitled "Assistance for Planning and Other Preliminary Expenses of Proposed Housing Projects Under Section 221 of the National Housing Act."

Mr. Chairman, this section is really a dilly. If you want to throw away the taxpayers' money and subsidize risk money for developers, and if you want to subsidize lawyers, subsidize the speculators, and subsidize the lobbyists lobbying with the Commission for these projects, if you want to subsidize the public relations men who try to sell these housing projects, and if you want to subsidize the engineers—and that is what it says on page 44, "Loans up to 80 percent of the cost of planning a project," we are talking about housing development projects, we are not talking about individual home loans, then vote against my amendment. If you do not want these things to happen, then vote for it.

We are talking about housing projects, about subsidizing the risk money involved in putting one of these projects together—up to 80 percent. They are going to include, but not be limited to, preliminary surveys and analyses of market needs, preliminary site engineering—there is the engineer—and architectural fees—there are the architects—site options—there are the real estate men and finders—Federal Housing Administration and FNMA fees—and listen to this—and discounts.

What a fight we have on the floor of this House year after year on discounts on FHA and other loans, opposing discounts as a means of increasing the cost of loans that are guaranteed by the Federal Government. But here we are going to subsidize them and repay them, guarantee them against loss resulting from such discounts. This is inviting the very discounts that we have opposed for years, and the loans may be made to these agencies without interest, without any interest whatsoever.

Who can get these loans, and what are they supposed to be for? In the bill it says "to encourage and facilitate the construction or rehabilitation of housing to meet the needs of low- and moderate-income families." That is no definition whatsoever. Nobody knows what they mean by "low- or moderate-income." Nobody supporting this legislation has attempted to define them.

Then in addition, the loan itself may be forgiven to nonprofit, limited dividend, or cooperative organizations.

Here goes FHA in a hurry into a lot of moderate-income housing business with guaranteed risk money, forgiven.

It says "To cooperative organizations, or to public bodies." I wonder if somebody can tell me who this limited dividend outfit is going to be? What is a limited dividend outfit under section 221 that would be able to get these loans?

What else does it do in addition to helping the lobbyists and the lawyers and the architects? They can also waive repayment of these loans. This is what it says:

> The Secretary may, except in the case of a loan to an organization established for profit, waive the repayment of all or any part of a loan made under this section, including interest which he finds the borrower is unable to recover from the proceeds of a mortgage insured under section 221.

If the homeowner cannot repay it, the Federal Government is going to have to pay it, and the Secretary can waive repayment of all or any part of a loan made under this section, including interest.

This gives him power to waive that.

Mr. Chairman, as we pointed out in the minority report on S. 602, section 112 of S. 602 would create an entirely new program of Federal financial assistance for planning and other preliminary expenses of low- and moderate-income housing projects in the Appalachian region. This section would authorize the Secretary of Housing and Urban Development to make grants and loans to nonprofit, limited dividend, or cooperative organizations, or to public bodies for expenses of planning and of obtaining insured mortgages for housing construction or rehabilitation projects, under section 221 of the National Housing Act.

Grants may be made to nonprofit organizations for 80 percent of the administrative expenses incident to planning a project and obtaining an insured mortgage, which the Secretary considers not to be recoverable from the proceeds of a mortgage insured under section 221.

Loans may be made for 80 percent of the cost of planning a project and obtaining an insured mortgage under section 221, including, but not limited to preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, Federal Housing Administration and Federal National Mortgage Association fees, and construction loan fees and discounts. These loans can be made without interest, or at any market or below market interest rate authorized for a mortgage insured under section 221.

Not only is this section objectionable because it creates a new and additional kind of financial assistance over and above that contemplated by the Congress when the Appalachian program was enacted in 1965, but it should not be enacted into law for a number of additional reasons.

Mr. Chairman, the Secretary of Housing and Urban Development would be authorized, except in the case of a loan to an organization established for profit, to "waive the repayment of all or any part of a loan made under this section, including interest, which he finds the borrower is unable to recover from the proceeds of a mortgage insured under section 221." Probably in most cases, borrowers would contend that they were unable to recover planning and other preliminary expenses from up to 100 percent construction loans insured under section 221, and the planning and preliminary expense loans would be converted into Federal grants.

Mr. Chairman, this is a disturbing provision. We feel that one who secures a loan from the Federal Government should have the same responsibility of repaying it as he would if the loan had been obtained from a private banking institution. Such a forgiveness provision will encourage borrowers not to repay loans at the expense of all of the taxpayers of the Nation.

This new program is being established supposedly to encourage the construction or rehabilitation of housing to meet the needs of low- and moderate-income families and individuals. Yet, there is no definition in the bill, or in section 221 of the National Housing Act, of what constitutes a low- or moderate-income family or individual. We feel that a definition should be written into law rather than it being left to the discretion of the Secretary.

Mr. Chairman, there is no definition in the bill of administrative expenses or expenses of obtaining an insured loan, other than a partial listing of purposes for which loan money can be expended. Inasmuch as the Secretary would be authorized to make 80-percent Federal grants and loans for such expenses, this is a substantial omission. Apparently, it is intended that the expenses eligible for grants differ from those eligible for loans, but this distinction cannot be ascertained from the language of the bill. Presumably, among other things, the fees charged by attorneys, lobbyists, expediters, public relations firms, and others to promote projects and influence favorable actions by the Appalachian Regional Commission, the Secretary, and other public officials would be eligible for 80-percent Federal grants and loans. Members of Congress are being asked to write a blank check for whatever the Secretary decides to include in eligible expenses, rather than Congress making the determination.

The House Committee on Public Works has no legislative jurisdiction over, or expertise on, housing legislation. The new grant and loan program created by this section is a major addition to existing housing laws. It is more far reaching than the mere inclusion of an existing program in the Appalachian Regional Development Act of 1965. Legislation of this importance should not have been reported by the Committee on Public Works without its first being considered by the Committee on Banking and Currency. The recommendations of that committee, which has jurisdiction over housing legislation and years of experience in the field of housing, should have been sought. Housing legislation is quite complex and interrelated, and the need for this section and its effect upon existing housing laws and programs are unknown.

I say to the Members this is probably the worst monstrosity of the whole bill. It should never have been up before our committee. We do not claim to have expertise in banking and currency and housing problems. It never should have been before our committee. I say it should be taken out of the bill and considered by the proper committee.

It is not good legislation in the first place.

Mr. ASHLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the pending amendment not as a member of the Committee on Public Works but as a member of the Committee on Banking and Currency's Subcommittee on Housing, which has been for so many years now deeply concerned with this problem.

Our Subcommittee on Housing has been very deeply concerned over the deficiency of decent housing for low- and moderate-income families in the United States—a deficiency which despite our efforts has grown and which is now recognized as a national problem of very real magnitude.

Poor housing is not only a problem for our cities—it is less dramatic but just as pervasive in many if not in most of the rural areas in the country.

There simply can be no argument whatever but that poor housing is a particular problem in the Appalachia area and it is one of the longstanding deficiencies which was recognized when Congress passed the Appalachian Regional Development Act of 1965.

The new section 207 which the gentleman from Florida would strike with his amendment seeks to be responsive to the various factors which have resulted in an undersupply of decent housing for low- and moderate-income families in the Appalachian region.

Let me say that that problem is really not so much with respect to public housing—the public housing program has been used extensively in Appalachia and some 77,000 housing units or about 10 percent of the total national inventory of public housing has been placed under contract in the Appalachian region since the initiation of the program back in the late 1930's.

The critical need is not public housing. The critical need is to accommodate families whose incomes are just high enough to disqualify them from public housing but too low for the private housing market.

To bridge this gap, the Congress has initiated a number of programs, principally the section 221 program which provides low-interest mortgage loans from the Federal National Insurance Association to nonprofit sponsors for permanent financing of qualified projects which involve either new construction or rehabilitation.

This is not a new program. The section 221 program has been upon the books for many years. The plain fact of the matter is that it has not been used in the Appalachian region for a number of reasons that I will touch upon.

But bear in mind that of 40,000 housing units constructed under section 221, only 603 have been built in Appalachia. This is a region with 8½ percent of the Nation's population and it has about 10 percent of all public housing but as was mentioned a moment ago, it is the beneficiary of only about 1.5 percent of section 221 housing that has been constructed.

There are two reasons for this, and this is what the gentleman from Florida, I think, misses. It seems to me there are two reasons why section 221 has not been made use of in the Appalachia region. The first is the shortage of the capital needed by nonprofit corporations to prepare their plans. The second is the shortage of managerial competence to initiate and manage housing projects.

Section 207 of the bill seeks to meet these exact problems by authorizing the establishment of a revolving fund—an Appalachian housing fund—totaling up to $5 million for loans and grants—and I will say to the gentleman that he knows they are principally for loans.

Under this program, loans would be available for up to 80 percent of preliminary costs and planning of projects and obtaining insured mortgages under section 221 including such costs—and they are necessary costs—as costs of surveys, and analysis of market needs, site engineering and architectural fees, site options, and so forth.

In most cases these costs would be recoverable.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. ASHLEY was permitted to proceed for an additional 3 minutes.)

Mr. ASHLEY. I will say that these costs in most instances would be recoverable when a construction loan is made, and repayments would be made to the revolving fund administered by the Secretary of Housing and Urban Development. The Secretary would be authorized indeed, as the gentleman from Florida [Mr. CRAMER] has pointed out, to prescribe the terms and conditions of such loans. But there is nothing new or revolutionary about that. He would be able to waive the repayment of all or part of the loan which he finds the borrower would be unable to recover from the proceeds on a mortgage insured under section 221. But we are talking about essentially a revolving fund into which we would put $5 million for the preliminary costs. These loans would be recoverable.

Mr. Chairman, this is the best kind of investment, because what it means is that the money, the initial $5 million, would be used over and over again, and as money is being repaid into the fund, it would be used to help new sponsors of new projects. So I say that if we are serious about meeting the need for low- and moderate-income family housing in an area of the country where this kind of housing is needed most, we have a device here that is a tested device, and it should be made use of.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Iowa.

Mr. GROSS. Where else in this country can a citizen borrow without interest and be assured by law that he may not even have to repay? Where else can this occur?

Mr. ASHLEY. There is an assurance for repayment.

Mr. GROSS. Yes, by the Government, but what is the responsibility of the individual? Where else in the country can any other citizen borrow money on these terms?

Mr. ASHLEY. I would say this to the gentleman: He must understand what the 221 program is about. The idea is to persuade nonprofit sponsors to undertake the construction and management of housing units which can be made available to moderate-income families at a lower rental than otherwise would be the case, because of the very fact that the sponsors have available to them below market interest rates at which they borrow the money. This is what makes the 221 program a viable program for private housing for low-income families.

Mr. GROSS. If the gentleman will yield, there is one thing for dead sure and certain, that on the money made available for this purpose, and in case of default, the taxpayers of all the country will pay the interest on the money. Is that not so?

Mr. ASHLEY. The $5 million?

Mr. GROSS. I do not care whether it is $5 million or 5 cents.

(By unanimous consent, Mr. ASHLEY was permitted to proceed for 2 additional minutes.)

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from New Jersey.

Mr. WIDNALL. I understood the gentleman to state that under existing law 8 percent of the housing loans that have been made through HUD in the Appalachian region have been made for a purpose such as that described in the bill. Is that not correct?

Mr. ASHLEY. No, I said that with respect to public housing, for the Appalachia area, which comprises 8 percent of our population, approximately 10 percent of the public housing units have gone to this area, which is a fair allocation. But under the 221 program for this area, where we have 8 percent of our population, only 1½ percent of all 221 units to date have been constructed, showing a great disparity in the use of this program.

Mr. WIDNALL. That is primarily because of the fact that there has been no real attempt to get nonprofit organizations interested in this program and doing something about it in that area. Would it not be far better than embarking upon this new program, as stated in this bill, to get a grant from the Ford Foundation and have them do for the rural areas what they did for the cities, and come in with recommendations along this line, instead of spending money that we will have to spend under this new program, primarily for planning and environmental study?

We just had a statement by the President—and I was down at the White House when he gave it out—that the big insurance companies are going to spend a billion dollars to go into the cities and help the hard-core areas. This study could be done with respect to the rural areas.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WIDNALL. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

Mr. ARENDS. Mr. Chairman, reserving the right to object, this has gone on for quite a long time this afternoon. I know it is interesting, and I know quite a few Members will be interested in it, but I would be constrained to object after this 2 minutes which has already been requested. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the gentleman is recognized for 2 additional minutes.

Mr. WIDNALL. Mr. Chairman, it seems to me under existing law we could do it, and through this housing proposal we are not going to get anywhere except be giving away money for expenses that are not covered under existing law, and particularly with the discount included. A dangerous precedent is being set. What particularly bothers me is the fact that this provides for more than Appalachia. This bill provides extension of Appalachia into regions that have absolutely no relationship to Appalachia. The argument can be used, if this bill is passed with this provision in it, that we should extend Appalachia throughout the 50 States and use the same approach throughout the 50 States.

Mr. ASHLEY. Mr. Chairman, let me say to my very good friend from New Jersey that, with 8 percent of the population and only one-and-a-half percent of all the 221 units located in Appalachia, it is clear that the program is not working there. Why? Because there are not sponsors who are coming forth to engage in the program. Why are they not coming forth? There has been study put to this. It is known that the preliminary costs of a 221 project are substantial. There are not sufficient sponsors in the poor regions of Appalachia to undertake these preliminary costs. That is why the sponsors are not in such numbers as had been hoped. We say this proposal is precedent-shattering. I say let us find out why this program has not been working and make the adjustments necessary to help provide the decent housing so badly needed by so many decent citizens living in distress in the Appalachian region of our country.

Mr. WIDNALL. Mr. Chairman, if the gentleman will yield further, then why should our committee not study it on a nationwide basis rather than just on the basis of this program?

Mr. MATHIAS of Maryland. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in full support of S. 602, to revise and extend the Appalachian Regional Development Act.

When this legislation was initially before the Congress in 1964 and 1965, I joined as a cosponsor of the bill because it seemed to me to offer great opportunities for meeting the human needs of the people of Appalachia and promoting the economic development of a region which for many years has suffered from high unemployment, low growth rates, poor use of resources, and general and persistent depression.

The structure of the program enacted in 1965 then seemed to be, in my judgment, as important as the substantive assistance authorized. This act proposed a new kind of economic development program, one which was not imposed from outside, but which rather evolved out of the plans of each locality and State, tempered by the deliberations of officials representing all States and the Federal interest. To me this was a highly promising advance in grants-in-aid, a truly federalistic pyramid through which ideas could flow upward before the funds were directed down.

I can report that the Appalachian program during the past 2 years has come as close to my expectations as mortal men have a right to expect. In the three Maryland counties involved—Garrett, Allegany, and Washington—each individual project has been based on solid planning at the local level, with the able technical assistance of the State through the Western Maryland Regional Economic Development Office established under the act by the Maryland Department of Economic Development, Mr. Robert G. Garner, the Maryland representative on the Commission, and Mr. Daniel S. J. Rohrer, Jr., the head of the regional development office, have done an excellent job in working with local and county officials and private groups to develop each project thoroughly and prudently before submitting an application for funds.

In an intensive study of western Maryland resources prepared by a University of Maryland committee in 1965 at the request of the 15-man committee representing Appalachian Maryland, the region's major problems were summarized as follows:

> (1) the continued expansion of economic opportunity for all individuals,
>
> (2) the adequacy of the public sector in terms of education, planned development, and highway access relative to its functions in modern society, and
>
> (3) improvement of resource management at all levels and units of decisionmaking.

The committee further noted:

> As a result of lower incomes and an inadequate fiscal base, insufficient revenue has been available in the past to the public sector . . . for education, health, welfare, and other public services in the region. As a result, citizens of western Maryland have been relatively disadvantaged in developing their own capabilities and in making the best use of the economic opportunities which do exist.

In light of these observations, it is appropriate to note that Maryland's primary emphasis during the first 2 years of the Appalachian program has been on education and health. Projects aided to date include two county vocational-technical education centers, an area agricultural center, and three hospitals and nursing homes. Additional health facilities and improvements are currently being planned.

Mr. Chairman, obviously the full impact of these projects cannot be measured in 2 years. Since many of them involve construction, it will be some time before all of them are even operating. It is possible, however, to measure at this time the extent to which the Appalachian program, including the supplemental aid available under section 214, has encouraged county and local officials in western Maryland, has enabled them to begin projects which might otherwise have been deferred or delayed, and has prompted them to plan coherently and sensibly. These constructive and hopeful products of the first 2 years are clearly visible.

I feel that continuation of this act, as provided for in S. 602, is completely justified and most important. It would be tragic, in fact, if the program were not continued, for the gains of the past 2 years would to a large degree be thrown away.

In addition to its extended authorizations, S. 602 also contains very helpful provisions for increased work on the related problems of controlling acid mine pollution and reclaiming surface mines. Water pollution—and scenic pollution—resulting from past and present mining is not as prevalent in western Maryland as in some other parts of Appalachia, but still causes grave damage to the resources and beauty of the land. For example, acid mine drainage in the north branch of the Potomac threatens to undermine much of the recreational potential of the Bloomington Reservoir now under construction.

The provisions of S. 602 should intensify our efforts to reduce acid mine drainage. In addition, House passage of this measure should reemphasize to the Federal agencies concerned, and particularly to the Water Pollution Control Administration, the determination of the Congress that strong steps should be taken without delay to intensify research into remedial measures. In this regard, I continue to be disappointed at the failure of the WPCA to initiate an acid mine drainage control demonstration project on the north branch or its tributaries. I regret that there has been no sign of action from that agency since last fall, when I was notified that a project then planned had been canceled because of renewed mining activity in the area.

In conclusion, I would like to have the record show that I am extremely pleased, as are my constituents, with the way this program has operated. I have criticized some aspects of Federal operations from time to time, and have called

for reforms to improve intergovernmental communications and reduce redtape. The Appalachian Regional Commission is one agency which has managed to avoid the problems which have plagued so many offices and tied up so many worthwhile programs. The Commission's relations with the States have been consistently excellent, probably because it is to a great extent a creature of the States. Its responsiveness to local needs is most commendable, and fully implements the intent of the original act. Finally, the agency's hospitality to local and State officials and congressional inquiries has been outstanding.

I encourage my colleagues to approve S. 602.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will not take the 5 minutes for the point I wish to make is so clear cut and compelling I do not wish to consume my colleague's time. All through the years in the heart of Appalachia, one of our principal problems has been the lack of housing. I have supported housing bills here since 1949, but, by and large, our large metropolitan areas have been the beneficiaries. The heart of Appalachia has never taken full advantage of the low-rent public housing. They have been bypassed by all the defense spending. There is hope today, in this legislation for a solution to housing in the small needy communities of Appalachia.

No foundation or other private organization is likely to invest money there for the rural areas, to study housing. They have not done it in the past. If we strike this particular section, we are just going to delay the day when families in Appalachia will receive better housing. Regardless of what we state about it, there have to be studies made.

This section in the bill is reasonable, it is feasible, and it should not be stricken. At least it is some hope. It is going to be a long, long time anyway before we come up with any reasonable solution to the housing problem in Appalachia. It would be a great mistake to strike this provision from the bill.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Chairman, I congratulate the gentleman on his excellent statement. I want further to point out that we in the committee wrote what we regard to be very adequate safeguards against anyone profiteering on this section.

On page 44 is the provision that no grant shall be made to any organization established for profit.

Further on page 44 is a provision that any loan made to an organization established for profit shall bear interest at the going market rate.

Mr. PERKINS. I agree with the gentleman. There is no opportunity here for anyone to profit from the $5 million we authorize here, but let me say to the distinguished gentleman that I believe these funds will stimulate economic activities and benefits to the area and the Nation far beyond the small sum we are committing. As I understand the legislation, the proposal will first have to have the complete concurrence of the Appalachian Governors.

Mr. MOORHEAD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment and in support of the new section 207, which will assist private sponsors of low- and moderate-income housing to take advantage of section 221 of the National Housing Act in Appalachia.

As a member of the Housing Subcommittee, I have been a strong supporter of the section 221 programs, but I have learned that many of the churches, unions, cooperatives, and service associations which would sponsor low- and moderate-income housing are deterred by the large initial expenditure that must be made to develop an application for a Federal Housing Administration housing project. In the case of a $1 million, 221(d)(3), rental housing project, the costs of organization, land options, feasibility studies, and architectural drawings may be as high as $40,000. If the Federal Housing Administration does not make a commitment to insure, this private nonprofit organization is out $40,000 and does not have any housing.

In connection with the remarks made by the gentleman from New Jersey, on August 7 of this year, together with the gentleman from Ohio [Mr. Ashley] and the gentleman from Wisconsin [Mr. Reuss], I introduced a bill which would authorize this type of program on a national basis. However, I believe there is ample support for applying this first only to Appalachia.

The gentlemen who have preceded me in the well have pointed out that Appalachia has 8½ percent of the Nation's population and only 1½ percent of the 221 housing units. This is because the area does not have the capital and does not have the know-how to take advantage of these programs. The only thing left is either to have rural slums or public housing.

I believe in private housing for low- and moderate-income families, and I believe that this amendment should be defeated.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I compliment the gentleman on his excellent statement, because he is pointing out that the people under the Appalachia program do need this kind of assistance. The people in upper Appalachia, the back hills and mountains and valleys, are fine, good, hard-working people, and do need this assistance.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Is it not true that the bill covers more than nonprofit organizations, and enlarges the coverage to profit organizations?

Mr. MOORHEAD. But, as I recall, there is a requirement that the profit organizations, if they take advantage of this section, must pay a full rate of interest.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Florida.

Mr. CRAMER. They can get loans for discounts, so they get a full rate of interest and then take the interest they have to pay off in the form of a discount. What difference does it make?

I cannot understand how anybody on the Committee on Banking and Currency could stand up to say that the Federal Government ought to subsidize and legalize discounts in this manner.

Mr. MOORHEAD. We have had experience with the 221 program, and we have found it to be successful. If this section will promote the use of 221 housing in Appalachia, then I am in favor of it.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

I rise, Mr. Chairman, in opposition to the amendment, first. I agree with the gentleman from Pennsylvania [Mr. Moorhead] on his statement, which I believe is well stated.

Second, I should like to point out to the gentleman from Ohio [Mr. Hays] authoritative information on the excellent record of Pennsylvania on highway safety. The gentleman, as I recall, spoke about certain risks on Pennsylvania highways, particularly Interstate Highway No. 70 as well as the Pennsylvania Turnpike. In connection with the turnpike the purport of the remarks generally was that if a person wants to see what the safety record is look at the bodies along the road, and referred to the western part of the turnpike as suicide alley.

In rebuttal to the gentleman from Ohio, I have very interesting figures from Frank Blakesle, chief of information and education of Pennsylvania Bureau of Traffic Safety.

Over the long Labor Day weekend Pennsylvania had 25 deaths through automobile accidents, Michigan had 44, California 57, Illinois 15, Ohio 20, which is a very good record. New York had 41, Texas 46, Indiana 18, and that is a long weekend. Looking at the accident frequency rate with automobile fatalities per 100 million vehicle miles, I give these figures from the National Safety Council whose principal office is located in Chicago. Under these figures Pennsylvania had 4.4 fatal accidents per 100 million vehicle miles in 1966 and the rate is down to 4.1 in 1967.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. Not at present, but I will when I get through with my statement.

So Pennsylvania had a 4.4 automobile death rate in 1966 per 100 million vehicle miles, Ohio had 5.4 in 1966, which is a death rate 25 percent higher than Pennsylvania. New York had 4.8, Michigan 5.3, New Jersey 3.4, Maryland 4.6, West Virginia, 6.9, Florida 6.2, Iowa 6.6, Delaware 4.9, Texas 6.2, Virginia 5.2, Indiana 5.7, Illinois 5.2, California 4.8.

In fact, Pennsylvania had the lowest accident rate of any of the big eight States populationwise. These States

are California, Illinois, Indiana, Michigan, and New York, including Ohio, Pennsylvania, and Texas.

These are the statistics of State public roads, streets, and highways. Our Pennsylvania Turnpike is not under our State Highway Department, but is separate under the Pennsylvania Turnpike Commission, an independent body. This is the granddaddy of all turnpikes. It is one of the original U.S. turnpikes. So it is old, but it is now being modernized.

What is the record on the Pennsylvania Turnpike? Daniel Starry, Safety Director of the Pennsylvania Turnpike has given me the figures compiled officially by the National Safety Council. We find that fatal accidents per 100 million vehicle miles in 1966 were 1.6. On all automobile accidents, the figure is 2.4 accidents per 100 million vehicle miles on the turnpike. Unfortunately, Ohio had on its turnpike a rate of fatalities of 2.7 in 1966. That is much above Pennsylvania. Unfortunately, West Virginia, which certainly needs Appalachia, had 16.2 fatal accidents per 100 million vehicle miles in 1966. We must help open up the hills of West Virginia, and make the highways and roads safe.

The New York Thruway record was good in 1966. It had 3.1 per 100 million vehicle miles. The New Jersey Turnpike had the same record as Pennsylvania, 1.6. Unfortunately this rate has gone up to 2.9 in 1967, as has the Pennsylvania Turnpike for the same period. The overall accident rate on these two turnpikes has not gone up in 1967.

The Garden State Parkway in New Jersey was excellent. It had a 1.4 death rate in 1966.

The Atlantic City Expressway, however, had 6.5 deaths per 100 million miles in 1966, and this rate is down to 3.8 so far in 1967.

The Florida Sunshine State Parkway in 1966 had a rate of 3.8.

In Virginia they had a 1966 record of 5.2 fatalities on the Richmond-Petersburg Parkway, which fortunately has been reduced to three so far in 1967.

I think we are doing a pretty good job on traffic safety in Pennsylvania. We would like to have you all come and go through good old Pennsylvania on your way to Ohio and back and forth to your homes. Stay and see beautiful Pennsylvania, 53-percent woodlands yet, and meet our friendly people.

I am glad to report to the House that the gentleman from Ohio [Mr. HAYS] and I have been traveling back and forth over these Pennsylvania highways. I go to Pittsburgh in southwestern Pennsylvania, and he to Ohio through the good town of Steubenville. I do not believe the gentleman from Ohio [Mr. HAYS] has had an accident in Pennsylvania yet and neither have I in our 20 years of travel. We welcome you to come through Pennsylvania and hope you have a good opportunity to see our State. We think we are doing a pretty good job, with fine employment, and progress.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman.

Mr. HAYS. If the gentleman were paying attention to what I said, I was only talking about the 90-mile section of the Pennsylvania Turnpike between Breezewood and New Stanton, on which section they run Interstate 70, which makes it a terribly overcrowded piece of highway.

Mr. FULTON of Pennsylvania. Yes, but we have over 300 miles of Pennsylvania Turnpike, and there were only 24 deaths in the whole year of 1966 on that whole 300 miles. I wish Ohio had the same record on both its turnpikes and its general highways as Pennsylvania has on each. We will stand up to be counted, and we hope we can do better next year.

Mr. HAYS. Will the gentleman yield again?

Mr. FULTON of Pennsylvania. Certainly I yield.

Mr. HAYS. Your statistics have not been applied to the particular problem.

Now, Mr. Chairman, anyone can get up and reel off a lot of statistics. But I am talking about one section. Can you justify putting a part of the new Interstate Highway System over the turnpike?

Mr. FULTON of Pennsylvania. We must say to you in Ohio that the Pennsylvania Turnpike was built with no Federal funds whatsoever but yet Pennsylvania cannot in the U.S. interstate highway program even get credit for the expenditures which were made by the great State of Pennsylvania toward the construction of the Pennsylvania Turnpike.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FULTON of Pennsylvania. Mr. Chairman, I ask unanimous consent to revise my remarks and proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON of Pennsylvania. Certainly, Mr. Chairman, highway safety is a very fine record in Pennsylvania.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. HAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the gentleman from Pennsylvania [Mr. FULTON] reeled off an impressive set of statistics. However, Mr. Chairman, none of those statistics touched upon the problems about which I was talking.

Mr. Chairman, all the members of the Committee of the Whole House on the State of the Union know the old story about "figures do not lie"—and I shall not finish the balance of that axiom, because it would be a violation of the rules of the House. However, the proof of the matter is that the gentleman from Pennsylvania skirted all around the problem.

Mr. Chairman, I have no quarrel with the State of Pennsylvania. If they can get the Federal Commissioner of Highways or their own State commissioner to permit the operation of U.S. 70 over antiquated, delapidated, pre-World War II highways—then that is another matter. My criticism was directed to the particular section of the highway involved.

Therefore, Mr. Chairman, I feel it is a valid criticism. It is my further opinion that anyone who has ever traveled that particular stretch of the Pennsylvania Turnpike will agree with me that it is terribly overcrowded. I came back on it last Sunday evening and it was really overcrowded and represented a very dangerous situation. I had in company with me some other people who stated that this was the worst kind of experience trafficwise through which they had ever gone, not because of the State of Pennsylvania, but because of the fact that the highway was so congested, cluttered, and massed with trucks. It was really a nightmare for me to undertake to navigate this particular stretch of road. Other vehicles were cutting in and out, they were passing on the wrong side, and it represented a real potentially tragic situation and a highly overtraveled portion of highway. We were witness to two accidents on that particular Sunday night. Also, I witnessed another accident several weeks ago in which several people were burned to death right on this particular 90-mile stretch of highway.

Mr. Chairman, that is the only criticism I have of this particular situation.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HAYS. Yes, I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. For how many years has the gentleman been traveling this highway without an accident?

Mr. HAYS. Well, the fact of the matter is that I am a good driver, but that does not have anything to do with the highway itself.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CRAMER and Mr. WRIGHT.

The Committee divided, and the tellers reported that there were—ayes 99, noes 103.

So the amendment was rejected.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. CRAMER. Mr. Chairman, reserving the right to object—and I shall not object, I will say to the gentleman—but could I respectfully ask for a recapitulation of that teller vote, relating to the addition of the figures by the Chair?

I believe I announced 87 at the outset, and then there were 16 additional.

Mr. YATES. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. YATES. Does not the request come too late?

The CHAIRMAN. The Chair will state that the Chair heard 83 in the affirmative on the first announcement, and the Clerk also understood 83.

Mr. CRAMER. I thank the Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Chairman, I believe that what I am going to say is in order, but it does not relate to the subject matter of the bill.

I shall make some observations on propriety, especially in relation to the honor and the dignity of the House of Representatives.

It is my suspicion that there may have been some political motivation in earlier remarks on a press release, in which it was said, mention was made of the minority leader of the House. I do not know whether there was a press release, and whether it referred to the minority leader in an improper manner, but if a press release were sent out that questioned the integrity or the motivation of the minority leader of this body, I would bitterly resent it. I do not believe in fighting with mud. That is not the way in which democratic government functions.

Mr. Chairman, to me the minority leader is a great American. To me the minority whip is a great American. Just as the Speaker of this House of Representatives, JOHN MCCORMACK, is a great American, and CARL ALBERT is a great American, and HALE BOGGS is a great American. They are all great Americans, and the honor and the dignity of the distinguished body to which we all belong is assailed under any one of them is questioned as to his sincerity.

When you reflect upon the minority leadership, I do not like it because you are reflecting upon the honor and integrity of this body.

I was glad that one of the Republican Members in supporting the legislation, paid tribute to Dr. Weaver, who is a gentleman of the highest quality and of terrific ability. I know that he would be the last person in the world to approve a press release to bring into question the sincerity or the integrity of any Member of this body, especially one placed by his party colleagues in a high position of leadership.

I am a native son of Michigan. I am proud that my native State has the distinction of having as minority leader in the House of Representatives, GERRY FORD.

I have lived for many years in Illinois and have served the State of my adoption and the native State of my sons for a long, long time and I regard LES ARENDS as one of the great sons of Illinois. I am proud he is in a position of leadership though he is not in my party. I would resent anybody bringing into question his integrity or his sincerity. We are blessed with the two-party system and this assures us of a full presentment on all issues, but we can disagree as gentlemen.

I think, Mr. Chairman, it may be out of order but I shall suggest what is in my heart and I think in the hearts and minds of my colleagues—that at this moment everybody in this Chamber stand up in tribute to GERRY FORD—in tribute to JOHN MCCORMACK—in tribute to LES ARENDS—in tribute to CARL ALBERT and to HALE BOGGS—in tribute to our leadership on both sides.

I thank my colleagues for this show of unanimity in the faith we feel in our leadership of the majority and of the minority, always of course reserving the right to disagree strictly on the merit of the issues.

AMENDMENT OFFERED BY MR. SCHWENGEL

Mr. SCHWENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. SCHWENGEL: On page 40, strike out line 15 and all that follows through and including line 21.
>
> Renumber succeeding sections and references thereto accordingly.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent that all time on this amendment and all amendments thereto be limited to 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SCHWENGEL. Mr. Chairman, I want to remind the House that I have participated in the consideration of this legislation from the beginning, from the time it came before the Committee on Public Works in 1964, and I have been avidly interested in its objective. So whatever position I have taken, and I believe the position of the minority, is not to be interpreted as being against the stated objectives of this legislation. Our position is one that is stating that we believe this is inadequate, unfair, and smacks of favoritism, because it does not treat comparable situations throughout the United States in the same way as it treats the Appalachian area.

My amendment deals with the conservation section, section 203 of the 1965 act and section 112 of S. 602, as reported, specifically with watershed protection projects. As I said when I spoke on this legislation in the general debate, I sincerely believe that the Appalachian program gives preferential treatment to the Appalachian area. One of the outstanding examples of that—and there are many of them that I think have been brought to your attention very well today by the minority—is in the area of agriculture.

Under the Appalachian legislation, funds have been appropriated to start construction on 10 watershed projects in Appalachia that most probably would not have been started otherwise. I would like to suggest, and I think the evidence is clear—and especially those who live in agricultural areas, the breadbasket, will understand this—that if there is anywhere in this country where 10 extra watersheds are needed, it is in the rich farm areas of the Midwest, where soil and water are much more valuable than in Appalachia.

At the present time we are hoping to complete the protection of small watersheds in this country by the year 2000; and unless the present rate of work is stepped up, this goal will not be met. It is essential that it be met. The cost-benefit ratio of this kind of program in the Midwest area, where we are losing the best soil every year by millions of tons down the streams and on down into the Delta area, is very favorable to the building of projects there. The loss of natural resources presently is irretrievable, and it ought to concern us more than it does.

This program and this section gives preferential treatment to Appalachia in the area of agriculture. My amendment would not handicap them in the least. Their present programs would go forward, but on an equal and equitable basis with the rest of the Nation.

I suggest to you again—as can be borne out by the statistics—that Appalachia is not the breadbasket of this country by any stretch of the imagination. A good deal of the farmland in this area is marginal, to say the least, and yet by this legislation we are doing more for soil and water conservation there than anywhere else in the country. Nothing demonstrates more to my mind the misplaced priorities set by the administration under the Appalachia program than the favoritism it shows in the areas of watershed development.

In the last few years the Mississippi River has been flooding with all too frequent regularity. In the low lying Mississippi River basin we simply cannot build big reservoirs such as those built on the Missouri River. The cost, because of population density and the rich farmland which lies in this area, would also be too prohibitive. One way, and one of the best ways to control the potential floodwaters in this area, is through a completed small upstream watershed development program, so that we could control the rain where it falls, in the upper reaches of our streams. It would give us an opportunity to take full advantage of the raindrop where it falls.

I remind you that these floods we have periodically in the whole Mississippi River Valley area, including the Ohio River Valley area, costs us millions yearly, and the quicker we get at the watershed program in that area, the better it will be for the country.

I suggest to you that this is unjustified favoritism, and I urge you to vote for my amendment.

Mr. JONES of Alabama. Mr. Chairman, I oppose the amendment. I am quite surprised that the gentleman from Iowa insists upon the slogan which he has employed of "favoritism." Yesterday the gentleman from Tennessee [Mr. DUNCAN] placed in the RECORD figures showing the disparity of Federal funds being invested in soil conservation in Iowa and other States and the State of Tennessee. For example, the Federal per capita investment in Iowa is $75.85. In the State of Tennessee it is $9.96.

If there is any favoritism being utilized in our Government, the gentleman is the recipient of that bounty. The way to go about making a reassessment and reappraisal is for the gentleman from Iowa to offer a bill in which he wants to equalize all the payments to agricultural pursuits. Let me remind the gentleman from Iowa of something further. We are spending an average of over $65 million a year on the Mississippi River. It receives more money annually, and has, than any other river because of the great need on that river.

Now, to come up and say because the people in Appalachia have not fully employed the soil conservation uses and practices, that they should be denied, because they are going to take it from some other area, is without foundation. Let us get along with the business of trying to achieve the very things the gentleman says this country should have.

I hope the amendment is defeated.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Chairman, we have to realize that we are considering in this bill a very wide area of our own country, in which millions of Americans who are human beings live, who have for decades and decades been living under economically depressed conditions—chronically so.

This is not special treatment, as my friend from Iowa said in his remarks. I come from Massachusetts. I have voted for every farm bill. There are no farms in my district. I did not think I was giving them special treatment. I considered it was in the national interest of our country. It is only within the last few weeks that we have programed important projects for Members on both sides of the aisle, and they passed this House. They are located in other sections of the country, and I voted for them. If there was a rollcall vote and a tie vote, I would have voted for them. But I do not consider that I was giving special treatment to the great areas of our country where we developed dams for flood control and conservation for the protection of life and property of our citizens and in the development of our great rivers. I consider those projects are in the best interests of our country and the people of our country.

So if we apply the rule of special treatment, every bill up here that does not concern our section of the country we could vote against simply because of the term "special treatment." So this is not special treatment. It seems to me to be justice under the circumstances, applicable to a wide area of our country in which millions of fine Americans live.

I join with my friend from Alabama in expressing the strong hope that the amendment of the gentleman from Iowa will be defeated.

Mr. SCHWENGEL. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Chairman, I do not have the time to answer. There are some logical answers to the statements made by both the gentleman from Alabama and the distinguished Speaker. I ask unanimous consent that I may extend my remarks following those statements by these gentlemen.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SCHWENGEL. Mr. Chairman, the questions propounded by the distinguished Speaker and the capable chairman of the Ad Hoc Subcommittee on Appalachia, the gentleman from Alabama [Mr. JONES] can best be answered by examining in detail the existing section of the Appalachian legislation which my amendment seeks to amend, section 203.

First, despite attempts by the other side to prove to the contrary, this land stabilization, conservation, and erosion control section is unfair and smacks of favoritism. It does not treat comparable situations throughout the United States in the same way as it treats the Appalachian area. The section does afford the Appalachian region preferential treatment in an area of great concern to most Members of this body—agriculture.

Second, my friends from Massachusetts and Alabama skirt the issue here by citing acts of Congress which they indicate do not have direct application to their particular congressional districts. The question is not a political one: Does this bill directly aid my own district? Rather, the question is a philosophical one: Does this bill apply equally to all sections of the Nation? In other words, to use the example cited by our distinguished Speaker—farms, the question becomes: If I had a farm in my district, wherever my district might be within these United States, would the provisions of this act be applicable to it? The distinguished Speaker addressed himself to political considerations, while I addressed the questions of parity and equity for all sections of America.

Third, in the particular circumstances of this case, those of agricultural assistance for Appalachia versus agricultural assistance for all portions of the Nation, the question of priorities becomes even clearer and even more resolved in favor of my arguments. If funds to stabilize and to conserve our land are to be expended by the Federal Government, where ought they best be expended: First, fertile agricultural areas of the Midwest, South, and portions of the Southwest, or, second, generally unproductive Appalachian areas—lands not particularly suited for economic agricultural production. The topsoil of our great breadbasket lands of America needs conserving far more than do the craggy, jagged rocks and peaks of Appalachian hills. It is a question of priorities; the soil ought to be conserved first where the land is most valuable for the agricultural and economic well-being of the people of our Nation.

Fourth, the remarks of the gentleman from Alabama [Mr. JONES] that Iowa, by receiving a per capita Federal investment in soil conservation of $75.85—and I use his figures—is supposedly being favored over Tennessee, an Appalachian State, which receives a Federal per capita investment for conservation of $9.96—and I use his figures again—strengthens my arguments here today. Under existing conservation statutes the formulas for the allocation of funds are based upon need. Thus, by the citing of the figures one can clearly see the greater need for conservation funds in Iowa than in Tennessee. The gentleman from Alabama's figures strengthen my case. They surely do not show preferential treatment for the great farming areas of the Midwest.

Fifth, my amendment would not handicap the on-going conservation programs—those provided in statutes applicable to all areas of the Nation—in Appalachia in the least. Their present programs, as I pointed out in my initial remarks, would go forward, but on an equal and equitable basis with the rest of the Nation.

Sixth, this section has been substantiated by spokesmen for the administration on the basis that it contributes to small watershed flood control. As I pointed out to the House in my initial remarks, at the present time we are hoping to complete the protection of small watersheds in our Nation around the year 2000. But unless the present rate of work is greatly accelerated, this goal will not be met. The cost-benefit ratio of this kind of watershed protection program in the Midwest area is very favorable. We are losing the best soil of America every year by millions of tons by erosion in the Midwest. This fertile soil can never be reclaimed from our river beds in any degree constituting significance to our agricultural effort. The loss of natural resources is irretrievable.

The great floods of America have usually been in the Mississippi-Missouri Rivers basins. For years we suffered the effects of ravaging waters; but through years of effort, we eventually constructed a fairly effective flood control system. Why should Appalachia be given preferential Federal assistance, when other sections had to wait their respective turns?

Seventh, the gentleman from Alabama [Mr. JONES] has stated, with respect to the Mississippi River, that "it receives more money annually, and has, than any other river." He attempts to show the House that this is favoritism to the Mississippi River Basin areas. This argument also supports my contentions here today. Flood control, navigation, and related legislation is applicable to the entire Nation—to any section which can meet the requirements for obtaining needed works of improvement. There are flood control, navigation, and related works of improvement in all the States. Particular projects are obviously for particular States, but the general provisions under which such projects may be formulated are those with national application. I would say to the gentleman that the Mississippi River receives the largest amount of money for flood control because it just happens to be the largest and most important river in our Nation; for this reason, it receives those funds, not because Congress decided to give it a "special" program.

Mr. Chairman, I have taken much of the valuable time of the House in my responses to the questions of our distinguished Speaker and our capable subcommittee chairman. In the interest of dispensing with this legislation at a reasonable time this afternoon, I include in the RECORD at this point, the Supplemental Views on S. 602, which views address themselves wholly to this question.

These views follow:

SUPPLEMENTAL VIEWS

We concur in the foregoing minority views, which we have signed. However, we feel constrained to voice strong opposition to section 203 of the Appalachian Regional Development Act of 1965, entitled "Land Stabilization, Conservation, and Erosion Control," and the provisions of section 108 of S. 602, to amend section 203, to authorize additional appropriations to carry out that section.

The minority opposed the enactment of section 203 of the act in 1965. We feel that opposition to this particularly unfair and discriminatory section should not lapse and that opposition to any expansion of the program or any additional authorizations for appropriations to carry out the section is essential.

Section 203 of the 1965 act authorized the Secretary of Agriculture to enter into agreements of not more than 10 years with landowners, operators, and occupiers, individually or collectively, for payment by the Federal Government of up to 80 percent of the costs of providing for land stabilization, erosion and sediment control, and reclamation through changes in land use, and conservation treatment including the establishment of practices and measures for the conservation of soil, water, woodland, wildlife, and recreational purposes.

This preferential section was entitled "Pasture Improvement and Development" in the Appalachian legislation of 1964. This bill was reported by this committee, but no further action was taken by the House as opposition to its provisions mounted. The 1964 bill would have authorized the Secretary of Agriculture to make grants to landowners in amounts of up to 80 percent of the costs of improving and developing 25 acres of pastureland owned by such landowner in the region. The 1964 proposal was considerably broadened in the 1965 act to include lands other than pastureland and to increase the acreage available for assistance to 50 acres, despite the fact that there was no increase in funds available to carry out the section. This generated substantial concern as to the standards of the conservation program which was to be established and the effectiveness of the techniques to be employed, for it was obvious that it would cost more to improve 50 acres than 25 acres.

However, with reasonable assurances that section 203 would not be used to put more land into pasture, the section was enacted in 1965 without the intensity of the opposition which had arisen to confront it in the previous year.

After closely examining the operation of this program since its enactment over 2 years ago, we feel that it is clearly in the public interest not to authorize any additional funds to carry out section 203.

The section is patently discriminatory to the rest of the Nation.—That "mountain land boldly upthrust between the prosperous eastern seaboard and the industrial Middle West, a highland region," which we know as Appalachia, is not a particularly productive agriculture area. For the most part, it is a land of upthrust mountains and of narrow valleys, a land of barren rock and scarred earth. A great part of the Appalachian region is not even suitable for economic agricultural production. Yet, under the provisions of section 203, this region is being given federally financed preferential treatment over the more productive agricultural areas of our Nation, areas which are in many instances in dire need of preserving immeasurably valuable and fertile topsoil through enhanced conservation, erosion control, and land stabilization measures.

In addition to conservation programs for which all sections of the Nation are eligible, the Appalachian region gets special treatment for its land problems. This is most unfair to other sections of the Nation, like the Black Belt areas of the South and the plains regions of our great Midwest, which need additional assistance to save valuable topsoil that is an essential national resource.

Section 203 funds for erosion control are being expended for the improvement of pastureland and cropland, and for fencing, hunting, fishing and sporting improvement, and recreation.—There is no provision in section 203 which prohibits the expenditure of funds under the section for the improvement of pastureland and cropland. Pastureland and cropland are the backbones of agricultural regions. The great food-producing areas of America know this well. Yet funds are being expended under section 203 for pastureland and cropland improvement in Appalachia, a most unproductive agricultural area, despite assurances in 1965 that funds would not be expended for such purposes.

Democrats and Republicans alike fought in 1964 and again in 1965 to obtain assurances that section 203 would not be used for the improvement of pastureland and cropland, which would give beef and food producers in Appalachia a federally financed advantage over producers in other areas. Objections to this section was one of the principal reasons why the 1964 legislation was never considered by the House. It was for this reason alone that the 1965 legislation changed the concept underlying section 203 from pastureland improvement to supposedly a more land stabilization, conservation, and erosion control oriented section. Today, section 203 money is being used to improve pastureland in spite of assurances to the contrary.

The most recent figures on expenditures under section 203 indicate that over three-fourths of all funds expended have been either for improvement of existing pastureland and cropland or for the conversion of unused land into pastureland or cropland, with the remainder of the expenditures being made for the conversion of existing pastureland and cropland into forest land and for wildlife and recreation enhancements.

To our great surprise, we have also discovered that section 203 funds—intended for land stabilization, conservation, and erosion control—have been expended for such diverse items as pastureland fencing, hunting and fishing enhancement, sports facilities improvement, and recreation. This is pure nonsense, in our opinion.

This is a most unauspicious time to be spending money on pastureland improvement to support larger beef stocks.—During the past half decade the production of beef in the United States and the importation of beef reached alltime highs, resulting in the decline of gross cash receipts for beef producers and a reduction in the average net price of beef for the producer. Although this problem is not as critical today as it was several years ago, it still remains a problem of great concern for our beef-producing and dairy areas.

Section 203 has the effect of subsidizing dying, marginal farmland.—Providing Federal assistance to farms of a marginal character for the improvement of cropland and pastureland will have the effect of subsidizing these marginal units and thus prolonging the inevitable closing of uneconomic farm units and delaying the development of higher and better uses for such lands.

We feel that one of the cruelest aspects of this land improvement section, as the minority pointed out in 1965, is the false hopes which it raises among many farmers in Appalachia by subsidizing uneconomic farm units and, thereby, leading farmers to believe that their farms can become viable, productive, economic units when, in fact, this cannot be done.

We feel this section will perpetuate the status quo rather than doing away with rural poverty.

The administration unwisely seeks increased authorizations for appropriations for section 203 while at the same time failing to ask for appropriations even equal to the authorizations for the past fiscal years.—The administration's own budgetary actions with respect to section 203 show better than anything else that the program is not needed in Appalachia. The 1965 act authorized the appropriation of $17 million to carry out section 203 for the last 3 months of fiscal year 1965 and for all of fiscal years 1966 and 1967.

Despite the administration's cries about the need for these funds in the Appalachian region, the administration requested only $12.88 million appropriations for section 203 for that 27-month period, some $4.12 million less than that authorized. Of the $12.88 million requested by the administration, only $10 million was appropriated by an administration-dominated 89th Congress. The $10 million appropriation is slightly more than one-half of the authorizations for the section. To us, this does not indicate a great need for section 203 expenditures in Appalachia.

Despite the obvious lag in implementation of this section, the administration has asked for an increased authorization for appropriations for fiscal years 1968 and 1969, to carry out section 203, in the amount of $19 million.

The administration has requested appropriation of only $3 million of this $19 million for fiscal year 1968, leaving an authorization balance of $16 million for fiscal year 1969. The request of a mere $3 million for fiscal year 1968 indicates to us that this program is not needed.

Section 108 of S. 602 should be stricken out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. SCHWENGEL].

The amendment was rejected.

AMENDMENT OFFERED BY MR. CLEVELAND

Mr. CLEVELAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CLEVELAND: On page 55, after line 10 insert the following:

"(2) by inserting after the clause relating to the counties in Alabama the following:

"'In Connecticut, the county of Litchfield;';

"(3) by inserting after the clause relating to the counties in Kentucky the following:

"'In Maine, the counties of Aroostook, Franklin, Oxford, Penobscot, Piscataquis, and Somerset;';".

On page 55, line 11, strike "(2)" and insert in lieu thereof "(4)".

On page 55, after line 12 insert the following:

"In Massachusetts, the counties of Berkshire and Franklin;"

On page 55, strike out lines 18 through and including 21 and insert in lieu thereof the following:

"In New Hampshire, the counties of Belknap, Carroll, Cheshire, Coos, Grafton, Merrimack, and Sullivan;

"In New York, the counties of Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Oneida, Onondaga, Ontario, Oswego, Otsego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wyoming, and Yates;".

On page 55, line 22, strike out "(3)" and insert in lieu thereof "(5)".

On page 55, line 24, change the period to a semicolon and insert "and" at the end of the line.

On page 55, after line 24 insert the following:

"(6) by inserting after the clause relating to the counties in Tennessee the following:

"'All the counties of Vermont;'."

Mr. CRAMER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

Mr. PERKINS. Mr. Chairman, I object. We want to know what is in the amendment.

Mr. WRIGHT. Mr. Chairman, I do not wish to object, but I should like to inquire if the gentleman from New Hampshire can list all these counties in 5 minutes?

Mr. CRAMER. Mr. Chairman, I withdraw my request.

The Clerk concluded the reading of the amendment.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent that the time be limited on this amendment and all amendments thereto to 10 minutes.

Mr. CLEVELAND. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. CLEVELAND. Mr. Chairman, I believe it is appropriate that I offer this amendment just following the debate on the previous amendment. I should like to place perhaps particular emphasis on the words of the Speaker of the House.

I was very impressed by the Speaker's remarks. He said he had voted for many bills that left out his district and the Commonwealth of Massachusetts. I want to assure him that, included in my amendment, which brings into the Appalachian region what many of us consider to be the crowning glory of the Appalachian Mountain Range—for we are including the Berkshire Mountains, and beautiful Mount Greylock. My distinguished colleague, the gentleman from Massachusetts [Mr. CONTE], who represents the Berkshire area, fully and strongly supports my proposal.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the distinguished Speaker.

Mr. McCORMACK. I did not say Massachusetts was left out, I said "which did not concern Massachusetts."

Mr. CLEVELAND. I thank the gentleman.

I did want the Speaker to know that the Berkshire Mountains may now be included in Appalachia, as every dictionary and geographic definition has already placed them in the Appalachian chain.

This is true also of the Katahdin Mountain Range in Maine, the White Mountains in New Hampshire, the Green Mountains in Vermont, the Catskill and Adirondacks of New York.

If we are to have an Appalachian region, let us have all of it. What they have done with the Appalachian region is that they have decapitated this beautiful range of mountains and cut off the most beautiful part of it.

My amendment would right this situation. It would bring into Appalachia all of Appalachia.

Because of constant remarks, particularly from the majority, that this is not special-treatment legislation, surely there can be no objection to doing this.

I thought at first that the committee would accept the amendment. It calls for no new, additional expenditures. It will be quite a while, of course, before these States and counties can be cranked up and be brought under the expenditure process.

If we are to have an Appalachian region, it is only logical and fair to have it include all of the Appalachian chain.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I do not yield. You will have to get your own time.

I want to say this: This map, this contour map, which I have here, shows conclusively that the areas I have called to your attention are a part of the Appalachian Range. The words "Appalachian Mountains" are written across these areas of the country that I seek to bring into the program. But even more important, more logical and compelling, is the fact that Congressman McEWEN and I, who both serve on the Committee on Public Works, and who listened faithfully to the evidence in support of Appalachia through the long hearings 2 years ago, came to the same conclusion. When they were describing the hill country of western Pennsylvania, western North Carolina, and other parts of Appalachia, they were also describing in great detail, in precise detail, the problems facing northern New England and northern New York.

At one time these areas too had forest-based industry and a fine farming industry, but outmigration has taken its toll. Many of the counties and towns in northern New England and northern New York now have populations that are only half of what they were back in the 1850's. These people went out and founded the West and made our cities great, but they have left northern New England and northern New York with precisely the same problems that have been so movingly portrayed here by the gentlemen from Texas and Oklahoma. Everything they have said in support of the Appalachia program can be said of the northern New England region.

If we are going to be fair and if we are going to be honest with ourselves, how can you deny to this part of the Appalachian region the same treatment that you are giving to the rest of the region? This amendment of mine puts to a square test whether or not this House will be fully fair to this region or only partially fair to part of it.

Mr. Chairman, I urge the adoption of my amendment, which is based not only on geographic considerations but on the economic facts that actually exist in northern New England and northern New York.

Mr. JONES of Alabama. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I can well understand the ambitions of the gentleman from New Hampshire. I think he is to be commended in wanting to obtain the expansion of Appalachia, because that is an acknowledgment within itself that Appalachia must be doing a very splendid job.

The gentleman supported title V of the Economic Development Act of 1965, as I recall it, because it provides in title V that a regional commission of New England, which includes Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont, be set up. In title II of this bill we are developing the same type of program as is contained in title I of the bill. So what the gentleman is advocating today is that he is not satisfied with the New England regional commission arrangement to obtain the same results as in Appalachia, but he wants New England to be placed in Appalachia itself. So for that reason I see no justification for the committee taking away the organizational processes and techniques which have been used in developing Appalachia and destroying them without having any representation from any governmental organization, or the States, or political subdivisions of the States, petitioning the Congress to establish a new type of arrangement such as he suggests.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield to me at that point?

Mr. JONES of Alabama. Yes; I shall be glad to yield to the gentleman from New Hampshire.

Mr. CLEVELAND. The gentleman has pointed out the fact that there is a New England Regional Development Commission. The gentleman has further pointed out the fact that title II of this bill, if enacted, will be based upon appropriations designed to carry out the provisions of that act. I pointed out to the gentleman, in answer to this query, that the New England Commission pertains to all of New England, which contains the seaboard area and the metropolitan areas of New England. My amendment is principally addressed to the area of northern New England and northern New York. These are rural areas and have different problems. I further pointed to the fact—and the members of the Committee should know this—that what you are proposing to give this Regional Commission is relatively inadequate and inconsequential as to amount.

Mr. JONES of Alabama. Well, it certainly has not been organized to the extent of developmental programs. That is the purpose of title II—to get the show on the road.

Mr. CLEVELAND. It is my opinion that we can get the show on the road a whole lot faster by following the approach of my amendment and I hope that it will be supported by a majority of the members of the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama. Mr. Chairman, I hope the amendment is defeated.

Mr. McEWEN. Mr. Chairman, I rise in support of the amendment.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. McEWEN. Yes, I am delighted to yield to the gentleman from Oklahoma for that purpose.

Mr. EDMONDSON. Mr. Chairman, I wonder if we could obtain unanimous consent to the effect that all debate on this amendment and all amendments thereto close in 10 minutes?

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Yes, Mr. Chairman, I object.

Mr. McEWEN. Mr. Chairman, I rise in support of the amendment which has been offered by my distinguished colleague, the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. Chairman, when the Appalachian Regional Development Act was considered in 1965, both in the committee and on the floor of this House, there was some attention given to the fact that northern Appalachia had been left out and omitted, if you please, from the scope of this legislation.

Mr. Chairman, I recall very well that certain circumstances prevailed in the House Committee on Public Works at that time which precluded the consideration of certain amendments which had been planned to be offered to this legislation. We had, as I recall, and as I am sure my colleagues will recall, a certain timetable to meet on a certain ceremony down on Pennsylvania Avenue. Hence, we were not to differ with the bill as it came from the other body.

Mr. Chairman, I am pleased that in this 90th Congress, both in the Committee on Public Works and here today on the floor of the House, we can give adequate consideration to this amendment.

Mr. Chairman, when the Appalachian regional area was first considered, all of us know that it was first considered based upon what we might call the hard core of Appalachia, but as the bill came out of the prior Congress we saw it expanded to cover other areas. We saw it extended to cover such areas as Huntsville, Ala.; Spartanburg, S.C.; Pittsburgh, Pa., and many other areas. But, it was not extended to those areas of northern Appalachia.

Mr. Chairman, may I cite to my colleagues one other fact, a fact which has to do with one county which is located in the congressional district which it is my honor to represent and with which I am most familiar. I realize the problems which exist in the great States of Maine, New Hampshire, and Vermont are similar to the problems which exist in my own State of New York. These areas are located in northern New York and in New England, and many references have been made to the fact that this problem is regional.

Mr. Chairman, when this study was made of the original hard-core Appalachian area, this county had an unemployment rate of double that of the original Appalachian region. That was before other less depressed areas were brought into the picture for consideration.

Mr. Chairman, I say that, if we are to have a Commission dealing with Appalachia, then this amendment should be adopted in order to extend the provisions to all of Appalachia.

Mr. Chairman, reference has been made by my colleague, the gentleman from Alabama [Mr. JONES], to title II of the bill. My colleague, the distinguished gentleman from New Hampshire [Mr. CLEVELAND], has pointed out the fact that this will bring in all of New England, including such affluent areas which are located in southern New England and the metropolitan areas of New England, about which I have heard none say that they have a problem with reference to economic development.

Therefore, Mr. Chairman, I submit that this amendment should be approved.

Mr. KING of New York. Mr. Chairman, will the gentleman yield?

Mr. McEWEN. I am glad to yield to my colleague, the gentleman from New York [Mr. KING].

Mr. KING of New York. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New Hampshire [Mr. CLEVELAND].

All of the counties in the Adirondack Mountain Range have the same criteria of those counties included in the original Appalachian Act. When we enlarged the Appalachian program to include cities like Pittsburgh, Pa., and Huntington, W. Va., it hardly seems logical to exclude those counties which are actually inside the presently defined Appalachia region. The counties which are included in the amendment certainly possess the economic, social, and cultural characteristics associated with the Appalachian region and the neighboring Pennsylvania and West Virginia counties. Generally speaking, these counties have low-median family incomes, a high percentage of families with incomes under $3,000, high unemployment figures, and a high percentage of the population with less than 5 years of formal education. In supporting this amendment, I do not feel that we are asking for any preferential treatment. On the contrary, the adoption of this amendment would simply give the people of these economically depressed areas an opportunity to achieve some higher standard of living.

It is my hope that this amendment will be favorably considered for inclusion in the Appalachian regional development program, in an effort to help the people in these counties keep pace with the economic growth of the United States and to help assist the people of these areas to share in the Nation's prosperity.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. McEWEN. I am delighted to yield to the gentleman from Vermont.

Mr. STAFFORD. Mr. Chairman, I also rise in support of the amendment offered by the gentleman from New Hampshire, and I want to be associated with the remarks of the distinguished gentleman from New York. I believe if the Appalachian Regional Act is going to cover a part of the Appalachian region it should in fairness cover all of it, and give every area in the region which can genuinely demonstrate a need for help, the opportunity to apply for the assistance which the program offers.

I thank the gentleman for yielding.

Mr. EDMONDSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman. I renew my unanimous-consent request that time be limited on this amendment, and all amendments thereto, to 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDMONDSON. Mr. Chairman, I have heard many times—and I am sure everyone else has—the song with the title "Poor Little Rhode Island." I never really knew the origin of that song until I discovered that this amendment our good friend has offered has included every State in New England, or portions thereof, which is covered by the New England Regional Commission, except little Rhode Island.

So perhaps we have a new reason to sing that song, "Poor Little Rhode Island," because they are the forgotten folks in the amendment that our friend has offered.

Mr. Chairman, the gentleman from Alabama has gone directly to the merits of what is wrong with this amendment. The groundwork for a full-scale, ongoing program like the Appalachian program has not been laid as yet in most of these other regions. Most of them have not gone through the community, grassroots planning and organizational steps that were followed in Appalachia before the Appalachian program was adopted. They are now today in the process of formative steps, and are seeking the seed money and the initial grant-in-aid money that is provided in title II.

The gentleman from New Hampshire, I believe understandably, from the standpoint of his region, would like to leapfrog this process and place these areas or entire States, in some instances, in the Appalachia program without the preliminary groundwork being done that should be a part of the process of good, sound regional development programs.

I believe the fact that the gentleman did not offer this amendment in the committee speaks for itself as to the lack of planning, in the approach that he asks this House to take today on the floor of the House without committee consideration.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. Yes; I will yield to the gentleman from New Hampshire.

Mr. CLEVELAND. The gentleman will recall during the general debate yesterday I explained the reason why I did not offer this amendment in the committee, and that was because we had planned a Republican constructive alternative proposal that would have combined the Economic Development Act in with the Appalachian Act, and would have put it into a national program in which all 50 States would participate. And that is why I did not do it, because we ran out of staff, and we ran out of time.

Mr. EDMONDSON. If the gentleman remembers his own remarks, he said we simply did not have the staff or time to plan what the gentleman wanted to do in the committee, and now he wants the Committee of the Whole House on the State of the Union, without good planning and without good staff work, to adopt a radically different approach from the approach that has been arrived at by the committee after very careful consideration in which over 20 amendments were offered——

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield further?

Mr. EDMONDSON. I cannot yield further at this time.

In which 20 amendments were offered in the committee by our friends on the minority side, and during which 16 of those amendments were added to the bill. The committee did give thorough consideration to the various amendments offered by the other side. We did adopt a majority of them. Now they ask us to take an entirely different approach with regard to regional development, title I and title II.

Mr. Chairman, I hope the amendment will be defeated.

Mr. HATHAWAY. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Maine.

Mr. HATHAWAY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the amendment expanding the area to be served and including Franklin, Oxford, Piscataquis, Penobscot, Aroostook, and Somerset Counties of Maine in the provisions of the bill.

The inclusion of these Maine counties to be eligible for benefits under the Appalachia Act is fully justified and proper.

Many similarities exist between these Maine counties and the areas already served under the act. They are sparsely populated, industrially and economically underdeveloped, remote from sources of raw materials and markets, and isolated by the lack of modern highways and other effective means of transportation.

These counties have been chronically depressed and have not fully responded to efforts to correct their economic problems. Efforts under EDA and ARA have been helpful, but these areas still lag far behind in economic development.

Outmigration from these areas has reflected the lack of opportunity for jobs and a rewarding life. These counties are a part of the least densely populated section of Maine.

During the 1930–40 census period, the population of Franklin and Somerset counties declined. During the 1950–60 period three counties, Franklin, Somerset, and Piscataquis, showed a drop. Franklin County has a smaller population today than it did in the mid-1800's.

Studies have indicated that should outmigration from Maine continue at the 1955–60 rate, the State will have lost a total of 79,000 persons between 1960 and 1975. Fifty-three percent of the people who migrate from Maine are 20 to 40 years of age, an age of great productivity.

This trend will not be reversed unless employment opportunities are created in the area. As in Appalachia, the construction of modern highways to open the area and make it accessible to sources of supply and markets is a fundamental need. Isolation has been the greatest factor which has inhibited development and growth in these counties.

Adoption of the amendment would help overcome the serious problems which have plagued these Maine counties and other areas of New England and New York. I urge my colleagues to join me in supporting it.

Mr. McEWEN. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to my good friend, Mr. McEwen, who I think shares this inspiration today with my friend, the gentleman from New Hampshire, and who should be commended for his energy and his resourcefulness in trying to put, by leapfrog effort, his State into the Appalachia program.

Mr. McEWEN. Mr. Chairman, I thank the gentleman from Oklahoma for those kind words. I want to assure the gentleman that this inspiration did not come to us just today because I spoke, as the gentleman knows, on this subject relating to northern New York specifically when the bill was before us 2 years ago.

The gentleman from Oklahoma referred to the fact that there has been no planning in reference to bringing this area into Appalachia. With reference to that, may I just point out that by one amendment that was adopted on the floor in the other body in 1965 a number of southern-tier counties in New York were, without prior planning of the commission, added to the bill.

So I would point out, Mr. Chairman, that the gentleman from Oklahoma will recall that there is precedent for adding areas to the Appalachian region.

Mr. EDMONDSON. May I ask the gentleman if his Governor and the Governor of New Hampshire have made a request to leave the New England Commission and become a part of the Appalachian program? Have either of you received a request from your Governor in behalf of legislation of that kind?

Mr. McEWEN. And there was no request 2 years ago when one of our New York Senators added counties in the other body.

Mr. EDMONDSON. I think the point is pretty obvious—there is not a well-grounded and well-prepared position on which the States concur and which the States' Governors have supported.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from New Hampshire [Mr. Cleveland].

The amendment was rejected.

AMENDMENT OFFERED BY MR. WAGGONNER

Mr. WAGGONNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Waggonner: On page 39, strike out line 3 and all that follows down through and including line 10 on page 40.

Redesignate the succeeding sections and all cross-references accordingly.

Mr. WAGGONNER. Mr. Chairman, this amendment is aimed at stopping something which, if allowed, we will regret later. If this legislation does nothing else, it plows new ground and opens Pandora's box as far as the operating expenses of the medical facilities are concerned.

The language I propose to strike is that language of section 107 which authorizes grants under this section for operation—for the first time—for operation which includes initial operating funds, initial bankroll to operate these medical facilities—and to pay for the operating deficits comprising, among other items, the costs of attracting, training, and retraining qualified personnel of a demonstration health project, whether or not this project was constructed with funds authorized by this section. These deficits and these operating funds for the first 2 years can be provided in the form of grants up to 100 percent of the money needed. For the next 3 years these funds will be reduced to 50 percent.

My friends, I can see to some extent the need for money in these needy areas to construct facilities. But this Congress is embarking upon a new program by making grant of funds for operating money that they have not done before. I am simply saying that this is something that we are going to regret because if we are going to do it in the instance of Hill-Burton grants and Hill-Burton hospitals, we are going to attempt to justify the need for this grant money to construct facilities for Hill-Burton facilities for initial operating money, and for subsidizing their operating costs, if we can justify it here.

The situation we have is this. If we accept this proposal, the Government is going to pay for the cost of building these facilities up to 80 percent of the construction costs and for 2 years you are going to pay for the total operating cost of the deficit which occurs as a result of bad operations—or any deficit that occurs.

Not only are you going to do that but you are going to fill these hospitals with people whose medical costs are defrayed by the medicare program. If that is not total federalization of medical treatment, I do not know what is.

So I am simply saying that we are beginning something here today that there is going to be a demand for in every hospital of the United States. And they can demand it because it makes no difference whether these hospitals are built with grant money provided under this program or the Hill-Burton program or not, because they can utilize funds provided by this program. I am not trying to strike construction money to buy facilities already constructed.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I am glad to yield to the gentleman from Florida.

Mr. CRAMER. The same point which the gentleman has raised in the committee, not only this year, but back in 1965 when the act was up for consideration to get independent operating costs. This is the first precedent for paying operating costs for this kind of facility, and it amounts clearly, unquestionably, and unequivocally to a trend toward paying the doctors, paying the dentists, and paying the nurses. It is socialized medicine; nothing more or nothing less, so far as this money is concerned.

The Congress has always turned down proposals to put Federal money into operating facilities. We did so not so long ago, in 1963, when the House removed the Interstate and Foreign Commerce from the administration's request for mental retardation facilities construction, an act which was enacted by the

Congress in 1963. We took it out. This is a bad and a dangerous precedent, particularly with operating deficits, is it not?

Mr. WAGGONNER. It certainly does not in any way say that we should not provide some health facilities for these people, to construct the facilities over and above what we are doing under the existing programs, especially the Hill-Burton program. But what I am saying is that at least if we are going to provide the money to build these hospitals, the local people ought to be able to operate them and we should not be required to operate them.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Florida is recognized for 5 minutes.

Mr. CRAMER. I would like to ask the gentleman from Louisiana a question, and I shall yield to him for the purpose of answering it. It is true, is it not, that this bill, as now drafted, not only includes such health facilities as would be built in Appalachia under this program, but any and all administration facilities; those already in existence would be included for the first time?

Mr. WAGGONNER. It absolutely does.

Mr. CRAMER. This is much, much broader. No one knows what the expense of that program will be. Of course, they have suggested a total expense of some $50 million.

Mr. WAGGONNER. I would point out that I am leaving the $50 million figure intact, which means that we would have more money for construction of needed facilities where the facilities are needed, but we would remove the Federal Government from the proposition of having to provide an initial bankroll and operating expenses for these facilities. If we build them, the local people at least can operate them.

Mr. CRAMER. That is my opinion. I think the gentleman agrees—and I shall yield to him for the purpose of indicating in just a moment—that this is an extremely dangerous precedent for the Federal Government to get into the business of putting up this grant money, 100 percent of the cost of operating, including operating deficits; including, among other items, such items as the gentleman has suggested as training and retraining of personnel, for what? All types of qualified personnel within that facility. This is an extremely dangerous precedent, particularly where you could broaden it, applying it not only to the Appalachian Regional Development Act and the Economic Development Act programs, but all other programs.

Mr. WAGGONNER. The gentleman is absolutely correct. If we start providing operating money for hospitals in the Appalachia area, we will not stop until we provide operating money for public-owned hospitals all over the United States. I would go so far as to say that, when the first 2 years are over and the figure is supposed to drop from 100 percent of the cost defrayed to 50 percent, there will be a request to continue to provide 100 percent, because the local people cannot put up the difference.

Mr. CRAMER. I thank the gentleman. I agree with him.

I intend to support the amendment of the gentleman, because I think this is one of the most dangerous precedents we could possibly have. It becomes doubly dangerous when we broaden it to include operating deficits and items of the cost of attracting and training qualified personnel, and when we include all facilities of a demonstration health nature, not only those built under the Appalachian program, but other programs available as well, for construction. This does not bother construction, but in addition to that, there is construction under other programs available for this. Certainly we do not want to get in the business of operating costs.

I join the gentleman in his amendment.

Mr. JONES of Alabama. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not think there is a more valuable, more useful section to the entire bill than the one that is sought to be amended by the amendment offered by the gentleman from Louisiana.

It is said this is something new. The existing Appalachian Regional Development Act of 1965 contains almost the same provisions as are contained in this act which continues Appalachia. There is nothing new about it. It is already in the law. So what we are seeking to do here is to provide a hospital-operation program in the underprivileged areas, in those areas that do not presently possess the fiscal capability of providing for those facilities.

One of the things that has occurred is when we were mining coal, and coal was a profitable operation, and it had vast employment in the coal mines of Kentucky and West Virginia, the United Mine Workers built some very fine and very excellent hospitals for area use. With the reduction in employment and production of coal, the United Mine Workers could no longer continue to operate those hospitals, and they became a public liability. In order for those hospitals to continue, it was necessary for us to assure their continuation and their operation because of the vast health requirement and hospital needs of the people in that area.

This is not going to be an open-end proposition, so that every hospital in the United States is going to come forward and say they want a certain amount to pay off the deficit of operating their hospital for last year or for the ensuing year. So there would be no grants made until there had been a total estimation as to the cost to see that the operation is carried on in a businesslike and efficient manner.

What the gentleman would do is take away one of the most vital and important aspects of this bill. I plead with the Members to strike down the amendment and to keep this very fine provision which means so much to the area.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield for one question?

Mr. JONES of Alabama. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, the gentleman has said—and perhaps he is correct—that the present legislation contains language which makes allowable the grants to operate hospitals. I would simply ask the gentleman why it is necessary to amend the legislation now with this language, if the language they already have is sufficient?

Mr. JONES of Alabama. Mr. Chairman, I thought I had made that statement over and over again, but I want to repeat it. In 1965 we passed the Appalachian Act, which provides for a highway program until 1972. The other programs in Appalachia were passed for a period of 2 years, with the expectation of making an evaluation of those programs. So what we are doing in this act, other than for highways, is extending and amending the 1965 act.

Mr. WAGGONNER. Then the gentleman really means we are extending a new phase of the program, in that for the first time we are providing operating money for hospitals.

Mr. JONES of Alabama. We provided that in the 1965 act.

Mr. WAGGONNER. We provided operating money for hospitals?

Mr. JONES of Alabama. In section 202, subtitle C, we made those provisions that are contained in the existing act.

Mr. WAGGONNER. Then I ask again why do we amend the language today?

Mr. JONES of Alabama. Because the act has expired. The act of 1965 was for only 2 years.

Mr. WAGGONNER. By this legislation today we would extend it 5 years?

Mr. JONES of Alabama. We would extend it 2 more years.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. CRAMER. Mr. Chairman, will the gentleman yield to give me an opportunity to make a few brief observations?

Mr. GROSS. I yield to the gentleman from Florida.

Mr. CRAMER. It was understood, I say to the gentleman from Alabama, and the report of 1965 shows, on page 14, that the money would only be used for operating expenses for deficits. The gentleman is correct in saying it is broadened to include operating expenses.

Second, on the subject of what the amendment is needed for and why it is in the bill, the report last time, in 1965, specifically said:

> Funds will not be available to other hospitals presently in existence or those that will be constructed under other public or private programs.

This bill takes away that prohibition and makes the money available to all these other hospitals. Is that not correct?

Mr. JONES of Alabama. That is what I said.

Mr. CRAMER. I thank the gentleman.

Mr. GROSS. Mr. Chairman, I take this time to ask the chairman of the subcommittee, the gentleman from Alabama [Mr. JONES], a question or two.

How can we in Iowa qualify for this Appalachia Mountain handout?

Mr. JONES of Alabama. You cannot.

Mr. GROSS. We cannot?

Mr. JONES of Alabama. You cannot.

Mr. GROSS. What does one have to do to qualify for it?

Mr. JONES of Alabama. You just do not qualify, period.

Mr. GROSS. What did you have to do in Alabama to get under it?

Mr. JONES of Alabama. Is the gentleman referring to what a local community does?

Mr. GROSS. I have driven across northern Alabama and I have driven across southern Alabama, and we have hills in Iowa as big and as steep as you have in Alabama. How did you qualify for this program?

Mr. JONES of Alabama. The best I can suggest—and I still do not understand the gentleman's question—is if the gentleman will come down to Alabama I will show him.

Mr. GROSS. The gentleman from Oklahoma a moment or two ago dedicated a song to Rhode Island. I do not remember the title of it. There is a song, "Stars Fell on Alabama." That should be changed to something green falling on Alabama. I would change the words to indicate that something else is falling on Alabama.

Mr. JONES of Alabama. I assure the gentleman that if he will sing that song it will be more pleasing than our conversation.

Mr. GROSS. I doubt that, but I still do not understand how Alabama qualifies.

Mr. JONES of Alabama. Because it is provided under the law.

Mr. GROSS. Would the population of Miami Beach, Fla., have to be disadvantaged to qualify? What is the criteria?

Mr. JONES of Alabama. It would require compliance with the Appalachian Act of 1965.

Mr. GROSS. How would they qualify?

Mr. JONES of Alabama. Under the Appalachian Act of 1965.

Mr. GROSS. But what did you have to do? I am interested. I assume there are some people in Iowa who are interested in making application for some of this free and easy money. Would you let us know how we can make an effort to qualify for some of this giveaway?

Mr. JONES of Alabama. I would imagine the gentleman could go about it just like he did when he came before the Public Works Committee and wanted a flood control project constructed, in the area of, I believe, Waterloo.

Mr. GROSS. Something like that.

Mr. JONES of Alabama. Yes. The same thing.

Mr. GROSS. I knew the formula for that. Now give me the formula for getting under this great big tent the way Alabama has gotten under it.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Florida.

Mr. HALEY. All you have to do to qualify under this program is live in Alabama.

Mr. GROSS. Residence in Florida will not do it?

Mr. HALEY. No.

Mr. GROSS. I thank my friend from Florida for providing me with the most information I have had on this subject.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto conclude in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. HERLONG. Mr. Chairman, I object.

Mr. JONES of Alabama. Mr. Chairman, I renew my unanimous-consent request but put a time limit of 8 minutes.

The CHAIRMAN. Is there objection to the unanimous-consent request?

There was no objection.

Mr. PERKINS. Mr. Chairman, to my way of thinking, one of the most humanitarian acts John L. Lewis ever performed was the construction of the chain of hospitals in Pennsylvania, West Virginia, and eastern Kentucky. There are five, counting South Williamson, in the district that I am privileged to represent. When I came to the Congress we had 30,000 working miners in that district. Today in that same area we have less than 8,000 working in the mines. The problem there today is that these people have to have hospitalization. These modern hospitals were constructed in accordance with the Hill-Burton standards even though no Hill-Burton funds were expended. They were constructed entirely out of the United Mine Workers welfare fund. Later when the depressed financial resources of this coal region made it impossible to operate these hospitals a private nonprofit corporation was formed with backing of the State, the Presbyterian Church, and others to operate them. This is one of the reasons why this $28 million was included in this bill. It is true that they are in debt because the patients they serve are poor. These hospitals turn back no one. The medicare program will provide due source of support for these facilities. It is hoped that if these hospitals can get on their feet—and a portion of the $28-000,000 authorized in this bill will certainly help—that they can operate in the black and be self-sustaining

Under these circumstances it is clear this item should be retained in this legislation. It is not an open end authorization which will open up a Pandora's box or set inappropriate precedents. This is to assist on an emergency basis, nonprofit hospitals and nonprofit hospitals only in the payment of their deficits or operating expenses where nonprofit organizations have expended money to permit people to receive medical care and medical attention, people who are unable to pay their medical bills.

Now, there is nothing unusual about this expenditure. It is reasonable. This is not an excessive amount of funds. Do not strike this amount but let the hospitals that need operating expenses in the heart of Appalachia where medical facilities are the poorest in the Nation—let them have this chance for survival. These are the newest, most modern hospitals in that part of the Appalachian area. I think it would be the height of folly to turn our backs at this stage of the game on an item in this bill involving only $28 million. It is my hope that this Chamber will not be so shortsighted as to turn down this item because those people in the heart of Appalachia, those coal miners who are unemployed and cannot pay for their hospitalization, need this desperately. Let this item remain in this bill.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Herlong].

Mr. HERLONG. Mr. Chairman, there can be no doubt that what is asked for in this bill would be helpful to those areas of our country which would receive benefits. If we pass this authorization on top of what has already been authorized and appropriated, naturally the Committee on Appropriations will interpret our action as a mandate for them to fund the program—or at least a part of it.

Now let us stop for a moment and do some sober reflecting. We are faced with a $29 billion deficit this year. Because of this the administration has asked us to pass a 10-percent surtax bill. They tell us that we must do everything possible to hold this deficit down—because to go into the money market and borrow $29 billion would border on the disastrous and would certainly run interest rates up so high, as Mr. Ackley said, it would make last year's high interest rates look like a bargain basement item. Therefore, they say, the thing for us to do is to give them a temporary tax increase bill that will net an additional $7 billion a year. Also, the administration says, the Congress must cut down on all unnecessary spending. I support the administration in this announced desire for fiscal responsibility. I believe what they have told us is right—I believe it to the point that I am willing to vote against this bill—not because it is not desirable legislation—but because it is one thing that is not absolutely essential at this time. It can be postponed or delayed—and we can prove to the administration by failing to pass this bill that we are doing our part and are even willing to make this sacrifice in order to help them achieve their desired fiscal responsibility.

So as nice as it might be to have this additional money spent, it cannot be characterized as a must at this particular time—and I ask you to join with me in showing the President and the administration that we are willing to do our part to reduce this huge deficit.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I am delighted to yield to my distinguished colleague, the gentleman from Florida [Mr. Haley].

Mr. HALEY. Mr. Chairman, I wish to associate myself with the remarks which have been made by my distinguished colleague, the gentleman from Florida [Mr. Herlong], and to thank the gentleman for trying to bring some sense of fiscal sanity into the operations of this country.

Mr. HERLONG. I thank my colleague from Florida.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. Edmondson].

Mr. EDMONDSON. Mr. Chairman, I shall take only one-half of the time which has been allocated to me during which to point out the fact that if this particular program were socialized medicine and if it is what my friend, the gentleman from Florida has described it to be, I cannot imagine the medical societies of the great States of Pennsylvania, West Virginia, and Kentucky being in support of this program.

Mr. Chairman, I am told that the medical societies of all three of these States actively support this program and that there is not a single medical society in the Appalachia region that is on record in opposition to this program and with the Appalachia provisions thereof.

Therefore, Mr. Chairman, I hope this amendment will be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. Whitten].

Mr. WHITTEN. Mr. Chairman, serving on the Public Works Subcommittee of the Committee on Appropriations, and having heard the requests of my friends from all over this country asking for funds for projects in their areas, and having supported the bill providing funds for projects in the districts of my friends, for rivers and harbor projects, in every State of the Union, I think they might take into consideration the overall situation as it exists under present conditions, and not ask that the authorization for projects in this area be eliminated. Personally I have always believed that money spent in developing and protecting our own country was a good investment for the present and the future.

I regret to see some of my friends who ask so much and receive it for their sections, take out after this authorization for areas not nearly so fortunate.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. Waggonner].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. WAGGONNER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Waggonner and Mr. Jones of Alabama.

The Committee divided, and the tellers reported that there were—ayes 89, noes 86.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. DENNEY

Mr. DENNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Denney: On page 55, line 7, strike out "is" and all that follows through and including line 24, and insert in lieu thereof the following: "is amended by inserting after the clause relating to the counties in Maryland the following:

" 'In New York, the counties of Allegany, Broome, Cattaraugus, Chautauqua, Chemung, Chenango, Cortland, Delaware, Otsego, Schuyler, Steuben, Hioga, and Tompkins;'."

Mr. DENNEY. Mr. Chairman, there is a law of physics—that which goes up must come down.

Mr. Chairman, this is a simple amendment. My amendment deletes all of the new counties that are added to the bill under the bill we are now considering today. Those new counties are: one in New York, two in Alabama, one in Tennessee, and 20 in Mississippi.

I bring this to the attention of our colleagues—that in 1964, when the Presidential Regional Appalachian Commission reported, there were seven States with counties in them that were economically depressed and that Appalachia is a region apart geographically and statistically. It is mountain land boldly upthrust between the prosperous eastern seaboard and the industrial Middle West.

Mr. Chairman, look at what is happening here. We have a situation where we have a county in New York, Schoharie, that is being added to this bill for one reason—and that is because they need some of that $715 million to make a road across the southern border of the State of New York.

We have two Alabama counties added because of the fact that the Mississippi counties must be contiguous to qualify to get in Appalachia.

I point out to my friend, the gentleman from Iowa [Mr. Gross], that that is one of the things that is necessary—you must be contiguous. I have in mind that if I could get a county in each State in Pennsylvania, in Illinois, in Indiana, in Ohio, and in Iowa, maybe I could get Nebraska into Appalachia. This is one of the criteria—you must be contiguous.

In addition to this, there are 20 counties in Mississippi—10 of which do qualify under title II of this bill which is being considered. There is a reason why title II is included in S. 602 and that is so that any of you who might want to get a regionally economically depressed area into some of this Government handout, you will vote for this bill that we are considering today and then you will be qualified to get some of this Federal money.

A study has been done, which appeared in the committee hearings which I attended, that a great number of the 20 counties in Mississippi and in the northeastern corner of that State—that the highest land elevation in some of those counties is 806 feet above mean sea level. Ten of those counties in Mississippi could apply and be qualified under title II of the bill we are considering. One county in Alabama could apply and qualify. I am not sure about the county in New York, but I think it could apply and come under title II.

Where is this thing going to end? When are we going to become men and women again and live up to our obligations and see to it that the Public Treasury and the Constitution of the United States are preserved, and see to it that the American people get the kind of government that they have elected us to give them?

I am amazed. I have sat here for 9 months. I have not opened my head once until today. I have sat on committee hearings. I am amazed that it seems to be the criteria, as someone said here, that you are interested in the bill if it affects your region but you are not interested in it if it does not affect your region. Let us be American and see to it that we do carry out the oath of office which we did take.

Sure, I recognize that these people need help. I recognize that there are economic conditions there, just like there are in Nebraska, Iowa, California, New York, and other areas which need help. One of our jobs is to see to it that it is taken care of. But let us be fair to all of our citizens throughout the United States.

Actually, no persuasive evidence was offered during the hearings of the Appalachian program which were designed to overcome geographic isolation and which would be effective in the open hill or the irregular plains area.

Mr. OLSEN. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Montana is recognized for 5 minutes.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. OLSEN. I yield to my chairman.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent that on the amendment and all amendments thereto there be a time limitation for debate of 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CLARK. Mr. Chairman, will the gentleman yield?

Mr. OLSEN. I yield to the gentleman from Pennsylvania.

Mr. CLARK. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Nebraska. I strongly favor the passage of S. 602 which will extend the provisions of the Appalachian Regional Development Act.

Since it was initially introduced in Congress in 1964, the Appalachian program has been of vital interest to me and to the people whom I represent. As a member of the Public Works Committee and a representative of an Appalachian district, I have been deeply interested in the progress of the Appalachian program.

I am happy to report that the program has made substantial progress since its enactment 2 years ago.

The Appalachian Regional Development Act of 1965 contains a variety of programs all aimed at revitalizing the Appalachian economy. These programs are of necessity diverse in order to solve a diversity of economic problems in the Appalachian region. All of them are certainly needed in Appalachia.

Highway construction, new vocational education schools, newer and better health facilities, the restoration of mining areas—all of these programs under the Appalachian Act are vital to the region's future. I am pleased that the bill under discussion preserves and extends these programs, each of which has begun to make an impact on Appalachia.

Pennsylvania, I am proud to say, has devoted a substantial portion of its Appalachian funds to educational projects, as have many other Appalachian States. Pennsylvania has also used the Appalachian program to build various types of badly needed health facilities, such as mental health clinics, hospital additions, and community clinics.

Pennsylvania has also put to use most of the money appropriated over the past 2 years for mining restoration projects under the Appalachian program. The Appalachian mining restoration program has enormous importance to Pennsylvania. Restoration projects begun during the past 2 years have been of great benefit to the Commonwealth.

The coal mined lands of Pennsylvania suffer problems which are unique in this country. To be sure, Pennsylvania shares the ravages of strip mining with its sister States in Appalachia as well as with non-Appalachian States. Pennsylvania provided the initiative in 1963, and several other Appalachian States have since followed suit, by enacting strict regulations governing strip mining.

The strip mining problem is, however, far from solved, and I expect that new attacks on the problem will be joined by the Federal Government and by the State governments as the result of legislation which has already been introduced.

Strip mining, however, is not the only coal mining problem to be found in Pennsylvania. Underground mine fires, burning in many old and abandoned mining operations, pose a constant threat to lives and property. The most serious of these mine fires occur in the State's anthracite region—in northeastern Pennsylvania. Yet, many also can be found in the bituminous coal fields which surround Pittsburgh in southwestern Pennsylvania.

Still another major mining problem in Pennsylvania is that of surface subsidence or mine cave-ins. These cave-ins result from past underground mining practices which underlie large areas in northeastern Pennsylvania. Scranton, Wilkes-Barre, and a host of smaller communities have been undermined and require protection from subsidence disasters.

The Appalachian program has made an excellent beginning in combating mine fires and surface subsidence. It has expanded and accelerated reclamation programs in these areas which had previously operated on a more modest scale.

But, much remains to be done. The Appalachian States have recognized the need to step up the pace in protecting and restoring coal mined areas. Since the enactment 2 years ago of the Appalachian program, six Appalachian States have enacted strict regulations governing the strip mining of coal. Pennsylvania, which passed the first major strip mining regulations in the Nation in 1963, has this year approved a $500 million bond issue out of which $50 million will be used to fight mine fires and subsidence.

The States have clearly been demonstrating their responsibility in tackling the severe mining problems in Appalachia. Certainly, we should not let them down. The $30 million which this bill authorizes for mine area restoration is the very least that we can contribute over the next 2 years to help eradicate the scars left by a hundred years of coal mining in Appalachia. I, therefore, most strongly urge that the $30 million recommended for this purpose by the Public Works Committee be approved today.

This Appalachian highway program is a relatively enormous undertaking for the region. This places something of a burden on the States which are also faced with calls on their resources by the regular Federal highway program. But the States I think recognize the value of the program and what it can mean to their Appalachian portions. They have made the commitment to see the program through. I do not see how we can do anything less.

Mr. OLSEN. Mr. Chairman, I speak in opposition to the amendment. I want everyone to think on the question of how we have had many kinds of so-called favoritism for various parts of the country. I speak now with respect to ourselves, the State of Nebraska, and the State of Montana. We happen to be in the Great Plains conservation program, which is a supplement to the soil conservation program that is universal.

Now, get this. The soil conservation program is universal in the United States, but there are 10 Plains States, 408 counties in those 10 States, that have something more in soil conservation than any other States in the Union. In no instance is the whole State of any of the 10 States involved. It is only a portion of each of the 10 Great Plains States that are invloved.

So this proposition of relieving the distress of a particular region or the counties of a particular region is not new for any particular program. In fact, if we reach back and look at the turn of the century, when the Bureau of Reclamation was started, we will bear in mind that there are 11 reclamation States.

Mr. JOHNSON of California. It is 17.

Mr. OLSEN. Now we hear 17. All right. They started out as 11 reclamation States and now there are 17. I suppose that will grow. I hope that it shall. When reclamation is necessary in a State, I would hope the number of States that benefit from the special programs of reclamation will grow. As their needs grow, I would hope we would have the program grow to include States, or half a State, or any portion of a State where the distress is.

I think this particular bill, Appalachia, is a splendid investment in America. If we study the census, we will find out enough of our people move every year so that theoretically in 5 years they have all moved. So the problems of Appalachia are the problems of Montana. The child of Appalachia in the vocational school of today may be living in Montana or New York or California tomorrow. If that child of Appalachia has not a trade or has not a skill, then that child will be a tremendous problem at the next place of residence.

There are many other reasons that I will not belabor the Committee with. I think the majority understand we are just trying to answer a tremendous problem of one area, because it is a problem of America and it is an investment in a better America for everybody, and every State, and every region.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, may I say that when this program first started, this area of Mississippi was thoroughly qualified to have been under the program. At that time our State did not request that it be included. To exclude it at this time would be to penalize Mississippi because it did not get into the program at the start. At this time both the Governor and the Appalachian Commission have requested that these Mississippi counties be included.

As I mentioned earlier, most of this area of northeast Mississippi has been in my district only since the first of January. However, I had occasion to travel all over this area last fall. Income in this area is about two-thirds of that in Appalachia as a whole. It quite definitely is a continuation of the Appalachian region. Most of the area has the high hills and the small farms. It qualifies in every way in the world except that it did not get in at the outset. To exclude Mississippi at this time would be to penalize our State because it did not. I hope this amendment will be defeated and that these 20 counties will be treated in the same way as they would have been treated had the State seen fit to ask for inclusion at the start of this program.

The CHAIRMAN. The Chair recognizes the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. CLEVELAND. Mr. Chairman, I hope the Members of the Committee will give careful consideration to this amendment, which I am constrained to support. What this amendment does is to exclude from inclusion in Appalachia relatively flatland at the southern end of the chain. Once again I refer the Members of the Committee to the map here in the House which shows the Appalachian Mountain range.

We have just voted in the Committee of the Whole not to include the Adirondack Mountains, nor the northern part of the Appalachian Mountains, the Berkshires and the White and Green Mountains. We have voted not to include them. What kind of logic is it, what kind of sense is it, and what kind of fairness is it if, at the same time we vote to exclude the northern New England and northern New York counties, which are legitimately and truly an economic part of the Appalachian Mountain range, if at the same time at the southern part of this range we include relatively flatland in the State of Mississippi?

There is no fairness to it. There is no justification to it. It highlights and underscores above all the essential unfairness and preferential treatment of this program.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. JONES], to conclude debate on this amendment.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Chairman, I want to associate myself with the remarks of the distinguished chairman of the Subcommittee on Public Works, the gentleman from Alabama [Mr. JONES], in support of this bill. I oppose the pending amendment and urge defeat of the amendment. This program is a success—it is needed—it is opening up our area, it is bringing in industry to Appalachia.

In this connection, this bill provides for the addition of Cannon County, Tenn., to the Appalachian region as officially designated in the act. This county was inadvertently omitted from the region in 1965, and its inclusion now corrects that error.

The report of the Committee on Public Works accurately describes the conditions in this county, and I would like to emphasize those conditions by quoting one paragraph of the committee report:

> Cannon County, Tennessee, presents a pattern of distress in excess of the average of the counties which presently constitute the Appalachian region. Its per capita income in 1960 was $937 compared to a regional average of $1,453. Income per member of the labor force was $2,327 compared to a regional average of $4,082 and the value of product sold per farm was $1,644 compared to $3,211. Manufacturing employment in the county fell by 25.1 percent in the fifties while for the region the decline was 1.9 percent; between 1950 and 1960 the county lost 6.9 percent of its population. None of the county's population is urban.
>
> Unemployment in the county was less than half the regional average which is probably a reflection of its nonurban structure. This is also reflected in the fact that its proportion of white-collar workers is half the regional average.

Mr. Chairman, Cannon County, added in this bill, is in the congressional district which I am honored to represent in the Congress.

The program of the Appalachian Regional Commission holds promise for growth and progress in Cannon County. It is creating jobs and employment—and it is helping to bring a new and productive way of life to our people.

The Appalachian Commission has been able to increase the availability of education facilities in the region by allocating more than $50 million for this purpose in the last 2 years. For example, more than 70 vocational education schools have received Appalachian aid. These are providing the skills in the labor force that can help to overcome its educational and unemployment problems. With the defeat of the pending amendment and the passage of this bill Cannon County, as well as the rest of the region, will benefit from these programs.

The bill as reported by the committee should be passed in the public interest.

Mr. JONES of Alabama. Mr. Chairman, the counties that were added in this bill were added at the request of the Appalachian Commission. It did not increase the amount but made the apportionment to the 20 counties in Mississippi and to the two counties in Alabama and to the one county in Tennessee.

So this was not done by the committee in making selections of counties, but upon the solicitation of the Governors of the States in their deliberations, because they felt that it was in the area which had been established as Appalachia. The great need was there; therefore, there was ample justification for including those counties.

I hope that the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. DENNEY].

The amendment was rejected.

The CHAIRMAN. Are there any further amendments to be offered to title I? If not, the Clerk will read.

The Clerk read as follows:

TITLE II—AMENDMENTS TO THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

SEC. 201. Subsection (a) of section 503 of the Public Works and Economic Development Act of 1965 is amended by striking the semicolon after clause (2), inserting a comma, and the following: "including the development of a comprehensive long-range economic plan approved by the Secretary;".

SEC. 202. Subsection (c) of section 505 of the Public Works and Economic Development Act of 1965 is amended by adding at the end thereof the following:

"Not to exceed $2,500,000 of the funds authorized to be appropriated by this subsection for each fiscal year shall be allocated by the Secretary to each regional commission to carry out the purposes of this section."

SEC. 203. Section 509 of the Public Works and Economic Development Act of 1965 is amended by redesignating such section as section 510 and by inserting after section 508 the following new section 509:

"SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

"SEC. 509. (a) In order to enable the States and other entities within economic development regions established under this Act to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the Secretary is authorized, once a comprehensive long-range economic plan established pursuant to clause (2) of section 503(a) of this Act is in effect, and pursuant to specific recommendations, approved by him, of the regional commissions heretofore or hereafter established under this title and after consultation with appropriate Federal officials, to allocate funds appropriated to carry out this section to the heads of the departments, agencies, and instrumentalities of the Federal Government responsible for the administration of such Federal grant-in-aid programs, to be used for the sole purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. No program or project authorized under this section shall be implemented until (1) applications and plans relating to the program or project have been determined by the responsible Federal official to be compatible with the provisions and objectives of Federal laws which he administers that are not inconsistent with this Act, and (2) the Regional Commission involved has approved such program or project and has determined that it meets the applicable criteria under section 504 and will contribute to the development of the region, which determination shall be controlling. Funds may be provided only for Federal grant-in-aid programs for which funds are available under the Act authorizing such programs. Funds so provided shall be available without regard to any appropriation authorization ceilings in such Act.

"(b) The Federal portion of such costs shall not be increased in excess of the percentages established by each commission, and shall in no event exceed 80 per centum thereof.

"(c) The term 'Federal grant-in-aid programs' as used in this section means all Federal grant-in-aid programs in existence on or before August 1, 1967, assisting in the acquisition of land or the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by title I of this Act and by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; part IV of title III of the Communications Act of 1934; Higher Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; and National Defense Education Act of 1958. The term shall not include any program in which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this section, and shall not be taken into account in the computation of allocations among the States made pursuant to any other provision of law.

"(d) There is hereby authorized to be appropriated to the Secretary for use in each of the regions for the purposes of this section the sum of $5,000,000 for the period ending June 30, 1968, and the sum of $10,000,000 for the fiscal year ending June 30, 1969.

"(e) An application for a grant under this section shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate the application for approval. Only applications for programs and projects which are approved by a State member as meeting the requirements for assistance under this section shall be approved for assistance."

SEC. 204. The Public Works and Economic Development Act of 1965 is amended by adding at the end of title VI thereof the following new section:

"ADMINISTRATION, OPERATION, AND MAINTENANCE

"SEC. 604. No Federal assistance shall be approved under this Act unless the responsible Federal official is satisfied that the project for which Federal assistance is granted will be properly and efficiently administered, operated, and maintained."

Mr. JONES of Alabama (interrupting the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

AMENDMENT OFFERED BY MR. FARBSTEIN

Mr. FARBSTEIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FARBSTEIN: On page 56, after line 12, insert the following:

"SEC. 201. (a) Section 105 of the Public Works and Economic Development Act of 1965 (79 Stat. 522; Public Law 89–136) is amended to read as follows:

" 'SEC. 105. There is authorized to be appropriated to carry out this title not to exceed $500,000,000 per fiscal year for the fiscal years ending June 30, 1966, and June 30, 1967, and not to exceed $665,000,000 per fiscal year for the fiscal years ending June 30, 1968, and June 30, 1969.'

"(b) The proviso in subsection (c) of section 201 of the Public Works and Economic Development Act of 1965 is amended to read as follows: '*Provided*, That annual appropriations for the purpose of purchasing evidences of indebtedness, making and participating in loans, and guaranteeing loans, shall not exceed $170,000,000 per fiscal year for the fiscal years ending June 30, 1966, and June 30, 1967, and $225,000,000 per fiscal year for the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970.'

"(c) Section 302 of the Public Works and Economic Development Act of 1965 is amended to read as follows:

" 'SEC. 302. There is authorized to be appropriated not to exceed $25,000,000 per fiscal year for the fiscal years ending June 30, 1966, and June 30, 1967, and not to exceed $35,000,000 per fiscal year for the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970.'

"(d) Section 401 of the Public Works and Economic Development Act of 1965 (79 Stat. 522; Public Law 89–136) is amended as follows:

"(1) Subsection (b)(4) thereof is amended by striking out 'or' and by inserting immediately after 'two hundred and fifty thousand,' the following: 'or an area composed of compact contiguous census tracts containing at least fifty thousand persons,'.

"(2) Such section is amended by adding at the end thereof the following new subsection:

" '(f) The Secretary is authorized to provide assistance under sections 101, 201, and 202 of this Act to a project located adjacent to a redevelopment area if he finds that the assistance to such project will primarily or substantially benefit the residents of such redevelopment area.'

"(e) Subsection (g) of section 403 of the Public Works and Economic Development Act of 1965 is amended to read as follows:

" '(g) There is authorized to be appropriated not to exceed $50,000,000 per fiscal year for the fiscal years ending June 30, 1966, and June 30, 1967, and not to exceed $65,000,000 per fiscal year for the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, for financial assistance extended under the provisions of subsections (a)(3) and (a)(4) of this section.' "

On page 56, line 13, strike out "201." and insert in lieu thereof "202."

On page 56, strike out lines 19 through 25, inclusive, and insert in lieu thereof the following:

"SEC. 203. Subsection (c) of section 505 of the Public Works and Economic Development Act of 1965 is amended to read as follows:

" '(c)(1) There is hereby authorized to be appropriated to carry out this section not to exceed $15,000,000 per fiscal year for the fiscal years ending June 30, 1966, and June 30, 1967, and not to exceed $20,000,000 per fiscal year for the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970.

" '(2) Not to exceed $2,500,000 of the funds authorized to be appropriated by this subsection for each fiscal year shall be allocated by the Secretary to each regional commission to carry out the purposes of this section.' "

On page 57, line 1, strike out "203." and insert "204."

On page 59, line 25, strike out "204." and insert "205."

Mr. FARBSTEIN (interrupting the reading). Mr. Chairman, I ask unanimous consent to dispense with further reading of the amendment. I will explain it.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. CRAMER. Mr. Chairman, reserving the right to object—and I shall not object—I have not seen the amendment. I shall appreciate it if the gentleman will supply me with a copy.

Mr. Chairman, I withdraw my reservation.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Chairman, I rise to propose an amendment to title IV, section 401, of the Public Works and Economic Development Act, the measure which the committee has already proposed to amend.

My amendment, in slightly different wording and to some slightly different effect, was ordered reported by the Committee on Public Works during the last Congress. Unfortunately, the action was taken late in the session and the House did not have the opportunity to vote on the measure. The proposal, however, has had extensive hearings in committee. It is not lightly submitted. I first brought it up on the floor of the House some years ago, and I have put a great deal of research into it. I am anxious that the membership be given an opportunity to vote on it now.

The amendment is simple, but I consider it of fundamental importance. The act, as it currently reads, provides for assistance in economic development to counties or cities of 250,000 or more which have above-average unemployment. The standards appear straightforward enough and adequate to realize the intentions of the act. In reality, however, they contain a serious flaw, which prevents this legislation from being applied in those areas where it is needed most.

The key standard for assistance under this act is that the rate of unemployment of an entire county or municipality must be taken into account in determining eligibility. But as we have seen in recent years, the neediest areas of our Nation are the pockets of poverty within such generally affluent jurisdictions.

Under present law, it is now impossible to help those pockets of poverty within cities like New York, Los Angeles, Chicago, and Detroit which are generally prosperous communities. It is essential for us to attack these islands of misery. My amendment would amend the Public Works and Economic Development Act to make these islands of misery eligible for assistance.

My amendment provides that compact contiguous census tracts containing at least 50,000 persons can benefit from the terms of this law if they otherwise meet the eligibility stipulations. Some 90 localities would potentially be reached by this proposal. It is a fair proposal. I believe it does no more than to rectify an oversight made when the law was originally enacted. It was not, I believe, the intention of the framers of this act to exclude the very areas that could benefit most from it and whose need for it was most desperate. I am persuaded that my measure—known familiarly as the neighborhood assistance bill—addresses itself to the Nation's major domestic problem, in a fashion that is just and forthright.

It is also my belief that this addition to the Public Works and Economic Development Act will require additional funding in order to be effectively carried out. Part of my amendment would thus increase annual authorization of appropriations under titles I–V by $250 million. In my judgment, this is a reasonable sum and one responsive to the needs of this amendment.

I urge my colleagues to vote for this amendment. We have had a very tough summer in our urban areas. We probably have not seen the end of trouble. It is certain that by doing nothing we will intensify despair and add to woe. I believe that this amendment will help to reverse the growing trend toward irrational behavior in our slums.

Mr. Chairman, there has been much concern expressed on the floor today for the problems of the rural areas. I sympathize with the needs of rural America. With my urban colleagues, I have voted to help rural America, but I think it is time now that rural America recognize that there is reciprocity involved, that Congress cannot continue to take Government assistance as a one-way street. The Federal Treasury is more than one big rural subsidy.

Despite the well-advertised crisis in the cities, the money spent for rural needs is today totally disproportionate to urban expenditures. The cities, after all, are receiving the uneducated, untrained, migrants from the rural areas. It is the cities which must compensate for the shortcomings in education and training they received in rural America. It is the cities which must find these people jobs. In this migration from the rural areas of men and women poorly prepared for the demands of the city lies the source of much of the current urban crisis. The cities thus pay doubly for the shortcomings in rural life—they pay in taxes for direct assistance such as this bill contains, and they absorb the men and women who come to them in search of a decent life.

Let me tell you, rural America, that we are taking your downtrodden and trying our very best to make them into useful citizens. But we desperately need help. We do not want unemployment, slums, rats, inadequate schools. We do not want riots. They are not our fate by choice. It is the responsibility of every man and woman on this floor to recognize that the city's problems are the Nation's problems. That is why I ask for your vote on this amendment.

The Economic Development Act is in itself a good one. It is meant to channel investment where the best use can be made of it. It encourages the free enterprise system. It is aimed to restore not only hope but the pride of work in men who have been persistently unemployed. From it will flow the benefits of breadwinners who can support their families, who are not tempted to the folly of violence, who can meet their needs by their own efforts. This act is in the best American tradition.

I make no claim, Mr. Chairman, that this is a panacea for the ills of the American city. But I say that it arms men of good will with one more important weapon to meet the city's needs. We will not avoid the repetition of the violence in Newark and Detroit unless we act. My amendment, I believe, will provide our local leaders with another instrument for acting wisely.

Mr. HOWARD. Mr. Chairman, I rise in opposition to the amendment.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield to me?

Mr. HOWARD. I yield to the distinguished gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I would like to ask unanimous consent, if we can have it, to have all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. If the gentleman will yield further, it would be helpful to the other Members to know, I think, that according to information supplied to us there are only about four amendments to be offered to this title. We think we also have an agreement with reference to limiting time on three of them on the other side. So I think if we can keep the Members on the floor and work at these amendments, we can conclude in a matter of about 40 minutes with cooperation from the membership.

I thank the gentleman for yielding.

Mr. HOWARD. Mr. Chairman, the distinguished gentleman from New York [Mr. FARBSTEIN] has most eloquently stated the great plight of the cities of America. Certainly, Mr. Chairman, the gentleman is correct in stating that this Congress should provide assistance in helping the cities of this Nation, through programs such as the model cities program, the poverty program, the urban renewal programs, additional educational programs, and housing. All of these things are needed by the cities at this time.

However, his amendment to this bill does not in any way help in the fields which so badly need assistance.

Mr. Chairman, we have talked about a figure of 50,000 population, with no stipulation as to whether it should be one municipality. It could be a portion of several municipalities. We could say that we could probably create throughout this country many more than the 90 areas he stated that might be helped and assisted through the adoption of this amendment. In fact, looking back at the gerrymandering that can be done and which has been done throughout the country in the question of congressional redistricting, we could find that anything could happen. For instance, we could have the fusion of areas in adjoining States, we could have a few more from another town and thus we could create what might look like a contiguous area of 50,000 population, a requirement that might fit the provisions of this bill.

We could create 1,000 new areas that could drain money from this legislation but only hit 50,000 people in each. Certainly, this would represent a dilution of the provisions of this bill. However, if we dilute this bill so much that the outlying areas cannot provide the services needed for their people, we will find these people moving into the cities and thereby further compound the problem that the cities have today.

Mr. Chairman, it is to our interest to see that the people, all of the people, become better off economically outside the cities, because these are the people who move into the cities, not the people with good incomes and with good jobs, but the people who cannot make a living outside the cities, and particularly in the Appalachian area. In the last few years we have seen over 2 million people leave that area. Most of them have come to the cities and have caused a greater problem, people whom we should provide with better opportunity, better jobs, in order that they may live within their own areas under provisions of legislation greater than are contained in a mere amendment to this bill today.

So, certainly, Mr. Chairman, I am concerned that the Committee on Public Works shall concern itself with this problem and will hold hearings thereon within the very near future.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. I am glad to yield to the distinguished chairman of the Committee on Public Works.

Mr. FALLON. I have discussed the amendment which has been offered by the distinguished gentleman from New York [Mr. FARBSTEIN] with the gentleman as well as with the members of the committee and with the counsel of the Committee on Public Works.

We have come to the conclusion and belief that this amendment should be discussed in the legislation dealing with the EDA, when we consider it again.

It is, therefore, our hope that we shall be able to hear it again this year and if not this year, the first part of next year.

Mr. HOWARD. I thank the distinguished chairman.

Mr. Chairman, this amendment, if adopted, would do very little with reference to the problems with which our cities are faced today. However, it would do a great deal of harm to the other areas of the country which are presently in the process of helping their own economic development. Certainly, the gentleman has stated a sound program and it needs to be done this year. Certainly, the plan which has been offered by the gentleman should be heard by the Committee on Public Works. However, this is not the time nor the piece of legislation under which and during which to consider this amendment, an amendment which would raise the hopes of the city people that through the adoption of such amendment we will be able to really get at the heart of our problems.

The cities have problems, many of them, and all of us want to begin work upon the solution of these problems. Certainly, we should do more along this line than we have done in the past. However, we should work on this problem in the future in the proper way.

Mr. Chairman, I urge the defeat of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I yield back the balance of my time and ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FARBSTEIN].

The amendment was rejected.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER: On page 56, strike out line 10 and all that follows through and including line 8 of page 60.

Renumber the titles and sections of the bill, and references thereto, accordingly.

Mr. CRAMER. Mr. Chairman, this is a simple amendment. It simply strikes title II which embodies amendments to the Public Works and Economic Development Act of 1965, not to the Appalachian Act. Title II does not belong in this bill in the first place. My amendment is a good way to get it out.

This bill was supposed to deal only with Appalachia. Suddenly Appalachia became stretched all over the United States, so far as this bill is concerned, with these regions—Four Corners, Ozarks, Upper Great Lakes, New England, and Coastal Plains—with still others coming, being included. So the $15 million per region means over the $75 million in title II, for sure. Who knows how many other regions there will be. What title II does, very simply, is to give them another layer cake in the EDA area. They already have a grant program—here it is in the basic act—but they are not satisfied with only that. Do you know why? Because they cannot use that grant money to build highways, there are no highways built through EDA. We agreed there would not be highway programs in EDA, because we already have highway programs.

In addition to that, what title II does is permit them to spend construction money in nondepressed counties. Furthermore, everybody admits this is just "seed money," for there will be a lot more coming. This is just the beginning, and they can spend this money in nondepressed counties.

Throughout the United States there are hundreds of depressed counties that get EDA support; and in the EDA areas in these regions that I just mentioned you have to be in the depressed county in order to get the money and to get construction. Now they want this new seed money. That means, like I said before, that you can get into some pretty big expenditures shortly with expenditures in the neighborhood of $200 or $300 million for these regions to be spent in the nondepressed counties.

Title II just does not make sense. It should not be in this bill in any event. We are probably going to be considering EDA amendments next year anyway. That is when amendments of all natures, including this, should be considered. Next year; not this one.

Of course, title II just happens to be not asked for by the administration, not asked for by the Bureau of the Budget, not asked for by the executive branch of the Government; but it just happens to have been ordered in the other body because they knew they were in trouble with Appalachia. So in order to get some more funds for Appalachia, because the people outside of it know they are being discriminated against, they had to put some "incentives" in the bill for those people outside of Appalachia who are in the EDA region—and here it is, title II.

Title II got in this in the other body, so that those in the other region could be tempted to vote for Appalachia, good or bad. So it was on the basis of their getting some of the "goodies" in these other regions and hoping to buy their votes with title II.

Now, I happen to believe that the Members of this House are going to exercise their judgment based upon their best evaluation of the situation, based upon what they honestly and sincerely believe should be done in their districts. I commend them for doing so, and I only hope they will judge it on that basis, rather than swap votes between EDA and Appalachia.

I repeat—it was not asked for by the administration. It does not make sense to put this money into nondepressed counties, as it can be done.

I hope that this matter will be considered at the proper time when the EDA authorization is up for consideration.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. You know that we States of Appalachia also have helped Florida. For example, I am the ranking member of the Committee on Astronautics and Science, and I remember well the matter of the Merritt Island Causeway to go over to Cape Kennedy in order to let the Florida people go to their jobs quickly and get back quickly. That was put in at Federal Government expense. I think that was very fine and I am glad to have you do that. But do you not think the people of Appalachia should be entitled to get out of the hills with the same kind of help?

Mr. CRAMER. This deals with areas outside of Appalachia, I will say to the gentleman from Pennsylvania.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, so far as the 19 States of this Union are concerned, this is the meat of the coconut in this bill that we are talking about right now. Because there are 19 States that make up the five regional commissions that have been established pursuant to the bill that we passed on August 12, 1965, the Public Works and Economic Development Act of 1965.

By a vote of 246 to 138 this Congress told the Secretary of Commerce to establish regional commissions to try to get at the regional problems that exist throughout the United States outside of the Appalachian region and to provide planning money and organization money for these other commissions and to prepare them for a grant-in-aid program.

That is what we decided by a vote of 246 to 138 on August 12, 1965.

This has taken place in the interval since then:

On May 1, 1966, the Ozark Commission was created incorporating the States of Arkansas, Missouri, and Oklahoma.

On March 2, 1966, the New England Commission was created incorporating the States of Connecticut, Vermont, New Hampshire, Maine, Massachusetts, and Rhode Island.

On March 3, 1966, the Great Lakes Region Commission was created incorporating portions of Wisconsin, Michigan, and Minnesota.

On December 19, 1966, the Four Corners Commission was created incorporating counties within portions of New Mexico, Utah, Colorado, and Arizona.

Finally, on December 21, 1966, the Coastal Plains Region Commission was created incorporating portions of Georgia, North Carolina, and South Carolina.

Now these have been established. They have been set up and they have done their preliminary planning.

They come before us now, the five commissions, seeking assistance in their grant-in-aid programs. Their need is established, if you want to look at it, on page 400 of the hearings, establishing clear deficiencies below the national average in their grant-in-aid programs.

I think we are exercising legislative initiative when we recognize these needs and when we fund these commissions pursuant to the charter that we gave them in 1965.

Mr. Chairman, I hope that this amendment is defeated.

Mr. HAMMERSCHMIDT. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to my good friend, the gentleman from Arkansas.

Mr. HAMMERSCHMIDT. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from Oklahoma in opposition to the amendment.

I hold here a document—Arkansas Strategy for Ozarks Development.

This document was put together by people of the community as a plan for raising the economic level of the Ozark region. It illustrates their great desire to solve this problem.

I will say to my friends on our side of the aisle that if there ever was a piece of legislation that carried forward the ideology of what I feel is the philosophy of our side of the aisle, this is it. The programing and spending of money will be at the local level, to solve local problems, with local supervision and direction.

Mr. EDMONDSON. I thank the gentleman for his remarks.

Mr. BATES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I realize the hour is late.

The supplemental grant program to be authorized by title II of S. 602 is based on the substantial experience of the Appalachian Regional Commission over a period of more than 2 years. Both the House and Senate reports on the bill call the program an "outstanding success," one which is well worth extending to other economic development regions.

Under the supplemental grant program, regional commissions may raise the authorized Federal percentage under existing grant-in-aid programs—which range from 30 to 66 percent—to a maximum of 80 percent. The degree of supplementation is determined in each case by the individual community's ability to pay. Experience under the Appalachian program shows that very few projects actually use the maximum supplemental grant available; under that program, supplemental funds have accounted for an average of approximately 20 percent of a project's total cost.

Mr. Chairman, the New England Regional Commission, recognizing the need of many of its communities for supplemental grant funds, has already taken steps to initiate a sound program for the six New England States. At its July 6 meeting in Boston, the New England Governors—Volpe, of Massachusetts, Dempsey, of Connecticut, King, of New Hampshire, Chafee, of Rhode Island, Hoff, of Vermont, and Curtis, of Maine—and the Federal cochairman adopted a resolution establishing guidelines for the supplemental grant program to be authorized by S. 602. At that time, the commission declared its intention to initiate the program as soon as funds were made available by the Congress.

Mr. Chairman, I believe the guidelines adopted by the New England Commission are responsible and constructive and provide adequate assurance that supplemental grant funds will be used to assist economically distressed communities. These guidelines—established with the full participation of the six New England Governors and their staffs and the Federal cochairmen—provide that.

First. Funds made available to the commission will be allocated among the States on the basis of population and economic need, using such factors as the State's unemployment rate and number of local governmental units;

Second. Communities applying for such grants must submit proposals for projects to the State member of the commission—the Governor—representing that community;

Third. Each State member of the commission must establish sound procedures for considering the financial resources available to communities applying for supplemental grants; and

Fourth. The commission shall recommend the approval of supplemental grants only to those projects consistent with State public investment plans being prepared by each of the New England States.

The role of the States in this program is a crucial one. The commission's guidelines require that each State develop procedures to determine the economic need and financial resources of communities applying for the grants. In this way, each Governor can direct grant funds to those areas of his State which are in the greatest need of such assistance.

In addition to showing financial need, each community will be required to demonstrate that its project is consistent with the goals and priorities established by the State in its public investment plan. These plans, financed by the commission, are now being prepared by the New England States; they will play a vital role in assuring the greatest possible returns on the public dollars to be invested.

In brief, each State public investment plan will:

First. Formulate the State's economic and social goals and objectives;

Second. Identify major growth potentials and specific programs to provide economic growth;

Third. Identify growing areas within the State;

Fourth. Determine the State's priorities for public investment; and

Fifth. Detail the State's plans for improving the effectiveness of its economic and social development planning and programing.

These State public investment plans being prepared by the New England States are not simply further exercises in restating well known needs and objectives. Each plan will be the State's principal guide for economic and social development planning and programing. In the short run, the plans will guide the commission's decisions to approve or disapprove individual applications for supplemental grants; in the long run, the plans will influence all Federal, State, and private investments in projects designed to promote economic and social development.

Mr. Chairman, I believe the New England commission's two guidelines on supplemental grants and State public investment plans are outstanding examples of what can be done through a true Federal-State partnership. In practice, these guidelines mean that each State will be able to choose among competing investments on the basis of facts and criteria mutually accepted by the State and the Federal Government. A good example would involve choosing between a manpower training center and a waste treatment facility, when limited financial resources prohibit the funding of both facilities. Through the commission, the State can make a more meaningful choice.

The amendments contained in title II of the bill would enable the regional commissions to carry on balanced programs of economic and social development. The $2.5 million in technical assistance funds would permit each commission to perform necessary research activities and assemble competent staffs of economists, transportation specialists, and urban and rural experts. The $5 million in supplemental grant funds would enable each commission to translate sound planning into needed development projects—in manpower training, regional airports, waste treatment facilities, and hospitals.

Mr. Chairman, the motion to strike title II should be overwhelmingly defeated. I urge my fellow members to give these regional commissions the opportunity and the resources to assist the thousands of citizens in their regions.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. BATES. I am glad to yield to my colleague from Massachusetts.

Mr. BOLAND. Mr. Chairman, I rise in opposition to the amendment. I find little reason to accept the minority views concerning title II of the bill.

First. The minority states that S. 602 is not the proper place for substantive amendments to title V of the Public Works and Economic Development Act of 1965; that S. 602 is designed simply to authorize funds to carry on the Appalachian program; and that titles I and II, in effect, deal with "different subjects."

Mr. Chairman, these arguments are difficult to accept. Title V commissions established by the 1965 act are modeled after the Appalachian Commission. Title V commissions have the same organizational structure and staffing pattern. And, more importantly, they have the same functions and responsibilities for promoting the economic and social development of their respective regions.

In 1965, the House Committee on Public Works regarded the enactment of title V of the Public Works Act as a logical extension of the Appalachian concept. In 1967, the committee bases its amendments to title V on the experience gained in the Appalachian program. Mr. Chairman, I am sure that most Members of the House find the committee's approach a most reasonable and sensible one.

Second, the minority states that authority to make supplemental grants is already contained in title I of the Public Works and Economic Development Act of 1965, limited, however, to redevelopment areas; and that, on the other hand, the supplemental grants to be authorized by S. 602 could be made "for projects within any county in an economic development region, regardless of its economic condition."

It is true that title I of the Public Works Act contains authority for the Secretary of Commerce to make supplemental grants to needy communities. However, these funds are limited. In fiscal year 1967, the Department of Commerce used less than $7 million for such grants, which were available throughout the country.

In fiscal year 1968, less than $5 million has been allocated for supplemental grants. Furthermore, the economic development administration's general policy of making these limited funds available to the most needy communities first—the so-called worst-first policy—will result in many economically distressed communities being left unassisted, even though they are eligible for the grants.

Mr. Chairman, it is clear that the minority has misconstrued the purpose of the supplemental grants to be authorized by the bill. They cannot be made to any community "regardless of its economic condition." The actual purpose of these supplemental grants is clearly stated in the very first sentence of the new section 509, which would be added to the 1965 act, as follows:

> In order to enable the States and other entities within economic development regions . . . to take maximum advantage of Federal grant-in-aid programs . . . for which they are eligible but for which, *because of their economic situation,* they cannot supply the required matching share, the secretary is authorized . . .

The restrictions imposed by the bill on the new supplementary grant authority are explicitly stated. Grants can be made only to communities which, "because of their economic situation," cannot supply the required matching share under existing Federal programs. The language I have just quoted is substantially identical to that used in section 214 of the Appalachian Act and title I of the Public Works and Economic Development Act of 1965. It is in no sense the radical departure that it has been made out to be, and can in no way be administered to assist "prosperous" communities, as claimed by the minority.

Third, the minority states that the funds to be provided to regional commissions in S. 602 are substantial and should not be made available prior to full hearings by the Public Works Committee.

Mr. Chairman, the bill would require the allocation of up to $2.5 million to each regional commission for research and planning and the payment of administrative expenses. As a member of the Committee on Appropriations, I must remind the minority that the Department of Commerce appropriation bill passed by the House earlier this session contains an appropriation of only $6.2 million for the title V program, even though $15 million is authorized for appropriation. With the possibility that in fiscal year 1968 five commissions will be active, it is more than likely that each commission will receive less money for research, planning, and administrative expenses in fiscal year 1968 than it did in fiscal year 1967.

The $5 million in supplemental grant funds certainly cannot satisfy the demand for such assistance in any of the title V regions. For example, when divided among the six New England States, the appropriation of the full $5 million authorization would result in an average allocation of only $833,000 per State.

Furthermore, even if the full $5 million is appropriated, the Secretary of Commerce is authorized to make these funds available to the commissions only upon the completion of "a comprehensive long-range economic plan" for the region. I believe this provision of the bill is more than adequate to assure the wise and reasonable expenditure of these grant funds.

Mr. Chairman, the amendments contained in title II of the bill represent an important and constructive step in the evolution of the title V regional commissions. They are intended to enable the commissions to initiate meaningful programs to assist in meeting the needs of the people in their regions. I strongly urge my fellow Members to reject the motion to strike title II.

Mr. BATES. I thank the gentleman. I concur in his remarks. For those who say that the program should not be considered here but ought to be considered in other legislation, I say the fact is the issue is before us. The fact is the need is clear.

Mr. Chairman, I believe this amendment should be defeated.

Mr. CONTE. Mr. Chairman, I rise in opposition to the amendment.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I wonder if we could get a unanimous-consent agreement at this time with regard to this particular amendment that on the amendment and all amendments thereto the debate close at about 6:15?

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

Mr. CRAMER. Mr. Chairman, reserving the right to object, so far as I am concerned, I am ready to vote now.

Mr. EDMONDSON. Mr. Chairman, I ask unanimous consent that all debate on the amendment and all amendments thereto close at 6:10 p.m.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CONTE. Mr. Chairman, I rise in opposition to the amendment. The amendments contained in title II are realistic and long overdue. The "seed money" provided to regional commissions is essential if they are to play an effective role in promoting economic and social development in lagging regions.

These regional commissions were authorized by the Congress in August of 1965. This motion would deny them modest sums to initiate a modest program.

The six New England States were designated an economic development region by the Secretary of Commerce, at the request of the Governors of the New England States, on March 2, 1966. The Federal cochairman, John J. Linnehan, was named to his post in January of 1967.

March 20 of this year, the six New England Governors met in Washington, and, with the Federal cochairman, adopted a charter, bylaws, and other resolutions necessary to initiate the Commission's activities. At that meeting, the State members of the Commission elected Gov. John A. Volpe, of Massachusetts, the State cochairman, and Gov. John W. King, of New Hampshire, the alternate State cochairman.

The Commission has met twice since that time, in April and again in July. At these meetings, the Commission initiated a remarkably comprehensive planning and research program with the very limited amount of funds available to it through the Department of Commerce. The Commission's initial program includes both regionwide and State planning and research.

The regionwide planning program is the Commission's major effort for its first year. The Commission has embarked on the preparation of a comprehensive economic plan for New England, as required by the enabling legislation and the amendments contained in S. 602. This plan will include—

First, an up-to-date report on all the essential components of the region's economy—natural resources, employment and income, health, education, and so forth;

Second, a comparison of the region with the Nation as a whole;

Third, an identification of the region's major economic strengths and weaknesses;

Fourth, based on its findings, the Commission's priorities for public and private action within the region; and

Fifth, the commission's overall strategy for promoting economic and social development.

The comprehensive economic plan will place emphasis on promoting the New England region's great recreation and tourism potentials, and increasing the region's foreign trade opportunities.

Additional regionwide planning is also being conducted in three areas of primary importance to the New England States:

First, the economic impact of water and air pollution on industry and commerce;

Second, weaknesses in the region's transportation network; and

Third, programs designed to fill both private and public manpower needs.

In the area of State planning, the commission has already made grants—totaling $226,750—to the six States to finance the preparation of State public investment plans. These plans will, in general, assess each State's needs and objectives for promoting economic development, and determine its own priorities for public investment in that State.

Mr. Chairman, to deny these commissions funds to carry on additional programs would greatly discourage the six Governors in my region who have worked so hard to initiate a constructive program for their States. To cut off funds at this time would make meaningless the research and planning which has already been initiated.

I urge my fellow Members to defeat this motion. Regional commissions can make a great contribution to sound and effective planning and development in many regions of the country.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Chairman, I rise in opposition to the amendment, and I wish to be associated with the remarks of the gentlemen from Massachusetts [Mr. CONTE and Mr. BATES].

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, for the purpose of the RECORD, I suggest the amendment I offer does not in any way hamper the existing EDA programs, which set up the machinery for these regions. As a matter of fact, I was the author of the provision, when Appalachia was up before, which made it applicable to this region. This does not involve that at all. This merely strikes out new authority to put supplemental grants for nondepressed counties in those regions. It would not interfere with those commitments.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Chairman, I have no criticism of these regional commissions. I am sure the ones they have set up now, which can meet in such places as Hot Springs, Ark., and Bar Harbor, Maine, and give the Governors a little opportunity to get away for a little recreation, are normal.

I do want to pay tribute to the committee. I am aware of the political facts of life. I am an admirer of the practitioners of the art it takes to get bills passed. They have added on enough. This is logrolling at its best in the old-fashioned tradition. They have added enough regions to get the votes to get the bill passed. If any Member does not believe me, witness the confessions of Members who say: "I voted against the Appalachia bill, but I did not realize it was such a good thing." They did not say: "Until they put my region in it."

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. HATHAWAY].

Mr. HATHAWAY. Mr. Chairman, I rise in opposition to the motion and in support of title II of the bill. The New England States need this legislation.

New England is rightly proud of being the oldest region in the Nation, but tradition resists change. A region is like a person in that the older it gets, the harder it is to change; to realize that the old approaches are no longer adequate.

For a number of years it has been evident that the economic growth of the New England region has lagged behind the Nation's.

Northern New England's traditional reliance on a few basic industries has resulted in an undiversified industrial structure. Many of the firms within these industries have left the area or have gone out of business. Those that remain are, for the most part, struggling to survive and offer few job opportunities. New England must adjust its industries to the needs of the 20th century.

Parts of New England are still heavily agricultural. The success and specialization of farming, however, has steadily reduced job opportunities. Jobs in farming and in manufacturing, New England's traditional sources of employment, continue to decline. The necessary number of available workers are not being adequately absorbed in new industry. The result is persistent unemployment in many labor market areas.

If new jobs and new industries in these areas are not provided, the mindless migration to a few metropolitan areas of people seeking employment will continue. We must begin planning for better and more humane distribution of people and industries.

The area's transportation system, much of it dating from the building of canals, is incapable of effectively supporting new industry and of meeting the modern needs of 20th-century travel. The roads of New England trace its history but not its future. They are built along winding river banks and meander around mountains. Most of the roads existent today were laid down before many States existed.

A key to the economic future of New England is an improved transportation network. The region needs coordinated, high-speed interstate expressways to give industry easy access to major nearby distribution centers and markets. The region needs to develop an areawide air network to assist industry and exploit its recreation and tourism potentials. The region needs new rail passenger and rapid transit service to move people safely and efficiently in and out of our major urban areas.

Its community facilities in health, education, sanitation, housing, and vocational training are outmoded. New England's problem is not that it is undeveloped, but that it was developed early in our history. The leader has become the slacker. Some people were surprised at the rapid development of Germany after the massive destruction of World War II, but many economists, including Veblen, recognize that it is frequently easier to build an economy anew than it is to change an existing one.

The New England commission can be of inestimable service in the vital readjustment of the New England economy. It offers the means for a vision of a new future. The New England commissioner can plan and, with the supplemental aid, spur the redirection of New England's economy. New England's future can be as great as its past.

The forest resources of the region can be developed and protected by utilizing modern methods of conservation technology. The region's fishing industry can supply the demand for high protein food in this country and throughout the world. The new science of oceanography can create new industries for the region. But this future must be planned and the New England Regional Commission was created to provide that plan. Regional commission attempts to end the polarizations of State versus Federal governments and to create a synthesis of Federal and State resources to rebuild the country. I urge my fellow Members to oppose this motion.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL of Massachusetts. Mr. Chairman, I rise in opposition to the amendment. Its adoption would further delay an important experiment in "creative federalism" originated in the Appalachian region and subsequently extended to other economically lagging regions.

The Public Works and Economic Development Act of 1965, the legislation being amended today, passed both Houses of Congress by overwhelming margins: 71 to 22 in the Senate, 246 to 138 in the House. Both Houses held extensive hearings in 1965. Both Houses devoted a considerable period of time to testimony on title V of the act, which established multistate regional action commissions.

Significantly, Mr. Chairman, in 1965 no objection was raised—in either the House or Senate—to the establishment of regional economic development commissions. In fact, the House minority views on the 1965 act contained—on page 27 of House Report 539—a succinct and convincing summary of the economic problems of five multistate regions—the Ozarks, the upper Great Lakes, the Four Corners, the Coastal Plains, and the New England States.

Mr. Chairman, in 1965 the minority Members agreed to establish regional commissions; today, in 1967, they state it is too early to permit them to initiate activities. In 1965, the minority Members readily acknowledged the economic problems of the various regions; today, they seek to withhold the funds necessary to attack these problems.

The Congress of the United States has made its commitment to strengthening the bonds of Federal-State cooperation. To deny regional commissions these supplemental grant funds would indeed be a step backward in that commitment. In my region, the six New England Governors—Volpe, of Massachusetts; Dempsey, of Connecticut; King, of New Hampshire; Chafee, of Rhode Island; Hoff, of Vermont; and Curtis, of Maine—and the Federal cochairman, John J. Linnehan, have met four times since March 20 when the commission was formally organized.

At three working sessions, they adopted a charter and bylaws, established offices in Boston and Washington, and embarked on the comprehensive planning and research program which is required by the enabling legislation. The time already devoted to the commission by six busy chief executives is a clear indication that the Nation's Governors welcome the opportunity for full cooperation with the Federal Government, and are willing to work to make it a success.

In addition, the six New England Governors and the Federal cochairman of the commission met with President Johnson in Hartford, Conn., on May 15 to discuss the region's economic problems. At that meeting the President stated his belief that—

> We can succeed in dealing with modern problems . . . only if the Federal and State Governments are willing to work together with an exchange of ideas and information, and with the true spirit of real partnership.

Mr. Chairman, the motion to strike the amendments in title II of the bill involves much more than money. What is involved is the continued interest and commitment of nany of our Nation's Governors to Federal programs which directly involve them in their planning and administration. What is at stake is the growing faith of our Governors that this Congress and this administration are serious about building and strengthening their partnership with the Federal Government.

The regional commission program, authorized by the 1965 act and modeled after the Appalachian program, is the best example of creative federalism to date. It permits the States to play an integral part in determining how public and private funds can best be utilized to promote the economic and social development of multistate regions. It enables the States to help plan and develop programs, establish priorities for the investment of limited funds, sponsor demonstration projects, recommend modifications to existing programs, and propose new model legislation.

This promising new mechanism can point the way toward more imaginative Federal, State, local, and private efforts in economic development. It can produce more effective administration of on-going Federal programs. It can result in scarce public funds being invested so that the maximum benefits accrue to those communities in greatest need.

Mr. Chairman, the motion by the gentleman from Florida would not simply deny funds to five regional commissions; it would deny needed funds to many economically depressed communities in five multistate regions. I strongly urge the House to defeat this motion.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I yield to the distinguished gentleman from Michigan [Mr. RUPPE].

Mr. RUPPE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, northern Michigan has contributed much in timber, agricultural, and mineral resources to the total development of the American economy—the greatest economy in the world. Recently, however, because of changing population trends, persistent unemployment, high tolls on the Mackinac Bridge, and a lack of adequate access roads, northern Michigan finds itself in need of accelerated economic development.

In a few moments we will consider the Vander Jagt amendment, which can produce dramatic results in the Upper Great Lakes region for a minimum amount of Federal expenditure. My hope is that partisanship will be cast aside, and Congress will express its readiness, even in a limited way, to assist the economy of the Upper Great Lakes region.

If the Vander Jagt amendment is adopted the Federal investment will be returned many times over. There are two major aspects of the amendment. First, one bright hope in northern Michigan is the development of the tourist industry. There is no doubt that the upgrading of sports and commercial fishing will provide a springboard for economic progress in the northland. The Vander Jagt amendment will have a great impact on the development of this vital Upper Great Lakes resource.

In recent years the Great Lakes have been menaced by an overabundance of the anadromous-type fish known as the alewife. This is the second aspect of the Vander Jagt amendment. Last year billions of these little fish clogged water intakes during the spring spawning season. Massive die-offs of alewives cluttered and defiled our beaches and harbors, and had a devasting effect on the tourist industry in those areas. While the Federal Secretary of Interior appointed a task force to study this problem, the Michigan Department of Conservation moved into action with the introduction into the Great Lakes of a species of preditor Coho salmon. This salmon holds forth the promise of bringing the alewife under control while at the same time developing a resource for sport and commercial fishing.

Recent photographs in Time and Newsweek magazines of billions of alewives fouling the beaches from Chicago to Michigan's Upper Peninsula dramatically underscore the fact that we can ill afford wasting any valuable time available to us in correcting this problem.

The Michigan Department of Conservation is now in the process of planting between 2 to 4 million Coho salmon. Our best estimates are that when we build the salmon population to about 40 million fish in the Great Lakes the terrible alewife problem will be arrested. The cost of planting, I am told, is about 5 cents per fish. The Federal Department of Interior estimates the economic value of an average 5-pound coho salmon at about $30 to $40 per fish. In other words, when our salmon population goal is reached the alewife problem will be solved and, based on an estimated catch of 2 million salmon per year, the economy of the Upper Great Lakes will receive an infusion of around $60 million per year.

Considering the magnitude of the

alewife problem, and the economic gain from salmon planting, the Vander Jagt amendment is a modest request for Federal assistance. It provides $1½ million for fiscal 1968 and the same for fiscal 1969 on a 50 percent matching basis with the States. Through the Upper Great Lakes Regional Commission, for a small expenditure, we have a rare opportunity for rapid development of fishery resources with the result of bringing the alewife problem under control.

I urge the House of Representatives, with one bipartisan voice, to give the Upper Great Lakes region the support the Vander Jagt amendment deserves.

Mr. CRAMER. Mr. Chairman, I take a minute to repeat, so that the Members will not consider me the ogre some have suggested, relating to this amendment, that it will not in any way affect the present EDA commissions or the provisions under present law. That will remain. It is good through 1969.

We will be considering that next year. That is when we ought to consider this amendment and all other amendments to EDA.

The amendment here, in title II, principally permits expenditures of supplemental grant-aid money in these many regions. That is all there is to it. That is what it does. It is wrong.

That is why my amendment is proposed.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, most respectfully I want to disagree emphatically with the gentleman from Florida, on his statement that the only purpose for this particular title is to permit the expenditure of money in nondepressed counties.

I can assure the Members that in the Ozark region most if not all of the grant-aid money will be spent in depressed counties, because practically every county in the Ozark region is a depressed county. That is where the money will be spent.

My good friend, the gentleman from Ohio [Mr. HAYS] has been concerned about where some of these commissions have been meeting. I want him to know that in the six meetings which have been held so far the Ozark's Commission has not yet gone to Hot Springs.

As a matter of fact, they even went out on the farm for their last meeting. Of course, it was Winrock, which is the farm of Governor Rockefeller of Arkansas. They have not been meeting in Hot Springs but have been going about the business of preparing for a good regional program. With the help of my friend from Ohio, I am sure we will defeat this amendment and keep these regional committees.

Mr. HAYS. If the gentleman will yield, Winrock is a pocket of poverty; is it not?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The question was taken; and on a division (demanded by Mr. CRAMER) there were—ayes 60, noes 99.

So the amendment was rejected.

Mr. PUCINSKI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have taken this time to ask the chairman of the committee a few questions about this bill.

The other day Mayor Daly testified before a committee of the Congress about the crisis of water pollution in the Great Lakes. Besides the problems of industrial wastes being dumped into the Great Lakes, one of the problems we have had and have had all summer is the problem of the alewives. It is my understanding that many things are being done to deal with this problem. We have had millions of alewives dying in the Great Lakes and being washed up on shore. This creates a tremendous problem for many communities along the shores of the Great Lakes. One of the suggestions for dealing with this problem is the development of industry that will harvest the alewives for fertilizer, for cat food, and other purposes.

Now, do I understand correctly that under this legislation and under this title the Upper Great Lakes Commission could indeed finance and develop industries along these lines in this hard-pressed area and help under the regional commission provisions of this act to develop this kind of industry to make a contribution toward reducing and perhaps eliminating the problem of alewives in the Great Lakes? Could it be done under this bill? Do I understand that correctly?

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. JONES of Alabama. The answer to that would be in two parts. First, the problem could be examined by the commission. The commission could make a study of the problem and what it would entail to eliminate the nuisance of these dying fish in the lake. Second, he could assist in the form of a loan to the industries that were in operation for the eradication of the blight.

Mr. PUCINSKI. I thank the chairman for this answer.

It seems to me that we in the Great Lakes and in Chicago can certainly look forward, then, to some degree of possible relief not only on the problem of lake pollution but particularly in the development of industries that could harvest these alewives and thus lessen the problem for the Great Lakes.

I thank the chairman for his explanation.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. PUCINSKI. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I understand that we only have two amendments yet to be acted upon.

Therefore, Mr. Chairman, I ask unanimous consent that all debate on this title and all amendments thereto be concluded at 6:35 p.m.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PUCINSKI. Mr. Chairman, I wonder if I may propound one additional question to the chairman of the Committee on Public Works or to the gentleman from Alabama [Mr. JONES], the floor manager of this bill?

It has also been mentioned that the stocking of the Great Lakes with cohoe salmon and lake trout, would represent an effort to help meet the problem of the alewives and other lake pollution which we are experiencing in this area.

Could we possibly find some aid contained in this bill aimed in that direction?

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield further?

Mr. PUCINSKI. Yes, I yield further to the gentleman from Alabama.

Mr. JONES of Alabama. Yes; the program is one which is carried out in working with the Fish and Wildlife Service of the Department of the Interior in the nature of a general type of program. It could be initiated by the commission.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. Yes, I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I might say to the gentleman that if the gentleman is really urgent about this and wants to hurry it up, why do you not tell them to push Chicago into Appalachia? If you do not, you will vote against it. It is just as much a part of Appalachia as is Mississippi, and they put it in.

Mr. PUCINSKI. I would say to the gentleman from Ohio that we in Chicago recognize the fact that there are national problems which exist in other sections of the Nation and we are interested in the problems of this entire country. We feel that Appalachia is a part of this country and a part of this country which needs help and assistance.

Mr. OLSEN. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I am glad to yield to the distinguished gentleman from Montana.

Mr. OLSEN. I feel that the gentleman's ideas with reference to a program being carried out in the Great Lakes would represent a really wonderful project and I shall support it just as I shall support such a program which is designed and which would be applicable to the State of Montana as well as other States, in an effort to clean up the anadromous fish and other deleterious and harmful fish that we experience in the various lakes of America.

Mr. PUCINSKI. I thank the gentleman from Montana for his contribution.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. VANDER JAGT

Mr. VANDER JAGT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VANDER JAGT: On page 60, following line 8, insert the following new section:

"SEC. 205. Title I of the Public Works and Economic Development Act of 1965 is amended by adding at the end thereof the following new section:

" 'SEC. 107. (a) In order to assist in the economic development of the Great Lakes region by conserving, developing, and enhancing anadromous fishery resources, the Secretary is authorized to make grants pursuant to section 101 of this title, to assist in carrying out projects within redevelopment areas within the upper Great Lakes economic development region established pursuant to title V of this Act for the planning, construction, and alteration of hatchery facilities, evaluation, and egg-taking weirs, and stations for open water investigations; the improvement of habitats; and the acquisition of land and equipment associated with such hatchery facilities, weirs, stations, and habitats; except that no grant may be made under this section unless the Secretary of the Interior is satisfied that the project for which such grant is sought will benefit the Great Lakes anadromous fishery.

"'(b) A grant made under this section shall not exceed 50 per centum of the cost of the project.

"'(c) Not to exceed $1,500,000 of the funds authorized in section 105 of this title shall be available for the fiscal year ending June 30, 1968, and a like amount for the fiscal year ending June 30, 1969, to carry out this section.

"'(d) Grants received by any State under this section shall be in addition to any other assistance which such State is eligible to receive under this Act or the Act entitled "An Act to authorize the Secretary of the Interior to initiate with the several States a cooperative program for the conservation, development, and enhancement of the Nation's anadromous fish, and for other purposes", approved October 30, 1965 (16 U.S.C. 757a-757f).'"

(By unanimous consent, Mr. Gerald R. Ford yielded his time to Mr. Vander Jagt.)

Mr. VANDER JAGT. Mr. Chairman, I thank the distinguished minority leader for yielding his time to me.

Mr. Chairman, I am also very happy that the dialog took place that did just prior to the offering of my amendment. The gentleman from Chicago asked the chairman of the subcommittee if this bill could be used to assist in solving the horrendous alewife problem that has beset Lake Michigan, and all of the States surrounding it this past summer.

The gentleman from Ohio suggested to the gentleman from Illinois that the solution would be for Chicago to come under Appalachia. I have a much simpler solution, and it does not cost a single, solitary cent. It merely redirects $1.5 million this year, and $1.5 million next year of the present Appalachia Act authorization. This $1.5 million would not be for additional research, it would be for an action program so that we could accomplish what the distinguished subcommittee chairman said he wanted to accomplish through these regional commissions, and that is get the research over and get the show on the road.

This amendment would get the show on the road.

I would like to describe to you this particular problem caused by alewives. This summer, on the 4th of July, all along the shores of Lake Michigan from Chicago up to the Leelanau Peninsula, as far as the eye could see and as far as the nose could smell, there were hundreds of millions of dead alewives that drove the tourists away from the lake shores, and from the motels and hotels, resorts and restaurants associated with the lake shore. A number of my colleagues—six of them—were vacationing over the 4th of July in my particular district, and every one of them began pulling my leg, and they said "Guy, what are you going to do about this problem?" Do you know that our biologists, scientists, and conservationists were doing something about it right at that time, right at that particular moment? They were developing a predator fish program to convert the alewives into valuable sport and commercial fish. Part of the program involved the planting of several salmon species, the Coho salmon providing the greatest initial numbers.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(By unanimous consent, Mr. Schwengel yielded his time to Mr. Vander Jagt.)

Mr. VANDER JAGT. I thank the gentleman from Iowa for yielding his time to me.

The Coho salmon program has been tested now for 2 years in Lakes Michigan and Superior. Do you know that when these little Cohoes were planted in the spring of 1966 they were 4 to 5 inches long, weighing about an ounce each, and that today, a year and a half later, they are averaging 15 pounds? The exciting thing about this as far as the alewife problem is concerned is that for each pound of their weight they consume 10 pounds of alewives.

This program, which has been initiated by the Michigan conservation department, envisions the eventual planting each year of 30 million Coho and Chinook salmon, and steelhead rainbow trout, when fully developed. So far 2,400,000 salmon have been planted in these past 2 years. The Michigan conservation department has a present capacity for 4 million Coho salmon and so forth per year, but only at the sacrifice of its previously established fishery programs. In other words, new hatcheries must be built to provide the fish this program envisions.

You may ask why Michigan does not develop this program by itself. The truth of the matter is that the Michigan Legislature will provide half the funds, but it seems to me soundly logical that the costs of benefits accruing to other States should be shared by them. And the benefits are considerable, particularly to Wisconsin, Illinois, and Indiana in the control of the alewife.

We have not even talked about the recreational aspects of this program and they are simply fantastic. The Department of the Interior Bureau of Sport Fisheries and Wildlife agrees that we have what could be the most exciting new outdoor recreation program in the Middle West in our lifetimes.

The results to date of 1966 plantings in the Manistee and Platte Rivers are beyond our wildest dreams. Over the Labor Day weekend 19,000 fishermen caught 6,000 salmon in Lake Michigan off the mouths of these two rivers with a combined weight of 64,000 pounds. Two thousand of these fish were from this year's planting leaving 4,000 fish that averaged 15 pounds from 1966 stocking. And this is just the beginning. The Michigan Conservation Department estimates that up to 1 million pounds of salmon will be caught before the spawning run ends in October from just these two rivers. The Huron River in the Upper Peninsula flowing into Lake Superior, is also providing fantastic fishing.

What all this means, of course, is that an entirely new economic activity is being developed along the shores of Lake Michigan and Lake Superior. And the greatest blessing is that the areas which will benefit are all classified by the Economic Development Administration as depressed areas.

We have an opportunity today to provide an answer to the alewife problem. But the best part about this solution is that it turns an economic disaster into an invaluable asset. We can bring the alewife under control while providing recreation—and the resulting economic benefits—to thousands upon thousands of people. How rare is such an opportunity.

It is a wonderful opportunity that we are talking about, a very hopeful opportunity to the people of this Great Lakes area.

To put a dollars-and-cents value on this program, I have been told that it would bring $1 billion in new business to the area over a 10-year period. The total cost of the program will be $27 million, half to be borne by the State of Michigan.

The $1.5 million I am asking for in each of the next 2 fiscal years will be a major contribution to the development of this program. It will allow the Michigan Conservation Department to proceed at optimum speed.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(By unanimous consent, Mr. Lukens yielded his time to Mr. Vander Jagt.)

Mr. VANDER JAGT. I thank the gentleman from Ohio for yielding his time to me.

Mr. Chairman, I urge in the strongest way possible the support of the Members for this amendment.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. VANDER JAGT. Yes, I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding.

I wish to associate myself with the remarks of the gentleman from Michigan. I represent a district with a shoreline on Lake Michigan, and I know of the problems created by the alewives about which the gentleman speaks. The gentleman's amendment offers a very wonderful action program for the benefits of the people of Chicago, as well as the people of Illinois, and the people of Michigan and the other States which border on the Great Lakes.

So, Mr. Chairman, I thank the gentleman for sponsoring this amendment. I support the gentleman's amendment enthusiastically.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. VANDER JAGT. Yes, I yield to the gentleman from Michigan.

Mr. HUTCHINSON. Mr. Chairman, I also want to associate myself with the remarks of the gentleman from Michigan [Mr. Vander Jagt].

(By unanimous consent, Mr. Steiger of Wisconsin yielded his time to Mr. Vander Jagt.)

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. VANDER JAGT. Yes, I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from Michigan.

Mr. Chairman, I support the amendment offered by the gentleman from Michigan [Mr. Vander Jagt]. It is a sound and realistic effort to put into operation an action program for the Great Lakes and especially Lake Michigan.

The colloquy between the gentleman from Illinois [Mr. Pucinski] and the chairman of the subcommittee, the gentleman from Alabama [Mr. Jones], intimated that assistance could be granted to the Great Lakes Commission regarding the alewife problem. It is readily apparent that the Great Lakes Commission already has authority under the Public Works and Economic Development Act of 1965 to do what the gentleman from Alabama indicated might be done under title II of this act. They need no additional authority or assistance.

What is needed is less study and more action, and it is this which commends the amendment now under consideration to the committee's favorable action.

I do not support this legislation in its present form which extends "creative favoritism" but under title II it would be substantially improved with the adoption of this amendment.

The people of the Sixth District of Wisconsin have suffered this summer with the problem of alewives. This amendment would provide an important step in finding the means of controlling this critical situation.

I want to associate myself with the remarks of the gentleman from Michigan [Mr. Vander Jagt] and commend him for his leadership in this effort. The adoption of this amendment would carry out the purposes of the Economic Development Act of 1965 in the best possible way and I trust the amendment will be adopted.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. VANDER JAGT. Yes, I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I congratulate the gentleman on his amendment. I discussed this matter with him, and went into the matter rather deeply, and our staff worked with him in drafting the amendment.

As I understand it, the answer to the distinguished gentleman from Michigan was that we should have a study. This problem is far too serious and we have passed the study stage and we need action. Your amendment provides the action. This is a vehicle by which it can be done without increasing the expenses under this bill.

Mr. Chairman, I hope the amendment is adopted.

Mr. VANDER JAGT. I thank the gentleman for his support and for his comments.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. VANDER JAGT. I yield to the gentleman.

Mr. CEDERBERG. I am aware of the problems the gentleman has spoken of. I believe that this amendment is one that we should adopt because it can solve this problem and be of great economic benefit to the area.

Mr. VANDER JAGT. I thank the gentleman very much.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. VANDER JAGT. I yield to the gentleman.

Mr. GERALD R. FORD. Mr. Chairman, I share the views of the gentleman from Michigan and others. I endorse the amendment offered by the gentleman from Michigan and I hope that it is adopted.

Mr. VANDER JAGT. I thank the distinguished minority leader.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. VANDER JAGT. I yield to the gentleman.

Mr. PUCINSKI. Mr. Chairman, I associate myself with the gentleman in offering this amendment and I hope that it is adopted.

Mr. VANDER JAGT. I thank the gentleman from Illinois.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. Vander Jagt].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. JONES of Alabama. Mr. Chairman, I ask for a division.

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Vander Jagt and Mr. Jones of Alabama.

The Committee divided, and the tellers reported that there were—ayes 91, noes 113.

So the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Cramer].

Mr. CRAMER. Mr. Chairman, I just want to take this time to state that I understand there will probably be three votes. The time has been fixed at 25 minutes of 7 o'clock. I understand there will be a vote on the amendment providing for a $50 million cut. If I understand correctly, there will be a vote on a motion to recommit and, I assume, on passage of the bill. The motion to recommit will include the amendment that I offered relating to retaining the present budgetary procedure in the present authority, the present agencies, rather than putting it in the President of the United States, who does not have time to handle it.

Possibly the alewives amendment may be added to the motion to recommit.

Mr. JONES of Alabama. Mr. Chairman, on behalf of the committee, I announce that we will ask for a vote on the amendment known as the Cramer amendment, No. 14, striking out some $50 million for the various activities that have been established by law in the 1965 act and continued in the present bill.

I wish to emphasize again that the committee was very deliberate in examining the justifications, and we feel that the reduction of $54 million was severe enough. If the cut is sustained, it is going to jeopardize the orderly commitments and pursuits of the program that have already been fashioned and presented by the States. I hope, Mr. Chairman, that the amendment will be voted down.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Ryan: On page 59, after line 24, insert the following new section:

"Sec. 204. Paragraph (4) of subsection (b) of section 401 of the Public Works and Economic Development Act of 1965 is amended by striking out 'a county, or a municipality with a population of over two hundred and fifty thousand,' and inserting in lieu thereof the following: 'a county, a part of a county with a population of fifty thousand or more, a municipality with a population of over two hundred and fifty thousand, or a part of such municipality with a population of fifty thousand or more,'."

And on page 59, line 25, strike out "204" and insert "205".

Mr. RYAN. Mr. Chairman, the purpose of this amendment as succinctly stated is to reach the distressed and depressed areas of our cities. We have heard a great deal about depressed counties this afternoon and about the depressed rural areas of America. It is time we also focused our attention and application of title II of this bill on the problems of our cities.

Under my amendment sections of cities could be eligible to be declared redevelopment areas and therefore eligible for aid under this program. I think it is essential to meet this problem and do it now.

The Appalachian Regional Development Act is designed to deal with regional, rural poverty. As a successor to the Area Redevelopment Act, the Economic Development Act has also served principally to assist in the provision of basic economic infrastructure and commercial expansion primarily in rural depressed areas.

We have heard a lot of talk this afternoon about depressed counties. I am also concerned about depressed areas within cities.

Acute problems exist within cities, where unemployment and its repercussions are frequently more severe than in the areas currently eligible for assistance under EDA. I pointed out yesterday that these poverty areas within larger cities cannot qualify for aid unless the whole municipality is sufficiently depressed, even though they have extremely high rates of unemployment. These areas are just as underdeveloped as rural poverty areas, and the problem is compounded by the continuing rural migration of persons who are not equipped to compete in available urban job markets.

These poverty pockets should constitute redevelopment areas just as the larger rural areas are so designated. While a whole rural region can benefit from economic advancement, urban economic growth often benefits already prosperous areas, while the slums continue to languish. In New York, for example, the city department of labor forecast an increase of more than 100,000 job opportunities between 1960 and 1970, while the city's overall population is expected to stay static. However, if one examines this prediction in detail, one finds that the vast majority of these new jobs will be in professional, technical, and clerical areas. In fact, service jobs will increase only slightly, and blue-collar positions will decline by 50,000. Many of the professional-level jobs will be filled by residents of suburbs.

In the face of a generally expanding economy, the ghetto economy declines. In New York City the adult unemployment rate among Negroes is 8 percent, twice the figure for whites. And Negro teenage unemployment is soaring.

The ghetto disorders this summer, all of them in urban areas of high unemployment, are the consequence of our neglect of the cities. Existing Federal assistance under the Public Works and Economic Development Act must be made available to combat economic blight in our cities.

I have proposed such a change since 1963. We cannot afford to wait any longer. Last year the Committee on Public Works held hearings on my bill and others directed at this problem. Eugene P. Foley, Director of the Economic Development Administration, agreed at that time that urban poverty pockets warranted prompt action, and in testimony before the House Committee on Public Works, he announced that his Administration would propose a new title VII on urban redevelopment areas which would be eligible for Federal assistance to public works and business loans projects.

Yet there has been no action.

Mr. Chairman, I repeat that our cities simply cannot tolerate the continuing high rates of unemployment. We have an existing program of public works and assistance for commercial expansion before us today. However, it does not reach the decaying urban centers which might be aided under this act, but which have been arbitrarily excluded by a quirk in the geographic—though not the economic—definition of eligibility. If Harlem, Bedford-Stuyvesant, Watts, the Hough, and other festering centers of human degradation and economic retardation were to secede from their municipalities and incorporate as separate entities, they would be instantly eligible for aid under EDA.

My amendment simply provides that areas such as these, of at least 50,000 persons which meet the existing economics criteria, be considered for assistance under the act, instead of considering the metropolis as a whole, which is the present situation.

If we are to save our cities, there must be imaginative new urban programs, such as the urban coalition proposed last month. But, in the meantime, as a minimum, we must not deny urban poverty areas the benefits of existing programs. I urge the adoption of this amendment.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman basically has offered the same amendment that was offered by the gentleman from New York [Mr. Farbstein], which has been previously defeated by the House. It differs in this respect: The gentleman from New York [Mr. Farbstein] included in his amendment some funds to make it possible to reach some of these areas. The gentleman from New York [Mr. Ryan] is not providing any funds for this. So the practicality of the amendment offered by the gentleman from New York [Mr. Ryan] is much more debatable than that offered by the gentleman from New York [Mr. Farbstein].

Mr. Chairman, the Committee must oppose the amendment.

Mr. KUPFERMAN. Mr. Chairman, I rise in support of the amendment. The Economic Development Act of 1965 should be amended to cover smaller compact and contiguous areas.

Present coverage for an entire municipality discriminates against urban areas with pockets of poverty.

When I introduced my bill, H.R. 15133, in the second session of the 89th Congress, I stated as follows in the Congressional Record, volume 112, part 8, page 10944:

Statement by Representative Theodore R. Kupferman, Republican of New York, in the House of Representatives Upon Introduction of a Bill To Amend the Public Works and Economic Development Act of 1965 To Benefit Certain Economically Depressed Areas in Large Municipalities, May 18, 1966

Mr. Speaker, I have introduced a bill which would amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas.

Mr. Speaker, under the present law, counties or municipalities with a population of over 250,000 qualify for Federal assistance for public works and development facilities. The law, however, should be amended to extend eligibility to "compact and contiguous areas." containing a population of over 250,000.

The purpose of my amendment would be to include contiguous areas within large metropolitan areas within the coverage of the Public Works and Economic Development Act. As of now, these units do not qualify only because they are not separate entities.

While only those contiguous units of equal or greater size than the presently defined municipality of 250,000 would qualify under the proposed amendment, the largely disadvantaged areas, including New York's Lower East Side and Harlem should also be covered and would be greatly benefited by new opportunities for long-term employment and economic growth.

Thus, the present necessity for the "entire municipality" to be in economic distress before redevelopment funds are available would be eliminated. In this way, the acutely distressed areas in New York City and other very large municipalities would no longer be discriminated against and Federal help would be received where it is most needed.

Mayor John V. Lindsay, of New York City, has urged similar actions as has my colleagues Congressmen Leonard Farbstein and James H. Scheuer.

Last year, Donald Shaughnessy, an assistant to Mayor Lindsay, on May 24, 1966, appeared before a subcommittee of the Public Works Committee and made the following statement in support of Congressman Farbstein's suggestion:

This amendment to the Public Works and Economic Development Act of 1965 is, in Mayor Lindsay's opinion, vital and necessary to bring the Act into accord with the demographic realities of New York City and other major urban communities throughout the country. Furthermore, the proposed amendment, will in Mayor Lindsay's opinion, further the objectives of the Employment Act of 1946 and the Economic Opportunity Act of 1964.

When Congress passed the Employment Act of 1946, it declared it to be the continuing policy and responsibility of the Federal government to "utilize all its plans, functions and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities . . . and to promote maximum employment, production and purchasing power."

As you know, Senator Taft was one of the principal architects of the Employment Act of 1946 as it was finally passed. "We declared," he said, "a general policy of the government to use all its means to bring about a prosperous condition so that people looking for work may expect to find work."

President Truman, in his memoirs, refers to the passage of the Employment Act as one of those incidents that has profound consequence to the subsequent course of events. The last twenty years have been graphic proof of his sound judgment.

In that period, the domestic environment in which the economy operates has undergone many changes yet the objectives of the economy as specifically stated or implied in the Employment Act have become increasingly acceptable and governmental machinery for implementing this policy has become increasingly sophisticated and responsive.

The Public Works and Economic Development Act of 1964 is consistent with the spirit and the purpose of the Employment Act of 1946. It, however, requires the proposed amendment in order to make it workable and realistic to meet the needs of people living in New York and other major urban communities. The short title of the Public Works and Economic Development Act declares it to be "an Act to provide grants for public works and development facilities, . . . to alleviate conditions of substantial and persistent unemployment and under-employment in economically distressed areas and regions."

The statement of purpose in the Act notes that there are regions, counties and communities which suffer from substantial and persistent unemployment and under-employment and declares it to be the purpose of the Act to help such areas "take effective steps in planning and financing their public works and economic development." Furthermore, it is declared that such areas will be provided with assistance to help themselves achieve lasting improvement and enhance the domestic prosperity by the establishment of stable and diversified local economies. This can only be done, according to the Act, by creating new employment opportunities and by developing and expanding new and existing public works and other facilities in resources.

To be eligible for grants for public works and development facilities under Title I and to be eligible for public works and facility loans under Title II, an area must be designated by the Secretary of Commerce as a redevelopment area.

Section 401(a) of the Act describes the unemployment and low income criteria that must be met to gain designation as a redevelopment area. Unfortunately, these criteria are met all too easily in many parts of New York City.

Section 401(b) describes the geographic criteria that must be met to gain designation as a redevelopment area and hence become eligible for grants and loans under Title I and Title II of the Act. This section, in Mayor Lindsay's opinion, sharply limits the discretion of the Secretary of Commerce and thwarts the declared purpose of the Act.

I am here today on behalf of Mayor Lindsay to support an amendment to paragraph (4) of subsection b of Section 401. That paragraph now reads as follows:

The size and boundaries of redevelopment area shall be determined by the Secretary provided, however, that except for area designated under subsections (a) (3) and (a) (4) hereof, no area shall be designated which is smaller than a labor area (as defined by the Secretary of Labor), a county or a municipality with a population of over two hundred fifty thousand, whichever in the opinion of the Secretary is appropriate.

Let us examine the language of paragraph (4) of subsection (b) and see how it affects approximately three million people in New York City.

First of all, they are ineligible for Title I and Title II loans or grants under subsection (a)(3) because there are no Federal or State Indian reservations nor are there restricted Indian owned land areas in New York City.

Secondly, three million people in the City of New York are ineligible to receive Title I and Title II loans or grants under subsection (a) (4) because they do not have a single major source of employment that has either moved, curtailed its activities or gone out of business. Thirdly, three million people in the City of New York are precluded from benefits available to others under Title I and Title II of the Act because New York City has not yet been designated a labor area by the Secretary of Labcr. Mayor Lindsay recently requested such designation but it has not yet been forthcoming. Today, the five counties of New York City are indiscriminately lumped with Nassau, Suffolk, Rockland and Westchester counties for purposes of designation as a labor area. The logic or rationale behind this designation escapes all economists. A labor area is, simply put, an area in which a worker may change his job readily without changing his residence. If there are any members of the Committee who are not familiar with the geography of the New York metropolitan area, let me assure you that any worker whose source of employment shifts from Manhattan to Montauk is going to have to change his residence or give up all hope of seeing his wife and children. That is an eight hour round trip ride providing the trains are running. The present designation makes no economic sense, makes meaningless all statistical data gathered on a labor area basis and defies logic or rational explanation. We hope the Secretary of Labor will make the requested adjustment promptly.

Finally, three million people in the City of New York are ineligible to receive Title I and Title II loans or grants under subsection (a)(4) because they are dispersed in large, compact contiguous areas throughout the City which form only parts of the several counties.

Let us examine one of these counties. In Kings County, otherwise known as Brooklyn, there are nearly three million people. This means that borough has a larger population than twenty-seven States in the Union. Nearly one million of these people have family incomes less than 40% of the national median. The unemployment rate of these one million people has been more than 100% above the national average for at least the last two calendar years.

Therefore they more than qualify for Title I and Title II loans and grants under section 401(a) of the Act. However, because they live in compact, contiguous areas which are smaller than a labor area, a county or a municipality, they are precluded from assistance as the Act is presently written.

Thus we are faced with a needless contradiction between the declared purpose and the potential achievement. Given the demographic facts of life, the Public Works and Economic Development Act as presently written cannot achieve its declared purpose in New York City and other major urban communities throughout the Nation.

Gov. Nelson A. Rockefeller has also urged a similar amendment. His wire of September 7, 1967, follows:

> Albany, N.Y.,
> *September 7, 1967.*
>
> Hon. Theodore R. Kupferman,
> *Longworth House Office Building,*
> *Washington, D.C.:*
>
> In order to gain the greatest impact from the Public Works and Economic Development Act in light of present demand for increased economic opportunity by the urban population of the United States, I urge the members of the New York State congressional delegation to support an amendment to extend Economic Development Act assistance to depressed neighborhood areas of the larger cities of the Nation.
>
> I am advised that this can be accomplished by amending the "Appalachian Regional Act Amendments and Amendments to the Public Works and Economic Development Act of 1965" (S. 602), which I understand will be considered by the House during the week of September 11.
>
> Recent reports by the Economic Development Administration indicate that the migration of the Nation's poor to large urban complexes is continuing and will continue for at least another decade.
>
> In a nation destined to have 90 percent of its population residing in areas classified as urban by the year 1985, it is vital to advance a series of actions aimed at providing "urban opportunity" for these people. The extension of programs such as those authorized under the Public Works and Economic Development Act could be an important step.
>
> Specifically I urge that the Economic Development Act financial and technical assistance be extended to compact depressed neighborhood areas containing at least 100,000 persons and meeting the unemployment criteria of the act. This could be accomplished by making these neighborhoods eligible as "redevelopment areas" under title IV, part A of the act.
>
> I also again urge your support for the extension and expansion of the Appalachian program in S. 602. New York stands to gain importantly from this legislation. The bill would provide new York $85.5 million for highways and $5 million for a variety of public works and educational projects and would bring another county into the program.
>
> Nelson A. Rockefeller.

I urge passage of the "compact and contiguous" amendment and support in general of this legislation as urged by Governor Rockefeller.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. Ryan].

The amendment was rejected.

Mr. MONAGAN. Mr. Chairman, I did not support the Appalachian Regional Development Act of 1965. I questioned the basis of the proposal from an economic point of view. I felt that forced feeding of this type based upon a program in which some 80 percent of the funds was devoted to highway construction was not calculated to bring about the results which the proponents advocated.

In addition, I expressed concern at the possibility that Federal financing of infrastructure might lead to the pirating of industry from New England and the consequent loss of employment and economic activity in my own area.

I see no reason to take a different position on the legislation which is presented to us today. Not only does the approach seem impractical but events of the last 2 years do not justify the claims of its advocates. In addition, the whole enterprise raises philosophical questions which concern me greatly.

Is it a proper role of the Federal Government to attempt a direct and traumatic revolution in the social organization and way of life of a segment of its population? An article in a recent issue of Life by Secretary of the Interior Stewart L. Udall eloquently describes the dangers and unfairness of the massive intervention approach.

Should the concept of the regional economic planning be extended without the most careful consideration? Not only does the proposed legislation substantially expand the definition of "Appalachia," but it involves potential expansion of other regional authorities with vaguely defined economic goals.

If the original plan to differentiate from the rest of the country in favor of the Appalachian region was justified, then certainly the discriminatory element is vastly increased in this bill in that other sections of the country are singled out and added for special consideration.

I am disturbed by the prospect of extending and expanding regional authorities and in particular that in New England. Surely at a time when the President has asked for a tax increase and the necessity of restraining Government expenditures is obvious, we should examine requests for additional spending and expanded programs with the greatest caution. This authorization in this bill is for the amount of $220 million. This is a good opportunity to save some money.

Apart from this, however, the need for Government economic intervention in New England cannot be demonstrated. Employment is at peak levels and the rates of unemployment—Stamford 2.8, Meriden 3.2, New Haven 3.8, Waterbury 4.6—are within reasonable limits. The Waterbury Sunday Republican for September 10, 1967, showed unskilled job openings for 103 positions. The June 1967 Connecticut State report showed employment of 1.118 million, a new high for the State.

A recent report on unemployment showed the average for 1966 in Connecticut to be 3.2, Maine 4.2, New Hampshire 1.8, Rhode Island 3.7, and Vermont 3.8. While it is true that these figures might vary from time to time, nevertheless the fact is that we are experiencing in this section an economy that is booming to an unprecedented degree. The need for economic stimulation is not apparent to me.

Finally, the objectives of S. 602 call for "public investment plans" and "balanced programs of economic and social development." I do not know what these terms mean and I submit that further support of these activities should be withheld until there is a great deal more specification than we have hitherto had. We should not slip unawares into centralized bureaucratic economic planning.

Mr. BEVILL. Mr. Chairman, I rise in opposition to the amendment which would strike Lamar County, Ala., and make Lamar County ineligible under this bill.

The other body and the House Committee on Public Works both approved the inclusion of Lamar County in the Appalachian region based on the clear-cut evidence that it belongs by right of economic character.

Lamar County is also almost totally rural and agricultural. Actually, it has no urban population whatsoever. Between 1950 and 1960, its population drop was 24.3 percent, more than twice the rate of the State as a whole. Of the 67 counties in Alabama, Lamar County ranked 57th in per capita income in 1965 and that was about half the average for Appalachian Alabama. Its white collar and manufacturing employment are likewise far below the average of the State and the Appalachian region.

I would note, again, that the population Lamar loses and urban centers gain, moves closer to the evils that plague most of our cities.

Lamar County touches existing Appalachia Alabama and is adjacent to Mississippi Appalachia, which the committee also recommends for inclusion in the program. To omit Lamar would be inconsistent with the Appalachian regional development program as it has been conceived.

We have all heard mounting evidence of the worth and success of the Appalachian program. To deny its benefits to an area fully within its sphere would be illogical and unbecoming of this Congress.

Mr. WAMPLER. Mr. Chairman, I rise in support of S. 602. I believe this legislation is of great importance to the Nation as well as to the Appalachian area and it is my hope that it can be accorded favorable action by this House.

I am privileged to represent the Ninth District of Virginia, which lies in the geographic heart of that large area known as Appalachia. In the past 2 years, I have been impressed by the progress that has been made under the Appalachian program. The promise seems to increase with each passing day.

It goes without saying that both promise and progress are before us today in S. 602.

Mr. Chairman, I do not believe that dollars alone can cure the deterioration of many years. Most Members, I am sure, are aware that many sections of the Appalachian area have not kept pace with the Nation and I believe it can reasonably be said that this situation is due to the lack of an adequate tax base. As the economy deteriorates, the tax base becomes even more inadequate and the resulting cycle can carry the area into highly unfavorable circumstances.

The Appalachian Regional Commission is the instrument which can help break this cycle in Appalachia. I am happy to report today that the job is being accomplished in my section of the Appalachian area.

If opportunity is the key to progress, it is imperative that the instruments of opportunity be made available to those areas which are unable to finance these projects on their own. In the Ninth District of Virginia, the Appalachian Regional Development Act has already contributed to the financing of five technical schools. Three towns have been helped in securing sewage treatment plants. Two four-lane highways are being constructed and two additional access roads have been approved. Facilities have been improved at two hospitals. Two libraries have been aided. Two public parks are being developed. And many, many other applications for aid have been filed.

I would not be so presumptuous to infer that some of these things would not have been done had it not been for the Appalachian Regional Development Act. But I am reasonably sure that all of these projects would not have been undertaken in the absence of this act. And I am certain that without the act, the local taxpayer would have had to assume an undue burden before these things could come to pass.

Mr. Chairman, roads, vocational schools, sewage systems and the like represent the kind of projects which can help a community or an area attract vitally needed industry. Without these things, the cycle can never really be broken.

The Appalachian Regional Development Act has proven that the job can be done, and can be done in a remarkably short time. Its provisions for Federal-State cooperation are landmarks in sensible legislation.

I urge the passage of S. 602.

Thank you.

Mr. KORNEGAY. Mr. Chairman, with the Nation facing a severe economic crisis which could add up to a $30 billion deficit this year, there must be reductions in spending. The Appalachian regional development program, which was begun as but an experiment, has helped in some areas. There is much in the program that has been beneficial, and I have voted for the program in the past. However, now is the time to tighten our belt rather than to expand big spending programs.

I simply could not vote to spend millions and millions of dollars at this time on a program that could wait until our economy could better withstand a large expenditure such as that proposed in the extention and expansion of the Appalachian program. My vote against the bill was not a vote against the program as such. It was a vote for economy and a reduction in Federal spending during this period in which Congress is being asked to raise income taxes drastically.

Mrs. HECKLER of Massachusetts. Mr. Chairman, I rise in support of title II of S. 602 as reported from the Public Works Committee.

This title would greatly improve the programs and operations of the New England Regional Commission—improvements that the commission desperately desires and needs for assisting in the economic revitalization of the New England area.

An investment of $2.5 million for research, planning, and administration seems almost too small for the tasks to be undertaken or the benefits to be expected for the people and the economy of New England.

Indeed, to effect the revitalization of economically lagging communities requires careful, rational planning—and these services are not free, nor should they be purchased at bargain-basement costs, lest we receive bargain-basement assistance.

The CHAIRMAN. Under the unanimous-consent agreement, all time has expired. Are there any other amendments to be offered?

If not, the question is on the committee substitute, as amended.

The committee substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 602) to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965, pursuant to House Resolution 910, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee substitute amendment adopted in the Committee of the Whole?

Mr. JONES of Alabama. Mr. Speaker, I demand a separate vote on the amendment identified as amendment No. 14 offered by Mr. Cramer, which reads as follows:

On page 55, line 3, strike "$220,000,000" and insert in lieu thereof "$170,000,000".

The SPEAKER. Is a separate vote demanded on any other amendment?

If not, the Clerk will report the amendment upon which a separate vote has been demanded.

The Clerk read as follows:

On page 55, line 3, strike "$220,000,000" and insert in lieu thereof "$170,000,000".

The SPEAKER. The question is on the amendment.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. CRAMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 199, nays 161, not voting 72, as follows:

[Roll No. 253]

YEAS—199

Abbitt
Abernethy
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ayres
Bates
Battin
Belcher
Bennett
Berry
Biester
Blackburn
Bolton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Bush
Byrnes, Wis.
Cahill
Casey
Cederberg
Chamberlain
Clancy
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cowger
Cramer
Culver
Cunningham
Curtis
Davis, Wis.
Denney
Derwinski
Dole
Dowdy
Downing
Dwyer
Erlenborn
Esch
Findley
Fino
Fisher
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Galifianakis
Gardner
Gathings
Goodell
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hardy

Harrison
Harsha
Harvey
Hays
Heckler, Mass.
Herlong
Horton
Hosmer
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jonas
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kornegay
Kupferman
Kuykendall
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McEwen
MacGregor
Mahon
Mailliard

Marsh
Martin
May
Meskill
Minshall
Mize
Monagan
Montgomery
Morton
Mosher
Myers
Nelsen
O'Konski
Ottinger
Passman
Pelly
Pettis
Pickle
Pike
Poff
Pollock
Pool
Price, Tex.
Pryor
Quie
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Robison
Rogers, Fla.
Roth
Roudebush
Roush
Ruppe
Sandman
Satterfield

Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Vander Jagt
Watkins
Watson
Whalen
White
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Bob
Winn
Wydler
Wylie
Wyman
Zion

NAYS—161

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Ashmore
Bevill
Bingham
Blanton
Boggs
Boland
Bolling
Brasco
Brooks
Burke, Mass.
Burton, Calif.
Byrne, Pa.
Carter
Clark
Conyers
Corman
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Dulski
Duncan
Eckhardt
Edmondson
Edwards, La.
Eilberg
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gettys
Giaimo

Gibbons
Gilbert
Gonzalez
Gray
Green, Pa.
Hanley
Hanna
Hansen, Wash.
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Henderson
Hicks
Holifield
Holland
Howard
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kirwan
Kluczynski
Kyros
Landrum
Leggett
Long, Md.
McCarthy
McDade
McFall
Macdonald, Mass.
Machen
Madden
Mathias, Md.
Matsunaga
Meeds
Miller, Ohio
Minish
Mink
Moore
Moorhead
Morgan
Morse, Mass.
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher

Nedzi
Nichols
Nix
O'Hara, Ill.
Olsen
O'Neill, Mass.
Patman
Patten
Pepper
Perkins
Philbin
Price, Ill.
Pucinski
Quillen
Rees
Resnick
Reuss
Rhodes, Pa.
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roybal
Ryan
St. Onge
Scheuer
Schweiker
Shipley
Sisk
Staggers
Steed
Stephens
Stratton
Stubblefield
Taylor
Tenzer
Thompson, N.J.
Tiernan
Tunney
Udall
Vanik
Vigorito
Walker
Wampler
Watts
Whalley
Whitten
Wright
Yates
Young
Zablocki

NOT VOTING—72

Adair
Aspinall
Baring
Barrett
Bell
Betts

Blatnik
Brademas
Brown, Calif.
Burton, Utah
Button
Cabell

Carey
Celler
Clausen, Don H.
Clawson, Del
Cohelan

Daddario
de la Garza
Dellenback
Devine
Dickinson
Dorn
Edwards, Ala.
Edwards, Calif.
Feighan
Flood
Flynt
Foley
Goodling
Green, Oreg.
Griffiths
Gurney
Hansen, Idaho
Hébert
Hull

Kleppe
McMillan
Mathias, Calif.
Mayne
Michel
Miller, Calif.
Mills
Morris, N. Mex.
Multer
O'Hara, Mich.
O'Neal, Ga.
Pirnie
Poage
Purcell
Rarick
Rivers
Rostenkowski
Rumsfeld
St Germain

Saylor
Slack
Smith, Iowa
Sullivan
Taft
Talcott
Ullman
Utt
Van Deerlin
Waggonner
Waldie
Whitener
Willis
Wilson, Charles H.
Wolff
Wyatt
Zwach

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hull for, with Mr. Blatnik against.

Mr. Gurney for, with Mrs. Sullivan against.

Mr. Baring for, with Mr. Willis against.

Mr. Talcott for, with Mr. Cohelan against.

Mr. Rarick for, with Mr. Brown of California against.

Mr. O'Neal of Georgia for, with Mr. Multer against.

Mr. Goodling for, with Mr. Edwards of California against.

Mr. Edwards of Alabama for, with Mr. Feighan against.

Mr. Betts for, with Mr. Miller of California against.

Mr. Devine for, with Mr. Celler against.

Mr. Kleppe for, with Mr. Carey against.

Mr. Mayne for, with Mr. Brademas against.

Mr. Zwach for, with Mr. Barrett against.

Mr. Burton of Utah for, with Mr. Van Deerlin against.

Mr. Utt for, with Mr. Charles H. Wilson against.

Mr. Dickinson for, with Mr. Wolff against.

Mr. Hansen of Idaho for, with Mr. Daddario against.

Mr. Del Clawson for, with Mr. Aspinall against.

Mr. Rumsfeld for, with Mr. Waldie against.

Mr. Wyatt for, with Mr. Rostenkowski against.

Mr. Michel for, with Mr. Slack against. against

Mr. Don H. Clausen for, with Mr. O'Hara of Michigan against.

Mr. Adair for, with Mr. St Germain against.

Mr. Bell for, with Mrs. Griffiths against.

Until further notice:

Mr. Cabell with Mr. Dellenback.

Mr. de la Garza with Mr. Button.

Mr. Flood with Mr. Mathias of California.

Mr. Hébert with Mr. Pirnie.

Mr. Ullman with Mr. Saylor.

Mr. Foley with Mr. Taft.

Mr. Dorn with Mr. Flynt.

Mrs. Green of Oregon with Mr. Morris of New Mexico.

Mr. Mills with Mr. McMillan.

Mr. Poage with Mr. Rivers.

Mr. Purcell with Mr. Smith of Iowa.

Mr. Whitener with Mr. Waggonner.

Mr. JARMAN changed his vote from "nay" to "yea."

Mr. CULVER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the committee substitute, as amended.

The committee substitute, as amended, was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CRAMER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CRAMER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CRAMER moves to recommit the bill, S. 602 to the Committee on Public Works with instructions to report the same back forthwith with the following amendments:

On page 36, line 20, strike out "President" and insert in lieu thereof "Secretary of Transportation".

On page 46, strike out line 21 and all that follows through and including line 23 on page 47, and insert in lieu thereof the following:

"SEC. 116. (a) Subsection (a) of section 214 of the Act is amended by adding at the end thereof the following: 'Any finding, report, certification, or documentation required to be submitted to the head of the department, agency, or instrumentality of the Federal government responsible for the administration of any Federal grant-in-aid program shall be accepted by the Secretary with respect to a supplemental grant for any project under such program.'

"(b) Subsection (c) and (d) of section 214 of the Act are amended to read as follows:".

On page 50, line 10, strike out "(1)" and all that follows through and including line 5 on page 51 and insert in lieu thereof the following:

"(1) by amending subsections (b) and (c) to read as follows, and (2) by redesignating the succeeding subsections accordingly:".

On page 55, lines 2 and 3, strike out "to the President, to be available until expended,".

On page 43, strike out line 1 and all that follows through and including line 11 on page 45, and renumber succeeeding sections and references thereto accordingly.

On page 60, following line 8, insert the following new section:

"SEC. 205. Title I of the Public Works and Economic Development Act of 1965 is amended by adding at the end thereof the following new sections:

"'SEC. 107. (a) In order to assist in the economic development of the Great Lakes region by conserving, developing, and enhancing anadromous fishery resources, the Secretary is authorized to make grants pursuant to section 101 of this title, to assist in carrying out projects within redevelopment areas within the upper Great Lakes economic development region established pursuant to title V of this Act for the planning, construction, and alteration of hatchery facilities, evaluation and eggtaking weirs, and stations for open water investigations; the improvement of habitats; and the acquisition of land and equipment associated with such hatchery facilities, weirs, stations, and habitats; except that no grant may be made under this section unless the Secretary of the Interior is satisfied that the project for which such grant is sought will benefit the Great Lakes anadromous fishery.

"'(b) A grant made under this section shall not exceed 50 percentum of the cost of the project.

"'(c) Not to exceed $1,500,000 of the funds authorized in section 105 of this title shall be available for the fiscal year ending June 30, 1968 and a like amount for the fiscal year ending June 30, 1969, to carry out this section.

"'(d) Grants received by any State under this section shall be in addition to any other assistance which such State is eligible to receive under this Act or the Act entitled "An Act to authorize the Secretary of the Interior to initiate with the several States a cooperative program for the conservation, development, and enhancement of the Nation's anadromous fish, and for other purposes", approved October 30, 1965 (16 U.S.C. 737a-757f).' "

Mr. CRAMER (interrupting the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read, in that it includes amendment No. 2, which I offered, together with other similar amendments, striking Presidential authority and leaving with the agencies the pending authority on Appalachia; amendment No. 7, which I offered, striking section 224, relating to section 224, the housing promotion money; and, third, the Vander Jagt alewives Great Lakes fish crop amendment.

Mr. EDMONDSON. Mr. Speaker, reserving the right to object, I wish to get clearly established that each of these amendments is an amendment that was offered by the gentleman from Florida or by the gentleman from Michigan [Mr. VANDER JAGT] in the Committee of the Whole and defeated in the Committee of the Whole, except language in the first part of the first amendment. Is that correct?

Mr. CRAMER. Very slightly defeated, I will say to the gentleman.

Mr. EDMONDSON. I thank the gentleman. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 178, nays 184, not voting 70, as follows:

[Roll No. 254]

YEAS—178

Abbitt
Abernethy
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ayres
Bates
Battin
Belcher
Bennett
Berry
Biester
Blackburn
Bolton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Bush
Byrnes, Wis.
Cahill
Casey
Cederberg
Chamberlain
Clancy
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Wis.
Denney
Derwinski
Dole
Dowdy
Dwyer
Erlenborn
Esch
Eshleman
Findley
Fino
Fisher
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gardner
Gathings
Goodell
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halleck
Harrison
Harvey
Heckler, Mass.
Herlong
Horton
Hosmer
Hunt
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
Keith
King, N.Y.
Kornegay
Kuykendall
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McEwen
MacGregor
Mailliard
Marsh
Martin
May
Meskill
Minshall
Mize
Montgomery
Morton
Mosher
Myers
Nelsen
O'Konski
Passman
Pelly
Pettis
Poff
Pollock
Pool
Price, Tex.
Pucinski
Quie
Railsback
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Robison
Rogers, Fla.
Roth
Roudebush
Ruppe
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Vander Jagt
Watkins
Watson
Whalen
Whalley
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Bob
Winn
Wydler
Wylie
Wyman
Yates
Zablocki
Zion

NAYS—184

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Ashmore
Bevill
Bingham
Blanton
Boggs
Boland
Bolling
Brasco
Brooks
Broyhill, N.C.
Burke, Mass.
Burton, Calif.
Byrne, Pa.
Carter
Clark
Conyers
Corman
Culver
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Pa.
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harsha
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Henderson
Hicks
Holifield
Holland
Howard
Hungate
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kirwan
Kluczynski
Kupferman
Kyros
Landrum
Leggett
Long, Md.
McCarthy
McDade
McFall
Macdonald, Mass.
Machen
Madden
Mahon
Mathias, Md.
Matsunaga
Meeds
Miller, Ohio
Minish
Mink
Monagan
Moore
Moorhead
Morgan
Morse, Mass.
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Price, Ill.
Pryor
Quillen
Randall
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roush
Roybal
Ryan
St. Onge
Scheuer
Schweiker
Shipley
Sisk
Staggers
Steed
Stephens
Stratton
Stubblefield
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Tiernan
Tunney
Udall
Vanik
Vigorito
Walker
Wampler
Watts
White
Whitten
Wright
Young

NOT VOTING—70

Adair
Aspinall
Baring
Barrett
Bell
Betts
Blatnik
Brademas
Brown, Calif.
Burton, Utah
Button
Cabell
Carey
Celler
Clausen, Don H.
Clawson, Del
Cohelan
Daddario
de la Garza
Dellenback
Devine
Dickinson
Dorn
Edwards, Ala.
Edwards, Calif.
Feighan
Flynt
Goodling
Green, Oreg.
Griffiths
Gurney
Hansen, Idaho
Hébert
Hull
Kleppe
McMillan
Mathias, Calif.
Mayne
Michel
Miller, Calif.
Mills
Morris, N. Mex.
Multer
O'Hara, Mich.
O'Neal, Ga.
Pirnie
Poage
Purcell
Rarick
Rivers
Rostenkowski
Rumsfeld
St Germain
Saylor
Slack
Smith, Iowa
Sullivan
Taft
Talcott
Ullman
Utt
Van Deerlin
Waggonner
Waldie
Whitener
Willis
Wilson, Charles H.
Wolff
Wyatt
Zwach

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Betts for, with Mr. Blatnik against.

Mr. Edwards of Alabama for, with Mrs. Sullivan against.

Mr. Utt for, with Mr. Cohelan against.

Mr. Talcott for, with Mr. Multer against.

Mr. Zwach for, with Mr. Brown of California against.

Mr. Goodling for, with Mr. Edwards of California against.

Mr. Gurney for, with Mr. Feighan against.

Mr. Dickinson for, with Mr. Miller of California against.

Mr. Devine for, with Mr. Celler against.

Mr. Adair for, with Mr. Carey against.

Mr. Bell for, with Mr. Brademas against.

Mr. Burton of Utah for, with Mr. Barrett against.

Mr. Del Clawson for, with Mr. Van Deerlin against.

Mr. Kleppe for, with Mr. Charles H. Wilson against.

Mr. Mayne for, with Mr. Wolff against.

Mr. Michel for, with Mr. Daddario against.

Mr. Don H. Clausen for, with Mr. Aspinall against.

Mr. Rumsfeld for, with Mr. Waldie against.

Mr. Wyatt for, with Mr. Rostenkowski against.

Mr. Hansen of Idaho for, with Mr. Slack against.

Mr. Hull for, with Mr. O'Hara of Michigan against.

Mr. Baring for, with Mr. St Germain against.

Mr. Rarick for, with Mrs. Griffiths against.

Mr. O'Neal of Georgia for, with Mr. Dorn against.

Until further notice:

Mr. Flynt with Mr. Taft.

Mr. Hébert with Mr. Pirnie.

Mr. Waggonner with Mr. Saylor.

Mr. Willis with Mr. Mathias of California.

Mr. Cabell with Mr. Button.

Mr. Morris of New Mexico with Mr. Dellenback.

Mr. Purcell with Mr. Smith of Iowa.

Mr. Rivers with Mr. McMillan.

Mr. Whitener with Mr. Ullman.

Mr. Mills with Mrs. Green of Oregon.

Mr. JONAS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 189, nays 168, answered "present" 1, not voting 74, as follows:

[Roll No. 255]

YEAS—189

Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Ashmore
Bevill
Biester
Bingham
Blanton
Boggs
Boland
Bolling
Brasco
Brooks
Broyhill, N.C.
Burke, Mass.
Burton, Calif.
Byrne, Pa.
Carter
Clark
Conyers
Corbett
Corman
Cowger
Culver
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Dulski
Duncan
Eckhardt
Edmondson

Eilberg
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Pa.
Gude
Halpern
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harsha
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Henderson
Hicks
Holifield
Howard
Ichord
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kirwan
Kupferman
Kuykendall
Kyros
Landrum
Latta
Leggett
Long, Md.
Lukens
McCarthy
McDade
McFall
Macdonald, Mass.
Machen
Madden
Mathias, Md.
Matsunaga
Meeds
Miller, Ohio
Minish
Mink
Montgomery
Moore
Moorhead
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Price, Ill.
Pryor
Pucinski
Quillen
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, Pa.
Rosenthal
Roybal
Ruppe
Ryan
St. Onge
Scheuer
Schneebeli
Schweiker
Shipley
Sisk
Snyder
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Taylor
Tenzer
Thompson, N.J.
Tiernan
Tunney
Udall
Vanik
Vigorito
Walker
Wampler
Watts
Whalen
Whalley
Whitten
Williams, Miss.
Williams, Pa.
Wright
Yates
Young
Zablocki
Watkins
Watson
White
Widnall
Wiggins
Wilson, Bob
Winn
Wydler
Wylie
Wyman
Zion

ANSWERED "PRESENT"—1

McEwen

NOT VOTING—74

Adair
Aspinall
Baring
Barrett
Bell
Betts
Blatnik
Brademas
Brown, Calif.
Burton, Utah
Button
Cabell
Carey
Celler
Clausen, Don H.
Clawson, Del
Cohelan
Daddario
de la Garza
Dellenback
Devine
Dickinson
Dorn
Edwards, Ala.
Edwards, Calif.
Feighan
Flynt
Goodling
Green, Oreg.
Griffiths
Gurney
Hansen, Idaho
Hébert
Holland
Hull
Kleppe
Kluczynski
McMillan
Mathias, Calif.
Mayne
Michel
Miller, Calif.
Mills
Morris, N. Mex.
Multer
O'Hara, Mich.
O'Neal, Ga.
Pirnie
Poage
Purcell
Rarick
Rivers
Rooney, N.Y.
Rostenkowski
Rumsfeld
Sandman
St Germain
Saylor
Slack
Smith, Iowa
Sullivan
Taft
Talcott
Ullman
Utt
Van Deerlin
Waggonner
Waldie
Whitener
Willis
Wilson, Charles H.
Wolff
Wyatt
Zwach

NAYS—168

Abbitt
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ayres
Bates
Battin
Belcher
Bennett
Berry
Blackburn
Bolton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Bush
Byrnes, Wis.
Cahill
Casey
Cederberg
Chamberlain
Clancy
Cleveland
Collier
Colmer
Conable
Conte
Cramer
Cunningham
Curtis
Davis, Wis.
Denney
Derwinski
Dole
Dowdy
Downing
Dwyer
Edwards, La.
Erlenborn
Esch
Findley
Fino
Fisher
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gardner
Gathings
Gross
Grover
Gubser
Hagan
Haley
Hall
Halleck
Hamilton
Hardy
Harrison
Harvey
Heckler, Mass.
Herlong
Horton
Hosmer
Hungate
Hunt
Hutchinson
Irwin
Jarman
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kornegay
Kyl
Laird
Langen
Lennon
Lipscomb
Lloyd
Long, La.
McClory
McClure
McCulloch
McDonald, Mich.
MacGregor
Mahon
Mailliard
Marsh
Martin
May
Meskill
Minshall
Mize
Monagan
Morse, Mass.
Morton
Mosher
Myers
Nelsen
O'Konski
Passman
Pelly
Pettis
Pickle
Pike
Poff
Pollock
Pool
Price, Tex.
Quie
Railsback
Randall
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Roberts
Rogers, Fla.
Roth
Roudebush
Roush
Satterfield
Schadeberg
Scherle
Schwengel
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Springer
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Vander Jagt

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Button for, with Mr. McEwen against.

Mr. Pirnie for, with Mr. Hébert against.

Mr. Rooney of New York for, with Mr. Waggonner against.

Mr. Mathias of California for, with Mr. Hull against.

Mr. Kluczynski for, with Mr. Baring against.

Mr. Blatnik for, with Mr. Cabell against.

Mrs. Sullivan for, with Mr. Rarick against.

Mr. Cohelan for, with Mr. Adair against.

Mr. Multer for, with Mr. Bell against.

Mr. Celler for, with Mr. Zwach against.

Mr. Brademas for, with Mr. Don H. Clausen against.

Mr. Barrett for, with Mr. Betts against.

Mr. Brown of California for, with Mr. Rumsfeld against.

Mr. Daddario for, with Mr. Mayne against.

Mr. Feighan for, with Mr. Michel against.

Mr. Slack for, with Mr. Sandman against.

Mr. Rostenkowski for, with Mr. Del Clawson against.

Mr. Wolff for, with Mr. Devine against.

Mr. Charles H. Wilson for, with Mr. Dickinson against.

Mr. Whitener for, with Mr. Burton of Utah against.

Mr. Waldie for, with Mr. Edwards of Alabama against.

Mr. Van Deerlin for, with Mr. Goodling against.

Mr. Dorn for, with Mr. Hansen of Idaho against.

Mrs. Griffiths for, with Mr. Wyatt against.

Mr. Aspinall for, with Mr. Gurney against.

Mr. Miller of California for, with Mr. Talcott against.

Mr. St Germain for, with Mr. Utt against.

Mr. O'Hara of Michigan for, with Mr. Kleppe against.

Mr. Carey for, with Mr. O'Neal of Georgia against.

Until further notice:

Mr. Holland with Mr. Dellenback.

Mr. Ullman with Mr. Taft.

Mr. Willis with Mr. Saylor.

Mr. Edwards of California with Mr. Morris of New Mexico.

Mr. Mills with Mr. de la Garza.

Mr. McMillan with Mr. Purcell.

Mr. Smith of Iowa with Mrs. Green of Oregon.

Mr. Flynt with Mr. Rivers.

Mr. DUNCAN changed his vote from "nay" to "yea."

Mr. McEWEN. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. BUTTON]. If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The title was amended so as to read: "An act to revise and extend the Appalachian Regional Development Act of 1965, and to amend the Public Works and Economic Development Act of 1965."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill S. 602, just passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I have requested this time in order to ask the distinguished gentleman from Oklahoma [Mr. ALBERT], the majority leader, if the gentleman would kindly advise us as to the legislative program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Oklahoma; yes.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished gentleman from Illinois, the program for next week is as follows:

Monday is Consent Calendar day.

Also, for consideration of the House on Monday are five suspensions, as follows:

S. 1657, extension of dairy indemnity payments authority; H.R. 4451, Fishermen's Protective Act of 1967; H.R. 8338, creating a new division for the western district of Texas; S. 828, relating to the filling of vacancies in the eastern district of Pennsylvania; and S. 1465, Federal District Court for the Eastern Division of the Northern District of Mississippi.

Also on Monday, House Resolution 838, authorizing the Committee on the Judiciary to conduct certain studies and investigations.

On Tuesday there will be the call of the Private Calendar.

For Tuesday and the balance of the week the program is as follows:

H.R. 6418, Partnership for Health Amendments of 1967, with an open rule and 2 hours of debate, and waiving points of order; H.R. 6430, Mental Retardation Amendments of 1967, with an open rule and 1 hour of debate; H.R. 6736, Public Broadcasting Act of 1967, with an open rule and 2 hours of debate; and H.R. 10673, amendment of Packers and Stockyards Act, with an open rule and 1 hour of debate.

Of course, Mr. Speaker, this announcement is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

Mr. ARENDS. I thank the distinguished majority leader.

ADJOURNMENT TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE CONSTITUTION OF THE UNITED STATES OF AMERICA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, next Sunday, September 17, marks the 180th anniversary of the completion of the writing of the Constitution of the United States in Convention Hall in Philadelphia.

Mr. Speaker, this document is still the basis of our representative form of government and the foundation of our liberty. Under its provisions this House is constituted and this House operates.

For 4 long months, in 1787, in the heat of summer, the members of the Convention had earnestly sought to produce a plan of government whereby they might form a more perfect union of the people of this Republic, establish justice in their midst, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to themselves and their posterity. For such noble purposes the Constitution of the United States was adopted and subsequently ratified by the Thirteen Original States.

Mr. Speaker, as a constitution it was short, simple, and concise. Usually it can be printed in a State statute book on only one-fifth or less of the pages that it takes to print a State constitution. When it was written, there were great men who said that it was the greatest document of government ever produced by the hand of man at one single time, and that it would be the model of all subsequent constitutions.

Behind no other constitution has there been the work or inspiration which flowed from 8 years of heroic struggle against tyranny and injustice. At the foundation of no other government have there been leaders like Washington, Franklin, Hamilton, Madison, Pinckney, Morris, and others whose work in behalf of democracy shines upon history's page, and makes perpetual the memory of patriots who strove to lay the foundation of the greatest nation in the recorded story of the civilization of mankind.

Mr. Speaker, one can test the greatness of our Constitution, its flexibility to serve not only the American of the 18th century but our citizens of the 20th century, by one of its clauses alone. The Constitution provides:

> The Congress shall have the power—to establish Post Offices and Post Roads.

This simple statement, written into the Constitution, has through all the years formed the fundamental basis for the building of our present day vast and magnificent, farflung, worldwide postal system. At the beginning of our National Government under the Constitution our postal system served the needs of cities of only a few thousand in population, and isolated towns and villages. Mail was carried by sailing vessels, stagecoach, and on horseback. Now, the system serves many cities whose populations are in the millions, mail is carried on fast going ocean vessels, by planes in the air, speedy railway trains, buses on the highway; by a postal system not only serving 13 States but 50 States across a distance of 10,000 miles. All postal regulations, all statutes of law enacted by the Congress are based upon the simple constitutional provision that Congress shall have the power to establish post offices and post roads.

Yes, Mr. Speaker, under the beneficent influences of the Constitution of the United States our Republic has grown and developed until now it is the greatest, richest, most progressive nation in all the world and in all the history of the human race. May that Constitution be forever perpetuated insuring as it does the liberty and the freedom of the American people. Let all of us this day salute it, now the oldest Constitution established among men, and the finest and the best.

THE 180TH ANNIVERSARY OF CONSTITUTION OF UNITED STATES

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, I want to pay tribute to the majority leader for calling attention to the 180th anniversary of the Constitution.

STATEMENT IN SUPPORT OF THE DEPLETION ALLOWANCE

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SMITH of Oklahoma. Mr. Speaker, in the face of the proposal for a tax increase, the professional liberals in the press and in Congress are again making brave noises about closing so-called tax loopholes instead of facing reality and calling for a reduction in wasteful Federal expenditures. The favorite "loophole" for attack, hardly a novel one, is the percentage depletion allowance. I shall be kind and not refer to a display of ignorance on their part but rather to a lack of understanding.

When you know the facts about the percentage depletion allowance, you are proud to defend it. Percentage depletion allowances were incorporated in the tax laws in 1926 as a substitute for depletion based on "discovery value," which was difficult to administer. Percentage depletion recognizes that natural resources are distinctive because they are physically exhaustible. Firms engaged in extracting oil and gas and other minerals from the ground are entitled to a depletion allowance for exhaustion of the mineral deposit in computting their taxable income, just as other firms are entitled to a depreciation allowance for wear and tear on the capital they use.

Depletion covers "wasting" assets. For example, with every barrel of oil taken from the ground, the oil producer is using up his capital, and he can never be certain where and when he can find new supplies.

Under the percentage method, depletion is computed as a specific percentage of the annual gross income from the property but cannot exceed 50 percent of the net income therefrom. The rates of the percentage depletion allowance vary according to the nature and characteristics of the affected minerals. Oil and gas being the most difficult and expensive to find and produce has a depletion rate of 27.5 percent. These rates have been examined repeatedly over the years by committees of Congress and other official groups. Instead of finding them unnecessary or excessive, they have kept the rate for oil and gas, have increased rates for other minerals, and have made new minerals of strategic or economic importance eligible for percentage depletion.

The unusual hazards the oil industry faces in exploration are recognized in the present tax structure. The percentage of "dry wells" is very high; only about 3 percent of the drillings produce significant returns.

Present tax provisions have also been a positive force in encouraging other vital industries in America, helping to spark the exploration for and development of iron, lead, zinc, coal, sulfur, and many other minerals important to the economy and to defense.

Without the depletion allowance, risk capital for ventures as chancy as wildcatting would be almost impossible to find.

Rising production costs and depressed crude oil prices provide enough financial problems for the oil industry without the added handicap of laws that fail to recognize or recognize inadequately the depletion factor. Present exploration levels are barely adequate to meet current needs and must be stepped up if the country is to meet the expanding needs of the future. The industry has been able to maintain the current level of exploratory activity only as a result of improved efficiency and cost reduction programs of major dimensions. Any legislation that leads to increased taxes and lower profits will result in sharply curtailed exploration.

If opponents would look into the subject with an open mind, they would find the depletion provision is a break for the general public. It has been a prime factor in maintaining a low price on gasoline and other products. The final effect of a reduction or elimination of percentage depletion would be an increase in the price paid by consumers.

In addition, legislation having an adverse effect on the minerals industries would have an impact throughout the economy. It would very likely mean a cutback in capital spending. Expenditures for new plant and equipment for petroleum and coal products are the highest in the manufacturing industry. Also, some of the small, independent producers would probably be wiped out.

It is my conviction that the extractive industries today require the same tax framework they have had in the past and for the same reasons. The percentage depletion allowance is no "loophole." It is an economic necessity. It has served to encourage a rate of exploration, development, and production adequate to our national security and the requirements of our economy.

Mr. Speaker, let us not be swayed by those looking for a scapegoat for the tax increase. Certainly today, in a time of war, it is important to have ample supplies of strategically important minerals available. For the good of America, let us not tamper with the percentage depletion allowance.

CREATION OF SOUTHWEST REGIONAL SERVICES CORPORATION

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

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Mr. SMITH of Oklahoma. Mr. Speaker, news was released on May 1, 1952, that the U.S. Air Force had submitted a request to the House and Senate Armed Services Committees for $13,566,000 to rebuild and activate the former Clinton Naval Air Station. On September 21, 1958, the 4123d Airbase Group held open house for the public of southwestern Oklahoma, and the sprawling Clinton-Sherman Air Force Base became the home for many brave officers and men of the Strategic Air Command.

The 4123d Strategic Wing was activated at Carswell Air Force Base, Tex., in December 1957, and moved as an integral unit to Clinton-Sherman in March 1959. On February 1, 1963, the unit was redesignated the 70th Bombardment Wing, Heavy, with no change in mission. Today, the base has KC-135 Stratotankers, Boeing B-52 Stratofortresses, and the AGM 28-B "Hound Dog" missiles for the use of this mighty force.

In December 1965, Secretary McNamara reported that this fine base would be deactivated by July 1, 1970. This announcement was part of a mass Department of Defense move to close, consolidate, or reduce substantially 149 military bases in the United States.

At the time of this announcement, the facilities at Clinton-Sherman Air Force Base constituted the following assets to the United States: An investment of over $50 million in real estate; over 560 buildings suitable for industrial, educational, or commercial use; over 2½ miles of runway, plus parking aprons and taxiways; over 37 miles of surfaced highways; 900 housing units in superb condition; and a modern "city," built up chiefly since 1960, which was landscaped, well engineered, containing a water system, and self-contained sewage systems.

Throughout the period of time since the Department of Defense announced the closing of Clinton-Sherman base, local area leaders have worked long and hard in a cooperative and united effort to find a suitable replacement for the military use of the base. I must say as well, that Mr. Donald Bradford, of the Department of Defense has done wonders in this area, and has brought both Department of Defense and other Washington officials to the area to assist in formulating and executing plans for future action.

The measure which I am introducing today, in part I believe, will solve the tremendous problems resulting in southwest Oklahoma because of the loss of the fine Air Force units stationed there. This measure would create a corporation, known as the Southwestern Regional Services Corporation. It is the purpose of the Southwest Regional Services Act to provide a central location for various training centers and programs which would enhance the social, cultural, and economic well-being of all of the people of the United States, and in particular, the people of the Southwest region of the United States.

This act provides that upon the determination of the Secretary of Defense that Clinton-Sherman Air Force Base is no longer needed for military purposes, he is authorized and directed to transfer to the corporation all right, title, and interest of the United States to the property of the Air Force Base.

Under the terms of the act, the Corporation is directed to establish at the site of the base, using already existing facilities, the following training centers and programs:

A manpower development and training center, particularly emphasizing training which is not financially feasible at a local level, including training for pilots, mechanics, practical nurses, medical technicians and related fields; an industry training and job center for employable individuals, including Indians; a center for training workers in relevant automatic data processing techniques; a senior citizen rehabilitation and training center; a residential vocational-technical institution at the secondary and postsecondary level; a center for training adults to be teaching aides; a center for training medical teams in giving rural and emergency helicopter and aircraft-type medical services; an experimental center for educational research for the handicapped, underprivileged, and economically deprived; an educational television instructional center; a family training center for Indians; a law enforcement and crime prevention institute; a family rehabilitation and retraining center for alcoholics and narcotic addicts; a Department of Transportation safety research testing, development and standards center; and air and water research and testing facility; a supersonic transport and instrumented sonic boom test range; a jet aircraft noise abatement test, research and standards development center, jointly sponsored by the Department of Transportation, NASA, National Science Foundation, Department of Defense, and the aerospace industry; a supersonic transport training center; and an industrial complex in which private industry will be encouraged to locate not only to provide employment for persons in southwestern Oklahoma, but also to supply needed goods and services.

Mr. Speaker, I am very proud to introduce this measure. I feel that the massive complex at Clinton-Sherman Air Force Base is ideal for this kind of approach. The leaders in this area are working hard toward 1970, and I believe that it behooves the Congress to do the same.

SHOULD THE FEDERAL RESERVE BE EXEMPT FROM A GAO AUDIT?

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

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Mr. PATMAN. Mr. Speaker, today the Banking and Currency Committee opened hearings on H.R. 12754, a bill to extend the authority of the Federal Home Loan Bank Board and the bank supervisory agencies to set flexible ceilings on interest rates that may be paid on savings.

An important new section of the bill provides that the GAO shall audit the Federal Reserve System.

Mr. Speaker, why should anyone oppose an audit of the Federal Reserve System by the General Accounting Office?

I have asked this question repeatedly and I ask it again today. Before the Banking and Currency Committee hearing is completed, I hope that the Federal Reserve Board will see fit to give a definite answer without hedging and without filling the record with ifs, ands, and buts. It is a simple question and the Banking and Currency Committee and the Congress deserve to know the true reasons for the Federal Reserve's opposition to an audit.

As a Member of Congress, I have extreme difficulty coming up with even the most remote reason for exempting the Federal Reserve System from an audit by the GAO. I am very curious as to how a Member of Congress writes a constituent explaining that the Federal Reserve System is exempt from scrutiny by the GAO.

Every major agency of the Federal Government is audited in some manner by the General Accounting Office. There are a few exceptions—such as the Smithsonian Institution and the Soldiers' Home—both of which were originally set up by private funds. I trust that the Federal Reserve does not put itself in the same category with the Smithsonian or the Old Soldiers' Home.

Actually, the Federal Reserve System should be the first, not the last, agency to be audited. The sheer magnitude of its functions and the fantastic volume of monetary transactions handled by the Federal Reserve System clearly dictate the need for outside and independent audits.

No Member would claim that the U.S. Treasury should be exempt from the GAO audit. Yet, the U.S. Treasury handled only $272,297 million worth of transactions in the last fiscal year. These transactions were subjected to GAO audit.

Yet, the Federal Reserve System—which went completely unaudited—was involved in transactions totaling more than $3 trillion in the same fiscal year—over 10 times the amount handled by the Treasury.

It is absurd to demand an audit of the U.S. Treasury and not to require one of the Federal Reserve System which handles 10 times the business.

I do not know of a single Government agency that has been harmed, hampered, or slowed by submitting itself to an audit by the General Accounting Office. The GAO audit protects the public interest and, at the same time, the integrity of the agency being audited. The GAO audit is a valuable tool for the Congress in considering legislative proposals and in performing its role as a watchdog over the public interest. I quote from the Comptroller General's 1966 Annual Report of the Congress:

> The information contained in our reports is intended to give the Congress, as well as the agency heads, an objective appraisal of phases of the operations of the agency or activity covered which appear to need congressional or management attention with a view toward improvement. By this means, we endeavor to aid the legislative committees and staffs in carrying out their oversight responsibilities over the operation of the agencies and to assist the Appropriations Committees considering agency budget requests.

Is there any reason why this type of information—which can be obtained only through the GAO audit—should not be made available to the Congress concerning the Federal Reserve System?

If the Federal Reserve System has nothing to hide then it should find a GAO audit beneficial in protecting its integrity. I have, through the years, questioned strenuously many expenditures of public funds by the Federal Reserve System. I am extremely critical of the Federal Reserve System's consistent and massive payment of dues to the American Bankers Association and to the State and local banking associations. The Federal Reserve's own figures indicate that it paid more than $94,000 to such associations in 1966.

This figure is noted only to illustrate that there is much fertile ground in the Federal Reserve for a team of auditors. And of course, if my charges about waste in the Federal Reserve System are false, then an audit by the GAO will clear the agency. I am quite willing to rest my case on the independent findings of a GAO audit. I hope Mr. Martin would be willing to do likewise.

During the hearing on H.R. 12754, I hope that the Banking and Currency Committee will give careful consideration to including a provision for a GAO audit of the Federal Reserve. I am convinced that such a provision will have ready acceptance once it reaches the floor of the House.

Earlier this year, on May 16, I appeared before the Ways and Means Committee and discussed this same problem. At that time, the distinguished and highly respected chairman of the Ways and Means Committee, Wilbur Mills, agreed on the need for an audit such as we are considering here today.

I quote from page 162 of the hearings on the public debt ceiling, dated May 15 and 16, 1967:

> The Chairman (Mr. Mills). Mr. Patman, it is possible I think for Congress to amend the Federal Reserve Act to provide for the Federal Reserve's use of these funds to be reviewed by the General Accounting Office.
>
> Mr. Patman. That is right. Sure it would. That would be wonderful. That is in a bill I have now we are trying to get through. Would you favor it, Mr. Chairman?
>
> The Chairman. Oh, yes, I want to do anything I can to help you preserve the integrity of the Federal Reserve.

In his testimony today, the Vice Chairman of the Federal Reserve Board, J. L. Robertson, said he would not want the Congress to doubt the integrity and the sincerity of the Federal Reserve System. I am sure Governor Robertson is sincere in his desire and I suggest to him and the other members of the Federal Reserve Board that the best way to assure the integrity of the Federal Reserve System is to open its books to public inspection. If there is nothing to hide, then there is absolutely no reason to oppose an audit by the GAO.

Mr. Speaker, earlier I mentioned the fantastic sums of money which are handled through the Federal Reserve System each year. I place in the Record a list of those transactions conducted in 1966, totaling $3,245 billion.

Federal Reserve System transactions, 1966

[In billions]

Checks handled—year 1966	$2, 059
Collection items handled—year 1966	19
Transfers of funds—year 1966	6
Purchases, sales, and redemptions of Government securities by Federal Reserve System (OMC)—year 1966	48
U.S. Treasury tax and loan account—year 1966:	
Receipts	75
Disbursements	75
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Total transactions	2, 298
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Nonmember banks	149
Total	818
Overall total	3, 245

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Mr. Speaker, I also referred to the $94,000 which the Federal Reserve System paid in dues to the American Bankers Association and other banking associations in 1966. To document my charges, I place in the Record a summary of these membership dues covering the years 1961 through 1966:

SUMMARY OF MEMBERSHIP DUES AND CONTRIBUTIONS PAID TO BANKING ORGANIZATIONS BY THE FEDERAL RESERVE BANKS AND BRANCHES JAN. 1, 1961, THROUGH DEC. 31, 1966

Banking organization	Year					
	1961	1962	1963	1964	1965	1966
American Bankers Association	$13, 713	$17, 892	$18, 246	$18, 246	$18, 246	$18, 246
American Institute of Banking, including local chapters (the educational section of the American Bankers Association)	42, 262	44, 189	43, 148	42, 083	42, 566	41, 121
State bankers associations (all States except Delaware, Hawaii, and Mississippi)	20, 734	21, 159	21, 997	21, 208	21, 792	22, 227
Local bankers associations, clubs, groups, and conferences	490	670	655	665	605	430
Independent Bankers Association	50	125	75	--------	75	75
Association of Agricultural Bankers	10	10	--------	5	5	15
National Association of Bank Women, including local groups	191	191	183	203	200	223
Association of Chicago Bank Women	20	20	20	20	20	20
Houston Bank Women's Club	5	--------	--------	--------	--------	--------
NABAC, the Association for Bank Audit, Control and Operation, including local chapters and conferences	9, 585	5, 371	5, 383	6, 510	6, 451	6, 480
Chicago Bank Auditors Conference	25	--------	--------	--------	--------	--------
Robert Morris Associates, including local chapters (association of commercial bank credit men and loan officers)	4, 409	4, 401	4, 865	4, 879	4, 891	4, 870
Bank Credit Associates of New York (association of credit men representing about 60 banks in the New York area)	14	12	12	12	12	12
Bank Public Relations and Marketing Association (formerly Financial Public Relations Association)	400	300	300	200	200	284
San Francisco Clearing House Association (for expense of 1961 American Bankers Association Convention in San Francisco)	--------	200	--------	--------	--------	--------
Total, 12 Federal Reserve banks (including branches)	91, 908	94, 540	94, 884	94, 031	95, 063	94, 006

Source: From official records of Federal Reserve Board and Federal Reserve banks.

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San Francisco Clearing House Association (for expense of 1961 American Bankers Association Convention in San Francisco)	--------	200	--------	--------	--------	--------
Total, 12 Federal Reserve banks (including branches)	91,908	94,540	94,884	94,031	95,063	94,006

Source: From official records of Federal Reserve Board and Federal Reserve banks.

A PUBLIC-INTEREST PROGRAM BY THE NATIONAL ASSOCIATION OF RETAIL DRUGGISTS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, our druggists are a very special type of businessman. They must make a profit to continue to operate in our free enterprise society, and they frequently carry numerous items not directly connected with the business of purveying drugs, but they are also highly trained and skilled professional pharmacists, and in this department their one overriding consideration is service to the community. If I were to be asked what small business do you think is most typically American, combining the strong independence of the individual with a highly developed sense of customer responsibility, I would unhesitatingly name your neighborhood druggist.

It, therefore, gives me great pleasure to present to this House the following description of an important new public service program initiated by the National Association of Retail Druggists in behalf of 40,000 retail pharmacists throughout the country.

A massive educational program designed in part to alert young people to the perils of drug abuse, with equal emphasis on the intelligent use of modern drugs and pharmaceuticals, was announced today by the National Association of Retail Druggists in cooperation with the U.S. Bureau of Drug Abuse Control.

In a joint statement, Willard B. Simmons, executive secretary of the NARD, and John Finlator, Director of the Bureau, said the educational NARD program will be conducted at the grassroots level with pharmacists in every community serving as educators and drugstores acting as educational distribution centers.

> We feel that, as the national organization representing the community pharmacists of the country, the National Association of Retail Druggists has the capacity and the spirit to assume leadership in combating drug abuse through its influence on the community pharmacists.

Finlator said, in explaining the strategy of the program:

> Certainly NARD pharmacist members owning more than 40,000 retail pharmacies have the talent, the means, and the community status to undertake the job of advising persons of all ages on drug abuse and misuse as well as developing a healthy respect for the value which can be derived from drugs.

Simmons explained that educational materials for use by druggists and other community leaders were being prepared by his staff and NARD's public relations agency, the J. Walter Thompson Co. Included will be a speaker's kit which pharmacists can utilize in arranging and developing talks before youth, school, civic, and service groups, a basic informational reference kit which would help pharmacists tell the drug abuse story through a variety of public relations advertising and promotional techniques, and brochures which will be distributed by druggists at the community level.

Members of the NARD will be kept informed of all developments of the program through articles in the NARD Journal, a semi-monthly publication which is published by the NARD on the first and third Monday of each month.

The association will cooperate with the bureau in the furnishing of materials and training information to State and local pharmaceutical associations and participating pharmacists which will help them conduct programs to reach all publics in their respective communities, said Simmons.

> We are suggesting that meetings of pharmacists be held to implement the program at the local level.

Finlator said that representatives of his bureau will assist in developing the training programs. When the material is distributed and training sessions are completed, pharmacists will be in a position to speak before community groups and establish drug abuse information centers in their respective stores.

Simmons added that pharmacists will be asked to work with State and local pharmaceutical associations, medical societies, and physicians, as well as social, civic, and religious groups in developing local level activities.

Although emphasis will be on reaching young people in the junior high, senior high, and junior college age range, the educational program will be broadened to cover problems and solution of old, unused drugs being kept around the house, especially in the medicine chest, will be covered in the educational campaign.

The program will be supported by national and local public service advertising and public relations activities. Television and radio spot announcements and print media advertising mats are being prepared, Simmons said. Local civic leaders—especially persons most admired by the younger generation—will be asked to form committees and support the program through testimonials and public appearances.

The complete program will be analyzed and explained to thousands of pharmacists who will be attending the NARD convention October 29 through November 2 in Houston, Tex., Simmons said. Finlator will appear on the convention program.

Because education is so very important to the bureau's program, Finlator said that the NARD cooperative educational project has top priority.

> Because of his dedication to his community, the individual community pharmacist can be a tremendous help in the fight against the rising tide of undisciplined abuse of drugs, a problem that looms large because of its social and economic, as well as its health implications. The pharmacist is eminently suited for the tasks we propose because of his education and his code of professional ethics.

Simmons also pointed out that the community pharmacist, as a health care professional and businessman, is uniquely situated in his community to exert influence in a number of ways, particularly in matters of health.

> Pharmacists have always engaged in social welfare and other civic activities in their communities, often without any special advantages to themselves in their profession or business.

Both Simmons and Finlator predicted that many thousands of young people will be reached through this program before they are exposed to the dangers of drug abuse.

CRIME

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, one of the paramount problems facing our Nation today is that of crime. People throughout the United States are properly appalled at the high incidence of major and minor criminal offenses in every State in the Union.

On May 21, 1967, Judge Warren E. Burger of the U.S. Court of Appeals for the District of Columbia delivered an excellent address at the commencement exercises of Ripon College, Ripon, Wis., in which he stated his views on this important subject. While Judge Burger commented that his was "not a conventional commencement subject," I am sure that many of us will agree with his decision to use the subject in his remarks to the graduating collegians.

In my judgment, all of our colleagues will find Judge Burger's address to be of interest. Therefore, I ask that it be made a part of my remarks at this point in the RECORD.

REMARKS OF HON. WARREN E. BURGER, JUDGE, UNITED STATES COURT OF APPEALS, WASHINGTON, D.C., AT RIPON COLLEGE, MAY 21, 1967

> A century ago plus one year, when this college was born, the country was confronted with many agonizing problems. Then as now the nation had recently experienced the great national trauma of the assassination of its President. Then as now the nation was struggling to fulfill to the Negro minority the promises of the Declaration and the Constitution. Then as now war occupied the minds of the people and the leaders, but happily by 1866, the shooting had stopped, and they were trying to bind up the wounds.
>
> The people who lived in that period, the people who launched this institution were hopeful, and optimistic with a characteristic Mid-western confidence in their ability to meet and solve all problems.
>
> Today, a century later, our people are not so optimistic or so confident, but I suspect that you, the members of this class, being young and hopeful, are not apprehensive or shaken by the debris of unsolved problems or the challenge of the new ones. It is good you have this buoyancy and optimism for you will need it in the years ahead.
>
> We could well discuss today War and Peace, Poverty and Affluence, the breakdown of the home, the declining influence of the church, the disintegration of cities, or any one of dozens of similar problems which lie on your

doorstep. All of these problems and more will compete for your attention in the final third of this 20th Century.

I will limit myself to one problem, but it is one which, like war, will affect every American and hang over every home and lurk at every dark corner. It is the problem which we might call Crime and Punishment—the problem of those persons who cannot seem to adjust to an orderly life pattern of study, work, family ties, and responsible citizenship, but instead, turn to crime. Perhaps this is not a conventional Commencement subject, but these are not ordinary times and people are not being entirely conventional these days.

Society's problem with those who will not obey law has never loomed so large in our national life as it does today. People murder others in this country at the rate of more than one for every hour of the day. There are more than 140 crimes of theft every hour; assault and violence and rape grow comparably. The murder rate is 10,000 human lives a year, which is higher than the death rate in our current military operations in Viet Nam which inspire such emotional and violent public demonstrations. And the growth rate of crime is now far greater than the growth in our population.

Perhaps the most alarming thing is the large amount of crime committed by persons under ago 20, which suggests that homes, parents, schools, churches and communities have somewhere failed. Even worse is the fact that the highest rate of repeaters—recidivists—is in this under 20 age bracket. Nearly 60% of the 20 and under are repeaters.

In 1964, for the first time in our national history, the subject of crime became an issue in a national Presidential campaign. It became an issue because a vast number of people of this country were deeply apprehensive about the security of their homes, their children, their possessions and their personal safety on the streets, especially in large cities. This led President Johnson to create a National Commission on Law Enforcement and Administration of Justice under the Chairmanship of the Attorney General of the United States, with a score of distinguished Americans and a staff of highly qualified experts. The summary of crime statistics I have just given you is drawn from the recent Report of that Commission.

One week ago I attended a Conference in Washington to which the President had called about 100 lawyers, judges and others concerned with law enforcement, to consider ways of implementing the Crime Commission's Report. In spite of the enormous burdens he carries, the President came to the Conference and, among other things, said that next after the war in Viet Nam, the problems of law enforcement ranked highest.

We often hear the claim that the breakdown of law and order is due to this decision or that decision of some court -most often of the Supreme Court. It would be good if things were that simple, for if the overruling of one or two opinions would solve the problems of crime, I suspect the Supreme Court would be willing to reconsider. It is no aid to sensible public discourse to attribute the crime problem to any one decision or any one court.

Unfortunately, the problems and their solutions are far too complex to be resolved so easily. Let's probe into it.

Our whole history as a nation reflects a fear of the power of Government and a great concern for individual liberty, and these feelings led us to place many protections around persons accused of crime. This has resulted in the development of a system of criminal justice in which it is often very difficult to convict even those who are plainly guilty. You know that this was a response to the abuses which people had suffered from the absolutist attitudes of rulers in Europe and in England in the 16th and 17th Centuries.

During the middle of this century—that is, from about 1933 to 1966—We have witnessed more profound changes in the law of criminal justice than at any other period in our history. In addition to court decisions, there have been many legislative enactments in both Congress and State Legislatures which have enlarged the protections of a person who is accused of crime. No nation on earth goes to such lengths or takes such pains to provide safeguards as we do once an accused person is called before the bar of justice and until his case is completed.

But governments exist chiefly to foster the rights and interests of its citizens—to protect their homes and property, their persons and their lives. If a government fails in this basic duty it is not redeemed by providing even the most perfect system for the protection of the rights of Defendants in the criminal courts. It is a truism of political philosophy rooted in history that nations and societies often perish from an excess of their own basic principle. In the vernacular of ordinary people, we have expressed this by saying, '"Too much of a good thing is not good."

We know that a nation or a community which has no rules and no laws is not a society but an anarchy in which no rights, either individual or collective, can survive. A people who go to the other extreme and place unlimited power in Government find themselves in a police state, where no rights can survive.

Our system of criminal justice, like our entire political structure was based on the idea of striking a fair balance between the needs of society—we tried to establish order while protecting liberty. It is from this we derive the description of the American system as one of ordered liberty. To maintain this ordered liberty we must maintain a reasonable balance between the collective need and the individual right, and this requires periodic examination of the balancing process as an engineer checks the pressure gauges on his boilers.

What are the dominant characteristics of our system of criminal justice today? First, it is a system in which there are many checks and reviews of the acts and decisions of any one person or tribunal. Second it is a system which reduces to a minimum the risk that we will convict an innocent person. Third, it is a system which provides the utmost respect for the dignity of the human personality without regard to the gravity of the crime charged. There are exceptions to these generalities in some States and in some courts, but I think this is a fair appraisal of the plus side of our system of criminal justice.

What are some of the negative aspects of our system?

1. Our criminal trials are delayed longer after arrest than in almost any other system.

2. Our criminal trials extend over a greater number of days or weeks than in almost any other system.

3. Accused persons are afforded more appeals and re-trials than under any other system.

4. We afford the accused more procedural protections, such as the exclusion and suppression of evidence and the dismissal of cases for irregularities in the arrests or searches, than under any other system.

It sometimes happens that a development in the law which is highly desirable, standing alone, interacts with an equally desirable improvement and produces a result which is largely or even totally lacking in social utility. Let me give one example: the bail reforms of recent years were long overdue and helped to give meaning to the constitutional provisions on bail; similarly the decisions and statutes assuring a lawyer to every person charged with serious crime, were long overdue. Now look at the interaction: every person charged has a lawyer supplied to him and at the same time he has enlarged rights to be released without posting a conventional bail bond.

We can now see that in a great many cases, no matter how strong the evidence against him, or how desirable the long range value of a guilty plea and the benefits of reduced charges and more moderate sentencing, the two "good" things—bail reform and free defense—interact to discourage a guilty plea because the "jail house grapevine" tells the accused that the thing to do is enter a not guilty plea, demand release without bond, and then use every device of pretrial motions, demands for a new lawyer, and whatnot to delay the moment of truth of the trial day. This means up to two years' freedom during which witnesses might die, or move, or forget details while the case drags on the calendar and consumes untold time of judges, lawyers and court staffs to process motions and continuances. This is one of the large factors in the congestion of the criminal dockets. Here, to repeat, two basically good things combine to produce a result never intended and wholly lacking in social utility or any meaningful relationship to the proper administration of criminal justice, in short an excess of basic principle.

If there is a general impression that the administration of justice is not working, one important result is that the deterrent effect of the law and punishment is impaired or lost. If people generally—law abiding and lawless alike—think the law is ineffective two serious impacts occur: the decent people experience a suppressed rage, frustration and bitterness and the others feel that they can "get by" with anything.

This is not because the people—good people or bad people—read the opinions of appellate courts. Of course they don't. But they *read about* and *hear about* the extraordinary cases, and as I suggested, they read and hear most about the failures of the law as in the Chessman and Willie Lee Stewart type of cases (which ran an agonizing course in the courts for 10, 12 years). Some people, have scornfully said that lawless people never read appellate court opinions. Quite true, but is the real issue whether people read the opinions or is it whether the *actions* of courts which are widely publicized have an effect on public attitudes? The celebrated case which takes 5 to 10 years to complete is common talk in the best clubs and the worst ghettos. If lax police work and lax prosecution will impair the deterrent effect of the law, repeated reversals and multiple trials in the highly publicized cases will likely have a similar effect. The existence of "speed traps" and the knowledge of vigorously enforced traffic laws will make us all more careful drivers. Many people, even though not all, will be deterred from serious crimes if they believe that justice is swift and sure. Today no one thinks that.

Is a society which frequently takes 5 to 10 years to dispose of a single criminal case entitled to call itself an "organized" society? Is a judicial system which consistently finds it neecssary to try a criminal case 3, 4, 5 times deserving of the confidence and respect of decent people?

These are the negative factors. But by that I do not mean to say that any one of these is unreasonable or undesirable in and of itself. It is a hard fact, however, that in the present state of law there are more and more cases in which a defendant is tried and re-tried again so that the trials and appeals may extend anywhere from 2–3–5 and occasionally as much as 10 years.

Many people tend to think of the administration of justice in terms of the criminal trial alone because this is the part of the process which occurs in the local community, but more than that because it is charged with the human element; it is exciting, colorful and dramatic. This is why the movies and TV have given so much time to criminal trials.

But this is not the whole of the administration of justice. The total process is a deadly serious business that begins with an arrest, proceeds through a trial, and is followed by a judgment and a sentence to a term of confinement in a prison or other institution. The administration of justice in any civilized country must embrace the idea of rehabilitation of the guilty person as well as the protection of society. In recent years, we have been trying to change our thinking in order to de-emphasize punishment and emphasize education and correction.

I have suggested that our system of trials to determine guilt is the most complicated, the most refined, and perhaps the most expensive in the world. We now supply a lawyer for any person who is without means and it is the lawyer's duty to exercise all of his skill to make use of the large number of protective devices available to every defendant. But where do we stand in the second stage of the administration of criminal justice—the treatment and disposition of those who are found guilty? We can gain some light by a comparison of our entire system with the countries of North Europe.

To begin with we find that in Norway, Sweden, Denmark and Holland, for example, there is much less crime generally than in the United States. In Sweden, with a million people, there are about 20 murders each year, and crimes of other kinds are appreciably at a lower rate than in this country. Washington, D. C., with about 800,000 population, has 160–170 murders each year.

I assume that no one will take issue with me when I say that these North Europe countries are as enlightened as the United States in the value they place on the individual and on human dignity. When we look at the two stages of the administration of criminal justice in those countries, we find same interesting contrasts. They have not found it necessary to establish a system of procedure which makes a criminal trial so complex or so difficult or so long drawn out as in this country. They do not employ our system of 12 men and women as jurors. Generally speaking their criminal trials are before 3 professional judges. They do not consider it necessary to use a device like our 5th Amendment under which an accused person may not be required to testify. They go swiftly, efficiently and directly to the question of whether the accused is guilty. By our standards their system of finding the facts concerning guilt or innocence is almost ruthless. In those systems they do not have cases like Chessman's in California or others you have read about where the accused has countless hearing and trials and re-trials and reviews over 10 or 12 years. In these long drawn out cases everyone loses sight of the factor of guilt and even the most guilty convict comes to believe the press releases of his own lawyer.

Here in our comparison we encounter an interesting paradox. The swift and efficient justice in North Europe is followed by a humane and compassionate disposition and treatment of the offender. The whole process from the moment of arrest to the beginning of sentence is free from the kind of prolonged conflict which characterizes our administration of criminal justice in which we have glorified and idealized the adversary system with its clash and contest of advocates.

I recently made comparisons of specific cases in Holland, Denmark and in the United States. A typical case in Denmark, for example, is disposed of in about six weeks and the first offender is almost always placed on probation under close supervision and free to return to a gainful occupation and normal family life. It is not unusual, as I have said, for an American case to have 2 or 3 trials and appeals over a period of from 3 to 6 years. When the American defendant is finally sentenced after this prolonged process, he has been engaged in a bitter warfare with Society for years.

Even after the American is committed to a prison we afford him almost unlimited procedures to attack his conviction or seek reduction of his sentence, and as a result American courts are flooded with petitions from prisoners and the warfare continues. Under our system the "jailhouse lawyer" has become an institution. In short, while the correction system struggles to help the man reconcile his conflict with Society, the statutes and judicial decisions encourage him to continue the warfare.

If the prisoner is like most human beings his battle with authority and in the courts develops a complex of hostilities long before he goes to prison. These hostilities are directed toward the police who caught him, the witnesses who accused him, the District Attorney who prosecuted him, the jurors who judged him, and the judge who sentenced him, and finally, even the free public defender who failed to win his case. I doubt that any defendant can conduct even prolonged warfare with Society and not have his hostilities deepened and his chance of rehabilitation damaged or destroyed. To encourage the continuance of this warfare with society after he reaches the prison hardly seems a sound part of rehabilitation, nor is it likely to contribute to restoring him to good citizenship.

Let me pursue our paradox: when we in America have lavished 3 or 5 or even 10 years of the complex and refined procedural devices of trials, appeals, hearings and reviews on our defendant, our acute concern seems to exhibit itself. Having found the accused guilty—as 80 to 90% of all accused persons are found—we seem to lose our collective interest in him. In all but a few States we imprison this defendant in places where he will be a poorer human being when he comes out than when he went in—a person with little or no concern for law or for his fellow men and very often with a fixed hatred of all authority and order, and he is mindlessly and aggressively determined to live by plundering and looting.

In referring to the North Europe countries, I do not intend to suggest that they have completely solved all these problems, but only that they seem to deal with them more intelligently and less emotionally. They do so by recognizing that for the most part people who commit crimes are out of adjustment with society and that confusion and personality problems have something to do with this. They do not find that any useful social purpose is served by giving him 2 or 3 trials and 2 or 3 appeals and drawing out the warfare with Society. And when they finally make the decision to deprive a guilty person of his liberty, they look ahead to the day when he will be free. They probe deeply for the causes of his behavior and to do this they place behavior scientists in the prisons. We do this, but only in a token sense. In the Federal Prison System, which is far better than most of the States, there is a ratio of approximately 1 psychiatrist or psychologist for each 1,500 inmates. In the State prisons the ratio of psychiatrists to prisoners is far less—as little as 1 psychiatrist for each 5,000 inmates; some States in the United States have none. And remember, we are talking about maladjusted people confined by Society with a purpose of healing them.

Yet in tiny Denmark the ratio is roughly 1 psychiatrist for each 100 prisoners and in the maximum security prisons, where the dangerous and incorrigible prisoners are confined, the ratio is 1 psychiatrist for each 50 prisoners.

The vocational and educational programs available in our best prisons are a help, but the rate of return of prior offenders shows that something is not working. With few exceptions in the more enlightened States the basic attitude of Legislatures is that criminals are bad people who do not deserve more. (Wisconsin happens to be among the most advanced of the States and this is not surprising when we remember that most of those who populate this State derive from the enlightened countries of North Europe.)

In part the terrible price we are paying in crime is because we have tended—once the drama of the trial is over—to regard all criminals as human rubbish. It would make more sense, from a coldly logical viewpoint, to put all this "rubbish" into a vast incinerator than simply to store it in warehouses for a period of time only to have most of the subject come out of prison and return to their old ways. Some of this must be due to our failure to try—in a really significant way—to change these men while they are confined. The experience of Sweden, Denmark and the other countries I mentioned suggests two things: that swift determination of guilt and comprehensive study of each human being involved and extensive rehabilitation, education and training may be the way. This, and programs to identify the young offenders at a stage early enough to change them, offer the best hope anyone has suggested.

In all of these countries there is also a more wholesome attitude toward the prisoner after he is released. The churches and the Government cooperate in maintaining what are called "after-care societies" which have existed for hundreds of years. Through these societies each released prisoner has an experienced and friendly counsellor and advisor to assist him with his problems. These people are volunteers who might be compared with citizens in this country who take part in the VISTA program or the Big Brother movement.

Now you will perhaps be asking what does all this have to do with you. Perhaps only a few of you will become lawyers or judges or Congressmen. But that is precisely why I have tried to focus your minds on the problem which President Johnson, only last Saturday, placed second to ending the war in Viet Nam.

We lawyers and judges sometimes tend to fall in love with procedures and techniques and formalism. But as war is too important to be left to Generals, justice is far too important to be left exclusively to the technicians of the law.

The imbalance in our system of criminal justice must be corrected so that we give at least as much attention to the Defendant after he is found guilty as before. We must examine into the causes and consequences of the protracted warfare our system of justice fosters. Whether we find it palatable or not, we must proceed, even in the face of bitter contrary experiences in the belief that every human being has a spark somewhere hidden in him that will make it possible for redemption and rehabilitation. If we accept the idea that each human, however bad, is a child of God, we must look for that spark.

Should you come to the conclusion, as you watch our system of justice work, that we lawyers have built up a process that is inadequate or archaic or which is too cumbersome or too complex, or if you think we have carried our basic principle too far, or if for any reason you think the system does not meet the tests of social utility and fairness, you have a remedy. You have the right and the ultimate power to change it. Neither the laws nor the Constitution are too sacred to change—we have changed the Constitution many times—and the decisions of judges are not Holy Writ. These things are a means to an end, not an end in themselves. They are tools to serve you, not masters to enslave you.

Some of the elders may wonder whether

the next generation, whose activities we see portrayed daily in unflattering settings, will be concerned with these problems. I think you will. I reject the idea that your generation as a whole is the Alienated Generation; on the contrary, there is much more evidence that you are the Involved Generation—one which has shown a unique quality which has too long been missing in American life. It is a quality which leads young people away from getting rich in advertising agencies and banks and brokers' offices, and into work with human beings through agencies like the Peace Corps and in Government service. In this unique quality lies the hope—indeed the best hope—to relieve the dismal picture I have been discussing.

This missionary zeal of your generation may find solutions.

PRESIDENT JOHNSON AT 59 MEETING THE NATION'S COMMITMENTS WITH VIGOR, INTELLIGENCE, AND UNDERSTANDING

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, the President of the United States had a birthday in August, and I trust he will permit these belated congratulations from a colleague in Government.

Helen Thomas, a well-known and distinguished national journalist, writing for the Boston Herald Traveler on August 27, described the President's mood on his 59th birthday as strong and confident and feeling a lot better off than his predecessors in office.

There is good justification for President Johnson to feel healthy and vigorous, and a lot better off than his predecessors.

He can look back on a program filled with one success after another—successes we ought not to forget. Certainly history would not forget them.

I am referring to President Johnson's record on medicare, the record on the first Federal aid to elementary and secondary education measure, the historic Civil Rights Act of 1964, and Voting Rights Act of 1965, the model cities program, the Outer Space Treaty, the Nuclear Noproliferation Treaty, to name only a few.

This is a record one can feel happy and confident about on any birthday.

It is a record any President of the United States would want to call his own.

By unanimous consent I insert in the RECORD an excellent article by Helen Thomas in the Boston Herald Traveler, entitled "Johnson, Now 59, Happy, Confident":

JOHNSON, NOW 59, HAPPY, CONFIDENT

(By Helen Thomas)

WASHINGTON.—President Johnson celebrates his 59th birthday Sunday like many men his age: thankful for his good health and confident the year ahead will be brighter because what he is doing is right.

Though his hair is a little grayer and his brow a little more furrowed than a year ago, Johnson isn't worried. The President feels his lot is better than his predecessors.

He has seen the pendulum swing before and knows the result: if things are going good, others get the credit; if the picture is bad he absorbs the blame.

There is no feeling sorry for himself in these troubled times, intimates report. The President knows the domestic problems and the Vietnam war policies are part of the game and finds solace in the fact former Presidents had their problems, too.

He recalls Hoover had a depression; Roosevelt had Pearl Harbor and Kennedy the Bay of Pigs. He feels these men had it much rougher—that people were more cruel to them and he would not care to change places with them.

When he reflects on the past year there is little, if anything, he finds that he would have done differently. Johnson takes comfort in the advice of an Austin, Tex., federal judge who recently wrote him: "Call them like you see them boy—even if the stars fall."

The President puts on the plus side such things as weathering the Mid-East crisis without a war with the Soviet Union. He also is happy to have hurdled major decisions like the increase of troops for Vietnam. And he is pleased to have reached five agreements with the Soviet Union—the latest being the nuclear nonproliferation treaty.

The polls do not reflect an increase in his popularity as a result, but he doesn't feel depressed. The latest Gallup Poll shows a drop in popularity to 41 per cent. Johnson notes this is down only 2 per cent since March.

Another accomplishment of the past year has been the record-setting pace of personal diplomacy. He has met with 61 heads of governments in the past 12 months. Administration sources note this is far more than any previous President in a comparable period.

There are more ahead. Announced White House callers so far for September are President Hamani Dirol of Nigeria, President Giuseppe Saragat of Italy and King Constantine of Greece.

Saturday it was announced Prime Minister Eisaku Sato of Japan would visit here Nov. 14-15.

Despite the torrid work pace—Johnson likes to think he works two shifts a day and makes 100 decisions during his compulsory bedtime reading of official documents—his health remains good.

Vice Adm. George Burkley, the President's doctor, reported this past Thursday: "The President's health is excellent. Routine examinations at no time have indicated any deviation from the norm. General physical fitness is completely satisfactory."

Another source of comfort for Johnson is the mail at this time of the year. He receives a goody number of letters of congratulations from the young and old who celebrate their birthday on Aug. 27.

They contain notes that he is remembered in prayers and such as, "We want you to know we are proud of you as our leader."

The President sends a reply. It reads:

"It was kind of you to remember my birthday and share your thoughts with me. I am grateful for your greeting and support."

EXPORT-IMPORT BANK INVOLVED IN WORLD ARMS RACE

Mr. WYLIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WYLIE. Mr. Speaker, members of the Banking and Currency Committee were shocked and indignant when it was learned that the Export-Import Bank is involved in the world arms race.

The committee had earlier approved passage of a bill extending the life of the Bank for an additional 5 years and the Bank's lending authority was increased an additional $4 billion to $13.5 billion.

It should not be the purpose of the Export-Import Bank to be engaged in the arms race. This practice can only lead to disaster. It will benefit neither U.S. efforts toward world peace nor the objective of the Bank. It is time the United States takes the lead in getting out of the race to see which country can sell the most arms and materials of war.

The administration witnesses suggested that the President, alone, should determine which countries are friendly and, therefore, entitled to export-import loans for the purchase of arms. This places a great burden on the Chief Executive which may jeopardize his effectiveness in the world political arena.

The theory of Export-Import Bank participation in the economies of other nations friendly to us is to assist them to help themselves. If the loans were made for the purchase of food, medicine, and clothing or for equipment which could produce necessities of life, more would be available for this purpose.

Industry witnesses suggested that it is not to our interest to withhold funds from nations just because they trade with North Vietnam. This makes no sense to me. If our so-called allies are intent on trading with our enemy, then they should not expect to be recipients of export-import loans.

Three amendments were adopted by the Senate. One of these would prohibit the Bank from extending credit to a Communist country. Another would prohibit the extension of credit by the Export-Import Bank to any nation with which the United States is engaged in armed conflict. Administration witnesses and industry representatives have suggested that these restrictive amendments should not be placed in the law. I disagree. A loan should not be made to a country which buys products from the United States and then in turn transships these to North Vietnam. This kind of profiteering is not in the best interest of the United States and is not helping us to end the war in Vietnam.

TRIBUTE TO SENATOR RICHARD B. RUSSELL

Mr. HAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HAGAN. Mr. Speaker, it is with tremendous pride that I rise today to pay tribute to a distinguished American, the Honorable RICHARD BREVARD RUSSEL, JR., the senior Senator from the great State of Georgia.

The University of Georgia class of 1918 described itself in this fashion:

> The distinctions and honors of our class are unlimited . . . aside from other outstanding features, we have a Dick Russell in our flock.

Perhaps his classmates did not know then that DICK RUSSELL would move on to achieve the most splendid public service record ever realized by any Georgian.

He was practicing law in his hometown of Winder when he was elected to the general assembly from Barrow County at the age of 22. DICK RUSSELL was held in such high esteem by his colleagues that he was elected Speaker of the House at 29 years of age.

In 1931, at the age of 32, this great Georgian shouldered a responsibility that older and more experienced men would shun; he became the State's youngest Governor, at a time when Georgia and the Nation were suffering the worst depression in this country's history. Despite this, Governor RUSSELL somehow found the money to launch a pilot plant type experimental laboratory that has carried the State of Georgia forward into its present leadership in the manufacture of pulp and paper.

DICK RUSSELL has always demonstrated an affinity for those two inseparable handmaidens, research and education. As Governor, he created the board of regents, bringing under one roof all the units of the university system of Georgia.

His consolidation of the State government brought about many long-needed economies. Subsequent administrations have found little need to change his concepts, and the master plan for Governor RUSSELL's innovations has been successfully borrowed by many other States.

In 1933, DICK RUSSELL became this Nation's youngest U.S. Senator at the age of 34. His rise to the chairmanship of the Senate Armed Services Committee has been a genuine blessing to this country's defense posture. With a man of lesser stature and ability in that position, the results could be nothing less than catastrophic.

It would be the height of redundancy for me to attempt to enumerate the impressive accomplishments of DICK RUSSELL as a U.S. Senator. They are legion. He has for many years served, and will continue for many years to come, as the highest example to young people entering government and politics, as well as veterans in both fields.

From my own point of view, DICK RUSSELL's wise counsel and expertise have provided invaluable assistance to me during my tenure on the House Armed Services Committee.

The Russell family of Georgia, three generations of which have been alumni of the University of Georgia, was this year named "Alumni Family of the Year" by that institution of higher learning.

On Saturday, the Georgia Society of Washington will pay tribute to DICK RUSSELL during a luncheon in his honor at the Willard Hotel.

All Georgians and other friends of Senator RUSSELL are invited to attend and join in this tribute to one of Georgia's and America's greatest statesmen and gentlemen.

CHAMBER OF COMMERCE JOINS OPPOSITION TO MALTA RESOLUTION

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, since introducing a joint resolution which expresses the Congress' feeling that the President instruct our Ambassador to the United Nations to oppose the Malta Resolution which would internationalize the sea bottoms of the world, I am pleased to advise my colleagues that the Chamber of Commerce of the United States has announced its opposition to the Malta Resolution.

The Honorable Allan Shivers, president of the Chamber of Commerce of the United States, has sent the Secretary of State a letter urging that our Ambassador to the United Nations oppose the Malta Resolution.

I have wired the President uring that he instruct Ambassador Goldberg to oppose the Malta Resolution and have also wired Secretary Rusk asking that the Department of State take all steps necessary in opposing the Malta Resolution.

As I said yesterday, I do not feel that the rights to the resources of the seas should be turned over to any international body. The United States has led the movement in marine research and we are now ready to realize some of the benefits of that labor. We should not be denied by any such resolution which would in fact build a wall around our Nation at the Continental Shelf.

I commend the U.S. Chamber of Commerce for its immediate action in this matter and urge that my colleagues also join to oppose the Malta Resolution.

I ask unanimous consent to include a copy of the letter sent by President Allan Shivers of the U.S. Chamber of Commerce to the Secretary of State.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CHAMBER OF COMMERCE
OF THE UNITED STATES,
September 14, 1967.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

MY DEAR MR. SECRETARY: The Geneva World Peace Through Law Conference, on July 13, 1967, recommended that the United Nations proclaim that the non-fishery resources of the high seas, outside the territorial waters of any State, and the bed of the sea beyond the continental shelf, be subject to the jurisdiction and control of the United Nations. Recent reports indicate that the United States Department of State is encouraging General Assembly consideration of this resolution in late September. We are told that the United States delegation will support the resolution.

The National Chamber strongly urges the United States delegation to oppose this resolution because it is ill-timed.

At the present time no practical purpose would be served by the United Nations' resolution. This is not the time for considering United Nations' takeover of marine resources. We are at least five, possibly ten, years away from attaining the knowledge and technology essential to develop and begin to harness the resources of the sea. We cannot now predict the international situation that will exist at the time this knowledge is gained. Until the whole issue is analyzed intensively on a national basis, it would be premature to confer title upon the United Nations or any other group.

Proponents of the resolution argue that giving the United Nations the "jurisdiction and control" over marine resources would avert a possible major internatioanl issue—submarine colonialism—and that management of marine resources would supply the United Nations with an independent source of income.

I doubt that these arguments will ever be valid, and certainly there is nothing to substantiate them at the present time.

The submarine colonialism issue has been minimized by recent actions which express the desire of individual nations to settle, among themselves, differences regarding the high seas. Examples of this attitude include the North Sea Agreement, the Bering Strait Agreement, and the numerous international fishing agreements.

Further, since the development and exploitation of marine resources is years away, so is the use of these as a source of income for the United Nations.

The Geneva Convention on the Continental Shelf (1958), to which the United States is a party, clearly establishes that the rights to marine resources rest with individual nations. This Convention, in Article I, defines the "continental shelf." If there is reason to change this definition, as the proposed United Nations' resolution would do, it would seem that the way to make the change is to amend the Convention rather than to go outside the signatories and make the change through the General Assembly of the United Nations.

In effect, by changing the 1958 Convention's definition of the "continental shelf," the United Nations' proposal could make the entire Convention void. This is because the Convention does not include a protective clause that permits the changing of any article without voiding all the other parts of the Convention. Therefore, the United Nations' resolution is indeed a serious step that could completely abrogate an important international convention regarding the seas.

Still another reason to oppose the United Nations' proposal at this time is the Marine Resources Council and Commission. This group has been instructed to prepare a report which will include United States policy with respect to marine resources. The Commission has been assigned the task of formulating national policy on this important subject. Certainly, the United States should want to obtain and evaluate the report of this Commission before supporting any United Nations' resolution.

There is little to be gained by action now, and much to lose—the resources of the ocean. The National Chamber urges restraint on any action that would confer title to some of this nation's resources upon an international body. Such action should be deferred until sufficient knowledge exists upon which to base a decision, and until the need for such a decision is evident.

Sincerely,

ALLAN SHIVERS,
President.

ALL IS WELL WITH AMERICA AND OUR CITIES

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, the heart of the American city is as warm as the zephyrs of a summer's day and as strong as the arms of Atlas.

If unhappy riots, upsetting law and order and riding herd with tragic repercussions, had raised some doubts in timid souls and questioning minds, the Labor Day celebrations in a thousand and more cities, big and little, throughout the land gave the answer in thundering volume and the proof beyond all peradventure of doubt that all is well with our country and the heart and the soul of our urban communities, despite the problems, are sound, refreshing to every sense of propriety, peace and brotherhood and a sustaining force in a world of constant change.

These were the thoughts, Mr. Speaker, that filled my mind and left me with a spiritual lift that had not lifted when I viewed the Labor Day parade in South Chicago, in the district I have the honor to represent. I thought of the many days and the countless hours that so many good men and women, fine boys and girls, had put in, doing the planning, decorating the autos and the pieces with infinite care and at the sacrifice of hours, and I realized as perhaps never before the wealth of the great American community and its all-embracing enrichment to all within the community fold.

The parade compared most favorably with the best that it has been my privilege to witness in this and foreign lands, certainly in the spirit and the all-embracing atmosphere or friendship and neighborliness. To all who participated, to all who contributed so generously in money and in work, to the fire and police forces of the city of Chicago, to the Army and the Navy and the Air Force, to the visiting bands and marching groups, to the Economist, Daily Calumet, and other publications that heralded the event, to one and all go the heartfelt thanks of one who is proud to represent such a community and such American families in the Congress of the United States.

I am indebted to Ronald T. Crowley, assistant chairman of the parade, for the following account of the historic event in full detail:

> One of the outstanding groups working for the interest and welfare of their Park and Community is the "East Side Labor Day Committee." This Committee annually puts on the largest Community Labor Day Celebration, in honor of the working men and women of the East Side. It is the only Parade and celebration held in the City of Chicago and outlying areas for the Labor Day Holiday.
>
> Eight successful celebrations have been held with an annual attendance exceeding 60,000 spectators.
>
> The uniqueness of this Committee centers around the fact that it works twelve months a year to stage this huge undertaking. Just as soon as one celebration is completed plans are set in motion for the following Labor Day.
>
> Eight major office holders and fifteen Committee Chairmen plan and conduct this program each year with the aid of twenty-five separate organizations and groups.
>
> For example, the Parade Committee is the direct responsibility of the Wm. Franko V.F.W. Post #8827 and the Illiana American Legions Post #220 each year. Making personal contacts, corresponding with Marching Units, Bands and Organizations placing floats in the Annual Parade takes many months of planning. By the time Labor Day rolls around, over 150 units make up the colorful Parade.
>
> The example cited above, can also apply to the other Committees who work the year round for the success of their one day venture.
>
> These Committees are: Doll and Buggy Contest, Decorated Bicycle Contest, Miss East Side Contest, Games and Races, Photography, Ground Officials, Refreshments, Entertainment, Historian and Publicity. Last but not least, the greatest challenge is the Finance Committee who must secure the funds, from donations solicited door to door and from other projects. The cost of one Labor Day Celebration runs into the thousands.
>
> As the expense is so great, many organizations have graciously taken over the financial burden of some of these events.
>
> The 1967 Labor Day festivities began at 9:30 A.M. with the "Kick-off" of the Parade at 108th and Ewing Avenue. Leading the Parade were the Officers and Chairmen, as follows: Ervin Orel, General Chairman, Ronald T. Crowley, Assistant Chairman, and Financial Secretary, Anne Sebek, Treasurer, Mary Menzyk, Recording Secretary, and Helen Oberman, Trustee, Jim Diamond, Co-Ordinator and Calumet Park Supervisor, Shirley Shampay and Kathy Bahorich, Co-Chair ladies of Cannister Drive.
>
> Other Officers appeared with their various organizations; Dorothy Major, Corresponding Secretary, Clarence J. Conklin, Trustee and Publicity Chairman, Eli Kosanovich, Trustee, Alice Ann Malanka, Historian.
>
> Beverely O'Mara, in previous years financial secretary, served this year in unofficial capacity, doing herculean work in lining up judges and other necessary tasks.
>
> Next, the distinguished guests who were invited to participate were the Honorable Barratt O'Hara, Congressman 2nd Congressional District, who graciously took time from his busy schedule and came all the way from Washington to join in the activities. Accompanying him was his Chicago aide, Mrs. "Bun" Borrowdale.
>
> Included also were, State Senator Dan Dougherty, 30th Senatorial District, State Representatives Henry Lenard, Nick Svalina and Phillip Collins, 30th Representative District. Alderman John J. Buchanan, 10th Ward Democratic Committeeman Stanley Zima, and 10th Ward Republican Committeeman Charles Fitch.
>
> Various floats, decorated cars, Drum and Bugle Corps, The Great Lakes Naval Band, the St. Francis de Sales High School band and marching units added color and music to the gigantic parade.
>
> The parade continued down Ewing Avenue to 98th St. where it turned and upon entering the park passed the reviewing stand, where the Parade Judges would have the task of selecting the units who would receive awards in the various categories.
>
> The opening day ceremonies began with the Reverend G. E. Robinson, Pastor of St. Petri Church giving the invocation.
>
> Followed by the raising of the Flag, featuring the United States Marine Corps Color Guard. Taps were played and a moment of silent prayer was offered for the men who lost their lives in defense of our country ending with the traditional gun salute.
>
> Next, the Labor day Officers and distinguished guests were introduced by the Master of Ceremonies Peter Pashos.
>
> The outstanding East Sider Award was bestowed upon three men this year for their untiring efforts not only on behalf of the Labor Day Committee, but in many other Community projects as well. They have done so with no thanks, praise, or recognition expected and if not for this award would still go unrecognized. The three outstanding East Siders for 1967 are Wm. (Bill) Harmon, Wm. (Bill) Barnas, and Henry Nick Jr.
>
> Reverend Father Jerome Sellak, Pastor of St. George Church, concluded the Opening Day Ceremonies with the Benediction.
>
> Immediately following the Opening Day Ceremonies, The Beautiful & Heartwarming Little Girls Doll & Buggy Contest began. Sponsored for the fourth consecutive year by the Young Democratic Club of the 10th Ward. 1st, 2nd, & 3rd Prizes in Three (3) Categories, Most Beautiful, Most Original, Most Comical, were Awarded, plus a consolation prize to each contestant for their efforts. Besides sponsoring the Contest, Members of the 10th Ward YD's decorate a float & enter it in the parade. Their efforts were rewarded this Year by being presented with the First Place Award for their Float.
>
> The Days Activities continued, with the Colorful Decorated Bicycle Contest, sponsored by the 10th Ward Young Republican Organization for the Third consecutive year. First Place trophies were awarded in Three Categories. Most Patriotic, Most Original & Most Humorous. The Miss East Side Contest sponsored for the past Eight Years by the East Side Lions Club followed. Judges selected Miss Linda Ogretz as the 1967 holder of the Miss East Side Title.
>
> One of the main attractions of the day was the Spectacular Drum & Bugle Corps competition & exhibition, with corps from surrounding Mid-Western States competing. The Crusaders took first place honors. The Marauders came in second, but also received other awards for General Effects & First place Parade Trophy. All participating Drum & Bugle Corps were sponsored by the East Side Bank.
>
> Other Activities included, Games, 7 Races sponsored by the Trinity Council K of C #3755, Professional Stage Entertainment & A Band Concert.
>
> Winding up the days' activities was a Gigantic Fire Works Display, lasting 45 minutes.
>
> It was a truly rewarding day for the committee with attendance estimated at between 70,000 & 80,000 Persons. But as one Labor Day ends, it is time to begin again & the next meeting of the Labor Day Committee is only 8 Days away.

Participating Organizations

Parade.—Wm. Franko Post Veterans of Foreign Wars No. 8827, Illiana Post American Legion No. 220; Ernest Raczkowski, Bob Meyer, Eli Kosanovich, Mary Menzyk, Sec'y.

Doll and Buggy.—Young Democrats of the 10th Ward; Chairman, Alice Ann Maslanka.

Decorated bicycle contest, 10th Wd. Young Republicans; Chairman, Jack Steller.

Miss East Side contest.—East Side Lions; Chairman, Aldo Marchese.

Baseball.—Calumet Park Baseball League; Chairman, Ervin Orel.

Games and races.—Trinity Council K of C No. 3755; Chairman—Frank Costello, Richard Everett.

Pageant of Drums, East Side Bank; Chairman, Eli Kosanovich.

PAGEANT OF DRUMS

Sanctioned by Mid-America Drum and Bugle Corp Circuit, Inc.; The Guardsmen, The Maraduers, The Nee Hi's, The Legion Airs, Berwyn Centurians, Argo-Summit Toppers, Kiltie Kadets.

PARADE ONLY

Woodrow Wilson Post, No. 20, P.L.A.V.; Illiana Post No. 220, American Legion; Golden Grenadiers Inc.; Contest Chairman, Eli Kosanovich.

Luxembourg Ladies.
Fair Elms Civic League.
First Evangelical United Brethren Church.
St. George's Church.
Church of Annunciata.
Knights of Pythias.
The Daily Calumet.
Southeast Economist.
East Side Bank.

Illiana Post American Legion Auxiliary.
Wm. Franko Post V.F.W. Ladies Auxiliary.
Chicago Police Dept.
Chicago Park District.
Girl Scout Dist. 19 East Side—Hegewisch.
Wee C—B Club.

COMMITTEE CHAIRMEN

Publicity, Clarence J. Conklin.

Photography, Frank Batinek, Bob Kuehnke.

Finance.—Canisters, Shirley Shampay, Kathy Bahorich; Card-Bunco, Irene Dickinson, Anne Sebek; Old Fashion Days, Anne Sebek, Joe Diorio, Dorothy Major.

Hospitality, Bob Kuehnke.

Outstanding East Sider, Joe Diorio.

Entertainment, Bill Pietrzak.

Refreshments, Anne Sebek, Bob Kuehnke.

Constitution and By-Laws, Nick Simunic.

Permits, Ronald T. Crowley.

THE COOPERATIVE APPROACH—STRENGTHS AND ECONOMIES IN REGIONAL RESEARCH AND DEVELOPMENT

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. BELCHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BELCHER. Mr. Speaker, I insert in the RECORD the following speech by Dan B. McDevitt, president of the Research and Development Institute of the United States, Tulsa, Okla., entitled, "The Cooperative Approach—Strengths and Economies in Regional Research and Development":

THE COOPERATIVE APPROACH—STRENGTHS AND ECONOMIES IN REGIONAL RESEARCH AND DEVELOPMENT

(By Dan B. McDevitt, Research and Development Institute of the United States, Tulsa, Okla., presented at First Select Academic-Industry and Government Regional Conference on Research and Development, October 26–27, 1966)

What do we mean by strengths that can be gained from the cooperative approach? Why should we in this five-state region of Arkansas, Kansas, Louisiana, Missouri and Oklahoma be interested in obtaining and performing in an efficient and competent manner on research and development work?

After considerable research on the subject, we believe that this region has the competence and the ability to get and perform an added $350-Million of research and development work annually within three years. We believe that at the end of three years when we have set up the systems and have gotten used to working together we will be able to handle even more.

The figure of $350-million in added research and development within three years is important. You who let these contracts, and you who must help perform, must believe this is possible. We won't do the necessary things to accomplish the objective unless we all believe it will succeed. So if you will allow me to cite a few facts I am sure you will not only see that the $350-million jump is realistic, but it is also even quite conservative. Consider the $350-Million in light of the 166 Colleges, Universities and Seminaries in the region and this averages out to about $2-Million an institution. This is below the current national average. It is less than $1,000 for each of the registered 350,000 students. It is less than $14,000 for each of the 25,000 faculty members, where the national average is almost $25,000. It is only $70-Million for each state, or about ⅓ of the national average of $196-Million. A good question for your gubernatorial candidates is "What they intend doing to get each of our states up to this goal." Since industry must cooperate to achieve the $350-Million, let's look at the added research and development work per industrial employee. It is $350 per employee. This is considerably less than the national average of $473. The present research and development, along with this added goal, will give us about $870 per industrial employee, or a little more than Idaho and South Dakota, but 25% below Florida, and would make the region 12th if considered as a state. It would mean an increase of $27,000 per scientist as compared with the national average of $54,000.

When we get the added $350-Million in research and development contracts, and if no newly graduated scientists stay in the region or no others move back, then our average figure becomes $63,000 per scientist or slightly more than the national average. This is still below the top eleven states. For you that want to urge your Congressmen and Senators to support such a cooperative goal of $350-Million, the individual goal is $9-Million for each of your Congressmen and Senators. This is only a 4% increase for each member of Congress in the average per Congressman and Senator amount spent annually by the Federal Government.

So much for the realism of the objective if we all work together. But this doesn't mean that any of us should let up on what we are now doing to get research and development contracts. It doesn't mean we will take it away from others. We don't have to win it away from the institutions that now are entrenched, getting the lion's share and are becoming swamped and peaking out in capacity. No! We don't mean to threaten anyone. We must create a new major center of excellence by joining forces to do together what none of us can do alone. Our industry, our local, state and national governments, our educational systems at all levels and our private individuals and institutions must join together in a cooperative effort to solve some of our mutual and national problems. We must work on social, political, economic and physical problems if we are to merit the added $350-Million in research and development work. More important, we need the combined size and strength of all our citizens in the five-state region if we are to efficiently perform the work obtained. We will need the youth, the retired—men, women and children.

What are some examples of projects that would fit the need on which we could earn research and development income?

First, let's consider a new agency with a new budget that has funds available to attack the old problems of water pollution. Maybe with this example you can see how it is possible to use the systems approach and apply it to the other examples yourselves. Since it is new, we obviously won't be stepping on anyone's toes. Also it should be kept in mind that we will be using the regional resources to solve a regional problem since the Missouri River, the Arkansas River and the Mississippi River tie us all together as a region. Also in the problem of pollution, piecemeal and half-hearted approaches simply don't work. One source of upstream poison can kill much below it. One polluter can do millions of dollars damage downstream.

The legislation for the water pollution control act recognizes this interdependency and encourages the systems approach. Not only does it provide matching funds and encourage water basin compacts, but there are research funds to find new approaches.

If Secretary Udall and Secretary Quigley see fit to consider a new approach and fund the research we are prepared to accept the responsibility of helping them organize this region. How would we propose to do this? How would we begin? First of all Radius would sign a research contract to set up a dynamic model of the lower Missouri, the Arkansas and the Mississippi Rivers below the Missouri-Iowa border. Such a model will be necessary to determine the extent of the problem and to measure later achievements. Water development and pollution control technicians are in short supply. Gathering data will be a major problem to set up the model on about 20 computers located at strategic colleges in the five-state region.

Here is where the Radius approach can save millions, get the job done faster, train thousands, and enable our people to learn to help themselves. Any high school student can take water samples with the proper instructions. Any college statistics major can set up a sampling program. Any college biology undergraduate can make a bacteria count after simple instructions. Any high school chemistry student can make a water analysis with the proper procedure. So let's set up teams of high school students and college students to gather and analyze our data. High school punch card operator trainees could process the data. This way our activist minded young people can take responsibility in worthwhile needed jobs that reinforce their school work. Besides learning responsibility by exercising it, they can earn some income. We get the data we need for $1.50 an hour instead of the $5.00 an hour we now pay. More important, we get the data and release more highly trained people for work commensurate with their skills. Just imagine the pressure these idealistic young people will put on their parents at bond voting time when they have seen and smelled firsthand the poison being dumped into our streams.

With the facts in hand then the water model can be used with the cooperation of the small, medium and large colleges and universities to plan studies, designs, budgets and legislation to implement these plans and work in the laboratories and engineering firms in the region. Everybody can get in on the act doing what he does best—industry, education and government. It will cost less and let the government use its already short personnel in other states that aren't prepared to organize and take the responsibility as we are. This proposal here is just a part of the complete water development program Radius authored for the Government of Iran.

Example number 2 uses much the same thinking, only this time it is strictly education. Whether we make our living at it or not, from the time we are born until the day we die every human being is an educator. We are all teaching everyone we contact every day by word, deed and example. Parents teach their children to walk, to speak, and how to do the necessary personal chores. Without any formal preparation, older children teach younger ones in all sorts of things. Employers teach employees. You can think of hundreds of other examples. Why then do we insist all our school teachers must be college graduated education majors, preferably with Master's degrees, to be able to conduct classes when so much of the teaching is done without any such credentials?

A rather crazy situation exists in the area that affects everyone's life in a most fundamental way. I am referring to sex education. The parents won't teach sex fundamentals to their children. What is more, they won't really let the schools get into the subject in a basic way. Yet youth will learn. Where do they get most sex knowledge? Surveys show from associates of their own age or a little older. A lot of the information is erroneous or distorted, by the way. Another example of the learning process between youths is the efficiency of the teaching process among teenage gangs. Elaborate social codes, picking pockets, mechanical gun making skills, battle tactics, prostitution, finance, narcotics marketing, mugging, armed robbery and other complicated skills are taught and learned with considerable efficiency.

If teaching is so important in our lives why don't we give some practice, guidance and responsibility, under controlled conditions, to the future parents—to the future employers and employees who will do so much teaching? If we did there wouldn't be the cry of teacher shortage we hear today. Besides, we all know the way to really learn a subject is to teach it. On the job reinforcement of lectured or book-read knowledge stays long after the need to pass the immediate exam.

Why don't we let our teenage young people tutor grade school children in reading, writing and arithmetic? Why don't we set up teams of college students to teach languages, mathematics, science, history, and mechanical skills to high school students in seminars and person to person tutoring? Not full time, but a course a week in the college student's specialty. Make it a college course. Pay the high school or college tutor minimum wages for time spent teaching in classrooms, but not for preparation. Check them, monitor them from time to time and supervise them, but give them the responsibility. Many a potential high school drop-out could earn enough to finish. College students could earn their own way while they performed a needed service rather than the drudgery of pushing a broom or waiting on tables. Think of the social consciousness gained from such activity.

If such an experiment is of interest to the U.S. Department of Health, Education and Welfare we stand ready to organize it. The local school districts that are claiming a shortage of over 600 teachers in Oklahoma alone should be interested. The industry that needs skilled people should be interested. The colleges are interested. The parents that want quality educations for their children at bargain prices without any more taxes should be most interested of all. Commissioner of Education Harold Howe has stated the Office of Education wants proposals for creative cooperation between industry, higher education, elementary education and systems people. If this is of interest, Mr. Commissioner, please let us hear from you. You high school and college students interested in this project should send us letters and resolutions if you want to get such a program.

Example number three directly involves industry, education and industrial development in the five-state region. Particularly graduate research, which is the foundation of our whole education process. It involves atomic energy and radiation. There is a great shortage of atomic physicists, nuclear engineers and atomic technicians of all kinds. Research work in this field is costly and limited to a few federally sponsored centers. Therefore there are few well-rounded nuclear graduate facilities. Yet here in our midst the 17 key investor owned electric power companies of this five-state region have joined together with General Electric, The Atomic Energy Commission, and the West German Karlsruhe Research Center to do limited atomic research in Northwest Arkansas. They call themselves the Southwest Atomic Energy Associates. The project is called the Southwest Experimental Fast Oxide Reactor Program. The only way electric power companies can grow is through industrial development and the resultant increased load. Major industrial development in the years to come will be equipment for atomic power generation, new materials caused by irradiation, irradiated food preservation, sterile insect control, and radioactive materials of all kinds.

Phillips Petroleum, North American Aviation, General Electric, Kerr-McGee and many others, all located in this area, have tremendous capability in atomic energy. They, along with the power companies, will have an insatiable demand for people trained in atomic energy. Our colleges and universities need teachers and our graduate students need projects.

Why don't we solve them all by building a major atomic research center at the present site in Northwest Arkansas? All the interested colleges and universities could participate.

If this interests you power companies and other industries in the region, we propose you allocate the small total sum of $50,000 which is tax deductible, designate a representative and send a letter of sponsorship to RADIUS. Together then we will prepare an application to the Economic Development Administration for the $5-Million capital facility cost. E.D.A. has the money and encourages this. I'm sure a split-fee contract could be arranged with the Atomic Energy Commission for operation.

In the meantime then, all of the industry, Chambers of Commerce, power companies, colleges and universities could work with our Congressmen and the Atomic Energy Commission to get the funds and the location of the major atomic energy facility talked of last winter at the same site. Incidentally, this is the same approach the Boston Area used to get the $50-Million N.A.S.A. Electronics Research Center there. They organized a non-profit corporation similar to RADIUS in 1962 and by 1964 had the electronics center in the bag.

Example number 4 recognizes the fact that more pipeline knowledge is in this five-state region than in all the rest of the world together. Every major aircraft manufacturer has an operation here. Several major airlines have their maintenance facilities here. We have plenty of wide open space for research. Now they tell me the ground transportation problems of the future will be solved by air suspended trains flying through pipelines at 200 to 400 miles an hour. Our colleges and universities would be delighted to join you industrialists in going after this research which will determine whole new industries of tomorrow. The brand new U.S. Department of Transportation has just received the funds for such research.

The fifth example involves another major transportation problem—auto safety. The automobile manufacturers have been accused of building unsafe cars. The manufacturers in turn feel it is the nut at the wheel. The politicians side with the voters in blaming the roads and the cars. Everyone is pointing a finger at everyone else, and in the meantime we go on killing each other at a horrible rate. Like most things, the real answer probably lies in some grey middle ground. Some combination of automobile design, road design, driver training, driver licensing, law enforcement and insurance rating is the answer. But what combination? Where? Under what conditions?

Only experimentation under controlled conditions will yield the answers to these questions. You insurance companies, state governments, Bureau of Roads and auto manufacturers that are interested enough to pay to find answers should know we stand ready to provide the researchers and organize the experiments in cooperation with our educator friends. The social, legal, educational and physical answers can be found. Do you with the money want to argue hypothetical questions or fund the experiments to get the facts?

As example six, let us take up the problem of feeding the growing world population and developing the poorer countries. Our region is highly qualified to experiment in this area. We have every condition found in the world from desert to jungle, from swamps to mountains, grass and heavy forests, the very rich and the very poor, industry and remote rural poverty, superhighways and cow trails, whitemen, blackmen, brownmen, yellowmen, redmen, different tribes living apart under tribal law, and city slums, rich farm land growing cotton, tobacco, wheat, corn, rice, sorghum, soybeans and livestock. Our oil companies have retired and current employees who have lived in every country on the globe and have great language competence. We are tormented by drought, flood, tornadoes and hurricanes. We have conquered some ills and still must conquer others. We have an estimated 10,000 foreign students in our midst speaking almost every language known to man.

It is these students that prompt this proposal. They come over here, stay six to eight years, and then even though we don't take them into the mainstream of our life they either don't want to go home or go home harboring ill feelings and sometimes revolutionary ideas. Not every case, but enough so that it is disturbing. Apparently we don't make Americans out of them, we don't fit them to help their own countries, yet we take them away from home and friends for long periods of time. In the meantime, our youth often get very strange ideas about the rest of the world. We can learn from these students, see that they get home more often and see that they have a chance to learn to help their countrymen in the process. They can learn by doing.

The Peace Corps was such a success because it started out as an experiment, ironed out the bugs and used our young people at their activist best. This proposal would also be experimental, until the bugs were worked out. It would be based on the Peace Corps, but go into areas where the Peace Corps hasn't been able to penetrate. This is the area of actual agricultural, engineering and capital development. If the Peace Corps and the Agency for International Development feel this preliminary plan merits some of the $12-Million it has uncommitted for research, we will be happy to present the full experiment. What would be the elements of the program?

As stated before, the Peace Corps would play an integral part, acting as representative, liaison and communications with the action teams at the colleges. Action teams based on individual countries or language areas would be recruited at the schools. Foreign students from the locale to be served would make up a third of each team. The teams would live together in dormitories or frat houses and speak only the language of the country to be served during out-of-school periods. During the regular school year the action teams would learn the customs of the country, the language, and work on the plans for a specific project to be completed during the action time. If a road were to be built then surveying would be learned, as well as bulldozer and equipment operation. The teams would draw their own plans based on the coordination and desires of the local population as communicated by the Peace Corps representative. Once the necessary equipment and materials were in place the action teams could be flown to the project location to complete their assignments. The task completion time would be a semester. After the project completion the foreign members could visit their families as pay for their participation. American team members would receive Peace Corps pay. Air Force Reserve or National Guard planes on training assignments could fly these teams. The teams could go back several years, with new members replacing graduates, just like athletic teams.

The Peace Corps should find a high number of two-year recruits from action team members. I'm sure if the business men could get orders for the equipment they would participate in training the student operators. Action teams using this coerced creativity concept could work with local residents to build model villages complete with housing, water, roads, and a planted and harvested crop during the action period. When their educations were finished the foreign students would have confidence born of accomplishment to return home to build their countries. You can name a hundred other benefits from such a program.

These examples of creative contracting to use the strength and manpower of our young people to service their neighbors, while reinforcing their book educations, should spark a thousand ideas from industry and government. You foreign college students—you American college students—your letters will help get results.

Here are a few more examples in rapid order.

Some areas of our region haven't been surveyed since 1894. Why don't we use student engineer surveying crews to up-date some of these old geodetic surveys? Civil engineer student crews could be used to survey, lay out, design and build some country roads in Ozarka that don't look like they will ever be built. I know one area of over 100 miles of such road that needs improvement where the residents will do over 70% of the necessary work with volunteer labor if someone will lend them the equipment and give them direction. You State Highway Directors can get some of the road engineers trained you keep asking for if you will help us initiate such programs. You consulting engineers would get trained people too.

Industry can contract with Radius to set up testing, quality control, product development, or research programs in cooperation with the colleges. When the participants graduate or complete advanced degree work they will not only be educated but know your product, procedure and will probably join you permanently. Your permanent employees can be rotated in and out of these facilities at the schools to update their skills. This maintenance of employee competence is necessary to survival for all industry today with the rapid changes.

Do you industry and banking people know Freshmen and Sophomore college students are programming their problems for computers? The average engineer or accountant out of college over five years probably hasn't had this experience.

Speaking of computers, do you know we now have the system capability to treat considerable populations as experimental samples and get scientific facts? Such careful work will get real answers to social problems. Such answers should point the way to cut the feet out from under both the black power and white power demagogues.

You city planners, urban renewers and farm home people may be interested in the work done on low-cost housing using controlled density concrete, permanent molds and systems to produce a cast-in-place high quality living unit for less than $5 a square foot complete here, and as low as $3 a square foot overseas. These methods worked out and tested by Bill Wilson at Oklahoma University and especially suited for delta regions such as Indo-China or New Orleans can be applied to replace our slums and poor rural housing. You concrete manufacturers might like to fund an experimental development.

Another place the Radius approach might be effective is in the war on poverty and economic development. If William McCandless and the Ozarka Regional Development Commission will appoint Radius as Ozarka's technical advisers we promise to bring at least 25 additional colleges and universities into the study and planning work. We feel church schools should be active in this because of the many social and moral considerations.

Do you bankers and law enforcement people have an interest in crime prevention by cutting the merchants' loss in bad checks? Do you know we have developed the systems that will let any merchant in a city dial a computer and automatically, within 30 seconds, determine if a check is good for its face amount?

Do you know N.A.S.A. needs geophysical specialists? So do other agencies. Our petroleum companies, our geophysical companies and our schools in this region are extremely competent in this field. Why don't our private companies and our schools join us in providing geophysical and geology skills to N.A.S.A. on a contract basis?

Oceanography is another field our petroleum companies have much knowledge and experience. Gulf South Research Institute, our petroleum companies and all our schools could band together with us to create a major ocean research center on the Gulf Coast. Again, if the proper location were chosen the Economic Development Administration would finance the capital facilities.

Exotic fuels research and development fits into the space need, the petroleum company capability and our educational research competence.

Did anyone say desalinization research? The major pollutant of the Arkansas River is salt. Much disjointed work has been done here on this. Why not organize for a major contract?

Our last example considers the very unscientific way we pass our laws. Our legislators and Congressmen simply can't function with the work we pile on them under the conditions we impose. Instead of trying to do everything with their permanent staff, why doesn't Congress contract with Radius to assign pieces of legislation to history school, law school or economics school teams to search out the pros, the cons and alternatives for each proposed law. These teams could pinpoint who would be affected and debate the issues so as to sharpen them before Congressional hearings were held. Suggested lists of witnesses could be provided. Our youth, which is fast becoming a voting majority, could identify with society as they learn. Besides, a considerable service could be rendered at a fraction of the cost. Serious boners could be eliminated and perhaps millions saved. Most of all, it would give Congressmen a chance to pass constructive legislation, with all the facts and points of view considered. We could put the executive budget on computers for analysis. How would you Congressmen and legislators like to be able to push a few buttons in your office and know the exact status of any piece of legislation and have any committee schedule, hearings or legislation details printed out on a teletype in your office, just like airline ticket reservations? Such a system would save millions and bring legislative bodies into the space age. The competence represented at this Conference can see you get such a system within 3 years if you act now. So much for the strengths possible from a cooperative academic-industry and government approach to R. & D.

Before closing let's talk about the economies from the cooperative approach. Obvious is the establishment of the communication system to eliminate duplication of efforts and false starts. Washington is a complex place. All of our states, some of our schools, and some of our non-profit institutes maintain offices in Washington. All operate separately. It is about all the people in them can do to just answer the phone and the mail from home. Why don't we put them all together in one office where they can specialize. Each would work with a couple of departments where they can really know what is going on. This should mean better coverage at lower cost. It is the same principle that President Johnson's staff uses. Separate telephone and address listings, however, could still be used for reference purposes. This combined strength and economy would allow a Congressional information letter, an information letter to the states, and regular informed briefings of the five-state Congressional delegation. Maybe the combined budget would allow the retention of a retired General and Admiral or two to go after Department of Defense research.

One of the economies would be the elimination of considerable duplication, untimely proposals and unnecessary travel to Washington by potential or current principal investigators. The specialization in Washington would give them someone who knew their problems as well as the federal people involved, giving more effective representation just like the industrial companies get. Speaking of industrial companies, why not encourage their Washington offices to get in the act? Why not ask the labor unions who have a stake in this region and have some very effective Washington people to help?

Of course, the greatest economy of all would be the more effective use of facilities and personnel in relation to the amount of work accomplished.

Small business employs over 40% of the American work force. Yet this segment of our economy which needs the benefits of research and development most gets less than 5%. Only through a cooperative program such as this can our small business, our small colleges and professional people ever hope to participate in major research and development.

There is the challenge. Can we do it? When you consider the management and systems competence of such companies as Douglas Aircraft, McDonnell Aircraft, North American Aviation, Boeing, American Airlines, TWA, Monsanto, Phillips Petroleum, Cities Service, Pan American Petroleum, Southwestern Bell Telephone and the others, the $350-Million is a drop in the bucket. We hope we can count on all of their cooperation and support.

Many colleges and universities with strong research and development orientation earn over 25% of their total budgets from research and development. Why shouldn't this be another goal? With this attitude we can earn our way to the highest educational and research excellence in the country. We can take some of the burden off of the individual and corporate taxpayers in all our five-state region. We can serve our existing industry and get more to come here. We can assume the rightful place of leadership to which our talent and capabilities entitle us.

I would like at this point to ask each of you who want to develop this region, each of you who want to help all our schools, both public and private, large and small, to develop, each of you who can see the opportunity in the cooperative approach, each of you who want to help stop the brain drain—I would like to ask each of you to join us in this cooperative effort. Won't you join your fellow citizens in using RADIUS to accomplish these mutual goals? Won't you join us in getting an added $350-Million in research and development for this five-state region of Arkansas, Kansas, Louisiana, Missouri and Oklahoma? Will you write us a letter, send us a resume of your people and facilities so we can incorporate it in a regional brochure, and do whatever else you feel you can to help us get going.

The future is up to you. Let's join together for the journey!

THE WASHINGTON POST CHALLENGED BY DR. DOBRIANSKY OF GEORGETOWN UNIVERSITY

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I once again refer to the editorial "Captive Congressmen," that appeared in the July 10 issue of the Washington Post. As given below, the editorial was a sharp attack against Captive Nations Week and its significance for the freedom of all the captive non-Russian nations in the Soviet Union. I am informed that dozens of letters criticizing the Post editorial have been sent to the paper's editor, but not one has been published.

THE DOBRIANSKY CHALLENGE

One of these letters is a forthright challenge made by Dr. Lev E. Dobriansky of Georgetown University. Dr. Dobriansky, who is also chairman of the National Captive Nations committee and president of the Ukrainian Congress Committee of America, challenges the Post's editors to meet face to face certain representatives of Cossackia, Idel-Ural Turkestan, and White Ruthenia—Byelorussia—which are supposedly Russian areas, for the paper's editors. With considerable patience, the Georgetown professor has waited for 2 months for even a negative reply from the paper's editors, but not even this has been forthcoming.

According to Dr. Dobriansky:

> The Post's editors haven't the courage to accept my challenge. The letter I sent there is quite clear and unequivocal. The representatives I refer to are ready and willing to offer some elementary education to the Post's editors. As for their attacks against me, it is very easy to rebut each of their points, and this I shall do on appropriate occasions in the near future. To cry, in one-breath, for "detente", "peaceful coexistence" and "bridges of understanding" with the peoples of Eastern Europe and then, in another editorial breath, to deny the right of some of these nations to express their self-determination and independence, is the height of journalist hypocrisy.

SOMETHING TO LOOK FORWARD TO

Mr. Speaker, I believe many Members will find this issue to be of keen interest. I myself wonder whether the liberal and independent Post will accept the Dobriansky challenge. The implications of this issue are farflung and of tremendous importance. So that each Member may obtain a complete perspective of it, I include the following items in given sequence in the RECORD: First, the Washington Post editorial of July 10, 1967, "Captive Congressmen"; second, the letter to the editor of the Washington Post by Dr. Lev E. Dobriansky, dated July 17, 1967; third, an article on "The Washington Post and Captive Nations," which appeared in the August 24, 1967, issue of America, leading Ukrainian Catholic organ in the United States; fourth, two letters of reply rejected by the Post, one from the New England Committee for Captive Nations, dated August 11, 1967, and the other, dated August 14, 1967, from the Boston chapter of the Ukrainian Congress Committee of America; and fifth, the August 17, 1967, editorial in the American Hairenik Weekly, "The Washington Post: A Captive Organ".

The material referred to follows:

[From the Washington (D.C.) Post, July 10, 1967]

CAPTIVE CONGRESSMEN

Captive Nations Week is almost upon us, and so it's time to pine again for Idel-Ural, Turkestan, White Ruthenia and—don't forget—good old Cossackia. These pseudo-states and others of better historical repute are listed in Congress' Captive Nations Resolution as having lost their "national independence" to the wicked Communists. "The people of the United States share with them their aspirations for the recovery of their freedom and independence," in case you didn't know.

This fanciful cold-war rhetoric was issued by Congress in 1959 in a surge of hysterical anticommunism. Or rather, it was issued by ethnic manipulator Lev Dobriansky, father of the Captive Nations idea, and foisted by him upon a Congress sensitive to the presumed sentiments of Americans from now-Communist lands. Actually, many of these Americans, if not most of them, are insulted by being treated as hyphenated citizens. The annual Captive Nations charade might better be called Captive Congressmen Week.

Its aspect of ethnic discrimination is particularly offensive. For, it turns out, Russia is not among the Captive Nations. The reason for this strange omission is that Mr. Dobriansky's heart belongs to his ancestors' native Ukraine, and Ukrainian nationalism is nothing if not anti-Russian. This is, in our view, precisely the kind of old-country ethnic backbiting that has no place in a gambit designed to influence American policy.

To those who do not share faith that Captive Nations Week will crack the Kremlin, Mr. Dobriansky has prepared an insidious rebuttal. "High on the priority list in Red psycho-political warfare," he has written, "is the downgrading and eventual elimination of Captive Nations Week." The technique of attributing criticism to foreign manipulation is, unfortunately, typical.

To his credit, President Johnson has shown some embarrassment over the Resolution, which "authorizes and requests" him to proclaim Captive Nations Week annually. He has avoided specifying which countries are Captive Nations and has stressed instead American support for the "just aspirations" of peoples everywhere. Clearly, Mr. Johnson rejects the Resolution's tenet that "Communist imperialism makes a mockery of the idea of peaceful coexistence." He believes, as most Americans do, that all available openings to East-West peace and stability should be explored.

LETTER TO THE EDITOR OF THE WASHINGTON POST

JULY 17, 1967.

Aside from its malicious overtones, your July 10 editorial on "Captive Congressmen" is so absurd, both logically and empirically, that I am fully convinced my forthcoming book on *The Vulnerable Russians* will be of enormous value to you. Scheduled for publication release this October as "An American Answer to the '50th'—The Fraudulent Russian Bolshevik Revolution," the work will not only place imperio-colonialist Moscow on notice that not all Americans, by a long shot, are fools as concerns its empire in the USSR itself, but it will also, I am sure, be a permanent answer to you and other segments of Moscow's-induced breed of Pavlovian dogs in our country.

Having had long experience with your letter-cutting and omitting techniques because of "want of space" and other convenient rationalizations—in itself scarcely a symbol of journalistic honesty—I offer here a simple, formal challenge which I raised publicly on July 15 at the Captive Nations Conference in the Mayflower Hotel. It is a challenge for you to receive some elementary education on Soviet-Russian imperio-colonialism. Simply, I challenge you to arrange a discussion meeting in the *Post's* auditorium, which would bring you face-to-face with living victims of Soviet-Russian imperio-colonialism from Idel-Ural, Turkestan, White Ruthenia, and Cossackia.

It doesn't require much courage to shield one's ignorance behind an editorial pen and continue to misinform your readers about the true nature of the USSR. Let us see how courageous you are in meeting these people—whom you think are ghosts without a national background of independence struggle—before the audience of the *Post's* personnel who, in this setting, would have the opportunity to gauge the level of their editors' understanding of this vital problem. Here, too, I am confident that quite a number of our citizens will be interested in your response to this challenge.

LEV E. DOBRIANSKY,
Professor, Georgetown University, Chairman, National Captive Nations Committee.

[From America, Aug. 24, 1967]

THE WASHINGTON POST AND CAPTIVE NATIONS

(By Peregrinus)

The Washington Post, one of the leading newspapers in the country, has been known as a liberal American newspaper, which supports and upholds editorially liberal causes and movements.

But being a liberal is a relative notion, and more often than not people and newspapers which claim to be the greatest liberals, in reality are reactionary bigots and chauvinists, because they would not recognize the liberalism of others.

So is *The Washington Post.* It is to be recalled that in 1963 and 1964 *The Post* waged a bitter campaign against the movement for the erection of a monument in Washington to Taras Shevchenko, Ukraine's national hero and poet laureate on the ground that he was a "forerunner of Bolshevism," and that he was also revered by the Communists behind the Iron Curtain as well.

Shevchenko was a foremost 19th century Ukrainian poet and freedom fighter not only for Ukrainians, but all other peoples as well. He defended persecuted Jews in Czarist Russia, and he denounced the bloody conquest of the Christian and Moslem peoples of the Caucasus, and above all, he castigated the oppressive Czarist regime. For his daring and outspoken freedom of thought he was arrested and exiled to Asia (1847–1857), and he returned a physically broken man. And yet, he never ceased to dream of freedom, justice and equality. In one of his poems (1858), Shevchenko called for a "Ukrainian George Washington," who would install a "new and righteous law" in Ukraine, meaning the same system of government as that established in America by George Washington. In that respect, he was one of the greatest liberals. And yet, *The Washington Post* opposed his monument in Washington. Why? Shevchenko was a Ukrainian, and in *The Post's* twisted mind nothing Ukrainian can be liberal. Shevchenko fought Russian domination and oppression, and apparently *The Post* believes that one cannot oppose Russian tyranny and be a liberal. Nevertheless, the U.S. Congress passed the law, and in 1964 the monument was unveiled in Washington, and the impressive ceremony attended by over 100,000 Americans of Ukrainian origin, was addressed by President Dwight D. Eisenhower.

Having swallowed this bitter pill, *The Post* found another issue to oppose. It was the Captive Nations Week Resolution, passed by the U.S. Congress in July, 1959.

Every year in July, *The Washington Post* assails the concept of the captive nations. This year, in its editorial of July 10, 1967 ("Captive Congressmen"), the liberal editors of *The Post* again derided the captive nations, contending that some captive nations are not captive, nor even nations. They referred to Idel-Ural, Turkestan, White Ruthenia and Cossackia as "pseudo-states."

What pains *The Post* above all is the fact that Russia is not included in the long roster (22 countries) of captive nations. They accused Prof. Lev E. Dobriansky, who authored the Captive Nations Week Resolution, of anti-

Russian chauvinism, because he is of Ukrainian descent, and "Ukrainian nationalism is nothing, if not anti-Russian," *The Post* contended.

Here the *Post* liberals show how limited they are in historical background and knowledge. Communist Russia dominates directly or indirectly over 22 distinct non-Russian nations, in which Communist regimes had been implanted with the help of the Russian Red armies. No one denied that millions of Russians suffer from Communist persecution and denial of human and religious rights. But Russia as a country, is not enslaved nor is it dominated by any foreign power or a combination of foreign powers. On the contrary, the Russian Communist empire stretches now from East Berlin to Vladivostok. While all other former western colonial empires have been undergoing a process of decolonization, the USSR is the greatest remaining land empire, untouched by the new and fresh winds of self-determination and freedom. Those who had tried for freedom, met brutal and inhuman suppression, as in Hungary in 1956.

Not only is Communist Russia the greatest enslaver of peoples it had conquered, it continues to push and probe in all corners of the world: North Vietnam, North Korea, Tibet, the newly-established countries of Africa and Asia, the Middle East and South America.

But again, the editors of *The Washington Post* are oblivious to these hard facts as they incessantly attack those Americans who are trying to bring these inhuman features of Russian Communist imperialism and colonialism to the forum of the American people.

By assailing the captive nations and by denying them the right to self-determination and freedom, *The Post* consciously or not, upholds the foundation of the Russian empire, with all its ugly and inhuman features, including anti-Semitism. No wonder that, in past years, *The Post's* policy on the captive nations was praised by the Communist press within the Soviet Union!

Perhaps at some future date, *The Post* will truly understand its unliberal position on the captive nations and reverse its opposition, when the editors would realize that their position on the captive nations is identical with the stance of the Kremlin.

NEW ENGLAND COMMITTEE FOR
CAPTIVE NATIONS,
Boston, Mass., August 11, 1967.

To the EDITOR,
The Washington Post,
Washington, D.C.:

The editorial "Captive Congressmen" (*The Washington Post,* July 10, 1967) was another example of the newspaper's false preconceptions and misinformation about Captive Nations Week and captive nations under Russian and Chinese colonialism.

We also believe that "all available openings to East-West peace and stability should be explored." We do not believe, however, that such an exploration should be on the account of the captive nations in tightening their captivity, but rather in supporting their right to freedom and self-determination. Communist Russia has imposed its grasp over captive nations by naked force and brutality, without letting Ukrainians, Armenians, Latvians, Lithuanians, Cossacks, Byelorussians, express their will. Hopefully, you do not accept Communist 99.99% elections as the voice of the people?!

The Captive Nations Week does not "hyphenate" Americans. Yearly observances indicate that Americans from all walks of life participate in observances and express their support of the traditional American principles for freedom and independence of nations.

During the last Israel-Arab conflict, American Jews supported Israel 100%. I have not seen anything that stated or even implied that they were "hyphenated" citizens. American Irish actively supported Ireland's struggle for independence, without being accused of "hyphenated" citizenship or "old-country ethnic backbiting."

It is, indeed, an irony that this newspaper even questions the existence of Byelorussia, Cossackia, Armenia, Ukraine, Turkestan, Latvia, Lithuania, Estonia, Idel-Ural, and other captive nations. The existence of these nations is supported by thousand-year-old history, national languages, cultures and the determinations to be free and independent. Why, then, should their existence be questioned in this country?

As to "Captive Congressmen," their participation in yearly observances of Captive Nations Week speaks for itself. Our Congress is an integral part of our Government and is empowered under the Constitution to advise the President on matters of foreign policy.

In the spirit that all available openings to East-West peace and stability be explored, the objectivity and the truth about the captive nations under Russian Communist domination is the first and foremost prerequisite.

Sincerely,

O. SZCZUDLUK,
Executive Secretary.

UKRAINIAN CONGRESS COMMITTEE
OF AMERICA, INC., BOSTON
CHAPTER,
Jamaica Plain, Mass., August 14, 1967.

To the EDITOR,
The Washington Post,
Washington, D.C.:

We are disturbed over your recent editorial "Captive Congressmen" (*The Washington Post,* July 11, 1967), for it carried untruthful information and made some unwarranted inferences to captive nations under Russian Communist rule.

In the days when more African peoples have won their independence, to deny the right to freedom for Ukraine, Armenia, Cossackia, Lithuania, Latvia, Estonia, Idel-Ural, Byelorussia and others, is a contradiction to the concept of universal freedom and justice which is talked about so much in the free world nowadays.

Captive nations are not "pseudo states and others of better historical repute." They are historical states and have long lists of accomplishments in all fields of individual and national endeavor. The size of their populations speaks for itself: Ukraine—44.5 mil., Lithuania—3.0 mil., Latvia—1.9 mil., Byelorussia—12.5 mil., Armenia—1.5 mil., Idel-Ural—12.0 mil., Cossackia—9.3 mil., Turkestan—17.0 mil. In 1918, they were all proclaimed independent National Republics and were on the road to rebuilding their countries, before being brutally destroyed by Russia in the name of "world Communism."

We especially object to your unwarranted accustations levied against Dr. Lev E. Dobriansky, Chairman of the National Captive Nations Committee, in calling him an "ethnic manipulator." We do not think that this kind of language befits the newspaper which prides itself an "independent" with wide influence. Dr. Dobriansky's record as a citizen, veteran, educator, scholar and civic leader speaks for itself. We doubt very much if Georgetown University, where Dr. Dobriansky is a full professor, would employ an "ethnic manipulator"! Dr. Dobriansky has the courage to speak out that the Western concepts of liberty and justice be enjoyed by all nations, including the captives. Individuals of this caliber have been awarded Nobel prizes.

As to "Captive Congressmen," we support them in their endeavors on behalf of freedom for the captive nations. We wish that many other people be as "captive" as they are.

Respectfully,

WALTER TUTKA,
President.

[From the Hairenik Weekly Aug. 17 1967]

THE WASHINGTON POST: A CAPTIVE ORGAN

Intellectual matters—such as a problem faced by 119,000,000 human beings—ought to receive intellectual attention, but the Washington Post (see its editorial of July 10, reprinted elsewhere in this organ) feels that these matters can be best handled on the cartoon page; for the offending editorial is really not an editorial; it is a cartoon in the worst possible taste calculated to destroy an issue by the application of the great American belly-laugh.

As the memorable British cartoonist, it has tied a crazy little beat-up can over the austere pate of Gladstone, and has shown him as Happy Hooligan—as the Lord Blimps laugh and laugh.

In this instance, the Post has tied cans over the heads of 88 members of the United States House of Representatives, including the distinguished Speaker and the equally distinguished Minority Leader, and has caricatured not only their motivations in expressing their warm support of the common cause of the Captive Nations of the Soviet, but has in effect cavalierly scorned the sacred aspirations to be as free (as the Washington Post is free) of 119,000,000 non-Russians who, today, in a classic syndrome of colonialism, are dominated by a minority of 96,000,000, the Russians of the Soviet Union.

The Post's inference of course is completely untenable—and dangerous. If as it says Mr. McCormack, Mr. Ford, Mr. Flood and Mr. Derwinski, acted as "captives" to vote-get the support of Americans descended from Captive Nations stock, may we then conclude that our Congress acts simply out of the quest for the vote, that there no longer are ideals and issues before Congress, that Washington is simply a filthy pot of seething cynicism?

For instance, are we to conclude that those Congressmen who have through the years stoutly supported the Negro cause have done this not because there are legitimate issues involved, but with the Negro vote as the sole objective?

The question really is, of course, who is the captive? Is it the Congressman who supports the captive cause, or the Post, which tries in every conceivable way to laugh it out of existence?

The editorial in question of course is not of a nature which nourishes careful study. It is, as we have said, a cartoon, not an editorial befitting a great American newspaper; and in viewing that cartoon, we are quickly led to believe that it betrays a slavishness which discloses the full extent of the captivity of the Post editor.

The reader will note that the Central theme of the editorial is that there is something awful, and perhaps foreboding, in that the listing of Captive Nations does not include "Russia" and this, says the writer, "is an aspect of ethnic discrimination".

Now, when we think of "ethnic discrimination" we think of the Russians up there in the Kremlin who have practically authored the phrase. If it is "ethnic discrimination" that is bothering the Post, then it ought to editorialize against the terrible discriminations against the nationalities and religions of the Soviet Union; for of course (and read Prof. Pipes of Harvard on this), the nationalities of the Soviet Union are simply the modern serfs of Peter's days.

Let us here draw a smile. To list Russia as a Captive Nation would be to have listed England with India, Uganda, Kenya, etc., etc., among the territories of the British Empire which were candidates for decolonialization! That is, in this business, one is either a captive or a captor and, in this instance, Moscow is the colonialist, Armenia, Ukraine, yes, Idel-Ural, Cossackia and White Ruthenia (which by the way turns out to be the great nation of Byelorussia, that is White Russia, the nationhood of which has been recognized by both the Soviet and the nations of the world to the extent that it maintains a "delegation" at the United Nations), and the rest of the Russian Soviet occupied world are the captives. It is as simple as that. You can't in this instance list Russia as a captive nation because Russia is the captor.

Behind all this is the traditional Great Russian imperialism which the Communists have simply adopted and perfected—and achieved. We think the Post is quite aware of this, and we think it is more than aware of the preeminent position the Russians of the imperium have arrogated to themselves in the structure and affairs of the Soviet Union. Even Stalin himself, who was quite an authority on authoritarianism, found himself called upon to say the following:

"Great power chauvinism in our country is increasing daily and hourly . . . Great Power chauvinism, the rankest kind of nationalism, which strives to obliterate all that is not Russian, to gather together into the hands of the Russians the threads of administration and to crush everything that is not Russian."

There is today in the United States (and of course in Soviet Russia) important elements who feel that the establishment of Soviet Russia as the "great nation it deserves to be" will be a logical step towards the establishment of "world peace". It will of course be a step toward the permanent captivity of the once-free nations of the Empire, but this doesn't seem to bother the Post in the least. The Post is all the way a captive of the "great power" mentality, and this miasmatic state of mind simply and gratuitously submerges the destinies of millions of people and sublimates the conquests of Russia.

As for the Post's charge that the leaders of Captive Nations Week utilize a "technique of attributing criticism (of Captive Nations Week) to foreign manipulation", we point out that as late as the recent Glassboro confrontation, Mr. Kosygin is known to have accosted President Johnson, asking if the latter intended to "complicate U.S.-Soviet relations by issuing a Captive Nations Proclamation."

If this isn't "foreign manipulation" we've never seen foreign manipulation; and it is incredible to relate that the Post apparently is unaware that since 1959 the Soviet Government has directed an intensive worldwide propaganda effort against the Captive Nations cause, for there is no doubt in the least that the Achilles-heel of the Soviet is its captive world—and the Kremlin knows this.

This is America, however, and the Post is entitled to its opinion, and we would give our life to protect the Post's right to its opinion. But we are not at all sure that the Post feels likewise in respect to our right to have and to express an opinion contrary to its opinion. Nevertheless, we invite the Post to exercise its American privilege and duty by reprinting this counterview, as we have freely reprinted its view.

Until the Post does precisely that, we will have every right to believe that the sentiments of the distinguished members of the House are closer to expressing the views of the American people than those of the Washington Post.

ANNIVERSARY OF SEABEES, NAVY CIVIL ENGINEER CORPS AND NAVY FACILITIES ENGINEERING COMMAND

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TEAGUE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, this is to announce to the House of Representatives that a 100-year time capsule is to be buried with appropriate ceremonies at the U.S. Navy Construction Battalion Center, Port Hueneme, Calif.

The capsule is to hold various pictures, histories, and artifacts of a contemporary nature concerning the Navy's Civil Engineer Corps and the famous construction men of the Navy, the Seabees. The ceremony of burying the capsule complete with the mementos marks the 25th anniversary of the splendid Seabees, the 100th anniversary of the Navy Civil Engineer Corps, and the 125th anniversary of the Naval Facilities Engineering Command—formerly the Bureau of Yards and Docks, founded in September 1842.

The capsule will be disinterred and opened in the year 2067 by the commander of the Naval Facilities Engineering Command—or an appropriate naval officer who would be the logical successor.

The present commander of the Naval Facilities Engineer Command, Rear Adm. A. C. Husband, will preside at the capsule burying ceremony along with Capt. Robert D. Thorson, commanding officer of the Construction Battalion Center, at noon Saturday, September 16, 1967. The log of the Construction Battalion Center will show that the time capsule is to be opened by the appropriate naval officer 100 years from the date stated above.

WILL THE U.S. SENATE SAVE THE PANAMA CANAL?

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TEAGUE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, I call to the attention of my colleagues a splendid article by Dr. Donald Dozer, of Santa Barbara. I consider Dr. Dozer the leading authority in the country on the Panama Canal:

WILL THE U.S. SENATE SAVE THE PANAMA CANAL?

(By Prof. Donald Dozer[1])

In the new and still officially secret treaties with Panama, the Johnson Administration proposes to transfer to Panama the sovereign control over the Canal Zone and the Canal which the Theodore Roosevelt administration obtained "in perpetuity" from Panama in 1903 and which the United States has possessed ever since.

For over sixty years United States policy toward Panama and the Panama Canal was based on the assumption that the United States had sovereignty within the Canal Zone and that it exercised its sovereign control there in perpetuity. But President Johnson has officially renounced this basic policy position.

As early as 1881 President Rutherford B. Hayes declared that "the policy of this country is a canal under American control." When the United States deemed itself ready early in this present century to construct a canal through the narrow neck of Central America, Congress, in the Spooner Act of 1902 insisted, as an absolute prerequisite, that the United States must be given "perpetual control" over the Canal Zone in order to construct and perpetually maintain, operate, and protect the Canal. In the Hay-Pauncefote treaty with Great Britain the United States had already assumed the obligation to build such a canal for its own use and for the benefit of world commerce.

GRANT IN PERPETUITY

Accordingly when Secretary of State John Hay signed the treaty with Panama in 1903 he obtained "in perpetuity" for the United States the grant of a ten-mile wide canal zone and all the rights, power and authority within the zone "which the United States would possess and exercise if it were the sovereign of the territory . . . to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority" (Article III).

Thus the United States obtained the degree of authority in the Canal Zone which was indispensable to the construction and operation of that great international waterway. It received from Panama a grant of authority "in perpetuity" which was commensurate with its treaty responsibility to world commerce.

In the treaty of 1903 the United States received a "grant." not a lease of the Canal Zone. It offered to pay Panama $250,000 a year starting nine years after the ratification of the treaty or at the approximate time when the canal would be completed.

But this annuity did not make the Canal Zone a mere leasehold of the United States. Rather, it was the exact amount of the annual subsidy which the Panama Railroad had been paying to Colombia and which the United States, as the new owner of the Railroad, now agreed to pay to Panama. And when upon the completion of the canal the Railroad lost its role as monopoly carrier in transisthmian traffic the United States began to make the annual indemnity payments of $250,000 to Panama on behalf of the Railroad. To this amount the Eisenhower Administration added in 1955 an annual gratuity of $1.5 million at the expense of United States taxpayers.

In addition, the United States gave Panama for the "grant" of the Canal Zone in full and total payment the sum of $10 million upon ratification of the treaty, and it subsequently purchased the land in the Canal Zone from the individual property owners in the amount of approximately $40 million. In addition, in order to extinguish the claims of Colombia, the parent of Panama, it paid Colombia $25 million in 1923.

The United States thus paid thrice over for its territory in Panama and in all paid more for the Panama Canal Zone than for all its other territorial possessions combined. In the Canal Zone the United States now has a public investment of almost $5 billion.

The "grant" of authority in the Zone which Panama made to the United States in 1903 was a sovereign act of the new government of Panama. Nevertheless since 1903 there have not been lacking politicians in both countries who insist that Panama was defrauded out of sovereign control over a strip of her own territory by President Roosevelt and Secretary Hay. International lawyers favorable to Panama's claim have tried to spin out a distinction between sovereignty on the one hand and the exercise of sovereignty on the other. The latter they call jurisdiction, and this alone, they argue, was transferred to the United States in 1903.

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[1] Dr. Dozer, a professor of history at the University of California at Santa Barbara, served for many years in the research and intelligence sections of the State Department. The author of numerous books and magazine articles, he has served as a consultant on Latin American affairs for the Brookings Institution, Washington, D.C.

But this distinction overlooks the fact that jurisdiction "in perpetuity" can scarcely be differentiated from full sovereignty. Moreover, the treaty of 1903 stipulates that the United States shall exercise all its rights, power, and authority in the Canal Zone "to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority."

Even if the United States received merely jurisdiction or the right to exercise sovereignty over the Canal Zone, Panama at the same time waived forever any claim to the exercise of sovereignty in the Zone, including the claim to any voice in the construction or control of the canal, to the enforcement of policy authority in the Zone, to the right to fly the Panamanian flag in the Zone, and to all other sovereign rights there.

In the negotiation of the present treaties by the Johnson Administration the question of sovereignty has unfortunately been allowed to become a crucial issue.

THE HISS REPORT

All argument over the sovereign position of the United States in the Canal Zone should have been ended by the explanation given by Secretary of War William Howard Taft in 1905 that the only authority that Panama retained in the Canal Zone under the treaty of 1903 was "titular sovereignty," that is a reversionary or residual interest in it which Panama could claim if the United States ever withdrew from the Zone and abandoned its responsibility to maintain, operate, and protect the Zone and the Canal in perpetuity.

If and when that should happen, then the Canal and the Zone would revert to Panama and not to some other country, for example Colombia. Except for this claim which might conceivably become operative in the remote future Panama could neither claim nor exercise any sovereignty in the Zone.

Alger Hiss as a State Department official negated this policy and encouraged Panama to claim full sovereignty in 1947 when, without the knowledge or concurrence of the Assistant Secretary of State for Latin American Affairs, he submitted to the United Nations a report on the Panama Canal Zone describing it incorrectly as an "occupied territory."

Panama thereafter intensified its demand for recognition of its sovereignty over the Canal, climaxing it with riots and demonstrations against the United States in 1958 and 1959. In response President Eisenhower's special emissary to Panama, Deputy Under Secretary of State Livingston Merchant, publicly admitted Panama's "titular sovereignty" over the Zone.

But neither he nor the State Department nor any other Washington agency defined the term nor suggested that it meant only residual sovereignty. To Panamanians this undefined titular sovereignty meant full sovereignty, and they demanded, as a symbol of their sovereignty, the right to fly their flag in the Zone. To this demand Eisenhower capitulated.

Meanwhile the House of Representatives had adopted a resolution by a vote of 382 to 12 on February 2, 1960, denying Panama's claim to fly its flag in the Canal Zone. Congress had also stipulated that no federal monies should be used for this purpose. When the governor of the Canal Zone received an order from Washington to hoist the Panamanian flag in the Zone he asked the State Department if he should charge the expense to its budget. Not at all, replied the State Department, for Congress had forbidden the use of any federal appropriation for this purpose. He addressed the same inquiry to the Department of Defense and received the same answer.

Whereupon President Eisenhower, in defiance of Congress and the law, provided the money from official White House funds. Panama's flag was therefore raised next to that of the United States at Shaler Triangle in the Zone on the instruction and at the official expense of President Eisenhower. The conception of Panama's mere titular sovereignty was abandoned. Henceforth Panama could claim full sovereignty, and she possessed a strong legal claim that the clause in the treaty of 1903 which entirely excluded her from the exercise of any sovereign rights, power, or authority in the Zone had been made a dead letter.

PANAMA'S FLAGS FLY

By this action the Eisenhower Administration unlocked the flood gates in Panama. Panama, now being acknowledged to be sovereign over the Zone, demanded other attributes of sovereignty, including the right to have her own postage stamps used in the Zone and to have her flag flown alongside the United States flag wherever the latter was flown in the Zone by civilian authorities. During 1963 President Kennedy agreed that the United States and the Panamanian flags should be flown together at seventeen sites in the Zone. The new governor of the Canal Zone predicted anxiously to intimates that this decision would lead to trouble, but he undertook to carry out his orders.

In an attempt to comply both with Kennedy's orders and with the Panamanian demand that Panama's flag should fly alongside the United States flag wherever the latter was flown over civilian installations in the Zone, the governor restricted to seventeen the number of sites where the United States flag could be flown, thus eliminating the flag from the Balboa High School and other sites. But American students at the Balboa High School defied the governor's order and hoisted the flag, bringing on reprisals from Panamanian students and bloody rioting against the United States on January 9, 1964.

Two of the present three treaties have been made public only through the journalistic enterprise of the Chicago *Tribune*. One of these treaties dealing with the existing canal specifically abrogates the treaty of 1903 and acknowledges Panama's sovereignty over the Canal and the "canal area." Already, even before the treaties are signed, Panamanians are complaining that the provision for joint administration of the canal by a commission of nine, five to be appointed by the President of the United States and four by the President of Panama, violates Panamanian sovereignty.

Not satisfied with sharing the management of the canal they are demanding nationalization of both the canal and the entire canal area. Since President Johnson has already recognized Panama's sovereignty over the Zone the legislature of Panama can obviously nationalize the canal as a domestic matter.

If the present treaties are approved by the United States Senate and are ratified by the President, nothing can prevent the Panamanian flag from being flown everywhere in the canal area in place of the United States flag. And, still more significantly, the armed forces of the United States, which have long been centered in Panama as the headquarters of the Southern Command for the defense of the United States, the Panama Canal, and the Western Hemisphere, will function hereafter only at the sufferance of whatever government happens to be in power in Panama.

Indeed, the second treaty, dealing with the defense of the canal, provides in Article III that the flag of Panama shall fly above the United States defense installations in the canal area. Rumors are rife that the United States may soon be obliged to transfer the headquarters of its Southern Command to Puerto Rico.

The current treaties, if ratified, will represent another major disaster in America's tragic retreat from the defense of freedom. Their ratification will be a major geopolitical defeat for the United States. Who are the architects of defeat in Washingon? Are we not entitled to expect that at least thirty-four patriotic senators—the minimum required to defeat the treaties in the Senate—will stand up and defend the position of the United States in the Canal Zone by voting not to ratify them and, in view of the recent loss of the Suez Canal, will save us from the loss of another essential ocean lifeline of the shrinking free world?

HISTORY OF CEDARBURG

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. STEIGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, 1967 marks the 125th anniversary of the founding of the city of Cedarburg in Ozaukee County, Wis. In special tribute to this memorable year and in honor of the founders of the fine city, I include as part of my remarks a "History of Cedarburg":

HISTORY OF CEDARBURG

ITS GROWTH THROUGH INDUSTRY AND THE PIONEERS WHO SETTLED THERE

Frederick Hilgen (called the Father of Cedarburg) and William Schroeder cut a road through the forest in 1844, from Hamilton to what became the Village of Cedarburg. The following year, 1845, they erected the first grist mill of half log and half frame construction, on the bank of Cedar Creek where they later built the present Cedarburg Mill in 1855. It was built by Burchard Weber on what is now the corner of Columbia and Portland Avenues. However, due to the flow of settlers at this time, it was a flour and grist mill. It consists of five stories with a monitor roof, and details reflecting Greek Revival influence. Frederick Hilgen erected a much needed saw mill in Cedarburg, in 1847. This mill stood on the site of the present Legion Hall on the corner of East Portland and Hilbert Avenues.

KEY PERSONALITIES IN THE HISTORY OF CEDARBURG AND OZAUKEE COUNTY

Since local history is really the story of local people and what they have accomplished, rather than the story of great battles, political intrigues and social revolutions, this brief history of our county is based on the lives of some of its leading pioneer citizens. At the same time, we must admit that the pioneers had their local battles over the location of the county seat, splitting of the original county into two counties—Washington and Ozaukee—possession of the county records, and the Civil War Draft riot, all of which left their scars. Tragedies such as the two cholera epidemics, and such problems as the mixed population of foreign-born and "Yankees" also left their mark on our history.

But going back to the lives of the people, we will begin with the Town of Cedarburg which was organized in 1849 but had been settled before 1846. The first six men who came settled in New Dublin, now called Hamilton, picturesquely situated on the Green Bay Road and Cedar Creek, with a mill and a number of its other old stone buildings still standing. First came Joseph Gardinier known as "Miserly Joe," who was the first man to set an axe to the primeval forest in the town of Cedarburg. He was employed by the agents who had charge of the construction of the old Milwaukee and Green Bay Road, and he made his headquarters in a log shanty where the Hamilton mill (the Concordia Mill) now stands. This mill was built in 1853. Quite another type of pioneer was I. S. Brown, a highly educated and refined recluse, who lived alone in a little hut in the forest which an 1881 writer described in a quotation from Spencer: "A little lowly hermitage it was, down in a dale, hard by a forest's side; far from resort of people that did pass in travel to and fro." Although he was greatly respected by his fellow pioneers, there was much speculation over the cause of his melancholy solitude. It was at Valentine Hand's hotel, a favorite early day meeting place, that the name of the little community was changed in 1847 from New Dublin District to the Hamilton District. No reason has been given for the change. Daniel Strickland, Samuel Place, and L. Fox also made early improvements in New Dublin.

But in 1844 Frederick Hilgen and William Schroeder made a prospecting tour to New Dublin, and proceeded to cut a road through the forest to what became the Village of Cedarburg. From 1845 to 1879 (his death) Mr. Hilgen was Cedarburg's most enthusiastic promoter, and leading business man, recognized as the founder of the village and affectionately called "Father Hilgen" by its citizens. Born in 1805 in Oldenburg Germany, he was forced in early boyhood to rely upon his own resources and worked as a common laborer until he was 27 years old, when he came to Baltimore in 1832. After a year there, he went to Charleston, South Carolina, as a clerk in a store and by his industry and integrity, in two years had a store of his own. His business prospered during his ten years in the south. For nine years he was a member of the loyal organization known as the "German Fusileers" and with them served in the Florida war. In 1837, he married Louisa Boerner in a voyage back to his native Oldenburg, Germany. In 1843, he sold out in Charleston and moved to Milwaukee where he was in business for two years. In the meantime, having purchased 260 acres, he moved his family to Cedarburg in 1845. Here began his partnership with William Schroeder, which lasted until 1865. They first erected a grist mill (1845), a much needed saw mill in 1847, then together with Diedrich Wittenberg, a woolen mill (1864), Hilgen built a soda water factory in 1868 at his "Cold Springs" and a planning mill in 1871. Naturally enterprising, and with a gift for inspiring others, Mr. Hilgen willingly aided every worthy project for the advancement of the community. His woolen mill was the only one west of Philadelphia manufacturing worsted yarn. He was one of the founders of The Bank of Cedarburg in 1880, and was a director of the Mechanics Mutual Insurance Company of Milwaukee. Most interesting of his projects was his famous Hilgen Spring Park Resort, opened in 1852. It covered 74 acres of which 30 acres were forest. There were two hotels, a bandstand, spring and a bath house, several fountains, artistic flower beds, and gravel walks. The whole was under the supervision of Dr. H. A. Jaergens. By the 1880's it was visited by people from Chicago, St. Louis, and New Orleans each summer.

Mr. Hilgen was a state senator in 1860 and a Republican elector for 1872. He and his wife had 13 children. Their home, built in 1845 in the style of Charleston homes where they previously lived, still stands (1964) at 139 East Spring Street. It is now owned by Mr. and Mrs. Howard Lyon, who acquired it from Mrs. Frederick Hilgen, granddaughter-in-law of the original owner.

Two very important personalities in the Village of Cedarburg in 1846 were Dr. Theodore Hartwig and druggist Hugo Boclo. The doctor had come from his home in Germany to Milwaukee and made the last of his journey on foot; taking three days to follow the Milwaukee River through the woods to Cedarburg, shooting game on the way for his food. The letters which he sent home to his parents in Germany describing the entire trip eventually found their way back to this area and were translated from the German by Arthur Boerner of Milwaukee for the State Historical Society. Published in the Ozaukee Press, the clippings are available at the Niederkron Library in Port Washington and make very interesting reading. After some years in Cedarburg, the doctor was persuaded by West Bend residents to move to their village. But friends and patients in Cedarburg sorely missed him. So one bitter cold day in winter, they bundled into a sleigh and drove to West Bend to beg Dr. Hartwig to return. The doctor was so touched by this demonstration that he did return. Once more he was lured to leave, but being unable to sell his house, he decided against accompanying his friend, Leland Stanford of Port Washington to California. Leland Stanford, disappointed by his defeat for the office of District Attorney, left this county to make his fortune in the golden west, and a very handsome fortune it was; as witness Leland Stanford University, which he gave to California in memory of his only son who died at the age of eighteen. The reason for the strong friendship between Stanford and Dr. Hartwig is not clear, since history describes Stanford as excessively aggressive and greedy to the point of cruelty, while Dr. Hartwig is known as a humane and sentimental person. However, he was also known as an excellent violinist and socially very popular, so no doubt, Stanford enjoyed the Doctor's company as much as everyone else did.

Dr. Hartwig was the son of a physician, was born in Frankenburg, Kur-Hessia, Germany, June 7, 1820, and practiced for a year with his father before coming to New York in 1846. Then with three newly-made friends who had crossed the Atlantic with him, he decided to accompany them on a hunting trip west. While crossing the Great Lakes, he met William Luening, who persuaded him to stop over in Cedarburg. He did not think Cedarburg at all promising as a place to practice, but as winter was coming on, decided to remain until spring. By that time, he had become settled, and the people did not wish to spare him, so he remained. In 1850 he married Caroline Hodann. About 1862, after returning from West Bend, he built the home still standing at North Washington Avenue and Sheboygan St. He was examining physician during the draft of 1862 and had taken out his naturalization papers on the day of his arrival in Cedarburg. His son, Dr. Max Hartwig (1850–1914) practiced in Port Washington from 1890 until his death in an automobile accident. In 1881, his other children were listed as Theodore, engineer in Eau Claire; Albert, brewer in Eau Claire; Ida, Mrs. Charles B. Carstens of Eau Claire; and Agatha.

Druggist Hugo Boclo, who had come to Cedarburg with Dr. Theodore Hartwig in 1846, established a drug store which bore his name well into the 20th century. It stood on the site of Jung's Furniture Store at 326 North Washington Avenue.

The name of F. W. Horn, a lawyer, who came to this county in 1841, is still prominent in Cedarburg and the county after 125 years. Mr. Horn was in public life for practically his entire life time, as his grandson Adlai S. Horn has been, as publisher of the News Graphic and influential member of the County Board of Supervisors and County Park Commission today. Adlai's grandfather, F. W. Horn, was born in Linum near Berlin, Prussia, in 1815; and after some time in New York, Illinois, Iowa, and Michigan, came to Mequon in 1841 where he was Postmaster, Justice of the Peace appointed by Governor Doty in 1842, the only magistrate in the county. Coming to Cedarburg in 1847, he was Registrar of Deeds, a member of the Assembly for 21 years and Speaker of that body twice. He was State Commissioner of Emigration in New York for a time, and delegate to the State Democratic Convention in New York in 1868. He was married twice and father of four girls and three boys. In 1881, Frederick was station agent at Pewaukee and William was station agent at Cedarburg, while Alexander was at home.

Another pioneer name still prominent in Cedarburg, is that of J. P. Wirth, a native of Bavaria, born in 1815 and coming to Cedarburg from New York in 1846 to ply his trade as a shoemaker. First employed by Fred Sleifer, he opened his own business in 1847, and married Margaret Mueller. In 1850, tired of living in a log cabin, he built his frame house (still occupied in 1881). In 1865 he began dealing in ready-made boots and shoes. (The Wirth Store in Cedarburg is still selling them in 1966.) In 1870, J. P. and his son Charles built a fine stone building for their store. This is still standing at 121 North Washington Avenue. In 1878, Mr. Wirth retired and gave his share of the business to his younger son Gustave, whereupon the firm became known as Wirth Brothers.

Diedrick Wittenberg, who came from Hanover, Germany with his parents in 1844, has his name still listed among Cedarburg's prominent citizens in 1964. He first lived on a farm with his family until 1855, age 20. He spent ten years in teaming and then went into partnership with Fred Hilgen to build the Cedarburg Woolen Mills. In 1872 he became President of the company. He was the father of eight children. Several Wittenberg families are still living in Cedarburg in 1965, and Carl Wittenberg is still operating the woolen mill.

Another pioneer who remained in Cedarburg only seven years before moving to Port Washington, nevertheless left his mark on both communities. In Cedarburg, John C. Schroeling was in the grocery and hotel business from 1853 to 1859. During that time he organized the Singer Society, the Cedarburg Rifle Company, of which he was captain, and the Turner Society. The old stone Turnverein was a landmark in Cedarburg for over 100 years and was torn down in 1960 only after a valiant fight to save it by historic minded Cedarburg women. It stood on the site of the present Cedarburg State Bank on the corner of North Washington Avenue and Turner Street. In Port Washington, Major Schroeling also organized the Singer Society and the Turner Society and took many of his Turners with him into the Wisconsin Volunteer Infantry in the Civil War. The Major had been a Lieutenant in the 1848 war in Germany. It is pleasant to think that both Major Schroeling and Dr. Hartwig and their musical friends would be pleased to see the prominent place given to music in the life of Cedarburg today, particularly the annual Music Festival which draws marching bands from far and wide.

THE WELCOME "NEW CONCEPT" AT HEW

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am inserting in the RECORD at this point a recent news article from the New York Times by Joseph A. Loftus. The article reports a reorganization in the Department of Health, Education, and Welfare to advance the "new concept" for rehabilitation of needy dependent persons. Rehabilitation of welfare recipients is a most constructive and meaningful goal both for the society and the individual involved.

This new concept is most welcome, particularly coming a short 5 months after Presidential Aide Joseph Califano stated in a speech before the Washington chapter of Sigma Delta Chi on April 19, 1967, that the administration's preliminary study of federally assisted welfare programs revealed that "only some 50,000 males are capable of being given jobs and training that will make them self-sufficient" out of the 7.3 million people on welfare. I challenged vigorously the assumptions underlying that preliminary study precisely because it seemed to ignore the possibilities and potential of rehabilitation of welfare recipients of all categories. To read out so many people as being incapable of rehabilitation as the Califano speech did reveals some tragically regressive ideas about social welfare programs.

The following news article provides evidence of a healthy rethinking of welfare philosophy and proper emphasis on rehabilitation:

TRAINING OF NEEDY BROADENED BY UNITED STATES—HEALTH UNIT'S REHABILITATION INCLUDES YOUTH AND AGED

(By Joseph A. Loftus)

WASHINGTON, August 29.—The Department of Health, Education and Welfare has begun a program for the rehabilitation of needy dependent persons that goes far beyond the old concept of vocational training leading to a job.

The new, broader concept includes the rehabilitation of the aged and of children as well as working-age needy.

The concept was described in an interview today by Wilbur J. Cohen, Under Secretary of the health department.

The department's recent reorganization was designed to advance the new concept. A staff that is concerned with cash payments and the eligibility details of welfare recipients will function separately from the staff that will deliver the services.

NURSING HOME SAVINGS

Rehabilitation will not be limited to welfare recipients, although those people and their families are the core of the problem. There are about a million such families.

"Take a man 70 years old who is in a nursing home," said Mr. Cohen. "He is incapacitated and cannot be rehabilitated into a job. But he or his family is paying $350 a month, and if he can be rehabilitated enough so he can live at home at a cost of $50, somebody is going to save $300 a month."

Mr. Cohen gave these other examples:

"A housewife who is unable to make a home without outside help does not need vocational training but she may need other kinds of help to make her independent of a maid."

"A 10-year-old child who is emotionally disturbed does not need vocational training but we may be able to rehabilitate him so that he can take his place in school."

Mr. Cohen also cited cases of adult men who cannot work, not because of a vocational training need but because of emotional instability. He said that at least some of these men could be helped, perhaps by changing their environment and guiding them at least to a part-time job.

"Psychologically, testing and adjusting are advancing people who 10 or 20 years ago were believed to be beyond rehabilitation," he said.

A new unit of Mr. Cohen's department is called the Rehabilitation Services Administration. "We are taking off the word 'vocation,'" the Under Secretary said.

NEW DIVISION OF WORK

The problem of determining eligibility and making cash payments will be handled by the new Assistance Payments Administration. Mr. Cohen said that this called for a lot of work and time and talent, but "you shouldn't have doctors doing bookkeeping." As a result, the new division of work involves the delivery of services on the one hand and of payments on the other.

The H.E.W. reorganization was announced on Aug. 15 just before the House Ways and Means Committee revealed that it had written new welfare controls into the Social Security bill.

TRENDS IN LIBERAL THINKING

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. CURTIS. Mr. Speaker, a recent article from the Wall Street Journal, of August 30, 1967, records the noticeable trend in what has been called the liberal approach to social problems. In my judgment this trend is healthy, not because it is in the direction of my own thinking, which it is, but because it may herald an era of increased meeting of the minds and a breakdown of dogma from both sides.

The column, written by Alan L. Otten, entitled "Politics and Peoples," follows:

POLITICS AND PEOPLE: NEW DIRECTIONS

(By Alan L. Otten)

WASHINGTON.—A good many liberals seem to be rediscovering the advantages of the free market.

An increasing number, both in cool academic chairs and in political hot seats, are beginning to complain about a wide range of Federal programs they long had endorsed: Welfare, health, housing, urban rebuilding, antipoverty and other projects in which Washington agencies either provide the service directly or lay down strict controls over the way it's to be provided by state and local governments or private groups.

Sounding like such conservative politicians as Barry Goldwater or such conservative theoreticians as Milton Friedman, these liberals bemoan bureaucratic inefficiency and indifference. They grumble about the glacial slowness of Federal action, interagency conflicts that constrict performance, inadequate results for the fortunes spent.

And, surprisingly, the liberals not only criticize the value of the old approach but suggest alternatives that at least in part resemble standard conservative doctrine: Having private enterprise carry more of the load, and letting the poor people buy more of the goods and services themselves.

Naturally, the analogy between the new liberal line and customary conservative doctrine does not continue indefinitely. The liberal's answers involve considerably higher Federal spending. The conservative is inclined to leave to the judgment and conscience of business firms the decision about engaging in socially useful projects; the liberal would stimulate the corporate conscience with substantial tax concessions and other subsidies. The liberals urge a negative income tax or other scheme to raise the income of poor families, but would add this atop existing welfare programs; Mr. Friedman supports a negative income tax as a substitute for them.

The new liberal line abounds in Congressional testimony, speeches and magazine articles. Here is Daniel P. Moynihan, assistant secretary of labor under President Kennedy and now director of the MIT-Harvard Center for Urban Studies: "In our desire to maintain public confidence in such (government poverty-easing) programs, we (liberals) have tended to avoid evidence of poor results, and in particular have paid too little heed to the limited capacities of Government to bring about social change . . . somehow, liberals have been unable to acquire from life what conservatives seem to be endowed with at birth, namely a healthy skepticism of the powers of Government agencies to do good."

Richard Goodwin, braintruster and speechwriter for both Presidents Kennedy and Johnson and commonly credited with writing the "Great Society" phrase into the Johnson program: "Modern poverty cannot be abolished by friendly edicts from remote officials. . . . Centralized bureaucracies tend to become increasingly ineffective and coercive in direct proportion to the scope and intricacy of the problem they are established to solve."

Mr. Moynihan's Cambridge colleague, James Q. Wilson, attacking the Administration's "model cities" program: "Large bureaucracies are not very good at performing complex tasks requiring the exercise of a great deal of coordination over disparate activities."

One conclusion many liberals draw from their criticism of Government programs is that substantial financial incentives must be offered to involve private enterprise more deeply. Thus, to encourage the opening of job-creating businesses in the slums and the construction or rehabilitation of low-rent housing there, Sen. Robert Kennedy proposes tax credits, tax deductions, accelerated depreciation, subsidized interest rates. Many Senate Democratic liberals—Mansfield, McGovern, Mondale, Tydings and others—have joined a number of GOP Senators in proposing similar incentives to job-creating investment in rural areas.

For the poor, many liberals see direct handouts as infinitely preferable to expanding outlays for antipoverty projects, model cities, community health centers. They argue that the poor people will spend the money on food, housing, health care and the rest far more efficiently and expertly than Government officials can spend it for them.

For example, says sociologist Lee Rainwater, the recent White House Conference on Civil Rights recommended an increase of $500 per year per pupil in spending on education, as a key way to help poorer Negro children—an outlay of $1,500 or $2,000 for a family with three or four children. "Might it not be," Mr. Rainwater asks, "that an increase of $1,500 to $2,000 in that family's income would have as much or more educational effect on those children because of its effect on the family environment?" Mr. Rainwater criticizes the assumption that the Federal Government has the skills "to develop really effective services for such a special population as the poor," and says present programs lack "both efficiency and humanity."

In a way, the current liberal drive for Government-created jobs for the poor also fits the trend. It does, to be sure, involve the various levels of government directly in thinking up and administering public service jobs—helping at hospitals, schools and libraries, clearing city lots. But it also recognizes that it's probably better for the poor to get money this way and spend it themselves than to be doled out an equivalent amount of goods and services.

It's interesting that the Administration's major effort so far to travel the marketplace route was bombarded by House conservatives as simply another ever-expanding spending scheme. This is the rent supplement program—Federal funds to pay part of the rent that low-income families must spend to obtain private housing. The real estate industry and many banks and insurance companies call it a worthwhile effort to reduce the Government's role in direct construction and ownership of low-income housing, as Senate Minority Leader Dirksen explained when he recently switched to its support. Yet the general conservative reaction in and out of Congress has been suspicious and hostile—an indication, perhaps, of the likely response to the whole new liberal line.

It would be a mistake to overstate the trend. In the short run, most liberal politicians and academicians will cling to their standard solution to emerging national problems: Washington either doing big spending itself or carefully controlling the outlays of others. Yet the growing liberal awareness of the shortcomings suggests that change may eventually come.

ETHICS IN THE MEDICAL PROFESSION

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. CURTIS. Mr. Speaker, during the recent hearings held by the House Ways and Means Committee on the President's social security proposals some questions were raised regarding the adequacy of the grievance procedure of the medical profession, particularly as it related to physicians charges. At that time I requested the American Medical Association to prepare for the record information relating to the questions raised at the hearings.

I am pleased to submit today a report prepared by Mr. Edwin J. Holman, secretary of the Department of Medical Ethics, of the American Medical Association entitled "The Grievance Committee Process of the Medical Profession." In the report Mr. Holman cites several sources as references. Rather than encumber the RECORD with the complete bibliography, I have transmitted all these sources which were in my possession to the Library of Congress for the ready reference of any interested student.

While I hope that those who followed the social security hearings will take a special interest in this report, it is also my hope that Members interested in the general question of professional grievance procedures will also find much in this report. In this latter respect the statement is most timely, coming while the newly formed House Committee on Standards of Official Conduct are striving to develop a meaningful guide for congressional conduct.

The report follows:

THE GRIEVANCE COMMITTEE PROCESS OF THE MEDICAL PROFESSION

(By Edwin J. Holman)

Our society and its systems improve in the testing process. Nowhere is this better demonstrated than in the grievance committee process voluntarily established by medical societies in the United States.

Medicine and the practice of medicine are mysteries to most patients and consequently questions regarding the relationships between patients and physicians are bound to arise. Only one knowledgeable in medical practice is competent to answer these questions satisfactorily. Therefore, physicians have tried to develop a mechanism which would provide a prompt, intimate and accurate forum to help patients understand some of these "mysteries" or unknowns.

Like any program of such magnitude where the provision of personal services is involved and where human beings converse about intimate personal problems, the success and the development of the grievance process is evolutionary. The idea is implemented and with each action a body of knowledge is developed and from that body of knowledge comes improvement and refinement in the process. Grievance committees are comparatively new in the medical profession. They received their first great, nationwide impetus in the second half of this century.

Despite the short time that the grievance committee has been recognized as a necessary service process of the medical society it has come of age. It has and is serving the public; it is making itself known; it is developing procedures that expedite resolution of complaints; it has largely overcome a fear that it would not succeed because doctors would not make findings against other doctors.

From a mere handful before 1950, the number of county society committees now exceeds 825. The volume of complaints received, processed and resolved gives testimony to the fact that they are a service, that they are being used. They are becoming polished with the application of abrasives of criticism whether based on insufficient knowledge, prejudices or honest difference of opinion. As a result they operate more efficiently.

There are 300,375 physicians in the United States. Of these, 266,766 are in active practice.[1] If we assume that on the average, each physician sees twenty patients a day, then there would be 5,335,320 physician-patient relationships a day or 1,947,391,700 in a year. There are over 1.9 billion opportunities each year for a misunderstanding to arise in the care or treatment of patients by physicians.

In addition, the physician is not dealing with a normal individual. The patient is ill; he is frightened, he is concerned. Indeed, the physician himself is not a normal individual in the fullest sense of the word because he assumes responsibility for a judgment—the diagnosis to be made or the treatment to be rendered—which will affect, for good or bad, the life of another human being.

The physician's judgment, his professional medical judgment, is his stock in trade. It must be correct. There is no margin for error; no time or occasion to appeal as the lawyer may, no time to turn around and take another route as the traveller might, no chance to write a revised paragraph as the author might. The physician, behind a cultivated facial facade of reassuring confidence, knows the risks involved, the morbidity and mortality rates and, most of all, he knows that medicine is still very much an inexact science. Finally, it must be recognized that in addition to all other conditions of the physician-patient relationship, the relationship is an intimate human-relationship which is unique.

It is not surprising then that in so many settings under the most adverse circumstances, patients not infrequently gain the impression, rightly or wrongly, that they have been ill-served or overcharged or otherwise put upon. Patient impressions sometimes find justification but most of the time they magnify themselves out of proper, logical or reasonable proportion.[2]

Criticism of medical organizations and of individual physicians notwithstanding, medicine is humanitarian. For years, physicians have tried to resolve complaints regarding alleged unsatisfastory medical treatment. "Organized medicine" has worked to develop and implement a mechanism "to clarify and adjust differences between physician and patient, and to assist in maintaining the high levels of professional deportment already established by the Principles of Medical Ethics."[3]

WHAT IS A GRIEVANCE COMMITTEE?

First, it should be pointed out that a grievance committee is the result of a voluntary, altruistic action by a medical society (overwhelmingly, *county* medical societies). Secondly, it should be pointed out that grievance committees are unique to the medical profession. They have no counterpart in any other profession. The dental profession, the automobile and insurance industries, labor—none has a comparable system which provides a forum where a question can be answered, a claim reviewed or a misunderstanding resolved. Admittedly, many professions and occupations have *intra* group disciplinary mechanisms where a member's alleged aberrant or unethical conduct is reviewed but among these other professions and occupations the only recourse open to the dissatisfied recipient of service is to approach our civil courts.

Essentially a grievance committee is a standing committee of a county medical society. It was established and is operating *to prevent or resolve misunderstandings, to clarify and adjust differences between physician and patient, and to assist in maintaining high levels of professional deportment.*

To serve these purposes, grievance committees are empowered to receive complaints, to investigate, mediate, arbitrate, and where necessary, refer them to appropriate bodies for adjudication.

A word of caution is necessary. Grievance committees are not disciplinary bodies. They mediate or resolve. They do not punish. If a recalcitrant member is encountered by the committee, it causes a complaint to be made against him before the ethics committee which alone has the jurisdiction to discipline or recommend disciplinary action. Discipline is an *intra* professional affair. Mediation is *extra*-professional.

In short, a grievance committee is an organized group of individuals, members of the medical profession in a given community, which accepts and reviews complaints or questions regarding any aspect of medical care given or refused by physicians in the community. A grievance committee is a program whereby patients can ask for and receive answers to questions relating to the practice of medicine with answers being prepared by qualified individuals.

COMPOSITION OF GRIEVANCE COMMITTEE

Committees are composed of three or more members.[4] Obviously, they vary in size as medical societies themselves vary in size. No magic number of members exists. The secret lies in the desire of any number of members to accept and discharge a responsibility properly. Admittedly, a committee can be too large if the volume of complaints is small and if the assignment of individual duties has not been carefully made. By the same token, it can be too small. Each society determines committee size according to reason and experience.

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[1] C. N. Theodore and G. E. Sutter, *Distribution of Physicians, Hospitals, and Hospital Beds in the United States*. American Medical Association, Chicago, 1967.

[2] Edwin J. Holman, "Take Your Medical Complaint to the Doctors" *Today's Health*, July, 1967, pp. 71–72.

[3] *Guides for Medical Society Grievance Committees,* Report of American Medical Association Committee to Recommend Standards for Grievance or Mediation Committees, Council on Medical Service, AMA, 1957, p. 7.

[4] For example: Bylaws, Los Angeles County Medical Society (California), Article XII, Section 1; Tulsa County Medical Society (Oklahoma), Chapter Ten, Section 8; Jefferson County Medical Society (New York), Chapter VIII, Article B. Section 1; Kings County Medical Society (New York), Chapter 8, Section 8.2.

Some medical societies elect members of grievance committees from the membership without qualification being imposed on the candidate. Most societies, however, appoint the members and most societies specify qualifications for the members. Some societies[5] limit membership to past presidents on the grounds that a past president is mature, experienced and, as a past president, more likely to be objective—he has no further political aspirations within the society and may therefore "call the shot as he sees it." Other societies select members because of specialty training and practice, others because of geographical location (on the ground that the members may investigate conveniently and mediate often, especially on an informal basis). Age itself plays little or no part in the selection or election of members.

Some societies have a limitation on the tenure of a member, usually two terms of three or five years. One society seeks to limit tenure to one three year term on the theory that more members of the society will thereby serve on the committee and be exposed to the nature and substance of complaints from the public.[6]

PROCEDURE

The bylaws of medical societies establish the grievance committee and outline the procedure it will follow. For example, the bylaws of the Chicago Medical Society merely says that the Committee:

"Shall hear complaints and adjust differences between members of the Chicago Medical Society and the public, such complaints or grievances to be limited to circumstances arising from the rendering of professional services."[7]

The Nassau County Medical Society bylaws provide:

"The committee shall receive complaints from anyone: doctor, layman, group or corporation. The complaint shall be made in writing, unless waived by the chairman, and shall contain a detailed description of the grievance."[8]

The Nassau bylaws provide further[9] that after investigation an attempt shall be made to "mediate the dispute and effect an amicable settlement. This is the main purpose of the committee." However, if the facts indicate a serious difference that cannot be mediated, "the committee shall meet in closed session to consider the case formally." The Nassau County Medical Society, like most societies having grievance committees, makes provision for the situation when a member refuses to cooperate:

"Any member who fails to cooperate with the committee when requested to do so, be it by failing to correspond and/or to appear before it, or by refusing to abide by its judgment, shall be referred to the President with recommendations for disciplinary action by the Board of Censors."[10]

Most grievance committees, for practical reasons, insist that the complainant notify the society or the committee of the complaint in writing.[11] A record is thus made from the beginning.

As grievance committees develop they usually find that the majority of complaints are really inquiries regarding custom, usual fees, legal rights or the like. These inquiries can be answered immediately without the necessity of referring them to the committee. The inquirer is satisfied after having had an opportunity to discuss the matter with someone in a position to furnish an answer. Most grievances are resolved because someone connected with the medical society takes the time to converse with the complainant.

Medical societies having a staff find that staff can provide answers immediately or within a very short time to the individual who, for example, telephones the society's office and says: "I was operated on for appendicitis. My health insurance policy paid me $75.00 but I received a bill from my doctor for $100.00. Can he charge me $100.00?" A few questions, by staff, concerning the insurance coverage involved, provides the opportunity to explain that the insurance policy in question is a contract to indemnify the policy holder against the cost of illness but is not an agreement to pay bills in full or to pay the complete costs of medical care. Many people are still unaware of the differences in insurance coverage and some believe that their policies provide complete reimbursement for all their medical care costs.

Frequently staff will get a call like this: "My husband and I are moving to a new community. I called our doctor and asked him if he would give me our medical records to take with us. He refused. Is this ethical?" A description of the physician's records and an explanation of what they do and do not contain helps to explain why the doctor may have refused. It is pointed out that traditionally and for good medical and psychological reasons, physicians do not give their records to patients. Finally, the inquirer is urged to retain the services of a physician in the new community and then the individual is told that if the new physician will request information from the files or records of the former physician, it will be made available.

Also staff frequently receives inquiries about hospital visits although, according to the patient, "the doctor merely stuck his head in the door and said 'how are you feeling today' and walked on. How come he charged me for that; it wasn't what I'd call a visit." The patient is told that the physician has reviewed his records since the last visit, checked the nurses' notes, studied consultation reports, written new orders on patient's chart, perhaps modified his diet and the like. A great amount of the physician's productive time in the hospital is spent on paper work. Actual bedside visiting, while nice, is not, in most cases truly for patient's *medical* benefit.

The frequency of meetings of a grievance committee does not vary greatly from medical society to medical society. Well established committees usually have one formal meeting a month. Few societies schedule formal meetings more frequently than this, and when a large number of complaints come to the committee for action, they are given an initial review before the entire committee and assigned to an individual committee member for investigation. (It not infrequently happens, that the committee member is able to resolve the matter himself, especially if his preliminary investigation includes a discussion with the physician or patient involved.) Insofar as possible, these assignments are based on practical considerations: The complained against physician and the committee member engage in the same specialty, have staff privileges at the same hospital, practice in the same geographic area or the like. It has been found that an obstetrician can talk effectively with another obstetrician, whereas an obstetrician talking to an ophthalmologist (or some other specialist) is not fully effective. Members are expected to report back promptly and, at least, by the next regular meeting of the committee.

HEARINGS

After a complaint has been submitted in writing, referred to the committee, and informally investigated, an *informal* hearing is held if resolution of the matter has not already been accomplished. Experience indicates that the large majority of hearings are *in camera* based on the investigation and report of the committee member. In this case, the parties do not appear: The complainant's only contact with the committee has been his letter; the physician's contact has been his explanation to a committee member.

If oral presentations to the committee are insisted upon, or if there appears to the committee good reason to hold a hearing to which the parties are asked to be present, there is seldom any confrontation of parties. The complainant appears, states his complaint, is questioned and excused. The physician then is invited to appear before the committee. He, in like manner, presents his version of the situation and, in all probability, is questioned and then excused.

Most medical association committees have been reluctant, because they are doctors, not hearing officers, to hold open hearings where the parties confront each other. The degree of formality necessary to insure order and decorum appears formidable to physicians whose main goal is resolution of a hopefully simple issue and whose fear is the development of a hearing into a "federal case." This idea gains support from reports, and by word of mouth, that when confrontation of parties was permitted, it lead to vituperous verbal attacks that were difficult to manage and control.

Some patients resent the lack of opportunity to hear the physician's statement alleging that their inability to cross-examine permits the physician undue liberty to describe the situation most favorably to himself. Grievance committee members believe, however, that their experience both in the practice of medicine, and as members of the grievance committee, enables them to not only question the parties but to evaluate the situation with objectivity, impartiality and thorough understanding.

The medical society believes, that inasmuch as it is making this service available *as a service* it has the privilege of calling on its experience to implement the service in a practical and meaningful way.

NATURE OF COMPLAINTS

Complaints run the gamut, but fully 90% relate to fees. One complaint submitted by the former husband of patient, who by virtue of the decree of divorce was obligated to pay her medical bills, questioned a $10,000 charge for care given his former wife. A specialist had finally performed a bone graft in the upper left arm to correct the fracture which had resulted from an automobile accident. This was the total fee and covered all treatment and the past efforts to effect a complete cure by less radical surgical procedures. There was no question concerning the ability of the party to pay a bill in this amount; it was "a matter of principle."

In cases like this, the grievance committee has an opinion of the AMA Judicial Council as a guideline. The Principles of Medical Ethics state: "His (the physician's) fee should be commensurate with the services rendered and the patient's ability to pay."[12] The Judicial Council interpreted this language to mean that "although there are some services which are considered invaluable, nonetheless their practical value lies within a range—within limits above or below which a fee is unconscionable . . . a 'patient's ability to pay' is a secondary factor, one to be considered after, not before, value

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[5] Bylaws, Tulsa County Medical Society (Oklahoma), Chapter Ten, Section 8.

[6] Personal Report of Executive Secretary, Multnomah County Medical Society (Oregon), August 1959.

[7] Bylaws, Chicago Medical Society, Chapter XII, Section 7.

[8] Bylaws, Nassau County Medical Society (New York), Article 8, Section 2

[9] Ibid Article 8, Sections 2, 3, 4, 5, 6.

[10] Ibid Article 8, Section 4.

[11] Bylaws, Wayne County Medical Society (Michigan) Article IX, Section 10.

[12] *Principles of Medical Ethics*, American Medical Association, Section 7.

'commensurate with the services rendered' is ascertained."[13]

In this case, the local specialty society to which the surgeon who submitted the bill belonged, was asked to ascertain for the grievance committee that range above or below which fees were believed to be unconscionable. The surgeon's fee would thus be evaluated by his "specialty peers."

Patients believe that hospital charges include physicians' fees. In emergencies in particular, when patient is provided hospital *and* medical care at the hospital emergency room—for anything from a toe cut while operating a power lawn mower to the swallowing of a bottle of aspirin by a 2-year-old child—the patient thinks that hospital sutures the laceration or pumps out the stomach. Patient either forgets that a physician's services were required and utilized or believes the hospital maintains a staff of specialists competent to handle all manner of medical emergencies and pays these specialists out of funds charged for the use of the hospital's available antiseptic facilities.

Patients in time of stress, pain and confusion are unable to recall at some later time what services were actually performed and are unaware of services performed in the laboratory or otherwise out of eyesight. Physicians in turn are not known to be especially vocal in explaining to patient or his representative that there is a professional, medical service being performed for which a fee will be charged in addition to the fee by the hospital for the use of its facilities.

Patients have little or no way to estimate what a fee will or should be as they might estimate what a new suit of clothes or a piece of furniture would cost. When they receive a bill for professional services, it may sometime be more than they expected it to be and then they start making inquiries. The American Medical Association urges its membership to discuss fees with patients and has a wall plaque available to its members which reads:

"To all my patients: I invite you to discuss frankly with me any questions regarding my fees or services. The best medical service is based on a friendly, mutual understanding between doctor and patient."

In its Public Relations Manual for county medical societies, the AMA says:

"Most complaints about the medical profession today are centered about fees. The bill is considered too high or it isn't clear. In most cases, such difficulties could be avoided if physicians explained medical charges in advance. Because many physicians—and patients—are reluctant to broach the subject of fees, the AMA sells an attractive office plaque which encourages fee discussions.[14]

The facts remain that human beings are human beings, that patients are reluctant to discuss complaints with their physician, and that physicians are sometimes noncommunicative, brusque, or even tired and irritable. Medical service is a unique "commodity" which cannot be packaged, displayed, sampled, or priced with predetermined accuracy. Fees, therefore, cause misunderstandings. Lawyers and clergymen know something of this problem also, because their services are personal and dependent on all the facts of a specific, individual situation.

One complaint, recently received by the AMA, concerned a physician's bill in the amount of $308 for "emergency surgery; plastic revision and repair of two inch lacerations, inner and outer upper lip; and U shaped laceration of right forehead." A serviceman, on liberty, was riding in a friend's automobile a number of miles from his duty station. In an automobile accident the youth was thrown against the windshield and lost consciousness for a short period of time. After discussion with his friend and highway patrolman, the serviceman elected to be taken to a nearby civilian hospital rather than to a more distant military hospital. The serviceman's parents later write that their son was in the hospital less than two hours, "after which he spent 4 days resting and recuperating at his friend's home on doctor's orders." About 10 days later, "stitches were removed in the doctor's office." The parents added "our hospitalization will not cover our son since he is in military service. My wife and I both have to work; we have two younger children to support; we are in no financial position to pay this bill." The service was rendered by a physician specializing in plastic and reconstructive surgery.

This is not a typical complaint. On subjective and personal evaluation a fee is determined by patient to be exhorbitant. But, what were the facts? What care was given? Was other medical service performed beside suturing lacerations? In connection with the lacerations, were they jagged, rough, deep? What was the end result of the suturing? Is there any impairment of function? Is there scarring? What is the usual and customary fee for comparable service by a specialist? The fact that patient, his neighbors or friends think a fee is large, small or just right, really does not establish the correct or reasonable value of the service. The grievance committee, the physician's peers, who understand the components of a fee are the only ones really able to determine the reasonableness of a fee.[15]

Other complaints cover almost every imaginable cause for misunderstanding or displeasure. A husband telephoned the AMA and complained that the physician who had given his wife a gynecological examination was wearing a business suit instead of a white coat or gown. An elderly woman formally complained that her family physician made a professional call dressed in ski togs. (He did. Her call came to his residence on a Sunday morning, just as he, his wife and children were getting into the family car to spend the day in the mountains. On the way to the ski resort, the physician stopped, dressed as he was, to see and console his patient.) A woman complained to the staff of a medical society that a physician had walked off with her cigarettes. Couldn't he afford his own? (She had offered him a cigarette from her pack. He took one and absent mindedly put the pack in his own pocket.)

There are complaints from patients who are dissatisfied with the end result of medical treatment. The young woman who has had facial plastic surgery and then finds that she still doesn't look like a movie star complains to the grievance committee about the incompetence of the surgeon. Some patients complain because of the length of time needed to effect a complete cure; some complain of "stiffness," "tenderness," or the like.

Many people never get around to choosing a physician; many have no family doctor. When an emergency develops and they try to get a physician—usually with a "you owe me a duty to respond" attitude—and are unsuccessful they complain. If they go to a hospital in an emergency, they receive care from a physician on duty (as a public service) and complain because of his fee, manner, personality or the like. The patient complains about these things to the grievance committee and, as a human being seeing the matter unilaterally, judges them to be wrong. Patients more frequently than not, want penalty imposed rather than all facts developed. They write: "The physician should be reprimanded; he should be denied the right to practice; his fee should be reduced." Only a minority of complaints ask if, on the facts as known to the patient, or as more fully ascertained by the committee, the fee was correct; if the treatment was in accord with accepted practice; if there was some valid reason for the physician to act as he did.

There is at least one instance of an employer complaining to a grievance committee that a physician testified falsely before a Workmen's Compensation committee on behalf of an allegedly injured employee.

COUNTY MEDICAL SOCIETY ACTIVITIES

In a survey conducted by the American Medical Association of county medical society activities the following information was obtained:

GRIEVANCE OR MEDIATION COMMITTEES[1]

Size of society	Number this size	Number having committees	Percent having committees[2]
1 to 15	472	132	28
16 to 49	411	258	62
50 to 99	176	141	80
100 to 299	179	170	95
300 to 499	53	51	96
500 to 1,499	55	53	96
1,500 plus	20	20	100

[1] Nationwide Survey of County Medical Society Activities 1965, staff report, American Medical Association.

[2] Figures rounded.

PUBLICITY

Although the American Medical Association Guides for Medical Society Grievance Committees[16] states "this service cannot succeed unless the public knows of its existence and how to use it," not all county medical societies are persuaded that publicity is necessary or desirable.

The AMA guides say that "the availability and method of operation of these committees should be continuously publicized through legitimate channels of lay communication."[17]

The guides suggest that the profession be kept informed of the committee's work by utilizing medical newsletters, medical journals, secretary's letters and the like.

The Wayne County Medical Society notifies its members through an annual report. In the 1966–1967 report of its "Mediation Committee"[18] the following statements are made:

"The Mediation Committee received a total of 44 cases, compared to 40 in the preceding year. The major complaint listed in these cases was not the fee per se, but services or lack of them. In 23 cases the patient questioned the bill because of alleged wrong diagnosis, improper treatment, cursory examination, or no service. As stated by one patient, 'after three operations I felt worse than before so why should I pay his bill?' . . .

"In 75 per cent of these cases the Committee found no basis for complaint and the problem was settled by an explanatory letter. In only two cases did the Committee suggest the physician make an adjustment. In two other cases the physician himself cancelled the balance. Four cases were referred to the Ethics Committee, three because of the doctor's failure to respond and send in the requested information. . . .

"The Committee reaffirmed its previous policy that physicians may charge for release of medical records if extensive information is needed but he should not bill for filling out health insurance forms for which he will receive all or part of the proceeds.

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[13] *Judicial Council Opinions and Reports 1966*, Opinion 5, Section 7, page 40.

[14] *Public Relations Manual*, County Medical Societies, American Medical Association, 1960, page 101.

[15] *Young Bros.* v. *Succession of Von Schoeler*, 151 La 73 91 So 551; *In re McKeehan's Estate* 358 Pa 548, 57A2d 907; *In re Watzek Estate*, 211 Wisc. So., 247 NW 330.

[16] Loc. cit. supra. Note 3.

[17] Ibid, page 15.

[18] Report, Mediation Committee, Wayne County Medical Society (Michigan), 1966–1967.

For further clarification, the Committee referred the following questions to the Ethics Committee:

"May a doctor refuse to give a patient a letter authorizing him to return to work until his bill has been paid?

"May he refuse to sign a health insurance form unless the patient assigns his insurance benefits to him?"

The extent to which a committee reports in an effort to correct abuse is found in the 1965 report of the Committee on Medical Ethics and Deportment of the Hartford County Medical Society:[19]

"Case 3: In this particular matter, the patient was treated 65 times by physiotherapy for a period extending over one year. During this time, the diagnosis was sprain of the cervical spine with radiculitis. The doctor contended that he was meeting the needs of the patient by rendering treatment when required and could not in good conscience deny the patient treatment from which she benefited. He also stated that he was aware of the fact that, at a certain point, treatment would be palliative and had pointed this out to the patient.

"*Issue*: Was the physician justified in his extended physiotherapeutic applications?

"*Decision*: The committee noted that at no time did the physician seek the benefit of the advice of an orthopedic consultant. They could not help but conclude that, on the basis of their experience and knowledge of this type of case, the treatment pattern here was designed by financial interest. They noted such other aberrations as the application of physiotherapy in the presence of sprains where no swelling was observed and the extensive physiotherapy to and manipulations of the back when the medical reports did not indicate a back injury. In any case, the physician accepted a considerably reduced fee on orders of the committee."

"Case 6: A patient had had surgery of the nasal septum performed for which the physician originally charged $350. Later on, in gratitude, the patient asked the physician to increase the sum to $450. However, when the physician did do this, the patient complained to the Association.

"*Issue*: Was the physician allowing a patient to set a fee?

"*Decision*: In the first place, evidence given by the physician himself at a hearing indicated that the patient was an unreliable alcoholic and the physician's assumption that he ought to raise his fee on the basis of this patient's suggestion certainly was not professional. In the second place, the $350 fee which the physician set was unreasonably high for the services performed. So that, even without the suggestion of the patient, the fee in the first place was not warranted by the services. The physician accepted the CMS reimbursement of $150 as full payment."

The figures[20] regarding grievances submitted by the Grievance Committee of the Chicago Medical Society to the membership reflect that 418 complaints were received during the year. Forty-six percent involved fees (80% were found to be justified, 20% unjustified), 10% came from "obviously psychotic people," 19% concerned diagnosis, treatment and/or general misunderstanding. The balance were about non-members of the Society; or those members who had not cooperated with the committee; complaints later canceled; negligence in or refusal to fill out proper medical reports for insurance purposes; or complaints in which no physician's name was mentioned. The report contained this statement among others: "Many complaints could be avoided if physicians would try to be more prompt in filling out insurance forms. A delay in completing these sometimes causes a patient to lose his insurance benefits." Such comments and admonitions, constantly made, remind all physicians of their obligations to their patients.

RELATED MATTERS

All grievance committees consider complaints submitted by patients. Many consider complaints or inquiries from insurance companies and other third party payors. Larger medical societies, however, have established an additional committee to work with these third party payors. These committees have more highly refined and limited duties which relate almost exclusively to a consideration of fees.[21] The advent of Medicare and Medicaid may call for a further refinement of grievance committee activities and suggest the desirability of further developing the powers and duties of grievance committees.

A portion of the Report of the AMA Committee on the Cost of Medical Care is devoted to review mechanisms established by twelve medical societies.[22] These programs involve liaison with insurance companies and operate much on the order of the usual grievance committee. There is this difference, however, the complainant is not the recipient of medical care but rather the one who paid for that care. The patient whose medical bill is covered by insurance or whose charge for medical service is being paid by another is not usually concerned with the cost. The payor is. To accommodate the party who pays these costs grievance committees or the more highly refined review committees consider the complaint of the third party. The patient may never know that any question had been raised about the costs of the care he received.

ACTIONS OF GRIEVANCE COMMITTEES

There is no central repository of grievance committee reports. County society grievance committees report annually to their membership.[23] State society committees report to their parent bodies. No one group has attempted to collect and compile these reports.

At medical society meetings and at meetings of staff personnel serving medical societies and in reports that have been sent to the American Medical Association headquarters it would appear that (1) grievance committees do investigate a sizable percentage of complaints received and (2) in an appreciable percentage of cases suggest corrective action by the physician, usually a reduction in the size of his fee.

When a physician member of the Chicago Medical Society ignored requests of and recommendations by the Society's grievance committee, it filed charges of unethical conduct against the member before the Ethics Committee. The member was found guilty and suspended from society membership.[24]

The Wayne County Medical Society in 1966–67 referred four cases to the Ethics Committee for inquiry into the ethical propriety of the physicians' conduct.[25]

DUTIES OF GRIEVANCE COMMITTEES DISTINGUISHED

The purpose and function of grievance committees are in the realm of public relations and in fulfillment of medicine's obligations to the public whose individual members place their trust in physicians.

It is important to re-emphasize, therefore, that the grievance committee is a forum in which matters of interest and concern *to the patient* are resolved, i.e. size of fee, availability of service, effectiveness of treatment. The end result of the grievance committee action is to resolve patient's misunderstanding or complaint.

Intra professional discipline is not the function or purpose of grievance committees. Ethics committees (usually called Board of Censors) are the medical society mechanism for imposing discipline (reprimand, censure, suspension or expulsion from membership). The medical staff of hospitals review and evaluate a physician's competence and appropriate committees of hospital medical staffs may recommend limitation of privileges for a staff member or recommend suspension or expulsion from the staff. The entire staff, usually, reviews the recommendation and votes to accept, modify or reject the committee recommendation. Finally, each state (except Washington) through its board of medical examiners has a mechanism for the suspension or revocation of a physician's license to practice. In Washington this mechanism is in the hands of the Washington State Medical Disciplinary Board.

Violation of ethical principles, bylaws and rules of a medical society, violation of hospital rules and regulations, and violation of provisions of the state medical practice acts can result respectively in the loss of medical society membership, hospital staff privileges or one's license to practice medicine. In any hearing involving privileges of such magnitude the concept of due process must be observed and a more formal hearing, in event a violation is charged, must be provided for to protect the rights of the accused.[26]

CONCLUSION

Medical societies have encouraged the creation, operation and development of committees to entertain and answer questions and complaints of patients. These committees have become increasingly active since 1955. They are still growing and, as a result of experience through the years, are becoming more effective. The most frequent complaint to a grievance committee concerns charges for medical services; patient complains that the fee is too high. A significant percentage of complaints are resolved in patient's favor. Many more are resolved by explaining to patient, so he will understand, why the fee was in the amount that it was.

Medical society grievance committees are a public service function of medical societies. As such they provide a unique and helpful service. There is every reason to believe that these committees will provide an even greater service to the public as they continue to function.

THE PARADOX OF LOW FARM PRICES

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, recently, Don Kirchner, president of the Peoples Trust & Savings Bank at Riverside, Iowa, authored an article entitled

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[19] Report, Committee on Ethics and Deportment, Hartford County Medical Society (Connecticut), 1965.

[20] Report, Grievance Committee, Chicago Medical Society, 1966.

[21] Carlton Smith, "What's the Usual and Customary Fee," *Medical Economics*, August 8, 1966, p. 88 et seq.

[22] Report, Commission on the Cost of Medical Care, Chapter 6, The American Medical Association, 1964.

[23] Report, Grievance Committee, Chicago Medical Society, 1966.

[24] Opinion in the Matter of the Appeal of ———, M.D. to the Judicial Council, American Medical Association, 1964.

[25] Report, Grievance Committee, Wayne County Medical Society (Michigan), 1966–1967.

[26] For a detailed review of medical disciplinary procedures, and a comparison of them with disciplinary procedures of the legal profession, one might review The Report of the Medical Disciplinary Committee of the AMA, 1961.

"The Paradox of Low Farm Prices." The article appeared in the publication, the Independent Banker.

Mr. Kirchner has done a very good job of stating the plight of the farmers today and the problems they face. His analysis of the situation in agriculture today is excellent and should be read by all Members of the House.

The article follows:

The Paradox of Low Farm Prices

(By Don F. Kirchner)

The performance of American agriculture has been outstanding. It has been far greater than that of any other major industry and far exceeds that of agriculture in most other countries.

The American farmer deserves the praise of all for his tremendous progress and his efficiency. Instead he is often blamed for high food prices and criticized for the federal aid given him in an effort to counteract the side effects of his unique ability to produce so much.

Farmers seldom have been rewarded adequately in proportion to their contribution to the rest of the people in this country. The advance in food prices has been very small in a time of high over-all price increases. Thus, farmers have made a great contribution in combating inflation.

They have provided people to man our industries, and the things they buy support millions of people in industry. Their food products aid our foreign policy and keep millions alive in the underdeveloped countries of the world. Peoples around the world look to American agriculture to learn how to speed up development of their own food supplies.

STARVATION THREATENS

Food is so plentiful and so cheap in relation to income that few in the United States really worry about hunger. But this is one of the few places on earth where abundance is a fact. Somewhere between one-half and two-thirds of all the people in the world go to bed hungry every night.

Starvation is the oldest threat to mankind. Today, people are starving in the famines of India, Africa, and Latin America. Recent projections of six billion people on earth within 30 years have raised new fears for the population to out-run the food supply.

NEED PRODUCTION EXPANSION

The advance in American farming has been very pronounced. A Roman peasant would have felt right at home on the American farm of a century ago. He would have recognized the pitch fork, the scythe, the hoe, and many other tools used at that time. He could have stepped right into a farming job. He could step right into a farming job in many countries of the world today!

The changes of the American farm over the past century have astonished the world. More progress has been made than in all of the thousands of years of previous agricultural history.

And the pace is speeding up with each passing year. A look ahead at the next 10 years points the way to continued rapid growth in farm size and productivity. The population of the United States will increase by more than 32 million people. We will be selling more abroad, too.

The combination of more volume and better demand could mean 60 per cent more in farm sales for farmers. Each additional million people will require another 172,000 beef cattle, 25,417 dairy cows, 433,000 hogs, and 1,300,000 hens at today's consumption rates.

A population increase of 2½ million people per year will call for steady expansion of livestock numbers if we are to sustain our present level of nutrition.

FARM PRICES RETREATED

The past 20 years have brought a steady increase in the price of almost everything people buy. But the money the farmer receives for a unit of grain or livestock has virtually stood still—or even retreated a little. The result has been a major "gift" to every consumer in the United States, year after year.

Food has cost far less than if the prices the farmer receives had moved along with the rest of the economy. The farmer has been able to operate in the face of steadily rising costs only by becoming more efficient.

The figures, based on USDA data and other Government sources, tell the story:

Crop production per man hour, up 148 per cent; livestock production per man hour, up 149 per cent; crop production per acre, up 124 per cent; livestock production per breeding unit, up 111 per cent.

The greater the production, the lower the cost. Record-breaking production, year after year, has helped to hold the food price line.

An important contribution has been made to the entire national economy in combating inflation. And agriculture has a better record in terms of holding the price line than any of the other industry groups.

PRODUCES FOR 37

One of the main causes of inflation is a shortage of labor. When wages climb to attract workers, the speed of the inflationary spiral zooms ahead. In the past 15 years, the number of people employed in agriculture has dropped from 10 million to just over 5.5 million. The millions of workers released have assumed an important place in our industry and distribution systems.

Today, one U.S. farm worker with the aid of modern industry supplies food and fiber for 37 others. In 1950 there were 10 million farm workers; in 1955, this figure dropped to 8.3 million; by 1960 it had dropped to 7 million, and by 1965 it had dropped to 5.6 million.

FARMERS DIDN'T SHARE BENEFITS

While prices of the food you buy and most other commodities have been surging ahead, the average prices of our farm products have been declining. Farmers have not reaped the benefits of their own efficiency. High levels of production have tended to over-supply the markets.

The increasing importance of marketing services and costs is reflected by price increases at the supermarket. The index of wholesale farm prices stood at 106.4 in 1950 (using 1957–59=100). Fifteen years later, that index was down to 98.4. By contrast, consumer food prices climbed from 85.8 to 108.8 during the same period. Some comparisons are shown in Table I.

These figures clearly show that farm prices in recent years have been headed in a different direction from much of the rest of the economy.

WHO CONTRIBUTES MOST?

Farm income has been falling behind the rest of our economy at an alarming rate. For an illustration, ask yourself this question:

"Who makes the greatest contribution to the milk you pour in your home?" Is it the farmer who owns the cows, grows their feed, and milks them twice a day—seven days a week? Seems logical doesn't it?

But judging from the financial rewards, the man who delivers it must be the most important. A Chicago milkman working a 5-day week averages $3.45 per hour, or $215 per week of income, or more than $10,000 per year, without an investment.

The average Wisconsin dairy farmer, with a $75,000 investment in land, equipment, and livestock, averages only 75 cents per hour after allowing interest on his big investment. The comparison indicates that the dairy farmer is a long way from getting his fair share of the milk dollar.

The average wage of a factory worker in 1965 was $2.61 per hour. Here are some average farm wages, after interest on investment:

New York dairy farms	$0.60
Cattle ranches	1.15
Corn Belt beef-hog farms	1.62
Wheat farms	1.80

You can see that the average farmer would be much better off working in a factory. And that's one reason why 4½ million of our farmers have left the farm in the last 15 years.

SHOULDN'T BLAME FARMER

Any housewife can tell you that it costs more money each year to feed her family. And her average food bill has taken a particularly sharp jump in the last year, but *she shouldn't blame the farmer*. Only a small part of the increase in the cost of the market basket trickles down to the farmer.

Out of the $157 increase since 1957–59, only $12 has wound up in the farmer's pocket. The changes have been very small that have occurred.

In the 1957–59 base period, farmers received $388 out of the $938 retail price for farm origin foods. In 1966, they were up to only $409 out of $1,095.

The largest dollar increase was in receipts from fruits and vegetables. Meat products were up a bit and the bakery and cereal products added $1. Dairy products, poultry, and eggs returned fewer dollars. The farmer's share of the market basket changed little over the past 10 years.

INCOME DOWN—COST UP

The bill for marketing America's food was $52.1 billion in 1965. This figure covers all of the steps in food handling between the farmer and the supermarket check-out counter.

There are charges for transportation, processing, wholesaling, and retailing farm foods. This represents a major part of the money the housewife spends for food—and it is where the great bulk of price increases in food have occurred.

The marketing bill has shot upward over the past 20 years. In 1947, the total food bill was $41.9 billion. Farmers got $19.2 billion and marketing cost was $22.6 billion. In 1965, the food bill for a much larger population was up to $77.6 billion. Farmers got only $3 billion more—and the marketing cost was up $29.5 billion!

REAL FOOD COSTS LOWER

An hour's labor buys more food than at any time in our history. Food prices are not as high as they seem. The average factory worker can buy more food now with an hour of labor than at any other time in history.

Incomes have been rising twice as fast as food costs. This makes the real cost of food lower. Table II shows the increase in the purchasing power of an hour's factory wage between 1957 and 1965, and the percentage increase.

FARM ECONOMY VITAL SEGMENT

Food production is America's biggest business. It is three times larger than automobile manufacturing, bigger than steel, and bigger than aerospace. The developments in this great industry may not be as dramatic as space travel, but they seem more important to the people of the United States and to the world.

Farming and marketing industries not only are important because they supply food—they also represent a substantial portion of the country's business activity.

What is good for farmers usually is good for the nation's economy. Production and marketing of food amounted to $77.6 billion in 1966, the automobile industry produced $23 billion, the steel industry produced $21 billion, and the aerospace industry produced $20 billion.

The spectacular improvement in farm production has been achieved primarily because farmers have been willing to invest in the products of a wide range of U.S. industry.

Farmers are pumping billions every year into the bloodstream of the economy. They spend nearly 70 per cent of their gross income for the inputs needed to run their farms. The capital and operating investments of the farmers benefit every sector of the American economy.

In 1965 farmers purchased and spent: $3 billion for tractors and other machinery, $2.1 billion for automobiles, $1.6 billion for fertilizer, $1.5 billion for petroleum, fuel and oil.

One out of every 15 new trucks is sold to a farmer.

A high level of farm efficiency is necessary to make a country prosperous. In the poor, underdeveloped countries of the world almost all of the population is engaged in the race to keep a single step ahead of starvation. There are few people left over to develop an industrial base.

Back in 1880, when the United States was an underdeveloped frontier country, 85 per cent of the population was on the farm. There has been a steady drop in the farm population ever since—and it isn't over yet.

Today, one farm worker, using modern technology, supplies the food and fiber for 37 people. That leaves most of the others to contribute to further expansion of the gross national product.

RURAL YOUTH LEAVES

The most important crop of all is harvested every spring in the farm communities across the country. It is the class of high school graduates. A very high percentage of these boys and girls immediately move to the cities to join the urban labor force.

The cost of their education, averaging $6,000 to $8,000, is borne in large part by the farm community. But that community does not necessarily get the benefit of their productive years. The farm population dropped from 23 million in 1950 to 12.4 million in 1965. That's a contribution of nearly 11 million people to the city in just 15 years.

Farm products have become the leading commodity exported from the United States. Exports for fiscal 1966 totaled $6.7 billion. Nearly three-fourths of this total was sold for hard dollars. The remainder was exported under various programs developed to help hungry peoples or to further U.S. foreign policy. Farm product exports make up 25 percent of all of the products sold abroad.

One of our country's greatest problems is the balance of trade. We spend more overseas than we get back. To correct the difference, foreign countries are demanding gold. U.S. gold reserves now are at the lowest level in this generation, and the value of the dollar is under pressure.

Farm exports earned more than $5 billion worth of dollar exchange and greatly helped the nation's balance of payments.

The U.S. is the world's leading exporter of farm products, with 20 percent of the trade. Since 1954, we have shipped 145 million tons of food abroad. We now export half of the wheat and rice crops and one-third of our soybean and grain sorghum crops. One-fifth of the cotton crop also goes to foreign markets. One out of every four acres is harvested for people living in a foreign country.

MORE FOR PUBLIC THAN FARMER

The U.S. Department of Agriculture budget provides more for the public than for the farmers who are supposedly the recipients of the money expended by the Department. The Department of Agriculture budget doesn't automatically flow into farmers' pockets.

In recent years, about $2 has been spent for programs that primarily benefit consumers, businessmen, and the general public for each $1 spent to support farm income. The 1966 budget included $4.5 billion for programs of general benefit.

Direct payments to farmers were only $1.9 billion. Foreign relations and defense objectives were backed up with $2 billion from the USDA budget last year, including wheat to keep India going and other food donations.

The school lunch program and distribution to the needy took $737 million. Rural electrification and FHA loans required $279 million. These are repayable loans that help many besides farmers.

Another category that aids the public is $1.5 billion of improvement of agriculture and natural resources. This includes preservation and operation of national forests. Land conservation protects that vital resource for the future benefit of all.

Research, food inspection, and many other programs have broad benefits for all. Price support programs are requiring less money each year. Emptying of the surplus bins is returning money to the Treasury. The CCC's investment was reduced $445 million in 1966 and is expected to drop $903 million in 1967.

Out of the $1.9 billion for stabilization programs, $270 million goes for storage, handling, and transportation. Railroads, truckers, storage firms, and the grain trade get most of this sum. While much of the remainder goes directly to farmers, it still is an investment in the national interest.

Consumers have a long-term interest in providing farmers with a fair income so that adequate food supplies will be maintained.

The weed of urban poverty, slums, ghettoes, overcrowding and crime has its roots in a rural America lacking enough jobs and health and education services—the essentials needed to halt the out-migration of people from country to city.

Since 1959, nearly 200,000 farm families have moved from the $5,000 to $9,999 annual *gross* income class to the $10,000 and over class. This is the highest rate of "graduation" in agricultural history.

In terms of net income, this means that they have moved from the $1,500 to the $3,333 net income class. Nearly half of the U.S. poor live in rural areas. Rural citizens lag almost two years behind urban residents in educational facilities. Rural children receive one-third less medical attention than urban children.

Both the ABCD "Abundance, Balance, Conservation, Development" program and the CCC "Commodities, Conservation, Communities" program recognized the problem and the folly of failing to halt a trend that has crowded 70 per cent of the nation's population into one per cent of its land area. This is a migration which has crowded the urban slums with untrained, unskilled rural migrants who found little opportunity in their rural homes.

Nobody can afford to ignore the problems of agriculture. Farming is more than just a business enterprise operated for profit by farmers. Since men cannot live without food, agriculture is the one essential industry on the planet. It would be impossible for any of us to take so vital an industry for granted. Yet this is what we have done for many years as the granaries of America have bulged. Agriculture isn't considered a growth industry by those who keep a close watch on the stock market.

As much as 90 per cent of all resource inputs come from labor and less than 10 per cent come from capital in many of the less developed countries of the world. Even as late as 1910 in the United States, labor and land represented 85 per cent of all resource inputs used by American agriculture.

As economic development has progressed in the United States, just as will happen under economic growth in other parts of the world, the price of labor has risen and the real price of capital, both in interest rates and the materials of production, has declined. Consequently, it has become profitable to substitute capital in every form for labor.

This process has occurred rapidly in the United States over the past 25 years, and we are now at a place where capital represents 80 per cent of all inputs and labor represents only 20 per cent of all inputs. By 1980, capital will represent 90 per cent of all inputs used in farming.

ONE MILLION FARMERS BY 1980?

In the last 20 years the amount of capital investment that is required to generate $1 of farm income has increased from $4.73 to more than $15 and the proportion of unpaid inputs has declined from approximately 60 per cent to 25 per cent. Cash expenditures as a percentage of cash farm income have increased from 50 per cent to more than 80 per cent.

The profit margin in farming will continue low according to leading farm economists. By 1980 there will be only one million farmers left in this country. The lower 40 per cent of the farmers left in 1980 can be expected to have a capital investment of $225,000, which will provide them with a gross income of $20,000 annually and a net annual income of $6,000–$7,000. This amount of net income will be approximately a 3 per cent return on their investment.

With a projected population of 245 million people in the United States in 1980, and a projected average per family disposable income of $11,550, the American farmer is not going to be any better off in relation to the rest of the people in this country in 1980 than he is today. In fact, he will be in an even worse position.

There are five questions to be considered:

Isn't it the responsibility of those who live on the farms and in the rural communities and our government to find a way to hold a reasonable number of alert, interested, and trained young people on the farms, and in the farm communities, who will provide the backbone of tomorrow's agriculture?

Should not the people who reside on the farms and ranches and in the rural communities be entitled to prices on a par with other prices in the economy?

(I refer back to 1952 and the price structure that was adequate, when we had 43 per cent more people living on the farms and ranches and our cities were not as congested. Should not this have been the more desirable situation?)

Isn't it the responsibility of government to do what is necessary to insure fair agricultural prices for all farm communities—prices that will permit the rural economy to prosper?

Isn't it unfair for some overly zealous economists to call for a program to get rid of our farmers and our ranchers—a planned evacuation of the land?

(They rationalize their position by claiming that 2¼ million farms are nothing but social-economic problems.)

Isn't agriculture today really, in the broad sense, made up of more than just the producers of food? Doesn't agriculture also encompass farm supply organizations? These are all components of American agriculture, and as such, should they not be singly and collectively nurtured, safeguarded and permitted to grow and prosper for what they alone and together contribute to the growth of this nation and to its stability?

PUT PROFIT INTO FARMING

In the year 1950 there were 8.5 million farmers in this contry. Today, there are 3.3 million left. By 1980, it is projected that there will be less than 1 million farmers left.

Isn't it about time that this business of forcing the farmer off of the land is halted? We must put the necessary profit incentive into agriculture to maintain farming as an industry, and provide the incentive for young people to enter farming as a means of providing their living.

We must insist that the United States Department of Agriculture be administered for the benefit of the farmer and the rural communities in this country, rather than to be the instrument used to force farmers off of the land. We must take action to see that agriculture receives the same status in our economy that other industries have.

TABLE I

	1950		1965
All commodities: Up from	86.8	to	102.5
Processed foods: Up from	92.6	to	105.1
Chemicals: Up from	87.5	to	97.4
Metals: Up from	72.7	to	105.7
Lumber: Up from	94.1	to	101.1
Fuel: Up from	90.2	to	98.9
Machinery: Up from	72.6	to	103.7
Farm prices: Down from	106.4	to	98.4

TABLE II

	1957	1965	Percent increase
Eggs	3.7 doz	5.0 doz	35
Butter	2.8 lb	3.5 lb	25
Milk	8.4 qt	9.9 qt	14
Steak	2.1 lb	2.4 lb	14
Bread	11.0 lb	12.5 lb	14
Pork chops	2.4 lb	2.7 lb	12

THE BIG HIT AT YOUNG GOP PARLEY

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, Mr. William F. Buckley, Jr., has successfully pointed out a disparaging "difference" of the left. From his column titled "The Big Hit at Young GOP Parley," he shows the magnificent reaction, and lack of it, exhibited by conservative youth attending the Seventh Annual Convention of Young Americans for Freedom.

In addition to noting the policy stands of YAF, and mentioning the ability and divergent views of 17-year-old Alan Keyes, Mr. Buckley juxtaposes the respectful, interested, response of YAF members to the usual reaction of "their counterparts on the left," should they be addressed by someone "who spoke out, say, in favor of our involvement in Vietnam, or against the free speech movement at Berkeley, or against free marihuana."

The difference is evident, and it is encouraging. As he says:

> There are those who will be glad to know there are such people out there, and that they are more nearly representative of American youth than all the keening of the Fugs about the failure of the world to sweeten their senses.

The entire article follows:

THE BIG HIT AT YOUNG GOP PARLEY

(By William F. Buckley, Jr.)

The big hit at Pittsburgh last weekend at the annual convention of the Young Americans for Freedom wasn't John Tower, though he was splendid, or Barry Goldwater, who was ditto, or any other of the half-dozen luminaries, ditto, but a young Negro student, 17 years old, named Alan Keyes, from San Antonio, Tex.

He was a hit partly because of what he said and how he said it. But also he was a hit because of the way the audience of ardent young conservatives responded to him. That is to say, he brought out the best in them, and they were pleased—pleased with themselves. As well they might have been when one considers how their counterparts on the left would have treated a guest speaker who spoke out, say, in favor of our involvement in Vietnam, or against the Free Speech Movement at Berkeley, or against free marijuana.

That was the thing of it. Young Keyes, though attracted to a part of the philosophy of YAF, rejected some of its most cherished principles, such as that legislative acts, state and federal, are largely useless instruments for combating discrimination. Keyes thought differently, and there was nervousness in the large banquet hall with its thousand delegates from all over the country who were there not only to think and to analyze, but also to cheer their heroes and boo their enemies: There was a total silence, a respectful silence.

They were—of all things—listening. In part because they were disposed to do so perhaps in reaction against the anti-intellectualist discourtesy of the left protesters who either boo the opposition or march noisily out. But also because Keyes spoke with a singular eloquence.

And what he said wasn't all of it heretical from the conservative point of view. He also spoke of the necessity to view the struggle of the Negroes as taking decades and generations, thus showing a contempt for the instant evangelism of "Freedom Now." And he spoke of the necessity for individual responsibility.

When he was through, the entire convention rose to its feet and applauded him. And in a sense—as I say—applauded themselves, and quite rightly too.

It was the seventh convention of the Young Americans for Freedom who, by contrast with the Students for a Democratic Society, are an oldish organization. Their constituency is the high school student, the undergraduate and postgraduate and young professional, age from about 16 to 30 or so. They are unselfconscious, keenly aware that the life of the mind is the special concern of those who care to cultivate a rational basis for freedom; dignified and fun-loving. And there was more individuality in the one room at the Hilton Hotel in Pittsburgh than you see in Haight-Ashbury, which is the biggest broken record in America, in a season.

While the New Left was on exhibit in Chicago, demonstrating yet again the intellectual and moral futility of anarchy and the self-destructiveness of denying other people's right in the vague attempt to establish your own, the YAFers met, listened to the first echelon of American political orators, had themselves a spirited election for the presidency (the victor is Alan MacKay, a young lawyer from Boston), and did some hard thinking on a number of resolutions that had been distributed.

Those they passed were thoughtful and generic, pleasingly radical in the best sense of the word. "Whereas a 22-year-old worker earning $6,600 or more a year will have paid the federal government $63,894 in social security taxes and interest by the time he is 65; and whereas the most he can get back under present law is $3,024 a year or $252 a month; and whereas, if the same worker invested in a pension plan he could get back $5,933 a year or $494 a month"—a few more whereases like that, and YAF resolved to recommend direct government subsidies for the poor, and placing social security on a voluntary basis.

Other resolutions called for abolishing the minimum wage ("Whereas in 1948 the legal federal minimum wage was 40 cents an hour, unemployment among teen-age workers, white and Negro, was about 8 percent. In 1950 the rate was raised to 75 cents an hour. Almost immediately unemployment among Negro teenagers jumped to about 15 percent and unemployment among whites jumped to about 12 percent . . .") Etc. And a philosophically tough, finely honed argument against the progressive feature of the income tax. Support for the Vietnam war.

They do not make the headlines, such ventures in sanity. But there are those who will be glad to know there are such people out there, and that they are more nearly representative of American youth than all the keening of the Fugs about the failure of the world to sweeten their senses.

THE RULEMAKING POWER OF CONGRESS

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The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, on April 19 and September 11 of this year I inserted in the CONGRESSIONAL RECORD the briefs of the defense and plaintiffs respectively in the case of Dr. Allen M. Krebs and others, against JOHN M. ASHBROOK, and others. This case, as I have previously stated, resulted from the hearings before the House Committee on Un-American Activities concerning proposed legislation to make punishable assistance to enemies of the United States in time of undeclared war.

On August 15, 1966, the plaintiffs initiated court action seeking permanent and temporary injunctive relief restraining the enforcement of an act of Congress, the Legislative Reorganization Act of 1946, insofar as it enacted rule XI establishing the House Committee on Un-American Activities. The plaintiffs moved for an order convening a three-judge statutory court pursuant to title 28 U.S.C. 2282, 2284, and for a temporary restraining order pursuant to title 28 U.S.C. 2284.

The motions were heard by the Honorable Howard F. Corcoran, district court judge for this district. Finding that the constitutional issues raised were "not insubstantial," the judge granted the motion for a statutory court and in addition issued a temporary restraining order.

Several days ago, on September 11, the three-judge district court handed down its decision on the issue whether "this case should proceed before this specially constituted three-judge court or be remanded to a single district judge." As the issue involved the constitutionality of the legislation authorizing the House Committee on Un-American Activities, more than judicial procedure was involved. By a two-to-one decision, the statutory court found that an "act of Congress" was not the authorization for the committee's activities but the authorization granted by the House when it adopts its rules at the beginning of each Congress. As pointed out in the majority opinion:

> It is also significant that the Supreme Court has in several opinions traced the authority of the Un-American Activities Com-

mittee to resolutions of the House rather than to the 1946 Act.

Thus the court has upheld the separation-of-powers principle in recognizing that Congress is empowered to make its own rules and establish its committees without being subject to the review of the courts.

I insert the decision of the three-judge district court, which dissolved itself and remitted the case of Krebs et al., against Ashbrook, et al., to District Judge Corcoran for disposition, in the RECORD at this point:

[U.S. District Court for the District of Columbia, civil action No. 2157–66]

DR. ALLEN M. KREBS, ET AL., PLAINTIFFS v. JOHN M. ASHBROOK, ET AL., DEFENDANTS*

Before: Bazelon, Chief Circuit Judge, Fahy,** Circuit Judge, and Corcoran, District Judge.

ORDER

In accordance with the opinion filed herein September 11, 1967, the order of August 16, 1966, convening this three-judge District Court is vacated, the three-judge court is dissolved, and the case is remitted to District Judge Howard F. Corcoran for disposition.

CHARLES FAHY,
Senior Circuit Judge.
HOWARD F. CORCORAN,
District Judge.

Dated: September 11, 1967.
Chief Circuit Judge Bazelon dissents.

[U.S. District Court for the District of Columbia, civil action No. 2157–66]

DR. ALLEN M. KREBS AND WALTER D. TEAGUE III, ON THEIR OWN BEHALF AND ON BEHALF OF ALL OTHER PERSONS SIMILARLY SITUATED, PLAINTIFFS, v. JOHN M. ASHBROOK, JOHN H. BUCHANAN, JR., DEL CLAWSON, JOE R. POOL, RICHARD H. ICHORD, WILLIAM M. TUCK, GEORGE F. SENNER, JR., CHARLES L. WELTNER, EDWIN E. WILLIS, INDIVIDUALLY AND AS CHAIRMAN AND MEMBERS OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES OF THE UNITED STATES HOUSE OF REPRESENTATIVES, DAVID G. BRESS, UNITED STATES ATTORNEY FOR THE DISTRICT OF COLUMBIA, DEFENDANTS.†

OPINION

Robert L. Ackerly, of Washington, D.C., William M. Kunstler, of Washington, D.C., and Lawrence Speiser, of Washington, D.C., for plaintiffs.

Harry Alexander, Joseph M. Hannon, Frank Q. Nebeker and Gil Zimmerman, Assistant United States Attorneys, for defendants.

Before Bazelon, Chief Circuit Judge, Fahy,‡ Circuit Judge, and Corcoran, District Judge.

Fahy, Circuit Judge. In its early stages this case was thought to require the convening of a three-judge District Court under the mandate of 28 U.S.C. § 2282,[1] since the complaint, in seeking injunctive relief against appellees, alleged that Rule XI of the House of Representatives, the charter of the House Committee on Un-American Activities, was enacted by the Legislative Reorganization Act of 1946, 60 Stat. 812, and was unconstitutional. The constitutional question being deemed not insubstantial, a three-judge District Court was convened under the terms of 28 U.S.C. § 2284 which prescribes the procedure for and composition of a three-judge District Court required by Section 2282. At the outset this three-judge court requested memoranda on the issue whether "this case should proceed before this specially constitutely three-judge court or be remanded to a single District Judge." Both parties promptly filed memoranda, but neither raised the question whether Rule XI was an "Act of Congress." Thereafter on April 14, 1967, defendants filed a "Supplement to Motion to Dismiss . . .," urging that Rule XI is a "Rule of Procedure adopted by the House of Representatives (acting singly)." The close reexamination of the genesis and status of Rule XI, prompted by defendants' "Supplement," has led us to conclude that Rule XI is not an "Act of Congress" as that term is used in Section 2282, that the activities of defendants as to which injunctive relief is sought by plaintiffs have been and are conducted under authority of a rule of the House of Representatives rather than under the authority of an Act of Congress, and that, therefore, the case is not one that comes within the provisions of Section 2282.

Plaintiffs' Bill of Complaint alleges that the Legislative Reorganization Act of 1946 enacts *inter alia* Rule XI of the Rules of the House of Representatives, referred to as the charter of the Committee, and that, as thus enacted the Rule is void on its face, including its origin, the setting within which the Committee has operated in the past, and as the Rule is applied to plaintiffs, in that it violates the Constitution, in particular Article I, Section 9, Clause 3, and Article III, as well as in other respects set forth.

Title I of the Reorganization Act is the part of the Act pertinent to this case. It is entitled "Changes in Rules of Senate and House" after which follows the subtitle, "Rule-making Power of the Senate and House." The title then contains the following unusual provision:

"SEC. 101. The following sections of this title are enacted by the Congress:

"(a) As an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

"(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House." [60 Stat. 814]

A "Part 1" then provides the "Standing Rules of the Senate," including "Standing Committees of the Senate."

A "Part 2" provides "Rules of the House of Representatives," including "Standing Committees of the House of Representatives." Under the caption "Rule X," which is the first rule set forth, it is stated, "There shall be elected by the House, at the commencement of each Congress, the following standing committees:" "17. Committee on Un-American Activities, to consist of nine members." Rule XI provides the "Powers and Duties of Committees." In due course under this Rule comes "Committee on Un-American Activities." Its powers and duties are there set forth as follows:

"(A) Un-American activities.

"(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

"The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

"For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any members designated by any such chairman, and may be served by and person designated by any such chairman or member." [60 Stat. 828–29.]

The Legislative Reorganization Act of 1946 only restates the rules pertaining to the House Un-American Activities Committee. The Committee achieved its standing committee status and first received its charter, as it presently reads, in House Resolution 5, 79th Cong., 1st Sess., 91 Cong. Rec. 10, 15 (1945). See also *Watkins* v. *United States*, 354 U.S. 178, 201–03.

We particularly note that Title 1 is headed "Changes in Rules of Senate and House," and states that it is enacted by Congress "as an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply," with recognition of the right of either House to change the rules relating to the procedure of such House, at any time or in the same manner and to the same extent as "in the case of any other rule of such House." This conforms with the provision of Article I, Section 5 of the Constitution: "Each House may determine the Rules of its Proceedings . . ." In contrast, Title II of the Act also bears upon the internal affairs of Congress, but makes no provision for amendment by either House and does not purport to be "an exercise of the rule-making power of the Senate and the House of Representatives, respectively." Its provisions are denominated "Statutory Provisions."[2]

While the House was sitting as a Committee of the Whole House to consider the 1946 Act, Congressman Monroney, the floor leader, stated:

"Mr. Chairman, I ask unanimous consent that the portions of the bill from line 12, page 5, to line 13, page 24, be considered as read and printed in the Record. That portion of the bill deals exclusively with the rules of the Senate over which the House exercises no real jurisdicion, and it would expedite consideration of the bill to treat it in this manner."

There was no objection to this procedure.

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*The Court takes judicial notice of the fact that the official position of several of the defendants named at the time this complaint was filed has been changed.

**Circuit Judge Fahy became Senior Circuit Judge April 13, 1967.

†The Court takes judicial notice of the fact that the official position of several of the defendants named at the time this complaint was filed has been changed.

‡Circuit Judge Fahy became Senior Circuit Judge April 13, 1967.

[1] Section 2283 provides: "An interlocutory or permanent injunction restraining the enforcement, operation or execution of any Act of Congress for repugnance to the Constitution of the United States shall not be granted by any district court or judge thereof unless the application therefor is heard and determined by a district court of three judges under section 2284 of this title."

[2] Title II, which is designated "Miscellaneous," has three parts—"Part 1—Statutory Provisions Relating to Congressional Personnel," "Part 2—Statutory Provisions relating to Committees of Congress," and "Part 3—Provisions Relating to Capitol and Pages." 60 Stat. 834.

92 Cong. Rec. 10061–62. The Congressman also stated, "We are not touching the Senate rules, we are changing our rules. The Senate changes its rules at the same time." *Id.* at 10040.

Prior to the reading of Title I, Part 2 of the Bill before the Committee of the Whole House, Congressman Celler inquired:

"Would we by the provisions embodied in this bill have the right to change the rules of the next Congress despite the fact that this bill was passed by the Senate and the House?"

Congressman Monroney responded,

"No. [*sic*] It specifically recognizes the right of either House to change its rules at any time. We are merely doing it jointly for the purpose of convenience and clarification. The rules can be changed by the new Congress or by this Congress at any time." *Id.* at 10064.

It appears, therefore, that though acting jointly in the Reorganization Act each House, insofar as Title I is concerned, was acting under its own authority to establish rules for the conduct of its own business.[3]

Thus these rules of the Reorganization Act would not appear to come within the meaning of an "Act of Congress" as that expression is used in 28 U.S.C. § 2282, in contrast with, *e.g.*, the "Federal Tort Claims Act," see footnote 3, *supra*. Section 2282 is not directed to the internal administrative procedures of the Senate or House governing, respectively, the conduct of its own business.

The disposition of the Supreme Court not to enlarge the scope of Section 2282 readily appears in *Kennedy* v. *Mendoza-Martinez,* 372 U.S. 144, 152–55.[4] The Court recognized that there was a formal prayer for an injunction in plaintiff's amended complaint, but on the basis of stipulations entered into to "govern the course of the trial" the Court found that neither the parties nor the judge contemplated injunctive relief. Compare *Idlewild Liquor Corp.* v. *Epstein,* 370 U.S. 713. Having thus disposed of the prayer for injunctive relief, the Court stated that the declaratory relief also requested in this case did not come within Section 2282. Moreover, the Court referred to Section 2282 as having been enacted—like Section 2281 which is applicable to an attack upon state legislation—"to prevent a single federal judge from being able to paralyze totally the operation of an entire regulatory scheme, either state or federal, by issuance of a broad injunctive order," or, as stated elsewhere in the opinion, the putting out of operation of "an entire statutory scheme." 372 U.S. 154, 155.[5] The kinship between Sections 2281 and 2282 also appears from the Court's reference in *Kennedy* v. *Mendoza-Martinez* to *Phillips* v. *United States,* 312 U.S. 246, 250–51. In *Phillips* it is said:

"The history of § 266 [now § 2281] . . . , the narrowness of its original scope, the piece-meal explicit amendments which were made to it . . . , the close construction given the section in obedience to Congressional policy . . . , combine to reveal § 266 not as a measure of broad social policy to be construed with great liberality, but as an enactment technical in the strict sense of the terms and to be applied as such."

Moreover, in *Bailey* v. *Patterson,* 369 U.S. 31, 33, it is said:

"We hold that three judges are similarly not required when, as here, prior decisions make frivolous any claim that a state statute [permitting segregation of interstate transportation facilities] on its face is not unconstitutional. . . . The reasons for convening an extraordinary court are inapplicable in such cases, for the policy behind the three-judge requirement—that a single judge ought not to be empowered to invalidate a state statute under a federal claim—does not apply. The three-judge requirement is a technical one to be narrowly construed, *Phillips* v. *United States,* 312 U.S. 246, 251. The statute comes into play only when an injuction is sought 'upon the ground of the unconstitutionality' of a statute. There is no such ground when the constitutional issue present is essentially fictitious."

And in *Swift & Co.* v. *Wickham,* 382 US. 111, 124, 128–29 (footnote omitted):

"[T]he admonition that § 2281 is to be viewed 'not as a measure of broad social policy to be construed with great liberality, but as an enactment technical in the strict sense of the term and to be applied as such,' *Phillips* v. *United States,* 312 U.S. 246, 251, should be kept in mind.

* * * * *

"Although the number of three-judge determinations each year should not be exaggerated,[28] this Court's concern for efficient operation of the lower federal courts persuades us to return to the *Buder-Bransford-Case* rule, thereby conforming with the constrictive view of the three-judge jurisdiction which this Court has traditionally taken. *Ex parte Collins,* 277 U.S. 565; *Oklahoma Gas & Elec. Co.* v. *Oklahoma Packing Co.,* 292 U.S. 386; *Rorick* v. *Board of Commissioners,* 307 U.S. 208; *Phillips* v. *United States,* 312 U.S. 246."

And see *United States* v. *I.C.C.,* 337 U.S. 426, 443; *Ayrshire Corp.* v. *United States,* 331 U.S. 132, 136–37; *Darlington* v. *Federal Housing Administration,* 134 F. Supp. 337, 339 (E.D.S.C.), *rev'd on other grounds,* 352 U.S. 977.

Apart from the foregoing, yet fortifying the position there taken as to the inapplicability of Section 2282, House Rule XI, under which the Committee or Subcommittee functioned in the matters material to this case, was adopted as a Rule of the House, with a legal status which does not rest upon Title I of the Reorganization Act.[6] It is a Rule of Procedure adopted by the House of Representatives (acting singly) on January 4, 1965, H. Res. 8, 89th Cong., 1st Sess., 111 Cong. Rec. 21, 25. This resolution reads:

"*Resolved,* That the Rules of the House of Representatives of the Eighty-eighth Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby adopted as the Rules of the House of Representatives of the Eighty-ninth Congress."

with certain amendments the substance of which is not here material.

To the extent that the House of Representatives of the Eighty-ninth Congress "adopted" the terms of the Reorganization Act of 1946, specifically the powers of the House Un-American Activities Committee, it did so as an exercise of the authority of the House to make its own rules. The Un-American Activities Committee existed prior to the 1946 Act, first as an ad hoc and then as a permanent committee pursuant to resolutions of the House of Representatives. Since 1946, the House of Representatives for each of the eleven Congresses has passed its own rules. Acting singly, the House has also amended rules which appear in the Legislative Reorganization Act.[7] These unicameral actions by the House demonstrate its consistent interpretation of the Act of 1946, that is, the House of Representatives for each Congress still creates its own committees.

Though the Committee has stated that its authority rests upon both the Act and the rules, such statement, understandable as it is, does not constitute an analysis of the legal situation. And it is not a position advanced by the House itself or by the Congress. Indeed, it is quite inconsistent with the practice of the House. Rule XLII, the last rule of the House, provides:

"[T]he provisions of the Legislative Reorganization Act of 1946, as amended, shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House. . . ."

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[3] The Legislative Reorganization Act of 1946 grew out of 18 months of preparation, study, and hearings by the Special Committee on the Reorganization of Congress, a joint committee of the House and Senate. 92 Cong. Rec. 10039. The reorganization of the committee system, Title I, is only a small portion of the Special Committee's proposal. The other parts of the proposal, which were also intended "to streamline" congressional operations, were adopted as an exercise of Congress' legislative authority. Title II of the Act is designated "Miscellaneous," see note 2; Title III is entitled "Regulation of Lobbying Act"; Title IV is entitled "Federal Tort Claims Act"; Title V is entitled "General Bridges Act"; and Title VI, the final title, is designated "Compensation and Retirement Pay of Members of Congress."

[4] The Supreme Court also has indicated some hesitation to read Section 2282 literally. The Court continued *Ex Parte Cogdell,* 342 U.S. 163, on its docket in order to permit the Court of Appeals for the District of Columbia Circuit, in which the case was also pending, to determine in the first instance whether "congressional enactments affecting only the District of Columbia" came within Section 2282. Subsequently the parties dismissed their appeal in the Court of Appeals. See, however, *Hobson* v. *Hansen,* 252 F. Supp. 4 (D.D.C.), and *Hobson* v. *Hansen,* 265 F. Supp. 902 (D.D.C.), in both of which the problem of applicability of Section 2282 was considered only in relation to the substantiality of the constitutional question, without reference to whether or not the operation of an Act of Congress was involved.

[5] The complementary nature and legislative purpose of Sections 2281 and 2282 were reaffirmed in *Zemel* v. *Rusk,* 381 U.S. 1, 7 n. 4 where *Kennedy* v. *Mendoza-Martinez, supra,* is quoted in length. In *Zemel* the Court held a three-judge court was properly convened and stated,

"The convening of a three-judge court in this case surely coincides with the legislative policy underlying the passage of § 2282. . . . Appellant in this case does not challenge merely a 'single, unique exercise' of the Secretary's authority, cf. *Phillips* v. *United States,* supra, at 253. On the contrary, this suit seeks to 'paralyze totally the operation of an entire regulatory scheme,' indeed, a regulatory scheme designed and administered to promote the security of the Nation."

[6] Any decision as to the constitutionality of Rule XI might be decisive on the constitutionality of the 1946 Act, but the Supreme Court has stated:

"Section 3 [now 2282] does not provide for a case where the validity of an Act of Congress is merely drawn in question, albeit that question be decided, but only for a case where there is an application for an interlocutory or permanent injunction to restrain the enforcement of an Act of Congress. . . . Had Congress intended the provision in § 3, for three judges and direct appeal, to apply whenever a question of the validity of an Act of Congress became involved, Congress would naturally have used the familiar phrase "drawn in question," as in the first section of the Act" [now 28 U.S.C. 2403].

Garment Workers v. *Donnelly Co.,* 304 U.S. 243, 250, quoted in part in *Flemming* v. *Nestor,* 363 U.S. 603, 607, and *Pennsylvania Pub. Util. Comm'n* v. *Pennsylvania R. Co.,* 382 U.S. 281, 282.

Here, of course, plaintiffs seek to enjoin the Committee from acting under either Rule XI or the 1946 Act, but they are not entitled to the latter relief if the Committee was operating only under its Rule.

[7] *E.g.* H. Res. 8, 89th Cong., 1st Sess., 111 Cong. Rec. 21, 25, amending portions of Rule XI pertaining to the Committee on Rules and other provisions.

Lewis Deschler, *Rules of the House of Representatives,* H.R. Doc. No. 619, 87th Cong., 2nd Sess., 499. See also H. Res. 5, 83d Cong., 1st Sess. 99 Cong. Rec. 15, 24, which for the first time incorporates the terms of the Act in Rule XLII. Moreover with the exception of the Eighty-third Congress, each Congress since 1946 has explicitly adopted "all applicable provisions of the Legislative Reorganization Act." This practice indicates that each incoming House of Representatives has considered itself to be writing on a clean slate, notwithstanding the Act of 1946.

Each house of Congress may, of course, amend its own rules without consulting the other body.[8] Such an amendment is clearly not an "Act of Congress" under Section 2282. No three-judge District Court could, therefore, have jurisdiction over an action to enjoin the enforcement, operation, or execution of such an amendment. It would be anomalous to hold that an action to enjoin conduct under some sections of the present rules of the House of Representatives is within the jurisdiction of a three-judge court solely because of the fact that they were restated in the Act of 1946, whereas an action involving a subsequently amended rule would not be within the purview of Section 2282.

It is also significant that the Supreme Court has in several opinions traced the authority of the Un-American Activities Committee to resolutions of the House rather than to the 1946 Act. In *Watkins* v. *United States,* 354 U.S. 178, 201-203, the history of the Committee is set forth, and at the latter page it is said (footnote omitted):

> "On five occasions, at the beginning of sessions of Congress, it has made the authorizing resolution part of the rules of the House.[44]"

Antecedents in the text and the sources in footnote 44 clearly reveal that the "it" in the above sentence is the House of Representatives alone, not the Congress. In *Barenblatt* v. *United States,* 360 U.S. 109, 115 (footnote omitted), the Court refers to the challenge to "Rule XI of the House of Representatives, Eighty-third Congress, the charter of authority of the present Committee.[5]" The footnote also shows that the "charter" was a House Resolution, nothing more. And see *Gojack* v. *United States,* 384 U.S. 702, 706–707, n. 4, including the sentence:

> "It is the practice of the House to adopt its Rules—including the Rule which establishes the Un-American Activities Committee and defines the scope of its authority—at the beginning of each Congress." See, *e.g.,* 109 Cong. Rec. 14, 88th Cong. 1st Sess. (1963); 101 Cong. Rec. 11, 84th Cong., 1st Sess. (1955).

True it is that as a matter of policy when an injunction is sought there would seem to be good reason for a three-judge court to pass on a constitutional challenge to the authority of a congressional committee. But when Section 2282 was enacted there was no occasion for seeking to protect the functioning of such a committee. The problems lay elsewhere, until now. Section 2282 was directed to the problems as they existed, the putting out of operation of an Act of Congress. If a three-judge court also should as a matter of policy be required to strike down a rule of a House under which a House committee operates Congress should address its attention to this new problem.

It is quite true also, as we have suggested, see note 6, *supra,* that were Rule XI to be held unconstitutional such a holding would undermine the constitutionality of the like provisions of the Reorganization Act of 1946 should they come under attack. But this would be because of the precedential authority of the holding. To come under Section 2282, The Act of Congress or operations under it must be the direct object of the injunction sought. *Flemming* v. *Nestor, supra.* It is the conduct of the defendants under House Rule XI that is the object of this suit. Even if authorized by the Reorganization Act, Rule XI does not depend upon that Act, for Resolution 8 of the House of Representatives of the Eighty-ninth Congress alone was the grant of authority under which its committees were to operate.

Having concluded the case does not require a statutory three-judge District Court, there remains the problem of what we should do. Were a unanimous decision on the merits reached by the three judges, respected authority suggests they should render the decision. *Swift & Co.,* v. *Wickham,* 230 S. Supp. 398 (S.D. N.Y.). This has an advantage. An appeal from that decision could be filed both in the Supreme Court and alternatively in the Court of Appeals. If the Supreme Court should decide the case not to be one for a statutory three-judge District Court it would dismiss the appeal. Review would then be available under the alternative appeal in the Court of Appeals. *Swift & Co.* v. *Wickham,* 382 U.S. 111, 129. Or the Supreme Court could treat the appeal papers as an application to it for certiorari prior to Court of Appeals decision. *Turner* v. *City of Memphis,* 369 U.S. 350. But it is not necessary for the three judges to seek unanimity and to decide the case. In this jurisdiction the course heretofore adopted, which we now follow, is to dissolve the statutory three-judge court and remit the case to the District Judge to whom it was first presented, for disposition by him. *Osage Tribe of Indians* v. *Ickes,* 45 F. Supp. 179, *aff'd,* 77 U.S. App. D.C. 114, 133 F. 2d 47, *cert. denied,* 319 U.S. 750; *Marcello* v. *Kennedy,* 194 F. Supp. 748.

CHARLES FAHY,
Senior Circuit Judge.
HOWARD F. CORCORAN,
District Judge.

Dated: September 11, 1967.

Bazelon, Chief Judge, dissenting: The majority concludes that the activities of the defendant are conducted under the authority of a rule of the House of Representatives rather than under the authority of an Act of Congress. I disagree. By incorporating Rule XI into the Legislative Reorganization Act of 1946, 60 Stat. 812, Congress established a dual authorization for the House Committee on Un-American Activities. The Committee itself has not hesitated to state that it derives its mandate from an Act of Congress as well as from rules of the House.[1] In my view, therefore, this case does involve an injunction to restrain enforcement of an Act of Congress and falls within the provisions of 28 U.S.C. 2282.[2] The fact that plaintiffs are also trying to enjoin enforcement of a rule of the House does not render § 2282 inoperative.

The majority suggests that even if defendants' activities are conducted under the authority of the Legislative Reorganization Act, that statute is not the type of Act Congress had in mind when it required the convocation of a three-judge court. Section 2282, however, speaks of "any Act of Congress," and neither Congress nor the Supreme Court has provided us with sufficient guidance to carve out exceptions to it.

Accordingly, I dissent from my brethren's view that a three-judge court lacked jurisdiction in this case.

DAVID L. BAZELON,
Chief Circuit Judge.

NONPROLIFERATION TREATY IS NO BARGAIN

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HOSMER. Mr. Speaker, the American Security Council's Washington Report for September 11 carried the following analysis of the nonproliferation treaty being negotiated at Geneva:

THE NONPROLIFERATION TREATY

(By Congressman CRAIG HOSMER)

THE PRESENT NUCLEAR CLUB

When the United States developed the atomic bomb it adopted a strict policy against nuclear spread to protect its invaluable defense monopoly. Subsequently, either with or without U.S. help, Great Britain, the Soviet Union, France, and, most recently, Red China entered the nuclear club. Yet at Geneva in late August, the United States moved to freeze the restrictive policy into permanent being by jointly, with the Soviet Union, offering separate but identical Nonproliferation Treaty drafts (NPT), complete except for Article III provisions on mechanisms for enforcement. In less than 1500 words nuclear powers will pledge not to give atomic warheads to others and nuclear "have-nots" will bind themselves neither to receive nor to build them.

On the surface the attempt to stop the spread of nuclear weapons would seem to be a sensible proposition. President Johnson describes it as "the gravest of all unresolved human issues." He has made achievement of the NPT "a matter of highest priority." Without it, states Senator Robert Kennedy, "the existence of mankind beyond the 20th Century is in grave doubt." From this, one might conclude that the lives of all on our planet hinge on the document and once it is signed peace miraculously will descend on all nations. If such emotional conclusions were valid, it is unlikely that U.S. nonproliferation policy would repeatedly fail or that NPT negotiations would drag on for a decade, still without culmination. Before rushing to sign this treaty we should examine it coldly, assess its risks against benefits and resolve not to pay excessively to get it.

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[8] See, *e.g.,* H. Res. 5, 88th Cong., 1st Sess. (amendment of House Rule X so as to enlarge the membership of the Committee on Rules); S. Res. 5, 86th Cong., 1st Sess. (amendment of Senate Rule XXII so as to provide for adoption of cloture by two-thirds of those Senators present and voting).

[1] See, *e.g.,* House Committee on Un-American Activities, Annual Report for the Year 1961, 145, stating that the Committee "has a statutory basis in Public Law 601—the Legislative Reorganization Act of 1946—as well as in the Rules of the House of Representatives." The report also spoke of "the purpose of *Congress* in the creation of this committee" and of the "*congressional* mandate." *Ibid.* [Emphasis added.] See also House Committee on Un-American Activities, Annual Report for the Year 1963, 123.

Every publication of the Committee begins with the recital that "The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946]; 60 Stat. 812 . . ."

[2] I think, therefore, that it is unnecessary to decide whether there may be circumstances in which a rule of the House or Senate could be regarded as an Act of Congress for purposes of § 2282. See *Methodist Fed'n for Social Action v. Eastland,* 141 F. Supp. 729 (D.D.C. 1956), where a three-judge court took jurisdiction to decide a case challenging the validity of a Senate Concurrent Resolution. See especially opinion of Wilkin, J., dissenting on other grounds, *id.* at 736.

Cast in "bad-guy" roles in today's scenario of nuclear affairs, France and Red China boycotted the treaty negotiations and have evidenced contempt for the whole idea. France is not believed to view lightly the matter of giving away nuclear warheads, but its deficit internal security raises fear that its atomic know-how may diffuse in the same way in which U.S. secrets went to Russia in the 1940's. Red China's abrasive attitude toward the world at large hardly inspires confidence that the Chinese Communists will refrain from spreading nuclear weapons in tinderbox areas such as the Middle East. The treaty will be useless as to these two Nuclear Club members.

The U.S., U.K. and U.S.S.R. take part in the treaty parleys, but even without a treaty, it is unlikely that they would give nuclear weapons recklessly to irresponsible troublemakers. The national interests of each reject conditions of uncontrollable instability. Conceivably circumstances could arise in which limited and strictly controlled proliferation—particularly by the United States—might contribute to stability. The NPT will extinguish this option. Thus, as to these nuclear powers the treaty will be not only useless, but potentially dangerous.

It also may be that the treaty will be quite useless as to the hundred or more nuclear "have-not" nations, the vast majority of which lack the technological and industrial bases to go nuclear in any event. Their promises not to build bombs will be exercises in give-up-nothingmanship and there is zero expectancy that "not to receive" promises by likely candidates for Chinese give-away bombs will ever hold up. Possibly two score nuclear "have-nots" could go nuclear on their own, if they are willing to make the necessary sacrifices. Most of these have no reason for doing so. The remaining few that do cannot be expected to refrain on the basis of useless promises from others.

Perhaps one observer overstated the case by declaring "all this nonproliferation tear-jerking and hand-wringing is an outrageously contrived hoax over a lot of useless nothing." But another hit close to the mark in a scholarly essay concluding that if proliferation comes we can live with it "and presumably the politicians will find something else to view with alarm." The clash between these negative views and those of the Administration represent conflicting answers to the basic question: Will the United States be safer and more secure after the treaty than before? The answer depends much upon the nations which are the likely prospects for Nuclear Club memberships. Those frequently mentioned are India and Pakistan, the Arab states and Israel, and Japan.

POSSIBLE STABILIZING IN EXPANDING THE NUCLEAR CLUB

In some of these hands nuclear weapons would be troublesome—but how much more so than otherwise is debatable. Also debatable is whether the NPT would effectively ban the weapons to them. When nations believe survival is at stake they tend to ignore treaties and do what they must to stay alive. In any event RAND Corporation's James R. Schlessinger points out that the achievable nuclear capabilities of these countries are limited and pose no threat of direct attack against the superpowers, the U.S. and the U.S.S.R. The consequences will be regional. Recent regional wars between India and Pakistan and Israel and the Arab states fail to support the proposition that the superpowers and other nations inside or outside the region are appreciably more likely to become involved in a world-wide holocaust if the fighting is done with primitive nuclear weapons rather than strictly confined to conventional arms. Those who worry about possible catalytic effect of regional wars should ponder conditions of instability which increase their frequency rather than weapons with which they may be conducted. The presence of nuclear armed Red China amongst nuclear unarmed neighbors is extremely destabilizing. An Indian capability to threaten atomic retaliation from the South might have sobering and stabilizing effects in that region. To the East a nuclear capable Japan could be the focus for a stabilizing Far Eastern regional alliance against Red aggression. Filling these power vacuums would considerably ease the overseas overcommitments of the United States.

In the absence of the NPT these countries might acquire nuclear defense capabilities without necessarily obtaining trouble-making offensive capabilities. For example, the U.S. could supply nuclear warheads to allies if it becomes vital to the common security to do so. Integrated into the weapons would be devices which permit them to fire in a defensive environment, prohibit offensive firing against another country and which would destroy them in the event of tampering. Such control devices are within the present state of technology. However, with the NPT's blanket ban on nuclear weapon transfers hard pressed countries would have to go nuclear on their own and in the process acquire offensive as well as defensive nuclear arsenals.

Denial of the valuable and possibly vital defense option to proliferate selectively and defensively is a very high price for the United States and its historic non-nuclear allies to pay for the NPT. It is boosted higher by President Johnson's promises that "have-nots" who sign the treaty can expect the U.S. to stand with them against nuclear blackmail and aggression. It is obvious how dangerous this nuclear Sir Galahad role—rushing hither and thither to the rescue of all and sundry—may prove to be. Also obvious to imperiled "have-nots" is their risk that, when the chips are down, the U.S. will refuse to play Sir Galahad.

Further, surrender of the selective/defensive proliferation option violates the basic criteria by which most vital national security decisions during this decade have been made. That is, by the computer aided formulas of "Systems Analysis" which Secretary McNamara contends provides us the most "cost-effective" defense establishment known to man. The key feature of this decision making tool is an examination of every conceivable alternative to determine that most effective in relation to cost, while at the same time retaining *the maximum possible open options* for switches as the problem changes or becomes better defined. Although the NPT will close such options to the U.S., it will not similarly disadvantage the U.S.S.R. Promises of aid against aggression are not being made by the latter nor are they widely sought and Soviet opportunities for selective proliferation are virtually nil because its bloc allies are so notoriously untrustworthy.

INSPECTION AND THE TREATY

In the months ahead Geneva's Eighteen Nation Disarmament Conference will focus on Article III provisions to police pledges not to proliferate by means of an inspection network aimed at deterring surreptitious diversion of fissionable material from the nuclear reactor fuel cycle and other peaceful channels. The International Atomic Energy Agency is expected to emerge as both supervisor of police and policemen. At the beginning of 1967 it employed only eleven inspectors to discharge its world responsibilities, had few skills in techniques of inspection, was woefully underfinanced, and a Communist Czechoslovakian was chief of its Inspection Division. Under such circumstances some analysts believe that it is impossible to develop a trustworthy Article III. Instead of this farcical kind of "inspection", they recommend that the treaty should be dropped as unenforceable. If it is not, then Article III should be eliminated as a weak reed and universal suspicion relied upon as better protection against the consequences of cheating. Further, these analysts point to the enforcement clause as the precise issue used by Soviet negotiators to launch venomous propaganda attacks against the West in general and the U.S. and NATO in particular. With negotiations now centered upon it, the Soviets have acquired an indefinite reservation on this launching pad with no compensating advantage to the West.

Evaluators of the progress of NPT negotiations are seldom found on middle ground. To some it is a "remarkable achievement." To others it is reason to stockpile lanterns and broadcast the code: "One if by Land, Two if by Sea, and Three if by Treaty."

OPPOSITION TO TURNING OVER OCEAN FLOOR TO UNITED NATIONS

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PELLY. Mr. Speaker, committing the United States to turning all the world's deep sea mineral resources over to the United Nations, as the administration apparently plans to do, would constitute the biggest giveaway in the history of America. The United States is presently spending about $5 billion a year to probe the space which surrounds our planet. At this very moment a chemistry laboratory is on the moon's surface, sent there by the United States, analyzing the elements for American scientists who realize that the natural resources of earth are dwindling under the pressure of a population explosion. But, Mr. Speaker, with all this research being conducted in outer space, a proposal is made to give away the earth's inner space. For too long a time the U.S. research in the field of oceanography has taken a back seat to the study of outer space, and now, this country faces the devastating loss of freedom to develop the resources of the ocean floor, which under international convention is given to all nations which can exploit them.

Mr. Speaker, together with other colleagues, I am introducing a House joint resolution to memorialize the President to instruct American representatives of the United Nations to oppose any action at this time to vest control of the resources of the deep sea beyond the Continental Shelves of the United States. It is premature, and certainly ill advised to even consider a giveaway as massive as this.

In this connection, under unanimous consent, I include for printing in the RECORD, a copy of a letter to Secretary Rusk which I received this morning from the U.S. Chamber of Commerce.

CHAMBER OF COMMERCE OF THE UNITED STATES,
Washington, D.C., September 14, 1967.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

MY DEAR MR. SECRETARY: The Geneva World Peace Through Law Conference, on July 13, 1967, recommended that the United

Nations proclaim that the nonfishery resources of the high seas, outside the territorial waters of any State, and the bed of the sea beyond the continental shelf, be subject to the jurisdiction and control of the United Nations. Recent reports indicate that the United States Department of State is encouraging General Assembly consideration of this resolution in late September. We are told that the United States delegation will support the resolution.

The National Chamber strongly urges the United States delegation to oppose this resolution because it is ill-timed.

At the present time no practical purpose would be served by the United Nations' resolution. This is not the time for considering United Nations' takeover of marine resources. We are at least five, possibly ten, years away from attaining the knowledge and technology essential to develop and begin to harness the resources of the sea. We cannot now predict the international situation that will exist at the time this knowledge is gained. Until the whole issue is analyzed intensively on a national basis, it would be premature to confer title upon the United Nations or any other group.

Proponents of the resolution argue that giving the United Nations the "jurisdiction and control" over marine resources would avert a possible major international issue—submarine colonialism—and that management of marine resources would supply the United Nations with an independent source of income.

I doubt that these arguments will ever be valid, and certainly there is nothing to substantiate them at the present time.

The submarine colonialism issue has been minimized by recent actions which express the desire of individual nations to settle, among themselves, differences regarding the high seas. Examples of this attitude include the North Sea Agreement, the Bering Strait Agreement, and the numerous international fishing agreements.

Further, since the development and exploitation of marine resources is years away, so is the use of these as a source of income for the United Nations.

The Geneva Convention on the Continental Shelf (1958) to which the United States is a party, clearly establishes that the rights to marine resources rest with individual nations. This Convention, in Article I, defines the "continental shelf." If there is reason to change this definition, as the proposed United Nations' resolution would do, it would seem that the way to make the change is to amend the Convention rather than to go outside the signatories and make the change through the General Assembly of the United Nations.

In effect, by changing the 1958 Convention's definition of the "continental shelf," the United Nations' proposal could make the entire Convention void. This is because the Convention does not include a protective clause that permits the changing of any article without voiding all the other parts of the Convention. Therefore, the United Nations' resolution is indeed a serious step that could completely abrogate an important international convention regarding the seas.

Still another reason to oppose the United Nations' proposal at this time is the Marine Resources Council and Commission. This group has been instructed to prepare a report which will include United States policy with respect to marine resources. The Commission has been assigned the taks of formulating national policy on this important subject. Certainly, the United States should want to obtain and evaluate the report of this Commission before supporting any United Nations' resolution.

There is little to be gained by action now, and much to lose—the resources of the ocean. The National Chamber urges restraint on any action that would confer title to some of this nation's resources upon an international body. Such action should be deferred until sufficient knowledge exists upon which to base a decision, and until the need for such a decision is evident.

Sincerely,

ALLAN SHIVERS,
President.

COHOES—THE ALL-AMERICAN CITY SHOWS SELF-DETERMINATION WITH HELP FROM OEO IS THE MOST EFFECTIVE WAY OF SOLVING PROBLEMS IN THE COMMUNITY

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BUTTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BUTTON. Mr. Speaker, in the tragedy, turmoil, and, perhaps above all, desperate confusion that this summer's riots are leaving in their wake throughout the Nation, I submit that it is especially vital for this House to concentrate legislatively on programs that make sense—good, hard, practical, local, grassroots, slum-ghetto sense.

The war on poverty, Mr. Speaker, as embodied in the economic opportunity legislation and administered by the Office of Economic Opportunity, makes just that kind of sense. In this great experiment, Mr. Speaker, mistakes have inevitably been made. Weaknesses of method and approach have come to light. But I conceive it as our duty to profit by the mistakes, to strengthen the program where it is weak; to refine the mechanism we have devised, not throw it away, and above all to rise above the temptations of partisanship and continue to make sense in attacking the desperate problems of the slums.

I recently received, Mr. Speaker, a letter from Paul G. Van Buskirk, executive assistant to the mayor of the city of Cohoes. The city of Cohoes this year received the All-American City Award. It has been progressing on every front since it threw off the shackles of an entrenched, corrupt political machine and established an independent political organization called the Cohoes Citizens Party. The city has raised public support for a high school, for a new firehouse, and for a community center. The city under the leadership of Mayor James E. McDonald, with able assistance from Mr. Van Buskirk, joined a community effort to start a child development center, a Neighborhood Youth Corps, and work training programs. Thousands of Cohoesiers have joined in to help.

The letter from Mr. Van Buskirk concludes by urging me, on behalf of the citizens of Cohoes, to—

> Use your influence and efforts to prevent the action that would result in the dissolving of the Office of Economic Opportunity and to retain this controlling agency over the poverty programs in our city.

Mr. Van Buskirk makes an impressively detailed case, Mr. Speaker. He described the coordination of the antipoverty programs and their concentration of the critical problems of the poor that were impossible under the old-line, traditional agencies. He points to the new involvement of private enterprise and individuals in attacking these problems. He stresses that they are working together with the poor themselves, and that through this new partnership the target area residents are developing new leadership by active participation in the democratic process. I might add to Mr. Van Buskirk's comments, Mr. Speaker, my observation that I am sure all of my colleagues prefer this type of constructive democracy to the senseless, ignorant alienation which is the root cause of rioting.

Because Mr. Van Buskirk's letter makes such good sense, Mr. Speaker, because it sets forth so succinctly the workings of a local antipoverty program, and because the issues it raises are so critical nationally, I am inserting it in the RECORD at this point and commend it to the close attention of all Members of this House.

CITY OF COHOES, N.Y.,
August 1, 1967.

Hon. DANIEL BUTTON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BUTTON: I have read recently that members of Congress are considering action to dissolve the Office of Economic Opportunity and to place certain programs under this office with the respective traditional old line agencies.

I wish to point out what effect I believe this would have on the City of Cohoes and many other cities throughout the nation. First, I should like to familiarize you with some statistics on the characteristics of the population of the City of Cohoes. These statistics refer to Census Tracts 28 and 29 which contain fifty per cent of the population of our City.

19.4% of the families have an income of less than $3,000 annually.

9.7% of the males, fourteen years and over, in the civilian labor force are unemployed.

67.3% of all housing units are substandard.

36.7% of all persons 25 years and over have less than eight years of education.

The City of Cohoes was one of the first communities in New York State to be funded for Community Action Programs. They are as follows:

Neighborhood Youth Corps, Child Development Center (CAP), Housing, Environmental, Rehabilitation and Development Center (CAP), Work Training Project (CAP), Legal Aide (CAP).

The following programs were developed but were not funded due to lack of sufficient appropriations:

Home Management, Remedial Reading, Senior Citizen, Surplus Food.

Under the organization guidelines, rules, and regulations of the Office of Economic Opportunity and through their programs, the following objectives have been achieved in the City of Cohoes:

1. Through concentrated efforts, organization, and coordination of programs, all members of a socially distressed family can be reached. For example, a father may be chronically unemployed and is receiving training under the Work Training Project; a sixteen-year-old high school dropout is an enrollee in the Neighborhood Youth Corps; a four-year-old child is participating in the Child Development Center; and a mother should be able to receive home management training through a Home Management Program.

The staff of each program is familiar with all the problems and circumstances of the family of a participant. This results in the efforts of all programs being coordinated and concentrated on solving all the social ills of the family. This also makes it possible for a socially distressed family to function through one agency rather than through three or four, or possibly more, which tends to discourage the uneducated and uninformed family. This could not be possible under the traditional old line agencies, for their primary concern is the objectives of their respective agencies and coordination with other agencies is secondary. Also, there is no central agency or agencies to provide central leadership above the line agencies that could effectively and efficiently coordinate their activities.

The traditional old line agencies do not have, at this time, financial resources and developed man power to execute coordinated programs similar to those administered by the Office of Economic Opportunity.

2. In the City of Cohoes each program has its own governing body which administers its respective program, and fifty per cent of the members are area residents elected by neighborhood organizations. These people have had the opportunity to develop leadership, understand the problems of the democratic process, and realize the work that is involved in solving problems and administering programs. They pass judgment on hiring personnel, setting salaries, approving budgets, and setting policies, priorities and goals.

These programs are designed to serve the socially and economically disadvantaged, and these people should, and want to, have something to say and to contribute to the programs serving them. Not only are we developing leadership among the economically disadvantaged, but through participation on governing bodies, they are working with other members of the community such as lawyers, real estate people, engineers, architects, bankers, clergy and many others. This has resulted in the broadening of their outlook on the community and the understanding of the problems of many other segments of the City, both public and private.

This type of participation, experience, and training of the residents in the designated area would not have been possible under the traditional old line agency. In many cases, the traditional old line agencies do not have programs or staff at the neighborhood level, and they do not have provisions for setting up governing bodies to administer local neighborhood programs. Also, they do not have the horizontal coordination for an effective and efficient program. The old line agencies do not have the private assistance or the mobilization of private resources whereby area residents in coordination with others can develop and administer these various programs.

3. Under the O.E.O. programs in the City of Cohoes, private enterprise, private agencies, corporations and individuals are making a tremendous contribution to alleviate the social ills of the City. I believe that if an economic analysis of their efforts, time, energies and cash contributions could be determined, their total contribution would nearly equal the financial contribution of the federal government.

If it were not for the Office of Economic Opportunity, this large resource would never have been tapped and we would not have had the complete mobilization of our resources, public and private, trying to solve the social ills of the community. Also, the plain fact that many private agencies and enterprises are aware of our social problems and have assumed the responsibility for solving them, and have given their time and effort, is in itself a tremendous accomplishment of the private sector of our society in accepting responsibility. This could never have been accomplished under the traditional old line agencies, for our private enterprise would assume that line agencies are fully responsible for their individual programs and the challenge that the O.E.O. program has brought to the surface would not be there.

Also, line agency programs and staff in many cases are not at the neighborhood level, and are not familiar with local agencies, local problems, and it would be difficult for such a staff to motivate local resources.

If Congress should revert to placing the O.E.O. programs under the traditional old line agencies, and should dissolve the Office of Economic Opportunity, this action would have the following effect in solving the social ills of the City of Cohoes:

1. The anti-poverty programs would become fragmented and the result would be an uncoordinated attack on the social ills of the economically disadvantaged family. I believe that this would result in a fifty to seventy-five per cent less effective program than that presently issued under the Office of Economic Opportunity.

2. All the efforts for developing leadership in the designated areas to assist in the administration and development of their programs would be completely lost.

3. The tremendous contribution being made by private enterprise would be greatly reduced to the point that it would not be effective in trying to cure the social ills. I believe that all the efforts, energies and contributions that have been made possible through the mobilization of public and private resources would not only be greatly reduced, but it would be extremely difficult in the future to persuade private enterprise to mobilize their resources and assume responsibilities in attending the many programs that will be needed to solve the problems in the City of Cohoes, as well as in the nation.

I am requesting, on behalf of the citizens of the City of Cohoes, that you, our Congressman, use your influence and efforts to prevent the action that would result in the dissolving of the Office of Economic Opportunity and to retain this controlling agency over the poverty programs in our City.

Very truly yours,

PAUL G. VAN BUSKIRK,
Executive Assistant.

L. B. J. SHOULD HEED SUBCOMMITTEE REPORT

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CHAMBERLAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, from my contacts with citizens in Michigan, especially in recent months I am satisfied that the American people are more disturbed than ever over the conduct of the war in Vietnam. One particularly articulate example of this concern is to be found in an editorial appearing in the State Journal of Lansing on September 2, 1967, relating to the recent report by the Senate Preparedness Subcommittee on the "Air War Against North Vietnam."

I commend it to the attention of my colleagues:

L. B. J. SHOULD HEED SUBCOMMITTEE REPORT

If the Johnson administration's objective is—as it should be—to bring the war in Vietnam to an early and successful conclusion, we think it should heed the demands of a Senate preparedness subcommittee that the air war in North Vietnam be intensified with raids that would close the Communist port of Haiphong.

We agree fully with what the subcommittee said in this excerpt from its report:

"We cannot, in good conscience, ask our ground forces to continue their fight in South Vietnam unless we are prepared to press the air war in the North in the most effective way possible."

What the Senate group said about the ground forces applies also to the U.S. pilots who should not be required to attack North Vietnam under a policy that prevents them from hitting all military targets and thus gives the Communists a big advantage in their defense against American aircraft.

The subcommittee noted this advantage by saying that "anti-aircraft, surface-to-air missiles, and MIG fighter planes" had been assembled in North Vietnam "as the most deadly (anti-aircraft force) the world has ever seen."

"The long delay in approving targets in North Vietnam has almost certainly contributed to our aircraft and pilot losses since it gave the Vietnamese the time to build up formidable air defenses," the report said.

The subcommittee supports the Joint Chiefs of Staff who advocate stepped-up bombing against the view of Secretary of Defense McNamara who has maintained that increased bombing of the North could not by itself win or shorten the war.

Perhaps the bombing alone could not win the war but along with ground action in the South it would be more effective than the restrictive policy the administration has pursued in the past.

The U.S. Constitution wisely provides for civilian control of the military as a safeguard against a military government. However, this does not mean that a civilian secretary of defense is right and the military chiefs of staff, with all their training and experience, are wrong in the devising of military strategy.

The Senate subcommittee issued its report after a three-week investigation of the conduct of the air war.

The responsibility for the final decisions is that of the President as commander-in-chief of the armed forces, but we believe that he also has the responsibility of giving careful consideration to the views of members of Congress who seek victory in Vietnam.

A few days ago Rep. Gerald R. Ford, Jr., R-Grand Rapids, the House Republican leader, said the United States should get out of Vietnam if McNamara's view that air power cannot halt the war is correct. Ford, however, vigorously challenged the defense secretary's contention.

President Johnson has repeatedly expressed determination to carry out the U.S. commitment to Vietnam. He thus has the duty of taking the measures necessary to end Communist aggression against South Vietnam as soon as possible and with the least possible addition to the already heavy American casualties that have been recorded in the long and frustrating conflict.

THE APPALACHIAN PROGRAM

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MILLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MILLER of Ohio. Mr. Speaker, I wish to state my unqualified support of the Appalachian Regional Development Act Amendments of 1967. The Appalachian program is one of the best programs in existence today.

This program is important not only to the Appalachian region, but to every other area of America too. More purchasing power in Appalachia means greater demand for goods and services produced in other areas of the country. A strong Appalachian economy means a stronger national economy. Thus, the needs of the whole country are served by the Appalachian program.

Furthermore, many of the problems in our cities result in large part from the influx of untrained, unskilled people from the rural areas of the Nation. In the past 25 years, the Appalachian region alone has lost more than 2 million people to the urban areas.

Unless this trend is abated, the problems of our urban areas will multiply. However, people will not stay in rural America without opportunities closer to home.

A strong economy in our rural areas requires job opportunities, better transportation, and health and education facilities. The Appalachian program is a great stride in meeting these requirements.

The Appalachian idea and its approach have been highly successful. It is a program which represents a unique relationship between the Federal and State Governments, and has proven itself a useful and effective way to solve the problems of the rural and also the urban areas

I urge the Members of this House to support the bill.

FULL-TIME POVERTY WARRIORS NEEDED

The SPEAKER pro tempore (Mr. Helstoski). Under a previous order of the House, the gentleman from Ohio [Mr. Ashbrook] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, last week, I had the opportunity to participate in an unofficial 2-day investigation into the conduct of the war on poverty in Cincinnati, Ohio. Representative William Ayres and I conducted our investigation after numerous complaints and suggestions were received in our offices and by Cincinnati Congressman Donald D. Clancy. While I would be the first to say that we were not able to study every aspect of the local war on poverty or become experts on the total effectiveness or ineffectiveness of the Cincinnati program, we very definitely were accorded an opportunity to take an on-the-spot look at a very controversial Federal program which proved to be most informative and helpful to us.

Our main purpose in going to Cincinnati was to see what people who are affected think of the war on poverty. On Thursday, September 7, we spent the day visiting with people in the so-called target areas—in their homes, in the community centers, on the street, in the churches. We found a general feeling of frustration among the scores of people we interviewed and it is fair to say that the prevailing outlook seems to be that the war on poverty has not materially affected their lives in any positive manner. Complaints ranged from mild mannered to the very harsh charges of "it's a racket."

One of the bright experiences of the visit was the opportunity to see the real and meaningful contributions which are being made by those dedicated people who are conducting an all-out attack on poverty while not encouraged or subsidized by any Federal payroll or grant. One of the most memorable people I have ever met must be Father William M. Sicking who was also the first witness at our informal hearings which were conducted Friday at the council chambers at city hall.

Father Sicking practices what he preaches. He conducts a full-time war on poverty and, judging by the sampling of opinion that we received by talking to the man on the street, his type of campaign will be the more successful of the many methods now being employed. His parish is in a poor neighborhood with a high Negro concentration. He has successfully set up a parish approach to the problems of the poor which is known as St. Martin DePorres Complex. It includes a center, St. Ann's day care facility, a Golden Age Club and a Thrift Shop. Another project is planned to help provide job opportunities. Father Sicking plans to make pallets at a shop which will be established. I had an opportunity to tour these facilities and I was very much impressed by the enthusiasm of the people who felt that this was theirs.

It is most unfortunate that the efforts of this good priest are not appreciated by the poverty program officials in Cincinnati. Although Father Sicking has served on the Community Action Council—CAC—of the local program since its inception, the program director, John Hansan, apparently looks upon Father Sicking as a thorn in his side. His criticisms have probably been sharp in the past but judging from my interviews with Father Sicking, his approach is positive and his first concern, the poor—not the program. In fact, one of the real problems in the poverty program seems to be the sense of institutional loyalty which places the program first, the people second.

As contrasted to Father Sicking, Director Hansan made one of his first requests before our panel a plea for an increase in salary for himself. This contrasted to the self-sacrificing efforts of those people in the neighborhoods like Father Sicking who had the poor as their first concern.

Congressmen must always weigh testimony and decide the merits. The testimony of Father Sicking and Director Hansan was in direct conflict. Mr. Hansan fights poverty from his vantage point of an office, staff and salary of $15,000. Father Sicking fights poverty at a disadvantage, it would seem. He is without adequate funds while in his heart and mind is a very comprehensive program that could be most constructive if implemented: I came away from Cincinnati convinced that the war on poverty will not be won between the hours of 9 and 4 by paid program workers but rather will be won by people like Father Sicking who, when 4 p.m. arrives, stay with and live with the poor. The Father Sickings have the confidence of the people while there is considerable doubt when it comes to paid poverty program employees.

I would recommend that more of the war on poverty be channeled through groups, individuals, and agencies who are working in the field—the Salvation Army, the missions, the community councils, the Father Sickings. I also feel that the program will be much more successful if a higher emphasis is placed on training for job skills rather the make-work projects.

One of our most effective witnesses was Willard Dudley, the able director of the Ohio Bureau of Unemployment and the Employment Services, who indicated how full-time, comprehensive programs were being shortchanged while makeshift, short duration programs were receiving massive Federal grants to accomplish limited objectives with, unfortunately, limited hopes for success. His testimony alone was an indication of how the glamor programs like poverty attract many unworkable or less advisable projects because "there is where the money is."

Representative Ayres and myself now believe even more that the poverty program should be investigated thoroughly before the Congress considers giving it a new lease on life. We should go into the field and hear what the people are thinking and not listen merely to those bureaucrats who can come to Washington and applaud their own efforts. Many other aspects of the poverty program could be discussed at this time but I offer these brief remarks as an initial report on our hearings. Again, I say that men like Father William Sicking, full-time poverty warriors, are what is needed to help combat the blight which we all know exists. They, far more than the high paid, part-time poverty employees, will bring us a solution to the problem.

I now yield to my colleague the gentleman from Ohio [Mr. Clancy].

Mr. CLANCY. Mr. Speaker, I would like to take this opportunity to thank my colleagues Mr. William Ayres and Mr. John Ashbrook for coming to Cincinnati to conduct public hearings on the effectiveness and administration of the poverty programs in our city and for going out among the poor to hear their views.

I could not agree more with the observations just made by Mr. Ashbrook, and in particular his comments with respect to the work being done by Father William Sicking.

The articulate testimony of the Rev. William Sicking was most helpful and enlightening. Father Sicking is director of De Porres Center in the West End, pastor of St. Paul Church on Pendleton Street, and has been a trustee of Cincinnati's antipoverty agency—the Community Action Commission—since the CAC was founded in 1964.

I have known Father Sicking not only as a great spiritual leader, but as a personal friend for 35 years. To know him is to admire him. His dedicated work with the poor and the underprivileged is well known throughout the Greater Cincinnati area. His many friends and I applaud him for his dedication and his interest in seeing to it that if there are Federal programs to assist the poor, the poor themselves benefit more and the professional workers less.

Father Sicking is not an armchair

commentator on conditions in the ghetto. He has a working residence in a poverty area and has been able to get the reaction and thinking of poor people. He knows at first hand the hunger, unemployment, disease, and overcrowding in substandard housing where crime and violence thrive.

Father Sicking told the members of the congressional committee that "grassroots poor people laugh at the antipoverty program."

The following excerpt from his testimony should also be of interest to my colleagues:

> "CAC? Never heard of it," they (the poor) say. Those who have heard of it call them "big shots" who are telling us to raise ourselves by our own bootstraps, only we don't have any boots.
>
> And: "If it weren't for us poor people, those guys (poverty program employees) wouldn't have a job and be pulling down those fancy salaries."

Father Sicking concluded his testimony with five specific recommendations which merit consideration. I am convinced that as a result of our hearings in Cincinnati and hearings that could possibly be conducted in other communities, constructive legislation providing for an improved poverty program, with increased emphasis on more jobs, will be forthcoming.

PROPOSED NEW CHESAPEAKE BAY PARALLEL BRIDGE AND THE J. E. GREINER CO.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. LONG] is recognized for 15 minutes.

Mr. LONG of Maryland. Mr. Speaker, legislation now pending before Congress would authorize the location of certain toll projects in Maryland. H.R. 11627 would authorize a Baltimore Harbor Tunnel and three bridges across the Chesapeake Bay—one in the Baltimore area, one in southern Maryland and one parallel to, and duplicative of, the present span.

My bill, H.R. 3135, would exclude authorization for this parallel bridge, which was rejected by the voters of Maryland in a referendum last November. Despite this rejection by the voters, the Maryland State Roads Commission is pushing ahead with its plans to build a second bridge alongside the existing Chesapeake Bay Bridge.

And closely associated with the State Roads Commission in pressing for this rejected bridge is the J. E. Greiner Co., a consulting engineering firm of Baltimore, Md., which for decades has been a dominating factor in the location and planning of roads and bridges in Maryland. As early as January 31, 1964, the Greiner Co. recommended that—

> First priority be given to the construction of a second bridge adjacent to the existing bridge at Sandy Point.

It is significant that this report was issued over the signature of J. E. Donnelly, one of three partners in the Greiner Co.[1] It is significant also that the State roads commission has just recommended to the Maryland Board of Public Works that Greiner be awarded the contract to supervise the design and construction of a parallel bay bridge.

This contract is about to be awarded. The parallel bridge will be so costly that it will use up, possibly to the year 2000, any money or borrowing capacity that might have been available to build a bay bridge in another location, such as in Baltimore or in southern Maryland. The contract to build this bridge would thus determine the future population, traffic, and economic patterns of Maryland for decades to come.

It is significant, further, that the Greiner Co. scarcely stands to lose money from this contract to design the parallel bay bridge. In 1965, Greiner Co. estimated its fee for this work at $5.1 million[2] even though it had done the design for the present bridge in the same location, a design which is presumably still available to assist the Greiner Co. in designing the parallel bay bridge. This fee was based on 10 percent of construction costs. Because construction costs will have risen since 1965, Greiner's fee, on this 10-percent basis, could be $7 to $10 million.

In view of the importance of this contract to build a parallel bay bridge, the competence and integrity of the consulting engineering company should be beyond reproach.

A real question now arises whether this is true of the J. E. Greiner Co. I hereby place in the RECORD an account of a criminal trial in which J. E. Donnelly, partner in the Greiner Co., was a defendant, and of a civil suit against the Greiner Co. itself. The record of these trials contains vital information concerning the practices of the Greiner Co. in another State—information that should serve as a warning to the people of Maryland of how their money may be wasted on a project which they have rejected and which, I have repeatedly argued, has been undertaken partly for the aggrandizement of the Greiner Co.

The cast of characters in this criminal trial includes:

The J. E. Greiner Co., as a company, and two of its top officials;

The chairman, secretary-treasurer, finance director, and two other officials of the Pennsylvania Turnpike Commission, to which the Greiner Co. was consulting engineer;

The president and general manager of the Manu-Mine Research & Development Co. whose plans were endorsed by the Greiner Co.

This cast of characters is tied together in an interesting web of business and family relationships. Five of this nine-member cast eventually were sentenced to prison. Another was involved in a civil suit running into the millions of dollars.

Here is the sequence of events:

In December 1953, the J. E. Greiner Co. was named consulting engineer of the Pennsylvania Turnpike Commission for the northeastern extension of the Pennsylvania Turnpike.

In 1957, in connection with this project, J. E. Donnelly, partner in the J. E. Greiner Co., was indicted on a "charge of conspiracy to cheat and defraud the Pennsylvania Turnpike Commission" of "millions of dollars."[3] This is the same J. E. Donnelly who signed the 1964 Greiner Co. report recommending a parallel bay bridge.

G. Joseph Hudert, a Greiner Co. engineer, was indicted at the same time on the same charge.[4] Both men are still officials of the Greiner Co.

The Pennsylvania Turnpike Commission dismissed the J. E. Greiner Co. as the Turnpike's consulting engineer and brought a $7.7 million civil negligence suit against the Greiner Co. in the U.S. District Court of Maryland.[5] Defendants Donnelly and Hudert were not convicted of the criminal charge, but the Greiner Co. paid the Turnpike Commission in order to settle the civil suit out of court.[6]

To indicate further the seriousness of the case in which the Greiner Co. was involved, five of the nine defendants standing trial for criminal conspiracy and three related charges were convicted.[7] Three of the men were top officials of the Pennsylvania Turnpike Commission: Thomas J. Evans, chairman; James F. Torrance, secretary and treasurer; and Paul J. McNeill, finance director. Two others convicted were: Charles W. Stickler, president and principal stockholder of the Manu-Mine Research & Development Co., and Clayton A. Landsidle, Manu-Mine's general manager. Manu-Mine President Stickler was also a nephew of Turnpike Chairman Evans, while Chairman Evans' son, Richard H. Evans, was Manu-Mine's vice president until his death several months before the return of indictments in these cases.[8]

The criminal cases and the civil proceedings arose because of Manu-Mine's estimates for, and performance of, mine drilling and slushing work on the northeastern extension of the Pennsylvania Turnpike, for which Greiner was the consulting engineer.[9]

Manu-Mine had claimed that mine drilling and slushing were needed because a portion of the northeastern extension was to be built in a region containing inactive coal mines. The cavities of these mines, claimed Manu-Mine, had to be found by blind drilling and then slushed, that is, filled in with silt. This would provide the necessary firm subsurface support for the road.

Defendant Donnelly of the Greiner Co. was present during a February 28, 1955, meeting at which the Pennsylvania Turnpike Commission awarded the mine drilling and slushing contract to Manu-Mine. Donnelly later admitted that he knew of the family relationship between

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[1] Location Studies, Chesapeake Bay Crossings. State Roads Commission of Maryland, January 1964.

[2] Location Studies, Chesapeake Bay Crossing, prepared for the State Roads Commission of Maryland. J. E. Greiner Company, January, 1965.

[3] Dauphin County Reports. Vol. 72. 1958. Twelfth Judicial Circuit of Pennsylvania. Page 34.

[4] Dauphin County Reports. Vol. 72. Page 34.

[5] Civil Action No. 10250, U.S. District Court for the District of Maryland.

[6] Minutes of meeting of Pennsylvania Turnpike Commission, November 18, 1957.

[7] Dauphin County Reports. Vol. 72. Page 34.

[8] Dauphin County Reports. Vol. 72. Pages 35 and 36.

[9] Dauphin County Reports. Vol. 72. Pages 35 and 36.

Manu-Mine President Stickler and Turnpike Commission Chairman Evans.[10]

At the 1957 criminal trial, the Commonwealth of Pennsylvania's expert witnesses testified that 95 percent of the drilling and slushing work was unnecessary because nearly all the coal mines had filled in naturally and presented no threat to the road's stability. The extent to which the work was both unnecessary and overpriced can be judged by the testimony of Daniel H. Connelly, deputy secretary of the Pennsylvania Department of Mines, that Manu-Mine had billed the turnpike commission $7.5 million for one part of the drilling and slushing work which should only have cost $82.9 thousand at most,[11] or only 1 percent.

Defendant Donnelly of the Greiner Co. testified at his trial that:

> The Greiner Company did endorse the program of slushing as developed by Manu-Mine.[12]

Greiner Co. also issued a report challenging the Pennsylvania State Department of Mines' pretrial criticisms of Manu-Mine. This report was signed by defendant Donnelly,[13] despite the fact that:

First. Admittedly neither Donnelly nor anyone else associated with the Greiner Co. had experience in mining engineering;

Second. The Greiner Co. had not sought the advice of disinterested experts in mining engineering;[14]

Third. Donnelly admitted he had not consulted the State department of mines before signing his report;[15] but had consulted with Manu-Mine;[16]

Fourth. Donnelly testified he had not visited any of the mines in question nor observed Manu-Mine's operation before preparing the report.[17] In fact, he testified: "I have never been in a mine."[18]

Donnelly testified that his report was prepared at the request of G. Franklin McSorley, who succeeded Evans as chairman of the Turnpike Commission.[19] McSorley was later convicted of criminal misbehavior in public office.[20]

The civil suit filed by the Pennsylvania Turnpike Commission against the Greiner Co. charged Greiner's negligence in giving every phase of Manu-Mine's plans its "complete and unqualified approval" and in advising the Commission that Manu-Mine's proposal was proper and reasonable, when it was actually wholly unnecessary and exorbitantly expensive.[21]

In sum, the people of Maryland have rejected the parallel bay bridge. The Commonwealth of Pennsylvania not only dismissed this consulting engineering firm which now wants to supervise construction of this parallel bridge, but instituted civil suit against the Greiner Co. and charged two of its top officials with criminal conspiracy.

I call on Governor Agnew and the State Roads Commission of Maryland to abandon their plans to build a parallel bridge and to turn down the award of the engineering contract to the Greiner Co. Both this project and the Greiner Co. are by now thoroughly discredited. I urge Congress to join the voters of my State in rejecting the parallel bay bridge.

THE UNITED STATES SHOULD RENEW ITS NATO MILITARY AID TO GREECE

The SPEAKER pro tempore (Mr. HELSTOSKI). Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 1 hour.

Mr. PUCINSKI. Mr. Speaker, earlier this month it was my privilege to be the guest of the Pan Arcadian Federation at its convention held in Athens, Greece.

Mr. Chris Mitchell, president of the Pan Arcadian Federation, had invited me to address his gathering and visit the homeland of many of my constituents.

I was most grateful for this kind invitation because it did give me an opportunity to see Greece. But equally important, it afforded me an opportunity to see what effect the revolution of April 21 had on the people of Greece.

I was in Athens for 10 days, and during this period I had made a very exhaustive study of the present situation in Greece.

I had talked to most of the present military leaders who constitute the current Government of Greece. I talked at great length with the new Prime Minister, Constantine Kollias, and with all of the Ministers, including Gen. Stylianos Patakos, who is Minister of the Interior.

I talked with a number of civilians who remain in the Government in key positions.

I had extensive discussions with former members of the Parliament who today oppose the present regime and were very frank and forthright to me in their criticism.

I had a 2-hour conversation with former Prime Minister, George Papandreou, who is presently under house arrest in his villa in Athens. Mr. Papandreou, speaking in halting English, was very frank in his conversations with me, and said he found my visit most welcome.

I spoke extensively with publishers of Greek newspapers who are now operating under rigid rules of censorship, and they were extremely frank in their conversations with me.

I talked at great length with the American representative to the North Atlantic Treaty Organization, stationed in Athens.

I talked to a number of American observers and businessmen who were in Greece at the time of the revolution and who, since April 21, have had an opportunity to carefully review the actions of the present Government and the attitude of the Greek people toward this Government.

I spent countless hours in discussions with Greek businessmen, labor leaders, financiers, and just plain ordinary citizens in the streets and villages.

I discussed the present situation with our own American diplomatic representatives.

Mr. Speaker, I took an extensive helicopter flight over northern Greece and personally viewed the extensive damage done to a large number of villages by the recent earthquakes. I saw some 6,500 Greek families living in canvas tents and badly damaged homes—many without roofs—fearful of what will happen when cold weather sets in very shortly.

Finally, Mr. Speaker, I visited the island of Yarros, which is about 1 hour's helicopter flight from Athens and which houses the prison of some 2,500 political prisoners.

I believe that I am the only foreigner to have ever visited this island, and I took along with me my own State Department translator. I personally heard the prisoners addressed by General Patakos, and I had an opportunity to see firsthand the conditions which exist on the island and the attitude of the prisoners.

Mr. Speaker, I can assure my colleagues in Congress that my search for the truth in Greece was most exhaustive, and I am grateful to the Pan Arcadian Federation for making possible this personal observance of the present situation there.

From my extensive conversations and personal observations, I have come to the conclusion that:

First. It is in the interest of the United States for our country to resume shipment of important military aid to Greece as part of our NATO defense structure.

Second. It is in our national interest for the United States to provide the people of Greece with disaster relief of at least $15 million to help the victims of the earthquake avoid extreme hardships when winter hits their canvas tents.

Third. It is in the interest of the United States to press for restoration of parliamentary government in Greece, and this can be done by giving the present Government of Greece technical assistance to meet many of the civilian poblems which the generals, by the very nature of their military background, will find difficulty in solving; we should help this Government develop a democratic base for restoration of constitutional government.

Fourth. It is important for the United States to help King Constantine press the present military regime to restore parliamentary government to Greece as quickly as possible.

Mr. Speaker, I do not want my observations or my remarks ever to be construed as condoning a government which would deny its people basic civil rights.

But neither would I ever want to be blinded by the realities of life, and one of those realities is that the military regime presently is in control of Greece.

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[10] Transcript of criminal trial in the Court of Quarter Sessions of Dauphin County, Pennsylvania. Nos. 216, 218, 220 and 221, January Sessions, 1957. Page 5678.

[11] Dauphin County Reports. Vol. 72. Page 45.

[12] Transcript for Nos. 216, 218, 220 and 221, Dauphin County (see earlier reference). Page 5674.

[13] Transcript. Pages 5646 and 5551.

[14] Dauphin County Reports. Vol. 72. Pages 49 and 50.

[15] Transcript. Page 5684.

[16] Dauphin County Reports. Vol. 72. Page 49.

[17] Transcript. Page 5687.

[18] Transcript. Page 5635.

[19] Transcript. Page 5646.

[20] Dauphin County Reports. Vol. 72. Page 241.

[21] Civil Action No. 10250, U.S. District Court of Maryland.

Furthermore, this regime has stated publicly and unequivocally that it supports America's position in the North Atlantic Treaty Organization and will keep Greece in NATO.

Our Nation cannot, and must not, ignore the fact that the crisis in the Middle East is not over. The Soviet Union continues to have her evil designs for the destruction of Israel. We may need Greece as our most reliable base if the situation in the Middle East should worsen. During the recent crisis, Greece stood with us and helped relocate Americans from the Middle East.

Whether you like it or not, the present Government of Greece is there; it is a reality; and, on the basis of my most honest and sincere studies, right now this Government has the popular support of the people of Greece.

There are those who would challenge this statement and I respect their views.

But the fact remains that if an election were to be held in Greece today, responsible people in Greece—including the most bitter critics of the present regime—told me that the present military government would be overwhelmingly elected because it has restored order out of chaos in this country.

I know there are those who will seriously question this conclusion, but the fact of the matter is that the people in the streets of Athens and in the villages told me that conditions had gotten so intolerable in Greece prior to April 21, that a revolution was inevitable.

Many people told me that when the revolution finally occurred on the morning of April 21, and the military leaders took over, the general reaction of the people of Greece was: "What took them so long in coming?"

As a matter of fact, Mr. Speaker, one of the leaders of the revolution told me:

> Congressman, we didn't even have to stretch; we just yawned and 8½ million people rolled over into our lap.

It is a matter of fact that not a single shot was fired and not a person was killed in this bloodless revolution. It is also a matter of fact that the conservative press had been predicting this revolution for some time before April 21.

I can find no comfort in the fact that NATO tanks were rolled into the streets of Athens on the morning of the revolution, nor can we ignore the fact that the present rulers of Greece have instituted a whole series of repressive moves, from severe censorship of the press to suppression of the constitution, and the Parliament to a literal substitution of judicial process with a system of military courts.

Nor could anyone ever seriously defend the limitations on assembly imposed by this regime which require that whenever more than five people meet, the names and addresses of all those attending a meeting—including even a family reunion—must be supplied to the local police and permission must be obtained for such a meeting. I have been assured this limitation will be dropped very shortly, and even now is not being enforced.

I am sure it is of deep concern to all of us that the new slander law in Greece imposed by the Government makes every citizen subject to arrest and prosecution if he speaks out in any manner and criticizes to any degree the present Government.

These are police tactics which we, as Americans and free people everywhere, find contemptible and repugnant to our way of life.

But the military leaders hasten to assure visitors to Greece that these measures were necessary to restore order, and will be removed just as quickly as possible. A casual visitor to Greece would not know the military rule the country. There are no soldiers in the streets or hotels, people walk freely in the streets; the restaurants and night clubs are operating as usual. Visitors are treated with exceptional care and courtesy,

The military rulers of Greece have assured King Constantine that they will have the Constitution rewritten as quickly as possible and presented to a plebiscite—perhaps even this year—and that elections of delegates to the Parliament will be held as quickly as possible.

I am aware of those who argue that in the last 4 months, during which this military regime has governed Greece, it has not shown any evidence that it intends to keep its pledge to restore parliamentary government.

In my judgment, Mr. Speaker, fair play dictates a corollary observation, and that is, that in these same 4 months, the military has not shown any evidence that it does not intend to keep its pledge.

It is easy enough for us Americans—deeply set in traditions of democracy—to insist that the Government institute constitutional rule in Greece before any further assistance is given. I would subscribe to this doctrine, but I think it is important to know that in a country whose northern border has three nations under Communist rule—the fear of its leaders are justified.

Greece has Albania, Bulgaria, and Yugoslavia on her northern border. History has shown us there is no "second chance" with communism.

You do not have any time to be wrong when you have three neighbors who would like to plunge you into the Communist orbit at the first opportunity.

Mr. Speaker, among the people I discussed all these matters with, I found that even the most bitter critics of this Government admit the Constitutional Revision Committee is made up of fair people, and there is a confident feeling throughout Greece that this Constitutional Revision Committee will present a series of meaningful and helpful recommendations for strengthening the Constitution of Greece; for strengthening it in such a manner that another coup like the one experienced on April 21 will be impossible, but, at the same time a Constitution that will give Greece vastly more protection against Communist encroachment.

I spent 2 hours with former Prime Minister Papandreou. It is very clear that Papandreou has nothing but contempt for the present Government, and this is certainly understandable. George Papandreou believes that the ills of Greece could have been solved in the election of May 28, but he himself admits he does not think he would have won a majority, and admits he would have had to rely on help from splinter parties in Greece in order to form a government. The Communists, it is generally agreed, would have emerged as one of the biggest splinter parties in the May 28 elections.

The senior Papandreou defends his son, Andreas Papandreou, who is now awaiting trial for treason. It will be recalled that the King had deposed George Papandreou as Prime Minister in 1965 when he tried to make his son Andreas Minister of Defense. It is a known fact that Andreas Papandreou recommended pulling Greece out of NATO. This was one of the main subjects of dispute within the Government and the reason King Constantine deposed his Prime Minister.

George Papandreou admits both he and his son were critical of NATO because the NATO command told them NATO would not help Greece if she was attacked by Turkey for trying to recapture Cyprus. NATO insisted it could help only when a nonmember nation attacked Greece. Both Papandreous insisted they did not need NATO under those conditions, and threatened to pull Greece out of NATO, the Prime Minister said.

Papandreou says he would never have agreed to work with the Communists, that he would never have agreed to a coalition government if the coalition was with the Communists, but those within the Government insist that after 2 years of being deposed as Prime Minister, Papandreou would have been willing to agree to form a coalition government with the help of the Communists, and the price of such a coalition would have been the withdrawal of Greece from NATO.

I talked with responsible newspaper publishers in Greece; men who today must submit page proofs before publication to a censor, men who find this system contemptible, and men who find the Government very despotic, but men who have admitted that prior to April 21 the Greek press was intolerable and completely irresponsible.

One of the leading publishers of Greece told me if I had asked him on April 19 whether it was true about the low state of affairs of the Greek press he would have had to tell me, "Congressman, I am ashamed to admit I am a member of the Greek journalistic profession."

This publisher, who yearns for the day when he can again see a free press in Greece, said that the Government had asked him and all other publishers to submit by September 10 a memorandum on how the censorship could be lifted from the press of Greece and still retain some sense of responsibility among the publishers of newspapers in Greece.

This publisher said that the publishers would submit such a list.

I talked to people on the street who told me prior to April 21 the situation in Greece was completely intolerable and unbearable in terms of corruption.

Papandreou himself said that toward the very end, before the revolution, members of the Parliament reached a new low in corruption and in personal dishonesty.

The man on the street, the cabdrivers, the truckdrivers, the people in the hotels and the villages, told me that prior to April 21, the obtaining of a simple certificate, a birth certificate, a license, or other official document required the payment of substantial sums of money by the people to public officials. Graft and corruption were the order of the day.

These were the conditions that created the situation which led to the revolution on April 21. These were the conditions which permitted the military to take over without firing a shot.

I must say that from all the evidence I saw, this whole mess has been cleaned up and the people approve of the strict measures.

Mr. Speaker, in my judgment, the great danger to Greece today is if the present Government fails, we will be in a very dangerous situation. It is entirely possible that this Government may fail. In my discussions with these military people I found a serious unawareness of the practical problems of government.

These are military men who have dealt with military problems and have resolved them in a military way. Very frequently they do not understand the complex nature of dealing with people and their problems.

There is a fear in Greece that if this Government should fail, civil war may very well ensue in Greece. It may well force Greece out of NATO and throw the nation to the Communists.

I can think of nothing more disastrous to the interests of America than to see Greece forced out of NATO or for NATO to lose this very important bastion on the Mediterranean. It would give the Soviet Union access to the Mediterranean and probably force our 6th Fleet out of the Mediterranean. It would give the Soviet Union control over the Middle East and ultimately the gateway to Africa. This is a prize that the Communists have coveted for the last two decades.

So, Mr. Speaker, I say while my heart is heavy and I certainly sympathize with all those who cannot accept the present military rule of Greece, I say that we must view this problem on a broader basis. Above all we must view the problem of Greece and her role today in terms of what she means to the United States and what she means to the stability of Europe, to NATO, and the free world.

I believe that we Americans should exert every pressure to restore democratic rule to Greece. While we are doing this we should not weaken our NATO structure. I share with our NATO allies the concern that military equipment should go to a military government and be used against her people, but it seems to me we ought to recall this is not the first time America has dealt with military governments. This is not the first time that we have dealt with a government that was not completely to our liking. This is not the first time we have recognized and dealt with governments that did not fit into our particular American mold of democracy. The realities of life require that we face up to the fact that we need Greece and Greece needs us.

It is my hope, Mr. Speaker, that when we view the great earthquake damage in Greece and all of her other problems, America ought to carefully reconsider our policy of withholding military aid to Greece as our NATO ally.

While I was in Greece, five of our NATO nations, including Greece, held maneuvers in northern Greece. Just across her borders, the Communist member of the Warsaw Pact was holding similar maneuvers in Bulgaria. Let no one kid you—there are powerful Communist forces at play in this area, and NATO needs all the help it can get.

As far as economic assistance is concerned, I flew over village after village in northern Greece and saw these people living in canvas tents. These people are concerned because they have severe winters in the mountains and are heading toward the colder months. They have very serious problems of housing their families and children and I am sure there will be great suffering this winter.

Mr. Speaker, America has a long tradition of extending humanitarian help to mankind. We ought to help these Greek people and we ought to help them immediately.

Even George Papandreou, the most severe critic of the present Government in Greece, said that insofar as assistance to the victims of the earthquake is concerned, the United States of America ought to do its share to alleviate their suffering for the Greek people are among our best friends.

So, Mr. Speaker, I hope that we would seriously consider responding to our traditional role as a humanitarian nation, particularly since the Greeks have traditionally been our friends.

I might add that as I flew over Greece, I saw the results of our foreign aid. I saw the results of our economic assistance, I saw the great electric powerlines; paved roads and farm-to-market roads; and I saw the various irrigation projects. I saw fertile fields, where before there was barren land. These projects have survived 13 different governments of Greece since World War II.

I say when we invest in the people of Greece, the harvest on this humanitarian investment will come back to us manyfold. Governments come and go, and they have come and gone in the past in Greece over the last 13 years. But the progress that we have built in Greece with American help today stands as an indestructable bond between the people of Greece and the people of the United States of America, a bond of friendship and loyalty that I am sure will transcend all time.

Finally, Mr. Speaker, I flew to the Island of Yarros, and I visited the prison there. It is an hour's helicopter flight from Athens. There had been about 6,500 political prisoners on this island since April 21. Most of them were charged with some form of Communist activity since the civil war in 1947, and many of them had already previously served sentences for this activity. Some 4,000 have been released and have been sent back to their home. Of the 2,500 remaining, 227 were women of various ages.

I saw the general talking to these people, telling them, "Look, you do not belong on this island; we do not want you here; what we want you to do is to make an oral declaration, or sign a statement that you will not conspire with the Communists to overthrow this Government and then you are free to go home."

Mr. Speaker, I recall one incident in particular. There was a young mother in a room with three other women. She was a mother of three children. She herself was about 28 years old. The picture of her three children was over her cot on the wall.

The general said:

> You do not belong here; your children need you; why do you not go home and be a good mother to them; leave the politics to others; you be a good mother. All you have to do is to make an oral statement that you are not going to conspire with the Communists to overthrow this Government, and we will have you home tonight. I cannot tell you what to think. If you want to think Communist, this is your privilege. No one can look into the depths of your mind, but we can ask you not to conspire with the Communists to overthrow this Government.

Mr. Speaker, the young woman put her feet up on the bed and she looked the general in the eye and said:

> I was born a leftist; I think leftist; and I will die a leftist; thank you but I am going to stay here.

After talking to about a thousand of these people, it is difficult not to believe that this particular group is hard-core Communists who consider their imprisonment a sacrifice to their cause.

Mr. Speaker, I do not want American foreign policy to be dictated by the 2,500 people who are on that island at the present time. I saw the personal efforts which were being made to urge these people to leave the island; more than 4,000 have responded and have been released. I had my own interpreter there so that there would be no mistake about what was being said. I am convinced that every effort is being made to let these people go home. However, these people obviously believe in their cause with a fervor. They are entitled to their beliefs, and I believe the Government has made a serious blunder in arresting them in the first place. I could not defend their arrests, but the fact of the matter is that these people are the victims of a revolution in which the military believes with the same fervor that they were saving Greece from communism.

So, Mr. Speaker, when we hear about 2,500 prisoners on the Island of Yarros, they are living under conditions similar to many prisons in our own country. They sleep on canvas cots. The food is reasonable. The dormitories are clean. These people feel they are making a great contribution and great sacrifice to their cause, and they made no secret in proclaiming this to the general when he visited them.

One of the interesting aspects of this visit was the firmness with which these prisoners talked to the general. They openly argued that they should be released but not a single person offered to make the declaration not to conspire against the Government.

I am the only foreigner who has visited the island. It is my belief that most of these people will accede to the pledge not to conspire against the Government and will be released.

So, Mr. Speaker, it would seem to me

that we have an obligation to review the situation in Greece. I believe that certainly we ought to study all the aspects of the situation. I believe that we should help King Constantine, who was here just the other day.

King Constantine is holding these leaders to their promise that they will restore constitutional government as quickly as possible. King Constantine said "All I want from you is time, understanding and patience."

It seems to me that the alternative to working with these people is to isolate them; to isolate these military leaders, and let them compound their errors and with each error tighten the noose around the people.

History shows that every revolution begets another revolution. Every revolution provokes another revolution. This was a bloodless revolution. No one can predict what its successor may be like.

In my judgment it would be a mistake to isolate these people. I feel perhaps the better policy would be to try to work with them and continue to apply American pressure to make sure that they keep their pledge of restoring parliamentary government to this country.

One thing is certain, Mr. Speaker, for better or worse, this Government in Greece is on record as standing with us against communism. Who can say what any other government born out of civil war may do as regards its relation to us.

We have the pledge of King Constantine, an honorable man, who says he will continue pressuring his Government for restoration of parliamentary government.

We have something much deeper, Mr. Speaker. We have a tradition among the Greek people themselves. The most collosal mistake this Government could make would be to try to renege on its pledge to restore parliamentary government to the people of Greece.

The Greeks originated democracy.

The Greeks have a long and stubborn history of struggle for freedom and democracy.

The Greeks were the first ones in 1947 who, against great odds, stood up to the Communists, and suffered great losses to protect their country for freedom.

Mr. Speaker, I will stake my hopes and my confidence on the people of Greece. I am confident the people of Greece will force this Government to keep its pledge to restore parliamentary government.

But the problem today before us as Americans is not to let our NATO defense become so weak that this Government will have to either drop out of NATO or we will be an open target for Communist aggression.

It is my hope that we will help King Constantine return Greece to its traditional role as the cradle of democracy.

It is my hope also that we Americans are going to look soberly at this problem of helping the economy of Greece and helping Greece militarily. By giving Greece NATO help, we are not condoning denial of constitutional government to that country. The indisputable fact of the day is that in this troubled world, with great trouble in the Middle East, with great trouble in Europe, with great trouble in Asia, I submit, Mr. Speaker, America needs Greece today a great deal more than Greece needs us.

THE LATE HONORABLE PETER A. CAVICCHIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. MINISH] is recognized for 15 minutes.

Mr. MINISH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MINISH. Mr. Speaker, it is my sad duty to inform the membership of the passing of the Honorable Peter A. Cavicchia who served with distinction in the 72d, 73d, and 74th Congresses as the Member from the present 11th District of New Jersey which it is now my honor to represent.

Mr. Cavicchia, who died September 11 at the age of 88, was a man of great ability and integrity with a deep dedication to the democratic principles of his adopted land of America. He was the only Member of Congress born in Italy, and his life and works are eloquent testimony to the contribution that immigrants have made to our Nation.

Coming to the United States as a child with his parents, Mr. Cavicchia graduated from American International College with a B.A. degree in 1906 and received his LL.B. from New York University in 1908. The degree of doctor of laws was conferred by the American International College in 1929. His profound interest in education was reflected in Mr. Cavicchia's long service as a member and president of the Newark Board of Education, as professor of law and trustee of the University of Newark—now Rutgers University—and as trustee of American International College.

Mr. Cavicchia's warm and compassionate spirit caused him to give generously of his time and talents to many humanitarian activities. He was a founder and trustee of Columbus Hospital in Newark and served as president of the Italian Welfare League. Mr. Cavicchia was also ex-grand venerable, Order of Sons of Italy of New Jersey; knight officer of the Crown of Italy; member of F. & A.M. Tri-Umilar Lodge 112. He was a life member of the East Side Presbyterian Church, Newark, of which his mother had been one of the founders.

Among Mr. Cavicchia's legislative achievements in the House of Representatives was sponsorship of the landmark Federal Deposit Insurance Corporation Act. As in all his endeavors, Mr. Cavicchia devoted himself wholeheartedly to his duties as Member of Congress and was held in high esteem and respect by his colleagues on both sides of the aisle and by his constituency whom he served so well and faithfully.

Mr. Cavicchia had a full and rich life, and his community, State and Nation benefited immeasurably from his dedicated service. We mourn the passing of this wise and good man, and take inspiration from his memory. I extend my deepest sympathy to his devoted wife, to his daughter Priscilla, his sons Eugene and Paul, and his grandson Peter A. II, now in military service, who were a source of pride and joy to him.

I should like to insert at this point in the RECORD the article from the Newark Evening News of September 12, 1967, and the article from the Washington Post of September 14, 1967, about this great American:

[From the Newark Evening News, Sept. 12, 1967]

PETER A. CAVICCHIA: FORMER CONGRESSMAN IS DEAD AT 88

Peter A. Cavicchia, who served as Republican congressman from Newark for six years during the 1930s, died yesterday in Clara Maass Hospital. He was 88 years old and lived at 140 Roseville Ave.

Mr. Cavicchia was elected representative from the old 9th Congressional District in 1930 and re-elected in 1932 and 1934.

In 1936, he was again nominated by the Republican party for his congressional seat, but was defeated in the landslide in which President Roosevelt carried every state except Maine and Vermont.

Mr. Cavicchia, who was proud that he was the first Italian-born congressman, settled in Newark in 1888. After attending Newark public schools, he worked as a messenger boy and factory hand.

At the age of 21, Mr. Cavicchia enrolled in the American International College in Springfield, Mass., where he received a bachelor of arts degree in 1906. Two years later, he was graduated from the New York University Law School.

Mr. Cavicchia served his law clerkship in the office of former Gov. Franklin Fort. He was admitted to the New Jersey bar as an attorney in 1909.

He was one of the founders of the Mercer Beasley Law School and was a professor there for several years before the school became part of the University of Newark, now Rutgers University.

In April 1917, Mr. Cavicchia was appointed inheritance tax supervisor for Essex County, a post he held for many years.

Between 1916 and 1920 and 1922 and 1931, Mr. Cavicchia served on the Newark Board of Education. He was a president of the board from 1924 to 1926.

In 1929, Mr. Cavicchia was defeated in his first bid for public office, trailing seventh on the ballot as a candidate for the Newark City Commission.

His political career became successful the next year when he was elected to Congress. He ran on a platform which, among other things, urged an end to prohibition.

During his first term in Congress, he was voted by Washington correspondents as one of the most cultured men in the 73rd Congress.

Mr. Cavicchia served on the War Claims and Banking and Currency Committees in the House. As Republicans continued to lose seats during the Roosevelt era, Mr. Cavicchia quickly became minority leader of the War Claims Committee.

He was one of the original sponsors of the Federal Deposit Insurance Corporation Act, which insured at the time savings accounts up to $10,000.

Mr. Cavicchia was asked by the Republican party to run for Congress again in 1938, but he refused.

From 1943 to 1954, Mr. Cavicchia served as a member of the Newark Planning Board. His later years were devoted to his private law practice.

Mr. Cavicchia was an ex-grand venerable of the New Jersey Order of the Sons of Italy and last June received a 50-year membership pin from the Tircuminar Lodge of Masons.

In March 1965, Mr. Cavicchia traveled to Washington to take part in the dedication of a tablet in the Italian Embassy, which bears the names of prominent Italian-Americans. A dinner was held that evening with President Johnson present.

Mr. Cavicchia was a trustee of Columbus Hospital in Newark and the American International College.

He leaves his wife, Mrs. Elsie Del Negro Cavicchia, principal of the Alexander Street School in Newark; two sons, Eugene of East Orange and Paul of Newark; a daughter, Miss Priscilla J. Cavicchia of South Orange, and a grandson.

Services will be Thursday at 8 p.m. at the Charles J. Rotondo & Sons Home for Funerals, 279 Roseville Ave.

[From the Washington Post, Sept. 14, 1967]

Peter Cavicchia: Ex-Member of Congress Dies at 88

Belleville, N.J., Sept. 13.—Peter A. Cavicchia, a native of Italy who became a New Jersey Representative in Congress, died Monday at Clara Maass Memorial Hospital here. He was 88.

Mr. Cavicchia was the first Italian-born Representative from New Jersey. He served in the 72d, 73d, and 74th Congress, but was replaced by a Democrat in the Roosevelt landslide of 1936.

Born in Roccomandolfi, Campobasso, Italy, he came to Newark in 1888, and lived there most of his life.

He graduated from the American International College in 1906, and obtained his law degree at New York University.

He was elected to Congress in 1930 after a primary battle. He also sat on the House Banking and Currency Committee in his second term, and became one of the sponsors of the Federal Deposit Insurance Act.

Mr. Cavicchia married Annabel Auger in 1910. She died in 1936, and in 1938 he married Elsie Del Negro, with Mayor Fiorello H. La Guardia of New York officiating.

Survivors are his wife, principal of the Alexander Street school in Newark; and two sons, Paul of Newark and Eugene of East Orange.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. RODINO. Mr. Speaker, I want to join my distinguished colleague [Mr. Minish] in paying tribute to our former colleague, the Honorable Peter A. Cavicchia.

Former Congressman Cavicchia served in Congress with distinction and courage, and it was my privilege and pleasure to count him as my friend for many years. He served on the Banking and Currency Committee while in Congress and was one of the leaders who developed the pioneering legislation which created the Federal Deposit Insurance Corporation. Following his career in Congress, he continued to be active in civic affairs in Newark, N.J., serving as chairman of the Central Planning Board of Newark for more than 10 years.

I have known Peter Cavicchia's fine family for years, and my deep sympathy goes out to his dear wife Elsie, his daughter Priscilla, and his sons Paul and Eugene in their sad loss.

DEBORAH HOSPITAL—MODERN DAY MIRACLE

The SPEAKER pro tempore (Mr. Helstoski). Under previous order of the House, the gentleman from New Jersey [Mr. Cahill] is recognized for 30 minutes.

Mr. CAHILL. Mr. Speaker, in the heart of the New Jersey pines at Browns Mills, Burlington County, is one of America's leading cardiac and pulmonary centers, Deborah Hospital. Mr. Speaker, Deborah is indeed a modern-day miracle, representing as it does a working partnership of medical science and philanthrophy. The expansion and development of this outstanding institution without reliance on any type of financial aid except that received from contributions and endowments, is, in this day and age, a miracle in and of itself. And yet, Mr. Speaker, that is the fact.

In the short time since 1958, when Deborah emerged from sanitorium status into that of a full specializing hospital, nearly 5,000 heart patients—men, women, and children—have been studied and treated at Deborah, with 625 being treated during the year 1966. All of these patients and all who preceded them have received their hospitalization and their medical expertise through the generous contributions and endowments of charitable citizens. For, Mr. Speaker, Deborah is financed primarily through the efforts of thousands of volunteers, mostly women, in more than 250 Deborah chapters throughout the United States.

Mr. Speaker, Deborah was founded in 1922 by Mrs. Dora Moness Shapiro and her husband, Solomon, who were then looking for some creative medium through which they might share their wealth with others. They decided at that time that no cause was more urgent or worthy than the treatment of tuberculosis. In accordance with the best medical theories and practices of that time, Mrs. Shapiro and a group of New York volunteers selected the centrally located New Jersey Pinebelt, far from the smoke and dust of the cities as their hospital site. And thus, Mr. Speaker, was Deborah, named after the Old Testament prophetess, founded.

From the very beginning two cardinal principles were followed: there would be no discrimination because of race or religion; and no person would be turned away because of their inability to pay for care. From this humble beginning, Deborah grew throughout the years.

In 1931 a five-story building was attempted, but, because of the depression, was not constructed until 1936, when the first of two floors of the main building was completed. In 1946, the hospital, under the leadership of Mr. Joseph Elichman, a retired Philadelphia industrialist, inaugurated a new era of expansion and in 1948 the fifth floor, providing a modern surgical operating room, was completed. Within a year the cornerstone was laid for a new pavilion, dedicated in 1950 to the care of chronic tuberculosis patients.

In 1957, Mr. Jack Lesser, of Philadelphia, became the president of Deborah and, under his leadership and direction, a new phase of the work began. Mr. Lesser felt that while heart operations were then being performed under the auspices of Deborah at the Hahnemann Hospital in Philadelphia, Deborah was ready to begin doing the work at its home base in Burlington County, and so in August of 1958 the first heart surgery was successfully performed at Deborah by its surgeons. As a result of the outstanding success of the work performed at Deborah in heart surgery, there was an increased demand for the admission of cardiac patients. As a result, through the generous contribution of Mr. Israel Rogosin, the Rogosin heart pavilion was begun in the fall of 1963. Thus, what began in 1922 with three wooden bungalows has now developed into a modern, efficient, accredited, and world-famous center of healing and humanitarianism, still specializing in pulmonary and cardiac cases.

Throughout all of these years the directors and staff of Deborah have been convinced that to cure or prolong the lives of sufferers from chronic diseases are goals worthy of man's best work, and to deprive these sufferers or their families of these benefits because of inability to cope with financial stresses of illness defeats these goals.

Deborah has been moving ahead at an amazing pace and is faced with an increasing list of men, women, and children awaiting a chance to live free of heart impairment. Besides giving its patients the best of care, medical talent, and the latest medical and surgical methods, Deborah is developing an expanding clinical and basic research program to add to the total fund of medical knowledge.

Deborah surgeons have developed a technique of transplanting aortic valves from calves to humans to correct cardiac defects. Thus far, eight of these operations have been performed—all successfully.

Deborah also developed a successful method of reducing the amount of whole blood needed for transfusion in surgery, which has had salutary effects on post-surgery recovery and has shortened the time patients need to get back to floor care.

Cognizant of the delicacy and importance of treating younger patients, Deborah is creating on an entire floor a "Children's World," designed to give youngsters a setting in which they can be more comfortable while undergoing treatment. This pediatric facility was financed through a $150,000 endowment from Mrs. Sylvia Martin, widow of a New York textile manufacturer, financier, and philanthropist.

As indicated above, Deborah's heart surgery institute is primarily the result of a $1 million grant from Mr. Rogosin. Even as I am speaking in the House of Representatives today, meetings are being held at Deborah for the development of further facilities to take care of an ever-increasing flow of needy patients.

Under construction at the moment is a half-million dollar cardiocatherization laboratory, encompasing the entire fifth floor of the main building.

Deborah plans to enlarge its Elichman Pavilion and convert it into a 100-bed rehabilitation center, designed to return the victim of debilitating cardiac and pulmonary disease to a useful life.

Mr. Speaker, Deborah is a challenge and a symbol; a challenge to other communities and other financially able citizens to devote themselves to the care and cure of their fellow human beings; a symbol, Mr. Speaker, of the unselfish dedication and devotion of thousands of volunteer workers in our country willing to sacrifice and give of themselves to help their fellow men.

Deborah Hospital is on the move. Generosity, unselfishness, and humanitarianism are still with us in this country to a great degree, as evidenced by the progress at Deborah, with the result that Deborah continues to move forward in the war against disease and debilitation.

I have had the opportunity to personally visit this facility. I have personally met and talked with the administrator, with many members of the staff and also the physicians and nurses who attend the patients at Deborah. I also know personally several of the patients who have been the recipients of this skillful and generous treatment and I am indeed proud, Mr. Speaker, that Deborah Hospital is located in the Sixth Congressional District which I have the honor to represent in Congress. Certainly, Mr. Speaker, the success of Deborah, the outstanding contribution it is making in the field of health is the result not only of the generosity of its benefactors and volunteer workers but of the outstanding and dedicated staff and of the skill and expertise of the distinguished physicians who serve the patients at Deborah. I congratulate all who have contributed to the outstanding success at Deborah and who by their cooperative efforts have created a modern-day miracle.

CONTROL OF THE SEABED AND OCEAN FLOOR

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. HANNA] is recognized for 30 minutes.

Mr. HANNA. Mr. Speaker, it will be recollected that I introduced a resolution in yesterday's session expressing the sense of the Congress as being averse to the item proposed by Malta which would, in effect, place the jurisdiction and control of the seabed and ocean floor in the U.N. and, additionally provide that the net financial benefits derived from its exploitation and exploration should be used primarily to promote the development of poor countries.

Mr. Speaker, I would refer the Members of the House to the speech I made on the 24th of last month critically analyzing the suggestion made by Senator CHURCH, one of the congressional observers to the United Nations, which paralleled the thrust of the Malta resolution. It occurred to me then that any such far-reaching action would be most untimely and unwise.

I had in mind then, as I do now, the following important facts:

First, that the United Nations in its 21st session, under agenda item No. 94, adopted a resolution endorsing a wide range of studies to, first, survey the present state of knowledge relative to the resources of the seabeds and Continental Shelf; second, requesting an undertaking of additional surveys in marine science and technology including a collection of information available from all organizations and governmental units presently involved in studies of the deep sea and the ocean floor; and third, requesting that formulations should be based upon a comprehensive survey to assure conserved fish life; foster cooperation; coordinate and strengthen marine education.

The resolution ends with a request that the results of the survey proposal be submitted to the 23d session of the General Assembly which will not convene until next year.

The second fact is that last year through the innovation and initiative of Chairman LENNON and the very active and learned members of the Subcommittee on Oceanography of the great Committee on Merchant Marine and Fisheries, our National Council on Oceanography was created with admonitions of the need for surveys leading to the definition of the U.S. interests, its goals, and its policies in the resources of the ocean. I believe that the Members of the House will appreciate that, in the light of these two facts it seems more than strange that Malta should have asked that this matter be taken up next week. As a matter of fact, this far-reaching resolution which we shall set forth in the material following our comments seeks to preempt the field before our committees have finished their work.

I must say the spirited reaction of my colleagues on the Oceanography Subcommittee and the support expressed by other concerned Members of the House for my initial expression of opposition to U.N. control of the ocean floor has been most satisfying and I think speaks well of the concern of this body and its Members for the importance of this issue to our national interest. The House was not the only body to quickly react. We have also been contacted by the State Department and the Office of the Vice President assuring us, very vigorously, that it was not the intention of the administration to take a position supporting the full intent of the resolution introduced by Malta, nor were they willing to support the proposal expounded by Senator CHURCH at this time. We believe that it is very healthy that out of this crisis there appears to be greater communication between the Members of the House and our representatives to the United Nations.

Apparently there is an overall agreement that the present state of the technology hardly indicates that there is a necessity for hasty action with regard to the deep seabed or the ocean floor.

Additionally, it would seem quite appropriate for the present time to survey and analyze the situation on an international and national scale. This dialog should be energized and pursued in a manner which insures ample time for an exhaustive exploration of the many issues involved.

It would appear to this commentator that all persons would be well-advised to take advantage of what we are learning from the slowly developing experiences with the discoveries and exploitations on the Continental Shelf. These experiences can make a valuable contribution to the kinds of decisions which will have to be made in the future relative to the deep ocean, its seabed and its potentials.

I must say, Mr. Speaker, that we have been, on the whole, greatly impressed with the interest which has been expressed by industry, Members of Congress and the Vice President. All of the parties involved have moved on this matter with careful restraint and with an appropriate regard for the interests of the United States and the world. I should like to continue to urge that the United States strive to exercise leadership in bringing about an intelligent and timely evolution in the international law of the sea insuring that our Nation's position in negotiations clearly moves in parallel with our enlightened self-interest. I hope we will support in the U.N. expanded and intensified studies of this great New World frontier.

I should like to insert the Malta resolution at this point, Mr. Speaker:

> The Permanent Mission of Malta to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to propose under rule 14 of the rules of procedure of the General Assembly the inclusion of the following item in the agenda of the twenty-second session of the General Assembly: "Declaration and treaty concerning the reservation exclusively for peaceful purposes of the sea-bed and of the ocean floor, underlying the seas beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind".
>
> An explanatory memorandum is attached in accordance with rule 20 of the rules of procedure.
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>
> ### MEMORANDUM
>
> 1. The sea-bed and the ocean floor are estimated to constitute approximately five-sevenths of the world's area. The sea-bed and ocean floor, underlying the seas outside present territorial waters and/or the continental shelves, are the only areas of our planet which have not yet been appropriated for national use, because they have been relatively inaccessible and their use for defense purposes or the economic exploitation of their resources was not technologically feasible.
>
> 2. In view of rapid progress in the development of new techniques by technologically advanced countries, it is feared that the situation will change and that the sea-bed and the ocean floor, underlying the seas beyond present national jurisdiction, will become progressively and competitively subject to national appropriation and use. This is likely to result in the militarization of the accessible ocean floor through the establishment of fixed military installations and in the exploitation and depletion of resources of immense potential benefit to the world, for the national advantage of technologically developed countries.
>
> 3. It is, therefore, considered that the time has come to declare the sea-bed and the ocean floor a common heritage of mankind and that immediate steps should be taken to draft a treaty embodying, *inter alia*, the following principles:
>
> (a) The sea-bed and the ocean floor, underlying the seas beyond the limits of present national jurisdiction, are not subject to national appropriation in any manner whatsoever;
>
> (b) The exploration of the sea-bed and of the ocean floor, underlying the seas beyond the limits of present national jurisdiction, shall be undertaken in a manner consistent

with the Principles and Purposes of the Charter of the United Nations;

(c) The use of the sea-bed and of the ocean floor, underlying the seas beyond the limits of present national jurisdiction, and their economic exploitation shall be undertaken with the aim of safeguarding the interests of mankind. The net financial benefits derived from the use and exploitation of the sea-bed and of the ocean floor shall be used primarily to promote the development of poor countries;

(d) The sea-bed and the ocean floor, underlying the seas beyond the limits of present national jurisdiction, shall be reserved exclusively for peaceful purposes in perpetuity.

4. It is believed that the proposed treaty should envisage the creation of an international agency (a) to assume jurisdiction, as a trustee for all countries, over the sea-bed and the ocean floor, underlying the seas beyond the limits of present national jurisdiction; (b) to regulate, supervise and control activities thereon; and (c) to ensure that the activities undertaken conform to the principles and provisions of the proposed treaty.

O'CONOR NAMED U.N. ALTERNATE

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Fallon] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FALLON. Mr. Speaker, Mr. Herbert R. O'Conor, Jr., one of Baltimore's distinguished citizens, was recently appointed by President Johnson as an alternate delegate to the United Nations General Assembly.

Mr. O'Conor is the son of the late Senator O'Conor, former Governor of Maryland, and who also ably and devotedly represented the State of Maryland in the U.S. Senate. He was a close personal friend of mine of long standing.

I should like to say the President's selection of Mr. O'Conor is well received in Maryland by the many friends of the O'Conor family as well as the members of the Maryland delegation.

It is with considerable pleasure that I place in the Record an article which appeared in the Baltimore Sun of September 13, 1967, commenting on Mr. O'Conor's appointment by President Johnson:

O'Conor Named U.N. Alternate—President Picks Attorney for Coming Assembly

(By James Macnees)

Washington, September 12.—President Johnson named Herbert R. O'Conor, Jr., of Maryland, today as one of five United States alternate representatives to the United Nations General Assembly.

Mr. O'Conor, an attorney with the firm of O'Conor and Sweeney and former bank commissioner for the State of Maryland, will serve in the twenty-second regular session, which opens on September 19.

The only other Marylander to have served as alternate delegate to the United Nations was Jacob Blaustein.

TO PUT ASIDE PRACTICE

Mr. O'Conor, who is also a delegate to the Maryland Constitutional Convention, which opened today, said he would forgo his private law practice for the rest of this year.

During the 1964 presidential campaign, Mr. O'Conor was President Johnson's coordinator in Maryland.

In an interview after the announcement of his appointment, which must be confirmed by the Senate, Mr. O'Conor said he was "grateful to President Johnson for the confidence demonstrated in me. I relish the opportunity to participate in the quest for world peace."

Noting forecasts of widespread food shortages and famine by 1980, Mr. O'Conor pointed out that by that year the United States will have so much demand on its domestic production "that we won't be able to export food.

"Until we develop a relatively peaceful world, we won't be able to tackle such enormous problems.

"This is a great opportunity to work for world peace, so we can turn our resources and ingenuity to such fundamental problems as feeding the hungry of the world."

FULL APPROPRIATIONS IN SUPPORT OF PUBLIC LAWS 874 AND 815

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, during debate on the second supplemental appropriations bill for fiscal year 1967 on May 3, I offered an amendment to provide $48 million of additional funds in support of Public Law 815 entitlements and $20 million for entitlements under Public Law 874.

This action was based upon knowledge gained from the Department of Education that unless these funds were made available, eligible school districts across the Nation would be deprived of what is due to them under Public Laws 815 and 874 as amended by the Congress in 1966.

Much to my dismay, the amendment that I offered, the purpose of which was to meet the entitlements that came about as a result of the extension of the temporary provisions of Public Law 815 and changes in eligibility requirements under Public Law 874 as approved by the Congress in November of 1966, was rejected and only $416 million was appropriated.

However, when the other body considered this legislation, an appropriation of $450 million was approved. Though the Senate added $44 million to support the impacted areas program, this amount nevertheless is $10 million less than what is needed to support all the entitlements for fiscal year 1968.

Therefore, Mr. Speaker, I rise today to call upon my colleagues to join in a concerted effort to restore the full appropriation for this program. I ask that my colleagues make known their support to the conferees who are now considering this legislation so that this House will receive a report recommending that the full $460 million be appropriated for the impacted areas program.

As you know, the school districts across the Nation, when drafting their budgets for the next fiscal year, make plans in accordance with what they are entitled to in the way of Federal funds and rightfully so. If we in the Congress fail to appropriate what is necessary to meet full entitlements, many school districts will suffer considerably, but the biggest loser will be the Nation as a whole. The education of our youth cannot be assigned secondary importance and must be given our full support.

If the Senate version providing $450 million is adopted by the Congress, the State of Rhode Island would suffer a 3-percent loss in impacted area funds. If the original House version is adopted, Rhode Island would receive approximately 13 percent less than what it is entitled to under Public Laws 874 and 815. How do we measure this loss in terms of education? More important, why should we even have to consider such a loss? Why should the school districts be forced to water down their educational programs because the Congress has failed to appropriate what is due to them?

As it stands now, the State of Rhode Island may lose from $87,000 to $350,000 in Federal support of programs that the Congress in the past deemed necessary and appropriate. If this occurs and the school districts choose to pursue their original educational course, the necessary funds will have to be procured through greater taxation. In other words, Mr. Speaker, Rhode Islanders will be asked to pay more of the Federal Government's share of educating children whose parents live and/or work at Federal installations. Otherwise, the school districts will have to make cuts in their operational budgets and the students will be asked to pay for the Federal Government's failure to live up to its commitments.

The Federal Government has a definite commitment to the impacted school districts which is clearly spelled out in Public Laws 874 and 815. I ask now that we live up to this commitment and provide the school districts with the funds to which they are entitled under these laws.

THE ROLE OF OEO IN CIVIL DISTURBANCES

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the exemplary work of the Office of Economic Opportunity is worthy of much praise. Of particular note is its commendable performance in restoring order during the recent civil disturbances across the Nation.

I am in receipt of a letter from the highly esteemed Director of the Office of Economic Opportunity, the Honorable Sargent Shriver, together with a summary of the Office of Economic Opportunity's role in preventing and suppressing civil disorders, which I would like to insert into the Record for the benefit of my colleagues.

As you will note in Mr. Shriver's letter, the city of Providence's antipoverty agency, Progress for Providence, Inc., "did a marvelous job," in the words of Col. Howard A. Franklin, police chief for the city of Providence.

The material referred to follows:

OFFICE OF ECONOMIC OPPORTUNITY,
EXECUTIVE OFFICE OF THE PRESIDENT,
Washington, D.C., September 2, 1967.
Hon. FERNAND J. ST GERMAIN,
Member, U.S. House of Representatives, Custom House, Providence, R.I.

DEAR CONGRESSMAN ST GERMAIN: Over the past few weeks, the OEO Inspector-General has conducted a survey of 32 cities where there have been civil disturbances this summer, and 32 cities where there have been no disturbances. The purpose of this survey was to find out the relationship of the poverty program to the civil disturbances, or the lack of them.

Inspectors talked to mayors, police chiefs, juvenile judges, heads of the local Chambers of Commerce and other leading citizens. These findings are summarized in the attached document. You may be interested to learn that when disturbances broke out in Providence, July 31–August 2, personnel of Progress for Providence, Inc., played a vital role in restoring order. Though P-for-P had no plans for dealing with the disturbances before they occurred, it formed an impromptu "soul patrol" of poverty workers who entered the riot area and were largely responsible for quelling the violence.

City officials were glowing in their praise for poverty workers—the "soul patrol" in particular—for their efforts during the disturbance. "As far as I'm concerned," said Mayor Joseph A. Doorley, "if it wasn't for the poverty workers, there is no telling how bad the situation might have been." Commenting on the efforts of two members of the "soul patrol," Colonel Howard A. Franklin, Providence police chief, said: "They did a marvelous job. They went right in there and talked to the kids and got them to disperse or go to the drop-in center. I wouldn't hesitate to give them a great deal of credit for preventing further trouble on Monday night (the first night of trouble)."

Equally emphatic in his praise of poverty workers was State Attorney General Herbert Di Simone. "So far as I know," he said, "the Progress for Providence people did an outstanding job in assisting police during last week's riot." Asked if he thought the poverty workers helped to prevent further violence, Di Simone replied: "Definitely. There's no doubt that they played an important role, and we all know it."

During the summer, P-for-P developed a number of programs with its $75,000 special appropriation. Among them were neighborhood improvement teams, a cultural enrichment program, a recreation program for housing projects, and a "teenage probe" survey of attitudes. Both public and private agencies joined with P-for-P in the summer effort, including the Mayor's office and the two Providence newspapers. Over-all, Progress for Providence employed 376 persons during the summer program, 350 of whom were target area residents.

I think it is clear that anti-poverty employees this summer have been a very effective civilian force in helping to bring peace, order and hope to troubled communities.

Because I wanted to get this information to you as soon as possible, I'm also sending a copy to your office. Should you have any questions, I will be delighted to amplify any points contained in the report.

Sincerely,

SARGENT SHRIVER,
Director.

OEO AND THE RIOTS—A SUMMARY

OEO AND CITIES WHERE THERE WERE NO RIOTS

A nationwide survey by the Office of Economic Opportunity of 32 cities which have not had riots or civil disturbances this summer shows:

Not one police chief or mayor said OEO heightened tensions. On the contrary most mayor and police officials felt OEO summer programs had helped to prevent violence in their communities.

In 15 cities local Community Action Agencies calmed down bad situations in specific instances.

In 13 cities special groups were formed to patrol troubled areas and serve as communication posts between the police and the slum areas.

In 14 cities municipal police departments and Community Action Agencies had joint programs to prevent riots.

In 8 cities the juvenile arrest rate went down this summer and there is good evidence this was caused by more summer jobs.

During August, OEO inspectors talked to mayors, police chiefs, juvenile judges, heads of the local Chamber of Commerce, and other leading citizens of cities where there were no riots or civil disturbances this summer. The cities were chosen to represent a broad distribution: geographical, political, and social. All the cities studied had significant minority population. It was felt that if the charge is true that Community Action programs contributed to and precipitated riots, then other cities with large Community Action programs should also have riots. The results of the survey prove that far from being a contributing factor, Community Action is a preventive force.

Despite the publicity attacks on Community Action, OEO officials said not a single mayor has asked OEO to discontinue the program in their cities. On the contrary, most mayors seem to echo the plea of Mayor Morrill M. Crowe of Richmond who came to Washington last week to ask for a doubling of his Community Action program allotment. Mayor Crowe was accompanied by a Republican businessman, Wes Hare, who is the Director of the Richmond Community Action Council.

OEO AND CITIES WHERE THERE WERE RIOTS

In addition to the nationwide survey of cities that did not have riots, a spot check by personal interviews and telephone was made of the cities that did have riots or civil disturbances this summer. Obviously some non-riot cities could become riot cities, but at the end of August there were 32 cities that had had trouble this summer. In these cities:

There are more than 30,000 Community Action employees. Only 16 of these have been arrested.

Nine of these were summer workers, one was a VISTA. Therefore, there have been only 6 full-time poverty workers arrested.

None have been convicted.

In Newark, one poverty worker was arrested.

In Detroit, no poverty workers were arrested.

There was almost $300,000,000 worth of property damage done in the riot cities.

Despite the fact that the poverty program has 244 buildings in the heart of the riot areas, none were burned or destroyed.

Total damage done to Community Action buildings was $1,840 for seven sets of broken windows.

WHERE OEO HELPED COOL THE CITY

The study showed that OEO helped "cool" the summer in the following cities:

(1) Cities where the mayor or police chief said the OEO summer programs directly helped to prevent violence in their communities include: Hartford, Providence, Elizabeth, New Rochelle, New Haven, Louisville, Chester, Lansing, Pittsburgh, Columbus, Cleveland, Chattanooga, Little Rock, Oklahoma City, Baton Rouge, Gary, Atlanta, Winston-Salem, San Francisco, Monmouth County, New Jersey.

(2) Specific instances where the Community Action Agency sought to prevent civil disturbances include: Hartford, Providence, Pittsburgh, Dayton, Youngstown, Toledo, Miami, Dallas, Portland, Seattle, Los Angeles, Denver, Jacksonville, Winston-Salem, Monmouth County, New Jersey.

(3) Cities in which special groups formed to patrol trouble areas and serve as a bridge between the police and the slum areas include: Providence, Elizabeth, Louisville, Denver, Youngstown, Portland, Wichita, Los Angeles, Jacksonville, Atlanta, Des Moines. (In a southern and a mid-western city similar patrols were organized but local authorities specifically requested OEO not to name them for fear of jeopardizing these programs.)

(4) Cities in which programs involved a joint effort of the police department and the CAP agencies include: Pittsburgh, Lansing, Youngstown, Omaha, Kansas City, Miami, Charlotte, Oklahoma City, Little Rock, New Orleans, Atlanta, Monmouth County, New Jersey; San Antonio.

(5) Cities where juvenile arrest or crime rates have decreased this summer, and there is evidence that this is related to increased summer jobs, include: Denver, Chester, Evansville, St. Louis, Dallas, Oklahoma City, San Antonio, Corpus Christi.

(6) Cities where jobs provided by summer programs have prevented violence include: Baton Rouge, Oakland, St. Louis, New Haven, Cleveland, Chester, Toledo.

EXAMPLES FROM REPORTS ON INDIVIDUAL CITIES

Elizabeth, N.J.

After a night of high tension the local Community Action Agency, under the leadership of the mayor and chief of police, set up a group called the "Peace Keepers" to try and calm the community. The group was composed of anti-poverty workers and community leaders.

Mayor Thomas G. Dunn said: "The Peace Keepers helped to assure that no problems would occur on the most dangerous night of tension, and we haven't had any problems since then. (Poverty workers) kept their headquarters open late at night when this was needed."

Chief of Police Michael D. Roy said: "The CAP summer programs have had a good effect relieving tensions since the majority of CAP officials are actively concerned with keeping peace. . . . I feel it (the Peace Keepers) did plenty of good as it cooled the crowd and got better spirits."

Union County Sheriff Ralph Oriscello said: "Without the Peace Keepers there would have been many skirmishes with the police."

The Elizabeth City Council in a resolution praising the Peace Keepers said: "(They) contributed a great and necessary service to the health, welfare and safety of the entire population of the city."

Hartford, Conn.

After two nights of disturbances the local CAA set up a meeting with Negro leaders, boys from the street and city officials to try and facilitate communications.

Mayor George D. Kinsella said: "With regard to the Economic Opportunity Act and the Community Action Program, in our case specifically the Community Renewal Team (CRT) of Greater Hartford, it is our feeling, and here I speak for the members of my council as well, that without the existing program and efforts being made, our city could well have seen much more in the way of problems."

Chief of Police John Kerrigan said: "CRT did work with us to cool things down. . . . You've got the cream of the crop at CRT. You've got some real good people there. They're doing their utmost. Oh sure, they've been effective."

Providence, R.I.

When disturbances broke out in Providence the local CAA (Progress for Providence, Inc.) formed an impromptu "Soul Patrol" of anti-poverty workers who entered the riot area and were largely responsible for quelling the violence.

Mayor Joseph A. Doorley said: "As far as I'm concerned, if it wasn't for the poverty workers there is no telling how bad the situation might have been."

Colonel Howard A. Franklin, Providence Police Chief, commenting on two members of the "Soul Patrol," said: "They did a marvelous job. . . . I wouldn't hesitate to give them a great deal of credit for preventing further trouble on Monday night (the first night of trouble)."

Herbert Di Simone, the Republican Attorney General of Rhode Island, said: "So far as I know, the Progress for Providence people did an outstanding job in assisting police during the last week's riot."

Monmouth County, N.J.

When a group of Asbury Park Negro teenagers set fire to a car and threw rocks at cars driving through the neighborhood, staff members of the Monmouth Community Action Program (MCAP) went into the neighborhood and talked with the teenagers. Because of their efforts the area was quickly cooled off. MCAP staff members work closely with the police and report all rumors of trouble to a police contact officer.

Asbury Park Police Chief Maurice Fitzgerald said: "The efforts of MCAP in working with the police has certainly had a positive effect on reducing racial tensions. The racial climate in Asbury Park is better because of the work of MCAP."

Representative James J. Howard of New Jersey said: "MCAP has done everything it could in the tense areas. The poverty program has had a lot to do with keeping things cool."

Winston-Salem, N.C.

The local anti-poverty agency, Experiment in Self-Reliance, operated a broad range of programs aimed at increased involvement of low income people, particularly youth.

Mayor M. C. Benton said: "I am encouraged, also, by the fact that in this program we are actually getting at the roots of poverty—not merely plastering over the cracks and, like ostriches, hoping the problem will go away."

Chief of police Justus Tucker said: "I'm well pleased with what they are attempting to do, and are doing. They are very cooperative and we are working together on several projects—both short range and long range."

Chester, Pa.

In an effort to prevent the disturbances which were breaking out in other communities, the Greater Chester Movement (CAA) arranged for a meeting between the mayor, police officials and 150 gang members from the slums. Major credit for the meeting was given to the GCM's Area Youth Workers who were hired for the express purpose of opening up communication with the gangs and troublemakers. As a result of the meeting, the city agreed to set up a multi-faceted summer recreation program. Practically everyone in Chester praises the efforts of the GCM in keeping the city cool.

The Republican Mayor of Chester, James H. Gorbey, said: "The poverty program has definitely contributed to keeping tensions down. I think Elwood Johnston (CAP director) has done a real fine job—a helluva job."

Police Chief Joseph Baile said: "They're going all out to help us."

Detective Gill, one of Chief Baile's assistants, commenting on the decrease, in juvenile crime said: "You see, we have more poverty programs now. They positively have helped to reduce crime."

Atlanta, Ga.

Economic Opportunity Atlanta, Inc., has worked closely with the police and local officials to prevent disturbances. The police Crime Prevention Bureau, consisting of 32 officers, operates out of EOA centers. The bureau attempts to prevent crime by creating a greater rapport between the poor people and the police—and with the help of EOA it seems to be working.

Mayor Ivan Allen said: "OEO's assistance is positive proof of the value of federal-local cooperation. Recreation funds and EOA CAP centers have contributed greatly to cooling off summer problems. CAP center and personnel provided quick communications facility for easing explosive situations in the Dixie Hills disturbance. Continued help to urban cities is a must. Thanks for the helping hand."

Miami, Fla.

Between July 27 and July 30, the Miami area was deluged with rumors of a coming racial flareup. Fortunately, the local CAA (EOPI) had developed a plan for just such an emergency. With the approval of city officials, nine neighborhood centers stayed open continuously for three days and nights and worked to help cool the neighborhoods and serve as a source of accurate information. The EOPI, the Community Relations Boards, the city police and county sheriff's office worked closely to share information and defuse the rumors of trouble. The advance preparation and inter-agency cooperation made possible by the EOPI plan is generally credited with preventing a disturbance.

The late Mayor Robert King High of Miami said: "(The poverty program) has probably saved us from any serious problems."

Columbus, Ohio

The efforts of the two OEO-funded organizations in Columbus have been directed at dispelling rumors of impending violence, and reducing tensions. Employees of the CAA have been reporting their soundings in the community to the Police Department's Intelligence Bureau and the Justice Department.

Youngstown, Ohio

Youngstown has a highly effective Police Cadet program under which 22 disadvantaged youths have been assigned to work under the immediate supervision of two patrolmen from the police Juvenile Division. Their principal duty is to patrol the seven teen lounges which have been set up under the summer CAP program.

Police Chief John Terlesky said: "The programs have had a very definite effect in quieting things down. No one gets to the young people. . . . The cadets can talk to them better than our policemen can."

Lake County, Ind.

In Lake County the local CAA made a significant contribution to keeping open channels of communication between the poor and the mayor.

Mayor Martin Katz of Gary said: "The LCEOC (CAA) staff contributed to easing tensions in the area."

East Saint Louis, Ill.

"Go After the Wayward Boy" provides employment for 60 youths as Police Cadets. These young men, paid by the Neighborhood Youth Corps, serve as the police department's ears.

Mayor Alvin G. Fields said: "Go After the Wayward Boy" has helped prevent a disturbance here. I think that the program has done a tremendous job."

Evansville, Ind.

Mayor Frank F. MacDonald said: "(NYC and OEO employment programs) certainly contribute to the reduction of social tensions."

Police Chief Darwin Covert said: "The poverty program has played a role in easing tensions . . . There is a very definite relationship between providing jobs for young people and the absence of serious trouble."

Dayton, Ohio

Attempting to keep things cool in Dayton are the White Caps, a group of Negro youths who patrol Dayton's West side in groups of three, breaking up crowds, stopping street fights and alerting the police to potential trouble spots. The only paid member of the group is the supervisor, who is paid $1.50 an hour from NYC funds.

Lansing, Mich.

This summer Lansing has had the benefit of "Operation Cool." This program is an effort to provide recreational facilities and broader opportunities for the city's restless youth. The key feature of the program is "Drop-In" centers, open from 1:00 p.m. to 2:00 a.m.

Mayor Max E. Murningham said: "The 'Drop-In' centers have helped immensely. Give kids a sense of belonging, a place to go. OEO has contributed quite a bit toward keeping Lansing cool this summer."

Cleveland, Ohio

In Cleveland, some 5,300 ghetto youth are employed in Federal and city agencies and private non-profit institutions.

Mayor Ralph Locher said: "These programs of the War on Poverty have provided activity to idle hands and channeled energies into constructive preoccupation. . . . These programs can do much to relieve the tensions in the urban areas, because they are measures to eliminate poverty by ultimate gainful employment."

Toledo, Ohio

When Toledo was hit by a riot on July 24, the CAP director patrolled the streets in his car every night talking to participants and asked them to go home. Through the efforts of local anti-poverty workers, meetings were set up between the mayor and Negro youth at which grievances were discussed. A principal complaint was lack of jobs. As a result of the meetings, members of Toledo's Equal Opportunities Employees Association obtained 115 jobs for out-of-work youngsters.

Charlotte, N.C.

The activities of the Charlotte Area Fund (CAA) in working hand-in-hand with the Police Department, city officials and local businessmen are cited by community leaders as one reason that Charlotte has enjoyed a relatively cool summer. Policemen and CAA workers work together on various neighborhood programs such as street dances and recreation.

Police Chief John Ingersoll said: "There's no question but we have a good working relationship with the Area Fund and its progeny."

Baton Rouge, La.

The local CAA arranged a meeting between the mayor and a group of angry young Negroes at which a list of grievances was presented. When it turned out that jobs were the biggest problem, the local CAA was able to provide some temporary cleanup jobs. This greatly relieved the tension.

Police Chief David J. Keyser said: "If we hadn't gotten those jobs, there might have been trouble that night."

Dallas, Tex.

The local CAA has prepared a plan whereby if a riot were to occur the neighborhood workers would be utilized as information gatherers and sidewalk speakers to urge rioters to "cool it." The usefulness of such a system was demonstrated in April when rumors of police brutality spread throughout the Negro community. Local anti-poverty workers were able to dissuade a group which was planning to retaliate with gunfire and Molotov cocktails. A meeting between city officials and neighborhood council presidents cleared the air.

Jacksonville, Fla.

Three weeks before Governor Claude Kirk made his much-publicized appearance at the Jacksonville rally for H. Rap Brown, Greater Jacksonville Economic Opportunity, Inc., began developing plans to head off possible violence. GJEO mounted a determined effort to open channels of communication through which the poor could air their grievances. It has increased the number of neighborhood meetings in an effort to reduce tensions. CAP staff members and slum residents patroled areas of tension on the night of Brown's visit, breaking up crowds.

Police Chief I. L. Griffin said: "They set up their groups. They named their leaders and a lot of patrolling was done by them in their cars. They didn't want Rap Brown here."

Oklahoma City, Okla.

One of the programs helping to keep down the level of community tension is the Police Aides program. Five boys with police records are employed to work with the police department in recreational capacities. The boy with the worst record has been the most effective. His work in organizing the trash cleanup campaign in the slum area has received much favorable comment.

Police Captain James Rogers said: "I think the (CAP summer) program has had some good effect in keeping community tensions low. . . . I don't know personally of any case of your people stirring up trouble. Of course, they get blamed for a lot of things they didn't do."

Tulsa, Okla.

The local CAA has several summer programs which are run in conjunction with established public and private agencies. A recreation program serving 4,000 youths helps keep down tensions.

Republican Mayor Jim Hewgley said: "We feel that the program of work and recreation has helped to ease tension in Tulsa this summer. We certainly hope that there will be a full three months program next summer with more time allowed for planning."

San Antonio, Tex.

One of the local CAA programs designed to help reduce tensions in the community is the "Big Brother Project." Under this program, off-duty policemen who normally work in the poverty neighborhoods are assigned to take groups of neighborhood youths to baseball games, picnics and other activities. In this manner, the teenagers become acquainted with the officers on an informal social basis. The program has been received favorably by the community.

Little Rock, Ark.

The local CAA is running a highly successful program called the "Junior Deputy Sheriff's Program." The program has the strong support of local officials.

North Little Rock Police Chief Ray Vick said "I believe the program has done more to curtail juvenile delinquency than any other undertaking on a local level, ranking right along with the Boy Scouts of America."

State Representative Herb Rule said: "People think of EOE as a storehouse against potential riots and destruction."

Corpus Christi, Tex.

The local CAA operates a clean-up program, a recreation program, a city park improvement projects, and summer libraries and study centers. These programs are considered to have had a great deal of success in reducing tension.

Sergeant C. B. Mauricio, head of the police Juvenile Bureau said: "Criminal activity is almost at a standstill in those neighborhoods where the program (anti-poverty program) is operating. We first noticed it last year when the summer activities of the poverty programs were in full swing. But this year the results are nothing short of fantastic. I would say that juvenile crime in general has been cut in half by the OEO."

Denver, Colo.

Youth Employment and Activity, a massive OEO summer program, has been credited with playing a significant role in preventing outbursts of violence.

Mayor Tom Currigan said: "I think that there is no question but that the (summer) program has had a definite bearing on the fact that there has not been an outbreak in Denver. Had we not had the summer program, we would be in just a hell of a shape."

St. Louis, Mo.

The local CAA has actively tried to reduce tensions in the poverty areas.

Mayor Alfonso J. Cervantes said: "We have had excellent working relations with the Human Development Corporation (local CAA). The HDC has helped a lot in easing summer tensions."

Police Department Community Relations representative, John Carroll said that the CAA had "without a doubt played a role in preventing a riot."

Juvenile Judge Theodore McMillian said: "It is the poverty program that really has kept down the tensions creating unsavory situations found in the rest of the country. Without it, there surely would have been enough to break the camel's back."

Wichita, Kans.

Three anti-poverty workers are members of a group of young Negroes called the Patrol which was formed after recent disturbances. The young men roam the streets of the ghetto in an attempt to ward off violence. During the recent period of unrest, the CAA neighborhood centers were used as communication points for the police and Negro youth.

Police Chief Eugene Pond said: "They don't get the credit they deserve. They have done a good job. Their programs seem to be solid."

Commenting on the fact that three poverty workers had been arrested during the disturbances, Chief Pond said: "I would prefer to look at the side of the many who tried to help us, not the ones who screwed up."

Kansas City, Mo.

The Kansas City CAA has received much of the credit for the fact that there have been no disturbances this summer.

Mayor Ilus W. Davis said: "I have nothing but good to say about the program. I get around the city and I know that it's made a difference."

City Manager Carlton Sharpe said: "If we hadn't had these programs, our condition could have been considerably more serious. It's made a real contribution towards establishing the relative degree of tranquility we've enjoyed."

Omaha, Nebr.

One of the programs of the local CAA designed to help prevent a recurrence of last year's rioting is the Youth-Police Community Relations Camp. During one-week camp periods, youth from the predominately Negro North Side play, live and eat with eight policemen. The CAA is also active in other recreation and employment programs.

Mayor A. V. Sorenson said: "My investigation and subsequent discussion with Negro youth involved in Omaha's 1966 disorders, indicated that two of the major problem areas were jobs and recreational programs. I am convinced that OEO summer funds have made an enormous contribution in both of these areas."

Los Angeles, Calif.

One of the actions taken by the Neighborhood Adult Participation Program (a delegate agency of the CAA) to reduce tensions was the printing and distribution of 35,000 copies of a leaflet called "Keep Cool This Summer." The leaflet listed ten reasons why the community should "cool it."

Los Angeles Police Chief Thomas Reddin said: "It is highly encouraging to observe the program initiated by the Neighborhood Adult Participation Project to aid in preventing the possibility of a riot this summer. The positive program such as you have undertaken at the community level is to be highly commended."

Mayor Sam Yorty said: "To be effective, a summer anti-poverty program must give youngsters more than a chance to earn money—it must also provide a channel to constructively release frustrations of living in poverty. Los Angeles' summer programs are designed to do just that."

Portland, Oreg.

Local anti-poverty workers served as "listening posts" and urged people "to keep it cool." When disturbances broke out the CAA worked closely with the Mayor and the police, providing them with information on possible trouble spots.

Mayor Terry Schrunk said: "The poverty people could have been just non-committal, but instead they took positive and constructive action."

Seattle, Wash.

The local CAA was effective stopping rumors of impending violence.

Mayor Dorm J. Braman said: "Some people in Seattle wanted a riot, but the CAP program has made it difficult for these people to recruit followers."

New Haven, Conn.

Among the programs designed to reduce tension in New Haven are a play street program for youngsters, recreational programs for 1,200 youths, a day camp and a job placement program for unemployables.

Before the disorders occurred in New Haven. Police Chief Francis V. McManus said: "There is an agreement that we will have the assistance of all the neighborhood workers to find out what the cause of the unrest is. The neighborhood workers act as liaison between the community and us. I'm positive these programs have had a great impact on keeping the temperature cool."

After violence erupted Chief McManus confirmed his assessment, and added that the disturbances were caused by a small group who couldn't be reached by anyone.

Louisville, Ky.

Republican Mayor Kenneth A. Schmied said: "I'm real thrilled at the summer program and I think it does a world of good. It's no doubt helped head off tensions, and given us a good summer, if you know what I mean."

Pittsburgh, Pa.

The local CAA works closely with city officials in an effort to reduce tension. Eighteen neighborhood youths and three supervisors patrol the streets in an attempt to "keep things cool." Public Safety Director David Craig emphasized the ability of summer programs to serve as a channel of communication with young people who are otherwise discouraged and without a spokesman.

Chattanooga, Tenn.

The local CAA has worked hard to reduce tensions in the poverty areas. It has the full support of city officials in its efforts.

Mayor Ralph Kelley said: "The CAA has won the respect of the community and has played a significant role in alleviating tensions. It has done more to pull this community together than any other thing that's ever been done here."

A QUESTION OF SAFETY

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may

extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, evidence of a serious public concern over air safety continues to accumulate. My recent efforts in this field were directed to the fact that the average citizen's stake in air safety is often neglected within both the Federal Aviation Agency and in the aviation industry itself.

The Long Island Star Journal recently commented on my efforts in this editorial:

A Question of Safety

Congressman Benjamin Rosenthal of Elmhurst last week came up with statistics that graphically illustrate the increasing danger of traffic jams in the sky. In two and a half years, he showed, there ware 82 near-misses between airliners and light planes in our metropolitan area. The figures came from the files of the Federal Aviation Agency itself.

Rosenthal, highly critical of FAA, called for non-government public air-safety boards in highly developed urban areas, and a ban on non-commercial small planes near large cities. Senator Jacob K. Javits and Congressman Herbert Tenzer of Lawrence also favor banning small planes from the big airports.

There are other shortcomings at the airports: runways are too short, landing aids are inadequate, lighting is poor at some. But air traffic is the greatest hazard, and it steadily gets worse.

In 10 years, it is estimated, air travel will have tripled. Imagine the control towers' soaring responsibility then. At LaGuardia, 48 per cent of the traffic is non-airliner; at Kennedy, 18 per cent; at Newark, 33 per cent.

Small planes have rights of course. They are spelled out in section 104 of the Federal Aviation Act which gives "any citizen a public right of freedom of transport through navigable air space of the United States."

But a lot of things have changed since that was written. The rules should be modified to meet them. If permitted to use big fields at all, the small planes' arrivals and departures should be limited to the off-peak hours. Outlying fields for small planes, with ready transportation into large cities, will have to be provided. The pilots of private pleasure planes won't like this, but something must be done to prevent tragedies.

PURCHASE OFFICE FOR AFRICA GROWS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rosenthal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, AID, like most other objects of public attention, is usually noticed only when it has some problem. Its successes, which are much more numerous than its failures, often go unnoticed.

The New York Times recently described a conspicuous success of the foreign aid program which deserves even wider notice.

Following are excerpts from the article:

Purchase Office for Africa Grows

(By Brendan Jones)

A practical form of aid for developing countries—showing how to get more for a dollar—is being successfully applied by an unusual organization here, the Afro-American Purchasing Center.

The center, at 30 Church Street, is a non-profit, educational body with two main functions: To serve as a purchasing agency for governments and public institutions of 35 developing African countries and to teach African officials how to do the job themselves.

It was established two years ago under sponsorship of the State Department's Agency for International Development and has become responsible for African aid procurement previously handled through other facilities. It has the backing of business and other groups interested in increasing Afro-American trade and friendship.

The center has handled a rapidly rising volume of orders at savings estimated by its president, Harold A. Berry, of 35 to 40 per cent. With its eight-month course in what Mr. Berry calls "aggressive buying," it has trained some 45 African procurement officials and expects to train more than this number in the coming year.

* * * * *

"Most African purchasing officials," he commented, "have little knowledge of how to buy in international markets. In addition, they have been pretty well convinced by traditional suppliers that American materials and products are higher priced and of poor quality and that our suppliers are indifferent to follow-up services."

Besides showing a substantial savings on actual procurement orders, he said, the center's training program has been an effective antidote to pro-European buying biases. * * *

"They are often amazed at the wide choice and variety of commodities and articles offered in the American market," he said. "They are surprised to discover that there may be 20 or more kinds of building materials or a piece of plumbing equipment, for example, and that substantial savings can be made on standard rather than custom-made articles."

UNIVERSITY ASSISTANCE

The eight-month training program starts with a nine-week course at Fordham University or at Ohio State University, with which the center has working agreements. In addition to purchasing practices, this course covers international trade procedures, contract negotiation, inventory and supply management and related subjects.

Trainees also visit business and government purchasing departments, testing laboratories; study manufacturing processes and then work on all phases of actual orders at the center.

The center itself has a staff of 26 purchasing and technical specialists. Mr. Berry, formerly vice president of purchasing with the Rock Island Railroad, is a past president of the National Association of Purchasing Agencies. Other executives of the center also have held top purchasing positions in industry.

In the last fiscal year, ended June 30, the center handled $12-million of procurement for African countries, compared with $3-million in its first year. In the current fiscal year, it expects volume to rise to $40-million.

In its first year, the center received $100,000 of financing from the A.I.D. In the second year, it got $75,000, of which it returned $5,000. This year it informed the aid agency that it will not need an additional $75,000 offered.

* * * * *

"One of the things that African governments like about our service," he said, "is that we send their people home ready to do a better job immediately."

PRESIDENT JOHNSON'S COMMITMENT TO URBAN EXCELLENCE

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. Adams] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ADAMS. Mr. Speaker, President Johnson is to be congratulated for taking another step to improve the quality of our cities, by allowing surplus Government property to be used for construction of privately financed planned communities, to include all income levels and community services.

The President has announced that a pilot project will be constructed on a 335-acre plot in Washington and has instructed a top-level committee to find other tracts suitable for community development throughout the country.

The President's imaginative use of idle Government land affords exciting possibilities for our cities. Lengthy condemnation proceedings and displacement of slum families will be avoided, and the monotony and drabness of many housing developments may be eliminated. As a recent New York Times editorial noted, the plan offers "exciting prospects for breaking urban housing bottlenecks" and provides the "best opportunity in many cities to secure the open space needed for—total community planning."

Under unanimous consent I place the New York Times editorial praising the President's continued commitment to urban excellence in the Record at this point:

New Style Model Cities

President Johnson's plan for construction of privately financed model communities on surplus public land offers exciting prospects for breaking urban housing bottlenecks.

The first effort is planned for a 335-acre plot in Washington which is about to be abandoned by the National Training School for Boys. On the President's orders, the General Services Administration has agreed to make the land available for a planned community that will include housing for 25,000 citizens of all incomes, as well as schools, recreation areas, shopping and service facilities and some light industry.

The President has assigned a top-level committee to seek other tracts of surplus Federal land for similar new communities throughout the nation. One possibility close to home is Fort Totten in Queens.

The key to the new scheme is the President's intervention to pry loose from a reluctant General Services Administration idle Government properties. Such properties—city and state as well as Federal—offer the last, best opportunity in many cities to secure the open space needed for the kind of total community planning embodied in Europe's "new towns" and more recently in the United States in the imaginative new Washington suburb of Reston. Developing new communities on unused public land avoids the lengthy condemnation proceedings and the displacement of slum families that marred earlier urban renewal efforts.

The President's new urban plan is not, of course, foolproof, nor is it in any sense a final answer to the crisis in American cities. The new communities will require local and private initiatives which may not be forthcoming. And the Federal Government will have to use the leverage of its contribution to make sure that minority groups get a fair share in both the construction and the occupancy of the Washington city-within-a-city and its hoped for successors.

In many cities, there may be no public property suitable for this kind of project. It will not promote prudent urban renewal if vacant public lands are seized to meet pressing needs just because they are there, without due consideration for their proper role in a comprehensive urban development plan. Even where appropriate public land is available for development, the need will continue on an urgent basis for costly redevelopment efforts.

Nevertheless, the President has started something in the capital that offers a promising wedge for new and different community development across the country. The dread sameness of high-rise barracks need no longer be the badge of urban renewal.

DISAGREEMENT IN CONDUCT OF THE WAR

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ALBERT. Mr. Speaker, in recent weeks the news media has reported alleged fundamental disagreements concerning the conduct of the war in Vietnam between the President and the Secretary of Defense, on the one hand, and the Joint Chiefs of Staff on the other. Therefore, I believe the remarks made by Secretary of the Air Force Harold Brown, and Chief of Staff Gen. John P. McConnell, before the Air Force Association meeting in commemoration of the Air Force 20th anniversary as an independent service, should be brought to the attention of the Members of the House and all those interested in getting to the heart of this matter. The Secretary has stated unequivocably that "our military leaders support national policies." General McConnell has stated his commitment and that of the Joint Chiefs to the President's policy. He further pointed out that the consideration of different military points of view should not be interpreted as a division of views on the larger issue of our national policy, nor as failure on the part of his military advisors to recognize the President's responsibility to determine military policy. The text of these remarks of September 12 follows:

GEN. J. P. MCCONNELL, CHIEF OF STAFF, U.S. AIR FORCE

As we commemorate the twentieth anniversary of the United States Air Force as an independent Service, we should also remember that the beginnings of military airpower in this country go back exactly sixty years.

It is most fitting that we reflect with pride and gratitude on the accomplishments of the nation's pioneer airmen because their great record, especially during the two World Wars, helped bring about the establishment of the United States Air Force in 1947. But whether we go back twenty years or sixty, we find no parallel to the new airpower chapter that is being written in the skies over Vietnam today.

I will not dwell on the contributions airpower is making in this war. But I do want to use this opportunity to clarify one misconception concerning this conflict.

I have heard and read—as I know you have—recent commentaries which make it appear that there are fundamental disagreements on the conduct of the bombing campaign between the President and the Secretary of Defense, on the one hand, and the Joint Chiefs of Staff on the other. In my view this is an erroneous conception. To be sure, there have been differences of opinion, but the expression and consideration of different points of view are essential elements of our form of government. If the Joint Chiefs of Staff failed to put forward their opinions and recommendations—regardless of what these may be—to their civilian superiors, they would not be conforming with the requirements of law. And if the Commander in Chief and the Secretary of Defense did not modify or disapprove some of these recommendations when, in their opinion, it served the best interest of the nation to do so, they would not be conforming with the law or the Constitution of the United States.

We, the Joint Chiefs, are given every opportunity to express our opinions and recommendations freely to the President, to the Secretary of Defense and before Congressional Committees. We do so in our capacity as military advisers and Service Chiefs, and the recommendations we make are based on our thorough evaluation of military requirements, with full realization that other factors are also involved and must be considered.

Our recommendations may not always be accepted to the full degree which we consider militarily desirable. But once the decisions have been made, it is the job of the military to implement these decisions to the best of our ability.

Speaking for the Air Force, I am proud to say that this is widely understood by our men, from generals to airmen. The many hundreds of men of all ranks to whom I talked during my various visits to Southeast Asia know what is expected of them, and they perform their assigned duties loyally, professionally and effectively. They recognize that there are considerations other than military, and they abide strictly by the rules established by proper authority and do so with the unquestioning discipline that is the mark of the true professional.

Let us never forget that, in a democracy such as ours, it is the grave responsibility of the elected Commander in Chief to make the final decisions. He does so after carefully weighing the counsel he has obtained from the Congress and from his various advisers, including the military. I believe that a better understanding of this democratic process would be more helpful to all concerned.

I am grateful for the opportunity to discuss this matter before such a distinguished audience. This is not the first time—and surely not the last—that the Air Force Association has provided a forum for discussing subjects of national interest. And so, in conclusion, I want to express to the Air Force Association and its leaders my sincere appreciation for the invaluable service they have rendered to the Air Force and to the nation throughout the past twenty years. Their active interest and dynamic support have helped to make airpower one of the most vital assets in the protection and defense of our national security.

HON. HAROLD BROWN, SECRETARY OF THE AIR FORCE

It is truly a great honor as well as a great pleasure for me to be with you tonight on this occasion which marks the 20th Anniversary of the United States Air Force as a separate service. The exhibits which we have seen are only one indication of how far airpower and the Air Force have come during the past twenty years—in the development and use of technology, in effectiveness, and in support of our national objectives.

I would like to associate myself with the remarks the Chief of Staff has just made. In recent weeks there has been a good deal appearing in the press, and in other news media, about alleged divisions between civilian and military authorities in the government.

These allegations bother me. They bother me because our military leaders are cast in the role of irresponsible militarists on the one hand, or prophets in revolt on the other. Some charge our generals with going behind the backs of their civilian superiors to lobby with Congress, the press, and industry for a program of unlimited and indiscriminate bombing. Others argue that our military leaders have a sure solution to the conflict while civilian officials are uncertain, bemused, and inconsistent.

Both of these pictures seem to me to be completely baseless. I think I am in a position to know the truth about this. I am a civilian by education and experience. Yet two years as Air Force Secretary, and over 15 years before that in the field of national security, have given me close connections with the military, and with the Air Force in particular.

I have been in Vietnam and to Thailand twice during the last twenty months, and talked with hundreds of our pilots. I have spent a great deal of time with our commanders in the field. I spend most of nearly every day with senior Air Force generals at Headquarters. I find neither a clique of irresponsible militarists nor a set of supermen who have the only right way to succeed in a terribly complex and difficult war.

What I see is a group of professionals who understand how to apply airpower within the constraints which the larger picture imposes, and who have done so in a very precise and skillful way. I see a group many of whom are fighting their third war—and in all three, airpower has played a vital role. I see men who understand the military picture and who appreciate the fact that this is not simply a military conflict. They know it has unique diplomatic, international-political, and other important components. They are thoughtful; they are loyal to their military and civilian superiors; they have integrity.

Spike Momyer in Saigon, Jack Ryan in Honolulu, and J. P. McConnell in Washington are neither irresponsible advocates of the use of airpower nor men who pretend to have all the answers. They know their job. They make their recommendations on the basis of military and other factors as they see them, but recognize that the factors other than the immediate military situation not only enter the picture but in many cases can be overriding. They recognize that all factors—the military factors, the intelligence estimates, the international and diplomatic situation—must be balanced by the authorities constitutionally responsible for making the overall decisions. And when those decisions are made our airmen—from the Chief of Staff through the pilots who fly and crews who maintain the aircraft—carry them out promptly and with professional skill.

Our Air Force leaders and the people of the Air Force are not justly served by either of two implications. They are not justly served by the implication that our top officers oppose national policies and are *right* in doing so. Neither are they done justice by the implication that they oppose national policies but are *wrong* in doing so. In fact, our military leaders support national policies, and they carry them out superbly.

Because many of you have "felt the heat in the kitchen"—to paraphrase President Truman—you have the advantage of being able to put today's events and attitudes into their proper perspective. You had—some still have—a part in the hammering-out process through which decisions are made in our government. You understand this process and trust its inherent rightness. Those of you here tonight, therefore, can make a special contribution by assisting others to understand the real issues at stake as well as by helping those in authority to meet the difficult problems at hand. To do so is to do no more than you have *always* done—and in the true tradition of our Air Force.

CONGRESSIONAL DISTINGUISHED SERVICE AWARDS PRESENTED TO TWO OUTSTANDING CONGRESSMEN

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ALBERT. Mr. Speaker, I have the pleasure and the honor of informing our colleagues that the American Political Science Association recently honored two of the most respected Members of the House, as well as two Members of the Senate, with the coveted Congressional Distinguished Service Awards, awarded every 2 years.

This year's selections were the distinguished gentleman from California, the Honorable CHET HOLIFIELD, and the distinguished gentleman from Wisconsin, the Honorable MELVIN R. LAIRD. Senators EDMUND S. MUSKIE and JACOB JAVITS were also honored in the other body. The awards were presented in Chicago on September 8 at the conclusion of the 63d annual meeting of the American Political Science Association, a 16,000-member professional society devoted to the study and improvement of government.

The awards were made possible by a grant from former Senator William Benton, of Connecticut, now chairman of the board of Encyclopaedia Britannica. The selection was made by a committee of noted political scientists on the basis of nominations by journalists, political scientists, and others active in the reporting or study of Congress. The selection committee was chaired by Max Kampelman, treasurer and counsel of the American Political Science Association. No finer selections could have been made from the House or any other body.

Mr. Speaker, these awards were established to recognize individual excellence in Congress and at the same time to dramatize the role of Congress as a modern instrument of government, adapting to a constantly changing environment and striking new demands. Too often individual service in Congress goes unrecognized, since the news media tend to focus on the formal leadership of the Senate and the House for regular news coverage. Thus, it is the practice of the Political Science Association to exclude the leadership from consideration for these awards and to focus attention on those men who perhaps move more quietly, are often out of the spotlight, but are effectively wielding power and influence, and are accomplishing those tasks essential to democratic processes.

In making the awards, the selection committee took into consideration the following key factors:

First. Devotion to the public welfare, joined with a firm grasp of the skills required of a lawmaker.

Second. High competence measured in terms of effectiveness and concrete accomplishments.

Third. Constructive imagination, hardheaded acumen, and a capacity to formulate an advance objective of national policy and yet be mindful of the welfare of constituents back home.

Fourth. The respect of colleagues based on the day-to-day contacts that reveal the true worth of the individual.

I place the names of all those who have won the Congressional Distinguished Service awards in the RECORD at this point:

1959

Senator Hubert Humphrey, of Minnesota.
Representative Kenneth Keating, of New York.
Representative Carl Vinson, of Georgia.
Senator John Williams, of Delaware.

1961

Senator George Aiken, of Vermont.
Representative Richard Bolling, of Missouri.
Senator Paul Douglas, of Illinois.
Representative Gerald Ford, of Michigan.

1963

Senator Clinton Anderson, of New Mexico.
Representative Thomas Curtis, of Missouri.
Representative George Mahon, of Texas.
Senator Leverett Saltonstall, of Massachusetts.

1965

Senator John Sherman Cooper, of Kentucky.
Representative William M. McCulloch, of Ohio.
Representative Wilbur D. Mills, of Arkansas.
Senator John O. Pastore, of Rhode Island.

1967

Senator Edmund S. Muskie, of Maine.
Senator Jacob K. Javits, of New York.
Representative Chet Holifield, of California.
Representative Melvin R. Laird, of Wisconsin.

I also place following this list of previous winners the citations for our distinguished colleagues, Representative HOLIFIELD and Representative MELVIN LAIRD, in their entirety, as they constitute concise summaries of the important contributions of these two Congressmen:

CONGRESSIONAL DISTINGUISHED SERVICE AWARD CITATION—REPRESENTATIVE CHET HOLIFIELD

Unpretentious and moderate in approach, Chet Holifield is a distinguished Statesman of the Nation's Atomic Energy Program.

Often called upon to serve as intermediary between the impatient and the complacent, he is calmly persuasive in gaining support for legislation consonant with the requirements of a changing society in a changing world. Long in the forefront of the continuing fight against institutional decay and administrative obsolescence, he skillfully managed bills creating two new Executive Departments—Housing and Urban Development, and Transportation—during the 89th Congress. Preeminent in his contribution to the orderly development of atomic energy and resolute in his commitment to responsible civilian control, he has devoted equal attention to its application in meeting both defense and domestic power needs. Technically proficient and unimpeachable in his independence and integrity, his judgment commands the highest respect of his colleagues regardless of party affiliation.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to Chet Holifield, Democrat of California—a conscientious and dedicated Representative whose foresight and continuity of service have conjoined the benefits of accelerating technology and the welfare of all Americans.

CONGRESSIONAL DISTINGUISHED SERVICE AWARD CITATION—REPRESENTATIVE MELVIN R. LAIRD

Resourceful and vigorous as a national party leader, Melvin R. Laird is nonetheless painstaking in attention to the necessary but often tedious details of legislative business.

Without peer as a political strategist, his energy and imagination serve to enhance the capability of the minority in the systematic development and effective presentation of alternatives to administrative proposals. As chairman of the House Republican Conference, he assumed a leading role during the 89th Congress in the establishment and operation of a research and planning committee recognized for the excellence of its staff and the clarity and cogency of its reports. Unstinting in the thought and effort he devotes to work in committee and to the needs of his district, he has argued compellingly over the years for coherent financing of federal programs. Emphatic and influential in debate, he exemplifies the best traditions of service in the U.S. House of Representatives.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to Melvin R. Laird, Republican of Wisconsin—a forthright and persistent advocate whose intellectual courage and ability have consistently enlightened and enlivened public discussion of the important issues facing the Nation.

COURAGEOUS ACCEPTANCE OF RESPONSIBILITY—THE MEASURE OF COMMAND

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FLOOD. Mr. Speaker, as a member of the Subcommittee on Defense of the House Committee on Appropriations and of the Board of Visitors of the U.S. Naval Academy, I have been closely associated with many officers of our gallant Navy. One of the traits observed in them is their readiness to accept responsibility for their actions.

A striking example of that spirit described by Capt. Miles P. DuVal, Jr., U.S. Navy, retired, of which he was a witness while serving as a lieutenant on the U.S.S. *Saratoga*, was published recently in the U.S. Naval Institute Proceedings, the professional magazine of the Navy.

Because the lessons are timeless and apply with equal force to other armed services of our country, I quote it as part of my remarks:

COURAGEOUS ACCEPTANCE OF RESPONSIBILITY—THE MEASURE OF COMMAND

(By Captain Miles P. DuVal, Jr., U.S. Navy, retired)

In January 1929, the U.S. Pacific (then Battle) Fleet, under Admiral W. V. Pratt as Commander-in-Chief, was in a massive formation en route to an annual fleet concentration at Panama, with the Base Force about six miles astern of the battleships and the fleet carrier unit on the left flank of the formation axis, interval one mile. The aircraft flagship was the first large carrier *Saratoga* under the command of Captain John Halligan, a most distinguished officer then due for early consideration of promotion by a selection board.

As twilight approached, the Commander-in-Chief ordered the carrier to shift from her station on the left of the formation to a similar position on the right flank of the fleet. In the subsequent evolution, the *Saratoga*, with Captain Halligan conning, the vessels of the Base Force became dangerously entangled. Ships stopped and backed, sounded their whistles and sirens, and flashed their lights in a series of crucial situations affecting their safety.

The Base Force Commander (Rear Admiral S. E. W. Kittelle) sent the following message to the Commander-in-Chief. "I protest the procedure of the *Saratoga*. She has disrupted my formation and endangered my flagship."

The Commander-in-Chief in turn promptly relayed this dispatch to the carrier unit commander (Rear Admiral J. M. Reeves) in the *Saratoga*, expressing his concurrence and warning that vessels of each force should keep clear of water assigned other forces. Such a sequence of events just prior to convening the selection board constituted a dangerous crisis in the career of Captain Halligan, which, if not met, could easily have ended it.

Instead of waiting for his own division commander to reply, and without consulting him, Captain Halligan took the message into the quiet of the charthouse. There he pondered it in silence and then calmly wrote this response: "The *Saratoga* regrets the incident referred to and takes full responsibility therefor. The vessels of the Base Force were skillfully handled."

Promptly transmitted to the Commander-in-Chief and the commanders of the units involved, this forthright acceptance of sole responsibility, with no attempt to shift it, won admiration and terminated the episode. Captain Halligan was selected for promotion and continued his distinguished career.

SENATE MUST REJECT PANAMA TREATIES

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FLOOD. Mr. Speaker, in a statement to this body on September 11, 1967, I quoted a most pertinent letter to the editor of the Washington, D.C., Evening Star strongly opposing the ratification by the Senate of the proposed treaties with Panama. The author of that letter was a retired naval officer. Today, I shall quote a press release by a retired Army officer, Maj. Gen. Thomas A. Lane, who is a distinguished Army engineer, a former Engineer Commissioner of the District of Columbia, and now an able and forthright writer on public affairs.

Because of the special relevance of General Lane's perceptive release and its realistic accuracy, I include it as part of my remarks:

SENATE MUST REJECT PANAMA TREATIES

(By Thomas A. Lane)

WASHINGTON.—The Johnson Administration announced on June 26, 1967 that it had concluded three treaties with the government of Panama changing the juridical status of the Canal Zone, making new provision for its management and providing for possible development of a new canal. There has been no official publication of the texts of the treaties. However, the Chicago Tribune obtained a copy of the text of the basic treaty in Panama and published it. The worst is true.

Why would the President deny to the public the texts of treaties which have been concluded? Now is the time for public discussion and debate of the agreements so that the Senate may be advised about the people's judgment of the action of our diplomats. Why is the President delaying presentation of the treaties until the eve of congressional adjournment? Is he fearful of the public reaction? Does he expect his party machine to ramrod the treaties through the Senate without debate? His method is unprecedented and impeachable.

The treaties provide for surrender of U.S. sovereignty in the Canal Zone and for joint operation of the canal. Details of the treaties don't matter because the central issue of sovereignty overshadows all else. These treaties would enact the first surrender of U.S. territory in the history of the Republic.

In building the Panama Canal, the United States accepted a trusteeship for all the maritime nations of the world. It received from Panama in perpetuity all the rights of sovereignty over the Canal Zone to the exclusion of the exercise of such rights by Panama. This was a prudent measure which recognized the permanence of the canal and the continuing obligation of the United States to provide for its operation and maintenance.

In accepting sovereignty, the United States made generous settlements. It paid Columbia an indemnity of $25,000,000. It paid Panama a lump sum of $10,000,000. It purchased all the land in the Canal Zone from private owners.

In 1923, Secretary of State Charles Evans Hughes told the Panama Minister during a discussion of possible treaty revision, "Our country would never recede from the position it had taken . . . This government could not, and would not, enter into any discussion affecting its full right to deal with the Canal Zone and to the entire exclusion of any sovereign right or authority on the part of Panama." Now, without any authority or direction from Congress, President Johnson has been induced by the State Department to cede these sovereign powers of the United States in the Canal Zone.

When President Nasser nationalized the Suez Canal in 1956, the United States Government took a legal position that the right of a sovereign to expropriate property within its domain, regardless of treaty obligation, was unchallengeable. Thus, the practical effect of these treaties negotiated by President Johnson would be to give Panama the right to expropriate the canal and expel the United States from the Canal Zone.

President Johnson has been extraordinarily naive about the aims and purpose of the Soviet Union. How can anyone observing the Latin American republics under assault by communist cadres believe that a Panama holding such power over the United States could long resist communist subversion?

Panama would immediately become the prime target of Soviet strategy. It would be subjected to unbearable terror until some government expropriated the canal. Then the United States would be compelled by its own announced principles to withdraw from the Canal Zone.

The United States has a perpetual obligation to maintain and operate the Panama Canal. It has the sovereign powers which are essential to the fulfillment of that responsibility. It would be an act of catastrophic improvidence for the United States at this juncture of history to surrender the powers which are today the vital cornerstone of canal security. It is unthinkable that any conscientous United States Senator could vote to approve such a measure.

CREATION OF SPECIAL COMMITTEE ON CAPTIVE NATIONS OVERDUE CRY OF 1967 CAPTIVE NATIONS WEEK

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FLOOD. Mr. Speaker, the 1967 Captive Nations Week observance goes down on record as the most extensive one yet, since 1959. In Chicago over 10,000 marched, in Cleveland over 20,000 rallied, and in Pittsburgh, Buffalo, Philadelphia and many other cities the story is the same—a growing awareness in America of the value of all the captive nations to our national security. In rally after rally the cry was raised as to why we refuse to create a Special Committee on the Captive Nations. Action on this score is long overdue. We have as great a role to play in the determination of our foreign policy as does the Executive.

I call upon the distinguished chairman of the Committee on Rules to give this measure its fair due by placing it on the agenda for early consideration by the committee's members. It is my understanding that a majority of that committee has expressed itself, in one way or another, in favor of the measure. If the democratic process is to be observed, there is no reason for any obstruction to a measure that I feel confident will receive the vast majority of support in the House.

As indicators and examples of the vigorous 1967 observance, I request that the following material be printed at this point in the RECORD: First, proclamations of Captive Nations Week by Governors John W. King, of New Hampshire, and Charles L. Terry, Jr., of Delaware, and also mayors Edwin W. Wade, of Long Beach, Calif., Carmen J. Armenti, of Trenton, N.J., R. William Patterson, of Dayton, Ohio, and Hugh J. Addonizio, of Newark, N.J.; second, four informative items on the week in the July 1–15 Ukrainian Bulletin; third, an address by Rt. Rev. Msgr. John Balkunas on "The Silent Church Behind the Iron Curtain"; fourth, an editorial on "Hanoi's Victory" in the July 18 issue of Louisiana's the Daily Iberian; and fifth, a letter on "Captive Nations" in the July 21 issue of the Beaumont Enterprise in Louisiana:

STATE OF NEW HAMPSHIRE CAPTIVE NATIONS WEEK PROCLAMATION

(By His Excellency John W. King, Governor)

"Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

"Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

"Whereas, the freedom-loving peoples of the Captive Nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

"Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence;

"Now, therefore, I, John W. King, Governor of the State of New Hampshire, do hereby proclaim that the week commencing July 16, 1967, be observed as Captive Nations Week in New Hampshire and call upon the citizens of New Hampshire to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world."

Given at the Executive Chambers in Concord this twenty-ninth day of June in the year of Our Lord one thousand nine hundred and sixty-seven and of the Independence of the United States of America, the one hundred and ninety-first.

John W. King,
Governor.

By His Excellency, The Governor:
Attest:

Edward C. Kelley,
Acting Secretary of State.

Statement by Gov. Charles L. Terry, Jr., in Observance of Captive Nations Week, July 16–22, 1967

The President of the United States, in compliance with a joint resolution of the Congress (PL 86–90) has designated the third week in July as Captive Nations Week, and has invited Americans everywhere to join in a demonstration of support of the just aspirations of all captive peoples.

Delawareans and all freedom-loving Americans, are linked by bonds of family and principle to the people within those countries that stifle freedom. We wish for those people in virtual bondage the same freedoms and justice which we enjoy in America.

During Captive Nations Week, July 16–22, let us join in appropriate ceremonies and activities that will demonstrate to oppressed people everywhere that we support their aspirations for freedom and independence. Let us pray that the chains of tyranny give way to deliverance and freedom.

Proclamation

Whereas, the imperialistic policies of Russian Communists, through direct and indirect aggression, have led to the subjugation and enslavement of the peoples of many nations throughout the world, East Germany, Hungary, Poland, North Korea, North Vietnam and Cuba, to name but a few; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the People of the United States to observe such week with appropriate prayers, ceremonies and activities expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence:

Now, therefore, I, Edwin W. Wade, Mayor of the City of Long Beach, with the unanimous consent of the City Council, do hereby proclaim the week of July 16–22, 1967, as Captive Nations Week in Long Beach, and call upon all our citizens to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Edwin W. Wade,
Mayor.

Dated: July 18, 1967, Long Beach, Calif.

Captive Nations Week Proclamation by the Mayor of Trenton, N.J.

"Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence; and

"Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

"Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence;

"Now, therefore, I, Carmen J. Armenti, Mayor of the City of Trenton do hereby proclaim that the week of July 16 to July 22, 1967, as Captive Nations Week in Trenton, New Jersey, and call upon the citizens of Trenton to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world."

In witness whereof, I have hereunto set my hand and caused to be affixed the great seal of the City of Trenton this 11th day of July, 1967.

Carmen J. Armenti,
Mayor.

Proclamation of the City of Dayton, Ohio

"Whereas, many nations throughout the world have been made captive by the imperialistic and aggressive policies of Soviet communism; and

"Whereas, the peoples of the Soviet-dominated nations have been deprived of their national independence and their individual liberties; and

"Whereas, the citizens of the United States are linked by bonds of family and principle to those who love freedom and justice on every continent; and

"Whereas, it is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their just aspirations for freedom and national independence.

"Now, therefore, I, R. William Patterson, Mayor of the City of Dayton, Ohio, do hereby designate the week beginning July 16, 1961 as Captive Nations Week and do invite the people of the City of Dayton to observe such week with appropriate ceremonies and activities, and do urge them to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the peoples of those captive nations."

In witness whereof I have hereunto set my hand and caused the Seal of the City of Dayton to be affixed this 14th day of July, 1961.

R. William Patterson,
Mayor of the City of Dayton, Ohio.

Proclamation—Captive Nations Week

Whereas: the imperialistic policies of Russian Communists have led, direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Indel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas: the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas: the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas: the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence;

Now, therefore, I, Hugh J. Addonizio, Mayor of The City of Newark do hereby proclaim the week of July 16 through July 22, 1967, be observed as Captive Nations Week in Newark, New Jersey, and call upon the citizens of Newark to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

Hugh J. Addonizio,
Mayor.

[From the Ukrainian Bulletin, July 1–15, 1967]

United States Cannot Abandon Peoples of Captive Nations

Such is the title of a feature article by Dumitru Danielopol, well-known national columnist, which appeared in the February 6, 1967 issue of *Aurora Beacon-News*, in Aurora, Illinois. The article deals expertly with the recently published book, *Captive Nations Week—Red Nightmare, Freedom's Hope*, which was compiled and edited by Dr. Lev E. Dobriansky, President of UCCA and Chairman of National Captive Nations Committee. The columnist writes that the book provides useful knowledge on the captive nations and recommends that all U.S. policy-makers ought to be acquainted with it. He concludes:

"An ever increasing number of Americans do not buy, in conscience and intellect, the policy of playing down the captivity of close to a billion people on the notion that the Red regimes can be appeased into ways of peaceable evolution and eventual freedom."

[From the Ukrainian Bulletin, July 1–15, 1967]

Captive Nations Week 1967: Where Do We Stand?

During this month of July, millions of Americans from all walks of life will again observe in one form or another the annual observance of Captive Nations Week. Ever since the enactment of Public Law 86–90 in July, 1959, Captive Nations Week has served as a national forum for discussion and evaluation of U.S. foreign policy and its application to the Soviet Union, especially as regards the many nations held in Soviet Russian captivity and oppression.

The observance of Captive Nations Week this year is especially important in view of several international events and developments which have accentuated its meaning. Among these are:

1) Intensification of the war in Vietnam; 2) The Arab-Israeli war and its aftermath, and 3) The total failure of our policy of "building bridges of understanding" with the USSR and its communist empire in Central and Eastern Europe.

OUR STAKES IN VIETNAM

Despite the all-out effort on the part of the U.S. government to bring the war in Vietnam to an acceptable and honorable solution, it is now abundantly clear to every one that neither Hanoi nor its backers in Moscow and Peking want a negotiated peace. Encouraged by Communist-inspired internal dissension and anti-war demonstrations in the United States, Hanoi, Peking and Moscow are more determined than ever to continue the blood war in South Vietnam, banking heavily on an eventual U.S. withdrawal. We, the American people, know that the Communists are deluding themselves. Yet Washington fails to give voice to our steadfastness. It fails to point out to everyone concerned that South Vietnam will not become another Korea or Berlin, that the United States will not withdraw short of achieving a full and complete victory over the Viet Cong and North Vietnamese invaders. Yet this is our true posture, as it is that of the South Vietnamese government, as well as of our fighting allies there—Korea, New Zealand, Australia and others.

At the heart of this lack of clear and definitive articulation is the unfounded assumption that the Communists in Asia are aggressors and enemies of freedom, while their brothers in the USSR and Eastern Europe are some sort of "mellowing revolutionaries" who would be delighted to trade, conduct "cultural exchanges" and pursue a general peaceful coexistence.

Captive Nations Week 1967 can and will prove a more than adequate opportunity to stress the indivisibility of Communist strategy and to expose Moscow's unflagging attempt to first subvert and then destroy us.

THE ARAB-ISRAELI WAR

The tragic war between Israel and the Arab states of the United Arab Republic, Jordan and Syria offers a multi-faceted lesson, a lesson which, exacting a dreadful cost in human life, property and widespread suffering, we must not ignore in all conscience.

The lightning and brilliant strategy of the Israeli armed forces which culminated in a swift victory over the numerically superior Arab forces evokes and explains at least one important phenomenon. It demonstrates that the love of freedom and independence of one's country can provide invincibility in spirit and deed. It is from this ardor that sprang forth resolution, which in turn gave birth to incisive strategy and tactics. The Israelis knowlingly fought for freedom and independence, and secured it, and today their eloquence in defense of their part in the war follows only naturally.

Throughout this drama the United States has been a study in contrast. It was open knowledge that Moscow was instigating Nasser to belligerency and provocative acts which led to the eruption of the war on June 5, 1967. Yet our diplomacy was conspicuously timid and ineffective, including that of our UN Ambassador who allowed the Soviet diplomats to place the United States on the defensive. Today Moscow poses brazenly as a champion of the conquered Arabs.

This despite the fact that the Soviet Union bears the lion's share of responsibility for the conflagration in the Middle East. Its systematic supplying of heavy armaments, including the most modern rockets, to Nasser, along with a probable promise of massive military support when the chips were down, encouraged Nasser in making his fateful blockade of the Gulf of Aqaba.

Thus the war teaches us, once again, that Moscow has never actually considered ending the Cold War, contrary to fond assumptions in Washington. Like Khruschchev in Berlin, Hungary and Cuba, so Kosygin in Egypt displayed its eternal strategy—to conquer the world by dividing areas and continents, by supporting all those who bear any legitimate or imaginary grudge against the United States.

THE JOHNSON-KOSYGIN DIALOG

Although the Russians abandoned the Arabs to their fate, they once again muster the effrontery of claiming to be "champions of the oppressed," this time with reference to their Arab pawns in the Middle East.

Recently at the U.N. Kosygin even scaled new heights of Soviet deceit and cynicism. "In the course of its 50-year history," he soberly intoned, "the Soviet Union has regarded all peoples, large or small, with respect. Every people enjoys the right to establish an independent national state of its own!"

Such outrageous mendacity may come as no surprise to the Hungarians, who tried to break away in 1956, or to the Estonians, Latvians Lithuanians and Poles, or to all the Captive Nations languishing within the confines of the Soviet Union—such as Ukrainians, Georgians, Armenians, Byelorussians and others.

But the rest of the world, thanks to the forum that is the U.N., hears the Big Lie and may in time come to believe it.

Especially disheartening is that at high official levels there is a tendency to believe it in this supposedly sophisticated country. Our talk of "building bridges" of understanding with Red lands smacks of naivete scarcely to be found in the rawest fledgling nation springing up.

As recently as last year a Tri-Continent Communist Conference was held in Havana, at which far-reaching plans were hatched for the subversion and "Vietnamization" of all Latin America. The Conference was organized and directed by the Kremlin. As a result, we already have communist guerrillas operating in Venezuela, Peru, Bolivia and Guatemala.

Our reaction? More talk of consular treaties, cultural exchanges and of bridges suspended in a never-never land.

Captive Nations Week 1967 provides an opportunity to come down to earth and rededicate ourselves to the cause of freedom. It is time to relearn the lesson of 1776: peace without freedom is illusory, life without freedom meaningless.

ROLLCALL OF THE FORGOTTEN NATIONS

Country	Present status	Date of independence	Date of absorption
Armenia	Armenian S.S.R	May 30, 1918	1920
Azerbaijan	Azerbaijanian S.S.R	May 29, 1918	1920
Byelorussia	Byelorussian S.S.R	Mar. 25, 1918	1920
Cossackia:			
(a) Don Cossacks	Incorporated into Russian S.F.S.R	May 5, 1918	1920
(b) Kuban Cossacks	do	Feb. 16, 1918	1920
Democratic Republic of the Far East	Incorporated into Russian S.F.S.R	Apr. 4, 1918	1920
Estonia	Estonian S.S.R	Feb. 24, 1918	1940
Georgia	Georgian S.S.R	May 26, 1918	1920
Idel-Ural	Incorporated into Russian S.F.S.R	Nov. 12, 1917	1920
Latvia	Latvian S.S.R	Nov. 18, 1918	1940
Lithuania	Lithuanian S.S.R	Feb. 16, 1918	1940
Turkestan	Now divided into Kazakh, Kirghiz, Tadzhik, Turkmen, and Uzbek Soviet Socialist Republics.	Apr. 15, 1922	1922
Ukraine	Ukrainian S.S.R	Jan. 22, 1918	1923

The Silent Church Behind The Iron Curtain

(Address of the Right Reverend Monsignor John Balkunas, President of CACEED, delivered at Queens Post of Catholic War Veterans, July 19, 1967.)

Dearly Beloved in Christ, we have gathered today as free citizens of the United States of America to mark the 9th annual observance of Captive Nations Week. Today is the beginning of Captive Nations Week—a week during which Americans from all walks of life will hold nationwide manifestations, rallies, ceremonies and other public gatherings.

These observances are legally provided for by Public Law 86–90, enacted by the U.S. Congress in July, 1959. They are destined to serve as a powerful moral symbol underscoring the fact that Americans will never forget nor abandon the captive nations nor accommodate themselves to their permanent enslavement.

In observing this signal event we must view the problem of the captive nations in its totality, and we must not lose the sight of the fact that all captive nations deserve a fair and equal treatment on our part. When we speak of the captive nations, we obviously think of 22 captive countries enumerated in Public Law 86–90, namely: Poland, Hungary, Lithuania, Czechoslovakia, Ukraine, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan and North Vietnam.

Since this law was enacted, Cuba, our very neighbor, has become another captive nation.

Today, we want to dedicate our Sermon to the plight of the Silent Church Behind the Iron Curtain, and to bring to the fore the suffering endured by our brothers in Christ under the ruthless and godless communist regimes in Central and Eastern Europe.

Much has happened in the world since the passage of the Captive Nations Week Resolution in 1959. We had the Ecumenical Council (Vatican II) in 1962–1965, at which observers of the Russian Orthodox Church were invited to sit and witness the proceedings of the greatest Catholic council ever gathered in history. In pursuance of the "dialog" with the Communist governments, we have seen Soviet President Nicholas Podgorny come to the Holy Father to talk on the possibility of "improving relations" between the Soviet Union and the Vatican. Toward this end also Msgr. Agostino Casaroli, a Vatican expert on Communist affairs, travelled to Poland and other Communist-run countries. Finally, a few days ago the United States was the host to Soviet Premier Alexi Kosygin, who met President Johnson for a new Summit conference at Glassboro, N.J. There are many among us who believe that the Cold War is over and that these meetings and visitations *per se* have removed or, at least, eased international tensions and conflicts.

But, to us, who are interested both in the countries of origin of our forefathers, and also in the plight of our Church, the most important question still remains unanswered.

Are these contacts and visitations by Communist leaders both here and to the Vatican helping our Church behind the Iron Curtain? Do our brothers and sisters feel free to worship God and educate their children according to Christian principles and teaching?

A cursory survey of the plight of the Silent Church behind the Iron Curtain gives a bleak and depressing picture that certainly challenges the claim of our era to humanism and peaceful coexistence.

Albania: In Albania the 170,000 Catholics suffered a cruel fate, as the entire Catholic hierarchy was either killed or imprisoned. The Catholic Church literally ceased to exist in that country. The Orthodox Church and the Moslem religion are still tolerated, although all church policies are dictated by the Communist Party.

Bulgaria: The religious persecution in Bulgaria was limited to the Protestant and Catholic communities, as both groups are regarded as West-oriented. The Roman Catholic hierarchy is virtually destroyed, as is the Apostolic Exarchate for the Bulgarians of the Eastern Rite. The Jews and Moslems are also persecuted and harassed. The Bulgarian Orthodox Church is tolerated, but their leaders must accommodate themselves to the regime and follow its policies and directives.

Czechoslovakia: From 1948 to 1952 religion in Czechoslovakia was persecuted openly by the Communist government. A number of Catholic bishops, including Joseph Cardinal Beran, were arrested and sent to jail. In 1964 Archbishop Beran was released and allowed to return to Rome, but the Catholic Church has been under the systematic attack; religious instruction for children is eliminated, and the Church is perennially attacked by the Communist-sponsored "Society of the Propagation of Political and Scientific Knowledge," an arm of the Communist Party. Other denominations are also submitted to a tight control of the government.

Estonia: The Estonian Evangelical Lutheran Church has been subordinated to the Communist Party which rules an controls the activities of the ministers in all details. Acts of public worship, church weddings, funeral services and baptismal ceremonies have been replaced with atheistic rituals. Anti-religious education is steadily pressed and the church itself is burdened with heavy taxation.

Hungary: Depending on the international situation, the Kadar regime in Hungary either intensifies the anti-religious policies or relaxes them, guided by hints and directives from Moscow. In 1964 an agreement was signed by the Vatican and Hungary, which somewhat improved the religious situation. But in 1965 a series of arrests of Catholic priests was reported in the *L'Osservatore Romano*. Many of the priests were sentenced for a "conspiracy" case, others for holding seminars and open discussions with the youth.

Latvia: The Roman Catholic Church in Latvia has been destroyed as an organization, with many Catholic priests arrested, tried and sentenced to hard labor. The head of the Latvian Evangelical Church is a Communist nominee. The Lutheran Church and the Orthodox Church were also destroyed. All church ceremonies had been replaced with Communist rituals. There is no religious instruction, and the church, that is the Evangelical Lutheran Church, is subjected to heavy taxation and other rules of the Communist Party.

Lithuania: Since Lithuania is one of the foremost Catholic Countries in Eastern Europe, one of the prime targets of the Communist regime is to eradicate Catholicism. Officially, the Roman Catholic Church in Lithuania exists, but by its systematic attacks the regime has reduced it to a skeleton organization. Out of 14 Lithuanian Catholic Bishops only one has remained in the country, and out of 1,546 priests, only 741 are left. Religious teaching to children is punishable by law; the clergy and religion are under constant attacks; all religious private schools, kindergartens, orphanages, hospitals and charitable organizations have been confiscated. Sometimes the Communists trumpet the "existence of religious," freedom, and they allow a few Lithuanian churchmen to attend the Ecumenical Council in Rome and also to consecrate a new Catholic Bishop, for instance Most Rev. Joseph Labukas. But the anti-religious policy is the order of the day for the Communist regime in Lithuania.

Poland: The Catholic Church in Poland, especially after the 1956 revolt, has been tolerated and subject to a sort of "coexistence" with the Communist regime. But the campaign against the Catholic Church is relentless and systematic, which includes arrests of priests, tax prosecutions and land confiscations; the training of new priests is being hindered and a number of seminaries has been closed. Stefan Cardinal Wyszynski has been barred from travelling to the United States in 1966, and a number of American Catholic Bishops were denied Polish visas to come to Poland for the observance of the millennium of Christianity in Poland.

Romania: The first victim of the Communist rule was the Orthodox Church, which was purged of all bishops who were replaced with "elected popular prelates." The Catholic Church of the Byzantine Rite was subjected to a savage destruction and its faithful were forced to join the Orthodox Church. The Roman Catholic Church is allowed to exist, but its activities are completely paralyzed. By any standards, religion in Romania has been reduced to a twilight existence.

Ukraine: But perhaps one of the most brutal and inhuman acts against the Catholic Church was the destruction of the Ukrainian Catholic Church of the Byzantine Rite in Ukraine in 1946. There were about 5,000,000 Ukrainian Catholics in Western Ukraine, and as soon as the Soviet troops reoccupied all of the Ukrainian lands Moscow moved to mercilessly liquidate Catholicism in Ukraine. All through the Soviet government "freedom of conscience" for its citizens and the principle of "separation of the church from the state," it savagely meddled in the Catholic Church in Ukraine. In March, 1946 the Soviet government, actively supported by the Russian Orthodox Patriarchate headed by Patriarch Alexei, dispersed the entire Ukrainian Catholic hierarchy and destroyed the church organization as such. Of all 11 Ukrainian Catholic bishops, arrested at that time, only Metropolitan Joseph Slipy survived. He was released in 1963, reportedly upon direct intervention by the late Pope John XXIII; he was made a cardinal and resides now in Rome. At the time of the Communist assault there were 5 million Ukrainian Catholics, 1 Archbishop-Metropolitan, 10 bishops, 5 dioceses, 2 areas of Apostolic Administration, 2,950 diocesan priests, 520 monastic priests, 1,090 nuns, 540 seminarians, 3,040 parishes, 4,440 churches and chapels, 127 monasteries, 1 theological academy and 5 ecclesiastical seminaries. In addition, the Catholic Church in Ukraine possessed a great number of cultural centers; primary and secondary schools, institutes, printing press; scientific, religious and educational organizations; libraries, welfare and aid associations, orphanages, student, youth and women's associations and the like. All were destroyed by the official act of the Soviet government.

A faked "synod" was then called in 1949 in Lviv, at which three apostate priests were nominated bishops of the Russian Orthodox Church. This group promptly "abolished" the Union of Brest (1596) and subordinated over 5,000,000 Ukrainian Catholics, against their will, to the Russian Orthodox Church. This brutal destruction was deplored at the time by Pope Pius XII in his encyclical *Orientales Omnes Ecclesias* (Dec. 23, 1945) and later in *Orientales Ecclesias* (Dec. 15, 1952).

For all intents and purposes, there is no legal Catholic Church in Ukraine. But there are hundreds of thousands of Catholics who secretly profess their traditional faith. [The Communist press in Ukraine frequently reports arrests, trials and deportations of so-called "religious fanatics." In 1965 a trial was held in Lviv, Western Ukraine, at which 20 persons were tried for practicing "underground religion." In 1966 another trial was held in the city of Zhytomyr, where a man and a woman were sentenced to three years of hard labor for giving religious instruction to children.]

Last year, 1966, the Soviet government sponsored extensive celebrations in commemoration of the 20th anniversary of the "liquidation" of the Ukrainian Catholic Church.

Fortunately, there are 14 Ukrainian Rite Sees throughout the free world—the United States, Canada, South America, Australia and Western Europe—where the Ukrainian Rite Catholic traditions and Liturgy are preserved.

Other Captives: Our roster of the captive nations would not be complete without mentioning our brothers—Serbians, Croatians, Slovaks and Slovenes who also suffer national, religious and cultural persecution at the hands of their Communist masters.

As we have seen, the Silent Church behind the Iron Curtain is suffering incessant Communist persecution. Communist attacks vary from country to country, and they are conducted quietly and systematically by means of harassment and covert persecution.

People are said to have a right to agitate against religion. However, priests and ministers do not have a civil right to defend themselves against such attacks. The Communists run atheistic clubs and conduct atheistic instruction in labor unions, youth organizations and in schools. Meanwhile, priests and ministers who conduct religious instruction are liable to be sent to Siberia without even so much as a judicial hearing.

Other anti-religious tactics of the Communists include the undermining of the people's faith in baptism and matrimony, and the discrediting of Christian burial by priests or ministers. Dearly Beloved in Christ!

This is the religious situation behind the Iron Curtain.

The observance of Captive Nations Week affords us this oportunity to make the plight of the captive nations known to our fellow American citizens, and to our government as well.

Those of our officials who receive Communist leaders should know what they are doing to their own people.

Is it, then, moral and practical to "build bridges of understanding" with these Communist governments which so ruthlessly persecute our brothers and sisters in Central and Eastern Europe?

We do not think so.

As we begin the observance of Captive Nations Week we must do everything in our power to help these captive nations in their struggle for national and religious freedom, and for independence. Above all, we must let them know that we do not forget them.

Our government is waging a gallant struggle in Vietnam in order to prevent the Communists to enslave South Vietnam. [We wholeheartedly support our President, because it is the only way to save Southeast Asia from Communism.]

But we urge him also not to forget that the Communists who are killing our fighting men in Vietnam are also jailers and persecutors of the captive nations in Central and Eastern Europe.

Let us hope that this basic truth is imparted to those who are responsible for shaping our foreign policy with respect to the communist empire.

And we, free citizens of this great country, must continue to educate our citizens in the importance of the captive nations.

We must rededicate ourselves to the cause of universal freedom.

We must learn the eternal axiom: peace without freedom is illusory, and life without freedom is meaningless.

We must pray for peace—for just peace to all nations. Amen.

[From the Daily Iberian, New Iberia (La.), July 18, 1967]

Hanoi's Victory

It isn't very often that the Congress of the United States is unanimous on an issue. We haven't stopped to make a precise count, but we're certain that the unanimous votes in Congress in the past decade can be counted on the fingers of one hand.

Eight years ago, in 1959, there was a unanimous vote. Congress resolved that the third week in July should be observed as Captive Nations week. And it proceeded to name 21 "captive nations," whose freedom fighters deserved US support. The language of the resolve was bitingly clear. It opposed any "peaceful coexistence" with Moscow unless and until the Captive Nations recovered "their freedom and independence."

It must make members of the Congress a little ill to observe the contempt with which the Kremlin and the residents at the White House have treated this mighty resolve. Three consecutive Presidents have given the annual observation flip lip service. And the Kremlin can scarcely conceal its amusement at the spectacle of the resolute Congress, less than a decade later, tolerating the shipment of even armament accessories to the jailers of the Captive Nations.

Twenty-one nations were named in the original resolution. Not one has been freed. One nation has been added. It was a favorite vacation spot for many members of the 1959 Congress: Cuba. Moscow added this 22nd nation 90 miles from our shores, and in 1967 the President of the United States could make a State of the Union address to the Congress without even mentioning Cuba.

One of the originally named 21 Captive Nations was North Vietnam. How long has it been since you read or heard any reference to the tragic plight of the 17 million North Vietnamese held "captive" by their Communist oppressors? Hanoi already has won more in the war than it dared dream. It has a commitment from the President of the United States that our war aims are to curb aggression in the South. There is not even a mention of the 17 million captives of Communism in the North.

And do not for a minute think that this fact is lost on the heads of State in Asia. Or Hanoi, or Peking. Both poke fun at Uncle Sam's resolve. Eight years isn't a very long time in history. And it was only four years after the resolution that President John F. Kennedy issued a proclamation that Peking quotes with satirical delight. Kennedy asked that the people of the United States "Observe such a week with appropriate ceremonies and activities."

What do you suppose he meant by that? Eating crow every day of the week?

[From the Beaumont (La.) Enterprise, July 21, 1967]

Captive Nations

Editor, Enterprise:

I am sending you two copies of the unanimous resolution of the United States Congress and Louisiana State Senate proclaiming the third week of July "Captive Nations Week."

This resolution is, in reality, a meaningless piece of paper, because with the exception of a few senators and congressmen, an overwhelming majority of U.S. lawmakers remain indifferent toward the issue of enslaved nations.

DOUBLE STANDARD

Our present foreign policy is a policy of double standard of morality in international affairs. From one side our architects of foreign policy are supporting the aspiration to the independence of emerging African and Asian nations and at the same time they are refusing the same rights to East European nations, presently enslaved by Russian Communists.

During the recent visit to the United States, Kosygin called for the withdrawal of American troops from Vietnam. Would this not be an appropriate time to call for the withdrawal of Russian troops from all those 22 formerly independent countries enumerated in the congressional resolution?

What is the reason that our Department of State is completely indifferent toward the issue of slavery under the Russian Communist regime?

ONLY ONE CHAPTER

Americans must realize that the Vietnam war is only one chapter in this global struggle between world communism and American democracy and this war must be won as soon as possible.

Finally, I would like to remind my fellow countrymen that the United States cannot survive and live free while half of the world is enslaved, for freedom on the globe is indivisible.

Alexander Sasjaworsky, D.V.M.

WE ARE LEARNING THE IMPORTANCE OF EFFECTIVE ENVIRONMENTAL HEALTH PROGRAMS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Patten] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. PATTEN. Mr. Speaker, slowly we are learning the tremendous importance of effective environmental health programs. Just as a decent wage and humane time schedule are both needed for peak worker efficiency and happiness, so must a worker be placed in a healthy atmosphere if he is to consistently provide top-level work. The President has stated that reduction of 1 day's sick leave of every American worker would add $10 billion to the gross national product. Industry itself pays out over $2.5 billion a year to compensate idled workers.

Within this framework, the problems of occupational health have grown to major proportions. As new and beneficial uses are discovered for minerals and chemical compounds, new data is often uncovered, linking the same wonder product with danger and disease.

So has been the case with asbestos, considered the "20th century wonder material." Over 3,000 uses are known for asbestos and over $400 million worth is produced annually by over 1 million workers. As the mineral is suitable for use as an uncombustile, nonconducting material, asbestos textiles—safety clothing, curtains, brake lining—asbestos cement and floor tile, plastics and paints, are all part of the annual domestic consumption.

However, we cannot afford to ignore the grim picture which reliable sets of statistics continue to paint—

In one survey, deaths as a result of cancer of the lung, stomach, and trachea exceeded the national average by more than 12 to 1.

Prolonged inhalation of asbestos fibers may result in other often fatal lung diseases, including pulmonary fibrosis.

High-level exposure to asbestos has been judged as the probable cause of a 21-percent increase over the expected death rate for certain workers.

The injury frequency rate of asbestos workers is more than double the national average.

If an asbestos worker also smokes, his chances of contracting lung cancer are 92 times greater than if he were a nonsmoker.

Clearly, there is a dangerous and evident correlation between asbestos dust and serious disease, which is also meaningful to many workers exposed to asbestos in related industries, such as the building trades. In fact, experts feel that the dust may be a potential health hazard for over 25 percent of the population.

A Public Health Service survey of 30 years ago led to the adoption of a ceiling of the maximum safe amount of asbestos particles in the air, a figure which has been under attack as unsafe and arbitrary. Unfortunately, there is no legislative authority by which PHS and Health, Education, and Welfare can enforce strict standards or establish new guidelines; the Division of Occupational Health of PHS has only advisory power. It cannot now set strict standards with which industry must comply.

It is to this end that I have today introduced legislation, entitled the Asbestos Workers' Health Protection Act, which would give HEW power to both establish and enforce realistic standards to protect the worker by insuring safer working conditions and the public by producing safer materials.

Such areas as labeling standards and interstate transportation would also be placed under Federal supervision for the first time. Control of this severe environmental health problem should be vested in the Division which possesses the greatest expertise: the Division of Occupational Health of the PHS of the Department of HEW.

Dr. Murray C. Brown, head of the Division, has said:

> It is only by maintaining the physical wellbeing of the man on the job that the nation can continue to hold its position of industrial and economic leadership.

By giving the HEW authority to insure safety in asbestos control, we would see significant progress in this direction.

THE HOUSE'S RESPONSIBILITY FOR TRUTH-IN-LENDING LEGISLATION

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hanna] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. HANNA. Mr. Speaker, the record built on truth-in-lending legislation during the recent hearings of the House Consumer Affairs Subcommittee clearly suggests that the 90th Congress can and must pass a meaningful credit disclosure bill. The American consumer has every right to expect this Congress to produce a measure which will provide for the reporting of accurately comparative information during a credit transaction. The American businessman has every right to expect this Congress to produce a measure whose principles rest on firmly reasoned foundations ascertained from an intelligent understanding of modern business practices and procedure.

After more than half a decade of frustration the U.S. Senate unanimously adopted and sent to the House a bill which only partially meets the demands this Congress must satisfy. The House must turn its attention to strengthening, where needed, the Senate-passed measure.

WEAKNESSES

Mr. Speaker, the legislation I am introducing today, I believe, equitably strengthens the Senate version of truth in lending. Building upon some very carefully constructed foundations sensibly negotiated in the Senate Banking and Currency Committee, I have turned my attention to what I consider to be two of the most glaring weaknesses of the Senate legislation. First, I am concerned that the exemption permitting nondisclosure of the annual percentage rate for transactions where the finance charge is less than $10 goes too far and permits a wide opening for abuse. Second, the Senate bill extends truth-in-lending protection only to the actual transaction. Nothing in the Senate bill would require a creditor to extend truth in lending to his advertising of credit.

I consider the exclusion of provisions relating to truth-in-advertising credit to be the major oversight and the most glaring piece of unfinished business reflected by the Senate bill. To believe that truth in lending could actually work without a strong truth in advertising credit provision is remarkable. One needs only to pick up any daily newspaper, listen to any radio station, or glare for a few hours at television to be bombarded by the confusing and most incomplete offerings of various kinds of credit imaginable.

BASIS FOR LEGISLATION

If the basis of truth-in-lending legislation is to provide the consumer with some reasonable basis of comparison of the various finance charges on a given purchase, is it unreasonable to expect advertising of credit to provide comparative information? Certainly not. All of us have been exposed to the wiles of advertising techniques long enough to know that it plays a major role in what item we purchase, and where we purchase it. Truth in advertising credit is a vitally important extension of truth in lending. The House would be seriously avoiding responsibility if it did not strengthen the Senate truth-in-lending measure with a strong yet equitably drawn truth in advertising credit provision.

REVOLVING CREDIT MERRY-GO-ROUND

Unfortunately, public concern has not been directed at the exclusion of truth in advertising, or the $10 finance exemption in the Senate bill. Rather, a concerted campaign has developed over the highly complicated and universally misunderstood issue of revolving credit.

At the outset let me explode an unfortunate myth. The myth suggests that the Senate bill exempts merchants using revolving credit from disclosing to the consumer the methods and costs involved in financing a purchase. This is blatantly untrue.

The Senate bill, as does mine, and a number of other bills introduced in the House, require "before opening any account under a revolving charge plan, the creditor shall—disclose to the person to whom credit is to be extended" the following:

> (1) "the conditions under which a finance charge may be imposed, including the time period, if any, within which any credit extended may be repaid without incurring a finance charge;"
>
> (2) "the method of determining the balance upon which the finance charge will be imposed;"
>
> (3) "the method of determining the amount of the finance charge . . . , (and) the percentage rate per period of the finance charge to be imposed if any . . ."
>
> (4) "the conditions under which any other charges may be imposed, and the method by which they will be determined."
>
> During each billing period the creditor must disclose:
>
> (5) "the outstanding balance in the account at the beginning of the billing period;"
>
> (6) "the amount and date of each extension of credit during the (billing) period;"
>
> (7) "the total amount credited to the account during the period;"
>
> (8) "the amount of finance charge added to the account . . . due to the application of a percentage rate . . . ;"
>
> (9) "the balance (and method) on which the finance charge was computed . . . ;"
>
> (10) "the rate . . . used in computing the . . . charge;"
>
> (11) "the outstanding balance in the account . . ."

All this must be disclosed. The difference between what must be disclosed under a revolving plan and other extensions of credit is a statement of percentage finance charge computed on a yearly basis.

Earlier I made clear that Congress has the obligation to make available to the consumer comparative information based upon firmly reasoned facts intelligently determined. Both the record of the House and Senate hearings clearly suggest that all extensions of credit are not similar. To treat them similarly is unfair to American business, and grossly unjust to the American consumer.

To insist on the same yardstick for measuring all credit extensions when there is an abundance of reasonable proof to indicate that all credit transactions are not alike can only result in confusing and misleading the consumer. If we are to require all creditors to issue true statements of their finance charges, and then require these statements to conform to a standard which has an inaccurate relation to the real circumstances of the credit being offered, who has gained? Certainly not the consumer, for he is relying on information arbitrarily uniform, but nevertheless inaccurate about what it tells him he is actually paying.

In our haste to provide uniformly comparative data might we not damage the purpose of truth-in-lending legislation? That possibility exists, and it was for that reason the Senate chose to recognize the real circumstances of our complicated marketplace by differentiating, where fact and logic demanded, between the various credit plans.

I need not go into an elaborate explanation of the intricacies of various credit programs. Both the House and Senate committee records adequately provide the necessary details, facts, and mathematics showing arbitrary standards cannot be applied uniformly across the board and still provide reasonably accurate information to the consumer.

To my mind the controversial revolving credit merry-go-round was worked out in a manner consistent with providing the consumer with sufficient accurate information while equitably taking into account the realities and circumstances of business procedure. Time will direct us, if needed, to correcting imbalances, if they occur.

FOCUSING ATTENTION

I believe the House can constructively focus its attention on two issues our colleagues in the Senate either dealt with inadequately or did not deal with at all. To my mind, the two issues I am about to discuss in detail are the major weaknesses of S. 5.

First. I will deal with the provision which exempts the $10 finance charge from disclosure of annual percentage rate. The Senate bill, as it was sent to the House, exempts a creditor from disclosing annual percentage rate, where required, if the finance charge involved is less than $10. No matter what the size of the purchase, annual percentage rate need not be disclosed as long as the finance charge did not exceed $10.

When Senator PROXMIRE first introduced his bill this exemption was not included. It was first brought up by Federal Reserve Governor Robertson when in testimony before the Senate he stated:

> I am sure that none of us wants to press disclosure of credit costs to the point where borrowers are denied access to credit at any price. But there is one area where disclosure of an annual percentage rate might do just that. In a closed-end credit transaction involving a small amount, a high effective rate may be justified to compensate the creditor for the relatively high out-of-pocket costs of handling the transaction. However, he may be understandably reluctant to disclose the very high rate—perhaps 50 or 100 percent—and might decide instead simply to discontinue this type of credit transaction.
>
> For some borrowers, unable to obtain open-end credit accommodation or not having access to small cash loans, the need to make relatively small purchases on credit may be great indeed. It may also be argued that a small finance charge—in dollar amount—is not of great significance to the credit

user regardless of the effective rate of finance charge. Therefore, we would be disposed to see closed-end credit transactions involving a small amount—perhaps under $100—and a small total finance charge—perhaps under $10—exempted from the disclosure requirements.

Mr. Robertson's points are well made. However, the Senate may have gone too far in opening the door to possible abuse.

For example, there is nothing to prevent the creditor from splitting a sale so that he can evade disclosure. A creditor who is selling a dining room set may find he can evade the Senate language by selling the chairs separately from the table. The Senate exemption may also fall most heavily upon the poor. Although consuming less, the poor most often pay the highest price for their purchase. The small purchaser will have little basis for comparison and this can be particularly harmful. For example a $9.99 finance charge will be quite an annual rate on a $30 purchase.

However, striking the exemption entirely is not the most reasonable way of tightening the loopholes the provision presents. In fact, not to consider the issues raised by Governor Robertson may be more damaging to the small purchaser than maintaining the provision as it now reads in S. 5.

The bill I am introducing today, I believe, strikes a balance between providing the consumer with maximum protection while not drying up his source of credit. The language in my bill places ceilings both on the dollar amount of a purchase and the finance charge. In this way the small purchaser knows that if he pays *x* dollars for an item he cannot be charged more than *x* dollars for financing his purchase without having the annual percentage rate disclosed to him.

At this point in the RECORD, Mr. Speaker, I would like to include a chart that clearly spells out what my bill would do:

Conditions under which the annual percentage rate need not be disclosed for installment credit transactions:

Amount financed	*Maximum finance charge*
$25 and under	$5.00
$25.01 to $50	7.50
$50.01 to above	10.00

While my bill would require the businessman to be better acquainted with the disclosure law it still provides him with enough flexiblity to finance the small purchase. It also provides the consumer with increased protection against exorbitant annual rates of credit for small purchases. The bill would also prevent a creditor from splitting a transaction for the purpose of evading disclosure of the annual percentage rate.

TRUTHFUL ADVERTISING

Probably the most glaring weakness of the Senate bill is its omission of a truth-in-advertising credit provision. It has been suggested by some that truth in advertising come as a second step after Congress passes a truth-in-lending transaction bill. The extension of credit, and the advertising of that extension are so inextricably bound together that to pass one without the other would be to only do half a job.

During the past week I clipped a number of credit advertisements from local Washington papers that demonstrate the confusing and bewildering assortment of credit advertisements which reveal little in the way of useful information to the consumer.

One add promises a washing machine for $99.95, at only $10 a month. How many months it will take for you to pay off the washing machine is not revealed, nor does the consumer have any idea of the cost of financing the purchase. Another interesting ad suggested you only have to put $88 down and pay $35 per month to purchase a 1963 Chevrolet. The prospective purchaser has absolutely no idea how much the car will cost him. Or you can purchase a "Stereo, TV, Hi-Fi, AM-FM Radio Combination" for only $2.99 per week. The specific terms "depend on screen size." But if you really want to buy a TV Hi-Fi combination the best place to go is the one that advertises "monthly payments as low as 25¢ per day".

Mr. Speaker, I am not using extreme examples. The ads I have just mentioned appear every day, in various forms, in all of Washington's papers. Nor are the examples isolated. During the 3 days my office clipped local papers I have established quite a huge collection of what are obviously purposeful attempts to convince the public that credit is available at such low cost that it is not even worth considering its real price.

If we allow this kind of advertising to continue, the value of any truth-in-lending legislation is open to legitimate questioning.

The bill I am introducing today will provide the consumer with a quality of credit advertising which will answer the questions that must be answered before a rational decision on which credit plan to take, if any, can be made. However, I believe the language of my bill will also be equitable to the advertiser. It will not require him to disclose more information than the prospective consumer needs to make a reasonable decision. It will not overburden an ad with credit information that is really not relevant to the circumstances of the proposed transaction.

At this point in the RECORD, Mr. Speaker, I wish to include subsections (j), (k), (l), and (m) of my bill:

(j) If a creditor, in order to aid, promote, or assist directly or indirectly, and consumer credit sale, loan or other extension of credit, other than under an open-end credit plan, states or otherwise represents in any advertisement in interstate commerce, or affecting interstate commerce:

(1) the dollar amount or the rate of finance charge, and if, under Section 4(b)(7) or 4(c)(5) of this Act, the rate of the advertised finance charge would be required to be disclosed if such credit were extended, such advertisement shall state the rate of the finance charge in the manner prescribed by Section 4(b)(7) or 4(c)(5), whichever is applicable; or

(2) the number of installment payments, or the amount of an installment payment, and if, under Section 4(b)(8) or 4(c)(6) of this Act, the number or amount of payments scheduled to repay the indebtedness would be required to be disclosed if such credit were extended, such advertisement shall state:

(A) the cash price, or the amount of the loan, as applicable;

(B) the downpayment, if any;

(C) the number, amount, and due dates or period of payments scheduled to repay the indebtedness if such credit were extended, and

(D) the rate of the finance charge in the manner prescribed by Section 4(b)(7) or 4(c)(5) of this Act, whichever is applicable

(k) No creditor, in order to aid, promote, or assist, directly or indirectly, the extension of credit under an open-end credit plan may state or otherwise represent in any advertisement in interstate commerce or affecting interstate commerce any of the specific terms of such plan unless the advertisement clearly and conspicuously sets forth:

(1) the conditions under which a finance charge may be imposed, including the time period, if any, within which any credit extended may be repaid without incurring a finance charge;

(2) the method of determining the balance upon which a finance charge will be imposed;

(3) the method of determining the amount of the finance charge (including any minimum or fixed amount imposed as a finance charge), the percentage rate per period of the finance charge to be imposed, if any, and, in the case of an installment open-end credit plan, the equivalent annual percentage rate; and

(4) the conditions under which any other charges may be imposed, and the method by which they will be determined.

(L) No creditor shall state or otherwise represent in any advertisement:

(1) that a specified periodic credit amount or installment payment can be arranged, unless the creditor in the usual and ordinary course of business, is prepared to arrange credit payments or installments for the advertised period or amounts; or

(2) that specified downpayment is required, unless the creditor is prepared, in the usual and ordinary course of business, to accept downpayments in such amount.

(m) For purposes of Subsections (j), (k) and (L), catalogues and other multiple page advertisements shall be considered a single advertisement, provided that such catalogues and other multiple page advertisements clearly and conspicuously display a credit terms table from which the information required to be stated by Subsections (j), (k) and (L) may be determined by the consumer.

I believe the language of this section of the advertising provisions of my bill are self explanatory.

During the course of the House Consumer Affairs Subcommitee hearings it became clear that the Federal Reserve Board neither wanted, nor felt qualified to enforce a truth-in-credit advertising provision. The Federal Reserve felt that enforcement of such a provision was more within the sphere and expertise of the Federal Trade Commission.

FTC Chairman, Mr. Dixon, was closely questioned about his agency's ability to handle the enforcement of a truth-in-advertising provision. Mr. Dixon indicated to the committee that enforcement of truthful credit advertisement was within the sphere of the FTC, and he felt reasonably certain that his agency was equal to the task.

Accordingly, I have placed enforcement of truth-in-credit advertising in the hands of the Federal Trade Commission. We have carefully worked out language which will allow the FTC reasonable direction in this area.

At this point in the RECORD, Mr. Speaker, I would like to include the language of subsection (n) of my bill:

(n)(1) Any violation of the provisions of Subsections (j), (k), and (L) and (m) of this Act, whether "in interstate commerce" or "affecting interstate commerce," or of any regulations issued pursuant to this Act, shall constitute an unfair or deceptive act or practice in violation of section 5(a) of the Federal Trade Commission Act (15 U.S.C. 41 *et seq.*)

(2) The Federal Trade Commission is authorized and directed to prevent, any person from violating the provisions of subsections (j), (k), (L) and (m) of this section in the same manner, by the same means, and with the same powers and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act; and any such person violating said provisions of this Act shall be subject to the penalties and entitled to the privileges and immunities provided in said Federal Trade Commission Act, in the same manner, by the same means, and with the same powers and duties as though the applicable terms and provisions of the said Federal Trade Commission Act were incorporated into and made a part of this Act.

(3) For the purpose of enforcing the provisions of Subsections (j), (k) and (L) and (m) of this Act, the exceptions stated in section 5(a)(6) of the Federal Trade Commission Act (15 U.S.C. 45(2)(6)) shall not be applicable.

(4) The Federal Trade Commission is authorized and directed to make rules and regulations for the manner and form of disclosing the information required by Subsections (j), (k), (L) and (m) of this section as may be necessary and proper for administration and enforcement.

(5) Whenever the Federal Trade Commission has reason to believe that—

(A) Any person engaged in, or about to engage in, the dissemination, or the causing of the dissemination of any advertisement in violation of subsections (j), (k), (L) and (m) of this section, and that

(B) it would be to the public interest to enjoin such violation until complaint is issued by the Commission under the Federal Trade Commission Act and such complaint dismissed by the Commission or set aside by the Court in review, or until order to cease and desist made thereon by the Commission has become final within the meaning of the Federal Trade Commission Act, the Commission may bring suit in the district court of the United States or in the United States court of any Territory, for the district or Territory in which such person resides or transacts business, to enjoin the dissemination or the causing of the dissemination of such advertisement, and upon proper showing a temporary injunction or restraining order shall be granted without bond.

As I stated earlier, the most serious omission in the Senate bill is the absence of any language dealing with the advertising of credit. My bill tightens that loophole, and in a manner, which I believe, is both strong yet equitable.

ADD-ON TRANSACTIONS

One more point needs to be mentioned. Neither in the Senate version of truth in lending, nor in any of the subsequent House versions has the subject of add-on transactions been dealt with. And add-on transaction is simply a consumer adding the cost of a new purchase onto an already existing account, other than a revolving charge account. Now, although the add-on purchase does not change the credit terms of the original contract the language of all the truth-in-lending bills now before the House would require full disclosure every time an add-on purchase is made. This would be required even though the terms for the account do not change, and the consumer was made fully aware of the terms when the account was originally opened.

All the versions now before the House, however, recognize that full disclosure at certain times can be burdensome. As a result all versions of the bill postpone full disclosure of credit terms on mail and phone orders until on or before the payment is due. My bill would do precisely the same thing for add-on transactions to existing consumer sale accounts, other than open-end revolving accounts.

In this way a consumer, who already knows the terms of his account, would not be burdened with a lengthy disclosure at the time of an add-on transaction. My bill would require disclosure before the first payment. And, by the way, my bill also would require disclosure "before" the first payment of mail or telephone sales instead of the present Senate bill's "on or before" date of payment requirement.

STRONG AND EQUITABLE

Mr. Speaker, because much of the debate on truth-in-lending legislation has bogged down in an unfortunate and misunderstood area, I felt it necessary to put together in one package a bill that I believe meets the requirements put forward at the very beginning of this statement.

I believe my bill guarantees the consumer intelligent comparative information needed to make a reasonable decision on whether or not to enter into a particular transaction on credit. It also reflects, I believe, an understanding of the circumstances of the American businessman. Hopefully the bill represents a more reasonable balance between the shortcomings in S. 5 and some of the extreme measures which have been introduced in the House.

I have purposely neglected including in this statement long tables of consumer credit spending, and the other copious and detailed material that carefully and accurately points up the need for strong truth-in-lending legislation. The case for congressional action is well documented. The fact that the U.S. Senate unanimously adopted legislation in this area highlights what has become a national consensus.

The House of Representatives can and must constructively strengthen the work of the Senate. In that strengthening process I am hopeful the House will consider the approach I am offering today, and will finally adopt a strong, but equitable piece of legislation.

PRESIDENT JOHNSON PRAISED FOR SELECTION OF WALTER E. WASHINGTON

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Nix] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. NIX. Mr. Speaker, President Johnson is to be commended for nominating Walter E. Washington to be chief executive of our Nation's Capital.

The appointment is a farsighted one. Mr. Washington is a longtime resident of this city, familiar with its people and its problems. He is one of the Nation's foremost housing authorities in a city which cries out for more adequate living facilities. President Johnson again demonstrated his commitment to appoint qualified public servants to high Government positions regardless of race, and underscored his determination to bring greater progress to the Nation's Capital by reorganizing the District of Columbia government and naming a dynamic man to run city affairs.

There is good reason to believe that Walter Edward Washington will fulfill the President's mandate to make Washington, D.C. "a showcase and model for the Nation."

Under unanimous consent I include in the Record a series of editorials praising the President's appointment:

[From the Chicago (Ill.) Sun-Times, Sept. 9, 1967]

Progress in Nation's Capital

President Johnson's appointment of a Negro as new commissioner of the District of Columbia is a praiseworthy one and deserves the earliest possible Senate confirmation.

The nation's capital has a population that is 60 per cent Negro. It also has festering problems of bias and poverty that contrast sharply with the image presented by the American government itself.

The new commissioner, Walter E. Washington, is a recognized administrator and will be bolstered in his attack on the district's problems by the President's reorganization of the district government.

The previous three-member commission will be replaced by a nine-man council the President said must be "broadly representative" of the city. Since the census predictions for 1970 envision a population of 840,000 that will be 68 per cent Negro, it is likely there will be Negroes on the new council. The new commissioner, now chairman of the New York City Housing Authority, also will be assisted by a deputy experienced in urban planning.

The President's reorganization is the closest thing to home rule the District of Columbia can hope for now, and it still leaves the new commissioner accountable to the President, the Budget Bureau and Congress.

Nonetheless, the appointment paves the way for improvements in a city that needs them desperately. A capital that contains crime-ridden slums is a disgrace.

The appointment can't be confirmed until the councilmen are named. Then, however, the Senate should act in haste, and not allow such race-baiting as took place during discussions of the appointment of Thurgood Marshall to the Supreme Court.

[From the Baltimore (Md.) News-American, Sept. 10, 1967]

Mr. Washington

President Johnson's appointment of Walter E. Washington to be "mayor" in the streamlined new District of Columbia government, is singularly appropriate for several reasons. He is a Negro, and 61.2 percent of the District's residents are Negro. He is a leading expert on public housing and sub-standard dwellings occupied by Washington's poor are a blight on the nation's capital that must be corrected.

Mr. Washington, who is 51, has been serving as chairman of the huge New York City Housing Authority with more than 500,000 tenants in more than 500 projects. But prior to that, he was head of the National Capital

Housing Authority and thus knows the special problems of the District. As the District's new chief executive officer, with the title of commissioner, he will be in a better position to push through previously thwarted programs.

If confirmed by the Senate, Mr. Washington will preside over an administrative council of nine men also appointed by the President. This new commissioner-council form of government, approved by Congress last month, succeeds a system of three appointed commissioners in effect for 93 years. Unfortunately, residents of Washington, D.C., still cannot vote for their own city officials. But in Mr. Washington they have a man who can be depended on to represent their best interests.

Not the least appropriate factor in the appointment is the name of the designee. President Johnson has said he wants the new commissioner to make the District "a showcase and model for the nation." If Mr. Washington succeeds, he will be Mr. Washington in more ways than one.

[From the New York Post, Sept. 8, 1967]

MR. WASHINGTON OF WASHINGTON

President Johnson's designation of Walter E. Washington to be chief executive of Washington, D.C., is remarkable for much more than a coincidence of names.

The President's decision underscores his determination to make true home rule in the capital a reality. By temperament, training and long experience—with the National Capital Housing Authority and the city Housing Authority here—Washington is ideally fitted to be Washington's "mayor" under the historic, though limited, program of self-government for the District which is about to be set up.

How soon that system evolves into the real self-rule that District residents have so long been unfairly denied may depend largely on Washington's conception of and management of his important office. His energy, special imagination and capacity for innovation are promising omens.

That a President born in Texas should have chosen a Negro born in Georgia for this high post is another memorable aspect of the White House selection. By speeding Washington's confirmation, the Senate can make its own contribution to this notable event.

FORTY YEARS OF SERVICE

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. BOLAND. Mr. Speaker, 40 years—a long time and yet, really, not such a long time. Time enough to grow big, strong, vital and wise, yet far too short a time to become encrusted, staid, stale, and unimaginative.

Such, Mr. Speaker, is the milestone reached by one of the most distinguished educational institutions in the Commonwealth of Massachusetts—the College of Our Lady of the Elms in Chicopee. Commemorating shortly 40 years of outstanding service to the community, Our Lady of the Elms College has the experience and wisdom of age combined with the enthusiasm and imagination of youth to pursue peerlessly its aim of graduating women who have learned, in the words of Elms College President Msgr. Thomas F. Devine, "to speak convincingly, write gracefully, spend leisure time profitably, and assume responsibility easily."

Our Lady of the Elms College has been able to pursue and achieve these goals, Mr. Speaker, primarily because of its excellent faculty, because of such faculty members as Sisters Mary Cornelius and Helen Joseph of the Sisters of St. Joseph, original members of the Elms College teaching staff.

For those Members who are interested in reading more about this fine institution I insert in the RECORD at this point two articles which appeared in the September 1 edition of Springfield's Roman Catholic diocesean newspaper, the Catholic Observer, saluting Elms College on the approach of its 40th anniversary.

The articles referred to follow:

DIOCESE'S CATHOLIC COLLEGE FOR WOMEN IS 40 YEARS YOUNG

If life begins at 40, then the College of Our Lady of the Elms is on the threshold of a very exciting period in its history.

Chartered in February, 1928 by the Legislature of the State of Massachusetts, with the right to confer all degrees with the exception of medicine and law, the Elms became the first and only Catholic college for women in Western Massachusetts.

Originally established as an academy by the Sisters of St. Joseph, it developed into a two-year normal school in order to meet the demands for qualified teachers. When the four-year liberal arts college was founded in 1928, the academy and normal school were discontinued.

As soon as Bishop Thomas M. O'Leary announced plans for the college, all high school students who were planning to continue their education were encouraged to become members of the charter class. "Be a Charter Alumna of the Elms" became the slogan of the day.

To meet the staggering financial burden placed on the Sisters in the opening of their new institution, the two hundred parishes of the diocese as well as the more affluent parishioners were asked to lend their financial assistance in the way of scholarships and endowments.

Residents of the area were also asked to establish memorial funds in memory of deceased relatives or to further the cause of Catholic education by testamentary bequests.

The response was immediate and numbered among the first scholarships were those funded by Bishop O'Leary, John T. Connor of Brookline, and the Alumnae of Our Lady of the Elms Academy.

And so by September of 1928, many students had made formal application for admission. The entrance requirements were those established by the College Entrance Board. Tuition was $150, board and residence, $350. The campus was only 2½ miles from Springfield and easily accessible by bus or railroad.

John William Donohue was the architect of O'Leary Hall which housed the first students on the Chicopee campus. (At the present time the architectural beauty of the building is being restored, and it will provide dormitory space for 192 students when they return for the fall semester.)

From the very beginning, plans for the present administration building were on the drawing board. The collegiate Gothic structure was to house, as it does today, offices, classrooms, science laboratories, a fully equipped gymnasium, Veritas auditorium, beautifully wainscotted in chestnut and a spacious library with storied windows and a lightsome ceiling of groined Gustavino.

The art department, now located on the lower floor, completes the educational facilities.

The formal opening of the college on Oct. 3 was marked by the celebration of a pontifical Mass by Bishop O'Leary, the Elms' first president. He was assisted by Father Robert L. Ahearn, the then chancellor, who is now pastor of Our Lady of the Sacred Heart Parish, Springfield, and the late Father George S. L. Connor who was then rector of St. Michael's Cathedral. A cablegram from Pope Pius XI, in which he blessed the students and faculty, was read at the close of the ceremonies.

Four years later on June 13, 1932, 24 members of the charter class received their degrees from Bishop O'Leary who was assisted by the Reverend Mother John Berchmans, the superior of the Sisters of St. Joseph.

Through the years the College of Our Lady of the Elms has continued to educate women in the liberal arts tradition. Theology and philosophy are being integrated with secular learning in order to better prepare the student for her role in the post-conciliar world.

According to the catalogue, "the formation of Christ in the student's personal life is the ultimate aim of the college."

To assist the young woman in the achievement of this goal, there is a dialogue Mass daily, at which attendance is voluntary; weekly Benediction; and the annual three-day retreat. The priests and Sisters on the faculty are always available for spiritual counsel.

The College of Our Lady of the Elms is accredited by the New England Association of Colleges and Secondary Schools as well as by the Mass. State Department of Education, the State Department of Education of Connecticut and the Regents of the University of New York.

It also holds membership in the American Council on Education, the Association of American Colleges, the NEA and the NCEA, the National Commission on Accrediting, the American Chemical Association, the American Library Association, the American Historical Association and the American Association of University Women.

Outstanding Elms students are granted membership in Kappa Gamma Pi and Delta Epsilon Sigma, national Catholic honor societies; Who's Who Among Students in American Colleges and Universities and Sigma Tau Delta, a national honor society for students who concentrate in English.

The physical plant continues to grow. New buildings added in 1965 were a dormitory accommodating 175 students and a campus center with dining facilities for almost 700 students and faculty members, the Borgia Gallery, student council and alumnae offices, recreational areas, a book store and a post office.

A well-rounded program of social events is arranged for the students by various campus organizations. In addition, concerts, lectures and dramatic entertainment covering a wide range of performing arts are presented.

No college can prosper without the support of its alumnae. The Elms Alumnae Association has more than 2,000 members who belong to ten chapters in Massachusetts and surrounding states.

An annual giving program was recently organized by the graduates. Its purpose is to work closely with the college in its development program, major features of which are a new library, and increased scholarship aid.

As it approaches its 40th anniversary, the college, under the guidance of its president, Msgr. Thomas F. Devine, continues to build for tomorrow, steadfast in its purpose to graduate women who have learned "to speak convincingly, write gracefully, spend leisure time profitably and assume responsibility easily."

THESE TWO FACULTY MEMBERS "CAN REMEMBER WHEN"

"Sister Helen Joseph and I watched this building go up—brick-by-brick. Every night we came out and measured the work that had been done."

Sister Mary Cornelius was speaking of the Elms College administration building which was completed in 1931, three years after she and Sister Helen Joseph joined the faculty of the college. They have been faculty members as long as there has been an Elms College.

This year Sister Helen Joseph will retire after registering every class in the 40-year history of the Chicopee institution.

They came from both ends of the state—Sister Mary Cornelius from Lawrence, and Sister Helen Joseph from Lenox—to serve as administrators of the only Catholic women's college in Western Massachusetts.

Their academic careers are similar: both hold master's degrees from Fordham University and doctorates from Boston College. But Sister Helen Joseph did her undergraduate work at Smith College and Sister Mary Cornelius, at Boston University.

Their early years were somewhat different. "When I lived in Lenox," Sister Helen Joseph said, "I didn't know a single Sister. I had never been inside a Catholic school, but I became acquainted with some Sisters of St. Joseph from Hartford while I was studying at Smith."

Sister Mary Cornelius, on the other hand, had been educated by the Sisters of Notre Dame in the Boston archdiocese and had two aunts who were members of the St. Joseph order.

Since these pioneers arrived at the Elms more buildings have been added and more and more students have applied for admission. So far 150 girls have been accepted for this year's freshman class, (and there are still a few openings) while the charter class of 1932 numbered only 24.

"The first students spent every possible moment studying," Sister Helen Joseph noted, "but today with so many outside interests and extracurricular activities, it's a different story. Today's students reflect the times."

The admission requirements have also changed with the times. Sister continued: "We used to require four years of Latin and four years of Math, but so many students could not get the required courses, we had to modify the requirement."

Now a candidate must have completed only 2 years of math and 2 years of a foreign language (although 3 are preferred) in addition to other required units of secondary school work.

Both sisters hold a doctor's degree, which they say is much easier to attain now with all the financial aid that is available, and both have done post-doctoral work. As professor of French and Spanish and head of the modern language department, Sister Mary Cornelius has attended many language seminars at Western Reserve University in Cleveland, Ohio. Then in 1957, when she was appointed treasurer of the college, she attended the workshop for college and university office administrators at the University of Omaha.

Working with figures is second nature for Sister. "I love math," she said, "I could do it all night." And she probably does with all the problems which face college finance officials today.

Along with the normal work load, there are student-aid programs which must be worked out. The college participates in and contributes to the NDEA, the Work Study Program and the Educational Opportunity Grants program.

Sister Mary Cornelius takes pride in the students who have studied under her and gone on to successful careers as language teachers. The Sisters explained that "there was a time when, because of prejudice, it was very difficult for an Elms graduate to secure a position in the Springfield or Chicopee school systems. Now the college cannot fill the demand of school superintendents who almost wait in line for an Elms girl."

Former students of Sister Mary Cornelius are language teachers in many of the area schools, and several are on the faculties of the University of Connecticut, Worcester State College and Smith College.

The two nuns have served under four college presidents, Bishop O'Leary, Bishop Weldon, Sister Rose William and Monsignor Devine, who assumed the presidency in 1965. The Sisters were asked if there were any noticeable changes in the fields of concentration during these years.

"After the war," Sister Mary Cornelius explained, "there was a great stress on science. Then came a shift toward social work." The sociology department offers courses in social work and an 8-week training period with an agency in the area. Fifteen students, who have followed the sequence in the past two year, have either gone on for a master of science in social work or are working in local agencies.

Sister Mary Cornelius continued, "We have always had a strong math department, but English, history and languages continue to be the most popular fields of concentration, along with the required courses in teacher preparation."

Sister Helen Joseph is a professor of English—as well as the registrar. She has a special interest in Dante, which can be traced to a visit she once made to Florence. She happily reported that "there seems to be an increased interest in Latin and Greek, which are so valuable in the study of English."

While the Elms draws its students primarily from the Eastern United States, Sister Helen pointed out that "we have always had a student from Puerto Rico. When the college first opened, a bishop there knew Bishop O'Leary, and he was so pleased with the progress made by the first students whom he sent to us, that we have had at least one student from the islands every year since then."

The college has also welcomed students from Jamaica, Tanganyika, Guatemala, Thailand, Japan, China and the Philippines.

In their twilight years, Sister Helen and Sister Mary Cornelius are excited about the Elms' new library, which is now on the drawing board. When the time comes for construction, these two veterans will make excellent sidewalk superintendents.

HOW LONG, O CONGRESS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, for more than 1 year and a half I have attempted with might and main to draw the attention of my colleagues, the administration, and the Nation to the dire need of reconstructing the safeguards we had during World War II and the Korean conflict. Apparently, there is either an unawareness or indifference about this most disturbing matter of war profiteering.

I have said before, and I repeat now, that we do not hesitate a minute to conscript human beings, if they are eligible in time of national need, but we do not show the time alacrity when it comes to property.

All recent indicators of any significance bolster and confirm my contentions.

Prior to 1965 the rate of expenditures on prime contracts, the sum and substance of the jurisdiction of the Contract Renegotiation Board, had been going down. So had defense spending generally. In 1965 fiscal year this amounted to $27.9 billion. However, in fiscal 1966 it went up to $38.2 billion. But now in fiscal 1967 it was $44.6 billion.

This is the highest since World War II, exceeding the peak year of the Korean war. In the peak year of the Korean war, which was 1952, the amount was $43.6 billion.

Yet, the Congress has gutted the only watchdog: the Contracts Renegotiation Board. We do not have even the minimal protection we had during the Korean conflict. Now, mind you, this is only Department of Defense negotiated contracts—that is, noncompetitive. If you throw NASA in, a defense-oriented activity, you would have to add $4.6 billion. If anything, our history clearly and undeviatingly shows that profiteering coincides with the big jumps in procurement such as the figures I give show.

How long, O Congress, shall we strain at gnats and let the camel through?

SECRETARY WEAVER COMES TO HISTORIC SAN ANTONIO

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, last Friday, September 8, San Antonio was in gala mood, and received Secretary Robert C. Weaver in its traditional friendly manner. The Secretary immediately endeared himself to all and sundry by his charm, his efficiency, and his humane and down-to-earth personality. He viewed the most successful and the most extensive programs of urban renewal, housing, and related activities in their most delightful context: where local, public, and private resources, with the help of the Federal programs which Congress in its wisdom has adopted, have made it possible to literally change the face of a city—for the good.

Under unanimous consent I include in the Record at this point the Secretary's speech delivered that night at the La Villita Assembly Hall:

Remarks of Robert C. Weaver, Secretary, Department of Housing and Urban Development, at a Testimonial to Hon. Henry B. Gonzalez, San Antonio, Tex., September 8, 1967

With such innovative approaches as Model Cities and rent supplements, in addition to many time-tested urban programs, we have the necessary legislation to make a good start in solving the most urgent housing and urban problems.

We will never stop needing new programs, of course—on the Federal, the State, and the local level. We will be ready with new ones next year, and the year after, as they are needed.

But meanwhile I am tired of listening to the doubters, particularly those of the opposition party who criticize without valid alternatives. Some of the best new programs we have ever developed are barely off the drawing board, and have not been used properly bacause of the obstrustionist tactics of these men. If they really want to help the poor who need more housing and the cities which need more assistance, let them stop the hypocritical habit of calling for new proposals in the newspapers one day, while they vote down the money to get good programs underway on the day after.

Congressman Gonzalez has been a member of the Housing Subcommittee which brought to life great housing and urban legislation. He is one of the Congressmen who work hard for both the Nation and their own constituencies. The programs he has worked for mark him as a political man of great humanity and lofty goals.

Most of the speeches I make each year—and there are a good many of them—are to groups with a special interest in housing and urban affairs. This is as it should be. That is my constituency.

When I began to think about what I should say here tonight, it quickly became apparent that I should keep talking about housing and cities. San Antonio is not only an historic place in American history, but a large city in a growing metropolitan area. As such it has places of beauty—more than the average city, I believe, with its beautiful riverfront development. It has good homes and beautiful suburbs. It has an active and dedicated citizenry and good civic leadership.

But it is also growing, and is suffering growing pains. It has its slums and its blighted commercial districts. As you all know, it has a water problem.

Just this afternoon, Congressman Gonzalez and I announced a Federal grant to help alleviate that water problem—but more about that in a moment.

As a metropolitan constituency, you are obviously interested in housing and urban affairs.

But you have a special interest in meeting here tonight. I suspect that by this time you are pretty aware what it is. You are here, as I am here, as friends and supporters of a great Congressman—Henry B. Gonzalez.

Happily for us all—and certainly in a very special way for me—our two interests are mutually supporting. Congressman Gonzalez is an influential and hard-working member of the House Committee most important to our great American cities—the Banking and Currency Committee. He is on a subcommittee of essential interest to all of us who live and work in cities—the Housing Subcommittee.

And it is that Housing Subcommittee which has in the last two sessions of Congress brought to life more good legislation for our urban and suburban people than any in history.

As a member of that Subcommittee, Henry B. Gonzalez has helped make housing history.

We must see that Congressman Gonzalez goes back to Washington. San Antonio needs him, and the Nation needs him.

I do not say these things lightly, nor are they said only for consumption at a testimonial dinner. They are facts. They are on the record. They speak more loudly than words alone.

In 1965, the 89th Congress passed a major bill for all Americans in the Housing and Urban Development Act.

Under this bill, there were these major accomplishments:

The Rent Supplemental Program, which enlists private enterprise to help low-income families afford decent private housing. Under this program we have approved $32 million in rent supplement allocations involving some 33,000 rental units. Congressman Gonzalez voted for it.

Grants to build multi-service neighborhood centers in slum areas. We have approved 95 projects at $20 million. Congressman Gonzalez voted for it.

Grants for code enforcement in deteriorated areas. Fifty-one communities have these grants for a total of nearly $59 million. Congressman Gonzalez voted for it.

Grants to help communities install desperately-needed water and sewer facilities. There have been almost 400 grant reservations totaling nearly $200 million in this program. The latest grant was that announced for San Antonio this morning. This will give this city and seven neighboring communities $1,220,500 to improve and expand the water system here. It is based on a study conducted by the San Antonio Water Board projecting water needs for the area through 1990. This is a partnership between Federal and local government, and $1,590,500 of local money will go into this project.

Congressman Gonzalez not only voted for that program, but worked long and hard to bring this grant to his city and its metropolitan area.

This is effective political action, not only at the national but at the local level.

In that year, we also got legislation establishing the Department of Housing and Urban Development. This gave our millions of urban people a voice at the Cabinet level for the first time. Congressman Gonzalez voted for it.

In the second session of that Congress, our Nation got mortgage insurance to develop entirely new communities, and an incentive program to stimulate orderly planning and development of metropolitan regions. It got what may turn out to be the most important single program in urban history—the Model Cities Program to provide the nation's first coordinated and comprehensive effort to rebuild entire slum neighborhoods by concentrating on both human and physical problems. Congressman Gonzalez helped work out these programs and voted for them all.

It is not only in innovative new programs that Congressman Gonzalez has supported his nation and his constituency well, however.

He has supported the funding of the urban renewal program. And in the last three years alone, over 100 new communities have begun urban renewal projects with grants of more than $2 billion. San Antonio has six urban renewal projects going, with over $30 million in Federal funds.

He voted to support college housing loans, and San Antonio has built more than 2,000 units of college housing with over $10 million in Federal loans.

He voted for funds to bring housing to our older citizens and to those at the bottom of the economic scale. In the last three years more than 700 new communities have undertaken low rent public housing in this nation, and some 80,000 units of elderly housing have been built under three different programs. San Antonio has 5,554 units of low rent housing including special housing for the elderly, at a total development cost of over $44 million. As you well know, our nationally-famous Public Housing Commissioner, Marie McGuire, came from here and the Congressman himself has worked in the Public Housing field. Mrs. McGuire has now taken on special responsibilities in the field of programs for our older citizens for the Department.

I could not complete this brief list of accomplishments without mentioning the HemisFair. Congressman Gonzalez conceived the "Fair of the Americas" when he was first elected in 1961, and was instrumental in getting a bill passed calling for Federal participation in the HemisFair and authorizing the United States Mint to strike a medal commemorating it and the founding of the City of San Antonio.

I could go on and on listing housing and urban programs, and San Antonio projects. But I believe the point is made. There are Congressmen who work hard for their own constituencies, and that is as it should be. There are those who work hard for the Nation, and that is as it must be.

But the best Congressmen are those who work hard for both the Nation and their constituencies, and those are the greatest of all. There are never enough of them and there never will be. But you have one in Congressman Gonzalez, and I suggest you keep him on board for the good of all of us.

Now let me speak for a moment on matters of national interest which have been on the front pages during the past few months and which will continue to be there in the months to come.

As you all know, the President is urging a 10 percent surtax this year, and it is now being debated in the Congress. The President has presented his case with persuasive logic. As he said: "The Nation's unfinished agenda here at home must be pursued. The poor must be lifted from the prisons of poverty, cities must be made safe and livable, sick and undernourished bodies must be restored, our air and water must be kept clean, and every hour of our future must see new opportunities unfold."

He has made the point that we must meet our commitments to our armed forces in Vietnam.

But for those particularly interested in housing, let me add this:

The net effect of this surtax should help increase the flow of capital to mortgage investment. This increase in taxes, coupled with Administration cuts in spending, will reduce Federal borrowing, which drains off mortgage funds. It should also lessen borrowing by other sectors of the economy, which traditionally tend to channel funds away from mortgage investment.

So I think it has special value to those who are interested in housing finance, and in putting a spur to the lagging housing market. I would certainly urge your support of the surtax for all these reasons.

Another issue of paramount importance is that of rioting in the streets, and those continuing problems that continue to nag our minority groups—whether they be old, or poor, or different in skin color or different in ethnic origin.

We cannot permit rioting, nor lawlessness, nor crime of any kind in our city streets or in our rural areas. This goes without saying.

But—and we all know this well here—neither can we permit inequities in our society to continue. The American citizen today wants education for his children, reeducation if necessary for himself, care for the elderly, safe communities for his family, an equal chance at all the vast benefits this great and rich society has to offer.

Many of you, of Mexican-American heritage, as is Congressman Gonzalez, know what I mean. There is a problem here, of difficulty in language, of difference in a proud and ancient culture, of economic discrimination.

These are problems common to other minority groups in this Nation.

Congressman Gonzalez has throughout a long and distinguished career worked to end such discrimination at every level. As a city councilman he worked for a city ordinance banning racial discrimination in public facilities. As a State Senator, he helped beat a number of segregation bills. As your Congressman, he has worked and voted for effective national civil rights legislation.

And he has helped immeasurably in bringing the unique problems of Mexican-American citizens to the attention of our national institutions. As a result, the President in June of this year created a special interagency committee on Mexican-American Affairs to bring more Mexican-Americans into the Federal Government, and to help develop programs which would be particularly valuable to those in low-income levels.

This committee includes the Secretaries of Labor, Agriculture, Health Education and Welfare—and it includes me. It also includes the Director of the Office of Economic Opportunity.

Each of our Departments and agencies has established a special task force within his own agency to push this program. My own task force has been selected and is meeting regularly. In addition, my Department has established special liaison people in those regions where there are large concentrations of Mexican-Americans. They are in our Fort Worth and San Francisco offices, and we expect action from these groups and these people.

Not only will we be able to alleviate unemployment through these actions, but we can expect that as Mexican-Americans move into positions of responsibility, they will be able through their special knowledge to develop better and more effective programs for their people and for all people.

Incidentally, this Presidential Committee is scheduled to meet in San Antonio in November. So you will be hearing more about us.

This is a specialized effort for a certain group. But great programs for all our needy people—no matter their color or creed—are already in the Federal arsenal.

What we must remember about these programs is that they cut across ethnic and color and social lines. They are not tailored to any one minority group—but to all the needy, wherever they may be, and whatever their needs may be.

I mean such things as the great education programs, Medicare, the poverty programs, social security increases, minimum wage legislation—the mass of programs brought to life under a great President and a great Congress.

Speaking for my own programs, alone, we have now on the books enough good new legislation to begin solving most of our major urban and housing problems right now.

In the Model Cities Program, for example, we believe we have the necessary legislation to tackle the most urgent and knotty problems of our urban ghettoes. This program will for the first time allow us to concentrate on both the needs of people and the physical problems of their environment at the same time. We will not only build housing, but rebuild human lives through education and job training, and health and social programs. I am happy to say that Congressman Gonzalez voted for the necessary funds to get that vital program underway—even though it had problems in the House of Representatives. The Senate has, happily, restored most of the funds we needed for that program, and we have confidence the House will go along with the Senate when the opportunity arises again.

The same thing happened with the badly-needed rent supplement program. In the House, in spite of the hard work of men such as Congressman Gonzalez, funds for expanding this program were cut out completely. The Senate has restored this money and we hope the powers of good will prevail in the House.

We will never stop needing new programs, on the Federal, the State, and the local level, as our nation grows and develops and new problems emerge.

But I am tired of listening to the doubters, particularly those of the opposition party who criticize without offering valid and helpful programs of their own. Some of the best new programs we have ever developed are barely off the drawing board, and have not gone into action because of the obstructionist tactics of these men.

I say let us get on with the good programs. We will be ready with new ones next year, and the year after, as they are needed.

And let me remind those in the opposition that our poor need more housing, our cities need more assistance, and the urgency of these needs is clear and unequivocal. If they are really for our people, then they will stop the hypocritical habit of calling for new urban and housing proposals in the newspapers one day, while they vote down the money to get our good programs underway on the day after.

Let us never forget that our concerns must always be for constructive programs that cross all party and color and ethnic lines, for what will eventually be a better life for all Americans. These are traditional political virtues. They are not yesterday's virtues. They are not old fashioned. They do not change with the winds of fashion or periods of political expediency.

These are the things Congressman Gonzalez has worked for. They are the mark of a political man of great humanity and lofty goals. This is what we seek in our political leaders, and this is what you have in the Congressman who represents the twentieth district of Texas. Good luck to Congressman Gonzalez, and good luck to all of us.

RIOT PREVENTERS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the San Antonio Light recently published an article reporting on a study of the activities of antipoverty workers in connection with the riots which plagued many of our Nation's cities this summer. I was very pleased to note that in the cities studied not one police chief or mayor said OEO heightened tensions. On the contrary, in 15 cities local community action agencies calmed down potentially riot-causing situations. I would particularly like to bring to the attention of my colleagues the words of Wichita, Kans., Police Chief Eugene Pond, after his officers had arrested three antipoverty workers during a riot early in August. The chief said:

> I see no reason to condemn an organization because of one or two individuals. That doesn't make the program bad. I would prefer to look at the side of the many who tried to help us.

Mr. Speaker, I only wish this body would echo the same sentiments as we prepare to debate the OEO legislation. Rather than searching for isolated incidents of human failure in the program we should acknowledge the efforts and achievements of the Office of Economic Opportunity. We should speedily pass this bill so that the OEO may be about its work of helping the poor to become part of our great American society. In the event that some of my colleagues may not be familiar with the results of this study I insert it in the RECORD:

OEO REPLIES TO RIOT CLAIMS

WASHINGTON.—The Office of Economic Opportunity, striking back at charges that antipoverty workers helped start some of the city riots, said today its own investigation showed that OEO summer programs in 32 cities were vital in preventing disorders.

"Not one police chief or mayor said OEO heightened tensions," the agency said in a summary of its findings. "On the contrary, most mayors and police officials felt OEO summer programs had helped to prevent violence in their communities."

Witnesses told congressional committees last month that antipoverty workers paid by federal funds either instigated some riots or participated in them. OEO is particularly sensitive to such charges because legislation to continue its operations in fiscal 1968 are pending in the Senate and the House.

EARLIER SURVEY

OEO made an earlier survey of 32 cities that had riots and reported that 16 out of the 30,411 paid poverty workers in those cities were arrested during the riots, but that none has yet been convicted. It also said 48 "participants," such as enrollees in the Neighborhood Youth Corps or Job Corps, had been arrested.

Then the agency turned its attention to 32 cities with "substantial" OEO Community Action Programs that had escaped violence. It sent 30 "inspectors" to interview local officials from Aug. 7–18. The inspectors were drawn from regular summer workers hired each year by OEO for June through August jobs. The agency said 19 of the inspectors were second year law students.

An OEO spokesman said the cities "were chosen to represent a broad distribution: Geographical, political and social. All the cities studied had significant minority population."

The OEO said its inspectors found:

In 15 cities, local community action agencies calmed down bad situations in specific instances.

SPECIAL GROUPS

In 13 cities, special groups were formed to patrol troubled areas and serve as communication posts between the police and the slum areas.

In 14 cities, municipal police departments and community action agencies had joint programs to prevent riots.

In 8 cities, the juvenile arrest rate went down this summer, and there is good evidence this was caused by more summer jobs.

In addition to the 32 cities without riots, the inspectors traveled to 11 cities that had disturbances. They quoted some of the officials in those cities as follows:

Providence, R.I., Mayor Joseph A. Doorley: "As far as I'm concerned, if it wasn't for the poverty workers there is no telling how bad the situation might have been."

Hartford, Conn., Mayor George B. Krusellu: "With regard to the Economic Opportunity Act and the Community Action Program . . . it is our feeling, and here I speak for the members of my Council as well, that without the existing program and efforts being made, our city could well have seen much more in the way of problems."

NOT CONDEMNED

Wichita, Kans., Police Chief Eugene Pond, whose officers arrested three antipoverty workers during a riot early in August: "I see no reason to condemn an organization because of one or two individuals. That doesn't make the program bad. I would prefer to look at the side of the many who tried to help us."

The 32 cities covered in the report that had no riots were listed by OEO as: Elizabeth, N.J.; New Rochelle, N.Y.; Monmouth County, N.Y.; Charlotte, N.C; Chester, Pa; Louisville, Ky; Pittsburgh; Winston-Salem, N.C.; Chattanooga, Tenn.; Miami, Fla.; Memphis, Tenn.; Jacksonville, Fla.; Cleveland; Columbus, Ohio; East St. Louis, Ill.; Evansville, Ind.; Lake County, Ind.; Baton Rouge, La.; Dallas, Tex.; Oklahoma City; New Orleans; Little Rock, Ark.; Tulsa, Okla.; San Antonio, Tex.; Corpus Christi, Tex.; Denver; Kansas City, Mo.; St. Louis; Los Angeles; Oakland, Calif.; Seattle and San Francisco.

The 11 cities that were visited where OEO said there had been disturbances were Hartford, Conn.; New Haven, Conn.; Providence, R.I.; Dayton, Ohio; Toledo, Ohio; Youngstown, Ohio; Omaha; Wichita, Kans.; Portland, Oreg.; Lansing, Mich.; and Atlanta.

ADC AND THE SOCIAL SECURITY BILL

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentlewoman from Michigan [Mrs. GRIFFITHS] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, the suggestion by HEW or by any welfare department in this country or by any person in the other body that the social security bill as passed by the House be changed in the Senate shocks me. I am pleased to place in the Record a letter from a constituent of mine addressed to Senator Griffin urging support of the provisions of the House bill regarding ADC. Mrs. Olgeirsson, as you can see from her letter, is well qualified to speak.

The letter follows:

August 22, 1967.

My Dear Senator Griffin: I am employed as head of the Division of the Recorder's Court of the City of Detroit which collects family support on a voluntary basis from separated husbands and fathers. Our Division is the counterpart of the Friend of the Court and our jurisdiction ends if a divorce is secured in the State of Michigan. I have been employed at Recorder's Court for nearly 13-years and during this period of time I have seen many changes which have caused me growing concern with regard to the underlying philosophy of the program we call "ADC."

I probably would never have been prompted to write this letter to you except for the coincidence, if it is that, of our recent horrible Detroit riots and the introduction and passage in the House of the bill adding 12½% to Social Security. This bill as I understand it and as it was reported in the Detroit News on 8/18/67, aims at correcting some of the ills inherent in the ADC program and the Detroit News reports: "There were indications today that Senate Finance Committee Members would be receptive to a request from John W. Gardner, Secretary of Health, Education, and Welfare Department that the welfare restrictions be eased or dropped entirely from the bill."

I am writing to you in the hope that I can enlist your support in an effort to see that the ADC program receives a careful inspection and overhaul with the aim of seeing that funds administered through the program in future do a maximum of good and a minimum of damage. As the program is currently being administered, it is my belief (and this is one shared by many in a position to know) that in many, many instances ADC is causing a very real destruction of the family unit and especially the Negro family unit. May I point out a few of the things which cause me to make this statement:

1. When ADC was "born", I'm sure you know, it came into existence to replace our old Mother's Pension plan with the idea of making it possible for a widowed mother to remain with her children at least until they were of school age. Gradually more and more cases of divorced or separated and unwed mothers became grantees. When I started in my present employment, a mother, who had a living husband, to be eligible for ADC had to have had an estranged separation from her husband for a period of at least one year. This period has now been reduced to three months. This reduction of time for the period required to become eligible has not only encouraged an attitude on the part of women that they need not make any concessions in trying to work out marital differences; that they need not, in short "take anything" from their husbands, but it has also made it ridiculously easy for a couple to participate in what we call a "separation of convenience" which carries a tinge of fraud and collusion if they have over-extended themselves with easy credit. By maintaining an outward appearance of a separation a couple can supplement their income with an ADC grant. Cases of this type often come to our attention, but prosecutions on the basis of fraud are few as they defy proof with the many restrictions currently placed on ADC in its investigating methods.

2. Ten years ago ADC had what was termed a "suitability clause" which covered many things. As an illustration, if an ADC mother conceived a child while receiving a grant, her case was closed at least on a temporary basis and she had to resort to the regular welfare channels which still provided support but at a subsistence level. This is no longer true. In fact, at the present time her grant is only discontinued (if then) if she conceives a child by her own husband or by some other man by whom she had had a previous child in such sequence that it can be described as being a "continuing relationship". Under present interpretation (in Michigan at least) of policy set forth by H.E. & W., a woman may remain eligible for an ADC grant if she has a child every year as long as it is by a *different* man, and although she is in many cases a married woman, the father of her child may live in her home—as long as he is not her husband—for a period of three months if the couple can show any intention of securing a divorce from the present husband and marrying. I have even known of one such situation where an ADC worker referred such couple for "marriage counseling". The idea of ADC placing its apparent blessing on cases of this type seems to come pretty close to subsidizing blatantly immoral relationships, to say nothing of making a contribution to the destruction of a sound family unit.

3. Until January, 1967, ADC contributed what was termed a "maximum grant" and in some instances this amount did not meet what they calculated to be the needs of the family group. As one of the few remaining requirements of eligibility for an ADC grant, a woman must make an effort to prosecute an available husband and/or father for support. Up until January, if the maximum grant was less than the needs of the family, the contribution made by the man supplemented the ADC grant until the "needs" figure was met. As a result, if a woman made the necessary effort to force a reluctant father to pay child support, the amount she received in her ADC checks increased when her efforts met with success and support was, as a result, collected. Such is no longer the case. Each woman receives the total amount of her needs regardless of whether the responsible male parent makes any contribution at all or not. Cases are known to our Division where the husband and father has earned as much as $8,000.00 to $10,000.00 per year and his wife and children have been supported by ADC through negligence on the part of a woman to take the necessary steps to enforce support.

4. While in many instances it is unquestionably desirable for a mother to remain at home with her children rather than going out to work, especially when her job skills and earning abilities are limited, almost no pressure is exerted on women to seek gainful employment. At the time the youngest child (sometimes there is only one child involved) reaches age twelve, if a "child care" plan is available to the mother, she is asked to seek employment. But the definition of "child care plan" is pretty narrow. If for example, the child's maternal grandmother lives in the same building, but not in the same rental unit, this does not constitute an acceptable child care plan and the mother is not expected to look for work outside her home.

Yours very sincerely,
(Mrs.) Viola Olgeirsson.

INDEPENDENCE DAY OF OUR SISTER STATES

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. de la Garza] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. de la GARZA. Mr. Speaker, I take this moment of your time, very respectfully, to pay honor to and present my personal respects and best wishes to the governments and to the people of our sister states of Mexico, Guatemala, Honduras, El Salvador, Nicaragua, and Costa Rica, all of which celebrate tomorrow, September 15, their independence day, except Mexico who celebrates it September 16.

To a nation and to a people who love liberty and who honor the dignity of the individual, there can be no greater day than the one when they become an independent nation, regardless of their prior association or how they secured their independence, whether by agreement, or revolution when that was the only method available to fulfill their desires.

These countries and their people are our friends, Mr. Speaker; they are our neighbors; indeed they are our partners in the struggle against the evils which befall the world, both politically and materially—they, like we, fight poverty, disease, lack of education, foreign ideologies which would destroy the liberty of the individual—each in its own way, each under its own laws, each under its own precedents, but of one thing we can be certain, each one fights. This is very important for us to understand, Mr. Speaker, each one fights. They do not have the material resources which we have, but they do have one resource which we all share; it is that which is the greatest resource that any country can have, a valiant people, who love their country and who will fight for the dignity and integrity of their nation. For this above all, I pay my respects to them here today.

All of these countries, further, Mr. Speaker, are privileged to have very able and distinguished ambassadors to this country—men who represent their country with honor and dignity; men who have the rectitude necessary to protect its interests and yet maintain a high degree of diplomacy so as to gain their country friends. This is no small task—and yet each one, I can personally attest to, possesses in great abundance these admirable and much envied qualifications.

Therefore, Mr. Speaker, with all due respect I salute the people of Mexico, Guatemala, Honduras, El Salvador, Nicaragua, and Costa Rica on their day of independence, and I would very respectfully ask their Ambassadors here to convey these humble but very sincere words to their Governments and their people.

SUEZ CANAL NATIONALIZATION: IMPACT AT PANAMA

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Rarick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. RARICK. Mr. Speaker, when studying the isthmian question one is impressed not only by the magnitude of the subject but also by the many new angles encountered. One of these is the interaction of the two interoceanic canals: Suez and Panama.

In 1956, after the withdrawal of British forces from the Suez Canal, Egypt startled the world by the expropriation of that key waterway. Though Secretary of State Dulles supported the right of Egypt to do this, he emphasized in published statements that the juridical structure of the Panama Canal was different and that the latter canal is not subject to nationalization by Panama. Experienced officers of our Armed Forces were more perceptive and clearly foresaw that our action at Suez would eventually complicate the position of the United States at Panama. This situation has now come to pass with the negotiation of three proposed treaties with Panama, which by surrendering U.S. sovereignty over the Canal Zone constitutes one of the most ignominious chapters of American diplomatic history.

For those seeking fuller information on the canal question, I would invite attention to a volume of addresses by Representative D. J. Flood on "Isthmian Canal Policy Questions"—House Docket No. 474, 89th Congress—a learned paper by Dr. Donald M. Dozer of the University of California, Santa Barbara, on "The Interoceanic Canal Problem in the Americas," quoted by me in the Record of June 5, 1967; and a comprehensive series of addresses on various aspects of the canal question by Senator Strom Thurmond starting on July 10, 1967, and published in the Congressional Record.

A recent newsstory by Edgar Ansel Mowrer, one of the Nation's ablest writers, published in a recent issue of Human Events emphasizes the impact of the expropriation of the Suez Canal on the situation at Panama and calls for action by the House on pending resolutions opposing any relinquishment of U.S. sovereignty over the Canal Zone and Panama Canal.

The indicated newsstory and the text of House Concurrent Resolution 390 introduced by me and which is identical with the one mentioned in the article follow:

[From Human Events, Sept. 16, 1967]

SUEZ CANAL CONCESSIONS LED TO PANAMA TREATIES

(By Edgar Ansel Mowrer)

Few Americans may see any immediate connection between the deliberate blocking of the Suez Canal by Egypt's little Hitler and the United States-Panama treaty concerning the Panama Canal. But it is there, all right.

For except for pressure by the United States in concert with the Soviet Union in 1956, it is doubtful if Egypt would be in a position to block "its" canal today.

At that time Secretary Dulles upheld Egypt's right to nationalize the canal through its territory on the ground of eminent domain, regardless of the fact that Egypt had signed an international treaty leaving the canal in the hands of the Suez Co. for several years more. Britain and France argued that under international law, treaties between states supersede domestic law.

But it did them no good. Nasser seized the Suez Canal. Anti-colonialists applauded Secretary Dulles.

But not this writer. In fact, in November 1956, in the course of a warm argument with Sen. Bill Knowland, then Republican majority leader, I predicted that our support of Nasser's seizure of the Suez Canal would in a not-too-distant future cost the United States possession of the Panama Canal.

Now, in accepting three treaties with Panama concerning the canal, President Johnson has taken his first step towards what I feared.

Under the first treaty the United States would surrender all rights, sovereignty and property in a canal zone 10 miles wide and 50 miles long. The canal, its traffic and $5 billion of U.S. military and civilian investment would thenceforth be administered by a joint administration of four Panamanians and five Americans, but subject to the laws and taxes of Panama. The U.S. would relinquish its present sovereignty in perpetuity over the Canal Zone and on Dec. 31, 1999, turn the whole thing over to Panama.

The second Johnson treaty provides for sharing the defense of the canal: "one horse, one rabbit." But U.S. military bases will be under Panamanian sovereignty.

The third treaty will authorize the United States to build a second sea level canal across Panama after buying the land and paying indemnity for abandoning the present lock canal.

Many decent Americans see no harm in such relinquishment of something which the United States, under President Theodore Roosevelt, acquired by force. Under the new treaties we should, they believe, be making amends for TR's "imperialism."

Others believe, as President Truman did and perhaps still does, that all important international waterways—Panama, Suez, the Dardanelles, the Oresund between Sweden and Denmark—should be internationalized under the United Nations administration.

This might be feasible but for two adverse circumstances; the degeneracy of the U.N. under combined Communist sabotage and too many irresponsible new members; and Washington's failure to intervene to prevent Castro from creating a formidable Communist military and subvention base in the Caribbean. Among the targets of his Russian masters are control of Puerto Rico, the U.S. naval base at Guantanamo and the Panama Canal.

These facts compel me to oppose Senate ratification of the Johnson treaties with Panama, at least until communism disappears from our back yard. Therefore I support House Concurrent Resolution 391 now being considered by the Committee on Foreign Affairs, which condemns any present relinquishment of sovereign rights and jurisdiction over the Panama Canal. If accepted by the Senate, this resolution would serve notice on the President of its refusal to ratify his treaties.

Perhaps, however, this will not be necessary. Emboldened by their success in getting so much from the United States, Panamanian Reds, pinks and nationalists are now urging their government to repudiate the Johnson treaties and demand immediate control of the canal and the departure of Americans—"everything and right away," as the girl said when asked what she wanted.

Should this occur, we shall have achieved at least a breathing spell during which, if we have the will, we may put a spoke in Castro's wheel. At which point we can safely discuss the canal issue again.

H. CON. RES. 390

Whereas it is the policy of the Congress and the desire of the people of the United States that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; and

Whereas under the Hay-Pauncefote Treaty of 1901 between Great Britain and the United States, the United States adopted the principles of the Convention of Constantinople of 1888 as the rules for the operation, regulation, and management of said canal; and

Whereas by the terms of the Hay-Bunau-Varilla Treaty of 1903, between the Republic of Panama and the United States, the perpetuity of use, occupation, control, construction, maintenance, operation, sanitation, and protection for said canal was granted to the United States; and

Whereas the United States has paid the Republic of Panama almost $50,000,000 in the form of a gratuity; and

Whereas the United States has made an aggregate investment in said canal in an amount of over $4,889,000,000; and

Whereas said investment or any part thereof could never be recovered in the event of Panamanian seizure or United States abandonment; and

Whereas 70 per centum of the Canal Zone traffic either originates or terminates in United States ports; and

Whereas said canal is of vital strategic importance and imperative to the hemispheric defense and to the security of the United States; and

Whereas a treaty has been proposed between the United States and the Republic of Panama which in effect would greatly impair if not all but eliminate the known and admitted sovereign rights of the United States in said canal; and

Whereas under said proposed treaty, said canal becomes the property of a non-American Government authority; and

Whereas the Suez Canal has been closed twice in the past ten years, subject to the discretion of the Egyptian Government, and that the most recent closing, this June 1967, has meant a very substantial increase in United States shipping costs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the Government of the United States maintain and protect its sovereign rights and jurisdiction over said canal and that the United States Government in no way forfeit, cede, negotiate, or transfer any of these sovereign rights or jurisdiction to any other sovereign nation or international organization.

RHODESIA: A PRACTICAL SOLUTION

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Rarick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. RARICK. Mr. Speaker, earlier in the present session, I inserted in the Congressional Record two notable papers by Col. Robert Gayre, world-famous authority on ethnogenetics and anthropology, who is now editor of the Mankind Quarterly, an international quarterly scientific journal dealing with race and inheritance. The first paper, originally delivered by Dr. Gayre on November 7, 1966, before the Cosmos Club of Washington, D.C., was published in the RECORD of May 15, 1967, under the title of "Southern Africa and World Strategy"; the second, published in the April–June 1966 issue of the Mankind Quarterly, was reprinted in the RECORD of June 6, 1967, under the title of "The Dilemma of Interracial Relations."

Dr. Gayre subsequently prepared another paper reflecting a vast knowledge gained by travel and observation as well as by study that was featured in the February 1967 issue of Rhodesia and World Report of Salisbury, Rhodesia, as a program for that country based upon science and reality.

This paper is accompanied by the following biographical sketch of its author:

Dr. Robert Gayre is one of the foremost authorities on ethnogenetics and anthropology. He is presently Editor of *The Mankind Quarterly* and was formerly Educational Adviser, Allied Military Government of Italy; Director of Education, Allied Control Commission for Italy; Chief of Education and Religious Affairs, German Planning Unit, Supreme H.Q., Allied Expenditionary Force; Professor of Anthropology and Head of the Post-Graduate Department of Anthropo-Geography, University of Saugor, India; and Member of the Committee for Tribal Education and Welfare, India. He is also an acknowledged authority on Heraldry.

Dr. Gayre has been both interested and active in the Rhodesian crisis since its beginning and has paid several visits to Rhodesia; he is expected here again in April this year and will address meetings of Candour League.

Mr. Speaker, as most current writings on Rhodesia and South Africa are by egalitarian Socialists whose idealism has surpassed their judgment, uninformed do-gooders, or ruthless Marxist revolutionaries, the people of our country have been denied information of vital importance. Thus, the latest paper by Dr. Gayre is a most refreshing contribution to scientific literature dealing with a gravely important subject.

The indicated paper follows:

RHODESIA: A PRACTICAL SOLUTION

(By Lieutenant Colonel Gayre)

The weakness of the Rhodesian situation is the conception of the State as a multiracial one. There is no example of a multiracial State, where the distinct unmixed major racial groupings are at appreciably different levels of cultural development and technological growth, being a success and surviving without the domination of one of the races over the others. The concept of multi-racialism is based on an inherent fallacy. This is that all men are potentially alike and equal, and by processes of education can be made equal in ability. This is the heresy of Lamarckism, long ago abandoned by all serious scientists in the field of living things, but still accepted without question by all manner of politicians, sociologists, and educationalists, as a consequence of which error upon error has been piled upon the already grievous problems with which man has to grapple.

The only country which has seriously tried to align its policies in accordance with the actual facts of ethnogenetics has been South Africa, and the result of this is that a conspicuously marked success is already beginning to be perceived, often by those who were formerly very critical of the policy of separate development.

As I have shown in my paper on *The Dilemma of Inter-racial Relations* (*The Mankind Quarterly*, Vol. VI, No. 4, April-June 1966), the multi-racial concept is wholly unjust to the more backward and weaker stock which ends up by becoming a helot class to the more dominant one. Consequently, on moral grounds alone multi-racialism cannot be justified. Where, as in countries north of the Zambesi, the power has been arbitrarily taken away from the dominant stock, on the basis of universal suffrage, it has been equally unjust, and disastrous in most cases, and may yet be in all, when time has been allowed for the results of these actions to become fully known. It has meant a deprivation of fundamental rights, and freedoms within which to work and prosper, ending, in all too many cases, in a voluntary migration of a large part of the Europeans who have built the civilisation of those countries to escape what have become intolerable conditions.

Yet, despite all this, we find that Rhodesia, even in this crisis, is allegedly tied to, and its Government apparently content to accept, the concept of multiracialism. All that many people seemed to be concerned to avoid is that multi-racialism should not come in their own time. Yet, under pressure, even this period is shortened, and we heard, in connection with the conference on H.M.S. *Tiger*, there was talk that it might be shortened to the next ten years, or even eight. Actually, in fact, if the pattern is followed in Rhodesia as in other countries where the principle of multi-racialism has been implemented, it is doubtful if even as much as that short period would be given before the political power had been handed over *en masse*, not to the natural Bantu authorities, but to what, in distinction from them, might well be called Black Power; based on political leaders who are largely unrelated to the structure of society of their own peoples, and whose emergence would probably be more disastrous to the rank and file of the Bantu than to the Europeans, who would in any case be in process of migration south of the Limpopo.

Therefore, we can say there is no case for multi-racialism as a theory, since it is based on entirely bogus premises, long ago rejected by all serious scientists; nor, in the light of experience of de-colonialisation in Africa, is there any case to be made for it so far as the national tribal authorities are concerned or the settled White populations.

LOSS OF CHIEFS' SUPPORT

Furthermore, in so far as Rhodesia is concerned, the Government has had the full support of the Matabele and Mashonaland Chiefs and Headmen, and has, in the past, made a strong case for itself by citing this support. Yet, if a multi-racial society is persisted with, leading, through educational programmes (crash or otherwise), to universal suffrage (and nothing short of this will satisfy the Black lobby in the United Nations, and most of the so-called "Liberals" all over the world), then this will be a betrayal as much of the Chiefs, Headmen, and their Councils, as it will be injurious to the White population of the country. It seems to me, therefore, that even to consider for one moment accepting the basis of this multi-racial thinking is a clear betrayal of the loyalty which the Government has received from the Chiefs and Headmen of Rhodesia.

PARTITION THE ONLY SOLUTION

As an ethnologist, who has long specialised in questions of race and frontiers, it has seemed to me that in all countries where there are more than one distinct major stock, where there are markedly different levels of technological advancement, and quite vast differences of culture, religion, language and history, that the only possible solution is in partition. Even where the differences have been much less than they are in Southern Africa this has been the solution which, far from ideal in many cases, has at least brought about the cessation of fighting and prevented the complete domination of one group by the other. It was the solution which was found after the First World War when the Greek population was removed from Asia Minor, removing thereby an explosive Greek-Turkish situation. It was the solution to which Britain had to resort in Ireland, where the same language and culture existed, but where the differences were religious, and only to some extent ethnological (Scottish blood in the North giving more Nordic population, leaving in contrast a more Altanto-Mediterranean in the South).

This has been much criticised: but the fact of the matter is that a constant state of civil war has been avoided by it. Again, in the case of Poland and Germany, the line of demarcation which I advocated in my extensive survey and exposition of the frontier in 1944, (*Teuton and Slav on the German-Polish Frontier*) the Oder-Neisse line has effectively sealed off the Slavs from the Germans, and remove the explosive situation which would have occurred had these regions remained with two different peoples and cultures striving for dominance in the same living space. Again, we have resorted to the same solution in Cyprus, where the Turkish enclaves have been created, with barricades up, and the United Nations' troops perambulating the perimeters. Whatever else can be said for this it has saved the Turkish minority, the former rulers of the island, from being wiped out and massacred. Consequently, when the nations of Europe, often with Britain's direct involvement, and, in other cases, consent (because she has not protested against them), have found partition in some form or another the only solution, then it is wholly wrong and hypocritical to take up the attitude (where the problem is immeasurably greater and the differences inherent between the stocks and their cultures of an immensely greater order) that partition is morally wrong.

ACTION THIS YEAR?

All the evidence is that the only moral and viable solution in such cases lies not in a pig-headed determination to make unrealistic Lamarckism work (when it is doomed to failure, and always has failed), in order to justify impossible pseudo-moralistic and pseudo-religious positions, but in facing the necessity for partition. In my opinion Rhodesia is no exception to this rule; and I would go further and say that Rhodesia will court disaster, both for her Bantu and her White population, if she does not embrace it at once in this year 1967.

As I see it several years have now been lost when positive and constructive steps could have been taken in this direction, and as in the case of South Africa, where much greater moral courage and acuteness of scientific principles have been shown, the first fruits of the right policy would be already beginning to show for themselves.

In comparison, however, with South Africa, Rhodesia's problems while in detail more difficult, are for all that simpler, for the country is smaller, and the number of nationalities involved are less.

It is not possible in the course of a short paper of this nature to deal with the details of partition. All that can be done is to describe broadly what should be the aim of the Government, and, having done that, to indicate how political steps could be taken to achieve this.

PRINCIPLES OF PARTITION

Briefly the country is composed of High and Low velds, of which the former runs more or less north and south, and on this lies the principal centres of White urban population.

Therefore, steps should be taken to declare the Zambezi frontier zone (since it is only the White population which is capable of protecting this frontier) as part of a Rhodesian State which would be continued southward along the Highveld, and brought south to the Limpopo frontier with South Africa. Corridors, probably along main lines of communication, would be retained for this State to give it communications with Portuguese territory on the east and Botswana on the west.

This would leave large areas of the present Rhodesia to the east and west of the Highveld Rhodesia, and in these should be created Bantu National States. That on the west being a Kingdom of Matabeleland, that on the east, probably, a Republic of Mashonaland. Certain rights for smaller nationalities, Vendas, Shangaans, and the like, would be guaranteed by the Highveld White Rhodesian State. For all practical purposes these countries ruled by Bantu Governments would be similar to the former High Commission territories as they have now become in and on the borders of South Africa.

BANTU RIGHTS PROTECTED

By the location of industry, and by carefully arranged undertakings, transfers of population can be induced over a period of time, much of it following a natural flow of demographic movements, so that the Europeans would be drawn more and more into their Highveld State, and the Bantu into their two respective National States. No votes would be allowed to anyone belonging by nationality to a State in which he did not live, although his rights to property, and before the law, would be protected.

Likewise, foreign Bantu would not have at any time rights of voting in any of these States, unless they went through an actual formal naturalisation which it would be the right of the State concerned to refuse or not at will.

As in the White Highveld Rhodesia, where the Government would be based on the existing principles and constitution as determined by the majority of the voters now qualified to vote, so in the two Bantu States the authority which now exists there would become the Government in each case, based upon Bantu conceptions of government, Bantu law and custom, and would not be based upon the disastrous export of "Westminster" style of legislatures. If the Bantu States wished to evolve something different from that initial foundation, then that would be their responsibility, but it would not be imposed upon them from the start.

On the political steps to be taken to this end it seems that the present conception of creating an estate or senate of Chiefs and Headmen could be developed, merely to have a body representing Bantu opinion in the present State, which could give its counsel and consent to these steps which are to be taken, so as to ensure that both racial stocks of Rhodesia had been consulted and were in agreement on the major steps to be taken.

Step by step with this, however, a Commission of expert ethnologists, cartographers, geographers, and Bantu experts, should be set up to draw (with the help of government departments) the lines of the partition which in the opinion of that Commission represent fair lines of demarcation on all the facts before them.

TERRITORIAL COUNCILS

Meanwhile, in Matabeleland, Mashonaland and in the White settled areas of the Highveld, three Councils should be created, at first of inferior status to the present Parliament, to which the government would rapidly hand over as fast as it could its powers of a local nature.

Finally, when the Commission's work had been accepted and passed by the present Government's legislature, and the Senate of Chiefs and Headmen which it had created, these bodies would dissolve themselves and endow all their powers on the three Councils which had been created, and which would then become the sources of government of three territories, of Matabeleland, Mashonaland and Rhodesia.

By these steps Rhodesia would have taken the initiative in the solution of its multiracial problems, it would no longer be in the situation of having a vastly disproportionate Bantu population ruled by a small White majority. After the exclusion of all foreigners, and all Bantu nationals belonging to Matabeleland and Mashonaland from the voting registers, because their voting rights lay in their own national territories, there would be no question of the Whites not having a majority in their own State for all time to come. The racial problem would have been solved, and there would be no basis for Britain's continued action against Rhodesia.

THE MOMENT OF DECISION

Rhodesia is at the moment of decision. There seems little point in U.D.I. or the continued resistance to the United Nations and Britain, if Rhodesian farmers, landowners, industrialists, and workers, are only buying time for eight, ten, or even 20 years— actually a quite unrealistically optimistic extension of time for eight, ten, or even 20 years—actually conception. If that is what is to occur the great Trek to the South, and the sooner the better, would be clearly indicated to any prudent person who wanted to salvage as much of his capital and assets as he can from the debacle.

If, on the other hand, Rhodesia wants to see security of tenure for its Bantu peoples on the one hand, and its White settled population on the other, this can only be achieved by separation, giving to each nationality security within their own territories and institutions suitable to themselves; and, in addition, affording to each country that rate of progress which is suitable to the ability, skills, and energies or lack of them, of each nationality.

Furthermore, by adopting such measures, a common policy would have been created from the Zambezi to the Cape of Good Hope of friendly Bantu States working in collaboration with the White States, in mutual help to each other and with growing areas of understanding. This, and this alone, will take Rhodesia and South Africa out of the turmoil of the racialistic struggles and stresses, created by the multi-racialist situation to which they have become heirs by the facts of history, and which are exploited and distorted by every form of propaganda, from that of Black racialists on the one hand, to the vilifications of hypocritical and often ignorant moralisers in other countries.

It remains to be seen if Rhodesia has sufficient foresight and moral courage to take the only steps which can save both the Bantu and European peoples from the abyss which the acceptance of the chimaera of multi-racialism has opened at their feet.

TAXES—SOME PAY, OTHERS DON'T

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. RARICK. Mr. Speaker, more and more the American people are awakening to the conclusion that some pay taxes and others go tax free.

Possibly those at the Internal Revenue Service know the reason but they do not answer their mail according to Dr. William Campbell Douglass of Sarasota, Fla.

Mr. Speaker, I include a copy of Dr. Douglass' letter to Mr. Henry Fowler, Secretary of the Treasury, following my remarks:

SARASOTA, FLA.,
June 30, 1967.

MR. HENRY FOWLER,
Secretary, U.S. Treasury,
Washington, D.C.

DEAR MR. FOWLER: Supplementary to my letter of April 15, 1966, which you did not answer, I would like to add the following information:

On July 7, 1966 a Mr. Blakely Davis of your Internal Revenue "Service" called me: "I have been assigned to check your 1965 records and return." I asked Mr. Davis if he had a search warrant and, after a long pause, he said that he did not. I then informed Mr. Davis that he could not see my records as I had had enough harassment from the Internal Revenue Service and I had no intention of revealing my records to him or to anyone else.

I informed Mr. Davis it is common knowledge that the IRS is using paid informers, various bugging devices, prostitutes, and other methods to harass American patriots and that I could in no way co-operate in this endeavor. It is obvious that if my records were obtained by IRS snoopers, they could harass my patients and therefore drive them from me and very quickly put me out of business. I certainly do not intend to co-operate in my own destruction. At this point Mr. Davis hung up saying that I would be hearing from him very shortly.

On the same day, July 7, 1966, a Mr. Lee from the Internal Revenue Service called, advising me that I must pay a penalty of $122.40 plus interest because I did not file my 1964 income tax return in a manner satisfactory to him and his department. I informed Mr. Lee that I would pay nothing and if he wished to fine me he would have to take me before a court of law and, until such time that I was indicted for some criminal offense, to please leave me alone. He then threatened to attach my bank account and I told him to go ahead and do so if he could find it. He shouted: "I'll do just that" and hung up. This, as you know, Mr. Fowler, is a violation of Section 241, Title 18, United States Criminal Code which says: "If two or more persons conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States or because of his having so exercised the same, . . . he (or they) shall be fined not more than $5,000 or imprisoned not more than 10 years, or both." At this time I have not heard further from Mr. Lee and he has not, to my knowledge, attempted to confiscate my property. When and if he does, I will swear out a warrant for his arrest, handcuff him and take him to the nearest county jail. This is known as a citizen's arrest.

On August 30, 1966, Mr. Blakely Davis, in the company of Mr. E. A. Foreman, arrived at my office unannounced and uninvited. They stated that they wanted to see my business records. In the previous fishing expeditions of 1963 and 1964 only one snooper was assigned to me. Why it now takes two investigators to handle my small office was not explained.

They first wanted to know who my two witnesses were and I refused to identify them for reasons I am sure you can understand—retaliation is not unknown in your Revenue Department. One of the two gentlemen, Mr. Foreman, asked me why my companions were present. Although a silly question, I answered him by stating that they were there to protect my interests.

When it became obvious to them that I

was not going to reveal my personal records, Mr. Blakely Davis produced a "summons" which directed me to appear before him on the 15th of September 1966 at 1:00 p.m. This so-called summons was illegal in that it did not come from any legitimate court but I complied with it and appeared at the Federal Building in Sarasota at 1:00 p.m., September 15, 1966 with five associates.

Mr. Blakely Davis and Mr. Foreman were again present and Mr. Foreman immediately asked me to identify my associates. I asked Mr. Foreman if it was required through the Internal Revenue Code for one to identify his colleagues and he said that he "had a right to know." I demanded that he show me where in the laws of the United States it was necessary for me to identify my colleagues and he admitted that there was no such law. During this proceeding I had set up my tape recorder for the purpose of keeping proper records and Mr. Foreman objected violently to this. He demanded that the tape recorder be turned off. I again asked Mr. Foreman to enlighten me as to where in the laws of the United States it stipulates that hearings are to be secret and that tape recorders are not to be allowed. We know, of course, that the Internal Revenue Service uses them all the time. (See Senate Report No. 1053 March 4, 1966.) Mr. Foreman answered by stating that this could not be permitted. I again asked him to show me where the law stated that it could not be permitted and he had to admit there was no such law. I then informed Mr. Foreman that I was quite aware that there was no such law because I had checked it out in advance. Mr. Foreman then asked me if I was going to produce my records and I told him that, as I had reported to you in my letter of April 15, 1966, which you did not answer, I could not for patriotic, moral and religious reasons comply with the illegally operated Internal Revenue Service and therefore that I could not produce my records. Mr. Foreman then said that there was no use in continuing the conference. Whereupon I packed up my tape recorder and left with my advisors.

I do not wish to be repetitious, Mr. Fowler, therefore I will not repeat any more than is necessary from my previous letter to you. But I would like to restate at this time that I am refusing to pay any further federal income tax because, after thorough investigation, I have come to the conclusion that the United States Government is now, for all practical purposes, controlled by the Communist conspiracy. I must therefore, for moral, religious and constitutional reasons refuse to pay any further federal income tax.

To substantiate this claim, from further research, since my last correspondence to you, I would like to append the following facts:

I insert here two broadcasts from Let Freedom Ring, the anti-communist telephone network, which clearly show the depths of depravity that have been reached in American affairs of state.

Their release of May 30, 1967:

"If you are not sitting down, fellow American, we suggest that you do so before listening to this broadcast. For you are bound to be *sickened* by what we are going to tell you.

"Last February, while America's sons were dying in Viet Nam fighting *Russian* trained and *Russian* equipped Communist troops, some of America's top generals and admirals were celebrating *Russian Armed Forces Day* in the *Russian* Embassy. What are our boys in Viet Nam going to think when they see their *commanding officers* drinking with *Russian generals* who are the *brains* behind the oriental fanatics who are trying to *kill* them in the swamps of Viet Nam?

"What does it *mean* when our so-called leaders hobnob with the enemy? Does this explain why we are unable to win a war against fifth rate *rickshaw* economy that is costing us *two billion dollars* and *six hundred* young lives a month? Isn't something *tragically wrong* when our troops have commanders who can fight the enemy one day and then *booze it up* with the enemy's *top command* the next day?

"Representative John Rarick said recently 'These generals and admirals have disgraced our flag and trampled under foot the faith and confidence of the people.'

"Never before in history have so *few* paid such a high price for so *many*. From a poem by Josephine Beaty we quote:

" 'We prayed, "God, give us light
That we may understand
Why young men die in vain
Far from their native land."

" 'Then straightway came the answer,
The old and proven truth—
"When men *betray* and *falter*
The price is paid by *youth*." ' "

Their release of June 6, 1967:

"Last week we revealed that some of America's top military commanders were *sipping cocktails* with the Russian enemy while Americans were being maimed, tortured and killed in Viet Nam. In response to these atrocities, the State Department sends the enemy perfumed notes of protest which are quickly followed by machine tools, rocket engines and other materials of war.

" 'Peace at any price' is their motto. But what they *really* mean is that they and the majority of the voters are not being shot at. And as long as the Pentagon and State Department are not being bombed, there really *isn't* any war, is there? Peace at any price—even if it means killing off *every American* between the ages of 18 and 26.

"One of Russia's alleged Cosmonauts, Yuri Gagarin, recently stated that Russian *nationals* have been fighting in Viet Nam all along. This information has been *suppressed* because the Johnson administration doesn't want American tax payers and parents to know that our government and the Russian government are in *collusion* in Viet Nam staging a phony but deadly war designed to weaken America to the point of helplessness. Former Secretary of Agriculture, Ezra Taft Benson, has said: '(there) appears to be a deliberate and determined effort to provide our enemies with the means to kill our sons.'

"America's fighting men *are* being betrayed in Viet Nam by a military leadership that seems unable to recognize the enemy and by civilian leadership that has a greater fear of death than love of country. The Richmond News Leader stated it well when they said: 'Every Communist bullet that tears into American flesh in Viet Nam bears the brand of LBJ.' "

For documentation on this incredible story, see the Congressional Record, Feb. 27, 1967.

Lyndon Baines Johnson, President of the United States, has used tax monies previously paid by me and others to distribute 30,000 campaign pieces glorifying himself to the barber shops of the nation. The Department of Health, Education and Welfare has admitted sending these propaganda pieces out at taxpayers' expense. I cannot condone this and certainly cannot pay tax toward such a reprehensible project.

Lyndon Baines Johnson, President of the United States, has openly advocated treason as a national policy. By paying any further tax I would be supporting treason which is unconstitutional and I cannot be forced to commit treason against myself, my family and my country. The President of the United States, Lyndon Baines Johnson, has become so brazen that he can ask the American people to "sacrifice the blood of its children" in a hopeless war in Viet Nam (the way it is being fought) while at the same time asking for expansion of trade between the United States and the Soviet slave states which are supporting the Vietnamese war. This is clearly advocating treason as a national policy and, if I support it with my tax monies, I am guilty of defacto treason and defacto collaboration with my country's enemies. Our North Vietnamese Communist enemies are being protected right from the White House itself. By *direct order* of the President of the United States, strategic targets in North Vietnam, including five airports near Hanoi, containing twin engine bombers, Soviet Mig fighters and electric power plants in the area, are protected from our Air Force.

The President of the United States has appointed Walt Whitman Rostow as Special Presidential Assistant. This puts at the elbow of the President a man who is such a serious security risk that when he was considered for a high post in the United States Air Force he was rejected. By paying taxes I would be contributing to this man's salary and therefore be committing defacto treason against my country.

President Johnson shows his strong bias in favor of our Communist enemies by allowing surplus farm products to be shipped to Egypt. Congressman Paul Fino reports that 40% of Egypt's rice crop has been sold or given to Communist China and Communist Cuba. Is it any wonder considering Mr. Johnson's record, that Gus Hall, head of the Communist Party U.S.A., came out openly for Lyndon Johnson's candidacy in 1964? While Americans languish in Russian and Chinese prisons and work on slave labor plantations behind the Iron Curtain, Lyndon Johnson announces: "The export-import bank is prepared to finance American exports for the Soviet-Italian Fiat auto plant." So three-quarters of the machinery that Fiat installs for the Russians, who hold unknown numbers of Americans in slavery, will come from U.S. taxpayers. If Lyndon Johnson wants to finance vehicles for Russia, so that Russian officers can parade around in American made automobiles, let him take it out of his own pocket. (Reference: Henry J. Taylor, former Ambassador to Switzerland.)

The Soviet Union, through its own admission, is our principal enemy in Viet Nam and yet the President of the United States extends his hand to them. The President wants to send to the Russians vast quantities of grains which are now in very short supply in the United States. Total combat deaths as of September 24, 1966 have reached 5,302 and yet the President helps the enemy kill more Americans. A mouthpiece for the Johnson administration, James Reston of the New York Times, now states that President Johnson is "prepared for a cease fire and a phased withdrawal of all combatants in Viet Nam." Even "if this means a coalition with the Communists or *even a Communist government*." So American soldiers are dying in Viet Nam although the President of the United States himself admits that he would just as soon have a Communist government in the nation that we are supposedly defending again Communism. I cannot support a war with my tax money when that war is being fought *to put the Communists in power*.

As the President of the United States extends his hand to the enemy, the Russians are conducting a huge arms airlift to North Viet Nam and Communist-controlled areas in Laos. This is not mere hearsay but was reported by the Joint Chiefs of Staff to the House Military Appropriations Sub-committee. The Joint Chiefs bluntly charge that if Russia is allowed to pour arms into North Viet Nam by air or sea, "thousands of Americans will die needlessly in South Viet Nam." General Wheeler said: "The Russian airlift is one of the largest they have ever operated. They are carrying every conceivable weapon." Lyndon Johnson, as official policy, now helping our Russian enemies to augment their airlift to destroy the flower of American youth. This is simple treason and no other word will fit the case. I cannot under any circumstances contribute tax monies to support treason by the President or anyone else.

The President has further shown his willingness to collaborate with the enemy in using economic boycotts. The President obviously realizes the effectiveness of economic boycott in that he has helped to use it in trying to destroy anti-Communist Rhodesia. While attacking Rhodesia with economic warfare, he extends the hand of commerce to our enemies in Asia. (See Congressional Record, Oct. 17, 1966.)

The Vice President, Hubert Horatio Humphrey, is now on official record as approving of Communism in Russia, the United States and in all countries except in China. He said on October 5, 1966: "Only in Asia does Communism still maintain its primitive and irrational militancy . . . we look ahead to the time when even Asian Communism may turn away from the path of force." Therefore we have the Vice President of the United States on record officially as approving of Communism in the United States, Russia, all of its slave satellites and, eventually, all of the world. The Vice President of the United States has come out openly for a Negro revolution in the United States. He has even said that he himself could very easily lead this revolution. The Vice President is therefore inciting riot and revolution and I will not, under any circumstances, contribute to his treason by paying any portion of his salary.

The captive nations of the world, crying out for our assistance in overthrowing their Russian slavemasters, hold an annual affair called "Captive Nations Week." The Vice President of the United States, in typical Communist fashion, snubbed the Captive Nations dinner and went instead to an affair at the Communist Polish Embassy. When asked why he went to the dinner of this International Murder Incorporated instead of to the Captive Nations dinner, Mr. Humphrey replied: "Because I wanted to be with these kind and friendly people." I cannot pay one iota of the salary of a man who is either an imbecile or a traitor.

Following the lead of the President and Vice President of the United States, various cabinet members have thrown all inhibitions to the winds and are now openly advocating treason, riots and anarchy. The U.S. Commissioner of Education, Mr. Harold Howe, II, for instance, is now openly advocating "black power" (black race supremacy). He has told audiences not to "quiet down" but to continue their policy of hatred, murder and mayhem.

Secretary of the Interior, Stewart L. Udall, following the President's lead in treason, has announced that the Department has given its conservation service award to folk singer Woodie Guthrie. Mr. Guthrie has been identified as a Communist before the House Committee on Un-American Activities and therefore Mr. Udall is now giving my country's honors to an identified Communist agent. To further glorify this revolutionist, Mr. Udall has announced that a Bonneville Power Administration sub-station in the Pacific Northwest will be named after him.

Participating in this treason, and encouraged by the President of the United States and his Cabinet, are various American businessmen. These businessmen are supplying huge quantities of soy beans and tallow, both of which are necessary in the production of ammunition, to the Soviet bloc. If these American businessmen wish to sell the ingredients for ammunition to the Communist enemy then let them pay the taxes out of their sanguinary profits. Treason has become so rampant and open, with the encouragement of the President and Vice President and members of their Cabinet, that wheat is being shipped directly from the port of New Orleans to Communist Cuba.

Also, following the President's lead in treason is former Attorney General Nicholas Katzenbach who has used, as department policy, the covering up of the Communist influence in various racial revolutions around the nation. Although a Cleveland grand jury decided unequivocally that the riots in their city were fomented by trained Communist agitators, Mr. Katzenbach said they were caused by "disease and despair." The Attorney General of the United States is therefore using his position to cover up Communist revolution and I cannot under any circumstances contribute to this man's salary. The Johnson Administration has withheld from the American people the fact that Communist Negro revolutionaries are planning to burn Los Angeles to the ground and kill off all white males and children. White women are to be turned over to the revolutionary army. They have large quantities of anti-tank guns, grenades, machine guns and bazookas ready and the Negro fanatics to man them. Instead of enforcing the sedition laws and the gun laws now on the books, which make it illegal to own such weapons of war, the Communist-controlled executive branch of our government is working ferociously to beguile our congress into passing gun registration laws. The effect of which would be to disarm the American people by restricting the ownership of defensive guns and rifles.

It has come to my attention that the Fund for the Republic and the Center for the Study of Democratic Institutions are both being favored with tax exemption. This increases the tax load of all sincere and patriotic Americans. These tax exempt groups openly advocate the abolition of private property. The Guggenheim Foundation is tax exempt and has subsidized such famous Communists as Langston Hughes and Louis Adamic. They have also given tax free money to Lee Jones, a Negro revolutionist and Communist collaborator. They have also given tax free monies to Allen Ginsburg, pornographer and promoter of LSD among our youth. These foundations with tax immunity, are working assiduously for the decline and fall of our civilization.

Another tax exempt organization that promotes Communism and revolution is the National Student's Association. This association is subsidized with about $600,000 from the tax-exempt *Ford Foundation* and the *Rockefeller Foundation*. Part of N.S.A. funds come from the *Department of State and C.I.A.* The Money then goes from NSA to support the Student-Non-Violent Coordinating Committee, SNICC. Therefore the unwilling American taxpayer is being forced, through his tax money, to support SNICC, the Negro equivalent of the KKK. *Recently, Governor George Wallace of Alabama* exposed an even more blatant and arrogant example of the United States government forcing the American taxpayer to finance revolution. He revealed that the United States government was financing the Black Panther Movement in Alabama. The Black Panther Movement, is, of course, a Communist-controlled movement to murder white people. Any American who pays taxes under such conditions is supporting the destruction of Western civilization.

The International Committee of Conscience on Viet Nam, which appealed for the *surrender* of the United States to the Viet Cong has tax deductibility. I demand at least equal rights with this committee which demands the surrender of the United States to the enemy and I therefore must insist on tax immunity so that my funds can be used to combat the conspiracy that the United States Government is financing.

Professor Stephen Smale, a notorious Communist collaborator, has received $91,500 in tax monies to travel to Russia. In Russia, Professor Smale denounced his country before a captive slave audience. The taxpayer-financed National Science Foundation has made Professor Smale a glittering success and the average American wage earner and taxpayer would have to work 122 years to make the income to pay the taxes that made this traitor's trip possible. Any American who will put up with this by paying taxes does not deserve freedom.

An ex-convict by the name of Edward G. Partin was even forgiven $5,000 in back taxes because be acted as an informant for the Justice Department. He was under federal indictment for embezzlement and, if convicted, faced 78 years in prison terms. Mr. Partin has not only failed to go to prison but has not even been made to pay back taxes. A law-abiding citizen would go to jail for much less.

Why should not the Communists be happy with the United States Government since the end of World War II? From June 30, 1946 through June 30, 1965, American taxpayers were forced, through an illegal tax process, to contribute a grand total of 193 million dollars of economic assistance to Communist Czechoslovakia, 573.6 million dollars in economic assistance to Communist Poland, 186.4 million dollars in economic assistance to the Soviet Union itself, and two billion, seven hundered sixty-one million, four hundred thousand dollars of economic *and military* assistance to Communist Yugoslavia. (See the CONGRESSIONAL RECORD, vol. 112, pt. 12, p. 16472.) How much in taxes does Polish slave boss Gromulka pay? How much in taxes does the butcher of Yugoslavia J. B. Tito pay? As a sovereign and free American citizen I demand at least equal rights with these Communist strong men. I will no longer allow you to force me to pay tribute, blackmail and bribery to various Communist mobsters around the world. By paying this tax I would not only be participating in de facto treason, but I would be participating in defacto blackmail.

And speaking of blackmail, massive and brazen shakedowns have now become common with the federal government. The government threatened the Anheuser-Busch Company with an anti-trust suit but the company paid $10,000 in blackmail to Lyndon Johnson's campaign fund and the suit was promptly dropped.

When my case comes to trial before a jury of my peers, I will demand equal rights with certain Communist collaborators in the United States government. I will demand to see the tax returns of the following: Harry Bridges; Gus Hall; William Mandel; Judge Constance Baker Motely; Robert McNamara; Lyndon Baines Johnson; Hubert H. Humphrey; Adam Yarmolinski; Walt Whitman Rostow; Arthur Goldberg; Abbe Fortas; Dean Rusk; Llewellyn Thompson; Harold Howe, II; Orville Freeman; Nicholas Katzenbach; Walter Jenkins; Bobby Baker; James Harland Cleveland; Wilbur J. Cohen; Livingston Merchant; Dean Acheson; Abba Swartz, Leonard Unger; Mrs. Esther Peterson; Earl Warren; William O. Douglas; Ralph Bunche; Philip Jessup; Thurgood Marshall; Robert C. Weaver; Foy Kohler; Adam Clayton Powell; former SEC Chairman, James M. Landis; the estate of Alben Barclay, former Vice President of the United States; the estates of Franklin D. Roosevelt and Mrs. Eleanor Roosevelt; the tax returns of Harry S. Truman; the returns of the tax dodger, Dwight D. Eisenhower; child killer Francis M. Medaille alias Michael J. Hanlon; Communist collaborator Ronald Ramsey, who takes broadcasts to Hanoi urging American soldiers to "lay down your arms"; Edward Clark, Ambassador to Australia; Angier Biddle Duke; Ambassador Walter Feldman; Treasury Secretary Henry Fowler; Assistant Attorney General Edwin L. Weisl, Jr.; Judge Anthony Celebreeze; Theodore Tannenwald; Howard F. Corcoran; Harold F. Linda; Chairman of the Export-Import Bank, C. Douglas Dillon (alias Lapowsky); Anthony Akers, former Ambassador to Australia; Stokely Carmichael; former Indiana Governor Matthew Welsh, (Mr. Welsh receives $500 a week as a payoff from Lyndon Johnson. For this money he does nothing—his title is U.S. Representative of the American-Canadian Border Commission); Leonard Wolf; Donald

Magnuson; Cory Knutson; Former Representative Merwin Coad; former Representative Catherine Granahan; former Representative Joseph Barr; former Representative James Quigley; Mr. Denver Hargis; Earl Hogan; Frank Kowalski; Frank E. Smith of the Tennessee Valley Authority; Mr. Fred Wampler of the Department of the Interior; Mr. Willard Wirtz, Secretary of Labor; General Hugh Hester; General Harry Vaughn; K. Penfield, Ambassador to Iceland and William Butterworth, Jr., Ambassador to Canada; (Both of these men are dangerous security risks; Butterworth has been named by a Chinese spy as a collaborator with Soviet intelligence.); Senators Gruening, Douglas, Saltonstall, Stephen Young of Ohio, McGee, Javits, and Kuchel of California. Edwin M. Martin, Ambassador to Argentina, and Daniel Frank Margolies, a Communist collaborator who is on special assignment from the State Department as Advisor to the President of the United States.

Many of the above are known security risks and Communist collaborators and it is clearly evident that it is official policy of the United States Government to maintain known and identified Communist enemy agents and Communist collaborators in key policy-making positions in the various departments of the United States Government. (See Defense Department Policy Paper entitled, "A Study of Historical Perceptions Concerning Allegations of Subversive Influence on the Far Eastern Policy of the United States Prior to 1949" and also CONGRESSIONAL RECORD of August 30, 1966.)

In 1962 the United States government spent two and one-half billion dollars for economic and financial assistance to foreigners, two hundred and twenty-two million dollars for "foreign information and exchange", five billion dollars for farm income support and control of the American farmer, eight hundred and sixty-six million dollars to finance and control American aviation, five hundred seventy-five million dollars for subsidy and control of American business, six hundred seventy-five million dollars to buy houses for voters, five billion, one hundred million dollars for the illegal Department of Health, Education and Welfare and a billion and a half for aid and control of American education. All of the above enumerated expenditures are totally unconstitutional and I refuse to contribute one penny to the support of unconstitutional federal enterprises. Another of these unconstitutional federal enterprises is the so-called anti-poverty program, the objective of which is to totally demoralize the United States. As an example: one man hired recently at $8650 a year has been arrested as a pimp, forgerer and grand larcenist. Another man, hired at $4140 a year, is a sex criminal, as well as a larcenist. A Christine Bard has been hired as liason officer for Project Headstart. Mrs. Bard is a prostitute who at one time ran a house of prostitution. This is only a few examples of the types of criminals, perverts and subversives that are being used in the Poverty Program to demoralize and destroy the United States of America. I will not under any circumstances and, no matter what the penalty, support these people in any fashion whatsoever.

The Department of Commerce is allowing the shipping of grinding machines to Russia (necessary for modern warfare), computer machines, electronic equipment of all types, oil, chemical plants, machine tools (which are the *very heart* of any industrial warmaking capacity) and such weapons of war as diesel engines, electronic computers and rocket engines. Instead of being paid a salary by American taxpayers, why hasn't the Secretary of Commerce been tried for treason? (See the Congressional Record, Oct. 17, 1966.)

The Internal Security Subcommittee of the United States Senate Judiciary Committee on July 30, 1953 reported "The Soviet International Organization has carried on a successful and important penetration of the United States government and this penetration has not been fully exposed." What has been done to expose this conspiracy since 1953? Nothing. In fact, these *very Communist and Communist Collaborators* are now persecuting American patriots through the Internal Revenue Service; the Justice Department; the Department of Agriculture; the Department of Health, Education and Welfare; the Department of the Interior; the Department of Labor and the Department of Urban Affairs. I will not be party to the harrassment of American patriots through the paying of part of the salaries of these Communists and Communist Collaborators.

The Internal Revenue Service, unknown to most Americans, has become the federal mafia (along with the CIA). The Internal Revenue Service places "bugs" in public telephones, runs a snooping school at which a set of lock picks is given as a graduation present, employs wire taps against patriotic Americans, uses prostitutes and convicts for informant purposes and teaches its agents to lie under oath. I do not promote and defend criminals in my private life and I refuse to be forced to support government promoted criminals.

You did not answer my last letter, Mr. Fowler. Will you answer this one?

Yours sincerely,

WILLIAM CAMPBELL DOUGLASS, M.D.

U.S. TREASURY DEPARTMENT, INTERNAL REVENUE SERVICE, OFFICE OF THE DISTRICT DIRECTOR,
Sarasota, Fla., January 19, 1967.

Re Federal Income tax, 1965.
WILLIAM C. DOUGLASS, M. D.,
Sarasota, Fla.

DEAR DR. DOUGLASS: I am sorry that I missed you when I visited your office yesterday.

I have outlined below the results of the examination of your books and records for the year 1965.

Net profit from medical practice	$13,464.15
Interest income	45.03
Dividends (after exclusion)	0
Adjusted gross income	13,509.18
Standard deduction	(500.00)
Personal exemptions	(1,800.00)
Taxable income	11,209.18
Income tax liability on $11,209.18	2,576.94
Penalties:	
Negligence 5 percent of $2,576.94	128.85
Delinquency 25 percent of $2,576.94	644.23
Addition for underpayment of estimated tax: 6 percent per annum computed on 70 percent of tax liability for the period of underpayment	72.15
Total	3,422.17

I have enclosed Form 870 which reflects the tax, penalties and additions. We have previously discussed the significance of execution of this form. If there are any points you would like to discuss please phone me at 955–6335.

After giving the matter your consideration, it would be appreciated if you would contact me by January 25th to let me know whether you are in agreement with the proposals outlined herein, or, alternatively, that you intend to avail yourself of your rights to appeal.

Very truly yours,

B. I. DAVIS,
Internal Revenue Agent.

[From the Butler County American, May 13, 1967]

IRS DIRECTOR WARNS TAXPAYERS

Letter to the EDITOR:

From time to time, particularly during the tax filing period, a few individuals make public statements expressing their views about Federal Income Taxes. We are most fortunate to live in a country whose constitution guarantees the privilege of freedom of speech. It is unfortunate, however, when a few individuals in exercising this right make statements which can be misleading and, if not carefully examined, might persuade people to lose confidence in the administration of public laws, including our Federal Tax laws.

Some individuals are heard to say that they neither file a return nor pay income taxes and in fact encourage others to do likewise. Others say they file an income tax return but do not include their tax payment. Actually these individuals do pay the full tax for which they are liable and the public should know that they do. However, because of the strict statutory provisions which rightfully protect the tax matters of an individual from disclosure, individual cases cannot be discussed.

People making these statements generally fall into one of the following categories:

(a) Those who do not have sufficient income to incur a tax liability,

(b) Those who pay by means of taxes withheld from their wages, and

(c) Those who do not remit payment with their tax return, but either pay it upon receipt of the first notice of tax due, or include a note stating where the money is on deposit for tax collection.

97% of the income tax in the United States is voluntarily reported and paid. This is a tribute to the integrity and patriotism of the American citizen which is unmatched by any other country in the world. This overwhelming majority who believe in supporting a government which insures their freedom should know that those few individuals who say they feel no such obligation are dealt with firmly and in no way escape the payment of income tax when a tax liability is incurred.

Public confidence in the integrity of our tax system and in equitable enforcement of the tax laws is an invaluable asset that must be protected, preserved and maintained. In order that the hundreds of thousands of conscientious taxpayers in our Cincinnati District will not be misled by the statements of a few, I want to assure them we in the IRS are dedicated to administer and enforce the Federal Tax laws in such a manner as to merit their confidence and respect.

PAUL A. SCHUSTER,
District Director.

CINCINNATI, OHIO.

NASHVILLE TENNESSEAN ENDORSES PRESIDENT JOHNSON'S URBAN PROGRAM

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, the Nashville Tennessean has, recently, in several editorials, endorsed President Johnson's urban programs.

Chiding the House of Representatives for rejecting the rat control bill, the editorial noted:

The jokesters seem to ignore the fact that thousands of children are bitten by rats each year in our large cities and that rats are potential disease carriers. The subject deserved more attention than it got.

Another editorial urged that the rent supplements and model cities programs be adequately funded:

> It is obvious that the President, after the defeat in the House, has thrown more effort in the struggle to keep his urban programs. The hope is that they will meet success. The troubles in the cities require a new dimension of effort, public and private.

The Nashville Tennessean is representative of the many voices across the country calling upon Congress to act favorably on urban legislation. I hope that Congress will respond to these voices by providing adequate funds for the model cities and rent supplement programs and by authorizing a rat control program.

So that I might share these excellent editorials from the Nashville Tennessean with my colleagues, I would like to include them in the CONGRESSIONAL RECORD:

[From the Nashville Tennessean, Aug. 30, 1967]

TROUBLES OF THE CITIES SPUR SENATE BODY VOTE

Apparently with second thoughts over the country's tragic urban problems, the Senate Appropriations Committee has handed the President legislative victories of importance.

The committee approved President Johnson's request for $40 million to operate the controversial rent supplement program for the current fiscal year. It also voted to spend $537 million on the model cities program, regarded by the administration as a key weapon against urban blight.

Also, the committee voted an expenditure of $15 million for a new research program to be administered by the Housing and Urban Development Department. This program is aimed at finding new ways of building low-cost housing for the poor.

The committee's approval of the model cities funds was $125 million less than the President had requested, but it was more than twice as much as the House approved.

Earlier in the year the House had made deep cuts in the administration's urban aid program. It declined to appropriate a penny to rent supplements and slashed the model cities program to $237 million.

The model cities program, authorized by Congress last year under the name "demonstration cities" provides special federal help for selected cities that come up with comprehensive plans to rehabilitate a big portion of their slums.

The rent supplement program provides that after low-income families put up 25% of its total income for rent, the government would meet the difference between that and the cost of adequate housing. However, payments would be made only to non-profit organizations putting up housing under the program.

Even though the Senate committee has been far more generous with funds than the House, the commitment is not sizable when matched against the mammoth problems of the cities. Some 70% of the nation's population now lives in cities that cover hardly more than 1% of the country's land area.

As more people jam into the cities, the problems become more critical in every area from housing to jobs, from traffic to crime. The recent upheavals in a dozen or more cities mirror the problems.

Assuredly the Senate Appropriations Committee has felt the touch of urgency, but it is difficult to predict whether this is shared by the full Senate.

The mood of the House, certainly, has not been one of willingness to get at urban problems. Many of the House members live far away from the teeming problems of slums and consequently are not touched by them first hand.

It is obvious that the President, after the defeat in the House, has thrown more effort in the struggle to keep his urban programs. The hope is that they will meet success. The troubles in the cities require a new dimension of effort, public and private.

[From the Nashville Tennessean, July 23, 1967]

RAT BILL POISON FOR CONGRESSMAN

The House of Representatives, led by Republicans and southern conservatives, pounced with glee on a $40 million rat control bill sponsored by President Johnson and killed it without debate.

Some of the representatives thought it was all very funny. One suggested a "cat corps." Rep. William Brock of Chattanooga saw it as a vast federal intrusion into local affairs, with starlings on statues the next target.

Others weren't amused. "Rats are a living cargo of death, and you think it's funny," said Rep. Martha W. Griffiths, D-Mich. President Johnson called the House action a "cruel blow to the poor children of America."

The jokesters seemed to ignore the fact that thousands of children are bitten by rats each year in our large cities and that rats are potential disease carriers. The subject deserved more attention than it got.

What bothered many representatives is the prospect of being forced to raise federal taxes within the next few months. They apparently believed that higher taxes after spending $40 million on rat control would be poison for congressmen as well as rats.

MONDAY HOLIDAY DRAWS BACKERS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, a subcommittee of the House Judiciary Committee recently held hearings on a number of bills designed to provide uniformity in the observance of certain holidays by observing these holidays on Monday rather than on a particular calendar date.

Over the past year the proposal has drawn a great deal of interest and seemingly has garnered widespread support.

On Monday, August 28, Miss Sylvia Porter, writing in the Washington Star, gave needed attention to the proposals that are now before the Congress and wrote of the favorable response which the uniform Monday holiday plan has received throughout the country.

I ask unanimous consent to include Miss Porter's article, "Monday Holiday Draws Backers," in the RECORD at this point and commend it to my colleagues for their consideration.

MONDAY HOLIDAY DRAWS BACKERS

(By Sylvia Porter)

This coming weekend, Sept. 2–4, we are getting the only three-day weekend of the year aside from Christmas.

This year, our national holidays have hardly been holidays at all. Memorial Day and Independence Day fell on Tuesdays. Washington's Birthday fell on a Wednesday. And next year will be just as bad.

But, at last, the long-term drives by those of us who have been pleading for the Monday holiday plan, seem ready for pay-off. The chances are very strong that legislation before Congress will be passed this year to give us a minimum of five or six long weekends, in addition to our Christmas and New Year's holidays and our annual vacations.

At least a dozen bills are now in Senate and House committees to rearrange our national holidays so that most of them would fall on Mondays instead of on any day in the week.

PRESIDENT'S DAY CHANGE

Under one of the bills introduced last month by Congressman Robert McClory, R-Ill., and typical of those now getting serious attention:

Washington's Birthday would be re-named "President's Day" and would be celebrated on the third Monday in February; Memorial Day would be celebrated on the last Monday in May instead of May 20th; Independence Day would be switched to the first Monday in July; Veterans' Day would fall on the last Monday in October instead of on Nov. 11; Thanksgiving Day would be on the fourth Monday in November instead of the fourth Thursday.

The advantages of creating more three-day weekends are obvious. This would boost our opportunities for rest, recreation and travel. It would simplify factory production schedules by eliminating the problem of costly one-day mid-week shutdowns. It would stimulate the U.S. domestic travel industry.

Until now, Monday Holiday bills have died in Congress because, as Congressman McClory put it in an interview, "lawmakers were exaggerating the public's nostalgia about historic national holidays."

But it is now becoming clear that the idea has almost unanimous support from organized business and labor, from U.S. Chamber of Commerce and the U.S. travel industry, from the Administration and, overwhelmingly, from the public. Polls have found 95 percent of the public in favor of Monday holidays. Virtually the only opposition to the plan comes from the Daughters of the American Revolution.

MID-WEEK DANGER RATE

Actually, George Washington was born on Feb. 11, according to the Gregorian Calendar then in effect. Memorial Day, before 1868, was celebrated in April, in May and in June. Thanksgiving has been celebrated in August and in October. Veterans' Day is now supposed to honor not just veterans of World War I but of all wars. Independence Day is open to debate because the rewriting, signing and voting of the Declaration of Independence was spread out over a month in 1776.

Would a slew of new long weekends mean a new blood bath on our highways? No, say the experts. The "danger rate" of rushed, mid-week holidays actually is far greater than it is for more leisurely long weekends.

So let's finally have our Monday Holiday bill in 1967—to give the calendar-makers time to put the plan into effect in 1970. Incidentally, this would be just about the only legislation in years that wouldn't cost any of us a penny.

WAR AGAINST POVERTY

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, the distinguished columnist, Mr. Roscoe Drummond, has again rendered a major contribution to informed discussion of issues surrounding the war against poverty. In a column appearing in the September 13 editions of the Washington Post, which I am sure many of my distinguished colleagues have already read with interest, Mr. Drummond added his respected voice to those who are convinced that OEO and its antipoverty programs have played an enormously important role in preventing violence in our cities and in converting frustration and anger into constructive self-help efforts. Mr. Drummond's column, entitled "Mayors Say OEO Programs Helped Suppress City Riots," concludes with these words:

> The testimony of the mayors is that the poverty programs help convert militancy into responsibility and offer an alternative to violence.

Mr. Drummond's column is based upon a survey conducted among mayors and responsible local officials in 64 cities all across the Nation, half of which experienced disorders this summer and half of which did not. As Mr. Drummond points out, it is particularly significant that—

> The mayors—democratic and republican—of these 64 cities are *unanimous* in their conviction that the anti-poverty programs are crucial and constructive forces which need to be continued.

Mr. Speaker, this column and the survey on which it is based are full of meaning for us all, as we address ourselves to the task of shaping the Economic Opportunity Amendments of 1967. The message would seem to be crystal clear—virtually nothing that we can do in the remainder of this session will be so vital to assuring domestic tranquillity and continued progress against the blight of poverty as a strong vote of confidence for OEO and its invaluable economic opportunity programs.

Mr. Speaker, with permission I insert Mr. Drummond's excellent and timely column at this point in the Record.

Mayors Say OEO Programs Helped Suppress City Riots

(By Roscoe Drummond)

The people who know the most about race riots and what to do about them are the people who run the cities—the mayors.

Their views deserve the most responsive attention—by Congress and by the country.

A nationwide survey in 64 cities, half of which had riots this summer and half of which didn't shows that the mayors are overwhelmingly agreed on what does most to cause riots and what can help most to prevent them.

The causes they cite most frequently are two: lack of jobs and lack of trusted communication between the Negroes and local officials.

As to cures, they know better than most that there is no single solution, no instant panacea, but the mayors—democratic and republican—of these 64 cities are *unanimous* in their conviction that the antipoverty programs are crucial and constructive forces which need to be continued.

This survey shows conclusively that both the OEO programs and its workers played a major role in keeping scores of cities cool this summer and helped hold rioting down when it wasn't averted.

Because the survey was carried out by the OEO, some might dismiss it as self-serving. But after reading pages of direct quotations by the mayors themselves, I am convinced its findings are authentic. The message is this:

Whatever else Congress may do to help solve the urban crisis, the one thing not to do is to tear up the antipoverty administration and programs.

In the Senate the outlook for the antipoverty bill is good. The Labor and Public Welfare Committee, by a vote of 12 to 3, endorsed a bill to continue and somewhat expand the OEO programs for two years.

But there are ominous storm clouds in the House. There are still some Republicans and Southern Democrats who want to dismember the OEO and distribute the programs to other agencies.

Critics of the war on poverty have seized on headlines about the one or two incidents where poverty workers were charged with helping create a riot-causing climate.

The testimony of the mayors shows that without the antipoverty programs there would have been more violence, little communication with the slum Negroes, and no significant beginnings of hope and assistance for the urban poor.

As to poverty workers abetting riots, some communities undertake high-risk experiments involving some of the most disaffected and alienated youth. Young men who six months ago were on the streets and in trouble are carefully and cautiously given responsibility, trained to leadership and learn to feel it is just as manly to lead a work program as to lead a gang.

A few proved unreliable. But out of 30,000 community action employees, only 16 were arrested, none convicted. And the poverty program has 244 buildings in the hearts of the riot areas; none was burned or destroyed.

In 15 cities local community action agencies calmed down bad situations.

In 13 cities they patroled trouble spots and served as communication posts between the police and slum areas.

In 14 cities the police and community action agencies had joint programs to prevent riots.

In 8 cities the Juvenile arrest rate dropped this summer and there is good evidence this was caused by more summer jobs.

The testimony of the mayors is that the poverty programs help convert militancy into responsibility and offer an alternative to violence.

PUBLIC BROADCASTING ACT

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, on February 28, 1967, the President of the United States recommended that Congress enact a new program to uplift and enhance the general area of public broadcasting.

The legislation which we have considered in Interstate and Foreign Commerce Committee sessions and which is before the Rules Committee today would comprise three different objectives.

First of all, H.R. 6736, as amended, the Public Broadcasting Act of 1967, would authorize an increase in Federal funds for television and radio facility construction, $10.5 million in fiscal year 1968. This figure is more than three times the current year's appropriations.

Second, the legislation would create a Corporation for Public Broadcasting which would be authorized to provide support to noncommercial television and radio. In this regard, the legislation would authorize an appropriation of $9 million in fiscal year 1968 as initial funding for the Corporation, a move constituting a substantial forward step in an effort to help devote the full potential of the media of noncommercial broadcasting.

Third, the legislation would authorize a comprehensive study of the whole range of instructional television and of the application of the "new technology" in the classrooms of this country. It would be undertaken by the Secretary of Health, Education, and Welfare or he could contract out for this study. An appropriation of $500,000 is authorized for this study.

I think it is important that all of us recognize that this legislation embodies nothing either new or radical. Title I of the legislation builds on the existing educational television facilities grants program which is located in the Department of Health, Education, and Welfare. Under this program, a variety of local bodies such as colleges or universities supported in part by tax revenues, nonprofit associations, and other groups, can apply to the Federal Government for support to purchase facilities.

In 1961, when the Committee on Interstate and Foreign Commerce reported out this amendment to the Communications Act of 1934, its report—dated August 21, 1961—stated that the purpose of the legislation was to speed up the process of getting additional educational television stations on the air so that American people may have the benefits of this new and important educational medium.

The noncommercial television stations set aside by the Federal Communications Commission became known as ETV stations and the FCC also made an important step in making a portion of the spectrum available for educational purposes.

Pennsylvania has been in the forefront of those States planning to use funds on an equitable statewide basis by providing financial support through the Department of Public Instruction for the matching funds required under Public Law 87–447. In my home district, the activation of WLVT–TV was made possible by Federal funding under the Educational Television Facilities Act. Other Pennsylvania ETV stations in Pittsburgh, Hershey, University Park, Scranton, and Erie have been activated and expanded by the 1962 legislation. The statutory limitation of $1 million has been exhausted in Pennsylvania. Financial support is still necessary to bring entire State coverage. Funds available under the proposed bill could expand and improve ETV within the State.

The Facilities Act made no provision for noncommercial radio stations.

Pennsylvania has 16 educational radio

stations, operating under the auspices of a variety of schools, colleges, and communities. Of the 16, however, eight operate at less than adequate power. The financial assistance provided in the proposed bill will enable educational radio to develop as a medium equal to and complementary to television. It will constitute an added resource for educational broadcasting.

Now, we come to an important crossroad in our legislative decisionmaking. We can take one road and enact this legislation. Such a decision would build on the successful program of facilities grants in operation since 1961. We can extend and expand this facilities support to increase the coverage of this important signal to most of the citizens of this country.

We can set up a Corporation for Public Broadcasting to provide public leadership for our growing national chain of noncommercial stations. We can, in providing for this Corporation, bring in the advice of many eminent educators, civic leaders, television experts and others to give us direction and decisions for the coming decade. We can give to the people of this country in setting up such a corporation, the highest form of ideal in any democratic society: free citizens making decisions independent of government control.

In doing so, we can stimulate the thinking and direction of the important media of noncommercial educational radio and television broadcasting.

We can also enact this legislation and provide for a comprehensive study of instructional television.

Or we can do nothing.

We can take no action today and let the successful network of educational television stations, in this country, languish without the increases in support necessary for their continuing operation.

In doing so, we would stifle the participation in public broadcasting by thousands of civic leaders across this country, people who have made wise use of Federal support to spur the creation of noncommercial television stations.

We stand at the crossroads.

I think it is clear that we will neither move forward in this field nor stand still. Building on the thorough legislative experience of this program under the original Educational Television Facilities Act of 1961, we will, I believe, provide the funds necessary to launch the federally chartered, nongovernmental corporation for public broadcasting. We will pass this bill because this legislation and the ideas behind it have received wide public exposure, primarily because of the attention which the report of the Carnegie Commission on Public Television has received.

The Carnegie Report was exhaustive.

Among many other items, it noted that the firm base upon which educational television is founded, and the potentiality it possesses to serve the general welfare, warrant the investment of public funds and public energies; the public interest in its expansion is unmistakable.

One of its primary recommendations is the establishment of the Corporation which is embodied in title II of the bill before us.

This Corporation was the subject of many questions during our committee deliberations on H.R. 6736. The Corporation will have a Board of Directors of 15 members. It will exist to serve the local public television stations in this country but will neither operate nor control them in any way.

The Corporation may finance the production of programing and these programs will be made available to the stations now in existence around the country.

These stations have made a simple and modest beginning under the Educational Television Facilities Act of 1962, but all evidence points overwhelmingly to the fact that hardware is not enough.

Growing evidence indicates that public television commands a great deal of public attention and the time has come to take new steps forward to create higher quality and more diverse programs.

This can be done, as the legislation has shown us, without Government control and by utilizing the existing resources already situated in every part of this country.

We must help to provide the means by which noncommercial educational broadcasting can realize President Johnson's conviction expressed in his February 28, 1967, message to Congress "that a vital and self-sufficient noncommercial television system will not only instruct, but inspire and uplift our people."

In urging the enactment of H.R. 6736, as amended, I should like to repeat the comments of one witness from my own State of Pennsylvania.

In testimony on this legislation, Dr. Leslie P. Greenhill, director of the university division of instructional services at the Pennsylvania State University, made several recommendations.

Among them, he noted that Federal funds have been of considerable help in the building and equipping of ETV stations. He added that such support needs to be expanded in line with plans for public television.

Also, Dr. Greenhill said, and I quote:

> Instructional television is here to stay; the task is to make it more effective; to gain wider acceptance, and use, and learn how to use it effectively in cooperation with other instructional methods and media.

Let us give educators like this person the resources to participate in the national educational and cultural uplifting which has been made possible by our existing noncommercial broadcasting stations.

I urge speedy passage and implementation of the legislation before us.

LEAVE OF ABSENCE

Mr. Zwach (at the request of Mr. Gerald R. Ford), for today, on account of official business.

Mr. Burke of Florida (at the request of Mr. Gerald R. Ford), for today, on account of official business.

Mr. Kleppe (at the request of Mr. Gerald R. Ford), for today, on account of official business.

Mr. Goodling (at the request of Mr. Gerald R. Ford), for today, on account of official business.

Mr. Dorn (at the request of Mr. Boggs), on account of official business.

Mr. Button (at the request of Mr. Gerald R. Ford), for today, on account of official business.

Mr. Mayne (at the request of Mr. Arends) on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Pucinski, for 60 minutes, today.

Mr. Minish, for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Cahill (at the request of Mr. Wampler), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Hanna (at the request of Mr. Matsunaga), for 30 minutes, and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Harvey to include extraneous matter with his remarks in the Committee of the Whole today.

(The following Member (at the request of Mr. Wampler) and to include extraneous matter:)

Mr. McEwen.

(The following Members (at the request of Mr. Matsunaga) and to include extraneous matter:)

Mr. William D. Ford.
Mr. Kee.
Mrs. Kelly.
Mr. Brasco.
Mr. Joelson.
Mr. Hagan.
Mr. Pucinski in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1035. An act to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 10738. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until Monday, September 18, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1074. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting the text of ILO Convention No. 124, and the text of ILO recommendation No. 125, adopted by the International Labor Conference at its 49th session, at Geneva, on June 23, 1965 (H. Doc. No. 164); to the Committee on Foreign Affairs and ordered to be printed.

1075. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting the third progress report of the Jewish Restitution Successor Organization for the period ending June 30, 1967, pursuant to the provisions of Public Law 87–846, and Executive Order No. 10587, as amended February 26, 1963; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee of conference. H.R. 9547. An act to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and for other purposes (Rept. No. 641). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 12898. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. DICKINSON:

H.R. 12899. A bill to amend section 1072 (2)(F) of title 10, United States Code, to include other than natural parents and parents-in-law within the category of dependents eligible for medical care; to the Committee on Armed Services.

By Mr. EILBERG:

H.R. 12900. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

H.R. 12901. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. GARMATZ (by request):

H.R. 12902. A bill to amend section 27 of the Merchant Marine Act, 1920, authorizing coastwise movement of stevedoring equipment, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HALPERN:

H.R. 12903. A bill to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics; to the Committee on Interstate and Foreign Commerce.

By Mr. HANNA:

H.R. 12904. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

By Mr. HERLONG:

H.R. 12905. A bill to amend section 2204 of the Internal Revenue Code of 1954 to provide a method for the discharge of fiduciaries from personal liability for the estate tax; to the Committee on Ways and Means.

By Mr. JARMAN:

H.R. 12906. A bill to amend the River and Harbor Act of 1965 to prohibit certain fees from being charged in connection with projects administered by the Secretary of the Army; to the Committee on Public Works.

By Mr. MORTON:

H.R. 12907. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. RHODES of Arizona:

H.R. 12908. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 12909. A bill to preserve the silver dollars remaining in the Treasury as a national heritage; to the Committee on Banking and Currency.

By Mr. BENNETT:

H.R. 12910. A bill to establish a Judge Advocate General's Corps in the Navy, and for other purposes; to the Committee on Armed Services.

By Mr. DON H. CLAUSEN:

H.R. 12911. A bill to amend the tariff schedules of the United States to provide that the amount of groundfish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964; to the Committee on Ways and Means.

By Mr. MATHIAS of Maryland:

H.R. 12912. A bill to give the consent of Congress to the State of Ohio to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the acts of November 1, 1965 (79 Stat. 1157), and November 2, 1966 (80 Stat. 1156); to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 12913. A bill to promote the safety of workers engaged in making asbestos products for shipment in commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PRYOR:

H.R. 12914. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. PURCELL:

H.R. 12915. A bill to amend the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. ROTH:

H.R. 12916. A bill to amend the Economic Opportunity Act of 1964 to further limit political activity on the part of workers in poverty programs; to the Committee on Education and Labor.

H.R. 12917. A bill concerning a Federal Tax Fairness Act; to the Committee on Ways and Means.

By Mr. SMITH of Oklahoma:

H.R. 12918. A bill to create a Southwest Regional Services Corporation to provide a central location for various training centers and programs, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHBROOK (for himself, Mr. Del Clawson, Mr. Roudebush, Mr. Watson, Mr. Gardner, Mr. Goodling, Mr. Dole, Mr. Watkins, Mr. Mize, Mr. Winn, Mr. Duncan, Mr. Scherle, Mr. Ayres, Mr. Clancy, Mr. Devine, Mr. Hall, Mr. Utt, Mr. Gross, Mr. Schadeberg, Mr. Wylie, Mr. Miller of Ohio, Mr. King of New York, Mr. Derwinski, Mr. Cramer, and Mr. Adair):

H.R. 12919. A bill to amend certain provisions of the Internal Security Act of 1950 relating to the registration of Communist organizations, and to the Committee on Un-American Activities.

By Mr. FULTON of Tennessee:

H.R. 12920. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide for increase in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS:

H.R. 12921. A bill to amend the Rivers and Harbor Act of 1965 to prohibit certain fees from being charged in connection with projects administered by the Secretary of the Army; to the Committee on Public Works.

By Mr. STUCKEY:

H.R. 12922. A bill to authorize the appropriation of funds sufficient to permit the Secretary of the Interior to acquire certain property for addition to the Fort Frederica National Monument; to the Committee on Interior and Insular Affairs.

By Mr. WATSON:

H.R. 12923. A bill to amend title 39, United States Code, to prohibit the mailing of solicitations for orders of good or services in the form of bills or statements of account; to the Committee on Post Office and Civil Service.

By Mr. ZION:

H.R. 12924. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.J. Res. 825. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval and reduction of items in general appropriation bills; to the Committee on the Judiciary.

By Mr. JONAS:

H.J. Res. 826. Joint resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban slum dwellers in preventing riots; to the Committee on Banking and Currency.

By Mr. KUPFERMAN:

H.J. Res. 827. Joint resolution to authorize the President to designate October 31 of each year a National UNICEF Day; to the Committee on the Judiciary.

By Mr. PELLY:

H.J. Res. 828. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. UTT:

H.J. Res. 829. Joint resolution in opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. LENNON (for himself, Mr. Downing, Mr. Hanna, Mr. Pollock, and Mr. Reinecke):

H.J. Res. 830. Joint resolution to provide for a study of the resources of the ocean floor by the National Council on Marine Resources and Engineering Development, and to prevent certain premature actions which might adversely affect the interests of the United States in such resources; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12925. A bill for the relief of Vito Colomba; to the Committee on the Judiciary.

H.R. 12926. A bill for the relief of Vito Scavo; to the Committee on the Judiciary.

H.R. 12927. A bill for the relief of Giovanni Valenti; to the Committee on the Judiciary.

By Mr. BEVILL:

H.R. 12928. A bill for the relief of William W. Bedford; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 12929. A bill for the relief of Palmira Guasergna Panettiere; to the Committee on the Judiciary.

By Mr. DOWNING (by request):

H.R. 12930. A bill to authorize the President to award the Medal for Merit to Oskar J. W. Hansen in recognition of his extraordinary artistic achievement in the execution of the sculpture Liberty at Yorktown; to the Committee on Armed Services.

By Mr. GILBERT:

H.R. 12931. A bill for the relief of Caterina Salamone; to the Committee on the Judiciary.

By Mr. KARTH:

H.R. 12932. A bill for the relief of Tsai Tse Ming, Chan Mei Tung, Wong Yeung Pui, and Cheung Chuen Chung; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 12933. A bill for the relief of Mario Di Mambro; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 12934. A bill for the relief of Dr. James Kurian; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 12935. A bill for the relief of Pagona Anomerianaki; to the Committee on the Judiciary.

By Mr. REES:

H.R. 12936. A bill for the relief of Mr. Philemon M. Hou; to the Committee on the Judiciary.

H.R. 12937. A bill for the relief of Mr. and Mrs. Katse C. Semenya; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 12938. A bill for the relief of Anna Elsa Bayer; to the Committee on the Judiciary.

H.R. 12939. A bill for the relief of Jose Maria Sousa Costa; to the Committee on the Judiciary.

By Mr. BRAY:

H.R. 12940. A bill for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

By Mr. JACOBS:

H.R. 12941. A bill for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

By Mr. ADAIR:

H.R. 12942. A bill for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

By Mr. HALLECK:

H.R. 12943. A bill for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.R. 12944. A bill for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

By Mr. MYERS:

H.R. 12945. A bill for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

By Mr. ZION:

H.R. 12946. A bill for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 12947. A bill for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

By Mr. ROUSH:

H.R. 12948. A bill for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.R. 12949. A bill for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

153. Mr. MOORE presented a petition of the West Virginia State Medical Association pertaining to the treatment of the chronic alcoholic in general and private hospitals, adopted unanimously by the house of delegates of this association at their 100th annual meeting in White Sulphur Springs, August 23–26, 1967, which was referred to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Funds for Occoquan Rehabilitation Center

EXTENSION OF REMARKS

OF

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 14, 1967

Mr. HAGAN. Mr. Speaker, earlier this week, the District Health Department sought to increase its budget and double alcoholic treatment facilities and personnel at the Occoquan Rehabilitation Center in Virginia. The situation is currently so critical that 15 alcoholics who had voluntarily committed themselves for treatment had to be evicted due to lack of space. They were removed to make room for additional alcoholics ordered committed by Judge Harry T. Alexander of the District of Columbia court of general sessions.

It is ironic that these men, who had openly expressed a desire to receive treatment and cure their alcohol problem, were denied this opportunity in order to make room for others who had been "involuntarily" sentenced to take their place. This situation should help dramatize the critical need that exists currently in the District for adequate alcoholism treatment centers.

When the U.S. Fourth Circuit Court of Appeals ruled that alcoholism is a disease and a chronic inebriate cannot be jailed for public drunkenness, it placed the responsibility for treatment of alcoholics upon public health officials who do not have facilities to deal with the situation.

The District now sends its chronic alcoholics 30 miles away to the Occoquan, Va. treatment center, which is able to provide only minimal services due to overcrowded conditions and lack of adequate financial support.

I only hope this recent development will help emphasize the need for adequate alcoholism treatment centers and rehabilitation programs in the District of Columbia. H.R. 6143, a bill I introduced before the Congress is, I believe, a comprehensive and constructive approach in this direction. Currently being acted on by the District of Columbia Committee, this bill proposes the construction of detoxification centers and inpatient and outpatient treatment clinics, along with an expanded program of rehabilitation to enable victims of alcoholism to return to useful roles in our society.

It is my sincere belief that this bill is a constructive approach to the alcoholism problem.

Brotherhood and Good Will

EXTENSION OF REMARKS

OF

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 14, 1967

Mr. BRASCO. Mr. Speaker, this summer we have witnessed a series of tragic riots in a number of cities throughout our Nation. These riots were destructive to human life and property. No one gained by these horrible events.

Rioting does not provide jobs. Rather, riots drive industry out of a city. They do not advance civil rights, nor provide housing or quality education. Those who preach riot, or passively accept riot, are betraying the poor and destroying the civil rights movement, which has gained constructive momentum in this country.

Mr. Speaker, recently I took part in a parade through the Brownsville section of my district, which was composed mainly of participants in local antipoverty programs. Its sole purpose was to exhibit to the community, and the country, the many types of services made available through the comprehensive summer programs, and to stress the need for community unity—a need for which everyone is striving.

The parade consisted of thousands of marchers, and many colorful floats, depicting activities of the programs in existence. Some of the themes for the floats were: the beautification of Brownsville, voter registration, jobs for all, and new ideas in education.

I want to commend the community, the officers and member organizations of the Brownsville Community Council, all of whom worked so diligently to make this parade a success.

I would also like to commend the Council for Better East New York, United Youth Action, the United Negro and Puerto Rican Front, and all the organizations, both religious and civic, whose activity in summer programs contributed to the maintenance of harmony in our community.

Mr. Speaker, this was the answer of the people in my district to the summer disturbances; this was the answer of all those who are sincere about civil rights progress, who are sincere about helping the poor to a better share of America. This is the message that must be brought to all in the troubled areas of our Nation.

We must not permit pressures caused by rioting to cause people to move backward in their views of social problems. I urge all Americans, and particularly all of my colleagues in the House of Representatives, to recognize that the urban poor are saddled with serious problems—problems that all men of good will must continue to bend every effort to solve. Let us look forward to a new horizon of progress, based on brotherhood and good will.

The Kee Report: Labor Day

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 14, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a recent public service television and radio newscast, "The Kee Report."

The subject discussed in this report is Labor Day and its history and significance.

The report follows:

This is Jim Kee—bringing you the Kee Report.

This coming Monday, we celebrate Labor Day, the day on which we honor the dignity of honest toil, the very basic foundation of our American society.

The observance of Labor Day is designed to remind the American people of the tremendous debt which we owe to each and every laborer, as individuals, and to organized labor as a whole. It is a day when we salute labor organizations for all they have done to improve the standard of living of the average American worker, such as the splendid job organized labor is now doing educating "drop-out" youngsters in job skills so that they can earn a decent wage.

The history of Labor Day goes back to 1882 when the idea was first presented in a resolution offered by Peter J. McGuire, a later Vice President of the American Federation of Labor. The resolution was passed by the Central Labor Union, and the first Labor Day was observed that year in New York. Two years later, the American Federation of Labor unanimously adopted a resolution to the effect that the first Monday in September of each year be set apart as a laborer's national holiday by all wage workers, irrespective of sex, calling or nationality.

The movement to set aside a holiday to honor the laborer grew steadily and many towns adopted such a holiday by municipal ordinance. Within a decade, twenty-three state legislatures had also set aside statewide observances of Labor Day as a result of a widespread campaign conducted by organized labor. On June 28, 1894, the Congress of the United States passed a bill, signed by President Grover Cleveland, which made Labor Day a legal holiday for all Government employees. This Act was widely regarded as establishing Labor Day as a national holiday, although it actually applied only to Federal Government employees. However, by 1900, most of the States had, by their own legislative action, recognized the observance of Labor Day.

The significance of Labor Day is seen in the fact that not only the United States Congress, but each and every State, has passed legislation setting aside the first Monday in September as a legal holiday in recognition of the great role which American Labor has played in the economic growth of our Nation.

In the words of the late President John F. Kennedy, and I quote:

"We look upon man's toil as an expression of individual personality and will, not a commodity to be exploited for the benefit of a state or ruling political party. Tyranny deprives a man of the freedom and joy of his work."

It is this recognition of the dignity and freedom of labor which distinguishes our democratic way of life from the tyranny of totalitarian Communism. In a world full of economic upheaval, one of the main lines of Communist attack is upon our economic structure, as well as military and political. The importance of the laborer's contribution can never be sufficiently acknowledged.

Labor, today as always, is still one of the very foundations and bulwarks of our way of life.

Thank you for listening.

Address of Vice President Hubert Humphrey at Weizmann Institute of Science Dinner Honoring Philip M. Klutznick, of Chicago

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 14, 1967

Mr. PUCINSKI. Mr. Speaker, it was my pleasure to attend a dinner in Chicago on Sunday night honoring Philip M. Klutznick.

Vice President HUMPHREY delivered the major address of the evening and I believe it should be called to the attention of all of us who are honored to serve in Congress. Its eloquence and sense of purpose reaffirms for all of us the goals we must never lose sight of in our quest for development which, as Pope Paul says, is the new word for peace.

It was significant that Vice President HUMPHREY chose a dinner honoring Philip Klutznick for his timely remarks. For Mr. Klutznick epitomizes the very spirit of challenge which Vice President HUMPHREY used for his theme.

Mr. Klutznick has served five American Presidents, beginning with Franklin Roosevelt, in the field of urban planning. Many of the innovative ideas gaining wide acceptance today are the products of his recommendations years ago. Currently he is adviser to the Center on Housing and Planning for the United Nations.

He has served with distinction as international president of B'nai B'rith, general chairman of the United Jewish Appeal, president of the American Friends of the Hebrew University, vice president of the National Jewish Welfare Board, vice president of the World Federation of the YMHA and Jewish Community Centers, and he is a member of the national board of the American Committee for the Weizmann Institute of Science.

The banquet honoring Philip Klutznick in Chicago on the occasion of his 60th birthday was attended, in addition to the Vice President, by Lieutenant Governor Shapiro, Mayor Richard Daley, Adlai Stevenson III, Congressman YATES, and numerous prominent Americans who willingly and readily met to pay tribute to an outstanding American.

Philip Klutznick is an American in the finest tradition of the word. He knows the complexity of the job to be done and is not deterred by the challenge of progress. Millions of Americans, millions of people throughout the world have benefited from his creativity and enthusiasm. The Weizmann Institute of Science has established the Philip M. Klutznick professorial chair in developmental biology—immunology cancer. Philip Klutznick will continue to serve as an inspiration to men of vision and ability throughout the world.

Mr. Speaker, the Vice President's remarks follow:

ADDRESS OF THE HONORABLE HUBERT H. HUMPHREY, VICE PRESIDENT OF THE UNITED STATES, AT WEIZMANN INSTITUTE OF SCIENCE DINNER HONORING PHILIP M. KLUTZNICK, PALMER HOUSE, CHICAGO, ILL., SEPTEMBER 10, 1967

We are here tonight to pay honor to two men of excellence: Dr. Chaim Weizmann and Philip Klutznick.

Dr. Weizmann is no longer with us, but his spirit lives and grows in the Weizmann Institute and, in the State of Israel itself. I did not have the privilege of knowing Dr. Weizmann, but his transcendent goodness and greatness shine through everything I have heard and read about him.

As for Phil Klutznick, I think of him not only as a public servant and a supremely public-spirited private citizen, but as my good friend. Phil, I know that once you gain a reputation as a publicly spirited citizen, there is no escaping it.

Dr. Weizmann once said: "The walls of Jericho fell to the sound of shouts and trumpets. But I have never heard of walls being raised that way."

Those words today, more than ever, should have special meaning to each of us. For in our America—and in our world—this must be the time of the builders. This must be the time of those who seek neither easy glory nor cut-rate success, but who are willing to pay the price of work . . . and frustration . . . and oftentime, self-sacrifice to build a nation, and a world, where neighbor may live peacefully with neighbor . . . where human dignity is not a speechmaker's phrase, but a reality in the daily life of every man.

What does it take to build a nation? Dollars? Factories? Tools and resources? Yes, it takes these things. But the lesson of Israel, and of America, is that it takes, above all, people—people united, people with respect for themselves and for their neighbors, people filled with faith and hope in future, people inbred with indomitable and courageous perserverance.

Nation building is not for the weak or timid nor is it without its uncertainties. Today our nationhood is being tested. It is being tested in every American community where strife and pain have shattered the calm of a society grown accustomed to the late, late show and the reassuring hum of the Dow Jones ticker. It is being tested in the choices we make in responding to the disruptive events in our city streets.

For now, when the many are well-fed, clothed, educated and housed and the few are not . . . when the many walk through open doors and the few are barred—now is a time of testing far more demanding than when the many sought to reach what only the few had achieved.

Now is a time when it could be all too easy to deny in our own hearts the spiritual and ideological precepts which have guided us, and to say: We are not our brothers' keepers.

Now is a time when it could be all too easy to forget that we serve God by serving man, created in His image, by loving our neighbor as ourself, by "doing justly and loving mercy and walking humbly" before our Maker. But we must not. And I have faith that we shall not.

There is no more repellent word in our vocabulary than the word "ghetto." The very sound and inference of it offend our senses. Yet we must recognize that there are ghettos today in America every bit as real as those of the past in other places. And within those ghettos—we've grown accustomed to calling them slums—live fellow American citizens whose world is so far distant from yours and mine as to be unrecognizable. Yet until those Americans can stand in unity with us—and we with them—our Nation will remain unbuilt. It will remain only a blueprint—one more of history's uncompleted frameworks.

How are we to remove from the American environment the ghetto and the slum? How are we to help lift the left-out few into the growing, prosperous mainstream?

This is the work for builders. This is the work for those in America who want to be "where the action is." This is the task for those who look beyond the country club veranda to the Nation we are building for the 21st century. For the time has passed in America—just as it has in the world-at-large—when "trickle-down" prosperity, "trickle-down" education, "trickle-down" social progress will be enough to satisfy men and women who see on television, and hear on transistor radios, what the outside world has to offer.

Now we're down to the bottom of it. We shall have to practice what we preach. We shall have to reach out to the one American in six or seven who lives on the margins of our general well-being. We shall have to make the extra effort for the 6-year-old child who comes to school from three generations of illiteracy, ignorance and discouragement. We shall have to give him the best, not the least, that school has to offer or another generation will be lost.

We shall have to make room in our office, factory, and business training programs—and in our trade unions—for the willing but untrained young men who will never be back to school, who do not have the standard credentials for the world of work. Or those young men will be lost for time to come to the world of welfare, relief and crime.

All of us will have to re-examine our old ways of doing things. We shall have to ask questions. Does the private sector need new incentive to enter critical areas of public need, such as low-cost housing? Are there ways we in government can offer that incentive? Does our public welfare system penalize rather than help the mother striving to support a young family without a father? How can it be changed?

Do we force our old people, particularly those trapped in poverty, to live on small, fixed incomes in an economy of growth? How can we help them not just subsist, but live?

Are our units of government—especially at state, local, and municipal level—organized, funded and staffed for the turn of the century, or for tomorrow?

Are our tax dollars being wasted through the sheer inefficiency and disorder of old divisions of governmmental responsibility designed for an agrarian society? Or can they be put productively to use in meeting problems, for instance, such as the poisonous pollution of our water and air, or the lack of mass transit, which cut across all the old jurisdictional lines?

And, finally, does each one of us really believe that every other American—regardless of race, name, religion, or color—ought to have the same equal chance that we have? Or do we save that belief for lip-service at school commencements and patriotic meetings?

Every one of those questions carries within it a challenge for our affluent, generally-well-off America. For, if we chose to do so, we could ignore every single one of them. Oh yes, there would be disturbances from time to time. We could put them down. We'd pay a lot in taxes to pay for the unproductive people in our midst, and for the cost of crime.

We'd be offended from time to time as we drove past the dirty, dilapidated neighborhoods on the other side of town. But everything would still be comfortable enough—at least for quite a while—for ourselves and for the people we know.

But the price we would pay in conscience is one we could not afford. And our moral stature in this world—and I believe it is considerable—would be damaged beyond repair.

I think we must ask all the questions I have just asked, and more. And when we think we have the right answers, we must be willing to act on them. Jobs. Education. Training. Decent, low-cost housing. Convenient mass transit. Health services. Participation by people in the life of their neighborhood. Respect for every fellow citizen. These are the things our society will have to produce in the months and years ahead—far more than the newest accessory for the woman who has everything—if the work of nation-building is to go on in America. And now is the time to get on with it.

Finally, especially before this audience, I must add a few words about this same process of nation-building in the larger world environment in which we live.

When we think of nation-building, we think of Israel. We think of the work of the Weizmann Institute. We think of the efforts that the United States, Israel and other "have" nations have undertaken in the postwar world to help the "have nots." And, we rightly take some satisfaction. Yet—since this seems to be an evening for fact-facing—I think we should see these efforts in their proper perspective.

Pope Paul's recent and historic encyclical said it simply and directly: "Development is the new name for peace." And, if peace is indeed to be preserved in this nuclear age, all the industrialized nations of the world—regardless of ideology—will have to mount a far greater effort in international nation-building than they do today.

If our rich and powerful nation is challenged by the gap that still exists within our society here at home, the industrialized world in general is challenged far more by the sickening gap that divides it from the two-thirds of the world's people who live hungry, desperate and ready to turn to anyone who offers food, hope, and answers. And if our American ingenuity is tested in meeting our domestic trials, it is all the more tested in the task of peaceful development around the world.

I need point no further than the Middle East to bring clearly into focus the seething turmoil that can stem from societies of poverty—victimized by fear and suspicion fed by ignorance and despair. Yet, in that same Middle East, we see a noble example of nation building by men and women who in the spirit of our American forefathers have pledged "their lives, their fortunes, and their sacred honor" to the creation and defense of a free and independent Israel.

Today the story of Israel inspires millions of people all over the world. Israel in peace and war commands respect. Yet Israel knows, as her neighbors must know, that the hope of a better life in peace and freedom requires regional cooperation and massive development of all the resources of the area.

I need point no further than the Middle East to demonstrate the urgent need for the application of the advanced knowledge and technology we and others possess, in the cause of peace and peaceful development. The Middle East needs water—and what is more, a symbol of peace and life.

For the past three years our Government, and the Government of Israel, have been working together in planning for a massive installation which would use nuclear energy to desalt sea water. Right now we are concerned with the practicality and cost of a plant which would produce 100 million gallons a day of desalted water and 300 megawatts of electric power. Other studies are underway for application in other parts of the world.

Two eminent Americans—President Eisenhower and Admiral Strauss—have put forward another such proposal in the same spirit. This proposal, and others like it which might contribute to development in the Middle East and elsewhere, are receiving careful attention within our Government.

As President Johnson said this June 19:

"If the nations of the Middle East will turn toward the works of peace, they can count with confidence upon the friendship and help of all the people of the United States . . . we here will do our share . . . and do more . . . to see that the peaceful promise of nuclear energy is applied to the critical problem of desalting water and helping to make the deserts bloom."

I use the Middle East, and I use desalinization of water, as examples of the challenges—and of the hard, practical work which will be needed to meet them—which lie ahead of us. Assume, for instance, that the ultimate in regional cooperation might be achieved—yes, even in the Middle East.

Assume that the ultimate in private-sector participation might be obtained. Then assume that the state of technological art already existed to cheaply undertake such projects wherever they were needed.

You would still be astounded by the cost, the time, and the commitment that would be necessary by the "rich" nations to bring the projects into full operation. And it would be still months and years later before their benefits really begin to be broadly felt among the people living near them. Is this any reason for giving up on desalinization, in Israel, the Middle East, or anywhere else?

It is not. But it is reason for all of us to realize that time is growing short and that the scope of the challenge of development must at least be acknowledged by those who will have to meet it. Yet again this year, we saw the President's foreign aid request emasculated in the Congress. And we saw a good deal of the hatchet work done by people who in the same breath decried the necessity of our involvement in unfamiliar parts of the world.

I have news: To cut off foreign aid, to leave the field to disorder and poverty, is to invite trouble in unfamiliar parts of the world. Yes, as Pope Paul said, development is the new name for peace.

And this, again, is where the builders come in. All men profess to seek peace. But peace is like a flower—it needs fertile soil in which to grow. (And this is as true in America as it is in the most remote mountain province in Asia, Africa or Latin America.) Peace cannot, and will not grow, in the rocks of bitterness and poverty, in the dry sands of backwardness and despair. It needs the fertile soil of education and food, of health and hope.

The pursuit of peace resembles the building of a great cathedral. It is the work of generations. In concept it requires a master architect; in execution, the labors of many.

Yes, the pursuit of peace requires time—but we must use time not as a crutch, but as a tool. We must use time to see our country and the world as they really are . . . to measure what needs to be done and how.

And then, as Dr. Weizmann said, without shouts or trumpets—with only the rewards that lie within our own hearts—we must build, brick-by-brick, a cathedral of peace and justice and brotherhood to stand a thousand years.

Hon. Edna F. Kelly Appears Before National Commission on Urban Problems in New York City

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 14, 1967

Mrs. KELLY. Mr. Speaker, because of the recent recess in our congressional proceedings, I was fortunate enough to have been able to spend more time in my district than is normally permitted during a session of the Congress. Therefore, I found that I was able to tour various parts of my district, which is the most populous in the State. I was able to visit with numerous constituents and neighbors, in order that I might personally gage how they felt about various domestic and foreign problems facing our Nation, State, and local communities.

Mr. Speaker, my discussions and meetings at home only confirmed what my mail in recent months has indicated—that the major domestic concern of my constituents is the rapid decline of living conditions and opportunities in our city of New York.

Therefore, I welcomed the opportunity I had during the recess to share my own personal concern and the concern of my constituents regarding the plight of our city by testifying before the National Commission on Urban Problems on September 8, during the course of their 3-day hearings in New York City. The Commission appointed by President Johnson and chaired by our former colleague, U.S. Senator Paul H. Douglas, is seeking ideas in order "to break the log jam of inertia, inappropriate taxation, outdated zoning laws and building codes, and discrimination which have prevented us from making our cities more livable."

In calling for action to alleviate some of the problems facing the city, I stated:

> It is self-help on the part of individuals and self-determination which could make this City even more livable than it formerly was. No government nor any amount of money can do the job alone. What is needed is a combination of all forces in the Community: business, industry, the professionals and religious and civic organizations. All must work together for progress—to correct the errors of the past—with mutual trust of each other.

At this point, Mr. Speaker, I would like to insert in the RECORD the full text of my testimony detailing constructive proposals toward solving the problems of our cities and urban areas:

STATEMENT OF HON. EDNA F. KELLY, MEMBER OF CONGRESS, 12TH DISTRICT, BROOKLYN, N.Y., BEFORE THE NATIONAL COMMISSION ON URBAN PROBLEMS, AT THE COMMUNITY CHURCH OF NEW YORK, SEPTEMBER 8, 1967

Mr. Chairman and Members of the Commission: I welcome the opportunity to participate in today's hearings of the "National Commission on Urban Problems". Your task is a difficult assignment—to look into the local issues affecting the cities of the United States. Mr. Chairman, you stated in your release of August 31st, "We are trying to break the log jam of inertia, inappropriate taxation, outdated Zoning Laws and Building Codes, and discrimination which have prevented us from making our cities more livable. We are seeking workable ideas from all sources—government, labor, business, education, civic organizations—on what is required to overcome these obstacles to create decent low-cost housing and good neighborhoods for all Americans."

You have been listening to expert witnesses testify on issues involving the problems of our cities—problems which have caused devastating inroads on the lives of city dwellers and the tranquillity of urban society.

I do not propose to agree or disagree with the points presented or with prior witnesses' suggested "workable ideas". Consideration and appraisal of all of these proposals is your difficult task.

In my capacity, I offer my assistance, my office and my personal knowledge in any manner you consider helpful.

As you know, I appear today as a Member of Congress, having the honor of representing the 12th Congressional District, the most populous Congressional District in the State of New York, which is located in the most populous Borough of the City of New York—Brooklyn.

Based upon the 1960 census, more than 2,600,000 people reside in the Borough of Brooklyn. It is separated from the other Boroughs of the City of New York by seven bridges and a tunnel. At one time it was a city unto itself. While Brooklyn is now only part of the City of New York, its problems are as extensive, or more so, than those of many of our larger cities. Brooklyn is unique, as is each of the Boroughs of the City of New York. While there are common threads, each Borough requires individual attention as their problems are different due to natural barriers which separate the Boroughs of the City of New York.

We are all aware that our cities are facing perhaps the greatest challenge of this era. We know that every facet of urban living is on the move. This momentum has a formidable bearing on the city dweller—economically, socially, politically and psychologically. I believe this leads to the "log jam of inertia" to which you referred in your release of August 31st.

How can we try to break this "log jam"? Mr. Chairman, my answer is action! Action on our part—the city dweller. There must be a return to the positive feeling of love, of pride and respect for the Community and the City in which we live. It is self-help on the part of individuals and self-determination which could make this City even more livable than it formerly was. No government nor any amount of money can do the job alone. What is needed is a combination of all forces in the Community: business, industry, the professionals and religious and civic organizations. All must work together for progress—to correct the errors of the past—with mutual trust of each other.

We are all aware of the broad background of the problems this Commission has earmarked. Many of them, such as outdated Zoning Laws and Building Codes, fall within the scope of local city governments. To these I add many of more urgent nature. They are: taxation problems, discrimination, housing, employment, education, crime and exodus of the middle-income group from cities.

In addressing myself briefly to these issues I realize, Mr. Chairman, that you are an Economist and I take a deep breath before mentioning this first item.

I submit for your consideration that a complete study of taxation and taxing powers of all levels of government must be undertaken. This should include taxation from the Federal level down to the smallest unit of local government. In some instances the burdens of taxation on businesses and individuals have become oppressive. For example, certain taxes which are essential to produce required revenue for the City of New York are causing an exodus of businesses from the City and of the middle-income group. Without this group no Community can survive. I am as sure as we are here today that if the exodus of business and middle-income people is not halted in New York—New York will soon lose its position as the business center of the world.

The second issue to which I refer is discrimination. The Federal government has acted to help to restore and insure the inherent rights of all persons. Both federally and locally, laws have been enacted to prohibit discrimination on all fronts. These are matters of public record. I submit, however, that it is the duty of government to enforce these laws, people to accept these laws and those affected to measure up to their responsibilities. Congress has taken action on urban problems. It has created a Cabinet post of Secretary of Urban Affairs. It has enacted the Poverty Program and has provided for a small number of new low-income housing units. There is, however, much more Congress must do to measure up to its responsibility to the commonwealth. In this instance our responsibility is to our urban communities.

There are many excellent Bills in Congress concerning urban problems which await action. I have introduced many of these along with my colleagues. I trust the Commission will review them and make recommendations on them in its report.

My colleague, Senator Robert Kennedy, testified before you on Wednesday and addressed his remarks to these Bills. I agree that passage of them would be a substantial step towards our objectives.

These Bills, which I have also introduced, would provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas and would provide new low-income housing by creating a mechanism by which private enterprise can and will build and rehabilitate large numbers of low-cost housing units in urban poverty areas.

It is obvious to me, as I believe it is to many others, that while much valuable legislation is pending in Congress, the Federal government may find it difficult, at this time, to provide the enormous sums of money required to achieve the goal of constructing sufficient low-income housing. Other ways and means must be found to achieve this necessary goal.

Business is now ready to take its place in the social mission of government. It now has a little better recognition of the function of profit than it formerly held.

One of the best methods of breaking the "log jam" is, as I see it, to devise means of eliminating the problems which have kept private enterprise out of the low-cost housing field. Basically, these problems are two in number. They are the high cost of constructing low-income housing and the high cost of maintaining the same due to prevailing interest rates, taxes, vandalism and virtual destruction of many properties by those who occupy the same.

I am not an expert in the field of housing, but I submit that in addition to the legislation I have referred to, a cooperative program can be developed whereby private enterprise could construct low-income dwelling units for sale on a cooperative basis. I envision a program providing for federally guaranteed low-interest, long-term mortgages under which the Federal government would contribute the differential between the interest rate paid by the borrower and the going rate of interest. I further envision cities granting tax reductions or tax abatements on these properties. Combined with these suggestions, I further propose that in connection with these properties the Federal government institute a program whereby a low-income purchaser could negotiate a federally guaranteed low-interest, long-term loan to help pay a large part of the cost of purchasing the cooperative housing unit.

By this method, private enterprise would find it feasible to construct low-cost housing. Normal banking and financial channels could be utilized to provide the necessary financing.

Perhaps most important, low-income families would, through ownership, develop pride which would guarantee the preservation and proper maintenance of these properties. In this regard, I am convinced that the greatest majority of low-income families are hard-working, decent people who, if given the opportunity to live decently, will justify our confidence.

I wish to make one further observation concerning the problems faced by this Commission. I believe that this Commission should not only concern itself with existing housing problems, but that it must also give consideration to developing ways and means of preventing existing housing from deteriorating to slum-like conditions. I have in mind what has happened, for example, in the Bedford-Stuyvesant section of Brooklyn, part of which is within my Congressional District. Several years ago there were few areas of substandard housing in the Bedford-Stuyvesant area. As a result, this area was completely overlooked by the City planners. Priority was given to bulldozing already deteriorated areas and constructing, in their place, high-rise apartment buildings. Bedford-Stuyvesant, a transitional neighborhood, was left untouched and rapidly deteriorated so that vast numbers of its housing accommodations are now sub-standard. In this regard, I urge that serious consideration be given to such problems as code enforcement, vestpocket construction and rehabilitation of existing housing accommodations. Preventing deterioration of housing along with selective construction of new units, are the steps that are necessary.

The problems faced are difficult and many long-existing prejudices must be conquered.

It is my hope that this Commission's recommendations will serve as a blueprint for the future—for a great part of our future is bound up in our ability to solve the problems of our cities and urban areas.

The Courage of Cardinal Mindszenty

EXTENSION OF REMARKS
OF
HON. CHARLES S. JOELSON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 14, 1967

Mr. JOELSON. Mr. Speaker, my distinguished colleague from New Jersey [Mr. Patten] has clearly told us the facts of the precarious situation of the brave Cardinal of Hungary, Archbishop Joseph Mindszenty.

It is well to recall now the events which led to the rise and the Communist arrest and imprisonment of the leader of the Catholic Church in Hungary, a deed without precedent in 1,000 years of Hungarian history.

After receiving his ordination as a bishop in March 1944—just before the German occupation of Hungary—the new bishop uncompromisingly denounced Nazism and anti-Semitism and was even at one point arrested for the audacity of his statements.

As the Primate of Hungary died in the days following the Russian occupation of his see, on October 2, 1945, Bishop Mindszenty was promoted to Archbishop of Esztergom and Primate of Hungary.

His first act was an appeal to the world to feed the starving Hungarian people. Raised to the position of a cardinal on February 18, 1946, by Pope Pius XII, he soon had occasion to protest the behavior of the Red army and the new antichurch drive of the coalition government already heavily infiltrated by Communists.

Cardinal Mindszenty visited the United States and Canada in 1946, and expressed his thanks for American aid. The position of the Hungarian Catholic Church in 1945 was still good. About two-thirds of the population was Catholic, half of the nation's secondary schools were under church auspices, and the land possession of the church allowed it to continue independent charitable and educational work.

Yet the church's troubles began soon enough. First, the apostolic nunciature was ousted from Budapest. Next, land reforms deprived the church of its income to maintain Catholic schools and charitable institutions. Restrictions were placed on the Catholic press, thereby depriving the Catholics from responding to the scurillous attacks in the Government press.

A secularized marriage law was put into effect in 1946; Catholic youth organizations were banned; priests were arrested for opposing the Communist-induced seizure of all power; and Catholic schools were nationalized in 1948.

The cardinal protested in vain; he pointed out that the measures not only contravened constitutional guarantees and traditions, but also the human rights pledge of the Government under the 1947 peace treaty. By 1948, a drive had begun to oust the cardinal. But when the schools were nationalized, the cardinal announced in July 1948 the excommunication of every Catholic member of the Parliament who had voted for it. He also took note of the stepped-up hate campaign of the Communist-dominated Government in November 1948 in a pastoral letter declaring any confessions he may make under Communist duress after his probable arrest null and void.

It was under such circumstances that his arrest and farcical trial occurred. However, even under the 1949 law, his conviction by the court remained a miscarriage of justice as he had never fulfilled the criminal intent of the statutes by his actions. After 10 years in prison and after being liberated by the freedom fighters in 1956, he has been residing in the American Embassy. It would be time for us to tell the Hungarian Government that if it wants bridgebuilding, it should solve the Mindszenty case, overturn the illegal sentence, and return him to his ecclesiastical functions. Otherwise the whole story of liberalization and religious freedom will remain a mirage.

Congressman McDade Sets Forth Some Cogent Observations on the Problems of Crime and Poverty in His Letter to the Washington Post

EXTENSION OF REMARKS
OF
HON. ROBERT C. McEWEN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 14, 1967

Mr. McEWEN. Mr. Speaker, I do not believe that there is very much disagreement among Americans as to what two of our most disturbing—and pressing—domestic problems are. Few, if any, issues here at home have commanded the news space and the television and radio time that crime and poverty have during this summer and, indeed, over the past few years.

While public scrutiny and concern are indispensable to winning the war against these blights, it is only through positive action that we shall ever be able to deal successfully with them. Crime and poverty are intertwined, and we will never eradicate either unless we root them out together.

My distinguished colleague from the Keystone State of Pennsylvania, the Honorable Joseph M. McDade, has addressed himself to these twin problems in a letter to the Washington Post of yesterday, setting forth some cogent observations that merit our attention and our thoughtful consideration.

I am pleased to insert Congressman McDade's letter in the Record so that those who may have missed it in the newspaper may read it herein:

September 1, 1967.

The Editor,
The Washington Post,
Washington, D.C.

Dear Mr. Editor: The *Post* editorial of August 30th on crime was in keeping with the traditional concern for human needs of which the *Post* is so justly proud. It contributes to the start of a vital dialogue on organized crime.

There are two kinds of crime in America—street crime and organized crime. Both are violent. Both are serious. Both are threats to law and order. All citizens should be concerned about both—but few seem genuinely worried about organized crime. The Administration is inexplicably indifferent.

We must be concerned because organized crime breeds street crime. Experts estimate that fully 50% of all the street crime in New York City, for example, stems from the desperate need of the drug addict to find the money, anywhere and anyway he can, to feed his habit. The business of illegal narcotics sales is the business of organized crime. If the crime rate is to be significantly lowered, a real war against organized crime must be waged. And it is not.

Perhaps of even more significance is the apparent mis-conception of organized crime which so many commentators share. Organized crime is far more than internecine violence in the underworld, far more than an intricate nationwide network of racketeers, and far more than crooked men in legitimate business enterprises. It is a monstrous leech on the urban poor in contemporary America.

Organized crime will take from the urban poor this year through the numbers racket alone more than three times as much money as the War on Poverty will put into the same areas. Organized crime through narcotics sales will take from the urban poor this year as much money as Project Head Start will spend to provide a chance to the children of the urban poor. Organized crime's loansharking this year will take seven times as much money from the marginal businessmen among the urban poor as the Small Business Administration will extend to them in loans under the anti-poverty program.

This is the context in which organized crime must be viewed, but seldom is. In this context the debate on wiretapping and electronic surveillance takes on a different light. We favor legislation to restrict severely the use of these devices in order to protect man's sacred right to privacy. But we cannot ignore the judgment of almost every law enforcement official and the President's Crime Commission that electronic surveillance is the only truly effective tool to fight organized crime.

The present Supreme Court is noted for its devotion to civil liberties. The major significance of its recent decision in the Berger Case is not that the permissive New York State wiretap law contains insufficient safeguards for personal privacy. The major decision of the Court was implied consent it gave to wiretap legislation which would permit electronic surveillance by law enforcement officers under court authorization and stringent, Court imposed controls.

Our recommendation is for a wiretap law that conforms to the latter of the Supreme Court's ruling in the Berger Case. In view of the threat which organized crime represents to the success of the War on Poverty, we do not understand why the Administration feels that it must ignore the view of the Court in the Berger Case.

A fight against organized crime is inseparable from a genuine war on poverty, inseparable from a sincere battle against street crime, inseparable from a real effort to rout out political corruption, and inseparable from a substantive effort to reestablish public respect for law, order and public officials.

Sincerely,

JOSEPH M. MCDADE,
Member of Congress.

The Polish National Alliance

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 14, 1967

Mr. PUCINSKI. Mr. Speaker, on Monday, September 18, the Polish National Alliance of America will begin its 35th Quadrennial Convention in Detroit, Mich.

This is a most significant day, not only for Americans of Polish descent, but for all Americans because the Polish National Alliance since its founding in 1880 has served as the mortar for holding together the imposing and impressive Polish spirit in America.

The convention, which begins in Detroit next Monday, is but another landmark in the history of this fine Polish-American fraternal organization which today enjoys assets totaling $132 million and has more than $300 million of insurance in force among its members scattered through 35 States in America.

Assembled in Detroit for this convention will be the most impressive leaders of Polish-American communities representing 1,420 local Polish National Alliance Lodges throughout the country.

Since the very founding of the Polish National Alliance in 1880, this inspiring organization has been the voice and the conscience, not only of Americans of Polish descent, but more important, this great organization has served as the beacon of hope for ultimate freedom and justice for 35 million Poles today living behind the Iron Curtain in their native Poland.

It would be difficult, Mr. Speaker, to fully evaluate the magnitude of the contribution made by the Polish National Alliance, its officers, and its members during the past 87 years toward the growth of America. The Polish National Alliance has been in the forefront in leading the cause of human dignity in this country since its very inception.

Through four difficult wars, World War I, World War II, Korea, and now Vietnam, the Polish National Alliance has stood in the forefront in urging Americans to defend our hard-won freedoms.

The president of the Polish National Alliance, Mr. Charles Rozmarek, has been a constant target of the Communists because of his stubborn refusal to entertain any form of compromise in demanding full freedom and dignity for Poland.

In 1944, it was the Polish National Alliance which sounded the first warning to the American Government of the evil intentions that the Soviet Union had in planning to absorb Poland and her neighbors into the Communist orbit.

The Polish National Alliance, through its president and its officers exposed the Communists for their evil designs from the early days of World War II.

Before that, the Polish National Alliance played a key role in helping mobilize volunteers for America's expeditionary forces in World War I. By helping organize American volunteers who fought so gallantly under the leadership of Gen. Joseph Haller in World War I, the Bolsheviks suffered their most disastrous defeat at the hand of the Poles. This heroic victory by the Poles paved the way for the restoration of Poland through President Wilson's Fourteenth Point after seeing Poland literally removed from the map for more than 150 years.

Mr. Speaker, the 35th Quadrennial Convention of the Polish National Alliance gives all of us as Americans an opportunity to review the impressive record of this magnificent American institution.

From its very inception, the Polish National Alliance has brought guidance to millions of Polish immigrants who migrated to the American shores from Poland.

These fine people who arrived on our shores, bewildered and uninformed, suffering the disadvantage of not knowing the English language, and unable to find employment, found their greatest friend in the Polish National Alliance.

This great organization has consistently led the fight to improve America's immigration laws to provide greater equity for those who want to emigrate here from Poland.

By maintaining its two Polish language newspapers, the Polish National Alliance through its membership has helped retain in this country the appreciation and the dignity of the Polish language and the Polish culture.

One of the watermarks of its illustrious history is the founding by the Polish National Alliance of an outstanding institution of higher learning at Cambridge Springs, Pa., known as Alliance College. Here thousands of young Americans of Polish descent who might otherwise have been denied the benefits of a college education, have been able to graduate with a college degree and a substantial part of their education has been subsidized through the generosity of the Polish National Alliance membership.

The censor of the Polish National Alliance, Mr. Dworakowski, the president of this organization, Mr. Rozmarek, and the dean of Alliance College, Dr. Parczynski, as well as all of the officers and members of the Polish National Alliance, deserve this country's highest gratitude for the understanding and devotion they have given toward making Alliance College one of the truly great institutions of higher learning in America.

Mr. Speaker, the Polish National Alliance has brought understanding of the deep yearning for freedom by the Polish people to every segment of our own country and, yes, to every corner of the free world.

In 1945, when the United Nations was being formed, it was the officers of the Polish National Alliance led by its president, Mr. Rozmarek, that called to the attention of the American Government the great tragedy that befell Poland when the Communists swept her into their own orbit. It was in San Francisco, that the Polish National Alliance, through its officers, demanded that 16 Polish leaders arrested in Moscow be liberated.

The work of the Polish National Alliance is beyond measure. It has stubbornly defended Poland's right to her recovered western boundaries; it continues to this day to demand the restoration to Poland of her eastern boundaries illegally seized by the Soviet Union; it is today fighting stubbornly for reparations for Poles who suffered great losses at the hands of the Nazis.

Mr. Speaker, we as Americans can be proud that in this great Nation of ours there are organizations like the Polish National Alliance whose imprint can be seen on every single page of our country's spectacular growth.

This is why this 35th Quadrennial Convention is more than just a meeting of dedicated people who belong to the Polish National Alliance—it is a national holiday in which all Americans can find pride.

Our No. 1 Domestic Need: Jobs

EXTENSION OF REMARKS
OF
HON. WILLIAM D. FORD
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 14, 1967

Mr. WILLIAM D. FORD. Mr. Speaker, it is my privilege to be among Members of this body who are sponsoring the proposed Guaranteed Employment Act (H.R. 12280) along with its author, my good friend and distinguished colleague, the gentleman from Michigan, Congressman JAMES G. O'HARA.

Enactment of the O'Hara bill would represent a major step along the road toward a full employment economy which is so desperately needed if we hope to cure the social ills facing our Nation—and more particularly our urban centers. As Congressman O'HARA has written, now is the time to redeem the promise of the Employment Act of 1946 which pledged Congress and the Nation to provide useful employment for those able, willing, and seeking to work.

The August issue of Agenda, the magazine published by the Industrial Union Department of the AFL–CIO, includes an article by Congressman O'HARA entitled "Jobs Now." It summarizes the case for enactment of the Guaranteed Employment Act. I commend the article to the attention of our colleagues, Mr. Speaker, and have asked that it be printed at this point in the RECORD. The article follows:

JOBS NOW

(By Congressman JAMES G. O'HARA, of Michigan)

The United States is in its sixth consecutive year of unprecedented prosperity. A record 76 million persons are gainfully employed in the civilian labor force. Total personal income has reached the astounding level of $622 billion a year. The average paycheck is larger than ever before.

But there is, in prosperous America, a second America—the other America.

It is the America of nearly 3.5 million unemployed and over 30 million poverty stricken.

It is the America in which 14 percent of our young people aged 16 to 21 cannot find work.

It is the America of the ghettos and the slums.

While our nation is enjoying its most prosperous year ever, the forgotten millions of the other America are left to face the effects of economic hopelessness: the destruction of initiative, the pull toward crime, the abandonment of family life, and the inoculation of youngsters against ambition.

There is in the other America a dangerous sense of irrelevance that makes strangers in their own land of many of our fellow countrymen.

This sense of irrelevance, I suggest, is a deeper wound to the human soul than segregation or discrimination or poverty—although they add to the pain.

When the strength and willingness to work, which is all that many Americans can bring to the marketplace, are no longer a sufficient commodity with which to earn a living, then people begin to wonder what they exist for, and whether they have any meaning as individuals in the economy and in the society. They drift into pessimism and despair. Their spirits are twisted and deformed. They lose any sense of identity and become easy prey for the first demagogue who comes along.

In the other America, with its poverty, degradation and alienation, the seeds which exploded into Watts and Detroit were first planted.

It would be an oversimplification to say that the conditions of the other America are wholly responsible for civil unrest—but I doubt that we would be experiencing insurrection in the streets today had there never been a second America.

There is, of course, no simple cure-all for the other America and the ills which have produced it.

There is not one answer to every problem. No single program will forever and immediately erase unemployment and poverty, nor will it bring within the first week or the first year of its operation a total sense of belonging—a full realization of every American who today feels he does not have anything to offer this society.

But there must be beginnings and one such beginning would be an attempt to achieve full employment.

Americans are complex people and our needs are complex. But the basic need of any human being is a purpose—a function to fulfill—a job to do.

Jobs are not the whole answer to the problems that are facing our society, but they are an essential answer. And while the agenda of our society does not end with the goal of full employment, it most certainly begins there.

For that reason, a large number of my colleagues in the House of Representatives and I have advanced legislation—the proposed Guaranteed Employment Act, H.R. 12280—which would help us move toward fuller employment.

This legislation calls upon the federal government to take the leadership in an effort to provide employment for today's unemployed and underemployed who are willing and able to work.

H.R. 12280 would provide $4 billion in grants, during the first year, to federal, state and local government agencies and to private nonprofit organizations to help them bear the cost of providing one million new jobs in public service occupations.

This is not a program to make work for the unemployed, but to make jobs for the whole community. It would create new positions in areas of our society which have great manpower needs but which do not have the resources to fill them.

It is indisputable that the potential for these positions exists.

The National Commission on Technology, Automation and Economic Progress, only a year ago, found that there are 5.3 million new public service positions which could be created. The Commission found that there could be available—immediately—jobs as aides in medical institutions and health services, in schools, in welfare services, and in public protection.

There could be jobs in urban redevelopment and sanitation and in conservation and reforestation.

The use of the grant mechanism will allow state and local governments and private organizations to take the initiative in putting these people to work where they are most needed.

To guard against erosion of the worth of this employment, safeguards have been written into the legislation to assure normal wages, normal working conditions and benefits (such as workman's compensation).

The bill, in one of its most essential provisions, sets up a mechanism for training programs under which these workers can receive the basic education and advanced job training which they need to climb further up the ladder out of the other America.

The program outlined in the Guaranteed Employment Act will, I believe, be a start toward eradication of some of the root causes of violence in our streets.

It will make inroads into the core of unemployment. It will begin to spread in the slums and ghettos a sense of hope—a sense that the poor and the disadvantaged can make a place for themselves in society. It will help the other Americans to help themselves.

It will eliminate poverty for many, rather than merely make them comfortable in perpetual poverty.

The value of this program will not stop at its benefits to the unemployed. It will benefit all of us. The work that these people can contribute can go far toward redressing the neglect of years in attacking the problems of medical care, educational and recreational needs, urban decay and erosion of our national resources.

The economic benefits of this program alone would justify its serious consideration. The unemployed consume, they do not produce. To provide them with meaningful jobs increases not only their income but that of society.

In terms of loss to our economy, our output of goods and services is cut by billions of dollars when unemployment keeps men and machines idle. The proposed Guaranteed Employment Act, H.R. 12280, could help reclaim a portion of these costs.

The worth of converting welfare recipients into producing citizens is illustrated by our experience with the Manpower Development and Training Act.

It has been estimated that each person trained and placed in a job under the Act, represents a reduction in welfare and other payments and an increase in tax receipts of almost $8,000 in the first 10 years after training. In addition, each trained individual will probably provide $30,000 to the national economy in that decade.

Our proposal is not new. H.R. 12280 was foreshadowed, and in important respects formulated by the Automation Commission, the Full Employment Steering Committee of the Democratic Study Group, the President's Commission on Law Enforcement and Criminal Justice, the Advisory Council on Food and Fiber and others in the last few years.

These advocates have pointed out, as I have, the expected effects of a program of guaranteed employment on the problems of deprivation, discrimination and poverty.

What is new about the Guaranteed Employment Act is the sense of national urgency which now surrounds the discussion of such a plan.

In a nation becoming ever more prosperous, we are witnessing the development of a huge impoverished underclass. While most of us enjoy the benefits of one of the highest standards of living ever known, some cannot find work or earn a living wage.

This schizophrenia is growing worse—not better.

We cannot ignore the other America any longer. If we do not undertake the task of ending unemployment and poverty we will be the losers. So will our children. And, most of all, so will our nation.

Twenty one years ago, the Employment Act pledged those of us in Congress and the entire country to the goal of providing "useful employment opportunities for all those able, willing and seeking to work." The time to redeem that pledge is now.

HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

I will say of the Lord, He is my refuge and my fortress: my God; in Him will I trust.—Psalm 91: 2.

O God and Father of us all, at the beginning of another week we draw near to Thee humbly and reverently realizing our need of Thy spirit and praying for guidance, strength, and wisdom at Thy hands. For this moment may we enter the secret place of the Most High and continuing so to do learn to dwell under the shadow of Thine almighty presence.

Thou art the source of all our being. Thou are the fountain of every noble aspiration. Thou art in everything that lifts and liberates our souls. Therefore we pray that Thou wilt lead us from the unreality we find about us to the reality in our own hearts. May our faith in Thee be real. May our love toward our fellow man be real. May the spirit of good will forever be real within us.

Grant us Thy spiritual resources for this day and may we ever be receptive to Thy inner voice. In the name of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, September 14, 1967, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11816. An act to provide certain benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 11816) entitled "An act to provide certain benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McClellan, Mr. Eastland, Mr. Ervin, Mr. Hart, Mr. Kennedy of Massachusetts, Mr. Hruska, Mr. Scott, and Mr. Thurmond to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1985. An act to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes.

THE LATE HONORABLE BRENT SPENCE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, the death of Brent Spence at the age of 92 brings to close a life that provided the Congress of the United States with one of its brightest minds and one of its most endearing personalities.

When he failed to seek reelection in 1962, Brent Spence had spent 32 years in this House. For nearly 20 years he had been chairman of the House Committee on Banking and Currency. Both as a member and as chairman, he had written his name in large letters upon the housing legislation enacted by Franklin D. Roosevelt's New Deal, Harry S. Truman's Fair Deal, and John F. Kennedy's New Frontier.

Brent Spence brought to his legislative tasks a keen, scholarly mind. He was a deep student of the matters which came before his committee. When he sat at the committee table in the House and piloted controversial legislation through this Chamber, Members would gather here just for the pleasure of watching a skilled technician at work.

Three Democratic Presidents relied upon Brent Spence for counsel and advice in matters of legislation. His humanitarian instincts made him a natural supporter of all measures intended to make life better for the people of this country.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, the passing of our late beloved friend, Brent Spence, brings sadness to all. Brent Spence was one of the most valuable, dedicated, and courageous Members of the Congress of the United States. He and I were close personal friends. I entertained for him a deep feeling of friendship and a strong feeling of respect and admiration.

Brent Spence was one of the most remarkable men I ever met. His outlook on life, the beauty of his mind, the kindliness of his disposition made an impression upon everyone with whom he came in contact.

He was a man of strong character. Under that kindly atmosphere and disposition of his was a man of strong convictions, a man who played a very important part while he served in the Halls of Congress in the passage of forward-looking legislation for the best interest of the people of our country. I join with my friend from Kentucky and the other members of the Kentucky delegation in extending my sympathy upon the passing not only of this great man, but this good man.

Mr. NATCHER. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to my colleague from Kentucky [Mr. Natcher].

Mr. NATCHER. Mr. Speaker, it is a sad occasion today as we pay tribute to our departed former colleague, the Honorable Brent Spence, of the old Fifth Congressional District of Kentucky.

It was my honor and privilege to serve with Brent Spence, beginning with the 83d Congress and extending up to the time that he retired as a Member. He was a man who truly cared about people and he showed this in many ways as chairman of the Committee on Banking and Currency.

All down through the years while serving as a Member of Congress his concept of public trust was without parallel. At all times he loved, respected, and honored the House of Representatives and served as a vigilant defender and protector of the rights of this great legislative body.

Brent Spence was a man of sound judgment, patience, and perseverance. From time to time giants walk the earth and history will record the fact that Brent Spence is one of this group. He was recognized throughout this country as a leader of men and a man of public spirit. The influence of Brent Spence will be felt for many generations to come, for the efforts and example of men of his caliber are not quickly forgotten. He was a busy man—a humble man—a good man.

Mr. Speaker, I would further like to add that Brent Spence was probably one of the few Members who served in the House of Representatives during the 20th century, who never revised his remarks. Those that he made in presenting a bill and explaining the bill to the House of Representatives appeared as he said them in the Congressional Record the next day. He was an unusual man.

Mr. Speaker, I am grieved to hear of the death of my friend, and my heartfelt sympathy goes out to the members of his family.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. Mr. Speaker, I yield to my colleague who represents the district of Brent Spence.

Mr. SNYDER. Mr. Speaker, I, too, have just learned of the passing of a former Member, Brent Spence, who was well known to you and to many who sit in this Chamber. When Brent Spence made the voluntary decision not to seek reelection at the end of the 87th Congress, he brought to an end over 32 years of dedicated service to his congressional district, to our State, and to the Nation.

As chairman of the Banking and Currency Committee, he had a monumental record of endeavor which has affected in a most direct and vital way, the lives of millions of Americans. In addition to his vast capabilities and exceptionally fine and keen mind, he had a great heart and a kindly, sincere, gentle manner which endeared him to all who knew and worked with him.

Mr. Spence represented the Fifth Congressional District of Kentucky—roughly corresponding to the Fourth District which I now represent—and I suppose I am in as good a position as any one to know the feelings of the people about the man who represented them for so many years—and I can tell you that he had become a legend to the people of this area. He was loved and respected by his people, and while Mr. Spence and I would not necessarily share the same views, his counsel and advice have been sought year after year by hopefuls entering into the political arena—for he was indeed one who had the knowledge and experience to guide and direct anyone seeking the public trust.

Mr. Spence was blessed with a long life, and he has indeed earned his place in history. I feel very humble to be sitting where he sat and I hope that I may be able to serve the people in the tradition of Brent Spence.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished minority whip.

Mr. ARENDS. Mr. Speaker, with other Members of the House I rise to express my deep sympathy at the passing of a wonderful, wonderful man, Brent Spence.

Over many years I was privileged to serve with Brent Spence. It was always a pleasure for me to visit with him, and to discuss with him the many, many important matters which were constantly coming before the House of Representatives.

Brent Spence was a wonderful man. He was a dedicated American, an individual who loved his country and at all times sought to do those things he felt to be basically right. He was a delightful person.

He and his wife and I were good, close friends over many years, having lived for some years at the same location in Washington. I have indeed lost a good friend in the passing of Brent Spence.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join my friends from Kentucky in this expression of sorrow over the death of a great former Member of this House.

Brent Spence came to Congress many years ago. He served with distinction and ability. More important he was a man of character and dedication to noble purposes.

The spirit of Brent Spence lives and will live for decades in the many statutes enacted by the Congress under his leadership and which carry out the principles to which he was devoted.

He was a great human being who loved his fellow human beings.

We have lost a great former Member and a great American. I extend my sympathy to his loved ones.

Mr. STUBBLEFIELD. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to my colleague from Kentucky.

Mr. STUBBLEFIELD. Mr. Speaker, I join my Kentucky colleagues in paying tribute to a great Kentuckian.

Mr. Speaker, 32 years of dedicated service and wise leadership is a record of service which few men achieve; however, Brent Spence, of Kentucky, our beloved friend and former colleague, had reached this pinnacle when he retired from the House in 1962. While his passing on September 18, 1967, at the age of 92 years, brings a feeling of sadness to those of us who were privileged to know him and to serve in the House with him, we are comforted in the knowledge that the many worthwhile contributions he made over the years will stand as a monument to him in the hearts and lives of generations to follow:

The extent of Brent Spence's contributions to his country and his people cannot be accurately measured, but the following excerpts from a eulogy which appeared in the September 19 edition of the Courier Journal touch upon a few of the high points in his illustrious career:

> During most of his Congressional career, Spence, a Democrat, was Chairman of the powerful Banking and Currency Committee. His role as a Committee member, and later as Chairman, made him an important figure in the New Deal revision of banking and currency security laws and the legislation that authorized economic controls during World War II . . . Spence probably influenced, indirectly, the lives of Americans as much as any other Congressman of his time. Banks in this country are now safer places to leave money because of the Federal Deposit Insurance Corporation Act. Spence helped write it. Homes are easier to buy in this country because of FHA mortgage insurance. Spence helped write that law. Workers can get quick and low-cost loans today through thousands of employee credit unions, with assets in the millions of dollars. Spence helped write the Federal Credit Union Act. Every public housing project built in this country resulted from legislation Spence helped to write. He helped create the federal slum-clearance program, the generous program of loans for college dormitories, the urban-renewal program, the Area Redevelopment Administration, the World Bank, and the International Monetary Fund.

In the death of Brent Spence, a great man has passed from the scene and we shall all miss him. I extend deep and sincere sympathy to the members of his family.

Mr. MAHON. Mr. Speaker, I wish to join with my colleagues in paying tribute to the late Honorable Brent Spence who served his Kentucky district and the Nation so well for so many years.

When I began my congressional service back in 1935, Mrs. Mahon and I were privileged to live at the apartment house where Mr. and Mrs. Spence resided. We learned quickly that Mr. and Mrs. Spence were people of the finest quality and we developed a warm affection for them. We enjoyed this delightful friendship for many years.

Mr. Spence was a statesman whose accomplishments are written in the laws of the land. Others have spoken of his public career and I shall not elaborate. I did want to pay tribute to the memory of a distinguished American and express sympathy for loved ones left behind.

Mr. BETTS. Mr. Speaker, I am distressed to hear the sad news about Brent Spence. When I first came to Congress, he was chairman of the Banking and Currency Committee. I was made a member of that committee and served under him for 6 years. During 2 years of my service on that committee, he was ranking minority member. In both capacities he served with dignity and distinction and left a record difficult to match.

Brent Spence was a great man and at the same time a kindly man. He was courteous and considerate of Members regardless of political affiliation. He was a public servant of great stature and integrity. I shall always remember him as a true and loyal friend.

Mr. PATMAN. Mr. Speaker, all of us in this House are saddened by the news of the death of our distinguished former colleague, Mr. Brent Spence, of Kentucky. Those of us who served with him on the Banking and Currency Committee particularly remember his long and great career in the House.

Mr. Spence retired from Congress in 1962, after more than 30 years of service. Through his long and productive life, Brent Spence piled up distinction as a lawyer, State senator, and city solicitor, as well as that of Congressman and chairman of the Banking and Currency Committee.

Those of us who knew him well in the House of Representatives feel that from the moment of his appearance in the House to the day of his retirement, he upheld the noblest standards of legislative integrity and statesmanship.

He served during some of the most critical years of our country's history and won the respect of his district, his State, and the country. Both the domestic economy and the world community were greatly affected by his efforts. The Bretton Woods Agreements Act of 1950, and the Housing Act of 1949, the Defense Production Act of 1950, and the Bank Holding Company Act of 1956 are examples of his performance.

Mr. Speaker, on the human and personal side, those of us who knew him shall always cherish the memory of his friendship and counsel. We shall never forget his gentlemanly manners, his classic yet homespun erudition, and the charm and humor of a warm personality that bestowed so much dignity on the House of Representatives and afforded so much genuineness of character and comradeship to us all.

Mr. O'HARA of Illinois. Mr. Speaker, I am deeply saddened to learn of the passing of Brent Spence. My affection for this grand Kentuckian, this noblest of the old school of American statesmen, one of the ablest men who ever served in this historic body, began in 1949 when I came as a freshman to the 81st Congress and by kind providence and an assist from the beloved Tom O'Brien, was assigned to the Banking and Currency Committee. That affection grew with every passing year.

I am cradled in sweet memories as I recall the names and the faces of members of the Banking and Currency Committee of the 81st Congress, when Hugh Addonizio, now mayor of Newark, Isidore Dollinger, Hugh Mitchell, and I sat in the steerage, the row of seats below the dais where sat Chairman Brent Spence and Ranking Minority Member Jesse Wolcott, Paul Brown, the valiant warrior from Georgia who established the all-time attendance record of the House, the great Texan, WRIGHT PATMAN, now the distinguished chairman of the committee, MIKE MONRONEY, now an outstanding Member of the other body, Brooks Hays, Albert Rains, Frank Buchanan, whose wife succeeded him on his death, and later she too passed on to the great grief of all who knew her, and ABRAHAM MULTER who, with Chairman PATMAN are the sole remaining members of the Banking and Currency Committee as it was composed in the 81st Congress.

To the left of Jesse Wolcott sat Ralph Gamble, who in his earlier years was one of the great athletes of the world.

In those days the Banking and Currency Committee had no subcommittees. Spence and Wolcott were not only giants in the committee, they were giants in the House itself. Wolcott's district in Michigan, once safely Republican, is now a Democratic district, ably represented by JAMES O'HARA.

Even at that period Brent Spence's sight was failing and he had difficulty reading. So great was his power of concentration and so keen and retaining his mind and his memory that what had been read to him remained with him, and I had been at least 6 months on the committee before I had any inkling of his problem in vision.

Few men have made a richer contribution to the legislative history of our country. I count my long and close friendship with Brent Spence as one of the priceless treasures of my associations in this body.

While the years had taken a physical toll, Spence's mind and his intellect remained as keen as they had been in earlier times and I sensed that it was his desire to die in harness, while still serving as a representative of the people in the House of Representatives. Redistricting and the prospect of a hard campaign in new territory changed the picture of his expectation, and he accepted retirement philosophically. But much would Brent Spence have preferred to remain here, continuing to the last breath the work that he loved so much in the House of Representatives of the Congress of the United States.

Mr. Speaker, one of the all-time greats of the House has passed on.

Mr. BARRETT. Mr. Speaker, America lost a great statesman and many of us lost a valued friend when Brent Spence, of Kentucky, died this week at the age of 92. When he retired from the Congress in 1962, he had given his country more than 30 years of outstanding statesmanship as a legislator of the highest integrity and ability. When I came to Congress in 1944 and took a seat on the Banking and Currency Committee, this great gentleman was my chairman until he retired in 1962. Over these many years he was an inspiration to me with his guidance and counsel and his earnest efforts on behalf of legislation to improve the life and environment of our people.

As chairman of the Committee on Banking and Currency, Brent Spence led some of the toughest legislative battles that were fought in the Congress. He pioneered in the establishment of the International Monetary Fund and the World Bank, which are basic and vital cogs in our world monetary system. He was the field marshal in our committee and in the House for the complex banking legislation which often seems mysterious to the layman but which is vital in helping to make our economic system work.

He was a great leader in the field of housing legislation and played a major role in the first great hurdle to bring better housing to Americans and to improve our cities, the Housing Act of 1949.

He was indeed a worthy successor to the great Kentuckians who have enriched our Nation, such as Henry Clay and Alben W. Barkley.

We mourn the loss of this great leader of men and outstanding servant to the American people. Mr. Speaker, he was truly a man among men.

Mr. WATTS. Mr. Speaker, it can be truthfully said that Brent Spence gave his life to the House of Representatives and the constituency he served so capably and well for many years.

I am sad and deeply grieved at the passing of this great statesman from Kentucky.

Brent Spence will go down in history for his dedicated loyalty to America, his willingness to allow each the opportunity to express his views, his fairmindedness, and his sound judgment. His long service as chairman of the House Banking and Currency Committee earned him the respect and admiration of his colleagues. He was a giant among men and I was one of the fortunate ones to share his friendship and to benefit from his wise counsel and advice over the years.

GENERAL LEAVE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character, and service of the late Honorable Brent Spence.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RESPONSIBLE DISSENT

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, on Thursday, September 14, 1967, I had the pleasure of being the guest speaker at the fall business meeting dinner of the New York Claim Association, at which time I chose to discuss responsible dissent. Under leave to extend my remarks in the RECORD, I include my statement of that evening:

RESPONSIBLE DISSENT

I must begin by warning you that I have chosen not to be limited in my choice of topic by tyranny of precedents. I know that those who have appeared before you have addressed themselves to matters within your special interest, and properly so. But I have chosen a theme which literally haunts me these days and it appears to me that until I deposit it upon the minds and the conscience of those willing to listen, I shall get no peace.

Today there reverberates through the land the rallying cry of the "right to dissent." I know of no thoughtful person who would deny that right. The First Amendment has withstood every assault made upon it, and the right to dissent, voices to the contrary notwithstanding, has become so embedded in our political and social structure that it is often infuriating to have to argue that such a right really exists. The right of dissent *is* precious. I respect that right in others, and I invite your respect for my right to differ. A nation without controversy is politically dead. With the dead there is no dissent. In the cemetery there is no controversy. An old Japanese proverb murmurs, "Move not that which is still." We say, "Leave well enough alone." Well, that's just great for the smug and the slack, for the fearful and the feeble.

I think it is far better for a nation to be politically alive, with dissent, with the clash of opinion and ideological rivalry. And so do you. Had you remained docile and stagnant, you would not have gone into the midst of controversy that once surrounded such questions as Workmen's Compensation, the Disability Benefits Law, and the like. Reasonable men may differ and must differ at times, just as different men boil at different degrees and their hearts beat differently, and their lungs breathe differently.

But—and this is the *but* tragically ignored—what about the responsibilities which march along with dissent? Is the dissentor free from any responsibility whatsoever? Is his dissent based upon reason, fact and contemplation of the consequences? Does he deny the right of dissent to a George Wallace, to an H. L. Hunt, or a Mario Savio of Berkeley "fame", but insist upon it for a Stokely Carmichael? Or vice versa? How throughly does he understand the right to dissent which must be accorded, if the First Amendment is to be meaningful, even to ideologies we most abhor? Is he at any time aware of the point where the flow of the First Amendment reaches the wall of a clear and present danger?

Now that I've brought some names into the discussion, I'd like to use one of each extreme group as illustrative of the questions I posed. What are their objectives? First, Stokely Carmichael. Dissentor and disclaimer, how well has he reached his objective—to bring the Negro closer to the reality of equality of opportunity? He has not. Instead, he and the fanatically militant have brought the civil rights movement to a dangerous precipice. The wild uninhibited statements of a Stokely Carmichael have tragically frightened the majority.

Where there should be understanding, there is now fear, fear hardening into opposition against the legitimate demands of our Negro citizens. Who benefits, may I ask, when at the recently held National Conference on the New Politics, the white leftists abjectly surrendered to the demands of the Black Militants, as they call themselves? The beneficiaries of Black Militants will not be the Negroes enclaved in the slums, who face daily impoverishment in all aspects of living. I recall the magnificence of the Washington March. Nationwide sympathy was awakened and the white majority responded, albeit slowly. Now the tide of sympathy and understanding and willingness to undertake remedies recedes. The consequence may be a national crisis of unmeasurable dimension. It is the irrational response to irrationality we all must fear and all must curb.

George Wallace dissents from the 1954 Supreme Court decision. That again is his First Amendment right. But the manner and tone of his dissent has inflamed passions, given aid and comfort to the most irresponsible elements in the country, and encouraged the white backlash. But has he succeeded in his objective to keep Alabama completely segregated? No, no more than he succeeded in keeping the doors of the University closed to Negroes.

We have too often seen the right to dissent debased to include violence and physical assault. Dissent need not be *respectable*, but it must be *responsible* lest excess beget excess and the devil take the bow—front stage.

Let's take a look at the "hippies." Dissenting from the mores and culture of our society, they have shed themselves of every responsibility. They seem to care little for the heritage of the past and nothing for the promises of the future. They propose to spend their youth in a sick trance of rejecting. What they see as "wrong in society," they make no effort to right. They are locked in the prisons of their own fantasies and, frankly, I ache for them, for what will they see when they search the mirrors of their souls at the age of, let us say, 30?

The dissentors on Vietnam hug to themselves the right to dissent, but overturn cars, smash windows, and irresponsibly denounce with all possible vulgarity not only those who disagree with their position but even those who agree.

Then there are those bravados who advocate riots, who make the noises, and then depart to leave the rioters and the destroyers to fend for themselves.

And what of those, who like shrill, hysterical biddies, screech for impeachment of our Supreme Court Justices without ever having read even one of the opinions?

I might as well add a word about the students' revolts and demonstrations. If only *they* could run the colleges and universities, sweet reason would prevail. And how would *they* define "reason?"

When an anti-Vietnam assembly cries "murderer" at Lyndon Johnson and when a Birchite cries "traitor" at Earl Warren, we are witness to a malignant debasement of the right to dissent.

When I observe all the disturbances around the world, not just in the United States, I often feel that rational man is being dismissed as a creature without consequence or without commitment.

It is here that the attorney can play his most significant role—to extend the rule of law within and without the boundaries of this land. For this task the attorney is well equipped. The tools of the profession—precision, analysis, logic, documentation, the probing skills, the inquiring mind—are exactly what is needed.

This does not mean I argue for the status quo. Dissent is the spur which leads to an examination of the weaknesses in our social and political structure. Nor am I an alarmist. The recent rash of retreats from reason—this too shall pass. But we are dependent upon you, the attorney, to keep the pendulum more truly in balance. Untrammeled emotion and hysteria will always be with us in one degree or another. I am not so foolish as to believe otherwise. The perspective of the attorney, however, *is* larger than the landscape surveyed. It carries into a future beyond which we, the living, cannot penetrate.

Edmund Burke said in a few lines what has taken me seven pages to say:

> "Men are qualified for civil liberties in exact proportion to their disposition to put moral chains upon their own appetites . . . society cannot exist unless a controlling power upon will and appetite be placed somewhere, and the less of it there is within, the more there must be without. It is ordained in the eternal constitution of things that men of intemperate minds cannot be free. Their passions forge their fetters."

To mind come some names of dissenters who swam against the currents with clear strong strokes, proposing alternatives to that to which they objected, their reasoning incisive and affirmative. I have picked such names at random and I am certain there isn't one here who could not add his own choices to a long and honorable list, but let us recall: Senator George Norris, John Peter Altgeld, Norman Thomas, Alexander Hamilton, Patrick Henry, Andre Malraux, Bishop James Pike, Margaret Sanger, John Locke, Abraham Lincoln, Oliver Wendell Holmes, Lincoln Steffens. They sought, not self-aggrandizement, but the building of a more humane society. They struggled against inertia, indifference, and greed to perfect a vision of civilized man; in short, they were rational and engaged.

I do not suggest there was an absence of passion. On the contrary. But neither was there an absence of inhibition nor, above all, an absence of responsibility.

I cannot tell you how I appreciate your attentiveness and how much I appreciate the opportunity you have given me to say that which I have been thinking these days.

Thank you.

THE ARROGANCE OF SOME SELF-APPOINTED SECRETARIES OF STATE

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, we have heard a good deal in recent months about the arrogance of power. This morning on the front page of the Washington Post we were treated to a rather shocking display of the unmitigated arrogance of persons who try to take upon themselves the conduct of our foreign policy, something the Constitution has delegated to the President.

A Mr. Harry Ashmore, sometime editor, of Little Rock, Ark., and a Mr. William C. Baggs, an editor from Miami, Fla., went to Hanoi last February, met with Ho Chi Minh, and came back home with certain peace proposals of their own.

Now because those proposals, like all others to Hanoi, have added up to one big, round, fat goose egg, Messrs. Ashmore and Baggs have accused the State Department of "double dealing" and the President of an "almost total absence of candor."

How naive can you be? I can understand that the snow job Ho Chi Minh did on these two would-be Secretaries of State must have made them feel pretty important. But did they not think that perhaps the President and the State Department might have had some other irons in the diplomatic fire? Did they not realize that perhaps the conduct of national diplomacy requires that not every move the President may be making should be disclosed to two itinerant newspapermen fresh from visiting Ho Chi Minh?

I am a little ashamed that the Washington Post should have featured this bit of sour-graping on page 1 in screaming headlines that can only confuse the American public and encourage the Communist enemy in Hanoi, particularly since on page 18 of the same paper their own reporter, Mr. Chalmers Roberts, reports a full chronology of Vietnam peace efforts that make it clear that long before the Ashmore letter was sent and replied to the President and State Department had already received flat refusal from Hanoi, not just to some vague bid for reciprocal deescalation, but to a detailed analysis of all possible methods for reciprocal deescalation.

VIETNAM EXPERTS

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, the distinguished gentleman from New York [Mr. STRATTON] made some remarks about a man I believe is probably a constituent of mine out in Santa Barbara, Calif. I want the gentleman from New York [Mr. STRATTON] to know that I agree with his comments completely. As a matter of fact, I am going even one step further.

Two weeks ago, I requested the Internal Revenue Department to investigate the propriety of continuing the tax-exempt status of the Center for the Study of Democratic Institutions. This is the organization involved in the problem discussed by Congressman STRATTON.

The center has done many things which, in my opinion, are highly questionable, including the matter which has been brought to our attention today by the gentleman from New York [Mr. STRATTON].

Sponsoring a student forum in which most if not all of the student participants were so leftwing oriented that—according to news reports—they advocated the overthrow of our American system of government by force is a good example.

The center's tax-free status is apparently based on the theory that it is an "educational" institution. I do not question the propriety of dissent and discussion. This can be educational if all sides are presented as they are in our universities and colleges. However, I seriously question whether such a balanced approach is the objective of the Center for the Study of Democratic Institutions.

I ask: If the tax-exempt status of a fine American organization like the Sierra Club is under fire why should the American taxpayers be asked to support an organization which gives aid and comfort to violent revolutionaries?

EXPLOSIVE NEW TESTIMONY BEFORE THE FOREIGN OPERATIONS SUBCOMMITTEE OF THE APPROPRIATIONS COMMITTEE ON THE "OTHER WAR" IN VIETNAM

Mr. RIEGLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RIEGLE. Mr. Speaker, explosive new testimony before the Foreign Operations Subcommittee of the Appropriations Committee shows the United States is losing the "other war" in Vietnam, the war to establish South Vietnamese economic self-sufficiency and internal stability. The former AID director in Vietnam, Mr. Poats, has acknowledged that the South Vietnamese commitment to the war effort is so inadequate that—

> The annual U.S. 200 million dollar commodity import program in Vietnam is actually a political ransom paid to powerful South Vietnamese commercial interests to insure political stability in South Vietnam, and insure their continued support of the war; and
>
> Only by totally "Americanizing the U.S. economic program in South Vietnam, would the AID Program be able to achieve its goal of significantly improving the quality of life for the South Vietnamese (a policy that is making South Vietnam permanently dependent upon U.S. subsidy.)

Now that the administration's top official has candidly documented for the record that the South Vietnamese are not pulling their share of the load in Vietnam— it is absolutely clear that we must demand an immediate, all-out, across-the-board commitment from the South Vietnamese.

I have just taken a special order to reveal this testimony and discuss its implications later today.

THE PROBLEM OF WIRETAPPING

Mr. TAFT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TAFT. Mr. Speaker, the dialog with the Department of Justice on wiretapping continues. It is as frustrating as trying to push a chain. Last week, the House Republican Task Force on Crime called for creation of a Select Joint Committee on Organized Crime. It also recommended that wiretap logs and communications of which the task force referred be handed over to that joint committee—not to the party task force as alleged by the Justice Department. Moreover, these records were recommended to be turned over in closed, executive session, without even revealing names of innocent and guilty. By attempting to confuse this issue, the Justice Department now once again has resorted to the smokescreen approach. What are they afraid of revealing. Could it be they are afraid of proving, with material already in their possession, that courts supervised electronic surveillance is a useful weapon in the fight against organized crime.

Under present Justice Department regulations, the material in their possession is utterly useless—in any court case because it may have gathered by what are today proscribed methods. Therefore, the material could not be used in any court case. But, it could be used to demonstrate the effectiveness or ineffectiveness of court approved electronic surveillance, against the dangers of organized crime.

Once again, the Justice Department has declined the invitation to comment on the source of recent Life magazine articles on organized crime.

EDIBLE OIL IMPORTS FROM THE SOVIET UNION

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, Members of this body whose districts produce either soybeans or cotton will, I am sure, be distressed to learn that the Hunt-Wesson Food Products Co. of Fullerton, Calif., is importing from the Soviet Union massive quantities of edible oils at a time when soybean oil and cottonseed oil prices are already badly depressed. I learned just today that the Hunt-Wesson firm undertook these purchases deliberately to drive down market prices in this country.

Mr. Speaker, I hope that all Members of the House and the public generally will demand that the Hunt-Wesson firm, processors of Wesson Oil, cancel these shipments, shipments which will not only drive down prices here in this country, but which provide valuable foreign exchange to the principal supplier of weapons to our enemy in Vietnam.

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 256]

Abbitt
Adair
Addabbo
Anderson, Tenn.
Ashbrook
Ashley
Aspinall
Baring
Blackburn
Blatnik
Boland
Brinkley
Brock
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Burton, Utah
Casey
Clawson, Del
Conte
Conyers
Curtis
Davis, Ga.
Delaney
Dellenback
Dent
Dickinson
Diggs
Donohue
Everett
Farbstein
Feighan
Fino
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Fulton, Pa.
Gallagher
Garmatz
Giaimo
Goodell
Green, Oreg.
Gurney
Halleck
Halpern
Hanna
Hawkins
Hays
Hébert
Herlong
Holland
Irwin
Jonas
Karth
Kluczynski
Kyros
Landrum
Lukens
Macdonald, Mass.
Miller, Calif.
Monagan
Morgan
Multer
Murphy, N.Y.
Myers
Ottinger
Patman
Pepper
Philbin
Poage
Pool
Price, Tex.
Pucinski
Purcell
Railsback
Randall
Rarick
Reifel
Resnick
Roberts
Robison
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
Roybal
Rumsfeld
Sandman
St Germain
St. Onge
Saylor
Sikes
Smith, N.Y.
Staggers
Stephens
Talcott
Teague, Tex.
Tenzer
Tiernan
Tunney
Van Deerlin
Watkins
Whalen
Widnall
Willis
Wolff
Wyatt

The SPEAKER. On this rollcall, 323 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that that committee may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AMENDING THE JOINT RESOLUTION OF MARCH 25, 1953

The Clerk called the joint resolution (H.J. Res. 516) relating to electrical and mechanical office equipment for the use of Members, officers, and committees of the House of Representatives, to remove specific limitations on electric typewriters furnished to Members.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Maryland a question or two concerning this joint resolution.

Mr. Speaker, as I understand it, this will increase the number of electric typewriters from four to five for those representing districts of less than 400,000 people?

Mr. FRIEDEL. Less than 500,000 people.

Mr. GROSS. And to increase to six the number of typewriters for those who represent districts of more than 500,000 people?

Mr. FRIEDEL. The gentleman is correct.

Mr. GROSS. Would this mean that one typewriter or more could be taken to such a district; is that the purpose of this bill?

Mr. FRIEDEL. No, that is not the purpose of this bill; these typewriters are for use in the Member's offices here in Washington. I checked into that very, very thoroughly.

Mr. GROSS. What is the restriction with respect to the use of equipment in congressional district offices?

Mr. FRIEDEL. As I understand the regulations equipment may not be removed from any office here in Washington, unless permission is given by the House Office Building Commission, and I do not know if permission is ever given.

Mr. GROSS. Then how are typewriters provided in the district offices?

Mr. FRIEDEL. General Services Administration provides equipment for district congressional offices. On August 11, 1967, GSA issued a release pertaining to furnishing congressional offices which explains in detail how district congressional offices may be furnished and equipped.

Mr. GROSS. Is there an all-consuming demand for this particular bill?

Mr. FRIEDEL. There is a very strong demand for it. Quite a few Members have asked for it. This is basic office equipment such as a desk, a chair they might need, another desk, or another chair; this or a telephone. It is needed equipment for offices right here in Washington.

Mr. GROSS. Could I by any chance have some assurance on the gentleman's part that this will be the last of the bills of this nature with respect to electric typewriters for at least another year?

Mr. FRIEDEL. I believe this will take care of the Members' needs for typewriters for the foreseeable future. However, I cannot speak forever, but I believe this will help a lot.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

H.J. Res. 516

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (c) of the first section of the joint resolution entitled "Joint resolution to authorize the Clerk of the House of Representatives to furnish certain electrical or mechanical office equipment for the use of Members, officers, and committees of the House of Representatives", approved March 25, 1953 (2 U.S.C. 112a(c)), is amended by striking out the following:

"(3) electric typewriters."

and by renumbering clauses (4), (5), (6), and (7) as (3), (4), (5), and (6), respectively.

(b) Section 2 of such joint resolution, as amended (2 U.S.C. 112a–1), is amended to read as follows:

"Sec. 2. Subject to such limitations as may be imposed by regulations established by the Committee on House Administration of the House of Representatives, the Clerk of the House of Representatives, on request of any Member, shall furnish electric typewriters, one of which may be an automatic typewriter, for use in the office of such Member."

With the following committee amendment:

Strike out all after the resolving clause and insert in leu thereof the following:

"That section 2 of the joint resolution entitled 'Joint resolution to authorize the Clerk of the House of Representatives to furnish certain electrical or mechanical office equipment for the use of Members, officers, and committees of the House of Representatives', approved March 25, 1953 (2 U.S.C. 112a–1), is amended by striking out 'four electric typewriters' and inserting in lieu thereof 'five electric typewriters' and by striking out 'five electric typewriters' and inserting in lieu thereof 'six electric typewriters'."

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "Joint resolution to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House."

A motion to reconsider was laid on the table.

SAUGUS IRON WORKS NATIONAL HISTORIC SITE, MASS.

The Clerk called the bill (H.R. 1308) to establish the Saugus Iron Works National Historic Site in the State of Massachusetts, and for other purposes.

Mr. PELLY. Mr. Speaker, at the request of a Member who could not be present today, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

ESTABLISHING THE NATIONAL PARK FOUNDATION

The Clerk called the bill (H.R. 10835) to establish the National Park Foundation.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like a brief explanation of this bill from someone who is conversant with the provisions of it.

First I should like to know why there should be a new foundation established. There has been a trust fund, a National Park Trust Fund Board for at least 32 years, and I wonder why a new foundation is necessary.

Mr. TAYLOR. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from North Carolina.

Mr. TAYLOR. The House Committee on Interior and Insular Affairs studied this matter carefully, and devoted considerable time to hearings and study on the bill. It appears that the National Park Trust Fund Board has not been effective, even though it has operated down through the years. It has a limited membership composed almost entirely of public officials which the committee believes is bad. It is restricted to donations of personal property only, and not real property.

Its investments are limited to Government securities.

We find and think that the new Foundation has many advantages over the old National Park Trust Fund Board. It would be composed of at least six members appointed by the Secretary from the public.

It would be authorized to accept donations of all types including cash, securities, and any type of real estate.

Its investments would not be restricted to Government securities.

Mr. GROSS. Let me ask the gentleman the meaning of the language on page 1 of the report in section 8 wherein it is stated:

> The Foundation may, however, in the discretion of its directors, contribute towards the costs of local government in amounts not in excess of those which it would be obligated to pay such government if it were not exempt * * *.

Is this limited strictly to taxes or may funds used in support of this Foundation be paid over to local divisions or subdivisions of government?

Mr. TAYLOR. This is limited entirely to payments in lieu of local taxes. It is conceivable that a business building, we will say, in a small town might be donated to this Foundation and it might be a matter of equity, or at least reasonable, to pay some of the taxes or that some payment in lieu of taxes should be made from the income.

Mr. GROSS. At the top of page 6 of the report I note there is some propaganda in behalf of the Great Society. It is my understanding that certain people in the Democrat administration have been trying to divorce themselves from this Great Society business. What is this all abcut? Why advertise the Great Society? Does the gentleman have any comment to make on that?

Mr. TAYLOR. The committee report just refers to the preservation of natural beauty in relation to President Johnson's beautification program.

Mr. GROSS. Of course, there are some of us who find it hard to believe that the Great Society contributes very much to beauty or to anything else.

Mr. Speaker, I withdraw my reservation of objection.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. TAYLOR. Mr. Speaker, the National Park Foundation legislation which we now have before us could well become one of the most important national park measures considered during this Congress. While it does not have the emotional appeal of some of the other proposals, we hope it will provide an important tool in overcoming some of the problems involved in the establishment of new units of the national park system.

The National Park Foundation would, if established, have more participants from the private sector and would have broader authority than the existing Board. While the Secretary of the Interior and the Director of the National Park Service would be chairman and secretary respectively, the balance of the membership—totaling not less than six and not more than 12 members—would be private citizens who are outstanding in the fields of foundation work, conservation and/or finance. Their terms would be staggered to provide rotation in the appointments by the Secretary of the Interior.

The present Board is, as I have stated, authorized to accept gifts of money or securities. These are turned over to the Secretary of the Treasury who determines how they are to be invested—and in practice, they are almost exclusively converted into Government securities. A member of the existing Board testified that donated funds are more likely to be forthcoming if it appears that more posi-

tive benefits can be achieved. Most other institutions, having sizable endowments, utilize their resources to maximize the benefits to their portfolio. In this respect, Mr. Donald Thurber stated:

> The growth factor in such portfolios encourages new gifts more than does a statically managed fund.

Mr. Speaker, H.R. 10835 authorizes the Foundation to invest, reinvest, retain, lease, sell, or otherwise deal with any donated property or income derived therefrom so long as it conforms with the instrument of donation.

The Foundation is also authorized under the bill to receive donations of both real and personal property or income from it. By making it possible to accept donations of any property as a gift to the United States, H.R. 10835 will enhance the prospects of the success of the Foundation.

Mr. Speaker, the amendments recommended by the committee will permit the Foundation to benefit from the services available from the Department of Justice in the event that it should get into a lawsuit, but another amendment is designed to avoid the involvement of the United States, as a party, in any lawsuits and the United States is excused from all liability because of the Foundation. In order to overcome the problems with regard to local taxation, another amendment leaves open the opportunity to make payments to local governmental units in lieu of taxes should it be determined necessary and equitable by the Foundation. The final amendment, Mr. Speaker, provides that the annual report shall include information concerning its receipts, expenditures, and investments.

The Subcommittee on National Parks and Recreation considered this proposal in depth, Mr. Speaker, H.R. 10835 is a bill which can provide a useful instrument in the promotion of our national parks without any significant expenditure of Federal funds. I am pleased to recommend it to the Members of the House and I urge its enactment.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 10835

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to encourage private gifts of real and personal property or any income therefrom or other interest therein for the benefit of, or in connection with, the National Park Service, its activities, or its services, and thereby to further the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans, there is hereby established a charitable and nonprofit corporation to be known as the National Park Foundation to accept and administer such gifts.

Sec. 2. The National Park Foundation shall consist of a Board having as members the Secretary of the Interior, the Director of the National Park Service, ex officio, and no less than six private citizens of the United States appointed by the Secretary of the Interior whose initial terms shall be staggered to assure continuity of administration. Thereafter, the term shall be six years, unless a successor is chosen to fill a vacancy occurring prior to the expiration of the term for which his predecessor was chosen, in which event the successor shall be chosen only for the remainder of that term. The Secretary of the Interior shall be the Chairman of the Board and the Director of the National Park Service shall be the Secretary of the Board. Membership on the Board shall not be deemed to be an office within the meaning of the statutes of the United States. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business, and the Foundation shall have an official seal, which shall be judicially noticed. The Board shall meet at the call of the Chairman and there shall be at least one meeting each year.

No compensation shall be paid to the members of the Board for their services as members, but they shall be reimbursed for actual and necessary traveling and subsistence expenses incurred by them in the performance of their duties as such members out of National Park Foundation funds available to the Board for such purposes. The Foundation shall succeed to all right, title, and interest of the National Park Trust Fund Board established in any property or funds, including the National Park Trust Fund, subject to the terms and conditions thereof. The National Park Trust Fund is hereby abolished, and the Act of July 10, 1935 (49 Stat. 477; 16 U.S.C. 19 et seq.), as amended, is hereby repealed.

Sec. 3. The Foundation is authorized to accept, receive, solicit, hold, administer, and use any gifts, devises, or bequests, either absolutely or in trust of real or personal property or any income therefrom or other interest therein for the benefit of or in connection with, the National Park Service, its activities, or its services: *Provided,* That the Foundation may not accept any such gift, devise, or bequest which entails any expenditure other than from the resources of the Foundation. An interest in the real property includes, among other things, easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the National Park Service, its activities, or its services.

Sec. 4. Except as otherwise required by the instrument of transfer, the Foundation may sell, lease, invest, reinvest, retain, or otherwise dispose of or deal with any property or income thereof as the Board may from time to time determine. The Foundation shall not engage in any business, nor shall the Foundation make any investment that may not lawfully be made by a trust company in the District of Columbia, except that the Foundation may make any investment authorized by the instrument of transfer, and may retain any property accepted by the Foundation. The Foundation may utilize the services and facilities of the Department of the Interior, and such services and facilities may be made available on request to the extent practicable without reimbursement therefor.

Sec. 5. The Foundation shall have perpetual succession, with all the usual powers and obligations of a corporation acting as a trustee, but the members of the Board shall not be personally liable, except for malfeasance.

Sec. 6. The Foundation shall have the power to enter into contracts, to execute instruments, and generally to do any and all lawful acts necessary or appropriate to its purposes.

Sec. 7. In carrying out the provisions of this Act, the Board may adopt bylaws, rules, and regulations necessary for the administration of its functions and contract for any necessary services.

Sec. 8. Income and property received or owned by the Foundation shall be exempt from all Federal and State taxation with respect thereto. The Foundation shall be regarded as an instrumentality of the United States for the purpose of all tax laws, but for no other purpose, and contributions, gifts, and other transfers made to the Foundation shall be regarded as contributions, gifts, or transfers to or for the use of the United States.

Sec. 9. The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to Congress an annual report of its proceedings and activities, including a full and complete statement of its receipts and expenditures.

With the following committee amendments:

On page 4, line 15, strike out "Interior," and insert "Interior and the Department of Justice,".

On page 4, line 20, after "trustee," insert "including the power to sue and to be sued in its own name,".

On page 5, lines 5 through 12, strike out all of section 8 and insert:

"Sec. 8. The Foundation and any income or property received or owned by it, and all transactions relating to such income or property, shall be exempt from all Federal, State and local taxation with respect thereto. The Foundation may, however, in the discretion of its directors, contribute towards the costs of local government in amounts not in excess of those which it would be obligated to pay such government if it were not exempt from taxation by virtue of the foregoing or by virtue of its being a charitable and nonprofit corporation and may agree so to contribute with respect to property transferred to it and the income derived therefrom if such agreement is a condition of the transfer. Contributions, gifts, and other transfers made to or for the use of the Foundation shall be regarded as contributions, gifts, or transfers to or for the use of the United States."

On page 5, after line 12, insert a new section, reading as follows:

"Sec. 9. The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation."

On page 5, lines 13 through 16, strike out all of section 9 and insert:

"Sec. 10. The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to Congress an annual report of its proceedings and activities, including a full and complete statement of its receipts, expenditures and investments."

The committee amendments were agreed to.

Mr. MACHEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MACHEN. Mr. Speaker, I am rising to speak on behalf of H.R. 10835, legislation which has the bipartisan support of the House Committee on Interior and Insular Affairs to establish the National Park Foundation. I feel that this is one of the most progressive pieces of conservation legislation I have ever seen.

I have a very strong interest in this bill and its enactment because of the work I have done toward preserving the view from Mount Vernon and because of my longstanding interest in conservation and the ability of this country to provide

its people with scenic and recreational areas in sufficient number and size to meet the demands of an urban society, most of which is packed into high-density living areas. There is no doubt in my mind that our entire governmental structure will ever be able to afford the financial capability to meet present day demands for scenic and recreational areas. I am sometimes puzzled and bewildered by the enormous effort it requires in order to preserve our landmarks, even in a situation like the view from Mount Vernon where with minimal public expenditure and with a great deal of assistance and donations from private landowners who have the same goal, we are finally approaching the turning point to success.

One of the major factors in what has been accomplished toward saving the view from Mount Vernon so far has been the support and the donations of land and scenic easements in the area and adjacent to the area we are trying to save across the Potomac River from Mount Vernon at Piscataway Park, Md.

This project was a fine example of cooperation between private landowners and their National Government. In fact because of the lack of such foundations as H.R. 10835 would establish, acts of Congress were required in order that the private landowners in Piscataway Park, Md., could donate land and scenic easements to the Federal Government to save the view. Once the National Park Foundation is established under H.R. 10835, the Government will have an instrument for receiving gifts in land and interests therein and other monetary gifts all of which will be used in the interest of conservation and to provide recreational and scenic areas to our citizens. But it will take more than the enactment of H.R. 10835 to make the National Park Foundation effective and a success. We must have a nationwide campaign to advertise and solicit the support of landowners so that they will contribute to the National Park Foundation. Certainly if they do not know such an instrument exists we would stand to lose many recreational benefits. Therefore, I strongly urge the Secretary of the Interior, once H.R. 10835 is signed into law, as I hope it soon will be, to carry out a program of public education on behalf of the National Park Foundation in order that it may reach its full potential.

Another benefit which would accrue to the public by passage of this bill is that we will stand a better chance of securing land before its value escalates beyond the point of no return and beyond the ability for governments to purchase it. We do have the land and water conservation fund; but in my opinion it has not worked as well as it could to beat escalating land values. This summer a member of my staff prepared an in-depth study of the land and water conservation fund with a view toward discovering why it has not been able to beat the escalation of land prices. The result of this study is a report called "The Crisis in the Land and Water Conservation Fund" and because I feel every official has an interest in it I insert the report at this point in the RECORD.

Mr. Speaker, I am strongly in favor of the passage of H.R. 10835. Although it has not attracted a great deal of interest throughout the country at this point it may turn out to be one of the most progressive acts in the field of conservation which the 90th Congress enacts. Clearly its potential is enormous. I urge my colleagues to vote favorably on the passage of this bill.

THE CRISIS IN THE LAND AND WATER CONSERVATION FUND

The purpose of the Land and Water Conservation Fund Act (Enacted September 3, 1964—P.L. 88-578) is to assist in preserving, developing, and assuring accessibility to all citizens of the United States of present and future generations such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for the Federal acquisition and development of certain lands and other areas.

As signed into law, P.L. 88-578, the Land and Water Conservation Fund Act of 1965, contained the following provisions:

FUND ESTABLISHMENT

Established effective January 1, 1965, a Federal Land and Water Conservation Fund to help finance State planning, acquisition and development of outdoor recreation facilities, and to help finance acquisition of recreational areas by Federal Government agencies.

Limited the life of the Fund to 25 years (1965–1989) plus such additional time as may be required to repay the advance appropriations from the Federal Treasury.

Required an annual statement in the Budget of recreation needs to be met by the Fund.

Permitted money to be spent from the Fund only when appropriated by Congress.

ALLOCATIONS

Reserved 60 percent of the money spent from the Fund each year for grants to the States, and the remaining 40 percent for allocation to Federal agencies. During the first five years, the President has authority to vary the percentages by 15 percent in his recommendation to the Congress. The Congress sets the actual percentages each year through the appropriation process.

The actual percentages of funds allocated to the States and the Federal agencies, exclusive of funds provided for administrative expenses, in the acts making appropriations from the Fund, are shown below:

Fiscal year:	*Percentage to States*	*Percentage to Federal agencies*
1965	65	35
1966	68	32
1967	61	39
1968	56	44

STATE FUNDS

Provided that the share reserved to the States would be used for Federal matching grants to help cover the costs of (1) state development and maintenance of comprehensive statewide outdoor recreation plans, and (2) state planning, site-acquisition and development activities on specific outdoor recreation projects, such as establishment of state and local parks.

Within the state share, the Interior Secretary was directed to allocate two-fifths equally among all participating states, and the remaining three-fifths on the basis of need. It directed the Secretary in determining the relative needs of the states, to consider their population, use of their facilities by non-residents, and the extent of Federal programs in the various states; limited to seven percent of the total funds for all participating states the maximum amount any state could receive, and directed reallocation on the basis of need of portions of the state share not used within three years.

Required, as the precondition of a Federal grant for any specific outdoor recreation project, that the state draw up and maintain a comprehensive statewide outdoor recreation plan satisfactory to the Secretary of the Interior.

Permitted the Federal grants to the states to cover up to 50 percent of the costs of drawing up a statewide outdoor recreation plan and up to 50 percent of the costs of specific acquisition and development projects.

Prohibited grants for any project receiving Federal financial assistance under any other Federal programs. Specific exceptions have been made in the programs of the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965.

FEDERAL FUNDS

Earmarked the share set aside for federal agencies for the following purposes:

(1) For the acquisition of land, waters, or interest in land or waters as follows:

National Park System; Recreation Areas.—Within the exterior boundaries of areas of the national park system now or hereafter authorized or established and of areas now or hereafter authorized to be administered by the Secretary of the Interior for outdoor recreation purposes.

National Forest System.—Inholdings within (a) wilderness areas of the National Forest System, and (b) other areas of national forests as the boundaries of those forests exist on the effective date of this Act which other areas are primarily of value for outdoor recreation purposes: *Provided,* That lands outside of but adjacent to an existing national forest boundary, not to exceed five hundred acres in the case of any one forest, which would comprise an integral part of a forest recreational management area may also be acquired with moneys appropriated from this fund: *Provided further,* That not more than 15 percentum of the acreage added to the National Forest System pursuant to this section shall be west of the 100th meridian.

Threatened Species.—For any national area which may be authorized for the preservation of species of fish or wildlife that are threatened with extinction.

Recreation at Refuges.—For the incidental recreation purposes of section 2 of the Act of September 28, 1962 (75 Stat. 653; 16 U.S.C. 460 k-1); and

(2) For payment into miscellaneous receipts of the Treasury as a partial offset for those capital costs, if any, of Federal water development projects hereafter authorized to be constructed by or pursuant to an Act of Congress which are allocated to public recreation and the enhancement of fish and wildlife values and financed through appropriations to water resources agencies.

Stipulated that appropriations from the Fund were not available for land acquisition not otherwise authorized by law. Prohibited use of money under the Fund for publicity purposes.

Provided that unless otherwise stipulated in the appropriation act, the annual allotment from the Fund for acquisition by Federal agencies would be proportional to the number of visitor days reported by the agencies for areas at which admission fees are charged.

Agency	Percent of visitor-days[1]	Percent of funds requested	Percent of funds appropriated
National Park Service	57	65	63
Forest Service	38	24	30
Bureau of Sport Fisheries and Wildlife	5	4	3
Bureau of Outdoor Recreation[2]	...	7	4
Total	100	100	100

[1] Visitor-days are for 1966 the last year for which statistics were available at time of hearings. Visitor-days for agencies which did not receive funds are excluded.

[2] May be used for supplemental allocation to any of the 3 Federal agencies.

FINANCING

Provided for financing of the Fund from four sources as follows:

Admission and user fees—Provided for payment into the Fund of all admission and recreation user fees collected by the National Park Service, the Bureau of Land Management, the Bureau of Sport Fisheries and Wildlife, the Bureau of Reclamation, the Forest Service, the Corps of Engineers, the Tennessee Valley Authority, and the U.S. section of the International (U.S.-Mexico) Boundary and Water Commission, except as provided by existing laws that states or political subdivisions share in such revenues. It stipulated that the Act would not restrict state authority regarding fish and wildlife.

Under the Act, the President is authorized to designate Federal areas at which entrance, admission, and other forms of recreation user fees shall be charged. The heads of departments and agencies are authorized to prescribe rules and regulations for the collection of any entrance admission, and other recreation user fees or charges established. Clear notice that a fee or charge has been established shall be posted at each area to which it is applicable. Any violation of any rules or regulations promulgated under this title at an area so posted shall be punishable by a fine of not more than $100. Any person charged with the violation of such rules and regulations may be tried and sentenced by any United States Commissioner specially designated for that purpose by the court by which he was appointed.

Surplus Property Sales—Provided for payment into the Fund of net proceeds from the sale of federal surplus real property; stipulated that the provision did not affect existing laws concerning disposal of such property to schools, hospitals, states, and federal agencies.

Motor Fuels Tax—Provided for payment into the Fund of proceeds from the existing tax on motorboat fuels, previously allotted to the Highway Trust Fund.

Advance Appropriations—Authorized advance appropriations from the Treasury Department to help start the Fund. It specified that the appropriations could not average more than $60 million a year; authorized such appropriations to be made for an eight-year period, beginning in the third full fiscal year of the Fund's existence (fiscal 1968) and continuing through fiscal 1975.

Required the Fund to repay the advance appropriations by turning over to the Treasury, beginning in the eleventh fiscal year of the Fund's existence (fiscal 1976), half its annual revenues. The remaining half would continue to be distributed to the states and federal agencies until June 30, 1989.

After July 1, 1989, or after repayment of advance appropriations, whichever occurs later, revenues shall be credited to miscellaneous receipts of the Treasury, unless the Congress makes other arrangements in future legislation.

The Land and Water Conservation Fund was established in order to accelerate the acquisition of lands specifically for outdoor recreation purposes. The Act was founded on seven principal propositions:

(1) That opportunities for outdoor recreation are becoming increasingly important as our population becomes more and more urbanized.

(2) That our usable outdoor recreation resources are lagging behind the growth in the population of the Nation and in that population's leisure time.

(3) That it is important that presently available lands which are suitable for outdoor recreation purposes be preserved or acquired for public use within the very near future before they become either completely unavailable or prohibitively costly.

(4) That a major portion of the work to be done in preserving and acquiring such resources and making them available for public use lies with the States.

(5) That it is proper to create a special continuing fund from which appropriations can be made to assist the States in this work and to supplement appropriations presently available to the Federal agencies for this type of activity.

(6) That it is proper that a portion of the cost of providing such resources should be borne directly by their users and that it is equally proper that other portions be borne from specified sources; viz., Federal taxes on motorboat fuels and proceeds from the sale of surplus Federal real property.

(7) That no hard and fast apportionment of the fund among the various uses to which it can be put is possible for an extended period of time and that a measure of flexibility in making such apportionments is necessary, and that the best way of assuring such flexibility is for the Congress to exercise its appropriating authority year by year on the basis of an informed discretion supported by Budget submissions and in the light of certain guidelines furnished by the legislation.

ESCALATION IN LAND PRICES

The Bureau of Outdoor Recreation in implementing the Land and Water Conservation Fund has experienced a spectacular increase in the price of land previously authorized by Congress for acquisition.

There is a growing concern being expressed by committees and individual members of Congress and the Administration as to the adequacy of the Land and Water Conservation Fund to meet the financial obligations to be imposed upon it. The following are excerpts from House and Senate Committee commentary on land-price escalation:

House Report No. 2067 (September, 1966)—"The problem of soaring land prices plagues every major land acquiring agency of the Government. A large part of the problem seems to stem from the fact that, once it is known that a given area is being considered for public development—whether it be a recreation area, a reservoir site, an airport, or what have you—the spotlight is on it, people who had never given it a thought begin to see its desirability, and promoters and out-and-out speculators move in. The Committee is very much concerned about these developments and was glad to be informed that the problem is being studied intensively by the Bureau of Outdoor Recreation. It is hoped that some workable suggestions can be developed and presented by the administration for Committee consideration early next year."

Senate Interior and Related Agencies Appropriations For F.Y. 1967—"because of the numerous purchases which have recently been authorized for Federal recreational facilities it appears desirable to the Committee that the maximum amount possible to be made available to accomplish these purchases. This is especially necessary, it is felt by the Committee in view of rapidly rising land prices."

Statement by The Honorable Wayne N. Aspinall, Chairman, of the House Interior and Insular Affairs Committee—"Another factor in the rising cost of land acquisition which are being experienced between the time of authorization and the ultimate appropriation by Congress is the natural increment of speculation. One step in the right direction appears to be to follow up authorization of projects with the necessary acquisition funds as rapidly as possible."

One such example is a 309-acre tract of land in the Ashley National Forest in Utah, an area now within the proposed Flaming Gorge National Recreation Area. The sequence of events outlined below relates the sale of this property to the expression of Federal interest over a period of years:

April 1956: Flaming Gorge Dam and Reservoir authorized by Congress.

January 1958: Bureau of Reclamation appraised the 309 acres at $12,000 or an average of about $39 per acre.

September 1959: Bureau of Reclamation purchases 195 acres for $8,450, or about $43 per acre. The 114 acres left were valued at $3,550, or $31 per acre.

November 1962: Flaming Gorge Reservoir started filling.

November 1963: Flaming Gorge Reservoir completed.

January 1963: Administration recommended legislation to establish a Flaming Gorge National Recreation Area.

July 1964: Senate bill S. 3054 introduced to establish the Flaming Gorge National Recreation Area. Reintroduced in January 1965 as S. 92.

December 1965: The State paid $13,187 for 14.2 acres at an average value of about $929 per acre.

April 1966: Forest Service appraised remaining 99 acres at $42,500 or about $439 per acre.

The above data show that the average value per acre of this property has increased from about $39 at the time of the original appraisal by the Bureau of Reclamation in January 1958, to $439 per acre, or a 1,000-percent increase by the time of the last appraisal by the Forest Service in April 1966. In fact, a small section consisting of 14.2 acres was actually sold to the State in 1965 at an average price of $929 per acre. Obviously this particular tract of land has experienced a tremendous increase in value.

Average increases between authorization and appropriation are difficult to analyze thoroughly because of the form in which the initial data is gathered. Increases also vary greatly from area to area. Information shows that there has been an actual decrease in value at such projects as Agate Fossil Beds, Nebraska, and Herbert Hoover NHS, Iowa. Also, there were no measurable gains in areas such as Fort Larned NHS, Kansas, and Golden Spike NHS, Utah. This is contrasted with dynamic increases in areas such as Everglades NP, Point Reyes and Padre Island National Seashores. Point Reyes had a 30 percent acceleration in prices in a period of 12 months. The periods between authorization and first appropriation also varied from a few months in the case of Cape Cod to over six years in the case of Everglades. When these are all averaged there seems to be a reasonable assumption that increases in recent years occur at a rate of 10 to 12 percent per annum. This, too, is more typical of such areas as Ozark NSR, Delaware Water Gap NRA, Fire Island NS and Assateague Island NS.

It has been projected that at a seven percent annual rate of increase land prices will double in cost in ten years. At this rate, $100 million would be needed a decade hence to buy what $50 million will buy now. A higher rate of increase shortens the period during which the cost would double.

Speculation in land is occurring at numerous proposed and authorized public recreation areas. Land price escalation is primarily the result of:

(1) A rising trend in land values generally throughout the Nation;

(2) Keen competition between individuals, developers, and public agencies for prime recreational lands, particularly those which are water-oriented; and

(3) The upgrading of lands as a result of change in land use, i.e., in many cases from normal agricultural land to prime recreational land with frontage on water or easy access thereto.

With a fast growing population and increasing scarcity of land for all purposes, the steady and oftentimes spectacular increase in the value of land suitable for outdoor recreation is expected to continue.

The rapid rise in land prices has placed a strain on the Land and Water Conservation Funds revenues. Newly authorized areas in 1966 placed an additional burden on the Fund. Further demands on the Fund will undoubtedly be made in the future if the urgently needed areas are authorized and as State and local governments gear their programs and appropriations to more adequately meet expanding needs.

President Johnson in January, 1966, ordered a study on the problem of land-price escalation. In response, an Interior Department report concluded:

(1) Prices for recreation lands and water are increasing rapidly.

(2) The most effective means of controlling land price escalation is to acquire needed lands promptly after authorization.

(3) The Land and Water Conservation Fund is inadequate as presently conceived and financed to meet outdoor recreation needs.

(4) The Land and Water Conservation Fund should be augmented by additional revenues from new sources in order to close the gap between estimated needs and prospective revenues.

The study disclosed that land values throughout the nation are rising an average of five to ten percent annually. The cost of lands suitable for public recreation use is rising at a considerably higher rate. The point at which Federal interest has the greatest effect upon land values is at the time the project is authorized by Congress. Speculative land activity has occurred in numerous proposed and authorized recreation areas.

The rapid rise in land prices combined with a number of other factors has placed a strain on the Land and Water Conservation Funds. The States and their political subdivisions are faced with escalation problems in their acquisition programs similar to those of the Federal Government.

Combined Federal and State outdoor recreation needs to be financed by the Land and Water Conservation Fund during the next ten years (fiscal years 1968–1977) are estimated to be about $3.6 billion in 1966 dollars. If price escalation were included in this estimate, the needs would be 40 to 50 percent higher for the period. Revenues to the Fund are currently running about $115 million annually. They are expected to total nearly $1 billion during the fiscal year 1968–1977 decade. It seems fairly clear that the Land and Water Conservation Fund will fail to meet minimum program needs over the next ten years by possibly $2.7 billion, considering both Federal and State needs. During fiscal years 1968–1977, it is estimated that the Federal share based on 40 percent of Fund revenues for Federal land acquisition purposes will fall short of needs by about $722 million (in terms of 1966 prices). At the same time, revenues for State and local programs will fall short by at least $1.9 billion. Therefore, additional funds are needed if public land and water acquisition needs for recreation purposes are to be met and if the escalation problem is to be resolved.

There is another factor underlying the price escalation problem with regard to Federal recreation area which is not speculative in the ordinary sense of the terms. The same qualities which make certain areas attractive to the Federal government also make those same areas attractive to private citizens for vacation home sites, etc. This keen competition for recreation lands by both government and private sectors causes the prices to spiral even higher.

The extent of price escalation in such areas frequently depends on the method of land acquisition. Prior to 1961, most National Park Service units were created from federally owned lands, donated lands, or small areas purchased by the Government. With the establishment of the Cape Cod National Seashore, however, a precedent was set by which lands for units were to be acquired mainly by purchase or condemnation of private property.

To acquire an area, Congress must first pass a bill authorizing the establishment of the unit within certain boundaries. Following this Congress must appropriate money, usually from the Land and Water Conservation Fund, to purchase the authorized lands. Due to the time lag, speculators buy up the land or improve it with buildings to increase its value. The Interior Department then must negotiate for the purchase of the land. If the department cannot work out an agreement with the owner, it can refuse to buy the land, in which case the owner simply benefits from government interests in the area, or the department can initiate condemnation procedures.

Because the Land and Water Conservation Fund is the principal means of financing land acquisition, one answer to the problem would be to increase the amount appropriated annually from the Fund so that land could be acquired more quickly after authorization. Revenues into the Fund have not, however, reached the level expected, and by law, expenditures could not exceed revenues.

In fiscal 1968–1971, the Interior Department had hoped to be allowed to spend annually $100 million of the $480 million advance appropriation. (However, the Administration only requested $32 million in fiscal year 1968.) This would permit quicker purchase of park sites and hopefully prevent further increases in land values.

It was also proposed that $100 million annually be allocated to the states in fiscal 1968–1970, $135 million in fiscal 1971, and $95 million in fiscal 1972. States may use their funds for development of facilities and planning, as well as for land acquisition.

Under the Interior Department plan, the three federal agencies involved, the National Park Service, the Forest Service and the Bureau of Sport Fisheries and Wildlife, together would be granted $122 million annually in fiscal 1968–1970, $92 million in fiscal 1971 and $57 million in fiscal 1972. Federal agencies must use their portion of the funds for land acquisition.

As of July 1, 1966, the Interior Department estimated that it would need $382 million for acquisition of land for national parks, including lands in established parks but not completed; in areas authorized but not yet established; and in new areas for which basis studies were generally complete. However, it should be noted that these figures are based upon land values in 1966, and are not on estimates of costs of land to be acquired in the future.

It is the consensus that the best method of minimizing Federal land acquisition costs is to acquire lands as quickly as possible. It also seems advisable that the acquiring agency be in the best possible position to initiate the acquisition by purchase or condemnation of lands immediately upon authorization. This means that the land acquisition, planning, mapping, appraisals, etc., should be completed prior to authorization, and the agency should have authority and funds to do so.

LAND AND WATER CONSERVATION FUND APPROPRIATIONS FISCAL YEAR 1967

The bill's appropriations included $110 million from the Land and Water Conservation Fund, $15 million less than provided the previous year, F.Y. 1966 (the first full year of the Fund's operation). The reduction was made because revenues to the Fund did not meet anticipated levels during fiscal 1966, and were not expected to reach $125 million during fiscal 1968.

LAND AND WATER CONSERVATION FUND APPROPRIATIONS FISCAL YEAR 1968 (H.R. 9029)

For the second year in a row, the House Appropriations Committee noted that acquisition of land through the Land and Water Conservation Fund was a "serious and critical" problem. It said that "little progress has been made in finding practical solutions" to such problems as spiraling land prices in the vicinity of areas selected as national park and recreation sites. The report said that the only solution the Interior Department presented to the Committee was appropriation of additional funds in order to make park land purchases more rapidly. The Committee noted that "there is a limit to how far the Federal government can go in this direction especially in critical budget years" when cutbacks in the Department's budget are required.

The Administration requested an indefinite appropriation from Conservation Fund receipts of $110 million (the same as the fiscal 1967 amount) and direct appropriation of $32 million in advances to the Fund. The Committee cut the latter request to $9.5 million.

The Land and Water Conservation Fund Act of 1965 stipulated that Congress could make advance appropriations averaging $60 million each fiscal year between 1968 and 1975 to provide a financial basis for land acquisition paid through the Fund. These advances were to be repaid from the Fund starting in fiscal 1976. The $32 million request was the first under the advance appropriation authorizations. Of the total $142 million requested for the Conservation Fund in fiscal year 1968, the Committee allowed the full $65 million sought in grants for state acquisition of land but cut $22.5 million from funds for acquisition of federal land. One of the primary reasons the $32 million advance appropriations request was reduced to $9.5 million is that in the Committee's opinion the funds appropriated in fiscal year 1967 that were left unobligated, in addition to those appropriated for fiscal year 1968, would be more than enough to meet the anticipated needs for fiscal 1968. The Committee's justification for this action stems from the fact that the Federal government still has $25 million left over since the inception of the program which it has not obligated and the states have $62 million in projects which had not been previewed by the Bureau of Outdoor Recreation. The Interior Department felt, however, that all of the federal funds would be obligated by June, 1967, and that in its opinion the $32 million would be urgently needed. The Department also said that state funds would be substantially reduced during fiscal 1968. It was projected that most of the carryover from fiscal 1967, plus the proposed appropriations for fiscal 1968, would be utilized by the end of fiscal 1968. The department explained that the reason that the states had such a backlog of unobligated funds is because the states have a three-year period in which to obligate their funds. Thus, many states are proceeding at a slower pace to better insure that the funds are used for the maximum benefit.

The full $32 million advance was designed to be used exclusively by the federal agencies as a first step in alleviating the price escalation of recreation lands. In order to overcome the escalating costs of land insofar as possible, the $32 million was to be used for land acquisition within the newly authorized National Park System areas such as the Delaware Water Gap National Recreational Area.

The Administration request for an Emergency Land Acquisition Fund was also cut. The Administration request that $5 million be appropriated to this Emergency Land Acquisition Fund to enable the Bureau of Outdoor Recreation to buy authorized national park land that was threatened by private development.

The House Appropriations Committee in its report stated that the request would involve, in essence, the granting of blanket authority to the Bureau of Outdoor Recreation to acquire $5 million in land at its discretion. In the House Appropriations Committee bill no revenues were earmarked for the proposed Emergency Land Acquisition Fund. The Senate Appropriations Committee, on the other hand, appropriated $3 million for this purpose. The Conference Committee report recommended that $2 million be set aside for an Emergency Land Acquisition Fund with the stipulation that the Bureau of Outdoor Recreation must get the approval of both of the Appropriations Committees before expending the money.

It seems that the requirement that the Bureau receive approval from both Committees before using the revenue from the special Fund actually weakens the intent of the proposal, especially if the Bureau must seek the Committee's approval in a time consuming procedure.

USER FEES LAG

One of the most disappointing aspects of the entire Fund has been the lag in the sale of user fees which has substantially decreased the amount of revenues that were estimated would accrue to the Fund and thus has inhibited the realization of the Fund's anticipated objectives. The reasons advanced by the Interior Department for this lag in sales are:

(1) Over-estimation of the number of people that would buy the $7 permit, thereby reducing the amount of estimated revenues available to the Fund.

(2) Provision in the Act itself which prevents the use of fund appropriations for publicity purposes. This inhibits the merchandising of the program. Thus far, the only way that the program has been publicized is through money obtained from private foundations.

(3) Lack of administrative funds to put on sufficient personnel necessary to collect the fees.

(4) Lack of enforcement. The enforcement provisions in the Land and Water Conservation Fund Act are inadequate. There is no means available to make people who have not purchased the stickers leave recreational areas. Once they are on the property with or without stickers they cannot legally be forced to leave.

(5) Dissimilarity among agencies involved. There has been an attempt to apply a uniform system and thus far it has not been successful. For example, the Forest Service uses the $7 annual permit for entrance to its camp grounds and picnic areas. Basically this is a user fee but the Forest Service is calling it an admission fee. The reason goes back to a provision in the Act which says the apportionment of funds between agencies will be related to the proportion of paid admissions. If the Forest Service goes to a user fee approach, which it could do and normally would do, it would have no admission fees. Therefore, it figures it would not be in a position to get a significant portion of the Fund. So the Service is using the admission fee because of the apportionment provision in the Act.

The park service on the other hand is using admission fees in a classical way. It does not charge user fees for campgrounds and special areas inside national parks.

(6) Reluctance by the Corps of Engineers, which has more extensive administration than the other agencies, to collect fees. In some 150 areas with which they were charged during fiscal 1967, less than 5 percent of the people who used those areas paid.

(7) The $7 permit has proved to be simply too good a bargain for the people who frequently use the national parks. Under the present program an individual can purchase a $7 permit which allows him access to all designated federally operated national parks for a full year. The problem has been that the people who purchase the $7 permit are those who are frequent users of our national parks. For these people the purchase of the permit is a real bargain because it allows them the use of a number of areas where they would normally have to pay a set fee for each visit, which could cost him considerably more over a year's time. Consequently, the $7 user permit has reduced the total amount of revenue that was originally expected to accrue to the Fund. One of the original expectations was that people would buy the permit as a contribution to conservation. However, this has not been the case thus far. The majority of purchases are made by the frequent users of the national parks. Perhaps one of the reasons that the sales of the $7 permit have not met original estimates is due to the prohibition within the Act that forbids the use of revenue in the Land and Water Conservation Fund for publicity purposes. With such a prohibition it is certainly understandable why only those persons who frequent our national parks are aware of the $7 permit.

It would seem that the Land and Water Conservation Fund Act should be amended to require that all federal agencies enforce these sections of the Act with respect to the collection of entrance advisor fees. Such action, by Congress, would insure a larger amount of revenue for the Fund under existing sources.

It would also seem advisable for Congress to provide that a small proportion of the fees, realized from the sale of the $7 permit, be allocated for publicity purposes. Such action would undoubtedly increase the sales of the $7 permit.

The Land and Water Conservation Fund Act provides that federal funds be made available to the states for planning, acquisition, and development of needed land and water areas and facilities. This has allowed the states a great deal of flexibility in the use of their portion of the funds. Whereas, the funds for the federal agencies are restricted for land acquisition only. The states, on the other hand, have been using a major portion of their funds for development purposes. Basically, there are several reasons for this. One is that among the Western states many think there is enough public available land and thus they want to develop the recreational capabilities in the land they have.

Another reason is that some of the larger, more wealthy states have already floated bond issues and are handling the acquisition entirely with state moneys and are not seeking acquisition moneys from the Fund. About 60 percent of the dollar value of projects qualified has been for development and 40 percent for acquisition because the states and local governments are under heavy pressure from a recreation-minded public that wants to use existing areas now and demands that they be developed to a usable state.

It also reflects the fact that a number of states have earmarked substantial sums of state money for acquisition only; for example, there were bond acquisition issues in New York $125 million, New Jersey $60 million, Pennsylvania $70 million, and California $80 million. The states in this category have naturally concentrated federal funds on development. There are other states that are already rich in public lands and thus devote a greater share to development.

It seems that with the ever-increasing problem of price escalation of recreation land that a larger portion of the states' funds should be used primarily for the acquisition of land. Such a policy would seem to be more appropriate at this time since the acquisition of land is more of an immediate problem, due to price escalation, than the development of land already acquired. Admittedly it is important that the developmental aspects be continued simultaneously but financed in a greater proportion by bond issues than by the revenues from the Land and Water Conservation Fund. Perhaps the Fund should be amended to require that the states reserve a certain proportion of their funds for acquisition only. Such a requirement would seem to be a step in the right direction towards solving the price escalation problem.

At present, the Land and Water Conservation Fund provides that approximately 60 percent of the funds be allocated to the states and the remaining 40 percent to federal land acquiring agencies. Since the federal government is being looked upon to assume an increased responsibility for providing recreational land facilities and since the price escalation problem has its major impact on federal projects it would seem advisable for the Congress to review the disposition of the Land and Water Conservation Fund revenues. Such a review might result in an increased percentage of the Fund's revenues being allocated for the federal agencies.

A review of a number of current circumstances and problems will better illustrate the justification for such action.

First, the Congress has authorized a considerable number of large federal recreation areas during the past six years. Substantial acreages are to be acquired in many of them in order to establish and develop the kind of facilities needed to meet public demand for outdoor recreation opportunities.

Second, a number of new federal recreation areas are being actively proposed. Many of these proposed areas will require substantial land acquisition. Other areas are under investigation and "on the drawing boards." It is evident that substantial land acquisition may be required for many of these also if they are proposed and authorized.

Third, the monetary ceiling for land acquisition purposes on a number of existing federal recreation areas needs to be raised if Congressional Acts establishing new areas are to be implemented. For example, the Congress was requested to raise the authorized ceiling on Point Reyes National Seashore from $14.0 million to $57.0 million. Based upon past experience numerous other authorized monetary land acquisition ceilings may be reached prior to the completion of the land acquisition program.

Fourth, the concerned Congressional Committees have been alerted to the fact that there are 29 condemnation suits now pending in the courts for lands in 14 National Park Service management units. If experience is any guide, awards in these cases will be substantially higher than the appraised values of the lands and the amounts deposited with the courts at the time the declaration of taking was filed. It is estimated that awards for the 29 pending cases may aggregate as much as $50 million.

Fifth, recent surveys show that the most urgent recreation needs are for facilities close to where people live, often within walking distance of home. These are usually concentrated near suburban urban centers. Such needs are traditionally provided and managed by state and local governments. Here, costs are astronomical and greatly exceed local capabilities without substantial federal help. A source of such federal help is the Land and Water Conservation Fund.

And finally, it is believed that the impact on the Fund of escalation of land values, irrespective of the causes, may turn out to be the most significant drain on the Fund's resources.

In the general analysis, it can be said that the Congress must take some positive action in the near future to alleviate the land price escalation problem. Thus far, the Congress has assumed an entirely passive attitude towards solving this critical problem. There has been considerable "lip service" given by the Congress to finding a solution to this problem.

Obviously, the Fund's major problems stem from the lack of readily accessible revenue. It would seem logical that those Congressmen who profess an interest in solving the price escalation problem would seek some method of providing more revenue for the fund as soon as possible. Ironically, at the same time, the Appropriations Committees, in fiscal year 1968, cut the administration's request for an advance appropriation from $32 million to $9.5 million, out of a possible $60 million which, by law, they were entitled to request. Such a major cut ($22.5 million) appears to indicate that the Appropriations Committees are not fully convinced that the solution to the problem lies in increasing the amount of revenue to the fund.

RECOMMENDATIONS

Some of the major recommendations advanced by the Interior Department to solve the price escalation problem are as follows:

FIRST PRIORITY RECOMMENDATIONS

(1) Adopt a budgetary policy recommending an annual appropriation for the fiscal years 1968–1972 which, in total, utilizes the existing advance appropriation authority of the Land and Water Conservation Fund Act to supplement the current full-funding policy of annually appropriating total revenues in the Fund. At the end of the five-year period, consideration of an increase in the advance appropriation authority may be necessary if substantial programs needs remain unmet.

(2) Amend the Land and Water Conservation Fund Act to authorize the deposit into the Fund of all those receipts from public lands received pursuant to the mineral leasing laws (except receipts from lands within naval petroleum reserves) and the Outer Continental Shelf Lands laws and from national forests and national grasslands which currently go into miscellaneous receipts of the Treasury. (Bill submitted by Senator Jackson of Washington, S. 1401.)

(3) Amend the Land and Water Conservation Fund Act to authorize, for a ten-year period, that money put in the Fund may be expended without further Congressional appropriation for acquisitions specified in Section Six of the Act. Such expenditures could not exceed the amount specified in an appropriation act initially for each fiscal year, and the specified amount could be modified from time to time in subsequent appropriation acts. Such authorized amounts should be within the allocation of money to Federal purposes and could not be used unless such acquisitions were otherwise authorized by law. This would provide a limited continuing expenditure authority and would permit acquisition agencies, following authorization, to move in effectively on key tracts without the many months of delay that are now prevalent.

(4) Adopt a limited budgetary policy of appropriating funds to the Bureau of Outdoor Recreation for allocation to Federal acquiring agencies on an emergency case-by-case basis for recreation planning and acquisition in newly authorized Federal recreation areas threatened by adverse development. Land acquisition planning requires from 12 to 18 months to complete. This planning and acquisition load start, ahead of the normal lag between authorization and appropriation, would alleviate the escalation problem to the extent of at least the current annual land price escalation rate of 5 to 10 percent.

(5) In each act providing for the establishment of a Federal recreation area, authorize the head of the Federal agency to zone lands within the area in the event local zoning authorities fail to zone land uses to permit only such development that is compatible with the purposes of the Federal recreation area. This proposal may raise serious constitutional questions. Legislative authorization to zone in the area peripheral to federal areas is believed to have considerable potential.

SECOND PRIORITY RECOMMENDATIONS

(6) Provide in the act authorizing a new federal recreation area for the use by the federal court of a tribunal of disinterested commissioners selected from areas other than from the locality wherein the land sought to be condemned lies to determine the value of land being taken and to determine the compensation to be paid in condemnation proceedings. There is a precedent for this technique in acquisitions by the Tennessee Valley Authority.

(7) Encourage the President's Council on Recreation and Natural Resources and the President's Citizens Advisory Committee to:

(a) Investigate and recommend to the President the need for any coordinating action between federal agencies and programs in order that federal loan or grant programs will not be used in a manner that aggravates the land price escalation problem.

(b) Promote the purchase by philanthropic organizations of key recreation lands to be held for future federal, state or local public acquisition or development.

(8) Enact the proposed National Park Foundation legislation to encourage the donation of land or interests therein or money for the purchase of recreation lands to be administered by the National Park Service.

(9) Authorize and utilize acquisition by the federal government of recreation lands in fee and the lease-back or sell-back of unneeded lands or interests therein, where appropriate.

(10) As a managerial policy, acquire all key lands in a newly authorized federal recreation area prior to the construction of access roads and recreation facilities. The purpose of this policy is to forestall through federal development the escalation of the value of private inholdings.

Other recommendations are: To establish an Emergency Sinking Fund within the Land and Water Conservation Fund, that could be used at the discretion of the land acquiring agencies in areas where significant and rapidly escalating land prices were being experienced. Such a fund was suggested by the Administration in the budget for fiscal 1968. The Administration requested that $5 million be set aside for such a purpose. However, after the conference bill was passed the Congress only appropriated $2 million for that purpose. According to the Administration's plans such a fund would operate as follows:

Its use probably should be left to the direction of the head of the land acquiring agency and would be applied only on a selective basis under the following kinds of circumstances:

(1) Where there is a definite indication that enhancement in value is likely to occur due to a proposed change in use by the landowner.

(2) Where there is a definite threat of development or use which would be incompatible with the purposes of a federal recreation area, if authorized.

(3) Where price increases or spirals appear likely to occur due to the contemplated acquisition by the government or other abnormal market conditions.

In large projects with many ownerships, the option method probably would apply only to those critical and/or high value tracts where the threat of escalation appears greatest and where it is essential to establish a reasonable price pattern.

The major drawback of this approach is the expected reluctance of Congress to give Executive Branch agencies authority to expend funds for options in advance of acquisition authority.

The Administration suggests that the option authority for land acquiring agencies under such a program would be limited as follows:

(1) Preauthorization options should be used at the discretion of the Secretary of the Department concerned only in areas which he deems suitable and likely to be needed for federal recreation purposes.

(2) Lands to be optioned which provide access or have intensive recreation potential should have a minimum value of at least $25,000.

(3) Options should be obtained for periods not to exceed 36 months.

(4) The agreed upon option price to landowners should not exceed the fair market value of the land at the time the option is negotiated.

(5) Payment for the option should not exceed ten percent of the fair market value of the land at the time the option is negotiated, providing that the total amount of the option does not exceed $50,000.

Another alternative, which is presently under study by the Interior Department is the establishment of a deferred financing system of land acquisition. This system would authorize the head of the land acquisition federal agency to enter into a long-term contract with the landowner for the purchase of his land. The contract would provide for the deferment of up to half of the cost of acquisition of the land. The deferred portion of the compensation would bear interest at a fixed rate, payable with each installment as it comes due, and would be tax free. This method will permit great flexibility as to how and when the payments would come due. The balance due, plus interest, would be an obligation of the United States payable out of the Land and Water Conservation Fund. This method can be used only if the landowner consents.

A final alternative would be to appropriate funds for land acquisition immediately upon authorization. This would entail passing a single bill which would include both the authorization and provide the necessary appropriation for land acquisition. Such a procedure would require that all of the preliminary title searching, appraising, mapping, etc., that is done presently after authorization, would have to be completed prior to the consideration by the Appropriations Committees. Such a procedure would certainly deter speculation since the major effect of price escalation has been proven to occur immediately after authorization. Some may question the value of such a procedure and may argue that speculation will still take place. Indeed, this may be the case, at least in the beginning. However, there will always be a degree of uncertainty as to whether or not Congress will authorize an area for purchase. This uncertainty will discourage speculators from investing too heavily. When, and if, Congressional approval is finally given, under the proposed new procedure, it will then be too late for a considerable amount of speculation to occur because of the simultaneous approval of appropriations for land acquisition.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 814) to establish the National Park Foundation, a similar bill to the one the House just passed.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 814

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to encourage private gifts of real and personal property or any income therefrom or other interest therein for the benefit of, or in connection with, the National Park Service, its activities, or its services, and thereby to further the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans, there is hereby established a charitable and nonprofit corporation to be known as the National Park Foundation to accept and administer such gifts.

SEC. 2. The National Park Foundation shall consist of a Board having as members the Secretary of the Interior, the Director of the National Park Service, ex officio, and no less than six private citizens of the United States appointed by the Secretary of the Interior whose initial terms shall be staggered to assure continuity of administration. Thereafter, the term shall be six years, unless a successor is chosen to fill a vacancy occurring prior to the expiration of the term for which his predecessor was chosen, in which event the successor shall be chosen only for the remainder of that term. The Secretary of the Interior shall be the Chairman of the Board and the Director of the National Park Service shall be the Secretary of the Board. Membership on the Board shall not be deemed to be an office within the meaning of the statutes of the United States. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business, and the Foundation shall have an official seal, which shall be judicially noticed. The Board shall meet at the call of the Chairman and there shall be at least one meeting each year.

No compensation shall be paid to the members of the Board for their services as members, but they shall be reimbursed for actual traveling and subsistence expenses incurred by them in the performance of their duties as such members out of National Park Foundation funds available to the Board for such purpose. The Foundation shall succeed to all right, title, and interest of the National Park Trust Fund Board established in any property or funds, including the National Park Trust Fund, subject to the terms and conditions thereof. The National Park Trust Fund is hereby abolished, and the Act of July 10, 1935 (49 Stat. 477; 16 U.S.C. 19 et seq.), as amended, is hereby repealed.

SEC. 3. The Foundation is authorized to accept, receive, solicit, hold, administer, and use any gifts, devises, or bequests, either absolutely or in trust, of real or personal property or any income therefrom or other interest therein for the benefit of, or in connection with, the National Park Service, its activities, or its services: *Provided,* That the Foundation may not accept any such gift, devise, or bequest which entails any expenditure other than from the resources of the Foundation. An interest in real property includes, among other things, easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the National Park Service, its activities, or its services without reimbursement therefor.

SEC. 4. Except as otherwise required by the instrument of transfer, the Foundation may sell, lease, invest, reinvest, retain, or otherwise dispose of or deal with any property or income thereof as the Board may from time to time determine. The Foundation shall not engage in any business, nor shall the Foundation make any investment that may not lawfully be made by a trust company in the District of Columbia, except that the Foundation may make any investment authorized by the instrument of transfer, and may retain any property accepted by the Foundation. The Foundation may utilize the services and facilities of the Department of the Interior, and such services and facilities may be made available on request to the extent practicable.

SEC. 5. The Foundation shall have perpetual succession, with all the usual powers and obligations of a corporation acting as a trustee, but the members of the Board shall not be personally liable, except for malfeasance.

SEC. 6. The Foundation shall have the power to enter into contracts, to execute instruments, and generally to do any and all lawful acts necessary or appropriate to its purposes.

SEC. 7. In carrying out the provisions of this Act, the Board may adopt bylaws, rules, and regulations necessary for the administration of its functions and contract for any necessary services.

SEC. 8. Income and property received or owned by the Foundation shall be exempt from all Federal and State taxation with respect thereto. The Foundation shall be regarded as an instrumentality of the United States for the purpose of all tax laws, but for no other purpose, and contributions, gifts, and other transfers made to the Foundation shall be regarded as contributions, gifts, or transfers to or for the use of the United States.

SEC. 9. The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to Congress an annual report of its proceedings and activities, including a full and complete statement of its receipts and expenditures.

AMENDMENT OFFERED BY MR. TAYLOR

Mr. TAYLOR. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Taylor: Strike out all after the enacting clause of S. 814 and insert in lieu thereof the provisions of H.R. 10835, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 10835) was laid on the table.

JUDGMENT FUNDS OF THE CHEYENNE-ARAPAHO TRIBES

The Clerk called the bill (H.R. 11847) to provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, may I interrogate the gentleman from Oklahoma [Mr. Edmondson], who I believe is familiar with the bill? Before I pose the question, I should like to point out that the bill provides for the distribution of $15 million to this particular Indian tribe. That amount would represent $2,600 per capita. The bill provides that the money will be distributed per capita. However, the Department of the Interior has studied the economic conditions of this particular tribe and they have strongly suggested that only $500 be paid to each member of the tribe and that the remaining sum, $2,100 per person, be set up in a fund, $3 million of which would be used for industrial development in the area and $1,500 per person would be devoted for family planning programs.

This letter from the Department of the Interior was sent to the committee when the bill was first introduced. When a clean bill apparently was introduced, this information was in the possession of the committee.

My question is as follows: Why did the committee, in reporting out this bill, ignore the wishes of the Department of the Interior that only $500 be paid out to the person and that the remaining money, $2,100, be set aside for a gainful, useful purpose which would alleviate trouble in future years?

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for raising the question. I believe it was the view of all of us in the Oklahoma delegation who were concerned with this legislation, including the gentleman from Oklahoma [Mr. Smith] and the gentleman from Oklahoma [Mr. Jarman], and our Members in the other body who represent these Indians, that the Indians themselves had worked out a plan and had established an agreement for a trust fund with a very dependable institution in Oklahoma. That agreement essentially provided for the protection, particularly in the education field, of minors, for which purpose the Department was urging that full distribution not be made. I think it was also the feeling of the committee, after hearing the evidence and hearing testimony on behalf of the tribe, that the tribal plan was a sound plan, that it did provide safeguards for the children and for tribal members' interests, and that it was preferable to the proposal of the Department.

Mr. JOHNSON of Pennsylvania. I thank the gentleman and accept his explanation. However, I personally would have preferred the plan proposed by the Department of the Interior in this regard.

Mr. SMITH of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Oklahoma [Mr. Smith].

Mr. SMITH of Oklahoma. Mr. Speaker, I stand to express my support of this bill to dispose of judgment funds on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma.

Funds were appropriated by the act of October 31, 1965—79 Stat. 1152—to cover an award of $15 million to the Cheyenne and Arapaho Tribes of Oklahoma in a compromise settlement in Indian Claims Commission dockets Nos. 329–A and 329–B. The sum of $14,166,348 is on deposit in two commercial banks, drawing interest at the rates of 5⅜ percent and 5⅛ percent respectively. The remainder of the judgment funds, including interest, is on deposit in the U.S. Treasury to the credit of the tribes.

The award represents additional payment—in docket No. 329–A—for 4,608,878 acres of land in western Oklahoma granted jointly to the Southern Cheyenne and Southern Arapaho by Executive order of August 10, 1869, and ceded under the act of March 3, 1891—26 Stat. 1022–1026. It further represents additional compensation—in docket No. 329–B—for the tribes' 50.61-percent interest in 51,210,000 acres of land in Colorado, Wyoming, Kansas, and Nebraska which were ceded by the Southern Cheyenne and Southern Arapaho under the treaties of February 18, 1861, October 14, 1865, and October 28, 1867; and by the Northern Cheyenne and Northern Arapaho under the treaty of May 10, 1868.

Prior to the 1700's the Cheyennes were located in the southwestern quarter of what is now the State of Minnesota and the Arapaho occupied the Red River Valley in Minnesota. Both tribes apparently moved southwest about the same time, although the date of the formation of a permanent alliance between them is uncertain. The division into Northern and Southern Arapaho and Northern and Southern Cheyenne, although largely geographic, was made permanent by the Treaty of Fort Laramie of September 17, 1851. By the terms of the Medicine Lodge Treaty of October 28, 1867, the two tribes were given a reservation in the Cherokee Outlet in northern Oklahoma. However, they did not move to the reservation assigned and, because of tribal objections to its location and quality, were jointly assigned—by Presidential proclamation of August 10, 1869—a new reservation along the north Canadian and upper Washita Rivers in western Oklahoma. In the early 1890's they were given allotments of land in severalty on their Indian territory domain and their surplus lands were organized as part of Oklahoma territory and opened to settlement on April 13, 1892.

The Cheyenne and Arapaho Tribes of Oklahoma are the successors in interest to the Southern Cheyenne and the Southern Arapaho Tribes as recognized in the Fort Laramie Treaty of September 17, 1851.

The two tribes were organized together under a constitution and bylaws adopted in 1937 pursuant to the provisions of the Oklahoma Indian Welfare Act of June 26, 1936. The governing body is a council of 14 members who represent their respective districts. The council is headed by a chairman. There are four subcommittees which have responsibility for various tribal programs.

The tribal roll in March 1967 showed 5,323 members. The roll is estimated to be 95 percent completed.

This bill provides that $500,000 of the judgment funds shall be held in trust by a national banking association in Oklahoma which has been selected by the Tribal Council and the trust agreements have been prepared and executed. This trust agreement will provide education and scholarship grants for tribal members. It also provides that the Secretary of the Interior shall distribute the remaining funds in per capita shares directly to the adult tribal members living on the date of the act and the shares of minor members are to be held in trust pursuant to a separate trust agreement.

Mr. Speaker, I further want to express my appreciation to my distinguished colleague from Oklahoma, of the other body, Senator FRED R. HARRIS, whose interest in the plight of the American Indian, and the Oklahoma Indian in particular, is well known, and he introduced along with my other distinguished colleague of the other body, Senator MONRONEY, an identical bill in this regard to the other body.

I sincerely urge this body to pass this bill so that the Cheyenne-Arapaho Tribe of Oklahoma can enjoy the benefits of the claim which they have been awarded.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 11847

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to distribute and expend the funds on deposit in the Treasury of the United States to the credit of the Cheyenne-Arapaho Tribes of Oklahoma that were appropriated by the Act of October 31, 1965 (79 Stat. 1133), in satisfaction of the settlement and compromise of claims of said tribes against the United States in the Indian Claims Commission in dockets numbered 329A and 329B, together with the interest accrued thereon, as herein provided.

SEC. 2. Five hundred thousand dollars of said funds shall be held in trust for the purpose of providing education and scholarships for members of said tribes pursuant to a trust agreement to be made and entered into by and between said tribes, as grantor, and a national banking association located in the State of Oklahoma, as trustee, which trust agreement shall be authorized and approved by the tribal governing body and approved by the Secretary of the Interior.

SEC. 3. The Secretary of the Interior shall distribute remaining funds per capita to all persons alive on the date of this Act whose names appear on the membership roll of the Cheyenne-Arapaho Tribes of Oklahoma or who, on the date of this Act, were eligible for membership, hereinafter referred to as "enrollees", as follows:

(a) a share payable to an enrollee not less than twenty-one years of age shall be paid directly in one payment to such enrollee, except as provided in subsections (b) and (c) of this section;

(b) a share payable to an enrollee dying after the date of this Act shall be distributed to his heirs or legatees upon the filing of proof of death and inheritance satisfactory to the Secretary of the Interior, or his authorized representative, whose findings and determinations upon such proof shall be final and conclusive: *Provided,* That if a share of such deceased enrollee, or a portion thereof, is payable to an heir or legatee under twenty-one years of age or under legal disability, the same shall be paid and held in trust pursuant to subsection (c) of this section;

(c) a share or proportional share payable to an enrollee or person under twenty-one years of age or to an enrollee or person under legal disability, shall be paid and held in trust for such enrollee or person pursuant to a trust agreement to be made and entered into by and between the Cheyenne-Arapaho Tribes of Oklahoma, as grantor, and a national banking association located in the State of Oklahoma, as trustee, which trust agreement shall be authorized and approved by the tribal governing body and approved by the Secretary of the Interior.

SEC. 4. (a) All claims for per capita shares, whether by a living enrollee or by the heirs or legatees of a deceased enrollee, shall be filed with the area director of the Bureau of Indian Affairs, Anadarko, Oklahoma, not later than three years from the date of approval of this Act. Thereafter, all claims and the right to file same shall be forever barred and the unclaimed shares shall revert to the tribes.

(b) Tribal funds that revert to the tribes pursuant to subsection (a) of this section, including interest and income therefrom, may be advanced or expended for any purpose that is authorized by the tribal governing body.

SEC. 5. No part of any funds distributed or held in trust under the provisions of this Act shall be subect to Federal or State income taxes.

SEC. 6. Funds distributed and payments made under this Act shall not be held to be "other income and resources" as that term is used in sections 2(a)(10)(A), 402(a)(7), 1002(a)(8), and 1402(a)(8) of the Social Security Act as amended (42 U.S.C. 302(a)(10)(A), 602(a)(7), 1202(a)(8), and 1352(a)(8)).

SEC. 7. (a) All costs incident to making the payments authorized by this Act, including the costs of payment roll preparation and such sums as may be required to distribute said funds, shall be paid by appropriate withdrawals from the judgment fund and interest on the judgment fund, using the interest fund first.

(b) In the event that the sum of money reserved by the Secretary of the Interior to pay the costs of distributing said funds exceeds the amount actually necessary to accomplish this purpose, the money remaining shall revert to the tribes and may be advanced or expended for any purpose that is authorized and approved by the tribal governing body.

SEC. 8. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HALEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1933) to provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma, a similar bill to the one the House just passed.

The Clerk read the title of the bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There being no objection, the Clerk read the Senate bill, as follows:

S. 1933

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to distribute and expend the funds on deposit in the Treasury of the United States to the credit of the Cheyenne-Arapaho Tribes of Oklahoma that were appropriated by the Act of October 31, 1965 (79 Stat. 1133), in satisfaction of the settlement and compromise of claims of said tribes against the United States in the Indian Claims Commission in dockets numbered 329A and 329B, together with the interest accrued thereon, as herein provided.

SEC. 2. Five hundred thousand dollars of said funds shall be held in trust for the purpose of providing education and scholarships for members of said tribes pursuant to a trust agreement to be made and entered into by and between said tribes, as grantor, and a national banking association located in the State of Oklahoma, as trustee, which trust agreement shall be authorized and approved by the tribal governing body and approved by the Secretary of the Interior.

SEC. 3. The Secretary of the Interior shall distribute remaining funds per capita to all persons alive on the date of this Act whose names appear on the membership roll of the Cheyenne-Arapaho Tribes of Oklahoma or who, on the date of this Act, were eligible for membership, hereinafter referred to as "enrollees", as follows:

(a) a share payable to an enrollee not less than twenty-one years of age shall be paid directly in one payment to such enrollee, except as provided in subsections (b) and (c) of this section;

(b) a share payable to an enrollee dying after the date of this Act shall be distributed to his heirs or legatees upon the filing of proof of death and inheritance satisfactory to the Secretary of the Interior, or his authorized representative, whose findings and determinations upon such proof shall be final and conclusive: *Provided,* That if a share of such deceased enrollee, or a portion thereof, is payable to an heir or legatee under twenty-one years of age or under legal disability, the same shall be paid and held in trust pursuant to subsection (c) of this section;

(c) a share or proportional share payable to an enrollee or person under twenty-one years of age or to an enrollee or person under legal disability shall be paid and held in trust for such enrollee or person pursuant to a trust agreement to be made and entered into by and between the Cheyenne-Arapaho Tribes of Oklahoma, as grantor, and a national banking association located in the State of Oklahoma, as trustee, which trust agreement shall be authorized and approved by the tribal governing body and approved by the Secretary of the Interior.

SEC. 4. (a) All claims for per capita shares, whether by a living enrollee or by the heirs or legatees of a deceased enrollee, shall be filed with the Area Director of the Bureau of Indian Affairs, Anadarko, Oklahoma, not later than three years from the date of approval of this Act. Thereafter, all claims and the right to file same shall be forever barred and the unclaimed shares shall revert to the tribes.

(b) Tribal funds that revert to the tribes pursuant to subsection (a) of this section, including interest and income therefrom, may be advanced or expended for any purpose that is authorized by the tribal governing body.

SEC. 5. No part of any funds distributed or held in trust under the provisions of this Act shall be subject to Federal or State income taxes.

SEC. 6. (a) All costs incident to making the payments authorized by this Act, including the costs of payment roll preparation and such sums as may be required to distribute said funds, shall be paid by appropriate withdrawals from the judgment fund and interest on the judgment fund, using the interest fund first.

(b) In the event that the sum of money reserved by the Secretary of the Interior to pay the costs of distributing said funds exceeds the amount actually necessary to accomplish this purpose, the money remaining shall revert to the tribes and may be advanced or expended for any purpose that is authorized and approved by the tribal governing body.

SEC. 7. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

AMENDMENT OFFERED BY MR. HALEY

Mr. HALEY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALEY: Strike out all after the enacting clause of S. 1933 and insert in lieu thereof the provisions of H.R. 11847, as passed.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, counsel for the Cheyenne-Arapaho Tribe has advised me that the tribe is willing to accept the terms of the bill passed in the other body, with reference to the section in H.R. 11847 exempting per capita payments from "other income and resources" for social security purposes.

The House committee chairman and subcommittee chairman advise me that this is a point on which it is felt the House bill's language is in the best interest of the Indian tribe; however, S. 1933 is being amended accordingly in the hope it will prove acceptable in the other body.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Florida [Mr. HALEY].

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 11847) was laid on the table.

AMENDING THE SMALL RECLAMATION PROJECTS ACT OF 1956

The Clerk called the bill (S. 862) to amend the Small Reclamation Projects Act of 1956, as amended.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

JUDGMENT FUNDS OF THE MINNESOTA CHIPPEWA TRIBE

The Clerk called the bill (S. 1165) to provide for the disposition of judgment funds now on deposit to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians.

There being no objection, the Clerk read the bill, as follows:

S. 1165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians that were appropriated by the Act of October 31, 1965, to pay a judgment by the Indian Claims Commission in docket 18-B, and the interest thereon, after payment of attorney fees and expenses, may be advanced or expended for any purpose that is authorized by the tribal governing bodies of the Minnesota Chippewa Tribe and the White Earth, Leech Lake, and Mille Lacs Reservations with whom the members of the Mississippi Bands and Pillager and Lake Winnibigoshish Bands of Chippewa Indians are affiliated, and approved by the Secretary of the Interior. Only those persons who are descendants of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians who were born on or prior to and living on the date of this Act and who meet the requirements for membership in the Minnesota Chippewa Tribe shall be entitled to share in the use or distribution of the funds. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to the Federal or State income tax.

SEC. 2. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Mr. LANGEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, I rise in support of S. 1165. This is a bill to provide for the disposition of judgment funds now on deposit to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians. The bill fulfills the purpose of the Indian Claims Commission Docket No. 18-B, which provides for the settlement of their claim in the amounts of $1,671,262.18 to the Mississippi Band and $2,260,942.90 to the Pillager and Lake Winnibigoshish Bands. These moneys have been awarded as an additional payment for 10,213,700 acres of land in Minnesota ceded under the treaty of February 22, 1855—10 Stat. 1165.

The final settlement and disbursement of these judgment funds bear significance to the future of the Chippewa Tribe and the Mississippi, Pillager, and Lake Winnibigoshish Bands. They have waited long and patiently for these funds. The business committees of the three reservations have arrived at a commendable agreement with regard to the distribution and use of the moneys when received. They recommend that there be set aside a total of $330,000 as a program fund for educational scholarships, Indian credit programs, resource development, industrial development, housing programs, and social development, with the remainder of the funds to be distributed on a per capita basis.

I am well acquainted with each of these bands and their leaders, who reside in my district, and so I am well aware of the significance of the provisions of this bill to them.

In their behalf, I hope the House will pass this bill today.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR THE DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE IOWA TRIBES OF KANSAS AND NEBRASKA AND OF OKLAHOMA IN INDIAN CLAIMS COMMISSION DOCKET NO. 138, AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 2828) to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission docket No. 138, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 2828

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the United States Treasury to the credit of the Iowa Tribes of Kansas and Nebraska and of Oklahoma that were appropriated by the Act of April 30, 1965 (79 Stat. 81), to pay a judgment by the Indian Claims Commission in docket numbered 138, and the interest thereon, after payment of attorney fees and other litigation expenses, shall be divided on the basis of 171/297ths (61.29 per centum) to the Iowas of Kansas and Nebraska and 108/279ths (38.71 per centum) to the Iowas of Oklahoma, and the funds so divided, including interest accruing thereon, may be invested or expended for any purpose that is authorized by the respective tribal governing bodies and approved by the Secretary of the Interior. Any per capita distribution of any part of the funds placed to the credit of the Iowa Tribes of Kansas and Nebraska and of Oklahoma shall be payable only to those persons who meet the membership requirements specified in the respective tribal constitutions, and such per capita payments shall not be subject to Federal or State income tax.

With the following committee amendments:

On page 1, line 7, strike out "docket numbered 138," and insert "dockets numbered 138 and 79,".

On page 1, line 9, strike out "171/297ths" and insert "171/279ths".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission dockets numbered 138 and 79, and for other purposes."

A motion to reconsider was laid on the table.

CONVEYING CERTAIN LAND TO THE SQUAXIN ISLAND TRIBE OF INDIANS

The Clerk called the bill (H.R. 8580) to convey certain land to the Squaxin Island tribe of Indians.

There being no objection, the Clerk read the bill, as follows:

H.R. 8580

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) all right, title, and interest of the United States in and to those lands lying within the Squaxin Island Indian Reservation, Washington, more particularly described in subsection (b) of this section, are hereby conveyed in trust to the Squaxin Island Indian Tribe.

(b) Beginning at a point between lots 1 and 2, 700 feet north of the northeast corner of the northwest quarter of the southwest quarter of section 26, township 20 north, range 2 west, Willamette meridian, the same being a fir post 3 feet long, 4 inches square and set firmly in the ground;

thence east 365 feet; thence north 240 feet to the meander line;

thence north 63 degrees west along meander line for 150 feet to meander corner

thence south 44 degrees west along meander line 333 feet;

thence south 68.5 feet to the point of beginning containing 1.84 acres, more or less, the above all being in lot 2, section 26, township 20 north, range 2 west, Willamette meridian, Mason County, Washington.

With the following committee amendment:

On page 1, line 6, strike out "conveyed" and insert "declared to be held by the United States".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO ENGAGE IN FEASIBILITY INVESTIGATIONS OF CERTAIN WATER RESOURCE DEVELOPMENTS

The Clerk called the bill (H.R. 10130) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone on the Interior Committee when it proposes to stop issuing bills to study water resources? Congress created, as I recall, in this session of Congress, the National Water Commission, or something of the kind, for a study of water resources. I suspect if we went through the records, we would find all kinds of commissions and boards and bureaus studying water resources. Why this one?

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. JOHNSON of California. Mr. Speaker, on this bill we merely authorize feasibility studies, after the water commissions and advisory boards in the Department of the Interior have studied in a reconnaissance study. They are here asking for the feasibility study.

These are small projects under the Reclamation Act, in which we are asking for authorizations to go ahead and establish feasibility of the project.

Mr. GROSS. Mr. Speaker, can the National Water Commission not study small as well as large water resource projects? Must we have another set up? Must we appropriate more money? Must we go through this in a multiplicity of ways and a multiplicity of organizations?

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman from California.

Mr. JOHNSON of California. Mr. Speaker, the purpose of the other commission is to make the general studies. These are projects that have been studied on a reconnaissance basis by the Department of Interior, and the Bureau of Reclamation is asking for authority now from Congress to go into the feasibility study of each particular project, and each particular project has to come back to the Congress and receive this authority from the Congress itself to move forward.

Mr. GROSS. Mr. Speaker, I realize the importance of water resources in this Nation. I hope I am not being misunderstood. But at the same time, I would hope that this would be the last time the Interior Committee or any other committee will be in here asking for some other organization or some other study to be made of water resources, in view of the money already being expended to that end. I would certainly hope there would be coordination of information that would result in a diminution rather than an expansion and enlargement of this.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding.

Mr. Speaker, I would like to establish a legislative record here as to the ultimate intent of these feasibility studies and reconnaissance studies. I think I understand that this is just a follow-through authorizing these funds, which are required under the general authorization of the 89th Congress. I believe I am in support of these bills under these circumstances, but nowhere in the committee report or in the bill under consideration today do I find any report of what eventually happens to the feasibility studies or the so-called reconnaissance ones. I presume that the basic law requires that such be brought back to the Congress, to the appropriate committee or subcommittee thereof, or at least to the Committee on Appropriations for final action after the reconnaissance study has demonstrated it to be applicable, or that the feasibility study is economically sound.

Can I be assured by the gentleman from California that it is the intent of the legislation that such studies will be brought back to the Congress for ultimate action?

Mr. JOHNSON of California. The gentleman from Missouri is absolutely correct. This merely authorizes the Bureau of Reclamation to go before the Appropriations Committee and seek appropriations to make these feasbility studies. Then the feasibility reports would have to come back to the committees and to the Congress for authorization prior to a start on construction.

Mr. HALL. If the gentleman from Iowa will yield further, does the gentleman from California agree with me that this in no way surrenders any of the prerogatives of the Congress, so far as being the "purse strings" of the Government is concerned?

Mr. JOHNSON of California. It certainly does not.

Mr. HALL. I thank the gentleman.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 10130

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to engage in feasibility studies of the following proposals:

1. Missouri River Basin project, Garrison division, Garrison diversion unit, Minot extension, in the vicinity of Minot, North Dakota.

2. Mogollon Mesa project, Winslow-Holbrook division in the Little Colorado River Basin in the vicinity of Winslow and Holbrook, Arizona.

3. Mountain Park project in the vicinity of Altus, Oklahoma.

4. Retrop project on the North Fork of the Red River in the vicinity of the W. C. Austin project, Oklahoma.

With the following committee amendments:

On page 2, after line 5, insert the following new paragraphs:

"5. Washita River Basin project, Foss Dam and Reservoir water quality investigation, on the Washita River near Clinton, Oklahoma.

"6. Rogue River Basin project, Evans Valley division, on Evans Creek, a tributary of the Rogue River, in southwestern Oregon."

On page 2, add a new section reading as follows:

"SEC. 2. The Secretary of the Interior is authorized to undertake investigations and prepare a reconnaissance report on the California Coastal Diversion Project, consisting of subsurface offshore conveyance of water from the Eel-Klamath River areas to an appropriate terminal point in Southern California."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, and for other purposes."

A motion to reconsider was laid on the table.

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1788) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, a similar Senate bill to the bill just passed.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1788

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to engage in feasibility studies of the following proposals:

1. Missouri River Basin project, Garrison division, Garrison diversion unit, Minot extension, in the vicinity of Minot, North Dakota.

2. Mogollon Mesa project, Winslow-Holbrook division in the Little Colorado River Basin in the vicinity of Winslow and Holbrook, Arizona.

3. Mountain Park project in the vicinity of Altus, Oklahoma.

4. Retrop project on the North Fork of the Red River in the vicinity of the W.C. Austin project, Oklahoma.

AMENDMENT OFFERED BY MR. JOHNSON OF CALIFORNIA

Mr. JOHNSON of California. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Mr. JOHNSON of California moves to strike out all after the enacting clause of S. 1788 and to insert in lieu thereof the provisions of H.R. 10130, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 10130) was laid on the table.

PROVIDING FOR THE DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE EMIGRANT NEW YORK INDIANS IN INDIAN CLAIMS COMMISSION DOCKET NO. 75, AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 11428) to provide for the disposition of funds appropriated to pay a judgment in favor of the emigrant New York Indians in Indian Claims Commission docket No. 75, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. HALEY. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1972, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. HALL. Mr. Speaker, reserving the right to object, is this an identical bill?

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from Florida.

Mr. HALEY. It is my understanding it is an identical bill. This procedure is followed, of course, merely to expedite the legislation.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There being no objection, the Clerk read the Senate bill, as follows:

S. 1972

Be it enacted by the Senate and House of Representatives of the United States of America assembled, That the funds on deposit in the Treasury of the United States to the credit of the Emigrant New York Indians that were appropriated by the Act of May 29, 1967 (81 Stat. 50), to pay a judgment by the Indian Claims Commission in Docket Numbered 75, and the interest thereon, after payment of attorney fees and expenses, shall be distributed as determined in section 4 and 5 of this Act.

SEC. 2. The Secretary of the Interior shall prepare rolls of all persons born on or prior to and living on the date of this Act (a) whose names appear on the membership roll of the Oneida Tribe of Indians of Wisconsin; or (b) whose names appear on the membership roll of the Stockbridge-Munsee Indian Community of Wisconsin; or (c) who are Brotherton Indians of Wisconsin of at least one-fourth degree Emigrant New York Indian blood and not members of either of the organized groups mentioned in (a) or (b).

SEC. 3. For the purposes of expediting the enrollment of persons referred to in section 2, subsections (a) and (b) of this Act, the governing bodies of the Oneida Tribe of Indians of Wisconsin and the Stockbridge-Munsee Indian Community of Wisconsin shall, with the assistance of the Secretary, prepare membership rolls of their respective bands. Applications for enrollment under subsection (c) of section 2 must be filed with the Superintendent of the Great Lakes Agency, Ashland, Wisconsin 54806, on forms prescribed for that purpose. The determination of the Secretary regarding the eligibility of the applicant shall be final.

SEC. 4. The Secretary of the Interior shall apportion to each group mentioned in section 2 so much of the aforementioned judgment and accrued interest as the ratio of its enrollees bears to the total enrollees of all of said groups.

SEC. 5. The funds apportioned to the Oneida Tribe of Indians of Wisconsin and the Stockbridge-Munsee Indian Community of Wisconsin shall be placed to their credit and may be used, advanced, expended, deposited, invested, or reinvested for any purposes that are authorized by the tribal governing bodies thereof and approved by the Secretary of the Interior. The funds apportioned to the group mentioned in section 2(c) shall be available for distribution in equal shares to the enrollees or their heirs or legatees. Payment may be made directly to each enrollee except that a share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

SEC. 6. None of the funds that may be distributed per capita shall be subject to Federal or State income taxes.

SEC. 7. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 11428) was laid on the table.

The SPEAKER pro tempore. This concludes the call of eligible bills on the Consent Calendar.

FISHERMEN'S PROTECTIVE ACT OF 1967

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4451) to reimburse owners of vessels of the United States for losses and costs incurred incident to the seizure of such vessels by foreign countries, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4451

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971–1976), is amended by adding at the end thereof a new section to read as follows:

"Sec. 7. (a) The Secretary, upon receipt of an application filed with him at any time after the effective date of this section by the owner of any vessel of the United States which is documented or certified as a commercial fishing vessel, shall enter into an agreement with such owner subject to the provisions of this section and such other terms and conditions as the Secretary deems appropriate. Such agreement shall provide that, if said vessel is seized by a foreign country and detained under the conditions of section 2 of this Act, the Secretary shall guarantee—

"(1) the owner of such vessel for all actual costs, except those covered by section 3 of this Act, incurred by the owner during the seizure and detention period and as a direct result thereof, as determined by the Secretary, resulting from (A) any damage to, or destruction of, such vessel, or its fishing gear or other equipment, (B) from the loss or confiscation of such vessel, gear, or equipment, or (C) from dockage fees or utilities;

"(2) the owner of such vessel and its crew for the market value of fish caught before seizure of such vessel and confiscated or spoiled during the period of detention; and

"(3) the owner of such vessel and its crew for not to exceed 50 percent of the gross income lost as a direct result of such seizure and detention, as determined by the Secretary of the Interior, based on the value of the average catch per day's fishing during the three most recent calendar years immediately preceding such seizure and detention of the vessel seized, or, if such experience is not available, then of all commercial fishing vessels of the United States engaged in the same fishery as that of the type and size of the seized vessel.

"(b) Payments made by the Secretary under paragraphs (2) and (3) of subsection (a) of this section shall be distributed by the Secretary in accordance with the usual practices and procedures of the particular segment of the United States commercial fishing industry to which the seized vessel belongs relative to the sale of fish caught and the distribution of the proceeds of such sale.

"(c) The Secretary shall from time to time establish by regulation fees which shall be paid by the owners of vessels entering into agreements under this section. Such fees shall be adequate (1) to recover the costs of administering this section, and (2) to cover a reasonable portion of any payments made by the Secretary under this section. All fees collected by the Secretary shall be credited to a separate account established in the Treasury of the United States which shall remain available without fiscal year limitation to carry out the provisions of this section. All payments under this section shall be made first out of such fees so long as they are available, and thereafter out of funds which are hereby authorized to be appropriated to such account to carry out the provisions of this section.

"(d) All determinations made under this section shall be final. No payment under this section shall be made with respect to any losses covered by any policy of insurance or other provision of law.

"(e) The provisions of this section shall be effective for forty-eight consecutive months beginning one hundred and eighty days after the enactment of this section. The Secretary shall issue such regulations and take such other measures as he deems appropriate to implement the provisions of this section prior to such effective date.

"(f) For the purposes of this section—

"(1) the term 'Secretary' means the Secretary of the Interior.

"(2) the term 'owner' includes any charterer of a commercial fishing vessel."

Sec. 2. Section 3 of the Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1973), is amended by inserting a comma after the word "fine" wherever it appears and the words "license fee, registration fee, or any other direct charge".

Sec. 3. The Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971–1976), as amended by this Act, may be cited as the "Fishermen's Protective Act of 1967".

The SPEAKER pro tempore. Is a second demanded?

Mr. GROSS. Mr. Speaker, I am opposed to this bill. I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. Dingell] will be recognized for 20 minutes, and the gentleman from Iowa [Mr. Gross] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 4451 is to extend the reimbursement coverage to owners of U.S. fishing vessels to include—in addition to the fine which is reimbursable under present law—other losses and costs incurred as a result of illegal seizures of such vessels on the high seas by foreign countries.

Mr. Speaker, I think it might be appropriate to give some of the background of the legislation.

The traditional policy of the United States is to support the principle of the freedom of the high seas and to consistently oppose the efforts of other countries to extend their claims beyond those recognized by international law. It is the practice of the United States to protest claims to territorial waters greater in breadth than 3 marine miles from the coast and to exclusive fisheries jurisdiction in excess of 12 miles from the coast. As I am sure all of you remember, there was enacted into the law in the 89th Congress, an act which would extend U.S. fisheries jurisdiction out to a distance of 12 miles from our shores. Prior to the passage of this act in October of 1966, the United States recognized only 3 miles for both territorial and exclusive fisheries claims by any nation.

Mr. Speaker, in South and Central America and the Caribbean, there are eight countries that claim fisheries jurisdiction beyond 12 miles, six of which claim fishing limits out to 200 miles from their shores. These countries are Chile, Ecuador, El Salvador, Nicaragua, Panama, and Peru.

The Fishermen's Protective Act was passed in 1954. This act directs the Secretary of State to attend to the welfare of the crew of any vessel of the United States seized by a foreign country on the basis of rights or claims not recognized by this country in territorial waters or on the high seas. If the vessel owner must pay a fine to secure release of the vessel, then the act directs the Secretary of the Treasury to reimburse the owner for the amount of the fine.

Since 1954, approximately 75 U.S. fishing vessels have been seized, and an indeterminate number harassed and shot at while legally fishing on the high seas. In the past several years there has been a considerable increase in such seizures; as many as 10 during 1966 and as of June 22 of this year there have already been nine seizures. Only two of these countries have been actively enforcing their claims; they are Peru and Ecuador.

These illegal seizures have ranged from the outer limits of the fishery zone out to a distance of 200 miles from shore. On the average, seized vessels are detained 4 to 5 days. To seek release, owners have been compelled to pay fines ranging upward of $10,000, registration fees costing between $200 and $500 per vessel, and in addition, they are forced to buy a fishing license based on a cost of $12 to $35 per net registered ton of the vessel.

In addition to the foregoing, vessel owners and crews suffer additional costs, such as loss of the value of the seized catch, loss of potential catch while the vessel is idle, and damage to or loss of the vessel, gear or equipment.

Mr. Speaker, H.R. 4451 was reported by the Committee on Merchant Marine and Fisheries with amendments. This was accomplished by striking out all after the enacting clause and substituting the exact language of the draft bill proposed by the Department of the Interior.

Briefly explained, section 1 of the bill would add a new section 7 to the Fishermen's Protective Act to authorize a temporary—4-year—voluntary insurance program whereby the Secretary of the Interior would guarantee reimbursement to the vessel owner participating in the program for all costs incurred as a direct result of such seizure. However, with respect to loss of potential income while the vessel is detained, reimbursement would be limited to not more than 50 percent of the loss. Further, the Secretary would be authorized to establish fees to be paid by participating vessel owners to cover, first, cost of administration and, in addition; second, a reasonable portion of the payments made under the guarantee, which was spelled out in the report to be at least 25 percent of all payments made under the program.

Section 2 of the bill would authorize—in addition to the fine—reimbursement of the license fee, registration fee, or any other direct charge connected with securing the prompt release of the vessel and crew.

And finally, section 3 of the bill would provide that this legislation would be cited as the "Fishermen's Protective Act of 1967."

Mr. Speaker, all witnesses testifying at the hearings were in favor of the legislation and there was no opposition expressed by any Government agency to the objectives of the legislation. Any concern expressed by an agency was satisfied by your committee when the bill was reported with amendments.

Mr. Speaker, I urge prompt enactment of H.R. 4451.

Mr. Speaker, I reserve the balance of my time.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, we are about to embark, if this bill is passed, upon another one of those compensation-out-of-the-U.S. Treasury deals when this Government ought to be enforcing the law and protecting its citizens rather than turning over the money of the taxpayers of this country under the terms of this proposed legislation.

Mr. Speaker, I have every sympathy for the owners and for the crews who serve on these fishing vessels.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes.

Mr. DINGELL. I am in thorough accord with the feelings as have been expressed by the distinguished gentleman from Iowa. I resent just as strongly as does the gentleman from Iowa the fact that these South Americans are engaged in the seizure of our vessels.

Mr. Speaker, the committee considered very carefully the point that the gentleman from Iowa has raised. But I would point out to the gentleman the fact that the very thought which the gentleman is expressing at this time is the reason that the committee solicited and obtained very careful estimates of the cost of the legislation and required that the full administrative cost thereof be paid by the vessel owners, together with 25 percent of the total cost of the vessel.

Mr. GROSS. But, why go to the taxpayers of this country for a single dime by way of compensation?

Mr. DINGELL. I would point out to my good friend, the gentleman from Iowa——

Mr. GROSS. What is wrong with the State Department? The gentleman well knows that I had the privilege of serving on the Committee on Merchant Marine and Fisheries and I am well aware of the treatment some foreign countries are giving our fishermen.

Mr. DINGELL. Mr. Speaker, if the gentleman will yield further, I would say that the distinguished gentleman from Iowa [Mr. GROSS] was a very valuable member of that committee.

Mr. GROSS. And, this subject has been pending before that committee for years. I was there when it became acute on another occasion.

Mr. DINGELL. The gentleman is correct.

Mr. GROSS. But, no one had the temerity to bring in legislation of this kind at that time.

Mr. DINGELL. Mr. Speaker, if the gentleman will yield further, I would point out to my good friend from Iowa the fact that several years ago certain vessels were loaned to certain of these countries for this purpose.

I want to express a very high regard for the gentleman from Iowa. However, I would point out to the gentleman that the vessels being provided by the AID program and by other activities are vessels which are being used to chase American fishing vessels operating in certain waters at this time.

In other words, we are loaning or making available vessels to certain South American countries for the purpose of seizing and chasing craft being operated by crews of this country. In my opinion it is not a bad idea to at least compensate the owners of craft which are being seized by certain vessels which have been made available to these countries under our foreign aid program.

Mr. GROSS. Yes, and which are now chasing our vessels.

Mr. DINGELL. Offshore, however, in their national waters.

Mr. GROSS. That is all the more reason why the Committee on Merchant Marine and Fisheries should have retained that provision in this bill which has been stricken and which appears on page 2, section 5, thereof and which states——

Mr. DINGELL. Well——

Mr. GROSS. Just a minute. That language provided:

> The Secretary of State shall take such action as he deems necessary to make and collect on claims against a foreign country for amounts expended by the United States under the provisions of this Act because of the seizure of a United States vessel by such country.
>
> (b) In any case in which a foreign country fails or refuses to make payment, within one hundred and twenty days after demand, to the Secretary of State on any claim made by the Secretary under subsection (a), he shall notify the President of such refusal and the President shall immediately suspend all assistance to such country under the Foreign Assistance Act of 1961 until the Secretary of State certifies to the President that such claim has been paid.

What is wrong with saying to these foreign governments that if you are going to run our fishing vessels onto the beach; if you are going to go out 200 miles to seize our vessels—and imprison the crews—what is wrong with a provision of this kind that says no foreign aid shall be provided unless and until you stop this business?

Mr. DINGELL. Mr. Speaker, will the gentleman yield further on that point?

Mr. GROSS. Yes, I yield to the gentleman.

Mr. DINGELL. Mr. Speaker, section 5 of the Fisherman's Protective Act, now in being and now the law of the United States, provides as follows:

> The Secretary of State shall take such action as he may deem appropriate to make and collect on claims against a foreign country for amounts expended by the United States under the provisions of this act because of the seizure of a United States vessel by such country.

It is the feeling of the subcommittee and of myself as chairman of the subcommittee that generally section 5(a) of the legislation as originally offered in H.R. 4451 is not very much different than the language to which my good friend alludes.

Mr. GROSS. No, the gentleman very well knows the reason why, because you backed up, you even crawled, to the various departments, to the Interior Department, and the State Department, and you virtually say so in your report.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman has expired.

(By unanimous consent, Mr. GROSS was allowed to proceed for 5 additional minutes.)

Mr. GROSS. You crawled to them, you knocked out the mandatory provision that would have made this bill reasonably acceptable.

Mr. DINGELL. Mr. Speaker, if the gentleman will yield further, I hope he will withdraw what he just stated about this subcommittee crawling, or I might be compelled to ask for his words to be taken down, and I know the gentleman would not want that. But I would point out to the gentleman that this subcommittee has never crawled. We have exercised some legislative responsibility, and we have not, as the gentleman from Iowa has assumed——

Mr. GROSS. The gentleman is operating on my time. I cannot yield further at this time.

Mr. DINGELL. I will be happy to make an adjustment on the time of the gentleman to answer his question, and allow me to give the gentleman fair answers.

Mr. CRAMER. Mr. Speaker, would the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I would like to ask, if the gentleman will yield for that purpose, the manager of the bill—and I have just read title 22, United States Code, and following, which I understand governs this, and I read on page 3, line 17, if a vessel is seized by a foreign country, I see nothing in there that says non-Communist or friendly. And I ask the gentleman is it true if a fishing vessel were carrying arms to Cuba, and it was seized, that it too would come within the provisions of this legislation?

Mr. DINGELL. It is highly doubtful.

Mr. CRAMER. Or if they were fishing off a Communist country, or what-have-you?

Mr. DINGELL. This legislation applies only to fishing vessels which are U.S. registered.

Mr. CRAMER. A fishing vessel that is being used to carry arms.

Mr. DINGELL. It is extremely unlikely that any U.S.-fleet or U.S.-registered vessel would be engaged in carrying arms to Communist Cuba, or from Communist Cuba or to Cuban insurrectionists who have the very best causes.

Mr. CRAMER. I am talking about a commercial fishing vessel used for that purpose. There is no exclusion.

Mr. DINGELL. This legislation does not deal with that.

Mr. CRAMER. Let me finish my question, if the gentleman will yield further.

Mr. GROSS. I yield further to the gentleman.

Mr. CRAMER. There is no exclusion relating to Communist countries or unfriendly countries, or anything else, so that the Communists can seize these fishing boats and the U.S. Government ends up paying this guaranteed insurance on them.

Mr. DINGELL. I would like to point out first of all that this country is not going to have its fishing vessels engaged in gunrunning. That is already governed under certain statutes.

Mr. CRAMER. I am talking about a right to this insurance, they have a right to this insurance.

Mr. DINGELL. I am pointing out to the gentleman that we have laws prohibiting that, and the legislative history on the legislation, the reports of the departments and the report of the committee, and the language of the bill in my opinion would preclude such application. And furthermore there is a statute covering fishing vessels of this country carrying arms to other countries in violation of that statute. And in my opinion this is something which is already covered under U.S. law, which is more than adequate to cover the problem.

Mr. CRAMER. So we are going to end up paying for these vessels seized by Communist countries, or what have you, under this guaranteed insurance.

Mr. DINGELL. This does not apply to other than U.S. ships; that is, U.S.-registered vessels.

Cuba only claims the 3-mile limit so the prospects of U.S. vessels being seized by Cuban-controlled vessels is something that is very slight. We have, I believe, in the committee in the records the U.S.-flag vessels that have been seized.

Mr. GROSS. Mr. Speaker, I cannot yield further to the gentleman from Michigan.

Let me say to the gentleman from Florida that the territorial limits are not the prime question here. It is a question of seizing our vessels and cargoes wherever they may be. No one concedes to Ecuador jurisdiction 200 miles at sea.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. CRAMER. I see no provision in here relating to recoupment through foreign aid or otherwise by the U.S. Government taxpayers from that friendly foreign country that is getting our foreign aid. That does not make sense to me.

Mr. GROSS. In the original bill there was a mandatory provision, as the gentleman well knows, and that was stricken. Why was it stricken? Well, the committee tells you why. On page 4 of the report, it says:

> After giving careful consideration to the evidence presented at the hearings and the departmental reports, your committee amended the legislation to conform to the draft bill, exactly as it was proposed by the Department of the Interior.

Yet, the gentleman from Michigan says there was no cutting back and there was no capitulation.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. HALL. I would like to get back to the substance of the original bill and to that portion that was stricken under section 5(b), in order to point out that the bill itself is subject to being interpreted from many different points of view, of many different jurisdictions. I am sure that jurisdiction here could be considered in the Committee on Foreign Affairs, the Committee on Merchant Marine and Fisheries, and indeed, I think, the Committee on Armed Services actually handles the bill that makes these capital ships available as training-aids and military assistance to many of these sovereign nations.

But the key word on page 4 was stricken wherein the President is directed to suspend "all assistance" to any such country.

Mr. GROSS. That is right.

Mr. HALL. Now "all assistance" are the key words, because none of this military assistance can continue to function, as capital ship or naval destroyers, Coast Guard or radar picket ships without continuing assistance, and if this is not done within 30 days they would be functionless if the follow-on equipment and repair supplies are not available.

Thus, the bill, as presented to us, is, in fact, different from the clause in the originally designed bill.

I would hope that this bill might have been considered other than under suspension of the rules, so that an amendment could have been submitted and the House could put that type of clause back in the bill.

Mr. GROSS. Had the House known that this bill was pending, there could very well have been a provision written in the foreign aid authorization act to take care of this situation.

The House, based upon some of the other amendments that were adopted, would certainly have passed such an amendment had it known. It is most unfortunate that this bill comes to us here today under suspension of the rules so that an amendment cannot be offered.

The gentleman from Michigan said in his introductory remarks that there was a threat of a veto. So what? If the President of the United States or any of his minions in the Department of State is going to hold that kind of a club over the House of Representatives—the threat of a veto in the enactment of legislation that is good and reasonable and in the interest not only of the fishing industry of this country but in the interest of the taxpayers of this country—if we have come to that point in the legislative history of this Congress, then we had better adjourn and go home.

Mr. DINGELL. Is the gentleman directing this question to me?

Mr. GROSS. No; I did not ask a question.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentlewoman.

Mrs. SULLIVAN. I would like to say to the gentleman from Iowa that I agree with his position that this is a matter for international discussions and agreements.

I would also like to say, I was the only member of the full Committee on Merchant Marine and Fisheries who voted against this bill in committee because I did not believe it was something that should be handled by legislation. I felt that it should be done by agreement between the nations.

Mr. GROSS. Mr. Speaker, I yield myself 1 additional minute.

I thank the gentlewoman from Missouri for stating her opposition to this bill.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Washington.

Mr. PELLY. I thank the gentleman for yielding. As one of the authors of the original bill that did have the provision to which the gentleman has referred, I would say that I have called on our State Department to send down Coast Guard cutters to protect our fishermen, and they take the position that they do not want to meet force with force.

I remind the gentleman, and so stated in the report, that this is temporary legislation. We hope by an agreement among the countries concerned to work this thing out before the legislation would expire. I hope the gentleman will recognize that it is an expedient, and we do hope that we can work out some arrangement so they will not harass and seize our American fishing boats.

Mr. GROSS. Mr. Speaker, I yield myself 1 additional minute.

I hope the gentleman will recall that when this subject was before the House Interior and Insular Affairs Committee some 5, 6, or 7 years ago, when I was a member, that the gentleman from Iowa joined with the gentleman from South Carolina [Mr. RIVERS], who was then a member of the committee, in urging both upon the military personnel who appeared before the committee and upon the State Department that we hold Navy maneuvers where our fishing fleets were operating and were being harassed; that we send warships to put a stop to this kind of business. We got exactly nowhere. Now it is proposed to load this bill on the taxpayers of the United States. If indemnity is started here, where will it stop?

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Washington.

Mr. PELLY. We have presented claims for all of the fines, for which the fishermen have been reimbursed, to these countries, and they would not even allow the issue to go to the International Court of Justice. They will not allow arbitration. They will not talk to us.

But in the Foreign Assistance Act is the provision which provides that consideration of giving foreign assistance will be made in connection with the fishermen of these vessels, but the administration has not done anything about it.

Mr. GROSS. I have every sympathy for the gentleman, his fishermen, and his boatowners, but this is not the way to correct this situation. The way to do it is to first deny any nation that abuses us any further help of any kind. If that does not work then we should meet force with force.

Mr. DINGELL. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. PELLY].

The SPEAKER pro tempore. The gentleman from Washington is recognized for 5 minutes.

Mr. PELLY. Mr. Speaker, I wish to

join my distinguished colleague on our Committee on Merchant Marine and Fisheries, the gentleman from Michigan, in urging favorable consideration of the bill, H.R. 4451.

Alarmed over the continued harassment of U.S. fishermen pursuing their chosen profession in internationally recognized waters, I and several of my distinguished colleagues in the House introduced legislation early this year to provide economic relief to these American fishermen. Under existing law enacted in 1954, the only relief furnished to these seized American fishing vessels is for the fine imposed to secure the release of the vessel and its crew. No relief has been furnished for the substantial economic loss incurred by our fishermen as a result of such seizure and the ensuing period of detention pending release of the vessel.

My initial bill also made it mandatory for the President to suspend all foreign assistance to those nations making such seizures which failed to honor claims for expenditures made in reimbursing payments for fines.

The issue arising out of these seizures because of the extraordinary jurisdictional claims of certain Latin American countries is not one involving simply a test of the rights of individual American fishermen. Rather, it is a test of the rights of the United States under international law. The only means by which these rights can be maintained is to assure American fishermen either the protection of their Government, or acceptance by their Government of a share of the economic risk involved in maintaining these internationally recognized rights. The other alternative—failure to continue to fish in these challenged waters—and bowing to these extraordinary claims which are not recognized under international law could only result in running the risk of losing such rights.

The fact that there have been several reported instances of harassment and seizure by Latin American countries using vessels loaned to them by the United States has only served to enhance the indignation arising out of these incidents.

Recognizing the importance of the issue at hand, comprehensive hearings were held by our committee under the able leadership of my distinguished colleague from Michigan at an early date. The problem, including all its underlying foreign policy implications, was probed in depth resulting in the legislation which is now before you for consideration. This legislation was recommended by the Department of the Interior and bears the endorsement of the several executive agencies concerned, which have come to recognize the severe economic hardship visited upon American fishermen by these seizures.

It is important to recognize that H.R. 4451 does not constitute a panacea for the problem of fishing vessel seizures. The bill constitutes a temporary measure pending resolution of the underlying issues through diplomatic means. It does not, therefore, contain mandatory provisions for cutting off foreign assistance to offending nations, recognizing that such permissive authority already exists in the law pursuant to the provisions of Public Law 89–171.

The thrust of H.R. 4451 is to provide for a temporary program of 48 months which would authorize the Secretary of the Interior to enter into cost-sharing agreements with fishing vessel owners covering economic losses. As envisaged by your committee, this legislation would cover only a portion of the economic losses. Fishermen electing to enter into such agreements would be assessed fees established by the Department of Interior adequate to cover administration expenses plus approximately 25 percent of any payments made pursuant to such an agreement. It also would serve to amend existing law so as to broaden the present reimbursement of fines to include "license fee, registration fee, or any other direct charge." It would not in any way alter the current criteria to qualify under the law that the seizure be based on "rights or claims in territorial waters or the high seas which are not recognized by the United States;"

In extending this coverage to American fishermen, your committee was extremely cautious to insure that none of the amendments would serve to motivate a fishing vessel owner to deliberately subject his vessel to seizure. It was for this reason that after painstaking deliberation your committee chose to limit reimbursement for economic loss to but a portion of a total loss, and then to require an established minimum contribution by the participating fishermen.

Accordingly, in both equity and in justice, American fishermen displaying the flag of the United States in internationally recognized waters are entitled to the limited protection proposed under H.R. 4451, and I earnestly urge its favorable consideration by the Members of the House.

Mr. REINECKE. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from California.

Mr. REINECKE. Mr. Speaker, as a coauthor, I rise in support of the bill, H.R. 4451, endorsing the earlier remarks of my distinguished colleagues on our Committee on Merchant Marine and Fisheries.

Over the past several years, certain Latin American nations have taken it upon themselves to assert extraordinary sovereign rights over waters which are internationally recognized as being upon the high seas. In the enforcement of these questionable sovereign rights, these nations have traversed the rights of American fishermen pursuing their chosen profession upon the high seas. American fishing vessels have been subjected to the indignation of paying registration fees to fish in international waters, of being seized or harassed upon the high seas by vessels of these several nations, and have been taken into custody and subjected to periods of detention in excess of 20 days. The results of this questionable activity have been to impose substantial economic losses upon American fishermen.

Recognizing the injustice of this blatant gunboat diplomacy of certain Latin American nations bent upon fencing in the oceans, our committee conducted extensive hearings on legislation introduced by several distinguished Members of this body providing for some relief to American fishermen for economic losses arising out of such seizures.

Although there can be no real solution of the problem to which H.R. 4451 addresses itself, until the several Latin American nations abide by coastal state jurisdiction recognized by the family of nations, this legislation does provide a temporary program under which the Government would bear a portion of the economic risk involved in fishing in internationally recognized waters. Testimony received by our committee in executive session served to assuage many who desired more direct action in response to these acts upon the high seas which are reminiscent of the days of piracy. The complexities of the issues involved transcended the immediate problem which the legislation sought to correct, and we therefore found ourselves constrained to accept a more moderate position accounting for the ultimate form which the legislation took and which is now before you.

The program authorized by this legislation is of a temporary nature, so as to allow the Executive to work out an ultimate solution through diplomatic channels. It does not seek to underwrite the total amount of economic losses incurred as a result of such seizures but only a portion thereof. This is accomplished by authorizing the Secretary of the Interior to enter into voluntary cost-sharing agreements with American fishermen. Both an agreement and satisfaction of the criteria under existing law are necessary for American fishermen to file claim under the provisions proposed under the first section of this bill.

The equities of the situation dictate that, lacking the assurance of protection from the Government in international waters, American fishermen should be afforded the relief proposed by H.R. 4451. Accordingly, I urge that the legislation be favorably considered and be passed by the House. If in fact this legislation does not help the State Department solve the problem—then let us look to passage of a bill restricting any future foreign assistance until amenities have been made.

Mr. DINGELL. Mr. Speaker, I want to answer a couple of questions that were raised by the gentleman from Iowa in his dissertation.

As a member of the Foreign Affairs Committee, I think he should bear in mind the rules of the House of Representatives. I would suspect, if the gentleman would read the rules, he might come to the conclusion that the question of withholding or not withholding, or granting or not granting foreign aid is not within the purview of the Fisheries Subcommittee or the Committee on Interior and Insular Affairs. Under the rules of the House of Representatives, that is a matter properly under the jurisdiction of the Committee on Foreign Affairs, of which the gentleman from Iowa happens to be a member.

The second thing, the gentleman from Iowa has made some unkind comments about my handling of this legislation and the handling of it in the committee. I would read to him for his benefit, or if he would take care to read the report more carefully, he would find on page 9, that we have cited the Kuchel amendment to the Foreign Assistance Act, which is something which came out of the foreign assistance debate:

> In determining whether or not to furnish assistance under this Act, consideration shall be given to excluding from such assistance any country which hereafter seizes or imposes any penalty or sanction against any United States fishing vessel on account of its fishing activities in international waters.

So we do have legislation on the books which is fully within the power of the executive department to exercise.

I can see no strong reason why this legislation, which is aimed at helping American fishermen who are being sent down there to fish in international waters, should be stymied over the frustrations of this body over the adequacy or the inadequacy of enforcement of existing Federal statutes.

More importantly, Mr. Speaker, the cost of this legislation is very modest. It is recognized by the committee and so stated in the report.

It is recognized by the executive departments, because we are establishing an insurance program, that we are not setting a precedent which will lead to widespread compensation of persons who may have their property seized.

I point out to my colleagues that this legislation is no different in principle from the insurance offered to American businessmen who go to other countries to do business at the request of the U.S. Government and the State Department, whereby they are insured against seizure and expropriation.

What we are doing here is insuring American fishermen who go down to fish in international waters against loss of gear, loss of vessel, loss of fishing time, loss of profits they should properly make by fishing in the international waters.

This is good legislation. It should be favorably considered and should be passed. It came out of the subcommittee unanimously and came out of the full committee without any audible dissent.

Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Speaker, this is a good, constructive piece of legislation.

I happen to have a number of shrimp fishermen in my own district. In fact, much of the shrimp the Members eat around here happens to be landed in my own district.

I know how complicated this problem is. Some of the problem comes about over the fact that fishing is a dangerous and hazardous occupation.

Some of it comes about over the fact that it is impossible to tell what are the foreign waters and the international waters. We have never been able to establish, under international law, what the boundaries are or should be.

Some of the problem comes about over the fact that vessels get in trouble, not only mechanical trouble but also trouble with weather.

All of these factors enter into this problem.

If we are going to harvest the great crops of protein which lie within the international waters of this world, and if America is going to use what is rightfully its share, we have to encourage these men to invest their capital as well as their lives and to go out and spread their nets and bring to our shores the harvest of those waters.

I regret that this debate got started off on a red herring. Let us get back on course.

Mr. GROSS. Mr. Speaker, I yield myself 2 minutes.

I do not know what the gentleman from Florida meant by this debate getting started off on the trail of a red herring, or some such allusion. That is a further attempt to confuse the issue.

I note, on page 3 of the report, that the Department of Justice says:

> However, it shoud be noted that the enactment of a bill such as this could serve as an undesirable precedent * * *

The Department of the Interior says, on page 3 of the report:

> this legislative approach may establish an undesirable precedent * * *.

In view of the fact that the committee refused to put any restrictive language in the bill with respect to foreign aid, what makes the bill all the more unacceptable is that in some instances in the past, and probably today, American warships on loan, small warships on loan to South American and Central American governments, have been used—

Mr. DINGELL. The gentleman is incorrect.

Mr. GROSS. Just a minute. I did not yield to the gentleman. The gentleman has his own time and I have been liberal in yielding to him.

These warships have been used to confiscate fishing vessels, to stop and seize American fishing vessels and to seize their cargoes of fish. Our own warships have been used for this purpose in the past, if not in the present.

This makes this sort of indemnifying legislation all the more incongruous.

What has happened, Mr. Speaker—what has happened to that spirit that made this country great—the patriotic spirit that said: "Millions for defense but not 1 cent for tribute." What has happened to us in the land of the free and home of the brave?

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, I rise today in strong support of H.R. 4451, authored by our distinguished colleague from Washington, the Honorable TOM PELLY, and coauthored by many of us.

In 1954, Congress passed the Fishermen's Protective Act, as a result of the continued harassment and seizure of our fishing boats by a number of Latin American nations. I was pleased to sponsor that original legislation.

Now 13 years later, we are apparently no closer diplomatically to solving the problems of offshore sovereignty. In accordance with international law, this country does not recognize territorial waters greater in breadth than 3 marine miles from the coast—and fisheries jurisdiction in excess of 12 miles. In South and Central America and the Caribbean, eight countries claim limits beyond 12 miles. Six, in fact, claim fishing limits out to 200 miles: Chile, Ecuador, El Salvador, Nicaragua, Panama, and Peru. The gravity of the seizure and harassment problem can perhaps best be illustrated by the fact that more than 50 percent of the vessels in the U.S. tuna fleet have been pursued, seized, shot at, or otherwise harassed since 1961. Ecuador and Peru have been the two chief offenders.

What of the individual fishing boat entrapped in this diplomatic mixup? According to the 1954 Protective Act, the State Department endeavors to secure the release of the vessel and crew as soon as possible. If a fine is levied against the seized vessel, the Secretary of States also directs the Treasury to reimburse the owner for the fine. The amount of fines imposed against U.S. vessel owners since 1954 totals $489,470. This is an extraordinary price for our fishermen and taxpayers to pay for the right of our fishing fleets to ply their trade in international waters.

Unfortunately, the payment of the fine is only the initial expense. Most fishing boats operate, under optimum conditions, on a tight financial margin. Seizure and extended detention in port could mean financial ruin to the individual boat owner.

The House Merchant Marine and Fisheries Committee has put together a very realistic piece of legislation from a number of bills proposed by myself and others to deal with this problem. Under the bill we are about to vote on, the owners of illegally seized vessels would receive:

First. Full reimbursement by the Treasury of any fines, license, and registration fees required to effect the release of the vessel.

Second. Reimbursement for all costs resulting from the seizure; such as damage to or loss of the vessel, gear, or other equipment and loss of dockage fees or utilities.

Third. The market value of any seized fish.

Fourth. Up to 50 percent of the gross income lost as a direct result of seizure and detention, based upon the average catch per day's fishing during the past 3 years.

The latter three categories would be financed through a voluntary insurance program administered by the Secretary of the Interior. Under this program, boat operators participating in the program would be required to pay into a fund which would finance all costs of administering the program and no less than 25 percent of the funds for payment of claims.

I want to wholeheartedly commend the Merchant Marine and Fisheries Committee for the excellent work done on this legislation, and strongly urge my colleagues' favorable consideration of H.R. 4451.

The **SPEAKER** pro tempore. The question is on the motion of the gentleman from Michigan that the House suspend the rules and pass the bill (H.R. 4451), as amended.

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 147, nays 175, not voting 110, as follows:

[Roll No. 257]

YEAS—147

Adams
Addabbo
Albert
Ayres
Bates
Bell
Bennett
Bingham
Boggs
Bolling
Brademas
Brasco
Brooks
Burke, Mass.
Burton, Calif.
Bush
Button
Byrne, Pa.
Cabell
Cederberg
Celler
Clark
Clausen, Don H.
Colmer
Culver
Daddario
Daniels
Dawson
de la Garza
Dingell
Dole
Dow
Downing
Dulski
Eckhardt
Edmondson
Edwards, Ala.
Eilberg
Evins, Tenn.
Fallon
Farbstein
Fascell
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gibbons
Gilbert
Gonzalez
Griffiths
Grover
Gubser
Hamilton
Hanna
Hansen, Wash.
Hardy
Harvey
Hathaway
Heckler, Mass.
Helstoski
Henderson
Hicks
Horton
Hosmer
Joelson
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
Kirwan
Kupferman
Kyros
Leggett
Lipscomb
Long, La.
McClure
McFall
McMillan
Machen
Madden
Mahon
Mailliard
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Meeds
Miller, Ohio
Minish
Mink
Mize
Moorhead
Morse, Mass.
Morton
Mosher
Moss
Nedzi
Nix
O'Hara, Mich.
Olsen
O'Neill, Mass.
Patten
Pelly
Perkins
Pettis
Pickle
Pike
Pollock
Rees
Reid, N.Y.
Reinecke
Rhodes, Pa.
Rivers
Rodino
Rogers, Colo.
Rosenthal
Roth
Ruppe
Ryan
Scheuer
Selden
Sisk
Smith, Calif.
Smith, Iowa
Stubblefield
Teague, Calif.
Thomson, Wis.
Tiernan
Ullman
Utt
Vander Jagt
Vigorito
Waldie
White
Wiggins
Wilson, Bob
Wydler
Wyman
Young

NAYS—175

Abernethy
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashmore
Battin
Belcher
Berry
Betts
Bevill
Biester
Blanton
Bow
Bray
Brotzman
Brown, Mich.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Byrnes, Wis.
Cahill
Carey
Carter
Chamberlain
Clancy
Cleveland
Cohelan
Collier
Conable
Corbett
Corman
Cowger
Cramer
Cunningham
Davis, Wis.
Denney
Derwinski
Devine
Dorn
Dowdy
Duncan
Dwyer
Edwards, Calif.
Edwards, La.
Esch
Eshleman
Evans, Colo.
Findley
Fisher
Flynt
Galifianakis
Gardner
Gathings
Goodling
Gross
Gude
Hagan
Haley
Hall
Hammerschmidt
Hanley
Hansen, Idaho
Harrison
Harsha
Hechler, W. Va.
Holifield
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Karsten
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Langen
Latta
Lennon
Lloyd
Long, Md.
McCarthy
McClory
McCulloch
McDade
McDonald, Mich.
McEwen
MacGregor
Marsh
Martin
Mayne
Meskill
Michel
Mills
Minshall
Montgomery
Moore
Morris, N. Mex.
Murphy, Ill.
Myers
Natcher
Nelsen
Nichols
O'Hara, Ill.
O'Konski
O'Neal, Ga.
Passman
Pirnie
Poff
Price, Ill.
Pryor
Quie
Quillen
Randall
Reid, Ill.
Reuss
Rhodes, Ariz.
Riegle
Rooney, N.Y.
Roudebush
Roush
Satterfield
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Shipley
Shriver
Skubitz
Slack
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stuckey
Sullivan
Taft
Taylor
Thompson, Ga.
Tuck
Udall
Vanik
Waggonner
Walker
Wampler
Watson
Watts
Whalley
Whitener
Whitten
Williams, Miss.
Williams, Pa.
Winn
Wylie
Yates
Zablocki
Zion
Zwach

NOT VOTING—110

Abbitt
Adair
Anderson, Tenn.
Ashbrook
Ashley
Aspinall
Baring
Barrett
Blackburn
Blatnik
Boland
Bolton
Brinkley
Brock
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Burton, Utah
Casey
Clawson, Del
Conte
Conyers
Curtis
Davis, Ga.
Delaney
Dellenback
Dent
Dickinson
Diggs
Donohue
Erlenborn
Everett
Feighan
Fino
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Gallagher
Garmatz
Gettys
Giaimo
Goodell
Gray
Green, Oreg.
Green, Pa.
Gurney
Halleck
Halpern
Hawkins
Hays
Hébert
Herlong
Holland
Howard
Irwin
Karth
Kluczynski
Landrum
Lukens
Macdonald, Mass.
Miller, Calif.
Monagan
Morgan
Multer
Murphy, N.Y.
Ottinger
Patman
Pepper
Philbin
Poage
Pool
Price, Tex.
Pucinski
Purcell
Railsback
Rarick
Reifel
Resnick
Roberts
Robison
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
Roybal
Rumsfeld
Sandman
St Germain
St. Onge
Saylor
Sikes
Smith, N.Y.
Staggers
Stephens
Talcott
Teague, Tex.
Tenzer
Thompson, N.J.
Tunney
Van Deerlin
Watkins
Whalen
Widnall
Willis
Wilson, Charles H.
Wolff
Wright
Wyatt

So (two-thirds not having voted in favor thereof) the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Fulton of Pennsylvania and Mr. Sandman for, with Mr. Burton of Utah against.

Mr. Dellenback and Mr. Wyatt for, with Mr. Widnall against.

Until further notice:

Mr. Hébert with Mr. Gerald R. Ford.
Mr. Barrett with Mr. Erlenborn.
Mr. Miller of California with Mr. Frelinghuysen.
Mr. Philbin with Mr. Halleck.
Mr. Donohue with Mr. Goodell.
Mr. Feighan with Mr. Fino.
Mr. Garmatz with Mr. Watkins.
Mrs. Green of Oregon with Mr. Smith of New York.
Mr. Wolff with Mr. Saylor.
Mr. Macdonald of Massachusetts with Mr. Price of Texas.
Mr. Dent with Mr. Halpern.
Mr. Rogers of Florida with Mr. Gurney.
Mr. Green of Pennsylvania with Mr. Adair.
Mr. Murphy of New York with Mrs. Bolton.
Mr. Rostenkowski with Mr. Talcott.
Mr. Staggers with Mr. Blackburn.
Mr. Multer with Mr. Whalen.
Mr. Charles H. Wilson with Mr. Ashbrook.
Mr. Tenzer with Mr. Rumsfeld.
Mr. Aspinall with Mr. Lukens.
Mr. Delaney with Mr. Conte.
Mr. Giaimo with Mr. Railsback.
Mr. Holland with Mr. Brown of Ohio.
Mr. Sikes with Mr. Reifel.
Mr. St. Onge with Mr. Del Clawson.
Mr. Ronan with Mr. Curtis.
Mr. Monagan with Mr. Dickinson.
Mr. Kluczynski with Mr. Robison.
Mr. Blatnik with Mr. Broyhill of North Carolina.
Mr. Van Deerlin with Mr. Broomfield.
Mr. Thompson of New Jersey with Mr. Brock.
Mr. Boland with Mr. Brinkley.
Mr. Ottinger with Mr. Conyers.
Mr. Pucinski with Mr. Diggs.
Mr. Hawkins with Mr. Roybal.
Mr. St Germain with Mr. Rooney of Pennsylvania.
Mr. Teague of Texas with Mr. Ashley.
Mr. Morgan with Mr. Gray.
Mr. Gettys with Mr. Resnick.
Mr. Stephens with Mr. Howard.
Mr. Hays with Mr. Herlong.
Mr. Pepper with Mr. Patman.
Mr. Pool with Mr. Everett.
Mr. Brown of California with Mr. Irwin.
Mr. Anderson of Tennessee with Mr. Baring.
Mr. Abbitt with Mr. Tunney.
Mr. Wright with Mr. Willis.
Mr. Landrum with Mr. Karth.
Mr. Casey with Mr. Rarick.
Mr. Purcell with Mr. Fountain.
Mr. Roberts with Mr. Davis of Georgia.

Mr. PRYOR, Mr. DERWINSKI and **Mr. GOODLING** changed their votes from "yea" to "nay."

Mr. GUBSER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

CREATING A NEW DIVISION FOR THE WESTERN DISTRICT OF TEXAS

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8338) to create a new division for the western district of Texas, and for other purposes.

The Clerk read as follows:

H.R. 8338

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 124(d) of title 28, United States Code, is amended—

(1) by amending paragraph (3) to read as follows:

"(3) The El Paso Division comprises the county of El Paso.";

(2) by amending paragraph (6) to read as follows:

"(6) The Pecos Division comprises the counties of Brewster, Culberson, Jeff Davis, Hudspeth, Loving, Pecos, Presidio, Reeves, Ward, and Winkler."; and

(3) by adding at the end the following new paragraphs:

"(7) The Midland-Odessa Division comprises the counties of Andrews, Crane, Ector, Martin, Midland, and Upton.

"Court for the Midland-Odessa Division shall be held at Midland."

The SPEAKER. Is a second demanded?

Mr. McCULLOCH. Mr. Speaker, I demand a second.

Mr. FISHER. Mr. Speaker, I am opposed to the bill. I demand a second.

The SPEAKER. Is the gentleman from Ohio opposed to the bill?

Mr. McCULLOCH. Mr. Speaker, I am not opposed to the bill.

The SPEAKER. The gentleman from Texas is opposed to the bill?

Mr. FISHER. Mr. Speaker, I am opposed to the bill.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from New York is recognized.

Mr. CELLER. Mr. Speaker, very briefly, this bill seeks to make a new division for the western district of Texas to be known as the Midlands-Odessa division, out of the present El Paso and Pecos divisions, with a term of court being authorized to be held at Midland.

Under the present law, the western district of Texas comprises six divisions. There have been several changes in population growth and distribution in the El Paso and Pecos divisions which have created conditions where the administration of justice results in hardship and inconvenience to the litigants, their attorneys, witnesses, and also to jurors. Of course, this is not helpful in our Federal judicial system. The Committee on the Judiciary importuned by the Department of Justice, the Judicial Council of the Fifth Circuit, and the Judicial Conference of the United States, and others interested in the State of Texas has split up this division so that the El Paso division will include El Paso, the Pecos division will include some 10 different counties, and the Midland-Odessa division will include six different counties. This will not involve any additional cost of the Government. The city council of the city of Midland, Tex., and the county judge of Midland County, Tex., on behalf of the Commissioners Court of Midland County, have indicated that facilities will be made available adequate for the purpose of holding court in Midland and therefore all provisions of the required statutes concerning expense to the Government will be satisfied so that there will be no additional expense to the Government.

It would appear that the present situation with reference to the present district in western Texas is inadequate. There has been a very substantial increase in cases in El Paso. In addition to the increase in cases in the El Paso area, there have been considerable shifts of population plus growth of population that requires this change in the creation of the new divisions for the western district of Texas.

The gentleman from Texas [Mr. Mahon] is familiar with this situation, because it is in his district where these changes will be made.

I now yield to the gentleman from Texas [Mr. Mahon] 10 minutes. I understand the gentleman desires to use 5 minutes now, and I will yield him additional time later.

Mr. MAHON. Mr. Speaker, aside from the appropriation bills, I rarely introduce bills in the House of Representatives. I trust that the pending measure may have your best attention.

I represent the town and county of Midland, Tex., which is one of the important cities of the western part of the State.

Mr. Speaker, this city had in 1960 a population of 62,600 people. It is the business center of a very wide area. This city ranks fifth in office space in all of the cities in the State of Texas. The business transacted in the area is exemplified to some extent by the fact that bank deposits in 1966 in Midland were $209 million. Building permits in Midland were $103 million during the 1960–66 period. A large volume of litigation arises in Midland and the Midland-Odessa area. The towns are about 20 miles apart.

Further evidence of the tremendous business which is carried on in this area is indicated by the postal receipts. The postal receipts in Midland in 1966 were $1.5 million. Postal receipts in Odessa are also quite large, totaling about $1.2 million in 1966.

Now, the people in the area have sought a court for a long time—not a new judge, but a new division, because they were tied to Pecos out farther west, a much smaller town and where very little of the court business originates. Pecos is far removed from the Midland-Odessa area. A large portion of the business in this division originates in the city of Midland and in the nearby city of Odessa.

The attorneys of the Midland-Odessa area have sought a nearby Federal court for a long time.

I did not want to introduce a bill here unless it were evident that it would be supported. Therefore, I conferred with officials of the Department of Justice about this matter. The Department of Justice, upon reexamination of the problems, recognized the need and made a favorable recommendation this year. It declined to act favorably last year. But after a reexamination of the facts, the Department of Justice recommended that the division be created and located at Midland, Tex. So, I introduced this bill last April and the committee very kindly acted favorably upon it, and it is here before us today.

Mr. Speaker, the court is needed. There is no doubt about that on the part of anyone who is familiar with the situation.

Therefore, I respectfully request that the Members of the House support this legislation.

Of course, the adoption of this legislation means a great deal to me personally. Of course, it means a great deal to the people which it is my honor to represent; it means a great deal to the lawyers; it means a great deal to the litigants involved; it means a great deal to the jurors in the congressional district which it is my honor to represent as well as the adjoining district.

I sincerely hope that the Members of the House will support this bill which I have offered and which has been presented to you by the distinguished gentleman from New York, the chairman of the Committee on the Judiciary (Mr. Celler).

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I am happy to yield to the distinguished gentleman from Texas, who has the honor of representing the El Paso district.

Mr. WHITE. Mr. Speaker, as the gentleman from Texas [Mr. Mahon] will recall, it was my honor to represent this area during my first term in the Congress. During that time I did introduce a bill to create a new court division in the Midland-Odessa area.

I recognized the need for such legislation based upon the fact that the population of the area has increased tremendously and that the legal activities had increased to the point where they needed some help and they needed some additional facilities for the lawyers involved, for the litigants involved, as well as for the jurors involved.

As I understand the provisions of this particular legislation, it will not require any expenditure of additional funds for facilities at this time. As I understand it, the Midland area has offered the use of facilities for holding court at no cost to the Government.

Mr. MAHON. That is correct.

The SPEAKER. The time of the gentleman has expired.

Mr. CELLER. Mr. Speaker, I yield 2 additional minutes to the gentleman from Texas.

Mr. MAHON. The truth is that Midland is very much in need of a new post office and Federal building, and the issue before us needs to be resolved so that the court can be included in the Federal building when the Federal building is constructed at a time when the fiscal situation has improved. There will be a Federal building there regardless of the court, but this matter of the court is a determination that should be made now. Pending that, both the city and the county have offered facilities at no cost to the Government.

The gentleman representing the El Paso area knows that El Paso has one of the heaviest dockets in the whole country. I represent the largest oil-producing county in Texas, Andrews, which is next to Midland County, in which the city of Midland is located, which is the center of many of the major business enterprises in the whole area, and it seems to me this is a very desirable location for the court.

Mr. WHITE. May I also say that your bill gives relief to the El Paso district because they have, as you have said, one of the heaviest dockets in this country. It also will allow the Pecos division to extend their jurisdiction westward and southward, and this will be more appropriate to their community of interest. I believe the bill you have presented is a very fine bill, and I wholeheartedly support it.

Mr. MAHON. Mr. Speaker, I am grateful to the Department of Justice for recommending the bill, and I am grateful to the committee for approving the bill, and I will be grateful to the House if the House sees fit to approve this measure.

Mr. FISHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, a very substantial majority of the people affected by this bill live in the district I represent. My good friend from Lubbock [Mr. Mahon] has said that he has one of the largest oil-producing counties in the State, which would be in this division. I might also in that connection state that I represent two of the three largest oil-producing counties in the State, both of which will be in this division. One is Ector County.

The gentleman has said that local facilities will be made available to the court without cost to the Federal Government at Midland where the court would be held at the present time if the bill should be approved. I can say the same thing for the city of Odessa where, in my judgment, the court should be held.

Mr. Speaker, this is a good bill except for one provision, the measure creates a new division in the western district of Texas, which is highly desirable and long overdue. Unfortunately, it provides that the court in the new Midland-Odessa division, which would be created, would meet in Midland, which is located in Mr. Mahon's district.

Mark what I say, every responsible study that has been made of that issue on where the court should meet has recommended that it meet in Odessa. Odessa is a much larger city, 50 percent larger than Midland, and more centrally located in the new division. And a much larger volume of the litigation that will be going to the new court will, according to statistical studies, be generated in Ector County where Odessa is located.

Of the number of criminal cases filed in the present court in the Pecos division that is located 70 miles from Midland and Odessa, of which both Midland and Odessa are now a part, during the past 5 years—now, listen to this—almost three times as many cases originated in Ector County as there did in Midland County.

Now imagine the savings in witness fees and costs of jurors and the expense and convenience of litigants, by having the court meet in Odessa, rather than in Midland.

A recent survey revealed that 85 percent of the lawyers involved in all civil actions pending on the docket at Pecos were from Odessa—not from Midland.

I could go on at length detailing the compelling advantages that require the court in the new district to be held in Odessa. This fact is obvious—so obvious that the issue is hardly debatable.

I have had a bill pending for more than a year on the subject. My friend, the gentleman from Texas [Mr. Mahon] said that he introduced one last April. I introduced one a year ago last April on the same subject. In fact, the pending measure, the one that we are now considering, which was offered this last April 1967 is really nothing more than a reintroduction of my bill, with Odessa struck out and Midland inserted. My bill which provided for the court to meet at Odessa was unanimously approved by the Judicial Conference of the Fifth Circuit and by the judicial council, which is usually a sort of requirement or the custom in establishing new divisions.

But the pending bill has never been approved by either of them. A high level prestigious committee of lawyers made an on-the-spot study of where the court should meet. What do you suppose they found? They unanimously recommended Odessa.

The only support that the sponsors can point to in favor of the pending bill, as reported, is what the gentleman from Texas [Mr. Mahon] referred to—and that is the Attorney General's report to the Committee on the Judiciary dated August 23, 1967.

That report is rather suspect, to say the least. A year previously—and listen to this—a year previously less 1 day, the Attorney General recommended the concept of my bill—after I called him on the telephone and told him that the committee would like to have a report. Then very pointedly in that report, he declined to take sides one way or the other as to whether the court should be held in Odessa or Midland. Perhaps I do not know the Attorney General quite as well as some other people do.

Now we find a year later after the pending bill was introduced, which places the court in Midland, that the Attorney General has pulled a flip-flop—a real acrobatic jump—and suddenly decides to recommend that the court sit in Midland. Thus, it is quite plain that the young Attorney General really does not know which side he is on and he blows hot one year and cold the next.

Mr. Speaker, this is a sort of bill which would have little chance of ever being reported in its present form if open hearing had been held and the facts developed.

I might point out that the chairman of the committee assured me in writing that my bill, which places the court in Odessa, would be considered. Well, I suppose it was considered. But I received no notice and there were no hearings on the pending bill or on my bill. It is not for me to criticize the committee for its procedure—I am simply reciting the facts.

The sponsors of this legislation chose to call this bill up today under rules which forbid any amendment being offered. From the standpoint of the sponsors, that technique is understandable. I am quite aware of the situation which confronts us here today on this kind of a bill under these circumstances, and I have no illusions about it. I feel confident that the author of the pending bill will join me in requesting an open hearing on the issue before the Senate Judiciary Committee. Then the facts can be developed and the record can speak for itself.

Mr. Speaker, that is all we ask for.

Under the circumstances, Mr. Speaker, I shall vote against the pending bill in its present form.

Mr. CELLER. Mr. Speaker, I yield myself 3 minutes.

The SPEAKER. The gentleman from New York is recognized for 3 minutes.

Mr. CELLER. I wish to say to the gentleman from Texas [Mr. Fisher], it is true that the Judicial Council had passed upon the bill as originally introduced by the gentleman from Texas [Mr. Fisher] and the approval of the Judicial Conference was indicated. That was in 1967. But that was prior to the introduction of the bill offered by the gentleman from Texas [Mr. Mahon]. So the Judicial Conference had never made a choice as to whether the court should be held at Midland or the court should be held at Odessa. So it is not fair to say as between the Mahon bill and the Fisher bill the Judicial Conference chose to approve the Fisher bill, namely, to hold the court in Odessa, because, as I said, the Judicial Conference did not have before it the Mahon bill.

I have done some checking with reference to the importance of these two cities and I find that populationwise Odessa has a population, it is true, of 80,000 while Midland has a population of 62,000. But that was in 1960. I am informed that the disparity in population between the two cities has been removed, and that present figures indicate that Midland is not behind Odessa in population.

As to bank deposits, in 1966 Odessa had $96 million; Midland had $209 million.

As to building permits, between 1960 and 1966 Odessa had $76 million worth of building permits, whereas Midland had $103 million worth of permits.

As to postage receipts, again in 1966 Odessa had postage receipts of $1.2 million, while the postal receipts in Midland were $1.5 million.

I wish to repeat that this is a clear indication that, as far as commercial importance is concerned, Odessa lags behind Midland; as far as post office business is concerned, Odessa lags behind Midland; as far as building and construction is concerned, Odessa lags behind Midland.

The conclusion is inevitable that the litigation which would grow out of those factors would be greater in and around Midland than it would be in and around Odessa.

For those reasons the Judiciary Committee came to the inevitable conclusion, particularly since we had the approval of the Department of Justice, that it would be far better to take these two divisions—and presently there are two divisions—and create three divisions out of the two divisions, keeping the court as it is now in El Paso and keeping it in Pecos, and then as to the third place of holding court, have it in Midland. I do not think it would be fair to criticize the Judiciary Committee in any sense of the word because of the facts that I have just related, and which bear the clear implication that Midland is of far greater importance than Odessa.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Ohio.

Mr. McCULLOCH. I have no desire to get into any controversy between the fine cities of Odessa and Midland. But I should like to report what the record shows from the Judiciary Committee. The bill before us was reported out by the subcommittee without a dissenting vote. The bill before the House was reported out of the full Judiciary Committee without a dissenting vote.

In addition, Mr. Speaker, I am advised that there is only a distance of some 20 or 25 miles between Odessa and Midland, and many cities in the North have more than that distance from the suburbs to where court is held.

I think it is of particular importance, Mr. Speaker, admitting everything that our able colleague, the gentleman from Texas [Mr. Fisher], has said about what happened before, that the bill before the committee today is approved, and was approved, by the Administrative Offices of the U.S. Court.

Mr. Speaker, those of us who wish to be objective in this matter and who have not been down there must rely upon some responsible public body as we did in the Judiciary Committee. There has been need for a new court division down there. For that reason and the reasons assigned by the able chairman of the committee, the bill came out of both the subcommittee and the full committee without a dissenting vote.

Mr. Speaker, I urge the approval of the bill.

Mr. FISHER. Mr. Speaker, I want to make it clear I am not criticizing the Judiciary Committee for the action it took. Had I lived elsewhere and been on the committee under the same circumstances, I probably would have voted the bill out, because I would not have known the facts I have revealed, which I am sure the gentleman from Ohio did not know. I am sure he did not know a committee of three prominent lawyers, including one from Midland, had made a study of this, and they unanimously recommended the court be held at Odessa. I am sure members of the committee did not know about that. I did not have an opportunity to tell them. I requested a hearing but none were held on my bill or on the bill offered by the gentleman from Texas [Mr. Mahon].

I am not criticizing the committee. I am reciting the facts.

I am sure probably some members of the committee did not know the Judicial Conference of the Fifth Circuit approved my bill proposing that the court sit in Odessa. I hold in my hand a letter from Judge Elbert P. Tuttle, chief judge, Atlanta, of the U.S. Court of Appeals, Fifth Judicial Circuit, dated April 27, 1966, more than a year before the gentleman from Texas [Mr. Mahon] decided Midland would be a good place to hold the court.

Judge Tuttle wrote to me:

> This is in response to your letter of April 25th. The proposed bill enclosed by you, H.R. 14391, has received the approval of the Judicial Council of the Fifth Circuit and has received the approval of the Judicial Conference of the United States. . . .

That bill provided that the court would sit in Odessa, Tex. So the chairman is a little bit in error when he says the Judicial Conference and the judicial council did not have the issue before them. They did have it, and by approving my bill they approved Odessa as the meeting place for the court. It is disturbing to learn that even the distinguished chairman of the Judiciary Committee did not know the Judicial Conference and the judicial council had given this approval. If the chairman had given us a hearing on the legislation, which I requested, all of that information would have been developed. But there was no hearing and no notice that any action was planned by the committee. Then suddenly the Mahon bill was reported without any hearing and without any notice.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. FISHER. I yield to the gentleman from New York.

Mr. CELLER. Mr. Speaker, I think the gentleman must know when he speaks of the judicial council and the Judicial Conference, he is speaking of two different bodies.

Mr. FISHER. That is correct.

Mr. CELLER. The judicial council is the judges of the court of appeals of the circuit.

Mr. FISHER. That is correct.

Mr. CELLER. The Judicial Conference is the Chief Justice of the Supreme Court and the chief judges and each of the circuit courts throughout the country and one or two district judges. It is quite a different body.

Mr. FISHER. It is quite a prestigious crowd, and everyone of them unanimously approved my bill directing that the court sit at Odessa, Tex. I am glad that chairman pointed that out.

I believe they should have some voice in this sort of thing. It is a custom, as I understand it, to seek their advice when a new division is created.

This was before them. That was their judgment.

I did not know about the postal receipts at Midland, but I am glad the post office is getting along well there. I had not heard that used before as an argument, to establish a court to accommodate the postal receipts. I have not checked on them, over at Odessa. If there had been a hearing, and a big issue made out of the postal receipts, I would have sought that information. Frankly, I did not know postal receipts made that much difference. I labored under the impression that the place where litigation is generated, where most of the jurors and witnesses and attorneys reside, to be served, were the important factors.

What I did know was that both the towns of Midland and Odessa are now in the Pecos division.

I did know that three times as many criminal cases on the Pecos docket originate in Ector County than in Midland County.

I did know that 85 percent of all the lawyers appearing in behalf of litigants in the Pecos court, of which both Odessa and Midland are parts, were from Odessa.

I did know Odessa is approximately 50 percent larger in population than the city of Midland.

The gentleman had better double check his facts about the relative growth of the two cities in the past five years. Odessa has been on the move, and its growth is comparable with that of Midland, perhaps even more.

Mr. Speaker, I repeat that I recognize the handicap I have here today. I had what I thought was a pretty good bill. I put in a lot of work to get clearance of the judicial council and of the judicial conference, and the approval of the Attorney General, with the one exception that he did not want to say which city the court would be in until he made the big flip-flop here in August and switched from one side to another.

Are we to understand, Mr. Speaker, that the judicial conference and the judicial council should no longer be consulted about the creation of new judicial districts or divisions? I had been informed that clearance through those channels was an absolute requirement before the committee would consider a bill of this kind. Yet today the House is being asked to pass a bill which creates a new division—a bill which has never been even submitted to either the judicial conference or the judicial council.

Mr. Speaker, I have nothing against the city of Midland. It is populated by wonderful people. And no one can blame them for wanting a Federal court there. But everyone knows that the decision in this situation should be based upon the amount of litigation that is generated at a particular place, the expense and convenience of witnesses, jurors, and litigants, and factors of that kind. Postal receipts and bank deposits have nothing whatever to do with the question of the best location for a court to meet.

The fact that proponents are hard pressed for facts to justify the selection of Midland has become quite apparent. They talk of postal receipts, of bank deposits, and they manage to get the young attorney general to switch over, reverse his prior position of neutrality, and bolster the sponsor's case by deciding he favors Midland. For obvious reasons they do not talk about where most of the litigation would originate, where most of the jurors and witnesses would live, the expenses and convenience of those who would use the court. In a manner of speaking, they talk about nothing to prove something. The pertinent facts are overwhelming against them, and so they must talk about irrelevant things.

Mr. Speaker, in conclusion I repeat that this legislation will be scrutinized elsewhere. It is my hope that the author of the pending bill will join in the request I shall make for an open hearing on the bill by the Judiciary Committee of the Senate. Then we can develop the facts and the record can speak for itself.

Mr. CELLER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. Mahon].

Mr. MAHON. Mr. Speaker, I believe it is fair to say that either Odessa or Midland would be a suitable place to hold court in this division. From a geographical standpoint, both towns are well located in reference to the makeup and location of the counties involved in the proposed division.

Naturally, I would be partial to my own district and my able colleague the gentleman from Texas [Mr. Fisher], would be partial to the district which he represents. This is understandable and appropriate.

I would like to make reference to the judicial council and to the Judicial Conference. I have sought to inform myself of the policies of these bodies. I think I can correctly say that these bodies interest themselves in the administration of justice and in the creation of court divisions wherever they may be necessary.

These bodies, in my opinion, favor the creation of a Midland-Odessa division of the Federal court in the western district of Texas. I doubt that they would have any preference for one town over the other. When the town of Odessa was presented, there was approval. Had Midland been presented, I think the attitude of these groups would have been equally favorable. What these bodies support is a new court division to meet the Midland-Odessa need.

It seems clear to me that these bodies are not concerned with the precise town in which a court is located. These bodies are concerned with the problem of providing adequate judicial service for litigants and the general public. It is a responsibility of Congress and not these bodies to determine more specifically the exact location of the place for holding court, and, of course, also the need.

I would like to speak a word about the extent of Federal court activity affecting Midland and Odessa.

Complete statistics as to the cases before the Pecos court, of which Midland and Odessa are now a part, are not available to me, but the information which has become available indicates that Midland and Odessa are probably about equally involved in the civil cases that come before the Federal court in the area. I do not want to overstate the case but my information actually indicates a greater volume in Midland. But as previously stated, there is much activity involving the Federal court in both Midland and Odessa.

In conclusion, let me say that under all circumstances the division of the court is needed for the administration of justice in the area. You have a bill before you which meets the requirements. There is no disagreement on that point. So I sincerely trust the pending measure will be approved so that the public need can be met. The Committee on Judiciary has presented a unanimous report which I believe deserves your support.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I commend the Committee on the Judiciary for its fine preparation and presentation on H.R. 8338. A new division for the U.S. District Court, Western District of Texas, is urgently needed. The committee has made this impressively clear in its report, and I am in full support of this legislation. However, I wish to call the attention of my colleagues to another pressing situation facing the western district of Texas.

The pattern of population growth, and administrative efficiency, call for a new Midland-Odessa division as H.R. 8338 provides. But similarly, the population and economic growth throughout west Texas indicate the necessity of an additional judgeship for the western district. I introduced legislation on June 8 for this purpose; my bill, H.R. 10668, would increase the number of judges from four to five.

A few figures from the 1966 Annual Report of the Administrative Office of the U.S. Courts demonstrate this need. In 1966, the 88 judicial districts in the United States had a weighted caseload per judgeship of 255—200 civil and 55 criminal—but the western district of Texas had a weighted caseload average of 320—163 civil and 157 criminal—for the four judges now sitting. Two of these judges, the Honorable Adrian Spears and the Honorable Dowrin Suttle, terminated 1,744 criminal cases last year, a total second only to the southern district of California with 13 judges. The terminated civil cases, however, compare about equally per judge between these two districts.

If there had been five judges instead of four, as my bill provides, last year's caseload would average out to 256 cases per judge, which is one above the weighted national average. Five judges last year would have brought caseload equality then, but the rapid population and economic growth being experienced in central and west Texas mean that a fifth judgeship this year would still leave the western district behind the national average, and increasingly disparate.

But caseload is not the only unusual burden on the judges of the western district of Texas. This district covers an immense geographical area, an area almost as large as the States of New York and Pennsylvania combined. The four judges do an exceptional amount of traveling in order to sit at the division courts. It is a trip of 800 miles to travel from Waco in one end of the district to El Paso in the other, following the route via Austin, San Antonio, Del Rio, and Pecos.

To repeat, Mr. Speaker, I support H.R. 8339 and praise the Judiciary Committee for its concern for judicial efficiency in the western district of Texas. But I also urge that the pressing need for an additional judgeship for this district be given consideration as soon as possible.

The SPEAKER. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill H.R. 8338.

The question was taken; and on a division (demanded by Mr. Fisher) there were—ayes 57, noes 16.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF DAIRY INDEMNITY PAYMENTS AUTHORITY

Mr. STUBBLEFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1657) to extend for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

The Clerk read as follows:

S. 1657

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Such indemnity payments shall continue to each dairy farmer until he has been reinstated and is again allowed to dispose of his milk on commercial markets.

Sec. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Sec. 3. The authority granted under this Act shall expire on June 30, 1968.

The SPEAKER. Is a second demanded?

Mr. BELCHER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Kentucky [Mr. Stubblefield] is recognized for 20 minutes.

Mr. STUBBLEFIELD. Mr. Speaker, the purpose of this bill is to extend until June 30, 1968, the legislative authority for the Secretary of Agriculture to make indemnity payments to dairy farmers who, through no fault of their own, have their milk removed from commercial markets because it has been contaminated by residues of chemicals registered and approvel for use by the Federal Government.

The original dairy indemnity authority was contained in section 331 of the Economic Opportunity Act of 1964.

This authority has been previously extended three times by the Congress of the United States, but it expired on June 30, 1967.

Mr. Speaker, S. 1657, as passed by the other body, establishes a separate statutory authority for this program during fiscal year 1968.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. STUBBLEFIELD. I shall be happy to yield to the distinguished gentlewoman from Missouri [Mrs. Sullivan].

Mrs. SULLIVAN. Mr. Speaker, I have no intention of opposing this bill, but I would like to ask the distinguished gentleman from Kentucky, a member of the Committee on Agriculture, several questions about the bill.

As the gentleman stated, S. 1657 continues a program originally written into the war on poverty bill in 1964 to have the Federal Government pay dairy farmers for their losses on milk which had to be destroyed because it contained illegal residues of DDT or other pesticides.

Is it not correct, however, that the main purpose of this extension is to take care of some dairy farmers in Texas whose milk was contaminated, not by the dairy farmers' own use of pesticides, but by the improper use of pesticides by neighboring farmers, with the spray then coming over onto the dairy farmers' crops?

Mr. STUBBLEFIELD. I will say to the distinguished gentlewoman that she may be partially correct in that these crops are sprayed by airplanes at times and the wind currents blow the pesticides over into alfalfa fields, which is later fed to the cattle. However, in some cases it would probably be due to other causes.

Mrs. SULLIVAN. Mr. Speaker, if the gentleman will yield further, when we have the Federal Government pay indemnities to the victim for the wrongful or the accidental misuse of pesticides, do we remove all responsibility for damages from the farmer who committed the improper act which caused the damage? Is this not like having the Government pay damages for one individual's improper acts against another individual? Should not the farmer or the spraying firm which was at fault have to pay damages?

Mr. STUBBLEFIELD. In the case of dairy farms, the dairy farmer would have to establish the fact that he was not negligent in the use of the pesticides before he could receive any payment whatsoever.

Mrs. SULLIVAN. Mr. Speaker, if the gentleman will yield further, I have one further question.

Has there been any thought given by the Committee on Agriculture to amend the bill or the program to require the States to pay at least 20 percent of the amount of the Federal subsidy to the farmers receiving this poverty money?

I ask that because of the questions that were raised by the Bureau of the Budget when it sent up its report on this pending legislation.

Mr. STUBBLEFIELD. I do not think any consideration has been given to the States participating in this, for the reason that the Federal Government has encouraged the use of these pesticides and, therefore, the problem has largely been a responsibility of the Federal Government.

Mrs. SULLIVAN. Mr. Speaker, if the gentleman will yield further, I realize that the money is to go to the innocent victim. However, what about those responsible for the damage—the spraying firm, or the farmer who does this spraying on his own farm, and then the spray insecticide does go over onto the crops of an innocent victim. What has been done in the effort to make the spraying firm or the farmer conducting the spraying of his own farm pay these damages?

Mr. STUBBLEFIELD. It is inevitable that when you are spraying from an airplane that the wind currents will carry it in various directions. I do not believe the spraying firms or the farmer who is having his crops sprayed would do this intentionally, but that, on the other hand, they would take precautions to keep it from contaminating their neighbors' fields.

Mrs. SULLIVAN. Would this be a continuing thing, then?

Mr. STUBBLEFIELD. No.

Mrs. SULLIVAN. Are they trying to stop it so that the residue will not go over into other fields?

Mr. STUBBLEFIELD. This is a temporary measure, it merely extends for 1 year this program in order to give Congress, the Department of Agriculture, and other concerned parties a chance to investigate and remedy the situation. This is stated in the report at page 3.

Mrs. SULLIVAN. I thank the gentleman.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. STUBBLEFIELD. I will be happy to yield to the gentlewoman.

Mrs. KELLY. I thank the gentleman for yielding.

Could the gentleman tell us how much is involved in the loss of dairy products in this program? Is $300,000 enough?

Mr. STUBBLEFIELD. I believe the loss has been running about $300,000 or less a year.

Mrs. KELLY. Does the gentleman mean that $300,000 a year has been going on every year?

Mr. STUBBLEFIELD. For the last 3 years, yes, between $200,000 and $300,000.

Mrs. KELLY. What are we doing to correct this? I do not understand the answer of the gentleman to the previous question.

Mr. LAIRD. Mr. Speaker, will the gentleman yield to me?

Mr. STUBBLEFIELD. I will be happy to yield to the gentleman from Wisconsin.

Mr. LAIRD. We have been spending at the approximate rate of $260,000 a year. This money has been paid from funds made available through the Office of Economic Opportunity because of the poverty nature of this program in which the farmer, through no fault of his own, has his milk condemned by the health authorities.

This is the only form of income that farmer has. Many times milk has been condemned but the farmer himself had nothing whatever to do with the use of insecticides. The funding of this program is not from a direct appropriation, but the funds have come from the Office of Economic Opportunity to fund this particular program.

Mrs. KELLY. Mr. Speaker, will the gentleman yield further?

Mr. STUBBLEFIELD. I will be happy to yield to the gentlewoman.

Mrs. KELLY. Notwithstanding the background given in the statement of the gentleman from Wisconsin, it is still the taxpayers' money, is it not, whether direct or indirect?

Mr. LAIRD. It is the taxpayers' money, but I felt the gentlewoman would like to know where this is charged to, as far as the appropriation is concerned.

It has been running about $268,000 to $297,000 each year, as I recall it. I do not have the exact figures before me at this time. But that is the manner in which we have funded this program.

Mrs. KELLY. I understand that is about the amount, but my concern is deeper than that in view of the fact that this is charged against the poverty program funds. I believe this is wrong. I am trying to find out what is being done, or what we are going to attempt to do, in the Department of Agriculture to correct this situation.

Mr. LAIRD. This particular bill is an attempt to correct that situation. From now on this will be a direct appropriation which will be provided for this purpose if this bill passes. There will be an authorization and this appropriation can be made, and then we will not have to use the subterfuge of the poverty program in order to take care of these indemnity payments.

I might add there have been no indemnity payments made in my State. Most of the indemnity payments have been in New York, Maryland, Virginia, Ohio, and Texas. This has been limited to those particular States. Although my State of Wisconsin is America's dairyland, we have not had this problem in the production of milk in Wisconsin.

Mrs. KELLY. To pursue this question further, I want to know what is being done to stop the need for such an indemnity program.

Mr. STUBBLEFIELD. May I say to the gentlewoman that the bill S. 1657, as passed by the Senate, establishes a separate statutory authority for this program during fiscal year 1968.

Mrs. KELLY. I thank the gentleman.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. STUBBLEFIELD. I am happy to yield to the gentleman.

Mr. LAIRD. I would like to make some further comment on this bill.

There is something being done and it is a research program that is presently being carried on not only under the auspices of the Food and Drug Administration and the Public Health Service but in full cooperation with the U.S. Department of Agriculture. This has to do with the use of nontoxic insecticides in the production of milk and feed grains and hay that goes into the production of milk.

So in answer to the gentlewoman from New York, there is much being done in this research program that will be the answer to this and it will preclude the possibility in the future of this kind of indemnity payment.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. STUBBLEFIELD. I yield to the gentlewoman.

Mrs. KELLY. I have the report here on the "extension of dairy and indemnity payments authority" and on page 2 it says:

> The Department of Agriculture anticipates that milk indemnity payments might reach $2 million during fiscal year 1968, the period of time covered by this legislation.

I still want to know what you are doing to endeavor to decrease that, or to do away with the need for this program, and I have not yet had an answer.

Mr. STUBBLEFIELD. I would point out to the gentlewoman, as the gentleman from Wisconsin has said, the dairy co-ops and agricultural colleges and State departments of agriculture and the cotton co-ops and extension services are all cooperating in an endeavor to correct this situation.

I would further say to the gentlewoman that that figure of $2 million should be interpreted rather liberally because I do not think there will be that much involved.

Mrs. KELLY. May I assume then that the cost of the idemnity program will be assumed by the Department of Agriculture from now on and not by the antipoverty program?

Mr. STUBBLEFIELD. Yes; it will.

Mr. ECKHARDT. Mr. Speaker, will the gentleman yield?

Mr. STUBBLEFIELD. I yield to the gentleman.

Mr. ECKHARDT. I am generally favorable to this bill and I assume since it is for a rather short period of time, and since it looks toward further study by A. & M. College, I believe at College Station, it would also ultimately yield to some other solution. But I would like to ask this question. Does the bill now permit a subrogation of the Government to that of the dairy farmer who has been wronged by some neighboring farmer?

In other words, could the Government step into his shoes as a plaintiff against another farmer who has wrongfully injured him by the use of the offending pesticide?

Mr. STUBBLEFIELD. I suppose that the farmer who is damaged would have to bring a complaint up himself.

Mr. ECKHARDT. Of course, I suppose that he suffers no more damage after the Government pays him off. But the question is, Could there not be some solution, ultimately, perhaps after a study, by which the Government would be placed in the shoes of the original plaintiff, to bring action against the farmer who caused the damage?

Mr. STUBBLEFIELD. I do not think that it would be intentional that the farmer would cause the damage. As I say, I do not think a farmer would intentionally do anything to contaminate another farmer's milk. I cannot conceive of such a situation. This merely reimburses dairy farmers who have been seriously damaged by the fact that they cannot market their milk as the result of the use of these pesticides. This is just a matter of adjusting a bad situation where the Department of Agriculture has recommended certain pesticides that have seriously damaged certain dairy farmers.

Mr. ECKHARDT. I see, and I am sympathetic with this at the present time. But it seems to me that at some time in the future, it may be said that a farmer who wrongfully uses pesticides, or a manufacturer who wrongfully recommends their use, should be required to reimburse the Government if the Government reimburses the farmer who is injured.

Mr. STUBBLEFIELD. I should think so, after they have found corrective measures.

Mr. ECKHARDT. Surely. I thank the gentleman.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. STUBBLEFIELD. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. May I direct this question possibly to the ranking minority member of the Committee on Agriculture.

I do not think any of us would oppose a bill to help the farmer who is innocently victimized. We realize that this chemical, DDT, should not be in milk or in any other food. But how can the Government make farmers use DDT in the proper way? What can we do to recapture some of the money we have to pay to the farmer who is damaged by another farmer's actions.

Has the committee given any thought to that question?

Mr. BELCHER. I think that would be a question that would have to be answered by the U.S. Department of Agriculture through Secretary Freeman. If you would write him a letter and ask him why they have not stopped these insecticides from contaminating milk, I am sure he would reply. After all, the Department of Agriculture handles the administration of these problems and the withdrawal of the milk, and they do it on the theory that it contains insecticides. Down in Texas they say that the insecticide blew over from another field that was being sprayed from an airplane. I do not know whether that is so or not, but you have asked the wrong authority. You will have to ask your own Secretary of Agriculture.

Mrs. SULLIVAN. I believe that somewhere in the Secretary's letter which is printed in the report he asks the committee to get into this problem, because it is a problem. Perhaps someone else can answer the question.

Mr. BELCHER. If the Secretary of Agriculture or the Agriculture Department, with all the scientists they have down there, cannot determine why this insecticide has gotten into the milk, I do not know how the Committee on Agriculture, on which there are no scientists, could determine that question.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. STUBBLEFIELD. I yield to the gentleman from Texas [Mr. WHITE].

Mr. WHITE. Mr. Speaker, I am no expert, but, as I understand it, many years ago when the Government condoned the use of DDT, the insecticide was used by many farmers, particularly in my own area by the cotton farmers, and after they ceased using it, it still persisted in the soil. It now turns up in hay and alfalfa even 10 years or more afterward, long after they have ceased to use it. The farmers buy the alfalfa and they try to test it, but these things creep in. The cows ingest it and they retain the DDT. It comes out in the milk. The farmer is the unwitting victim of the indiscriminate use of DDT condoned by the U.S. Government years ago. That is what they are asking indemnification for today.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. STUBBLEFIELD. I yield to the gentleman from Ohio.

Mr. VANIK. I would like to point out that I oppose this kind of legislation because I think the Federal Government should not take the role of guarantor of a product of this type. I think it is something that ought to be within the purview of the States. The State ought to be held responsible in the dissemination of such insecticides. I do not think the Federal Government should guarantee against this type of thing any more than it should guarantee against the after effects of all these things used by the public or the farmer. I think it is a new endeavor that this Congress should be very reluctant to enter into.

Mr. STUBBLEFIELD. Mr. Speaker, may I recall to the gentleman that the Government is taking the milk off the market, and so it does have an interest and responsibility.

I yield back the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oklahoma.

Mr. BELCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS of Maryland. I thank the gentleman who has yielded me this time very briefly to speak in support of the bill.

In response to the gentleman from Ohio [Mr. VANIK], who just spoke, I would say that there are circumstances that surround the history of this bill that should be understood, because the Department of Agriculture, in fact, did recommend the use of heptachlor, for example, which is one of the drugs which persists in the soil after being used, and the Government took an active part in promoting the use of this insecticide. Therefore, I think the Government has an active responsibility in mitigating damage that this been done by the insecticide.

In response to the gentlewoman from Missouri, who raised the question of how long this would go on, I think that she has touched upon the very crux of this problem, a problem which must be resolved not by legislators or politicians, but by scientists.

It is my understanding that the state of the art is such that we do not know exactly how long this will persist. There is a theory that the contamination or the taint of the drug is spread systemically by the plant, picked up by the root system and brought up through the sap, and it may persist for a long period of time. But science is not at all clear as to the full details of this—or at least not to my knowledge. So I hope the Department of Agriculture as well as private industry, the private chemical and insecticide industries, will all move forward very strongly, so that we understand more about how chemicals of this sort do affect plant life.

But in the meantime, we have a responsibility for the farmers who have followed the Department of Agriculture bulletins, who have done the best they can do in progressing in modern farming and helping America to be the productive breadbasket of the world she is. In those few instances where men and women, within my knowledge, have been absolutely wiped out because they could not market their milk—in those few cases, and the record shows they are very few—I think we have an obligation to spread the burden of the loss by the passage of this bill extending the indemnity program.

I urge the House to pass this bill.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS of Maryland. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Speaker, I am delighted that the gentleman from Maryland gave such a good explanation, because I think the questions we have been asking needed to be answered. Most of us who raised questions are not objecting to this bill. We want our food to be as pure as possible, and particularly so in the case of milk. The farmers whose milk was accidentally tainted through no fault of their own should have the burden lifted from their shoulders as this bill would do. But there ought to be some kind of study to find out how this indemnity program can be phased out, and to find out if some farmers are spraying under wind conditions when they should know that the spray will go over to some other area. If they are doing that, they should be stopped, or held liable. This is what I wanted to add.

Mr. BELCHER. Mr. Speaker, I yield 1

minute to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Speaker, I rise in support of this legislation.

The dairy farmers who have been affected have used the chemicals as was provided on the label. These were chemicals which were certified and approved by the Federal Government. Therefore, the Federal Government has a responsibility when they condemn milk in which they found chemical residue and no fault of the farmer. In no instance I know of were any of the dairy farmers negligent in their use of these chemicals. Therefore, as long as the Federal Government is involved in this, is involved in registering and certifying the pesticides, it ought to be liable, too, when the farmers have to dump their milk. Therefore, I urge passage of this bill, so we will have 1 more year of the indemnity program.

Mr. BELCHER. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Speaker, I heartily support S. 1657 which will authorize the Secretary of Agriculture to make indemnity payments to innocent dairy farmers who suffer loss as a result of directives from the Department of Agriculture that they remove their milk from commercial markets.

This program is designed to help the dairy farmer who has applied chemicals in accordance with prudent accepted practice and who is suddenly found to have an unacceptable chemical residue in the milk he must sell. The program will also help the dairy farmer who suffers a residue problem caused by feed he purchases from others or spray drift from adjoining property.

Dairy farming is already a risky, difficult, and all to often losing game. The problems of high costs and low returns are now threatening dairymen everywhere—and those in my district are really feeling the pinch. As a result, increasing numbers of farmers are leaving the land for other endeavors.

There is no need to add to the dairy farmer's present burdens the additional risk and expense that he will suffer from contamination of his products caused by factors beyond his control. This bill will reimburse the innocent farmer when his product is condemned. It is a good bill and I support it.

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, I rise in support of this legislation—S. 1657—and want to associate myself with the excellent statements made on behalf of this bill.

While Wisconsin has not suffered from the problem to which this bill addresses itself it is important to recognize that the problem can arise and this legislation is necessary for dairy farmers throughout America.

I trust the bill will be passed overwhelmingly and urge my colleagues to support it.

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. VANIK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. VANIK. Mr. Speaker, I am opposed to S. 1657 because I do not believe the Federal Government should make a permanent new start in this area and become a guarantor of chemical products used in agriculture.

Under no circumstances should contaminated milk or food find its way to the general public. However, the Federal Government should not undertake the responsibility of reimbursing every producer of unfit merchandise. The manufacturer of a pesticide should be held to account under products liability laws for any dangers to human life or losses which may be sustained by farmers resulting from the use of these products. Furthermore, one farmer improperly using a pesticide which contaminates the crop or the dairy product of another farmer should be held to account to his neighbor for the improper use of a pesticide or chemical.

The Federal Government should not become a guarantor of products permitted to be sold in the United States simply because they have been cleared by either the Department of Agriculture, the Food and Drug Administration, or any other agency of the Government. The Federal Government owes an obligation to provide protection to the general public and to insure that food should be wholesome and free from contamination. This responsibility of the Federal Government should not be stretched to insure farmers or producers against loss of profit or other losses which may result from the production of contaminated foodstuffs.

Certainly the States have some responsibility in this area to insure that pesticides for the use of one crop do not cause the deleterious production of another. Certainly the manufacturer of a pesticide or other agricultural chemical has an obligation to the user which will provide that its use will not cause damage to another crop produced nearby. Certainly the farmer who uses a pesticide or agricultural chemical must be obligated to use the chemical in accordance with the prescribed instructions and in such a way that damages are not incurred by a neighbor's crop or dairy product.

The Federal Government should not endeavor to displace the product liability of a manufacturer or user of an agricultural chemical or pesticide.

Mr. BELCHER. Mr. Speaker, I reserve the balance of my time.

The **SPEAKER** pro tempore. There being no further requests for time, the question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill S. 1657.

The question was taken.

Mr. CONTE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken, and there were—yeas 320, nays 7, not voting 105, as follows:

[Roll No. 258]

YEAS—320

Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Ayres
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blanton
Boggs
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brooks
Brotzman
Brown, Mich.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carter
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Denney
Derwinski
Devine
Dingell
Dole
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Farbstein
Fascell
Findley
Fisher
Flood
Flynt
Foley
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Gathings
Gilbert
Gonzalez
Goodling
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Horton
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Kastenmeier
Kazen
Kee
Keith
Kelly
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Montgomery
Moorhead
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Patman
Pelly
Perkins
Pettis
Pickle
Pike
Pirnie
Poff
Pollock
Price, Ill.
Pryor
Quie
Quillen
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Rodino
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Roth
Roudebush

Roush
Ruppe
Ryan
Satterfield
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Vander Jagt
Vigorito
Waggonner
Waldie
Walker
Wampler
Watson
Watts
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Bob
Winn
Wright
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—7

Carey
Gibbons
Hosmer
Patten
Scheuer
Vanik
Wydler

NOT VOTING—105

Abbitt
Adair
Anderson, Tenn.
Ashbrook
Aspinall
Baring
Blackburn
Blatnik
Boland
Brinkley
Brock
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Burton, Utah
Casey
Clawson, Del
Conyers
Curtis
Delaney
Dellenback
Dent
Dickinson
Diggs
Donohue
Edwards, Calif.
Everett
Fallon
Feighan
Fino
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Fulton, Pa.
Gallagher
Garmatz
Gettys
Giaimo
Goodell
Gray
Green, Oreg.
Green, Pa.
Gurney
Halleck
Halpern
Hawkins
Hays
Hébert
Herlong
Holland
Irwin
Karth
King, Calif.
King, N.Y.
Kluczynski
Landrum
Lukens
Miller, Calif.
Monagan
Moore
Morgan
Multer
Murphy, N.Y.
Ottinger
Passman
Pepper
Philbin
Poage
Pool
Price, Tex.
Pucinski
Purcell
Railsback
Rarick
Reifel
Resnick
Roberts
Robison
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
Roybal
Rumsfeld
Sandman
St Germain
St. Onge
Saylor
Sikes
Staggers
Stephens
Taft
Talcott
Tenzer
Tunney
Utt
Van Deerlin
Watkins
Whalen
Willis
Wilson, Charles H.
Wolff
Wyatt

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Gerald R. Ford.
Mr. Edwards of California with Mr. Fulton of Tennessee.
Mr. Miller of California with Mr. Halleck.
Mr. Donohue with Mr. Goodell.
Mr. Philbin with Mr. Frelinghuysen.
Mr. Feighan with Mr. Robison.
Mr. Garmatz with Mr. Brown of Ohio.
Mrs. Green of Oregon with Mr. Broomfield.
Mr. Wolff with Mr. Halpern.
Mr. Willis with Mr. Adair.
Mr. Dent with Mr. King of New York.
Mr. Rogers of Florida with Mr. Del Clawson.
Mr. Green of Pennsylvania with Mr. Saylor.
Mr. Murphy of New York with Mr. Fino.
Mr. Rostenkowski with Mr. Utt.
Mr. Multer with Mr. Wydler.
Mr. Staggers with Mr. Moore.
Mr. Charles H. Wilson with Mr. Ashbrook.
Mr. Tenzer with Mr. Sandman.
Mr. Aspinall with Mr. Broyhill of North Carolina.
Mr. Delaney with Mr. Dickinson.
Mr. Giaimo with Mr. Gurney.
Mr. Holland with Mr. Reifel.
Mr. Sikes with Mr. Brock.
Mr. St. Onge with Mr. Talcott.
Mr. Ronan with Mr. Curtis.
Mr. Monagan with Mr. Lukens.
Mr. Kluczynski with Mr. Blackburn.
Mr. Blatnik with Mr. Taft.
Mr. Van Deerlin with Mr. Wyatt.
Mr. King of California with Mr. Dellenback.
Mr. Boland with Mr. Burton of Utah.
Mr. Ottinger with Mr. Rumsfeld.
Mr. Pucinski with Mr. Railsback.
Mr. Hawkins with Mr. Whalen.
Mr. St Germain with Mr. Watkins.
Mr. Landrum with Mr. Casey.
Mr. Morgan with Mr. Gray.
Mr. Gettys with Mr. Resnick.
Mr. Stephens with Mr. Price of Texas.
Mr. Hays with Mr. Herlong.
Mr. Pepper with Mr. Karth.
Mr. Pool with Mr. Everett.
Mr. Brown of California with Mr. Conyers.
Mr. Anderson of Tennessee with Mr. Baring.
Mr. Abbitt with Mr. Tunney.
Mr. Passman with Mr. Rooney of Pennsylvania.
Mr. Diggs with Mr. Gallagher.
Mr. Irwin with Mr. Brinkley.
Mr. Rarick with Mr. William D. Ford.
Mr. Fountain with Mr. Purcell.
Mr. Roybal with Mr. Roberts.

Mr. SCHEUER changed his vote from "yea" to "nay."

Mr. YATES changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STUBBLEFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

AMENDING THE ACT OF MARCH 18, 1966, RELATING TO FILLING VACANCIES IN OFFICE OF DISTRICT JUDGE FOR EASTERN DISTRICT OF PENNSYLVANIA

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 828) to amend section 5(b) of the act of March 18, 1966, Public Law 89-372, so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such act.

The Clerk read as follows:

S. 828

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(b) of the Act entitled "An Act to provide for the appointment of additional circuit and district judges, and for other purposes", approved March 18, 1966 (80 Stat. 78), is amended by striking out the words "first three vacancies occurring" in the second sentence thereof and inserting in lieu thereof "second, third, and fourth vacancies occurring after the effective date of this Act".

The SPEAKER pro tempore. Is a second demanded?

Mr. BIESTER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

The gentleman from New York will be recognized for 20 minutes and the gentleman from Pennsylvania will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York.

Mr. CELLER. Mr. Speaker, the bill, in a word, technically amends 5(b) of the act of March 18, 1966, so as to make the prohibition contained in that act on the filling of certain vacancies in the office of the district judge for the Eastern District of Pennsylvania inapplicable in the first vacancy occurring after the enactment of that act.

When we passed the so-called omnibus bill in 1966, we were wrestling with a staggering load of cases that had accumulated in the Philadelphia district; that is, in the Eastern District of Pennsylvania. There had been an unprecedented piling up of cases in the district, causing untold delays and hardships and confusion, and all the judges of that circuit asked the Judiciary Committee to relieve that situation. The Judicial Conference of the United States and the Department of Justice did likewise.

The request was that we appoint three temporary judges to reduce the backlog of cases. In the omnibus bill we had a provision for the appointment of three so-called temporary judges. What is a temporary judge? A temporary judge means upon the death or resignation or vacancy in the judgeship of that district, that judgeship shall not be filled.

It would appear that these three temporary judges were not appointed immediately. There was considerable delay in the appointment of these judges. It took almost a year to a year and a half before the appointments were confirmed by the Senate. Meanwhile, there was the continuation of this difficulty in the eastern district of Pennsylvania.

In the interim, one of the incumbent district judges was elevated to the court of appeals, to the Circuit Court for the Third Circuit. So, instead of having three temporary judges, we had only two temporary judges.

Two judges were insufficient to solve that difficulty in Pennsylvania. The vacancy caused by the elevation of District Judge Van Dusen to the Third Circuit Court of Appeals could not be filled because of the prohibition in the omnibus bill; namely, that the first vacancy occurring in this office of district judge for that district shall not be filled.

In order to continue the tackling of those cases and to reduce the tremendous backlog that still continues in Philadelphia, we ask that the prohibition against the filling of that temporary vacancy be eliminated—that the prohibition be eliminated. That is what this bill does.

We do not add any judgeships. There were three temporary judgeships. All we do is to provide for one temporary judgeship to take the place of the judgeship that was made vacant by the advance of Judge Van Dusen to the Circuit Court of Appeals for the Third Circuit. There is no expense whatsoever to the Government. The Department of Justice approves the legislation. The Judicial Conference approves the legislation.

All those who are involved in this matter give it emphatic approval. It is hoped that the House likewise will approve the possibility of the appointment of this temporary judgeship.

Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. EILBERG].

Mr. EILBERG. Mr. Speaker, in amplifying the remarks of the distinguished chairman of the committee, I should like to call attention to a few salient facts.

One is the growing backlog of cases in the eastern district of Pennsylvania. As the Senate report indicates, this backlog has been increasing at a very substantial rate. Whereas in 1959 it was in the neighborhood of 3,500, it has increased each year substantially. At the end of 1965 there were 5,500 cases, and today there is a backlog of more than 6,000 cases, in one of the busiest district courts of the United States.

Mr. Speaker, it takes some 43 months for a civil case to reach trial after it has been started. Certainly justice requires more speedy consideration than that.

I should like to say also, in amplication of the chairman's remarks, that the so-called omnibus bill was approved March 18, 1966. Before the three temporary vacancies could be filled, District Court Judge Van Dusen was elevated on June 27, 1967, thereby creating a vacancy. Following his elevation to the circuit court of appeals, three district court judges were appointed. Judge Weiner was appointed June 28, 1967; Judge Troutman was appointed July 7, 1967; and Judge Masterson was appointed on July 17, 1967.

Mr. Speaker, the eastern district of Pennsylvania needs this extra temporary judge very badly.

As the chairman indicated, these are temporary. When three additional vacancies occur, under the terms of existing law, these vacancies will not be filled.

Mr. BIESTER. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Speaker, I should like to have some explanation of the facts set out in the table on page 2 and 3 of the committee's report. It shows that fewer civil cases and fewer criminal cases were terminated in 1965 than was the case in 1959. The table would indicate that while the workload is increasing fewer cases are being completed.

Will someone on the committee explain how that comes about?

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from New York.

Mr. CELLER. Those kinds of figures sometimes are misleading. They might be antitrust cases, which might continue for months. As an example, in the Philadelphia area there was the electric antitrust case, which I believe took almost 9 months to hear, if I am not mistaken. Perhaps the gentleman from Pennsylvania could check me on that. I believe it was 9 months.

Those kinds of cases occupy a great deal of time. At times one cannot rely on numbers of cases to determine the volume of business or the character of the business of the court.

Mr. JONAS. If the distinguished chairman will permit me to say so, the gentleman is asking us to rely on the table to show an increased workload. The explanation about the Westinghouse case certainly would not explain why the number of private civil cases terminated is going down per year. It is down to 1,588, from 1,695, over the 7-year period.

Mr. CELLER. There was increased manpower during that period. That is why the numbers have decreased.

Mr. JONAS. Increased manpower?

Mr. CELLER. The number of judges was increased.

Mr. JONAS. That is true. They should have terminated more cases, then.

Mr. CELLER. I was going to say that does not always follow. It depends on the nature of the case.

Mr. JONAS. It seems strange that the number of terminated cases, both civil and criminal, is going down and has been for several years in this court. I think somebody ought to have an explanation as to why that is so.

Mr. BIESTER. I do not know that I can respond entirely to the gentleman's question, but if you will refer to the table, you will find the number of private civil cases commenced beginning in 1959 and ending in 1965 increased by approximately 700. The terminations decreased only by about 200. There was a net gain in consummated cases of approximately 500. The remarks of the chairman of the Committee on the Judiciary earlier were correct. There were a number—and Westinghouse is only one of them—of fairly lengthy civil trials that occupied the time of one judge for a sustained period of time. There was also a period of time when there were several cases in the district court which were not heard. That may also be a part of the explanation.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. BIESTER. Yes.

Mr. CELLER. You will notice on the same page that there were 75 antitrust cases in 1964 and 99 in 1965. That is an inordinate number of antitrust cases. These cases cannot be terminated in a day or 2 days or in a week or 2 or 3 weeks. They take a great deal of time. That number is a staggering amount as far as caseload is concerned. It may add to the complexities of any judge in any jurisdiction. That makes it very, very difficult.

Mr. BIESTER. In particular, if I might add, in the antitrust field there is the discovery which occurs early in the case which prolongs the case over a period of time and occupies the time of one judge.

Mr. GROSS. Mr. Speaker, will the gentleman yield to me so I can ask a question of the chairman of the committee?

Mr. BIESTER. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I would like to ask the chairman of the Committee on the Judiciary the length of vacations these Federal judges take. How long are they on vacation each year?

Mr. CELLER. There is no set duration for a judge. The courts continue throughout the summer. The motions part continues. The criminal term continues. I do think that the judges themselves take a minimum of 1 month. I am only more or less guessing. I have done no checking on the exact number of days that judges take vacations, but I would say it is around a month every year.

Mr. GROSS. I am prompted to ask the question by the fact that I have always been intrigued by the vacations that members of the Supreme Court take each year. They go out of session in June or July and come back in September or October.

Mr. CELLER. That does not mean they are not working during that period of time. They have to take with them, I am sure, on vacation a tremendous number of cases that are unfinished and which when they return they consider.

Mr. GROSS. How about Chief Justice Warren who has been traveling the highways and byways of the world since June or July of this year, to Yugoslavia, Poland and the Lord knows where else? Does he take a briefcase of work along with him or, if he does, how does he then serve the State Department?

Mr. CELLER. I do not think that his trips abroad are affecting his efficacy as a Chief Justice of the U.S. Supreme Court. I recall in my time many Chief Justices of the Court making trips abroad. He is not sui generis in that regard.

Mr. GROSS. He travels abroad when the Court is in session; before they enter into their protracted summer vacations.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. CELLER. Mr. Speaker, I yield the gentleman from Iowa 2 more minutes.

I do not think the gentleman is correct when he makes the statement that the Chief Justice travels abroad while the Court is in session.

I know of no such situation.

Mr. GROSS. Well, of course, the record is very plain in that respect, and I refer to his trip to South America this spring.

Mr. CELLER. He may go to a banquet in Chicago or to Des Moines, Iowa, in your own State, or something like that.

Mr. GROSS. Well, I hope that the great State of Iowa is not yet considered to be a foreign country, or that the city of Chicago is considered to be a foreign city.

Mr. CELLER. Sometimes when we hear what emanates from Iowa, we wonder whether it is a foreign country.

Mr. GROSS. Of course, the gentleman from New York is entitled to his opinion in that respect.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Mississippi.

Mr. GROSS. Mr. Speaker, I thought the gentleman from New York yielded me 2 minutes. However, that is all right.

Mr. COLMER. I am sure my contribution will not be worth as much as that of the distinguished gentleman from Iowa. But I was just wondering if this bill could be amended so as to provide that the Chief Justice could take a permanent tour or vacation?

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman has expired.

Mr. BIESTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation. This legislation is badly needed in this judicial district in Pennsylvania. I am familiar with the district as well as familiar with the background of legal work involved. I know the people to be served by the adoption of this bill.

Therefore, Mr. Speaker, I urge the adoption of this bill.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill (S. 828).

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL DISTRICT COURT FOR THE EASTERN DIVISION OF THE NORTHERN DISTRICT OF MISSISSIPPI

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1465) to provide for holding terms of the District Court of the United States for the eastern division of the Northern District of Mississippi in Ackerman, Miss.

The Clerk read as follows:

S. 1465

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of section 104(a)(1) of title 28, United States Code, is amended to read as follows:

"Court for the eastern division shall be held at Aberdeen and Ackerman.".

The SPEAKER pro tempore. Is a second demanded?

Mr. BIESTER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CELLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, this is a very simple bill. It provides for the holding of court in a certain area in the eastern division of the Northern District of Mississippi, to wit, a place called Ackerman, Miss. It has the approval of the local bar association, the approval of the judicial council of the fifth circuit, as well as the people in that area.

The judicial council is composed of the judges of the Court of Appeals—the U.S. Court of Appeals—of the area covering Mississippi.

Mr. Speaker, the Committee on the Judiciary has felt that under all of the circumstances the court should be held there.

There is no expense involved insofar as the Federal Government is concerned.

Provision is made for the holding of court at that point and facilities are provided by the local authorities, and all elements of the proposed operation of the court there are completely satisfied. For those reasons, the bill was approved unanimously by the subcommittee and was unanimously adopted by the full Committee on the Judiciary.

Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Speaker, I shall not take the full 5 minutes. I simply wish to express my appreciation to the chairman of the Committee on the Judiciary as well as to the individual members of the committee for reporting this legislation.

It is highly desired by the people of the area. Its adoption would shorten considerably the distance that litigants, witnesses and attorneys of the area have to travel to attend Federal court.

The legislation is supported wholeheartedly by the bar associations of that section of the State; and also by judges of the fifth circuit.

Mr. Speaker, as the chairman of the Committee on the Judiciary pointed out, all facilities are to be provided by Choctaw County. An adequate library will also be provided. There will be no cost involved to the Federal Government.

The passage of this bill will not only be appreciated by the people of the area, but its passage will contribute materially to the expeditious handling of the legal matters of that section of the State of Mississippi.

Mr. BIESTER. Mr. Speaker, I wish to advise that, consistent with the chairman's remarks, the minority members of the subcommittee and of the full committee endorse this bill, and urge its adoption.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill S. 1465.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON THE JUDICIARY TO CONDUCT STUDIES AND INVESTIGATIONS RELATING TO CERTAIN MATTERS WITHIN ITS JURISDICTION

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 838 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 838

Resolved, That, for the purposes of the studies and investigations specified in clause (1) and clause (7) of H. Res. 40, Ninetieth Congress, approved by the House of Representatives on February 21, 1967, the Committee on the Judiciary is hereby authorized to send fifteen of its members and six of its employees, to be assigned to special subcommittees: to investigate refugee matters, to inspect, study, and observe the overseas operations of the United Nations High Commissioner for Refugees, and to attend the sessions of the Executive Committee of the United Nations High Commissioner for Refugees; to inspect, study, and observe the overseas operations of the Intergovernmental Committee for European Migration and to attend the sessions of the Executive Committee and the sessions of the Council of the Intergovernmental Committee for European Migration; to inspect, study, and observe the overseas operation of the Submerged Lands Act and the Outer Continental Shelf Act. Each subcommittee is authorized to sit and act whether the House has recessed or has adjourned, and to hold such hearings as it deems necessary: *Provided*, That the subcommittee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on the Judiciary of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation, if furnished by public carrier; or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

The SPEAKER pro tempore. The gentleman from Hawaii is recognized for 1 hour.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. LATTA] pending which I yield myself such time as I may consume.

Mr. Speaker, this resolution provides that the Committee on the Judiciary may send 15 of its members and six of its employees, to be assigned to special subcommittees, to investigate refugee matters; to inspect, study, and observe the overseas operations of the United Nations High Commissioner for Refugees, and to attend the sessions of the Executive Committee of the United Nations High Commissioner for Refugees; to inspect, study, and observe the overseas operations of the Intergovernmental Committee for European Migration, and to attend the sessions of the Executive Committee and the sessions of the Council of the Intergovernmental Committee for European Migration; to inspect, study, and observe the overseas operation of the Submerged Lands Act and the Outer Continental Shelf Act.

Mr. Speaker, I urge the adoption of this resolution, House Resolution 838, in order that the Committee on the Judiciary may have the authority to conduct these investigations and studies of matters that are under its jurisdiction and that funds for this purpose may be made available to it.

Mr. LATTA. Mr. Speaker, I agree with the statement just made by the gentleman from Hawaii.

We heard absolutely no opposition to this resolution before the Committee on Rules.

This resolution is in the usual form for such travel resolutions.

I yield 5 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Speaker, I cannot think of anything more unnecessary than this proposed junket that is proposed to be authorized for the Committee on the Judiciary.

The resolution authorizes 15 committee members and six employees to "investigate" refugee matters including the operations of the U.N. High Commissioner for Refugees Office, the Office of Intergovernmental Committee for European Migration and "to inspect, study, and observe the overseas operation of the Submerged Lands Act and the Outer Continental Shelf Act."

Pretty good abili for junketing—agreed?

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. I wonder if the gentleman, or someone in the House, in its presently "crowded condition," could advise me about how the overseas operation of the Submerged Lands Act and the Outer Continental Shelf Act would be involved and how they would be inspected or observed or studied?

I would like, second, to ask if that is not fully covered by House Resolution 40 which passed this body on February 21, 1967, wherein in clause (7) on lines 16 of page 2, it says "involving the operation and administration of the Submerged Lands Act and of the Outer Continental Shelf Land Act."

I just wonder if we are looking for the lost Atlantis?

Mr. GROSS. It could be. There is no explanation that I have been able to find as to why House Judiciary Committee members are so interested in submerged lands and the Outer Continental Shelf business in foreign countries.

Mr. HALL. I would say to the gentleman, if he would yield further, it might be edifying to the Members of the House as to how the committee will inspect it. Will they use diving bells, or the Piccards' bathisphere, or the Navy's "Little Alvin," deep submergence vessel? The Continental Shelf is generally known to extend about 600 miles from the coastline of the present eastern continental limits of the United States and is about 600 feet deep.

Mr. GROSS. Maybe they will go water skiing—who knows?

Mr. HALL. I would like to have the gentleman yield to anyone who can explain the Submerged Lands Act or the Outer Continental Shelf Act, so far as that is concerned, if that explanation is available.

Mr. GROSS. If the gentleman from Ohio [Mr. Latta] will be good enough to yield me another 5 minutes, I will be glad to yield to someone for that purpose since my time is about to run out.

Mr. LATTA. Mr. Speaker, I am glad to yield 5 additional minutes to the gentleman from Iowa.

Mr. Speaker, I observe the very able chairman of the Committee on the Judiciary, the gentleman from New York [Mr. Celler], attempting to get recognition; perhaps he can explain that point.

Mr. GROSS. I will be very glad to yield to the gentleman from New York for an explanation.

Mr. CELLER. I wish to state in response to the gentleman's question that in 1958 an International Conference on the Law of the Sea was convened in Geneva, Switzerland, and one of the conventions adopted at that session was the Convention on the Outer Continental Shelf which the United States signed and which was subsequently ratified by treaty.

This, today, after its ratification by the necessary nations—this treaty is international law today.

Under that treaty there have been explorations off the coast of Japan and off the coast of Sweden, off the coast of Alaska, and off the coast of European countries as well to determine whether or not there are minerals, and particularly oil in the Continental Shelf adjacent to those lands.

Mr. GROSS. Why are we so interested in minerals along the coast of Sweden, for instance?

Mr. CELLER. Almost all of the important oil companies in this country are interested in the discovery of oil and all over the world they have expressed keen interest in this and they have sent their representatives to these conferences.

Mr. GROSS. Will the members of the Judiciary Committee be able to determine whether there is oil off the coast of Norway?

Mr. CELLER. The Judiciary Committee does not attempt to discover oil, but the Judiciary Committee does wish to attend the conferences held in Geneva for the purpose of determining what can be done if and when oil is discovered in various parts of the globe. The supply of oil, in which American companies are vastly interested, is affected by those discoveries.

Mr. GROSS. Suppose the oil companies go over and take a look at the submerged land and the outer limits of the Continental Shelf. Suppose they use their money and look for it instead of Congress providing money from the busted U.S. Treasury for members of the Judiciary Committee to take a junket.

I cannot yield further at this time.

Mr. CELLER. The gentleman does not seem to want the information.

Mr. GROSS. The gentleman has told me what he desired.

Mr. CELLER. I have not finished. There are two whole pages on the subject.

Mr. GROSS. That is just what I was afraid of.

Last year the committee spent $38,110.27 under an authorization to study the identical operations that are provided for in this resolution. Most of that money was spent in looking into "refugee matters." Although the chairman of the committee is now making quite an issue out of the Outer Continental Shelf and the submerged lands, most of the money last year was spent in looking into refugee matters in such places as England, France, Denmark, Norway, Sweden, Italy, Germany, Austria, Greece, and Yugoslavia. Of course, the trip included Geneva for a brief meeting of the Intergovernmental Committee for European Migration.

Incidentally, the committee itself has described such meetings as "necessary expedients for the determination of housekeeping questions, rather than forums at which governments might be informed and convinced of the soundness and effectiveness of the ICEM programs"—just an expedient.

But the committee already knew this when it embarked upon its $38,000 junket, because it boasts that its members "have attended every council session of the ICEM since the inception of the organization in 1951."

I thought the Interparliamentary Union was the granddaddy of all the vast traveling, junketing organizations, but they have a competitor here, if not an even better one. Apparently past attendance at ICEM meetings has not done very much to help this international organization along, because the committee report accuses it of unimaginative programs, of having fostered poor staff morale and of creating disinterest among the governments that support it.

I suspect House Members can guess along with me what government it is that plays the role of chief supporter for this organization.

I might observe, too, that some of last year's junketeers spent time in Denmark, Norway, and Sweden studying the extent of the refugee problem there, though the committee does not list a single refugee or migrant going to Denmark, Norway, or Sweden.

I might also observe that one member of the committee spent $1,100 between November 15 and December 7, last year, presumably looking into "refugee matters" in Jamaica. It may be that he discovered a refugee calypso band down there. But the committee does not list any more refugees in Jamaica than it did in Denmark, Norway, or Sweden.

Ladies and gentlemen of the House, is it not about time, with the spending situation and deficit being what it is in this Government, that we cut out this proposed $38,000 junket? I ask that you vote against this resolution.

Mr. MATSUNAGA. Mr. Speaker, I yield 5 minutes to the gentleman from New York.

Mr. CELLER. Mr. Speaker, I listened to the gentleman's remarks, and I will say that the whole statement is a tissue of misinformation. I would also say that misinformation and lack of information surround the gentleman like a blanket, and there is not even a hole in it.

The jurisdiction of the committee concerns refugees and the settlement of refugees as well as immigration. Why do we go to what is known as the Intergovernmental Committee on European Migration? Not to bring the refugees to the United States, not to encourage the refugees to come to the United States, not to encourage displaced persons to come to the United States. We go to ICEM so that with other nations in concert with ours we encourage those displaced persons and refugees to go to other countries, more particularly to South America. When we had issues pertaining to refugees in Denmark, the gentleman should know—or, if he does not know, he should look into the facts and not give a lot of misinformation here—members of the Judiciary Committee went to Denmark, a member of ICEM, to encourage that country to assist refugees to go to Brazil, to Argentina, and to Peru, and not to come to the United States. I am sure the gentleman would be the first man to vote against refugees coming into the United States.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I refuse to yield, because the gentleman has not been very frank or candid with the House itself on some of these matters.

Now, concerning the Outer Continental Shelf, there is a consortium, and members of that consortium include all the famous oil companies of the United States. They are vastly interested in the oil potential from the continental shelves of the European countries and of Alaska, as well, our own country. They want to know what is happening. We get all kinds of communications from these companies asking us to provide various types of legislation. We want to find out what the situation is. We want to find out what the European governments are doing on this very vexatious and very difficult problem. It is difficult to fathom the depths of this particular problem. Therefore, we have gone to international conferences. The distinguished gentleman from Louisiana [Mr. Ed Willis] accompanied a number of members of the Judiciary Committee on several occasions to Geneva and conferred with members of various foreign parliaments on this particular subject of submerged lands.

As a result, it might be interesting to the gentleman from Iowa to know that there is a bill pending in this very House in the Judiciary Committee as the result of his confrontation with members from various lands on the subject of the Continental Shelf.

Mr. GROSS. Mr. Speaker, will the gentleman yield now?

Mr. CELLER. I refuse to yield.

Mr. Speaker, it is important that we do not remain as troglodytes with our heads in the sand, without knowing what people are doing in various lands. We, ourselves, must know. We cannot remain isolationists. Therefore, we send our men abroad on these subjects of vast importance to the United States—immigration, refugees, displaced persons, as well as oil and gas that can come out of the Continental Shelf.

For these reasons, I hope that this bill will pass.

Mr. Speaker, I want also to say that the gentleman speaks of vast sums of money that will be employed by the Judiciary Committee. Not one cent will be paid in the form of American dollars.

It is all counterpart funds, funds that lie in the treasuries of various lands to which the members will go when they attend these conventions. There is no American dollar involved. It will not reduce the Treasury of the United States a jot or a jitter.

The gentleman from Iowa ought to know that. Instead, he gives misrepresentation to the membership of the House and speaks of the vast sums of money that this is going to cost. It will not cost a red cent. I hope the gentlemen and ladies of the House will take these remarks of mine into consideration and pass this bill.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Speaker, I wonder why there is an exception in the resolution, which states in effect that if there are no counterpart funds the junketeers can go somewhere else in the Government to get the travel money? I am not aware that there are counterpart funds in all of these countries the gentleman talks about. I doubt if counterpart funds are left in very many of them.

So far as the statements of the gentleman from Iowa are concerned, I hope the gentleman from New York will read the Record and the quotes I used a while ago. He will find they are quotes from his own committee report.

I have one other question. I wonder if the junketeers will come back and advocate a reduction in or repeal of the 27½-percent depletion allowance for the oil producers?

Mr. LATTA. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, I take this time to inquire of a member of the committee, or of the distinguished gentleman from New York, relative to the use of counterpart funds.

I note that the resolution provides:

> Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on the Judiciary of the House of Representatives.

I believe the gentleman well knows there is a law which provides that in all cases there must be appropriated funds in order to take the counterpart funds out of the Treasury. Counterpart funds are a part of the Treasury. That is under the Rabaut amendment, I believe, section 1415.

There is a provision that we must appropriate to take the funds out of the Treasury.

The question I have is, why is there an exception here to the general rule of law that when we are using counterpart funds we must have an appropriation? That gives Congress control over the use of counterpart funds, which this resolution attempts to exclude.

I am glad to yield to the gentleman from New York for an explanation.

Mr. CELLER. All I can say in response is that counterpart funds have been used to attend ICEM conferences every year since 1952, when the United States became a member of the Intergovernmental Committee for European Migration. The form of this resolution has been followed for several years and has always been adopted by the House.

So far as I know there has been no special appropriation for any of the journeys that have been made by members of the Judiciary Committee or any other committee.

Mr. BOW. I beg to differ with the gentleman. That is not the fact.

We do have a provision whereby counterpart funds used either in the expenditures of Government or for travel, or for whatever it may be, first must be appropriated. That gives the House some control over the funds.

I am sorry I cannot say the situation so far as this resolution is concerned, but it is the general practice as to counterpart funds. They are a part of the Treasury. They must be taken out of the Treasury. That is done through appropriations.

This will give a sort of backdoor spending, if you please, permitting local currencies to be used without any control so far as the House is concerned.

I notice that on page 3, lines 5 to 15, there is a provision for accounting, but that is the rule of the House today. There is no question about that. That will not help us much.

Perhaps this precedent has been established, but I would hate to see us establish a precedent whereby counterpart funds can be used without some control by the House through the appropriations method.

I am glad to yield again to the gentleman.

Mr. CELLER. My only answer to that is that while it may not be a satisfactory answer these resolutions have followed a pattern, and they were adopted for other committees of the House.

We just simply aped the language that was contained in all those resolutions which permitted members of committees to make these journeys abroad. I did not think there was anything untoward in it. I might say also to the gentleman that wherever there have been any funds allotted to Members they invariably return counterpart funds. We seldom use all the allotments that have been given to us. We have returned funds so that they can be returned to the various countries—the lire, or the drachmas, or whatever the particular kind of money is we have been using. So I do not think there is any possible danger or any possibility of any excessive use of funds. They are very carefully limited. I as chairman have been most diligent in going over all of these accounts.

Mr. BOW. May I say to the gentleman that my inquiry by no means is suggesting that there has been a misuse of the funds by the Committee on the Judiciary. I have the highest regard for the Committee on the Judiciary. I am not suggesting it. The thing that has given me concern is that we do have the law which provides for appropriations so that there is some control by the House and by the Congress of the use of local currencies. I cannot dispute the gentleman on the number of committees he has mentioned. I am sorry I have not noticed this before, but this says, "In spite of any provision of law, local currencies owned by the United States" and those are currencies which are in the Treasury.

May I say also to the gentleman——

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield at that point?

Mr. BOW. No; not at this time. I would like to finish my statement and then I will yield to the gentleman from Colorado after the gentleman from New York, the chairman of the committee, replies.

The SPEAKER. The time of the gentleman from Ohio has concluded.

Mr. LATTA. Mr. Speaker, I yield the gentleman an additional 5 minutes.

Mr. BOW. I will be glad to yield to the gentleman from Colorado after the distinguished chairman of the committee has completed, but let me finish this statement to the chairman of the committee, please.

The Constitution provides that no funds shall be spent out of the Treasury unless there is an appropriation. Now, these funds are in the Treasury. How they can be spent without an appropriation I do not know, because to my mind this is an unconstitutional provision. The language of the Constitution says that no funds shall be spent from the Treasury without an appropriation.

Now I am glad to yield to my good friend from New York.

Mr. CELLER. As I understand it, on page 2 there is a limitation commencing on line 20 referring to the Mutual Security Act of 1954 as amended by Public Law 88-633, approved October 7, 1964. That provision specifically provides that no Member can spend more than $50 for personal allowance while abroad on one of these journeys. That is the limitation placed on us. I do not quite understand the implication in the remarks of the gentleman beyond that $50.

Mr. BOW. Again I say to the gentleman I am not casting any aspersions on the Committee on the Judiciary that they waste these funds, but may I say to you under the Mutual Security Act all counterpart funds used must be used after they are appropriated under an appropriation.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield to me?

Mr. BOW. Please let me compete with the distinguished gentleman from New York. I will be glad to yield to you after, but do not interrupt. I think he is making an excellent explanation, as well as the gentleman from Colorado could make.

I may say under the Mutual Security Act there are appropriations of these funds. This is where the first law came about which required appropriations. So if the gentleman refers to the Mutual Security Act, you are referring to where there are appropriations. Again I say that is right. The maximum amount. I am not saying to the gentleman that the Committee on the Judiciary will abuse this. I am simply saying that we are establishing a precedent which is bad. And, again, I say to the gentleman from New York [Mr. CELLER], who is a great constitutional lawyer, that the Constitution provides that no funds shall be spent out of the Treasury of the United States without an appropriation. These funds are in the Treasury of the United States and how can we do this without an appropriation?

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me for a citation of the statute?

Mr. BOW. Of course, I would be delighted to yield to the distinguished majority leader.

Mr. ALBERT. If the gentleman from Ohio will refer to title XXII of the United States Code, section 1754(b), under the provision "Use of foreign currency; availability to congressional committees," I believe the gentleman will find that an act of Congress makes funds available for this purpose and that this is done pursuant to statute.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. BOW. Yes; I yield to the gentleman at this point, my friend, the gentleman from Colorado.

Mr. ROGERS of Colorado. As I understand it, under the mutual assistance program we are talking about the creation of these counterpart funds. There was 5 percent set aside in all counterpart funds to be used for congressional purposes in those particular countries. That is where the 5 percent or where the money comes from with reference to counterpart funds. Therefore, we are not taking it out of the Treasury of the United States.

Mr. BOW. The gentleman from Colorado is so wrong that I cannot yield further.

Mr. ROGERS of Colorado. All right.

Mr. BOW. As the gentleman well knows, these funds are in the Treasury of the United States and the gentleman knows that they are part of the Treasury of the United States. They are funds contained in the Treasury of the United States, which fact has been admitted by the Secretary of the Treasury and by every budget officer and by everyone else who has come before the Committee on Appropriations with reference to these funds.

May I again advise the gentleman from Colorado that these funds are in the Treasury of the United States and that they are a part of the Treasury of the United States. The gentleman from Colorado is completely mistaken.

And, may I again point out—and I hold the Constitution of the United States in my hand, this great document—that states no money shall be withdrawn from the Treasury of the United States without provision therefor having been made by law.

The distinguished majority leader was correct when he cited the title and section of the United States Code to the effect that notwithstanding the provision to which I referred, this can be done, but it is rather hard to understand how this Congress is beginning to put no control over the use of counterpart funds.

Mr. Speaker, I shall not belabor the point any longer.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from New York.

Mr. CELLER. Mr. Speaker, the gentleman from Ohio raises a very interesting point and I am going to have a brief prepared and check thoroughly into this matter. However, I do not feel that the gentleman should be too much concerned insofar as the Committee on the Judiciary is concerned. But since he raises the question, I shall confer with him at a subsequent date and we shall compare notes on this subject.

Mr. BOW. I shall appreciate that very much.

Permit me again to say that I have raised the question only as a general policy which I do think is a question as to whether or not we have to go through the appropriation process for the use of counterpart funds.

Mr. Speaker, this Congress has experienced a little trouble in the last year and a half or 2 years as to whether or not there has been some abuses of these funds, but not abuses of these funds by the Committee on the Judiciary.

Therefore, I hope we shall consider it and I again raise the constitutional question involved.

Mr. LATTA. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, in view of the question raised by the gentleman from Ohio [Mr. Bow], it is my opinion that the Members of the House and the Parliamentarian as well should restudy the form of these resolutions. I say this because, as the chairman of the Committee on the Judiciary stated, this is the form of resolution which we have been using. Apparently, we have been using an improper form.

It is my further opinion that in view of the colloquy which has taken place between the gentleman from New York [Mr. CELLER] and the gentleman from Ohio [Mr. Bow], we should restudy the form of these resolutions.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Iowa.

Mr. GROSS. How about also restudying the question of saving a little money by stopping some of these unnecessary junkets around the world?

Mr. LATTA. Permit me to state to the gentleman from Iowa that I always study the question of saving money and I think my record along that line bears out my statement that I am always interested in saving the taxpayers' money.

Mr. Speaker, I have no further requests for time.

Mr. MATSUNAGA. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 262, nays 52, not voting 118, as follows:

[Roll No. 259]

YEAS—262

Abernethy
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ayres
Barrett
Bates
Battin
Berry
Betts
Bevill
Biester
Bingham
Boggs
Bolton
Brademas
Brasco
Bray
Brooks
Brotzman
Brown, Mich.
Broyhill, Va.
Burke, Mass.
Burleson
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Celler
Chamberlain
Clark
Clausen, Don H.
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Denney
Derwinski
Devine
Dingell
Dole
Dorn
Dow
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Edwards, La.
Eilberg
Erlenborn
Esch
Evans, Colo.
Evins, Tenn.
Farbstein
Findley
Fisher
Flood
Flynt
Foley
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gathings
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Griffiths
Grover
Gubser
Gude
Hagan
Hamilton
Hammerschmidt
Hanley
Hanna
Hardy
Harrison
Harvey
Hathaway
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Ichord
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karsten
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
Kirwan
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
McCarthy
McClory
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
MacGregor
Machen
Madden
Mahon
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Mills
Minish
Mink
Mize
Moorhead
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Perkins
Pickle
Pike
Pirnie
Poff
Pollock
Price, Ill.
Pryor
Purcell
Quie
Quillen
Randall
Rees
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers
Rodino
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Roth
Roush
Ruppe
Ryan
St Germain
Satterfield
Scheuer
Schneebeli
Schweiker
Selden
Shipley
Shriver
Sisk
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Stanton
Steed
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Udall
Ullman
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Watts
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Miss.
Wilson, Bob
Wilson, Charles H.
Winn
Wright
Wydler
Wylie
Yates
Young
Zablocki

NAYS—52

Belcher
Bennett
Blanton
Bow
Buchanan
Burke, Fla.
Clancy
Cleveland
Davis, Wis.
Duncan
Dwyer
Edwards, Ala.
Eshleman
Gross
Haley
Hall
Hansen, Idaho
Harsha
Hunt
Hutchinson
Jarman
Jonas
Langen
Latta
Lloyd
McClure
Marsh
Michel
Miller, Ohio
Montgomery
Myers
Nelsen
Pelly
Reid, Ill.
Riegle
Roudebush
Schadeberg
Scherle
Schwengel
Scott
Smith, Okla.
Snyder
Steiger, Ariz.
Taylor
Teague, Calif.
Thompson, Ga.
Wampler
Watson
Williams, Pa.
Wyman
Zion
Zwach

NOT VOTING—118

Abbitt
Adair
Adams
Anderson, Tenn.
Ashbrook
Ashmore
Aspinall
Baring
Bell
Blackburn
Blatnik
Boland
Bolling
Brinkley
Brock
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Burton, Utah
Casey
Cederberg
Clawson, Del
Conyers
Curtis
Delaney
Dellenback
Dent
Dickinson
Diggs
Donohue
Edwards, Calif.
Everett
Fallon
Fascell
Feighan
Fino
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Fulton, Pa.
Gallagher
Gardner
Garmatz
Gettys
Goodell
Gray
Green, Oreg.
Green, Pa.
Gurney
Halleck
Halpern
Hansen, Wash.
Hawkins
Hays
Hébert
Herlong
Holland
Irwin
Jones, Mo.
Karth
King, N.Y.
Kleppe
Kluczynski
Laird
Landrum
Lukens
McEwen
Macdonald, Mass.
Miller, Calif.
Minshall
Monagan
Moore
Morgan
Multer
Murphy, N.Y.
O'Hara, Mich.
Ottinger
Pepper
Pettis
Philbin
Poage
Pool
Price, Tex.
Pucinski
Railsback
Rarick
Reifel
Resnick
Roberts
Robison
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
Roybal
Rumsfeld
Sandman
St. Onge
Saylor
Sikes
Skubitz
Staggers
Stephens
Taft
Talcott
Tenzer
Tiernan
Tuck
Tunney
Utt
Van Deerlin
Watkins
Whalen
Willis
Wolff
Wyatt

So the resolution was agreed to.

The Clerk announced the following pairs.

Mr. Hébert with Mr. Gerald R. Ford.

Mr. Rostenkowski with Mr. Cederberg.

Mr. Garmatz with Mr. Halleck.

Mr. Feighan with Mr. Saylor.

Mr. Dent with Mr. Halpern.

Mr. Blatnik with Mr. Broomfield.

Mr. Aspinall with Mr. McEwen.

Mr. Kluczynski with Mr. Minshall.

Mr. Wolff with Mr. Goodell.

Mr. Tenzer with Mr. Gurney.

Mr. Tiernan with Mr. Laird.

Mr. Miller of California with Mr. Robison.

Mr. St. Onge with Mr. Talcott.

Mr. Sikes with Mr. Fino.

Mr. Hays with Mr. Bell.

Mr. Fountain with Mr. Adair.

Mr. Fallon with Mr. Curtis.

Mr. Donohue with Mr. Frelinghuysen.

Mr. Philbin with Mr. Fulton of Pennsylvania.

Mr. Boland with Mr. Gardner.

Mr. Anderson of Tennessee with Mr. Utt.

Mr. Brown of California with Mr. Reifel.

Mr. Rogers of Florida with Mr. Moore.

Mr. Delaney with Mr. King of New York.

Mr. Green of Pennsylvania with Mr. Ashbrook.

Mr. Ashmore with Mr. Broyhill of North Carolina.

Mr. Murphy of New York with Mr. Del Clawson.

Mr. Multer with Mr. Wyatt.

Mr. Roberts with Mr. Rumsfeld.

Mr. Gettys with Mr. Skubitz.

Mr. Everett with Mr. Dickinson.

Mr. Monagan with Mr. Burton of Utah.

Mr. Morgan with Mr. Brown of Ohio.

Mr. Fascell with Mr. Blackburn.

Mr. Casey with Mr. Railsback.

Mr. Gray with Mr. Sandman.

Mr. Macdonald of Massachusetts with Mr. Brock.

Mr. Pool with Mr. Taft.

Mr. Edwards of California with Mr. Dellenback.

Mr. Gallagher with Mr. Watkins.

Mr. Holland with Mr. Lukens.

Mr. Herlong with Mr. Kleppe.

Mrs. Hansen of Washington with Mr. Price of Texas.

Mr. Staggers with Mr. Whalen.

Mr. Ronan with Mr. Pettis.

Mr. Stephens with Mrs. Green of Oregon.

Mr. Rooney of Pennsylvania with Mr. Hawkins.

Mr. Resnick with Mr. Conyers.

Mr. Baring with Mr. Adams.

Mr. Abbitt with Mr. Irwin.

Mr. Karth with Mr. Landrum.

Mr. O'Hara of Michigan with Mr. Pepper.

Mr. Ottinger with Mr. Diggs.

Mr. Pucinski with Mr. Rarick.

Mr. Roybal with Mr. William D. Ford.

Mr. Van Deerlin with Mr. Tuck.

Mr. Tunney with Mr. Brinkley.

Mr. HAMMERSCHMIDT changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

A UNIFORM PHONE NUMBER FOR EMERGENCIES

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, I wish to call attention to a valuable article in Parade magazine yesterday by our colleague from Indiana, Representative J. Edward Roush, who advances a novel proposal whose genius is in its simplicity. This is a proposal that there be one telephone number utilized throughout the Nation for summoning the fire department or police or for use in the event of emergency. I think this is an idea which could well be put into practice with support from the Congress of the United States. I have joined the gentleman from Indiana [Mr. Roush] in sponsoring a resolution to carry this into effect. I would like to commend the gentleman from Indiana [Mr. Roush] for his leadership in sponsoring and promoting this plan.

Dial 999

(By Representative J. Edward Roush)

Washington, D.C.—If an emergency arises and you must call the police in Kokomo, Ind., the number is 459–5101. In Albuquerque, N.M., you dial 243–7701. In Springfield, Mass., phone 732–4132 and a prowl car will be dispatched to your home or place of business.

Let's suppose you have a fire. If you live in Kokomo you must call 459–5106. In Albuquerque dial 243–6601; in Springfield, 733–5121.

Simple?

Well, not as simple as it might be. How many of us can recall right now the telephone number of our police and fire departments? How many of us know on which page these departments are listed in the phone book? Who can remain cool enough in an emergency to calmly look up the correct number?

I believe it is possible to establish two uniform telephone numbers to be used anyplace in the United States to summon quick assistance in case of fire or crime. A few weeks ago I introduced into Congress a resolution recommending a single police emergency number and one for fire reports to be set up throughout the United States. In that way, whether you were in Kokomo or Albuquerque—or anywhere else in the country—you would always call the same number for help. It would never change, and it would be firmly fixed in your mind.

Such a system has been working in England for the last 30 years, according to E. S. Williams, assistant commissioner of New Scotland Yard. In case of emergency anywhere in England, you dial 999. When the operator answers, the caller requests "police," "fire," or "ambulance" and gives the location. The operator immediately routes the call to the nearest appropriate emergency service. The call, incidentally, is free when made from a public pay phone.

WHAT NUMBER TO CALL?

Contrast some typical American cities. In Los Angeles there are 16 different police numbers. In the St. Louis metropolitan area there are 33 police and 57 fire numbers. Quite a choice when you're confronted with an emergency!

I've contacted more than 40 police and fire chiefs across the country and nearly all favor the uniform number.

Says Los Angeles Police Chief Thomas Reddin: "We have long recognized that this (16 different numbers) makes the quick dialing of the proper police number needlessly difficult."

Comments Detroit Police Commissioner Ray Girardin: "It would greatly benefit both highly congested urban areas and more spread-out suburban and rural regions."

And Philadelphia Police Commissioner Frank L. Rizzo thinks uniform numbers can "give our police and firemen the precious seconds that could mean the difference between life and death."

Of course, there are obstacles to be overcome in setting up uniform numbers. Some are due to technical difficulties, some stem from reluctance to abandon traditional methods.

PILOT PROJECTS STARTED

American Telephone and Telegraph officials to whom I've spoken still think that dialing "O" for "Operator" is an efficient emergency system. Two major city police chiefs share this view. But no one denies that calling the exact number of the police or fire station—if you know it—is the quickest way to get help. A. T. & T. is studying the single emergency number idea. In addition, several A. T. & T. affiliates, such as Southern New England Telephone Co., are running pilot projects on the free use of pay phones for emergencies, thus adopting at least one aspect of the British system.

Getting uniform emergency numbers for the entire country obviously isn't something that can be done overnight. We have to get agreement on what the numbers should be. One suggestion is that the same number be used everywhere—say, 1212—except that it be preceded by the local area code. Another is that you be able to dial 0–0 for police and 0–1 for the fire department. Or perhaps we could use that British number 999.

Even tougher will be the problem of making the system work when telephone switching centers overlap or conflict with existing political boundaries.

But for the appropriate authorities to institute such a system should not be impossible in a country whose communications technology is so advanced that you can pick up any of 93 million phones and locate quickly, through Information, any phone number in the land.

I believe the problem is so urgent that we must put our best technological brains to work on it. The President's Crime Commission concurs on the need, with its Science and Technology Task Force recommending "wherever practical a single number . . . at least within a metropolitan area and preferably over the entire United States."

When you need a policeman or a fireman you need him in a hurry. And our present cumbersome, outmoded, inconsistent method of calling him too often stands in his way—and yours.

COST OF VIETNAM TO THE UNITED STATES AS COMPARED TO THE CONTRIBUTION OF THE OTHER FREE NATIONS OF THE WORLD

Mr. CAHILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAHILL. Mr. Speaker, each week that goes by finds the United States of America making a greater contribution in lives and in money in Vietnam. I am informed by the Defense Department that from January 1, 1961, to September 9, 1967, the United States has suffered 13,129 deaths on the battlefield and 2,627 deaths other than on the battlefield for a total of 15,756 dead.

I am also informed that we have had 43,537 wounded who have required hospital care and 38,132 where hospital care was not needed for a total of 81,669 wounded.

According to the best information I can obtain for all figures and approximations, we have expended in fiscal year 1966, $5.812 billion; for fiscal year, 1967, $19.419 billion, and for fiscal year 1968, have obligated moneys in the amount of $21.9 billion.

With this background, I was interested as I know all Members of Congress and all American citizens are interested, in knowing what contribution was being made by the other 31 nations under the free world assistance program. I, therefore, communicated with the Secretary of State and have obtained a complete list of free world assistance to Vietnam as of July 1, 1967. I am sure that all of you will share my feelings when you read the minimal contributions made by almost all of these nations, particularly if that contribution is compared to the awful cost to the United States. I include herewith, Mr. Speaker, a statement from the State Department on the free world assistance to Vietnam:

FREE WORLD ASSISTANCE TO VIETNAM AS OF JULY 1, 1967

Thirty-one nations have assisted Viet-Nam under the Free World Assistance Program. Several others have offered help. The contributions of six other countries and of the UN are listed at the end of this paper. A detailed listing by geographic area follows:

FAR EAST

Australia

Australia is providing a wide and substantial range of aid to Viet-Nam under the Colombo Plan and by direct bilateral assistance.

Military aid consists of:

1. Approximately 6,300 combat troops including a brigade and support, a guided missile destroyer, and a squadron of 8 Canberra bombers.
2. 100 combat advisors (primarily specialists in jungle warfare).
3. A 73-man air force unit at Vung Tau with six Australian caribou planes which fly daily logistical transport missions in support of Vietnamese military forces.

Economic and technical assistance has totalled nearly $10 million including:

1. Three surgical teams, totalling 37 personnel, in 3 provincial hospitals. These teams, in addition to performing major operations, have established a blood bank and are giving lessons in nursing.
2. A group of civil engineers working on water supply and road construction projects.
3. Three experts in dairy and crop practices and radio techniques.
4. Training of 130 Vietnamese in Australia.
5. In goods and materials: 1,250,000 textbooks in Vietnamese for rural schools; 3,300 tons of corrugated roofing for Vietnamese military dependents' housing; 6 large community windmills; 15,750 sets of hand tools; 400 radio sets and 2,400 loud-speakers; 16,000 blankets and 14,000 cases of condensed milk.
6. A 55 kilowatt broadcasting station at Ban Me Thout.

The Australian Government decided on February 1 to increase its non-military aid to Viet-Nam during FY 1967 to $2 million. This will permit substantial enlargement of current medical and civic action programs and the undertaking of new projects such as providing equipment for refugee resettlement centers.

Republic of China

The Republic of China has provided:

1. An 80-man agricultural team.
2. An 18-man military psychological warfare team.
3. A 34-man electrical power mission under the leadership of Taipower.
4. A 16-man surgical team.

China has also provided training for more than 200 Vietnamese in Taiwan. In the way of goods and materials, they have provided 26 aluminum prefabricated warehouses, agricultural tools, seeds and fertilizers, 500,000 copies of mathematics textbooks and an electrical power substation.

Japan

Japan has provided over $55 million worth of economic assistance to Viet-Nam, chiefly through reparations. Japan has sent two medical teams, considerable amounts of medical goods (4,544 cases), 20,000 transistor radios and 25 ambulances. It has provided technical personnel and funds for the construction of a large power dam across the Da Nhim River and electrical transmission line and agreed to participate in the construction of a bridge over the Mekong River near Vinh Long.

Korea

Korea has sent approximately 45,000 troops including:

1. 2 combat divisions.
2. A 130-man Mobile Army Surgical Hospital (MASH).
3. 10 military instructors in Korean karate for training Vietnamese military in hand-to-hand combat.
4. A 2,200-man Task Force Unit composed of the following elements: 1 Army engineer battalion, 1 Headquarters group, 1 Army Transportation company, 1 Marine Corps Engineer company, 1 Infantry battalion, 1 LST and 2 LSMs, 1 Composite Support unit (communications, medical supplies, etc.).

Korean military medical personnel are providing some medical care to the local population in areas where ROK troops are stationed. In addition, 7 civilian medical teams totalling 118 doctors, nurses and support personnel are working in provincial health programs.

Laos

One million *kip* ($4,167) for flood relief in 1965 and a small cash donation for refugees in 1966.

Malaysia

Since 1963, Malaysia has trained over 2,000 Vietnamese military and police officers. Groups of 30–60 are regularly sent for about a month's training in counterinsurgency with Malaysian Police Special Constabulary. Malaysia has previously provided substantial amounts of counterinsurgency materials, primarily military and police transport such as armored vehicles. Medicines and relief supplies have also been donated.

New Zealand

New Zealand has sent an artillery battery and an infantry company (approximately 360 men) and provided a 25-man army engineer detachment.

In *non-military aid*, New Zealand has sent a 15-man surgical team, and a professor in English language for the University of Saigon. A second 16-man medical team will be sent to Binh Dinh province. They are presently training 83 Vietnamese in New Zealand and have provided 7,500 pounds ($21,000) for equipment for a technical high school. They are also assisting by providing approximately $600,000 for a science building at the University of Saigon.

Philippines

The Philippine Government has sent a 2,000-man military engineering unit with security support personnel, a station hospital, and rural health and civic action teams.

In *non-military aid*, approximately 60 Philippine civic action personnel including military and civilian medical teams have been working in Viet-Nam for several years.

Thailand

The Thai Government announced in January 1967 that it would send a ground force combat unit to Viet-Nam. It is expected that this will total 2,000–2,500 men. A 200-man Thai naval group manning an LST and PGM patrol craft arrived in Viet-Nam in December 1966. A 35-man air force contingent has been flying operational transport missions for the Vietnamese forces. The Thais have also been providing jet training for Vietnamese pilots in Thailand.

In *non-military aid*, the Thais have provided rice for refugees and cement and zinc roofing materials. At the Manila Conference, the Thais offered the Vietnamese a $20 million rice credit. The Thais have also announced they will send a medical unit to Viet-Nam.

MIDDLE EAST

Greece

Greece has contributed $15,000 worth of medical supplies.

Iran

Iran has contributed 1,000 tons of petroleum products to Viet-Nam and has despatched a 20-man medical team to Viet-Nam.

Turkey

Turkey has provided medicines and also offered to provide a substantial amount of cement.

EUROPE

Austria

Austria has offered to supply medical supplies, blankets, tents, through the Austrian Red Cross.

Belgium

Belgium has provided medicines and an ambulance and has given scholarships for 15 Vietnamese to study in Belgium.

Denmark

Denmark has provided medical supplies and has offered to train 12 Vietnamese nurses in Denmark.

Germany

Personnel in Viet-Nam:

Seven Germans, a director and six instructors, are teaching at the new Vietnamese-German Technical High School at Thu Duc near Saigon. At Hue University there are five Germans: three physicians in the Medical School, a professor of music, a professor of German language, and one expert in forestry is working at the Department of Rural Affairs, Saigon.

A 3,000-ton hospital ship, the "Helgoland" with 8 doctors, 30 other medical personnel and 145 beds is on duty in Viet-Nam.

Vietnamese in Germany: Forty Vietnamese are studying in Germany and the Germans have agreed to accept 30 more primarily for training as future instructors in the technical high school. A considerable number have previously been trained.

Goods and materials:

The Germans have provided the following credits:

1) DM 15 million ($3.75 million) for import of German products such as machine tools, fertilizer, etc. The piastre funds generated go to the National Office of Agricultural Credit to aid farmers, particularly with loans;

2) a credit of DM 50 million ($12.5 million) for development of the major industrial complex at An Hoan-Nong Son;

3) a credit for DM 20 million ($5 million) for construction of an abattoir at Saigon-Cholon, and three coastal vessels;

4) a credit of DM 500,000 ($125,000) for equipment at the Vietnamese-German Technical High School at Thu Duc.

In April 1966, the Germans announced a gift of DM 17.5 million ($4.4 million) worth of pharmaceuticals, the first shipments of which have arrived. Also in the medical field, they have provided two mobile dental clinics and 30 ambulances for the Ministry of Health.

In June 1966, the Cabinet voted DM 25 million (US $6.25 million) for new aid to Viet-Nam including: 1) sending 25 experts to establish a refugee center; 2) building a home for wayward youths; 3) expansion of 8 social centers and construction of a ninth; 4) establishment of a training center for social workers, and 5) the gift of 100 buses and a maintenance and repair facility in Saigon. The Germans have also donated 260 tons of rice for refugee relief programs.

Italy

The Italians provided a 10-man surgical team and have offered science scholarships to 10 Vietnamese to study in Italy.

Luxembourg

Luxembourg has provided plasma and blood transfusion equipment.

The Netherlands

The Dutch have undertaken to build 5 tuberculosis centers in Saigon; sites for 3 have been selected. In August, the Netherlands announced a contribution of $355,000 for a 4-year UN project in social welfare, part of the $1 million they have earmarked for UN projects in Viet-Nam. In 1964, the Dutch gave antibiotics and 4 scholarships for Vietnamese. They previously provided a dredge.

Spain

Spain has provided 800 pounds of medicines, medical equipment and blankets and has sent a 12-man medical team to Viet-Nam.

United Kingdom

The United Kingdom has provided six civilians for the British Advisory Mission and a Professor of English at Hue University. Twenty-one Vietnamese are receiving training in the United Kingdom. A pediatric team of four British doctors and six nurses went to Viet-Nam in August, 1966.

In 1963–64, the United Kingdom provided the following goods and materials: Laboratory equipment for Saigon University; a typesetting machine for the Government Printing Office, a cobalt deep-ray therapy unit for the National Cancer Institute; various equipment for the faculties of Medicine, Science and Pharmacy at Saigon University, the Meteorological Service and the Agricultural School at Saigon, and Atomic Research Establishment at Dalat and the Faculty of Education at Hue. In 1965–66, British economic aid totalled £81,000 ($226,800) for roadbuilding equipment, diesel fishing boat engines, and portable anesthetic machines. Total aid in British FY 1967 was £184,000 and it is estimated £238,000 will be expended in FY 1968.

LATIN AMERICA

Argentina

Argentina has contributed 5,000 tons of wheat.

Brazil

Brazil has sent a substanial quantity of medical supplies which was carried to Viet-Nam by a Brazilian Air Force plane and has also provided coffee.

Costa Rica

Costa Rica is contributing an ambulance for use in Viet-Nam.

Dominican Republic

Cement has been offered by the Dominican Republic for use in Viet-Nam.

Ecuador

Ecuador has sent medical supplies to Viet-Nam.

Guatemala

Guatemala has sent 15,000 doses of typhoid-paratyphoid serum for use in Viet-Nam.

Honduras

Honduras has contributed drugs and dry goods for refugees in Viet-Nam, flown there on a Honduras Air Force plane.

Uruguay

Uruguay has contributed $21,500 for relief supplies and medicines for Viet-Nam.

Venezuela

Venezuela has provided 500 tons of rice for refugee relief, and two civilian doctors are working in Viet-Nam.

AFRICA

Liberia

A contribution of $50,000 has been made by Liberia for the purchase of hospital equipment and other medical supplies for Viet-Nam.

Tunisia

Tunisia has made available 15 to 20 scholarships for Vietnamese.

NORTH AMERICA

Canada

Almost $6 million of development assistance to Viet-Nam has been provided by Canada.

1. Personnel in Viet-Nam: A Canadian Supervisor has been at Quang Ngai supervising construction of a small TB Clinic which the Canadians are funding. The Canadians have sent two doctors and four nurses to staff the clinic. A professor of orthopedics is working at Cho Ray Hospital, Saigon, and there is a Canadian teacher at the University of Hue.

2. Vietnamese in Canada: 380 Colombo Plan trainees and a total of 463 trainees under all programs, including those sponsored by other agencies and third countries (as well as Colombo Plan), have been trained in Canada. There are currently 231 Vietnamese students in Canada.

3. Since 1958, Canada has provided $850,000 worth of food aid for Viet-Nam. Funds generated by sales are used for capital construction projects in Viet-Nam.

4. A new science building for the medical faculty at the University of Hue is being

built costing about $333,000, drawn from counterpart funds generated by sales of food supplied by Canada. Construction has passed the half-way mark.

5. The Canadians have also agreed to construct an auditorium for the Faculty of Sciences at Hue University which will cost about $125,000.

6. Canada has increased its aid to South Viet-Nam allocating $1 million for medical assistance this fiscal year including providing ten 200-bed emergency hospital units. The first two units have arrived and have been installed at Phan Tiet and at Phu Tho near Saigon. A Canadian doctor and technician visited Viet-Nam in the fall to inspect potential sites. Canada has sent 650,000 doses of polio vaccine for Vietnamese school children and offered additional vaccines against polio, TB and smallpox. Consideration is being given to establishment of a children's rehabilitation center in Viet-Nam.

7. Canada is printing half a million copies of a social sciences textbook for Vietnamese grade school children.

OTHER ASSISTANCE

Six other nations whose help does not fall under the Free World Assistance Program have provided valuable assistance to Viet-Nam in economic and humanitarian fields.

France

Since 1956, France has contributed about $115 million in assistance to South Viet-Nam. Present aid is running at a rate of about $4 million per year, largely in the cultural field.

In 1965 France had nearly 500 persons serving in South Viet-Nam. Among them were 65 experts under France's program of economic and technical assistance, including 32 physicians, professors and other medical personnel. Under its cultural programs, 471 professors (350 French and 121 Vietnamese) were teaching at 9 French-teaching institutions, and 30 French professors are at Vietnamese institutions. France provided in 1965 for Vietnamese to study in France, 55 fellowships for technical training and 85 academic fellowships. These programs are continuing on a somewhat reduced scale.

France has provided low-interest credits of 100 million francs (20 million dollars) for financing imports of French equipment for Vietnamese industry, a grant of 500,000 francs ($100,000) for equipment for L'Ecole Nationale d'Ingenieurs des Arts Industriels.

In 1960 France extended a low-interest credit of 70 million francs ($14 million) to aid construction of the major coal and chemical complex at An Hoa Nong Son south of Da Nang which is underway. It also provides a low-interest, five-year credit of 60 million francs ($12 million) for construction of Viet-Nam's largest cement-producing complex with plans at Hatien and Thu Duc. In 1964, France provided a 930,000 francs ($186,000) grant for the installation of a training center for electrical technicians and in 1965 a gift of 1.25 million francs ($250,000) for teaching equipment, primarily in the medical field.

Ireland

The Irish people have contributed £1,000 ($2,800) for Vietnamese flood victims through their Red Cross.

Israel

Israel made a gift of pharmaceutical supplies for flood victims and will train this year five Vietnamese in irrigation and animal hubsandry.

Norway

Norway sent a contribution through the International Red Cross for flood victims in February 1965.

Pakistan

Pakistan made a financial contribution for assistance to flood victims and donated clothing for them.

Switzerland

The Swiss have provided microscopes for the University of Saigon. The Swiss Red Cross has sent a 11-man medical team through the International Committee of the Red Cross to work in a provincial hospital in the Central Highlands of South Viet-Nam.

U.N. aid to Vietnam

The United Nations and its specialized agencies are also making a significant contribution to the social and economic development of Viet-Nam. Under the Expanded Program of Technical Assistance of the UN Development Program, 15 technical assistance projects are scheduled for 1967 and 1968 at a cost of $724,475. These projects range across such varied fields as maternal and child health, labor administration, educational planning, telecommunications, meteorology and civil aviation. Among the participating agencies are ILO, FAO, UNESCO, WHO, ICAO, ITU, WMO, and the Department of Economic and Social Affairs of the UN. In addition UNICEF has substantially expanded its health and child care programs with the 1967 program totalling $562,000, an increase over the 1966 level of $226,000.

Several major projects financed by the Special Fund of the UN Development Program are about to get underway. A National Technical Center (total international contribution approximately $1.5 million), with UNESCO is becoming operational. The Special Fund in January approved a Fisheries Development Project including exploratory and experimental fishing in the waters of the South China Sea, to be executed by FAO at a cost of $1.3 million. Also being negotiated is a Social Welfare Training Center to be executed by the Bureau of Social Affairs of the UN. ECAFE is pressing ahead with regional projects of benefit to the nations of the Mekong Basin and has undertaken surveys of irrigation, hydroelectric facilities and bridge construction projects in Viet-Nam.

THE REVENUE ACT OF 1951

Mr. BATTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BATTIN. Mr. Speaker, in the Revenue Act of 1951, Congress enacted legislation making the 5-percent floor then applicable to deductible medical expenses inapplicable to individuals 65 years of age and over. The Senate Finance Committee which added this provision gave the following rationale for liberalizing the rule for individuals 65 years of age and over:

> Persons in that age bracket have generally reached a period of lowered earning capacity. These same individuals typically are confronted with increased medical expenses. Disallowance of the deduction of many of these expenses under present law merely serves to accentuate this existing hardship."[1]

Although the 5-percent limitation was subsequently lowered to 3 percent, the exemption from this limitation for people 65 years of age and over was continued until 1965. In 1965, Congress enacted the medicare program for individuals 65 years of age and over, providing basic hospital insurance financed by a payroll tax, as well as a broad supplementary medical plan financed by premium contributions on the part of electing participants which are matched by the federal government from general revenues. In view of the comprehensive benefits being provided individuals 65 years of age and over, Congress felt that it would be appropriate to apply the same limitation on the deductibility of medical expenses to taxpayers of all age groups, including those over age 65. In recommending this change the Ways and Means Committee report stated:

> The health care provisions of your committee's bill have a relationship to the medical expense deductions allowed under the Internal Revenue Code. The 3-percent limitation in the case of medical care expenses and the 1-percent limitation applied to expenditures for medicines and drugs were waived for persons 65 or over in recognition of the fact that medical expenses generally constituted a heavy financial burden for older people. The limitations were waived, however, during a period when there was no broad-coverage health insurance plan for older persons. The insurance provisions of your committee's bill are designed to meet these problems. The reasons for the special medical expense provisions in the tax law for the relief of older taxpayers, therefore, no longer appear to exist.
>
> Moreover, restoration of a uniform floor to be applied in the computation of the medical expense deduction will provide an increase in revenue which will help defray to some degree the cost of the general fund of the voluntary insurance provisions in your committee's bill. Only in the case of an older person with sufficient income to be taxable will the benefit of the Federal Government's $36-per-year contribution towards his voluntary medical insurance coverage be reduced or offset by a lesser deduction for medical care expenses.[2]

Mr. Speaker, it has come to my attention that there are a group of individuals in our society who will not benefit from either the basic hospital insurance plan financed through social security or the voluntary supplemental medical plan financed from premium contributions and general revenues. Although the largest group of these individuals are the Federal employees, there will be many State and local governmental employees who will in the same situation.

The reasons for reimposing the 3-percent limitation on deductible medical expenses to people over 65 does not apply to these individuals. For these individuals the increased medical expenses experienced by those over 65, coupled with their lower earning capacity, still works a hardship. I am, therefore, introducing legislation to provide that these individuals will be permitted to fully deduct their medical expenses. This is a limited exception, Mr. Speaker, and one that I am sure the Ways and Means Committee would have agreed to had the situation been called to their attention in 1965. I hope every Member will support my efforts to correct this defect in the law.

HOUSE AMENDMENT TO INTER-AMERICAN DEVELOPMENT BANK BILL SHOULD BE RETAINED

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to address the House

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[1] S. Rept. 781, 82d Cong., 1st sess.

[2] H. Rept. 213, 89th Cong., 1st Sess.

for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, I would like to call to the attention of the Members the following article by Jeremiah O'Leary that appeared in the Sunday, September 17, 1967, issue of the Washington Star:

INTER-AMERICAN BANK AUDIT ISSUE IS PRESSED

(By Jeremiah O'Leary)

The United States has contributed more than $2 billion to the Inter-American Development Bank since the birth of the Alliance for Progress, but no comprehensive audit has ever been available to Congress or the General Accounting Office on how the money is being spent.

This week House and Senate conferees will report that $900 million more has been approved for the bank's use over the next three years but that a House amendment providing for an audit died in the conference.

Fireworks are expected in the House when the conference report is made because many members share the conviction that this amount of money should not be disbursed by the Treasury without an adequate follow-up on how it was used.

Rep. Armistead I. Selden Jr., D-Ala., chairman of Inter-American Affairs, is up in arms about the lack of an IDB audit and over what happened in conference last week to his amendment—unanimously passed by the House—to make an audit mandatory.

FLOOR SPEECHES EXPECTED

Selden and other interested members of the House, who think this situation has gone on long enough, probably will make floor speeches aimed either at recommitting the bill or at least making Congress aware that nearly $4 billion in U.S. funds is being spent without what Selden considers to be a proper accounting.

Authoritative sources said bank officials, including President Felipe Herrera, are adamant that the United States has no business examining or auditing the books of an international organization such as IDB.

In addition, informed sources have been told that the State Department's view is identical with the bank's position, that no one contributing nation has the right to examine the operations of a multi-national organization.

The IDB, it was learned, normally has its operations audited by the private firm of Price Waterhouse. The difference of opinion between House members and opponents of the amendment appears to revolve around the extent of the existing audit and its availability to U.S. sources who require considerable detail in such an examination.

The money Selden believes ought to be audited includes the Social Progress Trust Fund of $525 million appropriated in 1961 and 1964, entirely from U.S. sources.

Since the IDB was created, the United States has pumped $3,860,760 into the bank while the Latin nations combined have contributed $1,227,500.

Selden became perturbed about the lack of a GAO audit of these funds when he and Rep. Williams S. Mailliard, R-Calif., visited the Dominican Republic, Guyana, Brazil and Paraguay late last year and found a number of projects financed by the bank were uncompleted or poorly executed because of lack of follow-up or control.

"Not much attention was paid to how well the money was being used once the funds were committed," Selden said.

AMENDMENT OFFERED IN JULY

The congressmen returned with the conviction that the trust fund, 100 percent American-contributed, should be fully reviewed by the GAO.

Selden said he was told, however, that because the bank is an international agency, its books and records are not available for GAO inspection.

In July, Selden offered an amendment to the bank's appropriation bill of $900 million for the next three years. He asked that the secretary of the treasury be empowered to direct the U.S. executive director of the IDB to propose to the bank directors that an independent and comprehensive audit be made, just as is done with U.S. government activities by the Comptroller General.

Selden, seeking to avoid antagonizing the Latin members of the bank, proposed a bill that would in effect have the bank itself accomplish or arrange the audit. The results, obviously, would have been available for scrutiny by Congress or any U.S. agency.

The bill passed the House unanimously and went to the Senate.

There, Selden thought there was an understanding that the Senate would not incorporate the audit provision in its bill but that it would survive the joint conference. But it didn't work out that way.

When the bill emerged last week, the audit proposal was eliminated, 7 to 5. House Republican conferees joined with three senators to wipe it out.

Selden favors continued U.S. participation in the IDB, but he said administration of the bank, or any international organization, can never be perfect. He added:

"In my view, there is nothing that contributes more to the laxity of the administration of the funds of others, or to mistaken suspicions regarding such administration, than the knowledge that the owners do not have full information concerning the quality of administration."

Mr. Speaker, as one who has supported the Inter-American Development Bank since its inception, I did not offer the amendment referred to in Mr. O'Leary's article in order to hamper the operation of an organization that I believe has played to date a beneficial role in Latin America. I did so because I believe that such an audit, available to the representatives on the bank of all member nations, would improve the administration and implementation of loans made by the Inter-American Development Bank. This conclusion was reached only after our colleague, the Honorable WILLIAM MAILLIARD, and I visited in the field several projects funded by the IDB, the administration and implementation of which we felt could be greatly improved.

It is difficult for me to understand, Mr. Speaker, why a majority of the House conferees agreed to delete an amendment that had been adopted in the House of Representatives without dissent and, while not acted on by the Senate, discussed only favorably on the Senate floor. But, whatever the reasons, I think it important that the House of Representatives stand firm in its position by instructing the conferees to insist on the provision dealing with an audit.

Therefore, when the conference report on H.R. 9547, the Inter-American Development Bank bill, is considered by the House, I intend to offer a motion to recommit the conference report to the committee of conference with instructions to the managers on the part of the House to insist on retaining this particular section of the House-passed bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I am happy to yield to the gentleman.

Mr. GROSS. I am aware of the gentleman's amendment as are many other Members of the House and I, too, was astonished that it was dropped in conference.

I commend the gentleman for his assurance that when the conference report comes to the House, he will be waiting with the proper motion to insist that his amendment be retained.

Mr. SELDEN. I thank the gentleman.

THE 20TH ANNIVERSARY OF PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I am happy to salute the 20th anniversary of one of the smallest but most effective units in our Government, the President's Committee on Employment of the Handicapped.

Tonight at the National Press Club, Chairman Harold Russell will join with some 150 other volunteers and co-workers to celebrate 20 years of service to the handicapped of our country. It is a very special night and theirs has been a very special mission these past two decades of informing and alerting the American public of the real abilities of persons with physical or mental disabilities.

This early afternoon at the White House President Johnson will honor the Employers of the Year in brief ceremonies marking the 20th anniversary.

It has been my very great pleasure and high honor to have been closely associated with the work of the Committee through all these years. First through the early active interest of Paul A. Strachan in helping form the Committee for the late Lewis B. Schwellenbach with President Trumans' approval. Then, through the 7 years of chairmanship of the late Vice Adm. Ross T. McIntire, (MC) U.S. Navy, retired, and, most importantly during the 10 years of our old friend and colleague, Maj. Gen. Melvin J. Maas, U.S. Marine Corps Reserve, retired, was its Chairman.

Under the leadership of the ever energetic Harold Russell, of Wayland, Mass., the Committee has reached new heights. I am proud to salute the Committee and the wonderful volunteers who make it work. At the time I spoke before the Committee's annual meeting a short 2 years ago I said some things which I should like to repeat here today.

It has been a rewarding experience to sit on the other end of Pennsylvania Avenue and watch how a dream has come to life. I speak of the dream made real by the dogged persuasion of Paul A. Strachan and the gentle persistence of the dedicated Mildred Scott.

When I first talked to Paul about his

dream of National Employ the Physically Handicapped Week, he has petitioning and buttonholing every Member of Congress who would listen to him. With Paul, who could hardly hear a word you said, but who could read your lips remarkably well, except when you said "No," was Miss Scott, who acted as his "ears." Mildred, with her brace and cane, and Paul, with his aggressive insistence, gave life and breath to the American Federation of the Physically Handicapped. Together with the Disabled American Veterans represented then by Mildred Rice, they persisted, and "NEPH Week" was born. This fall we shall mark the 20th anniversary of that legislation and the 21st observance of the week. Their place in history is secure in the hearts and homes of the handicapped who have benefited by public attention focused on their job needs.

Two years after the Congress passed legislation proclaming "NEPH Week" the President's Committee was born, also due in large measure to Paul Strachan, Bill McCahill, and others. In the years that have followed, its first two Chairmen, Vice Adm. Ross T. McIntire and Maj. Gen. Melvin J. Maas, have gone to their eternal rewards and are buried with the hero dead of our country at the western end of Constitution Avenue. It was the Navy Dr. McIntire who brought the Marine Reserve General Maas into the position of Vice Chairman as his successor. It was the Marine general who brought the former Army sergeant, Harold Russell, into the Vice Chairman position as his successor, the three volunteer Chairmen of this President's Committee have established a record for leadership and dedication which cannot be matched by any other volunteer group I know anything about.

For no less than 18 years we find Bill McCahill on the combat front of this, one of the noblest endeavors in the whole catalog of national and communal heroism for the handicapped. Colonel McCahill can make the heart work wonders in the field of concrete accomplishments.

It is not only the handicapped who owe those I have mentioned, and so many others, recognition for the efficacy of their workmanship, but it is people like myself who feel immensely indebted to those living, and the memory of those no longer with us.

Legislation and executive action must have besides a philosophy of decency, the working ingredients of soundness and durability. We legislate not only because it is right, but because it is workable; it is rugged; it will stand up and hold its place firmly on the statute books of the Nation. What those I am speaking of, your McCahill, your Strachan, your Scott, your Rice, your ever so active Harold Russell have done is to take the problem out of the area of do-goodism and put it in the area of good business as well. It is no little thing that every year as many as a quarter million handicapped placements are made by the public employment services.

I am happy, also, to insert in the RECORD, the Committee press releases on the anniversary and the awards ceremony at the White House today, the fact sheet on the last 20 years and an editorial from American, the national Catholic Review, which sums up my own sentiments beautifully as well as those of many other Members of the Congress:

[From America, Sept. 2, 1967]

PRESIDENT'S COMMITTEE ON THE HANDICAPPED

Accustomed as we are to charges of failure, corruption and bureaucratic bungling in government welfare departments, it is pure refreshment to run across one Federal agency that no one attacks. The President's Committee on Employment of the Handicapped is unique among government agencies, and its 20th anniversary cannot be allowed to pass unnoticed.

How can any part of government escape criticism for 20 years? First of all, the committee has no natural enemies. Liberals appreciate its humanitarian goals; conservatives approve of its removing men from welfare rolls; State governments welcome its co-operation; employers find following its advice a path to public service that, incidentally, supplies them with skilled labor. And, of course, the handicapped appreciate its help in maintaining their dignity.

Secondly, it is successful. This fall the President's Committee can celebrate its 20th anniversary with pride. The organization was founded in the fall of 1947 at the suggestion of President Truman. The President's major concern was to help veterans permanently maimed in World War II to find job opportunities and training. Each President since has expanded the program. Eisenhower asked it to include civilian handicapped; Kennedy included the mentally retarded. Johnson announced a new Federal hiring policy (the Federal government now employs some 17,000 handicapped men and women).

Perhaps the committee's most successful undertaking, to date, his been its campaign to reduce psychological barriers among employers. Intensive studies supported by the committee have convinced many skeptical businessmen of the often superior capabilities of partially disabled workers. Another campaign still in progress is aimed at reducing architectural barriers in public buildings and schools, particularly universities.

A third reason the committee has no enemies is that it is not political. The chairman and vice chairman are appointed by the President to serve without compensation (though the staff is supported by Congress). The committee itself has no facilities to train or place personnel. Rather, it works in a public relations capacity. It also serves as a focal point and clearinghouse for interested Federal, State and local organizations, of which there are now more than 600.

Finally, the cost of the committee is almost nominal. Operating this year on a budget of $463,000, it will more than pay for itself in the income taxes it brings. (It is estimated that the handicapped wage earners helped over the past two decades have paid nearly $200 billion in taxes into the Federal Treasury.)

The President's Committee for the Employment of the Handicapped now faces two challenges. The integration of mentally retarded persons into the work force at job levels they can handle is a momentous task. Secondly, the stream of disabled veterans returning from Vietnam must be rehabilitated and placed.

The success of the committee depends on its keeping other organizations informed of the rights and needs of handicapped persons. In its 20 years of existence it has proved that a Federal agency, co-operating with State and local organizations, can advance the cause of justice. We hope its next 20 years will be equally successful.

PRESIDENT'S COMMITTEE TO OBSERVE 20TH ANNIVERSARY

Volunteers and workers long associated with programs to benefit the handicapped will be honored by the President's Committee on Employment of the Handicapped at a banquet commemorating its 20th anniversary in the National Press Club Ballroom, September 18.

Heading the list will be Labor Secretary W. Willard Wirtz who will receive the Committee's Distinguished Service Award in recognition for the many achievements in encouraging new opportunities for the physically and mentally handicapped in America.

Also receiving the Distinguished Service Award will be Miss Mildred Scott, Washington, D.C., and Millard W. Rice, Falls Church, Virginia. Together with Paul A. Strachan, President, American Institute for Human Engineering, Inc., Brooksville, Florida, they were largely responsible for creation of National Employ the Physically Handicapped Week in 1945, working with the Congress to enact the necessary legislation. They have also served as volunteer members of the Committee since its inception.

General Graves B. Erskine, USMC, Ret., former Administrator of the Retraining and Reemployment Administration, will be the principal speaker at the banquet. William P. McCahill, Executive Secretary of the President's Committee since its inception, will be the master of ceremonies. It was under the Retraining and Reemployment Administration that a Cooperating Committee was formed to find jobs for the handicapped before the President's Committee came into existence.

The President's Committee was an outgrowth of National Employ the Physically Handicapped Week. It got its start when President Harry S. Truman, in a letter to then Labor Secretary Lewis B. Schwellenbach dated August 27, 1947, said: "I have today issued a proclamation calling upon the people of the United States to observe the week of October 5–11, 1947 as National Employ the Physically Handicapped Week. In that proclamation I asked the heads of all government agencies to make every effort to enlist public support for a sustained program aimed at the employment and full use of the capacities of physically handicapped workers."

In a penned note across the bottom of the page, the President added this postscript: "You may want to call upon officials and leading citizens outside the Federal Government for all possible assistance in this program."

On September 12, 1947, Secretary Schwellenbach invited representatives from industry, labor, veterans' and women's organizations, and other groups to attend the first meeting of the Committee in the Interdepartmental Auditorium. Vice Admiral Ross T. McIntire, MC, USN Ret., former personal physician to President Roosevelt, was appointed its first Chairman and Miss Scott, the first secretary. A total of 33 people attended, including observers.

Major General Melvin J. Maas, USMCR, Ret., was appointed Chairman in 1954 and served until his death in 1964. He was succeeded by Harold Russell, the present Chairman, who, like his predecessors serves without compensation.

Today, the President's Committee is composed of more than 600 public-spirited citizen organizations and individuals representing business, civic, handicapped, industry, labor, mass media, medical, professional, rehabilitation, religious, veterans', women's, and other groups, working side by side on behalf of the handicapped.

During the 20 years of the President's Committee considerable progress has been made toward achieving more independence for the handicapped through cooperative relationships with Governors' and local Committees. Highlights are:

- More than 1,800,000 handicapped men and women have been rehabilitated through Federal-State programs of vocational rehabilitation.
- More than 6,000,000 placements of hand-

icapped workers have been made by the local offices of the State Employment Services.

- Nearly 800,000 disabled veterans have been rehabilitated through Veterans Administration vocational rehabilitation programs.
- More than 256,000 handicapped persons have gone to work for the Federal Government.

This does not, however, represent the total picture of the handicapped at work. Hundreds of thousands of additional handicapped workers find their jobs without using rehabilitation and placement services. Their contributions to America's output and economy have been inestimable.

PRESIDENT JOHNSON HONORS EMPLOYERS OF HANDICAPPED

President Lyndon B. Johnson today noted the 20th Anniversary of the President's Committee on Employment of the Handicapped, and presented the Committee's Employer of the Year awards to the Boeing Company, Wichita Division, and to John W. Payne, Dallas optical company executive. The awards recognize outstanding employers of physically handicapped, mentally retarded or mentally restored workers.

At a White House ceremony, the President cited Boeing-Wichita, Kansas' largest industrial employer, as having more than 5,000 handicapped men and women among its 19,000 workers. The division has worked out a system of matching a person's capabilities to the demands of a specific job, so that disabled employees can become fully productive workers. The large business award for 1966 was accepted by Ernest A. Ochel, general manager of the aerospace and aircraft production facility and corporate vice president.

The President then awarded the 1966 small business plaque to John W. Payne, executive vice president of International Optical Company. While division manager of the firm's Atlanta, Georgia, branch, Mr. Payne was personally responsible for hiring 17 handicapped men and women who made up 32 per cent of the employees. He also influenced other businessmen to hire the handicapped.

A native of Rochester, New York, Mr. Payne now lives at 4233 Allen Crest Lane in Dallas, with his wife and three children.

Employer of the Year awards are co-sponsored by the National Association of Manufacturers. Nominations are made through states' Governors' Committees on Employment of the Handicapped. The large business category is open to companies or individuals with more than 200 employees and the small business category, to those with less than 200.

Past Employers of the Year are: Caterpillar Tractor Company, Raytheon Company, Aerosonic Corporation, Come Play Products Company, Ace Electronics Associates, and Edward F. Foster, vice president of the Bendix Corporation.

THE 20TH ANNIVERSARY BANQUET

Volunteers and workers long associated with programs to benefit the handicapped will be honored by the President's Committee on Employment of the Handicapped at a banquet commemorating its 20th Anniversary in the National Press Club Ballroom, Monday, September 18.

Heading the list will be Labor Secretary W. Willard Wirtz who will receive the Committee's Distinguished Service Award in recognition for the many achievements in encouraging new opportunities for the physically and mentally handicapped in America.

Also receiving the Distinguished Service Award will be Miss Mildred Scott, Washington, D.C., and Millard W. Rice, Falls Church, Virginia. Together wtih Paul A. Strachan, President, American Institute for Human Engineering, Inc., Brooksville, Florida, they were largely responsible for creation of National Employ the Physically Handicapped Week in 1945, working with the Congress to enact the necessary legislation. They have also served as volunteer members of the Committee since its inception.

General Graves B. Erskine, USMC (Ret.), former Administrator of the Retraining and Reemployment Administration, will be the principal speaker at the banquet. William P. McCahill, Executive Secretary of the President's Committee since its inception, will be the master of ceremonies. It was under the Retraining and Reemployment Administration that a Cooperating Committee was formed to find jobs for the handicapped and this group was the forerunner of the President's Committee.

FACT SHEET

TWENTY YEARS AGO

Twenty years ago . . . August 27, 1947. President Harry S. Truman sat at his desk in the Oval Room of the White House. He was reading a letter he had dictated to the Secretary of Labor. He signed his name, thought a moment, then penned a postscript:

"You may want to call upon officials and leading citizens outside the Federal Government for all possible assistance in this program."

With that hand-written postscript was born the President's Committee on Employment of the Handicapped.

Vice Admiral Ross T. McIntire, MC, USN Ret., former personal physician to President Roosevelt, was its first Chairman. The President's Committee (it numbered thirty members in those days) held its first meeting on September 12, 1947.

ON THROUGH THE YEARS

As the years passed, the President's Committee has grown. Its present membership is above 600. It has broadened its activities on many new fronts, all concerned with independence for the handicapped.

But through the years the basic mission of the President's Committee has never changed. It has continued steadfastly to promote a climate of opinion in America leading to full acceptance of the handicapped in the labor force of our country.

WORKING TOGETHER

Essentially, the President's Committee program is a mobilization of volunteers representing all facets of American life: business, labor, industry, mass media, medicine, education, all the rest. Also included are officials of all levels of Government: Federal, State and local.

TWO HUNDRED BILLION DOLLARS

The twentieth anniversary of the President's Committee gives us a good opportunity to look back at our progress over the past twenty years.

During that time, more than 1,800,000 handicapped men and women have been rehabilitated through Federal-State programs of vocational rehabilitation.

Also, during the twenty-year period, more than 6,000,000 placements of handicapped workers have been made by the local offices of the State Employment Services.

Additionally, nearly 800,000 disabled veterans have been rehabilitated during the past twenty years through Veterans Administration vocational rehabilitation programs.

Further, 256,000 handicapped persons have gone to work for the Federal Government during the past twenty years, according to the Civil Service Commission. Included are more than 3,000 mentally retarded persons, many holding the first jobs of their lives.

But even that does not represent the total picture of the handicapped at work. Hundreds of thousands of handicapped workers find their own jobs without using rehabilitation and placement services. Their contributions to America have been inestimable.

All these handicapped men and women, now independent breadwinners and supporters of families, have added immeasurably to America's strength and well-being.

It has been estimated that all the taxes paid over the past twenty years, by the approximately seven million handicapped workers in the labor force amount to more than $200 billion.

CURRENT TRENDS

There's one word for current trends in employment of the handicapped: UP!

Acceptance of the handicapped in the plants and factories and offices of America seems to be accelerating. Some of the evidence:

During the past year alone, placements by local public employment offices numbered nearly 309,000 handicapped people—largest number in history.

Also during the past year, 154,000 handicapped persons were rehabilitated under State-Federal programs—largest number in history.

Further, 17,000 handicapped men and women were employed last year by the Federal Government—largest number in history.

THE ROLE OF THE PRESIDENT'S COMMITTEE

The growth in acceptance of the handicapped has come about for many reasons: the outstanding employment records of the handicapped themselves, the cumulative effects of public education campaigns, the economic health of America, many more.

The President's Committee is proud to have made its contribution over the past twenty years.

It has had distinguished leadership. Following Admiral McIntire was Major General Melcin J. Maas, USMCR Ret., who served as Chairman from 1954 to his death in 1964. He was succeeded by Harold Russell, the present Chairman.

The Committee's functions have grown over the years. The passage of Public Law 565 in 1954 gave the Committee closer relationships with the Departments of Labor and Health, Education, and Welfare—as well as other agencies having direct concern for the handicapped. A new Executive Order by President John F. Kennedy in 1962 broadened the President's Committee functions to include the mentally restored and mentally retarded along with the physically handicapped, in its promotional efforts. Also, the Committee has taken the lead in national efforts to remove architectural barriers against the handicapped; in efforts to assist the sheltered workshops of this country so they can serve more handicapped persons; in cooperative promotional efforts with management and with labor unions; in many other ways as well.

THE FUTURE

Twenty years is a good beginning.

But much remains to be done.

The President's Committee is turning its attention to promotional programs in behalf of the seriously handicapped of the Nation, who have not benefited fully from the growth in acceptance.

It also is turning its attention to the elimination of barriers against the handicapped in systems of transportation.

It is concentrating efforts to upgrade the training of the handicapped, so they might qualify more readily for job openings that abound for the well-trained.

It will continue to serve.

It will continue to meet the needs of the handicapped, so they can hold their heads high in the family of man.

In all of this service, it is proud of its working partnership with cooperating State Governor's Committees and Federal, State and private organizations.

WAR ON POVERTY CRITICIZED

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Quie] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. QUIE. Mr. Speaker, the Johnson administration's war on poverty program has been criticized with increasing regularity—often by those who are intimately involved with the program. Earlier in August, for example, Mr. Russell Albrecht, executive director, Detroit League for the Handicapped, addressed the Fifth Annual Minnesota AFL–CIO Community Services Conference in Minneapolis.

As quoted by Harry Hite, staff writer for his St. Paul Pioneer Press, Mr. Albrecht voiced his disenchantment with a number of programs that are a part of the war on poverty. He said that only two poverty programs, Headstart and the Youth Corps, are generally recognized as good ones.

He added that these two programs could be operated by the U.S. Department of Health, Education, and Welfare and the U.S. Department of Labor, respectively, with very little additional cost, "and we would have about another billion dollars to go into services for the disadvantaged throughout the Nation."

Mr. Speaker, I would like to emphasize that this approach is precisely that which I have proposed and incorporated in the provisions of the opportunity crusade of 1967—introduced earlier in the session as an alternative to the administration's latest measure to bolster the faltering war on poverty.

The criticism and disillusionment directed at the administration's war on poverty proposals are so widespread that they cannot be attributed to the Republican sponsors of the alternative opportunity crusade. Rather, this adverse commentary comes from all fronts—from labor, from the poor themselves, and from a growing number of Democratic political figures as well.

In order that my colleagues may have an opportunity to read the remarks made by Mr. Albrecht, Mr. Hite's article, "L. B. J.'s Poverty 'War' Labeled Minor Offensive," follows:

L. B. J.'s Poverty "War" Labeled Minor Offensive

(By Harry Hite)

The Johnson administration's war on poverty came under fire Saturday at the fifth annual Minnesota AFL–CIO Community Services Conference in Minneapolis.

Russell Albrecht of Detroit, executive director of the Detroit League for the Handicapped, said only two war on poverty programs—Head Start and the Youth Corps—are generally recognized as good ones.

He added that these two programs could be operated by the U.S. Department of Education and U.S. Department of Labor with very little additional administrative cost "and we would have about another billion dollars to go into services for the disadvantaged throughout the nation."

Speaking at the United Auto Workers Hall, 2915 26th Ave. S., Albrecht said the antipoverty program in Detroit "is very inadequate.

"If the Detroit program is the best in the nation, as it was recently described by Sargent Shriver (Office of Economic Opportunity Director), then we must bleed for what is going on elsewhere," Albrecht said.

By way of supporting his allegation of waste in the OEO programs, Albrecht cited a program similar to the Youth Corps, that had been in operation in Detroit for many years before the war on poverty.

"After the OEO moved in," he added, "the project was continued under three programs, all of which were funded by the OEO. As a result the new program costs three times as much as the old one and with very little improvement."

Albrecht said health and welfare programs are inadequate in St. Paul and Minneapolis because the two cities duplicate their programs while going their separate ways.

"If the same programs were integrated," he continued, "much more could be done for the handicapped people in the two communities."

Albrecht cited national statistics showing that 46 per cent of America's population have one or more chronic illnesses and 28 per cent of the population have impaired activity because of chronic illness.

"In many cases," he added "these people need vocational training or retraining, social adjustment and employment placement opportunities. But I doubt that Minnesota is taking care of more than 25 per cent of the people who need help."

The two-day conference ends today.

HUMAN EVENTS

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Teague] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, I would like to correct an omission I made in the Record for September 14, 1967. In calling to my colleagues' attention an excellent article on the Panama Canal treaties by Prof. Donald Dozer, of Santa Barbara, I neglected to note that Dr. Dozer's article originally appeared in Human Events, the lively Washington-based political weekly. Human Events consistently contains material of interest to all Members of Congress, and I just wanted to make sure it received due credit for making Dr. Dozer's views available.

TRADE WITH THE RED EMPIRE

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the summer issue of the Ukrainian Quarterly carried a most important article entitled "Trade With the Red Empire," authored by Dr. Lev E. Dobriansky, professor of economics at Georgetown University. The article comes to grips with all of the major arguments offered by those seeking liberalized East-West trade. It provides long-run perspectives and incisive analytical arguments that every American should consider in assessing the shortsighted attempts to increase East-West trade in a fashion that would have the effect of perpetuating Communist dictatorships in Eastern Europe. I hope that each Member will read this article carefully which, for the benefit of public consumption, I am including in its entirety in the Record:

Trade With the Red Empire

(By Lev E. Dobriansky)

Although cold war evidence of Russian and Red Syndicate aggression against the Free World accumulates daily, the pressure for the swift buck in East-West trade ramains unremitting. Moscow's material support of totalitarian Hanoi, its triggering of the Israeli-Arab war, and indirectly, through Cuba and the Communist Party in the U.S., its political warfare exploitation of the American civil rights movement, leading to organized insurrection in our cities, make little impression on those who would beef up the Red economies to commit even greater and more disastrous cold war aggressions. In short, the Cold War is not at an end; on the contrary, it is more intense and complex than ever before, and trade is a vital part of it. If they knew what is being shipped to the Red Empire as "non-strategic material" under the Administration's irrational policy, the American people would be both horrified and rebellious.

Developments since World War II in the area of Free World trade relations with the expanded totalitarian Red Empire can be intelligibly reduced to a few essential and determining points. These are: (1) a repetition of errors committed in the prewar trade with the totalitarian Axis powers; (2) an almost total indifference to our past economic contributions to the imperium in imperio, namely the Soviet Union; (3) a grave limitation in general understanding of Red economic strategy in the Cold War; (4) a consequent lack of appreciation concerning the discernible outlines and inroads of Red trade aggression; and (5) the absence of a rationally appropriate and effective Free World trade policy to cope with the implicit dangers and threats of Red economic strategy and aggression. A thorough examination of all outstanding literature on the subject discloses the presence of one or any combination of these basic, ultimate points.

A NEW GENERATION OF ERRORS

In our thinking on East-West trade the one conspicuous oversight is the lessons taught by our experiences with totalitarian economies prior to World War II. Except for a few references here and there, it would appear from current discussion that no such experiential background existed. What in essence is transpiring is a new generation of errors, characterized by a basic repetition of self-legitimized mistakes which, with new actors and a different setting on an old stage of imperialist totalitarianism versus freedom, yield substantially the same lines and sounds.

"Trade for peace," "trade to change the attitudes of the people," trade to reduce the power of domination and influence by one totalitarian state over another, trade to reorient a totalitarian economy from heavy capital goods production to more consumer goods activity and also toward multilateral world trade as against economic autarchy with bilateral trade sieves, trade because other democracies are profitably indulging in this with the totalitarian states, and an inability to define precisely the nature of a "strategic item"—these dominant rationalizations and aspects marked the period of the thirties as they do now. They were employed to justify Free World trade with the totalitarian Axis powers of Nazi Germany, Imperial Japan, and Fascist Italy as they are now in relation to the totalitarian economies in the extensive Red Empire.[1] Supposedly, there were "good and bad Fascists" then as there are now "good and bad Communists."

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[1] See Lev E. Dobriansky, "Historical Lessons in U.S.-Totalitarian Trade," *The Intercollegiate Review*, Philadelphia, Pa., November–December 1966.

In the welter of discussion on East-West trade the striking similarities between the thirties and now deserve incessant re-emphasis. As will be shown below, the present Cold War context with all its subtleties, evasiveness, and calculated maneuvers makes the present situation an even far more perilous one. The awareness shown, for example, by the AFL–CIO Executive Council should be generalized. Referring to business deals with Communist governments, the Council has clearly stated, "It is not true that in such deals 'the only thing that matters is profit and competitive advantage.' This practice of doing 'business as usual' with the Nazi and Fascist dictators proved disastrous before World War II. 'Business as usual' with Communist dictators will certainly be no less disastrous." [2]

Some of the ideas suggested here have received only minor emphasis in the current discussion. For example, a nationally known columnist has observed, "But if, as in the 1930's, the private greed supersedes the interests of the people as a whole, the world may again see a global conflict. For it was the failure of the embargo on oil against Mussolini in 1935 and the flagrant indifference of the nations of Europe to the plea of President Roosevelt in 1937 for a 'quarantine' or economic embargo against Hitler that brought on the very conditions which made World War II inevitable." [3] Quoting a *Chicago Tribune* editorial, he observes further, "Although grain is not usually classified as 'strategic material' in the sense of arms and ammunition, it certainly becomes strategic when our enemies are hungry and can't feed themselves."

That our experience before World War II must be recalled over and over again with a necessary dimension of thought conveying the new context of protracted cold warfare is further underscored by much limited thinking on liberalizing trade with Eastern Europe. For example, a commission established by the President to report on the subject well demonstrates this with its unrealistic and narrow conception of what constitutes "strategic trade" in the contemporary context. It states in its report to the President, "we rule out from these considerations any kind of strategic trade that could significantly enhance Soviet military capabilities and weaken our own position of comparative military strength." [4] Although this represents an improvement over the difficulties of thought encountered in the thirties, when far more than just scrap iron was shipped to the Axis powers, to think that strategic trade is related solely to military capability sufficiently indicates a conceptual insularity concerning the psycho-political content of the Cold War. Red propaganda employed in programs of subverting governments in the Free World, notably in Asia, Africa, and Latin America, doesn't place stress on the military prowess of the USSR or even Red China but rather, and almost entirely, on the rapid economic advances of "the socialist countries."

It is noteworthy, too, that the commission virtually disregards the interrelated complexity of modern industry and agriculture, which is even more so now than in the thirties. The shipment of oil facilities, chemical plant structures, transport means, plastic and synthetic processes, high-grade fertilizers, various types of machineries for even consumer goods production, and valuable intangibles of managerial organization and talent cannot but have either direct or indirect beneficial influence for Red military capabilities. In terms of waging a psycho-political cold war, i.e. paramilitary capability, such measure of aid is absolutely unquestionable. But this perhaps more important factor escapes the understanding of not only the President's commission but also most analysts of the subject.

Moreover, on the bases of developments over the past thirty years, an examination of all current output on East-West trade, and the new cold war dimension it is no exaggeration to conclude and argue that up to this point we have developed an outlook of military preparedness toward the Red challenge, which we did not have toward the Axis threat, but as of now we still are fully exposed to cold war Pearl Harbors because of our fundamental unpreparedness in cold warfare, which embraces economic weapons as well as all others. These cold war Pearl Harbors may occur in the Dominican Republic, Brazil, Sudan, Thailand, anywhere in the Middle East and numerous other areas in the Free World, and ironically the leading economic powers of the Free World would in some indirect way be contributing to these outbreaks by beefing up the Red totalitarian economies through liberalized trade. In this broader framework of understanding wheat shipped to the USSR so that it could meet its cold war commitments to Egypt, Cuba, and several other states is itself clearly a strategic item.

When one recounts how much the Red Empire expanded since World War II with inferior resources, one dreads to think about the long-term prospects of the empire's cold war operations, equipped with superior resources supplied in part by the Free World. Strangely enough, most analysts ignore the cumulative long-run record and concentrate exclusively on separate annual statistics of either absolute or percentage amounts. Yet, in the case of grain for example, it requires little imaginative thought to contemplate what the possible consequences might have been had the Red Empire been deprived of 40 million metric tons which it obtained from the Free World in the short period of 1960–64. There is no end in sight on this yet. In the sphere of complicated industrial equipment the same perspective should apply on both the military and cold war scales. Over the years of the thirties, the Axis powers acquired sizable amounts of economic aid for their war plans.

TRENDS IN HELPING THE RED EMPIRE

The past twenty years of developments surrounding the issue of trade with the Red Empire lend themselves to an intelligible patternization of dominant trends and phases, in terms of both volume and controls. Bearing in mind the experiences of the thirties, it is remarkable how easily the natural instinct to exchange, veritably the economic side of the instinct for peace, can be exploited to advance the strategic objectives of the Red economies. It is also startling to observe how few pay any heed to our substantial economic contributions in the past to the build-up of the USSR imperium in imperio.[5]

Some who do recognize this past record rationalize it away on the basis that selective trade now would not contribute nearly as much because it would constitute a small percentage of Red gross product, estimated about $500 billion, and that in time the Red economies will develop their own respective economic capabilities. But, then, the basic question still remains. "Why are they so anxious to indulge in trade with the industrial Free World?" What in this rationalization is overlooked, too, is the fact that the global goals, commitments, and cold war operations of the USSR in particular and the entire Red Empire in general are more positive, expressive, and costly today than they were decades ago. In effect, the industrial Free World is being called in to expedite these for the far-flung empire.

Control policy over the period logically bears an inverse relationship to volume of trade; a hard policy with many extensive controls means less trade, a soft policy with fewer qualitative and quantitative controls conduces to more trade. Three distinct phases punctuate the post-World War II period. Immediately after the war, in 1945–47, Western trade with the USSR and the "satellites" was on the increase, this exclusive of residual lend-lease deliveries and UNRRA operations. By 1948 broad controls were instituted by the U.S. and its Western allies to curb the shipment of goods important to the empire's military strength.

This early control picture from 1948 to 1953 was reflected statistically in the decline of experts and imports concerning the empire, whether one views them on the basis of the OECD countries, the Free World, or the United States alone. OECD exports to the empire declined from $1,161.7 million in 1948 to $770.8 million in 1953, imports from $1,263.8 million to $934.1 respectively.[6] In the same period total Free World exports decreased from $1,969 million in 1948 to $1,389 in 1953, imports from $2,008 million to $1,631 million. U.S. trade dropped in exports from $269 million in 1947 to $1.8 million in 1953; imports from $154 million in 1947 to $46 million in 1953.[7]

A new trend followed this early period, thus initiating the third phase. The year 1954 may rightly be accepted as the starting point of a period of liberalization or breakdown in controls which has continued to the very present, with forces and pressures seeking a marked relaxation particularly in the U.S. The end of the Korean War, the death of Stalin, the bilateral and multilateral control stings felt by the empire, and a deceptive policy of peaceful coexistence resurrected by Moscow account for this change. COCOM lists were successively subjected to review and scaled down markedly in 1954, 1958, 1963, and 1964. In conformity with COCOM rules on individual country privilege, the U.S., however, had maintained its extensive control lists until recently.

The consequences of the soft multilateral control policy are plainly evident in the statistical data. OECD exports to the empire jumped from $770.8 million in 1953 to $2,481.4 million in 1960, and $2,972.4 million in 1963; for the given years its imports from the empire also rose from $934.1 million to $2,448.8 million and $3,150 million. Total Free World exports to the empire increased from $1,389 million in 1953 to $4,425 million in 1960 to $5,173 million in 1963; imports showed equally significant increases from $1,631 million to $4,462 million and $5,389 million respectively. By virtue of a discrepancy in controls U.S. exports to the empire rose only from $1.8 million in 1953 to $194 million in 1960 and $167 million in 1963; imports also increased from $46 million to $84 million and $85 million for those years.

Since 1962 powerful pressures have been generated in the U.S. for relaxed export controls. While the campaign progresses, numerous disquieting features of slipshod control administration have been emerging, as though to reinforce the campaign. In addition to renewed pressures for U.S. wheat sales to the USSR, clearances have been given for the sale of advanced technologies, specialized machinery and equipment, and industrial plants, products and data to the empire. Of the far too many examples that can be mentioned, a few should be observed here as being typical of the present trend, notably from the viewpoint of strategic materials.

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[2] Statement on East-West trade, AFL–CIO Executive Council, Bal Harbour, Florida, March 1, 1965.

[3] David Lawrence, "Trade With West Bolsters Reds," Syndicated Column, October 1965.

[4] *Report to the President*, Special Committee on U.S. Trade Relations With East European Countries and the Soviet Union. The White House, April 29, 1965, p. 1.

[5] See "Five Perspectives on East-West Trade," *East-West Trade, Part II, Hearings*, Committee on Foreign Relations, U.S. Senate, 1965, pp. 94–104.

[6] *Direction of International Trade*, United Nations, 1948; Statistical Bulletins, Foreign Trade, Series A, OECD, 1953.

[7] *Annual Trade Statistics*, Department of Commerce.

In July 1965, for example, the Department of Commerce issued an export license for the shipment of over $3 million of chemical woodpulp to the USSR. This wood is ultimately used in the production of tires, both passenger cars and trucks for both military and economic build-up uses. Another license issued that month was for over $2 million worth of grinding machines to the USSR, also important militarily and economically in the transport industry. A license for the export of polystyrene to the USSR was also issued, despite the fact that the item enters critically into the manufacture of explosives, demolition blocks, nonmagnetic mines and the like. In addition, much technical data and a broad assortment of advanced machineries are being released to Rumania, Czechoslovakia, Hungary, and Bulgaria without certain knowledge as to their end use. Moreover, many of the clearances give every indication of prototype purchasing by the Red regimes.[8] Through July 31, 1965, the Export-Import Bank has authorized 83 commercial credit guarantees to Red states, totaling some $66 million. The 1966–67 clearances are abounding and incredible, including steel mill components, computers, missile guidance devices, industrial chemicals, converting machinery, magnetic tape units, Boron isotopes, aircraft equipment, and wide assortments of machineries.

To complete this picture in outline form, it should be emphasized that Red exports consist largely of raw materials, food, fuel, and finished natural products for imports that are chiefly of highly developed finished industrial products, whole plants, and new technologies, such as chemical processing plants, oil refineries, synthetic rubber plants, electronic computer parts, research laboratory equipment and so forth.

Given a long-run cold war viewpoint, in the 15 years of the 1950–1964 period, Free World exports to the Red Empire have totaled some $49 billion, and in 1965 they well exceeded the $50 billion mark. Although total imports from the West make up only a little over 1 per cent of USSR's gross product and about 2 per cent of the combined gross product of the other East European Red states, and despite the even lower aggregate significance of this trade for Western Europe and the United States, over time this trade is substantial for the build-up and cold war potential of the Red Empire. And in any given year it bears disproportionate significance for selected Red industrial targets, trade between the Red states of Eastern Europe and the Western industrial countries was about $3.5 billion each way in 1964, or a total trade turnover of approximately $6 billion. It grew over the past decade by nearly 10 per cent, exceeding the rate of growth in the overall trade of the Western industrial states. For Western European countries this trade has averaged about 3½ per cent of their total trade, for the United States scarcely 1 per cent.

Those overemphasizing these small proportions as justification for more liberalized trade demonstrate their insufficient grasp of Red economic strategy in the Cold War. Regardless of the facades of "increasingly independent" Yugoslavia, Poland, and Rumania, this strategy is substantially no different from the past totalitarian economic strategy of the Axis powers, with stress on overall self-sufficiency, accelerated build-up by overcoming current deficiencies, and controlled trade and foreign exchange operations. In essence, the errors of thirty years ago are being repeated again. Some 50 per cent of all trade between the empire and the Free World is accounted for by the COCOM countries, predominantly the West European ones (non-European are the U.S., Canada, and Japan). In relation to the Red Chinese sector of the empire, Free World trade has also increased over the past decade, rising from $740 million in 1953 to $1,505 million in 1963.[9] West Germany, Japan, Great Britain, France, Italy, and Canada show up in the figures as the leading traders with the Red Empire, taking into account all sectors.[10]

When talking about "strategic items," one need exercise only a minimum of common cold war sense in assessing these day-to-day reports: (1) according to Moscow, USSR trade with developed capitalist nations rose 15 per cent in 1964, chiefly in industrial products (USSR foreign trade increased more than 75 per cent since 1958, to about $15.3 billion, of which 75 per cent is with other parts of the empire);[11] (2) Swedish firms contracted to supply Red China with mining equipment worth $7 million;[12] (3) France has contracted to supply Red China with heavy duty trucks valued at $30 million, apparently the most important single industrial contract between Red China and a Western Country.[13] Similar items abound monthly and add up to sizeable absolute amounts yearly, at least in the light of their significance for Red economic strategy.

RED ECONOMIC STRATEGY

As stressed at the outset, there have been grave limitations in general understanding of Red economic strategy, which is part and parcel of overall Cold War strategy as directed mainly by Moscow, the chief power center of the Red Empire, and to a lesser degree by competitive Peking. Also as indicated above, this strategy is not new, though it enjoys a considerably broader framework than prevailed prior to World War II at the hands of the Axis powers which did not command the resources now at the disposal of the Red totalitarians.

The elements of Red economic strategy, which even lends itself to diagrammatic exposition, include accelerated economic growth, self-sufficiency, overcoming short supplies, selective bilateral trading, sustaining cold war commitments, inroads into the underdeveloped areas, East European industrial assistance for the USSR, increased productivity and fulfillment of plans, acquisition of latest technology, data, and managerial ability, Russian exploitation of the empire, concentrated deficit payments in gold. and a growing integration of the empire—all interrelated and oriented to serve the consummate goals of political subversion, takeover, and empire expansion. All of these fundamental elements fit into a working pattern of operation in which the industrial Free World countries are to play their vital, assisting role.

Many salient points in this deficient understanding, in not perceiving the situation as a whole, can be elaborated upon. For example, on past empire assistance, Secretary of State Dean Rusk has admitted, "Even before we recognized the U.S.S.R. diplomatically, the Soviet Trading Company, Amtorg, operated widely in the United States, and American engineers and private corporations helped to build industrial plants and installations in the Soviet Union.[14] This valuable assistance contributed heavily to the economic and military build-up Soviet Russian imperio-colonialism, the effects of which have been felt by the West since. Today, under the illusion of fostering the "independence" of East European "satellites," we are being pressed to strengthen the extended Soviet Russian Empire largely through trade with its outer integral parts. It is not generally recognized that an extraordinarily high percentage of U.S.S.R. imports from its Red partners in Eastern Europe is made up of industrial equipment and machinery. Rising significantly over the recent period, this machinery component represented 39 per cent in 1958, but 45 per cent in 1963 and with greater overall trade.[15] Thus, when one reads "Present trends toward decentralization of the economic systems of the Eastern countries deserve a positive response from the West," he cannot but wonder about the politico-economic vacuum such statements are conjured up in."[16]

Thirty years ago statements of intention and aims issuing from the Axis powers were virtually ignored and even scoffed at. It is quite evident that today similar Red statements are not read or understood. They well support the facts presented here. Just to cite a few examples, it is well to recall the Marx-oriented statement of Lenin, "When the time comes to hang the capitalist class, they will compete with each other to sell us the rope." Khrushchev clearly stated in 1958. "We will soon need a large amount of equipment which must be designed and produced anew. It would also be expedient to order a part of this equipment in capitalist countries, primarily the United States, West Germany, and Britain." In 1959, during his visit here, he spoke quite frankly. "Some thirty years ago when our country started building a large-scale industry, good economic contacts were established with leading United States firms. Ford helped us build the motor works in Gorky. Cooper, a prominent American specialist, acted as a consultant during the building of the hydro-electric power station on the Dnieper, which in those days was the biggest in the world. Your engineers helped us build the tractor works in Stalingrad and Kharkov. Americans, along with the British, were consultants during the construction of the Moscow subway." He also stated he wants more, following this up to the end of his reign. "We need to study all the best achievements, the best foreign experience, and apply this ourselves in order to obtain higher labor productivity."[17]

One of Khrushchev's successors, Premier Kosygin continue this strain by indicating the USSR's desire to "link the long-term economic planning with foreign trade prospects to expand the Soviet market for western goods and the production of Soviet goods for export."[18] In the Red trade campaign in the Middle East and Southeast Asia, the Czechoslovak Statistical Institution observed ten years ago: "Czechoslovak participation in this expansion of trade is not guided by purely practical consideration. It follows a plan carefully drawn up in accordance with political considerations."[19] The director of the Department of Circulation of Goods in the Rumanian State Planning Commission states plainly: "We put great emphasis on modern techniques. We do not purchase equipment from abroad unless we are convinced that it is at the top of the world in technology. We find that the United States, West Germany, France and Great Britain make the finest equipment and we want to procure it. This accounts for the increase in our trade with the West."[20]

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[8] *Export Control*, 73rd Quarterly Report, 3rd Quarter, 1965, Department of Commerce, pp. 4–5, 19–20.

[9] *A Background Study On East-West Trade*, Committee on Foreign Relations, United States Senate, 1965, p. 67.

[10] Op. cit. *East-West Trade*, Part II, pp. 186–187.

[11] *Reuters*, Geneva, May 5, 1965.

[12] *The London Observer*, June 29, 1965.

[13] *Toronto Globe & Mail*, Peking, June 7, 1965.

[14] *East-West Trade*, Part I. Hearings Committee on Foreign Relations, United States Senate, 1964, p. 3.

[15] Op. cit. *Current Economic Indicators for the USSR*, p. 154.

[16] *East-West Trade*, Committee for Economic Development, 1965, p. 18.

[17] *East Europe*, October 1964, p. 40.

[18] *New York Times*, December 10, 1964.

[19] *The Observer*, December 11, 1955.

An East German economist sheds light on another dimension, eventual military and political concessions by the West: "The fact that not only the working people but a substantial section of the bourgeoisie in Western Europe want closer economic relations between the two systems opens up broad opportunities for supplementing the political struggle for peaceful coexistence with economic struggle. The creation of a nuclear-free zone in the centre of Europe, renunciation by Bonn of nuclear armaments and the policy of revenge, and peaceful settlement of all outstanding questions, could create a favorable climate for closer economic collaboration between all the European countries."[21] Here a Communist writer gloats. "During 1964, big holes were torn in the remaining barriers against free trade between Socialist countries and U.S. Allies. The volume of such trade spurted forward at an accelerated rate. A further shift in domestic views put a majority of American business in favor of East-West trade."[22]

These statements are sufficient to indicate the primary factors at work in this issue. Discussion about laws, patent rights, copyrights, outstanding indebtedness and the like is of secondary importance and suggests a blind willingness to trade with the empire. If we believe, for example, that more liberalized trade would contribute to peace, the growing independence of the "satellites," and a fairer share for American business, then an easy resolution of these secondary problems should take effect, with the Red regimes doubtlessly accommodating it in no small degree. Prior to its recognition by us in 1933, the USSR repudiated debts to the U.S. valued about $628 million. During World War II, the USSR received approximately $11 billion in U.S. lend-lease aid. By pillage, reparation, and expropriation Moscow collected over $30 billion worth of property in Germany and elsewhere. All this did not deter us in 1951–52 to offer a negotiating figure of $800 million for Moscow to settle its debts. It balked with a counter-offer of $300 million.[23]

If we disregard the content of Red economic strategy and plunge into liberalized East-West trade, some nominal settlement of outstanding obligations may be expected or the Johnson Act may be repealed. Concerning patents and copyrights, the trade-eager Russians have already demonstrated their civility by becoming the 68th member of the Paris convention for the protection of industrial property. This "concession" is not without several subsidiary advantages to the Russians, such as buying the complex know-how along with the patent, obtaining foreign exchange from the sale of its own patents, and continued difficulties we would encounter in finding out how our patents are being used in the closed society of the USSR. Moreover, with the dubious argument of increasing their purchases here, the Russians will seek the elimination of what they consider a discrimination against their exports to us, namely withholding the most-favored-nation treatment from their exports.

Exclusive concern with these secondary problems cannot but abet the objectives of Red economic strategy for it reinforces the underlying assumption of liberalized trade. In 1955, Khrushchev illumined the essence of Red totalitarian trade when he said, "We value trade least for economic reasons and most for political reasons." It appears rather naive for many Americans to believe that trade with the empire is a peace-contributing, normalizing agent. Trade has been and will continue to be an essential weapon in the arsenal of Red economic warfare. The outlines of Red economic strategy are clear for all to see: (1) acquisition of the best of Western technology in its broadest sense to augment productivity, accelerate economic growth, and reap surpluses for intensified Cold War operations; (2) furtherance of the empire's integration on the basis of national division of labor and a heightened intra-empire trade facilitated by products from the Free World; (3) marginal penetration of the markets in the underdeveloped areas, also indirectly assisted by Free World industrial trade and leading to political involvements designed for eventual takeover, and (4) playing off one Free World industrial competitor against another with the aim of advancing political divisions among allied Free World nations.

Anastas Mikoyan, the skilled Armenian trader and former president of the USSR, confirmed the foundation of this strategy when in 1961 he indicated how the industrial part of the Free World was to assist: "It will be necessary to make wide use of foreign trade as a factor for economizing in current production expenditures and in capital investment, with the aim of accelerating the development of corresponding branches." In short, whether by direct trade with Moscow or indirectly through the parts of the CEMA network (Council of Economic Mutual Assistance) meaning Bucharest, Warsaw, or Prague and others, the West is to enable the empire to leap over years of research and development cost so that it may be strengthened to pursue more rapidly its global objectives.

A POSITIVE POLTRADE POLICY

What goods are strategic? From the analysis given here it becomes clear that virtually no good for export to the empire is nonstrategic. Its cold war economies thrive on fertilizers, food, transport facilities, plastics, clothing, etc. as they do on imported technological data, heavy machinery, and military weapons. As a vital instrument of the Red states, trade covers deficiencies in the economy, influences policies of less powerful states, affords channels for acquiring useful information, permits industrial espionage, has wide propaganda uses, allows for psycho-political penetrations of countries and their dependence on the empire without having to go "Communist," and gradually leads to a displacement of Western influence in the areas, primarily through political agitation for socialism, nationalization, and the imitation of totalitarian economic plans. In sharp contrast to normal, standard Western practices, the Red trading mechanism embraces all of these factors—ingredients of economic warfare.

One of the striking aspects of East-West trade discussion is the confusion surrounding the definition of "strategic materials." Either the discussant prattles the term with no precise definition offered or he defines it solely in terms of military weapons, disregarding the intermeshed military-political-economic mix in a totalitarian economy oriented fundamentally toward Cold War goals. It cannot be said that the Reds, like the Nazi and Fascist totalitarians, haven't time and time again specified their desires, methods, and aims. As another example, Eugin I. Cortemiev, deputy chairman of the USSR Committee for Inventions and Discoveries, frankly told a National Association of Manufacturers conference in New York that for the latest and best technology "We are prepared to conclude not only separate license contracts but also permanent agreements on the exchange of patent rights and technical information between your companies and us."[24] An examination of the reports by the recent U.S. business mission to Poland and Rumania, shows a hungry appetite by the Red regimes for American techniques. Concerning the Polish, "They are very much interested in any form of cooperation with U.S. computer manufacturers, peripheral equipment manufacturers, and U.S. producers of integrated circuits, measuring and testing instrumentation."[25] The same applies to the Rumanians. American businessmen are quite capable of meeting this demand, but they also make clear their inability to determine the politico-strategic importance of such trade.

Clearly, our failure to recognize the varying strategic character of all goods, consumer and capital, to the planned cold war economies of the Red Empire has bred a series of policy failures that render our posture irrational and self-defeating. Inadequate food for instance, does not exactly bolster a Red regime's relations with the underlying populace in terms of exacted productivity, stoic acquiescence, and reduced frictions and resistance, all of which have their impact on the overall strength of the state. Our basic failure to face up to the broad strategicity of goods has accounted for the little pressure exerted on our allies to restrict their trade with the empire, the little discipline we've displayed with our own recent exports, our own violations of the Battle Act during the Korean War and since, and the rash of Free World trade with Red China while the U.S. defends the sovereignty of South Vietnam. The proliferating anomalies in the vital situation are logically traceable back to this basic failure.

The problem is not as complex as the confused thought on strategicity would make it appear. Chemical plants, for example, are a top priority item in Red import demand. Missilery, space technology, munitions, agriculture, and general industry depend heavily on such plants. Strategic? As a restricted study by the Center for Strategic Studies at Georgetown University discloses, our Manufacturing Chemists Association knows they are and, despite naive State Department urgings on Rumanian trust as to use, the group has consistently shown a reluctance to support their export to the empire. The oil offensive of the empire is a story in itself, an excellent example of empire integration through the Friendship Oil Pipe Line and also economic aggression. Strategic? The American Petroleum Institute knows it is and has opposed exports of oil processing facilities to the empire. These cases can be multiplied along the entire spectrum of economic goods entering into a planned cold war economy.

What can we do? On the basis of given evidence, the first thing is to recognize soberly the absence of a rationally appropriate and effective Free World trade policy toward the Red Empire. Second, to urge a complete embargo, such as exists against Red China, North Korea, North Vietnam, and Cuba, or to advocate freer trade with Eastern Europe because our allies indulge in it or because of accidental gestures on the part of the "satellites," is in the present situation an extreme course disproportionate to our strategic cold war needs. It is obviously not entirely true, as the President's Commission maintains, that "The United States has three alternatives. It can leave things as they are. It can eliminate this disparity through action across the board that would bring U.S. trading practice into line with those of our allies. Or it can modify its practices selectively and on a country-by-country basis." [26] In reality, there are two other alternatives—a complete embargo and selective country-by-country trade on the basis of political concessions; in other words, the latter being a poltrade policy with the same approach as the commission's third alternative but with a different and realistic, cold war political basis.

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[20] Daily CONGRESSIONAL RECORD, November 12, 1965, p. A6427.

[21] Karl-Heing Domdey, "Economic Contacts Between the Socialist and Capitalist Countries of Europe," *World Marxist Review*, November 9, 1965, pp. 9–14.

[22] Victor Perlo, *New World Review*, December 1964.

[23] "Special Study Mission to Europe, 1964," Committee on Foreign Affairs, House of Representatives, 1965, p. 8.

[24] "U.S. Technology Sought in Soviet," *The New York Times*, June 12, 1965.

[25] Thomas P. Collier, "Poles Enter Electronic Age," *International Commerce*, November 15, 1965, p. 14.

The poltrade policy has these five dominant characteristics: Cold War realism, freedom instrumentation, a via media approach, a formula for maximum flexibility and consistency, and a structure for positive Free World action. The first characteristic has been reflected throughout this analysis. Its content constitutes the very foundation of this poltrade policy. It refutes as illusory the basic assumptions and major reasons given for liberalized trade with Eastern Europe and emphasizes the Red economic strategy, the aggressive nature of Red trade, the vital distinction between Red states and the underlying captive nations, Red empire anarchy and integration, and the self-defeating character of unconditional Free World trade with the empire.

Indeed, the more one contemplates the clear-cut benefits of unconditional trade to the Red totalitarians, the more concerned one becomes about the acute vulnerabilities of the Free World. The trade issue cannot be divorced from "wars of liberation" and a host of other interrelated phenomena. Even this would be indicatively pertinent, "We have evidence," disclosed the Venezuelan Minister of the Interior, Gonzalo Barrios, "that Venezuelan Communists have been getting money from the Soviet Union, using the Italian Communist party as a vehicle. The Venezuelan Communists recently asked for additional funds designed to organize a large-scale subversive plan." [27]

Freedom instrumentation is the second characteristic, meaning the full use of trade as a means of sustaining and expanding freedom. Liberal trade advocates argue in terms of freedom, too, but their false notions about the weaning process and evolution have already been noted. With cold war realism, we should scarcely hesitate or fear utilizing trade as a freedom weapon just as the Red regime manipulate it as a weapon for conquest. Vague rhetoric about bridges of understanding, contacts with peoples, and exchanges of ideas could hardly forge such a weapon for freedom. In the present-day context only trade predicated on specific political concession values, involving even pecuniary subsidy, can guarantee such a weapon.

The Red regimes would not, of course, find this policy of their liking. Early in 1965 the Polish premier, Josef Cyrankiewicz, already "warned the West not to demand political or ideological concessions in exchange for increased trade." [28] He seems to forget that the empire desperately needs this trade, not we. On the Free World side former Chancellor Ludwig Erhard of West Germany issued another type of warning when at the 13th Congress of the Christian Democratic Union he bemoaned the fact that some Western nations are "competing with each other to give the Communist East long-term credits without getting any political concessions in return." Short-term credits are also important, and on this basis West Germany has led the others in East-West trade. It cannot be emphasized too strongly that the United States leads in overall technological development, and it is this fact which places it in a unique position to determine how far the Red regime can partake of it.

Another important characteristic of the poltrade policy is its via media approach, a general avenue between a complete embargo and free trade, yet participating in their negative and positive natures in unlimited possible combinations of bids and offers. The approach would be sharply differentiating, in breadth and depth even more so than that of the present policy. The reasons for this are an awareness of the general strategic character of all goods for the Red cold war economies and their varying degrees of strategic importance, and of the different political conditions existing in various parts of the empire in terms of oppression, persecution, special restrictions, and opportunities for internal pressure. These are the two broad bases for the operation of the poltrade formula, which would proportion trade bids to political concession bids.

Much is uncritically made of Yugoslavia as an example of wisdom in our present policy, for $3.5 billion in U.S. assistance chalked up are its "independence" from Moscow, about 70 per cent of its trade being done with the West, and a cozy association with Free World economic organizations. Yet it's extremely difficult to perceive the political values of this pragmatic wisdom. From viewpoints of ultimate survival and ideological hue, Belgrade's interests are inextricably tied up with Moscow's and, just to mention one example, Tito's record of condemnations against U.S. action in the Congo, Vietnam and the Dominican Republic, and concerning Cuba constitutes ironic compensation of the most indescribable type. Belgrade trades with Havana and, despite its minor power on the global scale, has played for the empire a unique role of diplomatic broker. Also, the thought of Yugoslavia setting a pattern of profitable practice for others in the Red Empire, and to the net advantage of the empire, seems to elude many. This pattern was formed not by design but rather by necessity of response to internal and external problems. In any case, the wisdom of our policy toward Yugoslavia has worked against the freedom of the various nations in that totalitarian state, as its broadened application certainly will against those in Rumania, Poland, Hungary and others.

Turning to the poltrade formula, one can see that it would be practicable and adaptable for all changing circumstances. Scaled to priorities of political consideration, the formula allows for long-term and short-run credits, as well as cash payments. It deals in producer, capital goods and consumer goods, as well as managerial ability, organization, and technological data. In sharp contrast to present U.S. policy, it advances a principle of consistency in that its application would be directed at the Asian sectors of the empire as well as the European and Latin America. The avid use of the formula would produce considerable politico-propaganda values since all trade transactions would necessarily be tied to specified political items. Bids for specific political concessions would make the latter integral parts of the economic valuation process just as much as Red bids for machines, etc.

Moreover, application of the formula would unambiguously work in behalf of the captive nations; it would not accommodate without real cost the empire's economic plans; it would uphold the efficacy of our foreign aid program by relating Red subversive efforts in the underdeveloped areas to trade offers; and it would provide the U.S. with an effective leverage to solve the problem of unconditional West European trade with the empire and reorient much of this trade toward intensified intra-Free World trade. A vigorous and well-planned poltrade policy with alternative advantages for our allies and a consuming emphasis on trade for freedom would find few, if any, Free World nations seeking to help the empire unconditionally, particularly as concern savings in intangible values of time and costs of research and development.

Steps in applying the formula would in general be simple, methodical, and in graded order: (1) as in present policy, military weapons and space technology face complete embargo; (2) most advanced producer good, technology, managerialism and data would be proportioned to poltrade bids of the highest value, entailing free elections, enforcement of the national self-determination principle, the opportunity for political party opposition, and the satisfaction of legal obligations in World War II treaties; (3) trade in less advanced producer goods, engendering set-up of whole factories and organizational plans, would call for proportionate poltrade values in the order of dismantling the Berlin Wall, Russian, Czech, etc. exodus from Cuba, the withdrawal of USSR trooops from Hungary and other captive areas, a vastly expanded cultural exchange program, proven Red support of subversion in Vietnam, etc.; (4) trade in consumer goods would also be differentiated on scales of recency, quality, and quantity and proportioned in terms of prevailing conditions and acts of religious oppression, slave labor employment, civil suppression, unjust arrests and imprisonment of Free World citizens, atrocities, the need for rehabilitating political prisoners and so forth.

These are the four general categories of poltrade application into which further specific poltrade bids would be fitted as developments and circumstances demand. Another manifest advantage of such constant predication is that the real causes of our foremost problems today will be kept in the forefront of world attention and thought. Except for a complete embargo and its justifying reasons, this is not the case with the other alternatives; indeed, they submerge these causes into temporary oblivion. Again, the argument that the empire would refuse to trade under such poltrade conditions misses the whole, crucial point of trade as a weapon for real freedom and the tremendous leverage possessed by the West. Pursuit of the present course means endowing the Red economies with intangible values of shortened time and reduced real costs of development without, in this dimension, receiving anything in return except the spurious satisfaction of believing that dispersed contacts would lead to "greater understanding" and "evolution toward peace." Also, in the cold war context, to literally aid them to undermine us in time and everywhere is the height of folly. Rationally, a quid pro quo is demanded in these dimensions and can only be realized through advanced bargaining for counterpart, intangible freedom values. If the Red states are desperately in need of this trade, as they indicate to be, the best test of their determination is this quid pro quo approach.

As mentioned earlier, the formula's application would, of course, receive detailed treatment in relation to each Red state. If Hungary, for example, seeks Free World trade, in addition to the items stated above there are the genocidal abortion laws, the case of Cardinal Mindszenty, the reduction of the Iron Curtain, release of political prisoners, freedom of assembly for the Petofi Circle and others, and a reciprocal distribution of U.S. literary output in Hungary. The same detailed treatment can be applied to any other Red state. Doubtless, the totalitarian regimes will cry about "interferences in internal affairs," their "national sovereignties" and the like, but these protestations are thoroughly arid in the light of history, the empire network, the basic solidarity of the Communist Parties, and the international Red conspiracy.

Lastly, the structure of positive Free World poltrade would to a notable degree be erected by the initiative and leadership of the U.S. and its poltrade policy. Though the structure should be built concurrently with the adoption of the policy, unilateral U.S. action would itself become a constructive, efficient cause for the moulding of the institution. The objective is, of course, a unity of action primarily with our West European allies. The present lack of such unity is to a great extent ascribable to our own failure in providing the necessary leadership in the Cold War, over and beyond the military umbrella and foreign aid. A new, concentrated initiative by us should aim at the formation of a NATO Council on Free World Trade. The move would undoubtedly infuse a new life of working partnership in the Atlantic community.

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[26] Op. cit. *Report to the President*, p. 5.

[27] *AP*, Caracas, Venezuela, April 12, 1965.

[28] *Reuters*, Leipzig, East Germany, March 1, 1965.

The Council's prime function would be a multilateralization of the poltrade policy. Free World countries, such as Japan, would be included as associates. Japan has been pushing its trade with the empire (Japan's trade with it increased 15 per cent over 1964 and amounts to less than 7 per cent; about $400 million with Red China, jumping 60 per cent over 1964, $30 million with North Korea, and small amounts with North Vietnam). With this economic power assembled, in the ratio of 3 to 1 to the entire Red Empire, the so-called Communist economic offensive would become a sterile exercise as the Free World market, particularly in the underdeveloped areas, becomes in every sense a true, free market. The new structural framework would, with qualification, accommodate the inclinations of our allies as expressed, for example, in a resolution by the six-nation Common Market Assembly stressing "the political and economic importance of trade relations with state-controlled trade, in particular with neighbor countries of East Europe, and the desirability of developing them"—yes, toward genuine freedom. Canadians selling $403 million of wheat to Red China, Italians buying natural gas from the USSR, Greeks selling wheat to Bulgaria, and multiplying day-to-day reports on unconditional Free World trade with the empire would receive an entirely new assessment under the sway of a rational poltrade policy.

Only thirty years ago we substantially committed the same trade mistake with another breed of totalitarian powers. This time it is even worse because of the cold war subtleties involved and the trained capacity of the enemy to compound the use of his relatively inferior resources. In the final analysis, the requirements of the present situation are a firm understanding of Red economic strategy, the launching of a poltrade policy to counter this strategy, and a national will to see it through. Frequent comments on the current disunity, the alleged ambiguity of strategic materials, and "our allies are trading with them" are only convenient rationalizations for less than firm action in behalf of expanded world freedom.

IS UNITED STATES REALLY FILLED WITH POVERTY?

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I bring to the attention of all Members of this body an article from the September 4 issue of U.S. News & World Report by Prof. John B. Parrish on the degree of poverty in the United States. It is well worth the time it takes to read it, and should serve to clear the air just a bit.

IS UNITED STATES REALLY FILLED WITH POVERTY? A LOOK AT THE FACTS

(NOTE.—How many Americans are really in poverty? Thirty million? Eighty million? Or only a handful? This article, written for "U. S. News & World Report," is based on a study of poverty—and of the "poverty cult" that has developed in this era.)

(By John B. Parrish, professor of economics, University of Illinois)

When future historians write the history of the 1960s, there will be no more extraordinary episode in their accounts than the rise of America's "new poverty" cult. Intellectuals from every social-science discipline, every religious denomination, every political and social institution have climbed abroad the poverty bandwagon.

This article is concerned with a few fundamental questions: How did the new cult get started? What are its claims? Does the economic evidence support the claims? Are we moving toward a new and better social order or toward social chaos?

After a decade of exploring every nook and cranny of the poverty world, the "new poverty" cult has settled on a few basic doctrines which together form a dogma that apparently must be accepted on faith. These claims may be briefly summarized as follows:

1. The economic process, which in earlier years brought affluence to a majority of Americans, recently has slowed up and apparently stopped. As a result, a large minority of Americans are "hopelessly" trapped below the poverty line.

2. The size of this poverty population is "massive," and may be increasing. Minimum estimates place the number at 30 million, maximum at nearly 80 million.

3. Despite its great size, the poverty population is hidden away—"invisible," unknown, unwanted, unaided, helpless.

4. The hard core of the "other America" is the Negro. Because of racial discrimination, he has been unable to participate in economic progress. He is frustrated, embittered, forced to live outside the affluent society of the majority.

5. The "new poverty" can only be eradicated by massive, federal social-action programs involving income maintenance, self-help, education and training, in a milieu of racial integration, the latter voluntary if possible, compulsory if necessary.

Does the evidence on diffusion of economic well-being support the "new poverty" cult? Has diffusion mysteriously slowed to a halt, leaving millions "hopelessly trapped"? Are 30 to 80 million suffering acute deprivation in today's America? The plain truth is there is no basis in fact for the "new poverty" thesis. The high priests of the poverty religion have been exchanging each other's misinformation. Let's look briefly at some illustrative evidence.

Diet. The diet of U.S. families has continued to improve steadily over time until today at least 95 per cent, perhaps 96 per cent or 97 per cent of all families have an adequate minimum daily intake of nutrients.

Automatic cooking equipment. Are 20 per cent, perhaps 40 per cent of U.S. families without decent equipment with which to prepare this food intake? No. As a matter of fact, 99 per cent of all U.S. households have automatic cooking equipment, including most of those families living in rural and urban "ghettos." The diffusion has been consistent and persistent over the last six decades.

Refrigeration. Could it be that millions of American families are experiencing dull and dreary meals because they have no way to preserve foods and beverages against spoilage? No. About 99 per cent of all U.S. families have purchased electric or gas refrigerators. It is reasonable to assume they know how to operate them, even in the "ghettos."

Communication. Are millions of America's poor shut off from all contact with the rest of their affluent countrymen—alone, frustrated, in that "other world" of poverty isolation? At last count, the diffusion of TV sets had reached 92 per cent of all U.S. households, providing instant access to entertainment, news, sports, cultural enrichment. Since a small per cent of middle and upper-income families who can afford TV have chosen not to buy, the per cent of families having TV who want it must be around 96 or 97 per cent—a diffusion achieved in just 15 years.

Medical aid. Have the "new hopeless poor" found the doors to modern medical service "slammed shut," forcing them to rely on quack remedies, superstition, midwives, or to die alone and unattended?

In 1910, only one of every 10 American families had access to hospitals for childbirth. The diffusion since then has been spectacular and persistent for all groups, including nonwhites. By 1960, over 97 per cent of all American women had their babies born in hospitals. Today it is somewhere between 98 per cent and 99 per cent.

The luxury of telephone service. Telephone service is ordinarily not a rock-bottom consumer necessity. It is useful and convenient but not an absolute requirement, as was demonstrated during the Great Depression of the 1930s when the per cent of families with telephones declined.

Yet today nearly 90 per cent of all U.S. households have telephones. Since there are still a few pockets of unavailability, it is reasonable to conclude that close to 95 per cent of all U.S. households in availability areas who would like this luxury actually enjoy it.

THREE POVERTY FALLACIES

The foregoing illustrative evidence raises an interesting question: *How can the "massive" group of America's "hopeless poor" buy so much with so little?* Perhaps this basic question can be put another way: How could the poverty intellectuals be so wrong? The answer is actually very simple. The intellectuals have chosen to be wrong. Most members of the "new poverty" cult are quite well-trained in statistics. Some are acknowledged experts. They know better. But, for the sake of the "new poverty" religion, they have chosen to accept three poverty fallacies.

The "new poverty" cult has built much of its case on family-income statistics. Some technical matters aside, there is nothing wrong with these statistics, per se. But there is something wrong, very much wrong, with their use. It is impossible for anyone adequately to interpret them in terms of average family economic well-being.

Poverty fallacy No. 1 got its big push from the 1964 report on "The Problem of Poverty in America" by the Council of Economic Advisers. CEA determined that households with less than $3,000 annual income were in poverty. Using this income yardstick, it was determined that 20 percent of U.S. households containing 30 million persons were in the poverty class.

This report provided a wonderful takeoff point for poverty statisticians. With 30 million to build on, it was not difficult to find millions of additional families who should be added to the poverty population. The poverty numbers game became quite exciting. Who could count the most? Honors so far have gone to those claiming nearly 80 million. A majority of cult members have settled for a more modest 40 to 50 million.

The truth about poverty-income statistics is this: Under no reasonable assumptions does income below $3,000 indicate poverty status. It may or may not, and to say otherwise is not only erroneous but absurd.

Let's take as an example a young married couple, the Smiths. They are attending college. They constitute a statistical household. Their annual income is $1,500 a year. They are not being "hopelessly" shut out from the good things of life. They are, along with other American youth, enjoying a rate of access to higher education greater than the youth of any country, any time, any place. They enjoy electric lighting, refrigeration, adequate if not fancy food, and a second-hand automobile or motorcycle. They would like a new Cadillac, but will manage without one. They aren't "poor" and need no crocodile tears shed in their behalf.

At the other end of the life cycle are the Joneses. Mr. Jones has been a machinist all his life. He and Mrs. Jones had always wanted to visit the country's great national parks after the children had grown up and left. So he has opted to retire at age 60. The retirement income will come to only $2,000 a year. Are they poor? The poverty cult says, "Yes," these people are suffering from deprivation. They have been "hopelessly" cast aside. Yet the truth is they have a small home paid for, a modest automobile paid for. They enjoy refrigeration, automatic cooking equipment, inside plumbing, TV, enough clothes to last for years—the accumulation of a lifetime. And now they propose to enjoy more leisure, in more comfort, for more years than similar working-class families of any country, any time. The Joneses think the Council of Economic Advisers is statistically wacky.

And take the Browns. They are in the middle years. Both Mr. and Mrs. Brown work. Their three children are in school. They have a modest new home, partially paid for, some savings, some insurance, good clothes—yes, and a paid-for refrigerator and TV set. They have a new car and six installments still outstanding. Mr. Brown becomes ill. Mrs. Brown quits work to take care of him. Their income drops to below $3,000 for the year. Are they in trouble? Yes. Are they in desperate consumer poverty? Are they "hopelessly trapped"? By no means. After a tough year they will resume as members of the affluent society even by CEA's definition.

ECNOOMIC WELL-BEING: CUMULATIVE

These illustrations could be multiplied many times. Cross-section households-income statistics are a very inappropriate yardstick with which to measure economic well-being, which is a longitudinal and cumulative process.

Let's return for a moment to the telephone as a luxury—or at least a semiluxury—consumer good. Now take the desperately poor on whom the doors of affluency have presumably been "slammed shut." Now take the "poorest of the poor"—those at the very rock bottom of the income scale, those desperately deprived households earning less than $500 a year. You just can't get much poorer than that.

Now observe that nearly 60 per cent of these poorest of the poor had telephone service in 1965. How could this be? Why would families presumably facing the grim miseries of malnutrition order telephone service? And, if we make allowance for the availability factor and the "can afford but don't want" factor, then it is reasonable to conclude that 70 to 80 per cent of America's poorest poor had telephones in 1965.

If this is the "new poverty," it is apparently not too severe. How to explain this paradox of income poverty, consumer-goods affluence? The answer is quite simple. Income data are a very bad measure of economic well-being. The Smiths, the Joneses, the Browns, all had telephone service even though the CEA's income statistics put them in the "poverty class."

There is a second big fallacy in the "new poverty" claims, and in some respects an inexcusable one. The poverty cult measures the economic well-being of families at all income levels by determining what they can buy with their income at current retail prices. In fact, the poverty cult makes much out of the fact that because of the greed of retail merchants and the gullibility and lack of buying savvy on the part of many poor buyers, the "new poor" actually pay more for the same goods than the affluent classes. This is hogwash.

The truth is, America's low-income classes have access to a low-price consumer-goods market in which prices are a fraction of published retail prices, and in which the purchasing power of "poor" dollars is multiplied many times. This discount market yields levels of consumption far above that indicated by retail prices.

As the poor could explain to CEA and the poverty intellectuals, this market is America's enormously big resale market—the world's largest. Every year, from 25 to 65 per cent of many consumer durable-goods purchases involve second- or third-hand goods moving in established trade or in informal, person-to-person channels.

Take as an example a popular consumer durable good, the electric refrigerator. In 1923, this appliance was a new item. In current dollars, it cost around $900. Its capacity was small, averaging less than 6 cubic feet. It averaged only six years of service life, or about $150 a year. There were too few produced, and service was too short for a resale market. Only the rich could afford a refrigerator.

Today a good new refrigerator can be purchased for about $300. Its capacity will average about 10 cubic feet. Service life will be around 18 years. The average replacement year currently is around 10. So the first buyer pays about $30 a year, minus trade-in. Resale value will be about $50. This will permit the second buyer to purchase eight years of the same quality of refrigeration for about $6 a year. The low-income buyer, not particular about the latest style, has expanded his purchasing power 500 per cent over that of the first high-income buyer.

Today's low-income, "new poverty" buyer has purchasing power 25 times greater than that of the rich buyer of 1923. America's consumer durable-goods market is operating under a law of accelerating diffusion. America's low-income families are not being shut out. They are being pulled into affluence at an ever-increasing rate.

There is a big, hidden, tertiary consumer-goods market not measured even by retail or resale price statistics. This is the intergeneration movement of goods accumulated over time and handed down or distributed down one generation to another. In an affluent society this becomes a very large market. Sewing machines, automobiles, electric irons, kitchenware, furniture, silverware, dinnerware, bicycles, etc.—all these provide an enormous source of consumption for all income classes, including the poor.

GROWTH OF NO-COST GOODS, SERVICES

If ignoring the durable-goods resale market is inexcusable, the failure of the poverty cult to take account of the rapid growth in low-cost or no-cost goods and services in America is well-nigh incredible. It is incredible because much of it has been brought about by the very federal agencies whose economists have been among the high priests of the poverty cult. This failure constitutes poverty fallacy No. 3.

To illustrate: Nearly 90 per cent of all Negro births today are in hospitals. Yet the U.S. House Committee on Education and Labor in 1964 said half the Negroes in America were suffering from acute poverty, measured by income statistics. How can so many poor afford so much medical service? For two reasons: First, as already noted, the income data are faulty. But more to the point here, almost every urban community has free or very low-cost medical services for low-income families. In fact, surveys show that in some communities the lowest-income families have more medical checkups, vaccinations, chest X-rays, eye examinations than some higher-income groups.

The number of low-cost food programs has been growing rapidly. For example, the national school-lunch program provided low-cost noon meals for nearly 20 million children in 1967. The food-stamp plan provided low-cost food for 1 million persons in 1966, and was scheduled to rise to 2 million in 1967. The low-cost milk plan—along with school lunch—accounted for 5 percent of total U.S. nonfarm fluid-milk consumption in 1966, and would have expanded even more in 1967 had not cutbacks been ordered because of Vietnam.

The total number of low-income persons reached by various food-subsidy programs came to nearly 30 million in 1966, or precisely the number of persons classified as poor in 1964 by the Council of Economic Advisers. Since many of CEA's 30 million didn't belong in the poverty classification in the first place, some questions may well be raised as to who and how many poor have been "forgotten."

If the evidence suggests the "new poverty" intellectuals have grossly exaggerated the extent of poverty in America, can we now sit back comfortably and forget the poverty claims? Unfortunately, we cannot.

SOME DISTURBING TRENDS

There are some very disturbing social trends which have accompanied the spread of affluency. Even more disturbing is the possibility that the federal antipoverty programs may be causally as well as associationally related to these developments. We may be headed not toward a great new society, but toward social chaos. Let's look briefly at six problem areas, all of them interrelated:

1. The various federal-State income-maintenance programs seem to have generated an explosion of illegitimacy in America that will have far-reaching consequences for the future. The illegitimacy rate has doubled in the last few years, until today 1 out of 12 Americans is born illegitimate. At recent rates of growth, every tenth American by the early 1970s will be born out of wedlock.

2. Related to illegitimacy is the long-run growth in households managed only by females, a large proportion subsidized by various federal-State aid programs. Today in America, 1 out of 10 households is fatherless. There is every reason to expect this to rise in the future. Among Negro families the percentage is already 1 out of 4.

3. A particularly disconcerting development over and above trends for the whole population is the upsurge in the number and proportion of unwanted and unguided Negro youth. Today 1 out of 4 Negroes is born illegitimate. In some sections of large urban areas the percentage is very much higher. If the trends of 1950–64 continue, then by 1975 about one-third of all Negro youth born in the U.S. will be born outside normal family-life patterns. They will be arriving at the teen ages not suffering from malnutrition or abject consumer-goods poverty, but from acute social and intellectual poverty. The future consequences for the rest of the urban populations, both white and nonwhite, will be considerable.

4. Related to but not solely derived from problems 1 to 3 is the rise of juvenile delinquency. The rate has doubled in the last decade. How long can society tolerate such a rate of growth? At least in part, the steady climb of delinquency may be due not to poverty, but to an affluent society—more leisure, more spending money, fewer responsibilities, less motivation, failure of rehabilitative programs.

5. The diffusion of affluency has been accompanied not only by rising juvenile delinquency but by a rising rate of general crime. The rate rose by one-third, 1960 to 1964. The law-abiding segment of the population has an ever-increasing struggle to avoid the depredations of criminals, the latter experiencing not acute deprivation but the encouragement of easy and profitable pickings of the affluent state.

6. Perhaps no problem illustrates so well the failure of the poverty intellectuals than the upward drift of youth unemployment. Very strenuous and dedicated efforts have been made by the U.S. Congress to do something about youth unemployment. A great diversity of programs has been attempted. Recent conditions of tight, full employment

have provided a favorable labor market. Yet the "new poverty" intellectuals have only failure to show for their efforts. Youth unemployment has not retreated. For nearly 20 years it has shown a rise—slight for white youth, sharply upward for nonwhite youth.

Could it be the "new poverty" cult has been fighting the wrong war? Measured by consumer-goods yardsticks, less than 5 per cent of U.S. households are below the poverty line, and the percentage continues to decline.

There is a war to be fought, however. There are disturbing signs of deep social problems around us, and more on the horizon. The most rapidly growing segment of the American population is the illegitimate segment. The largest proportion of this "other America" is Negro.

Who is to discipline, guide, train this growing army of unwanted, unmotivated? The ordinary family influences, so strong among earlier ethnic groups immigrating to U.S. cities, appears to be lacking. In fact, such influences appear to be declining and may well be disintegrating.

The churches, historically an important institution in shaping constructive life patterns, appear to have limited and perhaps declining influence.

The "new social problem" is being dumped into the public schools and the police. But schools cannot discipline—and without discipline they cannot educate.

The police can discipline—but they cannot educate and motivate. Racial-integration efforts have created new antagonisms to add to the problems of the already overburdened schools and police.

PHONY STATISTICS: HARDLY CONVINCING

The poverty intellectuals say they are building a great new society. Perhaps they are. But phony statistics are hardly convincing proof. Perhaps they should take a second look. They may well be rushing us pell-mell toward social chaos. The dogmas of the poverty cult may not prove as effective as expected.

Efforts to force racial integration may bring about as many disruptive as constructive influences. We may well need some new institutions designed for the problems of an affluent society of the present, not the poverty society of the past.

If this conclusion is even partially correct, then we should be about the task before it is to late. It may be already too late.

Some clues to how much poverty in the United States

[In percent]

	1920	*1965*
Percentage of families having—		
Minimum adequate diet, or betbetter	50	95
Electric or gas stoves	28	99
Electric refrigerators	1	99
Television sets	none	92
Telephones in home	35	[1]88
Children born in hospitals	20	98

[1] In metropolitan areas.

Source: Study by Prof. John B. Parrish, University of Illinois.

WHAT IS AHEAD FOR THE CORN INDUSTRY

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, on September 8, 1967, Robert C. Liebenow, president of the Corn Refiners Association, gave the closing speech at the Corn Quality Conference held on the Urbana campus of the University of Illinois.

His remarks tell a wonderful story of the corn refining industry and the challenges that lie ahead.

One of the major refiners is located in the First District, the Hubinger Co. at Keokuk. The Hubinger Co. has been a leader in their field and we in the First District are proud of this important industry.

The speech referred to follows:

WHAT'S AHEAD FOR THE CORN INDUSTRY

(Remarks of Robert C. Liebenow)

I am grateful for the "clean-up" position in the batting order that your program chairmen have assigned me. No program would be complete without a crystal-ball session and I am honored by the opportunity to share what I see with you.

I am of the school which holds that one's thinking can always be jogged a bit by the right story and I am reminded of a story told recently by the Secretary of Agriculture. I don't know where he heard it but I don't want anyone here to think it's one I made up, so I am delighted to give credit.

The story concerns two men who were walking along a railroad track. In the midst of conversation one of them noted the whistle of an approaching train.

"What would you do if you saw two trains approaching each other on this same track?" one of the men asked.

"Why, I'd get my brother," the other one replied.

"Your brother?" asked the first man. "What could he do?"

"I don't know," the second man said, "but he's never seen a train crash."

Perhaps none of us has ever seen a train crash, but I think that all of us are aware now, more than ever before—particularly after the fine program we have had here at this conference—of some of the approaching collisions we in the corn industry are facing.

The collisions I speak of are these.

The first is the collision of corn quality. This is the very reason why we have held this meeting, and others like them in other states.

The second collision is the collision of price, for I think we in the corn industry face some tough decisions in coming months and years.

Lastly, I would like to have you think for a few moments about the collision of competition.

THE CORN-QUALITY COLLISION

Those of us concerned with corn quality face a most formidable job. Moreover, it is a task whose formidability grows as our corn crop grows and as recent changes in the marketing of corn become more pronounced.

This year we expect a total corn crop of nearly 4.7 billion bushels, 13 percent ahead of last year's production. This means that 548 million *additional* bushels of corn will be raised in 1967, and present indications are that the great bulk of this additional corn will become cash corn and, therefore, will require proper conditioning for maximum safekeeping.

It is quite probable that as much as 2.5 billion bushels of this 4.7-billion-bushel corn crop will be sold off the farms where produced. And if this advance estimate holds true, the significance of it will be that virtually *all* of the increase in corn production in 1967 over 1966 will be sold off the farms where grown.

It now appears that farmers will need to store very substantial quantities of corn under loan and reseal, both on farms and in elevators. There could be a basic collision here in implementing a storage program unless farmers become more quality conscious.

The basic reason for the corn quality problem that concerns us all is that the efficiencies corn producers have achieved in production have vastly outstripped the capacity of farmers and the grain industry to condition properly the huge amounts of corn now moving to cash markets. We are perfecting technologies to solve the problem, but we need meetings like this one to highlight the basic fact that this is a problem which concerns us all. None of us, therefore, can wash our hands and sit back and wait for others to develop the remedy.

The increase in cash markets for corn that I cited brings me to another major trend that I wanted to highlight. For increased yields and production have major significance for all segments of the corn industry.

In 1946, American corn producers raised a total of 2.916 billion bushels of corn for grain. Of this amount, 807 million bushels were sold off the farm where grown. This amounted to 28 percent of total production.

Last year corn producers raised a total of 4.103 billion bushels of corn for grain of which cash marketings amounted to 2.072 billion bushels, or exactly 50 percent. Actually, a few million bushels more were marketed than were used on the farm where grown in 1966.

Illinois farmers last year sold off the farms where grown nearly twice as much corn as was consumed for feed and seed on the farms where grown. Out of a total corn crop valued in excess of $1 billion, cash corn marketings in Illinois contributed $716 million to Illinois' 1966 gross farm income.

I am happy to note that corn refiners purchased $136,760,000 worth of Illinois corn last year, or almost one out of every five bushels of cash corn sold.

In certain areas of your state, particularly this one, the amount of corn sold off the farm where grown rises well above the state average. Les Stice tells me that some Illinois counties sell as much as 95 percent of their corn production to cash markets.

So it is in cash grain areas like your own in Illinois that this matter of corn quality has particular implications.

In the vast spectrum of the American corn industry we have the exporter, who in recent years has sent 500 million bushels to nearly 700 million bushels of corn annually to growing feed grain markets in Western Europe, Japan and other areas of the world. To this should be added the combined food-industrial uses of corn, which today total 360 million bushels annually. In addition to the more than 200 million bushels purchased by corn wet millers, this includes annual purchases of 20 million bushels by breakfast cereal manufacturers, 110 million bushels by makers of corn meal and other dry-milled products and 30 million bushels by distillers.

My point is that the corn-quality collision affects all of us. It should hardly be necessary to add, therefore, that problems of corn quality which adversely affect the smooth functioning of any of the above users of corn can only have tragic consequences over the long run, on the markets for corn generally. And this would be most harmful to the corn producer of America, for we have long passed the day when livestock and poultry feeding is the *only* important outlet for his product.

I am sure everyone is aware of the skyrocketing growth of the corn export market during the last decade. I recognize the setbacks we have encountered during the last dozen months, but forecasts of continued market growth for American corn and other coarse grains in Europe, in Japan and elsewhere are highly encouraging.

For example, the recent report of the President's Science Advisory Committee forecasts that American feed grain exports to Western Europe and Japan will rise to 29 million metric tons by 1970—nearly three times the average of 1959–61, and twice what we sent in 1964–65.

But two provisos must be appended to this optimism. One—only if we can maintain the quality of our exports. Two—only if we can remain competitive in price.

The growing volume of corn production in the United States today, and the corresponding increase in the amount of corn which moves off the farm where grown, will increasingly lead some to suggest a quick panacea which, superficially at least, seems to offer a way out of the present corn-quality dilemma.

Why not, earnest voices will ask, set up a dual corn marketing system—one for livestock and poultry feeding uses and one for export-food-industrial uses?

Such a question deserves very close scrutiny and answer. For the temptations to ask it will grow as time goes on.

The thought I wish to leave with you is that dual marketing would be mutually destructive. First of all it would impose a higher raw materials cost upon the processor user of corn. Additionally, it would require the exporter of corn to superimpose upon foreign markets the same dual system as that employed in this country. This, in turn, would reduce his competitive situation in foreign markets.

Such a system would, I am certain, be a step backward and not forward for the corn industry. Moreover, it would occur at a time when the outlook for growing markets for corn for food, industrial and export purposes was never brighter.

Less than one decade ago we experienced our first year in which corn exports climbed above 200 million bushels. This was in 1958. A decade earlier exports ran about one-half this amount. Corn exports rose to 500 million bushels in 1963, to 570 million bushels in 1964, and to a record 687 million bushels in 1965. Although present indications are that exports will fall off by one-third this marketing year, nearly 500 million bushels of corn should be exported out of the 1966 crop.

I would like to hear the arguments of those who think that this same record could have been achieved had we been married to a dual-marketing system for corn during this period. It simply could not have been done.

In 1957 corn refiners purchased 142 million bushels of corn. A study disseminated within our organization that year forecast that it would be 1990 before our industry purchased as much as 200 million bushels of corn annually. Needless to say, this projection missed its mark by 26 years, for corn refiners passed the 200-million-bushel mark in 1964 and we have every indication that their total 1967 purchases will be above this level for the fourth consecutive year.

Utilization by corn dry millers, breakfast cereal manufacturers and distillers also is maintaining or exceeding earlier levels.

So, in the light of all this, a dual marketing system in corn—one for feed uses and one for other uses—would, in short, be suicidal for all concerned.

THE CORN-PRICE COLLISION

There is no question that corn growing has become an efficient science. During the last decade and a half corn yields have virtually doubled. In our thinking about this we tend to overcredit the miracle wrought by the introduction of hybrid corn three decades ago.

I do not wish to downgrade the contributions that hybrid corn has made to the corn industry, but I think it is important to point out that as late as 1954 average yields per harvested acre were still less than 40 bushels.

The takeoff in American corn production really started in the mid-1950's and today it seems that the sky is the limit. In 1955 the yield per harvested acre rose to 42 bushels; to 54.7 bushels in 1960; to 73.8 bushels in 1965; and this year the Department of Agriculture predicts we will hit the best yield on record—75.9 bushels to the harvested acre.

All this has required huge new production inputs by the corn producer, whether measured in terms of effort expended, expenditures in plant nutrients and equipment, or in know-how.

Just recently the Food and Fiber Commission brought in its long-awaited report, in which it stated:

"The Commission believes that freely functioning markets are the best mechanisms for guiding the changes in agricultural production and marketing that will be required in the future.

"Therefore, the Commission recommends that the United States adapt its policies to accomplish a market-oriented agriculture.

"This means taking increasing advantage of the market's ability to allocate resources and distribute incomes, in the interest of making the best employment of our labor, capital and land."

Recently a number of proposals have been advanced which call for the creation of agricultural reserves, but it is significant that most of them prevent free markets and normal channels of trade from being used to the maximum extent possible; nor are the reserves properly insulated from the market, as has been proposed by numerous agricultural authorities.

The current tough sledding these proposals face in the Congress is mute testimony, at the very least, to the growing realization that while we may not yet be able to design the proper vehicles for husbanding our agricultural abundance, we do at least seek more sophisticated remedies than pure price-propping. It is well that we do so.

Sooner or later corn will have to face a day when its value will be determined in the marketplace and not by judgments made or influenced by the Government. There is no other way.

High corn prices throttle all markets for corn. I need only point to the experience of the corn wet milling industry in the late 1940's and early 1950's. Corn use by corn refiners climbed to 143.5 million bushels in 1946. A short crop the next year forced prices to skyrocket and usage by corn refiners plummeted, and it was 1958 before the industry surpassed this 1946 record.

Similarly today, the volume of our corn exports is closely geared to corn prices. It was the comparatively low corn prices in the fall of 1965 which resulted in the large export purchases recorded at that time. Forward buying at favorable prices was a major factor contributing to heavy exports throughout 1965–66. Recent market reports indicate this same situation may be repeated.

Complicating the present export picture, however, are indications that the European Economic Community is considering raising support prices for feed grains in order to encourage self-sufficiency of feed grain production in Europe. This will boost the variable levy on imported feed grains—already too high—to wholly uneconomic levels.

So I think, therefore, that we must recognize the tough competition corn will face in our export markets in the years ahead. We should avoid those actions which give an incentive to other producers to take away our markets.

There is only one answer. We must produce abundantly, and price our corn at such levels so as to discourage production in other nations. We have lost too many markets in other commodities by following the restrictive route, and we must not make that same mistake with corn.

Far be it for me to suggest to you here today what corn should be selling for per bushel. But I do suggest in all candor that we can and must avoid price-propping actions which not only fail to recognize the growth in the corn producer's efficiency but the potentially diminishing nature of his markets if prices climb to excessive levels due to crop shortages.

There is another element to the price-collision picture which also should be mentioned. The corn diversion program and payments which now guide U.S. corn production have worked fairly well.

However, I think it is time that we recognize candidly that the American taxpayer will not indefinitely foot the bill for a feed grains program which consistently costs in excess of $1 billion a year, as it has been running in recent years.

In the emotional climate in which all of us today view our budget/tax problems, I think big targets like this one invite not only the pruner's pencil, but the not always intelligent wrath of taxpayers.

So I suggest we begin to consider a gradual scaledown of the cost of the feed grains program, not because it over-rewards our producers, but because it encumbers the market orientation corn will need in the years ahead. The alternative could well be a sudden and thorough abolition of farm programs by a Congress more sympathetic to taxpayers' complaints than farmers' problems. The repercussions upon all of agriculture would be severe indeed.

One can't talk about the collision of price without mentioning President Johnson's recent statement which places his brand of approval on collective bargaining for the Nation's farmers. Recently, too, the Secretary of Agriculture has been discussing a number of bargaining ideas under consideration in the Department of Agriculture, among them a National Farm Bargaining Board.

Although President Johnson's plans will more likely appear as part of the 1968 Democratic Party platform, where they will receive extensive elaboration in a tide of booming rhetoric, the thoughts of the Secretary are rather voluminous and in sharper focus.

One seems to sense that he feels the Bargaining Board should function for farmers much as the National Labor Relations Board does for labor. Government would allow producers to fix geographical locations, determine the size and composition of a bargaining unit, and see to it that processors bargain in good faith. Legislation might also be adopted which would provide for the sharing of bargaining agency costs by producers and provide uniform prices for growers, just as a single negotiated wage now covers union members performing the same type of work in an industrial plant.

And we should not overlook the efforts of the National Farmers Organization to explain the operation of the "Grain Bank" plan authorized during NFO's recent meeting in Des Moines, Iowa. Basically, the plan is a refinement of a withholding program through the use of price support loans.

We are at a critical time in our agricultural history and we certainly do need to discuss the cost-price situations which penalize the farmer in relation to the rest of the Nation. However, some of the proposals I just discussed would do far more harm than good; other ways must be found to reward adequately the producers of our food and fiber.

The greatest danger in the production-control and withholding schemes recently proposed by the Administration and others is that they will increase market instability. Each of these programs must be weighed against the basic need of farm producers to seek and find stable, growing markets for their output. Shutdowns and startups of production are no less costly to an efficient agriculture than they are to efficient industry. Furthermore, they fail to reckon with the agility of a frustrated buyer to find a substitute product once his normal buying habits have been interrupted or thwarted.

THE CORN-COMPETITION COLLISION

The third major collision I want to etch in brief detail for you is the one I call the corn-competition collision.

We are witnessing today the fast unfolding of a myriad of new types of potentially great crops. Perhaps the soybean belongs in the vanguard of this unfolding drama. Another booming crop is sorghum.

This year we are expecting our first billion-bushel soybean crop. This output is double what our soybean producers raised just a decade ago. During this same period there has been a fourfold increase in the production of grain sorghum.

Sorghum's growth is most dramatic. The agricultural press recently has been asking a lot of speculative questions about sorghum. "Milo Grain Sorghum is Replacing Corn"—"Will Sorghum Push Out Corn?"—these are just two examples.

Although long secure from serious challenge in its number-one position as our largest and most valuable single crop, corn indeed does face growing competition today. As our agricultural plant continues its relentless drive toward greater efficiency per unit of input, we may indeed witness a day when the soybean, or wheat, or sorghum or some other crop will topple corn from its lofty position.

Some impressive claims are made on behalf of sorghum. Yields can be spectacular. The shorter growing season has many advantages. Sorghum's seeming immunity from dry weather is another plus.

We of the corn refining industry owe a deep allegiance to corn. But this allegiance is rooted in economics, not sentiment.

Our industry knows from experience that corn can be the cheapest source of starch provided the corn refiner can take advantage of the corn wet milling technology to get byproduct returns from the oil and meal which also are produced.

This is true whether the comparison is made with potato starch, tapioca starch, or any other starch competitor of corn. Proof of this is the fact that American starch usage today remains at more than 90 percent corn starch.

If we resist the temptations to price corn unrealistically, I see no reason why corn won't continue to afford corn refiners with a raw material for making starch and glucose that is reliable in terms of quality (if we choose to make it so), availability (if we dare produce it in abundance), and price (if we reject those programs which inject artificiality into intrinsic value).

However, I think we must also recognize that there is an accelerating dynamism in our agriculture today which not only has enhanced the value of such crops as the soybean and sorghum, but which is ushering in brand-new wonder crops barely heard of a few years ago.

Safflower is making a mark in the fats and oils market. Crambe, another oilseed crop, is highly touted as an alternate commodity for wheat farmers in the Pacific Northwest and the upper Midwest. Limited commercial plantings of crambe have spread from Montana and North Dakota to Wyoming, and the claims of crambe's usefulness in a wide variety of food and industrial applications are impressive.

Triticale, a genetic curiosity made by combining rye with wheat, is another grain crop of new and untried dimensions, but one which nevertheless also offers exciting new promises of future usefulness. It is said that triticale's feeding value surpasses that of corn.

All of these developments—and the many I have not even mentioned—pose many new and threatening challenges to our corn industry.

The skeptics will argue that the claims made on behalf of these new crops are too far out and too untried—and, to a degree, they may be right. Others will say that it will take years for even an established crop to pull ahead of corn, which soon will become a 5-billion-bushel crop in America. This is true, too.

But while conceding the merits of the skeptics' arguments, I also want to suggest that in agriculture as in American science and technology generally we have never before witnessed the compressing of so much development into so few years. We of the corn industry today are not reliving history, but witnessing the continued unfolding of a brand-new era in agriculture.

Unlike the man at bat who gets a new lease on life when he ticks the ball on a third swing, the corn industry must quickly face facts and recognize that economics, not sentiment, will—more than ever before—determine whether corn long continues its dominant role in crop husbandry.

First and foremost, the corn industry must begin to recognize and devise ways to combat those competitive situations which have taken markets away from corn already, or which promise to do so in the future.

With respect to the corn refining industry that I represent, I can say in all candor that our utilization of corn in recent years would have been 10 million to 12 million bushels higher annually were it not for the dents in corn starch markets made by duty-free tapioca starch.

Tapioca—known variously in different parts of the world as manioc, yucca and cassava—has been imported into this country in ever-increasing quantities in recent years. From a level of 163 million pounds in calendar 1962, tapioca imports have risen steadily since.

In 1965 U.S. imports of this competitive product rose to 358 million pounds. Imports remained near this level in 1966, and indications this year are that tapioca imports will by next December again reach a similar high for the year, or double the level of five years ago.

Because the dominant suppliers of tapioca are the nations of Thailand and Brazil—nations which are extremely important to the defense posture of this nation—the corn refining industry has been hesitant to clamor for protection from tapioca starch.

The continued increase in tapioca imports convinces us, however, that the decision to continue my industry's forbearance rests not alone on what we may think of the situation, but upon the corn producers who are ultimately deprived of markets for their corn.

Assuming that fighting for and preserving markets for corn is an occupation that concerns us all, I would hope that the corn producers of America would come to recognize that more than the well-being of the corn starch industry is threatened by this situation, if it continues unchecked. We would welcome their support.

"Corn" is a very prosaic, very common term. The word belies its true importance to the economy of this nation. Doubtless only a few Americans are fully aware of the contribution corn is making to their heavy meat-oriented diets.

Though we have, I think, the proper amount of reverence for the farsighted gentlemen who perfected hybrid American corn, we ourselves—and hence the public generally—have ceased to be stirred by the magic wrought by this annual supply of yellow gold.

Corn doesn't make the mind see visions of machines whirring, spacecraft zooming, cards with little rectangular holes popping in and out of computers, or duplicate copies of duplicate copies piling up in subterranean storerooms of glass-facaded buildings. Nor does it seem to exist in that wonderful land where stock prices rise and fall.

Yet it does all this. Perhaps a new name is needed to recapture for corn the romance and imagery which was associated with it when our Nation was younger. Should we call it Cornitronics? Digicorn? Or maybe Radiacorn? Possibly Dynacorn is the answer.

I am sure many of you will tell me that there's nothing wrong with the name "Corn." I agree with you. But upon how well we handle the three collisions in the corn industry that I spoke of—the collision of corn quality and the forthcoming collisions of price and competition—will ultimately determine what is said about corn in the Nation's history books.

The challenge that we work harder to keep corn not only as a viable kernel, but as a viable commodity to help forward our Nation's progress is an inescapable obligation to every one of us in the corn industry.

AWARDS TO INDIANS UNDER H.R. 2828

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Mize] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MIZE. Mr. Speaker, I want to express my appreciation to the distinguished chairman of the House Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. Aspinall], and the able members of Indian Affairs Subcommittee and, indeed, all of the members of the full committee, for their consideration of the legislation we have before us today to provide for the disposition of judgment funds, already appropriated, to the few remaining members of the Iowa Tribes of Iowa and Nebraska, and of Oklahoma. It is good that the bill could be reported out and scheduled for action on the House floor prior to adjournment.

I was pleased that the committee saw fit to amend the bill I introduced, H.R. 2828, so that it could include the funds awarded under docket No. 79, as well as the award under docket No. 138.

Altogether, some 2,150 Iowa Indians on the tribal rolls will share in this distribution. The roll for the Kansas-Nebraska Tribe includes about 1,500 members; the Oklahoma Tribe consists of 650 members. This means that the Iowa Indians from Kansas and Nebraska will receive a per capita distribution of $565.36. The Oklahoma Tribe members, after the deduction of the $12,000 they wish to program for the operation of the Iowa Community House, will each receive $805.56 as their share of the distribution.

The distribution of these funds is long overdue. The small amount each of the qualified recipients will receive will not make any of them rich. Since the average family income for those who have the best jobs is under $5,000 per year—while for others, less than $1,500—the money will be welcome and will be put to good use.

I am sure my colleagues agree that the enactment of this bill is in the public interest.

AGRICULTURAL FAIR PRACTICES

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to

the request of the gentleman from Iowa?

There was no objection.

Mr. LANGEN. Mr. Speaker, it is no secret to this Congress that American agriculture and farmers throughout the Nation are experiencing rather severe income and economic problems.

The facts which substantiate that statement have been well documented and often referred to by Members of Congress from agricultural producing districts, as well as by farm organizations and individual farmers throughout the entire Nation.

A recent resounding emphasis of the fact that farm prices are inadequate was evidenced by the 35,000 farmers who gathered at a National Farmers organization meeting in Des Moines, Iowa, some weeks ago. They expressed disgust with the present farm prices which are at a parity level that is comparable to the depression years of the 1930's.

There is every evidence that American farmers and ranchers have a real need for greater marketing power. The widespread use of marketing contracts has intensified the need for producers to strengthen their bargaining position. Contract marketing is now in effect for many commodities, and its use will be more widespread in the future because current Government programs have failed to provide an income to producers that is anywhere near commensurate with the income of other sectors of our populace.

The wider use and acceptance of contract marketing, and the growing concentration of power in the hands of fewer and larger buyers, has created a need for stronger and more effective marketing and bargaining associations for farmers. Producers have voluntarily joined these marketing associations as a means of uniting in order to strengthen the market possibilities for their commodities. If farmers and ranchers are to have the opportunity to develop a sound marketing program in order to improve their net income, they must be assured of their marketing values.

In view of these developments and circumstances, it becomes most essential that the Congress should respond in every way that it can to improve the economic status of the people who provide the necessities of food and fiber. One of the many ways in which Congress can accomplish this objective is by legislation which is designed to assure the marketing rights of farmers by prohibiting unfair trade practices.

I have today joined colleagues in both House and Senate in introducing such legislation. The basic objective of the legislation is to assist in the development of voluntary agricultural marketing programs by prohibiting unfair practices against producers solely because of their membership in a marketing association.

While there are many other areas where legislation is also needed if we are to accomplish the full objective of adequate farm income, this is one area where improvement can be accomplished by way of better markets and a strengthening of the farmers' bargaining position.

I would sincerely urge an early passage by the House of this legislation which has already been approved by the other body.

THE STATES' ROLE IN THE NATIONAL CRISIS OF SOCIAL INJUSTICE AND LAWLESSNESS

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mrs. DWYER. Mr. Speaker, in response to the tragic riots which afflicted so many of our cities and States, both large and small, throughout the summer that is now coming to an end, the policy committee of the Republican Governors Association convened for the purpose of considering what action the States could take to help meet the national crisis of social injustice and lawlessness.

On August 10, the policy committee, under the chairmanship of Governor Rockefeller of New York, adopted a nine-point action plan which it entitled, "A New Era of Creative State Leadership To Meet the National Crisis of Social Injustice and Lawlessness." I have obtained a copy of the full text of this document and, under leave to extend my remarks in the RECORD, I shall include it herewith for two principal reasons: First, because it represents the kind of thoughtful, balanced, and constructive response to social disorder that deserves the most widespread attention and, second, because it reflects what many of us in the Congress have tried to encourage, a greater willingness on the part of the States to assume a growing role in the solution of public problems and in meeting the needs of their people. I recommend this document, therefore, to the careful consideration of our colleagues, Mr. Speaker, both for the reasons I have cited and because the recommended action plan establishes a precedent which the Federal Government would do well to follow at the earliest possible time.

I was especially impressed, Mr. Speaker, with the Governors' recommendation for a nonpartisan States' Urban Action Center which could service the Governors of all 50 States in developing their respective programs for dealing with critical urban problems.

This recommendation, it seems to me, is closely analogous to the suggestion for a White House Crisis Center which would utilize and coordinate existing Federal authority and programs to overcome bureaucratic inertia in order to obtain action on urban problems and avoid the imminent development of civil disorder in the cities. This suggestion, our colleagues may recall, was the core of a program, entitled "Preventive Medicine in the Cities," which was proposed on August 3 by a group of 40 Republicans in the House and Senate of which I was privileged to be a part.

It is also closely related to a longer range proposal which I introduced as legislation several years ago and which has subsequently been cosponsored by a number of our colleagues, the creation in the Executive Office of the President of an Office of Urban Affairs and Community Development which could serve to coordinate and expedite the Government's efforts to solve urban problems, efforts which are now widely dispersed among dozens of departments and agencies.

These proposals, Mr. Speaker, are much more than an attempt to get through one more long hot summer. They represent positive efforts to utilize the powers and resources of the Federal and State governments in more rational and effective ways for the twin purposes of advancing social justice and preserving social order. I hope that Congress and the administration will prove themselves equal to the new challenges which we now see coming from the States.

The text of the action program recommended by the policy committee of the Republican Governors Association follows:

ACTION PLAN TO INAUGURATE A NEW ERA OF CREATIVE STATE LEADERSHIP TO MEET THE NATIONAL CRISIS OF SOCIAL INJUSTICE AND LAWLESSNESS, RECOMMENDED BY THE REPUBLICAN GOVERNORS ASSOCIATION POLICY COMMITTEE, AUGUST 10, 1967

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
Albany, August 14, 1967.

Hon. JOHN A. LOVE,
Chairman, Republican Governors Association, State Capitol, Denver, Colo.

DEAR GOVERNOR LOVE: This letter is to formally transmit to you the final document of the Nine-Point Action Plan entitled, "a new era of creative state leadership to meet the national crisis of social injustice and lawlessness" recommended at the meeting of the Policy Committee of the Republican Governors Association on August tenth.

Those participating in the development and endorsement of this Policy Committee program were: Governor Spiro T. Agnew, Governor Nils A. Boe, Governor David F. Cargo, Governor John H. Chafee, Governor Daniel J. Evans, Governor John A. Love, Governor Tom McCall, Governor Nelson A. Rockefeller, Governor George W. Romney, Governor Raymond P. Shafer, Governor John A. Volpe.

We are proceeding with the organization of the non-partisan States' Urban Action Center, as called for in the report, to service the governors of all fifty states in developing their respective programs to deal with these critical problems.

Thanks for your untiring efforts in connection with the drafting of this action plan.

Best wishes,
Sincerely,
NELSON A. ROCKEFELLER,
Chairman, Policy Committee.

STATEMENT OF PURPOSE

The tragic epidemic of riots convulsing the core areas of so many American cities underscores the basic responsibilities of state governments.

We are totally concerned about every aspect of this tragic problem. First, obviously, is maintenance of order under law. On it rests not only any viable society but also all other affirmative programs. We must assure the protection of persons and property in the peaceful and lawful pursuits of life. But relying only on better organized force, as some are advocating, forecasts the unacceptable ultimate result of a society based on repression. If our belief in an open society of freedom under the law is to survive, it must be based on a basic agreement among the people and a dedication to the goal that all shall have a stake in the potential and promise of America.

The time for effective action to meet this crisis of urban chaos is now.

We cannot afford delay.

The states can and must play a leading role both in preserving order under the law and in dealing with the root causes of civil disorder.

The Policy Committee of the Republican Governors Association has met, therefore, to determine a positive course of state action commensurate with the staggering dimensions of the problem.

The times demand a firm national commitment to resolve this leading domestic issue. Each of us must work in our respective states to develop solutions to these problems.

PROBLEMS

The recent outbreaks of lawlessness have placed new demands on state governments to stop civil strife and to maintain law and order. The increasing incidence of crime in the streets plaguing so many cities, aggravated by the riots, has made it clear that many localities cannot combat crime effectively alone.

Many of the urban problems of today, which result in human degradation, transcend the boundaries of local political jurisdictions. Individual cities lack the financial resources necessary to meet these problems. The Federal Government, while it has enacted many imaginative programs, is not providing the financial resources on a scale commensurate with the dimensions of the problem and, in many cases, the effectiveness of federal programs is inhibited by unnecessary inflexibility in their administration.

The states must do their part in providing the creative leadership to achieve the solution to today's urban crisis. This solution must be based on a new kind and degree of cooperative action between the various levels of government and the private sector of the society.

For we are confronted by a problem so pervasive that its solution is not one that can be resolved by governments alone.

We recognize that merely pouring more money into outmoded programs will not do the job. We seek new ways to tap the creative and constructive forces in society. Government can and must provide incentives, tools, and funds; but, the disadvantaged must be given an opportunity to achieve a stake in our society through the investment of their own aspirations and energy.

AGREEMENT FOR ACTION

We agree that the crisis is not just a city problem but is the inevitable result of indifference throughout our society. We must therefore mobilize public and private sectors in our state on a scale large enough to assure action on a scale necessary to meet the problem.

We recommend the following action plan of state leadership. We recognize that specific elements of this plan will have greater applicability in some states than in others, and that each state must determine the programs and priorities best suited to its situation and its capacities.

The following action plan includes specific measures regarding state action to:

I. Maintain Order Under Law.

II. Transform the Physical Environment of Slums and all Neglected Areas into Decent Communities.

III. Increase Job Opportunities.

IV. Improve Educational Opportunities.

V. Improve Public Services to Individuals.

VI. Expand Cultural and Recreational Opportunities in Neglected Areas.

VII. Encourage Individual Citizen and Private Institutional Participation.

VIII. Assure State Government's Capacity to Meet Urban Problems.

IX. Encourage Flexibility, Speed and Adequate Funding of Federal Programs.

I. STATE ACTION TO MAINTAIN ORDER UNDER LAW AND CONTROL CRIME

The long standing failure of our society to fully enforce laws relating to housing codes, health and sanitary conditions, gambling, narcotics and other social conditions has discouraged confidence and encouraged a disrespect for the law as an instrument for correcting social injustice. Effective law enforcement depends on a just, a firm and an even application of all our laws including those correcting basic social ills as well as those designed to preserve law and order.

When, however, for whatever cause, lawlessness and violence do occur, prompt, firm law enforcement on a sufficient scale is absolutely necessary to prevent isolated incidents from erupting into full scale riots.

We must never lose sight of the fact, when civil disorder threatens, that among those who most need protection of law and order are the residents in the threatened areas, the overwhelming majority of whom are law-abiding, responsible citizens.

Civil disorders

A. *Local Police:* Develop a state program and support legislation providing for interlocking agreements between local law enforcement agencies to permit "pooling" of officers and equipment. In addition, make certain that local officials clearly understand the procedures for utilizing state law enforcement resources.

B. *Local Fire Fighting:* Develop a state program and support for interlocking agreements among local fire departments to permit "pooling" manpower and fire fighting equipment.

C. *State Police:* Strengthen law enforcement capacity at the state level for the purpose of assisting localities in emergencies.

D. *National Guard:* Request the Federal Government in determining policies for the National Guard, to emphasize now the Guard's responsibility to serve as a tactical force for maintaining order within the states as well as its responsibility in national defense.

Specifically:

1. Urge the Federal Government to provide adequate and more modern and mobile equipment for all Guard forces to enable them to deal with civil disturbances.

2. Request the Federal Government to review the planned reorganization of the Guard in relation to its tactical roll in maintaining civil order, giving particular attention to the number of men available for duty and the availability of high level command forces in each state.

3. Endorse the recent action taken by the President to improve and increase riot control training for all Guard units and urge its immediate implementation.

E. *Federal Troops:* Review federal and state law and procedures pertaining to the timely commitment of federal troops.

F. *Review State Constitutional and Statutory Provisions* to assure adequate authority for the Governor to meet emergency situations. Such a review would consider the powers of the Governor in an emergency situation with respect to various levels of law enforcement agencies, setting of curfews, restricting the sale of guns and ammunition, restricting the sale of liquor, closing streets and other public access routes, and the taking of other emergency steps.

Crime prevention and control

G. *Comprehensive State Crime Control Programs and Plan:* Establish a Governor's Committee on Law Enforcement and Administration of Criminal Justice, including officials responsible for crime prevention and enforcement as well as individual rehabilitation, to develop a comprehensive, statewide plan to strengthen crime prevention and juvenile delinquency controls, and generally upgrade criminal justice. Provide financial assistance to local governments to implement the plan, subject to evaluation and coordination by the Governor's Committee.

H. *Support those portions of the "Law Enforcement and Criminal Justice Assistance Act of 1967"* which would provide for state agency approval.

I. *Training of Police:* State legislation to mandate minimum training requirements for local police and supervisory personnel with appropriate state financial support.

J. *Police Compensation:* Assure just compensation for state and local police, such compensation to be related to the responsibilities which these officials bear.

K. *Encourage community relations programs* to recognize the effective work of the vast majority of dedicated law enforcement officers. Take prompt action against the relative few who derogate law enforcement in the public eye by abuse of authority or by use of excessive force.

II. STATE ACTION TO TRANSFORM THE PHYSICAL ENVIRONMENT OF SLUM AREAS AND ALL NEGLECTED AREAS

A. Mobilize all public and private resources by state action to bring about a complete and basic transformation, rather than piecemeal projects, of slum areas. Comprehensive, well-designed developments, including housing, commercial, industrial, recreational, and community facilities are essential if individuals are to have decent housing and job opportunities.

State action would include the provision of necessary constitutional and statutory authority, and the development of mechanisms to:

1. Finance the development costs and sponsor comprehensive developments in conjunction with private resources.

2. Provide investment capital for projects including housing, commercial and industrial facilities.

3. Pre-finance federal urban development programs.

B. Provide state financial assistance for the development and enforcement of adequate building and housing codes.

C. Encourage home improvements in deteriorating and sub-standard housing by providing tax incentives for such improvements.

D. Propose and implement state legislation regarding prosecution of slum landlords including authorization of "receivers" to collect rents and make repairs.

E. Provide state financial and technical assistance to localities for rat extermination programs.

F. Provide state financial and technical assistance to improve collections and methods of disposal for garbage and other solid waste.

G. Develop a program of state financial assistance to help assure adequate mass transportation throughout urban areas to facilitate ready access to jobs.

H. Support state open housing legislation and its effective implementation so that all citizens may live where their hearts desire and their means permit.

I. State action to encourage zoning policies which overcome social, economic or racial segregation.

J. State action to require that real estate agents make available lists of all openings for rentals and properties for sale to every client.

III. STATE ACTION TO INCREASE JOB OPPORTUNITIES

A. Call State Conferences (1) with industries to increase job opportunities, including across-the-board hiring of the disadvantaged and genuine merit promotions; and (2) with unions to secure removal of discriminatory hiring policies and other restrictive measures prohibiting true equality in job opportunities.

B. Provide a state manpower training program to supplement federal programs and meet particular needs of each state.

C. Support state legislation to grant tax incentives to business to locate in slum areas and train workers.

D. Provide state technical assistance to small businesses in urban areas.

E. Expand apprenticeship training programs in cooperation with unions.

F. Promote apprenticeship training in small establishments.

G. Provide state subsistence allowances for job trainees.

H. Inaugurate state programs for recruiting, training and hiring slum area residents for public employment.

I. Establish a State Manpower Training Academy for training of staff needed in job counseling program.

J. Develop special summer employment program including a state beautification program employing youths in the community.

K. Provide state financial assistance to local child day-care services to help parents who want to have gainful employment.

L. State action to provide incentive for welfare recipients to undertake training and gainful employment by permitting income plus welfare benefits to total more than the amount they could receive under welfare benefits alone.

M. Action by state government to promote and enforce equal employment practices in both public and private employment. Contract Compliance Programs should be vigorously implemented.

IV. STATE ACTION TO IMPROVE EDUCATIONAL OPPORTUNITIES

A. Provide state assistance for pre-kindergarten programs.

B. To promote excellence in education, assure that state aid to education formulas recognize special problems of slum area schools including the need for smaller classes.

C. Establish a "community school program" to make the local school a year-round focal point for programs for all residents of slum areas and to encourage the interest of parents of school children in their children's education, health and recreation. The "community school program" would also provide ample social and health services for the children.

D. Establish a statewide Teachers Reserve to encourage trained but inactive teachers to return to teaching on either a full or part-time basis.

E. Establish a vocational education system which would have no entrance requirements and would provide work-study programs so that students could study and earn money at the same time.

F. Assure that vocational education courses reflect current labor market conditions.

G. Provide state financial assistance for Urban College Centers in slum areas to make available special academic and vocational training.

H. Provide adequate state scholarship and student loan programs to assure that no youth is denied the opportunity for a college education because of the lack of financial resources.

I. Develop special state programs to identify talented youngsters who need special help to meet college entrance requirements.

V. STATE ACTION TO IMPROVE PUBLIC SERVICES TO INDIVIDUALS

A. Develop an Interstate Cooperative Training and Orientation Program which would be available to those who have moved or are planning to move from a rural area in one state to an urban area of another state.

B. Establish a State Urban Extension Program to utilize successful agricultural extension techniques and to apply research conducted in universities to the solution of urban problems.

C. Support state legislation to assure adequate consumer protection and education programs.

D. Provide state financial assistance to meet the unique health and mental health needs of slum dwellers.

E. Develop a state program for comprehensive one-stop government service centers to provide convenient and coordinated services.

F. Provide state support for local human rights commissions so that effective human relations programs, and civil rights enforcement can be implemented so far as possible at the local level.

VI. STATE ACTION TO EXPAND CULTURAL AND RECREATIONAL OPPORTUNITIES IN ALL NEGLECTED AREAS

A. Develop a state program of financial and technical assistance for the development of recreational and cultural facilities.

B. Expand programs of State Arts Councils to bring exhibitions and performances to slum areas.

C. Utilize governmental facilities in and near slum areas to provide artisitic and historical exhibitions.

D. Provide technical assistance to community and civic groups who wish to sponsor cultural events.

E. Encouragement by states of the use of private resources to develop neighborhood centers for civic and recreational programs.

VII. ENCOURAGE INDIVIDUAL CITIZEN AND PRIVATE INSTITUTIONAL PARTICIPATION

A. State leadership to encourage participation by leaders of private organizations, churches, service clubs and civic groups in shaping creative and cooperative new programs in dealing with urban problems.

B. State action to establish an effective link on a continuing basis between the people of disadvantaged areas and government.

C. Organize and promote programs which bring together volunteers who want to help, with people who need help.

D. Organize programs using college and high school students as volunteer tutors for children who need special educational assistance.

E. State action to assure an effective dialogue, at the community level, between people of different races.

F. Work with private transportation and recreation enterprises to make their facilities more available to disadvantaged groups.

G. Work out cooperative arrangements between the state and news media to publicize job opportunities.

H. Provide incentives and facilitate the investment of private capital into urban development on a scale commensurate with the magnitude of the problem in order to accelerate necessary action to accomplish the objective as quickly as possible.

VIII. STATE ACTION TO ASSURE STATE GOVERNMENT'S CAPACITY TO MEET URBAN PROBLEMS

A. Strengthen the role of the Governor and provide him with adequate staff including appropriate central staff agencies such as planning and budgeting offices so that the Governor can effectively plan, mobilize and coordinate the use of federal, state, local and private resources to meet today's urban problems.

B. Develop a comprehensive environmental plan under the direction of the Governor for the social, economic and physical development of each state and its urban areas.

C. Provide state financial and technical assistance to local governments for planning.

IX. STATE ACTION TO ENCOURAGE FLEXIBILITY, SPEED AND REALISM IN FEDERAL PROGRAMS

A. Urge federal legislation authorizing states to pre-finance federal programs.

B. Support action by the Federal Government authorizing block grants and revenue sharing to help assure a comprehensive, flexible approach to problems and make the most effective use of separate but related federal, state and local programs.

C. Encourage realistic assessment by the Federal Government of available financial resources to fund federal programs in order to avoid the turning of hopes into frustrations.

This then is the Action Plan recommended by the Policy Committee of the Republican Governors Association for confronting the crisis in our cities. The steps necessary to implement elements of this program will vary from state to state depending on existing administrative, fiscal and statutory authority. Some steps will require enabling state legislation and special sessions of state legislatures may be required in some states.

The adoption of this program by Republican Governors represents a powerful commitment by leaders of state government to meet this towering domestic challenge of our time through creative state leadership.

Accordingly, we have agreed to establish a States' Urban Action Center to serve all Governors to:

Provide a team of experts in the various program areas to help tailor specific programs to the needs of individual states.

Receive and disseminate information on actions taken by the states to implement this Nine-Point Action Plan so that all states will have the benefit of the experience in each state.

Applications have already been made to foundations to finance the States' Urban Action Center.

The objectives of this program are nonpolitical. It is a program to provide opportunity. The true national interest can only be served through complete cooperation at all levels of government on a bi-partisan basis with the full support of private citizens.

ABUSES OF INDUSTRIAL DEVELOPMENT BOND FINANCING

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mrs. DWYER. Mr. Speaker, increasing concern is being voiced at all levels of government and in some areas of private industry at the growing abuses associated with the issuances of tax-exempt industrial development bonds.

On April 5, I introduced the bill, H.R. 7979, to deny tax deductions for rent, taxes, or interest incurred for the use or occupancy of industrial plants financed by tax-exempt obligations. This bill would remedy the abuse known as "double dipping"—one of the most serious and flagrant—and it would implement recommendations of the Advisory Commission on Intergovernmental Relations.

For a more complete explanation of the legislation, I refer our colleagues to my remarks in the Record of April 5, which appear on page 8467.

The use of tax-free bonds to finance private plants—and the abuses associated with this practice—have spread so rapidly that many of the States which use this device and some of the investment banking firms which underwrite the bonds have joined in calling for Federal and State regulation to prevent the abuses.

The latest such call has come from the Southern Governors' Conference which, during its 33d annual meeting last week, adopted a resolution which supports such efforts as mine. Since it would involve action by the Congress, I bring it to the attention of our colleagues with the hope that early consideration of the necessary legislation will follow:

ABUSES OF INDUSTRIAL DEVELOPMENT BOND FINANCING

Whereas, forty-one states utilize their bonding capability or authorize their local governments to issue tax-exempt industrial development bonds in a legitimate exercise of state powers to stimulate new and expanded industries and to diversify the basic economy of the several states; and

Whereas, Congress and National Administration are viewing with increasing alarm the abuses in over-utilizing tax-exempt bonds as a tool for industrial development projects; and

Whereas, the industrial development bond is competing in the same market as tax-exempt issues for school and highway construction and other similar projects, thus increasing the cost of borrowed capital for all bonding efforts; and

Whereas, the National Association of Counties and the National League of Cities at their 1967 annual conferences passed resolutions condemning the abuses of tax-exempt industrial development bond financing and calling for state action rather than federal action to curb the abuses through (1) the passage of state legislation to regulate the issuance of state and local bonds, (2) advance consent by Congress for states to enter into interstate compacts to provide standards for industrial aid financing, and (3) federal legislation to eliminate the so-called "double dipping" practice:

Now, therefore, be it resolved that the Southern Governors' Conference supports the efforts of the states to retain and properly manage the use of their bonding capacities or enablement of their localities and state created authorities to issue industrial development bonds; and

Be it further resolved that the Southern Governors' Conference supports the efforts of the states and local governments to curb the abuses identified with the use of tax-exempt industrial development bonds.

SOCIAL SECURITY PAYMENTS TO VETERANS

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentleman fram Minnesota [Mr. ZWACH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ZWACH. Mr. Speaker, with the passage of the social security bill, which provides a much needed increase to our elderly who are living on fixed incomes, there is a danger of penalizing one very important group. Veterans, or their kin, may actually lose some income because the social security payments will decrease their veterans pensions.

In an effort to close this loophole in the law, I am today introducing a bill designed to allow these people to receive the benefits as Congress intended.

AUTOMOBILE SAFETY

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, greater and greater emphasis is being placed on automobile safety, yet few really constructive ideas on the subject have been forthcoming by either the industry or critics of present safety standards.

It was with much pleasure that I learned recently of the efforts of one of my constituents, Mr. Peter Rainer of Afton, Wis., who has patented a safety measure for autos and trucks which seems to have real merit.

Mr. Rainer's proposal to assist in reducing the carnage on our highways would be in the form of an amber light mounted on the rear of the vehicle. The light would turn on automatically and instantly when pressure on the accelerator was reduced, so that the following motorists would be alerted to the fact that the driver was either anticipating a stop, or was approaching a hazardous driving situation. The additional warning the following motorists would receive would allow them to adjust to the problem, would discourage "tail-gating," and should help to prevent dangerous rear-end collisions.

Mr. Rainer is to be congratulated for his efforts as a one-man committee to "do something" about highway safety. He should be further congratulated for his willingness to pursue work for the betterment of his Nation at a time in his life when he could just sit and watch the world go by, inasmuch as he is retired. While he has laid aside the regular responsibilities of his life's work, he has not set aside his responsibilities as a citizen offering his best to his community, his State, and his Nation.

VIETNAM

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. RIEGLE] is recognized for 30 minutes.

Mr. RIEGLE. Mr. Speaker, I ask the attention of all those who are in the Chamber at this time to the remarks that I will be offering in the next few minutes. The subject upon which I am about to speak is Vietnam. My remarks concern the fact that I think significant new information on the Vietnam problem, the Vietnam war, is now available and needs to be aired. These new facts are objective; they are the truth. I think they stand on their own, irrespective of who may stand here in the well and present them.

The facts I refer to come from testimony offered on the question of Vietnam before the Foreign Operations Subcommittee of the Committee on Appropriations. This testimony was taken in May of this year and was released, publicly, this last week. The committee hearings I feel contain some very important disclosures, so significant and important that I have taken this time today on the House floor to present this information in detail to my colleagues.

By way of background, let me say that I serve on the Foreign Operations Subcommittee of the Committee on Appropriations and in May of this year Mr. Poats, who previously was the Administrator of our U.S. economic program in South Vietnam for 3 years, appeared before our subcommittee to discuss that program for the coming fiscal year.

Mr. Speaker, when I learned that Mr. Poats was to testify before our subcommittee, I made an effort to gather all of the information heretofore assembled on the subject of our economic program in South Vietnam, to analyze this information, to cross-reference it, and to develop specific testimony which would try to establish once and for all—for the record—whether the alleged mismanagement of the AID program in Vietnam was fact or fiction.

Some 18 different sources were used in preparation for cross-examination. These 18 sources are now cited on page 986 of the committee print. They range from the Moss report with which many of us are familiar, to five heretofore classified and secret reports which have been declassified are now available in the public record, as they ought to be.

By arrangement with my subcommittee chairman, the gentleman from Louisiana [Mr. PASSMAN], I was granted the opportunity to cross-examine Mr. Poats on the basis of this information for some 3½ hours. I wish to extend here and now my deep appreciation and feeling for the conscientious approach of my subcommittee chairman and for the great privilege he afforded me as a freshman Member of this body to conduct an examination on so serious a subject. This testimony is contained in the book labeled "Foreign Assistance and Related Agencies Appropriation 1968, Hearings Before a Subcommittee of the Committee on Appropriations, House of Representatives, 90th Congress, First Session, Subcommittee on Foreign Operations and Related Agencies," part II, "Economic Assistance."

Mr. Speaker, the critical testimony to which I wish to refer in the minutes just ahead extends from page 986 to 1069 of the hearings.

In discussing this testimony, I am going to talk primarily about the economic program in Vietnam and will not refer in any detailed way, to our military effort in Vietnam.

Now, let us think for just a moment about what it means to have objective testimony on this subject from Mr. Poats who as I say for the past 3 years has been the No. 1 man overseeing our economic program, the so-called "other war" in Vietnam. He is the ranking administrative spokesman on this issue, who because of his work and in recognition of his ability to understand the situation, was just promoted by the President of the United States to the No. 2 spot in the Agency for International Development and is now Deputy Director of AID.

Mr. Speaker, when Mr. Poats appeared before our subcommittee he not only was the top man in this area of the conduct of the "other war" in Vietnam, but he was fresh from the field, fresh from 3 years of direct experience in this area. His prior background was as a newsman and his views as documented in the testimony are as candid and objective as one might expect from a man of that background.

Mr. Speaker, I further feel it is important that we note that after offering his testimony, some 90 pages thereof, Mr. Poats had an opportunity in later weeks to sit down and confirm and discuss every single statement he made in the record. He had the opportunity to decide whether he really meant what he said under cross-examination. There was an opportunity for him to further elaborate upon and to revise the wording of any statement which he had made, but which he thought might be misconstrued. He had the opp. tunity to "classify it" and take it off the record or to work out compromise language. In many instances compromise language was worked out. But, upon reflection, he decided to leave most of his original statements in the record. I think that is significant.

What does his testimony establish? When I began my questioning in this area, I was concerned about documenting the alleged inability of our aid program in Vietnam to work, and I might say that the testimony very quickly began to establish the fact that our aid program is an administrative nightmare. There is ample documentation of mismanagement. To prove this and test out this premise, was like shooting fish in a barrel. This is what we found in the subcommittee. However, as the questioning went on, other imminently more important conclusions began to come to light, conclusions that I feel are profound, and add a brandnew perspective to the Vietnam situation.

The two main conclusions that developed from this testimony are these—and these are not my conclusions—these are the conclusions of Mr. Poats, the top man in this whole area of conducting the economic program in Vietnam.

First. That the South Vietnamese lack the commitment in this war that we need to win the war—it just does not exist.

Second. If our economic program in South Vietnam is ever going to succeed, it is only going to succeed because we completely Americanize it from beginning to end.

What does this means? It means there is not the indigenous wherewithal in South Vietnam to get this job done—the job of meeting shared objectives necessary to win the "other war."

Now you say, can this be so? I mean—is this an admission that we can believe? That it is now a matter of public record? The answer is—very frankly—yes. And these are not my statements. This is not my subjective opinion—these are Mr. Poats' objective statements. And the ranking administration spokesman in this area acknowledges very candidly that the South Vietnamese commitment to the war effort is so inadequate that the annual U.S. $200 million commodity import program in Vietnam is actually a political ransom paid to powerful South Vietnamese commercial interests to insure political stability in South Vietnam and to insure continued support of the war by these South Vietnamese commercial interests, and two, that only by totally Americanizing the U.S. economic program in South Vietnam would the AID program be able to achieve its goals of significantly improving the quality of life of the South Vietnamese—a policy incidentally that will make South Vietnam permanently dependent upon U.S. subsidy.

Let me just give you some direct quotes from the record of this committee print which was made available to the press on Friday of last week.

This is on page 1022, and I am speaking to Mr. Poats and I say the following:

> Mr. RIEGLE. You are saying in essence then, if this war were conducted in a way that required greater economic sacrifices by certain elements in Vietnam, the political instability is such that the country might fly apart; is that right?

Mr. Poats answered:

> Exactly.

I responded:

> That, to me, is a most discouraging thing.

Then Mr. Poats said:

> Fear of violent political repercussions or even personal physical attack has sometimes prevented forceful Vietnamese government action in collecting taxes. A minister once described these personal threats in a conversation with me.

I then said:

> What that says, in other words, is that with our Commodity Import Program we are really paying a price for political stability. That is what it says.

And Mr. Poats responded:

> That is what it is.

Mr. Speaker, it is a ransom, it is a ransom that we must pay to prop up a house of cards in Vietnam. And I said at that point in the testimony:

> I object to that.

The gentleman from Louisiana [Mr. PASSMAN], our subcommittee chairman, then said:

> I am frustrated, discouraged, and disappointed after hearing this testimony this morning, so much so that I am frightened. We have an unmanageable mess.

Then from page 1023 of the testimony I quote:

> Mr. RIEGLE. We are continuing the CIP program at a very substantial level. I assume we do that only because we cannot force on the people of South Vietnam a higher degree of sacrifice than they are willing to make at this point.
>
> Mr. POATS. We cannot force the kind of tax collections that is required to reduce the requirement for this substitute device.
>
> Mr. RIEGLE. That is right. So, the people with the wherewithal in South Vietnam are unwilling to pay for any more of this war than they are now paying for, and we have to supply the balance.
>
> Mr. POATS. They have increased the tax payments, of course. The nouveau riche, the fellows profiteering from the American military presence, running the bars, cabarets, and so on, are not being taxed adequately.

On page 1025 of the testimony:

> Mr. RIEGLE. We are talking about motivation now, and we are talking about what motivates these commercial leaders in the non-combat areas. Are we not saying, essentially, that they do not really have the level of commitment that they need to have to get this job done?
>
> Mr. POATS. Right.

Mr. Speaker, it is clear that they do not have a level of commitment necessary to get the job done.

And on page 1060, again I was speaking to Mr. Poats:

> Mr. RIEGLE. It seems to me that we have just established in this colloquy that if we were to withdraw our AID program, that the government would likely collapse over there, and for all intents and purposes the war would be over. Namely, short of a tremendous initial or additional military effort, we would not be able to continue to maintain any sort of operation in this country. Is that so?
>
> Mr. POATS. That is what I have said in effect, yes.

What does that mean? It means there is not enough South Vietnamese commitment to this effort. It seems to me that if we want to continue to have the support of the all-powerful commercial interests in Vietnam to the war, and their commitment to the stability of the Government, we have got to be willing to pay ransom, and where does that come from? It comes from the pockets of the American citizens, and that is not all of the ransom, because just last week we lost 247 American boys in Vietnam from every part of this country, and yet we now learn that we do not have a sufficient commitment from the South Vietnamese to even begin to win the economic war. What a sorry state of affairs.

On the Americanization of the war, of the economic war, on page 1043 in this testimony I received the following answers—and bear in mind that these answers do not come from some flunky in the State Department offering some observations and assessments, this is the administration's top man in this area, the President's appointee who is making these points.

On page 1043 I said to Mr. Poats:

> Coming back to the point of management and the fact that we established this as more or less a shared job, that we cannot do it by ourselves and repeatedly we have expected South Vietnam to sort of bridge with us in doing the job, and we found for many reasons they were not able to deliver on their side, do you think it will be possible for us to really sustain a much-expended effort over there until this basic problem is resolved?

Mr. Poats answered:

> I think it will be necessary to use Americans increasingly in operational jobs as distinguished from advisory jobs.

I then said:

> In other words, if it will become a greater program it will have to be a bigger American program?

His response was:

> Yes, American and other foreign.

On page 992 of the testimony Mr. Poats said at this point:

> We are to an increasing degree, putting in Americans and other foreigners to do these jobs for the Vietnamese.

On page 993 I said to Mr. Poats:

> Is there a way we can combat that and try to save those dollars which are lost in terms of this inability of hooking up with the South Vietnamese in some areas?

Mr. Poats' response was:

> We are combating it by introducing more foreigners into the system at all possible levels.
>
> For example, we have put enormous numbers of people into warehousing and commodity management in the past year. We have put over 1200 foreign medical personnel, including nurses and technicians, into the medical system.

He continued:

> We have put people into the provinces in considerable numbers. At first we had only one aide, a provincial representative. Now we may have as many as a score of foreigners working on civilian affairs in some provinces.

On page 1001 Mr. Poats said again:

> We are still increasing the American participation in what are normally the host government responsibilities.

So I ask you, Are we building self-sufficiency out there? I asked that question of the top man in this area who just returned from 3 years in this field. His very candid admission is, Of course we are not. Words to the contrary are a facade.

I state one other quotation at this time. This comes on page 1001 under the heading of "Lack of Vietnam Self-Sufficiency." And I say at this point:

> The things that concerns me the most is this: If we cannot establish some sort of balance between self-sufficiency, on the one hand, a growing self-sufficiency, versus a growing dependency, then we will never get out of this situation. We will be mired down there forever.
>
> It seems to me that all the evidence that piles up on the military side and on the nonmilitary side shows that the Vietnamese, rather than becoming more self-sufficient, more independent and better able to manage these problems, that systematically in area after area we are constantly having to act in their behalf and plug the holes in the dike militarily and nonmilitarily.

I then asked Mr. Poats:

> Is that a fair conclusion in your judgment?

He said:

> That is certainly a danger, and in some instances a fair conclusion. It is a dilemma arising in part from the fact that we set standards of performance and integrity which are not native to Vietnam, and particularly not achievable by that country with its own manpower and leadership and management in this chaotic situation today.

I then said:

> It seems to me that the conclusion we are reaching is that to ever really get on top of this thing from a management point of view, we virtually have to be in every step of the program from beginning to final implementation.
>
> As you say, we have unused supplies sitting out in village hospitals, and construction equipment ready to build schools that is gathering rust. Does this not mean that there is an absence there and probably we are going to have to fill it finally?
>
> Mr. Poats. Yes.

That is the story. What has gone into Vietnam so far? Some $100 billion thus far. We will invest this year a quarter of our national budget, some $30 billion. Over 13,000 American men have been killed. There have been some 90,000 American casualties. Why have we invested all this military effort? There are some one-half million American troops over there now, nine divisions. Why? We have done this, as I have listened to the arguments of the administration, to create a military shield, a temporary military shield, so that South Vietnam can have a chance to develop its own self-sufficiency, that it can have a chance to develop its economic capability and its independence.

But what does the record show as admitted by the top man in this field? That basically the South Vietnamese are not becoming more self-sufficient. Rather, the reverse is true. They are becoming more and more dependent. The South Vietnamese economy is growing fat on a U.S.-financed war economy, the people in the noncombat area actually need a ransom in order to continue their commitment to this war that our boys are fighting in their behalf.

So as things stand presently, the other war is not being won, and with these conditions it cannot be won.

What then does this mean for our military shield? Have we seen the end of it? Of course we have not. We know there has been a request for more troops. We do not know how many more troops will be asked beyond the 45,000 recently asked for. But we know this, that as long as South Vietnam is unable or unwilling to develop itself and stand on its own two feet, that we are going to have to continue to act in their behalf and do for them what they will not do for themselves.

That means that from a military point of view we are at the mercy of the enemy, because they control the initiative. If they decide to keep the pressure on, and if we decide to continue to meet their pressure, we are going to have to keep our men there indefinitely. It will be the enemy who determines how many men we have there, by the amount of pressure they put on us. I think that is a poor way to maintain a foreign policy.

What has to happen in the light of these new facts and these disclosures? First, let us face these facts. Let us be willing to reappraise our foreign policy. The stakes are too high to perpetuate a policy based on myth or wishful thinking. Frankly, the policy today is not working. We all know that. There is not anybody in the country who would dispute that.

We need to encourage public discussion. This new, confirmed information has got to be incorporated in the dialog, because I think it makes a difference in assessing the problem. I think the South Vietnamese have to care enough, and this has to mean enough to them that they are willing to put everything they have got on the line. I do not think we ought to put everything we have got on the line if they are not willing to do the same.

And, unfortunately, we do not get that much good information. We talk about managed news. It is almost impossible to get factual information on Vietnam. Here is 90 pages worth. It is 90 pages, not from the third ranking or the 10th ranking or the 15th ranking man in this area, but it is from the top man. He admits we are losing the other war.

These are facts that have meaning to me. And when we finished this testimony, I made five specific recommendations, and they have all been accepted by the subcommittee and are presently being implemented by the administration.

One is for an annual presentation of the entire Vietnam AID program to the Congress for an evaluation of its effectiveness. If we are not getting the job done, let us pin this down. Let us not have to wring out the truth like we did in this testimony.

Second, we have got to have a complete GAO audit of the field program. There had not been an audit of this, and I am happy to say it is now underway in Vietnam. We will now find out where these commodities are going. Mr. Poats admitted that many of our AID drugs had gone to the Vietcong and had been found in their caches that have been uncovered. How unfortunate.

Third, a 5-year plan to show how we are phasing out our economic program and transferring this responsibility to the Vietnamese. We have to develop this plan, or we will not begin this necessary transfer.

Fourth, a recommendation that our subcommittee go to Vietnam and study these AID procedures in the field and recommend changes on the basis of what they find. This has been agreed to.

Fifth, a study of the ability to buy American commodities for use in Vietnam within the limits of economic sense. We found that AID is now buying from other suppliers around the world, and that we have not been able to rely on the quality of these purchases. We have been cheated time and time again.

I am going to submit for the Record the rest of the significant quotes—in my judgment, significant quotes—in this testimony, to have it in the Congressional Record. I urge every Member to read and study this testimony and draw his or her own personal conclusions based on this new information.

It seems to me there is something else that comes out of this, and that is that we need a new policy in Vietnam. I think it has to be an "either/or" policy with respect to the South Vietnamese power structure and their inadequate commitment, because America's military involvement in Vietnam has been justified on the basis that it is only an interim action designed to provide a temporary protective shield while South Vietnam works to achieve economic and military and social and political self-sufficiency.

It is now clear that South Vietnam has become dependent upon the United States for its economic support and internal development, and that on that basis the U.S. military forces will be required indefinitely to support the present policy and economic structure in Vietnam. This is unsatisfactory.

I talked to Gen. Lew Walt just last week, who is back from Vietnam, from the Corps I area. I asked him:

> How long are we going to have military actions out there to win control of this situation?

He said:

Twelve to fifteen years.

This testimony shows that the only possible hope in Vietnam now is to secure an immediate all-out commitment from the South Vietnamese. They must knuckle down and clear the decks and undertake urgent reforms needed to build national self-sufficiency.

I believe that without these changes the United States is left with two choices.

One of these is to either indefinitely send U.S. troops to defend a South Vietnam which is growing fat on a U.S.-financed war economy in Vietnam, a Vietnam that would be unable to hold any victory won by American forces and whose weakness would require a permanent U.S. occupation force.

Or, No. 2, to negotiate the best possible arrangements and to begin to withdraw our troops.

There is now clear evidence that the South Vietnamese are not pulling their share of the load in the war there. They are pulling less and less of their share of the load each day. I believe it is time we asked the South Vietnamese to make total, all-out, across-the-board commitment. If they should refuse, then I believe we must begin a systematic military withdrawal.

The stakes are too high. This is their war. They have to fight it.

Yes, we can help, but only if they are willing to help themselves, and at the present time they are not getting their share of the job done, and they evidence no interest in wanting to get it done.

Am I saying so? I am quoting Mr. Poats who has said so.

We cannot permit this to continue.

There are many specific reforms needed in South Vietnam today, and urgently needed. They ought to be implemented tomorrow morning.

What are they?

Higher taxes.

The profiteering is unconscionable in the noncombat areas. The South Vietnamese are gearing up to a prosperous standard of living in the noncombat areas that cannot be sustained and cannot be justified.

I say that it is time the South Vietnamese got just as tough as the North Vietnamese. If the North Vietnamese can implement these sorts of policies, disciplining their national resources, why cannot the South Vietnamese?

We need rationing in South Vietnam. We need price controls. We need to restrict our commodity import program to absolute necessities and to quit sending in luxury items.

We have got to require that they clamp down on the black market. I know of no publicity of a black market in North Vietnam.

There are reforms needed in the Government of South Vietnam. If South Vietnam is going to get its share of the job done, it needs new people and new purpose in its Government.

More of the U.S. aid being pumped in there has to find its way out to the villages. The testimony would make you sick, in terms of where our aid assistance goes. Does it get to the little fellow in the village, where the struggle for commitment is going on out in the villages of Vietnam? No, it does not, only a tiny trickle finds it way there.

South Vietnam has to be willing to go on a total war footing. Either this war is worth it or it is not. It has to be worth it to the South Vietnamese first.

So I am going to place in the Record today seven sections, which are quotes from this committee testimony.

The first is entitled "Insufficient South Vietnamese Commitment to War Effort."

The second is entitled "Americanization of 'Other War.' "

The third is entitled "Policy of Growing Americanization of the War; Overruling of Recommendations of Field Administrators."

The fourth is entitled "Mismanagement of Drugs Abuses; Overconsumption of Wide Spectrum Antibiotics in Vietnam."

Section 5 is entitled "Impact of Aid Program on Average Vietnamese Citizen."

Section 6 is entitled "Mismanagement of Aid Program in Vietnam."

Section 7, finally, is the "Recommendations" and their rationale and intent.

These seven sections are presented in detail at the end of these remarks.

Mr. Speaker, it nets out to be the fact that we have to look the truth in the eye. I would not presume to stand in the well of this House as a single Member of Congress, whether I had been here for 2 weeks or for 50 years, and say to you I think I have access to the total truth about Vietnam, or on any other issue for that matter. I do not pretend to have it today. Rather I call your attention to the truth as it is offered to us by the top man in the administration who understands and has lived with the "other war," the economic war in South Vietnam, the man who said very candidly on the public record that we are losing that war.

The **SPEAKER** pro tempore (Mrs. Mink). The time of the gentleman has expired.

Mr. **RIEGLE**. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. **RIEGLE**. We are not building South Vietnamese self-sufficiency today, I am sorry to say. The war cannot be justified on that basis. As I have said earlier, if there is no change in the South Vietnamese commitment, we ought to start bringing our boys home. If there are strategic reasons that are so overriding and fundamental that we have to hold this piece of real estate regardless of the cost, let the administration say so and make the agrument on the basis of that truth and not on the basis of the present myth. Let us recall that we are spending $30 billion a year, 25 percent of our national budget, 500,000 troops there today, with over 13,000 killed and 90,000 casualties. And this war is just beginning. These are the facts. We look here at home and we see that we do not have enough nursing homes, we do not have enough classrooms and we cannot begin our job-training programs. We have sprawling slums that pockmark every city in the country. The list is endless of things which we have to do here which we cannot do at home partly because we are investing $30 billion a year in Vietnam. If there is a strategic overriding reason, let us hear it. If the President is willing to come here and make the argument that it is worth holding Vietnam whatever it costs, whether it is $40 billion, $50 billion, or $60 billion, and whatever the troop commitment may be, then let us recognize that fact and justify it on that basis. Certainly the South Vietnamese are not concerned enough to make an equivalent commitment. I happen to think that the justification does not exist. But my mind is open. If that case can be made, then the administration should make it. Certainly let us not continue to proceed on the basis of a faulty rationale when the facts stand out as clear as light that there is just not the wherewithal in South Vietnam and the commitment to this struggle necessary to bring this thing to a conclusion. Let us either reconcile ourselves to being there forever or let us decide that it is time we take a new look at this commitment, and develop a new policy based on reality.

Mr. Speaker, I am now inserting the seven sections of testimony referred to earlier:

The first is entitled "Insufficient South Vietnamese Commitment—to War Effort":

[P. 1021 and 1022]

Mr. Poats. In Korea during the Korean war, prices increased 2,400 percent in 3 years, 7½ times in 1 year. That is real runaway inflation. In Vietnam it is a high but manageable level of inflation.

Mr. Riegle. If that happened in Korea, if the rate of inflation were that dramatic, we still managed to hang on in Korea and they were able to withstand inflation many times greater than this. What is to say this country could not do the same thing? It seems to me what is happening is that this country, by controlling its inflation more effectively than Korea did, is getting rich at the same time that it is waging war. I am not suggesting that the whole country is getting rich because I am sure that the poor villager out in the hamlet is on the receiving end of all which is unfortunate and unhappy in the country. It appears to me that somebody is profiting greatly in Vietnam. Is this a fair statement?

Mr. Poats. Yes. Let me answer the first part of your statement first, though.

In Korea you had a simple, clear external aggression, a unified South Korea fighting a unified action against that aggression. It was a short war, 3 years.

These people in Vietnam have been involved in war off and on now since 1946. There is not nearly the unity in South Vietnam that we had in Korea.

Mr. Riegle. I am just talking about the inflation problem.

Mr. Poats. I know. I am saying the political and social fabric that we are supporting in Vietnam is not nearly so cohesive and strong or resilient as in Korea.

Mr. Riegle. You are saying, in essence, then, if this war were conducted in a way that required greater economic sacrifice by certain elements in Vietnam, the political instability is such the country might fly apart, is that right?

Mr. Poats. Exactly.

Mr. Riegle. That, to me, is a most discouraging thing.

Mr. Poats. Fear of violent political repercussions or even personal physical attack has sometimes prevented forceful Vietnamese Government action in collecting taxes. A minister once described these personal threats in a conversation with me.

Mr. RIEGLE. What that says, in other words, is that with our CIP program we are really paying a price for political stability. That is what it says.

Mr. POATS. That is what it is.

Mr. RIEGLE. I object to that, and I am surprised somebody else does not, too.

LACK OF NATIONAL PRIDE

Mr. PASSMAN. I am frustrated, discouraged and disappointed after hearing this testimony this morning, so much so that I am frightened. We have an unmanageable mess. I do not think it is getting any better even though I think you people are trying. Unless you can get the South Vietnamese themselves to recognize that they have something to save for themselves and for their children, I do not believe we will ever get on top of it.

Undoubtedly we have failed in our program out there to generate any patriotism or pride that would make them want to defend their country. I did not think it was possible for us to get ourselves involved in this type of mess.

[P. 1023]

Mr. RIEGLE. We are continuing the CIP program at a very substantial level. I assume we do that only because we cannot force on the people of South Vietnam a higher degree of sacrifice than they are willing to make at this point.

Mr. POATS. We cannot force the kind of tax collections that is required to reduce the requirement for this substitute device.

Mr. RIEGLE. That is right. So, the people with the wherewithal in South Vietnam are unwilling to pay for any more of this war than they are now paying for, and we have to supply the balance.

Mr. POATS. They have increased the tax payments, of course. The nouveau riche, the fellows profiting from the American military presence, running the bars, cabarets, and so on, are not being taxed adequately . . . .

Mr. RIEGLE. Suppose we were to announce—we are not going to, but I am wondering what you think the practical impact would be if we said: "Look fellows, the free lunch is over. We are going to stop this inflation control program. We are going to stop the CIP program other than for just those very few essential items like certain key drugs and things that are absolutely vital. The rest is gone. All discretionary items are going to be stopped. You will have to live with your inflation."

What would happen? Would these fellows then get their demonstrators in the streets and we would have a political crisis? Is this your expectation?

[P. 1024]

Mr. POATS. There would be much more radical price rises and acute shortages and widespread criticism, not only of the Vietnamese Government, but of the U.S. Government, I suspect. I do not think that they could physically, technically, adequately increase their tax collection to deal with the problem.

Mr. RIEGLE. What does that mean, though? You are saying that the people with the wherewithal in South Vietnam are just not willing to pay the price of this war. Is that not what you are saying? Up to a point they will pay it, and beyond that point, if the price is higher, we must pay it?

INADEQUATE TAX COLLECTION PROCEDURES

Mr. POATS. It is partly that and partly the inadequate Government machinery for tax collection.

Mr. RIEGLE. If the Government's survival depends upon its ability to organize and go out and collect taxes, it would be my intuitive feeling that they would make it a priority assignment and they would go out and get organized and collect them. I think they could solve that part of the problem in a crisis.

The other part, whether the people consent to pay when the Government taxman knocks at the door, is really the relevant part of the question.

Mr. POATS. * * *. One of my views has been that they should radically increase the tax staff relative to other elements in the civil government, sending people from the military services in this function. . . .

[P. 1025]

Mr. RIEGLE. It strikes me along the lines of the chairman's recent comment that maybe their level of commitment to this struggle, the struggle we are investing some 275 American lives a week in, is not the same as ours. Maybe these South Vietnamese commercial interests really do not give a damn.

LACK OF NATIONAL SUPPORT FOR WAR

Mr. POATS. I cited some evidence to the contrary a moment ago. I think none of us is satisfied with the degree of national mobilization for war in Vietnam. I think it is improving. I think it has improved to the degree that you have stable government. We had a period of a succession of coups from November 1963 until June 1965, when government virtually disintegrated, and with that, of course, goes a breakdown of morale and willingness to contribute on the part of the whole public.

Mr. RIEGLE. That is right. Have we not established that one of the key reasons we do not have that same breakdown in government happening today is the fact that we have decided to pump in hundreds of millions of dollars of CIP ransom, or whatever you want to call it, to essentially keep certain commercial interests happy enough that they will not get their sympathizers out in the streets and bring down the Government?

Mr. POATS. I think that is slightly harsh, maybe more than slightly harsh.

Mr. RIEGLE. It may be more than slightly harsh, but it is essentially true, is it not?

Mr. POATS. There is certainly a substantial element of truth in it, the Government of Vietnam has not been able to mobilize national support in the way of sacrifices by individuals, financial sacrifices, on the order desirable.

Mr. PASSMAN. Or necessary. . . .

Mr. RIEGLE. We are talking about motivation now, and we are talking about what motivates these commercial leaders in the noncombat areas. Are we not saying, essentially, that they do not really have the level of commitment that they need to have to get this job done?

Mr. POATS. Right.

[P. 1058 and 1059]

Mr. RIEGLE. What measures do we have? What specific evidence do we have that our nonmilitary program has in fact speeded up the military solution? On what basis do we have any reason to believe that we have achieved * * *.

Mr. POATS. There would not be military action by the Vietnamese military forces today had it not been for our provision of commercial imports.

Mr. RIEGLE. You are saying they would have thrown in the towel altogether?

Mr. POATS. The inflation, disruption, loss of morale would have been such as to have destroyed the Vietnamese military effort and would have changed the whole nature of our prospects there.

Secondly, I think we would have had much more severe——

EFFECT OF COMMODITY IMPORT PROGRAM ON CONTINUITY OF GOVERNMENT

Mr. RIEGLE. What is there inherent in our flooding commodities into this country which has stiffened the willingness of the Vietnamese soldier to go out and fight for his country?

Mr. POATS. Because he knows that his salary is worth something. He knows that the people back home, his relatives and friends, are able to eat and afford to buy goods, and you do not have the political agitators seeking a different kind of solution from the one we are seeking, capitalizing upon the distress of runaway inflation and acute shortages of critical goods which otherwise would have occurred.

The Ambassador has repeatedly stated that this is the fact, that without this program the Vietnamese couldn't have carried on.

Mr. RIEGLE. If I come back around the other way, then, if we were just to subtract the American capability from the picture, you are telling me that these people would be overrun tomorrow?

Mr. POATS. No.

Mr. RIEGLE. Not overrun necessarily because of the lack of strength of the military effort but they would decide the fight was not worth it?

Mr. BUNDY. May I comment? I want to take it broadly.

Mr. RIEGLE. Let me hear Mr. Poats' comment first.

Mr. POATS. Yes, it is my view and the view of the Ambassador repeatedly stated that the social and economic distress which would have been caused by these acute shortages would have reflected against our interests and our own troops as well as the total war effort.

After all, this inflation is largely fueled by American military piastre spending in Vietnam.

Mr. RIEGLE. What you are saying is that if suddenly we were to subtract the American propping up of this effort, that really the will of the South Vietnamese to defend their country from the aggression would just disappear and this country would be lost tomorrow?

Mr. POATS. Not tomorrow, but it certainly would be weakened so severely as to greatly reduce our prospects of success.

Mr. RIEGLE. What that really says is that there is not enough today which is indigenous to Vietnam in the eyes of the Vietnamese to really be worth a struggle.

Mr. POATS. I think they feel they are in a joint effort with us.

Mr. RIEGLE. We just said if we do not make it a joint effort, if we subtract our participation, then they will throw in the towel. Is that what we have just said?

Mr. POATS. I didn't say throw in the towel. I said this would so undermine the capacity of the Government to maintain stability and to get the support and commitment of people and to keep the Army fighting that it would greatly reduce our prospects of success in the whole war effort.

[P. 1060]

Mr. RIEGLE. It seems to me that we have just established in this colloquy that if we were to withdraw our AID program that the Government would likely collapse over there and for all intents and purposes the war would be over. Namely, short of a tremendous initial or additional military effort we would not be able to continue to maintain any sort of operation in this country. Is that so?

Mr. POATS. That is what I have said in effect, yes.

The second is entitled "Americanization of 'Other War'":

[P. 902]

Mr. POATS. Many of the decisions (regarding AID management decisions) are made on the basis of a country team judgment by the whole U.S. establishment there and by the whole U.S. establishment concerned with Vietnam in Washington. They do not always give top consideration to management questions.

Usually the leading considerations are political, psychological, support of the military effort, and stabilization.

The other problem is manpower, as I mentioned.

We could, of course, and we are to an increasing degree, putting in Americans and other foreigners to do these jobs for the Vietnamese, and we are doing that in areas where we think we can do it without a net political liability. However, we cannot do it in many of these areas I have been discussing. It would not be politically effective in the pacification program to substitute Americans and simply demonstrate that Americans are effective, efficient, generous, and so on. That will not accomplish the political purpose.

Mr. RIEGLE. I tend to agree with you. When you institute a program, in hopes that the South Vietnamese will implement it as you expect they will, and then they do not, do you find this creates political and psychological disadvantages, perhaps a stage or two later, which is worse than if we had left the situation alone?

CHANGES IN VIETNAMESE GOVERNMENT PERSONNEL

Mr. POATS. Yes; it can. Sometimes it creates conflict between us and the Vietnamese Government over a failure on one part to live up to one side of the bargain. One of the great problems has been that there has been such a tremendous turnover in the Vietnamese Government at all levels.

There have been times when literally only a half dozen Vietnamese officials have been available to deal with the economic problems we have been confronted with, on stabilization, industrial development, and so on, or on other financial policy aspects of the civil programs.

These people sometimes leave on short notice and there is no replacement for a period of week or months. A new man comes in and has to get his feet on the ground.

Mr. RIEGLE. How can you build a contingency into the AID program to anticipate this? We are at a point where the pressure on dollars is so great for domestic programs and for military requirements in Vietnam that it seems we are at a point where we cannot really afford the luxury of that kind of slippage.

Is there a way we can combat that and try to save those dollars which are lost in terms of this inability of hooking up with the South Vietnamese in some areas?

Mr. POATS. We are combating it (South Vietnamese inability to do their share) by introducing more foreigners into the system at all possible levels.

For example, we have put enormous numbers of people into warehousing and commodity management in the past year. We have put over 1,200 foreign medical personnel, including nurses and technicians, into the medical system.

We have put people into the Provinces in considerable numbers. At first we had only one AID Provincial representative. Now we may have as many as a score of foreigners working on civil affairs in some Provinces. These people are getting out and working down at the district level. They are watching the commodities and helping the Vietnamese manage programs. . . .

[P. 1043]

Mr. RIEGLE. Coming back to the point of management and the fact we established this is more or less a shared job, that we cannot do it by ourselves and repeatedly we have expected South Vietnam to sort of bridge with us in doing the job, and we found for many reasons they were not able to deliver on their side, do you think it will be possible for us to really sustain a much expanded effort over there until this basic problem is resolved?

Mr. POATS. I think it will be necessary to use Americans increasingly in operational jobs as distinguished from advisory jobs.

Mr. RIEGLE. In other words, if it will become a greater program it will have to be a bigger American program?

Mr. POATS. Yes, American and other foreign.

[P. 1000]

Mr. RIEGLE. Is there evidence to indicate that there have been seriously inadequate controls in regard to commodity imports?

Mr. POATS. Yes; I think our controls in late 1965 and the first half of 1966 were inadequate. The controls that we had in effect then were the conventional standard AID worldwide systems. They were not adequate for the special problems of a radical buildup in this program in Vietnam at that time, and particularly inadequate given the wide disparity between the realistic exchange rate, which is not the same as the black market rate, and the official rate at that time. This promoted and induced abuses.

There was also inadequate Vietnamese Government staff to carry its part of the responsibility.

[P. 1000 to 1001]

Mr. RIEGLE. Based on the conclusion that you just stated a moment ago we apparently were not able to tool up fast enough on the management side. In other words, the size of the program, the incremental increase in the program, was so substantial that even though we took these staffing steps they were short of the mark. We still were not able to get on top of it.

Mr. POATS. That is right.

Mr. RIEGLE. Have we caught up yet? Are we on top of it today?

Mr. POATS. Largely on top of it today. We are still making changes in the procedures. We are still increasing the American participation in what are normally the host government responsibilities.

GROWTH OF AMERICAN ROLE IN VIETNAM

Mr. RIEGLE. This is the thing that really worries me, and I also see the same thing happening on the military side. I see it now in the pacification area. We have expected the South Vietnamese to step up to share this responsibility. For whatever the reason, they have not been able to do it. Systematically, in area after area, we have had to move in.

At first, on the military side, we were the advisers, and the Vietnamese were doing the fighting. Now it is almost the reverse, we do most of the fighting, and they do the advising, in a sense.

The same thing seems to be happening in the nonmilitary area as well.

Mr. PASSMAN. That is a good statement.

LACK OF VIETNAMESE SELF-SUFFICIENCY

Mr. RIEGLE. The thing that concerns me the most is this: If we cannot establish some sort of balance between self-sufficiency on the one hand, and growing self-sufficiency, versus a growing dependency, then we will never get out of this situation. We will be mired down there forever.

[P. 1002]

It seems to me all the evidence that piles up on the military side and on the nonmilitary side shows that the Vietnamese, rather than becoming more self-sufficient and more independent and better able to manage these problems, that systematically in area after area we are constantly having to act in their behalf in plugging holes in the dike, militarily and nonmilitarily.

Is that a fair conclusion in your judgment?

Mr. POATS. That is certainly a danger and in some instances a fair conclusion. It is a dilemma arising in part, from the fact that we set standards of performance and integrity which are not native to Vietnam, and particularly not achievable by that country with its own manpower and leadership and management in this choatic situation today. . . .

Mr. RIEGLE. It seems to me that the conclusion we are reaching is that to ever really get on top of this thing from a management point of view, we virtually have to be in every step of the program from beginning to final implementation.

As you say, we have unused supplies sitting out in village hospitals, and construction equipment ready to build schools that is gathering rust. Does this not mean that there is an absence there and probably we are going to have to fill it finally?

Mr. POATS. Yes.

The third is entitled "Policy of Growing Americanization of the War; Over-Ruling of Recommendations of Field Administrators":

[Pp. 1003–1004]

OVERRULING OF RECOMMENDATIONS OF FIELD ADMINISTRATORS

Mr. POATS. We have before us right now a request from the U.S. Civil Operations Office for a very large increase in its foreign staff to do a better job at the province and district level. We will try to provide these people—civilians, as much as possible, using AID recruiting devices and to the extent we cannot the military will provide them.

AID VOICE IN VIETNAMESE POLICY

Mr. RIEGLE. At some point is it likely, or does AID have the responsibility, or the authority for that matter, to throw the red flag up and say to the policymakers, whether they be in the State Department or whether they be somewhere else in the executive branch, that perhaps we are crossing a line in terms of Americanizing this entire operation in Vietnam and we can never come back, we will get so far down that road that any chance of South Vietnamese self-sufficiency developing out there is going to die. It is going to be smothered, smothered by our totally moving in.

Mr. POATS. It is difficult to answer this without appearing to be putting the onus on various other people.

Mr. RIEGLE. Do not worry about that. I think the onus should be placed where it belongs.

Mr. POATS. It is a combined judgment. Most of these questions have come up one at a time, ad hoc, and they are decided that way largely. There have been times in which AID has declared a resistance to a particular proposal. The general disposition has been to say, "How can you possibly argue that to withhold——?

Mr. RIEGLE. General disposition by whom?

Mr. POATS. Of the U.S. Government, the administration.

Mr. RIEGLE. What part of the administration are we speaking about? The State Department?

Mr. POATS. The basic Vietnam matters have been decided over the years by a Vietnam interagency group composed of representatives of the various agencies involved. Defense, State, AID, USIA, CIA, and the White House staff. Some of these things come to National Security Council attention. Some go to the President personally. Many are decided in the field and come in as a joint message or message from the country team with the Ambassador and the question is whether to oppose them.

Mr. RIEGLE. Were there ever occasions when you were in charge of the AID program in Vietnam where you felt that we were moving into an area, taking this incremental step of Americanization of this whole process, where you threw up the red flag?

Mr. POATS. Yes.

Mr. RIEGLE. I would be interested in knowing when. If it is confidential we will take it off the record later.

Mr. POATS. It is confidential, ———.

Mr. RIEGLE. Before we get into the cases, I am interested more now in terms of the line of command. In other words, when you had this feeling, to whom did you communicate this feeling?

Mr. POATS. Either to colleagues on the Vietnam Interagency Committee at a meeting or in a memorandum to the AID Administrator.

Mr. RIEGLE. Did you send memorandums of this kind from time to time?

Mr. POATS. Yes.

[P. 1005]

Obviously, I raised the red flag on some things from an AID point of view, from my view of the politics of the situation as well. When I raise questions of a political nature, obviously, I am not the final authority; or from a military point of view.

Mr. RIEGLE. Let us come back to some of these times where you threw the red flag because you were concerned as the AID Administrator for this region with your ability to take on projects and do them effectively at that time.

I would like, Mr. Chairman, if it is appropriate for me to ask it, to see some of those memos that were sent not so much from the point of view of probing those specific situations, but I think we have to begin to pin down this process that is taking place, the overall decisionmaking process, where an AID Administrator in the field who has the basic responsibility for seeing the program work, when he is concerned that something new is not going to work, I want to know how and why it is that these recommendations are overridden. I want to know who overrides them.

[P. 1006]

All right. I want to make it clear I am not asking for this for the printed record. I am asking for it for the confidential use of the committee.

I want to say, too, in fairness to Mr. Poats, that I think it is very much in the interest of the American people for us to know about letters of this kind where the red flag was thrown. If possible, put them in the record.

Mr. PASSMAN. I want to say that we should not be deprived of this information; we hope it will be forthcoming.

(NOTE.—None of the requested information was provided.)

The fourth is entitled "Mismanagement of Drugs Abuses; Overconsumption of Wide Spectrum Antibiotics in Vietnam." There are the drugs that end up with the Vietcong, which our American taxpayers pay for and send over there. It is unbelievable, but true. The section follows:

[P. 999]

OVERCONSUMPTION OF WIDE SPECTRUM ANTIBIOTICS IN VIETNAM

Mr. RIEGLE. In this report it was concluded that the amount of wide spectrum antibiotics was apparently out of all size in relationship to the need. It showed kilo consumption (per thousand unit consumption) of 25,000-plus in South Vietnam, whereas in Taiwan the consumption was 3,500, and in the Philippines 2,000. Yet the populations of Taiwan and the Philippines are as large as Vietnam or larger and presumably their need is not substantially different.

This report also concluded that this amount of wide spectrum antibiotics could be misused and lead to illnesses, deaths, and things of this kind.

The pharmaceutical report also makes the observation that while there did not seem to be an apparent need in South Vietnam for this volume of antibiotics that they noted that the Vietcong do have a very grave requirement for wide spectrum antibiotics. The inference is that perhaps some of these drugs go over to the Vietcong.

Then we note the price paid for these antibiotics. If you take them by category, and I will refer to the exhibit I have just submitted for the record, the first one is tetracycline, where it cost us $245 per thousand units here whereas the cost of that same wide spectrum antibiotic in Europe would be $59.

[P. 1008]

Mr. RIEGLE. Let us take the case of these antibiotics. What is happening to all these wide-spectrum antibiotics that are being consumed and sold?

Mr. POATS. The reason the consumption is so large is that the Vietnamese Government is not enforcing its regulations requiring doctors' prescriptions for the use of these antibiotics. It has not been enforcing them.

Mr. RIEGLE. Any citizen can buy antibiotics?

Mr. POATS. That is right.

Mr. RIEGLE. In unlimited quantities?

Mr. POATS. No, they are limited. The drugstores do limit them to individuals. But he can come in tomorrow and buy another bottle, and so on.

Mr. RIEGLE. That is not really an effective limitation?

Mr. POATS. No.

[Pp. 1009 to 1010]

Mr. RIEGLE. I want to summarize my thinking on this and then I want to yield back to the chairman. What this says is that we have not been able to sufficiently manage our flow of antibiotics in the country to stop the flow of, in your words, substantial quantities of these drugs to the other side where they have been warehoused and presumably used. What this gets down to is that the Vietcong, presumably Vietcong and North Vietnam regulars that have been shot up or hurt, have had access to these drugs in order to get well and come back out and mow our fellows down.

Mr. POATS. That is true of military supplies as well as pharmaceuticals.

Mr. RIEGLE. That is true, but military supplies are very different. When you are out on the field of battle if a man gets shot and drops his gun and somebody else picks it up, that is one thing. Hospital supplies as a general rule are different. But our hospitals as a general rule are not overrun and sacked so that it is very different. It is far more reasonable to assume that a certain amount of guns would get away from us than large quantities of drugs. We can control the drugs.

Mr. POATS. We have lot numbers on these drugs and we can trace whether they were commercial imports, project commodities, or military supplies. We have a breakdown which I will supply you.

Mr. PASSMAN. Would the gentleman yield for a brief statement?

Mr. RIEGLE. Surely.

REDUCTION IN SUPPLY OF ANTIBIOTICS

Mr. PASSMAN. It would appear to me that you have a perfect way to control this problem. Let us take the Philippines versus South Vietnam.

For one antibiotic I note the per capita consumption in Vietnam was about 12 times that of the Philippines. Why would you not ascertain from the other countries in that area what the civilian consumption of these particular drugs per capita would be? Then double that amount for safety, but do not ship in 12 times what is being used on a per capita basis in a nearby similar country.

It is just a question, it would appear to me, of not having any idea of the need. You did not study the statistics and you just shipped in the drugs. I think you will find, repeating if I may, that the shipments or consumption is 12 times that of the Philippines. It simply means to me me that you provide this drug without having any guidelines whatsoever as to the requirements.

Mr. RIEGLE. If you will yield?

Mr. PASSMAN. I yield back.

Mr. RIEGLE. The population of the Philippines is roughly twice that of South Vietnam.

Mr. PASSMAN. Then consumption in Vietnam would be about 24 times that of the Philippines. There is no justification for that type of waste. You could have very easily ascertained from the Philippines or Taiwan what the normal per capita consumption of this particular biotic would be. If you wanted to, for a safety measure double that amount for South Vietnam but not 24 times the amount.

Mr. POATS. May I comment on these points? We sent out an expert in this field last summer to do just this kind of study from which these figures are drawn. From that study we concluded that we should cease financing these wide spectrum antibiotics and we should get controls established by the Vietnamese Government as to the quantities they would finance and get controls as to the sales through the retailers. This is being done. I cannot tell you that these controls at the retail level are adequate yet as to the quantities and whether that increases the Vietcong access to them.

Mr. RIEGLE. You say that we have been able to more or less gage the caches of these drugs that have gone over the other side and been squirreled away that we uncovered. What percent of those captured drugs do you say can be identified by code numbers? What percentage of these drugs have been AID drugs as opposed to military drugs?

Mr. POATS. I have a recent paper summarizing this whole question of the findings of the caches and percentages from each source of the types of pharmaceuticals.

Mr. RIEGLE. What is the rough percentage of the AID contribution?

Mr. POATS. My memory is it was as high as 30 percent in the caches found in the fall of 1966.

[P. 1012 to 1013]

Mr. RIEGLE. Would you supply for the record the aggregate amount of wide spectrum antibiotics that have gone into Vietnam since 1960, the amount by year?

I want to see the buildup. This is what I worry about. I say to myself, how in the name of reason could we start to pump in large quantities of these pharmaceuticals without a commodity analyst on board to decide whether it is sound to do this? It seems to me we have the cart before the horse.

Mr. POATS. We did not have any special analyst to review licenses.

Mr. RIEGLE. Why?

Mr. POATS. We do not have it in any country.

Mr. RIEGLE. Why not?

Mr. POATS. We do not because we operate on a system of agreements with a government in which it undertakes responsibilities and we do not attempt to move in and do the job of that government for it in this field. We changed this normal approach in Vietnam, beginning early in 1966.

Mr. RIEGLE. There was no commodity program in recent years anywhere near the size of this one, was there, in 1965?

Mr. POATS. It doubled from 1965 to 1966. It has been further increased. More than doubled. Here are some figures. For 1964, fiscal year, $9,037,000 of medical pharmaceutical products. In fiscal 1965, $13,216,000.

Mr. RIEGLE. What that means is that we sent in over $13 million of pharmaceutical supplies when we did not have a qualified pharmaceutical commodity adviser or somebody who had the specific training and background to really assess whether that $13 million was appropriate or not for the job, or anything of the kind.

Mr. POATS. That is right.

Section 5 is entitled "Impact of Aid Program on Average Vietnamese Citizen." This shows that the little fellow in Vietnam is being left out of this program. The section follows:

[P. 988]

PER CAPITA GAINS IN VIETNAM

Mr. RIEGLE. If we take the figures for our expenditures at this time, take the aggregate aid assistance in all forms which have gone into this area, let us say for the past 20 years, it comes to a staggering sum.

Do we have any measurement as to exactly what this has done on a per capita basis for the little fellow in Vietnam, the peasant?

Mr. Poats. The gage that was useful prior to the intensification of the war showed there was a steady increase in the per capita income of the country during the period from 1957 to 1960 when there was a fair amount of stability. In that period the per capita GNP was growing at a rate of about 5 percent. In that period there was a very substantial improvement in social services, education, and so on.

Mr. Riegle. What I would like for the record would be the best expression that we have of what the per capita gains have done in Vietnam, let us say over the last 6 years.

Mr. Poats. All right.

Mr. Riegle. I would like to try to get those expressed in categories that really have meaning; in other words, not just in terms of increase in average earnings and average income but also what has happened to the median income, what has happened in the area of social services, such as schools, and what has happened in terms of the literacy rate.

Mr. Poats. We cannot give you good data on recent income because there has been no adequate national income calculation during the war. It is impossible to make under the circumstances.

There was an attempt as late as 1962 to derive accurate figures for 1961. There has been no such attempt since then.

The staff engaged in that was dissipated. There were very few of them at the time and they are no longer in that unit of the Government.

(Note.—In response to the above request, AID provided only sketchy income information—indicates no measurement exists of alleged benefits to the Vietnamese people of continued AID assistance.)

[P. 1055]

Inflated Standard of Living in Urban Areas Versus Rural Privation—Failure of AID to Reach/Improve Life of Villager.

Mr. Riegle. One of the very striking parts of this—and this is a worry we all have, perhaps more acute with me than with others—is this:

This becomes doubly important when you look at the very vast difference between the kind of life the villager faces in Vietnam versus the style of living which is afforded now in Saigon. We see people in Saigon doing very well and living high off the hog. We see almost a minimal amount of our aid filtering its way out to the villager. This makes it doubly discouraging.

Does it to you?

Mr. Bundy. Yes, it does, but you have to reckon that something like this happens in wartime. I saw it happen to a degree in England during the war.

Section 6 is entitled "Mismanagement of Aid Program in Vietnam." In one instance here I ask:

How do we get rid of these excess supplies when that situation develops? I know there is a real bind on warehouse space. When we find that is true, what do we do, sell these excess supplies?

Mr. Poats answered:

No. We build more warehouses. We built an enormous number of warehouses in the Saigon area.

The section follows:

(Note.—Numerous examples in the committee testimony document serious mismanagement of the Vietnam AID program—only three examples are illustrated below.)

[P. 1008]

DISPOSITION OF EXCESS SUPPLIES

Mr. Riegle. How do we get rid of these excess supplies when that situation develops? I know there is a real bind on warehouse space. When we find that is true, what do we do, sell these excess supplies?

Mr. Poats. No. We build more warehouses. We built an enormous number of warehouses in the Saigon area and have taken over some from the commercial community.

[P. 1027]

AUDITS OF CIP

Mr. Riegel. Is that another way of saying there have been no GAO audits per se, of the commodity programs, apart from the system, in other words, of commodities per se?

Mr. Poats. Not for quite a few years.

Mr. Riegle. Do you think such an audit would be useful? In other words, would you feel better about the management of this program if GAO were to come in and do an independent audit, on a selective basis, of commodities?

Mr. Poats. Yes, I think it would be useful.

Mr. Riegle. I do, too.

Mr. Passman. I do too.

[P. 989]

OVERSATURATION OF AID

Mr. Riegle. The next question is this; How much aid can a country like Vietnam absorb at one time: How much can we flush through their system and have it finally then work its way out into the hamlets where we really increase the quality of the life out there rather than setting people up in the city? Some people have suggested we have gone too far and it has almost reached the point of overkill in terms of pumping money in there. What would be your comment?

[P. 990]

Mr. Poats. We are in several areas past the saturation point in terms of effective Vietnamese management . . .

[P. 991]

Mr. Riegle. You said there were several areas of the AID program where essentially we were below the saturation point. What would be these areas?

Mr. Poats. I think we have been attempting in many villages to provide supplies for construction where the local authorities did not have the management tools or skills or did not have, locally available, construction contractors qualified to properly do the particular job—where we have depended largely on the self-help principle which is a very sound one politically but is not necessarily the best way to build a structure.

We have provided feed for the pig corn program which was turned over to a series of individuals at various levels of government to supervise, and where many of these people were subsequently withdrawn from that service and taken off into the Army, or they quit and went to work to make more money.

We had trained teachers and medical health workers, to work in villages and district clinics. Those people have left these jobs to take higher paying jobs, or they have been drafted. We have continued to put in supplies into these clinics with sometimes inadequate management.

[P. 989]

I think that has happened from time to time in particular fields. For example, currently we are certainly putting more resources into Vietnam to operate medical assistance than the Vietnamese society, economy, and government can support. Consequently we have brought in foreigners to do it. This could not be sustained after the war and will have to be reduced.

We have put in more resources for various aspects of agricultural development at times than the Government institutions, the co-ops, credit organizations, and the Government extension workers could properly handle. . . .

[P. 992]

Mr. Riegle. What percentage of our AID program really reflects activity which is taking place in an area faster than the ability of that sector to absorb that sort of help, things which would fall into this category of activity? Is it 20 percent? What would you guess would be the figure at the present time?

Mr. Poats. It would be only a guess, Mr. Riegle. I would say it perhaps has been as high as 20 percent in pure management and economic terms, but I would not say it has been that high in terms of the political objectives of the United States in Vietnam.

Section 7, finally, is the "Recommendations" and their rationale and intent:

[p. 1066 to 1069]

BASIC RECOMMENDATIONS FOR MANAGEMENT OF VIETNAM PROGRAM

Mr. Riegle. Mr. Chairman, I am going to make some basic recommendations at this point that have grown out of my study of this information. I think they have been substantiated by what has gone in the record and I am going to ask you if you agree these things would be sound.

ANNUAL REVIEWS OF AID VIETNAM PROGRAM

First of all, I think it would be wise to have an annual program review of the entire AID Vietnam program. I think that program review ought to be made to the Congress. I do not mean made to the Congress in terms of a joint session but there should be a presentation made which would include the following things. I think it ought to be in quantitative terms and include all the various formal program categories you now do business in; such as economic stability, revolutionary development, and so forth, and break out the year's target objectives.

I think the cost of meeting that objective ought to be spelled out and at the end of the year we ought to have a review of the results. What are the tangible achievements and the cost to get them against the target or against what you expect to do?

I think we have to pin that down. I think we ought to go into that. Do you think this is a reasonable request?

Mr. Poats. Yes; I think it is being done, to the degree the Congress is interested, in our appearances before the committees, and particularly the Subcommittee on the Far East of the House Foreign Affairs Committee. It has done this on more than an annual basis. The question of quantifying the target in a program such as revolutionary development we can quantify the RD program target for a year and show what was accomplished. I think this is perfectly reasonable, provided all concerned recognize the inevitable fluidity in the situation.

GAO AUDIT OF CIP PROGRAM

Mr. Riegle. The second recommendation I would make is that I think we need a complete GAO audit of the CIP program, not from the point of view of the system but from the point of view of the specific commodities involved. I think a while ago you agreed this would be a useful thing to have.

Mr. Poats. Yes, sir.

Mr. Passman. Let me say for the record, and, I hope the gentleman will agree that AID is a mess but all other spigots of aid are as bad or in a worse mess. Would you recommend this be all inclusive?

Mr. Riegle. I would certainly be agreeable. I feel very strongly, based on what we have heard today, and Mr. Poats agrees, this sort of an audit would be useful. The fact that we agree on that now makes certain that it will take place?

Mr. Passman. Yes; I think it should be broader than just AID.

Mr. Poats. GAO is a congressional agency.

Mr. Riegle. How do we go about formally requesting it?

Mr. Passman. It will be very easy. We will go through the full committee chairman and request it.

Mr. Riegle. Fine.

FIVE-YEAR LONG-RANGE PLAN

Thirdly, it also occurs to me it would be well for us to have a long-range plan. I mean a 5-year plan which, under the best assessment that we can make today, shows the planned transition of the AID-related activities and nonmilitary activities, the phaseout of these or the transfer of responsibility for these to the South Vietnamese as we go along. Is it possible to make this sort of projection?

Mr. Poats. It is possible to make it and we have attempted it and this will be further refined by the Lillienthal study. Any such projection has to be based upon arbitrary assumptions about termination of the war, the way in which it is terminated, ———, the size of the continuing security problem, if one exists, and so on.

There are so many variables in it we have not thought it very helpful except in a broad sense of planning how we will go about sharing this burden in the post-war period.

Mr. Riegle. I think we have to start pulling that sort of a plan together. We will never start making this transition otherwise. We may have to make some of this transition while the war continues.

Mr. Poats. We are.

Mr. Riegle. Let us make an effort to try to lay out a 5-year plan on that basis. Can you do that?

Mr. Poats. We can. But you appreciate, Mr. Riegle, from some of your earlier questions, the data available in Vietnam to provide a base for such a plan, economic data, is inadequate.

Mr. Riegle. That is right.

Mr. Poats. I am simply saying that the projections we produce and in quantitative terms are not going to be worth much by the time we get there. They will certainly give us some guidance on procedures and approaches to provide a transition, to bring other governments and other AID agencies into the act, related to the Asian Development Bank and other groups.

COMMITTEE TRIP TO VIETNAM

Mr. Riegle. Mr. Chairman, it also occurs to me it would be well for members of this subcommittee to try to get out there this year and take a look at this. I for one would try to do that.

Mr. Passman. May I say to the gentleman I have been somewhat disheartened during the last 3 years. The attitude seemed to be this is what we want; this is what we are going to get, the committee notwithstanding. They must have thought they had a majority of the committee with them or they would not have taken that attitude. I now feel that we have some new friends on this committee. I am going to renew my effort to try to equal or surpass my effort in prior years just to point out what a mess we are really in. A lot of what you brought out today, I have had to associate myself with for 15 years but I have renewed hope now that we can find some open air and I think with the help of this committee, with the help of the GAO and with the approval of the chairman and all others interested, that we may be able to help AID get on top of this program. We will go there and I hope that we can spend whatever time is necessary in Saigon or in Vietnam.

Mr. Riegle. I feel very strongly and personally the need to get some firsthand information. I would like to say to you today, and for the record, that I hope that I can go. I want to go. It seems to me, Mr. Chairman, that there is no more important official business for us than to try to get to the bottom of this thing.

Mr. Passman. I think that you are absolutely correct. I will cooperate and I am sure that the entire committee will.

PROCUREMENT FROM AMERICAN AND FOREIGN SOURCES

Mr. Riegle. My final recommendation is one that the chairman made earlier. I think we ought to make a total study of the ability to buy American in all of the commodity product categories within the limits of economic sense. I do not know that we ought to go to the extremes we went to in the drug program. I think in virtually any other area, such as galvanized steel and so forth, when we possibly can we ought to deal with American suppliers if for no other reason than to insure that we are getting our money's worth and not short counts and inferior products.

Mr. Poats. AID-financed procurement of iron and steel mill products are U.S.—only now with the exception of galvanized sheet, but in practice it is working out to be U.S. only.

Mr. Riegle. I understand that there are other products in the CIP program in which we are still getting from foreign sources.

Mr. Poats. That is right.

Mr. Riegle. May we have a review of those to see which ones we can bring home?

Mr. Poats. We are doing that right now, Mr. Riegle. In fact, a part of the process of reducing our commercial import program and shifting that burden to the Vietnam National Bank is exactly this—to eliminate from our program those things which are bought offshore.

Mr. Riegle. Fine. That concludes my testimony.

I just want to say for the record, Mr. Chairman, how much I appreciate as a freshman Member of the House your patience and forbearance in allowing me to go ahead and proceed with this testimony. It is appreciated very much.

Mr. Passman. I want to say to the distinguished gentleman that you have made an important contribution in the examination. The questions that you have asked and the answers that you have received are worth a great deal not only to the committee but will be of value to the Congress and to the country.

CHARGE THAT AIRLIE FOUNDATION BACKED BY CIA UNFOUNDED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. Laird] is recognized for 20 minutes.

Mr. LAIRD. Mr. Speaker, the charges that appeared in the Washington Evening Star last Thursday and Friday alleging that "Airlie House, the area's most prestigious conference center, is secretly supported by the Pentagon, State Department, and Central Intelligence Agency," are of direct concern to me because I have arranged for and participated in many conferences at Airlie House.

Ever since the charges appeared on Thursday, September 14, many Members of this body have contacted me concerning these allegations.

As chairman of the House Republican conference, I arranged the meeting of 57 freshmen Republican Members, the House leadership, and ranking minority members of the standing committees of the House last January at Airlie House.

I have also arranged and participated in other meetings at Airlie House.

For these reasons, Mr. Speaker, I felt obliged to look into the charges contained in the article which appeared in last Thursday's Star entitled "Airlie House Is Backed by CIA, District of Columbia Lawyer Claims."

After checking into these charges with, among others, the Director of the Central Intelligence Agency, Mr. Richard Helms, I have concluded that they are unfounded and without basis in fact.

As you know, Mr. Speaker, the article in question was the result of a press conference held on Thursday morning by Mr. William Higgs who was described in the article as a "Washington attorney."

The article, by Robert Walters, a Star staffwriter, stated:

> Washington attorney William Higgs today charged that Airlie House, the area's most prestigious conference center, is secretly supported by the Pentagon, State Department and Central Intelligence Agency.
>
> The charge was immediately denied by Dr. Murdock Head, founder and director of the Airlie Foundation, and by a government source. Head said that "not a single dollar of support from the CIA or any other similar organization has been offered or accepted by this institution."
>
> Higgs told a press conference that "an elaborate system of electronic bugging" equipment has been installed in Airlie's main conference building and is capable of secretly monitoring the conversations of conference participants.

Mr. Speaker, this serious indictment of the Airlie Foundation, of its director, Dr. Murdock Head, his family, the Airlie Foundation board, the Department of Defense, the State Department, and the CIA, was found to have been made by a 31-year-old white disbarred lawyer from the State of Mississippi. Mr. Higgs is known in the Washington area as an active civil rights militant, espouser of black power, and is an unrelenting critic of the CIA. The files of every newspaper that has access to wire service information should be replete with this man's incredible record.

In the Star article it was suggested that the members of the board of Airlie Foundation who, in their own right, are all highly reputable and outstanding citizens have, because of their past affiliations with Government agencies, served as direct links to the Department of Defense and the intelligence community.

In checking out the allegations contained in this article, I found many false and unverified statements. But more important, the innuendo and general tone of the charges has unquestionably greatly damaged the reputation of this fine institution which has contributed so much to national and international affairs.

Mr. Speaker, the charges of "bugging" and monitoring of conferences are completely false, as was stated by both the Airlie Foundation and the Government agencies who responded to the Star's articles. The accusations of such menacing projects as a radio tower, a clinic for plastic surgery, and specialized electronic equipment, place a pall over the credibility of this institution, its director, its board, and those who have held conferences here. Among the groups who are listed in the Star article as having met there recently are the House Republican leaders, the International Association of

Police Chiefs, the State Department, and others. As I indicated, it was at my suggestion that the House Republican leaders met at the Airlie Center and I deeply resent this libelous, false, and unprecedented attack upon the institution and its director, Dr. Murdock Head.

The damage from this kind of irresponsible and unfounded attack is incalculable. The private, scientific, academic, governmental, and business groups who have met or are scheduled to meet at Airlie in an atmosphere of guaranteed privacy may hesitate to do so again.

Furthermore, Mr. Speaker, Dr. Murdock Head's ability to contribute as an objective producer of important public affairs programing through the medical societies of this country is jeopardized along with the reputation of those outstanding scientists, political leaders, and broadcasters who have supported him in this important work.

The inaccuracies of these stories regarding Dr. Head's family and financial status alone could hamper the availability of future funding and financial support for the Airlie Center and its important projects. The CIA and Department of Defense are both much maligned governmental agencies and it is unfortunate that any attack, however skimpy, can find its way into public print.

THE INTERNATIONAL RECTIFIER CORP., AND ITS GIFT TO RIOT-TORN COMMUNITIES

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CORMAN. Mr. Speaker, private industry has played a major role in the long history of our country's growth and development. Along with its efforts through the years toward building a greater America, private industry has also accepted responsibility to further the cause of human welfare. A particularly fine example of how one industry accepted this responsibility is an event that occurred in Los Angeles during this summer.

In early August, the Los Angeles-based International Rectifier Corp., through its Rachelle Laboratories subsidiary, donated to the American Friends Service Committee 4 million capsules of the antibiotic "Tetrachel"—tetracycline hydrochloride—for use in combating disease and infection in riot-torn communities. International Rectifier's Rachelle Laboratories subsidiary is the leading bulk and finished-form manufacturer of generic antibiotics in the United States. Having the welfare of people at heart, and having the foresight to see that antibiotics might be needed in riot-torn communities, this firm took the initiative to make a very generous quantity of this lifegiving drug available to areas where riots occurred.

Mr. Eric Lidow, the corporation's executive vice president, in making the presentation of the antibiotics to the American Friends Service Committee, stated that—

> The breakdown of basic health standards, with its resultant increase in disease and infection, is one of the most tragic aftermaths of the recent violence plaguing our cities. The continuing need to improve health conditions in poverty areas presents an obligation and a challenge to which we feel we must respond.

I have known Eric Lidow for many years, and I am proud that this generous response to human need comes from a California company whose management he heads.

The gift of antibiotics was more than a gesture—it was a response to human need given without request, because the management in that organization cared about human beings. The International Rectifier Corp. has added stature to its continuing role of responsibility toward communities and the people who live in them.

PROBLEMS OF AMERICAN CITIES

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WILLIAM D. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, the problems of America's cities are among the most pressing which face our Nation today. No one knows and understands these problems better than the local officials who deal with them on a daily basis. I had the honor to appear September 7 as a speaker at the 1967 conference of the Michigan Municipal League. Among the other speakers was Dr. Raymond L. Hightower, mayor of the city of Kalamazoo, in Michigan. Mayor Hightower discussed Federal-local relationships from the standpoint of a local mayor. I recommend his remarks to the attention of my colleagues, and insert Mayor Hightower's talk to be printed in the RECORD:

> After three summers of urban convulsions we could justify an attempt to abolish summers, abolish cities, or abolish both. We have known right along that summers breed economic problems for cities; we are only beginning to learn that they generate perplexing political problems. With this knowledge we are aware that there are far too many people with local responsibilities on vacation and out of touch during the heat of the summers, and too many with little or no sense of social responsibility left to find whatever excitement they can in the city streets. We should seriously ask ourselves whether it may not be that the rhythm of urban living is not indeed an important factor in the rumbles. The long week-end with nothing meaningful to do is enough to make life absurd without compounding the sense of worthlessness in wasted summer leisure. While we may not be able to change significantly the seasons of the year we can change our school patterns, our employment routine, and the notion that the leaders of the cities must get away from urban affairs during July and August.
>
> We will not abolish the cities, but rather preserve them as models of how all that is good and all that is bad may be drawn close enough together to make rational behavior impossible. Not many decades ago the "good" people and the intellectuals escaped the shame of the cities by moving to the open country; now they move only to the suburbs, and the rural poor fill the central city, further impoverishing it and destroying its safety for human habitation. The rural poor bring the Dionysian ways of folk religion, which, in the words of William Blake, tends to hold that "the path of excess leads to the palace of wisdom." In recent years it has been practically impossible for the older cities to move their boundaries so as to assure a representative mixture of the affluent and the deprived. Enclaves of white-collar whites continue in the efforts to insulate themselves from the race and class struggles of the city; they live in chartered suburban cities and bedroom towns. The older cities, the central cities, for several decades have turned in desperation to the Federal government for relief, and periodically their plight has been examined, and periodically their pleas have been heard.
>
> All in this convention who represent the older cities of Michigan come with a sense of despair and frustration. The summer of 1967 has been a jolt never to be forgotten, forever pointing up a lesson, but we are not quite sure what that lesson is. Our young men, white and colored, are more lawless than ever; and mobs of Negroes have been throwing rocks through the glass and burning the wood of the very structures they have helped build. Strange orgies are accompanied by violence and threats of more violence to come. It was just a little while ago that our governmental bodies began to decree civil rights for all, equal opportunity in employment, open occupancy in housing, desegregation of schools, and war on poverty, with job corps, neighborhood youth programs, head start, upward bound, job training, and extensive projects promoted with the aid of the Federal Department of Housing and Urban Development.
>
> Expert diagnosticians on the summer troubles are abundant—and vocal. They say: "We have gone too far, and too fast." "We have not moved fast enough." "We have not used enough force." "We have used too much force." It could be that the hopes of the poor, particularly the poor, young, Negro adult male, have been raised higher than attainments. Negro spokesmen usually concede that quite a good deal has been accomplished, and many have benefitted, but they say the whole business is too slow and the whites are to blame.
>
> I did not attend the Emergency Convocation of the Urban Coalition held in Washington on August 24, but I have read the statement which was issued by the Steering Committee. Although the meeting was held in the National capital it was composed of representatives of business, labor, religion, civil rights, and local government, but not representatives of state and Federal governments as such. I think it pointed up again that there are local crises in cities the significance of which are not getting across well enough to those who represent us in the centers of state and national government. The Convocation seemed to attribute the summer disorders to the fact that "the disadvantaged minorities" do not share in "all of the benefits of our society." The remedies proposed are two: a *Federal Emergency Work Program*, and the establishment of *Earn and Learn Centers* under the auspices of business, labor, and local government. Probably few of those at the Convocation would attribute the disorders mainly to the failure of the antipoverty and manpower programs, but rather would agree with the President that, "Our work has just begun." It is surely the position of many leaders in civic affairs that what we need now is more, and still more, of what we have already begun.

Without in any way detracting from the proposals of the Urban Coalition, I would like to add three of my own which I hope will brighten the horizons of Federal local relationships. The first of these has to do with Resolution No. 6, passed by the league in September, 1966. This resolution calls for the "establishment at the State level of an agency, preferably in the Executive Office, to have the function of coordinating the activities of the various agencies which have to do with local units of government, to serve a liaison agency through which local officials could more effectively deal with matters requiring state action, and to give particular attention to reviewing the problems of the metropolitan areas of the State, the functions of such agency to be nonoperational in character and consistent with the traditional concept of home rule in Michigan." Such an agency was conceived as a means of expanding programs of an urban nature. It was thought that this agency could bring both State and Federal resources to cities without the corroding delay which besets so much of present planning. However, experience suggests that every intervening agency between the city government and Federal help is a hinderance. If it should turn out that the cities of Michigan would by law or administrative ruling, have to plead their causes first before some sort of State panel and then before a Federal authority, our difficulties would be so confounded as to add to the existing impediments which make cooperation extremely difficult. The relationship of cities with the several appropriate departments of the Federal government is now traditional and has become more imperative than ever. It would be a major calamity to urban development if, in order to support some ideology of states' rights, sovereignty, or police power, we should now try to turn back wheels of progress and insulate the cities from the direct access to the Federal instruments of local aid. This accessability is a condition brought into being through the neglect of cities in state legislatures. It is now a necessity for the planning of orderly change in place of periodic upheaval. However, if this arrangement continues to function the Federal government, as well as states, must differentiate among municipalities and work realistically with local governments to prevent their further fractionalization, and encourage cooperation and consolidation wherever feasible. We should clear away the debris which supports our excuses about the breakdown of communication. Calculated and designed delay in the organizations with which cities must deal is a contributing factor to urban turmoil; it can and must be resolved.

The second proposal to which I invite your attention is not mentioned in the Statement of the Urban Coalition, but it is hinted at in the credo at the beginning of the paper. I refer to the following two statements: "We believe it is the government's duty to maintain law and order." And, "We believe, that we as a nation must clearly and positively demonstrate our belief that justice, social progress, and equality of opportunity are rights of every citizen." Now, it does not take a very profound analysis of the summer disorders to detect a basic conflict in every city with a police force and a considerable Negro population. The hostility between youth and the police has been revealed in such statistical reports of crime as the *Uniform Crime Reports* for many years. Another thing which may be found in the *Reports,* but in general not emphasized, is the fact that the enmity between the police and the youth of the Negro is extreme to the point of open warfare, rebellion and rioting. The law-abiding elements among the Negroes have wide sympathy with this hostility, and use their influence to try to get over to the whites that there is extensive police brutality. We must recognize the reality and great danger of this hostility. There has been very little evidence that Communists or Black Power advocates have done much toward carrying disorder from one city to another, but every city which has reported trouble in the streets has seen the sharpness of the animosity between the Negro citizens and the police. In city after city, following rock-throwing, fires, shooting, explosions, and looting, the accusations build up on each side. One group comes with their supporters shouting slogans for "law and order," while the other shouts for justice, equality of opportunity and rights of citizens to be free from police oppression. This misunderstanding and violent hostility is surely a factor in enviscerating the cities. Here is where we must do something boldly and quickly. This situation cannot be mollified by jobs or vocational education. It has gone too far to be solved by increasing the numbers and powers of the police forces; it has gone too far to be solved by more money, housing, and jobs in the Negro ghetto.

The report by *The President's Commission on Law Enforcement and Administration of Justice,* published this year, gave limited attention to the nature of the problem. For example, they state, "The struggle to maintain a proper balance between effective law enforcement and fairness to individuals pervades the entire criminal justice system." (*The Challenge of Crime in a Free Society,* p. 93.) Another statement reads as follows: "In city slums and ghettos, the very neighborhoods that need and want effective policing the most. . . . There is much distrust of the police, especially among boys and young men, among the people the police most often deal with. It is common in those neighborhoods for citizens to fail to report crimes or refuse to cooperate in investigations. Often policemen are sneered at or insulted on the street. Sometimes they are violently assaulted. Indeed, every day police encounter in such neighborhoods can set off riots, as many police departments have learned." The Commission recommends that there be three levels of police: the Community Service Officer, the Police Officer, and the Police Agent—the first level being youthful and relatively untrained, and the third being highly trained and paid so as to attract the highest caliber of person. In all likelihood present police education and training is totally inadequate to the size and nature of the problem. Police required new kinds of education to handle modern traffic; they require still newer kinds to cope with community relations. The Federal government has greatly assisted in the education of urban policemen, especially through the work of the Federal Bureau of Investigation; it could render a great service by taking the lead in new educational approaches, perhaps under the Attorney General, but outside the FBI. Already private agencies are undertaking to promote varieties of community organizations; there are many reasons to believe one area of the police department should be devoted to this service. To assist the cities in these matters there should be further study of corporate and group responsibilities for the maintenance of the law in the urban neighborhoods. Our present laws on arrests are utterly inadequate for keeping the peace in the modern city. How can a policeman know who threw a bottle that broke a windshield when he is several blocks away, and no one will report having witnessed the incident? We must effectuate the doctrine that citizens have responsibility for the preservation of law and order. Unless we bring about a better relationship between the police and the Negro community there will continue to be mounting trouble in the streets. Here both the city and the Federal government ought to see a horizon of great promise.

In the third place, I would like to refer to an aspect of city government which requires cultivation as never before. I might call it "human relations" or "public relations." I might call it local diplomacy, were not this term usually reserved for international relations. It seems to me that much of our local government is predicated upon economic models, as if the city is mainly a business or industry. Under these models the grants-in-aid programs sponsored by the Federal government try to control performance by means of purse-strings, and the cities, in their turn, use similar approaches in relating themselves to programs in the community. It is my observation that unless a program is planned with the right people it is better that it not be planned. The poor boys will not take jobs just because they are there, nor will they participate in a community recreation project just because it is available. The planning must be shared, but in ways which will bring good community results. The sensitivity of the poor can be observed in all kinds of community situations and the local government must be in the position to enter into these relations. In meeting local needs it is a grave mistake for the Federal government to by-pass the city government, as has been done altogether too frequently. The recent street troubles in many instances seemed not to be related in any way to the programs operated by the Federal government. The conduct by the Federal government of housing programs, and of the several facets of the "war against poverty" as entities independent of the locally constituted governments contributes to stripping the local governments of both power and respect. I believe that some of these programs have been conceived upon the sacred but false premise that certain kinds of aid and assistance would be contaminated by politics if related at the local level to the duly constituted government. This misguided notion, left over from rural suspicion of the motives of urban leaders, is playing havoc with the integrity of city government. It is fallacious to pretend that the Federal largesse has a political purity which cannot be reached by the locally elected officials. But the most distressing feature of some of the Federally supported programs conducted in the city but outside the local governmental controls is their taking on the roles of counter-governments. City governments cannot survive as potent institutions if Federal agencies, as Community Action Programs, conducting war on poverty, or whatever, if their controls are entirely outside the local governments, resting in the state, regional or national centers. This kind of absentee government is contrary to the best interests of all the people who live in cities and elect their legislators at the polls. The horizon of Federal and local relationships could be greatly improved if the Federal government and the local government could be partners in trying to solve local problems rather than promoting conflict through governments and counter-governments.

In summary, from one local viewpoint, it would be well for cities to have improved access to those departments and agencies of the Federal government which are established to assist cities; it would be well if the Federal Government and the cities cooperate in seriously undertaking to resolve the hostility and conflict which exists between Negro citizens and the police establishment; it would be well for the city governments to be recognized as the responsible local power, and not find themselves in contest with counter-governments set up and maintained by some arm of the Federal Government.

SCHOHARIE COUNTY, N.Y.

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. RESNICK. Mr. Speaker, from the time that the Appalachian Regional Development Act came before us 2 years ago, I have been intensely interested in having its benefits extended to Schoharie County, which, I am proud to say, is one of the most beautiful counties in my district.

This mountainous area is really a part of the region that characterizes Appalachia, and Schoharie County's characteristics and problems are also typically Appalachian. As the committee report points out, the economic conditions in Schoharie County are worse than those of the average county that was originally included in the program.

The residents of Schoharie County have taken many steps to aid themselves, but they cannot do the job alone. They need the assistance that the Appalachian program can provide. It is only through an oversight that this county was not included in the original Appalachian Development Act, and I am proud and pleased that it has been included in the 1967 legislation.

Mr. Speaker, I have long believed that the roots to our urban problems lie in the Appalachias all over the country—that urban problems and rural problems represent two sides of the same coin.

People leave rural America, not because they want to, but because they are being forced out. They leave because the "wide open spaces" are virtually barren of opportunity. A man cannot make a living, so he packs his belongings and his family and goes to the city—where, untrained in job skills and unprepared for urban life—he trades rural poverty for urban poverty.

He lives in a squalid, bulging, urban ghetto, and has lots of neighbors and little opportunity—almost as little as he had on the farm.

This rural-to-urban migrant may be Negro, he may be Mexican American, he may be white—but he is always poor.

And, Mr. Speaker, we all know the end result. The end result is the "rock power" that we have seen this summer and last summer and the summers before—and that we will continue to see unless we do something—in the Newarks, the Detroits, the Houghs, the Watts. Because, while there are a lot of rocks in the countryside, the rock thrown in anger and despair and frustration in the middle of a field makes no sound and has no impact. While that same rock thrown into a plate glass window on 12th Street in Detroit makes a noise heard round the world.

What is needed now is a sense of urgency about the problems facing our urban and our rural problems and the recognition that they are tied together. We need to make sure that no more rocks are thrown—in the city or the countryside. And the way to do it is by passing legislation like this act—to show the citizens of this country that the Members of the U.S. Congress are aware of the problems and that we mean to do something about them.

THE AMERICAN FARM BUREAU FEDERATION

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. RESNICK. Mr. Speaker, since the beginning of July, I have been studying the national farm organizations of the United States, and the role they play in the life of rural America. Most particularly, I have concentrated my attention on the American Farm Bureau Federation, because it is the largest, because it is the most powerful, because its influence over rural life is the most pervasive, because its practices appear to be the most questionable, and because it engages in a wide range of nonagricultural activities.

This has been a public inquiry. Each phase of it has been followed by a detailed report to Congress and the American people. The first of these reports was made July 18. It covered the background events leading up to the present investigation, and some of my early findings, which revealed the Farm Bureau to be a huge insurance and business empire whose assets run into the billions.

My second report, dated August 17, summarized ad hoc hearings I held in Chicago and Omaha, and covered heretofore unrevealed aspects of the Farm Bureau's nonagricultural activities. It provided new evidence that: First, the Farm Bureau uses its tax-exempt privilege to expand its business activities at the expense of the American taxpayer; second, that a substantial portion of the membership—perhaps as much as 50 percent—has no farming interest at all; and third, that the farmer is more often the unsuspecting victim, not the beneficiary, of the Farm Bureau's policies and practices.

I recently concluded the third phase of this inquiry, 4 days of ad hoc hearings here in Washington, starting August 28 and ending August 31. These hearings covered additional aspects of Farm Bureau activity, including: Ties to extension service, how national policy is established, political activity, rightwing indoctrination, exploitation of the farmer by co-ops, the suppression of opposing viewpoints, the maintenance of migrant labor camps run for profit, and others.

This is my report of those hearings to the American people.

At the outset, let me reiterate the fundamental principle that it is the right and duty of every Congressman to pursue the truth and closely examine any aspect of American life that attracts his attention and concern. The more that the lives and fortunes of other Americans are involved, the greater this duty becomes. The Congressman who attempts to dissociate himself from this basic responsibility is compromising his values to his constituents and his country.

In the case of the Farm Bureau, the right and duty to investigate is absolutely inseparable from the public interest because this organization has been sanctioned to attempt to influence the laws of this Nation by lobbying before Congress. We certainly have a right to know who and what they are. There can be no serious disagreement about that.

The American people understand this. I have received over 3,000 letters supporting my investigation, mostly from present and past Farm Bureau members. I have received less than 50 letters criticizing it.

The Farm Bureau, however, professes not to understand it. They have refused to cooperate with my inquiry on the spurious grounds it is not official, despite the fact that the distinguished chairman of the Agriculture Committee has himself reminded them that every Congressman has this right of inquiry. Thus, the American Farm Bureau Federation has retreated behind a curtain of silence, boycotted all hearings, and even refused to answer letters requesting simple information. It has spread the word to its State affiliates, who have also locked themselves and their secrets from public view.

When I first encountered this reaction, I asked myself, "What do they have to hide?" Now, particularly after the Washington hearings, as the pattern and scope of their operations become a little clearer, I am beginning to find out.

Not only did the Farm Bureau decide to boycott my hearings, it made several attempts to sabotage them. At least three important witnesses who had promised to appear, suddenly and mysteriously became unavailable at the last moment.

Mr. Frank Sullivan, insurance commissioner of Kansas, after telling my office he would come to Washington, suddenly became burdened with prior commitments, coincidentally parroting the Farm Bureau line that my hearings were not "official." Therefore, he contended, he had no obligation to answer serious charges made against his office—that it received gifts from the farm bureau insurance companies of Kansas.

Dr. John B. Claar, director of the extension service in Illinois, was told personally about my hearings when I met with him in Washington on August 15. He agreed to attend, to explain the failure to cut the umbilical cord that ties the Farm Bureau to the extension service in the State of Illinois. However, on the appointed date, Dr. Claar was conveniently unable to attend because of a "prior commitment" that he neglected to mention when I initially invited him.

Dr. George Benson, president emeritus of Harding College, Searcy, Ark., provided a new variation on the game. This prominent and active rightwing personality was invited to testify about his role as a frequent guest lecturer at farm bureau youth indoctrination seminars around the country, particularly 4-H clubs and FFA's. He gave my office a firm commitment to appear, and even specified the particular hour on August 29.

However, the long and busy arm of the Farm Bureau reached out to Dr. Benson. On the morning of the 29th, while the days hearings were already underway, a letter from Dr. Benson arrived in my office stating that he would not appear. It was professedly from Searcy, Ark., and dated August 25. However, the envelope was stamped with a Boston, Va., postmark dated August 28 p.m., the previous night. A childish stunt, calculated—I suppose—to upset the hearing schedule.

Fortunately, there are other farm groups and other individuals throughout the country who have the courage to stand up and voice their views without fear and without giving in to pressure. The National Farmers Union, the National Farmers Organization, and the National Grange, appeared and freely answered questions about the character of their membership, as well as their financial and political activities. More significantly, numerous small farmers and businessmen traveled thousands of miles at their own expense to tell their story. Mrs. Norma Williams, for example, raised money from 100 of her farmer neighbors so that she could bus to Washington all the way from Nova, Ohio. Others came from as far as Nebraska, Illinois, and Iowa.

My Washington hearings were not confined to the activities of the Farm Bureau alone. I have no doubled standard. However, now that these hearings are over, I am satisfied that in the farm organization barrel, there is only one really bad apple.

THE NATIONAL GRANGE

Mr. Herschel Newsom, master of the National Grange, was the first of the national farm leaders to appear. I asked Mr. Newsom the same questions about his organization that I have asked of all other farm groups.

The National Grange frankly states that it is a rural organization, composed primarily of farmers but open to any rural dweller, regardless of occupation. The Grange is a service organization with approximately 6,200 local units throughout the country providing social and educational activities for its members.

The Grange has actively pioneered the cooperative movement in this country and has organized several insurance companies. However, the Grange does not control or operate these business ventures. The leading company of this kind is the Farmers & Traders Insurance Co., of Syracuse, N.Y. The National Grange at one time owned about 50 shares of this company, worth about $50,000. However, this is no longer the case as the insurance company is becoming a mutual, and the Grange now owns no stock. In other words, the National Grange and the individual State granges receive no income from any insurance company or other business that they helped organize.

The Grange has continually opposed the use of cooperatives or insurance companies as a means of attracting or maintaining membership. They rely entirely on the quality of their organizational program to bring in members.

Mr. Newsom said that the National Grange and the State granges, as a matter of policy, do not get involved in partisan politics. They do not support candidates and they do not do mailings to their membership on behalf of political candidates. He stated that, as master of the National Grange, he has even refrained from publishing the voting records of individual Members of Congress.

To summarize: The National and State granges do not own, operate, or control any commercial ventures. They receive no income from the independent cooperatives or insurance companies. They do not use commercial incentives to obtain membership, and they steer clear of partisan politics. The philosophy of the Grange on these matters was expressed by Mr. Newsom in these words:

> We believe in a system of justly distributed burdens—protection for the weak and restraint upon the strong.

NATIONAL FARMERS UNION

Dr. Blue Carstenson, legislative director for the National Farmers Union, appeared as the personal representative of Mr. Tony Dechant, Farmers Union president.

Dr. Carstenson said that the Farmers Union membership is restricted by its own charter to those individuals "who derive an appreciable portion of his or her income from the production of agricultural, horticultural, livestock, poultry, or forestry products."

Excluded from membership are "those engaged in an occupation, enterprise, business, or activity inconsistent with, or injurious to the interests or welfare of the family-type farm."

No corporation or organization may hold membership. The Farmers Union has encouraged the creation of cooperatives. It has also sponsored the formation of a casualty insurance company and helped to capitalize it. This is a stock company in Utah which is not a source of profit to the Farmers Union.

The Farmers Union also sponsored the formation of, and helped to capitalize, a stock life insurance company in Colorado. Both companies bear the National Farmers Union name, but the Farmers Union has no stock and receives no dividends or other payments, except a small royalty fee, for the use of its name. The Farmers Union does not control or operate either of these companies.

The National Farmers Union holds a partnership with Kerr-McGee in a potash project in New Mexico. The major operational personnel of this project came from Kerr-McGee.

The Farmers Union Central Exchange, a giant cooperative located in St. Paul, Minn., is not in any way a part of the National Farmers Union. There is absolutely no ownership, income, or control by the National Farmers Union.

Similarly, the cooperatives assisted in their organization by the Farmers Union are not controlled or operated by the Farmers Union.

The National Farmers Union does not get directly involved in political campaigns. They do not support individual candidates.

The Farmers Union has consistently opposed the use of extension service buildings by private farm organizations. Conversely, it opposes the renting of space by farm organizations to the extension service or other governmental agencies.

To summarize: The Farmers Union membership is restricted to those who have a direct financial interest in farming. It receives no income from, nor does it control, the two small insurance companies it helped organize. It owns or controls no cooperatives. Its only commercial assets are part interest in a potash project in New Mexico. It does not become involved in partisan politics.

NATIONAL FARMERS ORGANIZATION

Mr. Orin Lee Staley, president of the NFO, appeared for that organization to explain the activities of his group. The NFO is an organization consisting only of farmers and run by farmers. Its bylaws expressly forbid nonfarmer membership. Its membership, therefore, consists 100 percent of working farmers. No corporate entities, storekeepers, feed companies, or other businesses are permitted to join.

The bylaws of the NFO also specifically forbid the organization from entering into business for the purpose of profit, since it believes this would subvert and violate the interests of the farmer. There are no other sources of income to the NFO other than dues and marketing agreements.

The NFO does not endorse any political candidates, nor does it get involved in partisan politics.

FARM BUREAU

Although the Farm Bureau refused to attend the hearings to describe its membership and other policies, enough is known to draw meaningful comparisons between them and the other groups. To begin with, it is almost impossible to discuss Farm Bureau membership without simultaneously discussing its insurance business. The Farm Bureau actively solicits membership from farmers and nonfarmers alike, regardless of occupation. It inflates its membership by enrolling insurance customers from all walks of life as members, often going so far as to pay dues out of the customers' premiums.

For example, in South Dakota, a State where it has been relatively weak, Farm Bureau has just kicked off a major membership drive by taking large ads advertising—not its purposes and policies—but its insurance.

The Farm Bureau owns, controls, and operates buying cooperatives and marketing cooperatives which buy and sell from the farmer, and whose volume runs into the billions of dollars. It owns and operates countless other types of business enterprises, many of which are nonagricultural.

The national leaders and many of the State Farm Bureaus actively engage in partisan political activity. For example, Charles Shuman himself, president of the American Farm Bureau Federation, personally stumped the State of Utah 2 weeks before election day in 1966.

The Farm Bureau commonly occupies offices under the same roof, and even shares services, creating the impression that it is a Government agency. These are some of the more obvious differences between the Farm Bureau and the other national farm organizations.

The Farm Bureau frequently becomes actively involved in, and takes positions on, flammatory issues without consulting its membership. Very often, as I will illustrate in the following example, the issues have nothing to do with agriculture or farm problems.

Within the past month, the president of the Travis County, Tex., Farm Bureau has written to the President and Members of both Houses of Congress condemning "the phony war on poverty," foreign aid, and Negroes. One letter says that providing aid to our city slums is "pouring money down a rathole," a particularly apt figure of speech. Both the language and tone of these hate letters betray the most extreme form of anti-Negro bigotry, including phrases like, "the African jungle has been brought to America."

A new kind of Christian philosophy is advocated: "Earn your bread or go hungry." These letters are so venomous they can only be understood if read in their entirety, and so, under unanimous consent, I include them at this point.

This kind of activity, quite common in the Farm Bureau, is completely foreign to all other farmer organizations.

TRAVIS COUNTY FARM BUREAU,
Austin, Tex.

HON. J. J. PICKLE:

Congress is about to vote on a massive 5½ billion dollar reward to the big city rioters who have turned this summer into a living hell for the decent Americans in 75 cities in 31 different states across the country. Anarchy now prevails in those cities and fear is uppermost in the minds of the people in those cities and the ones to be added to the list!

If this proposed payoff goes through, every dollar of it will generate other blasts of gunfire, other broken windows, more looting, and more burning! It is incredible that any member of Congress could think that the rioting, looting, burning, and shedding of blood will stop when it is so richly rewarded!

It is naive to think that the rioters were "victims" of a neglectful and unconcerned society, or of so-called "police brutality." All the money in the world—and there is a limit to it—*won't and can't end poverty*! Only a system—like ours—which offers opportunity and rewards individual ambition, initiative, thought and effort, has that desired ability! To reward criminals and encourage more criminal acts—a vicious circle with complete destruction for everybody, including the criminals!

To saddle the American taxpayer with this burden of "blackmail" is similar to pouring money down a rat-hole—there is no end nor limit to it! The enemies of our form of government and our economic system couldn't have devised a surer and quicker method to achieve their goal than the current plan to burn down our cities and replace them with public money, forced from the already overburdened decent and law-abiding citizen by additional taxation or deficit financing!

If the Congress succumbs to this iniquitous proposal, then the last fight to preserve this free nation has been lost!

Sincerely,

GEO. K. MARSHALL, *President*.

AUGUST 10, 1967.

HON. LYNDON B. JOHNSON,
President of the United States,
Washington, D.C.

DEAR MR. PRESIDENT: The announcements of your appointment of a committee to report on the current riots—and a period of 9 months in which to make their report—is almost incredible! Anybody with average intelligence could do it in 9 minutes! The top officials of both administrations since 1960 have publicly advocated that the Negroes demonstrate for what they think they are entitled to and not getting; the vice-president said in New Orleans that if he were them, he would put on a "real" demonstration; you yourself in your speech to the students at Howard University addressed them as "fellow revolutionaries" and in your inaugural address you said you would "take from the haves and give to the havenots". A fertile seed bed was made for the use of the enemies of our form of government and/or the communists to plant the seeds of violence and destruction in the inevitable riots to follow! And you ask why?

The $130 billions in Foreign Aid have earned for us the disrespect and hatred of an entire world while the many billions in the phony "war on poverty", spent each year for the past 7 years, has produced a situation of anarchy in more than 75 cities in 30 states, with no person or property safe from the rioting mobs! The enforcement of law is almost nil in some areas when it comes to the "preferred" minority! The African jungle has been brought to America! Various minority groups segregated themselves voluntarily in New York City—the Irish, Italians, Germans, Poles, Jews, Negroes, and many others! All of them prospered under our form of government! All of them kept their premises clean, in good repair, and free of rats and other vermin, with one exception, the Negro! Filth and rats are everywhere but most people are not content to live with them and maintain conditions to prevent slums to exist! It takes ambition and pride!

You ask what it takes to prevent them! 1. Respect for law and order must be expected from everybody! 2. Welfare and relief must be limited to those physically unable to work! 3. The migration of people from self-supporting status in the rural areas to the congested cities must be stopped and a reverse trend started immediately! 4. The philosophy that the government owes everybody a living should be replaced with the Christian philosophy of earning your bread or go hungry! This might fill some of the millions of jobs which are going begging around the country now!

Sincerely,

GEO. K. MARSHALL.

FARM BUREAU VERSUS THE FARMER: THE NATIONAL FOOD CONFERENCE

One of the most serious charges made against the Farm Bureau during my hearings, by a number of different and unrelated witnesses—both farmers and nonfarmers—was that the Farm Bureau's goals and policies are inimical to the farmer's interests and welfare. In many ways, this is the most damning accusation of all that I have heard. For if the tax exempt Farm Bureau had built its multibillion-dollar commercial empire to promote the interests of the working farmer, it might perhaps be justified. But the evidence, I regret to say, points to the opposite conclusion: that the Farm Bureau has gained its financial and political dominance at the expense of the working farmer, particularly the family farmer. There are several clear examples of this.

Just imagine the reaction of an automobile factory worker if he learned that Walter Reuther, as president of the United Auto Workers, were to suddenly turn up as president of an organization consisting of Ford, Chrysler, and General Motors—and their dealers as well. The word to describe a conflict of interest of this magnitude has not been invented yet. Nevertheless, that is exactly what Charles Shuman, president of the American Farm Bureau Federation has done. Mr. Shuman, among his many other corporate activities, is also president of the National Food Conference.

This unholy alliance, organized primarily by the Farm Bureau, consists of 65 of the country's largest food purchasers, processors, middlemen, dairies, meatpackers, and retailers. The interests of these member-companies are not merely incompatible with those of the working farmer. They are antagonistic to them. These are the corporations which buy from the farmer and do their best to keep farm prices as low as possible. We all saw how the bakers and millers spent millions last year to defeat what they called the bread tax—an attempt to pay the farmer a little more money per bushel of wheat.

One of the leading organizations in the National Food Conference, the National Association of Food Chains, has publicly called for the abolition of the family farm. Most of the major food chains are also members of the National Food Conference. Under unanimous consent, I am including a list of members of the National Food Conference to provide a clearer picture of the crimes the AFBF is committing against the American farmer—in the name of the American farmer:

NATIONAL FOOD CONFERENCE ASSOCIATION INC.—A LISTING OF MEMBER FIRMS

Acme Markets, Inc.
Allied Mills, Incorporated.
American Bottlers of Carbonated Beverages.
American Can Company.
American Dairy Association.
American Farm Bureau Federation.
American Feed Manufacturers Assoc., Inc.
American Meat Institute.
American Medical Association.
Armour and Company.
California Packing Corporation.
Campbell Soup Company.
Carnation Company.
Cereal Institute, Incorporated.
Coca Cola Company.
Consolidated Foods Corporation.
Cooperative Food Distributors of America.
Corn Products Company.
Creamette Company.
Florida Citrus Commission.
Frito-Lay, Incorporated.
General Foods Corporation.
General Mills, Incorporated.
Gerber Products Company.
Great Atlantic and Pacific Tea Company.
Green Giant Company.
Grocery Manufacturers of America, Inc.
H. J. Heinz Company.
Hershey Chocolate Corporation.
George A. Hormel and Company.
Hygrade Food Products Corporation.
Independent Grocers' Alliance Distribut'g Co.
Institute of American Poultry Industries.
Jewel Tea Company, Incorporated.
Kellogg Company.
Kraft Foods.
Lever Brothers Company.
Thomas J. Lipton, Incorporated.
Oscar Mayer and Company.
John Morrell and Company.
Nat'l-American Wholesale Grocers' Assn.
National Association of Food Chains.
National Biscuit Company.
National Canners Association.
National Dairy Council.
National Live Stock and Meat Board.
National Live Stock Producers Association.
National Tea Company.
Pepsi-Cola Company.
Poultry and Egg National Board.
Procter and Gamble Company.
Quaker Oats Company.
Ralston Purina Company.
Rath Packing Company.
Safeway Stores, Incorporated.

Salada Foods, Incorporated.
Standard Brands Sales Company.
Sunshine Biscuits, Incorporated.
Super Market Institute, Incorporated.
Super Valu Stores, Incorporated.
Swift and Company.
Universal Foods Corporation.
Visking Company.
Wheat Flour Institute.
Wilson and Company.

PARITY POLICY

To see the Farm Bureau's antifarmer interests manifested, we need look no further than the policies it has advocated on parity. I am appalled that until very recently, the Farm Bureau lobbied for farm prices at the 50-percent parity level, even though prices did not sink to this level in the midst of the great depression of the 1930's. Prices today are at 74 percent of parity, and farmers are hurting. Every expert I have questioned—representatives of other farm organizations, farmers, agricultural economists, government experts, and the leading agricultural colleges in the country—are unanimous in their opinion that if the Farm Bureau policy of 50 percent were realized, the family farm would disappear. Our present farm structure would be crushed, and a clear field would be given to the giant operators.

I think it is safe to assume that the Farm Bureau, which has access to the same sources and experts I have, is fully aware of the consequences of the policies they have been advocating, and that they are consistent with its overall goal—the elimination of the family farmer.

Another bizarre position for a farm organization to take is enthusiastic support for the 27½-percent oil depletion tax allowance. I have yet to speak to a working farmer who is in favor of this bonus for oil millionaires. I have yet to find one county Farm Bureau unit that has passed a resolution favoring this tax-dodge. I have yet to find one working farmer who thinks very hard about the oil depletion allowance at all except, perhaps, as it might add to his own burden as a taxpayer. However, support of the oil and mineral depletion allowance is part of the Farm Bureau's 1967 policy statement, as it has been for many years.

Statements made at my Washington hearings emphasized how the Farm Bureau has placed roadblocks in the path of programs that would assist the family farmer. Farm Bureau leadership has constantly advocated a totally free market system of uncontrolled production with no support for prices. For all but the giant farm operators, it is hard to visualize a faster road to ruin. It has fought for policies that would bring lower prices for farm products and higher interest rates for money.

Every attempt by the Government to balance farm production with consumption and put a floor under farm prices has been condemned by the Farm Bureau as socialism or communism.

Attitudes such as these cannot be explained away as differences in political philosophy. No matter what an individual's political or ideological inclinations, it is a fact of economic life that a totally free market system and lower farm prices would wipe out small- and medium-sized farmers. It has become perfectly clear to me that this is precisely one of the goals of the American Farm Bureau Federation.

Mr. Speaker, a further report on these hearings will be forthcoming.

CONGRESSMAN ANNUNZIO ADVOCATES CORRECTION OF INEQUITIES IN IMMIGRATION LAW

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I would like to call to the attention of my colleagues an article which appeared in the September 17 edition of the Chicago Sun-Times entitled, "Flow of Immigrants Taking an Unexpected Turn."

This article, written by Mr. Tom Littlewood, the very able representative of the Chicago Sun-Times in Washington, outlines some of the inequities in the present immigration law that must be corrected.

Among other problems, he cites specifically the complaints of various groups about the Labor Department's enforcement of the job skill requirements.

Both in the 89th Congress and the 90th Congress, I introduced legislation to correct the inequity which exists with reference to labor certification, because I recognized the problems that would evolve from this specific provision of the new immigration law.

Again, I want to urge my colleagues to turn their attention to various reforms of the new immigration law which I have long advocated and which are essential if the new law is to meet America's immigration needs effectively and efficiently.

Mr. Littlewood's article follows:

FLOW OF IMMIGRANTS TAKING AN UNEXPECTED TURN

(By Tom Littlewood)

WASHINGTON.—When the changeover to a new system of immigration is completed next July the immigrant "mix" will assume some characteristics that the 1965 reform law did not contemplate.

Political pressures already are building in Congress for some rearrangement.

The State Department's visa office experts now expect that fully half of the 170,000 immigrants permitted annually from the Eastern Hemisphere will be brothers and sisters of American citizens.

Although the emphasis on reuniting families was clearly intended to help close relatives (sons, daughters, husbands and wives), the act did not anticipate the heavy volume of brother-sister requests from southern Europe.

During the transition from the national origins quota system, the backlog in this preference category has been absorbed from every country but Italy.

Since the new law went into effect, 8,338 brothers and sisters were admitted from Italy, 13,316 from Portugal, and 13,332 from Greece.

Italian-American groups are pressing for special measures to take care of 96,800 brothers and sisters of citizens who have been on waiting lists as far back as 1955.

Under the new system, immigration will be restricted to 20,000 a year from any one nation, of which the brother-and-sister category limit is 4,800.

The Rev. John Cogo, director of the American Committee on Italian Immigration in New York City, pleads for special consideration on the grounds that the southern Europeans were discriminated against for decades by the old quotas.

Other preference categories in the new law stress job skills that are needed here.

Once the new system begins operating congressmen are also going to be hearing from industries, universities, hospitals and laboratories in their districts.

The United Kingdom enjoyed a privileged status under the old system and there has been no delay in admitting Englishmen during the interim period.

But after next July the British will have to take their place at the end of a long line along with everyone else.

The "brain" category for professionals and persons of exceptional artistic and scientific ability is smaller than generally realized: 17,000, compared to 80,000 under the old law.

Twice as many are applying in both this and the needed job skill category than can be admitted.

By next July the backlog in the two categories for "brains" and scarce skills—for which only one in five immigrant slots will be available—is expected to reach 80,000.

If Harvard wants a British professor, there is no problem now; but beginning next year he'll have to wait his turn, possibly for several years.

The fact that employers of economic influence in the community are inconvenienced by these complications—while Americans of Southern European extraction are bringing their brothers and sisters over from the old country—will likely come to the attention of Congress.

For the cover-all category of workers with scarce skills, a specific labor certificate is required by the U.S. Department of Labor, to be sure that no American worker is displaced.

Unless they have relatives here, common laborers have trouble getting in.

In bygone years the Irish contributed more than their share of the nation's common labor. Under the old law, if an immigrant had a sponsor he could come in without a job skill.

Last year's immigration from Ireland totaled 2,665, less than half the previous annual rate. Irish-American groups complained about the Labor Department's enforcement of the job skill requirements, and various proposals have been made in Congress to relax the limitations.

Similarly, unless the Senate follows the House and acts to delay the effective date, there will be a quota of 120,000 on Western Hemisphere immigration beginning next July.

Because of the particularly close relationship between the United States and Latin America and Canada, the State Department is opposed to a hemispheric limit.

From the debate of 1965 and more recent expressions, there can be little doubt that Congress is of a mind to insist henceforth on an over-all numerical limitation on immigration.

GARNISHMENT OF WAGES

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, during mid-August the Subcommittee on Consumer Affairs of the House Banking and Currency Committee held 2 weeks of hearings on truth-in-lending legislation.

During the hearings, there was much discussion on the garnishment sections of H.R. 11601, which I cosponsored, along with the distinguished chairman of our subcommittee, Hon. LEONOR K. SULLIVAN, and Congressman JOSEPH G. MINISH, of New Jersey; Congressman JONATHAN B. BINGHAM, of New York; and Congressman SEYMOUR HALPERN, of New York.

On August 17, the able president of the United Steelworkers of America, Mr. I. W. Abel, testified on the garnishment of wages. Mr. Abel forthrightly stated the position of the United Steelworkers of America and called for the establishment of a national law that would eliminate garnishment in the 50 States of the Union.

Inasmuch as garnishment is an issue not limited to any one area but of nationwide concern, I want to call to the attention of my colleagues an article about garnishment which appeared in the September edition of Steel Labor. The article follows:

GARNISHEE: THREAT TO WORKERS IN DEBT

Garnishment—a procedure by which a creditor can have part of a debtor's wages paid directly to him—is now under fire in many of the state Legislatures as well as in Congress itself.

Recent studies by the U.S. Department of Labor and testimony before the House Banking subcommittee have given new impetus to efforts to write a ban on wage garnishment, a practice which has been compared to the debtor's prison of a century ago.

A panel of bankruptcy referees told members of Congress last month that most bankrupts are small wage earners with several dependents, loaded down with the results of credit purchases and often subject to the garnishment of their wages. The testimony came before the Banking subcommittee under the chairmanship of Rep. Leonor K. Sullivan (D., Mo.).

Congressman Sullivan is seeking an amendment to the Senate-passed interest disclosure bill which would include a ban on garnishment. The practice is already forbidden in some states and limited in varying degrees in others, but most states permit unrestricted garnishees on wages.

Some of the states are trying to solve the garnishment problem by increasing the amount of wages that are exempt. Maine has upped its exemption from $30 to $40 a week, while Tennessee now permits a worker to retain half of his weekly earnings as compared with $17 a week under the old law. AFL–CIO officials in Ohio see a good chance for improvement of the law there which now sets a monthly exemption of $100.

In Tennessee, for instance, the head of a family with four dependent children who is earning $60 a week could have had all but $1,040 of his annual salary garnisheed before the Legislature changed the law. The bankruptcy experts also gave statistics to demonstrate that most of the bankrupts in that state are individuals, with garnishment a direct cause of their personal financial failure.

"Many individuals are being driven into bankruptcy who actually owe relatively small sums but whose wages are under attachment," the subcommittee was told by a bankruptcy official from Knoxville, Tenn. He added that there were 10,295 bankruptcy cases in a year in Tennessee, compared to 402 in North Carolina which does not permit garnishment.

Ninety per cent of the cases in Tennessee were those of individual employes rather than businesses. "The triggering cause of bankruptcy is the wage garnishment," Clive W. Bare, who handles bankruptcy cases on behalf of the court in Knoxville, declared. A referee from Portland told the House group that it is chiefly the collection agencies who garnishee to attach wages.

James E. Moriarty, a Los Angeles, Calif., bankruptcy referee, testified before the subcommittee that a "worker who has been fired because of a garnishment can become a faceless person in the army of the unemployed." This story has been repeated throughout the country and substantiated by reports of the Department of Labor.

Despite the determined fight of unions to prevent the firing of workers whose wages are garnisheed, the worker in debt whose wages are garnisheed more than once or twice is in grim danger of losing his job.

A study of widespread arbitration cases published in the August "Monthly Labor Review" by the Department of Labor comes to the conclusion that garnishment—although an off-the-job "offense"—has come to be regarded as having equal status with such on-the-job offenses as fighting, drunkenness or theft.

The study notes that unions "do not accept discharge of workers for garnishment with equanimity primarily because such discharges smack of employer control of the employe's private life—the philosophical root of the questioning if discharged for garnishment."

He further notes, however, that in the absence of protective legislation or a specific clause in the collective bargaining agreement, most arbitrators accept too frequent wage garnishment as a legitimate "just cause" for discharging a worker.

As a rule, arbitrators took the position that garnishment represented a burden on employers who are subject to harassment by creditors, the necessity for keeping special accounts as well as being called into court under certain conditions.

Having accepted garnishment as a "just cause" for discharge in principle, most arbitrators seek to lay down mitigating conditions. One arbitrator stated that "discharge should be used only when employe behavior affected the employer-employe relationship," and that "pay attachments were definitely in the twilight zone."

The report was critical of civil law that permitted creditors, many of whom knowingly permitted workers to overbuy, to "wipe out the pay envelope" and even have a man discharged. Nevertheless, he and other arbitrators accepted the "just cause" principle, but have worked out a number of "reasonable rules" concerning job loss.

One is the number of garnishments. The study reported that most arbitrators would not permit the firing of a worker for the first garnishment; many would permit two garnishments within a stipulated time. Three garnishments, however, appeared to be enough to warrant firing in most of the arbitration cases studied. Another factor taken into account by arbitrators was whether a company had amply warned its workers of definite garnishment rules that may lead to discharge.

A third factor was whether a company was consistent in its policy toward garnisheed workers—that is it can't discriminate in the application of its rules.

Finally, other "extenuating circumstances" which resulted in the reinstatement of discharged workers were lack of knowledge of the debt; prompt payment of the debt; going into bankruptcy which extinguished the garnishment or a good working record.

FEDERAL GARNISHEE LAW LONG OVERDUE: ABEL

USWA President I. W. Abel told the House Subcommittee on Consumer Affairs, Banking and Currency, last month that a "federal anti-garnishment law is long overdue." Mr. Abel, testifying in favor of the "truth in lending" bill, cited some specific evils of garnishment:

1. Many employers will discharge the worker rather than undertake the costly procedure to garnishee wages. Or the worker, driven by the threat of discharge or loss of reputation, will seek other loan companies to pay the original loan and eventually many may end up in the ruthless hands of "loan sharks."

2. A Wall Street Journal article indicated that at the East Chicago plant of Inland Steel the company made deductions each pay period from about 2,000 production employes—all USWA members. Inland annually pays out more than $500,000 in garnisheed wages to creditors. The Journal said editorially that "in their own interest" lenders could stand a "stronger dash of self-restraint . . . by paying a little less attention to boosting their business and little more to the borrower's actual ability to repay, they not only would protect their own solvency but possibly head off new restrictive legislation."

3. Recent studies indicated that if defaulted debts are subject to garnishment, arbitrators tend to treat this the same as off-duty misconduct and uphold the right of the employer to fire the worker. When there is an organized plant such discharges are subject to grievance procedure but this protection does not extend to unorganized, low income workers who are most likely prey of the money lenders.

PRESIDENT JOHNSON'S SPEECH ON CRIME TO THE NATIONAL CONVENTION OF THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. BOLLING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BOLLING. Mr. Speaker, I have read with interest the text of President Johnson's timely speech on crime to the national convention of the International Association of Chiefs of Police, which sat last week in my home city of Kansas City, Mo.

This speech contains a thoughtful and vital message. President Johnson has quite properly drawn attention to the weighty responsibility the Congress shares in protecting the people of America from the terrible consequences of crime. Thus, the Congress should promptly enact the crime control and firearms control legislation requested by the President so that law-enforcement officers, Federal and State, will have the weapons they urgently need to combat and control the criminal element in this country. I intend to support this legislation. I hope that each of my colleagues will do the same. The text of his remarks follows:

REMARKS OF THE PRESIDENT, BEFORE THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, KANSAS CITY, MO.

President Morris, Mayor Davis, Chief Lawrence, Mr. Tamm, Chief Kelley, ladies and gentlemen:

There is an old story about President Calvin Coolidge and his response to the question, "What do you think about sin?"

As you may remember, President Coolidge is supposed to have answered, "I'm against it."

Most Americans would say the same thing today about poverty, disease, and ignorance—and crime.

So I don't except special credit this morning for coming before the International Association of Chiefs of Police to talk about crime and only say, "I'm against it."

It would not enlighten your discussions, nor contribute to public understanding, if I were to spend my time here in a long lament about the evil consequences of crime. I think they are as self-evident as they are real.

Neither am I going to be content to just preach about the decline in morality in America.

In the first place, I just do not believe that morality is declining. The responsibility that this Nation has shown, in meeting its human obligations at home and abroad, convinces me that America is a Nation that is strong today.

In the second place, I do not believe that sweeping indictments of our Nation's morality will help us get at the solution of the real problems that affect morality—the problems of poverty, the problems of disease, the problems of ignorance, or of international aggression, or of crime. Self-righteous indignation is not a policy. It is a substitute for a policy.

What America needs is not more handwringing about crime in the streets. America needs a policy for action against crime in the streets—and for all the people of this country to support that policy.

Believing that, as I strongly do, I established in March, 1965, the President's Commission on Law Enforcement and Administration of Justice. I instructed and charged this Commission to deal with the following questions:

How can law enforcement be organized to meet present needs?

What steps can be taken to insure protection of individual rights?

Through what kinds of programs can the Federal Government—of which I am a part—be most effective in assisting and supplementing, not supplanting, State and local law enforcement?

I asked the members that I carefully selected from throughout the Nation to consider the problem of making our streets, homes, and our places of business safer—and to inquire into the special problems of juvenile crime, to examine the administration of justice in the lower courts—to explore the means by which organized crime can be arrested by Federal and local authorities closely coordinating and cooperating together.

The Commission's report, rendered last winter, is a study of crime and a study of criminals. But it is much more than that. It is a systematic analysis of the strengths—as well as the weaknesses—in our American law enforcement. It is a prescription for action—action—action at every level of government, and it is a constructive guide for thoughtful citizens throughout this land in every walk of life.

Acting on its report, I urged the Congress this year to promptly act—promptly act—upon the most comprehensive Federal legislation that has ever been devised to help local authorities meet the problem of crime at the local level in their cities.

That legislation was called the Safe Streets and Crime Control Act. It was based on the five fundamental principles of the Crime Commission Report:

First, that crime prevention is of paramount importance.

Second, that the system of justice must itself be just. The system of justice must itself be just and it must have the respect as well as the cooperation of all of its citizens.

Third, better trained, better paid, and better equipped people are desperately needed throughout the land.

Fourth, police and correctional agencies must have better information and deeper and broader research into the causes, and into the prevention and control of crime.

Fifth, and last, substantially greater resources such as more judges and prosecutors, and faster court action, more and better court personnel, more modern court administration—thus modernizing, improving and bringing the entire criminal justice system up to date in the 20th century.

I did not propose that the Federal Government take over the job of dealing with crime in American streets because from the birth of the Republic to the present moment responsibility for keeping the peace in our cities has been squarely on the shoulders of local authorities.

Respect for law and order begins at home. Children must learn it and must be taught it from their parents. Your children learn it from you—and by what you do and by the example you set. That means that every time we water the lawn when there is an ordinance against it at a certain time of day, the children learn their own lesson about respect for law and order—if we water the grass at the wrong time.

That means that every time a parent writes a note to the teacher to discuss Mary's or Johnny's absence from school when they really don't need to be excused and are not sick, they, the children, learn from the parents the wrong lesson about respect for law and respect for order.

The crimes that have most disturbed our people—homicides, robbery, physical assault, burglary, automobile theft and driving while intoxicated—are crimes against local and state law.

Those laws are made by the city councils and made by the state legislators. They must be enforced by the police and the state patrol. Their perpetrators are tried in local courts, by local citizens. They are sentenced locally. They are prosecuted locally by judges—by prosecutors who are elected by local people and by judges who are selected by local people.

They are returned to local communities when their sentence has been served—their penalty paid. These local communities look upon their record and they are under the superivsion of local authorities.

Unlike most other countries, we—America—have no national police force. It desires none. Our Founding Fathers were very careful to see that none was provided for. Why, today in this country our largest city has more police officers than the entire United States Government. One city has more police officers than the entire government of the United States of America.

Officials in Washington just cannot patrol a neighborhood in the far west, or stop a burglarly in the south, or prevent a riot in a great metropolis.

In the end, then, the quality of the local police, the action of the local prosecutor, the local grand juries, the fairness and the justice of the local courts, the effectiveness of the local correctional systems—all of this responsibility is lodged appropriately and properly in the hands of local authorities—of local citizens.

They at the local level must decide how good they want their law enforcement in their local cities to be.

They must determine whether it is right—whether it is just and whether it is fair—to ask a man to risk his life to protect their life for a salary that is lower than they pay another man for working behind a desk or standing on the assembly line in an industry plant.

They must determine at the local level whether they want a court system that they select and provide for which delays justice until justice is denied.

They must determine locally whether they want a correctional system that deals with youthful offenders, not as lives to be redeemed, but as people who are doomed to clash repeatedly with the law.

If they decide that they want something better for their communities than what they are getting today, then we think that if they make this decision—and they can make it today through their Congressmen and their Senators supporting the recommendations that the President has made—some of which have been before the Congress many years—then their national government can, should and will help them get it—not by taking over the system of law enforcement, but by helping them strengthen and reform it.

That is what the Safe Streets Act which I recommended to the Congress would do. If its spirit and if its purpose survive, it will provide grants to those cities and to those states who not only increase their present commitment to criminal justice, but who are willing to go out and develop programs for better training, for better use of their personnel, or for higher standards and innovations such as tactical squads and community relations units, and new techniques of rehabilitation.

It will help pay the salaries of those who operate these programs. It will help pay the salaries up to one-third of the grant which could be used to increase the pay of policemen and other criminal justice personnel working with them.

The key to this program is experiment, innovation—and better use of the most advanced knowledge that we have gained in this country of crime, its treatment, and its causes. In my opinion, every law enforcement official in this country ought to welcome it in the spirit in which it is offered: as a practical and imaginative tool for helping our law enforcement officers cope with crime in the cities without in any way—in any way—diminishing either their responsibility or their authority.

Now to a matter that affects you and affects you much more than most of the citizens, but in the end it will affect every single one of us—it will reach into every home in this land—and this is the gun sale law. A law to limit—a law to safeguard—the sale of guns has been before our Congress for several years.

Its passage would plug up one more big loophole to save your life, and mine, or the life of some innocent child down the street. I hope it will pass.

Its purpose is simple—it is to keep lethal weapons out of the wrong hands—out of the hands of dangerous criminals, out of the hands of drug addicts, out of the hands of mentally ill people who really know not what they do.

Its basic aim is to limit the out-of-state purchases and the interstate mail-order sale of firearms. We believe this is the most effective way that the Federal Government has of protecting your safety and the safety of your children from criminals, drug addicts, and the mentally ill.

If we want to curb crime—if we want to arrest crime—if we want to restrain criminals—here is an action that we can take that will be a long step forward.

Let us not be content to bewail the rising crime rate or to talk about the statistics of the numbers of repeaters who fill our jails and prisons while we turn our back and ignore the fact that they can go to any mail order house and get a weapon to shoot your wife after they tear the door down at midnight.

Let us act instead of talk against crime. Let us repair as many shattered lives as we can. Let us do it within and through the American system of due process and in keeping with our tenacious regard at all times for the blessings of individual freedom.

You, and the men who you command, are America's front line in the fight against crime. You endanger your lives every day just as the man does in the rice paddies of Vietnam to protect freedom, to protect liberty, to protect your country.

This summer, some of you experienced a new kind of disorder in your cities. You faced, not individual acts of violence or just thievery, but you faced massive crimes against people and against property.

Much can explain—but nothing can justify—the riots of 1967.

They damaged a great deal more than the storefronts and the American homes. They damaged the respect and the accommodation among men on which a civilized society ultimately depends, and without which there can be no progress toward social justice.

The violence of this summer raised up a new and serious threat to local law enforcement. It spawned a group of men whose interest lay in provoking—in provoking—others to destruction, while they fled its consequences.

These wretched, vulgar men, these poisonous propagandists, posed as spokesmen for the underprivileged and capitalized on the real grievances of suffering people.

And the vast majority of those people—the vast majority of them—believe that obedience to the law, in Abraham Lincoln's phrase, must be our religion here in America.

They have seen the law change. They have seen it become more just as the years passed in our times. They have seen their rights more firmly established, their opportunities sharply increased in the last decade.

They know that the law in a democratic society is their refuge, and that lawless violence is a trap for all those who engage in it.

We must redeem their faith in law. We must make certain that law enforcement is fair and effective—that protection is afforded every family, no matter where they live—that justice is swift and justice is blind to religion, color, status, and favoritism.

We cannot tolerate behavior that destroys what generations of men and women have built here in America—no matter what stimulates that behavior, and no matter what is offered to try to justify it.

Neither can we abide a double standard of justice, based on the color of a man's skin or the accent of a man's speech.

Those who wear the police officer's badge—those who sit in judgment in the courts—those who prosecute in the chambers—those who manage our correctional institutions—all of these have a very special responsibility for the maintenance of order and the achievement of justice throughout the land.

But every single one of us—private citizen and government official—shares some in that responsibility.

We can all say very easily, "We are against crime"—and then we can let it go at that. We can preach sermons, we can write editorials, we can make speeches, and we can get our picture made talking about crime and moral behavior—we can think that we have done our duty.

Or we can respect—we can encourage—all of our citizenry to respect the law and to respect those who protect us in the name of the law.

We can be willing to pay the bill or improving the performance of our police, our courts, and our correctional institutions and give them the salary, pay and equipment that they need. We can insist on devoting enough of our resources and enough of our brainpower to meet the problem of crime—to make America safer and more just for all of its citizens.

I have always felt that we could make great strides forward if we would only realize that the nurse and the medical attendant who in the middle of the night may determine whether we live or die when we need attention—that they have better training, better pay and better inducements—that the teacher who prepares our children, sets an example for them and infuses knowledge into them—and sets an example—that they should be among our best trained, our best prepared and our best rewarded.

And that the policeman and the sheriff who protects the lives of our wives, children, families and ourselves should be among the best equipped, best trained and the best paid people in the land.

We cannot get those things just with rhetoric and conversation, picture-taking and television film. We have to pay for it. We have to desire it. We have to be willing to sacrifice in order to get it.

That is going to take a lot more than just talking "against" crime. That is going to take among other things being for action.

I would hope that we could all be for the Congress taking action to make our streets safer—and taking action that will better promote civil peace—that we can take action for better schools and better playgrounds, for more and better support of our churches and our spiritual leaders—for better housing and better homes, for better living of all our people—which in the end will give us better citizens and a better and stronger nation.

It will make us all a happier and more guilt-free people.

I am sorry that I could not be with you the early part of your convention. I did very much, though, want to come here and talk to you—and to salute you before you returned to your respective homes and again assume command of this most responsible service that you are rendering and performing this great duty that is yours.

We look to you to protect our families, our homes, and our lives. You have a right to look to your public servants, your political leaders, to see that your efforts are not forgotten, are not ignored, are not put at the bottom of the priority list.

I thought this morning by coming out here and visiting with you and telling you some of the things that were in the heart and the head of your President, that perhaps we could awaken this nation to a responsibility that we are not assuming—to an obligation that we are not discharging—to a job that the President and the Congress, the legislators, and the city councils must face up to.

I am ready to get on with my part of it.

Thank you, very much.

THE PUBLIC BROADCASTING ACT

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. RODINO. Mr. Speaker, the Public Broadcasting Act of 1967 will shortly be before this body for our consideration.

If enacted, Members of this Congress will be able to take credit for achieving a significant forward step in the history of noncommercial television and radio broadcasting in this country.

The legislation that will soon be up for our consideration will significantly change the broadcasting climate of the United States.

I hope that none of the Members of this body assume that the existing climate is so favorable that we cannot move on to a much better atmosphere.

A few brief comments on the existing condition of educational television and radio will hopefully suffice to explain this contention.

Both educational television and radio constitute what is now termed public broadcasting. It is public because it is noncommercial and it is public in a still broader sense for it is a media designed to serve the greatest segment of the American population by operating in the public interest.

Public broadcasting, however, cannot fulfill the promise which was foreseen when the Federal Communications Commission in 1952 began to set aside channels for noncommercial use.

Despite some highly imaginative local programs and enthusiastic support of this media in scattered sections of the country, many stations are still understaffed, underfinanced, and underwatched.

The portion of this bill which will extend the existing support of matching grants to purchase equipment will give additional support to expand the available signal to a wider portion of the population. But without any other means to channel public funds to the media of public broadcasting, our support would be less than complete.

The Corporation for Public Broadcasting fills a necessary void by building on the Carnegie Commission's study of last January and the earlier report of the Ford Foundation. In essence, the corporation is the result of the efforts of many individuals who have devoted long hours and much hard work in seeing the corporation come to fruition in this legislative proposal.

For the average American, television alone claims 3 out of every 24 hours, 1 week out of 8, almost one-fourth of the individual citizen's waking hours.

Too, educational television, which along with radio, constitutes the media of public broadcasting is growing still faster, in both scope and depth, in both quantity and quality of programs.

From 1961 to 1966, the audience of ETV doubled; 15 million people now watch some kind of ETV weekly and the average weekday evening-hour audience is probably between 700,000 and 1 million.

With the consideration of the Public Broadcasting Act of 1967, soon to be on our agenda, we have an excellent opportunity to help this media reach the full promise of its expectations.

There is no doubt in my mind that the federally chartered corporation is neither an agency nor an establishment of the U.S. Government, but a highly imaginative way to bring to bear the best talents in this country to help improve the media of public broadcasting.

It has my individual support. It merits the support of all the Members of this body.

CHILE OBSERVES INDEPENDENCE DAY

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. de la Garza] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. de la GARZA. Mr. Speaker, I very respectfully take this moment to inform the Members of the House of Representatives that today one of our sister countries of the Western Hemisphere celebrates its Independence Day. I speak of the great country of Chile.

Mr. Speaker, a few months ago I had the most fortunate opportunity to visit this great country, to see its countryside, to visit with its people, to savor their food, and I had a delightful visit with your counterpart there, the Speaker of the House of Representatives and with several of their Congressmen. The highest honor afforded me was a visit with that great leader, the President of this great country, Eduardo Frei.

Not too long after our own Revolution the people of Chile were yearning for self-government with the same hope and with the same ideals as were the founders of our country. The first national government was proclaimed on September 18, 1810, after a struggle of several years, the leader of the Chilean patriots, Bernardo O'Higgins, declared in early 1818 the full independence of his country. It might be well to note here that already the people of this hemisphere were joining in a movement of solidarity and mutual aid and assistance, for it was with the aid of another great leader, Gen. Jose de San Martin of Argentina that the great people of Chile were finally to obtain victory.

This is a beautiful country, Mr. Speaker; it is a great country and it has that greatest of resources, a great and valiant people. I am also happy to say that it has as its representative in this country a very able and distinguished Ambassador, the Honorable Radomiro Tomic, who represents the interests of his country with dignity and with the necessary rectitude to achieve its aims and aspirations, and yet possess such admirable qualities in diplomacy which allow him to fulfill the duties of his post in a most enviable manner.

Mr. Speaker, I would therefore very respectfully request that you and the Members of the House of Representatives join me in extending our best wishes to President Frei, to the great people of Chile, and respectfully extend these wishes to their able and distinguished Ambassador Radomiro Tomic, and that he convey same to his countrymen.

POSTMASTER GENERAL O'BRIEN ADDRESSES NATIONAL POSTAL FORUM

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. DANIELS. Mr. Speaker, on September 14, 1967, participants in the first annual national postal forum, held at the Washington Hilton Hotel, in Washington, D.C., were very privileged to hear an outstanding address by one of America's most dedicated public servants, the Postmaster General of the United States, the Honorable Lawrence F. O'Brien. General O'Brien has been an outstanding Postmaster General, able and effective but above all one who is not bound by the tyranny of the past. As the late John J. Evers would have put it, "He has not been afraid to tinker with chance."

Because I think all Members of this House too should have an opportunity to learn first hand what General O'Brien is doing, I insert his outstanding speech at this point in the RECORD:

ADDRESS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN, AT THE NATIONAL POSTAL FORUM, WASHINGTON HILTON HOTEL, WASHINGTON, D.C., SEPTEMBER 14, 1967

Thank you very much, Walter Cronkite, Your Eminence, Cardinal O'Boyle, our Forum Co-Chairmen, John Buchanan and Fred Belen, members of the Committee of the National Postal Forum, Mail Users Council Members from across the country, fellow postal employees and your ladies.

I am delighted to join with you in this first National Postal Forum. And I can tell you that President Johnson is deeply impressed by the fact that over 2,000 of you—businessmen and other community leaders—are expressing your commitment to *good government* by devoting both time and money to be here.

Those of you who have done some sightseeing may have noted that the Post Office Department is located approximately equidistant between Capitol Hill and the White House—and you may also have noticed peculiarities of our Headquarters building.

First (at the 12th Street entrance to our building) we have a compass rose medallion in which the north end of the compass points due south. *This gives us our sense of direction.*

Also, in these days of instant communication by satellite, we in the Postal Service are the nation's chief guardians of one of man's oldest forms of communication.

The 13th Street entrance to our building is a national monument to stone carving.

Chipped into solid rock are serried ranks of Postmasters General, each neatly labeled as to his arrival *and* departure. My name is also listed with the single arrival date forming a sad reminder that the sands of time are, in some secret recess, perhaps under the Washington Monument, running out slowly but surely.

Also on the 13th Street entrance are carved the great landmarks of postal history. We learn, for example, that city delivery began in 1863, rural delivery in 1896, parcel post in 1913.

In my estimation, ladies and gentlemen, this National Postal Forum is a *landmark* in the *evolution* of postal history—equal to any of the others memorialized in stone.

This is the beginning of a creative national dialogue.

You represent the source of 80% of our postal activity, and upon *our* ability to serve *your* needs rests to a large degree the success or failure of your activities.

We meet here because we know that postal problems are growing, and those problems will become more difficult and more resistant to solution unless we act now.

Of course, predictions about the future are always dangerous—despite the success of such ancient sages as Nostradamus, Mother Shipton, Daniel P. Moynihan, and Drew Pearson. One of the most interesting of these predictors of things to come, Frenchman Charles Fourier, wrote in the early 1800's that "Men will live to the age of 144; the sea will become lemonade; a new aurora borealis will heat the poles; there will be four new moons. Animals will receive musical educations and become skilled performers. Wars will be replaced by great cake-eating contests between gastronomic armies." And I have just come across a long lost additional line to that prophecy—"But the mail service will still be lousy."

Well, we've been doing all we can to make that last prophecy false.

We have taken *many steps* during the past two years to do for the postal service what the steam engine did two centuries ago for industry.

We have established an Office of Planning and Systems Analysis to plot long-range programs for service improvement.

We have upgraded and strengthened the Department's research and development functions, successfully recommended legislation to raise the Office of Research and Engineering to the status of a Bureau, headed by an Assistant Postmaster General, and recruited top scientists and engineers to staff it.

We have received Congressional approval for a Postal Institute of Technology, to train employees in modern management and supervisory techniques.

We are installing the world's largest electronic source data complex to speedily gather and compute information vital to postal operations in 75 key post offices.

We are carrying out a nationwide accelerated modernization and mechanization program to enable us to handle our present annual volume of 80 billion pieces of mail and future increases of three billion a year.

We have proposed, and President Johnson has appointed, a brilliant commission to investigate recasting the postal system entirely into a public corporate structure so that we may be more free to act in a manner in keeping with the business genius of the American people.

Concerning my proposal for a government corporation you may be interested to know we had over 400 newspaper editorials.

We felt some useful purpose could be served by gathering them together into a little inexpensive book. No leather binding—no gold leaf—no marbled end papers—just two staples.

Well, those who doubt the principle of perpetual motion should know that this simple little book generated a whole new series of news stories commenting on our collection of editorials. But I resisted collecting and binding the editorials on editorials.

But one of the biggest surprises has been the support we've received from conservative elements for the postal corporation proposal.

Raymond Moley likes the idea. The Chicago Tribune likes the idea. Barry Goldwater likes the idea and says, "Welcome Mr. O'Brien."

I appreciate support from such unexpected quarters—but, as a lifetime Democrat, it somehow makes me as uneasy as the Lone Ranger when Tonto invited a number of his Redskin friends to drop by for archery practice.

I should mention still other pundits said that I was taking a slap at Congress in making this proposal—believe me—although I fully approve of the President's physical fitness program, I can find other and less suicidal ways of getting my quota of exercise.

A swift wind of change is sweeping through the postal service.

We are moving out of the age of the pony express into the postal industrial revolution, and we willingly accept constructive criticism along the way.

To prove that we are receptive to almost any criticism of the postal service, let me say that last July 12 marked the 150th anniversary of Henry David Thoreau's birth. We issued a stamp that a few of the good people of Concord, Massachusetts, denounced as giving this free spirit the appearance of "Thug, Bolshevik, Communist, mental illness in extremis, FBI Wanted Criminal, and beatnik suffering from withdrawal symptoms."

Well, Thoreau did once have some choice remarks about the Post Office Department, saying, "For my part, I could easily do without the Post Office. I think that there are very few important communications made through it. To speak critically, I never received more than one or two letters in my life . . . that were worth the postage." A subversive view, of course. But we tried to assure the irate citizens of Concord that the stamp design is not a vindictive effort to get back at Thoreau for his views of the Post Office.

For Americans who, unlike Thoreau, feel they cannot do without the Post Office, we hope to continue to show meaningful progress.

My friends, I sincerely believe we currently have the best postal service in the world.

However, we can and we must do better.

Though there are great problems of higher priority facing our nation today, I can tell you that this Administration will settle for *no less than* the kind of *superlative* mail service this country is *capable of providing, should provide* and *will provide*.

Old ways of thought, old patterns of doing things, the scrawled pages of a hundred and seventy-five years of postal folklore all are being examined under the spur of postal volume that leaps forward each and every year almost as much as our entire mail volume back in 1887. And if each of our employees handled only as much mail as the postal worker of 1887, we would now require a postal work force of some two million employees instead of 700,000 as at present.

That we can do our job with 700,000 instead of two million postal workers results from a number of causes. It is partly the result of increased productivity of our employees. It is partly the result of a changed mix of mail. And, to a large degree, it is the result of cooperation by the business community through such devices as ZIP Codes and presort, and mailing on a balanced basis throughout the day, week and month.

Cooperation between business and the postal service serves your self-interest, as well as the national interest. If business mail moves with maximum speed the remaining 20% that is personal mail will also reap the benefits of better service.

My friends, I think this Forum reflects how far we have come since the days when lack of understanding between government and business produced suspicion and friction of the kind that, in my view, seriously damaged our nation.

Now, in an age of 17,000 mile an hour ballistic missiles, when the twin revolutions of rising expectations and nationalism are compounded by convulsions in the Communist world, we simply can no longer afford the kind of misunderstanding between government and business that characterized much of this century.

The times are too unusual to permit business as usual or government as usual.

Today, lack of understanding can produce disunity and confusion at a time when we must be united before the threats to our American way, threats that stem from the rising tide of violence both at home and abroad.

Has this great National Postal Forum anything to offer to the solution of this problem of violence?

I think it does. We are meeting here because of our concern with the most pressing problem that faces mankind today—the same problem that has plagued him ever since the beginning of human society. That problem is communication.

The Postal Service is a splendid instrument of communication. And we are all interested in efforts underway to improve that instrument. But I know your concern goes beyond the means, and reaches out to the purpose of communication: to facilitate the commerce of ideas and the exchange of goods and services that is one of the prime characteristics of a civilized society.

My friends, I do not think I exaggerate if I say that failures in communication lie at the very heart of most of the problems that vex us and the world today.

It is depressing, profoundly depressing, to see the stark contrast between the feast of our means of communication and the famine in our ability to communicate.

We reach out into space and employ precisely positioned satellites to speed television across an ocean.

But here on earth, people who may live on the same city block cannot understand one another.

I would like to explore briefly with you some of our communication famines. I do not claim that I have the remedy in each instance, but the examination itself may yield dividends. For, as Lincoln so well said about our nation's most tragic failure in communication, "If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it."

There are two main areas of communication famine today, two areas where, though we may dial correctly, we consistently seem to get the wrong number.

Those areas can be found here at home, and they can be found in our relations with other nations.

First, let us look at the communication famine here in the United States. If I may paraphrase an old saying, "clarity begins at home."

The most obvious failure in communication, a failure that is quite literally costing this nation billions of dollars in misdirected energies, in self-defeating destruction, in the mortgage of suspicion and hostility we are placing on our productive resources, is the breakdown in communication between the races.

Again and again, this past summer, and during previous summers, an episode of friction, a transient misunderstanding, produces what can almost be termed a chain reaction. A small stimulus such as the legitimate arrest of a traffic violator, a fugitive incident of no moment, becomes a trigger to produce an explosion of violence, hatred, arson, murder, cruelty, theft. A young man says, "Black Power," and fear chills many of our people; another young man, representing a minority of a minority, advocates open warfare.

What has happened to produce this outpouring of unreason, this shattering of lines of communication that we had hoped were being forged through program after program designed to accord *all* Americans the rights they were entitled to a century ago, and to open up opportunities for jobs and for education too long denied?

How can women and children burn down the neighborhoods in which they live? How can they destroy their own homes? How can they wipe out the small businesses and community services a neighborhood must have to live?

What is going on? Many of us ask ourselves these questions. And the fact that we must ask at all is evidence, a clue, to the nature of the problem.

For we do not know, and we do not know because we are suffering from a communication famine. The famine of communication, like any famine, weakens the body. Unfortunately, that body is our nation. And no man can remain indifferent to its effects.

Today, the fanaticism of extremists is loudly and sharply communicated. But the good will that the vast majority of Americans possess in abundance, fails to be communicated, in word, and in action, to the millions living in squalid housing in the decaying hearts of our cities.

Instead, what does get communicated is often the callousness of Americans who say, "I've got it made. Solve your own problems."

My friends, if we can't communicate as civilized human beings, in words, then we will communicate through violence.

Domestic violence cannot and will not be tolerated.

But the final answer to violence lies in action aimed at the causes and not merely the symptoms.

Much action has been taken by the Federal Government in recent years. And there is the continuing great challenge and great opportunity for private initiative.

Private resources—scientific, managerial, academic and financial—must be untiringly mobilized and brought to bear on the urban problem to create jobs; to provide training; to meet public needs; to enter, for example, the $50 billion market for low-cost housing.

Still another nagging reflection of a communication famine stems from an almost stubborn refusal of some segments of our population to realize that peace comes from mutual action.

No nation can make peace by itself, unless it is the peace of surrender.

The lesson that peace comes through mutual effort and not merely aspiration was given to the world from the Sermon on the Mount, "Blessed are the peacemakers; for they shall be called the children of God."

The sermon does not say anything about peacelovers.

We are all peacelovers and loving peace has little or no effect on the course of history.

But making peace, through strength, through willingness to negotiate, through the arduous, slow processes of diplomacy—this, my friends, is a noble task, and one in which we are constantly engaged in Vietnam.

President Lyndon B. Johnson is a man of peace. And he is working to *make* peace, a peace that will last, a peace that will encourage the friends, and not the foes, of freedom.

But let us remember the greatest, the potentially most dangerous fallacy of all in dealing with international affairs is to confuse what should be with what is.

Other nations should recognize the peaceful nature of our objectives. But some do not. Other nations should see that we have no desire for territory or expansion. But some do not. All nations of the world should cooperate in the common interest rather than fight over selfish interest. But, as we see, there is a surplus of conflict, and a famine of cooperation and communication.

It is sad for all, it is difficult to accept for many, but this is not the ideal world, not the world we would make—but the world as it is. It is the beginning of wisdom to accept the facts. It is the beginning of communication to open our eyes and our minds. So this is an internal as well as an international communication famine, and a serious one indeed.

Flexibility, understanding patience, unremitting effort and, above all, the kind of good will exhibited by this National Postal Forum, this cooperative effort between business and government, can do much toward ending this famine in communication that exists in so many areas of our national and international life. And end it must, for the cost in blood, sweat, toil and tears is too great and too unnecessary.

This morning your distinguished colleague from the mailing industry, Bernard Fixler, said in effect that we were in danger of suffering a recurrence of the famine of communication that used to exist between the Postal Service and the business world.

My friends, I want you to know and I want Mr. Fixler to know that President Johnson and all of us in the Post Office Department are determined to build, to improve upon, to nurture and foster that spirit of high citizenship and cooperation that brings us together at this National Forum. Of course, I know and you know that this is not the only Forum being held in Washington this week. There is another—just a few miles away—and important decisions are being made there that affect your future and ours. But important as that is, I cannot help but feel that what we are doing here today and tomorrow will be of much more lasting significance, of far greater value in the months and years ahead.

Ladies and gentlemen, we are drafting here at our Forum a mutual Assistance Pact—a pact that comes not from "coercion" or pressure of politics—but a fervent desire to work together to solve our problems.

I am ready to sign the pact and your presence here has to mean that you are ready, too.

Thank you for coming to meet with us. Thank you for offering a helping hand to *your* Government and *your* fellow citizens.

HOSPITAL EMERGENCY ASSISTANCE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. OTTINGER. Mr. Speaker, tomorrow the House will consider the most important health legislation to come before the 90th Congress, the "Partnership for Health Amendments of 1967." No provision of this excellent legislation is more important than section 12, the "Hospital Emergency Assistance Act of 1967," which would establish a modest and effective program of aid for the critically overburdened and obsolete hospitals in this country.

The urgent need for this legislation is demonstrated not only by the survey released last year by the Department of Health, Education, and Welfare—CONGRESSIONAL RECORD, June 27, 1966, p. 14351—but also by the moving letters of support written by hospital officials and administrators from all over the nation.

From time to time I have inserted selections from these letters in the CONGRESSIONAL RECORD, volume 112, part 20, page 27052; February 2, 1967, p. 2437; April 20, 1967, p. 10405; July 19, 1967, p. 19518; August 1, 1967, p. 20839; August 15, 1967, p. 22719; August 16, 1967, p. 22816. Today, on the eve of House consideration of this measure, I would like to give my colleagues the opportunity to see a few more of the indications of the growing support for the hospital emergency assistance program from those who are most intimately familiar with the terrible problems of trying to help the ill with inadequate and obsolete facilities:

AMERICAN HOSPITAL ASSOCIATION,
July 18, 1967.

Hon. RICHARD L. OTTINGER,
Longworth House Office Building,
House of Representatives,
Washington, D.C.

DEAR MR. OTTINGER: We were greatly interested in the firm support evidenced by the Interstate and Foreign Commerce Committee in adopting your amendment to H.R. 6418. Certainly this indicates the concern the Congress has in the need for additional hospital facilities.

An inquiry has been made as to whether we believe your proposal is in conflict with the Hill-Burton program. As we understand your proposal it would offer emergency financing to relieve the immediate pressure upon hospitals not only for the construction of hospital beds, but other services which may be needed. We further understand that the amendments resulting from your proposal would be administered in such a manner as to be consistent with the over-all planning of the Hill-Burton program. Therefore, it does not appear to us that your proposal is in conflict with the Hill-Burton program.

May we express to you our appreciation for your deep concern in the needs of hospitals and for your efforts to assist them in meeting the needs of their communities for hospital services.

Sincerely yours,
KENNETH WILLIAMSON,
Associate Director.

INDIANA HOSPITAL ASSOCIATION,
Indianapolis, Ind., August 30, 1967.

Hon. RICHARD L. OTTINGER,
Longworth House Office Building, House of Representatives, Washington, D.C.

DEAR MR. OTTINGER: I appreciate sincerely your sharing with me the information regarding the Hospital Emergency Assistance Amendment to H.R. 6418. By means of sending copies of this letter, I am informing our Congressional delegation about our support for this legislation.

In the past we have been somewhat concerned that the Emergency Aid Program might work in conflict with the Hill-Burton program. Now that we have assurance that these are complementary programs, we will withdraw our only reservation about this legislation. It is my personal conviction that the channel which you are following will result in providing additional funds for hospital construction which could not be made available under Hill-Burton. In addition, it appears that it will channel it to areas which are in extreme need. I commend you in your efforts in this uphill battle and trust that our Congressional representation will support your future efforts in making this the law of the land.

Sincerely,
ELTON TEKOLSTE.

SOUTH FLORIDA HOSPITAL COUNCIL,
Miami, Fla., September 12, 1967.

DEAR SIR: This letter is written in behalf of the South Florida Hospital Council, comprised of forty health facilities which provide a continuum of care for the medically ill.

In this accelerated age wherein the population boom is coupled with the extension of the average span of life, we have an additional demographic factor. Tourism to this section of the country is enjoying greater popularity than ever, however, the constant stream of visitors adds greatly to the number of people our hospitals are called upon to serve. We must increase our facilities, thus to provide the care needed.

Hospitals are big business. As established institutions they are an integral part of the community, and the fourth largest industry in the nation. Their ratio of employees to patients, excluding physicians, is almost three to one, ranging from the highly trained professional nurse to the porters and housekeeping personnel. About two-thirds of a hospital's annual budget goes into salaries and wages since it is not always possible to substitute automation for personal patient care in a hospital. Moreover, medical and technical advances increase the quality of service and cost per patient. Increasingly the hospital has become a community health resource as well as a health center. The operating budgets of hospitals in South Florida are approximately one hundred million dollars annually. With a capital investment of more than one hundred twenty-five million dollars.

Many of the members of the South Florida Hospital Council are planning for the expansion of their facilities and have been much encouraged with the recent introduction of legislation by Representative Claude Pepper (H.R. 11979). This bill calls for additional monies to be added to the appropriation for the Public Health Service so that more hospitals can expand their facilities thus to better serve those in need of hospitalization.

Your interest, consideration, and support of this legislation is requested by each member of the South Florida Hospital.

Sincerely yours,
S. K. BRONSTEIN,
President.

GREATER NEW YORK
HOSPITAL ASSOCIATION,
New York, N.Y., August 17, 1967.

Re: H.R. 11571
Hon. JOHN J. ROONEY,
House Office Building,
Washington, D.C.

DEAR SIR: Both as president of the Greater New York Hospital Association and as executive director of the Long Island College Hospital, I am writing to urge your support of the above mentioned Hospital Emergency Assistance Act proposed by Congressman Richard L. Ottinger. The proposal, adopted by the Interstate and Foreign Commerce Committee of the House of Representatives, becomes an amendment to the administration's Partnership for Health bill (HR 6418).

You are aware, I am sure, that many hospitals suffer from a critical lack of adequate facilities and services. This lack results from the serious dearth of existing sources of public or private financing. The above proposal calls for emergency financing to hospitals unable to meet present urgent health service needs of the communities they serve. It will help them participate in comprehensive health service planning. It will aid them in planning to meet future needs.

I know you share my profound concern about our communities' hospitals, about their capacity to continue to meet the demands increasingly being placed upon them. For these reasons, therefore, I hope I can count on your maximum effort in favor of HR 11571 when it comes to the House floor.

Very truly yours,
WILLIAM K. KLEIN,
President.

Mr. RICHARD L. OTTINGER,
Member of Congress,
House of Representatives,
Washington, D.C.:

We fully and enthusiastically endorse amendments (Section XII) to partnership for health bills (H.R. 6418) formerly known as Hospital Emergency Assistance Act (H.R. 11571). The Puerto Rican people in urgent need of additional hospital beds specially in non-profit institutions.

SIGIFREDO MARTINEZ M.H.A.,
Administrator Hospital Del Maestro,
Past President, Puerto Rico Hospital Association.

WEST VIRGINIA HOSPITAL ASSOCIATION,
Charleston, W. Va., August 13, 1967.

Hon. RICHARD L. OTTINGER,
Longworth House Office Building,
House of Representatives,
Washington, D.C.

DEAR MR. OTTINGER: Thank you very much for your letter and supporting document of August 3, 1967.

Mr. Huff is away from the office for a few days, but upon his return I will bring this matter to his attention and prompt action will be taken.

I will also assure you that the hospitals of West Virginia, united as well as individually, will express their interest in an attempt to influence the Administration's position on such a worthwhile program.

Sincerely,
VAUGHAN A. SMITH,
Administrative Assistant.

Oklahoma Hospital Association, Inc.,
Tulsa, Okla., August 3, 1967.
Hon. Richard L. Ottinger,
House of Representatives,
Washington, D.C.

Dear Congressman: It is our understanding that the House Interstate and Foreign Commerce Committee has adopted as an amendment to the Administration's Partnership for Health bill (H.R. 6418), the Hospital Emergency Assistance Act.

The Oklahoma Hospital Association is pleased to see this legislative action that would give our hospitals the emergency aid needed to relieve the immediate pressures and allow our institutions to provide the quality of care they are capable of producing. We further understand that the proposal by Congressman Ottinger would be administered in such a manner as to be consistent with the over-all planning of the Hill-Burton program. The hospitals of Oklahoma are in need of this type of supplementary program.

We are sure this amendment still faces crucial tests on the House floor and in Senate action. Therefore, we sincerely urge your support in the passage of this program.

Thank you.

Sincerely,

Cleveland Rodgers,
Executive Director.

New Mexico Hospital Association,
Santa Fe, N. Mex., July 17, 1967.
Hon. Richard L. Ottinger,
House of Representatives,
Washington, D.C.

Dear Mr. Ottinger: Enclosed are "the Week for Hospitals" July 21, 1967 from AMA and the NMHA newsletter for July 1967.

Because Saint Vincent Hospital gave us a copy of your July 18 letter, we were able to offer information concerning H.R. 6418 to our membership.

We certainly hope that the NMHA membership will follow through in supporting this bill. If our office can be of assistance, please do not hesitate to contact us.

Sincerely,

Thomas I. Harnish,
Executive Director.

Hospital Association of
New York State, Inc.,
Albany, N.Y., August 9, 1967.
Hon. Richard L. Ottinger,
House of Representatives,
Washington, D.C.

Dear Congressman Ottinger: Thank you for your letter of August 3 and its enclosures. You may be assured we are watching your amendment closely and were more than pleased when we learned of its adoption by the House Committee.

The Association's President will write each of you in behalf of its 820 hospital members but we are asking hospitals and their Trustees to write individually. A copy of our request letter is enclosed.

Please let me know if there is more that can be done to remove obstacles.

Sincerely,

Charles M. Royle,
Executive Vice President.

[From the New Mexico Hospital Association Newsletter, July 1967]

U.S. Government—H.R. 6418

The Hospital Emergency Assistance Act has been adopted by the House Interstate and Foreign Commerce Committee on an amendment (Section 12) to the Administration's "Partnership for Health" bill (H.R. 6418). This hospital aid program still faces crucial tests on the House floor and then in Senate action.

Now that this program has been included as a part of the Administration's bill, its prospects are bright. When H.R. 6418 comes to the House floor, it would take a separate amendment to remove Hospital Emergency Aid from this measure.

Richard L. Ottinger (D., N.Y.), House of Representatives, asks that all interested hospitals, their board members, officials and other concerned citizens make their Congressmen aware of the urgent need for such a program.

We ask you to indicate your support by contacting your Congressman.

Hospital Association of
New York State, Inc.,
Albany, N.Y., August 9, 1967.
To Administrators, Member Hospitals, Hospital Association of New York State.

The Interstate and Foreign Commerce Committee of the House of Representatives has adopted the Hospital Emergency Assistance Act (H.R. 11571) proposed by New York's Congressman Richard L. Ottinger (25th District). The adopted proposal becomes an amendment to the administration's partnership for Health bill (H.R. 6418).

The proposal calls for emergency financing to hospitals unable to meet present urgent health service needs of the communities they serve or to participate in comprehensive health service programs or planning to meet future needs due to a critical lack of adequate facilities and services that results from existing inadequate sources of public or private financing needed to correct the critical condition.

Establishing guides for eligibility under the program, the bill appropriates for fiscal year ending June 30, 1968, $40,000,000 for direct grants of up to 66⅔ percent of a project cost and $18,000,000 for emergency loans not to exceed 90 percent of the remaining 33⅓ percent of the project cost. Such loans could run up to 50 years at 3½ percent.

Such a program, if enacted, will be most helpful in many areas of the State and our combined efforts are needed now to move it successfully on the House floor.

May I urge each of you to write to your own Congressman requesting his full support when the bill comes to the House floor. Please ask members of your Board to write also and if they know the gentlemen personally, a phone call is in order. Your help can assure enactment.

Sincerely,

Charles M. Royle,
Executive Vice President.

The Connecticut Hospital Association,
New Haven, Conn., August 7, 1967.
Hon. Richard L. Ottinger,
House of Representatives,
Washington, D.C.

My Dear Representative Ottinger: Thank you for your August 3 letter referring to your amendment to the Administration's Partnership for Health Bill (H.R. 6418).

This association has made reference to the bill at some of our past meetings. If you have specific suggestions as to additional ways in which we may be of assistance in this matter, please do not hesitate to contact us at your convenience.

Cordially,

Herbert A. Anderson,
Executive Vice President.

New Jersey Hospital Association,
Princeton, N.J., August 9, 1967.
Hon. Richard L. Ottinger,
House of Representatives,
Washington, D.C.

My Dear Congressman Ottinger: Your letter to Mr. Owen arrived during his absence, and since he will be out of the office for several weeks, I am taking the liberty of acknowledging it.

We appreciate receiving the information on your proposed Hospital Emergency Assistance Act.

I am sure you can count on the support of New Jersey hospitals for this program.

Sincerely,

W. T. Middlebrook, Jr.,
Associate Director.

The Hospital Association,
of Pennsylvania,
Harrisburg, Pa., August 11, 1967.
Hon. Richard L. Ottinger,
House of Representatives,
Washington, D.C.

Dear Mr. Ottinger: I am pleased to reply to your recent letter concerning the Hospital Emergency Assistance Bill which was adopted by the House Interstate and Foreign Commerce Committee as an amendment to the Partnership for Health Bill, H.R. 6418.

The need for additional funds for provision of critically needed hospital facilities and services is recognized, and we are most appreciative of your efforts to help assure adequate funds for these hospitals to provide these facilities and services.

We, too, are pleased to note that the proposed emergency assistance to the eligible hospitals would not conflict with or be a substitute for the existing Hill-Harris program.

Please be assured that we support your efforts to help enact legislation that will provide relief for those hospitals with obsolete and/or inadequate facilities and services, so that critical shortages in these areas may be minimized and our citizens be provided with adequate health facilities and services.

If our Association can be helpful to your efforts in other ways, we will be happy to hear from you.

Sincerely yours,

John F. Worman,
Executive Director.

Ridgewood Savings Bank,
Ridgewood, N.Y., August 24, 1967.
Hon. Richard L. Ottinger,
Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

Dear Mr. Ottinger: As a trustee of Wyckoff Heights Hospital in Brooklyn, I am writing to urge your support of the Hospital Emergency Assistance Act (HR 11571) included as an amendment to the Partnership for Health Bill (HR 6418).

The hospital with which I am associated has valiantly attempted to improve and expand its facilities to better provide care for the population of this community. Our continued increase of services and our desire to expand and advance in many areas which are vitally needed are hampered by the inability to raise construction funds in an area which is not capable of providing necessary funds.

The aforementioned legislation is vitally necessary for this community and the country and your earnest support will be greatly appreciated.

Very truly yours,

Walter J. Hess,
Trustee, Wyckoff Heights Hospital.

Phelps Dodge Refining Corp.
Maspeth, N.Y., August 23, 1967.
Hon. Richard L. Ottinger,
Interstate and Foreign Commerce Committee,
House of Representatives,
Washington, D.C.

Dear Mr. Ottinger: As a trustee of Wyckoff Heights Hospital in Brooklyn, New York, I am writing to urge your support of the Hospital Emergency Assistance Act (HR 11571) included as an amendment to the Partnership for Health Bill (HR 6418).

The Hospital with which I am associated has valiantly attempted to improve and expand its facilities to better provide care for the population of this community. Our continued increase of services and our desire to expand and advance in many areas which are vitally needed are hampered by the inability to raise construction funds in an area which is not capable of providing necessary funds.

The aforementioned legislation is vitally necessary for this community and the country, and your earnest support will be greatly appreciated.

Sincerely yours,

Donald M. Hayes,
Trustee, Wyckoff Heights Hospital.

Wyckoff Heights Hospital,
Brooklyn, N.Y., August 28, 1967.
Hon. Richard L. Ottinger,
Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

Dear Mr. Ottinger: The Hospital Emergency Assistance Act (H.R. 11571) is of vital interest to all of us closely associated with the voluntary hospital system. The hospital with which I am associated, Wyckoff Heights Hospital, Brooklyn, has valiantly attempted to improve and expand its facilities to better provide care for the population of this community.

Our continued increase of services and our desire to not only increase but advance in many areas which are vitally needed are hampered by the inability to raise construction funds in an area which is not capable of providing necessary funds. The aforementioned legislation is vitally necessary for not only this community but the country at large and your earnest support will be greatly appreciated.

Very truly yours,

Jerome F. Glasser,
President, Board of Trustees.

Washington Hospital Center,
Washington, D.C., August 16, 1967.
Hon. Richard L. Ottinger,
House of Representatives,
Washington, D.C.

Sir: Your amendment of "section 12" of the Partnership for Health for 1967 Amendment bill (H.R. 6418), we believe will receive the ratification of Congress under your leadership.

Presently, our hospital of 820 beds is in the vulnerable and extremely dangerous position of becoming completely non-operational should an electrical outage occur for any reason.

Recently, the Bureau of the Budget by national survey found that 50 percent of all hospitals are in the category of having no means or inadequate means for generating electrical power for use during those periods when normal power sources are disabled.

The unbelievable electrical outages recently experienced along our east coast, short of having a national emergency, should certainly be reason enough to make it mandatory for all hospitals, nursing homes, mental institutions, etc., to install the necessary emergency standby electrical apparatus required to operate all patient facilities and medical treatment equipment. Obviously, legislation is slow in coming in view of the enormous cost involved and the impossible financial burden that would be placed upon the nation's hospitals, without government assistance.

Ironically, during electrical power outage periods the demand for hospital services is at a maximum, considering the life and death relationship that could be experienced with total darkness.

Hill-Burton funding for the District of Columbia is limited to the extent of being almost non-existent as far as providing even a token amount for a partial standby emergency electrical equipment installation.

This unrealistic and impossible situation we are presently faced with has created an attitude of hopelessness. We sincerely hope that your proposed amendment could relieve the situation in the District of Columbia as well as in other areas of the country.

Very truly yours,

R. M. Loughery,
Administrator.

Ridgewood, N.Y., *August 28, 1967.*
Hon. Richard L. Ottinger,
Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

Dear Mr. Ottinger: Those of us closely associated with the voluntary hospitals system have searched in many ways for means to improve the facilities of the hospital which we represent. Our services have been increased to a point wherein we are no longer able to provide the level of care we desire for this community.

The Hospital Emergency Assistance Act (H.R. 11571) provides a means whereby our efforts might be realized. This legislation is vitally necessary for those hospitals such as ours which are not heavily endowed. Your earnest support of this legislation will be greatly appreciated.

Very truly yours,

William A. Schauer,
Trustee, Wyckoff Heights Hospital.

August 30, 1967.
Hon. Richard L. Ottinger,
Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

Dear Mr. Ottinger: The Hospital Emergency Assistance Act (HR 11571) is of vital interest to all of us closely associated with the voluntary hospital system. The hospital with which I am associated, Wyckoff Heights Hospital, Brooklyn, has valiantly attempted to improve and expand its facilities to better provide care for the population of this community.

Our continued increase of services and our desire to not only increase but advance in many areas which are vitally needed are hampered by the inability to raise construction funds in an area which is not capable of providing necessary funds. The aforementioned legislation is vitally necessary for not only this community but the country at large and your earnest support will be greatly appreciated.

Very truly yours,

Edward R. Schuster,
Trustee, Wyckoff Heights Hospital.

Cedars of Lebanon Hospital,
Miami, Fla., September 8, 1967.

Dear Sir: Throughout the country, hospital administrators are watching and hoping for the passage of the legislation, House Bill #11979, introduced by Representative Claude Pepper. This legislation would enable the appropriation of substantial funds to enlarge present facilities and eradicate obsolescence in hospitals.

Recent studies by the U.S. Public Health Service and the Florida Development Commission have indicated the need for another 2,000 beds before 1970 in the Miami area. However, these figures are already obsolete. Experience at the Cedars of Lebanon Hospital has demonstrated that our year round average is at 96% bed occupancy. This past winter we have had to accommodate patients in our corridors because each room had already been pressed into double occupancy. With the increasing rise in population base, plus the tourists, we anticipate more severe crises in the years to come.

The Cedars of Lebanon Hospital is planning to build additional facilities, adding 500 beds with supporting service. A portion will be in a psychiatric unit for both private and public patients. This hospital, opened in 1961 and expanded in 1964, was built with private capital. Estimates for completion of the medical complex are at Fifteen Million Dollars. We are naturally hopeful that some part of this total can come from the proposed legislation.

Without Federal aid, we and the other hospitals in the same category of voluntary non-profit institutions, may have to curtail or delay part of the planned expansion. Your interest and support is necessary to our growth and is urgently requested for passage of House Bill #11979.

Sincerely yours,

S. K. Bronstein,
Executive Vice-President.

Adam Kraus, Inc.,
Glendale, N.Y., August 30, 1967.
Hon. Richard L. Ottinger,
Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

Dear Mr. Ottinger: As a trustee of Wyckoff Heights Hospital in Brooklyn, I am writing to urge your support of the Hospital Emergency Assistance Act (HR 11571) included as an amendment to the Partnership for Health Bill (HR 6418).

The hospital with which I am associated has valiantly attempted to improve and expand its facilities to better provide care for the population of this community. Our continued increase of services and our desire to expand and advance in many areas which are vitally needed are hampered by the inability to raise construction funds in an area which is not capable of providing necessary funds.

The aforementioned legislation is vitally necessary for this community and the country and your earnest support will be greatly appreciated.

Very truly yours,

Adam Kraus,
Trustee, Wyckoff Heights Hospital.

Charles Scala Co.,
Glendale, N.Y., August 23, 1967.
Hon. Richard L. Ottinger,
Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

Dear Mr. Ottinger: The Hospital Emergency Assistance Act (HR 11571) is of vital interest to all of us closely associated with the voluntary hospital system. The hospital with which I am associated, Wyckoff Heights Hospital, Brooklyn, has valiantly attempted to improve and expand its facilities to better provide care for the population of this community.

Our continued increase of services and our desire to not only increase but advance in many areas which are vitally needed are hampered by the inability to raise construction funds in an area which is not capable of providing necessary funds. The aforementioned legislation is vitally necessary for not only this community but the country at large and your earnest support will be greatly appreciated.

Very truly yours,

Charles Scala,
Trustee, Wyckoff Heights Hospital.

Ridgewood, N.Y., *August 24, 1967.*
Hon. Richard L. Ottinger,
Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

Dear Mr. Ottinger: The Hospital Emergency Assistance Act (HR 11571) is of vital interest to all of us closely associated with the voluntary hospital system. The hospital with which I am associated, Wyckoff Heights Hospital, Brooklyn, has valiantly attempted to improve and expand its facilities to better provide care for the population of this community.

Our continued increase of services and our desire to not only increase but advance in many areas which are vitally needed are hampered by the inability to raise construction funds in an area which is not capable of providing necessary funds. The aforementioned legislation is vitally necessary for not only this community but the country at large and your earnest support will be greatly appreciated.

Very truly yours,

Alfred R. Schauer,
Trustee, Wyckoff Heights Hospital.

Otto Herrmann Inc.,
Glendale, N.Y., August 23, 1967.

Hon. Richard L. Ottinger,
Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

Dear Mr. Ottinger: Those of us closely associated with the voluntary hospitals system have searched in many ways for means to improve the facilities of the hospital which we represent. Our services have been increased to a point wherein we are no longer able to provide the level of care we desire for this community.

The Hospital Emergency Assistance Act (H.R. 11571) provides a means whereby our efforts might be realized. This legislation is vitally necessary for those hospitals such as ours which are not heavily endowed. Your earnest support of this legislation will be greatly appreciated.

Very truly yours,

Otto Herrmann,
Trustee, Wyckoff Heights Hospital.

Asociación de Hospitales
de Puerto Rico,
Santurce, Puerto Rico, August 23, 1967.

Mr. Richard L. Ottinger,
Member of Congress, Congress of the United States, Longworth Building, Washington, D.C.

Dear Mr. Ottinger: Many thanks for your courtesy and interest shown in your letter dated August 3 addressed to Mr. Arturo Piard, Secretary of the Puerto Rico Hospital Association.

We strongly support the Hospital Emergency Assistance Act now adopted as an amendment to H.R. 6418. We are pleased to note that Puerto Rico has been included as eligible to receive funds for hospital remodeling and construction.

Up to now, 75% of the Hill-Burton funds have been taken by our government to finance the construction of public hospitals. The result of this policy is evident by the overcrowding in outmoded non-governmental hospital facilities. Great urban areas have been neglected for the appropriation of funds.

With the advent of Medicare and Medicaid the needy elderly patients have been raised to the category of paying patients. The impact in demand for hospital facilities has been noticeable.

Hospitals in Puerto Rico have no financial resources to expand. Our community is still very poor, only $900 income per capita annually. Thus, if there is not enough for the basic things in life there is no surplus for donations. Our banks do not venture to lend money to a sick enterprise. There is a real crisis in our non-governmental hospitals. Last year, out of 50 hospitals, 10 had deficits; the remainder had only 4.0% excess of income over expenses. This situation shows that the non-governmental hospital is unable to modernize and expand to meet modern needs.

A survey made by the Department of Health concerning general hospital beds showed the following situation:

Beds were acceptable	2,900
Beds needed to be modernized	3,700
Beds were obsolete—should be replaced	1,800
Total beds	8,400

These figures show that 21% of the beds needed to be replaced. The projection made by the Department of Health is that for 1972 we should have 10,500 general beds. This will show a deficit of 2,100 beds and if we add 1,800 obsolete beds the total deficit would be 3,900 beds. The cost of construction of these new beds is of 100 million dollars. To this we have to add the funds needed to modernize 3,700 beds.

In the last 10 years general hospital beds (non governmental) have increased from 2,948 to 3,101. This represents a 5% increase only. Special hospital beds were reduced by 127 in the same period representing a 10% decrease. Our population has increased from 2,252,000 to 2,691,800 in the past 10 years. The per capita income increased from $468 to approximately $900 in the same period.

For the first time this year (April 14, 1967) the Fair Labor Standard Act was applied to Puerto Rican hospitals. Since 1948 we had our own local minimum wage laws. The federal law has had a catastrophic effect on our hospitals. Since 1958 the average hospital salaries for non supervisory employees has raised 6.3% annually. The enforcement of the federal laws raised our minimums by 27% where the greatest number of employees are included. The result of hospital operations this year will be necessarily worse than in previous years.

Thus, our only hope for the future is that your efforts be successful to get enactment of the Hospital Emergency Act.

Enclosed please find a memo sent to all our hospitals and copies of letters sent to our Resident Commissioner in Washington, Hon. Santiago Polanco Abreu, and to our Secretary of Health, Hon. Mario Garcia Palmieri.

Sincerely,

Efraín Flores Gallardo,
President.

Asociación de Hospitales
de Puerto Rico,
Santurce, P.R.

Memorandum

A: Todos los Hospitales.
De: Efraín Flores Callardo, Presidente.
Asunto: "Hospital Emergency Assistance Act."
Fecha: 23 de agosto de 1967.

Es urgente que los administradores, directores médicos, miembros de la Junta de Directores y ciudadanos de su comunidad escriban cartas inmediatamente solicitando que el Congreso apruebe legislación, en estos momentos bajo discusión, para ayuda financiera a los hospitales.

Nos referimos al "Hospital Emergency Assistance Act" (H.R. 11571) el cual fue presentado en la Camara de Representatives el 19 de julio de 1967. El proyecto fue referido al "Committee on Interstate and Foreign Commerce" para estudio. Afortunadamente ese Comité aprobó el proyecto. Pero, en vez de dejarlo como un proyecto separado lo incluyo como una enmienda (section 12) al "Partnership for Health Bill" (H.R. 6418), un proyecto de la Administración del Presidente Johnson. En el Comité el proyecto fue aprobado 15 contra 14 votos. Cuando vaya a la Cámara y al Senado dentro de unos días se someterá al la prueba crucial. El Departamento de Salud de los Estados Unidos ha indicado que debido a que los hospitales no han expresado interés alguno no hay razón para que haya acción por el momento.

Para au informacón le damos los puntos esenciales del proyecto:

1. Autorizar al Secretario de Salud de los Estados Unidos (no a los estados como Hill-Burton) a conceder directamenate donativos gratuitos de ⅔ partes del costo de proyectos para construcción, remodelación, modernización, incluyendo equipo de hospitales.

2. Para el primer año se autorizan $40 millones.

3. El Secretario de Salud de los Estados Unidos podrá concederle un préstamo de emergencia a un hospital que se le haga difícil conseguir la ⅓ parte del costo del proyecto.

4. El préstamo de emergencia será hasta el 90% de la parte que le toca al hospital (⅓ parte) proveer.

5. El préstamo de emergencia devengará 2½ de intereses anuales.

6. El Secretario de Salud de los Estados Unidos determinará el plazo del préstamo de emergencia pero en ningún caso será mayor de 50 años. Para el primer año se asignarán $18 millones para préstamos.

7. El Secretario de Salude de los Estados Unidos hará una investigación para determinar prioridades.

8. Son elegibles los hospitales públicos y los hospitales sin fines pecuniarios ("nonprofit") para los efectos de este proyecto.

9. Se define "nonprofit" a un hospital que es operado por una corporación o asociación en que ninguna parte de los beneficios sea para beneficio de los individuos que la componen. Especificamente el proyecto lee como sigue:

"Nonprofit, as applied to any hospital, means a hospital which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual."

10. Se incluye a Puerto Rico com estado para los efectos del proyecto.

Sugerimos se escriba enseguida a las siguientes personas:

1. Sr. Richard L. Ottinger, Member of Congress, House of Representatives, Congress of the United States, Washington, D.C. 20515.

2. Lic. Santiago Polanco Abreu, Resident Commissioner of Puerto Rico, Congress of the United States, Washington, D. C. 20515.

3. Hon. William H. Stewart, Surgeon General, Department of Health, Education, and Welfare, 9000 Rockville Pike, Bethesda, Maryland.

4. Congresistas que conozcan o que sepan tienen interés en asuntos de Puerto Rico.

5. Oficiales del Estado Libre Asociado de Peurto Rico que puedan influir en alguna forma en este asunto.

Confiamos en que todos actuarán rápidamente en este asunto.

Para su información también le incluyo copia de la caria del señor Richard L. Ottinger y nuestra contestación a la misma; copia de la carta al Hon. Santiago Polanco Abreu y al Hon Mario García Palmieri.

Efraín Flores Gallardo,
Presidente.

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23 de Agosto de 1967.

Hon. Mario García Palmieri,
Secretario de Salud de Fuerio Rico,
Departamento de Salud,
Santurce, Puerto Rico.

Estimedo Doctor Garcia Palmieri: Solicitamos la ayuda del Departamento de Salud de Puerto Rico para que se hagan gestiones en el Congresso de los Estados Unidos y se consiga la aprobaciôn del "Hospital Emergency Assistance Act" (H.R. 11871), el cual ha pasado a ser una enmienda del "Partnership for Health Bill" (H.R. 6418). En este provecto de ley se proveen fondos tanto para los hospitales publicos como los privados sin fines lucrativos para la remodelacón ó construccón de los hospitales.

Estos benficios son en adición a los que provee la Ley Hill Burton y no conlügen en ninguna manera con dicha Ley. El Cirujano General de los Estados Unidos es de esta misma opinion y le envío adjunto copia de la decelarachión del Hon. William H. Stewart. Le incluyo, además, un memorándum enviado a todos los hospitales de Puerto Rico sobre este asunto y copia de una carta al Hon. Santiago Polanco Abreu en Washington.

Confiamos que el Departamento de Salud de Puerto Rico, en vista de la grau necesidad que existe en Puerto Rico para remodelar y modernizar los hospitales y construir más facilidades, de el más decidido respaldo a este proyecto de ley.

Cordialmente,

Efraín Flores Gallardo,
Presidente.

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23 de Agosto de 1967.

Hon. Santiago Polanco Abreu,
Resident Commissioner of Puerto Rico,
Washington, D.C.

Estimado Señor Polanco Abreu: A nombre de la Asociación de Hospitales de Puerto Rico queremos solicitar su ayuda ante el Congreso de los Estados Unidos respaldando el H.R. 11571 "Hospital Emergency Assistance Act" el cual fue incluido como una enmiende, Sección 12, al "Partnership for Health Bill", H.R. 5418, por el House interstate and Foreign Committee.

Creemos que es de vital imperiancia para la ciudadanía en general de Puerto Rico que se logre consegair londes federales adicionales para financier la construcción a remodelación de nuestros hospitales.

Esperamos la cooperación que sien pre nos ha brindado en todos los asuntos en que le hemos ocupado. Cualquier información que necesite sobre este asunto con mucho gusto se la enviaramos enseguida.

Celebramos much que haya recuperado su salud y vuelva con nuevos bríos a defender los intereses de Puerto Rico.

Cordialmente,

Eirain Flores Gallardo,
Presidente.

FOOD STAMP PROGRAM IN CALIFORNIA

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Brown] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BROWN of California. Mr. Speaker, I rise to report to my colleagues on the food stamp program in my State of California.

California plays a significant role in the food stamp program. There are approximately 135,000 participants in the program in California. Each month, the food-purchasing power of these persons is being increased by more than $680,000. Each month, these California people buy food stamp coupons worth $1.8 million. This is the amount they would have spent for food in the absence of a food stamp program. But, now, they represent a food market worth $2.5 million a month. This means better diets for the poor, more business for retail food stores, a general boost to the State's economy, and expanded markets for California farmers.

However, quantitative terms are not sufficient to demonstrate the overall success of the food stamp program. The essence of the program lies in its effect on various channels of trade, agriculture, nutrition, and business.

Our senior citizens are particularly assisted through the added purchasing power of this program. To the older members of our society, an extra $6 to $10 a month can mean the difference between a medically correct and healthy diet or malnourishment and declining health.

The retailers of authorized grocery stores enjoy an increased flow of business because of the food stamp program. In fact, retail food sales are augmented by an average of 8 percent because of food stamp customers.

Also, in relation to education, school teachers have lauded the effects of the program. They say that better nourished children are more diligent pupils. They have noticed marked improvement in the study habits and accomplishments of children whose families are food stamp participants.

Here are some of the things which California citizens have said about the food stamp program:

> "I am permanently disabled—I am on a restricted diet—the food coupons have done much to help me."
>
> "With a family of five to care for, the food stamps have been a great help."
>
> "I would like to write and tell you how much the food stamps have helped my family. There are six of us—my husband has had a rather bad heart attack."
>
> "We sure appreciate the Food Stamps. We don't know what we would do without them."

Mr. Speaker, the food stamp program has been extraordinarily successful and should be continued.

HOME LOANS GUARANTEED BY VA

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Gibbons] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GIBBONS. Mr. Speaker, I am today introducing a bill to amend chapter 37 of title 38, United States Code, to provide relief to certain veterans purchasing homes under loans guaranteed by the Veterans' Administration when they are recalled to active duty. Although I am well aware of the necessity of maintaining financial responsibility in homebuying, I am, nevertheless, convinced that legislation is needed to provide adequate protection for veterans recalled to active duty.

In some cases veterans have been forced to sell their homes at a personal financial sacrifice. At a later date, if the subsequent purchaser defaults in payment, the veteran is responsible for the balance due on the loan.

Far too often the veteran who initiated the loan guaranteed by the Veterans' Administration is not notified of the default until it is too late for him to protect his interest.

Under provisions of the bill I have introduced, the VA Administrator will be required to grant the veteran a release from his continuing liability to the Veterans' Administration when he sells his property as a result of being called to active duty in any branch of the armed services or if, in connection with active duty service, the veteran is transferred by official orders to a new post of duty. Since the veteran would not have normally disposed of his property without military orders, it seems unfair to make him liable to the VA for any later default. This inequity will be corrected with the passage of this bill.

Mr. Speaker, further study is needed to determine what steps should be taken to protect all innocent parties in default cases involving mortgage loans guaranteed by the Veterans' Administration.

In the other body, Senator Tower and several cosponsors have introduced this measure. I urge the House to provide the leadership in granting relief to deserving veterans.

THE PANAMA CANAL: A CASE FOR HOLDING OUR OWN

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Rarick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. RARICK. Mr. Speaker, the proposed giveaway of our Panama Canal continues to receive intelligent scrutiny and discussion in many pro-American publications throughout the United States.

This is indeed fortunate, for the leftist news media has virtually blacked out all discussions, reports and releases on this most vital issue.

A timely pro-Blue article appears in the October 1967 issue of American Opinion authored by Harold Lord Varney, president of the Committee on Pan American Policy and editor of Pan American Headlines.

Mr. Speaker, I include this article following my remarks:

Panama—They're Giving Away Our Canal

(By Harold Lord Varney)

It was T. S. Eliot who gave us the melancholy picture of a world ending not with a bang but a whimper. Unhappily there is no more apt phrase to describe Washington as it faces President Johnson's new Panama Treaty and a testing decision on the surrender of our Panama Canal. In a moment which demands a bold assurance of the security of our interests in the Hemisphere and a strong enunciation of American rights, all official Washington has elected to breathe a collective whimper.

That whimper is heard in the scooping voice of one Senator who tells us that "if President Johnson signs the Treaty, we can't very well let him down." It is almost as if the Senator considered the *morale* of the man in the White House worth the acceptance by the Senate of a contemptible surrender which imperils our national security and the economic future of all Latin America.

The whimper rises from forlorn press releases of the State Department, gurgling the Coué announcement that everything is now satisfactorily settled in Panama. No one mentions that large numbers of Panamanians driven to great expectations by our show of weakness are even now calling for a rejection of the Treaty by *their* National Assembly, presumably because it leaves the United States with a few fig leaves which have not yet been stripped by the negotiators.

The whimper is pervading. One hears it in the pleading voice of Robert B. Anderson, President Eisenhower's Secretary of the Treasury and President Johnson's chief negotiator on the Panama sellout. As we write Mr. Anderson is trying to persuade Senators and Congressmen to accept his Treaty deal with a fantastic tale of Latin American friendship dangling on the thin thread of our consent to surrender our sovereignty over the Canal Zone to a pouter-pigeon Panama incapable of defending it. Of course, as Mr. Anderson must well know, he is selling a dishonest bill of goods. It is almost as if no one cared that Latin America is herself the second largest customer of the Canal, and doesn't want turmoil there, or bigger tolls, any more than we should. Aside from the Castroites and the crypto-Communists of Venezuela, the Hemisphere is united in urging us to *stay* in the Isthmus rather than risk the disorders and rapacity of the Communist-led, Castro-backed Panamanian mob.

If we were Freudians, which we are not, it would be difficult to escape the conclusion that in our Pan American policy the unappetizing group which surrounds President Johnson is suffering in the grip of a death wish. In every tight situation which has developed in Latin America, their instinctive reaction has been to either support the Communists or scuttle and run. Is that charming bearded chap in the Escambray a Communist? Back him against Batista. Is Romulo Betancourt of Venezuela the founder of the Communist Parties of two Latin American nations? Make him the cornerstone of the Alliance for Progress and a Presidential advisor. Is Victor Paz Estenssoro of Bolivia a Communist agent with a Vice President who is a Communist agent? Send our Ambassador and A.I.D. Director to give campaign speeches for him. Has Eduardo Frei of Chile declared from the beginning that he is and will remain a Marxist? Single him out for special aid and approval. Are Communist mobs roaming the streets of Panama? Prepare a treaty to surrender to them our Canal Zone—and the fate of the nearly forty thousand U.S. citizens who populate it!

The appalling truth is that absolutely no necessity exists for the abject and unprecedented surrender that we are making on the Isthmus. No foreign force is compelling us to give up the rights which the Hay-Bunau-Varilla Treaty of 1903 assured us "in perpetuity." No sociological condition exists in economically booming Panama so acute that it requires us to strip ourselves of our sovereignty over the Canal Zone—a sovereignty we have held since Panama was but fifteen days old. The hard truth is that the Johnson Administration is running away in Panama because it is in a state of funk. It is taking what it considers the easy way out.

But is it the easy way? The whole discussion by those who would surrender our Canal Zone and the fate of our citizens there has been drenched with emotional chat about "world opinion." By some occult reasoning, Mr. Johnson's advisors have convinced him that we will win the world's admiration if we run out on the Panama Canal we built and the Canal Zone over which we are assured sovereignty by every feature of international law. No supposition could be more preposterous. There can be no surer way for the United States to win the contempt of the world, and particularly of Latin America, than to show itself too inveterate to defend its own possessions and status in the Isthmus.

Perhaps the most humiliating indictment which we can make of the Johnson Treaty is that the Panamanians themselves never expected such a complete surrender by the United States. From the start of negotiations in 1964, little Panama has mounted a complete bluff. On July seventeenth, even *La Hora* of Panama City admitted that "Panama never dreamed that its negotiators could get so much." It is almost as if, hoping for a handout, Mexico were to demand El Paso, Texas—and receive it with a smile.

I

A playback of those events of the last twelve years which led to the present crisis reveals that at nearly every juncture the Panamanians have won increasing gains not because they were strong, or right, but because of the weaknesses and euphoria of the last three Washington Administrations. If the United States had at any point taken a firm and convincing stand on its rights under the 1903 Treaty, Panamanian demands would have withered and turned to reason. Unfortunately, none of our last three Presidents has taken such a stand. Panama has won the jackpot virtually by default.

In glancing at the past, 1955 stands out as the probable point of no return. In that year the Eisenhower Administration, badly counseled by Dr. Milton Eisenhower, the President's advisor on Inter-American affairs, negotiated a treaty which was expected to satisfy Panama's appetite for more economic benefits from the Canal. The agreement gratuitously raised our annual subsidy from $430,000 to $1,930,000, turned over real estate valued at more than $25 million, and made other generous concessions. Americans were led to believe that all of this was done to purchase a period of goodwill in Panama which would doubtless last for half a century.

Of course, as everywhere else, the reaction of the Panamanian politicians was not gratitude but an awareness that Washington was ready for a bigger touch. They struck for the jackpot, for sovereignty over the Canal Zone, reasoning that by encouraging Communist-led attacks on the Zone they could create difficulties which the United States might be more than glad to surrender to them along with sovereignty over the entire 503 square miles of American territory which comprise our Canal Zone. Fantastic as the idea may seem, it has worked.

The decadent "Hundred Families" who rule Panama had quite an ace to play in the form of their liaison with Panama's Communist-controlled student organizations. They well knew that their student demonstrations could be turned on and off at a signal; for, the radical students turned regularly for orders and advice to Diogenes de la Rosa, at the time chief advisor to Panama's President. It was De la Rosa, long the leader of the Panama Socialist Party, who in his youth led the activities which won Panama's student organizations to Marxism. Fond of describing the Soviet revolution as the "instructor for my generation," he calls himself a Marxist. It is not unreasonable to suppose that it was De la Rosa who convinced the top politicos that they should use the students as shock troops in their campaign to drive the United States from the Isthmus. It would be well to keep Mr. De la Rosa in mind, as he was the chief Panamanian negotiator in the talks which produced the new Treaty.

The issue selected to touch off the anti-American campaign was the demand that the flag of Panama be flown in the Zone as a symbol of Panama's sovereignty there. This was of course designed to change the juridical meaning of the treaty which gives the United States "all the powers, rights and authority" within the Zone "which the United States would possess and exercise if it were the sovereign of the territory . . . to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, powers and authority." Milton Eisenhower and the President's other advisors ignored the consequences which such a display of the Panama flag would involve. They temporized with the situation until it got out of hand.

On May 2, 1958 the agitation erupted into violence. The Marxist Union of University Students launched what they called "Operation Sovereignty." Seventy-five students, led by Communists Cleto Manuel Souza and Bolivar Davalos, marched into the Zone and planted fifty-nine Panamanian flags between Panama and Cristobal. Terrorism followed. When Milton Eisenhower visited Panama on July fourteenth, Panama's President de la Guardia took up the matter of the flying of the Panamanian flag over our territory in the Canal Zone and told our President's brother that the United States must yield on the issue. Concurrently a picket line of student Communists was thrown around the U.S. Embassy displaying banners declaring: "Milton, the Canal is Ours." Incredibly, Dr. Eisenhower sent word that he would like to meet with the young Communists. They rebuffed him coldly and he left Panama claiming to be greatly shaken by the situation there. So shaken was he, in fact, that he returned to recommend to his brother that the United States capitulate.

When Washington delayed, the Panamanian Administration, working hand in hand with the Communists, decided to stage another demonstration. On November 28, 1959, after an earlier abortive attempt, a Communist-led mob, spearheaded by students, attempted an armed invasion of the U.S. Canal Zone. Halted by American troops they turned back into Panama City, attacking and looting American property. Accompanied by Aquilino Boyd, a former Minister of Foreign Affairs, they marched to the American Embassy, tore the American flag from the Embassy mast, desecrated it, and replaced it with the flag of Panama. While all this was going on, the Panamanian police and National Guard stood idle. They were under orders not to act.

This was the point at which Washington should have broken off all conversations with Panama and made it plain that the United States couldn't be bullied. But the Administration had planned from the beginning to handle it in a different way. In fact, the leaders of the Communist mobs had been emboldened by the knowledge that Fernando Eleta, subsequently one of Diogenes de la Rosa's colleagues on the 1966–1967 negotiating team, had visited Milton Eisenhower at his home on September 13, 1958, after his return from Panama, and had come away with a promise that the United States was now ready to acknowledge Panamanian sovereignty over the Canal Zone. This was officially denied, but in November of 1959 the President sent Undersecretary of State Livingston T. Merchant to Panama. After three days of discussion with leaders of the "Hundred Families," Merchant announced United States recognition of Panama's "titular" sovereignty over the Zone.

When the news reached Congress the reaction was both immediate and furious. So intense was the anger that, on February 2, 1960, Congressman Daniel J. Flood (D.-Pennsylvania) led the House of Representatives in adopting, by a record vote of 381 to 12, a Joint Resolution disapproving the flying of Panama's flag in the American Canal Zone. Soon thereafter, an amendment to the appropriations bill for the Department of Commerce, expressly forbidding the use of funds for display of the Panamanian flag, passed both the House and Senate.

President Eisenhower waited patiently until Congress had adjourned and the legislators were returned to their constituencies. Then, on September 17, 1960, he issued an Executive Order directing that the flag of Panama be flown at the Shaler Triangle in the Canal Zone. The Panamanian Left had at last thrust its head into the tent of United States sovereignty over the Canal.

II

When in 1961 the refreshing figure of John F. Kennedy moved into the White House to replace the jaded Eisenhower, the American public expected better things. The new President's campaign speeches had conveyed the impression that he relished a more vigorous American foreign policy—a policy alert to defend American rights abroad. But the nation was in for a crushing disappointment. It took John Kennedy no time at all to make Dwight Eisenhower look like a

Right-wing Extremist. He immediately surrounded himself with an off-beat collection of Latin American counselors—men like Arthur Schlesinger Jr., Richard Goodwin, and Walt W. Rostow. Even Adolf A. Berle couldn't work with them. Their minds beclouded with moony plans for a magic Alliance for Progress, they quickly made a further mess of the situation in Panama.

Panama itself now had a new President, Roberto F. Chiari. Supported by the Communists in his first race for the Presidency in 1956, Chiari was spokesman for all of the anti-Gringo elements in Panamanian politics. A rich man himself, he catered to Marxists and malcontents. He quickly established contact with young President Kennedy and received an invitation to visit the White House. Meanwhile, at the initiative of Aquilino Boyd, Panama's National Assembly passed a resolution setting the stage for the Chiari-Kennedy talks. The resolution called for renegotiation of the 1903 Treaty.

What actually happened at the White House during Chiari's two-day visit is still undisclosed. The joint statement which the two Presidents released, like all such documents, was ambiguous. The real agreement was verbal. But, from Chiari's declaration at the height of the 1964 riot that "I have been promised a renegotiation of the 1903 Treaty," it is obvious that President Kennedy went well beyond President Eisenhower in his promises to Panama. The first visual sign of this policy was the agreement to fly the Panamanian flag at eleven new locations in the American Zone. Soon thereafter the Panamanian flag was ordered flown wherever the American flag was displayed.

After taking office, President Johnson made some initial gestures indicating that he might be the firm President the American people had been hoping for through three Administrations. To take no chances, the Communists decided to confront him with a bloody demonstration that would make renegotiation an attractive alternative. Lyndon Johnson had but warmed his seat in the White House when they precipitated the grisly riots of January ninth to fourteenth, 1964. No political event could have illustrated more certain signs of premeditation. Whatever the agreement between the "Hundred Families" and the Communists, each played the role with flawless liaison.

Panama's National Guard, a formidable body of three thousand men trained and armed by the Americans, could have snuffed out the demonstration in little more than an hour. Responsible Americans and Panamanians pleaded with President Chiari to mobilize the Guard. To every plea he replied: "I have been promised the renegotiation of the 1903 Treaty. I won't act until I have the word of the United States that they will grant it."

The riot was of course a planned performance, and part of the script was to force American troops trying to protect lives and property to fire upon the Panamanian mobs in self-defense. That would permit the Panamanian President to rally the country about him. Roberto Chiari's premeditated ruthlessness resulted in better than four hundred casualties, but the tragedy produced the desired effect: President Johnson softened. With an election campaign facing him in 1964, Lyndon Johnson wanted no trouble in Panama to confuse the campaign issues. He yielded, stepping firmly into the trap of negotiations. All of our rights in the Canal Zone were now in danger.

Having decided to follow in the footprints of President Eisenhower, Lyndon Johnson was confronted with the task of selling the surrender of the Panama Canal to the American public. Plainspeaking Ambassador Thomas C. Mann warned him that ninety percent of the American people would vigorously oppose a sellout of the Canal Zone. Recognizing the truth of this, Johnson has initiated a three-pronged political attack to cover the American exit from the Isthmus:

(1) To prevent public discussion, which would most certainly arouse the rage of Americans against any Administration which proposed to surrender American soil to a foreign power, the President has surrounded the negotiations with a leaden secrecy. Every attempt by Members of Congress or by the Press to pry out the facts has invariably been met by a sharp reply that, for reasons of national security, the whole matter is classified. The American and Panamanian negotiators met in closed sessions, and agreed to issue no public reports and grant no interviews. Twice, the President himself spoke from his Olympian heights, vaguely summarizing what he said were the salient agreements. But the negotiators themselves operated in a publicity vacuum. The hush-hush strategy paid off. For almost three years negotiations which gravely affected the whole future of the Americas went almost unreported in the Press. Left in complete ignorance, Ambassador Mann's "ninety percent" never mobilized into angry opposition.

(2) Since ratification of the Treaty requires a two-thirds majority in the Senate, Mr. Johnson moved early and cleverly in an attempt to thwart potential Republican opposition by associating nationally known Republicans with his new Treaty project. Since President Eisenhower was so deeply involved in the blunders which led to the Panamanian defiance, he could not consistently criticize the Johnson solution. In fact, his backstage influence among Senate Republicans was invoked to support the Treaty surrendering the Canal Zone. After the negotiations were completed, President Eisenhower openly and ardently leaped into the arena with a strong statement urging ratification of the Johnson Treaty. Chief Negotiator Robert B. Anderson, Eisenhower's Secretary of the Treasury, has now been pushed forward as a drum-beater for the Treaty on Capitol Hill. Several weeks ago when a number of Republican Senators were contemplating speeches on the Treaty issue in the hope of awakening the American people from their state of misinformation, Anderson was rushed to the Senate Office Building where he personally implored each minority Senator to remain silent until the negotiations were completed. His mission was successful and the American people remained in the dark during the important weeks when there should have been a national debate.

(3) To give the public the impression that the Johnson Administration was giving up nothing of value in surrendering the Zone and the sole control of the Canal, a carefully timed campaign was launched to sell the idea that the Panama Canal is obsolescent and that we must build a new one. The old claptrap about a sea-level canal, which had been studied and rejected by Congress as far back as the Administration of Theodore Roosevelt was again revived. Congress was pressured to appropriate money for a commission to study a new sea-level route—a commission including such "unprejudiced" members as Dr. Milton Eisenhower. The maneuver had its intended effect.

The "Liberal" Press went to town on the sea-level idea, now all jumbled together with a science fiction tale involving immediate nuclear excavation, and the public began to accept without question the idea that the Panama Canal was outdated. Thus the focus was turned from the existent Canal, which we were abjectly surrendering, to a phantom sea-level canal that was presumably soon to be excavated with a handful of hydrogen bombs. Of course, the whole performance was a fraud. So many technical and diplomatic obstacles have become evident that it is now doubtful if the sea-level canal will ever be built. But, even if the enormous difficulties could be overcome, it would be years before it could be operative. Meanwhile, except for a few oversize tankers and carriers the present Canal is *not* obsolete. Why, after all, do you suppose the Panamanian Marxists want it?

III

PRESIDENT JOHNSON may win his senseless battle to surrender our position in Panama. If he does, he will still lose. When the act becomes known, millions of Americans will execrate his name for the deed. There is, after all, a Presidential election next year. Other Johnson programs, sound or unsound, have at least held political appeal that bought votes or benefited some particular segment of the American population, however much at the expense of the rest of us. His Panama program is, however, a sellout that *all* Americans can understand.

Americans built a canal in Panama which stood for fifty-three years as a proud monument to American generosity and international goodwill. It has been a contribution which we have made unselfishly to the commerce of the world. We have deliberately refrained from raising tolls since 1941 because the founders of the Canal were determined that it would never be used to bleed international commerce. This prideworthy record will now be repudiated by the Johnson Treaty.

With Texas-sized contempt for traditional policy, Mr. Johnson's negotiators have written into the very text of the Treaty a provision for drastic increases in tolls to please the Panamanian mobs. Something honorable and clean is being transformed into a tribute-taker's toll trap, to mulct the commerce of the world. That the Johnson Administration is well aware of the coming descent into piracy is shown by the fact that it engaged a team of Stanford University professors to draw up a brief to indicate just how high it is possible to raise the tolls. Such is the moral slough into which the Senate of the United States will be asked to descend in its consideration of this Treaty.

FAY WILLIAMS SERVES HER COMMUNITY AND HER COUNTRY

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JACOBS. Mr. Speaker, Mrs. Fay Williams has compiled a record of service to Indianapolis matched by few other individuals in our community.

As social worker and then director of a settlement house and a day-care center, she demonstrated she had the rare ability to convert social theory into practical applications to help the poor.

More recently, she has directed the Martindale area citizens service project, an OEO-sponsored community action neighborhood program on the near northeast side of Indianapolis.

Under her leadership, MACS has become the most successful war on poverty neighborhood action program in the city. As a result, residents of the area feel for the first time that someone else cares about them and is willing to fill their needs, whether they be for jobs, health care, education, or recreation.

Mrs. Williams also has found time to

make a continuing contribution to the work of the League of Women Voters and was honored recently by being appointed to the national league's education fund board of directors.

The Washington Post, in an article by Elizabeth Shelton, paid tribute to the significance of the league's appointment of Mrs. Williams. The text of that article follows:

INDIANA WOMAN URGES SERVICES FOR INNER CITY

(By Elizabeth Shelton)

Things are looking up in one inner city—the near northeast of Indianapolis—because a member of the League of Women Voters lent a sympathetic ear while conducting a voter registration drive there.

"The reasons for voting had to be put on a concrete basis," said Fay H. Williams. "That meant street lights, streets swept, additional services, more and better schools."

As she and other workers rounded up volunteers to run the registration drive, they learned of the Martindale area's long list of urgent needs. Mrs. Williams now directs an OEO-funded project in the mile-square ghetto.

Some of the tangible results of the project, in operation since May, 1966, have been a day nursery for the children of working mothers, a pool to keep urban youth cool in the summer, a senior citizens center, a Jaycee-sponsored home management course and an employment office.

For the first time health services are being brought to the area. Formerly the services were available at a general hospital across town with no direct bus line.

There is a new immunization clinic to serve the area where 13,500 residents live in single-family shotgun-style row houses. "Less than 20 per cent of school children had immunization because it is not required for school entrance," Mrs. Williams explained. "Only six per cent were protected against polio."

Her own approach is the Madison Avenue one of finding a different way to sell when you learn people aren't buying what you sell: Bring the services to the people.

A proposal for a neighborhood health center is now being developed.

A public housing project is another future goal.

"Indianapolis is traditionally anti-Federal aid," Mrs. Williams explains. What got it started on public housing was the building of a highway. Thirty thousand people were to be moved and somebody finally asked 'Where?' "

The single most important development, though, she says, was establishment of a neighborhood organization. She believes city agencies and business leaders are beginning to listen to Martindale residents seriously and with understanding.

She describes the organization as "very active politically but non-partisan." It managed to win one seat on the school board of seven members.

Another plus was the organization of a mothers' lobby that was successful in getting welfare payments increased. The women were schooled by the League before appearing before the State Legislature to state their case.

Indianapolis spent a summer without rioting, "but it was not calm. There was unrest but not violence," Mrs. Williams says. "As in every other large city there is fear and suspicion of police." However, Martindale residents feel they have the support of the police chief.

Mrs. Williams originally planned to become a lawyer, but after one semester in school decided that she could accomplish more as a social worker. After obtaining her master's degree from Indiana University, she began working in "a jail for kids." Later she ran a settlement house and directed a day care center.

As a member of the League of Women Voters Inner City group, Mrs. Williams has been commuting to Baltimore to work with the East Baltimore Citizens Center.

After last night, when she was appointed to the board of directors of the League's Education Fund, she will be commuting to Washington four times a year. Also named to the board was Mrs. Fleming Law of Atlanta, Ga.

Mrs. Williams is married to a Sheraton Hotel employe, Frank J. Williams. They have a 16-year-old son, Reginald.

MEDICARE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, medicare is now a year old, and its accomplishments are impressive. About 19 million elderly now have some health protection, about 4 million have had hospital bills paid, and 10 million had doctors' bills paid.

Lawrence T. Smedley, assistant director of the AFL–CIO Department of Social Security, recently wrote about what medicare has done so far and suggests what still needs to be done to provide older Americans with adequate health care. His views appeared in an article in the current issue of the American Federationist, official AFL–CIO monthly magazine.

Since I believe, Mr. Speaker, that Mr. Smedley's article is well worth our attention, I include it in the RECORD:

MEDICARE: PROGRESS AND PROBLEMS

(By Lawrence T. Smedley)

Medicare is now a year old. When the program of health insurance for the aged went into effect on July 1, 1966, it brought to an end several decades of bitter struggle to begin the building of a rational health care system. The victory of Medicare certainly was not total. Its passage required some compromises and its operation, as with any new program, promised to reveal unanticipated problems.

After a year, it may be possible to assess Medicare. What has it accomplished and what problems exist, foreseen and unforeseen? It should be remembered first of all that Medicare was enacted with certain handicaps. Some of its basic limitations and problems stem from the intention of minimizing conflict with organized medicine and the insurance industry.

Organized labor, the National Council of Senior Citizens and other organizations opposed certain features of the legislation, i.e., deductibles, co-insurance and exclusions. They also were aware of the need for additional legislation to meet many problems that generally burden health care in the United States. But there was danger the legislation would not pass if concessions were not made.

First, the legislation provides that the billing process would be handled by "intermediaries." Typically, these are large insurance companies or the so-called "Blues"—Blue Cross and Blue Shield. In other words, the Social Security Administration does not fully administer Medicare, as it does the Old Age, Survivors and Disability programs, but contracts out a large part of the administration of the program to insurance companies and Blue Cross and Blue Shield—largely organized medicine's traditional allies.

Then the program was divided into two parts, requiring separate administration. Virtually everyone is included in Part A (hospital care). But Part B (doctor care) is voluntary and the eligible individual must sign up for it and pay $3 a month. The latter required one of the largest public education programs in history to inform 19 million of the elderly about the benefits, the cost and how to enroll. Organized labor, for example, played a significant role in a very successful program called "Medicare Alert," which utilized many union retirees to inform other retirees concerning the program. The campaign apparently was effective because 90 percent of those eligible enrolled in the program.

The Medicare program did not have an opportunity to start small and grow. In a single day, the Medicare program, covering 19 million people, began operation. Prior to that, some 6,750 hospitals and nursing homes had to be certified as meeting government quality standards. And they also had to be in compliance with Title VI of the Civil Rights Act to ensure there is no discrimination against Negroes or other minorities in the provision of hospital care.

In addition, the program involved some 250,000 physicians and their staffs; the staffs of 1,300 participating home health agencies; 74 Blue Cross organizations; 33 Blue Shield plans; 15 insurance companies and over 100 group practice prepayment plans and numerous other agencies acting either directly or as fiscal intermediaries. Forms and administrative procedures had to be devised, personnel hired and trained, the cooperation and participation of many different groups, institutions and individuals secured.

During the first year, 5 million inpatient hospital bills (Part A) were processed. Approximately $2.4 billion was paid to participating hospitals—an average bill of about $90. These bills represented services for about 4 million beneficiaries. (Some beneficiaries were in a hospital more than once during the year.) During the first year, 20 percent more of the elderly received hospital services than during comparable periods before passage of Medicare and all were able to receive care with the dignity that goes with being a private and not a charity patient.

Almost 25 million bills have been paid for medical services. It is difficult to estimate the number of billings to people because individuals may submit a number of bills during the year. But the estimates are that 9 to 10 million people are involved. Currently, only about 57 percent of bills being processed result in some payment. No payment is made for the remainder since they are credited to the individual's $50 annual deductible and do not, therefore, result in a payment.

There have been more than 200,000 notices of admission to Extended Care Facilities (nursing homes capable of providing post-hospital care) since that part of the Medicare program began January 1, 1967. Present admission notices are running about 8,000 per week. Some of these admissions represent those in Extended Care Facilities on January 1, 1967. A majority represent those transferred after a hospital stay for acute care. There are encouraging signs that the Extended Care Benefit program may achieve one of its major purposes—the freeing of scarce hospital beds by transferring individuals to non-hospital facilities medically suited to less acute needs.

There have been more than 194,000 "start of care" notices for home health services—services such as visiting nurses and other home care or therapy for persons confined at home. They are available under both Part A and Part B, but services through Part A require previous hospitalization and so represent post-hospital care. About 65 percent of home health notices are through the Part B voluntary plan. Since such a large proportion of the health services are for people not previously hospitalized, it is an indication of an obvious need for such services in the home to prevent illness. The best medical care is that which prevents or minimizes illness. Treating illness after it reaches an acute stage will always be second best regardless of the quality of care.

The Medicare program also has raised the quality of care of home health services. Many home health agencies had to improve their standards to be certified to participate in the Medicare program and almost all participating agencies had to increase the variety of services offered. The home health benefit of Medicare has made available to the elderly an important health benefit which was virtually unobtainable prior to Medicare. While there were only 250 acceptable home health agencies before Medicare began on July 1, 1966, there are now 1,800.

A major area of complaint pertains to Part B (doctors' bills) and the delay in reimbursement. The legislation provides that a Medicare patient can pay the doctor by either of two methods. One is the assignment method and the other direct billing. By the first method, the patient assigns his medical claim to the doctor. He only has to pay the $50 deductible, if not previously paid during the year and the 20 percent co-insurance and the doctor receives the remainder directly from Medicare. With direct billing, the patient must pay the total bill and submit that receipted bill to the "fiscal intermediary" and wait for reimbursement, less deductible and co-insurance.

The advantages of the assignment method seem obvious. The patient does not have the burden of raising large sums of money, which an aged person typically does not have. The doctor fills out a short government form which, because it is standardized, makes for easier administration and is more apt to be filled out correctly given the doctor's experience in filling out such forms.

At first glance, it would seem that everyone would want to use the assignment method. The difficulty is that if the doctor agrees to accept assignment, he also agrees to accept the "reasonable and customary fee" as determined by the Social Security Administration. If he uses direct billing, he may charge what he pleases and the patient has to pick up the difference. The patient finds out how much he has to pay only after he receives a reimbursement from Medicare. The American Medical Association has urged all doctors to refuse the assignment method.

There have been cases where doctors have turned over due bills to bill collectors rather than accept assignments. In some instances, Medicare patients have put up their homes as collateral on short-term loans to pay doctor bills. Though these cases are the exception, delays in receiving reimbursement have been common. After the first two months of operation, it was taking an average of 7.9 weeks for a patient to receive his Medicare money. A good part of the delay was due to the backlog that developed as the program began. By May of 1967, this average time had been reduced to 2.6 weeks. This is an average and the time can vary a great deal from locality to locality. But it still takes patients an average of 50 days to receive payment from Iowa Blue Shield. In Maryland, the average is still about 35 days. In the District of Columbia, it is 11 to 21 days and, in Virginia, only 10 days. These times undoubtedly will be reduced further since seven of the carriers acting as fiscal intermediaries pay bills on the average of 10 days. There is no reason other carriers shouldn't do as well in time.

Average Time in Processing Bills Has Been Steadily Reduced from High Initial Workload:

Part A: Hospital insurance carrier workloads on hand

[Figures approximate]

	Weeks
1966:	
July	4.8
August	1.8
September	1.9
October	1.8
November	1.7
December	1.9
1967:	
January	1.7
February	1.6
March	1.5
April	1.4
May	1.3
June	1.2

Part B: Medical insurance carrier workloads on hand

[Figures approximate]

	Weeks
1966:	
July	4.9
August	7.9
September	5.6
October	6.3
November	5.3
December	4.9
1967:	
January	4.9
February	3.5
March	3.3
April	2.6
May	2.6
June	2.6

One of the biggest problems in reimbursement arises from payments due for hospital outpatient services and for services of hospital-based physicians. The distinction between these closely related services for diagnosis and for treatment are not always clear but these services have to be separated out for billing purposes between Part A and Part B. Furthermore, pathologists, radiologists and certain other specialists must be billed under Part B (medical bills) and not under Part A (hospital bills) even though they are employes of the hospital.

A good example is a patient who receives laboratory services under outpatient services. The hospital must assess its portion of the services to Part A, but the pathologist's services must be separately identified and billed under Part B. The outpatient services of Part A have a $20 deductible which can be used to meet part of the $50 deductible under Part B. The Part B intermediary must check with the Part A intermediary on how much of the $20 deductible has been met before it can reimburse the Medicare patient for its portion of the bills. As can be seen, this is a complex billing process and inevitably makes for delays in reimbursement to hospitals, doctors and patients.

Fortunately, the Administration has proposed in the pending social security legislation modifications that would help resolve this problem and, at the same time, be of financial advantage to many Medicare patients. First, all hospital diagnostic payments would come from one Medicare fund. All outpatient services would be under Part B and, in return, inpatient hospital services for pathology and diagnostic radiology would be provided without the previous deductibles and co-insurance. Hopefully, these changes would avoid the problem of determining which services are covered by Part A and which by Part B.

Criticism is more likely to be vociferously voiced than praise. In addition, some detractors may be trying to discredit the program in the hope that its expansion can be blocked. But even legitimate criticism should not obscure the outstanding administrative job of getting the program under way during the first year. The administrative kinks in this vast program are temporary and are rapidly being ironed out.

Unfortunately, there are legitimate criticisms concerning legislative defects, such as the co-insurance and deductibles which will be permament unless Congress changes them. Experts estimate that less than 60 percent of medical and hospital costs of an aged person are met by the program because of deductibles, co-insurance and exclusion of certain essential health services. These features tend to deter the elderly from seeking medical care until illness becomes acute. The proposals now pending in Congress do little to relieve this problem. The argument is made that greater experience with the program is needed before refinements and improvements should be undertaken and that, because the Medicare fight helped delay sorely needed cash benefits and improvements, the emphasis this year should be on improving these cash benefits. The point remains that the Medicare program will not be able to improve the health of the elderly and provide adequate health services as a matter of right unless these deterrents are removed.

For example, under Part B an individual has to pay $86 before he receives any reimbursement ($50 deductible and $3 per month premium). He will also have to pay 20 percent of any medical bill and may have to pay a doctor a great deal more than Medicare will allow if the doctor does not accept assignment. There undoubtedly are some elderly people who have not enrolled in Part B and some who will drop out in the future because they simply cannot put up the cash amounts.

In addition to the co-insurance and deductible features, there are certain exclusions that are particularly burdensome to the aged. For example, neither prescription drugs nor eye examinations are covered. A public health study several years ago showed that 82.8 percent of the 17.2 million persons 65 years of age and over had some sort of chronic condition, and about 49 percent or 8.4 million had to limit activities because of this chronic condition. Obviously, a large portion of the aged have chronic ailments that do not require hospitalization but do require continuous use of expensive drugs.

Prescription drugs represent a large portion of the total cost of health care. A public health report for 1964–65 showed that the aged person over 65 spent $50.20 a year on prescription drugs and related items such as insulin, none of which are covered by Medicare. Similarly, failing eyesight is common among the elderly and frequent eye examinations and adjustment of eyeglasses necessary. This important health need is also excluded. Some other items excluded are orthopedic appliances, hearing aids, wheelchairs, dental care—the very things older people need most.

The elderly have unique physical, psychological and financial capacities that differ from those of the younger population. Yet the Medicare program is largely a carbon copy of private programs designed to provide health care for the general population, with few modifications for the special medical problems of the elderly. This criticism is made not only because of the deductibles, exclusions and co-insurance, but also because those who are old and sick are just not equipped to fill out forms, keep track of complicated transactions, determine the best and cheapest form of medical treatment, try to bargain with doctors and other providers of care and then shell out a lot of money they don't have for health care.

It also is important to cover those individuals who are receiving social security benefits but are not yet eligible for Medicare. The most obvious example is the disabled. They are a high-cost, high-risk group living on low incomes that makes the purchase of adequate private insurance impossible. Another group are those 60 to 65. A particularly good example is the typical case of a 65-year-old man with a younger wife, both living on low social security benefits, but economically vulnerable to the high cost and expense of the spouse's medical care. Equally deserving is the widow with young children who is receiving survivors' benefits. The disabled deserve priority and the Administration is presently recommending their coverage, but as soon as possible all social security beneficiaries should be covered by the health insurance program.

A unique opportunity was lost when the Medicare legislation had to be drafted with the intent of avoiding conflict with the established order of medical and hospital services. The legislation, with few exceptions, accepts all of the inefficiencies of the existing structure of health care and, because of the magnitude of the program, contributes to the strengthening of that structure. John Dunlop, Harvard University economist, commented on the problem in a recent paper to the New York Academy of Medicine:

"Nothing could be worse in our society today than to say we need another $3 or $5 billion for medical care and then simply duplicate or multiply the arrangements that we now have. That would get us nowhere . . . the real function of the cost increases of the past decade, and those in process, should be to compel vast structural changes in the organization of medical care."

The primary purpose of Medicare is to help pay the cost, not change the patterns, of health care. The program will, especially if costs increase at the pace of recent years, bolster the demand for tighter controls on the providers of health services. When Congress recognized, though only to a very limited extent, the obligation to be concerned with the quality of care in the program, it laid the foundations for building a quality and cost control framework which, in the long run, may be as important as the program itself.

The essential fact is that health care is provided through a hodgepodge of doctors' offices, hospitals, drugstores and laboratories with extravagance and inefficiency a conspicuous feature. About 50 percent of the general hospitals are under 100 beds—economically much too small for optimum health and scientific services. In a recent article. Dr. A. M. Butler, professor emeritus, Harvard University, estimated there were 7 beds per 1,000 people in the city of San Francisco but that, with reasonable planning and proper use of facilities, 4 beds per 1,000 would be adequate. (On an average, it requires an investment of $25,000 to $30,000 per bed to build a hospital.)

A closely-related problem is the fact that 85 percent of physicians are solo practitioners. Health experts contend that the best way to ensure better quality of care and greater economy is to use existing manpower more effectively through wider resort to group practice and reduce the need for hospitalization by better coordination of the whole package of available medical services. In short, reduce the waste of manpower and equipment of solo practice and emphasize preventive care. This situation is complicated by thousands of small drugstores selling a myriad number of drugs at very high prices inflated by confusing advertising and a maze of middlemen padding the bill between producer and consumer.

The Hill-Burton and Hill-Harris Acts do have some limited provisions for regional planning of new hospital facilities but little has been done to change the typical community situation of uncoordinated and uneconomical multiplicity of health facilities. Too many hospitals insist on having their own equipment, such as cobalt machines and laundries, when it would be cheaper and more sensible to share such facilities.

The Administration, in its present proposals to Congress on Medicare, is attempting "to encourage maximum efficiency in the provision and use of health facilities, equipment and services." It would do this by requiring that providers of services can only include depreciation of plant and equipment in "reasonable cost" if they do "not utilize the amounts for either capital or non-capital purposes, except under conditions approved by state planning agencies." This small beginning is essential in order to help avoid what soon may become cost chaos in the health care field.

The Medicare program has brought comprehensive health services to the elderly population—outpatient and inpatient hospital services, home health services, nursing home care and physicians' services in the home and in the office. This may influence the general population's attitudes as to what constitutes adequate health insurance protection and the availability of these services may invite sensible coordination.

One of the most significant aspects of the first year of operation has been the fight for the share of the Medicare dollar. The government is spending more for medical care than it has ever spent and medical costs are higher than any time in history. Yet hospital and extended care facilities are claiming they never had it so bad. They claim Medicare patients cost them money and that they have to shift part of the cost burden to their other patients.

In rebuttal, skeptics point to the number of nursing homes which used to make a profit on $8 a day for elderly welfare patients and now charge $12 to $15 a day plus extras while claiming they can't make a profit. They also point with alarm to the 16.5 percent increase in the price index for daily hospital room rates in 1966 and the fact that a similar increase can be expected this year. The American Hospital Association estimates that present costs of hospital services are $57.93 per day and will approach $100 in five years.

The cost situation is so acute that even the American Medical Association passed a resolution at its convention, stating in part:

"Historically, hospitals have been insulated from the discipline of the marketplace. The price of hospital care is a reflection of the hospital cost curve and now these costs appear to be out of control. The hospital's privilege of automatically translating all higher costs into higher prices must now be questioned. Incentives for increased efficiency and productivity are mandatory."

The Medicare reimbursement formula provides that non-profit participating hospitals (about 94 percent of all beds are in nonprofit general hospitals) be reimbursed on a cost plus 2 percent basis for all services to Medicare patients. Since the 2 percent is a percentage of costs, it amounts to an open-end proposition because it offers a small bonus for every cost increase. In addition, there are no statutory incentives for cost control or coordination and planning in the purchase of equipment or in new construction.

Privately-owned nursing homes and hospitals successfully lobbied through Congress a more generous reimbursement formula, providing proprietary institutions about 7.5 percent return on invested equity proportionate to their Medicare business, in addition to costs plus 1.5 percent of costs. The success of proprietary institutions has spurred nonprofit hospitals to press for more money.

The liberalty of the reimbursement formula is of great concern to members of organized labor and their families, for undue costs in the Medicare program will be reflected in increased costs of all health services received by the American people. A too generous formula will raise costs in excess of actuarial estimates, require additional increases in the social security tax earmarked for Medicare and delay much-needed improvements in the Medicare program.

A central issue in this fight is whether the Medicare program should provide funds for new capital from operating revenue. Under generally accepted accounting principles, the value of capital is not considered a cost nor does the Internal Revenue Code recognize it as a cost of doing business. In addition to a more than adequate reimbursement formula, the Medicare program will significantly increase the income of hospitals and nursing homes by providing full payment for that group of people who frequently were charity and welfare patients and carried at below cost.

The purpose of the Medicare program was to help pay the hospital and medical bills of senior citizens and not to resolve the capital funding problems of hospitals and nursing homes. There is a need for greater funds to modernize and construct more of these facilities but this worthwhile goal should be accomplished through other programs. The AFL–CIO has long supported legislation to make additional federal funds available for this purpose. There should be, for example, rapid expansion of the Hill-Burton program, as well as additional federal legislation to assist in the modernization and construction of public and nonprofit hospitals and nursing homes.

Closely related to hospital costs are doctors' fees. The rise in doctors' fees in 1966 (7.8 percent) was the largest in 40 years and there are indications they will increase at least as much this year. It is obvious that the cost of Part B of Medicare is going to be more than originally estimated. The government is committed to maintaining the cost of the program at $3 per month per individual only through 1967. (The government matches this $3.) After that, the cost will vary depending on the cost of the program. There are strong indications that the premium may be raised in 1968, probably an additional 50 cents per month or more per individual. Cost increases of this size will soon price the program out of the reach of most of the elderly.

Claims are made that doctors are encouraging unnecessary vists by Medicare beneficiaries. Since Medicare pays 80 percent of the bill after the deductible has been met, the patient can get five office visits for the previous cost of one. A leading journal generally sympathetic to organized medicine, Medical Economics, reported on the basis of a sample of 3,195 family doctors that since Medicare began, the median fee of general practitioners jumped 25 percent for office revisits (follow-up visits after initial contacts) and for internists about 40 percent. The same fee for pediatricians showed no change, an interesting fact since pediatricians treat only the young and not medicare patients.

Medical Economics also brought together a number of experts to discuss the impact on physicians' fees and earnings. Among the highlights was a statement by a management consultant that his clients had increased their fees an average of 10 percent because of Medicare and had increased their incomes by the same percentage. A surgeon told how Medicare had prompted his state's Blue Shield to increase the cost of 136 different surgical procedures by 20 percent.

When medical fees are brought into question, the counterclaim is made that the doctor's productivity has greatly increased. But as Herman Somers, a leading health economist, has pointed out:

"It is certainly true that the average doctor takes on many more visits than he did 10 to 20 years ago, but this is no adequate gauge of productivity. If the doctor decides you should be seen twice a week rather than once, has his productivity doubled? What is being produced? Visits? We have no meaningful measure of productivity, but that is no reason to use ones that are not meaningful. Moreover, should an increase in productivity be accomplished by increase in unit costs? One would expect the opposite result.

"An inescapable basic question emerges: Is it feasible for the government to guarantee to any group or profession payment at any level the group may unilaterally elect? The answer appears increasingly self-evident."

Such suggestions as group practice and the use of paramedical personnel to relieve doctors of routine duties have long been advocated for holding down costs but are slow in adoption. Long overdue is a government program to evaluate the relative therapeutic value of brand-name drugs and their generic equivalents, followed by a requirement in Medicare that the physician should be required to prescribe the least expensive but equally effective drug.

In the interim, the rising cost situation indicates a need for more immediate action. The most desirable and fairest solution is to require doctors to accept assignments and abide by the "reasonable and customary fee" and that consideration should be given to holding the "reasonable and customary fee" in line with increases in the Consumer Price Index.

If Congress insists on continuing direct billing, the intermediary at least should publish the "reasonable and customary fee" range for each procedure and that list should be conspicuously posted in the doctor's office. The patient would know at the time he pays the bill how much additional he will have to pay above the "reasonable and customary fee." Now he only finds out sometime after he has paid the bill.

Each intermediary should have an advisory board with majority consumer representation, expressly including members of organized labor and the elderly. Consideration also should be given to the adoption of a fee schedule for doctors' bills and any major changes in the fee schedule should be reviewed by the advisory board. The intermediary's decision to revise fee schedules should be subject to approval by the Secretary of Health, Education, and Welfare.

SUMMARY

Millions of older Americans have received hospital and doctors' care during the first year of the Medicare program. Without Medicare, many of them would have received less adequate and comprehensive care or none at all. Above all, it was health care with dignity and self-respect and not with humiliation and charity.

The successful and competent beginning of one of the largest peacetime programs in history was an outstanding administrative achievement. Though there were problems and delays causing some hardships, most problems have been resolved and those remaining are rapidly being brought under control.

Medicare helped upgrade health care by inducing hospitals, extended care facilities, home health agencies and medical laboratories to raise their standards in order to participate in the program, including equal access to medical care by minority groups.

The program has basic legislative defects in the areas of co-insurance, deductibles and exclusions which must be removed before the elderly can receive fully adequate care as a matter of right.

Unfortunately, the program has made no effort to come to grips with the established order of medical and hospital services and many of the problems that plagued the health system as a whole are plaguing the Medicare program. Costs are increasing rapidly and unless there are more adequate cost controls and greater incentives for efficiency, costs may prevent fully adequate health services for the elderly by impeding essential improvements and expansion of the program.

GUIDELINES FOR PAYING THE DOCTOR'S BILL

The Congress is now considering amendments to Medicare which may change existing billing procedures. However, much of the following information should remain valid:

The Medicare law provides two ways to pay a doctor's bill. One is by payment to the doctor (assignment method) and the other by payment to the patient (direct billing). Under the first, the doctor accepts an assignment of the medical insurance benefits and agrees to accept reimbursement directly from the Medicare program for 80 percent of the cost (after the $50 deductible is met) and to charge the patient no more than the remaining 20 percent. Under the second, direct billing, the amount of the charge is entirely between the doctor and the patient. The patient must send in a paid and itemized bill. He will be reimbursed for 80 percent of "reasonable charges" that are "usual and customary." All charges above this must be paid by the patient.

The American Medical Association has adopted a resolution recommending direct billing of patients by doctors. Direct billing may cause additional problems and unnecessary expense to many of those insured under the Medicare program.

Since a bill marked paid must be sent in before reimbursement can be made, direct billing creates particular difficulties for the large percentage of senior citizens who lack the money to make an immediate payment of a medical bill. The doctor could mark the bill paid and trust the patient to pay him at a later date when he is reimbursed. Unfortunately, some doctors are requiring the patient to sign a promissory note before marking the bill paid. These notes have many legal ramifications. They can be sold to third parties such as collection agencies.

Though there is no specific time limit on sending in claims, it is easier to hold one's small bills and just make one claim rather than several claims for small amounts. No payment can be made, however, until the patient's bills add up to more than the $50 deductible.

Every Medicare beneficiary undergoing medical treatment should do the following:

1. Discuss fees with his doctor before treatment begins. Secure his agreement to accept the "reasonable charge" of the Medicare program.

2. Urge his doctor to accept the assignment method. This way the doctor will be reimbursed directly and, in accepting the assignment, he agrees to accept the "reasonable charge" determined by the office where the claim is sent. The patient does not have to pay the doctor and wait to be reimbursed.

3. The patient should do his utmost to avoid signing a promissory note. If the doctor insists on direct billing and especially if he requires the signing of a note, the patient may consider switching to a doctor who will accept assignment.

A Medicare beneficiary who receives a doctor bill he feels is too high can do the following:

1. Discuss the bill with his doctor and suggest he reduce his charges.

2. Write to the organization which handled the claim and tell it why he feels the bill is too high. If not satisfied with the reply, he can request a formal hearing. The hearing will be held by the organization and not the Social Security Administration.

3. Check with the local Social Security office.

4. Complain to the local medical society that the charges are too high.

5. Seek assistance from an AFL–CIO Community Services representative. If there are none in the community, consult with local unions, local chapters of the National Council of Senior Citizens or other appropriate organizations for assistance.

AMERICAN VETERANS' COMMITTEE ADOPTS NATIONAL AFFAIRS PLATFORM

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. FRASER. Mr. Speaker, at its convention in Atlantic City last June, the American Veterans' Committee adopted a far-reaching statement on domestic issues facing the Nation.

The Congress and the people of America have grown to expect straight thinking on liberal principles from this progressive veterans' group.

I commend it as a forthright statement of the issues of 1967:

NATIONAL AFFAIRS

STATEMENT OF PRINCIPLES

AVC stands for the Bill of Rights as a living force animating the political life of our Nation and as a firm limitation on the arbitrariness of government.

AVC stands for the Bill of Rights as a guarantee of our freedom to speak, to assemble, to believe, and to dissent without fear from the conformities of the day.

AVC stands for equality for all, regardless of race, color, ancestry, national origin, religion, sex, or age, and for the constitutional guarantees of such equality.

AVC stands for just legislative representation of the people of the United States, the States and their subdivisions, without poll taxes or other property qualifications for voting, with equal weight for each vote, and on a geographically fair basis, within the framework of the Constitution of the United States.

AVC stands for a policy of gainful, full employment and security for all, as outlined in the Employment Act of 1946.

AVC stands for responsible, efficient, and honest government and for the merit system in government employment.

AVC stands for a government possessing and willing to exercise all powers necessary to bring about a solution of our national problems.

AVC supports the active intervention of government, primarily of the Federal Government, in the economy and general welfare of our country to stimulate and provide employment to improve the physical condition of our cities and towns, of our housing and our schools, to bring all the greatest benefits from the development and conservation of our natural and industrial resources and to provide for the general welfare and health of our country; to stimulate and provide employment to improve the physical condition of our cities and towns, of our housing and schools, to bring all the greatest benefits from the development and conservation of our natural and industrial resources and to provide for the general welfare and health of our people.

AVC supports a tax policy based on ability to pay and opposes regressive sales and excise taxes.

AVC stands for the recognization of equal rights for labor and management and for improved social benefits of employees.

AVC supports an educational system and a public health system which will give the American people, and America's youth in particular, the knowledge, skills, and training, and the physical and mental health and stamina, to continue their forward march toward America's democratic fulfillment.

GOVERNMENT AND LIBERTY

I. The Nation's freedom—the Bill of Rights

1. We affirm the basic right of all Americans to due process of law, the right to counsel and to freedom from unlawful search and seizure. We oppose all efforts to suppress freedom to believe, speak, write, assemble, criticize, and dissent.

2. A. We urge strong and consistent enforcement of existing laws and regulations which will insure to the citizens of the United States and of the several States the full measure of their privileges and immunities of due process of law and the equal protection of the laws guaranteed to them by the Constitution, regardless of race, color, ancestry, national origin, religion or sex, or wage, and urge the national, state and local governments to enact such further laws, ordinances and regulations as may be needed further to insure these ends.

B. We believe in the principles of the separation of church and state.

C. We favor freedom from censorship of newspapers, magazines, radio, television, motion pictures and other media by the Post Office, Customs Bureau, police departments, and other units of government as well as by private pressure groups.

D. We oppose the use of wiretapping and electronic and other forms of eavesdropping devices whether by private individuals or Government officials, elected or appointed.

E. We urge protection by Federal law of all members of the Armed Forces from physical violence because of race, color, ancestry, national origin or religion.

F. We urge making lynching a Federal crime, as well as making provisions for compensation to the families of lynching victims.

G. We favor Federal legislation making it a crime to bomb or to conspire to bomb school, church and other public and quasi-public property.

3. A. The right against self-incrimination. No inference of guilt in any legal proceeding should be drawn in regard to any person because he exercises this right.

B. The right to travel. The right of an American citizen to travel abroad should not be arbitrarily abridged by the Federal Government.

II. The Nation's Government

1. Freedom of information: The right of the people to full knowledge of government affairs must not be abridged, except where disclosure would imperil the national security or where disclosure would, without substantial public benefit, encroach on the right of the individual to personal liberty or freedom.

2. Congress: We urge proper changes in the rules of the Congress of the United States which will make it possible for the majority of the members to vote cloture or close debate on legislation after a reasonable period, and which will make merit, not tenure alone, the standard to be used in the selection of committee chairmen.

3. Federal-State Relations: We favor strict Federal enforcement of performance in all programs of Federal grants in aid.

4. State and local government: We urge reapportionment within the States consistent with the principle "one man-one vote."

5. The Federal civil service:

A. Apart from discharges based on reorganization of Government activities or reduction in force, Government employees should be discharged only for cause and through due process of law. The employee should be presented with a written statement of charges, have the right to a hearing before an impartial board. He should have the right to present evidence, be confronted with adverse witnesses, cross-examine witnesses, and receive a transcript of the hearing free of charge. Action toward his separation from the Government service should be taken only on the basis thus made.

B. The rights granted to veterans in the Veterans Preference Act in regard to discharge procedures and appeals should be extended to all Government employees except those in probationary status.

6. District of Columbia: We urge that the District of Columbia receive, by legislation or by constitutional amendment where the matter cannot be handled by legislation:

A. The right to local self-government and;

B. The right to elect Senators and Representatives in Congress;

C. An equitable annual Federal contribution in lieu of taxes.

ECONOMIC SECURITY

III. Basic economic policy

1. We continue to support the Employment Act of 1946 which states it is the policy of the Government to create and maintain "conditions under which there will be afforded useful employment opportunities including self-employment for those able, willing and seeking to work and to promote maximum employment, production, and purchasing power."

2. To insure the interest of the consumer, we urge Congress to establish a Department of the Consumer, to be headed by a Secretary of Cabinet rank.

IV. Monetary policy and tax policy

1. Monetary policy:

We urge the establishment of a Federal capital budget for reimburseable public works appropriations and to improve the accounting and budgetary operations of the Government.

2. Tax policy:

A. We urge elimination of special provisions in the internal revenue laws which are discriminatory in nature. As blatant examples, we point to the favored tax treatment of the extractive industries, the restricted stock options for corporate executives, the retirement income credit, the preferred tax treatment of profits on stock market transactions, and the dividend exclusion and credit provision.

B. We also call for an end to the abuse of the deductibility of business expenses to finance luxurious travel, vacations, and entertainment for business management, professional men and sales executives.

V. Housing and urban affairs

AVC is vitally aware of the need for a decent housing at rentals within the means of all income levels and how closely the country's economic well being depends on the building and housing industries. We are also concerned about the future of our cities—the hopelessness some of their problems present. The aim should not be just to build more housing projects, school buildings, highways and business centers but to arrange, group and plan these individual structures and the spaces between in such a way that they add up to livability.

AVC recognizes the continued pressing need for the construction of low income housing, public or subsidized, that will replace the slums and substandard housing plaguing our cities.

VI. Conservation and development of natural resources

We accept as a cardinal principle of conservation policy that the natural resources of this land are given to us in trust for the people of this and subsequent generations. The benefits of these resources must be distributed widely and equitably and a share thereof must be preserved for future citizens.

Through comprehensive and coordinated national and regional planning and development, wise use, and enlightened conservation, this can be done. The very nature of the problem requires that Government play a major and controlling role in assuring that conservation.

1. Department of Natural Resources. We propose the reorganization of the Department of Natural Resources. Such a new department should provide for regionally decentralized opportunities for program formulation and execution, while clearly placing federal responsibility for resources development within the framework of a single agency. The regional multi-purpose concept may require that specific localities or projects be reserved or developed for one or more preferred use.

2. Water and Air Conservation:

A. We reaffirm our strong support of comprehensive multi-purpose river basin development and urge the accelerated application of this principle to our river basins.

B. We similarly favor regional planning by the States and metropolitan areas as well as area redevelopment.

C. We urge the Federal Government to undertake the planning and construction of multipurpose water and power projects similar to the one provided in the Tennessee Valley. Their very scope requires government development and precludes the short-term, piecemeal operations of private interests.

D. The conservation and development of adequate fresh water supplies to meet expanding needs for domestic agricultural, industrial, wildlife and recreational uses, and the protection and improvement of water quality, especially in relation to accumulated pesticides and other contaminating matters, are of increasing urgent concern.

3. Energy resources conservation. We call for:

A. The maximum feasible development of our only renewable energy resource hydroelectric power including Federal construction of multi-purpose power dams and other waterpower, irrigation, flood control and navigation works using standards of feasibility and repayment schedules for such projects based upon their reasonably expected service life.

B. A continuation and acceleration of the Federal programs to develop and stimulate development of effective processes for the utilization of our immense reserves of oil, natural gas, shale and coal.

C. We urge a major increase in the scope and speed of air pollution prevention measures.

D. The development of atomic energy (both fission and fusion type) for power and other peaceful purposes.

4. Recreation and Wildlife.

The expansion in the demands for outdoor recreation opportunities requires that we add to our national park system and increase the recreational developments on our national forests, public lands, reservoirs and seashores.

We endorse legislation to control billboard erection in scenic areas. Urban planning and redevelopment should include provision for open spaces and outdoor recreation areas.

5. National Land Reserve.

We support the concept that our remaining public lands constitute a "National Land Reserve" to be administered for the benefit of the public with appropriate safeguards for future generations.

6. Pesticide Control.

We urge careful consideration and close supervision of pest control programs in recreational, farming, and urban areas.

VII. Agriculture

American agriculture is increasingly the victim of the owners of the new machines, themselves investors rather than farmers. Hired workers are displaced from jobs, and farm lands are being concentrated in fewer hands as farmers themselves are displaced.

AVC calls for a four-part approach to the resulting problems:

1. A reduction of subsidies to industrialized agriculture, those now being paid in proportion to production or for practices which, like some in other industries, are a normal part of the business;

2. New approaches to two problems of the sub-marginal farmer and the farm laborer, recognizing that their plight is closely related to that of the underemployed urban worker and is only in part agricultural;

3. Strengthening the economic family farm through greater attention to credit, service and marketing needs;

4. Providing for rural people the whole range of educational cultural, recreational health and other opportunities already accessible to dwellers in metropolitan areas.

VIII. Labor

We urge:

1. Periodic updating of the provisions of the Fair Labor Standards Act to insure the coverage of maximum numbers of categories of workers and a realistic and decent Federal minimum wage.

2. Enactment of laws for the full disclosure of the administration of pension and health and welfare plans, whether administered by unions or management or jointly by both. Federal law should follow existing Federal securities legislation and State laws such as that of the State of New York for the exemptions contained in the latter.

IX. Social welfare

As veterans concerned with the social welfare of all citizens we urge:

1. Federal standards to increase unemployment insurance benefits, more realistic eligibility standards and lengthening of the period for which benefits are paid.

2. Development of a strong and unified child welfare program with the Department of Health, Education and Welfare.

3. Development of Federal services and grants-in-aid for the prevention and control of narcotics addiction, based on the premise that drug addiction is a disease to be treated.

X. Education

1. We recognize that "in the quality of education lies the fate of freedom itself." We urge the provision of educational opportunity for every American to the limits of his capacity, and the identification of the talented among us in order to challenge them to their highest achievement.

2. To improve and extend existing scholarship and loan programs for college and university students.

3. To extend scholarship and exchange programs for study by Americans abroad and by nationals of other countries in the United States.

4. To appropriate adequate Federal aid to communities impacted by Federal programs.

5. We oppose the use of public funds whether as grants or loans to non-public elementary and secondary schools.

XI. Public health

We urge:

1. Increased Federal expenditures for research in the prevention and care of illness.

2. Expansion of medical insurance and group medical care plans, including a plan for national health insurance.

3. Expansion of public health facilities and services hospitals and nursing homes without regard to race, color, ancestry, national origin, religion or sex.

XII. Indian rights

We oppose revocation of commitments entered into by treaty between the U.S. Government or the Government of any state and the various Indian tribes.

We support all efforts (1) to safeguard Indian lands and resources from exploitation and expropriation in violation of treaty rights and (2) to make the Indian tribes capable of supporting themselves from the proper development of their resources.

We support adequate health and educational services for the Indian tribes capable of supporting themselves from the proper development of their resources. We support adequate health and educational services for the Indian reservation as well as training in modern industrial and management skills to enhance the opportunities for better living and the ability of the Indian tribes to manage their own affairs.

We also support social services to those Indians who desire to live outside their tribal reservations so as to assist them in adapting themselves especially to urban living and to protect them against discrimination and hostility in their new environment.

RESOLUTIONS

Human rights

As a part of Human Rights Year 1968 AVC has resolved to devote particular attention to the human rights of the serviceman and veteran, to ensure for him the pursuit of life, liberty and happiness through the fulfillment of his basic social needs in housing, employment, education and political and personal freedom.

But in striving for this goal AVC remains mindful of its tradition that we are citizens first and veterans second. In this spirit we recognize that the human rights of the serviceman and veteran cannot be effectively safeguarded without safeguarding at the same time the human rights of all the people.

Too many of our fellow Americans continue to be deprived of their fair and rightful share in adequate housing, education that is both of high quality and usefulness, employment in jobs offering opportunity for advancement and income adequate to provide a decent standard of living.

What stands in their way, is the very effect of their past deprivation: their poverty, their lack of education and training, their lack of hope—but worse than these the prejudices which far too many of our fellow citizens still harbor against those who are poverty-stricken and against those of their fellow Americans who may differ from them in race, creed, color or national origin.

The position of the serviceman and veteran can, therefore, not be viewed in isolation. Indeed, far too many of our young men are now being deprived of the opportunities which attaining that status may open up for them, because physically or educationally they cannot meet the standards of the Armed Forces. Even while in the service, they and their families may meet the problems created by prejudice and exploitation, which restrict their human rights and may even impair their military performance. Finally, when they return from service, they must contend again with all the restrictive forces of poverty and prejudice which hem in their lives in every direction.

Hence the coming Human Rights Year provides us with the occasion to reaffirm our devotion, and to rededicate ourselves, to the continued battle against the twin destroyers of human rights: poverty and prejudice.

We endorse and fully support the programs and activities which together constitute the War Against Poverty. While we are fully aware of the charges from many quarters of administrative mismanagement, boon-doggling and lack of mass success, we also find that under these programs many thousands of untrained youths and unemployed adults have been successfully retrained to take a productive place in society and to improve their material situation.

Specifically, as addressed to the military situation, the Department of Defense now recognizes its responsibility to provide basic education and relief from remediable physical defects for those who need it and will thus rehabilitate in the current year alone some 40,000 young men who would otherwise not have this opportunity.

The Department of Defense also now recognizes its responsibility to help prepare those whose service assignments have not brought them the opportunity for a successful return to civilian employment. The 80,000 servicemen who last year earned high school diplomas, while serving in the Armed Forces, will certainly return to civilian life better fitted to claim their human rights than they were before their period of military service.

We, therefore, ask for a greatly expanded effort to provide academic education and vocational training from pre-school age to adult training and re-training for all those who need such help. We favor continued research by federal agencies concerned, and in particular the Department of Labor, into manpower and training needs of our country so as to formulate programs best adapted to overcome the numerous labor shortages which exist both on a geographical and occupational basis. At the same time, we insist that the federal government seek means of providing meaningful employment in areas of chronic unemployment as an alternative to the accelerating blind migration to urban slums.

We further demand that the Federal Government continue its surveillance of, and guidelines for, these programs so as to insure by all feasible means, including the cut-off of funds and special subsidies, the integrated operation of all educational and training programs and the best use of the funds appropriated therefor.

II

One of the successes of the Poverty Program in our view is the opportunity which it has extended to many of the poor to participate in community and planning activities. It is imperative that this opening up of entry into active participation in public affairs be continued and enlarged so that the "under-class of the poor" becomes a more and more effective force in the realization of human rights and in the life of our country.

III

The fostering of the realization of human rights further requires a rehumanization of our welfare system. Current methods of administration have in many places greatly impaired the human dignity of the welfare recipient and it must be restored. This requires in general that welfare programs be treated as the discharge of an obligation which society owes to its members and not as an unearned benefit for those deemed "unworthy misfits."

More particularly, we must abandon rules which tend to destroy the family life of welfare recipients and perpetuate their dependence on welfare, such as the man-in-the-house rule which we have previously condemned, and oppressive administrative practices, which destroy the welfare recipient's right to privacy, such as night raids and unlimited investigative intrusions in their lives.

IV

The destruction of the slums requires provision of housing for those who now dwell in them or who might hereafter be driven back into them, at rents or prices which they can afford to pay.

We favor new methods to advance this goal such as the Model Cities Program and rent subsidies. But the goal of decent housing for all cannot be reached without a continuing and massive program of construction of housing by public agencies with variable rentals adjusted to tenant income and the possibility of purchase by the occupants, so that such housing may be available to all who cannot find private housing of decent quality suitable to their means.

In addition, the attainment of our housing goal requires the opening of all and especially suburban housing to everyone regardless of race, creed, color or national origin. We ask and urge that the Human Rights Year 1968 be made to witness a breakthrough in depth in this direction.

When privately owned property is condemned for the purpose of private redevelopment, we urge that the rights of the former owner be adequately protected and that compensation which is demonstrably just be paid to owners before condemnation proceedings are consummated.

V

Last but not least we ask for and urge the fullest enforcement of the civil rights laws, federal, state or local, so that all Americans, including servicemen and veterans, shall be able to enjoy without threat of reprisal their personal freedom of movement, their political rights, and the opportunity to pursue life, liberty and happiness, as vouchsafed in our Declaration of Independence.

Equal opportunities in Government contracts

Equality of Opportunity as it affects those who hold contracts with the Government is currently regulated by Executive Order 11246, in which the ultimate sanction, if the contractor continues to refuse to comply, lies in terminating the contract. This sanction is so extreme that it has never been used; there have been negotiations, attempts at securing voluntary compliance, and companies have been ruled ineligible to bid on future contracts, but no contracts have been terminated. Another reason for the lack of use of the contract termination sanction is that it puts the government personnel operating the contract programs (who see their role as obtaining as much as possible for the government dollar, obtaining it as fast as possible, and purchasing the items which the government needs) into conflict with those attempting to enforce Executive Order 11246.

The American Veterans Committee, assembled at its 20th Convention in Atlantic City, N.J., urges those responsible for civil rights and equal opportunities policies to consider the practicability and feasibility of introducing another sanction: the withholding of a sum from the contract price so calculated as to cover the whole profit; it should then be open to the contractor to prove, first administratively and then in the Court of Claims, if necessary, that he was in fact in compliance, as a condition precedent to the release of the funds withheld.

ADDRESS BY ROBERT S. McNAMARA

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. Albert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ALBERT. Mr. Speaker, the Honorable Robert S. McNamara, the Secretary of Defense, delivered an important address this afternoon before the United Press International editors and publishers meeting in San Francisco, Calif. In his address, the Secretary discussed the important problems pertaining to the planning, preparation and policies governing the possibility of nuclear war and the steps which this country has taken to deter nuclear aggression. Mr. McNamara also announced our plans for the deployment of an antiballistic missile system as a countermeasure to Communist China's nuclear development. I am inserting his address in the Record for the edification of the Members of the House. The address follows:

Remarks by Secretary of Defense Robert S. McNamara Before United Press International Editors and Publishers, San Francisco, Calif., Monday, September 18, 1967

Ladies and Gentlemen: I want to discuss with you this afternoon the gravest problem that an American Secretary of Defense must face: the planning, preparation, and policy governing the possibility of thermonuclear war.

It is a prospect most of mankind would prefer not to contemplate.

That is understandable. For technology has now circumscribed us all with a conceivable horizon of horror that could dwarf any catastrophe that has befallen man in his more than a million years on earth.

Man has lived now for more than twenty years in what we have come to call the Atomic Age.

What we sometimes overlook is that every future age of man will be an atomic age.

If, then, man is to have a future at all, it will have to be a future overshadowed with the permanent possibility of thermonuclear holocaust.

About that fact, we are no longer free.

Our freedom in this question consists rather in facing the matter rationally and realistically and discussing actions to minimize the danger.

No sane citizen; no sane political leader; no sane nation wants thermonuclear war.

But merely not wanting it is not enough.

We must understand the difference between actions which increase its risk, those which reduce it, and those which, while costly, have little influence one way or another.

Now this whole subject matter tends to be psychologically unpleasant. But there is an even greater difficulty standing in the way of constructive and profitable debate over the issues.

And that is that nuclear strategy is exceptionally complex in its technical aspects. Unless these complexities are well understood, rational discussion and decision making are simply not possible.

What I want to do this afternoon is deal with these complexities and clarify them with as much precision and detail as time and security permit.

One must begin with precise definitions.

The cornerstone of our strategic policy continues to be to deter deliberate nuclear attack upon the United States, or its allies, by maintaining a highly reliable ability to inflict an unacceptable degree of damage upon any single aggressor, or combination of aggressors, at any time during the course of a strategic nuclear exchange—even after our absorbing a surprise first strike.

This can be defined as our "assured destruction capability."

Now it is imperative to understand that assured destruction is the very essence of the whole deterrence concept.

We must possess an actual assured destruction capability. And that actual assured destruction capability must also be credible. Conceivably, our assured destruction capability could be actual, without being credible—in which case, it might fail to deter an aggressor.

The point is that a potential aggressor must himself believe that our assured destruction capability is in fact actual, and that our will to use it in retaliation to an attack is in fact unwavering.

The conclusion, then, is clear: if the United States is to deter a nuclear attack on itself or on our allies, it must possess an actual, and a credible assured destruction capability.

When calculating the force we require, we must be "conservative" in all our estimates of both a potential aggressor's capabilities, and his intentions. Security depends upon taking a "worst plausible case"—and having the ability to cope with that eventuality.

In that eventuality, we must be able to absorb the total weight of nuclear attack on our country—on our strike-back forces; on our command and control apparatus; on our industrial capacity; on our cities; and on our population—and still be fully capable of destroying the aggressor to the point that his society is simply no longer viable in any meaningful twentieth-century sense.

That is what deterrence to nuclear aggression means. It means the certainty of suicide to the aggressor—not merely to his military forces, but to his society as a whole.

Now, let us consider another term: "first-strike capability." This, in itself, is an ambiguous term, since it could mean simply the ability of one nation to attack another nation with nuclear forces first. But as it is normally used, it connotes much more: the substantial elimination of the attacked nation's retaliatory second-strike forces.

This is the sense in which "first-strike capability" should be understood.

Now, clearly, such a first-strike capability is an important strategic concept. The United States cannot—and will not—ever permit itself to get into the position in which another nation, or combination of nations, would possess such a first-strike capability, which could be effectively used against it.

To get into such a position vis-a-vis any other nation or nations would not only constitute an intolerable threat to our security, but it would obviously remove our ability to deter nuclear aggression—both against ourselves and against our allies.

Now, we are not in that position today—and there is no foreseeable danger of our ever getting into that position.

Our strategic offensive forces are immense: 1000 Minutemen missile launchers, carefully protected below ground; 41 Polaris submarines, carrying 656 missile launchers—with the majority of these hidden beneath the seas at all times; and about 600 long-range bombers, approximately forty percent of which are kept always in a high state of alert.

Our alert forces alone carry more than 2200 weapons, averaging more than one megaton each. A mere 400 one-megaton weapons, if delivered on the Soviet Union, would be sufficient to destroy over one-third of her population, and one-half of her industry.

And all of these flexible and highly reliable forces are equipped with devices that insure their penetration of Soviet defenses.

Now what about the Soviet Union?

Does it today possess a powerful nuclear arsenal?

The answer is that it does.

Does it possess a first-strike capability against the United States?

The answer is that it does not.

Can the Soviet Union, in the foreseeable future, acquire such a first-strike capability against the United Sates?

The answer is that it cannot.

It cannot because we are determined to remain fully alert, and we will never permit our own assured destruction capability to be at a point where a Soviet first-strike capability is even remotely feasible.

Is the Soviet Union seriously attempting to acquire a first-strike capability against the United States?

Although this is a question we cannot answer with absolute certainty, we believe the answer is no. In any event, the question itself, is—in a sense—irrelevant. It is irrelevant since the United States will so continue to maintain—and where necessary strengthen—our retaliatory forces, that whatever the Soviet Union's intentions or actions, we will continue to have an assured destruction capability vis-a-vis their society in which we are completely confident.

But there is another question that is most relevant.

And that is, do we—the United States—possess a first-strike capability against the Soviet Union?

The answer is that we do not.

And we do not, not because we have neglected our nuclear strength. On the contrary, we have increased it to the point that we possess a clear superiority over the Soviet Union.

We do not possess first-strike capability against the Soviet Union for precisely the same reason that they do not possess it against us.

And that is that we have both built up our "second-strike capability"[1] to the point that a first-strike capability on either side has become unattainable.

There is, of course, no way in which the United States could have prevented the Soviet Union from acquiring its present second-strike capability—short of a massive pre-emptive first strike on the Soviet Union in the 1950s.

The blunt fact is, that neither the Soviet Union nor the United States can attack the other without being destroyed in retaliation; nor can either of us attain a first-strike capability in the foreseeable future.

The further fact is that both the Soviet Union and the United States presently possess an actual and credible second-strike capability against one another—and it is precisely this mutual capability that provides us both with the strongest possible motive to avoid a nuclear war.

The more frequent question that arises in this connection is whether or not the United States possesses nuclear superiority over the Soviet Union.

The answer is that we do.

But the answer is—like everything else in this matter—technically complex.

The complexity arises in part out of what measurement of superiority is most meaningful and realistic.

Many commentators on the matter tend to define nuclear superiority in terms of gross megatonnage, or in terms of the number of missile launchers available.

Now, by both these two standards of measurement, the United States does have a substantial superiority over the Soviet Union in the weapons targeted against each other.

But it is precisely these two standards of measurement that are themselves misleading.

For the most meaningful and realistic measurement of nuclear capability is neither gross megatonnage, nor the number of available missile launchers; but rather the number of separate warheads that are capable of being *delivered* with accuracy on individual high-priority targets with sufficient power to destroy them.

Gross megatonnage in itself is an inadequate indicator of assured destruction capability, since it is unrelated to survivability, accuracy, or penetrability, and poorly related to effective elimination of multiple high-priority targets. There is manifestly no advantage in over-destroying one target, at the expense of leaving undamaged other targets of equal importance.

Further, the number of missile launchers available is also an inadequate indicator of assured destruction capability, since the fact is that many of our launchers will carry multiple warheads.

But by using the realistic measurement of the number of warheads available, capable of being reliably delivered with accuracy and effectiveness on the appropriate targets in the United States or Soviet Union, I can tell you that the United States currently possesses a superiority over the Soviet Union of at least three or four to one.

Furthermore, we will maintain a superiority—by these same realistic criteria—over the Soviet Union for as far ahead in the future as we can realistically plan.

I want, however, to make one point patently clear: our current numerical superiority over the Soviet Union in reliable, accurate, and effective warheads is both greater than we had originally planned, and is in fact more than we require.

Moreover, in the larger equation of security, our "superiority" is of limited significance—since even with our current superiority, or indeed with any numerical superiority realistically attainable, the blunt, inescapable fact remains that the Soviet Union could still—with its present forces—effectively destroy the United States, even after absorbing the full weight of an American first strike.

I have noted that our present superiority is greater than we had planned. Let me explain to you how this came about, for I think it is a significant illustration of the intrinsic dynamics of the nuclear arms race.

In 1961, when I became Secretary of Defense, the Soviet Union possessed a very small operational arsenal of intercontinental missiles. However, they did possess the technological and industrial capacity to enlarge that arsenal very substantially over the succeeding several years.

Now, we had no evidence that the Soviets did in fact plan to fully use that capability.

But as I have pointed out, a strategic planner must be "conservative" in his calculations; that is, he must prepare for the worst plausible case and not be content to hope and prepare merely for the most probable.

Since we could not be certain of Soviet intentions—since we could not be sure that they would not undertake a massive build-up—we had to insure against such an eventuality by undertaking ourselves a major build-up of the Minuteman and Polaris forces.

Thus, in the course of hedging against what was then only a theoretically possible Soviet build-up, we took decisions which have resulted in our current superiority in numbers of warheads and deliverable megatons.

But the blunt fact remains that if we had had more accurate information about planned Soviet strategic forces, we simply would not have needed to build as large a nuclear arsenal as we have today.

Now let me be absolutely clear. I am not saying that our decision in 1961 was unjustified. I am simply saying that it was necessitated by a lack of accurate information.

Furthermore, that decision in itself—as justified as it was—in the end, could not possibly have left unaffected the Soviet Union's future nuclear plans.

What is essential to understand here is that the Soviet Union and the United States mutually influence one another's strategic plans.

Whatever be their intentions, whatever be our intentions, actions—or even realistically potential actions—on either side relating to the build-up of nuclear forces, be they either offensive or defensive weapons, necessarily trigger reactions on the other side.

It is precisely this action-reaction phenomenon that fuels an arms race.

Now, in strategic nuclear weaponry, the arms race involves a particular irony. Unlike any other era in military history, today a substantial numerical superiority of weapons does not effectively translate into political control, or diplomatic leverage.

While thermonuclear power is almost inconceivably awesome, and represents virtually unlimited potential destructiveness, it has proven to be a limited diplomatic instrument. Its uniqueness lies in the fact that it is at one and the same time, an all powerful weapon—and a very inadequate weapon.

The fact that the Soviet Union and the United States can mutually destroy one another—regardless of who strikes first—narrows the range of Soviet aggression which our nuclear forces can effectively deter.

Even with our nuclear monopoly in the early postwar period, we were unable to deter the Soviet pressures against Berlin, or their support of aggression in Korea.

Today, our nuclear superiority does not deter all forms of Soviet support of communist insurgency in Southeast Asia.

What all of this has meant is that we, and our allies as well, require substantial nonnuclear forces in order to cope with levels of aggression that massive strategic forces do not in fact deter.

This has been a difficult lesson both for us and for our allies to accept, since there is a strong psychological tendency to regard superior nuclear forces as a simple and unfailing solution to security, and an assurance of victory under any set of circumstances.

What is important to understand is that our nuclear strategic forces play a vital and absolutely necessary role in our security and that of our allies, but it is an intrinsically limited role.

Thus, we and our allies must maintain substantial conventional forces, fully capable of dealing with a wide spectrum of lesser forms of political and military aggression—a level of aggression against which the use of strategic nuclear forces would not be to our advantage, and thus a level of aggression which these strategic nuclear forces by themselves cannot effectively deter. One cannot fashion a credible deterrent out of an incredible action. Therefore security for the United States and its allies can only arise from the possessions of a whole range of graduated deterrents, each of them fully credible in its own context.

Now I have pointed out that in strategic nuclear matters, the Soviet Union and the United States mutually influence one another's plans.

In recent years the Soviets have substantially increased their offensive forces. We have, of course, been watching and evaluating this very carefully.

Clearly, the Soviet build-up is in part a reaction to our own build-up since the beginning of this decade.

Soviet strategic planners undoubtedly reasoned that if our build-up were to continue at its accelerated pace, we might conceivably reach, in time, a credible first-strike capability against the Soviet Union.

That was not in fact our intention. Our intention was to assure that they—with their theoretical capacity to reach such a first-strike capability—would not in fact outdistance us.

But they could not read our intentions with any greater accuracy than we could read theirs. And thus the result has been that we have both built up our forces to a point that far exceeds credible second-strike capability against the forces we each started with.

In doing so, neither of us has reached a first-strike capability. And the realities of the situation being what they are—whatever we believe their intentions to be, and whatever they believe our intentions to be—each of us can deny the other a first-strike capability in the foreseeable future.

Now, how can we be so confident that this is the case?

How can we be so certain that the Soviets cannot gradually outdistance us—either by some dramatic technological break-through, or simply through our imperceptively lagging behind, for whatever reason: reluctance to spend the requisite funds; distraction with military problems elsewhere; faulty intelligence; or simple negligence and naivete?

All of these reasons—and others—have been suggested by some commentators in this country, who fear that we are in fact falling behind to a dangerous degree.

The answer to all of this is simple and straightforward.

We are not going to permit the Soviets to outdistance us, because to do so would be to jeopardize our very viability as a nation.

No President, no Secretary of Defense, no Congress of the United States—of whatever political party, and of whatever political persuasion—is going to permit this nation to take that risk.

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[1] A "second-strike capability" is the capability to absorb a surprise nuclear attack, and survive with sufficient power to inflict unacceptable damage on the aggressor.

We do not want a nuclear arms race with the Soviet Union—primarily because the action-reaction phenomenon makes it foolish and futile. But if the only way to prevent the Soviet Union from obtaining first-strike capability over us is to engage in such a race, the United States possesses in ample abundance the resources, the technology, and the will to run faster in that race for whatever distance is required.

But what we would much prefer to do is to come to a realistic and reasonably riskless agreement with the Soviet Union, which would effectively prevent such an arms race. We both have strategic nuclear arsenals greatly in excess of a credible assured destruction capability. These arsenals have reached that point of excess in each case for precisely the same reason: we each have reacted to the other's build-up with very conservative calculations. We have, that is, each built a greater arsenal than either of us needed for a second-strike capability, simply because we each wanted to be able to cope with the "worst plausible case."

But since we now each possess a deterrent in excess of our individual needs, both of our nations would benefit from a properly safe-guarded agreement first to limit, and later to reduce, both our offensive and defensive strategic nuclear forces.

We may, or we may not, be able to achieve such an agreement. We hope we can. And we believe such an agreement is fully feasible, since it is clearly in both our nation's interests.

But reach the formal agreement or not, we can be sure that neither the Soviets nor we are going to risk the other obtaining a first-strike capability.

On the contrary, we can be sure that we are both going to maintain a maximum effort to preserve an assured destruction capability.

It would not be sensible for either side to launch a maximum effort to achieve a first-strike capability. It would not be sensible because the intelligence-gathering capability of each side being what it is, and the realities of lead-time from technological break-through to operational readiness being what they are, neither of us would be able to acquire a first-strike capability in secret.

Now, let me take a specific case in point.

The Soviets are now deploying an anti-ballistic missile system. If we react to this deployment intelligently, we have no reason for alarm.

The system does not impose any threat to our ability to penetrate and inflict massive and unacceptable damage on the Soviet Union. In other words, it does not presently affect in any significant manner our assured destruction capability.

It does not impose such a threat because we have already taken the steps necessary to assure that our land-based Minuteman missiles, our nuclear submarine-launched new Poseidon missiles, and our strategic bomber forces have the requisite penetration aids—and in the sum, constitute a force of such magnitude, that they guarantee us a force strong enough to survive a Soviet attack and penetrate the Soviet ABM deployment.

Now let me come to the issue that has received so much attention recently: the question of whether or not we should deploy an ABM system against the Soviet nuclear threat.

To begin with, this is not in any sense a new issue. We have had both the technical possibility and the strategic desirability of an American ABM deployment under constant review since the late 1950s.

While we have substantially improved our technology in the field, it is important to understand that none of the systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States. Were such a shield possible, we would certainly want it—and we would certainly build it.

And at this point, let me dispose of an objection that is totally irrelevant to this issue.

It has been alleged that we are opposed to deploying a large-scale ABM system because it would carry the heavy price tag of $40 billion.

Let me make it very clear that the $40 billion is not the issue.

If we could build and deploy a genuinely impenetrable shield over the United States, we would be willing to spend not $40 billion, but any reasonable multiple of that amount that was necessary.

The money in itself is not the problem: the penetrability of the proposed shield is the problem.

There is clearly no point, however, in spending $40 billion if it is not going to buy us a significant improvement in our security. If it is not, then we should use the substantial resources it represents on something that will.

Every ABM system that is now feasible involves firing defensive missiles at incoming offensive warheads in an effort to destroy them.

But what many commentators on this issue overlook is that any such system can rather obviously be defeated by an enemy simply sending more offensive warheads, or dummy warheads, than there are defensive missiles capable of disposing of them.

And this is the whole crux of the nuclear action-reaction phenomenon.

Were we to deploy a heavy ABM system throughout the United States, the Soviets would clearly be strongly motivated to so increase their offensive capability as to cancel out our defensive advantage.

It is futile for each of us to spend $4 billion, $40 billion, or $400 billion—and at the end of all the spending, and at the end of all the deployment, and at the end of all the effort, to be relatively at the same point of balance on the security scale that we are now.

In point of fact, we have already initiated offensive weapons programs costing several billions in order to offset the small present Soviet ABM deployment, and the possibly more extensive future Soviet ABM deployments.

That is money well spent; and it is necessary.

But we should bear in mind that it is money spent because of the action-reaction phenomenon.

If we in turn opt for heavy ABM deployment—at whatever price—we can be certain that the Soviets will react to offset the advantage we would hope to gain.

It is precisely because of this certainty of a corresponding Soviet reaction that the four prominent scientists—men who have served with distinction as the Science Advisors to Presidents Eisenhower, Kennedy, and Johnson, and the three outstanding men who have served as Directors of Research and Engineering to three Secretaries of Defense—have unanimously recommended against the deployment of an ABM system designed to protect our population against a Soviet attack.

These men are Doctors Killian, Kistiakowsky, Wiesner, Hornig, York, Brown, and Foster.

The plain fact of the matter is that we are now facing a situation analogous to the one we faced in 1961: we are uncertain of the Soviets' intentions.

At that time we were concerned about their potential offensive capabilities; now we are concerned about their potential defensive capabilities.

But the dynamics of the concern are the same.

We must continue to be cautious and conservative in our estimates—leaving no room in our calculations for unnecessary risk. And at the same time, we must measure our own response in such a manner that it does not trigger a senseless spiral upward of nuclear arms.

Now, as I have emphasized, we have already taken the necessary steps to guarantee that our offensive strategic weapons will be able to penetrate future, more advanced, Soviet defenses.

Keeping in mind the careful clockwork of lead-time, we will be forced to continue that effort over the next few years if the evidence is that the Soviets intend to turn what is now a light and modest ABM deployment into a massive one.

Should they elect to do so, we have both the lead-time and the technology available to so increase both the quality and quantity of our offensive strategic forces—with particular attention to highly reliable penetration aids—that their expensive defensive efforts will give them no edge in the nuclear balance whatever.

But we would prefer not to have to do that. For it is a profitless waste of resources, provided we and the Soviets can come to a realistic strategic arms-limitation agreement.

As you know, we have proposed U.S.-Soviet talks on this matter. Should these talks fail, we are fully prepared to take the appropriate measures that such a failure would make necessary.

The Point for us to keep in mind is that should the talks fail—and the Soviets decide to expand their present modest ABM deployment into a massive one—our response must be realistic. There is no point whatever in our responding by going to a massive ABM deployment to protect our population, when such a system would be ineffective against a sophisticated Soviet offense.

Instead, realism dictates that if the Soviets elect to deploy a heavy ABM system, we must further expand our sophisticated offensive forces, and thus preserve our overwhelming assured destruction capability.

But the intractable fact is that should the talks fail, both the Soviets and ourselves would be forced to continue on a foolish and feckless course.

It would be foolish and feckless because—in the end—it would provide neither the Soviets, nor us, with any greater relative nuclear capability.

The time has come for us both to realize that, and to act reasonably. It is clearly in our own mutual interest to do so.

Having said that, it is important to distinguish between an ABM system designed to protect against a Soviet attack on our cities, and ABM systems which have other objectives.

One of the other uses of an ABM system which we should seriously consider is the greater protection of our strategic offensive forces.

Another is in relation to the emerging nuclear capability of Communist China.

There is evidence that the Chinese are devoting very substantial resources to the development of both nuclear warheads, and missile delivery systems. As I stated last January, indications are that they will have medium-range ballistic missiles within a year or so, an initial intercontinental ballistic missile capability in the early 1970s, and a modest force in the mid-70s.

Up to now, the lead-time factor has allowed us to postpone a decision on whether or not a light ABM deployment might be advantageous as a countermeasure to Communist China's nuclear development.

But the time will shortly be right for us to initiate production if we desire such a system.

China at the moment is caught up in internal strife, but it seems likely that her basic motivation in developing a strategic nuclear capability is an attempt to provide a basis for threatening her neighbors, and to clothe herself with the dubious prestige that the world pays to nuclear weaponry.

We deplore her development of these weapons, just as we deplore it in other countries.

We oppose nuclear proliferation because we believe that in the end it only increases the risk of a common and cataclysmic holocaust.

President Johnson has made it clear that the United States will oppose any efforts of China to employ nuclear blackmail against her neighbors.

We possess now, and will continue to possess for as far ahead as we can foresee, an overwhelming first-strike capability with respect to China. And despite the shrill and raucous propaganda directed at her own people that "the atomic bomb is a paper tiger," there is ample evidence that China well appreciates the destructive power of nuclear weapons.

China has been cautious to avoid any action that might end in a nuclear clash with the United States—however wild her words—and understandably so. We have the power not only to destroy completely her entire nuclear offensive forces, but to devastate her society as well.

Is there any possibility, then, that by the mid-1970s China might become so incautious as to attempt a nuclear attack on the United States or our allies?

It would be insane and suicidal for her to do so, but one can conceive conditions under which China might miscalculate. We wish to reduce such possibilities to a minimum.

And since, as I have noted, our strategic planning must always be conservative, and take into consideration even the possible irrational behavior of potential adversaries, there are marginal grounds for concluding that a light deployment of U.S. ABMs against this possibility is prudent.

The system would be relatively inexpensive—preliminary estimates place the cost at about $5 billion—and would have a much higher degree of reliability against a Chinese attack, than the much more massive and complicated system that some have recommended against a possible Soviet attack.

Moreover, such an ABM deployment designed against a possible Chinese attack would have a number of other advantages. It would provide an additional indication to Asians that we intend to deter China from nuclear blackmail, and thus would contribute toward our goal of discouraging nuclear weapon proliferation among the present non-nuclear countries.

Further, the Chinese-oriented ABM deployment would enable us to add—as a concurrent benefit—a further defense of our Minuteman sites against Soviet attack, which means that at modest cost we would in fact be adding even greater effectiveness to our offensive missile force and avoiding a much more costly expansion of that force.

Finally, such a reasonably reliable ABM system would add protection of our population against the improbable but possible accidental launch of an intercontinental missile by any one of the nuclear powers.

After a detailed review of all these considerations, we have decided to go forward with this Chinese-oriented ABM deployment, and we will begin actual production of such a system at the end of this year.

In reaching this decision, I want to emphasize that it contains two possible dangers—and we should guard carefully against each.

The first danger is that we may psychologically lapse into the old over-simplification about the adequacy of nuclear power. The simple truth is that nuclear weapons can serve to deter only a narrow range of threats. This ABM deployment will strengthen our defensive posture—and will enhance the effectiveness of our land-based ICBM offensive forces. But the independent nations of Asia must realize that these benefits are no substitute for their maintaining, and where necessary strengthening, their own conventional forces in order to deal with the more likely threats to the security of the region.

The second danger is also psychological. There is a kind of mad momentum intrinsic to the development of all new nuclear weaponry. If a weapon system works—and works well—there is strong pressure from many directions to procure and deploy the weapon out of all proportion to the prudent level required.

The danger in deploying this relatively light and reliable Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet-oriented ABM system.

We must resist that temptation firmly—not because we can for a moment afford to relax our vigilance against a possible Soviet first-strike—but precisely because our greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a fully credible offensive assured destruction capability.

The so-called heavy ABM shield—at the present state of technology—would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces. That, as I have pointed out, would make it necessary for us to respond in turn—and so the arms race would rush hopelessly on to no sensible purpose on either side.

Let me emphasize—and I cannot do so too strongly—that our decision to go ahead with a *limited* ABM deployment in no way indicates that we feel an agreement with the Soviet Union on the limitation of strategic nuclear offensive and defensive forces is any the less urgent or desirable.

The road leading from the stone axe to the ICBM—though it may have been more than a million years in the building—seems to have run in a single direction.

If one is inclined to be cynical, one might conclude that man's history seems to be characterized not so much by consistent periods of peace, occasionally punctuated by warfare; but rather by persistent outbreaks of warfare, wearily put aside from time to time by periods of exhaustion and recovery—that parade under the name of peace.

I do not view man's history with that degree of cynicism, but I do believe that man's wisdom in avoiding war is often surpassed by his folly in promoting it.

However foolish unlimited war may have been in the past, it is now no longer merely foolish, but suicidal as well.

It is said that nothing can prevent a man from suicide, if he is sufficiently determined to commit it.

The question is what is our determination in an era when unlimited war will mean the death of hundreds of millions—and the possible genetic impairment of a million generations to follow?

Man is clearly a compound of folly and wisdom—and history is clearly a consequence of the admixture of those two contradictory traits.

History has placed our particular lives in an era when the consequences of human folly are waxing more and more catastrophic in the matters of war and peace.

In the end, the root of man's security does not lie in his weaponry.

In the end, the root of man's security lies in his mind.

What the world requires in its 22nd Year of the Atomic Age is not a new race towards armament.

What the world requires in its 22nd Year of the Atomic Age is a new race towards reasonableness.

We had better all run that race.

Not merely we the administrators. But we the people.

Thank you, and good afternoon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Kyros (at the request of Mr. Albert), for today, on account of official business.

Mr. Price of Texas (at the request of Mr. Gerald R. Ford) on account of official business.

Mr. Multer (at the request of Mr. Celler), for the week of September 18, on account of illness.

Mr. Tenzer (at the request of Mr. Celler), for the week of September 18, on account of illness.

Mr. Fountain (at the request of Mr. Albert), for an indefinite period of time, on account of his attendance at the 22d General Assembly of the United Nations as an official member of the U.S. delegation.

Mr. Gerald R. Ford (at the request of Mr. Arends), for an indefinite period of time, on account of death in family.

Mr. Garmatz (at the request of Mr. Fallon), for today, and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Riegle, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Laird, for 20 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Scherle) and to revise and extend their remarks and include extraneous matter:)

Mr. Laird, for 10 minutes, on September 20.

Mr. Findley, for 1 hour, on September 25.

Mr. Selden (at the request of Mr. Jacobs), for 60 minutes on September 20, to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Flynt and to include extraneous matter.

Mr. Quie.

(The following Members (at the request of Mr. Scherle) and to include extraneous matter:)

Mr. Collier in two instances.
Mr. Whalen in two instances.

(The following Members (at the request of Mr. Jacobs) and to include extraneous matter:)

Mr. Anderson of Tennessee.
Mr. Young.
Mr. Pucinski.
Mr. Kee.
Mrs. Sullivan.
Mr. Fraser.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1985. An act to amend the Federal Flood Insurance Act of 1956, to provide for a na-

tional program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 10738. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

ADJOURNMENT

Mr. JACOBS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 11 minutes p.m.), the House adjourned until tomorrow, Tuesday, September 19, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1076. A communication from the President of the United States, transmitting a recommendation urging action on the proposed State Firearms Control Act of 1967 (H. Doc. No. 167); to the Committee on the Judiciary and ordered to be printed.

1077. A letter from the Deputy Chief of Naval Material (Procurement and Production), Department of the Navy, transmitting the semiannual report of research and development procurement actions, covering the period January 1 through June 30, 1967, pursuant to the provisions of 10 U.S.C. 2357; to the Committee on Armed Services.

1078. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to extend the act of September 7, 1957, relating to aircraft loan guarantees; to the Committee on Interstate and Foreign Commerce.

1079. A letter from the Special Railroad Board, Washington, D.C., transmitting a report to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, pursuant to the provisions of Public Law 90-54; to the Committee on Interstate and Foreign Commerce.

1080. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1081. A letter from the Secretary of the Interior, transmitting a report of the study commission on sites and plans for a National Visitor Center, pursuant to the provisions of Public Law 89-790; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PEPPER: Committee on Rules. House Resolution 920. Resolution providing for the consideration of H.R. 6736, a bill to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities, and to authorize a comprehensive study of instructional television and radio, and for other purposes. (Rept. No. 642). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 921. Resolution providing for the consideration of H.R. 16073, a bill to amend title III of the Packers and Stockyards Act of 1921, as amended (Rept. No. 643). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 922. Resolution providing for the consideration of H.R. 6430, a bill to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes (Rept. No. 644). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 923. Resolution providing for the consideration of H.R. 6418, a bill to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes (Rept. No. 645). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN (for himself, Mr. Utt, and Mr. Gubser):

H.R. 12950. A bill to amend the Internal Revenue Code of 1954 to eliminate the 3-percent and 1-percent floors on deductible medical expenses in the case of individuals who have attained age 65 and are not covered for hospital insurance benefits under the Social Security Act; to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 12951. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 12952. A bill to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes; to the Committee on Banking and Currency.

H.R. 12953. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture; to the Committee on Education and Labor.

By Mr. GARMATZ (for himself, Mr. Downing, and Mr. Mailliard):

H.R. 12954. A bill to amend the Merchant Marine Act, 1936, with respect to the development of cargo container vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HALPERN:

H.R. 12955. A bill to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities, and to authorize a comprehensive study of instructional television, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD:

H.R. 12956. A bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oil; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 12957. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 12958. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. PIKE:

H.R. 12959. A bill to amend section 2304 of title 10 of the United States Code to require anyone contracting with the United States under that section to certify that the contract price does not exceed the highest price, per unit basis, of that contractor to any other purchaser similarly situated, and for other purposes; to the Committee on Armed Services.

By Mr. RIVERS:

H.R. 12960. A bill to amend title 10 of the United States Code so as to provide that the Chief of the Medical Service Corps of the Navy shall be a rear admiral; to the Committee on Armed Services.

H.R. 12961. A bill to amend title 37, United States Code, to authorize the nontemporary storage of household effects of members in a missing status; to the Committee on Armed Services.

By Mr. SCHEUER (for himself, Mr. Burton of California, Mr. Button, Mr. Cohelan, Mr. Diggs, Mr. Edwards of California, Mr. Friedel, Mr. Halpern, Mr. Hawkins, Mr. Madden, Mr. Nix, Mr. Ottinger, Mr. Reuss, Mr. Roybal, and Mr. Ryan):

H.R. 12962. A bill to provide for the establishment of a Commission on Negro History and Culture; to the Committee on Education and Labor.

By Mr. ZWACH:

H.R. 12963. A bill to amend the income limitation provisions applicable to veterans and widows of veterans receiving nonservice-connected disability pensions under chapter 15 of title 38, United States Code; to the Committee on Veterans' Affairs.

By Mr. EDWARDS of California (for himself, Mr. Corman, and Mr. Wiggins):

H.R. 12964. A bill to provide for the appointment of additional circuit judges; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 12965. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of pension, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MATSUNAGA:

H.R. 12966. A bill to amend title 10 of the United States Code so as to make members of the Retired Reserve eligible to utilize services and facilities under the Department of Defense which are operated with nonappropriated funds; to the Committee on Armed Services.

By Mr. MILLER of Ohio:

H.R. 12967. A bill to amend title 38 of the United States Code to prevent loss of veteran pension benefits as a result of increases in social security benefit payments resulting from enactment of the Social Security

Amendments Act of 1967; to the Committee on Veterans' Affairs.

By Mr. GIBBONS:

H.R. 12968. A bill to amend chapter 37 of title 38, United States Code, to provide relief for certain veterans purchasing homes with assistance under such chapter who have been recalled to active duty; to the Committee on Veterans' Affairs.

By Mr. MATSUNAGA:

H.J. Res. 831. Joint resolution regarding the status of the Trust Territory of the Pacific Islands; to the Committee on Interior Insular Affairs.

H.J. Res. 832. Joint resolution providing that an environmental health center that may hereafter be established in the Public Health Service shall be known as Rachel Carson Memorial Research Center for Environmental Health; to the Committee on Interstate and Foreign Commerce.

By Mr. MONTGOMERY:

H.J. Res. 833. Joint resolution proposing an amendment to the Constitution of the United States providing that the offering of prayers or any other recognition of God shall be permitted in public schools and other public places; to the Committee on the Judiciary.

By Mr. FOUNTAIN:

H.J. Res. 834. Joint resolution in opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. GROSS:

H.J. Res. 835. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

287. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Federal highway safety money, which was referred to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12969. A bill for the relief of Pietro Guidara; to the Committee on the Judiciary.

By Mr. AYRES:

H.R. 12970. A bill for the relief of David Brunswick; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 12971. A bill for the relief of Calogero Barbera; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 12972. A bill for the relief of Antonio Pipitone; to the Committee on the Judiciary.

H.R. 12973. A bill for the relief of Francesco and Maria Polizzi; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 12974. A bill for the relief of Vincenzo Citro; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 12975. A bill for the relief of Vito Navarra; to the Committee on the Judiciary.

H.R. 12976. A bill for the relief of Pasquale Di Prima; to the Committee on the Judiciary.

H.R. 12977. A bill for the relief of Giuseppe Sereno and Orsola Mannino Sereno; to the Committee on the Judiciary.

By Mr. HUNT:

H.R. 12978. A bill for the relief of Frank J. Schmitt; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 12979. A bill for the relief of George Panagis Cosmatos and Ingrid Birgitta Ljungrberg-Cosmatos; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 12980. A bill for the relief of Wilfredo V. Leano; to the Committee on the Judiciary.

By Mr. REES:

H.R. 12981. A bill for the relief of Tadeusz Kochman; to the Committee on the Judiciary.

H.R. 12982. A bill for the relief of Mr. and Mrs. Mohamed Hussein Fahmi; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 12983. A bill for the relief of Hung Jung; to the Committee on the Judiciary.

H.R. 12984. A bill for the relief of Nam Hyung Lee; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 12985. A bill for the relief of Amutta Gaberiel; to the Committee on the Judiciary.

H.R. 12986. A bill for the relief of Hector M. Zaraspe; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

154. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to improving the legislative procedure; to the Committee on House Administration.

155. Also, petition of Henry Stoner, Avon Park, Fla., relative to bills introduced in the House of Representatives; to the Committee on House Administration.

156. Also, petition of Rochester Harris, Jackson, Mich., relative to a request for a writ of habeas corpus; to the Committee on the Judiciary.

157. Also, petition of City Council, Riverbank, Calif., relative to a Federal tax-sharing program; to the Committee on Ways and Means.

SENATE

MONDAY, SEPTEMBER 18, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Joe Hale, associate director, General Board of Evangelism, the Methodist Church, Nashville, Tenn., offered the following prayer:

Our God and Father, we stand in Thy presence with lives that are open to Thee.

Help us to be sensitive to the challenge of this day in which our decisions involve the destinies of so many nations and persons. Keep before us the realization that we are accountable to Thee for all our resources and that the judgment of our stewardship is weighed in Thy balance.

Search our motives and the secret ambitions that shape our words and actions. Deliver us from acting on the basis that the end justifies the means. May we work untiringly for the fulfillment of Thy design in the world, whether our commitment means comfort or suffering, life or death.

We pray in the name of Christ, in whose life we see light. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, September 14, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that the President had approved and signed the following acts:

On August 31, 1967:

S. 16. An act to amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes; and

S. 281. An act to increase the amount of real and personal property which may be held by the American Academy in Rome.

On September 11, 1967:

S. 1633. An act to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding rules VII and VIII, the call of the Legislative Calendar be dispensed with.

ORDER FOR RECOGNITION OF SENATOR MORSE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Oregon [Mr. MORSE] be recognized immediately for a period of 30 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the speech by the Senator from Oregon, statements in relation to the transaction of routine morning business be limited to 3 minutes.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The **PRESIDING OFFICER** (Mr. MONTOYA in the chair). In accordance with the order previously entered, the Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I thank the leadership for the accommodation it has extended to me. In the interest of cooperating with the leadership I shall not yield until I complete the reading of my speech on the railway case, and then I shall be available for questions any Senator may wish to ask me.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. LAUSCHE. Is the time granted to the Senator from Oregon limited to 30 minutes, which is to cover both the question period and the reading of his manuscript?

The **PRESIDING OFFICER.** The order is that the time is not to exceed 30 minutes.

RAILROAD SHOPCRAFT DISPUTE

Mr. MORSE. Mr. President, last Friday, the Special Board appointed by the President to help settle the railroad shopcraft dispute made its report and determination which it delivered to the President of the United States, you, Mr. President, and the Speaker of the House of Representatives. Having been one of the principal advocates of Senate Joint Resolution 81 and having been honored by the President by being appointed Chairman of the Special Board, I believe that it is appropriate for me to report to my colleagues on the work of the Special Board.

I am happy to report that the decision of the Board was unanimous.

The actual determinations of the Special Board were as follows:

First. A general wage increase to all employees of 6 percent effective January 1, 1967, and an additional increase of 5 percent to all employees effective July 1, 1968.

Second. Additional wage increases for journeymen and mechanics as follows: April 1, 1967, 5 cents; October 1, 1967, 5 cents; April 1, 1968; 5 cents; October 1, 1968, 5 cents.

Third. The determination of the Board shall be effective for a period of 2 years from January 1, 1967, through December 31, 1968.

I am very proud of this Board. It has labored long and hard in the best tradition of boards of mediation. While we did not agree on every point during our long discussions, I am happy to be able to say that the determination was unanimous and that it was signed by each of the Board members.

This determination was made with great reluctance, since all the Board members had hoped that the parties would be able to settle their differences during the 60-day period which has so far elapsed under the statute, and therefore make this determination unnecessary. It is now our hope that the parties will be able to negotiate and sign a contract during the next 30 days rather than have our determination go into effect by force of law. The unions have apparently indicated their willingness, and it is to be hoped that the carriers, who desired this type of law in the first place, will follow suit.

It is my opinion, and it was the final judgment of the Board, that the parties did not adduce evidence which would have allowed the Board to change the determination of the Fahy panel for the period covered by that report.

However, due to the passage of time since the Fahy panel made its recommendations, it was our opinion that this Board's determination should cover a period of 2 years rather than the 18 months covered by the Fahy panel. The Board, therefore, adopted the basic provisions of the Fahy report and extended the contract period for an additional 6 months, with appropriate provisions to cover the additional time. It should be noted that the law passed by Congress specifically authorized the Board to extend the contract for a 2-year period. We found it to be in the public interest to do so.

Since neither of the parties had facts available which could have been used to solve their basic dispute as to wage differentials which should be paid to skilled employees on the railroads, the Board, with the complete agreement of both parties, is requesting the Department of Labor to initiate a far-reaching and broad fact-finding study. The results of this study are to be made available to the parties in September of 1968, so that it may be utilized by them in their next round of collective bargaining.

It is my judgment that in recommending the 6 percent across-the-board wage increase for all employees for 18 months, which is exactly what the carriers offered, and an additional 5 percent increase for the last 6 months, a just and equitable middle ground which is fair to the parties and to the public has been selected.

I am also of the opinion that the four 5-cent skilled craft wage increases are completely justified. There was no dispute between the parties that some skilled differential was justified. The argument was over the amount of the differential and the question of which employees should be considered skilled employees and which therefore should receive the additional increase.

In this connection, I was amazed by the lack of information on this key issue to the dispute. Neither party could supply the Board with any facts concerning the number of employees that had arrived at a skilled classification by means of apprenticeship training programs or the number that had been promoted pursuant to upgrading agreements contained in the parties' collective bargaining contracts. It was this lack of information which caused the Board to recommend most strongly that the Department of Labor make a thorough study of the wage differential problem so that the facts would be available to the parties before their next round of collective bargaining on this issue.

There is no question that the granting of a wage differential is justified. Skilled mechanics in the railroad industry are lagging 40 cents, 60 cents, and in some cases even $1.25 per hour behind the wages received by similarly skilled persons employed in other industries. I believe, therefore, that the Board was completely justified in allowing four 5-cent increases, which will not nearly meet the wages paid to the same skills in outside industry.

I think it is clear that in passing Public Law 90–54, under which this Board was authorized to act, Congress recognized the great losses the country would suffer from a prolonged railroad strike.

What happens to the country when there is a cessation of railroad operations? The following was compiled as of 10 a.m., July 17, 1967, when the shutdown was about 12 hours old and its full impact could not yet be measured:

1. 86% of rail miles were shut down.
2. But 6 major railroads could operate.
3. Defense shipments:

10 ammunition vessels were scheduled to load; however, most of the 1500 rail cars required to load these ships were tied up and could not get to the ports.

Hundreds of missiles in movement were *stopped*.

Dozens of tanks and armored personnel carriers between depots and ports for movement to Vietnam were *stopped*.

Several Polaris missiles and other classified shipments were *tied up*.

4. Passengers:

Commuters stranded:

New York City	175,000
Chicago	115,000
Philadelphia	80,000
Boston	15,000
San Francisco	10,000

All long-haul passengers were stopped.

5. Mail:

By the end of the day, first class mail could move only on a priority basis.

Embargo was in effect on all second, third and fourth class mail over 150 miles.

6. Perishables:

10,000 cars of refrigerated shipments—fruit, vegetables, eggs, poultry, etc.—*stopped*.

200 cars—livestock on the hoof—*stopped*.

Inventory of feed for livestock herds in southwest and northeast threatened to be critical within 3 to 4 days.

The total inventory of fresh meat could become critical within 2 days.

These, then, were some of the initial costs to the health and welfare of our Nation and to our effort to supply our men in Vietnam. The longer term costs are even greater. It has been estimated that the following is the expected result of a rail shutdown:

Segments of the economy affected were:

At the beginning of the shutdown: Coal; coal exports; rayon manufacture; several chemical industries; refrigerator car traffic; large parts of animals for slaughter; movement of grains and sugarbeets being harvested; commuter and long distance rail passenger service.

Beginning 1 week after shutdown and cumulating quickly: Auto manufacture; construction; chemicals.

Two weeks after shutdown: Periodicals—especially weeklies—could not be published.

Three weeks after shutdown: Noncellulose fibers; boiler products; large transformers; motors, generators.

One month after shutdown: Machinery products; mattresses and bedding, and a host of other commodities of that nature.

At end of 1 month, additional unemployment is estimated at over 6,500,000 persons. Total unemployment is estimated at 15 percent or more. This is as great as the Great Depression of the 1930's.

There are also direct costs to the railroad industry itself which it indicated during the course of the Senate hearings on Senate Joint Resolution 81 to be about $12 million a day—half in fixed charges which continue whether the railroads operate or not and half in unemployment compensation to the workers on strike in accordance with applicable statutes. Twelve million dollars a day would have been the railroad loss if a strike of any duration had occurred; yet the difference between the original demands of the two parties was only $139 million. Eleven days of strikes would have cost the carriers the equivalent of the difference. This does not include the loss of income the railroads would have suffered during the period of the strike.

The purpose of the procedure embodied in Public Law 90-54 was to save the public from the crippling effect of a work stoppage. It did that. But that does not mean we were to ignore the prevailing economic conditions, and ignore what the employees might have won if collective bargaining—including a strike—had proceeded without the interruption of the statute.

Do not forget that Congress has been blocking strikes in this industry for some 40 years. The workers have been denied the use of one of the basic elements in the collective bargaining process.

Every time a rail dispute is thrown into the hands of a publicly appointed body to settle, the obligation upon the public to insure that the wages of these people keep pace with wages in other industries increases.

DETAILS OF BOARD SETTLEMENT

Let me take a few minutes to discuss in greater detail the Board's determination. As you are all aware, the Board was mandated during the first 30 days to seek a mediated solution. This we attempted to do. However, much as we desired to achieve such a settlement of the dispute it was not possible. The Board then had the responsibility under the statute of developing in detail a record upon which it was to make its own determination of the dispute. The statute allowed 30 days for both the development of the record and the determination itself. The Board therefore carefully allocated this period in order to give both the parties the maximum opportunity to present evidence before it, to argue their respective positions, and to allow the Board itself to have time to have meaningful discussions and to write a report.

The Board allowed the parties to file three briefs, two series of affidavits and supporting exhibits, and up to 3 days of oral presentation of evidence in addition to 2 days of oral argument. In fact, only 1 day was needed by the parties for the oral presentation of evidence.

During these days the Board explored in great detail the problems of the parties, the Fahy panel recommendations, and possible modifications of those recommendations which were desired by the parties. This was done in accordance with Public Law 90-54, and I quote from the law which was passed by Congress, which required the Board to—

> Hold hearings on the proposal made by the Special Mediation Panel, in its report to the President of April 22, 1967, in implementation of the collective bargaining contemplated in the recommendation of Emergency Board Numbered 169, to determine whether the proposal (1) is in the public interest, (2) is a fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case, (3) protects the collective bargaining process, and (4) fulfills the purposes of the Railway Labor Act.

The first problem which faced the Board was what the length of the determination should be. The Fahy panel recommendation had been for 18 months, but by the time its determination went into effect about 6 months more of the contract term would have elapsed and the expiration date of the contract would then have been but 9 months after the Board's determination. Furthermore, the Board felt that the only way to solve effectively the problem which had been plaguing the parties was to have an impartial factual study undertaken under the auspices of the U.S. Department of Labor. In order to meaningfully complete this study, and yet to make available to the parties in time for it to affect their next round of negotiations, the contract term could not expire 9 months after the Board's determination. Accordingly, the Board adopted as its term the 2-year period which Congress had specified in Public Law 90-54.

Turning now to the actual wage demands, the demands of the union were 6½ percent for the first year and 5 percent for the second. The carriers offered 5 percent for 1 year which they upped to 6 percent for 18 months—the Fahy recommendation, and which they indicated was equivalent to their original 5 percent offer. Clearly in the 18-month period it is the carriers' offer, and not the union's demand, which has been accepted by the Board. The question then was what increase should be given during the last 6-month period and the majority of the Board agreed that 5 percent was the appropriate figure in view of the fact that this was consistent with the settlements which were occurring elsewhere in the United States; noninflationary; and in line with productivity increases which were occurring in the industry. As I noted earlier, the Board was unanimous in agreeing that this additional period should be added to the Fahy recommendation, both because almost 6 months have elapsed since that recommendation was made and because only with it added will there be sufficient time to conduct the factfinding study that the Board unanimously feels is the only ultimate method for solving the basic dispute between the parties.

There are some who call this determination inflationary. The carriers so characterized it. What else would you expect when the Board determination was higher than what they had offered to the railroad workers? Furthermore, their statement is not in accord with the facts—facts which the carriers themselves presented to the Board during the course of its hearings. Their own evidence answers this charge of inflation on the part of the carriers. It is an unsound charge. It was the carriers that through one of the exhibits which they submitted, acquainted the Board with the report of the U.S. Department of Labor regarding major wage developments during the first 6 months of 1967. That report indicated that there was a rising pattern of wage settlements which for the first year of the contract term averaged 5.4 percent in manufacturing industries. The Board determination averages 5.5 percent over 2 years, exactly what the national trend is.

Do not forget when we talk about 5 percent we are talking about the last 6 months of 1968. In the first 6 months of 1967, in manufacturing industries, by their own collective bargaining agreements, the increase has been 5.4 percent.

Does anyone have any doubt as to what the probabilities indicate will be the situation in the last 6 months of 1968? I am satisfied that we can take judicial notice that the 5-percent recommendation of the Board for the last 6 months of 1968 will be far below what will be the wage increases at that time, unless we go into a completely controlled economy with control over price increases.

Let me say most respectfully, in answer to the inflationary argument—and I made this clear during the sessions of the Board—how many days do we think it will be before that increase will be translated onto the supper table of every worker in America by way of an increased cost of that supper?

We had a clear duty, under the statutes which Congress passed, to promulgate the Fahy report, unless the parties showed justification, by evidence, for modifying the Fahy report. As Chairman of the Board, I believe that both the carriers and the brotherhoods failed to present a record in any way to justify modifying the Fahy report for the 18 months covered by it.

The decision of the Board to extend the Fahy report underwrites the Fahy report and makes the appropriate additions to it because the Board extended the contract from 18 months to 2 years.

Rather than being inflationary, it is well within the limits of settlements which are occurring in other industries in the United States. Industries, I might note, which take into account in their wage settlements the continually rising spiral of prices.

Turning now to the skill differential which we have granted in accordance to the Fahy recommendation, I should note that everyone agrees that a downpayment toward resolving the existing inequity is in order.

Mr. President, all during World War II, although we established a wage stabilization level, whenever in an individual case it could be shown that a gross wage inequity existed in that industry, the War Labor Board, in hundreds of cases, corrected that inequity. I served on that Board as a public member. All we have done in this case, in another period of war, is to apply the same principle of making some attempt to iron out, at least to a reasonable degree, a gross inequity—which the record in this case shows exists in the railway industry today.

Thus, I say that it was agreed by both sides that some downpayment should be made to iron out this inequity. The differences which developed between the parties concerned the amount of that downpayment.

It is only its size that is in dispute. The Board has granted four 5-cent adjustments which result in an increase at the end of the contract period of 20 cents. Any other payments which allegedly close the skill-differential gap are based upon the general wage increase which would be received regardless of our determination regarding the skill differential due the journeymen and mechanics. This gap is presently conceded to be in the neighborhood of 40 to 50 cents per hour although some equivalent jobs pay as much as $1 or $1.25 per hour more outside the railroad industry. That payment of 20 cents per hour by the end of the contract term might be considered to be a 40 or 50 percent closing of the gap, were it not for the fact that we cannot assure that the wage rates for equivalent jobs will remain stationary for the next 15 months. On the contrary, we expect those job wage rates to increase also. The real terms of closing the wage-differential gap between skilled employees in the railroad industry and those holding equivalent jobs in other industries cannot be accurately determined. But as an estimate, I would say it will only be closed by about 20 to 25 percent by the skill differential granted by the Board—a most reasonable downpayment, in my opinion.

One final note on the skill differential. In reading the Board's decision, you will note that there was a dispute as to whether stationary engineers and stationary firemen were included in the Fahy panel determination that journeymen and mechanics were to receive a skill differential. The Board concluded that stationary engineers were included within the description of journeymen and mechanics, while stationary firemen were not. This was done on the basis of exhibits which were furnished by both parties, especially an exhibit which was furnished originally before the Ginsburg board by the carriers which lists stationary engineers among the skilled workers. I should note that this characterization should be obvious, since in many States stationary engineers must pass an examination and be licensed before they may pursue their occupation.

I should note, parenthetically, that when Congress first heard about this dispute, and when it was before the Fahy panel, it appeared to be a difference of money alone. However, when the Board got into the specifics of the situation, it found that there was a great deal of principle involved. There is a genuine difference of opinion, without any facts on either side, as to the skill of so-called journeymen and mechanics in the railroad shopcrafts. It is the carriers' contention that many of the skilled workers do not possess the skills which they should have to be considered to be a qualified journeyman mechanic. On the other hand, the brotherhoods contend that it is not a question of employee skill but of employer job assignment, a matter over which the employees have no control. If the carriers wish to utilize a particular employee most of the time for many years to perform relatively unskilled operations, this is the carriers' choice and the fact that over the years that employee has not shown that he possesses all of the skills considered to be within the scope of a journeyman, is merely because his employer has never given him the opportunity to demonstrate his skills, not his lack of them.

The carriers also made a point of the fact that not all the employees in the journeyman and mechanic classifications received their classification as the result of apprenticeship training. The unions agreed that this is true, but pointed out that the workers in question were upgraded by the carriers, at the carriers' request, in times of labor shortage, because the carriers were unable to recruit the necessary skilled mechanics at the wage rates they have been paying.

In passing the bill, Congress laid down as one of the criteria "to promote collective bargaining." The differentials, so far as these particular employees are concerned were created at the request of the carriers themselves, and were written into the collective bargaining agreement by the carriers, at their request. What they said to the union was, "We want you, as to these employees, to set aside your apprenticeship program of 4 years."

As was pointed out in the hearings, they made specialists of these employees. They agreed that they should be treated as journeymen and mechanics and paid as journeymen and mechanics. In the opinion of the Board, they are bound by their collective bargaining agreement.

Yet, there is another matter to which I would invite the attention of the Senate, and that is that the passage of time, the years spent on the job, produces also a training which supplants or substitutes for an apprenticeship training program.

Reporters also recognized that there should not be any decrease as to these particular employees, but that we ought to use a "red circle concept" in this particular area, so any decreases which might result would not apply to men already employed, but only to new employees.

Be that as it may, this board of mine was confronted with a collective bargaining fact; namely, that these employees had been upgraded at the request of the carriers. It goes back even before World War II, when the carriers could not get the skilled employees they needed. In fact, they have a hard time getting them now, and one of the reasons why they have a hard time getting them now is the wage differential between work in the railroad industry and outside that industry. The skilled men working in the railroad shops are not getting as much as similarly skilled men who work in aircraft repair shops or trucking concern shops or automobile factories, or where other similarly skilled employees are needed. The railroad wages fall short by 40 cents or 50 cents or 60 cents, or even up to $1 and $1.25 more per hour.

That is what my board was confronted with. That is what the Fahy board was confronted with.

The law Congress enacted placed upon my board the obligation to follow the Fahy board report, unless good cause could be shown for a modification. The Fahy board, suggested for an 18-month period, three 6-month periods in which there should be a 5-cent-an-hour increase for each period. We extended it to 2 years, which means four 6-month periods, and kept faith with the Fahy board recommendation and added an additional 5 cents for the fourth period.

When the board requested specific information from the carriers and the unions regarding the skill of employees in relation to each other, or in relation to similarly described classifications in other industries, the parties were unable to supply it. When the board requested information regarding the number of employees who received their journeyman and mechanics classification as a result of apprenticeship training and how many had been upgraded, the parties were unable to supply it. When the board requested information as to whether employees who had received apprenticeship training or upgraded employees were holding more of the skilled jobs, the parties were unable to supply it.

The board concluded that while this basic problem caused the stalemate between the parties, there were no facts on either side for a rational solution. When this was pointed out to the parties they agreed that a factfinding study conducted under the auspices of the Department of Labor would be most helpful to them. The board therefore recommended that such a study be undertaken. It believed that only through such a study can the ultimate problem causing the dispute be finally settled. It believed that such a study was in the best interests of the public and of the parties and that the existence of such a study would in this industry, as it has in the longshore industry, promote the process of collective bargaining.

I was chairman of the longshore board for the east coast in 1963. We proposed exactly the same kind of study by the Department of Labor in that case. That study was made. I testify here on the floor of the Senate that both the shipowners and the longshoremen have come to appreciate the soundness of the recommendation of my board in 1963 for that kind of study, because there, too, the parties could not give us the facts we needed.

In this case neither the unions nor the carriers could tell us the results of training through the apprenticeship training program of 4 years. In this case neither the brotherhoods nor the carriers could tell us how many journeymen they have and how many of these journeymen are upgraded and how many of them reached their journeyman status by way of the apprentice program.

Those facts are essential. We are going

to get them under the study my board has recommended.

Mr. President, the expense of such a study to the Department of Labor, a study not contemplated in their request of the Congress for funds to operate that Department, should be willingly appropriated by this Congress as a means of promoting the collective-bargaining process and of avoiding having disputes of this type come before the Congress.

Mr. President, I ask unanimous consent that the report of the Special Board appointed pursuant to Public Law 90-54 be printed at this point in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

September 15, 1967.

The President,
The White House,
Washington, D.C.

Dear Mr. President: The Special Board you appointed pursuant to Public Law 90-54 to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees has the honor to present herewith its report and determination.

Respectfully,
Wayne L. Morse,
Chairman.
Frederick R. Kappel,
Member.
Theodore W. Kheel,
Member.
George Meany,
Member.
Leverett Saltonstall,
Member.

Report and Determination of the Special Railroad Board Established Pursuant to Public Law 90-54

BACKGROUND

Public Law 90-54 was passed by Congress on July 17, 1967 and signed by the President the same day. As will be set forth more fully below, the law provides for the establishment by the President of a 5 member board to attempt to resolve the dispute between virtually all of the Class I railroads of the United States, represented by the National Railway Labor Conference, and their shopcraft employees represented by the International Association of Machinists and Aerospace Workers; International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers; Sheet Metal Workers International Association; Brotherhood of Railway Carmen of America; International Brotherhood of Electrical Workers; and International Brotherhood of Firemen and Oilers, hereinafter referred to as the shopcraft unions or brotherhoods.

The collective bargaining out of which this controversy arose began on May 17, 1966 when the brotherhoods served notices pursuant to section 6 of the Railway Labor Act requesting wage increases and a number of other changes in wages, hours and working conditions. The next month, individual railroads made various proposals upon the brotherhoods. In accordance with what has apparently become the usual practice in the industry, the proposals were referred to the national level in September 1966 and in October mediation sessions, under the auspices of the National Mediation Board, were held. In December 1966 the brotherhoods turned down a mediation proposal for settlement of the dispute. On January 6, 1967, the National Mediation Board having determined that further mediation efforts would be fruitless, made a formal proffer of arbitration in accordance with the requirements of the Railway Labor Act.

The shopcraft unions formally declined the proffer of arbitration on January 9, 1967. Ten days later the National Mediation Board notified the President that in its judgment the dispute threatened substantially to interrupt interstate commerce so as to deprive the country of essential transportation service. Thereupon, on January 28, 1967, the President issued Executive Order No. 11324 creating Emergency Board No. 169. The Board consisted of Messrs. David Ginsburg, Chairman, and Frank J. Dugan and John W. McConnell, members.

The Ginsburg Board submitted its report to the President on March 10, 1967 and thereafter the parties met and bargained collectively. While the railroads were prepared to accept the recommendations of Emergency Board No. 169, the brotherhoods were not.

On March 31, 1967, the National Mediation Board requested that the parties meet again and meetings were held with Chairman Francis A. O'Neill, Jr., and Under Secretary of Labor James J. Reynolds between April 4 and April 10. Because agreement appeared impossible prior to the strike deadline of April 13, 1967, the President requested that Congress extend the no strike period set forth in Section 10 of the Railway Labor Act for an additional 20 days in this case. Public Law 90-10 was passed by the Congress on April 11, 1967 and signed by the President the following day. This law extended the period of statutory restraint until May 3, 1967.

On April 12, 1967, and in accordance with his message requesting Public Law 90-10, the President appointed a Special Mediation Panel consisting of Judge Charles Fahy, Chairman, and Drs. John T. Dunlop and George W. Taylor, members.

Thereafter, this Special Mediation Panel met with the parties, both separately and together, but were unable to find during the course of 28 meetings a method of achieving a settlement by the parties. Finally, on April 22, 1967, the Special Mediation Panel made a proposal of its own for the settlement of the outstanding issues in dispute and transmitted its proposal to the President and to the parties. This proposal was found to be unacceptable in whole or in part by both parties.

As a result of the continuing impasse, the President on April 28 again requested the Congress to avert the strike, which was then scheduled for 12:01 a.m., on May 3, 1967, for a period of 47 days. Public Law 90-13 was signed by the President on May 2, 1967.

On May 4, 1967, the President sent a message to the Congress recommending special legislation to resolve this dispute. Hearings were held in the House for 12 days and in the Senate for 7 days. The joint resolution passed the Senate on June 7. The House passed an amended version on June 14. A conference of the Houses was held, during which the time period specified in Public Law 90-13 expired. However, the brotherhoods agreed that for a reasonable period of time thereafter no unilateral actions would be taken by them. On July 11, 1967 chairmen of the Conference Committees of each House were notified that the guarantee not to engage in unilateral action was being withdrawn at the end of that week. On July 16-17, 1967, interruptions in service occurred on most of the Class I railroads in the United States. Public Law 90-54 was passed by both Houses and signed on July 17, 1967.

REQUIREMENTS OF PUBLIC LAW 90-54

Public Law 90-54 provides that the Special Board shall attempt by mediation to bring about a resolution of this dispute and thereby to complete the collective bargaining process. The statute further provides that if agreement has not been reached within thirty days after its enactment the Special Board shall hold hearings on the proposal made by the Special Mediation Panel, in its report to the President on April 22, 1967, in implementation of the collective bargaining contemplated in the recommendation of Emergency Board No. 169.

Under the terms of the statute the purpose of the aforementioned hearings is to determine whether the April 22 proposal of the Special Mediation Panel (1) is in the public interest, (2) is a fair and equitable settlement within the collective bargaining and mediation efforts in this case, (3) protects the collective bargaining process and (4) fulfills the purposes of the Railway Labor Act. Following the hearings, during which the parties are required to be accorded a full opportunity to present their positions concerning the proposal of the Special Mediation Panel, the Special Board is required to make a determination by vote of the majority of its members on or before the sixtieth day after the enactment of the statute, and to incorporate the proposal of the Special Mediation Panel with such modifications, if any, as the Board finds to be necessary to meet the four statutory criteria mentioned above. This determination is to be promptly transmitted by the Board to the President and to the Congress.

Finally, the statute provides that if agreement has not been reached by the parties by 12:01 o'clock antemeridian of the ninety first day after the enactment of the statute, the determination of the Special Board shall take effect and shall continue in effect until the parties reach agreement or, if agreement is not reached, until such time, not to exceed two years from January 1, 1967, as the Board shall determine to be appropriate. The statute further provides that the Board's determination shall have the same effect (including the preclusion of resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act.

As will be discussed more fully below, mediation efforts by this Board were not successful in concluding an agreement between the parties on each of the issues in dispute and hearings in accordance with the statute and a determination by this Board proved necessary.

PROCEDURES FOLLOWED BY THE BOARD

As noted earlier on July 18, 1967, the President appointed this Special Board established under Public Law 90-54 composed of Senator Wayne L. Morse, Chairman, and Messrs. Frederick R. Kappel, Theodore W. Kheel, George Meany and Senator Leverett H. Saltonstall, members.

The entire Board met formally with the parties and engaged in mediation on July 25, 1967 and August 1, 10, and 11, 1967. In between formal sessions various members of the Board made themselves available to the parties for further mediation.

On August 16, 1967, the time for mediation under the statute ceased and the Board was required to hold public hearings on the proposal of the Fahy Panel and any modification thereof which the parties desired. The Board held a pre-hearing conference with the parties on August 21, 1967, as a result of which a hearing schedule was established.

The parties made opening statements to the Board on August 23, 1967. On August 25, 1967, briefs and affidavits in support or any modifications of the Fahy Panel proposal desired by the parties were filed and on August 28, reply briefs and counter affidavits were filed by each of the parties.

On August 29, 1967, hearings were held at which time the parties were given an opportunity to present oral testimony. The Board had originally allowed three days for such hearings; however, the parties found that the presentation of affidavits and exhibits obviated the need for extensive hearings and were able to conclude in one day.

On September 7, 1967, the parties filed final briefs with the Board and on September 9 final oral arguments were heard. The Board then went into executive session to review the record and develop its determination.

ISSUES IN DISPUTE

At the outset of its mediation efforts in this case the Board attempted to obtain from the parties agreement on the basic issues in this dispute to which it was required to address itself. On the basis of the proposal of the Special Mediation Panel and the positions of the parties the following are the issues in dispute:

(1) The effective date and duration of the agreement and the date on which contract reopening notices may be served,

(2) the general wage increase or increases to be granted to all employees and the effective date or dates thereof,

(3) the amount and effective dates of any wage inequity adjustments, and

(4) a determination as to the employees entitled to such wage inequity adjustments.

CONCLUSIONS

Based upon extensive discussion, hearings, and argument by the parties, an exhaustive review of the record and our deliberations in executive sessions this Special Board has reached the following conclusions which form the basis for our determination.

First, it is our conclusion that in the light of the aforementioned criteria contained in Public Law 90-54, the parties, in their presentation before the Board, failed to justify any departure from the basic principles of the proposal of the Special Mediation Panel for the 18-month period which that proposal covered. Accordingly, our determination incorporates therein the proposal that a general wage increase in the amount of 6 per cent effective January 1, 1967 be granted to run for 18 months with additional wage rate increases for journeymen and mechanics classifications[1] as follows: April 1, 1967, 5 cents; October 1, 1967, 5 cents; April 1, 1968, 5 cents.

Second, it is our conclusion that in the light of the aforementioned statutory criteria the duration of the contract should be extended an additional 6 months beyond June 30, 1968. The proposal of the Special Mediation Panel was made on April 22, 1967. Since that time almost 5 months have gone by and just short of 6 months will have expired by the time our determination becomes effective. A contract of shorter duration than two years would necessitate reopening discussions of the issues in dispute only a few months after our determination is rendered. Moreover, a contract expiration date of June 30, 1968 would not provide sufficient time for the completion of the factfinding study which we subsequently recommend and which we feel is essential to the development of meaningful information to ultimately resolve the skill differential-wage inequity issue and promote the development of sound constructive collective bargaining relationships between the railroads and their shopcraft employees.

Third, in view of the extension of the contract duration for an additional six months the Board concludes that in the light of the aforementioned statutory criteria the following additional changes are warranted:

(1) A general wage increase of 5 per cent for all employees effective July 1, 1968.

(2) An additional wage rate increase of 5 cents for journeymen and mechanics classification effective October 1, 1968.

(3) Notices on basic wage rate increases may be received any time after September 1, 1968, and any change may be effective only on or after January 1, 1969.

Fourth, a basic issue running to the heart of this dispute is the so-called wage lag for skilled employees. Both sides recognize that a wage inequity exists but are in disagreement as to whom any inequity adjustment should apply.

During the course of this Board's mediation efforts it became apparent that the carriers and the unions lacked the essential information necessary to carry on meaningful collective bargaining on this question. Fundamental facts as to the characteristics of the work force involved, the amount and type of training received by the various skilled classifications, and qualitative comparisons of the skill required and work performed by these classifications as compared to similar occupations in other industries simply were not available.

This gave rise to the suggestion—again during the mediation phase of our proceedings—that it would be in the interests of both sides to agree to a factfinding study of the entire "skill differential" and "wage inequity" question to be used in their next round of collective bargaining negotiations. Both sides conceded the merits of this suggestion and in subsequent arguments during the hearings phase of the Board's activities both sides alluded to such a study and agreed that an objective factfinding inquiry be undertaken.

It is the Board's opinion that a comprehensive factfinding study is the only basis upon which to ultimately and objectively resolve the skilled differential problem. Moreover, the Board is convinced that the parties recognize the need for such a study and in fact have indicated to the Board each side's willingness to cooperate with such as undertaking by the U.S. Department of Labor.

Accordingly, in the light of the aforementioned statutory criteria by which the Board is to be guided—especially the obligation to protect the collective bargaining process—we conclude that a factfinding study should be undertaken to assist the parties in their next round of negotiations. The study, under the auspices of the U.S. Department of Labor together with such assistance of other government agencies as may be necessary, should proceed on the basis of joint consideration by the parties of its scope and content.

The position of the shopcraft workers in the railroad industry is unique because of the wage compression which has occurred eroding the distinction in wage relationships between various skills. The Board, accordingly, believes that this study of factual data is essential for future bargaining efforts in order that the relative rates of pay for the different skills in the groups concerned in this present dispute may be properly identified for the future.

The study should be a comprehensive one covering all aspects of the skilled crafts-wage compensation problem, including but not necessarily limited to information concerning, such matters as the numbers of employees in each class or craft, the rates of pay for each class or craft, the number of employees who attained their present positions through formal apprenticeship programs, the number of employees who attained their present positions through upgrading or appointment, the railroads on which formal apprenticeship training programs or upgrading agreements exist and the extent to which apprenticeship training or upgrading are used, comparisons of skilled job classifications in the railroad industry with similar classifications in other industries, the relationship of the wages of shopcraft journeymen and mechanics in railroads to the wages of other railroad employees and of employees performing similar work in outside industry, and such other pertinent items as the Secretary of Labor, in consultation with the parties, shall determine to be essential to such a study in order to make it clear and helpful to all concerned.

The study is intended to assist the parties in their next round of collective bargaining negotiations. It is vital that the study be a factual one without any recommendations. It should be completed as promptly as possible but in any event the findings should be transmitted to the parties no later than September 1, 1968.

The Board feels confident that the President and the Congress will make available sufficient funds to permit the Department of Labor to undertake this study which the Board feels is so important to the railroad industry.

The Board has emphasized the importance of a study of the problem of who is entitled to a skilled wage differential. The Board is hopeful that under the impartial guidance of the Department of Labor in finding the facts in the railroad industry, a basis for future collective bargaining efforts will be obtained that will be helpful. The Board has gone along with the Fahy Panel in recommending the three five cent differentials and added one more to complete the two year contract duration recommendation. The Board has taken this position, with some reluctance on the part of some members, in an effort to be unanimous and yet at the same time, stress the importance of ultimately resolving this matter through the study by the Department of Labor.

The Board has agreed upon continuing the present differentials to all who have received them in the past, because the Board heard no evidence that made it possible fairly to affect changes. Unless this study is made the same differences of opinion as to who is entitled may well arise again to plague a settlement in the next wage discussion. For this reason, the Board desires that both sides will agree upon what may be included in the study in order that the finding of facts reached by the Department will be beneficial in future negotiations.

The Board has been appointed by the President under the provisions of Public Law 90-54 to maintain the transportation services of our country during the present emergency. It regrets this necessity. It believes in the principles of collective bargaining and trusts that the study it recommends will make it possible for the railroad industry and its unions to bargain together without the compulsion of a Presidentially appointed board. This will allow our economy to operate under the fundamental procedures that have given our country the strength and vitality of economic and political freedom which characterizes our American system.

DETERMINATION OF THE BOARD

It is the determination of this Board acting under the authority vested in it by Public Law 90-54 that, if the parties do not themselves hereafter agree to terms which would modify or supersede this determination, as of 12:01 ante meridan October 16, 1967, the following shall become effective:

(1) A general wage increase of 6 per cent shall be granted all employees effective January 1, 1967, and one additional general wage increase of 5 per cent to their then current rate shall be granted all employees effective July 1, 1968.

(2) Additional wage rate increases for journeymen and mechanics classifications, including stationary engineers but not stationary firemen, shall be granted as follows: April 1, 1967, 5 cents; October 1, 1967, 5 cents; April 1, 1968, 5 cents; and October 1, 1968, 5 cents.

(3) This determination shall be effective for the period January 1, 1967, through December 31, 1968. Notices on basic wage rates may be served any time after September 1, 1968 and any change may be effective only on or after January 1, 1969. Any notice may

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[1] A subsidiary question was raised as to whether the Fahy Panel proposal included stationary engineers and stationary firemen within the journeymen and mechanics classifications. It is our conclusion that stationary engineers were included and that stationary firemen were not.

be served, however, on other money items or rules.

WAYNE L. MORSE,
Chairman.
FREDERICK R. KAPPEL,[2]
Member.
THEODORE W. KHEEL,
Member.
GEORGE MEANY,
Member.
LEVERETT E. SALTONSTALL,
Member.

SEPTEMBER 15, 1967.

INDIVIDUAL VIEWS OF FREDERICK R. KAPPEL

I have signed this Special Board's determination with serious reservations bordering on disapproval of the 5% and the four five-cent skilled craft wage increases. The fact-finding study and the establishment of January 1, 1969 as the duration date of the determination I strongly support and approve of.

The case has been replete with evidence relating to the skilled craft dispute, which in fact has been the core issue between the parties to this dispute throughout our efforts to settle this matter and throughout three previous boards or panels that have been constituted for that purpose. The carriers have accepted the general wage recommendations of all of these boards and panels and only in the last, the Fahy Panel instance, did they not accept the recommendations concerning the skilled differential issue. The unions have accepted no part of any of these recommendations.

The money amounts included in this determination are excessive in my opinion on several counts. They are inconsistent with the current important need to contain inflation. They encourage resort to governmental procedures, because the wage rates recommended so nearly meet the full demands that caused this dispute from the beginning. They are excessive too in that the combined effect of the 6% and 5% increases and the four 5¢ increases result in a 25¢ increase in skill differentials, a substantial increase ordered before the machinery to determine a sound basis for eligibility and amount has had a chance to start.

I believe there is no real dispute about the eligibility for a differential to truly qualified employees, but for the Board to spread the differential to this extent is prejudgment without facts and not conducive to the final settlement by collective bargaining.

The case is replete with reasons to support this view and I regret that all of the persuasion at my command in the full and frank discussion and review of the evidence during this Board's deliberations did not produce a better result for the public, the ultimately better and more equitable solution of this problem by the parties, and most sincerely for the railroad's added burden of trying to manage successfully in the public interest. I have signed this Board report with the feeling that as bad as I consider it to be in the ways that I have mentioned, it would get no better by my withholding my signature and I have a satisfaction in knowing that it is better than it might otherwise have been. I hope that even with these circumstances, the core issue will be met with objectivity in a future bargaining session.

FREDERICK R. KAPPEL,
Member.

SEPTEMBER 15, 1967.

Mr. MORSE. Mr. President, I close by thanking the leadership for giving me the opportunity to make this record, because it was of great importance to the Board and the administration to have this available to the Congress and to the press immediately.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED BILL SIGNED

Under authority of the order of the Senate of September 14, 1967,

The Secretary of the Senate, on Friday, September 15, 1967, received the following message from the House of Representatives:

That the Speaker had affixed his signature to the enrolled bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore announced that on today, September 18, 1967, the Vice President signed the enrolled bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 602) to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965, with amendments, in which it requested the concurrence of the Senate.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

GUN CONTROL LEGISLATION

A communication from the President of the United States, urging the passage of gun control legislation; to the Committee on the Judiciary.

AIRCRAFT LOAN GUARANTEE PROGRAM

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to extend the act of September 7, 1957, relating to aircraft loan guarantees (with an accompanying paper); to the Committee on Commerce.

REPORT OF VISITOR CENTER STUDY COMMISSION

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report of the Visitor Center Study Commission (with an accompanying paper); to the Committee on Interior and Insular Affairs.

AWARD OF JUDGMENT BY INDIAN CLAIMS COMMISSION TO CREEK NATION OF OKLAHOMA

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 21, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORTS RELATING TO THIRD PREFERENCE AND SIXTH PREFERENCE FOR CERTAIN ALIENS

A letter from the Commissioner of the Immigration and Naturalization Service, transmitting, pursuant to law, reports concerning visa petitions which the Service has approved according the beneficiaries of such petitions third-preference and sixth-preference classification (with accompanying papers); to the Committee on the Judiciary.

REPORT AND DETERMINATION OF SPECIAL RAILROAD BOARD

A letter from the Chairman and Members of the Special Board appointed by the President, transmitting, pursuant to law, report providing for the settlement of the labor dispute between carriers by railroad and certain of their employees (with an accompanying paper); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Public Works:

"ASSEMBLY JOINT RESOLUTION 35

"Relative to federal highway safety money

"WHEREAS, Fifty-seven persons were killed over the three-day Labor Day weekend on California highways; and

"WHEREAS, This represents a direct cost of $9,000 per accident; and

"WHEREAS, California is a leader in the field of highway safety, including one of the finest highway systems in the world, and an active research and safety program; and

"WHEREAS, Through safety legislation enacted by the last session of the Legislature, California is desirous of doing everything possible to implement total safety programs; and

"WHEREAS, California can effectively use any and all federal highway safety money made available; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States to restore all of the highway safety funds which were cut by the House of Representatives; and be it further

"*Resolved,* That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution adopted by the City Council of the City of Elsinore, Calif., endorsing the principle of tax sharing in order to make additional revenues available to the States; to the Committee on Finance.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare, without amendment:

H.R. 12257. An act to amend the Vocational Rehabilitation Act to extend and expand the authorization of grants to States for rehabilitation services, to authorize assistance in establishment and operation of a National Center for Deaf-Blind Youths and Adults, and to provide assistance for migrants (Rept. No. 565).

REPORT ENTITLED "IMPACT OF CRIME ON SMALL BUSINESS" (S REPT. NO. 564)

Mr. SMATHERS. Mr. President, from the Select Committee on Small Business,

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[2] See the following individual views.

I submit a report entitled "Impact of Crime on Small Business." I ask unanimous consent that the report be printed, together with the individual views of the Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Florida.

Mr. SMATHERS. Mr. President, this report, in my belief, deserves the close attention of all Members who are concerned about the welfare of small business.

It represents the first analysis by a committee of Congress of the extent to which the Nation's small businessmen, as such, have become the victims of armed robbers, of burglars, and of vandals in the poverty-ridden and crime-rife neighborhoods of our major cities. The report is based on testimony taken during hearings held earlier this year by the Small Business Committee on the impact of crime on the daily lives of the thousands upon thousands of small storekeepers whose shops are located in our inner-city and ghetto neighborhoods.

The dimensions of this problem, Mr. President, are truly staggering. The truth of this tragic matter is that in some blighted neighborhoods of our major cities, one out of every five small businessmen can expect to be robbed at least once in a 12-month period, and that of those thus robbed, almost two-thirds will be exposed to from two to seven holdups.

On a national basis, 30 percent of all robberies and burglaries in 1965 took place in commercial establishments.

While this situation is in itself appalling, there is an aspect of the problem which compounds the impact of crime on small business enterprises. Our committee discovered, and its report fully documents, the hard fact that small businessmen who become the victims of robbers, burglars, and vandals find that their insurance policies are either canceled outright, or the rates are raised to prohibitive levels.

For this reason, I introduced on April 11, a bill, S. 1484, designed to make insurance protection available to small businessmen by means of a Federal program of insurance and reinsurance in cooperation with private underwriters. The merits of this legislation attracted the cosponsorship of 31 Senators. Hearings were held on it last week by the Small Business Subcommittee of the Banking and Currency Committee.

My study of this problem, Mr. President, convinces me that there is now enough evidence at hand to justify immediate congressional action to provide insurance protection for our small businessmen in high-crime-rate metropolitan areas.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. YARBOROUGH:

S. 2414. A bill for the relief of Dr. Jorge Duvauchelle Contreras; to the Committee on the Judiciary.

By Mr. BROOKE (for himself and Mr. KENNEDY of Massachusetts):

S. 2415. A bill to authorize the Secretary of the Interior to study the most feasible and desirable means of establishing certain portions of the tidelands, Outer Continental Shelf, seaward areas, and Great Lakes of the United States as marine sanctuaries and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. BROOKE when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT (for himself and Mr. CLARK):

S. 2416. A bill to amend section 336(c) of the Immigration and Nationality Act so as to authorize any petitioner for naturalization to take the oath of allegiance at a final hearing held upon his petition within 30, rather than 60, days preceding a general election; to the Committee on the Judiciary.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 2417. A bill for the relief of Vukota Vukadinovic; to the Committee on the Judiciary.

By Mr. FULBRIGHT:

S. 2418. A bill to amend the Land and Water Conservation Fund Act of 1965; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. BARTLETT, and Mr. INOUYE):

S. 2419. A bill to amend the Merchant Marine Act, 1936 with respect to the development of cargo container vessels, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 2420. A bill for the relief of Lai Tung; to the Committee on the Judiciary.

By Mr. HOLLINGS:

S. 2421. A bill to provide compensation for totally disabled local firemen or survivors of local firemen killed or disabled while performing their duties in an area of civil disorder; to the Committee on Government Operations.

(See the remarks of Mr. HOLLINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 2422. A bill for the relief of Shozo Sato; and

S. 2423. A bill for the relief of Baftir Sabanovski; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 2424. A bill for the relief of Chung Chuen Fong, Lam Wai Tung, Koo Sho Feng, Lau Chun, and Wou Chi May; to the Committee on the Judiciary.

By Mr. GRUENING:

S. 2425. A bill relating to Federal support of education of Indian students in sectarian institutions of higher education; to the Committee on Labor and Public Welfare.

By Mr. KENNEDY of Massachusetts (for himself and Mr. MUSKIE):

S. 2426. A bill to provide certain essential assistance to the U.S. fisheries industry; to the Committee on Commerce.

(See the remarks of Mr. KENNEDY of Massachusetts when he introduced the above bill, which appear under a separate heading.)

THE MARINE SANCTUARIES STUDY ACT OF 1967

Mr. BROOKE. Mr. President, the fishing industry in the United States is in a serious state of decline. Part of the problem lies within the industry itself—vessels are old, fishing methods are outdated, storage and preservation facilities are inadequate, and the industry itself has proved incapable of promoting its own product in an increasingly competitive market. The cumulative result has been that the American market for fish and fish products has been increasingly taken over by foreign imports. The more efficient Canadian operation, subsidized by the Canadian Government and using the most modern methods of preserving and transporting the product, has captured an ever-growing percentage of the American consumer market. At the present time, American fishermen are providing only about 19.2 percent of the American consumer demands, as compared with 62.9 percent in 1951.

Recently, however, an additional problem has been added to the ones already faced by America's oldest industry. Our fishermen are now finding their efforts undermined by the very process which they helped to initiate—American industrial development.

Today, off the coast of Massachusetts, several American oil companies are engaged in exploring for oil. Their endeavors take them into one of the richest fishing areas in the world, the southern reaches of Georges Bank. The seismic explosions used by the oil companies to locate likely deposits erupt upwards, killing all the fish within a radius of several hundred yards. Drilling equipment and markers lowered into the area present a serious hazard to trawlers dragging their nets in the area. Any serious disruption of their natural habitat quite naturally has an adverse effect upon the fish. Breeding and living patterns are interrupted, and the result is a decrease in the available supply of many popular species.

American fishing vessels are not equipped for long ocean voyages. Our fishermen have traditionally fished the shores of the United States and their specialty has been fresh fish, brought into port within a day or two after it has been caught, and marketed in the immediate area. Any activity which affects the availability of fish in a major offshore fishing ground affects the entire economy of the region. The bill which I intend to introduce today authorizes the Secretary of the Interior to initiate a study and make recommendations on the most feasible and desirable means of establishing portions of the Nation's tidelands, Outer Continental Shelf, seaward areas, and lands and waters of the Great Lakes as marine sanctuaries. While obviously not all of our coastlands could be so designated, it is evident that certain portions of our coasts are particularly rich in marine resources or recreational value, and should be peserved for this purpose.

But while oil and mineral exploration may be the most dramatic way in which our marine resources are being wasted, there is yet another aspect of industrial development which is taking its toll of marine life. A properly devised and applied comprehensive wetlands program is desperately needed in this country. Shoreline development has turned many natural coastal areas, which formerly were breeding grounds for innumerable varieties of shellfish and other types of marine life, into beaches, resort areas, homesites, and marinas. Many tidal areas and marshlands have come to be used for refuse disposal. Pollution of rivers and streams from sources far from the sea has resulted in a serious depletion in the available supply of shrimp, lobster, clams, and oysters.

The bill which I am proposing today would provide a means of studying the extent to which our marine resources are being depleted by industrial development. It would provide for Federal, State, and local cooperation in planning means of setting aside certain marine life reserves, without infringing unduly on the need of the country for shoreline development and mineral exploitation. Such a balance has already been struck on land: national parks and reserves dot our landscape, providing recreational areas and preserving our wildlife for future generations. It is not too soon to begin similar planning with regard to our ocean and lake resources as well.

Mr. President, I urge that the Congress take prompt cognizance of the needs enumerated in this legislation, and the methods outlined to cope with them. These new natural frontiers of the United States must be studied, preserved and protected. I hereby introduce, for appropriate reference, a bill called "The Marine Sanctuaries Study Act of 1967," on behalf of the senior Senator from Massachusetts [Mr. KENNEDY] and myself.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2415) to authorize the Secretary of the Interior to study the most feasible and desirable means of establishing certain portions of the tidelands, Outer Continental Shelf, seaward areas, and Great Lakes of the United States as marine sanctuaries and for other purposes, introduced by Mr. BROOKE (for himself and Mr. KENNEDY of Massachusetts), was received, read twice by its title, and referred to the Committee on Commerce.

Mr. KENNEDY of Massachusetts. Mr. President, I am happy to join my colleague from Massachusetts in introducing the proposed Marine Sanctuaries Study Act of 1967.

This bill would authorize $1 million for the Secretary of the Interior to carry out a 2-year study of appropriate offshore areas to be preserved and protected in their natural state.

Man is turning more and more to the ocean as a new frontier. The oil industry, for example, has been engaged in intensive exploratory activities in the Continental Shelf area off of the eastern seaboard of the United States. Just last month, the Humble Oil Co. was granted permission by the Department of Interior for offshore core drilling operations between Cape Cod and Florida. Two conditions were imposed on these operations: First, no explosives that might kill fish can be used; and second, all drilling must be outside of the hundred fathom curve. These conditions were imposed because last year, unrestricted explorations using high explosive charges killed many thousands of fish in the Georges Bank area, causing a disruption in the New England fishing industry which relies upon Georges Bank for so much of its catch.

What we need to do, it seems to me, is to set aside certain of our offshore undersea land areas to be preserved in their natural state as marine sanctuaries. As the Sierra Club has pointed out, we know that during the migration westward across the continent of the United States, "vast wildlife and land resources were unnecessarily destroyed."

The same unnecessary destruction will occur on the Continental Shelf, unless we act now to prevent it.

The bill we are introducing today would call upon the Secretary of the Interior to determine just which areas should be saved as wilderness ecological preserves. There is a precedent for this type of action in existing undersea parks, two notable examples of which are the 850-acre Buck Island Reef National Monument in the Virgin Islands, and the John Pennekamp State Park off Key Largo, Fla.

Without careful planning, industrial and commercial development may well be incompatable with fishing, recreational, and scientific uses of the sea. But if we act now, judiciously and with foresight, then we can be sure that when the inevitable industrial development of the undersea areas does occur, it will not disrupt the other uses, but will supplement and complement them.

In sum, Mr. President, this bill can be the beginning of a carefully planned national policy for the undersea areas adjacent to our coastline. We need such a policy, and the sooner we get it, then the better will be the heritage we leave for future generations of Americans.

OATH OF ALLEGIANCE FOR CERTAIN APPLICANTS FOR CITIZENSHIP

Mr. SCOTT. Mr. President, on behalf of my senior colleague from Pennsylvania [Mr. CLARK], and myself, I introduce, for appropriate reference, a bill to amend section 336(c) of the Immigration and Nationality Act to reduce from 60 days to 30 days the period immediately preceding the November general election during which applicants for citizenship cannot take their oaths of allegiance to the United States.

The 60-day prohibition against administration of the oath of allegiance is an anachronism. Moreover, it interferes with the meaningful observance of Citizenship Day—September 17—and Constitution Week — September 17 through 23—provided by Federal statute and presidential proclamation.

On April 4, 1966, the board of governors of the Philadelphia Bar Association passed a resolution memorializing Congress to correct this anachronistic provision in the Immigration and Nationality Act. Last year I offered a bill in response to that request, and I reintroduce this bill at this time.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2416) to amend section 336(c) of the Immigration and Nationality Act so as to authorize any petitioner for naturalization to take the oath of allegiance at a final hearing held upon his petition within 30, rather than 60, days preceding a general election, introduced by Mr. SCOTT (for himself and Mr. CLARK), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF LAND AND WATER CONSERVATION FUND ACT OF 1965

Mr. FULBRIGHT. Mr. President, in 1965, legislation was enacted to authorize the collection of fees for admission to recreational facilities associated with Federal installations of various kinds. Since that time, the Forest Service, the Corps of Engineers, the National Park Service, and the Bureau of Sport Fisheries and Wildlife have designated 44 recreation areas in the State of Arkansas where such fees are charged. These recreation areas are located in the following Arkansas counties: Arkansas, Baxter, Benton, Boone, Carroll, Cleburne, Desha, Franklin, Garland, Johnson, Logan, Marion, Monroe, Montgomery, Perry, Phillips, Pike, Polk, Pope, Scott, Stone, Van Buren, Washington, and Yell.

Also in 1965, Mr. President, legislation was enacted to enable Federal assistance for underdeveloped areas of the country through the programs of the Economic Development Administration in the Department of Commerce. Since that time, every county listed above, except Arkansas County, has been made eligible for Federal loans and grants by designation as a "redevelopment area" or by inclusion in an "economic development region." It so happens, Mr. President, that recreation is an important economic activity in these counties, and is recognized as an activity worthy of assistance in their further economic development.

Thus, in 23 counties in Arkansas, the Federal Government is inhibiting the use of recreational facilities by charging admission fees, while the same Federal Government makes loans and grants to help develop the recreational economy of the same counties. This makes very little sense to the people of Arkansas, and the same inconsistency probably exists in other States.

Consequently, Mr. President, I introduce, for appropriate reference, a bill to prohibit the charging of fees at any Federal installation situated within a designated "redevelopment area" or an "economic development region" as defined in the Public Works and Economic Development Act of 1965.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2418) to amend the Land and Water Conservation Fund Act of 1965, introduced by Mr. FULBRIGHT, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

DEVELOPMENT OF CARGO CONTAINER VESSELS

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Merchant Marine Act, 1936, with respect to the development of cargo container vessels. The Senator from Alaska [Mr. BARTLETT] and the Senator from Hawaii [Mr. INOUYE] have joined me in cosponsoring this measure.

This bill is introduced as a result of in-depth hearings held earlier this year by the Subcommittee on Merchant Marine and Fisheries of which the Senator from Alaska [Mr. BARTLETT] is chairman.

Our hearings disclosed active discrimination by some Government agencies against steamship operators whose containers are not in compliance with arbitrary length and height dimensions advocated by one voluntary industry association. The discrimination now occurring is not only totally unjustifiable, but threatens to destroy the very initiative, creativity, and exercise of sound business judgment that can make containerization the most important and productive innovation in modern transportation history. Our economy may be the healthiest in the world, but we cannot possibly afford the cost of preventing free development of efficient and economic transportation systems.

Our subcommittee hearings disclosed that presently only container vessels locked into a 10-foot modular system can receive construction subsidy. This means that once these vessels are constructed, they will be unable to carry two-thirds of all the marine containers presently in service. That could lead to a very dangerous situation from a national defense viewpoint. I believe it is sound defense policy for a container ship to have the capability to carry containers not within the normal container system of that vessel in times of emergency. Testimony before the subcommittee established that such flexibility is technically feasible and economical. It is quite conceivable, and no doubt probable, that long before the useful life of the vessels now being constructed has elapsed, cargo containers of dimensions now impracticable will be in common use. This legislation would require that at the time of applications for construction subsidy, the applicant submit for approval a plan whereby in the event of emergency, that vessel could quickly and readily adapt to the carriage of containers not within the same modular series. Further, I believe this provision would be of great economic benefit to the ship operator as he would have a built-in capability for adjusting to new market developments in the container field.

This proposed legislation would prohibit the Maritime Administration from continuing to discriminate on the basis of container length and height dimensions in granting construction subsidy, operating subsidy or title XI mortgage insurance. All Government agencies would be prohibited under this bill from discriminating on the basis of container length and height dimensions in inviting and accepting bids for carriage of all Government cargo other than Government-owned cargo containers. Similarly, all agencies would be prohibited from specifying any length or height container dimensions in contracts for the carriage of such property.

Mr. President, this proposed legislation would set forth a clear policy for all Government agencies that it is in our best interest to encourage the constant study and development of new concepts for the carriage of cargo generally and containerization specifically. This bill expressly provides that it is the policy of the United States not to give preference to any given length or height for cargo containers. We will be best served by allowing the marketplace, rather than a Government administrator, to determine the most efficient and economical container system.

Still another section of this proposed legislation would remedy an obvious circumvention of congressional authority disclosed during the hearings. That is to say, the United States of America Standards Institute has been representing the United States of America in meetings and deliberations of the International Standards Organization for the purpose of setting length and height dimensions for cargo containers. This private organization is not in any way authorized to act on behalf of our Government nor bind in any way the policies or programs of any agency of our Government. This legislation would prohibit any such nongovernmental body from representing the Government of the United States in any international meeting or deliberation unless Congress specifically authorized by law such activity.

Mr. President, I believe the speedy enactment into law of this proposed legislation is vital to the full development of a sound transportation system.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2419) to amend the Merchant Marine Act, 1936, with respect to the development of cargo container vessels, and for other purposes, introduced by Mr. MAGNUSON (for himself, Mr. BARTLETT, and Mr. INOUYE), was received, read twice by its title, and referred to the Committee on Commerce.

Mr. BARTLETT. Mr. President, I strongly support the bill just introduced by the senior Senator from Washington [Mr. MAGNUSON]. It should become law. As chairman of the Subcommittee on Merchant Marine and Fisheries of the Committee on Commerce, I held hearings on this subject not long since. I became convinced then that legislation is necessary.

An interesting article entitled "Rail Aide Scores Sea Containers," written by Edward A. Morrow, was published yesterday in the New York Times. The article reveals that the railroad industry is far from content with the container standard based on multiples. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RAIL AIDE SCORES SEA CONTAINERS—OHL SAYS 20-FOOT SIZE NOT EFFICIENT FOR LAND USE

(By Edward A. Morrow)

The 20-foot containers which more than a score of shiplines have adopted as standard for their increasing containerization operations are posing a "growing problem" to the operators, according to a leading railroad executive. They are not efficiently adaptable for land transportation operations.

"The railroads and motor carriers are not willing to pick up the tab for a poorly designed land transportation system," Philip D. Ohl, manager of international freight services for the New York Central System, said last week.

Mr. Ohl was one of several speakers who appraised the "Future of Containerization" at a technical conference sponsored by the United States National Committee of the International Cargo Handling Coordination Association. The meeting was held at the Sheraton Motor Inn, 42d Street and 12th Avenue.

MAJOR TREND IN SHIPPING

Containerization, the carriage of goods in containers that can be interchangeably transported by trucks, railroads or ships, is the major trend in ocean shipping today. It is estimated that more than $100-million is currently being invested by ship companies for the construction of specially designed vessels to carry containers.

The carriers offer shippers a "door-to-door movement" under which cargo can be packed into a container at a manufacturer's plant and unpacked by the consignee without any intermediate handling.

Mr. Ohl noted that the concept paper for the meeting stated that the unique feature of the new transportation mode, the container, is that it is physically capable of moving on land, sea or in the air, and therefore, requires a new approach to trade and commerce regulations and must be relieved of the limitations that now apply to other modes separately.

UNDERLYING PROBLEM

"The position avoids one basic issue," Mr. Ohl said. "Simply because a container can move physically between modes does not mean that it will move economically via several modes. Shifting control to the 'transmodalist' will not solve this underlying problem," he said.

He noted that Sea-Land Service, a pioneer company in providing container service, has had success because it has a "total container system designed with both the inland operation and steamship operation in mind; the 35-foot container used is a relatively efficient unit for both the in-land haul in the United States and overseas and for the ocean voyage."

The New York Central, he pointed out, has had nine years experience with its Flexi-Van service.

One of the crucial elements in the system is the efficiency of movement from rail terminal to the customer, he said. Therefore, he continued, this calls for a system design that will provide efficient highway operations as well as compatibility with line haul efficiency.

MODIFIED FOR TRAINS

"We built the container starting with an efficient highway vehicle and modified it for economical rail haul," Mr. Ohl said. "We did not attempt to design the optimum container for rail use and then modify it for highway carriage.

"The essential problem the steamship companies face is that they have designed, especially in their 20-foot equipment a highly efficient port to port container, without due consideration of how the box would move efficiently from port to customer."

Railroads, he said, experience high empty mileage because they cannot load the boxes westbound, since not many import commodities move inland. Too, the railroads must purchase special equipment, such as 100-ton container cars, or handle the boxes inefficiently on existing flatcars. For the present the railroads have chosen the latter course, since the volume of traffic does not justify a separate system and "probably never will."

Mr. Ohl suggested that shipping lines in the future keep close watch on developments in motor carrier hardware, as the railroads are, for the critical element in any containerization system is inland transportation.

TRANSMODALIST SCORED

Another speaker, F. N. Melius Jr., president of United States Freight Company, attacked the "transmodalist" concept that has lately become popular in shipping circles. The coined word is vaguely defined as a carrier who would provide a shipper with door-to-door service on one through bill of lading even though the movement of the goods was effected by truck, rail and sea.

Mr. Melius, whose company is the nation's largest freight forwarding concern, said forwarders already performed all the functions of the transmodalist.

Freight forwarders are licensed and regulated by law. The new concept would open this function to every entrepreneur and dismantle an industry that has been performing the same job for many years, Mr. Melius said.

BENEFITS TO FIREMEN KILLED OR INJURED WHILE ATTEMPTING TO PERFORM THEIR DUTY DURING A CONDITION OF CIVIL DISORDER

Mr. HOLLINGS. Mr. President, last week the Senate passed unanimously a bill introduced by the Senator from Arkansas [Mr. McCLELLAN] and cosponsored by myself and others, that would provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes. The bill would also provide a compensation payment for officers disabled under the same circumstances. The bill and its objectives are meritorious, and I hope that it will quickly pass the House and be enacted into law.

Today I am introducing a bill which would provide the same benefits to local firemen who are killed or injured while performing their duty during a period of civil disorder.

Recently we have all seen local firemen killed and wounded while attempting to extinguish fires that were deliberately set during civil disorders in many of our major cities. The firemen were present in these areas for one reason and one reason only—to attempt to save the lives and property of decent law-abiding citizens from the ravages of the criminal arsonist. These firemen are, by the mere fact of their presence, performing above and beyond the call of duty. They are facing, in addition to the ever-present occupational hazards of the fireman, the threat of the snipers' bullets and the brick and bottle barrage.

Mr. President, statistics show that the job of a firefighter is more hazardous than that of a policeman under normal conditions—during periods of civil disorders these hazards are increased manifold. It is my wish that the benefits which I hope will be extended to our local law enforcement officers, the most maligned group of dedicated public servants in this country, will be forthcoming for their partners in public protection, the local fireman.

Toward that end I introduce for appropriate reference, a bill to extend the aforementioned benefits to firemen killed or injured while attempting to perform their duty during a condition of civil disorder. It is my fervent hope that the bill will be given speedy and favorable consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2421) to provide compensation for totally disabled local firemen or survivors of local firemen killed or disabled while performing their duties in an area of civil disorder, introduced by Mr. HOLLINGS, was received, read twice by its title, and referred to the Committee on Government Operations.

THE FISHERIES DEVELOPMENT ACT OF 1967

Mr. KENNEDY of Massachusetts. Mr. President, I introduce, for myself and the junior Senator from Maine [Mr. MUSKIE] a bill to help reverse the downward spiral of the American fishing industry and to help restore the American fishing industry to the preeminent position it once enjoyed.

Such a program is badly needed and long overdue.

In an age when there is much discussion and wide concern about impending famine in the less developed nations, the untapped food resources of the seas stand as an open challenge to our scientific and technological capabilities. Two-thirds of the earth's surface is covered by oceans, and it is estimated that its annual sustainable yield of animal protein is over 400 million tons. Of these vast reserves, we harvest only 10 million tons a year, leaving the rest untouched.

In the face of this incredible potential of the sea, the American fishing industry is trapped in a desperate cycle of obsolescence and decline. During the past 15 years, the number of fishermen employed on American vessels has dropped from 161,000 to 128,000; in the same period, the size of the fleet has dropped, from 92,000 to 79,000 vessels.

Domestic fish landings in 1966 were about 400 million pounds less than the 4.8 billion pounds landed in 1965, even though per capita U.S. consumption rose from 55 pounds in 1965 to about 64 pounds in 1966. The gap was, of course, filled by rising imports.

Based on moderate assumptions for population and income increases, the U.S. consumption of fish and fisheries products is projected to be 18.5 billion pounds by 1980, up from 10.5 billion pounds in 1965. This increase in consumption will demand a substantial increase in domestic production, even with rising imports.

A few specific examples of recent fall-offs in fish catches are:

In 1966, menhaden landings declined to 1.3 billion pounds. This figure—the lowest since 1951—was 9 percent below the catch in 1965, and 40 percent below the record catch of 1962.

In 1966, the tuna catch was 16 percent below the catch in 1965, and the take of ocean perch was the lowest since 1939. The catch of Atlantic herring was the poorest in 25 years, and similar declines have been experienced by the mackerel, halibut, sardine, shrimp, scallop, and oyster fisheries.

The total 1966 catch was well below the 1965 catch, and well below the average of the last 5 years.

There are no present indications that this downward trend will be reversed.

Although total American consumption of fish has increased steadily, as I have pointed out, domestic production has not kept pace with the increase. Our fisheries have been losing a larger and larger share of the domestic markets to imports, and in 1966, 65 percent of the fish consumed in this country were caught by foreign fishermen. Already, the United States has dropped in total production of fish from second place to fifth. We now trail Peru, Japan, Russia, and Communist China. Unless we take swift action, we will soon be passed by Norway.

As our fisheries decline, the fisheries of other nations are making rapid advances. The Russians have made a large investment in a modern fleet and have initiated bold experiments in new technology. They have developed large factory ships capable of processing fish while at sea, all over the world, thus eliminating the need to travel back and forth to port. By investing over $4 billion in their fleet over the past 25 years, the Russians have increased their catch from 1.4 million metric tons to 5.6 million tons. A greater rate of investment is planned for the next 5 years by the Russians, and during this period they plan to add 1,500 vessels to their fleet. Included in this projection are 150 large stern-ramp trawlers, 145 refrigerated fish carriers, and a giant 40,000-ton factory ship.

Similar investments and similar progress have been made by the other leading fishing nations, and only the American industry is suffering from obsolescence and stagnation. Unless this downward spiral is reversed, the American fleet will be forced from the seas by foreign competition, and the Nation will lose an important and historic industry.

There is no easy solution to problems of the fishing industry. Availability of natural resources is in a constant state of change, and many species, such as oysters and scallops, have declined so severely that they are being virtually eliminated from our waters. The resources of menhaden appear to be in danger of depletion, as do the stocks of Atlantic cod, Pacific sardines, and Atlantic sea herring.

This problem can only be solved by extensive research into the techniques of resource management, but the fishing industry's ability to increase investment in research, in development, or even in newly developed gear, an essential concurrent step, is seriously restricted by the financial difficulties experienced in the past few years.

The dismal economic conditions which have prevailed have cut off the flow of risk capital, and have forced the banks to stop making loans to small fishermen. In addition, few large companies are attracted to the industry, as there is little hope of profit in the immediate future.

An illustration of the archaic restrictions plaguing the American fishing industry is a law passed in 1792, which prohibits American fishermen from buying their boats in foreign shipyards. Thus our fishermen, already in serious financial trouble, must pay twice as much for their boats as do their foreign competitors. The fishing vessel subsidy program, designed to help relieve the fishermen of this inordinate burden, has made a significant contribution, but to date only 15 vessels built under its auspices have been completed.

The American fishing industry is hampered not only by dilapidated vessels and obsolete equipment, but also by backward methods of harvesting, preserving, producing, and marketing fish. The contrast between American fisheries and American agriculture, in this regard, is as poignant as it is instructive. American agriculture is a highly mechanized and well organized industry. In 1820, an American farmer was producing enough food, fiber, and related products for himself and four other people. Today each farmer produces enough to feed himself and 31 others. The technological revolution which has made American agriculture the wonder of both the developed and developing nations of the world has somehow bypassed the American fishing industry. Although innovative hybrid techniques lie at the base of most modern agricultural advances, we do not even possess a rudimentary knowledge of the genetics of our most important species of fish. As incredible as it seems, we do not even have a clear picture of the extent or locations of our marine resources.

At a time when the harvest of the land is a carefully refined science, we Americans hunt in the seas as primitives.

The disparity between American and foreign fishing technology, while not so great as the disparity between our fishing and our agriculture, has still reached alarming proportions. Most American fishermen rely on the age-old technique of fishing where seasoned captains feel the fish might be. If on a given day, they happen to guess wrong, they chalk it up to bad luck, bad weather, and depletion of the stocks. If they happen to hit it right, their first reaction is to keep quiet or even to mislead the other boats.

The Japanese and the Russians, however, have learned that catches can be greatly increased through cooperation. They have spent large amounts of money on exploratory fishing all over the world. Their vessels are seen from the Arctic to the Antarctic, the Atlantic to the Pacific, and the Mediterranean to the Indian Ocean, let alone off Cape Cod. Exploratory vessels precede their fishing fleets to map the available fish and trace their movement, using sonar equipment and even helicopters to spot the schools of fish, and radioing the news of a find to other vessels in the fleet. Other methods are being developed, to herd fish toward nets with bubbles or electric shocks, and in the Caspian Sea, fish are attracted with lights and then pulled into boats by suction pumps.

Even further advanced than these techniques are the beginnings of commercial agriculture, a new science which promises to revolutionize man's relationship with the sea. Already in Japan there is a thriving oyster breeding industry; there are experimental seaweed farms; and there are ponds devoted to breeding fish. The Norwegians, by fertilizing the fjords, have increased the production of fish by a multiple of 10. It was a Russian fishing expert who remarked earlier this year to a team of visiting Americans:

> We can no longer consider the high seas as hunting grounds, but rather we must view them as farming grounds.

It was an embarrassing moment for those familiar with the state of American technology.

The American industry is also plagued by the lack of factory ships and onboard refrigerator facilities. Our trawlers must constantly return to port to unload the catch, and a significant proportion of the fish catch is lost on this return trip to spoilage. In addition, the need to return to port makes it impossible for our fishermen to remain at sea for extended periods, decreasing the amount of time actually spent on the grounds. Thus, they are far more subject to seasonal variation in the size of their catch. This indicates the great need for new vessels which can compete with foreign fleets in capacity, range, and modernization.

It will not be enough, however, only to improve our methods of harvesting and processing. The fisheries have not only lagged behind agriculture in technological improvement, they have somehow been untouched by the advances in marketing techniques which have played such a vital role in the development of other American industries.

Because fish are highly perishable, consumer appeal is seriously affected by small differences in color and looks. The most widely used preservative on American vessels is ice, but it is bulky and expensive to carry. It is difficult to keep fish at high-quality standards by these methods, and the fear of spoilage hinders efforts to increase consumption.

The effects of inadequate quality assurance are compounded by the fact that the individual fishermen have never banded together to promote their products. The recent Papal decision lifting the ban on eating meat on Fridays has even led to a small decrease in per capita consumption. That this situation could be improved by a well-conceived marketing program is demonstrated by the fact that per capita consumption of beef, poultry, and eggs have increased markedly during the same period. Greater control of quality, coupled with increased promotional efforts, would undoubtedly help to raise consumption.

The problems which beset the American fishing industry are substantial, but the situation is by no means hopeless. I believe that the fleet can be restored to its former state of health, but I feel that this can only be accomplished through a comprehensive program of Federal assistance. The reasons why we should undertake such an effort are many.

As a Senator from the Commonwealth of Massachusetts, I am familiar with the contribution which the fisheries have made to the development of Massachusetts and this Nation. In 1602, Bartholomew Gosnold established the first fishing camps in the New World, and because of the abundant resources, christened the area where he fished Cape Cod. In the 18th and 19th centuries, New Bedford and Nantucket were the whaling capitals of the world, and their mariners were known across the globe for their daring and their courage. The ports of Gloucester, Boston, New Bedford, and Rockport are still important centers of American fishing, and their fleets play a vital role in the economy of Massachusetts and the United States.

My interest in helping the American fishing industry does not, however, stem only from my interest in Massachusetts. Many other States play important roles in the American fishing industry.

As an illustration, in 1966 Louisiana led all States in volume of catch, with 664 million pounds; followed by Alaska, 588 million pounds; California, 475 million pounds; Virginia, with 418 million pounds; and Massachusetts, with 413 million pounds.

Also in 1966, Alaska led all States in value of catch, with $74 million; followed by California, with $53 million; Massachusetts, with $45 million; Texas, with $43 million; and Louisiana, with $40 million.

The fishing industry is important to the economic health, in sum, of all 23 States which border on the Atlantic, the Pacific, the Gulf of Mexico, and the Great Lakes. It is also important, of course, to all 50 States in which fish are consumed.

Despite its present state of decline, the fishing industry as a whole employs 540,000 Americans and contributes $1.4 billion to our gross national product. At the present time, we spend well over $600 million abroad every year in order to meet the domestic demand for fisheries products, and this represents a dangerous drain on our dollar reserves. Any further decline of the fisheries will not only lead to poverty and unemployment in the coastal and Great Lakes States, it will lead to added depletion of our gold reserves and will thus undercut the stability of the dollar.

In addition to these matters of immediate national concern, we must also consider the impact which a successful fishing fleet can have on the less developed nations of the world. In passing the fish protein concentrate amendment I offered to the foreign aid bill a few weeks ago, the Senate recognized the importance of marine resources in meeting the crisis of world hunger now upon us. The dimensions of this crisis are familiar to everyone in this Chamber. At the present time, two-thirds of the world's population suffers from a deficiency of animal protein in their diets. Throughout the less developed nations, this deficiency leads to high rates of infant mortality, mental retardation, and stunted growth. In adults, it leads to a high incidence of disease and an inability to sustain useful work.

Malnutrition, and especially the lack of animal protein, is one of the root causes of the poverty, disease, and apathy so prevalent in India, Asia, Africa, and Latin America. Because the population of the earth is expected to double in the next 35 years, we will have to increase our production of protein by almost three times if we hope to eliminate this deficiency. The solution lies in large part with the vast untapped food resources of the oceans. The nation which develops the technology to adequately exploit these resources will rise enormously in terms of world power and global respect.

The Agency for International Development, in its Division of Food From the Sea, is moving vigorously ahead to develop fish and fish products as a vital part of the U.S. war on hunger. The Marine Resources Council, chaired by Vice President HUMPHREY, has made many recommendations in this area, and the amendment I offered to the foreign aid bill insures that the Food From the Sea Division will be able to expand its program.

For all of these reasons, we must act now to restore our fishing industry to its rightful position as a world leader, and it is to this end that I propose the following six-point program:

First, establish a fisheries extension service.

The basic cause of the decline of the American fisheries has been the failure of the industry to keep abreast of new technology. While the fleets of other nations have been undergoing a technological revolution, the American fleet has become more and more dilapidated. In an era of constant innovation, our fishermen still rely on the methods their fathers and grandfathers used. As their profit margins shrink, they become more and more conservative and more and more wary of taking risks. Economic hardship feeds upon itself, and the problem becomes more severe.

In order to help break this cycle of decline, I propose the establishment of a fisheries extension service to provide a link between the fisherman and the academic community, and to provide a continuing educational program on fishing technology, marketing procedures, and processing techniques. In addition, the extension service would be designed to provide information on Government assistance programs and to foster cooperation and communication among the various segments of the industry.

At present, the Bureau of Commercial Fisheries, the States, and the sea-grant colleges conduct some extension activities, but their efforts are haphazard and disjointed. It is of utmost importance not only that we expand the extension assistance to the American fisheries, but also that we coordinate existing extension work. An ideal extension program would provide one extension officer for every 100 fishermen. The basic cost of such a program would be $50 million. Because of budgetary constraints now pressing upon us, I am proposing a more modest program, serving areas and industries with special needs.

Under my bill, the Department of the Interior would establish, in the Bureau of Commercial Fisheries, a Fisheries Extension Service. The Service would give instruction and practical demonstrations in new techniques and processes available to fishermen. It would also engage in publication of information for use by the industry. This Fisheries Extension Service is modeled quite closely on the Agriculture Extension Service which has played so vital a role in the development of American agriculture.

The authorization for such a Service would be $10 million for fiscal year 1968, $15 million for 1969, and $20 million for 1970. For purposes of comparison, the 1968 budget request for the Extension Service in the Department of Agriculture is nearly $82 million.

Second, establish a program of technical assistance grants.

The Extension Service should be backed by a program of technical assistance grants to finance projects designed to demonstrate the power of new technology. On the recommendation of a local extension officer, the Bureau of Commercial Fisheries could make funds available for assisting the purchase of advanced equipment necessary for modernizing fishing techniques. What I propose is not a subsidy program—the grants would be provided only on a demonstration basis.

Examples of the projects which could be financed might be demonstrations of the effectiveness of central radio fleet direction, of using computers to track the movements of fish, of different methods of shellfish farming, and of various techniques of agriculture.

There would be authorized, for technical assistance grants, $5 million in fiscal year 1968, $7.5 million in fiscal 1969, and $10 million in fiscal 1970.

Third, change the fishing vessel subsidy rate to a flat 50 percent.

Under the present Fishing Fleet Improvement Act, and the fishing vessel subsidy program, the subsidy rate for the construction of fishing vessels is the difference between the construction cost in a foreign yard and the cost in an American yard or 50 percent, whichever is less. This method of figuring the amount of the subsidy was borrowed from the merchant marine subsidy program, and has not been satisfactory when applied to the construction of small fishing vessels. Obtaining estimates from foreign yards has involved long delays, during which the financing is uncertain, is expensive to the fishermen, and increases the administrative costs of the program by almost 15 percent. Because the foreign yards know that they will not be commissioned to build the vessels, their estimates tend to be rough, and recipients of the subsidy have felt that the amount has been unfairly determined.

Despite elaborate procedures, the overall average rate of subsidy since 1964 has been 47.79 percent, and this figure is higher for vessels accepted during the past 12 months. Instead of being modeled on the merchant marine subsidy program, the fishing fleet construction subsidies should be designed to allow American fishermen to compete effectively with their foreign rivals. Canada, for example, provides a flat subsidy of 50 percent, and we should include a similar provision in our statute.

Because dilapidated vessels lie at the heart of the problems of the fisheries, the subsidy program should also be expanded as rapidly as possible. As of March of this year, only six vessels had been completed, 10 were under construction, five were awaiting contract signing, and 12 had been approved by the Interior Department and the Maritime Administration. The construction of these vessels was expected to absorb the entire authorization for fiscal year 1968, so that no new applications can be accepted until additional funds are provided.

It is evident that the program must be expanded if the American fisheries are to compete with foreign fleets. Spokesmen for the industry feel that the authorization should be raised to $60 million, and there is a bill to this effect before the House. My bill would raise the annual authorization to $20 million, and I feel that this is the minimum figure consistent with the continued success of the program. It would also eliminate the differential provision, and provide for a flat 50-percent subsidy.

Fourth, undertake a comprehensive study of Federal, State, and local fisheries regulations.

The development of Federal, State, and local fisheries regulation has been haphazard and contradictory. In many States there is little or no integration between the laws designed to promote sport fishing and those designed to foster commercial activity. The laws have developed as the result of political pressure, in many instances, rather than as a result of coherent thought, and the regulations bear little relation to the real needs of the fisheries. In Maryland, for example, it is illegal to dredge for oysters in a boat powered by a gasoline engine.

I propose that the Secretary of the Interior undertake a comprehensive review of existing fisheries regulation, and develop a series of model codes suitable for adoption by the States. These codes would be designed to reconcile the competing ends of sport and commercial fishermen, and to promote the conservation, restoration, and efficient exploitation of our marine resources. These codes would not solve the problem completely, but they would provide a strong impetus for change. They would serve as a badly needed first step toward rational regulation of the fisheries.

Fifth, expand research on fish protein concentrate.

The development of fish protein concentrate promises to be the most significant breakthrough in fish processing in this century. FPC is odorless, tasteless, inexpensive, and highly nutritious. It is easy to store, easy to ship, and promises to open up global markets for the American fisheries. The widespread use of FPC as a diet supplement could provide the impetus for a revolution in American fishing, and a small investment now will pay enormous returns. It can, further, help forestall what many experts have warned will, in a few years, be an unprecedented global famine.

There are three potential processes for reducing fish to FPC—the chemical, the biological, and the physical. Each of these processes must be developed and approved separately for different species of fish. At present, the chemical process has been developed for lean fish by both the Bureau of Commercial Fisheries and the Vio-Bin Corp. of Illinois. Their petitions were both approved by the FDA earlier this year, and in the next few months Vio-Bin plans to submit a petition to the FDA for approval of its process to reduce fatty fish—such as menhaden and herring—to FPC.

Last year, the Congress authorized the construction of one plant for the production of FPC and the leasing of another plant in Public Law 89–701. Last month the Senate adopted an amendment I offered to the foreign aid bill to help develop foreign markets for FPC. A similar amendment was adopted by the House. Under its provisions the Agency for International Development will conduct food technology research, diet introduction studies, and demonstration feeding programs in a number of lesser-developed countries. This should provide us, in the near future, with the information we need to move vigorously into an export program of FPC.

The Bureau of Commercial Fisheries, however, has done little work on a process to reduce fatty fish to FPC, and no one has gone very far with either the biological or the physical process.

I propose that this research be expanded, by amending last year's FPC Act to provide additional funds. This increase will greatly speed the development of FPC and will assure American preeminence in this vital area of fisheries technology. The bill would amend Public Law 89–701, adding a $1.5 million yearly authorization for research into the production and marketing of FPC, while continuing the $1 million authorization for the construction of one plant and the $1,555,000 authorization for the leasing of another. I have been informed by the Bureau of Commerical Fisheries that it is, in their belief, premature to authorize construction funds for additional plants, pending completion of the research studies into other methods of reducing whole fish to FPC.

Sixth, authorize the formation of fisheries marketing agreements.

Among the most serious problems plaguing the fisheries are seasonal fluctuations in price, inadequate assurances of quality, primitive marketing techniques, and the lack of promotional advertising.

As a partial solution to these problems, we propose the establishment of voluntary marketing agreements similar to those authorized by the Agricultural Marketing Act of 1937.

Under title II of the bill which I introduce today, fishermen and fish processors will be able to form voluntary associations to regulate the marketing of their products, to promote the development of new products, to conduct marketing research, and to undertake promotional campaigns.

The value of such agreements has been dramatically illustrated by their success in promoting and developing agricultural products. Oranges with a "Sunkist" label offer a good example. In that case, orange growers joined together in a marketing association, pooled their production of oranges, and now conduct advertising and promotional campaigns of a size and scope which no grower would have been able to undertake alone. These growers have been able to set quality standards and, as a result, have greatly increased per capita orange consumption.

Similar associations could be of great benefit to the fisheries. They could set quotas on marketing and maintain reserve stocks to dampen seasonal price fluctuations. They could set quality standards to increase public confidence in the product, and they could conduct research and advertising campaigns to increase per capita consumption in the United States. The authorization of such agreements would encourage the fishermen to help themselves, and they deserve the highest priority.

The six proposals I have made today should not be considered a cure-all for the American fisheries. Rather, they should be viewed as part of the effort we need to make. There are other steps which we should make as well. Certain of these are presently pending before the Senate Commerce Committee and will be the subject of hearings beginning this week. There are others as well, and I plan to submit further legislation before this session of the Congress is out.

Mr. President, in closing I would like to quote briefly from an article in the current issue of the Reporter magazine which reads:

> In the short term, the fishermen remain in economic jeopardy. Unless something can be done soon, many may be forced to seek other work. A persuasive case can be made for measures to help the fishermen. Their annual catch is worth $450 million at dockside, but to the processor it is worth $1 billion. They have $500 million tied up in vessels that keep shipyards and gear manufacturers busy. The industry and closely-allied shore activities provide half a million jobs. U.S. fishermen, whatever their present woes, would appear to be a national asset.

I would think that no one could question either those facts or that judgment, and I believe that the bill I have introduced today can help our fishermen. I urge its speedy consideration.

Mr. President, I have a number of items relating to the need for the bill I have introduced today. I ask unanimous consent that they be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2426) to provide certain essential assistance to the U.S. fisheries industry, introduced by Mr. KENNEDY of Massachusetts (for himself and Mr. MUSKIE), was received, read twice by its title, and referred to the Committee on Commerce.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Reporter Magazine, Sept. 7, 1967]

OUR CATCH-AS-CATCH-CAN FISHERIES

(By Thomas H. Lineaweaver III)

In March, 1965, Boston longshoremen refused to unload a shipment of foreign-caught fish. Not that there was anything improper about the shipment. A processing firm in Maine had been unable to find a particular fish on the domestic market, so it bought abroad. That was proper. But, considering the circumstances, it was also less than politic. For there hangs in the State House in Boston, opposite the Speaker's desk, a gilded codfish—"a memorial," according to the motion to hang it in March, 1784, "of the importance of the Cod-Fishery to the welfare of this Commonwealth." The fish in dispute were cod.

Moreover, the cod were not simply foreign-caught. They were caught by Russians in—according to local suspicion—waters regarded by Yankee fishermen as traditionally their own. Since 1960 a Soviet fleet that often numbers upwards of two hundred of the world's most modern and efficient vessels has been fishing south and east of Nantucket, a few miles off the New England coast. Trawlers two hundred feet long catch the fish, factory ships four hundred feet long convert the catch to finished products, and some ships serve both functions. Carrier vessels take the finished products to port and bring back supplies. Service vessels, and frequently research ships, are attached to the operation. Similar fleets from the Soviet Union and Japan fish off the Pacific Coast.

The United States has nothing to match these fleets, and the Boston dispute, which inevitably became known as the Boston Cod Party, reflected the ailing condition of the domestic marine fishery. It is the nation's oldest industry and was once its most prosperous, but today, except for regional bright spots, it is in serious difficulty.

DECLINE AND DETERIORATION

In 1948, U.S. fishermen caught about five billion pounds of fish, eighty per cent of our domestic use. Now, while domestic use has doubled, they catch less than forty per cent of it and the country has become the world's foremost importer of fish and fish products—$720 million worth annually.

During the mid–1950's the United States slipped from second to fifth among fishing nations—behind the Soviet Union, Communist China, Japan, and Peru. These other countries raised their catches between 1954 and 1964 (Japan by 40 per cent, the Soviet Union by nearly 100 per cent, China by 150, and Peru by an astonishing 4,598 because of the exploitation of newly discovered anchovy stocks), but the United States catch fell off. In 1966 the United States fell into sixth place behind Norway.

This country's commercial fishing fleet also deteriorated. A survey done last year by a magazine in the field showed that of the fleet's fourteen thousand documented vessels (five net tons and over), some 450 were at least fifty years old; the average age was twenty. In length they averaged under seventy feet. They were generally ill-equipped: ninety-two per cent didn't have refrigeration, seventy-seven per cent didn't have direction finders, sixty-two per cent didn't have electrical plants, and forty-eight per cent didn't have radio-telephones. Three thousand of them were powered by engines from thirteen to twenty years old, and sixteen per cent of the engines had not been overhauled in the past eight years. In 1965, to take a particularly disheartening example, 225 of New England's seven hundred-odd fishing vessels called for Coast Guard assistance and many had to be towed upwards of one hundred miles home; the most common problem was engine breakdown, but a leaky hull was not uncommon. Sixteen vessels sank and eleven fishermen were lost.

The industry's plight has various and even bizarre origins. To begin with, a law signed on New Year's Eve, 1792, by George Washington made it illegal for foreign-built fishing vessels to land their catch in a U.S. port. It is still on the books. Its intent was to protect small domestic shipyards, and for years it had no impact on fishermen. Now, however, when the cost of building a fishing vessel in the United States is fifty-five to sixty-five per cent greater than in, say, West Germany, the Netherlands, or Japan, few U.S. fishermen can afford new vessels that would be competitive with their foreign counterparts.

Although United States postwar policies have been vital to the health of international trade, they have hurt the American fisherman. Tariff barriers of long standing have been lowered or discarded. Foreign aid has been greatly helpful to the development of foreign fisheries, many of which soon began to compete successfully in the United States market. At the same time, a number of allied nations—and such unallied ones as Russia, East Germany, and Poland—have been investing in modern fishing fleets to provide food and, through export, foreign exchange.

As a result, the U.S. fisherman's share of the domestic market continues to shrink. Exports amount to only $85 million—twelve per cent of the import total—and the gap will probably grow larger.

It has been said, with a degree of justice, that the U.S. fisherman is conservative; that he is reluctant to try anything new; that because he doesn't always deliver raw material in the form the processor wants it, the processor is forced to buy elsewhere. There is, however, another side to this. The fisherman has for some time been in a high-risk, low-profit situation. Gambling on new gear or a new method of operation could be ruinous. And there are other discouragements.

The states manage their own fishery resources, usually by limiting or outlawing efficiency on the theory that this is the best way to conserve resources. Massachusetts fishermen can't use a seine to catch striped bass. Many Chesapeake oyster dredgers must use sailboats. Alaska seine boats in the salmon fishery are limited to a maximum of fifty-eight feet in length and in an effort to compensate for this restriction, they are constructed with such wide beams that they are inefficient whether fishing for salmon or any other species.

The nation's 128,000 commercial fishermen are by and large broken up into regional or fishery groups whose interests often diverge. There is no effective national fishermen's association. This situation usually precludes any concerted efforts to change the laws. New England ground fishermen, for instance, favored Congressional action in 1966 to extend the territorial fishing limit from three miles off the U.S. coast to twelve. They fish close to the coast and fear foreign encroachment. Gulf of Mexico shrimp fishermen and California tuna fishermen opposed extension. They frequently fish foreign waters and feel vulnerable to retaliation by other governments.

The nation's eating habits are often cited as contributing to the fishermen's unhappy predicament. The yearly use of fish in the United States averages sixty-three pounds per person, almost twice the world average, but most of the poundage is used as fish meal to supplement the diet of livestock and pets. The per capita use of fish for the table is a relatively modest ten and a half pounds as against one hundred and four pounds of beef, fifty-eight pounds of pork, and thirty-six pounds of chicken. To fishery analysts the breakdown is irrelevant. They emphasize that while the domestic catch is static at about five billion pounds, domestic use is twelve billion pounds and growing at a faster rate than the population. Moreover, they estimate that available fishery resources could sustain an annual catch five times the present harvest. The U.S. fisherman, in brief, lacks neither the market nor the fish, and if he could become competitive it would make small difference to him whether he caught fish for meal or for food.

RESEARCH AND DEVELOPMENT

One step toward competitiveness would be the building of efficient vessels. In 1964 Congress expanded and strengthened an earlier attempt to alleviate the situation that stems from the law Washington signed in 1792 as well as the fishery trends since the Second World War. It authorized $10 million a year for five years for a subsidy of up to fifty per cent to cover the difference between vessel construction costs in U.S. and foreign shipyards. The program has been slow in getting under way; from December, 1964, through June, 1967, only fifty-five subsidy applications were approved and only twenty-two contracts were let. The fact is, relatively few fishermen are able to take advantage of a law that requires the subsidized vessel to be of advanced design, able to operate in expanded areas, and equipped with the most modern gear available. Such a vessel of about one hundred feet in length may cost up to $500,000. In addition to the subsidy program, the government also provides funds to insure vessel mortgages and something in the neighborhood of $3 million a year in loan funds at six per cent interest to build or remodel vessels. Therefore, the government makes available only the modest sum of about $15 million a year for upgrading the fleet.

Efficiency, of course, depends not only on a modernized fleet but also on adequate research. But the Bureau of Commercial Fisheries (BCF), which conducts government research into the marine fishery, is not treated with generosity. Its budget for fiscal 1968 is about $49 million—a modest rise from that of 1967, but a sum that still leaves some research facilities understaffed and some research projects underfinanced. For instance, BCF currently has only seventeen research vessels over seventy feet in length plus one under construction. A research vessel in the 150-foot range, which is not large for an ocean-going ship, costs about $2 million. But the bureau has no funds allocated to new-vessel construction for this fiscal year.

Yet the Bureau of Commercial Fisheries does well by the fisherman. Its efforts in such areas as the prediction of groundfish abundance and the development of new uses and better processing methods are good examples.

In the past, the fisherman sometimes geared his vessel to catch a usually abundant species of groundfish and then found that the species wasn't abundant enough to be profitable. This meant that he might have to lay up, for a change-over in gear to fish another species was often too costly. Today he is forewarned. BCF biologists have learned that the abundance and thus the catch of certain species can be predicted by a year or more by having port agents monitor daily landings and by making month-long cruises to sample the young of the year at perhaps two hundred locations on the fishing grounds.

The BCF also administers a program enacted by Congress in 1964, whereby the Federal government will meet up to seventy-five per cent of the cost of a state research project. During the last two fiscal years, $8.2 million was appropriated for aid to such projects as pink-salmon forecast research in Alaska, oyster-raft production in Alabama, and gear research and testing of improved commercial fishing boats in Puerto Rico.

The bureau is attempting to develop processing methods that will be less costly than present ones, yet give fish a longer and more appealing life in the food store. Irradiation and freeze-drying are two new methods about which there is optimism, and if they broaden the market for food fish the U.S. fisherman stands to gain.

A marine (or fish) protein concentrate developed by the BCF and by the VioBin Corporation could broaden the fisherman's market. Manufactured from the whole fish—head, tail, teeth, innards, and all—the concentrate is an almost tasteless and odorless flour that is very nutritious and, at 20 cents a pound, cheap to produce. A ton of fish can be converted to 320 pounds of concentrate, enough to bolster the diets of thirty undernourished persons for a year at a cost of two dollars each. Since 1.5 billion persons throughout the world suffer from protein malnutrition and population is outstripping agricultural capacity, the concentrate's proponents believe that it will become a major domestic and export commodity, opening the way for U.S. fishermen to exploit billions of pounds of presently unutilized fish stocks on the Continental Shelf. Although the U.S. Food and Drug Administration had withheld approval of the concentrate's sale for six years on the ground that consumers would consider anything made from whole fish to be filthy, the agency has finally acquiesced and Congress has voted funds for construction of a pilot plant and the leasing of another.

SURVEYS AND SOUNDINGS

For all the BCF's good works, its communication with the fishermen is imperfect. It passes along research findings and other pertinent fishery information in its publications and in scientific journals, but it has no formal extension service—a serious gap, considering what the Department of Agriculture's extension service and county-agent system have meant to the farmer in terms of technological education and assistance.

Indeed, the fisherman has poor communications not only with the BCF but also with the twenty-odd government agencies involved in oceanography. Ocean currents, weather, bottom topography, chemistry, and other factors affect the behavior and productivity of fish, yet there is no effective mechanism for relaying information on these topics to the fisherman. A remedy may be in the offing, for Congress and the White House independently took first measures in June, 1966, to centralize the government's ocean research, and to co-ordinate it with research being carried out by states, industries, universities, and unaffiliated marine laboratories. Congress created a cabinet-level National Council on Marine Resources and Engineering Development headed by Vice President Humphrey and a Commission on Marine Science, Resources and Engineering Development, which is to issue a report next year. The Panel on Oceanography of the President's Science Advisory Committee, in a study entitled *Effective Use of the Sea*, recommended that something be done forthwith about the commercial fishery. "Clearly," it reported, "the United States lags behind other nations in the technology of fishing and acquiculture. Future food problems of the world require that we develop these technologies and assist other nations to develop them. The Panel assigns very high priority to this task."

Two additional cheering notes were struck in 1966. The University of Rhode Island, where marine research is excellent and growing, announced a two-year academic program designed to graduate well-informed fishermen, the first such university program in this country. And Congress, mindful of the land-grant colleges' influence on agricultural development, passed the National Sea Grant College and Program Act providing grants to further the development of marine resources.

It can be fairly said that U.S. fishermen finally are being noticed and that they have a future. The states probably will eliminate or modify some of the obstacles to efficient fishing. New processing methods undoubtedly will prove more economical than old ones and the market for food fish will expand. Marine protein concentrate also will provide new opportunities for expansion.

The vessel-subsidy program is now starting to contribute substantially to the enlargement and upgrading of the fishing fleet, but the bald fact remains that most of the fleet needs modernizing and the fisherman must have more Congressional help. To reduce the uncertainty and delay inherent in the present system, it has been urged that the subsidy be made a fixed percentage of the construction cost and that the present procedures be simplified. It has also been suggested that tax incentives for vessel construction or improvement could be a spur to progress, as could a plan similar to one operating in Canada that offers a fixed subsidy and an interest-free loan on the balance.

In the short term, however, the fishermen remain in economic jeopardy. Unless something can be done soon, many may be forced to seek other work. A persuasive case can be

made for measures to help the fishermen. Their annual catch is worth $450 million at dockside, but to the processor it is worth $1 billion. They have $500 million tied up in vessels that keep shipyards and gear manufacturers busy. The industry and closely allied shore activities provide half a million jobs. U.S. fishermen, whatever their present woes, would appear to be a national asset.

U.S. CATCH OF FISH AND SHELLFISH, 1926–66

Year	Catch for human food (million pounds)	Catch for industrial products [1] (million pounds)	Total: Millions of pounds	Total: Millions of dollars	Average price per pound (cents)
1926	2,198	673	2,871	(2)	(2)
1927	2,172	634	2,806	(2)	(2)
1928	2,370	691	3,061	(2)	(2)
1929	2,601	890	3,491	(2)	(2)
1930	2,478	746	3,224	109	3.39
1931	2,129	501	2,630	77	2.94
1932	1,864	748	2,612	56	2.13
1933	2,086	911	2,997	(2)	(2)
1934	2,434	1,670	4,104	(2)	(2)
1935	2,583	1,552	4,135	(2)	(2)
1936	2,854	1,972	4,826	(2)	(2)
1937	2,703	1,650	4,353	101	2.32
1938	2,639	1,615	4,254	94	2.20
1939	2,713	1,732	4,445	97	2.17
1940	2,674	1,385	4,059	99	2.44
1941	3,062	1,838	4,900	129	2.63
1942	2,683	1,192	3,875	170	4.40
1943	2,737	1,425	4,162	204	4.90
1944	2,865	1,668	4,533	213	4.70
1945	3,167	1,431	4,598	270	5.87
1946	3,049	1,418	4,467	313	7.01
1947	3,020	1,329	4,349	312	7.16
1948	3,146	1,367	4,513	371	8.22
1949	3,305	1,499	4,804	343	7.13
1950	[3] 3,307	1,594	4,901	347	7.09
1951	3,048	1,385	4,433	365	8.23
1952	2,778	1,654	4,432	364	8.20
1953	2,519	1,968	4,487	356	7.94
1954	2,705	2,057	4,762	359	7.55
1955	2,579	2,230	4,809	339	7.05
1956	2,690	2,578	5,268	372	7.06
1957	2,475	2,314	4,789	354	7.39
1958	2,651	2,096	4,747	373	7.86
1959	2,369	2,753	5,122	346	6.76
1960	2,498	2,444	4,942	354	7.15
1961	2,490	2,697	5,187	362	6.98
1962	2,540	[3] 2,814	[3] 5,354	396	7.40
1963	2,556	2,291	4,847	377	7.78
1964	2,497	2,044	4,541	389	8.57
1965	2,586	2,190	4,776	445	9.33
1966	2,568	1,773	4,341	[3] 454	[3] 10.47

[1] Processed into meal, oil, fish solubles, homogenized condensed fish, shell products and used as bait and animal food.

[2] Not available.

[3] Record.

Note: Does not include data on the Hawaiian catch prior to 1946.

U.S. FISH CATCH, BY STATES, 1965–66

State	1965: Pounds (thousands)	1965: Amount (thousands)	1966 [1]: Pounds (thousands)	1966 [1]: Amount (thousands)	Record catch: Year	Record catch: Pounds (thousands)
Alabama	22,160	$5,754	[2] 25,000	[2] $7,600	1955	29,307
Alaska	491,442	70,146	588,000	74,000	1936	932,341
Arizona	8	1	(3)	(3)	------	(4)
Arkansas	8,305	633	(3)	(3)	------	(4)
California	458,028	50,743	474,900	53,300	1936	1,760,183
Colorado	153	9	(3)	(3)	------	(4)
Connecticut	4,927	1,507	(3)	(3)	1930	88,012
Delaware	48,049	909	5,700	400	1953	367,500
Florida	211,887	35,346	204,000	33,900	1938	241,443
Georgia	20,059	4,104	16,000	3,900	1927	47,607
Hawaii	19,588	3,602	13,500	3,000	1954	20,610
Idaho	1,394	75	(3)	(3)	------	(4)
Illinois	7,496	682	(3)	(3)	------	(4)
Indiana	2,927	299	(3)	(3)	------	(4)
Iowa	3,001	231	(3)	(3)	------	(4)
Kansas	42	12	(3)	(3)	------	(4)
Kentucky	2,119	232	(3)	(3)	------	(4)
Louisiana	798,917	38,379	[2] 664,100	[2] 39,800	1965	798,917
Maine	204,846	21,922	200,400	24,300	1950	356,266
Maryland	86,672	13,220	82,500	14,000	1890	141,607
Massachusetts	442,430	46,147	412,500	45,000	1948	649,696
Michigan	19,748	2,757	21,200	2,500	1930	35,580
Minnesota	14,469	835	(3)	(3)	------	(4)
Mississippi	371,614	9,704	[2] 273,100	[2] 9,500	1961	391,689
Missouri	432	44	(3)	(3)	------	(4)
Montana	354	32	(3)	(3)	------	(4)
Nebraska	412	39	(3)	(3)	------	(4)
New Hampshire	1,272	$637	(3)	(3)	------	(4)
New Jersey	160,440	11,385	97,300	$9,800	1956	540,060
New Mexico	36	3	(3)	(3)	------	(4)
New York	147,904	12,492	[2] 64,400	[2] 11,500	1880	[2] 335,000
North Carolina	233,961	9,241	250,400	9,600	1959	342,612
North Dakota	333	25	(3)	(3)	------	(4)
Ohio	11,528	1,163	10,500	1,100	1936	31,083
Oklahoma	867	104	(3)	(3)	------	(4)
Oregon	69,145	8,816	74,500	11,000	1941	91,725
Pennsylvania	515	91	(3)	(3)	------	(4)
Rhode Island	48,706	4,624	68,600	5,200	1889	128,056
South Carolina	26,611	4,928	21,200	4,100	1965	26,611
South Dakota	3,446	233	(3)	(3)	------	(4)
Tennessee	8,986	936	(3)	(3)	------	(4)
Texas	155,999	35,795	[2] 123,800	[2] 42,700	1960	237,684
Utah	447	59	(3)	(3)	------	(4)
Virginia	504,862	26,969	418,400	21,000	1959	526,306
Washington	127,357	18,477	136,000	19,400	1941	197,253
Wisconsin	31,995	2,118	44,400	2,200	------	(4)
Wyoming	124	2	(3)	(3)	------	(4)
States for which information not available (estimated)	----------	----------	50,600	5,600	------	----------
Total	4,776,013	445,498	4,341,000	454,400	------	----------

[1] Preliminary.

[2] Catch in interior waters estimated.

[3] Data not available.

[4] Not determined.

Note: Statistics on the catch are shown in live (round) weight of all items except univalve and bivalve mollusks (conchs, clams, oysters, scallops, etc.) which are shown in the weight of meats excluding the shell.

IMPORTANT U.S. FISHERY IMPORTS, 1965–66

Item	1965	1966	5-year average, 1960–64
1. Edible fishery products:			
a. Fresh and frozen:			
Fillets:			
Groundfish and ocean perch 1,000 pounds	80,147	108,525	75,829
Blocks and slabs do	214,807	206,573	134,252
Total do	294,954	315,098	210,081
Other do	74,724	92,707	69,549
Halibut do	21,726	19,496	23,256
Salmon do	7,861	8,295	10,646
Tuna:			
Albacore do	167,460	180,167	111,415
Other do	159,728	207,970	164,848
Loins and disks do	12,033	15,233	10,522
Sea scallop (meats) do	16,495	16,712	11,308
Lobsters:			
Common (includes fresh-cooked meat) 1,000 pounds	18,597	17,124	21,407
Spiny do	37,814	36,847	34,011
Shrimp (mostly frozen, some canned and dried) 1,000 pounds	162,942	178,549	137,395
1. Edible fishery products—Continued			
b. Canned:			
Salmon 1,000 pounds	101	572	6,922
Sardines:			
In oil do	21,532	23,600	24,331
Not in oil do	23,538	33,989	17,467
Tuna:			
In oil do	211	160	362
In brine do	50,750	61,400	55,494
Bonito and yellowtail:			
In oil do	2,044	1,536	5,324
In brine do	1,888	1,320	2,645
Crab meat do	4,152	2,233	4,419
Lobsters:			
Common do	2,851	2,861	2,694
Spiny do	129	158	252
Oysters (mostly canned) do	8,638	12,016	7,798
2. Nonedible fishery products:			
a. Scrap and meal tons	270,666	447,784	283,435
b. Solubles do	5,138	4,308	5,568
c. Whale oil sperm 1,000 pounds	77,107	58,167	58,684

Note: The data include imports into U.S. territories and possessions and landings of tuna by foreign vessels in American Samoa.

Source: Department of Commerce, Bureau of the Census.

U.S. PER CAPITA CONSUMPTION OF COMMERCIALLY CAUGHT FISH AND SHELLFISH, 1916–66

[In pounds of edible meat]

Year	Fresh and frozen [1]	Canned [2]	Cured [3]	Total
1916	6.0	2.2	2.8	11.0
1917	6.2	2.0	2.7	10.9
1918	6.4	2.0	2.5	10.9
1919	6.4	2.8	2.4	11.6
1920	6.3	3.2	2.3	11.8
1921	6.2	2.2	2.1	10.5
1922	6.1	3.2	2.0	11.3
1923	6.0	2.9	1.8	10.7
1924	6.1	3.2	1.7	11.0
1925	6.3	3.2	1.6	11.1
1926	6.6	3.4	1.4	11.4
1927	7.0	3.9	1.3	12.2
1928	7.1	3.9	1.1	12.1
1929	6.9	3.9	1.1	11.9
1930	5.8	3.4	1.0	10.2
1931	4.9	3.2	.7	8.8
1932	4.3	3.4	.7	8.4
1933	4.2	3.9	.6	8.7
1934	4.3	4.2	.7	9.2
1935	5.1	4.7	.7	10.5
1936	5.2	5.8	.7	11.7
1937	5.6	5.3	.9	11.8
1938	5.2	4.8	.8	10.8
1939	5.3	4.7	.7	10.7
1940	5.7	4.6	.7	11.0
1941	6.3	4.2	.7	11.2
1942	5.2	2.9	0.6	8.7
1943	5.5	1.8	.6	7.9
1944	5.5	2.6	.6	8.7
1945	6.6	2.6	.7	9.9
1946	5.9	4.2	.7	10.8
1947	5.8	3.8	.7	10.3
1948	6.0	4.4	.7	11.1
1949	5.8	4.5	.6	10.9
1950	6.3	4.9	.6	11.8
1951	6.3	4.3	.6	11.2
1952	6.2	4.3	.7	11.2
1953	6.4	4.3	.7	11.4
1954	6.2	4.3	.7	11.2
1955	5.9	3.9	.7	10.5
1956	5.7	4.0	.7	10.4
1957	5.5	4.0	.7	10.2
1958	5.7	4.3	.6	10.6
1959	5.9	4.4	.6	10.9
1960	5.7	4.0	.6	10.3
1961	5.9	4.3	.5	10.7
1962	5.8	4.3	.5	10.6
1963	5.7	4.4	.5	10.6
1964	5.9	4.1	.5	10.5
1965	6.0	4.4	.5	10.9
1966 [4]	5.9	4.2	.5	10.6

[1] Fresh and frozen fish consumption in the period 1916–28 are based on a straight-line projection.

[2] Canned fish consumption estimates 1916–20 based on a straight-line projection, adjusted for heavy export and military takings of canned fish from 1916 to 1918; beginning in 1921 based on production reports, paper stocks, and foreign trade statistics for individual years.

[3] Cured fish estimates 1916–20 based on straight-line projection.

[4] Preliminary.

ANNUAL PER CAPITA CONSUMPTION OF FISH AND SHELLFISH. BY REGION AND COUNTRY

Region and country	Period	Estimated edible weight (pounds)
Europe:		
Austria	1964–65	8.2
Belgium-Luxembourg	1963–64	13.2
Denmark	1964–65	37.3
Finland	1963–64	28.0
France	1963–64	16.3
Germany (Federal Republic)	1963–64	13.9
Greece	1963	22.5
Ireland	1963	7.7
Italy	1964–65	11.7
Netherlands	1964–65	13.9
Norway	1964–65	44.5
Poland	1961–63	9.0
Portugal	1964	50.7
Romania	1961–63	4.4
Spain	1963–64	30.6
Sweden	1964–65	47.0
Switzerland	1963–64	8.8
United Kingdom	1964–65	22.5
Yugoslavia	1963	2.9
North America:		
Canada	1964–65	15.0
United States	1966	10.6
Latin America:		
Argentina	1962	4.4
Brazil	1962	6.4
Chile	1962	15.0
Colombia	1963	2.6
Costa Rica	1963	2.6
Dominican Republic	1959	7.7
Ecuador	1961	11.0
Latin America—Continued		
El Salvador	1962	2.6
Jamaica	1958	25.1
Mexico	1962	5.3
Panama	1962	11.5
Peru	1962	17.4
Surinam	1964	20.7
Uruguay	1961	3.3
Venezuela	1962	14.3
Far East:		
Ceylon	1964	15.2
China, Taiwan	1964	31.3
India	1963–64	2.6
Japan	1964	54.7
Pakistan	1963–64	3.5
Philippines	1964	32.8
Africa and Near East:		
Israel	1963–64	14.3
Lebanon	1964	6.8
Libya	1959	2.6
Madagascar	1962	8.4
Mauritius	1964	13.0
Southern Rhodesia	1953	3.3
South Africa	1960–61	19.4
Turkey	1960–61	5.5
Uganda	1961	9.7
United Arab Republic	1963–64	11.0
Oceania:		
Australia	1963–64	11.9
New Zealand	1964	14.6

Note: Data for most countries are tentative.

Source: Production Yearbook, 1965, vol. 19, Food and Agriculture Organization of the United Nations.

EMPLOYMENT, U.S. FISHING CRAFT AND ESTABLISHMENTS, VARIOUS YEARS, 1930–65

Item	1930	1940	1950	1960	1965
Persons employed, direct:					
Fishermen	119,716	124,795	161,463	130,431	128,565
Shoreworkers	78,996	90,215	102,015	93,625	86,865
Total	198,712	215,010	*263,478	224,056	215,430
Craft utilized, fishing:					
Vessels (5 net tons and over)	4,347	5,562	11,496	12,018	12,311
Motorboats	35,437	31,055	46,067	56,889	63,828
Other boats	37,961	35,193	34,747	8,150	3,393
Total	77,772	71,810	*92,310	77,057	79,532
Vessels, documented for fishing:					
First documentation	(1)	320	812	408	612
Redocumentation	(1)	(1)	29	24	51
Total	(1)	(1)	*841	432	663
Fishery shore establishments:					
Pacific Coast States	569	579	700	515	557
Atlantic Coast and Gulf States	2,024	2,038	2,699	2,898	2,931
Great Lakes and Mississippi River States	402	438	484	772	677
Hawaii	(1)	(1)	(1)	22	24
Total	2,995	3,055	3,883	*4,207	4,189

(1) Data not available.

*Indicates record.

L. B. J. DESERVES GREAT CREDIT FOR BRINGING PRIVATE CAPITAL TO THE SLUMS—AMENDMENTS

AMENDMENT NO. 317

Mr. PROXMIRE. Mr. President, it is my understanding that today the Senate will consider the measure making appropriations for the independent offices and the Department of Housing and Urban Development. The measure will be before the Senate today and perhaps tomorrow.

In this connection, a significant breakthrough was achieved last week when a group of the Nation's largest insurance companies announced a plan to invest $1 billion of private capital in urban ghetto real estate. The Johnson administration deserves great credit for organizing and encouraging this initiative. It will help significantly to solve our urban problems without an immense burden on the Federal Treasury.

This decision reverses a long-term trend of the flight of capital from the declining portions of our central cities. The decisions of private investors to invest or not to invest have a tremendous impact on urban growth and development. In the past, many lenders have "red lined" entire sections of our central cities, with the result that mortgage credit becomes virtually unobtainable.

Mr. President, by that I mean that they draw a red line around the ghetto area and they will not go in there or touch it under any circumstances. When credit dries up, the neighborhood quickly goes downhill. This makes it even more difficult to attract capital. Thus, the reluctance of investors to lend in neighborhoods which might decline quickly becomes a self-fulfilling prophecy. We must develop new ways to break this vicious cycle.

I welcome and applaud the initiative shown by the Nation's insurance companies. I am hopeful that other lending institutions such as our commercial banks and savings and loan associations will follow the example set by the insurance industry. It is obvious that the task of rebuilding our central cities far exceeds the capacity of the Federal Government to solve. We must encourage private enterprise to work with Government in making our cities a decent place in which to work and live.

I am encouraged that the Federal Housing Administration is changing its procedures to provide far more mortgage insurance in the ghetto. In the past, FHA has often operated hand in glove with the mortgage credit industry in restricting the flow of funds into the central city. It is a shocking charge to say that FHA, an instrumentality of the Government, has been doing this. It has been preventing investment of private funds in the gretto areas by its policies.

The private lender can hardly be expected to risk his capital in neighborhoods where FHA itself refuses to insure mortgages on the grounds the neighborhood is not economically sound even though the homeowner may have an excellent credit rating and even though he has always paid his bills and has a financial capacity to warrant FHA insurance.

In fairness to FHA, it should be pointed out that the agency has no clear mandate from Congress to take more risks by insuring mortgages in the ghetto. Although there are some of us in Congress who criticize FHA for not doing enough in the slums, there are others in Congress who jump upon the agency whenever it incurs a loss. Congress cannot have it both ways. We cannot expect FHA to insure higher risk mortgages in the ghetto while at the same time reducing its loss experience.

In an effort to bring FHA mortgage insurance into the ghetto, last year the Congress adopted an amendment introduced by the Senator from California [Mr. Kuchel] which permits FHA to waive its economic soundness criteria in areas where riots have occurred or are threatened. Just last August, FHA announced that this new policy would be implemented. FHA has also pledged to use this new authority to the maximum in connection with the private insurance companies' billion-dollar investment program.

As valuable as this new authority is, I believe it will not be enough. First of all, the authority to waive the economic soundness criteria applies only to FHA's basic single-family home programs under section 203 of the Housing Act. It does not apply to multifamily projects under section 207, to low and moderate income projects under section 221, to urban renewal housing under section 220, to housing for the elderly under section 231, and to cooperative housing under section 213.

Second, the authority can only be used in riot areas or areas threatened by a riot. I believe it is bad policy to condition the availability of a Government program upon the existence or threat of a riot. The expanded FHA authority should be available in all areas to prevent riots or threatened riots from occurring in the first place.

Third, the new authority permits FHA only to waive its economic soundness criteria and to substitute an "acceptable risk" test. It does not permit FHA to waive other statutory criteria such as limitations on the maximum life of a mortgage, its loan-to-value ratio, and downpayment requirements. Very often, these restrictions make it just as difficult to insure mortgages in low income areas.

Fourth, even if FHA takes more risks in the ghetto, it is still held accountable not to show a loss. Defaults and subsequent losses are financed through the premiums FHA collects for providing mortgage insurance. If losses begin to exceed premium revenues, one can expect a new barrage of congressional criticism. Thus, in the final analysis, FHA is forced into a conservative position.

For these reasons, I have submitted an amendment to the omnibus housing bill now pending before the Housing Subcommittee. The amendment would provide additional authority to FHA to insure mortgages in declining urban areas. However, it would meet all of the previous criticisms in the following ways:

First, the new authority would be extended to all FHA mortgage insurance programs, and not just the single-family section 203 program.

Second, the new FHA authority would be available automatically in all urban neighborhoods. It would not be conditioned upon the existence or threat of a riot.

Third, the amendment would permit FHA to waive all statutory restrictions and not just the economic soundness restriction. This would permit FHA to extend the maximum length of the mortgage or to relax the downpayment requirements in order to make more housing available to lower income groups.

Fourth, mortgages insured under this special authority would be backed by Federal appropriations if necessary. In the event losses were to exceed premium income, Congress would make up the difference with direct appropriations. In effect, FHA would be told to take more constructive risks with the assurance that Congress stood behind it to cover any losses.

I am hopeful that this new authority for FHA will be approved by the Congress. I am convinced a vigorous program of rebuilding and new construction can remake our central cities. FHA mortgage insurance and private capital can do the job. In view of the dramatic new initiative shown by the Nation's insurance companies, I believe it is all the more important to liberalize FHA mortgage insurance procedures. Private industry has already demonstrated it is ready to move. The next move is up to the Government.

Instead of costing the Government money, I believe a liberalized FHA program can save money. It can bring in more tax revenue and cut down on welfare payments, crime and riots.

Mr. President, I ask unanimous consent to have printed in the Record excellent editorials from the New York Times of September 15, the Washington Star of September 15, and the Washington Post of September 15, supporting the injection of private capital in the slums. I also ask unanimous consent to insert in the Record the text of my proposed amendment to the housing bill together with an explanation of its effect.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment, explanation, and editorials will be printed in the Record.

The amendment (No. 317), submitted by Mr. Proxmire, was referred to the Committee on Banking and Currency, as follows:

On page 11, line 4, add the following after the word "section": "and of section 223(e)."

On page 19, line 8, add the following new subsection:

"Sec. 106. (a) Section 203(1) of the National Housing Act is hereby repealed.

"(b) Section 223 of the National Housing Act is amended by adding a new subsection (e) to read as follows:

" '(e) Notwithstanding any of the provisions of this title, and without regard to limitations upon eligibility contained in any section of this title, the Secretary is authorized, upon application by the mortgagee, to insure under any section of this title, a mortgage executed in connection with the repair, rehabilitation, construction, or purchase of the property located in an older, declining urban area in which the conditions are such that one or more of the eligibility requirements applicable to the section of this title under which insurance is sought could not be met: *Provided,* That the Secretary finds that the area is reasonably viable, giving consideration to the need for providing adequate housing for families of low and moderate income in such area, and that the property is an acceptable risk in view of such consideration: *Provided further,* That the insurance of a mortgage pursuant to this section shall be the obligation of the Home Purchase Fund.' "

The explanation presented by Mr. Proxmire is as follows:

Explanation of Proxmire Amendment—FHA Financing for Blighted Urban Areas

A special and more flexible authority is needed by the FHA to assist in dealing with blighted urban areas located in the central cities.

Increasing interest in the rehabilitation of such areas is being evidenced by private industry groups. The FHA could actively assist and encourage participation by local civic and business leaders through relaxation of the usual eligibility requirements and standards where this is necessary to accomplish the important objective of arresting blight, preventing deterioration to slum conditions, and providing decent housing for low and moderate income families.

Each of the FHA programs has certain eligibility limitations imposed by statute. The number of units in a particular structure, for example, might be the inhibiting factor for a worthwhile proposal. Minimum property standards and appraisal criteria adopted pursuant to law and legislative history may restrain the use of an essential program.

At attempt to deal with this problem, in part, was made last year with the enactment of section 203(1) of the National Housing Act, eliminating the economic soundness requirement from section 203 of areas where rioting or other civil disorders have occurred or are threatened. The reference to riot areas should be stricken and the concept should be extended to all the FHA programs when they are being used in the fight against blight within the central cities. In addition to section 203, home ownership objectives can be accomplished with the cooperative program under section 213 and the condominium program under section 234. The sections 220 and 221 programs, both for home ownership and rental housing, should be made available in these blighted areas without the limitations and restraints imposed by an established program having a particular mold or pattern. On occasion, a combination of two or more of these programs, or a portion of each, may be needed to deal with unusual situations and problems.

On the basis of the experience it is gaining and which it will gain in working with civic and industry groups, the FHA can be expected to establish by regulation the requirements and limitations which will protect the public interest and at the same time will afford the most useful and helpful support to these groups. Especially in those instances where industry leaders, motivated by civic interest and pride, are willing to make funds available in substantial amounts to eliminate blight and prevent the spread of slum conditions, the FHA should have maximum flexibility under the law to encourage their efforts.

It is proposed, therefore, to repeal section 203(1) of the National Housing Act, with its emphasis upon riots and threatened riots, and to add a new subsection to section 223 of the Act providing a broad flexible authority for the use of all FHA programs in blighted urban areas. With the enactment of this provision the FHA will be able to extend maximum assistance to the civic minded industry groups whose involvement is essential to the saving and rebuilding of our cities.

The proposed amendment, entitled "FHA Financing for Blighted Areas," is attached.

A provision has also been included which would include the mortgages insured pursuant to this authority under the special high risk fund. Thus, any losses would be borne by appropriate funds. It would not jeopardize existing insurance reserves.

The editorials presented by Mr. PROXMIRE are as follows:

[From the New York Times, Sept. 15, 1967]

BREAKTHROUGH IN THE SLUMS

The long-discussed need to apply the vast resources of the private economy to the problems of slums has finally been met with action. This is the meaning of the decision of the nation's life insurance companies to invest $1 billion in ghetto real estate.

The $1 billion will make possible a small, though appreciable, start toward eradicating cancerous slum conditions. But even more vital than the amount involved is the lead given by the traditionally conservative insurance industry to the nation's banks and other large sources of private capital. It could spark a chain reaction that would really produce a massive private drive to raise ghetto housing and living standards.

What the life insurance companies have done is to subordinate short-run economic interest to the nation's and their own longer-run interests. Much of their investment will be insured by the Federal Government, but at a time of high interest rates and capital stringency there is no doubt that funds now being diverted to financing slum housing could be invested more profitably elsewhere.

Immediate effect of the plan is to give needed stimulus to the Administration's flagging rent-supplement program. Until now there had been scant hope that Congress would provide more funds to pay part of the monthly rent for slum tenants because of the reluctance of private industry to participate. But since the industry has specifically pledged to put funds into this program, there is no excuse at all for Congress to continue to drag its heels.

It is no denigration of the insurance companies to note that their decision would have been impossible had it not been for a major policy change by the Federal Housing Administration. Prior to last month the F.H.A. had effectively excluded many of the worst housing areas of the country from its mortgage insurance program as excessive risks. Its conservative lending policies had made it the target of civil rights leaders who accused it of drawing a "white noose" around the nation's urban centers by stressing white-collar housing in the suburbs.

This policy was changed in August, when the Department of Housing and Urban Development announced that mortgages would be insured for "credit-worthy" individuals even if they lived in areas already affected or threatened by riots.

The pattern now set of creative private-government partnership to help attack the problems of the urban disadvantaged could radically alter the character of American cities in the years ahead if it is energetically followed up. No more important challenge now faces the nation's private sector than that of expanding and deepening the breakthrough pioneered by the life insurance industry.

[From the Washington Star, Sept. 15, 1967]

NEW REMEDIES FOR SLUMS

The proposal by the nation's major life insurance companies to invest $1 billion in ghetto real estate comes at an auspicious moment.

Not only is the nation looking about with some desperation for new remedies for the problems of slums, but Washington is especially frustrated in finding ways to finance such efforts. The advantage of the offer by the insurance industry is that it will not add a whole new federal program to an already overstrained budget.

Although the money will go chiefly for housing at the outset, the industry's willingness to invest in job-creating industry in slum areas is equally significant. As studies after the Watts riots made clear, the accessibility of jobs is a crucial factor in solving ghetto problems.

It is astonishing, against this background, that while applauding the insurance companies' offer administration spokesmen have chosen simultaneously to attack two bills introduced last July by Senator Robert F. Kennedy and others. One would provide special tax incentives and low-cost loans to encourage construction or rehabilitation of low-income housing in urban slums. The other would give similar tax incentives to industry for locating in such areas.

From the point of view of budget management, such tax exemption cannot truthfully be said to cost the government nothing. It represents tax revenues not collected. But at a time when a record peace-time budget deficit is upon us, and the cost of last summer's riots is being reckoned, the Kennedy measures do offer a further constructive answer. Together with the insurance industry proposal, they will impose no serious new burdens on the debt-management process.

It seems to us Senator Kennedy and the insurance companies are after the same thing—and that the administration's blast at his proposals is ill-considered political reflex action.

[From the Washington Post, Sept. 16, 1967]

A MAJOR BLOW AT SLUMS

President Johnson did not exaggerate when he said that the program under which the major insurance companies will invest $1 billion in rehabilitating slums is an "historic contribution to our country." Private enterprise has in the past participated in efforts to improve slum housing, but the scope and organization of this program overshadows all others.

Slums, like underdeveloped countries, are ensnared in a vicious circle: they are wretched because they are wretched. Private real estate investors and institutions that invest other people's money, look for properties that yield the highest returns consistent with safety. Except where office buildings are replacing tenements, slums and changing neighborhoods fail to meet the standards of financial prudence. The risks are too high, and there is no dearth of far safer investments. As a consequence the physical deterioration of slum structures and the alienation of the people that inhabit them proceeds to the point of spontaneous social combustion.

The possibility opened up by the Life Insurance Committee on Urban Problems is that of breaking the vicious circle. By making large-scale efforts to replace or rehabilitate decrepit housing in cooperation with local builders and governments, the life insurance investors may be able to effect a gradual but significant transformation of the slums. What is needed is not only decent housing, but the sort of employment opportunities that would inculcate a sense of hope and dignity in neighborhoods where morale is now low.

Government—both Federal and local—has been attacking the slum problem for decades, but progress in building new housing units has been very slow and the experience with centrally administrated public housing projects has been abysmal. Private enterprise, with its plural controls and pragmatic approach to problem solving, now has an opportunity to prove its mettle.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL, 1968—AMENDMENTS

AMENDMENT NO. 318

Mr. YOUNG of Ohio proposed amendments to the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes, which was ordered to be printed.

AMENDMENT NO. 319

Mr. HARRIS (for himself and Mr. KENNEDY of Massachusetts), submitted an amendment, intended to be proposed by them, jointly, to House bill 9960, supra, which was ordered to lie on the table and to be printed.

(See reference to the above amendment when submitted by Mr. HARRIS, which appears under a separate heading.)

AMENDMENT NO. 320

Mr. BROOKE submitted an amendment, intended to be proposed by him, to House bill 9960, supra, which was ordered to lie on the table and to be printed.

THE INCOME TAX TREATMENT OF CERTAIN DISTRIBUTIONS—AMENDMENT

AMENDMENT NO. 321

Mr. HOLLINGS submitted an amendment, intended to be proposed by him, to the bill (H.R. 4765) relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILL AND CONCURRENT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, on behalf of my colleague, the Senator from South Carolina [Mr. HOLLINGS], I ask unanimous consent that, at its next printing, the name of the Senator from Vermont [Mr. PROUTY] be added as a cosponsor of the bill (S. 1796) to impose quotas on the importation of certain textile articles.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska [Mr. GRUENING] be added as a cosponsor of my resolution (S. Con. Res. 44) providing that it is the sense of the Congress that the President should submit a resolution to the United Nations for final and binding improvement of peace in Southeast Asia in accordance with the appropriate article of the United Nations Charter.

The PRESIDING OFFICER. Without objection, it is so ordered.

FINANCING OF FEDERAL ELECTION CAMPAIGNS

Mr. LAUSCHE. Mr. President, I desire to speak upon the bill that is pending before the Senate which would require the taxpayers to subsidize the political campaigns of candidates running for Federal office.

My initial words are: Members of Congress, take heed. The taxpayers of the United States will rebel against extravagant spending necessitating increased new tax burdens. They will not suffer the false practice of Congress giving them half-dollars of financial help and taking from them full dollars in taxes. They will not interminably be duped; they will awaken to the evils and the abuses which are being heaped upon them.

Pending before the Senate is a bill that would require the taxpayers of the United States to finance the election campaigns of elective Federal officials.

The elective Federal officials are the President, the Vice President, the Members of the Senate, and the Members of the House of Representatives.

It is estimated that this fantastic scheme to finance partly with taxpayers' money the political campaigns of Federal elective officials will cost the taxpayers approximately $100 million in every presidential election and somewhat less in nonpresidential years.

The Government of the United States already has a debt of $335 billion. Pending before the Congress is a recommendation of the President that a 10 percent surtax be adopted to reduce the huge deficit which faces the people of our Nation. Many citizens—and I join them—are urging that there be a cutback in spending, thus eliminating the necessity of imposing the 10-percent surtax. The spending program must be slowed down in the interest of the fiscal and monetary security of our Nation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may have 3 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. The passage of this unjust campaign subsidy bill—and I want to repeat that: this unjust campaign subsidy bill—will be a disservice to the people and will stimulate increased disrespect for the actions of Congress.

This proposal shows a disrespect for the intelligence of the taxpayers. Written into the bill are provisions that would take out of the Federal Treasury $14 million each for the Democratic and Republican candidates for President; also $26 million more for senatorial candidates. It is proposed that when the bill is before the House of Representatives, the House shall determine for itself how much additional subsidy shall be made available for the candidates who run for membership in the House every 2 years.

The bill also grants a tax credit to private contributors to campaign funds. This provision, if it should go through, has been calculated to mean an additional drain on the Treasury of $50 to $60 million.

The highlight of the insult to the taxpayers, however, is found by the provisions of the bill which would allow the candidates for President and for the offices of Senator and Representative to solicit private contributions in the future as they have been solicited in the past to finance the campaign expenses taking place earlier than 60 days before and 30 days after the election.

The excessive spending of money in political campaigns has been the bane against decent and honest elections in the United States. The pending bill will merely aggravate the evils and the corruptions that come from the possession of excessive finances in political campaign operations.

If this bill is ultimately adopted, the taxpayers of our country will be considered as sheep, not only to be fleeced, but also to be flayed.

I concur fully with the members of the Committee on Finance who voted against this proposal. The bill should be resoundly defeated. It is the worst insult to the intelligence of the taxpayers of this country of any proposal that has been submitted since I became a Member of the Senate 11 years ago.

Mr. TALMADGE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the Senator from Ohio be allotted 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. Will the able Senator from Ohio yield?

Mr. LAUSCHE. I yield to the Senator from Georgia.

Mr. TALMADGE. I concur fully in the views of the Senator from Ohio. I think it is the height of irresponsibility for Congress to consider financing the campaigns of candidates for President, for the Senate, or for the House of Representatives at a time when we cannot balance our budget, when our deficit grows larger and larger, and when the President is requesting additional taxes, as he is at present.

I hope that the Senate will reject this ill-advised bill. I cannot conceive that any Senator could vote to pass it, go home to face an inflamed electorate, and boastfully tell them that they are financing his campaign for reelection.

Mr. LAUSCHE. Mr. President, if a proposal of this type were made in Harrison Township, Ohio, in one of the counties where all the people knew what was proposed, the proposer would be driven out of the county. My belief is that the proponents of this bill will be driven out of Congress.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I concur completely in the statements of the Senator from Ohio and the Senator from Georgia in respect to the campaign financing bill.

One additional factor should be taken into consideration. During the testimony before our committee at the hearings on the bill, representatives of the two agencies of the Government which would be charged with the responsibility of administering the proposal should it become law, the General Accounting Office and the Treasury Department, both admitted that it was shot full of loopholes and that it would be impossible to administer it and to separate and differentiate between the public and private financing of the respective candidates.

As the Senator from Ohio points out, under the bill the candidates themselves could continue to solicit money for campaign purposes and expend that money—any amount of it—during the 10 months of the year prior to an election. For example, a Member of the Senate could solicit and use private contributions to finance his campaign for reelection for 5 years and 10 months, and then for 2 months before the election he could stop and go public; but even then it would be impossible to differentiate between the expenditures. As a single example, if he bought bumper stickers he could distribute thousands or millions of them, with brochures, ahead of time, before the election. When the time for private financing ended, the stickers would all be distributed. They would not be torn off, and the expense would have been paid. It is impossible to commingle public and private money under an accurate accounting system.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Ohio be allotted 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. In addition, at a time when the Nation is confronted with a deficit running in excess of $2 billion a month, at a time when all taxpayers are to be asked to tighten their belts and perhaps to pay an extra 10-percent surtax which the adminstration is requesting, it is certainly the height of irresponsibility to consider such a proposal. I do not think that Members of the Congress would have the gall to go home and tell the taxpayers that they are going to have to shoulder the cost of their campaigns for reelection.

There was a time when a man running for public office would stand before the taxpayers and say that all he was or hoped to be he owed to his mother. But in this case, with a huge deficit and no possible chance of reducing it, we know that the money appropriated must be borrowed, the burden will have to be borne by future generations.

Therefore, I suggest it would be more appropriate now for candidates in a campaign to say, "Whatever I am or hope to be I owe to the future generations of American taxpayers."

Since the Senate is composed so largely of grandfathers and the White House has a new grandfather, I am confident that those who will be up for reelection next year will think twice before they say, "I am going to impose this burden on that little grandson in Texas," or on my granddaughter over in Delaware.

One additional point which should be noted in connection with this campaign financing bill is that the appropriation of $14 million for the presidential campaign does not stop the contribution to or membership in the $1,000-President's Club, nor does it in anyway restrict the two national parties or the various State organizations from soliciting public contributions throughout the year. Neither are there any restrictions in the expenditures of these funds on behalf of the party in general, even during the time that the candidate individually is using the public money.

This proposal is wrong, and it should be defeated. Neither Congress nor the President has any right to ask the taxpayers to finance our elections.

Mr. LAUSCHE. I thank the Senator from Delaware.

Mr. President, the Senator from Delaware mentioned that Congress is going to call upon the people to tighten their belts. We propose to impose a 10 percent surtax. We propose to do that as a belt-tightening measure. Everyone will be required to tighten his belt except the candidates running for office on the Federal level. Should this measure pass, their belts will be loosened. I cannot subscribe to that. I think it is against good conscience. It is unjust. It is wicked. And over and above everything else, it is an insult to the intelligence of every taxpayer in the United States.

Mr. President, I yield the floor.

THE FREEING OF GOLD FOR FOREIGN SALES

Mr. MILLER. Mr. President, in the September 15 issue of the Wall Street Journal is an article entitled "Fowler May Urge Freeing of Gold for Foreign Sales." The article reports that Secretary of the Treasury Henry Fowler said that he will submit proposals to Congress in the near future regarding the gold backing for the dollar.

Just last February 6, during the hearings before the Joint Senate-House Economic Committee, I asked Secretary Fowler whether there were any plans being discussed to come over to Congress and ask that the gold cover be reduced or eliminated. His reply, recorded on page 196 of the hearings report, was:

> Not at this time. We think we have for the time being a substantial margin, and that there is no near-term likelihood that that would be necessary. . . . as we see the situation now, it is a reasonably stable one, and we wouldn't need to ask for the removal of the cover at this time.

Mr. President, this statement last February by Mr. Fowler and the September 15 article in the Wall Street Journal are another example of why there is a credibility gap in Washington.

At the time the new administration took over in January 1961, the treasury gold stock amounted to $17.7 billion. It had dropped to $13.7 billion at the end of 1965, to $13.1 billion at the end of 1966, and was listed at $13 billion at the end of last August, the lowest since 1938. With a 25 percent gold cover required for U.S. and Federal Reserve notes amounting to $9.7 billion, this leaves only $3.3 billion of so-called free gold to meet potential short-term dollar claims of $14 billion held by official institutions of foreign governments; and another $16 billion in dollar claims is held by private individuals and institutions overseas.

The deficit spending and inflationary policies of the Administration, which have been steadily cheapening the American dollar, are at the bottom of this crisis. During the last 6½ years the value of the dollar has dropped from nearly 47 cents to 42 cents, based on a 1939 dollar worth 100 cents.

I think it well for people to realize that there are officials in the Administration who want to repeal the gold cover so that there will be no discipline preventing them from turning on the printing presses to issue cheap money.

Mr. President, I ask unanimous consent to have the article to which I referred printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOWLER MAY URGE FREEING OF GOLD FOR FOREIGN SALES—PLAN FOR ENDING OR EASING LEGAL TIE OF DOLLARS TO GOLD TO BE GIVEN CONGRESS—FOREIGN DEMAND SEEN EASING

WASHINGTON.—Treasury Secretary Fowler said proposals to free all U.S. gold for sale to foreigners are under "active and heavy consideration," although international monetary reform should help curb foreign demands for gold.

Mr. Fowler said he will submit proposals to Congress in the "near future" relating to the law that earmarks most of the U.S. gold stock as legal "backing" for Federal Reserve note paper currency; he didn't say, however, whether he favors ending or just weakening the legal tie between gold and domestic money.

Repeal of the requirement that the currency be backed to the extent of 25% by gold was publicly urged in late June by Federal Reserve Board Chairman William McChesney Martin, and Mr. Fowler suggested that it has been mostly the press of more urgent matters that has prevented a specific Administration proposal.

Some Government strategists figure that ending the "gold cover" requirement completely would make clear that the full $13 billion stock is available to implement the Government's continuing pledge to exchange gold to other countries for surplus dollars at the fixed price of $35 an ounce. At present, only about $3 billion of the gold is free for immediate sale to foreigners, although the Federal Reserve can suspend the cover on a temporary, emergency basis.

Mr. Martin previously said it is "inevitable" that the cover eventually be ended, if only because the currency supply keeps increasing. Generally, officials have said they would like to end the cover at a time when foreign demand for U.S. gold is slack so that the legislative process wouldn't generate a crisis atmosphere.

Mr. Fowler's comments came in response to a question from Sen. Percy (R., Ill.), at a hearing on international monetary reform by a unit of the Congressional Joint Economic Committee.

Testimony by the Secretary and by Frederick L. Deming, Under Secretary for Monetary Affairs, brought out little new about the reform plan to be taken up at the meeting later this month in Rio de Janeiro of the 106-nation International Monetary Fund, except to make clear that the proposed new "special drawing rights" wouldn't have to be backed by any pool of individual country currencies. Instead, the officials said, the "backing" would take the form of agreement by countries to accept certain amounts of the rights from each other as they now accept gold or dollars in settlement of balance-of-payments deficits; such deficits occur when more money leaves a country than returns in all transactions.

Agreement to create the supplement to present international reserves ought to allay any concern, Mr. Fowler said, that foreign requests for U.S. gold would develop into "a scramble for reserves of a panic character." The favorable influence, he added, assumes that the U.S. will be able to reach and maintain "equilibrium" in its payments. For this year, he said, it appears that the U.S. payments deficit will be between $2 billion and the $1.4 billion of last year.

However, Mr. Fowler appeared to be drawing away from the usual Administration view that other countries won't agree to actually begin creation of the new reserves until the U.S. ends its long series of payments deficits. "A rather interesting case could be made," he said, that others will find additional reserves are needed by the world as a whole anyway, especially if most of the dollars pumped out through the U.S. deficit end up in private hands rather than in reserves of other governments.

Asked by Rep. Widnall (R., N.J.) why U.S. gold losses have been modest this year despite the worsening deficit, Mr. Fowler cited general confidence in the dollar's stability, its use in private international business dealings and the realization by many central banks that it would weaken the international monetary system for them to cash in dollars "willy nilly" for U.S. gold. He also took the opportunity to plug for President Johnson's tax-increase proposal, saying it would be fully justified if its only impact were to prove to foreigners that the U.S. is willing to use fiscal measures to fight inflation.

WE SHOULD CORRECT OUR VIETNAM MISTAKE

Mr. YOUNG of Ohio. Mr. President, it seems so fantastic as to be unbelievable that for some years now we have by the actions of this administration, and not by an act of Congress, intervened in the miserable, ugly civil war in Vietnam.

At the present time we have committed to combat in this little area 10,000 miles distant from the United States, an area which is neither strategically nor economically important whatever to the defense of the United States, more than 50 percent of our airpower, and with the 1st and the 7th Fleets, more than one-third of our naval power. We have committed in addition to that about 40 percent of our combat-ready divisions. We have committed altogether more than half a million men in Vietnam alone, and, in addition, a large number of men in Thailand and a large number of men serving on ships off the shores of Vietnam.

It seems unbelievable that our airplanes—any one of which is worth $2 million, to say nothing of the priceless lives of the men aboard—are being used to bomb a bridge only 7 miles from the border of Red China and within a matter of 2 or 3 seconds from Red China, and that we are thus incurring the danger of further expanding and escalating the war.

I have opposed our Vietnam policy for more than 2 years because I considered it a policy harmful to our national interest. I oppose it now. I will work even harder, if that is possible, to change this policy that has committed so many young Americans to this Southeast Asian jungle. The best way to back our men in Vietnam is to change the policy that sent them there, to bring them home as soon as acceptable arrangements can be made, and to make certain that we do not permit our military leaders to take over our Government by coercing or persuading our President into involving the Nation in another confusing venture of this kind.

This is a political problem, and it is a South Vietnamese problem. The United States can accomplish much through foreign aid and military support, but we cannot create strong, effective, and popular national leadership in any country where that leadership either does not exist or does not exert itself. That is not only expensive and impractical; it is clearly impossible.

The United States is the most powerful Nation that ever existed. We should not fear losing face by disengaging from this miserable American war in Vietnam. We are a proud Nation as well as a powerful Nation. We have lost face by our involvement in Vietnam. We should not fear losing face by disengaging from an ugly American war in Vietnam.

Confucius many centuries ago wrote, "A man who makes a mistake and does not correct it makes another mistake." We should be concerned about losing priceless American lives in combat in this little area of no economic or strategic importance whatever to the defense of the United States. There is more infiltration of soldiers and supplies from the north since we commenced bombing North Vietnam than before the bombing began.

Very definitely, the President has an opportunity to announce, now that elections have been held in South Vietnam and there is a government in Saigon elected by the people of South Vietnam, that American forces will be withdrawn to coastal bases under the protection of our 1st and 7th fleets and our air power until they are withdrawn altogether from Vietnam. Unfortunately, this continuing escalation and expansion of bombing within seconds of airplane-flying time from the Chinese border poses too great a risk of bringing on an enlarged war.

In Korea, in November 1951, General MacArthur listened to his Army intelligence and CIA intelligence, so-called, that the Chinese would not invade even if our forces fought their way north to the Yalu River, the northerly border with Red China. He divided his forces with a mountain range and pushed on to the Yalu. He depended on the so-called intelligence given him by the CIA and the Army intelligence section and disregarded altogether the intelligence of the Air Force, which informed General MacArthur that the Chinese were massing across the Yalu and would cross in force and fight us if we continued to the Yalu. He said he would have the boys home by Christmas. The Chinese army crossed the Yalu in great numbers and drove our divided forces back into South Korea with a tremendous loss of lives on both sides. Escalation now is even more risky and would likely trigger world war III.

Mr. President, I recently received a letter from an Ohio GI serving with our Army in the civil war in Vietnam. This young man in very few words described the results of what we have wrought by our tragic involvement in this conflict. I shall read an excerpt from his letter in which this fine young man paints a word picture which I believe merits the consideration of my colleagues and all Americans. His letter will be shown to any of my colleagues or to any members of the press who wish to see it. The original letter is in my office, but I will protect this young man by not disclosing his name, rank, and serial number. He wrote as follows:

> We got a little sniper fire from a village so we moved all the people out. We burned the village. Then we burned their rice fields. Then we rounded up the villagers—old men, women and children—fed them, clothed them. Then they were taken away to a crowded refugee camp. We have created worse slum conditions than ever existed before in Vietnam! Then we wonder why the Vietnamese don't like us! In the United States we condemn burning of stores and homes. We should. Then we send more than 500,000 men to Vietnam to burn stores and homes! In Vietnam I have been in many small little rice hamlets and villages where previously the people lived reasonably clean and happy. These Vietnamese now feel hopeless. If the VC don't get them, the Americans will!

HOW AMERICA'S DREAM GOT LOST IN THE GHETTO

Mr. HART. Mr. President, twice the Senate has advised and consented to the nomination to the Federal courts of Judge Wade H. McCree. Judge McCree is still a young man, and now serves with distinction as a member of the Court of Appeals for the Sixth Circuit. He is a Detroiter, and recently addressed the University of Michigan on the occasion of its sesquicentennial conference.

Judge McCree is a Negro. I ask unanimous consent that an excerpt from the address of Judge McCree to the conference of University of Michigan be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HART. The days are busy, and the RECORD is a full one when we see it at our breakfast table each morning. On the off chance that this article will not be read in full by each of us, I should like to highlight one point that Judge McCree makes, because he refers to a comment which I have heard many times. Indeed, I have heard it in this Chamber.

He says that a well-meaning white American asks:

> Where else in the world do colored people enjoy a higher standard of living and greater opportunities for advancement than in America?

Judge McCree then goes on to wonder if it would be impertinent if somebody would ask, in rejoinder to that frequently mentioned question:

> Where else in the world do Catholics, Protestants, Jews, Englishmen, Scotsmen, Italians, and the rest of us enjoy a higher standard of living or greater opportunity?

The question so often mentioned is wide and, as Judge McCree so dramatically forces us to recognize, it demonstrates our complete failure to accept the proposition that the American Negro is as much an American as any white American, and that the circumstances of Negroes should not be compared with those of anyone else anywhere else in the world.

EXHIBIT 1

SPOTLIGHT ON THE NEGRO: HOW AMERICA'S DREAM GOT LOST IN THE GHETTO

(By Wade H. McCree)

"Where else in the world do colored people enjoy a higher standard of living and greater opportunities for advancement?" a well-meaning white American asks.

He would probably consider it impertinent if he were asked in rejoinder, "Where else in the world do Catholics, Protestants, Jews, Englishment, Scotsmen, Italians, etc., enjoy a higher standard of living or greater opportunity?"

A related comment is: "Look how far they have come. Why, they have a Negro senator, cabinet member, congressmen, judges. Why do they want to move ahead too rapidly?"

But of what moment is the achievement of a few persons of color to the overwhelming majority of Negroes who have not shared this elevation? How real is the achievement when an unrecognized Negro judge may be denied access to a place of public accommodation while a paroled white felon he has sentenced is accepted at face value?

These recurring questions show the white American hasn't made the initial and fundamental commitment to the proposition that the American Negro is as much an American as is any white American and that the circumstances of Negroes should not be compared with those of anyone else anywhere else in the world.

This is the primary cause of America's dilemma—the basic attitude of the great majority of America's whites toward her Negro citizens.

Historically, despite the dehumanizing effects of chattel slavery, the survivors and descendants of Africa's ravished population greeted emancipation with enthusiasm, faith and hope.

When patience wore thin, they didn't arm as did the Irish Republican Army or the Irgun in Palestine or the colonials in our national history. Instead, they went to court, confident that America's commitment to the rule of law would prevail.

Realistically, the cultural deficiencies of a slave heritage which had made African men and women humanoid robots, programmed only for work but with the capacity for reproduction, were recognized. However, it was confidently believed that these shortcomings, massive as they were, could be surmounted just as immigrant Europeans, many with substantial personal obstacles to overcome, had demonstrated.

Negroes burned no buses, dynamited no schools or churches, slaughtered no innocent children at worship and lynched no one. No leaders of groups dedicated to segregation were assassinated from ambush. Instead, patiently, slowly, and often with maddening frustration, Negroes undertook countless legal battles to achieve equal treatment as citizens.

Finally, after a series of defeats, the public climate changed and in 1954 the legal wall was breached by the U.S. Supreme Court's school desegregation decision. The enactment of the first national civil rights legislation in the twentieth century heightened the anticipation.

However, the view on the other side of the wall was not that of the promised land. Instead there was a steeper cliff of stubborn citizen resistance to the clear mandate of the courts and the Congress.

To many Negroes the great American dream had turned into a nightmare. Many who had drunk great draughts of the heady intoxicant of liberty and believed the assurances of Negro leaders and national leaders were hurt, frustrated, confused and then angered.

The wisdom of established leaders was questioned and angry new voices are heard demanding a showdown with white America. Those voices proclaim that Negroes have been tricked into reliance on law and legislative efforts, and now, without defining the concept or how it will be exercised, they call for Black Power.

This new reaction repudiates any hope of integration into the life of America. Instead of wanting "in," its proponents want "out."

I am not speaking of the Nation of Islam whose members are popularly called Black Muslims.

I speak instead of the less venturesome Negro who lives in a ghetto where employment is precarious, education inferior and rebuffs based on race a daily experience.

He is a young person in his late teens or early 20s whose personal experience does not include the oft-cited "great gains" of the last three decades. He was born during World War II or shortly thereafter and grew up during the Korean War and now lives during the Vietnam adventure. He has seen violence legitimized as an instrument of national policy.

To him, God is dead or possibly never lived. He sees the sons of the poor and disinherited bearing the brunt of the fighting in Vietnam where by an ironic twist an army career affords him the best hope of equal opportunity for advancement in a fight proclaimed as an effort to bring democracy to another people across the sea.

He wonders would it not be the wiser personal choice for him to risk his life to better his own conditions here than to lay it down on foreign soil for someone else.

I believe this group comprises a small minority of America's Negroes, but I believe with equal conviction that the great majority, although eschewing this direction, are without an alternative which offers any reasonable hope of a solution to his plight.

The majority of America's Negroes stand at the crossroads. Can they believe in the sincerity of America? Consider the decade from 1950 to 1960, which I characterize as the lost decade.

Some 330,000 new housing units were built in the Detroit area, principally in the suburbs. They were largely financed by federal programs which forbade racial discrimination yet only three percent of these new houses were made available to Negroes and much of this was public housing. Still, no effective official action was taken to enforce the non-racial guarantees and we see today a suburban ring around Detroit 96.4 percent white.

During this same decade, Detroit's Negroes could purchase only used housing at substantially greater costs usually without mortgage financing. The result was the doubling up of families to meet the monthly land contract installments.

The enforcement of city zoning and health ordinances has been lax to non-existent in predominantly Negro neighborhoods. School attendance has increased because of overcrowding so the Negro pupil often has a custodial instead of an educational experience.

The attitude of many policemen and the recent incredible behavior of some of Detroit's Recorder's judges during the riot convinced the Negro citizen that one of the missions of these agencies is containment of the ghetto population. The resultant citizen animus (hostility) against law and law enforcement agencies too frequently is justified by incidents of insult and brutality.

The recent irrational and destructive civil disturbance in Detroit, paralleling those in other Northern cities, was easily predictable. The proposed panaceas of more Headstart programs and job upgrading projects suggest treating a cancer with aspirin.

What is required is equal treatment under the law. What is required is more law enforcement instead of less. The Negro wants enforcement of the laws which were enacted to give him equal access to jobs, housing, and places of public accommodation.

The enforcement of these laws is essential and not only for the Negro. For nothing can be more corrosive of our national moral fiber than to have the stated law ignored by the vast majority of our citizens.

I realize the difficulty of the challenge I announce. A Scottish legal philosopher once said that a society's civilization is measured by its obedience to the unenforceable.

I recognize that every white American cannot be compelled by law to accord to his Negro fellow citizens the rights the Constitution and laws of this nation guarantee him. Laws are effective only when they have the support of the majority.

He must decide for himself whether he wants this nation to continue as the noblest experiment in human relations the world has ever seen. He must, by a revolutionary reorientation of his personal conduct, tell the great majority of Negroes standing at the crossroads that we shall continue this experiment together.

If he does not, James Baldwin's prophecy of the fire next time, a preview of which we are witnessing across the nation, may be realized. I fear the result could be genocide because reservations, such as those in which American Indians were crowded, would be inadequate to contain twenty million black people.

U.S. BALLISTIC MISSILE DEFENSE

Mr. BYRD of West Virginia. Mr. President, in a front-page article published Saturday, the Washington Post stated that President Johnson "has decided to go ahead with a thin ballistic missile defense."

The purpose of this so-called thin defense will be to counter the nuclear threat likely to be posed by the Communist Chinese in the early years of the coming decade.

That this threat exists is no mere idle fear. A July 1967 report by the Joint Committee on Atomic Energy, chaired by the distinguished Senator from Rhode Island [Mr. PASTORE], pointed out that:

> The Chinese . . . are making excellent progress in thermonuclear design. They now have the capability of designing a multi-megaton thermonuclear device suitable for delivery by aircraft.
>
> We believe the Chinese will continue to place a high priority on thermonuclear weapon development (and) with continued testing we believe they will be able to develop a thermonuclear warhead in the ICBM weight class . . . by about 1970. We believe that the Chinese can have an ICBM system ready for deployment in the early 1970's. . . . A low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's. At present we do not have an effective anti-ballistic missile system which could repel such a suicidal (for the Chinese) but nevertheless possible strike.

There has been a prolonged debate, both in these Halls and in public over the need for this antiballistic missile system.

That the United States possesses offensive missiles of unquestioned strength and magnitude is obvious. We are said to be the strongest nation on the face of the earth. Our weapons have the capacity to greatly cripple or destroy much of civilization on earth as we know it.

Yet, no matter how powerful our offensive weapons, our defensive posture—our ability to fend off attack—is only as strong as our ability to instill the fear of an unacceptable loss from our offensive weapons in the mind of a potential enemy.

This necessarily means that we give a potential enemy credit for rational thought; for being able to weigh in the balance his weapons against ours; for being able to understand that no matter how great his offensive threat, our own offensive weapons are so many times greater that any attack on our land would mean the total and immediate destruction of his own.

Unfortunately, however, the present Chinese Government apparently lacks even the basic requisites of rationality and stability. Its leaders are aging, desperate, irrational, and utterly militant and belligerent.

Despite the overwhelming internal problems which presently beset the Chinese people, these leaders are continuing to press forward with the production of nuclear weapons and the development of intercontinental ballistic missile systems with which to deliver those weapons.

It is a strain on the limits of credulity and commonsense to assume that the hand on the Chinese nuclear trigger will be directed by a mind which has thoughtfully and carefully weighed the utter foolishness of embarking on an act of nuclear war. Are we to permit ourselves the luxury of letting a mad government, such as presently rules in Peking, decide the fate of even one of our great cities?

Could we ever forgive ourselves, as a nation, if, because we felt it "not worth the money," we left our cities open to and defenseless from a nuclear attack by Red China?

For, it would not take but one such thermonuclear device as the Chinese are now manufacturing, to totally destroy a San Francisco, a Los Angeles, or a Seattle. And while our retaliation might be massive and virtually instantaneous, would that bring back those lives lost, that property destroyed?

Our only protection against such a threat as the presently erratic, belligerent, and irrational Communist Chinese Government poses, is an antiballistic missile system. It will be able to stop those missiles which such a misguided Red Chinese Government might intentionally launch. And, importantly, such a system would not only provide a deterrent but would also protect us against an accidental launching of a ballistic missile which might otherwise trigger an all-out nuclear holocaust.

True, it would be nowhere near adequate to counter an offensive attack by the Soviet Union—but that Nation, no matter what else we may say about it, is at least ruled by somewhat rational men, men who understand and recognize the overwhelming and destructive power posed by our own offensive weapons.

I think there is no question but that the Chinese nuclear threat is a real one. And if we do not prepare for it today, we may ever rue that fateful decision long into the future.

I commend the President for this decision and I urge that this vital defense effort go forward without further delay.

I also ask unanimous consent that the Washington Post article entitled "United States To Bind 'Thin' Shield of Missiles" and excerpts from the report of the Joint Committee on Atomic Energy on "Impact of Chinese Communist Nuclear Weapons Progress on U.S. National Security," be printed in the RECORD.

There being no objection, the article and excerpts were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 16, 1967]

UNITED STATES TO BUILD "THIN" SHIELD OF MISSILES

(By George C. Wilson)

President Johnson has decided to go ahead with a "thin" ballistic missile defense.

The plan calls for spotting missile sites far enough apart to give the entire United States some measure of protection against enemy ICBMs, rather than trying to protect only key military bases and cities.

The ABM decision may be announced as early as Monday when Defense Secretary Robert S. McNamara addresses the United Press International editors in San Francisco.

Or President Johnson could wait a while longer in hopes of pressuring the Soviet Union into setting a date for talks on an ABM freeze.

But Johnson Administration officials yesterday did pass the word to key policy makers that the decision has been made to take the next big step toward an operational American missile defense.

LITTLE AT A TIME

The thin missile defense the Administration has decided upon can be built a little at a time, like an erector set.

Called Nike X, it consists of elaborate radars and two types of anti-missile-missiles. The long-range missile, the Spartan, is supposed to intercept enemy warheads 400 miles out from its launching pad.

This means the first contest is a silent one out in soundless space. The short-range missile, the Sprint, is designed to whoosh up at tremendous speed to destroy any warheads that elude Spartan. This last ditch fight is near earth, with Sprint having a range of 25 miles.

A bargain basement missile defense could be built in five years for $3 billion. It is billed as one which would protect the U.S. against the first ICBMs China is expected to have in 1971 or 1972.

But the $3 billion defense would be thickened by putting in more sites so the protecting missiles do not have to guard such large expanses of the countryside.

RAISES PRICE TAG

Also, missile bases and key cities in the U.S. can be selected for special protection in this thickening process.

The thickening raises the price tag. But Penatgon leaders contend a good measure of protection can be bought for $10 billion. Such a system would consist of about 1000 long-range Spartans and 100 Sprints at sites spread across the U.S.

President Johnson and Secretary McNamara, when they do speak out on the thin ABM, are expected to stress that the United States has by no means passed the point of no return in missile defense. Critics of the ABM contend that it could lead to a new nuclear arms competition between the United States and Soviet Union.

But advocates stress that a go-ahead on the thin ABM does not lessen American interest in reaching an agreement with Russia on controlling both offensive and defensive missiles.

The subject is sure to come up when Secretary of State Dean Rusk and Soviet Foreign Minister Andrei Gromyko meet in New York at the end of this month. Their meeting was set up yesterday by Soviet Ambassador Anatoly F. Dobrynin in a 40-minute call on Rusk. Dobrynin, who had returned from Russia early in the week, said Gromyko is scheduled to arrive in New York Monday for Tuesday's opening of the United Nations General Assembly. Rusk plans to go to New York Sept. 24.

The erector-set quality of the ABM could leave the President room for diplomatic maneuver. He can push at each ABM milestone for an arms control agreement such as the preproduction, production and deployment phases.

The decision to go ahead with ABM means the release of $377 million already in the present fiscal 1968 budget for the engineering drawings and factory equipment needed to put the ABM system into production.

The President, by announcing the go-ahead, also takes the steam out of the Congressional drive for a start on a missile defense system.

Chairman John O. Pastore (D.-R.I.) of the Joint Atomic Energy Committee may well have pushed the Johnson Administration into its decision. Pastore Sept. 9 had called for building a missile defense, announcing at the time that Sen. Henry M. Jackson (D-Wash.) would hold hearings "soon" on the ABM issue.

IMPACT OF CHINESE COMMUNIST NUCLEAR WEAPONS PROGRESS ON U.S. NATIONAL SECURITY

BACKGROUND

As the nuclear threat posed by the Chinese Communists became more pronounced, Chairman Pastore decided to conduct a special inquiry regarding Chinese Communist nuclear weapons development. This probe began on January 11, 1967, and was formally announced at the Joint Committee's first public hearing of the 90th Congress on January 25, 1967.

In connection with this study the Joint Committee received the following testimony in executive session:

January 11, 1967: Richard Helms, Director of the Central Intelligence Agency.

February 1, 1967: Dr. Norris Bradbury, Director, Los Alamos Scientific Laboratory, and Dr. Michael May, Director, Livermore Radiation Laboratory.

Mar. 13, 1967: Secretary of State Dean Rusk.

July 13, 1967: Representatives of the Department of Defense, CIA, and AEC.

These witnesses presented testimony concerning advances being made by Communist China in developing nuclear weapons as well as their progress in developing the capability to deliver these weapons against neighboring countries or the United States.

Detailed technical presentations were heard concerning each individual Chinese Communist nuclear test and an assessment was made of future developments by Red China in the field of nuclear weapons and associated delivery systems.

An analysis of the impact of the emergence of Red China as a nuclear power on U.S. foreign policy with particular emphasis on the proposed nonproliferation treaty was also presented.

Information concerning French and Soviet nuclear weapons and delivery methods were also discussed but principal emphasis was on Red China.

CONCLUSIONS

On the basis of various hearings we have had and studies made by the Joint Committee the following committee conclusions have been developed:

1. Chinese nuclear weapons capabilities

The Chinese Communist test of June 17, 1967, at the Lop Nor Nuclear Test Site was her sixth nuclear test in the atmosphere and her first in the megaton range. Such a test was expected because of the success of the preceding thermonuclear experiment conducted on December 28, 1966. The Chinese purposely may have limited the yield of that test—their fifth test—to keep the fallout in China at an acceptable level. The fifth test indicated that the Chinese had taken a major step toward a thermonuclear weapon.

There is evidence that the sixth test device—with a yield of a few megatons—was dropped from an aircraft.

Analysis of the debris indicates use of U^{235}, U^{238}, and thermonuclear material. As in the other tests, there is no evidence that plutonium was used. The preliminary indication is that a considerable improvement accompanied the increase in yield. A large amount of U^{238} was used in the device.

The sixth Chinese nuclear test has confirmed the conclusion reached from the analysis of the fifth Chinese nuclear test that they are making excellent progress in thermonuclear design. They now have the capability to design a multimegaton thermonuclear device suitable for delivery by aircraft.

We believe that the Chinese will continue to place a high priority on thermonuclear weapon development. With continued testing we believe they will be able to develop a thermonuclear warhead in the ICBM weight class with a yield in the megaton range by about 1970. We believe that the

Chinese can have an ICBM system ready for deployment in the early 1970's. On the basis of our present knowledge, we believe that the Chinese probably will achieve an operational ICBM capability before 1972. Conceivably, it could be ready as early as 1970–1971. But this would be a tight schedule and makes allowance for only minor difficulties and delays. We believe that the Chinese have already completed the development of a medium range ballistic missile. We have no indication of any deployment.

We also believe that by about 1970 the Chinese Communists could develop a thermonuclear warhead with a yield in the few hundreds of kilotons in the MRBM class and that they could develop an MRBM warhead with a megaton yield about a couple of years later. Meanwhile, should they desire a thermonuclear bomb for delivery by bomber, they could probably begin weaponizing the design employed in the sixth test.

The missile-delivered fourth Chinese test demonstrated that the Chinese now have the capability to design a low yield fission warhead compatible in size and weight with a missile. With a few tests, the Chinese could probably design an improved fission weapon for MRBM or bomber delivery. However, they may forego extensive fission weapon production in order to have materials and facilities available for thermonuclear weapon systems.

The Chinese bomber forces consist of a few hundred short-range jet bombers and a handful of somewhat longer range bombers. We have no knowledge of a Chinese plan to develop heavy intercontinental range bombers.

Earlier, the Communist Chinese conducted four other nuclear detonations:

October 16, 1964: Low yield (up to 20 kilotons).

May 13, 1965: Low intermediate (20 to 200 kilotons).

May 9, 1966: Intermediate (lower end of 200 to 1,000 kiloton range).

October 27, 1966: Low intermediate (20 to 200 kilotons).

The Chinese were able to continue their nuclear program after the Soviets apparently ceased technical assistance in this area by 1960, and detonated a uranium device in October 1964.

All of the Chinese detonations have utilized enriched uranium (U^{235}) as the primary fissionable material. Uranium-238 was also present in all tests. The detonation of any device which also contains U^{238} results in some fissioning of the U^{238}. The debris from their third and fifth tests indicated some thermonuclear reactions had involved lithium-6 in those devices.

We believe that the Chinese are interested in the development of submarines equipped with suitable relatively long-range missiles; at this time we have not determined the exact nature or status of the program.

2. French nuclear test program

Turning to the French nuclear test program, in February 1960 the French tested their first atomic device. In 1966 the French conducted five nuclear tests. In 1967 they held a short series of three tests. Another series of tests is planned for next summer. All of the 1966 tests were plutonium fission devices. The last two tests in 1966 were experiments aimed at the thermonuclear development.

The year's tests were conducted on June 5, June 27, and July 2. They were suspended by balloons, above the Mururoa Lagoon. The tests all had low yields. The French announced that all of the tests were to be of triggers for thermonuclear devices which the French still have not tested.

Although French officials continue to state publicly that France will detonate her first thermonuclear device in 1968 when enriched uranium becomes available, there have been hints in the press that France is having difficulties with its program. Should this be true, the first generation of both the land-based and submarine-launched missile systems might have to use warheads developed in the 1966 series.

To recapitulate, the Chinese are well ahead of the French in thermonuclear weapon design. In 2½ years and six tests the Chinese have successfully tested a multi-megaton thermonuclear device. The French, on the other hand, have conducted many more tests over a 7-year period and have not yet tested a true thermonuclear device or achieved a megation size yield.

The French have developed higher yield fission weapons than the Chinese. The French have achieved yields of up to 250 kilotons while the Chinese fission devices have had lower yields.

The French now have an operational strategic force of about 60 Mirage IV aircraft with a stockpile of 60 to 70 KT nuclear weapons. At this time the Chinese do not have such an operational strategic force.

SUMMARY

The Joint Committee believes that the American public needs to know the threat that is posed by Red China. Communist China has emerged with a fledgling, but effective, nuclear weapons capability. This capability has and will continue to have a great effect on U.S. foreign policy in the Far East. It will have an effect on our relations with the South East Asia Treaty Organization. It will have an effect on the nonproliferation treaty principally because of the close connection between Chinese nuclear power and the national security of India. Its effect will also be felt by Japan. Moreover, the Chinese Communists could use nuclear blackmail to assert their position not only broadly in Asia, but specifically in Southeast Asia.

Perhaps most significant for the United States is the fact that a low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's. At present we do not have an effective anti-ballistic-missile system which could repel such a suicidal (for the Chinese) but nevertheless possible strike.

It is for these reasons that the Joint Committee feels the assessment it has made, based upon information received in executive sessions, should be brought before the American public—not to overemphasize or to underplay but to state clearly and concisely with due regard for the protection of intelligence sources where we stand in relation to this emerging threat to our national security.

PRESIDENT JOHNSON'S ADDRESS TO THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

Mr. BAYH. Mr. President, last Thursday evening, at the convention of the International Association of Chiefs of Police in Kansas City, Mo., President Johnson delivered what has been justifiably acclaimed as a major and penetrating speech on crime in America.

In this speech, President Johnson crystallized the thoughts and fears that have been preying upon the minds of millions of Americans for many months. He related in a forthright manner what he and his administration have done and are doing to meet the challenge of crime.

Congress, too, has its own grave responsibility in this struggle. Two of the most vital and most urgent measures proposed by the President to combat crime—the Safe Streets and Crime Control Act of 1967 and the Firearms Control Act of 1967—still remain in committees of this body. I strongly urge Senators to read the President's speech with the utmost care and to hasten consideration of this vital legislation and ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT BEFORE THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, KANSAS CITY, MO.

President Morris, Mayor Davis, Chief Lawrence, Mr. Tamm, Chief Kelley, ladies and gentlemen:

There is an old story about President Calvin Coolidge and his response to the question, "What do you think about sin?"

As you may remember, President Coolidge is supposed to have answered, "I'm against it."

Most Americans would say the same thing today about poverty, disease, and ignorance—and crime.

So I don't expect special credit this morning for coming before the International Association of Chiefs of Police to talk about crime and only say, "I'm against it."

It would not enlighten your discussions, nor contribute to public understanding, if I were to spend my time here in a long lament about the evil consequences of crime. I think they are as self-evident as they are real.

Neither am I going to be content to just preach about the decline in morality in America.

In the first place, I just do not believe that morality is declining. The responsibility that this Nation has shown, in meeting its human obligations at home and abroad, convinces me that America is a Nation that is strong today.

In the second place, I do not believe that sweeping indictments of our Nation's morality will help us get at the solution of the real problems that affect morality—the problems of poverty, the problems of disease, the problems of ignorance, or of international aggression, or of crime. Self-righteous indignation is not a policy. It is a substitute for a policy.

What America needs is not more handwringing about crime in the streets. America needs a policy for action against crime in the streets—and for all the people of this country to support that policy.

Believing that, as I strongly do, I established in March 1965, the President's Commission on Law Enforcement and Administration of Justice, I instructed and charged this Commission to deal with the following questions:

How can law enforcement be organized to meet present needs?

What steps can be taken to insure protection of individual rights?

Through what kinds of programs can the Federal Government—of which I am a part—be most effective in assisting and supplementing, not supplanting, State and local law enforcement?

I asked the members that I carefully selected from throughout the Nation to consider the problem of making our streets, homes, and our places of business safer—and to inquire into the special problems of juvenile crime, to examine the administration of justice in the lower courts—to explore the means by which organized crime can be arrested by Federal and local authorities closely coordinating and cooperating together.

The Commission's report, rendered last winter, is a study of crime and a study of criminals. But it is much more than that. It is a systematic analysis of the strengths—as well as the weaknesses—in our American law enforcement. It is a prescription for action—action—action at every level of government, and it is a constructive guide for thoughtful citizens throughout this land in every walk of life.

Acting on its report, I urged the Congress this year to promptly act—promptly act—upon the most comprehensive Federal legislation that has ever been devised to help local authorities meet the problem of crime at the local level in their cities.

That legislation was called the Safe Streets and Crime Control Act. It was based on the five fundamental principles of the Crime Commission Report:

First, that crime prevention is of paramount importance.

Second, that the system of justice must itself be just. The system of justice must itself be just and it must have the respect as well as the cooperation of all of its citizens.

Third, better trained, better paid, and better equipped people are desperately needed throughout the land.

Fourth, police and correctional agencies must have better information and deeper and broader research into the causes, and into the prevention and control of crime.

Fifth, and last, substantially greater resources such as more judges and prosecutors, and faster court action, more and better court personnel, more modern court administration—thus modernizing, improving and bringing the entire criminal justice system up to date in the 20th Century.

I did not propose that the Federal Government take over the job of dealing with crime in American streets because from the birth of the Republic to the present moment responsibility for keeping the peace in our cities has been squarely on the shoulders of local authorities.

Respect for law and order begins at home. Children must learn it and must be taught it from their parents. Your children learn it from you—and by what you do and by the example you set. That means that every time we water the lawn when there is an ordinance against it at a certain time of day, the children learn their own lesson about respect for law and order—if we water the grass at the wrong time.

That means that every time a parent writes a note to the teacher to discuss Mary's or Johnny's absence from school when they really don't need to be excused and are not sick, they, the children, learn from the parents the wrong lesson about respect for law and respect for order.

The crimes that have most disturbed our people—homicides, robbery, physical assault, burglary, automobile theft and driving while intoxicated—are crimes against local and state law.

Those laws are made by the city councils and made by the state legislators. They must be enforced by the police and the state patrol. Their perpetrators are tried in local courts, by local citizens. They are sentenced locally. They are prosecuted locally by judges—by prosecutors who are elected by local people and by judges who are selected by local people.

They are returned to local communities when their sentence has been served—their penalty paid. These local communities look upon their record and they are under the supervision of local authorities.

Unlike most other countries, we—America—have no national police force. It desires none. Our founding fathers were very careful to see that none was provided for. Why, today in this country our largest city has more police officers than the entire United States Government. One city has more police officers than the entire government of the United States of America.

Officials in Washington just cannot patrol a neighborhood in the far west, or stop a burglarly in the south, or prevent a riot in a great metropolis.

In the end, then, the quality af the local police, the action of the local prosecutor, the local grand juries, the fairness and the justice of the local courts, the effectiveness of the local correctional systems—all of this responsibility is lodged appropriately and properly in the hands of local authorities—of local citizens.

They at the local level must decide how good they want their law enforcement in their local cities to be.

They must determine whether it is right—whether it is just and whether it is fair—to ask a man to risk his life to protect their life for a salary that is lower than they pay another man for working behind a desk or standing on the assembly line in an industrial plant.

They must determine at the local level whether they want a court system that they select and provide for which delays justice until justice is denied.

They must determine locally whether they want a correctional system that deals with youthful offenders, not as lives to be redeemed, but as people who are doomed to clash repeatedly with the law.

If they decide that they want something better for their communities than what they are getting today, then we think that if they make this decision—and they can make it today through their Congressmen and their Senators supporting the recommendations that the President has made—some of which have been before the Congress many years—then their national government can, should and will help them get it—not by taking over the system of law enforcement, but by helping them strengthen and reform it.

That is what the Safe Streets Act which I recommended to the Congress would do. If its spirit and if its purpose survive, it will provide grants to those cities and to those states who not only increase their present commitment to criminal justice, but who are willing to go out and develop programs for better training, for better use of their personnel, or for higher standards and innovations such as tactical squads and community relations units, and new techniques of rehabilitation.

It will help pay the salaries of those who operate these programs. It will help pay the salaries up to one-third of the grant which could be used to increase the pay of policemen and other criminal justice personnel working with them.

The key to this program is experiment, innovation—and better use of the most advanced knowledge that we have gained in this country of crime, its treatment, and its causes. In my opinion, every law enforcement official in this country ought to welcome it in the spirit in which it is offered: as a practical and imaginative tool for helping our law enforcement officers cope with crime in the cities without in any way—in any way—diminishing either their responsibility or their authority.

Now to a matter that affects you and affects you much more than most of the citizens, but in the end it will affect every single one of us—it will reach into every home in this land—and this is the gun sale law. A law to limit—a law to safeguard—the sale of guns has been before our Congress for several years.

Its passage would plug up one more big loophole to save your life, and mine, or the life of some innocent child down the street. I hope it will pass.

Its purpose is simple—it is to keep lethal weapons out of the wrong hands—out of the hands of dangerous criminals, out of the hands of drug addicts, out of the hands of mentally ill people who really know not what they do.

Its basic aim is to limit the out-of-state purchases and the interstate mail-order sale of firearms. We believe this is the most effective way that the Federal Government has of protecting your safety and the safety of your children from criminals, drug addicts, and the mentally ill.

If we want to curb crime—if we want to arrest crime—if we want to restrain criminals—here is an action that we can take that will be a long step forward.

Let us not be content to bewail the rising crime rate or to talk about the statistics of the numbers of repeaters who fill our jails and prisons while we turn our back and ignore the fact that they can go to any mail order house and get a weapon to shoot your wife after they tear the door down at midnight.

Let us act instead of talk against crime. Let us repair as many shattered lives as we can. Let us do it within and through the American system of due process and in keeping with our tenacious regard at all times for the blessings of individual freedom.

You, and the men who you command, are America's front line in the fight against crime. You endanger your lives every day just as the man does in the rice paddies of Vietnam to protect freedom, to protect liberty, to protect your country.

This summer, some of you experienced a new kind of disorder in your cities. You faced, not individual acts of violence or just thievery, but you faced massive crimes against people and against property.

Much can explain—but nothing can justify—the riots of 1967.

They damaged a great deal more than the storefronts and the American homes. They damaged the respect and the accommodation among men on which a civilized society ultimately depends, and without which there can be no progress toward social justice.

The violence of this summer raised up a new and serious threat to local law enforcement. It spawned a group of men whose interest law in provoking—in provoking—others to destruction, while they fled its consequences.

These wretched, vulgar men, these poisonous propagandists, posed as spokesmen for the underprivileged and capitalized on the real grievances of suffering people.

And the vast majority of those people—the vast majority of them—believe that obedience to the law, in Abraham Lincoln's phrase, must be our religion here in America.

They have seen the law change. They have seen it become more just as the years passed in our times. They have seen their rights more firmly established, their opportunities sharply increased in the last decade.

They know that the law in a democratic society is their refuge, and that lawless violence is a trap for all those who engage in it.

We must redeem their faith in law. We must make certain that law enforcement is fair and effective—that protection is afforded every family, no matter where they live—that justice is swift and justice is blind to religion, color, status, and favoritism.

We cannot tolerate behavior that destroys what generations of men and women have built here in America—no matter what stimulates that behavior, and no matter what is offered to try to justify it.

Neither can we abide a double standard of justice, based on the color of a man's skin or the accent of a man's speech.

Those who wear the police officer's badge—those who sit in judgment in the courts—those who prosecute in the chambers—those who manage our correctional institutions—all of these have a very special responsibility for the maintenance of order and the achievement of justice throughout the land.

But every single one of us—private citizen and government official—shares some in that responsibility.

We can all say very easily, "We are against crime"—and then we can let it go at that. We can preach sermons, we can write editorials, we can make speeches, and we can get our picture made talking about crime and moral behavior—we can think that we have done our duty.

Or we can respect—we can encourage—all of our citizenry to respect the law and to respect those who protect us in the name of the law.

We can be willing to pay the bill or improving the performance of our police, our courts, and our correctional institutions and give them the salary, pay and equipment that they need. We can insist on devoting enough of our resources and enough of our brainpower to meet the problem of crime—to make America safer and more just for all its citizens.

I have always felt that we could make great strides forward if we would only realize that the nurse and the medical attendant who in the middle of the night may determine whether we live or die when we need attention—that they have better training, better pay and better inducements—that the teacher who prepares our children, sets an example for them and infuses knowledge into them—and sets an example—that they should be among our best trained, our best prepared and our best rewarded.

And that the policeman and the sheriff who protects the lives of our wives, children, families and ourselves should be among the best equipped, best trained, and the best paid people in the land.

We cannot get those things just with rhetoric and conversation, picture-taking and television film. We have to pay for it. We have to desire it. We have to be willing to sacrifice in order to get it.

That is going to take a lot more than just talking "against" crime. That is going to take among other things being for action.

I would hope that we could be for the Congress taking action to make our streets safer—and taking action that will better promote civil peace—that we can take action for better schools and better playgrounds, for more and better support of our churches and our spiritual leaders—for better housing and better homes, for better living of all our people—which in the end will give us better citizens and a better and stronger nation.

It will make us all a happier and more guilt-free people.

I am sorry that I could not be with you the early part of your convention. I did very much, though, want to come here and talk to you—and to salute you before you returned to your respective homes and again assume command of this most responsible service that you are rendering and performing this great duty that is yours.

We look to you to protect our families, our homes, and our lives. You have a right to look to your public servants, your political leaders, to see that your efforts are not forgotten, are not ignored, are not put at the bottom of the priority list.

I thought this morning by coming out here and visiting with you and telling you some of the things that was in the heart and head of your President, that perhaps we could awaken this nation to a responsibility that we are not assuming—to an obligation that we are not discharging—to a job that the President and the Congress, the legislators, and the city councils must face up to.

I am ready to get on with my part of it.

Thank you, very much.

PROSECUTION OF DRAFT CARD BURNERS

Mr. CARLSON. Mr. President, Post No. 7928, Veterans of Foreign Wars, Lincoln, Kans., unanimously adopted a resolution urging that law enforcement agencies of the United States, and each State, take prompt and vigorous action to prosecute those who burn draft cards and show flagrant disrespect for the flag of the United States.

I ask unanimous consent that the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Whereas, there have been many instances of the public burning of draft cards, flagrant disrespect shown to the flag of the United States, public demonstrations against the policies of the government of the United States, and other un-American activities within the borders of our country; and

Whereas, it is felt that such lawlessness and disrespect weaken the image of the United States in the eyes of foreign citizens, undermine the morale and resolve of our troops in Viet Nam, and generally cast a shameful reputation upon the patriotic and law abiding citizens of the United States,

Now therefore be it resolved by the united membership of Post #7928 of the Veterans of Foreign Wars, Lincoln, Kansas, that the conduct hereinbefore set out be condemned, and that the law enforcement agencies of the United States and each state thereof should take prompt and vigorous action to assure that the perpetrators and participants in such conduct be brought before a court of justice to be prosecuted to the full extent of the law.

Passed by the membership of said Post this 21st day of June, 1967, and copies ordered sent to Congressman Dole, Senator Pearson and Senator Carlson.

Post No. 7928,
Veterans of Foreign Wars.
Theodore Weselch, *Commander.*
W. Dale Bruce, *Adjutant.*

THURGOOD MARSHALL APPOINTMENT

Mr. BYRD of West Virginia. Mr. President, I recently voted against the confirmation of Mr. Thurgood Marshall's nomination to serve on the Supreme Court of the United States. My reasons for voting against the nomination were expressed during the Senate debate on the matter.

The Wheeling, W. Va., News-Register, in a September 14, 1967, editorial, expressed a similar viewpoint to that of mine. Mr. Harry Hamm, the editor, epitomized my objections precisely when he made the following statement in the editorial:

> With Justices Abe Fortas, Earl Warren, and William O. Douglas of the same stripe, Justice Marshall's appointment suggests that the country possibly is in for a generation of the trend shaped by recent decisions of the Supreme Court. We are referring to those decisions which have caused so much anxiety among so many Americans today, including the one on prayer and those decisions relating to criminal proceedings.

Mr. Hamm went on to say, quite rightly in my judgment:

> Much too often now, one finds little or no relation between our Constitution and opinions of the Supreme Court.

I ask unanimous consent to insert in the Record the editorial, titled "Dangerous Trend for the Nation," together with a column by James J. Kilpatrick, titled "Is Marshall Qualified for Court?" which appeared in the Bluefield, W. Va., Sunset News-Observer on August 29, 1967, and a column by Richard Wilson titled "The Significance of Marshall's Appointment," which appeared in the Washington Evening Star on September 4, 1967.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Wheeling (W. Va.) News-Register, Sept. 14, 1967]

Dangerous Trend for the Nation

One of the myths of the American political system today is that we have a government of laws not men. Not that it was intended this way by the founders of our Republic, but rather, the changes have taken place because of the actions of men in high office.

Our whole governmental structure established with the idea of maintaining adequate checks and balances over the three branches has been knocked out of kilter by those bent on imposing certain political and social philosophies upon the Nation. Thus it is that we see the Supreme Court today undertaking more legislative-like functions rather than acting as a court in the traditional sense.

It is because of this dangerous trend that many observers have been critical of the most recent appointment to the Supreme Court of Justice Thurgood Marshall. The objections do not come because Justice Marshall is a Negro, as some may prefer to argue. Instead they result from knowing that Mr. Marshall is another constitutional activist. With Justices Abe Fortas, Earl Warren and William O. Douglas of the same stripe, Justice Marshall's appointment suggests that the country possibly is in for a generation of the trend shaped by recent decisions of the Supreme Court. We are referring to those decisions which have caused so much anxiety among many Americans today, including the one on prayer and those decisions relating to criminal proceedings. Likewise, decisions which tend to increase the power of a centralized federal government at the expense of the states also cause uneasiness.

The thrust of the constitutional activist rests with the philosophy that if an evil exists, uncorrected by the legislative and executive branches, the court will correct it regardless of what the Constitution says.

Much too often now, one finds little or no relation between our Constitution and the opinions of the Supreme Court. That is the worry with the latest appointment of Justice Marshall and the color of his skin had nothing to do with the objections raised by sincere men who see the import of what is happening in this land of ours today.

[From the Princeton-Bluefield (W. Va.-Va.) Sunset News-Observer, Aug. 29, 1967]

Is Marshall Qualified for Court?

(By James J. Kilpatrick)

Washington.—The "minority views" of a dissenting Senator have much in common with the dissenting opinions of an appellate judge. So far as the immediate issue is concerned, such expressions are words written on the wind. The dissenter is writing for those who come after.

North Carolina's Sam J. Ervin, Jr., fell into the classic pattern last week:

"I have considered with diligence, and I believe with objectivity, the career of Judge Thurgood Marshall and the philosophy it reflects, and I have been driven by my consideration of these things to the abiding conviction that Judge Marshall is by practice and philosophy a constitutional iconoclast, and that his elevation to the Supreme Court at this juncture of our history would make it virtually certain that for years to come, if not forever, the American people will be ruled by the arbitrary notions of Supreme Court Justices rather than by the precepts of the Constitution."

"I use the words 'if not forever' deliberately," Ervin added, "because history teaches that a right once lost is seldom regained. For these reasons, my duty to my country forbids me to advise and consent to Judge Marshall's appointment to the Supreme Court."

In thus opposing Marshall's confirmation, Ervin was undertaking to stop a bull elephant with his bare hands. The nomination came out of Judiciary Committee accompanied by a majority report that went into raptures over "a great American . . . who is uniquely qualified, and one might say perfectly prepared to become a Supreme Court Justice."

Nevertheless, Ervin and his corporal's guard of Southerners were dead right in the stand they took. By the majority's own description, Marshall "believes that the Constitution of the United States is a living document which the Supreme Court is required to interpret in each case according to the facts presented to it." What this glowing rhetoric really means, as Ervin remarked, is something else entirely:

"When they say the Constitution is a living document, they really mean that the Constitution is dead, and that activist Justices as its executors may dispose of its remains as they please . . . Those who employ this cliche mean that the Supreme Court should bend the words of a constitutional provision to one side or the other to accomplish an object the provision does not sanction."

Does this mean that the Constitution was intended to impose 17th Century forms upon a 20th Century society? Not at all. The genius of the Constitution, said Ervin, is this: "The grants of power it makes and the limitations it imposes are inflexible, but the powers it grants extend into the future and are exercisable on all occasions by the departments in which they are vested." So long as the Congress acts pursuant to the Constitution, it may change the laws at any time. But the power to change the Constitution itself is a power vested not in the Supreme Court, but in the people acting through their States.

The temptation to amend, rather than to interpret, is a temptation that flits constantly through the high court's marble halls. How is this to be resisted? "The only check upon our exercise of power," said Chief Justice Stone in a famous line, "is our own sense of self-restraint." Stone later regretted his candor, but he stated a truth that ought to be carved eternally above the bench. The awful reality, as Ervin said last week, is that "no authority external to themselves can compel Supreme Court Justices to observe their constitutional obligation to base their interpretation of the Constitution upon its language and history."

Marshall's whole career, as advocate, judge, and Solicitor General, suggests that he will join the activist bloc upon the Court; and there his own personal notions of a "living Constitution," embodied in the votes he casts, will affect our lives for years to come.

[From the Evening Star, Sept. 4, 1967]

THE SIGNIFICANCE OF MARSHALL'S APPOINTMENT

(By Richard Wilson)

It is far less significant that Justice Thurgood Marshall is a Negro than that he is an accomplished courtroom lawyer with a passion for getting social justice done through the courts.

He was not put on the court to represent "the Negro point of view"; the court needs no instruction in this respect. But he was, of course, nominated and confirmed in recognition of the right of Negroes to serve in positions of highest responsibility.

Still, this is not the major significance of the appointment although it may have been its most important contributing cause. The main significance lies in the fact that President Johnson has now successively appointed two constitutional activists, Abe Fortas and Thurgood Marshall, to swing the court possibly for a generation in the direction charted by Chief Justice Earl Warren supported by Associate Justice William O. Douglas.

Those who must take notice of this are those most vitally concerned with two seemingly contractory trends. One is the assertion and implementation of expanding federal power. The other is the assertion and implementation of the rights of the individual in a society where both highly centralized state and private authority tends to limit his ability to make free choices.

The main thrust of the cases which have excited public interest—the prayer decision, the decisions affirming the rights of the accused in criminal proceedings, and others—has been to assert the right of the individual to be freer of the imposed will of the state.

All the while, the federal authority has been extended into broader fields superseding in many instances those powers long considered to have been reserved to the states, as, for example, the composition of state legislatures.

This is activism, and Thurgood Marshall has played his part in it from his brilliant arguments in the original school desegregation cases on through his record as a circuit judge and as solicitor general.

Activism is adopting a view that when an evil exists, uncorrected by the legislative and executive branches, the court will correct it on its own initiative when presented with the issue. It will not avoid the issue, nor confine its decisions to the narrowest possible scope. It will reach out for evils to correct, and in effect become less a court in the traditional sense and more a tribunal undertaking legislative-like functions.

This is the main issue inside the court. The appointment of Fortas and Marshall, replacing Justice Tom C. Clark and Arthur J. Goldberg, has the net effect of strengthening the activist position.

Some are surprised that President Johnson would have done this. It is a test of his political faith which places him on the left, a fact which ought to be noticed by the big industrial leaders who have a great stake in the court's never-ending flow of decisions on mergers and antitrust cases. These big industry leaders have found themselves strongly attracted to President Johnson's business policies.

A collateral effect of the continued "liberalization" of the Supreme Court may be increased interest in a constitutional convention. Even if two more states were to meet the constitutional requirements and the convention could be called, it has been questionable what action Congress would take to create the convention, fearing, as Congress does, that no limit could be placed on the revisions of the Constitution which might be undertaken.

If the court is now to pursue the activist line it has previously taken, there may be more congressional and public interest in a convention which would tend to reverse that trend.

THE 20TH ANNIVERSARY OF THE U.S. AIR FORCE

Mr. McINTYRE. Mr. President, today marks the 20th anniversary of the U.S. Air Force.

Although the Air Force is the youngest of our Nation's military branches, it has had a proud and distinguished record of achievement.

As a member of the Committee on Armed Services, I have been tremendously impressed with the caliber and spirit of the Air Force and the vital role it has played in maintaining the peace and security of the free world.

When I traveled to Vietnam earlier this year, I witnessed, firsthand, the dedication and thorough professionalism of the U.S. Air Force. And my own State of New Hampshire has become very well acquainted with the fine work of the Air Force through its association with Pease Air Force Base near Portsmouth, N.H.

I take the opportunity to congratulate the fine men and women of the U.S. Air Force on this 20th anniversary. As the Air Force enters its third decade of service to our Nation and the free world, it carries our gratitude and best wishes for continued success.

ANTITRUST FORCES LOSS OF JET PLANE MANUFACTURE

Mr. MONRONEY. Mr. President, in recent weeks we have watched the tragic spectacle of a good law being applied badly. I refer to the demand of the Antitrust Division of the Department of Justice that the Jet Commander aircraft made by the Aero-Commander Division of Rockwell-Standard be divested as a condition to approval of the merger between Rockwell-Standard and North American Aviation, Inc.

This unrealistic and indefensible decision by the powers-that-be in the executive branch actually may have just the opposite effect of what is intended by the antitrust law—to strengthen competition. It is almost certainly going to reduce the employment opportunities in this country, while at the same time give foreign aircraft manufacturers, which last year made more than half the executive jets sold in the United States, an even larger market in this country. It is almost certainly going to affect our already difficult balance-of-payments problem adversely.

Rockwell-Standard Corp., the parent company of Aero-Commander, says it has sold the jet aircraft project to the Israeli Government for $25 million. The Justice Department had demanded the divestiture on grounds the Aero-Commander jet and North American's highly successful business jet aircraft would otherwise dominate or monopolize the market for such planes. With the market domination of the foreign manufacturers, this simply isn't borne out by the facts. The Justice Department is wrong.

The Aero-Commander jet and the North American jet offer far different service characteristics to the prospective buyer, and one costs nearly twice as much as the other.

The Justice Department's error apparently will mean the surrender of one of the best U.S.-built executive jets to a foreign nation. It will destroy one of our important manufacturing resources for a type of highly sophisticated machinery which our security requires.

Directly affected by this bureaucratic bungling is a fine team of aircraft builders in Oklahoma City, Okla. The incomes of several hundred people are threatened by this cavalier fiat from the Federal executive branch. I do not believe the American people will endure such bungling and self-defeating tactics as these.

An indication of the public outrage caused by this particular incident is reflected in an editorial entitled "Government by Whim," published in the Daily Oklahoman, Oklahoma City, on September 12. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Government by Whim

Such a confusing welter of anti-trust procedure has evolved in recent years that business no longer has any way of knowing exactly where it stands under the law.

As a result of far-reaching supreme court decisions affecting corporate mergers and acquisitions, it has become increasingly difficult to discover any absolute legal principles at work. What emerges is a spreading web of case-by-case judicial interpretation which supports a strong presumption that bureaucratic whim rather than explicit law has become the governing factor.

Certainly this view would have to be taken of the circumstances surrounding the forced sale the other day of Aero Commander's jet manufacturing facilities at Bethany. Their $25 million sale to the Israeli government was announced after the United States Department of Justice had intervened in the proposed merger of Rockwell-Standard Corp., parent firm of Aero Commander, with North American Aviation Co.

The forced divestiture wasn't the result of any demonstrated impairment of competition, but represented instead a pre-judgment on the part of the justice department attorneys interested in the matter. Actually, the Jet Commander produced at Bethany carried a price tag of about $600,000 whereas the North American jet occasioning the justice department's professed concern had a price of more than $1 million. Yet nothing more than the implied threat of anti-trust prosecution had the effect of law in this instance.

The supreme court's ruling in the Von's Grocery case from Los Angeles more than a year ago gave clear indication that the justice department wasn't required to prove actual damage to competition in order to block a proposed merger.

The 1960 merger of Von's Grocery Co., with the Shopping Bag Food Stores had given the combined firm more than 7 percent of total sales in the marketing area. The court found that even a share of the market this small was too much because the merger accelerated a trend toward concentration in the industry. Justice Potter Stewart dissented sharply, calling the majority's reasoning "bare conjecture." He said the only consistency in recent merger rulings was that "the government always wins."

The justice department imposed its uncontested will in the Aero Commander case, but it isn't entirely apparent that the government's victory was a victory for the public. Exactly what public interest of the American people is served by exporting manufacturing payrolls to foreign countries is hard to fathom, although the newly formed North American Rockwell Corp., is expected to develop a new executive jet eventually.

The incident demonstrates the disturbing extent to which the American people are being governed by federal officeholders for whom they never voted in the past and never will vote in the future.

Congress has delegated entirely too much discretionary authority to a proliferating administrative apparatus which governs by decree and proceeds according to the evident assumption that the defendent is guilty until he proves otherwise.

LABOR PRAISES SENATOR CLARK'S EMERGENCY EMPLOYMENT BILL

Mr. YARBOROUGH. Mr. President, undoubtedly the most important and far-reaching piece of domestic legislation to come before this session of Congress is the omnibus antipoverty bill—the economic Opportunity Amendments of 1967 reported to the Senate by the Committee on Labor and Public Welfare on September 11.

This legislation, when enacted, will constitute the mightiest weapon yet devised for the arsenal of the war on poverty.

As a member of the Committee on Labor and Public Welfare, I am proud to have participated in the preparation of this measure. It represents a major and indispensable step forward in the historic struggle to wipe the blights of poverty and hunger, disease and ignorance from American life.

In the 3 years that the war on poverty has been in progress we have made notable advances. Three years ago, at least 32,000,000 Americans—some say more—were living in poverty. Today that number has been reduced to 27,500,000.

But that 27,500,000 is an appalling, huge figure, an index of how much remains to be done, how much of the war remains to be won.

No one has a greater stake in a conclusive victory in the war on poverty than the Nation's working men and women and the democratic organizations that represent them. This has been fully and militantly recognized by American trade unions, representing 18,000,000 organized workers and their publications.

One of the most respected and effective of these publications is the 48-year-old weekly newspaper, Labor, published by 18 unions whose membership is in the railroads, airlines, and other transportation fields. Labor, which is read by more than 800,000 unionists each week, has been waging its own war against poverty since it began publishing nearly a half-century ago.

Consequently Labor's views and editorial opinions are accorded the deepest respect not only in the labor movement but also among Members of Congress and leaders of organizations in such fields as religion, civil rights, and education.

For that reason, I invite the attention of Congress and all interested Americans to a penetrating and closely reasoned editorial on the pending antipoverty legislation which appears in the current issue of Labor. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

More Jobs in the Slums: A Challenge to Congress

As Congress resumed sessions this week following a lengthy recess over Labor Day week, one of the major controversial issues on the griddle, at least in the Senate, is a proposed $2.8 billion two-year program to provide jobs in the slums of the nation's cities.

That emergency undertaking was recommended, just prior to the recess, by the Senate Labor and Public Welfare Committee, as an addition to the $2 billion anti-poverty program. It carried in the committee by a vote of 10 to 6, despite a skittery attitude by the Administration which professed a fear that combining the two programs would jeopardize funding of the war on poverty.

Sen. Joseph S. Clark (D., Pa.) was the sponsor of the committee supported move. He heads the Senate subcommittee on Employment, Manpower and Poverty, which has made intensive inquiries into the plight of slum-dwellers and knows the problem first-hand.

We don't think his project should be controversial. On the contrary, it should be welcomed as an attack on a festering sore—the sore of unemployment and hopelessness in the ghettoes, which has fed the recent wave of riots.

The eminent New York Times hit the nail on the head in an editorial supporting the Senate committee's action. "Jobs are a necessity for transforming the slums and restoring peace to the nation's cities," the Times declared.

"A regular, decently paid job is the foundation for self-respect. A job for every father would help stabilize families now disintegrating. A job for every unemployed youth would diminish the impulse to violence that idleness now nourishes."

Why is the problem so severe in the slums? New U.S. Labor Department studies cast light on the answer. Ever since World War II there has been a tremendous exodus from farms in the South to the ghettoes of the North. Most of these migrants were Negroes and they came with little skill or education.

For a time the lack of skill was no great barrier, but since the mid-1950s there has been a technological revolution in the factories. Unskilled and semi-skilled jobs disappeared in droves.

To make matters worse, plants have been moving away from the central cities to the suburbs. Thus, the residents of the ghettoes, particularly Negroes, suffered a double blow—they could not get jobs because of lack of technical skills and the plants that might hire them debouched too far away.

The effect shows up grimly in a "sub-employment index" prepared by the Labor Department, an index which covers not only those officially recorded as jobless, but those who have left the labor market in despair or hold poorly-paid part-time jobs.

That index is a shocker. It reveals the sub-employment rate to be over 30 per cent in Harlem; 34 per cent in the Watts district of Los Angeles; 48 per cent in some areas of Chicago; 34 per cent in Philadelphia; 39 per cent in St. Louis, 45 per cent in New Orleans and a staggering 47 per cent in San Antonio.

Figures such as those underscore the need for a large-scale attempt to bring jobs to the slums. Senator Clark's effort along that line, far from being too ambitious or too costly, is really too modest and too scanty to meet the problem.

But at least it's a starter. It would, as Sen. Clark put it, be a "first step" in the direction of a "Marshall Plan" for the nation's impoverished areas, which Vice President Hubert Humphrey recently suggested.

His plan, Clark said, would provide several hundred thousand jobs, in or near the ghettoes in such fields as health, public safety, education, welfare, and recreation, also in neighborhood improvement, maintenance, reconstruction and beautification.

"This is not a federal handout program," he added. "It is designed to provide meaningful jobs and socially-productive employment, the kind of work that gives a man a sense of pride in what he is doing."

Such a program, Clark contended, would "undercut the anarchists and the hoodlums" who have stirred up the recent riots. It would not, he said, "bribe the malefactors, but the very opposite—cut them off, isolate them," eliminate the impact of their demagogic appeals.

We agree. We urge Congress to "get cracking." The program proposed by the Senate Labor Committee points the way. It's a much-needed beginning.

CONSERVATION CLEANUP CAMPAIGN

Mr. BYRD of West Virginia. Mr. President, the magazine Soil Conservation, in its September issue, published an article entitled "Conservation Districts Pick Streams for Intensive Cleanup Campaign." This article described the stream cleanup activities of three soil conservation districts in West Virginia.

These districts, the Elk, Southern, and the Little Kanawha, are working to make formerly polluted streams viable and valuable again.

The article describes the goals and the plans of these districts and, according to the article, "each of the three conservation districts is moving ahead in its own way, and all are getting definite action started toward cleaning up the selected streams."

I believe this basic conservation work is among the most unheralded, yet most important, service our Government is performing. I wish to commend these three districts, and the Soil Conservation Service, for their important contributions to making our country a cleaner and a healthier place to live.

I ask unanimous consent that this article be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD:

CONSERVATION DISTRICTS PICK STREAMS FOR INTENSIVE CLEANUP CAMPAIGN

(By Thomas B. Evans)

Three soil conservation districts in West Virginia have taken the initiative in a pilot effort to clean up polluted streams.

Supervisors of each district—the Elk, the Southern, and the Little Kanawha—have selected a stream within the boundaries of the district and set out to enlist the cooperation of public agencies and private interests to make it run crystal clear again.

Soil conservation districts, of course, do not have the authority or the capabilities within their own organization to do such a job alone. They are, however, in a favored position to focus the attention of responsible agencies and local individuals on the problem and coordinate their efforts.

THE TARGET STREAMS

The three districts have wisely chosen to concentrate on small streams where there appeared to be reasonable opportunity for success. They are:

Big Ditch Creek in the Elk Soil Conservation District.

East River in the Southern Soil Conservation District.

Spring Creek in the Little Kanawha Soil Conservation District.

Supervisors of the Southern District hope to make the East River a year-round trout stream again. It used to be a natural trout stream, and there are still native trout in the upper reaches, although most of its length is now too badly polluted to support fish. Biologists from the State Department of Natural Resources and the Soil Conservation Service are jointly studying the problem.

Each of the three conservation districts is moving ahead in its own way, and all are getting definite action started toward cleaning up the selected streams.

They have made arrangements with the Federal Water Pollution Control Administration to study and report on existing conditions and what needs to be done. They have held meetings with the State Department of Natural Resources and State Department of Health, with such Federal agencies as the Farmers Home Administration, Office of Economic Development and Soil Conservation Service, and with various local interests.

ANTIPOLLUTION OBJECTIVES

As the needs are pinpointed, each district will develop a plan of work to guide the cooperating organizations in carrying out their actions. The following is a combined list of their objectives:

(1) Building acceptable sewage disposal systems by several of the towns.

(2) Eliminating acid mine drainage from surface and deep mines in the affected watersheds.

(3) Installing basins at certain railroad yards to prevent diesel oil, detergents, and other industrial pollutants from entering the stream.

(4) Establishing a tertiary sewage effluent treatment plant for one of the cities concerned.

(5) Attacking pollution originating from filling stations, garages, and small industries located adjacent to the streams.

(6) Initiating a program for rebuilding private sanitation facilities that are contributing to the pollution of the streams.

(7) Eliminating siltation from unseeded roadbanks and other critical areas.

(8) Eliminating garbage disposal along the streambanks by a demonstration of sanitary landfill, under the provisions of the Solid Waste Disposal Act and the Appalachian Regional Development Act.

(9) Creating a single sanitary district for one of the watersheds, exclusive of the incorporated towns, or, as an alternative, establishing a separate sanitary district for each community.

In addition to the concentrated efforts in these three districts, all of West Virginia's soil conservation districts have executed Memorandums of Understanding with the State Department of Health for cooperation in the clean streams movement. Every one of the State's districts has updated its program and signed a revised Memorandum of Understanding with the Secretary of Agriculture and with a number of State departments and agencies.

The soil conservation districts of West Virginia are accepting the challenge to plan and develop the resources of the State for the future of the Nation.

OFFICIAL BIAS

Mr. FANNIN. Mr. President, on August 8, 1967, I placed in the RECORD an article entitled "Official Bias," published in Barron's National Business and Financial Weekly. The article reported that the Equal Employment Opportunity Commission had coerced the Newport News Shipbuilding & Dry Dock Co., into signing an agreement which called for favoring Negroes in its hiring policies and with respect to its apprenticeship school—thus instituting a policy of discrimination in reverse. According to the report, this so-called agreement, in large measure, precipitated the first work stoppage in the company's 81 years of existence.

Subsequently on August 22, a statement by way of reply to this article was placed in the RECORD. Among material inserted to attempt to buttress this reply were the text of the conciliation agreement and an analysis of the background of the signing of the agreement written by professor Alfred Blumrosen, apparently the chief architect of the terms.

I had not seen either of these two documents before, and I am glad that they have been printed. They are shocking. To me the situation is worse than I originally thought. In fact it seems to me that the article in Barron's, told only about half the story for a careful reading of this material, leads inevitably to certain conclusions, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

(1) That the Equal Employment Opportunity Commission in negotiating this so-called "agreement" has in many respects completely exceeded any authority granted it under Title VII of the Civil Rights Act of 1964.

(2) That this so-called "agreement" was brought about by the most flagrant governmental coercion that has ever come to my attention. Had it been brought into being through the actions of any one other than a government agency, it could have been characterized as "blackmail" and probably subject to nullification by court action.

(3) That this "agreement" implemented in accordance with its terms would result in what might be termed "reverse discrimination" to the disadvantage of all personnel except non-whites singled out for preferential treatment.

(4) That since it is proposed that this so-called agreement be utilized as a model for elimination of discrimination in employment by not only the Commission but other government agencies such as the Department of Justice and the Office of Contract Compliance, a full and complete examination of the administration of Title VII of the Civil Rights Act of 1964 is in order to determine whether or not the administration of this Title by the EEOC is consistent with the authority granted it by the Congress and with the principles of fair play and due process of law.

Mr. FANNIN. Mr. President, a brief reference to the contents of the aforementioned documents will demonstrate the validity of the conclusions I have outlined above.

It seems clear from Professor Blumrosen's analysis that the complaints in this case were in some measure stimulated since he notes that "charges of discrimination at the shipyard were filed in the late summer of 1965 with the Commission by 41 Negro complainants who work with the local chapter of the NAACP." There followed an investigation by the Commission and in November 1965 a conciliation effort was made by the Commission which was rejected by the company and the union. Professor Blumrosen further states that in March 1966 the company learned that the Attorney General planned to institute suit "and that the Department of Labor was considering suspending future Government contracts." The company then sought to negotiate with the Government and Assistant Attorney General John Doar "decided to allow the opportunity for negotiation before filing suit," and it was then decided that the EEOC would lead the negotiation "with the participation of Justice, Department of Defense, and the Department of Labor."

Subsequently, the Department of Labor did, in fact, issue a letter suspending further Government contracts with this company as the negotiations began.

Given this kind of governmental pressure on a company almost totally involved in Government contract work, it is not surprising that an agreement was reached. Following the conclusion of the agreement, the Department of Labor came to the conclusion that this would justify the withdrawal of the suspension from Government contracts and, further, on the basis of the agreement the Justice Department concluded that it would not institute suit. In addition, it is stated by Professor Blumrosen that "by signing the agreement, the union relinquished whatever legal objections it might have asserted in connection with the conciliation."

Without question, this is governmental coercion of the highest order and I am completely at a loss to find anywhere in title VII of the Civil Rights Act of 1964 any such coercive authority granted to the EEOC.

Of equal importance, however, are some of the terms and conditions which apparently were insisted upon by the EEOC for inclusion in the so-called conciliation agreement.

For example, the company is required within 45 days of the date of the agreement to "retain at its expense an expert in job evaluation and statements of work content, knowledgeable in race relations who is acceptable to the Commission" to make a review of the company's personnel practices to determine whether nonwhites are in any fashion being discriminated against. I am not aware of any statutory language in title VII which would authorize the Commission to require employment of an outside "expert" to examine a company's practices.

The company would then be required to implement the decision of the expert "by reclassifying such employees and/or adjusting the rate of pay accordingly within a period of 30 days from the date of determination." The company is further required to supply this said expert with adequate staff and facilities and to make available all records and other information necessary to the performance of this function.

This "expert", incidentally, must be acceptable to the Commission and the profile of employment practices is to be developed jointly by this expert and the Industrial Employment Policy Specialists, Department of Defense, presumably without regard to company participation. In other words, the company would in effect be required to turn over to one outside expert and a group of individuals from the Defense Department the authority to analyze and change in any way they saw fit the personnel and employment practices of a company which has functioned for over 80 years without ever having had a strike.

Again, I am unable to find any such statutory authority in title VII of the Civil Rights Act.

It should be noted that approval by the Commission is required at almost every step in this agreement which means, of course, a veto power over any actions which may be taken by the company. Continuing surveillance and participation by the Commission in company personnel actions is clearly provided for during the life of this agreement.

It is impossible to read this "agreement" without coming to the conclusion that it amounts to what might be called discrimination in reverse. Without question, this agreement makes other than nonwhite employees of this company the more or less "forgotten" man insofar as any protection he may seek pursuant to this agreement.

Notwithstanding statutory provisions designed to prevent the granting of "preferential treatment" to any individual or to any group because of his race, color, religion, sex, or national origin, this very preferential treatment is provided for in many sections of the agreement. As just one instance, in section 3(c) it is provided that "employees in predominantly Negro departments shall be given the first opportunity for training in programs in which they are qualified to enter." If I understand this correctly, this means that other than nonwhites need not apply, which to me is discrimination in reverse.

One of the most flagrant examples of abuse of authority by the Agency is found in section 4 of the Conciliation Agreement dealing with Adjustment of Rates and Promotional Opportunities.

Under this section, the so-called expert and the "Industrial Employment Policy Specialist" establish a profile of the rate and conditions for promotions for white employees, a so-called norm. Thereafter, a Negro employee who has not moved up through the grades as rapidly as the "norm" for white employees would be assigned "the first grade in the job classification or such other grade as he would have achieved had his history followed" the norm. Section 4(f) states "conditions of the employee's skill and ability are not germane to this section. The burden of demonstrating that from company records that the employee should not be upgraded is on the company."

As a further example, in section 4(h):

> If the evaluator finds that the Negro employee has such qualifications for promotion or can achieve them through reasonable training, he shall be placed on a preferential promotion list and given at an appropriate time such training as may be reasonably necessary to equip him for promotion. Such promotion shall be given when need arises for additional members of the next higher class.

As is well known, the Congress in title VII specifically provided that comparisons with, or quotas related to, the percentages of various races in the available work force in any community, State, section, or other area could not be required. Nothwithstanding this, the Commission in section 5(d) of this "agreement" included a section which in practical operation would have no other effect. The section is as follows:

> The parties to this agreement recognize as a natural result of this recruitment effort that the ratio of Negro to white apprentices in any given year should approach the ratio of Negro to white employees and the ratio of Negro to whites in the labor market area but this provision should not be construed to require or permit the rejection of any qualified applicant on the basis of his race or color.

Obviously, the disclaimer in the last few lines is designed to try and bring this provision within the language of the statute. I submit, however, that this comes in the "fine print" category and would be of questionable effect in forestalling the basic purpose outlined in the earlier part of this provision.

The company is further required to waive some of its statutory rights provided in title VII as set forth in section 7 (d) and (e) of the agreement which states as follows:

> d. Cooperate with the Equal Employment Opportunity Commission with regard to the investigation, conciliation, and processing of the charges of 38 other charging parties without regard to the time limitations of Section 706 of Title VII.
>
> e. With regard to certain charging parties, waive the statutory period within which the charging parties may institute a civil action in the event conciliation is not achieved.

This statutory period was inserted by the Congress with a definite design and purpose to eliminate stale claims and, in effect, fix a statute of limitations within which complaints must be filed. Notwithstanding, the Commission arrogates onto itself by the device of this so-called agreement to nullify the statutory protection provided by the Congress.

The foregoing is only a brief and quite incomplete indication of the lengths to which the EEOC has gone in bringing about this coercive agreement without statutory authority and in many cases in complete disregard of the language the Congress enacted. To me, the conclusion is inescapable that before the authority of this Commission is in anywise broadened a close examination of this Commission's activities is required in order to determine whether and to what extent the Commission is circumventing and ignoring the intent of Congress when it enacted title VII of the Civil Rights Act of 1964.

Mr. President, finally I ask unanimous consent that there be printed in the RECORD Barron's reply to the charge that the EEOC was unjustifiably criticized. This is an excellent reply and points up a frightening situation:

BARRON'S REPLY TO THE CHARGE OF UNJUSTIFIED CRITICISM OF THE ROLE OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION AT THE NEWPORT NEWS SHIPBUILDING & DRY DOCK CO.

Barron's remains convinced that the Equal Employment Opportunity Commission (EEOC) was the principal villain in the first strike in the 81-year history of the Newport News Shipbuilding & Dry Dock Co. The record proves beyond doubt that the EEOC seriously damaged labor-management relations which heretofore had been noted as a model of harmony. It also created racial unrest and caused employee morale to sink so low that it resulted in a substantial drop in productivity. Under such conditions, it is not surprising that grievance procedures, which always had worked in the past, were inadequate to avert a strike.

Significantly, the dispute which led to the walk-out began in the company's transportation department which has a work force comprised 80% of Negroes. In addition, the union meeting which passed the strike vote was attended 85% by Negroes, and we have pictures to prove it.

Under the threat of withholding federal contracts, which make up most of the business of Newport News Ship, EEOC ordered it unilaterally to take certain so-called antidiscriminatory actions. The Commission moved without even consulting the Peninsula Shipbuilders' Association (PSA), the independent union which represents most of the 22,000 workers at the yard.

This was in violation of the National Labor Relations Act, which says a company must not change working conditions or pay without bargaining with the certified representative of the workers. Too, the Commission violated an order of the National Labor Relations Board certifying the PSA as the sole collective bargaining agent of the employees of Newport News Ship.

Thus the company had conflicting orders from two federal agencies, with one saying the firm should change working conditions only after bargaining with the PSA and the other saying it would put it out of business unless it changed them immediately.

When our editorial was written, Luther Holcomb was acting chairman of the EEOC. Barron's asked him how he could expect a firm to follow conflicting orders from two federal agencies. He emphasized that PSA was an independent union. "If the AFL–CIO had been involved, we probably would have had the head of the AFL–CIO Civil Rights Division in," he declared. He abruptly terminated the interview when asked why he didn't perform the same courtesy for an independent union.

(According to Don Slayman, Director of Civil Rights for the AFL–CIO, his organization had threatened to handle the matter through litigation unless the EEOC carried out its obligation to discuss discrimination with both a company and a union.)

The EEOC publicly humiliated the PSA and got it in bad with the Negroes who make up 35% of its membership, to say nothing of the rest of the members who saw the union contract ignored. At the outset, the Commission gave the impression that it would take care of the Negroes where the PSA had failed. Understandably, this split the union between blacks and whites. However, both soon learned of the perfidy of the EEOC.

After the agreement was completed with Newport News Ship, the Commission belatedly acknowledged its error in ignoring the union by making it a party to it. But when the PSA tried to take an active part in handling cases of alleged discrimination, it was balked by the EEOC. The former filed 83 complaints with the Commission over six months ago and has yet to hear anything on a single complaint.

Linwood Harris, the Negro co-manager of PSA, told Barron's, "We're left as the fall guy because the EEOC doesn't act."

Kenneth F. Holbert, EEOC Acting General Council, says the agency just hasn't had time to get around to handling the complaints but admits there is a legal limitation of 60 days for it to do so.

Understandably, PSA officials do not share Mr. Holcomb's enthusiasm over the benefits of EEOC's activities at Newport News Ship. Mr. Harris declares, "The good the EEOC has done is minute and not worth it because of the bad they've done."

PSA President Leonard Gauley says, "They've stirred up a hornet's nest that was completely unnecessary."

PSA Co-Manager Robert M. Bryant says, "the EEOC is a complete farce" and that it has brought about the end of an era for both the company and its employees.

One employee after another told us they'd never seen anything like it—that EEOC upset everyone.

Under such circumstances, it is not difficult to see why a union might concentrate on grievances involving a department made up largely of Negroes. And with workers in a state of turmoil incited by the EEOC, it is not hard to understand why a strike ensued.

We notice that the EEOC does not deny that Commissioner Samuel C. Jackson called for militancy in the community; we don't see how it can, since it was a speech at a public NAACP meeting. We also notice that EEOC does not deny that it sent representatives to knock on doors in Negro neighborhoods in Newport News to solicit complaints of job discrimination.

Commissioner Jackson also stirred up trouble by making false charges. In the aforementioned speech, he declared, "I have investigated discrimination complaints all over the nation, and never have I seen such massive discrimination in my life as at Newport News Shipbuilding & Dry Dock." This hardly tallies with a later EEOC conclusion that Newport News Ship was not guilty in a single instance of failing to give equal pay for equal work.

Heaping coals on the fire, exaggerations and false claims followed the false charges. Commissioner Jackson said the company's Apprentice School did not have a single Negro teacher out of nearly 500 instructors. The union subsequently pointed out, "At last count, we didn't have 500 students in the Apprentice School."

Mr. Jackson claimed that at least 5,000 Negroes (the total number of Negroes employed by the yard) would receive substantial raises as the result of the Commission's work.

On May 1, 1967, Secretary of Labor W. Willard W. Wirtz and Stephen N. Shulman, then EEOC Chairman, announced that 3,890 Negroes had been promoted at Newport News Ship because of federal action to insure equal employment practices. Both union and management say this figure is false, and they have told the government so. As noted in our editorial, the union threatened legal action to set the record straight.

According to both labor and management, the 3,000 merit increases were regular ones and at a volume established long before the existence of EEOC. A grand total of 155 employees received raises as a result of the agreement. In addition 250 Negroes were put on preferential lists for promotions when openings occur.

PSA Co-Manager Bryant told Barron's that any time the Secretary of Labor will claim 3,890 promotions under an agreement which actually produced 155, "I've got a lot of reservations about whether he should be the Secretary of Labor."

In the face of criticism from both management and labor, we note that Mr. Holcomb now claims the agreement produced 3,000 promotions rather than the 3,890 claimed by Messrs. Wirtz and Shulman and the 5,000 promised by Mr. Jackson.

EEOC also brought about a further deterioration of labor relations at Newport News Ship by forcing discrimination in favor of Negroes. No white employee may be promoted until the preferred promotion list of Negroes is exhausted unless the EEOC gives express permission. Moreover, during the year it took to draw up that list, EEOC did not allow the yard to make any permanent promotions. Many employees told Barron's that this alone seriously damaged employee morale.

The agreement further promotes reverse discrimination by stating that Negroes shall have the first opportunity to participate in training programs provided by the company. It assigns legal status for the selection of apprentices to civil rights organizations listed by the EEOC. In authorizing them to send "qualified applicants" to the Apprentice School, the EEOC, in effect, has established privileged groups of private employment agencies for Negroes.

The agreement also says that Negroes shall be promoted as rapidly as whites as shown by a sample of white promotions and that "consideration of the (Negro) employee's skill and ability are not germane to this section."

In view of the documentation presented here, it is almost incredible that Mr. Holcomb would say, "The Newport News agreement indicated significantly how sound governmental action taken in cooperation with interested parties can solve problems of employment discrimination and can do so without serious harm to the interest of employers and that in addition, benefits can result for white employees as well as for Negroes."

As noted, the EEOC action was not taken in cooperation with all interested parties—if one considers the union an interested party. According to PSA Co-Manager Bryant, the first word the union had of the completed agreement was in a national announcement on April 2, 1966. The PSA did not receive a copy of the agreement until two days after the announcement.

Mr. Holcomb's claim that there was no serious harm to the employer also is without substance. Donald A. Holden, President and Chairman of the Board of Newport News Ship, told Barron's that productivity went down as a result of the EEOC because people were upset. "I think it cost us in seven-figure kind of money in a year," he declared.

We fail to see how Mr. Holcomb finds benefits for white employees since, as noted, the EEOC is discriminating against them.

In conclusion we would like to call attention to an article in our issue of October 17, 1966. We mentioned that anti-poverty and civil rights workers were campaigning to take over management of Greenbelt Consumer Services, Inc. One of the candidates of the insurgents for the board of Greenbelt was Timothy L. Jenkins. According to literature distributed by his sponsors, he was a Deputy to the EEOC and also "has held responsible positions in such groups . . . as the Federal Programs Section of the Student Non-Violent Coordinating Committee." While Mr. Jenkins no longer is with the EEOC, the records of its personnel office indicate he was serving as consultant to the chairman when the Commission was working on the Newport News case.

SENATE AND THE UNITED STATES AT THE CROSSROADS ON HUMAN RIGHTS AND THE HUMAN RIGHTS CONVENTIONS—CXXXVIII

Mr. PROXMIRE. Mr. President, an argument against the Senate giving its advice and consent to the Human Rights Convention on Political Rights of Women is roughly stated thus: the political rights of women are not the proper subject matter of a treaty, because these rights are solely a question between a government and its citizens.

I am amazed that this argument is advanced, let alone accepted by some people, in 1967.

This argument ignores the great human rights heritage and record of the United States. It regards our own human rights and liberties as some sort of heirloom which we should keep selfishly on a private, national shelf.

I believe sincerely that the Senate and the United States are at a grave crossroads on the question of human rights.

We must answer the question of whether we believe human rights and freedoms are the rightful heritage of all men and all women or simply of American men and American women.

The Declaration of Independence spoke of the human rights of all human beings—not merely of Americans. We must decide whether we are still committed to these precepts.

We must further determine, both the Senate and our people, whether we intend to fulfill the commitment we made when joining the United Nations to cooperate with other nations "in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion."

If we do not intend to carry out this commitment to the United Nations Charter by ratifying the Human Rights Conventions, then let us admit it honestly and openly instead of hypocritically paying lipservice to the U.N. and its purposes.

All the flights of rhetoric about the U.N. and the rule of law mean very, very little when the greatest and most powerful democracy in the world stands apart from international efforts to promote and secure human rights.

I once again urge the Senate to recognize our commitment as a Nation to human rights for all people by ratifying the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery.

POLICE MORALE

Mr. BYRD of West Virginia. Mr. President, during the Senate debate last week on the bill providing compensation to policemen, or their survivors, for injury or death resulting from their attempts to arrest Federal miscreants, much was said on the Senate floor concerning the morale of policemen throughout the country. Anent the subject of police morale, a pertinent editorial appeared in the September 7, 1967, edition of the White Sulphur Springs, W. Va., Sentinel. The editorial was titled "On Hoodlum Brutality," which I ask unanimous consent to insert in the RECORD, together with a similarly pertinent column by James J. Kilpatrick entitled "Time at Hand To Rally To Support of Police," which appeared in the September 5, 1967, Washington Evening Star.

There being no objection, the items were ordered to be printed in the RECORD as follows:

TIME AT HAND TO RALLY TO SUPPORT OF POLICE

MIAMI, FLA.—This column comes from Miami. Under a larger dateline, it comes from the heart. The theme can be stated simply: The moment is at hand for the American people to rally to the support of their police as they have rallied in times past to the support of their schools.

For the last several days, about 2,000 members of the Fraternal Order of Police have been meeting in annual convention here. As delegates from lodges in 38 states, they represent 69,000 working cops. These are the career men—men with badges, men with guns, men who walk beats or have walked them in the past.

They need help, these men in blue, and not merely financial help. The average police salary in the United States in 1966 was precisely $107.11 per week, and this for a work week that often ran to 50 hours or more. It is a pathetic figure, especially when it is related to risks that saw 57 officers slain and 24,000 assaulted last year. But money is not the big trouble.

The overriding need, underlying every conversation here is for a public attitude of positive support. It is incredible, when you think about it, that such a need should have to be expressed. These men are not philosophers; they do not profess to understand what has happened to American attitudes over the past 10 or 15 years. But they are baffled by experiences that have become commonplace; they are indignant at overblown charges of "police brutality"; and they wonder what has become of the days when an officer commanded respect as a symbol of law and order.

Yes, they acknowledge, the police have brought some of their troubles on themselves. They have made errors of judgment. If the rapist Mallory had not been interrogated for so many hours; if the slayer Escobedo had been permitted to see his lawyer; if the robber Miranda had been advised of admitted constitutional rights—if the police work in these cases had been better, the landmark decisions in Mallory, Escobedo and Miranda might not have been so sweeping.

It is acknowledged, too, that almost every large department has a handful of "bad cops"—bullies, petty tyrants, men who abuse their authority and dishonor the badge.

Yet over the country, the number of bad cops is a tiny fraction of the whole. A task force of the President's Crime Commission recently demolished the notion that "police brutality" is widespread. In a study of 850 eight-hour patrols, involving 5,339 encounters with citizens, only 20 instances were found of unnecessary force by police. That is a record of satisfactory performance in 99.63 percent of the sample under study. What other occupations or profession boasts a better record?

Even so, the police image suffers. And the officers who are stoically aggrieved by public indifference or hostility are inclined to ask what the public expects of them. Today's police officer has to be a psychologist, sociologist, criminologist, constitutional lawyer and judo expert; he must be marksman, diplomat, skilled technician and public relations man. And he must summon all of these talents, when the occasion arises, in a single violent second.

They were telling the story, and chuckling over it, of an officer who recently arrested an armed robber just as he emerged, gun in hand, from a liquor store. The two wrestled to the sidewalk. With his prisoner finally caught in scissors hold and armlock, the officer managed to extract a worn card from his pocket. He began reading, "You have a constitutional right to remain silent. . . . If you want an attorney to be present at this time or at any time hereafter, you are entitled to such counsel . . ."

That is part of the new police routine in a day that tends to see the criminal overprotected and the whole concept of crime and punishment reduced to soft sociological lectures. The police are coping as best they can with these added burdens. An outraged public, alarmed by soaring crime rates, can lighten the load overnight by a spontaneous move to support the police. No politician, and no civic organization, could ask a better cause this year.

ON HOODLUM BRUTALITY

The other day we came upon a simple statistic out of Newark, N.J., which made us wonder why there wasn't a riot there last year, with the Newark Police Department doing the rioting. The men in blue certainly had cause.

During 1966, a total of 187 policemen in Newark were victims of hoodlum brutality. That's approximately 14 percent of the uniformed force. They were victims of "police brutality" in reverse, with hoods and punks providing the brutality. But since it's the police who get beaten and maimed, no one becomes indignant. No groups are organized to march on city hall or stage sitdowns at the state capitol. No one screams for federal funds to improve the lot of the poor persecuted man on the beat, build him a new house or train him for a less hazardous job. No politician even goes through the motions of appointing a commission to study the matter for a year or so, till after the next election.

So the policeman's lot continues to be an unhappy one, with all signs indicating that things are likely to get a lot worse. Not only is the policeman at the mercy of the hoodlums in a community; he is made a patsy by politicians who have no qualms whatever about jeopardizing the lives and property of decent people.

Some of the reports coming out of cities ripped apart by criminal mobs are almost incredible. We learn that police and law enforcement officers were ordered to stand by while hoodlums burned and looted. The reason? Action against this rabble might have "antagonized" them! In many cases the use of weapons was restricted to a point where they were little more than ornaments. Troops which might have quelled riots in their crucial early stages were kept inactive; guardsmen were told that if they happened to shoot anyone they would be held personally responsible and would have to face civil trial and a court martial. Police were subjected to harassment-by-law, as so-called "civil rights lawyers" filed suits against them for fantastic amounts.

Who wants to be a policeman in such an atmosphere? Would you?

One of these days the politicos responsible for this are going to wake up and find their communities—and themselves—without any protection whatsoever. Maybe by that time they will realize what they have done.

But it will take some recruiting drive to mobilize a police force on that day.

SECRETARY OF AGRICULTURE FREEMAN WRITES OF CONSERVATION CRISIS IN "CONSERVATION CATALYST" ON PUBLICATION OF THE BARUCH FOUNDATION

Mr. YARBOROUGH. Mr. President, it is my privilege to serve as a member of the distinguished Bernard M. Baruch Awards Committee of the Belle W. Baruch Foundation, a creative and energetic organization dedicated to education and research aimed at the conservation, development, and imaginative use of our Nation's flora and fauna resources. The foundation is well aware of and concerned by the ironic lag between modern technological potential and man's failure to rationally apply this potential to his problems. To help breach this lag, The Belle W. Baruch Foundation issues an exceptionally fine publication, Conservation Catalyst, which strives to be a catalytic influence in getting relevant research, knowledge, and skills put to use in the conservation of our great natural heritage.

For the July, 1967, issue of Conservation Catalyst, the Honorable Orville L. Freeman, Secretary of Agriculture, has written a perceptive article that calls for a creative endeavor in the conservation of man's total environment. The article, entitled "Conservation Crisis Demands Personal Involvement," is an articulate expression of the fact that, after all, "conservation is people."

Mr. President, I believe that Secretary Freeman's comments in the excellent Conservation Catalyst warrant the attention of us all. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

CONSERVATION CRISIS DEMANDS PERSONAL INVOLVEMENT

(By Orville L. Freeman, Secretary of Agriculture)

(NOTE.—Mr. Freeman is the youngest man ever named Secretary of Agriculture. He was

42 when appointed by President Kennedy in 1961. Before that he had served three successive terms as governor of Minnesota, the state where he was born, raised and educated. He received his law degree from the University of Minnesota and built a successful law practice in Minneapolis before entering politics.

(The summers of his youth were spent on his family's 350-acre Minnesota farm which had been homesteaded by his great-grandfather in the 1850s. He loves nature and when he can steal a little free time from his 70 to 80-hour work week, he likes to camp and ride in wilderness areas. He is a member of The Izaak Walton League.)

What will the face of America be like in the year 2000—just 33 years from now?

Of one thing we can be certain: what we do with our forests and related renewable resources will determine to a large extent what our future will be.

We are once again in a conservation crisis; at stake is the quality of our total environment. The crisis will not go away. It demands personal involvement by all citizens and purposeful direction at all levels of government. For conservation is not only a physical task but a social philosophy and an economic necessity.

AMERICA IN THE YEAR 2000

By the dawn of the next century, we shall have become a nation of 300 million Americans, having added to our present population the equivalent of the total populations of 10 New York Cities or 54 Washington, D.C.s.

In the year 2000 these Americans will exist on the same number of square miles—some 3.4 million—as today. The same amount of fresh water will fall from the skies then as now, but we shall need twice as much water. We shall be fed from the same thin layer of topsoil that feeds us today, but we shall need one-third more food.

It will be a richer America, in dollars, than today. With the gross national product rising an average of $250 per person every year, the industrial and commercial output alone will top one trillion dollars in the year 2000.

While Americans will be earning more, we will be working one-third fewer hours. And the demand for outdoor recreation will have increased three times over 1967 levels.

Land use will be more intensive than today. Housing for another 100 million Americans will be built; roads for three times the number of automobiles as today will have been built; space to dispose of another million tons of solid waste every year will have been found.

SPLIT IMAGES

A part of the future we can predict with some certainty because quantity is always easier to measure than quality. But what of the quality of American life in the next century? Here split images appear in the mirror of the future.

One image reflects an almost completely urbanized America, with 300 million people crowded into nine per cent of the continental landmass in huge, sprawling, anthill cities. Prophets of this America see five giant strip-cities housing three out of every five people in urban areas more densely populated than present-day Japan. Water will be dirtier, they say; air will be more full of smog; and for most Americans the solitude of open spaces will have vanished beneath the blades of the conquering bulldozer.

This particular view of the future has wide currency. And it will happen, if nothing is done to alter present pollution trends, migration trends, resource inputs, and land use policies.

But this is not the only image in the mirror. Other spokesmen envision an entirely different America. Nothing is fixed about the future, they say. Rather, the future is what we make it—for we are not the blind pawns of fate, but rather the masters of our own destiny. These problems share the belief of that perceptive French visitor to our shores, Alexis de Tocqueville, who in 1830 observed: ". . . in the (American's) eyes, what is not yet done is only what he has not yet attempted to do."

WHAT THE OPTIMISTS SEE

What kind of an America do these more optimistic prophets see?

They see a land of 300 million Americans living in less congestion than 200 million live in today.

They see a countryside USA dotted by new towns and growing rural communities where the benefits of community life are matched by the rich beauty of the countryside.

They see an agriculture fully sharing in the national prosperity—with full parity of income an accomplished fact.

They see urban centers free of smog and blight, with ample parklands within easy reach of all.

They see a land free from devastating floods, clear rivers scrubbed of pollution and silt, and sparkling air.

They see new industry and factories dotting rural America, providing the necessary economic underpinnings for the good life in the country.

This is the kind of America/2000 *I* believe in.

This is USDA (U.S. Department of Agriculture) policy. A constructive conservation and resource policy is the key to building this kind of America. And we know that such a policy is greater than just the sum of its parts—forests, water, air and soil. We know that at the center of such a policy is man himself.

This basic objective is carried out in different ways.

In forest management it means constant reforestation for sustained yields. In soil conservation it means preventive and restoration measures for continued fertility of the soil. In Wilderness Areas it means stewardship of a particular geographic area so that endless generations of Americans may see and use it. But it means *use*, in all three cases. For man and his ecology are one and inseparable.

Gifford Pinchot, USDA's first Forest Service Chief, realized this when he wrote, over half a century ago:

"From birth to death, natural resources, transformed for human use, feed, clothe, shelter, and transport us. Upon them we depend for every material necessity, comfort, convenience, and protection in our lives. Without abundant resources, prosperity is out of reach. Therefore the conservation of natural resources is the fundamental material problem."

CONSERVATION IS PEOPLE

I quote Pinchot for two reasons. The first is to illustrate that the U.S. Department of Agriculture has been in the conservation business for a long time, and that its program and responsibilities are much broader than agricultural commodity programs alone, important as these are.

Second, and more important, however, is this. Conservationists are often criticized for "putting birds and bees ahead of people." No statement could be further from the truth. Conservation *is* people. Conservation is a material problem, but it goes way beyond that. The Bible says, "What is a man profited, if he shall gain the whole world, and lose his own soul?" We could well ask, "What profits it us, the richest nation on earth, if our own people have no open space to enjoy, no woods for our children to roam in, nothing within driving distance except subdivisions, concrete, and No Trespassing signs?" This is what conservation is all about.

EXIGENCY CONTINENTAL, OMNIPRESENT

Pinchot realized this, and now many more realize it. But many remain unconvinced. One of our biggest jobs is to convince the public that conservation is one of the most important dollars-and-cents issues, if not *the* most important issue, facing us today.

The crisis this time is equally severe and more widespread than it has ever been before. It affects a nation of 200 million Americans today, compared with 90 million in Pinchot's time and 125 million in the 1930s. Today's crisis is continental in scope and omnipresent in its intrusion into every American's daily life.

Fortunately, the public is responding to the crisis. Examples are all around us. At last count, five States had passed laws to preserve open space and to alleviate urban sprawl. Kentucky has just passed stiff legislation to help curb the ravages of strip mining. The conservation wave is again at flood tide and government is responding.

On the national level, the last two sessions of Congress passed more conservation, antipollution, and natural beauty measures than any other session in history. There was Highway Beautification, the Land and Water Conservation Fund, the Water Pollution Control Act, the Clean Air Act Amendments, Amendments to P.L. 566, and authorization for Resource Conservation and Development.

Laws aren't everything, of course. The laws of the 1900s and the 1930s would not have succeeded without the wise administration of two great conservationist Presidents.

THIRD GREAT CONSERVATION WAVE

But a third great conservationist President is in the White House today, and his First Lady is the Nation's leading advocate of natural beauty. Like the two Roosevelts, President Johnson is focusing national attention on conservation because he believes in it and because he understands it. The depth of his understanding is apparent in this statement:

"Our conservation must be not just the classic conservation of protection and development, but a creative conservation of restoration and innovation. Its concern is not with nature alone, but with the total relationship between man and the world around him. Its object is not just man's welfare, but the dignity of man's spirit."

So now, with all these things going for us—broad-based public support, new legislation, and strong Presidential concern—we must lose no opportunity to get behind this third great conservation wave.

The broadened base of public support is highly encouraging. We must enlarge it at every opportunity, for in our society public opinion is almost everything. If we can harness the personal involvement, the active concern and influence of a majority of the American people, the necessary direction and leadership at all levels of government will be there. And the goals we seek in our forests and other natural resources will be achieved in the conservation of man's total environment.

MILWAUKEE AND WISCONSIN HAPPY TO WELCOME LYNDA BIRD JOHNSON AS "ADOPTED DAUGHTER"

Mr. PROXMIRE. Mr. President, I am happy to offer my congratulations to Capt. Charles Robb, of the U.S. Marine Corps, and Milwaukee, on his engagement to Miss Lynda Bird Johnson. I am confident that I speak for the entire State of Wisconsin in wishing Captain Robb and Miss Johnson great happiness always.

The people of Wisconsin are also convinced that it is far more than mere coincidence that the two daughters of President and Mrs. Johnson have chosen for their husbands two young men with strong ties to our State and the city of Milwaukee.

Patrick Nugent, although a native of Illinois, is an alumnus of Marquette University, in Milwaukee.

Charles Robb is a Milwaukeean and an alumnus of the University of Wisconsin.

I congratulate both Luci and Lynda, not only for their charm, wit, and grace, but especially for their perception and judgment in selecting as their husbands two such outstanding sons of the Badger State. However, Wisconsin does not believe it is losing two sons; we are delighted to welcome two such lovely "adopted" daughters.

The Milwaukee Journal on September 12, 1967, commented editorially on this happy situation. I ask unanimous consent that the article be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

In the Hearts of Texas

It is more than just a curious coincidence; it is downright astounding Patrick Nugent, Luci Johnson's husband, has Milwaukee ties; he graduated from Marquette university. Marine Capt. Charles Robb, Lynda Bird Johnson's intended, is a Milwaukeean and a University of Wisconsin graduate.

It is a matter of some wonder that both young men should have flourished so near the banks of the Menomonee, Milwaukee and Kinnickinnic rivers and so far from the banks of the Pedernales River.

We view with mingled awe, surprise and pride the fact that one remote (from Texas) midwestern city has helped produce the two men chosen by the two first daughters of the land. May all live in connubial gemuetlichkeit!

FREEDOM OR LICENSE

Mr. BYRD of West Virginia. Mr. President, Mr. William D. Evans, editor of the Fairmont, W. Va., Times, recently wrote an editorial which was reprinted in the Martinsburg, W. Va., Journal on August 30, 1967. The editorial discussed academic freedom on college campuses, and I ask unanimous consent to insert the editorial in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Freedom or License

William Dent Evans, editor of the Fairmont Times, earlier this week published the following editorial which we believe is timely in the current discussions concerning academic freedom and intellectual atmosphere on college campuses:

As matters stand at the moment in many American universities, the question of academic fredom as opposed to academic license is hopelessly confused.

Academic freedom is not served by holding "sleep-ins," "sit-ins," or by inviting Gus Hall and or George Lincoln Rockwell (since slain—Ed.) to give a lecture. Academic freedom is served by diligent study.

Throughout Europe (and much of the United States), academic freedom has traditionally meant freedom to be academic; that is, students were meant to be free (within the quiet confines of a particular educational institution) to study seriously—without interference from the outside world.

Young men and women who have academic freedom have an opportunity to devote themselves to books. They have an opportunity to go into their rooms and read up on medieval philosophy, mathematics, music or whatever, without fear of being disturbed.

Academic freedom does not imply any "right" to do whatever one pleases at a university; it implies a privilege.

Very, very few persons in the world ever have been privileged to indulge in uninterrupted scholarship. From the year dot until the present, the world always has put a premium on brawn rather than brains.

Those who abuse academic freedom—who abuse privileges extended by school administrators and teachers—are foolish. Whether one is conservative or radical, liberal or reactionary, the time to study hard is during the golden days of youth. The place to study is not in the street.

University students who turn academic freedom into academic license ought to be expelled. They disturb other students, make life miserable for educators, and clearly don't care about themselves, their studies, or the prospects for the future.

America simply does not have facilities enough available to cater to such people. Academic freedom is far too precious to waste on unappreciative brats.

"WHO'S RESPONSIBLE FOR THE RIOTS?"—SERMON BY REV. ROBERT A. RAINES

Mr. CLARK. Mr. President, on July 30, 1967, the day designated by the President as a day of prayer for national reconciliation, the Reverend Robert A. Raines, of the First Methodist Church of Germantown, in Philadelphia, preached a sermon entitled "Who's Responsible for the Riots?" In his sermon, the Reverend Mr. Raines pointed out that we can and must eliminate the conditions that cause riots. He said, in part:

> We have the resources, we have the know-how, if we can muster the political courage and the moral zeal. We have mobilized to the tune of 25 billions a year to fight a distant war in Vietnam. We can mobilize to give justice, not charity, to our Negro neighbors, and we know, if our religion means anything in this world, that it is God's will that we do it. The slum population of this country is the man half dead on the road, to whom we are called to be good Samaritans. If we do not do what we *can* do, then we are grossly guilty of passing by that half-dead brother of ours.

I ask unanimous consent that Mr. Raines' sermon be printed in the Record.

There being no objection, the sermon was ordered to be printed in the Record, as follows:

Who's Responsible for the Riots?

(Sermon preached by Rev. Robert A. Raines, First Methodist Church, Germantown, Philadelphia, July 30, 1967)

President Johnson has asked that today be a national day of prayer for reconciliation in this country. Because of this request, and more deeply because of the riots that have torn our cities in these recent days, I feel that it would be immoral of me to preach this morning on any other subject than the riots, and how we may seek to respond to them in the light of the Gospel. A critical choice faces our nation. We will either seek a violent repression of the Negro revolution by means of anti-riot legislation and heightened police power, or we will move with massive national strength to eliminate the brutal injustices and inhuman ghetto conditions which are the root causes of riots.

The lead editorial in today's *New York Times* says: "Central to today's white responsibility is the understanding that what the nation has been experiencing is an epidemic of explosions born of Negro despair. Criminals—both white and black—have taken advantage of these explosions, but the phenomenon is not primarily one of mass criminality. Bitterness born of unfulfilled promises and unrealized hopes has been the fuel powering these political mushroom clouds."

So now let us explore two questions together. The first: "Who's responsible for the riots?" and the second: "What can *we* do to eliminate the conditions that cause them?" And may I beg your pardon ahead of time for anything that may seem to some of you bad taste. Sometimes truth is not pretty, and it is difficult to speak the horrible truth in terms that do not offend. However, if one has to choose between truth and taste, surely truth has to be preferred.

First then, *Who is responsible for the riots?* Frantic fingers are pointed in many directions. President Johnson has been blamed by some, and certainly his temporizing in committing Federal troops to Detroit is to be deplored, and yet the very people who blame him today have consistently voted down his most recent programs to improve slum conditions. Others would blame the Supreme Court decisions limiting police interrogation power; still others blame the new radical Negro leaders. Some insist there is a national or even a foreign conspiracy at fault. Some say the police are at fault—too harsh in Newark, too gentle in Detroit. So we pass the buck in search of a scapegoat. The buck stops in the hall of the Congress. There is much truth, I believe, in the charge that Congress is responsible for the riots.

The July 31st edition of *Newsweek* magazine summarizes this view as follows: "If Congress was the barometer . . . the nation's reaction to the riots was straightforward: praise the Guard and pass the ammunition. The dimensions of a deepening white backlash had long since come clear when the House slashed the President's Model Cities program, cut off new funds for rent subsidies for the city poor, and pruned Federal aid to education. Having thus dealt with the root causes of riots, the House jammed through its own homemade remedy last week: an 'anti-riot' bill that might put black-power preacher Stokely Carmichael in jail, but most certainly would not prevent riots . . . Next day came Mr. Johnson's rat-control measure, to the giggly amusement of the de facto Republican-Dixiecrat coalition that once again rules the House. Instead of spending 40 million dollars (for a two-year program to eliminate rats in the national slums) Florida's James A. Haley teased, to loud guffaws, 'Why not just buy some cats and turn them loose on the rats?' Punned Virginia's Joel T. Broyhill: 'Let us vote down this rat bill rat now!' And so the House did."

Now my friends, if I lived in a rat-infested ghetto, and every ghetto is rat-infested, and if my children were frightened and bitten by rats, I would be very bitter that the Congress of my country did not care about my children. And I would be inclined to want to do something about it—anything to get some attention. I think you would feel that way too.

Every *month* we spend more money on random cannon fire lobbed into the Vietnamese jungle in hopes of killing a guerrilla or two than it would cost in a year to exterminate the rats from our nation's slums. As a columnist notes: "Eradicating rats of course would not eliminate riots. It would only suggest that somebody cared." The people in the ghetto have heard it loud and clear this week from our Congress: "We don't care about you and your children."

There is much truth then, I believe, in the charge that Congress is responsible for the riots. But that's still an evasion. For who is Congress, but You and I. The simple truth is, *we* are responsible for the riots. We, the American people. *We* are responsible for engendering and countenancing the conditions that drive people in our nation's cities to riot and to revolt. Says the *New York Times:*

"Slum dwellers are in revolt . . . because the cities in which they are condemned to live have become unlivable—concrete, brick, and neon monstrosities, unfit for human habitation."

Richard Heusner, a white landlord in Newark who has done such a good job maintaining his properties that they were spared in the recent riot, described last week's Newark's slums as he has seen them: "I've been in basements where human waste had overflowed from backup sewers and was a couple of inches thick on the floor. The size of the rats and the roaches was unbelievable. And yet the rent in the building was $30. *a week*—a week, not a month."

We are responsible for the fact that 35 million Americans today in our country live in *poverty*—poverty defined as a family of four—husband and wife and two children—having to live on less than $3000. a year. Imagine, trying to raise two children on less than $3000. a year in today's cities! Over half of these 35 million poor—18 million of them—are children, innocent children, not even responsible for being born, children condemned to live in miserable poverty, most of whom will never get out of it, in this the wealthiest of all nations in the history of the world.

Poverty means, "You can't find a job." The unemployment rate among the poor is three times higher than that of the nation as a whole. Negro teenagers, unable to get a job, roam the streets, restless, frustrated, hot, watching affluent America eating, drinking and making money, and playing on the other side of the tracks just a little ways away. Why? Poverty means, "You can't get a decent education or good medical care." Isn't it amazing to know that the United States has a higher infant mortality rate than twelve other nations in the world? We're thirteenth on the list, and it's the poor whose babies die at birth.

On Bringhurst Street, none of the children who come to Covenant House, none of the pre-school children, have been to see a dentist. They can't afford it, and no dentist has gone down there to offer his services. The widely accepted idea that our nation's wealth is fairly shared by all is a myth. The fact is, as documented by Richard Hirsch in his book called *There Shall Be No Poor*, if we were to divide up the total population of our country into five income groups, the lowest fifth over thirty years have consistently received only five percent of the national income, whereas the highest fifth has consistently received 45 percent of the national income. Today in this country the richest one percent of families in America has steadily increased its proportion of accumulated wealth to its present 28 percent. One percent of the families in America hold 28 percent of our wealth.

Worse yet, the gap between the rich and the poor in this country, between white and black, is *widening* rather than narrowing. Since 1953 the median income of the Negro has fallen behind that of the white. It's as though two men had a race, and one of them, strong and healthy to begin with, was given a 100 yard advantage over the other a cripple, crippled by the first man! So that every yard of the race the cripple fell further and further behind.

But most maddening and frustrating is the fact that for most Negroes there is no way out of this situation. They are locked in the ghetto; the ghetto is a prison from which only a few are able to escape. Now you and I can't begin to understand, even a little bit, what it means to live in a ghetto, to be a poor Negro in a slum ghetto. We can try to understand; we can read books. I suggest that those with strong stomachs, for summer reading, get a book called *Manchild in the Promised Land*, a raw, but moving book about a boy who grew up in Harlem. I suggest also the book, *The Autobiography Of Malcolm X*, which is a shocking but eloquent testimony.

Now let me suggest another image of how one in a ghetto may feel. There was an incident in a movie that I saw some time ago in which one man came up behind another man, near a tank of water chest high, and forced the man's head under the water, holding it there as the man struggled, with velvet-gloved hands. The man with his head under the water, struggled violently with all his strength, his arms thrashing and legs kicking, the bubbles of his breath coming to the surface. But the velvet gloved hands held the head down under the water until the thrashing subsided and the man was dead.

I think it feels something like that to be in the ghetto, and to be held there by the velvet glove of white America. A riot is a thrash of despair, from a dying man, struggling for breath. A riot is like a flash of lightning which shows us to ourselves holding that Negro head under the water with the velvet gloves of political and economic oppression.

Jesus stands in the ghetto and says . . . "This is my body . . . what you are doing to the least of these my brothers, you are doing to me." Jesus says, in Matthew 25, that the nations will be judged by God on the basis of their treatment of the weak and powerless in their midst. Riots are a judgment upon the sins of a city, a nation and a people. Three hundred years ago our beloved nation began to sow the wind of slavery, and today we are reaping the whirlwind of riot and revolt. We have sown repression; we are reaping riots.

A riot is also a mirror which reflects dark forces which we have hidden and avoided seeing in our own hearts. President Johnson has asked us to search our hearts. What do we see when we search our hearts with the searchlight of the riots? We see violence. We condemn the violence of the riots and rioters, and we have to; there has to be law and order, but not so easily do we see that their violence is the child of our own.

Months ago we were shocked when Martin Luther King said that as a nation America was the world's greatest purveyor of violence. We were shocked because our image of ourselves as a gentle and peaceful folk was broken. Many were enraged this week when H. Rap Brown, one of the riot-inciters said, "Violence is as American as cherry pie." Well, you know, when you really honestly look at it, it's true. On Friday of this week the lead editorial in the *New York Times* was headed "Arms Merchant to the World," and the burden of that editorial was that the U.S. government should stop selling arms to underdeveloped nations just to make a profit. The *Times* spoke about the "spectacle of Indians and Pakistanis, Israelis and Jordanians, battling each other in American armour."

Two-thirds of our entire national budget goes to military expenditure. We who will not spend 20 *million* dollars in one year to exterminate rats from our slums, are spending 25 *billion* dollars a year in a war whose aims are dubious, whose end is not in sight, whose effect is devastation of a tiny helpless Asian country. Asian people, black and yellow people, will never forget that it was America which first used the atomic bomb on Asian people, non-white people. Violence *is* as American as cherry pie.

The July issue of *Esquire* magazine has as its feature article "Violence, the New Pornography." It's a frightening article, but I suggest that you read it and see how violence titillates the American psyche and pervades our movies, our television programs, our books in cold blood as a runaway best seller, our plays, and our politics. And who but the Negro should know better about American violence—the Negro who was ripped from his native land—5 million of them—jammed into the stinking holds of ships crossing the Atlantic to this country, more than half of whom died en route, the men to be literally and psychologically emasculated, the women cavalierly raped at pleasure by their white masters, and the children doomed from the day of their birth to having their heads held quietly but firmly under the water by the white velvet glove.

When we consider what white America has done to the Negro, it is a wonder that the vast majority of Negroes are loyal Americans, and that a far higher percentage of Negroes are dying every day in Vietnam than whites. A testimony to a brave and forbearing people who will not yet give up hope—hope in you and me, hope in white America. The time is here when hope can be deferred no longer; if it is, hope will die and our country will be in for a terrible time.

First, then, we are responsible for riots. Second, what can we do to eliminate the conditions that cause riots?

A cartoon which appeared in the *Washington Post* recently gives the clue to the dimension of our task. The cartoon entitled "Lion in the Streets" shows a city street, with a huge lion roaring—the lion named 'Slum Conditions' and a tiny version of Uncle Sam, with a tiny popgun titled 'U.S. Urban Programs,' aimed at the lion. The point was clear that the present dimension of the war on poverty is ridiculously inadequate. What is required, as the *New York Times* said, is to acknowledge that the prime business of this country in the period immediately ahead is to mount a massive attack on the conditions of ghetto poverty with programs which will be measured in tens of billions of dollars annually.

Now we *can* do what ought to be done. We have the resources, we have the know-how, if we can muster the political courage and the moral zeal. We have mobilized to the tune of 25 billions a year to fight a distant war in Vietnam. We can mobilize to give justice, not charity, to our Negro neighbors, and we know, if our religion means anything in this world, we know that it is God's will that we do it. The slum population of this country is the man half-dead on the road, to whom we are called to be good Samaritans. If we do not do what we *can* do, then we are grossly guilty of passing by that half-dead brother of ours.

As we live it up as the national income for most of us rises, the question of eradicating slum conditions is as theological a question as there is. Jesus stands in the ghetto and says, "This is my body; what you are doing to the least of these my brothers, you are doing to me." *What then can we do?* We can support those in public office and those who run for public office who commit themselves publicly and unequivocally to the massive Federal, state, local and private programs to eradicate slums from this country. We can find out how our senators and representatives have voted on the rat bill, the model cities bill, the rent subsidy bill, the 1966 Civil Rights bill, and write them to praise or criticize accordingly, and not to forget when the next day of voting comes. Locally, we can give our support to the Urban Renewal Project for Germantown, remembering that there are at least four discernable gangs in Germantown; that last year one of them killed a boy and seriously wounded another.

We can continue to expand the Glass Door ministry of our church, working with existing gangs to prevent disorder, and with non-gangs and pre-gangs of youth to encourage and build them up.

And then, finally, we can pray, for forgiveness, for reconciliation, and for moral courage to speak the truth at parties, and at work, and in the neighborhood where riots are being discussed; for political courage to mount a national demand that ghettos be remade into livable neighborhoods. The work of a decade, but begun in a day.

Jesus stands in the ghetto and says, "This is my body; what you are doing to the least of these my brothers, you are doing to me." A broken and bleeding body lies there on our communion table, and there in the city. It is the same body. He who eats and drinks the one without seeking in every way open to him to heal the other, profanes the body of the Lord.

Therefore, now, let us confess that we are responsible for the riots, and let us begin to do all that we can do to eliminate the conditions that cause them. Let us pray, be reconciled to our brother, to ourselves, and to God.

THE THREAT OF ORGANIZED CRIME

Mr. SMATHERS. Mr. President, the evidence mounts daily that organized crime has become one of the most pressing problems confronting our Nation. As chairman of the Small Business Committee, I am concerned about the impact of crime, both random and organized, upon business enterprises. It is an ugly fact that gangsters are infiltrating legitimate business firms, largely through the investment of the vast illegal profits derived from criminal rackets.

The threat of organized crime to the well-being of our society has in recent weeks been graphically described in Life magazine. Because of its timeliness and significance, I ask unanimous consent to have printed in the RECORD an editorial entitled "We Can Break the Grip of the Mob," published in the September 8 issue of Life.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WE CAN BREAK THE GRIP OF THE MOB

For too long, Americans have treated organized crime as a fascinating game of cops and robbers. We have watched from the sidelines, complacently sure that the violence and the corruption took place in some world apart from our own—and that anyway, the bad guys would get theirs in the last reel. We have refused to take organized crime seriously enough to mount a real attack against it. The conspiracy of crime prospers—and the cold catalogue of facts that LIFE has presented in the series that concludes in this issue must stand as an indictment not only of the Cosa Nostra but of all of us.

There is no boundary line now between the Mob's world and ours. Organized crime is gaining in sophistication if not in numbers, adapting the modern tools of economics and technology to the task of taking over great chunks of the economy.

More important than the economic damage, though, are the holes that are being chewed in the fabric of our political system. Cosa Nostra did not invent corruption. It has existed as long as man. But the Mob's operation depends for much of its success on its ability to search out the weak—and its resources can provide irresistible temptation. Its targets are few—a tiny percentage of all officials. But as long as it succeeds unmolested the impression grows that much of government is suspect.

To mount a war against Cosa Nostra, it is vital first to understand it—and to ask what it is in America that provides such a hothouse climate for a criminal system unparalleled in history. Born during Prohibition as a means to enforce a truce between competing gangs, the Mob has grown fat providing illegal "services" in fields where the customer demand is great,

National prohibition is gone. But the Mob has prospered by diversifying—into "services" like gambling, narcotics, prostitution, loansharking and bootlegging. Today its monopoly on illegal gambling alone yields a profit of nearly $7 billion a year—as much as the U.S. spends annually on its entire postal system. The first source of money for the Mob's treasury is the poor—the numbers player, the narcotics addict, the loan shark's victim. This was always comforting to the middle-class majority who were sure they were not involved. But the balance of the Mob's activities is shifting. It is involved in so much legitimate business now that it is no longer possible to ignore the fact that the Mob's reach is into everybody's pocket.

Cosa Nostra has learned well a basic law of economics. Money is worth nothing unless it is put to work. The profits of crime serve no function locked in a Swiss vault. But they represent tremendous power when they are brought back to this country and invested in legitimate businesses—businesses that often do not remain "legitimate" long, if the Mob takes over complete control. More and more, it is every consumer who pays—extra pennies for milk, higher road taxes for shoddy work, more for meals at restaurants where the Mob has a lock on the garbage removal.

Organized crime has often been referred to as a "government within a government." A key to its strength is the fact that the Cosa Nostra is an oligarchy—a despotism of the few. Control from the top is complete and unquestioned, with the exception of the occasional assassination or coup that is expectable in any dictatorship. And its structure is designed to take advantage of just those aspects of the American system that make ours a uniquely effective democracy.

We protect the rights of the individual above all else, with laws like the ones against wiretapping, self-incrimination and unreasonable searches and seizures. Our court rules of evidence are strict. And we prefer a number of local police agencies to one all-powerful national police force that smacks too much of governmental systems we deplore.

Members of Cosa Nostra have a better understanding of these safeguards than do most Americans. And they use them to insulate themselves from justice. They are perfectly willing to sacrifice the petty hoods that they franchise. But they attempt to insure that each link in the chain of evidence leading upward to themselves is one that can be screened by the protections our system affords.

The continued existence of Cosa Nostra is proof of how well the system has worked. In the period from 1961 to 1966, the government indicted 185 men out of several thousand in the Cosa Nostra—an organization whose methods are murder, kidnaping, extortion and torture. Of those indicted, 102 were convicted—20 on narcotics charges, 16 for tax evasion, eight for contempt of court, two for parole violation, even one for violating the Migratory Bird Act. The conspiracy of silence that protects members of Cosa Nostra from the penalties fitting their more serious crimes has rarely been breached.

The crucial need is for tools that will break that conspiracy of silence. And chief among these are wiretaps and "bugs." There is only one federal law explicitly dealing with electronic surveillance—and it is ambiguous. But the net result of recent court decisions is to rule out any evidence gained from wiretaps and bugs. Paradoxically, while the courts have blocked the one source that most law enforcement officials believe is crucial in organized crime cases, they have had little success in stemming the increasing use of such devices against ordinary citizens by everybody from industrial spies to jealous husbands.

Those who are concerned about the rights of the individual have good cause to worry about the indiscriminate use of electronic surveillance. It would be to their advantage to support a bill that would outlaw the use of any such equipment—unless its use had prior court approval. We favor the proposal that such approval should come from a panel of three federal judges for protection from abuses by obliging judges. Just as the courts can authorize search warrants, they should be permitted to authorize electronic surveillance when it has been proved that the target is the conspiracy of organized crime and that normal evidence-gathering techniques have been thwarted.

There are other fronts on which we can move. We don't need a national police force, but we do need coordination among the dozens of agencies responsible for some phase of the fight against organized crime. In the federal government alone, 26 separate investigative agencies are involved. There is logic to the argument that the FBI shouldn't have to tell all it knows to the police chief of a mob-dominated town. The armed services system of sharing information on a "need-to-know" basis with other officials of proven reliabiilty should serve as a model.

We need such things as strong campaign-fund laws that will disclose the sources of finance for all elected officials. We need to look again at institutions that have grown creaky with time—the rules governing grand juries, for instance, or the traditions that can continue an incompetent judge in office.

The needs are known. They have been developed exhaustively by study groups and congressional committees. The time has come for Congress to write a balance back into our laws—one that will continue to safeguard our rights as individuals and at the same time protect us from the Mob.

SOMETHING-FOR-NOTHING APPETITE GROWS

Mr. BYRD of West Virginia. Mr. President, the Wheeling, W. Va., News-Register recently carried an editorial titled "Freedom: To Incite Murder, Destruction." I ask unanimous consent to insert that editorial in the RECORD, together with a column by Paul Harvey, "Something for Nothing Appetite Grows," which appeared in the same issue of the same newspaper.

There being no objection, the items were ordered to be printed in the RECORD as follows:

FREEDOM: TO INCITE MURDER, DESTRUCTION

"We will take an eye for an eye, and a life for a life."

"Death is no stranger to the black man, so when the rebellion starts, don't be afraid of being killed."

Negroes should "do more shooting than looting."

"If Washington doesn't come around, you should burn it down."

The death of a policeman who was kicked and stomped to death was "beautiful."

"Tell 'the man' that if he comes to your community, he'd better be prepared to die."

President Johnson is "a wild mad dog, an outlaw from Texas."

And on, and on, and on . . .

So goes a speech by Rap Brown, Black Power militant and successor to Stokely Carmichael as national chairman of the so-called Student Non-Violent Coordinating Committee.

Freedom of speech for legitimate political debate is one thing, but you cannot shout "Fire" in a crowded theater. Brown is not arguing his case or rallying support. He is consciously, openly, and avowedly fomenting and inciting his listeners and followers to murder, violence and destruction.

Until recently, any riot or disorderly conduct, any violence, any destruction, any looting was condoned if in the name of a civil rights demonstration. Finally and tragically, the past few weeks were the result.

And still we have not learned our lesson. Even now those who would arouse more violence and bloodshed are allowed to speak unrestricted. Arrested on charges of inciting a riot in Cambridge, Maryland, Brown walked out of jail, free on bond, and immediately began to preach his tirade of hate and anarchy again.

He called for Viet Cong tactics of terror in Washington and shouted that his followers were located in the most strategic spots of all—"we work in the white man's home."

There is no law, no Constitutional provision that can be twisted and perverted to permit public speeches like these. For authorities to allow this man freedom for his kind of speech is to invite disaster as can be attested to by the many cities in which Brown has aroused his hoodlum followers to violence before.

The place for Brown is not the speaker's platform, but jail.

Conversation Piece: "Something for Nothing" Appetite Grows

(By Paul Harvey)

During the ugliest hours of Detroit's July riots a Negro factory worker sat on his front steps listening to the gunfire from Twelfth Street. "That's not civil rights," he said. "That's not racial; that's just people who want something for nothing. They just want to steal."

He was right of course. Even President Johnson reluctantly and tardily ordering troops into the city, said, "Pillage and looting have nothing to do with civil rights."

Yet is it not two generations of free handouts by Big Government which whetted this public appetite for "something for nothing?"

In Detroit, frenzied mobs invaded private property and took what they wanted.

For 30 years our Government has been a Robin Hoodlum, taking by force from the rich to give to the poor. Is it any wonder the progeny of that philosophy feel licensed to steal?

To the infantile intellect there is no difference between "soaking the rich" directly or indirectly. And whether it is done in the name of "welfare" or at the point of a gun is academic.

"There are plenty of jobs in Detroit for those who want work," the factory worker's wife said. "But some are too lazy."

Indeed, the dozen cities which suffered most such violence during July were all factory towns in which every newspaper bulges with job opportunities.

Similarly, in the foreign nations with which we have been most generous, we are in the most trouble. The so-called "backward nations" have made less progress in the dozen years we have been helping them most than in the 12 years theretofore. And indeed they, too, bite the hand which feeds them.

This is not to say the hungry, the handicapped and the infirm should be turned away. The poor, the Bible says, we will always have with us.

But politicians, buying the votes of the lazy with the disproportionate taxes of the industrious, have made "the payoff" a way of life.

The July "Black Power" conference in Newark, New Jersey, concluded with a resolution demanding a "guaranteed annual wage for all Negroes."

SNCC spokesman, H. Rap Brown, said, "If America don't come around, then black people are going to burn it down."

Ironically, on the charred doorway of a looted and burned business building in Detroit, midst hundreds of square blocks reduced to rubble, somebody had scrawled in white chalk the words "Black Power."

I agree with the factory worker; this is not racial.

This piracy derives from generations of politicians' protestations that peoples' "rights" somehow include food, rent, education, insurance, retirement, medicine and guaranteed income at somebody else's expense.

Thus do we mislead men into consuming one another . . . like cannibals.

THE NEW ENGLAND JOURNAL OF MEDICINE ENDORSES UNIVERSAL USE OF GENERIC NAMES

Mr. NELSON. Mr. President, on July 20, 1967, an editorial published in the distinguished New England Journal of Medicine reiterated its belief that the universal use of generic names in the advertising and prescribing of drugs should be the goal of all drug manufacturers.

The Journal, founded in 1812, whose board of editors and officials are all medical doctors, recommends without qualification that drug companies should seek to build up the integrity of their own company names instead of relying on a Madison Avenue gimmicky name attached to each drug to sell their products for them.

The Journal also suggests that Dr. Richard Burack's "The Handbook of Prescription Drugs," should be of considerable assistance to practitioners of medicine, who, although possibly retaining the faith of their fathers, yet lack their facility in writing prescriptions.

The writer of the editorial states that Dr. Burack's purpose is to "spell out convincingly some of the ills that we all know exist, and to help both the manufacturer of drugs and the physician who prescribes them in attaining the end for which both are striving—the best interests of the patient."

I ask that the entire text of the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Handbook of Prescription Drugs

A new book, bold despite its lack of bulk, like David standing up to Goliath, has been written by Richard Burack, a Boston physician, and published this year by Pantheon Books, a Division of Random House, of New York. *The Handbook of Prescription Drugs* should be of considerable assistance to practitioners of medicine, who, although possibly retaining the faith of their fathers, yet lack their facility in writing prescriptions.

The traditional function of the physician, as his title implies, is closely related to the prescribing of drugs. Physic in its broad sense is the "art of healing or the practice or profession of medicine," but, since physic is "specifically a cathartic," the art of physicking is "to treat with physic or medicine, esp. a cathartic; to purge." Its ostensible purpose is "to relieve; heal; cure." Likewise with medicine, derived from *medicus*, the physician,—but why go on, since the point is obvious. Perhaps because of the technical knowledge required for the writing of a prescription the notoriously illegible handwriting of the physician was cultivated as part of his stock in trade. The odds were against the pharmacist in deciphering the order, compelling him to resort to his own version and thus cleverly transferring to him some of the responsibility for the results; it all contributed to the growth, aided by the economic possibilities, of the great pharmaceutical industry.

Like everything that is both huge and financially successful, the industry became suspect,—not utterly without justification,—and a Congressional investigation was started. In the fall of 1961, having published 26 volumes of testimony, the Senate Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary—the Kefauver Committee—introduced its bill "to amend and supplement the antitrust laws with respect to the manufacture and distribution of drugs." Subsequent to this the *Journal* published a series of 7 editorials that summarized the problems and commented on them.

The editors, at the time, saw "little virtue in such an inconsistent abridgement of the rights of a manufacturer as restricting to only three years of the traditional seventeen his exclusive patent rights in a new drug." They also concluded that the provision requiring the Food and Drug Administration to insist that the therapeutic effect of any modification of a drug be *significantly greater* than that of the original was "oppressive and not in the interests of free and enlightened enterprise," although they naturally agreed that the product must be safe and effective.

In agreement with the Subcommittee's recommendations the *Journal* maintained its belief that the universal use of generic names in the advertising and prescribing of drugs would be in the interests of the public and even in those of the manufacturers themselves who should seek to build up confidence in the integrity of their own names rather than in the proprietary designations of a succession of individual products.

Burack, supporting also the use of generic names in the interest especially of economy to the consumer, lists what he believes to be the ill-effects of much of the present drug advertising. Because of it, he avers, physicians are led to prescribe too many drugs, too often; to prescribe drugs of unproved clinical nature; to prescribe drugs with serious toxic side effects when there are equally effective, less toxic ones available; to prescribe powerful and potentially toxic drugs for minor conditions, and to prescribe drugs without knowledge of official identity, sources of manufacture, and cost.

The editors and publishers of all ethical and truly responsible medical journals are, of course, aware of their vulnerability, for they are increasingly dependent on their revenue from advertising to meet their rising costs. They make great efforts to ensure that what they accept, even if it is often painfully enthusiastic and embarrassingly flamboyant in its presentation, is basically honest. In attempting to convey these sentiments to an advertising agency, however, they usually find that they and the promoters speak different languages.

Designated as a special aid to the practicing and prescribing physician is the 84-page "Prescription Drug List" in the *Handbook*, containing the names, sources and prices of various products at the time of publication. They are grouped according to their uses and their indications, under 18 general headings.

The author, concerned with knowing upon what meat this Caesar feeds, has no intention of striking a body blow at an essential industry. His purpose is to spell out convincingly some of the ills that we all know exist, and to help both the manufacturer of drugs and the physician who prescribes them in attaining the end for which both are striving—the best interests of the patient.

LETTER TO A SON ABOUT TO BE SENT TO VIETNAM

Mr. CLARK. Mr. President, for many American families, the war in Vietnam is an intensely personal thing. They are the families who have sent a son or a father or a brother to that remote corner of the world in which more than half a million American servicemen are now "at war," in spite of the fact that no war has been declared by the Congress.

Not long ago, Mr. Robert E. Fawcett, executive editor of the Norristown Times Herald, published an open letter to his own son who is about to be sent to Vietnam, which eloquently conveys the personal side of our Vietnam commitment. I ask unanimous consent that the text of Mr. Fawcett's letter may be printed in the Record at the conclusion of my remarks. I think it will be a source of strength and solace for those who, like Mr. Fawcett, have seen their loved ones go off to fight a war which simply does not seem to make sense, and who must hope that something "right" will somehow come of this great sacrifice.

There being no objection, the letter was ordered to be printed in the Record, as follows:

First a Boy, Then a Man, Then a Soldier: All Wars Are Personal Things, But Some Become More Personal Than Others

(Editor's Note.—Tomorrow, another group of American young men will fly to South Vietnam to join the many thousands of troops already there. One of them will be the son of Robert Fawcett, executive editor of The Times Herald. On the eve of takeoff, the newsman, a veteran of World War II, has some things to tell his son. They are the things, it seems, which many mothers and fathers in similar situations want to say, but seldom find the right words.)

(By Robert Fawcett)

Dear Son: Tomorrow you literally fly out of the lives of your mother and me. On a jet's wings you head for a distant place with a name no longer strange to the American tongue—Vietnam.

I am only one of thousands of fathers who have gone through this agony. There are many sleepless nights ahead.

Though I am only one of many, I feel compelled to write you in this "open letter" fashion. The printer's ink in my blood perhaps?

More than most fathers, I suppose, I should have something of moment to say to you.

At my fingertips for years have been the informative advantages of the newspaper world . . . the columnists, the far-flung wire services, the observations of colleagues.

Still, what I have to say to you now, I know will have no persuasion among today's decision-makers. Worse still, this will not lessen the pangs of anxiety among the vast host of mothers and fathers who have no starred flags to put in their windows.

But it shocks me—even before you donned uniform—the "business-as-usual" complacency of us at home. This is the reason I write you in public print. Perhaps someone will be influenced.

You stand so tall and straight today, my son, I cannot but look at you with pride. Before my mind's eye pass rapid visions of you in the past . . .

. . . The night I came home, much too late, to find your mother fighting grimly against the pneumonia that wracked your thin frame . . . The grin you wore when you were garbed as a resplendent toy soldier for a kindergarten playlet.

. . . Your willingness to accept the family uprootings that followed my new jobs . . . The look on your face when you displayed your catch of a 17-inch bass in Canada (travel expenses and all, that fish must have cost $20 an inch—it was worth it).

. . . Still echoing in my ears are the sobs I heard when your dog was killed by a car. You went off by yourself to cry, didn't you? I joined you, but I could do little more than put a hand on your shoulder. Comfort you, I could not.

. . . You grew up that night. Still a child, but overnight a man. I never heard you cry again. I felt something go out of my life that night.

Manly you have met responsibilities—some too great—without real complaint. Your last years in school . . . your introduction to the world of "making a living" . . . the rigors and cruelty of basic training . . . further military discipline and idosyncracies.

And now . . . what?

The parades of 1918 are gone. The "all-out" of War II is non-existent. Your war is not popular, my son. There are relatively few, I fear, who whole-heartedly feel it is "right."

Tomorrow, when you board that screaming jet, I wish with all my heart I could convince you that your father, at least, feels that this strange "don't-win-but-don't-lose" war is right.

But we've been honest, you and I, and I cannot give you a lie even in farewell.

What are the answers to the questions you must be asking?

What is the explanation?

Contain Communism lest it spread? That is not enough reason to violate an age-old military tactic: Before you fight, choose advantageous ground.

Only this can I say to you. The war may not be "right," but as sure as there is a Divine Being who fixed this firmament in a galaxy, a "rightness" will come of it.

Radical, perhaps. Revolutionary, perhaps.

But you, and thousands of others like you, will do this.

God bless you son, and send you back.

A VOTE OF THANKS TO SENATOR METCALF

Mr. KENNEDY of Massachusetts. Mr. President, the junior Senator from Montana [Mr. Metcalf] has been vigorous and untiring in his efforts to bring about better regulation of electric utilities and lower costs to the consumers of electric power.

An editorial in the August edition of Montana Rural Electric News points out a recent instance of Senator Metcalf's efforts.

I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Heartfelt Vote of Thanks

Recently in testimony before the Senate Commerce Committee, Sen. Lee Metcalf offered strong opposition to proposed legislation which would exempt electric utilities which operate mainly intrastate from regulation by the FPC.

In effect, the legislation proposed that such regulation be left to the state commissions.

Speaking bluntly, Sen. Metcalf pointed out the state commissions are too weak to be effective. "In state after state," he said, "the commissions do not have the staff, the funds or, in some cases, the desire to regulate the hundreds of thousands of companies they are charged by law with regulating.

"In too many states commissions regulate customers rather than the utilities. The hand of the commission is guided by the voice of the dominant utility . . ."

Pretty plain and straight-from-the-shoulder, right?

But then Montanans are accustomed to getting straight answers from Sen. Metcalf . . . even when the answer isn't what they might have hoped for. An effective, knowledgeable U.S. Senator knows he doesn't have to play games in dealing with his constituents . . . and Sen. Metcalf is an effective and informed U.S. Senator!

Certainly in the field of electric utilities he has no equal in the country. Those in rural electrification will testify, without qualification, that without Sen. Metcalf the future of REC's, and indeed the REA itself, might well be nonexistent.

Entirely too often Sen. Metcalf's fight in our behalf has been a lonesome one . . . which hasn't slowed his battle in the least. But lest he think us unappreciative of his efforts over a span of almost two decades, perhaps a vote of thanks might well be in order.

And not "perhaps." Sen. Metcalf deserves a heartfelt vote of thanks from everyone who can turn on the lights at night with a simple flick of a switch . . . rural and urban dwellers alike!

WHO IS TAMPERING WITH THE SOUL OF AMERICA?

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record an article entitled "Who Is Tampering With the Soul of America?" written by Jenkin Lloyd Jones, editor of the Tulsa Tribune, the article having appeared in a recent issue of the West Virginia Daily News.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the West Virginia Daily News, July 27, 1967]

Who Is Tampering With the Soul of America?

(By Jenkin Lloyd Jones, editor the Tulsa Tribune)

(Note.—Jenkin Lloyd Jones, editor of the Tulsa Tribune, painted this alarming picture on a WDBJ–TV, Channel 7, telecast at 6:30 p.m., Sunday, February 26, 1967.

(In the interest of helping Americans attempt to correct some of the major problems facing our country today, Antrim Motors, Inc., your Dodge Dealer in Roanoke would like to share this transcript of Mr. Jones' talk with as many of their friends as possible.)

I am about to inflict upon you a jeremiad.

Long before the prophet Jeremiah uttered his lamentations about the evil behavior of the Children of Israel the world had seen many calamity-howlers. We have cuneiform tablets describing the moral decay of Babylon and Chaldea. We have hieroglyphic inscriptions predicting that Osiris and Ra will smite the Egyptians for their wickedness. And so today when I make some comments about the moral climate of America, and about our responsibilities therefore as temporary custodians of America's press, I speak in a very old tradition.

The calamity howler! It is customary to dismiss such fogeyism as I am about to display with a tolerant laugh. For while it was freely predicted all through the ages that the world was going to Hell, it hasn't gone to Hell yet. Who can deny that in practically all the crafts and certainly all of the sciences we are farther advanced than we ever have been? Why not be cheerfully optimistic?

I think I can tell you why. Human progress has never been steady. It has washed back and forth like waves upon a beach. Happily, there has also been an incoming tide, so the waves have washed higher and higher as each great civilization came on.

But the pathway of history is littered with the bones of dead states and fallen empires. And they were not, in most cases, promptly replaced by something better. Nearly a thousand years elapsed between the fall of Western Rome and the rise of the Renaissance, and in between we had the Dark Ages in which nearly all of man's institutions were inferior to those which had gone before. I don't want my children's children to go through a couple of centuries of dialectic materialism before the sun comes up again.

So the Jeremiahs haven't been so wrong, after all. It is sad to watch the beginnings of decay. It is sad to see an Age of Pericles replaced by the drunken riots of Alcibiades. There was, indeed, just cause for gloom when into the palaces of the Caesars went Nero and Caligula, and when the once noble Praetorian Guard became a gang of assassins willing to sell the throne to the top bidder.

Alaric's Goths finally poured over the walls of Rome. But it was not that the walls were low. It was that Rome, itself, was low. The sensual life of Pompeii, the orgies on Lake Trasimene, the gradually weakened fibre of a once self-disciplined people that reduced them at last to seeking safety in mercenaries and the payment of tribute—all these brought Rome down. She went down too early.

And so I look upon our own country and much that I see disturbs me. But we are a great people. We have a noble tradition. We have much to teach the world, and if America should go down soon it would be too early.

One thing is certain. We shall be given no centuries for a leisurely and comfortable decay. We have an enemy now—remorseless, crude, brutal and cocky. However much the leaders of the Communist conspiracy may lie to their subjects about our motives, about our conditions of prosperity, about our policies and aims, one thing they believe themselves implicitly—and that is that we are in an advanced state of moral decline.

When Nikita Khrushchev visited Hollywood he was shown only one movie set, that of a wild dance scene in Can-Can. He said it represented decadence and I am sure he really thought so. It is a dogma of current Communist faith that America is Sodom and Gomorrah, ripening for the kill.

Do you know what scarces me about the Communists? It is not their political system, which is primitive and savage. It is not their economic system which works so badly that progress in a few directions is purchased at the price of progress in all the rest. It is their puritanism. It is their dedication and self-sacrifice.

It does no good to comfort ourselves with the reflection that these are products of endless brainwashings, of incessant propaganda, of deprivation by censorship and jamming of counter-information and contrary arguments. The dedication is there. The confidence that they are morally superior is there.

The naive questions of your Intourist reveal only too quickly that she thinks she is talking to a self-indulgent fop from the court of some later-day Louis XIV. In the schoolyard the children rush up to show you, not their yo-yos, but their scholarship medals. And when you offer them new Lincoln pennies as souvenirs they rip off their little Young Pioneer buttons and hand them to you, proud that they are not taking gifts, but are making a fair exchange.

The Russian stage is as austere as the Victorian stage. Russian literature may be corny but it is clean, and it glorifies the Russian people and exudes optimism and promise. Russian art is stiffly representational, but the paintings and the sculpture strive to depict beauty and heroism—Russian beauty, of course, and Russian heroism.

And what of us?

We are now at the end of the third decade of the national insanity known as "progressive education." This was the education where everybody passes, where the report cards were non-committal lest the failure be faced with the fact of his failure, where all moved at a snail pace like a transatlantic convoy so that the slowest need not be left behind, and all proceeded toward adulthood in the lockstep of "togetherness." Thus the competition that breeds excellence was to be sacrificed for the benefit of something called "life adjustment."

With what results? We have watched juvenile delinquency climb steadily. We have produced tens of thousands of high school graduates who move their lips as they read and cannot write a coherent paragraph. While our Russian contemporaries, who were supposed to be dedicated to the mass man, have been busy constructing an elite we have been engaged in the wholesale production of mediocrity. What a switch!

When was the last time you, as editors and publishers, examined the curricula of your local schools? How did your schools rank on the standardized Iowa tests? When have you looked at your schools' report cards and the philosophy behind their grading system? Have you asked to examine any senior English themes? Have you offered any recognition to your schools' best scholars to compare to the recognition you accord your schools' best football players?

For the funny thing about "progressive educators" is that theory vanishes when the referee's whistle blows for the kick-off. In the classroom they pretend to grade subjectively, against the student's supposed capacity, lest he be humiliated by natural inadequacy. But on the football field they never put in a one-legged halfback on the theory that, considering his disability, he's a great halfback. They put in the best halfback they've got, period. The ungifted sit on the bench or back in the stands even though they, too, might thirst for glory. If our schools were as anxious to turn out brains as they are to turn out winning football teams this strange contradiction wouldn't exist.

Having neglected disciplines in education, it was quite logical that we should reject disciplines in art. The great painters and sculptors of the past studied anatomy so diligently that they often indulged in their own body-snatching. And today, after many centuries, we stare at the ceiling of the Sistine Chapel or at the walls of the Reichsmusee and marvel at their works.

But this self-discipline is of little concern to the modern nonobjective painter. All he needs is pigment and press agent. He can throw colors at a canvas and the art world will discover him. He can stick bits of glass, old rags and quids of used chewing tobacco on a board and he is a social critic. He can drive a car back and forth in pools of pain and "Life" magazine will write him up.

Talent is for squares. What you need is vast effrontery. If you undertake to paint a cow it must look something like a cow. That takes at least a sign painter's ability. But you can claim to paint a picture of your psyche and, no matter what the result, who is to say what your psyche looks like? So our museums are filled with daubs being stared at by confused citizens who haven't the guts to admit they are confused.

But the Age of Fakery in art is a mild cross that American civilization bears. Much more serious is our collapse of moral standards and the blunting of our capacity for righteous indignation.

Our Puritan ancestors were preoccupied with sin. They were to preoccupied with it. They were hag-ridden and guilt-ridden and theirs was a repressed and neurotic society. But they had horsepower. They wrested livings from rocky land, built our earliest colleges, started our literature, caused our industrial revolution, and found time in between to fight the Indians, the French and the British, to bawl for abolition, women's suffrage and prison reform, and to experiment with graham crackers and bloomers. They were a tremendous people.

And for all their exaggerated attention to sin, their philosophy rested on a great granite rock. Man was the master of his soul. You didn't have to be bad. You could and should be better. And if you wanted to escape the eternal fires you'd damned well better be.

In recent years all this has changed in America. We have decided that sin is largely imaginary. We have become enamored with "behavioristic psychology." This holds that a man is a product of his heredity and his environment, and his behavior to a large degree is foreordained by both. He is either a product of a happy combination of genes and chromosomes or an unhappy combination. He moves in an environment that will tend to make him good or that will tend to make him evil. He is just a chip tossed helplessly by forces beyond his control and, therefore, not responsible.

Well, the theory that misbehavior can be cured by pulling down tenements and erecting in their places elaborate public housing is not holding water.

The crime rates continue to rise along with our outlays for social services.

We speak of underprivilege. Yet the young men who swagger up and down the streets, boldly flaunting their gang, symbols on their black jackets, are far more blessed in creature comforts, opportunities and advancements, and freedom from drudgery than 90 per cent of the children of the world.

We have sown the dragon's teeth of pseudoscientific sentimentality, and out of the ground has sprung the legion bearing switch-blade knives and bicycle chains.

Clearly something is missing. Could it be what the rest of the world's children have been given—the doctrine of individual responsibilty?

Relief is gradually becoming an honorable career in America. It is pretty fair life, if you have neither conscience nor pride. The politicians will weep over you. The state will give a mother a bonus for her illegitimate children, and if she neglects them sufficiently she can save enough out of her ADC (Aid to Dependent Children) payments to keep herself and her boy friend in wine and gin. Nothing is your fault. And when the city fathers of a harrassed community like Newburgh suggest that able bodied welfare clients might sweep the streets the "liberal" editorialists arise as one man and denounce them for their medieval cruelty.

I don't know how long Americans can stand this erosion of principle. But I believe that some of my starry-eyed friends are kidding themselves when they pretend that every planeload of Puerto Ricans that puts down at Idlewild is equivalent in potential to every shipload of Pilgrims that put into old Plymouth. Nations are built by people capable of great energy and self-discipline. I never heard of one put together by cha-cha-cha.

The welfare state that taxes away the rewards for responsible behavior so that it can remove the age-old penalties for irresponsible behavior is building on a foundation of jelly. It is time we stopped this elaborate pretense that there is no difference between the genuinely unfortunate and the mobs of reliefers who start throwing bottles every time the cops try to make a legitimate arrest.

Finally, there is the status of our entertainment and our literature.

Can anyone deny that movies are dirtier than ever? But they don't call it dirt. They call it "realism." Why do we let them fool us? Why do we nod owlishly when they tell us that filth is merely a daring art form, that licentiousness is really social comment? Isn't it time we recognized Hollywood's quest for the fast buck for what it is? Isn't it plain that the financially-harrassed movie industry is putting gobs on sex in the darkened drive-ins in an effort to lure curious teen-agers away from their TV sets? Recently the screen industry solemnly announced that henceforth perversion and homosexuality would no longer be barred from the screen provided the subjects were handled with "delicacy and taste." Good Lord!

And we of the press are a party to the crime. Last year the movie ads in our newspaper got so salacious and suggestive that the advertising manager and I decided to throw out the worst and set up some standards. We thought that due to our ukase there might be some interruption in advertising some shows. But no. Within a couple of hours the exhibitors were down with much milder ads. How was this miracle accomplished?

Well, it seems that the exhibitors are supplied with several different ads for each movie. If the publishers are dumb enough to accept the most suggestive ones those are what they get. But if publishers squawk the cleaner ads are sent down. Isn't it time we all squawked?

I think it's time we quit giving page 1 play to the extramarital junkets of crooners. I think it is time we stopped treating as glamorous and exciting the brazen shack-ups of screen tramps. I think it is time we asked our Broadway and Hollywood columnists if they can't find something decent and inspiring going on along their beats.

And the stage: They raided Minsky's so Minsky's has spread all over town. Bawdiness has put on a dinner jacket, and seats in the orchestra that used to go for six-bits at the Old Howard and Nichols' Gayety are now scaled at $8.80. Oh, yes. And we have lots of "realism." Incestuous Americans. Perverted Americans. Degenerate Americans. Murderous Americans.

How many of these "realistic" Americans do you know?

Several months ago an American touring company, sponsored by the State Department and paid for by your tax dollars presented one of Tennessee Williams' more depraved offering to an audience in Rio de Janeiro. The audience hooted in disgust and walked out. And where did it walk to? Right across the street where a Russian ballet company was putting on a beautiful performance for the glory of Russia! How dumb can we get?

We are drowning our youngsters in violence, cynicism and sadism piped into the living room and even the nursery. The grandchildren of the kids who used to weep because the Little Match Girl froze to death now feel cheated if she isn't slugged, raped and thrown into a Bessemer converter.

And there's our literature. The old eyepoppers of the past which tourists used to smuggle back from Paris under their dirty shirts, are now tame stuff. Compared to some of our modern slush, "Ulysses" reads like the minutes of the Epworth League. "Lady Chatterly's Lover" has been draped with the mantle of art, and it is now on sale in the corner drugstore to your high-school age son or daughter for 50 cents. Henry Miller's "Tropic of Cancer," which resembles a collection of inscriptions taken from privy walls, is about to join Lady Chatterly. The quick buck boys have apparently convinced our bum-fuzzled judges that there is no difference between a peep show and a moral lecture.

And, of course, we have our latter-day historical novels in which the romance of man's upward movement from savagery is lost in a confused welter of bundlings and tumblings. The foreign reader of one of these epics on the development of the American West must marvel that our forefathers found time to quell the Comanches, plow up Kansas and build the transcontinental railroad, while spending practically all their time in the hay.

Don Maxwell of the Chicago "Tribune" has recently asked his book department to quit advertising scatological literature by including it in the list of best sellers. The critics and the book publishers have denounced him for tampering with the facts. I would like to raise a somewhat larger question: "Who is tampering with the soul of America?"

For nations do have souls. They have collective personalities.

People who think well of themselves collectively exhibit elan and enthusiasm and morale.

When nations cease believing in themselves, when they regard their institutions with cynicism and their traditions with flippancy, they will not long remain great nations. When they seek learning without effort and wages without work, they are beginning to stagger. Where they become hedonistic and pleasure-oriented, when their Boy Scouts on their 14-mile hikes start to hitch, there's trouble ahead. Where payola becomes a way of life, expense-account cheating common, and union goonery a fiercely defended "right," that nation is in danger. And where police departments attempt to control burglary by the novel method of making it a department monopoly, then the chasm yawns.

Do not let me overdraw the picture. This is still a great, powerful, vibrant, able, optimistic nation. Americans—our readers—do believe in themselves and in their country.

But there is rot and there is blight and there is cutting out and filling to be done if we, as the leader of free men, are to survive the hammer blows which quite plainly are in store for us all.

We have reached the stomach turning point.

We have reached the point where we should re-examine the debilitating philosophy of permissiveness. Let this not be confused with the philosophy of liberty.

The school system that permits our children to develop a quarter of their natural talents is not a champion of our liberties.

The healthy man who chooses to loaf on unemployment compensation is not a defender of human freedom.

The playwright who would degrade us and the author who would profit from pandering to the worst that's in us are no friends of ours.

It is time we hit the sawdust trail. It is time we revived the idea that there is such a thing as sin—just plain old willful sin. It is time we brought self-discipline back into style. And who has a greater responsibility at this hour than we the gentlemen of the press?

So I suggest:

Let's look to our educational institutions at the local level, and, if Johnny can't read by the time he's ready to get married, let's find out why.

Let's look at the distribution of public largesse and if, far from alleviating human misery, it is producing the sloth and irresponsibility that intensifies it, let's get it fixed.

Let's quit being bulldozed and bedazzled by self-appointed long-hairs. Let's have the guts to say that a book is dirt if that's what we think of it, or that a painting may well be a daub if you can't figure out which way to hang it. And if some beatnik welds together a collection of rusty cogwheels and old corset stays and claims it's a greater sculpture than Michelangelo's "David" let's have the courage to say that it looks like junk and probably is.

Let's blow the whistle on plays that would bring blushes to an American Legion stag party. Let's not be awed by movie characters with barnyard morals even if some of them have been photographed climbing aboard the Presidential yacht. Let us pay more attention in our news columns to the decent people everywhere who are trying to do something for the good of others.

In short, let's cover up the cesspool and start planting some flowers.

Well, that's the jeremaid. I never thought I'd deliver one of these. I never dreamed I'd go around sounding like an advance man for the Watch-and-Ward Society. I used to consider myself quite a liberal young man. I still think that on some people bikinis look fine.

But I am fed up to here with the educationalists and pseudo-social scientists who have underrated our potential as a people. I am fed up to here with the medicine men who try to pass off pretense for art and prurience for literature. I am tired of seeing America debased and low-rated in the eyes of foreigners. And I am genuinely disturbed that to idealistic youth in many countries the fraud of Communism appears synonymous with morality, while we, the chief repository of real freedom, are regarded as being in the last stages of decay.

Unless I misread the signs a great number of our people are ready for a fresh breeze, a breeze of new honesty, new idealism, new integrity.

And there is where you come in. You have typewriters, presses and a huge audience.

How about raising hell?

UNIVERSITY OF WISCONSIN PRESIDENT ENDORSES SOCIAL SCIENCE FOUNDATION

Mr. NELSON. Mr. President, recently, Fred Harvey Harrington, president of the University of Wisconsin, presented a statement to the Subcommittee on Government Research of which the Senator from Oklahoma [Mr. Harris] is the chairman. I think the statement is important and should be read by Senators.

President Harrington endorses the principle of a Social Science Foundation because it will complete the Government's coverage of all fields of knowledge.

In addition, Dr. Harrington says that the creation of this foundation will establish recognition of the social sciences as an important and fundamental field of research; it will set up a working advisory board and spokesman at the Federal level; and it will help to provide support funds for basic research in the long overlooked social sciences.

Mr. President, after the end of hostilities of World War II, the preoccupation with the natural sciences, with the obvious need to build on our knowledge of nuclear physics, the embarking on a crash program to train mathematicians, and chemists, and other scientists all worked to the disadvantage of the social science programs in our schools and our governmental units.

Now we are beginning to pay for our lack of attention to the problems of poverty, illiteracy, disease, and human ecology. No less important than getting to the moon is a crash program to rebuild the decay at the center of our culture.

I hope the Senate will heed the words of Dr. Harrington and will realize the importance of this basic move.

I ask unanimous consent that President Harrington's statement be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Testimony by Fred Harvey Harrington, President, University of Wisconsin, on S. 836, To Create a National Foundation for the Social Sciences

As president of a University which pioneered social science research and is today a leader in this field, I endorse the principle of S. 836 which provides for the establishment of the National Foundation for the Social Sciences.

There are changes in the measure which I will suggest for your consideration, but I can support S. 836 as it stands, and I urge early approval.

The need for creation of a Social Science Foundation to round out our government's coverage of the fields of knowledge is so self-evident that there is strong temptation to examine the motives of those who oppose it.

Instead, let me list three major advantages of such a foundation:

1. It would recognize the status of the social sciences as a vital field of fundamental research, and help correct the misconception that the only valid social studies are those which attack specific problems or provide handy answers.

2. It would give the social sciences a high level spokesman in the federal government and back him with a distinguished advisory board.

3. It would provide federal support for basic research in the social sciences. There is comparatively little of it today, and federal agencies which have provided grants for basic social studies have suffered congressional criticism for doing so.

In reviewing the February testimony before this committee on S. 836, and the hearings last summer on international science and behavioral research, I was struck with the feeling that, in many respects, the social sciences are today where the physical and biological sciences were in the late forties. Then my predecessors in the presidency of the University of Wisconsin—Edwin B. Fred and the late Conrad Elvehjem—came here to plead for the creation of the National Science Foundation.

They described, for example, how University scientists had labored for years in fundamental studies of the atom—useless information at the time—and how in the dead of night in World War II, when the possible application of this "pursuit of knowledge for its own sake" was seen, Wisconsin's atom smasher was moved from the campus to Los Alamos. They called for post-war rebuilding of what they liked to call the "stockpile of basic scientific knowledge" which fuels economic and industrial progress and improvements in public health. They complained that governmental agencies—conscious of their legal goals—concentrated grants in problem-solving studies and areas where fast answers were needed. They warned that this was short-sighted, that the federal government had responsibility for building both the strength of the scientific community and the store of fundamental knowledge and that if this was left undone the nation would suffer. Science must have a spokesman at the highest adminstrative councils, they said. The need for fundamental studies must be understood and funded.

My points to you today are virtually the same—but for the social sciences.

As long as there have been scholars in history, economics, political science, sociology, communication, and the other social studies, there has been fundamental research in these areas. All major Universities in America recognize the distinctive characteristics of the social sciences and tend to hold them together in recognition of their status with the biological and physical sciences, the arts and humanities. In some respects they are the bridge between C. P. Snow's two cultures, the reason why American universities do not have the great, impassable chasm he has so dramatically described.

That we look today to the social sciences for answers to our problems of poverty, international development, urban sprawl, and all the other social, economic, and political ills that man is heir to, is evidence enough of their importance to the nation. But the pressing nature of these problems has developed public impatience with the scholar who says we must know more about man and his institutions and interrelationships before we can come to long-range solutions.

Obviously, as in the physical and biological sciences, both applied and fundamental work must go on simultaneously in the social sciences. The National Foundation for the Social Sciences can make this possible, as did the National Science Foundation.

I understand quite well the concern which the House Research and Technical Programs Subcommittee has expressed for progress in the Social Sciences. Its report, released in April, quite properly called for better use of the knowledge we already have in these fields. I agree completely with its complaint that better balance is needed between research on causes of social problems and demonstration of remedies.

These are things the creation of the National Foundation for the Social Sciences would make possible. With such a foundation, a measure of current knowledge in the social sciences would be readily available. The searcher and the doer could find each other and help each other. Fundamental knowledge could flow more readily toward applications.

There are some who contend that these things could be accomplished within the present federal structure—that social sciences, as half-brother to the natural sciences on the one side and to the humanities on the other, could prosper. It is too early in the life of the National Foundation for the Arts and Humanities to ask that it produce some evidence of fair treatment of its half-brother. But the National Science Foundation, sincere in its efforts to spread its concern into the social sciences, has not yet proved, with a $21-million expenditure, its effectiveness in invigorating fundamental social studies.

There are some who contend that the creation of a third foundation would destroy the unity of knowledge or impair the interrelationship of scholars in the various fields. Quite the contrary, it would remove a source of irritation, improve interrelationships and interdisciplinary research efforts. There is no one so irrationally irritating at a family reunion as a poor relative. Raising the status and the funding of the social sciences would enhance the unity of knowledge.

There are some who contend that adding another foundation would fragment governmental support of fundamental research. It would, to the benefit of all. It would place in the hands of a social scientist administrator and a board of social scientists a considerable amount of responsibility for the progress in the social sciences. There may be some evil in this, but it is nothing compared with the suspicions spawned when this responsibility falls upon an administrator who is a physicist and a board heavily weighted with physical and biological scientists, regardless of their good intentions.

There are some who contend that establishment of the Foundation for the Social Sciences might reduce the support from other federal agencies for social science research. This is possible and may also be helpful. The creation of the National Science Foundation reduced appreciably the "bootlegging" of fundamental study support into project work in the natural sciences. Creation of the Social Science Foundation could be expected to have similar results.

And all this could bring some reason and regularity into the whole field of federal research support.

It would seem quite logical that, while some federal agencies might wish to continue support of fundamental studies which bear some relationship to the long-range goals of the agencies, a good share of the non-directional studies in the social sciences should be supported merely for the sake of learning and the build-up of research competence. And these should be supported by the new Foundation.

It is in this area that I have some reservations about S. 836 as drawn.

I have some doubts about Section 11(a)(3) which allows acceptance by the Foundation of outside funds with a condition or restriction, including that the Foundation use its own funds for the restricted purpose. Nor do I feel that the Foundation should act as a contracting agency for other departments of federal government.

My hope is that federal agencies will continue to support at a high level all fundamental and applied studies pertinent to the goals of the agencies.

Robert A. Levine of the Office of Economic Opportunity reported in some detail to your committee in February on a joint OEO-University of Wisconsin effort of this sort. The Institute for Research on Poverty which is located on our Madison campus is an excellent example of the utilization of University research to attack specific problems of great importance to a federal agency.

The establishment of a Social Science Foundation would not affect such a program in anything but a beneficial way. It would not assume the responsibilities of the OEO for problem-solving studies. But it could, and I hope would, build a base of knowledge over a span of years that such an institute could utilize, and build a level of research competence that would ease future staffing of such enterprises as these.

I would like to see included in the bill provision for the support of interdisciplinary research which reaches beyond the social sciences. All three foundations could work harmoniously in the support of fundamental studies which bridge traditional disciplines in search of knowledge.

And I have one more recommendation for change in S–836 which I consider extremely important.

Americans like to see quick results from expenditures of tax dollars, and I don't blame them. We ask a great deal of our people. But by its very nature, the National Foundation for the Social Sciences will not produce quick results. And by the modest appropriation level proposed, the possibility of major, fast advance through studies it supports is extremely limited.

The expenditures for social science studies at the University of Wisconsin are currently about $8-million a year. We produce few spectacular findings with this volume of work. Thus I would strongly recommend that you raise the fiscal sights of this bill to a point where the likelihood of significant, early progress is heightened. My personal feeling is that this could be accomplished with an annual appropriation of a half-billion dollars at the start with provision for escalation over the years at the rate of about 10 per cent per year.

This is a small percentage of our nation's annual investment in the repair of social damage. Prevention is always cheaper than a cure.

I see in the creation of the National Foundation for the Social Sciences a major step in the progress of America toward a good life for all its people and an approach to world peace and fellowship.

We should not quibble when the goals are of such a magnitude.

ALOHA, ED

Mr. FONG. Mr. President, one of Hawaii's most dedicated and respected public servants died last Friday of an unfortunate accident. He was an apparent drowning victim. It is with deep sorrow that I note the passing of Mr. Edward J. Morgan, manager and chief engineer of the city of Honolulu's Board of Water Supply.

It can be said without reservation that Mr. Morgan was no ordinary man. He was a benign and conscientious man extremely dedicated to the efficient operation of the water works system which he commanded since 1952.

Mr. Morgan had a formidable tradition and record to uphold when he took over the leadership of the board of water supply upon the death of his predecessor, Frederick Ohrt. The late Mr. Ohrt had been held in high esteem for his success in transforming what had been considered a highly inefficient water works system into a profitmaking, self-sustaining government operation.

That Mr. Morgan has been successful in upholding the record established by his predecessor is conceded by his associates. His many pay-as-you-go, new construction projects to cope with the city's population growth and burgeoning resort developments also testify to his success. Many of the city's water project installations—such as pumping stations, booster pumps and reservoirs—each majestically landscaped have been acclaimed monuments of beauty.

An overwhelming number of the new construction was financed with bond issues and without raising water rates. Revenues from operations helped retire bond issues and helped keep the system in the black.

One of the many factors that endeared Mr. Morgan with his associates and the public was his genuine concern for people. No one was too lowly in his or her walk of life to be undeserving of his attention. He made it a ritual each year at Christmas time to personally visit his colleagues, employees, and businessmen in his community to extend to them the season's greetings.

He was an unassuming, soft-spoken gentleman. He was always a refreshing visitor.

Mr. Morgan was a registered, professional engineer. He worked as a plantation laborer early in life in order to achieve this status. He was born on the island of Kauai and educated there until it was time to go to the University of Hawaii.

He joined the city's waterworks system as an oiler and in a span of 20 years was to become its chief executive officer. He was a captain in the Corps of Engineers, U.S. Army.

He was a founder of the Hawaiian Government Employees Association and president of the conservation council for Hawaii in 1956. He was also a member and officer of various professional and community organizations.

He was named one of 10 public works men of the year in 1964. He received the University of Hawaii distinguished service award for meritorious public service in 1965. He was named water conservationist of the year in 1966.

I am pround to say that Mr. Morgan is an old and long acquaintance. Ours is a friendship which has continued to this day that began when we were students at the University of Hawaii and buck sergeants together in the university's ROTC. His death saddens me as well as the people of Honolulu.

His refreshing amiability will be missed by all. To his survivors—his wife Thelma and his son Edward, III—Mrs. Fong and I extend our deepest sympathies. Aloha, Ed.

VISTA IN WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record a UPI news story of September 1, 1967, which appeared in the Elkins, W. Va., Inter-Mountain and which referred to activities of VISTA workers in West Virginia. The story is titled "Ten ADCU Workers Invade Statehouse."

There being no objection, the story was ordered to be printed in the Record as follows:

Ten ADCU Workers Invade Statehouse

Charleston, W. Va.—Welfare Commissioner L. L. Vincent's office was invaded Thursday by 10 men from five counties who work under the department's Aid to Dependent Children (ADCU) program.

VISTA (Volunteers in Service to America) workers who accompanied the men were barred from the meeting with Vincent, but sought out members of the Statehouse press corps and prompted the 10 during an interview.

The 10 ADCU men, representing Mingo, Mercer, Wyoming, Nicholas and Webster Counties, said they told Vincent the work they are doing should be more productive.

Vincent was asked later to comment on his refusal to permit VISTA worker Richard Bank to attend the meeting.

"I don't think there is a need for a third party," Vincent said, adding he wanted to talk with the ADCU men to get their point of view without any prompting from a third party.

Vincent described the meeting as having "no feeling of hostility. I think most of the men felt there would be an honest effort to resolve" their complaints.

The men had a mimeographed copy of nine "demands" for improvements in their program. Vincent said although the paper was submitted with the reference to "demands," the men said they were not intended to be demanding.

Vincent said he agreed with them that there needs to be improvement in adult education courses they are required to take. He said he showed the men some of the changes the department planned to make.

During the interview with the press the men said they wanted to see some action on Vincent's part within a week. Vincent said he explained to them some of "these things could not be done over night."

One man complained he had taken his wife and one of his four children to a doctor and after he returned to work following a few days was told he no longer had a job.

"If what the man told me is correct, he has been done an injustice and it will be corrected," Vincent said. An investigation is being made, he said.

The men complained publicly that local politicians, who they specifically identified as "State Road (Commission) bosses," threatened the ADCU men with loss of jobs for attending meetings of the so-called "ADCU Progressives," a group which discusses common problems and complaints.

Vincent said he told the men they would not lose their jobs as a result of their meeting, but would have to act responsibly on the job.

The men also were objecting to cutting grass and brush along highways on grounds that they should be assigned to jobs which would be more productive in their community and would provide more "meaningful work experience."

Vincent said while he was in agreement community projects are important, he also believes the "cleanup" program is important. The grass and brush-cutting was initiated as a cleanup project under the administration of former Gov. W. W. Barron and is commonly called the "dollar an hour' program.

The men said they personally knew of individuals leaving their jobs or being assigned to less desirable work because of their activities in the ADCU Progressives.

Some of the men complained that all they were getting so far were promises from Vincent. "We need something besides promises—we need action," the Mercer County man said.

While the ADCU Progressives have officers for each county group, a "steering committee" provides the leadership for the collective counties. The committee has no officers, according to a VISTA worker.

JOB CORPS RATES NEW LOOK FROM CONGRESS

Mr. NELSON. Mr. President, recently an article written by the distinguished journalist, Charles Bartlett, of Publishers-Hall Syndicate, was published in the highly regarded Minneapolis Tribune.

Mr. Bartlett examined the Rodman Job Corps project in Massachusetts and stated that during the last year the center has begun to prove the value of the program.

Before critics attempt to dismantle the program, change its concept, and distribute its remains into one department or another, they should reexamine the initial bases on which the idea was built, and then constructively build some more.

Costs per trainee have been trimmed down dramatically over the initial costs of the operation.

The center discovered that the products of slums are ignorance and illiteracy and disease in tragic numbers. Thirty percent of those admitted to the center could not read a simple line. Thirty-five percent could not do simple subtraction, and over 80 percent had not had medical or dental care within the previous 10 years.

But more important than the sheer knowledge of those facts is the realization that these same slum dwelling youngsters can be induced to learn faster in terms of self-discipline, responsibility, and self-reliance than anyone even remotely suspected.

This is the important factor. These people can make the grade if they are given half a chance. With the use of new techniques to help reverse the penalty of slums, this country can become the beneficiary of the untold talent that lies within those areas, rather than the warden of hate, and the reaper of disease and the ultimate loser through ignorance.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Job Corps Rates New Look From Congress

(By Charles Bartlett)

New Bedford, Mass.—The past year's accumulation of poise and professionalism at the Rodman Job Corps Center here should serve as a warning to a Congress that is presently inclined to condemn the concept of residential training for the poor.

The riots have plunged the whole poverty program into legislative jeopardy. White House officials acknowledge flatly that they do not now have the votes to get the poverty bill through the House. The most sharply challenged item in the package is the $295 million needed to sustain the Job Corps' 123 centers with their 40,000 enrollees.

"The Job Corps, as your agency has developed it to this point, simply cannot and will not succeed," Rep. Phil Landrum, D-Ga., wrote Sargent Shriver two weeks ago. Reflecting a view popular on Capitol Hill, he argued that the camp's training courses must be phased into more conventional and less expensive vocational schools.

A year ago the Rodman center would have furnished no rebuttal to the Landrum thesis. Besieged from without by community animosities and torn from within by an uncertain state of discipline, it was little more than a bold but chaotic and grossly expensive adventure in social reform.

Now the abrasions between the camp and New Bedford have been worked out to a degree at which the city is disposed at least to tolerate its role of host to 685 visitors from the hard-core slums.

The costs are still high but they have been trimmed down to $6,000 per student-year and the staff has managed to compress the training period to less than nine months.

"We don't turn out finished products," says Theodore Nelson, the camp director, "but they are a little less shaggy, a little less frightening, and a little less frightened than they were when they came. They have absorbed enough basic education to compete in the labor market and are resilient enough to bounce back if they are turned down for a job."

The first great discovery of the Job Corps was that the slum kids are much more disadvantaged than anyone thought they were. Over 30 per cent of those admitted to the Job Corps have been unable to read a single, simple sentence; over 35 per cent had trouble subtracting 6 from 10; over 80 per cent have had no contact with a doctor or a dentist for more than 10 years.

The second great discovery at Rodman is that these young people can be pushed much harder in terms of learning, self-discipline, and responsibility than any expert dreamed possible. Their adaptability and responsiveness have totally refuted the fallacy which gave the Job Corps its initial problems.

This was the theory that these slum youngsters had been so badly distorted by their environments that it was unwise to subject them to the restraints and requirements normally imposed by any institution. Although this permissiveness has been abandoned here and in other centers, it still muddies the image of the Job Corps in the public mind.

Nelson and his staff reject the notion that training of equal effectiveness can be accomplished in nonresident vocational schools. To them the opportunity to control the boys' environment is crucial to the process of effecting a break with the defeatism of their pasts.

Job Corps centers like Rodman have been exposed to criticism from the moment they began but none of them are more than 30 months old and most have been going for less than two years. Only now, after special teaching and management techniques have been developed through frenzied innovation, is it really fair to judge them.

The House Republicans propose to cut the number of camps, deliver the survivors into the Department of Health, Education, and Welfare, and embark on a new concept of resident training. This seems foolhardy at a moment when the Job Corps is evincing enough flexibility and resourcefulness to do the job for which it was created.

This training is costly and it must clearly be reserved for the hard-shell cases. But the chance to transform prospective urban guerrillas into constructive citizens is well worth the price.

STATEMENT BY SENATOR NELSON ON VIETNAM

Mr. GRUENING. Mr. President, the able and distinguished junior Senator from Wisconsin [Mr. NELSON] recently made a statement on Vietnam, expressing his views on the significance of the Tonkin Bay joint resolution which has led to the steady escalation of the war in Southeast Asia. I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GAYLORD NELSON ON VIETNAM

In recent weeks there have been renewed and vigorous discussions about the meaning and intent of the Tonkin Bay Resolution. It has lately been repeatedly asserted by Administration spokesmen, writers and others that the overwhelming vote for the resolution in 1964 expressed Congressional approval of whatever future military action the Administration deemed necessary to thwart aggression in Vietnam including a total change in the character of our mission there from one of technical aid and assistance to a full scale ground war with our troops.

This, of course, is pure nonsense. If such a proposition had been put to the Senate in August, 1964, a substantial number of Senators, if not a majority, would have opposed the resolution. What we are now witnessing is a frantic attempt by the Hawks to spread the blame and responsibility for Vietnam on a broader base. They should not be allowed to get away with it. It is not accurate history and it is not healthy for the political system. The future welfare of our country depends upon an understanding of how and why we got involved in a war that does not serve our national self interest. If we don't understand the mistakes that got us into this one we won't be able to avoid blundering into the next.

The intent and meaning of any proposition before the Congress is determined by the plain language of the act itself, the interpretation of that language by the official spokesman for the measure and the context of the times in which it is considered.

Because of my concern about the broad implications of some of the language I offered a clarifying amendment. The official Administration spokesman for the resolution, Mr. Fulbright, said the amendment was unnecessary because the intent of the resolution was really the same as my more specific amendment. In short, according to Mr. Fulbright, the resolution did not intend to authorize a fundamental change in our role in Vietnam.

Three Presidents had made it clear what that limited role was, and this resolution did not aim or claim to change it.

If the official Administration spokesman for a measure on the floor is to be subsequently repudiated at the convenience of the Administration, why bother about such matters as "legislative intent?" In fact, why bother about Administration spokesmen at all? At the conclusion of these remarks I will reprint from the Congressional Record my colloquy with Mr. Fullbright which formed the basis for my vote on the Tonkin Bay Resolution. Had he told me that the resolution meant what the Administration now claims it means I would have opposed it and so would have Mr. Fulbright.

However, an even more important factor in determining the intent of that resolution is the political context of the times when it was considered by the Congress. It was before the Senate for consideration on August 6 and 7, 1964. We were in the middle of a Presidential campaign. Goldwater was under heavy attack for his advocacy of escalation. The Administration clearly and repeatedly insisted during that period that we should not fight a ground war with our troops. No one in the Administration was suggesting any change in our very limited participation in the Vietnam affair.

The whole mood of the country was against Goldwater and escalation and particularly against the idea that "American boys" should fight a war that "Asian boys" should fight for themselves, as the President put it in September of that year.

For the Administration now to say that the Tonkin Resolution considered during this period had as part of its purpose the intent to secure Congressional approval for fundamentally altering our role in Vietnam to our present ground war commitment is political nonsense if not in fact pure hypocrisy.

If Mr. Fulbright, speaking for the Administration, had in fact asserted that this was one of the objectives of the resolution the Administration would have repudiated him out of hand. They would have told him and the Congress this resolution had nothing to do with the idea of changing our long established role in Vietnam. They would have told Congress as they were then telling the country that we oppose Goldwater's irresponsible proposals for bombing the North and we oppose getting involved in a land war there with our troops. That was the Administration position when the Tonkin Resolution was before us. They can't change it now. It is rather ironic now to see how many otherwise responsible and thoughtful people have been "taken in" by the line that Congress did in fact by its Tonkin vote authorize this whole vast involvement in Vietnam. The fact is neither Congress nor the Administration thought that was the meaning of Tonkin—and both would have denied it if the issue had been raised.

The current intensity of the discussion over the military status of Vietnam, the Tonkin Resolution and the elections signal a new phase of the war dialogue. What's really new in the dialogue now is the sudden, almost universal recognition by a majority of the Hawks that this is after all a much bigger war than they had bargained for.

They now realize for the first time that to win a conventional military victory will require a much more massive commitment of men and material than they ever dreamed would be necessary. How many men? A million at least and perhaps two million without any assurance that a clear cut military victory would result in any event. Furthermore, it has finally dawned on the Hawks that a military victory does not assure a political victory—in fact there is no connection between the two and one without the other is of no value whatsoever.

This new recognition of the tough realities of Vietnam afford the opportunity for a reappraisal of our situation in Vietnam and a redirection of our efforts.

The danger we now face is the mounting pressure from military and political sources for a substantial escalation of the bombing attack in the North. The fact is the whole military-political power establishment (both Republican and Democratic) has been caught in a colossal miscalculation. They have been caught and exposed in the very brief period of 24 months since we foolishly undertook a land war commitment.

They did not then nor do they now understand the nature, character and vigor of the political revolution in Vietnam. But in order to save face they are now demanding an expansion of the war. If they prevail we will then see another fruitless expansion which will not bring the war to a conclusion but will extend our risk of a confrontation with China.

Unfortunately the Administration continues its policy of so called controlled expansion of pressure on the North which really is nothing more nor less than endless escalation which will likely lead to a vast expansion of the war. It ought to be understood once and for all that no amount of pressure on the North will settle the war in the South. A complete incineration of the North will not end the capacity of the guerrilla to continue the fight in the South.

Though we committed a grave blunder in

putting ground troops into Vietnam in the first place, it does not make sense to compound the blunder by pouring in additional troops. The Administration proposal for 45,000 additional troops with tens of thousands more demanded by the military is simply a blind and foolish move in the wrong direction.

What the military really needs is a million or two million ground troops for the war they want to fight. Furthermore, no one can explain what possible proportional benefit this country or the free world will get for this kind of massive allocation of resources—even assuming this would win the military-political war which I think is highly doubtful.

There is no easy solution to our involvement, but now, before it is too late, is the time to decide what direction from here we are going to go in Vietnam.

There is, it seems to me, only one sensible direction to go and that is toward de-escalation and negotiations.

It was a mistake for us to Americanize this war in the first place, and it is an even greater mistake to continue it as an American war. As soon as the elections are over this Sunday we should cease bombing the North in order to afford the opportunity to explore the possibility of negotiations. It is rather ironic that Chief of State Thieu, the military candidate for President, favors a bombing pause but our military oppose it. Whose war is this?

Next we should fundamentally alter our military and political policies in the South. We should notify the South that henceforth it will be the job of South Vietnamese to do the chore of political and military pacification of the South. While our troops occupy the population centers, furnish the supplies, transportation and air cover, it must be the job of the Vietnamese to win the political and military war in the South. If they do not have the morale, the interest, the determination to win under these circumstances then their cause can't be won at all.

Surely it ought to be understood by now that if there is going to be a meaningful solution to the Vietnam problem they must be the ones who make it meaningful.

Furthermore, if it is true, as our State Department says, that all other South East Asian countries feel they have a stake in Vietnam, let them send some troops of their own to prove their interest.

Under this approach we will reduce the loss of our troops to a minimum and we will find out whether our allies in the South really believe they have something to fight for. If they do, they have the chance to build their own country. If they don't, then we should get out.

This it seems to me is our best alternative to the fruitless policy of endless escalation.

TRIBUTE TO SENATOR JENNINGS RANDOLPH OF WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, there appeared in the September 16, 1967, issue of the West Virginia Hillbilly, an article complimentary of my distinguished colleague, Senator JENNINGS RANDOLPH. The article spoke about Senator RANDOLPH's long efforts to assist the blind people of our country, and I think it is a very appropriate tribute to a man who has devoted so much of his efforts over so long a period of time to such a great humanitarian cause.

I join with the editor of that newspaper in his statement:

> The blind can count on Senator Jennings Randolph for further creative efforts in their behalf—not charity but efforts designed to help them help themselves, in honor and dignity.

I ask unanimous consent to insert the article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

Hanging on the wall of the Washington office of U. S. Sen. Jennings Randolph (D., West Virginia) is—of all things—a fountain pen. For 30 years now it has been displayed in a prominent place in its own special glass frame along with a commemorative note from the late Pres. Franklin D. Roosevelt dated June 20, 1936. That was the day when President Roosevelt gave the then-young West Virginia Congressman the pen after he had signed into law the Randolph-Sheppard bill "whereby blind people are to operate the vending machine stands inside government buildings."

Beneficiaries—2600 at last count—of this legislation can be seen at the 2450 or so stands in operation in federal buildings throughout the nation. (All told, more than 4000 blind persons and their families have benefited directly from this act.) More significant than the prized fountain pen is the outstanding employment record these businessmen and women have maintained consistently throughout the years.

A good example is Charles Kauffman, who for 23 years operated the vending business in the U.S. Post Office in his native Fargo, North Dakota. Installed as its first operator, Charles became a model example of the blind in his dealings with thousands of customers. So complete was his acceptance as a "normal" person that post-office users have come up to ask him on a number of occasions: "Are you really blind?" Presently, Charles Kauffman is a capable teacher of the blind. But he is grateful for his stand experience, which he says prepared him for this important work.

A difficult man to follow in the post-office stand? No doubt. But his successor, Charles Stillwell, is proving equally capable. Not only is this well-regarded operator blind, but he wears an artificial limb as well.

In another part of the country, Frank Rourke has been in continuous operation of the vending stand in the U.S. Post Office in New Haven, Connecticut, since it was established in 1937. He was a bachelor when he started. However, that status was destined to change when he met the pretty girl who became his wife 21 years ago.

Having lost most of his sight in an accident when he was 18 years old, Frank completed his high-school education at Perkins Institute for the Blind at Watertown, Massachusetts. Utilizing the musical training he had obtained there, for a time he was a radio vocalist and played the piano in combos at restaurants around New Haven.

But the stand has given him his real satisfaction. Frank likes people, and his vending business has kept him in touch with great numbers of them while enabling him to make his own way.

"I just take things in stride," he says, "try to be of service, and cheer people up." Frank is best at aiding people in locating lost articles! "We're all losing things every day," he tells them, cheerfully encouraging them to retrace their steps.

Frank does not speak of his lost eyesight unless questioned. Consciously, he stresses his good fortune at being accepted for what he is—a capable enterprising businessman.

He can identify at least three-quarters of his customers by the sound of their voices even though their transactions are short. These include transient patrons, who step inside the post office to buy candy and newspapers while waiting for the bus.

"I can sense an uncomfortable customer by his weak voice in asking for something," Frank adds. "But a strong and meaningful hello on my part can generally dispel any uneasiness."

Another gregarious blind businessman, John Richardson, for several years has operated the vending stand at the Indianapolis, Indiana, federal building. Blinded in one eye at the age of seven, he lost the sight of the second when he was 14. The Indiana School for the Blind prepared him for his first job in a large industrial plant.

Away from his stand, John spends much of his time helping other blinded persons. He recently finished serving his fifth term as president of the Indiana Association of Workers for the Blind, an unprecedented honor. Also he has served two terms as member of the Advisory Committee on the Blind to the State Department of Public Welfare. "John is a friend and adviser to any blind Hoosier," a business associate says.

At home are his wife and two small, but very active sons. The family has recently moved into their new home in a new section of the city and there is a good car in the garage—ample evidence of the financial opportunities that are made available to the blind as a result of the Randolph-Sheppard Act.

Rightly described at the time as a "most humane act" by the Baltimore Sun, the Randolph-Sheppard legislation "culminated the efforts of a number of energetic men in and out of government who just wouldn't give up," Senator Randolph emphasized. "Not the least of whom was the late Sen. Morris Sheppard (D., Texas), cosponsor of the bill."

Similar legislation had been proposed before. One such bill was introduced by the late Sen. James W. Wadsworth Jr. (R., New York) in 1921. Then in 1931 blind Sen. Thomas D. Schall (R., Minnesota) introduced another.

Certainly, one man who worked most tirelessly to provide the blind with opportunity for self employment was a talented young blind attorney by the name of Leonard Robinson.

"This young man must have spent a minimum of $10,000 of his own money, to say nothing of the time he devoted in the prolonged fight for support of the bill," Senator Randolph has observed. Two years out of Western Reserve Law School, Robinson jumped into the fight in 1931 after reading a Braille account of the bill introduced by Senator Schall.

The idea of vending stands appealed to him. At his own expense he went to New York City to a World Conference on Work for the Blind. It was to be only the first of many long round trips—from Ohio to Washington to New York to Washington again—which he would make at his own expense. The last talk of the conference was delivered by a Canadian who explained Canada's program of vending stands and small businesses for blind persons.

If Canada could be successful—with its widely scattered population—why couldn't the United States, with many more cities and a much denser population? He introduced himself to the Canadian speaker, and gathered as many facts as he could.

The months added into a year as Leonard Robinson determinedly built up personal and group support for the proposal. In a January 1933 meeting with President-elect Franklin D. Roosevelt in New York, he lost no time in launching into his campaign for support. Roosevelt promised his approval of legislation to make stands possible in federal buildings.

One would think this would have ended the struggle for enactment of such a bill. But success on Capitol Hill comes harder. In fact, it would be three and a half years in the future. Toward the end of 1933, others proposed that President Roosevelt establish the vending stands for the blind by executive order.

"That won't do!" Robinson insisted. "What one president orders, another president could countermand. We must have legislation. Although it will demand widespread support, it will insure that the support will continue."

Robinson was no longer a loner on his visits from Ohio to Washington. At a meeting of the Washington, D.C., Lions Club, a friend told him, "You need new blood in your campaign. And I know just the man you will want to talk to—Congressman Randolph. Why not come down with me to St. Louis to the Lions Convention there and meet him?"

And so the three met. That was in 1934. "We had a night off from our convention in St. Louis for a river cruise on the Mississippi," Senator Randolph mused. "I well remember that sweltering night."

Gathered on the Mississippi River ferry, the three men watched the dark waters slipping past in the humid night. The oppressive heat was disregarded as they began mapping strategy for the support of the new bill.

The seeds planted at that meeting and many thereafter bore fruit; the bill for which they so earnestly fought was passed the last day of the 74th Congress.

Senator Randolph's own interest in helping the blind dates back to 1931, the year he was elected West Virginia's governor of Lions International. Under his leadership, the 50 West Virginia Lions clubs had carried through as their major service project an energetic program to assist the blind.

During that period, partially blind children from the state school were screened to determine which could benefit from surgery.

Senator Randolph recalls those depression years: "Our state Lions clubs raised about $3000 for transportation and hospital care of those children. We took them from Romney, near the northeastern state border, to Bluefield, on the southern border."

Dr. J. E. Blaydes recalls that: "Twenty-six children from the West Virginia School for the Blind at Romney were operated on in 1931, and 14 the following year. It was necessary for most of these children to have three to five surgical procedures." The Bluefield ophthalmologist operated on them at no charge.

But Senator Randolph was not satisfied to leave it at that. In a major speech before the 1932 convention of the International Association of Lions Clubs in Los Angeles, he urged that a program of work to help the blind be adopted as the service organization's major activity. Today, Lions International is well known for its humanitarian and soundly helpful programs for the blind. In the fall of that year, Senator Randolph was elected to the Congress.

One of the authors of the earlier and unpassed bills for vending stands in federal buildings, Senator Schall, did not survive to see the successful bill's enactment. Senator Wadsworth died in 1952. The Act's co-sponsor, Senator Sheppard lived until 1941, observing with keen pleasure the continuing uptrend of stands open and individuals assisted.

Leonard Robinson to this day continues to champion causes for the blind. Supervisor of the Visually Handicapped in the Department of Vocational Rehabilitation, District of Columbia, he directs the many agency services for the blind and visually handicapped.

Senator Randolph's own support of the blind has intensified over the years. During the 30 years since the enactment of the original Randolph-Sheppard act, he has piloted through the Congress various amendments. Some have passed; some have not. More recently, he has tackled the problem of automation. In a November 1963 address on "Automation and the Sightless American," the Senator called for imaginative and prompt solutions to the problems deriving from automation, which has provided competition for the personal sales services of the blind.

Automation itself, the Senator hopes, will offer opportunities for dignified employment of blind persons. He cites a "breakthrough" in the vending stands themselves. The storage space with freezers for reloading the food-vending machines can be designed particularly to permit trained blind persons to service such stands. This already has been done successfully. He also points out that the blind can be skillful operators of some automated machines.

Ironically, the Senator's own eyesight was threatened. In the latter part of February 1964, while holding official Senate hearings in Florida, he noticed that a partial curtain of darkness suddenly had dropped over his right eye. Always a person to finish up the task at hand, and not one to fret about his habitually sturdy health, the Senator donned dark glasses during the day and worried a little during the nights.

Back in Washington, he consulted an ophthalmologist. During a three-hour examination, the eye specialist discovered that he had lost 70 percent of vision in his right eye. The cause was a "detached retina."

Often compared to the film in the back of a camera, the retina consists of a wall of sensitive nerve endings covering most of the inside of the eye. Receiving the light waves, it transforms them into impulses and relays these impulses, by way of the optic nerve, to the higher visual centers of the brain for interpretation as sight.

When the retina becomes torn for any reason, the usual cause of detached retina, inner-eye fluid seeps through the tear causing the retina to separate (detach) from its underlying blood supply, the choroid. Thus deprived of nourishment for too long a period, the detached portion of the retina will die, and the patient is blinded. Even if it is only a small tear, enough fluid can seep through eventually so that the entire retina becomes detached.

Yet if this condition is discovered soon enough to permit early repair of the retina, the sight in the patient's eye may be saved. This is one of the reasons why it is so essential for any patient with a visual disturbance to consult with his ophthalmologist immediately.

The Senator's threatened partial blindness was announced in the Senate and published in the Congressional Record and the newspapers. Flowers from Capitol Hill, from Lions club friends, from his many aviation-industry friends, from operators of stands for the blind, and from West Virginians, soon banked his hospital room.

Encouragement poured in from the blind operators.

"God bless your surgery—we can tell you that life is good," wrote one.

Fortunately for Senator Randolph, the operation on his eye was performed soon enough. His sight was completely restored. Five weeks later he was well enough to return to the Senate for a short visit. There he received spontaneous tribute from his colleagues.

Sen. Michael ("Mike") Mansfield of Montana addressed the Senate. "In a sense, it is ironical that the distinguished Senator from West Virginia had an eye operation, because it was he who, more than anyone else, introduced and supported legislation seeking to provide more benefits for the blind."

Senator Randolph's eyes are good today; his mind is still filled with thoughts of the less fortunate.

"People are prone to think of the blind as a group of physically handicapped persons much more difficult to aid constructively than those with other handicaps. I think just the opposite is true. I believe these sightless people have developed a sensitivity to people and surroundings, and are less subject to distraction than many sighted persons. You know, the skill with which they use their hands is truly remarkable.

"I would like the use of the vending stands for the blind to be as widespread as possible," he adds. "But I believe there are many other opportunities for independence for blind persons which we might develop."

And so the blind can count on Sen. Jennings Randolph for further creative efforts in their behalf—not charity but efforts designed to help them help themselves, in honor and dignity.

SUCCESSFUL GOODWILL TRIP TO JAPAN BY KAMEHAMEHA SCHOOLS STUDENTS

Mr. FONG. Mr. President, I wish to note with pleasure the successful goodwill trip to Japan which was made during the past summer by a group of Kamehameha Schools students from Hawaii. The enthusiastic reception the students received in Japan has been reported in a letter from the American Consul in Fukuoka, Mr. John E. Kelly, to Dr. James W. Bushong, president of Kamehameha Schools, Honolulu.

An excerpt from the letter states:

> The students of the Kamehameha Schools are the best representatives I have seen so far of Hawaii's alcha spirit. For this reason, it would be extremely beneficial to the American image here in Japan if these visits could continue as a supplement on the private level to our official effort to promote friendship and understanding with Japan.

The Kamehameha Schools were established in 1887 under the will of Princess Bernice Pauahi Bishop and are administered by trustees of the Bishop estate. Princess Pauahi was the last of the line of Kamehamehas, the dynasty established by Kamehameha I when he united all the islands under his own rule in the late 18th century.

The 10 Kamehameha students who participated in the goodwill trip were Thomas Akana, Moses Akana, Edward Hali, Steward Williams, Robert Cazimero, Donna Brandl, Consuelo Dupio, Sharlene Holt, Haunani Keahi, and Darlene Kehua. Chaperons were Mr. and Mrs. Burl Yarberry.

I compliment the tour group for its noteworthy contributions as goodwill ambassadors. The members brought great credit not only to themselves and their schools but to the State of Hawaii and the Nation. I ask unanimous consent that Consul Kelley's letter to Dr. Bushong be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONSULATE OF THE UNITED
STATES OF AMERICA,
Fukuoka, Japan, July 31, 1967.

DR. JAMES W. BUSHONG,
President, Kamehameha Schools,
Honolulu, Hawaii

DEAR SIR: I thought you might be interested in an interim report on the activities of the ten very fine representatives of the Kamehameha Schools who are in the midst of their good-will tour through Kyushu, Japan. The group has left Fukuoka Prefecture after a 2-week stay which saw them play to packed houses every day and brought swarms of Japanese students backstage for informal exchanges afterwards. Discussion meetings with Japanese students were reportedly well-attended and lively. A charity show, held here in Fukuoka City, played to a packed house. I understand that in Kokura, the group's last program ended in a shower of confetti and streamers from the audience.

It is my judgment that this group is doing an outstanding job, both of representing the United States and of demonstrating Hawaii's unique contribution to man's search for a better society. It is important that the aloha spirit, which has done so much for Hawaii, should play an international role in binding America and Japan together in friendship and understanding. I can think of no better way to accomplish this than through the mutual exchange of the cultural heritages of Hawaii and Japan through the medium of visits such as this one.

The students of the Kamehameha Schools are the best representatives I have seen so far of Hawaii's aloha spirit. For this reason, it would be extremely beneficial to the American image here in Japan if these visits could continue as a supplement on the private level to our official effort to promote friendship and understanding with Japan.

You have good reason to be proud of these Kamehameha School students. Making friends seems to come naturally to them and this gift makes them excellent good-will Ambassadors.

Sincerely yours,

JOHN E. KELLEY,
American Consul.

CONCLUSIONS AND RECOMMENDATIONS CONCERNING THE WAR IN VIETNAM

Mrs. SMITH. Mr. President, recently a small group of citizens of Wisconsin, Massachusetts, New York, and Maine met in Wisconsin to discuss the Vietnam problem. They gave serious thought to the problem and arrived at striking and thought-provoking conclusions. They then crystallized such conclusions into specific recommendations.

I am honored that they chose me as the person to whom to present their conclusions and recommendations. In response to their expressions to me, I have sent a photocopy of their letter to the President for his consideration.

Because I feel that their conclusions and recommendations are worthy of consideration by the Members of this body, I ask unanimous consent that their letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MILWAUKEE, WIS.
September 11, 1967.

Hon. MARGARET CHASE SMITH,
Senate Office Building,
Washington, D.C.

DEAR MRS. SMITH: A letter coming from Milwaukee may seem a little unusual, but I would ask you to consider the general thought contained which could be helpful.

A group of us from Milwaukee, Massachusetts, New York and Maine met at South Brooksfield last week and had a lengthy discussion about the Vietnam problem. It was the consensus that, while this country has embarked on a proper course, in view of both its own history and its commitments to aid and assist other countries, we do appear to have a problem of world-wide consensus.

If we understand the situation correctly, our country has made mutual military aid pacts with approximately twenty-five countries, including South Vietnam.

It would be our suggestion that the President or Mr. Goldberg request a convocation of the United Nations for the following purposes:

First, to state very explicitly how we got into Vietnam and why we feel morally obligated to remain there despite the deaths of many thousands of our finest young men.

Second, to pose to the United Nations the theory that the United States feels that its course and enormous costs are morally correct.

Third, that being a democracy, we would submit our position to a world-wide referendum.

Fourth, if such referendum resulted in a decision that the United States should remove itself from Vietnam, it would also be explicitly understood that our commitments to some twenty-five other countries also would be voided.

Obviously, if our support to a relatively small and helpless nation (at tremendous cost to American lives) is not considered appropriate in a world-wide referendum insofar as Vietnam is concerned, it would obviously be equally inappropriate for us to continue similar support arrangements for West Germany, England, Spain, Japan or any of the other nations to which we have the same kind of commitment.

The South Brooksfield group feels that it has a two-fold purpose here: First, to induce world-wide democratic consensus—or a vote—as to whether we are or are not pursuing a proper course. Second, in the event that a world-wide consensus voted against our course, it would be specifically understood in advance that our equal commitments to other allies would be negated. This should induce them to maintain this country's continuing support by doing everything they could to help bring about a satisfactory and honorable peace in Vietnam—and there is much many could do.

All of us who met in South Brooksfield (including my parents-in-law, Mr. and Mrs. C. L. Baker, who are registered voters there), felt that you could best pursue the thought outlined above, or many of its incalculable variations, to the most fruitful results. While most of us are Republicans, we admit to ourselves that if we were asked how to better solve the problems than the President's current program, we would not have a very good solution. Our Vietnam catastrophe is a bipartisan problem.

We, at South Brooksfield, liked to believe that if the entire problem and its solution were made a democratic decision by the whole world some rather fruitful consequences might result.

Respectfully yours,

ROBERT A. BURNS.

GREAT SALT LAKE NATIONAL MONUMENT

Mr. MOSS. Mr. President, in July of this year, the Senate passed S. 25, to establish the Great Salt Lake National Monument. The bill is now pending in the House of Representatives.

Recently, an article entitled "Monumental Controversy Over Antelope Island," published in the National Observer for Monday, September 4, 1967, came to my attention. In the article, Nelson Wadsworth reviews the situation surrounding the national monument proposal and has some very interesting comments to make about Antelope Island. It should be pointed out that Antelope Island is the platform which constitutes the Great Salt Lake National Monument.

From this very primitive and appealing island, one can view the lake and can enter its waters for bathing, or can hike to the high, craggy peaks, and can look back to see the Wasatch Front and much of the Great Basin. He can stand on the water-level beaches of prehistoric lakes, or picnic near one of the island springs, or view buffalo, deer, and other animal and bird life which abounds.

Mr. Wadsworth points out that, contrary to opponents' views, Antelope Island is not "a barren, desolate desert isle, hostile to man, and not worthy of national monument status." It is a very beautiful, appealing, primitive, and untouched area and is very near to Salt Lake City.

I think that Senator BENNETT put it best when he said at the hearings that the island might not be noticed by anybody if it were anywhere but in the center of the Great Salt Lake. In saying this, he put his finger exactly on the point. The island is in the Great Salt Lake and, therefore, stands out as a notable landscape feature, and it gives a point of access and observation on the lake.

For more than 20 years, residents of Utah have been embarrassed and disappointed that the Great Salt Lake was not accessible to visitors or to local citizens because the receding of the water of the lake left extensive mud flats and barren beaches. During all of this time we have felt that something had to be done to make the lake available for swimming and boating, but also available for observation of its geologic and historic wonders. The ranch house that exists on Antelope Island is the oldest dwelling house in the State of Utah, still being used for its original purpose.

The lake itself has had a romantic history as a channel of commerce carrying ore from the northern areas to the smelters on the south shore of the lake, but was also a barrier to the transcontinental railroad and had to be bridged with a causeway some years after the golden spike had been driven at Promontory Summit. It is a great geographic feature of the Mountain West—America's Dead Sea.

Recently, the National Geographic carried a very interesting article dealing with the waters of the Great Salt Lake and the life that exists therein. All of these things make it of great interest to the people of America and indeed to the tourists of the world.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BEACHHEAD ON THE GREAT LAKE—MONUMENTAL CONTROVERSY OVER ANTELOPE ISLAND

(By Nelson Wadsworth)

SALT LAKE CITY.—One of the lesser but still highly emotional issues facing Congress this session is a bill introduced by Sen. Frank E. Moss, Utah Democrat, to create a national monument out of Antelope Island just off the eastern shore of the Great Salt Lake.

Utah's own congressional delegation is hopelessly divided on the bill. As sponsor, Senator Moss argues that Antelope Island will give America a picturesque and intimate access to the Great Salt Lake, the famous, intriguing "Dead Sea" of the Western Hemisphere. And, he says, millions of tourists will flock to it.

But, counters Sen. Wallace F. Bennett, Utah Republican, Antelope Island is nothing more than a barren, desolate, desert isle, hostile to man and not worthy of national monument status. Besides, he says, Utah has already started to develop a state park on the best acreage of the island, and this will be sufficient to quench the curosity of Great Salt Lake visitors.

In July the Senate passed Mr. Moss' bill, 46-35, on a roll-call vote, but now it lies pigeonholed in the House Interior and Insular Affairs Committee and likely will not be reported out until early next year, if then.

FEW HAVE SEEN THE LAND

The two senators are often at odds politically, but on this one issue, even the people of Utah find themselves divided, and not necessarily along political lines. Rare indeed is the Utah citizen who has inspected firsthand that hazy land that juts from the southeastern short of the lake. It is called Antelope Island although at the moment it is really a peninsula because of the receding waters of the Great Salt Lake. To the extremely curious, however, the island's shores beckon, if for no other reason than to find out what possibly can generate such violent debate between the state's senators.

A bumpy, rock-strewn road leads straight to Antelope Island across mile after mile of dull, gray mud flats. The island can be seen from a distance, her rocky peaks standing misty and mysterious on the distant horizon.

Here indeed is an "enchanted island," located not in some faraway ocean but in the heart of America's arid West—a true desert isle, primitive and virgin, yet only 20 miles as the crow flies from downtown Salt Lake City.

Before the road reaches the island, a large, padlocked iron gate blocks the way. Because the island is privately owned, visitors are discouraged. With permission from the owners and a key to the padlock, through, passing through the gate is like a trip back more than a century. The island is practically unchanged since trapper Jim Bridger discovered the Great Salt Lake in 1824. Though its peaks are clearly visible to surrounding civilization along the thickly populated Wasatch Mountain front, Antelope Island has remained isolated in its primitive environment away from the advancement of man.

A thick stand of dry June Grass, now glowing bright yellow in the waning afternoon sun, completely covers the 24,000-acre, 15-mile-long isle. This is broken by juniper trees, black lava rock, and a wide variety of plant growth that is nurtured by the island's many flowing springs.

Antelope Island teems with wildlife, just as it did when the Mormon pioneers first settled in Utah in 1847. Antelope, which gave the island its name, disappeared from the island's slopes in 1870, but a herd of buffalo has survived in the wild habitat since they were planted here in the 1890s. And this herd is among the last unfenced bison remaining in a wild state in America.

Deer, fox, rabbits, and several varieties of rodents, including the peculiar little kangaroo rat, thrive in the island environment. Because they are unhunted, the deer merely prick up their ears in curiosity and saunter away when they see island intruders. The rocks on the island are alive with chukar, a variety of quail that have multiplied profusely since they were planted a few years ago.

BUFFALO GNAT

The most notorious creature on the island is by far the smallest. He's a tiny black fly no bigger than a pinhead, known locally as the "buffalo gnat." During the spring he hatches by the millions and boldly attacks anything that moves. His bite carries a wallop. It leaves an itchy welt for a week. Insect repellant, liberally applied, does not entirely discourage the fly.

To feel the island's enchantment, stalk the wild bison as the pioneer hunters did in the 1880s with your only weapon a camera. Or walk at dusk along the island's western beaches and look out upon the crimson and gold sunset.

Or, for contrast, momentarily fill your nostrils with the unusual acrid odor of decaying brine shrimp washed up on the gray, oolitic sands. Then watch the heavy, moody waters of the lake froth restlessly at the beach. Swim buoyantly, unable to sink, in Salt Lake's blue depths, and feel the tight tingling sensation of salt precipitating on your flesh.

Wade out to tiny spit off the northern shore of Antelope Island, where hordes of sea gulls nest, and listen to the incessant screeches of the restless birds that saved the Mormon crops from a cricket plague in 1848.

Beautiful, some will say. But others, less impressed by the desolate hostility of this place, will shake their heads, and call it ugly and Godforsaken.

More than likely this primitive island in America's vast "inland sea" will one day be added to the country's growing list of scenic points of interest. If the Federal Government does not invest taxpayers' dollars in developing access and facilities, the State of Utah seems likely to do so. The 1967 Legislature appropriated $400,000 for Antelope Island's development and recently negotiated a lease-purchase agreement with the owners for purchase of some 2,000 acres of land on the northern shore, where the best beach for recreation is located.

When development is finished, whether state or Federal, Antelope Island will be the only entree the public has to the Great Salt Lake. Outside of a few small swimming beaches on the bleak south shore, there is no place where the public can come in intimate contact with this natural wonder.

It has been a source of embarrassment to the State of Utah for many years that tourists can hardly find a place to see Salt Lake, let alone swim and boat in it. The south shore swimming beaches are located at the base of the sprawling Garfield Smelter, an industrial complex that spews smoke and noxious odors. Elsewhere, except at Antelope Island, the water of Salt Lake has receded into the distance, and visitors must be content to view the lake across odiferous sand bars and mud flats, some polluted over the years by sewage and industrial wastes that add to the smells of the natural organic decay of lake life.

A WRONG IMPRESSION

"Just what do you tell a visitor to Utah who naturally wants to see the Great Salt Lake?" asks a Utah Travel Council official. "You send him to one of the few swimming places, all the time knowing he will go home disappointed and obviously with a wrong impression of the beauty of the lake."

Since pioneer days, the island has been owned by a livestock company called the Island Ranching Co. Visitors are strictly prohibited from trespassing onto the property. Owners are fearful of another fire like one in 1945 that destroyed thousands of acres of valuable grasslands. They are also anxious to keep their island virgin.

Park Service Director George B. Hartzog, Jr., estimates it will cost more than $2,000,000 to buy the island property and another $8,840,000 to build park facilities and access roads. It might be a bargain at that.

REAPING THE WHIRLWIND

Mr. BYRD of West Virginia. Mr. President, a recent editorial appeared in the Jackson Herald, of Ripley, W. Va., titled "Reaping the Whirlwind." Mr. Sattis Simmons, editor of that newspaper, hit the nail right on the head when he said, with reference to rioters in our cities:

> They will have to be controlled, or the Nation which all officials took an oath to preserve, protect and defend, will be destroyed.

I ask unanimous consent to insert the editorial in the Record.

There being no objection, the editorial was ordered to be printed in the Record as follows:

Reaping the Whirlwind

The rioting taking place in many cities of the country is nothing short of anarchy.

Where it will lead nobody seems to know but it is proof that there is armed revolution in the country. It is a case for President Johnson, the U.S. Supreme Court, Congressmen, and high government officials of "the chickens coming home to roost."

For a long time they have coddled, encouraged, cajoled, and advocated the Negro demanding his civil rights by marching, rioting and demonstrating. Now, they are out of hand, and since it has reached the point where something will have to be done the next thing we will hear will be that they have let the rioters down.

But it has come to the place where they will have to be controlled, or the nation which all officials took an oath to preserve, protect and defend, will be destroyed.

Our government needs to demonstrate to the world that it can control itself.

WHO KILLED PFC. TIMOTHY R. CLARK, OF KANSAS CITY, KANS., IN VIETNAM?

Mr. GRUENING. Mr. President, more than 3½ years ago—on March 10, 1964—in a major speech in the Senate in which I urged:

> Let us get out of Vietnam on as good terms as possible—but let us get out.

I asked the question:

> If your drafted son is sent to Vietnam and is killed there would you feel that he had died for our country?

An answer came to me recently from Dr. M. Edward Clark, professor of religious education at Central Baptist Theological Seminary, Kansas City, Kans.

In his hand-penned note to me he said:

> I know of your deep concern over our present policy in Vietnam and appreciate the stand that you have taken. Though my son is dead, I hope I may be instrumental in saving someone else's son.

This was penned on a letter addressed to the Members of the U.S. Senate. Attached to it was a copy of a letter Dr. Clark had sent to President Johnson upon receiving word from the President that Dr. Clark's son, Pfc. Timothy R. Clark, had been killed in action in Vietnam.

In his letter to President Johnson, Dr. Clark asked the following pointed, pertinent questions:

> After two years of active involvement of American troops can you or your advisors believe that we are any nearer to peace now than we were two years? Indeed, are we not farther away?
>
> After more than 12,000 war dead, can you or your advisors believe that after the sacrifice of another 12,000 we will be any closer to peace than we are now?
>
> After the tremendous build up in arms and men, can you believe that militarism in America is less of a threat than it was before the build up began?
>
> After the countless demonstrations in every part of the world, can you honestly believe that American prestige and influence in the world is on the gain?
>
> After countless attempts at the "pacification of the countryside" in South Viet-Nam, can you or your advisors honestly believe that the South Vietnamese are the supporters of Premier Ky or of American intervention?
>
> After the riots in Detroit and Newark is it not increasingly clear that the deliberate increase of violence in Viet-Nam has brought a corresponding rise in violence at home?

In an article written by Dr. Clark entitled "Home From Vietnam: June 14, 1967," published in the Christian Century for August 23, 1967, Dr. Clark asks the ultimate question which naturally would be uppermost in a father's bereaved mind:

> Who killed my son?

He answers his own question in these poignant words:

> Who then killed my son? The Vietcong? The North Vietnamese? No, not they alone. I killed him. False and greedy patriots killed him. Prideful and ambitious politicians killed him. The armed forces of his own nation killed him. The guilt of his death is upon us all. His blood and the blood of 11,000 is on our heads. Each new day brings more oblong gray boxes to rest on our doorstep.

I ask unanimous consent that Dr. Clark's letter to the Members of the Senate and to the President, and his article in the Christian Century for August 23, 1967, entitled "Home From Vietnam: June 14, 1967," be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Christian Century, Aug. 23, 1967]

HOME FROM VIETNAM: JUNE 14, 1967

(By M. Edward Clark, professor of religious education at Central Baptist Theological Seminary, Kansas City, Kans.)

On the night of June 14, 1967, I sat on the running board of a United Air Lines jeep waiting for the flight from San Francisco to come in. The arrival, scheduled for 11:13 P.M., was already a half-hour late.

As I waited I thought about my son, Tim. He was returning home from Vietnam on that flight. Little more than a month before, on May 2, I had waited at that same airport after Tim had said good-by and boarded a T.W.A. jet for San Francisco. That evening, at sundown, my wife and I, my daughter, my grandson, and Tim's girl of a few short days stood on the observation deck while his plane was delayed, first for late passengers and then for the landing of an incoming plane. Then the jet pushed its nose into the sky and dipped away toward the west, finally becoming a dark speck against the pale glow of the evening sky.

I

Now my son was coming home. The minutes dragged on. At last, shortly after midnight, a string of baggage carts came into sight and I knew that Tim had arrived. The jeep pulling the wagon train came to a stop at the freight office of United and a young man in uniform stepped out and shook hands first with the undertaker and then with me. "I am Lieutenant Campbell," he said. "I have been assigned as an escort for your son. May I extend my sympathy."

My son was in an oblong gray plywood box with two bronze handles on either side. Stenciled across one end of the box were the words "Pfc Timothy R. Clark US 55 881 629." On the top of the box at one end was the word "Head," and on the upper corner of one side were the words "Flag inside."

So now my son was home. Home from the scraggly brush-covered hill where, the Thursday before, he had written us a letter, his last letter. He had said that in his idle moments of waiting he let his mind roam the streets of Kansas City, visualizing each corner, each building, the lights at night; the memory took away some of the loneliness of Vietnam. The next day at 2300 hours (11:00 P.M.) Tim took the brunt of a hand grenade thrown by a "hostile" soldier. Up to the time he wrote his last letter, Tim had not seen a hostile soldier, neither a Vietcong or a North Vietnamese. But he had seen some of the results of their activity. A couple of weeks before, while his battalion was out on perimeter defense, the bunker that was serving as their headquarters had been mortared and machine gunned, and six of his buddies had been killed and eight wounded. Later, he heard, one of the wounded had died.

The probability is that Tim never did see a Vietcong or a North Vietnamese soldier. If so, at least one of his wishes was fulfilled, for in several of his letters he expressed the hope that he would never see any of the "enemy."

So now his last flight had touched down, and he was home never to fly again, never to sing or sigh again, never to wish or hope again; his only task now to wait out the long slow hours of eternity, where the hatreds of men cannot enter.

The freight clerk opened the freight-house door and the baggage cart was backed up to the waiting hearse. The four of us—the escort, the undertaker, the freight man and I—shoved the gray box from the cart into the hearse. This done the escort said: "Mr. Clark, the army has declared your son to be nonviewable. If you would like we, the undertaker and I, can open the casket in the morning and see if he can be made viewable, but we don't know." I answered that the viewability of the body was not important, and that we did not plan on an open casket during the funeral ceremonies.

With that the three of us got into the hearse and began the drive to the funeral home. On the way to the airfield I had expressed to the funeral director the wish that after we had picked up the body we might take a sentimental journey and drive down the streets Tim had seen in his mind's eye so shortly before the grenade found him.

So as we crossed the Broadway bridge the undertaker steered the car south into Main street, past the theaters, the bars, the stores, down to Fourteenth street, where we turned left to Grand, then north on Grand past the Midland Camera store where Tim had bought some of his camera equipment, past the bus station where, just a year ago, he had arrived one midnight from Fort Leonard Wood on his first weekend pass. Then across the viaduct and on to the intercity expressway to Kansas City, Kansas, and the funeral home.

All that was four days ago. The last of the ceremonies is over. Relatives who arrived before the body of my son will leave in the morning. Only a small plot of broken sod and a few wilted flowers mark the spot where one who once dreamed dreams great and small, one who dared to walk the earth as a friend to all men, who scorned the ordinary and fought desperately within himself to be what every man ought to be: a unique human being—only the broken sod and the fading flowers mark the spot where one, once so full of hope, now lies distorted and nonviewable.

II

Who killed my son?

The telegram sent by the army said he was killed by a detonated grenade thrown by hostile forces—by the communists or the North Vietnamese or the Vietcong. There is at least a half-truth here, but, alas, only a half-truth. A hostile force was, to be sure, the immediate cause of his death. But that fact is really but the final detail. The ultimate cause of the death of Timothy R. Clark, of the other 175 who were killed that week, of the more than 11,000 Americans who thus far have lost their lives in Vietnam and of the many who are yet to die—the cause of all these tragic deaths ultimately can be traced to three things: Pride, Greed and Indifference.

Why do the Vietcong and the North Vietnamese fight so stubbornly against the most powerful nation in the world? Because to admit defeat would be to surrender all pride, pride which long ago the French took from them and which they finally retrieved by defeating the French at Dien Bien Phu.

Why does the American high command sacrifice life after life when admittedly the land it holds is beside the point? Again the answer is pride—the pride of a proud man who has the support not only of other proud men but of greedy men as well. For is it not true that there is much more room for promotion and advancement when a war is on than when peace prevails? Perhaps they are not conscious pride and greed; they can always be rationalized as patriotism. But they are pride and greed nonetheless. And will anyone pretend that there is no greed in the companies that fight for the war contracts?

What of indifference? Since World War II conscription—something many of our ancestors came to America to escape—has become the accepted thing. So indifferent are we that hardly a murmur is raised when the Congress proposes a law that will draft 19-year-olds as first choice; for 19-year-olds make better soldiers! Do they indeed? Or is it rather that 19-year-olds can more easily be led to believe what the army wants them to believe? Is it that they will go simply because they are told to go? Escort Campbell told me that the only reason he had for being in Vietnam was "orders."

III

The fact is, as a recent editorial in the *Boston Globe* indicates, that the industrial-military-scientific-political complex finds this war a convenient way of satisfying its selfish purposes. The casualty lists are getting a bit longer now, but they have not yet reached the danger point. A few more waves of the flag will keep the war going at least for a while yet.

Besides, most of the casualties are high school or college dropouts and their parents aren't apt to be in positions of power. The wealthy and the prestigious can keep their sons in school (the proposed new law makes it even easier) until the danger of the draft is over. Hopefully there will be plenty of 19-year-olds so that those who are older will not be called. Indifference and the cultic religion of Americanism will take care of most of the problems.

Who then killed my son? The Vietcong? The North Vietnamese? No, not they alone. I killed him. You killed him. False and greedy patriots killed him. Prideful and ambitious politicians killed him. The armed forces of his own nation killed him. The guilt of his death is upon us all. His blood and the blood of 11,000 is on our heads. Each new day brings more oblong gray boxes to rest on our doorstep.

But the madness continues. Last week 176 Americans were killed, and who knows how many Vietnamese, South and North, soldier and civilian. This week there will be more. And each week the slaughter continues, pride and greed increase and we edge nearer to the point of no return, a nuclear holocaust that will devastate the earth and make us all nonviewable.

Madness, madness, madness!

KANSAS CITY, KANS.,
July 31, 1967.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: After writing innumerable letters to you over the past eighteen months relative to my deep concern about American involvement in Viet-Nam, I have finally received a letter from you. It begins as follows:

"Please accept my deepest sympathy in the death of your son, Private First Class Timothy R. Clark . . ."

The death of my son in Viet-Nam has increased my concern. With due appreciation for the dilemma in which you find yourself, it must now be abundantly clear to all but the willfully blind that our strategy in Viet-Nam is wrong, and that the whole basis for our presence in Viet-Nam not only needs to be called into question but has been called into question by practically all the rest of the world.

After two years of active involvement of American troops can you or your advisors believe that we are any nearer to peace now than we were two years ago? Indeed, are we not farther away?

After more than 12,000 war dead, can you or your advisors believe that after the sacrifice of another 12,000 we will be any closer to peace than we are now?

After the tremendous build up in arms and men, can you believe that militarism in America is less of a threat than it was before the build up began?

After the countless demonstrations in every part of the world, can you honestly believe that American prestige and influence in the world is on the gain?

After countless attempts at the "pacification of the countryside" in South Viet-Nam, can you or your advisors honestly believe that the South Vietnamese are the supporters of Premier Ky or of American intervention?

After the riots in Detroit and Newark is it not increasingly clear that the deliberate increase of violence in Viet-Nam has brought a corresponding rise in violence at home?

The solution of the tragedy in Viet-Nam will not come about by the courage of our fighting men, great though that is. The solution will come only when you and those who advise you have the courage to face the reality of the situation, to realize that our present strategy in Viet-Nam is a tragic error from every point of view, and to have the courage to admit the errors of the past, going back to Eisenhower, and to devise a radical change of strategy. I pray that you may have that kind of courage.

The heritage of hate which even now we, and the French before us, have built up in Southeast Asia will haunt us for generations. It is time for a reversal of policy, otherwise the generation now being born will pay with their lives, even as my son had to pay with his, for the mistakes now being made.

Sincerely yours,

M. Edward Clark.

Kansas City, Kans.,
August 28, 1967.

To the Members of the U.S. Senate

Dear Senator: Let me add my strongest protest over the continuing tragic involvement of the United States in Viet-Nam. I speak not only because of the death of my son in Viet-Nam on June 8, 1967, but on behalf of the whole moral standing of the United States as a people.

We have made the terrible mistake of concluding that because America has fought for just causes in the past, that now because we are fighting our cause is just. It is no exaggeration to say that our position in Viet-Nam has created more Communists in Asia, South America, and many other parts of the world than we can possibly imagine.

May I call your attention to the two items enclosed: (1) An open letter to the President. The original letter (slightly different) was answered by the Public Affairs Office of the State Department, in a most unsatisfactory manner. (2) A copy of the August 23 issue of *The Christian Century* which contains some reflections upon the death of my son.

The time has come for the Senate to call a halt to the authorization, which the President now assumes was given to him in the Tonkin Gulf Resolution, to conduct a war of obliteration on both North and South Viet-Nam. Each day of postponement leads us closer to chaos.

Your most strategic efforts, apart from partisan politics, are urgently requested in order to bring the war to a negotiated settlement and thus stop the carnage.

Sincerely yours,

M. Edward Clark.

DEATH OF A PENALTY

Mr. HART. Mr. President, to one who has advocated for a good number of years that capital punishment be abolished, any published report that the citizenry is more willing to give up its electric chairs and gas chambers heightens my hope for its own future.

There is much truth in the saying: A chain is only as strong as its weakest link. And the pollsters will bear me out when I say that the American people are recognizing that death row is a weak link in our system of justice, a weak link in our code of morality, and sometimes, a weak link in our efforts to combat crime.

The trend in the United States today is moving dramatically away from legal homicide and toward a more humane system of law enforcement.

I ask unanimous consent that an article published in the Detroit News of August 17, which describes the latest public attitude on capital punishment, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Death of a Penalty: Few Criminals Pay With Their Lives Today; Efforts To Abolish Executions Seem To Be Gaining

(By Tom Tiede)

New York.—Everything was ready at the Ohio State Penitentiary. Witnesses had been notified, forms filed, official details neatly completed. As for the electric chair itself, it stood in ominous waiting.

The time was set for 8 p.m., a Friday.

John McClellan was about to die.

According to the law, McClellan deserved the fate. He had roped up a companion, stabbed him and allowed him to bleed to death. Convicted and sentenced to maximum punishment, no mercy was recommended.

Yet mercy was given. Because of last-minute decisions the prisoner received two reprieves, one for 10 days, the other for three months. And today John McClellan sits in his cell and hopes for commutation.

He is hardly alone in this respect. There are 403 men like him waiting in death houses all over America. Most have been there for months, some for years, at least one more than a decade. They, like McClellan, are waiting for the mercy which their juries did not recommend.

Fact is, the majority of death row inmates today stand small chance of ever being executed. The trend in the United States is moving dramatically away from legal homicide. And, for the first time in U.S. history, capital punishment is being virtually ignored.

Figures prove the point. In 1935 there were 199 executions in the nation; in 1955 there were 76; in 1965 there were seven. Last year only one.

The conclusion is clear: the death penalty is dying.

Indeed it is dead in the 13 states which have already either abolished or modified the execution law altogether. And it is dead in a de facto sense in dozens of other states which haven't invoked the law for years.

Ten states haven't held executions in this decade. New Hampshire hasn't held one since 1939.

"We have a couple of condemned men in our prison right now," says a New Hampshire policeman. "But the only way either of them will ever die is by old age or accident."

Many couldn't be happier with this current swing to leniency. Among them is Senator Philip Hart, Michigan Democrat. His state abolished the death penalty in 1847. He has asked Congress to outlaw the punishment on the federal level. He feels it isn't asking for much since 73 other nations have already done so.

Hart's objections to the death penalty, he says, are "clear and unmistakable." It does not deter crime. It does not protect law enforcement officers. It does not permit rectification of errors. And it discriminates against minorities and the poor.

This view is seconded by former Ohio Gov. Mike DiSalle, who during his four years in office commuted six people from Ohio electrocution but unhappily could do nothing for a half-dozen others who died.

DiSalle is chairman of the National Committee to Abolish the Federal Death Penalty. "We hope," he says, "that a federal ban will encourage the individual states to do likewise."

The Department of Justice has gone on record for abolition. Commutations on the state level are at an all-time high. In Florida, a federal court has ordered a stay of execution for 51 death row inmates until the "constitutionality of electrocution" is cleared.

In California, various civil liberty maneuvers have at least temporarily blocked the execution of 58 men in San Quentin.

Even the public has softened its attitude. Where the man on the street once favored capital punishment by 69 percent (1935), the Gallup Poll now indicates 45 for, 43 against, 12 no opinion.

So the tide moves toward mercy. And while it does, 403 condemned men wait.

Florida, as example, has made a penetrating study of the equality of the death penalty laws and the findings are embarrassing.

According to the study, the United States executed 449 men for rape between 1930 and 1963 and 90 percent of those condemned were Negro. During the same period, Florida executed 36 men for rape and 35 were Negroes.

There are, of course, a few Negro rapists who aren't expeditiously electrocuted. In Florida, one was granted a new trial . . . and shot dead by a sheriff while en route to court.

However, some people want to die. Forty-nine minutes before he was to die in the Georgia electric chair, rapist William Patrick Clark, 29, was granted a stay of execution by Gov. Lester Maddox. The prisoner was far from grateful.

"Why'd this happen?" he groaned. "I want to die."

"Gosh," asked Maddox, "is the guy nuts?" The guy is not. He has decided that a quick painless death is immeasurably preferable to the drawn-out horrors of life imprisonment.

Such an opinion is the view of many people, a good number of whom are law enforcement officers who stand against the current national trend toward substituting lifetime confinement for all crimes now punishable by extermination.

The police view is simple: life is sometimes worse than death.

"Imagine 30 or 40 or 50 years inside a penitentiary," explains a Midwest police chief. "Imagine getting up every day for 50 years and knowing that it won't be an iota different from the day before, or the day after, or the day after, or the day after.

"It has to be the cruelest form of punishment ever devised. Actually, what we do when we condemn men to life is to condemn them to homosexuality, mass degradation, inconceivable regimentation, hatred and a hundred other abominations."

Not all law officers dispute life imprisonment purely for the prisoner's sake. Instead, many are concerned with its effect on public welfare.

One such view is that the sentence of life imposes the second of two major burdens on society. The argument is that the first burden is the actual crime committed, and the second is the tax money which must be spent for the criminal's lifetime keep.

Another police opinion holds that society's will would be abused if some types of capital offenders received life instead of death. The type referred to are mass murderers and men such as presidential assassins who create national wounds and national outrages.

A third thought is the traditional police worry about prison escapes. According to this view, if life confinement became the law, society would be saddled with a greater problem of killers breaking their way back into the streets.

Says FBI Director J. Edgar Hoover: "We must never allow misguided compassion to erase our concern for the hundreds of unfortunate, innocent victims of bestial criminals."

Hoover and others constantly remind that "compassion" must necessarily be modified when dealing with certain kinds of outlaws, that morality must not fog the "insensible violence" of such outlaws, that the public must be fully protected from such outlaws.

One human illustration Hoover uses is the husband-wife team which kidnaped a six-year-old girl. The child was "choked, beaten and raped" by the man. Afterwards, the wife allegedly killed the child "with several blows with a tire iron."

Police feel the antiexecution movement in America is gaining convert after convert and is close to new victories.

Some officials have in fact all but given up the fight.

"The day will probably come," says a worried police chief, "when capital punishment will be a memory and we'll have to build whole new prison institutions just to handle the hordes of resulting lifers."

OVERPROTECTION OF CRIMINALS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record a column by William Raspberry, which recently appeared in the Washintgon Post, the column being titled "Jurist Cites Problems in Overprotection of Criminals."

There being no objection, the column was ordered to be printed in the Record, as follows:

Jurist Cites Problems in Overprotection of Criminals

(By William Raspberry)

When people start to talk about the causes of the Nation's spiraling crime rate, the U.S. Courts of Appeals are often singled out as major culprits.

The appellate courts, the critics complain, have become so preoccupied with protecting the rights of the accused that they have quite forgotten the rights of the law-abiding citizenry.

Now the critics have been joined by a member of a "culprit" court—Judge Warren E. Burger of the U.S. Court of Appeals in the District of Columbia.

Speaking recently at Ripon (Wis.) College, Judge Burger recounted the development in our legal system of protection for the accused. In general, he considers the legal safeguards valid and just.

"But governments exist chiefly to foster the rights and interests of its citizens—to protect their homes and property, their persons and their lives," he said.

"If a government fails in this basic duty, it is not redeemed by providing even the most perfect system for the protection of the rights of defendants in the criminal courts."

Our legal protections, that is to say, may be too much of a good thing.

Says Judge Burger, generally considered a "responsible moderate":

"Our system of criminal justice, like our entire political structure, was based on the idea of striking a fair balance between the needs of society and the rights of the individual."

To implement this idea, we have instituted a system of checks and reviews of individual acts and decisions, and taken steps to reduce the risk that an innocent person will be convicted.

These, Judge Burger acknowledges, are pluses.

But our system also contains serious negatives, he insists. Among them:

Our criminal trials are delayed longer after arrest than in almost any other system.

Our trials, after they begin, are dragged on longer than in almost any other system.

Accused persons are afforded more appeals and retrials than under any other system.

We afford the accused more procedural protections—exclusion and suppression of evidence and dismissals for irregularities in the arrests or searches—than under any other system.

The long delays and the uncertainty of punishment, Judge Burger says, create two serious problems: The law-abiding become enraged, embittered and frustrated; the criminals are encouraged in the belief that they can get by with anything. The whole system suffers as a result.

And all the talk that criminals don't read the opinions of appellate courts is beside the point, he insists.

"Of course they don't" he said. "But is the real issue whether people read the opinion, or is it whether the actions of courts, which are widely publicized, have an effect on public attitudes?"

And while we go to great lengths to furnish protections for the accused before and during the trial, we do virtually nothing to rehabilitate him after he is convicted, he said.

Judge Burger compares our system with that of Northern European countries like Norway, Sweden, Denmark and Holland.

He notes, first, that the crime rate in those countries is significantly lower than ours. (Sweden, with 8 million inhabitants, has about 20 murders a year; Washington, with one-tenth Sweden's population, has eight times as many murders.)

Why the difference? He suggests that part of the answer may lie in the differences between the legal systems. He lists these as some of the important ones:

Northern Europe has significantly shorter trials, fewer delays and no lay juries. Criminal trials generally are held before three professional judges.

There is no counterpart to our Fifth Amendment.

They go swiftly, efficiently, and directly to the question of whether the accused is guilty.

This last point is most important. One of the reasons why people have come to mistrust our courts is that too many people who are patently guilty—and may even have freely offered confessions to crimes—are let go.

Some of Judge Burger's criticisms can be met by the simple expedient of increasing the number of judges to reduce court dockets. But others go to long-held fundamentals and may even require constitutional amendments.

Judge Burger clearly considers it time to do whatever must be done to ensure swift and certain justice.

OCCUPATIONAL HEALTH

Mr. MOSS. Mr. President, it is becoming increasingly clear that the field of occupational health in the United States is receiving less attention at this time than ever before.

Millions of American workers are every day exposed to health hazards which cripple and kill.

I came across a very well-written article by John P. Hoerr which discusses occupational health in America today. The attention of Senators is invited to the article, published in the September issue of Agenda.

I ask unanimous consent it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Long Overdue: Better Health Standards on the Job

(By John P. Hoerr)

When the air is "heavy," the foundry is engulfed in a thick bluish haze. In a small furnace room where roaring brass furnaces fill the air with nauseous zinc oxide fumes, the senior melter and his young helper wear only kerchiefs over the mouth and nose for protection. A young mold maker at the other end of the shop labors in a cloud of sand spewed up by a nearby sand sifting machine.

The scene? A small brass foundry in Pittsburgh. The time? Not 60 years ago, when children labored in garment industry sweatshops and hundreds of steelworkers were killed every year in the mills. The time is 1967.

This foundry has no in-plant health services, minimal safety procedures, and inadequate ventilation. Its people unknowing, work under a constant threat of damage to their health.

The same pattern is repeated in thousands of small plants across the U.S.

Only 20 percent of the nation's 80-million-man workforce is employed in plants where on-job health services are provided. While workers in large corporations are generally well protected from the "gross" effects of dust, fumes, noise, heat and physical hazards, many of the more subtle effects of the work environment on physical and emotional health are ignored.

Today, the entire field of occupational health badly needs an infusion of new concepts, methods and people for dealing with the effects of enormous technological change.

A 1965 Special Occupational Health Report to the Surgeon General of the U.S. Public Health Service, entitled, "Protecting the Health of 80-Million People," stated baldly: ". . . even in our enlightened society, millions of American workers, as a direct result of their occupations, are exposed to health damage—from toxic chemicals, from physiological stress, and, increasingly, from psychological stresses."

This is due in large part to lack of awareness, and even passive acceptance, of job health hazards. At the Pittsburgh foundry, a visitor asked the melter's helper, a studious young Negro who had been on the job only a few months, if the fumes bothered him.

"Sure," he replied in a matter-of-fact way. "I expect to get the shakes tonight. I'll mix me a little lemon, water and whiskey, and go to bed and sweat it out."

He was referring to the "brass shakes" (medically termed "metal fume fever"), caused by overexposure to zinc oxide fumes and characterized by fever and chills usually lasting less than 24 hours. The foundry foreman later admitted that most of the men in the shop would have the shakes that night; they had lost their immunity to zinc oxide during a three-day holiday weekend.

To these workers, the brass shakes was as much a part of foundry work as the heavy labor. But this attitude also blinded them—and foundry management—to more serious health threats. Tests conducted by the Pennsylvania Bureau of Occupational Health revealed high concentrations of lead and silica dust in the foundry air, raising the possibility of lead poisoning and silicosis.

A vice president of the foundry, informed of the test results, immediately agreed to install a new ventilation system and dust collection equipment. Management had known about the brass shakes for years and had laughed about it, he said, adding: "But with lead poisoning and silicosis, the problem is much more serious than we ever dreamed."

How serious is the job health problem on a national scale?

The 1965 Special Report on Occupational Health, which was developed under the close scrutiny of experts from labor, industry, and the medical profession, thought it so serious that it recommended an annual $50 million federal program in occupational health.

The report urged that PHS's Division of Occupational Health be given authority and funds to:

Revitalize state occupational health programs by granting funds, on a state matching basis, to enable state agencies to carry out programs now stymied by lack of manpower and legislative authority.

Develop federal criteria as guides for the states in establishing standards for industrial exposures to chemical and physical hazards.

Enforce federal health standards in industries engaged in interstate transportation and on jobs covered by the Walsh-Healey Act, which imposes regulations on companies with federal contracts.

Coordinate medical and engineering research on workplace hazards.

These recommendations added up to a potent prescription; too potent, say knowledgeable sources, for the likes of an agency as "timid" as PHS. The DOH budget for fiscal 1967 was $6.8 million. Last January, the Division emerged from a large PHS reorganization with a "program" status in the new National Center for Urban and Industrial Health, commonly regarded as a demotion.

Occupational health is now lumped together with such PHS activities as arctic health, solid wastes, milk and food sanitation, water quality, and home accidents. Critics fear the new center will be dominated by "engineers and pollution experts," rather than the professional medical leadership needed by occupational health.

"We're afraid," says George Taylor, occupational health specialist for the AFL–CIO in Washington, "that occupational health is going to get lost in that array of programs, relevant and irrelevant."

Some indication of the extent of potential health hazards in industry is shown in the results of a U.S. survey last year of 6,700 small plants in the Denver metropolitan area:

Of 140,000 workers covered by the survey, 30 percent worked with or at potentially dangerous processes which, ideally, should be inspected once a year to ensure adequate controls; in this group, inspectors found an average of 55 "inadequately controlled exposures" per 100 workers.

Although hazards were found in three-fourths of the 500 plants in a sample group, two-thirds of the management of these plants, like that of the brass foundry, "thought" they had no hazards; in the entire survey, only a quarter of the plants with 50 or more employees had plant safety committees.

Nobody knows to what degree occupational diseases are festering in the small plants where preventive health services consist of a bottle of aspirin and a packet of bandaids.

Meanwhile, medical researchers continue to produce new evidence of the effects of the work environment on workers' health. Exposure to asbestos dust in the textile industry has been associated with cancer of the lung. A high prevalence of emphysema is noted in several "dusty trades."

Lead poisoning keeps cropping up as industry finds new uses for lead-based compounds. Some steel mill environments have been statistically associated with a high incidence of respiratory illnesses.

Since 1963, 98 uranium miners have died of lung cancer. Secretary of Labor W. Willard Wirtz recently warned that two-thirds of the 2,500 uranium miners in underground mines work under conditions (high exposure to radon gas) that triple their chances of dying of lung cancer.

In May, overruling objection by the industry. Wirtz imposed strict new standards for radiation exposure in mines working under federal contract.

The health problems of coal miners bespeak a shameful national neglect. The centuries-old "miners' asthma" is now medically termed "coal workers' pneumoconiosis," a lung disease causing breathlessness and, in advanced stages, death. Dr. Lorin E. Kerr, assistant to the executive medical officer of the United Mine Workers, estimates that 70,000 retired and active miners now suffer from some stages of the disease.

These are only a few of the more urgent problems in occupational health. Actually, job health hazards seem to be multiplying rapidly. Every year some 500 newly-synthesized chemicals are introduced into industry, often without adequate knowledge of their effect on man's biology.

Emotional illness, including alcoholism, is another major area that calls for much more on-job research, and the current technological upheaval may be complicating the problem. As automation and computerization race through industry they are leaving profound imprints on workers' attitudes and emotional states. The changes in living patterns produced by the new technology—increased leisure time, demands for frequent changes in jobs, skills and home communities—are creating widespread tension and anxiety.

All of this suggests that occupational health programs could be at the very center of activity in the new emphasis on the environmental health approach. Environmentalists believe that most diseases, including some occupational diseases, are caused by many stresses from many environments—the job, the home, the community—in addition to hereditary factors.

Government-financed research and federal health standards can help make this approach effective, but occupational health programs must start in the plant.

Industry is also generally derelict—although there are many exceptions—in promulgating a concern for employees' health from the top downward in the management hierarchy.

It is ironic that while almost every company's annual report boasts that "our people are our most important resource," or words to that effect, it is a rare company management that knows as much about the health status of its "people" as it does about yesterday's sales and production figures.

"Medical men simply don't have status in industry," says a divisional medical director for a large telephone company. "Companies often subordinate the medical program to everything else in the business."

Critics are beginning to assail the larger corporations on another score. With their accessible work populations, companies are the ideal place to begin the tremendous job of research needed to determine how to postpone the onset of the degenerative diseases of the heart, lungs and other organs.

Through long-term studies of workers' exposure to many stresses on and off the job, plant medical departments could contribute invaluable data to research efforts aimed at prolonging life.

Only a few firms do this now: among them, Western Electric, Jones & Laughlin, AT&T, and the *New York Times*.

Unions also must share some of the blame for the relative stagnation of occupational health. Over the last half century, of course, the labor movement has been the goad, if not the technical innovator, for the large progress that was achieved in protecting workers from job hazards.

But too often in recent years unions have reacted to job health problems only on a "knee jerk basis," as one union health expert puts it. When large numbers of its members fall victim to an occupational disease, a union will mount a legislative campaign or, in some industries, call a strike.

These means are effective for the specific malady, but they do not represent a continuing effort.

George Taylor of the AFL–CIO conceded that hazard pay gets priority over health concerns in some cases. But he adds:

"Unions have been forced to hack their way contract by contract, in a piecemeal fashion, to adequate health and safety programs. But this approach is equally nonproductive as hazard pay which merely trades a worker's health against a few extra dollars. Either or both prevent sound and strong occupational health and safety programs being established industry-wide."

Unions could also put more time and money into health educational programs for members. Perhaps on too many occasions even today unionized workers adopt the same "smoke makes jobs" attitude that employers have long fostered in mill towns and coal camps—to the detriment still of many grimy communities.

For now at least, labor's hopes of occupational health are focused on Washington where the AFL–CIO, carrying out a mandate of its 1966 convention, is still lobbying for a strong federal program in occupational health.

Without realistic federal standards, there is little hope of preventing thousands of needless deaths from occupational hazards in the next few years. For instance, the health prospects of coal miners will continue in doubt until somebody makes a serious effort to discover what causes a disease that affects 70,000 workers in that one industry.

For that matter, why should any man who works for a living be subjected to any illness on the job—even one as "mild" as the brass shakes?

The shakes may be funny to a foundry worker, but you can die laughing.

FLOOD PROTECTION, GRAND-NEOSHO AND VERDIGRIS WATERSHEDS

Mr. CARLSON. Mr. President, Col. George A. Rebh, Tulsa district engineer, has submitted a report on flood protection for the Grand-Neosho and Verdigris Watersheds.

Reservoirs constructed on these streams protected 120,000 acres of land and prevented $3.1 million in damages during the floods of last June.

I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

CORPS RESERVOIRS PREVENT MORE THAN $3 MILLION DAMAGES

During two periods of heavy rains in the Grand-Neosho and Verdigris watersheds in June, Corps of Engineers projects in the Tulsa District protected 120,000 acres of land and prevented $3.1 million in flood damages. In addition, the Cheney (Kans.) Reservoir, a Bureau of Reclamation project operated by the Corps during flood stage, protected 400 acres and prevented $2,400 in damages.

Col. George A. Rebh, Tulsa District Engineer, said a total of 49,000 acres was protected and $900,000 in flood losses were prevented by the Toronto, Fall River, Elk City, and Cheney reservoirs in Kansas, and the Hulah Reservoir in Oklahoma during the period of June 10–14.

During a second period of heavy rains from June 20–30, the John Redmond Council Grove and Toronto reservoirs in Kansas protected 72,000 acres and prevented flood losses of approximately $2,200,000.

The Corps Hydrology Branch reported that flood control operation of Hulah Dam on the Caney River prevented 6 feet of flooding immediately below the dam to 3 feet of additional flooding as far downstream as Ramona, Okla.

Flood control operations for John Redmond and Council Grove reservoirs on the Grand-Neosho River prevented 8 feet of flooding at Burlington, Kans., to 3 feet of additional flooding at Commerce and Miami, Okla.

Col. Rebh noted that the newly-completed Elk City Reservoir, which reached its conservation pool for the first time in mid-June, protected 1,300 acres and prevented $13,000 in damages, and that Cheney Reservoir, which hasn't reached the top of its conservation pool, already has prevented flood damages.

The flood waters which were contained in the Kansas and Oklahoma reservoirs to alleviate flooding are now being released at less than channel capacity.

The floods ended a period of approximately one year's reservoir regulation for water quality flow. During the period of drought, releases were made from the reservoirs for water supply, water quality improvement, and fish and wildlife enhancement. Benefits of $322,000 accrued to Council Grove Reservoir from the water quality releases and benefits of $475,000 accrued to John Redmond Reservoir from the water quality releases.

Benefits on the Verdigris River from water quality releases from Hulah, Fall River, and Toronto reservoirs exceeded those of Council Grove and John Redmond reservoirs on the Grand River.

RED HAND IN NEW POLITICS SEEN

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a column by Mr. David Lawrence, titled "Red Hand in New Politics Seen," which appeared in the September 5, 1967, issue of the Washington Evening Star.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

RED HAND IN NEW POLITICS SEEN

(By David Lawrence)

Communists within the United States are active in seeking to influence, if not direct, many phases of the anti-Vietnam-war movement as well as in trying to stir up racial friction.

A federal agency has circulated a memorandum to other agencies in the government and to members of Congress documenting the relationship of the Communists to the convention held in Chicago in the past few days at which plans were made to organize a third political party. This correspondent has obtained a copy of the memorandum, and it follows in full text:

"Communists from various parts of the country have been converging on Chicago in recent days. The attraction is the five-day national convention of the National Conference for New Politics, a liberal antiwar group based in New York City. The convention, which is being held in the Palmer House, started on Aug. 31.

"Some of the delegates to the convention want to nominate civil-rights leader Martin Luther King for President of the United States and pediatrician Dr. Benjamin Spock as his 1968 running mate. Dr. Spock has been one of the most active participants in anti-Vietnam-war demonstrations.

"The Communist Party, USA, would welcome a third political party with a national ticket headed by King and Spock. In fact, at the annual May Day rally, held in New York City last spring, the Communist chairman of the rally stated that 'peace forces' must mobilize to put President Johnson out of office in 1968. He then suggested that King and Spock were better suited than President Johnson for the White House.

"The Communists, however, do not want this convention to nominate candidates for a presidential ticket. If the efforts of the Communists to influence policy of the National Conference for New Politics are successful—and qualified observers believe that they will be—this convention will merely agree to the formation of a third-party ticket. Meanwhile, the selection of candidates will be postponed until a nominating convention is held sometime in the spring of 1968.

"These qualified observers advise that the Communists want to combine all the anti-Vietnam-war protesters and all the civil-rights forces and merge them into the National Conference for New Politics in order to enlarge the criticism against United States presence in South Vietnam. This tactic, of course, fits into the over-all strategy of the Communist Party, USA, as well as that of the rest of the international Communist movement, to get the United States to withdraw from Vietnam so the Communists can gain control of all of Vietnam. Leaders of the Communist party believe, however, that they might lose the support of militant black nationalist leaders for the National Conference for New Politics if a presidential ticket is selected prematurely.

"The Communists also have a strong representation from their youth group, the W. E. B. DuBois Clubs of America, at the Chicago convention. In a recent memorandum sent to all local DuBois Clubs, the national office of the DuBois Clubs advised that the convention had been made a nationwide priority for the DuBois clubs.

"Also present at this convention at the Palmer House are numerous members of the Trotskyite Socialist Workers Party. Since the Socialist Workers Party always has its own ticket for president and vice president of the United States, it is not trying to influence the decisions made at the convention of the National Conference for New Politics. However, the Socialist Workers Party realizes that the convention has attracted radical youths from around the country. The Socialist Workers Party is present in force at the convention in an effort to bring some of these young people into its ranks.

"Whatever were the intentions of the original founders of the National Conference for New Politics, it is now obvious that the Communists and other subversive groups have moved in on them lock, stock, and barrel. Veteran observers of the political scene already see a parallel between the National Conference for New Politics and the Progressive Party, which was quickly taken over by the Communists when it was formed two decades ago."

THE DAVIS BROTHERS OF WINN-DIXIE

Mr. TALMADGE. Mr. President, I recently read an excellent article, published in the Miami Herald, concerning the Davis brothers, of Winn-Dixie, Inc.

Theirs is truly a success story in the best of American tradition, and it exemplifies the opportunities that are available to all people under the American free-enterprise system.

I invite the article to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Miami (Fla.) Herald, June 25, 1967]

FLORIDA'S FABULOUS DAVIS BROTHERS: THEY PARLAYED $10,000 INTO BILLION

(NOTE.—To write this comprehensive article on the Winn-Dixie grocery chain and its founders, Nixon Smiley talked to all four Davis brothers and spent several weeks gathering material. This is one of several articles the Herald will publish on members of the so-called power structure in Florida.)

(By Nixon Smiley)

Near the end of November, 1925, a balding, square-chinned man entered a small, open-front grocery store in Lemon City—now a suburb of Miami—and, in a Western drawl, asked the owner, C. A. Rhodes, if he wanted to sell.

Rhodes, who had made $6,000 the year before, then the height of the Florida boom, had no idea of selling. He replied with a flat no.

Whereupon the stranger planked down on the cashier's counter a scattering of greenbacks in $100, $500 and $1,000 denominations.

"I'll give you $10,000 for this store—in cash," he said.

Rhodes looked at the money, then looked up into the stern, brown eyes of the man.

"Sold," he said.

And William Milton Davis, 46, a native of East Texas and raised in the Ozarks, who had been in Florida a week, became the owner of Rockmoor Grocery.

This audacious transaction, made with money Davis had just borrowed from his father at Gamaliel, Ark., was the beginning of a food chain which today includes more than 700 supermarkets in 11 Southeastern states and in the Bahamas, with annual sales which this year are expected to reach $1 billion—Winn-Dixie Stores, Inc.

GROWTH FAST

Audacity has been a characteristic of this food chain, whose rate of growth has averaged 18 stores a year since 1925. But behind such amazing success is a combination of experience, a willingness to work long hours, and a rule against spending a penny unnecessarily.

Today Winn-Dixie—it also operates Kwik-Chek stores—is owned by four sons of the founder and some 28,000 other stockholders, many of them employes. Although it owns neither the land nor the store buildings it operates, Winn-Dixie has more than $100 million in assets. The market value of its 12,600,000 shares of stock is more than $350 million.

J. E. Davis, 59, is chairman of the board, and A. D. Davis, 61, is chairman of the executive committee. They have unpretentious offices in Winn-Dixie's sprawling warehouse and factory area in Jacksonville, headquarters of the corporation's eight divisions.

A. D. Davis was president until 1965, when he relinquished the job to Bert L. Thomas, 49, a native of Idaho.

Once a month the other brothers, Austin Davis, 56, of Miami, and Tine Davis, 53, of Montgomery, both senior vice presidents, fly to Jacksonville in company or private planes to attend an executive committee meeting.

ON JOB EARLY

If the brothers have a familiarity with the grocery business that is almost like second nature, it is because their father put them to work as soon as they were old enough to do chores about a store.

The father, born in Denton, Texas, had gained his first experience working in his father's store at Gamaliel, Ark. Then he operated his own store for several years in nearby Henderson, Ark., where his four sons and a daughter, Vera, were born.

(Vera, next to the youngest, is now Mrs. Henry Parsons of Spartanburg, S.C. She formerly was married to Lucius Cushman, Miami attorney. Mrs. Parsons is a substantial stockholder in Winn-Dixie.)

In 1914, when his oldest son was nine, Davis moved to Burley, Idaho, where he sank his savings into a general merchandise store—groceries and clothing.

"Apparently Dad did all right until a Skaggs Cash Store opened in town," said J. E. Davis, No. 2 son. "But Skaggs (now Safeway stores) sold for cash, and Dad, to compete, decided to sell on credit.

Burley, then the center of a sheep ranching country, suffered a depression in 1921 after wool prices, boosted by speculation following World War I, took a tumble.

"Dad later told how he started out on Jan. 1, 1921, with an inventory of $80,000," said J. E., then 13. "By June, after the collapse, half the inventory had been sold—mostly on credit. But now the farmers were broke and couldn't pay, and Dad went broke too."

Davis signed his assets over to his creditors and departed from Burley with his wife and five children. As he passed the still-open Skaggs store he resolved never again to sell a penny's worth on credit.

BOOM BEGAN

When W. M., as he was known, took possession of the Lemon City store, he told his help, including his sons, that he would fire anyone who sold on credit, even if his name was D-a-v-i-s—spelling the name to emphasize the rigidity of the rule.

The oldest sons, A. D. and J. E., then attending the University of Idaho, remained out of school for a year to help their father. The store did a thriving business. The boom was in progress and people had money. Mrs. Davis baked pies for sale in the store and helped J. E. to keep the books.

A. D. took charge of the store while Dad Davis occupied himself with the buying of Idaho baking potatoes and selling them wholesale, thus introducing this now famous potato to Florida housewives. Davis had managed to keep good connections in Idaho because he had elected to repay his former creditors there rather than take the easy solution through bankruptcy.

Young Austin and Tine carried groceries and helped with other chores in the store. Soon the father had enough money to open a second store.

"That second store was a failure," said J. E., unable to recall where in Miami it was located. "In fact, we opened our second store several times before it stuck. But in August, 1926, when we opened our No. 3 store in Hialeah it was an immediate success. We've never been able to do anything wrong in Hialeah.

"Hialeah was ideally suited for our kind of operation—of selling as cheaply as possible and depending on a large volume of business to make a profit. The Hialeah store helped a lot to keep us in business."

A REVOLUTION

In 1931 W. M. Davis adopted the name of Table Supply Stores for the eight groceries the family had opened between Coconut Grove and Fort Lauderdale. A. D., who had graduated from college, was home, as was J. E. who decided to quit before graduation. In August of that year A. D. opened Table Supply's ninth store in West Palm Beach.

The opening of this store created a small revolution in West Palm Beach's grocery business," said J. E. "We learned a lot in a hurry and what we learned greatly influenced our decisions later."

Traditionally, explained A. D., West Palm Beach grocery stores had charged high prices, especially for beef.

"The public had become accustomed to paying 85 cents a pound for steak—a very high price in those days, even in prosperous 1926," said A. D. "When we announced the opening of our store with steak priced at 19 cents a pound, we got so much business that people stood in lines to be waited on."

A. D. did $7,600 worth of business the first week, fantastic for a grocery store in 1926, when weekly receipts in the average grocery seldom went above $1,000.

After the West Palm Beach grocers—including other food chains—got over their shock, A. D. began to feel not only the resentment of the business community but also suffered harassment from the police and health inspectors.

"Our only friends were our customers," he said.

A few months later a second Table Supply Store was opened in West Palm Beach and one in Lake Worth.

"Hell, by this time the other stores had decided that we were there to stay, and they began to get in line with their prices," said A. D. "We had no gravy train after that, but we had learned a lot about advertising and pricing and we were able to keep up a big enough volume of sales to undersell our competitors and still make a good profit."

PROFITS SHARED

If the Davises were doing so well, a profit-sharing plan with store managers may have been a big reason.

Max Hollingsworth, now a Winn-Dixie regional executive in Tampa, recalled how W. M. Davis "shared" with him the profits of a store Hollingsworth opened in Fort Lauderdale.

"When W. M. came around the first time to pay me my salary," said Hollingsworth, "he also brought a bonus check which he handed to me for endorsing. But as soon as I had signed the check, W. M. jerked it from my hands."

"This is your share of the profits for last month," W. M. said as he stuck the check in a coat pocket. 'You're investing it in the company.' "

Such methods of profit sharing are no longer used, but employes are encouraged to buy Winn-Dixie stock, listed on the New York Stock Exchange since 1952. But those early employes, like Hollingsworth, who held onto their stock as Table Supply progressively became Winn & Lovett, and, in 1955, Winn-Dixie, are today independently wealthy. Indeed, at least 20 are millionaires. They work because they like to, not because they have to.

As an example of what has happened to those early investments, let's suppose that in 1940 you had bought $1,000 worth of stock in the Davis brothers' enterprise.

Acocrding to figures prepared by Merrill Lynch, Pierce, Fenner and Smith, the value of your stock on the last day of 1966 would have been $119,089. The stock has split four times in 18 years—3-for-1 in 1945, 1950 and 1954 and 2-for-1 in 1960.

And, if dividends received during this time were added, your $1,000 invested in 1940 would be worth $161,972. Had you invested $1,000 in International Business Machines stock at the same time, the value of your stock and dividends—according to Merrill Lynch—would be $116,397—or $45,575 less than the Winn-Dixie investment.

BIG DECISIONS

All important decisions affecting the operation of Winn-Dixie are made in the monthly executive committee meetings in Jacksonville. Nor would the Davis brothers attempt to make any major decision without consulting with each other in these meetings with other executives.

An example of major decisionmaking was the elimination of games and trading stamps in the Miami division's 88 stores from Key West to Vero Beach, as well as closing on Sundays in this division.

The Sunday closing decision was quickly recognized as a bad one. Competitors took advantage, making Sunday trading so attractive that they clobbered Winn-Dixie. Two months after giving the Sunday closing a trial, Miami division stores returned to their old schedule.

"When we make a bad decision we admit it and act quickly," said Committee Chairman A. D. "But we like to give our division managers the opportunity to try new ideas. This is the way we learn; the way we make progress."

But if a division manager's idea proves bad he is never censured, so long as the executive committee made the decision to give the idea a trial.

"The executive committee takes full responsibility for all decisions it makes, regardless of who comes up with the suggestion," added A. D.

The meetings are informal and executives are encouraged to speak up, to advance ideas and to comment on the ideas of others, including those proposed by the Davis brothers. And no executive is reluctant to speak up because each owns a part of the company.

"We have made a great effort to turn our Winn-Dixie people into capitalists," said J. E., recognized as the most conservative of the brothers. "We think the gap between capital and labor is bridged with the purchase of the first 10 shares of stock, which we now sell on credit to our employes."

Part ownership of Winn-Dixie by employes is believed by the Davis brothers to have played an important part in the fantastic success which has made it one of the fastest-growing and No. 1 profit maker among the big food chains.

Last year W-D earned $24,833,000 on sales of $982,459,000, paying dividends of $1.32 on 12,600,000 shares of stock.

HARD WORKER

The man who started it all—W. M. Davis—was an individualist extraordinary. He had worked hard all his life, pushing like his successful father had done. His days began early and ended late, and he expected his employes—especially his sons—to work as hard and as long as he did.

But in 1934 the government, under the National Recovery Act (NRA), was pressing a minimum-wage and maximum-hour law, as well as many other rules governing the operation of every kind of business. The NRA was later declared unconstitutional, but it was real enough when Davis ran head-on with its rules in 1934.

For years Davis had bought kerosene by the barrel and sold it in his stores. Kerosene was widely used in cook stoves in those days, and W. M. sold it for five cents a gallon, less than half the 12 cents charged by filling stations.

But under an NRA code the selling of kerosene by a grocery store was illegal and W. M. was ordered to stop. Davis complied with the wage and hour law, but he fought the order to stop selling kerosene. He got nowhere in the new government red tape, and, in frustration and desperation, suffered a heart attack, from which he died.

TAX FOUGHT

But W. M. left four sons who had the temperament and the ability to cope with the increasing government regulations as well as with the action of the Florida Legislature aimed at putting chain stores out of business.

The 1935 Legislature levied a gross receipts tax of ½ of 1 per cent on the second store of any chain, graduated to 5 per cent of sales on stores up to 15 and over. But if a chain exceeded 15, a tax of $400 was automatically levied on every store.

To protect themselves from confiscation, the Davis family created seven separate corporations to avoid paying the 5 per cent gross receipts tax.

Although crippling, the gross receipts tax did not prevent the growth of the vigorous Table Supply chain. At the time the brothers took over the course had been set. It had been the dream of W. M. Davis to cover the Southeast with food stores.

By 1939 Table Supply stores numbered 43. And that same year the Davis family purchased the controlling interest in Winn & Lovett of Jacksonville from W. R. Lovett—a chain numbering 73 stores.

The brothers mortgaged not only their holdings in Table Supply to buy Winn & Lovett, but everything else they owned.

"It took more guts than sense, I suppose," said Austin Davis, recalling that experience. "But if any of the brothers worried about the deal he kept it to himself."

KEEN INSIGHT

The experiences of the Davis brothers in the political arena during those years when it was nip and tuck for chain stores were never forgotten. They developed insight into the working of politics and cultivated a wide acquaintance among politicians. It was largely through A. D.'s efforts that the 1953 Legislature repealed the gross receipts tax on chains.

Both A. D. and J. E. have become astute in their support of candidates, and neither appears to be embarrassed to have his name associated with politicians.

"I like politicians," said A. D. "They are part of our democratic system. I don't see how you can like our political system if you don't like the people who are the most important part of it. I've always found politicians to be a great deal more honest and more capable than they generally are pictured."

The brothers' interest in politics was behind their decision to buy a luxurious executive plane during the Haydon Burns administration and lease it to the state for the governor's use. Some embarrassment occurred during the Burns campaign for reelection when his opponents injected the name of Winn-Dixie. The brothers were quick to deny that Winn-Dixie had any interest in the plane, a twin-engine propeller Convair. It is now up for sale.

ALL EXPERTS

Each of the brothers has specialized in some phase of the grocery business, although all have worked in every area. J. E. was the buyer, A. D. the retailer. Austin was the trouble-shooter who could see the flaws in a poor store and put it on its feet. Tine was the personality boy who could pioneer a new division.

Like J. E. neither Austin nor Tine was graduated from college, but they stayed long enough to be tapped by Sigma Chi fraternity, as A. D. and J. E. had been.

"We always worked together well," said Austin, who lives in Coral Gables and has an office in Winn-Dixie's sprawling warehouse center at 1051 SE Eighth St., Hialeah. "Two heads are better than one—even if one's a sheep's head. Four heads are better than three. We argue at meetings, but after a decision is made everyone pitches in to get a job done."

The brothers were split up by World War II. J. E. entered the Army Quartermaster Corps as a major, emerging at the end of war as a lieutenant colonel. Tine, a flier, became an instructor of pilots. A. D. and Austin were left behind to "run the store."

"I felt a little like a work dodger," said Tine, recalling the enormous responsibilities left for the brothers who stayed home.

A BIG 1955

The brothers made a major change in 1944 when they merged Table Supply with Winn & Lovett, dropping a name used since 1931. And the following year the Davis brothers reached out several hundred miles from Florida to buy the Steiden chain of Louisville, Ky., with 31 stores. The purchase of Margaret Ann Supermarkets in Miami, with 46 stores, followed in 1949. The Margaret Ann stores later became Quik-Chek.

In 1954 the eight stores of the Wylie Co. of Anniston, Ala., were acquired.

The year 1955 was the biggest in the firm's history for the number of stores added. Two chains were merged with Winn & Lovett that year—Eden's Food Stores of Columbia, S.C., with 33 stores, and Dixie Home Stores of Greenville, S.C., with 117 stores. Purchases in 1955 included 16 Ballentine Grocery Stores of Easley, S.C., and eight Penny Stores of Meridian, Miss.

"We got many good people with these purchases and mergers—the greatest assets acquired," said A. D. "Most of them stayed with us to become important executives in the company."

"When we merged, we merged with management," said Austin. "When we acquired a chain we did so because it was successful, reflecting the quality of the management."

Several people acquired with food chains are now among the top executives.

HAPPY NAME

Following the merger with Dixie Home Store, the name was changed from Winn & Lovett to Winn-Dixie, utilizing the first part of each name.

"We liked the new name very much," said J. E. recalling the reasons for its selection. "To win Dixie was our ambition. Our father had dreamed of covering Dixie with stores. The new name, Winn-Dixie, was a motto. And we also liked it because the first three letters, "WIN," became our symbol on the New York Stock Exchange list."

Winn—E. L. Winn of Tennessee—had been an early partner of William R. Lovett, Jacksonville, in the establishment of the Winn & Lovett chain. But Winn, the groceryman in the partnership, tired of the hard work and sold out to Lovett several years before the Davis brothers came into the picture.

In 1956 Winn-Dixie bought Ketner-Milner of Salisbury, N.C., with 24 stores, and in 1957 acquired H. G. Hill of New Orleans, with 42 stores. No large chains were bought for the next several years, Winn-Dixie being content to buy five to seven stores a year in scattered cities throughout the Southeast.

Meanwhile, 40 to 60 new supermarkets were being built each year, while half this number were closed each year.

FTC STEPS IN

By 1966 Winn-Dixie owned 696 retail stores and seven wholesale stores operating under the name of Economy Wholesale Grocery, a name established in 1935. Operations extended from Key West to Virginia in the East, to Indiana in the Midwest, and to Louisiana in the Mississippi Valley.

The Federal Trade Commission, an agency set up to prevent monopolies, in 1966 ordered Winn-Dixie to stop acquiring stores, either by purchase or by merger. But the restrictions did not affect the opening of new stores. W-D is expected to open 40 new supermarkets this year.

Nor did restrictions apply to overseas purchases, so earlier this year Winn-Dixie bought 11 stores in the Bahamas, the City Meat Markets chain owned by the family of Sir Stafford Sands.

Is Winn-Dixie considering possible expansion in other areas, perhaps Latin America?

"Not at the moment," said J. E., "but we are not discounting the possibility. We did consider moving into Cuba, but, fortunately, we backed away from that opportunity just in time."

With expansion limited to the opening of new stores, future growth of Winn-Dixie in the Southeast is going to be slow, according to A. D. Although the Southeast is growing rapidly, many areas are over-built with supermarkets and competition is fierce. Moreover, building costs are higher, property values are up and taxes continue to increase.

"We will continue to build—we'll be anxious to build—in any desirable location," A. D. added. "But places we consider desirable are becoming increasingly difficult to find."

ONE PRINCIPLE

Winn-Dixie actually builds no stores itself. Instead, W-D signs a lease agreement with a property owner and requires him to build according to specifications.

"'Don't buy real estate' was one of Dad's guiding principles," said A. D., "and it has been one of ours. We like to see our money turning into new dollars every 20 days, which is the average time it takes for our inventory to turn over."

To make certain that inventory does turn over every 20 days. W-D uses computers to keep tab on the 8,000 items that go through its warehouses en route to retail stores and to consumers' market baskets. But since the profit on a dollar sales is about two cents. Winn-Dixie, like other food chains, has to practice a rigid economy.

"Our costs are lower than those of other food chains," said J. E., who worries about every cent spent unnecessarily. "We trim costs wherever possible. We are constantly experimenting with labor-saving devices."

"The only way we can tell how successful we are is to compare sales and profits with formers years," said A. D.

Both sales and earnings have increased steadily since 1950, without a single year's exception.

"We like to give housewives what they want," A. D. added. "That's why we cut out the trading stamps in the Miami division—because housewives kept talking about high prices and blaming sales gimmicks for the increase. Well, we cut out the gimmicks and reduced the prices 8 to 10 per cent. Is this really what housewives want? We'll see. If they prefer the stamps we'll give them stamps. We're going to stay flexible."

NO UNIONS

Winn-Dixie's relations with its employes have kept unions at arm's length. The six national chains larger than W-D are all unionized. J. E. credits its stock-buying plan and liberal retirement and insurance plans for the way its employes vote overwhelmingly against unionization.

The most recent attempt of the Teamsters Union to organize the Jacksonville division's truck drivers was rejected by a vote of 59 to 29.

"It was just another demonstration that the majority of our employes realize no labor union can offer as much as Winn-Dixie already has done for them," said A.D.

Winn-Dixie employes can retire at 60. Retirement at 62 is mandatory for those working in retail sales while 65 is mandatory for those working in offices and in other areas where duties are less strenuous.

"The brothers know that after a person has spent most of his life working in a retail store, by the time he reaches 60, he's had it," said Austin, who won't be 60 for another four years. He had to slow down three years ago after a heart attack.

Under Winn-Dixie's retirement plan an employe can retire at 50 for health reasons.

SOUND ADVICE

Although Winn-Dixie owns no real estate, the property on which some Winn-Dixie warehouses and factories are located is owned by the Winn-Dixie Retirement Plan. The large warehouse area in Jacksonville is one of such properties. Winn-Dixie leases the property and the buildings from the retirement plan.

Astute businessmen themselves, the brothers have a legal staff and a tax consultant to advise Winn-Dixie on every move it makes affecting legal commitments and tax problems.

Winn-Dixie also has a planning department with a dozen specialists who put their combined professional efforts into the designing of every new store.

"Store design and merchandise display have gone through major changes in the past decade," said J. A. Sizemore, an architect. "We've gone from blank walls to decorated walls. There's a lot more emphasis now on decoration, lighting fixtures and color. Merchandise display has changed drastically. Even parking arrangements must be considered. You've got to have a lot of parking spaces in front. Customers demand it."

Fantastic amounts and numbers of items are sold weekly in Winn-Dixie's more than 700 stores. Data processing is necessary to keep account of the numbers.

At the height of the sweet-corn season at Belle Glade and Pahokee, Winn-Dixie buyers ship as many as 75 carloads a week to various division headquarters.

The quarters of 5,000 cattle, 80 percent of which is butchered in the West, must be shipped weekly to Winn-Dixie stores. This is 260,000 cattle a year, averaging 600 pounds each—equivalent to a sixth of Florida's cattle population.

WIDE INTEREST

What are the four Davis brothers like? In spite of their ability to get along together, they are about as unalike in personality as it is possible for four brothers to be.

A.D., the eldest, is the nattiest dresser. Both A.D. and J.E. tend to be serious. Austin and Tine laugh easily, but only Tine, the "clown," is easy to get acquainted with. And Tine, well over 200 lbs., is the only one with a serious weight problem.

Employees greet Tine with a happy familiarity while tending to be more formal with the other brothers.

All the brothers let their hair down easily, however, when they meet with their executives at a get-together and dinner following monthly meetings at Jacksonville. But none is a heavy drinker. J.E. had to stop drinking after an attack of hepatitis in 1957.

The brothers are all married and each has grown children. Only A.D. has been divorced.

None play golf. "Hell, we never had time to indulge in anything like that," said Tine. But he will fly to Indianapolis to see the Memorial Day race or a longer distance to see a football game. All the brothers like hunting.

Tine and A.D. own private planes—Tine a 550-mile-an-hour jet and A.D. a luxurious prop jet.

All four brothers own ranches. A.D.'s ranch covers nearly 100,000 acres in Colorado and Wyoming, but he leases all except 50,000 acres from the federal government. J.E. owns a 25,000-acre ranch near Jacksonville Beach, where he has a small herd of buffalo, as well as thousands of duck and plenty of deer and wild turkeys for his guests to shoot.

Austin has smaller ranches on the Gulf coast while Tine owns a ranch near Montgomery.

TIME TO FISH

Since the four brothers own 28 per cent of Winn-Dixie's 12,600,000 shares of stock, they are quite well off. Each goes his own way in his private investments. They are directors of banks, insurance companies, airlines, utilities and other firms.

The older brothers, A. D. and J. E., for years took the lead in Winn-Dixie operations, but lately have been turning over many of their responsibilities to executives outside the family. Even the younger brothers have been bowing to outside blood.

First outsiders to be put in top positions were Bert L. Thomas, 49, and Joe Adams, 59, who now hold the jobs of president and executive vice president. Thomas, who served with J. E. in the Army Quartermaster Corps, joined the firm at the end of World War II. Adams, formerly with Winn & Lovett, has been associated with the Davis brothers since 1939. He is in charge of Winn-Dixie's retail operations.

Both Austin and Tine have stepped down a notch, from executive vice presidents to senior vice presidents.

"Winn-Dixie isn't just a family operation," said Austin. "We don't want the stockholders to think of it as such, either."

But Thomas, an easy-going Westerner, handsome and personable, runs Winn-Dixie in the successful family tradition—of letting division managers and individual supermarket managers make as many of their own decisions as possible, while holding all major decisions for executive committee meetings.

Now the brothers, who at one time worked 12 hours a day six days a week, have time for hunting, fishing and for their ranches. A. D. frequently flies to Walden, Colo., and stays a week at his Big Horn Ranch, participating in roundups and in the marking and branding of his calves. His personal pilot, Bill Fleming, gets him there in six hours in his prop-jet., J. E. closer to his ranch, spends every Wednesday there, except when monthly meetings interfere.

LOOKING AHEAD

What is Winn-Dixie's future?

With its growth checked by federal restrictions, Winn-Dixie's expansion in the years ahead is likely to be slower. But W-D's people will continue to look for promising sites for new supermarkets—in areas into which young people with growing families are moving.

"We like our stores in communities where you see a lot of diapers on the clotheslines," said Austin, who probably knows as much as anybody else in the food chain business about what it takes to make a supermarket successful.

"A guy who drives up in a Cadillac isn't going to eat much; he's got ulcers anyway."

WHAT'S HAPPENING TO OUR CHURCHES?

Mr. BYRD of West Virginia. Mr. President, the Wheeling, W. Va., News-Register recently ran an editorial titled "What's Happening to Our Churches?"

The News-Register editor wrote as follows with regard to certain themes that are being taught children in the churches today:

> At a time when our whole country is deeply disturbed over the civil strife troubling our cities, the fantastic increase in crime, rampant juvenile delinquency and growing disrespect for the law, it is alarming to find such instructional material being provided impressionable teen-agers by some of our churches.

I cite the editorial for the attention of Senators particularly because of its reference to the National Council of Churches, and I ask unanimous consent that the editorial be inserted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD as follows:

WHAT'S HAPPENING TO OUR CHURCHES?

If there was one place parents never worried about what was being taught their children it was in their respective churches. Today there is cause for anxiety even when it pertains to our religious institutions.

An example can be found in a packet of two books, titled "Mission: The Christian's Calling" designed as a course of study for junior high school "early teens" in vacation church school, Sunday school or Sunday night fellowship groups. The instructional booklets have turned up in various Protestant churches this summer and at vacation church schools.

The theme of these two books appears perfectly innocent since it states that it is the duty of Christians from all faiths to put their belief into action in the world. But from then on the text is of such a nature as to cause youngsters to question the wisdom of their own parents.

If parents have been trying to instill in their children a respect for the law and the police, what will happen when they read a particular chapter which mentions police at least five times and in each instance, they are portrayed as "bad guys"?

Here for example is the way the book describes those first days after Christ's crucifixion in news story style:

"Governor Pilate today asked the FBI to keep the disciples of Jesus under close surveillance. It is feared that the 11 might seek to continue his seditious activities. . . ."

In another instance the police are portrayed thusly:

"Numerous Christians today are being arrested for challenging customs and laws they hold to be wrong. Many have been attacked by fire hoses and police dogs."

Another story in these "textbooks" describes how "Walk-for-Peace" marchers are arrested and how police use electric prodders on a young girl's legs and thighs.

The booklet reports, "Police brutality is a problem in all parts of our country—South and North, East and West—especially toward minority groups."

When relating the story of Christ in the temple, the author of the booklets asks, "Is it true that 'angry young men' such as Jesus are not tolerated by society very long—they are either tamed, ostracized or crucified?"

After describing Christ's acts in ridding the temple of the money changers, the book asks these questions:

"How do you react to the story of the temple cleansing? Should Jesus have first written a letter to the superintendent of the temple grounds or the editor of the city newspaper? Should he have picketed the temple merchants, conducted a temple sit-in or organized a march on the temple? Or do you agree with his taking the matter into his own hands and acting as he did?"

From there the text admonishes the youthful reader to "help overturn all the tables that need turning in the sacrosanct temples of society. Is there a need for revolution in your own community?"

At a time when our whole country is deeply disturbed over the civil strife troubling our cities, the fantastic increase in crime, rampant juvenile delinquency and growing disrespect for the law, it is alarming to find such instructional material being provided impressionable teen-agers by some of our churches.

Incidentally, the address of the publishing house issuing these booklets is 475 Riverside Drive, New York which just happens to be the very same address listed for the National Council of Churches.

AN URBAN COALITION SUPPORTS EMERGENCY EMPLOYMENT ACT

Mr. CLARK. Mr. President, the recently formed Urban Coalition, which held an emergency convocation in Washington, D.C., on August 24, continues to demonstrate leadership, vision, and courage in reappraising our social and economic goals and national commitments.

The Urban Coalition's convocation, it will be recalled, was attended by 1,000 leaders of business and industry, organized labor, religious groups, local government, and civil rights organizations. The meeting adopted a far-reaching program of immediate and long-range legislative objectives designed to wipe out poverty, unemployment, hunger and illiteracy. Partly because of the encompassing nature of the participants and viewpoints, the Urban Coalition program has been uniformly praised and endorsed.

Last Friday the coalition took an important additional step by calling for the early enactment of the pending Emergency Employment Act, as part of S. 2388, the proposed Economic Opportunity Act Amendments of 1967.

Mr. President, I ask unanimous consent that the Urban Coalition's excellent statement on this legislation be printed in the RECORD, together with the names of eminent Americans who constitute the coalition's steering committee.

There being no objection, the statement and list were ordered to be printed in the RECORD, as follows:

STATEMENT OF URBAN COALITION, SEPTEMBER 15, 1967

The Urban Coalition endorses the Clark-Javits Emergency Employment Act as a significant step toward an urgently needed national emergency program to provide at least one million jobs. We urge the President to support it and we urge Congress to adopt it as part of the Economic Opportunity Act amendments this year.

With regard to the private sector, we commend Mr. Gilbert Fitzhugh of our National Steering Committee and the Insurance Industry for their recently announced commitment of $1 billion in mortgage and investment funds for the reconstruction of the core areas of our cities. We are encouraged that the program will take advantage of rent supplements and that the federal government has developed an FHA-mortgage insurance program for these areas as well as middle and upper income families in the suburbs.

In support of the job program, the Emergency Convocation, held in Washington on August 24, and attended by 1,000 representatives of business and industry, organized labor, religious groups, local government and civil rights organizations, endorsed a Declaration of Principles, Goals and Commitments which called for legislation consistent with the following principles:

The federal government must enlist the cooperation of government at all levels and of private industry to assure that meaningful, productive work is available to everyone willing and able to work.

To create socially useful jobs, the emergency work program should concentrate on the huge backlog of employment needs in parks, streets, slums, countryside, schools, colleges, libraries, and hospitals. To this end, an emergency work program should be initiated and should have as its first goal putting at least one million of the presently unemployed into productive work at the earliest possible moment.

The program must provide meaningful jobs—not dead-end, make work projects—so that the employment experience gained adds to the capabilities and broadens the opportunities of the employees to become productive members of the permanent work force of our nation.

Basic education, training, and counseling must be an integral part of the program to assure extended opportunities for upward job mobility and to improve employee productivity. Funds for training, education, and counseling should be made available to private industry as well as to public and private nonprofit agencies.

Funds for employment should be made available to local and state governments, nonprofit institutions, and federal agencies able to demonstrate their ability to use labor productively without reducing existing levels of employment or undercutting existing labor standards or wages which prevail for comparable work or services in the area but are not less than the federal minimum wage.

Such a program should seek to qualify new employees to become part of the regular work force and that normal performance standards are met.

The operation of the program should be keyed to specific, localized unemployment problems and focused initially on those areas where the need is most apparent.

The Clark-Javits Emergency Employment Act is responsive to these principles. It is also responsive to the conditions of unemployment and despair revealed in the dozens of hearings held over many months by the Senate Sub-Committee on Unemployment and is consistent with the findings and recommendations of the National Committee on Technology Automation and Economic Progress (Feb. 1966), the White House Conference to Fulfill These Rights (June 1966), and The National Advisory Commission on Food and Fiber (July 1967).

In addition, we call upon Congress to expedite action in providing full funding for the poverty program, the rent supplement program and Model Cities. We also urge the adoption of the Equal Opportunity in Housing measure now pending in both houses.

We offer our full support in implementing these objectives.

A. PHILIP RANDOLPH,
ANDREW HEISKELL,
Cochairmen.

THE URBAN COALITION,
Washington, D.C., September 15, 1967.

Hon. ——— ———,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ———: Attached you will find a statement issued today by the Urban Coalition. We hope you will agree that the urgency of the national urban crisis demands actions of these kinds to establish an affirmative direction for our nation.

We propose them in a spirit of concern for the national interests while we recognize that other measures are also needed.

Sincerely,

A. PHILIP RANDOLPH,
ANDREW HEISKELL,
Cochairmen.

THE URBAN COALITION STEERING COMMITTEE

Cochairman: Andrew Heiskell and A. Philip Randolph.

I. W. Abel, president, United Steelworkers, Pittsburgh.

Mayor Ivan Allen, Jr., Atlanta.

Arnold Aronson, executive secretary, Leadership Conference on Civil Rights, Washington, D.C.

Roy Ash, president, Litton Industries, Beverly Hills, Calif.

Mayor Joseph M. Barr, president, U.S. Conference of Mayors, Pittsburgh.

Mayor Jerome P. Cavanagh, Detriot.

Frederick J. Close, chairman of the board, Aluminum Co. of America, Pittsburgh.

Mayor John F. Collins, Boston.

Mayor Richard J. Daley, Chicago.

Archbishop John F. Dearden, Detroit.

Gilbert W. Fitzhugh, president Metropolitan Life Insurance Co., New York.

Dr. Arthur Flemming, president, National Council of Churches, New York.

Henry Ford II, chairman, Ford Motor Co., Detroit.

Mayor Milton Graham, Phoenix.

Andrew Heiskell, chairman of the board, Time, Inc., chairman, Urban America, Inc.

Joseph D. Keenan, secretary, International Brotherhood of Electrical Workers, Washington, D.C.

The Reverend Dr. Martin Luther King, Jr., president, Southern Christian Leadership Conference, Atlanta.

Mayor John V. Lindsay, New York.

George Meany, president, AFL–CIO, Washington, D.C.

Mayor Arthur Naftalin, Minneapolis.

Gerald L. Phillippe, chairman of the board, General Electric Co., New York.

A. Philip Randolph, president, Brotherhood of Sleeping Car Porters, New York.

Walter Reuther, president, Citizens Crusade Against Poverty; president, United Auto Workers, Detroit.

David Rockefeller, president, Chase Manhatton Bank, New York.

James Rouse, president, the Rouse Co.; president, Urban America, Inc., Baltimore.

Rabbi Jacob P. Rudin, president, Synagogue Council of America, New York.

Theodore Schlesinger, president, Allied Stores Corp., New York.

Asa T. Spaulding, president, North Carolina Mutual Insurance Co., Durham, N.C.

David Sullivan, president, Building Service Employees International Union, Washington, D.C.

Mayor James H. J. Tate, president, National League of Cities, Philadelphia.

John Wheeler, president Southern Regional Council; president, Mechanics and Farmers Bank, Durham, N.C.

Roy Wilkins, executive director, National Association for the Advancement of Colored People, New York.

Whitney Young, Jr., executive director, National Urban League, New York.

Representing the National Council of Churches on the Convocation program: The Right Reverend John E. Hines, presiding bishop of the Episcopal Church.

Representing Archbishop Dearden on the Convocation program: The Very Reverend Msgr. Lawrence J. Corcoran, secretary, National Conference of Catholic Charities.

PRESIDENT JOHNSON'S CRIME CONTROL PROGRAMS BEGAN 4 YEARS AGO

Mr. HARRIS. Mr. President, President Johnson last week made a major speech on crime before an international gathering of chiefs of police.

The same week he sent a communication to the Speaker of the House of Representatives and the President of the Senate urging Congress to adopt a crime control bill now pending before it.

Whenever a President of the United States makes a major speech on any subject, there are those who think he just "discovered" that subject.

But Lyndon Johnson did not discover crime yesterday. He has been making significant practical proposals to fight crime and control criminals and delinquency ever since he entered the door of the White House in late 1963. And many of his efforts have borne fruit.

The President has fought for a Firearms Control Act for almost 4 years, and I hope an aroused citizenry and a responsive Congress will help him to have that law passed this year.

In 1965, the Johnson administration saw the adoption of the Law Enforcement Assistance Act. This law was one of the first in new series of Federal aid programs to help local police, law-enforcement agencies, local crime commissions and corrections agencies do the job which must be done in an era of rising violence and property crime.

The Correctional Rehabilitation Study Act and the Narcotics Addict Rehabilitation Act were major efforts to help bring back to society those who still have a positive contribution to make to their Nation and to themselves.

The Juvenile Delinquency and Prevention Act of 1967 is now pending before Congress. This is another Johnson innovation to help cities and States rehabilitate juvenile offenders, improve juvenile court and corrections systems, and eliminate the conditions which lead to chronic delinquency.

In addition, the President has demonstrated his full understanding of the sociological fact that crime breeds under conditions where opportunity is lacking or deprivation is rampant.

The President has, therefore, initiated one of the most far-ranging economic opportunity programs in the history of this Nation in order to rescue the disadvantaged, the poor, the deprived from careers of frustration which could become careers of crime.

The antipoverty program, job training, Federal aid to education, efforts to rebuild our cities—are all, in their way, anticrime programs.

Today, we see our President doing his duty for the people. He is asking Congress to help him fight crime.

We must pass a gun control law with teeth, now.

We must help local police and courts and agencies fight crime now.

The people are waiting for us to act. We must not fail them.

EDUCATION KEY TO GOOD LIFE

Mr. BYRD of West Virginia. Mr. President, for a long time, I have been saying that education is the key to the good life for Negro and white citizens alike. Mr. Wendell Reynolds, editor of the editorial page of the Huntington, W. Va., Advertiser, struck the same keynote in an editorial titled "Education Key to Good Life for U.S. Poor of All Races."

The editorial states that—

> A good education and the good life it makes possible both come from hard study and the use of learning and energy. There is no other way.

The editorial goes on to say that—

> Civil rights leaders can perform no greater service for their people than to emphasize this fact.

I ask unanimous consent to insert this provocative and timely editorial in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDUCATION KEY TO GOOD LIFE FOR U.S. POOR OF ALL RACES

A special commission of the Southern Region Education Board put its finger on the major problem in raising the Negroes' standard of living when it reported at a White Sulphur Springs meeting:

"Educational opportunity is the key to other kinds of opportunity, and if the South is to serve all of its citizens equally, it must make full use of all higher education resources."

As a move toward better educational opportunities, the commission recommended that the board, which is comprised of governors, legislators, educators and lay leaders, should take the lead in a 15-state effort to:

"Improve—not scrap—the South's traditionally Negro universities and colleges, because, if strengthened, they will provide a valuable educational resource.

"Expand post-high school vocational, technical and academic opportunities for Negro students at all types of institutions."

In addition, the commission urged the board to establish a Regional Institute for Higher Educational Opportunity to aid the states and their educational systems in mounting and coordinating a concerted drive toward equal opportunity.

We don't know whether civil rights leaders oppose continuing the Negro institutions instead of expanding other colleges and universities to make room for all students.

But equality of education certainly seems to be the proper and most effective means of enabling Negroes to improve their lives.

Emphasis on education, including vocational training, is necessary also to raise the standard of living in the poverty-ridden areas of Appalachia.

This does not mean that extensive efforts should not be made to improve housing and other deplorable conditions there and in the slums.

It means that all Americans living in poverty should be given the opportunity and the encouragement to gain the ability to help themselves.

Each one, within the limits of his ability, should be urged to take advantage of his opportunities.

The government cannot make a good citizen by law any more than it can by decree create a good lawyer or doctor. Good citizenship can be created only by each person himself.

A good education and the good life it makes possible both come from hard study and the use of learning and energy. There is no other way.

The states and counties have an obligation to provide equal opportunities for all people, but all people have an obligation to themselves, their families and their country to take full advantage of the opportunities.

Civil rights leaders can perform no greater service for their people than to emphasize this fact.

And educators can give students regardless of color, no better guidance.

Taking this course to lift the millions of disadvantaged out of their depressing lives not only would greatly benefit them but would strengthen the nation's social fabric and, by swelling purchasing power, would spur business to record heights of prosperity.

TITLE I PROGRAMS OF HIGHER EDUCATION ACT

Mr. MORSE. Mr. President, in the June–July 1967 issue of the National University Extension Association publication, the Spectator, Dr. D. Mack Easton, dean of the extension division of the University of Colorado, has written a most interesting article entitled "Title 1: An Evaluation of Its Potential Importance—and Potential Failure." It is concerned with the programs enacted under title I of the Higher Education Act of 1965.

Since the Education Subcommittee of the Committee on Labor and Public Welfare has on its agenda for consideration during this session of the Congress amendments to the higher education statutes, Dr. Easton's comments have a particular relevance for me and, I believe, for my colleagues on the committee and in the Senate. I therefore commend his analysis to the consideration of the Senate, and I ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

TITLE I: AN EVALUATION OF ITS POTENTIAL IMPORTANCE—AND POTENTIAL FAILURE

(Address to the NUEA Community Development Section, by Mack Easton, University of Colorado)

I am not a community development professional.

I am an extension dean, a couple of years from emeritus.

Why should I attempt to analyze and evaluate—to criticize—the situation which has developed around Title I?

Essentially because I am worried. Essentially because I think that the most important educational opportunity opened up in my lifetime may disappear before it can be effectively acted upon. I hope to communicate that worry. My purpose is both heuristic and polemic. I hope to get you to adopt a specific line of thinking and investigation, and I hope to persuade you to try to do some things which you seem to have only talked about.

I come to you because I think I detect in your thinking and behavior the only promising sign on the horizon.

This is the Community Development Division of NUEA. Let's take a look at how you use the term community development. . . .

You use it to define your professional role as educators. Jack Mezirow did this when he said "The community development process is, in essence, a planned and organized effort to assist individuals to acquire the attitudes, skills, and concepts required for their democratic participation in the effective solution of as wide a range of community improvement problems as possible in an order of priority determined by their increasing levels of competence." And I don't think that Jack would say that a violation of his principle of priority would invalidate the rest of his definition. . . . This concept lies at the very heart of one of the oldest conceptions of the purpose of education—educare liberos—the development of persons able to deal rationally with their problems.

You also use the term to indicate what happens to the individual in the community process. Bill Biddle did this when he said, "Basically, community development is a social process by which human beings can become more competent to live with and gain some control over local aspects of a frustrating and changing world."

You also use the term to refer to the total process itself, by which intended community change leading to an improvement of the community as such is achieved.

And you use the term to refer to the results of the process.

I think I detect, however, a common element in these four uses of the term. I think most of you agree on a criterion of success. Whether your attention is on the educator's behavior, the development of the learner, the social process of intended change, or the end result—in all these cases, you seem to agree that the sign of success is that the community is improved.

Sometimes, as in Darby, Montana, or in some of Cooperative Extension's rural area work, the focus has been on economic development, because the community was economically sick—it had a contracting economic base.

Sometimes, as in some of the communities in the program of the General Federation of Women's Clubs, the focus has been esthetic or cultural—because the community was unattractive or culturally deprived.

Sometimes, the focus has been on the physical environment in more than an esthetic sense—as in programs leading to urban renewal or improved housing.

Sometimes the focus has been on a social problem, such as culturally deprived minority, or race relations, or delinquency.

The common element has been the purpose of making the community better—a place where life becomes better through a process of social change intentionally carried out—as opposed to unintended change. And the criterion of success is genuine community improvement.

So conceived, the role of the community developer is, like medicine, a role in applied science, with many empirical elements. And like medicine, it itself is an art, for the same reason that Aristotle pointed out long ago: There is no science of the individual, and all communities, like all persons, are to some extent unique.

You are, then, physicians to the community, interested in stimulating the social processes by which community health can be improved, as medicine is interested in stimulating the biological and psychological processes by which individual health can be improved.

Never has the need for this role been so critical in the history of this civilization.

In personal terms, remember what Joe Brown told you at Carbondale—that the types and rates of change in contemporary society are leading to accelerating rates of human wreckage—in terms of delinquency, crime, mental illness and suicide.

In physical terms, look at urban blight, rural de-population, traffic congestion, slaughter on the highways. Lincoln's log cabin was much less pathogenic than an urban slum. My grandfather's community a hundred miles from a railroad was a much healthier economic unit than many shrinking rural villages of today. New York's horse cars actually got people to their destination faster than New York's buses today. And all the wars we have ever been in have killed fewer Americans than the automobile has killed.

In social terms, look at the plight of the poorer third of our fellow-citizens—socially isolated, culturally deprived, increasingly underemployed, mostly hopeless—a society of degradation inside an affluent society. A hundred years ago, the indentured penniless orphan could learn farming on the job, save money for a team and plow after his indenture was ended, and move onto free land to build an upward-bound career for himself and his children. Today, millions of children are condemned to failure before they are old enough to enter school.

But no matter what comparisons you make between two points in time, remember what Margaret Meade has put so well: The most important change we must deal with is the change in the rate of change.

I honestly believe that the continued existence of our civilization depends on our ability to deal rationally with the problems, existing and emerging, with which we are faced. Western civilization has a long past, but it may have a short future.

Not all these existing and emerging problems are community problems, but many are. They are the ones we are concerned with this morning.

And they are the ones with which Title I of the Higher Education Act is concerned.

Title I authorizes appropriations "For the purpose of assisting the people of the United States in the solution of community problems . . . ." (Sec. 101) It puts no limits on the type of community problems involved, but it does illustrate Congressional intent: ". . . housing, poverty, government, recreation, employment, youth opportunities, transportation, health and land use . . . ." (Sec. 101) These are as urgent as any I know, and there is not a simple one in the lot.

The Act calls for 54 "state" plans, each of which must "set forth a comprehensive, coordinated, and statewide system of community service programs." (Sec. 105(a)(2)) Several of these words we will need to come back to: Comprehensive can mean "inclusive, not limited." System can mean "an integrated whole." Community Service Programs is limited by law to educational programs designed to assist in the solution of community problems. Other kinds of community service are not eligible for funds. The bill passed by the Senate was not this narrow. I think you should know that when both houses had acted and the bills were on their way to a conference committee, I attempted to influence the committee in the direction of the broader (Senate) version.

And I think you should know why. I wrote to two members of the conference committee. Perhaps one paragraph of the letter is enough for our purposes this morning.

"I think it is fair to say that the development of service units designed to serve the whole community is only in its pioneering stage in American universities. The kind of man who can assist the members of a community to identify the community's problems, to make judgments on priorities, to bring to bear on those problems the analytical skills, special know-how, planning ability and leadership skills (whether available in the community or brought in from outside) necessary to deal with the problems—this kind of man is in very short supply, in the judgment of some of us who have held key positions in our national organization. Yet, without this kind of social catalyst, the House Title I will inevitably lead to the development of discrete community services, not necessarily attacking the most important problems of communities at all."

I want to make it clear that my objection was to the tremendous difficulty involved in launching soundly conceived educational programs designed to deal effectively with community problems in 54 states and territories at the same time under current manpower conditions. If the social situation is what I think it is, Title I of the Higher Education Act is potentially more important than the Smith-Lever Act, in spite of the fact that the industrial, economic, scientific, educational, and cultural progress we have seen since 1915 could not have occurred, for want of manpower, had it not been for the rise in agricultural productivity per man in which agricultural extension played so large a part. We have fewer farmers today than during the Civil War. All our growth in population has been available for other occupations.

Title I is potentially even more important, and potentially a failure. If it fails, our attempts to deal with the destructive aspects of change will receive a dangerous set-back which could lead to catastrophic consequences.

Why is it potentially a failure?

The universities aren't ready for it. And they aren't ready for it in several respects.

One of the most critical factors may lie in the difference between serving individuals, formal organizations and communities. Let me remind you of just one example of this difference. Both in the case of individuals and of formal organizations, you know who it is that you must teach. In the case of communities, whose opinions count on what subjects and what they must be taught have to be discovered. Neither faculty members nor ordinary extension men often know how to do this. Sometimes you don't do too well yourselves. And there aren't many of you.

Another critical factor is the nature of community problems. There is a sense in which communities do not have medical problems, engineering problems, educational problems, economic problems, communication problems, or psychological problems—they have community problems with medical, engineering, educational, economic communications, and psychological aspects—and others besides.

Such problems need a comprehensive, systematic approach—just what Title I asks for. Community problems are seldom solved by dealing with discrete aspects in isolation. Let's look at an example.

Such urban problems as housing, transportation, land use and recreation all involve a need for good urban planning.

But to raise the competence of the professional planners won't be effective.

To raise the competence of the planning commissions won't be effective.

To raise the competence of the urban officials won't be effective.

To increase the understanding of the voters won't be effective.

To improve the quality of mass media won't be effective.

To solve the problem of financing the work won't be effective.

To do all of these things, in the right order, at the right time might be effective—but, on the other hand, there may be still other critical factors. I have mentioned phases of the problem involving a half-dozen professions and disciplines just to get rational planning with regard to a problem. Much more must be done if it is to be solved.

Universities are not used to such comprehensive, inter-disciplinary, inter-professional programs. Only a few are organized to make them even possible.

As Piet Hein, the Dane, has put it, "All problems lose their meaning when we amputate them, cut off what we want in order to make them fit into our random frames of specialization." Yet this is the customary way for the academic specialist to work.

The universities were not ready for Title I because most of them had no knowledge of how to work with a community as a client—particularly an urban community—and because they were not prepared for a comprehensive, systematic approach to community problems. Need I go further?

Heroic efforts have sometimes overcome such handicaps. And I think heroic efforts were clearly involved in getting the program started. If I remember correctly, 49 state plans were developed and approved in less than three months. That is real evidence of heroic work by the Office of Education, the state agencies, and the educational institutions.

But where are we today?

Jules Pagano reported to a group of extension deans in November—and the report is printed in the December-January Spectator—that thirty-three percent of all Title I funds was being spent "to improve the professional or technical skills of such groups as doctors, teachers and civil servants. Two percent of the funds goes to devising self-help programs for the aging.

"Seventeen percent of the funds goes to urban and regional development . . . About five percent goes to help solve the problems of racial discrimination and racial tension." Etc.

This does not sound like a comprehensive report on anything.

I have examined in detail a roster by states of all projects granted fiscal 1966 funds. I think it fair to say that an overwhelming majority—almost all—seem to be discrete, isolated, attacks on a single phase of a complex problem.

This was to be expected. It was the only way to get started fast, considering the way the law was written. But if this pattern becomes precedent, the program may well be doomed.

I say may because I am depending on a pipe-line to Congress which may be unreliable, and because I am not confident that I grasp adequately the mood of the people who count in this situation. I feel a blunt "will be doomed" is justified.

Why?

My pipeline reports that Congress is tired of statistical reports on the number of people served, the hours of service—in general, the data on intermediate phenomena. The members of Congress want end results. They ask, "What difference did it make?" "Did it get the results intended? Was the net effect an improvement?" And an increasing number of voters are concerned about slum redevelopment projects that improve the real estate but displace the slum dweller and aggravate the social problems. They are increasingly concerned about free-way construction which increases highway capacity without increasing traffic efficiency and does it at the cost of blighting neighborhoods and aggravating other social problems. They are increasingly concerned about programs which increase the education of members of minorities without opening up opportunities for that education to be put to constructive use. The concern in Washington itself may be reflected in the Model Cities program, which makes possible the coordination of the broadest spectrum of therapeutic action ever possible in this country—a spectrum of which everything that can be done under Title I is a minor part.

If we had to start with discrete projects attacking selected facets of complex problems, if we must show tangible results in terms of community improvement, if this kind of result cannot be achieved by the kinds of projects currently going on, we need some leadership some place.

And I think this really is the situation. I have not been able to investigate the projects funded with fiscal 1967 funds, but in our state they constitute smaller projects attacking isolated elements of more problems than the previous year. They should have strengthened ongoing work and supplemented it by attacking other elements in the same problems involved in the first year's programs.

If my state is reasonably typical, we need someone to lead us from project-oriented thinking to problem-oriented thinking, from the approach by discipline or profession to the comprehensive approach.

In theory, the needed leadership could come from any of a number of sources.

It might come from the National Council established under Title I. I don't think it can. That Council includes two outstanding leaders in general university extension, but neither is a student or practitioner in the field of intended community change. And I don't think anyone else on the Council is.

It might come from the federal agency. When Jules Pagano spoke to some deans in November, I thought I saw signs justifying optimism. If you have read his talk in the Spectator, you may have had the same impression. But current signs are discouraging. Let me cite two such signs.

I have copies of two letters from Washington which state that the identification of community problems is the responsibility of the state agency. This statement will suggest to many readers that the state agency will send a person or persons into a community with the attitude "You have a delinquency problem which is so bad I have been sent to help you solve it. Let's start a seminar next week for the city council, the school board and superintendent, and the police chief."

I would hate to enter a community under such circumstances. I think at least most of you will agree that community problems must be recognized by the community. I doubt whether the state agency should normally do more than judge priorities and programs on the basis of professional staff work.

I also have a copy of the "Notice of Activation . . ." form for Title I programs. It asks, among other things for:

1. Names of cooperating institutions
2. Cost per participant
3. A detailed description of the program, including "program content, the methods and materials to be employed, the faculty resources involved, and, where applicable, the frequency and duration of sessions."

I suggest that the language of this form will tend to influence institutions to stay in the most traditional patterns of group instruction. Jules Pagano may appeal all he wants to for rational innovations, but he can't expect effective ones if such language is used in requiring official reports.

Don't misunderstand me. The solution of many community problems probably involves the group instruction of adults on an unprecedented scale. But this activity is not at the heart of intended social change. By themselves, such programs are what Piet Hein called the amputation of parts of a problem to fit random frames of specialization.

Don't expect the needed leadership under current conditions from the federal agency. I can find no evidence that the agency comprehends the problem of evoking and securing effective processes of desired social change.

In theory, the leadership could come from the state agencies. Read their names. To me, they suggest no grounds for hope.

In Colorado, the state agency is the Colorado Commission on Higher Education. It has a small staff composed of excellent professional men. However, they have not been selected for their competence in guiding or assisting social change. They can't give the needed leadership—they are part of the need.

In theory, the leadership could come from the universities. I have already indicated why, as institutions, they, too, are part of the need. Most of them are not used to serving communities as clients, and most of them are not organized for comprehensive programs.

Gentlemen, I am convinced that if effective leadership emerges at all, it must come from this group here, from this Division of NUEA.

Maybe my analysis is wrong. It is an administrator's analysis, based on available information some of which is no more than ambiguous signs. But if you look at the society from which the program emerges, if you examine Congressional intent and expectations, if you examine the Act and the regulations, if you look at the federal and state agencies and the institutions involved, if you look at what happened to date, if you look at the possible sources of leadership, including yourselves, I think you will come to the conclusion I have reached.

To be sure, there are elements in the situation about which I have said nothing—university presidents, for instance. I don't think, however, you can find any such un-named element in the situation from which you can reasonably expect the needed initiative.

I know you have other things to do. I know you are busy. But the university extension movement could not have reached its current development without a lot of self-sacrifice by many men, and, as the Bible puts it, "To him who knoweth to do and doeth it not, to him it is sin."

I want to recommend the line of action taken by two physicians in South Dakota concerning a patient who was critically ill. At one point in their consulting, one said to the other, "Amoebic dysentery in South Dakota seems impossible. But I agree that is what it looks like. You start treatment on that basis at once and I'll make the laboratory tests to see if we are right." The plan was followed and the patient recovered. If they had made the lab tests before starting treatment, the patient would have died.

So start checking my analysis of symptoms to see if my diagnosis is wrong.

But also start, today, to treat the patient.

Set up lines of communication with the federal agency. What happened to the plan you adopted last year—in the resolution presented by Bosworth? I think that plan made lots of sense. The men I know in the federal agency are intelligent, dedicated men. I am sure they will listen if you put first things first, and a continuing dialogue is needed.

But this is only one step you should take at once. I would like to see you develop methods of orienting both the agencies and the institutions. They need to learn what a "comprehensive system" is, as the term refers to Title I programs. They need some insight into the process of goal-oriented community change. They need to understand the need for coordination at the local level on a basis much broader than Title I. Perhaps we need a national institute or workshop. Perhaps it could be the joint effort of you and the federal agency. I have some ideas on the subject I will be glad to leave with your chairman and with the federal agency, but they should be viewed as part of the beginning and not as a finished program plan.

I think you should also take a third step—maybe a third and a fourth. We need more professionals, and approximations of professionals to met the current emergency. I propose you do two things about the problem:

1. Look over the national scene and see if you can find some way by which either professional curricula can be established at more universities or the output of the graduate curricula which already exist can be increased, or a combination of both.

2. See if you can develop effective short programs for the in-service orientation and training of persons currently responsible for Title I work.

I strongly recommend all four of these steps: cooperation with the federal office, orientation programs for the state agencies and educational institutions, increased output of professional curricula and first-aid in-service programs for people currently responsible for Title I work. By the time you have finished your own diagnosis, you may find other ways to improve the situation. . . .

In case you lack confidence in your own wisdom, let me end by quoting Piet Hein again:

The road to wisdom?—Well, it's plain and simple to express:

Err
and err
and err again
but less
and less
and less.

FOOD STAMP PROGRAM

Mr. MONTOYA. Mr. President, when the food stamp program opened as a pilot project in 1961, I am sure that some people had serious misgivings about it.

Wisely, Department of Agriculture officials, who were asked to test this approach to the problem of feeding needy people in 1961, began slowly with only eight pilot projects. They built upon that experience and constructed a well-administered program.

I am proud to say that one county in my own State of New Mexico was chosen for one of the eight pilot projects, and that two other counties were chosen to further test the program during the pilot phase. At the present time, 20 of our 32 counties are providing food stamp assistance to the needy.

Our experience has been in both large and small counties, in both urban and rural areas. My observations, and those of my constituents, lead me to the conclusion that the program is doing the job it was intended to do—that of feeding hungry people, increasing retail and farm markets, and boosting the overall economy of participating areas.

Support for the program in New Mexico stems from two factors: First, the good which it is doing for some 23,000 people in 20 counties; and second, the sound and careful manner in which it is administered by cooperating Federal, State, and local agencies.

Applicants are carefully qualified by local offices of the State welfare agencies. They buy coupons in amounts that represent the amounts they have been spending for food. They get back coupons worth more. They spend the coupons at food stores in their communities. Thus, they eat better; grocery stores sell more food and buy more from wholesalers; wholesalers buy more from processors, who buy more from farmers.

It is as simple as that. But, it is wonderfully effective.

My constituents like the program because, in a dignified manner, it helps needy people to eat better. Farmers like it because it increases the sale of their high-profit and most nourishing products: meat, poultry, milk and milk products, eggs, fruits, and vegetables. Grocers like it because it increases their business and has, to a large extent, eliminated a large amount of credit purchasing by low-income families.

I believe the worth of the food stamp program can be summed up by this comment from a New Mexico mother. In speaking of the food stamp program, she said:

> It is the first time I have ever had enough for a month's supply of groceries.

New Mexico's experience has not been unique. I believe the program should move forward as a joint cooperative Federal-State venture.

NEGRO ACTIVISTS BLAMED FOR RIOTING

Mr. BYRD of West Virginia. Mr. President, the Huntington, W. Va., Herald-Dispatch recently carried a column written by George S. Schuyler, veteran Negro newspaperman for half a century. The column was titled "Negro Activists Are Blamed for Rioting." I ask unanimous consent to insert this column in the Record, together with an editorial from the Wheeling, W. Va., News-Register, which commented on Mr. Schuyler's nationally syndicated column.

There being no objection, the items were ordered to be printed in the Record, as follows:

The Negro Story Has Been Distorted

Much of the violent racial unrest which has engulfed the Nation in recent times has been attributed in the main to the agitation by the irresponsible Stokely Carmichaels, Rap Browns and other Black Power activists.

There is no question these men had a significant hand in the uprisings but the seeds of this strife and disorder were planted long ago by others, many of whom now want to wash their hands of all blame for the rioting, looting and killing. We are referring to the politicians, the so-called do-gooders and the Negro leaders who call themselves "moderates." They helped create the climate which in time made the scene ripe for a takeover by the more violent, the more savage and the more irresponsible element in our society.

The American people have been victimized for years by a massive brainwashing. Our white people today have been led to believe by the propaganda that they are to blame for the evils of slavery which existed in this country long before the vast majority of us were born. The whites in this country today have been told repeatedly that they are responsible for the "Century of Neglect" which followed the abolition of slavery in the United States.

The real truth is that the "Century of Neglect" produced the most prosperous, civilized and educated Negro community anywhere on the globe in history.

That appraisal of the national scene was expressed last week by Mr. George Schuyler, a nationally syndicated and respected Negro columnist.

Mr. Schuyler wrote, ". . . Millions of whites have fallen for the line that they are, today, in 1967, responsible for the evils of slavery and the 'century of neglect' that followed it . . . The successful Negro has been downgraded as a self-seeking opportunist; the jobless, embittered, violence-prone Negro has been idealized as the true voice of his people."

In Mr. Schuyler's view, the Negro upper class has been frightened into silence by the Pied Pipers who are leading gangs of dropouts, juvenile delinquents and the criminally inclined . . . astray.

". . . So this has given the agitator-activists full sway and no one has been tearing apart their vicious lies," he wrote.

"These people . . . make it appear that the American Negro's future is hopeless, whereas it is as hopeful as that of the whites.

"The agitators gather crowds by blaming the white man for all the Negroes' ills, while the responsible Negro leadership either defends this falsehood, cravenly remains silent, or whimpers, 'We didn't really mean it' after the cities have burned to ashes."

My, how the so-called moderate Negro leaders have missed the boat! Martin Luther King, Roy Wilkins and other civil rights leaders have failed to preach the more inspiring and optimistic story of Negro progress and achievement. They have turned their backs on the more positive approach to lending encouragement to their people. They have failed to accentuate the facts such as there are twice as many Negro businesses now in this country as there were at the end of World War II; there are more than 2,500,000 Negroes who own cars and an equal number who own their own homes; and, there are 320,000 Negro students going to our colleges and universities, with more than twice as many Negro students per 1,000 of black population as there are proportionately students in Europe.

There are individual stories of Negro success which offer hope for the American way. In just 20 years, George Weaver, a Negro staff member of the CIO, has risen to become Assistant Secretary of Labor for International Affairs. In those same 20 years, a Negro professor, Robert C. Weaver has become Secretary of Housing and Urban Development, the first Negro member of the Cabinet. Thurgood Marshall, an attorney for the NAACP back in those days now has been nominated to be the first Negro member of the U.S. Supreme Court. Edward W. Brooke was in law school at Boston University 20 years ago but now he is the first Negro elected to the U.S. Senate since the reconstruction days. There are many, many examples of Negro success in almost every field of endeavor.

Rather than have led the freedom marches, Martin Luther King better would have served his people if he had rallied Negro-Americans in the arts, letters, science, business, sports, government, entertainment, armed services and other fields, for a masive demonstration of Negro success under the American system. Here could have been a positive effort showing how the Negro did overcome and without violence.

It is hoped that there still is time to recapture the missed opportunity and that the will of the Nation will be sufficient to advance a new, more positive approach to these problems and issues which have sickened all right-thinking Americans. To begin again we must put aside the brainwashing and the propaganda. Is this too much to ask of our leaders, both Negro and white?

Negro Activists Are Blamed for Rioting

(Editor's Note.—George S. Schuyler, the Negro conservative, for years has been warning that the "civil rights" leadership of this country was taking the Negroes down the road to disaster. A newspaperman for half a century, he is the author of "Black No More" and "Black But Conservative.")

(By George S. Schuyler)

New York.—Race war is here, perhaps to stay, and while this will be denied, Negro leadership itself—including the so-called "moderates"—must share much of the blame for the smoking cities, the vandalism and the armed attacks by some young Negroes on the forces of law and order.

Passage of an anti-riot bill will not much alter the situation because it would seem to be too little and too late. While curbing the subversive activities of some of the itinerant agitators, it will not curb the local incitement by the revolutionary cells already in being in cities large and small across the country.

Nothing seems to have been learned from the warnings through the years by informed observers of the gathering storms which were believed to be brewed by poverty, discrimination and as they now say, "cultural deprivation." In this connection it is notable that these tragic uprisings rarely occurred anywhere prior to the onset 10 years ago of the campaign of agitation and incitement by Negro activists.

The vandalizing of our cities today is the product of 50 years of brainwashing. Many still refuse to recognize it. But millions of whites have fallen for the line that they are today, in 1967, responsible for the evils of slavery and for the "century of neglect" that followed it. The fact is that the "century of neglect" produced the most prosperous, civilized and educated Negro community anywhere on the globe in history.

So successful was that line that even relatively recent immigrants from Poland, Italy or Ireland have been duped into feeling guilty for what some slave owners in the American South might have done a hundred years before they were born.

Similarly, Negro intellectuals have been brainwashed into thinking that the only reasons for Negro backwardness in America are those attributable to whites. The successful Negro has been downgraded as a self-seeking opportunist; the jobless, embittered, violence-prone Negro has been idealized as the true voice of his people.

Much as many Americans dislike hearing this, the Communist party has been the most consistent and effective manipulator of this line of thinking. It long ago painted a picture of American society—of greed, brutality, racism—that has been adopted wholeheartedly by many of the Negro leaders who, literally, are "calling the shots" in Detroit, Newark, Rochester and where next.

For several decades, Negro leadership in speeches, news releases, books and other writings have harped interminably on the faults of American society; the mistreatment of Negroes was exaggerated, handicaps were denounced and opportunities minimized. Where the Negro needed hopeful plans for the future and an optimistic strategy to achieve them, there was a continuous campaign of denigration, denunciation and pessimism. This was the last thing uprooted farm migrants of low education needed or wanted, when they flocked to our cities.

This was a challenge to Negro leadership which it has failed to meet in the massive proportions necessary. European immigrants had faced similar handicaps and hardships, and had overcome them in large part by organization and ingenuity, whereas the city Negroes set up their own color and caste line, and sought to escape their less prepared peers; often not without some logic on their side. Every Negro urban community suffered social indigestion from consuming too many migrants in too short a period, and with not enough help from white neighbors who also fled the influx.

Under the circumstances, it is remarkable that the Negro population acquired so many skills, so much education and such an accumulation of wealth is so short a time, but mostly through individual rather than community effort.

As of the present there are 320,000 Negro students matriculating in the nation's colleges and universities, with more than twice as many Negro students per 1,000 of black population as there are proportionately students in Europe.

There are more than 2,500,000 Negro-owned automotive vehicles, excluding automatic farm machinery, and an equal number of Negro-owned homes.

While the number of farmers, colored and white, declines yearly in the fact of automation, there were at last counting 127,473 Negro farm owners, and a Negro farmer today without an automobile, truck, tractor, television set and electric refrigerator, in some cases cotton picking machines, is rare. Nearly 100,000 Negro farmers constitute a fifth of all tobacco growers. There are twice as many Negro businesses as there were at the end of World War II.

It would seem to be reason for optimism and hope, but the prophets of doom shout louder than ever and, unfortunately, they have progressively either brainwashed the Negro upper class or have frightened them into silence. They have not really attempted to quarrel with or condemn the local and national Pied Pipers who are leading gangs of dropouts, juvenile delinquents and the criminally-inclined "lumpenproletariat" astray. They have almost uniformly taken up the chant of "police brutality" and screamed for civilian review boards to further handicap the police in using the necessary force to maintain law and order. They have refused to wholeheartedly condemn hoodlumism and those who led the street packs—for fear of being dubbed "Uncle Tom." And one seeks far and wide for a trade school any group of them have set up to teach young Negroes a skill which they can sell in the labor market. A conservative Negro with vision is denounced as an enemy of his people, if he speaks up against the criminal trends in his community.

So this has given the agitator-activists full sway and no one has been tearing apart their vicious lies. There is always a holding-back for fear of approving "anti-Negro."

These people are clever and conscienceless verbalists who would make it appear that the American Negro's future is hopeless whereas it is as hopeful as that of the whites if there are spokesmen to say so.

Every excuse and alibi possible has been made for Negro backwardness, shiftlessness and criminality, instead of facing up to the facts and telling the truth. The reaction of "intellectuals" to the widely-publicized Moynihan report on the prevalence of the Negro matriarchal family is a case in point. They either condemned it out-of-hand or failed to defend it; yet how are you going to improve a situation unless you admit it exists?

Even so prominent a Negro official as Secretary of Housing and Urban Development, Robert C. Weaver, tells the Senate Housing Subcommittee that riots "are inevitable consequences of scores of decades of neglect, discrimination, and deprivation, and well-directed positive action can stop them." This is the now familiar refrain which actually encourages riots because of the belief it engenders that improvements only come from street action. Certainly those Negroes are not "deprived" whose kitchens are stacked with the loot from neighborhood stores!

The agitators gather crowds by blaming the white man for all the Negroes' ills while the responsible Negro leadership either defends this falsehood, cravenly remains silent, or whimpers "We didn't really mean it" after the cities have burned to ashes.

AMERICAN LEGION OPPOSES L. B. J. WARTIME TRADE POLICIES

Mr. MUNDT. Mr. President, on the opening day of the national American Legion convention, held this year in Boston, John Davis Lodge and I were among those who presented to the convention our reasons for supporting a resolution by the Legion which strongly condemns the indefensible actions of the Johnson administration in encouraging wartime American exports to Communist Russia and her satellites at the very time the Communists of Europe are supplying virtually all of the weapons and materials of war required by the Communists of North Vietnam to continue the war and to escalate American casualties.

I am happy to note that the national American Legion convention did adopt such a resolution, known as Resolution 20, the full text of which I read into the CONGRESSIONAL RECORD of September 12, 1967, page 25139. The key paragraphs of that highly significant resolution deserve repeating here. They read:

> Resolved, by The American Legion in National Convention assembled in Boston, Massachusetts, August 29, 30, 31, 1967, That The American Legion:
>
> (1) believes that continued trade, or assistance of any form to a communist country which is helping to supply North Vietnam and the Viet Cong is an affront to the American men who are called upon to perform combat duty in the defense of South Vietnam;
>
> (2) urges the President and the Congress of the United States to prohibit further trade between this country and any communist country which is providing North Vietnam with assistance in any form that can increase the war-making potential of its forces, with the consequent killing and wounding of greater numbers of Americans;
>
> (3) calls upon our Government to renew the issue of the "lend-lease" vessels which the United States failed to repossess from the Soviet Union following World War II, and to demand their return at this time inasmuch as they are being used to supply our enemy, North Vietnam, and be it
>
> Further resolved, That the National Organization of The American Legion is authorized and directed to take all appropriate steps to implement this resolution including a petition campaign to make a more forceful presentation of our view and those of the American public generally, to the President of the United States and all other officials of the Federal Government who are responsible for United States trade policy.

Mr. President, for the further information of Congress and the country, I ask unanimous consent that the statement presented by former Ambassador, Governor, and Congressman, John Davis Lodge, appear at this point in the RECORD. Mr. Lodge, as is well known, is also national chairman of CEASE—the Committee To End Aid to the Soviet Enemy, headquartered in the National Press Building, Washington, D.C.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY FORMER AMBASSADOR LODGE AT AMERICAN LEGION CONVENTION

(Statement by Hon. John Davis Lodge, former Congressman, Governor of Connecticut, and former Ambassador to Spain; Chairman of CEASE (Committee to End Aid to the Soviet Enemy), and member of August Matthias Post, Westport, Conn. on Resolution 18 dealing with: "Trade with Soviet Bloc Countries assisting North Vietnam"; approved by the national executive committee of the American Legion at the meeting held May 3-4, 1967)

"Speaking of the truth is a 'petit bourgeois' prejudice. A lie, on the other hand, is often justified by the end. Capitalists the world over and their governments will, in their desire to win the Soviet market, shut their eyes to the above-mentioned activities" (sic subversion through "peaceful coexistence") and will thus be turned into blind deaf-mutes. They will furnish credits, which will serve as a means of supporting the Communist parties in their countries, and, by supplying us with materials and techniques which are not available to us, will rebuild our war industry, which is essential for our future attacks on our suppliers. In other words they will be laboring to prepare their own suicide.[1]

The language of this resolution condemning trade with the Soviet enemy who by proxy is killing and maiming our American fighting men in Viet Nam, expresses so exactly my philosophy that I wish that I had written it myself. As Chairman of the Committee to End Aid to the Soviet Enemy, I am convinced that the resolution also expresses the will of millions of Americans who condemn the Administration's misguided attempts to increase so-called East-West trade at the very moment when the Soviet enemy was extending aid and comfort to the Communist aggressors in Viet Nam, launched, armed and supported Nasser's aggression in the Near East, and was eagerly stirring up trouble for free nations all over the world.

The Soviet enemy means the Soviet Bloc and in particular the Eastern European Satellites. The Soviet record is unanswerable. They make treaties only to break them; they are determined to "bury us"; they regard trade as a weapon and see no inconsistency between branding us as aggressors because we defend freedom in Viet Nam and condemning Israel for successfully humiliating the Soviet-armed Arab armies which sought to drive Israel into the sea.

Let us be clear in our minds about one thing: the Soviets don't want trade in—as we understand it—the natural reciprocal exchange of needed economic goods and services which has created the modern world. They want us to sell them on long-term credit sophisticated electronic equipment and industrial processes which they can pirate without the trouble of development. They also want consumer goods to keep their slaves and their privileged classes content while they concentrate on munitions, missiles and military equipment. They repeatedly need food to counteract their catastrophic failures in socialized agriculture, but they have nothing to exchange in return except vodka, caviar, furs and subversion. And they rely in the assumed blind greed of capitalism to fall into their trap. U.S. trade with Russia and the Soviet Bloc in Eastern Europe totaled $376.7 million in 1966, an increase of 40% over 1965.

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[1] From "Lenin and the Deaf-Mutes," an article by Yury P. Annenkov which appeared in the May 1962 issue of the *Bulletin of the Institute for the Study of the U.S.R.R.;* inserted by Congressman John M. Ashbrook of Ohio in the Appendix of the daily CONGRESSIONAL RECORD for November 21, 1966, page A5929.

The Administration started this year with high hopes of leading us down the Garden Path of East-West trade; of building bridges with the Soviet Union while we are engaged in a brutal war in which Russia is supplying to our enemies in North Viet Nam 80% of their arms and equipment, i.e.: all the petroleum, all the MIGS, all the SAM missiles, all the antiaircraft weapons and all the sophisticated weapons systems.

If "peaceful coexistence" were a Russian objective and not simply a tactic, it could readily be achieved in Viet Nam by the Russians cutting off the massive arms aid which they are providing to the North Vietnamese aggressors.

In the words of House minority leader Gerald R. Ford of Michigan:

"Let the Soviet Union dedicate itself to peace and Republicans will be only too happy to help build two-way bridges between our countries."

This point of view applies also to many Democrats.

Unfortunately all the available evidence sustains the contention that, far from trying for the much publicized "détente", "our self-styled enemies" as Winston Churchill aptly called them, are bending every effort to implement Lenin's 45-year-old policy of subversion of the free world by "diplomatic" and "cultural" and "trade relations" and by helping the enemies of the United States.

In a significant, eloquent and documented address to the Senate on July 13, 1967, Senator Karl E. Mundt of South Dakota quotes the authoritative Wall Street Journal of February 14, 1967 as follows:

"There's no question that the Soviet Union is the primary supplier of war goods to North Viet Nam, even though rival China loudly disputes that fact. U.S. intelligence experts estimate that the Russians have supplied North Vietnam with more than $600 million in military aid, including $500 million in arms alone, since 1953; of that total, 85% has been sent since August 1964, when North Vietnamese ships attacked U.S. Destroyers in the Gulf of Tonkin and the Viet Nam war began heating up rapidly. Since 1953 the Chinese have given Hanoi only $150 million in military aid, 65% of that since August 1964."

There can be no question that Senator Mundt states an incandescent truth when in the course of his luminous statement he asserts:

"The United States is the hope of mankind. If actions cannot be consistent with ideals, how can we hope to lead others to believe in them? Such trade is no less than contraband, and there can be no legitimate profit for those who traffic in it."

The Soviet Consular Treaty was the first step in a carefully plotted campaign of economic appeasement. When the American people discovered that the Senate had ignored the expressed wishes of the million Americans who wrote to Washington in protest, CEASE was born. We propose to enroll at least ten million Americans in opposition to aid to the Soviet enemy—aid as well as trade—and we are busy getting petitions signed and soliciting the small voluntary contributions which will guarantee that our protest has broad public support. Trade has been interpreted as aid by the Department of State in our embargo against Rhodesia. We have established a small Washington office in the National Press Building and have incorporated CEASE as a non-profit corporation to qualify for tax-exempt status as assurance that the money we collect will be spent exclusively for this purpose.

Already we have had signal success. Immediately after CEASE announced its formation, the Administration decided not to push for East-West trade this year. They delayed the plan to lend $50 million to the Italian Fiat Company to build an automobile factory in Russia, because, quite obviously, it increases Russia's capability to deliver military vehicles to North Viet Nam and the Middle East. They soft-pedaled proposals to grant Export-Import Bank credit to Communist countries. They postponed plans to extend to the Russians "most favored nation" status under the renewed Trade Agreements Act. They practiced bureaucratic abortion on the much-advertised East-West Trade bill before it even showed up on Capitol Hill. All this was encouraging, but at the same time, the Administration stepped up the release of strategic items to the Soviet Union, including rocket fuel and atomic isotopes.

According to former Under-Secretary of State Ambassador Robert Murphy there is "an assumption that establishment of trading relationships will promote or guarantee peace between the Soviet Union and this country. . . . It would be remembered that in no area were trading relations closer than in Europe, among Germany, the United Kingdom and France. Yet this did not prevent both World Wars, nor did similar close trade relations between Japan and China keep the peace in Asia."

Let me urge the American Legion to consider East-West relationships in their true historical context. In dealing with the Soviets, we are so conscious of the madness in their methods that we are in danger of overlooking the method in their madness.

While prattling of East-West trade, the Soviets are following a grim geopolitical pattern that is actually aimed at cutting the great East-West trade routes that have created modern civilization.

They have planted their man Castro in a Soviet-Cuba which strategically controls the maritime approaches to the Panama Canal as well as sea-borne trade between North and South America, the Gulf of Mexico and the Caribbean Sea.

Their man Nasser has already seized the Suez Canal and, even before he struck at Israel, was fighting for control of Aden, at the Red Sea's exit to the Indian Ocean. The recent Near East crisis has confirmed Soviet influence over a large number of Arabs and has, in effect, sealed off the Mediterranean for East-West trade except at Soviet pleasure. They have even bulldozed the Turks into allowing the Soviet Navy to pass the Dardanelles, realizing the old dream of the Czars for the first time in 300 years.

In South-East Asia, their man Ho Chi Minh is engaged in a slow siege of the approaches to Singapore and the Straits of Malacca, the great gateway between the Indian Ocean and the China Seas.

Through their Afro-Asian bloc in the U.N. and their stooges in the Free World, they are already engaged in a ruthless diplomatic and political drive against the Union of South Africa. During the last war the sea route around Africa was the life-line of victory in North Africa. It is worthy of note that there is no corresponding drive against Australia, which has a lily-white racial policy, but only against Rhodesia, the Portuguese colonies of Angola and Mozambique, and South Africa itself—because they control the old sea-route around the Cape of Good Hope which saved Europe from economic collapse and Dark Age barbarism when the Turks cut the traditional East-West trade routes some 500 years ago.

In conclusion, Fellow Legionnaires, let me urge you, as clear-sighted patriotic Americans, to take a long view of East-West relations and a dim view of proposals to extend aid to the Soviet Bloc enemy while they continue hostile action against the West through trade or any other means. Aid is more than Trade, though it includes Trade; aid means any public or private assistance this country and its allies and associates may grant to the Soviet Empire's design for world-conquest; any assistance, as your Resolution points out which increases the war-making potential of the enemy. We must strike the Communist grip from the windpipe of East-West world trade. We must stop paying blackmail or tribute to the Kremlin, whether it is a Khrushchev who snarls or a Kosygin who sneers at us. We must avoid another Yalta, whether it be called the U.N. or Hollybush House. The Soviet Union and its leaders make no secret of their intention to destroy us. CEASE believes that the time has come to take them at their word. Let us take to heart Lenin's grim dictum that "trade is a weapon."

The old Romans made it a rule never to negotiate with those carrying weapons; our diplomats might well imitate their prudent refusal to confuse blood with money in the high issues of freedom and survival.

In abandoning Stalinism, the Russian despots reverted to Leninism. Lenin said:

"First we take Eastern Europe. Next the masses of Asia. Then we shall encircle that last bastion of capitalism, the United States. We shall not have to attack. It will fall like an overripe fruit into our hands."

So would perish "the last best hope of earth";

So would the thousand year eclipse of civilization promised by Adolf Hitler become a grim reality;

So would our beloved America with all its exciting promise disintegrate and disappear.

We must not—we can not—we will not let this happen.

TRASH AND ITS USES IN THE FUTURE

Mr. BOGGS. Mr. President, our affluent society has as one of its byproducts a constantly mounting problem of trash.

We not only have to get rid of trash, we must also think of ways in which trash materials can be salvaged, or at least put to constructive use as they are disposed of.

These are questions which will be receiving a great deal of attention in the near future. Several weeks ago I asked the Library of Congress to prepare a report for me on uses to which waste materials might be put. It is expected to be ready in about 4 months.

An article, entitled "Some Trash Has a Future," written by Eric Wentworth, and published in the Washington Post's Potomac magazine of September 17, indicates the magnitude of the trash disposal problem, and some of the avenues for dealing with this problem which are being explored. I ask unanimous consent that the text of the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Some Trash Has a Future

(By Eric Wentworth)

Would you believe tomorrow's supersonic jet transport swooping grandly out of the sky to land on a trash dump?

Frank R. Bowerman of Aero-Jet-General Corp. does. Bowerman used to be a sanitation engineer in Los Angeles County and he's a great believer in the creative uses of what other people throw away.

Bowerman reckons New York City produces about eight million tons of solid wastes yearly. Taken by barge to some offshore point, this would make an island big enough to support an airport runway 200 feet wide and 12,000 feet long.

Not only would this scheme ease New York City's colossal trash disposal problem, at least temporarily, but it would help the "noise pollution" problem too if big jets land and take off over the water instead of people's homes.

Bowerman, who has some thoughts about the District of Columbia's waste woes too, belongs to a small hopefully growing clique of "imagineers" seeking answers to a large, alas also growing challenge: what do you do with all the beer cans, bottles, bottle caps, cartons, boxes, wrappers, toothpaste tubes, old tires, junk cars, junk mail, grass clippings, chunks of concrete, ripped umbrellas, table scraps and other garbage, trash, litter, refuse and debris that Americans are tossing away at a rate approaching nearly five pounds per person daily?

Leo Weaver, chief till recently of the Public Health Service's Solid Wastes Program, estimates the nation's yearly production of municipal solid wastes—some 250 billion pounds—would make a pile the size of a city block nearly 50 miles high.

The United States citizenry is spreading a total of some $3 billion annually on the collection and disposal of this incredible outpouring of odds and ends, and often the money's going for a lousy job.

Much of the waste is burned without the controls needed to avoid fouling the air. Not one of the District's four incinerators has the necessary safeguards built in to minimize air pollution. Large amounts are buried in "sanitary land fills" that aren't always that sanitary. Far too much is simply dumped, to provide rancid banquets for rats, flies, seagulls and other scavengers. (As a result there's a seagull "population explosion" along the Atlantic Coast.)

Far too little heed, conversely, has been paid to doing the job better. Part of the problem has been public attitudes: sweep it under the rug, or kick it around till it disappears. And, let's face it, garbage men may be called sanitation technicians these days but careers in "solid waste management" are hardly likely to attract the nation's brightest young brains.

The field isn't entirely vacant, though, and men like Weaver and Bowerman are exploring a variety of ideas that could improve the picture tomorrow.

Take Harriet Homemaker's primitive system for ridding her household of debris. She fills up the wastebaskets in bedrooms and kitchens, dumps the contents in the garbage cans out back, and hopes the "sanitation technicians" clean them out without spilling too much on the ground.

Both Weaver and Bowerman are intrigued with the so-called Sundyberg system being tried out in a housing development near Stockholm, Sweden. The apartment dwellers dump their trash in an 18-inch pneumatic tube something like an incinerator chute, where it's sucked away to a central collecting point.

Bowerman thinks such a system, while costly, might prove a God-send in city slums where trash handling so often is sloppy. Get rid of garbage cans, he reasons and you're on your way to getting rid of rats.

Garbage grinders, or "mechanical pigs," in the kitchen sink already have eased the household problem of food wastes, and some engineers see promise in home grinders for other trash. Still, most "mechanical pigs" won't chew up beef bones, and trashgrinders would have their limits too.

One can hope the City of Tomorrow, once it collects the wastes, will do a better job of getting rid of them. More efficient burning is one answer. Some communities are showing interest in using trash as fuel for power plants, though typically it has only about half the thermal energy of coal.

Burying trash is a time-honored practice. Advocates of the "sanitary land fill" approach insist it can be effective and inoffensive if done right.

Many people would agree, as long as nobody wants to start a sanitary land fill near them.

Bowerman, during his tenure with the Sanitation District in Los Angeles County, probably did as good a job as anyone in selling local residents on land fills. They became a necessity in 1957 after a ban on backyard incinerators doubled the trash-collection load.

Bowerman and his colleagues promoted these trash dumps as land reclamation projects. Once the fill was completed, the neighbors could enjoy a park, botanic garden, golf course or Little League ballfield atop it. In some cases, he insists, nearby land values went way up.

Part of the trick, he explains, is making sure the land fills are operated properly: no burning, limited operating hours, control of trash-truck traffic and covering what's dumped with the requisite layer of earth at the end of each day.

And another part is making firm legal arrangements in advance so the local government is bound to provide and maintain whatever recreation facility is planned afterward.

On the local scene, Bowerman takes as dim a view as anyone of continued open burning at the Kenilworth Dump, which he described at a Senate subcommittee hearing last March as a "completely unnecessary, sordid blight." He believes Washington could learn much from Los Angeles about the benefits of sanitary land fills and how to sell people on them.

Specifically, he told the Senate panel that if the District of Columbia wraps a park development scheme into its controversial plans for land fill at Muirkirk, Md., in Prince Georges County, the result "could be an enhancement to the Muirkirk people and could be a means of disposal for some years to the community of Washington."

Land, however, is increasingly expensive near the nation's metropolises. Hence a number of city governments, faced with tight budgets and perhaps reluctant to face neighborhood antiland fill brigades, are looking farther afield.

The Public Health Service is sponsoring research on the possible use of railroad trains to haul municipal wastes off into the mountains or deserts.

One study focuses on dumping these wastes into abandoned Appalachian strip mines to convert the ugly scars, once filled, to parks or other sylvan beauty spots.

And then there's Bowerman's idea for barging waste out into Long Island Sound, or the Atlantic Ocean, as fill for a new jet airport. After all, he notes, part of LaGuardia Airport rests on an old trash dump.

While some people worry about better ways to get rid of solid wastes once and for all underground, others are interested in salvaging more of it. Already the so-called "secondary material industries" do an annual business estimated at $5-to-$7 billion in reclaiming everything from scrap paper and metals to feathers.

The Pollution Committee of the National Academy of Sciences-National Research Council, in its report last year on "Waste Management and Control," talked wistfully about "closing the loop:"

"Ideally, the system would be completely closed. All water would be purified and reused; all solid wastes would be sent back as resources for making more things.

"How," the Committee asked, "can we distribute the added costs of reuse or of discards so as to provide incentives to steer manufacture toward original design for maximum reuse, or for minimum cost of discard? We could design automobiles so that the steel could be separated more easily from the other materials. We might stimulate research on degradable paper, cardboard, or other containers. Should we tax glass bottles severely, or have federal law 'forbid' that they be *not* reused?"

The nation's aggressive salvage experts have, indeed, been coming up with some huge new gadgets for chewing, grinding, shredding and otherwise reducing items like junked automobiles to something resembling metallic breakfast cereal.

An outfit called Eriez Magnetics recently unveiled its system for salvaging everything from scrap iron and glass to burnable rubbish (for power plant fuel) and "organic wastes" (for compost) from a city's refuse. It includes such exotic equipment as vibrator grizzlies and conveyors, ferrous shakeout separators, and airfloat tables.

The Public Health Service has taken a keen interest in the prospects for producing compost (for use as a "soil conditioner") from sewage, cannery wastes and garbage.

But all schemes for snatching reusable materials from the nation's rubbish avalanche depend on more than technical feasibility. They have to be profitable, and this will inevitably limit their impact.

Meanwhile, the volumes of waste keep mounting. A White House advisory panel reckoned two years ago that the nation must dispose each year of 48 billion cans (250 per person) and 26 billion bottles and jars (135 per person).

Those who sell their products in containers have turned increasingly to aluminum and plastics, which in many cases pose serious disposal problems. Some plastics contaminate the air if burned, and they can't be pulverized like glass. Aluminum beer and soft-drink cans are littering the landscape and the waterways as well.

The makers of Coors beer gained a lot of attention with their offer of one-cent bounties for the return of seven-ounce aluminum beer cans they began using for some of their beer back in 1959. Their antilitter drive netted nearly 85 million returned cans up till last year, a spokesman claims.

But then, when Coors decided to use aluminum for all its cans, the company according to this spokesman gave up the bounties lest it be "buried in cans."

The packaging industry is showing signs of awareness that it's a major contributor to the nation's waste problem. But talk of developing new "degradable" materials that might dissolve or melt easily once their contents are removed runs into a serious snag: the packagers' first concern is protecting these contents. Degradable containers carry the risk of degrading too soon.

"I don't think there's any easy out at all," remarks one packaging aficionado.

Indeed, there's probably no easy out to any aspect of the solid waste problem. Well might today's city administrator lament, with apologies to Hamlet: "O that this too, too solid waste would melt, thaw and resolve itself into a dew."

On second thought, though, what do you do with dirty dew?

WRIGHT'S REVERSAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record an editorial from the Washington Evening Star of September 11, 1967, entitled "Wright's Reversal."

There being no objection, the editorial was ordered to be printed in the Record as follows:

Wright's Reversal

In explanation of his eleventh-hour turnabout decision the other day to permit some 255 District youngsters to remain this fall in the schools they had already been attending, Judge J. Skelly Wright commented that "the position of the children . . . looms uppermost in my mind."

Where was that concern only a week before, however, when the judge ruled that these children, the vast majority of whom are Negro, had to abandon the schools of their choice and move into entirely new and educational environments?

School administrators had cautioned that such moves would be unsound educationally. And the individual pupils involved—during their angry, dramatic appearance before the school board last week—told precisely why in reciting instance after instance of the unconscionable hardships and disruptions they faced.

The logical conclusion is that Judge Wright, as a non-professional, did not have the slightest notion of these effects at the time of the initial ruling. And this, of course, is an ideal illustration of why a federal judge who has no competence as an educator has no business whatever trying to run a school system.

The school board is to be commended for actively seeking the reversal—especially in view of the vehement objections of members John Sessions and Euphemia Haynes. We trust that a majority of the board will be equally responsive to such situations in the future. Sessions' comments that the board's further interest in this case after the initial ruling was a "cruel hoax," and that the board was risking a contempt citation, were irresponsible nonsense.

One aspect of Judge Wright's statement is a little difficult to understand—his indication that his reversal of last week may be temporary, pending an over-all review of school assignment policies next January. For if his reasons for not disrupting the lives of these 255 children are valid today, they will surely be even more valid in mid-term four months hence.

At this stage of the game, however, we choose to look on the brighter side of the picture, and recall another of the Judge's observations last Thursday: His characterization of the 255 children as "pawns" in an "unfortunate episode."

However he meant that comment, it states the present dilemma precisely. If the judge is really becoming aware of the danger that the flights of social theory he expounded in the Hobson v. Hansen decision could make innocent "pawns" of countless other children—in countless other "unfortunate episodes"—maybe we're getting somewhere.

SHOCKING EXPOSÉ ON FOREIGN AID

Mr. BYRD of West Virginia. Mr. President, the Wheeling, W. Va., News-Register ran an interesting editorial on September 15, 1967, entitled "Shocking Exposé on Foreign Aid."

I ask unanimous consent to insert the editorial in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SHOCKING EXPOSÉ ON FOREIGN AID

One of the most shocking reports we have encountered in some time is that prepared by Rep. Otto E. Passman, (D-La.), who for years has been a close student of U.S. foreign aid expenditures.

The State Department always has held the view that our "foreign aid program" consists of economic and military programs and activities authorized by the Foreign Assistance Act of 1961 and for which funds are appropriated by Title I of the Foreign Aid and Related Agencies Appropriation Act.

Congressman Passman has disagreed with this point of view maintaining that the annual Budget of the United States always contains many hidden foreign aid items not accounted for under the Title I program. This year the Aid Agency at last has agreed with Rep. Passman's definition of the items which constitute foreign aid, and the veil which previously had obscured some two-thirds of foreign aid has been rent in twain!

This year's meticulous analysis of the U.S. Budget by Rep. Passman has disclosed that in fiscal 1968 the President may have close to $25 billion (war costs excluded) to spend on foreign aid. In searching the document, line by line, he has been able to itemize 16 requests for fiscal '68 aid which total $9.2 billion! In addition the congressman has found an overhang of $16.3 billion unexpended aid funds for prior years' authorizations. The analysis is a real eye-opener.

It is no wonder that the AID agency has been forced to broaden its definition of foreign aid as it now explains it thusly: "Broadly speaking, foreign assistance is any aid—military or economic—which is extended by one country to another as loans or grants. This definition includes assistance rendered through the various international agencies—such as the United Nations—as well as that which is on a strictly bilateral basis. Used in this context, 'foreign aid' includes not only those programs carried out by the Agency for International Development, but also a number of other programs authorized by Congress."

Net foreign aid costs from 1946–1967, inclusive total 114 billion, 694 million dollars. Cost of interest on what we have borrowed to give away totals 37 billion, 839 million dollars. Total cost of foreign assistance (not including Defense Department), from 1946–1967 inclusive totals 152 billion, 533 million dollars!

New funds requested for foreign aid, all categories, for the first seven months of 1967 total 9 billion, 206 million, 154 thousand dollars. This does not include 1 billion, 400 million dollars previously carried in mutual security now in the Defense Department appropriation. Neither does it include a request for 4 billion dollars to pay the interest on what we have already borrowed to give away.

Unliquidated funds on hand as of June 30, 1967 from prior years' authorizations total 16 billion, 396 million, 781 thousand dollars. If the Congress approves all new funds requested by the President this year, there will be on hand to be spent or obligated during the current fiscal year, the staggering total of 25 billion, 602 million, 135 thousand dollars. Our country is committed to disburse funds during the current fiscal year in 100 nations and five territories of the world!

No American, even the most ardent supporter of foreign aid, can digest Rep. Passman's revealing and alarming study without realizing that foreign aid is a global redistribution of the American peoples' earnings. Will the American people ever tire of this frightening trend and raise their voices calling for a halt to such fantastic foreign aid spending?

RELATIONSHIP OF ANTIPOVERTY PROGRAMS TO CIVIL DISTURBANCES

Mr. HARRIS. Mr. President, the Office of Economic Opportunity recently conducted a survey on the relationship of antipoverty programs to the civil disturbances, or the lack of them, and I believe this survey sheds new light on one of our major problems in this Nation. The survey is of particular interest to me because of my work as a member of the President's Special Advisory Commission on Civil Disorders and as a member of the Permanent Investigating Subcommittee, which is undertaking a separate investigation of recent riots.

I ask unanimous consent that the results of the survey be printed in the RECORD.

There being no objection, the results of the survey were ordered to be printed in the RECORD, as follows:

OFFICE OF ECONOMIC OPPORTUNITY,
Washington, D.C.

Hon. FRED HARRIS,
U.S. Senate,
Washington, D.C.

DEAR FRED: Over the past few weeks, the OEO Inspector-General has conducted a survey of 32 cities where there have been civil disturbances this summer, and 32 cities where there have been no disturbances. The purpose of this survey was to find out the relationship of the poverty program to the civil disturbances, or the lack of them.

Inspectors talked to mayors, police chiefs, juvenile judges, heads of the local Chamber of Commerce and other leading citizens. These findings are summarized in the attached document. You will be particularly interested to learn that in Oklahoma City, the OEO summer program was funded for $139,735 and employed 110 extra Neighborhood Youth Corps people, bringing the total enrollment for this summer to 905. Mayor James Norick and City Manager Robert Tinstman, a member of the OEO's Public Officials Advisory Committee, think the community action agency in Oklahoma City is doing a good job, helping keep tensions down and the crime rate low.

Mayor Norick said:

"I don't know if it's done too much good, but it looks like it's enough to keep the tensions down. As far as I can see, the CAA is doing as good a job as it possibly can. The police aide program is doing a world of good."

He was referring particularly to a program in which five boys with police records are working with the Police Department in recreational capacities. The boy with the worst record was recently cited in the *Oklahoma City Times* for his effective organization of a trash cleanup campaign.

Police Captain James Rogers said:

"I think the OEO program has had some good effect in keeping community tensions low . . . I don't know personally of any case of your people stirring up trouble. Of course, they get blamed for a lot of things they didn't do."

City Manager Robert Tinstman said:

"The OEO programs in Oklahoma City have been a tremendous benefit to reducing tensions . . . no question about it . . . When people ask me what we're doing to reduce racial tensions, we point to the CAP programs."

Five VISTA Volunteers are working on a gang liaison project in five of the worst areas. Although it has received little publicity, a survey made by NYC and City Manager's Office in March indicated that the program has kept gang crime from getting worse in the areas. Juvenile crime has decreased two percent in Oklahoma City since 1965, but increased ten percent in the state in the same period. As part of the program, the VISTAs also operate summer teen centers.

Charles King, Executive Director of the Community Council stated:

"I was very impressed with the teen centers. Anytime you can get that many kids together in the afternoons, you've got something."

King added that his Board, if asked, would pass a commendatory resolution about the OEO programs.

NAACP President Henry Floyd said:

"VISTA has had a real effect in keeping tensions down . . . The VISTA program is head and shoulders above the other programs because it gets down in the grass roots and tries to break the cycle."

The Office of Economic Opportunity gave Tulsa $139,208 in special summer money. The summer programs in Tulsa were run by the community action program in conjunction with established public and private agencies. A recreation program using facilities of the city recreation department and school system served 4,000 youths and employs 150 people. Other programs were run by the YMCA, YWCA, the Boy Scouts, the Campfire Girls, the Salvation Army, and the Tulsa Indian Center, Inc.

Mayor Jim Hewgley wrote to me just last week:

"In spite of the fact that the program got off to a late start, July 5, the OEO summer youth program has been very effective in Tulsa, Oklahoma. Many young people had their paid work experience. Supervised recreation and equipment was provided for disadvantaged children for the first time in many areas. A well-structured program was carried out with the help of other cooperating agencies in Tulsa. We feel that the program of work and recreation has helped to ease tension in Tulsa this summer. We certainly hope that there will be a full three months program next summer with more time allowed for planning."

In addition Police Captain Herbert Hartz commented, "The program was worthwhile and the participants got something out of it."

I think it is clear that anti-poverty employees this summer have been a very effective civilian force in helping to bring peace, order and hope to troubled communities.

I wanted to get this information to you as soon as possible, but should you have any questions, I will be delighted to amplify any points contained in the report.

Sincerely,

SARGENT SHRIVER,
Director.

OEO AND THE RIOTS—A SUMMARY

OEO AND CITIES WHERE THERE WERE NO RIOTS

A nationwide survey by the Office of Economic Opportunity of 32 cities which have not had riots or civil disturbances this summer shows:

Not one police chief or mayor said OEO heightened tensions. On the contrary most mayor and police officials felt OEO summer programs had helped to prevent violence in their communities.

In 15 cities local Community Action Agencies calmed down bad situations in specific instances.

In 13 cities special groups were formed to patrol troubled areas and serve as communication posts between the police and the slum areas.

In 14 cities municipal police departments and Community Action Agencies had joint programs to prevent riots.

In 8 cities the juvenile arrest rate went down this summer and there is good evidence this was caused by more summer jobs.

During August, OEO inspectors talked to mayors, police chiefs, juvenile judges, heads of the local Chamber of Commerce, and other leading citizens of cities where there were no riots or civil disturbances this summer. The cities were chosen to represent a broad distribution: geographical, political, and social. All the cities studied had significant minority population. It was felt that if the charge is true that Community Action programs contributed to and precipitated riots, then other cities with large Community Action programs should also have riots. The results of the survey prove that far from being a contributing factor, Community Action is a preventive force.

Despite the publicity attacks on Community Action, OEO officials said not a single mayor has asked OEO to discontinue the program in their cities. On the contrary, most mayors seem to echo the plea of Mayor Morrill M. Crowe of Richmond who came to Washington last week to ask for a doubling of his Community Action program allotment. Mayor Crowe was accompanied by a Republican businessman, Wes Hare, who is the Director of the Richmond Community Action Council.

OEO AND CITIES WHERE THERE WERE RIOTS

In addition to the nationwide survey of cities that did not have riots, a spot check by personal interviews and telephone was made of the cities that did have riots or civil disturbances this summer. Obviously some nonriot cities could become riot cities, but at the end of August there were 32 cities that had had trouble this summer. In these cities:

There are more than 30,000 Community Action employees. Only 16 of these have been arrested.

Nine of these were summer workers, one was a VISTA. Therefore, there have been only 6 full-time poverty workers arrested.

None have been convicted.

In Newark, one poverty worker was arrested.

In Detroit, no poverty workers were arrested.

There was almost $300,000,000 worth of property damage done in the riot cities.

Despite the fact that the poverty program has 244 buildings in the heart of the riot areas, none were burned or destroyed.

Total damage done to Community Action buildings was $1,840 for seven sets of broken windows.

WHERE OEO HELPED COOL THE CITY

The study showed that OEO helped "cool" the summer in the following cities:

(1) Cities where the mayor or police chief said that OEO summer programs directly helped to prevent violence in their communities include:

Hartford, Providence, Elizabeth, New Rochelle, New Haven, Louisville, Chester, Lansing, Pittsburgh, Columbus, Cleveland Chattanooga, Little Rock, Oklahoma City, Baton Rouge, Gary, Atlanta, Winston-Salem, San Francisco, Monmouth County, New Jersey.

(2) Specific instances where the Community Action Agency sought to prevent civil disturbances include:

Hartford, Providence, Pittsburgh, Dayton, Youngstown, Toledo, Miami, Dallas, Portland, Seattle, Los Angeles, Denver, Jacksonville, Winston-Salem, Monmouth County, New Jersey.

(3) Cities in which special groups formed to patrol trouble areas and serve as a bridge between the police and the slum areas include:

Providence, Elizabeth, Louisville, Denver, Youngstown, Portland, Wichita, Los Angeles, Jacksonville, Atlanta, Des Moines. (In a southern and a mid-western city similar patrols were organized but local authorities specifically requested OEO not to name them for fear of jeopardizing these programs.)

(4) Cities in which programs involved a joint effort of the police department and the CAP agencies include:

Pittsburgh, Lansing, Youngstown, Omaha, Kansas City, Miami, Charlotte, Oklahoma City, Little Rock, New Orleans, Atlanta, Monmouth County, New Jersey; San Antonio.

(5) Cities where juvenile arrest or crime rates have decreased this summer, and there is evidence that this is related to increased summer jobs, include:

Denver, Chester, Evansville, St. Louis, Dallas, Oklahoma City, San Antonio, Corpus Christi.

(6) Cities where jobs provided by summer programs have prevented violence include:

Baton Rouge, Oakland, St. Louis, New Haven, Cleveland, Chester, Toledo.

EXAMPLES FROM REPORTS ON INDIVIDUAL CITIES

Elizabeth, N.J.

After a night of high tension the local Community Action Agency, under the leadership of the mayor and chief of police, set up a group called the "Peace Keepers" to try and calm the community. The group was composed of anti-poverty workers and community leaders.

Mayor Thomas G. Dunn said: "The Peace Keepers helped to assure that no problems would occur on the most dangerous night of tension, and we haven't had any problems since then. (Poverty workers) kept their headquarters open late at night when this was needed."

Chief of Police Michael D. Roy said: "The CAP summer programs have had a good effect relieving tensions since the majority of CAP officials are actively concerned with keeping the peace. . . . I feel it (the Peace Keepers) did plenty of good as it cooled the crowd and got better spirits."

Union County Sheriff Ralph Oriscello said: "Without the Peace Keepers there would have been many skirmishes with the police."

The Elizabeth City Council in a resolution praising the Peace Keepers said: "(They) contributed a great and necessary service to the health, welfare and safety of the entire population of the city."

Hartford, Conn.

After two nights of disturbances the local CAA set up a meeting with Negro leaders, boys from the street and city officials to try and facilitate communications.

Mayor George D. Kinsella said: "With regard to the Economic Opportunity Act and the Community Action Program, in our case specifically the Community Renewal Team (CRT) of Greater Hartford, it is our feeling, and here I speak for the members of my council as well, that without the existing program and efforts being made, our city could well have seen much more in the way of problems."

Chief of Police John Kerrigan said: "CRT did work with us to cool things down. . . . You've got the cream of the crop at CRT. You've got some real good people there. They're doing their utmost. Oh sure, they've been effective."

Providence, R.I.

When disturbances broke out in Providence the local CAA (Progress for Providence, Inc.) formed an impromptu "Soul Patrol" of anti-poverty workers who entered the riot area and were largely responsible for quelling the violence.

Mayor Joseph A. Doorley said: "As far as I'm concerned, if it wasn't for the poverty workers there is no telling how bad the situation might have been."

Colonel Howard A. Franklin, Providence Police Chief, commenting on two members of the "Soul Patrol," said: "They did a marvelous job. . . . I wouldn't hesitate to give them a great deal of credit for preventing further trouble on Monday night (the first night of trouble)."

Herbert Di Simone, the Republican Attorney General of Rhode Island, said: "So far as I know, the Progress for Providence people did an outstanding job in assisting police during the last week's riot."

Monmouth County, N.J.

When a group of Asbury Park Negro teenagers set fire to a car and threw rocks at cars driving through the neighborhood, staff members of the Monmouth Community Action Program (MCAP) went into the neighborhood and talked with the teenagers. Because of their efforts the area was quickly cooled off. MCAP staff members work closely with the police and report all rumors of trouble to a police contact officer.

Asbury Park Police Chief Maurice Fitzgerald said: "The efforts of MCAP in working with the police has certainly had a positive effect on reducing racial tensions. The racial climate in Asbury Park is better because of the work of MCAP."

Representative James J. Howard of New Jersey said: "MCAP has done everything it could in the tense areas. The poverty program has had a lot to do with keeping things cool."

Winston-Salem, N.C.

The local anti-poverty agency, Experiment in Self-Reliance, operated a broad range of programs aimed at increased involvement of low income people, particularly youth.

Mayor M. C. Benton said: "I am encouraged, also, by the fact that in this program we are actually getting at the roots of poverty—not merely plastering over the cracks and, like ostriches, hoping the problem will go away."

Chief of Police Justus Tucker said: "I'm well pleased with what they are attempting to do, and are doing. They are very cooperative and we are working together on several projects—both short range and long range."

Chester, Pa.

In an effort to prevent the disturbances which were breaking out in other communities, the Greater Chester Movement (GCM) arranged for a meeting between the mayor, police officials and 150 gang members from the slums. Major credit for the meeting was given to the GCM's Area Youth Workers who were hired for the express purpose of opening up communication with the gangs and troublemakers. As a result of the meeting, the city agreed to set up a multi-faceted summer recreation program. Practically everyone in Chester praises the efforts of the GCM in keeping the city cool.

The Republican Mayor of Chester, James H. Gorbey, said: "The poverty program has definitely contributed to keeping tensions down. I think Elwood Johnston (CAP director) has done a real fine job—a helluva job."

Police Chief Joseph Baile said: "They're going all out to help us."

Detective Gill, one of Chief Baile's assistants, commenting on the decrease in juvenile crime said:

"You see, we have more poverty programs now. They positively have helped to reduce crime."

Atlanta, Ga.

Economic Opportunity Atlanta, Inc., has worked closely with the police and local officials to prevent disturbances. The police Crime Prevention Bureau, consisting of 32 officers, operates out of EOA centers. The bureau attempts to prevent crime by creating a greater rapport between the poor people and the police—and with the help of EOA it seems to be working.

Mayor Ivan Allen said: "OEO's assistance is positive proof of the value of federal-local cooperation. Recreation funds and EOA CAP centers have contributed greatly to cooling off summer problems. CAP center and personnel provided quick communication facility for easing explosive situations in the Dixie Hills disturbance. Continued help to urban cities is a must. Thanks for the helping hand."

Miami, Fla.

Between July 27 and July 30, the Miami area was deluged with rumors of a coming racial flareup. Fortunately, the local CAA (EOPI) had developed a plan for just such an emergency. With the approval of city officials, nine neighborhood centers stayed open continuously for three days and nights and worked to help cool the neighborhoods and serve as a source of accurate information. The EOPI, the Community Relations Board, the city police and county sheriff's office worked closely to share information and defuse the rumors of trouble. The advance preparation and inter-agency cooperation made possible by the EOPI plan is generally credited with preventing a disturbance.

The late Mayor Robert King High of Miami said: "(The poverty program) has probably saved us from any serious problems."

Columbus, Ohio

The efforts of the two OEO-funded organizations in Columbus have been directed at dispelling rumors of impending violence, and reducing tensions. Employees of the CAA have been reporting their soundings in the community to the Police Department's Intelligence Bureau and the Justice Department.

Youngstown, Ohio

Youngstown has a highly effective Police Cadet program under which 22 disadvantaged youths have been assigned to work under the immediate supervision of two patrolman from the police Juvenile Division. Their principal duty is to patrol the seven teen lounges which have been set up under the summer CAP program.

Police Chief John Terlesky said: "The programs have had a very definite effect in quieting things down. No one gets to the young people. . . . The cadets can talk to them better than our policemen can."

Lake County, Ind.

In Lake County the local CAA made a significant contribution to keeping open channels of communication between the poor and the mayor.

Mayor Martin Katz of Gary said: "The LCEOC (CAA) staff contributed to easing tensions in the area."

East Saint Louis, Ill.

"Go After the Wayward Boy" provides employment for 60 youths as Police Cadets. These young men, paid by the Neighborhood Youth Corps, serve as the police department's ears.

Mayor Alvin G. Fields said: "Go After the Wayward Boy" has helped prevent a disturbance here. I think that the program has done a tremendous job."

Evansville, Ind.

Mayor Frank F. MacDonald said: "(NYC and OEO employment programs) certainly contribute to the reduction of social tensions."

Police Chief Darwin Covert said: "The poverty program has played a role in easing tensions . . . There is a very definite relationship between providing jobs for young people and the absence of serious trouble."

Dayton, Ohio

Attempting to keep things cool in Dayton are the White Caps, a group of Negro youths who patrol Dayton's West side in groups of three, breaking up crowds, stopping street fights and alerting the police to potential trouble spots. The only paid member of the group is the supervisor, who is paid $1.50 an hour from NYC funds.

Lansing, Mich.

This summer Lansing has had the benefit of "Operation Cool." This program is an effort to provide recreational facilities and broader opportunities for the city's restless youth. The key feature of the program is "Drop-In" centers, open from 1:00 p.m. to 2:00 a.m.

Mayor Max E. Murningham said: "The "Drop-In" centers have helped immensely. Give kids a sense of belonging, a place to go. OEO has contributed quite a bit toward keeping Lansing cool this summer."

Cleveland, Ohio

In Cleveland, some 5,300 ghetto youth are employed in Federal and city agencies and private non-profit institutions.

Mayor Ralph Locher said: "These programs of the War on Poverty have provided activity to idle hands and channeled energies into constructive preoccuption. . . . These programs can do much to relieve the tensions in the urban areas, because they are measures to eliminate poverty by ultimate gainful employment."

Toledo, Ohio

When Toledo was hit by a riot on July 24, the CAP director patrolled the streets in his car every night talking to participants and asked them to go home. Through the efforts of local anti-poverty workers, meetings were set up between the mayor and Negro youth at which grievances were discussed. A principal complaint was lack of jobs. As a result of the meetings, members of Toledo's Equal Opportunities Employees Association obtained 115 jobs for out-of-work youngsters.

Charlotte, N.C.

The activities of the Charlotte Area Fund (CAA) in working hand-in-hand with the Police Department, city officials and local businessmen are cited by community leaders as one reason that Charlotte has enjoyed a relatively cool summer. Policemen and CAA workers work together on various neighborhood programs such as street dances and recreation.

Police Chief John Ingersoll said: "There's no question but we have a good working relationship with the Area Fund and its progeny."

Baton Rouge, La.

The local CAA arranged a meeting between the mayor and a group of angry young Negroes at which a list of grievances was presented. When it turned out that jobs were the biggest problem, the local CAA was able to provide some temporary cleanup jobs. This greatly relieved the tension.

Police Chief David J. Keyser said: "If we hadn't gotten those jobs, there might have been trouble that night."

Dallas, Tex.

The local CAA has prepared a plan whereby if a riot were to occur the neighborhood workers would be utilized as information gatherers and sidewalk speakers to urge rioters to "cool it." The usefulness of such a system was demonstrated in April when rumors of police brutality spread throughout the Negro community. Local anti-poverty workers were able to dissuade a group which was planning to retaliate with gunfire and Molotov cocktails. A meeting between city officials and neighborhood council presidents cleared the air.

Jacksonville, Fla.

Three weeks before Governor Claude Kirk made his much-publicized appearance at the Jacksonville rally for H. Rap Brown, Greater Jacksonville Economic Opportunity, Inc., began developing plans to head off possible violence. GJEO mounted a determined effort to open channels of communication through which the poor could air their grievances. It has increased the number of neighborhood meetings in an effort to reduce tensions. CAP staff members and slum residents patrolled areas of tension on the night of Brown's visit, breaking up crowds.

Police Chief I. L. Griffin said: "They set up their groups. They named their leaders and a lot of patrolling was done by them in their cars. They didn't want Rap Brown here."

Oklahoma City, Okla.

One of the programs helping to keep down the level of community tension is the Police Aides program. Five boys with police records are employed to work with the police department in recreational capacities. The boy with the worst record has been the most effective. His work in organizing the trash cleanup campaign in the slum area has received much favorable comment.

Police Captain James Rogers said: "I think the (CAP summer) program has had some good effect in keeping community tensions low. . . . I don't know personally of any case of your people stirring up trouble. Of course, they get blamed for a lot of things they didn't do."

Tulsa, Okla.

The local CAA has several summer programs which are run in conjunction with established public and private agencies. A recreation program serving 4,000 youths helps keep down tensions.

Republican Mayor Jim Hewgley said: "We feel that the program of work and recreation has helped to ease tension in Tulsa this summer. We certainly hope that there will be a full three months program next summer with more time allowed for planning."

San Antonio, Tex.

One of the local CAA programs designed to help reduce tensions in the community is the "Big Brother Project." Under this program, off-duty policemen who normally work in the poverty neighborhoods are assigned to take groups of neighborhood youths to baseball games, picnics and other activities. In this manner, the teenagers become acquainted with the officers on an informal social basis. The program has been received favorably by the community.

Little Rock, Ark.

The local CAA is running a highly successful program called the "Junior Deputy Sheriff's Program." The program has the strong support of local officials.

North Little Rock police Chief Ray Vick said: "I believe the program has done more to curtail juvenile delinquency than any other undertaking on a local level, ranking right along with the Boy Scouts of America."

State Representative Herb Rule said: "People think of OEO as a storehouse against potential riots and destruction."

Corpus Christi, Tex.

The local CAA operates a clean-up program, a recreation program, city park improvement projects, and summer libraries and study centers. These programs are considered to have had a great deal of success in reducing tension.

Sergeant C. B. Mauricio, head of the police Juvenile Bureau said: "Criminal activity is almost at a standstill in those neighborhoods where the program (anti-poverty program) is operating. We first noticed it last year when the summer activities of the poverty programs were in full swing. But this year the results are nothing short of fantastic. I would say that juvenile crime in general has been cut in half by the OEO."

Denver, Colo.

Youth Employment and Activity, a massive OEO summer program, has been credited with playing a significant role in preventing outbursts of violence.

Mayor Tom Currigan said: "I think that there is no question but that the (summer) program has had a definite bearing on the fact that there has not been an outbreak in Denver. Had we not had the summer program, we would be in just a hell of a shape."

St. Louis, Mo.

The local CAA has actively tried to reduce tensions in the poverty areas.

Mayor Alfonso J. Cervantes said: "We have had excellent working relations with the Human Development Corporation (local CAA). The HDC has helped a lot in easing summer tensions."

Police Department Community Relations representative, John Carroll said that the CAA had "without a doubt played a role in preventing a riot."

Juvenile Judge Theodore McMillan said: "It is the poverty program that really has kept down the tensions creating unsavory situations found in the rest of the country. Without it, there surely would have been enough to break the camel's back."

Wichita, Kans.

Three anti-poverty workers are members of a group of young Negroes called the Patrol which was formed after recent disturbances. The young men roam the streets of the ghetto in an attempt to ward off violence. During the recent period of unrest, the CAA neighborhood centers were used as communication points for the police and Negro youth.

Police Chief Eugene Pond said: "They don't get the credit they deserve. They have done a good job. Their program seems to be solid."

Commenting on the fact that three poverty workers had been arrested during the disturbances, Chief Pond said: "I would prefer to look at the side of the many who tried to help us, not the ones who screwed up."

Kansas City, Mo.

The Kansas City CAA has received much of the credit for the fact that there have been no disturbances this summer.

Mayor Ilus W. Davis said: "I have nothing but good to say about the program. I get around the city and I know that it's made a difference."

City Manager Carlton Sharpe said: "If we hadn't had these programs, our condition could have been considerably more serious. It's made a real contribution towards establishing the relative degree of tranquillity we've enjoyed."

Omaha, Nebr.

One of the programs of the local CAA designed to help prevent a recurrence of last year's rioting is the Youth-Police Community Relations Camp. During one-week camp periods, youth from the predominately Negro North Side play, live and eat with eight policemen. The CAA is also active in other recreation and employment programs.

Mayor A. V. Sorenson said: "My investigation and subsequent discussion with Negro youth involved in Omaha's 1966 disorders, indicated that two of the major problem areas were jobs and recreational programs. I am convinced that OEO summer funds have made an enormous contribution in both of these areas."

Los Angeles, Calif.

One of the actions taken by the Neighborhood Adult Participation Program (a delegate agency of the CAA) to reduce tensions was the printing and distribution of 35,000 copies of a leaflet called "Keep Cool This Summer." The leaflet listed ten reasons why the community should "cool it.'

Los Angeles Police Chief Thomas Reddin said: "It is highly encouraging to observe the program initiated by the Neighborhood Adult Participation Project to aid in preventing the possibility of a riot this summer. The positive program such as you have undertaken at the community level is to be highly commended."

Mayor Sam Yorty said: "To be effective, a summer anti-poverty program must give youngsters more than a chance to earn money—it must also provide a channel to constructively release frustrations of living in poverty. Los Angeles' summer programs are designed to do just that."

Portland, Oreg.

Local anti-poverty workers served as "listening posts" and urged people "to keep it cool." When disturbances broke out the CAA worked closely with the Mayor and the police, providing them with information on possible trouble spots.

Mayor Terry Schrunk said: "The poverty people could have been just non-committal, but instead they took positive and constructive action."

Seattle, Wash.

The local CAA was effective stopping rumors of impending violence.

Mayor Dorm J. Braman said: "Some people in Seattle wanted a riot, but the CAP program has made it difficult for these people to recruit followers."

New Haven, Conn.

Among the programs designed to reduce tension in New Haven are a play street program for youngsters, recreational programs for 1,200 youths, a day camp and a job placement program for unemployables.

Before the disorders occurred in New Haven, Police Chief Francis V. McManus said: "There is an agreement that we will have the assistance of all the neighborhood workers to find out what the cause of the unrest is. The neighborhood workers act as liaison between the community and us. I'm positive these programs have had a great impact on keeping the temperature cool."

After violence erupted Chief McManus confirmed his assessment, and added that the disturbances were caused by a small group who couldn't be reached by anyone.

Louisville, Ky.

Republican Mayor Kenneth A. Schmied said: "I'm real thrilled at the summer program and I think it does a world of good. It's no doubt helped head off tensions, and given us a good summer, if you know what I mean."

Pittsburgh, Pa.

The local CAA works closely with city officials in an effort to reduce tension. Eighteen neighborhood youths and three supervisors patrol the streets in an attempt to "keep things cool." Public Safety Director David Craig emphasized the ability of summer programs to serve as a channel of communication with young people who are otherwise discouraged and without a spokesman.

Chattanooga, Tenn.

The local CAA has worked hard to reduce tensions in the poverty areas. It has the full support of city officials in its efforts.

Mayor Ralph Kelley said: "The CAA has won the respect of the community and has played a significant role in alleviating tensions. It has done more to pull this community together than any other thing that's ever been done here."

INSURANCE FOR RIOT-AFFECTED AREAS

Mr. BYRD of West Virginia. Mr. President, President Johnson's Advisory Panel on Insurance in Riot Affected Areas today made a series of recommendations on how we might solve the basic economic and social question of adequate insurance for homes and businesses in central city areas.

The panel, under the direction of Gov. Richard J. Hughes, of New Jersey, recommended the development of a program known as "Urban Area Plans," which first originated in Boston.

First, Urban Area Plans would prevent insurance companies in large cities from arbitrarily refusing insurance coverage solely because of a property's location. Second, heavier responsibility would be placed on local owners to maintain their property so it is eligible for insurance. Third, it would help city and State officials to determine whether insurance companies are meeting local needs.

Some might ask why this strong emphasis on insurance for urban areas today?

The answer is that the availability of insurance strongly affects public and private efforts to rebuild our cities.

One cannot expect would-be homebuilders or would-be homeowners or would-be businessmen to invest in the ghetto if they cannot get proper insurance against fire or riots or crime or other possible damage.

The close relationship between private enterprise and the Johnson program to rebuild America's cities, was dramatically demonstrated last week when 348 public-spirited insurance companies announced their intention to invest $1 billion in housing and jobs for urban areas.

Insurance is, therefore, one of the keys to the new charter for urban America which President Johnson has made a cornerstone of his administration.

I compliment private enterprise for its public commitment.

I compliment the Hughes panel for its responsible and far-sighted recommendations.

And I compliment the President of the United States, who has worked tirelessly to transform the physical environment of our cities.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of the unfinished business, Calendar No. 532, H.R. 9960.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes, reported with amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, the independent offices appropriation bill for 1968, H.R. 9960, as reported, totals $10,431,460,900 in direct appropriations, which is $880,461,600 over the appropriations for 1967, $361,612,800 under the budget estimates for 1968, and an increase of $445,582,118 over the House bill.

Mr. President, this is due to changing the different appropriations since the establishment of the new Department of Transportation subcommittee in the House, the Senate conforming with that new committee. NASA was ordinarily included in the Independent Offices appropriations bill, but it was handled separately in the House and it will be handled separately in the Senate—by the same committees, but as a separate bill.

The name of the bill is now the independent offices and Department of Housing and Urban Development appropriation bill, since the larger portion of the bill is devoted to that Department.

As I mentioned, funds for the National Aeronautics and Space Administration are not included in the bill this year, due to late authorization for their programs. On August 22 the House passed another bill, H.R. 12474, providing the funds for that agency, which the committee will consider at a later date, possibly within the next week or two.

In addition to the direct appropriations in the bill, there is included contract authorization of $40 million for rent supplement contracts, as well as participation sales authorizations in the amount of $850 million for Veterans' Administration, and $2,385 million for Department of Housing and Urban Development. We are talking mainly about FHA certificates.

The largest amount included in the bill for one agency is $6,650 million to the Veterans' Administration, of which $4,558 million is for compensation and pensions—which, by law, is a fixed appropriation—and $1,357 million is for medical care that is both in-hospital and out-hospital care.

The next largest amount is for the Department of Housing and Urban Development, $2,289 million.

After those two, come the General Services Administration, with $541 million, and National Science Foundation, with $459 million.

For the net figure of $361 million under the budget estimates for 1968, the Department of Housing and Urban Development is reduced $272 million, the National Science Foundation is reduced $67 million, Civil Defense is reduced by $19 million.

Of the $445 million over the House bill, $300 million is for model cities and $135 million for other programs of HUD, and a total of $10 million for all other agencies.

Committee recommendations are over the budget estimate in three instances: Construction of public buildings projects, by $8 million, sites and expenses by $6 million, and VA hospital funds by $600,000. On 14 public buildings projects it was necessary this year to provide additional funds, to allow acceptance of the bids which were above the amounts previously appropriated.

That is the substance of the bill.

Now I am going to pose the usual unanimous consent request that the committee amendments to H.R. 9960 be agreed to en bloc; that the bill, as so amended, be considered as original text for the purpose of further amendment; and that no points of order will be waived.

The PRESIDING OFFICER. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, I think we would get along a little faster if we took up these proposed amendments in the regular way. Many of the amendments are minor, but in studying the bill I notice that there are 60 Senate committee amendments that deal with dollar items. Of those 60, 58 provide increases over the House allowances and only two provide reductions.

As I studied the bill, it is $445,582,000 over the House bill. It is $880,461,000 over the appropriation for 1967.

In addition to that, it appears that $2,350 million more money can be spent than is provided by the House in another category. This is a result of the Senate committee's increases in the amount of participation certificates that can be sold. The House provided in one section for the sale of $300 million in participation certificates. The Senate committee recommended $850 million, an increase of $550 million.

In another section the House authorized the sale of $581 million in participation certificates while the Senate committee has authorized the sale of $2,385 million, or an increase of $1,801,000,000.

This is an increase on those two items of $2,350,000,000, and when added to the $445 million increase in cash appropriations it totals over $2¾ billion extra.

Altogether, if the Senate bill is passed it will provide over $2,750,000,000 more spending than is provided by the House bill. This increase is at a time when we are confronted with a 1968 deficit which the administration is estimating as high as $28 or $29 billion.

There is a question in the minds of some of us as to whether we can afford this expansion of spending. Therefore, I want to take the amendments up one at a time.

At this time, I am compelled to object.

The PRESIDING OFFICER. Objection is heard.

Mr. MAGNUSON. Mr. President, I do not know why the Senator from Delaware should object, because the unanimous-consent agreement would allow any Senator to discuss any one of the amendments that the Senate committee provided, and would leave the bill open for any Member of the Senate to propose an amendment to reduce the amount or to increase the amount.

For many, many years—as long as I can remember—we have followed this procedure, so that we might expedite these very large and complex appropriation bills.

Of course, I agree with the Senator from Delaware in this: There are three items in this bill that I know would be subject to a great deal of debate in the Senate—the rent supplement program, the model cities program, and the participation sales proposal.

The main provision for participation sales, of course, is not an appropriation of money. It is merely an authorization to allow the sale of certificates up to a ceiling of a certain amount. The House lowered the ceiling suggested by the budget. The Senate committee increased it.

With respect to some of the other items, the Senate went under the budget figures, and this bill represents a substantial decrease under the budget figure.

Because of the addition of the appropriation for the Housing and Urban Development items, several new programs were added this year to the bill that were not included before. Also, NASA will be provided for by a separate bill, which in turn reduces the amount. That amounts to an authorization of nearly $5 billion.

The total of the items added in the construction, public building projects, added to about $16 million. This was for items that were ready to proceed. In many cases, bids had been let, and there was involved an adjustment of the bid price. There were also included items upon which it was felt that it would be more economical to proceed now than to delay.

The House put in some projects and the Senate put in some, including a matter in Georgia, which was thoroughly discussed, and of course we go to conference on these matters; the House has a conference with us, usually, on just our projects.

Mr. TALMADGE. Mr. President, will the Senator yield at that point?

Mr. MAGNUSON. I yield.

Mr. TALMADGE. Mr. President, I want to thank the chairman of the Independent Offices Subcommittee, the distinguished Senator from Washington, and the committee for including in its report on this bill the funds for the Federal office building construction in Atlanta, Ga.

However, I urge the consideration of three public building projects in the State of Georgia that were approved by the House of Representatives but subsequently denied by the Senate Committee on Appropriations.

The House approved appropriations for sites and expenses for a post office and Federal office building in Griffin, Ga., $520,000; a post office and courthouse in Rome, Ga., $1,118,000; and a post office, courthouse, and Federal office building in Waycross, Ga., $714,000. The total amount provided by the House for these projects was $2,352,000.

These Federal buildings in Griffin, Rome, and Waycross, Ga., have been long in planning. They are meritorious and they are vital to the continuance of efficient Government operations in these rapidly growing areas. I support these projects, and I commend the members of the Georgia delegation who were instrumental in having them approved in the House.

I regret very much that they were deleted by the Senate Appropriations Committee.

Mr. President, the urban areas of Georgia—such as Rome, Griffin, and Waycross—are particularly experiencing great growth. This is especially true of the Atlanta metropolitan area, a complex of well over 1 million citizens. And as Georgia and Atlanta grow, thus increases the need for more Federal court and office building facilities.

Toward this end, for more than a year I have been in close contact with officials of the city of Atlanta, the Atlanta Bar Association, the Federal judiciary of the northern district of Georgia, and other interested governmental and private agencies.

Thus, on July 12, I requested the Senate Appropriations Committee to approve funds for the construction of a new court house and Federal office building in Atlanta, in addition to the three projects already approved for Griffin, Rome, and Waycross.

The Senate Appropriations Committee approved $3,141,000 for sites and expenses for the Atlanta construction, but deleted the other three Georgia items. I was surprised and sorry to see this happen.

It was my thought at the time—and it is now—that all four of these projects are badly needed, and they should be funded.

It is my request and earnest hope that the funds for the Griffin, Rome, and Waycross Federal buildings will be restored by the House and Senate conferees.

Mr. MAGNUSON. Mr. President, I will say to my friend from Georgia—and I am happy that the ranking minority member of the committee, the Senator from Colorado [Mr. ALLOTT], is present—that the committee found itself in a little bit of a quandary as to how to handle this matter.

Normally we have always been in a position where the House puts in projects, and then we put in projects, and then we have a conference on just our projects.

Because the amount for the Atlanta project was so high—$3,141,000 for sites and expenses alone—while the other Georgia projects are smaller items—Waycross is $714,000, Griffin is $520,000, and Rome is $1,118,000. We thought the only way that we could deal with the House of Representatives, and hope to hold Atlanta in, would be to take the others out, subject to a conference, so that we would have $3 million as a round figure on which we could have a conference. That is the reason we did that.

Otherwise, the committee was, I think, in agreement that the Atlanta project was a very much needed project. The other items the House put in, I suppose, because of ample testimony indicated that they were needed also.

Mr. TALMADGE. They were meritorious items. I appreciate the explanation of the distinguished chairman.

Mr. MAGNUSON. I want the Senator from Colorado to say something about this, because we did get in somewhat of a quandary as to how to handle this matter, if and when we get to conference.

Mr. ALLOTT. That is quite true, Mr. President. We did not know quite how to handle it.

If we had put the Atlanta project in, and retained the other three projects, it would have made a total, for sites and planning in Georgia, of approximately $5,500,000, or 25 percent of the total authorization for sites and expenses for the entire country, which would be, politically, a little hard to justify on the floor of the Senate, as the distinguished Senator from Georgia well knows.

At that time, the Senator's senior colleague was unavailable, and we pondered over this matter a long time, finally deciding that this was the only way that we could put the whole matter in conference and try to work it out.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. ALLOTT. The advice and help of our friends from Georgia will be of great assistance. I yield.

Mr. TALMADGE. Mr. President, I am grateful indeed for the statements of the floor manager and the distinguished ranking minority member of the committee.

Of course, I think all four of these projects are needed ones; but when the House approves three projects, and the Senate deletes them and inserts one which I have requested, the Senator can appreciate the position in which that places the Senator from Georgia.

Already, one newspaper reporter has attempted to make the people of Waycross, the people of Griffin, and the people of Rome think the Senator from Georgia was instrumental in having their projects deleted. The Senator from Georgia supports those projects, approves those projects, and hopes that the conferees will approve those projects, as well as the project for the city of Atlanta.

I thank the committee for its generosity to Georgia. All of those projects, of course, are much needed, and I hope that they can be approved.

Mr. ALLOTT. May I say to the Senator from Georgia that if the newspaper editor of whom he speaks——

Mr. TALMADGE. Not an editor; a reporter.

Mr. ALLOTT. If that reporter had been present during the preliminary discussions on this bill between the chairman of the committee and myself, or at the subcommittee markup or the full committee markup, he would not be under any delusions that the distinguished junior Senator from Georgia had at any time, in any way, at any place abandoned the position he had taken in behalf of those three projects in his own State, meaning the three projects other than Atlanta.

Mr. TALMADGE. I am grateful indeed to the distinguished chairman and the distinguished ranking minority member.

Mr. INOUYE. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield to the Senator from Hawaii.

Mr. INOUYE. Mr. President, I thank the distinguished chairman of the subcommittee, the Senator from Washington, and the ranking minority member, the Senator from Colorado, for including the necessary funds for the construction of the long-awaited Federal office building in Honolulu. This will bring about much needed efficiencies in our Federal operations in the 50th State. Once again, on behalf of the people of Hawaii, I express our gratitude.

Mr. MAGNUSON. We took a long look at that project, too. Of course, it was the position of the distinguished Senator from Hawaii—and the very complete testimony indicated that it was not only needed, but that we should proceed as soon as possible on this project.

Now, Mr. President, I do not know what the distinguished Senator from Delaware wishes the chairman to do. If he wants to go line by line on this bill, I would be glad to do so. I can stay here all day if he wants me to.

If the Senator would care to do so, he might suggest the items that he wishes to discuss. There are 70 amendments. Some of them are of a minor nature, and some are of a larger nature. However, I know that the Senator from Delaware wants to have a general discussion of participation sales. And I know that there will be a great deal of discussion on rent supplements and model cities There may be come debate on the National Science Foundation. I understand that an amendment will be offered to increase the amount for the Foundation. We had cut the amount below the House figure. I understand that two or three other amendments of some importance will be offered.

I was hopeful that we could move ahead with the amendments which deal with other agencies.

Mr. WILLIAMS of Delaware. Mr. President, I have no intention of pursuing any delaying tactics.

Mr. MAGNUSON. I will ask the leadership today to postpone until tomorrow the discussions on the rent supplement program, the participation sales, and other HUD matters. I have received calls—and I imagine that the Senator from Colorado has—from several Senators who are not able to be present today, but who want to participate in the debate on these matters.

Mr. WILLIAMS of Delaware. There is another point on which I want to raise a question, and that concerns the authorization for the construction of several new buildings.

I raise the point because we have a war going on and we have a staggering deficit confronting us. We have the possibility of a sizable tax increase being requested.

Why not postpone this new construction at this time, or at least until either the war is over or the budget is balanced?

Mr. MAGNUSON. I understand that point. I do want to give the Senator from Delaware free expression. However, I might suggest that I do not want to get into the debate on this matter now. I would prefer to wait until we come to the specific items.

In many of these cases, however, we are saving money because the rentals are much higher than if we were to have the buildings constructed and amortize the cost of the buildings.

This is the lowest amount for public buildings that we have appropriated in years. We have cut the amount again and again for the entire United States.

The total amount is $70 million for the entire country.

Over the past years, we have appropriated in the neighborhood of from $170 million to $200 million each year for the entire country, to keep up with all of the needs.

The rentals have become so high that our justification for proceeding is that we are saving money. We examined every one of these projects very carefully. We have cut out many projects. Many projects had high priorities. We found that we could in the long run save a great deal of money in this way.

The Senator from Delaware will recall that in the first part of the Eisenhower administration we adopted what we called the lease-purchase plan. We did not appropriate the money at that time. Somebody would build the building and we would rent it. We had the right after a certain period of time to buy the building.

After about 3 or 4 years of that experience, we discovered that we were paying anywhere from 22 percent to, in one case, 46 percent more money than if we had appropriated the money for the construction of the building.

That is why we have to have these appropriations—to continue the construction projects throughout the Nation.

Mr. WILLIAMS of Delaware. I thank the Senator for his arguments. I will make note of them and use them when we next discuss the lease-purchase arrangement.

That unduly expensive bill was first passed, I admit, in the Eisenhower administration. I was one of those who opposed the measure then, and I opposed it in the Johnson administration. I still oppose it. One of the most extravagant arrangements we have ever had was the lease-purchase program for post offices. I tried to defeat that plan and was unable to do it.

Mr. MAGNUSON. The Senator from Delaware was the one who wanted to go back to direct appropriations.

Mr. WILLIAMS of Delaware. The Senator is correct. I was unable to persuade the Senator from Washington. I am glad he has seen the light. I hope that when this matter comes up for discussion again he will still be with me on this point.

I am not questioning the merits of these various new constructions; they may or may not be justified.

The point is that when World War II occurred we stopped, either by congressional or executive action, the construction of all new public buildings until the war was over, unless such construction was deemed to be essential to the national defense or in the interest of the national economy.

When the Korean war broke out President Truman very properly issued an Executive order to suspend the construction of all new public works projects, and I supported him at that time. Our No. 1 project was to win the war.

The administration now—and I regret very much that this is so—insists that we can have our guns and butter without inflation. We have a staggering deficit, a deficit which is estimated to be as high as $2 billion a month.

I think that the very least we could do would be to hold back on some of these projects, even though they may be meritorious until later when we have the money. We should hold those projects in abeyance until the war is over.

That is the reason I want to have votes on some of these measures.

Both the Congress and the administration have been doing a lot of talking about economy in Government. Now is the time to demonstrate that we mean it by voting against these increases.

The Senator asks why I do not agree to the amendments en bloc and then offer an amendment later to strike certain ones. I will be very frank. Under this procedure there is a difference of one vote. It is easier to prevent their being agreed to now than it would be to remove them from the bill later.

I would have no objection to agreeing en bloc to the amendments up to page 10. Then, when we reach the new projects involving the construction of several public works facilities we can vote on those separately. Unless somebody else wants to do so, I am not asking for a detailed explanation of each of minor amendments. I am not pursuing any delaying tactics at all. However, as the Senator points out the cost of new construction involves several million dollars.

The Senate bill calls for $70,641,900. The House figure was $54,511,000. The budget calls for $62,545,700.

The House figure is below the budget figure by approximately $8 million. However, the way the House achieved that reduction was to strike out a $12,940,000 project for San Juan, Puerto Rico, and to include two or three other projects totaling around $5 million which were not budgeted. Then with the inclusion of those projects the House still came up with a figure of $54 million. The Senate added $16 million to bring it to a total of $70 million.

With respect to the $16 million involving new projects agreed to by the Senate, I fail to find any of those specific projects recommended in the budget as it was submitted to Congress.

A serious question can be raised as to why we should incorporate these projects in the pending bill when the President did not ask for them.

As I understand it, the Federal office building in Mobile, Ala., is to cost $5,784,000. That was not a part of the budget.

The Federal office building in Springfield—as is the case with many of these projects—is a new building. There are two or three such projects scheduled for North Carolina. There is one for Fargo, N. Dak. There is one for Oak Ridge, Tenn. There is one for Seattle, Wash. There is one for the Tax Court in the District of Columbia.

Many of the projects are undoubtedly meritorious; however, when all of these projects which were not recommended earlier by the Budget Bureau are included I do feel that there should be some explanation made.

Frankly, I was going to ask for record votes on those particular proposals. I do not think that with a war going on and in view of the budget condition we should start approving these new projects. Perhaps I would support a number of them at another time.

It is a question of whether, at a time when we have such a staggering deficit, we should approve a wholesale building program or whether we should wait until the time is a little more opportune. That is the reason I was asking that we have different votes on this section. If the Senator wishes to ask unanimous consent that the amendments be agreed to en bloc up to that point, we can then proceed. There are several other minor amendments, and we can dispose of them very fast. It will not take any longer this way.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the committee amendments up to and including line 3 on page 9 be considered en bloc, and that the bill as thus amended be regarded for purposes of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to the request.

Mr. WILLIAMS of Delaware. That would leave the amendment on line 25 of page 10. Is that correct?

Mr. MAGNUSON. I am asking that they be agreed to en bloc down to "General Services Administration."

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Is there objection to the request of the Senator from Washington? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc, are as follows:

On page 2, line 20, after the word "planning", to strike out "$4,700,000" and insert "$4,740,000".

On page 3, line 14, after "5 U.S.C. 3109", to strike out "$1,450,000" and insert "$1,650,000".

On page 3, after line 14, to insert:

"PRESIDENT'S COMMISSION ON POSTAL ORGANIZATION

"SALARIES AND EXPENSES

"For necessary expenses of the President's Commission on Postal Organization, established by Executive Order 11341 of April 8, 1967, including services as authorized by 5 U.S.C. 3109, and including reimbursement to the Post Office Department for funds advanced to the Commission in the amount of $250,000 from the appropriation for Administration and Regional Operation, $1,500,000, to be available from August 1, 1967, and to remain available until June 30, 1968."

On page 4, line 20, after the word "expenses", to strike out "$8,900,000" and insert "$9,066,000".

On page 5, line 13, after the word "exceed", to strike out "$1,000" and insert "$2,000"; in line 14, after the word "expenses", to strike out "$23,000,000" and insert "$38,033,000, of which not to exceed $14,614,000 shall be available for centralized funding of Interagency Boards of Examiners"; and, on page 6, line 6, after the word "That", to strike out "$700,000".

On page 8, line 10, after the word "only", to strike out "$19,000,000" and insert "$19,100,000".

On page 8, line 17, after the word "expenses", to strike out "$14,220,000" and insert "$14,445,000".

On page 8, line 23, after "5 U.S.C. 3109", to strike out "$15,000,000" and insert "$15,150,000".

Mr. MAGNUSON. That brings us to page 9 of the bill, General Services Administration. The Senator from Delaware wishes to consider those matters separately.

The PRESIDING OFFICER. The Clerk will state the next amendment.

The LEGISLATIVE CLERK. On page 9, line 14, after the word "moving," it is proposed to strike out "$260 million" and insert "$261 million."

Mr. MAGNUSON. Mr. President, I yield to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I have a small amendment on page 3 of the bill which has been requested by the Post Office Department, in connection with the $1,500,000 contained for the President's Commission on Postal Organization.

We had written in, at my suggestion, a limit to the temporary transfer of funds from Post Office appropriations to be reimbursed in the amount of $250,000. This money was to carry the President's Commission on Postal Organization until September 30. Unfortunately, because of delay in the passage of the bill, the time will have elapsed before the bill is passed and goes through conference.

It has been suggested, and I believe it is now necessary, that we strike out on lines 22 and 23 the limiting amount of $250,000 which I asked to be put in, and that the Commission is allowed to reimburse the Post Office Department. There will be an over-run in October which would not be provided for by the time the bill is passed—probably some $50,000 additional. Therefore, I ask unanimous consent that the language I refer to, the $250,000 limitation on reimbursement, be stricken from the bill.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 3, lines 22 and 23, strike out the following: "in the amount of $250,000".

The PRESIDING OFFICER. Does the Senator from Washington request that the amendment of the Senator from Oklahoma be substituted for the one on page 9?

Mr. MAGNUSON. I ask unanimous consent that this be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated September 13, 1967, from Mr. Timothy J. May, the General Counsel of the Post Office Department with reference to this amount, together with a statement on the funding of the President's Commission.

There being no objection, the letter and the statement were ordered to be printed in the RECORD, as follows:

SEPTEMBER 13, 1967.

HON. A. S. MIKE MONRONEY,
Chairman, Committee on Post Office and Civil Service, Washington, D.C.

DEAR MR. CHAIRMAN: You will recall that The President's Commission on Postal Reorganization has its appropriation request in the Independent Offices Bill. Originally, the assumption was that sums would be available to finance operations starting in September. On the basis of this assumption, the Post Office Department, with Committee approval, advanced $250,000 to the Commission with the understanding that these funds would be reimbursed when the Commission's appropriation was available.

It would now appear that the appropriation for the Commission will not be available until early October. The Commission is once again in the position of having exhausted the funds previously advanced. The Executive Director of the Commission has informed me that if funds cannot be made available before the last week in September, the Commission will have to defer contract dates that have been firmed up, thereby endangering the Commission's efforts to meet the President's deadline for a report; in addition present contracts will have to be terminated for lack of funds.

If the Committee approves, the Post Office Department is prepared to advance the additional funds required so long as there is provision for reimbursement. However, the Independent Offices Bill as reported in the Senate restricts the amount of reimbursement to the Post Office Department to $250,000. Therefore, to enable the Commission to reimburse the Department for any additional advances, it will be necessary to amend the language of the Appropriation Bill. We would, therefore, request that the Committee authorize the Department to make such additional advances as required pending enactment of the Commission's own appropriation, and that the language in the appropriation bill be amended to provide for reimbursement of those additional advances.

Sincerely yours,

TIMOTHY J. MAY.

FUNDING OF PRESIDENT'S COMMISSION ON POSTAL ORGANIZATION

The amendment to the appropriation salaries and expenses for the President's Commission on Postal Organization would remove the $250,000 limitation on the amount which the Commission may reimburse the Post Office Department. The Department has already advanced this sum to the Commission in order that its activities could go forward. This advance of funds was made with the consent of the Committee and at the time it was made the amount was considered to be sufficient to fund the Commission's activities pending the enactment of the Appropriation Act. It was believed at the time the advance was made that the Commission's appropriation would be available before the end of September. It is now apparent that the appropriation will be delayed beyond that point; if the Commission's work is to continue the Post Office Department will be required to make further advances. However, it is not in a position to do so unless provision is made for repayment of the further advances. The purpose of the amendment is to provide for this reimbursement.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, on page 9, the first item under "General Services Administration" is "Operating expenses, Public Buildings Service." This involves cleaning and servicing the buildings. No capital improvements are involved. It is just the day-to-day services incident to keeping the buildings operating. The House appropriated $260 million for all the Federal buildings. The post office buildings are not included in this bill, unless the post office is located within a Federal office building. The budget estimate was $262,152,000 and the Senate committee agreed to allow $261 million.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. ALLOTT. I believe that at this point it should be made abundantly clear that there has been a change which was done by Executive order and not by Congress, in that the construction of post offices in the country now is not done under GSA as had been done for many years, but that by an executive agreement it has been transferred to the Post Office Department. I would hope that the Post Office Committee would take a look at this matter, because I am not sure that it is in the best interests of the country that it be transferred.

For the sake of the record, on page 249 of these hearings it is shown that the amount of construction for the Post Office Department for the upcoming year is $55,853,000, which, if added to the present construction in the bill, would give us the figure which has heretofore been included in the bill under GSA construction. But from now on, unless Congress passes a bill to exert its will in another way, the buildings will be constructed by the Post Office Department. In my opinion, it is a very poor arrangement, because it puts under separate committee the appropriations for the construction in this country. It puts under the Post Office and Treasury Subcommittee, of which the distinguished Senator from Oklahoma is the chairman and I am a member, the construction of the post offices there and the construction of other Federal buildings under GSA.

I ask unanimous consent, Mr. President, that the portion of the hearings beginning with the identifiable new building construction projects on page 247 and ending with the figures on page 251, be included in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Identifiable new building construction projects of civilian agencies contained in the President's budget for 1968—New obligational authority

[In thousands]

DEPARTMENT OF AGRICULTURE	
Maryland:	
Beltsville [1] (construction of laboratory for research on plant diseases)	$2,887
Beltsville [1] (construction of laboratory facilities for expanded activities)	1,150
Beltsville [1] (construction of 6 buildings required to house research facilities)	330
Texas: College Station [1] (planning for laboratory-office facilities)	150
Idaho: Moscow [1] (planning for 2d stage of research facility for control of forest insects)	45
Mississippi: Gulfport [1] (planning for additional laboratory facilities for forest insect and forest disease research)	50
New Mexico: Albuquerque [1] (construction of a Forestry Sciences Laboratory for research on the management and rehabilitation of eroded forests and range watersheds, and control of forest insects and diseases)	700
North Carolina: Research Triangle [1] (Wake County) (planning for 2d stage of research facility for control of pests of southern pines)	95
Wisconsin: Madison [1] (construction of new wood chemistry building at the Forest Products Laboratory)	6,300
Subtotal	6,707
DEPARTMENT OF COMMERCE	
Maryland: Gaithersburg [1] (design of a fire research facility; an architectural acoustics facility; and a climatic research facility for the National Bureau of Standards)	740
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE	
PUBLIC HEALTH SERVICE	
California: San Francisco [1] (construction of an addition to the dental health center)	2,558
Site not yet selected [1] (planning and design of an air pollution research facility)	1,815
Maryland:	
Bethesda [1] (planning for a combined service facility to house the fire department, vehicle repair and maintenance, etc.)	200
Bethesda [1] (planning for an addition to the multilevel parking facilities)	$100
Bethesda [1] (construction of a municipal-type incinerator plant)	2,080
Arizona:	
Tuba City (construction of a 125-bed Indian hospital)	4,230
Chinle (planning for a 100-bed Indian hospital)	288
Subtotal	11,271
FOOD AND DRUG ADMINISTRATION	
Maryland: Beltsville [1] (planning for an additional headquarters laboratory facility)	950

See footnote at end of table.

Identifiable new building construction projects of civilian agencies contained in the President's budget for 1968—New obligational authority—Continued

[In thousands]

GALLAUDET COLLEGE	
Washington, D.C.[1] (construction of a 3d dormitory)	1,356
Washington, D.C.[1] (planning for a 4th dormitory)	75
Washington, D.C.[1] (construction of an addition to classroom-science building)	765
Subtotal	2,196
HOWARD UNIVERSITY	
Washington, D.C.[1] (construction of a university hospital)	19,185
Washington, D.C.[1] (construction of women's dormitory No. 8)	2,741
Washington, D.C.[1] (planning for men's dormitory No. 4)	400
Washington, D.C.[1] (construction of warehouse-service building)	700
Subtotal	23,026
ST. ELIZABETHS HOSPITAL	
Washington, D.C.[1] (miscellaneous improvements of existing facilities)	1,237
DEPARTMENT OF THE INTERIOR	
BUREAU OF LAND MANAGEMENT	
Colorado: Craig (construction of office facilities at the Craig district office complex, Moffat County)	150
Idaho: Boise (initial construction for administrative and operational space at the Boise Interagency Fire Center, Ada County)	1,100
Utah: Kanab (construction of office and warehouse facilities at the Kanab district office complex, Kane County)	170
Subtotal	1,420
BUREAU OF MINES	
Minnesota: Hibbing (construction of solid waste disposal research facilities)	1,200
BUREAU OF SPORT FISHERIES AND WILDLIFE	
New York: Cortland (construction of a replacement of the Eastern Fish Nutrition Laboratory)	440
DEPARTMENT OF JUSTICE	
BUREAU OF PRISONS	
California:	
Los Angeles (planning of a new west coast youth institution)	500
Terminal Island (construction of an addition to the administration-hospital building)	483
Michigan: Milan (construction of an education building and a garage/fire station)	$412
Pennsylvania: Allenwood (construction of a multipurpose building)	365
Subtotal	1,760
POST OFFICE DEPARTMENT	
Arizona: Tucson (site and design for new post office building)	1,876
California: West Los Angeles (design for new post office building)	69
Florida: Jacksonville (site and design for new post office building)	644
Georgia: Atlanta (site and design for new post office building)	2,799
Illinois: Carbondale (site and design for new post office building)	741

Identifiable new building construction projects of civilian agencies contained in the President's budget for 1968—New obligational authority—Continued

[In thousands]

Missouri: St. Louis (design and construction of an annex to the existing post office building and alteration and modernization of the existing building)	20,869
New York:	
New York City (design and partial construction of extension to the Morgan Station post office building)	22,796
Syracuse (site and design for new post office building)	3,622
North Carolina: Charlotte (site and design for new post office building)	945
South Dakota: Rapid City (site and design for new post office building)	889
Virginia: Roanoke (site and design for new post office building)	583
Subtotal	55,853
FEDERAL HOME LOAN BANK BOARD	
Washington, D.C.[1] (preparation of plans and specifications for construction of a new headquarters building in the District of Columbia)	6,700
GENERAL SERVICES ADMINISTRATION	
Alabama: Talladega [1] (construction of a new post office and Federal office building)	385
Connecticut: Bridgeport [1] (additional requirement for construction of a new courthouse and Federal office building)	338
Hawaii: Honolulu [1] (construction of a new post office and courthouse building)	22,000
Indiana: Evansville [1] (additional requirement for construction of a new courthouse and Federal office building, and post office and Federal office building)	710
Kentucky: Frankfort [1] (construction of a new courthouse and Federal office building)	1,868
New York:	
Bronx [1] (construction of a new post office and Federal office building)	16,319
Hyde Park [1] (design and construction of an extension to the Franklin D. Roosevelt Library)	882
Ohio: Dayton [1] (additional requirement for construction of a new post office building)	1,475
Oregon: Baker [1] (additional requirement for construction of new post office and Federal office Building)	274
Puerto Rico: San Juan [1] (construction of a new courthouse and Federal office building)	$12,940
Texas:	
Houston [1] (construction of a new Federal motor vehicle facility)	780
Lubbock [1] (construction of a new courthouse and Federal office building)	4,508
Washington, D.C.[1] (design and partial construction of the south portal Federal office building)	3,296
Arkansas: Batesville [1] (site and design for new post office, courthouse and Federal office building)	383
California: San Ysido [1] (site and design for a new border station)	500
Georgia:	
Griffin [1] (site and design for new post office and Federal office building)	520

Identifiable new building construction projects of civilian agencies contained in the President's budget for 1968—New obligational authority—Continued

[In thousands]

Georgia—Continued	
Rome[1] (site and design for new post office and courthouse)	1,118
Illinois: Chicago[1] (design for new Federal records center)	264
Maine: Waterville[1] (site and design for new post office and Federal office building)	383
Mississippi: Oxford[1] (site and design for new post office, courthouse, and Federal office building)	676
New Hampshire: Manchester[1] (site and design for new post office and Federal office building)	957
New York: Champlain[1] (site and design for a new border station)	533
Rhode Island: Woonsocket[1] (site and design for new post office and Federal office building)	513
South Carolina: Florence[1] (site and design for new post office, courthouse, and Federal office building)	1,446
Virgin Islands: Charlotte Amalie[1] (site and design for new post office, courthouse, and Federal office building)	371
Washington: Wenatchee[1] (site and design for new post office and Federal office building)	953
West Virginia: Morgantown[1] (site and design for new post office and Federal office building)	758
Wisconsin: La Crosse[1] (site and design for new post office and courthouse)	700
Washington, D.C.[1] (design for a new General Services Administration building)	1,092
Subtotal	76,942
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION	
California: Pasadena (construction of a new laboratory facility)	3,125
Massachusetts: Cambridge (construction of laboratories and administrative facilities)	6,220
Subtotal	9,345
SMITHSONIAN INSTITUTION	
Washington, D.C.:[1] (planning and design of the Joseph H. Hirshhorn Museum and sculpture garden)	803
VETERANS' ADMINISTRATION	
California: San Diego (to complete the construction of a 1,040-bed hospital and outpatient clinic)	29,000
Florida: Tampa (to complete a 720-bed hospital)	$1,295
Illinois: Chicago (to complete a 760-bed hospital)	2,672
Washington: Seattle (planning hospital expansion)	1,000
Subtotal	33,967
Grand total	234,557

[1] Indicates projects proposed to be accomplished by GSA. Included are 26 projects involving $49,200,000 which are proposed to be funded by allocations to GSA from the agencies involved. It is assumed that the remaining 28 projects involving $108,500,000 will be accomplished by the agencies indicated.

Mr. ALLOTT. One further remark: I believe a word of caution is necessary, because close coordination will be required in the future between the Treasury and Post Office Subcommittee and the Independent Offices Subcommittee, to keep a tight rein on the matter and to look into this construction.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. BYRD of Virginia. Do I correctly understand that it is not the intention of the Senator from Washington to take up the model cities or the rent supplement items today?

Mr. MAGNUSON. I am hopeful that there might be some discussion concerning these items, but we will not have a vote on them until tomorrow. Many Senators who are deeply interested in those matters are unavoidably detained today. I am hopeful that we would go over until tomorrow with respect to a vote and the major discussion.

Mr. BYRD of Virginia. I thank the Senator.

Mr. MAGNUSON. Mr. President, I move the adoption of the amount reflected in "Operating Expenses—Public Buildings Service," page 9, lines 14 and 15, of $261 million.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The question is on agreeing to the amendment on page 9, lines 14 and 15, to change the amount to $261 million.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The legislative clerk read as follows:

On page 10, line 25, after the word "buildings," it is proposed to strike out "$54,511,900" and insert "$70,641,900".

Mr. WILLIAMS of Delaware. Mr. President, I have talked with the acting majority leader. He indicates he does not want rollcall votes on these items this afternoon. This is a section about which I wish to raise some questions.

Mr. MAGNUSON. That is my understanding.

Mr. WILLIAMS of Delaware. Mr. President, I am referring to the section on construction, public buildings projects, and it starts at the bottom of page 10 and continues to the top of page 14. Perhaps the Senator from Washington wishes to pass over that section at this time for I understand there is going to be a point of order made in connection with the amendment on page 24.

Mr. MAGNUSON. Just a moment. The Senator, then, would be willing to pass over that part of the bill beginning on page 10, "Construction, Public Buildings Projects," over to——

Mr. WILLIAMS of Delaware. Where the section ends on page 14 line 2. We could pass over that now.

Mr. MAGNUSON. What about the section on "Sites and Expenses, Public Building Projects," on page 14?

Mr. WILLIAMS of Delaware. I was not raising a question on that section. This is the section I ask to go over. From that point on, as far as I am concerned, unless another Senator wishes to raise a point, we could adopt those amendments en bloc until we reach page 24, the selective service system. I understand another Senator wants that amendment to go over.

Mr. MAGNUSON. The Senator from Maine.

Mr. WILLIAMS of Delaware. That is my understanding. That could go over. Then on page 28 is "Participation Sales Authorization" and "Payment of Sales Insufficiencies" as continued on page 29. Those two sections could go over.

Mr. MAGNUSON. Because they go together.

Mr. WILLIAMS of Delaware. They go together insofar as what happens to one happens to the other.

The next amendment with which I am concerned is under Department of Housing and Urban Development section. That is a controversial section, and it has a section on the sale of participation certificates plus other controversial sections.

Mr. MAGNUSON. The Senator is opposing some of the building items on page 28; $600,000 for the Veterans' Administration Hospital at White River Junction, Vt.; is that right?

Mr. WILLIAMS of Delaware. No.

Mr. MAGNUSON. That is all right?

Mr. WILLIAMS of Delaware. So that we will have it set forth clearly I shall state again what I am asking to go over. We can pass over "Construction, Public Buildings Projects," beginning on page 10 and ending at the top of page 14. That would go over.

Mr. MAGNUSON. Yes.

Mr. WILLIAMS of Delaware. I understand the Senator from Maine wishes to have go over the amendment on page 24, beginning at line 19 and ending at line 2 on page 25. That amendment would go over.

On page 28, beginning at line 21, "Participation Sales Authorization," down to line 13 on page 29, to go over because those two go together, as the Senator knows.

Mr. MAGNUSON. That is correct.

Mr. WILLIAMS of Delaware. Then, beginning on page 33, Department of Housing and Urban Development, there are several questions scattered through that section, largely related to participation certificates, and I think it would be better to let that entire section go over. I am not raising questions on all of those items, but it may be just as easy to clear them up later.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the committee amendments to H.R. 9960 be agreed to en bloc with the exception of those mentioned by the Senator from Delaware just now, and that the bill, as so amended, be considered as original text for the purpose of further amendment; and that no points of order will be waived.

Mr. WILLIAMS of Delaware. That is agreeable to me. I might say that there are many amendments of a minor nature in connection with the Department of Housing and Urban Development on which there may be no controversy when we come to them.

The PRESIDING OFFICER. So that we may make certain, the Senator from Washington [Mr. MAGNUSON] asks unanimous consent that the committee amendments be agreed to en bloc and that the bill as amended be treated as original text, reserving points of order, saving and excepting——

Mr. MAGNUSON. Those mentioned by the Senator from Delaware.

The PRESIDING OFFICER. Let us cite them. They are as follows:

The first exception is on page 10, beginning at line 18 over to page 14, ending on line 2.

Mr. MAGNUSON. Yes. The next one is on page——

The PRESIDING OFFICER. Then, on page 28, beginning at line 21, down to and including line 13 on page 29.

Mr. MAGNUSON. That is correct.

The PRESIDING OFFICER. The third exception is page 33, line 11, Department of Housing and Urban Development, down to page 41, line 3. There is one other additional exception on page 24, one other amendment, which is in connection with Selective Service System. We skipped that.

Mr. WILLIAMS of Delaware. That was mentioned.

The PRESIDING OFFICER. If a point of order were made to the exception on page 24, beginning at line 20, Selective Service System, that could be made this afternoon and could be agreed to, but the Senator will have to make his request.

A unanimous-consent request has been made with those exceptions.

Mr. MAGNUSON. With those exceptions, unless the Senator from Maine wishes to have us agree to that amendment. Then, I understand she would have a motion to delete.

Mrs. SMITH. That is correct.

The PRESIDING OFFICER. Is there objection? Everyone understands the request?

The Chair hears no objection, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 14, line 9, after the word "otherwise", to strike out "$20,285,000" and insert "$21,074,000".

On page 14, line 22, after the word "furnishings", to strike out "$1,175,000" and insert "$1,000,000".

On page 15, line 4, after the word "law", to strike out "$67,500,000" and insert "$69,500,000".

On page 15, line 23, after "United States", to strike out "$350,000" and insert "$500,000".

At the top of page 19, to insert:

"WORKING CAPITAL FUND

"To increase the capital of the working capital fund established by the Act of May 3, 1945 (40 U.S.C. 293), $100,000."

On page 22, line 3, after the word "to", to strike out "and approved by the appropriate Committees of"; and, in line 4, after the word "Congress", to insert "and approval made".

On page 22, line 11, after "5 U.S.C. 3109", to strike out "$23,400,000" and insert "$23,530,000".

On page 22, line 24, after "5 U.S.C. 3109", to insert "purchase of three aircraft,"; in line 25, after the word "of", to strike out "one" and insert "four"; and, on page 23, line 6, after the word "services", to strike out "$495,000,000" and insert "$459,000,000".

On page 23, line 25, to strike out "$17,350,000" and insert "$17,400,000".

On page 24, line 19, after the word "defense", to insert a colon and "*Provided further,* That any officer who has served with the Selective Service System in the position of a State Director of Selective Service or comparable executive position on the Staff of the Director of Selective Service for a period of fifteen years will, upon retirement from active duty, be advanced in rank on the retired list to the next highest pay grade and be entitled to the retired pay of that grade as computed under appropriate provisions of law applicable to such person."

On page 25, line 23, after the word "information", to strike out "$13,650,000" and insert "$14,300,000".

On page 26, line 4, after the word "expended", to strike out "$45,250,000" and insert "$46,458,000".

On page 28, line 11, after the word "administration", to strike out "$52,000,000" and insert "$52,600,000, of which $600,000 shall be available to provide for modernization and expansion of the Veterans' Administration Hospital at White River Junction, Vermont, to".

On page 31, line 20, after the word "spaces", to strike out "$20,000,000" and insert "$25,000,000".

On page 32, after line 7, to strike out:

"No part of any appropriation contained in this Act, or of the funds available for expenditure by any corporation or agency included in this Act, shall be used for construction of fallout shelters except in construction of new buildings under the heading, 'Construction, Public Buildings Projects', for the current fiscal year."

On page 32, after line 15, to strike out:

"PUBLIC HEALTH SERVICE

"EMERGENCY HEALTH ACTIVITIES

"For expenses necessary for carrying out emergency planning and preparedness functions of the Public Health Service, and procurement, storage (including underground storage), distribution, and maintenance of emergency civil defense medical supplies and equipment as authorized by law (50 U.S.C., App. 2281(h)), $9,000,000, to remain available until expended."

And, in lieu thereof, to insert:

"OFFICE OF THE SECRETARY

"EMERGENCY HEALTH AND WELFARE ACTIVITIES

"For expenses necessary for emergency health and welfare activities, planning and preparedness of the Department of Health, Education, and Welfare, and procurement, storage (including underground storage), distribution, and maintenance of emergency civil defense medical supplies and equipment as authorized by law (50 U.S.C., App. 2281 (h)), $9,426,000, of which $9,000,000 shall remain available until expended."

Mr. MAGNUSON. Mr. President, in view of this development and in view of the fact that many Senators who are interested principally in the items that the Senator from Delaware has talked about, I would suggest, unless there are further questions on the bill in other sections, that we lay the bill aside until tomorrow.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HOLLAND. Mr. President, I know that the junior Senator from Ohio [Mr. YOUNG] is not in the Chamber, but I understood earlier that he had an amendment to a section of the bill, which was not one of those accepted. It might be that that could be taken up this afternoon.

Mr. MAGNUSON. I imagine the Senator from Ohio has an amendment to the civil defense section.

Mr. HOLLAND. That is correct.

Mr. MAGNUSON. That could be taken up if the Senator from Ohio were here.

Mr. WILLIAMS of Delaware. Mr. President, it is out of deference to the request of the acting majority leader that some of these are carried over until tomorrow because of the absence of some Senators. I was ready to vote now, but as I understand the situation I have no objection to its going over.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. BYRD of West Virginia. Mr. President, it really is not the request of the acting majority leader. We are perfectly agreeable to proceeding with votes on our side this afternoon. However, I had an earlier discussion with the distinguished and able minority leader [Mr. DIRKSEN] who indicated it might be well to go over until tomorrow for the purpose of rollcall votes, except for the vote on the treaty at 3 o'clock.

It was to cooperate with the distinguished minority leader that I presented the matter as I did to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I do not care who it is. I am willing to cooperate in whatever way they desire.

Mr. BYRD of West Virginia. I understand that.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, there is an item in the bill on page 37 relating to HUD, under community development training programs, which the Senate committee placed in the bill. The House provided $2.5 million. The Senate committee added $2.5 million, making a total of $5 million, which is the budget amount. However, there is also involved the matter of fellowships for city planning and urban studies. The Senator from Pennsylvania [Mr. CLARK], has been deeply interested in this matter in the last two appropriation bills, and wanted to discuss it at this time.

Mr. CLARK. Mr. President, this matter involves an appropriation of $500,000 to be available for fellowships in the general area of urban planning. These fellowships were authorized by section 510 of the Housing Act of 1964. That was a 3-year authorization. The authorization had expired by the time the appropriation bill came up in the House. So the House did not have an opportunity to fund these fellowships for this and subsequent fiscal years.

I have called this matter to the attention of the Senator from Washington and have taken this matter up with the leadership in the House, and I understand it would be satisfactory to slightly reword the appropriation language in accordance with the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

Mr. CLARK. Mr. President, I ask

unanimous consent that the amendment may be considered out of order at this point, since I believe there are some committee amendments pending. Is that correct?

Mr. MAGNUSON. Yes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MAGNUSON. Mr. President, will the clerk read the amendment and see if it coincides with the copy I have?

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 37, lines 14 and 15, strike out "$5,000,000, of which not to exceed $500,000 shall be available for fellowships.", and insert in lieu thereof "$4,500,000.

"FELLOWSHIPS FOR CITY PLANNING AND URBAN STUDIES

"For fellowships for city planning and urban studies as authorized by section 810 of the Housing Act of 1964 (20 U.S.C. 811), $500,000."

Mr. MAGNUSON. Mr. President, this amendment is satisfactory. I have not checked with the Senator from Colorado, but what we wanted was to keep the fellowships in the bill. When the committee added the $2,500,000, we suggested that the $500,000 be available, within the $5 million, for fellowships; but the Senator from Pennsylvania has pointed out that in order to authorize this expenditure directly, to be sure it will be carried out, we should add this section for fellowships, which we were planning anyway, in the amount of $500,000, and then take that $500,000 from the $5 million, leaving the total the same.

Mr. CLARK. The end result is the same, but this is a separation arrangement, which I believe is technically preferable, and I am happy that it is accepted.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania to the committee amendment.

The amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

Mr. MAGNUSON. Mr. President, the Senator from Ohio is here, and I understand that he has a general amendment to the bill. I presume it is on civil defense.

Mr. YOUNG of Ohio. That is correct.

The PRESIDING OFFICER. The Senator from Ohio has asked unanimous consent for the consideration of his amendment prior to the committee amendment. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield to me briefly for a unanimous-consent request?

Mr. YOUNG of Ohio. I yield.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at 5 minutes to 3 o'clock today, the Senate go into executive session.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. YOUNG of Ohio. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 31, line 12, strike out "$66,100,000" and insert in lieu thereof "$56,100,000".

On page 31, line 20, strike out "$25,000,000" and insert in lieu thereof "$15,000,000".

Mr. YOUNG of Ohio. Mr. President, I call to the attention of the distinguished Senator from Washington, the manager of the bill and other Senators who are present that this is a very modest amendment. Briefly stated, it would cut the civil defense appropriation by only $20 million. It would reduce the recommended appropriation for operation and maintenance from $66,100,000 to $56,100,000, and the recommended appropriation for research, shelter survey, and marking from $25 million to $15 million for the coming fiscal year.

It is my hope that because this amendment is so modest, and involves such a small sum of money when compared with the Defense appropriation bill of $70 billion, and the huge sum of $2.5 billion that our involvement in an ugly civil war in Vietnam is costing taxpayers every month, that the distinguished Senator from Washington might even consider accepting this amendment. I shall proceed to discuss it briefly, in the limited time remaining before we go into executive session.

Mr. President, officials of the Department of Defense requested $111 million for civil defense purposes for fiscal year 1968. The House of Representatives cut that figure to $86,100,000. Then, the Senate Committee on Appropriations added an additional $5 million for shelter survey and marking, recommending a total appropriation of $91,100,000. I hope that the Senate, in its wisdom, will cut that amount by $20 million, or that the committee will accept my amendment.

Mr. President, it seems to me that here is an opportunity for Senators who have stated that they favor economy in government, and that they favor eliminating unnecessary spending, to demonstrate that they mean what they say—in other words, to fish or cut bait.

I do not know of a single means whereby we could more clearly manifest our desire to save taxpayers' money than by reducing appropriations for the civil defense boondoggle—and it is a boondoggle. We have gone from one scheme to another over the years—first the evacuation program, for example, and then various and diverse others. The sum of approximately $1,600,000,000 has been spent, and the safety of our people is no more secure than it would have been without that tremendous expenditure.

It appears, and I state this very respectfully, that all appropriation bills proposed and sanctioned by the Department of Defense seem to be automatically approved. They seem to fall in the same category as when we talk about the Stars and Stripes, or about motherhood. In reality, the civil defense program has nothing whatever to do with the defense of our Nation. It offers nothing whatever toward our national security, nor toward the maintenance of our defense posture. It has been an utter waste of taxpayers' money since its inception.

Frankly, in my judgment, this entire program should be scrapped. However, being a realist, I have offered a modest amendment, which at least will save $20 million for the taxpayers of this Nation. Surely $71 million should suffice for fiscal year 1968. President Johnson has called for the elimination of all nonessential expenditures. If ever there was a Federal program which has at all times come within the category of nonessential expenditures, it is the so-called civil defense program.

Mr. President, the House of Representatives refused to appropriate $20 million, or one-fourth of 1 day's spending in Vietnam—the same amount involved in my amendment—to eliminate rats from our slum areas, rats which too often attack little children. The House of Representatives eliminated that $20 million, the amount I am trying to eliminate here on a useless expenditure.

Last year alone there were 14,000 reported cases of rate bites of children, mostly in Cleveland and other cities of this Nation. On the other hand, the House of Representatives approved $86 million for foolish, wasteful and defense schemes which have contributed nothing to the safety and well-being of Americans.

It seems to me that it would be unconscionable and, in fact, immoral to appropriate $91 million for civil defense and refuse to appropriate 1 cent to kill rats which plague our urban areas and inflict damages totaling hundreds of millions of dollars annually in addition to the 14,000 reported cases of rat bites last year.

What kind of a nation are we that we will spend more than $100 million on a useless civil defense program, as we did in fiscal year 1967, and refuse to spend one-fifth of that amount to rid our cities of rats?

I suggest that the $20 million we would save through the adoption of my pending amendment could well be applied to a rat-control program or to a dozen or more vitally needed programs which have not been funded or the appropriations for which have been drastically reduced.

Mr. President, over the past 16 years, more than $1.6 billion of taxpayers' money has been wasted on utterly foolish civil defense projects, more than $760 million of this in the past 6 years alone.

Today, 22 years after the atomic bomb was dropped on Hiroshima, the United States has no civil defense program worthy of the name. Most of what exists consists of absurd plans on paper; the rest is confusion.

Political hacks in the civil defense division of the Defense Department in their propaganda relate the number of so-called fallout shelters that have been marketed. However, they do not tell us of the number of these so-called shelters adequately supplied with food, potable water, and medicine. That is because there are very few of them.

The fact is that reliable American observers in the Soviet Union, including representatives of the New York Times and other news media, have reported that they have not noted any civil defense shelter program or any sort of civilian defense program in the Soviet Union, except, perhaps, for some survival training courses, some courses in guerrilla warfare, or some teaching of schoolchildren in the Soviet Union—as we do, and properly so, in our country—with respect to first aid procedures in the event of disasters or injuries occasioned by other tragedies. No provision has been made for fallout shelters in newly built structures within the Soviet Union nor within the huge subway system in Moscow. Evidently, Soviet leaders have had the good sense not to squander their country's resources on futile programs that would add nothing whatever to the defense of their nation.

EXECUTIVE SESSION

The PRESIDING OFFICER. The hour of 2:55 p.m. having arrived, the Senate, under the previous order, will now go into executive session.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Hollings in the chair). Without objection, it is so ordered.

CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND FRANCE

The PRESIDING OFFICER. The hour of 3 o'clock having arrived, the Senate, under the order of Thursday, September 14, will proceed to vote on the resolution of ratification of Executive I, the Consular Convention between the United States of America and France, together with a protocol and two exchanges of notes relating thereto, signed at Paris on July 18, 1966. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. Bible], the Senator from Montana [Mr. Mansfield], the Senator from Maine [Mr. Muskie], the Senator from Florida [Mr. Smathers] are absent on official business.

I also announce that the Senator from Tennessee [Mr. Gore], the Senator from Indiana [Mr. Hartke], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Minnesota [Mr. Mondale], the Senator from Rhode Island [Mr. Pell], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. Bible], the Senator from Tennessee [Mr. Gore], the Senator from Louisiana [Mr. Long], the Senator from Montana [Mr. Mansfield], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Minnesota [Mr. Mondale], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pell], the Senator from Connecticut [Mr. Ribicoff], the Senator from Florida [Mr. Smathers], and the Senator from Missouri [Mr. Symington] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Kentucky [Mr. Cooper], the Senator from Michigan [Mr. Griffin], the Senator from New York [Mr. Javits], the Senator from Oregon [Mr. Hatfield], the Senator from Kentucky [Mr. Morton], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from California [Mr. Kuchel] is absent by leave of the Senate.

If present and voting, the Senator from Kentucky [Mr. Cooper], the Senator from Michigan [Mr. Griffin], the Senator from New York [Mr. Javits], the Senator from Oregon [Mr. Hatfield], the Senator from California [Mr. Kuchel], the Senator from Kentucky [Mr. Morton], and the Senator from Texas [Mr. Tower] would each vote "yea."

The yeas and nays resulted—yeas 80, nays 0, as follows:

[No. 251 Exec.]

YEAS—80

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gruening
Hansen
Harris
Hart
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Magnuson
McClellan
McGovern
McIntyre
Metcalf
Miller
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Percy
Prouty
Proxmire
Randolph
Russell
Scott
Smith
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—20

Bible
Cooper
Gore
Griffin
Hartke
Hatfield
Javits
Kuchel
Long, La.
Mansfield
McCarthy
McGee
Mondale
Morton
Muskie
Pell
Ribicoff
Smathers
Symington
Tower

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the ratification of the treaty.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1165. An act to provide for the disposition of judgment funds now on deposit to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians; and

S. 1972. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission Docket No. 75, and for other purposes.

THE INDEPENDENT OFFICES APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

Mr. YOUNG of Ohio. Mr. President, while so many Senators are in the Chamber I shall restate briefly my amendment to the pending bill.

Briefly stated, my amendment would cut the civil defense appropriation by $20 million, which is only one-fourth of the amount being spent every day in our Vietnam involvement. It would reduce the recommended appropriation for Operation and Maintenance from $66,100,000 to $56,100,000; and it would reduce the recommended appropriation for research, shelter survey and marking from $25 to $15 million, as set forth on page 31 of the bill.

Mr. President, on this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the amendments to which I have referred on page 31 be considered and voted on en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

The question is on agreeing to the amendment.

Mr. YOUNG of Ohio. Mr. President, I shall now complete my argument in favor of this amendment.

Mr. President, our real defense is to

keep our offensive power so far ahead of any Russian defense that it will remain perfectly clear to the Soviet leadership that a first strike against us will trigger unbearable retaliation. We now maintain a 3- or 4-to-1 advantage over the Soviet Union in the number of strategic missiles we possess. But even this does not fully measure our real advantage. Above everything else, we maintain 41 Polaris submarines each carrying 16 missiles with nuclear warheads. The most modern of these missiles has a maximum range of approximately 2,875 land miles. No area within the vast land mass of the Soviet Union or Communist China is safe from devastation by missiles fired from these submarines.

Leaders of the Soviet Union and Communist China are well aware of the tremendous offensive power that we possess and of our ability to annihilate an enemy by instant retaliation. Furthermore, the Soviet Union is no longer ruled by a tyrant such as Stalin. It is no longer a "have not" nation, but a "have" nation seeking to raise the standard of living of its people. Present leadership is evincing cooperation toward us instead of threatening annihilation. The Soviet Union is no longer the menace it once was to the peace of the world. It is really unthinkable that there would be any nuclear conflict between us.

There is no other nuclear power in the world that could threaten us at this time. Communist China, which has a crude nuclear capacity, will not have the capacity to make any sort of nuclear attack on us whatever before 1975 at the earliest. The civil defense program of today will be as obsolete by that time as are Civil War cannonballs, ladies' bustles, flintlock muskets, mustache cups, and other items I could mention. Nothing being done today by the civil defense bureaucrats will be of any use whatever 5 years from now. It is a certainty that a reduction of $20 million in this appropriation this year will in no conceivable way affect our defense posture in 1974 or 1975.

Throughout the years while this Nation and the Soviet Union were building up their nuclear capacities, Congress appropriated these huge funds for civil defense in piecemeal fashion, but not for any really serious or effective plan of action. Actually, we were soothing our consciences just in case a nuclear war would come. Year after year we appropriated $150 million or $100 million or $80 million for civil defense purposes, always "just in case." It was only human to grasp at straws when faced by an overwhelmingly difficult situation. In appropriating these funds, which now amount to a staggering sum, no one in his heart really believed that the civil defense fishnet would be of any protection in a surging sea of nuclear destruction.

Mr. President, I was shocked by Secretary of the Army Resor's statement before the Appropriations Committee that "civil defense contributes significantly to strategic defense." Does Secretary Resor, Secretary of Defense McNamara, or any other responsible official in the Department of Defense really believe that any American is one whit safer today in the event of nuclear attack than he was 16 years ago when this boondoggle began? Do they believe that the silly black and yellow markers denoting so-called shelters will be of any real importance in the event of a nuclear holocaust?

Today, more than 160 million shelter spaces have been "located." Over 101 thousand of these structures have been marked. Very few have been stocked with any supplies, but they are marked. Does anyone really believe that these so-called fallout shelters, which are in reality apartment house corridors, office building basements, parking garages, and the like, are going to be of any real protection? Even if one could possibly accept this premise, how much more of the taxpayers' money must be spent on little black and yellow signs telling citizens where to go to meet their deaths, in the horrible event of a nuclear Armageddon? Surely, $15 million should suffice for this purpose for the coming fiscal year instead of the $25 million recommended by the committee.

Mr. President, Senators will again hear the timeworn argument that we should have at least a minimum civil defense program "just in case." Last year, more than $100 million was spent on civil defense. Does this Nation have any more civil defense in the event of a nuclear attack than we had a year ago? The answer is, of course, an emphatic "No."

Public apathy regarding our civil defense program could not be greater. The truth is, citizens have completely lost faith in the civil defense boondoggle.

In New York City, our largest, most densely populated city, officials have abolished the civil defense program, following the example of other great American cities such as Portland, Oreg.; Los Angeles, Calif., and Baltimore, Md. In those cities, civil defense programs and expenditures have been either completely discarded, or ignored to the point where for all practical purposes they have been eliminated.

In his testimony before the Committee on Appropriations, Joseph Romm, Acting Director of Civil Defense, alleged:

> There is active participation of local governments in civil defense. This would not be possible without local public acceptance. More than 4,000 local jurisdictions representing more than 85% of the Nation's population, submit annual program papers to OCD and semiannual progress reports, detailing the work scheduled to be accomplished during the year and the status of accomplishments. These documents are used by local government authorities as a management tool.

Mr. President, in my home city of Cleveland, the murder-rape record has gone up 45 percent in the last year. Still, there are seven policemen, taken out of the police force of the city of Cleveland, detailed solely for the purpose of sitting around, waiting for the bomb to drop. Meanwhile, the murder-rape rate continues to increase on the streets of Cleveland. This is a sad situation. Of course, to be fair to these policemen, in addition to sitting around, waiting for the bomb to drop, they do go out and make speeches at high schools, American Legion posts, and before other civic groups, where they pontificate on the dangers of a nuclear attack. They lead the good life. Other cities also probably have policemen waiting around for the bomb to drop.

Unfortunately, too few Governors, mayors, and county commissioners can resist the temptation of Federal matching funds to provide in many cases a comfortable haven in the political storm for political wardworkers and defeated officeholders.

Mr. MORSE. Mr. President, will the Senator from Ohio yield?

Mr. YOUNG of Ohio. I am happy to yield to the Senator from Oregon.

Mr. MORSE. Has not the Senator from Ohio heard the latest argument for shelters in the United States, that if we listen to those who would drop hydrogen bombs on China, we will have to build shelters because most of the fallout would drift over the United States because of the prevailing winds. Has the Senator from Ohio heard that argument?

Mr. YOUNG of Ohio. I have not.

Mr. MORSE. Then I want to bring the Senator from Ohio up to date. As he knows, I am going to support his amendment, as I have supported him for a great many years in opposition to this inexcusable waste of the taxpayers' money on so-called civil defense programs which are completely phony so far as their effectiveness is concerned.

Mr. YOUNG of Ohio. That argument is as real and convincing as any other argument that could be made in favor of these tremendous appropriations for civil defense.

Civil defense funds, let us face it, provide excellent patronage plums for political "has beens" throughout the Nation—political "has beens" who hate to think about going back into private life and really having to go to work.

Of course, civil defense officials and employees in those 4,000 local jurisdictions referred to by Mr. Romm have a personal stake in the continuation of the civil defense program. It provides easy money and maintenance at the public trough for some so-called deserving Democrats or Republicans who need jobs of some sort. It is only natural that they urge continued spending of taxpayers' money on this frivolous and useless program. To claim, as Mr. Romm did, that there is "public acceptance" of this program is absurd.

Where were civil defense officials during the recent tragic riots in Detroit, Newark, and other cities? The answer is, of course, safe at home or in their offices. Civil defense organizations in those cities were of no value whatever during the recent strife that afflicted those communities. The fact is that if they can accomplish nothing whatever during localized riots in metropolitan areas, what can we expect from them in the event of the unimaginable havoc that would be caused by a nuclear strike?

Frequently, we Senators receive calls and letters from mayors and other municipal officials requesting assistance in having their applications for public works and other Federal projects expedited. At the same time, the Federal

Government is encouraging these officials to spend millions of dollars for civil defense employees and on ridiculous civil defense follies. If we cut off the head of the bureaucratic octopus in Washington, its wasteful satellites in States and cities will soon wither away. The adoption of my amendment would be a good beginning toward that end.

Mr. President, Joseph Romm has been acting civil defense director since January 1, 1967. The question could well be asked that if this program is so vital to our national security that it requires an annual expenditure of almost $100 million, why has not a permanent director been appointed? If anyone has to be director, I think that Joseph Romm is as good a man as any for the job. However, why has such an important position gone for more than 8 months without effective leadership and administration? Is it because a qualified person cannot be found who feels that this program is worth his efforts? Or, is this merely another indication of the lack of any real interest on the part of the administration in the civil defense agency? Or, as is apparently the case, is it due to political maneuvering and scheming and rivalries within the civil defense division among those seeking higher salaries and promotions in utterly useless but high sounding top positions? Lipservice is paid to civil defense. Money is wasted on it. Yet, nobody really cares what happens to the civil defense program, which is an expensive paper propaganda program. The American people are merely lulled for another year into thinking that there is such a thing as civil defense.

The committee has recommended more than $66 million for operation and maintenance of the civil defense organization. More than 830 employees now work in the civil defense division of the Department of Defense. Of this number, almost half receive from $13,000 a year up to $27,000 a year in salaries. These salaries are likely to be increased. The average annual salary of all civil defense employees in the Department of Defense, from the Director down to the lowliest file clerk, is in excess of $12,000 a year, one of the highest in the entire Federal bureaucracy.

In contrast, officials and employees of the Federal Bureau of Investigation, from the top right down to the lowliest file clerk, receive an average of approximitely $9,000 a year. In the National Aeronautics and Space Administration—an agency with many scientists and highly skilled and educated technical personnel—the average salary for officials and employees is approximately $10,500 a year. I have said on occasion that many officials of the National Aeronautics and Space Administration have almost as many degrees as a Fahrenheit thermometer. Yet, in all of that agency with its many highly trained employees, the average salary, from Administrator James Webb right down to the lowliest file clerk, is approximately $10,500 a year. In the civil defense division it is $12,000 a year.

I am certain that our Nation will be able to continue to struggle along if my amendment is adopted. In that event it may even be necessary to transfer some of these high-salaried civil defense bureaucrats to Federal agencies where they can perform a needed public service if they have the ability to do so. I doubt that there is another agency in the Federal Government where so many employees have done so little for so much money. Frankly, this outfit has become the catch-all, or cesspool, for Army officers and civilians who spend time concocting propaganda and sending messages to other unneeded officials likewise feeding at the public trough.

Mr. President, by adopting my amendment, $20 million will be saved without in any way impairing our national security or vital public services. I know that we will probably hear the old argument that the civil defense budget amounts to but a fraction of 1 percent of the total defense budget. However, translated into dollars, this percentage approaches $100 million a year—a huge sum of money that could be diverted to essential programs such as the model cities program, the rent supplement program, for eradication of rats from our cities and for other needed programs for the welfare of millions of Americans.

Mr. President, here is one place where we can practice real economy if we are sincerely interested in eliminating nonessential Federal spending. I strongly urge that my amendment be adopted.

Mr. DIRKSEN. Mr. President, it is my understanding that the vote on this amendment goes over until tomorrow.

Mr. YOUNG of Ohio. Mr. President, that is entirely agreeable.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, while I am about it, I should like to ask the distinguished acting majority leader about the program for the balance of the day and also for tomorrow.

Mr. BYRD of West Virginia. Mr. President, after conferring with the very able minority leader, it is the intention of the leadership to suggest that there be no further rollcall votes this afternoon, but that such discussions as may be had on the pending appropriations bill take place during the remainder of the afternoon, and that perhaps one or two more amendments may be offered or accepted by the manager of the bill.

It is the intention of the leadership to recess today, at the close of business, until 10:30 tomorrow morning; and it is also the intention to ask that immediately tomorrow morning the distinguished junior Senator from Colorado [Mr. DOMINICK] be recognized for 20 minutes, following which there be a brief period for the transaction of routine morning business, extending until 11 o'clock. Then it is the intention to ask unanimous consent that the vote on the pending amendment by the Senator from Ohio [Mr. YOUNG] be taken at 11 o'clock tomorrow morning.

It is expected that most of the day, if not all day, tomorrow will be spent in considering the pending appropriations bill.

It is hoped the Senate may be able to complete its work on the pending appropriation bill tomorrow, but if it is not able to do so, it is the plan to continue consideration of this bill into Wednesday. Beyond that, the leadership is unable to see.

Mr. MAGNUSON. Mr. President, if the Senator will yield, the Senator from Colorado [Mr. ALLOTT] and I will want to make a few brief remarks on the Young amendment. We would like to do that tomorrow. It will not take us long, so we can vote around 11 o'clock.

ORDER FOR RECESS TO 10:30 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10:30 tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR DOMINICK TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the junior Senator from Colorado [Mr. DOMINICK] be recognized immediately after the conclusion of the prayer and the consideration of the Journal tomorrow morning, for a period not to exceed 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that tomorrow, immediately following the speech by the Senator from Colorado, there be a brief period for the transaction of routine morning business, extending until 11 o'clock, with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be permitted to meet during the session of the Senate tomorrow.

Mr. ALLOTT. Mr. President, reserving the right to object, I deem it necessary to be on the floor during the consideration of the pending bill, and I should like to know if there are any requests with respect to the Committee on Interior and Insular Affairs for tomorrow.

Mr. BYRD of West Virginia. Mr. President, I modify my last unanimous-consent request to except the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia, as modified? The Chair hears none, and it is so ordered.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a vote on the amendment offered by the Senator from Ohio [Mr. YOUNG] at 11:15 tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the pending amendment of the Senator from Ohio [Mr. YOUNG] be temporarily set aside, so that we may proceed to the discussion of another amendment which the Senator from Maryland [Mr. BREWSTER] wishes to offer.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 301

Mr. BREWSTER. Mr. President, I call up my amendment No. 301, as modified, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Maryland [Mr. BREWSTER] proposes an amendment as follows:

On page 7, after line 24, add the following:

"COMMISSION ON POLITICAL ACTIVITY OF GOVERNMENT PERSONNEL

"SALARIES AND EXPENSES

"For an additional amount for 'Salaries and expenses', $25,000, to remain available until June 30, 1968."

Mr. BREWSTER. Mr. President, by Public Law 89-617, Congress established a Commission on Political Activity of Government Personnel. I am vice chairman of this Commission, more commonly known as the Hatch Act Commission.

Congress originally authorized $200,000 for the Commission study. Of this, $175,000 has been appropriated so far.

The Commission, chaired by Dr. Arthur Fleming, president of the University of Oregon and a former Cabinet member, is prepared to report to Congress after the first of the year. Unfortunately we are $25,000 short, between the authorization and the present funding and that $25,000 is desperately needed for completion of the Commission's work. This amendment merely appropriates that $25,000, the remainder of the original authorization. It most definitely does not extend the Commission's life, which is already limited by statute.

It is my understanding that this amendment has the approval of the Bureau of the Budget and of the manager of this bill. Therefore, I ask that the amendment be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland.

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, unless there is some further discussion on the bill or on amendments that we might be able to take care of, other than those which we have exempted until tomorrow, I would suggest that further consideration of the bill be postponed until tomorrow at 11 o'clock, or thereabouts.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at 11 o'clock tomorrow morning, the able and distinguished senior Senator from Washington [Mr. MAGNUSON] be recognized in order that he may respond to the Senator from Ohio [Mr. YOUNG] anent the amendment, prior to the vote which will take place at 11:15.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARRIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HARRIS. Is there an amendment pending to this bill at the present time?

The PRESIDING OFFICER. The bill has been put aside until tomorrow morning.

Mr. HARRIS. Will it be the pending business after the conclusion of routine morning business tomorrow?

The PRESIDING OFFICER. The Senator is correct, at 11 o'clock.

Mr. HARRIS. Will there be an amendment pending at that time?

The PRESIDING OFFICER. The amendment of the Senator from Ohio [Mr. YOUNG] will be pending at that time. The vote on that amendment has been set for 11:15.

Mr. HARRIS. Mr. President, for myself and the distinguished senior Senator from Massachusetts [Mr. KENNEDY], I send to the desk an amendment to H.R. 9960, the independent offices appropriation bill, and ask that it be printed, and also that it be printed in the RECORD. I do not ask that it be made the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment of the Senator from Oklahoma [Mr. HARRIS] and the Senator from Massachusetts [Mr. KENNEDY], is as follows:

AMENDMENT NO. 319

On page 23, line 7, insert the following: "Strike out '$459,000,000' and insert in lieu thereof '$505,000,000'."

Mr. HARRIS. Mr. President, this amendment would increase to $505 million the amount of the appropriation for the National Science Foundation.

In fiscal year 1967, the National Science Foundation received a total of $480 million.

For fiscal year 1968, the administration budget carried a request of $526 million for the National Science Foundation, or an increase of $46 million. However, at the time that budget was filed it was not known that there would be a $21 million carryover available for the National Science Foundation budget as a result of the cancellation of Project Mohole.

The $526 million request for the National Science Foundation, therefore, would be achieved with a total appropriation of $505 million, the figure contained in the amendment I have caused to have printed in the RECORD.

The amendment would, in effect, with the addition of the Project Mohole carryover funds, restore the appropriation for the National Science Foundation to the budget figure.

The House of Representatives in this appropriation provided for $495 million which, together with the $21 million from the Project Mohole cancellation, would make a total amount of funds available to National Science Foundation for 1968 of $516 million, or an increase in effect of only $10 million over what they had in fiscal year 1967.

The Senate committee, in addition to the cut made by the House of Representatives of $36 billion below the administration figure, reported an amount of only $459 million which, together with the $21 million from the Project Mohole cancellation, would make a total available to the National Science Foundation for the fiscal year 1968 of only $480 million, or $46 million less than the administration budget request for the National Science Foundation. It would allow only the same amount of money—$480 million for fiscal year 1968—as the National Science Foundation had for fiscal year 1967.

I make these remarks today and offer the amendment, which I intend to call up tomorrow during the consideration of the bill, in my capacity not only as a Senator from Oklahoma, but also as chairman of the Senate Subcommittee on Government Research of the Committee on Government Operations.

No one can deny that great payoff this country has received from its investment in science in the last 20 years. No other investment that we have made has brought us greater dividends in the health and welfare of our people and in the application of science and technology to the problems of our society.

Being first in science has greatly helped the United States to assure its continued position as the most affluent nation in the world.

If we are to remain first, we must be willing to maintain a growing investment in basic research. Without basic research, technology, which is the application of science on which the forward thrust of our economic development depends, cannot even continue at the rate we have witnessed since World War II. Such investment in basic research should not only continue, but it must grow.

Mr. President, the continuation of the U.S. record of scientific achievement is seriously threatened by the cuts in the budget recommendations included in this measure for the National Science Foundation.

This bill represents a cut, even though it would, in effect, provide the same amount of money that was provided last year.

The reason why that is so is rather obvious. It concerns the manifest and demonstrable increase that we have experienced in the cost of living in recent years. As all of us know, that increase has been running at the average annual rate of 3 percent or more.

The average cost to produce graduate students in this country has increased in recent years by 8 to 10 percent per year.

The cost of doing basic research has increased from 5 to 7 percent annually in recent years.

The need for funds for basic research has increased each year from 13 to 15 percent. That reflects the increased cost of science and scientific research in the items which I have mentioned. It also represents the skyrocketing costs of the fantastically complex new equipment which has been developed in recent years, concerning which we are all very much aware.

Mr. President, I have mentioned the importance of continuing the U.S. investment or commitment in basic scientific research if the economy of this country is to grow and if the gross national product of our Nation is to grow.

I turn now to another aspect of this problem that is very much on the minds of many Senators. In the Subcommittee on Government Research, we heard this year and last year from a tremendous number of witnesses.

We have either heard direct testimony from, or communicated with, representatives of virtually every State in the United States. All have said to us that there is tremendous inequity in the geographic distribution of Federal research and development funds. And each has pointed out to us the detriment that such inequitable geographic distribution of Federal research and development funds has had on his particular State or on his particular institution of higher learning.

Mr. President, the President of the United States on September 13, 1965, issued a memorandum to the heads of departments and agencies entitled "Strengthening Academic Capability for Science Throughout the Country."

In that memorandum, the President of the United States established the policy of this Government as providing for and requiring the strengthening of academic capability in not just a few States or a few areas of the United States, but throughout the United States.

The President rightly pointed out that this is a matter of national concern and that such strengthening of institutions for science and all aspects of science in every area of the country is rightly a matter of national policy.

Mr. President, I ask unanimous consent that the memorandum to which I have referred be printed at this point in the Record.

The PRESIDING OFFICER (Mr. Spong in the chair). Without objection, it is so ordered.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Memorandum to the Heads of Departments and Agencies

Subject: Strengthening Academic Capability for Science Throughout the Country.

A strong and vital educational system is an essential part of the Great Society. In building our national educational system, we must bear in mind all of the parts, and all of the levels—from Headstart for pre-school children to the most advanced university levels. At the apex of this educational pyramid, resting on the essential foundation provided for the lower levels, is the vital top segment where education and research become inseparable. The Federal Government has supported academic research in agriculture for over a half century and in the physical sciences, life sciences and engineering since World War II; the returns on this national investment have been immense.

Of the $15 billion which the Federal Government is spending in research and development activities this year, $1.3, or about 9%, is spent in universities. The $1.3 billion, which includes only Federal research grants and contracts, accounts for about two-thirds of the total research expenditures of our American colleges and universities. Over 25,000 graduate students in engineering, mathematics, physical and life sciences are supported indirectly by employment under these research grants and contracts. Plainly the Federal expenditures have a major effect on the development of our higher educational system.

The strength of the research and development programs of the major agencies, and hence their ability to meet national needs, depends heavily upon the total strength of our university system. Research supported to further agency missions should be administered not only with a view to producing specific results, but also with a view to strengthening academic institutions and increasing the number of institutions capable of performing research of high quality.

The functions of the Federal agencies in relation to the strengthening of academic institutions are as follows:

a. The National Science Foundation continues to have responsibility for augmenting the research capabilities of academic institutions in all fields of science through the support of basic research and research facilities and through measures for improving the quality of education in the sciences;

b. The Department of Health, Education, and Welfare will contribute to the over-all development of colleges and universities and to the development of health professional schools, particularly through programs of the Office of Education and the Public Health Service.

c. All Federal agencies with substantial research and development programs have an interest and need to develop academic capabilities for research and scientific education as a part of their research missions.

To the fullest extent compatible with their primary interests in specific fields of science, their basic statutes, and their needs for research results in high quality, all Federal agencies should act so as to:

a. Encourage the maintenance of outstanding quality in science and science education in those universities where it exists;

b. Provide research funds to academic institutions under conditions affording them the opportunity to improve and extend their programs for research and science education and to develop the potentialities for high quality research of groups and individuals, including capable younger faculty members;

c. Contribute to the improvement of potentially strong universities through measures such as giving consideration, where research capability of comparable quality exists, to awarding grants and contracts to institutions not now heavily engaged in Federal research programs; assisting such institutions or parts of institutions in strengthening themselves while performing research relevant to agency missions, by such means as establishing university-administered programs in specialized areas relevant to the missions of the agencies.

Funds for these purposes should be provided on a scale and under conditions appropriate to the mission of an agency and in accordance with any government-wide policy guidelines which may be established.

Departments and agencies should carefully assess the degree to which and the manner in which their existing programs support this policy, and, when indicated, should use a larger proportion of their research funds in accordance with the intent of the policy. The means for attaining this objective will be determined by each department and agency. In carrying out the policy, the various Federal agencies supporting research at a university should act in concert to a greater degree in making decisions, so as to make the university better able to meet the collective needs of the agencies and to make the Federal support most effective in strenthening the university.

My Special Assistant for Science and Technology, Dr. Donald Hornig, with the help of the Federal Council for Science and Technology will follow the response of the departments and agencies to this policy. I have asked him to obtain monthly progress reports and submit them to me.

Lyndon B. Johnson.

Washington, D.C., *September 13, 1965.*

Mr. HARRIS. Mr. President, it was on the basis of that memorandum, and in an attempt to discover how that policy established by the President in September of 1965 was being carried out, that the Senate Subcommittee on Government Research, which I head, commenced in the last session of the Congress to hold hearings on this scientific policy in regard to the geographic distribution of Federal research and development funds.

Those hearings continued this year, and very soon the Subcommittee on Government Research will be making a report. It is safe to say, in advance of the issuance of that report by our subcommittee, however, that we can make some rather strong conclusions already. First, given the presence of other elements in a State, particularly the spirit of entrepreneurship, the availability of risk capital and the interaction between academic research and industry, the expenditure of Federal research and development funds in an institution of higher education or in a State will have direct and immediate impact upon the economic development and growth of that State or of the area served by the institution of higher education.

Secondly, there can be no doubt, as has been stated before our subcommittee by Dr. Donald Hornig, the Science Adviser to the President, the Director of the Office of Science and Technology in the White House, that the presence of high quality research in an institution of higher education has direct impact upon the quality of education received by the students in that institution.

Therefore, Mr. President, we can conclude from our hearings in the Subcommittee on Government Research that for two reasons—economic impact and the impact upon the quality of education—the distribution of Federal research and development funds, as a matter of national policy, should be on a more equitable basis throughout the country and among institutions of higher education.

I believe we can also conclude from the hearings which we have held in the Subcommittee on Government Research that there is no way we can accomplish easily the more equitable distribution of those funds around the country. Some have suggested to us that the distribution might be made on the basis of some rigid formula. I do not believe that is a realistic suggestion.

We must keep three things in mind: First, it would certainly be terribly bad national policy if we attempted to dismantle or in any way took action detrimental to the existing centers of educational and research excellence in our country; because, by and large, and first of all, the public policy of this country in regard to science should look at the overall national results.

Second, any policy in regard to the distribution of Federal research and development funds should recognize the fact that excellence is primarily a matter of local responsibility. In other words, Mr. President, Massachusetts Institute of Technology was a, first, great institution of excellence in research and education and, then, received Federal funds. It did not first receive Federal funds and then become an excellent institution.

Third, I believe we can conclude that the present system of distribution of research and development funds each year makes the "have" States much better able to compete with the "have-not" States, and each year puts the "have-not" States in a much less competitive position than they were the preceding year.

Therefore, the several programs which have already developed within the Federal Government for the purpose of increasing the number of educational institutions which have reached excellence in research capability are of tremendous importance not only to the Nation and its capability in science, but also to the economic impact and the educational impact of the geographic distribution of Federal research and development funds.

The Atomic Energy Commission has a program under which they spend funds for the primary purpose of building additional centers of excellence in scientific research in areas which fall within the jurisdiction of AEC. The hope of that program is that, through it, additional States and additional higher educational institutions might be able to participate in the principal funds—a substantial portion of the funds—that must be spent on mission-oriented research.

It is a fact of life, one which we, as citizens, as taxpayers and as public officials, should recognize that mission-oriented agencies, such as the Department of Defense, the Atomic Energy Commission, NASA, NIH, and others, must spend their Federal research and development dollars, or the bulk of those Federal research and development dollars, in institutions where they can get quality research done. Programs, such as AEC has, to help build additional institutions which can get those quality results in research, or such as NASA has for that purpose, or such as the Department of Defense has under Project Themis for that purpose, are absolutely essential if we are not to continue and make worse the present imbalance between the "have" and the "have-not" educational and research institutions of the country.

We simply must help build more centers of excellence in education and research. That is an absolute requirement, if we are to accomplish what so many Members of the Senate desire to accomplish—better, more equitable geographic distribution of Federal research and development funds.

Mr. President, not only are we not going forward toward that purpose, but we are about to go backward as well. I am one who believes, as a result of our hearings in the Subcommittee on Government Research, that we should have more programs such as Project Themis in the Department of Defense; and that, furthermore, we should have better coordination in the executive department of the various programs in the Federal Government for support for higher education and research. Unless we have more such programs and better coordinated programs, we cannot get the result we want—the building of academic and research excellence in all parts of the country.

Furthermore, without doing that, we cannot get the States and the institutions of higher education to do the necessary inventorying of their present assets in these fields, to do the kind of planning necessary for excellence, or to take the kind of local or regional action necessary for excellence.

Mr. President, as I indicated earlier, not only do we not seem ready to take such additional steps which I believe we must take, but we are about to go backward.

For example, over the weekend I spoke with Mr. James Webb, the Director of NASA. When NASA went into a program of educational support to help build additional centers of excellence in education and research in the fields of jurisdiction provided for NASA, it had, I believe, an annual amount of money for that purpose of around $46 million.

During the last year or two this figure has been $30 million. This year the budget figure for this purpose for NASA, as filed with the Congress by the administration, was only $10 million, or a reduction of $20 million in funds to help bring about additional centers of excellence in the fields of NASA concern. Therefore, in the NASA budget we are going backward. We are about to do that in the bill which is before us providing for the appropriation for the National Science Foundation.

The report on this bill by the Committee on Appropriations, setting forth the reasoning as to why the appropriation for the National Science Foundation was cut, indicates that such a cut from the administration request was based in whole or in part on the growth of funds available for basic research from both public and private sources. On page 11 on that report the committee states:

> In view of the proliferation of basic research in pure science now conducted by private industry as well as the government, the committee requests that the Foundation submit to the committee for consideration with the 1969 budget a report surveying all significant efforts in pure science, private and public.

In other words, the report of the committee indicates this cut was based in whole or in part on two assumptions: First, that there is now increased support by the Government for basic research. This is an unfortunate finding by the committee, because I believe it is not supported by the facts. The Federal Government during the last 3 years—that is, for fiscal years 1965 through 1968—has been and is increasing funds for basic research an average of approximately $230 million each year.

The total increase for basic research funded by the Federal Government over the last 3 years is approximately $700 million. For applied research the figures are approximately the same. The increase of Federal support for applied research over the past 3 years has only been $800 million, or an average increase of only $270 million per year. Those yearly increases, out of the total annual Federal research and development expenditure of approximately $16 billion, is an average increase of only 3 to 4 percent per year.

That is a very little increase indeed, and I think cannot be called a proliferation of Government support for basic research. As a matter of fact, given the fact that the cost of living has risen approximately 3 percent each year during that period, it is no increase at all and especially is that so when, Mr. President, you include the tremendous increases in cost of graduate study, basic research, and scientific equipment.

I am in the process of trying to put together the figures on funds available from private industry and other private sources for basic research, but I think it would be rather obvious, and I think it will be obvious when the figures are available, that there has not been any proliferation or increase in such funds because, just as a matter of definition almost, private industrial research funds are spent in applied or mission-oriented research and are not available in larger actual quantities, given cost increases, than previously for basic research, which is so essential for development of science generally in this country and the growth of our gross national product.

The figures for the National Science Foundation which have been cut by the Committee on Appropriations took into account the need for $4 million over the budget for last year by reason of the passage by the Congress of the sea-grant college program. I think that we should recognize that of increasing importance to this country and the peoples of the world will be the fantastic natural resources contained in the sea. Insofar as oceanography is concerned we have very little capability in this country. Especially is that true in comparison to the great need for capability, and greater and greater knowledge, but also it is true in comparison to the tremendous resources that are in the sea and presently unused.

Mr. President, I think there should be no difficulty at all in approving an increase of $4 million over the NSF budget of last year, which was the amount allowed by the Committee on Appropriations, so that we could implement this great sea-grant college program.

Moreover, the administration figures for the National Science foundation had envisioned an increase of a little less than $4 million in the social sciences program of the National Science Foundation. I think I need dwell very little on the fantastic growth in social problems in this country as a result, first, of the tremendous advances that there have been in the natural and physical sciences, with which knowledge in the social sciences has not kept pace, and, further, because of the tremendous problems of urbanization, population growth, and growth in the size of such great social concerns as juvenile delinquency and crime, quality education, and other social science subjects.

Moreover, and important to what I have said about geographic distribution, is the fact that the National Science Foundation budget as proposed by the administration included $20 million, roughly, of the $46 million increase asked for, for what is known as the institutional development program, which encompasses university science development, university departmental development, college science improvement program, and supporting educational facilities, including computer facilities so necessarily a part of any modern educational institution.

If we in this body who have talked about it are really serious about wanting to develop greater research and educational excellence in institutions of higher education in our States, about bringing about a more equitable distribution of Federal research and development funds throughout the country, we must recognize we will strike a very crippling blow to that concept if we cut the funds the National Science Foundation had intended to use to expand the program to help build additional centers of educational and research excellence.

The National Science Foundation has made 27 science development grants in the last 3 years in 19 States. These grants have averaged between $3 million and $6 million each. In addition, during fiscal year 1967, four grants were made to assist science departments to develop excellence, while 15 grants were made to improve science education in the colleges. Such States as Tennessee, New Mexico, Kentucky, North Carolina, Ohio, South Dakota, Virginia, Iowa, and New Jersey have been included. Last year, the program was funded at a $40 million level, and with the increased funds provided in the administration's budget, the National Science Foundation had planned to increase it to approximately $52 million for fiscal year 1968.

Especially in light of the fact that NASA will not have the funds it has had in previous years to assist with educational research and development in institutions of higher education around the country, the cut in the planned increase for NSF for this same general purpose is, in itself, most unfortunate, I submit, and one which I believe Senators would not intend if they were aware of it.

Included also in the amount of money which has been cut from the appropriation as it was reported, were intended to be funds for computer programs, and science education at the elementary and secondary level, as well as at the level of higher education.

I think we all know how essential these purposes are if science capability and research excellence are to be developed in States around the country, particularly those which have not, in the past, attained such excellence.

Mr. President, our country's population is growing, as we know, at a rapid rate. I do not think that any of us doubts that unless the gross national product continues to grow at least at an equally rapid rate, we will not be able to provide new, private jobs which we must have if the increasing numbers of our people are to be gainfully employed.

I think it is also equally apparent to anyone who thinks about it, that the gross national product cannot grow at the required rate unless we continue to make this vital and important investment in science and science research, applied and basic, but particularly basic.

Moreover, I think that this country, as its history reveals quite readily, cannot maintain its defense and other superiority in the world unless we continue to expand the frontiers of our knowledge in all fields.

Admittedly, the National Science Foundation budget for that purpose is relatively small in relation to the total funds the Government spends for research and development generally; nevertheless, it is a very vital part of those expenditures because it is primarily aimed at basic research and at increasing our basic knowledge upon which application and development depend. It is also basically oriented toward institutions of higher education, where we get a twofold result; namely, not only expanded knowledge, which is so essential, but also in greatly improved education, as Dr. Hornig and others have pointed out.

Therefore, Mr. President, it seems to me that at a time when all of us are looking for ways in which the budget can be held down for cuts, if possible, in our zeal, we should not cut out a rather small amount, which is only $46 million out of a total budget in excess of $130 billion, and which is an investment so vital and basic to the future of our country and to the future of each of our States.

Thus, Mr. President, I will, on tomorrow, call up our amendment, which will be printed in the RECORD today and which is now at the desk. I hope that it will be agreed to by the Senate, so that the $46 million increase the administration has asked for in the budget of the National Science Foundation will be allowed.

Mr. KENNEDY of Massachusetts. Mr. President, while I will comment in detail on the amendment the junior Senator from Oklahoma and I offer to H.R. 9960 when it is brought up, there are a few brief remarks I want to make about it today.

The amendment would bring the operating budget for the National Science Foundation up to the level requested by the President in his 1968 budget estimate. After the budget requests were sent to the Congress, the administration determined that, because of the cancellation of Project Mohole, a $21 million saving would be realized during the year, meaning that only $505 million in new appropriations is needed to bring the operating budget of the NSF up to the $526 million level which actually appears in the President's request.

The House allowed $495 million, $10 million less than the request, but the Senate committee recommends only $459 million. Consequently, the amendment the junior Senator from Oklahoma and I introduce would raise the appropriation by $46 million.

Mr. President, the NSF budget is very small—it is only one-tenth of that for NASA and less than one-hundredth of that for our national defense. Yet, the importance of its contribution to the future of this country is dramatically indicated by the more than 3,700 grants made to 325 colleges and universities throughout the United States in 1967.

These grants and contracts have made possible a continuation of fundamental research in physical and biological sciences, in engineering, in mathematics, in the behavioral sciences, in sociology, and in economics. On March 31 of this year, there were active research and education awards in some 1,200 colleges and universities of the Nation and in 500 organizations of other types.

I ask unanimous consent that there be printed at this point in the RECORD a listing of the grants and contracts made by the National Science Foundation to colleges and universities throughout the United States. I think it is plain that an across-the-board cut of nearly 10 percent of the NSF's requested budget would cause serious disruption to many of these ongoing research efforts, and I urge my colleagues to join with Senator HARRIS and me to restore the amounts cut from the budget by the committee.

There being no objection, the listing was ordered to be printed in the RECORD, as follows:

NATIONAL SCIENCE FOUNDATION—GRANTS AND CONTRACTS AWARDED, FISCAL YEAR 1966

Grantee or contractor	Program grants and contracts	
	Number	Amount
ALABAMA		
Alabama Academy of Science	3	$28,265
Alabama Agricultural and Mechanical College	5	80,730
Alabama College	3	102,740
Alabama State College	1	6,200
Auburn University	10	157,374

NATIONAL SCIENCE FOUNDATION—GRANTS AND CONTRACTS AWARDED, FISCAL YEAR 1966—Continued

Grantee or contractor	Program grants and contracts	
	Number	Amount
ALABAMA—Continued		
Birmingham-Southern College	2	$12,600
Florence State College	1	64,480
Miles College	1	7,290
Spring Hill College	2	35,920
St. Bernard College	1	5,800
Stillman College	1	600
Talladega College	1	3,310
Tuskegee Institute	12	282,455
Tuskegee Institute, veterinary medicine	1	700
University of Alabama	15	601,541
University of Alabama Medical Center	1	9,900
University of South Alabama	3	54,260
Other grants and contracts	1	700
Subtotal	64	1,468,965
ALASKA		
Alaska Methodist University	1	2,500
University of Alaska	23	1,766,524
Other grants and contracts	3	2,357
Subtotal	27	1,771,381
ARIZONA		
Amerind Foundation Inc	1	84,000
Arizona Academy of Science	2	15,730
Arizona State University	23	589,154
Arizona Western College	1	2,000
Association of University Research Astronomers, Cerro Tol	1	1,425,900
Association of University Research Astronomers, Kitt Peak	1	6,186,270
Lowell Observatory	1	56,300
Northern Arizona Society of Arts and Sciences	1	68,000
Northern Arizona University	4	65,060
Phoenix College	1	9,700
Prescott College	1	20,700
Solar Energy Society	1	12,320
St. Joseph's Hospital	1	16,200
University and State Colleges of Arizona	4	226,430
University of Arizona	57	6,283,386
Other grants and contracts	5	4,662
Subtotal	105	15,065,812
ARKANSAS		
Arkansas Academy of Science	1	9,915
Arkansas Polytechnic	2	8,000
Arkansas State Teachers College	2	21,700
Arkansas State College	1	2,000
College of the Ozarks	1	1,900
Little Rock University	1	6,000
Southern State College	1	36,820
University of Arkansas	28	668,080
University of Arkansas Medical Center	2	32,000
Subtotal	39	786,415
CALIFORNIA		
Asia Foundation	1	22,500
Association for Symbolic Logic	1	49,600
Atmospheric Research Group	1	25,200
Bunker-Rano Corp	1	68,931
California Academy of Science	2	93,800
California Institute of Technology	50	3,590,733
California Lutheran College	1	1,000
California State, California Polytechnic	1	2,000
California State, California Polytechnic Foundation	2	27,440
California State, California Polytechnic-Kellogg	4	74,720
California State, Chico	3	24,000
California State, Chico Foundation	2	22,776
California State, Fresno	2	5,000
California State, Fresno Foundation	3	68,323
California State, Fullerton	4	38,400
California State, Fullerton Foundation	1	7,860
California State, Hayward	1	500
California State, Hayward Foundation	4	73,343
California State, Humboldt	2	16,700
California State, Humboldt Foundation	6	174,735
California State, Long Beach Foundation	7	193,449
California State, Los Angeles	2	12,100
California State, Los Angeles Foundation	4	125,373
California State, Sacramento	4	35,600
California State, Sacramento Foundation	3	99,280
California State, San Diego	2	18,750
California State, San Diego Foundation	25	770,293
CALIFORNIA—Continued		
California State, San Fernando	1	$2,000
California State, San Fernando Foundation	3	32,252
California State, San Francisco	3	17,700
California State, San Francisco Foundation	3	74,838
California State, San Jose	1	150,000
California State, San Jose Foundation	15	487,986
California State Sonoma	1	2,000
California State Sonoma Foundation	2	46,870
Center for Advanced Study Behavorial Science	2	88,600
Citrus Junior College	1	33,700
Claremont Graduate School	3	105,986
Claremont Men's College	1	10,000
College of Notre Dame	1	3,600
Committee for Advanced Science Training	1	7,515
Dominican College, San Rafael	2	28,550
Douglas Aircraft Co., Inc	2	245,572
Global Marine, Inc	1	79,785
Harvey Mudd College	5	98,933
Herpetologist's League	1	600
Immaculate Heart College	3	15,908
Institute for Comparative Biology	1	10,000
Institute of Mathematical Statistics	1	13,900
Loma Linda University	3	11,783
Los Angeles County Museum	5	157,700
Loyola University	2	24,750
Marymount College	1	2,900
Northrop Institute of Technology	1	8,300
Occidental College	7	60,460
Orange Coast College	1	2,000
Pacific College	1	3,300
Pepperdine College	1	3,830
Pomona College	12	239,583
Rand Corp	2	226,990
Salk Institute for Biology Studies	1	44,400
San Diego City College	1	2,000
San Francisco Women's College	1	2,000
Scripps Clinic and Research Foundation	4	268,400
St. Mary's College of California	2	64,040
Standard Research Institute	6	288,423
Stanford University	94	7,061,308
Stanford-Hopkins Marine	2	544,250
Stanford, School of Medicine	10	466,020
System Development Corp	3	339,402
University of California, Berkeley	138	8,559,928
UCB-Richmond	1	48,000
University of California, Davis	36	1,136,726
University of California, Irvine	16	855,782
University of California, Los Angeles	91	5,199,741
UCLA Medical School	3	126,500
University of California, Riverside	31	1,085,686
University of California, San Diego	31	1,935,630
UCSD, Scripps Inst., Ocean	28	7,934,910
University of California, San Francisco	6	233,566
University of California, Santa Barbara	41	1,548,973
University of California, Santa Cruz	6	211,765
University of Redlands	9	124,320
University of San Diego, Women	2	6,000
University of San Francisco	5	64,366
University of Santa Clara	12	232,457
University of Southern California	40	6,005,353
University of the Pacific	5	78,201
University of Pacific, Dillon	3	39,795
Westmont College	1	2,000
Other grants and contracts	81	89,650
Subtotal	939	52,539,889
COLORADO		
Adams State College	1	12,500
Children's Asthma Research Institute	1	39,500
Colorado College	7	141,481
Colorado School of Mines	2	36,900
Colorado School of Mines Foundation	7	157,623
Colorado State College	4	161,000
Colorado State University	37	1,799,992
Colorado Woman's College	2	7,100
Colorado-Wyoming Academy of Science	1	5,650
Denver Museum of Natural History	1	5,700
Fort Lewis College	1	6,990
Fountain Valley School	1	3,400
Loretto Heights College	1	52,620
Southern Colorado State College	1	2,000
Univ. Corp. for Atmospheric Research	2	10,422,100
University of Colorado	69	3,275,325
University of Colorado Medical Center	4	222,400
University of Denver	13	495,050
Other grants and contracts	4	2,364
Subtotal	159	16,849,695
CONNECTICUT		
Albertus Magnus College	3	20,160
American Crystallographic Association	1	8,000
Central Connecticut State College	3	90,180
CONNECTICUT—Continued		
Connecticut College	1	$7,970
Fairfield University	3	24,370
Hartford Hospital	1	6,900
Hartford Seminary Foundation	1	16,520
Human Relation Area Files	2	128,400
Museum of Art, Science, and Industry	1	10,075
Soc. General Physiologists	1	3,700
St. Joseph College	3	28,450
Trinity College	6	49,100
University of Bridgeport	6	51,675
University of Connecticut	28	834,482
Wesleyan University	21	987,186
Yale University	77	5,019,967
Yale University, Peabody Museum	2	40,900
Yale University School of Medicine	5	249,300
Yale-Columbia U. Sou Obser	1	105,000
Other grants and contracts	9	5,023
Subtotal	175	7,687,358
DELAWARE		
University of Delaware	23	712,355
DISTRICT OF COLUMBIA		
American Anthropological Association	3	258,868
American Association for the Advancement of Science	4	760,685
American Association of Junior Colleges	1	4,674
American Chemical Society	4	179,670
ACS-Chemical Abstr (Ohio)	1	216,608
American Council on Education	1	11,500
American Express Co	1	75,000
American Friends of the Middle East	1	9,000
American Geological Institute	10	2,035,019
American Geophysical Union	9	279,720
American Institute of Biological Sciences	3	65,349
American Psychological Association	6	323,690
American Society for Engineering Education	2	31,608
American Sociological Association	3	469,127
American University	8	258,159
Arctic Institute of North America	6	329,516
Association of American Geographers	3	594,047
Brookings Institution	1	226,300
Bureau of Social Science Research	1	26,558
Carnegie Institute of Washington	3	759,500
Catholic University of America	18	527,116
Center Applied Linguistic	1	26,858
Clements Printing Co., Inc	1	36,775
Commsn, Eng. Educ. (Illinois)	3	818,095
Conference Board Math Sci	1	11,060
Courtesy Travel Service	1	200,000
District of Columbia Teachers College	1	2,000
Gallaudet College	2	140,790
George Washington University	15	1,215,731
Georgetown University	20	493,554
Georgetown University School of Medicine	3	96,200
Herner & Co	2	4,505
Howard University	13	258,788
John I. Thompson & Co	1	13,663
Joint Board of Science Education	5	61,680
National Academy of Science	6	1,982,515
National Association of Biology Teachers	1	48,600
National Cncl. Tchrs. Math	1	3,250
National Fed. Sci. AB & Ind	1	10,870
National Planning Association	2	189,716
National Science Teachers Association	1	44,520
Nature Conservancy	1	23,800
Optical Society of America	2	29,000
Pan American Union	1	6,000
Research Foundation, Children's Hospital	1	35,000
Society of American Foresters	1	6,000
Technology Services, Inc	1	5,000
Water Pollution Control Federation	1	1,400
Other grants and contracts	44	18,770
Subtotal	222	13,225,854
FLORIDA		
Brevard Engineering College	2	28,200
Communication Research Institute	2	80,700
Fairchild Tropical Garden	2	160,100
Florida A. & M. University	3	65,965
Florida Academy of Science	1	12,550
Florida Atlantic University	3	115,945
Florida Geological Survey	1	4,900
Florida Presbyterian College	4	37,140
Florida State University	43	2,527,235
New College	1	2,000
Organization for Tropical Studies	3	428,590
Rollins College	5	41,950
Stetson University	5	61,400
University of Florida	50	6,693,274
University of Florida Agricultural Experiment Station	1	2,200
University of Florida Citrus Experiment Station	1	24,200

NATIONAL SCIENCE FOUNDATION—GRANTS AND CONTRACTS AWARDED, FISCAL YEAR 1966—Continued

Grantee or contractor	Program grants and contracts	
	Number	Amount
FLORIDA—Continued		
University of Florida—Continued		
University of Florida College of Medicine	2	$67,700
University of Florida—Florida State Museum	4	1,175,250
University of Miami	13	378,187
University of Miami Institute of Marine Sciences	21	1,522,200
University of Miami School of Medicine	1	30,350
University of South Florida	13	166,482
University of Tampa	1	2,000
Other grants and contracts	6	3,089
Subtotal	188	13,631,607
GEORGIA		
Agnes Scott College	1	5,800
Albany State College	2	69,930
Armstrong State College	1	10,000
Atlanta University	2	266,383
Augusta College	2	9,000
Berry College	1	2,000
Clark College	2	53,430
Emory University	12	331,492
Emory University—Yerkes Primate	1	7,100
Fort Valley State College	1	50,770
Georgia Institute of Technology	26	1,193,459
Georgia Southern College	2	19,890
Georgia State College	2	19,400
Medical College of Georgia	3	27,583
Mercer University	2	69,590
Morehouse College	2	5,600
Morris Brown College	1	51,960
Ogelthorpe College	1	4,300
Paine College	1	2,000
Piedmont College	1	4,100
Savannah State College	4	90,260
Southern Regional Education Board	1	17,300
University of Georgia	32	1,552,743
West Georgia College	3	15,605
Other grants and contracts	5	3,333
Subtotal	111	3,888,028
HAWAII		
Bernice P. Bishop Museum	5	245,050
Chaminade College of Honolulu	1	7,500
Hawaii Academy of Science	2	9,380
University of Hawaii	51	2,496,591
Other grants and contracts	3	2,511
Subtotal	62	2,761,032
IDAHO		
Idaho Academy of Science	2	39,340
Idaho State University	13	243,636
Northwest Nazarene College	3	17,200
University of Idaho	12	373,659
Other grants and contracts	1	540
Subtotal	31	674,375
ILLINOIS		
American Economic Association	2	28,564
American Library Association	1	129,600
American Society of Naturalists	1	5,320
Associated Colleges of Midwest	2	141,260
Augustana College	1	2,000
Aurora College	2	26,170
Bradley University	2	55,730
Central States Universities	2	89,615
Chicago City Junior College, Amundsen	1	2,000
Chicago City Junior College, Loop Branch	1	2,000
Chicago Medical School	4	74,240
Chicago Natural History Museum	6	150,540
Chicago Park District, Adler	1	47,020
Chicago Planetarium Society	1	10,535
College of St. Francis	1	1,600
Commsn. Eng. Educ. (DC)		
Council for Biomedical Career	1	12,065
DePaul University	9	74,115
Eastern Illinois University	1	79,920
Illinois Institute of Technology	39	1,348,303
Illinois State Academy of Science	1	9,520
Illinois State University	4	61,769
Illinois Teachers College, Chicago, North	2	10,890
Illinois Wesleyan University	3	91,230
Kendall College	2	3,800
Knox College	9	214,420
Lake Forest College	5	76,680
Lewis College	2	16,800
Loyola University	10	127,373
Loyola University Medical Center	2	83,100
MacMurray College	4	27,100
Midwest Interlibrary Center	2	81,815
Millikin University	3	7,200
Monmouth College	1	30,000
ILLINOIS—Continued		
Mundelein College	1	$2,000
National Merit Scholarships Corp	1	25,000
National Opinion Research Center	6	67,250
Newberry Library	1	5,300
North Central College	3	8,900
North Park College and Theological Seminary	3	9,900
Northern Illinois University	10	233,512
Northwestern University	45	2,164,691
Northwestern University Medical School	1	58,100
Population Association of America	1	30,000
Principia College	1	3,100
Quincy College	5	28,100
Rockford College	1	7,540
Roosevelt University	1	21,270
Social Research, Inc	1	57,309
Southern Illinois University	21	522,249
Southern Illinois University, Edwardsville	2	58,110
St. Dominic College	1	2,100
University of Chicago	72	7,697,107
University of Chicago, Argonne Laboratory	3	5 ,400
University of Illinois	119	7,039,075
University of Illinois, Chicago Circle	21	397,550
University of Illinois Medical Center	3	151,800
Western Illinois University	1	5,900
Wheaton College	1	2,000
Other grants and contracts	33	19,138
Subtotal	486	21,792,695
INDIANA		
Anderson College	1	3,800
Ball State University	7	98,710
Butler University	3	61,430
Council Bio. Editors	1	9,500
Depauw University	6	96,650
Earlham College	10	179,546
Evansville College	6	17,940
Franklin College of Indiana	1	46,610
Goshen College	2	9,100
Hanover College	1	5,700
Indiana Academy of Science	1	13,370
Indiana Central College	1	6,070
Indiana State University	2	14,180
Indiana University	3	36,255
Indiana University Foundation	57	2,641,010
Indiana University School of Medicine	3	77,950
Indiana University at South Bend	1	5,640
Manchester College	1	12,520
Purdue University	28	4,861,676
Purdue University at Fort Wayne	2	8,700
Purdue University at Hammond	1	2,000
Purdue University Research Foundation	43	1,846,249
Rose Polytechnic Institute	5	74,300
St. Mary's College	2	1,400
Tri-State College	1	15,000
University of Notre Dame	43	3,682,786
Valparaiso University	8	120,079
Vincennes University Junior College	1	2,000
Wabash College	2	55,568
Other grants and contracts	13	6,549
Subtotal	256	14,012,788
IOWA		
Buena Vista College	2	22,280
Central College	1	7,800
Clarke College	2	5,100
Coe College	3	41,550
Cornell College	4	33,174
Dordt College	3	12,260
Drake University	4	140,210
Graceland College	3	4,200
Grinnell College	2	19,920
Iowa Academy of Science	3	28,815
Iowa State University	40	1,494,462
Iowa Wesleyan College	1	3,100
Loras College	2	16,800
Luther College	2	7,400
Morningside College	1	4,930
Northwestern College	1	2,000
Parson's College	1	11,700
Simpson College	2	12,600
St. Ambrose College	1	3,300
State College of Iowa	3	346,450
University of Dubuque	1	4,600
University of Iowa	37	1,803,611
University of Iowa College of Medicine	1	50,000
Wartburg College	2	15,700
Westmar College	1	1,200
Other grants and contracts	1	630
Subtotal	124	4,093,792
KANSAS		
Butler County Junior College	1	$2,000
Coffeyville College	1	1,100
College of Emporia	1	9,700
Fort Hays Kansas State College	5	116,880
Friends University	1	3,600
Kansas Academy of Science	3	20,025
Kansas State College, Pittsburg	6	166,770
Kansas State Teachers College	6	457,695
Kansas State University	36	1,339,082
Kansas Wesleyan University	1	3,100
Marymount College	1	5,600
Ottawa University	1	2,500
Southwestern College	1	2,000
St. Benedict's College	3	9,300
St. Louis University-St. Mary College (Missouri)	--------	---------
Sterling College	1	1,200
Tabor College	2	13,080
University of Kansas	54	1,692,453
University of Kansas, Center for Research	4	162,900
University of Kansas, Medical Center	4	122,550
Washburn University of Topeka	5	96,140
Wichita State University	5	59,900
Other grants and contracts	3	1,748
Subtotal	145	4,289,323
KENTUCKY		
Alice Lloyd College	1	5,300
Asbury College	1	23,300
Bellarmine College	3	22,637
Berea College	2	7,500
Brescia College	2	5,300
Catherine Spalding College	1	2,000
Centre College of Kentucky	4	52,365
Eastern Kentucky University	5	19,900
Kentucky Academy of Science	1	7,205
Morehead State University	2	11,600
Murray State University Foundation	3	117,490
St. Catherine Junior College	1	2,000
Translyvania College	1	4,300
Union College	1	2,000
University of Kentucky	1	59,340
University of Kentucky, Kentucky Research Foundation	19	399,797
University of Kentucky, Medical School	1	20,000
University of Louisville	12	201,888
University of Louisville, School of Medicine	9	348,000
Ursuline College	2	7,760
Villa Madonna College	7	24,199
Western Kentucky University	4	99,783
Subtotal	83	1,443,664
LOUISIANA		
Centenary College	2	11,900
Dillard University	1	37,700
Grambling College	1	10,500
Louisiana State University, Baton Rouge	42	5,293,415
Louisiana State University, New Orleans	7	78,909
Louisiana Academy of Science	2	13,820
Louisiana Polytechnic Institute	6	74,491
Loyola University	13	184,561
McNeese State College	3	20,070
Nicholls State College	1	66,125
Northeast Louisiana State College	6	28,310
Northwestern State College of Louisiana	7	83,333
Southern University and A. & M. College	8	181,915
St. Mary's Dominican College	3	9,780
Tulane University of Louisiana	24	4,564,380
Tulane University, Delta Primate Research	2	102,400
Tulane University, School of Medicine	1	32,500
University of Southwestern Louisiana	6	55,257
Xavier University	1	11,000
Other grants and contracts	4	2,613
Subtotal	140	10,862,979
MAINE		
Bowdoin College	15	406,201
Colby College	3	95,470
Farmington State College	1	6,020
Gorham State College	1	7,980
Jackson Laboratory	2	37,625
Math Association of America (New York)	------	----------
Mount Desert Island Bio. Lab	1	31,800
Nasson College	1	3,500
Northern New England Academy of Science	1	10,240
Ricker College	1	2,000
St. Joseph's College	1	2,100

NATIONAL SCIENCE FOUNDATION—GRANTS AND CONTRACTS AWARDED, FISCAL YEAR 1966—Continued

Grantee or contractor	Program grants and contracts	
	Number	Amount
MAINE—Continued		
University of Maine	9	$184,910
Other grants and contracts	1	2,800
Subtotal	37	790,652
MARYLAND		
American Institute of Nutrition	1	10,000
American Insts. Res. Behav. Sci	2	23,900
American Society Pharm. & Exp. Ther	1	1,000
American Society of Zoologists (Michigan)	2	10,550
Askania-Werke	1	13,128
Association for Cultural Interchange	1	6,765
Astrafilms, Inc	1	15,000
Catonsville Community College	1	4,300
Computer Usage Development Corp	3	42,224
Entomological Society of America	1	21,870
Eye Research Foundation of Bethesda	1	40,700
Federation of American Soc. Exp. Bio	1	873
General Electric Co	1	2,250
Goucher College	5	86,525
Hood College	3	7,200
Johns Hopkins University	37	2,750,723
Johns Hopkins University School of Medicine	2	33,100
Loyola College	2	6,100
Maryland Academy of Science	3	13,150
Morgan State College	4	155,010
Mount St. Agnes College	2	8,400
Mount St. Mary's College	1	2,200
National Biomedical Research Foundation	1	40,000
St. Joseph College	1	5,000
St. Mary's College of Maryland	1	9,100
Towson State College	2	4,000
University of Maryland	48	1,840,297
University of Maryland, Chesapeake Biomedical	1	8,400
University of Maryland School of Medicine	2	84,000
Washington College	1	8,800
Western Maryland College	3	54,270
Other grants and contracts	11	13,399
Subtotal	147	5,322,234
MASSACHUSETTS		
Abt Associates, Inc	1	39,200
American Meteorological Society	4	717,932
Amherst College	9	231,767
Anna Maria College for Women	1	1,500
Arthur D. Little, Inc	2	105,200
Assumption College	2	46,160
Augustinian College, Merrimack	5	18,500
Boston College	13	442,203
Boston University	18	445,893
Boston University, School of Medicine	3	116,450
Brandeis University	31	1,325,667
Children's Cancer Research Foundation	2	105,800
Clark University	13	297,554
College of the Holy Cross	13	174,340
Eastern Nazarene College	3	46,160
Educational Services, Inc	11	3,820,285
Emmanuel College	1	19,200
Foundation Research Nervous System	1	45,300
Garland Junior College	1	2,700
Gordon College	2	23,000
Harvard University	84	4,514,217
Harvard University Medical School	5	264,900
Harvard University—Radcliffe College	1	11,520
Information Dynamics Corp	2	6,978
Information Management	1	82,018
Lowell Technological Institute	3	31,057
Marine Biological Laboratory	4	252,600
Massachusetts Bay Community College	1	8,600
Massachusetts General Hospital	4	158,300
Massachusetts Institute of Technology	71	7,092,579
Mount Holyoke College	7	71,332
New England Medical Center Hospitals	1	30,000
Northeastern University	14	297,602
Potter & McArthur, Inc	1	8,000
Regis College	1	3,000
Retina Foundation	1	50,000
Robert S. Peabody Archaeological	2	37,600
Simmons College	2	49,370
Smith College	5	84,994
Southeastern Massachusetts Technical Institute	4	40,620
Springfield College	1	11,200
St. Stephen's College	1	13,200
State College at Bridgewater	3	63,085
Tufts University	25	510,241
Tufts University School of Dentistry	1	34,000
Tufts University School of Medicine	2	76,000
MASSACHUSETTS—Continued		
University of Massachusetts	43	$1,405,215
University of Massachusetts, Boston	2	28,300
University of Massachusetts, Cranberry Exp	1	1,650
W. E. Howell Associates, Inc	1	95,175
Wellesley College	7	113,464
Wentworth Institute	1	73,945
Wheaton College	4	27,820
Williams College	7	233,051
Woods Hole Oceanographic Institute	22	4,276,510
Worcester Federation of Experimental Biology	5	187,000
Worcester Polytechnic Institute	11	184,734
Other grants and contracts	27	14,581
Subtotal	514	28,469,269
MICHIGAN		
Adrian College	2	31,180
Albion College	6	31,052
Alma College	3	25,100
American Association of Physics Teachers	1	25,940
American Society for Microbiology	2	20,750
American Society of Zoologists (MD) Andrews University	3	43,300
Animal Behavior Society	1	1,900
Association of Asian Studies	1	20,000
Calvin College	2	10,650
Central Michigan University	3	124,840
Eastern Michigan University	6	98,870
Grand Valley State College	3	27,506
Great Lakes College Association	1	212,000
Hope College	6	128,470
Interuniversity Communication Council	2	90,000
Kalamazoo College	5	44,880
Lake Michigan College	1	2,300
Mercy College of Detroit	1	10,000
Michigan Academy of Science	2	17,255
Michigan State University	62	4,822,978
Michigan Technological University	12	174,859
North Central Michigan College	1	2,000
Northern Michigan University	10	193,511
Oakland University	12	85,300
University of Detroit	12	458,611
University of Michigan	110	4,759,478
University of Michigan Medical School	1	60,000
Wayne State University	36	1,139,418
Wayne State University School of Medicine	1	60,000
Western Michigan University	19	506,674
Other grants and contracts	14	8,458
Subtotal	341	13,237,280
MINNESOTA		
Augsburg College	3	22,347
Bemidji State College	3	57,480
Bethany Lutheran College	1	500
Carleton College	7	158,665
College of St. Catherine	3	20,170
College of St. Teresa	2	36,560
College of St. Thomas	1	49,300
Concordia College, Moorhead	2	11,509
Concordia College, St. Paul	1	2,000
Gustavus Adolphus College	4	20,400
Hamline University	4	47,920
Macalester College	3	108,760
Mankato State College	1	2,000
Minnesota Academy of Science	3	151,365
Moorhead State College	2	13,400
Mount Mary College, Convent of Our Lady of Good Counsel (Wisconsin)	------	----------
North Star Research & Development Institute	1	165,605
St. Cloud State College	2	66,190
St. John's University	2	16,500
St. Mary's College	14	226,280
St. Olaf College	8	58,477
University of Minnesota	83	3,988,705
University of Minnesota, Duluth	6	70,040
University of Minnesota Medical School	2	72,800
University of Minnesota, Morris	2	6,700
University of Minnesota, St. Paul	10	351,850
Winona State College	2	72,860
Other grants and contracts	5	2,982
Subtotal	177	5,801,365
MISSISSIPPI		
Alcorn Agricultural & Mechanical College	2	80,770
Jackson State College	2	61,345
Millsaps College	10	91,744
Mississippi Academy of Science	1	14,360
MISSISSIPPI—Continued		
Mississippi State College for Women	1	$2,000
Mississippi State University	14	330,601
Tougaloo College	5	29,070
University of Mississippi	14	453,444
University of Southern Mississippi	1	53,800
Subtotal	50	1,117,134
MISSOURI		
Academy of Science, St. Louis	1	11,015
Central Missouri State College	1	3,500
Drury College	3	11,700
Fontbonne College	1	2,500
Institute of Medical Education and Research	1	20,000
Metropolitan Junior College	1	2,000
Missouri Academy of Science	1	8,495
Missouri Botanical Garden	3	40,900
Northeast Missouri State Teacher College	3	79,840
Notre Dame College	1	2,000
Park College	1	7,000
Rockhurst College	6	55,310
Southeast Missouri State College	1	56,510
Southwest Missouri State College	4	45,440
St. Louis University	17	327,721
St. Louis University, School of Medicine	3	98,250
St. Louis University-St. Mary's College (Kansas)	1	9,160
Stephens College	2	57,060
University of Missouri, Columbia	34	2,072,330
University of Missouri, School of Medicine	1	20,000
University of Missouri, Kansas City	10	142,675
University of Missouri, Rolla	32	953,884
Washington University	36	1,518,505
Washington University, School of Medicine	4	414,700
Webster College	2	505,830
William Jewell College	3	8,400
Other grants and contracts	3	2,110
Subtotal	176	6,476,835
MONTANA		
Carroll College	1	2,300
Eastern Montana College	1	5,000
Montana Academy of Sciences	1	6,140
Montana College of Mineral Science and Technology	4	15,400
Montana State University	21	329,296
University of Montana	10	301,763
University of Montana Foundation	5	121,022
Subtotal	43	780,921
NEBRASKA		
Chadron State College	4	45,990
College of St. Mary	1	1,700
Creighton University	4	95,980
Creighton University, School of Medicine	2	44,300
Hastings College	2	10,900
Midland Lutheran College	1	4,300
Municipal University of Omaha	4	99,130
Nebraska Academy of Science	1	10,410
Nebraska Wesleyan University	8	104,190
University of Nebraska	29	657,586
Wayne State College	2	4,500
Subtotal	58	1,078,886
NEVADA		
Foresta Ocean and Mountain Studies	1	17,500
University of Nevada	21	624,313
University of Nevada—Nevada Southern	4	76,960
Subtotal	26	718,773
NEW HAMPSHIRE		
Belknap College	1	2,000
Dartmouth College	32	1,083,249
Dartmouth College Medical School	2	102,000
St. Anselem's College	2	15,000
University of New Hampshire	23	1,048,705
Other grants and contracts	4	2,405
Subtotal	64	2,253,359
NEW JERSEY		
Alpine Geophysical Association	4	1,723,024
American Astronomical Society	1	23,255
Clay Minerals Society	1	1,150

NATIONAL SCIENCE FOUNDATION—GRANTS AND CONTRACTS AWARDED, FISCAL YEAR 1966—Continued

Grantee or contractor	Program grants and contracts	
	Number	Amount
NEW JERSEY—Continued		
Drew University	2	$59,390
Fairleigh Dickinson University	1	10,520
Fairleigh Dickinson University—Florham-Madison	2	27,800
Fairleigh Dickinson University—Teaneck	4	30,640
Foundation of Advanced Graduate Studies in Engineering	1	9,030
Fiber Society, Inc	1	1,500
Glassboro State College	2	4,700
Institute for Advanced Study	4	449,700
Monmouth College	2	10,070
Montclair State College	4	97,180
New Jersey Academy of Science	2	16,985
New Jersey College of Medicine and Dentistry	1	28,900
New Jersey Mental Research and Development	1	8,800
Newark College of Engineering	2	21,380
Princeton University	47	3,810,124
Rider College	3	53,080
Rutgers, The State University	42	6,067,340
Rutgers University, Medical school	1	73,000
Rutgers, University, Newark	5	776,847
Seton Hall University	7	94,339
St. Peter's College	3	27,140
Stevens Institute of Technology	20	539,358
Union Junior College	1	6,600
Upsala College	1	1,900
Other grants and contracts	10	8,686
Subtotal	175	13,983,338
NEW MEXICO		
Eastern New Mexico University	4	103,880
Museum of New Mexico	3	64,530
New Mexico Academy of Science	1	7,405
New Mexico Highlands University	4	100,556
New Mexico Institute of Mining & Technology	12	521,635
New Mexico State University	26	1,165,815
University of Albuquerque	1	2,000
University of New Mexico	33	96,099
Western New Mexico University	2	20,500
Other grants and contracts	2	1,470
Subtotal	88	2,947,890
NEW YORK		
Adelphi University	11	188,584
Alfred University	5	70,279
American Geographical Society	8	199,600
American Institute of Chemical Engineers	4	72,400
American Institute of Physics	5	291,085
American Museum of Natural History	15	322,770
American Phytopathological Society	1	3,500
American Society of Mechanical Engineers	2	19,016
American Standards Association	1	350
Association of Computing Machinery	2	69,870
Associated Universities	1	2,000
Bank Street College of Education	1	8,180
Boyce Thompson Institute, Plant	5	143,920
Brooklyn Children's Museum	1	11,000
Canisius College	2	11,200
City University, New York City University	3	128,953
City University of New York, City University, New York Foundation	4	180,374
City University of New York, Brooklyn College	18	326,097
City University of New York, Brooklyn College Foundation	2	85,930
City University of New York, City College	------	-----------
City College Research Foundation	20	418,619
City University of New York—Community College of Arts and Sciences	1	4,400
City University of New York, Hunter College	9	127,123
City University of New York, Hunter College Foundation	1	20,000
City University of New York, Queens College	7	153,340
City University of New York, Queensboro Community	1	10,110
Clarkson College of Technology	26	642,026
Cncl. Soc. Sci. Data Archive	2	366,300
Cold Spring Harbor Laboratory	3	135,600
Colgate University	15	216,546
College of Mount St. Vincent	1	3,300
College of St. Rose	4	24,070
Columbia University	46	3,373,739
Columbia University, Barnard College	1	1,400
Columbia University College of Physicians	9	434,800
Columbia University, Lamont Observatory	29	3,066,200
NEW YORK—Continued		
Columbia University—Continued		
Columbia University, New York School of Social Work	1	$19,000
Columbia University Teachers College	5	132,240
Cooper Union	3	19,700
Cornell University, endowed	59	3,434,588
Cornell University, State	19	572,600
D'Youville College	1	3,400
Dominican College of Blauvelt	1	9,910
Engineering Index, Inc	3	605,400
Engineering Society Library	1	19,000
Engineers Joint Council	2	54,725
Fordham University	14	375,003
Good Counsel College	1	2,000
Hamilton College	4	64,846
Haskins Laboratories, Inc	1	79,400
Health Research, Inc	3	98,800
Health Research, Roswell Park	8	298,165
Hobart & William Smith Colleges	1	2,000
Hofstra University	8	39,860
Houghton College	1	2,000
Institute of Electric & Electronic Engineers	4	216,500
Institute of International Education	1	190
Iona College	1	11,500
Long Island University	1	15,200
Long Island University, Brooklyn Pharmacy	1	1,400
Long Island University, C. W. Post	1	34,600
Long Island University, Southampton	1	12,000
M. Rosenblatt & Sons, Inc	1	42,000
Manhattan College	12	130,230
Manhattanville College of the Sacred Heart	1	9,900
Marist College	1	4,000
Mathematical Association of America (ME)	3	729,090
Metallurgical Society of AIME	1	1,100
Modern Language Association of America	1	1,465
Museum of American Indian, Heye Foundation	1	54,900
National Educational TV	1	50,610
National Industrial Conference Board	1	3,000
New School for Social Research	1	10,366
New York Academy of Science	1	6,000
New York Botanical Garden	12	440,160
New York Medical College	2	62,832
New York University	41	2,022,433
New York University Medical Center	4	164,300
New York University, University Heights Center	7	250,000
New York Zoological Society	2	98,700
Niagara University	1	2,100
Notre Dame College, Staten Island	2	4,000
New York Society, Relief of Ruptured and Crippled	1	3,145
Pace College	2	24,850
Polytechnic Institute of Brooklyn	22	4,219,028
Pratt Institute	2	61,280
Rensselaer Polytechnic Institute	37	1,435,526
Rochester Institute of Technology	5	53,105
Rockefeller University	13	852,145
Rosary Hill College	5	47,700
Russell Sage College	1	1,200
Skidmore College	1	15,200
Social Science Research Council	3	190,800
Special Libraries Association	2	135,070
St. Bernardine of Siena College	1	1,600
St. Bonaventure University	1	10,366
St. Francis College	1	20,000
St. John Fisher College	1	2,400
St. John's University	5	62,783
St. Lawrence University	4	76,007
Suny Community College, Auburn	1	2,000
Suny Community College, Jefferson	1	1,100
Suny Community College, Nassau	2	2,900
Suny Community College, Niagara	1	500
Suny Community College, Westchester	1	5,300
Suny Foundation, Binghamton	5	124,558
Suny Foundation, Buffalo	36	950,392
Suny Foundation, Stony Brook	22	646,261
Suny Foundation College, Albany	11	184,188
Suny Foundation College, Buffalo	3	29,220
Suny Foundation College, Cortland	1	1,000
Suny Foundation College, Fredonia	3	63,800
Suny Foundation College, Geneseo	1	17,730
Suny Foundation College, New Paltz	2	31,160
Suny Foundation College, Oneota	3	91,630
Suny Foundation College, Oswego	3	66,400
Suny Foundation College, Plattsburgh	1	2,000
Suny Foundation College, Potsdam	2	103,970
Suny Foundation College, Maritime	1	31,850
Suny Foundation, Downstate Med	2	50,583
Suny Foundation, Upstate Med	2	105,100
Syracuse University	56	2,071,735
State University, New York College of Forestry	8	273,074
Syracuse University, Utica College	3	37,000
NEW YORK—Continued		
Union College	8	$232,206
Union College, Albany Med	1	19,550
University of Rochester	56	4,694,654
University of Rochester School of Medicine & Dentistry	5	146,300
University of the State of New York	1	17,300
Vassar College	8	152,110
Waldemar Medical Research Foundation	3	48,965
Wells College	1	44,900
Yeshiva University	23	957,324
Yeshiva University, Einstein School of Medicine	9	556,000
Other grants and contracts	48	47,228
Subtotal	949	40,366,087
NORTH CAROLINA		
Agricultural and Technical College of North Carolina	5	239,420
Appalachian State Teachers College	3	48,100
Bennett College	3	36,815
Duke University	41	3,838,970
Duke University Marine Laboratory	6	223,900
Duke University School of Medicine	8	471,700
East Carolina College	10	113,690
Fayetteville State College	1	2,000
Greensboro College	1	10,200
Guilford College, Greensboro	1	3,700
Highlands Biological Station	1	17,000
Lenoir-Rhyne College	1	3,900
Livingston College	1	2,000
Louisburg College	1	2,000
North Carolina College at Durham	2	104,810
North Carolina Wesleyan College	1	4,100
North Carolina Academy of Science	1	18,270
Pfeiffer College	1	6,500
St. Augustine's College	6	109,140
University of North Carolina, Chapel Hill	34	2,022,594
University of North Carolina School of Medicine	3	161,400
University of North Carolina, Charlotte	5	19,565
University of North Carolina, Greensboro	8	169,239
University of North Carolina, North Carolina State University, Raleigh	40	5,550,511
Wake Forest College	11	209,560
Western Carolina College	3	37,880
Wilmington College	2	5,300
Wingate College	1	2,000
Other grants and contracts	5	3,337
Subtotal	206	13,437,601
NORTH DAKOTA		
Minot State College	4	36,040
North Dakota Academy of Science	1	3,430
North Dakota State University	20	340,594
University of North Dakota	17	497,863
University of North Dakota School of Medicine	1	40,400
Other grants and contracts	1	380
Subtotal	44	918,707
OHIO		
Acs-Chem. Abstr. (DC)	------	-----------
Antioch College	13	175,354
Baldwin-Wallace College	4	110,300
Battelle Memorial Institute	2	41,525
Bowling Green State University	10	263,690
Capital University	1	40,640
Case Institute of Technology	36	1,478,846
Central State University	3	36,590
Charles F. Kettering Research Laboratory	4	165,900
Cleveland State University	2	19,660
College of Mount St. Joseph-on-the-Ohio	2	4,900
College of St. Mary of the Springs	1	3,800
College of Wooster	8	42,019
Cuyahoga Community College	1	2,000
Denison University	4	36,535
Electron Microsc. Soc. of America	1	6,000
Goodyear Aerospace Corp	1	37,922
Heidelberg College	3	10,300
Hiram College	1	10,600
Institutum Divi, Thomae	1	6,400
John Carroll University	6	53,525
Kent State University	15	377,704
Kenyon College	7	55,633
Marietta College	2	6,100
Mary Manse College	1	1,000
Miami University	8	195,630
Mount Union College	2	22,000
Muskingum College	6	82,788
Notre Dame College	1	6,900
Oberlin College	12	175,583
Ohio Academy of Science	5	37,785

NATIONAL SCIENCE FOUNDATION—GRANTS AND CONTRACTS AWARDED, FISCAL YEAR 1966—Continued

Grantee or contractor	Program grants and contracts	
	Number	Amount
OHIO—Continued		
Ohio State University	24	$1,985,796
Ohio State University Research Foundation	61	2,850,680
Ohio State University, Wright State College	2	24,950
Ohio University	14	439,970
Ohio Wesleyan University	7	209,660
Our Lady, Cincinnati College	1	1,500
Rio Grande College	1	4,400
University of Akron	7	126,583
University of Cincinnati	11	222,045
University of Cinncinnati College of Medicine	2	37,000
University of Dayton	3	63,430
University of Toledo	8	64,246
University of Toledo, Research Fund	2	26,000
Western Reserve University	26	621,649
Western Reserve University, School of Medicine	3	87,800
Wilmington College	1	3,800
Wittenberg University	4	44,785
Xavier University	3	20,020
Youngstown University	1	8,540
Other grants and contracts	11	6,416
Subtotal	355	10,356,899
OKLAHOMA		
Bethany-Nazarene College	1	3,700
Central State College	2	28,600
Langston University	1	8,000
Murray State Agricultural College	1	3,100
Northwestern State College	2	55,450
Oklahoma Academy of Science	3	21,830
Oklahoma Baptist University	2	8,100
Oklahoma Medical Research Foundation	3	115,800
Oklahoma State University	27	781,166
Panhandle Agricultural and Mechanical College	2	10,000
Southeastern State College	4	126,810
Southwestern State College	6	69,150
University of Oklahoma	22	856,667
University of Oklahoma Medical School	1	33,700
University of Oklahoma Research Institute	14	493,580
University of Tulsa	6	128,953
Other grants and contracts	1	433
Subtotal	98	2,735,039
OREGON		
Eastern Oregon College	1	12,020
Genetics Society of America	1	6,800
George Fox College	2	7,900
Lewis and Clark College	1	8,000
Linfield College	1	700
Linfield College Research Institute	2	11,900
Marylhurst College	1	9,110
Oregon Academy of Science	1	8,500
Oregon College of Education	6	46,230
Oregon State University	70	2,932,630
Oregon State University Agricultural Experiment Station	1	18,300
Oregon State University Marine Science Center	1	11,200
Pacific University	1	2,300
Portland State College	5	100,439
Reed College	20	402,838
Southern Oregon College	2	57,900
University of Oregon	46	2,627,546
University of Oregon, Medical School	1	39,500
University of Oregon, Museum of Natural History	1	26,400
University of Portland	1	5,800
Willamette University	3	21,440
Other grants and contracts	2	1,843
Subtotal	170	6,359,296
PENNSYLVANIA		
Academy of Natural Sciences, Philadelphia	7	164,700
Albert Einstein Medical Center	9	370,715
Albright College	1	7,570
Allegheny College	6	63,618
Allegheny General Hospital	1	15,000
Alliance College	2	4,600
American Folklore Society	1	2,500
American Society for Testing and Materials	1	38,200
Beaver College	2	69,140
Biological Abstracts	1	8,900
Bryn Mawr College	14	299,450
Bucknell University	11	193,083
Carnegie Institute of Technology	38	1,313,516
Carnegie Museum	2	36,140
Chatham College	2	11,300
College Misericordia	1	1,700
PENNSYLVANIA—Continued		
Combustion Institute	1	$25,000
Dickinson College	4	81,900
Drexel Institute of Technology	14	260,613
Duquesne University	8	98,507
Elizabethtown College	3	8,100
Franklin and Marshall College	10	223,913
Franklin Institute	1	2,840
Franklin Institute-Bartol Foundation	5	320,500
Gannon College	1	7,800
Geneva College	2	5,200
Gettysburg College	1	6,279
Hahnemann Medical College and Hospital	3	62,180
Haverford College	5	90,961
Immaculata College	2	8,100
Institute for Cancer Research	3	258,900
Instrument Society of America	1	90,500
Juniata College	1	41,740
Lafayette College	8	104,424
Lebanon Valley College	2	14,940
Lehigh University	28	767,744
Lehigh University Institute of Research	3	53,100
Lincoln University	1	51,310
Mellon Institute	2	86,600
Messiah College	2	5,900
Millersville State College	2	57,470
Moravian College	2	7,200
Mount Mercy College	4	22,860
Muhlenburg College	2	17,500
Pennsylvania Hospital	1	38,000
Pennsylvania Military College	3	86,060
Pennsylvania State University	73	3,425,483
Pennsylvania State University, Altoona	2	2,800
Pennsylvania State University, Behrend	1	7,100
Pennsylvania State University, Hazelton	1	2,000
Pennsylvania State University, Ogontz	1	800
Philadelphia College of Pharmacy & Science	1	20,300
Rosemont College	2	10,400
Slippery Rock State College	1	2,000
Society of Ind. and Applied Math	4	54,703
St. Francis College	1	2,900
St. Joseph's College	2	40,040
Swarthmore College	5	98,199
Temple University	14	457,743
Temple University School of Medicine	2	62,000
Thiel College	4	33,920
University of Pennsylvania	75	4,855,260
University of Pennsylvania, School of Medicine	6	328,000
University of Pennsylvania, School of Veterinary Medicine	1	16,000
University of Pittsburgh	43	1,930,555
University of Pittsburgh, School of Medicine	1	73,500
University of Scranton	4	33,300
Ursinus College	2	9,200
United States-South Africa Leader Exchange	1	5,500
Villa Maria College	1	4,700
Villanova University	10	114,518
Washington and Jefferson College	1	5,000
Waynesburg College	1	1,800
West Chester State College	3	62,750
Westminster College	2	11,900
Wilkes College	4	64,590
Wistar Institute	1	28,300
Woman's Medical College of Pennsylvania	3	81,100
Other grants and contracts	39	23,226
Subtotal	536	17,380,860
RHODE ISLAND		
American Mathematical Society	8	343,088
Brown University	52	3,645,868
Gordon Research Conferences	4	28,020
Providence College	1	10,366
Rhode Island Academy of Science	1	2,750
Rhode Island College	1	10,590
Salve Regina College	1	6,100
University of Rhode Island	20	894,300
Other grants and contracts	6	3,211
Subtotal	94	4,944,293
SOUTH CAROLINA		
Claflin College	1	51,270
Clemson University	13	269,561
Converse College	1	9,700
Erskine College	2	14,200
Furman University	2	24,193
Norris College	1	53,575
SOUTH CAROLINA—Continued		
South Carolina State College	3	$95,110
University of South Carolina	24	653,651
Winthrop College	3	17,130
Other grants and contracts	1	270
Subtotal	51	1,188,660
SOUTH DAKOTA		
Augustana College	5	85,685
Dakota Wesleyan University	1	20,960
Sioux Falls College	2	8,700
South Dakota Academy of Sciences	3	16,260
South Dakota School of Mining and Technology	11	355,080
South Dakota State University	11	223,109
Southern State College	1	4,400
University of South Dakota	14	594,526
University of South Dakota, School of Medicine	1	43,200
Other grants and contracts	1	623
Subtotal	50	1,352,543
TENNESSEE		
Austin Peay State College	3	20,915
Christian Brothers College	2	16,800
East Tennessee State University	5	68,500
Fisk University	2	214,410
George Peabody College for Teachers	3	192,778
King College	1	22,800
Knoxville College	3	28,280
Lane College	1	42,150
Le Moyne College	3	21,265
Maryville College	3	10,000
Memphis State University	2	8,900
Middle Tennessee State University	4	111,670
Oak Ridge Associated Universities	6	113,420
Stena College	1	2,000
Southwestern at Memphis	8	52,728
St. Jude Hospital	1	28,800
Tennessee Academy of Science	3	20,885
Tennessee Agricultural and Industrial State University	2	23,120
Tennessee Technological University	4	32,930
University of Tennessee	39	736,269
University of Tennessee, Martin	1	4,900
University of Tennessee, Memphis	5	148,400
University of the South	4	118,096
Vanderbilt University	40	1,702,830
Vanderbilt University School of Medicine	3	78,600
Other grants and contracts	1	390
Subtotal	150	3,821,836
TEXAS		
Abilene Christian College	3	25,200
Baylor University	6	73,499
Baylor University College of Medicine	4	69,983
Baylor University Graduate Research Institute	1	30,100
Bishop College	1	8,950
Brown & Root, Inc	1	16,650,000
East Texas State University	2	66,700
Graduate Research Center of Southwest	12	488,800
Incarnate Word College	3	23,365
Lamar State College of Technology	3	13,300
McMurry College	4	12,960
North Texas State University	13	215,525
Our Lady of the Lake College	2	7,660
Panhandle Plains Historic Society	2	75,300
Rice University	19	692,092
Sam Houston State College	6	120,490
Southern Methodist University	18	373,631
Southwest Texas State College	1	2,700
St. Edward's University	2	3,800
St. Mary's University	2	4,000
Sul Ross State College	1	13,800
Texas A. & M. University	21	687,091
Texas A. & M., Agricultural Experiment Station	3	53,200
Texas A. & M., Engineering Experiment Station	1	110,000
Texas A. & M., Marine Laboratory	2	50,200
Texas A. & M., Research Foundation	9	421,800
Texas A. & M., Prairie View	7	96,678
Texas Academy of Science	2	20,295
Texas Christian University	10	238,020
Texas College of Arts and Industries	3	36,660
Texas Lutheran College	1	5,100
Texas Southern University	3	110,140
Texas Technological College	16	369,344
Texas Woman's University	9	98,783
Trinity University	9	98,690
University of Dallas	1	4,830
University of Houston	23	582,643
University of St. Thomas	1	3,800

NATIONAL SCIENCE FOUNDATION—GRANTS AND CONTRACTS AWARDED, FISCAL YEAR 1966—Continued

Grantee or contractor	Program grants and contracts	
	Number	Amount
TEXAS—Continued		
University of Texas	62	$4,817,872
University of Texas, Institute of Marine Science	3	102,600
University of Texas, Medical Branch	1	39,100
University of Texas, Southwest Medical School	1	10,200
University of Texas, Arlington	5	43,440
University of Texas, Texas Western	4	58,570
West Texas State University	2	55,310
Other grants and contracts	15	24,119
Subtotal	320	27,110,340
UTAH		
Brigham Young University	14	350,597
College of Southern Utah	1	3,400
University of Utah	33	1,418,764
University of Utah, College of Medicine	2	80,800
Utah Academy of Sciences	2	15,715
Utah State University of Agriculture and Applied Sciences	29	857,694
Weber State College	2	10,600
Other grants and contracts	4	2,245
Subtotal	87	2,739,815
VERMONT		
Castleton State College	1	2,000
Middlebury College	4	62,135
Norwich University	1	2,000
Trinity College	1	14,700
University of Vermont	19	842,683
Windham College	3	7,200
Other grants and contracts	1	131
Subtotal	30	930,849
VIRGINIA		
American Society of Photogrammetry	2	6,620
Bridgewater College	4	71,640
College of William and Mary	13	252,185
Emory and Henry College	1	2,000
Hampden-Sydney College	4	44,600
Hampton Institute	4	142,500
Hollins College	5	229,324
Medical College of Virginia	2	19,483
Old Dominion College	7	92,767
Radford College	1	3,200
Randolph-Macon College	1	1,000
Randolph-Macon Women's College	2	74,920
Research Analysis Corp	1	3,500
Roanoke College	3	44,690
University of Virginia	28	1,260,096
University of Virginia, George Mason	1	5,900
Virginia Academy of Science	3	17,820
Virginia Institute of Marine Science	3	35,660
Virginia Military Institute	3	13,470
Virginia Polytechnic Institute	27	543,248
Virginia State College	8	286,406
Virginia Union University	1	12,680
Washington & Lee University	5	59,070
Other grants and contracts	6	3,206
Subtotal	135	3,225,985
WASHINGTON		
Central Washington State College	2	33,200
Eastern Washington State College	2	19,300
Fort Wright College of the Holy Name	1	13,250
Gonzaga University	2	39,900
Grays Harbor College	1	2,000
Pacific Lutheran University	4	39,690
Pacific Science Center Foundation	1	8,255
Seattle Pacific College	3	36,200
Seattle Pacific College Research Foundation	1	12,100
Seattle University	5	110,510
St. Martin's College	1	8,580
University of Puget Sound	1	4,500
University of Puget Sound, Research Institute	2	37,869
University of Washington	102	5,663,055
University of Washington, School of Medicine	1	100,000
Walla Walla College	2	38,860
Washington State University	38	1,822,661
Washington State, Tree Fruit Station	1	28,500
Western Washington State College	8	278,320
Whitman College	2	14,440
Other grants and contracts	7	4,241
Subtotal	187	8,315,431
WEST VIRGINIA		
Alderson-Broaddus College	2	$5,000
Associated University, National Radio and Astronomy Observatory	2	4,945,730
Bethany College	5	72,520
Concord College	2	7,200
Davis and Elkins College	1	2,000
Marshall University	1	2,000
Marshall University, Foundation	3	110,930
West Liberty State College	1	2,000
West Virginia Academy of Science	1	7,000
West Virginia State College	1	2,000
West Virginia University	21	618,815
West Virginia University, School of Medicine	3	29,100
Wheeling College	6	35,860
Subtotal	49	5,840,155
WISCONSIN		
American Foundation of Biological Research	1	19,900
American Society of Agronomy	1	8,595
Beloit College	4	38,692
Carroll College	2	4,300
Lawrence University	5	131,620
Lawrence University, Institution of Paper Chemistry	1	5,183
Marquette University	18	554,585
Marquette University, School of Medicine	1	40,000
Midwestern University Research Association	1	279,800
Mount Mary College	1	3,300
Convent of Our Lady of Good Counsel (Minnesota)	1	1,000
Ripon College	2	81,350
Society of Wood Science and Technology	1	2,950
Soils Science Society of America	1	52,000
St. Norbert College	1	32,200
Stout State University	2	4,220
University of Wisconsin, Madison	119	5,615,769
University of Wisconsin, Medical School	1	92,100
University of Wisconsin, Sheboygan extension	1	1,000
University of Wisconsin, Milwaukee	24	442,460
Wisconsin Academy of Science, Arts, and Letters	1	7,000
Wisconsin State Colleges Board of Regents	2	60,275
Wisconsin State College, Eau Claire	1	9,400
Wisconsin State University, La Crosse	4	16,200
Wisconsin State University, Oshkosh	1	2,000
Wisconsin State University, Platteville	2	8,100
Wisconsin State University, River Falls	1	2,000
Wisconsin State University, Stevens Point	2	22,000
Wisconsin State University, Superior	6	78,610
Wisconsin State University, Whitewater	4	74,270
Other grants and contracts	8	4,899
Subtotal	220	7,695,758
WYOMING		
Casper College	1	900
University of Wyoming	20	809,553
Subtotal	21	810,453
Total	9,027	430,066,650

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARRIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEGROES AND THE NATIONAL GUARD

Mr. HARRIS. Mr. President, I note in today's Evening Star an article entitled "Guard Raps 'Slap' on Negroes." The lead paragraph states:

> The president of the National Guard Association of the United States said today intensive drives to recruit more Negroes into the Guard have ended in failure.

Mr. President, I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GUARD RAPS "SLAP" ON NEGROES

The president of the National Guard Association of the United States said today intensive drives to recruit more Negroes into the Guard have ended in failure.

Maj. Gen. James Cantwell, in his report to the association's annual conference here, said there is "disinterest among Negroes themselves in service in the Guard."

Cantwell lashed out at the President's Special Advisory Commission on Civil Disorders, which has criticized the low number of Negroes in the Guard and called for better training.

He conceded that the proportion of Negroes, placed at 1.5 percent, is low, but termed the White House panel's criticism a "gratuitous slap in the face."

"The National Guard is making an effort to attract Negroes into its ranks and any suggestion to the contrary does us an injustice," he said.

"We could have provided a mass of material to show how unproductive our recruiting efforts have been among Negroes.

"We could have told them of one state, for example, which waged a determined drive for Negro enlistments, working closely with Negro organizations and schools.

"After a lengthy period of intensive effort, they were able to sign up less than 50 qualified persons," Cantwell said.

He said the Guard also has found that only a low percentage of Negroes can pass the entrance test.

"The low-range answer, obviously, is to evaluate the physical and mental capabilities of all Americans, but that is not a matter on which the National Guard can act," he said.

Cantwell said the presidential panel's recommendations to date have been "hastily gathered, incomplete and inclusive—a bit of panic."

"The presidential panel cast a slur at thousands of competent dedicated National Guard officers, and without good cause," he said.

Cantwell also contended that the White House commission exceeded its authority in criticizing the Guard, pointing out that it was set up to investigate the causes of riots.

"The National Guard is a last-resort agency in the suppression of riots but has no relation I can discover with the causes," he said.

Mr. HARRIS. Mr. President, as a member of the President's Special Advisory Commission on Civil Disorders, I was disappointed to find in this article, if it correctly quotes Maj. Gen. James Cantwell, the president of the National Guard Association of the United States, that he had criticized the Special Advisory Commission on Civil Disorders for having made its recommendations in regard to the National Guard, and particularly by this statement, among others, by General Cantwell:

> The Presidential panel cast a slur at thousands of competent dedicated National Guard officers, and without good cause.

General Cantwell went on to indicate in that story that the President's Special Advisory Commission had laid at the door of the National Guard the fact—and it is a fact—that there are so few Negroes in the National Guard.

That is not the case, Mr. President, and I am surprised that General Cantwell, before he criticized the Commission, did not make a better attempt to find out that that is true—that is, that we did not lay the fact of so few Negroes in the Guard solely to the Guard itself.

I ask unanimous consent that there be printed at this point in my remarks the letter from the National Advisory Commission on Civil Disorders, dated August 10, 1967, to the President, signed by Governor of Illinois, Otto Kerner, Chairman, and John V. Lindsay, mayor of New York, Vice Chairman.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS,
Washington, August 10, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On the basis of the testimony to date, the National Advisory Commission on Civil Disorders recommends that the following actions be taken immediately:

(1) Increase substantially the recruitment of Negroes into the Army National Guard and Air National Guard. As of December 31, 1966, the Army National Guard totaled 404,996 officers and enlisted personnel in units in the United States. Of this total, only 4,638 were Negro—1.15%. As of the same date, the Air National Guard totaled 80,822 officers and airmen. Of this total, only 475 were Negro—.6%.

The Commission believes strongly that this deficiency must be corrected as soon as possible. To do so will require the combined efforts of the Department of Defense, State officials, and the Negro community.

(2) Improve and expand riot control training of the Army National Guard and the Air National Guard. We have been informed that steps are under way to do this. We wish to underscore the importance of moving forward as rapidly as possible. We recommend that special emphasis be given to such training during the next several weeks.

(3) Review by Federal and State officials of the qualifications and performance of all officers in the Army National Guard and Air National Guard. The Department of Defense should also review federal recognition standards and procedures to insure that they are adequate to preclude the appointment and promotion of substandard officers.

Respectfully yours,
OTTO KERNER,
Governor, Illinois.
JOHN V. LINDSAY,
Mayor, New York City.

Mr. HARRIS. Mr. President, I want to call attention to the first 3 paragraphs of the letter, which reads:

> On the basis of the testimony to date, the National Advisory Commission on Civil Disorders recommends that the following actions be taken immediately:
>
> (1) Increase substantially the recruitment of Negroes into the Army National Guard and Air National Guard. As of December 31, 1966, the Army National Guard totaled 404,996 officers and enlisted personnel in units in the United States. Of this total, only 4,638 were Negro—1.15%. As of the same date, the Air National Guard totaled 80,822 officers and airmen. Of this total, only 475 were Negro—.6%

It is the next paragraph, particularly, that I want to call to the attention of the Senate. It states as follows:

> The Commission believes strongly that this deficiency must be corrected as soon as possible. To do so will require the combined efforts of the Department of Defense, State officials, and the Negro community.

That is why I was disappointed that Major General Cantwell would indicate that we had made, and I quote from this story, a "gratuitous slap in the face" at the Guard, when we recognized in our very letter, which was the basis for the statement, that it would take the combined efforts of the Department of Defense, State officials, and the Negro community.

Major General Cantwell went on to say, and I read from the news story:

> Cantwell said the presidential panel's recommendations to date have been "hastily gathered, incomplete and inconclusive—a bit of panic."

I can say that our recommendations were based upon very lengthy hearings from a goodly number of people. Our recommendations were fully supported by the uncontroverted testimony—I may say incontrovertible testimony—which we heard. We made it quite clear in our letter, as Major General Cantwell could easily have determined, that the problem was brought about by several causes.

I think Major General Cantwell should read that letter and I believe he will see his statement today was unfortunate and in error and not helpful to the situation.

Mr. President, I yield the floor.

ORDER FOR CONSIDERATION OF UNFINISHED BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at 11 o'clock tomorrow morning the unfinished business, H.R. 9960, be laid before the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR ALL COMMITTEES TO MEET DURING THE SESSION OF THE SENATE TOMORROW

Mr. BYRD of West Virginia. Mr. President, earlier today I asked unanimous consent and was granted the request that all committees excepting the Committee on Interior and Insular Affairs be permitted to meet during the session of the Senate tomorrow. That exception was made at the request of the senior Senator from Colorado [Mr. ALLOTT].

I have since been asked by the senior Senator from Colorado [Mr. ALLOTT] to remove that exception. I therefore ask unanimous consent that all committees may be permitted to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I wish to remind all Senators that there will be a rollcall vote on the amendment offered by the Senator from Ohio [Mr. YOUNG] at 11:15 o'clock tomorrow morning, and I further state that it is anticipated that there may be several other votes tomorrow.

RECESS UNTIL 10:30 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, under the previous order, that the Senate stand in recess until 10:30 tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 53 minutes p.m.), the Senate took a recess until tomorrow, Tuesday, September 19, 1967, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate September 18, 1967:

CIVIL AERONAUTICS BOARD

G. Joseph Minetti, of New York, to be a member of the Civil Aeronautics Board for the term of six years expiring December 31, 1973. (Reappointment.)

U.S. DISTRICT JUDGE

Juan B. Fernandez-Badillo, of Puerto Rico, to be U.S. district judge for the district of Puerto Rico vice Hiram R. Cancio.

U.S. ATTORNEYS

Calvin K. Hamilton, of Missouri, to be U.S. attorney for the western district of Missouri for the term of 4 years vice F. Russell Millin, resigned.

Yoshimi Hayashi, of Hawaii to be U.S. attorney for the district of Hawaii for the term of 4 years vice Herman T. F. Lum, resigned.

DEPARTMENT OF DEFENSE

Alfred B. Fitt, of Michigan, to be an Assistant Secretary of Defense.

IN THE NATIONAL GUARD

Maj. Gen. Winston P. Wilson, FG398325, Air National Guard, to be reappointed as Chief, National Guard Bureau, for a period of 4 years beginning September 1, 1967, under the provisions of section 3015, title 10 of the United States Code.

IN THE MARINE CORPS

The following-named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Casteel, Roy J.
Rivers, Jettie, Jr.
Wilson, Frederick W.

The following-named Marine Corps Reserve chief warrant officers for reappointment as chief warrant officers (W-4) in the Regular Marine Corps, subject to the qualifications therefor as provided by law:

Bendschneider, Frank E.
Fell, John P.
Labrie, Alfred J.
Wilson, Harold E.

The following-named Marine Corps Reserve chief warrant officers for reappointment as chief warrant officers (W-3) in the Regular Marine Corps, subject to the qualifications therefor as provided by law:

Clausen, Paul E.
Duncan, Stewart N.
Holman, Horace E.
O'Connor, Joseph J.

The following-named Marine Corps Reserve chief warrant officers for reappointment as chief warrant officers (W-2) in the Regular Marine Corps, subject to the qualifications therefor as provided by law:

Holycross, Richard L.
Leavitt, Franklin C., Jr.

The following-named first lieutenant (temporary) for reappointment as chief warrant officer (W-2) and first lieutenant (temporary) in the Regular Marine Corps, subject to the qualifications therefor as provided by law:

Williams, John C.

The following-named first lieutenant (temporary) for appointment in the Regular Marine Corps, subject to the qualifications therefor as provided by law:

Dilley, George W.

The following-named officers of the Marine Corps for temporary appointment to the grade of colonel subject to qualification therefor as provided by law:

William C. Airheart
Leland G. Alexander
Bennett W. Alford
George A. Babe
Edward A. Bailey
Lonnie P. Baites
Robert E. Barde
James B. Barrett
Leroy C. Barton
Samuel G. Beal
Van D. Bell, Jr.
Nalton M. Bennett
Ernest J. Berger
Rocco D. Bianchi
William Biehl, Jr.
Kenneth R. Bland
Clarence W. Boyd, Jr.
Ralph F. Brandel
George R. Brier
Norris C. Broome
Williams P. Brown
Thomas W. Burke
Charles R. Burroughs
Jack H. Butler
Robert W. Calvert
Edward E. Camporini
Stanley R. Carpenter
Thomas P. Casey
Earl W. Cassidy, Sr.
Fred D. Chapman
David A. Clement
Albert E. Coffeen
Donald Conroy
Wilson L. Cook
Ralph K. Culver
Curtis A. James, Jr.
John A. Daskalakis
Rex A. Deasy
John R. Debarr
William E. Deeds
Earl R. Delong
Donald R. Dempster
Frank R. Denormandie
John H. Doering, Jr.
Walter E. Domina
Michael J. Dunbar
William F. Dyroff
Thomas G. Elder
Ralph F. Estey
Harold W. Evans, Jr.
Don D. Ezell
William Farrell
Clayton C. Fenton, Jr.
Kenneth G. Fiegener
Henry Fischer, Jr.
Joseph R. Fisher
Sidney Fisher
Robert A. Foyle
Freddie L. Franzman
Steve Furimsky, Jr.
Owen V. Gallentine
John R. Gill
William F. Goggin
Eugene V. Goldston
Willis L. Gore
Paul B. Haigwood
Donald L. Hall
Robert T. Hanifin, Jr.
Frank W. Harris III
Howard H. Harris
Neal E. Heffernan
Joseph S. Heitzler
Clayton V. Hendricks
Thomas J. Holt
Hardy V. Huffstutter, Jr.
Richard D. Humphreys
Clyde W. Hunter
Kenneth E. Huntington
Alfred L. Ingram
Manning T. Jannell
Clyde R. Jarrett
Clark V. Judge
Gene S. Keller
Gordon H. Keller, Jr.
Joseph J. Kelly
William E. Kerrigan
John W. Kirkland
Lee A. Kirstein
Harrol Kiser
Victor A. Kleber, Jr.
Joseph Koler, Jr.
Paul D. Lafond
Charles F. Langley
Charles R. Larouche
John H. Lauck
Edward H. Lynk
Burton L. Lucas, Jr.
Charles H. Ludden
John H. Maloney
Lyle B. Matthews, Jr.
Neil B. Mills
Roger A. Morris
Alden McBarron
Kenneth McLennan
Clyde R. Mann
Theodore E. Metzger
Bruce F. Meyers
Alexander L. Michaux, Jr.
John Misiewicz
Clarence G. Moody, Jr.
Henry H. Morgan
Robert J. Morrison
Charles R. Munn, Jr.
Theodore Nahow
William L. Nelson
Cleon E. Nesbitt
Robert L. Nichols
Lawrence C. Norton
William R. Nowadnick
John P. O'Connell
Verne L. Oliver
Lavern J. Oltmer
Francis C. Opeka
Kenny C. Palmer
Edward A. Parnell
Harold L. Parsons
Robert J. Perrich
Philip G. Pickett
Robert M. Platt
Arthur J. Poillon
Albert C. Pommerenk
Herbert Preston, Jr.
James R. Priddy
Richard S. Rash
Charles B. Redman
Ernest R. Reid, Jr.
James H. Reid, Jr.
Knowlton P. Rice
Dayton Robinson, Jr.
Glenn W. Rodney
Horton E. Roeder
Edward R. Rogal
Maurice Rose
Richard A. Savage
Clarence H. Schmid
John L. Schwartz
Charles M. See
Thomas C. Shanahan
Lemuel C. Shepherd III
Robert L. Shuford
John B. Sims
Robert L. Simmons
Anthony J. Skotnicki
James A. Sloan
William L. Smith
Michael M. Spark
Paul G. Stavridis
Bernard J. Stender
Grover S. Stewart, Jr.
William W. Storm III
Lewis C. Street III
Charles H. Sullivan
John B. Sullivan
David G. Swinford
Samuel Taub, Jr.
Alfred C. Taves
Alfred I. Thomas
Robert J. Thomas
Lyle V. Tope
McDonald D. Tweed
Edmund Valdes
Jo M. VanMeter
William M. VanZuyen
Francis W. Vaught
Ewald A. Vomorde, Jr.
William W. Wander, Jr.
Warren C. Watson
Howard A. Westphall
James A. Weizenegger
Edward A. Wilcox
Herbert L. Wilkerson
Lynn F. Williams
Alexander Wilson
Robert R. Wilson
Frederick S. Wood
Robert J. Zitnik

The following-named officer of the Marine Corps for temporary appointment to the grade of captain subject to qualification therefor as provided by law:

Thomas H. Meurer

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant subject to qualification therefor as provided by law:

Richard A. Bircher
Patrick C. Blackman
David W. Blizzard
James R. Bohlig
Jay F. Boswell
Thomas A. Braaten
David L. Brown
Phillip G. Burke
John D. Burrill
Albert J. Comier
William M. Eaton
George S. Ford
Edward Hatton III
James R. Hughes
Thomas A. Kenne
Dennis D. King
Donald E. Koppenhaver
Earl A. Kruger
Robert E. Lavender
Robert E. Logan, Jr.
James G. Magee
James F. McCool III
David L. Mix
Thomas M. Moorman
James H. Nelson
Frank A. O'Brein III
Andrew D. Reistetter
James S. Richardson
John A. Sawyer, Jr.
Philip M. Scherer
Robert J. Short, Jr.
James O. Singer
Thomas D. Sizemore
Norman S. Stahl
Sidney S. Wade, Jr.

EXTENSIONS OF REMARKS

Who'll Pick Up the Tab?

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

Mr. COLLIER. Mr. Speaker, now that the U.S. Government's fiscal situation is in such a mess that the Congress is being begged to increase taxes and there is belated talk of cutting unnecessary spending, it seems to me that there are many areas where one program after another can be deferred if the heads of the agencies are in any manner concerned with our fiscal plight.

Last July, the Department of Health, Education, and Welfare announced that 38 elementary and secondary school administrators will receive $95,000 in awards from the U.S. Office of Education to attend a 4-week seminar and 2 additional weeks of junketing in a second country which has not even been designated as yet. I understand that three such projects have been planned.

Even though part of these funds are presumed to come from excess foreign currencies under Public Law 83-480, this is the kind of thing that can and should be deferred. The fact of the matter is that we are getting too much lip-service in some quarters and not enough action where it really counts. The only way we are ever going to reduce expenditures is to call the various department heads in and determine which programs can be deferred and just let some of these nonpriority things wait as long as necessary to get our fiscal situation back in order. The alternative is to expect the American taxpayer to foot the bill on any programs that John Q. Public would oppose if he ever had the opportunity to do so and since he does not, it seems to me that Members of this body have a responsibility to occasionally act in the interest of those people who are called upon to pay the tab.

The Kee Report: Small Business

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a previous public service television and radio newscast, "The Kee Report."

The subject discussed in this report is the small business establishments and how the Small Business Administration gives them the financial and business management assistance they need.

This is Jim Kee—bringing you the Kee Report.

The American economy is now pouring out goods and services at a rate never before seen on this earth. Because our economic life is so productive, it is under constant study by other nations, including the Communist powers which still cannot produce enough to meet their basic needs.

The efficiency of the big corporation is a major factor in the story of our economic growth. The industrial giants of America are the marvels of the age. They can produce more automobiles, more television sets, and more of everything else than their rivals abroad and still keep the price within the range of the average pocketbook.

A few big corporations in the United States do more business each year than the majority of countries in the United Nations. Quite obviously, it is in the national interest to keep these big combines healthy and prosperous.

However, it would be a mistake to assume that the nation's economic health depends solely upon the big corporations. You may be surprised to know that more than ninety-five percent of all business concerns in the United States are small in size and independently owned and operated. These small concerns employ more than forty percent of the nation's labor force. In other words, the butcher, the baker and the corner grocer are just as important to the nation's well-being as they ever were.

Several years ago, Congress established the Small Business Administration for the express purpose of helping both the man who wanted to go into business for himself and the man who wanted to stay in business.

Financial aid is the thing most needed by the independent operator. He may need $5,000 or $10,000 to meet current expenses or he may need that sum to finance plant expansion.

The Small Business Administration is authorized to lend government funds when the conditions warrant. These Federal loans have kept thousands of owners in business. But, direct loaning is only a part of the financial assistance rendered by the Small Business Administration. This agency has established a fine working relationship with the banking community in every part of our country. As a result, about one-third of the loans now under review involve local financing. In other words, the small business man is being taught how to take care of his financial needs in his own community.

In addition, the Small Business Administration keeps a sharp eye out to see that independent operators are given a share in the government procurement program. These government contracts often give an economic life to the entire business community.

The Small Business Administration has also found a way to provide individual counseling for the merchant or shopkeeper on the best way to run his business. This program is called SCORE. This is a corps of retired executives who have the experience and the know-how to give sound advice on business management. There are three thousand of these retired executives who perform this service in their home communities without compensation.

The Small Business Administration is doing a good job of keeping independent operators sound and healthy.

Thank you for listening.

Representative Whitener Addresses Combed Yarn Spinners Association

EXTENSION OF REMARKS

OF

HON. JOHN J. FLYNT, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

Mr. FLYNT. Mr. Speaker, on Friday, September 15, 1967, our colleague, the Honorable BASIL L. WHITENER, delivered an address to the 42d annual convention of the Combed Yarn Spinners Association at Sea Island, Ga.

During his entire service to date, Representative WHITENER has been a recognized leader in the preparation of legislation which bears directly and indirectly on the interest and importance to the American textile industry.

His knowledge of this industry has been gained over a lifetime of close contact and association with all segments of this industry and the persons who comprise it in both employee and employer capacities.

He is an articulate spokesman on the subject of this industry because he has a basic knowledge of it and has continued to be an enthusiastic seeker after more knowledge.

His presentation last Friday was an outstanding one, and it is with pleasure that I include it at this point in the RECORD:

ADDRESS BY BASIL L. WHITENER, MEMBER OF CONGRESS, BEFORE 42D ANNUAL CONVENTION, COMBED YARN SPINNERS ASSOCIATION, SEPTEMBER 15, 1967

I am honored to participate in this final convention of the Combed Yarn Spinners Association. This is an historic occasion in the annals of the textile industry since it marks the beginning of the American Spinners Association, an organization which will combine the talents of those primarily interested in the carded yarn field with yours.

I am proud of my textile heritage. Through this heritage, I have developed an abiding interest in the industry and its service to its employees and the economic welfare of our nation.

The Southeastern region—and the State of North Carolina particularly—is dependent upon a dynamic and thriving textile economy for its economic well-being. The weekly wages of thousands of textiles employees constitute the warp and woof of prosperity for our merchants, professional men, and related businesses.

As an example of the importance of the industry to our region, we note that in North Carolina alone our textile plants are capitalized at more than $1.18 billion. This figure does not include the capitalization of hosiery and garment plants. Textile properties have an assessed valuation of $983 million resulting in millions of dollars in tax revenues to our state and local units. Tarheel textile workers earn more than $1 billion per annum out of a total payroll in North Carolina of $2.5 billion for all workers.

The record shows that the volume of trade of the textile industry with some other industries is as follows:

$100 million with the trucking industry, $240 million with the paper industry, $150 million with private power companies, $190 million with sheep ranchers, more than $1 billion with the cotton farmer, $2.4 billion with the man-made fiber industry, $640 million with machinery manufacturers, $500 million with the construction industry.

These are mere examples of the value of a vibrant textile industry to the economy of our nation.

When we add these contributions to our economic welfare and the fact that in the United States $4.6 billion is paid out in wages to employees each year, we begin to realize the essentiality of the preservation of the industry.

No organization has been more keenly aware of the necessity for growth and stability in the textile industry than the Combed Yarn Spinners Association. You have made your voices heard. Those voices have been of great assistance to me as I have sought to represent our area in the Congress of the United States. For that assistance I extend to you my sincere thanks. I express the hope that you will continue to provide guidance and counsel as we seek to protect the jobs of thousands of our fellow Americans who work in your plants.

Recent years have produced burdens for your industry which have made your business climate cloudy. These burdens resulted in great measure from unwise and unrealistic government programs. Other basic American industries are now feeling the pinch of the same unrealistic government actions. They are now joining hands with us as we seek to find solutions for our problems.

This is particularly true in connection with the imports of excessive amounts of foreign-made goods. These other industry people are now joining with us in urging effective import controls by our government.

They are joining with us in making the American people aware of developments in the field of foreign trade during the past 20 years. They are helping point out that our domestic and economic policy has been reshaped in such a way as to do injury to the economic hopes and ambitions of the American people.

We are all properly alarmed that our exports of manufactured products have been decreasing as imports have made an alarming growth in volume. Let me illustrate by briefly reciting statistical data relating to facets of our industrial situation.

(a) Between 1950 and 1965 the number of nations producing commercial steel grew from 32 to 65 nations. In that period the volume of world export of steel more than doubled, going from 23 million tons in 1955 to 51 million tons in 1965. Of this new foreign steel production, 20% of it has come into the United States, notwithstanding the fact that our own steel mills have the capacity to supply all of our needs.

(b) Foreign shoe manufacturers are now shipping into this country 23% of our total domestic production of shoes, causing the loss of thousands of jobs to American shoe workers.

(c) Within the past 10 years we have seen the importation of rugs in this country in such volume as to now command 70% of the American market.

(d) In 1957 only 4.2% of foreign-made athletic goods were shipped into the United States. 84% of our domestic athletic goods market in 1966 was supplied by foreign-made products.

Many other examples of this dramatic and devastating invasion of the American market could be given.

This rapid depletion of American industrial opportunity commenced with the Reciprocal Trade Agreements Act of 1934 when the Congress surrendered to the executive agencies the regulation of international trade. With each passing year, these administrative agencies have played a heavier role in trade policy.

In my judgment, there will be no appreciable relief for our American workers and industries unless significant Congressional action is taken. This action will be taken when the people of America are convinced that trade agreements must be based on economic considerations rather than upon international political considerations. The record of no industry can equal that of the textile industry in pointing out to our people the dangers of foreign trade policies based primarily upon international political considerations.

Because of a foolhardy approach by persons in our government we now find many high officials in both the executive and legislative branches asserting that the textile industry is expendable. Only last year in the House of Representatives one of my colleagues, who was a delegate to the recent Kennedy Round negotiations in Geneva, said: "It would seem to me that imports could be substantially higher without damage to the domestic cotton textile industry."

This same gentleman also advocated discontinuing the Long Term Arrangement and called for stepped up activity on the part of the Congress to see that our government guarantee a larger share of the domestic textile market to foreign countries. He further advocated that developing cotton textile exporting countries should unite under the auspices of the United Nations and present a united front combatting those of us who believe that we must have a more realistic trade policy for our domestic industry.

These contentions are made in a glib manner, notwithstanding the shocking statistics which are available to these misguided persons. They know, as you and I know, that in 1963 United States textile imports amounted to $646 million and that in 1965 this figure had grown to $880 million. In

1966 the figure had risen to $1 billion 34 million of textile imports, a fact which seems to worry these free traders very little.

These same people know that Japan, Hong Kong, Mexico, and India furnish more than half the United States textile imports and are crying for a larger share of our market.

I know that you join me in being alarmed that in 1966 we only shipped to Japan $4,040,000 worth of man-made fiber and fabrics, while at the same time the Japanese manufacturers shipped in $161,510,000 worth of the same type products—a difference of $157,470,000.

Most of the countries flooding our nation with cheaply-produced textile products have no reluctance to building barriers against the entry of American textiles into their countries.

A good example is Brazil. The United States has furnished vast amounts of money in economic assistance and trade concessions to that country and has permitted it to furnish 6% of all of our textile imports while we purchase 31% of its total coffee production.

When the American manufacturer seeks to ship textiles to Brazil he is faced with the requirement of an import license and after the license is granted a 100% ad valorem duty for cotton cloth and a 120% ad valorem duty for synthetic fabrics.

Colombia, another of our South American neighbors, has been the recipient of many favors from the United States. Yet they also have a licensing system which makes it virtually impossible to do business in their country.

Mexico has a similar policy. In those two countries, tariff duties may range from 100% ad valorem on denims to nearly 300% on synthetic fabrics. These are not isolated examples. The same conditions apply in many other countries of the world where we seek to do business. Their ideas of reciprocity are bizarre, to say the least.

The evil results of this strange approach to international trade are not confined to the textile industry. They are nationwide in their scope. When we consider that the balance of payments deficit is in large measure attributable to textile imports, we realize that it is not just a local or limited problem. We have seen our gold reserves go from $23 billion 252 million in 1952 to $10 billion 93 million in 1966.

This trend will continue unless there is an immediate change in our national approach in world trade. Textile imports represent approximately one-half of the total volume of our annual balance of payments deficit at this moment. In the light of this fact it is inconceivable to me that any American could fail to demand a return to sanity in our trade policies.

For 16 years we have experienced a deficit in our international accounts in each fiscal year, with one exception. How long can we continue such practices?

Many of us are also concerned with the fact that practically every foreign country shipping textiles into the United States has a flourishing trade with our communist enemies.

In 1965 our nation did almost $300 million in trade with communist and satellite nations. During this same period trade between some of our so-called friends and communist and satellite nations amounted to $15.8 billion. Thus, we see that we are affording to nations engaged in active trading with our communist enemies a virtual open textile market in the United States while we send to them our foreign aid dollars.

The question of East-West trade is now commanding the attention of many American people. They are demanding that the United States' policies be reexamined quickly.

On August 1, 1967, I introduced in the House of Representatives a resolution calling for the establishment of a select committee to investigate all facets of East-West trade. It was gratifying that within a few days more than 100 members of the House had introduced identical resolutions.

It is expected that the House Rules Committee will consider this resolution within the next few days. If this resolution is approved by the Congress, I believe that the select committee can render a great public service in making available to the nation all of the facts surrounding the subject of trade with communist nations and their satellites.

Recently more than 100 members of the House and 61 members of the Senate have joined together in demanding Congressional action to further limit textile imports. We have said, in effect, that we have no faith in the negotiated import arrangements and agreements made by executive agencies of the government.

We were all delighted that Congressman Wilbur Mills, Chairman of the House Ways and Means Committee, which has jurisdiction over foreign trade legislation, has agreed to be the principal author of this legislation and is joining in the demand that a realistic approach be substituted for present policies.

If enacted into law, this legislation will bring about an equitable and orderly program of textile trade in such a way as to prevent market disruption, unemployment, and foster a healthy climate for a strong and growing domestic textile industry.

The major cause for optimism for the future of this legislative proposal is the fact that the popular and able gentleman from Arkansas, Congressman Mills, has agreed to lead the fight. His sponsorship of the legislation will be most persuasive to many of our colleagues.

Another legislative proposal, which has not received great publicity, has been sponsored by Congressman John Dent of Pennsylvania. It results from 2 years of investigations and hearings by Mr. Dent and his subcommittee. They have studied the impact of imports of all types upon domestic employment opportunities.

The Dent bill, which has been reported favorably by the House Committee on Education and Labor, proposes substantial curtailment of imports when a finding is made that such imports deprive Americans of jobs and job opportunities. The bill would take the matter out of the hands of those bureaucrats who heretofore have been so blind to the loss of employment resulting from excessive imports.

The Dent proposal is a sound approach to the problem and deserves the support of the textile industry and all Americans who are interested in the preservation of a vibrant economy.

Another heartening development in recent months has been the accelerated interest of labor, industry, and agricultural organizations in bringing about textile import controls. Just a few days ago the National Cotton Council went on record in favor of greater controls on imports of textile products.

At about the same time the United Textile Workers Union of America stated to the President of the United States its dissatisfaction with the Kennedy Round negotiations as they affected textiles. The Union stated to the President: "We do not believe our present foreign trade policy is achieving the purpose it was supposed to achieve. There has been no appreciable rise in the living standards of the people of those countries which are the major beneficiaries of our present policy."

It might well have been added that unless sensible policies are immediately instituted the living standard of our American textile workers will be seriously lowered.

This heightened activity in behalf of the domestic textile industry on so many fronts gives us reason for the conclusion that affirmative action will be forthcoming during the 90th Congress. I know that you join in the hope that this relief will come promptly.

As I conclude, I would like to bring to your attention another legislative activity in which I am directly engaged. I believe that it has a direct impact on the economic well-being of the domestic textile industry and many other business sectors. This activity has gone on for 7 years as I served as a member of a special subcommittee to study state taxation of interstate transactions.

This long investigation clearly shows that there are domestic trade barriers in the form of state and local taxes which are similar to some of the problems that we see in the field of foreign trade. These barriers are harmful to American business. They have come about in large measure because of conflicting court decisions and the eagerness of local state tax administrators and legislators to impose heavy burdens on out-of-state business organizations doing business within their states.

We were told by reputable businessmen that many industries find it easier to locate in foreign countries and market their products in the United States than to ship domestically produced products across state lines.

A legislative proposal, co-sponsored by members of our special subcommittee, is now awaiting debate on the Floor of the House of Representatives. It will be my responsibility to manage the debate when the bill is called up. Unless we have the support of the busines community, I apprehend that the bill is in jeopardy because of the bitter opposition of the several state tax administrators who do not want their playhouse disturbed.

Briefly stated, the legislation would permit a small company in one state to do business with other states without burdensome and capricious regulation by the taxing authorities in states where the company has no local property and no local employee.

The data collected by our subcommittee during our long study indicates that the bill would not significantly affect the amount of revenue collected by any state. On the contrary, we believe that it would in the long run bring about an increase in revenues because of accelerated business activity.

In our own State of North Carolina much misinformation has been dispensed by those who would confuse the issue. I urge that each of you carefully consider the merits of the legislation and urge your own Representatives in the Congress to support it.

It has been a pleasure to be with you at your great convention. I commend you for the zeal that you have for providing greater employment opportunities for our people through an expanded and healthy textile industry. Your leadership is essential for the economic health of our nation.

Those of us who have been raised in the mills and in communities where the textile industry has provided so much leadership are grateful to you.

As you merge into the American Spinners Association, I wish you every success and urge that you continue your zeal for a better America.

UMATT: A Flying Peace Corps Which Deserves Our Encouragement

EXTENSION OF REMARKS

OF

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

Mr. WHALEN. Mr. Speaker, I would like to apprise the Members of the House of Representatives of a highly commendable and noteworthy humanitarian effort being conducted by the United Missions Air Training and Transport, Inc.

UMATT, a nonprofit Ohio corporation, is in reality a flying peace corps. It operates a fleet of six American light planes over an area of one million square miles encompassing underdeveloped countries in East Africa.

The organization is nondenominational, makes no charge for its assistance and has pledged itself, as stated in its articles of incorporation, "to distribute assistance without respect to social, religious and geographic difference according to the principles of the dignity of man and his needs as a fellow human being."

In addition to rendering humanitarian assistance, UMATT also is engaged in helping these people to help themselves by teaching them the use of one of the marvels of our technical age, the airplane.

UMATT outlined this goal also in its incorporation statement:

> To render material assistance to all private and public humanitarian agencies, and to all such agencies, or other groups or governments interested in establishing aviation training facilities, air transport support operations, aerial distribution of chemicals for agricultural or public health purposes, disaster relief and any and all peaceful uses for aircraft.
>
> To provide a continuing source of information on utilitarian aviation and to initiate and to support technical and economic studies looking toward more efficient and ever expanding application of aircraft in the sector of humanitarian interest.

UMATT has made possible greater utilization of professional volunteers in East Africa by increasing their mobility and availability. This has been true in the cases of medical doctors, educators and agricultural experts. In many cases, lives have been saved through the service of UMATT's aircraft. Schools in certain localities exist only because of the unique ability of the aircraft to keep them supplied.

Through this people-to-people program of foreign aid, the cause of friendly relations and the betterment of humanity has been served.

It is significant to mention also that one African government has requested UMATT to establish an air training program capable of training 3,000 young people.

Mr. Speaker, efforts of this kind reaffirm the commitment of Americans to our fellow man. UMATT certainly is to be congratulated for its work and deserves our encouragement.

Americanism

EXTENSION OF REMARKS

OF

HON. JOHN YOUNG

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

Mr. YOUNG. Mr. Speaker, good lessons in Americanism are important; they are good for us and they are good for our country. Last week we had just such a lesson and it was a good one; and, political personalities aside, it is one we all should note seriously and objectively. I refer, of course, to the Detroit News' Romney editorial—with special emphasis on its Vietnam treatment. The editorial represented a clean break with a man that the paper had always supported and the excruciating circumstances of the News' decision add great credence, I think, to the validity of the editorial's judgment. Its reference to Vietnam is important because, I am confident, it speaks the voice of America.

As I see it, Mr. Speaker, the meat of the editorial is simple and direct—when our country is in trouble and its course is committed, whether we agree with the "whys and wheres"—which I do—every American should stand with his country and behind the boys who are fighting and dying for the cause. The Detroit News put it directly:

> This newspaper believes . . . we cannot retreat from Vietnam without betraying those who have died there in the belief that America's pledges will be redeemed.

When I first came to Congress some 10 years ago, I saw a similar lesson in Americanism under similar circumstances under a different President. As a freshman Congressman in 1957, the first vote I was called upon to cast in January of that year was in support of President Eisenhower in the very grave Mideast crisis. The matter involved a real danger of a direct confrontation with Soviet Russia; and, then as now, there was considerable doubt among the Members of Congress as to what course this country should take. But the doubts were soon resolved.

Under the driving leadership of House Speaker Sam Rayburn and Senate Majority Leader Lyndon Johnson together with House Majority Leader John McCormack, it was made instantly clear to the Nation and the world that the country was in trouble and the Democratic Congress would stand firmly behind our President. That the President happened to be of the opposite political party had no bearing on the matter. That was as it should be then and is as it should be now.

In this connection, I recall a group calling itself the Democratic Advisory Council, or some such, attempted to prevail upon Mr. Rayburn and Senator Johnson to join them as a "clearinghouse" for legislation to be approved by the Democratic Congress. Messrs. Rayburn and Johnson declined the invitation, and their comments were and are unprintable.

Clearly, the lesson is—for good or bad we stay with our Government. It was so 10 years ago; it is so now; and, it will be so 10 years hence and as long as there is an America.

And while we are on the subject of Americanism and patriotism, it might be well to note that the draft-card burners and the flag desecraters are not our only problem. Our flag can be desecrated and our national purpose dishonored just as effectively and sometimes more injuriously, although more subtly, by citizens of high education in positions of great national importance. This is so whether it comes from a Rhodes scholar or from the peacenik demonstrator. And, if we fail to support our boys in Vietnam with the necessary money and implements of war, even if it does require an increase in taxes, we might well betray our boys in Vietnam more than the peaceniks and the fancy-talking doves.

Our President certainly deserves and will receive the overwhelming support of the Congress and the people in all matters of vital national concern. He will receive this because he is our President just as President Eisenhower received it when he was our President. But to us who are Democrats, the present President is our President in a special sense and should have the support of all Democrats in a special way. And, make no mistake about it, he will be our candidate for President in 1968. Whether many Democrats return to the Congress will depend to a considerable extent on how well Americans throughout the country understand and appreciate the problems confronting him and the Nation.

Mr. Speaker, I hope that we all can close ranks and respond to our Nation's call in its hour of need; for those who do not, the record will be clear—their country was in need, and they were absent; they were not there.

And the Rockets Red Glare, the Bombs Bursting in Air

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

Mr. COLLIER. Mr. Speaker, last Thursday marked the 153d anniversary of our national anthem, the "Star-Spangled Banner." It was on September 14 in 1814 that Francis Scott Key, a Georgetown, District of Columbia lawyer, wrote the thrilling words for this patriotic song.

Key was inspired to pen his immortal lines while witnessing the bombardment of Fort McHenry in Baltimore. One of his friends, a physician of Upper Marlborough, Md., had been seized by the British for interfering with their ground troops—this was during the War of 1812. Armed with a note from President James Madison, Key went to the fleet under a flag of truce to ask for the doctor's release. Admiral Cockburn, who was in charge of the British squadron, assented to the request, but circumstances were such that the lawyer and his friend were both delayed in their return to friendlier soil.

The British fleet was about to sail up the Patapsco River to bombard the fort, so Key was detained for the duration of the attack, which started at 7 in the morning of September 13. It lasted, with intermissions, for 25 hours. Although the enemy fired over 1,500 shells, each weighing as much as 220 pounds, the British were unable to approach closely because the Americans had sunk 22 vessels in the channel.

During the bombardment Key wrote a stanza of his poem on the back of an envelope. He completed it the following day at the Fountain Inn in Baltimore and gave it to Judge Joseph Hooper Nicholson; Nicholson and Key had married sisters. The judge suggested the tune "Anacreon in Heaven" and had copies of the new song printed.

The song appeared in the Baltimore American of September 25. Key later made three additional copies; one is in the Library of Congress and another is owned by the Pennsylvania Historical Society.

What became of The Star-Spangled Banner?

The flag that inspired Key to write the words for the song may be seen at the Smithsonian Institution here in the Nation's Capital. This flag, which is 30 by 42 feet, was made by Mary Young Pickersgill of Baltimore. It has 15 alternate red and white stripes and 15 stars to represent the States that formed the original United States, plus Vermont and Kentucky. During the intervening years, the number of stars in our flag has increased with the number of States from 15 to 50, while the number of stripes has been set permanently at 13 to represent only the States that formed the Union.

The original copy of the song remained in the possession of the Nicholson family until 1907, when it was bought by Henry Walters of Baltimore. It was purchased at auction in New York City from the Walters estate in 1934 by the Walters Art Gallery, of Baltimore, for $26,400. The gallery sold the manuscript in 1953 to the Maryland Historical Society for the same price, the money having been donated by Mrs. Thomas Courtney Jenkins, of Baltimore, in memory of her mother-in-law, Mrs. Catherine Key Jenkins, who was a daughter of a first cousin of Francis Scott Key.

The 20th Anniversary of the U.S. Air Force

EXTENSION OF REMARKS

OF

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

Mr. WHALEN. Mr. Speaker, the U.S. Air Force today marks its 20th anniversary as a separate service.

I would like to take this opportunity to express my congratulations to our airmen on this occasion. I know I speak for all of us in reaffirming our respect and esteem for the defense these men render the Nation.

The Air Force literally has provided a shield of safety under which the United States, since the end of World War II, has been able to pursue the goals of peace and a better life, both here and in the world.

We tend to take this fact for granted. But I think our Air Force men understand this and perhaps it is as it should be. We are not militarily powerful so much by choice as by necessity.

Aerospace power in the nuclear age is the decisive fact of life, or death, to be candid about it. There is no doubt in my mind that the long years of duty provided by the now-departed B–36 bomber, for example, which never fired a shot in anger, persuaded any would-be aggressor that an attack on the United States would result in his own destruction. I might add, parenthetically, that many of the emergency war plan missions assigned to the B–36 aircrews during that time were understood to be one-way trips. The men knew this and accepted it as part of the commitment they made, as volunteers, to their fellow citizens.

As we sit in this body today, thousands of our airmen stand on round-the-clock alert, day in and day out, both here and in foreign countries, to respond to any attack against our country. Few of us have much of an awareness of this fact. Fewer of us still have ever seen the bombers, fighters, and missiles only minutes and seconds away from launching. They have never been employed in this role and hopefully never will be.

The absence of any direct attack against the United States testifies to the effectiveness of this retaliatory force. And the security is reflected in a number of diverse ways.

It has compelled the Soviet Union to depend more on political and diplomatic initiatives than on outright military force. This security also has contributed to the development of nationalistic movements by some of our allies, to the point of causing distress to our policymakers.

This umbrella of retaliatory strength further has had its effect on our own internal life. The fact that there is now substantial debate and protest against war and weaponry indicates the viability of such basic American virtues as freedom of speech and thought, all of this ironically fostered to some degree by this 22 years of security provided by an effective deterrent.

Some residents of my district, centering on Dayton, Ohio, can remember the skepticism directed at the achievement of two of their neighbors, Orville and Wilbur Wright, in developing the world's first powered aircraft. But in the brief space of 60 years, their invention has become a key factor in world power.

Our Air Force has served with distinction in peace and war. I am conscious of the vital role these men play in our society and extend my tribute to them on this auspicious occasion.

A Tribute to WICS

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

Mr. FRASER. Mr. Speaker, in a recent letter to the Minneapolis Star, Vice President Humphrey paid well-earned tribute to the Women in Community Service—WICS—who have so willingly and ably helped the Job Corps achieve success. WICS helps find, screen, and place Job Corps girls. As the Vice President pointed out, this important WICS activity has a very salutory by-product:

> Because of the direct involvement of thousands of women in this work, communities all over the country are much more aware of the need to do something about young women in poverty.

The Vice President also reminded us of the progress being achieved by the OEO's Job Corps program. As he said, this continuing attempt "to recruit, train, and find employment for America's neglected youth will never be easy, but it is moving forward." In fact:

> The Job Corps centers are now successfully helping over 41,000 hard core poverty youth in 123 centers for men and women across the Nation.

I know my colleague's will be interested in the full text of the Vice President's letter. It follows:

[From the Minneapolis (Minn.) Star, Aug. 22, 1967]

HUMPHREY ON JOB CORPS

To the Editor:

The Minneapolis Star article of July 31 outlines the arduous process of "reach out" necessary to locate the hard core poverty girl. These are the disadvantaged, suspicious, rejected youth in whom must be engendered the motivation to help themselves by volunteering for the Job Corps. Their recruitment is not easy. But the situation is definitely improving.

The Women in Community Service (WICS) have pioneered a most difficult field of social endeaver. There is reason for them and all Americans who would serve our disadvantaged youth to be heartened. The Job Corps dropout rate is down: from 33 per cent who dropped out within 30 days in 1966 to 21 per cent in 1967. The dropout rate for girls who stayed less than 30 days is only 11 per cent in 1967. Job Corps youth are showing higher educational gains; 38 per cent completed senior and advanced training in 1966; 51 per cent in 1967. The WICS, in following up the girls they recruit, have provided guidelines to improve Job Corps operation: permissiveness is out; a commitment executed by parents and youth for a 180-day stay at a center has been instituted to alleviate the initial homesick dropout lass.

The cost of $7,000 a full year at a Job Corps center compares favorably with the cost at a university like Harvard. These university costs stand over $10,000 when the contributions from endowment and alumni gifts are prorated per student for the 9-month academic year. Further, the Job Corps cost includes clothing; travel; pay and allowances for an enrollee's family; and the sometimes extensive medical and dental care these poverty youth require.

The struggle so graphically related in the Star are the growing pains of a new venture to provide in Job Corps centers what is probably a last chance for America's disadvantaged youth.

The Job Corps mission to recruit, train, and find employment for America's neglected youth will never be easy, but it is moving forward. The Job Corps centers are now successfully helping over 41,000 hard core poverty youth in 123 centers for men and women across the nation. The volunteer assistance of WICS in recruiting disadvantaged girls for the Women's Centers is appreciated.

WICS, representing 27,000,000 women across the country, not only screen and recruit, but also utilize community resources for girls who do not qualify or are unable to take the step to leave home. Because of the direct involvement of thousands of women in this work, communities all over the country are much more aware of the need to do something about young women in poverty. As leaders in their towns and cities, WICS have increased the awareness of others to this need and have sought to work out alternate solutions at the community level.

Every young woman contacted by the WICS benefits in some measure from their concern and interest.

HUBERT H. HUMPHREY,
Vice President.

WASHINGTON, D.C.

President Johnson Delivers Hard-Hitting Speech at Kansas City

EXTENSION OF REMARKS

OF

HON. WILLIAM R. ANDERSON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

Mr. ANDERSON of Tennessee. Mr. Speaker, as all the Members are aware, President Johnson interrupted his schedule last week in order to go to Kansas City to address the annual conference of the International Association of Chiefs of Police. On this occasion the President spoke out most forcibly on the subject of law and order. His speech was hard hitting, timely, and excellent. Furthermore, by this action the President paid a great tribute to the importance of our Nation's police. I was privileged to address this same conference on Tuesday last on the subject of my bill calling for a broad program of Federal assistance for higher education of law enforcement and corrections personnel—H.R. 6628. The group the President spoke to constitutes the executive council of the law enforcement community in this Nation. It is a large, influential, and intelligent body. You will not find a group anywhere more vigorously taking steps to improve law enforcement capabilities and to meet the new challenge of the decade.

Mr. Speaker, I warmly commend the President for what he has done and, under unanimous consent, I include his Kansas City speech in the RECORD:

REMARKS OF THE PRESIDENT BEFORE THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, KANSAS CITY, MO., SEPTEMBER 14, 1967

President Morris, Mayor Davis, Chief Lawrence, Mr. Tamm, Chief Kelley, ladies and gentlemen: There is an old story about President Calvin Coolidge and his response to the question, "What do you think about sin?"

As you may remember, President Coolidge is supposed to have answered, "I'm against it."

Most Americans would say the same thing today about poverty, disease, and ignorance, and crime.

So I don't expect special credit this morning for coming before the International Association of Chiefs of Police to talk about crime and only say, "I'm against it."

It would not enlighten your discussions, nor contribute to public understanding, if I were to spend my time here in a long lament about the evil consequences of crime. I think they are as self-evident as they are real.

Neither am I going to be content to just preach about decline in morality in America.

In the first place, I just do not believe that morality is declining. The responsibility that this Nation has shown, in meeting its human obligations at home and abroad, convinces me that America is a Nation that is strong today.

In the second place, I do not believe that sweeping indictments of our Nation's morality will help us get at the solution of the real problems that affect morality—the problems of poverty, the problems of disease, the problems of ignorance, or of international aggression, or of crime. Self-righteous indignation is not a policy. It is a substitute for a policy.

What America needs is not more handwringing about crime in the streets. America needs a policy for action against crime in the streets—and for all the people of this country to support that policy.

Believing that, as I strongly do, I established in March 1965, the President's Commission on Law Enforcement and Administration of Justice, I instructed and charged this Commission to deal with the following questions:

How can law enforcement be organized to meet present needs?

What steps can be taken to insure protection of individual rights?

Through what kinds of programs can the Federal Government—of which I am a part—be most effective in assisting and supplementing, not supplanting, State and local law enforcement?

I asked the members that I carefully selected from throughout the Nation to consider the problem of making our streets, homes, and our places of business safer—and to inquire into the special problems of juvenile crime, to examine the administration of justice in the lower courts—to explore the means by which organized crime can be arrested by Federal and local authorities closely coordinating and cooperating together.

The Commission's report, rendered last winter, is a study of crime and a study of criminals. But it is much more than that. It is a systematic analysis of the strengths—as well as the weaknesses—in our American law enforcement. It is a prescription for action—action—action at every level of government, and it is a constructive guide for thoughtful citizens throughout this land in every walk of life.

Acting on its report, I urged the Congress this year to promptly act—promptly act—upon the most comprehensive Federal legislation that has ever been devised to help local authorities meet the problem of crime at the local level in their cities.

That legislation was called the Safe Streets and Crime Control Act. It was based on the five fundamental principles of the Crime Commission Report:

First, that crime prevention is of paramount importance.

Second, that the system of justice must itself be just. The system of justice must itself be just and it must have the respect as well as the cooperation of all of its citizens.

Third, better trained, better paid, and better equipped people are desperately needed throughout the land.

Fourth, police and correctional agencies must have better information and deeper and broader research into the causes, and into the prevention and control of crime.

Fifth, and last, substantially greater resources such as more judges and prosecutors, and faster court action, more and better court personnel, more modern court administration—thus modernizing, improving and bringing the entire criminal justice system up to date in the 20th Century.

I did not propose that the Federal Government take over the job of dealing with crime in American streets because from the birth of the Republic to the present moment responsibility for keeping the peace in our cities has been squarely on the shoulders of local authorities.

Respect for law and order begins at home. Children must learn it and must be taught it from their parents. Your children learn it from you—and by what you do and by the example you set. That means that every time we water the lawn when there is an ordnance against it at a certain time of day, the children learn their own lesson about respect for law and order—if we water the grass the wrong time.

That means that every time a parent writes a note to the teacher to discuss Mary's or Johnny's absence from school when they really don't need to be excused and are not sick, they, the children, learn from the parents the wrong lesson about respect for law and respect for order.

The crimes that have most disturbed our people—homicides, robbery, physical assault, burglary, automobile theft and driving while intoxicated—are crimes against local and state law.

Those laws are made by the city councils and made by the state legislators. They must be enforced by the police and the state patrol. Their perpetrators are tried in local courts, by local citizens. They are sentenced locally. They are prosecuted locally by judges—by prosecutors who are elected by local people and by judges who are selected by local people.

They are returned to local communities when their sentence has been served—their penalty paid. These local communities look upon their record and they are under the supervision of local authorities.

Unlike most other countries, we—America—have no national police force. It desires none. Our founding fathers were very careful to see that none was provided for. Why, today in this country our largest city has more police officers than the entire United States Government. One city has more police officers than the entire government of the United States of America.

Officials in Washington just cannot patrol a neighborhood in the far west, or stop a burglary in the south, or prevent a riot in a great metropolis.

In the end, then, the quality of the local police, the action of the local prosecutor, the local grand juries, the fairness and the justice of the local courts, the effectiveness of the local correctional systems—all of this responsibility is lodged appropriately and properly in the hands of local authorities—of local citizens.

They at the local level must decide how good they want their law enforcement in their local cities to be.

They must determine whether it is right—whether it is just and whether it is fair—to ask a man to risk his life to protect their life for a salary that is lower than they pay another man for working behind a desk or standing on the assembly line in an industrial plant.

They must determine at the local level whether they want a court system that they select and provide for which delays justice until justice is denied.

They must determine locally whether they want a correctional system that deals with youthful offenders, not as lives to be redeemed, but as people who are doomed to clash repeatedly with the law.

If they decide that they want something better for their communities than what they are getting today, then we think that if they make this decision—and they can make it today through their Congressmen and their Senators supporting the recommendations that the President has made—some of which have been before the Congress many years—then their national government can, should and will help them get it—not by taking over the system of law enforcement, but by helping them strengthen and reform it.

That is what the Safe Streets Act which I recommended to the Congress would do. If its spirit and if its purpose survive, it will provide grants to those cities and to those states who not only increase their present commitment to criminal justice, but who are willing to go out and develop programs for better training, for better use of their personnel, or for higher standards and innovations such as tactical squads and community relations units, and new techniques of rehabilitation.

It will help pay the salaries of those who operate these programs. It will help pay the salaries up to one-third of the grant which could be used to increase the pay of policemen and other criminal justice personnel working with them.

The key to this program is experiment, innovation—and better use of the most advanced knowledge that we have gained in this country of crime, its treatment, and its causes. In my opinion, every law enforcement official in this country ought to welcome it in the spirit in which it is offered: as a practical and imaginative tool for helping our law enforcement officers cope with crime in the cities without in any way—in any way—diminishing either their responsibility or their authority.

Now to a matter that affects you and affects you much more than most of the citizens, but in the end it will affect every single one of us—it will reach into every home in this land—and this is the gun sale law. A law to limit—a law to safeguard—the sale of guns has been before our Congress for several years.

Its passage would plug up one more big loophole to save your life, and mine, or the life of some innocent child down the street. I hope it will pass.

Its purpose is simple—it is to keep lethal weapons out of the wrong hands—out of the hands of dangerous criminals, out of the hands of drug addicts, out of the hands of mentally ill people who really know not what they do.

Its basic aim is to limit the out-of-state purchases and the interstate mail-order sale of firearms. We believe this is the most effective way that the Federal Government has of protecting your safety and the safety of your children from criminals, drug addicts, and the mentally ill.

If we want to curb crime—if we want to arrest crime—if we want to restrain criminals—here is an action that we can take that will be a long step forward.

Let us not be content to bewail the rising crime rate or to talk about the statistics of the numbers of repeaters who fill our mails and prisons while we turn our back and ignore the fact that they can go to any mail order house and get a weapon to shoot your wife after they tear the door down at midnight.

Let us act instead of talk against crime. Let us repair as many shattered lives as we can. Let us do it within and through the American system of due process and in keeping with our tenacious regard at all times for the blessings of individual freedom.

You, and the men who you command, are America's front line in the fight against crime. You endanger your lives every day just as the man does in the rice paddies of Vietnam to protect freedom, to protect liberty, to protect your country.

This summer, some of you experienced a new kind of disorder in your cities. You faced, not individual acts of violence or just thievery, but you faced massive crimes against people and against property.

Much can explain—but nothing can justify—the riots of 1967.

They damaged a great deal more than the storefronts and the American homes. They damaged the respect and the accommodation among men on which a civilized society ultimately depends, and without which there can be no progress toward social justice.

The violence of this summer raised up a new and serious threat to local law enforcement. It spawned a group of men whose interest lay in provoking—in provoking—others to destruction, while they fled its consequences.

These wretched, vulgar men, these poisonous propagandists, posed as spokesmen for the underprivileged and capitalized on the real grievances of suffering people.

And the vast majority of those people—the vast majority of them—believe that obedience to the law, in Abraham Lincoln's phrase, must be our religion here in America.

They have seen the law change. They have seen it become more just as the years passed in our times. They have seen their rights more firmly established, their opportunities sharply increased in the last decade.

They know that the law in a democratic society is their refuge, and that lawless violence is a trap for all those who engage in it.

We must redeem their faith in law. We must make certain that law enforcement is fair and effective—that protection is afforded every family, no matter where they live—that justice is swift and justice is blind to religion, color, status, and favoritism.

We cannot tolerate behavior that destroys what generations of men and women have built here in America—no matter what stimulates that behavior, and no matter what is offered to try to justify it.

Neither can we abide a double standard of justice, based on the color of a man's skin or the accent of a man's speech.

Those who wear the police officer's badge—those who sit in judgment in the courts—those who prosecute in the chambers—those who manage our correctional institutions—all of these have a very special responsibility for the maintenance of order and the achievement of justice throughout the land.

But every single one of us—private citizen and government official—shares some in that responsibility.

We can all say very easily, "We are against crime"—and then we can let it go at that. We can preach sermons, we can write editorials, we can make speeches, and we can get our picture made talking about crime and moral behavior—we can think that we have done our duty.

Or we can respect—we can encourage—all of our citizenry to respect the law and to respect those who protect us in the name of the law.

We can be willing to pay the bill or improving the performance of our police, our courts, and our correctional institutions and give them the salary, pay and equipment that they need. We can insist on devoting enough of our resources and enough of our brainpower to meet the problem of crime—to make America safer and more just for all of its citizens.

I have always felt that we could make great strides forward if we would only realize that the nurse and the medical attendant who in the middle of the night may determine whether we live or die when we need attention—that they have better training, better pay and better inducements—that the teacher who prepares our children, sets an example for them and infuses knowledge into them—and sets an example—that they should be among our best trained, our best prepared and our best rewarded.

And that the policeman and the sheriff who protects the lives of our wifes, children, families and ourselves should be among the best equipped, best trained, and the best paid people in the land.

We cannot get those things just with rhetoric and conversation, picture-taking and television film. We have to pay for it. We have to desire it. We have to be willing to sacrifice in order to get it.

That is going to take a lot more than just talking "against" crime. That is going to take among other things being for action.

I would hope that we could all be for the Congress taking action to make our streets safer—and taking action that will better promote civil peace—that we can take action for better schools and better playgrounds, for more and better support of our churches and our spiritual leaders—for better housing and better homes, for better living of all our people—which in the end will give us better citizens and a better and stronger nation.

It will make us all a happier and more guilt-free people.

I am sorry that I could not be with you the early part of your convention. I did very much, though, want to come here and talk to you—and to salute you before you returned to your respective homes and again assume command of this most responsible service that you are rendering and performing this great duty that is yours.

We look to you to protect our families, our homes, and our lives. You have a right to look to your public servants, your political leaders, to see that your efforts are not forgotten, are not ignored, are not put at the bottom of the priority list.

I thought this morning by coming out here and visiting with you and telling you some of the things that was in the heart and the head of your President, that perhaps we could awaken this nation to a responsibility that we are not assuming—to an obligation that we are not discharging—to a job that the President and the Congress, the legislators, and the city councils must face up to.

I am ready to get on with my part of it. Thank you, very much.

Federal-State Balance of Power To Be Major Issue

EXTENSION OF REMARKS

OF

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

Mr. QUIE. Mr. Speaker, in my most recent report to constituents, "Congressman Al Quie Reports," for August of 1967, I included a section titled: "The Approaching Great Debate Over Federal-State Balance."

The Red Wing, Minn., Daily Republican Eagle, reprinted the article on September 13, 1967. In the same edition the Daily Republican Eagle published an editorial titled "Housing Frustration" which dealt with the same subject of Federal-State relations and the need to return more power to the States.

Because I believe this to be one of the crucial issues facing the Nation today, I insert both the original article from my report, and the editorial commentary from the Daily Republican Eagle:

FEDERAL, STATE BALANCE OF POWER TO BE BIG ISSUE

(By Congressman AL QUIE)

One of the great debates in the next decade will be how to restore the traditional balance between the federal government and the states. Unless this most necessary balance is restored by returning more power to the states, we will have lost one of our greatest strengths.

I have been deeply concerned with the rapidity of federal take-over in the past six years. As evidence, examine the host of now Great Society measures passed in the 89th Congress: 21 for health, 17 for education, 15 for economic development, 12 to aid cities, 17 for resource development and 4 for manpower retraining.

There are now 170 different federal aid programs financed by more than 400 separate appropriations and administered by hundreds of departments, agencies, bureaus and regional offices. The federal-state balance is indeed out of kilter. As Illinois Sen. Everett Dirksen said recently, we may see the day when the only people interested in state boundaries will be map makers like Rand-McNally.

I do not quarrel with the goals of most federal programs, those to aid cities, reduce poverty, strengthen education and secure jobs for the jobless.

But there is a right and wrong way to do this. The Great Society method, I am convinced, is the wrong way . . . concentration of power in Washington, with aid limited to specific, narrow programs. The States and their know-how are too often by-passed under this narrow, categorical grant approach.

That was what the debate over the Quie Amendment to the Elementary and Secondary Education Act was all about. I proposed a system of block grants to states, with the states required to prepare a state-wide plan for distributing the funds.

It is my belief, based on long observation, that the block grant method of federal aid is far superior to the narrow, specific, categorical method in use now. Although the Quie Amendment was defeated, other amendments submitted by my colleague, Cong. Edith Green of Oregon, did pass. They embodied much of what I had sought, for Mrs. Green's changes were essentially block grant in nature.

The block grant method is a sound approach. It will more directly involve the states and local communities. It is so sound that in the end I believe it will prevail.

I was greatly encouraged by the final form of the anti-crime bill as it passed the House. In its revised form the bill embodies the block grant of lump-sum principle. The bill, still to be taken up by the Senate, authorizes an expenditure of $75 million this fiscal year (1968), to help States and communities improve their methods of law enforcement.

It is known formally as the Law Enforcement and Criminal Justice Act. In the field of law enforcement, as in other fields, we must provide the incentive for strong state and local action with federal dollar aid. I am convinced that local responsibility is paramount.

You can look for this debate over returning power to the states and local communities to gain volume over the years ahead. It is without a doubt one of the most basic decisions Americans must make in the coming decade.

HOUSING FRUSTRATION

Al Quie is 100 percent right—see his comments elsewhere on this page—to keep plugging for righting the federal-state balance in the United States through placing more weight, power, and responsibility on the state's shoulders.

His comments today recall a remark he made to us once. The basic trouble with the urban renewal program, he said, is that the states don't have any real role in its operation.

The same point is most vividly illustrated in Red Wing's efforts to provide the federally offered low-rent housing for the low-income elderly. Let us briefly review the history of this local effort:

Red Wing debated the subject during the winter of 1965–66. The city council held a public hearing and voted to create the necessary Housing and Redevelopment Authority. It was last October before this new five-man agency first met, and its only real accomplishments in the 11 months since have been to select an architect and fill out federal forms. Before the Housing Authority can go farther, the city must come up with what the federal people call a Workable Program. And a prime element in the Workable Program is a city housing code—something Red Wing doesn't presently have and which, it is feared, may generate strong citizen opposition. But a housing code we must have if we want low-rent housing, and the Workable Program won't be approved until a housing code has been in force and operation here for six months' time. So the Housing Authority sees no possibility of taking its next step toward low-rent housing before next summer at best.

All this suggests why "frustration" is the most frequent word on the lips of citizens appointed to bring about the low-rent housing here. They begin to suspect that the low-income elderly who need better places to live will have passed on before the federally-financed better housing can become a reality for them.

This is not to suggest that Red Wing is without fault in its approach to participation in federal housing. We persist with a musty, creaking structure of city government which is very long on involving citizens and very short on getting things done. We fail to perceive and act upon the city's need for an effective, central city administration with sufficient authority to carry out the policies and decisions adopted by the people's elected representatives on the city council. A city can make progress through the maze of federal regulations, but this requires a strong executive who keeps continuously on top of the ball and pushes continuously for the necessary local and federal action.

The whole process would be much simpler, however, if Quie's "block grant" philosophy could be adopted and more responsibility restored to the states. Some controls are needed; a housing code may be desirable. But Red Wing could deal much more easily and sensibly with St. Paul than the Washington bureaucracy. We don't think state officials could possibly design such a stifling array of rules and paperwork as emanate from these over-structured federal offices.

Congresswoman Sullivan Discusses "Truth-in-Lending" and Savings and Loan Holding Company Bills at Convention of Missouri Savings and Loan League

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 18, 1967

Mrs. SULLIVAN. Mr. Speaker, the Missouri Savings and Loan League was responsible several years ago for alerting me to the dangers to the federally chartered savings and loans, and to the public generally, as a result of the operations of savings and loan holding companies not now subject to Federal regulation even though the savings and loans they control may be insured by the Federal Savings and Loan Insurance Corporation.

It was my great privilege and pleasure on Friday to speak at the luncheon meeting of the annual convention of the Missouri Savings and Loan League in Kansas City, Mo., and to discuss the present status of the administration bill on savings and loan holding companies which grew out of the legislation I introduced 3 years ago on this subject.

In my talk, I also covered some of the issues of particular interest to savings and loans in connection with the truth-in-lending legislation now pending before my Subcommittee on Consumer Affairs in the House Committee on Banking and Currency as part of H.R. 11601, the proposed Consumer Credit Protection Act.

Because of the timeliness and importance of the savings and loan holding company legislation and the consumer credit bills, I submit herewith a copy of my remarks at the Kansas City convention, as follows:

SPEECH BY CONGRESSWOMAN LEONOR K. SULLIVAN, OF ST. LOUIS, AT ANNUAL CONVENTION OF MISSOURI SAVINGS AND LOAN LEAGUE, HOTEL MUEHLEBACH, KANSAS CITY, MO., SEPTEMBER 15, 1967

It is a great pleasure for me to have the opportunity to come to Kansas City for the annual Convention of the Missouri Savings and Loan League. I know that the Savings and Loan people in St. Louis and the surrounding area, as well as those elsewhere in the State, are vitally interested in my work as a Ranking Member of the House Committee on Banking and Currency, so it is a pleasure to find a receptive audience on issues which I must deal with on that Committee including some which the general public finds of little immediate concern.

Sometimes, we begin to think that our own values in the Congress are a little peculiar—at least as to what constitutes significant news. I can remember instances when we were engaged in the Banking Committee in a knockdown battle over some vital and far-reaching piece of legislation, while at the same time working long hours on the House Floor on major bills, with the press gallery virtually deserted and no one paying much attention to what we were doing. Then along would come one of the reporters who asked me whether we should have co-ed swimming in the Rayburn House Office Swimming Pool, and my answer went out over all the wire services and radio and television net works and was in every newspaper in the country as seemingly the biggest problem faced by the House of Representatives in the Congress of the United States.

This is certainly not a complaint about the press, which, on the whole, has been very gracious to me. But it does lead me to wonder occasionally whether it might have been simpler to ignore the big, tough, complex, technical issues in which I am so deeply involved and concentrate instead on the more frivolous aspects of the Washington Whirl which are sure to land you in the newspapers.

MISSOURI LEAGUE INSTIGATED HOLDING COMPANY BILL

One of the bills in which your organization is vitally interested is a good illustration of this point. How much political glamor is there in the phrase "Savings and Loan Holding Companies"? Not very much. On the other hand, is it important? It certainly is. Is it important enough to demand the attention of the 32 Members of the Committee on Banking and Currency at a time when we are also pressed with a variety of other urgent legislative concerns? Again, the answer is yes. And I know you agree.

Of all of the state Savings and Loan organizations in the country, I think yours is entitled to the greatest amount of credit for the degree of progress which has been achieved on the Savings and Loan Holding Companies bills. As you all probably know, the bill I introduced more than three years ago, H.R. 10189 of the 88th Congress, introduced on April 13, 1964, was the first of the current bills on this subject and was the precipitating factor in the development of a bill by the Federal Home Loan Bank Board on behalf of the Administration. That bill originated from discussions held with Boyd Ewing and other leaders of the Missouri League. So if any legislation passes in this Congress—as I sincerely hope it will now that the Senate has passed S. 1542 and the House Committee is putting together the record of Subcommittee hearings—our success in enacting legislation will flow from the initiative and leadership the Missouri League provided on this important issue.

I want to come back to that legislation later in my talk and discuss some of the details of the Administration bill, the Senate-passed bill, and H.R. 1322, which is the number of my bill in this Congress on Savings and Loan Holdings Companies. First however, I would like to tell you a little bit about the atmosphere in which legislation is now being considered in the Congress as a backdrop for the setting in which this bill, or any other, will be considered.

CONGRESS REFLECTS MOOD OF INDECISION

As we approach the 1968 Presidential election campaign, Congress could conceivably begin to show more and more concern—or at least more effective concern—over the problems confronting us in every aspect of our national life. Certainly the emphasis up until now—and we have been in session during most of the past eight and a half months—has been to argue a lot and pass very little.

Only three appropriation bills for the 1968 fiscal year which began last July 1 have actually been enacted into the law. This is one way to hold down expenditures! But it doesn't solve very much. In most of the agencies of the government, programs enacted in the last Congress have not yet been funded and therefore cannot proceed. Instead, we have passed resolutions authorizing the departments and agencies to continue to operate at the same levels of expenditures for the same programs for which they received funds in the previous fiscal year. It is not unusual for the Congress to go into September with many of the appropriation bills in a state of suspended animation, but the difference this time is that despite the crises confronting us in so many areas of our national life and in our economy, there is really no sense of urgency among the public and, therefore, no zeal to get on to the task of making difficult decisions in the Congress. This has nothing to do with partisan consideration. The answer seems to be that we are poised as a people on a great plateau of indecision. This could change over night, of course, under the pressures of events. But in view of the kind of events which *could* trigger vigorous action by the Congress, perhaps we are just as well off in our present state of uncertainty, because usually it is only the threat of disaster of one kind or another which goads a Congress to this nature and composition to act.

COMPROMISES OFTEN INEFFECTIVE

On the other hand, there have been numerous occasions during the years in which I have served in the Congress when an effective, working majority—and we do not have that at the moment—pushed and prodded through long overdue reforms in the health, education, housing, social welfare, and financial fields not because we were in a crisis but because they were things which deserved being done and the votes were present to accomplish worthwhile goals. I guess all of us tend to hope that some miracle of awareness will sweep over the 90th Congress on a strictly intellectual level to prompt us to pass the bills we know in our hearts should be passed, and do it without the spur of a national emergency. But don't count on it!

In any event this is the rather becalmed atmosphere in which most legislation now lingers. What is passed is often so loaded down with compromises as to be almost ineffective. The so-called "Truth-in-Lending" bill passed by the Senate on July 11 by the remarkable—the fantastic—unanimous roll call vote of 92 to 0 is a good illustration of that. As most of you know, I am deeply involved in that issue as Chairman of the Subcommittee on Consumer Affairs which recently completed two solid weeks of hearings, morning and afternoon, on consumer credit legislation. The savings and loans have generally been in the forefront of support for effective Truth-in-Lending legislation, as well you should be, since of all of the institutions in this country granting credit, your practices are the least susceptible to criticism or, to put it another way, are among the very best from the standpoint of consumer understanding and consumer protection.

ANNUAL RATE OF 36 PERCENT ON GROCERY CREDIT!

I have been horrified by some of the practices we have uncovered among even the respectable elements of the credit industry. I noticed the other day that one of the bank credit card operations in California, is now promoting a special service among the supermarkets to charge *groceries* at the check-out counter for a mere 3% service charge. Apparently, many shoppers are seizing advantage of this dandy little convenience of being able to say "charge it" to the food checker for a mere 36% annual interest rate! Imagine that!

Undoubtedly credit service is expensive and no one should be expected to provide a business service as a charity. But 36% interest on a loaf of bread and a quart of milk and other groceries? Of course expressing it in terms of 3% a month sounds moderate and appealing. I wonder how much housewives charging groceries on a monthly bill and paying the equivalent of 36% annual interest are aware of the 36% figure. We have quite an educational campaign to wage if we are going to get consumers to use good sense on the purchase of credit. We can pass laws to protect the consumer from fraud and deception in the stating of credit charges, but certainly people should be able to figure out on their own that 3% a month is 36% on an annual rate basis, compared to the 4% or 4¾% they receive on an annual rate basis on their savings.

THE REVOLVING CREDIT CLAIM THAT 12 TIMES 1½ IS NOT 18

This leads me to wonder whether the savings and loans are doing enough educational work among their members to teach them the facts of credit life, including credit life insurance, too, which is so frequently a part of every consumer credit transaction. The department stores have had phenomenal success in promoting their revolving credit programs which involve a monthly charge of 1½%, which, in my old fashioned mathematics, comes out to 18% a year on an annual rate basis. We have argued over that figure during all of our hearings and received all sorts of disclaimers to the effect that the actual interest paid on the individual account is usually less than 18%. That may very well be true. But regardless of how you slice it, or with what grace, or grace period, or "free ride" on the number of days after the purchase is made for which no credit charge is made, the charge—when it is made—is for specified one month segment of the calendar—one twelfth of a year—no more, and no less—and under those circumstances the 1½% monthly rate is 18% on an annual rate basis.

If the convenience of a charge account is worth that much to the individual family, that is their business. Unfortunately, surveys have proved that most people entering into an agreement for a 1½% a month credit charge on store purchases have no conception at all of the true interest rate they are paying. One experiment had the credit clerks on one day quoting a rate of 1½% a month and on the next day a rate of 18% a year, and it was discovered that the customer signed up for the 1½% deal without batting an eye where as it took from 30 to 45 minutes per customer to explain the 18% charge as being the same as 1½% a month.

Suppose you people had to express your dividend rate on savings as one third of one percent a month? Do you suppose many of your members would think they were getting a good run for their money in your institution? I put that question to the witnesses for the American Bankers Association and they answered by saying that if they could express their credit charges on loans as a monthly percentage rate—as the Senate passed Truth-in-Lending bill would let the department stores do on revolving charge—they would be willing to express the interest rate on savings on a monthly rate also. Maybe so. But I doubt very much that very many banks would take full page ads in the newspapers to shout about the great advantages of depositing money in their institutions at the generous interest rate of one third of one percent a month!

METHODS OF AVOIDING HIGH CREDIT CHARGES

I would like to see the savings and loans lead an aggressive campaign to urge their members to revert to the old fashioned, outmoded, obsolete, unmodern, "square" custom of saving money by paying for things at the time they make the purchase, rather than retroactively at a substantial extra cost. Many of the stores still—yes they do—regard payment in 90 days as being the same as cash, with no credit charge, but apparently you have to ask for such terms. People should be urged to inquire. If ever I buy any large ticket item that I would like to pay for over three months instead of on one monthly statement, I always check the availability of 90 day credit, and I am sure other people do, too, but not enough of them do.

Are you advertising to your members that in building up their deposit accounts in your savings and loans, they can be in a position to pay cash for the things they want to buy and thus can effect substantial savings on credit charges?

How many of you stick relentlessly to a calendar year system which pays dividends only on March 31, June 30, September 30, and December 31? Have you given any thought to a fiscal year set-up which would enable your members to receive credit for their dividends say on February 28, May 31, August 31, and November 30? In this way, they could withdraw before Christmas, or before the children go off to college in the fall, without losing dividends on their savings. This might give you some headaches sometimes in your cash position or force the sale of some additional paper to Fanny Mae, but the service you would render to your members would be a tremendous factor in saving them money on credit transactions and thus provide them with *additional* funds they can deposit with you for the needs of the housing industry. Does that make sense?

FIRST MORTGAGES UNDER "TRUTH-IN-LENDING"

Now let me say a word about first mortgages under the Truth-in-Lending bill. You notice that I am putting off my discussion of Savings and Loan Holding Company legislation, in which you are so interested, until I get in some licks on some of my other legislative interests. In any event, the Truth-in-Lending bill as it passed the Senate, S. 5, exempts from the disclosure requirements all first mortgages. I know that the savings and loan organizations approve of and support that exemption. But I am fighting it and I hope to keep that exemption out of the House bill. It is not that I think savings and loans are defrauding the public on first mortgages and charging excessive interest rates you do not disclose. Not at all. The truth is the exact opposite. Whether FHA or Conventional, your mortgages almost always are accompanied with the full facts. Perhaps you are not anxious to tell a prospective borrower the total amount of interest he will pay over the life of the mortgage, as my consumer credit bill would require you to do. We would argue over whether this would discourage home-buying. I do not think it would. It has not had that effect in FHA mortgages. It would have a good effect, I believe, in convincing families to make a larger down payment and larger monthly payments, if they can, in order to reduce the total interest cost. This is something I would think you would want to encourage.

But what I am really concerned about—deeply concerned about—in any provision of a Truth-in-Lending law which would exempt all first mortgages is that there are a great many unconscionable credit frauds being perpetrated on elderly couples and on widows who have paid off their mortgages and suddenly find that a piece of paper they signed for a siding job or a new furnace or roof or other major repairs—a piece of paper handed to them by what I understand are commonly called the "suede shoe boys" who say it is merely a confirmation of the order or something of that nature—turns out to be what is regarded as and accepted as a mortgage, which then becomes a first mortgage, and thus exempt from coverage under S. 5.

There are enough such cases in existence—I have encountered enough of them myself in incidents involving elderly constituents, or overly trusting homeowners, in my district in St. Louis—that I feel we must force these credit gyps to come clean under any Truth-in-Lending law. We cannot let them escape under an escape clause written in primarily to save the legitimate home financing industry from a bit of bookkeeping annoyance. I don't know whether or not I can convince you on this issue, but I want you to understand why I feel so strongly on the coverage of all mortgages—first, second or whatever—under a Truth-in-Lending statute.

ORIGINS OF SAVINGS AND LOAN HOLDING COMPANY BILLS

You have been very patient in listening to my discussion of some issues in which my interest may be somewhat greater than yours. Now let us go to the matter of savings and loan holding company legislation. As I said earlier, the Missouri Savings and Loan League has done more than any other group in the country to push this issue to a point where legislation is now close to enactment. At your urging, I introduced the first bill of recent years on this issue in 1964. My introduction of that legislation led to a restudy by the Home Loan Bank Board of the problems growing out of the operation of the Spence Act of 1959—an Act which was recognized at the time as stop-gap legislation. And the Board then sent to Congress an Administration bill to carry out most of the changes I had recommended originally in my bill.

President Johnson called for stronger regulation of savings and loan holding companies in both his 1966 and 1967 Economic Messages. And this year the Senate acted by passing S. 1542 on June 26. The bill was then sent to the House Banking and Currency Committee and hearings were conducted by a Subcommittee on August 21 and 22. It is far from becoming law, of course, but progress definitely has been made and is being made. I will do my best in the full Committee to get a bill through and out to the House reasonably soon once the Subcommittee makes its recommendations.

We should all keep in mind the fact that the Senate-passed bill is not only substantially *weaker* than my bill but subject to a great many amendments which could undermine the whole purpose of the legislation. So we have a fight on our hands to get something through which is worth having enacted. The lobbying against this legislation is prodigious—because the stakes are very large.

SAVINGS AND LOAN HOLDING COMPANIES REQUIRE SCRUTINY

That this is indeed "reform" legislation, is emphasized by a statement in the House report when the Spence Act was enacted, that: ". . . the holding company method of operation is susceptible to abuse by unscrupulous promoters. . . . One of the fundamental rules of sound lending is that the parties concerned deal at arm's length. The bill would preserve this sound and tested lending requirement with respect to institutions whose loanable funds are derived almost entirely from the general public."

Savings and loan associations have been specifically created for expressly favored public purposes, to foster thrift and economical home financing. To insure that they adhere to, and successfully serve, those purposes, they receive special forms of public support—a public system of insurance for their accounts, a public system for obtaining credit at lower costs, and favorable tax treatment. The full thrust of the Federal Government is directed at assuring public confidence in their financial integrity, based upon a program of regular examinations and supervision. Thus the question of whether holding companies should be allowed to operate *at all* in such a field, and how the interests of their insured subsidiaries may be sufficiently protected if holding companies are permitted, are legitimate questions for public concern and for Congressional review.

Based upon the experience with the Spence Act since it was enacted by 1959, it is fair to say that it effectively achieved *some* but not all of its objectives, and achieved others only partially. In addition, the Home Loan Bank Board has uncovered serious problems that the 1959 law did not undertake to deal with at all.

Although the 1959 enactment placed some restraints upon the growth of a holding company once formed, it can hardly be said to have prevented further encroachment by holding companies in the savings and loan field. At the end of 1959 there were 44 holding companies controlling 93 associations, which possessed 7.2% of the assets of all insured associations. By the end of 1966 every one of those figures had increased very substantially; there were 98 holding companies instead of 44, and they controlled 134 associations representing 12.5% of the whole industry, instead of the 7.2% of the industry so controlled in 1959. In dollar terms, the assets of holding company associations climbed from $4.25 billion in 1959 to over $16 billion, or by 375%. Of this $16 billion, some 83% is located in the *one* state of California; holding company operations are also to be found to some extent in 10 other states as well.

HIGH INCIDENCE OF "PROBLEM" CASES

Since the present law does not require holding companies to register or furnish any information to the Home Loan Bank Board, our knowledge about holding company operations, or even about their existence, is necessarily limited, and that, alone, is reason enough for us to be deeply concerned.

The Spence Act has been largely effective in keeping *new* holding company formation predominantly local in orientation, except in those instances where a large national corporation buys up a savings and loan in some areas. The Act has also been generally effective in preventing any individual holding company from increasing at an alarming rate that degree of concentration of economic control which had already come into being by 1959. Similarly, the restriction on newly formed holding companies to control of a *single* insured institution seems to have prevented circumvention of branching restrictions.

However, according to Chairman John Horne, of the Home Loan Bank Board, experience shows that the present law has not been sufficiently effective in safeguarding against abuses in holding company operations.

This is demonstrated by the statistical records kept by the Home Loan Bank Board of those institutions which are of some degree of supervisory concern. At the end of 1966, there were 28 institutions, with $2.3 billion in assets, that were ranked in the category of the *more serious* problem cases. And holding company associations, although possessing only 12.5% of the assets of the entire industry, accounted in asset terms for *63%* of the serious problem group. In the less serious problem category were 29 associations, with $700 million in assets. If both categories are combined, the holding company associations account for 54% of the assets of institutions whose financial condition and operations are problems. In short, this one-eighth of the industry is producing over half of the Board's supervisory difficulties and almost two-thirds of its most serious problems. Such a situation cannot go unremedied, if the Federal Government is to discharge its responsibilities to protect the public's savings and the standing of the rest of the savings and loan business.

MANY SHORTCOMINGS IN SENATE-PASSED HOLDING COMPANY BILL

Now I will take a few moments to outline the differences between my bill, H.R. 1322 and the Senate-passed version of S. 1542. I firmly believe that my bill is a much simpler and much more effective bill, for S. 1542 is riddled with compromises. But the Senate bill is certainly better than nothing and, doubtless, can be very useful if not weakened further, which is always a danger.

My bill defines "control" by a holding company in terms of a holding of 10% or more of the stock of an insured association. The Senate-passed bill provides for a 25% ownership test. I must object to such a high figure unless an additional provision is added to include "de facto control". You will recall that the present Spence Act defines control as *10% or more* of the stock, *or* a finding by the Board that "a company directly or indirectly exercises a controlling influence over the management and policies of such institution or other organization." So the Senate bill, as it now stands, would weaken the present law in that respect.

I also now feel that there is no justification whatever for exempting partnerships from the Act.

Another important difference is this: my bill prohibits holding companies from engaging in any but certain specific activities, usually those traditional for savings and loan associations themselves; S. 1542, however, contains a loophole exemption for any holding companies which control only one association, no matter how many branch offices those associations may have. On the other hand, a holding company with two subsidiary associations would be required to divest itself of unrelated businesses even though its two associations had no branches at all. I feel there is no justification for this loophole favoring the companies controlling single associations and I expect to offer an amendment to close it if it remains in the bill recommended by the Subcommittee to the full Committee.

WE MUST PROHIBIT "INSIDER DEALS" WHICH CAN AFFECT INSURED ASSOCIATIONS

Another difference between my bill and the Senate bill is that while my bill flatly prohibits all transactions by holding companies with their affiliates without the prior approval of the Home Loan Bank Board, the Senate-passed bill permits any and all transactions with affiliates of up to $100,000 per year, or one-tenth of 1 percent of the association's total assets, whichever is the lesser, without Board approval. I do not favor this kind of insider dealings which can affect the integrity of public associations.

Taking another difference between the two bills, H.R. 1322 contains a flat prohibition against interstate acquisitions of savings and loan associations by holding companies and requires divestiture within three years of interstate subsidiaries presently held. But the Senate-passed bill contains a complete exemption from this prohibition for the three holding companies which already operate interstate, and only prohibits *future* interstate operations by other holding companies.

Furthermore, my bill flatly prohibits control by holding companies of more than one association, except where the Bank Board determines that an acquisition is necessary to avoid or forestall an insolvency.

S. 1542 would permit *unlimited expansion* of holding companies through merger and acquisition, subject only to the approval of the supervisory agency. In future years we might come to regret this potential for expansion of holding companies. I strongly feel that we should not retreat from the Spense Act to open up this avenue of potential expansion.

I am going to try my best to have the contents of my bill H.R. 1322 reported favorably to the House for passage, instead of a watered down version such as S. 1542. However, I recognize that the Senate bill represents workable legislation, if not further weakened, and is a useful forward step in most particulars, even if not as good as it should be. The Missouri State Saving and Loan League can be justly proud of the role it has played in instigating improvement in the Spence Act for there is little doubt in my mind that meaningful holding company legislation would still be years in the future if your officials had not started the wheels moving when you did. The wheels *are* moving now, and a lot of other groups are jumping aboard—but *you* started it.

ALL DEPOSITORS IN INSURED ASSOCIATIONS COULD BE AFFECTED

As I said earlier, there is not much political glamour or exciting news interest in the dull and technical provisions of a savings and loan holding company bill, or in many of the other important bills our Committee must handle for the House of Representatives. The important thing, of course, is that those of us who have the burden of recommending House action on these issues must be able to see in them a very close and direct relationship with the public interest, and particularly the interests of the people in our Congressional districts. There is certainly such a close and direct relationship in the savings and loan holding company bill, although it may not immediately be apparent to the public. It may sound like some sort of special interest bill of limited application to your industry.

The story we must get across if the legislation is to pass and be successful—and you must continue to help on this—is that the integrity of the entire savings and loan system—the main source of financing for the family home—is at stake in this issue. Although the Federal Savings and Loan Insurance Corporation, which insures the deposits in your associations, was set up primarily to protect the Federally chartered savings and loans, which are mutually owned by their members, it also protects the privately owned profit-making savings and loans, too, just as the Federal Deposit Insurance Corporation protects any bank which can qualify for its insurance. If, because of loopholes in the law, holding companies which control state-chartered profit-making savings and loans can milk them of their assets, or compromise them through self-serving intercorporate loans, *all* depositors in *all* savings and loans can be adversely affected by excessive drains on the FSLIC insurance fund.

Worse than that, if some of these holding company-controlled savings and loans go down, because of mismanagement or predatory practices by those who control them, confidence will be shaken in all savings and loans, including your associations which are so well operated, and which are so closely supervised by the Federal Home Loan Bank Board. Unfortunately, under present law, the Federal supervisory agency for savings and loans cannot exercise any supervision at all over the holding companies controlling savings and loans, and this must be corrected.

So there is a broad public interest in this legislation. When some of the state-chartered savings and loans in Maryland went under several years ago in a spectacular collapse growing out of very loose laws and regulations, every savings and loan in that area of the country shuddered and was hurt by the public backlash. Yet the Maryland associations which caused all the trouble were not even under the Federal insurance program. Imagine what the reaction would be if many Federally-insured associations were to succumb because of insider-deals with their parent holding companies operating outside the Federal regulatory system. The thought is intolerable in a field in which the main ingredient of public confidence is the aura of integrity imparted by a Federal insurance program.

Again, I want to express my deep appreciation to the Missouri State organization for having recognized the danger when you did, and for having stimulated the introduction of legislation to correct it. I was glad to introduce the bill then—and I will fight for its passage.

Veterans' Affairs

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, September 18, 1967

Mr. PUCINSKI. Mr. Speaker, last weekend my distinguished colleague from Pennsylvania, Congressman EILBERG, addressed a meeting of Catholic War Veterans in his district. In his speech he touched on a number of areas of legislation of benefits to our Nation's veterans. As a matter of fact, he outlined rather succinctly, I think, the achievements of this Congress in the fields of veterans legislation.

This morning this same colleague testified before a subcommittee of the Committee on Veterans' Affairs and again succinctly listed reasons why two bills which he also sponsored should be favorably considered.

In both cases, Mr. Speaker, I think that Congressman EILBERG's remarks deserve reprinting in the RECORD so that both their accomplishments in this field and reasons for achieving still more in this session of the Congress may be read by all of us.

I ask permission to include these remarks in the RECORD at this time:

LEGISLATIVE ACCOMPLISHMENTS OF THE 90TH CONGRESS IN THE FIELD OF VETERANS AFFAIRS

(By Congressman JOSHUA EILBERG)

To address you who have borne the greatest burden of America's defense is indeed an honor. This honor is all the greater tonight, with this being the occasion of presentation of your Catholic War Veterans "Man of the Year" award, and with the privilege of sharing this podium with a deserving recipient of that award, Representative John Pezak.

Let me then make use of this honor by speaking on that most basic duty of Congress—the duty which from the time of the American Revolution has been defined and is still defined as—to care for him who shall have borne the battle and for his widow and his orphan." I wish to explain the major veterans benefit legislation which Congress has just enacted. That which I consider most important eliminates the inequity of exclusion of Vietnam veterans from certain broad areas of assistance. Much of this legislation I introduced, and I am especially glad to report its enactment. Let me explain it to you as I expounded it on the floor of Congress.

I believe that most citizens would express surprise if not consternation were they to realize that disability compensation for service-connected injury or death provided for all other veterans and their families was not provided for Vietnam veterans until legislation was signed into law only a few days ago. Now Vietnam veterans will receive compensation for their wounds and disability incurred in battle just as all other veterans do.

The new law also ends the unfair exclusion of Vietnam veterans and their dependents from eligibility for the non-service-connected disability pension. All veterans who served for ninety days or more after August 5, 1964, or their dependents will be eligible for the disability pension just as are veterans of World War I, World War II and the Korean War.

Besides extending the disability pension and war-time compensation rates to Vietnam veterans, Congress has increased the rate of this assistance. The rates are now adjusted to correspond to the increased cost of living.

Other changes in disability and pension assistance do not affect the entire range of recipients but are nonetheless of great importance to particular groups of veterans. They are as follows:

All veterans over sixty-five who meet the requirements of limited income will be eligible for the non-service-connected disability pension regardless of their physical condition. Until now, only veterans who are permanently and totally disabled receive the pension.

Veterans in nursing homes shall be considered to be in need of regular aid and attendance and therefore will be eligible for assistance provided for such need.

Veteran's widows who meet certain age requirements will receive increased pensions.

A psychotic condition arising within 2 years after discharge or termination of the Vietnam conflict would be considered to be service-connected for purposes of hospitalization by the Veterans Administration.

Payments for prescribed drugs and medicines will be provided for Vietnam veterans who are on the pension rolls and in need of regular aid and attention.

Disabled Vietnam veterans will be eligible to receive an amount of up to $1,600 for especially equipped automobiles and other special conveyances and appliances. The need for the allowance and its amount, as you know, is determined by the Veterans Administration.

Also I should add, the $250 burial allowance will be extended to Vietnam veterans.

The new law, just signed by President Johnson, also extends to the area of education. By incorporation of the bill I introduced, the new law increases subsistence allowance paid student veterans. Last year Congress provided educational assistance for veterans who have served in the armed forces since the Korean conflict. The purchasing power of the allowance is made commensurate by the new law to that of the allowance of previous G.I. Bills. Furthermore, veterans who attend high school will receive the allowance. Many veterans entering the service have not finished high school. I feel that they should not receive less educational assistance simply because they answered the call to arms at an earlier stage of their educational careers.

Orphans of those killed in the military service, and children of severely disabled wartime veterans will receive educational benefits until the age of twenty-six, instead of age twenty-one. These benefits are provided to restore to the children the education opportunities otherwise lost by their parent's death or disability.

Besides increasing the allowance, the new legislation further expands the areas of education. The landmark 1966 Act which first provided educational assistance for Vietnam veterans did not include flight training and on-the-job training. However, the public response left no doubt but that our Nation needs more trained pilots. Flight training was eliminated from the Act last year because it was thought that such training had previously been used for recreational purposes. I believe, however, that regulations limiting flight training to vocational ends can be adequately formulated just as they have in other areas of training. I see no reason why one of our nation's most extensive educational acts should exclude preparation for an industry upon which our Nation is increasingly dependent.

The legislation of this Congress also remedies the conspicuous shortcoming of exclusion of assistance for on-the-job and apprenticeship training. Our government is heavily financing and calling upon the citizenry to support programs for increasing manpower skills. I think it only logical, therefore, that the veterans educational program include vocational training.

The Ninetieth Congress has also enacted provisions which liberalize veterans loans. The period for World War II veterans to apply for home and small business loans, rather than expiring now, is extended to July 25, 1970. Secondly, also by enactment of legislation which I sponsored, the Veterans Administration is empowered to make direct home loans up to $30,000. Until last month, the limit was $17,500.

Of course, there are still issues that are unresolved. The 90th Congress, for instance, has not decided the question of the effect of social security benefit increase on receipt of the veterans pension. An estimated 29,000 veterans and widows received reduced disability pensions, or none at all, as a result of the 1965 Social Security benefit increases. This is because, as you know, the disability pension is determined by income limitations. A social security cost of living adjustment may augment a veteran's income just enough so that he reaches a higher income bracket and the pension is therefore reduced. I believe that such reduction is unfair because a social security increase should not result in a pension decrease—certainly not if the social security increase is only a cost of living adjustment and does not compensate for the loss of pension. I have urged my colleagues that all future social security increases be excluded from computation of veterans' income. It could not then decrease the veterans pension. I trust that I will be able to report to you successful passage of this proposition, just as I have today reported enactment of my proposal to extend to Vietnam veterans the benefits a grateful nation provides for all other veterans, and my proposal to increase the educational allowance of Vietnam veterans.

Finally, I should mention one further piece of pending legislation I have presented before the 90th Congress. The bill, H.R. 9808, reads:

"*Be it enacted by the Senate and House of Representatives of the United States of America assembled*, That the Catholic War Veterans are authorized to erect a statute of Saint Sebastian, the patron saint of the military, in the northwest quadrant of the District of Columbia. . . . And the National Capitol . . . and the United States . . . shall be put to no expense in the erection thereof."

With the erection of this statue of Saint Sebastian, a section of our capital city will be made more beautiful, and the public will be made more aware of the contribution and work of the Catholic War Veterans, just as Philadelphia is made aware of that good work by the presentation of the "Man of the Year" award tonight to Representative John Pezak.

Congressman Joshua Eilberg's Testimony in Support of H.R. 6916 and H.R. 6920, To Prevent Future Social Security and Other Federal Retirement Benefit Increases From Affecting the Amount of or Eligibility for Veteran's Pension

Mr. Chairman, I speak in support of H.R. 6916 and H.R. 6920, introduced by me on March 9th during the present session. Both bills are efforts to prevent social security increases from reducing or eliminating a veteran's disability pension.

Strict income limitations of course determine entitlement to the veteran's pension in cases of non-service connected disabilities. For instance, no veteran whose income exceeds $3,000 yearly, although he is completely and permanently disabled, receives pension benefits at all. A disabled veteran with dependents with less than $2,000 annual income receives only $84 monthly. If his income is pushed just over the $2,000 mark by, for instance, increased social security, that eighty-four dollars is reduced to fifty.

The Administration has given special attention to this problem. In his special message on veterans affairs to Congress last January, President Johnson asked, among five other principal requests, that we "make certain that no veteran's pension will be reduced as a result of increases in Federal retirement benefits, such as social security." With the exception of that one proposal, Congress has enacted all the requests into law. I see no reason why we should particularly exclude it, especially now that the House has passed H.R. 12080 which increases social security benefits.

H.R. 6920 provides that future increases in Federal retirement benefits may be waived wholly or in part. The amount rejected will not count as income in computing entitlement to veteran's pension. Under the present law, ten percent of amount of payments from public or private retirement or annuity programs may be deducted from income computation. My bill provides, of course, that the veteran may not include amounts which he waives among that excludable ten percent.

H.R. 6916 would allow exclusion of all future social security increases from income computation. The Senate passed a similar proposal which was not, however, accepted in the conference report to the Veterans Readjustment Act, signed by the President a few days ago.

In disallowing this proposal to exclude social security increases, the conferees stated that it was their intention to take action to assure that social security increases resulting from enactment of H.R. 12080 will not result in reduction of combined income from the veteran's pension, from veteran's indemnity compensation, and from social security benefits. Since that conference report, the House has passed H.R. 12080. Because the social security increases are therefore all the more imminent, surely it is time that the conferees' intent to prevent pension reduction be acted upon.

Under the present law (P.L. 89–730) pension reduction resulting from social security increases enacted during 1967 will not take effect until the last day of the year. This delay is expressly provided so that Congress will have time to enact legislation preventing pension reduction by the social security increase. Therefore, because of the foresight of the 89th Congress, time for this hearing has been particularly designated for deciding on the objectives which H.R. 6916 and 6920 are designed to achieve.

H.R. 6916 and H.R. 6920 would attain that objective by, to recapitulate, allowing waiver of Federal retirement benefits, and by excluding future social security increases from income computation. I believe that even the maximum income limitation $3,000, is low enough. H.R. 12080 will result, in effect, in lowering the limitations still further. Yet, the increased social security income, which it will provide—being only a cost-of-living adjustment—will in no way compensate for the loss it occasions, of pension income.

SENATE

TUESDAY, SEPTEMBER 19, 1967

(Legislative day of Monday, September 18, 1967)

The Senate met at 10:30 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Let us pray.

Almighty and ever-living God, as we bow in this quiet moment dedicated to the unseen and the eternal, make vivid our abiding faith, we beseech Thee, in those deep and holy foundations which our fathers laid, lest in foolish futility in this desperate and dangerous day we attempt to build on sand instead of rock.

Renew our inner strength for these are troublous times and we stand in need of courage and fortitude and stability. The world is full of the clamor of the violent, the boasting of the proud, and the agony of the people, and we would be valiant in a day when the hearts of many turn to water in them.

Renew our valor, that, as undefeated souls, we may sustain the shocks of life, master its handicaps, and at last make even the wrath of men to serve Thee.

We ask it in the name of the Master of all good workmen. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Monday, September 18, 1967, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the distinguished Senator from Colorado [Mr. DOMINICK] there be a period for the transaction of routine morning business, with statements limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order of yesterday, the Chair recognizes the Senator from Colorado [Mr. Dominick].

Mr. DOMINICK. Mr. President, I yield, without losing my right to the floor, to the distinguished Senator from Kansas [Mr. Carlson].

POSTAL POLICY ACT—ROLE OF POST OFFICE DEPARTMENT AS PUBLIC SERVICE

Mr. CARLSON. Mr. President, for many years I have been privileged to serve both as a member and as chairman of the Committee on Post Office and Civil Service. One of the principal achievements of that committee in 1958 and in 1962 was the writing of a Postal Policy Act which established in the law the concept of the Post Office Department as a public service.

The Post Office is indeed a public service, and the recognition of that fact by the Congress in 1958 was an important step forward. We now have a Postmaster General, Lawrence F. O'Brien, who recognizes clearly and fully the role of his Department as a contributor to the public welfare of the country.

One of the best examples of the public service contributions of the Post Office Department is in the field of rural mail delivery. The present Postal Policy Act defines the public service payment for rural delivery at 20 percent of its cost.

Postmaster General Larry O'Brien recently had occasion to publicly emphasize the role of the Post Office Department as a public service in a speech he delivered before the convention of the National Rural Letter Carriers Association in Cleveland, Ohio. Postmaster General O'Brien announced in that speech an immediate nationwide extension of rural delivery to less densely populated areas of the Nation. This is an excellent example of the type of public service performed in postal operations. If the Post Office were run as a profitmaking operation, not only would rural delivery not be extended but it would be extensively cut back, for there is no doubt that the Post Office loses money on rural delivery. But it does not withdraw and it does not decrease its service to rural America, because this service performs an important function in the Nation's interest—delivering the mail and communicating with all citizens of the country, no matter where they live.

In his speech announcing the extension of this service, General O'Brien established a new criteria. Heretofore, the national requirement for establishing an extention of rural routes was an average population density of two families a mile. His new program lessens the requirement to 1½ families per mile.

In his speech, the Postmaster General effectively rebuts those who argue that the Post Office is "losing money." General O'Brien says:

> I am fully convinced that the postal service is already returning an enormous profit to the United States.

I could not agree with him more. For the benefit of all, I ask unanimous consent to insert at this point the portions of Mr. O'Brien's speech dealing with the postal service.

There being no objection, the extracts were ordered to be printed in the Record, as follows:

> This evening I have an announcement for you that expresses my view of your importance to effective postal operation. This announcement will not only be of interest to you, but also to American families throughout our land. For I have ordered immediate nationwide extension of rural delivery service to less densely populated areas of the country. Heretofore, the national requirement for establishment or extension of rural routes was an average population density of two families a mile. From now on, the requirement will be one and one-half families per mile. No longer will Americans living in areas where there are less than two families per mile be required to go to post offices to pick up their mail.
>
> When I responded to President Johnson's request in 1965 and moved up Pennsylvania Avenue from the White House, I promised him that I would have one goal: superlative mail service. I think this announcement is another step in that direction.
>
> The desire to advance mail service is also why I announced last April that a close study of the problems of the postal service had brought me to the conclusion that we should become a government corporation. Among other changes, this corporation would abolish my job.
>
> In view of some of the comments I have heard since then, I want to assure every one of you that my job would be the *only* job abolished.
>
> My proposal, along with other ideas, is now being studied by one of the finest commissions ever appointed by any President. No matter what conclusion the Commission may reach, I know that President Johnson is rock solid on one principle—that no postal employee will lose any rights, be deprived of any benefits, face any reduction in pay or allowances, as the result of any reorganization of the postal service.
>
> In reviewing my proposal, some commentators have also overlooked the word "government" and have somehow analyzed it as advocating the turning over of the postal service to private enterprise.
>
> I want to make it clear that I am *not* advocating breaking up a vital public service and turning it into a commercial enterprise.
>
> I have nothing against profits.
>
> In fact, I am fully convinced that the *postal service is already returning an enormous profit to the people of the United States.*
>
> Your local police department or fire department certainly doesn't yield a profit at the end of the year—but it would be unbearably costly for a community to lack police and fire service. Hospitals are now known for being a profitable investment—except in the sense of saving human lives through treatment and extending lives through research.
>
> My friend Orville Freeman, Secretary of Agriculture, has a budget of some $6 billion this year. At the end of the year there will be no profit from the operations of the Department of Agriculture—except the most productive agricultural system in the world, except tens of millions throughout the world saved from starvation.
>
> *Similarly, it is almost impossible to put a dollar figure on the benefit derived from the operation of a fast, efficient nation-wide postal service.*
>
> *There is no dollar amount that can be placed on a mail system that guards the privacy of communication, and this ranks high on our list of American free institutions.*
>
> We secure all these benefits from our postal service and, at the same time, we return over $5 billion to the U.S. Treasury.
>
> That is a record we can be proud of.
>
> A non-governmental postal service, interested only in short term private, and not social, profit, would be forced to examine some postal services very closely. Among such services would undoubtedly be our rural operations. They are invaluable to those millions of Americans who live in rural areas. They yield a profit to the nation as a whole. But a private postal service might dispense with them, or charge exorbitant rates. That is one basic reason why I have not, and will never, advocate turning over the great national resource of our Post Office Department to private hands. That is why my proposal clearly calls for continuing government management and ownership of the postal service.

U.S. MILITARY PROCUREMENT PRACTICES NEED INVESTIGATION

Mr. DOMINICK. Mr. President, reports which have reached me concerning some recent military procurement practices indicate that there is a real cause for concern over the equity, inefficiency, and even perhaps the honesty of some of these practices. In one specific instance, I have asked the Senate Committee on Government Operations to conduct a preliminary investigation to determine whether the facts in that case warrant a full-scale investigation and public hearings on military procurement practices.

In this case, my constituent, Custom Packaging Co., a small business in Aurora, Colo., received less than equitable treatment, to say the least, in its efforts to do business with the Army. The facts in this case are as follows:

Working on its own initiative and expense over a considerable period of time, Custom Packaging Co. developed the concept of a lightweight, shoulder-borne flame weapon with a 2,000- to 3,000-yard range capability. In August 1965, they contacted Army officials at Edgewood Arsenal, Aberdeen, Md. The Army showed a great deal of interest and, after considerable discussion, a demonstration was arranged. The demonstration took place at Edgewood Arsenal on February 14, 1966.

Assurances were given to Custom Packaging Co. by the Army that the company's technological innovations would be fully protected against disclosures to or use by unauthorized persons. Two of the significant innovations introduced by the company were in the basic lightweight design and in the propellant that was used.

Following the demonstration at Edgewood Arsenal, the Army agreed that Custom Packaging Co. should prepare a color sound on film showing the weapon firing nine or 10 rounds. The Army also asked the company to prepare a proposal setting forth the company's capability to produce the weapon, estimates of time and cost factors, and statistics on how much time and money had already been spent by the company on the program.

Custom Packaging Co. submitted the

requested film and proposal to the Army on April 15, 1966.

During the summer of 1966, the Marine Corps displayed interest in a preliminary test program with this weapon. Subsequently, on October 16, 1966, Edgewood Arsenal circulated "Requests for Proposals" on a flame weapon system, soliciting quotations from several vendors, including Custom Packaging Co. The invitation called for proposals for research and development, production of 20 weapons and 2,000 units of ammunition. The language of the Edgewood Arsenal description of the weapon and requirements was virtually word for word identical with the "unsolicited" proposal submitted by Custom Packaging Co. on April 15, 1966, at the request of the Army.

On November 16, 1966, Custom Packaging Co. submitted its bid for a fixed price contract in the amount of $167,608. Northrop Nortronics of Anaheim, Calif., a subsidiary of Northrop Aviation, submitted its bid on a cost-plus-incentive fee basis in the amount of $387,000. Seven other bidders submitted quotations ranging from $269,000 to a high bid of $404,000, all on a cost-plus-fixed fee basis. A comparison of the bids of Custom Packaging and Northrop Nortronics shows that the engineering estimates were very nearly the same, but Custom Packaging's bid reflected lower labor rates and lower overhead costs, as well as lower subcomponent costs. Nortronics' bid proposed use of more expensive off-the-shelf, or subcontracted components. Subsequently, by telegram dated January 26, 1967, the Edgewood Arsenal Contracting Office advised Custom Packaging Co. that the award was expected to be made on Monday, February 6, 1967. Thereafter, in a peculiarly unusual procedure, Edgewood Arsenal announced the award of this contract, not on February 6, but on Friday, February 3, 1967, and designated Northrop Nortronics as the successful bidder in spite of the fact that the Northrop bid was more than double the amount bid by Custom Packaging.

Why was this award announced 3 days early? It appears to have been a deliberate attempt to justify an "urgent" classification for this procurement and thereby circumvent Armed Services Procurement Regulation 2–407.9 which generally prohibits an award being made if a timely protest has been filed, except where it has been determined that the award is urgently required.

Now, was there an overriding urgency to justify this award? In my opinion, there was not. In response to my question, Dr. Russell D. O'Neal, Assistant Secretary of the Army for Research and Development, told me that there was no planned production of this weapon system.

The Army then contended that Custom Packaging Co. had not filed a timely protest to the award. This too was disproven. Mr. Eugene Bates, the president of Custom Packaging Co. had the foresight to process his protest on February 3, 1967, through the Denver Regional Office of the Small Business Administration, who substantiated the fact that both telephonic and telegraphic protests had been sent to the General Accounting Office on that date by Custom Packaging Co.

Mr. President, I interpolate to state that here is a classic example of a small business company trying to do something which will be of help to the whole country, and being cut out completely by giving the bid, at twice the cost, to another company which had never had any experience in the field whatsoever.

Mr. President, it now appears that this is not an isolated case. Other small business firms are having the same kind of difficulty in attempting to compete with the big business manufacturers doing business with the various military departments. Recently the Army Electronics Command, 225 South 18th Street, Philadelphia, Pa., awarded to the Radio Corp. of America a contract for $10,087,431, despite the fact that the Army had on file a bid by a small business concern which was $884,856 lower than RCA's award. This appears to be only the most recent of a long series of slaps at the taxpayers' pocketbook in Army dealings with RCA for this portable, walkie-talkie type radio transmitter-receiver. Let us look at the record from the beginning.

In May 1954, the Department of the Army, Fort Monmouth, N.J., initiated a contract with RCA, Camden, N.J., for the development of this portable radio set which was given the nomenclature AN/PRC–25. Under this contract the Army paid to RCA a total sum of $2,214,857. In October 1961, this radio set was ordered into production when the Army awarded contract No. 89511 on a sole source noncompetitive basis to RCA for a total amount of $20,482,143.68. This covered 8,248 units of this radio at a per unit price of $2,156.91. Of this total $20.5 million, $17,790,000 covered the radio set. The balance of $2,692,143.68 covered ancillary items. These items included manufacturing drawings.

On May 24, 1963, invitations to bid were issued on the second production requirement. This was actually the first competitive bidding allowed on this radio set. Mind you, this was almost a year and a half later. It covered 3,822 units of the AN/PRC–25 radio, plus 1,650 units of the major component, the RT–505 receiver-transmitter. The contract was awarded to the lowest bidder, RCA, at a unit price of $843.37 for the AN/PRC–25. This was $1,313.54 per unit less than the Army had paid for this same radio set to this same firm under the earlier noncompetitive negotiations in October 1961. On February 7, 1964, which was less than a year later the Army again invited bids for the AN/PRC–25 radio. RCA again reduced its unit price; this time to only $736 per unit. Despite this latest reduction, however, on this occasion RCA was unsuccessful in obtaining the award. It went to a manufacturer in Huntington, Ind., who quoted a still lower price.

In March 1965, the Army decided to improve the AN/PRC–25 radio set. It negotiated noncompetitive, sole-source contract No. 01292 with RCA to cover this work. The total cost of this contract was $694,593.

In April 1965, a third round of bidding took place. This was on the original version, not the improved one. RCA again reduced the price; this time quoting $625 per unit for the AN/PRC–25 radio set in an unsuccessful attempt to acquire this award which was made at even lower prices to the Indiana manufacturer, with a set-aside quantity being awarded to a Massachusetts firm.

Four months later, on August 13, 1965, the Army awarded a noncompetitive contract to RCA for 4,158 units of this same AN/PRC–25 radio set at an average price of $951 per unit. This was done despite the fact that the Army records of only 4 months earlier showed RCA's competitive bid as having been only $625 per unit for the identical equipment.

The improved version of the AN/PRC–25 radio was assigned a new nomenclature. It became the AN/PRC–77. Customarily, the first production contract for any such item is negotiated with the company which did the research and development work. Therefore, in accordance with custom, on June 26, 1966, the Army awarded contract No. 10410 on a noncompetitive, sole-source basis to RCA. It covered 5,737 units of the newly designated AN/PRC–77 at a unit price of $1,222.34.

This contract was for the total amount of $7,619,000. It included $54,834 for production drawings of this AN/PRC–77 radio set.

This contract stipulated delivery of these production drawings by March 31, 1967. Bear this in mind, because this is an important provision in this contract. March 31, 1967, was when the drawings had to be furnished to the Army and the Government as a whole.

Back on June 22, 1966, prior to the June 26 contract award, the Army justified the noncompetitive award of contract No. 10410 on the basis that:

> Drawings, mechanical gauges, and electrical test fixtures are being procured to preclude sole-source on subsequent procurements.

This same statement was repeated on the Army's determination and findings dated December 2, 1966, to justify a subsequent increase in the number of units under this contract. The statement was signed by Maj. Clyde V. Craighead, contracting officer.

In February 1967, the plot seemed to thicken. On February 27, the U.S. Army Electronics Command, Philadelphia, Pa., issued negotiation DAABO5–67–R–1176. This was issued—in secret—as a sole-source, noncompetitive action with RCA. It had a closing date of March 9, 1967. This negotiation proposed a multi-year procurement of radio set AN/PRC–77 and RT–841. The latter item was the major component of the radio transmitter-receiver.

Under date of March 7, 1967, a small manufacturer, Decitron Electronics Corp., 841 Essex Street, Brooklyn, N.Y., submitted a letter-bid to the U.S. Army Electronics Command in Philadelphia. The bid made reference to negotiation DAABO5–67–R–1176, to which I have just referred. It quoted a price of $893.75 per unit for the AN/PRC–77 and a price of $793.75 per unit for the RT–841.

The bid stated that the unit prices quoted actually included all ancillary items of provisions documentation, selection worksheets, initial tool and test equipment lists, and so forth. The Decitron bid even went so far as to suggest to the Army Electronics Command that if the Army doubted Decitron's ability to fulfill the contract, the matter could be referred to the Small Business Administration for a certificate of competency.

Under date of April 5, 1967, the Army Electronics Command, of Philadelphia, in a letter signed by Maj. Clyde B. Craighead, rejected Decitron's bid on the basis of "urgency of delivery and lack of manufacturing drawings." The drawings referred to were the self-same drawings required for delivery by March 31, 1967, under RCA's contract No. 10410. That was 5 days earlier than the date of this letter.

This was the same RCA contract that was previously justified on a sole-source basis for the purpose of obtaining the specific drawings required to avoid the necessity for subsequent sole-source procurement.

On April 28, 1967, the Army awarded contract No. DAABO5-67-C-$170 to RCA covering 10,500 units of the AN/PRC-77 at a price of $937.16 per unit. The total amount of this RCA contract, which included ancillary items, was $10,087,431. This was $884,856 higher than the bid submitted by Decitron.

On June 7, 1967, the Army announced this contract in the Department of Commerce Business Daily—PSA 4326, page 15, column 4. Curiously enough, the Army's announcement stated that the award was only for 3,300 units of the AN/PRC-77 and for 900 units of the RT-841 for a total price of only $4,094,745. The fact of the matter was that this contract was actually in excess of $10 million. On May 31, 1967, this contract—DAABO5-67-C-0170—was increased by modification No. 1, to cover an additional 1,298 units of the AN/PRC-77 for an additional cost of $1,234,684. Further, the Department of Commerce Business Daily later announced another modification, dated August 16, 1967. This one added another $5,992,686 to the total amount of this contract.

The **PRESIDING OFFICER.** The time of the Senator from Colorado has expired.

Mr. **DOMINICK.** Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes.

Mr. **BYRD** of West Virginia. Mr. President, reserving the right to object, we had hoped to have a little time remaining for the transaction of routine morning business. We have at least one Senator in the Chamber who wishes to take advantage of that time.

I wonder if the Senator might finish his speech in 3 minutes.

Mr. **DOMINICK.** I will do my best.

The **PRESIDING OFFICER.** Without objection, the Senator from Colorado is recognized for an additional 3 minutes.

Mr. **DOMINICK.** Mr. President, it is absolutely inconceivable that this last modification could possibly be justified on the basis of urgency of delivery. The delivery of these units is for a multiyear requirement with options that could allow delivery to span 4 years. Nor could it be justified on the basis of lack of production drawings. After all, the Army, for the American taxpayers, had already given RCA $54,834 to purchase these drawings in the original production contract of June 26, 1966.

Mr. President, the inequities, inefficiencies, and apparent mismanagement in this case, seemed so glaring to me that I sought additional information as to the capability of the Decitron Co. I secured a listing of 36 contracts under which this company had performed for the Department of Defense. Since the majority of these contracts for radio equipment had been awarded by the Navy, I asked the Navy to review its files and advise me whether there had been any history of failure by this company to perform, or any instance in which this company might have been suspected of underbidding and of subsequently applying for extraordinary financial relief under Public Law 85-804. The Navy reported to me that this company had not failed in the performance of any of its contracts for the Navy, and that there was no evidence that the company had sought extraordinary financial relief under Public Law 85-804.

Mr. President, what has made this case even more highly suspect has been the apparent attempts to keep information concerning it from the public. For example: On April 29, 1967, Mr. Robert R. Siegrist, a fully accredited, Washington-based, reporter-commentator with the Mutual Broadcasting System, and a highly respected member of the broadcast community, presented his credentials to the Army and asked some pertinent questions about the transactions of contract DA-36-039-AMC-10410(E), together with all amendments, and a copy of the determination and findings used to justify this award, and also advice as to what disposition was made of the drawings furnished under that contract.

Three and a half weeks later, on May 24, he received a simple acknowledgment from the Department of the Army advising that replies were being prepared to each of his questions. Under date of July 10, 1967, more than 2 months after his initial request, he received a further response from the Army. It advised him that the information he had requested could only be provided if he prepaid a cost of $120.75. That advice was given to a reporter.

Numerous telephone calls in the ensuing 10 days failed to produce results. Finally, after a telephone call to the Assistant Secretary of Defense for Public Affairs, the Honorable Phil G. Goulding, a letter dated July 21 was forthcoming from Gen. Lloyd D. Ramsey, Acting Chief of Public Information, advising that the material would be furnished without cost.

Thus, fully 3 months after this material should have been public information, it was finally made available to the newsmen. But, lo and behold, in response to the question concerning other bidders under this contract, the Army contended that RCA was the only bidder, completely concealing the bid of March 7, 1967, by Decitron.

Mr. President, the factors in this case seem to raise very serious questions as to the relationship existing between the Department of the Army procurement officials and the Radio Corp. of America. I think we should ask the question as to whether any specific benefits have been derived by any one in the Army or elsewhere as a consequence of this peculiar procedure. Why was the significantly lower bid by Decitron, the small electronics firm, rejected under the claim that drawings did not exist when in fact they not only did exist, but the original production contract of June 26, 1966, had specifically required RCA to deliver such drawings for competitive bidding on subsequent procurement? Bear in mind that this was the original contract under which RCA was paid $54,834 on a noncompetitive basis to produce these manufacturing drawings and deliver them by March 31, 1967. Therefore, these drawings were the property of the taxpayers of the United States.

There appears to be a similar pattern in both of the instances I have cited today, and I am certain there must be others. I suggest that Congress may be well advised at this time to begin an indepth investigation into our military procurement procedures. We owe it to our taxpayers that every step be taken by those spending the taxpayers' funds to insure highest efficiency at the lowest cost. And we owe it to the small businessman that he be treated equitably and fairly in his dealings with Federal procurement officials. There seems to be growing reason to question whether either is being done in many cases coming to light at present.

ROUTINE MORNING BUSINESS

The **PRESIDING OFFICER.** Under the order previously entered, the Senate will proceed to the transaction of routine morning business.

EXECUTIVE REFORM

Mr. **PEARSON.** Mr. President, on January 11 of this year, I introduced a bill (S. 47), since cosponsored by 41 of my colleagues, to create a Hoover-type Commission on the Operation of the Executive Branch to study the organization and functioning of the Federal bureaucracy for a 2-year period and to make appropriate recommendations to Congress.

Twelve years have passed since the second Hoover Commission submitted its report. During this period many programs have been expanded and many new ones have been added, resulting in a rapid growth of the size of the executive branch and the scope of its responsibilities.

Thus, today we are faced with a bewildering variety of programs, many of which are attempting to treat the same problems. For example, more than 260 programs administered by 16 separate departments and agencies are involved in the war on poverty. Over 30 Federal programs are concerned with teacher training.

In addition to the rapid expansion of existing programs, the past decade has witnessed an almost incredible proliferation of new projects and departments. It is this growth which is most indicative of the changing role of the Federal Government. Occasional attempts have been made to evaluate this change, but the reports have usually been quite scanty and disappointing.

As a result, Mr. President, I asked the Legislative Reference Service, in the person of Mrs. Helen Dalrymple, to prepare a comprehensive review of the number of new agencies, departments, and bureaus that have been created since the submission of the second Hoover report in 1955. The ensuing report indicates the name of each new office, the statutory authority for its organization, the size of its budget and staff at the time of its creation, and the size of its budget and staff today.

This review, the first integral investigation of the major new agencies created in the Federal Government in the past 12 years, has had to deal with a variety of problems peculiar to a study of this kind. For example, it is seldom that a new agency is created within an executive department with completely new functions. More often it is an expansion of existing activities or an amalgamation of widely scattered functions being performed in different offices of the same agency. Thus, for the most part, agencies which are merely new names for old offices were not included in this investigation. In some instances, however, where the agency's responsibilities were significantly increased, the agency was included, with a note indicating the name of the office it superseded.

Moreover, the budgets for some Departments, notably Defense and State, are broken down by function rather than by line agency, so that it proved most difficult to determine how much has been spent by each agency.

In order to more fully understand the figures reported in this study, a further word of explanation is required. Except for specific dates, the years used in this review indicate fiscal years. In addition, figures for budget expenditures were used in every case where they were available. Otherwise, the figures for obligational authority or new obligational authority were used and are indicated by the initials OA and NOA. A dash indicates that the figures were not readily available from the budget.

Mr. President, partial as the figures in this study may be, they indicate a startling growth in the number and scope of completely new functions in the executive branch. For example, when the Office of Economic Opportunity was created it had a staff of 428 as of January 1, 1965. In 2 years this personnel figure had more than quintupled to 2,393. In the same period the budget figure rose from approximately $200 million to $1.8 billion—a ninefold increase.

In addition, the Administration on Aging nearly doubled its personnel in the 2 years since its inauguration in 1965 from 47 to 86, while its budget increased over eight times from $2.1 million to $16.7 million.

These and other examples show that since 1955, a total of at least $19.1 billion and 142,000 employees has been invested in new programs alone. The subsequent rate of increase of these new projects is even more surprising. As the study indicates, since the new programs were begun in many instances just 1, 2, or 3 years ago, 52,190 employees and $12.5 billion have fueled their expansion. And the growth rate is increasing.

Mr. President, it is true this growth has, in large measure, been a response to public pressure for new and improved services. But, necessary as this expansion may have been, it is also true that to a considerable degree it has been uncontrolled. A thorough, objective, and far-reaching review of these changes is long overdue. Unless such a step is taken shortly, the value of these and other programs now just visible on the horizon will be significantly impaired.

Mr. President, I ask unanimous consent that the study by the Legislative Reference Service of executive growth be printed in the RECORD.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

MAJOR INDEPENDENT AGENCIES AND DEPARTMENTAL OFFICES CREATED IN THE U.S. GOVERNMENT SINCE 1955

Agency	Statutory authority	At time of creation		Now	
		Budget (in thousands of dollars) (date)	Personnel (date)	1968 budget (in thousands of dollars)	Jan. 1, 1967, personnel
Executive Office of the President:					
National Aeronautics and Space Council	72 Stat. 426, July 29, 1958	203 (1962)	14 (Jan. 1, 1962)	505	24.
Office of Science and Technology	Reorganization Plan No. 2, 76 Stat. 1253, June 8, 1962.	464 (1963)	48 (Jan. 1, 1964)	1,752	105.
Office of the Special Representative for Trade Negotiations.	Executive order, Jan. 15, 1963.	400 (1964)	30 (Jan. 1, 1964)	566	30.
Office of Economic Opportunity	78 Stat. 508, Aug. 20, 1964	211,234 (1965)	428 (Jan. 1, 1965)	1,860,000	2.393.
Independent Offices and Commissions:					
Administrative Conference of the United States	Executive order, Apr. 13, 1961.	150 ((OA) 1962)	1 (1962)	240	6 (estimated, 1968).
Advisory Commissionon Intergovernmental Relations.	73 Stat. 703, Sept. 24, 1959	35 (1960)	5 (1960)	481	43.
Appalachian Regional Commission	79 Stat. 5, Mar. 9, 1965	612 (1966)	10 (Jan. 1, 1966)	785	10.
Commission on Civil Rights	71 Stat. 634, Sept. 9, 1957	655 (1959)	65 (1959)	2,700	149.
Delaware River Basin Commission	75 Stat. 688, Sept. 27, 1961	20 ((OA) 1962)	2 (1963)	179	2.
Equal Employment Opportunity Commission	78 Stat. 241, July 2, 1964 (operational July 2, 1965).	2,590 (1966)	314 (1966)	7,094	314 (estimated, 1967).
Federal Maritime Commission	Reorganization Plan No. 7, 75 Stat. 840, Aug. 12, 1961.	1,163 (1962)	142 (Jan. 1, 1962)	3,700	251.
Federal Radiation Council	Executive order, Aug. 14, 1959.	20 ((OA) 1961)	—	125	9.
National Aeronautics and Space Administration	72 Stat. 426, July 29, 1958	145, 491 (1959)	9,286 (1959)	5,300,000	34,706.
National Capital Transportation Agency	74 Stat. 537, July 14, 1960	135 (1961)	16 (Jan. 1, 1961)	7,155	40.
National Foundation on the Arts and Humanities	79 Stat. 845, Sept. 29, 1965	1,228 (1966)	21 (Jan. 1, 1966)	15,000	183.
U.S. Arms Control and Disarmament Agency	75 Stat. 631, Sept. 26, 1961	1,033 (1962)	89 (1962)	9,400	251.
Water Resources Council	79 Stat. 244, July 22, 1965	275, 238 (1966)	14 (1966)	1,320,020 (NOA)	16.
Department of Agriculture:					
Agricultural Stabilization and Conservation Service (successor to Agricultural Conservation Program Service and State ASC committees).	Departmental order, June 5, 1961.	726,020 (1961)	6,615 (Jan. 1, 1962)	704,302	5,058.
Rural Community Development Service (superseded Office of Rural Areas Development).	Departmental order, Feb. 4, 1965.	187 (1964)	31 (Jan. 1, 1966)	460	30.
International Agricultural Development Service	Departmental order, Aug. 5, 1963.	—	58 (Jan. 1, 1964)	8,700 (funds come from AID).	84.
Economic Research Service	Departmental order, Apr. 3, 1961.	8,190 (1962)	957 (Jan. 1, 1962)	13,306	1,149.
Area Redevelopment Administration	75 Stat. 47, May 1, 1961	7,339 (1962)	201 (Jan. 1, 1962)	See EDA	See EDA.
Economic Development Administration (successor to ARA).	79 Stat. 552, Aug. 26, 1965	55,160 (1965)	404 (Jan. 1, 1966)	Total economic development assistance, 321,900.	936.
Environmental Science Services Administration (consolidated Weather Bureau, Coast and Geodetic Survey, Radio Propagation Laboratory).	Reorganization Plan No. 2, July 13, 1965, 79 Stat. 1318.	139,863 (1965)	10,231 (Jan. 1 1966)	178,860	10,492.
Office of Foreign Commercial Services	Departmental Order 183, Feb. 1, 1963.	—	46 (Jan. 1, 1964)	—	46.
Bureau of International Commerce	Departmental Order 182, Feb. 1, 1963.	Total international activities, 10,026 (1963).	769 (Jan. 1, 1964)	Total international activities, 17,950.	792.
Office of State Technical Services	79 Stat. 679, Sept. 14, 1965	1,461 (1966)	4 (Jan. 1, 1966)	8,000	10.
U.S. Travel Service	75 Stat. 129, June 29, 1961	1,481 (1962)	31 (Jan. 1, 1962)	3,850	82.

Department of Defense

In the Department of Defense, four major agencies have been created since 1955: the Defense Communications Agency (May 12, 1960); the Defense Contract Audit Agency (July 1, 1965); the Defense Intelligence Agency (August 1, 1961); and the Defense Supply Agency (January 1, 1962). In addition, the Armed Forces Special Weapons Project of 1947 was redesignated the Defense Atomic Support Agency in 1959. Comparative budgetary figures are not readily available for these agencies, however, since the budget for the Defense Department and the military services is broken down by civilian and military functions rather than by line agency activities.

Agency	Statutory authority	At time of creation		Now	
		Budget (in thousands of dollars) (date)	Personnel (date)	1968 budget (in thousands of dollars)	Jan. 1, 1967, personnel
Department of Health, Education, and Welfare:					
Bureau of Disease Prevention and Environmental Control (reorganization in Public Health Service).	Departmental order, Jan. 1, 1967.	179,486 (1966)	—	204,683 (includes funds proposed for separate transmittal).	—
Bureau of Health Manpower (reorganization in Public Health Service).	do	25,373 (1966)	—	189,647 (includes funds proposed for separate transmittal).	—
Bureau of Health Services (reorganization in Public Health Service).	do	388,066 (1966)	—	451,147	—
Cuban refugee program	Presidential letter to the Secretary, Jan. 27, 1961.	52,902 (1963)	101 (Jan. 1, 1964)	51,276	173.
Office of Juvenile Delinquency and Youth Development (authority expired June 30, 1967; legislation pending in Congress).	75 Stat. 572, Sept. 22, 1961	1,386 (1962)	9 (1962)	5,039	37.
Bureau of Family Services	Departmental order, January 1962.	3,708 (1963)	377 (Jan. 1, 1962)	8,489	615.
Administration on Aging	79 Stat. 218, July 14, 1965	2,191 (1966)	47 (Jan. 1, 1966)	16,765	86.
Department of the Interior:					
Office of Minerals and Solid Fuels (successor to Office of Minerals Mobilization).	Departmental order, Nov. 2, 1962.	95 (1964) (estimated expenditures.)	15 (1964) (estimated)	—	8.
Oil Import Administration	Presidential proclamation, Mar. 10, 1959.	68 ((OA) 1960)	6 (Jan. 1, 1961)	232 (NOA)	11.
Oil Import Appeals Board	do	9 ((OA) 1960)	2 (Jan. 1, 1961)	15 (NOA)	1.
Office of Coal Research	74 Stat. 336, July 7, 1960	47 (1961)	1 (Jan. 1, 1961)	8,625	20.
Defense Electric Power Administration	Executive order of the Secretary, Feb. 16, 1962.	—	—	—	5.
Bureau of Commercial Fisheries	70 Stat. 1119, Aug. 8, 1956 (operational Nov. 6, 1956).	16,420 (1958)	1,389 (1957)	46,000	2,212.
Bureau of Sport Fisheries and Wildlife	do	40,864 (1958)	2,124 (1957)	90,000	4,550.
Bureau of Outdoor Recreation	Apr. 2, 1962	969 (1963)	126 (1963)	105,686	490.
Federal Water Pollution Control Administration	79 Stat. 903, Oct. 2, 1965 (operational May 10, 1966).	116,509 (1966)	—	229,000	1,948.
Department of Justice:					
Community Relations Service (established in Commerce Department by Civil Rights Act of 1964; transferred to Justice Department by Reorganization Plan No. 1 of 1966, effective Apr. 22, 1966).	78 Stat. 241, July 2, 1964	493 (1965)	33 (Jan. 1, 1965)	2,500	84.
Civil Rights Division	71 Stat. 634, Sept. 9, 1957	Civil rights matters, 483 (OA).	—	Civil rights matters, 2,567 (NOA).	201.

Department of Labor

In the Department of Labor, both the Manpower Administration and the Labor-Management Services Administration, created since 1955, represent major reorganizations within the Department. However, it is difficult to isolate either budgetary or employment figures for these two agencies, since their activities have been transferred several times to different offices, and because both have absorbed older agencies within the Department.

Agency	Statutory authority	At time of creation		Now	
		Budget (in thousands of dollars) (date)	Personnel (date)	1968 budget (in thousands of dollars)	Jan. 1, 1967, personnel
Post Office Department:					
Bureau of Research and Engineering	80 Stat. 262, July 5, 1966	(Research, development, and engineering activities), 11,592 (OA)	—	(Research, development, and engineering activities), 20,161 [1] (NOA)	309.
Postal data centers	Fiscal 1964	—	1,414 (Jan. 1, 1965)	—	1,468.
Department of State:					
Agency for International Development	75 Stat. 445, Sept. 4, 1961 (operational Nov. 3, 1961).	1,836,000 (1962) (expenditures).	15,393 (Jan. 1, 1962)	2,430,000	16,296.
Peace Corps	75 Stat. 612, Sept. 22, 1961	11,409 (1962) (expenditures).	418 (Jan. 1, 1962)	112,000	1,482.
New departments:					
Department of Housing and Urban Development	79 Stat. 667, Sept. 9, 1965 (effective Nov. 9, 1965).	767,080 (1966)	13,472 (Jan. 1, 1966)	3,178,891 (NOA)	13,841.
Department of Transportation	80 Stat. 931, Oct. 15, 1966 (effective Apr. 1, 1967).	1,276,338 (1966) (reflects amounts spent on activities now in Department of Transportation which were formerly in other departments).	—	1,374,660 (includes funds proposed for separate transmittal).	—
National Highway Safety Bureau (under Federal Highway Administration in Department of Transportation).	80 Stat. 731, Sept. 9, 1966	—	159 (1966)	123,000	1,059 (1968) (estimated).
Federal Aviation Administration (transferred to Department of Transportation; formerly independent agency).	72 Stat. 731, Aug. 23, 1958	241,735 (OA) (1959)	25,581 (1958)	826,713	42,844.

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[1] Estimate indefinite because it is based on anticipated revenues from postal rate increase legislation pending before Congress.

LEAVE OF ABSENCE

Mr. PEARSON. Mr. President, I ask unanimous consent that I be excused from attendance of the sessions of the Senate from Thursday, September 21, to Tuesday, October 3.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

On request of Mr. BYRD of West Virginia, and by unanimous consent, the Senate proceeded to consider executive business.

WITHDRAWAL OF CERTAIN TREATIES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the

Senate proceed to the consideration of Senate Executive Resolution 1.

The PRESIDING OFFICER. The executive resolution will be stated.

The assistant legislative clerk read as follows:

Resolved, That the Secretary of the Senate be, and is hereby, directed to return to the President of the United States, in accordance with his request, the following treaties:

1. Protocol dated at The Hague, September 28, 1955, to amend the Convention for the Unification of Certain Rules Relating to International Carriage by Air signed at Warsaw on October 12, 1929 (Executive H, 86th Congress, 1st session.)

2. Convention (No. 109) concerning wages, hours of work on board ship, and manning, adopted by the International Labor Conference at its 41st (maritime) session, Geneva, May 14, 1958 (Executive L, 86th Congress, 2d session).

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the resolution (S. Ex. Res. 1) was considered and agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be notified immediately of the adoption of the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on September 17, 1967, the President had approved and signed the following acts:

S. 906. An act for the relief of Luis Tapia Davila; and

S. 1448. An act for the relief of Roy A. Parker.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 828. An act to amend section 5(b) of the act of March 18, 1966 (Public Law 89-372), so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such act;

S. 1465. An act to provide for holding terms of the District Court of the United States for the Eastern Division of the Northern District of Mississippi in Ackerman, Miss.; and

S. 1657. An act to extend for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 814. An act to establish the National Park Foundation; and

S. 1933. An act to provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma.

The message further announced that the House had passed the bill (S. 1788) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 2828. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission dockets numbered 138 and 79, and for other purposes;

H.R. 8338. An act to create a new division for the western district of Texas, and for other purposes;

H.R. 8580. An act to convey certain land to the Squaxin Island Tribe of Indians; and

H.J. Res. 516. Joint resolution to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H.R. 2828. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission dockets numbered 138 and 79, and for other purposes; and

H.R. 8580. An act to convey certain land to the Squaxin Island Tribe of Indians; to the Committee on Interior and Insular Affairs.

H.R. 8338. An act to create a new division for the western district of Texas, and for other purposes; to the Committee on the Judiciary.

H.J. Res. 516. Joint resolution to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House; to the Committee on Rules and Administration.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Army National Guard Armory, Durant, Okla.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, notification of the location, nature, and estimated cost of an additional facility project proposed to be undertaken for the Army National Guard (with an accompanying paper); to the Committee on Armed Services.

Proposed Amendment of Title 10, United States Code

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize an increase in the numbers of officers of the Navy designated for engineering duty, aeronautical engineering duty, and special duty (with an accompanying paper); to the Committee on Armed Services.

Report on Review of Voluntary Agreements and Programs

A letter from the Attorney General, transmitting pursuant to law, a report on review of voluntary agreements and programs under the Defense Production Act of 1950, as of August 9, 1967 (with an accompanying report); to the Committee on Banking and Currency.

Report on Wage Payments to Handicapped Clients in Sheltered Workshops

A letter from the Secretary of Labor, transmitting, pursuant to law, a report on wage payments to handicapped clients in sheltered workshops, dated September 1967 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the City Council of Carpinteria, Calif., favoring the enactment of legislation providing for a Federal tax sharing program; to the Committee on Finance.

A resolution adopted by the City Council of the City of South Gate, Calif., favoring the enactment of legislation relating to a tax-sharing program; to the Committee on Finance.

A resolution adopted by the City Council of the City of Riverbank, Calif., favoring the enactment of legislation relating to tax sharing; to the Committee on Finance.

A resolution of the City Council of the City of Cypress, Calif., favoring the enactment of legislation relating to tax sharing; to the Committee on Finance.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLINGS:

S. 2427. A bill to provide for the issuance of a special postage stamp in February 1968, to commemorate American Heart Month and the national fight against the cardiovascular diseases; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. HOLLINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (for himself and Mr. MAGNUSON):

S. 2428. A bill to authorize the Secretary of the Army to convey to the State of Washington certain lands in the counties of Yakima and Kittitas, Wash., in exchange for certain other lands, and for other purposes; to the Committee on Armed Services.

By Mr. HARTKE:

S. 2429. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit to employers for the expenses of providing training to their employees and prospective employees under approved programs; to the Committee on Finance.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 2430. A bill for the establishment of a board to review proposed procurements of automatic data-processing equipment; to the Committee on Government Operations.

By Mr. MONTOYA (for himself and Mr. TYDINGS):

S. 2431. A bill to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the Executive Mansion and Grounds, and for other purposes; to the Committee on Public Works.

By Mr. McGOVERN:

S. 2432. A bill for the relief of To Tsz Cheung; and

S. 2433. A bill for the relief of Dr. Gangadhar S. Kori; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 2434. A bill for the relief of Chang Cheng Ming;

S. 2435. A bill for the relief of Vasilios Stavropoulos;

S. 2436. A bill for the relief of Diamantino Ferreira Pereira;

S. 2437. A bill for the relief of Guiseppe Pacino Biancorosso; and

S. 2438. A bill for the relief of Hon Chun Eng; to the Committee on the Judiciary.

By Mr. COTTON:

S.J. Res. 111. Joint resolution expressing opposition to vesting title to the ocean floor in the United Nations at this time; to the Committee on Foreign Relations.

(See the remarks of Mr. COTTON when he introduced the above joint resolution, which appear under a separate heading.)

SPECIAL POSTAGE STAMP TO COMMEMORATE AMERICAN HEART MONTH AND THE NATIONAL FIGHT AGAINST CARDIOVASCULAR DISEASES

Mr. HOLLINGS. Mr. President, I send to the desk for appropriate reference, a bill to provide for the issuance of a special postage stamp to commemorate the dedicated fight of the American people against the cardiovascular diseases, through the National Heart Institute and through their voluntary contributions to the research, education, and community service programs of the American Heart Association.

This association and their work is of particular concern to me because my State of South Carolina leads the Nation in the number of deaths from heart disease. However, I am proud to say that the medical profession in South Carolina has been very active in leading the fight against this tragic disease. It is their opinion and mine that the issuance of this stamp "would be another method of calling to the public's attention the need for continued effort on all of our part to reduce this needless waste of much needed manpower."

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2427) to provide for the issuance of a special postage stamp in February 1968, to commemorate American Heart Month and the national fight against the cardiovascular diseases, introduced by Mr. HOLLINGS, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

TAX CREDIT FOR "HUMAN INVESTMENT"

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill to allow an income tax credit to employers for the expenses of providing training to employees and prospective employees.

The problems of industrial production are twofold. One side of the problem is that of the productive machinery, the plant and equipment. We have encouraged expansion by a variety of means to induce capital investment, not least of which is the 7-percent investment credit which has now been restored. The other, and in some ways even more important, ingredient of industrial production is the worker. One is financial capital, the other human capital.

But for the latter we have not made equal provision. It is our lack of attention to the human element of the economy which has led to many of the dissatisfactions at the root of our ghetto problems. People who have no jobs have no stake in the society. When the unemployed among Negro youth comprise 1 out of every 4—a 25-percent unemployment rate, as compared with the overall 4-percent rate in the economy as a whole—we have failed in a most obvious way to integrate the human element into the economic order with the same attention and care as we have done for the plant and capital element.

Private industry is the basis for our economy. All that the Government does in that basis should be designed for the welfare of the Nation. This includes the principle of support for capital investment; the stimulus which it provides benefits the Nation as a whole. But we have never fully grasped and fully acknowledged the necessity for support and encouragement of private industry in the realm of human investment.

It is costly to develop people. We have seen that through the programs of the Federal Government which are directed toward manpower development and training. We have seen it in the Job Corps. We have seen it in all our efforts to set up Government programs, into which we try to draw industry, for the improvement and training of undereducated and underskilled people. The jobs are there, and the people are there. But too often the people cannot be matched with the jobs. Industry has itself neither the patience nor the willingness to invest its own resources in the training process on the scale necessary.

But there is no reason why we should not tackle the problem from the other direction as well as from that of government. Why should we not devise means and incentives that will bring the initiative from private industry to be the prime mover in developing people as well as capital resources?

The bill I introduce today is designed to induce the private sector to take the initiative. It is highly gratifying that the insurance industry has come forward with initiative for private investment in a way that will help solve the Nation's housing crisis. They are not doing this in a completely altruistic fashion—no business can afford to lose money for the sake of public benefit. There has to be at least a break-even prospect.

This prospect has not been present for small businesses in the area of training programs. Large industries have been able to wait for the beneficial longrun returns from training programs, and with their greater resources and complex organization they are willing to expand their internal operations to areas—public relations, morale-building employee activities, and others—beyond the direct production process. Smaller businesses generally cannot.

My bill will encourage particularly the smaller industry to move into programs of training both those who are presently unemployed and those who need upgrading.

It does so by providing a tax credit equal to 15 percent of the training expense, even if there is only one employee trained. Not only does it cover out-of-pocket expense, but wages and salaries paid to employees receiving training may be figured in as the base on which the tax credit may be taken. In addition, of course, these costs may be fully deducted as a normal cost of operation.

But the determination that training is being accomplished is not at the whim of the employer. His program must be approved by the Department of Labor, which is instructed to give first priority to those programs which will assist the unemployed, or those, in the words of the bill, "whose compensation from employment is insufficient to provide a decent standard of living." A second, and equally desirable, high priority is given to approving training in geographical areas with a proportionately high number of unemployed or marginally employed.

Further, approvable training programs exclude any which are directed toward development of management, supervisory, professional, or human relations skills—the aim is to develop those at the bottom of the economic structure, not those who are already up the management ladder.

Again, in order to induce the participation of the smaller business and industry, including the sole owner or partnership business, there is a limit—albeit a fairly generous one—on the amount of tax credit which may be taken. That limit is $25,000. This means that the total training costs, including wages, which can be used as the basis for tax credit cannot be more than $166,000. Any training expenses beyond that figure would lie outside the tax credit provision, but of course would be subject to present tax rules.

Again, as incentive for the involvement of smaller employers, there is provision for carryback and carryover of unused credit. Unused credit in one year could be carried back to the previous 3 years, or carried over to the succeeding 7 taxable years. Thus, it would be possible for an employer to carry on a more extensive training program in a concentrated effort, one which exceeds the set limits for the taxable year, and still receive his credit. Theoretically, if a program should run even to 10 times the allowable costs—say, $1,500,000 in a single year—if there is no training program for the three preceding or the 7 succeeding years, the employer could nevertheless recoup the allowable 15 percent for a total as high as $250,000 in tax credits when fully spread out.

Here is a proposal by which I intend to promote a partnership between private industry and government in the job training area. By offering the tax incentive, including the cost of wages for those in an approved program, the initiative will come from private industry, not from government. The reverse process, I believe, does not work as well in many respects. Here, rather than the government seeking to enlist a reluctant industry or businessman in a program for which he finds small benefit to himself, the businessman will have sufficient incentive to take the initiative and enlist the government as it stands ready and willing.

We surely need not argue the need for aiding those who have no jobs to become paid workers. Full employment is our official and even statutory policy. Yet we have an unemployment rate which, even at its present level, is well above that recorded in most Western countries. The welfare rolls seem to shrink but little year by year. But there are other reasons for moving into such a program as this.

First, we need industrial and scientific skills which on-the-job training can help supply. Second, we must look forward to integrating our returning veterans into rewarding and productive employment. It is well known that the high reenlistment rate among certain groups is due to the fact that they cannot, or fear they cannot, find employment on the "outside"—they do not have marketable civilian skills. Third, we need to replace skills which are made obsolete by automation or economic change. Fourth, retraining will be needed for workers who may become displaced by defense industry closings when—or should I say if?—the war in Vietnam comes to a close.

We are committed in Federal policy to training and retraining, to making those unemployed employable, to doing all we can to remove individuals from the degradation of joblessness and welfare payments. The question is simple: How can it best be done?

We are already attacking the problem in other ways. But we have not yet made use of the carrot of tax incentive to bring in the voluntary initiative of the American businessman, and particularly the small businessman who would never normally consider that a government training program is anything for him. Yet it is the small business which is to a large extent the backbone of the economy.

Mr. President, I hope my bill will receive early consideration. I ask unanimous consent that its text may be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2429) to amend the Internal Revenue Code of 1954 to allow an income tax credit to employers for the expenses of providing training to their employees and prospective employees under approved programs, introduced by Mr. Hartke, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 2429

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Employment Opportunity Tax Incentive Act of 1967".

Sec. 2. It is the purpose of the Congress in enacting this Act to provide an incentive to employers—

(1) to provide training for individuals, both employees and prospective employees, who lack basic skills to maintain or secure employment of a kind which provides compensation sufficient to maintain a fair and decent standard of living in the modern economy, and

(2) to provide retraining for individuals, both employees and prospective employees, whose skills have become obsolete or are no longer needed in the areas where they reside.

It is the purpose of the Congress, in particular, to stimulate and encourage the establishment or expansion by employers of training programs to provide skills to such individuals who reside in areas of proportionately high unemployment. It is also the purpose of the Congress to encourage employers to establish or expand programs to provide training in advanced skills for their employees who possess basic skills, thereby enabling such employees to attain higher standards of living and giving such employees increased pride in their employment.

Sec. 3. Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as section 41, and by inserting after section 39 the following new section:

"SEC. 40. EXPENSES OF EMPLOYEE TRAINING PROGRAMS.

"(a) General Rule.—There shall be allowed, as a credit against the tax imposed by this chapter, the amount determined under subpart C of this part.

"(b) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C."

Sec. 4. Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by adding at the end thereof the following new subpart:

"SUBPART C—RULES FOR COMPUTING CREDIT FOR EXPENSES OF EMPLOYEE TRAINING PROGRAMS

"Sec. 51. Amount of credit.

"Sec. 52. Definitions; special rules.

"SEC. 51. AMOUNT OF CREDIT.

"(a) Determination of Amount.—

"(1) General rule.—The amount of the credit allowed by section 40 for the taxable year shall be equal to 15 percent of the employee training expenses (as defined in section 52(a)) paid or incurred by the taxpayer during the taxable year.

"(2) Limitation based on amount of tax.—Notwithstanding paragraph (1), the credit allowed by section 40 for the taxable year shall not exceed—

"(A) so much of the liability for tax for the taxable year as does not exceed $25,000, plus

"(B) 50 percent of so much of the liability for tax for the taxable year as exceeds $25,000.

"(3) Liability for tax.—For purposes of paragraph (2), the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax), section 541 (relating to personal holding company tax), or section 1378 (relating to tax on certain capital gains of subchapter S corporations), and any additional tax imposed for the taxable year by section 1351(d)(1) (relating to recoveries of foreign expropriation losses), shall not be considered tax imposed by this chapter for such year.

"(4) Married individuals.—In the case of a husband or wife who files a separate return, the amount specified under subparagraphs (A) and (B) of paragraph (2) shall be $12,500 in lieu of $25,000. This paragraph shall not apply if the spouse of the taxpayer has no employee training expenses for, and no unused credit carryback or carryover to, the taxable year of such spouse which ends within or with the taxpayer's taxable year.

"(5) Affiliated groups.—In the case of an affiliated group, the $25,000 amount specified under subparagraphs (A) and (B) of paragraph (2) shall be reduced for each member of the group by apportioning $25,000 among the members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'affiliated group' has the meaning assigned to such term by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504(b)).

"(b) Carryback and Carryover of Unused Credit.—

"(1) Allowance of credit.—If the amount of the credit determined under subsection (a)(1) for any taxable year exceeds the limitation provided by subsection (a)(2) for such taxable year (hereinafter in this subsection referred to as 'unused credit year'), such excess shall be—

"(A) an employee training credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(B) an employee training credit carryover to each of the 7 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by section 40 for such years, except that such excess may be a carryback only to a taxable year beginning after the date of the enactment of the Employment Opportunity Tax Incentive Act of 1967. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 10 taxable years to which (by reason of subparagraphs (A) and (B)) such credit may be carried, and then to each of the other 9 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(2) Limitation.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the limitation provided by subsection (a)(2) for such taxable year exceeds the sum of—

"(A) the credit allowable under subsection (a)(1) for such taxable year, and

"(B) the amounts which, by reason of this subsection, are needed to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"SEC. 52. DEFINITIONS; SPECIAL RULES.

"(a) Employee Training Expenses.—

"(1) In general.—For purposes of this subpart, the term 'employee training expenses' means—

"(A) expenses incurred by the taxpayer in providing one or more approved employee training programs for his employees or prospective employees,

"(B) expenses incurred by the taxpayer for training of his employees or prospective employees under an approved employee training program provided by another person, and

"(C) wages and salaries paid to employees, and allowances paid to prospective employees, receiving training under an approved employee training program described in clauses (i) and (ii) of subsection (b) (1)(A).

"(2) Limitation.—An expense shall not be treated as an employee training expense if such expense would have been incurred by the taxpayer in the conduct of his trade or business without regard to any approved employee training program provided by him.

"(b) Approved Employee Training Programs.—

"(1) In general.—For purposes of this subpart, the term 'approved employee training program' means a program—

"(A) which is designed—

"(i) to teach basic trade, business, or industrial skills to individuals who possess none of such skills,

"(ii) to teach new basic trade, business, or industrial skills to individuals whose skills have become obsolete because of advances in trade, business, or industrial procedures or techniques or have become unneeded because of a lack of demand for their skills, or

"(iii) to teach advanced trade, business, or industrial skills to individuals who possess basic or advanced skills in trade, business, or industry; and

"(B) which is approved by the Secretary of Labor as fulfilling the standards, requirements, and conditions prescribed by him for purposes of this subpart.

"(2) Standards for approval.—The Secretary of Labor, after consultation with the Secretary of Health, Education, and Welfare, shall prescribe the standards, requirements, and conditions for approval of an employee training program for purposes of this subpart. Such standards, requirements, and conditions shall include—

"(A) the minimum and maximum periods for which training may be provided to individuals receiving training in the various trade, business, and industrial skills; and

"(B) the conditions under which an employer may be excused from offering employment to a prospective employee for whom he has provided training.

"(3) Programs designed to reduce unemployment, etc.—In approving employee training programs for purposes of this subpart, the Secretary of Labor—

"(A) shall give priority in consideration to those employee training programs in which the prospective trainees (or a majority of the prospective trainees) are individuals—

"(i) who are unemployed, or whose compensation from employment is insufficient to provide a decent standard of living, and

"(ii) who reside in areas where a proportionately large number of individuals either are unemployed or are individuals whose compensation from employment is insufficient to provide a decent standard of living; and

"(B) may provide exceptions to the standards, requirements, and conditions prescribed by him for purposes of this subpart for employee training programs described in subparagraph (A), or may prescribe different standards, requirements, and conditions for such employee training programs.

"(4) Withdrawal of approval.—The Secretary of Labor shall withdraw his approval of any employee training previously approved by him if he determines that such program—

"(A) no longer fulfills the standards, requirements, and conditions prescribed by him for purposes of this subpart, or

"(B) is not being conducted in compliance with such standards, requirements, and conditions.

"(c) Limitations.—

"(1) Trade or business expenses.—No item shall be taken into account under subsection (a) unless such item is allowable as a deduction under section 162 (relating to trade or business expenses). For purposes of applying the preceding sentence, expenses which are paid or incurred by the taxpayer with respect to an individual who is not his employee shall be treated as paid or incurred with respect to an individual who is his employee.

"(2) Certain kinds of training excluded.—

"(A) No item shall be taken into account under subsection (a) with respect to any expense paid or incurred in providing training for any individual in—

"(i) management, supervisory, professional, or human relation skills; or

"(ii) subjects not contributing specifically and directly to such individual's employment or prospective employment.

"(3) Reimbursed expenses.—No item shall be taken into account under subsection (a) to the extent that the taxpayer is reimbursed for such item by any person (including reimbursement under any Federal, State, or local government program, grant, contract, or agreement).

"(4) Geographical limitation.—No item shall be taken into account under subsection (a) with respect to any expense paid or incurred by the taxpayer for training conducted on the territory of any foreign country.

"(d) Subchapter S Corporations.—In case of an electing small business corporation (as defined in section 1371)—

"(1) the employee training expenses for each taxable year shall be apportioned pro rata among the persons who are shareholders of such corporation on the last day of such taxable year, and

"(2) any person to whom any employee training expense has been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expense.

"(e) Estates and Trusts.—In the case of an estate or trust—

"(1) the employee training expenses for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each.

"(2) any beneficiary to whom any employee training expense has been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expense, and

"(3) the $25,000 amount specified under subparagraphs (A) and (B) of section 51 (a)(2) applicable to such estate or trust shall be reduced to an amount which bears the same ratio to $25,000 as the amount of the employee training expenses allocated to the estate or trust under paragraph (1) bears to the entire amount of the employee training expenses.

"(f) Limitations With Respect to Certain Persons.—In the case of—

"(1) an organization to which section 593 applies,

"(2) a regulated investment company or a real estate investment trust subject to taxation under subchapter M (section 851 and following), and

"(3) a cooperative organization described in section 1381(a),

rules similar to the rules provided in section 46(d) shall apply under regulations prescribed by the Secretary or his delegate.

"(g) Cross Reference.—

"For application of this subpart to certain acquiring corporations, see section 381(c) (24)."

Sec. 5. (a) The table of subparts for part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"SUBPART C. RULES FOR COMPUTING CREDIT FOR EXPENSES OF EMPLOYEE TRAINING PROGRAMS."

(b) The table of sections of subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 40. Expenses of employee training programs.

"Sec. 41. Overpayments of tax."

(c) Section 381(c) of such Code (relating to items taken into account in certain corporate acquisitions) is amended by adding at the end thereof the following new paragraph:

"(24) Credit under section 40 for employee training expenses.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect of the distributor or transferor corporation."

Sec. 6. The amendments made by this Act shall apply to taxable years beginning after the date of the enactment of this Act.

OPPOSITION TO VESTING TITLE TO THE OCEAN FLOOR IN THE UNITED NATIONS AT THIS TIME

Mr. COTTON. Mr. President, I introduce, for appropriate reference, a Senate joint resolution expressing the opposition of the Congress to vesting title to the ocean floor in the United Nations at this time.

There is a move afoot in the United Nations to seek title to the ocean floor. Ultimately this may be the proper solution to many of the legal problems which will inevitably arise as we and other nations explore the "inner space" of the sea. But it seems to me that it would be both premature and ill advised for the United States to back such a move at this time when we are just in the process of evolving a national policy on oceangraphy.

It is encouraging to learn that spokesmen for the administration have indicated that such action is not presently approved, but I believe a resolution by the Congress would be a very desirable additional safeguard.

I ask unanimous consent that a recent statement on this subject which was issued by the National Oceanography Association be printed in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the statement will be printed in the Record.

The joint resolution (S.J. Res. 111) expressing opposition to vesting title to the ocean floor in the United Nations at this time, introduced by Mr. Cotton, was received, read twice by its title, and referred to the Committee on Foreign Relations.

The statement presented by Mr. COTTON is as follows:

> A move by an international organization of lawyers to have the United Nations take control of all deep sea mineral resources beyond the continental shelf drew vigorous opposition from the National Oceanography Association today.
>
> The action, which was called "shocking to most Americans" by NOA, was taken by the World Peace Through Law Center. At a conference in Geneva, it passed a resolution calling upon the U.N. to take over the ocean resources by proclamation. Chairman of the World Peace Through Law Center is Charles S. Rhyne of Washington, D.C., a former President of the American Bar Association. It numbers among its members such prominent people as Chief Justice Earl Warren of the U.S. Supreme Court.
>
> "This is a serious threat," said NOA President John H. Clotworthy. "Mr. Rhyne has told us that the international law organization is doing everything it can to bring the deep ocean mineral resources under control of the U.N. Furthermore, we have been reliably informed that the move has behind the scenes support within our own State Department."
>
> Mr. Clotworthy, who is Chairman of the Division of Ocean Engineering of the University of Miami, said that NOA, a broad-based organization representing industry, the scientific and academic communities, and the general public, is working vigorously to head off the move to give the ocean resources to the U.N. He made specific reference to a resolution opposing the U.N. take-over at this time which is being introduced in Congress by U.S. Rep. Richard T. Hanna of California. It is expected that a number of other members of Congress will join in sponsoring this resolution.
>
> The National Oceanography Association head said that "conferring title to mineral resources on the deep ocean floor on the United Nations or any other group at this time would be premature and ill-advised."
>
> He pointed out that the action advocated by the international organization of lawyers is directly at odds with a resolution of the American Bar Association last year, urging the U.S. Government to thoroughly review the issues at stake "prior to framing any policy vis-a-vis other nations with respect to sea resources not covered by existing law."
>
> "There are some competent authorities who believe that in the long run a general agreement on the allocation of these mineral resources may be necessary," the NOA statement said. "However, at present our knowledge is limited about the extent of the resources, the means of gaining access to them, the conditions for processing and marketing them, and how activities connected with their extraction will affect other uses of the sea."
>
> Mr. Clotworthy pointed out that oil companies in the United States already have the technology to recover oil from the sea bed at a depth of 200 meters. The action urged by the World Peace Through Law Conference would not let them drill beyond this depth without going to the United Nations for permission.
>
> "Placing industry in a position where it would be uncertain as to ownership and licensing arrangements for mineral rights beyond the continental shelf would most certainly stifle the technological development which is permitting us to go deeper and deeper into the ocean in search of its resources," the NOA statement said. "This would work to the detriment of all peoples everywhere."
>
> Public attention was focused on the question of vesting title to deep ocean resources in the U.N. when it was suggested earlier this year by Senator Frank Church, a U.S. Representative to the U.N.

INDEPENDENCE DAY—JULY 4TH—AMENDMENTS

AMENDMENT NO. 322

Mr. HARTKE. Mr. President, I submit an amendment which would exempt Independence Day from the provisions of the Uniform Monday Holidays Act, S. 1217.

July Fourth is central to our political heritage, and holds a special meaning for most of our citizens. I believe it would be cavalier for us now, after so many years of adherence to this date, to manipulate its time of celebration. Surely this is one tradition we do not have to concede to convenience or economy.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 322) was referred to the Committee on the Judiciary.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL, 1968—AMENDMENTS

AMENDMENT NO. 323

Mr. TOWER submitted amendments, intended to be proposed by him, to the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes, which were ordered to lie on the table and to be printed.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1967—AMENDMENT

AMENDMENT NO. 324

Mr. JACKSON. Mr. President, on behalf of myself, and Senators MORSE, BURDICK, NELSON, and PROXMIRE, I submit an amendment to S. 2388 and request that it be printed. My amendment is as follows:

> Amend section 106 by the addition of a new subsection to read as follows:
>
> "(e) Assignments of male enrollees shall be made so that, at any one time, at least 40 per centum of those enrollees are assigned to conservation centers, as described in section 107, or to other centers or projects where their work activity is primarily directed to the conservation, development, or management of public natural resources or recreational areas and is performed under the direction of personnel of agencies regularly responsible for those functions."

The purpose of this amendment is to continue the present policy in the administration of the Job Corps program under the Office of Economic Opportunity of insuring that at least 40 percent of male enrollees are assigned to conservation centers. The Committee on Labor and Public Welfare when reporting the Economic Opportunity Amendments of 1967 deleted this mandatory percentage ratio. This is regrettable to me and to all those who are interested in enhancing our Nation's conservation efforts. The success of the conservation centers has been amply demonstrated. They have provided many training and other benefits for our youth assigned to these centers as well as assisted the Federal agencies responsible for resource management in accomplishing much needed work on our public lands.

There are three types of Job Corps centers: conservation centers, urban centers for men and women, and demonstration centers. Actually, a conservation center or an urban center may also be a demonstration center. Currently, two conservation centers are also serving as demonstration centers; one demonstrating training in heavy equipment operation, and one demonstrating training in general educational development.

Eighty-three conservation centers are currently being operated by the Department of Agriculture and the Department of the Interior, six by various States and one by the Commonwealth of Puerto Rico. On June 30, 1967, there were 16,046 enrollees in conservation centers, 16,177 in men's urban centers, and 275 in men's demonstration centers. About 50 percent of the male enrollees were in the conservation centers.

The Economic Opportunity Act of 1964 required that any any one time no less than 40 per centum of the enrollees within Job Corps be assigned in conservation centers. This was later amended to 40 percent of the male enrollees. The administration's proposal, introduced as S. 1545, would have continued the requirement of not less than 40 percent of the male enrollees in conservation centers. The committee's report on S. 2388 states:

> The requirement that at least 40 percent of all male enrollees be assigned to Conservation Centers is dropped in order to permit more flexibility in establishing demonstration centers.

An analysis of the situation shows the reasoning behind this statement is without merit. The bill would limit total enrollment to 45,000 during fiscal year 1968. Of this, at least 25 percent must be women. This leaves 33,750 spaces available for the men. Forty percent of 33,750 would be 13,500 spaces. Based on the June 30 enrollment of more than 16,000 in conservation centers, a 13,500 minimum requirement would leave 2,500 spaces at conservation centers which could be converted to demonstration centers. An equal number from men's urban centers would generate 5,000 spaces for demonstration centers. It is inconceivable that this number would be allocated to the men's demonstration center program.

I am concerned that dropping this requirement could permit a reduction in the conservation center portion of the Job Corps program and in the closing of some conservation centers. It is the opinion of many and in which I concur that conservation centers have been the most successful part of the Job Corps program. As the Senate is aware, Job Corps is a total youth development and rehabilitation program. It involves social adjustment, motivation, remedial education, vocational training, and the teaching of good work habits. Conservation centers have been taking the most deprived youths entering the Job Corps program, providing a comprehensive program and operating it for 20 percent less cost per corpsman man-year than urban centers. As pointed out in the report of the committee, direct operating cost for men's urban centers averaged just under $7,500 as compared with $6,100 for conservation centers.

Conservation centers are particularly good in bringing about social adjustment and motivation. They are small in size, ranging from 112 to 256 corpsmen per center. This allows for close enrollee staff contacts, for more individualized training and counseling. It provides a stronger socializing influence. The less complex setting of a conservation center provides fewer stresses, thereby enabling corpsmen to devote their energies to learning. It removes disadvantaged youth from undesirable urban neighborhood environments and influences.

Firm discipline has been maintained in conservation centers since the start of the program. This discipline and the small size are reflected in the substantially fewer adverse incidents which have happened in conservation centers than urban centers.

Relationships with nearby communities have been excellent in almost all cases. Local communities have been involved in center activities through community relations councils, and have repeatedly assisted in overcoming any community difficulties which have arisen. In many cases, corpsmen have assisted local communities in times of disasters, such as tornados, fire, and flood.

Conservation centers have been taking the least educated youths entering Job Corps. Almost all enrollees who cannot read at the seventh-grade level have been assigned to conservation centers. About 35 percent of the corpsmen entering conservation centers cannot read or write. An additional 40 percent read and write below the fourth-grade level. The rate of mathematics gains in conservation centers has been 1.5 times better than the public school norm, and the rate of reading gain is 1.25 times better. These gains are a 250-percent improvement over the average rate these corpsmen experienced in public schools. The average stay per corpsman at the conservation centers has been 5.7 months as compared to an overall Job Corps tenure average of only 4.3 months. Approximately 10 percent of the corpsmen initially assigned to conservation centers go on to enroll in an urban center; this step generally being taken when the corpsman's reading level has improved to the point he can read the various technical training manuals. These educational gains are slightly less than at men's urban centers, but when you consider the selective assignment practice which has given conservation centers the lowest achievers, these education gains are remarkable. The educational gains at conservation centers are much greater than at women's centers.

Vocational training in conservation centers takes place primarily in an on-the-job situation. The result is that conservation center graduates are receiving practical training and are learning how to work. They have been taught good work habits. In many vocations such as carpentry, welding, masonry, cooking, truck driving, heavy equipment operation and other outdoor activities, the centers are giving in-depth vocational training. The on-the-job training these young men are receiving cannot be duplicated in the large urban centers. Through construction of roads, trails, campground facilities, buildings, landscaping, and wildlife projects, Job Corpsmen have contributed $32,000,000 in conservation work benefits through July this year. The several hundred conservation center corpsmen assigned to fighting forest fires in the recent fire disasters of the Northwest turned in topnotch performances.

As evidence of the success in vocational training in conservation centers, all 50 corpsmen recently completing training in heavy equipment operation at one center have been placed with an average wage of $3.25 per hour. These are graduates from the heavy equipment operator training program at the Jacobs Creek Job Corps Conservation Center located on the Cherokee National Forest in eastern Tennessee. Here the International Union of Operating Engineers assisted the U.S. Forest Service and the Office of Economic Opportunity in conducting the training program. Training consisted of operation and maintenance of dozers, compressors, road graders, scrapers, and high lifts. Corpsmen carried out the field portion of their training by constructing roads on the Cherokee National Forest. This is the most outstanding placement success story of the entire Job Corps program to date.

In summary, the conservation center program is highly successful. We should be assured it will continue to represent a major part of the male Job Corps program. The amendment I propose will assure this and will not curtail the successful creation and operation of new demonstration centers. I urge the adoption of my amendment when the Senate considers this important legislation.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

SOCIAL SECURITY AMENDMENT: $100 MINIMUM, 20-PERCENT INCREASE—AMENDMENT

AMENDMENT NO. 325

Mr. HARTKE. Mr. President, the basic purpose of benefits provided under social security is to give a modest minimum of income to recipients so that they will be able to maintain some semblance of life and dignity in their declining years. It is for this purpose that millions of people make their contributions to the system through tax withholding.

Today, as people have come to the end of their working life and become retired, there are millions receiving benefits toward which they have contributed. The first payments made under the law in 1937 came to only about a million dollars. By 1947, 10 years later, they stood at $463 million, and by 1965 the total of payments was more than $18 billion.

That is a lot of money. But it has all come from the contributions poured in as we have expanded the system to cover more and more people. The really significant thing is the per capita figure. Are people today receiving an adequate sum as compared with current wages and cost of living? Has the system provided benefits keeping up with the advance in the economy, in which gross national product has grown from $90 billion in 1937 to $740 billion in 1967?

The obvious answer is that on a comparative basis, as a proportion of lost income, or as a suitable share of the vastly increased affluence of America, the elderly beneficiaries are suffering wherever it is necessary to depend on their social security benefits as their source of income.

The facts are familiar. It is not necessary to labor the point that the largest single group of those in the "poverty" category, as a percentage of the total, are the elderly. According to a Census Bureau release of August 14, those in "poverty" comprise 15 percent of the population. But that figure is far below the percentage of elderly within the category. Of "unrelated individuals," the largest group of whom are the elderly living alone as widows or widowers, 37.4 percent are poverty stricken, as compared with 10.1 percent of those in families—white individuals and white families, that is. The comparable figures for nonwhites are 49.9 percent of those who are not in families and 40.8 percent of those who are. Although this is not my present point, it deserves note that these latest figures show poverty four times as prevalent in nonwhite as in white families.

But the point I make is that nearly four times as many among "unrelated" persons—and more than that among the elderly—are in a poverty-stricken situation. The increase in benefits recommended by the President, to a minimum of $70 per month and a general 15-percent increase, was not enough. Now we have a House-passed bill which gives a minimum of only $50 a month and a 12½-percent increase.

These sums are pitifully small to meet the need. Therefore, I am today submitting an amendment which would provide minimum payments of $100 per month to the individual—$150 per couple—and an across-the-board benefit increase of 20 percent.

I think no one can quarrel with the need and the desirability of such a provision. The question which will be raised is that of cost. I have dealt with that in a previous amendment, No. 313, presented on September 13 and discussed on page 25387 of the RECORD. There I called for holding the contribution schedule at present levels, with the Federal Treasury contributing as necessary to the trust funds, with the goal of eventual three-way financing between employee, employer, and the general fund.

But there are, in this proposal, some offsetting gains not only socially—they are more obvious—but economically. Title XIX of the social security law provides for matching payments devoted to old-age assistance as well as other categories of welfare. There are hundreds of thousands, if not millions, of social security beneficiaries who are unable to make the grade economically on that low income—an income which the present bill would do so little to cure. They must, in order to maintain their existence, apply for additional old-age assistance payments and are thereby subject to all the indignities which our welfare investigation system involves.

My proposal for a 20-percent increase with $100 minimum—and I have been furnished these figures by the Social Security Administration—would completely remove a half million elderly beneficiaries from the old-age assistance rolls. It would reduce payments, and, therefore, partially remove from the OAA rolls another 350,000 elderly for a total of 850,000 persons. Both of these results, of course, are predicated on the assumption that the added social security benefits will be passed along to the beneficiaries, not absorbed by the States as offsets to their own OAA payments. This I am attempting to deal with in a separate amendment.

The direct offset in OAA payments would amount to $504,000,000, of which $325 million would be the Federal share and $179 million the State and local share. In addition there is the indirect offset of reduction in the numbers of persons in the program, hence of the numbers of caseworkers needed in the structure. This in itself would be a very sizable amount.

But above and beyond the financial question there stands the human question. Today we have millions of persons living in poverty in their old age, at the end of a long and useful life in which they have served society and paid their dues to it, so to speak. Now society lets them live not only in poverty but in the spiritual degradation which poverty enforces. $100 a month for an individual is still only $1,200 per year, and the Bureau of the Census sets the poverty level for a single individual over 65 at $1,500 per year. For an elderly couple, the sum of $1,800 per year is likewise below the very small minimum fixed as the poverty line for a couple over 65, which stands at $1,900. They are still, when this is their sole income, below the poverty level.

Mr. President, we need this increased benefit. The House bill is not enough. The President's proposal is not enough. The Hartke amendment is not enough, but it comes closer to meeting the need. At least, we can and we should come closer to eliminating the poverty of old age with the means we have at hand in the existing social security system.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 325) was referred to the Committee on Finance.

SOCIAL SECURITY AMENDMENT: HEALTH INSURANCE BENEFITS FOR THE DISABLED—AMENDMENT

AMENDMENT NO. 326

Mr. HARTKE. Mr. President, the social security law has long contained special benefits for those who, having become qualified for benefits, become disabled and thereby unable to continue their worklife. The long official name is now Old-Age Security, Disability, and Health Insurance—OASDHI. The "H" was added when we provided the additional benefits of health insurance—medicare and medicaid.

Predictably, the disabled are apt to require more medical attention than the ordinary person. The same, of course, is true of the elderly, and that, coupled with the low income of the retired, was a principal compelling reason for the passage of the health insurance provisions.

The disabled, even though they may before disablement have acquired full social security coverage of 40 quarters in covered employment, are handicapped as a rule both by the physical disability and by the economic disability which has relegated them to being recipients of disability benefits. True, many disabled are in excellent health except for their impairment, and they require no greater medical service than the rest of us. But for those whose disability involves a chronic condition occasioning hospitalization from time to time, perhaps successive operations, or frequent X-ray, laboratory, or other attention, the cost can mount to sizable sums. These sums, given the income of a person who is subsisting on disability payments under OASDHI, can be a deplorable added handicap to that his physical condition imposes.

Therefore I am submitting today an amendment to H.R. 12080 which would provide health insurance for those who receive disability benefits, just as it is provided for those who receive old-age benefits. Their need is comparable, their income from the social security system is comparable, and the cost is minimal. Yet for those who need this additional aid the assistance it will provide can make a vast deal of difference.

Mr. President, we need this expansion of the law as a humane addition to the lives of some very unfortunate people in order to meet needs they are often hard pressed now to provide for.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 326) was referred to the Committee on Finance.

AMENDMENT FOR STUDY OF DRUGS IN MEDICARE

AMENDMENT NO. 327

Mr. HARTKE. Mr. President, I submit an amendment today that would authorize and direct the Secretary of Health, Education, and Welfare to conduct a study of the medical, social, and economic effects of S. 17 and S. 2299 of the 90th Congress.

The need for this study has been made clear by testimony before the Senate Finance Committee. Both Secretary Gardner of HEW, and Dr. Goddard of the Food and Drug Administration have made clear the need for taking a close look at the effects of these two bills.

The bill I introduce today is not aimed at preventing passage of these bills. It may well be that I will support them after completion of a full study of their effects. However, as of now, I prefer to withhold judgment of these bills until after the completion of a study that both Administration and industry experts believe necessary.

Mr. President, I ask unanimous consent that the text of this amendment may be printed in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 327) was referred to the Committee on Finance, as follows:

On page 106, after line 23, insert the following new section:

"STUDY OF PROPOSED LEGISLATION

"SEC. 169. (a) The Secretary of Health, Education, and Welfare is authorized and directed to conduct a study and investigation to determine the effects which would result from the enactment of the bill entitled 'A bill to amend title XVIII of the Social Security Act to provide coverage, under the program of supplementary medical insurance benefits established by part B thereof, of certain expenses incurred by an insured individual in obtaining certain drugs' (S. 17, 90th Cong., first sess.), and the effects which would result from the enactment of the bill entitled 'A bill to assure the orderly, efficient, proper, and economical provision of drugs to individuals entitled thereto under certain programs established by or pursuant to the Social Security Act' (S. 2299, 90th Cong., first sess.). In such study and investigation, the Secretary shall give consideration to (1) price savings which might accrue to the United States Government from the enactment of such legislation, (2) effects of the enactment thereof upon all segments of the health professions, (3) effects of the enactment thereof upon all elements of the pharmaceutical industry, including large and small manufacturers of drugs and retailers of drugs, and (4) such other economic and social factors as the Secretary shall determine to be material.

"(b) On or before July 1, 1968, the Secretary shall transmit to the Committee on Finance of the Senate a report which shall contain a full and complete statement of the findings of fact and conclusions made by the Secretary upon the basis of such study and investigation."

On page 3, in part 4 of title I of the table of contents, immediately after the item relating to section 168 of the bill, insert the following new item:

"Sec. 169. Study of proposed legislation."

ADDITIONAL COSPONSORS OF BILLS

Mr. HOLLINGS. Mr. President, I ask unanimous consent that at the next printing of S. 1796, to impose quotas on the importation of certain textile articles, the names of the distinguished Senator from Indiana [Mr. BAYH], and the distinguished Senator from Iowa [Mr. MILLER] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, I thank my colleague.

I appreciate the addition of my name as a cosponsor of S. 1796.

This bill is designed to prevent foreign countries from taking over an unfair share of our increased domestic consumption, which has been the case in other areas, such as meat and dairy products. It represents the position of the United States with respect to our exports to the Common Market countries—namely, limiting us to a base period percentage of their domestic consumption and being content with such percentage of any of their increased domestic consumption. We believe that foreign exporters should take a similar approach to our market on meat, dairy products, and textile articles covered by this bill.

There is need for this legislation. In 1961, the ratio of wool textile imports to our domestic consumption was 13.3 percent. Last year it was up to 21.6 percent, and the trend is definitely up.

Mr. McGOVERN. Mr. President, I ask unanimous consent that at its next printing the names of the Senator from Pennsylvania [Mr. CLARK], the Senator from Hawaii [Mr. INOUYE], and the Senator from Indiana [Mr. BAYH], be added as cosponsors to the bill, S. 2273, to promote interest and training in international agricultural assistance.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, I ask unanimous consent that at its next printing the name of the Senator from North Dakota [Mr. BURDICK] be added as a cosponsor to my bill, S. 2348, to provide for a Great Prairie Lakes Parkway in the States of South Dakota and North Dakota.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON TAX COURT BILL (S. 2041)

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce a set of hearings for the consideration of S. 2041. This bill would remove the Tax Court from the executive branch and make it an article III court.

The hearings will be held at 10 a.m. on Tuesday, October 10 and Wednesday, October 11, 1967, in the District of Columbia hearing room, 6226 New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

POLLUTION OF THE GREAT LAKES

Mr. DIRKSEN. Mr. President, the Chicago Tribune, in a series of articles based upon the investigative work of a team of reporters, has pointed up the peril to health and public safety involved in pollution of the Great Lakes. They found that one of them, Lake Erie, has already been sickened to the point of death by a massive invasion of polluted wastes and that the same conditions now menace Lake Michigan, a priceless asset to the future well-being of not only the Middle West but of the entire Nation, as well.

I invite the attention of Congress to a problem which faces us all and on which herculean efforts must be made if we are to prevent the demise of a great water artery and a vehicle for the expansion of industry which has played a historic part in national development.

The threatened loss of our beaches and playgrounds is no less harmful. Senators will find these articles well documented, staggering in their revelations, and sickening in their detail of the lengths to which pollution has already reduced the lakes to a contaminated mass of bacteria-laden waters which foul once beautiful shores and threaten the water supply of great cities.

I ask unanimous consent that these articles, in gross, be made a part of my remarks and printed in the body of the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, Aug. 6, 1967]

CRISIS LOOMS AS NATION FINDS THAT WATER IS NOT EVERYWHERE

(NOTE.—There is a water crisis in America today. Voters in Illinois will soon come face-to-face with the problem. This first article of a series tells what is at stake.)

(By Casey Bukro)

If you drink water, bathe, sprinkle your lawn, wash dishes, water ski, own a boat, own a garden or a farm, hunt ducks, fish, or swim—the water crisis affects you.

Experts say Americans today are doing to their water supplies what they did several decades ago to grass lands, oil fields, and forests that eventually became wastelands through indiscriminate use.

Pollution is spoiling water so fast that there is some alarm now over whether future Americans will have water pure enough to be of any use.

CREATE GRAVE DANGER

Scientists and other experts for years have been warning Americans that they are polluting and wasting the same resource that gives them life and wealth. Some say that water use will be the most critical problem the next generation of Americans will face.

Because pollution and waste have been gradual, it has been only recently that Americans have begun to understand the seriousness of the scientists' warnings.

MANDATE FOR ACTION

Public officials now consider the public outcry against water pollution as a mandate to do something about it.

As a result, the Illinois General Assembly on July 1 authorized a referendum to be held in November next year on a 1-billion-dollar bond issue to finance a program to combat air and water pollution. Of that amount 840 million dollars will be devoted to fighting water pollution.

The proposal to hold the referendum was presented in March to the legislature by Democratic Gov. Otto Kerner and Republican legislative leaders, who apparently had heard the mandate quite clearly.

The bill authorizing the referendum is awaiting Gov. Kerner's signature.

Thus, the complex issue of water pollution may soon fall squarely into the lap of the voting public. The issue is complex because it involves areas of geology, geography, chemistry, politics, law, economics, government, sociology, and health and welfare.

COVERS 52 YEARS

The bond issue would finance a program to manage and develop Illinois water resources for the years 1968 to 2020. Gov. Kerner has said that a bond issue is the only way to create a capital fund large enough to finance a comprehensive action program.

Water pollution and waste have become real to Americans who find dead fish floating in their favorite fishing streams, who can't draw water from taps on sweltering summer days, who smell the stench from bodies of water used for dumping industrial and city wastes, and who find "no swimming" signs at polluted beaches.

ENCOURAGED BY OUTRAGE

Growing public outrage at finding water fouled or exhausted is considered by some experts an encouraging sign. Ironically, earlier pubic apathy is partly to blame for the problem.

"People just can't understand why someone hasn't done something about this before," said H. W. Poston, Chicago director of the Federal Water Pollution Control administration.

"You see this over and over in talking to people; they really can't believe that some of the situations exist, are permitted, and developed.

"The answer is that there's been more pressure to obscure the information than pressure to inform the public. There haven't been any funds to look into these problems and inform the public. As the public becomes informed, they become adamant. They want changes."

PROPOSED SPENDING PLAN

The 1 billion dollars from the bond issue would form the Illinois Resource Development fund. The money would be spent to curb water problems in this way:

For water-related recreation—200 million dollars.

For pollution control [to match federal grants for sewage treatment projects]—300 million dollars.

For water management [land acquisition and development of multi-purpose reservoirs and a fund to finance local water supply works and sewer extensions]—300 million dollars.

A state water resources board would be created under the program. It would have powers to guide and coordinate all water resources programs of the state and administer the Illinois Resource Development fund.

Clarence W. Klassen, chief state sanitary engineer, one of the drafters of the bond issue proposal and of a report on state water supplies, said of the proposed bond issue:

"It is a program of financing, or financial incentives. It's not a give-away program. It is going to be particularly beneficial to cities because there is money for cities to borrow to build water mains and sewers.

WOULD AID TOWNS

"There is money to build sewage treatment plants, for municipalities to solve air pollution, for problems with dumps and incinerators, and to expand present water facilities."

Authorities say the program will concentrate on northeastern Illinois and the Chicago metropolitan area. The need for answers to water problems in the greater Chicago area is more urgent than in any other part of the state.

The goals of the water resources management program are to:

1. Insure adequate water supplies for all cities, industries, and rural areas of the state.
2. Control pollution to make the streams safe, useful, and attractive.
3. Meet the needs for water-related recreation.

END FLOOD DANGER

4. Alleviate the dangers and economic hardships of floods.
5. Complete the task of managing soil and water resources according to sound conservation practices.
6. Improve the water ways system for commercial and recreation navigation.

These goals, outlined in a report on state water resources, make a very important distinction: that water resources should be developed for human use, not just for private interests.

Experts believe that Illinois water programs of the future will demand new practices in use and conservation of waters. This will mean reusing water many times for various purposes, greatly improved treatment of sewage, transporting water from water-rich to water-poor areas, storing flood waters and using them for beneficial purposes, and finding and using new sources of water.

BARS LAKE USE

Further, Albert B. Maris, a special master of the United States Supreme court, has recommended that additional water for sanitary purposes should not be diverted to Chicago from Lake Michigan until the metropolitan area has shown "that it has employed all feasible and appropriate measures to manage and conserve its existing water resources."

Maris told the state to employ "the best modern scientific knowledge and engineering practice" to arrive at a water management program.

It is a time for reappraisal of water use policies and practices. The phrase, "spends it like it was water," reflects the public attitude toward this resource. Water is used and abused as though the supply is endless. It has become obvious our supply of water is not endless.

[From the Chicago Tribune, Aug. 7, 1967]

USE, ABUSE PERIL OUR WATERS

(NOTE.—The Chicago area's two sources of water, where they are, and how much water comes from them are discussed in this, the second article of a series on the water crisis.)

(By Casey Bukro)

In the Chicago metropolitan area, it is estimated that water is used at the rate of 250 gallons per person a day—and there are 6 million persons in the area.

Here are just a few reasons for this phenomenal use of water:

A shower takes 25 gallons of water, a tub bath 35, 3 to flush a toilet. Washing a car requires 10 gallons, and 1,000 are used to water an average lawn.

INDUSTRY USE UP

The greatest increase in water use in our era has been for industry. Modern industrial processes use tremendous quantities of water.

On the average, it takes more than 30,000 gallons to produce a ton of steel, 200 gallons to make a pound of synthetic rubber, 30 to manufacture a pound of paper, and 1 gallon to brew a pint of beer.

Where does all the water come from?

OUR "FRESHWATER SEA"

In the Chicago area, as elsewhere, it comes from one of two sources: Surface waters—such as lakes and streams—or from the ground.

Lake Michigan is the dominant body of surface water in northeastern Illinois. It has been called the "freshwater sea," having 22,400 square miles of surface area and depths ranging to 923 feet. The total volume of Lake Michigan is 1,116 cubic miles.

Ninety per cent of the population of Cook county and 76 per cent of the total population of northeastern Illinois gets its domestic water supply from Lake Michigan. Presently, only Cook and Lake county communities draw water from the lake.

Water for public municipal supplies is drawn from the lake by the city of Chicago and 14 other systems in this area. They are Evanston, Wilmette, Kenilworth, Winnetka, Northbrook, Glencoe, Highland Park, Fort Sheridan, Highwood, Lake Forest, Great Lakes Naval Training center, North Chicago, Waukegan, and the Lake county water district.

Chicago not only takes lake water for its own use but also provides all or part of the water supply of 66 surrounding suburbs.

The amount of lake water withdrawn from the lake for public water supplies, or domestic uses, is not limited by law.

NEED COURT OK

However, proposals to divert lake water for other reasons must be approved by courts or legislatures. Such diverted water sometimes is used for sewage disposal or raising waterway levels for navigation.

A 45-year-old legal battle over Illinois' right to divert water from Lake Michigan was ended June 12 with all parties to the dispute adopting the recommendations of Albert B. Maris, a special master of the United States Supreme court.

Maris recommended that the Metropolitan Sanitary District of Greater Chicago and other public agencies be enjoined from taking more than 3,200 cubic feet of water a second [about 2 billion gallons a day] from the lake by withdrawal and diversion.

Of the 3,200 cubic feet limit, 1,700 cubic feet a second [a little more than 1 billion gallons a day] was agreed upon as adequate for domestic uses in the six-county metropolitan Chicago area. The actual withdrawal of lake water for domestic purposes range from 900 million to more than 1 billion gallons a day, depending on seasonal needs.

The remainder, 1,500 cubic feet a second [969 million gallons a day], is used to dilute and carry away treated sewage in the Chicago sanitary and ship canal, which also is used for navigation.

WELLS SERVE MANY

The second source of water is the ground.

Wells provide water supply for about 1,600,000 persons and many industries in the metropolitan area.

Water is held in the ground in pores, joints, cracks, fractures, and crevices in water-bearing rock or earth formations known as aquifers [literally, water-bringers].

There are three types of aquifers.

Two of them are common thruout the Chicago area, ranging in depths from a few inches to 400 feet below the surface. The two are glacial drift aquifers, consisting of sand and gravel deposits left by the receding glaciers, and shallow dolomite aquifers, composed of fractured crystalline rock lying just below sand and gravel deposits.

These two shallow aquifers account for about 15 per cent of the well water used in this region.

THIRD IS BEDROCK

The third, known as the bedrock aquifers, consists of layers of fractured sandstone 175 to 2,000 feet thick. They are found 700 feet below the surface and reach downward as much as 4,000 feet.

Bedrock sandstone aquifers yield the greatest amounts of water—amounts great enough to supply entire metropolitan areas. It has been estimated that deep sandstone wells account for 85 per cent of the ground water used in the Chicago area.

The three types of aquifers yield a total of 240 million gallons a day in the Chicago metropolitan area. All three aquifers are replenished by rain and melted snow. The moisture moves slowly from the surface, dropping as little as a foot a year.

A barrier of impervious shale, one to 250 feet thick, separates the shallow aquifers from the deep aquifers, so that water from shallow aquifers cannot seep downward into deep aquifers.

There are enormous amounts of water in the aquifers, but more than half of it is locked in place and will not flow. The estimated total volume of "free" water which will flow from the area's shallow aquifers is 4.72 billion gallons and 209.4 billion gallons from the deep aquifers.

Not all of this "free" water in storage is potable. Most of the water in the deep aquifers below 2,000 feet is too salty or brackish. The water in the shallow aquifers is irregularly distributed, difficult to pump, and reliant on rain and snowfall for replenishment.

There is a lot of water under the ground but it will not be enough to meet future needs if water consumption continues at the present rate.

Illinois population is expected to grow from 1965's 10,650,000 to 13 million in 1980. Between 1980 and 2020, another increase of 5 million to 18 million is projected.

By 2000, the daily water requirement for the projected 10,961,000 residents of the Chicago metropolitan area will be about 2 billion gallons a day.

Of the 16 billion gallons of water withdrawn each day from all Illinois water sources, industry uses 14 billion gallons.

Present daily consumption of water in Illinois by major user categories is: 13 billion gallons for thermal power stations, 1.4 billion gallons for other industrial uses, 1.8 billion gallons a day for municipal uses, and smaller amounts for agriculture.

Competition for water soon will be fierce. Who will win?

[From the Chicago Tribune, Aug. 8, 1967]

REGION'S WATERWAYS ARE FLOODED WITH POLLUTION

(NOTE.—Water pollution in the Chicago metropolitan area is a fact of life which poses a permanent threat to our water supply. It is discussed in this, the third article of a series.)

(By Casey Bukro)

Debris, including rubbish and garbage, is floating on the surface of the Illinois river.

Huge oil slicks float on the murky, industrial waste-laden waters of southern Lake Michigan.

Water pollution in the Chicago metropolitan area is so severe and widespread that it is impossible to trace the history of the causes and to determine its final effect.

MOVES 200 MILES

A report released early this year by Illinois water experts said:

"Altho they are treated to a high degree by conventional methods, the massive waste loads discharged by the Chicago metropolitan area create both a primary degrading effect in local waters and secondary effects as far as 200 miles downstream.

"Altho highest concentrations [of pollution] are found near the cities, concentrations thruout most of the Illinois river system are so high that they are a danger to the health of people who use the streams for body contact sports such as swimming and water skiing."

A 1965 study of Lake Michigan water quality by the United States public health service concluded that, because of the heavy municipal and industrial waste discharge, water in the southern end of Lake Michigan and the Calumet river system is thoroughly polluted.

STOPPING IS NOT ENOUGH

Stopping the wastes now being dumped into these waters will not necessarily improve the quality of the water. The pollution is so serious, said the report, that it is practically irreversible.

Engineers have estimated that four feet of sewage solids have settled on the bottom of parts of the north branch of the Chicago river. The water bubbles and seems to be boiling because of the gases formed by decaying sewage.

For the second time in this century, the Chicago lake front has been spared from becoming a sea of sewage. The first time was in 1900, when engineers reversed the flow of the sewage-laden Chicago river away from the lake.

The second time was when recommendations, resulting from a 45-year Supreme court battle, were adopted June 12 by six Great Lakes states that were suing to force Illinois and the metropolitan sanitary district to return water diverted for sanitary purposes back into the lake, as well as treated sewage. The six states argued that diversion had lowered the level of the Great Lakes.

Albert B. Maris, a Philadelphia federal District court judge acting as a special master of the United States Supreme court, said the lake diversion should continue.

Maris opposed the return of the waste-laden waters of Chicago to the lake, scientific plannings, he said, showed that there is little or no current in the southern tip of Lake Michigan.

Without current, sewage returned to the lake would not be diluted by the water. Instead, it would form a mass of sewage that eventually would float to the city's shores and contaminate the city's water system and public beaches, said Maris.

SET LATE 1968 DEADLINE

A second development in the fight against lake pollution came in 1965 when a federal conference ordered all Illinois-Indiana border area industries to stop polluting the lake by December, 1968.

In addition, the toughest water quality standards anywhere were established.

The standards' 200 points limit the amount of bacteria, viruses, chemicals, solids, and other materials dumped in the water. The timetable for meeting the standards is the tightest ever given to industries polluting bodies of water. It also is the first time a large number of industries have accepted water quality standards and moved aggressively to implement them.

JOB PARTIALLY DONE

Now, midway between adoption of the anti-pollution plan and the deadline, H. W. Poston, regional director of the federal Water Pollution Control administration in Chicago said:

"Municipalities have accomplished, for the most part, the job they have to do." He referred to cities that had been dumping untreated sewage into the lake, mainly in the industrial district bordering the Indiana lakeshore.

"The big industries are just in the process of eliminating pollution from the wastes now flowing into the lake," said Poston.

Each day, he said, industries in the Calumet area of Lake Michigan are dumping 100,000 pounds of oil, 300,000 pounds of cyanide, 37,000 pounds of ammonia, plus acid wastes into the lake. These and other industrial wastes are equivalent to the daily raw wastes of 600,000 persons.

The lake shore industries, many of them steel mills and petroleum refineries, have adopted schedules for ridding pollutants from their wastes thru a control program that could cost as much as 100 million dollars. Companies failing to comply with the federal program's requirements face legal action.

The most recent development in efforts to save our waterways was the adoption July 27 by the sanitary district of a billion-dollar program aimed at removing all pollution from Chicago waterways and tributaries by 1975. Vinton Bacon, general superintendent of the district, said the program will make the city's 71 miles of waterways usable for swimming, boating, and fishing.

WHAT PROGRAM INCLUDES

These developments are almost the total extent of progress made against pollution in the Chicago area.

More than 2 billion gallons of water carrying treated sewage is discharged each day from Chicago into a system of canals and branches of the Chicago river, which then flow into the Illinois river.

The suburban areas also use this canal system, or have a system of their own. Some withdraw water haphazardly from wells and discharge the used water into the Illinois river via a network of small streams.

One of the users of that sewage disposal system is the sanitary district, which treats the sewage of 3.5 million city dwellers and 2 million suburbanites within an 858 square mile area. The district also treats industrial wastes equivalent to that created by another 3 million people.

Chicago has a very efficient sewage treatment system, which removes 90 percent of the impurities in sewage. But the remaining 10 percent discharged into the Illinois waterway is equal to the raw sewage of more than 1.5 million people.

Solid wastes sent down the Illinois river from Chicago to the Mississippi river each day amounts to 3,400 tons.

Industries with separate sewer systems discharge an additional load equivalent to 946,000 persons into the Illinois river system each day. Industrial wastes equal to the untreated wastes of 147,000 persons goes into the Illinois river each day from within the sanitary district.

DUMP UNTREATED SEWAGE

Some industries are known to be dumping untreated sewage directly into the Illinois river system.

What is the condition of ground water?

Indiscriminate use of more than 162,000 septic tanks and cesspools in the metropolitan area has caused widespread pollution of both surface and ground water.

The extent and nature of ground water pollution is not known. However, ground water is easily polluted by waste, and it requires long periods of time to purify itself.

It would be unrealistic and shortsighted to consider water sources only in terms of domestic and industrial supplies.

For fish and other wildlife, pollution has turned many of our streams into rivers of death.

The public health service reported that polluted waters killed 18 million fish in 1964 and 11 million in 1965.

"For years, most of Chicago's streams and lower Lake Michigan have been too polluted to support adequate fish life," an Illinois report said.

To understand pollution, it is helpful to think of water as a living thing. It needs oxygen in dissolved form to be pure and fresh.

Overloads of organic wastes dumped into water uses up the oxygen and "suffocates" the water, destroying the natural capacity of a river to purify itself.

[From the Chicago Tribune, Aug. 9, 1967]

WASTING WATER: A GAME THAT EVERYBODY PLAYS

(NOTE.—Chicagoans waste almost as much water as they use. How it happens is told in this, the fourth in a series on the water crisis.)

(By Casey Bukro)

Wasting water has become a major national pastime.

Anyone can play. All you need is a leaky faucet, a broken water main, an overwatered lawn, or old-fashioned plumbing.

Those are just a few of the ways that more than 350 million gallons of water a day are wasted in Chicago.

WATER MAINS LEAK

Chicago is not alone. A 1961 survey of 36 public water distribution systems, including Chicago and 35 suburbs, showed that 20 per cent of the water was lost thru leaks in the water mains.

That amounted to 40 gallons a person per day for all the systems, and 44 gallons per person a day in Cook county, where leakage is worse. The report said that 44 gallons a day was more than the normal use of water per person in two neighboring counties.

The national average of water use per person is 50 gallons.

This waste of water, taken nonchalantly by generations of Chicagoans, becomes important in light of the recommendations that settled a 45-year-old legal battle over diversion of Lake Michigan waters by the sanitary district.

LIMITS LAKE USE

Albert B. Maris, acting as a special master to the United States Supreme court, prescribed the amount of water he thought the Chicago area should be allowed to withdraw.

Then he warned that if Illinois expects to get more water from the lake, it must earn it.

Maris' recommendations state that Illinois may ask for more water diversion only after it has shown that it has used "all feasible means" to conserve and manage the water resources of the region and that it uses the water "in accordance with the best modern knowledge and engineering practice."

In short, he told Illinois to use its waters wisely, or it won't get any more from the lake.

WARNING FOR CHICAGO

Maris told Chicago to conserve and manage its water supply by eliminating leakage from its water mains and customer service pipes and fixtures.

Maris estimated that 192 million gallons a day are lost thru breaks in the 4,140 miles of water mains of the Chicago water distribution system. The rate of leakage now is estimated to be 45,000 gallons per mile of main a day.

That was "much higher than in any comparable city system," Maris asserted.

Maris said the city's program for locating and repairing leaks in water mains has not been effective. Until recently, he said, the city's leak detection and repair crews inspected the entire system on an average of once every 15 years.

Maris said the loss of water thru main leaks could be cut in half by inspecting the entire water main system each year.

James Jardine, Chicago commissioner of water and sewers, said that his department now has an aggressive water-leak detection program covering the entire distribution system in a span of two years.

"Universal metering would greatly reduce leakage and waste from consumer service pipes and fixtures," said Maris. "There is a relationship between the amount of leakage and waste in a water system and the degree to which the system's customer use is metered."

In 1964, 55.3 per cent of Chicago's total water production for city and suburbs [578 million gallons a day] was metered. Chicago meters all three-flat and larger buildings.

Maris said consumer waste and fixture leakage in 1960 amounted to 81 million gallons a day in Chicago.

URGE INSPECTION, REPAIR

A strict program of fixture inspection and repair would save half that amount, he said. A program of universal metering, including Chicago's 332,689 single-family and two-flat dwellings now exempt from water metering, coupled with a strict program of fixture inspection and repair could save all 81 million gallons a day, Maris said.

Jardine told THE TRIBUNE that Chicago sells more metered water by volume than any city in the world. He said that Chicago now meters about 59 per cent of its water pumpage, but added that he questions whether it would be economically sound to meter water used in single-family homes and two-flats.

TWO HUNDRED AND FIFTY GALLONS A PERSON

Jardine also noted that Chicagoans use about 250 gallons a day per person, compared with 288 gallons per person in 1930 when the population was 25 per cent less than now. Metering and elimination of slums housing are among the reasons given for the decline in water use per person.

Maris said it would cost Chicago $15,030,900 over a 30-year period for a universal metering program, or 1.65 million dollars a year for additional metering. He said this cost could be offset in part by savings in water treatment costs.

The Northeastern Illinois Metropolitan Area Planning commission also has called for an effective program of underground leakage control.

Toilets, however, figured in one of its more unusual proposals for water conservation.

"On the average, household toilets installed prior to 1929 require 7.5 gallons per flush, whereas newer installations use 3 gallons per flush," said the commission.

HUGE SAVINGS POSSIBLE

Considering that 61 per cent of the housing units in northeastern Illinois were built before 1929, water use in this area could be reduced by as much as 50 million gallons a day by replacing older toilets.

Another planning commission proposal is to reduce the amount of water used in watering lawns.

It is estimated that home owners use 3 inches a year to water their lawns, altho irrigation engineers recommend using ½-inch of water four times a year for a total of 2 inches.

Using less water on lawns could save 12 million gallons of drinking quality water a day. The savings is modest, but it would come during the summer when the demand for water is at peak.

COULD SAVE MUCH

Another 30 million gallons of water a day could be conserved if all industry reduced withdrawal of ground water by 82 per cent thru water conservation programs—programs now practiced by industries using public water supplies. Presently, industry in Illinois withdraws 88 per cent of its water from nondrinking sources.

The planning commission estimated that a practical four-part water conservation program—to stop underground leakage, to improve efficiency in industrial use of ground water, to install new plumbing fixtures, and to reduce the amount of water used on lawns—would result in a savings of 207 million gallons a day.

Both Maris and the commission emphasized that any savings on the amount of water normally wasted each day results in a corresponding savings in water needed to treat sewage and transport it from Chicago.

RESULT: DOUBLE SAVINGS

Presently, a gallon of fresh water is needed to dilute and carry away each gallon of treated sewage. Saving the wasted 207 million gallons of drinking water a day that is sent to sewage treatment plants saves the additional 207 million gallons a day that would have been used for sewage disposal.

The 414-million-gallon savings would reduce the demands for water now made upon Lake Michigan.

Illinois has no regulatory statutes protecting our ground water sources. There are no restrictions on locating or spacing of wells, on pumping from wells, and no law requiring the return of clean water to the ground.

Possibly this explains why deep aquifers in the Chicago area are being pumped at a rate that exceeds the natural rate of replenishment by 40 million gallons a day.

There are six major pumping centers, using deep sandstone wells, in the metropolitan area. They are in Chicago [near Summit], Joliet, Elmhurst, Des Plaines, Aurora, and Elgin. Together, they yielded 109 million gallons a day in 1964.

DROP 670 FEET

Over the last 100 years, declines in water levels have been 670 feet in the Chicago pumping center and 650 feet in the Joliet pumping center. The decline averaged 11 feet during 1961 and 13 feet in 1960.

The fall in ground water tables has resulted in many wells thruout the Chicago area going dry. This means people must drill deeper into the ground to reach water.

[From the Chicago Tribune, Aug. 10, 1967]

BLUEPRINT FOR USES OF WATER IS SOLUTION TO WASTE, POLLUTION

(NOTE.—Water management is considered the answer to water problems. Here's how it works in the fifth article of a series.)

(By Casey Bukro)

Ever hear of a blueprint for using water?

That's just another way to describe a "water management" program.

"Water management" is heard repeatedly as a solution to the problems of water pollution, waste, and greater future demands for water. Experts agree that it is the only effective way to deal with water problems.

PLAN FOR FUTURE

Water management means planning today on how water can be used for many purposes in many places in the future.

Chicago now has a water resource management program (if it can be called that) consisting of withdrawing water from Lake Michigan, using it once and dumping the treated sewage into the Illinois river by way of local canals and rivers. Chicago is a primary example of the "once thru" principle.

More than 2 billion gallons of water a day are used that way in Chicago. The suburbs also use a "once thru" strategy.

Experts say that thought should be given to the best ways to use the water and the land around it in the most efficient way thru cooperation by various users. That is water management.

Instead, we continue to build new homes, using 10,000 acres of farmland a year. Many of these homes are being built on flood plains, which still become flooded and cause millions of dollars in damage each year.

WATER LEVELS FALL

The spread of urban development outward from Chicago and away from Lake Michigan has created heavy local demands on ground water resources, resulting in falling water levels and reduced well yields.

Construction of thousands of sewage treatment plants and septic tanks has resulted in sewage being discharged at so many points that even small streams are polluted.

Recent developments have shown that public participation in major outdoor recreation has increased 51 per cent since 1961. A four-fold increase in outdoor recreation is expected between 1960 and the year 2000.

There also will be a need, and perhaps a greater one, for using our waterways for transporting waste, navigation, and irrigation.

WILL WATER BE FIT

These trends point to some urgent questions: Will Illinois waterways be fit and adequate to handle the load in the future? And how can we reconcile the different demands made upon the same waterways?

The answer is a water management program, taking into consideration that legitimate uses of streams change as the economy and affluence of the state change.

A beginning toward a water management program was made June 30, when all 50 states were required under the water quality act of 1965 to submit standards to the department of the interior for controlling pollution in inland and coastal waters.

UNITED STATES CAN ACT

If the states don't enforce their own standards, the federal government is empowered to force a state thru court action to comply with the standards. This plan insures that a river flowing thru several states will be kept uniformly clean by all the states.

Under plans submitted to the department of the interior, the 71 miles of inland water in Cook county are classified in two main pollution categories.

Waterways classified for recreational uses would be cleaned within 10 years to permit maximum high standards for swimming, boating, and fishing.

WATERWAYS ARE "ZONED"

Industrial waterways would be used for barge shipping and industrial waste disposal.

In effect, this means that waterways are being "zoned" for various uses. It sounds simple, but in practice it takes much soul-searching and far-sighted thinking to determine how much pollution should be permitted in our waterways.

This was explained by Clarence W. Klassen, chief sanitary engineer for the United States department of public health in Chicago.

"In Illinois, our rivers have to serve multipurpose uses. We must keep those uses in balance, including fishing, recreation, public and industrial water supply, irrigation, transportation, and a means of conveying waste for cities and industry.

"It is up to us to keep them in balance so they are not overused or underused for any single purpose.

"There are two sides of the coin. Should the Illinois river be put in condition so people can swim in it, or would it be more economical to build swimming pools. The United States public health service has estimated that it would cost 700 million dollars to make the Illinois river suitable for swimming."

COULD HURT INDUSTRY

Furthermore, if one section or area of the country imposes unrealistically high water standards, industry in that area will be at a competitive disadvantage. The cost of cleaning industrial wastes from their sewage discharge would be prohibitively high.

Klassen pointed out that the mechanical and technological methods for cleaning even the most polluted waters to drinking quality exist right now, if we want to pay the high cost of doing it.

"Economic feasibility is the only thing standing in the way," said Klassen. "That is the point that industry raises."

Gov. Kerner also has said that new water standards should be tailored to each individual waterway, considering both present use and future needs.

But that is just one facet of a water management program.

RESOURCES ARE INTERRELATED

Experts say that in nature, the resources of soil, water, forests, wildlife, and minerals are a closely interrelated whole. Harmonious use of all of these has been compared with a concert.

For that reason, a useful water management program must be thoughtfully planned.

The Senate select committee on national water resources has divided water management into six principal categories.

1. Regulating streamflows, which includes protecting the soil of our watersheds and constructing surface reservoirs. Water from surface reservoirs could be used to augment streams in times of drought or heavy pollution.

2. Improving water quality, which means purifying sewage and keeping all damaging wastes out of rivers and lakes.

WATER EFFICIENCY PLAN

3. Increasing water use efficiency, which means using water more than once and reducing wasteful practices.

4. Expanding the use of underground water. In the Chicago metropolitan area, about 424 million gallons a day or 84 per cent of the potential yield of the shallow aquifers are not used.

5. Expanding natural water yield which includes desalting, weather modification, and reduction of evaporation losses.

6. Redistribution—transporting water from river basins that have a surplus to areas of shortage.

QUALITY MANAGEMENT NEEDED

On a local level, both Albert B. Maris, special master to the United States Supreme court, and the Northeastern Illinois Metropolitan Area Planning commission have said that the most urgent need of the Chicago area is an effective program of water quality management.

Maris made his own proposals for an "enlighted management and use of water resources" in Chicago by suggesting:

A strict leak detection and repair program; universal water metering; greater use of ground water supplies; elimination of untreated industrial wastes from the canals; complete discontinuance of construction of combined storm and sewer systems; artificial aeration of the canals.

Any consideration of a water management program must take into account that the obstacles to such a plan now are innumerable. One problem is that a water management program must be based on total cooperation.

BUREAUCRACY BID OBSTACLE

Sen. Frank E. Moss [D., Utah], an outspoken advocate of water management, said that bureaucracy is one of the big obstacles in the way of effective water management in this country.

"A question vital [to water management] is whether the programs necessary to restoration of America's waters can be carried out within the framework of existing governmental structures," the senator wrote in his book, "The Water Crisis," published recently.

"Are the federal, state, and local agencies of the 1960s capable of effective water management? Experience indicates that they are not, and that significant changes are essential."

Sen. Moss proposed the creation of a federal department of natural resources, with overriding authority to administer and enforce water projects and standards thruout the United States. He also proposed the creation of river-basin authorities with power to fix and enforce water quality standards regardless of state lines.

URGE BASIN METHOD

This river-basin method of operation is urgently proposed by many experts, who say it would be pointless to plan uses for a river which passes thru several states, with each state using widely different standards on the amount of pollution that may be dumped into the river.

Another problem is the number of individual state agencies involved in water problems. Illinois has 6,500 local governmental units [more than any other state] involved in water resource questions. Of that number, 1,200 of them are northeastern Illinois.

Presently, each state is responsible for its own waterways.

Sen. Moss has said:

"The states must replace the present anarchy in water use with river-basin authorities.

"Industry must recognize the maintenance of clean water as a cost of doing business.

"MUST RESTORE PRINCIPAL"

"The taxpayers must realize that we have been living off the capital of our water and this principal must now be restored."

Sen. Moss concluded:

"The future of every American depends on water regardless of his income, profession, or station in life. No society can build material prosperity or spiritual health on the ruin of its physical environment."

[From the Chicago Tribune, Aug. 11, 1967]

A Pattern for the Future: Using Water Over and Over Again

(Note.—Future demands for water mean we will need to learn to use it many times. Ways to do that are explained in the sixth article of a series.)

(By Casey Bukro)

Second hand water.

That is the next most important development in water conservation, and the experts say it will be part of our lives soon.

Call it water reclamation, recycling, or reusing water. It all means using water repeatedly in many ways. Experts say that water can be used again and again until it is tired.

"We've got to get away from the concept that we can use water once and throw it away," said Clarence W. Klassen, chief sanitary engineer for the United States department of public health.

DEPENDS ON REUSE

"This is the source of water [reused water] that we're going to depend on if we are to meet future demands," Klassen asserted.

Authorities say that the use of water in the United States has grown from 40 billion gallons a day in 1900 to 350 billion gallons a day today. By 1980, the interior department says, the need will be for 600 billion gallons a day, 85 billion more than is currently available.

Because of these immense demands, several areas of the nation are faced with the choice of finding new supplies or restricting population growth and economic development.

The alternative is an entirely new philosophy in the use of public water supplies. That philosophy was spelled out in 1964 by James M. Quigley, assistant secretary of health, education, and welfare in an address before a conference on industrial wastes. He said:

"We have got to take the water we have and use it, clean it up, use it again, clean it up, use it again.

"WON'T BE A CHEAP WAY

"This is not going to be inexpensive, but in many sections of the country, it is going to be inevitable. And it may become inevitable a lot sooner than you think.

"And when it does become inevitable, it will be the clear-cut duty of all water users, be they sportsmen, housewives, or industrialists, to use the water that they must, but then to clean it up and return it to the stream in as good condition as they possibly can.

"When that time comes, if you don't do that, your neighbor down the stream is going to have to do it for you. The neighborly thing, the fair thing is going to be to require everybody to do his fair share of cleaning up the water he dirties or contaminates or pollutes."

BACON IS OPTIMISTIC

Vinton Bacon, general superintendent of the Chicago sanitary district, described water as a "renewable resource"—one that can be cleaned thru natural river purification or thru sewage treatment plants.

"We can today take effluent [discharge] from sewage treatment plants, technically and economically, and convert it to completely pure and reusable water much cheaper than developing new supplies," Bacon explained.

Water treated for reuse could be sold for 5 to 10 cents per 1,000 gallons, Bacon said. Chicago now sells tap water for 22 cents per 1,000 gallons.

More than 2 billion gallons of water a day are drawn from Lake Michigan and discharged from Chicago without any attempt to reuse the water.

OTHER SUPPLIES AVAILABLE

"We don't reuse water because we have had other supplies so available. Aesthetically, we don't like the idea of using water directly from a sewage treatment plant.

"But there's no difference in the world in taking water from a treatment plant and piping it to a municipal water purification plant, or dumping treated sewage water into a river and letting it flow downstream to a municipal water purification plant."

People are comforted by the thought that their water comes from a natural stream, Bacon said.

Bacon emphasized, however, that there are no proposals to use water from sewage plants for drinking purposes. Instead, it is being proposed to reuse water to raise the level of rivers and streams, to replenish ground water supplies, for industrial processes and cooling, to form recreational lakes, to aid navigation, fresh water for fish and wildlife, washing, cleaning, irrigation, and waste disposal.

CITES CALIFORNIA CITY

Presently, fresh water is used for most of those purposes. Second hand water could be used without drawing on fresh water supplies.

One of the foremost examples in the country in reusing water is Santee, Cal., an unincorporated suburb outside of San Diego. It began reclaiming its used water in 1960.

By 1965, Santee had a recreation area complete with five small lakes. Water for the lakes had been distilled from sewage. Residents swim, boat, and fish in the formerly arid community and there is absolutely no health hazard, altho every drop of water in those lakes came from the local sewage treatment plant.

"It is only a matter of time before we have to reclaim water in the Chicago area," said Bacon.

"WE DON'T OWN THE LAKE"

"Altho Lake Michigan is at our doorstep, the Supreme court has said we don't own it and can't use it as we want to," Bacon asserted. He also described Chicago as the second greater water shortage area in the United States based on water supply available per person in the area.

Thus, water reclamation in the Chicago area is getting some very serious thought. Industry can take some credit for being in the forefront of water reclamation. It has been estimated that water used for industrial purposes is used on an average of four times before being discharged in the Chicago area.

The Northeastern Illinois Metropolitan Area Planning commission has gone a step further in suggesting some ways to reuse water.

REFUSE AS SECONDARY SUPPLY

The commission has said there could be a savings of 31.3 million gallons a day of fresh water if treated sewage water was used for watering golf courses in the Chicago area; for industrial purposes; for air pollution abatement programs in which large quantities of water are used for washing; and in aeration tanks.

Another proposal by the commission is to collect all treated sewage water and use it as an auxiliary water supply for industry.

Another kind of water reclamation which few people know about has been proposed.

Klassen told The Tribune that deep underground water supplies in Illinois are being protected until a way is found to desalt and demineralize water cheaply.

Geologists report that there are millions of gallons of water in the deep aquifers, but that most of it is too mineralized or salty for use at levels below 2,000 feet.

KEY WEST DESALTS SEA

However, some desalting programs have been highly successful. Key West, Fla., for example, opened the nation's largest desalination plant July 20, becoming the first American city to get its fresh water from the sea. The plant is designed to produce 2.62 million gallons of fresh water daily from ocean water.

Klassen explained that there has been a trend toward disposal of industrial wastes by drilling wells a mile deep and putting wastes into what is now unusable waters below the ground.

"In view of the possibility of using water that is now unpotable, we've got to start protecting it," said Klassen.

Proposals for reusing water will depend on a high degree of sewage treatment. Presently, most sewage treatment plants clean a maximum of 90 per cent of the impurities from the sewage in two stages of treatment.

CAN BE 90 PERCENT PURE

A third stage of treatment, called tertiary treatment, can clean 99 per cent of the impurities. These third phase sewage treatment plants will play a vital part in future water reclamation and water management.

Bacon said Chicago is building a tertiary treatment plant in Hanover Park. It is scheduled to be completed in November or December at a cost of 1.1 million dollars.

"This will be the showpiece of the nation," said Bacon.

But Bacon said Chicago needs two more projects for total water quality, along with tertiary water treatment. One is a strict program against water pollution. The other is finding ways to separate sewage from flood waters.

ADOPTS 1-BILLION PROGRAM

"We are just kidding ourselves if we have one without the other," said Bacon.

The Chicago sanitary district guaranteed an effective fight against water pollution and floods July 27 by adopting a one billion dollar program to last 10 years.

One part of the program is aimed at eliminating pollution from the 71 miles of Chicago waterways by 1975 and making them all fit for swimming, boating, and fishing. This will be done by building more sewer lines, chlorination plants, and tertiary treatment plants.

A second part calls for building what is known as the deep tunnel plan for flood and pollution control, scheduled to begin by 1972 in the area near Lake Calumet.

"It is the most imaginative idea in years," said Bacon.

BYPASS SANITARY PLANTS

Most municipal sewer systems were built years ago and combine storm and sanitary drains. When large volumes of rain water rush into the drains during a storm, the volume of water is too great for sanitary plants to handle.

The flow is then sent thru bypass valves, which empty the mixture of storm water and raw sewage directly into lakes and streams.

The ideal solution to this problem is two systems—a sewer system to channel storm waters directly into streams, and a sanitary system that delivers sewage to treatment plants. It is estimated that it would cost 30 to 40 billion dollars to separate all combined sewer systems in the United States.

DISCUSSES TUNNEL PLAN

The deep tunnel plan proposes to excavate water storage tunnels in rock 700 to 800 feet below the ground. Vertical shafts would channel flood waters from the surface to the chambers below. The flood waters could be stored, then pumped to the surface after the storm and released slowly.

An additional advantage to the plan is that water, once pumped to surface reservoirs, could be drawn back into the ground again to activate turbine generators to produce electric power.

[From the Chicago Tribune, Aug. 11, 1967]

WATER POLLUTION LAB DEDICATED IN DULUTH

(By William Jones)

DULUTH, MINN., August 11.—Ceremonies were held here today dedicating the first federal facility built to study exclusively the problems of pollution in fresh bodies of water in the United States.

Construction work was completed last month on the National Water Quality laboratory, built at a cost of 2.2 million dollars on a 13.2-acre site overlooking Lake Superior. The laboratory eventually will employ 125 marine biologists who hope to find an answer to the growing problem of water pollution in the nation's lakes and streams.

WARNING FROM UDALL

The main speaker at the ceremonies was Stewart L. Udall, secretary of the interior, who said the time has come for definite action to be taken against water—and air—pollution.

"The time is coming—in many areas it is already here—when the dirty river and the belching smokestack are no longer the hallmarks of prosperity, but the hallmarks of a declining society," Udall said. "The time for hand wringing is over; the time for action has come."

Udall warned that the nation's lakes are "in clear and present danger" of being killed off altogether, of being prematurely turned into bogs and marshes.

FOUR FIELDS OF STUDY

Officials said the staff of the new laboratory will deal with four aspects of water pollution.

The staff will isolate and study a variety of marine organisms; it will conduct research to determine whether pollutants trigger rampant growth of algae; it will make a study to see which pollutants kill aquatic insects and worms which make up food for fish; and it will conduct research into toxic substances capable of killing entire fish populations.

The laboratory is the first to be built for the exclusive study of pollutants in fresh water. Laboratories already exist which conduct research into pollutants in salt water, the officials said.

The laboratory will be operated under the Federal Water Pollution Control administration, a part of the department of the interior.

BIOLOGIST NAMED DIRECTOR

Named as director of the new facility was Dr. Donald Mount, 36, an aquatic biologist specializing in the effects of water pollution on fish. He formerly was head of the federal fish toxicology laboratory in Newtown, O.

Chicagoans attending the ceremonies were Vinton Bacon, general superintendent of the metropolitan sanitary district; John Egan, president of the sanitary district board; and Jerome Stein, director of research and control for the district.

[From the Chicago Tribune, Aug. 12, 1967]

HOW YOU CAN HELP SAVE WATER SUPPLY

(NOTE.—Water conservation, even in the home, has far-reaching effects. Ways to save water in the home are told in the last article of a series.)

(By Casey Bukro)

A drip here, a splash there add up to a lot of wasted water. Water conservation at home could become the answer to demands for quality water.

Hints on how to reduce water use in individual households come from Gerald S. Bataille, president of Bataille, Kane & McKie, Inc., of Barrington, a consulting engineers firm. The firm specializes in industrial water conservation and pollution control.

STOP WATER WASTE

"We must think in terms of stopping waste, more than in trying to reuse water in the home," said Bataille. "It's not just a matter of turning the faucets off tight. It means finding ways to conserve water."

Needless flow is the most frequent method of wasting water in a home, said Bataille.

Most men using safety razors will run hot tap water constantly, rather than filling the wash basin.

Housewives frequently wash vegetables in the kitchen sink under a constant flow of water, instead of filling the sink.

WAYS TO REUSE WATER

There are a few ways to reuse water in the home, altho this has been an industrial specialty until now.

Water used for water-cooled airconditioning units should be collected and reused for sprinkling the lawn, or washing the car.

Unless water in the outdoor swimming pool has some ingredients added that are harmful to grass, it also can be used for sprinkling and washing.

PLUG UP TUB

Leaky faucets should always be repaired. What seems like a small drip adds up to quite a volume of water over a 24-hour period, said Bataille.

In filling the tub for a bath, don't let the initial cold flow of water drain away. Plug the tub immediately. Even tho the water is cold at first, let it flow into the tub until the water becomes hot enough.

While taking a shower, notice if the nozzle is sending a spray so wide that little of it hits the body. It is better to buy a nozzle that can be adjusted to control the span of the spray, so that less water is used in taking the shower.

"Some people will tell you that they pay a fixed sum for their water, so no matter how much they use, it doesn't cost them anything extra," said Bataille.

Don't believe it, he asserted. Water consumption affects the entire community.

Bataille cited a specific example in Lincolnwood where an industrial firm was prevented from expanding its operations because it could not get permission to increase the amount of water it gets daily from the city.

NEED TO CONSERVE

Bataille pointed out that if every household in Lincolnwood conserved its water supply, that company and many more would receive additional water to expand and contribute to the economic welfare of the entire community.

"There are industrial firms in the Chicago area that are faced with the problem of expanding their production only thru water conservation. If we can reduce their water flow sufficiently, we can use that water for expansion. Otherwise, expansion is absolutely limited," said Bataille.

For that reason, industry has long been aware of the need to find ways to get more work out of water. With generally rising costs, water is one channel of possibly reducing expenses. The water treatment industries and its technology now are considered on the threshold of tremendous developments.

"Water conservation equipment in industry reduces original water consumption 75 to 80 per cent," said Bataille. "We've got some very big accounts to back that up."

ANSWER TO QUESTION

So, to those who say, "Why bother to save water?" Bataille answers:

"One home practicing water conservation doesn't make much difference. But millions of homes, all practicing water conservation, can save enough water to make a great deal of difference.

"Together with all other means of water conservation in industry and thru water pollution control, America will have the answer to its water shortage problems for a long period of years," said Bataille.

[From the Chicago Tribune, Aug. 13, 1967]

Water Purity Talks Called Here September 11

Federal officials will meet here Sept. 11 to determine whether the Chicago area is moving fast enough to reduce pollution of Lake Michigan and the inland waterways.

"There has been a lot of talk, now we'd like to see some action," H. W. Poston, Chicago regional director of the federal water pollution control division, United States public health service, said yesterday.

Poston called the meeting "crucial," noting that the meetings have been at the conference stage since March of 1965.

"The next step is the hearing stage, at which we will require sworn testimony," he said. "After that, we go to court for action against those who refuse to comply."

TARGET DATE IS 1969

Poston noted that under the federal water pollution control act, treatment facilities are to be completed by 1969.

"We've been asked for time extensions twice already," he said, "and I think we'll be asked for more time at the next meeting."

Vinton W. Bacon, general superintendent of the metropolitan sanitary district, agreed that major industrial water polluters "may ask for a little more time."

He called "unrealistic" the federal requirement that treatment facilities be completed by Dec. 31, 1968, noting the district's one-billion-dollar cleanup plan will require 10 years to finish.

PROGRESS IS REPORTED

Bacon said most of the Chicago area's major industries are making progress toward controlling pollutants in the 3 billion gallons of wastes they discharge each day into Lake Michigan and the sanitary canal system.

United States Steel corporation officials are about to go to their board for approval of an extensive anti-pollution program, he said. The corporation's South works, 3226 E. 89th st., is listed as the area's largest industrial water polluter. It discharges 440 million gallons of wastes each day into Lake Michigan, and 17.8 million gallons a day into the Calumet river.

[From the Chicago Tribune, Aug. 14, 1967]

Virus Seen as Peril to Water—More Research Vital, Asserts U.S. Judge

(By Casey Bukro)

Science needs new ways to control and detect viruses if it expects to make progress against water pollution.

"Laboratory methods for isolation and identification of viruses are not practical for routine use in the testing of water," said Albert B. Maris, a Philadelphia federal District court judge. His recommendations to the United States Supreme court settled a 45-year-old legal battle over diversion of water from Lake Michigan last June.

LACK ADEQUATE TOOLS

"There is not known at this time any technique adaptable to field operating conditions which can insure the consistent removal of all viruses from a raw water supply subject to sewage pollution," said Maris in his report.

"Present chemical techniques do not provide adequate tools . . . for the inactivation of viruses in sewage."

Maris singled out the science of virology as one of the emerging weapons against water pollution, altho he described virology as "virtually in its infancy."

Virology is the branch of science that deals with viruses, submicroscopic infective agents that cause various diseases in man, plants, and animals.

MAY CAUSE OTHER ILLS

Infectious hepatitis is the only viral disease positively known to be transmitted by drinking water. But Maris added:

"The failure to identify other viral diseases as water-borne may be due to the general lack of information on the clinical illnesses that many of the viruses produce. . . . Public health statistics are commonly limited to a few diseases which are serious and epidemic, and will not indicate significant differences in the incidence of viral diseases as between communities which use polluted sources of water and those which do not."

ONE OF EIGHT CONTAMINANTS

Altho infectious agents are only one of eight classes of water pollution, they are becoming increasingly important.

"Sanitary engineering and public health authorities are expressing increased concern over the potential toxic effects of newly developed organic chemical contaminants present in public water supplies," said Maris.

Bacterial pollution up to 2½ miles offshore from Chicago often is dangerously high, said Maris. Chicago gets its water supply from the lake.

"Chicago's water treatment plants were not designed and cannot undertake to remove from the raw water all chemical contaminants which might be injurious to public health," Maris said.

NO METHOD OF TREATMENT

"There are no adequate procedures for identification of such substances under conditions of routine water production, there is no known treatment for removal of such substances if their presence were established, and there is not adequate information as to which chemicals are dangerous to human health, or in what quantities."

Maris said that until there is more scientific knowledge about viruses, it would be best for public health agencies to keep all pollution containing viruses out of Lake Michigan.

[From the Chicago Tribune, Aug. 15, 1967]

Toxic Algae Blamed for Big Alewife Kill

(By William Jones)

A leading marine biologist said yesterday that Chicago's dead alewife problem was caused by an overproduction of toxic algae which thrive in polluted water.

Dr. Louis Williams, a research acquatic biologist who specializes in the study of algae at the national water control laboratory in Duluth, Minn., was called in by the federal Water Pollution Control administration [WPCA] in Chicago to study the city's alewife problem. He made his report to the administration on July 6, but its contents were not disclosed.

REPORT IS DISPUTED

Williams' report was disputed by Dr. Donald I. Mount, director of the water quality laboratory, who said there is no evidence as yet to conclude what is killing alewives. Mount, whose specialty is fish toxicology, said the algae were present in the water before the alewives started dying off. He called the Williams report "no more than a theory."

According to Williams, the alewives are killed by the toxic blue-green algae, which reproduce and thrive in warm, polluted water such as that found in the waters of southern Lake Michigan in May and June. He said the pollutants were probably from industrial waste.

The blue-green algae are so toxic, said Dr. Williams, that four dogs died of convulsions in Minnesota two weeks ago after drinking from a lake swarming with the tiny plant particles. In concentrated quantities, he added, the algae are capable of killing human beings. The algae have been blamed for a large number of deaths of fish and ducks in the Ohio river industrial regions.

BASIS OF CONCLUSIONS

Dr. Williams based his conclusions on water samples and a study of the stomach contents of dead alewives.

"All of the alewives I studied had consumed large amounts of the toxic algae," Williams said.

H. W. Poston, director of the Chicago office of the WPCA, said he had asked Dr. Williams to study the problem. Poston said he had not released Dr. Williams' report because a number of other reports have been submitted to his office by experts.

GROUP STUDYING PROBLEM

Poston said all reports have been turned over to a joint task force that is studying the problem in Washington. The group is headed by Stanley Cain, assistant secretary of the department of interior.

Poston termed the Williams report "a cursory review of data and not the result of research."

The report is the latest in a number of reasons given as the cause for the dead alewives. Other causes are listed as a thyroid condition in the fish, the after effects of spawning, simple old age, and the inability to adjust to the Great Lakes. The alewife, originally a salt water fish, migrated in huge numbers into the Great Lakes after the St. Lawrence seaway was opened.

[From the Chicago Tribune, Aug. 15, 1967]

Industries Cooperate on Pollution: Bacon

Vinton W. Bacon, superintendent of the sanitary district, said yesterday that nearly all industries in Cook county "are cooperating to the fullest extent possible" with state and federal guidelines for installation of industrial anti-pollution equipment along Chicago area waterways.

He denied a report that the district has singled out certain industries for failure to correct pollution problems, adding: "We don't make lists. We take court action against violators. Even in extreme cases cooperation by industry has been excellent."

Bacon labeled as "inaccurate, misleading, and distorted" a list published Saturday by a Chicago newspaper which described 15 major industries as major water polluters. The list, he said, was taken from a June 21 inventory of industries which discharge wastes, not necessarily pollutants, into Chicago area waterways.

He said only four of 95 industries listed in the inventory have failed to comply with guidelines and timetables for installation of new waste treatment facilities.

The industries are Trumball Asphalt company, 95th street and Archer avenue, Summit; Electro Coating company, 9530 Ainslie st., Schiller Park; U. B. S. company, Lemont; and Hendrickson Manufacturing company, 8001 W. 47th st., Lyons.

In hearings set for 10 a.m. Aug. 26 the companies will be asked to explain reasons for the pollution and outline plans for corrective action. Failure to comply could result in action to shut down the plants or fines of up to $100 a day for each day the violations continue.

[From the Chicago Tribune, Aug. 19, 1967]

Lakes Wastes May Force Sewer Plan—Interstate System Is Outlined

(By William Jones)

Milwaukee, August 18.—Pollution in Lake Michigan has reached such critical levels that an interstate sewage system may be necessary to prevent deterioration such as occurred in Lake Erie, a water expert warned today.

Dr. Alfred M. Beeton, a biology consultant and assistant director of the center for Great Lakes study, said marine biologists and other water experts believe Lake Michigan has reached the same stage as when rapid deterioration began in Lake Erie.

Erie, considered the most polluted of the five Great Lakes, "aged" 1,000 years in the past half century from industrial and municipal wastes, Beeton said.

LINK INDUSTRY, CITIES

Beeton, who also is a consultant to the army corps of engineers, said the concept of the massive tri-state sewer system would link industry and municipalities from Milwaukee to Michigan City, Ind. Waste would be treated at central points within the system before entering the Illinois river thru the Chicago Sanitary and Ship canal.

"This is by no means the only stretch of lake where drastic action is needed to halt pollution," Beeton said. "But in the future this area will be subjected to even greater demands from industries and municipalities along the shoreline."

Beeton said that, in the last year, tests also have indicated that the southern part of Green bay, which flows into Lake Michigan's northwest corner, now is as polluted as the western part of Lake Erie.

DESIRABLE FISH DISAPPEAR

"In addition to the disappearance of desirable fish, we have found a marked increase in the number of organisms that thrive in heavily polluted waters," Beeton said. These studies include the disappearance of the May fly, Beeton said, considered a major turning point in the rapid deterioration of Lake Erie.

Beeton warned that communities on Lake Michigan should not be overconfident that the lake has thus far resisted pollution more effectively than has Lake Erie.

"Erie is a much smaller body of water and has a greater population demand along its shoreline," Beeton said. "However, those attempting to reverse Erie's pollution have an advantage in its location."

Erie is among the chain of four Great Lakes and receives a cleansing flow from Lake Superior and Huron, according to Beeton. This flow theoretically could cleanse Erie in three years, he said.

The long term outlook for Lake Michigan is not as encouraging, Beeton said. Lake Michigan is isolated from the chain and depends on its tributaries, which also are polluted, he said.

Beeton also noted that Lake Michigan's deep waters are relatively clear because the coastal and off-shore waters do not readily mix because of wave patterns.

"At the present time this is fortunate," Beeton said, "but if the lake ever becomes entirely polluted it will become a major deterrent to reversing deterioration."

[From the Chicago Tribune, Aug. 22, 1967]

Bacon Pledges Full Report on Pollution

(By Casey Bukro)

Vinton Bacon, general superintendent of the sanitary district, said yesterday that he intends to testify next Tuesday that the district is the chief water polluter in the Chicago area.

Bacon said he has been told to "name names" at the hearing before the Illinois Water Pollution and Water Resources commission in the State of Illinois building, 160 N. La Salle St.

EIGHT ASKED TO TESTIFY

Bacon was one of eight top level experts named yesterday by Rep. Carl L. Klein [R., Chicago], chairman of the commission, to testify before the commission on water pollution problems.

Also named to testify were:

William C. Ackermann, chief of the Illinois water survey, on ground and surface water supplies.

Milton Pikarsky, Chicago commissioner of public works, on Chicago's plans for low level tunnels to store flood waters.

LAKE BASINS EYED

John Guillou, chief waterways engineer of the Illinois department of public works and buildings, on a plan in which three basins would be constructed a mile offshore at Chicago to collect industrial wastes and flood runoff. The plan, first proposed in 1942, is designed to eliminate industrial pollution of the lake.

Col. John E. Bennett of the army corps of engineers, on the corps' present policy of dumping dredgings from the Calumet and Chicago rivers.

Clarence Klassen, chief sanitary engineer of the sanitary district, on industrial water use standards in Cook county.

W. H. Poston, supervisor of the federal water pollution control administration in the Chicago area, on pollution problems in Lake Michigan and the Chicago and Calumet rivers.

Frank DiLuzio, assistant secretary of the interior.

Kerner Sounds Call to Battle on State's Polluted Air, Water

(By Robert Howard)

Springfield, Ill., August 21.—Gov. Kerner took the final step today to submit to a 1968 referendum a proposed billion dollar bond issue to finance programs to combat air and water pollution.

The governor signed a series of bipartisan bills in the presence of officials of conservation and sportsmen's organizations who are counted upon to help rally support for the anti-pollution program, the biggest in the state's history.

PRIMARY SOURCES OF LIVES

"Water and air are the primary sources of our lives, wealth, and enjoyment," Kerner said in a statement. "Protecting these life-giving measures is one of the most pressing challenges of modern society. Pollution is the cancer of our natural resources. Unlike the human disease for which no cause is known, we do know the causes of pollution. We have the motivation, the obligation, and a wealth of skills. Now we need the support of the people who hold the future of Illinois in their hands."

Both the bond issue and a constitutional convention proposal will be on the Nov. 5, 1968, ballots.

"The fund will generate more than three quarters of a billion dollars in federal matching grants which otherwise would not be available to the State and local governments," Kerner said.

Graves is planning a major campaign to get public support for the bond issues.

VETOES ONE BOND BILL

Kerner vetoed a million dollar bond bill introduced by Klein and signed a duplicate measure by Rep. William A. Redmond [D., Bensenville].

The governor approved another series of bills designed to encourage business firms to install pollution control facilities. In an effort to reduce taxes, the state revenue department is authorized to assess such equipment on a basis of productivity.

Sen. Arthur W. Gottschalk [R., Floosmoor], the chief sponsor, said that expensive pollution control equipment adds little to the productivity of a factory and should not be taxed at the standard rates.

Recreational development is part of the billion dollar program worked out by Gene H. Graves, state director of business and economic development.

Rep. Carl Klein [R., Chicago], who made the final decisions in working out a legislative compromise, allocated 200 million dollars for recreational and conservation purposes. Of that total, 50 millions is to go to local governments as grants.

LOAN SYSTEM TOLD

Under the Klein financial plan, 410 million dollars will be loaned to local governments and private industry, and eventually will be recovered by the state.

This will allow local governments to get lower interest rates on guaranteed loans for construction of pure water plants, sewer systems and sewage treatment plants. Thru the same system, industries will be aided in the purchase of equipment needed to control water and air pollution.

An additional 200 million dollars will be given to local governments as grants.

[From the Chicago Tribune, Aug. 24, 1967]

Officials Hail Spending for Pollution War—Billion-Dollar Bond To Be Sought

State, federal, and city officials yesterday hailed a proposed one billion dollar bond issue as a significant step forward in the accelerated battle against water and air pollution.

Gov. Kerner signed bills Monday to submit the question to the voters Nov. 5, 1968.

Afterward Rep. Carl L. Klein [R., Chicago], whose bill for the bond issue was vetoed by Gov. Kerner in favor of one introduced by Rep. William A. Redmond [D., Bensenville], questioned the validity of the proposition because the name of the administering agency was not exactly the same in companion bills.

WATER BOARD DISAGREE

Clarence W. Klassen, chief of the state sanitary water board, said he did not agree with Klein.

"From what I know about it, there is no question about the fact that we've established a pure water board that will have necessary authority to administer the bond issue. I'd be very much surprised if it were otherwise."

Klassen noted that more than half the money is to fight water and air pollution and to insure a public water supply.

"It is the most complete program for water resources of any of the states," Klassen said.

All Illinois cities will not take advantage of the bond issue, but it will be "the major step that is necessary as an incentive," Klassen stated.

PRAISED BY BACON

Vinton Bacon, general superintendent of the sanitary district, said the measure is especially significant for providing an integrated approach to water resources development, pollution, flood control, and recreation.

"This is a great step forward," Bacon said.

The issue would authorize loans and grants to municipalities for construction and would enable industry to secure guaranteed loans.

"We're certainly in accord with this step," said Robert Schneider, deputy regional director of the federal water pollution control administration. With state participation, Schneider pointed out, local governments which previously obtained a 30 per cent federal contribution for construction of waste treatment facilities could obtain as much as 55 per cent.

"There is no thought that this will solve all the problems of the state forever, but it will give a tremendous boost to make wonderful progress in the next 10 years," said John Guillou, chief waterways engineer of the Illinois department of public works.

[From the Chicago Tribune, Aug. 24, 1967]

Reports Lake Pollution Gains

(By James Yuenger)

Washington, August 23.—Federal officials are convinced that they are on the road to cleaning up pollution in Lake Michigan, but they don't expect any visible results for at least three years.

While the legislative machinery now exists to crack down on polluters, they say, the clean-up effort will be lengthened by the need for more research and for the tremendous sums of money to finance it.

Theodore Radja, an anti-pollution enforcement specialist for the department of the interior, said that the department is satisfied with the promises from steel and chemical companies along the Illinois-Indiana shore of the lake to install anti-pollution machinery.

KEEP TABS ON PROMISES

But the government is watching closely to see that the companies keep their word, Radja said.

"It will be hard for them to back down from their promises," he said. "But this stuff [in the lake] won't be cleaned up overnight. The program will take 3 to 7 years to complete, and we won't see any real progress until 1970."

The interior department estimates that it will take 250 million dollars from industry, cities, and the government for a program to remedy the pollution in the lake.

An estimate by the Senate public works subcommittee on air and water pollution goes much higher. As of last year, it said, 462 millions thru 1972 from all sources was needed to clean up the lake.

GETS U.S. FUNDS

This year the Federal Water Pollution Control administration, keystone of the government's anti-pollution campaign, provided 6.2 million dollars to Illinois as matching funds for sewage treatment facilities.

The portion that was allocated for Lake Michigan's cleanup was not available.

An administration spokesman characterized the agency's role as primarily a watchdog which is "only in the picture because of the faults of the states."

While the agency has embarked on a far-reaching program of research and evaluation in the fight against pollution, it emphasizes that it expects the states to take the major role.

LACK OF FUNDS

The spokesman, noting that Supt. Vinton Bacon of the metropolitan sanitary district has complained of a lack of available federal funds for fighting pollution, said that the F.W.P.C.A. can't get all the money it wants.

For instance, the clean water restoration act of 1966 authorized 450 million dollars in fiscal 1968 for grants to localities across the nation to help build sewage treatment plants. Administration budget-cutters reduced this to 203 millions.

Richard Grundy, a professional assistant to the Senate subcommittee on air and water pollution, laid the blame squarely on the states for the pollution problem that exists.

NOTHING FOR 20 YEARS

"Nobody did anything for 20 years," Grundy said. "The treatment plants that were built were geared only to current needs, with no thought of the future."

Grundy said that because Lake Michigan is used as a dumping ground, it and the other Great Lakes have been subject of many surveys, but he added that only in the last 5 years or so has the point been reached where scientists can make long-range recommendations for cleaning up the lakes.

The F.W.P.C.A. is depending on two basic legislative tools as backbones for its anti-pollution campaign.

GOVERNMENT TO ACT

One is the clean water restoration act passed last year, which authorized appropriation of 3.9 billion dollars in grants to help build sewage treatment plants, perform research, and help states establish water pollution control programs.

The other one was the water quality act of 1965, which demands the establishment of water quality standards. If the states don't set standards for interstate waters within their borders—and come up with a plan to meet them—the government is to do it.

[Illinois has submitted its standards. They're now being reviewed by the F.W.P.C.A. and a decision is expected soon.]

One of the difficulties in the anti-pollution program on the federal level has been the fragmentation of authority. One legislative assistant on Capitol Hill has been trying for six months to find out who is doing what, and he estimated that the job will take two more months.

Grundy said that while pollution in Lake Michigan is bad, it is nowhere near the point that has been reached in Lake Erie and is still capable of control if the government, the states, and municipalities can, in the next few years, get the public to support an all-out fight against it.

[From the Chicago Tribune, Aug. 25, 1967]

Pollution Siphoning Off Lake Erie Life

(By Casey Bukro and William Jones)

CLEVELAND, August 24.—A polluted lake dies violently.

It suffocates fish, tosses unpleasant vegetable growths onto its beaches and fills the air along its shorelines with the stench of untreated wastes.

Lake Erie is in the final throes of a premature death, slowly choking on its heavily polluted tributaries and shoreline. There is little relief in sight, water experts warn, and Erie now is dying so fast that it may become America's Dead sea.

All lakes eventually die thru a normal process called eutrophication.

MAN SPEEDS UP PROCESS

But Erie would have lived for thousands of years and perhaps even survived the human race if man had not settled on its shores and began his methodic execution. By speeding up the aging process with industrial and municipal wastes, man has polluted Erie to the point where today it is like a child with progeria—that rare disease that accelerates the life cycle so the victim may die of old age at 10.

Erie is not alone. Experts now are warning that Lake Michigan and Lake Ontario may be next.

What has happened—and is happening—can be studied in two categories. They are Erie's tributaries and its open waters.

Nearly all the lake's major tributaries are so heavily polluted that in many areas they support no biological life. The Detroit river flows into Erie at its western end carrying phenols, acids, iron and oil wastes from industry.

POOR SEWAGE SYSTEM

Combined with the outpour from this great industrial complex is the flow of municipal wastes from 3 million persons that is treated in a horse and buggy sewage system. Detroit gives its sewage only "primary" treatment, which means only certain solids are removed.

On the southern shore of the lake, in and around Cleveland, a series of polluted tributaries carry the same wastes plus polluted runoffs from Ohio farmlands into Erie.

The Cuyahoga river, which enters Erie here, is a huge gutter for industry and the city.

Similar conditions are repeated in Toledo, Erie, and Buffalo and no one knows how much pollution is pouring into the lake.

As these nutrients enter the water, they overenrich the lake to the point where microscopic plant growths called algae proliferate. Some wash ashore to rot and ruin swimming areas. The rest settles to the bottom to provide food for plant life which in turn robs the water of oxygen.

Aquatic life becomes more and more the anerobic [nonoxygen] type such as blood worms. They are the primeval forms of life that will continue to inhabit a lake after weed growth has reduced it to a swamp.

A mass of algae measuring 800 square miles and 2 feet deep now lies in the western basin of Erie. It represents a tragic preview of what may lie ahead.

Erie, in some ways, is more susceptible to a premature death from pollution. It is only the fourth largest of the five Great Lakes and is a puddle when its depths are compared to the gulfs that form Lakes Michigan, Superior, Huron, and Ontario.

POLLUTION BY DETROIT

This same shallowness, however, could help the lake recover if pollution ever is halted, according to water experts. Erie receives a cleansing flow from both Superior and Huron, but the flow now is polluted by Detroit.

Lake Michigan, which now is showing some of the symptoms Erie displayed 15 years ago, would not be as fortunate. It is the isolated Great Lake and receives no assistance from the others in cleansing its waters.

"If Michigan goes, it's gone forever," predicted a federal water pollution expert here. "It's as simple as that."

Even with the potential of Erie's cleansing flow, federal officials here are not optimistic about its chances for recovery. Too much has happened in the last 50 years.

CARP ARE THRIVING

The blue pike and whitefish are gone. The flesh of other fish has an undesirable taste and such scavengers as carp are thriving.

Swimming and water skiing have been curtailed because of high bacterial counts and dead plants and fish on the beaches. Miles of sandy beaches on each side of Cleveland now are posted with signs reading "if you must swim here—please observe the following safety regulations;"

The word "must" is underlined, a reminder that Erie's filthy water may well result in an upset stomach, ear ache, or even worse if it is used for swimming. Cleveland residents drive 35 miles to find swimming areas where the bacterial count is low enough for safe swimming.

Boat owners refuse to take their crafts in certain areas because of the oily material that clings to the sides.

BEACH IS CLOSED

A beach in the pleasant middle class Cleveland suburb of Euclid has been closed for years because of high bacterial counts in the water. It is adjacent to a series of storm sewers that carry the untreated wastes of 21 industries directly into the lake.

The owner of a small fishing bait and boat rental business on the other side of the sewer pipes has been told the city-owned property he leases soon will be used for an addition to the community's sewage treatment plant.

"It's just as well," said Forest [Woody] Dadlow, who has operated the boat rental business since 1959. "Fishermen don't come here any more because the pike and whitefish are gone. I'm selling my boats one by one this summer."

Dadlow said he has watched dead fish float ashore moments after brackish yellow water gushes into the lake from the pipes.

LAKE IS DYING

In 1960, the federal government took action and ordered a comprehensive study of the lake. Some 200 experts took part in the investigation of Erie's problem and concluded that the lake was indeed dying.

Since then, more sewage plants have been planned and built and some industries are installing filters in an attempt to stop using Erie and its tributaries as a convenient waste disposal area.

The present program will not reverse the damage already done, water experts say. They merely hope it will slow down the present rate of deterioration. The nutrient cycle may be so well established, they point out, that nothing can be done to return Erie to its condition at the beginning of the century.

If this is the case, then Erie is as good as dead.

[From the Chicago (Ill.) Tribune, Aug. 26, 1967]

Cleveland's Polluted River Is a Potential Fire Threat

(By Casey Bukro and William Jones)

CLEVELAND, August 25.—The polluted Cuyahoga river running thru the heart of this city is one of the few rivers in the world that is a fire hazard.

City officials here say there is always the chance that anyone careless with a match could set fire to huge oil slicks and massive formations of oil-soaked debris floating on the river.

The last Cuyahoga river fire, in November, 1952, destroyed three tugboats and three downtown buildings at a cost of one million dollars. A few precautions have since been taken.

SUBJECT OF JOKES

Altho the condition of the Cuyahoga river is of major concern to the people of Cleveland, they do tell jokes about it.

Some say that anyone who falls into the Cuyahoga does not drown—he decays.

Pollution experts here will say only that the Cuyahoga river is one of the most heavily polluted waterways in the country today.

The Cuyahoga is one of three rivers spewing filth into Lake Erie in the Cleveland area. Authorities agree that the Cuyahoga is the worst. It is one of the major reasons that Lake Erie is polluted.

EXAMPLE OF POLLUTION

It also is an example of what becomes of a river that is used for a waste disposal over a long period by industries and communities.

The worst of the pollution is found in the last five miles of the river before it empties into Cleveland harbor and Lake Erie. Cleveland's major industries, including steel plants, oil refineries, paint and varnish plants, meat packers, chemical plants and a tar distillery, line the banks in downtown Cleveland.

SMELLS LIKE RUST

This stretch of river is "grossly polluted," said Glenn Pratt, a federal pollution control agent in Cleveland, while trying to find words to describe the lower Cuyahoga river. "You've got to see it to believe it."

Seeing pollution in this river does not make it any more believable.

At the mouth, the water is orange from dense concentrations of iron wastes. The water also smells like rusty iron.

Further upstream, the water bubbles with a brisk patter where several feet of industrial wastes lie on the bottom—rotting and forming a foul gas.

Put a match to the bubbles and a small blue flame will erupt.

"Methane gas is highly explosive in high enough concentrations," said Pratt as our boat slid over the bubbling waters. "It also is a very deadly gas."

Part of the fascination of this river is that a starkly different display of pollution usually lies just around the next bend in the river, whose name in Indian means "crooked." There are six bends in the first three miles.

DISCHARGE INTO RIVER

The boat entered a gulch formed by towering steel derricks, 21 bridges, smokestacks, and storage tanks belonging to Cleveland's big business.

Pipes from these companies discharge wastes directly into the river, which also is a major navigation line for shipping on the Great Lakes.

Still further, at a bend in the river, there was a black mass of floating debris covered with thick oil wastes. It smelled like a filling station.

A Tribune reporter dipped his hand into the river. When he withdrew his hand, it was covered with a thick coating resembling black molasses.

The river is heavily polluted with domestic sewage from many of the 60 sewage treatment plants in the Cleveland area.

SEWAGE PARTIALLY TREATED

They discharge the sewage equivalent of 510,000 persons a day into streams leading to the Cuyahoga river, including wastes from local industries. Of that amount, it is estimated that only 43.6 per cent of the sewage is effectively treated.

At least 155 tons of chemicals, metals, oils, and salts are dumped directly into the Cuyahoga river daily by Cleveland industries. This includes 34,000 pounds of iron, 525 gallons of oil, and 400 pounds of cyanide.

These figures are based on reports filed by the industrial firms with the state.

The latest deluge of pollution comes from a break in a 5-foot sewer main in suburban Brooklyn Heights, which is spewing 30 million gallons of raw sewage into the Cuyahoga river daily.

BREAK NOT REPAIRED

The break was reported early in April. City officials say they took "emergency action" seven weeks later to let a contract for repairing the break, which is eight miles from Lake Erie.

"We expect to have it repaired some time in September," said Walter E. Gerdel, commissioner of the Cleveland division of water pollution control.

These vast loads of pollution make the Cuyahoga river unique in many ways.

It doesn't freeze during the winter because of the high content of wastes and hot water dumped from cooling operations.

NO LIFE IN RIVER

It has absolutely no biological life or oxygen throughout the five miles of river floating through Cleveland. Even low forms of life, such as leeches and worms which usually thrive in wastes and sewage, have been polluted to death.

The usual color of the river is chocolate brown. The only resemblance the river has to ordinary water is that it is wet.

The stench in downtown Cleveland from the river usually is strong.

Debris causes thousands of dollars of damage annually to ships and small craft. An estimated 2 million pounds of junk has been hauled from the river and Lake Erie in the last two years.

Gerdel described the debris in the Cuyahoga as a "unique collection of material." He said most of it is there because people use the river as a dump all along the 100 miles from Akron to Cleveland.

By the time the flow reaches Cleveland, it has slowed to the point that it takes six to eight days to travel the last five miles through Cleveland. Sometimes the flow stops or oscillates back and forth.

It is commonly known that the captain of a Norwegian freighter a year ago ordered that the top of the mast of his ship be cut off in order to pass under a low bridge, rather than take Cuyahoga river water into his ballast tanks.

Pleasure boat owners will not enter the lower Cuyahoga because of the filth that sticks to the boats.

These are the sorrows and shame of a river that is used as a garbage dump.

Not only does it violate and contaminate everything that comes in contact with it, it also is offensive to the eye, the nose, and some say, to common sense.

[From the Chicago (Ill.) Tribune, Aug. 27, 1967]

Can't Enjoy Watching a Lake Die

(By William Jones and Casey Bukro)

Cleveland, August 26.—A retired lifelong resident here has given up his early morning walks along the shores of Lake Erie because he is sick of seeing clumps of raw sewage in the water.

The stench of rotting algae on the beaches also is revolting to him, and he prefers to take his walks away from the lake.

Lake Erie, one of the five Great Lakes, is dying. It is dying a geologically rapid death because of pollution by industry and municipalities along its shores.

FACE AQUATIC DESERT

What is worse, the more than 10 million persons who live along its shores soon may be denied every advantage that usually comes from living on one of the Great Lakes. They will live on the shores of an aquatic desert, water experts say, with a variety of floating and rotting wastes as a constant reminder that man can indeed kill a lake.

Already, those who enjoyed the lake and its wonders as children are mourning the fact that their children cannot do the same. Their concern is tragically late for Erie. Its real value lies in the warning to residents along the other Great Lakes, particularly Michigan and Ontario.

Both now are showing early signs of Erie's deterioration cycle which began less than 15 years ago, according to the experts.

COMES TO FISH

"I come down here to fish because my boys love to fish anywhere," said Wilbert Dillion, who works for a Cleveland trucking company. "But I don't enjoy it myself anymore."

A few yards away, one of his sons, Joey, 8, was fishing with a cane pole. The bobber periodically floated into a nearby oil slick. They were fishing for perch, the only desirable fish left in the lake.

"It makes you sick," Dillon said. "When I was his age I used to catch blue pike, walleyes, and white fish in this same spot with a cane pole. Now, you stand here for two hours and you have to move because the surface is covered with drifting slime."

The slime is dead algae and weeds mixed with oils and other petroleum wastes. In recent years the vegetable growths have thrived and multiplied on the phosphorous and nitrates contained in partially treated wastes from cities and industries. As they grow, they suck oxygen from the water, killing many desirable fish and plants.

The Dillon family has a boat, but they keep it at home in the garage now and only use it for fishing trips to Canada, more than 500 miles away. It just wasn't worth the effort, Dillon said to spend hours scrubbing off the black scum that formed on the bottom during a single day of boating in Erie's waters.

Swimming and water skiing also have been sharply curtailed. In addition to the heavily polluted waters, water skiers fear numerous floating logs and debris that flush into Erie from its lifeless tributaries.

SIGNS WARN SWIMMERS

Officially, the beaches are opened. But signs have been posted implying that swimmers take their health in their hands if they choose to enter the water. The signs begin: "If you want to swim."

Walter E. Gerdel, commissioner of the department of public works division of water pollution control in Cleveland, said he feels that reports of Erie's polluted beaches are frequently exaggerated. When asked if he would swim in the lake, Gerdel replied:

"No, because I don't go swimming."

CHILDREN PREFER POOLS

Q. "Would you allow your children to swim in the lake?"

A. "Well, my children go to swimming pools when they want to swim."

Q. "Let me put it this way then. If a friend of your family came to Cleveland from another city and wanted to swim in the lake would you advise him against it?"

A. "Let me answer that by saying that we admittedly have problems with the bacterial count on our beaches. But I think a lot of the claims are exaggerated. We have good beaches at Cedar Point—but of course that's 50 miles away."

EXCEED HEALTH MINIMUM

Glenn Pratt, of the federal water pollution control administration here, said bacterial counts where people now are permitted to swim exceed minimum health standards.

"It's a joke," Pratt said. "The bacterial counts are so high that the lifeguards employed by the city should be used to keep people out of the water."

"You read in the paper one day that some expert says the lake is dying and the next week another expert says such reports are exaggerated," said Fred Wittal. "I don't know who's kidding whom, but this lake is a goner."

Wittal wears a yellow rubber apron that smells of fish to cover his work clothes. He is not a water pollution control expert and he has no idea how much waste pours into Erie and its tributaries each day.

He does know only too well, however, that he is one of the last members of a once thriving commercial fishing industry in Cleveland that sent some 75 boats a day onto Erie in search of blue pike and white fish. When these fish disappeared in the mid-1950's the commercial fleet was out of business.

Wittal now must make a living of limited perch catches and such scavenger fish as carp and sheephead. He frequently takes his boat more than 20 miles off shore to find them.

SLIME FILLS NETS

"Even that far out my nets are filled with weeds and slimy algae," Wittal said. His daily trips to these distant areas have revealed another startling fact of life in Erie's dying waters.

Wittals' boat is equipped with a sonar unit that blips when the craft passes over heavy movement of marine life.

"You can go for miles in the lake now and nothing is moving down there," he said. "It's damn eerie."

Wittal scoffed at claims that overfishing rather than pollution is responsible for the disappearance of blue pike and white fish. During the time when commercial fishermen were taking heavy catches of pike and white fish, he said, they also caught large numbers of burbort, a scavenger fish that they threw back into the lake.

[From the Chicago Tribune, Aug. 27, 1967]

House Unit: Don't Forget Little Lakes

(By James Yuenger)

Washington, August 26.—The growing furor over pollution in the Great Lakes should not obscure the fact that thousands of America's smaller lakes are being strangled by filth, a House committee warned this week.

In a report entitled "To Save America's Small Lakes," the House government operations committee called not only for more facilities to keep pollutants out of the small lakes but also for increased emphasis on removing the pollutants that are in them now.

"The small lakes of America are threatened by a shortening life span," the report said. "Their accelerated march toward extinction is caused primarily by man's activities.

IN DEATH THROES

"Some small lakes, both urban and rural, already are in the throes of death. They are virtually open cesspools, carpeted with green scum and formations of slime.

"Their waters are grossly turbid and unpleasant in taste and odor. These lakes, once blessed with the highest forms of aquatic life, have been thoughtlessly pillaged by man."

The Fox chain o'lakes was cited on the list of small lakes that are rapidly being killed by pollution.

The report, following intensive study of the problem by the committee's natural resources and power subcommittee, urges expansion and coordination of the federal anti-pollution effort.

Restoration of dying lakes should be accompanied by improvement of their shorelands and adjacent areas to promote full use of the lakes for recreational purposes, it said.

It called for legislation to make more government money available for pilot programs in cleaning lakes out, and for the federal housing and veterans' administrations to require the best feasible waste systems in housing they finance.

DEMONSTRATION IS SOUGHT

While citing the need for research, the committee made it clear that it thinks the scientists and other water experts ought to get moving with demonstration programs for clearing up pollution.

It recalled the 1963 testimony of John G. Morris, then director of environmental health in Lake county, Illinois [and now Du Page county public works superintendent] that "we are directing too much research money to the laboratory, and we are not going from the laboratory to the prototype which will show us how to remove nitrates and phosphates."

The soap and detergent industry came in for criticism in the report. While new detergents have cut down the amount of sudsy water flowing into the small lakes, it said, there is still a critical need to find substitutes for the phosphates in soap that build up pollution.

[From the Chicago Tribune, Aug. 28, 1967]

Industry Gets Much of Blame in Cuyahoga River Pollution

(By Casey Bukro and William Jones)

Cleveland, August 27—Industry in Cleveland has been accused of a public-be-damned attitude toward polluting the Cuyahoga river.

"That is an irresponsible statement," said George H. Watkins, when asked about this charge.

"In dealing with a big industrial complex—with new equipment and technological evolution—the time to make changes is related to the growth and development you have. In fairness to the companies, they have programmed these changes with other capital improvements."

Watkins is the executive director of the Lake Erie Watershed Conservation foundation in Cleveland. He is regarded as a spokesman for local industry.

LONG, SHARP BATTLE

Watkins is also one of the combatants in a battleground often found in communities where the public accuses local industry of polluting waterways.

This battle has been long and sharp in the Cleveland area.

Industries in the Cuyahoga river area, hold 44 separate state permits to dump waste waters into the river, including 10 in the Cleveland area. The Ohio public health service estimates that river industries pipe more than 550 million gallons of waste water into the Cuyahoga river daily.

Business spokesmen admit they are causing pollution in Lake Erie and the Cuyahoga river, but they say they are doing all they can to curtail or stop it.

ONE HUNDRED AND FIFTY-FIVE TONS FROM CLEVELAND

It is also estimated that 155 tons of waste are dumped each day into the Cuyahoga river by Cleveland industries alone.

How much each of the Cuyahoga river industries contributes to the degradation of the river is a secret. So is the matter of what they dump.

The industrialists contend that such knowledge, delivered into the hands of competitors, would give away their innermost production secrets.

Most of the industrialists, however, want indisputable proof that new expenditures on pollution control are necessary and effective before they will make these payments freely.

Just because they are at the site of the worst pollution does not mean all the pollution is caused by them, they assert.

BLAME DISPOSAL PLANTS

Watkins contends that a high proportion of the pollution comes from local sewage disposal plants, which also treat wastes from industrial plants. Not all of these plants are run efficiently, says industry.

Industry also objects to public demands for a federal crash program against water pollution.

"There is no emergency," Watkins insists. "There is no evidence at all of any danger to health. So far as we have been able to determine, the river is not toxic."

ALSO HAVE COMPLAINTS

Industry has complaints of its own. It says that once the Cuyahoga river reaches the industrial district, the water is almost too dirty to use. It also says that once river water is clarified and run thru cooling towers here, it is cleaner than when they took it from the river.

Many of the companies are recirculating and reusing water to overcome the problem of dirty water supplies from the Cuyahoga river.

This controversy of public versus industry involves some members of Cleveland's big business—Republic Steel corporation, Jones & Laughlin Steel corporation, United States Steel corporation, Standard Oil company (Ohio), E. I. du Pont de Nemours & Co. and Harshaw Chemical company.

SPEND 13 MILLIONS

One company especially stung by criticism is Jones & Laughlin, which has spent 4 million dollars in water pollution control equipment since 1957 as part of what is calls a "good neighbor policy." Republic Steel said it has spent 9 million dollars on water pollution control in the last 10 years.

All told, industry here says it has spent 18 million dollars in the last 10 years on pollution control.

One of the greatest advances was made recently by United States Steel, which expects to eliminate the flow of pickle liquor into the river within a year. Pickle liquor is a sulphuric acid residue of the steel-making process. Some experts believe it is the harshest pollutant in the river and has eaten away many of the retaining walls in the river and changes the color of the river to a deep maroon.

OTHERS CONSIDER CHANGE

Other steel companies here reportedly are thinking about making a similar change to an acid that can be recovered and used again, and not dumped into the river.

Meanwhile, the steel industries have agreed to dump pickle liquor into the river a little at a time. They once dumped thousands of gallons of it at a time, making the Cuyahoga river virtually a waterway of sulphuric acid.

The cost to make these changes raises another problem, says industry. It is that the cost of steel and other products here will increase to compensate for the expenditures on pollution control.

"This added cost is a fact of life to the extent that it is a new production expenditure," Watkins said.

Does Cleveland industry believe it has done enough toward pollution control?

"That is a philosophical question," Watkins replied.

Watkins said that many of the industrialists in Cleveland are divided on this question. Some have moved voluntarily to curtail pollution. Others say they have complied with requests for improvement from the Ohio water pollution control board.

Does industry believe it has complied fully with requests by the pollution control board?

"I don't like to answer that question," Watkins said. "There are some industrial people who will say there is room for improvement."

"We haven't solved the problem, but most observers say it is better than before," Watkins asserted. "Besides, industry takes the blame for everything that occurs on the river. They are the first to be blamed."

Watkins favored zoning the river so that it can be classified once and for all for industrial use, along with some standards and criteria on just how clean it should be.

"Industry will meet its responsibility, but somebody must tell industry what that responsibility is," Watkins said.

[From the Chicago Tribune, Aug. 29, 1967]

Believes United States Reneged on Saving Erie—Recalls L. B. J. Talk at Buffalo

(By Casey Bukro and William Jones)

Cleveland, August 28.—A city official here believes that the federal government has reneged on its promise to help with the cost of pollution control in Lake Erie.

Walter E. Gerdel, Cleveland commissioner of water pollution control, said, "There has been a lot of talk on the federal levels about doing this and doing that." But apparently there has been little else.

MUST SAVE LAKE ERIE

Still ringing in Gerdel's ears was a speech by President Johnson in Buffalo on Aug. 19, 1966.

"What happens to Lake Erie will alone affect the lives of more than 25 million people in the United States and Canada," Johnson said at that time. "Lake Erie must be saved. And if we work together—the federal government, the state governments, the towns and cities, and the local industries—we can save Lake Erie."

Gerdel's reaction:

"They led us on and then shut the door. You might say they reneged."

CITY WENT AHEAD

The commissioner explained that, under a schedule of the 1966 Clean Water Restoration Act, 450 million dollars was authorized for federal grants to pay for pollution control construction in 1968.

"We went ahead so we would have our share of the money to put up to qualify for federal aid authorized for next year," said Gerdel. A 22-million-dollar bond issue for a sewage treatment plant and sewer construction was proposed and adopted in a referendum in Cleveland earlier this year.

Subsequently, Congress offered a bill to appropriate only 203 million dollars in federal grants for pollution control construction next year.

"This means Cleveland will get no federal grants," Gerdel said. "It doesn't have priority among the eligible cities. There just isn't enough money for everybody, now that the appropriation has been cut so much. The smaller cities can show a greater need for federal aid.

"This grant thing is a sore point with me. It's a little unfair."

ANGER ELSEWHERE, TOO

Anger on this situation has been voiced by authorities thruout the country, including Vinton Bacon, general superintendent of the Metropolitan Sanitary District of Greater Chicago.

Gerdel is not the only Cleveland city official who thinks the federal government should take a stronger role in paying for pollution abatement.

Mayor Ralph S. Locher has advocated since 1966 that the federal government pay 90 per cent of the cost of pollution control, much as it pays 90 per cent of the cost of interstate highway construction.

Under that formula, state and local governments would pay 5 per cent each.

COST $90 MILLION

Locher said that the cost of restoring the waters of Lake Erie to acceptable water quality levels has been estimated between 10 and 20 billion dollars.

Ten billion dollars, prorated over the present Lake Erie population, amounts to $1,000 per person or about 1.8 billion from metropolitan Cleveland.

"Even the 5 per cent share for the local community in this case would be in the neighborhood of 90 million dollars," said Locher.

"If there is no federal help available, approximately 900 million dollars would be Cleveland's share of eliminating pollution.

"That is equivalent to nearly 15 years of our general fund budget of 62 million dollars.

"Think of it! For the next 15 years, we would have to devote as much to water pollution as we now spend for all city operations other than utilities.

"There is only one word to describe that—impossible," Locher added.

COST $850 MILLION

Estimated costs for water pollution control usually are astounding. One Washington official said that the country might be facing a pollution abatement job which would cost more than 100 billion dollars during the next 35 years.

Gerdel said it would cost Cleveland about 850 million dollars to replace the combined sewer system, which regularly overflows and pours raw sewage into Lake Erie and the Cuyahoga River.

Altho the problem persists, Gerdel noted, Cleveland has spent 13.5 million dollars in the last four years for sewage treatment plant improvements to cut down the flow of sludge solids into the two bodies of water.

Cleveland now is in the act of developing a master plan for pollution abatement, which is expected to be completed by the end of this year.

"It will be a blueprint to see where to spend a dollar to do the most good," said Gerdel. Cleveland also is anxious to learn what federal water standards will evolve from the 1965 water quality act.

WHERE TO SPEND DOLLAR

"Some water conservation enthusiasts don't realize that a high price tag comes along when water quality is set extremely high. It's a matter of common sense. There has to be some compromise and acceptance of what you already have. What lies in the future depends on what the master plan proposes and how much people want to pay for it.

"A lot depends on what the public will pay for," said Gerdel, repeating a belief held thruout the country that water quality improvements will come only when the public demands them and is willing to pay the cost by approving bond issues and higher taxes.

[From the Chicago Tribune, Aug. 29, 1967]

State Water Hearings To Begin Today

Representatives of 20 Chicago area industries are expected to explain their programs to halt water pollution today before the Illinois Water Pollution and Water Resources commission.

The commission, headed by State Rep. Carl L. Klein [R., Chicago], will meet at 9:45 a.m. in the State of Illinois Building, 160 N. La Salle st.

Also scheduled to testify before the commission are eight experts, including Vinton Bacon, general superintendent of the sanitary district. Bacon has indicated he will testify that the district is the chief water polluter in the Chicago area.

BACON TO OUTLINE PLAN

Bacon also will outline for the commission the district's 10-year, one-billion-dollar construction program designed to clean up Chicago area waterways.

Others scheduled to testify before the commission are:

William C. Ackermann, chief of the Illinois water survey, on ground and surface water supplies.

PIKARSKY TO APPEAR

Milton Pikarsky, Chicago commissioner of public works, on Chicago's plans for low level tunnels to store flood water.

John Guillou, chief waterways engineer of the Illinois department of public works and buildings, on a plan in which three basins would be constructed a mile offshore at Chicago to collect industrial wastes and flood runoff. The plan, first proposed in 1942, is designed to eliminate industrial pollution of the lake.

Col. John E. Bennett of the army corps of engineers, on the corps' present policy of dumping dredgings from the Calumet and Chicago rivers.

Clarence Klassen, chief sanitary engineer of the sanitary district, on industrial water use standards in Cook county.

W. H. Poston, supervisor of the federal water pollution control administration in the Chicago area, on pollution problems in Lake Michigan and the Chicago and Calumet rivers.

Frank DiLuzio, assistant secretary of the interior.

[From the Chicago Tribune, Aug. 30, 1967]

Daley Warns of Pollution Peril to Lake—Asks for Help of Citizens

(By William Jones)

An appeal to help save Lake Michigan from death by pollution was issued by Mayor Daley yesterday during appearances before two groups dealing with water pollution control.

"Despite all previous efforts in which billions of dollars have been spent we now find that Lake Michigan is faced with the same fate of many other lakes," Daley said. "This summer is the first time in the history of the lake that we've had algae on some of our shores."

TELLS OF PROPOSAL

And in an unscheduled appearance before a meeting of the Illinois Water Pollution and Water Resources commission, Daley termed water pollution the No. 1 problem faced by midwest communities.

During an appearance before 1,200 persons attending the International Water Quality symposium in the Hilton hotel, Daley disclosed that an ordinance will be introduced in the city council Sept. 7 making mandatory the use of retention or recirculation sanitary devices aboard all vessels operating in Chicago waters. He said the ordinance would become effective and be strictly enforced with the beginning of the 1968 boating season.

INDUSTRY ATTENDS MEETING

The proposed ordinance would apply to all pleasure craft more than 20 feet long and all commercial craft, Daley said. He also urged that an effective program be established to involve all states and communities on the lake.

"Water pollution prevention cannot be confined to any one single locality," Daley said. "No portion of Lake Michigan can be isolated from pollutants entering another portion. We must have uniform quality standards adopted by all the states and users of Lake Michigan."

More than 20 representatives of industry attended the meeting of the Illinois Commission in the State of Illinois building. The commission is headed by Illinois Rep. Carl L. Klein [R., Chicago], and is charged with the task of submitting a comprehensive water use program to the governor.

OUTLINE CONTROL PROGRAM

During the meeting, industry representatives outlined their pollution control programs and expressed concern over being labeled major water polluters in recent reports.

A spokesman for Commonwealth Edison company noted that the utility firm plans to spend $275,000 for a recirculating system to halt the dumping of fine ash into the Chicago river.

Both Klein and Vinton Bacon, general superintendent of the sanitary district, said they believe that industry on the lake and Chicago area rivers generally is cooperating with efforts to halt pollution. Most industrial officials testifying yesterday noted that their firms are working closely with recommended procedures of the sanitary district.

TELL OF EXPENDITURES

In a statement issued during the meeting by the Chicago Association of Commerce, it was disclosed that a check of seven companies recently listed as polluters showed that the firms have spent more than 12 million dollars in the last five years to halt water pollution.

However, Klein also noted that during a recent check on Chicago's waterways, the commission found some examples of continued pollution by industry. One of these, he said, was the Rock Road Construction company, which was dumping raw wastes into the sanitary ship canal at Pulaski road.

During the water symposium, Sen. Gale McGee [D., Wyo.], warned the group that large urban centers were becoming water parasites by draining off water supplies of distant smaller communities.

[From the Chicago Tribune, Aug. 30, 1967]

INDUSTRIAL WASTES MAKE NIAGARA FALLS A SHRINE TO WATER POLLUTION—CANADIANS BLAME SMELLY MESS ON UNITED STATES

(By Casey Bukro)

NIAGARA FALLS, ONTARIO, August 29.—Water pollution has become an international incident here, where Canadians accuse the United States of spoiling the beauty of Niagara Falls.

"This is a terrible reflection on your country," said Joseph A. Montgomery, a Canadian whose complaints helped to trigger an investigation by the International Joint commission.

Most objectionable, he says, are the masses of oil-coated foam and the powerful chemical odors that plague Niagara Falls, which is visited by about 10 million persons a year from thruout the world.

"A lot of people consider Niagara Falls a shrine to natural beauty—it is one of the natural wonders of the world," said Montgomery. "It is becoming a shrine to water pollution."

Canadians are complaining that great amounts of oil and wastes dumped by United States industries into the Buffalo and upper Niagara rivers are swept over Niagara Falls to Canadian shores on the other side of the lower Niagara river.

Another complaint is that the city of Niagara Falls, N.Y., opposite the Ontario city of the same name, is dumping 40 million gallons of industrial wastes daily into the Niagara river from a huge tunnel about 500 yards north of American falls.

WASTES GUSH INTO RIVER

The wastes gush into the river near Rainbow bridge, about 100 yards downstream from the dock on the American side where thousands of visitors each year board Maid-of-the-Mist boats for a cruise in the gorge at the base of the falls.

Eddy currents surround the boarding area with wastes. There have been repeated complaints of strong odors that burn the eyes of tourists and of unsightly foam in the water.

American visitors here are bitter about it. Canadians, celebrating the 100th birthday of their country with a world fair attracting a surge of foreign visitors, are embarrassed.

CITES U.S. "PROPAGANDA"

"Canadians think all those statements about pollution abatement in the United States are just so much propaganda," said Montgomery, industrial department manager of the Greater Niagara Chamber of Commerce in Niagara Falls, Ont.

An investigation by the Tribune showed that the city of Niagara Falls, N.Y., permits four local industries to use the tunnel for industrial wastes.

"The tunnel is supposed to be handling cooling waters," said Vincent Locey, acting director of the Niagara Falls, N.Y., department of sewage.

When asked about the obnoxious odors not usually found in cooling water, Locey replied:

"What exactly is in that water—I don't know myself. It is known there are other things in that tunnel besides water. But I don't know what they are or how they get there."

This flow of wastes from Niagara Falls, N.Y., and from other American cities angered Montgomery. He protested to the general manager of the Ontario Water Resources commission July 28, saying:

"A POSITIVE SHAME"

"It is a positive shame that New York State and the International Joint commission would permit one of the seven natural wonders of the world to be spoiled so completely by the lack of pollution control in New York state."

Copies of the protest were sent to President Johnson, Gov. Nelson Rockefeller of New York, Sen. Robert Kennedy, and others.

The issue was referred immediately to the I.J.C. which was formed by treaty in 1909 between Canada and the United States to safeguard boundary water quality. The commission consists of three representatives from each country.

BOARD WRITES REPORT

The advisory board of the I. J. C. met Aug. 9 and 10 in Ottawa and began writing a report on their findings, expected to be released this year. The board recommended at the meeting that the city of Niagara Falls, N.Y., be cited by the full commission for having inadequate sewage treatment facilities.

Niagara Falls, N. Y., with a population of 102,000, has only a fine-screening system built in 1939 to strain large particles from sewage and wastes.

Seventy million gallons of absolutely raw and untreated sewage spew daily into the lower Niagara river from Niagara Falls, N. Y. This discharge is 75 per cent industrial wastes and 25 per cent domestic sewage.

TUMBLES INTO RIVER

This discharge tumbles into the river about a mile downstream from Niagara Falls.

But Niagara Falls, N. Y., is just one American city contributing to Canada's problem with water pollution.

Federal pollution control agents here say that tons of industrial wastes flow each day from the Buffalo river in Buffalo and from the far eastern shores of Lake Erie, at Lackawanna, N. Y. This area in and near Buffalo is the site of a great industrial complex, including steel mills and oil refineries, where the waters are used for waste disposal.

These wastes flow into the upper Niagara river and finally plunge over the falls. Included in the wastes are 1.2 million pounds of solids, 75,000 pounds of oil and grease, and 1,000 pounds of cyanide daily.

Until this year, these wastes would collect in the Buffalo river for 60 or 70 days because of poor or no flow. A federal report described this river as "not even as good as a cesspool."

CANADIANS BUILD PARKWAY

Canadians admit they have some industrial waste problems of their own, but add that a major part of the problem with industrial wastes comes from American shores.

Canadians have spent the last 60 years developing a riverside parkway on public land extending the entire 35 miles along the Niagara river from Lake Erie to Lake Ontario.

Across the river, on the American side, are the smokestacks of refineries and chemical plants, and the sewage and waste pipes emptying into the Niagara river.

[From the Chicago Tribune, Aug. 31, 1967]

POLLUTION PERILS NIAGARA; PLACE BLAME ON U.S. FIRMS

(By Casey Bukro)

NIAGARA FALLS, N.Y., August 30.—Niagara falls, the mecca of honeymooners, dazzles most of the 10 million visitors who see the cascade each year.

When the visitors take a closer look, and smell, some of the enthusiasm dies.

"We've seen passengers hold handkerchiefs over their noses because of the filth and smell coming over American falls," said Capt. Clifford Keech, skipper of the Maid-of-the-Mist II since 1949.

EXCURSIONS INTO GORGE

The boat is one of two which operate from the Canadian and American sides of the Niagara river, carrying thousands of passengers on excursions into the gorge below Niagara falls.

"Quite a few passengers complain," said Keech. "It tends to distract and disappoint people who came here to see an example of natural beauty."

An official of the boat operation said they candidly tell those who complain that the contamination in the falls and in the river is caused by pollution from United States industry.

KEEPS DAILY LOG

The company also keeps a day-by-day log of some of the nuisances detected. The log dates to 1961. Entries include:

June 30, 1964—"The foam and discharges remain much longer in the immediate area of both Canadian and American docks. The remarks and concern of most tourists who view the scum are far from flattering."

July 5, 1964—"Terribly strong, almost unbearable odor."

June 3, 1965—"Brown scum and foam."

Sept. 22, 1966—"Foul odor from tunnel—burns eyes [complaints from tourists.]"

June 30, 1967—"Light green discharge from tunnel, discoloring water. Something in the water killing fish."

Federal pollution control agents have investigated and detected three distinct odors in the gorge at Niagara falls.

ROTTEN EGG ODOR

One is a sharp chlorine chemical odor coming from a tunnel at the American base of Rainbow bridge. This tunnel is used by four industries of Niagara Falls to discharge wastes.

The second is an odor at the Maid-of-the-Mist landing dock on the Canadian side and is believed caused by decomposed organic debris and algae collected in the foam.

The third is a rotten egg odor found at the base of American and Canadian falls, which might be caused by an inversion of polluted air.

Capt. Keech contends that the worst of the offending pollution drops over the American falls. Investigators agree.

The Niagara river branches around Goat Island. The east branch, carrying 10 per cent of the flow, rushes over the American falls. The west branch, carrying 90 per cent of the flow, drops over the Canadian falls, also known as Horseshoe Falls.

The Canadians have no industry in the falls area. Water tumbling over the Canadian falls, coming from the Canadian side of the river, tends to be much cleaner, they say.

Look at Niagara Falls with a critical eye and some of the enchantment fades. The blight is all on the American shores.

Start with the diversion tunnel used by the city of Niagara Falls, N.Y., for spewing industrial wastes into the river. It is 500 yards downstream from American falls and gushes 40 million gallons of industrial wastes daily.

A mile downstream is the Niagara Falls, N.Y., sewage treatment plant, which tosses 70 million gallons of raw sewage daily into the lower Niagara river.

SEEN FROM CANADA

Seen from Canadian shores, there is a cloudy like green band 100 yards wide in the river where the sewage is spewing from the plant. A thick tan-colored material also surrounds the plant.

Water outside this area is a clear deep green.

"You should hear the remarks of Canadian tourists riding in double-decker buses at this point," said Joseph A. Montgomery, industrial department manager of the Greater Niagara Chamber of Commerce in Niagara Falls, Ont.

"That plant is giving all of America a black eye—even with the Americans," said Montgomery.

A stark comparison of how the United States and Canada use or abuse their waters can be seen seven miles downstream from the falls, where both countries operate power generating plants on opposite sides of the shore.

POWERPLANT ABUSE

Water returning to the Niagara river from the Robert Moses power station at Lewiston, N.Y., looks dark and dirty. The water on the American side of the river, as a result, is much darker to the eye.

Now take a look at the Sir Adam Beck Niagara generating stations one and two at Queenston, Ont., across the river from the American plant.

The water discharged from this plant is light and clear. It is a stark contrast to the dark waters on the American side, which forms a distinct line of separation down the center of the river.

Farther downstream is Niagara-on-the-Lake, Ont., a small town where the Niagara river empties into Lake Ontario. This area, once a popular boating and swimming area, is deserted. It is infested with algae.

HELPLESS TO SOLVE

Montgomery said it is ironic that Canada and the United States in the past joined forces in monumental tasks including defense, economics, and trade.

But the countries appear to be helpless to solve the water pollution problem in boundary waters.

"The main obstacle appears to be that the six Great Lakes states can't seem to agree on what to do about it," said Montgomery. "There is no unity among those states on a course of action."

Since Ontario is the only Canadian province involved in this problem, it can speak with a unified voice for Canada, Montgomery said. But there is no unified voice in the United States on water pollution.

[From the Chicago Tribune, Aug. 31, 1967]

INDUSTRY TOLD: TAKE REINS ON POLLUTION

(By William Jones)

Industry must play a larger role in the control of water pollution or face the prospect of having its voice silenced in a wave of federal programs, an industry official warned yesterday.

Donald L. Porth, vice president of Culligan, Inc., manufacturer of water treatment equipment, with headquarters in Northbrook, proposed that industry and other groups within the private sector form a world water council to deal with water pollution problems.

Porth issued the warning to 1,200 industry officials and water experts attending the final day of the International Water Quality symposium in the Hilton hotel.

"WILL BE LEFT BEHIND"

"The government commitment on problems of water and its management has become total," Porth said. "If industry and the private sector don't match this commitment, they will be left behind, powerless, without a voice, swallowed up. The government has the money. We cannot compete there. But we can match their wealth in dollars with our wealth in ideas."

The proposed council is needed, Porth said, to maintain a favorable balance between government and private efforts and to fill an existing leadership vacuum.

COULD FORM COUNCIL

Porth said there now are 24 water-related associations in the private sector which could form the nucleus for a single council, and that informal discussions during the symposium brought enthusiastic response from many persons.

He said a meeting planned for October in Washington, D.C., further will explore the possibilities of the proposed council and he is hopeful that formal organization will follow in January.

Abel Wolman, professor emeritus of sanitary engineering at Johns Hopkins university and an engineering consultant, told the delegates that industry's image frequently suffers in regard to water pollution because of "the erroneous impression that industry will only move if you force it."

"HAS BEEN EXAGGERATED"

"I think this has frequently been exaggerated," said Wolman. "My own opinion is that it has an obligation that some have met and some have not met."

He also warned against looking to the federal government for all the remedies for proper management of water resources.

"Money doesn't grow on trees, not even on the cherry trees in Washington," said Wolman. "Money comes from people. And the real test is going to come when the people decide what kind of water they want."

[From the Chicago Tribune, Sept. 1, 1967]

POLLUTION FOE'S CAUSE GETS EAR

(By Casey Bukro)

BUFFALO, August 31.—Some people say he is a troublemaker. Others say he is a rabid water conservationist.

Stanley P. Spisiak of Elma, N.Y., admits he is both.

New Yorkers once considered Spisiak a crank and a nuisance. Water conservation was an unpopular cause with little public support.

Today, 27 years later, Spisiak holds many honors, including the 1965 National Water Conservation award for water resources leadership and for promoting pollution abatement.

VINDICATES HIS EFFORTS

Spisiak is proud of "the manner in which I am received today and in the last five years. It completely vindicates my beliefs in water conservation over the last 27 years."

This recognition reached full magnitude in August, 1966, when Spisiak acted as official guide on President Johnson's boat tour of the polluted Buffalo river and harbor.

During this tour, Spisiak presented the President with a famed "bucket of slop" containing a sample of the 125,000 cubic yards of dredgings from the Buffalo river bottom that the army corps of engineers was dumping into Lake Erie each year.

"This can't be allowed to continue," the President said after peering into the bucket. He issued an executive order to halt the dumping. The army engineers now are building a dike at Buffalo to contain the dredgings.

RESPECTED IN STATE

Because of coups like this, Spisiak now is respected thruout the state of New York.

But it wasn't always that way. Spisiak said it is ironic that "I received honors for my efforts in water conservation from the Canadians 18 years before my American countrymen recognized I also was working for them. Some of my staunchest supporters now are people who thought I was persecuting them years ago."

In earlier years, Spisiak had been threatened with death and beatings for advocating a halt to water pollution in the state. His opponents have been giants of industry, legislators, governors, bureaucrats, and laborers.

BEGAN FIGHT IN 1939

Spisiak speaks of his past battles over pollution abatement with an excited edge in his voice, like a fighter ready to answer the bell.

Those battles began in 1939, when he was appointed to represent the Erie County Conservation society at public hearings of the Buffalo city common council because he had some spare time.

Spisiak was horrified by the abuse by New York waterways, and campaigned for laws and action to halt those abuses.

By 1953, he was testifying on pollution problems at hearings before congressional committees, the international joint commission, and a special Senate commission on water and air pollution.

WAS SCOFFED AT

He told hearing members then that Lake Erie was dying an early death from being over-burdened with wastes from cities and industries.

"They scoffed at me," said Spisiak. "Many thought I was being overly dramatic." He also testified about the fish killed in Lake Erie, where only perch and coarse fish now live.

In 1954, he fought and won an "initial A" classification of water quality in the Lake Erie portion of Buffalo harbor and the Niagara river. Industry and city officials asked for a "C" rating, which would make the waters unfit for bathing or drinking.

He has resorted to embarrassing bureaucrats by proving that governmental agencies were responsible for polluting water.

In 1960, Spisiak discovered that two key words were missing from specifications in a state contract permitting radioactive wastes to be dumped into salt caverns below the ground at Ashford Hollow, 40 miles from Buffalo. The key words, "suitably containered," were restored.

PUSH FOR BOND ISSUE

Spisiak also took part in a campaign in which New Yorkers voted by a 5 to 1 margin in 1965 to accept a 1.75 billion dollar bond issue for a pure water program.

By his own admission, Spisiak's presence at hearings on water pollution was usually, "just bearly tolerated" by industrial and governmental officials. His squabbles with them are legendary, including the time his shirt was torn from his back during a hearing.

Today, he is in great demand as a speaker on water pollution, averaging two appearances a week for the last three years at clubs, civic groups, and panel discussions. He estimates that he has 3 million supporters in the United States and Canada.

STILL NOT CONTENT

Spisiak carried on this activity while operating a modest real estate brokerage and a jewelry store in Buffalo for the last 30 years.

Spisiak, 51, now stout and bald, is not content with his gains against water pollution.

He has complained to the international joint council that industrial wastes from American industry are ruining Niagara Falls. He has invited governmental officials to look at the scum and smell the odors of the falls.

[From the Chicago Tribune, Sept. 2, 1967]

Detroit Unable To Pass Buck on Erie Pollution

(By Casey Bukro)

Detroit, September 1.—The buck for polluting Lake Erie stops here.

The headwaters of pollution are here, in the Detroit river. Most of the water flowing into Lake Erie is from the Detroit river, carrying doses of contamination that are killing Lake Erie and turning it into an algae-infested swamp.

The reason this is happening, and how it happens, can be converted into a simple formula: Big industry, with its big populations, equals big water pollution.

STAND IN BOLD RELIEF

These factors stand in bold relief in Detroit because their proportions are enormous.

More than 1.6 billion gallons of waste water flow into the Detroit river daily—1.1 billion gallons from industry and 540 million gallons from municipal sewage.

Twenty million pounds of wastes flow every day from the Detroit river into Lake Erie. More than 95 per cent of the wastes discharged into Lake Erie from the state of Michigan come from the Detroit river.

The Detroit sewage treatment plant is only 17 per cent effective in removing wastes from sewage. Treated water pumped into the Detroit river contains the raw sewage equivalent to the wastes of 2.5 million people each day.

DUMP RAW SEWAGE

Industry alone releases wastes which are equivalent to the raw sewage of one million persons a day.

Five billion gallons of raw sewage are flushed each year from Detroit storm sewers into the river.

Industry and communities dump 115,000 pounds of iron wastes, 19,000 gallons of oil, and more than 200,000 pounds of acid daily into the Detroit river.

"It would be accurate to say that Detroit is the principal source of pollution in Lake Erie," said Laurence B. O'Leary, director of the Detroit program office of the Federal Water Pollution Control administration.

"I would also say that more is being done in Detroit to correct the problem than elsewhere," O'Leary asserted.

He explained that studies begun in 1961 resulted in state and federal recommendations in 1965. The state of Michigan has agreed on stipulations with 35 municipal and industrial polluters to correct the abuses by 1970.

Still standing in bold relief in the Detroit area is the fact that industry was designed since the turn of the century to use waterways for waste disposal. The rivers show it.

"We now operate under the theory that the uses of water must be enhanced," O'Leary said. "The old theory of using water for waste disposal can't be accepted.

"In every case, industry has agreed to comply with pollution abatement recommendations without going thru court battles. This indicates industry here is progressive. Industry in other parts of the country has fought it."

SEWAGE PLANT LACKING

Not so progressive is the Detroit sewage treatment plant, using primary treatment. It is one of the major sources of pollution in the Detroit area.

"Primary treatment of sewage has loaded Lake Erie with nutrients and sludge," said O'Leary. Under agreements with the state, the city of Detroit is planning to build a secondary sewage treatment plant by 1970 to remove 90 percent of the wastes in its sewage.

Detroit now is engaged in a 114 million dollar program to provide better sewage treatment and to expand the system by 1970. Detroit now has a combined sewage treatment system which collects wastes from the city and from 53 suburbs.

"People in Detroit are outspoken on pollution control measures," said O'Leary.

"The only time you meet resistance from the public is when a bond issue comes up and people are faced with paying higher taxes for pollution control."

BAROMETER OF PROGRESS

The barometer of any progress against pollution here will be the Detroit river, the "big daddy" of pollution.

"We must watch the river," O'Leary said. "There should be a dramatic difference in the Detroit river as enforcement of the improvements take effect. How long it will take Lake Erie to recover is a difficult thing to say. There is so much contamination there."

The final outcome is not known.

Lake Erie might hold problems still unforeseen as concentrations of contamination build to levels where they can erupt as further symptoms of a dying lake.

Meanwhile, the Detroit river continues flowing like an intravenous injection of poison into Lake Erie.

REPORT TELLS DANGER

A federal report has classified Detroit river waters as "polluted bacteriologically, chemically, physically, and biologically." Water contact sports on the lower 26 miles of the 31-mile river are hazardous. This includes Michigan beaches on Lake Erie.

A federal report says that anyone swimming in Detroit river waters runs the risk of catching "gastrointestinal diseases; eye, ear, nose, and throat disorders, skin infections, and hepatitis."

The Ford Motor plant here, identified by the government as the source of 83 percent of the industrial wastes going into the Detroit river, dumps doses of iron and oil wastes into the Rouge river each day. The Rouge flows into the Detroit river.

"I'd like to see young Henry Ford moor his yacht in that river," said a Detroit resident. "Then he'd know what water pollution is all about."

Tonnage shipped thru the Detroit river during a recent eight-month season exceeded the entire combined tonnage shipped thru the Suez and Panama canals during an entire year.

The size of the river masks many of the signs of pollution. But the pollution is there, in the Detroit river. Ask anyone who lives on the shores of Lake Erie.

[From the Chicago Tribune, Sept. 3, 1967]

UAW Recruits Citizen Help To Fight Michigan Pollution

(By Casey Bukro)

Detroit, September 2.—"If we get citizen involvement in combating air and water pollution—we've licked the problem."

The words came from Miss Olga M. Madar, architect of a program by the the United Auto Workers union here to recruit citizen watchdogs in a campaign against air and water pollution in Michigan.

The program is called Pollution Action Line.

"This will be a program to train people to recognize and report pollution; to work within their community and to inform on pollution violations."

WILL TRAIN SPOTTERS

"Everyone who goes thru the training course will be a spotter," said Miss Madar, who is a member-at-large of the UAW executive board. She also is director of the UAW departments of conservation and resource development and recreation and leisure-time activities.

Miss Madar, a husky former physical education and history teacher in Flatrock, Mich., became a union member while working at the Ford bomber plant in Willow Run, Mich., during World War II.

She greets visitors with a hearty, "Hi there, how are you?" She is regarded as "the teacher" of the UAW staff.

"We want to get the citizen involved in this work, in addition to detecting pollution violations and effectively enforcing our laws," said Miss Madar.

WILL REPORT VIOLATIONS

The program works this way. Trained P.A.L. volunteers will file detailed reports with state and local enforcement agencies of pollution violations by companies, individuals, or municipal sewage treatment plants. Copies of the reports will be filed with the UAW for checks on follow-thru action.

The goal of the program is to get enough evidence to prosecute violators of existing air and water pollution control laws, and to get more adequate enforcement legislation where it is necessary.

"Pollution abatement can't be done by coaxing," said Miss Madar. "You must enforce the law."

Presently, 65 persons are being trained as spotters for the program in the Detroit area, with help from state experts on pollution. A goal is to have 200 spotters in Detroit. Staff members now are being selected for the program.

FIRST IN NATION

This attempt by an existing national organization to rally citizen support against pollution is the first in the country, said Miss Madar. It is hoped the program eventually will be expanded to include all the United States and Canada, with each of the 12 UAW service areas as headquarters for the campaign.

The training program is not open only to UAW members. Spotters will include members of labor groups, conservation clubs, garden clubs, civic committees, and sportsmen groups.

Why does UAW extend membership to other groups, running the risk of opposing viewpoints on goals?

"I don't think this should be a piecemeal job," said Miss Madar. "It should be coordinated."

PART OF COMMUNITY

"We also operate on the basis that a UAW member is a community member, and works in the framework of that community," said Miss Madar.

"The program is geared to getting people to know and have something to say about the public policies we have concerning our environment," she said. Miss Madar deplored the fact that the least amount of public involvement is in the development of recreational facilities, such as parks and beaches.

HAS AN OBLIGATION

People who are familiar with the problems of pollution also are more inclined to pay the cost thru taxes of cleaning up those problems, she said.

Why is the UAW getting involved in the fight against pollution?

"We're members of the nation and the world, just like everyone else," asserted Miss Madar.

"Besides, it doesn't make sense for us to fight for better working conditions, and then let those workers walk out into a world that is polluted and being destroyed by pollution."

OFFICIALS LACK COURAGE

Pollution becomes more important in light of predictions that workers will have more leisure time in the future. They will have few places of recreation to spend that leisure time, if water pollution continues its present destruction of recreational waterways.

"One of the revealing things I've found is that elected officials knew of these problems long ago. But they did not have the courage to speak up on how much it would cost to clean it up. They didn't have the courage to resist the pressure of industry to keep them quiet.

"Now they wonder why the people, who didn't know of these things, were apathetic until now. The people are more than apathetic now. They are incensed.

"We've made improvements in the working place—now let's do it in the community," urged Miss Madar.

[From the Chicago Tribune, Sept. 3, 1967]

RIVER THAMES GIVEN CLEANUP; TAKES 10 YEARS, 56 MILLIONS

(By Mavis Cole)

LONDON, September 2.—Fish swim in the middle reaches of the old River Thames. Eels, timber borers, and small crustacea thrive to such extent that they are a pest. And it's all happening for the first time in 200 years.

Peer into the river as it flows thru London to the sea. The water still seems dark and murky. But according to Charles Townsend, river engineer, appearances are deceptive.

The River Thames has not been this clean since the 18th century, said Townsend, or, as the Poet Spenser would put it, "runs so sweetly." Spenser died in 1599, long before the wastes of industry and population turned the Thames black and stinking and drove the fish away.

FIFTY-SIX MILLION DOLLARS AND 10 YEARS

It has taken 56 million dollars and ten years to change the river water from ink black to gray. "Considering the size of the problem, this is progress," said Townsend.

For the last three summers not one area of the 200-mile long river has been deficient in oxygen. "Such has been the improvement in the river that fresh water fish are now thriving miles below their former limit of activity," comments Townsend. "In the salt water area the eels, small crustacea, and timber borers are becoming a nuisance in places where they had not been seen for many years."

The transformation is mainly due to new methods of treating the 270 million gallons of sewage which flows into the river each day. But sulphur compounds, present in all sewage, are still the worst offenders in the cleaner Thames.

Sulphur compounds become inoffensive in their six-week trip to the sea but if the oxygen content of the water falls to zero the sulfates react to form hydrogen sulphide—the rotten egg odor.

Crude sewage discharged from cargo ships, pleasure boats, and houseboats is another problem. The Greater London council estimates the discharge is equivalent to the waste of a small town of 7,500 to 9,000. Oil and detergents are not considered serious threats to a cleaner river now that some manufacturers have developed "soft" detergents.

PROPOSALS TOO COSTLY

Proposals to divert the capital's sewage to the Thames estuary or bubble liquid oxygen into the water with giant air pumps are regarded as too costly.

It has been four hundred years since salmon swam in the Thames but, down in the docks, the salmon's lesser relatives, sticklebacks and roach, now flourish. And water fleas have also reappeared after almost half a century.

The river, alas, is still considered unsuitable for swimming. Anyone who falls into the middle reaches is rushed straight to a hospital to have his stomach pumped.

[From the Chicago Tribune, Sept. 6, 1967]

POLLUTION PERILS LAKE MICHIGAN—FOUR STATES POUR FILTH INTO IT DAILY—DETERIORATION OF GREEN BAY CITED

(NOTE.—Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Today one of them begins a report on their investigation of conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By William Jones)

GREEN BAY, WIS., September 5.—A polluted lake does not die alone.

As it becomes a vast green sump, recreation is destroyed, esthetic values dwindle, and entire communities are forced to look elsewhere for a water supply.

The tragic irony of living on the shores of a seemingly endless supply of water and having to obtain the precious fluid elsewhere is dramatically displayed here.

USES WATER FROM LAKE

The city of Green Bay, on the southern tip of Lake Michigan's largest appendage, obtains water directly from the lake for municipal use rather than using the polluted water of Green Bay.

Public bathing beaches in this area were closed more than 25 years ago. All types of fishing are virtually nonexistent. Pleasure boats are moored in water thick with raw sewage, oils, and dead algae.

MAN STACKS DECK

Water experts warn that the increase in bottom life tolerant to pollution in the main body of Lake Michigan at the Sturgeon bay outlet may be the result of pollution by Green bay waters. They warn that using the bay as a septic tank for five scum-covered tributaries now may affect the main body.

All lakes die. In terms of geological death, however, they could live for thousands of years. But man has stacked the deck in terms of evolution of the Great Lakes. He has rapidly accelerated the aging process by pouring huge amounts of nutrients and other oxygen killing wastes into these waters.

In effect, he is creating bogs out of the principal water source for one of the nation's largest concentrations of population and industry. The Great Lakes—with about 20 per cent of the fresh water on the face of the earth—constitute the largest reservoir in the world.

IS CONSIDERED SICK

The major sources of filth here, as elsewhere, are raw partially treated wastes from industry and municipalities. Last year, water studies revealed that the southern portion of Green bay now resembles the waters of Lake Erie, the worst of the five Great Lakes in terms of pollution.

Lake Michigan is not an Erie. Neither has its premature aging from the filth of pollution reached the deterioration of Lake Ontario. Lake Michigan is, however, next in line and considered sick when compared to Lakes Superior and Huron.

Already its pollution-choked shore lines are off limits in many places to swimmers in four states. Each day its tributaries in Illinois, Indiana, Michigan, and Wisconsin deliver more filth to its waters, hastening the day when man will have brought another of the Great Lakes to an early end.

DEFY REVERSAL ATTEMPTS

Chicago, with perhaps the biggest stake in the life of the lake, has spent the last half century and billions of dollars developing a good water system. The city draws a billion gallons of water a day from the lake and channels its treated sewage southward into tributaries of the Mississippi river to avoid lake dumping.

Ten miles past the Indiana line, however, the polluted sluggish streams that serve a dense industrial complex are defying efforts to reverse years of haphazard dumping of industrial waters. There is no dissolved oxygen in the Indiana Harbor canal and its waters and banks are covered with oil. The lakeward reaches of Indiana Harbor are rust covered from wastes.

Less than 100 miles north of Chicago, a heavy rain in Milwaukee will flush raw sewage thru 150 overflow outlets and into the lake. The community has devised a program that systematically closes lake front beaches after a certain amount of rain has fallen. Health officials know that bacteria levels have reached the danger point after a heavy rain.

A single example in Milwaukee also helps to explain why little or no progress is being made in rescuing the lake from an early death.

ONLY PARTIALLY TREATED

Less than 2,000 feet from the site of a 10.6-million-dollar treatment plant constructed by the metropolitan Milwaukee sewerage district, partially treated sewage flows directly into the lake. It comes from South Milwaukee, a suburb that treats only 35 per cent of the decomposable organic matter in its wastes because its treatment facilities are outdated.

The suburb declined to join the district, which provides 65 per cent treatment and chlorinates adequately because it prefers to enlarge its own facilities. The plans, however, are still on the drawing board.

Time is running out, water experts warn.

CITES 1966 REPORT

In June, 1966, the federal pollution control administration in the Great Lakes region issued a report which concluded in part:

"The Calumet, Milwaukee, and Green Bay areas of Lake Michigan are already affected adversely by pollution. Should the lake as a whole reach critical levels of nutrients or other persistent contaminants, it would require many decades before remedial measures could result in restoration of satisfactory water quality."

"We are at the critical stage," said Albert Beeton, assistant director of the Great Lakes research center. "Unless drastic measures are taken to reverse the pollution trend in Lake Michigan the deterioration will occur too rapidly to be controlled."

[From the Chicago Tribune, Sept. 8, 1967]

FOX IS THE FILTHIEST WISCONSIN STREAM

(NOTE.—Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By William Jones)

GREEN BAY, WIS., September 6.—The Fox river, largest stream in the Lake Michigan basin, is the filthiest waterway in Wisconsin.

The price tag for this murky distinction is high. It is dramatically high at Bay Beach park here, a short distance from where the Fox flows into Green bay.

The park is a beautiful facility with acres of tree-shaded lawn, picnic tables, and outdoor fireplaces. The shock comes when a visitor walks to the crest of a slight incline that once swept down onto a sandy beach. For the last 25 years, the beach has been a polluted swamp, consisting entirely of rotting logs and dense cattail growth.

POLLUTION ENDS SWIMMING

The pollution cycle that ruined the beach began when waterways like the Fox became so polluted that they flushed dangerously high bacteria levels into Green bay. Swimming was prohibited, and as the years passed authorities decided against the continued expense of keeping the dead waters free of weeds. Eventually the beach became the swamp it is today.

Many residents recall swimming in the water nearly three decades ago. Today their children use a wading pool less than a block from the bay when the family comes to the park. Here and elsewhere, the Fox continues to demand a high price for man's insistence that the 200-mile river serve as an open sewer.

Boat owners at the Green Bay Yacht club, at the mouth of the river, steer their craft thru stagnant slime and oils that form on the slowly moving waters.

LOOKS LIKE BOILING MUD

"When the boat traffic begins running heavy in the spring, the whole river along here looks like boiling mud," explains a lock master at one of the 17 locks and dams along the Fox. The boiling mud consists of acids, phenols, and effluent that combine to form greasy sludge and smother the bottom of the river. At times, the few pollution-tolerant carp that still live in the river float and gasp on the surface of the oxygen-robbed water.

This entire pollution pattern that already has taken its toll in Green bay waters, now constitutes a threat to the main body of Lake Michigan, water experts warn. Samples taken at Sturgeon bay in recent years for example, show deterioration that may be originating in the bay before the water enters the lake.

PAPERMILLS A SOURCE

If pollution movements reach epidemic proportions, then Lake Michigan would be choking on pollution at both its northern and southern boundaries, water experts warn.

The most significant source of pollution of the Fox, according to water experts, are the paper mills along the shore of the river. Some experts estimate that 90 per cent of the river's pollution comes from the 27 mills that dump into the waterway. The river handles this pollution load for 20 miles.

Mill pollution consists of sugars in the watery residue that remains from pulp logs. Bacteria in the stream feed on these wastes and rob the water of oxygen necessary for desirable aquatic life.

Since 1927, the paper mill industry has spent 43 million dollars on anti-pollution equipment and research. The industry plans to spend another 10 million in the next few years.

The industrial hub of Neenah and Menasha dump effluent and industrial wastes into the Fox after only primary treatment at a sewage plant. Primary treatment removes only about 35 per cent of the organic material in effluent.

PROCESSED FOR DRINKING

Three miles away, the city of Appleton takes the water and processes it thru its filtration plant system for drinking. Menasha has begun to cope with the problem by constructing a new sewage plant that will treat most of the pollutional load.

What has and is being done, however, is obviously not enough. Clumps of raw sewage and dead algae still swirl thru the waters at all of the locks and dams along the river.

Water experts estimate that 5 million pounds of phosphate are dumped into Green bay annually, the bulk of it from the Fox. Phosphates are found in enormous amounts in effluents and detergents. They are also the major contributor to runaway algae growth in the Great Lakes and their tributaries.

EXPERTS WARN OF DANGER

The danger of too much phosphate entering Lake Michigan cannot be emphasized enough, experts warn, because it creates a self-sustaining cycle whereby algae thrive on it, die, and return the material to the water. In addition, they say, Lake Michigan does not have the cleansing flow characteristic of a river which, over a period of time, can rid itself of such materials.

Some residents along the Fox and Green bay are optimistic and say that measures already taken to halt the heavy pollution are showing some signs of success. If such observations are valid, the Fox may lose its reputation as the filthiest stream in the state. The tragedy is that there are others waiting to take its place.

[From the Chicago Tribune, Sept. 8, 1967]

Two Michigan Resort Cities Pollute Lake

(Note.—Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By Casey Bukro)

Harbor Springs, Mich., September 7.—The waters of Lake Michigan meet their first onslaught of pollution here, just 35 miles from their birthplace.

Fresh waters flow thru the Mackinac straits, entering the mouth of Lake Michigan from Lake Huron 35 miles north of here. The fresh waters course down the eastern shores of the lake, then enter Little Traverse bay.

Harbor Springs, the first sizable community in the path of the currents from the strait, disinfects its sewage and dumps it into the bay. The fresh water current is never the same again. Pollution worsens the farther south you go.

PETOSKEY DUMPS SEWAGE

The city of Petoskey, also nestled in Little Traverse bay, is only 10 miles south of Harbor Springs. It dumps as much as a million gallons of treated sewage into the bay daily.

The communities are at the very top of 806 miles of recreational shore line in the state of Michigan. They are destined to be first in another way.

"Harbor Springs and Petoskey will be among the first to be ordered by the state to improve their sewage treatment plants," said Thomas Hoogerhyde, a sanitary engineer for the Michigan health department. "Both cities are discharging their wastes directly into Lake Michigan—an interstate body of water."

Harbor Springs and Petoskey are two of only three communities along the entire Michigan state shore line that are dumping wastes directly into the lake.

STATE STANDARDS STUDIED

Under Michigan water quality standards, now under consideration by the United States department of the interior, sewage must be treated more highly before it can go into Lake Michigan.

This means that Harbor Springs and Petoskey must improve their sewage treatment systems to prevent waste contamination of Lake Michigan. Ultimately, all Michigan communities will be asked to improve waste treatment and disposal to comply with the new standards.

Harbor Springs screens and chlorinates its sewage. Petoskey gives it primary treatment.

"Both of those plants are doing the job they were designed to do, but that is not enough in light of the new standards," said Hoogerhyde. "The term 'adequate' is changing fast."

PRIME RESORT AREA

Harbor Springs seems an unlikely place for pollution problems. It is a prime resort area. It is the summer home of millionaires from Chicago, Detroit, Dayton, Cincinnati, Toledo, and other midwestern cities.

The usual year round population of 1,433 more than doubles during the summer.

The problem at Harbor Springs is that since the 1930s, it has been concerned mainly with keeping its beach waters free of dangerous levels of bacteria.

With its faltering sewage treatment plant, that does not always work, the bacteria count sometimes soars over the critical stage.

Why hasn't such a wealthy community done more to conserve the waterway its residents come from afar to enjoy?

"Until now, no one has complained or demanded improvements," said Chester Harvey, Grand Rapids office district engineer for the Michigan Water Resources commission.

The city of Petoskey, year round population of 6,400, has some light industry and it also is a resort area, with population becoming double or triple during the summer months. It is a little stubborn about its water pollution problem, tho.

"It always takes a bit longer to convince Petoskey that they have an asset they should protect," said Harvey. "You always have to tell them they have a problem before they will admit it, then they're as slow as a tortoise to do something about it."

COMBINED SEWER SYSTEM

The origin of most of Petoskey's water problems is the combined sewage and storm water sewer system. A bad storm causes the system to overflow, dumping raw sewage from homes and industry into Lake Michigan along with storm waters. It is estimated that 25 per cent of the annual flow of the plant goes directly into Lake Michigan this way.

As a result, the public beach at Petoskey is closed after a bad storm until bacteria counts in the water drop to a safe level.

[From the Chicago Tribune, Sept. 8, 1967]

Kerner Vetoes Bill To Forbid Dumping Into Lake Michigan

(By Robert Howard)

Springfield, Ill., September 7.—Legislation to curtail pollution of Lake Michigan was vetoed today by Gov. Kerner.

The bill was designed to stop dumping into the lake. Its veto brought an immediate protest from Rep. Carl L. Klein [R., Chicago], chairman of the legislature's Water Pollution and Water Resources commission.

Klein announced that he will ask the Republican leadership to support a move to override the veto when the legislature returns to Springfield Monday after a recess of 10 weeks.

ALSO VETOES REMAP

The governor also vetoed Republican bills to set up new congressional districts before the 1968 election. He adopted the contention, made by Democrats during the legislative session, that a reapportionment ordered by state and federal courts after a 1965 deadlock should remain in force until after the 1970 census.

The legislature passed three reapportionment bills. In varying form, they were designed to give Republican nominees a chance to carry two districts in Chicago and one in southern Illinois.

Klein's anti-pollution bill would make it illegal for the state department of public works after December, 1968, to issue permits for the dumping into the lake of dirt, sand, and other material dredged from harbors and rivers.

ENGINEERS STOP DUMPING

Klein introduced the bill because in the past the corps of engineers has deposited its waste material in the lake. As a result of his protest, the dumping has been stopped.

Kerner in the veto message said Klein's bill would increase the cost of river and harbor work by the corps of engineers, and added:

"To summarily deny the use of the bed of Lake Michigan for any purpose which does not jeopardize the interest of the people of the state of Illinois is not either beneficial or practical, even tho the avowed purpose of the legislation is to prevent dumping of the material into the lake which may tend to pollute the waters of Lake Michigan.

CALLS EXISTING LAWS ENOUGH

"Enforcement of existing legislation by the department of public works and buildings should be sufficient, at least for the present, to prevent further contamination of the waters of Lake Michigan. In addition, the corps of engineers and the Federal Water Pollution Control administration had indicated a joint effort to study and secure, if possible, a solution to the pollution problem sought to be cured by this legislation."

Also vetoed was a bill by Klein which would have required that residential subdivisions have separate storm and sanitary sewer systems. Kerner said the bill is not necessary, because the state sanitary water board has not approved a combined sewer system since 1929.

VETOES SCHOOL BUS BILL

Kerner vetoed a bill to require common school districts to provide free transportation for pupils living a mile and a half or more from schools in areas where adequate public transportation was not available.

Kerner noted that the requirement already was in effect for community consolidated high schools, and community unit districts, and said districts not now providing transportation could not finance such a burden on short notice.

[From the Chicago Tribune, Sept. 8, 1967]

City Council Asked To Act on Pollution

An ordinance and a resolution aimed at curtailing pollution of Lake Michigan were referred to committee by the city council yesterday.

The anti-pollution ordinance, proposed by Mayor Daley and referred to the council's port of Chicago committee, would require installation of retention tanks on all boats with sanitary facilities using Chicago harbors. The tanks would hold sewage for disposal on shore.

The measure would prohibit placing of pollutants in harbors or along banks of the lake and rivers within the city's jurisdiction, or within four miles of the city's water intake cribs.

The resolution, by Ald. Leon M. Depres [5th], asked that Daley and city department heads take immediate steps to halt pollution of the lake and rivers, report what they do to the council, and recommend further measures to the council to accomplish this end.

Depres, in his resolution, said policies of the city, state, and nation have brought Lake Michigan to a dangerous state of pollution. He charged polluted waters are drained into the lake from streets and highways, and that industrial and public sewers empty into the lake.

James W. Jardine, commissioner of waters and sewers, contended later that only storm water enters the lake from public sewers and the drainage from industry in Chicago is limited to air conditioning and other water used in cooling.

[From the Chicago Tribune, Sept. 9, 1967]

Kerner Vetoes Pollution Bills—Cites Limited Funds, Proposed Bond Issue—Master Program for 1968 Given Mortal Blow

(By Robert Howard)

Springfield, Ill., September 8.—Gov. Kerner vetoed today bills to appropriate 15.1 million dollars for an immediate start on anti-pollution programs to be financed later by a proposed billion-dollar bond issue.

Kerner said he vetoed the bills "because of cometing demands on the limited funds available for unbudgeted appropriations such as these." He noted that a larger amount would be provided by the bond issue, which he commended.

Rep. Carl L. Klein [R., Chicago], chairman state water pollution and water resources commission, had introduced the bills.

APPROPRIATE 15 MILLION

One would appropriate 15 million dollars to be allocated by the state sanitary water board for construction of sewage treatment plants by sanitary districts and municipalities. Klein designed the bills so that the state appropriation would be matched both by federal grants and the local governments.

The other would appropriate 100,000 dollars to the state public health department for research on tertiary treatment in sewage disposal plants, provided that federal funds matched the amount. Cooperative programs were to have been authorized.

CHIEF DRAFTER OF PLAN

Klein was the chief legislative draftsman of a program, submitted to a 1968 referendum, for a billion dollar bond issue to finance clean air and clean water programs. Three other anti-pollution bills by Klein were vetoed earlier by Kerner.

Also vetoed was a bill to continue for two years the work of a legislative commission on air pollution. Under the chairmanship of Rep. W. Robert Blair [R., Park Forest], it was credited with major contributions to the 1967 anti-pollution program.

NO FURTHER WORK

The governor vetoed a bill which would have continued for two years the work of a legislative commission, headed by Sen. John A. Graham [R., Barrington] which has investigated the Chicago sanitary district and sponsored reform legislation.

He signed a $20,000 appropriation for a new office of state sanitary district observer. It was introduced by Sen. Egbert B. Groen [R., Pekin], one of a group of downstate legislators who contended that the Illinois river has been polluted by the Chicago sanitary district.

Kerner completed work on bills passed by the legislature ten weeks ago by vetoing a majority of proposals that special commissions study governmental problems during the next 16 months.

VETOES ABORTION STUDY

He disapproved a bill for a special commission to study the possibility of a state abortion law. It passed both houses in June under the sponsorship of Rep. John Henry Kleine (R., Lake Forest.).

In a final burst of work, he signed appropriations approximating 55 million dollars and vetoed bills aggregating twice that amount. Lack of funds to carry on the work was given as his reason for not approving expenditures.

Cherry a Culprit in Problem at Traverse City

(Note.—Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By Casey Bukro)

Traverse City, Mich., September 8.—Next time you drop a cherry into your Manhattan, think of the water pollution problems cherries cause here.

Let it be a reminder, too, that the water can be contaminated in a wide variety of ways that make it unfit for any further use. Oil, chemicals, and sewage are not the only villains of water pollution.

Traverse City has a serious water pollution problem every summer, when tourists swell the usual population of 20,000 to a peak of 40,000 to 50,000.

CANNING SEASON OBVIOUS

Also at its peak from July 17 to mid-August is the cherry canning season. Residents immediately become aware of it.

Waste waters from four canning plants, carrying whole cherries or parts, pits, stems, and leaves, have stained the waters of Grand Traverse bay a purple-black color every summer here for the last 50 years.

It has been a nuisance to swimmers, boaters, and fishermen who come here expecting clean water.

JUST A START

Those nuisances are just a start. Fruit sugars in the waste waters act as fertilizer, stimulating massive growths of slime and algae in the Boardman river running thru town and into the bay.

These seasonal pollution problems in Grand Traverse bay caused by canning operations are unique on the Michigan shores of Lake Michigan. There are no other canneries located directly on the lake shores, altho there are 70 canning companies in western Michigan.

Equally unique are the kinds of slime and algae growths found in the waters here.

SEES LONG STREAMERS

At first glance, the lower Boardman river seems to be full of long streamers of tissue paper waving in the water.

Actually, is it a long, tan feathery slime growth which coats the bottom of the river. It thrives on fruit sugars in the water. It is a nuisance and an unsightly mess.

When these growths break off, they float into the bay and are washed in great piles onto the shores of the west arm of the bay, where they decay and stink. The decaying slime also sends the bacteria counts at local beaches sky high.

CONSIDERS CLEANING BEACHES

"I seriously considered shutting the beaches here one summer," said Dr. John R. Spencer, former director of the Tri-County health department here.

High bacteria counts are not the only danger, Dr. Spencer said. He explained that the wastes from the cherry canners are a powerful form of water contamination that is adding a burden to the natural ability of Lake Michigan to survive as a clean body of water.

TELL WASTE FIGURES

"In terms of oxygen demand, cherry canning wastes are three or four times stronger than any raw human sewage," Dr. Spencer said.

Twelve thousand tons of cherries are produced here each year. Also produced here are four to five million gallons of waste water each day during the six to eight-week canning season.

"Half of the waste water goes directly into the Boardman river or into the bay without being treated," Dr. Spencer said. The bay flows into Lake Michigan.

The local sewage treatment plant treats some of the canning company wastes. But it removes only about 25 per cent of the waste at peak canning periods before dumping its daily load of three million gallons of treated sewage into the Boardman river.

Traverse City once drew its water supply from the polluted west arm of Grand Traverse bay. The city built a new water treatment plant at a cost of 3 million dollars so it could draw water from the east arm of the bay, which is not polluted.

RESIDENTS, TOURISTS COMPLAIN

Residents here who have paid several hundred dollars a foot for property fronting on the west arm of Grand Traverse bay, adjacent to the Traverse City area, have complained loudly of the nuisance in the water. So have tourists using public parks and beaches in the bay.

The result was a conference called here in 1965 by the Michigan Water Resources commission. It resulted in an agreement between the city and the canning company to cooperate in solving the problem.

One effect has been that one of the canning plants, Cherry Growers, Inc., closed its bay front plant in Traverse City this summer and moved inland to nearby Grawn.

PLANT TO MOVE

Two canning plants here have merged to form Morgan-McCool, Inc., which is located on the bay front in Traverse City. This company has announced plans to close its plant and move to another location when the city has enough money to buy the property for an urban renewal project. It plans to move out in 1969.

City officials here say these plants are closing because there is no room to expand. Dr. Spencer says that is only part of the answer.

There has been intense public pressure on the companies and the city to stop the nuisances caused by canning wastes, Dr. Spencer said. The need to treat their wastes triggered the moves, he added.

DUMPS ONTO RIVER

A smaller canning operation, the Traverse City Canning Company, discharges its wastes to the city sewerage system and to the Boardman river.

What has been the result of any improvements stemming from the commission hearing?

"A very small part of the total problem has been solved," Loring F. Oeming, executive secretary of the commission told the Tribune.

Some headway was made this summer in keeping some of the nusiances, such as cherry parts, pits, and leaves, from reaching the shores of beaches and parks where people can see them. The companies have improved methods of screening waste waters to remove large objects.

The waters still flow black with cherry juice and oxidized fruit waste during canning season, tho.

"The hardest part and the most expensive part remains to be solved," said Oeming. "That is eliminating the organic material in canning wastes, such as fruit sugars and phosphates."

FERTILIZE PLANT LIFE

Those wastes continue to fertilize great blooms of plant life in the water here.

"We have treatment methods to remove organic solids from the water," Oeming said. "But we still do not have techniques to eliminate phosphates."

A pilot project has been started in Traverse City to find ways to remove phosphate from water by using biological and chemical processes. It is expected to be operating in December, 1970.

Traverse City also has offered a program to the M.W.R.C. to build a secondary sewage treatment plant, which could remove up to 90 per cent of wastes in sewage, by 1970. It is hoped that this plant will also treat wastes of any canning companies remaining in the city.

"The worst of the problem still remains, which causes the greatest injury to the public," was Oeming's verdict.

[From the Chicago Tribune, Sept. 10, 1967]

A LITTLE RIVER IMPERILS LAKE—ITS WATERS ARE GLUTTED WITH RAW GARBAGE

(NOTE.—Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By William Jones)

MANITOWOC, WIS., September 9.—When the Little Manitowoc river rises over its banks next spring and rushes to Lake Michigan, its waters will be glutted and soured with garbage.

This is the prediction of conservationists here who have clashed with the city over the creation of a raw garbage land fill on the banks of the river last January. Already, they warn, dangerous amounts of waste seepage already may be in the water.

DUMPING ORDERED HALTED

The Wisconsin state department of resource development agrees with the conservationists. Three times this year it has inspected the site and issued orders to the city to halt its dumping.

The dump is in a flood plain, according to the state, and substantial portions of its greasy contents can be expected to flow into the lake when the river rises.

Three times the city has gone to court and argued successfully that such a move would create a hardship for the community because it has no other place to go with its garbage.

LEAGUE IS DISGUSTED

"We are a little disgusted to say the least," said Albert Mertens, president of the Manitowoc chapter of the Izaak Walton league. "It's rather frustrating because we have asked the state to inspect the site three times, and every time the city goes to court and its appeal is granted."

A constant procession of trucks and autos into the four-acre site has created a dust bowl of powdered earth. To reach the banks of the river at this point, a visitor must walk thru the dust, trash, and garbage. Rotting timber, discarded clothing, and milk cartons litter the steep banks.

The river now is little more than a creek with hardly any current to transport the soup and beer cans that roll down its banks. In the spring, however, when melting snow flows off the upstream farmlands, conservationists warn that the resulting torrent will cut into the piles of garbage and carry it into the lake.

In direct contrast to the city's apparent lack of concern over the Little Manitowoc and the spreading menace to the lake, is a far reaching community plan for improving the water and banks of the larger Manitowoc river, another lake tributary.

PLANS BEAUTIFICATION

Here, the community wants to beautify the river and lakefront, creating a focal point of recreational activity for residents. When the city embarked on this plan it called in the state resources department to evaluate such a program.

The state's report clearly outlines the dilemma faced even by a community of 34,000 when it decides to come to grips with its water problem. In addition to the deterioration of buildings and pilings along the Manitowoc river, the city was told that water pollution control greatly affects any decision to improve harbor and river recreation.

URGES GREATER FACILITIES

This conclusion was reached despite the fact that the city has had a separate storm and sewage system since the 1930s and secondary treatment of its municipal sewage since 1960. Such facilities are only in the planning stages in many communities on the lake and considered too expensive to even consider by others.

Nevertheless, the state recommended that greater treatment facilities be installed to reduce even further the amount of effluent entering the river and lake.

At the same time, upstream erosion along steep river banks will have to be halted by purchasing the land and planting vegetation, the report said. The erosion results in heavy silting in the river and the continued pollution problem where the river enters the lake.

The report also indicated that no community stands alone when it attempts to halt the pollution of a waterway. Manitowoc Rapids, a small settlement on the western fringe of Manitowoc, was annexed a few years ago and ordered to connect into the sewer system. Until then, the community had no sewers and the resulting outflow was a constant source of pollution.

LAKE IS LOSER

At the time the state report was compiled, the city had not yet created its present garbage dumping area on the banks of the Little Manitowoc. Now, as the city prepares to flush its garbage into one river and at the same time improve its other waterway, there seems to be little concern over the obvious conflict in water pollution control.

The loser, of course, is Lake Michigan. If the lake succumbs to such planning—and the list of experts who say it will is growing—a few clean waterways flowing into a dead Great Lake will be of little consolation.

STOP FOULING WATERWAYS, PLANTS TOLD—SANITARY DISTRICT SETS DEADLINES

(By Anne Getz)

Charged to enforce new state and federal standards for clean water, the sanitary district has established new 30-to-90-day deadlines for industries to correct their discharging of contaminants into Cook County waterways.

John Egan, district president, said failure to comply with the new schedule will bring fines and court action.

LONG TOO TOLERANT

"We have long been too tolerant of industrial pollution problems," he said. "It's now time for us to buckle down and fight back."

He said, that recent articles in THE TRIBUNE have brought the problem of pollution "into front page perspective—where it belongs."

In the first board order issued under new guidelines for operation of the district, five violators will receive fines and court action if they do not comply with district regulations.

John Vivoda, district coordinator of industrial waste, said the action follows a series of hearings in which the companies were given an opportunity to explain reasons for the violations. In most cases, he said, they were "vague and evasive" in outlining plans for corrective action.

YACHT CLUB WARNED

In the board order, Columbia Yacht club, Washington street and the lake, was told to discontinue by Sept. 30 its discharge of domestic sewage, garbage, and untreated waste water into Lake Michigan. Vivoda said the club has been under investigation by the district since 1965.

Enterprise Wire company, 2842 Vermont st., Blue Island, and Sterling Laboratories Inc., 4600 Ronald av., Chicago, were given until Oct. 1 to discontinue their discharge of oils, greases, and fats into sanitary district sewer lines.

A third company, Silver Skillet Food Products, 7450 St. Louis st., Skokie, was given until Dec. 1 to halt its practice of discharging contaminants into an interceptor line attached to the district's North Treatment works, Skokie. Vivoda said the discharge is clogging district treatment operations and preventing adequate treatment of wastes.

GETS DECEMBER 4 DEADLINE

Catalin corporation, a division of Ashland Oil and Refining company, 142d street and Paxton avenue, Calumet City, was ordered to discontinue its practice of dumping acids and bacterial loads into the Calumet river by Dec. 4. Vivoda said the company's record of violations dates from 1963.

Under board order, failure to correct pollution violations will lead to fines of $100 a day for each day the violation continues or a court order to halt the discharges by injunction.

Since the stepped-up enforcement program started early this year, the district has cited 13 industries for illegal sewer discharges. Eight industries have beeen cited for discharging solids and oils into the sanitary and ship canal, the north branch of the Chicago river, and Lake Michigan.

NEW PROGRAMS SET

Under new water purity standards set by the state sanitary water board, industries must eliminate the discharge of oil, scum, grease, and floating solids from all rivers and streams by December of 1969. By 1972, new equipment for refined "second stage" waste treatment must be installed to remove all but 6 per cent of contaminants from all plant discharges.

The time tables stipulate that industries provide for in-plant housekeeping, debris removal, spill control, sewer separation, neutralization of acid and alkaline wastes, monitoring, and other corrective measures to upgrade state waterways by 1975.

[From the Chicago Tribune, Sept. 10, 1967]

TAINTED FISH CAUSE WOE IN MANISTEE; RESIDENTS POINT TO INDUSTRY AS CAUSE

(NOTE.—Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By Casey Bukro)

MANISTEE, MICH., September 10.—Fish caught here sometimes taste like kerosene.

That is the major water pollution problem around Manistee, where thousands of fishermen are gathering now to catch transplanted coho salmon making their first spawning run.

Not all the fishermen are happy with their catches, even tho each fish might weigh 16 pounds or more. Kenneth T. Turk, 28, a Manistee city policeman, is one of them.

Turk caught a rainbow trout weighing 16 pounds, 7 ounces last fall in the southern end of Manistee lake.

EXPECTED GOOD EATING

"Gee. I came home, thinking it would be good eating," said Turk. He cleaned the fish and gave it to his wife to fry.

"As soon as it started to fry, it started to smell," said Turk. "It seemed as if someone had poured kerosene into the pan. It stunk up the whole house."

Last year, Turk caught eight fish in Manistee lake, which flows via the Manistee river to Lake Michigan. He gave away three of the fish. Of the five he kept, three were not edible because of offensive taste or odor.

A story is told here of a minister from nearby Cadillac, Mich., who caught a large rainbow trout in Manistee lake. He brought it home and invited guests for a dinner of baked fish. It was tainted and they couldn't eat it.

ALL PRETTY UNHAPPY

On the following Sunday, the minister gave a powerful sermon on water pollution. The minister is one of many persons who have been duped by foul-tasting fish.

"We're all pretty unhappy about it," said Turk, who also is a part-time fishing guide. He knows of another guide who refuses to take fishermen to Manistee Lake because there is no guarantee they can eat what they catch.

What is causing this nuisance?

"I know industry is causing it. There is no doubt about it," said Turk.

The Michigan Water Resources commission, after a decade of investigating complaints of off-flavor fish, agreed with Turk's conclusion in a report issued Aug. 31.

RASH OF COMPLAINTS

There was a rash of new complaints in 1966 and early this year. Some anglers said the fish they caught tasted like oil or Scotch whisky.

The MWRC report said that tests begun last April show that live fish kept in boxes off shore from the Packaging Corporation of America—located at Filer City on the southern end of Manistee Lake—were found to have peculiar aroma and taste. A state official said the fish rated at the bottom of a seven-point scale.

Packaging Corporation of America operates two pulp and paper mills which make corrugated cardboard and food packaging cartons.

FOUR MILLION GALLONS

The mills dump four million gallons of waste into Manistee Lake daily. The commission told the company last July 12 to identify the substance causing the taint problem and to correct it. The company also was asked to investigate its disposal of kerosene, used to dissolve wood pitch that sticks to papermaking machinery. Kerosene used by paper mills has been a major water pollution problem for years.

Donald Voights, technical director of the company, told THE TRIBUNE that a substitute for kerosene was discovered a few days ago. Kerosene will be eliminated there, altho the substitute costs twice as much, said Voights.

There is another theory, Voights pointed out, that the tainting comes from thousands of gallons of oil released 15 years ago into the southern end of Manistee Lake by strikers who raided a nearby forge plant.

The cardboard company is testing the oily mud at the bottom of the lake in an effort to substantiate this theory. It also might prove that water contamination has far-reaching effects, which can strike again in the distant future.

A DELICATE BALANCE

This traumatic collision of man-made wastes and nature points up a delicate balance which conservation officials try to maintain in Manistee. The resort and fishing business is important here. But so is industry.

Frank C. Vining, a MWRC pollution investigator was driving past the Hardy Salt company here and a team of TRIBUNE pollution investigators when he said with a start, "I've never seen anything like that before!"

On the grounds of the company was a large well pipe gushing brine water at a rate of 300 to 400 gallons a minute. Wherever the water splashed, it dried into white crystals. The torrent of salt-saturated water was flowing into Manistee Lake.

FIFTY-YEAR HABIT

Investigation showed that the company has been flushing pipes used in pumping brine from natural underground deposits. Company officials told Vining they have been flushing pipes for 50 years.

"We'll see some correction here," said Vining. He set out to determine whether the brine flowing from the company property surpasses its authorized discharge into Manistee lake.

Geologists believe brine wastes should be returned to the ground for future use or at least safe disposal. A continued flow of brine could damage the lake, said Vining.

[From the Chicago Tribune, Sept. 12, 1967]

LAKE POLLUTION GROWING—DANGER IS DESCRIBED BY U.S. WATER EXPERT—DEMOCRATS BLOCK HOUSE BILL TO BAN DUMPING

(By Robert Howard)

SPRINGFIELD, ILL., September 11.—The Democratic House minority today blocked an attempt to override Gov. Kerner's veto of a bill designed to stop one source of Lake Michigan pollution.

"Do you want Lake Michigan to die?" asked Rep. Carl L. Klein [R., Chicago] while pleading for Democratic support. It was the first major roll call after the legislature, which recessed 10 weeks ago, resumed its regular session.

The vote was 95 to 46, but a two-thirds majority of 118 was needed to pass the bill over the governor's disapproval. From the minority side, only Rep. Leland H. Raysom [D., Tinley Park] voted for the bill, but 17 showed their embarrassment by voting "present."

OK'D 3 MONTHS AGO

Klein, chairman of the state's Water Pollution and Water Resources commission, three months ago won a 148 to 0 roll call on House passage of his bill to prohibit dumping in that part of Lake Michigan which the state owns.

Gov. Kerner, who vetoed several of Klein's anti-pollution bills, said that the corps of engineers had stopped the deposit of harbor dredgings in the lake and contended that the problem could be controlled by having his department of public works refuse to issue permits.

BLAMES SANITARY DISTRICT

Klein disagreed on the latter point. He charged that some industries are being protected and said that dumping permits were issued until his investigation started last year. He contended that, unless his bill became law, the courts could not prohibit dumping if mandamus suits were brought in the future.

He accused the Howard street station of the Chicago sanitary district of responsibility for "slop and sludge" in river channels which tests show have been deposited in the lake.

"Do you want Lake Michigan to become worse than Lake Erie?" Klein asked. "Do you want pollution in our drinking water? Do you want to encourage Indiana, Wisconsin, and Michigan to allow dumping in the lake?"

"The time is now to let the polluters of the lakes and streams of Illinois know that we mean business."

NOTES DALEY APPROVAL

He said that Mayor Daley of Chicago, the Chicago City council, and Dr. Franklin Yoder, the governor's director of public health, favor the anti-dumping bill.

Gov. Kerner also vetoed Klein bills which would appropriate 15.1 million dollars for an immediate start on anti-pollution projects which would be financed later by a one billion dollar bond issue if it is approved at a 1968 referendum.

More roll calls on attempts to override bills are scheduled tomorrow and next week.

Democrats again indicated their intention to defend the governor when Robert G. Day [R., Peoria] asked the House to upset a veto of his bill to make 21 years the age of majority for women as well as men. The vote was 86 to 77.

MORE ROLL CALLS SET

House Speaker Ralph T. Smith [R., Alton] plans more veto roll calls tomorrow and the first three days of next week, when the legislature is expected to recess until January. The September session for consideration of veto messages was recommended by a special commission which studied legislative procedures for the past two years.

Sen. W. Russell Arrington [R., Evanston], the majority leader, put his stop-and-frisk bill, widely supported by law enforcement specialists, at the top of a list of vetoed bills on which Senate roll calls were scheduled Sept. 19.

Arrington also will atempt to override the veto of his bill which would permit reporters in precinct polling places for quicker reporting of election returns.

AIR PANEL ON LIST

Other Republican senators have asked roll calls on bills which would set up a grievance procedure for state employes, continue supplemental pensions for retired teachers, and regulate motorcycles.

Among vetoes being challenged in the House is one which ended an air pollution commission headed by Rep. W. Robert Blair [R., Park Forest].

INDUSTRY WASTE SHOWS INCREASE SINCE 1965

(By William Jones)

Pollution of southern Lake Michigan has drastically increased in recent years despite water purity standards adopted less than three years ago, water experts said yesterday.

"Industrial pollution in the Grand Calumet river and Indiana harbor canal system has become more severe since 1965," said

Robert J. Bowden of the Great Lakes regional office of the Federal Water Pollution Control administration.

REPORT ON COMPOUNDS

Bowden, who is in charge of the administration's pollution surveillance program in the Calumet area, said concentrations of iron, cyanide, and phenol [acid] compounds are all higher than in 1965. The Indiana canal connects the Grand Calumet river to Lake Michigan.

Bowden was one of a number of water experts who detailed the lake's increasing pollution sickness during an interstate progress meeting. Municipal and industrial representatives from Illinois and Indiana attended the meeting in the Federal building.

CALLED WORLD'S FILTHIEST

"The Grand Calumet river is the filthiest stream in the world." Bowden said. He said bacterial limits are being violated in 95 per cent of the cases in which his office took water samples and that rules requiring elimination of floating oil, solids, debris and odor are also being violated.

Mayor Daley, in his third appearance in recent weeks before groups attempting to deal with water pollution problems, told the meeting:

"Altho areas of Lakes Erie, Ontario, and Michigan have already deteriorated to the point that their use for water supply and recreation is severely threatened, there are still people who doubt that the situation we face is really a crisis. If we are to be guided by these persons, all of the Great Lakes would have to be destroyed before the public would be called upon to respond to the challenge.

WARNS AGAINST DELAY

Daley warned against piecemeal efforts to control the lake and said they will fail and cost more in the long run. Instead, he called for a cooperative effort from all communities with a stake in the future of the lake.

Murray Stein, assistant commissioner of enforcement for the FWPCA, warned that the pollution death of the Great Lakes could bring severe economic repercussions that might affect the United States as a world power.

James C. Vaughn, water purification engineer for the city of Chicago, reported a continuing decline in the quality of raw water in the lake.

"It was hoped that the activities of the FWPCA conference in 1965 would result in a definite and immediate improvement in raw water quality," said Vaughn. "On the contrary, there has been a steady deterioration."

AMMONIA CONTENT DOUBLES

Vaughn noted that since 1965 the average ammonia nitrogen content in the water at the south water filtration plant has more than doubled. Large slugs of pollution normally found only at the south plant, Vaughn noted, are now becoming common at the recently constructed water plant north of navy pier. He said that in the last 20 years, the city has increased its amount of chlorine needed to treat the same amount of water by 67 per cent.

Other grim statistics reported at the meeting:

The amount of activated carbon dosages used to remove objectionable odors and tastes from lake water has increased from 24 to 41 pounds per million gallons in the last 20 years.

The water quality at Chicago's Dunne crib and the Gary water intake does not meet the standards for chlorides, ammonia, phosphates, iron, and phenol.

INDIANA BEACHES POLLUTED

The water quality at Indiana beaches was not satisfactory because of wastes from Indiana Harbor and direct discharge into Lake Michigan.

Yesterday's meeting was one in a series which began in 1965 and resulted in water standards for the lake to be met by industry and cities that have been dumping sewage into the lake.

Vaughn was asked if federal legislation is necessary to end water pollution.

"There has to be federal legislation. There is no question about it, and I'm convinced that the cities, the state, and the federal government working together can find the answer," he replied.

DISCUSS STEEL DEADLINE

Much of yesterday's session involved a discussion between the five federal conferees as to whether the pollution control deadline of Dec. 31, 1968, should be extended for three steel companies.

The conferees are Stein, chairman of the group; H. W. Poston, regional director of the FWPCA; John E. Egan, president of the sanitary district; Blucher Poole, secretary of the Indiana stream pollution control board; and Clarence W. Klassen, secretary of the Illinois sanitary water board.

Since the conferees do not vote on such matters, Stein will submit a report to the department of the interior. Stewart Udall, secretary of the interior, then will decide whether the extension should be granted.

[From the Chicago Tribune, Sept. 12, 1967]

FISH OR JOBS? A PROBLEM FOR MUSKEGON—INDUSTRY POSES THREAT TO SPORT

(NOTE.—Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By Casey Bukro)

MUSKEGON, MICH., September 11.—Which is more important—fish or jobs?

That question can cause a knockdown, dragout fight here.

It shows that people are sensitive about the clash between the commerce that makes this a thriving port city and sport fishing.

This clash shows in another way. It shows in the oil slicks floating on Muskegon lake, the garbage dumped from ships at the shoreline, and the streams of industrial wastes flowing freely into the lake. Muskegon lake flows into Lake Michigan.

Muskegon, with a population of more than 100,000 in its metropolitan area, shows all the signs of severe water pollution problems created by a large population in an industrial city.

FIRST ENCOUNTER

Muskegon marks the first encounter with large-scale industrial pollution by a team of Tribune reporters on a southward sweep on the eastern shores of Lake Michigan, commonly thought to be a vast recreation area with clean water.

Human activities, on a large scale, cause this first great blight of pollution, said Chester Harvey, Grand Rapids district engineer for the Michigan Water Resources commission.

"The problem is people," stressed Harvey. "You can't have that many people performing their normal activities without creating water pollution problems."

Normal activities here include paper mills, shipping, metal working, foundries, manufacturing, refining, chemical works, and ferrying operations.

COEXISTENCE POSSIBLE

Harvey believes the industries can exist side-by-side with fish life. But he admits the fish are taking a beating in parts of Muskegon lake.

One example is the S. D. Warren Paper company, a division of Scott Paper company, located on the southern banks of Muskegon lake. It is a pulp and paper mill making wrapping paper and paper board.

"This is the largest single source of waste in Muskegon lake," said Harvey. The plant produces 500 tons of paper products a day, along with 15 million gallons of waste water carrying fibers and solids.

SHARP CONTRAST

This stream of buff-colored pollution hugs the southern shores of Muskegon lake and contrasts sharply with the blue lake water.

This waste accounts for 50 per cent of the suspended solid particles going into Muskegon lake each day, said Harvey.

The Michigan Water Resources commission has ordered the plant to reduce the waste load.

"They have not met those conditions," said Harvey.

The effect of this waste upon the lake is twofold:

1. Layers of sludge composed of the paper fibers and solids are coating the bottom of the lake. This sludge covers fish spawning and feeding grounds, driving the fish away.
2. The buff-colored wastes float to local marinas, yacht clubs, and boating clubs, spoiling the view and appreciation of the water.

SHIPS CAUSE PROBLEMS

Muskegon can take pride in being the only major Michigan port on the eastern shores of Lake Michigan. But this distinction also can be a pain in the lake.

Ships often dump bilge or ballast waters containing oil and grease into the lake. Clots of grease and oil floating in the lake mar the appearances of pleasure boats here. The ships also dump garbage into the lake or onto the shore.

"This is one area where we are lax," said Harvey. "We ought to have a better way to take care of garbage and wastes from ships here."

Furthermore, it is estimated that industry alone dumps 500 gallons of oil each day into Muskegon lake.

CITY ADDS POLLUTION

The city of Muskegon adds its measure of pollution to Muskegon lake.

The Muskegon sewage treatment plant discharges 7.5 million gallons of treated sewage each day into the Muskegon river, which flows into Muskegon lake.

The point where this waste enters the river can be seen easily.

This flow of sewage enters the river just about 100 feet from the field office of the Michigan conservation department here.

"If we could prove that the sewage was killing the fish, we would do something about it," said Harvey. However, Muskegon is planning to build an improved sewage treatment plant within five years.

Harvey noted that the most serious water pollution problems in Muskegon have occurred in the last two years, and the need to act against them is becoming urgent.

[From the Chicago Tribune, Sept. 13, 1967]

SHEBOYGAN: ONE CITY THAT ACTS TO PREVENT POLLUTION OF THE LAKE

(NOTE.—TRIBUNE reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By Williams Jones)

SHEBOYGAN, WIS., September 12.—One of the few bright spots in the grim picture of Lake Michigan's pollution sickness can be found in this industrial community of 50,000.

Its pollution abatement programs—considered among the most progressive in the state—are a result of cooperative efforts by industry and local government.

Much of the credit for their success is given to Jacob Klein, who has been superintendent of the community's sewage department since its creation in 1935. Klein will retire in the spring after more than three decades of "friendly pressure" to save the waters of Lake Michigan and the Sheboygan river.

SEEK OWN SOLUTION

"Friendly pressure" is Klein's characterization of his dealings with industry. It consists, he says, of avoiding state and federal enforcement offices in favor of well-thought-out analysis of how industries cause pollution and what is required to correct the problems.

Klein recalled the case of a leather company which was flushing hair and flesh from animal hides into the sewage system. Both materials continued thru the treatment plant and into the river and lake.

Armed with the necessary data for correcting the pollution, Klein went to the company and suggested the installation of a waste diversion system with screens to remove the flesh and hair.

MORE PERSUASIVE DATA

The firm's engineers argued that a less costly program could achieve the same results. They yielded, however, when Klein and his staff returned with more details and demonstrated the need for the facilities.

"Industry here is always willing to listen to the man [Klein] because his approach is reasonable," one industrial official said. "He'd rather get the job done than go screaming all over the state about pollution control."

Another cooperative effort by Klein and officials of the Plastics Engineering company here has resulted in the installation of $60,000 in pollution control equipment in the last two years. The equipment was installed, according to Klein, because the company was expanding and wanted proper equipment to keep its wastes from becoming a problem.

SEPARATE STORM LINES

The city itself has pursued a progressive pollution control program, separating its storm lines from its sewage lines to prevent overflow of sewage into the waterways during heavy rains.

Klein admits that the pollution in a community of 50,000 is more easily solved than that of a city of several million. He is convinced, however, that it is small communities—those of several hundred persons—which will pose the greatest threat of pollution in the future.

DIVERSE AND INEFFICIENT

Each has its own treatment facilities, Klein noted, and many are operated inefficiently. Six miles north of Sheboygan, for example, the town of Oostburg operates its own treatment plant for a population of 1,065 persons. Its effluent is pumped into a winding creek that flows into Lake Michigan after picking up effluent from Cedar Grove, three miles away.

"These communities should unite in a common sewage treatment system that could provide better waste removal," Klein said. "But they just never seem to get together."

[From the Chicago Tribune, Sept. 14, 1967]

DALEY URGES UNITED STATES CRACKDOWN ON INDUSTRIAL POLLUTION OF LAKE—FILTH FILLED CREEK GROWS WORSE

(Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By Casey Bukro)

"This is how water pollution happens," Joseph L. Tite, sanitary engineer for the Indiana state board of health, said as he watched a white, milky liquid billow from a discharge pipe into an inlet of Trail creek in Michigan City.

"I caught a live one today," said Tite. "This is a new one to me."

The milky substance billowed in stark contrast to the black waters of the creek. It came from a pipe behind factory buildings of Blockson & Co., manufacturers of rubberized upholstery materials.

IDENTIFIED AS LATEX

Tite identified the contamination as liquid latex being flushed without authorization into the creek. He notified state and local officials to begin an immediate investigation.

"This is a typical day in my life," said Tite. "I go out on one call, then run into something like this. Then I spend the rest of the day trying to find what is causing it and how to stop it."

Tite is a soft-spoken man who has been a sanitary engineer for the state since 1960. He chain-smoked cigars.

FOUND ON PATROL

Tite had come to the area near 4th street on a routine check of water pollution trouble spots in Michigan City.

About 50 feet away from the new invasion of pollution was the contamination problem Tite had expected to see.

Large black clots of raw sewage were floating in the waters flowing from a storm sewer located just a half mile upstream from Lake Michigan.

"This is a classic example of problems with an old combined sewer system," said Tite. He explained that the Michigan City sewer system is 50 years old.

CITES OBVIOUS MALFUNCTION

"There is an obvious malfunction in the control gate of the storm water outfall," said Tite. This allows raw sewage to enter the storm water lines, which were designed to carry only storm waters to Trail creek.

Now, even in dry weather, all four storm sewers in the city discharge a steady flow of raw sewage mixed with industrial cooling water into Trail creek.

The problem is intensified because the flow of Trail creek is very slow, allowing contamination to concentrate in the creek. Trail creek flows into the Michigan City harbor, then directly into Lake Michigan.

Swimming in the harbor is forbidden as a health hazard.

Because Michigan City gets its water supply from the Lake just east of the harbor, this flow of raw sewage is a matter of concern to people who live there.

ORDERED TO CHLORINATE

To combat the high bacteria count in the waters of the harbor area, the state of Indiana issued a mandate in 1963, ordering Michigan City to chlorinate its treated sewage water.

The city now is building a chlorination plant at a cost of one million dollars.

This meant that Michigan City had to lay aside temporarily its plans to separate its system of storm and sanitary sewers.

"This is our greatest problem in Michigan City—separating the two systems," said James B. Gifford, manager of the Michigan City sanitary district.

WILL SELL BONDS

Gifford said that 1.8 million dollars in bonds will be sold Oct. 3 to finance a project to start separating the sanitary and storm flows. He said his office now inspects the entire sewer system once a week to detect breakdowns in the filtering system.

Michigan City is an example of how water pollution problems can befall even a community which has taken steps to control pollution in its sewage.

STILL NOT ENOUGH

The city has a sewage treatment plant using primary and secondary treatment which removes up to 94 per cent of the contamination in the 10 million gallons of treated sewage released every day into Trail creek.

But these efforts are not enough in the face of rising bacteria counts and unexpected influxes of contamination from local industry.

Chemical tests prove these efforts are not enough. But there is another way city officials know.

"Our boaters keep us well informed," said Gifford. "Any time anything happens to the water, they let us know right away." There have been complaints here of odors in the water and scum clinging to the boats.

[From the Chicago Tribune, Sept. 14, 1967]

DALEY URGES UNITED STATES CRACKDOWN ON INDUSTRIAL POLLUTION OF LAKE—WANTS DEADLINE ENFORCED NOW

Mayor Daley yesterday strongly opposed giving industries any further extensions of the Dec. 31, 1968 deadline for completion of water pollution controls called for by the federal water pollution control act. The deadline has been extended twice and some industries have asked for still more time.

In a telegram to Stewart Udall, secretary of the interior, Daley said:

"The imperative necessity of protecting our citizens from contaminated drinking water and to preserve recreational facilities provided by the great natural resource of Lake Michigan and other waters impels me in behalf of the people of Chicago to oppose strongly any weakening of measures designed to eliminate water pollution.

ASKS FOR ENFORCEMENT

"To that end, the requirement for industry to institute pollution control by Dec. 31, 1968, should not be extended. Instead, every possible effort should be made to achieve this vital objective."

Daley told reporters the Lake Michigan pollution situation is serious and that everything possible should be done in 1968.

MUST ACCELERATE PROGRAM

He said, "We can't let one day pass without striving to meet the problem."

He continued: "We need a more accelerated program. Perhaps, instead of working eight hours a day, industry should be working 16 to 24 hours a day on this the way the city does on vital public works."

[From the Chicago Tribune, Sept. 14, 1967]

DRIVE TO PUSH POLLUTION BOND

(By Robert Howard)

SPRINGFIELD, ILL., September 13.—The Kerner administration plans to have a state-wide committee take charge of the 1968 campaign to get voters' support for a billion dollar anti-pollution bond issue.

A spokesman for Gov. Kerner said today the committee should be created within three weeks under the chairmanship of William Rutherford of Peoria, who is prominent in conservation circles.

The mammoth bond issue, which had bipartisan support in passing the legislature three months ago, was designed to spur local governments to take emergency steps against air and water pollution thruout Illinois.

HAS IMPORTANT ROLE

Part of the state grants would be matched by federal aid. Some of the money would be recovered by the state after helping business firms and local governments qualify for low-interest loans. Much of the anti-pollution work simultaneously would give Illinois better recreational facilities.

The billion dollar bond issue has an important role in the effort to save Lake Michigan.

Fear that the anti-pollution drive has made a stumbling start that also might jeopardize ratification of a constitutional convention at the Nov. 5, 1968, election was expressed by legislators who returned to Springfield for a recessed session this week.

Kerner also plans to create a state-wide committee to work simultaneously for "con-con." Both propositions will require wide-based and enthusiastic support such as that given in the successful drives in 1954 for a legislative reapportionment amendment, in 1960 for university and mental health bonds, and in 1962 for judicial reorganization.

The governor gave perfunctory support to amendment proposals for annual legislative sessions in 1964 and to revenue reform in 1968. Both lost.

SNUBBED BY KERNER

Republican legislative leaders privately expressed hope that the anti-pollution campaign will not be delayed and said they are determined to keep it on a bipartisan basis, despite hints that they were being snubbed by the Democratic governor.

Republican leaders who helped formulate the billion dollar program were not invited to a ceremony when Kerner signed the bill in the presence of Gene H. Graves, state director of business and economic development, and officials of conservation groups. Graves made the original survey on which the bond issue program was based.

VETOES FIVE BILLS

A Republican learned later that those who had been invited were asked not to tell him about the bill signing, performed in front of cameras. Only in one case this year was a Republican legislative leader invited to witness the signing of his bill.

The governor also made bipartisanship difficult by vetoing five anti-pollution bills sponsored by Rep. Carl L. Klein [R., Chicago], an attorney who is chairman of the state water pollution and water resources commission. Klein, one of the state's most active workers for clean waters, made the final June decisions about the financial provisions of the billion dollar bond issue bill.

Legislators from both parties expected that Kerner would sign a bond issue bill by Klein and four companion bills by Rep. William A. Redmond [D., Bensenville]. Instead, the governor vetoed the Klein bond bill and signed a fifth Redmond bill which lacked a technical amendment needed to put the program in final form. After Klein pointed out the error, Kerner aids told him a mistake had been made.

THREE JOIN GOP

Only three Democrats voted with the Republicans when Klein tried to get a two-thirds House vote to override Kerner's veto of a bill which would prohibit dumping in Lake Michigan of dredgings from the Chicago and Calumet rivers. The anti-dumping bill, Klein said, had the support of Chicago Mayor Daley and federal and state health officials.

Klein plans an effort Monday to override Kerners veto of a bill which would give municipalities and sanitary districts 15 million dollars as state aid and permit them to qualify for increased federal aid. For improved facilities, they now get 30 per cent of the money from the federal government but must raise 70 per cent themselves.

[From the Chicago Tribune, Sept. 15, 1967]

GROWING PERIL TO CITY WATER SUPPLY IS TOLD—HIGHER CHLORINE DOSES NEEDED TO FIGHT FILTH

(By Edward Schreiber)

Chicago's water supply system will be in "extreme difficulty" in three years if the rate of increase in pollution of Lake Michigan continues, the city's water purification engineer, James C. Vaughn, said yesterday.

Meanwhile, some key public officials were joining Mayor Daley in his opposition to further extensions of the deadline of Dec. 31, 1968, for compliance by industry with provisions of the federal water pollution control act.

Vaughn said that three years ago 10 to 20 pounds of chlorine per million gallons of water were sufficient to purify it. By last April, he said, the average demand was 25 pounds, with a high of 34.7 pounds in April and 35 pounds in May.

DESCRIBES DANGER POINT

He declined to say when he thought present purification facilities no longer would be satisfactory. But he expressed the view that if the requirement reaches 80 pounds of chlorine per million gallons, then the water probably would have to be put thru a dechlorination process after its original treatment. He said this would increase processing costs substantially.

Robert Waller, chief water engineer, and James W. Jardine, commissioner of water and sewers, said they thought more than 80 pounds per million gallons of water could be tolerated.

Daley wired Stewart Udall, secretary of the interior, Wednesday, opposing extension of the 1968 deadline for industry compliance with pollution control provisions.

DALEY GAINS SUPPORT

John E. Egan, sanitary district president, and H. W. Poston, Great Lakes director of the Federal Water Pollution Control administration, came to support of Daley's stand after indicating earlier they would go along with further extension of the deadline.

Both said they changed their minds after a tour Tuesday of steel plants around the southern portion of Lake Michigan.

Egan said he issued a directive to Vinton W. Bacon, district superintendent, to "take immediate steps to assure the board and outside agencies responsible for water quality in this area that programs have been developed and are implemented so as to achieve effective control of lake pollution by December 31, 1968."

BACON VOWS ACTION

Bacon said he agreed with Egan. "If he wants people held to the original schedule, then we'll do it." Bacon said. He denied published reports that he thought the 1968 deadline could be challenged in the courts as unworkable.

"What I advocate," he said, "is court-stipulated agreement with the industries on deadlines. Then, if they miss the deadlines—or if they refuse to stipulate to them—we'll go to court."

"I'm not for penalizing industry," Daley said. "But if they work 24 hours a day, they can accomplish what should be done."

Poston said he would urge legal action against United States Steel corporation for pollution of Lake Michigan from its South Works at 3426 E. 89th st.

ASKS FOR SUBPENAS

He said as much has been done as possible in this instance thru conferences, and the company still can't give a definite deadline for starting effective pollution curbs. He said he is asking Udall to subpena U.S. Steel officials for testimony before a special water pollution hearing board.

Murray Stein, chief enforcement officer for the Federal Water Pollution Control administration, did not think hearings would be necessary. "When U.S. Steel says they will put in pollution control measures by a certain date, they'll do it. They have always cooperated in the past."

But he conceded meeting the 1968 deadline is remote in the case of U.S. Steel's South Works, which he said dumps 17 million gallons of industrial wastes into Lake Michigan each day.

Stein though the deadline might be extended in individual cases, according to circumstances, but he preferred that U.S. Steel embark on the kind of crash program Mayor Daley advocated. "They work round the clock to make steel, so there's no reason why they can't also do it to abate pollution." he said.

U.S. Steel isued a statement pledging itself to abating pollution as soon as possible. "We have been making every effort in that direction," the statement said, and we will work diligently to complete this water quality program with all possible speed.

The firm said two-thirds of the waste being released into the lake will be brought under control "at or near the original target date," and the remaining third as soon as possible thereafter.

U.S. Steel's Gary works along with Inland Steel company and Youngstown Sheet and Tube company have submitted plans for pollution abatement by 1970.

[From the Chicago Tribune, Sept. 15, 1967]

GROWING PERIL TO CITY WATER SUPPLY IS TOLD—POLLUTANTS FOUL INDIANA DUNES SHORE

(Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By Casey Bukro)

Diana of the Dunes would shudder if she could see the Indiana dunes lakeshore today.

Oil slicks have been seen floating in the beach waters, along with globs of unknown substances. A sign posted this summer at Beverly Shores warned against swimming in the lake.

Algae and dead alewives this summer added a new burden of contamination. Bacteria counts in the water have reached critical levels.

Some say that unchecked water pollution will change the famed dunes playground into what Diana is—no more than a memory.

RECALL FEMALE HERMIT

Dunes dwellers, still recall stories of the woman hermit who, in 1915, went to live in an abandoned shack between Dunes park and Mineral Springs. She fled to the peace and quiet of the wilderness after graduating Phi Beta Kappa from the University of Chicago.

Fishermen sometimes caught a glimpse of the elusive woman on the beach among the dunes, and she became known as Diana. She died in 1925. Her real name was Alice Mabel Gray.

She brought notoriety to the dunes in her day. Now, another kind of notoriety has—come to the dunes.

"We believe that the waters of the Dunes State park are being damaged by the pollution." said Thomas E. Dustin, chairman of the Indiana Dunes National Lakeshore advisory commission and national vice president of the Izaak Walton league. "We're fighting like hell to stop it.

"In recent years, water pollution has reached the point where some believe the beach should be closed to the public at times."

CITES POLLUTION INCREASE

He cited examples of grease, oil, bacteria, and oxygen-damaging wastes in the water.

An estimated one million persons visit the dunes park each year.

Herbert P. Read, chairman of the engineering committee of the Save the Dunes council, charges that state officials have closed the park beaches because of high bacteria counts, but always on another pretext.

"I know for a fact that the beach has been closed because of high bacteria counts," said Read. "But park officials never admit to the public that it is because of bacteria. They say it is because it is too cold, not enough lifeguards, or it is too wavy.

WON'T ADMIT POLLUTION

"I don't know why the state is hesitant to admit it. Maybe they're afraid to scare people from the park."

Read said the bacteria problem usually crops up in the spring, when high water levels cause septic tanks in the area to drain. It usually does not happen during the summer swimming season, he said.

Read said that the invasion of park waters by pollution is both direct and indirect.

Direct pollution comes from neighboring streams that carry domestic sewage and industrial wastes to Lake Michigan. Among those are Trail creek, flowing into the Michigan City harbor at the easternmost point of the 14-mile stretch of dunes shore.

The city of Gary, at the western end of the lakeshore, pours its own brand of powerful wastes from industries into the waters.

Between these two points lie three big industrial plants—Midwest and Bethlehem steel mills and the Northern Indiana Public Service plant—and the towns of Beverly Shores, Dune Acres, and Ogden Dunes, plus the Indiana Dunes State park and the national lakeshore.

Almost in the middle of the stretch of recreational shoreline is Burns ditch, a source of highly-polluted water.

Directly in the state park, about 150 feet away from the pavilion, is the outflow of Dunes creek. It carries drainage from a swampy area near the park, along with occasional contamination from malfunctioning septic tanks of homes in the area.

PLAY AREA FOR CHILDREN

The brown waters of Dunes creek are chlorinated to remove bacteria from leaking septic tanks just before flowing into the beach area. The stream is a favorite play area for children.

Signs warning of chlorine gas are posted in the area, but state officials said there is little danger from chlorine. The brown color is caused by sediment from the swamps, they said.

Add to this the indirect flow of pollution from cities all along the shores of Lake Michigan—Chicago, Milwaukee, the Green Bay area, and the Calumet region—said Read.

CURRENT WEAK AT TIP

"The southern tip of Lake Michigan receives every bit of pollution poured into the lake," he asserted.

He explained that lake currents moving north to south tend to deposit water-borne materials at the southern tip of the lake, where the current is the weakest.

"That's how the sand got there," said Read. He contends that the sands which created the dunes were carried by lake currents from the northern end of the lake and dropped at the southern end of the lake.

Likewise, pollution tends to gravitate at the point of the Dunes State park, said Read. Unless all residents of Lake Michigan take steps to halt pollution going into the lake, the southern tip of the lake is doomed, he said.

VANDALISM A PROBLEM

It would be a mistake to believe that the problems of water pollution at the Dunes State park all come from outside.

"One of the biggest problems here is deliberate vandalism," said Joseph L. Tite, sanitary engineer for the Indiana state board of health. "When the park is crowded, it's very frequent."

He cited cases where youngsters have broken six or seven toilets in park comfort stations, so that the water closets flow continuously, causing some flooding in the sandy area. The park must then close the area to the public until it drains and the facilities are restored.

FOLLOWING A PATTERN

Thus, Dunes State park, at Chicago's doorstep, is following a pattern in which prime recreational areas are being spoiled by man-made pollution. This pattern was first noticed by a team of TRIBUNE pollution investigators as far away as Petoskey, Mich., and all along the eastern shores of Lake Michigan, commonly thought to be unspoiled stretches of natural waterways.

"If the southern tip of the lake dies, people and industry will leave the area. We will see the fish go first. But the jobs and people will go next," said Read.

The waters of Dunes State park will be a barometer. If they deteriorate, so will the entire southern basin of the lake, he predicted.

[From the Chicago Tribune, Sept. 16, 1967]

MILWAUKEE RIVER'S OPEN SEWER NOW CHOKING LAKE MICHIGAN

(Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By William Jones)

MILWAUKEE, September 15.—The Milwaukee river, Lake Michigan's major tributary here, is a slime-coated cauldron of filth.

The Milwaukee river is an open sewer so heavily polluted in sections that its odors cause the few boaters to feel nauseated.

The waterway, with assistance from the Menominee and Kinnickinnic rivers, is choking the lake with a steady flow of raw sewage, algae, oils, and sludge.

SWIMMERS RUN RISK

Anyone foolish enough to swim in these waters runs a health risk. Yet these waterways are part of nature's grand design to replenish Lake Michigan.

Coast guard patrol boat trips up the river were described as almost nauseating by a petty officer. During a trip of a few miles up the lower part of the river, two stops were required to clean algae out of the filters of the water-cooled powerboat.

Carpets of algae frequently stretched from bank to bank of the river and from a distance appeared to be vast expanses of lawn. The decaying vegetable life clusters around the thousands of pieces of lumber, old tires, and other trash discarded into the river each day.

FORM POLLUTION RAINBOW

Along the Menomonee, black swaths of coal dust accumulations mix with white paint slicks and bright green algae to form a grotesque pollution rainbow.

A junk yard on the banks of the river stacks its scrapped auto transmissions and auto bodies near the water where oil runoff easily reaches the river.

Refuse from slaughterhouse animal pens is dumped into and near the water, less than a mile from a city-owned asphalt plant which pours its steaming dark-brown wastes into the river.

Adding to these immense amounts of filth is the largest polluter of all—the Milwaukee metropolitan sanitary district. With industry tied into its system, the district handles the waste equivalent of more than 2.5 million persons daily with its outmoded combined sewer system.

Normally, the 550 miles of combined storm and sewer lines carry their load directly to the treatment plant. But during wet weather, storm water combined with raw sewage can flush the raw wastes of 250,000 persons into the lake and river.

The contamination of Lake Michigan beaches is so predictable at these times that the city health department has devised a plan to automatically close beaches when a certain amount of rainfall is reached.

BUILDING NEW PLANT

"When this happens the quality of the water in the lower Milwaukee river essentially is raw sewage," said Lawrence Wright, chief resource planner for the Southeast Wisconsin Regional Planning commission.

The cost of separating storm and sanitary sewers here has been estimated at 200 million dollars, a price tag considered so high that few believe the plan ever will be seriously considered.

A new 10.5 million dollar treatment plant now is being built to increase the efficiency of sewage treatment. But such facilities fall far short of being a cure-all.

STUDY PHOSPHOROUS REMOVAL

They do not remove the large amounts of phosphorus that remain in treated sewage waters and is released to the rivers and lake. Algae thrive on phosphorus and the city recently obtained a $196,000 federal grant to study increased phosphorus removal at its treatment plants.

The removal of this nutrient from waste waters is a common dilemma faced by all sanitary treatment facilities. Sewage experts admit that until this problem is solved, little progress can be made in controlling one of the main food sources of the water crippling algae.

WANTS PRODUCT SWITCH

"The greatest amounts of phosphorus by far are sent into the system from the thousands of households in the Milwaukee area using detergents," said one sewage official.

"If all housewives would switch to laundry products that contain little or none of this material the problem would solve itself. It's not too likely to happen, however."

Significantly, the Milwaukee river also has proven that such waterways can be used for waste disposal if man will compromise on the amounts of filth he pours into a river.

In its upper reaches, 11 sewage plants dump effluent into the river. There is no continual buildup, however, because the dumping is spread out and the water can purge itself of pollution thru the use of sunlight, dilutions, and desirable bacteria.

BEGIN 3-YEAR STUDY

Standing between the river and Lake Michigan, however, is Milwaukee. Here, the river receives colossal amounts of filth just before it enters the lake.

Attempts to deal with such problems move slowly at best. At the present time, they come in the form of a three-year study of the Milwaukee river watershed by the Regional Planning Commission. The study is just beginning and is financed by local, state, and federal funds and seeks recommendations on water pollution and water management.

Meanwhile, the dangerous pollution cycle continues and Lake Michigan is expected to wait until all the reports are completed. The same reports may someday be used for another more disgraceful purpose. They will tell how man killed Lake Michigan.

[From the Chicago Tribune, Sept 16, 1967]

BACON MOVES INTO MIDDLE IN CONTROVERSY—WON'T TAKE SIDES ON POLLUTION DEADLINES

Vinton W. Bacon, general superintendent of the sanitary district, last night took a middle position in the controversy over whether the federal deadline of Dec. 31, 1968 for installation of pollution abatement equipment should be extended for industries at the southern end of Lake Michigan.

Public officials began taking sides Monday when a panel of Illinois, Indiana, and federal officials voted to recommend to Stewart Udall, secretary of the interior, that the deadline be extended to June 30, 1970. On Tuesday, Mayor Daley wired Udall opposing the extension.

EGAN CHANGES SIDES

Then John E. Egan, sanitary district board president, and H. W. Poston, regional administrator of the Federal Water Pollution Control administration, both members of the panel, announced Thursday that they had changed their minds and opposed extending the deadline.

Bacon has been quoted as favoring extension because the present deadline is "unrealistic," but he set the record straight last night.

"I have been saying since 1965 that all industries could not meet the 1968 deadline," he said. "I have also been saying—and I say again—that we should get specific timetables set up with each polluting industry, stipulated to in court if necessary, and then adhere to them.

OPPOSES BLANKET DELAY

"But I am unalterably opposed to granting blank-check extensions of the existing deadline. If we do that, then we'll never get the lake cleaned up."

Bacon said it was fine with him if the sanitary district trustees want to take United States Steel Corporation, whose South works is a major polluter of the lake, into court.

"That's for them to decide," he said, "and they'll have a chances to do just that at Thursday's board meeting."

CRITICIZE GOV. KERNER

Earlier in the day, Republican trustees criticized Gov. Kerner for "playing politics" with his veto of anti-pollution bills. They called upon members of the state legislature to join in overriding the vetoes.

One of them, Eugene Dibble, warned that failure to override the vetoes could cost district taxpayers 7.5 million dollars in the next two years and would hamper the cleanup of district waterways.

Another trustee, Gerald Marks, criticized Democrats in the legislature—and, by implication, Mayor Daley—for failing to join Republicans in opposing Kerner's action. He recalled they had been almost unanimous in their support of the anti-pollution legislation in the regular session of the General Assembly.

The trustees called for public support in getting the legislators to vote for the bills, sponsored by Rep. Carl L. Klein [R., Chicago].

[From the Chicago Tribune, Sept. 16, 1967]

States Urged To Aid Water Conservation

MILWAUKEE, September 15.—Representatives of the eight states composing the Great Lakes Basin commission were urged today to join with the federal government in the preserving the nation's water resources.

Harry M. Steel, assistant director of the water resources council in Washington, said that the nation faces a serious problem involving water requirements, industrial uses and pollution.

The commission, formed last April by Presidential order, has representatives from Wisconsin, Illinois, Minnesota, Indiana, Ohio, Pennsylvania, Michigan and New York. The meeting today was to discuss proposed objectives.

[From the Chicago Tribune, Sept. 17, 1967]

Board Orders United States Steel To Submit Plan

The sanitary district has ordered the United States Steel Corporation to submit detailed plans for a water pollution abatement program by Tuesday afternoon.

Vinton Bacon, sanitary district superintendent, said that the plan was requested so that it can be placed on the agenda for the Thursday board meeting of the sanitary district board of trustees.

REASON FOR ACTION

John E. Egan, sanitary district board president, said that the board is taking a more rigid stand against United States Steel because it is the only major contributor of water pollution to Lake Michigan on the Illinois side and also because of an uncooperative attitude shown when an inspection party visited the corporation's South side facilities last Tuesday.

There is some confusion as to how much pressure can be put on the steel corporation before its December, 1968, deadline for a working pollution control program agreed upon by conferees of a federal water pollution control panel, Egan said.

"I am not sure that we can do anything if U.S. Steel does not submit its plan by Tuesday," Egan said.

A HOSTILE ATTITUDE

A sanitary district spokesman said that the "hostile" attitude of the corporation officials to last Tuesday's inspection party resulted in "United States Steel bringing the world down upon itself."

Officials refused to commit themselves to any date, even beyond the December, 1968 deadline, for an operational water pollution control program which would meet criteria agreed upon by the federal conferees, the spokesman said.

[From the Chicago Tribune, Sept. 17, 1967]

New GOP Antidumping Bill

(By Robert Howard)

SPRINGFIELD, ILL., September 16.—Two Republican legislators announced today that another attempt will be made to outlaw the pollution of Lake Michigan by the dumping of harbor and river dredgings.

Sen. Arthur R. Gottschalk [R., Flossmoor] prepared for Senate introduction Monday a revised version of an antidumping bill, which was vetoed by Gov. Kerner after it passed the legislature in June under the sponsorship of Rep. Carl L. Klein [R., Chicago].

"The Republican party must see to it that Lake Michigan does not die," said Gottschalk, chairman of the legislature's advisory commission on economic development.

"Pollution is an emergency problem, and while the legislature is in session, we should give the governor a chance to change his mind."

Democrats in the House of Representatives on Tuesday blocked Klein's attempt to override Gov. Kerner's veto of a bill, which had passed both Houses overwhelmingly. Only three Democrats voted with Klein. The others made it a political issue by voting to uphold the Democratic governor.

Klein, who is chairman of the state water pollution and water resources commission, said that "the failure of my bill to become law is a go-ahead for industry and other states to continue pollution of the lake."

"I am especially perturbed by the appearance of algae in great amounts along the Chicago lakefront," Klein said. "This indicates that sewage pollution from the north shore possibly as far as Milwaukee finally has reached Chicago and it will probably get worse before it gets better.

"I am greatly alarmed about the condition of the lake, and something must be done now."

Klein reported a heavy mail and telephone response after five of his anti-pollution bills were vetoed by the governor. One letter suggested that Lake Michigan be renamed Lake Kerner if the pollution situation becomes as bad as that in Lake Erie.

[From the Chicago Tribune, Sept. 17, 1967]

Indiana Harbor Plants Turning Lake Into Sewer for Industry

(NOTE.—Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By Casey Bukro)

A stream of poison pours into Lake Michigan from the Indiana harbor—a contender as champion of polluted waterways.

"The main source of infection going into the lake is the Indiana harbor," said Robert J. Bowden, chief of the Calumet area surveillance project of the Federal Water Pollution Control administration.

BIG DOSE OF POLLUTION

Indiana harbor receives staggering doses of industrial pollution from the Indiana harbor canal and the Grand Calumet river. The Indiana harbor empties into Lake Michigan.

These waters stand as an open indictment of Indiana Calumet area industry. The waters cry for help.

"These are the sewers for industry here. That's the way they use waterways," said Bowden.

BOWDEN PROVES HIS POINT

To prove his point, Bowden took a team of Tribune pollution investigators on a 20-mile sampling run by boat and by truck, starting with an inspection of Indiana harbor.

Our first encounter with gross pollution came in the Inland Steel company slip, just inside the harbor. Trapped in this inlet was a floating island of oil and grease.

"I've seen that kind of oil fill the end of this slip for a distance of 30 or 40 feet," said Bowden. When the winds shift, this mass contamination floats into Lake Michigan.

This reporter stuck his hand into that floating mess to make a comparison. It smelled like a tar pit and it felt like thick, greasy mud. There seemed to be no bottom to it.

TEST OF POLLUTION

This test of oil and grease coating a river had been made by a TRIBUNE reporter late last August in Cleveland's Cuyahoga river—considered by some to be the most polluted river in the nation.

The oil and grease found in Indiana harbor were worse.

A few facts will support that.

Indiana Stream Pollution control officials told THE TRIBUNE that 37,000 gallons of oil are discharged by Calumet area industries into the Indiana harbor every day. That is equivalent to three tank cars.

Add to that 32,000 pounds of iron wastes and 280 pounds of cyanide coming from the United States Steel plant in Gary alone each day. There are two other steel plants almost as large feeding their wastes into the harbor.

The Cuyahoga river in Ohio gets a daily dose from all its industries of 34,000 pounds of iron, 525 gallons of oil, and 400 pounds of cyanide. The Detroit river swallows 19,000 gallons of oil daily from Detroit industries.

Both the Cuyahoga river and the Detroit river have been named as sources of the pollution that is turning Lake Erie into a swamp.

The Indiana harbor and its tributaries are doing the same thing to Lake Michigan.

WATERS ARE SICK

The waters from the Calumet area are sick. Some people like to describe these waters as "an open sewer," a "gutter," or a "cesspool." Altho accurate, these descriptions fail to show that the waters are diseased and dying.

The death they carry is spreading to Lake Michigan, which yields water that is drinkable only after more and more treatment to strain out the pollution.

A cruise up the Indiana harbor canal shows why and how this can happen.

The first 1½ miles of the canal are inhabited by two steel mills, the Inland Steel company on the east bank and the Youngstown Sheet & Tube company on the west.

"The bacteria counts in this stretch of water are fantastic," said Bowden. "They sometimes approach the range of raw sewage."

The Lake George branch of the canal is the home of some five major petroleum refiners in the Calumet region. They stand like cities of rods and tubes, pipes and chimneys.

DECAY FORMS GAS

The bottom of the Lake George branch is coated with petroleum sludge. It decays, forming bubbles of gas that pop to the surface among swirling oil slicks.

Bowden took a sample of the water of the canal at Dicky Road, in East Chicago. He poured a chemical into it. The water turned white.

"See that color? That means there is no dissolved oxygen in this water," he said.

It also means that only the lowest forms of life, such as worms and bacteria, can live in this waste-suffocated water.

The Indiana harbor canal stretches four miles to where it meets the Grand Calumet river, also the home of much heavy industry.

By truck, we went to the Gary sewage treatment plant. Dense, white detergent foam tumbled from the discharge pipe into the reddish-brown waters of the Grand Calumet River.

"I'm at a loss to explain this," said Bowden. "Much of the detergent foam problem has been solved. Something is wrong. This is not a common sight at a sewage treatment plant these days."

He said he would investigate.

THE WORST POLLUTER

The United States Steel company in Gary was next. We stood across from the plant, looking at a rushing flow of reddish-brown water going into the Grand Calumet River from a plant discharge pipe.

Bowden identifies the United States Steel company as the number one pollution violator in the Calumet region.

"They have dumped their wastes into the Grand Calumet River with abandon. They've been doing it as long as they have been here, and they're still doing it."

RIVER COLOR CHANGES

"They are putting a fantastic amount of pollution into the water," he said. He estimated there were five-feet of sludge coating the bottom of the river, making it a settling basin for industrial wastes. The river flowing past United States Steel into Gary becomes loaded with iron and oil wastes, changing its color at this point from green to dark chocolate.

United States Steel operates two mills in the Calumet region, one in Gary and another on the south side of Chicago.

Bowden identified the next two top pollution violators as Inland Steel company and Youngstown Sheet & Tube company, altho these two have taken some steps to improve. Each of the three draws about 1 billion gallons of water from Lake Michigan every day and returns it loaded with wastes via the river and the harbor canal.

Bowden estimates that these three steel companies account for about 70 per cent of the wastes flowing into Lake Michigan. The rest comes from some 50 industries on the Indiana side of the Calumet region, and nearby Indiana towns and cities that were discharging untreated sewage into the waterways until 1965.

Industrial wastes on the Illinois side of the Calumet region are transported by the Metropolitan Sanitary District of Greater Chicago down the Illinois waterway, and do not affect Lake Michigan directly.

"But don't whitewash Illinois industry," said Bowden. "Their waste disposal practices are just as bad."

DEFENSIVE ACTION

The massive doses of pollution from Indiana industry and communities going into Lake Michigan alarmed the department of health, education, and welfare to the extent that it took direct action to call an enforcement conference in Chicago in March, 1965.

The major pollution areas were identified as East Chicago, Gary, Hammond, and Whiting in Indiana; and Calumet City, Chicago Heights, and a part of the south side of Chicago in Illinois.

This conference resulted in the first public awareness of the extent of the pollution problem in the Calumet area, and its effect on Lake Michigan.

The conference set Dec. 31, 1968, as a deadline for a cleanup program. What is the status of that deadline?

Small industries in the Calumet region say they can meet the deadline, said Bowden. All the municipalities are making progress toward eliminating the worst offenses, altho storm water overflows still cause great quantities of raw sewage to flow into Lake Michigan.

STEEL FIRMS ASK EXTENSION

During a follow-up conference held Sept. 11 in Chicago, the three major steel companies asked for an extension of the deadline until 1972. They were given until 1970.

But what has happened since 1965, when the steel companies agreed to start a cleanup program?

"So far, our sampling has shown it has gotten worse than it was in 1965," said Bowden.

This was borne out, he said, by weekly sampling runs covering 15 sampling stations in the Indiana harbor, the harbor canal, and the Grand Calumet River.

"They are heavily infested with wastes," said Bowden.

"The steel plants are expanding and producing more. They must have sat on their duffs quite a while after the 1965 conference. Now, 30 months later, they're getting their first engineering plans completed.

"These companies are buying a false prosperity today at the expense of our future," Bowden asserted. "And they're almost guaranteeing that it's all going to collapse because prosperity will depend on clean water and there isn't going to be any clean water left."

"There is absolutely no reason for waste pollution problems today," said Bowden. "It is technically feasible to clean it up right now. We have the technology. We merely have to apply it. Industries are not doing it because it cuts into their profits."

Federal pollution control agents are now waiting for the steel industries to meet their 1970 deadline. If they don't?

"We now have new laws and techniques to encourage them to do their duty thru court action," said Bowden. "We hope it won't come to that.

"This is the first comprehensive effort to make a large industrial area correct its waste problems. If they can tell us to go to hell now and get away with it, they always will.

"If we are successful here, we have a chance to be successful in other areas."

[From the Chicago Tribune, Sept. 18, 1967]

FIGHTS EASING POLLUTION BAN—MANN WILL INTRODUCE ASSEMBLY RESOLUTION

State Rep. Robert E. Mann [D., Chicago] said that he will introduce today in the General Assembly a joint House-Senate resolution which opposes any extension of the Dec. 31, 1968 deadline for water pollution control in Lake Michigan.

United States Steel Corporation in South Chicago had requested an extension of the deadline because of problems in its treatment facilities.

TWO REVERSE THEMSELVES

John E. Egan, sanitary district board president, and H. W. Poston, regional administrator of the Federal Water Pollution Control administration, each had agreed on the extension but reversed themselves Thursday, saying that the steel corporation must have its pollution control program working by the original deadline.

Mann commended THE TRIBUNE's current series of articles on water pollution in the Great Lakes for informing the public about a "critical" problem.

LAKE'S SURVIVAL NECESSARY

"The survival of Lake Michigan must take precedence over private interests," Mann said.

"The tremendous strides which have been made with regard to the scientific treatment of polluted water convince me that if an herculean effort is made the deadline can be met.

"Lake Michigan is our state's greatest asset and while it may be true that Indiana and Wisconsin are the principal sources of pollutants affecting Lake Michigan, Illinois has the greatest stake in a healthy and viable lake.

EXPRESSION OF PEOPLE

"If the resolution passes, it will be a clear expression of the people of Illinois, thru their elected representatives, that private interests—as important and significant as they are to the economic health of the state—must be subordinated to the future well-being of Lake Michigan. It seems to me shortsighted for industry to plead economic factors as the reason for the suggested extension when the lake has been the vehicle by which commerce has facilitated and extended the growth of industry."

[From the Chicago Tribune, Sept. 18, 1967]

LAKE MICHIGAN INHERITS POISON OF A DYING RIVER

(NOTE.—Tribune reporters have visited cities on the shores of Lake Erie to report how pollution has brought death to one of the Great Lakes. Now the report focuses on conditions that threaten Lake Michigan, a priceless asset to Chicagoland.)

(By William Jones)

RACINE, WIS., September 17.—Dismally large amounts of polluting wastes are being dumped in the tiny Root River on its journey to Lake Michigan.

For years, this 25-mile waterway, which meanders from Milwaukee County to enter the lake here, was of interest only to those who worked and lived along its shores. It is too shallow in many places for motorboats. And so narrow in others that it resembles a creek.

Yet the combined problem of spring floods and the stench of its waters finally forced man to take a look at his decades of destructive ignorance. What he found was another reason why Lake Michigan is sick and large sections of the Root River are dead.

WASTES DUMPED IN RIVER

"The river system is presently being used principally for the transportation and assimilation of treated and untreated domestic and industrial wastes," according to a study completed last year by the Southeastern Wisconsin Regional Planning Commission. While pointing out that in some sections the river still provides recreation areas, the study concludes that "these uses are not completely compatible."

Highly incompatible, an observer concludes, when a duck farm that processes hundreds of thousands of birds annually is ordered to provide greater treatment of its wash water before it enters the river. At one time, according to the commission, pollution from this source alone was equivalent to the raw sewage of 14,000 persons.

Farmers along the Root learned years ago that the river has turned against man. They fenced the river to prevent their cattle from drinking the water.

REACHES 100 PERCENT EFFLUENT

"During low-water months, the flow of parts of the river is 100 per cent effluent," said Lawrence Wright, chief resource planner for the commission. "Our study recommended the entire removal of several municipal sewage systems that are major pollutants. Our conclusions have not been very effective, however, and nothing has been done."

Another phase of the commission's study included the sampling of water less than two miles from where the river enters Lake Michigan here. At this point, Wright pointed out, lake and river water begin to mix, which they should to dilute the concentrated pollutants in the river. Wright's conclusion:

"The condition of the water in every respect at this point is poor—there is no question about its dangerous and detrimental effect on Lake Michigan."

The commission's findings also serve to underline a recent statement by Wisconsin's Gov. Warren Knowles.

PROBLEM'S "COLOR": GREEN

"The color of the problem is green," said Knowles, who may have had the cost of cleaning up the route in mind. The commission has estimated that it will cost 15 million dollars to restore only a portion of the sick river. This amounts to $600,000 for every mile of a relatively small waterway.

"Cleanup should be right now," says James Wren-Jarvis, regional director of the state department of natural resources. "But the enforcement procedures do not work that way. Our department must now go out and promote. It will be a question of time."

In stark contrast is the prospect of a deteriorating Lake Michigan. If it ever reaches the condition of the Root or hundreds of other polluted waterways the damage will be irreversible, according to water experts. No amount of money or public indignation, however large, will be able to restore it. There will be no question of time. It will be gone for all time.

POLLUTION A THREAT TO AMERICA'S LAKES

Mr. GRIFFIN. Mr. President, I, too, am most interested in the recent series of articles published in the Chicago Tribune concerning the pollution of Lake Erie, articles just placed in the RECORD by the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN].

Lake Erie is suffering a plight that is increasingly afflicting the Nation's lakes, both large and small. For generations, our closed bodies of water have been used as dumping grounds for manmade refuse. Now we are confronting the consequences of indifference and carelessness.

Along with thousands of smaller lakes in my State, Lake Michigan has been undergoing similar threats to its economic and recreational value. Effective action at all levels of government, as well as action by private users, is required to protect what remains and to rehabilitate this scarred natural resource.

THE DECISION TO BUILD AN ANTIBALLISTIC MISSILE SYSTEM

Mr. ANDERSON. Mr. President, yesterday the decision to build an antiballistic missile system was announced by Secretary of Defense McNamara. I indicated my support of this decision shortly after Secretary McNamara's announcement. Under present world circumstances, we have no choice but to go ahead with an antiballistic missile system.

Regretfully, we have been unsuccessful in reaching an agreement with the Soviet Union on the depolyment of antiballistic missile systems. This factor and the emerging nuclear threat of Red China make it necessary that we go ahead with an antiballistic system for reasons of national security.

In his state of the Union message, President Johnson on January 1, 1967, stated:

> We have the solemn duty to slow down the arms race between us, if that is at all possible, in both conventional and nuclear weapons and defenses . . . I realize that an additional race would impose on our people and on all mankind, for that matter, an additional waste of resources with no gain in security to either side.

I read those phrases as a strong affirmation of the President's decision to communicate to the Soviet Union that the United States desired to call a halt to the ABM race. I can only conclude from Mr. McNamara's announcement yesterday that the Soviet Union has refused to sit down as reasonable men and negotiate on a reduction of ABM systems. Such a step would have benefited the United States, the Soviet Union, and mankind.

The emergence of Red China as a nuclear threat also had to be considered in reaching the decision. As indicated in the Joint Committee on Atomic Energy July report, Red China is developing a nuclear and missile delivery capability which will shortly constitute a threat to our security.

I believe that the Soviet Union has proceeded to build and deploy one and probably two ABM systems—a decision that until yesterday the United States has refrained from making. I regret that we could not reach agreement, but under the circumstances, I applaud the decision to go ahead with the building of an ABM system.

In proceeding with this step, I fully appreciate the additional financial commitment we assume. The decision has been made that we need an antiballistic missile system. This Nation can afford to pay for all its needs whether they are in the field of national defense or other vital fields essential to the maintenance of our position of preeminence.

There are other needs vital to the maintenance of our position of leadership which to some are not as readily apparent as those immediately related to our national security. These needs, since they are not directly—or at least not obviously—connected with our national security, are at times overlooked. There have been and undoubtedly will be additional shortsighted moves to sacrifice the support of other national needs based upon our assumption of the burden of an ABM system. We must guard against such moves. One specific area I have in mind concerns our Nation's space program. Space is a new frontier which any nation of preeminence must pioneer. It is a technical challenge second to none, and the mantle of world leadership will be worn by the nation which is first in space. Man's security and freedom will depend on the nation which leads in space. Our Nation leads at the dawn of the space age. Our Nation can and must forge ahead to assure leadership in space for the future. As a nation with a gross national product of about $750 billion a year, we can afford to assume the burden of all of our needs—in space, in Vietnam, in building an ABM system, and other programs needed to preserve and maintain our Nation's primacy in a turbulent world.

We must insure that our progress in space is not inhibited nor deterred by any shift in budget allocations which may result from the decision on the development of an ABM system. I believe that our Nation's objectives must include and our economy can sustain a vigorous space program and at the same time provide for the cost of an ABM system. I strongly believe that we should tighten our belts and proceed with both our space and the ABM programs.

There should be no slackening of our programs in space. We should and must be the first to reach the moon. This phase of our space effort cannot be our ultimate objective. Reaching the moon can only be viewed as a step in a dynamic new world. Our objective must go beyond the initial exploration of the moon. Here is where vision is vitally needed. We cannot put off developing the technology and hardware we need for the ultimate leadership in space. One specific area in which there is no scientific disagreement is the need to develop the ability to use nuclear energy in space. For meaningful leadership in space there is no alternative to nuclear energy. One of our nuclear energy development efforts which is being considered by some for sacrifice is the nuclear propulsion rocket program. Here is a program our scientists have, over the past few years, been outstandingly successful in. We have already run rocket power reactor experiments on the ground which have met or exceeded our performance objectives. We cannot afford to cut back or delay our progress in this field. I am very concerned that if we even place the nuclear rocket program in a "hold" position for a short while we will never regain our position in this vital field. As I have said before, this takes vision. We must provide this vision by supporting our efforts in our nuclear rocket program.

The United States faces many difficult days. Our country is threatened from without and has growing pains from within. We must proceed in a logical and orderly way to insure that our Nation continues to maintain its primacy in the world. Our Nation's security will be strengthened by an effective ABM system. Supremacy in space, which will come about from the very important development programs which are underway, has every indication of increasing the strength of our Nation—and perhaps our efforts on the space frontier will lead us to the one goal that now seems so distant—peace.

In connection with Secretary McNamara's decision to proceed with development of a "thin antiballistic missile system" I would like to pay tribute to the foresight of the distinguished senior Senator from Rhode Island [Mr. PASTORE] on assuming the chairmanship of the Joint Committee for the 90th Congress. Last January, Senator PASTORE began holding hearings in executive session on the nuclear capability of Red China. These hearings resulted in a joint committee print published in July entitled "Impact of Chinese Communist Nuclear

Weapons Progress on U.S. National Security."

On September 9, in a major policy speech at the launching of the Navy's latest nuclear submarine the *Narwhal* in Groton, Conn., Senator PASTORE called for "full speed ahead" on building an antiballistic missile system. The full text of his incisive and lucid argument for the development of an antiballistic missile system deserves the attention of Congress and the American people. I congratulate Senator PASTORE on his statement and ask unanimous consent that his speech of September 9 be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF U.S. SENATOR JOHN O. PASTORE AT THE LAUNCHING OF THE NUCLEAR SUBMARINE "NARWHAL" IN GROTON, CONN., SEPTEMBER 9, 1967

I have come to this day and moment with pride—pride in the workers whose skills have made this splendid nuclear submarine possible.

Pride in the nobility of purpose of the crew—men of courage who will guide this ship through the silent depths of the ocean —alone and unafraid.

This ceremony which marks the launching of the *Narwhal*, the SSN671, is a milestone in the annals of our submarine history. Just thirteen short years ago the world's first nuclear submarine, the *Nautilus*, designated SSN571, was launched from this same shipyard. Here we are a hundred submarines later, and of these, ninety-two have been nuclear powered. Only men of great foresight would have envisioned this tremendous accomplishment.

I can think of no other important technological advancement which has progressed as rapidly as has the use of nuclear propulsion for naval vessels.

It was not too long ago from this shipyard that the forty-first and last Polaris missile firing submarine was launched, marking the completion of this program. There is little doubt that the Polaris submarine represents our most formidable deterrent to an all-out war.

I must say that these achievements would not have taken place except for the persistent and aggressive support of the Joint Committee on Atomic Energy—with the help of Admiral Rickover and his associates—and I would want you all to know further that if world conditions persist in the way they are today, the Joint Committee expects to see many more nuclear submarines launched from these and other ways throughout this great Nation.

Now, however, we have come to the crossroads in the development of nuclear-powered submarines. With the present authorized Polaris program completed, we must give serious consideration to a further expansion of this program and we must intensify our efforts to develop new and more advanced nuclear attack submarines to meet the expanding challenge of Soviet naval power and the new Chinese threat. I also believe that we should actively pursue the replacement of all our conventional submarines with nuclear submarines of advanced design.

We have developed an irreplaceable reservoir of highly skilled men, such as I see before me today, who have been largely responsible for the clear supremacy the United States holds over any nation in the world in the development of nuclear submarines. Many of you workers, I might add, are friends from Rhode Island who journey here each day to join in this great endeavor to strengthen our national security.

We should insure that the great skills and capabilities of the men who design and build our nuclear warships should not be dissipated.

But this is only one aspect of the continuing fight for American nuclear propulsion supremacy.

The nuclear-powered aircraft carrier *Enterprise* has just returned from its second deployment in action off Vietnam. The *Enterprise* has proven so effective in battle in Vietnam that the Secretary of Defense requested a new nuclear-powered carrier in last year's defense bill and has told Congress that he intends to ask for one more next year and another in a future year.

The nuclear-powered carrier approved by Congress last year has been named the *Nimitz* after the late Fleet Admiral Chester W. Nimitz. You might be interested to know that about fifty-five years ago Lieutenant Nimitz was Commanding Officer of the first United States submarine *Narwhal*, the predecessor of the nuclear submarine we are launching today.

The Joint Committee on Atomic Energy is proud of the active role it has taken and is taking to bring into being a Nuclear Navy.

Our reward has been to see the Polaris nuclear submarine emerge as our first line of defense—and the *Enterprise* and its nuclear escort vessels perform admirably in support of our limited objectives in the Vietnam conflict.

The world into which the *Narwhal* will sail is a world of conflict and contradictions.

We are engaged in a military struggle *against* the forces of communism in Southeast Asia. At the same time we are working *with* communist nations at Geneva to produce a treaty banning the spread of nuclear weapons—a treaty which will lessen the possibility of a nuclear holocaust.

Our hopes and prayers are for a nonproliferation treaty and agreements—agreements to halt the arms race—and, indeed, agreements to eliminate all conflicts.

But we must understand military power and constantly be aware of the capabilities of our potential enemies. We must stay in tune with changing events.

A dramatic and upsetting event has recently taken place in the Far East. In less than three years Red China has become, not only a nuclear power—but a *thermonuclear power*.

I suggest that they have made amazing and astonishing progress in this brief span of time. Their accomplishments in the field of nuclear weaponry are all the more significant because the internal strife within China has apparently had little or no effect on their nuclear and missile programs. In light of these factors, it appears that Communist China presents a clear-cut threat to the free world.

At the beginning of the 90th Congress, as Chairman of the Joint Committee, I initiated hearings on Red China's nuclear capability. One of the most significant findings contained in the Joint Committee report that followed was the statement based on CIA and Defense Department testimony that ". . . The Chinese probably will achieve an operational ICBM capability before 1972. Conceivably, it could be ready as early as 1970–1971."

Add to this new threat the fact that the Soviet Union's offensive nuclear striking power is increasing in comparison to our own—while at the same time they are deploying one and probably two anti-ballistic missile systems to defend their country—which we are not doing—I repeat—which we are not doing.

While for the moment we can find comfort and a certain amount of security in the ideological schism that exists between Red China and the Soviet Union, we cannot discount the possibility that this breach could be healed and thereby greatly affect the balance of nuclear power in the world.

Which brings me to the important point that I want to make here today, and that is this—that the time has come for us to give serious and urgent thought to a reappraisal of our defense posture.

We cannot live in a world of atomic energy and discount completely the possibility of "surprise attack" on our Nation.

The Senate has just recently approved a budget of over seventy billion dollars for defense, the largest single appropriations bill in our history—and yet we have no effective anti-ballistic missile system.

I realize the cost to do this is high—indeed staggering—however, if we can afford to spend twenty-four billion dollars a year in defense of a neighbor, and I mean Vietnam, we can certainly spend as much to insure the life and security of our American society.

Our offensive weapons are second to none—but it has been our announced and continuing policy for generations never to strike first.

Today—in effect—we are asking the American people to be prepared to accept near nuclear annihilation because our strategy calls for absorbing the first nuclear strike.

We are not an aggressive people. We do not covet other nations' territory. We only ask that those who desire to be free—stay free. I merely point out that we must be as strong in defense to preserve our society as we must be strong in offense to discourage and deter an attack.

With *all* our offensive power, *our defense* posture could be our Achilles' heel.

We cannot sit back and let ourselves be lulled into a sense of false security, relying only on the hope that fear of retaliation will deter potential aggressors.

Development of an ABM system is, I repeat, extremely expensive but, indeed, necessary. In this kind of a world, the alternatives are few.

The security of our country—the ultimate in its defense—deserves the highest national priority.

An affluent America—with so much to lose—must not face this mortal challenge cheaply.

We should move full speed ahead on building an anti-ballistic missile system. In this connection, I am happy to say that Senator Henry M. Jackson of Washington, Chairman of the Subcommittee on Military Application of the Joint Committee on Atomic Energy, and one of the Senate's leading experts on military affairs, will soon hold hearings on the ABM question.

The Joint Committee on Atomic Energy will pursue the development of an ABM system with the same vigor that it pressed for the development of the H-Bomb and our first nuclear submarine, the *Nautilus*.

Both endeavors were successful and greatly increased the security of this great Nation.

This new submarine, the *Narwhal*, represents another link in the chain of undersea security so necessary in this turbulent world.

It is into this difficult and dangerous world that you—the officers and men of the *Narwhal*—will soon sail.

Your task is vital to our security.

Your mission will be difficult.

Your dedication is unsurpassed and our pride in you is unbounded.

Mr. PASTORE. I thank the distinguished Senator from New Mexico. Mr. President, the United States is second to none as a nuclear power. We have a nuclear weapon stockpile and delivery systems, which guarantee that any Nation foolhardy enough to attempt a nuclear attack upon us, will be utterly and completely destroyed.

In both Republican and Democratic

administrations it has been the announced policy of the United States that our nuclear strategic weapons will not be used on a first strike. The United States has made it clear to the world—to friend and foe alike—that our ICBM's and strategic bombers are for the purposes of deterring war; that we are prepared to, and are capable of, absorbing a first strike and thereafter retaliating with a force sufficient to utterly destroy the attacking Nation.

Notwithstanding our capability to absorb a first strike and successfully counter with our own nuclear missiles, any nuclear attack on the United States will cause great destruction of property and, more important, the death of untold numbers of people. It is for this reason that many of us have believed it essential that an effective anti-ballistic-missile system should be developed and deployed within the United States. It is for this reason that many of us in the Congress have for a number of years supported the necessary research and development work to develop an anti-ballistic-missile system. President Johnson and the Defense Department for a number of years have recommended development of an antiballistic missile system.

Mr. President, I was pleased by the announcement yesterday of Secretary of Defense Robert S. McNamara of the decision to move ahead with deployment of the ABM. I was particularly pleased because, together with other members of the Joint Committee on Atomic Energy, I for some time have believed it essential that we move full speed ahead on building an anti-ballistic-missile system.

The Joint Committee on Atomic Energy has held extensive hearings in executive session on the Chinese nuclear weapon capabilities. One of the most significant findings set forth in the Joint Committee on Atomic Energy report, issued July 19, 1967, was that:

> The Chinese probably will achieve an operational ICBM capability before 1972. Conceivably, it could be ready as early as 1970–1971.

As I have previously pointed out, we cannot live in a world of atomic energy and discount completely the possibility of "surprise attack" on our Nation. We must be prepared during the 1970's to protect our citizens from an irrational nuclear attack from the Chinese Communists. We cannot—we should not—sit back and let ourselves be lulled into a feeling of false security. We should not—we cannot—rely on hope that the fear of retaliation will deter potential aggressors. We must be prepared for possible irrational action on the part of those nations who have already demonstrated their irrational conduct in dealings with not only other nations but even with their own people. As I have also pointed out in the past, if we can afford to spend $24 billion a year to defend an ally—to protect South Vietnam from Communist aggression—we certainly can afford an effective anti-ballistic-missile system to protect the lives of our own people.

I applaud President Johnson and Secretary McNamara for supporting, during the past several years, the necessary research and development efforts required to make possible the decision and for having decided in favor of an ABM deployment.

Mr. JACKSON. Mr. President, I commend President Johnson for his decision to move ahead immediately on a "thin" ABM defense system. The funds to initiate production and deployment are in the budget and have been approved by the Congress. Secretary McNamara's statement today assures release of the money.

The Atomic Military Applications Subcommittee, which I chair, will hold public and executive hearings in October on ABM defense and the problem of deterrence.

The President's decision points up the growing problem of strategic weapons and deterrence for the years ahead. Red China will have the capability to deploy ICBM's in the early 1970's. The Soviets have started deployment of an ABM defense and, according to published information, have increased by 50 percent in 1 year the number of their operational ICBM's. Despite the appealing notion that technology stands on a "plateau" and that the "scientific military revolution" has been "stabilized," in fact missile technology is advancing in almost all fields of offense and defense—payload, accuracy, guidance, maneuverability, and multiple warheads.

In matters affecting the East-West nuclear balance safety first should be the rule. Deterrence depends not only on forces in being; it also depends on the state of mind and will of the contestants. An ABM defense in Soviet hands lends itself superbly to bluffing and blackmail. Would an undefended United States maintain its resolve to act strongly if a defended U.S.S.R. appeared willing to risk a move against Berlin or any part of Western Europe? As the Soviet planners "war game" with the forces of the 1970's they are certainly asking themselves that type of question. It is the kind of question we need to ask ourselves.

GASOLINE PRICE INCREASES

Mr. HANSEN. Mr. President, the July–August 1967 issue of The Drilling Contractor, the magazine published by the American Association of Oilwell Drilling Contractors, contains an important statement by R. J. Moran, president of the American Association of Oilwell Drilling Contractors, with respect to gasoline price increases.

A constituent of mine, R. W. Stubbs, of Moorcroft, Wyo., has called the article to my attention, and I wish to share it with other Senators.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PRESIDENT'S MESSAGE

For the second time within a scant period of just five months, Gardner Ackley, Chairman of the President's Council of Economic Advisers, has admonished the U.S. petroleum industry to avoid gasoline price increases. In addressing the National Petroleum Council on July 13, Mr. Ackley urged oil companies to absorb the increased cost of supplying Western Europe due to partial disruption of Middle East and North Africa shipments.

As usual in instances of this nature, the statement by a government official was widely published in the press. In his dissertation, Mr. Ackley asserted that the service station price for gasoline, exclusive of taxes, had risen 12%, or 2½ cents per gallon, since 1964.

It was not fair, or quite honest, of Mr. Ackley to single out 1964 as the basis for comparison. This gave the general public an erroneous picture of substantial gasoline price advances. It did not present a true picture because Mr. Ackley did not tell the public that gasoline prices in 1964 were abnormally depressed to the lowest level since 1948, or during the last 18 years.

Mr. Ackley also neglected to mention that, in contrast with 1964 service station price of 19.98 cents per gallon, over the last 18 years gasoline prices were in the 20-cent per gallon range during 9 years; were in the 21-cent per gallon range during 7 years; and in the 22-cent per gallon range in 1957 and so far in 1967. In addition to the foregoing facts, it would have been easy for Mr. Ackley to have mentioned that gasoline prices today are just 2¼ cents per gallon (about 10 percent) higher than in 1949, and only one-quarter of a cent above 1957 levels.

It would have been a whole lot fairer and more ethical for Mr. Ackley to have given the consuming public all the facts, than to have erroneously indicted an industry which is due so much credit for the way it has held its retail prices in line. Very few other industries can match petroleum's record.

RECORD OF THE FARMERS HOME ADMINISTRATION IN SOUTH DAKOTA

Mr. McGOVERN. Mr. President, few of us, I believe, realize how important the operation of the Farmers Home Administration is to the farmers of rural America. I have asked South Dakota's State director, Arlo Swanson, an exceptionally vigorous and able administrator, to prepare for me a compilation showing the recent activities of the administration in South Dakota, together with a composite score from the inception of the administration in 1946 through December 1966. Of particular concern to me is the fact that the interest earned and collected is 45.3 times greater than the losses or writeoffs. Put another way, the Government has collected in South Dakota since 1946 $27,288,286, while suffering principal writeoffs and judgments in the amount of $601,881. In many areas of FHA authority, there has never been a single dollar of writeoff in the loss column.

I feel that this impressive record should be of interest to other Senators and ask unanimous consent that the record of the South Dakota Farmers Home Administration program be printed in the RECORD.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
FARMERS HOME ADMINISTRATION,
Huron, S. Dak., September 14, 1967.

Hon. GEORGE MCGOVERN,
U.S. Senator,
Washington, D.C.

DEAR GEORGE: Regarding your request for information of the loan activity of this agency in South Dakota pertaining to the dollars advanced and loans made in the

various loan programs, the attached chart will give you the activity from the inception of the program through December 31, 1966. The total interest earned and collected is 45.3 times greater than the writeoffs.

The following is a report on the activity in the State during the past fiscal year—July 1, 1966 through June 30, 1967:

	Number	Amount
Operating	2,418	$11,996,269
Emergency	360	1,013,150
Economic opportunity, individual	215	485,530
Rural housing	522	4,120,610
Rural rental housing	7	127,950
Soil and water, individual	22	181,530
Farm ownership	655	15,557,680
Economic opportunity, cooperative	13	95,820
Association development grants	7	244,370
Soil and water, association	38	3,740,890
Sewer and water planning grants	2	26,190
Total	4,259	37,589,989

The total loans advanced during the 1967 fiscal year amounted to $37,672,279, serving some 54,000 South Dakota farm and rural people. This compares with $10,000,000 loaned through the Farmers Home Administration in South Dakota during 1961. A total of $107,747,400 has been loaned out to South Dakota farmers and rural residents during the past six years.

The total applications on hand as of August 31 were as follows:

Operating and emergency	96
Farm ownership	471
Soil and water, individual	12
Rural housing	389
Senior citizen housing	7
Rural rental housing	10
Labor housing	1
Domestic water	71
Waste disposal	8
Combination of water and sewer	16
Grazing associations	23
Rural recreation	12
Domestic water development grants	11
Waste disposal grants	7
Comprehensive area sewer and water planning grants	6
Watershed and flood prevention	4
Economic opportunity, individual	59
Economic opportunity, cooperatives	6
Resource conservation and development	4
Total applications on hand as of Aug. 31, 1967	1,213

The outstanding caseload by types of loans as of June 30, 1967 showing our loan and technical assistance to farmers, ranchers and rural residents is as follows:

Operating loans	2,952
Farm ownership loans	2,819
Rural housing loans	1,873
Soil and water individual loans	111
Emergency loans	408
Economic opportunity loans	406
Grazing Association loans serving 380 farm and ranch families	63
Water and/or sewer facility loans and grants serving 2,263 rural families	19
Recreation facility loans with 2,786 rural members	18
Economic Opportunity Cooperative Association loans serving 147 farm, ranch and rural families	25
Resource Conservation and Development loans serving 25 farmers	3
Comprehensive planning grants—one to Turner County and one to Fall River-Shannon Counties	2
Senior Citizen or Rural Rental Housing loans with 67 rental units	11

Very sincerely,

ARLO G. SWANSON,
State Director.

(Attachment.)

U.S. DEPARTMENT OF AGRICULTURE, FARMERS HOME ADMINISTRATION—FHA LOAN ACTIVITY FROM INCEPTION OF PROGRAM THROUGH DEC. 31, 1966, IN SOUTH DAKOTA

Type of loan	Total loaned	Principal collected	Interest collected	Outstanding balance	Percent repayment to matured principal	Principal writeoffs and judgments
Operating from November 1946	$112,173,025	$75,398,295	$11,552,513	$36,308,419	92	$466,311
Direct farm ownership from July 1937	17,850,785	7,133,205	4,153,990	10,682,675	97	34,905
Insured farm ownership from July 1947	57,847,556	8,743,941	8,430,126	49,097,932	96	5,683
Direct rural housing from July 1949	12,536,174	3,218,154	2,072,984	9,318,020	95	0
Insured rural housing from October 1965	3,286,550	63,093	67,037	3,223,457	102	0
Rental housing from July 1962	388,390	399	2,244	387,991	[1] 1 [2] 100	0
Individual soil and water from July 1938	1,216,724	776,140	177,089	437,040	[1] 81 [3] 65 [3] 72	3,544
Association soil and water from September 1954	8,768,726	130,163	455,655	8,638,563	[1] 107 [2] 87	0
Individual economic opportunity from January 1965	716,640	85,553	15,646	630,843	99	244
Economic opportunity cooperatives from January 1965	90,000	8,922	2,296	81,078	100	0
Emergency and special livestock from April 1949	13,578,896	12,269,569	358,706	1,218,133	98	91,194
Total, all current programs	228,453,466	107,827,434	27,288,286	120,024,151	--------	601,881

[1] Direct. [2] Insured. [3] WF.

HUMAN RIGHTS CONVENTIONS COMPLETELY IN ACCORD WITH EXISTING U.S. LAW—CXXXIX

Mr. PROXMIRE. Mr. President—

> In the United States we have long since established much higher standards in the bills of rights to our federal and state constitutions than those sought to be drawn out of the domestic field into the international domain.

These are the words not of any of the dozens of spokesmen of religious, labor, civic, or professional organizations supporting U.S. ratification of the Human Rights Conventions on Forced Labor, Political Rights of Women, and Slavery. These words are a direct quotation from the prepared statement of Mr. Eberhard P. Deutsch, representing the American Bar Association, before the Committee on Foreign Relations last week.

I agree wholeheartedly with this excerpt from Mr. Deutsch's statement. Every one of the human rights established and guaranteed by these three conventions is already the birthright of every American.

These conventions merely establish minimum universal standards of human dignity and human rights. U.S. law—both State and Federal—establish and guarantee far, far more.

The ranking minority member of the Committee on Foreign Relations, the senior Senator from Iowa [Mr. HICKENLOOPER], on February 23 of this year questioned the U.S. Ambassador to the United Nations Arthur J. Goldberg on this very point:

> Senator HICKENLOOPER. Are there any human rights referred to or established or promoted or advocated in any of these conventions that are not already existent in the laws of the United States, Federal and State?
>
> Ambassador GOLDBERG. No, there are none.
>
> Senator HICKENLOOPER. Therefore, the adoption of these conventions or any of them would neither impose on the United States nor compel the United States to the adoption of any laws which we do not already have on the books.
>
> Ambassador GOLDBERG. That is correct, Senator Hickenlooper.

Mr. President, I think the words of Senator HICKENLOOPER and Ambassador Goldberg are clear and unequivocal. There exists no legal obstacle to U.S. ratification of the Human Rights Conventions on Forced Labor, Political Rights of Women, and Slavery.

Once again I urge the Senate to give its advice and consent to these three conventions and move with dispatch to the long-overdue consideration of the Genocide Convention and the Convention on Freedom of Association.

THE IMPORTANCE OF INDIVIDUAL FREEDOM IN THE UNITED STATES

Mr. LONG of Missouri. Mr. President, an excellent essay concerning the importance of individual freedom in this Nation was recently brought to my attention. It was written by a teenager, Miss Janet Hall, who lives in St. Charles, Mo.

So long as our young people recognize the challenges and opportunities of our free society, our Nation will continue to grow and prosper. We have our problems and our ills, but as Miss Hall so aptly states it:

> We are living in the most wonderful country on earth.

Mr. President, I ask unanimous consent that the essay be printed in the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

WHY IS AMERICA THE RICHEST COUNTRY IN THE WORLD?

(By Miss Janet Hall, St. Charles, Mo.)

We are living in the most wonderful country on earth, and we often cannot appreciate what it is to be really hungry. It is easy for us to take for granted all our luxuries. Have you ever wondered why we are the richest nation on earth, with only 7 percent of the land area of the world, and 6 percent of the population? How did we manage in 200 years to become so incredibly wealthy while people for 6,000 years have lived in hunger and poverty, and still do?

The answer is individual freedom. We are free to choose our careers, change jobs, live, shop, and vacation where we choose. Free men can have dreams and ambitions, and can make them into realities. They labor with a hope of reward and not a fear of punishment.

Free men will produce as much as they can, and this private enterprise is what has built our nation. Our freedoms are guaranteed by our Constitution; and as long as we guard our Constitution and what it stands for, we shall remain free.

PROFESSOR EISNER OPPOSES THE TAX INCREASE FOR THE WAR IN VIETNAM

Mr. McGOVERN. Mr. President, the September 17 Outlook section of the Washington Post carried what I consider to be an unusually perceptive letter regarding the administration's call for a tax increase. The writer is Prof. Robert Eisner, chairman of the department of economics at Northwestern University. He is one of the Nation's most brilliant economists and a very perceptive observer of public affairs.

His argument against the tax increase is on the grounds that this increase is to be used entirely for another ill-advised escalation of the Vietnam war. There is no other economic justification for a tax increase now, he writes. In his words:

> It is not even a matter of "supporting our boys over there." The tax increase is intended to finance sending more boys over there. It is to accompany further escalation of the war. Refusal to enact this tax increase would therefore constitute a striking repudiation of the policy of escalation of the war.

I ask unanimous consent that Professor Eisner's letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Against a Tax Increase

In rendering advice on matters of policy, economists should be careful to distinguish between the implications of their professional expertise and their own political preferences or obligations. The tax increase proposed by the Administration raises this issue in striking fashion.

While economists may differ in details of their evaluation and we, like everyone else, can well be wrong in forecasts, a widespread consensus could be found for the view that, given the growth of the economy and rates of government expenditures no greater than they have been in the past, no tax increase is warranted. If there were no increase in the stream of purchasing power pumped into the economy by Federal expenditures, and the proposed tax increase were enacted, there is good reason to believe that the economy would suffer serious deficiencies in demand, with all of the usual consequences of increased unemployment and declining profits.

The economic case for a tax increase must rest upon the prospect of increased Federal expenditures. This increase could be in one or both of two directions: 1—vitally needed funds, on a major scale, to eliminate the slums and inadequate education in our urban ghettos which are threatening to tear the country apart; 2—increased billions to finance further escalation of the war in Vietnam and the dispatch of many thousands of additional troops to that apparently endless venture.

President Johnson has made it clear that he does not want the tax increase in order to meet our growing and critical needs at home. While calling again for enactment of some of the all too modest programs he has presented previously, he and his advisers emphasize their intent to keep down domestic spending. Rather, President Johnson makes it perfectly clear that the essential purpose of the tax increase is to finance continued escalation of the war in Vietnam.

The tax increase is not necessary to finance existing domestic programs and it is not being recommended in order to finance a major expansion of domestic programs. The tax increase is not necessary to finance the hitherto existing rate of expenditures of some 25 or 30 billion dollars per year on the war in Vietnam. The only economic justification of the tax increase is hence to pay for a further escalation of the war in Vietnam and consequent further increase in spending for that war. This is the message that professional economists should give, loudly and clearly, to the Administration, the Congress, and the public. And now for the politics!

There has been much concern of late that Congress has abdicated its constitutional responsibilities in matters of war and peace. The proposed tax increase offers a great opportunity for the Congress to reassert its authority. It is not even a matter of "supporting our boys over there." The tax increase is intended to finance sending more boys over there. It is to accompany further escalation of the war. Refusal to enact this tax increase would therefore constitute a striking repudiation of the policy of escalation of the war.

Robert Eisner,
Chairman, Department of Economics, Northwestern University.
Evanston, Ill.

GOVERNMENT GRANTS ARE UNDERCUTTING OUR PRIVATE RESEARCH COMPANIES

Mr. PROXMIRE. Mr. President, I have been a little shocked to learn that Government grants to universities and nonprofit institutions are literally driving our private research firms out of business. The fact is that private companies are now transferring many of their research contracts to universities and nonprofit organizations which can perform the research more cheaply because of Government support. I think this raises a serious question of public policy, because not only are long established private research companies being pushed out of business, but in effect the Federal Government is indirectly subsidizing private companies which place their contracts with universities and nonprofit institutions. This result was certainly not the intent of the Federal grants.

In addition it appears that the Federal Government itself, in some instances, is not giving fair consideration to private firms in placing research contracts. Despite the fact that Government agencies advertise for research jobs, there seems to be a well-established policy in some agencies to favor universities and nonprofit organizations. I believe that such policies in the placement of contracts violate the intent of the competitive bidding provisions of the Federal Procurement Regulations.

I have always supported legitimate aid to our universities and nonprofit institutions, but I feel that some investigation is in order as to the misuse and adverse effects of these grants. Clearly, any violation of the Federal procurement regulations should be corrected.

I ask unanimous consent that a letter from a constituent of mine which documents these points quite vividly be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

American Bio-Synthetics Corp.,
Milwaukee, Wis., July 20, 1967.

Senator William Proxmire,
Senate Office Building,
Washington, D.C.

Dear Senator Proxmire: Your efforts and great interest in economy in all branches of the government is well known.

You may therefore be interested to learn about a tremendous misuse of tax dollars and how it is driving a small essential industry out of business.

This industry which is now desperately fighting for its very existence is the Research and Development industry. The unfair competition which is driving us out of business with our own tax dollars is the University—bulging with federal grants.

Our firm has struggled along in this State for twenty three years.

And during this time we have listened to and read about how necessary and desirable research facilities are for the State industry.

In the intervening years we have made many contributions to the economy of this State among them being responsible for the conception and inception of complete new industries which now contribute many thousands of tax dollars and provide thousands of jobs. No, there was no great publicity—we just "did our job".

And we have contributed in a very tangible way to stem the "brain drain" doing this when this catchy phrase was not even invented.

Now we find that the clients which we have had for years tell us that they can go to UWM or the University at Madison and get the work done much "cheaper".

As an example. A Wisconsin chemical company which has been a long time customer explained that costs at the University were so much lower that they just could not continue with us, and besides the University had received very substantial grants for new instrumentation and it now must justify these purchases and get some industrial jobs. The implication is, we presume, that more federal grants will then be forthcoming.

Needless to say, we equipped our laboratories *without* government dollars at a very considerable personal sacrifice.

The latest insult however came about just a week ago.

In carefully examining the Commerce Business Daily in a desperate hunt for business opportunities, we came upon a request by National Institute of Health under the heading Research and Development Sources Sought.

The notice briefly described the requirement as a "large scale collection of rat pituitary glands and the performance of fractionation and purification of the hormones extracted therefrom".

A copy of this notice is attached to the letter.

Because of our previous specific experiences in this field we responded immediately briefly outlining these experiences.

As a follow up and to indicate our very vital interest in this project, we called the contracting officer at the Institute on the telephone and were referred to a Dr. Lieberman.

We asked Dr. Lieberman if the information furnished to him was sufficient to qualify us for consideration as a source to perform this exacting technical service.

Dr. Lieberman's reply was "what is your price for these hormones"? We replied that it was customary for a government agency to define the parameters of the requirements and to give us time to prepare a cost estimate.

Dr. Lieberman's casual reply was that he did not recommend that we waste time in preparing a cost estimate because to all intents and purposes the contractor had already been selected. I argued that we should be given at least some consideration because of our past experience but Dr. Lieberman made some vague reference to other organizations having the same capability and that institutions like Johns Hopkins had received sizeable grants sometime ago to set up such preparations laboratories and he was sure that they could do this job.

He also added "as you know, we always favor the universities and the non-profits". We like to call these contracts training grants.

We could go on to quote other similar experiences but we do not want to bore you with too much detail. It would be a repetition of this same kind of unfair competition.

We desperately need your help.

You helped giant American Motors which is now "small business" (so says the SBA). We are mini-micro by comparison but our employees are entitled to the same consideration.

They too, have mortgages to pay and children to educate.

And it would be good to keep at least one private research and development facility alive in Wisconsin.

Most of our people have been with us many, many years.

I refuse to believe that this is the end for them. Some are past 45 and could not get comparable jobs elsewhere.

Yes, we do have a desperate problem, Senator. We don't ask for any special favors but in this case I think that we are (as a highly competent technical group) entitled to some tangible help and support from our lavish Uncle. We just can't believe that our talents do not have application somewhere in this great Government maze.

Yes, we've filled out about every form and we are listed with about every government agency, but the computers seem to prefer the universities.

This is a special case. I think that you will agree that we have been treated shabbily.

May I have your comments?

At some of the dinners I attended in your honor, you called me "Ham" as if I was a friend of long standing. I will therefore sign this letter that way.

Sincerely,
American Bio-Synthetics Corp.
Hamilton A. Pinkalla.

[From Commerce Business Daily, July 7, 1967]

A—Research & development sources sought for large scale collection of rat pituitary glands and hypothalami perform fractionation and purification of rat anterior pituitary hormones (FSH GH LH and rat prolactin) purity and potency assays will be required evidence demonstrating competence and reliability in performing this work must be furnished not later than 10 days from date of this publication to Mr. W. A. Carr, Building 31, Rm 10A52, National Institutes of Health, Bethesda, Md. 20014. Telephone inquiries will not be honored. See Note 68 on last page of this issue.

A—The National Institute of Arthritis and Metabolic diseases invites proposals for the *publication of Arthritis and Rheumatic Diseases Volume IV*.

THE ST. LOUIS BASEBALL CARDINALS HAVE DONE IT AGAIN

Mr. LONG of Missouri. Mr. President, this is a great day for Missourians. The St. Louis baseball Cardinals have done it again, and with a high degree of authority. There are still 11 games to play, but the Cards will represent the National League in the world's series.

The 1967 Cardinals are a formidable team, combining the combativeness of the old Gas House Gang, the pitching craft of Dizzy and Paul Dean, and the Murderer's Row of the old Yankees.

Earlier in the year I had hoped we would have an all-Missouri Interstate 70 series between the Kansas City Athletics and the St. Louis Cardinals, but we will have to put that off to a future year.

Meantime, I share Cardinal Manager Red Schoendienst's hope that the best team wins that torrid American League race. The junior circuit will need to field its best.

The St. Louis leg of the series will be played in beautiful, new Busch Memorial Stadium. August A. Busch, Jr., owner of the Cardinals and a civic leader, is responsible for a great deal of the progress of that city in recent years.

All Missourians are proud of the Cardinals and, I am sure, join me in extending to my colleagues in the Senate an invitation to meet us in St. Louis.

THE WISDOM OF AN OWL

Mr. GRUENING. Mr. President, the able Senator from South Dakota [Mr. McGovern] has written a most perceptive, penetrating, and pertinent comment on the war in Vietnam. It appears in the current, September 25, issue of the New Republic.

Senator McGovern questions the symbolic ornithology which divides supporters and dissenters into hawks and doves. He would prefer to call them ostriches and owls. He then proceeds to illuminate how these birds may be distinguished. A more pithy summary of the basic differences between these two attitudes could not be penned.

I recommend its reading, clipping, and circulating widely. Therefore, I ask unanimous consent that it be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Vietnam and the Birds

Sirs: For many months those who have spoken out on our Vietnam policy have been labeled either "hawks" or "doves." Those who have supported the escalation policy toward a steadily larger war have been called "hawks." Those who have questioned the wisdom of the war have been called "doves."

I have never felt comfortable with that distribution of labels because it seemed to imply that the "hawks" were tough and hard-headed whereas the "doves" were soft or perhaps nervous.

It has always seemed to me that the so-called "doves" who have spoken out against the drift of our policy in recent years were taking a more tough-minded, realistic view of our national interest than the "hawks" who have dreamed about exporting American freedom to the jungles in B-52's.

I suggest that a new division of bird labels may now be appropriate—the "ostrich" and the "owl."

As related to Vietnam, I would include among the ostriches those who believe the following:

(1) That it is practical and desirable to sacrifice American troops and tax dollars to assist one group of Vietnamese against another group of Vietnamese when the group we are supposedly assisting has all but quit the struggle.

(2) That it is practical and desirable to win support for an unrepresentative regime in South Vietnam (the recent elections notwithstanding) by bombing North Vietnam.

(3) That it is practical and desirable to sacrifice a $2 million airplane, a $10,000 bomb load, and a skilled pilot (and who can place a value on his life) trying to knock out a $50 rope bridge that will be repaired by nightfall even if it is hit.

(4) That it is practical and desirable for America to police Asia even when the rest of the world thinks the so-called police action is foolish and self-defeating.

(5) That our bombers are spreading freedom in the jungles and raising American prestige by destroying the villages, the rice crops and countless innocent people—all in an effort to wipe out a band of guerrillas that seems to be recruiting more and more supporters as a result of our tactics.

(6) That we are advancing the cause of democracy by backing General Ky—our ally in South Vietnam who has said that Hitler is his only hero.

(7) That we are somehow weakening Red China by throwing our youth and $30 billion a year into a tiny, obscure jungle country where not a single Chinese soldier is being sacrificed.

On the other hand, I would include among the owls those who believe:

(1) That American forces should not be committed to the jungles of Asia unless there is an unmistakable challenge to our national security and survival as was the case with the Japanese attack at Pearl Harbor.

(2) That America has no commitment and no obligation to sacrifice our blood and treasure trying to save a regime that does not have the support of its own people.

(3) That if outside intervention is needed to settle a family quarrel in Asia or elsewhere, such intervention should be under the auspices of the United Nations rather than a lone operation by the United States.

(4) That America has needs and opportunities at home and elsewhere in the world that should not be further jeopardized by an excessive preoccupation with Vietnam.

(5) That it is dangerously reckless to risk provoking World War III by sending our bombers within seconds of the Chinese frontier.

(6) That instead of bogging down deeper and deeper in the mire of Southeast Asia, we should stop sacrificing our marines, soldiers, pilots and planes and go into a consolidated holding action accompanied by a determined diplomatic effort to settle the war on the best terms possible.

George McGovern,
U.S. Senate.

THE FOOD AND DRUG ADMINISTRATION'S EFFORTS TO CONTROL THE PRACTICE OF MEDICINE

Mr. LONG of Missouri. Mr. President, as Senators know, I have long opposed the Food and Drug Administration's continuing efforts to control the practice of medicine.

The FDA's latest step in this direction is a new set of sweeping regulations on the labeling and advertising of drugs.

Medical World News recently published an article written by Dr. Morris Fishbein, an individual who is well-known and respected for his more than 50 years of experience as a physician and editor.

Dr. Fishbein spells out the possible effects of the regulations, which he terms "infinitesimal absurdities." He concludes that the ultimate effect of the regulations is to cast doubt on the ability of physicians to make any individual judgments about drugs and to remove from the physician both the responsibility and the right to practice that his license confers upon him. Further, the new regulations put on the advertiser an impossible demand to project every conceivable facet of information.

Mr. President, I ask unanimous consent that Dr. Fishbein's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARE THE NEW DRUG RULES AN "APOTHEOSIS OF ABSURDITY"?

(By Dr. Morris Fishbein)

Next week marks the Food and Drug Administration's deadline for comment on its new regulations for labeling and advertising drugs prescribed by physicians. The proposed regulations, which were first published in May, seem to go far beyond previous requirements.

When an advertisement suggests how the product shall be used or suggests a dosage or contains any claim as to safety or effectiveness, it must also provide a summary of side effects and contraindications. A reminder advertisement is permitted, which may contain only the name of the drug, dosage form and ingredients, and information relative to the manufacturer or distributor, but no recommendation or suggestion regarding use, dosage, safety, effectiveness, "or other quality" of the drug. Another section elaborates in detail what is meant by the terms "side effects," "contraindications," and "effectiveness." The limitations on these terms are emphasized, intensified, and reemphasized. Indeed, the detail reaches so far as to require that advertisements for a drug offered as an antibacterial must name the types of infections and microorganisms for which the drug is effective clinically.

"Fair balance" is demanded between claims for safety or effectiveness and information relating to limitations on safety or effectiveness. As proof of positive claims, there must be "substantial" evidence. The advertiser cannot claim advantages for a drug without simultaneously disclosing pertinent disadvantages. He must not "publish articles" if these articles fail to include reference to other articles citing side effects. The advertiser must not refer to articles that fail to disclose the extent to which the claimed results may be done to placebo effect or concomitant therapy.

The detail in which the judgment of the reader of an article is guided in deciding whether or not the article is authoritative and dependable or false and misleading or outside the limitations considered desirable by the FDA is unheard of in previous governmental regulations. In the section on "fair balance," the paragraphs on evaluation of statistical material seem to go far beyond the ability of any except the most profound statisticians. Clinical investigators may find themselves completely baffled.

ALL IMPLEMENTING FACTORS

Any advertisement or statement that proposes a variation in dosage greater than that authorized in the approved package labeling would be subject to challenge.

Advertisements are controlled with reference to the number of pages and the size of the page. The exact area and space of the summary are stipulated. One paragraph demands that information related to side effects and contraindications shall be presented with "a prominence and readability reasonably comparable with the presentation of information relating to effectiveness of the drug, taking into account all implementing factors such as typography, layout, contrast, headlines, paragraphing, white space, and any other techniques apt to achieve emphasis."

Even beyond this, the advertiser is instructed as to the use of borders, headlines, the relationships of facing pages, and explanatory directions as to where to look for the side effects and contraindications. The regulations make clear that every type of advertising is covered by these stipulations. And in a still more comprehensive paragraph, even film strips, sound recordings, and scientific exhibits are covered.

Should a manufacturer wish to discuss a drug in a motion picture or a film strip with audio or visual labeling, and should this method of presentation make it difficult to satisfy the stipulation for lists of side effects and contraindications, the statement must be made that printed matter will be distributed covering what is not in the audiovisual material. Exhibits must include a panel on side effects and contraindications, and other panels will have to tell the viewer that the side-effects panel is on view.

As a medical editor with some 54 years of experience, the proposals included in these regulations appear, if I interpret them correctly, to be beyond any reasonable attempt to protect either the medical profession, the publishers, or the advertisers against the hazards associated with the use of prescribed pharmaceuticals. These regulations represent an invasion of medical practice and medical education that is wholly unwarranted in the present state of medical science.

Prescription drugs are limited in sale and purchase to those qualified and licensed. If physicians are competent to diagnose disease and to direct the patient as to his course of living for the protection of his health, they should be considered possessors of sufficient knowledge and judgment to be aware of the benefits and hazards associated with the pharmaceuticals they recommend.

LICENSE AND RESPONSIBILITY

When a physician is granted a medical degree and is licensed to practice, he assumes the responsibilities associated with such education and licensure. Apparently, the FDA is convinced that its obligation under the law is to spell out the limitations on his prescribing, in terms so positive, so blatant, so meticulous, and so inescapable that he will henceforth practice only within the exact borders that the FDA may determine.

Despite the painstaking detail of the stipulations, the FDA's wording is still frequently far from specific. In addition to "safety" and "effectiveness," there is a reference to "other quality" of a drug, which is a phrase so all-embracing as to defy definition. The FDA assumes the authority and ability to interpret any illustration as to its meaning. Obviously its officials think they can decide whether or not the face of a person shown in a picture indicates the severe pain of a headache or of menstruation, the anxiety associated with the fear of death or the loss of business.

The regulations demand a bibliographic service better than those of *Excerpta Medica* or Medlars. Apparently they insist that every reference in the total medical literature be found. The advertisers cannot quote a recognized authority without indicating that there are other recognized authorities that differ with him.

The previous animadversions on statistical studies, in the light of current debates among statisticians, make these paragraphs represent the apotheosis of absurdity. If I read it correctly, one of these paragraphs says, in highly complicated and abstruse language, that one cannot emphasize a medical opinion unsupported by statistics acceptable to the FDA. Even among experts in advertising typography, there is no unanimity of opinion on the effectiveness of borders, headlines, and other technicalities, which the proposed regulations seem to take for granted.

When the amended Food and Drug Act was under consideration, many doubted the ability of the FDA to pass on questions related to the effectiveness of drugs. Some even hesitated on questions of dosage, toxicity, and side effects. I am not aware that anyone involved in medical editing, practice, or education imagined that the development and interpretation of the law and regulations would carry the bureaucracy into such infinitesimal absurdities. Even a slight awareness of the history of previous legislation and regulations would suggest that what is here attempted will simply breed more and more of the same, until the mountain of minuscule stipulations finally disintegrates by the very weight of its particles.

THE FOREIGN AID PROGRAM IN INDIA

Mr. McGEE. Mr. President, in the New York Times of September 14, Ambassador Chester Bowles wrote from New Delhi, using India as an example, about our foreign aid program—what it is, what it can do, and what it cannot achieve. His statement that what American aid can do, and in many parts of the world is doing, is to enable the developing nations which are prepared to help themselves build their own solid foundations for independence and national growth is clear, concise, and very much to the point. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOPICS: WHAT FOREIGN AID CAN AND CANNOT DO

(By Chester Bowles)

NEW DELHI.—Why does the United States, in view of its many domestic burdens, provide loans, grants and technical assistance to promote economic development in Asia, Africa and Latin America? What can the United States reasonably expect in return for such assistance?

If our primary objective is to assure unquestioning support for our foreign policy objectives or servile gratitude toward a beneficent Uncle Sam, we should have abandoned the foreign-aid program long ago. We can no more purchase the loyalty or gratitude of sovereign nations than we can buy the loyalty and gratitude of individuals.

TO HELP THEMSELVES

What American aid can do and in many parts of the world is doing is to enable those developing nations which are prepared to help themselves build their own solid foundations for independence and national growth. Although we may be angered on occasion by criticism of American policies by the very nations we are striving to help, we should not allow our irritations to obscure this central objective.

In this framework the more relevant questions, it seems to me, are the following: Is the recipient nation using American aid efficiently? Is it making an honest effort to tax its people fairly? To encourage widespread land ownership? To grow more food? To expand its exports? To root out corruption? To reduce its rate of population increase? To stimulate individual initiative?

Such criteria, in my view, are essential to the development of a realistic and mutually advantageous relationship between the aid-giving and the aid-receiving nations.

ACHIEVEMENT IN INDIA

Against this background let us look at the record of our foreign-aid program in India, the population of which totals more than half of all the non-Communist developing nations combined.

Casual visitors to India are struck with the awesome poverty and squalor. Millions of

Indians are still inadequately fed, while millions more cannot read or write. There are large slum areas in most Indian cities. Consequently, it is not surprising that many observers have come to look at this Asian nation as a bottomless pit.

However, on the positive side of the Indian balance sheet are some impressive economic accomplishments which have recently been obscured by the impact of two serious droughts in succession. Since the early 1950's these accomplishments include:

India's steel production has been increased sevenfold.

India's electrical power capacity is now five times what it was in 1953 and it will double again in the next five years.

India's fertilizer industry is now growing steadily.

India's tax system is being revamped to provide greater incentives for foreign investment and for individual initiative.

Malaria has been reduced from 100 million cases annually to less than 50,000 in 1966.

Four times as many youngsters are now going to school.

More than 30 million acres have been added to the 50 million under irrigation.

TO PREVENT VIETNAMS

This year nearly sixteen million acres of farmland are being planted with new high yielding wheat and rice paddy seeds.

A vigorous nationwide program has been launched in an attempt to reduce India's annual population growth from the present 2.4 per cent to 1 per cent by 1971.

These basic achievements, made possible by American and other foreign assistance and by a generally able Indian administration, have created a solid base for further development; indeed, many American and Indian economists are persuaded that with normal rains and continuing foreign aid India may become self-sufficient in food grain by 1972 and able to do without foreign governmental assistance by 1977.

Although our minds and our national budgets are primarily focused on Vietnam, it is important that we strengthen our efforts to help prevent new and even more costly Vietnams from developing elsewhere. Well planned and sensitively administered American aid coupled with an effective effort by the recipient nations themselves can help harassed new governments create nations that their own people feel are worth defending.

To assist this evolutionary movement toward political independence and self-sustaining economic growth is the only valid purpose of American assistance to the developing nations—and it should be reason enough.

(Chester Bowles is Ambassador to India.)

INCENTIVES FOR THE ESTABLISHMENT OF NEW OR EXPANDED JOB-PRODUCING INDUSTRIAL AND COMMERCIAL ESTABLISHMENTS IN RURAL AREAS—LET US PASS S. 2134 AND END THE ECONOMIC DRAIN IN RURAL AREAS

Mr. BENNETT. Mr. President, as we continue to agonize over the events of this long hot summer in the cities and to seek constructive solutions for such events, I strongly feel that we should delve into one of the great sources of urban discontent. That source is the great drain from the rural into the urban areas of the Nation. I feel this drain has been a most significant factor in creating the deeply disturbing problem, the most promising approach which I have seen in some time is embodied in S. 2134 which I am cosponsoring.

The bill provides a series of tax incentives to encourage private investment with the aim of utilizing more fully and effectively the human and natural resources of rural America, slowing the migration from the rural areas, which is principally the result of a lack of economic opportunity, and reducing the population pressures on our metropolitan areas.

A summary of the provisions of the bill follows:

The bill proposes as tax incentives a 14-percent investment credit on machinery, and a 7-percent investment credit on the cost of buildings. Other tax incentives are an accelerated depreciation of two-thirds of normal, useful or class life for machinery, equipment and buildings, and 125 percent for salaries and wages paid to low-income persons hired for a period of 3 years. All credits and deductions can be carried backward 3 years or forward for up to 10 years.

To qualify, a county cannot have a city with a population of more than 50,000. The county must also either have at least 15 percent of its families with annual incomes under $3,000 or have an annual employment rate decline of 5 percent during the last 5 years. A county in which the closing or curtailing of operations by a Department of Defense installation has caused a substantial outmigration could qualify, as could an Indian reservation.

In order to qualify, an industry must create at least 10 new jobs at the start of its operations and must show a reasonable ratio between capital and jobs created. In addition, at least half of the original working force must be area residents.

Orville L. Freeman, Secretary of Agriculture, has pointed out the extent of the problem in the rural to urban drain. He states:

> I don't need to tell you that there is a glut of people piling into our already over-piled cities. But perhaps you did not know that, in addition to your natural population gains, people are coming to you from rural America at the rate of 500,000 to 600,000 a year, most of them displaced persons, displaced from the countryside by the very agricultural technology that has produced so much for so many.
>
> Studies show that these migrants from rural America are over-concentrated in low-income jobs.
>
> This troubling rural drain has led to 70 per cent of our people living on only 1 per cent of our land while 30 per cent live on all the rest.
>
> A most unfortunate result of such concentration is that the cost of government increases even faster than population. For example, the capital outlay required of the city of New York to provide facilities for each commuter is $21,000; in Washington, D.C., that outlay rises to $23,000 per commuter car. Contrast this with the total street department budget for the entire year in Fargo, a North Dakota city of 50,000, which this year will spend less than $10 per citizen on all its transportation facilities.

But even greater than the spiraling financial cost of the urban to rural drain is the spiraling human cost. It is a tragic sight to see the frustration and misery of so many rural people who are thrust by lack of economic opportunities at home into the hostile environment of the teeming urban area. Surely this frustration and misery is a great factor in the tragic events erupting in our cities.

There is no inexorable law which dictates that the cities must ever grow and the rural areas diminish. There are other alternatives besides the populating of our small towns by only older people, boarded up shops and grass growing in the sidewalks.

Mr. President, S. 2134 can greatly aid in combating drain. The major reason for moving from the rural to the urban areas is the lack of employment opportunities in the rural areas. This proposal can greatly stimulate such employment.

Mr. President, the Secretary of Agriculture's proposal has stated the problem; the eruptions in many of our cities have violently underlined the problem; this proposal is a constructive approach to meeting the problem. I hope the Committee on Finance, of which I am a member, can schedule early hearings on this proposal so that we can see some quick action on it.

A COST ANALYSIS OF THE VIETNAM WAR

Mr. McGEE. Mr. President, Editor J. R. Wiggins, in the Washington Post of September 17, offered us a cost analysis of the Vietnam war. He barely mentioned money; that was not the chief point in this particular cost analysis. Mr. Wiggins wrote:

> The practical issue before the American people is simply whether the costs of preventing such a conquest or the costs of acquiescing in it are greater. That, for us, is the single, central issue of the conflict.

Mr. Wiggins concludes that the prospects for peace—at least for peace as mankind is apt to know it in the foreseeable future—will be greatly improved if there occurs in Vietnam a demonstration that wars of national liberation involve an unendurable risk and an unbearable cost for the aggressors. Hence, in the interest of peace, there can be little question, if, indeed, any at all, that the cost of putting down the Communists in Vietnam must be met to forestall further such guerrilla wars in Asia, Africa, and Latin America. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A COST ANALYSIS OF THE VIETNAM WAR—WIN OR LOSE

(By J. R. Wiggins)

> It is natural, logical and inevitable for a people to make periodic reexaminations of a struggle involving half a million fighting men, requiring $27 billion a year and influencing domestic and foreign policy in every quarter.
>
> Wars have their own dynamics and make and unmake issues as they go along, so we need to examine what now is the central issue of the war in South Vietnam, to study the consequences of having that issue settled one way or another and at least to enter conjectures whether the cost of influencing the settlement of that issue in accordance with our preferences is worth the pain and the burden.
>
> In Vietnam, there is a host of subsidiary issues (by no means unimportant because subsidiary). But the central issue is now, as it has been for some time, quite clear.

A BEARABLE PRICE

The world is watching Vietnam to see if the rules of one country, state sovereignty or territory, at an endurable risk and a bearable price, can impose a government and system of their choice upon a neighboring people by inciting internal subversion, supporting indigenous insurrection, engaging in infiltration and intervening and invading as necessary. This is the formula of the Communists' celebrated "wars of liberation."

The North Vietnamese so far seem convinced that the risk is endurable and the price bearable. The United States has intervened to make the price unbearable and the risk not endurable. The practical issue before the American people is simply whether the costs of preventing such a conquest or the costs of acquiescing in it are greater. That, for us, is the single, central issue of the conflict.

Since the ascendancy of Mao Tse-tung it has been popular in the Communist world to call such conquests "wars of liberation"; in the diplomatic vernacular of any prior generation, they would have been identified as ordinary aggression.

American policy ought to proceed from decisions on what would be likely to happen if the conquest succeeded and what would be likely to happen if it failed. So what would happen if it succeeded?

PROOF OF A THEORY

To begin with the broadest philosophical consequences, it surely would give an impetus throughout the Communist world to the forces that are persuaded of the efficacy of "wars of national liberation." Such a practical demonstration of the minimal risks and relatively low costs of this kind of conquest would play into the hands of every doctrinal Communist hawk in every undecided Communist government, lending great force to the proponents of adventurous imperialistic policy in every arena offering any plausible opportunity for such conquest. It would greatly strengthen the Chinese Communists against the Soviet Communists and it would immeasurably fortify the hard-liners in the Soviet regime.

What this would mean for the United States and other non-Communist states, no one can say in any specific way, but it is safe to say that it would not mean a period of peaceful coexistence. On the contrary, it would probably usher in decades of political tumult and conflict, particularly in Asia, Africa and South America, and might even propel us into a worldwide thermonuclear holocaust set off by wars in even more dangerous areas than Southeast Asia.

The effects in Southeast Asia of North Vietnam's success in South Vietnam are more foreseeable. It is clear that the military predicament of Laos would be totally untenable. It is plain that Cambodia could not long support an independent role. Thailand certainly would have to re-examine its position and might have to exercise its genius for accommodation with neighboring aggressors.

The failure of United States policy in South Vietnam would certainly prompt the reasonable conclusion in every government in Asia that the United States was unable or unwilling to defend countries threatened with this kind of aggression. It would be logical for many of them to make appropriate diplomatic changes.

It is quite clear that American power and influence would be at an end in South Asia. This adverse consequence might be diminished, of course, by a demonstration elsewhere (say in Thailand) that the United States retained its willingness and ability to defend Asian friends.

But to lay down the gauge in South Vietnam and pick it up elsewhere would be illogical and politically impossible. And the lesson of failure in South Vietnam might fatally prejudice any subsequent endeavor if it were made. It would be wise to write off South Asia for the time being.

NATIONALISM A FACTOR

Would this be fatal to American interests? Probably it would not be fatal, however damaging in the immediate future. It is possible to make a tenable argument that the removal of American power from the region would not permanently put all of the area into the control of forces hostile to American interests.

In the fullness of time, forces of nationalism and regionalism would undoubtedly assert themselves in Asia and produce states with differing degrees of independent sovereignty. There is no reason to suppose that the system which has failed to produce progress and peace in China would find it easier to impose peace and achieve progress in an even larger and less homogeneous environment involving the whole of non-Soviet Asia.

Whatever degree of submission to communism might temporarily prevail over much of Asia, from India to Japan, in the final unrolling of history, reassertion of national impulse and local interests could be expected. India and Pakistan might surrender or compromise their independence but a residual passion for national recognition and identity would linger within the body politic, "murmuring in the shell and waiting for the tide to return and flood it again."

LESS THAN AN ECLIPSE

It is reasonable to suppose that a century very different from the one hitherto foreseen would emerge from the triumph of North Vietnam and the humiliation of the United States. But it would be unfair to suggest that even a United States of vastly curtailed international influence and power would be fatally impaired or permanently diminished.

If its affairs in this vastly altered world were conducted with skill and prudence; if its international policy were realistically realigned in conformity with its diminished capacity to influence events; if its leaders accepted their liabilities philosophically; if its people cheerfully acknowledged the limitations on their power—then the nation might go on, its world role greatly changed but not necessarily eclipsed permanently.

And if North Vietnam's war against South Vietnam fails and there emerges in the South a viable state with a government that is reasonably representative of its people, will that usher in the millennium? No, it must be said that in fairness that it will not do so.

The Philippines and Malaysia demonstrated that wars of liberation do not always succeed, but that did not prevent the war in Vietnam. The tragedy in Indonesia demonstrated that infiltration and subversion can fail with calamitous consequences, but no one supposes that that was the last of Communist China's efforts to subvert and overthrow regimes friendly to it.

But if this failure did not usher in the millennium, it might diminish the zeal of many Communist states for this kind of conflict. There would be fewer "wars of national liberation" than there would be if North Vietnam's attempt at conquest succeeded.

The scale of the Vietnam war already has demonstrated that the price tag on such wars is higher and the risk greater than the hawks of North Vietnam must have anticipated. If there occurs in Vietnam a demonstration that such wars involve an unendurable risk and an unbearable cost and are not likely to succeed, prospects for peace in the future will be increased.

Peace, however, in any sense that we have enjoyed it in the past, is not in our future, whatever happens or does not happen in South Vietnam. The world has yet to accomplish the accommodation between great historical forces that are at present antipathetic to each other and that proceed on paths that preclude any peaceful reconciliation.

Statesmen in our generation, and in generations immediately ahead, will vindicate their stature and make bold their claims on the gratitude of posterity if they succeed in holding this irrepressible conflict within such bounds that history in its patient unfolding may subject the rigidities of doctrine to the ameliorating influences of time's subtle and insidious solvent.

In this long and perilous interval, the peoples who survive will be those who keep awake to the disagreeable fact of our time: that there are no easy alternatives, no painless choices, no magic palliatives, no miracles that can spare us the anguish of struggle or guarantee us immunity to risk and danger.

ARCHIE MOORE SPEAKS OF RACIAL HYSTERIA

Mr. BENNETT. Mr. President, in this day and age when our newspapers are filled with statements of hate and vituperation made by certain people in this country, it is most refreshing to read a statement such as that recently made by Archie Moore. If America had more civil rights leaders like Archie Moore, Jackie Robinson, and Joe Louis, we could achieve greater strides in helping to solve the problems of our minority groups. Unfortunately, the rabble-rousers such as Stokely Carmichael and Rap Brown are more often quoted in the newspaper and their statements incite many of our minority groups to irresponsible actions.

Mr. President, I ask unanimous consent to have printed in the RECORD a column by John Mooney, published in the Salt Lake Tribune of August 25, 1967. I certainly subscribe to the views expressed by Mr. Moore when he said:

> Granted, the Negro still has a long way to go to gain a fair shake with the white man of this country. But, believe me, if we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"OLD MONGOOSE" MAKES SENSE AMIDST RACIAL HYSTERIA

(By John Mooney)

Archie Moore, one of the great modern fighters in his prime, liked to call himself "the old Mongoose," an inference that he was a bit smarter than the average creature in the fistic jungle.

But since his retirement, the Mongoose has shown more native intelligence than he displayed in the ring, and that's quite an achievement.

Speaking of the racial situation recently, Archie was quoted in the San Diego Union as saying:

"The devil is at work in America and it is up to us to drive him out. Snipers and looters, white or black, deserve no mercy.

"Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

"I'll fight the man who calls me an 'Uncle Tom.' I have broken bread with the heads of state, chatted with presidents and traveled all over the world.

"I was born in a ghetto, but I refused to stay there, I am a Negro, and proud to be one. I'm also an American, and proud of that.

"The young people of today think they have a hard lot. They should have been around in the 30's when I was coming up in St. Louis. We had no way to go, but a lot of us made it. I became lightheavyweight champion of the world.

"A neighborhood kid, Clark Terry, became one of the most famous jazz musicians in the world. There were doctors, lawyers and chiefs who came out of that ghetto. One of the top policemen in St. Louis came from our neighborhood," Archie adds.

HAD A GOAL TO SEEK

The Old Mongoose continued. "We made it because we had a goal, and we were willing to work for it. Don't talk to me of your 'guaranteed income.' Any fool knows that this is insanity. Do we bring down those who have worked to get ahead, down to the level of those who never gave a damn?

"The world owes nobody—black or white—a living. God helps the man who helps himself!

"Now then, don't get the idea that I didn't grow up hating the injustices of this world. I am a staunch advocate of the Negro revolution for the good of mankind.

"I've seen almost unbelievable progress made in the last handful of years. Do we want to become wild beasts bent only on revenge, looting and killing and laying America bare?

"Hate is bait, bait for the simple-minded.

"Sure, I despise the whites who cheated me, but I used that feeling to make me push on. If you listen to the professional rabble-rousers, adhere to this idea of giving up everything you've gained in order to revenge yourself for the wrongs that were done you in the past—then you'd better watch your neighbor, because he'll be looting your house next.

"Law and order is the only edge we have. No man is an island."

LONG WAY FOR SHAKE

Archie concludes, "Granted the Negro still has a long way to go to gain a fair shake with the white man of this country. But, believe me, if we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams.

"We have to have a meeting of qualified men of both races. Mind you, I said qualified men, not some punk kid, ranting the catch phrases put in his mouth by some paid hatemonger.

"There are forces in America today bent upon the destruction of America, your America and mine," Moore warns.

That is plain talk and sensible talk from a man who has been through the ropes many times.

It's the kind of thinking Willie Price and his neighbors in the northwest section of Salt Lake City evidenced a week ago when they decided to do something for themselves in the way of establishing neighborhood pride and achievement, instead of waiting for someone else to do the job.

No one ever gained acceptance by burning down the neighborhood or destroying buildings while looting, sniping and burning.

But few people of Archie's stature among the youngsters of all creeds and races have said it so well, and at such an opportune time.

THE STRONG PUBLIC INTEREST IN ALL ASPECTS OF THE PRESIDENT'S LIFE

Mr. HARRIS. Mr. President, we live in a complex society and in trying times. Almost every day there is a flareup in some part of the world, or a serious domestic problem here in this Nation which needs attention. The man who must face up to these problems every day is the President of the United States. As leader of the most powerful Nation on earth, he has awesome responsibilities and, of course, is judged principally by his decisions on these matters of national and world import. But we should remember also that the little things are often important, too—that the sum and total of many small decisions or routine activities may outweigh a single major action. That is why there is such strong public interest in all aspects of the President's life.

I believe the column by Hugh Sidey, entitled "The Presidency: Vignettes of Change Around the Mansion," published in the September 1, 1967, issue of Life magazine, gives us new insights into the life of President Johnson and helps us to understand better his job and his ability to do it. I therefore ask unanimous consent that Mr. Sidey's column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIGNETTES OF CHANGE AROUND THE MANSION

Amid all the great events which march through the White House, there are also small happenings—things which give the place an inner life that goes on despite riots, war and taxes.

Lyndon Johnson turned 59 last Sunday and suddenly people remembered that he had lived there nearly four years and in that time his hair had silvered and he had become a grandfather, and he could admit with a wry smile, "I can't run as fast as when I was 40."

On a Monday morning some time ago, before the President was astir, workmen entered his Oval Office in the west wing, carrying a large portrait of Franklin D. Roosevelt. It was painted by Elizabeth Shoumatoff, the artist who was working for F.D.R. the day he was stricken and died in Warm Springs, Ga. She had offered the painting, one of four she did, to the White House collection and Lyndon Johnson had eagerly accepted it. Now from above the fireplace the workmen took down the rosy-cheek Gilbert Stuart of George Washington which for more than three years had overlooked the work of the 36th President. The men gingerly rehung the Washington on the east wall across the room from the hawkish visage of Andrew Jackson. Then, with equal care, they hoisted Franklin Roosevelt up above the mantel. There he is now, greeting Johnson every morning—L.B.J.'s mentor, his friend and his only continuing hero. He looks out beyond the Rose Garden toward the Mall, where the great federal agencies are. It is a reminder to the President—and to anybody else who goes in—that F.D.R. put a more enduring stamp on this city than any other 20th Century man.

Another painting, this by Peter Hurd, still hangs only a dozen paces from the President's desk. Hurd was the artist who did the Johnson portrait that L.B.J. gave the back of his hand to—"It's the ugliest thing I ever saw," he grumped. The Hurd picture that hangs now in the President's office, *Eastbound Mail Stage*, was done in the 1930s under the WPA artists' project. At least once, when he passed it, the President thumped it admiringly and added, "Peter Hurd—hasn't been worth a damn since. . . ."

In the past few months the personal living quarters of the White House have been subdued. Both the President's daughters are now living their own lives. Luci is a wife and mother in Austin. Lynda's journalistic career takes her away from the White House much of the time. Johnson feels the difference and, partly to take up some of the loneliness, there is a new dog kennel discreetly camouflaged with shrubs near the Oval Office. In the cool of the evening the President comes out on his porch and claps and is answered at once by the joyful yelps of his dogs—five of them now. There is the old faithful white collie, Blanco. The famous pair of beagles—Him and Her, both deceased—have been replaced by four beagles: Freckles and her pup Dumpling; Edgar, named for the FBI director; and Little Chap. They noisily chase the tolerant White House squirrels while L.B.J. roars at them, "Go get 'em, boy." They never do "get 'em."

The President's continuing fondness for gadgetry has touched off some recent technological improvements. Observers have noted that the famous speaker's stand, called "Mother" by the resident White House types, has undergone some face-lifting, and is more impressive than ever. Not only does she still maternally encase the President, amplify his voice and provide the light and elevation he needs, she now also Tele-prompts without attracting attention. The old prompter screens that used to rise like periscopes before the awed audiences are now hidden behind Mother's new facade.

A few days ago, guests of the President noted that the black phone that used to hang from one end of the coffee table that sits near his rocking chair had disappeared. They were naturally intrigued when he decided to make a call. He reached down and pulled open a book-sized drawer in the table. Inside, cradled in the wood of the interior, was a compact phone, the buttons for the unit neatly inlaid in the mahogany.

For the first time in history, the White House press has been taken off its feet. At the twice-daily news briefings, reporters used to stand around the press secretary's desk, shifting from foot to foot. George Christian has improved both their craving for status and the condition of their arches by moving them into the elegant Fish Room, so dubbed because F.D.R. kept tropical fish there. The correspondents now get the news seated in cushioned White House chairs and surrounded by the works of such artists as Frederic Remington.

Without notice, a few weeks back, the President called his military aide into his small study, which is just down the hall from the Oval Office, and handed James Cross the papers which elevated him from lieutenant colonel to full colonel. Cross, who is also the pilot of Air Force One, put on his birds and went back to work so silently that not even some of his close friends immediately noticed that he was a notch higher.

Though the White House officially insists that L.B.J. keeps his weight steady, the close students of the presidential chins are certain he has lost a few pounds from a burst of religious dieting. His daytime drinks are iced tea and Fresca; and as a matter of fact, they are his nighttime drinks, too.

Not long ago Johnson noted a newspaper story about a small girl who had passed all the government physical fitness tests except the chin-ups; these she could not do because she had lost part of her arm in an accident. She could not get her certificate. The President picked up the phone and ordered the Physical Fitness Council to change the rules for handicapped people, and then he wrote a tender letter to a determined little heart. It took a moment and then the big events closed back in.

HOUSTON CHRONICLE CARRIES INTENSIVE STUDY OF POVERTY

Mr. YARBOROUGH. Mr. President, three young reporters on the Houston Chronicle, concerned about the poverty they see in their Nation, went out into the slum areas of their city a few weeks ago to learn firsthand what the poverty stricken had to say about their situation.

What these people had to say indicates a plight that those who have not known povery cannot imagine, and would never have imagined to exist in America in this decade. Problems include rats in the house, holes in the roof that are never fixed, fruitless waits of weeks and months for improvements or extermination of pests, indifference to requests for medical aid or police protection—experiences which most Americans never encounter and do not imagine that others encounter.

Yet what reporters Carlton Carl, Jane Manning, and Susan Caudill found was not bitterness, not bland indifference, but determination and drive. They found that "with religious fervor they look to education as the answer," and that "most of them seek to retain one of their inalienable rights: Their dignity." They found people who worked, who tried to support themselves and their households, with age, disability, and inadequate education handicapping them.

This striking article, "Houston's Poor: Their Plights and Their Hopes," provides a view of the poverty stricken which few Americans, even those vitally concerned with the problems of poverty, ever encounter directly. I think that all of us as Americans could profit from the insights of these reporters, who set out to learn exactly what poverty is, and who found it an "uncomfortable and soul-depressing task." I commend them highly for their work, and for an excellent and needed report.

Mr. President, I ask unanimous consent that the article published in the Sunday, September 10, Houston Chronicle, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOUSTON'S POOR: THEIR PLIGHTS AND THEIR HOPES

(By Carlton Carl, Jane Manning and Susan Caudill)

A study of poverty is an uncomfortable and soul-depressing task.

The very word itself connotes want, deprivation and misery of body and spirit.

Any pretense at complete objectivity is folly. The mind's eye records too well the obvious ill-fed and ill-clothed child, the black roach crawling across a plaster-cracked ceiling, the rats squealing in an attic.

A team of Chronicle reporters recently visited four slum areas of the city and talked to 60 residents to determine who the people are and their plights and their hopes.

The Negro areas surveyed were parts of the Bottom, off Clinton in the Fifth Ward, and a block of shotgun houses bounded by Medina, Sycamore, Hockley and Fennell.

LATIN, WHITE POOR

Latin American and other white poor were interviewed at a one-story apartment in the 900 block of Medina off Broadway. Other Latin poor were interviewed at Canal Courts in the 700 block of Medina near Jensen and Navigation.

Nearly a third of the heads of households are unemployed. Age and physical disabilities account for most of the unemployment.

Only six receive any welfare assistance, but a dozen get Social Security, veteran's disability or retirement benefits.

The average income, from all sources, is $48 a week, of which about $10 a week goes for rent and $20 for food.

The average is five children in each family.

Two household heads have high school diplomas. A fifth grade education is the norm.

MAJORITY DROPOUTS

The majority are dropouts, not from lack of interest or poor grades, but because they had to go to work to help support their families.

All 58 dropouts said they regret their lack of education. Their lot in life today would be better had they finished high school.

A majority came to Houston from small Texas and Louisiana towns in search of better opportunities. Twelve of the adults have lived here, generally in the same neighborhood all their lives.

Five own cars. The others ride the bus or walk to work, to stores and to the charity hospital.

Those employed hope for better jobs. The unemployed simply seek work.

The virtual futility is best expressed by Willie Spears, 41, of 1207 Schwartz. "I have seizures all the time. Nobody will hire me. But I'm looking."

Mrs. Emma Adams, 69, an unemployed cook of 3408 Melva, for five years, has been a welfare statistic because of her age and arthritis. "If I could work, I would," she said.

IF YOU ARE YOUNG

Listen to Lawrence Branch, 63 and one-legged: "It's no problem getting a job if you're young. But that doesn't do anything for me."

For the poor, their problems are not racial or class-based. They are their own immediate problems.

Many say they would prefer to help themselves rather than accept aid that might benefit those less fortunate.

Mrs. Jane Dixon, a mother of six, said, "It's not fair to bring all these children into the world and then ask for help. Others need it more."

Her husband drives an ice cream truck. He averages $40 a week, of which more than $30 goes for rent and groceries. This family of eight lives in two rooms and shares one bed.

O'Dell Edwards, 49, a factory worker, said, "I don't want to ask the government for money. I'm a disabled veteran but I can work. Besides, I like to pay my own bills."

Mrs. Willene Cantrell, who lives with her husband and five children in a two-room apartment in the 900 block of Medina, said: "We're down and out but we'll make it. I'll take charity from anybody, though, if it feeds the children."

Joyce Johnson, 48, a native of the Bottom, works as a maid.

"I've never taken any charity from anyone," she said, "and I hope I never have to. But if I have to steal to feed my children and send them to school, I will."

HOPE FOR RAINBOW

Most have resigned themselves to their lots in life but they hope for rainbows for their children.

With religious fervor they look to education as the answer.

Isaac Jones, 77, of 1146 Callas, a resident of the Bottom 56 years, has no intentions of moving from his environment.

Five of his 16 children slipped through a hole in the Fifth Ward poverty pocket. Those five attended college and earned master's degrees. Three are now teachers.

As for police protection, Alfred Block, 59, who lives in a little open-air shack at 100 Fennell and makes $3 a week collecting bottles and junk, voices a common complaint:

"One night some boys were throwing rocks at me and my house. I called the police three times but they never showed up.

"The police just won't bother with any place that's a little out of the way. If somebody with money and a nice house complains, they jump."

Mrs. Sandra Jones, a resident of the Bottom, recalls when one of her eight children became ill.

She arrived at Ben Taub with her child at 10 a.m.

"They didn't even look at my daughter till 10 p.m.—12 hours later," Mrs. Jones said.

"It wasn't that they didn't have enough personnel. Half the attendants were standing in a back room smoking cigarets."

GRIEVANCES ENDLESS

Their grievances, in reality, are endless. The lot of the poor has been and always will be a want for the basic necessities. They don't expect the best of all possible worlds. Most of them seek to retain one of their inalienable rights: Their dignity.

Mrs. Zelma Freeman, 65, lives with her husband and son at 3108 Baron. "I'm too old to expect a change for myself," she said. "I just hope the young kids, my grandchildren and other people's children, will have a better life."

Mrs. Johnson looks for her children to escape the chains of poverty through education.

"I haven't made anything of my life and it's my fault," she said. "I didn't get an education. No matter what happens, if I can afford it, my children will finish school and go to college."

QUIT 11TH GRADE

Jene Gomez, 17, who helps support his mother and five brothers and sisters by working at Veterans' Administration Hospital, quit school in the 11th grade to go to work.

"I wish I had finished school and someday I may. But right now I'd just like to be anything better than I am," he said.

Two of Mrs. Effie Perkins' 10 children are the wage earners in the family.

Carla Evans, 21, said "The older generation is satisfied. But they've already lived out their lives. Whites and people with money still have the edge everywhere."

For all but a few the federal War on Poverty is no more than a slogan.

DISTANT IN EFFECT

It is as distant in effect as the Civil War is in time.

One Latin youth said: "Some poor people are being helped by the poverty program. But the very poor are not. They say they want to get jobs for unemployed kids, but they only give them to people with experience."

None of the 60 interviewed condones violence as a means of changing the lot of the poor or of minority groups in general.

However, they have their specific grievances: Indifferent landlords, rats and mosquitoes in weed-choked lots and stagnant pools.

The complaints don't end there. Polluted air from the Ship Channel industries, poor police protection, apathy of personnel at the county charity hospitals toward the poor, and lack of work for those who need it most.

Mrs. Perkins didn't get through the first grade.

"As soon as we were old enough, we went into the fields to work," she said.

"I wish now I had been able to go through school. But things are going to be different for my children. I am going to see to it that the ones still in school get good educations."

Pride is no stranger in the slums. Evidence of pride is seen in a clean house, a steady job, in children doing well in school, in a small flower garden.

All say discrimination still exists in Houston, both racial and economic.

Few of the young are angry or impatient, but most are concerned with their own situation.

A resident on Sycamore, two blocks from Buffalo Bayou, said:

"I called the Health Department four

times about the weeds and the rats and the godawful smells. Finally I went to City Hall four months later. They didn't even have my complaint on file."

A Latin American boy who lives in Canal Courts, near Navigation and Jensen, says of the pollution in his area:

"We wake up sick at our stomachs."

Canal Courts are surrounded on three sides by industrial plants. Buffalo Bayou is a block away.

"Rats?" asks Mrs. Rosa Wade, 67, of 205 Medina. "Why there were a couple of rats as big as rabbits wrestling under the TV last night just having a ball."

She said she has complained to her landlord and the city about the rats and mosquitoes. Nothing has been done, she said.

The homes of Houston's poor rent from $6 to $15 a week.

Landlords maintain they are doing all they can to improve living conditions for their tenants.

"Tenants never complain about not having hot water," said Mrs. Hannah Davis, owner of a row of houses on Baron St. in the Bottom.

ONE DOLLAR MORE RENT

"If anyone does complain, I will be glad to get it for them. Of course they will have to pay a dollar more rent each week.

"They have to do their own extermination work. I do all I can for them, but I have to make a living too."

Dr. Paulus Hofheinz, a dentist, owns Canal Courts on Middle St.

"I have gotten no complaints about rats in my courts," he said.

The courts are managed by Mrs. Henry Olivares. She says residents of the courts complain to her about rats, but she does not tell Dr. Hofheinz.

John L. Maida owns a row of houses on Medina St.

His tenants complain about holes in their floors and rats. They also say the houses need painting.

Maida says he sends maintenance men three times a week to make needed repairs.

A FREE ASIA

Mr. DODD. Mr. President, the peoples of Asia have lived through a perilous period in recent years. Prior to World War II, colonialism kept Asians from exercising self-government. With the advent of World War II the area was in turmoil, and following that conflict Communists seized power in China, and attempted to do so in Korea, Malaya, Indonesia, and now in Vietnam.

Communist efforts in these countries, however, have failed. They have failed precisely because the people of Asia have come to understand that freedom and self-determination can only come when communism is defeated.

In Malaya, the British assisted in the defeat of communism. In Korea and Vietnam our own Armed Forces, together with those of such nations as Australia, New Zealand, Greece, and Turkey have assisted in repelling aggression. In Indonesia, the Indonesian people themselves rose up against the native Communists who attempted to subvert their government.

We are facing the dawn of a new day of freedom for Asia. At the first ministerial meeting for Asian and Pacific cooperation held in Seoul, Korea, on June 14, 1966, Thailand's Foreign Minister, Mr. Thanat Khoman, who is widely recognized as one of free Asia's foremost statesmen, spoke of the coming era of a free Asia. He said:

> Ours will be a society where freedom shall prevail, a freedom that will be enjoyed not by one, not by a few, but by all, freedom for the individual, freedom within the family as well as within the national community. It will be a freedom from the dictatorial and tyrannical domination by a class composed of a privileged few who usurp the authority of the populace.

Mr. Khoman said that the countries of free Asia have nothing to hide, unlike Communist states. He noted that—

> Only where terrestrial edens are claimed to exist, high walls have to be built and armed patrols accompanied by police dogs have to be used to prevent the people within from escaping their unwanted paradises.

He said that his desire "is to see those barriers and obstacles which divide and separate people of this world crumble down to make way for free exchange and contact between them for the sake of better understanding and good will."

Mr. Khoman's is a voice of the new Asia, an Asia of freedom and independence, one which is unwilling to see its freedom invaded and trampled upon by others.

To share Mr. Khoman's speech with Senators, I ask unanimous consent that it be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Foreign Minister's Statement at the First Ministerial Meeting for Asian and Pacific Co-operation

(Delivered in Seoul by Mr. Thanat Khoman, leader of the Thai delegation, on June 14, 1966)

We are gratified and grateful that the Government of the Republic of Korea has agreed to be host to this historic conference and has generously extended to us all a warm and cordial hospitality. For few places in Asia can be as symbolic as Seoul, the capital city of Korea, of the deep yearnings and desire of the Asian peoples to be free and to remain the master of their own destiny as of their willingness to lay down even their lives in fulfillment of their aspirations. The Republic of Korea also evokes the joint determination of many free peoples, near and far, to help those grievous sacrifices, to ensure that free men and women shall survive as decent human beings, capable of leading the life of their choice and engaging in the pursuit of their own happiness. This has been the meaning of the past. This still remains an inspiration for many of us whose free existence is overshadowed by lurking dangers and threatened by the insatiable appetites for power, for expansion and domination.

However, we do not come here today to save Korea from aggression. For the existence of the Korean nation, thanks to its dedicated leaders is now secure and, through the sacrifices and the hard work of its people, it is moving along toward progress and prosperity.

Neither do we come here to band ourselves against any people or nation. And whatever those who have ill design against our freedom and independence may say to cover up their nefarious intentions, we are not planning to set up any new military grouping or alliance. Our defense is already sufficiently secure and because of our inherent strength we need no new arrangements to strengthen that purpose. If, however, there were to be any alliance, it could only be an alliance against poverty and deprivation of freedom, or more positively an alliance for the advancement and prosperity of our peoples.

Rather we come here as free men and women, as people endowed with an immense fund of goodwill and friendly dispositions, bearing malice to none, and willing to go more than half way to shake the hands of honest and sincere friendship which may be extended to us.

Such being the case, we do not contemplate to erect new barriers to surround our peoples and isolate them from the rest of the world. It has never been our habit to build walls and curtains to enclose and surround and separate people so as to prevent their contacts with the outside world. We do not therefore intend to adopt that deplorable human tendency which is being presently followed only by a few nations.

Our purpose in coming together may be difficult for some to understand, especially those who are bent upon suppressing their own people as well as others. But to us it is simple and natural. We seek only to fulfil our mission and our human urge. As human beings we have been created to be together, to work and live together rather than be enclosed and separated. What we aim therefore is to meet and work together for our common good, to help one another attain better living conditions and move along the path of peace and progress.

It is as simple as that and we make no secret of what we are doing and are going to do during the next few days or in the future. Our objective is therefore decidedly positive: we want to achieve a betterment in our present and future life and want to do it through mutual efforts and mutual cooperation. We are not necessarily anti-Communist, or, for that matter, anti-North Korea or anti-North Viet-Nam in the way of certain nations being anti-freedom. We do not have to be nor do we want to be. We find the negative approach utterly useless, purposeless and senseless. If we are against anything, we admittedly are opposed to aggression as well as totalitarianism. Indeed, even some of these people may have threatened Thailand with war and destruction, we know that they actually live in dire predicament, suffering from want and penury as well as from oppression. If anything, we would like to lighten their hardship and ordeal. If possible, we would even like them to join us in constructive efforts to build a more decent and a happier world to live in, free from ravages of war, from the sufferings from starvation and disease.

For all of us representing many scores of millions of people, our purpose in being here is primarily to join together in a common endeavour to examine the problems with which our nations individually and our region as whole are confronted, and to the greatest extent possible, to seek ways and means of resolving them to our mutual advantage and benefit. What then are these problems and how can we hope to find adequate solutions to them? Many may agree that the first and foremost unsatisfactory situation which they have been facing for a long time is the lack of purposeful contacts and co-operation. This may be due partly to a legacy of the past by the bygone western colonialism which compartmented Asia into secluded areas and channeled their overseas possessions exclusively to their metropolitan headquarters. Nowadays, although that kind of colonialism has practically receded, a new form of colonialism, the communist brand of it which has emerged, tried to step into the shoes of the earlier colonial regimes and to perpetuate to its advantage the isolation and seclusion of the past, hoping thereby to weaken the unconnecting elements and to impose its influence and control through a system of divide and rule. The protagonists of this system also shut in their own people within their national enclosures, not allowing them to have contacts with the outside for fear that the air of freedom and the light of truth will disintegrate their internal oppressive rule.

This represents, in our opinion, the most frightful and odious scourge of our time, the end of which we should hope to bring about as shortly as possible. As far as we are concerned, we would like to see a world undivided by walls, curtain or barbed wire fences, a world in which all the peoples of this planet can freely move about, meet one another and get to know another as they wish. In our case, our nations have nothing to hide and our countries are open for all to come and see with their own eyes. Nor do we wish to contain our people and compel them to stay within our boundaries. We do not claim to have succeeded in building paradises on this earth, therefore our people are free to leave their land any time they want. Only when terrestrial edens are claimed to exist, high walls have to be built and armed patrol accompanied by police dogs have to be used to prevent the people within from escaping from their unwanted paradises. Our desire therefore is to see those barriers and obstacles which divide and separate people of this world crumble down to make way for free exchange and contact between them for the sake of better understanding and goodwill. Our objective therefore is to substitute mutual contacts and co-operation for the oppressive measures of separation and isolation. Once these barriers are removed and people can come into contact with one another more freely, it is our aim that the relationship between peoples and nations should be based, not on ideas of overlordship and domination as presently advocated and practised by certain countries and governments, but on partnership and co-operation which will bring more benefit to all concerned. The democratization of international relations will be more conducive to peace and harmony than other concepts based on inequality between nations. Furthermore, as most of the people in the world aspire to have peace, we should dedicate our efforts to eliminate the obstacles to world peace and threats and dangers thereto which at present stem from wars of conquest, of which the so-called wars of national liberation represent the most frequent applications. In our part of the world and particularly in South Viet-Nam certain predatory powers believe that by camouflaging their lust for power and domination under the cover of national liberation, they hope to delude world public opinion that they are performing meritorious acts rather than merely seeking the enslavement of others. But the reaction of both the actual and potential victims has been strong and unequivocal. They simply refuse to submit to these voracious attempts to devour them and many have put up a stiff resistance. Others realizing the imminence of similar dangers hastily reject the would-be aggressors out of their midst. As a consequence, the prospects of peace and stability in the South-East Asian region have significantly improved, while the expansionist forces have suffered serious setbacks.

This in brief is our sketch of a society of Asian and Pacific nations which we hope will spring into existence in the not too distant a future. Ours will be a society where freedom shall prevail, a freedom that will be enjoyed not by one, not by a few, but by all, freedom for the individual, freedom within the family as well as within the national community. It will be a freedom from the dictatorial and tyrannical domination by a class composed of a privileged few who usurp the authority of the populace.

It will also be a society characterized by progressive evolution, not by stagnant immutability or by revolutionary jolts in which the lower passions of men are let loose. The adjustments which are brought about will represent the interests of the majority, not those of the ambitious few who seek to dominate and exploit others. Finally, it will be a society where abundance and plenty will reign, not an egalitarian society where poverty is equalized, where all stomachs are equally empty, where the pangs of hunger beat at the same rhythm and the wails of sufferings and misery rise from every corner. Through mutual co-operation and concerted efforts, we know we can bring still greater happiness and well-being to all our peoples and provided we succeed in learning to work closely together, the future bears encouraging promise.

These are our objectives, our aims and our methods. Those who also share our belief in co-operation for the mutual good of all, for progress and plenty in freedom and in peace, for confident partnership rather than domination, have nothing to fear from us, in the same way as we are by no means awed by their professed aggressive militancy. For our strength lies in our dedication to peace with freedom and progress and we know that the peace and freedom loving peoples of the world stand with us.

To Korea we came with the determination to learn to live together and work together for our own good, to depend primarily on ourselves who belong to the same region rather than on others who are further away and to forge a newly born solidarity which is directed against no one but only at one objective—increasing the welfare of our nations in the Asian and Pacific area. It is our hope that after the few days we shall have spent in this beautiful and noble country, we shall succeed in laying down the basis for continuing further our joint efforts in many areas of human endeavour, particularly the economic, social, technical and cultural fields in which well concerted and coordinated actions will bring more beneficial results than we have ever been accustomed to expect in the past. Later on, as this historic conference draws to an end, new hopes may rise over the horizon for a more progressive and more beneficial Asian and Pacific Society where our peoples shall, through close and effective co-operation, live in peace, in freedom and prosperity.

SECOND WRIGHT BONER

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an editorial titled "Second Wright Boner," which appeared in the Washington, D.C., Evening Star on September 18, 1967.

There being no objection, the editorial was ordered to be printed in the RECORD as follows:

SECOND WRIGHT BONER

Earlier this month Judge J. Skelly Wright modified his original school decree to permit some 255 District youngsters to continue this fall in schools they had already been attending. This was done after Judge Wright had belatedly become aware that his original ruling would work an unconscionable and senseless hardship in the case of those children, most of whom are Negroes.

District school officials now are trying to decide what to do about a second unfortunate and probably unforeseen consequence of the Wright ruling.

Judge Wright, with some splendid rhetorical flourishes, ordered the abandonment of the track system on the ground that it discriminated against "lower class and Negro students." It turns out, however, that there were some 5,000 "educable retarded" children, most of them colored, in the "special academic" or basic track. With the track system judicially banned, some other arrangement for grouping these retarded children must be devised unless they are to become educational casualties of the Wright decree and of its interpretation by school officials.

As a temporary measure the educable retarded children have been placed in regular classes, where they stand little if any chance of keeping up. An article by William Raspberry in The Washington Post told of the unhappy experience of one mother and child.

The child, a nine-year-old girl, had been making good progress in the basic track at Tyler Elementary School. "Now she's in a regular third grade class," said the mother, "and she comes home crying, telling me she can't understand the lessons. Her reading isn't as good as it was last year."

Well, this and other deplorable byproducts of the Wright decision doubtless will be straightened out in due course. But the essential conclusion remains: A Federal judge is no more qualified to undertake a whip-cracking approach to the dictation of educational policy than would a professional educator be qualified to serve on the United States Court of Appeals.

GEORGE B. GALLOWAY: A DEDICATED PUBLIC SERVANT

Mr. GRUENING. Mr. President, on August 2, a memorial service was held at the Cosmos Club in honor of the late Dr. George B. Galloway. During this service, several distinguished speakers addressed a large assembly who had gathered to pay their respects to the memory of this fine gentleman and eminent scholar. The theme of these addresses was "Dr. George B. Galloway: His Contributions to Government at the Local, National, and International Levels."

The heartfelt words of admiration and praise for Dr. Galloway were among the finest tributes I have ever heard paid to the life and work of any man. They were altogether fitting, as Dr. Galloway was nationally and internationally recognized as one of this Nation's foremost political scientists and as one of its most preeminent authorities on the history and functioning of the U.S. Congress. He was also one of its most highly dedicated public servants. His primary goal in life was to make a profound and lasting contribution to the strengthening, improvement, and preservation of American democracy, in which he fervently believed, through the application of his knowledge and understanding of American political processes. In this he succeeded admirably, far beyond the measure of most men who try as individuals to influence the affairs and institutions of their times.

I am happy to record my personal indebtedness to George Galloway. He was my friend, and I was the beneficiary of his wisdom. His suggestions, his counsel, his analyses of current trends and of past and prospective events in the Congress, and his thoughts on pending legislation were always helpful. His life and career were intimately associated with the Congress. He was an integral part of its work. His death was untimely, and he will be sorely missed. I think I can say this in behalf of all Senators who had the benefit of association with him, and of still others who derived inspiration and enlightenment from his writings.

I ask unanimous consent that the eloquent tributes paid to Dr. Galloway at his memorial service be printed in the RECORD in order that his contribution to the legislative process and the work of Congress may become a matter of permanent public record.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

Memorial Services for Dr. George B. Galloway: His Contributions to Government at the Local, National, and International Levels

(Speakers: Mr. Clarence Pierce (presiding), Inter-American Development Bank; the Honorable A. S. Mike Monroney, Senator from Oklahoma; the Honorable Emilio Q. Daddario, Member of Congress from Connecticut; Mr. Lester S. Jayson, Director, Legislative Reference Service, the Library of Congress; Dr. Ernest S. Griffith, former Director of the Legislative Reference Service, who was on vacation and sent his remarks from Glacier National Park, Montana.)

George B. Galloway

Mr. **Pierce**. Mrs. Galloway, David and Jonathan Galloway, Mrs Price, friends and associates of George Galloway: we are assembled here today to mark the passing from our midst of this man who was to some of us a beloved husband and father and to others a valued friend and associate. We have come together to recall, and share with each other, the influence he had on our lives and affairs. It is fitting that we do this, even though we cannot convey adequately that special feeling we have when we remember this man and our association with him. We cannot identify accurately either the quality or extent of the influence which he had on us. All we can say with certainty is that it was enriching.

If a man is remembered because of the influence he had on the institutions of his times, then George Galloway will be remembered for his contributions to the improvement of the national legislature of this country. If a man is remembered because of his contribution to the sum of knowledge of his times, then George Galloway will be recalled when those are listed who insisted upon the need for national planning in the economic development of this country. If a man is remembered for his devotion to his family and for his encouragement to his friends and associates, surely George Galloway will be remembered by those present here and by many others who could not join us today.

We wish to pay our respects to this unique man and to share, to the extent that we can, the special place which he occupies in our minds and memories. In doing this, we assure each other and reassure ourselves that it is the quality of life that is important. We take special note of the unusual values in a life well-lived in the hope that we can do our best as well. We are met to record an epitaph and, in doing this, we wish to catalogue the special contributions of this man.

In a brief autobiography written in April, 1958, George listed three major aims in his career:

1. To understand the times in which one lives.
2. To make a contribution to the intelligent direction of political and economic change.
3. To promote democracy in American government.

In summing up his career to that point, George concluded that he had had some success in the first two of these aims, but had been unsuccessful with the third. He was unable to accept his assumed failure to promote democracy in American government even though he knew and expressed the reasons for it as being inherent in our political ssytem. The failure to achieve substantial change in increasing democracy in American government became a personal failure to George. This was only so because he had not considered it beyond his capacity to try to influence such changes.

George believed that enactment of the Legislative Reorganization Act of 1946, was, for him, one of life's rare triumphs. It represented six years of sustained effort beginning as chairman of a committee of the American Political Science Association on the Congress and terminating as Staff Director of the Joint Committee on the Organization of Congress.

Senator A. S. Mike Monroney of Oklahoma, who was then a Representative, was vice chairman of that committee. He is here today to share with us his views on the contribution made by George to the work of that committee and George's continuing efforts for improvement in the operations of the Congress.

Senator **Monroney**. I speak today of a friend. My long association with George B. Galloway dates back for a quarter of a century. It spans an interesting, exciting, and trying period of our Government. From World War II, through the trying times of demobilization and reconversion, through the Korean War, and through the monumental struggle over the domestic issues of this period of transition to the world's greatest power.

George Galloway understood the impact of these trying issues and played an important role in trying to help solve them. Few men—and perhaps no man outside of the Congress itself—had as much to do as did George Galloway in inspiring and perfecting the various steps and stages in improving the Congress and its machinery to carry on the difficult tasks of the last half of this 20th Century.

I first met George Galloway when I was a very junior member of the House of Representatives. He was a man inspired by the challenge of the times to do something to correct the easy-going and loosely organized Congress of the United States.

He saw quite clearly—far better than many of us who were closer to the forest—the monumental post-war tasks and challenges that would fall upon the "people's branch" of our government. He wanted to strengthen it because he believed that the power had to be held close to the people. He knew the difficulties which would present themselves when the shooting stopped and the post-war period was upon us.

I had visited several times with George during my earlier years in the Congress. We had talked about the general disorganization of Congress. Because of his searching mind and his keen interest in the Congress as a great American institution, we would always concentrate on ways in which the freedom of a representative body could be maintained and yet have its efficiency increased. He well understood the dangers of sacrificing democratic action and public discussion in the interest of a straight-lined power structure stemming from a strong Executive and a weak Congress.

We used to meet for lunch. Sometimes it would be in the crowded House Restaurant—but more often in the Library of Congress. Here we went over in great detail the needs of the Congress for assistance to meet the ever-expanding tasks of government. Here we talked of streamlining the machinery of Congress. The possible-impossible task of realigning the overlapping and duplicating and inefficient committee system of both Houses.

Could Representatives and Senators ever be persuaded to give up some of the prestigious tokens of office such as chairmanships of such committees as "The Committee on the Disposal of Useless Executive Papers"? Or would they stand for the merger of the then existing three separate committees on veterans' affairs?

What were the chances of having a Committee on Armed Services instead of two committees—one on Naval Affairs and one on Military Affairs? While most Representatives and Senators were convinced such sweeping reorganization was impossible, George Galloway knew that it could be achieved—and a lot more along with it.

George Galloway carried on his John the Baptist role by convincing such Senate leaders as the late Senator Maloney of Connecticut and the late Robert M. LaFollette, Jr., as well as leaders of the House, of the need for Congressional reform.

Together with compatriots and scholars from the Library of Congress, he kept the campaign rolling along with a quiet but determined Ph. D. pace.

Doctor Galloway was dedicated to the cause, and his missionary zeal spread throughout the wide circle of his friends, acquaintances and fellow political scientists. He was committed, dedicated and determined that the Congress had to reorganize if it was to maintain its historic function in an ever-expanding government.

This crusade took him on the lecture circuit, launched the work on his great book, "Congress at the Crossroads," and brought him into daily—yes hourly—contact with Members of Congress, staff members and political scientists from most of our states.

It was this pioneering work along with that of a very few Senators and House Members that finally brought about the passage of the Maloney-Monroney Resolution that created the Joint Committee on the Reorganization of the Congress. In the midst of the efforts to create the committee, with George Galloway ever in the vanguard, Senator Maloney died of a heart attack.

He was succeeded by Senator Bob LaFollette, and with George still as a chief advocate, the effort moved forward.

With the creation of the Joint Committee there was, of course, only one choice—Dr. Galloway, who had pioneered the move from the beginning, was chosen as Staff Director. George was the staff—together with a part-time stenographer.

The completeness and thoroughness of the hearings brought the cream of American political scientists to the committee for searching analysis of the system. It brought from abroad expert parliamentarians and from the domestic scene many outstanding American leaders of politics, government, and business.

In the hearings, these expert witnesses, all selected and scheduled by Dr. Galloway, wove into the record the need for strong reform, and the means of bringing it about. The carefully planned presentation of this type of evidence created one of the great textbook sources on the needs of the Congress for greater strength and clear-cut organization.

The clear need for Congressional research was demonstrated so that the Legislative Reference Service early became one of the important objectives of Congressional reform. The able help of many in the Library of Congress and of the experts in the field of public administration brought suggestions and advice to the committee.

With the overwhelming weight of the opinion of American political scientists behind the reform movement, with the outline of choice plans for a half-hundred needed improvements in Congressional machinery, public opinion was mobilized strongly behind the effort. But the apparent "instant support" was misleading. It was the result of the long and continued crusade waged by Dr. Galloway in the previous years.

Likewise was the expeditious completion of the hearings and the prompt preparation of the Joint Committee's report and recommendations. It was still George Galloway's plan for action. And he got it.

Had our Staff Director permitted the movement to sag or slow down—we still might be operating under Civil War rules and a committee structure that looked like it was designed by Rube Goldberg.

George Galloway's time-table was met by passage of the Legislative Reorganization Act by the Congress in 1946. Without his design, his missionary zeal with his fellow members of the American Political Science Association as Chairman of the Committee on Congress, and without his keen sense of timing, the creaking, groaning, badly patched up organization of Congress would today be trying to do the impossible.

Ever a thorough man, Dr. Galloway refused to relax as the passage of the Reorganization Act was achieved. He knew, because he was a true expert on the Congress, that passage of legislation alone was not enough. The implementation of the act to carry out the real philosophy of a stronger Congress, George Galloway knew, would only come if the early days of its new life were carefully supervised.

As Senior Specialist in American Government and Public Administration, of the Legislative Reference Service, Dr. Galloway served as a one-man task force to see that the changes Congress had voted were carried out. And carried out too in the way that it was planned under the new rules of reorganization.

His devotion to this second phase of implementation led him into becoming an unofficial advisor to many of the new committees and the new staff members who were anxious to see the reforms properly installed. Dr. Galloway made one of his greatest contributions in carrying out this detail over the following two years.

He never lost his interest in creating and in perfecting a strong Congress. His books began with "Congress at the Crossroads" in 1946. There followed "The Legislative Process in Congress" in 1953, "Congress and Parliament" in 1955, and "History of the House of Representatives," in 1961.

Thus Dr. Galloway moved onward from the creator and director of reform to become an interpreter for the American people, and particularly their professors and students of political science. He was the #1 expert on the strengths and weaknesses of our form of democracy.

His love of and his service to Congress as an institution continued until his death.

George Galloway will be sorely missed. His counsel and advice through a quarter of a century have done much to create a stronger Congress and thus a stronger voice of our people. He believed in a working and workable democracy. He believed that strengthening our system at the representative level would bring justice and greatness to the Nation. To this end he dedicated his time, his mind and his life.

Mr. Pierce. George's interest in political institutions was not confined to the national scene. From 1958 to 1966, he served as Executive Secretary of the U.S. Delegation to the Inter-Parliamentary Union. Congressman Emilio Q. Daddario of Connecticut is a U.S. Representative to the Inter-Parliamentary Union Council. He is here today to share with us his regard for George as he served the U.S. Delegation.

Congressman Daddario. At Wesleyan University—which is George Galloway's school and mine—a favorite song, "Tella Mystica", closes with these lines:

"So may we live, that when our lives shall end some memory of us, with that web may blend and so may we die."

George's gentle hand has now been stilled. Yet the pen it held has indelibly etched his thinking with emphatic permanence on our society. As an author his works are classical in proportion and they will continue to have an effect whenever an attempt is made to restructure our government, and especially the Congress, to the developing needs of our society. His interest was that the United States Congress be a vital force in shaping our destiny—both domestic and foreign—and he brought to that task a tempered, constructive, and scholarly attitude.

Brought up in the academic atmosphere of Middletown, Connecticut, which for many years was his home, as it was mine, he developed, because it was inherently in his nature to, a warm and penetrating intellect. How wisely he applied himself is attested to—not only by what he has written, but also by the individual members of Congress, officials from other countries, students and civil groups—who came to him to savor of his vast knowledge and experience.

He was consumed by the idea that the Congress shall play an important part in the development of our foreign policy. As Secretary to the United States Delegation to the Interparliamentary Union, he served a unique purpose. His advice to his delegation was sound at the core and yet somehow sprinkled with the kind of imagination that made it palatable to others. His presence, however, served a greater than an advisory purpose. He was our traveling academician—the one to whom delegates from other countries came to learn of our political structure—and why he believed it worked as well as it did.

George Galloway has woven his thoughts into the fiber of our society.

We who are his friends will remember him because of his character and his goodness. Others will remember him because a touch of his genius remains behind him.

Mr. Pierce. In his autobiography, George pays special tribute to Dr. Ernest S. Griffith, former Director of the Legislative Reference Service of the Library of Congress. Dr. Griffith was one of the active members of the American Political Science Association who encouraged George to head the committee and to produce the significant report on Reorganization of Congress. The association of these two men was long and mutually productive. Dr. Griffith is in Montana and cannot be here with us today. Instead, he dictated an appreciation of George by telephone to Mrs. Galloway.

Mr. Lester S. Jayson, Director of the Legislative Reference Service, has consented to read Dr. Griffith's statement and to supplement that with his own evaluation of George's contributions in recent years.

Mr. Jayson. George Galloway was an example of a man who chose to educate himself for the public service, and having done that, he dedicated himself to service for the government.

George, as you may know, received his Ph. D. from the Brookings Graduate School of Economics and Government. That School was known for its pioneering emphasis on training for the public service. Its doctoral programs stressed the opportunities for ready access to the source materials of public-policy-research and personal contact and discussion with Washington officials. Its students worked on practical problems of government policy.

Robert S. Brookings who founded the School once explained its purpose in a letter to John D. Rockefeller, Jr.—I guess it was back in the early '20's: "Nearly every interest in the country is now organized," he wrote, "and has permanent representation in Washington, all striving to further their own interests. We are the ony research activity in Washington which is just simply collecting evidence in the interest of truth, and making our findings known."

That's the kind of university that attracted George, and that is the kind of work he wanted to pursue. And the fact is that George Galloway spent most of his professional life engaged in research activity seeking understanding and truth, rather than the furtherance of particular interests. When he retired last December, he had completed almost 25 years of service in the Federal Government, more than 20 of them in the Legislative Reference Service of the Library of Congress. He had achieved a magnificent record of accomplishment and effective public service. He had attained an international reputation for his contributions to the scholarly literature on the United States Congress. He had a knowledge of the Congress, of its organization and its procedures, that few men in our time could equal. He had the admiration and respect of the political and the academic communities. He also had the devotion and love of all who worked with him, and of all who knew him.

Anyone who met George was immediately impressed—and delighted—with his gift of clarity, with his dignity, with his courtesy and kindness, with his modesty and wit and his ready willingness to share his knowledge with those who sought his counsel.

And over the years there was a constant stream of people who called on him for that counsel—not only Members of Congress (and there were so many of them), not only political scientists and state legislators and journalists, not only parliamentarians from nations across the world and other foreign dignitaries, but also the people who worked with him on a day-to-day basis: his own colleagues. And I regard this as most significant, because if there is anyone who really is in a position to appraise a man's work—and his character—it's the man who works alongside of him.

One man who worked alongside of George for many, many years, and who knew him well, was Dr. Ernest S. Griffith, who was Director of the Legislative Reference Service for some 18 years. Dr. Griffith today is in the far west at a rather inaccessible spot in Glacier National Park. We contacted him by telephone, and over the telephone he dictated a tribute to George that I have been asked to read to you.

These are the words of Dr. Griffith:

The news of George Galloway's tragic death reached me this evening in the Montana mountains. As I write, these mountains in their strength and majesty speak of his strength of purpose and the grandeur of the concepts that governed his life. To him the Congress of the United States was central. He would have it responsible. He would have it worthy of the responsibility to which it is called. For these goals he labored in season and out; and with an effectiveness which he himself never fully realized. He was a perfectionist in these matters, and it troubled him when he sensed the shortcomings of those whom he would have rise to their full potentialities as leaders and members of the Congress.

I do not know when and how Dr. Galloway first acquired this interest. I do know that it came to its full flowering when the American Political Science Association made him chairman of its Committee on Congress. The story of this committee furnishes an interesting chapter in the annals of the Association. Its Washington group, under the prodding of the late Benjamin B. Wallace, had sent in a resolution to the Executive Council of the Association calling for the formation of such a committee. Hitherto the Association, as such, had rather consistently refused to attempt a role in political reform of any sort. There was, accordingly, a disposition in certain quarters to ignore the resolution or at least to treat it cavalierly. It was my privilege when the item was finally reached on the agenda, long past midnight I believe, to press for an affirmative decision calling attention to the probable reaction in the Washington Chapter of any curt dismissal. By a divided vote the committee idea won the day but with a directive to emphasize research.

Once the committee was formed, under Dr. Galloway's vigorous leadership it ploughed fresh terrain with what was, I believe, a new technique for the Association. First the Committee identified the Members of Congress of both parties who had expressed serious concern with its organization and functioning. Then in a series of off the record dinners, these Members were encouraged to discuss their ideas with the Committee. Ideas from the political science fraternity were solicited and tried out on the Members of Congress at the various dinner sessions. I scarcely need say that the Members invited were from both parties and the discussions were nonpartisan. Among the participants were Democrats Maloney and Monroney, and Republicans Dirksen and Michener, Robert M. LaFollette, Jr., then an Independent and many, many others. The Committee report was a milestone. Its influence in aiding in the crystallization of Congress' own self study was clearly admitted by the sponsors of the Joint Resolution which, in 1944, set up the Committee on the Organization of Congress, known more familiarly as the LaFollette-Monroney Committee.

It was natural and perhaps inevitable that George Galloway was invited to become the Staff Director of this Committee, a post which he occupied with great tact and distinction during the two years or so of the Committee's life. Those familiar with Congressional ways know the importance of the role of the Committee Staff Director. Never was a Committee better served. The rapport between the dynamic and thoughtful cochairmen and Dr. Galloway was virtually perfect. The Committee's first function was to encourage as many Members of Congress as possible to testify or at least send in memoranda. During this process it soon became clear what the trouble areas were. Under the guidance of Dr. Galloway's ever orderly mind, questioning and testimony and Committee deliberation more and more centered on these areas—especially committee structure, staffing, control of lobbying, and the lessening of the work-load of the individual member arising from relatively unimportant calls upon his time. The Committee Report drafted by Dr. Galloway was a marvel of its kind; as was also the bill introduced under the Committee's sponsorship.

Not all that the Committee desired found its way to the statute books, but most major proposals were passed. The number of standing committees was greatly reduced; their correspondence to the executive agencies and department much improved. Members were thus better enabled to specialize. Professional staffs were authorized for all standing committees. The Legislative Reference Service was enormously strengthened and its role clarified as a primary reliance for the individual Member and a supplementary facility for the Committee. If the lobbying provisions of the Act were not conspicuously successful, at least the issues were clarified and the difficulties exposed. Progress was made in lessening workloads, chiefly by the aforementioned staff service.

As a sequel, it was not surprising that bipartisan representations were made to the Director of the Legislative Reference Service that Dr. Galloway should be named as its first Senior Specialist in the legislative process and to give continuity in service to those Members and Committees of Congress interested in the ever better functioning of that body. So for more than 20 years, George Galloway carried on in this field, serving impartially those with whose ideas he agreed and disagreed. Always he strove to make the facts of the situation available; always when dealing with a problem he wrote clearly and forthrightly—listing each proposed solution and the pros and cons of each. There were many published studies by George Galloway and many public acknowledgments of his ideas.

I knew him well in these years, and know how at times he wondered whether what he was doing was worthwhile. Many things he felt very deeply—for example, the illogic which associated with the seniority rule, with the powers of committee chairmen, with the lack—as he saw it—of strict party responsibility. What he did not realize was the fashion in which Congress often chose to substitute modifications of usage and custom for the more formal type of reformation; thus at times retaining the advantages of the status quo by responding constructively to criticism of its disadvantages. While many worthwhile formal changes were added by the reports he prepared for Members initiating them, his greatest influence during these years was in the analysis he gave Members in illuminating issues—a look more farreaching in influence than he himself realized. It is not too much of an exaggeration to speak of him in this phase as "the conscience of the Congress."

No account of his service in strenghtening our legislative process would be complete without mention of his published works, especially "Congress at the Crossroads", "The Legislative Process in Congress", and "The History of the House of Representatives". These have been read by, and have influenced, thousands and thousands of teachers, students, editors, and citizens in general. His ideas have entered the main stream of our nation's thought. Always they were informed in detail; always they were clear; often they were in the midst of realistic controversy at its best.

You will forgive me if in closing I add a more personal note—for I have lost a friend, one of the closest and best I have known. He and I both made the Congress our chosen field. Sometimes we agreed, sometimes we disagreed. Always I respected his criticisms, their penetrating quality and good temper and evident attempt to be fair. We shared the same objectives more deeply. We each knew we could count on the other for the candor that friendship could evoke as its more profound expression. If in my own way I may have served Congress in some fashion, much of this is due to my association with George Galloway. I feel sure that Ellene Galloway will say the same as regards her own notable services, and George would say this of her. Their two sons have a magnificent heritage.

I do not know George Galloway's thoughts as to immortality. This I do know—that one who has so dedicated his life to his fellowmen need not fear. You all, regardless of your particular beliefs in immortality as ordinarily understood, will grant at least this—that George Galloway set in motion and aided forces, constructive forces, at the very highest level in the democratic process, such that, if they come to know the truth of the matter, generations to come will rise up and call him blessed.

Mr. Pierce. My association with George began exactly twenty years ago in the summer of 1947. I had just completed a study on the government of the District of Columbia under the auspices of the Library of Congress and at the request of the House District Committee. On submission of that report, a Subcommittee on Home Rule and Reorganization was appointed under the chairmanship of Congressman Auchincloss of New Jersey. George was appointed Staff Director and I was named as Assistant Staff Director. The chairman of the House Committee was Congressman and now Senator Everett Dirksen. As staff members, our assignments were to make proposals for improvement in the organization of D.C. government and to propose methods for enfranchising the residents of the District. As he states in his autobiography, George's long experience with the Municipal Research Bureau in Philadelphia served him in good stead for this assignment. As the work progressed, we discovered that our main responsibilities were to separate fact from fiction, truth from rumor and prejudice. Eventually, it was possible to make an orderly presentation of recommendations based upon fact and consistent with representative democratic government. After hearings on the main issues, legislation was drafted and introduced.

The record on home rule in the District of Columbia is too well known to most of you here today to dwell upon the reasons for its lack of success. It did not fail for lack of effort. Both George and I, convinced by the justice of the cause, devoted evenings and weekends to making hundreds of speeches during the year when the Bill was under consideration, explaining the legislation and answering questions both pertinent—and impertinent. The support that was mobilized continues to this day. The opposition has been constant and untiring. The Bill passed the Senate three times, in substantially its original form, but could not get reported out of the House District Committee.

When George referred to his failures in attaining the third of his major aims, that of promoting democracy in American government, he listed Home Rule for the District of Columbia as the first of these. He went on to list other failures in this category: limitation of debate in the Senate, requirement for relevancy in Senate debate, a curb on the House Rules Committee and a code for fair play to prevent abuse of the investigative function. I leave it to you to judge whether these are indeed failures for which he has any personal responsibility. Perhaps nothing sums up the total of George's philosophy of life better than a phrase from Emerson which appears in his autobiography.

"What is a man born for but to be a Reformer, a Re-maker of what man has made; a renouncer of lies, a restorer of truth and good, imitating that great Nature which embosoms us all, and which sleeps no moment on an old past, but every hour repairs herself, yielding us every morning a new day, and with every pulsation a new life?"

What is a man born for, but to be a Reformer?

George Galloway was a Reformer.

Following the conclusion of these services, Mrs. Galloway and members of the family will be at the rear exit of this room for those who wish to pay their respects. After the services are concluded, please remain at your seats until she and members of the family have moved to that location.

We will now conclude the services by standing and observing a moment of silent meditation as a token of our respect and regard for our friend and associate, Dr. George B. Galloway.

NATIONAL ATTENTION FOCUSED ON DISAPPEARING SPECIES THROUGHOUT WORLD

Mr. YARBOROUGH. Mr. President, it was with great pleasure that I noted in the Washington Post of Sunday, September 17, an excellent article on the dangers faced by the wild fur-bearing animals whose beautiful skins have become articles of such importance to fashion designers and fashionable. The article, written by Chairman Irston R. Barnes, of the Audubon Naturalist Society, inveighs against the unconscionable use of furs of the rapidly disappearing species of wild animals by both designer and consumer, and recommends that the consumer can provide the best means of stopping the slaughter, by rejecting these skins which are obtained at such cost to international wildlife.

I highly commend Mr. Barnes on his foresight and his concern with this increasing danger to whole species of animals. It is to provide for such public and international awareness and action against senseless killing of endangered species that I introduced in the Senate on August 28 of this year Senate Concurrent Resolution 41. This resolution provides for the setting up of an international conference on conservation of wildlife. As Mr. Barnes notes, this need is a great and growing one, and must be acted on now, before more valuable and irreplaceable species altogether vanish from the world.

Mr. President, I ask unanimous consent that the article entitled, "Hard-Pressed Species Can Survive If Buyers Take Profit Out of Killing," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HARD-PRESSED SPECIES CAN SURVIVE IF BUYERS TAKE PROFIT OUT OF KILLING

(By Irston R. Barnes)

Some of the nicest people in the world are the ultimate economic force that is destroying some of our most beautiful and exciting wildlife. Today these people could be as effective as were their grandmothers and great-grandmothers 70 years ago when they rallied to save our most dramatic birds from extinction.

Fashions are still a threat to wildlife, just as hat fashions were in the 1890s, when gunners serving the millinery trade were slaughtering egrets and herons, gulls and terns, and many other birds to provide decorations for ladies' hats. The nuptial plumes of the egrets were so highly valued that at one time they were literally worth their weight in gold, and hunters followed these beautiful birds into the nesting colonies, wiping out entire colonies to satisfy the commercial demand.

When the Audubon Society of the District of Columbia was organized, its first action was not to raise money for sanctuaries and for wardens. Its first and most effective step was to mobilize the public opinion of the women of the country, to lead them to reject all hats decorated with the plumage of birds. Of course, the aroused public opinion was effective in securing protective legislation, in raising money for sanctuaries, but the most important accomplishment was to take the profit out of killing for the millinery trade.

The parallel problem today is clearly indicated in Philip K. Crowe's "The Empty Ark," recently reviewed in this column. In his investigation of the current status of rare wildlife species, Crowe repeatedly uses the market price for pelts as an index of the increasing rarity of endangered species. He reported that the Peruvian chinchilla, the so-called royal chinchilla, is probably extinct in the wild. The fate of the little animal is reflected in the market prices of its skins; $6 a dozen in 1900; $200 apiece by 1930; and wild chinchilla wraps in New York, if available, being priced in the $50,000 range.

The ultimate responsibility for the disappearance of many rare species will lie with the women of fashion who provide the market for their furs, perhaps chiefly because these furs are expensive and hence are leading items of conspicuous expenditure, and the commercial interests which profit hugely by destroying these colorful animals.

Thus the New York fur trade features Somali leopards from Ethiopia, which exports 10,000 leopards a year although the hunting of leopards is supposedly fully controlled, Crowe reports the extent of the traffic at an estimated $1.4 million a year. "The native hunter probably gets only about $50 a skin, the smuggler gets about $150 and in a New York fur store a fine leopard coat consisting of eight skins can bring $10,000."

Although protected by law, the skins of the colobus monkey are readily available in stores in Addis Ababa.

Laws are important; international conventions to stop the trade in the skins of rare species would help; but most potent of all would be a termination of the styles and fashions in furs by the women who provide the ultimate economic incentives for this trade. The leopard is only one among many wild skins that have no place in commercial markets if we are genuinely interested in protecting endangered species.

Alligator shoes, handbags and other items ought not to be items of commerce. The black alligators of the Amazon are victims of this trade. "Ten years ago two million skins came into the Manaus market and today fewer than 200,000 are sold."

Peru seeks to protect the vicuna, but their hides are regular items of commerce in Bolivia, where prices of $100 a skin assure illegal killing of these animals.

Commercialism also threatens the tiny red siskin of Venezuela because canary fanciers—there are reportedly some two million of them—will pay up to $60 for a red siskin canary cross, which is a superlative singer.

Leopards, chinchillas, jaguars, ocelots, vicunas, alligators, red siskins! Wherever rare and endangered species are being exploited for profit, the most effective protection can come from the buyers and consumers. If the skins of these rare species could go completely out of fashion, the killing would end. So long as men and women purchase such items the slaughter will continue. The ultimate consumer must thus accept responsibility for the destruction of life carried out at his or her behest.

Today there is no need to start a new conservation organization as there was in the 1890s, when the plumages of birds were causing indiscriminate slaughter. If members of existing organizations with conservation goals made protection of endangered species from commercialism an active part of their programs, much could be accomplished.

LET US NOT BE FOOLED BY THE ARAB-SOVIET GAME

Mr. MONTOYA. Mr. President, the Arab States of the Middle East have once again retreated from the harsh realities of a situation they were mainly responsible for.

Culminating their string of shortsighted moves, they precipitated a total military disaster. Compounding this is their utter refusal to face up to the realities of the present situation.

They have made themselves willing tools of the Soviet Union in the Middle East, allowing themselves to be used in the most casual and cynical manner.

Now these Arab States, oblivious to the advantages of direct negotiations with Israel, seek to enter by the back door of diplomacy after being rebuffed at the front door of military effort.

They seek to use American influence in the diplomatic field to win undeserved concessions from Israel. They hope to convince our Nation to use its influence to obtain a bargain at Israel's expense. I sincerely hope their effort is rejected by this country.

Let us not tread where those who spurned us yesterday ask us to do. It cannot and will not be to our benefit to do so. These very nations not only spurned us in the most unfair and undeserved manner, but have broken diplomatic relations with us.

These are the very same countries who subjected American nationals, American property, symbols of our Nation and our diplomats to the most appalling abuse and violence.

These are the nations who have used our country as an international whipping boy to excuse their own childish acts, diplomatic errors, and misguided policies.

We have been blamed by them for the sufferings of their own people. Yet now these very nations seek to use King Hussein as the key to the door they could not open by other means. Mr. President, we are not deceived. Nor are the brave and realistic Israelis.

To court or heed these insincere representatives of the Arab world is to reopen the doors to conflict once more. It would be working hand-in-glove with those very men who are so closely tied in with the Soviet Union and its cold-blooded attempt to step to Middle Eastern power over the bodies of innocents.

These are the same men who accepted Soviet arms with one hand and American aid with the other, hailing the former and damning the latter.

Were we to involve ourselves in their latest sub-rosa maneuver, our chances of being drawn into a confrontation with the Soviet Union would be increased substantially. Will we take this chance for the sake of governments who seek our harm?

The Israelis are standing firm in their own self-interest. They will not allow themselves to be euchred into a position of peril again.

Should we become a bumbling party to this effort and allow ourselves to be so used, we would cut a shameful figure indeed before the rest of the world.

America has made her foreign policy mistakes in the past. But by and large we have sought to perform on the world stage in an honorable manner.

I cannot believe we would ever relegate all our principles to the rubbish heap of history, and cynically play a role in the betrayal of a fiercely free people. Especially would it be a shameful thing if we did this in alliance with men and governments who are now bywords for dictatorship, attempted politicide, and international double dealing.

JAPAN'S GROWING ROLE IN DEVELOPMENT ASSISTANCE

Mr. DODD. Mr. President, if the nations of the underdeveloped world are to be assisted in overcoming their problems of disease, hunger, and poverty, it is essential that those nations in a position to do so help them in their efforts.

Our own Government has been engaged in such a task ever since the end of World War II. Through the Marshall plan we have assisted Western Europe to rebuild after the devastation of World War II. Our aid since that time has assisted men and women in their desire for a better life in Asia, Latin America, and Africa.

But America cannot do this alone, and there is a need for other industrial nations to participate with us. One nation which was a recipient of American aid and is now dispensing aid of her own to the underdeveloped world is Japan.

Ever since the enactment of the Colombo plan is 1954, Japan has been steadily increasing its assistance to developing nations. In 1964 she formally joined the Organization for Economic Cooperation and Development, becoming an equal partner with the Western industrialized nations and sharing with them the responsibility for providing aid to underdeveloped countries. Japan's aid is expected to reach the level of $1 billion a year in the reasonably near future.

In an important and optimistic report, the United States-Japan Trade Council has issued a review entitled "Japan's Growing Role in Development Assistance." It points out that 1966 was a memorable year for Asian economic cooperation:

> The countries of Asia took several concrete steps toward closer regional economic ties in order to deal cooperatively with problems of development. The establishment of the Asian Development Bank was indicative of the new trend. At the inaugural meeting of the Bank of Tokyo in November, 1966, 18 member nations pledged an initial capitalization of $1 billion. Japan, the leading Asian subscriber, pledged $200 million, equalling the contribution of the United States, one of the 12 nonregional members. This marked the first time in postwar history that any nation has equalled the contribution of the United States to an international organization.

The report also describes the aid given by Japanese private industry. In Thailand, for example, the development of modern industries by Japanese private enterprises has helped speed up that nation's industrialization. Japan is also playing a significant role in assistance to India, through programs designed to halt the drain on the foreign exchange reserves of that country, now plagued by a huge trade deficit.

Also discussed is the newly organized Japanese Corps for Overseas Cooperation, Japan's own version of the Peace Corps. By the end of 1966 there were about 100 volunteers in Laos, Cambodia, Malaysia, the Philippines, and India teaching rice cultivation, vegetable gardening, irrigation, and other skills.

To bring this important Japanese program to the attention of the Senate, I ask unanimous consent that this significant report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

JAPAN'S GROWING ROLE IN DEVELOPMENT ASSISTANCE

The decade of the 1960's, designated by the United Nations as the Decade of Development, has seen a great expansion of the technical and economic assistance given by the highly industrialized countries to emerging countries, both multilaterally and bilaterally. Such expansion is desperately needed because of the wide disparity that now exists between the resources of industrial nations, which account for only 25 percent of the world's population but as much as 80 percent of total production, and those of newly developing nations, which represent 75 percent of the population but supply only 20 percent of total production.

There is now mounting recognition that Japan is destined to play an increasingly active role in assistance to underdeveloped nations. Last year saw Japan actively participating in several projects which marked a historic new departure in economic cooperation among Asian nations. Japan's total foreign aid, which has increased rapidly during the past few years, is expected to reach the level of $1 billion a year in the reasonably near future.

LIMITATIONS ON JAPANESE AID

Ever since the enactment of the Columbo Plan in 1954, Japan has been steadily increasing its assistance to developing nations. In 1964, she formally joined the Organization for Economic Cooperation and Development, becoming an equal partner with the western industrialized nations and sharing with them the responsibility for providing aid to underdeveloped countries. Even prior to her accession to the OECD, Japan joined the Development Assistance Committee, a subordinate body of that organization, and took part in its international program for development assistance.

In the past decade, however, Japan's efforts to aid emerging nations have been limited by several factors. Her income level remains low compared with other industrial nations. At present, Japan's per capita income is one-third that of the average member nation of OECD's Development Assistance Committee. Her foreign exchange reserves are usually at a level too low for comfort. Furthermore, Japan does not maintain the kind of close political relationship with a bloc of underdeveloped countries—such as France with her former colonies or Great Britain with the sterling bloc—which makes the giving of aid a natural development. Finally, Japan has found it necessary for a number of years to place primary emphasis on the reconstruction and strengthening of her own economy.

The Japanese economy has made great strides in the last decade. This has led not only to an increased ability to offer assistance, but an increased awareness of the responsibility to do so. During the past year, Japan has re-evaluated its basic position on foreign aid and has reached a decision to move steadily ahead in this area.

A NEW STAGE IN ASIAN ECONOMIC COOPERATION

1966 was a memorable year for Asian economic cooperation. The countries of Asia took several concrete steps toward closer regional economic ties in order to deal cooperatively with problems of development. The establishment of the Asian Development Bank was indicative of the new trend. At the inaugural meeting of the Bank of Tokyo in November, 1966, 18 member nations pledged an initial capitalization of $1 billion. Japan, the leading Asian subscriber, pledged $200 million, equalling the contribution of the United States, one of the 12 non-regional members. This marked the first time in postwar history that any nation has equalled the contribution of the United States to an international organization. The Bank is authorized to grant loans for a wide variety of development projects, both national and multinational, within the region. Among the multinational projects in which it will undoubtedly participate are the vast Mekong Valley development and the construction of highways, railroads and communications networks linking the countries of Asia.

The Ministerial Conference for Economic Development of Southeast Asia was held in Tokyo in April, 1966 to encourage voluntary efforts for economic development and to strengthen cooperation among participating countries. Japan pledged at the conference to raise the level of its foreign aid to one percent of its national income as soon as possible, and promised that a substantial share of its total aid would be channeled to the Southeast Asia region.

The April Conference led to a regional conference on agricultural development, also held in Tokyo, in December. Here the conferees agreed on the need to establish an agricultural development fund, possibly within the Asian Development Bank, and to provide capital on liberal terms for agricultural development projects in Southeast Asia. Japan was asked to provide a substantial part of the capital for the fund, with comparable amounts coming from the Southeast Asian region and from Western sources. The need was also recognized to proceed with studies for a new regional Marine Fisheries Research and Development Center, proposed by Singapore and Thailand.

The government of Japan is keenly aware of its role as the most highly developed nation in Asia, and has been steadily expanding its financial and technological assistance to less developed countries. Of the members of the Development Assistance Committee of the OECD, Japan is the fifth largest supplier of official and private financial aid, after the United States, France, West Germany and the United Kingdom. Japan's efforts have multiplied significantly in the past few years. Japanese aid totaled $486 million in 1965, a 67 percent increase over the previous year. The 1966 figure amounted to $538 million, another 11 percent increase. In these years, foreign aid represented approximately 0.7 percent of the Japanese national income. The government is resolved to bring its assistance up to one percent of the national income as rapidly as its economic capabilities will permit.

JAPANESE AID IS WORLDWIDE, BUT CENTERS ON ASIA

Japan is active in development assistance all over the world. To Latin America and Africa, Japan's assistance is extended mostly in the form of private investment and export credit. In Brazil, for example, Japanese business ventures cover a wide range of activities in agriculture, forestry, fisheries, food, textiles, chemicals, ceramics, steel and electrical machinery. One of the largest ventures is the Usiminas steel mill, which is now capable of turning out 500 thousand tons of steel ingots a year. These ventures, along with financial aid and technical assistance supplied by Japan, are contributing in no small measure to the development of the Brazilian economy. Japan is also actively engaged in various development projects in Argentina, Peru, Mexico and other Latin American countries. In Africa, Japanese assistance through official sources is becoming increasingly active. A technical training center was set up by the Japanese government near Nairobi, Kenya in 1964. Here Japanese experts teach Africans the techniques of metalworking, machine sewing, machine assembly and repair. The Japanese government has recently supplied yen credits to a number of African countries for use in financing the development and processing of primary goods.

Japan's development assistance activities, however, naturally center chiefly on Asia. In 1965, 68.4 percent of Japan's economic assistance went to Asia, 16.2 percent to Latin America and 3.3 percent to Africa. Whereas in Latin America private investments dominate, the major portion of Japan's economic assistance in many parts of Asia is given in the form of governmental grants and credits, with private industry retaining a subordinate though important role.

REPARATIONS AGREEMENTS FOSTER AID

Under a reparations agreement with Burma, which was completed in 1965, Japan has provided assistance amounting to $200 million, most of which was spent for the construction of an 84,000 kilowatt hydroelectric plant. Japan is now providing, under a new agreement signed in 1963, economic and technical assistance valued at $140 million through 1977.

The 1956 reparations agreement with the Philippines called for $550 million in goods and services over a 20 year period. By March, 1967, Japan had provided 43.7 percent of the total amount, which was spent for the construction of a cement factory, paper and lumber mills and other modern installations.

Japan began providing aid to Indonesia, amounting to $223 million over a twelve year period, under a 1958 reparations agreement. By March 1967, 80 percent of the total amount was already provided for the construction of three dams, a paper mill and a cotton textile plant. Currently, Japan is one of the leaders in international efforts to help the new Jakarta regime pull Indonesia out of its economic difficulties. In September, 1966, the first conference of Indonesia's creditor nations, which took place in Tokyo at Japan's initiative, agreed to reschedule that country's debt repayments.

Japan's economic aid to South Vietnam was provided under the provisions of a reparations agreement for $39 million and a loan agreement for $7.5 million which took effect in 1960. The major portion of the reparations has been used for the construction of the Da Nhim hydroelectric power plant. The plant, with a capacity of 160,000 KW, has already been completed and now sends power to Saigon. Reparations payments have also been used to build a number of factories for the manufacture of light industrial products. Yen credits extended under the loan agreement have been used for the installation of transmission lines and a transformer substation for the Da Nhim power plant. Japan has also sent medical missions to South Vietnam and is extending various types of technical aid.

PRIVATE INDUSTRY AUGMENTS GOVERNMENT AID

In Thailand, the development of modern industries by Japanese private enterprises has helped speed up the nation's industrialization. Japanese business ventures have been set up for a wide range of industries, including blankets, electric wire, fasteners, cotton spinning, weaving and dyeing, insecticides, steel piping, rolled steel and assembling of radios and television sets. Japan has also provided technical assistance in such fields as telecommunications techniques, road construction and fisheries. She had extended aid to Thailand amounting to $13.9 million by March, 1967 under an agreement signed in 1962 which called for a total amount of $26.7 million to be expended over 8 years. Chief items already supplied are a textile plant, fish research vessels and cargo boats.

Japan is playing a significant role in assistance to India, through programs designed to halt the drain on the foreign exchange reserves of that country, now plagued by a huge trade deficit. This has been done on both private and governmental levels. Government aid mostly comprises loans committed each year, plus such technical assistance as the establishment of model farms and a fishery training center. Private assistance concentrates primarily on the granting of deferred payments for various kinds of exports, including those for textile machinery, contributing to the development of the country's natural resources.

Japan began providing economic and technical assistance to Laos and Cambodia under agreements enacted in 1959, which are now completed. Under these arrangements Laos received $4.7 million for the construction of a water pipeline and hydroelectric plant in the capital city of Vientiane, and Cambodia received $4.1 million to extend water lines in the capital city of Phnom Penh, and to support medical and agricultural aid. Japan also joined the Agreement for the Foreign Exchange Fund for Laos, which aims at mitigating inflation in Laos and stabilizing exchange rates of the kip and which contributed $0.5 million and $1.7 million in 1965 and 1966, respectively.

These examples are illustrative of the depth and variety of Japan's commitment to development assistance in Asia. Other Japanese aid projects are found in South Korea, Hong Kong, Taiwan, Malaysia, Singapore, Pakistan and Ceylon. It should also be noted that, beside governmental assistance activities, Japan is extending assistance in the forms of private investment and export credit to Southeast Asia, particularly to Indonesia, the Philippines and Thailand, on a large scale.

TECHNICAL ASSISTANCE AND THE JAPANESE PEACE CORPS

Aid through the medium of investments, loans and grants, however substantial, cannot be fully effective unless accompanied by technical cooperation and positive measures to encourage the exports of developing nations. Japan has become increasingly active in these fields of development assistance. Because the Japanese possess in great abundance the skills and experience needed throughout the less developed world, there is almost limitless scope for Japanese technical aid. The problem is to devise techniques for the effective transmission of this experience and knowledge across language and cultural barriers.

The principal methods of extending technical assistance are through the training and guidance of technicians and consultation on the planning and formulation of development projects. In the first area Japan accepts overseas trainees, dispatches its own technical experts and establishes and operates overseas technical centers, while the main form of cooperation in the second category is the provision of various consulting teams. Additional aid is given through supplying of machinery and equipment, the acceptance of foreign students and the sending abroad of members of the newly formed Japanese Youth Corps for Overseas Cooperation. Japan's own version of the Peace Corps is beginning to take shape. By the end of 1966 there were about 100 volunteers in Laos, Cambodia, Malaysia, the Philippines and India teaching rice cultivation, vegetable gardening, farm management, irrigation, road building, lumbering and ceramics.

ASSISTANCE FOR EXPORTS

Primary products account for an overwhelming 85 percent of the exports of the newly developing countries. One of the chief obstacles to an increase in the exportation of these products has been their relatively high prices. To overcome this difficulty, Japan has set up a so-called "compensation system" in her trade with a number of the developing countries, under which Japanese exporters contribute to a fund which is used to compensate importers for losses resulting from the purchase of expensive primary products. Japan has taken a series of additional measures to cope with other difficulties in the trade in primary products, such as relatively poor quality, erratic commercial practices and inadequate exporting capabilities in the exporting country.

As a close trading partner of developing nations Japan has a large stake in their continued economic advancement. In 1965, these countries accounted for forty-three percent of Japan's total exports and forty-two percent of her total imports. Japanese economic assistance programs aim at increasing the economic well being of the developing nations as a contribution to peace and to the advancement of the living standards of their people. At the same time, it is clear that the economic advancement of nearby underdeveloped countries will benefit Japan's own economy.

JAPAN'S KEY ROLE IN ASIAN DEVELOPMENT

Asia, with its rich natural resources, large working population, poverty, disease and political unrest, presents a serious challenge to the free world. Japan is the free world's best hope for leadership in Asia. Her increasing contributions to the welfare of the Asian region are a necessary part of the struggle for the establishment and maintenance of the basic principles of democracy on this crowded continent. As a country that has fully demonstrated the superior capacity for growth of a free economy; as the one Asian country that has developed a full and stable pattern of personal freedom and parliamentary democracy; as the only nation in Asia which has demonstrated that Asians too can enjoy an affluent society, Japan will exert increasing influence on the destinies of the peoples of this region and throughout the less developed world.

Although Japan is now recognized as a leading industrial nation, her per capita income still falls short of the western democracies. While her economic growth rate in recent years has been remarkably high, the nation's economy is still struggling under the burdens of providing for the needed expansion of its social and economic structure. Consequently, to grant economic aid at the same level as the leading industrial nations of the West is to place a heavy burden on the Japanese people. What Japan is attempting to do is to seek remedies for her domestic difficulties while at the same time increasing as rapidly as possible her economic assistance programs to developing nations. Japan's capacity to perform both tasks successfully depends on her ability to expand her own economy.

Japan's economic dynamism rests to an unusual degree on the foundation of foreign trade. With a large and increasing population, few natural resources and a limited territory, Japan depends heavily on foreign commerce for economic survival. The expansion of foreign trade is therefore important on two counts to developing nations. It not only helps their economies directly, but it will enable at least one aid giving nation, Japan, to increase the scope and amount of the economic assistance which these countries so desperately need.

THE POSSIBILITY OF THERMONUCLEAR WAR

Mr. BYRD of West Virginia. Mr. President, on September 18, 1967, Secretary of Defense Robert S. McNamara addressed the United Press International editors and publishers in San Francisco, Calif. In his speech, the Secretary discussed the planning, preparation, and policy governing the possibility of thermonuclear war.

I ask unanimous consent to insert Secretary McNamara's remarks in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD as follows:

REMARKS BY SECRETARY OF DEFENSE ROBERT S. MCNAMARA BEFORE UNITED PRESS INTERNATIONAL EDITORS AND PUBLISHERS, SAN FRANCISCO, CALIF., MONDAY, SEPTEMBER 18, 1967

Ladies and Gentlemen: I want to discuss with you this afternoon the gravest problem that an American Secretary of Defense must face: the planning, preparation, and policy governing the possibility of thermonuclear war.

It is a prospect most of mankind would prefer not to contemplate.

That is understandable. For technology has now circumscribed us all with a conceivable horizon of horror that could dwarf any catastrophe that has befallen man in his more than a million years on earth.

Man has lived now for more than twenty years in what we have come to call the Atomic Age.

What we sometimes overlook is that every future age of man will be an atomic age.

If, then, man is to have a future at all, it will have to be a future overshadowed with the permanent possibility of thermonuclear holocaust.

About that fact, we are no longer free.

Our freedom in this question consists rather in facing the matter rationally and realistically and discussing actions to minimize the danger.

No sane citizen; no sane political leader; no sane nation wants thermonuclear war.

But merely not wanting it is not enough.

We must understand the difference between actions which increase its risk, those which reduce it, and those which, while costly, have little influence one way or another.

Now this whole subject matter tends to be psychologically unpleasant. But there is an even greater difficulty standing in the way of constructive and profitable debate over the issues.

And that is that nuclear strategy is exceptionally complex in its technical aspects. Unless these complexities are well understood, rational discussion and decisionmaking are simply not possible.

What I want to do this afternoon is deal with these complexities and clarify them with as much precision and detail as time and security permit.

One must begin with precise definitions.

The cornerstone of our strategic policy continues to be to deter deliberate nuclear attack upon the United States, or its allies, by maintaining a highly reliable ability to inflict an unacceptable degree of damage upon any single aggressor, or combination of aggressors, at any time during the course of a strategic nuclear exchange—even after our absorbing a surprise first strike.

This can be defined as our "assured destruction capability."

Now it is imperative to understand that assured destruction is the very essence of the whole deterrence concept.

We must possess an actual assured destruction capability. And that actual assured destruction capability must also be credible. Conceivably, our assured destruction capability could be actual, without being credible—in which case, it might fail to deter an aggressor.

The point is that a potential aggressor must himself believe that our assured destruction capability is in fact actual, and that our will to use it in retaliation to an attack is in fact unwavering.

The conclusion, then, is clear: if the United States is to deter a nuclear attack on itself or on our allies, it must possess an actual, and a credible assured destruction capability.

When calculating the force we require, we must be "conservative" in all our estimates of both a potential aggressor's capabilities, and his intentions. Security depends upon taking a "worst plausible case"—and having the ability to cope with that eventuality.

In that eventuality, we must be able to absorb the total weight of nuclear attack on our country—on our strike-back forces; on our command and control apparatus; on our industrial capacity; on our cities; and on our population—and still, be fully capable of destroying the aggressor to the point that his society is simply no longer viable in any meaningful twentieth-century sense.

That is what deterrence to nuclear aggression means. It means the certainty of suicide to the aggressor—not merely to his military forces, but to his society as a whole.

Now let us consider another term: "first-strike capability." This, in itself, is an ambiguous term, since it could mean simply the ability of one nation to attack another nation with nuclear forces first. But as it is normally used, it connotes much more: the substantial elimination of the attacked nation's retaliatory second-strike forces.

This is the sense in which "first-strike capability" should be understood.

Now, clearly, such a first-strike capability is an important strategic concept. The United States cannot—and will not—ever permit itself to get into the position in which another nation, or combination of nations, would possess such a first-strike capability, which could be effectively used against it.

To get into such a position vis-a-vis any other nation or nations would not only constitute an intolerable threat to our security, but it would obviously remove our ability to deter nuclear aggression—both against ourselves and against our allies.

Now, we are not in that position today—and there is no foreseeable danger of our ever getting into that position.

Our strategic offensive forces are immense: 1000 Minuteman missile launchers, carefully protected below ground; 41 Polaris submarines, carrying 656 missile launchers—with the majority of these hidden beneath the seas at all times; and about 600 long-range bombers, approximately forty percent of which are kept always in a high state of alert.

Our alert forces alone carry more than 2200 weapons, averaging more than one megaton each. A mere 400 one-megaton weapons, if delivered on the Soviet Union, would be sufficient to destroy over one-third of her population, and one-half of her industry.

And all of these flexible and highly reliable forces are equipped with devices that insure their penetration of Soviet defenses.

Now what about the Soviet Union?

Does it today possess a powerful nuclear arsenal?

The answer is that it does.

Does it possess a first-strike capability against the United States?

The answer is that it does not.

Can the Soviet Union, in the foreseeable future, acquire such a first-strike capability against the United States?

The answer is that it cannot.

It cannot because we are determined to remain fully alert, and we will never permit our own assured destruction capability to be at a point where a Soviet first-strike capability is even remotely feasible.

Is the Soviet Union seriously attempting to acquire a first-strike capability against the United States?

Although this is a question we cannot answer with absolute certainty, we believe the answer is no. In any event, the question itself is—in a sense—irrelevant. It is irrelevant since the United States will so continue to maintain—and where necessary strengthen—our retaliatory forces, that whatever the Soviet Union's intentions or actions, we will continue to have an assured destruction capability vis-a-vis their society in which we are completely confident.

But there is another question that is most relevant.

And that is, do we—the United States—possess a first-strike capability against the Soviet Union?

The answer is that we do not.

And we do not, not because we have neglected our nuclear strength. On the contrary, we have increased it to the point that we possess a clear superiority over the Soviet Union.

We do not possess first-strike capability against the Soviet Union for precisely the same reason that they do not possess it against us.

And that is that we have both built up our "second-strike capability"[1] to the point that a first-strike capability on either side has become unattainable.

There is, of course, no way in which the United States could have prevented the Soviet Union from acquiring its present second-strike capability—short of a massive pre-emptive first strike on the Soviet Union in the 1950s.

The blunt fact is, then, that neither the Soviet Union nor the United States can attack the other without being destroyed in retaliation; nor can either of us attain a first-strike capability in the foreseeable future.

The further fact is that both the Soviet Union and the United States presently possess an actual and credible second-strike capability against one another—and it is precisely this mutual capability that provides us both with the strongest possible motive to avoid a nuclear war.

The more frequent question that arises in this connection in whether or not the United States possesses nuclear superiority over the Soviet Union.

The answer is that we do.

But the answer is—like everything else in this matter—technically complex.

The complexity arises in part out of what measurement of superiority is most meaningful and realistic.

Many commentators on the matter tend to define nuclear superiority in terms of gross megatonnage, or in terms of the number of missile launchers available.

Now, by both these two standards of measurement, the United States does have a substantial superiority over the Soviet Union in the weapons targeted against each other.

But it is precisely these two standards of measurement that are themselves misleading.

For the most meaningful and realistic measurement of nuclear capability is neither gross megatonnage, nor the number of available missile launchers; but rather the number of separate warheads that are capable of being *delivered* with accuracy on individual high-priority targets with sufficient power to destroy them.

Gross megatonnage in itself is an inadequate indicator of assured destruction capability, since it is unrelated to survivability, accuracy, or penetrability, and poorly related to effective elimination of multiple high-priority targets. There is manifestly no advantage in over-destroying one target, at the expense of leaving undamaged other targets of equal importance.

Further, the number of missile launchers available is also an inadequate indicator of assured destruction capability, since the fact is that many of our launchers will carry multiple warheads.

But by using the realistic measurement of the number of warheads available, capable of being reliably delivered with accuracy and effectiveness on the appropriate targets in the United States or Soviet Union, I can tell you that the United States currently possesses a superiority over the Soviet Union of at least three or four to one.

Furthermore, we will maintain a superiority—by these same realistic criteria—over the Soviet Union for as far ahead in the future as we can realistically plan.

I want, however, to make one point patently clear: our current numerical superiority over the Soviet Union in reliable, accurate, and effective warheads is both greater than we had originally planned, and is in fact more than we require.

Moreover, in the larger equation of security, our "superiority" is of limited significance—since even with our current superiority, or indeed with any numerical superiority realistically attainable, the blunt, inescapable fact remains that the Soviet Union could still—with its present forces—effectively destroy the United States, even after absorbing the full weight of an American first strike.

I have noted that our present superiority is greater than we had planned. Let me explain to you how this came about, for I think it is a significant illustration of the intrinsic dynamics of the nuclear arms race.

In 1961, when I became Secretary of Defense, the Soviet Union possessed a very small operational arsenal of intercontinental missiles. However, they did possess the technological and industrial capacity to enlarge that arsenal very substantially over the succeeding several years.

Now, we had no evidence that the Soviets did in fact plan to fully use that capability.

But as I have pointed out, a strategic planner must be "conservative" in his calculations; that is, he must prepare for the worst plausible case and not be content to hope and prepare merely for the most probable.

Since we could not be certain of Soviet intentions—since we could not be sure that they would not undertake a massive buildup—we had to insure against such an eventuality by undertaking ourselves a major build-up of the Minuteman and Polaris forces.

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[1] A "second-strike capability" is the capability to absorb a surprise nuclear attack, and survive with sufficient power to inflict unacceptable damage on the aggressor.

Thus, in the course of hedging against what was then only a theoretically possible Soviet build-up, we took decisions which have resulted in our current superiority in numbers of warheads and deliverable megatons.

But the blunt fact remains that if we had had more accurate information about planned Soviet strategic forces, we simply would not have needed to build as large a nuclear arsenal as we have today.

Now let me be absolutely clear. I am not saying that our decision in 1961 was unjustified. I am simply saying that it was necessitated by a lack of accurate information.

Furthermore, that decision in itself—as justified as it was—in the end, could not possibly have left unaffected the Soviet Union's future nuclear plans.

What is essential to understand here is that the Soviet Union and the United States mutually influence one another's strategic plans.

Whatever be their intentions, whatever be our intentions, actions—or even realistically potential actions—on either side relating to the build-up of nuclear forces, be they either offensive or defensive weapons, necessarily trigger reactions on the other side.

It is precisely this action-reaction phenomenon that fuels an arms race.

Now, in strategic nuclear weaponry, the arms race involves a particular irony. Unlike any other era in military history, today a substantial numerical superiority of weapons does not effectively translate into political control, or diplomatic leverage.

While thermonuclear power is almost inconceivably awesome, and represents virtually unlimited potential destructiveness, it has proven to be a limited diplomatic instrument. Its uniqueness lies in the fact that it is at one and the same time, an all powerful weapon—and a very inadequate weapon.

The fact that the Soviet Union and the United States can mutually destroy one another—regardless of who strikes first—narrows the range of Soviet aggression which our nuclear forces can effectively deter.

Even with our nuclear monopoly in the early postwar period, we were unable to deter the Soviet pressures against Berlin, or their support of aggression in Korea.

Today, our nuclear superiority does not deter all forms of Soviet support of communist insurgency in Southeast Asia.

What all of this has meant is that we, and our allies as well, require substantial nonnuclear forces in order to cope with levels of aggression that massive strategic forces do not in fact deter.

This has been a difficult lesson both for us and for our allies to accept, since there is a strong psychological tendency to regard superior nuclear forces as a simple and unfailing solution to security, and an assurance of victory under any set of circumstances.

What is important to understand is that our nuclear strategic forces play a vital and absolutely necessary role in our security and that of our allies, but it is an intrinsically limited role.

Thus, we and our allies must maintain substantial conventional forces, fully capable of dealing with a wide spectrum of lesser forms of political and military aggression—a level of aggression against which the use of strategic nuclear forces would not be to our advantage, and thus a level of aggression which these strategic nuclear forces by themselves cannot effectively deter. One cannot fashion a credible deterrent out of an incredible action. Therefore security for the United States and its allies can only arise from the possession of a whole range of graduated deterrents, each of them fully credible in its own context.

Now I have pointed out that in strategic nuclear matters, the Soviet Union and the United States mutually influence one another's plans.

In recent years the Soviets have substantially increased their offensive forces. We have, of course, been watching and evaluating this very carefully.

Clearly, the Soviet build-up is in part a reaction to our own build-up since the beginning of this decade.

Soviet strategic planners undoubtedly reasoned that if our build-up were to continue at its accelerated pace, we might conceivably reach, in time, a credible first-strike capability against the Soviet Union.

That was not in fact our intention. Our intention was to assure that they—with their theoretical capacity to reach such a first-strike capability—would not in fact outdistance us.

But they could not read our intentions with any greater accuracy than we could read theirs. And thus the result has been that we have both built up our forces to a point that far exceeds a credible second-strike capability against the forces we each started with.

In doing so, neither of us has reached a first-strike capability. And the realities of the situation being what they are—whatever we believe their intentions to be, and whatever they believe our intentions to be—each of us can deny the other a first-strike capability in the foreseeable future.

Now, how can we be so confident that this is the case?

How can we be so certain that the Soviets cannot gradually outdistance us—either by some dramatic technological break-through, or simply through our imperceptively lagging behind, for whatever reason: reluctance to spend the requisite funds; distraction with military problems elsewhere; faulty intelligence; or simple negligence and naivete?

All of these reasons—and others—have been suggested by some commentators in this country, who fear that we are in fact falling behind to a dangerous degree.

The answer to all of this is simple and straightforward.

We are not going to permit the Soviets to outdistance us, because to do so would be to jeopardize our very viability as a nation.

No President, no Secretary of Defense, no Congress of the United States—of whatever political party, and of whatever political persuasion—is going to permit this nation to take that risk.

We do not want a nuclear arms race with the Soviet Union—primarily because the action-reaction phenomenon makes it foolish and futile. But if the only way to prevent the Soviet Union from obtaining first-strike capability over us is to engage in such a race, the United States possesses in ample abundance the resources, the technology, and the will to run faster in that race for whatever distance is required.

But what we would prefer to do is to come to a realistic and reasonably riskless agreement with the Soviet Union, which would effectively prevent such an arms race. We both have strategic nuclear arsenals greatly in excess of a credible assured destruction capability. These arsenals have reached that point of excess in each case for precisely the same reason: we each have reacted to the other's build-up with very conservative calculations. We have, that is, each built a greater arsenal than either of us needed for a second-strike capability, simply because we each wanted to be able to cope with the "worst plausible case."

But since we now each possess a deterrent in excess of our individual needs, both of our nations would benefit from a properly safeguarded agreement first to limit, and later to reduce, both our offensive and defensive strategic nuclear forces.

We may, or we may not, be able to achieve such an agreement. We hope we can. And we believe such an agreement is fully feasible, since it is clearly in both our nations' interests.

But reach the formal agreement or not, we can be sure that neither the Soviets nor we are going to risk the other obtaining a first-strike capability.

On the contrary, we can be sure that we are both going to maintain a maximum effort to preserve an assured destruction capability.

It would not be sensible for either side to launch a maximum effort to achieve a first-strike capability. It would not be sensible because the intelligence-gathering capability of each side being what it is, and the realities of lead-time from technological breakthrough to operational readiness being what they are, neither of us would be able to acquire a first-strike capability in secret.

Now, let me take a specific case in point.

The Soviets are now deploying an anti-ballistic missile system. If we react to this deployment intelligently, we have no reason for alarm.

The system does not impose any threat to our ability to penetrate and inflict massive and unacceptable damage on the Soviet Union. In other words, it does not presently affect in any significant manner our assured destruction capability.

It does not impose such a threat because we have already taken the steps necessary to assure that our land-based Minuteman missiles, our nuclear submarine-launched new Poseidon missiles, and our strategic bomber forces have the requisite penetration aids—and in the sum, constitute a force of such magnitude, that they guarantee us a force strong enough to survive a Soviet attack and penetrate the Soviet ABM deployment.

Now let me come to the issue that has received so much attention recently: the question of whether or not we should deploy an ABM system against the Soviet nuclear threat.

To begin with, this is not in any sense a new issue. We have had both the technical possibility and the strategic desirability of an American ABM deployment under constant review since the late 1950s.

While we have substantially improved our technology in the field, it is important to understand that none of the systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States. Were such a shield possible, we would certainly want it—and we would certainly build it.

And at this point, let me dispose of an objection that its totally irrelevant to this issue.

It has been alleged that we are opposed to deploying a large-scale ABM system because it would carry the heavy price tag of $40 billion.

Let me make it very clear that the $40 billion is not the issue.

If we could build and deploy a genuinely impenetrable shield over the United States, we would be willing to spend not $40 billion, but any reasonable multiple of that amount that was necessary.

The money in itself is not the problem: the penetrability of the proposed shield is the problem.

There is clearly no point, however, in spending $40 billion if it is not going to buy us a significant improvement in our security. If it is not, then we should use the substantial resources it represents on something that will.

Every ABM system that is now feasible involves firing defensive missiles at incoming offensive warheads in an effort to destroy them.

But what many commentators on this issue overlook is that any such system can rather obivously be defeated by an enemy simply sending more offensive warheads, or dummy warheads, than there are defensive missiles capable of disposing of them.

And this is the whole crux of the nuclear action-reaction phenomenon.

Were we to deploy a heavy ABM system throughout the United States, the Soviets would clearly be strongly motivated to so increase their offensive capability as to cancel out our defensive advantage.

It is futile for each of us to spend $4 billion, $40 billion, or $400 billion—and at the end of all the spending, and at the end of all the deployment, and at the end of all the effort, to be relatively at the same point of balance on the security scale that we are now.

In point of fact, we have already initiated offensive weapons programs costing several billions in order to offset the small present Soviet ABM deployment, and the possibly more extensive future Soviet ABM deployments.

That is money well spent; and it is necessary.

But we should bear in mind that it is money spent because of the action-reaction phenomenon.

If we in turn opt for heavy ABM deployment—at whatever price—we can be certain that the Soviets will react to offset the advantage we would hope to gain.

It is precisely because of this certainty of a corresponding Soviet reaction that the four prominent scientists—men who have served with distinction as the Science Advisors to Presidents Eisenhower, Kennedy, and Johnson, and the three outstanding men who have served as Directors of Research and Engineering to three Secretaries of Defense—have unanimously recommended against the deployment of an ABM system designed to protect our population against a Soviet attack.

These men are Doctors Killian, Kistiakowsky, Wiesner, Hornig, York, Brown, and Foster.

The plain fact of the matter is that we are now facing a situation analogous to the one we faced in 1961: we are uncertain of the Soviets' intentions.

At that time we were concerned about their potential offensive capabilities: now we are concerned about their potential defensive capabilities.

But the dynamics of the concern are the same.

We must continue to be cautious and conservative in our estimates—leaving no room in our calculations for unnecessary risk. And at the same time, we must measure our own response in such a manner that it does not trigger a senseless spiral upward of nuclear arms.

Now, as I have emphasized, we have already taken the necessary steps to guarantee that our offensive strategic weapons will be able to penetrate future, more advanced, Soviet defenses.

Keeping in mind the careful clockwork of lead-time, we will be forced to continue that effort over the next few years if the evidence is that the Soviets intend to turn what is now a light and modest ABM deployment into a massive one.

Should they elect to do so, we have both the lead-time and the technology available to so increase both the quality and quantity of our offensive strategic forces—with particular attention to highly reliable penetration aids—that their expensive defensive efforts will give them no edge in the nuclear balance whatever.

But we would prefer not to have to do that. For it is a profitless waste of resources, provided we and the Soviets can come to a realistic strategic arms-limitation agreement.

As you know, we have proposed U.S.-Soviet talks on this matter. Should these talks fail, we are fully prepared to take the appropriate measures that such a failure would make necessary.

The point for us to keep in mind is that should the talks fail—and the Soviets decide to expand their present modest ABM deployment into a massive one—our response must be realistic. There is no point whatever in our responding by going to a massive ABM deployment to protect our population, when such a system would be ineffective against a sophisticated Soviet offense.

Instead, realism dictates that if the Soviets elect to deploy a heavy ABM system, we must further expand our sophisticated offensive forces, and thus preserve our overwhelming assured destruction capability.

But the intractable fact is that should the talks fail, both the Soviets and ourselves would be forced to continue on a foolish and feckless course.

It would be foolish and feckless because—in the end—it would provide neither the Soviets, nor us, with any greater relative nuclear capability.

The time has come for us both to realize that, and to act reasonably. It is clearly in our own mutual interest to do so.

Having said that, it is important to distinguish between an ABM system designed to protect against a Soviet attack on our cities, and ABM systems which have other objectives.

One of the other uses of an ABM system which we should seriously consider is the greater protection of our strategic offensive forces.

Another is in relation to the emerging nuclear capability of Communist China.

There is evidence that the Chinese are devoting very substantial resources to the development of both nuclear warheads, and missile delivery systems. As I stated last January, indications are that they will have medium-range ballistic missiles within a year or so, an initial intercontinental ballistic missile capability in the early 1970s, and a modest force in the mid-70s.

Up to now, the lead-time factor has allowed us to postpone a decision on whether or not a light ABM deployment might be advantageous as a countermeasure to Communist China's nuclear development.

But the time will shortly be right for us to initiate production if we desire such a system.

China at the moment is caught up in internal strife, but it seems likely that her basic motivation in developing a strategic nuclear capability is an attempt to provide a basis for threatening her neighbors, and to clothe herself with the dubious prestige that the world pays to nuclear weaponry.

We deplore her development of these weapons, just as we deplore it in other countries. We oppose nuclear proliferation because we believe that in the end it only increases the risk of a common and cataclysmic holocaust.

President Johnson has made it clear that the United States will oppose any efforts of China to employ nuclear blackmail against her neighbors.

We possess now, and will continue to possess for as far ahead as we can foresee, an overwhelming first-strike capability with respect to China. And despite the shrill and raucous propaganda directed at her own people that "the atomic bomb is a paper tiger," there is ample evidence that China well appreciates the destructive power of nuclear weapons.

China has been cautious to avoid any action that might end in a nuclear clash with the United States—however wild her words—and understandably so. We have the power not only to destroy completely her entire nuclear offensive forces, but to devastate her society as well.

Is there any possibility, then, that by the mid-1970s China might become so incautious as to attempt a nuclear attack on the United States or our allies?

It would be insane and suicidal for her to do so, but one can conceive conditions under which China might miscalculate. We wish to reduce such possibilities to a minimum.

And since, as I have noted, our strategic planning must always be conservative, and take into consideration even the possible irrational behavior of potential adversaries, there are marginal grounds for concluding that a light deployment of U.S. ABM's against this possibility is prudent.

The system would be relatively inexpensive—preliminary estimates place the cost at about $5 billion—and would have a much higher degree of reliability against a Chinese attack, than the much more massive and complicated system that some have recommended against a possible Soviet attack.

Moreover, such an ABM deployment designed against a possible Chinese attack would have a number of other advantages. It would provide an additional indication to Asians that we intend to deter China from nuclear blackmail, and thus would contribute toward our goal of discouraging nuclear weapon proliferation among the present non-nuclear countries.

Further, the Chinese-oriented ABM deployment would enable us to add—as a concurrent benefit—a further defense of our Minuteman sites against Soviet attack, which means that at modest cost we would in fact be adding even greater effectiveness to our offensive missile force and avoiding a much more costly expansion of that force.

Finally, such a reasonably reliable ABM system would add protection of our population against the improbable but possible accidental launch of an intercontinental missile by any one of the nuclear powers.

After a detailed review of all these considerations, we have decided to go forward with this Chinese-oriented ABM deployment, and we will begin actual production of such a system at the end of this year.

In reaching this decision, I want to emphasize that it contains two possible dangers—and we should guard carefully against each.

The first danger is that we may psychologically lapse into the old over-simplification about the adequacy of nuclear power. The simple truth is that nuclear weapons can serve to deter only a narrow range of threats. This ABM deployment will strengthen our defensive posture—and will enhance the effectiveness of our land-based ICBM offensive forces. But the independent nations of Asia must realize that these benefits are no substitute for their maintaining, and where necessary strengthening, their own conventional forces in order to deal with the more likely threats to the security of the region.

The second danger is also psychological. There is a kind of mad momentum intrinsic to the development of all new nuclear weaponry. If a weapon system works—and works well—there is strong pressure from many directions to procure and deploy the weapon out of all proportion to the prudent level required.

The danger in deploying this relatively light and reliable Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet-oriented ABM system.

We must resist that temptation firmly—not because we can for a moment afford to relax our vigilance against a possible Soviet first-strike—but precisely because our greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a fully credible offensive assured destruction capability.

The so-called heavy ABM shield—at the present state of technology—would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces. That, as I have pointed out, would make it necessary for us to respond in turn—and so the arms race would rush hopelessly on to no sensible purpose on either side.

Let me emphasize—and I cannot do so too strongly—that our decision to go ahead with a *limited* ABM deployment in no way indicates that we feel an agreement with the Soviet Union on the limitation of strategic nuclear offensive and defensive forces is any the less urgent or desirable.

The road leading from the stone axe to the ICBM—though it may have been more than a million years in the building—seems to have run in a single direction.

If one is inclined to be cynical, one might conclude that man's history seems to be characterized not so much by consistent periods of peace, occasionally punctuated by warfare; but rather by persistent outbreaks of warfare, wearily put aside from time to time by periods of exhaustion and recovery—that parade under the name of peace.

I do not view man's history with that degree of cynicism, but I do believe that man's wisdom in avoiding war is often surpassed by his folly in promoting it.

However foolish unlimited war may have been in the past, it is now no longer merely foolish, but suicidal as well.

It is said that nothing can prevent a man from suicide, if he is sufficiently determined to commit it.

The question is what is our determination in an era when unlimited war will mean the death of hundreds of millions—and the possible genetic impairment of a million generations to follow?

Man is clearly a compound of folly and wisdom—and history is clearly a consequence of the admixture of those two contradictory traits.

History has placed our particular lives in an era when the consequences of human folly are waxing more and more catastrophic in the matters of war and peace.

In the end, the root of man's security does not lie in his weaponry.

In the end, the root of man's security lies in his mind.

What the world requires in its 22nd Year of the Atomic Age is not a new race towards armament.

What the world requires in its 22nd Year of the Atomic Age is a new race towards reasonableness.

We had better all run that race.

Not merely we the administrators. But we the people.

Thank you, and good afternoon.

TWENTIETH ANNIVERSARY OF THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

Mr. RANDOLPH. Mr. President, last night it was my privilege to be the congressional representative at the 20th anniversary celebration of the President's Committee on Employment of the Handicapped. More than 175 volunteers and Government officials attended to pay tribute to two persons who had performed outstanding service to the disabled over half a lifetime, Miss Mildred Scott and Mr. Millard Rice, and to honor the Secretary of Labor, the Honorable W. Willard Wirtz, for his own truly significant contribution and that of his Department in recent years. The award is a committee seal on a walnut shield with the citation bearing the facsimile signature of President Lyndon B. Johnson on a metal plate.

President's Committee Chairman Harold Russell made the presentations and Committee Executive Secretary Bill McCahill was toastmaster. John Clinton, of the Department of Housing and Urban Development and the Federal Aviation Administration, received Chairmen's Commendations from Mr. Russell in the form of plaques.

The speaker was Marine Gen. Graves B. Erskine, retired, just returned from an around-the-world trip. He delivered an incisive summary of several countries he and his wife had visited on a special tour, his second in 6 months. General Erskine is the former Administrator of the Retraining and Reemployment Administration which established a citizen's cooperating committee in 1946 as the predecessor of the President's Committee which was formed a year later.

Mr. President, I request unanimous consent to have included with my remarks the statement of President Johnson that day at the White House at noon in ceremonies recognizing the anniversary, letters from former Presidents Harry S. Truman, who established the committee, and Dwight D. Eisenhower, who continued it, and a statement from Senator AIKEN, one of the sponsors of the committee's appropriation authorization in 1949.

Also, I ask unanimous consent to have printed in the RECORD the remarks of Chairman Russell in making the three presentations of the committee's highest award and the opening statement of General Erskine before speaking extemporaneously and off the record on the world situation as he sees it today. He is a former Director of Special Operations in the Office of the Secretary of Defense and one of the best informed retired military officers in Washington today.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT AT THE EMPLOYER OF THE YEAR AWARDS PRESENTATION

Secretary Wirtz, Chairman Macy, Mr. Ochel, Mr. Payne, ladies and gentlemen:

Unlike Robert Merrill, I have never sung at the Metropolitan Opera. Unlike Frank Howard, I cannot play baseball with the Washington Senators.

As a matter of fact, there are a few other things I cannot do these days with the Senators. Unlike my Science Adviser, Dr. Hornig, I cannot do equations with three unknowns or even with two unknows.

But with all that, I have never considered myself a handicapped person. I think that touches upon the main point of our gathering here in the Cabinet Room for this ceremony today.

Human beings have varying degrees of ability. Some can hit home runs. Some can sing in the opera. Some, like Thomas Edison, can produce great inventions—even though Edison was deaf. Some, like Sarah Bernhart, can be great actresses—even though Sarah Bernhart was an amputee.

What counts in life is not what people can't do. What really counts is what people can do.

We are finding out in America these days the so-called handicapped people can do far more than we ever dreamed before was possible. They can do their jobs as well or do them better than many so-called normal workers.

Two gentlemen, whom I have just met, are receiving awards today. They know that for sure. The companies they work for, the Wichita Division of Boeing Aircraft Company, and the International Optical Company, have shown great leadership in our country in employing the handicapped.

This has worked to the companies' benefit as well as to the benefit and the dignity of their employees. I am very grateful to all who have made this policy possible.

They knew, as many in Government today are learning, that what we call health is a broad concept that goes far beyond mere survival to a stated number of years. In Government and out, our aim is not only to add years to life, but to add life to years.

The Committee on Employment of the Handicapped is doing that. Men like Mr. Ochel and Mr. Payne are doing that. On our country's behalf to the Chairman of the Committee, to the Cabinet officers concerned, to the companies involved—and particularly to the individuals who demonstrated that they are "can do" people—I express the gratitude of an interested Nation and the people who serve in it for the examples that you have set.

Thank you very much.

AUGUST 30, 1967.

Mr. HAROLD RUSSELL,
Chairman, the President's Committee on Employment of the Handicapped, Washington, D.C.

DEAR CHAIRMAN RUSSELL: On the occasion of the celebration of twenty years of service to the handicapped by The President's Committee on Employment of the Handicapped, I send greetings and thanks to all who have given of themselves so freely and ably to this high calling.

Our concern for the handicapped is in the best tradition of this nation's permanent commitment to aid the deprived, help all the sick and restore to usefulness the handicapped among us. This is not only a matter of conscience, but a requirement of those among us who are more fortunate.

You have my hopeful best wishes for continued dedication to this cause.

Sincerely yours,

HARRY S TRUMAN.

GETTYSBURG, PA., *August 25, 1967.*

Mr. HAROLD RUSSELL,
Chairman, President's Committee on Employment of the Handicapped, Washington, D.C.

DEAR CHAIRMAN RUSSELL: The President's Committee on Employment of the Handicapped has made many contributions to our Nation and the world, but none more significant then blending government and the private sector in a partnership of mutual service over two decades.

You and your fellow volunteers have proved conclusively that it is both possible and necessary to join public and private groups for the benefit of all and—in the case of your Committee—developing under private citizen leadership effective cooperation between Cabinet and Agency heads and the leaders of our great private associations, organizations, unions and corporations.

Please accept my sincere congratulations.

Sincerely,

DWIGHT EISENHOWER.

U.S. SENATE,
COMMITTEE ON AGRICULTURE AND FORESTRY,
Washington, D.C., September 14, 1967.

Mr. HAROLD RUSSELL,
Chairman, the President's Committee on Employment of the Handicapped, Washington, D.C.

DEAR HAROLD: I am not able to be with you on September 18th for your 20th Anniversary, but I am enclosing a message for you to read.

Sincerely yours,

GEORGE D. AIKEN.

MESSAGE FOR 20TH ANNIVERSARY, THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

I am sorry that I cannot be with you tonight to help celebrate your 20th Anniversary.

As one of the original sponsors of the legislation that resulted in the creation of this committee, I have been proud of its work over the years.

It took a world war to make the people of this country aware of the needs of the handicapped. The demand for labor during the war encouraged employers to give handicapped workers a chance. After the war, the nation's conscience insisted that we do everything possible to rehabilitate our disabled veterans.

Before this committee was organized, we used to set aside one week of the year as "National Employ the Physically Handicapped Week." By 1948, however, there were nearly two million handicapped persons, many of them war veterans, who had registered in employment service offices across the nation. It was obvious that it would take more than the observance of an "Employ the Handicapped Week," once a year to solve the problem.

In the years since then, your committee has performed an important service for both handicapped workers and the country as a whole.

You have made employers aware of the great potential of handicapped workers. You have convinced them that—as the late Vice Admiral Ross T. McIntire, your first chairman, used to argue—"Refusing to employ the handicapped is both immoral and economically unsound." You have also helped those who are handicapped to prove that, with the necessary training, they can compete with other workers in the labor market.

Most important, you have helped restore hundreds of thousands of unfortunate people to usefulness and happiness.

You have every reason to be proud of the work you have accomplished over the past 20 years.

W. WILLARD WIRTZ

One of the things that intrigues me about our brilliant Secretary of Labor is his name, What do you suppose his parents had in mind in giving him three names that begin with W?

I did a little research into W. The letter W is a newcomer to our language. Some bright Norman scribe of the eleventh century took two U's and tied them together; and presto, a W. In those days, U's and V's were interchangeable. So that new W could just as soon have been a couple of V's.

Now if a W is really two V's tied together, then our man's initials, W W W, really add up to six V's. As everybody knows who remembers Winston Churchill and World War Two, V is the sign for Victory. The Secretary's initials, therefore, are really six signs for Victory.

The first V for Victory is the Labor Department's Employment Service—the Washington Headquarters and the local public employment offices around the country—strong right arms of the "Hire the Handicapped" movement for the past twenty years.

The second V belongs to the Manpower Administration for all its imaginative training programs and innovations, opening new doors for the handicapped . . . such as on-the-job training projects for the retarded in laundries and elsewhere.

The third V is for the Wages and Hour and Public Contracts Division, and all it's done to promote the interests of sheltered workshops in America.

The fourth V is for the entire Labor Department, top to bottom, which has always given such great support to the President's Committee in all its activities.

The fifth V is reserved for the Secretary's lady, Jane Wirtz, the guiding light of "Project Earning Power," a brilliant member of the Executive Committee of the President's Committee, a lovely friend of the handicapped.

And the sixth V we're saving for the man himself, W. Willard Wirtz, a gentleman, a scholar, a man of great heart and great mind.

Put them all together and they add up to three W's. They also add up to a man eminently deserving of the highest honor of the President's Committee, it's Distinguished Service Award. They add up to Secretary of Labor W. Willard Wirtz.

MILDRED SCOTT

There is no greater champion of the handicapped than the person we are about to honor at this time. And I might say it is an honor that is long overdue.

Mildred Scott has not only devoted a "lifetime" on programs benefiting the handicapped, but she is a living example and constant reminder of the capabilities of the disabled. She is a teacher, career consultant, public relations expert, and many other things to many people—you name it and she can do it, despite her own affliction.

The word "can't" is not in her vocabulary. Even though she was paralyzed from the waist down from polio at the age of 22 months, Mildred set her sights high and inch by inch, achieved her goals in the face of overwhelming odds. After years of surgery and therapy, Mildred succeeded in learning to walk and worked her way through elementary, high school and college, and then on into the business world. When Webster defined "determination" and "courage", he must have had her in mind.

Mildred, however, is not one to dwell on her own problems. She is more concerned with others. Back in 1930, while in a sanitarium in St. Louis, Missouri, she became aware of the numerous problems encountered by people with disabilities. Later, while living in Dallas, Texas, she made a study and survey of all kinds of organizations and programs to determine why handicapped people were considered unemployable.

In 1944, Mildred came to Washington, D.C., and joined the American Federation of the Physically Handicapped which at one time had offices on this floor, for the express purpose of developing programs emphasizing the need of adequate training and to develop a climate of acceptance of men and women with disabilities. In 1945, while still with the federation, she registered as a lobbyist and testified before numerous Senate and House Committees on behalf of legislation benefiting the handicapped. She also testified before the House Judiciary Committee in connection with the resolution establishing the first week in October as the National Employ the Handicapped Week.

If Mildred had stopped there she would have accomplished as much as a lot of people could do in a lifetime. But she didn't. She has been talking and testifying ever since. She never misses an opportunity to promote employment for the handicapped, speaking before and working with civic, labor, business and professional groups on behalf of the disabled. She also took the minutes of the first meeting of the President's Committee 20 years ago last week.

Last year Mildred was chosen as the District of Columbia's Handicapped Citizen of the Year. In my opinion, she is everybody's handicapped citizen of the year, and it gives me great pleasure on behalf of President Johnson to present to her the Distinguished Service Award from the President's Committee.

MILLARD RICE

Millard Rice has given continuous leadership to the hire the handicapped movement for more than 20 years.

I would be partly correct if I said Millard Rice can dish it out but he can't take it. Not that Millard can't take his lumps but rather, as Chairman of the Awards Committee of the President's Committee he has approved—with the other members of the committee—countless awards. But, when his committee tried to recommend him for an award, Millard would have no part of it. In fact, I understand he ruled such discussion out of order, using his prerogative as chairman.

Now I like chairmen who can control their committees and I do not condone committees which do things behind the backs of their chairmen. In this case, however, the Awards Committee was justified in calling the "rump" session and passing on this award because we would not have been able to pay tribute to Millard otherwise.

We are not honoring him for his long years of service alone. Millard Rice, as Executive Director of the Disabled American Veterans Service Foundation, worked very closely with Paul Strachan and Mildred Scott to get Congress to pass a joint resolution establishing the first full week of October as National Employ the Physically Handicapped Week.

Well, Millard and his colleagues knew that calling attention to the employment problems of the handicapped once a year would not get them jobs. So they worked for a national year-round effort. In 1947 the late Secretary of Labor Lewis Schwellenbach received a letter from President Truman asking him to involve private citizens and this Committee was born.

One of the original Executive Committee members was Millard Rice. He has been faithful about attending committee meetings, of course, but more important he has given careful consideration to every question before the committee and has brought out many viewpoints, and ideas worthy of consideration. And as a result has made many contributions to the over-all program which have led to progress and growth.

A few minutes ago I mentioned his work in connection with the Awards Committee. Our Awards program is a very vital part of the hire the handicapped program. It is a way of giving thanks and recognition to those who have contributed to the national effort to promote jobs for the handicapped. In addition, Awards are legitimate news and therefore the Awards program is a strong promotional tool because it gets employment of the handicapped into the press and on the air.

Millard has constantly worked to keep our Awards program effective and meaningful. The proof of this is that employers continue to be most appreciative of President's Committee Awards although not too many are actually presented at the White House as were our Employer of the Year Awards today.

It is now my pleasure on behalf of President Johnson to present this Distinguished Service Award—the highest honor the President's Committee can bestow—to Millard Rice—for services over a long lifetime—services frequently above and beyond the call of duty.

REMARKS OF GEN. GRAVES B. ERSKINE, USMC, RETIRED

As has been indicated, I might be considered a grandfather of the President's Committee, due to the strategic position of the Retraining and Reemployment Administration in 1946, when Mr. Oliver Kincannon of the then Office of Vocational Rehabilitation suggested that RRA "coordinate" the activities of the second National Employ the Physically Handicapped Week.

When Bill McCahill received Mr. Kincannon's letter, I discussed the suggestion with a few people, including Dorothy Stratton, Bob Salyers, Shane MacCarthy, and the late Ed Chester. The end result was RRA Order No. 9 and a Cooperating Citizen's Committee on employment of the physically handicapped. This eventually became what is now the President's Committee after a brief transition period during which Virgil Smirnow, the late Ross McIntire, and I worked on a private group along with Ed Kennan of the U.S. Employment Service. It is interesting how many of the early volunteers and staff people have remained active in the program through the chairmanship of Ross McIntire the first 7 years, Mel Maas the next 10 and now Harold Russell.

Having said this, I wonder how many of you may think you have heard it before. Well, in case you have any further doubts, these are almost the exact words I used at the Annual Meeting on April 30th, 1964 when I spoke on the opening morning. There isn't too much more that can be said about our early beginning. The recognition here tonight of Miss Scott and Mr. Rice certainly bridges the gap of the last 20 years. The award to Secretary Wirtz brings us right up to the future. The recognition given Paul Strachan at the Annual Meeting this year and Senator Hill's nostalgic remarks at the Old Timer's luncheon where Paul was honored certainly tell the story in more detail than anyone wants tonight.

This is a fun evening. We are happy to join in with the deserved honors tonight including the one to our former White House liaison officer and to the Federal Aviation Agency which were laid on after the program went to the printers. You've already heard from President Truman who helped us start this show on the road and from General Eisenhower who kept it going while triumphing over his own temporary disability.

Harold has told you about the most interesting and significant meeting at the White House this afternoon. And, if that weren't enough, we have been handed a kit which rather completely ties up almost all the remaining loose ends of our short history. So, what is a speaker supposed to do on a fun night when just about all that needs to be said or written has already been put before you?

Bill has suggested that I share with you some thoughts and impressions from my most recent visit to South East Asia. I've been out there twice in the last year and although I'm not getting any younger, I'm still interested in doing what I can to help make this a better world. It certainly wasn't curiosity that took Connie and me half a world away and back. So, rather than look back anymore tonight, I thought I'd share the present with you and some thoughts on the future.

When last I talked before the entire Committee we had a one-legged active duty member of the Marine Corps First Force Reconnaisance Company, Don Hamblen, on stage with us. At that time I mentioned the Navy's double amputee pilot, Lt. Frank Ellis and an Army amputee I had seen sworn in way back in 1946. Well, I am sorry to tell you what is certainly no news to anyone here, we have had a lot more Army, Navy and Marine Corps amputees since then, and Air Force amputees as well, as a result of the fighting in Vietnam. And, we are going to have a lot more. We are going to have a great many more casualties of all kinds before this business is over. But, there are casualties and there are casualties.

Bill was telling me that the Commandant of the Marine Corps, General Wallace M. Greene, Jr., spoke to another anniversary banquet Saturday night and mentioned that in one particular messy engagement where the Marines suffered a large number of casualties, only 10 per cent of the wounded left the West Pacific area for good. A large percentage of our casualties rejoin their units right from the aid stations. Most of the remaining walking wounded are back with their units within 60 to 90 days. So, although casualty figures are important, you must consider them in the context that our troops in the field continue their work in spite of physical handicaps.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

The PRESIDING OFFICER. Under the order of yesterday, the Chair lays before the Senate the unfinished business, which will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, inasmuch as we have agreed to vote at 11:15 a.m. on the amendments of the Senator from Ohio, the Senator from Colorado and I do not have much to add to the discussion on the two amendments, except that we believe the Record should be clear as to what the committee did.

The first amendment proposed by the Senator from Ohio would decrease the appropriation of $66.1 million for the Department of Defense, Office of Civil Defense, operation and maintenance, which the committee recommended. This was also the House allowance. Both these figures are $7 million under the budget estimate for 1968, which was $73.1 million.

We believe that the Senate committee and the House committee, as evidenced by the hearings, have made a substantial reduction in the estimates for civil defense. The same amount of money had been appropriated in fiscal year 1967.

This program, of course, has been subjected to much discussion and some controversy. Some people believe that civil defense has little or no value. Others believe it is not proceeding as fast as it should. However, in the past 4 years, the House and the Senate have attempted to achieve a substantial program in civil defense. We cannot do all we would like to do. In view of the fact that we are now going to be asked to spend $5 billion for an antimissile system, which in a sense is part of civil defense, it seems to me that this is a reasonable amount for the protection of civilians in these areas, for civil defense education, and many of the things that go with it. Hospitalization and emergency supplies, instruction in what to do, particularly in the schools and in the urban areas. Therefore, our committee recommended $66,100,000, which is the same amount as last year and is the same as the House figure. This is $7 million below the budget.

The Senator from Ohio would cut $10 million from "Research, Shelter Survey, and Marking." The amount in the budget for this item was $37.9 million; the appropriation last year was $35 million. The House recommended $20 million, and the committee added $5 million. We took $2 million from the research and development program and added $7 million to the shelter program, which made a net restoration of $5 million.

This program has been going on for some time, and we have reached a point in the United States in which we are catching up with the marking and the provisions and the accommodations of the shelter survey throughout the United States. We do so much every year. The program is under the direction of the Army Engineers. We are reaching a point where we believe we will have marked and surveyed and have available for people, most of the places in the United States that can be adapted to this purpose. There is some controversy about that matter, also, and we realize that the problem exists. We have spent several million dollars already to reach the point at which we are presently. I believe the testimony will show that about 80 percent of the program has been completed.

Of course, the amounts may be smaller each year in the future, because there will only be a continuing program to mark and survey new buildings and things of that nature. We have proceeded in this matter with respect to construction in Federal buildings, and it seemed wrong, in our opinion, to provide these shelters only in Federal buildings and not to supply them in other buildings and places for other citizens.

So we believe that $25 million is a reasonable and pratical amount with which to continue the program, for which we have already spent a large amount of money. The amount is now $12.9 million—approximately $13 million—under the budget, and I wanted the Record to indicate this fact, in reply to the amendment offered by the Senator from Ohio.

I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I wish to make a few comments about the subject, and I should like, first, to talk for a moment about the excessive salaries that allegedly are paid in the Department of Civil Defense.

I have in my hand a document, which is used by the committee, showing the salaries that are paid in all the Government agencies that come under the pending bill. In looking down the first page of it, for example, I notice that the salaries paid in the National Science and Space Council are considerably above the average salaries in the bill. The salaries paid in the Office of Emergency Planning, the Office of Science and Technology, and even in the Appalachian Region Commission, are above the salaries paid in civil defense.

I procured a document this morning, and I believe the information should be made a part of the Record.

The average grade civil defense employee at the State and local level is only at grade 5, and the salary is $5,500 a year. At the Federal level, the grade is 10.2, or an average of $12,300, which is about the average salary in the Defense Department.

The average grade of civil defense employees overall is grade 6, which is an average of $6,200 a year.

The distinguished chairman of this committee and I have wrestled with this problem for many years, and each year the Senator from Ohio has offered an amendment to cut the appropriation for the civil defense program, and we have already explained exactly what we did in the pending bill. The $101 million that was appropriated last year was increased by the Budget to $111 million, so that the pending bill is $19,900,000—almost $20 million—under the budget as recommended by the President.

Mr. President, we questioned the civil defense people at great length to get them to justify the figures that we have. We did increase by the amount of $7 million for shelter survey and marking, and reduce research funds by $2 million.

It seems to me that we in this country have to face the facts of life as to our civil defense program. It has been stated that there is no civil defense program in Russia. Contrary to this position, I think that they do have a civil defense program. Recent translations of Russian documents indicate they do have a program and are placing great emphasis on it.

However, this is not the reason I would say we should have a civil defense program. We are in a situation in this world where we have two great countries facing each other, both with the potentiality at the present time of practically destroying each other. Is a civil defense program which could save a possible 80 million lives worthwhile or not, in case somebody does by accident or design push the panic button?

As a Senator and as a member of this particular committee, which has to deal with the actualities of the problem, I have to say that whether it may be Colorado, Ohio, Washington, D.C., California, Nevada, Washington, or wherever it may be, a program which can have and does have the potentiality of saving 80 million lives at the present time—and we can increase it in the event we ever get to that situation—is a program that is worthwhile. It is of just as much value as putting more money into missiles so that you can overdestroy the enemy abroad.

I do not think the Senate will shirk its obligations with respect to the civil defense program. We have cut and cut deeply into the budget which the President sent us, but as far as I am concerned, I cannot shirk my responsibilities embracing that somewhat ethereal dream that perhaps, after all, nothing will ever happen. I hope it does not happen, but if it should happen I do not want it ever said that the Senator from Colorado or the Senator from Washington walked away from their responsibilities to attempt to see that we were providing fallout shelters for as many people as we could in this great country of ours.

Mr. YOUNG of Ohio. Mr. President, the facts are that of the 831 employees in the civil defense section of the Department of Defense, 439 of those 831 persons receive salaries from $10,927 per annum up to $27,000 per annum. In other words, more than half receive an annual salary of from nearly $11,000 to $27,000. The remaining 392 employees receive salaries from $9,221, down through those in the GS–3 grade who receive $4,269 a year.

Mr. President, this is the most overpaid branch of the Department of Defense which is notoriously extravagant with taxpayers' money. Here is an opportunity to save $20 million. Whether that is one-hundredth of the defense budget, or whatever percentage it is, $20 million saved is a large sum of money.

Mr. President, I hope my amendment will be seriously considered.

The PRESIDING OFFICER. The hour of 11:15 a.m. having arrived, under the order of yesterday, the Senate will proceed to vote on the amendment of the Senator from Ohio [Mr. YOUNG].

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Rhode Island [Mr. PELL], and the Senator from Missouri [Mr. SYMINGTON], are absent on official business.

I also announce that the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Maine [Mr. MUSKIE], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Maryland [Mr. BREWSTER], are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], and the Senator from Florida [Mr. SMATHERS], would each vote "nay."

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from Maryland would vote "yea" and the Senator from Wyoming would vote "nay".

Mr. DIRKSEN. I announce that the Senator from Oregon [Mr. HATFIELD], the Senator from Kentucky [Mr. MORTON], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from California [Mr. KUCHEL], is absent by leave of the Senate.

If present and voting, the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON] and the Senator from Illinois [Mr. PERCY] would each vote "nay."

The result was announced—yeas 32, nays 55, as follows:

[No. 252 Leg.]

YEAS—32

Bennett
Bible
Burdick
Byrd, Va.
Cannon
Church
Clark
Cooper
Eastland
Ervin
Fannin
Fulbright
Gore
Gruening
Hansen
Hart
Hartke
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
McGovern
Morse
Moss
Mundt
Nelson
Proxmire
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—55

Aiken
Allott
Anderson
Baker
Bartlett
Boggs
Brooke
Byrd, W. Va.
Carlson
Case
Cotton
Curtis
Dirksen
Dodd
Dominick
Ellender
Fong
Griffin
Harris
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Long, La.
Magnuson
Mansfield
McClellan
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Murphy
Pastore
Pearson
Prouty
Randolph
Ribicoff
Scott
Smith
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Tydings
Young, N. Dak.

NOT VOTING—13

Bayh
Brewster
Hatfield
Kuchel
McCarthy
McGee
Morton
Muskie
Pell
Percy
Russell
Smathers
Symington

So the amendment of Mr. YOUNG of Ohio was rejected.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The question is on agreeing to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

REVISION AND EXTENSION OF APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

Mr. RANDOLPH. Mr. President, I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 602.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 602) to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965, which was, to strike out all after the enacting clause and insert:

TITLE I—APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1967

SEC. 101. This title may be cited as the "Appalachian Regional Development Act Amendments of 1967".

SEC. 102. Section 102 of the Appalachian Regional Development Act of 1965 (hereinafter in this title referred to as "the Act") is amended (1) by inserting "and" at the end of clause (7); (2) by striking out the semicolon and the word "and" at the end of clause (8) and inserting in lieu thereof a period; and (3) by striking out clause (9).

SEC. 103. Section 105 of the Act is amended to read as follows:

"ADMINISTRATIVE EXPENSES OF THE COMMISSION

"SEC. 105. (a) For the period ending on June 30, 1967, the administrative expenses of the Commission shall be paid by the Federal Government. Thereafter, such expenses shall be paid 50 per centum by the Federal Government and 50 per centum by the States in the region, except that the expenses of the Federal Cochairman, his alternate, and his staff shall be paid solely by the Federal Government. The share to be paid by each State shall be determined by the Commission. The Federal Cochairman shall not participate or vote in such determination. No assistance authorized by this

Act shall be furnished to any State or to any political subdivision or any resident of any State, nor shall the State member of the Commission participate or vote in any determination by the Commission while such State is delinquent in payment of its share of such expenses.

"(b) To carry out this section, there is hereby authorized to be appropriated to the Commission, to be available until expended, not to exceed $1,700,000 for the two-fiscal-year period ending June 30, 1969. Not to exceed $400,000 of such authorization shall be available for the expenses of the Federal Cochairman, his alternate, and his staff. Unexpended balances of appropriations under the authorization in this section prior to amendment by the Appalachian Regional Development Act Amendments of 1967 shall remain available for the purposes of this section, as amended, until expended."

SEC. 104. Clause (7) of section 106 of the Act, entitled "ADMINISTRATIVE POWERS OF THE COMMISSION", is amended to read as follows:

"(7) enter into and perform such contracts, leases (including, notwithstanding any other provision of law, the lease of office space for any term expiring no later than July 30, 1971), cooperative agreements, or other transactions as may be necessary in carrying out its functions and on such terms as it may deem appropriate, with any department, agency, or instrumentality of the United States (which is hereby so authorized to the extent not otherwise prohibited by law) or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation."

SEC. 105. Title I of the Act is amended by inserting at the end thereof a new section as follows:

"COMMISSION EMPLOYEE PROTECTIONS

"SEC. 109. Section 5334(a) of title 5, United States Code, is amended by adding at the end thereof the following new sentence: 'For the purpose of this subsection, an individual employed by the Appalachian Regional Commission under section 106(a) of the Appalachian Regional Development Act of 1965, or by a regional commission established pursuant to section 502 of the Public Works and Economic Development Act of 1965, under section 506(2) of such Act, who was a Federal employee immediately prior to such employment by a commission and within six months after separation from such employment is employed in a position to which this subchapter applies, shall be treated as if transferred from a position in the executive branch to which this subchapter does not apply.'."

SEC. 106. Section 201 of the Act is amended to read as follows:

"APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

"SEC. 201. (a) In order to provide a highway system which, in conjunction with the Interstate System and other Federal-aid highways in the Appalachian region, will open up an area or areas with a developmental potential where commerce and communication have been inhibited by lack of adequate access, the Secretary of Transportation (hereafter in this section referred to as the 'Secretary') is authorized to assist in the construction of an Appalachian development highway system and local access roads serving the Appalachian region. The provisions of title 23, United States Code, that are applicable to the construction and maintenance of Federal-aid primary and secondary highways, and which the Secretary determines are not inconsistent with this Act, shall apply, respectively, to the development highway system and the local access roads. Construction on the development highway system shall not exceed two thousand seven hundred miles. Construction of local access roads shall not exceed one thousand two hundred miles that will serve specific recreational, residential, educational, commercial, industrial, or other like facilities or will facilitate a school consolidation program.

"(b) The Commission shall transmit to the Secretary its designations of (1) the general corridor location and termini of the development highways, (2) local access roads to be constructed, (3) priorities for the construction of segments of the development highways, and (4) other criteria for the program authorized by this section. Before any State member participates in or votes on such designations, he shall have obtained the recommendations of the State highway department of the State which he represents.

"(c) In no event shall the Secretary assist in any construction (including right-of-way acquisition) which would require for its completion the expenditure of Federal funds (other than funds available under title 23, United States Code) in excess of the appropriations authorization in subsection (g). On its completion each development highway not already on the Federal-aid primary system shall be added to such system and each development highway and local access road shall be required to be maintained by the State as provided for Federal-aid highways in title 23, United States Code.

"(d) In the construction of highways and roads authorized under this section, the States may give special preference to the use of materials and products indigenous to the Appalachian region.

"(e) For the purposes of research and development in the use of coal and coal products in highway construction and maintenance, the Secretary is authorized to require each participating State, to the maximum extent possible, to use coal derivatives in the construction of not to exceed 10 per centum of the roads authorized under this Act.

"(f) Federal assistance to any construction project under this section shall not exceed 50 per centum of the costs of such project, unless the Commission determines that assistance in excess of such percentage is required in furtherance of the purposes of this Act, but in no event shall such Federal assistance exceed 70 per centum of such costs.

"(g) To carry out this section, there is hereby authorized to be appropriated to the President, to be available until expended, $715,000,000 for the four-fiscal-year period ending June 30, 1971.

"(h)(1) When a participating State proceeds to construct a segment of a development highway without the aid of Federal funds, in accordance with all procedures and requirements applicable to the construction of segments of Appalachian development highways with such funds, except insofar as such procedures and requirements limit a State to the construction of projects for which Federal funds have previously been appropriated, the Secretary, upon application by the State and with the approval of the Commission, is authorized to pay to the State the Federal share not to exceed 70 per centum of the costs of the construction of such segment, from any sums appropriated and allocated to such State to carry out this section.

"(2) This subsection shall not be construed as a commitment or obligation on the part of the United States to provide funds for segments of development highways constructed under this subsection, and shall not increase the limitation on construction in subsection (c)."

SEC. 107. Section 202 of the Act is amended to read as follows:

"DEMONSTRATION HEALTH PROJECTS

"SEC. 202. (a) In order to demonstrate the value of adequate health facilities and services to the economic development of the region, the Secretary of Health, Education, and Welfare is authorized to make grants for the planning, construction, equipment, and operation of multicounty demonstration health projects, including hospitals, regional health diagnostic and treatment centers, and other facilities and services necessary to health. Grants for such construction (including the acquisition of privately owned facilities not operated for profit and initial equipment) shall be made in accordance with the applicable provisions of title VI of the Public Health Services Act (42 U.S.C. 291–291o), the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 282), and other laws authorizing grants for the construction of health-related facilities, without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

"(b) No grant for the construction or equipment of any component of a demonstration health project shall exceed 80 per centum of such costs. The Federal contribution may be provided entirely from funds authorized under this section or in combination with funds provided under other Federal grant-in-aid programs for the construction or equipment of health-related facilities. Notwithstanding any provision of law limiting the Federal share in such other programs, funds authorized under this section may be used to increase Federal grants for component facilities of a demonstration health project to a maximum of 80 per centum of the costs of such facilities.

"(c) Not to exceed $50,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 108. Subsection (1) of section 203 of the Act, entitled "LAND STABILIZATION, CONSERVATION, AND EROSION CONTROL", is amended to read as follows:

"(1) Not to exceed $19,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 109. Subsection (b) of section 204 of the Act is amended to read as follows:

"(b) Not to exceed $1,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 110. (a) Clause (1) of subsection (a) of section 205 of the Act, entitled "MINING AREA RESTORATION", is amended to read as follows:

"(1) make financial contributions to States in the region to seal and fill voids in abandoned coal mines and abandoned oil and gas wells, and to reclaim and rehabilitate lands affected by the strip and surface mining and processing of coal and other minerals, including lands affected by waste piles, in accordance with provisions of the Act of July 15, 1955 (30 U.S.C. 571 et seq.), to the extent applicable, without regard to section 2(b) thereof (30 U.S.C. 572(b)) or to any provisions therein limiting assistance to anthracite coal formation, or to the Commonwealth of Pennsylvania. Grants under this paragraph shall be made wholly out of funds specifically appropriated for the purposes of carrying out this Act."

(b) Strike out clause (3) of subsection (a) of section 205 of the Act.

(c) Subsection (b) of section 205 of the Act is amended to read as follows:

"(b) For the fiscal years 1966, 1967, 1968, and 1969, notwithstanding any other provision of law, the Federal share of mining area restoration projects, including reasonable planning and engineering costs, carried out under subsection (a) of this section and conducted on lands other than federally owned lands shall not exceed 75 per centum of the total cost thereof. The non-Federal share of the total cost of any project carried out under subsection (a) of this section may include reasonable land acquisition costs incurred in acquiring land necessary for the purposes of implementing such project, if such land is acquired after the date of enactment of the Appalachian Regional Development Act Amendments of 1967."

(d) The first sentence of subsection (d) of section 205 of the Act is amended to read as follows: "Not to exceed $30,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 111. Subsection (g) of section 206 of the Act, entitled "WATER RESOURCE SURVEY", is amended to read as follows:

"(g) Not to exceed $2,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 112. Part A of title II of the Act is amended by inserting at the end thereof a new section as follows:

"ASSISTANCE FOR PLANNING AND OTHER PRELIMINARY EXPENSES OF PROPOSED HOUSING PROJECTS UNDER SECTION 221 OF THE NATIONAL HOUSING ACT

"SEC. 207. (a) In order to encourage and facilitate the construction or rehabilitation of housing to meet the needs of low- and moderate-income families and individuals, the Secretary of Housing and Urban Development (hereafter in this section referred to as the 'Secretary') is authorized to make grants and loans from the Appalachian Housing Fund established by this section, under such terms and conditions as he may prescribe, to nonprofit, limited dividend, or cooperative organizations, or to public bodies, for expenses of planning and of obtaining an insured mortgage for a housing construction or rehabilitation project, under section 221 of the National Housing Act (hereafter in this section referred to as 'section 221'), in any area of the Appalachian region determined by the Commission to have significant potential for future growth.

"(b) No grant under this section shall exceed 80 per centum of those administrative expenses, incident to planning a project and obtaining an insured mortgage under section 221, which the Secretary considers not to be recoverable from the proceeds of a mortgage insured under such section: *Provided*, That no grant shall be made to an organization established for profit.

"(c) No loan under this section shall exceed 80 per centum of the cost of planning a project and obtaining an insured mortgage under section 221, including, but not limited to, preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, Federal Housing Administration and Federal National Mortgage Association fees, and construction loan fees and discounts. Loans may be made without interest, or at any market or below market interest rate authorized for a mortgage insured under section 221: *Provided*, That any loan made to an organization established for profit shall bear interest at the prevailing market rate authorized for a mortgage insured under such section. The Secretary may, except in the case of a loan to an organization established for profit, waive the repayment of all or any part of a loan made under this section, including interest, which he finds the borrower is unable to recover from the proceeds of a mortgage insured under section 221.

"(d) All funds allocated to the Secretary for the purposes of this section shall be deposited in a fund which shall be known as the Appalachian Housing Fund and shall be used as a revolving fund by the Secretary for carrying out such purposes. General expenses of administration of this section may be charged to the fund. Moneys in the fund not needed for current operation may be invested in bonds or other obligations guaranteed as to principal and interest by the United States.

"(e) Not to exceed $5,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 113. (a) Subsection (a) of section 211 of the Act, entitled "VOCATIONAL EDUCATION FACILITIES", is amended by inserting before the word "needed" in the first sentence, the following: "and for the equipment of such facilities and other school facilities".

(b) Subsection (b) of section 211 of the Act is amended to read as follows:

"(b) Not to exceed $26,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 114. Subsection (b) of section 212 the Act, entitled "SEWAGE TREATMENT WORKS", is amended to read as follows:

"(b) Not to exceed $6,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 115 (a) Section 701(a) of the Housing Act of 1954 (40 U.S.C. 461(a)) is amended by striking out "and" at the end of clause (8) and all of clause (9) and inserting in lieu thereof the following:

"(9) the Appalachian Regional Commission, for comprehensive planning for the Appalachian region as defined by section 403 of the Appalachian Regional Development Act of 1965; and

"(10) local development districts, certified under section 301 of the Appalachian Regional Development Act of 1965, for comprehensive planning for their entire areas, or for metropolitan planning, urban planning, county planning, or small municipality planning, within such areas in the Appalachian region, and for planning for Appalachian regional programs."

(b) The proviso of the first sentence of section 701(b) of the Housing Act of 1954 is amended by inserting after "States" the words "and local development districts".

SEC. 116. Section 214 of the Act is amended to read as follows:

"SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

"SEC. 214. (a) In order to enable the people, States, and local communities of the region, including local development districts, to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the President is authorized to provide funds to the Federal Cochairman to be used for the sole purpose of increasing the Federal contribution to projects under Federal grant-in-aid programs, as hereafter defined, above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. Funds shall be so provided for Federal grant-in-aid programs for which funds are available under the Acts authorizing such programs and shall be available without regard to any appropriation authorization ceilings in such Acts. Any finding, report, certification, or documentation required to be submitted to the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of any Federal grant-in-aid program shall be accepted by the Federal Cochairman with respect to a supplemental grant for any project under such program.

"(b) The Federal portion of such costs shall not be increased in excess of the percentages established by the Commission, and shall in no event exceed 80 per centum thereof.

"(c) The term 'Federal grant-in-aid programs' as used in this section means those Federal grant-in-aid programs authorized by this Act for the construction or equipment of facilities, and all other Federal grant-in-aid programs authorized on or before August 1, 1967, by Acts other than this Act for the acquisition of land or the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; part IV of title III of the Communications Act of 1934; Higher Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; National Defense Education Act of 1958. The term shall not include (A) the program for the construction of the development highway system authorized by section 201 of this Act or any other program relating to highway or road construction, or (B) any other program for which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act.

"(d) Not to exceed $71,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section."

SEC. 117. (a) The first sentence of section 221 of the Act, entitled "MAINTENANCE OF EFFORT", is amended by striking out "exclusive of Federal funds," and inserting in lieu thereof the following: "exclusive of expenditures for participation in the National System of Interstate and Defense Highways, and exclusive of local funds and Federal funds,".

(b) The second sentence of such section is amended by inserting after "Highways" the following: "and expenditures of local funds and Federal funds".

SEC. 118. Section 223 of the Act is amended to read as follows:

"PROGRAM IMPLEMENTATION

"SEC. 223. No program or project authorized under any section of this title shall be implemented until (1) applications and plans relating to the program or project have been determined by the responsible Federal official to be compatible with the provisions and objectives of Federal laws which he administers that are not inconsistent with this Act, and (2) the Commission has approved such program or project and has determined that it meets the applicable criteria under section 224 and will contribute to the development of the region, which determination shall be controlling."

SEC. 119. (a) Subsection (a) of section 224 of the Act, entitled "PROGRAM DEVELOPMENT CRITERIA", is amended (1) by striking out "In developing recommendations on the" and inserting in lieu thereof: "In considering"; and (2) by striking out "within those recommendations".

(b) Subsection (b) of such section is amended by striking out clause (1) and inserting in lieu thereof the following: "(1) to assist establishments relocating from one area to another;".

SEC. 120. Section 302 of the Act, entitled "GRANTS FOR ADMINISTRATIVE EXPENSES OF LOCAL DEVELOPMENT DISTRICTS AND FOR RESEARCH AND DEMONSTRATION PROJECTS", is amended by (1) striking out subsections (a) through (c); (2) redesignating subsection (d) as subsection (e); and (3) inserting the following new subsections (a) through (d):

"(a) The President is authorized—

"(1) to make grants to the Commission for administrative expenses, including technical services, of local development districts, but (A) the amount of any such grant shall not exceed 75 per centum of such expenses, (B) no grants for administrative expenses shall be made for a local development district for a period in excess of three years beginning on the date the initial grant is made for such development district, and (C) the local development district contributions for administrative expenses may be in cash or in kind, fairly evaluated, including but not limited to space, equipment, and services; and

"(2) to make grants to the Commission for investigation, research, studies, technical assistance, and demonstration projects, and for training programs, but not for construction purposes, which will further the purposes of this Act.

"(b) The Commission is authorized to make a survey and study of acid pollution in the region resulting from mining activities and the effects of such pollution, in full cooperation with the Secretary of the Interior and other appropriate Federal, State, and local departments and agencies, with the objective of developing a comprehensive action program for the appropriate control, reduction, or elimination of such pollution in the region or the effects of such pollution. The Commission shall submit to the President a report, including specific recommendations for such program and for the policies under which it should be conducted, and the President shall submit the report to the Congress, together with his recommendations, not later than March 31, 1969. The study shall, among other matters—

"(1) Identify sources of acid mine pollution in the region and their type, area, ownership, and other characteristics; the relative contribution of each source; and the impact of each source on water quality in the streams affected.

"(2) Identify present and potential water-using and other activities which are affected by acid mine pollution in the region, or originating in the region, and the economic and social costs and effects attributable to such pollution.

"(3) Identify known methods and costs for the control and abatement of acid mine pollution.

"(4) Estimate economic and social benefits, public and private, that are likely to result from reducing to various levels acid mine pollution in the streams of the region and identify the types of beneficiaries and the relative distribution of the benefits to such beneficiaries.

"(5) Consider the appropriate roles of Federal, State, and private interests in programs for the control, reduction, or elimination of acid mine pollution in the region and the relative costs which each should bear, including specifically (A) the extent, if any, to which private interests can bear the cost of such programs within the economics of mining activity, (B) the effectiveness of past action by Federal, State, and local units of government in remedying or controlling the adverse effects of acid mine pollution, (C) relationships which might be established among Federal, State, and local units of government, and with private interests, for implementing and funding such programs, and (D) the need for appropriate Federal and State legislation, including adequate enforcement provisions, for such programs.

"(6) Formulate a program for the appropriate control, reduction, or elimination of acid mine pollution in the region, including the identification of specific objectives and costs, with due consideration to: (A) the developmental effects of the program, (B) the economic benefits of the program in relation to costs, (C) the social effects of the program, (D) the avoidance of unwarranted financial gain to private interests, and (E) the types and sources of aid required to accomplish the program.

"(c)(1) The Commission shall, as required by the President, maintain accurate and complete records of transactions and activities financed with Federal funds and report thereon to the President. The records of the Commission shall be available for audit with respect to such grants by the President and the Comptroller General or their duly authorized representatives.

"(2) Recipients of Federal assistance under the provisions of this section shall, as required by the Commission, maintain accurate and complete records of transactions and activities financed with Federal funds and report thereon to the Commission. Such records shall be available for audit by the President, the Comptroller General, and the Commission or their duly authorized representatives.

"(d) Not to exceed $10,000,000 of the funds authorized in section 401 of this Act for the two-fiscal-year period ending June 30, 1969, shall be available to carry out this section. Not to exceed $3,000,000 of such authorization shall be available for the purposes of subsection (b)."

SEC. 121. Section 303 of the Act is amended to read as follows:

"PROJECT APPROVAL

"SEC. 303. An application for a grant or for any other assistance for a program or project under this Act shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate the application for approval. Only applications for programs and projects which are approved by a State member as meeting the requirements for assistance under the Act shall be approved for assistance. No project shall be approved by the Commission unless the Commission is satisfied that the project will be properly administered, operated, and maintained."

SEC. 122. Section 401 of the Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 401. In addition to the appropriations authorized in section 105 and in section 201 for the Appalachian development highway system and local access roads, there is hereby authorized to be appropriated to the President, to be available until expended, not to exceed $170,000,000 for the two-fiscal-year period ending June 30, 1969, to carry out this Act."

SEC. 123. (a) Section 403 of the Act, entitled "DEFINITION OF APPALACHIAN REGION", is amended—

(1) by inserting in the clause relating to the counties in Alabama after "Jefferson," the following: "Lamar," and after "Morgan," the following: "Pickens,";

(2) by inserting after the clause relating to the counties in Maryland the following:

"In Mississippi, the counties of Alcorn, Benton, Chickasaw, Choctaw, Clay, Itawamba, Kemper, Lee, Lowndes, Marshall, Monroe, Noxubee, Oktibbeha, Pontotoc, Prentiss, Tippah, Tishomingo, Union, Webster, and Winston;

"In New York, the counties of Allegany, Broome, Cattaraugus, Chautauqua, Chemung, Chenango, Cortland, Delaware, Otsego, Schoharie, Schuyler, Steuben, Tioga, and Tompkins;"; and

(3) by inserting in the clause relating to the counties in Tennessee after "Campbell" the following: "Cannon,".

(b) Such section is further amended by striking out the colon following "West Virginia" and inserting in lieu thereof a period, and by striking out all of the remainder of such section and inserting in lieu thereof the following:

"No recommendation for any change in the definition of the Appalachian region as set forth in this section shall be proposed or considered by the Commission without a prior resolution by the Committee on Public Works of the Senate or of the House of Representatives, directing a study of such change."

TITLE II—AMENDMENTS TO THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

SEC. 201. Subsection (a) of section 503 of the Public Works and Economic Development Act of 1965 is amended by striking the semicolon after clause (2), inserting a comma, and the following: "including the development of a comprehensive long-range economic plan approved by the Secretary;".

SEC. 202. Subsection (c) of section 505 of the Public Works and Economic Development Act of 1965 is amended by adding at the end thereof the following:

"Not to exceed $2,500,000 of the funds authorized to be appropriated by this subsection for each fiscal year shall be allocated by the Secretary to each regional commission to carry out the purposes of this section."

SEC. 203. Section 509 of the Public Works and Economic Development Act of 1965 is amended by redesignating such section as section 510 and by inserting after section 508 the following new section 509:

"SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

"SEC. 509. (a) In order to enable the States and other entities within economic development regions established under this Act to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the Secretary is authorized, once a comprehensive long-range economic plan established pursuant to clause (2) of section 503(a) of this Act is in effect, and pursuant to specific recommendations, approved by him, of the regional commissions heretofore or hereafter established under this title and after consultation with appropriate Federal officials, to allocate funds appropriated to carry out this section to the heads of the departments, agencies, and instrumentalities of the Federal Government responsible for the administration of such Federal grant-in-aid programs, to be used for the sole purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. No program or project authorized under this section shall be implemented until (1) applications and plans relating to the program or project have been determined by the responsible Federal official to be compatible with the provisions and objectives of Federal laws which he administers that are not inconsistent with this Act, and (2) the Regional Commission involved has approved such program or project and has determined that it meets the applicable criteria under section 504 and will contribute to the development of the region, which determination shall be controlling. Funds may be provided only for Federal grant-in-aid programs for which funds are available under the Act authorizing such programs. Funds so provided shall be available without regard to any appropriation authorization ceilings in such Act.

"(b) The Federal portion of such costs shall not be increased in excess of the percentages established by each commission, and shall in no event exceed 80 per centum thereof.

"(c) The term 'Federal grant-in-aid programs' as used in this section means all Federal grant-in-aid programs in existence on or before August 1, 1967, assisting in the acquisition of land or the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by title I of this Act and by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; part IV of title III of the Communications Act of 1934; Higher Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; and National Defense Education Act of 1958. The term shall not include any program in which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this section, and shall not be taken into account in the computation of allocations among the States made pursuant to any other provision of law.

"(d) There is hereby authorized to be appropriated to the Secretary for use in each of the regions for the purposes of this section the sum of $5,000,000 for the period ending June 30, 1968, and the sum of $10,000,000 for the fiscal year ending June 30, 1969.

"(e) An application for a grant under this section shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate the application for approval. Only applications for programs and projects which are approved by a State member as meeting the requirements for assistance under this section shall be approved for assistance."

SEC. 204. The Public Works and Economic Development Act of 1965 is amended by adding at the end of title VI thereof the following new section:

"ADMINISTRATION, OPERATION, AND MAINTENANCE

"SEC. 604. No Federal assistance shall be approved under this Act unless the responsible Federal official is satisfied that the project for which Federal assistance is granted will be properly and efficiently administered, operated, and maintained."

And, to amend the title so as to read: "An act to revise and extend the Appalachian Regional Development Act of 1965, and to amend the Public Works and Economic Development Act of 1965."

Mr. RANDOLPH. Mr. President, I move that the Senate disagree to the House amendment to Senate bill 602, the Appalachian Regional Development Act, and request a conference with the House on the disagreeing votes thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RANDOLPH, Mr. MUSKIE, Mr. TYDINGS, Mr. SPONG, Mr. COOPER, Mr. JORDAN of Idaho, and Mr. BAKER conferees on the part of the Senate.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

Mr. MAGNUSON. Mr. President, I move the adoption of the Senate committee amendment to H.R. 9960 on page 10, line 25, which deals with the construction of public buildings, in the amount of $70,641,900.

The PRESIDING OFFICER. The committee amendment will be stated.

The assistant legislative clerk read the committee amendment, as follows:

On page 10, line 25, after the word "buildings", to strike out "$54,511,900" and insert "$70,641,900".

Mr. MAGNUSON. Mr. President, this item involves—and I wish Senators who are present would give us their attention—the whole GSA public building construction program for these United States. I have been on this committee for many, many years. Over the years we have always expended what we thought was a modest amount to keep up with a growing population and the growing need of public buildings, providing amounts from approximately $170 million to $200 million, for the whole country, out of a budget that has run as high as $75 billion to over $100 billion, even in peacetime. We have provided from $170 million to $200 million for public buildings for the whole of the United States, and even with this we have not kept up. They are standing in line. There are priorities piled up at the General Services Administration for needed places, but we have held down the appropriations, for many, many reasons. In the meantime the General Services Administration has had to rent space in many places in the United States where the cost is almost prohibitive.

When we construct Federal buildings, we find we sometimes amortize them anywhere in from 11 to 15 years, just by the saving in rent and upkeep. We thought this year it was a time to hold down expenses. So we have provided $70 million for the whole of the United States. Each of the buildings provided for has had a longstanding priority. The applications and approved prospectus for them have been standing in line. They are for construction in places where the rental cost is prohibitive. Very few of them would not be amortized by the saving in rent alone over a period of 15 years.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. PASTORE. As a matter of fact, it has become rather fashionable for people to construct these buildings even in the District of Columbia, hoping the Federal Government will rent them. Is that correct?

Mr. MAGNUSON. Yes, and they do that.

Mr. PASTORE. They are going up every day and we are paying for them at prices out of all proportion.

Mr. MAGNUSON. We had a building program, under the first years of the Eisenhower administration—it was not new with him, but it happened then—in which we thought we could get away from the problem by appropriating a modest sum of money. I think the amount for public buildings is modest in proportion to the whole budget. As a matter of fact, we appropriate less for public buildings, in relation to our budget, than does any other nation in the world, even with the $170 million to $200 million rule of thumb that we had for years.

Several years ago, in an effort to avoid appropriating money, we started a scheme called lease-purchase. A contractor would construct a building, lease it to the Government—I think it is still being done to some extent on smaller units by the Post Office Department—the Government would pay rent for 20 years, and then, after 20 years, it could take over the building. Of course, by then the cost was amortized, so the contractor made a reasonable sum out of it with no risk. He had a 20-year rental contract with the Government.

After a few years of experience with that plan, we found—and I must say that the Senator from Delaware was with me on this—that it was costing us anywhere from 16 to, in one case, 45 percent more than if we had appropriated the money and built the building. We have been doing that, year after year, with a very modest appropriation in comparison with what was needed. It saved some money on maintenance, too.

Meanwhile, many of these needed buildings have been standing in line. Some of the amounts recommended in the bill are required because we have delayed so long after the bids came in that even the lowest were about 4 percent over the original funding, a conservative amount and an unavoidable increase.

Seven of those buildings are listed in the bill as amendments. Four were included in the budget estimate but three more were added by the House because of the time lag involved. Then three more proposed buildings have been standing in line, as to which I think I can prove, with cold, hard figures from the GSA, that we will be saving money by starting them now, because they must be started eventually, anyway.

One is a Federal office building in Mobile, Ala. This project has already been funded for site and expenses, and any delay in construction not only would affect the general economic well-being of the area, which is growing all the time at a great rate, growing faster than most sections of the country, but would in itself to be pennywise and pound foolish.

Another one happens to be—and I am not embarrassed to talk about it—a Federal office building in Seattle. That has been standing in line, and was funded for site and expenses in 1965. It has been delayed for a long time. It is now ready to go. It has been ready for 6 months.

What has happened there is what has happened in Washington with respect to the Labor Department building and, last year, the FBI building. The city is putting a rapid transit system underneath and around the area. The amount of money provided in the bill is only for the foundations, so that the buildings can be built in conjunction with what is going on underneath and around it involving the rapid transit system. The building of the subway is not going to stop, so if we sought to fund the building next year, it would be necessary to tear up a lot of construction and spend more money. So I am not embarrassed to talk about this at all. The project has been lying dormant for a long time.

As I say, the same thing happened in Washington—and the Senator from Colorado and I wrestled with it—with respect to the Labor Department building. We finally agreed last year to allow money for the substructure, and it is good that we did, because even now a tunnel is being started right in front of this Capitol. If we let that go, and build the building later, even next year, the cost would be 15 to 20 percent more.

Another of the items is the U.S. Tax Court building in the District of Columbia. The Tax Court, as many people know, has been located at the Internal Revenue Service. There has been some suggestion that it should be separated from the Internal Revenue Service because they are doing business too close together. I think in certain cases that might well be true. The Tax Court has needed a small building for a long time; and the Internal Revenue Service, of course, is bursting at the seams. We thought some money might be saved by providing a small amount to get going on that project—the amount involved is $1.1 million, and it is estimated that the savings, through new construction, will amount to about $22.6 million—to get the Tax Court out of there so that the Internal Revenue people, who have been paying rent elsewhere, could move back. The Tax Court building would be amortized, according to our best figures from all the people involved, in 13.8 years.

That is what we added. The Bureau of the Budget submitted to the Congress last January, increases in construction costs—so that we could save more money toward this end—

[In thousands of dollars]

Project	Prior construction appropriation	Addition
Bridgeport, Conn.: Courthouse and Federal office building	3,190	338
Evansville, Ind.: Courthouse, post office, and Federal office building	3,596	710
Dayton, Ohio: Post office	5,105	1,475
Baker, Oreg.: Post office and Federal office building	1,177	274

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. Just let me finish.

Mr. LAUSCHE. What table is the Senator reading from?

Mr. MAGNUSON. I am reading from the committee report, page 8, which lists all these items.

Mr. LAUSCHE. All right.

Mr. MAGNUSON. The House included one building in Lincoln, Nebr., which has been kicked around I do not know how many years, back and forth between the House and the Senate, and is a much-needed project; and the Federal building in Buffalo N.Y.; and a Federal office building and courthouse in Rochester, N.Y.

The others are items the Senate committee added. Among others, we added one in Fargo, N. Dak., which has been available for construction for 19 months. The bids were higher than the original funding. In Tennessee, we added one at Oak Ridge.

All this adds up to a $70 million total, or a sum of $8 million more than the recommended total of the budget estimates—$8 million for the whole country.

The House added items, but postponed a large item, a post office and Federal building in Puerto Rico; so the proportion between the House and the Senate recommendations is $54 to $70 million.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I think this is a modest amount compared with the need compared with the number of places involved and the number of people served, for the whole country. This is what the committee did, and it was not done lightly. Of all the items we have to consider, this is always the most difficult.

It is not difficult to establish the need for these facilities, or the savings to be effected by building them. The difficult thing is to establish the priorities, because there never has been enough funding to do the job right.

I yield to the Senator from Ohio.

Mr. LAUSCHE. Page 7 shows that the 1967 appropriation was $125,318,000.

Mr. MAGNUSON. Yes.

Mr. LAUSCHE. What does the committee recommend for this year?

Mr. MAGNUSON. It is $70 million. Normally, we have recommended around $170 to $200 million, which has seemed to be a minimum annual figure just to keep up. This year, we have cut that average still making an effort to take care of those projects upon which we could not save a nickel by not doing them now. Our problem, as I say, is the priorities, because there has never been enough in this budget.

We have cut out all the building we could think of in the District of Columbia. We have been doing that for 3 years; but because of the substructure situation at the Department of Labor, we thought that to proceed with it was wise and would represent an economy.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. CURTIS. What amount does the bill now carry from both the House and the Senate for the Tax Court?

Mr. MAGNUSON. The Senate bill carries $1.1 million for the Tax Court.

Mr. CURTIS. In connection with the Tax Court, is it correct that that money is for a substructure, and it is, in a sense, tied in with some of the highway construction?

Mr. MAGNUSON. The Senator is correct.

Mr. CURTIS. If it is not done at this time, would it perhaps be more cumbersome?

Mr. MAGNUSON. The Senator from Colorado can answer that question because he did take a long look at it in the course of the testimony.

Mr. ALLOTT. I believe that is a true statement. Under the scheduled program, that construction would come across the Mall and come directly across this area.

It is a question of doing this now in conjunction with the construction of this underground freeway or else doing it later at a greatly increased cost.

It is the same situation exactly as that which we had last year in the consideration of the labor building, shown here under South Portal.

Mr. CURTIS. I have been very much interested in the separation of the Tax Court as to function and status, as well as physical location. I think they should be moved as soon as possible from where they are.

Mr. ALLOTT. I agree, while we are on the subject, I will read a paragraph from a letter from T. F. Airis, Director of the Department of Highways and Traffic, of the government of the District of Columbia, in which he said, under date of August 24, 1966:

> As you know, our engineers have been examining the proper sequence of construction operations in this entire area and they warned me that if the Freeway and the Tax Court cannot proceed simultaneously and the Freeway is open to traffic before the construction of the Tax Court building is completed, either the Freeway traffic which will exit on 2nd and D Streets will suffer heavy congestion or the street must be cleared of construction and impedimenta which will result in substantial increase of cost for the building contractor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment to the committee amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 10, line 25, strike out "$70,641,900" and insert "$49,605,700."

Mr. WILLIAMS of Delaware. Mr. President, the purpose of my amendment is to reduce the figure from $70,641,900 to $49,605,700, thus eliminating from the bill all of those projects which were not recommended in the budget.

If we were to adopt this amendment, it would leave sufficient money in the bill with which to carry out the financing of every single public works project recommended in the President's budget.

The budget recommendation originally was $62,545,700; however, $12,940,000 of that was for a project in San Juan, P.R. That project has been eliminated and is not a part of the bill either in the House or in the Senate version. So we can eliminate that approximate $13 million. That leaves $40 million of budgetary items.

The House committee added a couple of new projects. They added one in Buffalo, N.Y., in the amount of $2 million. That project was not recommended in the budget. They included another project for a courthouse and post office building in Rochester, N.Y., in the amount of $2,036,800. That project was not recommended by the budget.

The Senate committee added $5,784,000 for a Federal office building in Mobile, Ala. That project was not recommended in the budget. It would be eliminated by this amendment.

The post office and courthouse facilities in Hammond, Ill., in the amount of $265,000 is not a budgetary item.

The post office and Federal office building in Springfield, Mass., in the amount of $1,177,000 is not a budgetary item.

The Federal office building in Goldsboro, N.C., in the amount of $205,000 is not a budgetary item.

The post office and Federal office building in Raleigh, N.C., in the amount of $1,693,000 is not a budgetary item.

The post office and courthouse in Wilkesboro, N.C., in the amount of $234,000 is not a budgetary item.

The post office and Federal office building in Fargo, N. Dak., in the amount of $437,000 is not budgetary item.

The Federal office building at Oak Ridge, Tenn., in the amount of $735,000 is not a budgetary item.

The Federal office building in Seattle, Wash., in the amount of $4.5 million is not in the budget.

The U.S. Tax Court building in the District of Columbia in the amount of $1.1 million is not a budgetary item.

I am completely in agreement with what has been said, that in the long range it would be well to have the Tax Court in a separate building from that of the Treasury. I will support that principle at the appropriate time; however, we have gone for 100 years with the Tax Court located in the Federal Treasury building. And certainly they can continue with that operation until we have won the war in Vietnam or until we have this budget under a little better control than we do today.

I think that with a war going on and with a $29-billion deficit confronting us, the time is long past due when we should reduce and postpone some of these new construction projects.

I do not see how we can ask the taxpayers to finance all of these new construction projects at a time when we are running a deficit that is estimated to be approximately $2 billion a month.

During World War II we had a policy enacted and approved by Congress and the executive branch of the Government that all public works projects of any nature would be held in abeyance until after the war was over unless those projects were certified as being essential to the national defense or there were reasons why it would not be economically feasible to postpone their construction. All public works projects were held in abeyance.

During the Korean war President Truman acted likewise by Executive order, and I supported him in his action. He ordered that all public works projects be held in abeyance until the war was over or until the projects were certified as being essential to the war effort.

I think that this administration has been negligent in recognizing that we do have an expensive war going on and that the American taxpayers cannot continue to pay for all of the business as usual at home while we are at the same time fighting this war abroad.

The idea that we can have both butter and guns has already created a dangerous inflationary atmosphere here at home.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. DOMINICK. Mr. President, looking at the bill, pages 10, 11, 12, and 13, am I correct that all of the italicized items on pages 11, 12, and 13 would be eliminated?

Mr. WILLIAMS of Delaware. It would eliminate the money for those projects. From a procedural standpoint the projects would have to be eliminated later by a vote; however, that would be automatic if this amendment were agreed to because the money would not be available.

I first suggested that we vote on individual projects first and then adjust the total dollar figure. However, the chairman of the committee insisted, and properly, that this is the first amendment and that we would vote on it first.

I am approaching it from the standpoint of eliminating money for the items not included in the budget. However, that would be the effect of the amendment, yes.

Mr. DOMINICK. Will the Senator yield further?

Mr. WILLIAMS of Delaware. I yield.

Mr. DOMINICK. So that the effect of it, as the Senator has outlined, would be to eliminate the italicized items, and it is my understanding that then the Senator would eliminate some that are not italicized.

Mr. WILLIAMS of Delaware. On page 12, the Federal office building in Buffalo, N.Y., $2 million, and the courthouse and Federal office building in Rochester, $2,036,600, were nonbudgeted items. The money for these items, which was in the House version of the bill, would be eliminated.

As I have stated, my objective would be to eliminate the nonbudgeted items.

Mr. DOMINICK. That is the point I desired to make crystal clear, because the report, on page 7, only refers to three that were not included in the budget estimate. I wondered how we got the remainder of them.

Mr. WILLIAMS of Delaware. I do not know where they came from. They were not included in the budget as submitted by the President.

Mr. DOMINICK. I wonder whether we can develop this matter in the process of the discussion.

Mr. WILLIAMS of Delaware. I am sure we will.

I am speaking of the original budget submitted by the President, and I do not find them as part of the recommendation.

The original budget item did have the $12,900,000 for Puerto Rico, which has been eliminated from both the House and the Senate proposals.

Mr. DOMINICK. I thank the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. What was the total expenditure recommended in the budget for building?

Mr. WILLIAMS of Delaware. It was $62,245,700; but that included a recommendation for $12,940,000 for a building in Puerto Rico, and that has been eliminated from both the House and the Senate proposals.

Mr. LAUSCHE. That would mean, then, according to the budget, $50 million was recommended to be expended. The bill reported by the committee provides for $70 million.

Mr. WILLIAMS of Delaware. It is $70 million. The budget recommended $62 million.

Mr. MAGNUSON. We are $8 million over the budget recommendation.

Mr. WILLIAMS of Delaware. The Senator——

Mr. LAUSCHE. But the $12 million——

Mr. MAGNUSON. Well, there are some changes. That cannot be taken as a criterion.

Mr. LAUSCHE. I have it clearly now. I am not arguing the matter. Recommended in the budget was $72 million.

Mr. WILLIAMS of Delaware. It was $62 million.

Mr. LAUSCHE. And included in that was $12 million for the Puerto Rico building.

Mr. WILLIAMS of Delaware. The Senator is correct; $62,545,700 was in the budget. Of that, $12.9 million was for Puerto Rico. That has been eliminated.

Mr. LAUSCHE. According to the report, the expenditures recommended are $70,641,900.

Mr. WILLIAMS of Delaware. The Senator is correct. This includes about $21 million in projects which were not budgeted.

Mr. LAUSCHE. That would be a difference of $21 million between what is recommended by the committee and what was recommended in the budget, with the $12 million for Puerto Rico eliminated.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. JAVITS. Mr. President, I should like to ask the manager of the bill a question.

Is it not a fact that in respect of the Buffalo, N.Y., structure, these amounts for the building had been appropriated; that it is an ongoing matter; that what we are dealing with is the difficulty of the GSA in dealing with the bid problem in view of increased costs, and that it does not represent a new start or anything like that?

Mr. ALLOTT. May I answer?

Mr. JAVITS. Yes.

Mr. ALLOTT. The Senator has stated the situation correctly. I might add that in the critical atmosphere in which we find ourselves, the same is true with respect to the North Dakota appropriation. It is an ongoing situation, and simply to take care of costs, we had to do the same thing.

Mr. JAVITS. In other words, the committee is dealing with a financial reality and not with a new start, which is the basis for the policy argument as made by the Senator from Delaware.

Mr. ALLOTT. The Senator is correct.

For example, with respect to the Buffalo office building, approximately $11 million had been appropriated, and we had to add $2 million to the figure.

Mr. JAVITS. It seems to me that that explanation clearly differentiates the point of the argument from the policy question which the Senator from Delaware has raised in other matters.

I thank the Senator from Colorado.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. CARLSON. I note that the report states:

> The committee points out that the estimate for 1968 of $62,545,700, which is less than half the amount appropriated in 1967, does not cover the Post Office buildings that are now appropriated in another bill, for

which the estimate for construction and the sites and expenses is $55,853,000.

Does this mean that this is an additional item for post office construction that was not in the original bill?

Mr. ALLOTT. It means that the post office items for construction are carried in a separate bill in the Subcommittee on the Departments of Treasury and Post Office.

It should be remembered that most of these buildings in the various areas also contain post offices, so we have an ambivalence so far as the appropriation process is concerned.

Mr. CARLSON. Has it been the policy in the past to come up with new post office building construction in the independent offices bill?

Mr. ALLOTT. It always has been so in the past. Up to this year, they have been constructed by GSA; and through some executive legerdemain at GSA, apparently, by legal opinions of the Attorney General and other people who testified at the hearings, they transferred the building of post offices per se to the Post Office Department this year. So that those items do appear this year for the first time in the Treasury and Post Office appropriations bill, which has already been passed.

Mr. CARLSON. My question is simply this, Has it been the policy of the subcommittee dealing with appropriations for the Post Office and Treasury Departments to handle these items? Were these particular post offices considered in the testimony before the Subcommittee on the Departments of Treasury and Post Office?

Mr. ALLOTT. They were considered. On two occasions, I questioned the postal people quite thoroughly about their authority, and also questioned the GSA about their authority, to transfer this function to the Post Office Department.

As to my personal belief—if it has any weight with the Senator from Kansas—I have grave doubts as to the feasibility of doing this, but it has already been done.

What it means is that, instead of having all this construction in one place, as we have had in the past, where this one committee could watch over it all and balance the needs, the equities, and everything else, we will now have two committees handling it, and we might even get into a somewhat competitive situation with respect to this construction.

The distinguished Senator from Kansas is the ranking minority member of the Post Office Subcommittee, and it would be my hope that he would look into the matter, because I believe we are taking an unwise step in moving in this direction. It was done without any legislative authority.

Mr. CARLSON. This is the first time the matter has been called to my attention, and I have some concern about it. I shall look into the matter, with the thought that it may not be in the interest of our Government to do this. I have an interest in the Post Office Department, and I assure the Senator that I view the matter with concern.

Mr. ALLOTT. I call the attention of the distinguished Senator from Kansas particularly to the Record of yesterday, page 25862. I placed in the Record the full details on construction for the United States. I then said, on page 25864:

> Mr. Allott. One further remark: I believe a word of caution is necessary, because close coordination will be required in the future between the Treasury and Post Offices Subcommittee and the Independent Offices Subcommittee, to keep a tight rein on the matter and to look into this construction.

Mr. MAGNUSON. I should like to add to what the Senator from Colorado has said to the Senator from Kansas.

Another reason why this is not a good situation is that many of these buildings, with two or three exceptions, also contain a post office. It is a Federal building, and usually a large building. They are now dealing with only those buildings which would be a post office proper, and they are mainly in the smaller communities. The post office would not be in a big Federal building.

Then, they have many lease-purchase contracts going on. This is what we used to try to look at the matter. However, those smaller post offices, where there was going to be a post office only, were taken away.

Mr. CARLSON. Mr. President, I would just add one point to the statement of the Senator from Washington. Personally, I favor the Federal Government constructing Federal buildings. I think in the long run it is the best thing to do and it is a tax advantage to all of us. Regrettably, in the past we have opposed Federal construction. Perhaps we are getting back to it, which would be the proper thing to do.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. LAUSCHE. Mr. President, I concur in the statement of the Senator from Kansas.

I wish to address a question to the Senator from Colorado. I am trying to get information at this time. On page 7 of the report it is stated that the 1967 appropriation was $125,318,000. Am I correct that that $125,318,000 covered not only general buildings but also post office buildings, and that some of the post office buildings, however, are not included in this appropriation?

Mr. ALLOTT. The Senator is entirely correct.

Mr. LAUSCHE. Is the Senator able to tell how much money will be expended to construct buildings that will accommodate the Post Office Department alone?

Mr. ALLOTT. Yes. That figure would be $55,853,000.

Mr. LAUSCHE. That would mean the committee recommendation of $70,641,000 should have added to it the $55 million just mentioned by the Senator from Colorado to justify the comparison of what was spent last year and what is being spent this year.

Mr. ALLOTT. To place the matter in perspective, the Senator is correct.

Mr. LAUSCHE. That would mean for the 1968 appropriation we would be spending practically the same amount that we spent for 1967?

Mr. ALLOTT. If we consider the total, the Senator is correct, yes.

Mr. LAUSCHE. Of $125 million?

Mr. ALLOTT. Yes.

Mr. JAVITS. Mr. President, will the Senator yield for one further point?

Mr. ALLOTT. I yield.

Mr. JAVITS. Is not one of our real problems that construction costs are constantly going up and, therefore, we have found by experience, where we are underway and building, a deferment costs more money and we are not doing ourselves a favor?

Mr. ALLOTT. We figure in the committee, based upon testimony over the years, from GSA particularly, that this amounts to an annual increase of about 5 percent. The Senator is correct.

Mr. JAVITS. I thank the Senator.

Mr. WILLIAMS of Delaware. The Senator from Colorado is correct; building costs are increasing each year. Looking at the matter strictly from that standpoint, perhaps it would be cheaper to build this year than next year. However, I point out that the President has called on all of the American citizens to postpone repair jobs to their homes, to postpone new construction and plans for expanding that which can be postponed until the war is finished. The President said he was setting an example by postponing the remodeling of his ranch in Texas until the war is over.

Mr. President, I point out that if building costs are more each year, that is not an argument for us to go further into deficit spending and to build Government projects for fear of an inflation which the Government is creating by its own reckless spending policies. If we do, where do we stop?

The suggestion is made that if we agree to this measure we would handicap some construction which has already been started. We propose in this amendment to strike out $21 million in connection with the items mentioned.

I call attention to the fact that included in this section is a new Federal office building in Mobile, Ala., at a cost of $5,784,000 that has not been approved or started; there is a new post office and Federal building at Talladega, Ala., at a cost of $385,000; a new post office and courthouse in Honolulu at a cost of $22 million; a new courthouse and Federal office building at Frankfort, Ky., at a cost of $1,868,000. These are entirely new projects; there is a Federal motor vehicle facility in Houston, Tex., at a cost of $780,000, entirely new; a courthouse and Federal office building in Lubbock, Tex., at a cost of $4,508,000, which is an entirely new project; a Federal office building in Seattle, Wash., at a cost of $4.5 million, entirely new.

Mr. President, there are other new projects in the bill. I do not question for a moment that, taking them individually, each one could be defended if we had the money. I do not question for a moment that it may be favorable to build these buildings at a later and more appropriate date.

The question I do raise is that at a time when we are in the midst of financing an expensive war in Vietnam with no foreseeable end to that war, at a time when our deficit is running better than $2 billion a month, estimates of $20 billion to $25 billion and some running as high as $25 billion to $30 billion for the fiscal year, at a time when the administration is asking all taxpayers for an increase in taxes of 10 percent, we should eliminate some of these new construction projects. I seek a postponement of some of these projects.

Every Senator has made speeches and said much about supporting a reduction of Government expenditures. I venture to say that there is not a single Senator who, in answering his mail, has not endorsed reduced Government spending.

The bill before us provides for $10.4 billion, which is $445.5 million over the House bill. This bill is $880 million over the 1967 appropriation.

In addition, the bill, under another section, provides an extra $2.795 billion in new spending money over and above the amount the House provided by authorizing a sale of $2.385 billion more in participation certificates than approved in the House bill. That $2.385 billion will go into the spending stream and furnish extra spending money for the agencies covered, and when added to the $445 million increase in cash appropriations, we have an increase of over $2¾ billion.

We are voting on a bill that, if passed as reported by the committee, would provide $2.75 billion more spending money than the bill passed by the House of Representatives just a few weeks ago and considerably more than was spent by the same agencies last year.

Mr. President, it is my position that there is only one way we can prove that we are sincere in cutting appropriations and that is by our votes.

Mr. President, I have asked for a rollcall vote on this amendment, which would strike out the extra money added for those projects which had not been heretofore approved by the Bureau of the Budget. This is a modest approach on a bill of this size. There will be votes on the other increases later.

The PRESIDING OFFICER (Mr. Yarborough in the chair). The question is on agreeing to the amendment of the Senator from Delaware [Mr. Williams] to the committee amendment on page 10, line 25.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Florida [Mr. Smathers], and the Senator from Missouri [Mr. Symington] are absent on official business.

I also announce that the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Maine [Mr. Muskie], the Senator from Georgia [Mr. Russell], and the Senator from Maryland [Mr. Brewster] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from Wyoming [Mr. McGee], and the Senator from Florida [Mr. Smathers] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Oregon [Mr. Hatfield], the Senator from Kentucky [Mr. Morton], and the Senator from Illinois [Mr. Percy] are necessarily absent.

The Senator from California [Mr. Kuchel] is absent by leave of the Senate.

The Senator from Vermont [Mr. Aiken] is detained on official business.

If present and voting, the Senator from Vermont [Mr. Aiken], the Senator from California [Mr. Kuchel], and the Senator from Illinois [Mr. Percy] would each vote "nay."

The result was announced—yeas 24, nays 63, as follows:

[No. 253 Leg.]

YEAS—24

Bennett
Byrd, Va.
Carlson
Church
Cooper
Dirksen
Dominick
Fannin
Griffin
Hansen
Hickenlooper
Jordan, Idaho
Kennedy, Mass.
Lausche
Miller
Monroney
Murphy
Pearson
Prouty
Proxmire
Smith
Thurmond
Williams, Del.
Young, Ohio

NAYS—63

Allott
Anderson
Baker
Bartlett
Bible
Boggs
Brooke
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Cotton
Curtis
Dodd
Eastland
Ellender
Ervin
Fong
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morse
Moss
Mundt
Nelson
Pastore
Pell
Randolph
Ribicoff
Scott
Sparkman
Spong
Stennis
Talmadge
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—13

Aiken
Bayh
Brewster
Hatfield
Kuchel
McCarthy
McGee
Morton
Muskie
Percy
Russell
Smathers
Symington

So the amendment of the Senator from Delaware [Mr. Williams] to the committee amendment was rejected.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendment was defeated.

Mr. ALLOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MAGNUSON. Mr. President, I now move to adopt the committee amendment on page 10, line 25.

Mr. WILLIAMS of Delaware. Mr. President, the Senate has just rejected the amendment which would have stricken out all nonbudgeted items and reduced the appropriation by about $21 million.

Some Members of the Senate raised the point that a part of this money was to provide money to continue construction of buildings that had been started and that if only new buildings had been involved they might take a different position.

I call attention to the fact that included in this appropriation are three items, all new construction projects, which were added by the Senate committee but which are not budgeted. I refer to page 7 of the committee report. I read from that page of the committee report:

> The committee recommends adding three projects which have been previously funded for sites and expenses and are now ready for construction funds and have high priority in the construction program, though they were not included in the budget estimate.

The three projects which were added were a new Federal office building in Mobile, Ala., for $5,784,000; a new Federal office building in Seattle, Wash., $4,500,000; the U.S. Tax Court Building in the District of Columbia, adding $1.1 million.

In recommending these, the committee said in its report:

> The committee believes that the Tax Court should be appropriately housed in its own building as soon as possible.

I agree that it would be advisable to have a separate building. The question is, Is this the time to do it? Would it not be better to postpone the construction of these new buildings? In this instance, not one of them had been started. Not one of them had been recommended by the Budget Bureau as being feasible at this time. If these projects are approved they will involve $11.384 million over what was recommended by the budget.

As I pointed out before, this bill is already $445 million more than the House provided. It is $880 million above last year's appropriation. In addition to those two figures, $2.350 billion of extra spending is provided by way of additional sales of participation certificates, the proceeds of which go into the spending stream normally. It just does not show up in the deficit and debt figures.

Therefore, to accomplish the objective of eliminating the three projects which were not in the budget at all and were not in the bill as it came from the House I send to the desk another amendment and ask to have it stated.

The PRESIDING OFFICER. The clerk will read the amendment to the committee amendment.

The Legislative Clerk. It is proposed, on page 10, line 25, to strike out "$70,641,900", and insert in lieu thereof "$59,257,900."

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Okahoma [Mr. Harris], the Senator from Arkansas [Mr. McClellan], the Senator from Florida [Mr. Smathers], and the Senator from Missouri [Mr. Symington] are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster], the Senator from North Carolina [Mr. Ervin], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Maine

[Mr. Muskie], and the Senator from Georgia [Mr. Russell], are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Oklahoma [Mr. Harris], the Senator from Wyoming [Mr. McGee], the Senator from Florida [Mr. Smathers], the Senator from North Carolina [Mr. Ervin], and the Senator from Maryland [Mr. Brewster] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Oregon [Mr. Hatfield], the Senator from Kentucky [Mr. Morton] and the Senator from Illinois [Mr. Percy] are necessarily absent.

The Senator from California [Mr. Kuchel] is absent by leave of the Senate

The Senator from Vermont [Mr. Aiken] is detained on official business.

If present and voting, the Senator from Vermont [Mr. Aiken] would vote "nay."

On this vote, the Senator from Illinois [Mr. Percy] is paired with the Senator from California [Mr. Kuchel]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from California would vote "nay."

The result was announced—yeas 27, nays 57, as follows:

[No. 254 Leg.]

YEAS—27

Baker
Bennett
Boggs
Byrd, Va.
Carlson
Church
Cooper
Dirksen
Dominick
Fannin
Fong
Griffin
Hansen
Hickenlooper
Jordan, Idaho
Kennedy, Mass.
Lausche
Miller
Monroney
Murphy
Pearson
Prouty
Proxmire
Smith
Thurmond
Williams, Del.
Young, Ohio

NAYS—57

Allott
Anderson
Bartlett
Bible
Brooke
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Cotton
Curtis
Dodd
Eastland
Ellender
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morse
Moss
Mundt
Nelson
Pastore
Pell
Randolph
Ribicoff
Scott
Sparkman
Spong
Stennis
Talmadge
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—16

Aiken
Bayh
Brewster
Ervin
Harris
Hatfield
Kuchel
McCarthy
McClellan
McGee
Morton
Muskie
Percy
Russell
Smathers
Symington

So the amendment of Mr. Williams of Delaware to the committee amendment was rejected.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question recurs on the committee amendment on page 10, line 25.

ORDER OF BUSINESS

Mr. PASTORE. Mr. President, will the Senator yield so that I might make an inquiry of the majority leader?

Mr. MAGNUSON. I yield.

Mr. PASTORE. Mr. President, a number of us have been invited to the State Department for a luncheon being held by the Vice President in honor of the President of Italy.

I wonder what the procedure will be here for the next hour and a half or so. I would dislike to go there and be called back. I would rather remain here, if that is to be the case.

Mr. WILLIAMS of Delaware. Mr. President, I know that other Senators are in the same position.

The next vote will be on the committee amendment. Some of us want a rollcall on that also. However, we could have that vote immediately as far as I am concerned. We have already made a decision by our actions on the other amendments.

I stated earlier that I would have preferred to vote on each project separately; however, voting on these amendments as offered was the only way in which we could get to the question of new projects. The next rollcall vote will be on the committee amendment which increases the House appropriation by about $16 million. As far as I am concerned that can be had within 5 minutes.

Mr. MAGNUSON. As far as I am concerned, it can come within 1 minute.

Mr. WILLIAMS of Delaware. That is satisfactory.

Mr. MAGNUSON. The amendment now pending is the committee amendment on page 10, line 25.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of not to exceed 10 minutes on the pending amendment, the time to be equally divided between the distinguished Senator from Delaware [Mr. Williams] and the distinguished Senator from Washington, the manager of the bill [Mr. Magnuson], and that immediately upon the conclusion of that vote the Senate stand in recess for 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, for the information of the Senate I will only take 1 minute.

We have already debated this issue. By agreeing to the committee amendment we would be increasing the appropriation over the House figure by $16,130,000.

The Senate committee made 60 changes in the House bill, 58 of those provide for increases, and only 2 provide for reductions. Those 58 increases totaled over $445 million extra.

Unless we cut the bill below the figure reported by the Senate committee we will be passing a bill which provides a grand total of approximately $2¾ billion more than the House provides in spending money for those same agencies.

I think the very least we can do is to reject some of the Senate increases. I urge that the committee amendment be rejected.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. Mr. President, a vote "yea" would be a vote for the committee amendment, and a vote "nay" would be a vote against the committee amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. I yield back the remainder of my time.

Mr. MAGNUSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the committee amendment. On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Arkansas [Mr. McClellan], the Senator from Florida [Mr. Smathers], and the Senator from Missouri [Mr. Symington] are absent on official business.

I also announced that the Senator from Maryland [Mr. Brewster], the Senator from North Carolina [Mr. Ervin], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], and the Senator from Maine [Mr. Muskie] are necessarily absent.

I further announced that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Arkansas [Mr. McClellan], the Senator from Florida [Mr. Smathers], the Senator from North Carolina [Mr. Ervin], and the Senator from Maryland [Mr. Brewster] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Oregon [Mr. Hatfield], the Senator from Kentucky [Mr. Morton], and the Senator from Illinois [Mr. Percy] are necessarily absent.

The Senator from California [Mr. Kuchel] is absent by leave of the Senate.

The Senator from Vermont [Mr. Aiken] is detained on official business.

If present and voting, the Senator from Vermont [Mr. Aiken], the Senator from California [Mr. Kuchel], and the Senator from Illinois [Mr. Percy] would each vote "yea."

The result was announced—yeas 63, nays 23, as follows:

[No. 255 Leg.]

YEAS—63

Allott
Anderson
Baker
Bartlett
Bible
Boggs
Brooke
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Cotton
Curtis
Dodd
Eastland
Ellender
Fong
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morse
Moss
Mundt
Nelson
Pastore
Pell
Prouty
Randolph
Ribicoff
Russell
Scott
Sparkman
Spong
Stennis
Talmadge
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—23

Bennett
Byrd, Va.
Carlson
Church
Cooper
Dirksen
Dominick
Fannin
Griffin
Hansen
Hickenlooper
Jordan, Idaho
Kennedy, Mass.
Lausche
Miller
Monroney
Murphy
Pearson
Proxmire
Smith
Thurmond
Williams, Del.
Young, Ohio

NOT VOTING—14

Aiken
Bayh
Brewster
Ervin
Hatfield
Kuchel
McCarthy
McClellan
McGee
Morton
Muskie
Percy
Smathers
Symington

So the committee amendment was agreed to.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the committee amendment was agreed to.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RECESS

The PRESIDING OFFICER. Under the order previously entered, the Senate will stand in recess for 1 hour.

Thereupon (at 1 o'clock and 6 minutes p.m.) the Senate took a recess for 1 hour.

The Senate reassembled at 2:06 p.m. when called to order by the Presiding Officer (Mr. TYDINGS in the chair).

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the next committee amendment.

The legislative clerk read as follows:

> On page 11, after line 8, to insert: "Federal Office Building, Mobile, Alabama, $5,784,000;".

The PRESIDING OFFICER. The question on agreeing to the amendment [putting the question].

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

> On page 11, after line 19, to insert:
>
> "Post office and court house (construction and alteration), Hammond, Indiana, in addition to the sum heretofore appropriated, $265,000;".

The PRESIDING OFFICER. The question is on agreeing to the amendment [putting the question].

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

> On page 11, after line 24, to insert:
>
> "Post office and Federal office building, Springfield, Massachusetts, in addition to the sum heretofore appropriated, $1,177,000;".

The PRESIDING OFFICER. The question is on agreeing to the amendment [putting the question].

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

> On page 12, line 13, to insert:
>
> "Federal office building, Goldsboro, North Carolina, in addition to the sum heretofore appropriated, $205,000;".

The PRESIDING OFFICER. The question is on agreeing to the amendment [putting the question].

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

> On page 12, after line 15, to insert:
>
> "Post office, courthouse and Federal office building, Raleigh, North Carolina, in addition to the sum heretofore appropriated, $1,693,000;".

The PRESIDING OFFICER. The question is on agreeing to the amendment [putting the question].

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

> On page 12, after line 18, to insert:
>
> "Post office and courthouse, Wilkesboro, North Carolina, in addition to the sum heretofore appropriated, $234,000;".

The PRESIDING OFFICER. The question is on agreeing to the amendment [putting the question].

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

> On page 12, after line 20, to insert:
>
> "Post office and Federal office building, Fargo, North Dakota, in addition to the sum heretofore appropriated, $437,000;".

The PRESIDING OFFICER. The question is on agreeing to the amendment [putting the question].

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

> On page 13, after line 4, to insert:
>
> "Federal office building, Oak Ridge, Tennessee, in addition to the sum heretofore appropriated, $735,000;".

The PRESIDING OFFICER. The question is on agreeing to the amendment [putting the question].

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

> On page 13, line 10, after "$4,508,000", to strike out the word "and". and on page 13, after line 10, to insert:
>
> "Federal office building (substructure), Seattle, Washington, $4,500,000;".

The PRESIDING OFFICER. The question is on agreeing to the amendment [putting the question].

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

> On page 13, after line 12, to insert:
>
> "United States Tax Court Building (substructure), District of Columbia, $1,100,000; and".

The PRESIDING OFFICER. The question is on agreeing to the amendment [putting the question].

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, for the RECORD it should be pointed out that the vote on these amendments by voice was a confirmation of the rollcall votes which we had earlier, because the only way we could accomplish this was by rollcall vote. This was the same procedure as was followed in the rollcall votes.

I was opposed to these amendments but we lost on rollcall votes.

Mr. THURMOND. Mr. President, I would like the RECORD to show the same explanation with respect to my votes.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

> On page 29, line 4, after the word "exceed", to strike out "$300,000,000" and insert "$850,000,000".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WILLIAMS of Delaware. Mr. President, this amendment has not been acted upon. For the information of the Senate there will be a yea-and-nay vote on this amendment.

Mr. President, the purpose of this amendment is to increase the House authorization on participation sales by $550 million.

Mr. MAGNUSON. Does the Senator wish to oppose the amendment before we explain it?

Mr. WILLIAMS of Delaware. No; but I am serving notice that there will be a yea-and-nay vote, I did not want this amendment to go through on a voice vote.

Mr. MAGNUSON. Mr. President, under the previous agreement, this brings us down to this item beginning on page 28, which involves the matter of participation sales authorization for the Veterans' Administration, in which the House limited the amount to $300 million, the budget recommended $850 million, and the Senate committee restored the amount of $850 million.

In the meantime, however, the Senator from Maine [Mrs. SMITH] has an amendment on page 24 involving the Selective Service System. The Senator from Maine is ready to proceed with her discussion of her amendment. I am wondering whether we should do that first or, if she is willing, we would go ahead with the participation sales authorization amendment and then come back to her amendment.

Mrs. SMITH. I am ready to discuss my amendment now.

The PRESIDING OFFICER. The pending amendment has been stated on page 29, line 4.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that we revert to page 24, line 20. This amendment has been adopted by the Senate but it is subject to amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The committee amendment will be stated.

The LEGISLATIVE CLERK. On page 24, line 19, it is proposed to insert:

> *Provided further,* That any officer who has served with the Selective Service System in the position of a State Director of Selective Service or comparable executive position on the Staff of the Director of Selective Service for a period of fifteen years will, upon retirement from active duty, be advanced in rank on the retired list to the next high-

est pay grade and be entitled to the retired pay of that grade as computed under appropriate provisions of law applicable to such person.

Mrs. SMITH. Mr. President, I make the point of order that this is legislation on a general appropriation bill.

The **PRESIDING OFFICER.** The Chair rules under rule XVI that the point of order made by the Senator from Maine is well taken and, therefore, sustains it; the amendment will be stricken since it is legislation on a general appropriation bill.

Mr. ALLOTT. Mr. President, this matter is a very difficult one. I am fully aware of the position of the distinguished lady from Maine and, of course, I do think, as we knew when we put it in the bill, that it was legislative and the Chair correctly ruled it is subject to a point of order.

However, I would hope we could establish a little legislative history about this situation.

There are several people—I believe five—in the United States who have been members of the Selective Service System, State directors of the Selective Service System. One of them has 27 total years of military service; one has 45 years; one has 48 years; one has 46 years; one has 50 years. In the same order they have 27 years of service with the Selective Service System, 25 years, 27 years, 27 years, and 26 years.

Now the problem in the situation which we are trying to correct is that these gentlemen have served their country long as members of the military—some of them for over a quarter of a century with respect to the Selective Service System. Under the present promotion and retirement system, these gentlemen cannot secure promotions before they end their service and retire. I think the distinguished chairman has some figures on the amount of difference it would make—very small—but we felt that justification and sheer equity required that we try to do something about it.

Therefore, with this preliminary statement I should like to inquire of the distinguished Senator from Maine if it is possible that something could be done legislatively to try to help these people, not for their immediate promotion, but at the point that they retired they would be entitled to promotion and a very slight increase which would come in their retirement as a result.

Mrs. SMITH. I would be openminded to such a move, but this would be entirely a matter for the Armed Services Committees of both the House and the Senate. The Senator from Mississippi [Mr. STENNIS], who is the ranking member on the Armed Services Committee, might be willing to speak to that point if the Senator from Colorado would like to have him do so.

Mr. ALLOTT. I would appreciate it.

Mr. MAGNUSON. If the Senator will yield to me first, let me take a few minutes to add to what the Senator from Colorado has just said.

We found ourselves in this position; traditionally, the Selective Service laws have provided that the National and State administration of the System be handled for the most part by selected National Guard and Reserve officers. The National Defense Act specifically provides for a National Guard section in each State to assist the Governors in the administration of the draft. Under the draft laws, the Governors are the nominal heads of the Selective Service System in their States, and they select usually from the National Guard section or the Reserves. The President appoints as officer as State director to administer the Selective Service in the State. The national Director of the Selective Service System is nominated, I wish to point out—as did the Senator from Maine—by the President, and his nomination confirmed by the Senate. His small staff at the present time is composed of 12 officers, for the most part taken from the National Guard sections of the State or from selected Reserve officers.

Most of these officers, of course, have served in the military, some of them with great distinction. One or two have disabilities. But they have worked for many years in selective service. The fact that they have served with the Selective Service System, we are informed, on a detached basis from the regular forces, removes them from consideration for advancement as given by the selection board maintained by the regular forces.

The purpose of the amendment is to take care of five of these men who have served a total of 27, 25, 27, 27, and 26 years in selective service. As to military service, one in Colorado totals 45 years. One in Rhode Island totals 48 years. One in Virginia totals 46 years. One in the District of Columbia totals 50 years.

The purpose of the amendment is to see if we cannot take care of these men as they should be taken care of, because they have been in almost continuous service in the Selective Service System—some of them—since 1940.

The total cost, $4,000 a year for the five men if they are promoted, goes into effect only when they retire. Most of them are ready to retire and probably would do so. Had they been under the regular Defense Act Personnel Section they would have been promoted a long time ago. Their age averages are from 63 to 75 years. We thought that in justice to these men, we should take care of them.

I understand, of course, that this is subject to a point of order. There is also the problem, which the Senator from Mississippi has stated, of violating the procedures and the integrity of the military promotion system as it stands now.

Somehow, we have got to take care of these men, and I want to make this statement for the RECORD.

Mrs. SMITH. I am now happy to yield to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Maine. The point raised about the proposed amendment to the appropriation bill is that this would be permanent legislation and would open the door in future years to setting up a substitute way of promoting people in addition to our own regular board of promotions which deals with regular military officers. As the years accrue, many additional people serving in this way would automatically come under it, and then other groups would want to enlarge the scope of the law so that they could come in under it with equal logic.

Another reason, though, is that we must maintain the integrity of our board of military promotions—at least that is the term I use—which is our method of selection for promotion of our military officers. This is not a new question. The subcommittee is composed of the Senator from Maine [Mrs. SMITH], the Senator from North Carolina, and I am the third member and chairman; and we have consistently opposed these proposed legislative promotions.

I recall one who was worthy of a promotion, a few years ago, who had been with the Veterans' Administration for a long while. But, under our obligations to the Senate, as we saw them, our subcommittee opposed that legislative promotion. There is a great deal to be said, though, for some method.

I trust that the Senate will not set up a precedent here to let such promotions be added on to any kind of legislative bill.

We have had a special statute, which was an old carryover for many years, in the Navy Department whereby under the statute retired Navy officers were automatically promoted one grade when they retired. However, a few years ago, Congress repealed that law.

Thus, let us not go back into it, under any guise.

As to the merits of promotions of these people, many of them are considered for promotion, and they are promoted. But there needs to be an additional method, perhaps. Let a bill be introduced, be referred to a committee for hearings on it, which will place the problem in its proper focus and proper perspective, to be considered on its merits. If there is enough merit to it, then an additional board to meet this problem and others like it should be created whereby we can consider such matters on their merits and bring in promotions for consideration in due time. Let us approach the problem in that manner.

With all due deference to everyone, a Senator should not be left to decide when anyone in his State is going to be promoted. He should not be left to say yes or no. It undermines the whole structure of sound military promotions. I hope that it will not be done. I commend the Senator from Maine for her diligence and her consistency in following up on these matters, in her fine and highly effective way—but she is always fair.

Of course, we will consider such proposed legislation in the Armed Services Committee. Speaking for myself—but I think the same sentiments for others, too—we will weigh the matter on its merits, and do so with reasonable dispatch, so that this matter can be resolved in the proper way.

Mr. MAGNUSON. I appreciate what the Senator has said. I hope the Senator from Colorado, the Senator from Rhode Island, and I will get the proper legislation. I am glad the Senator from Mississippi said it would be done with proper dispatch, because these fellows are getting pretty old, and I would not want them to lose their due. I do not mean that the Senator from Mississippi does not do things with dispatch. He does. I am hopeful he will give consideration to this unusual matter.

Mr. STENNIS. I am sure we should. It is not a pleasure to oppose our friends from Colorado and Washington in this or any other matter, but, we feel that this amendment should be opposed as a matter of duty.

Mr. THURMOND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Maine has the floor.

Mrs. SMITH. I am pleased to yield first to the Senator from Colorado [Mr. ALLOTT].

Mr. ALLOTT. Mr. President, I appreciate very much the words of the distinguished Senator from Mississippi, who will act with dispatch, I am sure. I think it needs to be said that this matter was not raised by our committee. It seems, in a way, an extraneous matter to this bill. In a true sense, it was raised by the Selective Service Board itself, which is one of the separate agencies provided for in this bill. This is the way it arose. Upon the presentation made to the distinguished chairman and myself, we felt, in equity and justice, something should be done. I do not think anything more needs to be said about it. We will try to do this and submit it to the proper legislative committee for consideration.

Mr. MAGNUSON. Mr. President, I may say it just so happens that when the matter was suggested by General Hershey, three members of the subcommittee had three of these people involved. As a matter of fact, I did not know how long the director in my State had been serving. Neither did the Senator from Rhode Island [Mr. PASTORE] or the Senator from Colorado [Mr. ALLOTT]. But General Hershey raised the question. This was attempted once before with General Hershey. Finally, due to the attempt, he did get a promotion. I do not remember the exact procedure, but the only place he could do it at that time was in this committee.

Mrs. SMITH. Mr. President, I am glad to yield to the distinguished Senator from South Carolina [Mr. THURMOND].

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I wish to thank the distinguished Senator from Maine.

I would like to be associated with the remarks made on this subject by the distinguished Senator from Maine and the distinguished Senator from Mississippi. In our generation I do not know of any public servant who has rendered finer service than has General Hershey, the Director of the Selective Service System, and I would certainly consider most carefully any recommendation or suggestion he makes with regard to that Service. He is among the most competent people in Selective Service, where there are very competent officers.

I do feel, however, Mr. President, that this is not the place to consider promotions for officers in the armed services. This is a substantive matter. It is one that should receive the careful consideration of the Armed Services Committee. A bill can be introduced, and I am sure the Armed Services Committee will give it its most careful consideration to see that something will be done for officers who find themselves in the position in which these officers referred to here find themselves.

Mr. President, I hope that a bill will be introduced and that this matter will receive careful consideration. I feel its merits will be gone into at that time and whatever action is appropriate will be taken.

Mrs. SMITH. Mr. President, I yield the floor.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have placed in the RECORD at this point a letter sent to me from General Hershey, dated August 1.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SELECTIVE SERVICE SYSTEM,
Washington, D.C., August 1, 1967.

Hon. WARREN G. MAGNUSON,
U.S. Senate.

DEAR SENATOR MAGNUSON: I am pleased to confirm to you my enthusiastic endorsement of an amendment which you have under consideration which will, upon retirement, advance several officers of the Selective Service System in rank to their next highest grade with entitlement to retired pay at that grade. As I understand, the amendment which you have under consideration reads as follows:

"Any officer who has served with the Selective Service System in the position of a State Director of Selective Service or comparable executive position on the Staff of the Director of Selective Service for a period of fifteen (15) years will, upon retirement from active duty, be advanced in rank on the retired list to the next highest pay grade and be entitled to the retired pay of that grade as computed under appropriate provisions of law applicable to such person."

The officers affected by this amendment through their long tenure of outstanding service to their State and Nation richly deserve this recognition. It will serve, to some extent, to compensate for the lack of opportunity for career advancement assignment resultnig from their special assignment to the Selective Service System.

I certainly appreciate the efforts which you are making on behalf of these members of my staff and the Selective Service System, and assure you that in these efforts you have my wholehearted support.

Sincerely yours,
LEWIS B. HERSHEY,
Director.

The PRESIDING OFFICER. The Senate will return to the consideration of the amendment on page 29.

Mr. MAGNUSON. Mr. President, the Chair has sustained the point of order; has he not?

The PRESIDING OFFICER. The Chair has sustained the point of order.

Mr. MAGNUSON. Unless there are some amendments to be offered by Members of the Senate on the Selective Service System, the next item——

The PRESIDING OFFICER. Page 29.

Mr. MAGNUSON. Between the items for public buildings, under General Services Administration, and this item, there are other items involving GSA, to which, so far as I know, no amendments are to be offered.

The item for the Interstate Commerce Commission appears on page 22 of the bill.

With respect to the National Science Foundation, which is on the same page, it is my understanding that one or two Senators want to submit an amendment or amendments to the figure reported by the Senate committee. I believe the Senator from Massachusetts [Mr. KENNEDY] or other Senators may wish to offer an amendment to that item, but they are not present at this time, so we will pass that over, without prejudice.

Then there is the item with respect to the Renegotiation Board.

I am listing these so that any Senator will have an opportunity to submit an amendment to them.

Next is the Securities and Exchange Commission. Then the Selective Service System. The amounts there are approximately the same as last year. I read this in my earlier statement.

The Veterans' Administration has several items in the bill. This is by far the largest item in the bill. It needs a great deal of money for medical care and for fixed charges, insurance, and indemnities, and for many other purposes. The payments to the disabled and others involve several billion dollars.

The committee went over this item with a great deal of care, but most of the charges are fixed charges by law, and there is not much we can do about it. We added a small amount to the medical research and medical item.

The item for the Veterans' Administration on page 28 involves a great deal of paper in connection with sales of veterans housing, and FNMA has been handling that matter. With respect to participation sales, which have been authorized by Congress, that agency has a great deal of paper that can be released as certificates.

The Bureau of the Budget suggested that $850 million of other paper should be made available, with proper market conditions, under the Participation Sales Act. The House placed a ceiling of $300 million on that item; the Senate has restored the amount to $850 million. This is not an appropriation of any money whatsoever; it is merely a grant of authority to sell up to $850 million of Veterans' Administration participation certificates. In a nutshell, that is the purpose of this item.

The appropriation bill for the Department of Housing and Urban Development will contain another item on the same subject.

Mr. President, I yield to the distinguished Senator from Louisiana, who wishes to submit a conference report.

FOOD STAMP APPROPRIATIONS AUTHORIZATION—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 953) to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

CONFERENCE REPORT

[To accompany S. 953]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 953) to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967, having met, after full and free conference, have been unable to agree.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
HERMAN E. TALMADGE,
JOSEPH M. MONTOYA,
WALTER F. MONDALE,
GEORGE D. AIKEN,
MILTON R. YOUNG,
J. CALEB BOGGS,
Managers on the Part of the Senate.
W. R. POAGE,
E. C. GATHINGS,
FRANK A. STUBBLEFIELD,
PAGE BELCHER,
CHARLES M. TEAGUE,
Managers on the Part of the House.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The **PRESIDING OFFICER**. The question is on agreeing to the conference report.

The report was agreed to.

Mr. **ELLENDER**. Mr. President, I move that the Senate concur in the House amendment in the nature of a substitute for S. 953 with an amendment which I ask to have read.

The **PRESIDING OFFICER**. The amendment will be stated.

The LEGISLATIVE CLERK. In lieu of the matter proposed to be inserted by the House amendment, it is proposed to insert the following:

That the first sentence of subsection (a) of section 16 of the Food Stamp Act of 1964 is amended by inserting after "June 30, 1967;" the following: "not in excess of $200,000,000 for the fiscal year ending June 30, 1968; not in excess of $225,000,000 for the fiscal year ending June 30, 1969;".

SEC. 2. Section 16(a) of such Act is further amended by inserting at the end thereof the following: "This Act shall be carried out only with funds appropriated from the general fund of the Treasury for that specific purpose and in no event shall it be carried out with funds derived from permanent appropriations."

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Louisiana to concur in the Senate amendment to the House amendment.

The motion was agreed to.

Mr. **ELLENDER**. Mr. President, I move that the Senate concur in the House amendment to the title of the Senate bill.

The **PRESIDING OFFICER**. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to amend the title so as to read: "An act to amend the Food Stamp Act of 1964."

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Louisiana that the Senate concur in the House amendment to the title of the Senate bill.

The motion was agreed to.

Mr. **HOLLAND**. Mr. President, will the distinguished Senator from Louisiana yield for a question?

Mr. **ELLENDER**. I yield.

Mr. **HOLLAND**. Do I correctly understand that the amendment proposed by the distinguished chairman of the Committee on Agriculture and Forestry and also chairman of the Senate conferees would, in effect, continue the program for 2 years instead of the 3 years heretofore provided in the bill or the 1 year provided in the House bill?

Mr. **ELLENDER**. That is correct.

Mr. **HOLLAND**. Do I correctly understand that the wording with reference to the funding of the program from year to year means that it must be funded out of general revenue appropriations, and not from a special fund, like the section 32 or other special funds earmarked for similar objectives?

Mr. **ELLENDER**. The Senator is correct.

I may add that we are really adopting the Senate bill as it was passed by the Senate in June, except that instead of being a 3-year bill, it will be a 2-year bill.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

The **PRESIDING OFFICER**. The question recurs on agreeing to the committee amendment on page 29, line 4.

Mr. **MAGNUSON**. Mr. President, I merely wish to add, because I know there will be further discussion on this matter, the following:

The Participation Sales Act of 1966 was enacted May 24, 1966, as Public Law 89-429, and participation sales authorizations in varying amounts for the accounts of the Farmers Home Administration, the Office of Education—the Department of Housing and Urban Development, the Veterans' Administration, and the Small Business Administration were included in the Independent Offices Appropriation Act for 1967, together with an appropriation for the payment of insufficiencies.

For 1968, these authorizations are included in four appropriation bills. The large items, the VA and the FHA, of course, are in this bill. The Farmers Home Administration has been taken care of in the agricultural bill.

The Office of Education is in HEW, and that is now in conference. The Small Business Administration was handled by another committee. But the bulk of the amounts we are talking about is in the Veterans' Administration and HUD.

Mr. **WILLIAMS** of Delaware. Mr. President, the committee amendment would strike the House of Representatives figure of $300 million and insert in lieu thereof $850 million, an increase of $550 million over and above the House figure.

This is an authorization for the sale of so-called participation certificates. This provides additional spending money for these agencies, exactly as would be done if we were to appropriate the $850 million directly. The difference is that by camouflaging this $550 million under the guise of selling our assets labeled as participation certificates it does not show up in the reported deficit at the end of the year, neither does it show up as a part of the national debt nor does it come under our national debt ceiling.

So the sole purpose of adopting this procedure to finance the cost of the Government is to give the administration a chance to deceive—and I emphasize the word "deceive"—the American taxpayers as to the true amount of the expenditures under this Great Society program.

In order to achieve that purpose these participation certificates are selling in the open market at an average interest rate of slightly more than six-tenths of 1 percent higher than Government bonds; yet they carry a guarantee on each of these participation certificates, pledging the full faith and credit of the U.S. Government toward not only repayment of the principal but also payment of all the interest. So they are just as solid and carry just as strong a guarantee from a financial standpoint as do our Government bonds themselves. Every banking institution in America knows that, but members of the general public, in buying securities, automatically picture a Government bond as being more solid than a security that carries some other name. The fact that these are named participation certificates and sold by the FHA confuses them. They do not read the fine language which say that these are just as solid and have just as much of the faith and credit of the U.S. Government behind them as do series E bonds or any other Government bonds.

In order to deceive the American taxpayer as to the extent of the deficit this back door method of raising money is being used, and to do that, as I have stated, we are paying an extra 0.6 percent in interest charges.

We already have outstanding a little more than $9 billion in this type of participation certificates. They are costing us today around $54 million a year more just to pay the additional interest charges on these bonds. This is above what it would cost if we had financed the cost of Government in the normal manner and as it has always been done heretofore. That $54 million is being paid for one purpose only, to give the administration a chance to deceive the American people as to how much it is spending under these programs.

This proposed $550 million alone will cost an additional $3.3 million—$3.3 million a year in interest charges above what it would cost if we struck this item out, appropriated the money in a normal manner, and sold Government bonds. I repeat, they will have the full faith and credit of the U.S. Government behind them.

Over in another section we have a request for an additional authorization to sell $2,385,000,000 participation certificates. If that is added, by adopting this bill as reported by the committee we will be providing $2,804,000,000, additional spending money for these agencies over and above the amount that was provided in the House bill. The only difference is that it will not be shown on the front page of the committee report, which shows the amount being appropriated for these agencies; it will not show in the deficit reported next June 30 by the administration; and it will not show in the national debt.

But the money will be spent. We will eventually have to pay it just the same as we would any other Government bond; and on just this additional $2,804,000,000 provided for in the Senate bill it will cost $20 million a year extra interest for the life of the bonds, whether that be 5 or 6 years. If they are 5-year bonds we will be paying an additional $100 million to finance the Government in this manner for the sole purpose—and there is no other purpose for financing the Government in this manner—of deceiving the American people as to how much is being spent on these Great Society programs.

Under this procedure the expenditure will not show up anywhere in the budget. It can be used to defray the general cost of operating the Government in the same manner as any other appropriated funds.

This is a deceitful method for financing the Government. It is deceitful for such a proposal to be advanced by an administration which has said so much about advocating truth in lending and truth in packaging.

Then the administration comes along with this proposal. The White House has not been telling the American people the truth about the cost of government.

I think it is time that this administration started practicing what it preaches. Let the Senate be on notice that if we agree to the committee amendment, not only are we approving a procedure by which to deceive the American people but we are also approving a procedure to give to these agencies an extra $550 million above the amount that the House gave them, and that increased amount will not show up anywhere at all in the budget.

This is $550 million which the agency itself does not need.

This issue was debated in the House, and the RECORD shows that the Veterans' Administration will need an estimated $156,210,000 to take care of its direct loan programs. It will also need an approximate $20 million for administration expenses. That is a total of approximately $176 million that the House provided, even under the same procedure. So if this proposal is rejected, the agency would have more money than the administration would even need to carry out its operations next year.

Why give an extra $550 million for one purpose only? As I said, so that this administration will have an extra $550 million in the kitty to spend for some of the Great Society programs. Then it can go out and tell the American people how it is cutting down on expenditures and trying to reduce the cost of government when in reality they are not doing so at all. They are increasing spending.

It is the same procedure as if a wage earner who was earning $150 a week were to pawn or sell his watch for $50 and then say: "I have $200 to spend this week."

The Government is selling its assets and putting the money in the general revenue of the Government, using it as normal income or normal spending money, and thereby increasing its daily expenditures without showing it on the record.

The only objective to be achieved by the adoption of this method of financing is to postpone the day of accounting until after the election.

I think this is one of the most deceitful and expensive methods of financing ever proposed to Congress.

I hope the committee amendment is overwhelmingly rejected.

The administration does not need this $550 million.

I have pointed out that the bill already contains $445 million more than the House bill. The amount is already $880 million more than the same agencies received last year, and here the committee would add another $550 million to those figures.

The amendment should be rejected.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, the Senator from Delaware suggests that we go back to the House figure. However, he then makes a very startling statement about this being a deceitful program.

If it is deceitful with relation to $850 million, it must be deceitful with relation to $300 million. I do not follow the argument of the Senator.

Mr. WILLIAMS of Delaware. Mr. President, I ask the Senator from Washington whether he will go along with me on a vote to strike it all out.

Mr. MAGNUSON. Perhaps we should if we are not going to allow the full amount.

Mr. WILLIAMS of Delaware. Mr. President, on behalf of the Senator from Washington and myself, I will amend the amendment and move to strike it all out.

Is the Senator with me on that?

Mr. MAGNUSON. No. I am for the program, and the Senator from Delaware is against it.

I would think the Senator would vote to strike it all out. If it is bad with relation to $850 million, it is bad with relation to $300 million.

Everyone knows what the argument is about. Many Senators sincerely and honestly voted against the authorization for participation sales in 1966. There was a long debate in the Senate. It was a very controversial matter in the House, too.

Those who do not like the idea of participation sales are always against the proposal to allow the amount of authorization to be used by these agencies that participate in this program.

We held long hearings on the matter. The hearings were open to the public. We have gone into the matter backwards and forwards.

It all adds up to the same thing. Those who are against the program that was passed by Congress are against authorizing any ceiling for these people that participate.

If we are going to have the program—and it is now the law—we ought to give them leeway to sell these certificates. Perhaps they will not sell the entire amount.

The testimony is clear. They sell them when the market is favorable in their opinion. And they do not sell them when the market is not favorable.

What is the use of saying that we can only sell a portion of the certificates under the law when it might be advisable to sell more?

The proceeds of these sales are not applied against any of the expenses of government. The proceeds go back into the separate trust funds. Instead of having paper in the Treasury for all these agencies, we have received cash from the certificates.

It is not a part of the debt. We have gone through that argument here. I listened to it for many days.

I know why they want to make this part of the debt. Everybody knows that. There is no secret about that. I suppose, in all fairness, this might have happened if the tables had been turned. We would be politically against the proposal.

The only obligation on the part of the Government would be with respect to those matters that are in default.

The default record of the Veterans' Administration and the FHA and the Farm Home Mortgage Association is very good, as I remember, and the college house loan program has shown a profit. It is not a part of the debt.

I do not think that we should belabor this matter. These are the same arguments that were made with respect to the bill. This is now the law. We have the authority to sell participation certificates. I do not see why we do not say that they can sell any piece of paper they have if the market is right. Otherwise, we should cut it out altogether. Why should we put a ceiling on it?

That is the argument that was made in committee. I know that those who are against the original act will vote against this. They probably should vote to cut it all out. However, I cannot follow the argument that it is deceitful with relation to $850 million if they have the paper, but it is not deceitful with relation to the $300 million.

I am no bond expert. I am no fiscal expert. However, I do think I know something basic. If the law is there, let them go ahead and sell as much as they can when the market is right. If we do not want to do that, we should repeal the law.

I know that many people do not agree with the law. However, to say that it is part of the debt is not true. There is no testimony to the effect that it is part of debt. It could not be part of the debt.

This does not involve the appropriation of any money. And the only time it could be different would be when the certificates or mortgages became due. And our record on that, with respect to default, is far better than the record of private industry.

I just wanted the record to be clear. I hope the Senator from Delaware was not suggesting that the committee was practicing some kind of deceit.

Mr. WILLIAMS of Delaware. No, not at all.

As I say, it is deceitful from the standpoint of the administration.

Mr. MAGNUSON. Nothing is discussed more and understood less on the part of some people than this matter.

A lot of people do not believe in this method. This method has been suggested by other administrations. It is not new with this administration.

It is a method by which it is possible to take advantage of a lot of paper that is lying around, paper running into the sum of billions of dollars, and getting some cash for it.

And it can only stay in the separate trust funds. Otherwise, there may have to be some further borrowing and addition to the debt.

It is true that we have to appropriate, as the market changes, for the sales in insufficiencies. In this particular case, that amounts to $946,000 for the sale of $850 million.

Mr. BURDICK. Mr. President, will the Senator yield for a question?

Mr. MAGNUSON. I yield.

Mr. BURDICK. Is it true that the participation sales certificates will carry a higher rate of interest than the original obligations, part of which will have been sold?

Mr. MAGNUSON. Yes. In VA, it is higher.

Mr. BURDICK. How much higher?

Mr. MAGNUSON. That depends on the market. There has been much testimony, but the total for the estimated insufficiencies would be $946,000. Last year, the general sales—this includes all of them—were different because the rates went up.

The insufficiencies, of course, are the difference between the interest accrued on participation certificates and the net interest income on the pooled obligations.

In only one agency, VA, the income exceeded the interest on the certificates, resulting in no insufficiency. For HUD, last year, $1,420,000,000 was authorized, and the insufficiencies were $8,200,000.

Mr. BURDICK. Who makes up the difference?

Mr. MAGNUSON. Congress makes up the difference by an appropriation; $8,200,000 for the sale of $1,420,000,000. Of course, that varies.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. MAGNUSON. I yield.

Mr. ELLENDER. In respect to the interest, is it not true that the only additional interest we will appropriate will be the difference between the interest that these securities bear and the amount for which the certificates will be sold?

Mr. MAGNUSON. The Senator is correct.

Mr. ELLENDER. And we are making an appropriation for that purpose?

Mr. MAGNUSON. Yes.

In the case of the VA, we are able to sell the certificates with no insufficiency. With respect to HUD, we authorized $1.4 billion last year, with an insufficiency of $8.2 million for an estimate of the indefinite, as we call it. On these sales, the books showed an insufficiency totaling $6.9 million, which is further reduced by the use of reserves in the trust account in the amount of $440,000.

I say to the Senator from North Dakota that the total insufficiency on the total amount and the net added up to $5,564,000.

Mr. ELLENDER. The record does show that if we borrow the money instead of selling these securities, the interest might be a little less. I presume that is what the Senator from North Dakota has in mind.

Mr. BURDICK. The Senator is correct.

Mr. MAGNUSON. We have the cost of selling participation certificates compared with the cost of Treasury borrowing.

The director stated in his testimony before the committee that recent experience showed that the Treasury can borrow at the rate of, roughly, .4 percent to .5 percent points below the rate paid on the guaranteed participation certificates. Based on this experience, the difference in the annual cost of selling $3.2 billion worth of participation certificates, proposed by the administration for these departments, and the Treasury borrowing the same amount, would be between $12 million and $16 million, on $3.2 billion.

Mr. ELLENDER. And the record further shows that this gap is becoming narrower.

Mr. MAGNUSON. The Senator is correct.

Mr. ELLENDER. Also, it is believed that after those who purchase these certificates become more familiar with them, the certificates will probably bear the same interest as would a bond.

Mr. MAGNUSON. The fiscal experts suggest that they will seek a level, and this is the only cost we had.

Mr. BURDICK. But at this moment, it would be cheaper to borrow the money than to sell participation sales certificates?

Mr. MAGNUSON. It would be cheaper by $12 million to $16 million at present. But you still have the use of $3.2 billion of participation certificates in this particular case.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HOLLAND. Mr. President, it seems to me that we are making an awfully complex issue out of this matter, when it is not so at all. People are always complaining that the Government does not operate as a well organized and well managed business would operate. Here we have a government trying to operate as a well-organized and well-managed business would operate, by marshaling its assets, by pledging some of the good securities it holds, and by avoiding the necessity to borrow on the open market and to drive up the borrowing price for its securities generally. Instead, the Government is simply trying to obtain the present worth, by this method, of good securities which it holds, to keep borrowing to a minimum.

There is no possible deceit in this method. I call the Senator's attention to the fact that the very next section on page 29 shows that we are appropriating money to pay for the sale of insufficiencies in the amount of $946,000—that is, not to exceed $946,000. We cannot tell exactly what it will be, because we do not know what the market is going to permit.

Mr. MAGNUSON. It can be no higher than that.

Mr. HOLLAND. It can be no higher than that.

We know that, under our system, no money can be spent except under appropriations made by Congress or pursuant to laws passed by Congress, and every dime that is spent will be shown in the spending budget that comes in at the end of the year.

I am sorry that the distinguished Senator from Delaware has used the word "deceit," when the act itself lays the entire matter on the line, and when everybody knows that this is simply a marshaling of assets to proceed in what Congress has decided is the most prudent way to proceed; and I hope the RECORD will clearly show that.

Nothing can be concealed. The act itself shows a minor appropriation of not to exceed $946,000, to make good any deficiency that may result in the matter of the VA participation sales.

Mr. MAGNUSON. And it may not even amount to that.

Mr. HOLLAND. The Constitution requires—and will continue to require—that no money of the Federal Government can be spent except by appropriation of Congress or pursuant to laws passed by Congress. So the entire matter will be just as clear as a bell.

I am surprised that my good friend, the distinguished Senator from Delaware, whom I admire greatly on most points and who is a successful businessman himself, is not able to see that in this instance the Government is adopting a practice which sound business would always adopt; because it is foolish to overborrow when you have good paper which you can hypothecate to ease your problem of the moment.

I believe this is a wise course to pursue, and I thank the Senator from Washington for having made the point.

Mr. MAGNUSON. I thank the Senator from Florida for putting this matter into proper perspective.

Some fiscal experts suggested that if the certificates were not available, or the potential for buying the certificates, the interest on Government bonds might go up a little, so that they might even be higher.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the cost statement in full, with respect to the insufficiencies, and a statement from the Department of Housing and Urban Development on income and expenses relating to FNMA. This is the entire group. Income and expenses relating to the participation sales trust fund for fiscal year 1967.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

Cost of Selling Participation Certificates Compared to Cost of Treasury Borrowing

As the Director stated in his testimony before the Senate Committee, recent experience shows that the Treasury can borrow at an interest rate roughly .4 to .5 percentage points below the rate paid on guaranteed participation certificates.

Based in this experience, the difference in the annual cost of selling the $3.2 billion of participation certificates proposed by the Administration for the Department of Housing and Urban Development and the Veterans Administration (the two agencies included in the Independent Offices Appropriation bill) and Treasury borrowing of the same amount would be between $12.9 and $16.2 million.

The similar difference for the $881 million of participation sales included in the House passed bill would be between $3.5 and $4.4 million.

However, we do not expect that the rate differential experienced in the first year of selling these participation certificates will continue as the market becomes familiar with them. We have been advised by at least one investment banker that over a period of time, as the certificate is improved as a market instrument and the market becomes fully familiar with it, we might reasonably expect the yield spread to decline as low as .1%.

Probably even more "objective" is the following excerpt from the highly critical article in the Morgan-Guaranty Survey last fall:

"Currently, outstanding PC's are typically changing hands in markets at yields about 50 basis points higher than is true in the case of regular government obligations of the same maturity. This, however, undoubtedly overstates somewhat the "normal" yield spread, since the supply of longer-term Treasury obligations has been kept artificially low by the legal prohibition against selling new Treasury issues at a rate above 4¼%. A true "normal" probably would be closer to 25 basis points—a figure that Administration spokesmen think can be approached as buyers become more familiar with PC's and as they come to appreciate the strength of the guarantee behind them."

The .25% differential would make this difference in cost for the $3.2 billion recommended by the Administration $8.1 million, and the .1% differential would reduce it to $3.2 million.

This Is Not the Time To Change an Established Procedure

There is nothing new in this year's request for authorization to sell participation certificates. It continues established practice.

Sales of individual loans have been made for two decades or longer. During the Eisenhower Administrations they amounted to an estimated $1.6 billion. In Fiscal Year 1954, that Administration invented two interesting forerunners of present day participation sales. The CCC in October 1953 sold the first of a series of "certificates of interest" for participation in pools of price support loans. In February 1954, the Reconstruction Finance Corporation placed 2,800 loans valued at $50 million in a pool and sold "certificates of interest" in the pool. Increased emphasis was placed on asset sales in the 1960 Budget, particularly sales by FNMA and by the Export-Import Bank.

In a January 1959 press conference on the 1960 Budget, Director Stans said in response to a question dealing with FNMA and Export-Import Bank sales in the budget estimates:

"I will defend it on this ground and I think this is adequate. The alternative, frankly, is to run a deficit and sell Government bonds to finance it or to raise taxes, and I think it is proper business judgment in the Federal Government as in any other enterprise, when you are in that kind of position to look to assets that you can liquidate in order to pay your bills . . . It is like an individual selling off 100 shares of stock in some year in which he has to pay for some operation for his wife."

As you know, the President has established a Commission to study current budgetary concepts and make recommendations for changes in budget presentation. The distinguished Chairman and the Ranking Minority Member of the Senate Appropriations Committee are on this Commission. I understand that the Commission will be reporting in the near future on the whole question of treating lending programs in the budget. Under these circumstances, it is particularly inappropriate to change an established procedure. This budget handles loan programs in the same manner as other budgets submitted to Congress over the last two decades. Clearly, we should continue this practice for another fiscal year.

Congressional Controls Over Use of Proceeds From Sales of Participations in Pools of Loans

The sales of participations in pools of loans have not in any way changed the controls which Congress has over the various loan programs involved.

Basically, each of the loan programs has been financed by the Congress through a revolving fund, in recognition of the business-like character of the programs. The Congress provides the capital for the fund, either through appropriations or authorizations to borrow from the Treasury. This capital is used by the agencies to make the loans authorized by the basic statutes. As the principal of the loans is recovered by the agencies, through regular repayments, prepayments and sales of loans or participations in pools of loans, the capital can be used to make additional loans. The sale of loans or participations in pools of loans does not increase the capital of the fund, but does speed up recovery of this capital and increases the frequency at which new loans can be made.

In addition to the basic limitation of the amount of capital in the fund, Congress has in many cases added additional limitations on the use of the capital of the revolving funds for loans. This has been done in two ways:

First, basic authorizing statutes limit the total number of loans, commitments for loans, and, in some cases, loan guarantees that may be outstanding.

Second, Congress has in some cases enacted in annual appropriation acts limits on the *annual* use of the capital of the funds.

Finally, the proposed use of the capital in each of the funds is presented to the Congress in the budget each year, and is subject to review by the Appropriations Committees, and the Congress.

CONTROLS IN BASIC STATUTES

The outstanding loans, commitments, or guarantee of the Small Business Administration (excluding disaster loans) cannot exceed $2 billion. Loans or mortgages placed in participation pools still count against the limitation, since they are guaranteed by SBA. The agency is now approaching this limitation, and legislation is pending before the Congress to increase it.

ANNUAL LIMITATIONS IN APPROPRIATION ACTS

The basic statutes authorizing the loan programs of the Farmers Home Administration and the academic facilities program of the Office of Education require specific appropriation authorizations for new loans. Therefore, regardless of the amount of the capital in the various revolving funds, the agencies cannot make new loans during the year in excess of the amount provided in the annual appropriation act.

In addition, the Congress has for several years placed a limit on the use of capital in the Veterans Administration Loan Guaranteed Revolving Fund. Although this capital is used only to pay claims made by holders of guaranteed loans which have defaulted, and therefore is uncontrollable since the agency cannot control the number of claims, the Congress has limited the amount which can be spent for such claims in the year.

These limits are in no way affected by the amount of capital in the funds involved, or by the recovery of capital through sales of participations.

OTHER APPROPRIATION CONTROL

Not only the programs discussed above, but every one of the major lending programs authorized to issue certificates of participation submits budgets for review.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—FEDERAL NATIONAL MORTGAGE ASSOCIATION—FEDERAL ASSETS LIQUIDATION TRUST—INCOME AND EXPENSES RELATED TO PARTICIPATION SALES TRUST FUND, FISCAL YEAR 1967[1]

	Total	FNMA SAF	FNMA M. & L.	HUD	VA	FHDA	HEW	SBA
Net interest income on pooled obligations	$28,534,730	$2,178,156	$7,056,774	$4,118,157	$3,523,212	$5,998,588	$1,098,212	$4,561,631
Interest accrued on participations certificates	36,537,778	3,539,753	9,133,411	6,689,346	3,242,801	6,614,471	1,586,949	5,731,047
Insufficiency (−)	8,283,459	1,361,597	2,076,637	2,571,189		615,883	488,737	1,169,416
Excess	280,411				280,411			
Net income on investments by the trust less expenses of the trust	953,897	57,210	377,387	10,151	63,568	198,396	3,292	243,893

[1] Fiscal year 1967 sales under the 1967 Appropriation Act (in millions of dollars):

	Total	FNMA SAF	FNMA M. & L.	HUD	VA	FHDA	HEW	SBA
Jan. 19, 1967	1,100	100	365	150	100	170	60	155
Apr. 5, 1967	900	100	50	265	75	220	15	17
June 29, 1967	900	100	25	265	85	210	25	190
Total sales	2,900	300	440	680	260	600	100	520

Source: Program and Operations Analysis Division, Aug. 28, 1967.

Mr. MAGNUSON. I yield the floor.

Mr. ALLOTT. Mr. President, I regret very much that on this matter I must differ with my chairman. I am sure that he would be the first person to say that I did reserve all of my rights in committee and that the entire committee was fully aware that this was one portion of the bill with which I could not agree.

During the course of the committee hearings various efforts were made to arrive at compromise figures. None of these efforts could be agreed upon because the chairman himself felt that he wished every one of these dollars in the participation sales certificates, as it applied to this bill, to be in the bill.

There are two items, one under the Department of Housing and Urban Development, which we will come to later, and this item for $850 million for the Veterans' Administration. These two items together constitute $3,235,000,000 of the total $4.4 billion for which the President has asked authority this year.

Contrary to the feeling of some people, there were certain basic political issues that I think we all understand in this matter, but I do not think there are many persons who understand completely the ramification of the participation sales program. For example, I do believe it is a sale of Government assets. People may differ as to this view, but what we do is to take notes and mortgages that one department or branch of the Government may hold and we combine this, and then cover them by a certificate which is handled through the Federal National Mortgage Association, commonly called FNMA, and they are resold to the people of the United States.

Mr. President, several interesting things happen in the course of this process. No. 1, there is no question that increased spending—and it is increased spending—for which Congress does not immediately appropriate or directly appropriate, is brought about by this process. In other words, in the case we have before us in connection with the Veterans' Administration participation certificates, the Veterans' Administration has deducted from it by FNMA the expense of issuance and marketing of the participation certificates, and the expense of the interest differential. Then, that money goes back to the Veterans' Administration in its revolving fund. If it were not done by this process, Congress would have to vote money into that revolving fund in order to carry on that activity. So, in my opinion, the normal legislative processes of the Congress are averted.

To be more specific in this area, it occurs to me that the committee dealing with veterans' affairs, and in this instance it would be the Committee on Finance, should have to delve deeply into the need for additional moneys or additional obligations for the Veterans' Administration and would then have to authorize it and appropriate it.

As it is, we have increased the amount they can spend or would increase it by some $850 million by this bill without anyone—and I say anyone—in committee having taken a hard look at the actual needs of the Veterans' Administration for more money in this fund.

There are some other interesting things that happen. I believe that this participation certificate item is inflationary. We cannot pick up the papers on any day of the week or be in contact with the news media without seeing literally dozens of articles discussing the inflation in this country.

Last summer at a conference I heard the Secretary of the Treasury and the President's Chief Economic Adviser admit the impact of deficit spending in this Government was in the ratio of $4 to $1, so that with the total participation certificate program the effect of enacting and authorizing it is the same as printing $16 billion worth of money and throwing it into the economy.

I do not think that any economist will deny this is inflationary and in this period in our history when according to the President, we are facing some $28 billion worth of deficits for the fiscal year. I think we do not wish to add any more fuel to the fire of inflation in this country.

There is another interesting result of this process that I think should be noted by every person. A few days ago a gentleman from my State was in my office. He is the president of a savings and loan institution in one of the three largest cities in my State. Purely out of a casual conversation, he told me the following: He said that he had put in an order for some Government bonds and he had been told when he put in his order, that he could get only 20 percent of the order which he had placed. However, after a few days, they gave him 38 percent of the order, indicating, I think, a pretty soft market for Government bonds.

Now, do I say that only upon the basis of my thinking? Not at all, because at that time the bonds which he purchased, which bore 5⅜ percent interest, were discounted to a price of $990.20 per thousand and bore maturities of about 3½ years. However, the significant thing about it is that these bonds of the Federal Government, bearing a maturity of about 3½ years, bore him a 5.40-percent yield for the purchase price that he paid.

In other words, just a few days ago, and this is an actual purchase, which yielded 5.40 percent for U.S. bonds. I do not have permission to use the gentleman's name but I can give it to anyone who wants it and they can check it out.

It is an incomprehensible situation. Last year when we had the participation sales program in effect we had one purchase that yielded up to 5.75 percent interest on participation sales certificates.

The testimony in the hearings was that the average price for participation certificates was near 50 points or one-half percent, above Treasury issues. So on that basis, with U.S. bonds selling at a yield of 5.40 percent, with the requirement of law that the participation certificates must sell at par, which they must under present law, we are faced with seeking a method of financing today which must bring in the neighborhood of 5.90-percent yield.

This would not be too bad, because most of us could not go to the bank and borrow money at that rate. But this is the Federal Government. The participation certificates carry on their face—I do not have the exact words, but the substance of it is that it is the absolute guarantee of the Federal Government, the Federal Government is responsible solely and wholly for repayment of the certificate.

Another interesting thing happens when this occurs. On this particular item we are talking about now, it is true that the interest differential for which we would be appropriating is only $946,000.

I see my friend from North Dakota, the junior Senator [Mr. BURDICK] in the Chamber, who asked a question about this a while ago.

Take the situation with college housing loans. Last year, $100 million was authorized. This year, $200 million is asked for.

Those particular loans carry interest only at the rate of 3 percent. Thus, with respect to that item, and to try to explain the question the Senator asked of the distinguished chairman, at the present price of the certificates, it would mean, in all probability, that the Government would have to subsidize the interest on participation certificates as they relate to college housing loans to the extent of almost 2.9 percent.

In other words, the sale of the certificate today, if the testimony given to us in committee is true—and I think it is—with Government bonds selling at 5.40-percent yield, and we add 50 points to that, which is half of 1 percent, the going price for the participation sales certificates would be somewhere in the neighborhood of close to a 5.9-percent yield. So, in the case of college housing, we would have an interest differential of almost 2.9 percent.

Mr. COOPER. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. COOPER. The Senator may have discussed this, but I ask this question: Are the proceeds from the sale of participation certificates allocated to a specific purpose?

Mr. MAGNUSON. Trust funds; yes.

Mr. ALLOTT. Yes, in each instance, the proceeds of the sales, while they are amalgamated and combined in FNMA, the proceeds of the sales go back to the individual trust funds, whether it be agriculture, Farm Home Administration, college housing loans, Public Health Service, Small Business Administration, Veterans, or housing. In each instance, the funds go back through FNMA to the agency.

Mr. COOPER. My next question: Would this not enable the agency to make additional loans?

Mr. ALLOTT. That is right. They could then make additional expenditures.

Mr. COOPER. I asked that question, bearing in mind the great interest which has developed in housing.

Another question: Will this enable the agency which makes the loans, say, for housing, to do something they would not otherwise be able to do other than appropriate funds themselves?

Mr. ALLOTT. Yes, it does. I should say, unless Congress would either increase the amount of the trust funds or appropriate funds for it—that is, unless Congress would do that.

Mr. COOPER. One further question: Was it stated in testimony that sale of participation certificates was a necessity in view of the present shortage of housing? Was that argued?

Mr. ALLOTT. No, it was not. It was not argued. That is one of the points I made previously, that by taking this route of participation sales—if we are thinking, for example, of housing for the elderly—we do not have a specific program coming before the Subcommittee on Banking and Currency to determine at what level housing should be funded in this country, nor do we have that particular item, without a hard look at that and the authorization, unless it is before the Appropriations Committee to determine whether the findings of the authorization committee are correct as to the level of housing that should be funded.

Mr. COOPER. Assuming that Congress did not approve this sale of participation certificates, whereby the proceeds would not be paid into these funds, would that seriously affect or prevent the provisions of housing about which Congress talks a great deal and about which the country is so much concerned?

Mr. ALLOTT. No; because they could come in with a supplemental request. In other words, the only way they could be thwarted is if Congress refused to act. I would assume that Congress would act if it was justified.

Mr. COOPER. The point is, the trust funds must have this money either through the sale of participation certificates or through direct appropriations by Congress.

Mr. ALLOTT. That is correct.

Mr. COOPER. What is the attitude of the committee toward appropriation of funds which will be needed if the sale of the participation certificates is not approved?

Mr. ALLOTT. These funds were built up in the original instance by Congress authorizing them and appropriating them.

Mr. COOPER. I understand the way we have been creating them. My direct question now is: If Congress does not approve this sale of participation certificates, and the use of the revenues from the proceeds of the certificates to replenish the funds of the different agencies, will that mean that the provision of housing for the elderly, for middle income housing, or for low rent housing would be seriously affected or denied to these people?

Mr. ALLOTT. I do not think so, because the effect would be at least 9 months away and Congress, if the need was there, could authorize additional revolving funds, and appropriate.

Mr. MAGNUSON. I refer the Senator to page 29, on loan revolving funds. There we limit that not to exceed $386 million to be used——

Mr. COOPER. Has that limit been reached?

Mr. MAGNUSON. No.

Mr. ALLOTT. No. That has a ceiling on it.

Mr. LAUSCHE. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. The Senator from Colorado stated, in answering the Senator from Kentucky, that the sale of participation certificates will make available money that will go into the treasuries of the different agencies engaged in providing housing; is that not correct?

Mr. ALLOTT. Yes, the trust fund.

Mr. LAUSCHE. In the trust fund.

Mr. ALLOTT. In most cases.

Mr. LAUSCHE. Is it not a fact that when we sell participation certificates and turn the proceeds over to the different trust funds at a later date, we will have to make repayments and, thus, at a later date reduce the amounts of moneys which will be available.

Mr. ALLOTT. I do not know that anyone can answer this question. I doubt it very much. But the money later will have to come out of the trust fund, as I understand.

Mr. LAUSCHE. To pay the trust certificates.

Mr. ALLOTT. To pay the certificates.

Mr. LAUSCHE. To pay the certificates.

Mr. ALLOTT. So we are really deferring and putting off facing the situation.

Mr. LAUSCHE. We are deferring and putting off the facing of the situation. We are saying that we will sell these participation certificates to get money now, although we realize that these participation certificates will have to be paid, and when they are paid, there will be that much less money left in the revolving fund.

Mr. ALLOTT. Yes.

Mr. MAGNUSON. They are paid for by the receipt of payments of the people who owe the money, not the Treasury.

Mr. LAUSCHE. But the ability of the trust is gone; the revolving fund will be reduced.

Mr. MAGNUSON. The only thing the Treasury would have to pay for would be defaults.

Mr. LAUSCHE. If we are now getting money hurriedly to meet services we want to render by selling certificates, we are doing the equivalent of borrowing. If we are doing the equivalent of borrowing, we have to pay the man who lends us the money. When we pay him, we have that much less money.

Mr. MAGNUSON. We do not pay anything.

Mr. LAUSCHE. We have to pay off the certificates.

Mr. ALLOTT. There is confusion about this, but the Senator from Ohio has put the picture clearly.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. WILLIAMS of Delaware. I think it should be pointed out that the original money that went into the trust fund was money appropriated by the Congress. That money was loaned in the form of mortgages. The idea was that when the mortgages were repaid that money could be put back into the trust fund and used to repay the Treasury. Instead of that we are selling the mortgages as participation certificates, pledging the mortgages as collateral. We are therefore draining the trust fund, as was pointed out.

The Senator from Kentucky asked the question, What would happen if we did not authorize the sale of the participation certificates? The answer is, Congress would have to appropriate money as needed and as we have always done; but when we did it that way it would show up as a part of the appropriation, it would show up as part of the expenditures, it would show up as part of the national debt, and the American people would know about it.

As it is now the money goes to agencies, and it is extra spending money; but it does not show up that way at all.

If we look at the committee report it says on the first page that this is an appropriation bill for $10.431 billion. Yet we are really appropriating about $13 billion of spending money, because that spending money is not counted or shown at all on the front page of the committee report. That is why I say it is deceitful and that the American people are not being told the truth. This money does go into the normal spending stream, but this money is spent without any public accounting being made for the amount of expenditures or spending. It is deceitful as far as the American taxpayers are concerned.

When I say "deceitful" I mean that under this procedure the Senate would be passing a bill on the assumption that it is appropriating $10.4 billion when in reality if all the committee amendments are accepted it will be authorizing expenditures for these same agencies during fiscal 1968 of close to $14 billion. Why not tell the truth?

Mr. ALLOTT. Mr. President, I cannot agree with the last statement of the distinguished Senator from Delaware—I think there is an accounting—no matter how much I disagree with the method of handling this.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. ELLENDER. I regret that my good friend from Delaware has again used the word "deceitful." To begin with, all the collateral the Senator is speaking of has to be made available in appropriated funds to each of these departments. The whole amount appears in our debt structure.

Mr. WILLIAMS of Delaware. That is correct.

Mr. ELLENDER. Under the law, if the securities are redeemed at maturity, the receipts are placed in the trust fund and they may be used by the Veterans' Administration or any other agency that has issued them.

Mr. ALLOTT. Mr. President, may I interrupt a moment? But in the meantime the trust fund has to reimburse FNMA.

Mr. ELLENDER. But as the money is collected, even after the certificates are issued, the collected funds are set aside to redeem those certificates. It is not used over and over, as the Senator from Delaware said.

In selling these certificates, we in effect accelerate the program. Instead of waiting 5 or 10 years to use the money collected, we borrow it, and the only additional amount of money the Government will be out is the difference between the rate of interest that these collateral securities bear and what we sell the certificates for. That will be the only additional cost placed on the Government.

Mr. ALLOTT. I do not agree exactly with the Senator.

Mr. ELLENDER. What did I say that is not right?

Mr. ALLOTT. We are not only turning over and escalating the amount of money, which does increase inflation, but we are doing it at an additional cost to the Government. For example, the total that would be required as indefinite appropriations for the interest for these items, which is interest deficiency, would be $58.6 million.

Mr. ELLENDER. That is the difference in interest.

Mr. ALLOTT. That is correct.

Mr. ELLENDER. That is what I just said. I did not give the amount. The Senator has given the amount. But that is the additional fund we must provide, and that is the difference between the rate of interest the certificates bear and the rate which the Government receives on the collateral. That is the only difference.

Mr. ALLOTT. It is a great difference, I believe.

There is one other unusual result of the indulgence in participation certificates, and that is that in such instance these certificates are sold in amounts which are not less than $5,000. This may not be significant, and I do not like to tweak the nose of people, but it is a fact that what we are doing by this process is giving to the people who manage large funds, loan institutions, mortgage institutions, insurance institutions, foundations, people who can invest in large amounts, in effect a one-half percent interest subsidy over what they could get on a U.S. bond.

I have listened to all the testimony. I am aware that perhaps it is not feasible to issue $4 billion worth of certificates in denominations of $1,000 or less, but I am also aware that, through this process, the banks and the people I have mentioned are the only ones who can participate in this extra one-half percent interest subsidy from the Federal Government.

This is a practice which I think should be corrected in some way, and it ought to be corrected administratively. I think it can be, without any additional legislation. If it is not done, I think Congress can do it.

For these reasons, I feel that the amendment of the distinguished Senator from Delaware has great merit.

I am really sorry to have to disagree with my good friend, the chairman, on a major matter like this, involving a bill over which we have both worked laboriously, and in which he has done such a fine job; but I think the points that I have made here illustrate adequately why we should support the amendment of the distinguished Senator from Delaware.

It has been said here today that we ought to go all or none. The House spoke very forcibly to this point. They said they were afraid of building up the activity too far.

We live in a political climate. The Senate is a political body, and the House is a political body. As such, we operate within the realm of what is possible; and I think doing what is within the realm of possibility is to go with the House figure, which it seems to me is wholly reasonable.

For those reasons, I support the amendment of the distinguished Senator from Delaware, and I hope it will prevail.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Colorado called attention to the variation in the interest rates. I refer to today's Wall Street Journal. Senators will find listed there two issues of FNMA notes and debentures, one drawing 5⅞ percent and one a 6-percent issue due in December 1969. Those participation certificates have been selling on an average interest rate of about six-tenths of 1 percent higher than they would have if Congress had appropriated the money and let the Government borrow the money in the normal manner, issuing a Government note.

Emphasis has been placed on the small cost of financing this $850 million in this manner. Mr. President, the next amendment provides $946,000 to defray the extra cost. I point out that one should not sneeze at the $946 million but that is only the beginning. This is a new program, just authorized, to sell these VA certificates, and it has not really had time to get underway. The real cost will show up in next year's appropriations bill.

When we turn over to page 40 of this same bill we find the proposal to sell $2.385 billion worth of FHA participation certificates, and we find that $42,115,000 has been included for the payment of insufficiencies on that item alone.

So we have in this bill a total of $43 million to pay for extra cost of using this procedure of financing.

In 10 years that is $430 million spent for what? To promote a plan for deceiving the taxpayers.

Mr. President, there are many things we could do with that $43 million. Here it buys absolutely nothing except a method of deceiving or misleading—and I do not care which word is used—the American taxpayers as to the true cost of the Great Society.

There is no dispute about the fact that although the committee added $2.8 billion under these two items—$550 million under this item and $2.3 billion over on page 34—at no point on the face of this report is that total included as an expenditure. Read it. Where is it? It says that the Senate bill is $445,582,118 over the House bill.

Mr. President, that is the total cash appropriations over the House bill. It says absolutely nothing about the $2.8 billion that is added over and beyond that $445 million for spending by these agencies. This will not show up in the deficit at the end of the year, and it is costing the taxpayers an average of an additional six-tenths percent interest. The only thing being achieved, as far as I can see, is help for the Johnson administration in deceiving the American taxpayers.

Lest there be any misunderstanding, this unique method of financing was first proposed under the Eisenhower administration. I opposed it then. I joined with the chairman of the Committee on Finance, the late Senator from Virginia, Mr. Byrd. We opposed the plan and were successful in having the administration drop it after they had sold a few million dollars worth of participation certificates. It was proportionately as expensive then, and the principle was wrong. I am not saying there is any difference in the principle, but it has been greatly expanded.

I believe it was in 1955 or 1956 when they authorized the sale of assets in certain agencies, which are enumerated chiefly on page 40 of the committee bill.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. As a result of selling all these assets in the past 3 years, we now have outstanding around $9 billion in participation certificates—or will have when we get through here, and they will cost us an unnecessary $50 million a year in interest, just to deceive the American people.

As the Senator from Colorado has stated, this procedure is highly inflationary, even more inflationary than if we did the borrowing direct, because each time we issue a 100-percent-Government-guaranteed mortgage with a 6-percent certificate we are encouraging higher interest rates. Thus, though perhaps not deliberately, indirectly the administration is pushing interest rates forward.

I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, the Senator from Delaware mentioned that President Eisenhower originally recommended the adoption of this program of selling participation certificates, to be paid out of the proceeds collected on mortgages held by the Government in connection with the building of different types of housing.

What happened to President Eisenhower's recommendation?

Mr. WILLIAMS of Delaware. I have the figures here. Mr. President, I ask unanimous consent that they be printed in the RECORD at this point.

There being no objection, the figures were ordered to be printed in the RECORD, as follows:

SALES OF FINANCIAL ASSETS, 1954-68[1]

[In millions of dollars]

Fiscal year	Direct sales	Participation sales	Total
1954	796	47	843
1955	228	----------	228
1956	9	----------	9
1957	6	----------	6
1958	122	----------	122
1959	37	----------	37
1960	335	----------	335
1961	64	----------	64
1962	204	300	504
1963	892	250	1,142
1964	704	373	1,077
1965	814	750	1,564
1966	360	2,601	2,961
1967 (estimate)	342	3,580	3,922
1968 (estimate)	275	5,000	5,275

[1] Excluding (a) direct sales incident to insurance or guarantee of loans, (b) direct sales from one Government agency to another, (c) sales of CCC certificates of interest, and (d) direct sales of RFC loans.

Mr. WILLIAMS of Delaware. The total sales of participation certificates was less than $100 million before we got it stopped. The record will show exactly when and what was sold. Direct sales were somewhat higher.

Mr. LAUSCHE. All right. The program was stopped?

Mr. WILLIAMS of Delaware. The sale of participation certificates was stopped.

Mr. LAUSCHE. The Senator from Delaware participated in opposition to the program recommended by President Eisenhower?

Mr. WILLIAMS of Delaware. That is correct. The chairman of the Committee on Finance, the Senator from Virginia, led the fight, but I joined and supported him; and we were able to stop it.

Mr. LAUSCHE. What was the argument made at that time in behalf of President Eisenhower's program providing a bonanza for the buyers of the participation certificates, and using the disposition of capital assets to finance current operations?

Mr. WILLIAMS of Delaware. The argument used for doing it at the time was that we had a tight ceiling on the national debt, and in order to get around that ceiling somewhat they decided they would sell these assets, raising the money, and, as I have stated, by so doing the funds raised would not show up as part of the national debt nor as expenditures.

The chairman of the Committee on Finance denounced that procedure in far more bitter terms than I have here today. I supported him, and we stopped it. The Secretary of the Treasury, testifying before our committee, agreed it was a more expensive method of financing the debt and should not be resorted to. I agreed fully with that conclusion.

There is no question about it. Check every sale of these participation certificates. In every case they have varied from one-half to three-quarter percent higher on interest rates than comparable Government bonds sold the same day.

Taxpayers have to make up that difference. It is true that here we have $850 million, and we figure $946,000 additional cost; but that is just to pay what will accrue in this fiscal year. They have not sold that $850 million yet, so we will not have much of that extra cost in this current fiscal year.

But if we approve the sale of these extra $850 million and the certificates are outstanding the next fiscal year, they will have been outstanding for the entire fiscal year; then we will see quite a sizable difference in the appropriation next year to pay for this difference in interest rates. Where the program has been functioning for a year or two, as indicated over on page 40, the bills shows that we are paying $42 million now for the privilege of financing under FNMA. This covers the cost under the various agencies and programs enumerated on that page.

I ask, why pay six-tenths of 1 percent interest more than necessary? Why pay $50 million a year just to give the administration a chance to claim to the taxpayers, the American citizens, a little lower rate of expenditures when in reality they will ultimately have this money to pay?

I do not think any member of the Appropriations Committee would dispute the fact that if we wanted to make available for the Veterans' Administration $850 million of spending money under normal procedures, we would have to amend the bill by making a direct appropriation of $850 million.

It would then show up as an increase in expenditures. It would show an increase over the House bill of $1.3 billion instead of $445 million. It would show up in the national debt, and it would show up as an increase in the deficit at the end of next year. All I am saying is that for an administration that has said so much about truth-in-lending and truth-in-Government, it is time for it to start telling the truth itself.

I hope that the committee amendment will be rejected and that we will at least stand by the House figure. Personally, I would like to see this entire procedure abandoned. However, recognizing the facts of life, I suggest now that we just stand by the House figure.

The House has decided already that by so doing it would give this agency all the money it needs. Why give them an additional $550 million?

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Is it not a fact that the proposal of President Eisenhower was practically identical with the proposal involved in the issue we are now debating?

Mr. WILLIAMS of Delaware. Yes, as far as the principle is concerned.

Mr. LAUSCHE. Is it not a fact that the Senate at that time rejected President Eisenhower's proposal because the Senate concluded that it was not fiscally sound and was not in the interest of the taxpayers?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LAUSCHE. And is it not a fact that we are now proposing to do the very same thing which the Senate repudiated under the Eisenhower recommendation?

Mr. WILLIAMS of Delaware. The Senator is correct. The party on the other side of the aisle was very strong in its denunciation of that program as being inflationary and promoting higher interest rates and being a deceitful method of financing the cost of operating the Government. I supported them in that contention, and we stopped the practice.

Ironically some of the Senators who were so vocal in their denunciation of this practice when the Eisenhower administration sold a much smaller amount are now strangely silent and even voting for the multibillion-dollar sales of the Johnson administration.

Could it be that they too have been brainwashed?

The program that we are considering here today is exactly the same procedure. It involves the same principle except that the Johnson administration is now doing in a wholesale manner what was proposed in a retail manner before. However, I will not argue the difference based on the dollar volume. The principle is the same.

It was wrong then, and it is wrong today.

I certainly hope that the Senate will reject the Senate amendment. The Senator from Florida said that we are only doing what any well-managed business would do, and that is to finance its business by selling its assets.

I operated a business before I came here. If I had anybody connected with any business with which I had any authority who proposed any such scheme I would fire him before the sun set.

In the first place, one in his own business would not take notes that he had in his portfolio, pledge them as collateral for a loan, and pay one-half percent more interest than he could get from a bank if the bank were to say: "I will lend you that money direct at a much lower rate."

Any businessman who would not take advantage of the lower interest rate is not capable of running an office. He would not be associated with me very long.

Nobody can contradict the fact that this is costing approximately 0.6 percent more than it would cost if we were to finance the expenditures in the proper manner. There is no question that if we approve the committee bill with all of its amendments, we will be giving the agencies about $2.8 billion above the House-passed measure, and the amendment will let these agencies spend the money without showing on the report next July.

It will not be included as part of the deficit or as a part of the national debt. Certainly the only advantage would be to deceive the American taxpayer. If anybody can think of a better word than "deceive" I shall be glad to substitute it.

Mr. LAUSCHE. Mr. President, for the purpose of information—and the Senator need not answer this question unless he desires to—why is there now support for a principle which, when it was recommended by President Eisenhower, was rejected? Now that it is recommended by a different party, they recommend that it be accepted?

Mr. WILLIAMS of Delaware. I wish I knew the answer. I do not understand why that should be, particularly when the arguments they used then were sound. I agreed with the arguments at the time. They were sound arguments against what the Eisenhower administration proposed.

It was not a proper method of financing the cost of government then, and it is not proper now. It was an extra expense for the taxpayers. As they said at that time, it was deceitful.

I do not claim to know why they have changed their minds, but the same principle is involved. I think the amendment should be rejected.

Mr. LAUSCHE. I thank the Senator for his candid answers to the questions which I asked. I recognize the difficulty to which I put him by asking the last question.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement in one of the Comptroller General's newsletters wherein he comments on this program and points out the extra costs that the taxpayers will unnecessarily have to pay as a result of these increased interest rates which are being paid under this type of financing. This is a report dated May 10, 1967, issued by a Comptroller General appointed by this administration.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXIMBANK PARTICIPATION CERTIFICATES

The Export-Import Bank will incur extra interest costs of about $4.3 million by selling participation certificates to private investors in fiscal year 1966 rather than relying on straight Treasury financing, a GAO audit showed.

The extra cost estimate was made by comparing the interest rates on participation certificates with rates on obligations issued directly by the government. The bank, and other government agencies, for some years have sold interests in pools of loans they have made. Money raised in this way does not count in the national debt, as would issues of Treasury securities.

Mr. CASE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CASE. I think that the Senator from Delaware has very clearly pointed out that this is an unsound method of financing.

I would be the first to join him in his particular effort to deal with it if it were not for the fact that going along with his method would mean the destruction of the programs involved here. And I am not for that.

Since I am not given the opportunity by the administration to support the programs in the right sense, I will support them, even though the present method of financing is unsound, as pointed out by the Senator.

Mr. WILLIAMS of Delaware. I appreciate the position of the Senator from New Jersey.

The House allowed $300 million for participation sales to finance this agency, which it said was all it needed to carry out the programs this year.

Why spend an extra $550 million. I hope that the committee amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MAGNUSON. Mr. President, the Director of the Bureau of the Budget, Mr. Schultze, appeared before our committee, as did Administrator Driver of the Veterans' Administration.

Mr. Driver made arguments with respect to this matter that were similar to those made by the Bureau of the Budget. In the testimony they stated one thing to which the Senator from New Jersey has referred. Mr. Driver said, talking about mortgage loans and fluctuations, and realizing cash from private financing:

In order that these advantages may be realized to the maximum extent and to provide funding reserves to meet increased future year housing credit assistance demands, resulting primarily from the recently enacted new GI bill, it is urged that our request for sales authorizations of $850 million be restored in full.

That was done to take care of a bill we passed here. I want to put all of this in the RECORD in full later, but I will also check on the colloquy had here concerning how this matter was rejected under different administrations.

The idea of pooling loans and selling participation certificates from such pools is far from new. It dates back at least to the certificates of interest issued by the Commodity Credit Corporation and similar certificates sold by the RFC in 1954. The Export-Import Bank has been offering participation certificates regularly since 1962 and FNMA since 1964.

The main thing the 1966 act did was to broaden the FNMA authority to cover more programs and more types of loans than were formerly eligible for such sales. It did this in large part by making it possible to place into the pools loans with interest rates below market levels.

The Director of the Veterans' Administration said this was proposed to take care of the recent GI housing bill.

So this is not new. It has been done for a long time, dating back to the certificates by the CCC. As I recall, Congress heartily approved that method.

Mr. President, I ask unanimous consent to have printed in the RECORD portions of the statement made by the Director of the Veterans' Administration, Mr. Driver, and by the Director of the Budget, Mr. Schultze.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

Administrator Driver stated to the committee (p. 289):

"Our 1968 budget requests authorization for the sale of $850 million in Participation Certificates under the Direct Loan and Loan Guaranty Revolving Funds. It also requests indefinite appropriation language to cover insufficiencies that may arise in connection with Participation Certificates sold under the 1968 authorization.

"The Housing proposes a reduction in the Participation Certificate sales authorization for 1968 from $850 million to $300 million. It also replaces our request for indefinite appropriation language to cover insufficiencies with a definite appropriation of $333,892.

"The Participation Certificate sales program continues a long-standing policy of substituting private for public financing in Federal credit programs. The technique of pooling loans and selling participations in such pools offers distinct advantages over sales of loans directly to private investors:

"Mortgage market fluctuations significantly affect our ability to sell loans directly to investors. Participation Certificates are sold in a much broader market, thus assuring a more even flow of available capital for program operations.

"It provides a means for realizing cash from loans which are not salable, either because they carry sub-market rates, or because they are located in areas where there are no private mortgage servicing facilities.

"It ensures the receipt of necessary revenues in periods when the direct sale of loans is not desirable or possible because the market cannot absorb them, i.e., when FNMA is buying loans to support the market.

"It has a less disruptive effect on the mortgage market because the heavy majority of such certificates is purchased by non-mortgage oriented institutions.

"In order that these advantages may be realized to the maximum extent and to provide funding reserves to meet increased future year housing credit assistance demands, resulting primarily from the recently enacted new G.I. Bill, it is urged that our request for sales authorizations of $850 million be restored in full."

STATEMENT OF CHARLES L. SCHULTZE, DIRECTOR OF THE BUREAU OF THE BUDGET, BEFORE THE INDEPENDENT OFFICES SUBCOMMITTEE OF THE SENATE COMMITTEE ON APPROPRIATIONS, ON PARTICIPATION SALES AUTHORIZATIONS FOR 1968

Mr. Chairman and Members of the Committee, I welcome the opportunity to discuss again with you the participation sales program recommended by the President to help finance the budget for the fiscal year 1968. I am especially happy that the subcommittee has invited members of other subcommittees responsible for considering the specific proposals for participation sales by other agencies.

As the committee will recall, the President, in proposing, and the Congress in enacting, the Participation Sales Act of 1966 had two major purposes. These were:

First, to encourage private participation in financing of credit requirements; and

Second, to establish a more efficient and orderly method of selling financial assets owned by Federal agencies.

The portfolio of Federal loans until recently has been growing year-by-year. During the past decade, direct loans outstanding almost doubled—from $17 billion to $33 billion. With the aid of the new law, we have now halted this increase and in many programs have substantially reduced the net investment of Federal funds. This is in line with the appeals made by leaders in both parties for increased reliance on private credit rather than continued expansion of direct Federal loans.

In the past, our major efforts to liquidate assets had been devoted to sales of individual mortgages and other types of loans—generally sales to the same types of lenders who make such loans in the private market. Such sales were essentially on a loan-by-loan basis. But disposing of a large number of loans with this technique is rather expensive. Buyers have to examine and select each individual loan and arrange for its servicing. When hundreds of thousands of loans are sold, one by one, the costs tend to mount. And these costs are passed on to the Government through discounts or lower prices.

By contrast, last year, under the new law, FNMA, as trustee, pooled some 380,000 individual loans and mortgages owned by five departments and agencies, and issued guaranteed and sold $2.9 billion of certificates of participation based on these loans. Through this process, four major advantages were achieved, which could not have been achieved by individual loan-by-loan sales:

1. The cost of the sales, both to the Federal selling agency and to the purchasing institutions, was reduced;

2. The range of the market was substantially broadened by pulling in many more types of buyers who would not be interested in individual mortgages or loans, but were attracted to broader instrument like the participation certificate, which can more easily be traded in the market;

3. The impact of the sales was spread over a wide range of the capital market rather than concentrated on the market for specified types of loans, notably housing mortgages; and, consequently,

4. The net returns on the sales were much greater than could have been achieved on any comparable volume of sales of individual loans.

These achievements are noteworthy. However, we cannot now or in the future reasonably expect to sell certificates in pools of loans at quite the same interest cost as the Treasury borrows in the market. Our recent experience shows that the Treasury can borrow at an interest rate roughly .4 to .5 percentage points below the rate paid on guaranteed participation certificates. As I mentioned to you during my last appearance before this committee, this differential should narrow as the market for P.C.'s expands.

Nevertheless, some differential is wholly understandable.

But the fact that the Treasury securities carry a lower interest rate than any other form of security, does not—I believe—justify reliance on Treasury borrowing in every credit program in which the Federal Government has an interest. Under that philosophy the TVA, the Federal Home Loan Banks, and the various farm credit banks would all use U.S. Treasury financing, rather than tap the private market as they now do.

Similarly, under that philosophy we would have to close down the present guaranteed student loan program and substitute direct Federal loans.

When the Office of Education now insures a student loan made by a commercial bank and pays a portion of the interest on the student's behalf, the net interest cost to the Federal Government is indeed higher than if a direct Federal loan were made, using funds raised by the Treasury. Yet, I do not believe this is a reason to substitute Federal for private credit. Similarly, when the Farmers Home Administration sells to the private market an insured rural housing loan, buyers require a higher yield than the rate on Treasury securities. But, again, I do not believe that this justifies the conversion of this insured program to a direct Treasury operation.

In other words, financing Federal credit programs through the use of participation certificates to tap the private credit market does, indeed, require the payment of a slightly higher interest rate than if these same programs drew their funds directly from the Treasury. But this is true in a host of other cases where we rely on private financing. If we use the fact that Treasury financing is cheaper as an argument against participation certificates, thus implicitly we are saying that all credit activities should be converted from private to Treasury financing. In turn, this would be a complete reversal of the policies pursued in recent years, under both Republican and Democratic Administrations, to substitute private for public credit wherever possible.

As most of you know, the idea of pooling loans and selling participation certificates in such pools is far from new. It dates back at least to the certificates of interest issued by CCC and similar certificates sold by the RFC in 1954. Export-Import Bank has been offering participation certificates regularly since 1962 and FNMA since 1964. The main thing the 1966 Act did was to broaden the FNMA authority to cover more programs and more types of loans than were formerly eligible for such sales. It did this in large part by making it possible to place into the pools loans with interest rates below market levels.

The same legislation explicitly required authorizations to be made in appropriation acts for any sales made by the FNMA as trustee under the broader authority. The requests for such authorizations for the fiscal year 1968 and the related requests for appropriations necessary to cover any insufficiencies in funds are now before your committee for approval—and in one case have already been acted upon.

Participation sales authorizations

In the 1968 budget submitted to the Congress, the President requested specific authorizations necessary to permit estimated sales of $5,750 million in participations in 1968. Allowing for an estimated $1 billion of sales by the Export-Import Bank, which do not require specific congressional action, and $350 million in participtaion sale authorizations enacted for 1967, which were expected in the January budget to remain available in 1968, the new participation sales authorizations proposed totaled $4,400 million. The breakdown by major departments and agencies is summarized in the following table:

Department or agency	Budget request	House action	Recommendation
Department of Agriculture	$800	[1] $800	$800
Department of Health, Education, and Welfare	215	[2] 115	[2] 115
Department of Housing and Urban Development	2,385	581	2,385
Veterans' Administration	850	300	850
Small Business Administration	150	150	150
Total	4,400	1,946	4,300

[1] The Senate reduced this to $700,000,000.

[2] The House Appropriations Committee deferred action on the request for authorization of $100,000,000 in participation sales of NDA student loans pending enactment of the authorizing legislation.

The House of Representatives, in acting upon the various appropriation bills involved, reduced the new participation sales authorizations from $4,400 to $1,946 million. Apart from the $100 million disallowed, without prejudice, for participation sales by the Office of Education under proposed legislation not yet enacted, all of the reduction was in the sales authorizations for the Department of Housing and Urban Development and the Veterans Administration. The discussion on the House floor suggests that the advocates of these reductions believed that the amount of the participation sales authorized should be determined solely by the amount required to finance the 1968 program level of the agencies whose assets were being placed in the pool. In other words, participation sales in 1968 should equal loan commitments in each program.

I respectfully suggest that this is a misconception of the basic reasons for the sale of these assets. These are loans which need not continue to be financed by the Treasury. Treasury financing should be replaced by private financing when and to the extent that private investors are willing to provide funds on reasonable terms—given the prevailing private market for comparable loans. We believe there is no reason to continue to carry large portfolios of loans made in prior years.

Let me say this another way. The historic role of the Federal Government in the credit market has been one of *intermediary*—helping to smooth the flow of funds between private lender and private borrower through insurance, guarantee, or regulation. In some cases, these devices do not work. The Congress has therefore authorized the Government to make a direct loan in order to fulfill certain national goals, in education, housing, agriculture, small business and the like. But even when it makes a direct loan, the Federal Government should, to the fullest extent possible, act as an *intermediary* not as a *banker*. In other words, having made the loan, it should seek to find private financing for that loan, rather than carrying it indefinitely in a huge Federal portfolio. In that way, the Government continues its historic role of intermediary in the market, ultimately helping to channel funds from private lender to private buyer. The participation certificate is a most effective device for doing just that.

May I, therefore, earnestly request the committee to restore the sales authorizations for existing programs to the figures requested by the President. The credit programs which repay the Treasury with the proceeds of these sales will still retain the authority to reborrow equivalent amounts when and to the extent that they require those funds to make future loans which have been authorized by the Congress. The use of such funds will then be proposed in the budget and the volume of such loans will have been authorized by the Congress in a normal manner.

Payment of participation sales insufficiencies

In his 1968 budget the President proposed, as contemplated in the original Participation Sales Act of 1966, that the respective appropriation bills also authorize *permanent indefinite appropriations* to pay any insufficiencies which might arise for the participation sales authorized by those appropriation acts. Insufficiencies arise primarily from the fact that in most cases the interest rates payable on the certificates of participation will exceed the interest received on the loans placed in the pool, since many of these loans carry statutorily authorized interest rates well below market levels. Permanent indefinite appropriations were, in fact, provided last year for the 1967 sales pursuant to your committee's recommendations.

In its action on the 1968 request, however, the House of Representatives in every case substituted a *definite appropriation* with a specific amount which is intended to cover the payments necessary for one year alone—not for the remaining years the certificates have to run.

There are two reasons why the President requested a permanent indefinite appropriation. The *first* relates to the impossibility of determining in advance with any precision the amount which will be actually needed to meet the insufficiency. The amount required depends upon (1) the interest rates on the specific loans actually placed in the pools, (2) the interest rates required to sell the participation certificates, and (3) the number of years the participation certificates will be outstanding. Market conditions at the time of the participation sale will be a major determining factor on all three of these variables. Moreover, once the certificates are issued and sold, the requirements for insufficiencies will be inflexible and there will be no advantage for the Congress in going through the process of making specific new appropriations each year.

Secondly, the substitution of a definite one-year appropriation for a permanent indefinite appropriation could adversely affect the market for the participation certificates in the first place. The financial markets are very sensitive to the various features of a financial instrument.

Imagine a buyer deciding whether to purchase a participation certificate with a 10-year maturity. Assume, for example, that the certificate covered a pool of loans made up of college housing and other loans carrying interest rates ranging from 3 to 4 percent. Assume also that the market interest rate on the participations was 5 percent. The funds necessary to cover this interest rate differential are provided by the appropriation for insufficiencies. If this has to be made each year, the prospective buyer has no absolute assurance that the funds will be made available in sufficient amount and on time. While each agency has certain other funds it could put up, and while FNMA itself could cover temporary shortages, this slight added uncertainty might affect the interest rate which would have to be paid on the certificates. If there are doubts that payments will be made in full or on time to meet the participation sale requirements and if a bond counsel advises that such a cloud is on the horizon, it is possible that the Federal Government will have to pay a higher interest rate than would otherwise be necessary for certificates.

A logical dilemma is involved. On the one hand, if the market confidently expects that the necessary appropriations to meet such insufficiencies will be routinely and promptly provided each year or that other sources will always be available, the price it will be willing to pay for the certificates will not suffer. But by the same token there would be no function served by requiring such purely routine actions by the Congress. On the other hand, if the Congress does not want to provide such assurance in advance, its reluctance to do so could cause some investors to give credibility to their doubts and to suspect, however mistakenly, that there might be a thunderhead somewhere back in the distant clouds. In this case, we would be unable to sell the participation certificates on as favorable terms and would have to pay higher interest rates or sell a smaller volume of the certificates.

My own view—and I am not a bond market expert—is that substitution of definite for indefinite appropriations will have some market effects but I cannot forecast whether these effects will be really significant. Nevertheless, the prudent action, in my judgment, would be to restore the indefinite appropriations like those enacted for 1967 and thus to avoid the possibility of adverse market impacts. The basic control over participation certificates would, of course, still remain with the Appropriations Committee and the Congress through the annual appropriation process which annually authorizes the amounts which may be sold.

I am confident that the committee will weigh these considerations carefully before it takes action on the participation sales authorizations and the insufficiency appropriations.

Mr. WILLIAMS of Delaware. Mr. President, the Senator has pointed out, and I have already stated, that some of these certificates were sold under the Eisenhower administration; I referred to the amounts earlier.

It is true that some were sold under the RFC in 1954—$47 million worth were sold. Today we are dealing with billions. This information is furnished by the Budget Bureau.

Mr. President, I ask unanimous consent to have printed in the Record at this point a list of the Federal National Mortgage Association sales of participation certificates since 1954, the sale of participation certificates by the Export-Import Bank since 1954, and the sale by the RFC in 1954.

These figures were furnished by the Budget Bureau.

There being no objection, the list was ordered to be printed in the Record, as follows:

SALES OF CERTIFICATES OF PARTICIPATION AND CERTIFICATES OF INTEREST, FISCAL YEARS 1954–68

[In millions of dollars]

Fiscal year	Federal National Mortgage Association [1]	Export-Import Bank	Reconstruction Finance Corporation
1954			47
1955			
1956			
1957			
1958			
1959			
1960			
1961			
1962		300	
1963		250	
1964		373	
1965	300	450	
1966	1,840	761	
1967 estimate	2,880	700	
1968 estimate	4,000	1,000	
Total	9,020	3,834	47

[1] Reflects sale of participations in loans owned by FNMA as well as in loans owned by other agencies and sold through FNMA as trustee.

Mr. WILLIAMS of Delaware. For the information of the Senate, I am not arguing the principle on the basis of how much was sold—I believe the policy is wrong and a waste of the taxpayers' dollars.

I call attention to the fact that the Export-Import Bank started selling these certificates in 1962, as the chart will show. The Reconstruction Finance Corporation sold $47 million in 1954 while the first FNMA certificates were sold in 1965. The arguments that were used so eloquently by many Members on the other side of the aisle against this procedure in 1954 are equally applicable today.

I only wish they would vote today as they talked then.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). The question is on agreeing to the committee amendment.

Mr. WILLIAMS of Delaware. Mr. President, for the purpose of clarity, the pending amendment is the committee amendment which would increase the amount above the House proposal by $550 million. A vote "nay" would be a vote for the House figure of $300 million. I shall vote against the committee amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. MAGNUSON. A vote "yea" is for the committee amendment, and a vote "nay" is to return to the House figure.

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the committee amendment on page 29, line 4. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the distinguished minority leader, the Senator from Illinois [Mr. Dirksen]. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Florida [Mr. Smathers] and the Senator from Missouri [Mr. Symington] are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster], the Senator from Minnesota [Mr. McCarthy] and the Senator from Maine [Mr. Muskie] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster] and the Senator from Florida [Mr. Smathers] would each vote "yea."

Mr. HICKENLOOPER. I announce that the Senators from Illinois [Mr. Dirksen and Mr. Percy], the Senator from Oregon [Mr. Hatfield], the Senator from Kentucky [Mr. Morton] and the Senator from California [Mr. Murphy], are necessarily absent.

The Senator from California [Mr. Kuchel] is absent by leave of the Senate.

The pair of the Senator from Illinois [Mr. Dirksen] has been previously announced.

If present and voting, the Senator from Illinois [Mr. Percy], the Senator from California [Mr. Kuchel], the Senator from Kentucky [Mr. Morton] and the Senator from California [Mr. Murphy] would each vote "nay."

The result was announced—yeas 56, nays 31, as follows:

[No. 256 Leg.]

YEAS—56

Anderson
Bartlett
Bible
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Dodd
Eastland
Ellender
Ervin
Fulbright
Gruening
Harris
Hart
Hartke
Hayden
Hill
Holland
Hollings
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Sparkman
Spong
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—31

Aiken
Allott
Baker
Bennett
Boggs
Burdick
Carlson
Cooper
Cotton
Curtis
Dominick
Fannin
Fong
Gore
Griffin
Hansen
Hickenlooper
Hruska
Jordan, Idaho
Lausche
Miller
Mundt
Pearson
Prouty
Russell
Smith
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—13

Bayh
Brewster
Dirksen
Hatfield
Kuchel
Mansfield
McCarthy
Morton
Murphy
Muskie
Percy
Smathers
Symington

So the committee amendment on page 29, line 4, was agreed to.

Mr. MAGNUSON. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. ALLOTT and Mr. HOLLAND moved to lay that motion on the table.

The motion to lay on the table was agreed to.

EXPLANATION FOR NOT VOTING

Mr. McCLELLAN. Mr. President, because of a prior engagement at the White House earlier today, I was unable to participate in legislative rollcall vote No. 254, the second Williams amendment to the committee amendment on page 10, line 25, and on legislative rollcall vote No. 255, the committee amendment itself.

The PRESIDING OFFICER. The clerk will state the next amendment.

The Legislative Clerk. On page 29, line 13, after the word "exceed", to strike out "$333,882" and insert "$946,000".

VISIT TO THE CAPITOL BY THE PRESIDENT OF ITALY, GIUSEPPE SARAGAT

Mr. MANSFIELD. Mr. President, I wish to announce to the Senate that the President of Italy, His Excellency Giuseppe Saragat, will be in the Foreign Relations Committee room on the first floor very shortly.

It would be the hope of the leadership that as many Senators as possible would be able to go to the Foreign Relations Committee room for the purpose of meeting our distinguished visitor at this time.

I have asked for these moments for the purpose of making that announcement.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 828. An act to amend section 5(b) of the act of March 18, 1966 (Public Law 89-372), so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such act;

S. 1165. An act to provide for the disposition of judgment funds now on deposit to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians;

S. 1465. An act to provide for holding terms of the District Court of the United States for the eastern division of the Northern District of Mississippi in Ackerman, Miss.;

S. 1657. An act to extend for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government; and

S. 1972. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission Docket Numbered 75, and for other purposes.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

Mr. MAGNUSON. Mr. President, the amendment, on page 29, line 13, after the word "exceed," to strike out "$333,882" and insert "$946,000," merely coincides with Senate action in making the Veterans' Administration participation certificates amount to $850 million. I hope that there would be no problem about the Senate's approving the amendment on payment of sales insufficiencies.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The Legislative Clerk. On page 33, after line 13, it is proposed to insert:

ALASKA HOUSING

For assistance in the provision of housing and related facilities for Alaska natives and other Alaska residents, as authorized by section 1004 of the Demonstration Cities and Metropolitan Development Act of 1966 (80 Stat. 1284–1285), $1,000,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The Legislative Clerk. On page 33, line 22, after "(42 U.S.C. 3103)", to strike out "$27,000,000" and insert "$42,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MILLER. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, if I may be recognized——

Mr. MAGNUSON. I do have the floor. If I could explain the grants for neighborhood facilities, the House suggested $27 million. The budget amount, on page 15 of the Senate report, was $42 million. The committee recommended going to the budget estimate of $42 million. There is a good reason for that. If anyone wishes to cut the amount, why, of course, we will have some discussion on it.

Mr. WILLIAMS of Delaware. Mr. President, the House approved $27 million for this particular item. The Senate raised that another $15 million to $42 million. In the last fiscal year the same agency received $17 million. The House already increased the appropriation over the preceding year for this Department by $10 million. The Senate amendment adds another $15 million. As I pointed out before, we are confronted with the question of how far down the road can we go in increasing the items.

The Senate bill already increases this appropriation by $445 million over the House. The most recent rollcall vote added another $550 million. We now have the bill approximately $1 billion over the House.

The Senate amendment would add another $15 million to an item that had already been increased $10 million by the House.

I think the committee amendment should be rejected.

Mr. MILLER. Mr. President, there is a principle involved here which worries me very much. As the Senator from Delaware has pointed out, the current appropriation was for $17 million. Now it is proposed to increase it to $42 million—more than double. I might say that I recognize a great deal of merit in the program, but we are faced with a $29 billion deficit.

As other Senators do, I run into a great many people back home who wonder about the responsibiilty of Congress at a time like this in enlarging some of the programs. When we have to tell them that we have more than doubled the amount for the current year, my guess is that they will wonder still more about it. I hope that this could be reduced at least to what the House allowed, which still is $10 million more than the present appropriation.

Mr. MAGNUSON. I merely want to suggest that this is, to me, one of the really important programs. It will be a program in the urban areas that will be close to the people. It would involve a solution to a great many of the problems of the cities. Since the House passed this amount, many things have happened, and I am not so sure that the House itself would not consider the amount, were it to be in front of them now.

These would be grants to encourage community programs, to make the people feel that they really belong to the community. In many cases, they will find a storeroom or a warehouse and convert it into a meetingplace for basketball courts and for participation in other recreation games. It is just what it says, a neighborhood facility.

It is a very important matter. It involves grants, and in many cases, local contributions. It is pretty much a bootstrap operation, because the grants are usually to get them started. I think it is one of the fine programs in lieu of many of the needed programs for the cities which are going to take a long time to bring into operation.

I cannot state this categorically, but I really believe, if the House were to reconsider this one item, it would agree to it.

Mr. CANNON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CANNON. Would a successful "nay" vote on this amendment reduce the amount from the proposed $42 million to $27 million? Or would it strike out the entire $42 million?

The PRESIDING OFFICER. A "nay" vote would reject the committee amendment and the figure would revert to the House figure.

Mr. CANNON. To the $27 million figure?

The PRESIDING OFFICER. The $27 million figure.

The question is on the committee amendment on page 33, line 23. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the affirmative). Mr. President, on this vote I have a pair with the distinguished minority leader, the Senator from Illinois [Mr. Dirksen]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Michigan [Mr. Hart], the Senator from Florida [Mr. Smathers], the Senator from Missouri [Mr. Symington], the Senator from Ohio [Mr. Young], and the Senator from Tennessee [Mr. Gore] are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster], the Senator from Minnesota [Mr. McCarthy], the Senator from Montana [Mr. Metcalf], and the Senator from Maine [Mr. Muskie] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from Michigan [Mr. Hart], the Senator from Florida [Mr. Smathers], and the Senator from Ohio [Mr. Young] would each vote "yea."

Mr. HICKENLOOPER. I announce that the Senators from Illinois [Mr. Dirksen and Mr. Percy], the Senator from Oregon [Mr. Hatfield], the Senator from Kentucky [Mr. Morton], and the Senator from California [Mr. Murphy] are necessarily absent.

The Senator from California [Mr. Kuchel] is absent by leave of the Senate.

The pair of the Senator from Illinois

[Mr. DIRKSEN] has been previously announced.

If present and voting, the Senator from Illinois [Mr. PERCY], and the Senator from California [Mr. KUCHEL] would each vote "yea."

The result was announced—yeas 60, nays 23, as follows:

[No. 257 Leg.]

YEAS—60

Aiken
Allott
Baker
Bartlett
Bible
Brooke
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Cotton
Dodd
Ellender
Ervin
Fulbright
Griffin
Gruening
Harris
Hartke
Hayden
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
McClellan
McGee
McGovern
McIntyre
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Spong
Stennis
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—23

Anderson
Bennett
Boggs
Byrd, Va.
Carlson
Church
Curtis
Dominick
Eastland
Fannin
Fong
Hansen
Hickenlooper
Hollings
Hruska
Jordan, Idaho
Lausche
Miller
Pearson
Russell
Thurmond
Tower
Williams, Del.

NOT VOTING—17

Bayh
Brewster
Dirksen
Gore
Hart
Hatfield
Kuchel
Mansfield
McCarthy
Metcalf
Morton
Murphy
Muskie
Percy
Smathers
Symington
Young, Ohio

So the committee amendment was agreed to.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

On page 34, line 4, to strike out "$31,950,000" and insert "$32,773,000".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

On page 35, line 1, after "(12 U.S.C. 1701q et seq.)", to strike out "$20,000,000" and insert "$40,000,000".

Mr. WILLIAMS of Delaware. Mr. President, I shall not ask for a record vote on this amendment in view of the earlier results, but I point out that for this agency's appropriation the House allowed $20 million. The Senate amendment would double this amount to $40 million, which is $20 million above the House figure. I shall vote "no" on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

On page 35, at the beginning of line 6, to strike out "$40,000,000" and insert "$50,000,000".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WILLIAMS of Delaware. Mr. President, what page was that?

The PRESIDING OFFICER. Page 35.

Mr. WILLIAMS of Delaware. What line?

Mr. MAGNUSON. Page 35, line 6. The House allowed $40 million, and we made it the budget estimate for fiscal year 1968, or $50 million.

Mr. WILLIAMS of Delaware. Mr. President, this figure likewise has been raised by both the House and the Senate. In fiscal year 1967 the Congress appropriated $33 million for this department. The House raised this figure $7 million, to a total of $40 million for fiscal 1968. The Senate committee proceeded to increase this further by adding another $10 million, bringing the total to $250 million. An argument can be made that there is some merit in any of these progams, but at some point these increases have got to stop.

I shall vote "no."

Mr. MAGNUSON. Mr. President, this program is for cities, mainly, of less than 50,000 population, to do some kind of planning for their sewers and water systems, and things of that nature, or in some cases, transit systems going through the town. They are little places, which have no city engineers and no funds to do many of these things, and this figure would provide matching funds. It has resulted in a great number of eligible applications. The reason the amount is a little higher than last year is because more of the small cities have asked for this service.

When they do this, and if and when they pass a bond issue for the city of X for a sewer system, this grant, the amount we put in, is paid back to the Federal Government. I believe it is one of the finest programs we have.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

On page 35, line 13, after "(including the undertaking of studies and publication of information)" to strike out "$75,000,000" and insert "$100,000,000."

Mr. WILLIAMS of Delaware. Mr. President, once again I point out that in 1967 for this same program there was appropriated a total of $55 million. The House raised that figure by $20 million, bringing it up to $75 million. The Senate now seeks to add another $25 million, making the total $100 million, or almost double the amount appropriated for the same program in fiscal year 1967.

It is time that the Senate ask itself, "How long can we keep doubling these programs?"

I think as Senators vote to double these expenditures they should remember also that they are voting for an inevitable tax increase. I most respectfully suggest that those who vote for these increases carry their enthusiasm back to their constituents and tell them they are the ones who must assume the responsibility for the tax increase when it comes.

I get a little impatient with these liberals who vote for the increases in all these appropriations and then shed their crocodile tears for the overburdened taxpayers.

Mr. MAGNUSON. Mr. President, the amount is $25 million under the budget estimate for this year.

Mr. WILLIAMS of Delaware. Mr. President, it is true that the budget estimate was $125 million, but just because an agency sees fit to ask for three times what they spent last year is no reason why Congress should give them double instead.

I repeat, for this particular program the appropriation last year was $55 million; the House raised this by $20 million, to $75 million, and the Senate amendment now before us would raise it another $25 million, to $100 million. There is a limit, and the amendment should be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

On page 35, line 21, after the word "That", to strike out "no part" and insert "not to exceed $1,000,000".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

On page 35, at the beginning of line 23, to strike out "a grant" and insert "grants".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

On page 36, line 8, to strike out "$6,100,000" and insert "$6,250,000".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The legislative clerk read as follows:

On page 36, line 12, after the numerals "1969", to strike out "$175,000,000" and insert "$205,000,000".

Mr. WILLIAMS of Delaware. Mr. President, once again I point out that for this agency the House allowed $175 million. That is $50 million more than the $125 million they had in 1967. The House allowed $175 million, or an increase of $50 million, and the Senate increases the amount by another $30 million, to $205 million.

Once again, I say this is part of the escalating process of increasing these appropriations, and I shall vote no on the amendment.

Mr. MAGNUSON. Mr. President, this is $25 million under the budget estimate. I think we should provide more than the budget figure. If there is anything we need to do, it is to do something about the transportation problems in the cities, which constitute one of the chief causes of the trouble we have been having. This is not only money well spent, but it is matched by the cities, and is doing something about the welfare of this country.

Mr. ALLOTT. Mr. President, I should like to say just a word about this particular amendment.

I agree entirely with the part of the statement made by the distinguished chairman as to the importance of the problem, but I must say here that, in providing this additional money, which is still $25 million under the budget figure, my personal feeling, from listening to the testimony, is that we would accomplish relatively little in the field of urban mass transportation.

Some of the testimony which we heard was simple almost to the point of naivette, and would tax the credulity of anyone who listened to it.

Next year we expect that we will be presented with some hard facts as to what has actually been accomplished in this area. It does constitute one of the major problems we have in the country today.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. LONG of Missouri. Mr. President, we are considering today an appropriations bill of paramount importance to the future of our cities and the future of our country. I would like to comment briefly on three programs which would be funded by this measure; the model cities program, the rent supplement program, and the metropolitan expediter program.

It is impossible to overemphasize the significance of the new approach to urban problems embodied in the model cities program and the hope it offers for upgrading vast slum areas in our cities.

The model cities program has already stimulated 193 cities to take new looks at the interrelationship between the physical, social, and economic problems of their slum neighborhoods and to apply for money to work out a blueprint for confronting these problems. A neighborhood without recreational facilities breeds delinquency. Poor transportation augments unemployment. Joblessness contributes to housing decay. A lack of day-care centers for working mothers increases welfare dependency.

The chain is endless and attacking the cycle at one point, as we have done in the past, lacks needed effectiveness. The model cities program offers the cities a truly new and better approach.

We cannot afford at this time of ever-increasing crisis for our cities to dim the bright hope the model cities program offers. Rather we should encourage this new dynamic approach by appropriating the $537 million included in this bill.

The rent supplement program, besides being a sound program, is the means for providing good, decent housing for low-income families in normal living conditions. Rent supplement tenants are not set apart from their neighbors who can afford economic rents. They live, instead, under the same roof with them.

I am deeply concerned with the life of our distraught times and with what can be done in the long range to improve it. This program can, I believe, make a major contribution.

The housing provided by it is sponsored by nonprofit organizations or limited dividend corporations, built by private builders with Government-underwritten market rate financing, and privately owned and managed.

Rent supplement tenants, in short, live in private housing. In addition, they may live immediately next door to tenants paying a market rent.

By living in regular housing in this normal environment, they are certain to develop a feeling in the community. The spread of this sense of things could go a long way to building neighborly understanding, a feeling of being accepted.

Thus, this program provides not only much needed physical shelter for our less fortunate fellow citizens, but it also is the means of nourishing that most delicate of all organs, the human spirit.

As Senator MAGNUSON said as his committee recommended $40 million for this program:

> It offers 20th century answers to 20th century problems. Having stimulated these massive efforts, having aroused the expectations of millions of our fellow citizens, we dare not now renege on our commitment.

We Americans are generous and our generosity is well deserved here. Moreover, our self-interest in an orderly community dictates that we act affirmatively. We must vote a really adequate funding of the rent supplement program.

I am very pleased that the Appropriations Committee recommended the deletion of the proviso contained in the House-passed bill prohibiting metropolitan expediters. St. Louis was one of the few cities in which an expediter was appointed.

The expediter assigned to St. Louis, Milton Morales, was very well received, and his value to the city government and the Federal agencies interested in the city's problems was inestimable. I am certain that the continuation of the program on an experimental basis will indicate the desirability of making it a permanent part of our Federal housing program.

Mr. President, I ask unanimous consent that a letter I received from the Honorable Alfonso J. Cervantes, mayor of the city of St. Louis, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CITY OF ST. LOUIS, MO.,
June 12, 1967.

HON. EDWARD V. LONG,
Senate Office Building,
Washington, D.C.

DEAR ED: It has come to our attention that Congress is closely examining the funding and continued existence of the Metropolitan Expediter Program which has only recently been put into effect.

I would like very much to take this opportunity to express our City's extreme interest in this program and to say how much we feel the program has helped us, even at this early stage. As St. Louis has been fortunate enough to receive one of the first Federal expediters in the country, Mr. Milton Morales, we have had the opportunity to see how effective a force toward meaningful Federal-local relationship such a man can be.

It is our feeling that the position which the Federal expediter occupies is of real value in bringing about a harmonious relationship between the Federal and City governments. We feel the expediter has the opportunity to understand what is really going on in a city and in a metropolitan area; and when this position is in capable hands, such as Mr. Morales', the value to the City government and to the Federal agencies interested in the City's problems is inestimable.

Not only can a man in this position helpfully advise those responsible for formulating municipal policy as to the thinking and direction of applicable Federal programs, but he can also assist in communicating with the Federal agencies and explaining to them, in objective terms, what the City is trying to do and why a particular method has been chosen. In short, we are strongly of the opinion that the program should be continued, and even increased in scope, and we respectfully urge you to support this program at every opportuity.

Please let me also thank you, again, for your many helpful and successful efforts on behalf of the City of St. Louis. The people of St. Louis and the metropolitan area are very grateful.

Sincerely,
ALFONSO J. CERVANTES,
Mayor.

The PRESIDING OFFICER. The next committee amendment will be stated.

The legislative clerk read as follows:

> On page 36, line 20, after the word "including", to strike out "$75,000,000" and insert "$125,000,000"; and, in line 25, after the word "Act", to strike out "$237,000,000" and insert "$537,000,000".

Mr. MAGNUSON. Mr. President, that item involves the model cities program.

If I might have the attention of the majority leader and the other Senators, many Senators have asked me in the last 20 minutes whether we would have any more votes.

Some Senators have appointments downtown.

This is an item on which there will be a great deal of debate. I do not know whether we should proceed with this amendment or go over until tomorrow and perhaps have a limitation of time and vote at a certain time tomorrow.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HOLLAND. Is the Senator talking only about the amendment on lines 20 and 21 or is he also talking about the amendment extending from line 25 of page 36 over to the top line of page 37?

Mr. MAGNUSON. We are taking the amendments in sequence. This involves the model cities program. Since we are taking them in sequence, I am perfectly willing to agree to go on. However, I will make a brief statement at this time on the amendment.

Mr. HOLLAND. Mr. President, will the Senator yield, so that I may ask for the yeas and nays on the amendment?

Mr. MAGNUSON. Does the Senator mean on the amendment on page 36, lines 20 and 21, which would increase the model cities program from $75 million to $125 million for grants for urban renewal projects within approved demonstration cities programs?

Mr. HOLLAND. Do I understand that

the distinguished Senator is asking that these two matters be considered together, this amendment and the amendment beginning on line 15?

Mr. MAGNUSON. They are together. So, I would suggest that we have a rollcall vote on both of them.

Mr. HOLLAND. Mr. President, if the amendments are to be considered together, I would like to ask for the yeas and nays on that vote.

Mr. MAGNUSON. On both of the amendments?

Mr. HOLLAND. The Senator is correct.

The PRESIDING OFFICER. Does the Senator from Washington ask unanimous consent that the amendments be considered en bloc?

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. There being a sufficient second, the yeas and nays are ordered.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, this is a comparatively new program, and although in 1967 there was an appropriation for $11 million, it was merely to do the preliminaries leading up to the recommendation by HUD of a permanent model cities program.

The principal responsibilities of the division that will be involved in this relates to model cities program including the amount provided for grants for urban renewal projects within approved city demonstration programs.

The budget proposed $662 million for comprehensive city demonstration programs to help cities plan, develop, and carry on programs to rebuild and restore slums and blighted areas.

This includes $12 million for planning grants, $400 million for supplementary grants, and $250 million for grants for new urban renewal projects within the model cities.

A model city would be a demonstration city. It would be within an urban area.

The Secretary of HUD suggested to us that he thought approximately 70 places in the United States would be eligible under the model city program.

Mr. ALLOTT. The Senator is correct.

Mr. MAGNUSON. And they have not announced those locations.

Mr. ALLOTT. I think it should be plainly spelled out that this is a program which will only affect relatively a small number of cities, and they will be the larger cities in the country.

Mr. MAGNUSON. The committee recommended these amounts and has made a reduction of $125,000 under the urban renewal section. The Congress proposes that model city funds be made available for obligation over a 2-year period instead of until expended as proposed in the budget.

The Department recommends the full restoration of the $425 million which would at least begin a program to the extent they suggest to develop local programs to revitalize these areas.

I could go on and on about this from the testimony of Secretary Weaver and others. If there is any misunderstanding about it, I hope that questions will be asked.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the so-called justification by the committee for this amount, and I include in that request some excerpts from the statement of Secretary Weaver.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DEMONSTRATION AND INTERGOVERNMENTAL RELATIONS

Model cities program

(House hearings, Part 3, pp. 2, 55, 483, 673; Senate hearings, p. —)

1967 appropriation	$11,000,000
Estimate, 1968	412,000,000
Additional contract authority from July 1, 1967, on urban renewal projects under Sec. 113	250,000,000
House allowance	237,000,000
Committee recommendation	----------

Amendments Requested

(1) Page 34, line 16, strike out "$75,000,000" and insert "$250,000,000", the estimate, or an increase of $175,000,000 for grants for urban renewal projects within approved city demonstration programs.

(2) Page 34, line 21, strike out "$237,000,000" and insert "$662,000,000," the estimate of $412,000,000 plus the addition of $250,000,000 for urban renewal projects, or an increase of $425,000,000.

HOUSE REPORT (p. 14)

DEMONSTRATIONS AND INTERGOVERNMENTAL RELATIONS

The principal responsibilities of this division of the Department relate to Model cities and other programs, including technical assistance and research. These programs are designed primarily to encourage State and local governments to raise their capabilities to deal with municipal problems.

Model cities programs.—The budget proposes $662,000,000 for comprehensive city demonstration programs to help cities plan, develop, and carry out programs to rebuild and restore slums and blighted areas. This includes $12,000,000 for planning grants, $400,000,000 for supplementary grants, and $250,000,000 for grants for new urban renewal projects within approved model cities programs.

The Committee recommends the appropriation of $12,000,000 for planning grants, $150,000,000 for the model cities program, and $75,000,000 for grants for new urban renewal projects within model city areas—a total of $237,000,000. The Committee has made a reduction of $425,000,000 in this new program which is still in the planning stages.

The Committee proposes that model cities funds be made available for obligation over a two-year period instead of until expended as proposed in the budget.

Testimony indicates that it will take from six months to a year to prepare and process specific and adequate plans. The Department expects to work closely with cities as the plans are developed so that final selections of model cities for the supplemental grants may then proceed without delay. The model cities program should play a vital part in meeting the challenges of our Nation's cities. Meaningful solutions to the problems of our cities will require the highest degree of cooperation between the Federal government and the people at the local level. In the opinion of the Committee, initiative and cooperation are equally as important as appropriations.

DEPARTMENT RECOMMENDATIONS

The Department recommends full restoration of $425,000,000, of which $250,000,000 would restore the full budget estimate for supplementary grants for carrying out model cities programs, and $175,000,000 to be restored for grants for urban renewal projects which are part of the model cities programs. The request may be summarized as follows:

	Budget estimate	House bill	Restoration requested
Grants for planning model cities programs	$12,000,000	$12,000,000	----------
Grants for carrying out model cities programs (supplementary grants)	400,000,000	150,000,000	+$250,000,000
Grants for urban renewal projects part of model cities programs (urban renewal "add-on")	250,000,000	75,000,000	+175,000,000
Total estimate	662,000,000	237,000,000	+425,000,000

Justification

Grants for carrying out approved model cities programs.—The Department recommends restoration of the full $400,000,000 as proposed in the Budget.

Improving the quality of urban life constitutes our most critical domestic problem. Title I of the Demonstration Cities and Metropolitan Development Act of 1966 was designed to assist cities of all sizes to plan and develop local programs to revitalize slum and blighted areas, expand and improve public services, and coordinate government and private programs.

Following the issuance of the Program Guide, the response to the program has reflected keen interest by cities across the country. A net 189 applications for planning grants have been received and are being processed. During June and July of 1967 HUD will be making planning grants to approximately 70 cities to help finance the development of model city plans. The planning period will range from 6 to 12 months. Beginning in January 1968, cities will be filing plans which will call for supplementary grants totaling about $400 million. That amount will be needed if the plans are to have the impact called for by the model cities statute. Cities can not be expected to carry on this complicated planning, to effect the often politically difficult changes in social and physical development policies which may be necessary to ensure full value from development funds, or to build up the expectation of residents of disadvantaged neighborhoods unless they know that the funds needed to carry out the model cities plans will be forthcoming.

Since HUD and other Federal agencies involved will be working closely with the cities during the planning period, supplementary grants can and will be made shortly after model cities plans are final. In the normal course of the administration of the Model Cities Program, therefore, it is estimated that the bulk of supplementary grant funds will be obligated before June 30, 1968. The other cities, mostly smaller cities and those which in the past have received less Federal planning and program assistance, would be ready for supplementary grants during the early summer of 1968.

Without the full $400 million, the Department would be confronted with two alternatives, either of which would be detrimental to the success of the program. The first would be to allocate the available appropriation on a first-come first-served basis, which would tend to discriminate against the smaller, less experienced applicants. The result would be accelerated planning efforts by cities, but not necessarily the best planning results. The second alternative would be to distribute the available funds to all cities. Based on the House Bill, cities would be provided with less than half the amount proposed and less than the amount necessary if the program is to have its full impact. In either case, the objective contained in the Act of developing fully-coordinated model city programs, supported by adequate planning funds and by assurances that the supplementary grants necessary for their execution, would be lost. Lost, too, would be the momentum now created and the collaboration at the Federal and local levels for the effective solution of the most serious problems of the cities.

Urban Renewal "Add-on"—Grants for Urban Renewal Projects which are Part of Approved Model Cities Program.—The full budget estimate of $250 million for transfer to the appropriation "Urban renewal program" is urgently requested for fiscal year 1968.

Section 113 of Title I of the Demonstration Cities and Metropolitan Development Act of 1966 authorizes $250 million in additional urban renewal grant authority, to be available after July 1, 1967. This additional authority would be limited to urban renewal projects which are identified and scheduled to be carried out as projects or activities inclued within an approved comprehensive city demonstration program. On the basis of applications filed the Department estimates that the 70 model cities to be selected will need all of the $250 million of urban renewal add-on funds authorized for fiscal year 1968.

While Model Cities plans will include many social programs, the total demonstration effort must include physical renewal and rehabilitation where such treatment is necessary. Urban renewal projects will be needed to provide or rehabilitate housing in model neighborhood areas and to upgrade or expand public facilities to assure long-range physical stability of the selected neighborhoods. Grant reservations for such projects must be made as *early* as possible in the model cities' planning period to fit the time schedule for the model cities objective of substantial impact on physical and social restoration of neighborhoods during the 5-year period of the model cities plans.

Review of model cities planning grant applications received indicates that some identify specific immediate urban renewal requirements, for which the cities will apply as soon as funds are available. Other Model Cities applications recognize that need for urban renewal treatment and indicate that specific projects will be identified early in the model cities' planning period. In both instances, urban renewal planning advances and project grant reservations would be sought before the end of fiscal year 1968.

It is estimated that Model Cities will need the *entire* $250 million during 1968, in addition to the portion of other urban renewal grant authorizations which might normally be approved in these areas during the year or which had been approved earlier for activities still under way. Accordingly, appropriation of less than $250 million for this purpose would make it necessary for some model cities to defer urban renewal planning. The House allowance of $75 million would permit approval of only 30 percent of the amount expected to be needed, causing significant reduction in scope of projects for some cities and total deferral for others.

In the past urban renewal project planning has taken about 31 months, on the average. Some streamlining of Federal and local procedures might effectively shorten this average more than one-third. On this basis, the execution stages of projects started in planning during 1968 would not begin until 1970. Postponement of urban renewal planning starts means the loss of an equal time period in reversing the tide of urban blight in the model neighborhoods. Of equal importance is the dilution of effectiveness which such postponements are likely to cause. Scheduling adjustments and/or reduction in project scope necessarily detract from the degree of coordination and concentration on the whole array of social and physical problems which can be attained under the Model Cities concept.

SENATE HEARINGS

Secretary Weaver stated to the committee:

The issue is basically the same, I think, with the Model Cities program. Of course, it is much newer. In an operating sense it has not even started yet. But I am sure you all know, as we do, how large it looms already on the national scene. Even we in the Department, though we had high hopes have been astonished at the amount of creative excitement and activity it has generated in cities all across the country—and that even before it has actually started.

The House Committee, in proposing a two-thirds reduction in the budget estimate, commented that " . . . this new program . . . is still in the planning stages", and added, "Testimony indicated that it will take from six months to a year to prepare and process specific and adequate plans." Factually, there can be no quarrel with those statements; they are quite correct.

But I submit, Mr. Chairman, that the issue before us is not to attempt to measure with a micrometer the dollars which will be required for the execution of contracts month by month as the program progresses. At this stage that is quite impossible—for the cities, for us, and for you. The issue is whether the program is to be launched with the full support of the Congress, with funding up to the restricted limits written into the authorizing legislation, or whether it is to be presented to the cities cut to the bone, clouded with doubt as to its future, so that every city will feel that it proceeds at its peril because the Congress may lose interest—indeed, may have already lost interest—in the whole idea. On that issue turns the question whether the energies already released will continue, or whether we shall see confidence begin to falter and enthusiasm to fade.

The Model Cities program puts the major responsibility squarely on the elected officials in the cities. Mayor after mayor has expressed his concern about the danger inherent in the gamble they would be asked to take: going ahead with planning without the assurance of availability of funds as a guide to planning and a guarantee of the feasibility of execution. The mayors fear the consequences of expectations aroused and then frustrated—and with good reason.

* * * * *

This program has attracted the keen interest of cities across the country. Around 189 applications have been reviewed, and we expect very soon to announce about 70 cities which will be the initial recipients of grants for planning model city programs. We assume that subsequent to that, with a planning period running from 6 to 12 months, most of the cities receiving planning grants would be ready to apply for supplementary grants before the end of 1968.

If the program is to have the impact which we believe it can and should have, the full amount of our estimate will be needed. I believe that we should be fully ready to go with the cities which will have gone through the extensive and complicated planning which is required. These cities will be working to bring about politically difficult changes in their local social and physical development policies, and to gear their energies toward carrying out a successful program. To help them, we will be working closely with them, providing advice and assistance in this difficult planning job. Obviously this inevitably builds up expectations and hopes in the cities and neighborhoods involved. It will do incalculable damage to them and to the programs if we are forced to ask them to stop or to hold back because of lack of funds.

As a practical matter, we would have two alternatives if enough supplementary grant funds are not available. First, we can allocate what is available on first-come first-served basis until the funds are committed. The bigger, more experienced cities would benefit from this; the smaller ones would be left to wait. Furthermore, we would run the risk of creating a competition for funds, rather than for quality, causing hasty planning and with a result that the losers would be the ones needing the program's help the most. Clearly that would not be a workable solution.

Second, we could attempt to distribute the available funds among all the cities as equitably as possible. The result, I believe, would be that cities would be getting less than they need, and less than they have prepared themselves to handle through the energy and effort put into the planning. The danger here is not only that of creating disillusionment but also of dragging the whole process out in time. After having developed with much effort a spirit of enthusiasm, cooperation and collaboration within the cities and among all participating public and private organizations in the community, we run the risk of letting the whole effort sag in frustration and delay.

These remarks apply, also, to the amounts needed for the urban renewal add-on. The local programs developed by most cities are certain to include extensive renewal and rehabilitation. The Model Cities Act requires that a city's program be of sufficient magnitude to make a substantial impact on the physical and social problems therein and to remove or arrest blight and decay. This can only be done in many situations if the urban renewal program—including rehabilitation and code enforcement—is made an integral part early in the city's program.

The lead time involved in the urban renewal program means that reservations of funds must be made early in the city's program. In some cases, it is possible to identify the projects almost immediately in the planning process.

If the urban renewal funds are not available for this early commitment, we are risking a slow-down in the entire program, as well as preventing the initiation of well planned, well staged city programs. The inevitable result, it seems to me, would be an unfortunate reduction in the scope of city programs, the deferral of some altogether and an irretrievable loss of time. More generally, I think that the knowledge that the Department does not have adequate urban renewal funds would inevitably create a psychological pressure on cities which would bias their planning efforts in a most unfortunate and unsound way.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this afternoon, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a brief period of not to exceed 15 minutes for the transaction of routine morning business tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR ALL COMMITTEES TO MEET DURING THE SESSION OF THE SENATE TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. The purpose of the short morning hour on tomorrow will be to serve notice that not later than 11:15 a.m. we will be back on the pending amendment.

I think this will be the best way to handle the situation in view of the circumstances that developed since our initial conversation.

Mr. ALLOTT. It will be the purpose of the majority leader not to have any more votes tonight, and at, perhaps the termination of the speech of the Senator from Connecticut [Mr. RIBICOFF], we will recess.

Mr. MANSFIELD. The Senator is correct.

Mr. MAGNUSON. Mr. President, reserving the right to object, if we are going to do that, I wish we would adjourn now so that the Senator from Connecticut [Mr. RIBICOFF] could begin his presentation tomorrow.

I think his background and experience on these matters is so great and his interest and his dedication on some of these matters is so great that I would rather have more Senators present when he makes his speech. If there are not to be any further votes tonight, there would not be very many Senators present.

Mr. MANSFIELD. Mr. President, I think that is a good idea. However, if other Senators want to speak on other matters, they can do so.

Mr. MAGNUSON. Mr. President, as I understand, the amendments concerning the model cities program are to be considered en bloc, and the yeas and nays are ordered. That will be the pending business when we resume the consideration of the bill at 11:15 tomorrow morning.

The PRESIDING OFFICER. The Senator is correct.

ECONOMIC ASSISTANCE TO BRAZIL

Mr. BAKER. Mr. President, on September 13, 1967, I inserted in the RECORD a report by Charles Keely, Latin American correspondent for the Copley News Service, describing his problems in getting answers to some relatively simple questions from U.S. AID in Rio de Janeiro. Mr. William S. Gaud, Administrator of AID, has written me in regard to this matter. In view of his frank, intelligent evaluation of this situation, I ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE, AGENCY FOR INTERNATIONAL DEVELOPMENT,
Washington, D.C., September 14, 1967.

Hon. HOWARD H. BAKER, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BAKER: I have just seen the article by Charles Keely of the Copley News Service concerning economic assistance to Brazil which you inserted in the Congressional Record on September 13, 1967. I agree completely with your statement that the public has a full right to know what use is made of tax dollars that we are spending for foreign aid. We have consulted the A.I.D. officials in Rio de Janeiro with whom Mr. Keely talked, and I am convinced there was no attempt to hide any facts about our large, complicated assistance efforts in Brazil from Mr. Keely.

We assist Brazil's education efforts in a variety of ways, with dollars for technical assistance, with local currency cruzeiro grants, with local currency loans, and with local currency "counterpart" generated by dollar loans which finance general imports from the United States. It is not always easy to give simple statistics which summarize such a complex program, especially where different exchange rates for local currency costs are involved. Nonetheless, I regret that Mr. Keely could not obtain the quick, satisfactory answers to his questions which he certainly should have been furnished.

From July 1, 1962 through June 30, 1967, the Agency for International Development has extended $145.3 million in aid to Brazilian education. This represented 10.4 percent of A.I.D.'s total economic assistance to Brazil in this period.

Sincerely yours,

WILLIAM S. GAUD.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BEAR'S CLAWS

Mr. THURMOND. Mr. President, American newspapers have carried several articles on the case of the Soviet scientist, Dr. Vladimir Tkachenko, who was forcefully removed by the British police from a Soviet Aeroflot plane at London Airport Saturday. This morning's papers say that the British Government has returned Dr. Tkachenko to Russian custody, according to his own wishes. However, many interesting aspects of this case have not yet been brought out in the American press and were discussed yesterday in the London press. Most interesting of these is that the British doctors who examined Dr. Tkachenko said that drugs were administered to him against his will. It is clear from the Soviet reply that they would not hesitate to do such a thing.

It is worthwhile to note at this point that agreements have been almost completed for the landing of Aeroflot planes in this country. The only delaying factor at the moment is the Soviet reluctance to reveal technical and financial details of their operations. The Soviets are not yet ready to make the open disclosures which all civilized countries now make in international airline operations. Nevertheless, when they decide that it is to their advantage to use American airports, they may well make these concessions. At that time, we may expect to find instances such as the Tkachenko case in which the brutal Soviet system will be an open operation on our soil.

I find it difficult to understand why the British, after reporting that Dr. Tkachenko was drugged, now have handed him over to Soviet authorities, obviously before he has had a chance to fully recuperate. Nevertheless, the important point for Americans to realize is the cynical attitude that the Soviet State still takes against its citizens.

This fact was very successfully brought out in an editorial in yesterday's Daily Telegraph, of London, entitled "The Bear's Claws." Since many Senators may not have immediate access to this editorial, I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Furthermore, since the British accounts much more graphically describe the attacks on Dr. Tkachenko's human rights, I also ask unanimous consent that the accounts of this case from yesterday's edition of the Times, of London, and the Daily Telegraph be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

[From the London Daily Telegraph, Sept. 18, 1967]

THE BEAR'S CLAWS

For some years it has been fashionable in certain quarters to say that the Soviet Russians are becoming more "like us" every day, and that it is only a matter of time before virtually the same way of life holds sway from the offshore island to well beyond the Urals. But events all too often intrude on this Gaullist—or plain homespun Leftist—vision of the future; certainly the attempted kidnapping of a young Russian student enjoying British hospitality fits ill with Western canons of civilised behaviour. The Foreign Office is right to protest vigorously, and the police deserve an accolade for acting so promptly and firmly to prevent a flagrant breach of diplomatic custom. Chinese wielding axes in a London street was bad enough. But this incident, in its way, is worse, for it confirms that. despite the years of so-called dialogue and détente, the Bear's claws are still there.

Whether it was ever right to predicate a basic change of heart merely from the Russian economic growth and relative peaceful co-existence of recent years is another matter. Cuba and the Middle Eastern crisis of this summer were nasty reminders of how ruthlessly Russia will pursue her apparent national interest when opportunity offers; and of how infirmly based have been the two decades of "peace" since the war, hailed already by some optimists as a second Age of the Antonines and ushered in, paradoxically, by the balance of thermonuclear terror. But Russia still gives steady military support to North Vietnam and to the defeated Arab Powers, and has never shown any qualms about clawing back, if she can, those few of her citizens who have worked in the West.

This has surely done Russia's prestige far more harm than anything it can hope to gain by impressing reluctant talent. Would Nureyev ever have danced as well again on the Moscow stage as he does now at Covent Garden if the attempt to force him into an Aeroflot plane had succeeded? Saturday's bid to kidnap Dr. Tkachenko is the more illogical for his work at Birmingham University apparently being neither secret nor unique. Russia does more damage than perhaps she knows by these incidents, and particularly so in the Fiftieth Anniversary year of the Communist Revolution.

Exhibit 2

[From the London Times, Sept. 18, 1967]

Decision Today on Russian Scientist—Recovering From Drugs, Home Office Say

Note.—A decision about the young Russian scientist, Dr. Vladimir Kachenko, is to be made today, the Home Office said last night. Britain has accused Russia of kidnapping him in London.

In reply to a strong protest the Russian Embassy had said earlier that physical force was used by British police and immigration officials against Dr. Kachenko, his wife, members of the Embassy, and the pilots of the aircraft on which he was Moscow bound.

Mr. Vasev, the Russian Chargé d'Affaires, arrived in Glasgow last night on his way to meet Mr. Gromyko, the Russian Foreign Minister, who is stopping off in Prestwick today on his way to the United Nations in New York. The trip to Scotland was planned several days ago.

INJECTION WAS GIVEN AGAINST WILL

The House Office said that the decision would be taken by Mr. Jenkins, Home Secretary, in consultation with Mr. Brown, Foreign Secretary.

An official added: "All through the day Kachenko has been recovering from the drugs administered by Soviet Embassy officials. He has been examined by doctors and by an eminent psychiatrist.

"Their reports are being urgently forwarded to Ministers who will consider them and, in the morning, make a decision about what should be done."

The exchanges between Britain and Russia followed the intervention on Saturday by British Special Branch officers to prevent Dr. Kachenko from leaving on board a Moscow-bound airliner at London Airport.

Dr. Kachenko, aged 25, had been doing postgraduate research in low temperature physics at Birmingham University.

A statement issued jointly by the Foreign Office and Home Office yesterday said that the Russian Chargé d'Affaires was asked to call at the Foreign Office to see Mr. Peter Hayman, Assistant Under-Secretary of State.

EMBASSY VISIT

Mr. Hayman conveyed to Mr. Vasev "the British Government's strong protest against the lawless and outrageous conduct of certain members of the staff of the Soviet Embassy in kidnapping Dr. Kachenko on the Bayswater Road and in obstructing the British authorities at London Airport when they were engaged in their legitimate duty".

The consequences of this behaviour by Soviet officials were being considered.

Last night Dr. Kachenko's wife went to the Russian Embassy.

At 11:30 on Saturday morning Dr. Kachenko was seen by several members of the public apparently being forced against his will into a car owned by the Russian Embassy. He called for help.

At the airport he said he wished to speak privately to the British authorities, and when they escorted him from the aircraft Soviet officials tried to stop him physically.

He told the British authorities that he did not wish to go to Moscow. He said he had been given an injection against his will at the Soviet Embassy. A medical examination by a British doctor later supported this.

Mr. Vasev's meeting at the Foreign Office lasted more than an hour. Afterwards he said: "I have received the British version of the incident. But I protested and asked for an immediate explanation."

POLICE CRITICIZED

Police action in boarding the aircraft, forcefully removing Dr. Kachenko, and isolating him from his wife and from the people who could help him and speak the same language was "a travesty of anything which any country should offer in the way of hospitality".

As translated by a Tass News Agency correspondent, a Russian Embassy statement last night said that Dr. Kachenko travelled from Cambridge with his wife during Friday night and went straight to the Embassy at 5 a.m. Told to come back later, he returned with her at 9 a.m. The statement said:—

He spoke to Embassy officials saying that he was very tired and was thinking of cutting short his time at Cambridge. His wife had come to see him at Cambridge on her annual leave, and he thought about going back to Moscow with her before her leave expired.

He said his programme at Birmingham University was finished and he saw no special reasons to continue staying here. He was told the Embassy would get in touch with the Academy of Sciences in Moscow and would let him know their decision.

But during the conversation at the Embassy he behaved rather strangely. For example, he suddenly asked someone to confirm that the woman was his wife. Everyone was astonished, and started asking his wife what it was all about. She said that lately her husband had been in some strange nervous condition. She did not know the reasons for this condition.

The only thing she knew was that he was taking some medicine for his nerves.

WIFE IN CHASE

While she was talking with the people at the Embassy, Kachenko left the Embassy after telling the man at the door that it was not the Soviet Embassy at all.

His wife and some Embassy people ran after him and caught up with him near Lancaster Gate. They offered to take him back to the Embassy and got into a car. He hesitated, and then agreed to get into the car.

The statement added:—

When they got back he kept saying it was not the Soviet Embassy and wanted someone to confirm that it was. The Chargé d' Affaires, Mr. Vasev came out. . . . Kachenko asked him to confirm that he was the Chargé d'Affaires and asked him to produce some document.

Eventually, he agreed to come inside the Embassy, where he was seen by the Embassy doctor and some people who knew him personally. Asked how he was feeling, he said that he was feeling very badly, but then he said he was feeling perfectly well.

It was decided he and his wife should leave London on an aircraft which was leaving that day—in about an hour. He agreed, but then said he had some difficulties about leaving keys of his flat in Cambridge, which he was supposed to return. Eventually he agreed that someone else should send them by post.

CALL TO AIRPORT

The Embassy agreed. They telephoned Aeroflot to keep the plane until they came. A representative of Aeroflot agreed, and they went off to the airport.

They passed through all the formalities and the plane was getting ready to leave the airport when the pilot received an order from the control tower to wait because of some technical reasons.

At this very moment, several cars drew up to the plane. In them were police and immigration officials. They entered the plane and one person, in civilian dress, who knew Kachenko, pointed him out. A police officer then demanded that Kachenko leave the plane in order to speak with representatives of the authorities.

According to the statement, Dr. Kachenko refused, but physical force was used against him, his wife, members of the Embassy and the pilots.

Then Dr. Kachenko was pulled off the aircraft. His wife was offered asylum, although she did not ask for it. She refused and returned from the airport to the Embassy.

[From the Daily Telegraph, Sept. 18, 1967]

Soviet Officials Face Expulsion—Britain Condemns Kidnap Plot—Decision Today on Russian Scientist

(By Walter Farr and David Loshak)

Britain is considering expelling Russian Embassy officials who tried to kidnap a young Russian physicist on Saturday. This was made clear last night after the Foreign Office sharply protested to the Soviet Chargé d'Affaires, Mr. Vladilleu Vasev, against the kidnapping attempt.

The Soviet Embassy countered with a statement attacking Britain for taking the physicist, Dr. Vladimir Tkachenko, from a Moscow-bound airliner. The Embassy put the blame for "the consequences of these anti-humanitarian actions" on the British authorities.

Mr. Vasev flew last night to Prestwick Airport where today he will see his Foreign Minister, Mr. Gromyko, who is en route to the United Nations. Meanwhile, Dr. Tkachenko has been driven, under Home Office protection to "a place of safety" in southern England where he is under medical supervision.

A Home Office spokesman said last night:

All through the day Tkachenko has been recovering from the drugs administered by Soviet Embassy officials. He has been examined by doctors and by an eminent psychiatrist.

Their reports are being urgently forwarded to Ministers, who will consider them and, in the morning, make a decision about what should be done.

JOINT DECISION—TWO MINISTERS

The decision, he said, would be taken by "the Home Secretary in consultation with the Foreign Secretary."

Earlier at the Foreign Office, Mr. Peter Hayman, Assistant Under-Secretary, protested strongly at the "lawless and outrageous" conduct of Soviet Embassy Staff involved in the kidnapping attempt.

Mr. Vasev was told that Britain could not allow the staff of a foreign Embassy to take the law into their own hands. Dr. Tkachenko, it was pointed out, was entitled to the full protection of the police.

Mr. Hayman also protested against the obstructive tactics of the Russians at Heathrow airport after Dr. Tkachenko had been escorted aboard the plane.

WARNING TO VASEV—"CONSEQUENCES" CONSIDERED

Mr. Vasev, who had been summoned to the Foreign Office for the hour-long meeting, was told "that the consequences of this behaviour by Russian officials are being considered."

The question of whether Dr. Tkachenko will be given asylum in Britain will, it was stated, be decided when he is fully recovered from the effects of the injection. His wife flew to London a week ago to see him.

Dr. Tkachenko was seen in Bayswater Road, London, on Saturday, not far from the Russian Embassy, being dragged against his will by four men into an Embassy car, while he shouted for the police. He was traced to Heathrow where he was seen being escorted aboard a Moscow-bound plane.

TUG OF WAR—TUSSLE ABOARD PLANE

Immigration officials boarded the plane, which was not allowed to leave until Dr. Tkachenko had been taken off. A tug-of-war between British and Russian officials developed on the steps to the plane.

Dr. Tkachenko confirmed to the British authorities that he did not wish to go to Moscow in the plane. He said that "after being kidnapped in the Bayswater Road he had been taken to the Soviet Embassy and was there given an injection against his will.

His general manner confirmed that he was under the influence of some drug. Subsequent medical examination by a British doctor showed that an injection had indeed been given and the physical evidence "indicated the use of a drug."

It was emphasized in Whitehall that although expulsions are being considered it is not intended that the incident should be allowed to cast a shadow over Anglo-Soviet relations as a whole.

Mr. Brown, the Foreign Secretary, is expected to meet Mr. Gromyko, the Soviet Foreign Minister, at the United Nations this week.

As a result of information about the kidnapping in the Bayswater Road, the Chief Immigration Officer at Heathrow, accompanied by police officers, boarded the Soviet Aeroflot plane on which Dr. Tkachenko was about to leave for Moscow on Saturday.

Dr. Tkachenko said when they entered the plane that he wished to speak to the British authorities privately. The Soviet Consul, who had joined the aircraft at the same time as the British authorities, attempted to prevent a conversation and said that the British authorities had no right to respond to Dr. Tkachenko's request.

The Consul said Dr. Tkachenko was not to be allowed to leave the plane.

When after prolonged attempts to resolve the matter by discussion had failed, and Dr. Tkachenko was being escorted from the aircraft, Soviet officials tried to obstruct this physically.

After leaving the plane, in the presence of the Soviet Consul and Mrs. Tkachenko, Dr. Tkachenko repeated his request to see the British authorities alone.

After leaving the Foreign Office, Mr. Vasev said Dr. Tkachenko was a very ill man.

"He was not drugged. I must most emphatically deny this.

"The kind of illness he had was mental, which needs isolation and requires him to be with people most close to him, his wife and parents. Certainly treatment in these cases is better in Russia than in a foreign country."

WIFE LEFT PLANE—WHEREABOUTS UNKNOWN

Mr. Vasev added that Dr. Tkachenko was to have been taken to Russia by his wife. Mrs. Tkachenko left the aircraft on Saturday with her husband but her whereabouts are not now known. She is regarded as a free agent by British authorities.

Dr. Tkachenko would probably have returned to Britain.

"The police action in boarding the plane, forcefully removing him, isolating him from his wife and from the people who could help him and speak the same language, under his very medical condition, is, of course, a travesty of anything which any country should offer in ways of hospitality."

BIRMINGHAM STUDIES—DUE HOME NEXT MONTH

Dr. Vladimir Tkachenko, who is about 25, had been at Birmingham University since January, doing post-graduate work in low-temperature physics, using helium gas. He was not due to return to Russia until next month.

He came to Britain under a science student exchange scheme, administered by Royal Society, which was set up by the current Anglo-Russian cultural agreement. He was one of four scientific research workers exchanged in the last academic year.

He was regarded as a highly able student but was not engaged on any secret work. Prof. P. B. Moon, head of Birmingham University's Department of Physics, said yesterday that he was "a very good physicist indeed, good enough for the Russians to want him back".

He is understood to have worked in close and friendly cooperation with British scientists on the highly-specialized problems of low-temperature physics.

Dr. Tkachenko was due in Cambridge in the next few days to work in the Cavendish laboratories. He should have been staying in the Kapitza Hostel, which is leased to Churchill College by the Soviet Academy of Sciences.

Last night Lady Cockcroft, wife of the Master of Churchill College, Sir John Cockcroft, said: that Dr. Tkachenko had visited Cambridge twice. "He was due here shortly and he had been offered the hospitality of the college. He was going to read papers in the Cavendish."

MOSCOW CONFERENCE CALLED

(By John Miller)

Moscow, Sunday.—Russia's Foreign Ministry officials were summoned to a conference in Moscow today to discuss the unsuccessful attempt in London to kidnap Dr. Vladimir Tkachenko.

It was understood that the Russians were not planning to wreck the whole range of Anglo-Soviet cultural exchanges for the sake of Dr. Tkachenko. But the student exchange scheme, which was broadened after talks in London this year, could be jeopardized.

A British spokesman said that 45 British students had arrived in Moscow last week to study at Russian universities.

The Russian embassy's statement that Dr. Tkachenko was suffering from "mental" illness indicated that it believed he was planning to defect. This is a traditional Russian way of explaining a citizen's intention to defect.

The aircraft from which Tkachenko was taken arrived last night at Moscow's International Airport some four hours late.

"OBVIOUSLY DRUGGED"—BRITONS' ACCOUNT

Three British businessmen who travelled to Moscow in the plane said Dr. Tkachenko was "obvously drugged" when dragged aboard the plane an hour after the plane was due to take off.

"He looked like a doped seaman," one said.

"He was obviously drugged," said another. "It stuck out like a sore thumb. He was semi-conscious with his head lolling from side to side. He didn't know where the hell he was."

Another businessman took up the account. He said: "The plane's engines started. But nothing happened and eventually they stopped.

"Two British officials, followed later by a uniformed policeman, boarded the plane."

" 'We want to talk to this gentleman privately,' " the businessman quoted the immigration official as saying. " 'If you can clear the plane, we will talk to him on the plane.'

"The lad leapt up, trying to get off the plane. The senior Russian official pushed him back into his seat and said they would not clear the plane.

TALK WITH ENVOY—RUSSIANS ADAMANT

"Then the Russian officials asked to talk to the Russian Ambassador in London. Two Russian officials went to the telephone, returned and remained adamant."

The businessman quoted the immigration official as saying:

"This plane will not leave until we get him off."

"But this is a Russian airplane," the Soviet official reportedly said.

"And this is a British airport," the immigration official replied.

"What if we refuse to obey?" the Russian reportedly asked.

"We will enforce this with violence if necessary," the British official said.

The Russians scoffed at this and pointed out that if there was violence, it would go badly for the British as 80 per cent of the passengers were Russian and 20 per cent were British.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSTRUCTION OF ANTIBALLISTIC MISSILE SYSTEM

Mr. THURMOND. Mr. President, like many of my colleagues who for several years have urged the construction of an antiballistic missile system for defense of the United States, I welcome yesterday's announcement by the Secretary of Defense that construction of such a system would begin this year.

This represents the first peek of the administration from behind the blinders that they have been wearing. I hope that some day soon Secretary McNamara will take off his blinders and take a good hard look at what is happening in the Soviet Union.

This commitment to proceed is a positive step forward and it is a welcome change from the previous policy of the administration. However, I wish to point out that the program which the Secretary of Defense described is not all that should be done or could be done.

Most of the people do not understand the problems involved in trying to avert a nuclear war. They assume that America is strong enough to deter any country from making that kind of attack, but the development of the nuclear bomb in Communist China and the deployment of the Soviet ABM system means that we will have to do far more than has been planned to protect the American people against a surprise attack.

In this regard I take issue with one of the basic principles of the announced U.S. ABM deployment. It is, according to Secretary McNamara, a "thin" missile defense system that is "Chinese-oriented," and not the more extensive Soviet-oriented system that has been supported by the Joint Chiefs of Staff. In my opinion the real threat still remains with the Soviet Union. Further, the system proposed yesterday by Secretary McNamara is almost "too little and too late." It will protect some of our missile sites, but it will not protect the American people. Instead of defending against the more serious threat it defends against a lesser danger.

The reason for this unexpected attention of the administration to the threat of a Chinese missile attack was explained by Vice President HUMPHREY last night.

In a televised statement that appeared on the Huntley-Brinkley program, the Vice President said he firmly believed that a portion of the Soviet ABM system was constructed for defense against Communist China. He added that China was a reckless potential nuclear power, and a threat to both the Soviet Union and the United States.

That may be true, but it is a known fact that the major part of the Soviet ABM defense cuts across the "threat corridor" of land-based missiles launched from the United States over the North Pole or from Polaris submarines in the North Atlantic. This fact was discussed in depth in an article by Richard J. Whalen, entitled "The Shifting Equation of Nuclear Defense," which appeared in the June 1967 issue of Fortune. He stated that the Soviet ABM installations at Moscow and the several hundred mile installation known as the Tallinin Line face the northwest.

Whalen said:

> It is the unanimous judgment of the Joint Chiefs of Staff that the Tallinin Line is an anti-missile system.

We have, therefore, creditable evidence that the Soviet Union has already deployed a U.S.-oriented ABM defense. In the face of this information, I fail to see how the administration can take the position that we do not now need a Soviet-oriented ABM defense of our own. How can the Vice President say, as he did last night:

> We are also seeking to work with the Soviet Union on a basis of responsibility and respect for their power and they for ours by saying, "Look, why waste billions and billions and billions of dollars in a contest over an anti-ballistic missile system which cannot guarantee you with the protection that it seems to on first glance.

There is no doubt that Soviet missiles are aimed at our cities. The Washington Post issue of September 3, 1967, carried a report from Moscow in which Soviet Marshal Nikolai Krylov warned the United States of this fact. The Soviet missile chief said that populated administrative centers were considered targets equally as valid as military installations and industrial objects.

With this clear warning, with the best military judgment of the opinion that the Soviet Union is not only closing the offensive missile race, but also ahead of us in deploying the ABM, I believe that the Secretary of Defense and the Johnson administration are the victims of fallacious reasoning. As early as April 1963, I warned the Senate that Russia had an operational ABM system, and I urged immediate construction of an ABM system for our defense. The problem has not gone away. It cannot be rationalized out of existence.

While I am pleased to see a change of heart in the administration's stand on this vital issue of missile defense, the proposed system is not enough. I will continue my fight to make the administration take its head out of the sand and give the country the ABM defense that it deserves.

VISIT TO VIETNAM BY HARRY ASHMORE AND WILLIAM BAGGS

Mr. LAUSCHE. Mr. President, I think it is most unfortunate that a public dispute has arisen, growing out of the visit made by Mr. Harry Ashmore and Mr. Williams Baggs to Hanoi. In my opinion, the Department of State, true to its statements, attempted to explore every means of bringing the South Vietnam dispute to the negotiating table. It went out of its way in collaborating with Mr. Ashmore and Mr. Baggs in the hope that they would be able to produce advances toward bringing an end to the South Vietnam war. It should, however, be remembered that while the State Department and the present administration attempted to utilize the services of these two men, it would have been completely wrong to abdicate to them the performance of the principal responsibility, which lay with the President and the Secretary of State.

These two men expected, obviously, by what has recently been said, that the President should have gone into the background and allowed them to be the negotiators of peace, which all our citizens and public officials are praying for. They arrogated to themselves a power and an efficiency which are completely unjustified. They derogated, by the statement which was recently made, the duty and the responsibility of the President.

If any mistake was made by the administration, it was in giving to these two men a credit completely beyond that to which they were entitled.

Mr. President, I ask unanimous consent that the statement issued by the Department of State be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE DEPARTMENT OF STATE, SEPTEMBER 18, 1967

We have had a number of inquiries concerning news stories published today, based on an article by Mr. Harry Ashmore in a publication of the Center for the Study of Democratic Institutions (CSDI).

The facts concerning the Department's contacts with Messrs. Ashmore and Baggs are as follows:

1. During the summer of 1966, Mr. William Baggs told the Department that CDSI was planning a major conference in May of 1967 in Geneva, to follow up on the first *Pacem In Terris* meeting held in New York in February of 1965. Mr. Baggs disclosed to us efforts that the Center was making to invite North Viet-Nam to attend, and the Department responded sympathetically to the idea of the Conference and to these efforts. These initial contacts were with Mr. George Ball and Mr. William Bundy. The President and Secretary Rusk were informed, and Mr. Ball was directed to handle contacts with Mr. Baggs on behalf of the United States Government.

2. In mid-November and again in early December, Mr. Baggs was joined by Mr. Ashmore in calls at the Department. In these calls, the progress of the conference plans was reviewed, and the two visitors indicated that they had a tentative invitation to go to Hanoi, with Mr. Luis Quintanilla of Mexico. Messrs. Baggs and Ashmore also suggested that, if they were able to visit Hanoi, they might be able to conduct useful explorations of North Vietnamese views towards peace. Mr. George Ball having then left the Department, the primary responsibility for these conversations passed to his successor, Mr. Katzenbach, who kept the President and the Secretary of State informed as a matter of course.

In these conversations, Department representatives accepted the Baggs/Ashmore suggestion and undertook to cooperate fully. Accordingly, the position of the United States Government on key issues relating to peace was discussed at some length, so that Baggs and Ashmore could represent it accurately in Hanoi.

3. On December 23, Baggs visited the Department just prior to the departure of the three-man group on December 28. At that meeting, the basic understanding of the United States Government position was reaffirmed, and it was further agreed that Baggs and Ashmore would report confidentially what they were able to pick up in Hanoi.

4. Messrs. Baggs and Ashmore visited Hanoi from January 6 to January 14. They then returned to the US and on January 18 dictated for the Department a full and confidential account of their conversations. This covered in particular a conversation with President Ho on January 12. In this conversation, Ho had insisted that there could be no talks between the US and Hanoi unless the bombing were stopped, and unless also the US stopped all reinforcements during the period of the talks. Ho was reported to be adamant against any reciprocal military restraint by North Vietnam. The record does not show that he solicited any USG response to these remarks.

5. Concurrently, prior to January 18, on US initiative and without any connection to the Baggs/Ashmore actions, US Government representatives had established a direct channel for communication with North Vietnamese representatives in Moscow. With the apparent agreement of both sides, this channel was being kept wholly confidential, and was therefore not revealed to Messrs. Baggs and Ashmore in their discussions at the Department. It is, of course, fundamental to the USG dealing with Messrs. Baggs and Ashmore that there existed at the time this direct and secret channel. Exchanges through this direct channel continued through January and early February and culminated in President Johnson's letter to President Ho of February 8 (mistakenly stated by Mr. Ashmore as February 2). As has been stated by representatives of the Department, a wide variety of proposals was put before Hanoi in these Moscow contacts, without at any time producing any useful response.

6. Toward the end of January, Messrs. Baggs and Ashmore returned to Washington and expressed to the Department the strong hope that they could be given a message for transmission to Hanoi. The Department decided that, while the direct channel in Moscow was crucial and must at all costs be preserved, it would be useful to send a more general message through Messrs. Baggs and Ashmore, which would be consistent with the important messages being exchanged in Moscow. In view of this channel (of which Baggs-Ashmore were unaware) there was some question as to the further utility of detailed informal communications. It seemed clear from the account given by Messrs. Baggs and Ashmore that their channel of communication had been established with the primary purpose of exchanges concerning North Vietnamese attendance at the

May conference. Nevertheless, Baggs and Ashmore said they could send any messages for Hanoi through the regular mail to a North Vietnamese representative in Phnom Penh, who in turn would relay it to a North Vietnamese official who had been the principal contact of Messrs. Baggs and Ashmore in Hanoi. Accordingly, the letter now published by Mr. Ashmore was worked out with the representatives of the Department, and authorized to be sent on February 5. We were subsequently informed by Mr. Ashmore that this letter reached Phnom Penh on February 15.

7. No useful purpose could be served by giving further details on what took place in the Moscow channel. We can say, however, that on February 7, while that channel was still open and in operation, separate discussions were initiated in London between Prime Minister Wilson and Premier Kosygin of the USSR. The combined reading of the Moscow channel and of these discussions led to the dispatch on February 8 of President Johnson's letter to President Ho. This letter was of course published unilaterally by Hanoi on March 21, and is a matter of public record. It rested on, and was of course read by Hanoi in relation to, the various proposals that had been conveyed in the Moscow channel. There was no change of basic position whatever between February 5 and February 8, but President Johnson's letter did include a specific action proposal that speaks for itself, as does the tone of his communication.

8. As already noted, Hanoi had not responded in any useful way to the variety of suggestions conveyed in the Moscow channel. Its sole and apparently final response was reflected on February 13, in a letter by President Ho to Pope Paul VI. This letter, in the words of one press account today, "coupled an unconditional end to the bombing with the withdrawal of American forces and the recognition of the National Liberation Front." On February 15, President Ho replied formally to the President in similar terms. At the same time, Hanoi broke off the Moscow channel.

9. Hanoi's attitude remained negative throughout. The Baggs/Ashmore efforts were necessarily handled by the Department with an eye to the direct and then-confidential channel that existed concurrently to Hanoi. The latter appeared to be by far the more reliable and secure method of ascertaining Hanoi's views.

10. Finally, we note with regret that Mr. Ashmore is apparently ignorant of the subsequently published report of the Moscow contacts, and of their confirmation by Department representatives. We note with still greater regret that at no time since has he consulted with the Department in order to attempt to understand the interrelationship that necessarily obtained between the Moscow channel and his own efforts. As this case shows, the Administration has been prepared at all times to cooperate with private individuals who may be in contact with Hanoi in any way, and who are prepared to act responsibly and discreetly. This policy continues, although it seems clear that the present disclosure will not reassure Hanoi that such private contacts will be kept secret.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McINTYRE in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

APPOINTMENTS TO 12TH MEETING OF CONSULTATION OF MINISTERS OF FOREIGN AFFAIRS, ORGANIZATION OF AMERICAN STATES

The VICE PRESIDENT. The Chair wishes to announce the appointment of Senators WAYNE MORSE and BOURKE HICKENLOOPER as representatives to the 12th Meeting of Consultation of the Ministers of Foreign Affairs of the Member Nations of the Organization of American States to be held in Washington, D.C., September 22 through September 24, 1967.

ADJOURNMENT TO 11 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 35 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, September 20, 1967, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 19 (legislative day of September 18), 1967:

INTERNATIONAL ATOMIC ENERGY AGENCY

Glenn T. Seaborg, of California, to be the Representative of the United States of America to the 11th session of the General Conference of the International Atomic Energy Agency.

The following-named persons to be alternate representatives of the United States of America to the 11th session of the General Conference of the International Atomic Energy Agency:

Verne B. Lewis, of Maryland.
Herman Pollack, of Maryland.
James T. Ramey, of Illinois.
Henry DeWolf Smyth, of New Jersey.
Gerald F. Tape, of Maryland.

IN THE NAVY

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Noel A. M. Gayler, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

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HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 19, 1967

The House met at 12 o'clock noon.

The Reverend Myron K. Guiler, pastor of the Marietta Bible Center Church, Marietta, Ohio, offered the following prayer:

Proverbs 14: 34: *Righteousness exalteth a nation; but sin is a reproach to any people.*

Eternal God, we approach Thy throne of grace through the person and upon the merits of our Lord Jesus Christ. Our hearts are grateful that Thou hast extended to us this privilege of making our requests known unto Thee.

In these days of struggle with the adversary may our President, our Speaker, and the Members of Congress be granted wisdom and be sustained by a living faith which will enable them to carry on in confidence.

May Thy wisdom cause us to recognize what Thou hast done for us in the past, may there be thanksgiving for the present, and may it prompt us to walk in Thy precepts as we face the future.

We pray in the name of our Redeemer, the Lord Jesus Christ. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SOUTHEAST ASIA TRIP

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, I returned to Washington late last week following at 2-week tour of Southeast Asia.

The gentleman from New York [Mr. WOLFF] and I went first to Vietnam to observe the September 3 elections, and subsequently visited Thailand, Laos, Hong Kong, and Japan.

Representative WOLFF continued on to the Philippines and to Taiwan while I returned here. When he returns, we will make a full report to the House.

But in the interim—in the thought that some Members would be interested—I will insert in the CONGRESSIONAL RECORD over the next several days a series of nine articles on our trip I cabled home to the Buffalo Evening News.

DETROIT POLICE DEPARTMENT HAS TO DEAL THROUGH NATIONAL RIFLE ASSOCIATION

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JACOBS. Mr. Speaker, it was reported this morning that since the Detroit Police Department is not allowed to fill its needs by obtaining certain surplus Defense Department equipment, the police are getting it from a higher authority with which the Defense Department can deal—the National Rifle Association. Make your own jokes.

SUPPORT OUR COMMANDER IN CHIEF AND THE MEN IN VIETNAM

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, President Lyndon B. Johnson is our Commander in Chief while our men are fighting Communist aggression in South Vietnam. The question of our involvement in this war is no longer debatable. We are fighting ruthless terror and stark aggression. We were committed and involved before President Johnson became Commander in Chief. Our word was given years ago. The line was drawn at the 17th parallel. We are in South Vietnam fighting aggression to honor that commitment and keep our word. I fervently hope the United States will always keep its word and maintain our honor and national integrity.

The President, as our Commander, and our fighting men in the mud and filth of the jungles, need the prayers and support of the American people. Very frankly, Mr. Speaker, I opposed American entrance into World War II. I spoke against American commitments to England which might lead to American involvement in that war. But after enemy bombs fell on our men at Pearl Harbor, I volunteered and served with six brothers all over the world to keep the tide of war away from the shores of our homeland. That war was won and we brought the boys home. The Congressman from my own congressional district voted with 49 other Members of the House against World War I in April 1917; but when the Congress voted for a declaration of war and our young men were fighting in the trenches and mud of West Europe, these men who opposed the war supported the war effort and brought the boys home.

The late Senator Arthur Vandenberg of Michigan espoused with every ounce of his great energy the cause of isolationism, but after Pearl Harbor, he devoted his great talents to winning the war, bringing the boys home, and securing the peace. He supported President Franklin Roosevelt's efforts to win that war. We can do no less today.

Mr. Speaker, those who oppose our policy in South Vietnam are prolonging the war. They are encouraging the enemy to fight harder; they are telling him to stay away from the peace table. Where would these modern day isolationists make a stand against sinister aggression? Would they withdraw from South Vietnam and fight on a second line in the Pacific? Would they fight in the Philippines? Would they fight in Alaska or would they withdraw to the Rockies? Would they wait until bombs and war came to the Ozarks? Would they fight anywhere for freedom? Now is the time for every American to come to the aid of our men fighting valiantly and gallantly in South Vietnam. Our President and our men need the loyal support of every American. We should support the boys and bring them home rather than argue and debate involvement, which is no longer debatable.

The President is our Commander. He is at the helm guiding the ship of state through treacherous waters. I have five children on that ship of state with the President at the helm. I am not going to throw sand or sugar in the gas tank. We want to cross safety to the other side. I am not going to do or say anything against the President of the United States which will help the Communist enemy. I am not going to do or say anything about the Commander or our commitments which will jeopardize the lives and future of our children and grandchildren. Abraham Lincoln had his critics who prolonged the war. President Franklin Roosevelt and President Harry Truman were bitterly attacked and assailed. In this Vietnam struggle when everyone should be aware of the terrible consequences of disunity let us unite behind President Johnson, support the men in Vietnam, win the war, and bring a maximum number of the boys home.

CRITICISM AND WAR GO HAND IN HAND

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, criticism and war always go hand in hand. We remember the opposition President Truman endured during the Korean conflict. We recall what the isolationists said about President Roosevelt prior to our entry into World War II. Woodrow Wilson was plagued by opposition from many groups before we became involved in World War I. And to go back even further: there was a convention of New England States opposing the War of 1812, which seriously considered the possibility of seceding from the Union.

Our involvement in Vietnam has likewise evoked extensive criticism. No American likes the idea of sending our Nation's youth off to battle on foreign shores. But no one has offered a feasible alternative to American presence in Vietnam. The cause of peace and liberty is at stake, and America has no choice but to honor her commitments and hold the line against Communist aggression in Southeast Asia.

PERMISSION FOR SUBCOMMITTEE ON BANK SUPERVISION OF THE COMMITTEE ON BANKING AND CURRENCY TO SIT TODAY DURING GENERAL DEBATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Bank Supervision of the Committee on Banking and Currency may be permitted to sit today during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MOTHER OF GERALD R. FORD

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I know that I express the feeling of all Members of the House when I say that we are grieved to receive the news that Mrs. Dorothy Ford, the mother of our distinguished and beloved minority leader, passed away last Sunday. Only time can heal the trauma of such a loss. Yet the four fine sons who survive her may find solace in the knowledge that their mother lived her life well and fruitfully. Her children and grandchildren unto many generations to come are heirs to the high standards and ideals of this wonderful Christian lady. The minority leader has been fortunate in having had the love, guidance, and support of such a mother. He is a credit to her and was no doubt a source of pride and satisfaction in her lifetime.

Mrs. Ford's dedication reached beyond the limits of her own family and circle. She was a devoted and tireless worker in almost every civic and philanthropic undertaking in her community. She was one of the most faithful workers in her church. By her example and her industry she contributed immeasurably to all who came within her sphere of influence. Such women add joy to the lives of all around them.

We express our deepest and most heartfelt sympathy to the distinguished minority leader, Mr. GERALD R. FORD, and to all the members of his family.

Mr. ARENDS. Mr. Speaker, I feel I speak for every Member on this body when I express appreciation to the majority leader for what has just been said concerning the death of the mother of our great minority leader, GERRY FORD. Mrs. Ford's death came as a shock to the family and all of us.

The untimely death of this wonderful wife and mother, whose family was so very closely tied to her every minute of every day. Her passing leaves a void in the family circle as an unexpected death always does.

All of us join in wishing for Divine blessings on the Ford family and may they be able with strength from Him above, to face at this particular time the immense sorrow that is theirs.

Our deep expressions of sympathy goes forth to each and every member of the family.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, there is no Member of the House who is more deeply respected than my good friend, GERRY FORD, the distinguished minority leader of this great body. Each and every one of us entertains for him and his brothers our profound sympathy in their bereavement in the loss of their dear mother.

The passing of Mrs. Ford was unexpected, but I know that our dear friend GERRY FORD and his brothers will receive great consolation in the knowledge of the beautiful life she led.

As the poet said:

> It is in the arms of a woman that we enter life; it is in the arms of a woman that we gain the courage and strength to bear life, and it is in the arms of a woman that we invariably leave and for the span between, how meaningless it would be but for her life.

Mrs. Ford has always had her loving arms and thoughts around GERRY FORD and his brothers and loved ones. While a great sorrow exists, there is a great consolation in the beautiful life one leads—in this case, the dear mother of our dear friend, GERRY FORD. I know that he and his brothers will derive great consolation in their sorrow from the beautiful life, the wonderful life their dear mother led, which was an inspiration for countless thousands of others to follow.

The sorrow of GERRY FORD is in a sense the sorrow of each and every one of us because we entertain for him such deep feelings of respect and friendship and admiration. I join with the majority leader and the minority whip, and I know I speak the sentiments of all my colleagues when I express my deep sympathy and our deep sympathy to GERRY FORD and to his brothers.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I would like to associate myself with the remarks that have been made. I know what a tremendous loss this is for the minority leader.

To know the distinguished minority leader is to realize what a wonderful mother Mrs. Ford must have been. She has given to the State of Michigan and to our Nation a public servant of honesty, integrity, sincerity, and industry. I know that Mrs. Ford was very proud of her son, and she is to be commended for her ability to bestow in her son, the distinguished minority leader, real strength of character.

I know she was a fine lady and a wonderful mother and wife to the late father of Congressman FORD, and I am sure she will be missed by her family and her many friends in her home State.

Mrs. Boggs joins me in expressing our deepest sympathy to our friend, GERRY FORD, on his loss.

Mr. MATSUNAGA. Mr. Speaker, it is with a saddened heart that I join my colleagues in the House in expressing sympathy to our esteemed minority leader over the loss of his dear mother, Mrs. Gerald R. Ford, Sr.

Mrs. Ford gave unstintingly of herself in service to the Grand Rapids community, and her going is a great loss to Michigan and to the Nation.

The character of this fine lady is nowhere better reflected than in her sons, all outstanding citizens of the great State of Michigan, and to whom she leaves the heritage of a noble memory.

Few experiences along life's pathway are more painful than the loss of a beloved mother, but I do hope that "JERRY" FORD and his brothers Thomas, Richard, and James, along with other members of their family, will find some comfort in the fact that there are many who share in their sorrow. To them I extend my deepest sympathy and heartfelt condolences.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on this subject.

The SPEAKER pro tempore (Mr. JACOBS). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE EXPECTATION OF EXCELLENCE

Mr. PIRNIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PIRNIE. Mr. Speaker, it is good news that the Public Broadcasting Act of 1967 is expected to reach the floor of the House for our consideration later this week.

I believe this act can do much toward assuring that radio and television are developed into excellent and far-reaching educational media.

The act, as reported by the House Interstate and Foreign Commerce Committee, will continue the valuable program of the Educational Television Facilities Act of 1962, which has just expired. Also, it will expand the 1962 act's provision of grants for construction and expansion of broadcasting facilities to include educational radio.

For this, the Public Broadcasting Act will authorize a comprehensive study of the whole range of instructional television broadcasting, including its relationship to educational television.

One of the most promising features of this bill is the creation of a nonprofit corporation which will develop high cultural and educational level radio and television programing without the need of accepting the restrictions of commercial financing. Most wisely, the Interstate and Foreign Commerce Committee has acted to insure that this corporation will also be insulated from political or governmental interference with its experiments and offerings.

I endorse the basic concepts contained in the Public Broadcasting Act of 1967 and trust that it will be passed in a form adapted to the proper advance of its worthy objectives.

VIETNAM

Mr. CARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CARTER. Mr. Speaker, can you envision the reaction that would occur in the United States if Russia or China intervened in Mexico or in Central or South America? Would the people of the United States consider this a warlike act on the part of Russia or China and a violation of the Monroe Doctrine?

Then, if we consider intervention in our hemisphere wrong and a possible cause of war, how can we justify our presence in South Vietnam, an Asian country 11,000 miles away from home and near a country—China—which we obviously oppose and which clearly opposes us? Are we not fighting just the type of war the Communists would have us fight—with a long supply line, engaged in a bloody conflict where we have become so enmeshed that extrication is practically impossible, and which conflict is costing a minimum of $24 billion a year? Is it any wonder that Castro and Che Guevara are asking for two or three more Vietnams?

REGULATION OF MAXIMUM RATES OF INTEREST OR DIVIDENDS, HIGHER RESERVE REQUIREMENTS, AND OPEN MARKET OPERATIONS IN AGENCY ISSUES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the committee on Banking and Currency be discharged from further consideration of the bill H.R. 12754, to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues, and to provide for a regular audit of the Federal Reserve System by the Comptroller General, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. WIDNALL. Mr. Speaker, reserving the right to object, I want to ask a question of the chairman of the Committee on Banking and Currency.

In part of the title of the bill it says, "To provide for a regular audit of the Federal Reserve System by the Comptroller General."

As the bill was voted out of the Committee on Banking and Currency today, it did not contain the audit provision.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Texas.

Mr. PATMAN. No; we have amendments, I will say to the gentleman from New Jersey, which will be offered in this respect.

The bill as it came out of the committee extends it for 1 year and removes everything about the audit—everything about the audit. So it is a straight bill to extend for 1 year, just like it has been for the last year. The bill was unanimously reported by the Committee on Banking and Currency.

Mr. WIDNALL. The two amendments that the gentleman from Texas proposes to offer, one proposes to strike out the audit by the GAO and the second extends the authority for only 1 year; is that correct?

Mr. PATMAN. Mr. Speaker, if the gentleman will yield further, that is exactly right; yes.

The SPEAKER. Is there objection to

the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of September 21, 1966 (80 Stat. 823), is hereby amended by striking "one-year" and inserting in lieu thereof "three-year".

SEC. 2. (a) The Comptroller General shall make, under such rules and regulations as he shall prescribe, an audit for each fiscal year of the Federal Reserve Board and the Federal Reserve banks and their branches.

(b) In making the audit required by subsection (a), representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the entities being audited including reports of examinations of member banks, and they shall be afforded full facilities for verifying transactions with balances or securities held by depositaries, fiscal agents, and custodians of such entities.

(c) The Comptroller General shall, at the end of six months after the end of the year, or as soon thereafter as may be practicable, make a report to the Congress on the results of the audit required by subsection (a), and he shall make any special or preliminary reports he deems desirable for the information of the Congress. A copy of each report made under this subsection shall be sent to the President of the United States, the Federal Reserve Board, and the Federal Reserve banks. In addition to other matters, the report shall include such comments and recommendations as the Comptroller General may deem advisable, including recommendations for attaining a more economical and efficient administration of the entities audited, and the report shall specifically show any program, financial transaction, or undertaking observed in the course of the audit which, in the opinion of the Comptroller General, has been carried on without authority of law.

(d) The Comptroller General is authorized to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, to such extent as may be necessary to carry out the audit required by subsection (a).

AMENDMENTS OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. PATMAN: On page 1, line 5, strike out "three-year" and insert "two-year".

And, on page 1, strike out line 6 and all that follows through line 7 on page 3.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill as amended.

The bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of S. 1956, to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1956

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of September 21, 1966 (80 Stat. 823) is hereby amended by striking "one-year" and inserting in lieu thereof "three-year".

AMENDMENT OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: Strike out all after the enacting clause of S. 1956 and insert in lieu thereof the provisions of H.R. 12754, as passed, as follows:

"That section 7 of the Act of September 21, 1966 (80 Stat. 823), is hereby amended by striking 'one-year' and inserting in lieu thereof 'two-year'."

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

AMENDMENT OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: In the title of S. 1956 strike out "two years" and insert "one year".

The amendment was agreed to.

"To extend for one year the authority for more flexible regulation of maximum rates of interest and dividends, higher reserve requirements, and open market operations in agency issues."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 12754) was laid on the table.

CALL OF THE HOUSE

Mr. GOODLING. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 260]

Adams
Aspinall
Blackburn
Blatnik
Brinkley
Brock
Broomfield
Bush
Casey
Celler
Conyers
Daddario
Diggs
Dulski
Evins, Tenn.
Fascell
Feighan
Ford, Gerald R.
Fountain
Frelinghuysen
Garmatz
Gude
Halleck
Hansen, Wash.
Hays
Hébert
Herlong
Holland
Karth
Long, La.
McClure
Mailliard
Multer
Murphy, N.Y.
Pepper
Pucinski
Railsback
Rarick
Resnick
Riegle
Roush
Roybal
Scheuer
Steiger, Wis.
Stephens
Teague, Tex.
Tenzer
Thompson, N.J.
Tunney
Utt
Vigorito
Willis
Wolff
Wyatt

The SPEAKER. On this rollcall 378 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar Day. The Clerk will call the first individual bill on the Private Calendar.

E. F. FORT, CORA LEE FORT CORBETT, AND W. R. FORT

The Clerk called the bill (H.R. 2661) for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. INGE HEMMERSBACH HILTON

The Clerk called the bill (H.R. 6096) for the relief of Mrs. Inge Hemmersbach Hilton.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CLARA B. HYSSONG

The Clerk called the bill (H.R. 1655) for the relief of Clara B. Hyssong.

There being no objection, the Clerk read the bill as follows:

H.R. 1655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Clara B. Hyssong of Winchester, Virginia, is relieved of liability to the United States in the amount of $3,578.40, representing the amount of sums paid to her during the period January 1957 through November 1962 as widow's benefits under title 38, United States Code, in violation of certain provisions of such title (relating to income limitation) which were applicable to her. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Clara B. Hyssong an amount equal to the aggregate of the amounts paid by her, or withheld from sums otherwise due her, with respect to the liability to the United States specified in the first section of this Act. No part of the amount appropriated in this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, line 4, strike "3,578.40" and insert "$1,448.40".

On page 1, line 5, after "representing" insert "a portion of".

On page 2, lines 10 and 11, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAURITZ A. STERNER

The Clerk called the bill (H.R. 3865) for the relief of Mauritz A. Sterner.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 8091) for the relief of Charles Waverly Watson, Jr.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SETSUKO WILSON (NEE HIRANAKA)

The Clerk called the bill (S. 534) for the relief of Setsuko Wilson (nee Hiranaka).

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MARIA KOLOMETROUTSIS

The Clerk called the bill (H.R. 7427) for the relief of Maria Kolometroutsis.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HUBERT ASHE

The Clerk called the bill (H.R. 4404) for the relief of Hubert Ashe.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JOANNE MARIE EVANS

The Clerk called the bill (H.R. 5368) for the relief of Joanne Marie Evans.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL and Mr. GROSS objected; and, under the rule, the bill was recommitted to the Committee on the Judiciary.

COL. GILMOUR C. MACDONALD, U.S. AIR FORCE (RETIRED)

The Clerk called the bill (H.R. 10932) for the relief of Gilmour C. MacDonald, colonel, U.S. Air Force (retired).

Mr. HALL. Mr. Speaker, by request, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ELPIDIO AND NATIVIDAD DAMAZO

The Clerk called the bill (H.R. 3727) for the relief of Elpidio and Natividad Damazo.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MARTHA BLANKENSHIP

The Clerk called the bill (S. 117) for the relief of Martha Blankenship.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

WIDOW OF ALBERT M. PEPOON

The Clerk called the bill (S. 477) for the relief of the widow of Albert M. Pepoon.

There being no objection, the Clerk read the bill, as follows:

S. 477

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Civil Service Retirement Act of May 29, 1930 (as in effect on August 31, 1956), Albert M. Pepoon shall be considered to have retired on August 31, 1956, pursuant to section 6 of such Act, and to have elected at such time, pursuant to section 4(b) of such Act, to receive a reduced annuity and an annuity after death payable to his widow, Loretta C. Pepoon.

SEC. 2. No annuity shall be payable by reason of the enactment of this Act for any period prior to the first day of the month in which this Act is enacted.

SEC. 3. Notwithstanding any other provision of law, benefits payable by reason of the enactment of this Act shall be paid from the civil service retirement and disability fund.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VIRGILE POSFAY

The Clerk called the bill (H.R. 1884) for the relief of Virgile Posfay.

Mr. TALCOTT. Mr. Speaker, on request, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MRS. SOPHIE MICHALOWSKA

The Clerk called the bill (H.R. 5233) for the relief of Mrs. Sophie Michalowska.

There being no objection, the Clerk read the bill, as follows:

H.R. 5233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Sophie Michalowska of Baltimore, Maryland, the sum of $9,940.31 as a gratuity for the sacrifices sustained by her as a result of having been imprisoned for a period of approximately eight and one-half years by the Communist Government of Poland on charges of espionage and treasonable activites while employed in the United States Embassy in Warsaw, Poland. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. The period from December 6, 1947, to May 1, 1956, inclusive, during which Mrs. Sophie Michalowska was imprisoned by the Communist Government of Poland on charges of espionage and treasonable activities while employed in the United States Embassy in Warsaw, Poland, shall be determined to be creditable service for the purposes of subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code, if she makes the required employee contribution.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SECOND LIEUTENANT ALLAN L. SCHOOLER

The Clerk called the bill (H.R. 6325) for the relief of 2d Lt. Allan L. Schooler.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ARTHUR ANDERSON

The Clerk called the bill (H.R. 10655) for the relief of Arthur Anderson.

There being no objection, the Clerk read the bill, as follows:

H.R. 10655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, if application is made by Arthur Anderson, of Detroit, Michigan, within ninety days after the date of enactment of this Act for any benefits under title 38, United States Code (as in effect on June 30, 1960), such application shall be deemed to have been filed on June 30, 1960.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ABRAHAM RUCHWARGER

The Clerk called the resolution (H. Res. 493) to refer the bill (H.R. 9326), entitled "A bill for the relief of Dr. Abraham Ruchwarger," to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code.

Mr. TALCOTT. Mr. Speaker, on request, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

PROVIDING FOR THE CONSIDERATION OF H.R. 6418, PARTNERSHIP FOR HEALTH AMENDMENTS OF 1967

Mr. O'NEILL of Massachusetts. Mr. Speaker, I call up House Resolution 923 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 923

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6418) to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Ohio [Mr. LATTA] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 923 provides an open rule, waiving points of order, with 2 hours of general debate for consideration of H.R. 6418, a bill to amend the Public Health Service Act. The resolution further provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment. The waiver of points of order was requested due to the fact that on page 99, lines 21 through 24, and on page 39, lines 11 through 17, of the bill there is language which provides for a reappropriation of reimbursable funds.

The principal purposes of H.R. 6418 are to extend and expand for 3 additional years—until July 1, 1971—the appropriation authorizations under the Public Health Service Act for formula and project grants for public health services by the States, and for grants for comprehensive health planning, and to establish an expanded program for research into and demonstrations of new methods of organization, delivery, and financing of health services. The bill also establishes a program of aid for projects for alterations, enlargement, or remodeling of, and additions to, existing hospitals having an average rate of occupancy exceeding reasonable capacity. In addition, the bill establishes a program for licensing clinical laboratories which solicit or receive specimens in interstate commerce, such as skin, tissue, blood, or anything upon which clinics perform tests in interstate commerce.

The bill authorizes a total expenditure of $950 million.

Mr. Speaker, I urge the adoption of House Resolution 923 in order that H.R. 6418 may be considered.

Mr. Speaker, I reserve the balance of my time.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I agree with the statements just made by the distinguished gentleman from Massachusetts [Mr. O'NEILL]. The primary purpose of H.R. 6418 is to extend, through fiscal year 1971, the authorization under the Public Health Service Act making grants for comprehensive health planning and services, and to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes.

I believe it would be well for us today to recall the history of this act. The Comprehensive Public Health Service Act came into being after President Johnson sent a health and education message to Congress on March 1, 1966, wherein he stated:

> I recommend to Congress a program of grants to enable States and communities to plan the better use of manpower facilities and financial resources for comprehensive health services. . . . Our purpose must be to help redirect and reform fragmented programs which encourage inefficiency and confusion and fail to meet the total health needs of our citizens.

In view of this message and the pressing need to bring some order to the administration of programs designed to help the States and local governments overcome their particular health problems, the Congress enacted the Comprehensive Public Health Service Act on October 17 of last year. This act was for 2 years, and will expire with fiscal year 1968.

In this legislation, $125 million was authorized for formula and special project grants to the States and the cities to help meet their own specific health needs. This amount is increased by $15 million in this bill.

Since this legislation has been in effect, the committee has observed and evaluated the results obtained through the grant technique, found them satisfactory, and has expanded and extended the program. In so doing, they have abandoned the system of categorical grants which have heretofore dominated Federal assistance programs, declaring that it fragmented Federal assistance, placed rigid restrictions on when and how to use such assistance, and stifled local initiative in problem solving efforts by straightjacketing them within Washington-fixed guidelines. All Federal assistance programs in the field of public health are consolidated into two program grant authorizations, one for formula grants for public health services, and one for special project grants. The formula grant is the chief Federal assistance for most State and local health programs. Funds made available are distributed within a State according to its own list of priorities, with but only two restrictions: First, that at least 15 percent of each State's allotment must be used for mental health programs, and second, at least 70 percent of the allotment will be used on programs and not on administration costs.

Special project grants are also available under the bill. These are to be used to pick up the slack where the public health problems are so massive that a State's formula grant cannot solve the problems. These are allocated on a project-by-project basis.

The bill provides for a study into the fields of health services conducted by HEW. The purpose is to attempt to find ways of increasing efficiency in our hospitals, and among medical personnel to help hold down the rising costs of medical care to the public.

The bill also places increased emphasis on coordinated, statewide planning in order to identify the needs and resources and to set priorities.

The authorizations provided in this bill total $950 million. Major items over the 3-year period are $307,500,000 for the formula grants for the States, $262,500,000 for special project grants, and $188 million for research and demonstrations in Public Health Service projects.

The bill also provides continued Federal assistance to schools of public health and the training of nurses.

It amends the act in other technical areas to clear up conflicts or ambiguities.

The full committee supports the bill with the exception of the Ottinger amendment in section 12, which was adopted by the committee by a one vote margin.

It is an amendment to the Hill-Burton Hospital Construction Act. Hill-Burton provides Federal assistance to the States to construct new hospitals and to modernize older hospitals.

Section 12 would amend this act to provide Federal funds directly to hospitals on a first-come, first-serve basis and would subsidize hospital services as well as construction. It would help only a few hospitals in the Nation.

Forty million dollars would be provided for fiscal year 1968. Naturally, this is not a budgeted item.

As all of our colleagues will agree, I am sure, the Hill-Burton Act has worked well and the best interests of the Nation would not be served by the enactment of any amendment which might do it damage.

Hence, Mr. Speaker, I urge my colleagues to reflect upon the long range effects of the Ottinger amendment to the Hill-Burton Act before deciding to support it.

After Congress passed the comprehensive public health service act last October 17, several States and cities applied for grants under this legislation for rat control.

California applied for $500,000.
Pennsylvania applied for $145,000.
South Carolina applied for $105,000.
Washington State applied for $20,000.
St. Louis applied for $130,000.
Kansas City, Mo., applied for $6,000.

I am advised that New Jersey also applied, but I do not know the amount requested.

The Department stated some weeks ago additional applications were expected under this new legislation and as a consequence my list is undoubtedly not complete.

After the administration sought to lift a section from its housing bill to set up another program to assist cities with rat control, I sought to ascertain how many departments of the Federal Government were already spending money for rat and pest control.

I found that nine different departments and agencies were expending funds for such purposes. Here are their expenditures for fiscal year 1967:

Department of Agriculture	$649,266
Department of Health, Education, and Welfare	426,927
Office of Economic Opportunity	2,373,671
General Services Administration	200,000
Department of Commerce	10,380
Department of Housing and Urban Development	282,000
Department of Defense	11,800,000
Department of the Interior	64,248

Expenditures already made in fiscal year 1968—which began July 1:

Department of Labor	$300,000
Office of Economic Opportunity	757,024

All of these departments and agencies do not make outright grants to the cities to help them with their particular local problems, but many of them are authorized to do so. The office of Economic Opportunity—a creature of the Johnson administration—is authorized to and is making grants to cities for rat control. In fact, the Office of Economic Opportunity points this out for our city officials on page 442 of its "Catalog of Federal Assistance Programs." As noted above, it expended $2,373,671 in fiscal year 1967. The Johnson administration could have expended several millions more from OEO funds for this purpose as over $250 million of its total $1,612,500,000 1967 budget were in unallocated funds. Naturally, the question is why were not more OEO funds allocated by the administration for this purpose during fiscal year 1967?

The Department of Labor has just funded a rat control program under existing legislation for the District of Columbia in the amount of $300,000. This money came from its manpower development and training fund. The moneys in this fund are disbursed at the direction of the administration, and the Congress appropriated $390 million to it for fiscal year 1967. Why were not more manpower development and training funds allocated by the administration for this purpose during fiscal year 1967? Certainly more of these funds can be used for rat control programs in fiscal year 1968 should the administration desire to do so. The House has approved an expenditure of $394 million for fiscal year 1968 for manpower development and training.

The Department of Housing and Urban Development, the same Department wherein the President desired to start another new program, has acknowledged that it is authorized to expend funds for rat control under the new Model Cities Act, and that it expects requests from cities for the same. The House has already voted $225 million for the model cities program for fiscal year 1968. This same department acknowledges the expenditure of Federal funds for rat control in urban renewal projects, concentrated code enforcement projects, demolition grant projects, in the management and operation of federally assisted low-rent housing projects, and so forth.

The Department of Health, Education, and Welfare even has a training program in rat control techniques for local and State sanitarians at Atlanta, Ga., in addition to a research center in San Francisco.

Contrary to what some may have been led to believe, the Department of Agriculture aids our cities in many ways in rodent control through its county agents, home economists, extension service, publications, and so forth.

As I understood it, an amendment will be offered to this present bill by the gentleman from Maryland [Mr. MATHIAS] and the gentleman from Wisconsin [Mr. REUSS] for rat control. This amendment will simply attempt to increase the moneys already provided for in this legislation under the grant provision and will not attempt to designate where the money is to be spent in the amendment as this would be inconsistent with the bill's noncategorical grant features. They will, however, make a history on the floor of the House showing where the additional amount of money should be spent.

I think Members of the House should pay very close attention to the arguments that will be presented after this amendment is offered, as the bill already provides additional money for grant purposes over and above the amount which was provided last year; $125 million was provided only last October for formula and specific grants. There is $140 million in this legislation.

In conclusion, let me say that it is up to our States and cities to ascertain what then public health needs are under this legislation and to make their applications accordingly. If some cities cannot cope with their own rat problems—and rats are local problems—and choose to put rat eradication ahead of other health problems in applying for Federal funds, they are at liberty to do so under this act. I supported this comprehensive Public Health Act when it passed last year and I intend to support it again today.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Iowa.

Mr. GROSS. I wish to commend the gentleman for the statement that he has made with reference to the so-called rat control bill. I wonder if the gentleman has been any more successful than I have been in trying to find what happened to the $2 million that financed the pilot program in Chicago for this purpose? Was the gentleman able to get any information with respect to what that expenditure has accomplished, if anything?

Mr. LATTA. I do not know what it has accomplished, but I can give the gentleman the figure that was authorized for that specific program. This was under the Office of Economic Opportunity. The first grant was for $2,373,671. Then in fiscal year 1968, which just began on July 1, as the gentleman knows, the Office of Economic Opportunity granted $757,024 to the same city for the same purpose.

Mr. GROSS. Does that mean a total of $3 million is in the spigot, or how much of that has been expended? Does the gentleman have that information?

Mr. LATTA. As I mentioned, in the fiscal year 1967 the Office of Economic Opportunity made an award or grant of $2,373,671. I would assume that since they came back for more money, that that money was expended for that purpose.

Mr. GROSS. I will say to the gentleman it seems to be impossible to get any information from Mr. Shriver, the Director of the alleged poverty program, on this particular subject.

Mr. LATTA. Let me say to the gentleman on that point that I found it exceedingly difficult to get the information, but we finally did get the information that I regard as accurate, and if the gentleman would like, I could recite the amounts for these 9 different departments for the fiscal years 1967 and 1968.

Mr. GROSS. I thank the gentleman. If I remember correctly, the gentleman put that information in the RECORD some time ago.

Mr. LATTA. Yes, on August 16.

Mr. GROSS. I thank the gentleman for yielding.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Kentucky.

Mr. SNYDER. If I recall correctly, the President's message on the Rat Extermination Act of 1967 indicated that a portion of the attack was going to be by way of municipal garbage collection. I wonder if any of these 9 programs involve getting into either collecting garbage at the municipal level or subsidizing the collection of garbage at the municipal level.

Mr. LATTA. I could not answer that. But as the gentleman knows, this is one of the problems in rat control, getting rid of the garbage. It is a local problem and it is something that should not come under the purview of this act. I do not know whether it will be authorized under the law or not.

Mr. SNYDER. The gentleman is not aware of whether the particular program that we are talking about today, the rat control section, would authorize the Federal Government either to be involved in municipal garbage collection or the subsidization of that collection?

Mr. LATTA. No, I do not. Let me correct the gentleman. There is no specific section tagged as "rat control section" under this legislation. That is the point and the basis of the legislation. We do not want to tag it because, for example, the city of Milwaukee has a good program on rat control, as has the city of Detroit.

The needs are not the same as, perhaps, Washington, D.C., or New York City. We do not want to tag these particular programs and say, "You have got to take it or leave it." I think the President was right when he said we ought to examine the total needs of these cities and their health aspects. I think if we are going to put additional moneys in where they are needed for rat control, it should be in this legislation, as I pointed out previously, and not in the OEO, which really should not be giving out rat control money. It should be a public health function, and it should be in this legislation.

Mr. SNYDER. Mr. Speaker, I concur with what the gentleman said and thank him for his contribution.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

SO-CALLED PEACE EFFORTS BY CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS

Mr. BOGGS. Mr. Speaker, I take this time to discuss for a few minutes the news stories which have appeared in the last several days with respect to allegations made by officials of an organization known as the Center for the Study of Democratic Institutions, and, more specifically, Mr. Harry Ashmore and Mr. William Baggs, who are associated with that institution, located in the State of California.

Mr. Ashmore, in an article published in a magazine which is sponsored by the organization which I just now mentioned, said that the President had "effectively and brutally sabotaged" a peace approach to Hanoi through private channels. Normally, Mr. Speaker, allegations of this kind are so totally irresponsible and their effect so limited that it is sometimes the better part of wisdom to ignore them and to trust to the good commonsense of the American people to analyze and reject this type of irresponsible verbiage. In this case, however, Mr. Speaker, these allegations have been given such broad circulation, have been quoted so widely in the press, on the radio, and on television, both here and abroad, and they are so far from the truth that some attention must be given to rebutting these statements.

First, let us take a look at what Mr. Ashmore was doing. He was going to Hanoi in January last to drum up delegates to attend a conference called "Pacem in Terris" to be held in Geneva in May of this year. Ironically enough, Mr. Ashmore abrogated to himself and to his associates in that institution the title which had been given to an encyclical enunciated by one the great men of all time, Pope John XXIII, when he talked about peace on earth.

But Mr. Ashmore appointed himself as an ambassador and he went there to drum up someone to attend this conference, which was held later in the year.

Incidentally, I might say that he failed in that mission as well, because no one from Hanoi or from North Vietnam accepted his invitation to the gathering which was later held in May of this year in Geneva.

The facts are that his part in any type of communication with Hanoi was purely incidental, and the notion that he should be informed of all of the efforts of the Government of this country and of other countries to bring about peace in the world was only the thinking of a man of great arrogance.

As a matter of fact, I was interested in the observation made this morning in the Washington Post, where it referred to the gentleman as "The Arkansas Traveler" and referred to the article in this fashion:

> Its high tone and imperious posture conveys the somewhat embarrassing impression that the author regards the Center for the Study of Democratic Institutions as a sovereign power. The article sounds like a communique from a greater to a lesser, and infinitely more stupid and worse governed, minor state.

Referring, of course, to the Government of our own country.

The facts are that the President did address a letter to Mr. Ho Chi Minh, on February 8. Anyone who reads that letter—and it has been published widely—can only regard the letter as conciliatory, can only regard the letter as a most generous offer of peace made by a major power involved in a tremendous conflict.

That letter was rejected unilaterally, offhand, by Ho Chi Minh and published by him in his reply unilaterally some time in March of this year. The reply was one that we have received time and time and time again—that is, unconditional surrender.

But that was not the only thing that happened. I am talking now about 1967. I am not talking about 1964, 1965, or 1966, when effort after effort after effort was made to bring this conflict to the conference table.

But back to 1967, to give the lie to the charge made by Mr. Ashmore and his associates. After Ho rejected the President's February offer, U Thant of the United Nations made a proposal directed to this Government and the other governments involved in the Vietnam conflict. That proposal was readily and speedily and unconditionally accepted by the Government of the United States, and it was likewise accepted by the Government of South Vietnam. The Government of North Vietnam did not accord the United Nations the courtesy of a reply. It was rejected offhand in a radio broadcast emanating from Hanoi.

In the meantime Mr. Ashmore went ahead with his conference, Mr. Speaker, in Geneva. There was gathered a group of people who have come together in the name of peace. But let me quote a word or two from some of the speeches which were made there. Let us look at some of the things said there.

Dr. Linus Pauling, a member of the staff who headed the panel of scientists, repeatedly condemned our country. He talked about "the murder of tens of thousands, hundreds of thousands of men, women, and children in the war in Vietnam" by the United States. A lie of the first order.

He asked what justification could be presented for the United States carrying on what he called, "A cruel and vicious attack on a poor, small, weak people of Vietnam on the other side of the world."

Speaker after speaker after speaker described the United States as evil, as despotic, as murderous, as seeking to destroy civilization. This at a so-called peace conference sponsored by an American group.

Finally—finally, one man, a judge from New Zealand, stood on the floor of that conference. I will just cite a paragraph or two of some of these things he said at that time.

This was Judge McCarthy, justice of the Court of Appeals of New Zealand. He said:

> I have been distressed at the readiness of so many speakers at this conference to impugn the motives of the administration of the United States. The people of New Zealand do not take that stand. We remember with gratitude that some 20 years ago we were saved by American power and American blood from a march of what was certainly in that case an expansionist eastern power. I hope we will never forget that. We see—

Speaking about the New Zealanders—

> the United States as a great and generous power and, whilst many in my country may doubt the wisdom of certain methods or means adopted by the United States, nevertheless most New Zealanders have confidence in the integrity of that nation and its elected representatives. For myself I accept that the United States could possibly be wrong in its decision, but I would never accept that it is evil.

The SPEAKER. The time of the gentleman from Louisiana has expired.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. BOGGS. Finally there stood on the floor Mr. McEver, of New York, the executive vice president of the United Nations Association of the United States. He said:

> The narrow focused passion that has marked many of the expressions of the past three days have appalled me. I have sat here

and heard words like "savage," "brutal," "uncivilized" applied to a country which has poured its human and material resources into the hands of others on a scale for which history has no precedent.

Mr. CAREY. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I will be glad to yield to the gentleman from New York.

Mr. CAREY. I thank the gentleman for yielding.

Is it not true that this famous Geneva Conference which took place with the participation of Mr. Ashmore was one where the South Vietnamese Government had a duly authorized delegation to represent them in discussions and that they were there with the encouragement and support of our Government?

Mr. BOGGS. Yes. And I might say that because of the fact that North Vietnam did not send a delegation, the delegates from South Vietnam were not permitted to say a word.

Mr. CAREY. Exactly. If that is Mr. Ashmore's idea of fairness and the way to get them to the bargaining table, then I think it discloses Mr. Ashmore's idea of what is true negotiation.

Mr. BOGGS. I thank the gentleman.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, may I commend the distinguished majority whip upon the very fine presentation and documentation which he has made. Does it not seem rather strange that all of these people the gentleman has mentioned are able to find so many things about which they can criticize the United States and the actions of our Government without ever finding anything to say critical about the regime in Hanoi?

Mr. BOGGS. I would say to the gentleman that the use of the word "brutal" is one that particularly galls me. Now, if you want a lesson in brutality, go to South Vietnam and see what the Communists do. Remember the fact that just days before the election there were literally hundreds of people murdered in order to terrorize the people so they would not go to the polls and vote. There is not a village in South Vietnam that has not been brutalized. There is hardly a family there that has not had a person murdered. There is hardly a place that has not been burned. You talk about brutality. Why, in the whole history of organized warfare I doubt seriously if there has been more deliberate brutality.

And, Mr. Speaker, I know that the United States and its troops are able to defend themselves. But I have been to South Vietnam. I have talked to many of our troops. I would venture to say—and I do not say this in any spirit of self-praise—but I would venture to say that there has never been a more humane army than the army which we have in Vietnam. The work of our soldiers in the villages and in the towns and in the hamlets in taking care of children, in their efforts to establish hospitals and to build schools, as well as to do the things needed to build a nation and to build a society, will in my judgment go down in history as one of the great endeavors for humanity in all of recorded time.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I am happy to yield to my friend, the gentleman from Missouri [Mr. Hall].

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Louisiana yielding. I compliment the gentleman upon bringing this subject to the well of the House for discussion at this time.

However, I would especially like to associate myself with the last remarks which the gentleman has made since the distinguished majority leader, the gentleman from Oklahoma [Mr. Albert], spoke. I compliment the distinguished majority whip.

I have three simple questions for the leadership of the House:

First, who granted this fellow's passport?

Second, why has it not been picked up?

Third, why is not the head of the Department of Justice prosecuting him under the Logan Act?

Mr. BOGGS. I am not in a position to answer those questions. I would suggest to the gentleman from Missouri that he direct his questions to the proper legal departments. I am not asking for anyone to be prosecuted. We have an open society. We can stand dissent. But I think it is very important that we answer these charges.

The SPEAKER. The time of the gentleman from Louisiana has expired.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Speaker, the House of Representatives has, in my opinion, been favored with a most judicious and extraordinarily revealing series of remarks by the distinguished gentleman in the well of the House at the present time, the gentleman from Louisiana [Mr. Boggs].

Mr. Speaker, I wish to associate myself with the remarks of the gentleman and with the philosophy which the gentleman has enunciated.

I thank the gentleman for the information which he has furnished to the House of Representatives today.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. Of course, I shall be happy to yield to the distinguished minority whip.

Mr. ARENDS. I, too, have been concerned with reference to the exact truth of various statements which have been made as we read them in the newspapers. It is my opinion that we have to read between the lines.

Mr. Speaker, I am very pleased the gentleman from Louisiana has made this statement here in the well of the House today, because it raises in my own mind the question which has been brought to the fore by my colleague, which is the thing that disturbs me. I hope that in the future there will be taken a constructive position with reference to this situation and that someone will pay more attention to who should be given permission to make some of these missions during the time in which we face a catastrophe like this.

Mr. Speaker, it is my opinion that someone must pay much more attention to the characteristics of these people that we permit to go abroad and to go into areas such as North Vietnam and South Vietnam but who come back and make statements like this.

Mr. BOGGS. I thank the distinguished gentleman from Illinois for his contribution.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I am happy to yield to the distinguished gentleman from New York.

Mr. STRATTON. Mr. Speaker, I want to commend the gentleman from Louisiana, our distinguished majority whip, for his comments. I was particularly pleased that the gentleman presented to the Members of the House the editorial which appeared in the Washington Post this morning, an editorial which was critical of Mr. Ashmore and his charges. But I wonder if the gentleman from Louisiana would not agree with me that it was most unfortunate that such an outstanding newspaper as the Washington Post, one that has generally supported our Nation's position with respect to Vietnam, should have featured these irresponsible charges in such a sensational manner on page 1 of that paper upon yesterday, without putting the case into perspective, particularly when the refutation of those charges was actually contained on page 18 in an article by its own correspondent, Mr. Chalmers Roberts, revealing the fact that the President had already explored in great depth the deescalation which Mr. Ashmore charges him as having brutally destroyed.

Mr. BOGGS. I thank the gentleman from New York for his contribution.

Mr. Speaker, I feel that the gentleman makes a significant observation. (I have found it difficult at times to delve into the minds of some of my journalistic friends.)

But let me conclude by saying that I thank the distinguished gentleman from Massachusetts [Mr. O'Neill] for yielding this time to me.

Mr. Speaker, the war in Vietnam is something that all of us would like to see concluded and over.

I do not believe there are any differences between Democrats, or Republicans, or members of different religious faiths or different sections of our country in the universal desire for peace. I know that all of us desperately want peace on earth, as the encyclical of the Pope called for. But, my colleagues, all of you know there is a profound difference between peace and surrender. To my way of thinking—and I bow to each man in his right to have a contrary opinion—the one thing that surrender in Vietnam would not do would be to bring peace. Of that I am sure.

It would send the word everywhere that the commitment of our country, the greatest country on earth, was worthless. I believe Southeast Asia would be lost in a matter of months. I believe that everywhere the power of an open society would be curtailed. I believe the Chinese Communists would increase in their stature and in their power tremendously. I believe the impact would be felt everywhere—in Thailand, in Cambodia, Laos, down into New Zealand, in Africa and in South America. Yes, Mr. Speaker, the world would be quite different if the United States surrendered, and it would not be a world at peace.

Difficult as it is, as hard as it is to stay, as many sacrifices as are required, I am for staying until we get an honorable peace.

I am sorry Mr. Ashmore takes the position he takes. I guess that is his business. But the way I read what he says is that for all practical purposes we surrender. The day we do that the world in which we live will be quite different from this great, open, free, magnificent country every one of us enjoys today as Americans.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

(The matters referred to follows:)

THE UNENDING STRUGGLE: PROBLEMS OF PEACE IN VIETNAM

CHRONOLOGY

February 8, 1967: President Johnson's Letter to President Ho Chi Minh.

February 14, 1967: Ho Chi Minh's Letter to Pope Paul VI.

February 15, 1967: Ho Chi Minh's Letter to President Johnson.

March 14, 1967: U Thant's Message to the Parties Involved in the Viet-Nam Conflict.

March 18, 1967: United States Reply to U Thant's Message.

March 19, 1967: South Vietnamese Reply to U Thant's Message.

March 27, 1967: North Vietnamese Foreign Ministry Statement on U Thant's Message.

His Excellency HO CHI MINH,
President,
Democratic Republic of Viet-Nam.

DEAR MR. PRESIDENT: I am writing to you in the hope that the conflict in Viet-Nam can be brought to an end. That conflict has already taken a heavy toll—in lives lost, in wounds inflicted, in property destroyed, and in simple human misery. If we fail to find a just and peaceful solution, history will judge us harshly.

Therefore, I believe that we both have a heavy obligation to seek earnestly the path to peace. It is in response to that obligation that I am writing directly to you.

We have tried over the past several years, in a variety of ways and through a number of channels, to convey to you and your colleagues our desire to achieve a peaceful settlement. For whatever reasons, these efforts have not achieved any results.

It may be that our thoughts and yours, our attitudes and yours, have been distorted or misinterpreted as they passed through these various channels. Certainly that is always a danger in indirect communication.

There is one good way to overcome this problem and to move forward in the search for a peaceful settlement. That is for us to arrange for direct talks between trusted representatives in a secure setting and away from the glare of publicity. Such talks should not be used as a propaganda exercise but should be a serious effort to find a workable and mutually acceptable solution.

In the past two weeks, I have noted public statements by representatives of your Government suggesting that you would be prepared to enter into direct bilateral talks with representatives of the U.S. Government, provided that we ceased "unconditionally" and permanently our bombing operations against your country and all military actions against it. In the last day, serious and responsible parties have assured us indirectly that this is in fact your proposal.

Let me frankly state that I see two great difficulties with this proposal. In view of your public position, such action on our part would inevitably produce worldwide speculation that discussions were under way and would impair the privacy and secrecy of those discussions. Secondly, there would inevitably be grave concern on our part whether your Government would make use of such action by us to improve its military position.

With these problems in mind, I am prepared to move even further towards an ending of hostilities than your Government has proposed in either public statements or through private diplomatic channels. I am preparing to order a cessation of bombing against your country and the stopping of further augmentation of US forces in South Viet-Nam as soon as I am assured that infiltration into South Viet-Nam by land and by sea has stopped. These acts of restraint on both sides would, I believe, make it possible for us to conduct serious and private discussions leading toward an early peace.

I make this proposal to you now with a specific sense of urgency arising from the imminent New Year holidays in Viet-Nam. If you are able to accept this proposal I see no reason why it could not take effect at the end of the New Year, or Tet, holidays. The proposal I have made would be greatly strengthened if your military authorities and those of the Government of South Viet-Nam could promptly negotiate an extension of the Tet truce.

As to the site of the bilateral discussions I propose, there are several possibilities. We could, for example, have our representatives meet in Moscow where contacts have already occurred. They could meet in some other country such as Burma. You may have other arrangements or sites in mind, and I would try to meet your suggestions.

The important thing is to end a conflict that has brought burdens to both our peoples, and above all to the people of South Viet-Nam. If you have any thoughts about the actions I propose, it would be most important that I receive them as soon as possible.

Sincerely,

LYNDON B. JOHNSON.

HO CHI MINH'S REPLY TO POPE PAUL VI

YOUR HOLINESS: I wish to thank Your Holiness for his message of February 8, 1967. In his message Your Holiness expressed the wish to see an early peaceful solution to the Viet-Nam question.

Our people sincerely love peace in order to build our country in independence and freedom. However, the U.S. imperialists have sent to South Viet-Nam half a million U.S. and satellite troops and used more than 600,000 puppet troops to wage a war against our people.

They have committed monstrous crimes. They have used the most barbarous arms such as napalm, chemical products and toxic gases, to massacre our compatriots and burn down our villages, pagodas, churches, hospitals, schools. Their acts of aggression have grossly violated the 1954 Geneva agreements on Viet-Nam and seriously menaced peace in Asia and the world.

To defend their independence and peace the Vietnamese people are resolutely fighting against the aggressors. They are confident that justice will triumph. The U.S. imperialists must put an end to their aggression in Viet-Nam, end unconditionally and definitively the bombing and all other acts of war against the Democratic Republic of Viet-Nam, withdraw from South Viet-Nam all American and satellite troops, recognize the South Viet-Nam National Front for Liberation and let the Vietnamese people settle themselves their own affairs. Only in such conditions can real peace be restored in Viet-Nam.

It is my hope that Your Holiness, in the name of humanity and justice, will use his high influence to urge that the U.S. Government respect the national rights of the Vietnamese people, namely peace, independence, sovereignty, unity and territorial integrity as recognized by the 1954 Geneva agreements on Viet-Nam.

With my high regards,

HO CHI MINH.

His Excellency Mr. LYNDON B. JOHNSON,
President, United States of America.

YOUR EXCELLENCY: On February 10, 1967, I received your message. This is my reply.

Viet-Nam is thousands of miles away from the United States. The Vietnamese people have never done any harm to the United States. But contrary to the pledges made by its representative at the 1954 Geneva Conference, the U.S. Government has ceaselessly intervened in Viet-Nam, it has unleashed and intensified the war of aggression in South Viet-Nam with a view to prolonging the partition of Viet-Nam and turning South Viet-Nam into a neo-colony and a military base of the United States. For over two years now, the U.S. Government has, with its air and naval forces, carried the war to the Democratic Republic of (North) Viet-Nam, an independent and sovereign country.

The U.S. Government has committed war crimes, crimes against peace and against mankind. In South Viet-Nam, half a million U.S. and satellite troops have resorted to the most inhuman weapons and the most barbarous methods of warfare, such as napalm, toxic chemicals and gases, to massacre our compatriots, destroy crops, and raze villages to the ground. In North Viet-Nam, thousands of U.S. aircraft have dropped hundreds of thousands of tons of bombs, destroying towns, villages, factories, schools. In your message, you apparently deplore the sufferings and destruction in Viet-Nam. May I ask you: Who has perpetrated these monstrous crimes? It is the United States and satellite troops. The U.S. Government is entirely responsible for the extremely serious situation in Viet-Nam.

The U.S. war of aggression against the Vietnamese people constitutes a challenge to the countries of the socialist camp, a threat to the national independence movement, and a serious danger to peace in Asia and the world.

The Vietnamese people deeply love independence, freedom and peace. But in the face of the U.S. aggression, they have risen up, united as one man, fearless of sacrifices and hardships. They are determined to carry on their resistance until they have won genuine independence and freedom and true peace. Our just cause enjoys strong sympathy and support from the peoples of the whole world, including broad sections of the American people.

The U.S. Government has unleashed the war of aggression in Viet-Nam. It must cease this aggression. That is the only way to the restoration of peace. The U.S. Government must stop definitively and unconditionally its bombing raids and all other acts of war against the Democratic Republic of Viet-Nam, withdraw from South Viet-Nam all U.S. and satellite troops, recognize the South Viet-Nam National Front for Liberation, and let the Vietnamese people settle themselves their own affairs. Such is the basis (sic) content of the 4-point stand of the government of the Democratic Republic of Viet-Nam, which embodies the essential principles and provisions of the 1954 Geneva agreements on Viet-Nam, it is the basic (sic) of a correct political solution to the Viet-Nam problem.

In your message, you suggested direct talks between the Democratic Republic of Viet-

Nam and the United States. If the U.S. Government really wants these talks, it must first of all stop unconditionally its bombing raids and all other acts of war against the Democratic Republic of Viet-Nam. It is only after the unconditional cessation of the U.S. bombing raids and all other acts of war against the Democratic Republic of Viet-Nam that the Democratic Republic of Viet-Nam and the United States could enter into talks and discuss questions concerning the two sides.

The Vietnamese people will never submit to force, they will never accept talks under the threat of bombs.

Our cause is absolutely just. It is to be hoped that the U.S. Government will act in accordance with reason.

Sincerely,

HO CHI MINH.

Secretary General U Thant's Aide Memoire to the Parties Involved in the Viet-Nam Conflict

On many occasions in the past, the Secretary General of the United Nations has expressed his very great concern about the conflict in Viet-Nam. That concern is intensified by the growing fury of the war resulting in the increasing loss of lives, indescribable suffering and misery of the people, appalling devastation of the country, uprooting of society, astronomical sums spent on the war, and last, but not least, his deepening anxiety over the increasing threat to the peace of the world. For these reasons, in the past three years or so, he submitted ideas and proposals to the parties primarily involved in the war, with a view to creating conditions congenial to negotiations, which, unhappily, have not been accepted by the parties. The prospects for peace seem to be more distant today than ever before.

Nevertheless, the Secretary General reasserts his conviction that a cessation of the bombing of North Viet-Nam continues to be a vital need, for moral and humanitarian reasons and, also, because it is the step which could lead the way to meaningful talks to end the war.

The situation being as it is today, the Secretary General has now in mind proposals envisaging three steps: (a) A general stand-still truce, (b) Preliminary talks, (c) Reconvening of the Geneva Conference.

In the view of the Secretary General, a halt to all military activities by all sides is a practical necessity if useful negotiations are to be undertaken. Since the Secretary General's three-point plan has not been accepted by the parties, he believes that a general stand-still truce by all parties to the conflict is now the only course which could lead to fruitful negotiations. It must be conceded that a truce without effective supervision is apt to be breached from time to time by one side or another, but an effective supervision of truce, at least for the moment, seems difficult to envisage as a practical possibility. If the parties directly involved in the conflict are genuinely motivated by considerations of peace and justice, it is only to be expected that earnest efforts will be exerted to enforce the truce to the best of their ability. Should a public appeal by the Secretary General in his personal capacity facilitate the observance of such a truce, he would gladly be prepared to do so. Appeals to that effect by a group of countries would also be worthy of consideration.

Once the appeal has been made and a general stand-still truce comes into effect, the parties directly involved in the conflict should take the next step of entering into preliminary talks. While these talks are in progress, it is clearly desirable that the general stand-still truce should continue to be observed. In the view of the Secretary General, these talks can take any of the following forms:

(1) Direct talks between the United States of America and the Democratic Republic of Viet-Nam.

(2) Direct talks between the two governments mentioned in (1) above, with the participation of the two Co-Chairmen of the Geneva Conference of 1954.

(3) Direct talks between the two governments mentioned in (1) above, with the participation of the members of the International Control Commission.

(4) Direct talks between the two governments mentioned in (1) above, with the participation of the two Co-Chairmen of the Geneva Conference of 1954 and of the members of the International Control Commission.

The Secretary General believes that these preliminary talks should aim at reaching an agreement on the modalities for the reconvening of the Geneva Conference, with the sole purpose of returning to the essentials of that Agreement as repeatedly expressed by all parties to the conflict. These preliminary talks should seek to reach an agreement on the timing, place, agenda and participants in the subsequent formal meeting—the reconvening of the Geneva Conference. The Secretary General deems it necessary to stress that the question of participants in the formal negotiations should not obstruct the way to a settlement. It is a question which could be solved only by agreeing that no fruitful discussions on ending the war in Viet-Nam could take place without involving all those who are actually fighting. Since the Government in Saigon, as well as the National Front of Liberation of South Viet-Nam, are actually engaged in military operations, it is the view of the Secretary General that a future formal conference could not usefully discuss the effective termination of all military activities and the new political situation that would result in South Viet-Nam, without the participation of representatives of the Government in Saigon and representatives of the National Front of Liberation of South Viet-Nam.

In transmitting these proposals to the parties directly concerned, the Secretary General believes that he is acting within the limits of his good offices purely in his private capacity. He hopes that the divergent positions held by the parties both on the nature of the conflict and the ultimate political objectives will not prevent them from giving their very serious attention to these proposals. Indeed, he takes this opportunity to appeal to them to give their urgent consideration to his proposals.

U.S. Reply to United Nations Secretary General U Thant's Aide Memoire on Viet-Nam

As the Secretary General knows, the United States and other Governments have, over many months, approached Hanoi, both publicly and privately, with proposals to end the conflict in Viet-Nam. To date, all such efforts have been rebuffed. The Government of North Viet-Nam has refused to agree to discussions without pre-conditions or to take reciprocal actions leading toward a cessation of hostilities.

For this reason, the Government of the United States would be most interested in learning whether Hanoi is willing to enter into such discussions or to take reciprocal actions leading to peace in Viet-Nam. The United States has been, and remains willing to enter into discussions without pre-conditions with Hanoi at any time.

To this end, the United States accepts the three-step proposal in the aide memoire of the Secretary General of March 14, 1967 envisaging: (a) A general stand-still truce; (b) preliminary talks; (c) reconvening of the Geneva Conference.

The United States believes it would be desirable and contributory to serious negotiations if an effective cessation of hostilities, as the first element in the three-point proposal, could be promptly negotiated.

It would, therefore, be essential that the details of such a general cessation of hostilities be discussed directly by both sides, or through the Secretary General, the Geneva Conference Co-Chairmen or otherwise as may be agreed. The United States is prepared to enter into such discussions immediately and constructively.

The United States is also prepared to take the next steps in any of the forms suggested by the Secretary General to enter into preliminary talks leading to agreement as to the modalities for reconvening of the Geneva Conference.

Of course, the Government of South Viet-Nam will have to be appropriately involved throughout this entire process. The interests and views of our allies would also have to be taken fully into account.

The United States again expresses its appreciation to the Secretary General for his untiring efforts to help bring about a peaceful settlement and an end to the conflict in Viet-Nam.

Republic of Viet-Nam's Reply to U Thant's Proposal

The Government of the Republic of Viet-Nam has carefully examined the aide memoire which His Excellency U Thant, Secretary General, handed to Ambassador Nguyen Duy Lien, observer of the Republic of Viet-Nam to the United Nations.

The Government of the Republic of Viet-Nam is thankful to His Excellency U Thant for his untiring search for an early end to the conflict in Viet-Nam and appreciates the constructive spirit in which the Secretary General's proposals were made.

The Government of the Republic of Viet-Nam agrees in principle with the main points of the Secretary's proposals, but in order for these proposals to be more easily implemented, the Government of the Republic of Viet-Nam submits the following:

1—A military truce cannot be effective without prior agreement on details and control. Therefore, in order to discuss the details of the truce, the Government of the Republic of Viet-Nam proposes that representatives of the high command of the Hanoi Government forces and those of the Republic of Viet-Nam Armed Forces should meet at the demilitarized zone, or at any other place the Hanoi Government may choose.

If the Government of North Viet-Nam agrees to this proposal, the representatives of the high command of the Republic of Viet-Nam Armed Forces will be ready to meet with them within a week's notice.

2—The Government of the Republic of Viet-Nam is in full agreement with the Secretary General when he states that an international conference is necessary to find a permanent political solution to the Vietnamese problem. But in order to gain time and thus achieve an earlier settlement, the Government of the Republic of Viet-Nam proposes that, instead of holding preliminary talks prior to the full-fledged conference, a Geneva-type international conference be held as soon as possible after the truce is effectively enforced. Such a conference should have the participation of all interested governments.

This, however, does not preclude the holding of preliminary talks as provided for in the Secretary General's aide memoire if these should prove necessary. These preliminary talks shall include the Government of the Republic of Viet-Nam, the Government of North Viet-Nam, the Government of the United States, among other interested governments.

Spokesman of the Foreign Ministry of the Democratic Republic of Viet-Nam's Reply to Questions on News Reports as Broadcast by Radio Hanoi

1—Bulletin number 24 of the Information Service of the United Nations in New Delhi, India, in its issue on 6 March 1967 quoted

U Thant, Secretary General of the United Nations, as declaring that Hanoi views the hostilities as a civil war in South Viet-Nam, with Hanoi helping one side and the United States the other. Hanoi held that if the United States was willing to withdraw support for Saigon, there might be a possibility of reciprocity.

2—Of late, Western reports also made known that U Thant had proposed a solution to the Viet-Nam problem. It consists of an appeal for an over-all cease-fire followed by a preliminary meeting of a number of parties concerned to discuss the reconvening of the Geneva Conference and finally by the reconvening of the Geneva Conference.

The spokesman of the Foreign Ministry of the Democratic Republic of Viet-Nam declared: It is as clear as daylight that the United States is committing aggression against South Viet-Nam and bombing and shelling the DRV and that the Vietnamese people are victims of the aggression. The whole world has vehemently condemned the U.S. imperialists' war of aggression and strongly supported the patriotic struggle of the Vietnamese people. The reports by the U.N. Information Service do not tally with reality in Viet-Nam and are contrary to the views of the Government of the DRV. As the United States is committing aggression against Viet-Nam, the correct way to settle the Viet-Nam problem is that the United States must stop its aggression. That is the basic spirit of the four-point stand of the Government of the DRV and the five point statement of the NFLSV. The world's people fully support this just stand.

To call on both sides to cease fire and hold unconditional negotiations while the United States is committing agression against Viet-Nam and taking serious steps in its military escalation in both zones of Viet-Nam is to make no distinction between the aggressor and the victim of aggression, to depart from reality, and to demand that the Vietnamese people accept the conditions of the aggressors.

By the way, it is necessary to underline once again the views of the Government of the DRV, which has pointed out that the Viet-Nam problem has no concern with the United Nations and the United Nations has absolutely no right to interfere in any way in the Viet-Nam question.

[From the Paris editor of the New York Times-Herald Tribune, May 31 or June 1, 1967]

THE UNPEACEFUL MEETING

There was no "peace on earth" at the Pacem in Terris conference in Geneva. There was, instead, a verbal war against the Americans, who had few defenders and many critics.

The emphasis was on Vietnam. Insofar as there is popular as well as intellectual suspicion and criticism of the United States' role in this war, the Geneva conference was to that extent a reflection of world opinion. However, the often strident tone of the denunciations and the unwillingness to listen to the American arguments before attacking them created an atmosphere that was neither academic nor judicial.

Sir Thaddeus McCarthy, a New Zealand judge, put the situation well when he argued that although the U.S. might be wrong in its Vietnam policy, he did not accept that it was "evil." He was undoubtedly using the term "evil" in the sense of a deliberate intention to be wicked and to do something harmful. The results of the Vietnam policy are open to attack along with the errors of the Johnson and previous administrations, but the emphasis in Geneva was too exclusively on moral grounds and was confined to U.S. failings. Issues of the complexity of the Vietnam war are not one-sided nor all black and white, as so many critics seemed to think.

The conference showed the extent to which the United States is being judged in terms of Vietnam. This distorts the image of a nation which is now the greatest power on earth, with manifold interests and responsibilities and with policies that are right as well as wrong.

The United States is going through a phase of history that resembles the experience of Great Britain, especially in the 19th century, when the sun never set on her empire. The contributions of Britain in the three centuries that began with Queen Elizabeth I were—and, indeed, are—incalculable. Dozens of countries and uncounted millions of people in Africa, Asia, the Middle East and the South Pacific owe much to—whom? To Great Britain. But gratitude was never asked, and it certainly was rarely given.

The United States is doing a great many things in the contemporary world, some good and some bad, but its image is not seen clearly or in balance—because of Vietnam. At the Pacem in Terris conference Vietnam often seemed to monopolize the picture.

Pope John XXIII, who gave the Center for the Studies of Democratic Institutions the title for its conferences, wrote in his encyclical: "Truth further demands that the various media of social communications made available by modern progress, which enable the nations to know each other better, be used with serene objectivity."

What happened to "serene objectivity" at the conference in Geneva?

PACEM IN TERRIS II CONFERENCE, GENEVA, MAY 31, 1967

(Speech delivered by Sir Thaddeus McCarthy, Justice of the Court of Appeals)

Mr. Chairman, Ladies and Gentlemen: I am acutely aware that anyone of the name of McCarthy who dares to suggest in a gathering such as we have here that anything however small can be said in favor of the United States official policy in Vietnam incurs the risk of being branded as a reactionary.

But surely, Mr. Chairman, if we are to arrive at an objective and impartial judgment on this issue we must hear both sides of the question, and up till now we have heard only one; not even Senator Brooke has explained the reasons which actuated the American intervention and its continued presence in Vietnam or surveyed the evidence which is claimed to support that action. And yet we would be naive if we did not recognize that there is another point of view, one very different from that which has been advanced so persistently and emotionally over the last few days. It is a point of view which is held by many, perhaps even most, of the thinking people in Australia and New Zealand. It is the official viewpoint of most of the Governments in the South West Pacific, of Australia, New Zealand, Thailand, Malaya and the Philippines. This point of view does not see China and North Vietnam as being cruelly oppressed by a power and money-hungry United States. Rather they see and fear the southward march of an expansionist communist movement and they remember Tibet, Malaya, North West India, Vietnam and now Thailand—they see a pattern in all this. Now this viewpoint may well be wrong. That is a matter of private opinion, but it is an opinion which exists and it cannot be ignored as nonexistent. How much better in these circumstances it would have been and how much more able we would have been to arrive at a balanced judgment on this question of American intervention, if some person had come forward to explain the reasons which actuated the United States policy and the evidence which it is said supports it. We in New Zealand agree, of course, that if possible an end should be put to the hideous slaughter which is going on by all sides, and we would like to see the whole question go to the United Nations, but Mr. Chester Ronning has put his finger on the difficulty of getting the dispute before that body. How *do* we get it there? Will someone answer that?

May I add a personal reflection. I have been distressed at the readiness of so many speakers at this conference to impugn the motives of the administration of the United States. The people of New Zealand do not take that stand. We remember with gratitude that some 20 years ago we were saved by American power and American blood from the march or what was certainly in that case, an expansionist Eastern power. I hope we will never forget that. We see the United States as a great and generous power and whilst many in my country may doubt the wisdom of certain methods or means adopted by the United States, nevertheless most New Zealanders have confidence in the integrity of that nation and its elected representatives. For myself I accept that the United States could possibly be wrong in its decision, but I do not accept that it is evil.

[Press release from the U.S. Department of State, No. 202, Sept. 18, 1967]

STATEMENT BY THE DEPARTMENT OF STATE

We have had a number of inquiries concerning news stories published today, based on an article by Mr. Harry Ashmore in a publication of the Center for the Study of Democratic Institutions (CSDI).

The facts concerning the Department's contacts with Messrs. Ashmore and Baggs are as follows:

1. During the summer of 1966, Mr. William Baggs told the Department that CSDI was planning a major conference in May of 1967 in Geneva, to follow up on the first *Pacem In Terris* meeting held in New York in February of 1965. Mr. Baggs disclosed to us efforts that the Center was making to invite North Viet-Nam to attend, and the Department responded sympathetically to the idea of the Conference and to these efforts. These initial contacts were with Mr. George Ball and Mr. William Bundy. The President and Secretary Rusk were informed, and Mr. Ball was directed to handle contacts with Mr. Baggs on behalf of the United States Government.

2. In mid-November and again in early December, Mr. Baggs was joined by Mr. Ashmore in calls at the Department. In these calls, the progress of the conference plans was reviewed, and the two visitors indicated that they had a tentative invitation to go to Hanoi, with Mr. Luis Quintanilla of Mexico. Messrs. Baggs and Ashmore also suggested that, if they were able to visit Hanoi, they might be able to conduct useful explorations of North Vietnamese views towards peace. Mr. George Ball having then left the Department, the primary responsibility for these conversations passed on to his successor, Mr. Katzenbach, who kept the President and the Secretary of State informed as a matter of course.

In these conversations, Department representatives accepted the Baggs/Ashmore suggestion and undertook to cooperate fully. Accordingly, the position of the United States Government on key issues relating to peace was discussed at some length, so that Baggs and Ashmore could represent it accurately in Hanoi.

3. On December 23, Baggs visited the Department just prior to the departure of the three-man group on December 28. At that meeting, the basic understanding of the United States Government position was reaffirmed, and it was further agreed that Baggs and Ashmore would report confidentially what they were able to pick up in Hanoi.

4. Messrs. Baggs and Ashmore visited Hanoi from January 6 to January 14. They then returned to the U.S. and on January 18 dictated for the Department a full and con-

fidential account of their conversations. This covered in particular a conversation with President Ho on January 12. In this conversation, Ho had insisted that there could be no talks between the U.S. and Hanoi unless the bombing were stopped, and unless also the U.S. stopped all reinforcement during the period of the talks. Ho was reported to be adamant against any reciprocal military restraint by North Viet-Nam. The record does not show that he solicited any USG response to these remarks.

5. Concurrently, prior to January 18, on United States initiative and without any connection to the Baggs/Ashmore actions, United States Government representatives had established a direct channel for communication with North Vietnamese representatives in Moscow. With the apparent agreement of both sides, this channel was being kept wholly confidential, and was therefore not revealed to Messrs. Baggs and Ashmore in their discussions at the Department. It is, of course, fundamental to the United States Government dealings with Messrs. Baggs and Ashmore that there existed at the time this direct and secret channel. Exchanges through this direct channel continued through January and early February and culminated in President Johnson's letter to President Ho of February 8 (mistakenly stated by Mr. Ashmore as February 2). As has been stated by representatives of the Department, a wide variety of proposals was put before Hanoi in these Moscow contacts, without at any time producing any useful response.

6. Toward the end of January, Messrs. Baggs and Ashmore returned to Washington and expressed to the Department the strong hope that they could be given a message for transmission to Hanoi. The Department decided that, while the direct channel in Moscow was crucial and must at all costs be preserved, it would be useful to send a more general message through Messrs. Baggs and Ashmore, which would be consistent with the important messages being exchanged in Moscow. In view of this channel (of which Baggs-Ashmore were unaware) there was some question as to the further utility of detailed informal communications. It seemed clear from the account given by Messrs. Baggs and Ashmore that their channel of communication had been established with the primary purpose of exchanges concerning North Vietnamese attendance at the May conference. Nevertheless, Baggs and Ashmore said they could send any messages for Hanoi through the regular mail to a North Vietnamese representative in Phnom Penh, who in turn would relay it to a North Vietnamese official who had been the principal contact of Messrs. Baggs and Ashmore in Hanoi. Accordingly, the letter now published by Mr. Ashmore was worked out with the representatives of the Department, and authorized to be sent on February 5. We were subsequently informed by Mr. Ashmore that this letter reached Phnom Penh on February 15.

7. No useful purpose could be served by giving further details on what took place in the Moscow channel. We can say, however, that on February 7, while that channel was still open and in operation, separate discussions were initiated in London between Prime Minister Wilson and Premier Kosygin of the USSR. The combined reading of the Moscow channel and of these discussions led to the dispatch on February 8 of President Johnson's letter to President Ho. This letter was of course published unilaterally by Hanoi on March 21, and is a matter of public record. It rested on, and was of course read by Hanoi in relation to, the various proposals that had been conveyed in the Moscow channel. There was no change of basic position whatever between February 5 and February 8, but President Johnson's letter did include a specific action proposal that speaks for itself, as does the tone of his communication.

8. As already noted, Hanoi had not responded in any useful way to the variety of suggestions conveyed in the Moscow channel. Its sole and apparently final response was reflected on February 13, in a letter by President Ho to Pope Paul VI. This letter, in the words of one press account today, "coupled an unconditional end to the bombing with the withdrawal of American forces and the recognition of the National Liberation Front." On February 15, President Ho replied formally to the President in similar terms. At the same time, Hanoi broke off the Moscow channel.

9. Hanoi's attitude remained negative throughout. The Baggs/Ashmore efforts were necessarily handled by the Department with an eye to the direct and then-confidential channel that existed concurrently to Hanoi. The latter appeared to be by far the more reliable and secure method of ascertaining Hanoi's views.

10. Finally, we note with regret that Mr. Ashmore is apparently ignorant of the subsequently published reports of the Moscow contacts, and of their confirmation by Department representatives. We note with still greater regret that at no time since has he consulted with the Department in order to attempt to understand the interrelationship that necessarily obtained between the Moscow channel and his own efforts. As this case shows, the Administration has been prepared at all times to cooperate with private individuals who may be in contact with Hanoi in any way, and who are prepared to act responsibly and discreetly. This policy continues, although it seems clear that the present disclosure will not reassure Hanoi that such private contacts will be kept secret.

[From the Washington Post, Sept. 17, 1967]

A COST ANALYSIS OF THE VIETNAM WAR—"WIN" OR "LOSE"

(By J. R. Wiggins)

It is natural, logical and inevitable for a people to make periodic reexaminations of a struggle involving half a million fighting men, requiring $27 billion a year and influencing domestic and foreign policy in every quarter.

Wars have their own dynamics and make and unmake issues as they go along, so we need to examine what now is the central issue of the war in South Vietnam, to study the consequences of having that issue settled one way or another and at least to enter conjectures whether the cost of influencing the settlement of that issue in accordance with our preferences is worth the pain and the burden.

In Vietnam, there is a host of subsidiary issues (by no means unimportant because subsidiary). But the central issue is now, as it has been for some time, quite clear.

A BEARABLE PRICE

The world is watching Vietnam to see if the rulers of one country, state sovereignty or territory, at an endurable risk and a bearable price, can impose a government and system of their choice upon a neighboring people by inciting internal subversion, supporting indigenous insurrection, engaging in infiltration and intervening and invading as necessary. This is the formula of the Communists' celebrated "wars of liberation."

The North Vietnamese so far seem convinced that the risk is endurable and the price bearable. The United States has intervened to make the price unbearable and the risk not endurable. The practical issue before the American people is simply whether the costs of preventing such a conquest or the costs of acquiescing in it are greater. That, for us, is the single, central issue of the conflict.

Since the ascendancy of Mao Tsetung it has been popular in the Communist world to call such conquests "wars of liberation"; in the diplomatic vernacular of any prior generation, they would have been identified as ordinary aggression.

American policy ought to proceed from decisions on what would be likely to happen if the conquest succeeded and what would be likely to happen if it failed. So what would happen if it succeeded?

PROOF OF A THEORY

To begin with the broadest philosophical consequences, it surely would give an impetus throughout the Communist world to the forces that are persuaded of the efficacy of "wars of national liberation." Such a practical demonstration of the minimal risks and relatively low costs of this kind of conquest would play into the hands of every doctrinal Communist hawk in every undecided Communist government, lending great force to the proponents of adventurous imperialistic policy in every arena offering any plausible opportunity for such conquest. It would greatly strengthen the Chinese Communists against the Soviet Communists and it would immeasurably fortify the hard-liners in the Soviet regime.

What this would mean for the United States and other non-Communist states, no one can say in any specific way, but it is safe to say that it would not mean a period of peaceful coexistence. On the contrary, it would probably usher in decades of political tumult and conflict, particularly in Asia, Africa and South America, and might even propel us into a worldwide thermonuclear holocaust set off by wars in even more dangerous areas than Southeast Asia.

The effects in Southeast Asia of North Vietnam's success in South Vietnam are more foreseeable. It is clear that the military predicament of Laos would be totally untenable. It is plain that Cambodia could not long support an independent role. Thailand certainly would have to re-examine its position and might have to exercise its genius for accommodation with neighboring aggressors.

The failure of United States policy in South Vietnam would certainly prompt the reasonable conclusion in every government in Asia that the United States was unable or unwilling to defend countries threatened with this kind of aggression. It would be logical for many of them to make appropriate diplomatic changes.

It is quite clear that American power and influence would be at an end in South Asia. This adverse consequence might be diminished, of course, by a demonstration elsewhere (say in Thailand) that the United States retained its willingness and ability to defend Asian friends.

But to lay down the gauge in South Vietnam and pick it up elsewhere would be illogical and politically impossible. And the lesson of failure in South Vietnam might fatally prejudice any subsequent endeavor if it were made. It would be wise to write off South Asia for the time being.

NATIONALISM A FACTOR

Would this be fatal to American interests? Probably it would not be fatal, however damaging in the immediate future. It is possible to make a tenable argument that the removal of American power from the region would not permanently put all of the area into the control of forces hostile to American interests.

In the fullness of time, forces of nationalism and regionalism would undoubtedly assert themselves in Asia and produce states with differing degrees of independent sovereignty. There is no reason to suppose that the system which has failed to produce progress and peace in China would find it easier to impose peace and achieve progress in an even larger and less homogeneous environment involving the whole of non-Soviet Asia.

Whatever degree of submission to communism might temporarily prevail over much of Asia, from India to Japan, in the final unrolling of history, reassertion of national impulse and local interests could be expected. India and Pakistan might surrender or compromise their independence but a residual passion for national recognition and identity would linger within the body politic, "murmuring in the shell and waiting for the tide to return and flood it again."

LESS THAN AN ECLIPSE

It is reasonable to suppose that a century very different from the one hitherto foreseen would emerge from the triumph of North Vietnam and the humiliation of the United States. But it would be unfair to suggest that even a United States of vastly curtailed international influence and power would be fatally impaired or permanently diminished.

If its affairs in this vastly altered world were conducted with skill and prudence; if its international policy were realistically realigned in conformity with its diminished capacity to influence events; if its leaders accepted their liabilities philosophically; if its people cheerfully acknowledged the limitations on their power—then the nation might go on, its world role greatly changed but not necessarily eclipsed permanently.

And if North Vietnam's war against South Vietnam fails and there emerges in the South a viable state with a government that is reasonably representative of its people, will that usher in the millennium? No, it must be said in fairness that it will not do so.

The Philippines and Malaysia demonstrated that wars of liberation do not always succeed, but that did not prevent the war in Vietnam. The tragedy in Indonesia demonstrated that infiltration and subversion can fail with calamitous consequences, but no one supposes that that was the last of Communist China's efforts to subvert and overthrow regimes friendly to it.

But if this failure did not usher in the millennium, it might diminish the zeal of many Communist states for this kind of conflict. There would be fewer "wars of national liberation" than there would be if North Vietnam's attempt at conquest succeeded.

The scale of the Vietnam war already has demonstrated that the price tag on such wars is higher and the risk greater than the hawks of North Vietnam must have anticipated. If there occurs in Vietnam a demonstration that such wars involve an unendurable risk and an unbearable cost and are not likely to succeed, prospects for peace in the future will be increased.

Peace, however, in any sense that we have enjoyed it in the past, is not in our future, whatever happens or does not happen in South Vietnam. The world has yet to accomplish the accommodation between great historical forces that are at present antipathetic to each other and that proceed on paths that preclude any peaceful reconciliation.

Statesmen in our generation, and in generations immediately ahead, will vindicate their stature and make bold their claims on the gratitude of posterity if they succeed in holding this irrepressible conflict within such bounds that history in its patient unfolding may subject this rigidities of doctrine to the ameliorating influences of time's subtle and insidious solvent.

In this long and perilous interval, the peoples who survive will be those who keep awake to the disagreeable fact of our time: that there are no easy alternatives, no painless choices, no magic palliatives, no miracles that can spare us the anguish of struggle or guarantee us immunity to risk and danger.

[From the Washington Post, Sept. 18, 1967]

Chronology of Viet Peace Efforts

(By Chalmers M. Roberts)

The record indicates that the Ashmore-Baggs peace effort ran afoul of a change in American policy which occurred at the moment they were involved in Vietnam diplomacy.

This is the record, as far as it is now known, of the pertinent events:

Dec. 4, 1966—Poland reported to the United States that North Vietnam was prepared to send a man to Warsaw to meet an American representative and to do so without demanding as a pre-condition an end to the American bombing of the North.

American officials subsequently contended that independent checks showed this to be a Polish view, not that of North Vietnam.

Dec. 13–14—American planes raid near Hanoi. Poland later privately blamed the raids for ending chances for a meeting. After the raids Hanoi began to stress the demand that bombing must cease unconditionally before there could be talks.

Dec. 26–Jan. 6, 1967—Harrison Salisbury of the New York Times created a furor with dispatches from Hanoi picturing civilian destruction from the American raids. Officials here said Hanoi had let Salisbury in as part of a campaign to force an end to the bombing. Ashmore and Baggs arrived in Hanoi the day Salisbury left.

Jan. 12—Ashmore and Baggs met Ho Chi Minh who stressed an end to the bombing. Ashmore now writes that "we had not brought back" from this interview "any hard proposal" from Ho "beyond the reiteration of his unqualified commitment to enter into negotiations" if the U.S. halted the bombing.

Ashmore reported to State Department officials that he and Baggs felt that "Ho seemed prepared to consider a specific proposal based on a formula of mutual deescalation" of the fighting.

Early January to early February—The United States secretly sent four memoranda to Hanoi describing, officials say, possible methods of deescalation. These messages, yet to be made public, were handed by an American embassy official in Moscow to a North Vietnamese representative.

Jan. 27—Hanoi's man in Moscow gave a reply to the American official. Later the State Department described the reply as "a diatribe against the United States."

Jan. 28—North Vietnamese Foreign Minister Nguyen Duy Trinh in an interview with Australian Communist journalist Wilfred Burchett said that "it is only after the unconditional cessation of U.S. bombing and all other acts of war against the DRV (North Vietnam) that there could be talks between the DRV and the U.S."

Feb. 2.—President Johnson prepared a letter to Ho in which he took up the Burchett interview points. Mr. Johnson said he would order a "cessation of bombing" and also halt "further augmentation of U.S. forces in South Vietnam as soon as I am assured that infiltration into South Vietnam by land and sea has stopped." These "acts of restraint," he said, would make possible "serious private discussions." This letter, however, was not turned over to Hanoi's man in Moscow until Feb. 8 and the delay has never been explained.

Feb. 4—Ashmore and Baggs met at the State Department with Undersecretary Nicholas deB. Katzenbach and other top officials but not including Secretary Dean Rusk.

A letter from Ashmore to Ho was drafted with Assistant Secretary William P. Bundy, whose area includes Vietnam, as the chief departmental draftsman.

The key sentence in the letter stated that "senior officials" at State "expressed opinion that some reciprocal restraint" was necessary along with a halt to the bombing and an end to the influx of American troops if talks were to take place.

Feb. 5—The draft letter was delivered to Ashmore at Fulbright's house. Ashmore mailed it that afternoon. The letter did not specify the "reciprocal restraint" although the President's letter of three days earlier had specified an end to North Vietnamese infiltration into the South.

In addition, on the day (Feb. 2) the Administration said the Presidential letter was drafted, Mr. Johnson told a press conference that "just almost any step" would be a suitable response from Hanoi. He also had said that "we would be glad to explore any reciprocal action." Sometime between Feb. 2. and 9 the official American terms were hardened.

Feb. 8—Soviet Premier Alexei Kosygin, who was in London Feb. 6–13, said at a press conference that the Trinh interview with Burchett "boils down" to saying that if the U.S. unconditionally stopped the bombing, "then it would be possible" to open talks. Kosygin thus publicly changed Trinh's crucial word "could," into "would." He was never contradicted by Hanoi on this. Furthermore Kosygin passed the word to Washington, which had inquired as to when talks would begin, that they could start in three or four weeks.

Feb. 9—Secretary Rusk, at a press conference which had been announced by the White House, said that "for some time now there has been evident a systematic campaign by the Communist side to bring about an unconditional and permanent cessation of the bombing of North Vietnam without any corresponding military action on their side, in exchange for the possibility of talks—talks which are thus far formless and without content."

Rusk also distinguished between a "pause" in the bombing (here he seemed to indicate he would agree to a pause in exchange for talks) and a "permanent cessation." For the latter to take place, he said, "we must know the military consequences." The U.S., he said, cannot stop the bombing without reciprocity for that would be "closing off one-half of the war while the rest of it goes on full force."

In short, Rusk was surfacing the central point of the President's letter to Ho, the contents of which were not made public until Hanoi broadcast it March 21.

Feb. 10—Ho said he received the Johnson letter on this day. Ashmore assumes it arrived before his own letter with the less specific request on the point of reciprocity.

During this period, Feb. 8–14, there was a pause in the bombing over the Tet holiday in Vietnam, including a Presidentially ordered short extension.

Feb. 13—Ho in a letter to Pope Paul VI assailed the U.S. He coupled an unconditional end to the bombing with the withdrawal of American forces and the recognition of the National Liberation Front, the political arm of the Vietcong. In Washington this was taken as a reply to the President. Resumption of the bombing was ordered.

Feb. 15—Ho replied to the President in words similar to the Pope. "A little later," writes Ashmore, he and Baggs received a reply to the Ashmore letter saying there did not seem to be any point to their making a second visit to Hanoi.

[From the Washington Post, Sept. 19, 1967]

The Arkansas Traveler

The differences between the letter which Harry Ashmore, with State Department advice, wrote to Hanoi on Feb. 5 and the letter which President Johnson sent on Feb. 8, do not seem to justify the harsh allegation that the Government has been guilty of "a devious course" and of "crude duplicity."

The Presidential letter is more specific than the Ashmore letter but not in basic contradiction with it. And even if a contradiction exists, there seems little reason to suppose this a deliberate sabotage of a possible peace. North Vietnam could have availed itself of the option exercised by President Kennedy in replying to the apparently conflicting Khrushchev letters in the Cuban crisis. The White House in that situation chose to reply to the letter that seemed most hopeful. It seems likely that a government in Hanoi really anxious for peace could have done the same thing.

It is not remarkable that the State Department and the President were pursuing peace through a Moscow channel at the same time that Ashmore was proceeding through his private and informal channel. There does not seem to be anything duplicitous about the failure to abandon all other explorations of peace until the Ashmore lead had been run out. Nor does there seem to be anything duplicitous about failure of the Government to take Ashmore wholly into its confidence as to alternative approaches. Events would seem to afford justification for not doing so. It is not customary or conventional for governments to yield exclusive negotiating rights to private citizens conducting unofficial and informal preliminary exploration of this kind.

Such inquiries as Ashmore and William Baggs made in Hanoi are extremely useful and helpful. While they do not often lead directly to peace or negotiations for peace, they are an alternative means of communication when formal channels of diplomacy are closed. Through such conversations ordinary private citizens often can perform an important and patriotic function. The honest purpose and good motive of these two able journalists entitle them to the praise of their countrymen.

Unfortunately, the Ashmore article in Center Magazine is tendentious and querulous and obscures more than it clarifies the efforts of the Arkansas traveler and his companion. Its high tone and imperious posture conveys the somewhat embarrassing impression that the author regards the Center for the Study of Democratic Institutions as a sovereign power. The article sounds like a communique from a greater to a lesser, and infinitely more stupid and worse governed, minor state.

The Ashmore article makes it clear that the word he has for the Johnson Administration is the word that Arkansas Traveler had for his critics in the 1850s: "You give me a pain." And that message has some political importance in 1967 but it probably does not much advance the prospects for peace on earth.

[From the New York Times, Sept. 19, 1967]

Johnson and Ashmore Letters to Hanoi Compared

Following is a comparison of highlights of a letter by President Johnson to President Ho Chi Minh of North Vietnam, sent Feb. 8, and a letter by Harry S. Ashmore, the editor, sent Feb. 5.

President Johnson wrote:

"I am prepared to order a cessation of bombing against your country and the stopping of further augmentation of United States forces in South Vietnam as soon as I am assured that infiltration in South Vietnam by land and by sea has stopped.

"These acts of restraint on both sides would, I believe, make it possible for us to conduct serious and private discussions leading toward an early peace."

Mr. Ashmore wrote: "They [high officials of the State Department] expressed particular interest in your suggestion to us that private talks could begin provided the United States stopped bombing your country and ceased introducing additional United States troops into Vietnam. They expressed the opinion that some reciprocal restraint to indicate that neither side intended to use the occasion of the talks for military advantage would provide tangible evidence of the good faith of all parties in the prospects for a negotiated settlement."

President Johnson: "There is one good way to overcome this problem [of communication] and to move forward in search for a peaceful settlement. That is for us to arrange for direct talks between trusted representatives in a secure setting and away from the glare of publicity. Such talks should not be used as a propaganda exercise, but should be a serious effort to find a workable and mutually acceptable solution."

Mr. Ashmore: "They [State Department officials] emphasized that the United States remains prepared for secret discussions at any time, without conditions, and that such discussions might cover the whole range of topics relative to a peaceful settlement."

President Johnson: "I make this proposal to you now with a specific sense of urgency arising from the imminent new year holidays in Vietnam. If you are able to accept this proposal I see no reason why it could not take effect at the end of the new year, or Tet, holidays. The proposal I have made would be greatly strengthened if your military authorities and those of the Government of South Vietnam could promptly negotiate an extension of the Tet truce."

Mr. Ashmore related a possible agreement to the new year's truce in Vietnam.

Mr. Ashmore: "They [the State Department officials] reiterated that the Geneva accords might be the framework for a peaceful solution."

President Johnson did not mention the Geneva agreements of 1954 as a possible framework.

President Johnson: "As to the site of the bilateral discussions I propose, there are several possibilities. We could, for example, have our representatives meet in Moscow where contacts have already occurred. They could meet in some other country such as Burma. You may have other arrangements or sites in mind, and I would try to meet your suggestions."

Mr. Ashmore's letter proposed no specific meeting place.

President Johnson: "If you have any thoughts about the actions I propose, it would be most important that I receive them as soon as possible."

Mr. Ashmore: "In the light of these concerns, they [the State Department officials] expressed great interest in any clarification of this point [about mutual restraints] that you might wish to provide through a communication to us."

[From the Washington Evening Star, Sept. 19, 1967]

State and the Editors

The State Department has come up with two reasoned and telling answers to the charge that the administration purposely scuttled the efforts of two American newspaper editors to bring Hanoi to the negotiating table.

First, according to the State Department, neither editor was aware that at the time of their meeting with Ho Chi Minh, the administration was itself in secret contact with Hanoi via Moscow—a channel that was understandably considered somewhat more important than the impressions of two private citizens. Second, the President's letter was not intended to pull the rug out from under anybody. It was, in fact, quite similar in content to the proposals advanced by the editorial emissaries.

There is no need to doubt the sincerity of the two editors, Harry S. Ashmore of the Arkansas Gazette and William C. Baggs of the Miami News. Unquestionably, they believed, as Ashmore charged in the accusatory magazine article, that President Johnson had moved in on their small, hopeful flame and poured cold water all over it.

But, at the same time, it should be clear that the two men were in no position to view their efforts against the background of the continuing diplomatic maneuvering with Hanoi. To Ashmore and Baggs, their visit to Hanoi was the sum total of their experience in the field of international diplomacy. To the President and his Secretary of State, it was one more piece in the complex Asian jigsaw puzzle.

As for the content of the two letters, Ashmore is critical of the President for what he terms "the most stringent demands yet made for advanced assurance that Hanoi would halt infiltration of troops into the South." In fact, what the President said was that he was prepared to stop the buildup of American troops and to halt the bombing of the North "as soon as I am assured that infiltration into South Vietnam by land and sea has stopped."

Ashmore, in his letter to Ho, suggested "some reciprocal restraint" to a halt in the bombing and in the American buildup, "to indicate that neither side intended to use the occasion of the talks for military advantage."

There is a fine line, indeed, between the two positions, and it should also be remembered that when the President's letter was made public by Hanoi last March, the general reaction was that it was the most conciliatory approach made until this time by the administration.

Ashmore's reaction to the incident is, in our opinion, understandable but mistaken. His choice of language—charging the administration with "an almost total lack of candor," claiming that the President "effectively and brutally canceled" an opportunity for peace talks, tossing out such terms as "crude duplicity" and "double dealing"—should also be no cause for concern. Ashmore is, after all, a former newspaper editorial writer. And editorial writers, it should be remembered, are not generally noted for restraint in the expression of their opinions.

Mr. LATTA. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. THOMPSON].

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House out of order.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. THOMPSON of Georgia. Mr. Speaker, I would like to commend the gentleman from Louisiana, the Honorable HALE BOGGS, who has just spoken. I would like to state this: that, as a member of the minority party who does have some differences with the President on the means of taking the action that is being taken in Vietnam, I certainly feel, as I am sure all people feel, that no man in America or in the world today has done more to bring about negotiations and attempt to effect peace than has the President of the United States. He has attached only one condition for the talks, that the North Vietnamese show some good faith that they will in fact negotiate in good faith. He has only asked that North Vietnam stop their aggression against the people of South Vietnam. He has made very clear that we have no territorial aims or desires against North Vietnam, but only that we want the people of South Vietnam to be able to select their own government.

The President need bow his head to no man concerning his desire for peace and in his efforts to effect peace talks. Certainly the number of sincere efforts he has made during the last several years to bring about peace talks is evidence of this.

Mr. LATTA. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent to speak out of the regular order.

The SPEAKER. Is there objection to

the request of the gentleman from Illinois?

There was no objection.

Mr. ANDERSON of Illinois. Mr. Speaker, I feel as many of my colleagues have already said that the distinguished majority whip, the gentleman from Louisiana, has indeed performed a public service by bringing before the House today for discussion this very important question that was raised by the charges by Mr. Ashmore and Mr. Baggs, that this administration had deliberately frustrated an effort to bring the war in Vietnam from the field of conflict to the negotiating table.

Certainly I can share with him much of the indignation he expresses over some of the malevolent and wholly exaggerated statements that were made—charges against our country, during the so-called Pacem in Terris Conference in Geneva last May.

There is, however, one very important facet of this problem to which the gentleman from Louisiana did not address himself and to me this is the most import and the most intriguing part of this whole story as it emerged on yesterday on the front page not only of the Washington Post but I think in the press in this country and probably all over the world.

If I understand the chronology of the events as they were related in the press, it was on or about the second of February of this year that that celebrated letter was dispatched through normal postal channels to Cambodia and then transmitted to Ho Chi Minh in Hanoi, it was presumably framed in very conciliatory language in which the author, Mr. Ashmore, expressed the hope that negotiations would ensue between this country and North Vietnam.

As we further understand his account, that letter was framed not in his own office but it was framed right downtown in Foggy Bottom in the State Department with the knowledge, aid and assistance, presumably of high ranking members of the Department of State—and I believe one other Member of the Congress, the junior Senator from Arkansas.

This is one part of the story—and the chronology as I have understood it, is that this letter was framed with the knowledge, help and collaboration of members of the Department of State.

Then, as I understand it, the other significant portion of this whole affair is that at or about the same time, a letter was being prepared by the President of the United States presumably also with the advice and assistance of the State Department which subsequently arrived in Hanoi. The charge is that it was framed and phrased much more stringently and in far harsher language than the Ashmore letter and rejected the idea that we could have negotiations unless we saw a reciprocal deescalation by North Vietnam of the war in Vietnam.

The point I want to make is this. I would like to have the gentleman from Louisiana address himself to this question. I would presume that in the letter sent by the President he certainly had the assistance and advice of the Department of State and presumably even of the Secretary of State himself. What I wonder, when I read this story, is do we have some factionalism resident within the Department of State today on this whole question of bringing the war to the negotiating table?

I think if there is any suggestion of such disarray or that we have this kind of fumbling, if you will, within the administration on this very important and overriding issue of bringing the war from the battlefield to the conference table, then I think we ought to show some real concern.

If there is this kind of disarray within the administration, and if there is this kind of factionalism among the various segments of the Department of State the executive branch of our Government should provide an explanation to the American people.

I wonder if the gentleman from Louisiana would care to comment on that point?

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman.

Mr. BOGGS. The gentleman from Illinois well knows that I am not in a position to give him any information relative to the internal organization of the Department of State or any other department of our Government.

In my judgment, however, and I think I am completely justified in my judgment, I do not think there has ever been a President who has held his own departments in closer check than the present occupant of the White House. It may very well be that in any department there may be some disagreement, but in this particular instance I will address myself specifically to the question that the gentleman raised, and it is an important question, because this was the gist of Mr. Ashmore's complaint.

If the gentleman will read a comparison of both letters, which was published in the press today widely—and I have before me the New York Times of this morning—he will find that in both instances, paragraph after paragraph, the letters are totally conciliatory, and for anyone to adopt Mr. Ashmore's claim that there was something brutally harsh about the President's letter, as compared with the formal letter, I say is not a correct reading of the English language. In fact, the President went further in his letter in suggesting a modus operandi, namely, the Geneva Conference.

I know the gentleman asks the question in good faith, but there is the answer and it is very well spelled out.

Mr. ANDERSON of Illinois. I appreciate the explanation the gentleman has offered, and also that he is probably in no better position than I——

Mr. BOGGS. Of course not.

Mr. ANDERSON of Illinois. To comment on whether or not there are these factions within the State Department. But I would hope that by this discussion here publicly on the floor of the House of Representatives today we would serve notice that we do think that to find a formula for negotiations is the single overriding issue that confronts our Nation and our State Department, and we hope that we do not have this kind of internal dissension or bickering that might frustrate the achievement of that end.

Mr. BOGGS. Mr. Speaker, will the gentleman yield further?

Mr. ANDERSON of Illinois. Certainly.

Mr. BOGGS. I could not agree more. I associate myself completely, particularly with the latter statement which the gentleman has made. The search for peace—and by peace I mean an honorable peace—has got to be the main concern of the American people and those who represent them, whether they be in this party or in the executive branch.

Mr. ANDERSON of Illinois. And it requires a unified effort.

The SPEAKER. The time of the gentleman has expired.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey.

Mr. JOELSON. Mr. Speaker, I wish to commend the gentleman from Louisiana on a very cogent and persuasive statement. I think we must not overlook the fact that in this trip of Mr. Ashmore to North Vietnam there was active participation in the matter by the head of the Foreign Relations Committee of the other body.

I think President Kennedy's wisdom in refusing to appoint this man as Secretary of State is becoming very clear now. This man has been crying crocodile tears. I would say that any man who votes against civil rights and then complains about the fact that the Great Society is not taking hold due to our Vietnam involvement is like the boy who kills his parents and then pleads for mercy on the ground that he is an orphan.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I hope the rule is adopted.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 602) entitled "An act to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RANDOLPH, Mr. MUSKIE, Mr. TYDINGS, Mr. SPONG, Mr. COOPER, Mr. JORDAN of Idaho, and Mr. BAKER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 953) entitled "An act to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967."

The message also announced that the Senate agrees to the amendment of the House of Representatives to the text of the bill (S. 953) entitled "An act to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967," with an amendment as follows: In lieu of the matter proposed to be inserted by the House engrossed amendment insert:

> That the first sentence of subsection (a) of section 16 of the Food Stamp Act of 1964 is amended by inserting after "June 30, 1967;" the following: "not in excess of $200,000,000 for the fiscal year ending June 30, 1968; not in excess of $225,000,000 for the fiscal year ending June 30, 1969;".
>
> Sec. 2. Section 16(a) of such Act is further amended by inserting at the end thereof the following: "This Act shall be carried out only with funds appropriated from the general fund of the Treasury for that specific purpose and in no event shall it be carried out with funds derived from permanent appropriations."

The message also announced that the Senate agrees to the amendment of the House of Representatives to the title of the above-entitled bill.

PARTNERSHIP FOR HEALTH AMENDMENTS OF 1967

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6418) to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6418, with Mr. Brooks in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia [Mr. Staggers] will be recognized for 1 hour, and the gentleman from Illinois [Mr. Springer] will be recognized for 1 hour.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

Before proceeding on the bill, I would like to say that the committee had this bill under consideration for some time. The bill is officially designated as the "Partnership for Health Amendments of 1967." Actually, it is a new approach to the responsibility of the U.S. Government for promoting and preserving the national health. It brings together a number of isolated projects which deal with health and combines them in a single positive and united effort. It joins State and local competence and know-how with Federal planning and encouragement to the end that we may wage total war on poor health in the land.

This is a continuation of the bill which was brought before the House last year as a temporary measure, to do away to some extent with what we call the federalism in our health programs, and to unite about 17 of these programs into one, and leave it up to the States, that they might judge themselves what are the most important and pressing problems they have healthwise, so these may be dealt with, with the Federal Government joining in.

This is a large bill in several senses. It provides for a 3-year program, which would cost approximately $950 million. However, as I said, it puts into a single package 16 or 17 old and new health projects, most of which have gone their separate ways in the past. By combining all these projects, we eliminate duplication in both cost and effort. Hopefully, the separate projects will supplement and reinforce each other, instead of being competitors, as oftentimes they have been in the past.

The bill has been prepared after extensive consideration. Our committee held 4 days of extensive hearings and spent 7 days in the markup of the bill. I might say that the bill was unanimously accepted by all members of the committee, with the exception of one part, and that is section 12, but that will be dealt with, I am sure, just a little bit later. I believe most of the members of the committee recognize the fact that, by uniting all these programs under one head and leaving it up to the States, we are making headway in bringing the trying problems that each State might have to the front and letting the States make the decisions, instead of the Federal Government, as to how the money shall be used.

Two main provisions of the bill are the formula grants and project grants, which make up most of the money. The importance of the bill may be brought home to all of us when we consider that the American people spend approximately $43 billion for health each year. This is the third largest industry in the land, if we want to consider money that is spent for any one project. Of course, we spend more money on education, and I believe health and education are two things that help better the individual. I believe of the two, this is one of the forces and objectives of the Government which promotes a better America—the betterment of the individual. I am certain health is one of the things that affects all members of the Nation. The committee in its wisdom in considering the bill came up with these provisions.

The bill was proposed by the administration and amended many times by the committee.

I believe we have come up with a good bill which certainly will be of great benefit to all individuals in the land and can be more efficiently administered by the Federal Government and will be easier for our committee and the various agencies to keep track of.

Mr. Chairman, the bill we have before us today is the most important health bill that will be reported out of the Committee on Interstate and Foreign Commerce this year. It provides a 3-year program with appropriation authorizations totaling $950 million for a number of existing programs in the health field, and establishes several new programs of importance.

The bill is very appropriately named "The Partnership for Health Amendments," since it provides for the continuation and the strengthening of the existing partnership between the Federal Government and the States in programs designed to deal with public health problems facing our Nation.

Last year, Members will recall, our committee reported to the House in the closing days of the Congress a temporary bill providing authorization for 1 year for grants to the States for public health programs, and establishing a new program of planning for public health programs within the States. At the time I told the House that we would go into this program thoroughly this year. Our committee has done this. We held exhaustive hearings, and 7 days of executive sessions, and we have brought to the House a bill which continues, expands, and improves that temporary program we provided for last year.

We had some controversy in the committee over one section of the bill providing for assistance to overcrowded hospitals; however, with the exception of the controversy over this section, which is discussed at some length both in the minority views beginning on page 87 of the report and in the majority views on pages 26 through 28 of the report, I think it is fair to say that the committee was unanimous in approving the provisions of the bill.

The bill includes a very substantial number of programs in the health field. These include the extension of the program of assistance to the States and to localities for State and areawide planning of public health services; extension and expansion of the program of formula grants to the States for public health services; extension and expansion of the program of project grants for specifically targeted public health programs; establishment of a new program of research into new methods and techniques involving the delivery of health services; regulation through licensing of clinical laboratories doing a substantial interstate business; and grants for a temporary one-shot program of assistance to critical hospitals whose facilities are overcrowded.

There are a number of other amendments to the law made by the bill, but primarily these amendments involve relatively minor improvements in programs already underway, or make clarifying changes in the law.

RESEARCH

One extremely important program contained in the bill is made by the addition of a new section 304 to the Public Health Service Act authorizing research in the field of health services.

The American people today are spending a little over 6 percent of their disposable income every year for health services. This means that over $43 billion is spent each year for this purpose. Although the delivery of health services is America's third largest industry, the nature of this industry is such that there is no single private group which bears the responsibility for research leading to greater efficiency in this industry. If such research is to be done, this means that it must be done by the Federal Government, yet today less than one-tenth of 1 percent of our total national health expenditures go for research into improved methods of delivery of health services. Our committee, therefore, approved the program contained in this bill which will provide over the 4 fiscal years beginning with the current one a total of $200 million for research and demonstrations relating to health facilities and services.

The purpose of this program is to mobilize our universities, our industries, our private practitioners, and research institutions to seek new ways of providing medical services and to hold down the costs of health care. These programs can be carried out through grants and through contracts to provide for research and for demonstrations relating to the development, utilization, quality, organization, and financing of health services, facilities, and resources. As an illustration, our committee was told about the exciting possibilities for the future involving the use of computers, automated equipment, and other new technological systems in the furnishing of better health care.

Other benefits can flow from the research programs to be conducted under this section. The more efficient use of hospital personnel can lead to savings in wage costs, and programs which can reduce total time spent by individual patients in hospitals can also significantly reduce medical care costs to the individual.

Research and development in the health services field promises substantial gains in improved quality and efficiency in the Nation's health programs. This area of research may well prove as important to the health of individual citizens of our country as the basic biomedical research programs which have been conducted over the last decade.

COMPREHENSIVE PLANNING

Members of the House will recall that last year's bill provided for the first time for grants to the States for comprehensive health planning. The bill we have before us today provides for a continuation and expansion of this program.

That program provides for the establishment of a State planning agency which will engage in health planning for the various health programs conducted in the State. The planning agency is required to have an advisory council which will have representation from the various groups interested in health activities plus representatives of consumers of health services.

We are today quite short in many areas in the health field. We are short in the number of doctors, dentists, nurses, and other health personnel that we need. We are also short of nursing homes, hospital beds, training facilities, mental health facilities, and other facilities for fields related to health research, training, and care. In view of these shortages, the most efficient utilization of resources requires comprehensive planning so as to assure that priority needs are met first.

This program provides a mechanism by which these priorities can be ascertained through establishment of a central group in each State which will assess the States' needs and resources, and thereby aid the operational programs in determining the best use of our scarce resources in this area.

Existing law provides for grants to the States for the costs of planning, and the bill provides an increase in the current authorization level from $5 million to $7 million, with an additional $45 million provides for the next 3 years for this program on a State level. In addition, the bill provides for encouragement of areawide planning through authorizing grants to agencies engaged in planning for specific areas.

FORMULA AND PROJECT GRANTS

Members are, of course, familiar with the programs of project and formula grants for public health services which have been carried out by the Public Health Service—for over 30 years in the case of formula grants, and for over 20 years in the case of project grants. The formula and project grant programs were strengthened last year through the elimination of the rigid categorical limitations upon the use of funds, so that today formula and project grant funds may be used for public health programs determined by the States themselves to be necessary. These two programs are the major cost items contained in the bill, with a total of $570 million authorized for them. The formula grants are distributed among the States in amounts determined on the basis of the State's population and per capita income. We added a modification this year, to require that not less than 70 percent of the formula grant funds provided to a State must be utilized for services in communities within the State. The committee was advised that this limitation could be placed upon the use of funds without disrupting the programs of any State health department. Through this mechanism we can assure that public health programs will be carried out at the local level, while at the same time ample funds will be available for strengthening and improving State health departments.

The project grants, on the other hand, are not allocated among the States but are used for specific target programs. Where a health problem is more severe in one area of the country than it is in other areas, for example, project grant funds can be used to meet that health problem; similarly where one or more States have developed plans to deal with specific health programs, grant funds can be provided for those States based upon an evaluation of the comparative merits of their proposed program as opposed to the programs of other States. In general, the formula grant and project grant programs go hand in hand to provide the maximum of flexibility in providing public health programs throughout the States.

CLINICAL LABORATORIES

Mr. Chairman, the bill also provides for licensing of clinical laboratories which are engaged in interstate commerce. We received testimony that surveys had indicated that as many as 25 percent of the tests conducted by some clinical laboratories are erroneous. This constitutes a threat to public health and we propose in the bill to provide for licensing of these laboratories requiring that they maintain a quality control program and participate in a proficiency testing program. In addition, the director and supervisory personnel of the laboratory are required to meet certain educational and experience qualifications.

This section was quite controversial as initially proposed, but with the amendments our committee agreed to, we believe the program in the bill is a realistic one.

As proposed by the administration, the bill would have covered as many as 15,000 laboratories in the United States. We limited the bill to those laboratories which solicit specimens in interstate commerce and provided for an exemption for those whose operations are so small and infrequent as not to constitute a significant threat to the public health.

We intend by this legislation to cover those commercial laboratories which are engaged in the business of examining specimens, and provided an exemption for laboratories not directly involved in this type of operation such as those operated by insurance companies.

In addition, it should be pointed out that the bill does not cover laboratories engaged in research where the examination of specimens is directed toward that end rather than to the treatment of patients.

ASSISTANCE TO CRITICAL HOSPITALS

Our committee also adopted an amendment to the bill providing for assistance to hospitals which are suffering from overcrowding. Our committee report points out that there has been an increase in the utilization of hospitals since the passage of medicare. This has lead to some hospitals suffering from substantial overcrowding. We will be considering a revision of the Hill-Burton Act next year, and at that time our committee will consider the problems involved in the increased utilization of our hospitals because of Federal programs.

There is no question but that many of our hospitals are in need of modernization and renovation. In addition, in some areas hospitals are suffering from crowded conditions, with patients having to be treated in hallways.

Our committee therefore agreed to a 1-year program providing one-shot assistance for critically overcrowded hospitals. Grants of $40 million are authorized and $18 million is authorized for loans to hospitals to aid them in necessary expansion of facilities required.

OTHER PROVISIONS OF THE BILL

There are a number of other programs contained in the bill principally involving minor improvements in existing programs, or making technical amendments to the law.

As I mentioned before, with the exception of the section of the bill relating to critical hospitals, I think it would be fair to say that the bill has the support of all members of the committee, and we recommend its passage by the House.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Over the years, since 1936, as the concept of public health and the role of the Government in that program has expanded, the States and local governments have been urged to embark on the emerging new programs by offering grants. In order to focus attention and action upon new areas of public health activity, specific programs for each have required separate action, separate administration, and separate authority to qualify. This was partly to assure that the new did not just disappear into the already established, understood, and accepted programs which could always use more money.

Thus we have seen 16 separate categorical grant programs develop—each with its own plan, its own administration, its own personnel, and in some cases its own partisans. We have also seen these programs rock along from year to year at whatever level the local governments could afford to match while other, perhaps far more urgent, programs suffered. The very scheme made it difficult for a community to pass up any of the categories.

At long last we accepted a new and streamlined approach. Last year we passed the Comprehensive Health Planning Act. Too late in the session to do the job that was needed, we did at least make the plunge and consolidate all of the 16 programs, allowing States to prepare plans for public health activity which set some priorities among the programs and fund them accordingly. It is that program which we are considering here today under the new Great Society moniker of "Partnership for Health." Like the rose by any other name it is a good idea, and a fair start has been made toward its implementation.

As far as this bill sticks to public health activities it is good legislation. The various things included in that field are not new.

First. First of all, it provides funds—$20 million the first year—for research and demonstrations relating to health facilities and services. Most of the categorical programs included individual versions of such an effort.

Second. Grants to the schools of public health have been included in the Public Health Service legislation for some years. It has run $3.5 million per year in recent years and would go to $5 million for 1968. There is nothing startling nor questionable about this item.

Third. Planning grants have been necessary for nearly every health program we have instituted. If they are to be successfully and intelligently consolidated, there is more than ordinary need for planning activity. Federal funds are provided particularly as an incentive for several localities and even several States to combine forces and make areawide plans. For State plans and areawide plans the bill provides $14.5 million in 1968.

Fourth. The bulk of the money included in the comprehensive health provisions of this bill would go for formula grants and health service project grants—$70 million for each type in 1968. From the formula grants the State may fund the various public health activities in the proportion it deems suitable. The only exception to this lies in a restriction that 15 percent must be used to support the mental health authority. The plan must, however, send at least 70 percent of the formula money on down to the communities where those receiving the services are to be found. We want to pay for actual health assistance and not State administrative empires. This is no real restriction because the States can and will gladly abide by it. By implementing its own program the State may attack its most pressing problems by giving to them more money or manpower as compared with some other health activity. And, since it will be mentioned later, it might be well to point out that vector control, or as it is more commonly called, pest and rat control, can be given whatever precedence it requires.

The special project grants are designed to give additional assistance where new health problems show up or old ones take on special significance and need extra attention. Such grants have been used before but narrowly confined to the special categories for which they were authorized. Obviously in some cases no categorical program would fit a new situation. And since rates have suddenly become the symbol of all that is wrong with society and the callousness of Congress to social needs, it might also be well to point out that any State, county, city, township, or village with an out-of-control rat problem and a demonstrable need for outside financial assistance could have presented a project for funding under this section of the act as now in force. When the great rat controversy first started, I inquired of the proper HEW authorities and was told that such a project could have been approved and undoubtedly would have been.

Because another bill will come before us today having to do with mental retardation, and the committee report mentions on page 16 that some of the funds under this comprehensive program will also apply to mental retardation problems, a word of explanation is in order. Hill-Burton, the Mental Health Centers Act and the mental retardation amendments all have to do with the creation, construction, and operation of institutions for the care of patients. The comprehensive health approach has to do with an entirely different aspect of public health.

It deals with those services which can be and has been taken to the public wherever it may be. It deals with educating the public about certain diseases. It provides personnel to work in the community to help discover and diagnose particular diseases. It helps people do what they can at home or outside of institutions to control, combat or recover from them as well. It deals in person-to-person contacts for rehabilitation. So it would include programs to shortstop mental diseases by steps taken in the home or community organizations. It would provide first-hand help, advice and assistance to families with members afflicted by mental retardation. It is a first line of defense which has been recognized for many years as a useful tool in the fight for better public health. It was probably the first such tool recognized as needing and deserving assistance from the Federal level.

This comprehensive health planning effort is expensive. I wish it were less expensive, but I am convinced by my own observation and the evidence supplied by the best qualified people of our country that it is money well spent. The investment in public health must be made. If the promise of this program works out as it should, the public will get far more service per dollar than in the past.

So much for the comprehensive health aspects of this bill. I am for them all the way. But because this program is so worthwhile, it is all the more regrettable that it has been saddled with two other extraneous programs which have nothing whatsoever to do with public health service activities as such.

First there is the clinical laboratory section. Some need for such legislation has been demonstrated and as finally approved by our committee it is probably fairly workable. It should have been handled by itself, however, and I made every effort in committee to have that done. The bill submitted for consideration by the administration was poorly done, hastily drawn and achieved results not even contemplated by its drafters. In midstream they came forth with sweeping amendments to make the bill more acceptable and more compatible with its real aims. The committee did clean up the bill, and as it now stands I have no objection to it. This is section 5 of H.R. 6418.

The other extraneous addition to this bill is far worse and should be rejected completely. Section 12, which deals with assistance for critical hospitals, was not a part of the bill when it was introduced nor when it was the subject of hearings. No witnesses were brought in to comment specifically on this because it was not mentioned. Interested parties were not alerted to it and thereby missed the right to come forward and discuss it. A few questions about it were asked by one member of the committee who had a personal interest in such legislation. There was no reason at the time to believe that it would be a part of this bill. It does not deal with public health services but with construction and operation of hospitals.

This is a different subject. This is Hill-Burton, which will be taken up next year in the regular course of business. Even then it would be dangerous for the committee or the Congress to adopt the scheme suggested thereby. It purports to give one-shot aid to a limited number of hospitals in critical need because of the increased demands flowing from medicare. Projects under this section would entirely short-circuit the successful administrative arrangement used under Hill-Burton. Hospitals would come directly to Washington for the funds. The State would have no way to determine the priorities within its own boundaries as they have done thus far. The projects would inject an entirely new element into hospital assistance—funds to pay for services, whatever that may mean. Whatever it means, it is a radical departure from our present policies and should be examined very carefully and in depth before being accepted as part of our health law.

In any event, assuming that the need is as great as claimed—and there is substantial evidence that it may not be—a 1-year, one-shot program cannot correct it. Construction takes years even if the institution has its plans ready to go. It will not accomplish what it purports to. There will not be new beds in crowded hospitals in short order.

Another point to consider—the administration, which has not been known to miss an opportunity to ask for more, did not see fit to include such a program in its proposal and did not provide any budgeting for such a scheme. It still has not. It is an attempt by a very few hospitals to gain a great advantage over all others. The funds would be quickly taken up by a few hospitals with plans already formed. Those hospitals would be principally in New York. This is a New York amendment, and anyone who has been sold on the idea that he may get a chunk of it for a hospital in his district is being taken in.

I am very sorry to see this amendment endanger the comprehensive health bill, but it should be defeated for the protection of our Hill-Burton system which has worked so successfully for 20 years. It is the exact antithesis of partnership in health in the hospital field. It is special, discriminatory legislation which can have no other effect than to weaken and perhaps destroy the fine working arrangements between States and the Federal Government in the field of health.

I hope that the Committee will accept and pass the portions of this bill which provide for comprehensive health planning and the grants pursuant thereto. This is a step forward. At the same time, I must also hope that this Committee will reject that portion of this bill which does not reflect this progress but rather endangers and distorts the principles now accepted in Federal aid to hospitals.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I am happy to yield to my distinguished colleague, the gentleman from Missouri [Mr. Hall].

Mr. HALL. Mr. Chairman, I commend the gentleman from West Virginia and the entire Committee on Interstate and Foreign Commerce for bringing this bill to the floor of the House for its consideration today.

Mr. Chairman, as was stated by the chairman of the Committee on Interstate and Foreign Commerce, there is nothing more vital to the people of America today than health and education; and certainly traditionally this Congress has always treated health as a paramount consideration. In that sense, I think we are all to be commended for that approach.

Mr. Chairman, I would like to associate myself with the statements which have been made by the distinguished gentleman from Illinois [Mr. Springer], the ranking member of the Committee on Interstate and Foreign Commerce.

Mr. SPRINGER. I thank the distinguished gentleman from Missouri.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, my concern involves the question of laboratory licensing in this bill. I do not feel, although I know that there can be improvements in our clinical laboratories throughout the country, that this should be a matter of Federal control over licenses.

It is my further opinion that most of the professionals in charge of laboratories and, indeed, in charge of most health-care activities do a good job of policing themselves.

I would like to submit, however, that there is involved here some factors of Federal control; whereas, the distinguished gentleman from Illinois said that it would be much better if it were State controlled, so that in those cases where they know best where the axle squeaks, they could apply the grease.

Therefore, why, in the opinion of the distinguished gentleman from Illinois, should we initiate licensing in this area, any more than we should, say, single out 8 percent of all attorneys—for example, just the corporate attorneys of the legal profession—and decide to license them if they practiced or if they solicited practice in interstate commerce?

I do not mean to cast any aspersion upon the legal profession in respect to its so-called forwarding fee structure. However, if I may ask just one more question——

Mr. SPRINGER. Would the distinguished gentleman from Missouri permit me to answer his questions one at a time?

Mr. HALL. Mr. Chairman, if the gentleman will yield further, the other question is an allied question and therefore applies to such professions as the legal profession. Why should the SEC regulate such security transactions, since it does not regulate the licensors of various stock broker programs and firms?

Mr. SPRINGER. May I say to the gentleman from Missouri that I know of no piece of legislation which came before the committee which was more seriously considered and debated than this. I believe the evidence indicated that there was a small group of people who were doing a bad job, a very bad job. And, I would guess that there are some 40,000 engaged in this field in the entire country. This was limited to less than 400 who were doing a very bad job.

In an attempt to not let out those peopeople who were doing a bad job for many reasons which I will not enumerate to the gentleman, and yet not license those whom we feel are doing legitimate jobs in the public interest, we took out the pathologists, all of whom are legitimate people. We know of none of them who are doing a bad job.

We do not have jurisdiction, may I say, over those who are not in interstate commerce. This means that the hospitals in every community are not subject to this as long as they do not engage in interstate commerce. Therefore no pathologists in those hospitals or those communities would be licensed. In my own community I happen to have two of the laregst clinics in the country. No part of them or the community would be licensed under this bill.

We may get some that are good, but we know that we are going to get the bad ones when we did leave in there those who solicit or receive specimens in interstate commerce.

This means that if someone in Springfield, Mo., writes to my clinic in Champaign, Ill., and says "We would like to have your pathological report," the letter answer to this does not bring him within the provisions of this act. But if someone, company or organization, or pathologist in Springfield, Mo., solicits something or such business through the mails for commercial purposes from a clinic in Campaign he at that time becomes subject to the act. That is the only way we knew how to control those we felt were doing a bad job in the public interest.

That is about the only answer I can give the gentleman from Missouri.

Mr. HALL. If the gentleman will yield further, I appreciate the gentleman elucidating on this point. I want to point out that I appreciate the good work of the committee in bringing this type of work forward, but as a matter of fact it does add up to the same old story that the sins of a few are always paid for by the beneficence of the many.

Mr. SPRINGER. I believe the gentleman is right. We did feel that, dealing in interstate commerce, it was our job to do something about those who were doing a bad job, who were engaged in interstate commerce. That is the best explanation I can give the gentleman.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Chairman, I thank the gentleman for yielding.

I have been informed that we can anticipate by the year 1970 a shortage of some one-quarter of a million nurses in the United States. I understand the bill the gentleman is now discussing does make some suggestions and recommendations concerning the accredidation and the qualifications of nurses.

I would say to the gentleman it has been my observation and my research has indicated to me, that it has been the great upgrading of qualifications of nurses that has made it difficult for the hospital-oriented schools to produce adequate nurses. I am wondering if the gentleman could tell us what consideration the committee has given to this problem, and what this bill will do, if anything, in that respect?

Mr. SPRINGER. What we have been trying to do is to stimulate junior college programs, and we have been trying to help the situation through that effort among others.

The gentleman from Florida [Mr. Rogers], I believe, was the originator of an amendment to the bill with reference to this matter. But we have been trying, may I say, in every way we can to loosen this up without taking away what we consider are the necessary high qualifications for registered nurses. But we have opened up all the avenues that we could to induce the production of a greater number of RN's.

Mr. CAHILL. It has been reported to me—and I do not know how correct the representation is—that the Commissioner of Education has designated the National League of Nursing as the exclusive accreditation agency, and that it has been the insistence on the diploma or the degree school for nurses by this organization that has made it impossible in some instances for the hospital-oriented nursing program to succeed. What alarms me and I am sure alarms the gentleman in the well is that when the need is greater for more nurses, the nursing schools are producing less nurses. We produced less in 1966 than we did in 1964. I am wondering, therefore, if the gentleman would not agree with me that the responsibility for providing adequate nurses rests to a degree at least on the Commissioner. The Commissioner must recognize that we cannot, as much as we would like to, place such demanding qualifications on young girls who are going into nursing schools as to preclude those who want to become nurses and who can be good nurses but who cannot get through college to get a degree.

Mr. SPRINGER. With reference to that point, I would say that we are trying also to stimulate diploma programs.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. MOSS. This has long been a subject of considerable concern to me in view of the fact that my State has perhaps a greater number of junior colleges and we are relaxing only the standards of accreditation and leaving the authority with the Secretary rather than repealing it as was intended in the original draft language submitted to the committee. We are doing that because of the fact that there has been no evidence that the national league would accredit many of these schools and the Nation would thus be deprived of its principal source of highly qualified nursing personnel.

It is an interesting fact that the nurses produced in this 2-year program, with 2 years of hospital work closely coordinated in the State of California have passed the State board examinations consistently with grades that compare favorably or exceed those of the baccalaureate degree nurses.

This bill preserves the incentive for that type of nurse training to continue. We need to give more rather than less emphasis to this today.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. CAHILL. I would say to the gentleman from California that my information is that since the inception of the 1964 Nurses Training Act, over 61 hospital schools of nursing have closed and that 41 of those were accredited and that 20 were not accredited.

The problem, as I see it—and incidentally I have a daughter who is a nurse so I certainly have a strong interest in nursing—the problem as I see it is that we are trying to say to young girls today, "If you want to go into a hospital and work as nurses have to work, you must have a college degree." By doing that we really are eliminating a large percentage of girls who want to be nurses, who could be nurses and who are needed as nurses.

It seems to me that when we are training a girl to be a nurse, it is not essential that she have a college degree. The ones who are making the rules now requiring a college degree were probably outstanding nurses—and they probably did not have college degrees. It is like that in all the other professions. Those who are in want to make it more difficult for others to get in. So my deep concern is that we are going to be spending millions of dollars for the improvement of hospitals and for the building of more facilities, and then we are not going to find either the nurses or the doctors—because we are doing the same thing so far as medicine is concerned. We are not producing enough medical doctors. But to get back to the subject with reference to the nurses, I am fearful that what we are doing is really driving nursing schools out of the market.

Mr. SPRINGER. I think I should say in reply to the gentleman, I would not want us to be under any misapprehension that we have not done anything about doctors. We came in with a bill 2 years ago which increased the number of medical schools by 16 and we also have an amendment that they must enroll 5 to 15 percent more students to take advantage of the medical school assistance bill. So we have already projected this to 1973 and we will be able to produce the same number of doctors per thousand population in 1973 as we are today.

So I do not want the gentleman to say that we have not looked after that because we have. Hospitals and nurses are another matter, but these problems, too, have been tackled.

I yield to the gentleman from California.

Mr. MOSS. I thank the gentleman. The concern the gentleman expresses is precisely the concern I have had and the gentleman from Florida has had. It is for that reason that we moved in committee to strike language which would have taken away from the Department the authority to accredit. It is to permit greater flexibility in accreditation rather than less flexibility and to expand the program of nursing training rather than to constrict it. That is what is accomplished in this bill.

Mr. SPRINGER. Mr. Chairman, to spread further light on this question I yield to the gentleman from Florida.

Mr. ROGERS of Florida. I thank the gentleman. I would like to endorse what has been said by the gentleman from California. That is the very purpose of the way the committee has acted on this bill as you now see it before you. We are very much concerned about nursing, as many members in this Committee are. I know the gentleman from Missouri and the gentlewoman from Ohio share our concern on this question, and on the question of hospital nursing schools as well as junior colleges and the 4-year graduate courses.

This language that we refuse to strike was put in to encourage greater help to the schools of nursing in the hospitals and in the junior colleges. The difficulty has been that the National League of Nursing does not want to accredit anybody. This has been our whole fight, and we are beginning to move. Because of the language we put in the House bill, they tell us they are about to come to an agreement. They say they have made it, but I want to see it work before we take this language out.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from New Jersey.

Mr. CAHILL. Then do I correctly understand from the statement of the gentleman from Florida that it is the intent of the committee to give to the Commissioner greater flexibility, and therefore indirectly say to him, "It is your responsibility to develop a program which will produce the nurses necessary to operate our hospitals in the years ahead"?

Mr. ROGERS of Florida. That is the thrust of the whole program. That is exactly what we want done.

Mr. CAHILL. Then I commend the committee, because I think that is something that is most desirable.

If the gentleman will yield for just one further statement in relation to the matter of the doctors, I recognize that the committee has made an effort, but I would have to say to the gentleman very respectfully that in my judgment, at least, we have not done nearly enough, and if the gentleman wants any evidence of the overwhelming need for physicians in the United States today, he has but to examine the number of foreign-trained doctors who are in the United States and who are working in our hospitals and who are administering to our patients and who are not, according to the standards of the respective States in which they are working, accredited. So there is an overwhelming need in the United States for more and more physicians than even the committee has provided.

Mr. SPRINGER. May I say to the gentleman that I think we have provided them, and I want to say—and I do not retreat from this statement—that between now and 1973 we are going to produce enough doctors so that we shall have the same number of doctors per thousand in 1973 that we had in 1965. I do not want to change that statement. There is an infiltration of doctors from England, Canada, and some of the other countries, and this is outside the program.

The gentleman has one justification. The committee has given this consideration. The gentleman from Mississippi, JOHN BELL WILLIAMS, worked on this I do not know how many different times with amendments to see if we could not attract doctors into the rural areas. I will admit our program has failed in the rural areas, but this is the only failure I know of in the doctors' program at the present time, as I look at it.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I would just like to say to the gentleman from Illinois that your committee has done an excellent job in authorizing the various programs to which the gentleman from New Jersey refers. There is no question that the number of nurses and the number of doctors would be at a much higher level. The authorization is present.

I would just like to give several examples. Taking the medical research facilities program, we have an authorization there for $200 million, and we have a funding level of $30 million. We are going forward in the nurses' training program. The nurses' training program is funded at a level of 40 percent of what the committee has authorized. We can go straight through every one of these programs, and I do not believe the authorization in these areas is in error.

I believe the remarks of the gentleman from New Jersey should be more properly aimed at the appropriation level, because there is a much higher authorization in all of these areas. Take, for instance, medical schools in this country today: 57 percent of the support for medical schools in the United States comes from the National Institutes of Health; 57 percent of the total budget of all medical schools in the United States comes from the National Institutes of Health. In addition to that, another 13 percent comes from programs authorized by the committee of the gentleman. So we are in a position where we are approaching 70-percent Federal financing in all the medical schools.

The committee has authorized 12 more medical schools throughout the country. We have not gotten on with that program. It is a question of priorities at this time, because we are engaged in a major war in Southeast Asia, and the funding levels are a problem. We are coming back and we are in conference on the HEW appropriation bill, and many of these points are in controversy right now in this whole area of the comprehensive medical program which we are discussing now.

We have heard a lot of talk about how this program should handle rat eradication and rat control. It should not be in the hands of the Housing Department. It should be in Public Health. This program was established under the leadership of John Fogarty and me at the Communicable Disease Laboratory in Atlanta, where we have been training public health officers in cities and States. This health program cannot take care of it. Thus far, only five States have shown any desire to put in an application under this program.

I believe undoubtedly there is more authorization presently available right now than is needed. I will go along with increasing the authorization if the gentleman from Illinois wants an increase in the authorization, but an increase in the authorization by itself is not enough. We have to have the will on the part of the States, the will on the part of these people to move forward on the medical school instruction program, and also the will to increase the medical research funding as far as research facilities are concerned, up near the authorization level in this important health program.

We put a higher priority on putting 17 men on the moon than on taking care of 200 million people in the United States of America in the budget that has been submitted by the executive branch of the Government.

Mr. SPRINGER. The gentleman is right. Many program authorizations in the health field are not fully utilized.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I would like to refer to page 34 in the committee report, dealing with the situation as to the shortage of nurses. The point which the gentleman from New Jersey mentions is covered in this report, where we recognize, as he does, the problem.

In another area, I would like to mention the fact that the hospital schools have come down and down and down. We found that the cost to the hospitals was too great, to be carried and our committee provided that there be some assistance to the hospitals to encourage a training of nurses in our hospital schools nationwide. I have not checked the figures, but it is my understanding that this program has not moved as intended. In my judgment, it should be stimulated. It is not the Congress nor our committee that has been negligent, but somewhere down the line we have failed.

Mr. STAGGERS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Chairman, I rise to urge support for section 12 of this bill, the hospital emergency assistance program which provides urgently needed aid for the critically "sick" hospitals of this Nation.

This program provides a balanced program of grants and loans to help those hospitals that are so overburdened or deficient in facilities that they are now unable to meet the health needs of the communities they serve. It authorizes $40 million for grants to pay up to 66⅔ percent of approved projects. For those hospitals that are unable to raise the remaining 33⅓ percent from other sources, it authorizes $18 million in long-term, low-interest loans.

The total cost of program under section 12 is $58 million but it will make it possible for these "critical hospitals to serve 150,000 new patients each year.

A Department of Health, Education, and Welfare survey made about a year and a half ago indicated that some 143 hospitals in 97 communities in 29 States, were really in desperate condition—in such condition, in fact, that the people in those communities were not receiving adequate health services.

The emergency grants and loans proposed here are designed to reach those hospitals that are in the very worst situation and tide them over until such time as we can expand and revise the Hill-Burton program on a long-term basis to take care of this kind of need. In fact, I am happy to be the sponsor in the House of the new Hill-Burton expansion program, proposed by Senator HILL in the Senate, to achieve these purposes.

I yield to no man in my support of the Hill-Burton program. I believe it has been a wonderful program. Section 12 was conceived in the spirit of Hill-Burton to meet an emergency situation that Hill-Burton cannot now meet. Under this measure, the Hill-Burton State priorities will be maintained. In fact, the section specifically requires that anything given under this program will be coordinated with them.

But there are certain things the Hill-Burton program simply could not anticipate. One was the advent of Medicare. In areas with high concentrations of aged people this program has placed tremendous burdens on the hospitals.

Other areas have experienced unexpected population shifts which have placed unpredictable burdens on their hospitals. There is one in my own congressional district, in a rural area. All of a sudden the population started pouring in, and just swamped the existing hospital facilities.

We now make an annual Federal investment of more than a billion dollars in medical research and, as a result, there is no area in which we have scored more impressive victories than against man's oldest enemies, disease and injury. We know how to protect our families from the plague, smallpox, polio, even measles and scarlet fever. We can treat and cure tuberculosis and many forms of cancer. We can restore severed limbs, mend damaged hearts with man-made valves, and replace kidneys with machines.

Yet incredible as it may seem, many Americans are denied the benefits of these victories because our investment in delivery of health services has lagged. Overcrowded, inadequate and obsolete hospitals in many communities simply are not able to bring this billion dollars worth of knowledge to the people.

What good is a multimillion-dollar research program when heart victims wait hours on wooden benches for emergency treatment? Yet that is happening in many of our hospitals.

What good are new techniques in treatment if there is no room for the patient to receive them?

The hospitals themselves are painfully aware of this problem.

I wish I could read all of the moving appeals I have received from all over the country. One example, is the telegram from the head of the Good Samaritan Hospital in Watertown, N.Y., reporting:

> Our hospital is operating at 101.2 percent of capacity which necessitates beds in all solariums and with interesting frequency beds in corridors. . . . Our program has been approved by the hospital review and planning council of New York State (but) we do not have the funds to implement this plan.

A letter from Sister Mary Ventura of Mercy Hospital in Toledo, Ohio, reports an average daily occupancy of 107 percent.

> We keep ten beds for use in the hall for emergency admissions . . .

Yet she reported that that very morning she had to turn away a gravely ill 6-year-old boy because there was no room in the hospital.

We have received many such letters. They come from all over the country. The problem of the critical hospital occurs in every section of the country. It is found in every type and size of community. For example an analysis of the 69 southern hospitals in the HEW survey showed that the smallest community involved had a population of under 450; the largest, about 100,000. The median population was under 5,700.

The program is fully coordinated with the Hill-Burton program, which I wholeheartedly support. The Surgeon General, under whose direction Hill-Burton programs are carried out, emphasized this in his letter of July 7 to the chairman of our Health Subcommittee. He said:

> (This proposal) does not conflict with or substitute for provisions in the Hill-Burton program. As you know, the latter is designed to provide Federal assistance in the construction of facilities within the framework of a community and statewide plan. (This proposal) on the other hand, offers emergency financing to meet the hospital's most pressing needs which may not involve construction at all but may mean the development of other services to relieve the pressure on the hospital. (It) requires that this emergency assistance be provided within the framework of service plan, so that consistency with Hill-Burton planning is assured.:
>
> The American Hospital Association after reviewing the proposal endorsed this opinion in its report of July 18. saying:
>
> "As we understand your proposal it would offer an emergency financing to relieve the immediate pressure upon hospitals not only for the construction of hospital beds, but other services which may be needed. We further understand that the amendments resulting from your proposal would be administered in such a manner as to be consistent with the over-all planning of the Hill-Burton program.
>
> May we express our appreciation for your deep concern in the needs of hospitals and for your efforts to assist them in meeting the needs of their communities for hospital services."

So there is no question here of a conflict with Hill-Burton or a violation of Hill-Burton. Indeed the act in two different places specifically requires conformance with the State Hill-Burton priorities.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I will be glad to yield to the gentleman.

Mr. YATES. I would like to tell the gentleman that I support this section that is in this bill in favor of providing adequate grants and which has been described in the minority views as being a bonanza for the big cities of the country. Let me tell you the facts for the city of Chicago. A report that was made by the Hospital Planning Council for Metropolitan Chicago in November 1966, entitled "Appraisal of Hospital Obsolescence in the City of Chicago and the Metropolitan Area Outside Chicago" states as follows:

> Total cost of modernization of hospitals in the City of Chicago and replacing those beds in non-profit and proprietary hospitals where replacement appears to be indicated from an economic point of view is estimated at 255.1 million dollars. When this is compared with total Federal Hill-Burton grants for hospital construction in Illinois over the last 20 years, which totals $93.7 million and with the amount received by hospitals in Chicago, which totals $12.1 million, it is apparent that there is a financing problem facing hospitals in the Chicago area of an extremely serious nature.

So, Mr. Chairman, when it is said, "Let us rely upon the provisions of the Hill-Burton Act," this will not offer any kind of relief for cities such as the city of Chicago, or any of the other big cities in the Nation.

Therefore, Mr. Chairman, I support the gentleman's amendment.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. STAGGERS. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I am glad to yield to the distinguished gentleman from New Jersey.

Mr. CAHILL. Mr. Chairman, I, too, would like to commend the distinguished gentleman from New York [Mr. OTTINGER] for his amendment and to say to the gentleman that insofar as I am concerned this amendment is necessary to meet the pressing needs of many of our rural hospitals.

Mr. Chairman, I happen to represent a county in New Jersey which is essentially a suburban area where the need is acute for immediate hospital construction. This need results from a population explosion in the area. This amendment could be helpful in this type of situations.

And, I would say to the gentleman, I intend to support his amendment. Even if it is not accepted by the House, the gentleman from New York has performed a very worthwhile service by pointing out the fact that there are individual areas which need individual attention and, certainly, the formula that is now being utilized is not an acceptable one. In my own State of New Jersey, the State divides itself into 10 or 12 different districts. If a hospital happens to be located in one of those districts and if it is not an "A" priority, that hospital cannot obtain a nickel. In many instances it is an individual hospital located in a certain area where there has been a tremendous increase in population, that actually needs the money greater than some individual hospitals located in a priority area. Individual attention in critical areas must be achieved.

Mr. Chairman, I support the amendment which has been offered by the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I appreciate the expression in support of my amendment which has been voiced by the distinguished gentleman from New Jersey.

Mr. HALPERN. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman from New York.

Mr. HALPERN. Mr. Chairman, I am enthusiastically in favor of the provisions as contained in this bill and those provisions as have been proposed by the very able and distinguished gentleman from New York [Mr. OTTINGER] to provide an emergency assistance program.

Mr. Chairman, I am privileged to have been associated in the sponsorship of this sorely needed amendment.

I trust that this improvement to the bill, Mr. Chairman, will be adopted.

Mr. Chairman, I commend the able gentleman from New York [Mr. OTTINGER] for his able efforts to win this provision. It is my opinion that the gentleman has contributed greatly to making this a true partnership for health bill.

Mr. OTTINGER. Mr. Chairman, I thank the distinguished gentleman from New York for his contribution.

Mr. YATES. Mr. Chairman, will the gentleman yield further?

Mr. OTTINGER. I yield further to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, I want to say that I regret that the gentleman did not put into this section an amount of money that was 10 times greater than the $40 million which the committee has approved.

It is my opinion that the hospitals throughout the Nation need these funds particularly at this time when mortgage money is unavailable to so many hospitals in the cities and where those who can obtain funds will have to do so at a very high interest rate.

Mr. OTTINGER. Mr. Chairman, I certainly agree with the gentleman from Illinois that there is a huge long-term need for the improvement of our hospital programs and very particularly those programs which are located in our various large cities.

Mr. Chairman, people from my own State of New York and from the city of New York came in and testified before the committee for this provision, even though if this particular bill is adopted it would not do much if anything to relieve their particular situation.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. STAGGERS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. OTTINGER. Unfortunately, Mr. Chairman, the Hill-Burton program does not come up for renewal until next year. Furthermore, current fiscal conditions do not permit us to embark upon a major national program.

Mr. Chairman, this program is directed at communities that have, for one reason or another, hospitals which have been overwhelmed by the demands upon them and the communities served by these hospitals are being deprived of needed health service.

The cold statistics of the HEW survey prove the urgent need for this program. But in the final analysis it is its significance for people, its human aspect, that is most important. If we fail to provide this modest aid, we are turning our backs on communities where people may die or suffer needlessly as a result.

We spend more than $1 billion a year on medical research. How can we afford not to invest this $58 million to make it possible for our citizens to benefit from the results of the research?

If, as the minority views would indicate, a heartless effort is made to strike section 12, I hope that each and every one of you will rise to its defense. "The life you save may be your own."

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I am glad to yield to my distinguished colleague, the gentleman from Hawaii [Mr. MATSUNAGA].

Mr. MATSUNAGA. Mr. Chairman, I wish to commend the gentleman from New York [Mr. OTTINGER] for his offering of the amendment which was accepted by the committee and reported on to the floor of the House.

Mr. Chairman, I shall support the amendment which has been offered by the gentleman from New York.

In Hawaii there are 33 hospitals registered. Of the 33, nine are overcrowded, according to the standards of the American Hospital Association. For the purpose of this amendment, I believe 80 percent, or above occupancy is considered overcrowded. Of the nine overcrowded hospitals in Hawaii four are critically overcrowded by American Hospital Association standards.

We have the Maluhia Hospital, which has 98.6 percent average daily occupancy; the Shriners Hospital, with 100 percent average daily occupancy; the Hawaii State Hospital, with 102.3 percent average daily occupancy; the Waimanu Hospital, with 97.2 percent average daily occupancy, and the Kula Hospital, with 92.2 percent average daily occupancy.

Of course, the critically overcrowded hospitals are all long-term hospitals, but a substantial number of the overcrowded hospitals throughout the country are short-term hospitals. The Kuakini Hospital has 84.2 percent occupancy.

Mr. OTTINGER. Mr. Chairman, I want to thank the gentleman from Hawaii, and I ask support for section 12 of this bill, as recommended by the committee.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the chairman of the Subcommittee on Public Health and Welfare, the gentleman from Oklahoma [Mr. JARMAN].

Mr. JARMAN. Mr. Chairman, I rise in support of H.R. 6418, the Partnership for Health Amendments of 1967. This bill extends and expands for three additional years the authorizations under the Public Health Service Act.

This Nation has dedicated itself to the goal of achieving the highest level of health possible for each of its citizens. The enormity of this task makes it clear that we must assimilate all of our available resources, public and private, in a vital partnership to achieve this important objective. The history of Federal-State cooperation has brought about remarkable advancements by creating opportunities for the States and localities to identify their own most urgent health needs through Federal funding. H.R. 6418 will continue and expand this partnership, to the ultimate enhancement of our entire Nation.

Each provision of the bill is aimed at fulfilling the increasing needs of this partnership: extending the areawide planning of facilities to encompass all health services; training of the necessary personnel for these planning facilities; and further developing the broad project grant authority for the stimulation of new and varied means of services.

The extension of areawide planning of facilities will insure coordination by the most reliable and capable sources of knowledgeable experience. At least 70 percent of the allotments for support of health services shall be available only for services in communities—this is further evidence of the desire to move planning and programing closer to the people and the locality to be served.

Today the total Federal investment in health services research amounts to less than one-tenth of 1 percent of our total annual investment in health care. A greater concentration of our efforts in this area will create a research and development program which will bring health services to a level of productivity which the American people demand and require. Section 3 of H.R. 6418 will give us the broad, flexible kind of authority needed to employ the Nation's best minds to design the facilities, design the information systems, and develop the training methods and the more efficient patterns of health services we must have.

This legislation, Mr. Chairman, represents an enormous step toward meeting the health needs of the country by giving Federal support to local initiative and, therefore, deserves the support of the entire Congress. I most sincerely urge this body's favorable action on the bill.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I thank the gentleman for yielding.

I note that the gentleman referred to State planning, and that the gentleman endorsed the idea. I agree with the gentleman. But I would ask the gentleman is it not true that priorities as to the allocation of funds under the Hill-Burton Act are determined by the State plan within the States?

Mr. JARMAN. Yes; that is correct.

Mr. NELSEN. But under the Ottinger amendment the priorities would no longer be established within the States under the State plan, but would be established at HEW; is that true?

Mr. JARMAN. Yes.

Mr. NELSEN. Then, in other words, the Ottinger amendment departs from the plan that the gentleman has so loudly praised, and in which I agree with the gentleman that we put it in the hands of the State for determination, but the Ottinger amendment turns it completely away from the States.

Mr. JARMAN. I would simply respond to the gentleman by saying I am certainly in agreement on the importance of the determinations of the basic plan being in State hands.

However, I do recognize that the Ottinger amendment is emergency legislation drawn to meet a specific, immediate need. The details of this will come out in further debate.

Mr. NELSEN. I thank the gentleman for yielding.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I will be glad to yield to the gentleman from New York.

Mr. OTTINGER. I thank the gentleman for yielding.

The way this will actually work is in accordance with a set of criteria that are established very firmly in the legislation. The Department of Health, Education, and Welfare will determine those hospitals in greatest critical condition throughout the country. Before an application is approved the hospital must show that its proposal is integrated with health service programs approved or planned for the community, State, or region in which the hospital is included.

Then before the Secretary of HEW approves the grant he must show that the project conforms to local, State, and regional health planning programs.

The Surgeon General and the Department of Health, Education, and Welfare determine which hospitals are truly in critical condition, but the program will not be approved unless coordination and conformance with the local Hill-Burton program is assured.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, this legislation, H.R. 6418, provides for a most vital and urgently needed productive partnership between the Nation's public health agencies and community health facilities. I hail its approval by the committee and feel privileged to be associated as a sponsor of the bill.

I am also particularly pleased that an amendment for an emergency hospital assistance program in which I joined my distinguished colleague from New York [Mr. OTTINGER] has been embodied in the original partnership for health bill, and now becomes an integral part of the committee bill.

The amendment was introduced as the emergency hospital assistance bill, H.R. 11571. It provides critically needed interim help for certain overburdened and inadequate hospitals, while long-range assistance is being worked out under the health partnership.

In essence, the amendment now incorporated in H.R. 6418, provides an emergency transfusion of $58 million in Federal grants and loans to help tide over "sick" community hospitals until more permanent aid arrives.

As it now stands, H.R. 6418 is well designed to meet the increasing public demand of the past several years for comprehensive health services available to all who need them.

It has become apparent that to provide these services, we will have to utilize all our health resources and put into practice all our knowledge. One of the great and sad paradoxes of today is that highly sophisticated surgical techniques are being developed and given limited application in our Nation's hospitals and medical centers, while in the slums surrounding these centers, not only these new techniques, but even existing knowledge are not being applied, for example, to reduce infant mortality rates that are many times higher than our own national average, as well as the average of at least a dozen other countries in the world.

Experts in the health field have known for some time that effective use of total health resources is dependent upon a high degree of coordination of all health efforts, and therefore on comprehensive health planning. Dr. Berwyn F. Mattison, executive director of the American Public Health Association, has stated that:

> Planning for community health on a comprehensive basis is the most important immediate task of public health.

This body recognized the importance and immediacy of this task last year and passed, in the closing days of the 89th Congress, the Comprehensive Health Planning and Public Health Service Amendments of 1966—Public Law 89-749. This legislation provided for comprehensive planning for health services, health manpower, and health facilities on the State and local level. Besides that, it broke down the unnecessarily restrictive barriers among health categories in the existing Federal financial assistance programs, so that the health field in its various aspects could be viewed as a whole.

Previous assistance to the States for health purposes had been heavily oriented toward specific disease categories or health problems without specific regard to State and local needs. The 1966 amendments provided for fundamental revisions in the grant structure. Formula grant funds are given through the States to local communities for comprehensive public health services on a flexible basis, with the focus redirected from defined categories of disease to health problems of individuals and families in the community. Second, project grants were regrouped to focus on priority health targets.

This new approach to a grants program recognized the fact that needs vary from one part of the country to another, from one State to another, and among different areas within a single State. Variations are particularly dramatic in urban areas, as I am aware from my experience in New York City. The 1966 law, for the first time, permitted a flexibility in the use of formula grant funds so that States and communities may now use them to provide health services geared to the personal and environmental needs of their citizens. The State or locality can now plan its use of health services money for areas of highest priority. A city can now strike hard at the eradication of syphilis, for instance, if this appears to be an area in which important success can be attained.

It is my feeling that the passage of Public Law 89-749 announced the arrival of a bright and vital new day in the provision of health services for all our people. In the same way, it is my feeling that the passage of H.R. 6418 is a vital and necessary step that this House must take today and must take by a resounding majority.

The 89th Congress, because of a time factor, enacted this program for a period of only 2 years. It was felt that more time and consideration was necessary before the measure could be authorized for the 5-year period that was originally proposed. For the past months of this year the Commerce Committee has held many days of hearings and devoted many long hours of detailed and careful consideration to the bill before us.

One of the many witnesses before the committee was Dr. Howard J. Brown, health services administrator for the city of New York. Dr. Brown, in his testimony, gave two examples of the things this bill has enabled his city to do. I hope you will bear with me as I quote some of his remarks. The first problem situation he reported results from a recent shift of population in the Borough of Brooklyn causing marked increases in the number of children from low-income families. Dr. Brown said:

> Our central city hospital in Brooklyn is Kings County Hospital which has become increasingly crowded. In the past year and one-half we surveyed the unmet needs for children's services in Brooklyn. It has become quite clear that we cannot meet them unless we use the combined facilities of our city hospitals, our department of health centers, and our voluntary clinics and, indeed, in addition, open some group practice units to meet the need.
>
> Without this kind of planning we cannot meet the need.

A little later, Dr. Brown gave another example in the area of mental health. He said:

> We have developed for the city through the mental health board a service of community mental health centers. We have found under our new planning that if we combine these with our hospitals we will save greatly on the cost because we won't have to duplicate laundries, heating plants, kitchens, and that kind of thing.

These are the kinds of things that can be done with the help of this legislation. I am sure that almost every other public health administrator in the country could cite similar enlightening examples. I feel strongly about legislation of this type and I am privileged to be associated as a sponsor of this bill.

Recognizing a vital omission in the original legislation, I joined with my colleague, the gentleman from New York [Mr. OTTINGER] in providing for a much-needed improvement by offering separate legislation to add emergency assistance for community hospital services. The committee in its wisdom accepted this measure and embodied it in the bill, making H.R. 6418 a true partnership for health measure.

While I have concentrated my remarks today on the sections of H.R. 6418 concerned with planning and with the health services grants programs, I want to add a few words on provisions of equal importance which were also included in my bill.

Among these are provisions dealing with research, experiments, and demonstrations aimed at developing new methods of providing health facilities and services; cooperative emergency health services; volunteer services; provision of health services for Federal employees at remote facilities of the Public Health Service; and improvement of clinical laboratories operating in interstate commerce. These provisions, in their way, are also vitally important.

The program which was started by Public Law 89-749 and which will be continued by H.R. 6418 if it is passed, and it must be passed, can be a strong program and accomplish wonderful things. Its strength lies in its emphasis on a "partnership for health"—the participation of the provider and the consumer of health services. Health planning has been brought closer to the consumer so that his needs may be readily identified and effectively filled. At the same time, the consumer has been given the responsibility—together with representatives of private organizations and public agencies, local, State, and Federal Government—of shaping the health system of tomorrow.

We in the House of Representatives have the opportunity, Mr. Chairman, to help in shaping this health system of tomorrow, by passing H.R. 6418. I hope with all my heart that we will take this opportunity.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman and members of the Committee, I probably will not use the entire 5 minutes, but I want to take this time to point out the fact that at a time in our history when we need more and more physicians and more and more nurses to take care of the elderly and to take care of the sick of our Nation, we are producing less nurses and less physicians.

For example, in 1964 I am advised that we graduated 35,259 nurses from all the various schools of nursing. In 1966 we only graduated 35,125.

So that in the 2 years, and during those years as we all know, we have had the implementation of the medicare program, we have appropriated more and more funds on the Federal level for hospitals and we have become aware I think more acutely of this great need, and yet we are producing less nurses.

Many of your hospital administrators in your own congressional districts will tell you that with the medicare program, more and more people are coming to the hospitals and that there are less nurses to take care of them.

One of the problems has been the closing of nursing schools. We have closed 61 hospital schools of nursing. Now why is it when there is such an acute need, and when so many young girls want to become nurses that we closed 61 schools?

There are two reason for it. One is that unless a school is accredited, they cannot get any Federal assistance.

Under the present formula, the commissioner has been relying almost exclusively on the recommendation of the National League of Nurses. They probably properly and understandably want to raise the criteria and the qualifications of nurses, with the result that there is emphasis on the baccalaureate degree. But because of this emphasis many schools were not accredited and did not qualify for Federal funds. Some of these, therefore, had to close.

At the very same time that we are closing the nursing schools, by reason of the situation in Vietnam and by reason of the increase in our Armed Forces, our Federal service hospitals are requiring more and more nurses. So the civilian hospital oriented schools that are producing nurses, find that the military is competing with these hospitals to get these nurses and are offering great inducements to the young nurses.

The second thing that I would like to point out is that while it is true that we have authorized sufficient funds to develop additional medical schools, the executive branch of the Government has not seen fit through the appropriation mechanism to provide the funds. I also suggest to my colleagues in the House that it is about time that we found another method to establish medical schools in this country.

We can no longer meet the criteria that is established by the American Medical Association in the development of medical schools. We have to come up with a new concept—a concept perhaps like that being utilized at Dartmouth College where some of the theory is taught at the university and then the students are transferred to the medical schools for clinical studies and the hospital experience.

We have to find more seats for more young American youth who have the ability and who have the dedication and who can afford to pay their way into a medical school but who cannot get in the medical schools.

We are, I believe, in this Congress under a great responsibility today, because of the very legislation that we have enacted, to anticipate the overwhelming burdens that we are going to find in our hospitals and in our communities for more nurses and more doctors.

I wish to make it crystal clear that anything I have said is not to be construed as any criticism of this great committee of Congress. I think they have done a good job. I think this is a good bill and I intend to support it. I do not say that it is their sole responsibility, but I say that it is the responsibility of all of us to engage in some thoughtful, provocative, innovative thinking for the purpose of solving what is one of the real problems of the country.

Mr. STAGGERS. Mr. Chairman, I yield as much time as he may require to the gentleman from North Carolina [Mr. KORNEGAY].

Mr. KORNEGAY. Mr. Chairman, I thank the chairman of the committee for yielding to me.

First, I would like to state that I rise in support of this legislation. I would like at this time to propound a question to the chairman of the full committee.

Mr. Chairman, I have received a joint letter from the deans of the three medical schools in the State of North Carolina: Dr. Manson Meads, dean, Bowman Gray School of Medicine of Wake Forest University; Dr. Issac M. Taylor, dean, University of North Carolina School of Medicine; Dr. William G. Anlyan, dean, Duke University Medical Center.

These three deans have expressed their support of this bill but are concerned with a statement found on page 22 of the report, which states:

> It is not the aim of this legislation to submit the operational activities of any health institution—whether it be medical school, voluntary health agency, private practitioner, or State program operator—to any additional Federal or State controls.

The question I would like to put to the chairman of the full committee is as follows: Are the operational activities of medical schools and teaching hospitals understood to include planning and program development?

Mr. STAGGERS. The simple answer to that question is, "Yes."

Mr. KORNEGAY. I thank the chairman very much for that good and forthright answer.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER of West Virginia. Mr. Chairman, I rise in strong support of H.R. 6418. I am particularly pleased that section 12 has been incorporated into this legislation because this section will mean so much to those areas of the Nation where overcrowding in hospitals has resulted in very critical shortages of facilities. I hope that all attempts to delete this section will be beaten back, because I think this is one of the most important sections of the bill.

I commend the gentleman from New York [Mr. OTTINGER] for his imaginative leadership in fashioning this particular section of the bill. I commend the chairman of the full committee, my colleague from West Virginia [Mr. STAGGERS], for his leadership in bringing it out with the legislation.

The director of the hospital and medical facilities bureau of West Virginia's State Department of Health, Dr. Paul Bibb, with whom I talked earlier in the day, indicated that a larger number of the hospitals in my State have occupancy well over 90 percent: Holden Hospital has 122 percent; Guyan Valley Hospital in Logan, 110 percent. In the two largest cities in my district, Parkersburg and Huntington, Camden-Clark Hospital in Parkersburg has an occupancy of 100 percent, and Cabell-Huntington Hospital, 96 percent. In southern West Virginia counties, the average occupancy rate is 92 percent. In Charleston, occupancy rates run over 90 percent in many hospitals.

I must say I was a little disturbed by the comments of the gentleman from Illinois [Mr. YATES], who described this section of the bill as a "big city bonanza." I would like to ask the gentleman from New York [Mr. OTTINGER] if it is true that these modest funds of $40 million in grants and $18 million in loans are going to be confined to the large urban areas of the Nation.

Mr. OTTINGER. Mr. Chairman, will the gentleman from West Virginia yield?

Mr. HECHLER of West Virginia. I yield to the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Chairman, there is no size community specified in the legislation. The basis of the legislation is a survey made a year and a half ago of all U.S. hospitals showing 143 hospitals in critical condition. Of those 143, the median size community those hospitals served was only 5,700. The communities ranged in size from a low of 450 inhabitants to a high of over 100,000 inhabitants, so the gentleman can see there is ample range as to size.

Mr. HECHLER of West Virginia. Those statistics are very interesting. But I seek some additional reassurance. Mr. Chairman, is it not true, as to the figures presented by the gentleman from Illinois, that the big cities with their larger needs, with larger amounts of money available to prepare plans and applications, will be getting the lion's share of this $40 million in grants?

Mr. OTTINGER. No, not if the money is distributed as it would have been on the basis of the survey to which I referred. Certain things have changed since the survey was taken. But, in any case, the communities of the most critical need, where the health of the people is jeopardized because of lack of hospital services are those that will receive help. On the basis of the survey, the communities aided are likely to be the smaller communities rather than the larger, the rural rather than the urban.

Mr. HECHLER of West Virginia. I am very pleased to hear the comments of the gentleman from New York, and his assurance that the funds will be fairly distributed. Mr. Chairman, is this money going to be used only for buildings, or can it be used for some other critically needed services in hospitals?

Mr. OTTINGER. Mr. Chairman, whatever type service will help the hospital more efficiently over its crisis can receive money under this bill—for services, for buildings, or for equipment.

Mr. HECHLER of West Virginia. Mr. Chairman, I wonder if the gentleman noticed that Dr. Howard Brown of New York City mentioned in his testimony before the committee that one of the reasons for the shortage of nurses was the lack of interest on the part of nurses to work in hospitals with the most crowded facilities. He used this as a reason for supporting this section of the bill.

Mr. OTTINGER. I most certainly did. I am grateful to Dr. Brown for his support of this provision.

Mr. HECHLER of West Virginia. Mr. Chairman, I think the case has been very clearly made in support of this valuable section of the bill. I commend the gentleman for his efforts in getting this excellent plan incorporated into the bill.

Mr. SPRINGER. Mr. Chairman, will the gentleman from West Virginia yield?

Mr. HECHLER of West Virginia. I yield to the gentleman from Illinois.

Mr. SPRINGER. Mr. Chairman, I think the gentleman ought to be enlightened a little further. The gentleman has used the words "big city bonanza" and he could not have used them better. The ones who are going to get this are the ones who are tooled up for Federal grants. The man who wants the grant does not go to Albany to get it, but he goes to HEW direct and signs and gets his grant. This $40 million and $18 million cannot take care of the 160 hospitals which the gentleman from New York says he has a list of. It cannot take care of a fraction of that. In fact, I doubt whether it can take care of one-third of that.

This takes care of something the Hill-Burton never has done. It is for services. They can go out and hire nurses or doctors or whatever they want to. We have never provided services under any act. I think the gentleman from West Virginia can well understand why we have not provided for services. A Niagara of money could not take care of the things the gentleman from New York has put in this bill by the insertion of the word "services."

May I say that the people who are going to be in here the next day after the President signs the bill—and may I say the gentleman there has a hospital for which he is going to be in, if this is signed by the President and section 12 is in there, and the gentleman looks after his people, and I cannot blame him for that—but chiefly it will be those areas which are tooled up to do the job, because in a year it is almost impossible to get tooled up for this. The big cities are the ones who will get the big money under the Ottinger amendment.

Mr. HECHLER of West Virginia. The Secretary of Health, Education, and Welfare—in the interest of the legislative history which we are making here—can pass on not only those ready-made plans which large urban hospitals take off the shelf, but, in order to meet the intent of the legislation, the Secretary of Health, Education, and Welfare will give priority to those applications which come from those areas who have the most critical need.

Mr. OTTINGER. The amount of money in the bill was arrived at in consultation with the Public Health Service to take care of the critical conditions of the entire 143 hospitals in the original survey.

It is not just for the fellow who gets in the fastest but, on the basis of information available to the Public Health Service, for the fellow who needs assistance the most.

Mr. HECHLER of West Virginia. I am pleased the gentleman from New York has helped to make legislative history, because I do not want the gentleman from Illinois [Mr. YATES] to get in here ahead of me on any of these requests. I am pleased that these requests will be passed on in the order of priority of critical need.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Chairman, I want to add my congratulations to the leadership in the House Committee on Interstate and Foreign Commerce on both sides of the aisle for bringing to the floor an excellent piece of legislation. The comprehensive, flexible, noncategorical principle it embodies is a real landmark in our legislative history now, as it was last October when first adopted.

I take this time briefly, Mr. Chairman, to explain an amendment which will be offered shortly, when we read the bill under the 5-minute rule, on behalf of myself and behalf of my colleague from Maryland [Mr. MATHIAS], to make it clear that the bill contains an authorization for the same $20 million annually for programs of rat control and extermination as was the subject of an earlier ill-fated venture which died for want of a rule on the floor of the House here only 60 days ago, on July 20.

On the question whether this country needs federally assisted rat control programs, anyone who doubts that we do should have accompanied me a few days ago on a walk through the slum section of my home city of Milwaukee.

I saw houses with hundreds of ratholes gnawed in the walls and in the floors. I talked with citizens who told me that every night rats climb over them when they try to sleep. I saw mothers who try to keep their homes clean and decent, but who cannot because of this most disgusting of animals.

There was a little 4-year-old boy who was crying bitterly because he wanted someone to hold his hand and walk him to his home. It turned out his home was about 100 feet away, but each time he went home, when the sun went down, there were rats in the alley, and the rats bit the little boy.

Our cities, with demands of the local property tax already pressing homeowners about as far as they can be pressed, need Federal help if they are to mount an adequate program of rat extermination.

It is not my purpose today to conduct a post-mortem on the events of July 20. The debate there speaks for itself. The moving finger of the official reporter wrote it down, and all our piety and tears today cannot change it.

But I would point out that there is an important difference in the amendment here today and the program which was offered on July 20. While the amount of money is the same, this amendment does not dictate from Washington the priorities of the public health needs of our local communities, and it preserves the right of our localities to decide which are the most serious public health problems and to allocate funds, Federal and local, to these problems accordingly.

The amendment does not set up a new or separate categorical grant program, and it does not backslide on the important principle of flexibility of the Partnershiip for Health Act.

I wish that the Committee on Interstate and Foreign Commerce could have had an opportunity to hold the same full hearings on the rat control program, its means and methods, which were held before the Committee on Banking and Currency. This was not possible, because the Commerce Committee's hearings were concluded long before the July 20 date when the first venture in rat control and extermination came to the floor of the House.

I commend the amendment to Members on both sides of the aisle. I believe this is a real opportunity to undo the action that we undertook on July 20 and to undo it in a way which will conform with the excellent principle of flexibility inherent in this bill.

I hope when the amendment is presented it will be favorably regarded.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee [Mr. KUYKENDALL].

Mr. KUYKENDALL. Mr. Chairman, I join in support of this bill and wish to commend the chairman and ranking minority member for the outstanding work that the committee has done.

I would like to point out and emphasize the necessity of moving ahead by the people downtown at the Department of HEW with the matter of nurses training. My district is the city of Memphis, Tenn., with one of the larger medical centers of this Nation. We, as most areas do, have a very serious shortage of nurses today. The presently existing shortage is not really the most alarming situation but, rather, the fact that we are not progressing, as has been pointed out, with the use of the authorized funds for further nurses training. I think the universities and particularly the junior colleges in cooperation with the hospital program may very well be part of the future answer to this problem. I wish to go on record as urging the Department of Health, Education, and Welfare to work in this area of cooperation between the hospital nurse program and the junior college program for the 2-year certificate nurses.

Mr. Chairman, I think it is important that it be brought out the authorizations from this committee, of which I am one of the newest members, have not been the problem of moving forward in this area of doctors and nurses but, rather, it is the failure of the people downtown to expedite this program, which is getting to be a serious situation. I think the nurse situation, if anything, may be more serious than the doctor situation, because in this area they are having problems of raising the prestige of nurses, at least in the area of money, whereas we do not have so much of a problem with the doctors there.

I want to commend this legislation and urge the people downtown to move forward in this critical area of nurses training.

Mr. SPRINGER. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS of Maryland. Mr. Chairman, I thank the gentleman from Illinois for yielding me time. I want to congratulate him and the distinguished chairman and members of the committee on the very fine job they have done in bringing this legislation to the floor. Also I want particularly to associate myself with the remarks of the gentleman from Wisconsin [Mr. REUSS], with whom I am supporting an amendment to add the necessary funds to insure that the cities and States of this country have an adequate program and the means to execute an adequate program for the extermination of rats wherever they are a public health problem. This amendment will be brought forth at the proper time. I think this is a very important part of the overall public health picture and is a proper addition to this bill.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. I am glad to yield to the gentleman.

Mr. NELSEN. Earlier in the debate one of our colleagues mentioned the fact that there were nine programs now in operation that could meet this need. I expect this is one of the nine. If the dollars are put into this bill, the job that some think needs doing and which very likely does need doing can be done under this particular piece of legislation. Is that not true?

Mr. MATHIAS of Maryland. That is exactly right. The amendment that will be offered will provide muscle to do a thorough job under this bill with existing machinery and without the necessity of creating further Federal bureaucracy can be accomplished.

Mr. NELSEN. I thank the distinguished Member for yielding.

Mr. STAGGERS. Mr. Chairman, I yield whatever time he may require to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I rise to give my strong support to this bill and urge its passage.

Mr. FASCELL. Mr. Chairman, the Congress of the United States has for many years joined with the States and local communities in finding ways in which to improve the health of the American people. Over 30 years ago, with the enactment of the Social Security Act, Congress committed itself to help in the fight against certain categories of disease and illness. More often than not, however, a new area of concern to the health of the Nation was met with a specific program designed to deal with the specific problem under consideration. Over the years, therefore, there grew up a fragmented program of categorical grants with restrictions and limitations prohibiting the maximum use of Federal funds by many of the States in meeting their public health problems.

By 1966, it became clear that something had to be done to assure that Federal assistance to the States aimed at improving the public health was responsive to the needs of a particular State and its communities. Public Law 89-749 offered a constructive solution to the problem of fragmented public health programs. In place of the categorical programs, Congress substituted a system of grants for public health without categorical limitation coupled with a program providing for comprehensive health planning by each of the States. Such a program offered the States and communities an opportunity to tailor health resources, manpower, and finances to fit their particular needs and priorities. With the restrictions of categorical grant programs removed, State and local authorities could more effectively and realistically make decisions regarding the health needs of their constituents.

The action taken by Congress last year was limited in duration, and we must now consider extending provisions of this program into the future in order to obtain the maximum effectiveness from the consolidated, rather than categorical, method of helping to improve the Nation's health.

In order to sustain the beginning made in 1966, I introduced H.R. 12353, to expand and broaden this approach of Federal aid to the States for public health. My bill, H.R. 12353, is identical to H.R. 6418, which is being considered today.

Under the bill, the formula grant will be the principal source of Federal assistance for most ongoing State and local public health programs. These funds will be made available for distribution within each State in accordance with each State's determination of health needs and priorities. In this way, we can be assured that not only will the problems of the categorical approach be overcome, but also that the State health agencies will be strengthened and made more effective.

The bill also provides for a special project grants program where a specific health problem may be attacked in some one area and where a formula grant approach would not be as responsive to the needs as would a direct project grant.

Overcoming the inherent problems in a categorical grants program is, unfortunately, not enough to assure maximum utilization of Federal health dollars. The bill, therefore, extends the comprehensive health planning provisions enacted into law in 1966. Increased funding is authorized to support the staffing and study costs necessary for thorough data acquisition on which to base health planning decisions.

A number of other significant provisions are contained in the bill: First, the creation of a mechanism to assure that there will be a dialog between planning groups; second, a licensing section to authorize the Secretary of Health, Education, and Welfare to license clinical laboratories which operate in interstate commerce; third, a provision to provide for assistance to hospitals where severe shortages of bed space which has resulted from increased demands for services; fourth, a program of formula grants to schools of public health; and fifth, other sections each aimed at helping to maximize the effectiveness of the Nation's health resources in the States toward meeting the needs of the people.

I am certain that the 90th Congress will continue the commitment toward improving the health of our Nation as has previous Congresses. This legislation offers workable and responsive answers to the health problems of America. Although this measure does not provide solutions to all of our health problems, it offers a bold and positive new direction for achieving our national health goals.

I urge each of you to consider the merits of this proposal and give it your strong support.

Mr. ROGERS of Florida. Mr. Chairman, I rise in support of H.R. 6418, the Partnership for Health Amendments of 1967.

When the House Interstate and Foreign Commerce Committee reported on last year's comprehensive health legislation, I felt we had removed a major roadblock in the effort to make the possible use of federal support to state in the field of health. For in that bill we established the block grant which allows the state to set its own priorities on health matters and thus use the money as it sees best.

I have long been an advocate of the block grant theory, both for health and other areas. These types of grants help eliminate regional and national guidelines which may not hold true in the individual States. It allows the State to put the emphasis on cancer if that is the State's number one health problem and does not bind the State.

This flexibility and encouragement of State initiative is the most direct way to tackle our health problems, and at the same time lessens Federal interference. Under this system, each State can determine its own needs and act straight forth to solve the problems.

I hope we will give this matter favorable consideration.

Mr. DONOHUE. Mr. Chairman, I most earnestly hope that, following full discussion and debate, this House will overwhelmingly approve this bill before us, H.R. 6418, the very aptly termed "Partnership for Health Amendments of 1967."

Mr. Chairman, the principal purposes of this bill are to extend and expand for 3 additional years—until July 1, 1971—the appropriation authorizations under the Public Health Service Act for formula and project grants for public health services by the States, and for grants for comprehensive health planning, and to establish an expanded program for research into and demonstrations of new methods of organization, delivery, and financing of health services. The bill also establishes a program of aid for projects for alterations, enlargement, or remodeling of, and additions to, existing hospitals having an average rate of occupancy exceeding reasonable capacity. In addition, the bill establishes a program for licensing clinical laboratories which solicit or receive specimens in interstate commerce.

Other major provisions of the measure would—

First, extend for 3 years—through fiscal year 1971—grants to schools of public health;

Second, strengthen the role of the Public Health Service in assisting States and localities to cope with health emergencies and disasters;

Third, authorize the Secretary of Health, Education, and Welfare to accept uncompensated services of volunteers in the operation of health care facilities;

Fourth, clarify and strengthen the authority of the Secretary of Health, Education, and Welfare to enter into agreements with health schools, hospitals, and other health care or training facilities for the interchange or cooperative sharing of scarce or highly specialized health resources;

Fifth, provide that not to exceed 1 percent of appropriated funds for formula and project grants for public health services—as well as grants to schools of public health—shall be available to the Secretary of Health, Education, and Welfare for program evaluation, analysis, and review;

Sixth, extend to July 1, 1971, the contract authority in section 301(h) of the Public Health Service Act, which expires June 30, 1968;

Seventh, authorize provision of medical and other health care to Federal employees at remote stations but only where care other than that provided by the Public Health Service is not available, and make certain seaman-trainees eligible for such care;

Eighth, allow assistance under the Hill-Burton hospital construction program to be furnished to certain joint hospital enterprises;

Ninth, allow a loan to be made of up to two-thirds of the additional costs of an experimental hospital construction project where such costs have risen substantially after initial approval of the project;

Tenth, for the purposes of partial reimbursement of diploma nursing schools for the cost of training, make clear that students receiving loans from the nurse student revolving fund are "federally sponsored students" in the same sense as those receiving loans from the capital contribution loan fund; and

Eleventh, increase from 12 to 13 the number of members of the National Advisory Council of Education for Health Professions required to be chosen from among leading authorities in the field of higher education.

Mr. Chairman, in summary, this bill provides for the further consolidation of the many and confused fragmented grants in the public health field into two program grant authorizations, one for formula grants for public health services and another for special project grants. For a number of varied health programs, it establishes a single set of requirements, a single authorization and a single appropriation.

It directs the Secretary of Health, Education, and Welfare to initiate an expanded and coordinated program of research, experiments, and demonstrations designed to substantially improve the quality and effectiveness of our health services.

It authorizes and directs the Secretary of Health, Education, and Welfare to enter into agreements with health schools, hospitals, and other health care training facilities to provide for the cooperative use of personnel, facilities, services, and information in order to better utilize scarce professional personnel and expensive facilities.

Finally, Mr. Chairman, the authorized appropriations to carry out the provisions of this bill are commonly and expertly agreed to be reasonable in consideration of the very severe budgetary problems plaguing the Nation, but it is hoped that they will, for the time being, serve to meet the critical health service needs that cannot be longer delayed without grave possibility of very serious consequences being visited upon the health and welfare of the majority of the people of this country. I hope that the House will very soon and resoundingly approve this measure which is undoubtedly in the best national interest.

Mr. MURPHY of New York. Mr. Chairman, I rise today in support of H.R. 6418, the Partnership for Health Amendments of 1967.

As the strongest and wealthiest nation on earth, we should accept no less than the best in health services for all of our citizens; certainly the strength of the Nation depends on the health of its people. We have made considerable progress in achieving the goal of a healthy society, but much remains to be done. This bill will provide the tools necessary to continue our efforts to achieve better health for all our citizens.

The central purpose of the bill is to extend and expand for 3 years the appropriation authorization under the Public Health Service Act for formula and project grants for public health services by the States. There are a number of advantages in this program. First, it consolidates the many fragmented grants into two grant categories, thus allowing the States the flexibility to solve their particular health needs in their own way. Second, this program requires that at least 70 percent of the State's allotment shall be used for services in the local communities of the State. This is in recognition of the fact that health is a local problem, and services must be focused at the level of most need: the individual and his community. Third, at least 15 percent of the State's allotment must be made available to the State mental health authority.

A second purpose of the bill is to provide for comprehensive health planning. Our national medical resources to meet the needs of health services are not unlimited, and the increasing demands for health services will mean additional shortages of health personnel and facilities in the future. One way to approach this problem is to increase training of medical personnel and construction of health facilities, and the Congress is showing the proper concern in these areas. But our shortage of resources also demands that we develop comprehensive plans to determine needs, set priorities and commit resources to meet those needs. This provision of the bill provides financial assistance to statewide planning groups and to community-based areawide planning agencies. By reinforcing the local and State health agencies, the bill recognizes that these levels of government are best suited to understand their health problems and develop their comprehensive response to the problems.

A third provision would increase health services research and development. With a shortage of personnel and facilities, it is of primary importance to increase the efficient utilization of health personnel and make the best use of existing technology.

A fourth vital area of health services is covered by a provision which would provide assistance for critical hospitals, or hospitals faced with a critical shortage of beds. Under the Hill-Burton hospital construction program, our hospital facilities have kept up with the demand to a remarkable extent. However, with the initiation of medicare the need for hospital beds has increased considerably in the past few years, and today we face a shortage of over 66,000 beds. All hospitals are not affected, but some are critically overcrowded. This provision would provide emergency assistance on a temporary basis to such hospitals until full consideration can be given to the entire hospital bed situation next year.

There are other important provisions in this bill which I think provide a balanced approach to the problem of health services in this Nation. The bill is a necessary and important response to a vital area of concern for all citizens, and I urge my colleagues to support it today.

Mr. RHODES of Arizona. Mr. Chairman, late in the 89th Congress, a 1-year Comprehensive Health Act was enacted into law with Republican support. This act rejected the standard Great Society formula of categorical grants. It consolidated 16 separately administered public health programs and permitted States to develop plans, establish priorities, and coordinate local activities. Under this approach, the priority health problems in each State and community whether they stem from communicable diseases, narcotics, or rat infestation, can be identified and programs designed to combat the problems established and properly funded.

At the time the Comprehensive Health Act was introduced, President Johnson stated:

> At present, the Federal Government offers the States formula grants for categorical programs dealing with specific diseases. This leads to an unnecessarily rigid and compartmentalized approach to health problems.
>
> Our purpose must be to help redirect and reform fragmented programs which encourage inefficiency and confusion and fail to meet the total health needs of our citizens.

We believe this statement is as true today as it was a year ago. We continue to support a comprehensive health program that encourages maximum coordination and permits the States and localities to establish priorities. We believe this concept should be expanded and employed in additional fields.

In one important instance, despite the earlier overwhelming bipartisan support for the Comprehensive Health Act, the administration has abandoned this forward-looking concept of block grants and has retreated to the old philosophy of categorical grants that impedes the development of an overall program and binds the hands of State and city officials. It has proposed a Rat Extermination Act under a new Federal administrator that would compete with the provisions of the Comprehensive Health Act and make even more difficult a coordinated attack on this very serious problem. Moreover, in proposing this new act, the administration ignored the fact that in addition to the Comprehensive Health Act, the community action portion of the poverty law provides substantial funds which can be used at the option of the State and local governments for rat eradication. Chicago alone has received $2.9 million of Federal poverty money for rat eradication in the past 3 years.

The gentleman from Wisconsin, Representative HENRY REUSS, who serves on the subcommittee that handled the rat extermination bill, made the following observation in support of the block grant approach in the Comprehensive Health Act as opposed to the restrictive provisions of the rat extermination bill.

> I am all for exterminating rats, but just last year the Congress was at great pains to take some 10 or a dozen public health programs, including programs in the environmental field, and to put them together into one program so as to move toward greater flexibility in Federal-State-local relations. It was a remarkable piece of legislation in the Public Health Service. The President signed it last October. Under the Act, which gives localities freedom to choose the things they want to concentrate on, at least seven states are now coming in with excellent vector rat control programs. But here, having done all that, what do we do but come in with another tiny specific program, very costly to administer. It gets HUD into the health business, it confuses the local health departments who have been dealing uniformly with the Public Health Service of HEW, it is going to result in shopping around, whether you

get rat-control money from HEW or whether you get it from HUD.

The House Republican policy committee supports the extension and expansion of the Comprehensive Health Act as provided in H.R. 6418. Under this bill, $892 million in comprehensive health grants will be made to the States during the next 3 years. With these funds, each State and locality will be able to zero in on its most serious public health problem whether it is due to rat infestation or some other cause. For example, Governor Rockefeller, of New York, and Governor Volpe, of Massachusetts, have announced the formulation of State rat-control plans that can be assisted by these funds.

We urge the elimination of section 12 of this bill. This provision was not the subject of hearings and is in no way related to the stated purposes of this act. Section 12 completely short circuits the formula system that has been successfully employed for 20 years under the Hill-Burton Act to grant money to the various States for hospital construction. It would authorize the Secretary of HEW to select and then make direct grants to a few hospitals. The money required for this hastily conceived program did not receive Bureau of the Budget approval nor was it provided for in the administration budget. A provision of this type demands, at the very minimum, full hearings and careful committee consideration before it is brought to the House floor for final action.

Mr. LLOYD. Mr. Chairman, the vote to add $20 million annually to the authorization to the HEW represents a phenomenon of sorts. This is action which has not been requested by the administration, has not been requested by the HEW, but is the culmination of attacks upon the Congress over the past 2 months for refusing to adopt ill-conceived legislation to make a categorical grant to the Housing and Urban Development Agency for a rat-control program.

There used to be a fictional character in the 'Lil Abner cartoon strip named "Available Jones." Anyone having a frustration or grievance against anyone or against the world in general could make a payment to "Available," 2 bits or 4 bits or whatever, for which compensation "Available" would permit the payor to give him a good, swift kick. In a frustrating summer marked by riots which became intolerable, a large part of the American public and the press found the Congress to be a convenient "Available Jones" upon which to vent their frustrations. The rat-control measure seemed to offer a dramatic and apparently easily understood specific measure, upon which to zero in.

The gentleman from Illinois [Mr. SPRINGER] has again called our attention to the fact that OEO already has plentiful funds which may be distributed to the cities for rat-control expenditure, and that there are eight other Federal programs which provide rat-control money. The city of Chicago, for example, has a reported $3 million rat-control program under the aegis of OEO. The gentleman from Ohio [Mr. MINSHALL] has pointed out as an example, that the city of Cleveland, from which criticism of the previous congressional action has emanated, has failed even to make application for such funds already made available.

We are told that the Ways and Means Committee is demanding that the executive branch bring in indications of expenditure reductions as a condition precedent to favorable consideration of the tax increase proposal. The additional authorization of $40 million over the next 2 years for a program which is already operative, for which no request for additional funds has been made, appears then to be an action not warranted by the evidence or by the realities of today's fiscal situation, but rather a surrender to the unwarranted insistence that the Congress of the United States take action demanded as a result of misapplied frustrations.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, we have no further requests for time on this side.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 6418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Partnership for Health Amendments of 1967".

GRANTS FOR COMPREHENSIVE HEALTH PLANNING AND PUBLIC HEALTH SERVICES

SEC. 2. (a)(1) Subsection (a)(1) of section 314 of the Public Health Service Act (42 U.S.C. 246, as amended by section 3 of the Comprehensive Health Planning and Public Health Services Amendments of 1966, Public Law 89–749) is amended (1) by striking out "1968" the first time it appears and inserting in lieu thereof "1971" and (2) by striking out "and $5,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "$7,000,000 for the fiscal year ending June 30, 1968, $10,000,000 for the fiscal year ending June 30, 1969, $15,000,000 for the fiscal year ending June 30, 1970, and $20,000,000 for the fiscal year ending June 30, 1971".

(2) Subsection (a)(2) of such section is amended by redesignating subparagraphs (I) and (J) as subparagraphs (J) and (K), respectively, and by inserting after subparagraph (H) the following new paragraph:

"(I) effective July 1, 1968, (i) provide for assisting each health care facility in the State to develop a program for capital expenditures for replacement, modernization, and expansion which is consistent with an overall State plan developed in accordance with criteria established by the Secretary after consultation with the State which will meet the needs of the State for health care facilities, equipment, and services without duplication and otherwise in the most efficient and economical manner, and (ii) provide that the State agency furnishing such assistance will periodically review the program (developed pursuant to clause (i)) of each health care facility in the State and recommend appropriate modification thereof;".

(3) The last sentence of subsection (a)(4) of such section is amended by inserting before the period at the end thereof ", except that in the case of the allotments for the fiscal year ending June 30, 1970, and for the next fiscal year, it shall not exceed 75 per centum of such cost".

(b)(1) Subsection (b) of such section is amended by striking out "1968" the first time it appears and inserting in lieu thereof "1971" and by striking out "and $7,500,000 for the fiscal year ending June 30, 1968", and inserting in lieu thereof "$7,500,000 for the fiscal year ending June 30, 1968, $10,000,000 for the fiscal year ending June 30, 1969, and $15,000,000 each for the fiscal year ending June 30, 1970, and for the fiscal year ending June 30, 1971".

(2) Such subsection (b) is further amended by inserting immediately after "project grants to any other public or nonprofit private agency or organization" the following: "(but with appropriate representation of the interests of local government where the recipient of the grant is not a local government or combination thereof or an agency of such government or combination)".

(c) Subsection (c) of such section is amended by striking out "1968" the first time it appears and inserting in lieu thereof "1971" and by striking out "and $2,500,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "$2,500,000 for the fiscal year ending June 30, 1968, $5,000,000 for the fiscal year ending June 30, 1969, $7,500,000 for the fiscal year ending June 30, 1970, and $10,000,000 for the fiscal year ending June 30, 1971".

(d)(1) Subsection (d)(1) of such section is amended by striking out "$62,500,000 for the fiscal year ending June 30, 1968," and inserting in lieu thereof "$70,000,000 for the fiscal year ending June 30, 1968, $90,000,000 for the fiscal year ending June 30, 1969, $100,000,000 for the fiscal year ending June 30, 1970, and $110,000,000 for the fiscal year ending June 30, 1971,".

(2) Subsection (d)(7) of such section is amended by adding at the end thereof the following new sentence: "Effective with respect to allotments under this subsection for fiscal years ending after June 30, 1968, at least 70 per centum of such amount reserved for mental health services and at least 70 per centum of the remainder of a State's allotment under this subsection shall be available only for the provision under the State plan of services in communities of the State."

(e) Subsection (e) of such section is amended by striking out "$62,500,000 for the fiscal year ending June 30, 1968," and inserting in lieu thereof "$70,000,000 for the fiscal year ending June 30, 1968, $75,000,000 for the fiscal year ending June 30, 1969, $80,000,000 for the fiscal year ending June 30, 1970, $100,000,000 for the fiscal year ending June 30, 1971,".

(f) Effective July 1, 1967, subsection (c) of section 309 of such Act (42 U.S.C. 242g (c)), as amended by section 4 of the Comprehensive Health Planning and Public Health Services Amendments of 1966 (Public Law 89–749), is amended by striking out "each" after "$5,000,000" and by inserting after "the fiscal year ending June 30, 1968," the following: "$6,000,000 for the fiscal year ending June 30, 1969, $7,000,000 for the fiscal year ending June 30, 1970, and $8,000,000 for the fiscal year ending June 30, 1971,".

RESEARCH AND DEMONSTRATIONS RELATING TO HEALTH FACILITIES AND SERVICES

SEC. 3. (a) Section 304 (42 U.S.C. 242b) of the Public Health Service Act is amended to read as follows:

"RESEARCH AND DEMONSTRATIONS RELATING TO HEALTH AND FACILITIES SERVICES

"SEC. 304. (a) The Secretary is authorized—

"(1) to make grants to States, political subdivisions, universities, hospitals, and other public and nonprofit private agencies, institutions, or organizations for projects for the conduct of research, experiments, or demonstrations (and related training), and

"(2) to make contracts with public or private agencies, institutions, or organizations for the conduct of research, experiments, or demonstrations (and related training),

relating to the development, utilization, quality, organization, and financing of services, facilities, and resources of hospitals or other medical facilities (including, for purposes of this section, facilities for the mentally retarded, as defined in the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963), agencies, institutions, or organizations or to development of new methods or improvement of existing methods of organization, delivery, or financing of health services, including, among others—

"(A) projects for the construction of units of hospitals or other medical facilities which involve experimental architectural designs or functional layout or use of new materials or new methods of construction, the efficiency of which can be tested and evaluated, or which involve the demonstration of such efficiency, particularly projects which also involve research, experiments, or demonstrations relating to delivery of health services, and

"(B) projects for development and testing of new equipment and systems, including automated equipment, and other new technology systems or concepts for the delivery of health services.

"(b) Except where the Secretary determines that unusual circumstances make a larger percentage necessary in order to effectuate the purposes of this section, a grant or contract under this section with respect to any project for construction of a facility or for acquisition of equipment may not provide for payment of more than 50 per centum of so much of the cost of the facility or equipment as the Secretary determines is reasonably attributable to research, experimental, or demonstration purposes. The provisions of clause (5) of the third sentence of section 605(a) and such other conditions as the Secretary may determine shall apply with respect to grants or contracts under this section for projects for construction of a facility or for acquisition of equipment.

"(c) Payments of any grants or under any contracts under this section may be made in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary deems necessary to carry out the purposes of this section.

"(d) There are authorized to be appropriated for payment of grants or under contracts under this section $20,000,000 for the fiscal year ending June 30, 1968, $40,000,000 for the fiscal year ending June 30, 1969, $60,000,000 for the fiscal year ending June 30, 1970, and $80,000,000 for the fiscal year ending June 30, 1971; except that, for any fiscal year ending after June 30, 1968, such portions of such sums as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the program authorized by this action."

(b) Effective with respect to appropriations for fiscal years ending after June 30, 1967—

(1) section 624 of such Act is repealed; and

(2) the first sentence of section 314(e) of such Act is amended by inserting "or" at the end of clause (1), by striking out clause (3), by striking out ", or" at the end of clause (2), by inserting "(including related training)" after "providing services" in clause (1), and by amending clause (2) to read: "(2) developing and supporting for an initial period new programs of health services (including related training)"; and

(3) the second sentence of such section 314(e) is amended by striking out "or (2)". Any sums appropriated for the fiscal year ending June 30, 1968, for carrying out such sections 624 and 314(e)(3) which remain unobligated on the date of enactment of this Act shall be available for carrying out section 304 of the Public Health Service Act, and the total of such sums (and any portion of the appropriations for such year for such purpose obligated prior to such date of enactment in carrying out such sections) shall be deducted from the authorization for such year contained in such section 304.

COOPERATION WITH STATES IN EMERGENCIES

SEC. 4. Section 311 of the Public Health Service Act (42 U.S.C. 243) is amended by inserting at the end thereof the following new subsection:

"(c) The Secretary may enter into agreements providing for cooperative planning between Public Health Service medical facilities and community health facilities to cope with health problems resulting from disasters, and for participation by Public Health Service medical facilities in carrying out such planning. He may also, at the request of the appropriate State or local authority, extend temporary (not in excess of forty-five days) assistance to States or localities in meeting health emergencies of such a nature as to warrant Federal assistance. The Secretary may require such reimbursement of the United States for aid (other than planning) under the preceding sentences of this subsection as he may determine to be reasonable under the circumstances. Any reimbursement so paid shall be credited to the applicable appropriation of the Public Health Service for the year in which such reimbursement is received."

CLINICAL LABORATORIES IMPROVEMENT

SEC. 5. (a) Part F of title III of the Public Health Service Act (42 U.S.C. 262–3) is amended by changing the title to read: "LICENSING—BIOLOGICAL PRODUCTS AND CLINICAL LABORATORIES", and by adding after section 352 (42 U.S.C. 263) the following new section:

"LICENSING OF LABORATORIES

"SEC. 353. (a) As used in this section—

"(1) the term 'laboratory' or 'clinical laboratory' means a facility for the biological, microbiological, serological, chemical, immuno-hematological, hematological, biophysical, cytological, pathological, or other examination of materials derived from the human body, for the purpose of obtaining information for the diagnosis, prevention, or treatment of any disease or impairment of, or the assessment of the health of, man;

"(2) The term 'interstate commerce' means trade, traffic, commerce, transportation, transmission, or communication between any State or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, and any place outside thereof, or within the District of Columbia.

"(b)(1) No person may solicit or accept in interstate commerce, directly or indirectly, any specimen for laboratory examination or other laboratory procedures, unless there is in effect a license for such laboratory issued by the Secretary under this section applicable to such procedures.

"(2) The Secretary shall by regulation exempt from the provisions of this section laboratories whose operations are so small or infrequent as not to constitute a significant threat to the public health.

"(c) A license issued by the Secretary under this section may be applicable to all laboratory procedures or only to specified laboratory procedures or categories of laboratory procedures.

"(d)(1) A license shall not be issued in the case of any clinical laboratory unless (A) the application therefor contains or is accompanied by such information as the Secretary finds necessary, and (B) the applicant agrees and the Secretary determines that such laboratory will be operated in accordance with standards found necessary by the Secretary to carry out the purposes of this section. Such standards shall be designed to assure consistent performance by the laboratories of accurate laboratory procedures and services, and shall include, among others, standards to assure—

"(i) maintenance of a quality control program adequate and appropriate for accuracy of the laboratory procedures and services;

"(ii) maintenance of records, equipment, and facilities necessary to proper and effective operation of the laboratory;

"(iii) qualifications of the director of the laboratory and other supervisory professional personnel necessary for adequate and effective professional supervision of the operation of the laboratory (which shall include criteria relating to the extent to which training and experience shall be substituted for education); and

"(iv) participation in a proficiency testing program established by the Secretary.

"(2) A license issued under this section shall be valid for a period of three years, or such shorter period as the Secretary may establish for any clinical laboratory or any class or classes thereof; and may be renewed in such manner as the Secretary may prescribe.

"(3) The Secretary may require payment of fees for the issuance and renewal of licenses, but the amount of any such fee shall not exceed $125 per annum.

"(e) A laboratory license may be revoked, suspended, or limited if the Secretary finds, after reasonable notice and opportunity for hearing to the owner or operator of the laboratory, that such owner or operator or any employee of the laboratory—

"(1) has been guilty of misrepresentation in obtaining the license;

"(2) has engaged or attempted to engage or represented himself as entitled to perform any laboratory procedure or category of procedures not authorized in the license;

"(3) has failed to comply with the standards with respect to laboratories and laboratory personnel prescribed by the Secretary pursuant to this section;

"(4) has failed to comply with reasonable requests of the Secretary for any information or materials, or work on materials, he deems necessary to determine the laboratory's continued eligibility for its license hereunder or continued compliance with the Secretary's standards hereunder;

"(5) has refused a request of the Secretary or any Federal officer or employee duly designated by him for permission to inspect the laboratory and its operations and pertinent records at any reasonable time; or

"(6) has violated or aided and abetted in the violation of any provisions of this section or of any rule or regulation promulgated thereunder.

"(f) Whenever the Secretary has reason to believe that continuation of any activity by a laboratory licensed under this section would constitute an imminent hazard to the public health, he may bring suit in the district court for the district in which such laboratory is situated to enjoin continuation of such activity and, upon proper showing, a temporary injunction or restraining order against continuation of such activity pending issuance of a final order under this section shall be granted without bond by such court.

"(g)(1) Any party aggrieved by any final action taken under subsection (e) of this section may at any time within sixty days after the date of such action file a petition with the United States court of appeals for the circuit wherein such person resides or has his principal place of business, for judicial review of such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose. The Secretary thereupon shall file in the court the record on which the action of the Secretary is based, as provided in section 2112 of title 28, United States Code.

"(2) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, and to be adduced upon the hearing in such manner and upon such terms and conditions as the court may deem proper. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendations, if any, for the modification or setting aside of his original action, with the return of such additional evidence.

"(3) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to affirm the action, or to set it aside in whole or in part, temporarily or permanently. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive.

"(4) The judgment of the court affirming or setting aside, in whole or in part, any such action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(h) Any person who willfully violates any provision of this section or any rule or regulation promulgated thereunder shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than one year, or a fine of not more than $1,000, or both such imprisonment and fine.

"(i) The provisions of this section shall not apply to any clinical laboratory operated by a licensed physician, osteopath, dentist, or podiatrist, or group thereof, who performs or perform laboratory tests or procedures, personally or through his or their employees, solely as an adjunct to the treatment of his or their own patients or to any clinical laboratory operated by a pathologist in which all laboratory tests and procedures are performed by such pathologist or by such pathologist and his employees acting under his direct supervision; nor shall such provisions apply to any laboratory with respect to tests or other procedures made by it for any person engaged in the business of insurance if made solely for purposes of determining whether to write an insurance contract or of determining eligibility or continued eligibility for payments thereunder.

"(j) In carrying out his functions under this section, the Secretary is authorized, pursuant to agreement, to utilize the services or facilities of any Federal or State or local public agency or nonprofit private agency or organization, and may pay therefor in advance or by way of reimbursement, and in such installments, as he may determine.

"(k) Nothing in this section shall be construed as affecting the power of any State to enact and enforce laws relating to the matters covered by this section to the extent that such laws are not inconsistent with the provisions of this section or with the rules and regulations issued under this section.

"(l) Where a State has enacted or hereafter enacts laws relating to matters covered by this section, which provide for standards equal to or more stringent than the provisions of this section or than the rules and regulations issued under this section, the Secretary may exempt clinical laboratories in that State from compliance with this section."

(b) The amendment made by subsection (a) shall become effective on the first day of the thirteenth month after the month in which it is enacted, except that the Secretary of Health, Education, and Welfare may postpone such effective date for such additional period as he finds necessary, but not beyond the first day of the nineteenth month after such month in which the amendment is enacted.

(c) This section may be cited as the "Clinical Laboratories Improvement Act of 1967".

VOLUNTEER SERVICES

SEC. 6. Title II of the Public Health Service Act is amended by adding after section 222 (42 U.S.C. 217a) the following new section:

"VOLUNTEER SERVICES

"SEC. 223. Subject to regulations, volunteer and uncompensated services may be accepted by the Secretary, or by any other officer or employee of the Department of Health, Education, and Welfare designated by him, for use in the operation of any health care facility or in the provision of health care."

COOPERATION AS TO MEDICAL CARE FACILITIES AND RESOURCES

SEC. 7. Part C of title III of the Public Health Service Act is amended by adding after section 327 (42 U.S.C. 254) the following new section:

"SHARING OF MEDICAL CARE FACILITIES AND RESOURCES

"SEC. 328. (a) For purposes of this section—

"(1) the term 'specialized health resources' means health care resources (whether equipment, space, or personnel) which, because of cost, limited availability, or unusual nature, are either unique in the health care community or are subject to maximum utilization only through mutual use;

"(2) the term 'hospital', unless otherwise specified, includes (in addition to other hospitals) any Federal hospital.

"(b) For the purpose of maintaining or improving the quality of care in Public Health Service facilities and to provide a professional environment therein which will help to attract and retain highly qualified and talented health personnel, to encourage mutually beneficial relationships between Public Health Service facilities and hospitals and other health facilities in the health care community, and to promote the full utilization of hospitals and other health facilities and resources, the Secretary may—

"(1) enter into agreements or arrangements with schools of medicine, and with other health schools, agencies, or institutions, for such interchange or cooperative use of facilities and services on a reciprocal or reimbursable basis, as will be of benefit to the training or research programs of the participating agencies; and

"(2) enter into agreements or arrangements with hospitals and other health care facilities for the mutual use or the exchange of use of specialized health resources, and providing for reciprocal reimbursement.

Any reimbursement pursuant to any such agreement or arrangement shall be based on charges covering the reasonable cost of such utilization, including normal depreciation and amortization costs of equipment. Any proceeds to the Government under this subsection shall be credited to the applicable appropriation of the Public Health Service for the year in which such proceeds are received."

PROGRAM EVALUATION

SEC. 8. (a) Paragraph (1) of section 314(d) of the Public Health Service Act is amended by inserting before the period at the end thereof the following: ", except that, for any fiscal year ending after June 30, 1968, such portion of such sums as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the program authorized by this subsection and the amount available for allotments hereunder shall be reduced accordingly".

(b) Section 314(e) of such Act is amended by inserting at the end thereof the following new sentence: "For any fiscal year ending after June 30, 1968, such portion of the appropriations for grants under this subsection as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the program authorized by this subsection."

(c) Section 309(c) of such Act is amended by inserting "(1)" after "except that" and by inserting before the period at the end thereof the following: ", and (2) for any fiscal year ending after June 30, 1968, such portions of the funds made available under this subsection as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the program authorized by this subsection".

RESEARCH CONTRACT AUTHORITY

SEC. 9. Paragraph (h) of section 301 of the Public Health Service Act (42 U.S.C. 241) is amended by striking out "two succeeding fiscal years" and by inserting in lieu thereof "five succeeding fiscal years".

MEDICAL CARE FOR FEDERAL EMPLOYEES AT REMOTE STATIONS OF THE SERVICE

SEC. 10. (a) Section 324 of the Public Health Service Act (42 U.S.C. 251) is amended by inserting "(a)" immediately after "SEC. 324." and by redesignating clauses (a) through (d) of such section, and references thereto, as clauses (1) through (4).

(b) Section 324 of such Act is further amended by adding at the end thereof the following new subsection:

"(b) The Secretary is authorized to provide medical, surgical, and dental treatment and hospitalization and optometric care for Federal employees (as defined in section 8901(1) of title 5 of the United States Code) and their dependents at remote medical facilities of the Public Health Service where such care and treatment are not otherwise available. Such employees and their dependents who are not entitled to this care and treatment under any other provision of law shall be charged for it at rates established by the Secretary to reflect the reasonable cost of providing the care and treatment. Any payments pursuant to the preceding sentence shall be credited to the applicable appropriation to the Public Health Service for the year in which such payments are received."

(c) Paragraph (7) of subsection (a) of section 322 of such Act is amended to read as follows:

"(7) Seamen-trainees, while participating in maritime training programs to develop or enhance their employability in the maritime industry; and".

JOINT HOSPITAL ENTERPRISES

SEC. 11. (a) Section 605(a) of the Public Health Service Act is amended by striking out "or by a public or other nonprofit agency" and inserting in lieu thereof ", by a public or other nonprofit agency, or by a joint hospital enterprise".

(b) Section 605(a)(3) of such Act is amended by striking out "or in a public or other nonprofit agency" and inserting in lieu thereof ", in a public or other nonprofit agency, or in a joint hospital enterprise".

(c) Subsection (c) of section 625 of such Act is amended (1) by inserting "(1)" immediately after "(c)", (2) by inserting "or owned and operated by a joint hospital enterprise" immediately after "and central service facilities operated in connection with hospitals", and (3) by adding at the end thereof the following:

"(2) The term 'joint hospital enterprise' means a nonprofit organization organized and operated exclusively to provide services for public or other nonprofit hospitals."

EMERGENCY ASSISTANCE FOR COMMUNITY HOSPITAL SERVICES

SEC. 12. (a) Section 314 of the Public Health Services Act is amended by redesignating subsection (g) as subsection (h) and by inserting immediately after subsection (f) the following new subsection:

"Emergency Grants to Hospitals

"(g) (1) Findings.—The Congress finds that certain public and nonprofit private hospitals in the several States are unable to meet the present urgent health service needs of the communities served by the hospitals or to participate in comprehensive health services programs or planning to meet future needs due to a critical lack of adequate facilities and services; that there do not now exist adequate sources of public or private financing to provide the direct emergency assistance needed to resolve this critical condition; and, that this results in a serious threat to the health, welfare, and safety of the communities involved and of the Nation.

"(2) Authorization.—In order to provide emergency assistance to those hospitals found to be in critical condition as provided in paragraph (3) of this subsection and in the cases where the communities they serve would otherwise be deprived of needed health services, the Secretary is authorized to make direct emergency grants of up to 66⅔ per centum of the cost of any project to provide necessary facilities and services in accordance with the provisions of this subsection: *Provided,* That no grant of assistance for any single project under this subsection may exceed 7½ per centum of the amount appropriated under this paragraph. For the purpose of making emergency grants as provided in this subsection there is hereby authorized to be appropriated $40,000,000 for the fiscal year ending June 30, 1968. Sums appropriated pursuant to the preceding sentence shall remain available for obligation for two fiscal years following the fiscal year for which they are appropriated.

"(3) Eligibility.—Public and nonprofit private hospitals may qualify as critical hospitals and be eligible for assistance under this Act, if the Secretary finds that—

"(A) the average rate of occupancy or the demand for necessary and essential facilities and services of such a hospital so far exceeds reasonable capacity that the community served is deprived of health services of a type and quality conforming to generally accepted standards;

"(B) full and effective use is being made of the existing facilities of the hospital and of other health facilities available to the community;

"(C) the needed assistance is not available from other public or private resources; and

"(D) the failure to provide the needed facilities or services constitutes a threat to the health, welfare, or safety of the community.

"(4) Applications.—Any hospital seeking emergency assistance under this subsection shall apply to the Secretary, declaring itself to be in critical need of emergency assistance and setting forth—

"(A) evidence of eligibility under the provisions of paragraph (3) of this subsection in such manner and detail and with such supporting data as the Secretary shall require;

"(B) a detailed description of the project for which emergency assistance is being requested, specifying the deficiencies in health services that the project will correct, and how the project, if approved and completed, will—

"(i) meet the health services needs of the community it serves,

"(ii) be coordinated with existing health services available to such community, and

"(iii) be integrated with health services programs approved or planned for the community, State, or region in which the hospital is included;

"(C) the estimated cost of completing the project, set forth in such manner and detail as the Secretary shall require;

"(D) the amount of emergency assistance, under this subsection, that will be required to complete the project; the period of time during which such assistance will be utilized; the source and the amount of funds, other than the grant assistance requested under this subsection, but including any emergency loan requested under paragraph (7) of this subsection, which will be used to complete the project;

"(E) reasonable assurance that adequate financial assistance will be available to support and maintain the added or expanded facilities or services after the project requested under this subsection is completed;

"(F) reasonable assurance that wherever any project for which assistance under this subsection is requested involves construction, all laborers and mechanics employed by contractors or subcontractors in the performance of such construction will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a(5)); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

"(G) agreement that the Secretary may exercise such review authority as he deems advisable in accordance with the provisions of paragraph (6) of this subsection.

"(5) Approval of Application.—The Secretary may approve such application if he determines that—

"(A) the hospital making application for assistance is eligible for assistance under the terms of paragraph (3) of this subsection, and that the hospital has complied with all relevant provisions of this subsection;

"(B) the project described in accordance with paragraph (4) of this subsection will help to correct existing deficiencies in health services available to the community, will help to enable the hospital to provide health services of a type and quality conforming to generally accepted standards and conforms to local, State, or regional health planning and programs;

"(C) sufficient funds are available from amounts appropriated pursuant to paragraph (2) of this subsection to make the grants of assistance covered by such applications; and

"(D) the project covered by such application is entitled to priority over other projects for which applications have been received under this subsection but which have not been approved under this paragraph: *Provided,* That in making such determination special consideration shall be given to hospitals participating in health services development programs authorized under section 304 of this Act.

"(6) Review Authority.—For the purpose of determining whether a hospital is eligible for assistance under paragraph (3) of this subsection and whether an application conforms to the conditions for approval under paragraphs (4) and (5) of this subsection, the Secretary is authorized to visit any hospital submitting an application for assistance, to review any relevant records and to make or request surveys of health facilities and services of the community served by the hospital.

"(7) Emergency Loans to Critical Hospitals.—Any hospital unable to secure adequate funds to pay that portion of the project cost not covered by the emergency grant requested under this subsection, may apply to the Secretary for an emergency loan and the Secretary is authorized to loan such a hospital up to 90 per centum of that portion of the project cost not covered by the grant provided under this subsection if (A) the Secretary determines that the hospital is unable to secure the needed funds from other public and private sources and (B) the Secretary approves the requested emergency grant under this subsection: *Provided,* That no emergency loan shall exceed 90 per centum of 33⅓ per centum of the total project cost as defined under paragraph (4) of this subsection and approved by the Secretary. Each such loan authorized by this paragraph shall bear interest at the rate of 2½ per centum per annum on the unpaid balance thereof and shall be repayable over a period determined by the Secretary to be appropriate, but not exceeding fifty years. In order to make the loans provided for in this paragraph, there are hereby authorized to be appropriated $18,000,000 for the fiscal year ending June 30, 1968. Sums appropriated pursuant to the preceding sentence shall remain available for obligation for two fiscal years following the fiscal year for which they are appropriated.

"(8) Survey of Hospitals and Community Health Services Needs.—To aid in fulfilling the goals of this section and carry out the purposes of this subsection, the Secretary shall conduct a survey of public and nonprofit private hospitals in the Nation and shall evaluate the type and quality of facilities and services available from such hospitals. Based upon this study the Secretary shall establish and maintain criteria for determining generally accepted standards of health services and shall report the results of the survey and his determinations to Congress and the President no later than June 1, 1968. Thereafter the Secretary shall revise the survey and his determinations annually and shall report to the President and Congress at the beginning of each session of Congress. Such reports shall include estimates of the cost of meeting the emergency needs of critical hospitals, the availability of funds from public and private sources to meet such costs and recommendations for additional appropriations under this subsection if he finds that such are needed to meet emergency situations. For the purpose of preparing and maintaining the survey according to the provisions of this paragraph, the Secretary is authorized to cooperate with and utilize the resources of such public and private organizations as he deems necessary and advisable.

"(9) Definitions.—As used in this subsection—

"(A) The term 'State' includes the Commonwealth of Puerto Rico and the District of Columbia.

"(B) The term 'hospital' includes facilities furnishing domiciliary care.

"(C) The term 'nonprofit' as applied to any hospital means a hospital which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"(D) The term 'project' includes additions to existing hospital plant, alterations, enlargement, or remodeling of existing buildings, equipment, instruments, furnishings, and programs involving personnel."

(b) This section may be cited as the "Hospital Emergency Assistance Act of 1967".

PROJECTS FOR HOSPITAL EXPERIMENTATION, LOANS FOR INCREASED COSTS

SEC. 13. Title VI of the Public Health Service Act is amended by inserting immediately after section 623 the following new section:

"LOANS FOR CERTAIN HOSPITAL EXPERIMENTATION PROJECTS

"SEC. 623A. (a) In order to alleviate hardship on any recipient of a grant under section 636 of this title (as in effect immediately before the enactment of the Hospital and Medical Facilities Amendments of 1964) for a project for the construction of an experimental or demonstration facility having as its specific purpose the application of novel means for the reduction of hospital costs with respect to which there has been a substantial increase in the cost of such construction (over the estimated cost of such project on the basis of which such grant was made) through no fault of such recipient, the Secretary is authorized to make a loan to such recipient not exceeding 66⅔ per centum of such increased costs, as determined by the Secretary, if the Secretary determines that such recipient is unable to obtain such an amount for such purpose from other public or private sources.

"(b) Any such loan shall be made only on the basis of an application submitted to the Secretary in such form and containing such information and assurances as he may prescribe.

"(c) Each such loan shall bear interest at the rate of 2½ per centum per annum on the unpaid balance thereof and shall be repayable over a period determined by the Secretary to be appropriate, but not exceeding fifty years.

"(d) There are hereby authorized to be appropriated $3,500,000 to carry out the provisions of this section."

MINOR OR TECHNICAL AMENDMENTS

SEC. 14. (a) Section 806(c)(1) of the Public Health Service Act (42 U.S.C. 296e(c)(1)) is amended by inserting after "from a loan fund established pursuant to section 822" the following: "or from sums paid by the Secretary from the revolving fund created by section 827(d)".

(b) The second sentence of section 312 of such Act (42 U.S.C. 244) is amended by inserting "and officials of other State or local public or private agencies, institutions, or organizations" after "such health authorities".

(c) Section 725(a) of such Act (42 U.S.C. 293e(a)) is amended by striking out "twelve" and inserting in lieu thereof "thirteen".

(d) Section 314(f) of such Act is amended by—

(1) inserting "for" before "the expenses of travel" in paragraph (5);

(2) striking out "Service" and inserting in lieu thereof "Department" in paragraphs (6) and (8).

(e) Section 795(1)(A)(ii) of such Act is amended to read as follows: "(ii) of education in optometric technology, dental hygiene, or curriculums as are specified by regulation, and".

(f) The amendment made by subsection (a) shall be effective as of November 3, 1966.

MEANING OF SECRETARY

SEC. 15. As used in the amendments made by this Act, the term "Secretary" means the Secretary of Health, Education, and Welfare.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the committee substitute be considered as read, printed in the RECORD at this point, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. REUSS

Mr. REUSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REUSS: On Page 24, in line 23, strike out "$70,000,000" and insert "$90,000,000"; in line 24 strike out "$75,000,000" and insert "$95,000,000".

Mr. MATHIAS of Maryland. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Ninety Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 261]

Abbitt
Adams
Aspinall
Blackburn
Blatnik
Brinkley
Brock
Broomfield
Casey
Celler
Conyers
Diggs
Dulski
Everett
Feighan
Ford, Gerald R.
Fountain
Frelinghuysen
Garmatz
Halleck
Hays
Hébert
Herlong
Holland
Landrum
Multer
Murphy, N.Y.
Pucinski
Railsback
Rarick
Resnick
Ryan
Steiger, Wis.
Stephens
Teague, Calif.
Tenzer
Thompson, N.J.
Tunney
Utt
Williams, Miss.
Wolff
Wyatt

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BROOKS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 6418, and finding itself without a quorum, he had directed the roll to be called, when 390 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Wisconsin [Mr. REUSS] is recognized for 5 minutes.

Mr. REUSS. Mr. Chairman, the purpose of the amendment before us is to give the Members another opportunity to consider the problem of rat control and rat extermination, but under more favorable circumstances, I hope, than when we last considered it on July 20. This is a bipartisan amendment. It is cosponsored by the gentleman from Maryland [Mr. MATHIAS].

Mr. LAIRD. Mr. Chairman, will the gentleman from Wisconsin yield to me?

Mr. REUSS. I will be glad to yield to the gentleman from Wisconsin.

Mr. LAIRD. I thank the gentleman from Wisconsin for yielding to me.

It seems to me the circumstances under which we are considering this amendment are somewhat different than the circumstances a few months ago inasmuch as that program provided for a new, a completely new, program in the Department of Housing and Urban Development. This amendment provides increases in an existing program operated by the Public Health Service in cooperation with the State boards of health and the city health officials.

Mr. REUSS. That is entirely correct. I would also point out that the amendment here in no way departs from the excellent principle of flexibility in the Partnership for Health Act. The money would be available for communities that come up with worthy programs of rat control and extermination, but there would be no compulsion there.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I shall be glad to yield to my distinguished friend from Pennsylvania.

Mr. BARRETT. I thank the gentleman from Wisconsin for offering this amendment, and I am sure that the gentleman agrees the Housing Subcommittee has held several weeks of hearings upon this subject. We had expert testimony on rat extermination and control, and we have learned through those hearings that the best way that rat extermination and control bill could be handled is through the Department of Housing and Urban Development, which Department has the mechanics and the machinery with which to place this rat extermination program into operation. Therefore, we could do a more absolute and positive job in the extermination of rats than we can through the operations of the Department of Health, Education, and Welfare.

Mr. Chairman, the Department of Health, Education, and Welfare upon several occasions indicated that we could only exterminate 75 percent of the rats, leaving 25 percent of the rats unexterminated, which percentage will multiply again to the same original number within the period of 6 months.

So, why do we not use the taxpayers' dollars better, as the gentleman said a moment ago, to exterminate and control the rat population? Let me say that I do support the amendment, though I would prefer our committee bill.

Mr. REUSS. I shall be glad to answer the gentleman's question.

In the first place, while this amendment lodges the authority—the overall omnibus power—in the Department of Health, Education, and Welfare, there is nothing in the world to stop the Department of Health, Education, and Welfare from using the good offices of the Department of Housing and Urban Development to assist it in that overall omnibus control.

Second—and this is a very important factor—we want to pass a rat control program. The fact of the matter is that the Members of this body, on the vote upon the rule on July 20 of this year, were reluctant to accept the advice of the distinguished gentleman from Pennsylvania and the advice which was offered by myself. We voted for the rule on that bill. The majority of the Members of the House did not.

It is, thus, in an effort to get a rat control and extermination program on the books that we are here this afternoon with what I believe is a good way to do it, and the way I feel a majority of the Members can respond to.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I shall be delighted to yield to the distinguished gentlewoman from Ohio.

Mrs. BOLTON. How much per rat?

Mr. REUSS. There are some 90 million rats now in our American cities, according to the estimates. This program would run for 2 years, at $20 million a year. If all of the money is taken, and if my arithmetic is reasonably correct, that amounts to about—what is it—about 40 cents a rat.

However, I would point out to the distinguished gentlewoman from Ohio the fact that 12 States have already put this program into effect in the event it is funded, as this amendment seeks to do. Included among those States are the States of Ohio, Pennsylvania, New Jersey, Wisconsin, Missouri, Washington, Indiana, New York, South Carolina, California, Illinois, and Michigan, and I assume——

Mrs. BOLTON. At 40 cents a rat?

Mr. REUSS. The distinguished gentlewoman is correct.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

(On request of Mr. WAGGONNER, and by unanimous consent, Mr. REUSS was allowed to proceed for 5 additional minutes.)

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I shall be glad to yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman from Wisconsin for yielding.

Mr. Chairman, when the House of Representatives earlier this year refused, by voting down the rule on the so-called rat bill, to consider this legislation, I think it was commonly known that the proposal then contained authority wherein in administering this act the Department of Housing and Urban Development could, through local political subdivisions, utilize grant money, up to two-thirds thereof, if found necessary, to become involved in the construction and renovation of public and private facilities, if they could, in making these grants, come to believe or ascertain that the renovation and construction of facilities would accomplish something toward the long-range control of rats.

Does this amendment as the gentleman has offered it here today or will this amendment, as the gentleman has offered it, allow any agency of the Federal Government to enter into the renovation and construction of facilities in the so-called effort to control rats?

Mr. REUSS. No agency of the Federal Government is designated per se to do that. This amendment, just like the earlier proposal, would permit matching grants to localities, when included in a State program, for the systematic extermination and the institution of prescribed control methods against rats, efforts designed toward the elimination or modification of physical surroundings and conditions including rat harborage and food supplies which encourage rat habitation, and any other activities designed to reduce or eliminate, on other than a temporary basis, disease and injury to property.

Mr. WAGGONNER. Mr. Chairman, if the gentleman will yield at that point, then the gentleman is saying to me that the Federal Government does not supervise these moneys which could be spent for renovation and construction purposes, but in making these grants to the local political subdivisions we permit, with the approval of the Federal Government, these funds, two-thirds of which will be Federal, to be used in construction or renovation of facilities if they determine at the local and Federal level this will do something toward the control of rats. Am I correct?

Mr. REUSS. The gentleman is correct, providing of course that the State plan includes that.

Mr. WAGGONNER. I thank the gentleman.

Mr. REUSS. The State would have the authority to do that.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, I would like to commend the gentleman for offering this amendment to the House.

As we both know, I serve on the House Committee on Banking and Currency, and when the legislation was first considered in that committee the point was raised as to what part of the Government should supervise such a program. I had the same feeling that the gentleman at that time had, and some others, that HEW, having an existing program, would be one that should be seriously considered in that respect, and should enter into it as the supervising authority.

I would like to say, that if a rat control program is enacted, I believe this is a way of doing the job, and actually gaining the support of the Congress who, I feel, want this, but in many instances were not satisfied that it would be under the proper division of the Government.

Mr. Chairman, I hope this amendment will be adopted.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I will yield to the gentleman in a moment, but I would first point out in connection with the statement of the gentleman from New Jersey that this is not a matter of evaluating a rat—we are not buying rats. We are buying freedom from the 14,000 rat bites that annually afflict our children in our city and rural slums. We are buying freedom from 20,000 cases a year of communicable diseases which are passed on by rats. We are buying, I hope, freedom from $400 million annually in food wastage caused by uncontrolled rats.

I believe it is a good project.

Mr. Chairman, I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I thank the gentleman for yielding.

Mr. Chairman, I would have to agree with the gentleman that that is the purpose of the bill, but we should not do this in a piecemeal fashion. We want to develop a bill to cover every infestation of rats in every community throughout the country.

But let me mention this: I have here a letter from the Department of Health, Education, and Welfare which was sent over here, and it says in part—and I will not read it all——

Mr. REUSS. What was the date of the letter, and to whom was the letter addressed?

Mr. BARRETT. This comes over from Wilbur J. Cohen, Under Secretary.

Mr. REUSS. When was the letter dated?

Mr. BARRETT. On July 18.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. Mr. Chairman, I rise in opposition to the amendment.

(By unanimous consent, Mr. SPRINGER was allowed to proceed for 5 additional minutes)

Mr. SPRINGER. Mr. Chairman, I am sorry that some of my colleagues were not here when I had the chance to explain what the Comprehensive Health Act does.

What we are doing in this bill is getting away from categorical grants. That is, the very purpose of the act is to get away from 16 categorical grants we have had previously through this bill. Now here we are, very slyly behind the scene, attempting to make a categorical grant of $20 million for rat control.

Now the gentleman says in order not to violate the very rule——

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I cannot yield at this point. I will yield later to the gentleman. I do not wish to be impolite, but I want to get this all in the RECORD.

But now very slyly the gentleman from Wisconsin goes around to the rear and comes in the back door—he does not say that this is for the rat control. But in his talk I believe that over four-fifths of the time was devoted to the fact that rat control was the purpose of the amendment.

Now maybe the gentleman's amendment would be perfectly all right if there was no money for rat control. I think I would support him if there was no money for rat control. But let me just say that in this bill one of the purposes of this bill is to allow these agencies and these communities and these States to come in and ask for rat control money. That is one of the purposes of the bill. We do not need any additional money. That is what the money is for. That is one of the things the $70 million is in there for.

Let me see if I can bring out some facts here to you so that you can understand what has been done in the past year or two with respect to this problem. Let me just give you this. We passed a bill; that is, the Congress did, last October 17, which was the beginning of this program. Finally, we came up with a bill this year that blossomed out into the full program of some $900 million of which $70 million could qualify for the program that the gentleman from Wisconsin is talking about.

Let us see what happened last year under this program. I am not going to talk about the OEO or even the others that I am going to list in a moment—but just on what this program did last year.

Of the small amount of money that we appropriated, and what the applications were, this program carried an appropriation of $125 million for formula and special grant purposes.

California, $500,000.

Pennsylvania, $145,000.

South Carolina, $105,000.

Washington State, $20,000.

New Jersey and the city of St. Louis, $130,000.

Kansas City and Missouri, $6,000.

The supply of Federal grants for rat control under this act totals $960,000.

May I say that anyone who wants to apply under this can do it. There is no additional money. We anticipated there might be rat control programs. We anticipated some communities and some States would set their priorities including rat control.

There is $70 million here, and anyone who wants to apply for it can, and I anticipate that as a result of the publicity given that there will be a whole raft of applications this year for rat control, and the Department already informed me that they are ready to act on anybody's request that wants money for rat control.

I just want to be sure that you understand that under the Comprehensive Health Act that we have brought to the floor of the House today, we anticipated that there are going to be rat control applications and we provide for it in this bill. That is why the $70 million is in the bill.

Mr. Chairman, if this was the only thing involved, we might even quit there. But just let me give you here the additional programs that I mentioned.

But for rat control, let me just read them to you.

Last year:

The Department of Agriculture, $649,000.

The Department of Health, Education, and Welfare, $426,000.

The Office of Economic Opportunity, $2,373,000—and that does not include all of it because the city of Chicago last year got $2,900,000 for rat control itself.

The General Services Administration, $200,000.

The Department of Commerce, $10,380.

The Department of Housing and Urban Development, $282,000.

The Department of Defense, $11,800,000.

The Department of Interior, $64,248.

Of the expenditures already made in the fiscal year 1968, that is all the record I have.

The Department of Labor, $300,000.

The Office of Economic Opportunity, $757,024.

How many more programs do you want for rat control?

I believe I am just as firmly convinced that rat control is necessary in this country as anybody on either side of the aisle, but somewhere there ought to be brought some reason into this program. That is why we have elected and very wisely may I say, with some support for the gentleman from Wisconsin who mentioned here some 2 months ago that we need this program to put it under this program.

Now here you are going to take the same old categorical grants that you are trying to get away from, and are allowing them another $20 million, but coming in the side door and saying to HEW, "Be ready now, here is an extra $20 million and we want to be sure it is spent for rat control." From the type of record that we are going to make on the floor of this House, that is actually the situation.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I mentioned the gentleman's name, and I am glad to yield to him.

Mr. REUSS. The gentleman did mention my name. He even used an adverb.

Mr. SPRINGER. If the adverb was adverse, I withdraw it.

Mr. REUSS. The gentleman has mentioned that my amendment would set up a categorical grant. The gentleman, with due respect, could not have read the amendment, because it does not set up a categorical grant. I do not believe in a categorical grant in this section of our health programs. I believe in flexibility. All this does is to increase by $20 million, for this year and the next, the sums available for rat control and extermination, sums which have been abundantly demonstrated to be necessary to fund the program.

If they are not spent for rats, they can either lapse or be spent for some other worthy health purpose. I am confident that there is a need in this Nation to undertake a program of the dimensions of $20 million a year for the control of rats. But there is absolutely nothing in this amendment which compels it.

While the gentleman is at perfect liberty to oppose an adequate program for the extermination of rats, it should be done on that basis and not on the ground that this is a categorical program, because it certainly is not.

Mr. SPRINGER. In answer to the gentleman from Wisconsin, may I say that I cannot interpret his words as anything else. He does not say in the amendment, "You are going to spend it," but he uses words to the effect that if they do not spend it for rat control, they can spend it for some other worthy purpose. I take it the gentleman is saying that it can go for rat control first.

We have been trying to get away from spending any kind of appropriated money for any specific program unless the State comes in and says, "We have a high priority for rat control." We can take care of that request under this bill without the addition of the $20 million, which the gentleman has indicated, I take it, should be spent for rat control.

That is not categorizing it. That is not saying to the Department they are bound by the law. But how can you get away from the debate which has gone on on the floor, if this amendment passes, they are not going to spend the $20 million for the benefit of anyone who comes in and asks for it?

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I thank the gentleman for yielding. I wish at the outset to make a correction, because I believe you said $20 million instead of $40 million. It is $20 million for 1968 and $20 million for 1969.

Mr. SPRINGER. If I said $20 million, I meant $40 million.

Mr. BARRETT. I wish to say to the gentleman from Wisconsin that I have heard his statement. Certainly I am going to vote for the amendment if he insists on going through with it. I am for rat extermination, and I am for rat control, but it is giving it to HEW. I feel that it would be better to give it to HUD. He very definitely points out that this money is to be used for HEW, and HUD would not get a dime for rat control. I thank the gentleman for yielding.

Mr. SPRINGER. If I understand the gentleman correctly, that is where the program ought to be. The gentleman 2 months ago, when he was on the floor of the House, said it ought to be in HEW in the health program. That is where we put it, and we provided the money for it. No additional funds are needed.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Wisconsin.

Mr. REUSS. I wish to make crystal clear that this amendment does not set up a categorical, segmented, sealed-off program for rats. It simply adds to the overall health services authorization that amount of money, $20 million, for this fiscal year, and $20 million for the next fiscal year, which, in the judgment of the administration experts, is necessary for this program. The grant is increased by that amount, and the Department of Health, Education, and Welfare, in its complete discretion, can decide whether a rat control program or other program is more necessary.

Mr. OTTINGER. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the amendment of the gentleman from Wisconsin. I think the need in the area of rat extermination is critical. The problems of rat infestation are compelling. The amendment makes this money available so that local communities and State agencies can request funds for this purpose. HEW is by far the best agency to handle the program. I urge its support.

This worthy amendment of the gentleman from Wisconsin deserves our support.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. Mr. Chairman, I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of the amendment. I commend the gentleman from Wisconsin who offered the amendment, for I would have offered the amendment had he not done so.

The amendment would authorize the expenditure of $20 million a year for fiscal years 1968 and 1969 for the eradication of rats as part of our public health program.

On July 20, 1967, this body wrongfully rejected, by a vote of 176 yeas to 207 nays, the rule providing for consideration of the so-called Rat Extermination Act of 1967. The consideration of the rule was punctuated with jocularity. We have since been told in letters from constituents and in the editorial columns of newspapers across the Nation that such conduct was unbefitting the Members of this House and the seriousness of the legislation involved.

We have had time in the intervening weeks to reflect upon and review our action of July 20. It was only after the laughter had subsided that the voice from the ghettos came through loud and clear. It was a voice that was always there, but not always heard. It was a voice that told us in unmistakable terms, as it does now, that rat extermination is a necessary first step upward in the improvement of life in America's ghettos. It is a voice that we can no longer refuse to hear.

Mr. Chairman, we are today being

given an opportunity to rectify the record of July 20. By this amendment, a second opportunity is being afforded this body to take the first necessary step to improve the health, safety, and welfare of a large segment of this country's urban population. It is a step that we ought to take unanimously and decisively to show the Nation, and the world, that this body has reviewed, reconsidered, and revoted to do that which is right.

The amendment we are considering would provide the same authorizations as the defeated Rat Extermination Act of 1967 would have to the Department of Housing and Urban Development. In a sense, it is perhaps more appropriate that rat eradication be undertaken as a nationwide public health program. In the final analysis, however, it matters little which Federal agency is to be assigned the responsibility of administering this project. The primary consideration is the passage of the legislation represented by this amendment. It is only then that we can begin to give hope to those who are in need of hope for eventual improvement of life in America's ghettos.

Mr. OTTINGER. Mr. Chairman, I also would like to add my words to the praise for the gentleman from Wisconsin, my former associate on the Banking and Currency Committee. He has performed a fine service by bringing this matter before the House.

Mr. MATHIAS of Maryland. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I ask unanimous consent that I may proceed for an additional 5 minutes.

Mr. JONES of Missouri. Mr. Chairman, reserving the right to object, I also want to speak on this, but if we get to the point where we are going to cut off the time, I will object. I will ask the chairman if we are going to attempt to cut off time on this debate. If we are, I am going to object to the gentleman having extended time on this amendment.

I am going to object.

Mr. STAGGERS. Mr. Chairman, I did not answer the question yet.

Mr. JONES of Missouri. Is the chairman going to attempt to cut off debate?

Mr. STAGGERS. Mr. Chairman, I will say this: At this present time I would have no intention of cutting off time or trying to, because I want to speak on it myself.

Mr. GROSS. Mr. Chairman, reserving the right to object, what is meant by "present time"?

Mr. STAGGERS. The present time.

Mr. GROSS. All right. Then I object, Mr. Chairman.

The CHAIRMAN. Objection is heard. The gentleman from Maryland is recognized for 5 minutes.

Mr. MATHIAS of Maryland. Mr. Chairman, I ask the House today to look forward, not backward; to take a new look at this whole problem. This is a new approach, and I hope that it is going to be judged on its merits and not on the echoes of some old disputes.

I would say for the gentleman from Wisconsin and for myself that we have a better rat trap. This is a better rat trap. It is a straightforward amendment which the gentleman from Wisconsin and I have advocated for the past several weeks. It is a bipartisan amendment. It is merely adding $20 million per year for the fiscal years 1968 and 1969 to the authorization and project grants under subsection (e) of the Comprehensive Public Health Planning and Services Act to assist more States and cities in developing effective rat control and elimination programs.

My father was for 35 years the president of a county children's aid society in Frederick, Md. Throughout my youth I was familiar with the shocking conditions of children who came into the society's care. Some of these children had fingers and toes eaten by rats. I particularly remember my father's distress at the plight of a little girl whose face had been gnawed beyond recognition. And these things happened not in urban slums, but in a beautiful and relatively prosperous rural area.

We have conquered many of the dread diseases and disease-producing conditions which used to ravage mankind. Yet rats persist, as perhaps the greatest single threat to public health. In some of our great cities, they may outnumber human beings. Yet this summer has shown that the American people will no longer tolerate this ancient scourge.

This summer has brought a new determination to act, not only to kill rats but to eliminate the conditions in which they breed. Mayor Theodore R. McKeldin of the city of Baltimore, for example, has developed a very promising program, which emphasizes not just extermination but public education and continuing community efforts which the Baltimore Sun called "the equivalent of a military scorched-earth campaign." Other jurisdictions are making similar efforts.

Federal support for rat control is already authorized under this act. At least a dozen States have already included rat control programs in their State plans submitted to the Public Health Service.

But my friend, the gentleman from Illinois [Mr. SPRINGER], has made the statement that there is money enough in this bill without the amendment. I would like to explore that question with the gentleman. The gentleman said that we did not need this amount. In fact, there is very little money available. The House has funded subsection (e) project grants up to the present ceiling of $62.5 million for fiscal year 1968. However, the Public Health Service estimates about 900 continuing projects will consume about $56 million this year, leaving only $6.5 million under the present law and $14 million under the committee bill for an anticipated 725 new applications. I say to my friend from Illinois that this is not enough money under the present bill.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield? I would say this in reply to the gentleman.

Mr. MATHIAS of Maryland. Mr. Chairman, I have not yielded to the gentleman. My time is very limited, and I want to make several points.

Mr. SPRINGER. Mr. Chairman, the gentleman used my name and I think he should yield.

Mr. MATHIAS of Maryland. I yield to the gentleman from Illinois.

Mr. SPRINGER. Mr. Chairman, I will say the Department does not have to follow what the gentleman says they have to do. If any party wants a priority for rat control, he can ask for it and get it.

Mr. MATHIAS of Maryland. I thank the gentleman.

There are three brief points to be made, Mr. Chairman.

First, this amendment would not impose a categorical grant program, or write any administrative strings into the present law. To do so is not necessary, and would be completely contrary to the principle and spirit of the comprehensive act. Rather, I feel it is sufficient to rely on the legislative history we are making today to indicate the purpose of these funds.

Second, these are budgeted funds. The administration's budget for this year includes $20 million for rat control. This amendment would simply insert these funds into the public health program, where vector control programs have traditionally been located, rather than using the money for a new program, run by an agency with no experience in this field, with restrictions which would make many communities ineligible for help and would impose new burdens on all involved.

Third, this amendment is wholly in accord with the purposes of project grants, which emphasize meeting special local and regional health needs, and developing innovative programs and services.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. I yield to the gentleman from New York.

Mr. PIRNIE. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the amendment offered by my colleagues from Wisconsin and Maryland which will increase the authorization for health service project grants by $20 million. The intent of this amendment is to provide the Public Health Service with the funds to expand its already existing program to assist our States and localities in the elimination of rats.

However, it should be noted that this amendment is not categorical in approach, but rather continues the block grant concept which characterizes this fine legislation. In addition, the funds which are to be used are budgeted by the administration and therefore will not represent an increase in expenditures.

Many may question this amendment since on July 20, the House defeated a proposal to consider the Rat Extermination Act of 1967. Those of us who opposed that bill did so not because we were against a Federal program to help our municipalities eliminate this dread rodent, but because we saw no reason to establish a new bureaucracy in one department when there was already existing machinery capable of carrying on an expanded program in the Public Health Service. Our support of this amendment today evidences our sincere desire to get on with the eradicaton of rats and to insure that the job is done by the agency best equipped to handle it.

This amendment represents a sensible approach to a serious problem that for too long has received little or no consideration. It places the primary responsibility for rat and rodent extermination in the hands of qualified experts in the public health field. It allows for flexibility in the methods employed by local public health officials in dealing with their individual rat problems. Finally, it insures that those cities and towns which are plagued by these rodents will be given the resources to begin an effective campaign toward their elimination. In this regard, it must be remembered that fundamental to the solution of the problem is the cooperation of individuals at the local level. Proper sanitation and garbage disposal are necessary preliminaries to effective rodent control. No government program can change this very elementary fact of life.

However, we trust that Public Health officials, armed with the funds which this amendment will provide, will direct their efforts to programs and projects which will eliminate the environment in which the rats are permitted to thrive. This requires more efficient trash and garbage collection, the elimination of dumps and the utilization of land fills, and better public sanitation methods. This amendment will make available means by which work on this serious problem can be intensified. No new agency will have to be established and overhead can be kept to a minimum.

Mr. MATHIAS of Maryland. I thank the gentleman from New York for his words and for his support.

Mr. Chairman, rats are a local health problem—but a problem not confined to any one community. There are city rats and there are country rats. Certainly local action is required; certainly citizen efforts are essential, block by block and neighborhood by neighborhood.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. MOSS. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from California is recognized.

Mr. MOSS. Mr. Chairman, I yield to the gentleman from Maryland.

Mr. MATHIAS of Maryland. I thank my friend from California.

Mr. Chairman, more Federal aid is imperative within the framework of our progressive system of public health services. This amendment would provide that help.

The rat is more than a carrier of disease. He has become a symbol of official cynicism of inertia. We have an opportunity today to change that image and to advance the great effort to make America more healthy and hopeful.

I say to all of my colleagues in the House that Members of Congress are often forced, by conscience or conditions beyond their control, to support difficult or unpopular causes. This amendment should be supported both by conscience and by the knowledge that it will be well received by the whole country.

This is an appropriate time to remember the words of a great Frenchman, Voltaire:

> The only way to compel men to speak good of us is to do it.

I urge the Members to support this amendment and this bill.

I thank the gentleman for making this time available.

Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Biester] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. BIESTER. Mr. Chairman, I support the Mathias of Maryland amendment and urge its adoption by the committee. This measure provides the appropriate legislative vehicle for the anti-rat program. It does not, as did the former anti-rat bill, create a new program. It does not, as the former bill did, involve heavy additional administrative costs. It leaves, as the former bill did not, direction and method to the States and local communities. It should, therefore, meet the objections of Members opposed to the former bill and is worthy of their support.

Furthermore, this amendment will enable the House to look toward the elimination of several other rat programs and thus avoid wasteful multiplicity of administrative costs.

I urge the adoption of this amendment.

Mr. MATHIAS of Maryland. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin [Mr. Steiger] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Chairman, I take this opportunity to state my support for the amendment now under consideration offered by the gentleman from Wisconsin [Mr. Reuss] and the gentleman from Maryland [Mr. Mathias]. I wish to associate myself with the remarks of the gentleman from Pennsylvania [Mr. Biester], who has eloquently expressed the sound basis for support of this approach to health problems in urban areas.

The Public Health Service is the agency best equipped and best prepared to work with the local communities in carrying forward a coordinated and comprehensive program for attacking all of the health problems which exist from rat control and extermination to venereal disease control.

The comprehensive Public Health Service approach adopted by the 89th Congress—which consolidated a number of small, but important, categorical programs into one in which grants are made on the basis of the community's assessment of the greatest needs—represented a forward step in properly meeting the health problems of this country. It would be a mistake—a backward step—to return to a categorical approach as some have proposed. The Public Health Service has been working closely with local health departments and that relationship should be strengthened, not jeopardized; this amendment provides additional strength.

I also want to make clear my strong support for this legislation, but do agree with the minority views of the members of the Interstate and Foreign Commerce Committee regarding section 12 of H.R. 6418. It does seem to me that we should await the findings and recommendations of the Presidential Commission on hospital costs and programs before embarking on a new program outside of the sound approach which has been developed by the Hill-Burton program for the past 20 years.

I urge, Mr. Chairman, the adoption of this amendment to provide additional funds for the comprehensive Public Health Service Act, the adoption of the amendment to delete section 12 of the bill and the passage of H.R. 6418.

Mr. MATHIAS of Maryland. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. Button] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. BUTTON. Mr. Chairman, I rise in support of the amendment offered by my distinguished colleagues, the gentleman from Maryland [Mr. Mathias] and the gentleman from Wisconsin [Mr. Reuss].

I have, Mr. Chairman, been dismayed by the extent of the misunderstanding—sometimes, it seems, willful misrepresentation—which resulted from the vote in the House on the proposal to give rat-control funds to the Department of Housing and Urban Development. Much of the response to that vote has been an emotionally charged overreaction, without particular regard for the facts; namely, that many of us felt a hard look at the administration bill would reveal serious flaws, that it would be extravagant and inefficient to create a new rodent control program, run by local housing agencies, when local and State public health agencies already have great experience in this field, and are beginning to expand their efforts with the limited funds already available through the Comprehensive Public Health Planning Act of 1966. Further, many other Members oppose that provision in the administration bill which would restrict rat-control assistance to those jurisdictions which have an approved workable program for community improvement. Unfortunately, the first discussion of rodent control did not focus on the substance of the proposal offered, or the alternatives available, but instead took on the coloration of evil men who rejoice in having babies bitten in cribs. Naturally, some of this reaction is partisan in nature, but some is merely emotional, based on a lack of understanding of the situation.

Now, Mr. Chairman, by this amendment it would be possible to designate an appropriate agency for administration of the rat-control funds by simply altering H.R. 6418 to authorize $20 million more per year for public health project development, enabling more areas—urban and rural—to initiate intensive rat-control programs. I hope this House will accept this course, thereby causing no further delay in other important legislation.

The smokescreen of blind emotion and blinder partisanship behind which many critics of the House have operated is very well illustrated in my home city of Albany.

After decades of inattention to this fundamental health need of the people, the city administration—the very same administration which has controlled the city absloutely for more than a generation—has now obtained $70,000 in funds earmarked for rat-control purposes by the State of New York under Governor Rockefeller's leadership, and has contracted with one of its most-favored vendors to bait the sewers. But this same administration, Mr. Chairman, still refuses to back down from the unbelievably arrogant position to which it has clung with rat-like tenacity for all these decades—our Albany city administration will not even pick up the city's trash and debris, the jetsam of 125,000 people living close together, but instead leaves it for Albany's rat population to fatten on. Such almost inhuman inconsistency, Mr. Chairman, unfortunately typifies that crocodile-like response by many critics of this Congress. Today's vote should clarify, we may all hope, the intent of Congress and ratify the desire of this body to see that a rat-extermination program is effectively carried out under appropriate auspices.

Mr. MOSS. Mr. Chairman, I want to join in expression of support for the amendment. If we are to err today I would rather err on the side of authorizing an excess amount than an inadequate amount.

I believe the legislative history here created will be sufficiently persuasive to encourage the Department to take cognizance of it and to make the grants to the applicants when the applications are forwarded.

Mr. MORTON. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Maryland.

Mr. MORTON. I thank the gentleman for yielding.

I should like to associate myself with the remarks of my distinguished colleague from Maryland [Mr. MATHIAS].

Mr. Chairman, there has been a great deal of debate on the whole matter of where the Federal Government should participate in rat eradication programs. Certainly the Public Health Service is the agency where such participation is appropriate. The flexibility of the program is clearly delineated in H.R. 6418, which we have now under consideration.

The Reuss-Mathias amendment does not impinge upon this flexibility. It does not restrict or burden the authorization provided in this Public Health Service Act. The amendment is a recognition of a real problem.

The fact that funds which have been expended under other agencies—such as the million dollar plus program in Chicago attempted by the Office of Economic Opportunity, which has not been fully effective—would indicate clearly that the Public Health Service approach is the right approach.

I do not challenge or dispute the points made by the very distinguished ranking minority member of the Committee on Interstate and Foreign Commerce, the gentleman from Illinois, that considerable funds for rat control are available under the program as outlined in this act without the Reuss-Mathias amendment.

I am convinced, however, that with the amendment this act will represent a higher priority for our domestic environment as visualized by the Congress of the United States. We have been moving away from our environment as far as its priority is concerned. We have made proportionately larger commitments in the areas of space exploration, welfare, assistance to foreign countries, and have proportionately reduced our effort toward the enhancement of our own physical environment.

Perhaps we can debate the amount of money specifically authorized by this amendment, and this opportunity we will have in the appropriations process.

In conclusion, may I say that here is the proper area in which to consider rodent control and a participation by the Federal Government in those programs which are devoted to the eradication of this menace caused by our failures in the past. I am for the amendment and hope it becomes incorporated in the act.

Mr. COLLIER. Mr. Chairman, I move to strike the requisite number of words.

Like all others in this House, I am as concerned about the problem of rats as is any other Member. On the other hand, I am concerned about the expressions of some of my colleagues because not one single word has been mentioned on the floor of the House as to what has been accomplished by a demonstration program which the Office of Economic Opportunity has funded to the extent of nearly $3 million in the city of Chicago. This program, if it ran according to schedule, should have been completed by this time.

It is all well and good to stand here in debate after debate on this floor and say that we were deeply concerned with the problem of rats. I do not doubt the sincerity of anyone who so expressed himself, but again I would like to ask anyone in this Chamber—anyone at all in this Chamber—among all of you who have this depth of concern, if you have made any study of the program in the city of Chicago. A year ago the Office of Economic Opportunity provided $1,995,159 for a demonstration grant on a 9-month rodent control program in the city of Chicago, after having provided $900,000 in the spring of 1965, for what the Department says was a continuation of a program experts evaluated as technically one of the best developed to service the urban slums. It goes without saying that this is a saturation rat control program and will provide a block-to-block follow-up program, and so forth. OEO gives the names of the two very distinguished gentlemen, Mr. Edelman, the head of the city health department of Chicago who is the project director, and its supervisor, Edward King, chief of the rodent control program.

It seems to me that if this House is going to act on any one or more of the several rat control programs, we ought to have these experts before the proper committee to determine just what we do need in this area of rodent control. If we do not, how do you learn what kind of a program is needed or how it can be improved.

Mr. BARRETT. Mr. Chairman, will the gentleman yield to me?

Mr. COLLIER. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. We have held hearings on this, and if we can bring this bill before the House, the bill which was considered in the Committee on Banking and Currency, in its housing subcommittee, then I think we can create a program that will show consistency in exterminating and controlling rats. That is the only way we can do it. We can take this money and allocate it to areas where there are rat infestations and have them controlled. We understand this will cost $6 per person per area.

Mr. COLLIER. But how do you know? Why deal in guesses when we have a pilot program in existence? Why do we not determine on the basis of some fact and experience what we are getting into? I know that it is very popular to be against rats. But let us get down to cases so that we know what a Federal program will cost instead of everyone getting up on the floor here and saying, "I am more against rats than you are because I am willing to spend an extra $20 million to get rid of them." I do not think that that is the sensible approach to dealing with what has apparently become primarily a Federal responsibility.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman.

Mr. JONAS. Does the gentleman from Illinois mean to tell the House today that the Committee on Banking and Currency, before it reported its bill, did not even have the witnesses from Chicago before it?

Mr. COLLIER. I do know. I merely say that this is a program that has been funded. It seems to me almost elementary that if we are getting into an expansion of this program, this would have in fact been the thing to do. I am just trying to find out if anyone gave any thought to trying to learn something from the demonstration program.

Mr. BARRETT. Mr. Chairman, if the gentleman will yield to me—yes; I can tell you that we had witnesses from Chicago and from all the big cities before us.

Mr. JONAS. I was asking about those who are in charge of the program in Chicago and should be better witnesses than departmental spokesmen.

Mr. COLLIER. I am talking about this specific program and learning something from those running it. Let us find out from these able men what happened to the program in Chicago so that we know where we have been and where we are going.

Mr. BARRETT. Unfortunately, the rule was defeated. If we had had the opportunity, we would have spelled this out fully for you in the general debate had we been able to bring this out on the floor.

Mr. COLLIER. I do not see that that is in any manner relative to the question that I am posing, but I thank you.

Mr. JONES of Missouri. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the House acted upon the basic principle of this amendment when we had the opportunity to vote on the issue which was before us a few weeks ago when we voted against the rule making in order a bill to pour $20 million down another rathole.

Mr. Chairman, the gentleman from Illinois [Mr. SPRINGER], the ranking Republican member of the Committee on Interstate and Foreign Commerce, has pointed out, to my amazement today, the number of programs upon which we are already spending millions of dollars for programs supposed to eradicate rats, while the amendment of the gentleman from Wisconsin [Mr. REUSS] may not specifically be earmarked for rat programs, the author has been frank in stating the additional $20 million is for this specific purpose.

Mr. Chairman, the record has been made here today that we say this $20 million is for rat control; is that correct?

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Wisconsin for an answer to my question.

Mr. REUSS. The amendment increases the authorization for the whole spectrum of Public Health Service projects by $20 million.

Mr. JONES of Missouri. Now you have answered my question.

Mr. REUSS. This is true for fiscal year 1968, and it may or may not be used for the control or extermination of rats.

Mr. JONES of Missouri. But what the discussion has been directed toward, and the gentleman himself said that, and he is a supporter of the rat eradication program—I think it would be reasonable for all to assume that the sum of $20 million additional, if put into the bill and which has been agreed to by the gentleman from Illinois, is for the purpose of rat control.

Mr. MATHIAS of Maryland. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. Yes, I yield to the gentleman from Maryland.

Mr. MATHIAS of Maryland. I think it is fair to say that $20 million additional would go into this bill under the proposed amendment. But, as I tried to point out in my remarks, we certainly need the $20 million if we are to meet the rat control problem in any logical and effective manner.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. Of course I yield to the gentleman from Illinois.

Mr. SPRINGER. We considered this question in committee. We talked about rat control and we discussed and talked about this very section of the bill. We came to the conclusion that this amount of money was adequate to do everything which the Department thought was necessary to be done. We had testimony with reference to the rat control program. The $70 million is adequate for all of the purposes of the Department, as explained to us. It is not a matter of $20 million for anything else. It cannot be anything else but a rat control program. You can read this record and cannot come to any conclusion but what this $20 million is to be utilized for the purposes of rat control.

Mr. JONES of Missouri. I thank the gentleman from Illinois for his contribution.

Mr. Chairman, we are not going to eliminate or to exterminate rats until we sell the public upon the question as to where the rats are and until we sell them upon the desirability and necessity of getting rid of them. In many areas where the people are trying to kill rats, they are just wasting their time, until those people who live in the area come to the realization that they as individuals will have to have some pride and some knowledge with reference to dealing with the problem. In other words, we are not going to be able to do it with the expenditure of $20 million or $50 million, until we sell these people upon the basic principle of ridding themselves of these rats. I have lived around areas where rats abounded in great numbers. It is my opinion that we are not going to get rid of them until we sell the people upon doing the job and in carrying out an intelligent program of getting rid of these rats.

Mr. Chairman, I just found out the other day that "Catfish" Mayfield, this so-called leader of the juveniles, has got these juveniles under the so-called PRIDE program out killing rats. I do not know from where they got the money with which to carry out this project. However, it is my understanding that the Department of Labor is paying for this, under what authority I have been unable to determine.

However, Mr. Chairman, I have learned that the Urban League has something to do with the PRIDE program, and that Mayfield's salary is being channeled through the league. However, we get the impression that Mayfield is working for the Government. He is not.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Iowa.

Mr. GROSS. I think we can clear up the purpose of the amendment by reading from the statement of the gentleman from Wisconsin [Mr. REUSS]. He says on page 2 of the statement he released to the press that $20 million a year which he would add to the bill in fiscal years 1968 and 1969 would increase the money available to the Public Health Service for projects designed to rid the Nation of rats.

Mr. JONES of Missouri. I think that is absolutely the purpose of the proposed amendment. However, I feel that if we are going through the backdoor and if we are to use the program that has some merit—and this bill has some merit, and when I came onto the floor of the House today I was prepared to vote for it—but I will tell you that if you are going to make a rat control bill out of it, I am going to vote against it and I do not think the members of the committee who support this amendment, are being fair with the entire membership of the House in following this approach.

Mr. Chairman, the Members of the House spoke very positively about this matter when it was under consideration previously on the question of the adoption of the rule. They voted down the rule.

Mr. Chairman, if we adopt and follow this approach we will only be pouring more money down the rathole, although we are pouring it down there now, but I will be darned if I am going to vote to give them more authority to pour more money down the same rathole. If they want to do it, they ought to do it openly and not try to sneak in through the backdoor.

Mr. WYMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the gentleman from Wisconsin one or two questions in connection with this amendment:

Does the Department of Health, Education, and Welfare want this money for the purpose of rat control?

Mr. REUSS. Mr. Chairman, does the gentleman yield?

Mr. WYMAN. I yield to the gentleman.

Mr. REUSS. Yes, they do. They would welcome the addition of $20 million to the administration's overall funds, every penny of it not necessarily to be spent on rats—particularly if other, more imperative needs occur—but the dimensions of the program are on the whole $20 million. The Department supports the administration position that the program is better administered by HUD, but it feels the money is needed.

Mr. WYMAN. I can understand that, but to continue this for a moment, if the gentleman will, did they ask for this money for the purpose of rat control; do they need $20 million, and do they say they need it?

Mr. REUSS. There is no doubt that the administration neeeds $20 million, more than $20 million for rats, and there is also no doubt that they need more than $70 million for all the things other than rats that are already in the omnibus partnership for health bill. If we give them this additional money, they will have to spend it according to the greatest priority needs of the States and localities.

Mr. WYMAN. The gentleman said they told him they needed the money for this purpose—rat control. Might I ask if, during the course of the committee hearings, they told the committee they wanted it?

Mr. REUSS. No, unfortunately they did not, because they had no opportunity to do it, because the committee hearings were completed weeks and weeks before this day, July 20, when the House voted not even to consider the original rat control bill. Thus we present it here today in a new form, and we hope we can persuade some who may have voted against it to vote in favor of it.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I say, if the Chairman will listen to this, I believe—and I will stand corrected—we gave them every single penny they asked for in any one of these categories, did we not?

Mr. STAGGERS. Yes, the gentleman is right.

Mr. SPRINGER. I thank the gentleman for yielding.

Mr. WYMAN. Mr. Chairman, I would like now to ask the gentleman from Illinois, who spoke at length earlier, is it the gentlemen's statement as the senior Member on the minority side in connection with this particular problem that there is enough money in this bill to meet every request for matching funds that may be submitted from the various communities all around the country for rat control?

Mr. SPRINGER. May I say this: that it is a matter of priority. The Department can do anything they want based on priority. If they can get the communities to come in on a priority basis and say they want it for rat control, they will get it for rat control. This is on a priority basis, and it depends on the local communities to say if they want it for rat control.

As I said earlier, nine communities last year did come in and ask for rat control, and received almost $1 million, which went to those nine States, because they asked for it, because they believed they could use it, and wanted it, and they came in and asked for it on a priority basis. And I believe that if they come in on a priority basis they can get it, and there are adequate funds in this bill for it.

May I say the gentleman's request is not in the budget, as far as that goes. There was no formal request in the committee for this additional $20 million that I ever heard of.

Mr. REUSS. Mr. Chairman, will the gentleman yield for a correction?

Mr. WYMAN. Yes, I yield to the gentleman.

Mr. REUSS. I thank the gentleman for yielding.

The amount mentioned in the amendment is in the 1968 fiscal budget, and it has been earmarked for rat control.

Mr. WYMAN. Mr. Chairman, I cannot yield further. I want to observe that I live in the vicinity of our Nation's Capitol, and when I left the Capitol last evening I saw two live rats on the street in the headlights of my car. Also there is a field right near where I live, and you can take a flashlight and go outside any night and you can see all the rats you want to.

Mr. Chairman, I believe this is a serious problem. I believe we are interested in meeting it, and we want to meet it in the right way, but I must admit I am confused now, because I do not know whether this agency which is the proper agency to handle it, asked the Congress for money for this purpose, or not.

I am also confused because other responsible Members of this body say that we have probably enough money in ongoing programs to meet this necessity of helping fight rats. Therefore, Mr. Chairman, I believe we ought to resolve that question and have this information before we vote on this amendment.

When this House was debating the rule on H.R. 11000 on July 20, I voted against the rule. I did so, not because of any lack of concern for the rat problem, but because I felt then, as I do now, that the bill then being considered would have provided for a duplicity of effort and a consequential overlapping and diluting of our efforts in this area by bringing yet another Federal agency into the picture.

On the other hand, the amendment now under consideration seeks to put additional funds and effort into an already existing program of vermin control under the purview of the U.S. Public Health Service. This is the right place for this.

Mr. Chairman, there is a very real and serious problem in our cities and on our farms because of the existence of vermin. We can act now to exterminate the greater percentage of the rat population through an effort of cooperation among Federal, State, and local authorities and by giving to the Public Health Service funds necessary to assist in carrying out this job. Here is an agency experienced in controlling rats; one that has the necessary function and the machinery to do the job as it ought to be done.

I shall support the proposed amendment provided I am satisfied the money will be used and can be used for this purpose.

Mr. MATHIAS of Maryland. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman.

The CHAIRMAN. The time of the gentleman from New Hampshire [Mr. Wyman] has expired.

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I yield to the gentleman from Maryland [Mr. Mathias].

Mr. MATHIAS of Maryland. I thank the distinguished chairman of the Committee on the Judiciary.

I would just like to say to the gentleman from New Hampshire [Mr. Wyman], whose knowledge of constitutional procedures is recognized and respected, that we certainly in this House are able to make a legislative judgment as to what functions we want the executive branch of the Government to carry out. I think the House here today should make the legislative determination that we want the Department of Health, Education, and Welfare through the Public Health Service to carry out this function and that we will provide them the means to do so. The administration had a right to its opinion, expressed through the budget, that this money should be expended by HUD. We have an equal right and a responsibility to amend that recommendation by transferring that same money to, the HEW budget and by directing that HEW discharge this duty.

Mr. CELLER. I think the gentleman from Maryland has given an appropriate answer to all those who may have any doubts on that score.

Mr. Chairman, I was for many years the president of a family welfare organization in my bailiwick in Brooklyn. We were confronted with a great many cases that came to us for family relief where rodent bites of little children were involved. That was a very vexacious problem—the problem of rats, in the rat-infested tenements of Brooklyn. The problem is still with us in Brooklyn—with us in exacerbated form. We had all we could do in trying to remove those rodents from the tenements that were within our control. We found that these rodents bred most prolifically—and there was and is no birth control among the rats—and such control is desperately needed.

As I said, the cases involving ratbites were most numerous. These ratbites contain the poisonous microbes that spread throughout the system of the person who is bitten and cause serious injury and death, as you know.

There is something else that must be emphasized—and that is that the bubonic plague often comes from contact will rodents and from ratbites. There is nothing more dreadful than the bubonic plague. We have had these plagues. They are most horrendous. If we had had the kind of control that is envisaged by this bill, we might have avoided many evils in Brooklyn during my tenure as head of the family welfare unit. Infants and children cannot protect themselves against rats—they are helpless. All civilized communities do their best to prevent the spread of rats. We would be well nigh uncivilized were we not willing to control or banish rats.

I have listened with great and rapt attention to some of those who are opposed to this bill. To my mind, they are rather cynical—some of those who oppose this bill. They are cynics—and a cynic has been described as one who knows the cost of everything but the value of nothing.

There is nothing more valuable than a child's life. It is invaluable. I do not want it on my conscience that I would fail to vote for this amendment and therefore fail to save even one child's life.

I think we will be saving the lives of many children by passing this bill. I am sure it will be on your conscience also if you vote against this bill.

It is rather brash if not inhuman for some to say that this is putting this money down a rat hole. That is sort of a smart aleck tactic. It is very brazen and I hope you pay no attention to that kind of argument, and that you vote for this amendment.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAIRD. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I was not present when the so-called rat legislation was reported from the Banking and Currency Committee. The rule was considered 2 months ago. Had I been present I would have voted against that rule because that rule made in order a program handled by the new HUD Department. This was not the proper agency to handle basic health programs. The Public Health Service, through the many training programs for city health officers, State health officers, and U.S. Public Health officers, should have primary responsibility for our health programs.

The responsibility for venereal disease control, rat extermination, mental retardation, and the many other categorical programs—heart, cancer, dental health—all should be handed in one program area and by one Department—HEW.

This Congress in 1966 acted very wisely in passing a Comprehensive Health Planning and Public Health Services Act, with amendments, which put together all of these various categorical grant programs so that each of our 50 States could come to the Public Health Service with a State plan establishing priorities—for mental retardation, for heart disease, for cancer, for tuberculosis, and for all of the general health activities that are carried on in each of the States.

This amendment by the gentleman from Wisconsin does not deal with the rat program, and anyone presenting it as a rat amendment I believe is doing a disservice to the Comprehensive Health Planning Act.

This year the priorities under this act will be established by the States, and this authority must remain with the States. There is a need for further authorization in fiscal year 1969 and this amendment provides the necessary authorization for fiscal year 1969. The increased authorization will provide the necessary funding for the known increases in State funding for venereal disease, mental retardation, and other programs which have a higher priority in the plans of many States than rat extermination.

Mr. Chairman, I have here the estimates on the amounts needed by the various States for comprehensive health planning in fiscal years 1968 and 1969. There is no need for any further increase in 1968. We have plenty of authorization, and the administration will not come to the Congress for more funding in the area of comprehensive health planning in fiscal year 1968 even if this amendment passes.

I can assure you of that fact today, because right now they are under orders in the Public Health Service to curtail the spending under this program by from 5 to 15 percent in a budget review that is going on right now. This review I believe will show that no major reductions can be made but will also show that any increase in funds to the States can be postponed until the 1969 fiscal year.

We have plenty of authorization for fiscal year 1968 and I am not going to debate the 1968 authorization today. I will, however, support this amendment because it provides an increased authorization for aids to the States in the amount of $20 million for fiscal year 1969 when more authorization will be needed for venereal disease, cancer, radiological health, aged health problems, mental retardation, and other State projects that are of greater priority in the minds of most States than rat control.

I think it is important for all of us to realize that this amendment we are voting on today is not a rat amendment. It is up to each of the 50 States to determine in their State programs for what purpose these funds will be used. The priorities will be established by each State. We are spending millions in comprehensive health planning around the world. It seems to me we can authorize an increased program level at home next year to meet the priorities as well as the promises we have made to each of our 50 States.

Mr. Chairman, for several years now we in the minority have been urging enactment of bloc grants and revenue-sharing as a better way for Americans to do things than the discredited approach of categorical grant programs. The so-called rat bill that was defeated 2 months ago would have been simply another new categorical grant program whose promises almost surely would have out stripped its performance.

Federal categorical programs, more often than not, prevent cities and States from using the proper mix to attack their problems.

Block grants and revenue sharing will not provide miracles. They will not eliminate poverty, slums, rats, ill health, and poor education overnight. But they will provide a better framework than the categorical approach within which tangible progress can be made on a steady basis.

Under categorical Federal grants—and today there are some 458 of them—terrible conditions have grown worse. In fact, the categorical program often compounds the very problems it is designed to correct.

The Federal sewer program is a prime example of this, and the categorical rat extermination bill would have been another if enacted 2 months ago.

Mr. Chairman, the Federal sewer construction program in the Department of Housing and Urban Development actually contributes to the pollution of our Nation's streams and rivers.

The President asked Congress for $165 million for the sewer construction program. But the Department of Housing and Urban Development already has more than $5 billion in applications from every corner of this country.

The municipalities that get a small slice of the Federal money available might make some progress—but all the others will wait and wait—postponing a locally initiated program in the hope that the Federal program will take care of them too.

It would not, of course, because it can not. There are 457 other Federal programs that also have a demand on Federal appropriations.

Like the sewer program, the Rat Extermination Act that the House defeated 2 months ago would have been just another categorical grant program.

There are five or more departments or agencies of the Federal Government that already have rat elimination programs. This one would have been administered by the Department of Housing and Urban Development, the same Department which administers the sewer program with such a notable lack of success.

Like many categorical programs, the Rat Extermination Act would probably have wasted the Federal dollars that are available. A new rat administrator would have been appointed with still another staff to administer the program. There would have been too few dollars chasing too many goals. The 2-year, $40 million program could at best have served only 2½ percent of the Nation's population and only a little better than one-half of 1 percent of the Nation's 18,000 communities.

Like most categorical Federal programs, no funds would have gone to any community unless it had a workable program approved by the Secretary of Housing and Urban Development. When the bill was considered, only one of 12 communities had such programs. Yet, if the bill had been passed, a great many of the communities that really have serious rat problems would have delayed attacking the problems themselves because of the hope of getting Federal money under the new program.

As a nation, Mr. Chairman, we must get away from this self-defeating approach to our Nation's problems and find new and better ways for Americans to do things. It is time we abandoned the outmoded, outdated, ineffective approach of the 1930's and replaced it with bloc grant programs such as the comprehensive health planning program we are amending here today.

Mr. STAGGERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ascertain at this time, if I could, about limiting time. I believe we have proceeded for an hour and some minutes on a subject which was not included in the bill itself. I think the Members have been very patient. I think we ought to be able to vote on this very shortly. I would suggest that by a quarter after 5 we vote on this amendment and all amendments thereto.

I ask unanimous consent that we do vote on this amendment and all amendments thereto by a quarter after 5.

Mr. BROYHILL of Virginia. Mr. Chairman, how much time does that give us?

The CHAIRMAN. About 20 minutes to be divided among those standing.

Is there objection to the request of the gentleman from West Virginia?

Mr. CURTIS. Mr. Chairman, reserving the right to object, will the gentleman make his request for 20 minutes?

Mr. STAGGERS. All right. I will set the time at 20 minutes.

The CHAIRMAN. Is there objection to the modified request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. Does the chairman of the committee, the gentleman from West Virginia, yield back the balance of his time?

Mr. STAGGERS. No, Mr. Chairman. I reserve the balance of my time.

The CHAIRMAN. Does the gentleman from Iowa wish to be recognized?

Mr. GROSS. A parliamentary inquiry, Mr. Chairman: How much time is allowed to each Member?

The CHAIRMAN. Approximately 1½ minutes.

Mr. GROSS. Mr. Chairman, I yield back my time.

Mr. CURTIS. Mr. Chairman, I desire to be recognized for 1½ minutes.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri.

Mr. CURTIS. Mr. Chairman, the sole interest I am pursuing here is the administration's position. As I understand it, they have not requested this money. I might say right now the Ways and Means Committee is in session with the Director of the Bureau of the Budget in regard to what might be done in the way of cutting back expenditures in the light of the request for a tax increase. As I listened in the committee, the administration, which I am certain is concerned about rats and rat control—as I am, certainly—has not requested this amount.

This oratory—and I regret it—saying that those who want to have fiscal soundness and have these matters programed properly are thereby unconcerned about the problem in rat control, is a dastardly thing to do. That is no way to base a debate. I think it is quite clear from the testimony of this fine committee—and I have a great respect for it—that they have given the administration what the administration requested in this area. If the House is going to act in the fashion of adding things on that the administration itself has not requested, we are going to have a very difficult time, I can assure the Members, in trying to get expenditures down while the Vietnam war is on.

Regretably those pressing this amendment have resorted to the lowest techniques of debate. Instead of debating forthrightly what kind of programs will help eradicate rats they have falsely stated that those who oppose their amendment are against eradicating rats. Their opponents actually have stated that after studying the matter they believe the rat eradicating programs as encompassed in this bill, without the amendment, are as fully developed as possible at this particular point. This is the issue.

Of course, all Members are aware of what the picture really is. Large segments of the news media falsely reported that when the House voted down consideration of a measure to put rat control programs under the Department of Housing and Urban Development instead of developing it fully under the Public Health Service, it was showing a calloused attitude toward the problem of rats. This segment of the news media reported only the attempts at humor of some Members during the debate. It failed to report the serious issues involved as set forth in the written report accompanying the bill and as expounded upon by members of the committee and others who had studied the issue.

This false reporting has put the House of Representatives in a derogatory light. Some Members—those sponsoring this amendment—bow to the false reporting instead of standing up against it to demand that the truth be reported to the people. Bowing down to this evil will only encourage more of it. It certainly will hurt rather than help in developing good programs to eradicate rats.

The CHAIRMAN. The Chairman recognizes the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, this is an opportunity for the House to make amends for the action which it took on July 20 of this year. That was a sad day for the House, when the House ridiculed a most serious measure and voted not even to consider the rat control bill. There was a hilarious discussion that day of two-legged rats and four-legged rats, of discrimination against country rats in favor of city rats, but no serious attention was paid to the problem at hand. One colleague suggested that the "rat smart thing" was to vote down the bill "rat now." Another distinguished gentleman recommended cats. And House Resolution 749 was defeated by a vote of 176 to 207.

Today the gentleman from Missouri [Mr. JONES] has started talking about pouring money down a rat hole.

That vote on July 20 became symbolic throughout the country of the indifference of the House toward the problems and the plight of our cities.

I hope that today the House will dispel that symbolism of indifference. We have been through a long summer of discontent, a summer which has proved that the agitators which have caused the disorders in our cities are not outside agitators whom the House overwhelmingly voted against the day before refusing to take up the rat control bill, but inside agitators—poverty, misery, rat-infested slums.

In the refusal to consider the rat control bill there was an almost perverse delight in denying slumdwellers the chance to rid their squalid homes of rats. After overwhelmingly adopting an antiriot bill that betrayed an incredible misunderstanding of the nature and cause of riots, the House was not about to question its premise that outside agitators cause riots by passing a minimal program to make life more bearable in the slums.

It is tragic enough when the crisis of our cities is not responded to with urgency. It is nothing short of criminal when it becomes the occasion for mockery and ridicule.

Following the defeat of the rat control bill, Jimmy Breslin wrote a moving article which scores of Members of both the House and Senate read into the RECORD. There was a particularly moving account of a family in East Harlem who live with the sound of rats in their walls, whose baby is regularly bitten by rats, and who have daily bouts with rats in their kitchen. The janitor of the building once put a large cat in the boiler room to cope with the problem, and the next morning found only cat fur. So much for the cat remedy.

East Harlem is presently without representation in this House. I represent the adjoining district. I would be pleased to show the conditions in these districts to any colleagues who still believe that rats are a problem which can be dealt with by cats, or by dime store traps and cheese, or by purely local efforts.

I do not propose to repeat the statistics of rat damage to health and cost to property. I am much more concerned with the larger issue: that Congress is not comprehending the urban crisis of our time.

By refusing to even open debate on a minimal measure to make the ghetto livable, the day after imposing repressive legislation to deal with ghetto outcries, this House disgraced itself.

Let us not repeat that spectacle. Let us not make more jokes about cats and rats, about rodent bureaucracies and civil rat acts at the expense of those whose misery threatens to make life miserable for us all.

Let us seize this second chance and pass the amendment overwhelmingly.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. BROYHILL].

Mr. CUNNINGHAM. Mr. Chairman, I ask unanimous consent that I may yield my time to the gentleman from Virginia [Mr. BROYHILL].

Mr. TALCOTT. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. BROYHILL of Virginia. Mr. Chairman, quite obviously the author of the pending amendment and all of its cosponsors and supporters are against rats. In fact, they are unalterably opposed to rats biting children and to all other deplorable acts of destruction committed by these filthy vermin. If there is any question about the position of the sponsors of this amendment, let the record make it clear right now, they are against rats.

Now, Mr. Chairman, who is on the other side of this question? Is there any individual or group of individuals in this body who do not share the same concern as the sponsors regarding the menace of rats to our society?

This is a ridiculous question, of course. We don't need to choose sides to determine who feels or expresses the greatest sympathy for those afflicted by the problem which must be solved. So let us do away with the question as to who is more against rats.

Mr. Chairman, I only wish that the solution to this problem was as simple as the sponsors of this amendment would have us believe. I only wish that by adding $10, $20 or $100 million to an existing program we could make a problem dry up and go away.

On the contrary, it is going to take the cooperation, determination, leadership and persistence on the part of every individual American and every level of government to bring about a real and lasting solution to this problem.

We have several programs on the statute books at the present time, including the program that this bill would extend, which are designed to solve the problem of rats in this country. The question is whether we should add another $20 million to this program in order to prove our concern regarding the rat problem.

I say, Mr. Chairman, that we are caught in a wave of emotionalism and sheer political demagoguery, and we are scrambling for a position for fear that some of our constituents will fail to understand our problem.

Another question even more serious is the $29 billion deficit with which we are confronted today. Most of us are against a tax increase. The overwhelming majority of the American people have asked us not to increase taxes. Yet we cannot tolerate a $29 billion deficit; our only alternative is to reduce spending.

I believe that the overwhelming majority of the Members of this House agree with the necessity of reducing spending. Most every witness who appeared before the Ways and Means Committee expressed their opinion that it was necessary for us to reduce spending, including witnesses from the administration. But we were unable to get representatives of the administration to tell us what programs they would recommend cutting to reduce spending.

The CHAIRMAN. The time of the gentleman from Virginia has expired. The Chair recognizes the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. Mr. Chairman, in other words, it is difficult to cut expenditures, to reduce existing programs or to fail to enact new programs. But we must face up to our fiscal responsibility, and we must do it here and now.

So, Mr. Chairman, the question is not simply whether we are for or against rat extermination, but whether we are for or against increasing the cost of the program that this bill extends. I say it has been pointed out very clearly that the pending bill will take care of the rat problem without adding more to the cost of the program. It is simply a matter of establishing priorities within the program as to which problem needs to have the greatest emphasis placed upon it. This can be done without the pending amendment, which will do nothing more than further increase Federal expenditures which must, and I repeat, Mr. Chairman, must, be reduced if we are going to avoid a fiscal catastrophe.

So the time has come, Mr. Chairman, for the Members of this body to stand up and be counted.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, this House is doing today what it seems to do over and over again; that is, reacting to pressure.

I remember that just a few weeks ago, or not very long ago, a group of people, protesters, two-legged rats, came from New York City down here to demonstrate, and the police had to drag them out of the galleries. They threatened to turn rats loose in this particular Chamber to ridicule Congress.

I suppose a good many people are reacting to that pressure here today.

Generally speaking, the emotion seems to be that.

We have heard an awful lot of talk about this measure being intended to eradicate rats.

Who is kidding whom? This measure was never intended to eradicate rats. This measure, by the admission of the gentleman from Wisconsin [Mr. REUSS], who offered the amendment, is not intended tp provide money just for the eradication of rats. He admitted that the people in the Public Health Service did not ask for this money but have said that if they cannot use it for rats, they can use it for other purposes. What other purposes? For what was this money originally intended? What is it intended for now? It was and still is intended to be an aid to the ghettos bill. It is intended to make money available for the renovation and construction of public and private property in the bankrupt cities of this Nation. It is slum legislation. What else is it intended to do? It is intended to provide money to pay for garbage collection for cities that cannot pay for the collection of garbage themselves. This is not a Federal function. It is money to give to these people to defray expenses that do not have the money to pay for it themselves. Now who will deny this? You know I am right. This bill is pure camouflage.

The CHAIRMAN. The gentleman from Texas [Mr. BUSH] is recognized.

Mr. BUSH. Mr. Chairman, I commend my colleague from Maryland [Mr. MATHIAS], for his work on this amendment. I endorse his approach.

It gives local communities control over the rat programs. Further, it leaves the priorities on health spending to the States.

More important, it does not start a new Federal agency with all the waste that that implies. It puts rat extermination in a going program—in Public Health where it belongs.

I visualize this as the first step in coordinating all the Federal activities in this field. Such coordination will result in savings to the taxpayer and will, in my opinion, result in more efficient rat eradication.

I opposed the bill offered several months ago. It was poorly conceived and would have promoted inefficiency.

This Committee must not turn its back on this vital problem. We are being offered here a good amendment. I urge its adoption.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. JACOBS].

Mr. JACOBS. Mr. Chairman, I detect a strange change in the nature of debate on this subject today from the one that took place a few days ago. Members are saying "right now" instead of "rat now" in this debate. I am wondering if this is not because the subject has come up suddenly as an amendment rather than as a bill that was announced ahead of time. This time those who oppose the rat extermination program did not have the opportunity to prepare some good humor on this subject. Therefore, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their jokes on this subject.

Mr. TALCOTT. Mr. Chairman, I object.

The CHAIRMAN. That request is properly made in the House and not in Committee of the Whole. Objection is not necessary.

The Chair recognizes the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I am sure all of us are opposed to rats, venereal disease, and all the other health problems which this act is trying to provide funds to meet. As a matter of fact, some people are so opposed to such blights that they take action on their own initiative at the local community level, using local funds; or, they take action at the family and individual level with their own resources to avoid or cure such health problems.

I should like to point out that if a local community—or its citizens—controls rats or controls venereal disease or controls other health problems under its own initiative and with its own resources, then its participation in this program will be only to pay for the program.

This legislation now authorizes $70 million, all of which can be used for rat control or venereal disease control, or whatever the local need is. The responsible local communities and local citizens who have solved their own problems are expending this amount of money to assist those who have not resolved their problems at the local level.

In view of the desperate economic circumstances in our Nation today which have obliged the President to call for a 10-percent tax increase and which see us facing a record deficit and the threat of inflation which follows, I feel that increasing the authorization from $70 to $90 million is unreasonable. It may be more of an exercise to expunge some feelings of past embarrassment.

The authorization of $70 million qualifies as a responsible exercise in social concern for the underprivileged. But the authorization of $90 million may go beyond that so far that it qualifies as fiscal irresponsibility.

Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Illinois [Mr. SPRINGER].

Mr. TALCOTT. Mr. Chairman, I object.

Mr. BROWN of Ohio. Mr. Chairman, I yield to the gentleman from Illinois [Mr. SPRINGER.]

Mr. SPRINGER. Mr. Chairman, if I add these figures up correctly of these nine agencies which made grants last year plus what HEW did under this bill last year, it comes to between $19 million and $20 million. Now, that is what we did last year. I think I would be just as much against rats, Mr. Chairman, if I lived in the city and they were bothering me as anyone else. Just because I happen to live in a rural area is no reason why I should not be willing to help out people in the city with a rat problem. It ought to be just as much my duty as a good citizen as it would be my duty as if it were within my own community. However, for the life of me I cannot understand why we do this here. Here we come in with another amendment to raise the amount in this bill $20 million. You are going to have $70 million in this bill for this if the communities want to put their priorities high enough to get it. In addition, you will have $16 million which will be coming from other agencies if they spend at the same rate that they did last year for this. If there is a need for it, I am certainly willing to give it to them, but I just cannot understand why, with nine departments or agencies dispensing rat money, we come in with an expanded bill this year in which there will be another $70 million and, as I understand it, there will be $140 million at least that could go for this purpose of rat control. I just cannot understand why, with all that money available, we need another $20 million.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I do not believe I have the time. I certainly will if I do.

It seems to me that as a matter of good citizenship we are providing everything that a city or any other community needs in order to accomplish the completion of the program which I am sure the gentleman from Wisconsin and the gentleman from Maryland are just as sincerely interested in as I am, that is, the extermination and control of rats. I am certainly not going to stand here and say that what I am necessarily saying is what ought to be done. Any reasonable look at the figures which we had last year plus the amount of money that is going to be available under this bill for the next few years would satisfy anyone that we have sufficient money to do this job.

Now, not only is there $70 million provided for this year, but this program of $70 million increases at the rate of about $18 million this year and the next year, and then it will jump to the extent of about $25 million in the third year of this program.

So, Mr. Chairman, this is not a small program, I might say. It is a 3-year program. There is involved some $860 million in the entire program. But this is a program which is going to be expanded at a steady rate during the next 3 years. There certainly is enough money contained in this bill to take care of every single thing that these gentlemen are asking for now.

And, Mr. Chairman, with nine programs, it seems to me that that ought to be adequate to do the job, regardless of where you come from or regardless of what the circumstances are.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. MINSHALL].

Mr. MINSHALL. Mr. Chairman, it is my opinion that this debate today represents a very healthy state of the Congress. Not like several weeks ago, it has brought out the fact that there are many agencies that have funds appropriated—many millions of dollars that are already available for rat control. In the Department of Health, Education, and Welfare there is in this very same legislation—Public Law 89-749 funds available for this purpose.

Mr. Chairman, I have here a letter from the Department of Health, Education, and Welfare which shows that my own State of Ohio has under the provisions of last year's bill $2,325,000 available for the so-called public health services in the State of Ohio but the city of Cleveland has not applied for 1 cent of the over $2,300,000 available to the State of Ohio.

Mr. Chairman, I might point out at this time the fact that the city of Cleveland that has made much hullabaloo about not having enough rat control money, has not, I repeat, as of today made application for cent 1 under any of these programs, any one of which could be used for a rat control program. Of course, I am against rats but feel strongly as has been brought out so clearly that there are already sufficient funds that can be used. If more money is needed in the future, I will gladly support such legislation.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Chairman and members of the Committee, I must say in all kindness and in all frankness and, certainly, with no intention of being nasty, that I get the impression that many of my colleagues here today think that their responsibility and obligation with reference to this problem of rat control is discharged merely by going on record as voting for funds for this purpose.

I say to you today that I am amazed with all the concern that has been expressed today and previously primarily in the form of the proposed expenditure of dollars.

Mr. Chairman, no Member of this House and no committee of this House has taken the time to find out as to how the major demonstration program has worked. I am deeply concerned and greatly surprised at this approach. However, I hope this concern expressed here today will extend beyond the mere funding of the program hereafter.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. SCHERLE].

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. SCHERLE. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Chairman, I noted the other day in the local newspapers some rather interesting and I thought rather objective statements concerning the "Pride" program in the District of Columbia.

I do not know where this group obtained the money they used. I suppose they received it from the OEO. But this organized group stated they had removed from certain areas of this city, 7,500 truckloads of debris, filth, garbage, or whatever one chooses to call it. This was removed from the city slum areas. It likewise was stated in the newspapers that this group had killed 7,500 or 10,000 rats. I do not recall the exact figure. This is seems to me is the manner in which these programs should be worked out. It was done with money made avilable from existing agencies of Government.

So, Mr. Chairman, if funds are now available for this purpose, then the objectives can be reached. This represents just one example right here on our own doorstep which have proven that it can be done with available funds, funds available for the asking.

Mr. GIBBONS. Mr. Chairman, will the gentleman yield?

Mr. SCHERLE. Yes, I yield to the gentleman.

Mr. GIBBONS. I was going to add that that is the way the rat control program is being done in Chicago, and is being done with OEO funds, and the program is effective. I am sorry I do not have the time to discuss it, but the program has been carried on in a successful manner in Chicago. Rats are being eliminated—health is being improved in a systematic, thorough manner. But, this can be no short-term program. It will require a continuous education and cleanup program. By all objective standards the program in Chicago has been successful.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SCHERLE. Yes, I yield to my colleague from Iowa.

Mr. GROSS. I thank my colleague from Iowa for yielding.

Mr. Chairman, if the gentleman from Florida, [Mr. GIBBONS], has any reliable information with respect to the program in Chicago, I wish he would state it, because I have been trying to get from Mr. Shriver, director of the poverty program lo, these many weeks, some information as to what has taken place under the $3 million rat expenditure in Chicago.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from West Virginia [Mr. STAGGERS] is recognized for 1½ minutes.

Mr. STAGGERS. Mr. Chairman, the gentleman from West Virginia had been recognized prior to the time the motion for the limitation of debate had been made, the gentleman had been recognized for 5 minutes.

The CHAIRMAN. The Chair will state that the Chair understood that the limitation as to time was made prior to the expiration of the gentleman's 5 minutes, for which the gentleman was recognized, which was when the gentleman made the motion that all debate on this amendment cease after 20 minutes' time.

Mr. STAGGERS. That is correct, Mr. Chairman, but I had been recognized for 5 minutes.

The CHAIRMAN. The Chair will state that the gentleman was among those standing, and was included among those who were standing; in addition to the gentleman 13 other Members were standing, so that there were 14 Members who were entitled to a minute and a half.

Mr. STAGGERS. Mr. Chairman, I will do the best I can in a minute and a half.

Mr. Chairman, I wish to say in closing the debate that I wish to pay tribute to the gentleman from Illinois [Mr. SPRINGER]. I believe the gentleman has made some very valid points.

I also wish to say that I know of no more dedicated, hard-working public servant that Mr. SPRINGER in the interests of the public and in the interests of all the people of our country.

Another thing I would like to say is this: that the gentleman made a very valid point that the committee—and I feel that he spoke for every member of the committee—would not want funds earmarked for any special situation. Of all the programs that we have in the bill, not one of them has been earmarked, except for mental health, which involves a special situation. Funds provided under this amendment should have to take their place along with funds for venereal diseases, heart disease, cancer, stroke, or what-have-you. All States are alike—they have to determine that programs they seek to carry out are more pressing than other programs—in other words, the States set their own priorities. In fact, that is the plan as outlined. It has to be approved under the State's plan before it can be put into operation.

Mr. Chairman, the HEW, under its present rat control program, is to develop and maintain a system for collection and analysis of data related to rat problems on a nationwide basis; provide effective and continuing training for State and local personnel engaged in rat control programs; provide technical assistance in the planning and operation of rodent control programs; perform evaluations of the effectiveness and costs of local rat control programs; conduct demonstrations of rat control measures by organized community campaigns; support community activities in refuse disposal through solid wastes programs; and incorporate rodent control measures into ongoing related programs such as Aedes aegypti eradication.

Mr. Chairman, a total rat control program involves a social situation, which means the control of things that breed rats, such as garbage, poor housing, and the unwillingness of men and women to do the job that needs to be done. There are other problems that are associated with it, and not just the things that are set forth in this health bill that we have before us today. The bill is not designed for that—it will not get rid of the rat situation, though programs established under the existing HEW health program certainly help.

I am for anything that may help get rid of rats. For that reason, I am not opposing this amendment. But I would state the same thing that many of the members of the committee have already stated, and that is that we should not put 1 penny in for rat eradication except as the States come in and ask for it, based on their State plan and priorities.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GALLAGHER. Mr. Chairman, I rise today to support a bill that is almost as important to the public image of the Congress as it is to our fellow Americans who live in metropolitan areas.

We have an opportunity to redeem ourselves as a serious legislative body by enacting this addition to the partnership for health amendments.

Seldom has this Nation and this Congress witnessed such an outpouring of rage as that against our earlier vote to deny a Federal rat eradication program a chance to receive a full debate. All of us in this House suffered from the consequences of the tone and style of that denial of an opportunity to carefully consider an antirat bill.

It has been shown how we continue to pour thousands, even millions, of dollars yearly down the rural ratholes in this Nation to stop the ravages of rodents in agricultural districts. Yet it was expressed on that black day for our Congress that people did not deserve the same consideration as crops.

In an action that reflected the rural bias of this House more than any other recent vote, we clearly showed how little regard some Members have for urban problems. It seems that we can mount a national campaign against destroyers on the farms, but an urban evil is only the subject for some monumentally misplaced and incredibly insensitive humor.

The present membership of this Congress has shown little willingness to support fully the plans of the Johnson administration to rid our Nation of slums. Let us at least show a human concern for those who are forced to engage in a daily fight for living space with rats.

Let us today pass a bill that will make a positive contribution to those whom our society has apparently decided must continue to occupy slum areas.

Many times we speak in self-righteous terms of the dignity of the Congress of the United States. Let us earn some respect here today by passing a bill designed to relieve the agony of many of our fellow Americans and, in doing so, restore the dignity of the House of Representatives.

Mr. MORSE of Massachusetts. Mr. Chairman, the partnership for health amendments are before the House today to extend and expand the appropriation authorization under the Public Health Service Act for a wide range of public health programs to communities with comprehensive public health plans. I am addressing my remarks in support of the amendment offered on the floor which would authorize an additional $20 million and incorporate rat and related pest control into this act as an eligible program.

In my judgment, the provisions embodied in this amendment cosponsored by the gentleman from Wisconsin [Mr. REUSS] and the gentleman from Maryland [Mr. MATHIAS] are far superior to the rat control measure which came before the House earlier this year.

I have never had an interest in prolonging the lives of rats. I conducted a careful study of the situation and existing Federal programs at the time of the initial proposal, and was convinced that rat extermination must be conducted by the agency most equipped to do the job. That agency, in my judgment, was not the Department of Housing and Urban Development, but the Public Health Service.

HUD would have had to step in new to the situation, and create machinery necessary for the task. PHS, however, has already had experience in running a rat control program. It has already developed both the personnel and techniques to be effective, and with greater financial support will be in an excellent position to handle the problem. Insofar as the control of rats is principally a public health problem, PHS is the right agency for the job.

I point out, in addition, that the administration's Rat Extermination Act would have benefited only a fraction of our Nation in that the bill required that to be eligible for participation, communities have a "workable program" currently certified by the Department of Housing and Urban Development. As of June 30, 1967, only 1,174 communities met this requirement while the Bureau of Census lists some 18,088 incorporated places in the United States.

I have never considered the rat problem as anything but serious. I did not deal with the earlier bill with levity. For the very reason of the gravity of the situation, I did and still do insist that we get the most and the best for our money. This amendment to the Partnership for Health Act now before us would allow a rat control program and increase the authorization by $20 million, the same amount the President requested for his bill.

I give my full support to the amendment and strongly urge its acceptance.

Mr. BRASCO. Mr. Chairman, I join with my many colleagues in the support of the amendment to add 20 million dollars to the total amount available under the Public Health Service Act which could be used in a rat control program. Our cities, our Nation, our people need this fund to effectively combat the problem of rat control—a problem which causes damage to property, disease and distress not only to people in our urban areas but to people in our rural areas as well. I ask all my colleagues to join with me in this most worthy effort.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. REUSS].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SPRINGER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. REUSS and Mr. STAGGERS.

The Committee divided, and the tellers reported that there were—ayes 129, noes 128.

So the amendment was agreed to.

AMENDMENTS OFFERED BY MRS. MINK

Mrs. MINK. Mr. Chairman, I offer amendments and I ask unanimous consent that they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mrs. MINK: On page 24, after line 12, insert the following:

"(2) Effective July 1, 1968, subsection (d)(5) of such section is amended by inserting 'the Trust Territory of the Pacific Islands,' after 'American Samoa,'."

On page 24, line 13, strike out "(2)" and insert in lieu thereof "(3)".

On page 25, after line 2, insert the following:

"(f) Effective July 1, 1968, subsection (h)(4)(B) of such section (as redesignated by section 12(a) of this Act) is amended by inserting 'the Trust Territory of the Pacific Islands,' after 'American Samoa,'."

On page 25, line 3, strike out "(f)" and insert in lieu thereof "(g)".

The CHAIRMAN. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

The CHAIRMAN. The gentlewoman from Hawaii is recognized for 5 minutes.

Mrs. MINK. Mr. Chairman, I am today introducing amendments to H.R. 6418 to make the Trust Territory of the Pacific Islands eligible for section 314 comprehensive health planning and public health services grants. I can conceive of no more urgent need for us, under the responsibility mandated to us after World War II by the United Nations to administer these islands of Micronesia, than to upgrade the woefully inadequate health services and facilities available to the 90,000 inhabitants of the trust territory.

This population is spread over 2,100 islands encompassing 3 million square miles in the western Pacific, and in addition to the peculiar diseases attributable to their tropical climate, they suffer excessively from diseases virtually eliminated in our country. The active tuberculosis rate in the trust territory is 19 cases for every 10,000 inhabitants compared to 2.9 per 10,000 in the United States; the infant mortality rate is 32.7 per 1,000 as compared to our 25.2 per 1,000; the maternal mortality rate is 1.9 per 1,000 whereas in the United States it is 0.4 per 1,000. Other prevalent afflictions include leprosy, filariasis, respiratory ailments, and a variety of intestinal parasites including amebic dysentery. A 1966 survey of the islands of Palau and Truk revealed that 48 percent of all children aged 10 had diseased teeth, and that 80 percent of all teeth in children at the age of 14 were diseased.

Yet to meet these staggering health problems there are but 414 hospital beds to accommodate the entire population of 90,000, a ratio of 4.6 beds for every thousand people, half of the United States proportion. To serve these 3 million square miles there are six district hospitals, three subdistrict hospitals, and six regional health centers with a total of 46 beds. And this is an area of the world where transportation is so sadly lacking that irregular interisland schooners are the only means of travel for many of the people.

But the statistics on medical personnel are even more stunning. There are 12 medical doctors in the entire trust territory, one doctor of dentistry, and only eight registered nurses. This amounts to one qualified doctor for every 7,500 people, one dentist for 90,000, and one fully trained nurse for every 11,250. The services supplied by this inadequate personnel are somewhat supplemented by some 150 trained Micronesian medical practitioners to help in the hospitals and the 90 poorly equipped outlying dispensaries, which are largely ill equipped to provide medical assistance.

The immediate and urgent need for health assistance is obvious, and I am hopeful that my amendments to H.R. 6418 will win the approval of my colleagues to cast some light on the dreary picture I have presented. If the requisite administrative and planning functions can be accomplished, there are many ways this legislation could assist the trust territory to upgrade and expand its health services. Under the authorization of formula grants to assist States in establishing and maintaining adequate public health services, including the training of personnel for State and local health work, my amendment would place the trust territory in the same category with Guam, American Samoa, and the Virgin Islands in order to be eligible for a Federal share of 66⅔ percent of the cost of their program.

The grant for comprehensive State health planning, even though the allotments would be based on population and per capita income, both indexes exceedingly low in the trust territory, would nevertheless provide an important stimulus for development of a comprehensive plan for Micronesia. Section 314(e), authorizing project grants to public or nonprofit private agencies or institutions to cover part of the costs of developing and supporting new programs of health services for an initial period, but especially to meet part of the costs of providing services to meet the health needs of specialized regional significance, could have special applicability to the trust territory if that region is made eligible through favorable action today.

It is especially in section 314(f) that I see truly promising possibilities for improvement of these long neglected conditions in the trust territory, however. This part of the amendments would authorize the Secretary of Health, Education, and Welfare to assign State health officers to his Department or departmental health specialists to the various States in order to effectively discharge his responsibilities under the partnership for health amendments. The Secretary's cooperative arrangements with the States, which includes again Puerto Rico, Guam, American Samoa, the Virgin Islands, and—if my amendments are accepted—the Trust Territory of the Pacific Islands, could include his providing technical or other assistance, and this authorization along with the possible assignment of public health personnel for periods up to 2 years could contribute most significantly to our meeting of our economic and social commitment to the peoples of Micronesia.

Mr. Chairman, I intend to vote for H.R. 6418, a fine bill which will enhance the health services available to all of our citizens as well as those who reside in territories under U.S. jurisdiction. In order to most completely and equitably extend the benefits of this legislation to all those people whose welfare is in our charge, I urge my colleagues to vote affirmatively for the partnership for health amendments with the inclusion of the Trust Territory of the Pacific Islands as provided in the amendments I am offering today.

Mr. Chairman, I yield to the chairman of the committee.

Mr. STAGGERS. Mr. Chairman, there is no opposition to the amendments on this side of the aisle.

Mr. SPRINGER. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to the gentleman from Illinois.

Mr. SPRINGER. I have no objection to the amendments.

The CHAIRMAN. The question is on the amendments offered by the gentlewoman from Hawaii.

The amendments were agreed to.

AMENDMENT OFFERED BY MR. SPRINGER

Mr. SPRINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: Beginning with line 1 on page 43, strike out all down through line 4 on page 51.

Redesignate the following sections accordingly.

Mr. SPRINGER. Mr. Chairman, some of the Members were present when I spoke in general debate on this bill, and I mentioned what is generally known in the committee as the Ottinger amendment. It would add $58 million to the bill for the purpose, so-called, of relieving situations in critically located hospitals. On the whole, I suppose this amendment sounds attractive. However, I think when we get an inside understanding of what the amendment does, it has serious implications to our entire hospital program.

In the first place, it violates all of the concepts of the Hill-Burton Act, which we have had since 1937. The States do not have any opportunity to determine priorities at all. The application is made directly by the hospitals to the Federal Government on an emergency basis, so-called, and the grant is made directly to the hospital. In other words, this is a shortcut, entirely, by the hospital directly to the Federal Government. Neither the State nor any of its agencies has anything to say about to which hospitals it should go, nor any priority in the State as to who needs the help the most. This is the first objection.

The second one is this was not requested, may I say, by the Department or the President. This was put in entirely by the gentleman from New York—and he will tell who requested him to put it in. It is not a budgeted item, I am advised by both the Department and by the Bureau of the Budget itself.

In the third place, I think the most important, may I say to my colleagues of the Committee, is that the President's Health Commission is now considering all problems with reference to health, including hospital care under Hill-Burton and under medicare, and they intend to report to this Congress early in 1968 on a comprehensive overhaul of our whole health program, and the matter which is now under consideration will be given all the consideration which is necessary in the report when that Commission reports to this Congress and to the President.

In the fourth place, this bill violates all our previous concepts about assistance. It not only does provide bricks and mortar, but it also provides services. We can take "services" any way we want to, but the way I would define "services" would be anything that the hospital needed in the way of assistance or help, whether this was scrubbing floors, or doctor help or nurse help, or any kind of assistance that was needed in the hospital that the administrator in his discretion determined was necessary, and he could make an allotment for that purpose.

We have never, so far as I know, ever provided for services of any kind in the form of a grant. We have provided bricks and mortar under the Hill-Burton, we have provided help for those hospitals which needed ancillary services in the way of equipment and additions to the hospitals. We have done that. Even in the nature of laundries and that type of thing, we have done that. But we have never provided "services."

Let me say there are two other reasons why this is not good legislation. This is on a crash basis for 1 year. We are going to consider this in our committee next year. We are going to go over this whole thing. I think by this time next year our whole hospital situation will be very clearly defined, so that we can see it, and possibly the Members themselves will be able to see just as clearly by this time next year, what our hospital needs are.

(By unanimous consent, Mr. SPRINGER was allowed to proceed for 2 additional minutes.)

Mr. SPRINGER. There is one further thing. I want all Members to listen closely to this.

Someone said here earlier in the day that this was just "a big bonanza for the big cities." May I say, whoever said that told the truth.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Illinois.

Mr. YATES. I was the one who used the phrase, but I lifted the word from the report of the minority.

Mr. SPRINGER. It is a bonanza for the big city hospitals, for the reason that this is a crash basis, for 1 year. The only people who will get an advantage from this are the people who are tooled up for Federal grants in the first place. The ones who are tooled up are the big cities, who are ready to get the grants and who have lawyers who come to Washington every day or every week.

This is the kind of situation we will have. Any of the Members from the rural areas who feel that they are going to partake of this program I hope will not be disillusioned.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Mississippi.

Mr. COLMER. The gentleman has answered one of my questions, about the big cities. There is another question I should like to ask.

The gentleman, if I understand him correctly, said that this was not budgeted. We are going to be faced here with a tax increase, and a $30 billion deficit; that is correct, is it not?

Mr. SPRINGER. Yes. If we put this in, that is $78 million today which we have added to this bill alone which is not budgeted.

Mr. COLMER. Finally, this would not come under the Hill-Burton program, but it would be a separate matter and there would be problems of administration.

Mr. SPRINGER. That is correct.

The President, down at the White House, has been asking the Congress not to authorize or to appropriate more money than he has requested. We have an opportunity here today to follow his advice.

Mr. OTTINGER. Mr. Chairman, I move to strike the requisite number of words.

With all due respect for my colleague from Illinois, some of the representations he has made about section 12 of the bill are simply inaccurate.

For instance, the gentleman says that the President has a Commission which is studying the hospital facilities problems. The only health Commission presently operating is the National Advisory Commission on Health Manpower. That deals with manpower problems only.

The President has promised to convene a National Advisory Commission on Health Facilities. That Commission has not yet been appointed. It will probably take a year or more for such a Commission to complete its work.

It is true that the committee will consider the Hill-Burton program next year. In the meantime there are hospitals within our land in desperate situations, so desperate that the people in the communities involved are not getting adequate health services. Their health is being jeopardized.

What the gentleman from Illinois says about the provision's relationship to the Hill-Burton program is simply not true. The American Hospital Association has said this will do nothing to the Hill-Burton program. It will not conflict with it. I read that letter previously.

The people who administer the Hill-Burton program in the Department of Health, Education, and Welfare, the Surgeon General's Office, have written about this provision to the chairman of our Subcommittee on Health, saying that nothing in this program will harm the Hill-Burton program.

In fact, every cent that goes to this program must be coordinated with and conform to the local Hill-Burton programs.

The gentleman from Illinois repeated his statement that this is going to be a bonanza for the cities. This is false. The program will go to the most needful communities in accordance with a survey of the communities' hospital facilities shortages. It is not going to be a question of first come, first served. To qualify, the hospitals have to demonstrate conclusively they meet the stiff criteria of the act—that they are overcrowded, they do not have and cannot raise, publicly or privately, sufficient funds to do the necessary programs themselves, that the health of the people of the communities in which they operate will be jeopardized.

In short, the allegations of the gentleman from Illinois are inaccurate; his amendment should be defeated.

There are hospitals in your own community that are just simply not able to meet their needs through existing programs. There are people in your own communities who are not able to get into hospitals who need that hospital treatment. These are the people that we want this for. The Public Health Service, according to a survey on which this program was based, said that we could help another 150,000 people a year if this program were enacted. Now, this is a whale of a big bang for the buck and is well worth your support.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. On this point of the administration of this not being compatible with the Hill-Burton program, I have a letter from the director of the Oklahoma Hospital Association in which he states that he is satisfied under the amendment adopted by the committee the administration would be consistent with the overall planning of the Hill-Burton program. He expresses the support of their association to this amendment.

Mr. Chairman, I hope the amendment will be supported and adopted as reported by the committee.

Mr. OTTINGER. I thank the gentleman.

It is also supported by a great many hospital associations as appears in the RECORD of September 18 on page 25774.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman.

Mr. YATES. The inference here is that the Hill-Burton Act would not be in compliance with this. The fact is that the Hill-Burton Act, according to the words of the Department of Health, Education, and Welfare, is rural in nature almost exclusively. The big cities are suffering for lack of funds. Hill-Burton has not made available funds. I have a list here of the funds that were made available to the 10 largest cities through Hill-Burton since the inception of the act. I would like to read them. I just received these figures from the Department of Health, Education, and Welfare from its Hill-Burton section.

The CHAIRMAN. The time of the gentleman has expired.

Mr. YATES. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OTTINGER. Mr. Chairman. I yield to the gentleman from Illinois.

Mr. YATES. This is what they say has been made available for the big cities by Hill-Burton since its inception. New York City includes 20 years, $17.5 million. That is the No. 1 city in the Nation. Chicago received $14,125,000 for a period of over 20 years. Philadelphia received $28,850,000. Los Angeles—and listen to this—$3,610,000 over the last 20 years. Detroit, $6.5 million. Baltimore, $6,215,000. Cleveland, $10,605,000. St. Louis, $12,860,000. Washington, D.C., $8,500,000. Boston, $4,305,000.

The entire program has made funds available for the entire country, since its inception, in the amount of $2.75 billion. Of this amount only $113 million have been made available to the cities of the Nation.

Mr. HARVEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I recently spoke to the Michigan Municipal League at its annual meeting on Mackinac Island, Mich., on the subject of "Federal-Local Relations," and I cited the Partnership for Health Amendments of 1966 as an example of action by Congress to eliminate overlapping Federal grants and to consolidate them in one workable authorization. It is significant that the partnership for health amendments for this year, 1967, while intended to serve the same purpose, departs from this principle in section 12.

Instead of consolidating existing programs and thereby making life easier for those who have to administer these programs, as well as those who have to administer the hospitals themselves, we are again duplicating programs and establishing different criteria in section 12.

Mr. Chairman, the Acting Governor of the State of Michigan, William G. Milliken, best summed it up in a telegram to me today in which he stressed the need for only one formula for administering hospital construction funds; namely, the existing formula under Hill-Burton. I quote Acting Governor Milliken:

> There should not be two programs of grants for community hospital construction that have different criteria for determining need, amount of assistance and priorities for grants of limited funds. Hospitals are major providers of services, and their operations a major factor in cost of health care. Grants and loans which bypass state planning would be detrimental to coordinated and effective state comprehensive health planning under Public Law 89–749, the Partnership for Health program.

Mr. Chairman, having taken a step forward in consolidating these health programs last year, it would be inexcusable for Congress to take a step backward this year and thus render the administration of these programs less efficient. This is what the inclusion of the Ottinger amendment in committee has done. It should be eliminated and section 12 should be stricken from this bill.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from Michigan [Mr. HARVEY].

Is it not true that in the last revision of the Hill-Burton Act passed by this body, that one entire title was named and involved solely metropolitan area hospital renovations? Is it not a fact that the great majority of the funds in the succeeding year went for the renovation of hospitals in metropolitan areas, areas wherein they had the greatest amount of money available for the purpose of funding hospitals in the first place; is this not true?

Mr. HARVEY. It is my understanding that that is correct.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Michigan, my colleague.

Mr. DINGELL. I wanted to ask my good friend, the gentleman from Michigan [Mr. HARVEY], whether or not the telegram which the gentleman read was sent before or after our Governor's brainwashing?

Mr. HARVEY. The telegram comes from the Acting Governor of the great State of Michigan, Bill Milliken, whom I am sure my colleague knows very well and for whom he has a very high regard, and I might say who is well acquainted with the problem involved.

Mr. MOSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the section and in opposition to the amendment.

Mr. Chairman, I would like to direct the attention of the Members of the Committee to page 43 of the report, because I think it is rather important that we look at the type of criteria imposed upon the hospitals which would be eligible for consideration under this additional $58 million.

In paragraph 3 of the report, section 12, under the heading of "Emergency Assistance for Community Hospital Services," we find that there are specific items of criteria as follows:

> (A) Its average rate of occupancy or the demand for necessary and essential facilities and services so far exceeds its reasonable capacity that the community served by it is deprived of health services of a type and quality conforming to generally accepted standards;
>
> (B) Full and effective use is being made of the existing facilities of the hospital and of other health facilities available to the community;
>
> (C) The needed assistance is not available from other public or private resources; and
>
> (D) The failure to provide the needed facilities or services constitutes a threat to the health, welfare, or safety of the community.

Mr. Chairman, in the drafting of this amendment the gentleman from New York took great care to drastically limit those institutions which would be eligible to make applications.

Indeed, it deals with the hospitals of this Nation where the greatest demand on their facilities exist. Frequently the hospitals which are looked to to provide part of the teaching, part of the training in specialities. For too long a time we in the committee and in the Hill-Burton and in the Hill-Harris Acts have overlooked need for better facilities in the metropolitan centers. I believe it is time that we give a greater share to them. After all, the vast majority of our tax dollars come from these communities. It is here where the concentration of the elderly and the poor exists. It is here where you have the demand, and the most pressing demand, for assistance. Therefore, I suggest that we examine the criteria and not let some formula which was dreamed up 20 years ago and amended from time to time since, as being, for some reason, known only to those who oppose the language in section 12, as sacrosanct.

Mr. Chairman, I urge the defeat of the amendment.

Mr. STAGGERS. Mr. Chairman, I rise in order to get some understanding on the time. I believe this has been pretty well covered up to now, and also in the general debate. Several Members do want to leave early.

I was wondering whether we could come to some agreement to limit the debate on this amendment and all amendments thereto at 5 minutes after 6.

Mr. SPRINGER. Mr. Chairman, I would ask the gentleman if we could not make it 15 minutes after 6?

Mr. STAGGERS. Make it 10 minutes after 6.

Mr. SPRINGER. In view of the number of Members standing, I would think 25 minutes would be better.

Mr. STAGGERS. All right; 15 minutes after 6. I will agree to that.

Mr. SPRINGER. In other words, we will have 25 minutes?

Mr. STAGGERS. Yes, 15 minutes after 6, and everybody to have an equal amount of time.

Mr. SPRINGER. Yes.

Mr. STAGGERS. I ask unanimous consent to so limit debate.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

Mr. WATSON. Mr. Chairman, reserving the right to object, may I ask how many Members are standing at this time?

The CHAIRMAN. The Chair will state there are approximately 16 Members standing.

Mr. WATSON. That would then probably give each Member at best 2 minutes?

The CHAIRMAN. The Chair will state that would be correct.

Mr. WATSON. Mr. Chairman, I hate to object, but we do have a number of members of the committee here who have not even been extended the privilege of speaking on this tremendously important amendment; therefore, I will have to object.

The CHAIRMAN. Objection is heard.

Mr. STAGGERS. Might I say to the gentleman that we will probably have to go over until tomorrow some time, to complete work on this.

Mr. WATSON. May I respond to my distinguished Chairman that if it is necessary to go over until tomorrow in order to have complete debate on this in order to come to a just decision, then I believe it would be best to go over until tomorrow.

Mr. NELSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to speak in support of the Springer amendment. I would like to point out that we have heard arguments here on the floor about the fact that in the large cities some of the hospitals have not received the amount of money they feel they should have received, but I wish to point out that the Hill-Burton funds presently are allocated under a State plan, and this is as the Congress has long determined, many years ago, was the better plan.

In this entire bill we have moved in the direction of giving more flexibility to the States. We have moved in the entirety of this bill in the direction of recognizing that within the States these decisions ought to be made. Many years ago in the Hill-Burton program it was decided the formula would give nationwide fair attention to the hospital situation, whether it be in the country or be in the city.

As a result of it a plan was set up on that basis.

I well recall in the REA program we had a formula, the purpose being there also to see that nationwide fairness occurred.

I can well imagine what will happen in this program with $40 million of Federal allocation out of HEW where everyone of you is going to have people calling on the man with the most political pressure to try to get some of that money.

All of the formula and all of the discussion as to what the criteria is also contained in the Hill-Burton Act.

I might point out, if everyone felt that the hospital fund is inadequate they could have increased the amount under the Hill-Burton Act.

I might also point out in the committee this amendment barely squeeked through and had all of the members been there, I doubt that it would have passed and I question that it will be in the bill when it is finally acted on.

I want to point out that the Hill-Burton Act has been a good act. You now depart from the formula provision in the Hill-Burton Act and move toward a direct allocation of funds—a complete reversal of what this bill attempts to do in dealing with our States.

Mr. Chairman, I hope that the amendment offered by the gentleman from Illinois [Mr. SPRINGER] is adopted.

If there are those who feel that the money in this bill is inadequate for hospitals, then increase the total amount for the total bill and contain it within the application of the Hill-Burton Act.

Mr. KUYKENDALL. Mr. Chairman, I move to strike out the last word and rise in support of the amendment offered by the gentleman from Illinois and to follow up a remark made by the gentleman from Minnesota [Mr. NELSEN] about the fact that every Member of this body knows full well there are one or more hospitals in his district that are in desperate need because of overcrowding.

I can envision, and I think everyone else in this body can envision, the fact that we will have camped on our doorsteps immediately one or more hospitals that can show us definite need and there will be pressure put upon us.

Seven out of eight of us are going to be disappointed if this bill passes because that is how many people—one out of eight—that can possibly get a grant. You can figure out the mathematics of it.

I have not been around this body but a few months, but I have come to one definite conclusion—that the raising of false hopes through crash programs is one of the most unwise things that this body can do.

As has been said here before, if the Hill-Burton funds are inadequate, let us increase the Hill-Burton funds.

The idea of taking $40 million and giving it to people who are already tooled up to come to town to get it and not to give it to people on any sort of equitable basis throughout the country, based on an historical figure or formula, in my opinion is raising false hopes.

I would like every Member of this body to consider that seven out of eight of you are going to have hospitals in your districts that cannot possibly be considered with this piecemeal short-range program.

Mr. PICKLE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Illinois.

As a member of the committee, I had voted not to add this amendment during the committee deliberation. I do commend the gentleman from New York for the objective that he wishes to achieve. There is need for extra hospital help and this has particularly been augmented within the last 2 or 3 years. It is true in my district as it is true, I am sure, in the districts of Members on both sides of the aisle.

I do feel very strongly that the very place for a change is in the Hill-Burton program and not as an addition to a partnership or comprehensive health bill.

This has not been recommended by the administration. I do not think the gentleman from New York has in his file any letter from either the administration or the HEW, as such, that says they recommend that this be put into the bill at this time.

I would support the gentleman at the right time and place to accomplish what we hope to achieve in an increase in the hospitalization program, that is the regular Hill-Burton program. When he offers that, I will support it. But I do think that this fragments what we are trying to do if we set up a separate program now.

I cannot agree with the gentleman from California when he says that we should not pay any particular attention or be hidebound necessarily, or whatever his words were, to a program that was started 20 years ago. I say to you that a program which was started 20 years ago, such as Hill-Burton, has worked well, and there is general and strong agreement to this point.

For example, in my State, my State health department wants this bill to operate through the Hill-Burton program. The Governor of my State says it ought to be coordinated through the State department of health. I do not have any acknowledgment from my hospital association, although I am sure they would say they would not be for it, as written now. But there is a time and place for this kind of addition but it is not in this particular bill.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from New York.

Mr. OTTINGER. I would be very sympathetic with the gentleman's idea that the best place for this provision would be, as the gentleman said, in the Hill-Burton Act. But the facts with which we are faced indicate that either we get this kind of assistance here and now or we will not get it in time to save many critical situations.

Mr. PICKLE. I am sure the gentleman would not take the position that merely because we do not have time to get any one of a hundred different measures passed by the House this week or this month, we must tack the measure on another bill, like the other body does. We cannot do business that way.

Mr. OTTINGER. If the gentleman will yield further, there will be people who suffer because of the delay in their getting into a hospital. People will even die because of the critical situation which exists. I feel we cannot wait until next year when we have before us the Hill-Burton Act.

Mr. PICKLE. I cannot agree with the gentleman when he attempts to dramatize the situation to that extent. I do not think he means we would have hundreds of people dying in the meanwhile. We must consider this extra hospital care, but it should be done under a regular existing program.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Illinois.

Mr. YATES. I do not agree with the gentleman. I do not think it has to be under an existing program if that program is operating unfairly. I think Hill-Burton must be changed to give recognition to today's facts. I do not think Hill-Burton has done justice to the health needs of the big cities, the centers of population. The statistics which I read a few moments ago show that the vast bulk of the money went to the rural areas and a most inadequate amount went into the great cities.

For example, the gentleman has said, "Let us do it under the ordinary formula of Hill-Burton." The fact is that under the ordinary formula of Hill-Burton by city of Chicago, which has a hospital obsolescence of approximately $255 million, has received only about $14 million since the inception of Hill-Burton. This is obviously inadequate.

Mr. PICKLE. I do not yield further. I have been a member of the Interstate and Foreign Commerce Committee for 4 years. I have worked with the State medical groups in Texas before that. I have not heard any undue criticism of the Hill-Burton program. Not a voice has been raised against the Hill-Burton program in my committee in the last 4 years that I know of. I have not heard any criticism of it on the floor today. I think when the gentleman says that we have a great weakness in our Hill-Burton program——

Mr. YATES. Yes, we have.

Mr. PICKLE. Then I think we certainly do disagree.

Mr. YATES. The statistics show it.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from New York.

Mr. OTTINGER. I wish to assure the gentleman that the money spent here must be coordinated and conform to the Hill-Burton formula. It is to conform the local, State, and regional plans for the area; so we are not going to do any violence to Hill-Burton through this program.

Mr. PICKLE. There seems to be some disagreement between you and the gentleman from Illinois. Do you say the Hill-Burton program is sufficient?

Mr. OTTINGER. Here is the language of the bill——

(By unanimous consent Mr. PICKLE was permitted to proceed for an additional 2 minutes.)

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from New York.

Mr. OTTINGER. Under section (4) (B) (iii) the following language appears:

> Applications shall be integrated with health services programs approved or planned for the community, State, or region in which the hospital is included:

Under section (5) on page 47 of the bill:

> (B) the project described in accordance with paragraph (4) of this subsection will help to correct existing deficiencies in health services available to the community, will help to enable the hospital to provide health services of a type and quality conforming

> to generally accepted standards and conforms to local, State, or regional health planning and programs;

Therefore, there would be no conflict between what the Secretary does under this program.

Mr. PICKLE. The point I was going to make is that there seems to be a difference between your position and that of the gentleman from Illinois. Obviously the gentleman from Illinois wants to start a brandnew hospital program. If that is so, then there should be full hearings.

Mr. YATES. Mr. Chairman, will the gentleman yield? The gentleman mentioned my name.

Mr. PICKLE. I yield to the gentleman from Texas.

Mr. CABELL. I thank the gentleman for yielding. For your information, this morning I talked with the administrator of one of the larger hospitals in Dallas, one of our great southwestern metropolitan cities, an officer of the Hospital Administration Association.

He said:

> By all means keep these funds within the province of the Hill-Burton funds. Do not fragment them. We recognize that there is not enough money in the Treasury to cure all our evils within one year. Let us do it in an orderly fashion and keep it under a program that has worked.

Mr. PICKLE. Mr. Chairman, I yield now to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I think the gentleman misread my statement. What I did say was that Hill-Burton needs revision in order to take care of the needs of the metropolitan areas of this country.

Mr. PICKLE. It seems to me the gentleman is equivocating from a very bold statement he made a few minutes ago.

Mr. YATES. Mr. Chairman, I am not equivocating at all. The figures I stated before validate my statement. I say we have to think in terms of establishing a formula which will make money available to the big cities where the greatest number of people live.

Mr. PICKLE. Mr. Chairman, In addition, I would like to say a few words about the portion of the bill known as the Hospital Emergency Assistance Act of 1967. This program is incorporated in the committee bill as section 12, and, briefly, it works to funnel Federal funds directly to those hospitals which, according to specified standards written into the bill, are determined by the Secretary of Health, Education, and Welfare to be critically overcrowded and unable to provide adequate service.

The important thing about the Partnership for Health bill, in my estimation, is that it carries out a philosophy we have been working toward since the enactment of public health laws back in 1936. Without question, the main thrust of the partnership for health bill, as originally introduced, was to consolidate many existing categories of grants, and allow the States greater flexibility and autonomy in incorporating Federal assistance into their own overall health programs. I believe this is a commendable goal. It shows that the health program has matured to the point that the States can initiate individual efforts, utilizing Federal assistance without overriding Federal control.

Part and parcel of the theory of autonomy in planning and action is that States must be able to exercise an effective control over the health programs within their area. If they are to provide a good public health program, they cannot have numerous uncontrolled public health programs flying about. Fragmentation of health planning and construction is what we are fighting at every turn, and whether we speak of the private or public sector of health, there is no denying that control and guidance is essential. There is no reasonable way a public health program can effectively supplement the private health sector without consolidation of public programs on the one hand, and coordination of State agencies with the private sector on the other.

Only last week, the House passed a bill perpetuating a fragmented program. The Appalachian Regional Development Act provided $28 million over and above the $41 million already approved for demonstration health projects. If there is such a pressing need for new health facilities and services in the Appalachian area, why not channel these funds through the existing Hill-Burton agencies to assure that their application is consistent with what is going on in the rest of the State?

The Hospital Emergency Assistance Act sets standards that are applied entirely in the discretion of the Secretary of Health, Education, and Welfare. There is an incidental provision that applications for emergency assistance will be "coordinated" with existing health services available to the community, but this amounts to little more than a notification to the State agency of a project already set for implementation. In bypassing the priorities procedures that have worked so well under the Hill-Burton State agencies, section 12 is a step back rather than forward.

A Presidential Commission is studying the changes needed when Hill-Burton related programs come up for review next year. Emergency assistance of the type covered in section 12 is one of the subjects under consideration by the Commission. I believe that before we take a step which could do harm to the Hill-Burton program, and set a precedent for further splitting off of assistance programs, we should study the problem more carefully.

Mr. BROYHILL of North Carolina. Mr. Chairman, I move to strike the necessary number of words.

I rise in sunpport of the Springer amendment. I cannot agree with the inclusion of section 12 in this otherwise commendable legislation.

This section was not included in the original bill. It was not the subject of complete and full hearings. It was not requested by administration witnesses.

This is an amendment to the Hill-Burton program for construction and modernization of hospitals, a program which has operated successfully for over 20 years. Hill-Burton program comes up for review and renewal early next year. Then is the time to go into questions of additional funds for hospital construction.

Under Hill-Burton, funds for construction of new hospitals and modernization of old hospitals, are provided by formula to the individual States. At the State level, the plans for implementing the program are made, here is where the priorities are set.

I can speak from some experience in having seen the program operate in my State of North Carolina. In North Carolina, the Medical Care Commission has the responsibility of submitting statewide plans and setting priorities. This commission has done a good job. It has been alert to the health needs of the State.

However, under section 12, the North Carolina Medical Care Commission will be completely bypassed in the allocation of funds. The secretary would make grants directly to individual hospitals and communities. Where are the guidelines? How will the Secretary decide where to allocate the funds? It should be clear that we are in danger of setting up a new program under Hill-Burton which would be complicated to administer, and open to "political log-rolling." In fact, with a new and untried program of this sort, Members of Congress would be under considerable pressure from back at home to obtain a portion of these funds. Let us not set up a program that could create confusion within a successful program, and where political manipulation could be possible.

I agree with the remarks of the gentleman from Illinois [Mr. SPRINGER]. Keep in mind, that these funds were not requested by the administration and are not in the Federal budget. Next year will be the time to go into this program in greater detail.

Mr. LENNON. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of North Carolina. I yield to my colleague, the gentleman from North Carolina.

Mr. LENNON. Mr. Chairman, I want to commend my friend, my colleague, the gentleman from North Carolina, for his support of this amendment. He and I both know that in 1947 the General Assembly of North Carolina passed an act implementing the passage of the Hill-Burton Act in 1946, creating the North Carolina Medical Care Commission.

Mr. BROYHILL of North Carolina. That is correct.

Mr. LENNON. Under this proposal, under section 12, we would for all practical purposes bypass the State planning organizations that were created by the legislatures of the several States. Irrespective of what may be said by our friends from the large urban cities, those States have comparable medical care commissions or State planning bodies, and the applications should properly go through those State planning bodies in order that we can move forward under a very splendid program.

It is my urgent hope that the Members of this House will support—and I concede to my friend from the urban area of Chicago that there is need, and if this legislation could be drawn so that under section 12 these applications both for construction grants, and for planning for construction, and for staff and nurses, as well as general deficits, could go through the State planning bodies, we would see it a little bit differently, but it does not go through the State planning bodies or boards.

Mr. Chairman, I thank the gentleman for yielding.

Mr. BROYHILL of North Carolina. Mr. Chairman, my colleague from North Carolina has stated the case correctly for North Carolina, where, of course, I have had the most experience with this program. The medical care commission has the responsibility for planning, and it is alert to the needs. It has done a good job.

I think this amendment is in order so that we can continue a program that has accomplished a good purpose and which should be continued.

Mr. WATSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I hope I shall not take the 5 minutes.

Aside from the points that I think are very valid, that this section 12 bypasses the normal processes in the State, I have been sitting here just asking myself the question: Have we totally lost our minds?

The gentleman from New York is saying here that 150,000 people will go without medical help or proper care if the Federal Government does nothing about it. How foolish can we be?

Medical care is not our responsibility alone. I applaud the Hill-Burton program. If Members are so concerned about folks in their district not getting adequate medical care, why do they not do what we just did in Richland County, S.C., where the folks are the poorest—or, thanks to Mississippi—next to the poorest? Just a month ago our people decided we did not have adequate medical care, and we voted upon ourselves a $24 million bond issue.

What is wrong with us? We do not want to tell the American people and other folks that unless we pass this section 12, with $58 million—$40 million in grants and $18 million for loans—people are not going to have adequate care. How ridiculous can we be?

We have an orderly program. The President has not requested this.

Although they say it is a single shot proposition, we can rest assured that they will have 10 times as many applications the first year as funds available to care for them. They will never be able to stop, because if we give emergency help to New York we will have to give it to California and to Illinois, and we will have to give a little bit down South.

I say to my friends, consider the taxpayers.

If Members have such a drastic problem in their areas, what about asking the people to do something about it, as we just did in Richland County, S.C.?

Frankly, gentlemen, we not only have compassion for those who need medical help, but we are willing to put our money where our mouths are and not run up to Washington and try to get the Federal Government to take care of our problem.

Mr. STAGGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Brooks, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6418) to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill just considered, and on the Reuss amendment and on the Springer amendment to section 12.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

APPOINTMENT OF CONFEREES ON S. 602, TO REVISE AND EXTEND THE APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965, AND TO AMEND TITLE V OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 602) to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965, with House amendments thereto, insist upon the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? The Chair hears none, and appoints the following conferees: Messrs. Fallon, Jones of Alabama, Wright, Edmondson, Cramer, Schwengel, and Cleveland.

CONFERENCE REPORT ON S. 953, AMENDMENT OF FOOD STAMP ACT OF 1964

Mr. POAGE submitted the following conference report and statement on the bill (S. 953) to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967.

The conference report and statement follow:

Conference Report (H. Rept. No. 649)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 953) to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967, having met, after full and free conference, have been unable to agree.

W. R. Poage,
E. C. Gathings,
Frank A. Stubblefield,
Page Belcher,
Charles M. Teague,
Managers on the Part of the House.
Allen J. Ellender,
Spessard L. Holland,
Herman E. Talmadge,
Joseph M. Montoya,
Walter F. Mondale,
George D. Aiken,
Milton R. Young,
J. Caleb Boggs,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 953) to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967, report that the conferees have been unable to agree.

W. R. Poage,
E. C. Gathings,
Frank A. Stubblefield,
Page Belcher,
Charles M. Teague,
Managers on the Part of the House.

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (S. 953) to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967, and ask for its immediate consideration.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report.

The SPEAKER. The Chair lays before the House the Senate amendments to the House amendment to S. 953, which the Clerk will read.

The Clerk read as follows:

In lieu of the matter proposed to be inserted by the House engrossed amendment insert:

"That the first sentence of subsection (a) of section 16 of the Food Stamp Act of 1964 is amended by inserting after 'June 30, 1967;' the following: 'not in excess of $200,000,000 for the fiscal year ending June 30, 1968; not in excess of $225,000,000 for the fiscal year ending June 30, 1969;'.

"Sec. 2. Section 16(a) of such Act is further amended by inserting at the end thereof the following: 'This Act shall be carried out only with funds appropriated from the general fund of the Treasury for that specific purpose and in no event shall it be carried out with funds derived from permanent appropriations.' "

MOTION OFFERED BY MR. POAGE

Mr. POAGE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Poage moves that the House concur in the Senate amendments to the House amendment to S. 953.

Mr. POAGE. Mr. Speaker, I have opposed the extension of this bill for a longer period than 1 year, but it seems quite obvious that if we are to have a food stamp bill—and I want a food stamp bill—we are going to have to accept some kind of a compromise. This is a compromise between the 3-year and the 1-year versions. I think that a properly administered food stamp program is the best and cheapest program of its kind. For that reason I feel it is desirable that we proceed to accept the Senate amendments at this time.

I felt, and still feel, that a 1-year extension was the better course. This House voted for a 1-year bill. I felt that your conferees were obligated to insist on this provision inasmuch as the House had by separate vote recorded its wish. As a conferee it is my purpose to reflect the expressed will of the House. I think that my colleagues on the conference agreed with this thinking. For this reason we refused to accept an agreement on other terms.

On the other hand, we felt that if this House now wants to reverse its position it has a perfect right to do so. Our action is intended to allow the House to reverse its action if this is its desire. I feel that you have that right. As your agent I did not have it.

The motion I have made gives you the opportunity to decide for yourselves. I believe that is fair to all. I am for the food stamp program, so I shall vote "aye."

Before I complete my statement I want to express my appreciation to my colleague from Oklahoma [Mr. BELCHER]. Although he does not agree with me as to the desirability of the food stamp program, he has cooperated to bring this matter to a vote. Let me also express my appreciation to the lady from Missouri [Mrs. SULLIVAN], who has worked so hard for the program. I have disagreed with her methods, but never her motives.

I yield now 30 minutes to the gentleman from Oklahoma [Mr. BELCHER].

Mr. BELCHER. Mr. Speaker, I have always opposed the food stamp plan and opposed it here when it passed the House. The House did not agree with me. They passed the bill for a 1-year extension. The Senate passed a 3-year extension. We have had a meeting of the conferees between the House and the Senate several times. We have not been able to get together. Today we had another meeting, and we agreed to disagree and report back to each house for further instructions. The Senate took the bill back to the Senate and made an amendment to their original bill for 2 years instead of 3 years. In my opinion, the House will probably sustain the 2-year version for the reason that in the first place the Senate met us halfway. There is no question of bullheadedness or stubbornness on the part of the Senate. We asked them to accept the 1-year, and we stood pat all this time. The chairman and I stood pat today. As far as I am personally concerned, I do not see anything to be gained by fighting the matter any longer. I do not think the House will turn down a bill if it means either 2 years or no bill.

There is one other fact to take into consideration, and that is the fact that the appropriation bill for the Department of Agriculture, as I understand it, cannot be passed, an act in the amount of $6 billion or $7 billion, until some disposition is made of this food stamp bill.

Mr. Speaker, I always fight the issues involved just as hard as I possibly can. I fought the issue involved in this particular case. However, I got overruled. I feel that the attitude of the House will be to accept this amendment and concur in the Senate amendment.

If that is true, that is all right insofar as I personally am concerned. I do not care to carry the fight any further. I know, however, that when it comes to a vote, of course, I shall vote against it.

Mr. SCHERLE. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. Yes, I yield to the gentleman.

Mr. SCHERLE. Can the gentleman tell me whether we are still supplying food stamps to the hippies in Drop City, Colo.?

Mr. BELCHER. No, I cannot tell the gentleman that. There have been a lot of things in the food stamp plan that I do not personally agree with and of which I do not approve. I do not know whether that has happened or not.

Mr. EVANS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. Yes, I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. Mr. Speaker, I respond to the gentleman from Iowa [Mr. SCHERLE] by saying that the city to which the gentleman refers which is located in the congressional district which it is my honor to represent. I am happy to report that they are not receiving any of these funds for the purchase of food stamps.

Mr. SCHERLE. Mr. Speaker, will the gentleman yield further?

Mr. BELCHER. Yes, I yield further to the gentleman from Iowa.

Mr. SCHERLE. Will the gentleman from Colorado tell me whether or not, or for how long a period of time, the Government has supported a food stamp program for the hippies that have gathered in the State which is represented by the gentleman from Colorado [Mr. EVANS]?

Mr. EVANS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. Yes, I yield to the gentleman from Colorado in order to respond to the gentleman from Iowa.

Mr. EVANS of Colorado. Well, I will respond to the gentleman from Iowa [Mr. SCHERLE] by saying, I do not know exactly how much time elapsed, but it was not too long after the discovery was made that they were there and had applied for food stamps and had received food stamps that the decision was made that they do not qualify and thus were denied the benefits of the food stamp program.

Mr. SCHERLE. Mr. Speaker, will the gentleman yield further?

Mr. BELCHER. Yes, I yield further to the gentleman from Iowa.

Mr. SCHERLE. But, for a short period of time they were issued food stamps, although they are no longer qualified to receive them?

Mr. EVANS of Colorado. That is correct.

Mr. SCHERLE. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. Yes, I yield to the gentleman from Iowa.

Mr. GROSS. Let me see if I have this correct: This is a 2-year program?

Mr. BELCHER. That is correct.

Mr. GROSS. And, what is the cost per year?

Mr. BELCHER. I will ask the chairman of the committee, the gentleman from Texas [Mr. POAGE], to respond to that question.

Mr. POAGE. The authorization now exceeds $200 million for the fiscal year ending June 30, 1968, and not to exceed $225 million for the fiscal year ending June 30, 1969.

Mr. GROSS. So, this is something above a $400 million program, or is a program which represents the expenditure of funds amounting to close to one-half billion dollars?

Mr. BELCHER. That is correct.

Mr. GROSS. Am I wrong in my memory that the President of the United States asked the Congress to cut back upon expenditures?

Mr. BELCHER. I do not think the gentleman is wrong in his memory. I see that in the paper quite often.

Mr. GROSS. Well, this scarcely coincides with the President asking the Congress to reduce expenditures; is that not correct?

Mr. BELCHER. No; that is one of the reasons why I voted against it when we had it up here to be passed originally. I went along with a whole lot of other Members. However, I never was sold on the bill to start with, but it passed the House, and under the circumstances which now exist the proper approach is to accept the Senate amendment. I see no other alternative. I would be willing to fight from now on, except for that fact.

Mr. GROSS. Who is it that says that there will be no agricultural appropriation bill passed until and unless this bill is disposed of?

Mr. BELCHER. Well, my understanding is that there is some disposition to accept this compromise because this is contained in the agricultural appropriation bill, and some decision has to be made on it before we take the bill back for final approval.

Mr. GROSS. There would be no harm in taking this money out of the bill, would there?

Mr. BELCHER. Of course, that is what I tried to do from the very beginning on it.

Mr. GROSS. That would be a service to the taxpayers of this country, would it not?

Mr. BELCHER. I think it would. But nevertheless, as I told the gentleman, I fight the issues just as hard as I possibly can. I voted with the gentleman all the way through on that issue. I voted with the gentleman when we had the peanut bill up. The gentleman will recall that. But, nevertheless, there comes a time when it does not necessarily serve a purpose to keep on fighting and losing battles.

Mr. POAGE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Speaker, I am glad this logjam has been broken finally, and that we are now being given an opportunity in the House to pass in final form a food stamp bill to authorize a continuation for at least 2 years of one of the most successful antipoverty programs of the Federal Government.

Now that the stalemate has been overcome, this is perhaps not the time for complaints about how long the issue has been dragged out. The important thing is that the House conferees, have provided the rest of us with a chance to vote on the bill. So I thank the chairman of the Committee on Agriculture and his four colleagues who were the House conferees for finding a way to resolve the issue.

The legislation, as it is now before us, would continue the food stamp authorization for 2 years, and set ceilings on appropriations of $200 million for the current fiscal year which began July 1, and $225 million for the 1969 fiscal year. As passed by the Senate, it also requires that the funds be appropriated directly and not come out of section 32 funds. There is no reason why all of us who believe in the food stamp program cannot support the bill in this form.

As the Members know, the administration bill which I introduced called for an open-ended appropriation authority and for indefinite extension of the program. The law we enacted in 1964 was permanent legislation but the appropriation authorization was for only 3 years. The bill we are now considering would extend that authorization for only 2 more years. This is, of course, far better than the legislation which we passed in the House in June, which provided for only a 1-year extension. The Senate had passed a 3-year extension. It has taken since June to get this bill out of conference in one way or another so that both Houses could compromise on a 2-year bill. It is not the bill I introduced, but I nevertheless am more than willing to support this compromise in order to keep the program alive and to allow it to continue to expand.

Under the bill in its present form, New York City and Boston, and many other areas of the country which do not have the food stamp plan in operation, will be able to apply for certification, so that their low-income families can enjoy a good diet in the American way. The ceiling of $200 million for the current fiscal year should permit expansion of the program from nearly 2 million people to about 2½ million this year, and to more than 3 million next year, when the appropriation ceiling would be $225 million. This certainly does not include all of the poor people in this country who need the help of the food stamp program in order to enjoy an adequate diet. But it is a very respectable expansion of a program which began originally with just a few hundred thousand people 6 years ago.

There is no reason in the world why this legislation has been tied up so long in a fruitless controversy over whether it should be extended for 1 year or 3 years or 2 years. However, as I said, this is not a time for recriminations. I am just glad that we have gotten it to the point of passage. No one has pointed to any scandals or serious shortcomings in the administration of this program. The most important criticisms have been directed not at the laxity of administration but the severity of the purchase requirements in buying the stamps. Secretary Freeman has reduced the minimum purchase requirement to 50 cents per person in Mississippi, so that should take care of the most serious participation problem we have had under the program. There is room for flexibility in the administration of this program, as I have insisted from the start. It is certainly not perfect.

But as I said, it is undoubtedly the most successful antipoverty program we have had for enabling poor families to eat properly. This is basic. If children are underfed, undernourished, no other program of Government is going to help them to overcome environmental problems. They cannot learn on an empty stomach. Families which cannot eat properly certainly will have very little motivation other than to find a way to overcome hunger. In this rich country with such an abundance of food, we would have a right to feel deep shame if we were unable to feed our own people a decent diet. This legislation solves that problem for us in an intelligent and effective and efficient manner. I urge its passage.

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MOORE. I rise in support of the motion by the gentleman from Texas [Mr. POAGE] to concur in the Senate amendment to the House bill. I feel this 2-year extension of the food stamp program, under the circumstances, is much needed and desirable. It is far preferable to the original proposal.

I have favored the food stamp program since its inception, and since the first pilot project was inaugurated in McDowell County, W. Va., it has proven beneficial to thousands of individuals in my State. For that reason, Mr. Speaker, I will cast my vote for this nonpartisan program and would urge my colleagues to do likewise.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. POAGE] that the House concur in the Senate amendments to the House amendment to S. 953.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 196, nays 155, not voting 81, as follows:

[Roll No. 262]

YEAS—196

Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.

Annunzio
Ashley
Bevill
Biester
Bingham
Blanton

Boggs
Boland
Bolling
Brademas
Brasco
Brooks

Brotzman
Brown, Calif.
Burke, Mass.
Burton, Calif.
Byrne, Pa.
Cahill
Carey
Carter
Clark
Cohelan
Conte
Corbett
Corman
Culver
Daniels
Dawson
de la Garza
Delaney
Dent
Dingell
Donohue
Dow
Dulski
Duncan
Eckhardt
Edmondson
Edwards, La.
Eilberg
Esch
Evans, Colo.
Everett
Evins, Tenn.
Farbstein
Fascell
Fino
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Gathings
Gibbons
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harsha
Harvey

Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Holifield
Horton
Howard
Hungate
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Kazen
Kee
Kelly
Kupferman
Kyl
Kyros
Landrum
Long, Md.
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
Machen
Mahon
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Mills
Mink
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, Ill.
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper

Perkins
Philbin
Pike
Poage
Pryor
Purcell
Quie
Randall
Rees
Reid, N.Y.
Reifel
Resnick
Reuss
Rhodes, Pa.
Riegle
Rogers, Colo.
Ronan
Rosenthal
Rostenkowski
Roush
Roybal
Ruppe
St Germain
St. Onge
Saylor
Scheuer
Schweiker
Schwengel
Shipley
Sisk
Skubitz
Slack
Smith, Iowa
Stafford
Staggers
Stanton
Steed
Stratton
Stubblefield
Sullivan
Thompson, Ga.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Walker
Wampler
Watts
Whalen
White
Whitten
Widnall
Wright
Yates
Young
Zablocki
Zwach

NAYS—155

Abbitt
Abernethy
Adair
Andrews, Ala.
Arends
Ashbrook
Ashmore
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bolton
Bow
Bray
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Cabell
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cowger

Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Devine
Dickinson
Dorn
Dowdy
Downing
Edwards, Ala.
Eshleman
Findley
Fisher
Flynt
Fuqua
Galifianakis
Gardner
Gettys
Goodell
Goodling
Gross
Grover
Gurney
Hagan
Haley
Hall
Hansen, Idaho
Henderson
Hosmer
Hutchinson
Jarman
Jonas
Jones, N.C.
Keith
King, N.Y.
Kornegay
Laird

Langen
Latta
Lennon
Lipscomb
Lloyd
Lukens
McClory
McClure
McCulloch
McEwen
MacGregor
Mailliard
Marsh
Mathias, Calif.
Michel
Miller, Ohio
Minshall
Mize
Montgomery
Morton
Myers
Nelsen
Nichols
O'Neal, Ga.
Passman
Pettis
Pickle
Pirnie
Poff
Pollock
Price, Tex.
Quillen
Reid, Ill.
Reinecke
Rhodes, Ariz.
Rivers
Roberts
Robison
Rogers, Fla.
Roth

Roudebush
Rumsfeld
Satterfield
Schadeberg
Scherle
Schneebeli
Scott
Selden
Shriver
Sikes
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Steiger, Ariz.
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tuck
Vander Jagt
Waggonner
Watkins
Watson
Whalley
Whitener
Wiggins
Williams, Pa.
Winn
Wydler
Wylie
Wyman
Zion

NOT VOTING—81

Adams
Addabbo
Aspinall
Barrett
Blackburn
Blatnik
Brinkley
Brock
Broomfield
Button
Byrnes, Wis.
Casey
Celler
Conyers
Daddario
Davis, Ga.
Diggs
Dole
Dwyer
Edwards, Calif.
Erlenborn
Fallon
Feighan
Ford, Gerald R.
Fountain
Frelinghuysen
Garmatz
Giaimo
Gilbert
Gubser
Halleck
Harrison
Hays
Hébert
Herlong
Hicks
Holland
Hull
Hunt
Johnson, Pa.
Karth
King, Calif.
Kirwan
Kleppe
Kluczynski
Kuykendall
Leggett
Long, La.
McCarthy
Madden
Martin
Meskill
Miller, Calif.
Minish
Moore
Multer
Murphy, N.Y.
Pelly
Pool
Price, Ill.
Pucinski
Railsback
Rarick
Rodino
Rooney, N.Y.
Rooney, Pa.
Ryan
Sandman
Steiger, Wis.
Stephens
Tenzer
Thompson, N.J.
Thomson, Wis.
Tunney
Utt
Williams, Miss.
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wyatt

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Moore for, with Mr. Utt against.

Mrs. Dwyer for, with Mr. Bob Wilson against

Mr. Button for, with Mr. Martin against.

Until further notice:

Mr. Kirwan with Mr. Gerald R. Ford.

Mr. Hébert with Mr. Frelinghuysen.

Mr. King of California with Mr. Halleck.

Mr. Addabbo with Mr. Erlenborn.

Mr. Rodino with Mr. Byrnes of Wisconsin.

Mr. Minish with Mr. Broomfield.

Mr. Gilbert with Mr. Harrison.

Mr. Daddario with Mr. Johnson of Pennsylvania.

Mr. Giaimo with Mr. Pelly.

Mr. Feighan with Mr. Gubser.

Mr. Kluczynski with Mr. Sandman.

Mr. Blatnik with Mr. Bow.

Mr. Murphy of New York with Mr. Thomson of Wisconsin.

Mr. Multer with Mr. Railsback.

Mr. Garmatz with Mr. Hunt.

Mr. Fallon with Mr. Kleppe.

Mr. Charles H. Wilson with Mr. Meskill.

Mr. Wolff with Mr. Wyatt.

Mr. Tenzer with Mr. Brock.

Mr. Rooney of New York with Mr. Blackburn.

Mr. Celler with Mr. Kuykendall.

Mr. Hays with Mr. Steiger of Wisconsin.

Mr. Holland with Mr. Diggs.

Mr. Thompson of New Jersey with Mr. Conyers.

Mr. Barrett with Mr. Pool.

Mr. Adams with Mr. Rarick.

Mr. Leggett with Mr. Herlong.

Mr. Madden with Mr. Williams of Mississippi.

Mr. Fountain with Mr. Casey.

Mr. Rooney of Pennsylvania with Mr. Davis of Georgia.

Mr. Hull with Mr. Long of Louisiana.

Mr. Stephens with Mr. Willis.

Mr. Aspinall with Mr. Tunney.

Mr. Miller of California with Mr. McCarthy.

Mr. Price of Illinois with Mr. Brinkley.

Mr. Hicks with Mr. Edwards of California.

Mr. Ryan with Mr. Karth.

Mr. WAGGONNER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

CORNELIU MANESCU—CANDIDATE FOR PRESIDENT OF U.N.?

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I have read with great concern continuing reports that the administration is seriously considering supporting Corneliu Manescu, Foreign Minister of Communist Rumania, for the presidency of the United Nations General Assembly next session. The idea that we would give a second thought to such a mockery of freedom appalls me and I urge my colleagues here in the House to voice their protests to the White House.

Communist Rumania openly supports the Vietcong in its war against South Vietnam and supports them with strategic materials that are being used, daily, to slaughter American servicemen. The United States is the subject of repeated, vicious attacks in the state-controlled press of Rumania and there is no freedom anywhere in the nation. Even the leftist New York Times calls it "the most oppressive regime in Eastern Europe."

Rumania boasts that their cooperation with Russia is the cornerstone of their foreign policy and as long as this is true, it is unthinkable for the United States to support, directly, indirectly or by passively taking no position, any Rumanian Communist for the presidency of the General Assembly.

I make no bones about my position concerning the United Nations. For 10 years I have advocated that we withdraw from it and form in its place an international council of free nations.

Had we taken steps to create such an organization to take the place of the U.N. when I first proposed it, we would have today an effective worldwide body of nations dedicated to peace, working constructively for peace. Instead we are stuck with the same old discredited, Communist-dominated, U.S.-financed gabfest.

After the debacle of the Middle East crisis this summer there should not be any reasonable men left who has confidence in the U.N.'s ability to mediate disputes or maintain peace. Certainly any desire to promote peace will in no way be advanced by having a Communist from an Iron Curtain country as the President of the General Assembly. The only time the U.N. takes any active part in any dispute is when there is a desire to do so on the part of the leadership. Thus, no action is taken against Communist Cuba, yet sanctions are enforced against Rhodesia; a classic case of activity resulting from selfish interest rather than principle. With a Communist sympathizer as its head and a Communist as President of the General Assembly, there will be absolutely no inclination in the U.N. to pursue democratic principles in the future.

Not only should this administration announce without equivocation that it does not support Rumania's Foreign Minister, but it should announce that it will exert every ounce of its fading prestige to see that he is not elected.

The U.N. has been brought to the edge of nothingness by the direction of the profoundly anti-American U Thant. With a fellow Red in the presidency of the General Assembly, the entire concept of a body of "peace-loving nations" becomes sheer foolishness. Every voice of protest against Manescu is a drop of water on the stony heads of the State Department and I plead with my fellow Members to raise their voices before it is too late.

BILL TO INCREASE NUMBER OF SUPREME COURT MEMBERS

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, I am introducing today a bill that would augment the Supreme Court by permitting an increase in its number from nine to 15. This would aid it in disposing of the constantly increasing volume of its workload and grant the Chief Executive an opportunity to add to the Court members aware of not only what the law should be, but also aware of what the law is.

The need for this bill is, I think, illustrated daily and as one example, I include a letter of a present member of the Court to the editor of the Christian Science Monitor and published therein, September 14, 1967:

SPECIAL TRUST

TO THE CHRISTIAN SCIENCE MONITOR:

In a recent Monitor you carried an article by your distinguished Erwin D. Canham, called, "The right of dissent." In that article he says, "There are laws against treason, in peacetime as well as in war. When does dissent become treason?"

The Constitution defines "treason" as follows: "Art. 3, Sec. 3. Treason against the United States shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort."

This comes into play when there is "war" and "war" comes into being by a "declaration" by Congress, as provided in Article I, Sec. 8. The difference between "war" and a state of hostilities is tremendous—as constitutional students know.

So it is a form of illiteracy to talk about "treason" and "war" in the constitutional sense when speaking of those who voice their dissent against our Vietnam policies.

Sedition, of course, is quite a different thing. Whether speech alone could ever qualify is a much mooted question. It was so condemned in one case where "war" had been declared and was in process.

It was condemned in another case where there was a "conspiracy" to teach the noxious creed even though there was no "war" in existence.

But there were qualifications originally stated by Mr. Justice Holmes in the "clear and present danger" test.

The terms "treason" and "war" as used in the Constitution are words of art. The truck drivers and field hands of the nation cannot be expected to undstand subtle constitutional nuances.

But news editors who mold public opinion have a special trust, a special responsibility.

Justice WILLIAM O. DOUGLAS,
Supreme Court of the United States.
WASHINGTON.

[It is with utmost temerity that a mere newspaperman should disagree with a Supreme Court Justice. Frankly, though, I do not see the basis of Mr. Justice Douglas' statement that Sec. 3 of Art. III only comes into play "when there is war." The section says that treason consists not only "in levying War against them," but "in adhering to their Enemies, giving them Aid and Comfort." It seems to me giving aid and comfort to enemies can happen in these days when a declaration of war is somewhat unlikely under certain conditions. At least one federal district court has stated that, "In times of peace it is treason for one of our citizens to incite war against us." U.S. v. Stephan, 50 F. Supp. 738 at 741–42 (1943) E. D. C.]

Some refer to this bill as a "Court packing" proposal. From this letter you can see that it is not. The Court is packed already.

THE VICTORY OF THE "INTREPID"

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I believe that all of us in the Congress and throughout America would wish to salute with deep pride *Intrepid*'s overwhelming victory and successful defense of the 20th challenge for the America's Cup. *Intrepid*, skippered with consummate skill and seamanship by Bus Mosbacher of White Plains, N.Y., was sailed by a topflight, talented, and hardworking crew. *Intrepid* led not alone in each of the four races but also ran ahead on each leg of all the races.

Intrepid's victory is, I think, a tribute to many in the United States who shared in this endeavor, including Olin Stephens, the understated and gifted designer of the Cup defender; Bus Mosbacher, the successful skipper now for a second time; and the very fine crew, composed of Ned Hall, Jory Hinman, Toby Tobin, Billy Kelly, Bob Connell, Bizzy Monte-Sano, Buddy Bombard, David Elwell, Sam Wakeman, Bill Strawbridge, and Vic Romagna.

While our most hearty "well done" goes to the *Intrepid*, in her victory we also salute the three other fine boats who participated in the America's Cup trials and, in the words of Yachting magazine, "devoted their summer, and more, to the quest for the America's Cup." The *Constellation*, the 1964 Cup winner, was skippered by Bob McCullough, and her crew included John Browning, Norris Strawbridge, Rich DuMoulin, Tom Young, Dick Strawbridge, Westy Saltonstall, George O'Day, David Rockefeller, Jerry Silverman, and Putter Brown. The skipper of *American Eagle* was George Hinman and his crew consisted of Tony Parker, John Dickerson IV, Steve Colgate, John and Tony Termaine, Clayton Ewing, Irving Pratt, John Nichols, Konrad Ulbrich, and John Kelly. Briggs Cunningham skippered *Columbia* and his crew was Tom Schock, Burke Sawyer, Fred MacDonald, Don Vaughn, Rob Dougan, Kent Edler, John Creed, James Jones, Pat Dougan, and Bill Ficker.

Equally, I think, we should pay tribute to *Dame Pattie*, the spirit of Australia, and to Jock Sturrock, her skipper, for the national effort and sportsmanship shown throughout the race. Her fine crew included Pod O'Donnell, John Taylor, Tony Ellis, Michael Greenaway, Andrew White, Sandy Schofield, Richard Dickson, Norm Booth, Bill Barnett, Norm Wright, Bob Thornton, and Ed Beacham.

Intrepid's victory marked the 20th unsuccessful attempt to wrest the America's Cup away from the United States since 1851, when the trophy was first established after the schooner *America* beat Britain's best yacht to win the Royal Yacht Squadron 100-guinea cup.

It is a measure of the international spirit that characterizes these races over more than a century that Australia has given so freely and so painstakingly of her time and effort to make the series worthwhile, and we would certainly hope that there will be another race in this fine tradition in which Australia will again participate.

Under unanimous consent, I am inserting in the RECORD a history of the America's Cup race that appeared in the September 1967 issue of Yachting and the front-page story from today's New York Times giving an account of the final and winning race, which decided the series 4 to 0.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I join the gentleman in complimenting the victorious vessel and crew and our very fine neighbors across the Pacific but I also suggest that while we are speaking on the subject of yachting, we stay off the subject of tennis while talking about sports in recent times.

Mr. REID of New York. I think the Australians deserve great credit for their attainment in tennis. I am glad that we can return the compliment in yachting.

The articles mentioned above follow:

[From Yachting, September 1967]

THE CUP CHRONOLOGY—A DIGEST OF THE COMPETITION SINCE 1851

(By Alfred F. Loomis)

Of all the races that have been run since seafarers started sailing for the fun of it none has had so profound an effect as that of August 22, 1851, when the 102-foot schooner *America* raced around England's Isle of Wight and won the Royal Yacht Squadron's 100-guinea cup. The prize for defeating Britain's best in this 53-mile event was valuable in itself. After it had been presented to the New York YC by the syndicate which owned *America*, renamed The America's Cup and placed in international competition, it became invaluable. Nineteen attempts have been made to remove it from the custody of Americans and in the process all the concomitants of sailboat racing from yacht design to helmsmanship and crew technique have developed and improved.

The first defense of the Cup occurred when James Ashbury's 108' schooner *Cambria*, bearer of a challenge from the Royal Thames YC, arrived in our waters after having narrowly defeated James Gordon Bennett's schooner *Dauntless* in a race from Daunt Rock, Ireland, to Sandy Hook, New York. We raced a fleet of 23 sloops and schooners against the lone Britisher around a Sandy Hook course, and it was not altogether surprising that *Cambria* finished after seven American yachts had crossed the line or that she dropped to 10th place on corrected time and lost to Franklin Osgood's schooner *Magic* by a margin of 39 minutes and 12 seconds.

But Ashbury seemed to be a good sort and the following year came back with the 126' schooner *Livonia* and a challenge from the Royal Harwich YC. We agree to race only one boat against the challenger and to make it a series of the best four out of seven races. But we fudged a bit by lining up four defenders from which to choose, our choice to be determined by the state of the weather on any given day. As it happened we used only two of the four—the light-weather schooner *Columbia* and the heavy-weather schooner *Sappho*. *Columbia* won the first two and might have taken the third had it not come on to blow. On the beat out to the lightship she parted her flying jib stay, losing a few precious minutes, and on the run home broke her steering gear. *Livonia* won by a comfortable 15-minute margin. The score then being two to one, we sailed *Sappho* in the fourth race in which a slack air at the start hardened into a reefing breeze, and we beat *Livonia* by more than half an hour. *Sappho's* margin for the fifth race was nearly half an hour.

Canada had a try at the Cup in the centennial year of our independence. Toronto's Royal Canadian YC challenged with the syndicate-owned schooner *Countee of Dufferin*, which lost two races to John S. Dickerson's schooner *Madeleine*. The venerable *America*, then owned by General Benjamin F. Butler, accompanied the two centerboarders around the course, keeping out of the way, and was sprightly enough to beat *Countess* by 20 minutes, which was only seven minutes less than *Madeleine's* winning margin.

The Bay of Quinte YC of Lake Ontario challenged five years later with the 70' cb. sloop *Atalanta* and we defended with the 67' sloop *Mischief*, affectionately known as the "Iron Pot." After having won two races by 28 and 39 minutes, we Americans realized that *Atalanta* was a dangerous skimming dish whose draft was identical with that of *Mischiefs*. Should a future, faster centerboarder be towed to New York, as *Atalanta* was, via the Erie Canal, there was no telling what might happen to the America's Cup. The deed of gift was changed so that only a club having an ocean water regatta course could challenge and so the challenger must arrive for the match under sail on her own bottom.

For the first time the Royal Yacht Squadron entered the lists and for good measure challenged with Sir Richard Sutton's cutter *Genesta* and with Lt. William Henn's cutter *Galatea*. The former was met by the cb. sloop *Puritan*, designed by Edward Burgess and owned by a Boston syndicate headed by General Charles J. Paine. *Puritan* won two races and retained the Cup, though the contenders came four times to the starting line. On the first day there was too little air. On the second *Puritan* fouled *Genesta* and the committee awarded the race to *Genesta* if she sailed around the course. Sir Richard courteously rejected the offer, saying that he had come for a race and not a sailover. On the third try, which *Puritan* won by more than 16 minutes, there was spectator interference. But the British sportsman remained good tempered, and at the conclusion, when *Ge-*

nesta lost by only 1 minute 28 seconds, she hailed the winner with three rousing cheers.

Postponed a year, the challenge of Lt. Henn and his cutter *Galatea* was tendered not by the Yacht Squadron but by the Scottish Royal Northern YC. General Paine commissioned Burgess to design a new centerboarder for his own account. The design of this beamy, powerful centerboard sloop was so different from that of the extreme "plank-on-edge" challenger that the series became known as the battle of the types. *Mayflower* won two races with margins of 11 and 29 minutes.

The Royal Clyde YC of Scotland now challenged on behalf of James Bell with the cutter *Thistle* from the designing board of George L. Watson, whose later *Britannia* became the most famous of all British racing yachts. Built behind closed doors, *Thistle* proved inferior to the third Paine-Burgess defender. The match, won easily by *Volunteer* in two straight races, was attended by mutual distrust and acrimony.

There was worse to come. Changes in the deed of gift required, among other things, a future challenger's waterline length and beam, extreme beam and draft to be made known 10 months in advance. The British, as represented again by the Royal Yacht Squadron, charged in 1889 that such information would permit us to outbuild any yacht that they designed, and broke off negotiations for a challenge on behalf of the Earl of Dunraven. It was not until 1893 when we demanded only the length of a prospective challenger that dickering was resumed, and Lord Dunraven re-entered the fray with *Valkyrie II*, a new 92' sloop of Watson's design. In the meantime Edward Burgess had died and Nathaniel G. Herreshoff had entered upon a career that continued with success after success for an entire generation. His 124' bronze sloop *Vigilant* owned by a New York syndicate headed by C. Oliver Iselin, defeated *Valkyrie II* in three straight races.

Next came *Valkyrie III* and a whole packet of disagreeable contention. Lord Dunraven unjustly charged after losing the first of three races that the waterline length of our *Defender* (for such was the name of the new Herreshoff creation) had been illegally increased by the addition of ballast. After loss of the second race Dunraven accused *Defender* of having fouled *Valkyrie* at the start, although photographs subsequently revealed that *Valkyrie* had in fact fouled *Defender*. The irascible Earl withdrew after the start of the third race, charging that spectator crowding made it impossible for him to sail without danger. By such tactics the challenger virtually forced the New York YC into the dual role of judge and executioner and Dunraven was "tried" by the club, deemed guilty of conduct unbecoming to a gentleman and a lord, and was expelled from honorary membership.

The Lipton Era, 1899–1930. Fortunately for the continuance of America's Cup racing there was nothing contumacious about Sir Thomas Lipton, the tea vender, for whom the Royal Ulster YC gladly tendered five successive challenges in 1899, 1903, 1905, 1914 (sailed after the completion of World War I in 1920) and 1930. Sir Tommy, who knew little about yachting but who had good advisers, chose Will Fife of Fairlea for the design of his first *Shamrock,* Watson for the second, Fife again for the third and then the greatest of them all, Charles E. Nicholson for *Shamrocks IV* and *V*. For our part we had "Mr. Nat" Herreshoff for the design of a second *Columbia* (1899 and 1901) *Reliance* (1905) and *Resolute* (1920). By 1930 Mr. Nat had retired. As the head of a New York syndicate it was entirely fitting that Harold S. Vanderbilt should select W. Starling Burgess, son of Edward, to design the yacht which was chosen to defend.

These five matches, sailed out of New York Harbor until 1930 when the scene was sensibly shifted to Newport, totaled 18 races, in one of which the American defender *Resolute* withdrew because her main halyard had rendered on its winch drum. All the *Shamrocks* lost all the other races with such good will that Sir Tommy became known as the world's most gallant loser.

J-Boat Era, 1930–1937. The overlap of the eras is intentional. By mutual consent *Enterprise* and *Shamrock V* were built to the top of the Universal Rule of Measurement for the J Class. Therefore, contenders had been rated in successive matches according to one formula or another and the races had been scored on handicap. But the J-boats were built to a rule embracing sail area, hull dimensions and other essential factors which arrived at a certain rating, in this case 76. So the contestants for the first time in the long history of the Cup raced without handicap on a boat for boat basis. *Enterprise,* with Vanderbilt at the helm, won the first, second and fourth in approximately 3, 10 and 5 minutes. *Shamrock V* withdrew from the third race with a parted main halyard.

After a lapse of 39 years the Royal Yacht Squadron once again threw down the gauntlet in behalf of the noted airplane manufacturer, T.O.M. Sopwith, whose Nicholson-designed yacht *Endeavour* was generally conceded to be the fastest and most beautiful of them all. But Vanderbilt, skippering the new Burgess-designed *Rainbow,* was a better helmsman and tactician. After losing two races of a four-in-seven match, a predicament in which no preceding defender had ever been, Vanderbilt rallied himself and his troops (among whom were the late Sherman Hoyt and Frank Paine) and took the next four in a row.

The RYS, Sopwith and Nicholson came forth with *Endeavour II* but, alas, for all their hopes, Vanderbilt built at his own expense to the joint design of Burgess and Olin Stephens, a new J which was selected to defend the Cup. *Ranger* was such a breakthrough in speed potential that she won four races in a row and in the fourth broke the course record which had been set in 1934 by *Endeavour* and prior to that in 1930 by *Enterprise*. *Ranger's* time for a 30-mile equilateral triangle was 3 hrs. 7 ms. 49 secs.

The second World War came and put a stop forever to racing among the lofty J-boats. Recognizing the economic changes, the New York YC appealed in 1956 to New York's Supreme Court for permission to alter the America's Cup deed of gift so that yachts of 44' w.l. (instead of 65') could compete for the trophy and so that the challenger need no longer be brought on her own bottom to the scene of the conflict. There resulted a challenge from the Squadron on behalf of *Sceptre,* a 12-Meter to the design of David Boyd. We defended with the new Stephens-designed *Columbia*. With Briggs Cunningham at the helm of the third Columbia, the result of the 17th match for the America's Cup was a foregone conclusion five minutes after the start of the first race. The first two races were sailed in light airs and were lost by *Sceptre* by margins of 7 ms. 44 secs. and 12 ms. 52 secs. People said that *Sceptre* needed wind. She got it—22 knots in the third race and 15 knots in the fourth—and lost by 8:20 and 7:5.

The first challenge from Australia, by Sir Frank Packer with Jock Sturrock in the Alan Payne-designed *Gretel* representing Royal Sydney YC, produced an interesting, hard-fought series and the first race win by a challenger since 1934. After losing the opener by 3:42 to the experienced Bus Mosbacher in Henry Mercer's Phil Rhodes-designed *Weatherly,* the first "non-maiden" to defend since 1901, *Gretel* took the second race. After a back-breaking tacking duel in heavy air, *Gretel,* 12 seconds astern at the second mark of a 24-mile triangle, broke through under spinnaker, surging swiftly on one wave, and swept home ahead by 47 seconds to touch off a wild celebration by her crew. Missing another heavy breeze by opting a lay day, the Aussies dropped a drifter by 8:40, and Mosbacher then staved off a severe challenge in the fourth race. By slick defensive maneuvers, he preserved a 26-second margin, closest finish in America's Cup history. In an anticlimactic finale, *Weatherly* won by 3:40, but the series had proved that 12-Meter match racing can be exciting.

This series did much to destroy that impression. With Bob Bavier at the helm, the Olin Stephens-designed *Constellation,* owned by a large syndicate, soundly trounced Peter Scott in Anthony Boyden's *Sovereign,* another David Boyd design, by margins of 5:34, 20:24, 6:33, 15:40 over 24.3-mile Olympic type courses. A masterful maneuver by Bavier at the start of the first race provided the only close action of the series. The summer was more notable for the exciting selection duel between *Connie* and *American Eagle* and for the first selection series to pick a challenger ever held in U.S. waters, in which *Sovereign* beat out her twin-hulled sister, *Kurrewa V*.

[From the New York Times, Sept. 19, 1967]

U.S. Yacht Sweeps Four-Race Match for America's Cup

(By John Rendel)

Newport, R.I., September 18.—The drama of a successful America's Cup defense was enacted for the 20th time today. Intrepid and a crew working with machinelike precision kept the symbol of world sailing supremacy in the United States, delivering a fourth straight thrashing to Australia's inadequate challenger, Dame Pattie. It was dull drama.

The latest of the line of cup defenders, not beautiful, but powerful and fast, swept across the finish line first by more than half a mile and with a margin in time of 3 minutes 35 seconds.

Intrepid became the third 12-Meter yacht to complete a four-race sweep since the class was introduced into the competition in 1958. Following the pattern of her previous successes, she sealed the victory after the first several minutes and led at every turn of the 24.3-mile, six-sided course by margins of up to three-quarters of a mile.

The blasts from the horns of spectator craft were tributes to the new queen of deep-sea racing and tributes also to Emil (Bus) Mosbacher, Jr. of White Plains, a successful America's Cup skipper for the second time, and to his 10-man crew.

Indirectly, tribute was paid also to Olin Stephens 2d of New York, the designer of a successful 12-Meter for the third time; the syndicate that financed Intrepid, and the Minneford Yacht Yard of City Island, which built her soundly and well.

At no time in the series did Jock Sturrock of Melbourne and his stalwart Aussies aboard the challenger have the weight of wind they had hoped for—the lighter the better.

Today's southwester, usually in the 12-to-14-knot range, came closest to their ideal, and there was hope at one stage when it faded to six knots or less.

Now they would return home never to be sure how much better their yacht would have been had the wind been always truly light.

RACE NEARLY POSTPONED

Intrepid followed Constellation, the 1964 defender, also Stephens-designed and Minneford-built, in a four-straight success.

The final race almost was not held. Fog that draped Rhode Island Sound from Brenton Reef light tower to the starting line at the America's Cup buoy seven miles away had lifted, then settled again just as the starting routine began.

It was 2 P.M. before the start was made, 1 hour 50 minutes behind schedule. With the fog rolling back again, spectators thought a postponement signal would be broken out, but instead the yachts went on their way and the fog dissipated into haze for the rest of the afternoon.

The fog held the spectator vessels to about 75 boats, a small number for an international event of the first magnitude. They were rewarded with the first really tense duel of the series. It lasted through the opening stages after an unorthodox start on which the yachts started on opposite tacks.

There was a close-quarters tacking duel that had those who followed cheering, but when it was over it was the same old story. Intrepid had her adversary firmly in hand, showing the windward prowess that has made her exceptional among her kind.

Intrepid nailed down the 62d American victory for the historic cup since the New York Yacht Club acquired possession through the victory of the schooner America in 1851. Since 1870, the year of the challenge, there had been only six defeats.

Intrepid entered the competition beaten only once in 20 selection trial races, that time through rounding a wrong buoy which proved that those aboard were human after all.

There was no mistake today, unless a false tack by Mosbacher that did not succeed was a mistake. And when the race was over there was a bit of byplay. Sturrock ordered the "N" flag hoisted to signify there would be no race tomorrow.

Intrepid acquired the clincher with customary consummate ease after a start on the port tack while Dame Pattie was on the starboard. It almost looked as if Mosbacher had joined the spectators in expecting a postponement signal instead of the starting cylinder. That's how thick the fog was.

It looked like the Aussies' day. The wind was about 12 knots and the sea ruffled only slightly. Sturrock had his yacht 100 yards to leeward when Mosbacher made his covering tack a minute from the gun. The Dame was moving briskly, ahead in clear wind. Intrepid was moving through the water better.

STURROCK STARTS DUEL

Ten minutes from the gun, Dame Pattie tacked. She was behind. Mosbacher put his yacht about on the challenger's weather bow and Sturrock started the short-tacking duel.

It lasted through a dozen tacks, one the false one that did not fool Sturrock, with both yachts going from one hand to the other cleanly and sharply and not more than a boat-length apart.

It was tense going while it lasted, with Sturrock fighting to clear his wind and Mosbacher equally determined to keep him pinned down. When it ended, Dame Pattie had her wind clear, all right, but she also was three boat-lengths, then four boat-lengths, to leeward and astern.

When the duel was broken off, Intrepid really began to climb upwind. She was around the Navy tug that was the weather mark 1 minute 25 seconds ahead.

Norris Hoyt, head of the English department at St. George's School in Newport had a stadimeter aboard the Coast Guard cutter Point Turner.

He figured that Intrepid was 230 yards ahead at the end of the short-tacking exercise and gaining steadily until it was 375 yards a quarter-mile from the Navy tug that was the weather mark. It was 515 yards early in the spinnaker reach that followed and slightly more when it ended.

The distance grew until it was three-quarters of a mile the second time they were on the wind. The next-to-last of the six legs was a 4½-mile run and it was toward its close that the wind faded and Dame Pattie made the only substantial gain of the entire series.

But it was not due so much to the challenger's superior downwind speed as to the fact that Intrepid almost ran out of breeze and the Dame did not.

Both tacked downwind and the wind threatened to quit altogether while the defender was where it was lightest. The Aussies held the better of it and reduced the distance to a quarter-mile.

It didn't mean a thing. Upwind for the last time, Intrepid was her wind-eating self again in freshing airs and doubled the distance.

THE SOCIAL SECURITY AMENDMENTS OF 1967

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on August 17 the Social Security Amendments of 1967 came to the floor under a closed rule which did not permit any amendments or points of order.

H.R. 12080 contained regressive features which presented a serious dilemma to many Members of the House. While proforma debate was permitted, concerned Members had to vote for or against this legislation as a whole, and it did include inadequate but sorely needed increases in social security benefits. No option was provided to amend the bill or to single out its negative provisions for defeat.

On August 28, 17 of my colleagues and I sent a letter to Members of the Senate Finance Committee citing the problems in the bill and urging them to take remedial action. Since then I have received various expressions of support. Among them are an appraisal of some of the regressive features of H.R. 12080 by the National Social Welfare Assembly of New York and a press release including a policy statement signed by 18 lawyers and law professors protesting the objectionable provisions.

I would like to call both of these thoughtful statements to the attention of my colleagues. The statements follow:

Crisis in Public Welfare Policy: Appraisal of Welfare Provisions of H.R. 12080

(By Elizabeth Wickenden, technical consultant on public social policy)

CALL TO ACTION

At no time in the memory of this generation have the friends of a progressive and humane welfare policy been so challenged as by the welfare provisions of the House-passed bill, HR 12080. This new version of the Social Security Amendments of 1967 replaces HR 5710 and includes a modification of the Administration's proposals for social insurance benefit increases and other changes in the social security program in its Title I. Title II, dealing with public welfare changes, is, however, almost totally new with no resemblance to earlier Administration proposals. Tragic results from its Draconian provisions (described below) can be anticipated unless immediate and effective action is taken to make clear to the Senate, through testimony and individual contacts, their full effect and implications.

* * * * *

CHANGES IN THE WELFARE PROGRAM FOR CHILDREN

General Effect.—The most drastic and punitive changes are those affecting children dependent upon or eligible for public assistance under Title IV (Aid to Families with Dependent Children) of the Social Security Act and their parents. The effect of these changes is to impose a more socially acceptable pattern of behavior (including the reduction of assistance rolls) on their parents by mobilizing the whole range of public welfare policies and services, including those now authorized under Title V Part 3 of the Act for Child Welfare Services, for the following purposes:

1. A requirement that all adults on the rolls, including mothers and out-of-school youth over 16, engage in work and training (unless specifically exempted) as a condition of receiving assistance. This work and training would be a required part of the state plan but could be administered directly by the public welfare agency or could be delegated to voluntary or profit-making organizations. An exemption from minimum wage requirements is recommended and no mention is made of labor conflict situations. Persons refusing such assignments without good cause could be penalized in the following ways:

a. They could be dropped from assistance.

b. Their grants could be cut by eliminating the adults from calculation of the family budget.

c. Assistance could be given in the form of voucher relief or payments could be made to a third party without the restrictions now governing such "protective payments".

d. Their children could be removed from the home by court order and placed in foster care.

2. Reduction of the incidence on assistance rolls of children in need because of illegitimacy or desertion by the following measures:

a. Required programs of family planning. Compulsion is not extended to the family but states are required to report the numbers to whom it has been offered and the "extent to which it has been accepted". The requirement that all states "establish programs to combat illegitimacy" and the financial penalties for failure (see d below) invite coercive approaches.

b. Required cooperation with law enforcement agencies in determining paternity, locating absent fathers (including the use of social security records for the purpose), and sharing in the cost of enforcing support orders.

c. Special requirements with respect to reporting neglect and abuse of children receiving assistance and referral of such children for foster home placement financed through AFDC grants. Past experience shows that the threat of child removal in cases of illegitimacy is a powerful deterrent to the mother's applying for assistance regardless of the child's need.

d. A financial sanction on the state failing to hold its broken family caseload which would either penalize all dependent children in the state or undermine the present right of all eligible children to apply for assistance, receive a prompt determination of eligibility, and equal treatment under the state plan. States would receive from the Federal government only the amount it would have received on a maximum broken home caseload equivalent to the January 1967 ratio of such children to the total state child population. A state with a rising incidence of need among broken families due to economic conditions or heavy in-migration would be obliged to impose more stringent eligibility conditions or reduce its level of payments if it were unable to appropriate more funds. Thus all children in need would be penalized.

Social Welfare Considerations.—HR 12080 contains many provisions long sought by various welfare organizations. These include: an increase in Federal financing for a variety of social services such as family counselling, day care, family planning, foster care and other protective child welfare services; for demonstration and other research projects;

for the special costs associated with work and training programs; for the training of social workers and their aides; and provision for an incentive exemption of earned income.

The question is whether otherwise desirable services and policies can be carried out under the shadow of a coercive and repressive policy without being discredited and their effectiveness destroyed.

Labor Policy Considerations.—Three areas of policy are involved:

1. Should all adults, including mothers, be required to work as a condition of receiving assistance? In addition to the question of compulsion this raises a basic question about the social value of a mother's work in the rearing of her children and caring for their home.

Under present law a bona fide job offer to an able-bodied male has been treated like other "resources" in determining eligibility for assistance but a mother is assumed to have some choice in determining whether her children's welfare would be best served by her working outside the home.

2. Can a universal and compulsory work program be mandated on a welfare agency without reducing such employment to a "work test", lending dignity neither to the job or the worker? Despite the excellent job done by many public welfare agencies under existing law in developing small work and training programs on a selective basis (especially in areas of their own competence), most welfare agencies are not well equipped to develop efficient and constructive public work on such a massive scale. These are needed (several bills are pending in Congress for this purpose) but could be administered under more appropriate auspices.

3. What would be the effect of such a massive compulsory work program on labor standards? While the bill states that other workers are not to be displaced, it permits the assignment of assistance recipients to private employers, suggests a sub-minimum wage level, and makes no reference to labor conflict situations.

Constitutional Considerations.—There is a serious question whether the provisions of HR 12080 would not lead to infringement of the constitutional rights of actual or potential assistance recipients in several areas including the following:

1. Can children in need because of illegitimacy or desertion be treated differently from other needy children without infringing the anti-discrimination provisions of the 14th amendment?

2. Can poor families receiving or applying for assistance be subject to a discriminatory application of child neglect laws?

3. Is the right to privacy invaded?

4. Can assistance recipients be compelled to work under the conditions specified in HR 12080 without infringing the 13th amendment protections against involuntary servitude?

5. In a program predicated on need can a different standard of eligibility be applied to recipients and applicants for aid by exempting earned income of those already on the rolls while denying supplementary assistance to those with lower earned incomes?

CHANGES IN TITLE XIX (MEDICAL ASSISTANCE FOR THE NEEDY)

Eligibility Levels.—A major restriction is placed on the level of eligibility for medical assistance for the medically indigent (persons not receiving cash assistance) on which the states may receive Federal reimbursement. Such eligibility levels may not be more than one and one third higher than the amount a similar family group would have received in cash assistance (this may actually be lower than the eligibility level for cash assistance where the state is paying less than 70% of budgeted need) or one third higher than the average per capita income in the state. For states already above this standard a transitional maximum of 150% on the same criteria is provided.

Range of Services.—States would no longer be required to provide the five basic types of service specified in the present law but could select among a larger number of formerly optional and less fundamental types of care.

Comparability Provisions.—For persons over 65 the states would not be authorized to provide services which could have been provided under Part B of the Medicare Program. They would no longer, however, be required to provide comparable services for persons under 65. The effect of this provision will probably be to delimit or reduce the care going to families with children.

Free Choice and Direct Payment.—Persons receiving medical assistance are to be assured a free choice of practitioners and facilities and the medically indigent may receive cash payments against their bills rather than direct payment. Many experts feel that this will result in exploitation of the patients and a lowered quality of care.

RECOMMENDATIONS

In such a drastic and wide range of policy changes each organization will need to single out its own area of special competence and concern. The following general considerations are, however, germane to all.

1. *Relationship to Social Insurance Improvements.* The best way to reduce assistance levels and costs is to assure other sources of adequate income and health care. It is thus important that groups concerned with the welfare policies of Title II express their support for more adequate social insurance benefits and policies as provided in Title I, including their recommendations for their improvement. For details on these provisions and needed changes, see memoranda prepared by the AFL–CIO Social Security Department.

2. *Desirable Goals in Welfare Policy.*—The Advisory Council on Public Welfare appointed under Congressional mandate proposed a comprehensive program of assistance and service based on Federal standards of adequacy and supported by a new pattern of Federal financing. Most organizations have formulated goals in their own areas of concern. These desirable goals should be stressed as an alternative to regressive policies.

3. *The original administration proposals* incorporated in HR 5710, on which House Ways and Means Committee hearings were held, contained useful, if limited, welfare improvements and none of the coercive elements of HR 12080. Some groups may wish to urge the Committe to return to this bill.

4. *The coercive elements* of 12080 should be eliminated from the bill in the Senate. These include the new and unnecessary sanctions imposed on individuals and the financial penalty imposed on states not holding their broken family caseload at the January 1967 level.

[From press release, Aug. 29, 1967]

POLICY STATEMENT SIGNED BY 18 LAWYERS AND LAW PROFESSORS

Deeply disturbed by the House passage of H.R. 12080, several attorneys issued the statement below. While signing as individuals, the lawyers are affiliated with the following organizations:

Project on Social Welfare Law New York University School of Law

Center on Social Welfare Policy and Law Columbia University School of Social Work

NAACP, Legal Defense and Educational Fund, Inc.

Mobilization For Youth, Inc.

American Civil Liberties Union

New York Civil Liberties Union

The statement reads:

"The undersigned lawyers and law professors urge congressional rejection of the welfare provisions of H.R. 12080. There are at least eight distinct features of this bill which are objectionable on policy and constitutional grounds.

"The bill would:

"(1) arbitrarily freeze federal participation in state payments to needy families with an absent parent;

"(2) encourage states to employ a variety of discriminatory measures which would penalize illegitimate children;

"(3) give congressional sanction to a version of the "man-in-the-house rule" recently outlawed by HEW regulations;

"(4) require state welfare agency disclosure to police officials of information about the private lives of impoverished families, obtained from them on a confidential basis as a condition of aid;

"(5) require harsh enforcement of child neglect laws against welfare clients, and encourage compulsory placement of welfare children in foster homes;

"(6) expand the use of methods of payments which severely restrict the freedom of choice of people receiving Aid to Families With Dependent Children;

"(7) force AFDC mothers to work, separating them from their young children;

"(8) and deny aid because of a parent's long-term unemployment, or on the basis of other classifications not related to a family's needs.

"Passage of this bill would arbitrarily deprive thousands of needy families of basic subsistence and deprive still thousands of others of constitutional liberties and human dignity."

Steven J. Antler, Leroy D. Clark, Norman Dorsen, Martin Garbus, Brian Glick, Jack Greenberg, Charles H. Jones, Jr., Alan H. Levine, Raymond F. Narral.

Burt Neuborne, Eleanor Holmes Norton, John De J. Pemberton, Jr., Stephen Ralston, Harold J. Rothwax, Lois P. Sheinfeld, Edward V. Sparer, Melvin L. Wulf, Stanley A. Zimmerman.

STRIKES AND LOCKOUTS A CONTINUING PROBLEM AND CHALLENGE

Mr. LLOYD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. LLOYD. Mr. Speaker, a continuing problem and challenge before the American people are strikes and lockouts which leave the general public paralyzed before the inability of the disputants to reach agreement. The possession of economic strength, the application of economic force, and the ability to absorb losses become the determining factors in settlement of these disputes rather than the application of judicial guidelines which are equitable both to labor and to management as well as to a civilized society.

This condition which exists in our country is perpetuated in the name of freedom. I hold that freedom should not be abused for personal gain and that when the great body of a citizenry is damaged that it is our responsibility to subject that freedom to proper surveillance.

I am today introducing legislation first offered in the other body by Senator ROBERT P. GRIFFIN, of Michigan, which would establish a permanent 15-judge Labor Court to bring judicial principles to bear in labor-management disputes when a material public interest is involved.

Two citations on this date are pertinent.

Last Friday, the special board appointed by the President to help settle the railroad shopcraft dispute made its report. I was a supporter of the resolution which established this special board. The resolution came under bitter attack by a great portion of organized labor, despite the fact that President Johnson, in requesting the legislation, pointed not only to the threat to an orderly domestic society of a nationwide tieup, but asserted that such a tieup would adversely affect the flow of supplies to Vietnam. Those of us who supported the resolution have been singled out for attack by labor in many labor publications and communications. The resolution was attacked as antilabor and a threat to free labor. The report of this special board negates both charges in my opinion. The recommendation of the board which was unanimous, despite a demurrer on the part of one member, recommended a settlement which was far more than that offered by management and was nearly equal to the demands which were made by labor. It provides for a 6-percent increase retroactive to January 1, 1967, and for another 5-percent increase effective next July 1. These increases are recommended in the face of threats of a "demand pull" inflation caused by excessive consumer purchasing power which this administration offers as a principal argument in support of a tax increase upon all the people. If ever there was proof that a compulsory settlement necessary in the public interest is neither an enemy of free labor nor antilabor in concept, this should be dramatic proof indeed.

The second citation I make today in support of a National Labor Court, is the strike in the copper industry. This strike has shut down 87 percent of the Nation's copper mines, 72 percent of the refining, 70 percent of the fabricating industry, and 99 percent of the copper smelting. In Utah alone, the strike has cost the economy nearly $24 million in lost salaries and wages, material and supplies, States and local taxes. It is estimated that more than 50,000 persons will be idled by the strike in six Western States by the end of this month.

I insert at this point in the RECORD an editorial from the Salt Lake City Deseret News, dated Friday, September 15:

COPPER STRIKE NEEDS FAST, LASTING RELIEF

What does it take to get the President to invoke an 80-day cooling-off period in the national copper strike as provided by the Taft-Hartley Act?

And what does it take to get him to follow through on his long-promised legislative solution to the problem of debilitating strikes?

As the copper strike begins its third month today, with settlement evidently about as far away as ever, these questions are becoming increasingly important as the public's patience wears thinner and thinner.

Two weeks ago Secretary of Labor Willard Wirtz and Secretary of Commerce Alexander Trowbridge confirmed that the strike "is having an adverse impact in the economy of various sections of the country and constitutes an increasingly serious threat to the conduct of the defense procurement program of this nation."

At the first of this month, Secretary Trowbridge estimated that the nation's copper supply would reach rock bottom in three to five weeks if the strike continued.

As matters now stand, the strike has shut down 87 per cent of the nation's copper mines, 72 per cent of the refining, 70 per cent of the fabricating industry, and 99 per cent of the copper smelting. Several lead and zinc operations also have been closed by the strike, which has curtailed the output of silver, a by-product of copper, lead, and zinc mining.

In Utah alone, the strike has cost the economy nearly $24 million in lost salaries and wages, material and supplies, state and local taxes. The strikers have lost an average of more than $1,200 each. Even if they win five cents an hour more than management's original offer, it will take each striker 12 years to make up the wages lost so far.

Moreover, public welfare payments to strikers' families in Salt Lake County are running about $38,000 a month.

Under these conditions, if the White House and Congress can't persuade labor and management to come to an equitable agreement promptly, the least that should be done is to impose a cooling-off period.

As welcome as such action would be, a cooling-off period is only a stop-gap. That's why President Johnson promised strike-curbing legislation in his State of the Union Message 21 months ago.

But nothing has come of this vow despite overwhelming public support for such a move. A year ago a public opinion poll found that slightly more than 50 percent of Americans thought strikes should be halted and settlements imposed after seven days of work stoppage. Last April a similar poll found 68 percent as believing that a strike should be stopped after 21 days.

Since the public usually suffers the most from a serious strike, it has a right to demand better protection than it has been getting. Let's cool off the copper strike as fast as possible, then get down to the business of making such relief more effective and lasting.

Also a statistical summary printed by the Salt Lake Tribune, September 19, 1967:

COPPER STRIKE BOX SCORE

1. Number of days on strike.	67
2. Impact of strike on Utah's economy to date.*	$24,991,000
3. Wages lost to date by each striking employe.**	$1,311
4. Time required for each striking employe to make up lost wages, assuming 5 cents per hour additional (to the company's original 25c offer) is negotiated.	12.60 years
5. Time required for each striking employe to make up lost wages, assuming 10c per hour additional is negotiated.	6.30 years

*Salaries and wages, material and supplies; new facilities and improvements; treatment charges, freight; commissions, services, etc.; payroll, state and local taxes. Based on $373,000 per day.

**Based on 5-day work week with average wage of $3.16 per hour plus average wage increase of 25c per hour in original company offer.

This strike is now in its 67th day. All public efforts to effectuate a meeting of the minds have been a failure. There is no indication that the President will invoke the Taft-Hartley law in the immediate future, and this may wait for more than a month. Both parties of the dispute are obviously dug in for a long and ruinous stalemate. The Utah economy will likely not recover for many months following final settlement.

The strike will ultimately be settled. It should be settled not by force, but by fairness to all three parties—labor, management, and the public.

As Senator GRIFFIN himself has said, the precise language of his present bill may not be the ultimate answer. But it is an answer toward which dialog should be directed.

The labor court does not replace free collective bargaining. It provides an ongoing vehicle for settlement by men of judicious rather than political or administrative temperament when labor-management negotiations fail and the public becomes defenseless against the economic punishment of labor-management stalemate and work stoppage.

I urge the Congress to take up its responsibility. To begin, if freedom is indeed at stake, let us get on with the evidence.

PETITIONERS SEEK REVIEW OF "FEE" POLICY

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a pertinent letter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, earlier this year the executive branch announced the resumption of fees to be charged those admitted to certain recreation areas on Federal lakes and impoundments under the jurisdiction of the U.S. Army Corps of Engineers, and subsequently imposed mooring fees upon private boat docks and similar installations.

In response to this oppressive taxation, those living on or near Table Rock Lake, located within the district I am privileged to represent in Missouri, have transmitted petitions to Chairman FALLON of the House Committee on Public Works. These petitions contain over 26,000 names and ask for a congressional investigation, and the elimination of these fees. I certainly hope that the House Public Works Committee will, in the very near future, hold hearings on H.R. 11236, introduced by some 25 Members, including myself, which would eliminate these King George III type of taxes.

At this time, Mr. Speaker, I insert into the RECORD the letter accompanying the petitions sent by Mr. Howard McIlrath, president of the Central Crossing Association of Table Rock Lake:

CENTRAL CROSSING ASSOCIATION OF
TABLE ROCK LAKE,
Shell Knob, Mo., September 11, 1967.

Hon. GEORGE H. FALLON,
Chairman, House Public Works Committee,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE FALLON: We are pleased to transmit, herewith, for the consideration of your committee, and the Flood Control Subcommittee, petitions bearing 21,173 signatures of citizens from many states. These, together with petitions transmitted to your attention by the Lake Norfolk Recreation Association of Mountain Home, Arkansas, constitute the prayer of over 26,000 persons for relief, in accordance with the First Amendment to the Constitution of the United States of America.

This effort was launched by the Central Crossing Association of Table Rock Lake in Missouri's Ozarks, during the height of our busy season when it was impossible for anyone to travel to other areas of the country, where other Federal impoundments are located, to seek their aggressive, organized help. None of our members were even able to devote any substantial time to this effort. With this in mind, we think that you must agree that the number of signers and the area of their residences, shows how vitally concerned our citizens are about this matter.

Please note that these petitions seek a Congressional investigation of the entire administrative policy, insofar as recreation is concerned, on all Federal impoundments under the jurisdiction of the U.S. Army Corps of Engineers. We can not believe that it was the intent of congress to direct or empower the U.S. Army Corps of Engineers, or any other branch or agency of the government to harass, unduly restrict or penalize those citizens seeking recreation on Federal impoundments which were built with taxpayer's money which the congress appropriated, at least partially, for the purpose of providing such opportunities for public recreation.

Although many, many instances of reported grievances have come to our attention, we have relied upon only four specific items which we firmly believe involve so many citizens that the prayer for relief is fully justified.

Item Number 1 on our petition is the so-called "Golden Eagle" access permit program which we understand was instituted under the direction of the U.S. Department of the Interior and enforced by the U.S. Army Corps of Engineers. We are advised that the Corps of Engineers has been required to hire additional Rangers, provide them with automotive transportation and other equipment and train them for their jobs of enforcing this regulation without receiving any of the revenue produced. We have information leading us to believe that, at least as far as Federal impoundments are concerned, the revenue from this program will not offset the cost of enforcement. We also have reason to believe that the greatest portion of the funds granted to States, counties and municipalities, in the name of this program, are not actually receipts from the sale of these permits or from the fines collected from citations. We sincerely hope that your committee will require evidence to be presented by the proper agencies and we sincerely believe that such evidence and records will confirm this assertion. The only persons that we have come in personal contact with who did not oppose this program were those who had the mistaken belief that the funds collected were to be used to maintain, improve and expand the public facilities at the location or at similar public use areas on impoundments. To us it seems absolutely unjust that a Taxpayer should be required to pay more fees just to get upon public land set aside for such use, to put his boat upon the water, let his children wade at the edge of the water, rest in the shade of a tree, use the sanitary facilities or picnic, beside camping, which is the only way that many families can have any recreational outing.

Item Number 2. The proposed mooring charges for private boat mooring facilities, duck blinds, ski jumps, floats, diving platforms, fishing piers, rafts and similar installations.

On or about June 26th, all permittees of such installations received a letter, from the Resident Engineer of the impoundment concerned, advising the permittee that his permit, regardless of the term for which it was issued, was canceled effective 31 December 1967, and that it would be necessary to obtain a new permit on or before 1 January 1968. This letter further advised that charges are to be made for new permits on the basis of square footage of the structure involved, including walkway approaches. The *annual* rate will be $10.00 plus 7½ cents per square foot for each square foot of area in excess of 200 square feet. This letter states that the new permit will be issued for as much as five years, but since the permits canceled by the June 26th letter had unexpired terms, we have no assurance that these permits will not also be cancelable by 10 days notice and a new schedule of fees and/or restrictions applied.

In the opening paragraph of the form letter canceling existing permits, a copy of which is attached, Marked A, the Resident Project Engineer advises, "Because of growing use of Corps of Engineers reservoirs by the public and resultant increases in the cost of administering such projects, it has become necessary for charges to be levied for privately owned boathouses and other privately owned facilities on Corps projects throughout the United States. In addition, the new charges are in compliance with a Federal law (65 Statute 290; 5 U.S. Code 140) requiring Federal agencies to obtain a fair rental for the private use of federally owned property."

Insofar as fair rental is concerned, it takes only simple arithmetic to determine that the rental which the Corps of Engineers considers *fair*, amounts to the sum of Three Thousand, Two Hundred Sixty Two Dollars ($3,262.00) per acre, *per year*.

This figure far exceeds the prevailing price at which improved, choice lots in shoreline subdivisions, with roads, water, electric service and telephone service available, are able to be sold for in the Ozarks region.

You will also find attached a copy of a letter addressed to Senators Symington and Long, Marked B, from Colonel Max McCord, Director of Real Estate in the Office of the Chief of Engineers, Department of the Army, Washington, D.C.

In paragraph 4 the colonel speaks of the owners of private docks which would come under these exhorbitant rentals. Although he does not specifically state the fact, the adjacent property must be owned or controlled by the owner of the dock. This limitation has made shoreline property much more expensive than that which does not have access to the water. Therefore, this property is assessed at a higher valuation and consequently must pay more taxes. People were influenced to purchase shoreline property because of the previously existing policy of allowing docks, provided that they were built and maintained to meet the requirements of the Corps of Engineers Resident Engineer. They have also been required to open any and all roads, which cross the government line, plus any which connect to it, to the general public. It must be maintained by the property owner and kept open to unlimited public use. Any trash or waste left by the public and all grass, weeds or brush control on the Flood Control Storage Pool shoreline area or exposed power pool shoreline area is left entirely to the adjacent property owner. We believe that these things should mitigate the colonel's statement that "the private dock owner has no vested rights in the lake or the shores thereof, but may use the lake as a member of the public."

We also find it very interesting to note that in the 8th paragraph of Col. Max McCord's letter the Senators are advised that the fees collected will be covered into the Treasury as miscellaneous receipts; whereas the letter, of June 26th, from the Resident Engineer, which originally announced these fees advised, as previously set out in this letter, that these fees were being levied as a result of increased administrative costs of these projects.

Under date of 23 August 1967 most, if not all, resorts which are already paying $24.00 per year, in advance, for each boat dock stall that they are authorized to have for boat rental for only their bonafide, overnight guests, received another letter from the Resident Engineer, attached and Marked C, advising them that no action will be taken regarding collection of fees for the facilities, pending procedures to be followed. Since Colonel McCord's letter, (B), in paragraph 10 advises the Senators that, in the case of resorts, such as those described above, "no additional charge will be imposed, unless additional facilities above that authorized by the existing license," here again there appears to be varying interpretations of regulations or directives.

Number 3 on our petition of grievances is the lack of an established, published and publicly available set of rules and regulations for recreation facilities. We sincerely believe that until, under provisions set out by the Congress of the United States, detailed rules and regulations are established for each Federal impoundment, with specific information as to what may or may not be done and what charges, if any, may be charged and under what conditions, and by whom, the rules might be changed, we will be forced to come to the Senators and Representatives to ask for their intercession each time some person interprets some rule, law, regulation or directive concerning Federal property, equipment or resource in a different light from that of his predecessor or subordinate. Everything heretofore set out in this letter is vivid evidence of the drastic need for detailed, publicly available, printed rules and regulations for each reservoir, but if the committee wishes, many, many more instances of injustice and harassment to the recreation seeking public can be produced, all of which can be traced to the lack of such a set of detailed regulations.

Item Number 4 concerns another grievance which we believe stems directly from the lack of detailed rules and regulations; the prohibition of legally licensed fishing guides from working out of resort docks. For 9 years the maximum fees that guides could charge has been regulated by the office of the Resident Engineer and resorts were furnished a list of maximum charges, showing, among other things, guide service. A reproduced copy of such a list is attached and marked D. On April 21, 1967 the Real Estate officer of the District office of the U.S. Army Corps of Engineers in a letter, copy attached marked E, notified resorts that they may not *permit* a guide to work from a resort dock, and that if the resort owner permittee does allow a customer to secure the services of a guide who works from such a dock, such action may be considered a violation of the resort's permit or license.

Guides in the Ozark area have an extremely difficult time making a bare living. We doubt that there are a half-dozen guides on Table Rock Lake that earn Two Thousand Dollars a year from guiding. It appears that someone in the Corps of Engineers must be unaware of the meager earnings of almost all guides.

It requires a very vivid imagination to believe that guiding can be construed within the general understanding of a commercial venture which can be forced to be run through the Public or Commercial Boat Docks and be required to pay a percentage of the earnings that, at best, can only help him, as part-time work, to have the barest necessities of life. These guides do not work for the resorts or boat docks, but for the fisherman who wishes his services. We believe that guiding should be freely permitted, if not actually encouraged, as an economic aid. This is another glaring example of restrictions against recreation.

We just cannot believe that the Congress of the United States ever intended to allow any agency of the Government to so severely restrict the opportunities for a livelihood, on one hand, while authorizing the spending of millions, if not billions of dollars, throughout the country to try to create and encourage economic opportunities.

All restrictions which act as a deterrent to tourism, vacationers or recreation seekers, affects the entire economy of the Missouri and Arkansas Ozarks area, and we are sure that they must also so affect other such areas surrounding Federal impoundments throughout the country. This effect is felt in surrounding cities, towns and communities many miles away from the actual lake. All additional fees which are imposed on resorts and docks, must be passed on to the customers and we do not feel that they, the taxpayers providing the funds for these impoundments, should be required to pay and pay and pay, just to have access to and the use of these reservoirs which they were led to believe they were going to have when the money was appropriated to create them.

Concerning the costs of administration, we have information, which we believe is reliable, that indicates that the power revenue estimate, used in justifying building these impoundments, has been exceeded many, many times. Your committee can require the Southwest Power Administration to reveal these comparative figures and if power revenue has so greatly exceeded expectations, would it not be entirely right and proper that some of these funds be credited to recreation facilities and administration?

We sincerely implore, for our own organization and the 26,000 signers of these petitions, that your committee thoroughly consider these matters and submit, with a favorable report, legislation that will prohibit the U.S. Army Corps of Engineers from enforcing the "Golden Eagle" access program or any changes in rules or regulations that may have been proposed, introduced, announced or directed since January 1, 1967, until such time as the Congress of the United States shall have investigated the entire recreation policy on Federal impoundments and enacted legislation clarifying and directing the U.S. Army Corps of Engineers as to the specific wishes of the Congress.

Respectfully submitted for your consideration and support, we are

Yours very truly,
HOWARD MCILRATH,
President.

A PIG IN A POKE AGAIN

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, there is new and mounting evidence that the TFX, or perhaps I should say the "Flying Edsel" is a "Pig in a Poke," and still another indication of the dismal record of Secretary of Defense Robert Strange McNamara. The September 18 issue of Barron's Weekly says:

> Two years ago we called upon Defense Secretary Robert S. McNamara to resign. Today Barron's urges that he, along with his cadre of discredited "Whiz Kids" be fired.

Having made the same suggestion almost 2 years previously, I commend the Barron's article to the attention of my colleagues, and to the White House in particular:

MOMENT OF TRUTH—IT'S TIME THE NATION CUT ITS LOSSES ON THE TFX

"What are the penalties on the contractor for having failed to meet his contractual requirements during the R. and D. phase?" With that innocent-sounding question, a member of the Senate Appropriations Committee recently forced a jolting admission from the Pentagon. "On some of the specifications there are provisions for penalties, specified penalties, or incentives and penalties, insofar as they don't meet the target specifications," testified Paul H. Nitze, Deputy Secretary of Defense. "With respect to all specifications, the contractor was under obligation to meet them and to retrofit until he did meet them. It is perfectly clear that he can't do it. It is not within the realm of being technically possible to build it." The questioner persisted; what financial penalties will be exacted? "We have a list of them," replied Rear Admiral W. E. Sweeney, Deputy Director of the F–111 (formerly TFX) program. "Some of them are $1,750,000 for not meeting specifications, some (are) $875,000, depending on what item it is. But there is a long list . . ."

Given at closed hearings two months ago, and released (in heavily censored form) last week, the testimony is a blockbuster. For the first time, the Defense Department has disclosed part of the truth about the scandal-ridden TFX. Documented in black and white is, in effect, the Pentagon's own admission of a shameful campaign to deceive the American people—and willy-nilly, thereby, to jeopardize the national security. After years of bitterly rejecting all strictures on the bi-service, swing-wing aircraft project—costliest piece of military hardware in U.S. history—the Pentagon now concedes that it's moving to penalize the F–111's prime contractor, General Dynamics. Meanwhile, every significant criticism—Barron's was an early and persistent critic—unhappily remains valid today. Program costs have more than doubled. Research and development (to say nothing of production) on both Air Force and Navy versions are running over two years behind schedule. Performance of this "best airplane ever built," has fallen far short not merely of grandiose hopes, but also of specifications in such strategic areas as weight, range and speed. Five years after General Dynamics won the TFX contract, in sum, it has dismally failed to deliver.

From the foregoing, several points emerge. For one thing, General Dynamics, in widespread promotion campaigns as well as in its financial reports, all of which have depicted the F–111 program in glowing terms, has been less than candid either with its shareholders or with the general public. During last week's ugly disclosures, its stock (a high-flyer all year), in a market which surged to new recovery highs, plunged nearly 10 points. The Pentagon, which long ago elevated lying to the level of high public policy, also stands exposed. Two years ago we called upon Defense Secretary Robert S. McNamara to resign. Today Barron's urges that he, along with his cadre of discredited Whiz Kids, be fired. Moreover, a new Defense team should review the whole program with an eye toward fixing responsibility; exacting proper penalties from the contractor; and replacing the TFX wherever feasible with weapons which will make a genuine and timely contribution to the nation's defense.

That the TFX can't do so has grown abundantly clear. The testimony released last week documents the deficiencies dogging an aircraft which the Pentagon now admits was never "within the realm of being technically possible to build." Thanks to a concept called "commonality"—which holds that two different planes, despite varied missions, can be created from one design—Secretary McNamara projected savings to the taxpayers of $1 billion. Instead, both the Navy's carrier-based F–111B and the Air Force's F–111A have fallen far short of what either service wants and needs. Costwise, commonality never had a chance. Thus, compared to General Dynamics' bid of $2.9 million apiece, the larger volume F–111A now is running around $6 million, while the Navy's version sports a provisional "flyway" price tag of $8 million. Against an originally programmed cost of $5.8 billion to design, develop, test and produce 1,700 TFX planes in all, the price for some 1,300 planes now proposed has skyrocketed to $12.4 billion. The fictitious billion-dollar saving, flatly asserts the redoubtable Sen. John L. McClellan (D., Ark.), has turned into a multi-billion-dollar blunder.

Technical flaws also abound. "There are some things that the F–111 can do," plaintively testified Vice Admiral T. F. Connolly, Deputy Chief of Naval Operations for Air. "It can fly. Even though the speed brake is not what it ought to be, we can fly without it. It has gone (deleted) on the deck with the same bum speed brake. It won't serve the pilots' needs like it should, and it ought to be fixed and fixed properly, but it still can fly (deleted)." Otherwise, it has its faults. For example, the Navy's version of the plane has been critically overweight from the first, although officials used to deny the seriousness of the problem. To the Senators Admiral Sweeney confessed that "at the time of fleet introduction" of the F–111B, or after the full effect of two crash programs aimed literally at scraping off every extra ounce, the plane will weigh in at "more than 16,000 pounds" heavier than the maximum set by the contract.

"The takeoff weight is what you fight with," Sen. McClellan explained on the Senate floor after the hearings, in an effort to clarify (and partly declassify) the testimony. It is "estimated by the Navy" at "more than eight tons over the take-off weight specified in the General Dynamics contract. It is more than 15 tons heavier than the Navy originally wanted back in 1962." (In trade-offs with the Air Force, the Navy was forced to settle for a contract specifying 63,500, instead of 50,000 pounds; hence, the plane now will weigh some 80,000 pounds.) "Its enormous weight growth," Sen. McClellan said, "is one of the factors primarily responsible for its present unsuitability for service use."

The plane's heft has led to shortfalls in other strategic realms of performance. Equipped with the air-to-air Phoenix missile, the F–111B is what Pentagon pundits had been calling an "air-superiority fighter," which would loiter far away from its task force, detecting and intercepting enemy attackers. But—and this is the most hopeful estimate for future F–111Bs—the plane will fall short of specifications by over half an hour in loiter-time capability, by a mile in loitering altitude, by two miles in the combat ceiling, as well as in acceleration to combat speed, single-engine rate of climb and maneuverability. Those estimates are computer calculations of the results of forthcoming design changes.

The results in actual flight tests are worse. According to test pilots who have been up in the TFX (the program has suffered two crashes to date), it is "unsuitable for service." A report by Navy fliers last June pinpointed 253 deficiencies, of which 100 were described as "mandatory for correction"; 23 are "items required in the production of aircraft for which a fix is difficult or adequacy of proposed fix is questionable," while another nine are production aircraft items "for which no fix is in progress and difficulty of achieving an acceptable fix is uncertain." When the Pentagon claimed that these were minor defects, Sen. McClellan, who saw the report, replied: "These . . . are in the basic design of the aircraft, in the air inlet, speed brake, control system and artificial stability system."

Indeed, the Tactical Fighter, Experimental no longer is viewed by the Navy as a fighter; it's now a long-range missile-launcher, which must be escorted by fighters to defend both the carrier and itself.

"We did come to the conclusion," Admiral McDonald testified, "that the F-111B also would have to have another fighter plane aboard the carrier . . . When we came to that conclusion, it eased the minds of a lot of people."

Nor is the Air Force "fighter-bomber" version, the F-111A, proving much better—although, in contrast to the Navy plane, this one is in full production and scheduled for deployment to Vietnam next year. "Whatever is done for us," Admiral Connally stated, "is done for the Air Force. There is no difference. The problems we are discussing are the same for the Air Force." Sen. McClellan asked: "So far as stalls are concerned?" The Admiral replied: "Performance, thrust, climb, everything connected with the airplane is the same." Heavily deleted testimony indicated that the F-111A is some 200 miles per hour short of the specified top speed of Mach 2.5, and boasts less than one-third the specified range for its primary mission of low-level approach bombing.

Most damning of last week's disclosures was the admission that the Defense Department has moved to penalize the prime contractor. There is, as Admiral Sweeney said, "a long list" of financial penalties "for not meeting certain specifications." When the first production contract for 493 F-111s was signed earlier this year, according to Mr. Nitze, "a reduction of 1.2 percentage points in the profit ratio" was exacted, lowering General Dynamics' "target profit" by slightly over $20 million, or "more than 10%" from the approximately $170 million the company apparently stood to earn on its $1.82 billion order. In addition, each shortfall in the still far-from-completed RDT&E (Research, Development, Test & Evaluation) contract is subject to penalty. Thus, a penalty of $1,750,000 charged for the overweight of the first five F-111B R&D models is, according to Admiral Sweeney, "under negotiation right now." If overweight persists, "there could be another penalty exacted." Conceivably on the RDT&E contract, General Dynamics' maximum potential profit (including all incentives) of around $65 million could be cut to as low as $17.5 million. On the production contract, Mr. Nitze now reports that the prime contractor could be penalized by as much as "41% of the potential profit."

So much for the technical defects of the program. What should concern the U.S. at least as much are the moral lapses which have plagued it from the outset. Thus, under the relentless probing of Sen. McClellan, the highly-touted cost accounting procedures by means of which Secretary McNamara presumably overrode the unanimous judgment of the Joint Chiefs of Staff (who favored a competitive design) turned out to be merely the official's "rough judgment." In the Spring of 1965, with some fanfare, General Dynamics fulfilled its contractual obligations by delivering the first Navy plane on schedule. However, with Pentagon approval, the company made a few strategic substitutions, notably Air Force landing gear and various fuselage components. What finally got off the ground—"to meet the delivery date," according to Sen. McClellan and thereby to avoid any penalty—was "a wired-up thing for demonstration." In the interests of a spurious "commonality," which Mr. McNamara has never publicly disavowed, General Dynamics for two years resisted the urging of Grumman, chief subcontractor on the Navy version, for a new and more powerful engine. Only when experience made the switch imperative did it finally yield.

The propaganda smoke-screen and lack of candor persist. Thus, in his July testimony, Deputy Secretary Nitze sought to minimize the trouble the program is in. "Mr. Chairman," he stated, "I am just informed there were 127 mandatory deficiencies in the A-7 . . . This plane we are right now deploying. This confirms that this is usual." However, in a correction of the record, Mr. Nitze reduced the A-7's deficiencies to 102. At the request of the ever-alert Sen. McClellan, the record was further revised to show that at a comparable stage in the evaluation process, the A-7 had racked up only 18 "mandatory for correction" defects, compared with 100 for the F-111B.

In an even more brazen attempt at distortion, Robert A. Frosch, Assistant Secretary of the Navy (Research and Development), last week publicly asserted that carrier tests of the F-111B "are planned to begin within the current fiscal year, not two years from now." Here is the pertinent testimony to the contrary:

"Sen. McClellan. When will any version of the F-111B first land and take off from a carrier with the P-12 engine in it?

"Admiral Sweeney. We said the tests would begin in August 1969.

"Admiral Connolly. August 1969 is what we said."

The time has come for the nation to cut its losses. The TFX should be phased out as fast as the national security permits. Congress should launch a fresh investigation of the program that has gone from scandal to disaster, to fix the blame and to prevent a recurrence. Above all, through the power of the purse it should force a complete retreat of the Defense Department Whiz-Kids. In his farewell address, President Eisenhower warned against the so-called industrial-military complex. He should have aimed his fire at civilians who insist on playing soldier. Accountants and efficiency experts should take, not give, the orders.

THE ANTIBALLISTIC MISSILE PROPOSAL

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, I wish to call to the attention of my colleagues a most important speech which was made yesterday by Secretary of Defense, Robert S. McNamara, before United Press International editors and publishers in San Francisco.

First, I want to say that it is a bit unusual for any Member to take the well of the House for the purpose of commending our Secretary of Defense for anything which he does. It is far more popular to add another lash on the back of the most popular whipping boy in the administration.

I do rise today, however, to commend Secretary McNamara for a most comprehensive and judicious exposition of the psychology and particularly of the problems of technology involved in adopting a policy of antiballistic missile defense of critical establishments in the United States. In my opinion the approach which has been decided upon is a reasonable approach, when related to the degree of technology of our country and the technology of possible enemies.

It is a program commonly called the "thin" line of defense, rather than the "massive" line of defense. For those critics who would not be satisfied with any act of Mr. McNamara's, I am sure the thin line will not be considered adequate. However, let me point out that a step-by-step advance toward a massive defense system is not incompatible or unreasonable when we consider that the "thin" line can be the first step if other steps become necessary, and when we consider that a massive defense system installed over a period of the next 5 to 10 years can be accommodated to our budget, and also more important to improvements in technology. In other words, each target defense installation can be installed independent of those in other geographical locations. Each successive target defense system can be improved with new discoveries and advances in technology.

In closing let me say that any antiballistic missile defense, whether it be "thin" or "massive" will not guarantee the United States that every enemy missile will be intercepted. Our present interception technology is far from being perfect. There are serious deficiencies in any defensive system which we can deploy. We must, therefore, maintain in the future as we have in the past, our massive power of offense.

To those who will immediately seize the opportunity to criticize the Secretary of Defense as having moved too little, too late—let me state emphatically that should the actions of the Red Chinese and Soviets force us to expand this system, I am confident that it will be expanded quickly. Their hostile actions should alone be the criterion for our further investment in this system.

To those who will now clamor for the "massive" defense, I would counsel "Let us meet the need as it becomes clear, rather than forcing our foes to even greater escalation." It is their choice. We have the capacity to respond quickly when response is necessary.

We must sooner or later realize that building bigger weapons systems just to be building them has in itself an effect on the course and direction of our foreign policy. Our options are limited—not expanded—by allowing these weapons to assume an unstoppable momentum.

The antiballistic-missile system will do little in and of itself to save millions of lives in this country should nuclear war occur. We must not be forced to rely on terminal solutions. Our deterrent capability must be flexible—a mix of strong offensive strength and protection at home of vital centers. I have long belived that "a good offense is the best defense"—that this is the most effective deterrent if its potential is fully understood by the Chinese and Soviets.

To those who guide the destinies of China and Russia I would counsel a close attention to the willingness of America to invest whatever is required to maintain our strength. It must be clear to our adversaries that we can pay any price, and that we will pay any price to protect the safety and security of our people. Perhaps that determination will convince the Soviets and Chinese that the arms race is folly—and that the continued building of these massive machines of war place further financial burdens on the people of their nation and ours. That building of greater and greater machines of war carries not only our hopes for deterrance of war, but the danger of destruction of civilization if deterrence fails.

We must not only consider offensive and defensive military methods, we must make every attempt possible through diplomatic channels to establish a peaceful world which will make it unnecessary for mankind to indulge in the madness of a nuclear missile interchange.

They must believe us when we say that we have met the test before. We can do so again. The next move is up to them.

McNAMARA'S SAN FRANCISCO SPEECH

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I also approve of Secretary McNamara's decision to deploy a so-called thin missile defense system against the Chinese nuclear threat. However, I am a little shocked that his speech went out of the way to depreciate the system by stating, page 22, "there are marginal grounds for concluding that a light deployment of U.S. ABM's against this possibility is prudent." Since the thing is going to cost $5 billion I would have hoped his decision might have been slightly more enthusiastic and based on something more than "marginal grounds." This is particularly true since the Joint Chiefs of Staff, for at least 2 years, have unanimously, to a man, recommended not only a thin system against the Red Chinese, but a full system capable of blunting Soviet attack as well. It is also true for the reason that but a few weeks ago the Joint Committee on Atomic Energy put out a report thoroughly, competently, and authoritatively documenting the reality and imminency of the China threat and left no room for doubt that ABM defense against it not only is prudent, but already is a little late in getting started. It appears the Secretary has little respect for the opinions of either the Joint Chiefs or the Joint Committee and others who for many months have had to take the case for deploying the system to the public and arouse public opinion to this gap in the arsenal of U.S. national security. In this context one legitimately wonders just how much of the Secretary's reasoning on this issue was in a military context and how much in a political context. One also legitimately wonders whether the decision was a thing of his own initiative or whether he was instructed to make the decision by his immediate superior.

I have only just received the complete copy of the Secretary's text and had to wade through 21 pages of apologies to the Kremlin for making this decision and promises that we would not expand it to before actually finding it stated at the top of page 22 that the thin system is to be started.

It was interesting reading, however, not only for its semantic charisma, for its exposition of the Cambridge disarmament group's—Bethe, Wiesner, York, Lapp, Morgenthau, and others—various minimum deterrence—reciprocal reduction themes, but also for its sometimes subtle sophisms and other times plainly obvious gaps in logic. For instance:

Secretary McNamara thoroughly chastises the measurement of relative nuclear capabilities between two countries by counting nuclear delivery vehicles or counting the number of megatons of nuclear explosive power a country can deliver—page 7. Yet in another part of this speech—page 4—he devotes two full paragraphs to playing the exact "numbers game" he so abhors.

He states—page 6—that "neither the Soviet Union nor the United States can attack the other without being destroyed in retaliation." Which is just another way of saying that each has the other deterred from starting a nuclear war. Yet for many long months running into years the Secretary has again and again reiterated the argument that we should not bomb North Vietnam in a serious way because it would bring the U.S.S.R. into the war and risk a nuclear holocaust. My eyesight is not notably good. Maybe that is why I cannot see how he can have this argument both ways.

Secretary McNamara defines deterrence to mean "the certainty of suicide to the aggressor—not merely to his military forces, but to his society as a whole—page 3." He says this means, on our part, a capability to take his first-strike surprise attack and still be able to hit back with that kind of destructive attack in retaliation. His thesis is that the way the U.S. should maintain such a deterrent capability is through an "assured destruction" capability. That is, to forget about protecting our people and our armaments from the first strike with an ABM system and just concentrate on having enough nuclear hardware survive to retaliate with the necessary destruction. He apparently assumes Red Chinese leaders are crazy enough to make a suicidal first strike and suffer our retaliation. Apparently this is why he OK's a thin ABM system to reduce the damage of such an attack. He assumes Soviet Communist leaders are not carzy enough to make such a first strike and therefore no ABM defense against them is required. I assume Secretary McNamara has competent psychiatric reports on whoever rules these two countries today, but what about the unknowns who may in the future succeed them, suddenly or otherwise?

Secretary McNamara claims we have great nuclear superiority over the Soviets—page 8 and elsewhere. He postulates the question—page 13:

> How can we be so certain that the Soviet cannot gradually outdistance us—either by some dramatic technological break-through, or simply through our imperceptively lagging behind, for whatever reason: reluctance to spend the requisite funds; distraction with military problems elsewhere; faulty intelligence; or simple negligence and naivete?

The Secretary describes his answer to the one as "simple and straightforward." It is:

> We are not going to permit the Soviets to outdistance us.

Just how in the world are we going to stop Russian scientists from making some technological breakthrough or, recalling Cuba, guarantee against faulty intelligence or, after some of the performances over the last few years—the TFX, killing and then reviving the nuclear carrier, getting bogged down in a land war in Asia and so forth—rule out negligence and naivete? I doubt if the Secretary's answer to his self-posed question is as simple and straightforward as he has characterized it.

Although laying heavy burden on the matter of deterrence in most of his speech, Mr. McNamara left everyone wondering whether there is any validity at all to the theory of deterrence by tossing in for little apparent reason this statement—page 11:

> Even with our nuclear monopoly in the early postwar period, we were unable to deter the Soviet pressure against Berlin, or their support of aggression in Korea.

From this did he mean to imply that the Soviets either do not believe the U.S. deterrent is credible or, if so, we do not impress them with a determination to use it, or both?

On the space of a single page of his speech—page 14—the Secretary really asks us to make a 180-degree turn in thinking. At the top of the page he argues that both the United States and Soviet Union have a great deal larger nuclear arsenal and second-strike capability than either needs because neither of us knew the intentions of the other and therefore built to cope with the "worst plausible case" as to the other's buildup. In the middle of the page he argues that we ought to agree to scale back these arsenals. At the bottom of the page he argues "it would not be sensible for either side to launch a maximum effort to achieve a first-strike capability" because "the intelligence-gathering capability of each side being what it is, and the realities of leadtime from technological breakthrough to operational readiness being what they are, neither of us would be able to acquire a first-strike capability in secret." Just how it can be that intelligence-gathering capabilities are inadequate as to second-strike capabilities but fully adequate as to first-strike capabilities is something of a mystery, despite leadtime considerations.

The McNamara speech contains lots of other things subject to possible compliment, comment, and criticism, but before anybody suggests starting to carve all its 25 pages in stone on the side of a mountain I thought it worthwhile to point out at least a few passages which might fail to justify such a lasting recordation.

RICHARD M. NIXON'S ARTICLE IN FOREIGN AFFAIRS MAGAZINE

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, considerable interest in the press has been evidenced concerning former Vice President Richard M. Nixon's article in the just-released issues of Foreign Affairs for October. Since copies of the publication are hard to come by and there is widespread interest in the article, entitled "Asia After Vietnam," I have obtained unanimous consent for its reproduction below:

ASIA AFTER VIETNAM

(By Richard M. Nixon)

The war in Viet Nam has for so long dominated our field of vision that it has distorted our picture of Asia. A small country on the rim of the continent has filled the screen of our minds; but it does not fill the map. Sometimes dramatically, but more often quietly, the rest of Asia has been undergoing a profound, an exciting and on balance an extraordinarily promising transformation. One key to this transformation is the emergence of Asian regionalism; another is the development of a number of the Asian economies; another is gathering disaffection with all the old isms that have so long imprisoned so many minds and so many governments. By and large the non-communist Asian governments are looking for solutions that work, rather than solutions that fit a preconceived set of doctrines and dogmas.

Most of them also recognize a common danger, and see its source as Peking. Taken together, these developments present an extraordinary set of opportunities for a U.S. policy which must begin to look beyond Viet Nam. In looking toward the future, however, we should not ignore the vital role Viet Nam has played in making these developments possible. Whatever one may think of the "domino" theory, it is beyond question that without the American commitment in Viet Nam, Asia would be a far different place today.

The U.S. presence has provided tangible and highly visible proof that communism is not necessarily the wave of Asia's future. This was a vital factor in the turnaround in Indonesia, where a tendency toward fatalism is a national characteristic. It provided a shield behind which the anti-communist forces found the courage and the capacity to stage their counter-coup and, at the final moment, to rescue their country from the Chinese orbit. And, with its 100 million people, and its 3,000-mile arc of islands containing the region's richest hoard of natural resources, Indonesia constitutes by far the greatest prize in the Southeast Asian area.

Beyond this, Viet Nam has diverted Peking from such other potential targets as India, Thailand and Malaysia. It has bought vitally needed time for governments that were weak or unstable or leaning toward Peking as a hedge against the future—time which has allowed them to attempt to cope with their own insurrections while pressing ahead with their political, economic and military development. From Japan to India, Asian leaders know why we are in Viet Nam and, privately if not publicly, they urge us to see it through to a satisfactory conclusion.

II

Many argue that an Atlantic axis is natural and necessary, but maintain, in effect, that Kipling was right, and that the Asian peoples are so "different" that Asia itself is only peripherally an American concern. This represents a racial and cultural chauvinism that does little credit to American ideals, and it shows little appreciation either of the westward thrust of American interests or of the dynamics of world development.

During the final third of the twentieth century, Asia, not Europe or Latin America, will pose the greatest danger of a confrontation which could escalate into World War III. At the same time, the fact that the United States has now fought three Asian wars in the space of a generation is grimly but truly symbolic of the deepening involvement of the United States in what happens on the other side of the Pacific—which modern transportation and communications have brought closer to us today than Europe was in the years immediately preceding World War II.

The United States is a Pacific power. Europe has been withdrawing the remnants of empire, but the United States, with its coast reaching in an arc from Mexico to the Bering Straits, is one anchor of a vast Pacific community. Both our interests and our ideals propel us westward across the Pacific, not as conquerors but as partners, linked by the sea not only with those oriental nation on Asia's Pacific littoral but at the same time with occidental Australia and New Zealand, and with the island nations between.

Since World War II, a new Asia has been emerging with startling rapidity; indeed, Asia is changing more swiftly than any other part of the world. All around the rim of China nations are becoming Western without ceasing to be Asian.

The dominant development in Asia immediately after World War II was decolonization, with its admixture of intense nationalism. But the old nationalist slogans have less meaning for today's young than they had for their fathers. Having never known a "colonialist," they find colonialists unconvincing as scapegoats for the present ills of their societies. If dissatisfied with conditions as they see them, the young tend to blame those now in power.

As the sharp anticolonial focus blurs, the old nationalism is evolving into a more complex, multi-layered set of concepts and attitudes. On the one hand are a multitude of local and tribal identifications—the Montagnards in Viet Nam, the Han tribes in Burma, the provincial and linguistic separatisms that constantly claw at the fabric of Indian unity. On the other hand, there is a reaching-out by the governing élites, and particularly the young, for something larger, more like an Asian regionalism.

The developing coherence of Asian regional thinking is reflected in a disposition to consider problems and loyalties in regional terms, and to evolve regional approaches to development needs and to the evolution of a new world order. This is not excessively chauvinistic, but rather in the nature of a coalescing confidence, a recognition that Asia can become a counterbalance to the West, and an increasing disposition to seek Asian solutions to Asian problems through coöperative action.

Along with the rising complex of national, subregional and regional identification and pride, there is also an acute sense of common danger—a factor which serves as catalyst to the others. The common danger from Communist China is now in the process of shifting the Asian governments' center of concern. During the colonial and immediately post-colonial eras, Asians stood opposed primarily to the West, which represented the intruding alien power. But now the West has abandoned its colonial role, and it no longer threatens the independence of the Asian nations. Red China, however, does, and its threat is clear, present and repeatedly and insistently expressed. The message has not been lost on Asia's leaders. They recognize that the West, and particularly the United States, now represents not an oppressor but a protector. And they recognize their need for protection.

This does not mean that the old resentments and distrusts have vanished, or that new ones will not arise. It does, however, mean that there has been an important shift in the balance of their perceptions about the balance of danger, and this shift has important implications for the future.

One of the legacies of Viet Nam almost certainly will be a deep reluctance on the part of the United States to become involved once again in a similar intervention on a similar basis. The war has imposed severe strains on the United States, not only militarily and economically but socially and politically as well. Bitter dissension has torn the fabric of American intellectual life, and whatever the outcome of the war the tear may be a long time mending. If another friendly country should be faced with an externally supported communist insurrection—whether in Asia, or in Africa or even Latin America—there is serious question whether the American public or the American Congress would now support a unilateral American intervention, even at the request of the host government. This makes it vitally in their own interest that the nations in the path of China's ambitions move quickly to establish an indigenous Asian framework for their own future security.

In doing so, they need to fashion arrangements able to deal both with old-style wars and with new—with traditional wars, in which armies cross over national boundaries, and with the so-called "wars of national liberation," in which they burrow under national boundaries.

I am not arguing that the day is past when the United States would respond militarily to communist threats in the less stable parts of the world, or that a unilateral response to a unilateral request for help is out of the question. But other nations must recognize that the role of the United States as world policeman is likely to be limited in the future. To ensure that a U.S. response will be forthcoming if needed, machinery must be created that is capable of meeting two conditions: (*a*) a collective effort by the nations of the region to contain the threat by themselves; and, if that effort fails, (*b*) a collective request to the United States for assistance. This is important not only from the respective national standpoints, but also from the standpoint of avoiding nuclear collision.

Nations not possessing great power can indulge in the luxury of criticism of others; those possessing it have the responsibility of decision. Faced with a clear challenge, the decision not to use one's power must be as deliberate as the decision to use it. The consequences can be fully as far-reaching and fully as irrevocable.

If another world war is to be prevented, every step possible must be taken to avert direct confrontations between the nuclear powers. To achieve this, it is essential to minimize the number of occasions on which the great powers have to decide whether or not to commit their forces. These choices cannot be eliminated, but they can be reduced by the development of regional defense pacts, in which nations undertake, among themselves, to attempt to contain aggression in their own areas.

If the initial response to a threatened aggression, of whichever type—whether across the border or under it—can be made by lesser powers in the immediate area and thus within the path of aggression, one of two things can be achieved: either they can in fact contain it by themselves, in which case the United States is spared involvement and thus the world is spared the consequences of great-power action; or, if they cannot, the ultimate choice can be presented to the United States in clear-cut terms, by nations which would automatically become allies in whatever response might prove necessary. To put it another way, the regional pact becomes a buffer separating the distant great power from the immediate threat. Only if the buffer proves insufficient does the great power become involved, and then in terms that make victory more attainable and the enterprise more palatable.

This is particularly important when the threat takes the form of an externally supported guerrilla action, as we have faced in Viet Nam, as is even now being mounted in Thailand, and as could be launched in any of a half-dozen other spots in the Chinese shadow. Viet Nam has shown how difficult it is to make clear the distinction between this and an ordinary factional civil war, and how subject the assisting power is to charges of having intervened in an internal matter. Viet Nam's neighbors know that the war there is not internal, but our own allies in Europe have difficulty grasping the fact.

The fragmenting of the communist world has lent credence to the frequently heard argument that a communist advance by proxy, as we have seen attempted in Viet-Nam, is of only peripheral importance; that with the weakening of rigid central control of the communist world, local fights between communist and non-communist factions are a local matter. This ignores, however, the fact that with the decentralization of communist control has come an appropriately tailored shift in communist tactics. National communism poses a different kind of threat than did the old-style international communism, but by being subtler it is in some ways more dangerous.

SEATO was useful and appropriate to its time, but it was Western in origin and drew its strength from the United States and Europe. It has weakened to the point at which it is little more than an institutional embodiment of an American commitment, and a somewhat anachronistic relic of the days when France and Britain were active members. Asia today needs its own security undertakings, reflecting the new realities of Asian independence and Asia needs.

Thus far, despite a pattern of rapidly increasing coöperation in cultural and economic affairs, the Asian nations have been unwilling to form a military grouping designed to forestall the Chinese threat, even though several have bilateral arrangements with the United States. But an appropriate foundation-stone exists on which to build: the Asian and Pacific Council. ASPAC held its first ministerial-level meeting in Seoul in June 1966, and its second in Bangkok in July 1967. It has carefully limited itself to strengthening regional coöperation in economic, cultural and social matters, and its members have voiced strong feelings that, as Japan's Foreign Minister Takeo Miki put it at the Bangkok meeting, it should not be made "a body to promote anticommunist campaigns."

Despite ASPAC's present cultural and economic orientation, however, the solidifying awareness of China's threat should make it possible—if the need for a regional alliance is put in sufficiently compelling terms—to develop it into an alliance actively dedicated to concerting whatever efforts might be necessary to maintain the security of the region. And ASPAC is peculiarly well situated to play such a role. Its members (South Korea, Japan, Taiwan, Thailand, Malaysia, South Viet Nam, the Philippines, Australia and New Zealand, with Laos as an observer) all are acutely conscious of the Chinese threat. All except Malaysia have military ties with the United States. It has the distinct advantage of including Australia and New Zealand, which share the danger and would be able to contribute substantially to its strength, without an unbalancing great-power presence.

I do not mean to minimize the difficulties of winning acceptance of such a concept. In Japan, public opinion still lags behind official awareness of military needs. The avowedly neutralist nations under China's cloud would be reluctant, at present, to join any such grouping. But looking further down the road we can project either an erosion of their neutralism or the formation of their own loose association or associations, which might be tied into a militarily oriented ASPAC on an interlocking or cooperative basis. One can hope that even India might finally be persuaded to give its support, having itself been the target of overt Chinese aggression, and still cherishing as it does a desire to play a substantial role beyond its own borders.

III

Military security has to rest, ultimately, on economic and political stability. One of the effects of the rapidity of change in the world today is that there can no longer be static stability; there can only be dynamic stability. A nation or society that fail to keep pace with change is in danger of flying apart. It is important that we recognize this, but equally important that in trying to maintain a dynamic stability we remember that the stability is as important as the dynamism.

If a given set of ends is deemed desirable, then from the standpoint of those dedicated to peace and an essential stability in world order the desideratum is to reach those ends by evolutionary rather than revolutionary means. Looking at the pattern of change in non-communist Asia, we find that the professed aims of the revolutionaries are in fact being achieved by an evolutionary process. This offers a dramatic opportunity to draw the distinction between the fact of a revolutionary *result* and the *process* of revolutionary change. The Asian nations are showing that evolutionary change can be as exciting as revolutionary change. Having revolutionized the aims of their societies, they are showing what can be achieved within a framework of dynamic stability.

The "people," in the broadest sense, have become an entity to be served rather than used. In much of Asia, this change represents a revolution of no less magnitude than the revolution that created the industrial West, or that in the years following World War II transformed empires into new and struggling nations. It is precisely the promise of this reversal that has been at the heart of communist rhetoric, and at the heart of the popular and intellectual appeal which that rhetoric achieved.

Not all the governments of non-communist Asia fit the Western ideal of parliamentary democracy—far from it. But Americans must recognize that a highly sophisticated, highly advanced political system, which required many centuries to develop in the West, may not be best for other nations which have far different traditions and are still in an earlier stage of development. What matters is that these governments are consciously, deliberately and programmatically developing in the direction of greater liberty, greater abundance, broader choice and increased popular involvement in the processes of government.

Poverty that was accepted for centuries as the norm is accepted no longer. In a sense it could be said that a new chapter is being written in the winning of the West: in this case, a winning of the promise of Western technology and Western organization by the nations of the East. The cultural clash has had its costs and produced its strains, but out of it is coming a modernization of ancient civilizations that promises to leap the centuries.

The process produces transitional anomalies—such as the Indian woman squatting in the mud, forming cow-dung patties with her hands and laying them out to dry, while a transistor radio in her lap plays music from a Delhi station. It takes a long time to bring visions of the future to the far villages—but time is needed to make those visions credible, and make them achievable. Too wide a gap between reality and expectation always produces an explosive situation, and the fact that what the leaders know is possible is unknown to the great mass of the peasantry helps buy time to make the possible achievable. But the important thing is that the leaders do know what is possible, and by and large they are determined to make it happen.

Whether that process is going to proceed at a pace fast enough to keep one step ahead of the pressure of rising expectations is one of the great questions and challenges of the years ahead. But there is solid ground for hope. The successful Asian nations have been writing extraordinary records. To call their performance an economic miracle would be something of a semantic imprecision; it would also be a disservice. Precisely because the origins and ingredients of that success are not miraculous, it offers hope to those which have not yet turned the corner.

India still is a staggering giant, Burma flirts with economic chaos, and the Philippines, caught in a conflict of cultures and in search of an identity, lives in a precarious economic and social balance. But the most exciting trends in economic development today are being recorded by those Asian nations that have accepted the keys of progress and used them. Japan, Hong Kong, Taiwan, Thailand, Korea, Singapore and Malaysia all have been recording sustained economic growth rates of 7 percent a year or more; Japan has sustained a remarkable average of 9 percent a year since 1950, and an average 16.7 percent per year increase in exports over the same period. Thailand shifted into a period of rapid growth in 1958 and has averaged 7 percent a year since. South Korea, despite the unflattering estimates of its people's abilities by the average G.I. during the Korean War, is shooting ahead at a growth rate that has averaged 8 percent a year since 1963, with an average 42 percent a year increase in its exports.

These rapidly advancing countries vary widely in their social traditions and political systems, but their methods of economic management have certain traits in common: a prime reliance on private enterprise and on the pricing mechanisms of the market as the chief determinant of business decisions; a pacing of monetary expansion to match growth in output; receptivity to private capital investment, both domestic and foreign, including such incentives as tax advantages and quick government clearance of proposed projects; imaginative national programs for dealing with social problems; and, not least, a generally restrained posture in government planning, with the government's role suggestive rather than coercive. These nations have, in short, discovered and applied the lessons of America's own economic success.

IV

Any discussion of Asia's future must ultimately focus on the respective roles of four giants: India, the world's most populous non-communist nation; Japan, Asia's principal industrial and economic power; China, the world's most populous nation and Asia's most immediate threat; and the United States, the greatest Pacific power. (Although the U.S.S.R. occupies much of the land map of Asia, its principal focus is toward the west and its vast Asian lands are an appendage of European Russia.)

India is both challenging and frustrating: challenging because of its promise, frustrating because of its performance. It suffers from escalating overpopulation, from too much emphasis on industrialization and not enough on agriculture, and from too doctrinaire a reliance on government enterprise instead of private enterprise. Many are deeply pessimistic about its future. One has to remember, however, that in the past five years India has fought two wars and faced two catastrophic droughts. On both the population and the agricultural fronts, India's present leaders at least are trying. And the essential factor, from the standpoint of U.S. policy, is that a nation of nearly half a billion people is seeking ways to wrench itself forward without a sacrifice of basic freedoms; in exceedingly difficult circumstances, the ideal of evolutionary change is being tested. For the most populous representative democracy in the world to fail, while Communist China—surmounting its troubles—succeeded, would be a disaster of worldwide proportions. Thus the United States must do two things: (1) continue its aid and support for Indian economic objectives; and (2) do its best to persuade the Indian Government to shift its means and adjust its institutions so that those objectives can be more quickly and more effectively secured, drawing from the lessons not only of the United States but also of India's more successful neighbors, including Pakistan.

Japan has been edging cautiously and discreetly toward a wider leadership role, acutely conscious at every step that bitter memories of the Great East Asia Co-Prosperity Sphere might rise to haunt her if she pressed too hard or too eagerly. But what would not have been possible ten, or even five, years ago is becoming possible today. Half the people now living in Asia have been born since World War II, and the new generation has neither the old guilts (in the case of the Japanese themselves) nor the old fears born of conquest.

The natural momentum of Japan's growth, the industry of her people and the advanced state of her society must inevitably propel Japan into a more conspicuous position of leadership. Japan's industrial complex, expanding by 14 percent annually since 1950, already is comparable to that of West Germany or the United Kingdom. Japan's gross national product ($95 billion) is substantially greater than that of mainland China, with seven times the population. Japan is expected soon to rank as the world's third-strongest economic power, trailing only the United States and the Soviet Union. Along with this dramatic economic surge, Japan will surely want to play a greater role both diplomatically and militarily in maintaining the balance in Asia. As the Prime Minister of one neighboring country put it: "The Japanese are a great people, and no great people will accept as their destiny making better transistor radios and teaching the underdeveloped how to grow better rice."

This greater role will entail, among other things, a modification of the present terms of the Japanese Constitution, which specifically provides that "land, sea and air forces, as well as other war potential, will never be maintained." (Japan's 275,000 men presently under arms are called "Self-Defense Forces.") Twenty years ago it was considered unthinkable that Japan should acquire even a conventional military capability. Five years ago, while some Japanese thought about it, they did not talk about it. Today a substantial majority of Japanese still oppose the idea, but it is openly discussed and debated. Looking toward the future, one must recognize that it simply is not realistic to expect a nation moving into the first rank of major powers to be totally dependent for its own security on another nation, however close the ties. Japan's whole society has been restructured since World War II. While there still are traces of fanaticism, its politics at least conform to the democratic ideal. Not to trust Japan today with its own armed forces and with responsibility for its own defense would be to place its people and its government under a disability which, whatever its roots in painful recent history, ill accords with the role Japan must play in helping secure the common safety of non-communist Asia.

Any American policy toward Asia must come urgently to grips with the reality of China. This does not mean, as many would simplistically have it, rushing to grant recognition to Peking, to admit it to the United Nations and to ply it with offers of trade—all of which would serve to confirm its rulers in their present course. It does mean recognizing the present and potential danger from Communist China, and taking measures designed to meet that danger. It also means distinguishing carefully between long-range and short-range policies, and fashioning short-range programs so as to advance our long-range goals.

Taking the long view, we simply cannot afford to leave China forever outside the family of nations, there to nuture its fantasies, cherish its hates and threaten its neighbors. There is no place on this small planet for a billion of its potentially most able people to live in angry isolation. But we could go disastrously wrong if, in pursuing this long-range goal, we failed in the short range to read the lessons of history.

The world cannot be safe until China changes. Thus our aim, to the extent that we can influence events, should be to induce change. The way to do this is to persuade China that it *must* change: that it cannot satisfy its imperial ambitions, and that its own natural interest requires a turning away from foreign adventuring and a turning inward toward the solution of its own domestic problems.

If the challenge posed by the Soviet Union after World War II was not precisely similar, it was sufficiently so to offer a valid precedent and a valuable lesson. Moscow finally changed when it, too, found that change was necessary. This was essentially a change of the head, not of the heart. Internal evolution played a role, to be sure, but the key factor was that the West was able to create conditions—notably in the shoring up of European defenses, the rapid restoration of European economies and the cementing of the Atlantic Alliance—that forced Moscow to look to the wisdom of reaching some measure of accommodation with the West. We are still far from reaching a full détente, but at least substantial progress has been made.

During the next decade the West faces two prospects which, together, could create a crisis of the first order: (1) that the Soviets may reach nuclear parity with the United States; and (2) that China, within three to five years, will have a significant deliverable nuclear capability—and that this same China will be outside any nonproliferation treaty that might be signed, free, if it chooses, to scatter its weapons among "liberation" forces anywhere in the world.

This heightens the urgency of building buffers that can keep the major nuclear powers apart in the case of "wars of national liberation," supported by Moscow or Peking but fought by proxy. It also requires that we now assign to the strengthening of non-communist Asia a priority comparable to that which we gave to the strengthening of Western Europe after World War II.

Some counsel conceding to China a "sphere of influence" embracing much of the Asian mainland and extending even to the island nations beyond; others urge that we eliminate the threat by preemptive war. Clearly, neither of these courses would be acceptable to the United States or to its Asian allies. Others argue that we should seek an anti-Chinese alliance with European powers, even including the Soviet Union. Quite apart from the obvious problems involved in Soviet participation, such a course would inevitably carry connotations of Europe vs. Asia, white vs. non-white, which could have catastrophic repercusions throughout the rest of the non-white world in general and Asia in particular. If our long-range aim is to pull China back into the family of nations, we must avoid the impression that the great powers or the European powers are "ganging up;" the response should clearly be one of active defense rather than potential offense, and must be untainted with any suspicion of racism.

For the United States to go it alone in containing China would not only place an unconscionable burden on our own country, but also would heighten the chances of nuclear war while undercutting the independent development of the nations of Asia. The primary restraint on China's Asian ambitions should be exercised by the Asian nations in the path of those ambitions, backed by the ultimate power of the United States. This is sound strategically, sound psychologically and sound in terms of the dynamics of Asian development. Only as the nations of non-communist Asia become so strong—economically, politically and militarily—that they no longer furnish tempting targets for Chinese aggression, will the leaders in Peking be persuaded to turn their energies inward rather than outward. And that will be the time when the dialogue with mainland China can begin.

For the short run, then, this means a policy of firm restraint, of no reward, of a creative counterpressure designed to persuade Peking that its interests can be served only by accepting the basic rules of international civility. For the long run, it means pulling China back into the world community—but as a great and progressing nation, not as the epicenter of world revolution.

"Containment without isolation" is a good phrase and a sound concept, as far as it goes. But it covers only half the problem. Along with it, we need a positive policy of pressure and persuasion, of dynamic detoxification, a marshaling of Asian forces both to keep the peace and to help draw off the poison from the Thoughts of Mao.

Dealing with Red China is something like trying to cope with the more explosive ghetto elements in our own country. In each case a potentially destructive force has to be curbed; in each case an outlaw element has to be brought within the law; in each case dialogues have to be opened; in each case aggression has to be retrained while education proceeds; and, not least, in neither case can we afford to let those now self-exiled from society stay exiled forever. We have to proceed with both an urgency born of necessity and a patience born of realism, moving step by calculated step toward the final goal.

V

And finally, the role of the United States.

Weary with war, disheartened with allies, disillusioned with aid, dismayed at domestic crises, many Americans are heeding the call of the new isolationism. And they are not alone; there is a tendency in the whole Western world to turn inward, to become parochial and isolationist—dangerously so. But there can be neither peace nor security a generation hence unless we recognize now the massiveness of the forces at work in Asia, where more than half the world's people live and where the greatest explosive potential is lodged.

Out of the wreckage of two world wars we forged a concept of an Atlantic community, within which a ravaged Europe was rebuilt and the westward advance of the Soviet contained. If tensions now strain that community, these are themselves a by-product of success. But history has its rhythms, and now the focus of both crisis and change is shifting. Without turning our backs on Europe, we have now to reach out westward to the East, and to fashion the sinews of a Pacific community.

This has to be a community in the fullest sense: a community of purpose, of understanding and of mutual assistance, in which military defenses are coödinated while economies are strengthened; a community embracing a concert of Asian strengths as a counterforce to the designs of China; one in which Japan will play an increasing role, as befits its commanding position as a world economic power; and one in which U.S. leadership is exercised with restraint, with respect for our partners and with a sophisticated discretion that ensures a genuinely Asian idiom and Asian origin for whatever new Asian institutions are developed.

In a design for Asia's future, there is no room for heavy-handed American pressures; there is need for subtle encouragement of the kind of Asian initiatives that help bring the design to reality. The distinction may seem superficial, but in fact it is central both to the kind of Asia we want and to the effectiveness of the means of achieving it. The central pattern of the future in U.S.-Asian relations must be American support for Asian initiatives.

The industrial revolution has shown that mass abundance is possible, and as the United States moves into the post-industrial world—the age of computers and cybernetics—we have to find ways to engineer an escape from privation for those now living in mass poverty. There can be no security, whatever our nuclear stockpiles, in a world of boiling resentment and magnified envy. The oceans provide no sanctuary for the rich, no barrier behind which we can hide our abundance.

The struggle for influence in the Third World is a three-way race among Moscow, Peking and the West. The West has offered both idealism and example, but the idealism has often been unconvincing and the example non-idiomatic. However, the industrialized Japan demonstrates the economically possible in Asian terms, while an advancing Asia tied into a Pacific community offers a bridge to the underdeveloped elsewhere. During this final third of the twentieth century, the great race will be between man and change: the race to control change, rather than be controlled by it. In this race we cannot afford to wait for others to act, and then merely react. And the race in Asia is already under way.

THE OPEN SOCIETY—WITH EXCEPTIONS

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in a statement made when he signed into law the so-called Freedom of Information Act of 1967, President Johnson said:

> This legislation springs from one of our most essential principles: a democracy works best when the people have all the information that the security of the Nation permits. No one should be able to pull curtains of secrecy around decisions which can be revealed without injury to the public interest.

And, he further said:

> I have always believed that freedom of information is so vital that only the national security, not the desire of public officials or private citizens, should determine when it must be restricted.

In contrast to these words, the "Capitol Views" column of the Chicago Tribune's Willard Edwards points out that either there is another facet of the credibility gap showing up or that Mr. Johnson does not have much control over the State Department. For from his words, one would think that he truly has instructed "every official in this administration" to help achieve the intent of the new law. Either he has not or they are not listening. Case in point: Otto Otepka.

I include at this point, the statement of the President and the article by Mr. Edwards, as follows:

STATEMENT BY PRESIDENT JOHNSON UPON SIGNING PUBLIC LAW 89–487 ON JULY 4, 1966

The measure I sign today, S. 1160, revises section 3 of the Administrative Procedure Act to provide guidelines for the public availability of the records of Federal departments and agencies.

This legislation springs from one of our most essential principles: a democracy works best when the people have all the information that the security of the Nation permits. No one should be able to pull curtains of secrecy around decisions which can be revealed without injury to the public interest.

At the same time, the welfare of the Nation or the rights of individuals may require that some documents not be made available. As long as threats to peace exist, for example, there must be military secrets. A citizen must be able in confidence to complain to his Government and to provide information, just as he is—and should be—free to confide in the press without fear of reprisal or of being required to reveal or discuss his sources.

Fairness to individuals also requires that information accumulated in personnel files be protected from disclosure. Officials within Government must be able to communicate with one another fully and frankly without publicity. They cannot operate effectively if required to disclose information prematurely or to make public investigative files and internal instructions that guide them in arriving at their decisions.

I know that the sponsors of this bill recognize these important interests and intend to provide for both the need of the public for access to information and the need of Government to protect certain categories of information. Both are vital to the welfare of our people. Moreover, this bill in no way impairs the President's power under our Constitution to provide for confidentiality when the national interest so requires. There are some who have expressed concern that the language of this bill will be construed in such a way as to impair Government operations. I do not share this concern.

I have always believed that freedom of information is so vital that only the national security, not the desire of public officials or private citizens, should determine when it must be restricted.

I am hopeful that the needs I have mentioned can be served by a constructive approach to the wording and spirit and legislative history of this measure. I am instructing every official in this administration to cooperate to this end and to make information available to the full extent consistent with individual privacy and with the national interest.

I signed this measure with a deep sense of pride that the United States is an open society in which the people's right to know is cherished and guarded.

[From the Chicago (Ill.) Tribune, Sept. 19, 1967]

CAPITOL VIEWS

(By Willard Edwards)

WASHINGTON, September 18.—The state department, defying President Johnson and the unanimous will of Congress, apparently has decide to ignore a new law guaranteeing the right of the American people to know how their government operates.

The freedom of information act of 1967 went into effect last July 4 after a 13-year struggle in Congress to loosen the bureaucratic secrecy cover on government records which often was used to cover up blunders and errors, if not malfeasance.

James M. Stewart of Wood Dale, Ill., was the first man in line at the state department to seek information under the act. He asked for data on a cause celebre—the Otto F. Otepka case—which the state department, for four years, has fought with every artifice at its command to conceal from public scrutiny.

Seventy-six days later, after repeated rebuffs, Stewart has been forced to the conclusion that "the state department either reads this law differently than I do or various responsible officials have not read it at all."

Altho President Johnson adjured all executive departments to obey both "the wording and spirit" of the new act, Stewart has been able to obtain only some meaningless pamphlets, releases, and printed material.

He has been refused a copy of the ruling and the name of the official responsible for keeping the Otepka records secret.

PASS LAW OVER UNITED OPPOSITION

The Otepka case represents precisely the type of concealment thru official arrogance which drove Congress by unanimous vote to overcome the united opposition of every federal department and write into law the public's right to access to federal records.

There is no precedent in American history for the harassment, isolation, prosecution on trumped-up charges, and eventual dismissal of Otepka, former chief of evaluations in the state department's office of security. A Senate investigation left no doubt that he was fired in November, 1963, because he angered his superiors by questioning their security procedures and then compounding the crime by airing his doubts when summoned before the Senate internal security subcommittee.

At every step, the state department sought to obstruct the Senate's inquiry into its campaign of revenge against Otepka. Two officials perjured themselves in an attempt to conceal evidence. Otepka's efforts to defend himself were frustrated until last June when he was given a secret "trial" from which public and press were barred. The 2,000 page transcript of testimony was declared "classified."

Stewart had a legitimate interest in the Otepka record. He is director of the American Defense Fund, formed to help pay the heavy legal expenses attached to Otepka's long battle for vindication.

PROMISED TO RELEASE DOCUMENTS

His request for access to the records, it was learned, came up at a closed hearing in the state department last July 18, when Otepka and his attorney, Roger Robb, met with Idar Rimestad, deputy undersecretary of state for administration, and J. Edward Lyerly, deputy legal adviser for the state department.

Lyerly announced that Stewart's petition would be rejected, despite the provisions of the new law. This statement contradicted a state department announcement to the press four days earlier that Stewart would be given "all documents concerning the Otepka case he requested except one which does not exist."

Otepka and Robb protested that they wanted all evidence in the case to be made public. There was no possible legal basis for declaring any of the records "classified," they contended. Moreover, the Civil Service commission on July 11, acting under the new freedom of information act, had ruled that all "appeal files" should be open records.

The state department refused to yield. Secretary of State Dean Rusk will be given the case for a decision Oct. 10. He is reported to have sworn that, as long as he retains office, Otepka will never be reinstated.

In signing the new law, the President proclaimed the United States "an open society in which the people's rights to know is cherished and guarded." The state department obviously wasn't listening.

WHO ARE THE CRITICS OF THE GREEK GOVERNMENT?

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, when King Constantine, of Greece, visited the White House last week, there was a protest gathering which, according to the Washington Post, spoke out "against the ruling military junta in Greece." In this day of protests, there should be nothing unusual about that.

One picture of the protestors showed the actress, Melina Mercouri, Joseph Rauh, Jr., of the Americans for Democratic Action, and Jules Dassin, husband of Miss Mercouri. The ADA is not hard to understand. They are silent as to Communist oppression—can anyone ever imagine Mr. Rauh appearing to protest the ruling clique in Poland or Yugoslavia?—but generally tend to take a dim view of anything which is not a Communist- or Socialist-dominated government.

As for Miss Mercouri, however, some entirely different questions should be raised. She received a great amount of publicity and her TV presentation was that of a sincere, chagrined person. I think that we have a right to know how much she has been influenced by her husband, identified by one of his fellow movie directors on May 7, 1951, as a Communist. Edward Dmytryk, witness before the House Committee on Un-American Activities in 1951, admitted his past membership in the Communist Party and identified Jules Dassin as having been one of a group of persons in the Screen Directors Guild whom he had personally known as a member of the Communist Party. Frank Wright Tuttle, who also testified that he had been a Communist, identified Mr. Dassin as one of those he had known to be a Communist.

Mr. Dassin's record is long and clear as a member of Communist-front organizations.

Miss Mercouri's late father was very prominent in the United Democratic Left Party and was elected to political office on several occasions as a member of that party. The United Democratic Left was the successor to the Communist Party after the Greek Government officially outlawed the Communist Party following the Red effort to overthrow that country some 20 years ago. The United Democratic Left was the party of Miss Mercouri's father, Stamatis Mercouri.

All of this is not to say that Miss Mercouri is insincere in her opposition to the present regime in Greece. It is to candidly place her position in its proper perspective and quite properly raise the question "How much have you been influenced by Jules Dassin, Miss Mercouri?" Before the press lionizes her so-called righteous indignation, we should have an answer to that question.

A SEA-BASED ANTIBALLISTIC MISSILE NET

Mr. ANDERSON of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, before we commit the energy, disciplined brainpower, and wealth of America exclusively to a terminal-phase missile interception system, I respectfully call upon the Congress to consider most thoughtfully a fresh, hard concept as promising and revolutionary in the realm of strategic defense as was the Polaris concept in strategic offensive systems. The contemplated Sprint-Spartan terminal phase defense system may be likened to the gladiator's helmet and breast plate. Our scientific establishment now offers us a shield or net.

The new concept bears the name SABMIS, standing for sea-based antiballistic missile intercept system. We are dealing here with a marriage of the Polaris-Poseidon technology with the Sprint and Spartan systems. In effect, the deployment of a SABMIS unit would place in the seas close to an adversary's homeland and across his "launch trajectory window," a mobile, partly submerged screen of antimissile forces. The outstanding features of SABMIS are these:

First. Early interception of an adversary's offensive missiles promises the destruction of multiwarhead missiles before such weapons split into a virtual shower of decoys, penetration aids, and destructive thermonuclear warheads over the United States. The proposed terminal phase and antimissile defenses surrounding our priority targets within the United States would have to deal with each incoming element of the "shower" individually, unless the launch vehicle is thus intercepted before its dispersion is effected.

Second. Along with the Polaris-Poseidon forces, SABMIS would move much of the impact of any future nuclear confrontation out to sea and away from our population centers. One example of this feature is that SABMIS interception and destruction, with its inevitable nuclear collisions and fallout, would take place over the adversary's homeland or over the sea.

Third. A wisely balanced mix of SABMIS and fixed terminal-phase, Sprint-Spartan-type defenses would give us two interception zones, thus vastly increasing any opponent's difficulties in insuring penetration, and magnifying his doubts of any reasonable prospectus of achieving a disabling first strike. The latter are deterrent factors, but should irrationality prevail and deterrence fail, the ultilization of SABMIS would reduce the task of the terminal-phase defenses to manageable proportions and/or force an attacker to divert substantial forces to attempts to find and neutralize the ocean-based barrier. These attempts in themselves, it should be noted, would constitute warnings of the most valuable sort.

Fourth. SABMIS promises a substantial alleviation of that most crucial shortage in crisis decision time before committing our land-based offensive missiles. Where first strikes by a potential enemy against our strategic retaliatory forces can be deflected by SABMIS far from our shores, that terrible counterblow need not be launched immediately to avoid destruction of the launch sites. Such a time buffer reduces the chances of overreaction, accident, or error.

Fifth. A remarkable feature of SABMIS is the ability it can provide us in turning aside nuclear blackmail bargaining by adversaries who, in effect, hold our friends and allies "hostage" under the threat of missile-borne destruction. Thus, the deployment of a SABMIS unit in the Sea of Japan or the Bay of Bengal could cover the approach routes of missiles from China directed against Japan or India, respectively. No fixed-base system in the United States offers such an answer to this type of threat to our international interests.

Sixth. Needless to say, the unique shielding capability of SABMIS is of enormous significance to the whole nonproliferation thrust. SABMIS, very simply, can offer a substantial degree of security to poorer friendly nations against crude but terrifying nuclear missiles acquired by ideologically militant neighbors—without requiring such threatened states to develop their own deterrent nuclear forces.

Seventh. We are not speaking here of a defensive system requiring a chain of technological breakthroughs for practical realization. The R. & D. requirement for SABMIS is largely a recombination of state-of-the-art hardware and technology. Sufficiently feasible and promising does the Department of Defense consider the SABMIS concept that several major military systems manufacturers are under contract to develop design proposals.

Mr. Speaker, it has been estimated that Red China will have a ballistic missile delivery capability in the early 1970's. When this happens we will have a most pressing need for SABMIS. The time to get going is now.

Mr. Speaker, I insert these articles detailing the progress of SABMIS and commend them to the attention of all legislators concerned with the strategic security of the United States:

[From the New York Times, July 4, 1967]

ANTIMISSILE NET AT SEA PROPOSED—SHIP-BASED DEFENSE SYSTEM THAT WOULD BOLSTER NIKE-X PRESSED BY THE NAVY

(By William Beecher)

WASHINGTON, July 3.—The Navy, with the encouragement of Defense and Army officials, is pressing studies of an antimissile missile system based on large submarines and warships.

Such a system, it is said, could increase the protection of the United States by stationing water-borne antimissile platforms in international waters off Communist China and the Soviet Union to get an early chance to intercept long-range missiles fired from those countries.

And, in a crisis situation involving friendly nations such as Japan, proponents say, an antimissile fleet could be placed in position between that nation and a potential aggressor to reduce or even eliminate the threat of nuclear blackmail.

Defense officials say the proposed Navy system would not compete with the Army's Nike-X missile defense. A decision is expected this fall on whether to start deployment of a $4-billion to $5-billion Nike-X system around the United States to provide a "thin" defense of the entire country against a Chinese-type threat, as well as tight defense around Minuteman silos.

The Navy system, code-named SABMIS for Seaborne Anti-Ballistic Missile Intercept System, would make Nike's job more manageable by knocking down large numbers of enemy intercontinental ballistic missiles well before they reached airspace over the United States.

And, in the event that the Russians and later the Chinese introduce very sophisticated ICBM's that employ penetration devices, multiple warheads and maneuvering warheads, officials say, SABMIS—if deployed far enough forward—could intercept some of these missiles before they have a chance to make use of such advanced devices.

Pentagon officials say the Navy system could be deployed in special submarines under the North Polar icecap, in surface and subsurface fleets off the Aleutian Islands, and in several other locations even closer to enemy territory. They say that such ships have unlimited deployment possibilities so long as they stay in international waters.

Last month, when the Navy advised industry that it was about to put out some preliminary design studies for the new system, 31 companies rushed in an expressed interest in participating.

From the list the Navy selected six companies—Hughes Aircraft, Martin-Marietta, Boeing, Aerojet-General, McDonnell-Douglas and Raytheon—to compete for a six-month study on the design of the system.

Initially, the Navy was thinking of using either the present Polaris missile booster or a new booster for SABMIS, but the Defense Department urged the Navy to make use of the Army-developed Spartan and Sprint missiles.

Now, Navy officials say they contemplate making use of Nike-X technology instead of undertaking on entirely new development program. The Army has already spent more than $2-billion developing the Nike system.

USE ON SHIPS POSSIBLE

"We feel that anything that has been developed for land basing may also be based on ships," a Navy planner said.

He said it was hoped that the industry studies would come up with the best combination of submarine and ship platforms to insure survival against a surprise attack, as well as effective interception of enemy ICBM's.

There would always have to be some surface ships in any deployment, he said, in order to get good radar coverage of the defended area.

The Navy planner said that a fan could be drawn on a globe with the apex at the point of ICBM launching. The fan would spread out across the globe to the extreme range of the missile. The closer the missile defense to the point of launching, the smaller the section of the "threat fan" to be defended, he noted.

An antimissile fleet position off the Aleutians, he said, would be athwart the path of missiles aimed at the western half of the United States.

A high ranking Army Nike-X specialist was just as enthusiastic. He commented:

"The Navy system is both feasible and attractive. It could intercept enemy ICBM's before they can deploy most of their penetration aids; it would reduce the number of missiles Nike-X would have to contend with; and it would tremendously increase the enemy's technological problems by forcing him to become very sophisticated indeed if he wants to stand any chance of getting his ICBM's past both the mid-course and terminal phase defenses."

[From Aviation Week & Space Technology, July 17, 1967]

PROPOSALS DUE ON SEA-BORNE ABM SYSTEM

WASHINGTON.—Industry proposals are due this week for a Navy-funded contract to study the feasibility of a Seaborne Anti-Ballistic Missile Intercept System (SABMIS).

It is intended to complement a land-based Nike-X system by permitting the intercept of enemy ICBMs during the early portion of their trajectories. Additionally, such a system could be used to defend other countries against the threat of missile attack.

Companies selected to submit proposals include: Aerojet-General; Boeing; a team of Hughes Aircraft and Lockheed; Martin Marietta; McDonnell-Douglas, and Raytheon. In addition, Ling-Temco-Vought requested and was granted permission to bid.

If the six-month study indicates the concept is feasible with essentially existing technology, the contract definition phase competition could begin as early as Fiscal 1969, assuming Pentagon officials approve. But most observers expect that additional investigations and exploratory development will be required.

POTENTIAL ADVANTAGES

The concept of a mobile missile defense system which could be deployed so as to intercept enemy ICBMs before they can deploy decoys and thereby to reduce the number of targets that must be handled by a land-based Nike-X system offers many potential advantages. Since an effective SABMIS would improve the over-all ability to defend against ICBM attack, the Army welcomes the concept rather than viewing it as a potential competitor for Nike-X.

Navy officials see SABMIS as a valuable tool of U.S. foreign policy because it could be moved into position to protect allies or neutral countries from ICBM blackmail, especially from Communist China.

For example, it might, upon request, be deployed in the Sea of Japan or the Indian Ocean.

CNO STUDIES

The concept is an outgrowth of long-range strategic studies that have been conducted by the Chief of Naval Operations. In February, the Navy formed its Office of Strategic and Defense Systems, under CNO, with Rear Adm. George H. Miller as director, to push the concept. The SABMIS program currently is centered in this office, but responsibility may soon be transferred to one of the systems commands, probably the Naval Ordnance Systems Command.

Initial emphasis is to be placed on a surface-based system, with ships serving both to mount the required radars and as missile launching platforms. Eventually, submarines outfitted with interceptor missiles might be deployed for greater security.

One of the potential advantages of a seaborne missile defense system is that it would be sufficiently mobile to prevent an enemy from using ICBMs against it. Thus the deployment of SABMIS would require an enemy to develop and build a new class of weapons, rather than merely building additional ICBMs, which is the logical response to a land-based missile defense system, according to Navy planners.

In some respects, the problem of intercepting an ICBM in mid-trajectory is easier for a seaborne system than for a land-based Nike–X system, but in other respects it is more difficult. The absence of decoys eliminates the problem of discriminating between worthwhile targets as well as reducing the number of targets that must be handled. But the problem is made more difficult because the target is changing relative position more rapidly in mid-trajectory than during the final entry, at which point the principal change is in range.

The lack of decoys will ease the demands on the SABMIS radars and computers, but the fast-changing target position may require a more maneuverable interceptor missile than for Nike–X.

Present thinking is that the SABMIS system will use the technology of Nike Spartan and Sprint but not necessarily the same missile designs. Since the Sprint is designed for low-altitude point defense, the Spartan is expected to be more applicable to the seaborne system requirements.

MAJOR PROBLEM

One major problem may arise in trying to operate a large phased-array type radar suitable for missile defense aboard a ship. This problem results from flexure of the ship itself and the need for rigidity in a large phased-array radar antenna.

Flexure of the array could cause serious errors in the formation of the radar beam or present a requirement for the use of elaborate compensating techniques.

Navy planners believe that SABMIS can be built without any major advances in the state of the art, largely by adapting radar, computers and missiles developed for Nike-X and other programs. But observers believe that the Defense Dept. officials will insist upon a number of feasibility demonstrations before committing themselves to a contract definition phase. For example, it is expected the Pentagon will require the Navy to demonstrate shipboard launch of a Nike Spartan-type high-acceleration missile and shipboard operation of a large phased-array radar antenna similar to that required for the missile defense system.

Observers also expect the Air Force to challenge the Navy's attempt to encroach further on USAF's traditional missions. Area defense against air-breathing targets has long been an Air Force responsibility. Current Air Force studies are examining satellite-borne missile defense concepts (AW&ST May 15, p. 84). Because such space-borne ICBM defense systems would require new technology which would preclude early deployment. USAF is expected to seek other near-term alternatives to blunt the Navy's SABMIS concept.

One likely possibility is the use of the Lockheed C–5A as an ABM missile launch platform, with another configuration of the C–5A as a platform for ICBM detection and tracking radars.

But such an airborne missile-defense concept would require considerably more new hardware development than is anticipated for SABMIS.

Although the Navy initially will emphasize ship-based intercept missiles, it believes that a mixed force of ship and submarine missile launchers would add to SABMIS effectiveness. Submarine launchers would enjoy greater security from enemy attack and they could operate in the Arctic Ocean, surfacing through breaks in the ice to fire their missiles, according to Navy planners.

[From the Christian Science Monitor, July 24, 1967]

SEA MISSILE KEY TO U.S. DEFENSE?

(By George W. Ashworth)

WASHINGTON.—The key to tomorrow's nuclear deterrent force may be the sea.

The concept of the sea as the main base for the United States deterrent force in the latter 1970's and 1980's is being pressed in some Navy circles as a feasible, practical means of securing United States primacy in the strategic balance.

If present plans were to reach fruition, Navy sources say, the continental United States might be kept safe from nuclear destruction.

One aspect of the over-all concept is the planned study of design of a seaborne anti-ballistic missile (ABM) intercept system.

As envisioned, a naval ABM system would complement any ABM system built on land. Should the administration fail in its efforts at meaningful talks and subsequent agreement on the ABM question, it is expected to move toward deployment of a thin, land-based ABM system providing some defense of the entire continent with Spartan nuclear missiles and some point defense of strategic centers and complexes. With point defense by Sprint missiles, such a plan would cost an estimated $4 to $6 billion dollars.

FLEXIBILITY CITED

The Navy says that a sea-based ABM system could be moved about to protect against changing ballistic missile threats.

Studies of the proposal are to take six months. If there were a decision to go ahead with the development, deployment would take about five years. Costs would be cut by using much of the research and technology that has gone into the land-based Nike-X system.

Because the force could be concentrated to counter any given threat, Navy sources argue, the United States could build a defense in depth without the vast expenses entailed in development of a heavy land-based system. Surface ships and submarines would probably both be used to allow a capability against varying threats. The submarines, for instance, would be able to operate in the Arctic Ocean, surfacing through ice breaks to take on enemy missiles. By intercepting at a point earlier in the trajectory, sources say, the missiles could strike before decoys were deployed and early enough so systems farther along in the trajectory would have less of an offensive force to cope with.

OTHER SEGMENTS

Essentially, however, the seaborne ABM system is thought of by some Navy strategists as just one part of a vast strategic force. That force, as they see it, might also include:

Huge nuclear-powered aircraft carriers capable of carrying strategic bomber squadrons.

A large force of ships carrying strategic missiles to complement the nuclear submarine force equipped with Poseidon missiles. That submarine force could be somewhat expanded and equipped if necessary with successor missiles to the Poseidon, which has yet to be deployed.

Antisubmarine forces and attack aircraft and warships to take on enemy aircraft and ships. The planes, ships, and submarines would reflect the future state of the art and would be of sufficient sophistication to pose a threat of devastating potency.

All of this would, of course, cost billions of dollars. Whether it would be worth the cost will be decided in secret strategy-planning sessions. Whether the nation could afford it would be influenced largely by whether the United States is still embroiled in the war in Vietnam or some other conflict.

DEFENSE CONCENTRATED

The United States strategic missile and bomber forces are largely based in the United States at present. One thousand Minuteman and Titan II missiles are based in the continent, as are the bulk of the B–52 and the B–58 bomber forces. Only 656 Polaris missiles in the 41-submarine nuclear fleet are based at sea.

Navy strategists argue that the sea presents advantages for the United States not available to its cold-war adversaries. In terms of land area, they point out, the United States is at a disadvantage, particularly vis-a-vis Russia, with twice the area. As a result, they argue, attacks of equal force would cause the United States to sustain greater comparative losses. Conversely, United States access to the sea is excellent on two oceans, while the Soviets are greatly limited.

As these strategists see it, however, a change in emphasis to get most of the United States strategic strength out to sea would mean that an opponent would be forced to contend first with a United States retaliatory and defensive capability well away from the United States mainland. The Chinese Communists or the Soviets would be forced to develop new types of weapons in an effort to counter the naval force, thus diverting energies from other efforts.

COMPLEXITY INCREASED

Because enemy planners would find it exceedingly difficult to determine the exact location and composition of the various forces in the United States strategic fleet, the sources argue, it would be difficult and perhaps impossible to do the necessary planning and targeting for a successful surprise attack.

As envisioned, perhaps, 75 percent of the strategic capability would be at sea. But the remaining land-based bombers and missiles would suffice to make any enemy wary of taking on a multifaceted threat, the strategists say.

Basically, the Navy men argue, moving the bulk of the capability out to sea while retaining the land-based deterrent force would accomplish six strategic objectives:

Eliminate temptation or motivation on the part of an enemy to launch a surprise nuclear attack on the continental United States.

Reduce the vulnerability of United States nuclear forces to surprise attack.

Reduce the danger of nuclear war by accident.

Afford more negotiation and decision time during a crisis, without thus opening the way for unacceptable destruction of forces.

Get the United States, its people, and industry out of the line of fire in a nuclear exchange.

Reduce the need for overt military movements that could alarm allies and frighten foes into precipitous countermeasures.

[From the Washington Post]

CLOSE TO LAUNCHING SITES: NAVY PROPOSES FLOATING DEFENSE AGAINST MISSILES OFF RUSSIA, CHINA

(By George Wilson)

The Navy has entered the antiballistic race with a proposal to station ships equipped with antimissiles off the Soviet and Chinese coasts to intercept enemy missiles shortly after they are fired.

While Navy proponents claim their plan would only be an extension of, and not a replacement for, the Army's land-based Nike X program, the proposal reflects the increased interest of all three services in playing a major role in an ABM system.

The Air Force also has taken a new look at its earlier proposals. One of these would employ such airplanes as the giant Lockheed C–5A transport, as launching platforms to intercept enemy missiles.

Navy leaders argue that a close-in, ship-based line of defense would permit the United States to catch an enemy missile before it has time to break into a shotgun scatter of real and decoy hydrogen bombs. In addition, there would be fewer technical difficulties in tracking and finding enemy missiles.

The United States, Russia—and most likely Red China—are spending a lot of effort on making sure their long-range missiles can get through any defense.

Techniques range all the way from the old trick of blinding the defender's radar with clouds of metal chaff to making H-bombs that can maneuver on their own as they fly in at the target.

But the bag of penetration tricks does not open until after the missile is a safe distance off the launching pad. An antimissile from a nearby ship might be in time to catch the whole package—missile, warheads and penetration aids—before they spread too far apart.

The Navy has enough faith in the concept—called Seaborne Anti-Ballistic Missile Intercept System, or SABMIS for short—to pay industry money to formalize it in paper designs.

Last week, several aerospace companies bid for the job: Aerojet-General; Boeing; a team of Hughes Aircraft and Lockheed; Ling-Temco-Vought; Martin-Marietta; McDonnell-Douglas and Raytheon.

The Navy expects to pick one or more of those firms by fall to conduct a six month feasibility study of SABMIS. Then, Defense Department superiors willing, the Navy would be ready to move toward the hardware stage.

Besides the advantage of getting close to likely launching sites, Navy leaders see SABMIS as bargain-basement protection for neutral nations afraid of nuclear blackmail by Red China.

A bunch of SABMIS ships, goes this argument, could stand between Chinese missiles and a neutral like India. Then India might not feel compelled to build an ABM system, having money for economic development.

NOT WITHOUT DETRACTORS

SABMIS is not without its detractors in the Pentagon. One top weapons official said: "We're going to get a decision on our own ABM system before we start worrying about one for the Bay of Bengal."

But this opposition has not deterred the Navy's new Office of Strategic Defense Systems, headed by Rear Adm. George H. Miller. His office sees SABMIS as a system which could do for defense what the Navy's Polaris submarine fleet has done for offense.

The SABMIS fleet—like the Polaris subs—would be kept moving. Of course, the enemy might sink surface ships just before launching a missile attack.

Asked about this vulnerability, one Navy strategist countered: "This kind of warning would be worth the cost of SABMIS."

ESTIMATED AT $2 BILLION

Rough Navy estimates are $2 billion for SABMIS, counting the whole works—ships, radars and the missiles themselves.

Navy planners are thinking in terms of six to 40 ships for SABMIS, with a possibility later on of using submarines to launch ABMs.

In hopes of avoiding an Army-Navy fight, Navy leaders stress their system is not designed to replace the Army's Nike X. The Navy would use the 400-mile-range Spartan missile for SABMIS and also the Nike X radar. The ships would be built with special armor against nuclear blast and fallout.

Building a Nike X missile defense around the United States is gaining Johnson Administration support in the wake of Red Chinese nuclear tests.

Congressional demands for a $3-billion to $10-billion version of Nike X will intensify this week if the Joint Congressional Atomic Energy Committee releases as planned, its report on Chinese nuclear progress.

[From the Springfield (Ill.) State Register, July 3, 1967]

NAVY ADVOCATES USE OF ANTIMISSILES AT SEA

(By L. Edgar Prina)

WASHINGTON.—Navy planners believe it would make sense to put antimissiles at sea so that enemy ICBM's could be destroyed far from the continental United States.

Accordingly, the Navy—with the blessing of the Defense Department—has asked industry to join in a study it hopes will lead to the design of a ship-based missile intercept system.

The Office of Naval Research on June 1 advertised for help as follows:

"Firms and organizations having demonstrated capabilities for performing a study of ballistic missile intercept systems and subsystems are invited to submit information regarding their qualifications.

"Selected firms and organizations will be considered for participation in a study program leading to preliminary design of a sea-based ballistic missile intercept system (SABMIS). . . . It is expected that a study effort in this field will cover a six-month period."

The Navy got 31 responses from industry. After reviewing them, it selected six firms or teams of firms, to submit proposals for the study. The firms were given classified briefings and have until July 19 to turn in their proposals.

It is understood that one—and possibly two—firms or teams will get the contract for the study, probably by August 1 or soon thereafter. The Navy hopes to have the study completed by next Feb. 1.

The Navy has declined to identify the six firms in the competition.

Navy planners say that the beauty of a sea-based anti-missile system is that the U.S. could knock down enemy rockets long before they approached the continental limits. This is particularly important in this era of multiple warheads.

Defense officials have told reporters that the Navy's submarine-based Poseidon rocket will have several warheads.

It is understood that each of these thermonuclear "bombs" could be directed at individual targets several hundred miles or more apart.

Multiple warhead rockets obviously would greatly magnify the job of a U.S. land-based antimissile system, such as the Nike F, for it would have to handle a great many separate enemy warheads.

[From the New York Times, July 9, 1967]

MISSILES GO TO SEA

(By Hanson W. Baldwin)

The nuclear age has gone to sea. Last week's news from the Pentagon that the Navy is studying a ship-based anti-ballistic missile system emphasizes once again—in modern context—Alfred Thayer Mahan's "influence of sea power upon history."

In mobility and in weapons the marriage of the "Nuke" and the ship has transformed the two-dimensional navy with control of the seas as its objective to a three-dimensional navy with the added objective of attack against, and defense of, the great continental land masses of the world.

Strategically and tactically the role of the Navy has been transformed by the nuclear age; the depths of the sea, the space above the atmosphere and every part of every land mass on earth are now accessible to modern naval power.

Today, the single most important nuclear contribution of the Navy is its fleet of 41 missile-firing submarines, each equipped with 16 missiles, each capable of destroying with its megaton nuclear warhead any city on earth.

Nuclear-powered engines—which require no air—enable these submarines to remain completely submerged for indefinite periods and their mobility and invisibility give them unequaled defensive invulnerability.

PLANS FOR POSEIDON

The submarine-launched ballistic missile has, moreover, another major asset: it draws the lightning of enemy nuclear attack toward the seas rather than—as land-based missiles do—toward the populated land.

In the next few years the Polaris family of missiles will be succeeded by the fourth-generation Poseidon, a missile with greater power, capable—alternatively—of carrying a larger warhead for a longer distance or several warheads, as well as various devices known as penetration aids to help the missile break through the enemy's defenses.

This submarine missile force, which is an important part of the nation's strategic nuclear offensive capability, may become even more important in the next step of the arms race. If the Russians develop MIRV—Multiple Individually Guided Reentry Vehicles—or several warheads for each missile, each capable of maneuvering along a different trajectory to its target, the threat of destruction to a fixed missile launcher ashore may become so great that the defensive answer may have to be to put more missiles at sea.

In addition to the Navy's ballistic missile bombardment force, the Navy's planes, flown from carrier decks, have a definite role in nuclear war. However, the nuclear role of naval aviation is now more "tactical" than "strategic"; the targets of naval aircraft are primarily near the periphery of the enemy's territory—submarine bases, airfields, radar and missile sites—rather than targets deep in the interior.

NUCLEAR DEPTH CHARGE

The Navy, like the other services, has developed so-called tactical, or smaller, nuclear weapons for specific purposes. A nuclear depth charge, which can be projected from plane or surface ship, is designed for use against enemy submarines. Small atomic bombs for taking out point targets—such as a strongpoint on a beach, are available. As far as is known, the Navy has no nuclear shells, but its short-range missiles—fired from surface ships or from planes—can carry nuclear warheads. Development of a naval model of the Army's 175 mm. gun is under way, and a whole "family" of new naval guns, some with rocket-assisted shells, others with devices to multiply present ranges many times, are under study. Any or all of these could utilize nuclear shells or warheads.

The Navy has also pioneered in the use of nuclear power for surface ships; the nuclear-powered aircraft carrier Enterprise has chalked up records in combat off Vietnam. Nuclear power for surface ships provides virtually unlimited high-speed cruising range, frees the ship of dependence upon oilers, eliminates stack gases and provides so many other advantages that despite Secretary McNamara's reluctance (based on greater costs) a nuclear powered fleet for all major vessels seems certain.

The Navy's seagoing anti-ballistic missile system would work this way. A number of ships—some with powerful radar, others as launching vessels—would position themselves across the "window" or angle of approach of missiles launched against the United States from bases in Communist countries.

[From the Philadelphia (Pa.) Inquirer, July 5, 1967]

AN ANTIMISSILE DEFENSE AT SEA

The studies being pressed by the Navy, with the encouragement of Defense and Army officials, of a possible antimissile missile system based on submarines and warships offer a promising means of strengthening this Nation's defensive posture and countering the nuclear threat posed by China's development of the H-bomb.

The feasibility of the Navy's idea is still subject to question, and sometimes it is impossible to hurry the kind of patient, painstaking work necessary to resolve all doubts in such a technological matter, but this is a hopeful development which might well serve to break a dangerous stalemate in thinking on U.S. security matters.

With the Soviet Union going ahead on its own antimissile system and Mao apparently triumphant in China and still committed to policies of aggression, it may be the worst kind of folly for the U.S. to neglect such a key defensive measure.

If the Navy can offer a practical system, as its spokesmen seem convinced it can, of basing anti-missiles at strategic points where the chances of success against a sneak nuclear assault are better than from permanent bases on land—and at a lower price—this may be a measure that will appeal to Secretary McNamara's cost-conscious type of thinking.

In our view, the need for starting at once on some kind of anti-missile missile system is growing more and more compelling every hour of every day. We hope the Navy has an idea capable of commanding a fair hearing from the Administration and the Secretary of Defense.

SABMIS: SEA-BASED PROTECTOR OF UNITED STATES

(By Charles F. Duchein, national president, Navy League of the United States)

SABMIS may sound like a hero of Greek mythology, but it's a new naval term that stands for a "sea-based anti-ballistic missile intercept system." It marks the start of a new naval strategic defense role. Its concept is to force potential enemies to spread their missile pattern and to provide for the preservation of the nation in a nuclear age through a defense in depth.

Upon returning to Washington after my trip to Viet Nam, I learned that our policy-makers were giving the SABMIS concept priority consideration. I believe an up-to-date look at SABMIS would, therefore, be of interest.

The SABMIS plan is to place anti-ballistic missiles aboard surface ships and to deploy them off the Soviet and Chinese coast, relatively close to Communist missile-launching positions.

By intercepting enemy missiles shortly after they are fired, the defense problem would be simplified and the blunting of a nuclear attack against the United States made manageable. There is another compelling reason to intercept quickly. The Soviets are known to be able to produce a multiple warheaded missile which breaks open at some point near the end of its trajectory and sends its several warheads against individual targets. By early interception, a single SABMIS can destroy all of the warheads at once.

The SABMIS ships, as contributors to continental defense, would be built to complement the proposed fixed Nike-X land sites inside the continental U.S. Though final plans for the construction of these ships are not yet firm, naval strategists are counting on this mobile system to do for defense what Polaris has done for the offense.

Several months ago, the Navy took a historic step in adjusting its organization to the strategic realities of the 20th Century. At the instigation of the then Secretary of the Navy, Paul H. Nitze, the directorate of Strategic Offensive and Defensive Systems was set up in the Office of the Chief of Naval Operations under Rear Admiral George H. Miller, a recognized maritime strategist. SABMIS is the first tangible result of the reorganization. The rapidity with which this concept is taking hold is a tribute to the organizational wisdom and strategic discernment of Mr. Nitze, now Deputy Secretary of Defense.

Underlying all military strategies is the primary provision for the protection and preservation of a nation. This was the starting point for the naval strategists who conceived SABMIS. In moving seaward to solve this perplexing problem, the land deficiency of the United States as compared to the Soviet Union was a major consideration. Since the Soviets possess 2½ times more land mass than the U.S., we are, megaton for megaton, at a damage-inflicting disadvantage by a factor of 2.5.

By placing anti-missile defense forces at sea, nuclear fire is drawn away from the industrial and population concentration of our cities. By the same action, the survivability of the defense systems is enhanced. Military systems, rather than civilian populations, are the primary targets enemy planners must destroy to insure their own country's survival. Consequently, much of their strike effort would have to be directed to SABMIS ships and Polaris submarines in launching a preplanned nuclear attack against the United States. The result would be a lesser number of nuclear warheads directed at the United States. The fallout, as well as the blasts, would be at sea, away from our cities.

SABMIS is not being marketed as a defense panacea, but the problem of intercepting an ICBM early in its trajectory is much easier for a sea-based system to solve than for the land-based Nike-X.

Few new strategic systems have gained such early interest and excitement. Industrial firms see much promise in it. They have moved quickly to offer the Navy their program and production know-how. The State Department is interested in SABMIS. Officials there welcome its anti-nuclear proliferation features. Our allies could come under the protective umbrella of the mobile SABMIS ships and their need for nuclear defense armament would be eliminated.

With the deployment of SABMIS, opportunities for the naval contribution to the vitality of our national strategy would be tremendously enhanced. Therefore, as a matter of policy, I am placing SABMIS in a top priority in the Navy League's maritime education program relating to the national strength at sea. With all the purpose and prestige of the League backing up the Navy-industry team, I am confident that SABMIS will be on schedule and, on that day, we will have taken a long step towards the preservation of this maritime nation.

PERSONAL EXPLANATION

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I am constrained to take this time, because of the misunderstanding that took place a little earlier in the day. After the debate or activity on the other bill and the Committee had risen, I understood from some of the leadership that there would be no other business to be considered this afternoon. Unfortunately, I went to the telephone and I did not know this matter would be brought up for consideration. Accordingly, I advised some of the Members on our side of the aisle to the effect that there would be no other business brought up this afternoon and that they could leave. Thus, several of the Members on this side of the aisle left the floor of the House.

I want to make it perfectly clear—and to leave the impression that this was done unintentionally—and I am sorry that it happened.

ADDITIONAL LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there opjection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the Members that the conference report on the Inter-American Development Bank will be called up for consideration on tomorrow.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Iowa.

Mr. GROSS. Will that be the first order of business on tomorrow?

Mr. ALBERT. It is intended that that will be the first order of business.

H.R. 100, THE SITUS PICKETING BILL

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, I am opposed to H.R. 100, the situs picketing bill.

Under the present law, every building trades union has the clearly established right to picket at a construction site if such picketing is directed in good faith at the employer on the jobsite with whom it has its dispute.

H.R. 100 would broaden this right so that a union with a dispute with one employer would be able to shut down a whole construction project. It would permit a union to throw a picket line around an entire construction project for the purpose of inducing the employees of all the contractors on the jobsite to strike. It would reverse the Supreme Court decision that held that such picketing violated the ban on secondary boycotts contained in section 8(b)(4) of the Taft-Hartley Act.

By enacting the Landrum-Griffin Act in 1959, Congress made clear its intent to close certain loopholes in the Taft-Hartley ban against secondary boycotts. H.R. 100 would open a new loophole larger than any of those closed by that legislation.

At the present time, a number of building trades unions are seeking or have obtained wage increases that far exceed those that have been granted to any other segment of the American economy. For example, in San Francisco the plumbers have increased their hourly wages 54 percent since 1961. Last year the White House had to threaten the withdrawal of nearly $200 million in Federal highway funds from the New Jersey area in order to force the operating engineers union to modify its demand for a wage increase of approximately 29.5 percent over the next 3 years. In Cleveland, Ohio, the building trades unions obtained some of the biggest wage increases ever granted in the construction industry. Pipefitters, carpenters, bricklayers, and ironworkers received a wage-fringe package of $2.30 per hour spread over 3 years. These increases will run as high as 14 percent a year.

The passage of H.R. 100 would give the building trades unions a new and devastating weapon. Such a weapon could be used to enforce future wage demands that would make the high price settlements of today appear moderate by comparison. Certainly, the cost of construction would skyrocket.

Moreover, under the provisions of the Davis-Bacon Act, as it is administered by the Department of Labor, whenever a building trades union wins a wage increase, and such union represents 30 percent of a particular category of workers in a certain area, that wage then becomes the prevailing wage. Thereafter, all employers in that area performing that type of work on a Government project must pay that wage and such payment is enforced by the Solicitor of the Labor Department.

Under these circumstances, it is entirely possible that in the event H.R. 100 is enacted, the Federal Government may be forced to seek wage controls in order to combat excessive wage demands by the building trades unions. For these demands could be backed by a greatly increased picketing power as well as the broad provisions of the Davis-Bacon Act. And this would be at a time when inflationary pressures are increasing and the cost of living is advancing at an alarming rate.

Last year when the situs picketing legislation was pending before the Rules Committee, I testified that the broad additional powers granted to the building trades unions could be used for purposes that are not in the best interest of the American public. I noted that under the broad language of the pending bill, a building trades union could engage in situs picketing to force an employer to discriminate against an employee because of his race, color, or creed. Proponents of the legislation were quick to claim that this was not the case and that the additional picketing powers could not and should not be used in this manner. The validity of my contention has now been proven by the fact that the Education and Labor Committee has amended H.R. 100 to prohibit picketing for this purpose.

In my testimony last year I also stated that under the proposed legislation, situs picketing could be used:

First, to close down a defense or space installation.

Second, to mount a product boycott.

Third, to breach or to interfere with an existing labor contract.

Fourth, to coerce an employer whose employees the picketing union does not represent or does not seek to represent.

Fifth, to force an employer to repudiate a labor organization that is lawfully recognized as the representative of his employees.

Sixth, to remove from the site a contractor who has bid for and won the contract under the provisions of a statute that requires the governmental agency to award the contract to the lowest bidder.

I see nothing in the provisions of H.R. 100 that would prevent this type of conduct.

The serious consequences that could flow from this legislation are graphically illustrated by the following:

First. In a recent decision by the Supreme Court of the United States, National Woodwork Manufacturers Association, and others, against the National Labor Relations Board, it has been held that the Carpenters Union could engage in a so-called product boycott. Despite what I believe is extremely clear language in the Taft-Hartley Act as it was amended by the Landrum-Griffin amendments in 1959, the Supreme Court held that the

Carpenters Union could refuse to install precut and prefitted doors and force the contractor to buy blank doors which the carpenters would cut and fit on the job.

If H.R. 100 is enacted, building trades unions not only could engage in this type of product boycott, they could picket and close down the entire site in order to enforce their demands. This would mean that important advances in construction techniques and prefabricated products could be banned from construction sites and the savings and improved construction flowing from such advances denied to the American public.

Second. Under the provisions of H.R. 100, the building trades unions are required to give 10 days notice before they are permitted to engage in situs picketing at a missile site. This so-called safeguard is totally inadequate. In the first place it only covers missile sites and does not concern itself with the hundreds of other Government defense facilities. Also, after the 10-day notice period is over, a union would be free to close down the entire site.

Significantly, even the building trades unions are concerned over the ramifications of this broad picketing power. In a letter to the chairman of the Special Subcommittee on Labor of the Committee on Education and Labor, the president of the Building and Construction Trades Department, AFL–CIO, C. J. Haggerty, stated:

> A large area such as Cape Kennedy could include a number of different sites in terms of different building projects and that picketing the one project does not authorize picketing of the entire Cape.

Unfortunately, Mr. Haggerty then went on to say that—

> The determination of what is a site cannot be fixed in terms of linear distance and that it would be for the administrative agency and the court to make reasonable determinations on the issue.

Third. Under the language of H.R. 100, nonunion employers and those employers whose employees are represented by independent unions become fair game and any construction site where they may be working, can be subjected to common situs picketing. Thus, District 50 of the United Mine Workers, the Christian Labor Association and any other independent union would be faced with a near labor union monopoly in the construction industry.

Fourth. At the present time, many industrial plants are being remodeled and modernized. In addition, at many plants there is extensive construction work in connection with the normal plant expansion. When this construction work is performed, industrial plant employees, employees of manufacturers who are installing their preassembled product and contractors employing building trades unions will be at the construction site. Under the provisions of H.R. 100, a building trades union may picket the entire construction site in an effort to remove the industrial plant employees or the manufacturers' employees from the job.

Fifth. In many States and localities, statutes have been adopted that require the submission of sealed bids. Then, under the provision of the statute, the bids are opened and the award is made to the lowest bidder. The contracting agency has no control over the selection of the contractor. The contract must be awarded to the lowest bidder. H.R. 100 would permit a union to picket the entire site in order to remove a successful bidder from the job. This would mean that the State or municipality would have to either helplessly stand by while its entire construction project is shut down or it would have to break the law and take the contract away from the successful bidder. A Hobson's choice of this type must not be forced upon our States and localities.

Under all the circumstances, I do not believe that H.R. 100 should be given a rule. There are far too many serious defects in this legislation. It should not be scheduled for House consideration.

BOEING-WICHITA NAMED "EMPLOYER OF THE YEAR" BY PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SHRIVER. Mr. Speaker, this year we are observing the 20th anniversary of the President's Committee on Employment of the Handicapped. It was a source of pride and pleasure to those of us from Kansas to note that the Boeing Co., Wichita division, is the recipient of the committee's Employer of the Year Award.

In a White House ceremony on Monday, September 18, 1967, President Johnson presented the large business award for 1966 to Mr. Ernest A. Ochel, Boeing general manager of the aerospace and aircraft productions facility at Wichita and corporate vice president. Mr. George Trombold, manager of Boeing's personnel division in Wichita, also was present at the ceremony.

Mr. Speaker, Boeing is the largest industrial employer in the State of Kansas, and it is a leader in providing employment opportunities for handicapped persons. In fact, Boeing-Wichita was cited as having more than 5,000 handicapped men and women among its 19,000 workers. This is a very significant figure and an outstanding example for others to follow.

The Boeing division at Wichita has worked out a system of matching a person's capabilities to the demands of a specific job, so that disabled employees can become fully productive workers.

I join in congratulating and commending Boeing-Wichita for its exemplary leadership in hiring the handicapped. They have demonstrated that much can be done to utilize the skills and capabilities of handicapped persons in business and industry. It is encouraging to find, too, that there is increasing acceptance and utilization of the handicapped in the plants and factories and offices throughout our Nation.

In addition to recognizing the contributions of Boeing management in this effort, we also should congratulate the handicapped themselves who have demonstrated their readiness to work despite disabilities.

AIR SAFETY

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. DEVINE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DEVINE. Mr. Speaker, during our hearings on air safety, before the Subcommittee on Transportation and Aeronautics, it was suggested by several witnesses that general aviation should be diverted from the major airports, thus leaving these facilities to the exclusive use of commercial planes.

Assuming serious consideration would be given to this plan by the FAA, some of the general aviation pilots have prepared the following petition:

> PETITION
>
> We, the undersigned, all legally registered voters, do hereby petition the Department of Transportation in the following matter:
>
> Whereas, in view of the congestion which has developed at certain areas which causes inconvenience and delay to those passengers who have paid their fare to a public transportation system; and
>
> Whereas, such congestion may be contributed to by individuals operating their own vehicles;
>
> Therefore, we petition proper authorities to take immediate measures which will prohibit each and every privately owned automobile from operating on or near any street, highway, road, parkway, bridge, tunnel or similar publicly paid for facility in order that these facilities will be available for the exclusive use of bus and truck companies. This, however will not preclude the owner of a private automobile from operating that vehicle back and forth on his own driveway on his own property as he may desire.

Although this may be a tongue-in-check petition, it certainly is thought provoking when we consider whether the general public should receive the benefit of public funds.

CONGRESSMAN SCHWEIKER ASKS GHETTO SCHOOLS FOR JOBS

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BIESTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BIESTER. Mr. Speaker, I wish to call to the attention of our colleagues an interesting and thought-provoking proposal by our distinguished colleague, the gentleman from Pennsylvania [Mr. SCHWEIKER]. In a recent graduation address at the Pathway School, Audubon,

Pa., Congressman SCHWEIKER called for a program to provide "school for jobs" using idle school buildings during the summers in our cities.

His speech follows:

SPEECH OF HON. RICHARD S. SCHWEIKER AT GRADUATION EXERCISES, PATHWAY SCHOOL, AUDUBON, PA., AUGUST 18, 1967

It's a double honor for me to be here today. First, I am proud to be associated with the Pathway School as a board member. Second, I am proud to be associated on this program with these very fine young people who are graduating today.

This graduation is a milestone for the Pathway School, a sign of its continuing story of achievement. For these young people it's a big day, too. This graduation shows them that their courage and hard work at Pathway School have paid off. I wish Pathway School many more graduations like this in the years to come.

To this year's graduates I extend my congratulations and wish them more success as their education goes on.

Education is a process of constant growth—and educational institutions themselves must keep on growing. Pathway is no exception. The demand for Pathway's program is very great. And Pathway is determined to grow—to meet this large demand.

It has a target of 200 students, along with increases in staff and facilities. But only part of Pathway's growth will be measurable in physical terms.

Pathway is going to grow in its influence throughout its field. I have high hopes for the advances that will take place when Pathway joins its program with a major university.

You are most fortunate in having such outstanding and well qualified leaders as Phil Klein to head this community effort, and Dr. Rappaport to head this educational effort.

And finally, Pathway is going to grow as a center for information and research on the teaching of these young people. The physical size of the school may have a practical ceiling of 200 boys and girls—but the knowledge Pathway is going to produce will have no limit.

So the boys and girls graduating today are part of the story of the Pathway school's growth and our progress in education. But we are all citizens of the larger society as well as this small society at Pathway school. As these students return home and rejoin regular school systems, let us all do some thinking about our public schools and some of our own more pressing problems. My point is that we have an urgent educational problem in the United States. We have neglected it for too long. We must now do something about it.

I don't have to remind you that this summer our cities have split wide open with terrible rioting. As a Congressman I believe our first objective must be to stop the riots and restore law and order to our cities' streets. But next, and just as important, we must stop breeding the conditions that have caused these riots.

Poor education I place at the top of the list of these riot-causing conditions.

Who were the rioters, after all?

They were the poorly-educated products of post-war slum schools.

They were the poorly-educated men with no skills to sell in today's sophisticated job market, due to their inferior schooling.

They were the poorly-educated fathers who can't support their families.

They were the poorly-educated fathers and mothers who see their children going to the same overcrowded, inadequate schools that they knew.

They were the poorly-educated men with worthless high school diplomas, worthless because 12 years in slum schools failed to teach them enough to find a good job today.

In our country, education has been the traditional way up the ladder for minority groups. But today many of the slum schools merely spin their wheels. They are grinding out graduates or producing dropouts who can barely read and write enough to apply for a job.

In our country today most people, including some Negroes, are earning more and living better than ever. But the Negroes left in the slums are living worse; in the very midst of an affluent society which they see portrayed every day on television.

In our Nation we have believed in civil rights. We have believed the Negro was making progress out of his poverty—thanks to civil rights. But the riots of 1967 have showed us we have been too complacent—too satisfied with ourselves!

We must halt the cycle of poverty that has plagued the Negro from the Deep South to the northern city ghettos. And we will not stop that cycle until we close the "education gap"—the major gap preventing Negroes from sharing in America's opportunities.

Without a good education, a Negro boy cannot hold a decent job in today's skilled-labor economy. There are fewer and fewer jobs being created for the unskilled.

Without a job, he can't support a family.

When men can't support their families, mothers have to work. That makes two strikes against the children.

When those children don't at least get a good education, that's strike three. They've struck out. By not giving them an equal opportunity, society has struck out, too. And in that kind of ball game there are no winners—everyone has lost.

The choice for our society is all too clear.

Either we move now to combat the deficiencies of ghetto education, or we watch our major cities go up in smoke every summer.

Either we guarantee good schooling for every ghetto child and job training to every ghetto adult, or we and our children face guerrilla warfare in the streets between Negroes and whites.

We must take a massive new program of education into the ghettos. We must focus initially on job training for adults and high school dropouts.

In the slums of our major cities, literally hundreds of school buildings stand idle during the summer months. In Philadelphia alone there are close to 100 such public school buildings in or near ghetto areas.

I propose that in every large city, these empty buildings become "schools for jobs" next summer, and when the school year begins these "schools for jobs" would keep right on teaching in the evening.

"Schools for jobs" would have job training classes.

"Schools for jobs" would have individual counseling.

"Schools for jobs" would teach whatever the working world requires of employees—job skills and all job-related habits.

"Schools for jobs" would instill pride, self-respect and self-confidence in its students.

And "schools for jobs" would supply the jobs themselves. These jobs would not be make-work positions swelling the Government payroll. They would be jobs with all types of business firms, large and small. Many of these jobs would be with small firms which need men but presently have no central place to recruit them.

"Schools for jobs" would arrange fast, cheap transportation between ghetto neighborhoods and outlying areas where the jobs are found.

I would like to see this "schools for jobs" program cover the ghettos of our large cities like a blanket next summer. If it gets off to a good start then, after months of careful preparation, we may very well prevent another "long, hot summer."

We may change the ghetto chant from "burn, baby, burn" to "learn, baby, and earn."

We already have seen the superb job training effort done in Philadelphia by the opportunities industrialization centers. Their founder, the Rev. Leon Sullivan, has been a dynamic and inspiring leader. He has shown the way, out of the ghettos.

The OIC should be the model for the "schools for jobs" program that I believe we must now establish on a national basis. Like the OIC, "schools for jobs" must be based on a spirit of Negro self-help and brotherly concern. It must not become just another white man's handout program.

Cities and States will have a vital stake in the success of the program. They should take their share of its costs. But if this program is going to be adequately funded, the cost will be too much for either the cities or States to absorb easily. The Federal Government will certainly have to participate in a major way.

The school systems of our larger cities could all use Federal payments. The city schools, already short of funds, with a dwindling city tax base, face the challenge of improving the education of Negro youngsters.

It would indeed be a half-measure if we gave job training to Negro adults but did nothing about the elementary schools Negro children attend.

If Negro children are not brought up to par during these all-important early grades, they will always lag behind. This is why I favor a Federal payment for the use of public school buildings in the "Schools for Jobs" program, provided the money stays in those ghetto schools.

In the past this Nation has settled for piecemeal solutions for the Negro conditions. What was worse, we puffed up these solutions as panaceas for the people being helped. But both we—and they—have lost our illusions in this hot summer of 1967. I hope that proposals like "Schools for Jobs" will help us get on with the task we have neglected for so long.

"Schools for Jobs" would provide badly needed job training. It would give impetus for Negro self-help. It would provide jobs for men and women, and take them to the jobs with an imaginative low-cost transportation plan. It would let Federal funds stimulate the improvement of public education in needy ghetto areas.

Finally, it would activate two of our idle national resources—schools with empty classrooms and men with empty pockets.

I have one final word for the class of 1967 here at Pathway School. This is a complicated and far-from-perfect world to live in. Today I've talked about one of its most serious problems. But we are fortunate to live in a great nation. Our Nation has the resources and the energy to do an incredible range of things within our lifetimes. I have the confidence that America can find an answer to this number one internal problem. And I have the confidence that you, the graduates who have pioneered here at Pathway, will be making your own important contributions as citizens of our Nation. Our future is very much in your hands.

CEREMONIES AT WRIGHT-PATTERSON AIR FORCE BASE

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from Oklahoma?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, last evening, Monday, September 18, 1967, I had the pleasure of attending and participating in ceremonies at Wright-Patterson Air Force Base at Fairborn, Ohio, in the Seventh Ohio District, which I have the honor to represent. These ceremonies commemorated the 20th anniversary of the U.S. Air Force. Wright-Patterson is one of the finest Air Force installations in the world. It is one of the most important, and certainly the most historic, of all military aviation centers. It is, further, one of the few twin airfield bases in existence.

The Wright brothers, Orville and Wilbur, flew their Wright Flyer airplane in experimental and flight-training maneuvers from the area now in this field. From their work came the first military aircraft which was bought by the U.S. Army Signal Corps around 1909. Wilbur Wright Field was activated in 1917 with the lease of a 2,075-acre tract and, under the Wright brothers' direction, was used to train American, British, and Canadian pilots for World War I service.

From this beginning, the base has evolved as the leading site for research and development in the field of aeronautics.

Wright-Patterson is the home of the Air Force Logistics Command, the Aeronautical Systems Division of the Air Force Systems Command, the 17th Bombardment Wing of the Strategic Air Command, and the Foreign Technology Division. It also encompasses the Air Force Institute of Technology and the 2750th Air Base Wing.

Over 28,000 personnel, military and civilian, are employed at Wright-Patterson, and the base is called home by many more thousands of Air Force people around the world.

The 20th anniversary ceremonies were cosponsored by the Wright Memorial Chapter of the Air Force Association and the Dayton Area Chamber of Commerce.

Three major awards were presented during the ceremonies, and I wish to extend additional congratulations to the following Air Force personnel for their outstanding contributions to the Air Force and the American people.

Brig. Gen. Jowell C. Wise, base commander, WPAFB, was presented the Annual Air Power Award;

Capt. Howard E. Bethel, assigned to the Aeronautical Research Laboratory was presented the Junior Officer of the Year Award;

M. Sgt. Virgil L. Brownlee, assigned to the Air Force Institute of Technology who received the Airman of the Year Award.

Robert Hunter, president of the Wright Memorial Chapter presented the outstanding service awards to the three winners.

In presenting the Air Power Award to General Wise he commented:

> This award is presented to General Wise for his outstanding efforts and continued support which contributed to the formulation of the airport zoning regulations.

Captain Bethel, who received the Junior Officer Award, was recognized for his pioneering work in the field of fluid mechanics. A research engineer in the Aeronautics Research Laboratory, he developed a general method of obtaining a solution of boundary layer fluid which is far more accurate than any previous method.

The maintenance chief of the Nuclear Engineering Test Facilities, Sergeant Brownlee's modification and maintenance program contributed markedly to the success of the program and continued to portray the excellence of performance that has typified his Air Force career.

Finally, Mr. Speaker, I should like to share with my colleagues the remarks of Gen. Thomas P. Gerrity, Commander of the Air Force Logistics Command on this happy occasion.

REMARKS BY GEN. T. P. GERRITY AT THE AIR FORCE ANNIVERSARY DINNER, SEPTEMBER 18, 1967

It was on this date, 20 years ago, that the Air Force became a separate department and military service with its own Secretary and Chief of Staff. Tonight we are gathered to commemorate that birthday.

As you all know, our origins actually go back 60 years. Military aviation, as part of the Nation's defense structure, had its beginning in August 1907—four years after the first flight—when the War Department created the aeronautical division.

The growth of our military aviation is a fantastic story in a fantastic century. It is a story of progress, leading from Kitty Hawk to Cape Kennedy—from the 12-horsepower engine of the Wright Flyer to engines with 20 million pounds of thrust.

Through all these years, the Dayton area, old McCook Field and Wright-Patterson Air Force Base have played a predominant role in the growth of aviation.

The Air Force Association, and our own Wright Memorial Chapter, have made many contributions in fostering public understanding of the Air Force mission.

While the Wright brothers made their first flights at Kitty Hawk, this turning point in world history was made possible by work they performed in this area.

Their pioneering experiments and tests with gliders which led to powered flight were conducted near the present site of Wright-Patterson. There is a concrete marker on the base which designates the spot where the Wright brothers built their first aircraft hangar for Dayton operations.

The first flight at Kitty Hawk lasted only 12 seconds and covered a distance of 120 feet. This is 65 feet less than the wing span of a B–52 Stratofortress. By comparison, the research vehicle—the X–15—has flown at speeds of over 4,200 miles an hour and has reached altitudes of over 350,000 feet. That altitude is difficult to imagine but it is about 67 miles straight up.

Wright-Patterson is not only the most historic of military aviation centers, it is also one of the most important and busiest. It is the center of Air Force logistics management, aerospace research, and many other activities. Its traffic is tremendous, with its two airfields averaging about 170,000 take-offs and landings a year.

In the years before 1947, the airplane proved it had an important place in the military structure during World War I. And we know that airpower was decisive in all the theaters of World War II—in North Africa, in Europe and in the Pacific.

When our new United States Air Force was born in 1947, it had a new commitment. It was to support the "Truman doctrine" under which this country affirmed its intention of aiding peoples anywhere in the world who were threatened by Communist aggression.

The late forties saw the Air Force participate in the "Berlin airlift," an operation symbolic of its role of serving the free world. Airpower supplied that blockaded city with food and fuel supplies.

In June of 1950, on the other side of the world, friction in Korea erupted into war. The United Nations called on the United States and other nations for help. In Korea, as elsewhere, the Air Force proved its versatility and effectiveness in fighting a "different" kind of war.

But we all know that the history of the Air Force is really the history of its people. The great progress that has been made would not have been possible without pioneering men . . . men who look ahead without blinders, who cast aside convention, who are not afraid to make decisions, who think beyond today, who are willing to try something different.

The history of our military aviation is replete with such men. The list is a very long one. There are such names as Benjamin Foulois . . . Frank Lahm . . . Henry "Hap" Arnold . . . Eddie Rickenbacker . . . Billy Mitchell . . . Jimmy Doolittle . . . Ira Eaker . . . Carl Spaatz . . . Curtis Lemay . . . to mention just a few.

Additional names are becoming a part of Air Force history as the conflict in Vietnam intensifies. Names like that of Airman First Class William H. Pitsenbarger, whose home was in nearby Piqua, Ohio. He was awarded posthumously the Air Force Cross. Airman Pitsenbarger sacrificed his life to aid wounded members of an Army ground force in a Vietnam jungle in April of 1966.

Another who has won a permanent place in Air Force history is Major Bernard Fisher. For rescuing a downed pilot from an enemy-held airstrip, he became the first living airman to receive the Nation's highest decoration—the Medal of Honor—since the Air Force became a separate service.

As we observe the 20th anniversary of the Air Force—and pay tribute to the men who have helped to make its history—we should give special thought to men like these. We can be grateful and proud that there are so many of them.

But we must credit not just the men of the Air Force. Due credit must be given to the wives of the Air Force who meet the challenges of establishing new homes in new areas, raising and educating Air Force families, and keeping the home fires burning during long periods of separation.

It is said that "brevity is the soul of wit."* And I think it is also the soul of after-dinner speeches, therefore, let me conclude with the observation that this 20th anniversary of our young, dynamic and vigorous Air Force is more appropriately recognized by a party than a sermon. So let us go on with this Air Force association and chamber of commerce party in honor of our United States Air Force.

CONGRESSMAN QUIE INTRODUCES TEXTILE IMPORT MEASURE

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. QUIE. Mr. Speaker, I am today joining many of my colleagues on both sides of the aisle who have introduced the Textile Trade Act of 1967—more popularly referred to as the Mills bill, after its author, the gentleman from Arkansas, Wilbur Mills.

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*Shakespeare, Hamlet, Act II, Scene 2.

I am particularly disturbed by the adverse effects that an ever-increasing, unrestricted flood of foreign textile imports are having on the Minnesota woolen manufacturers and their counterparts in the other States as well. I think that the time is at hand when we must take immediate and concerted action that will offer a measure of protection and relief to an industry that simply cannot compete with low-wage foreign imports. If remedial action is not forthcoming, the domestic markets will suffer even greater disruptions than they have to date.

What is more, this industry has played, and will continue to play, a critical role in our national defense efforts. This is well recognized. The continuation of policies that jeopardize this industry cannot help but have serious implications on our Nation's security. I am, therefore, introducing legislation identical in content to that originally sponsored by Congressman Mills and respectfully urge that the Committee on Ways and Means expedite consideration of this measure by the full House.

TRUTH IN PACKAGING

The SPEAKER pro tempore (Mr. Gonzalez). Under previous order of the House the gentleman from Ohio [Mr. Vanik] is recognized for 15 minutes.

Mr. VANIK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, on April 19, 1966, I introduced legislation along with many of my colleagues providing for truth in packaging, as part of an effort to protect the consumer from being deceived in the marketplace. Although somewhat weakened in the House, legislation was passed by this body on October 3, 1966, and signed by the President last November 3.

The law was intended to become effective July 1, 1967, and its provisions may be summarized as follows:

> I. Mandatory labeling provisions: A primary objective of the Act is to promote uniformity and simplification of labeling. The bill provides that:
>
> (a) the identity of the commodity shall be specified on the label;
>
> (b) the net quantity of contents shall be stated in a uniform and prominent location on the package;
>
> (c) the net quantity of contents shall be clearly expressed in ounces and, if applicable, pounds or, in the case of liquid measures, in the largest whole unit of quarts or pints; and
>
> (d) the net quantity of a serving must be stated if the package bears a representation concerning servings.
>
> II. Discretionary labeling provisions: The Act authorizes the administering agencies to promulgate regulations when necessary to prevent consumer deception or to facilitate value comparisons:
>
> (a) to determine what size packages may be represented by such descriptions as "small," "medium," and "large";
>
> (b) to regulate the use of such promotions as "cents off" or "economy size" on any package;
>
> (c) to require the listing of ingredients in the order of decreasing predominance; and
>
> (d) to prevent nonfunctional slack fill.
>
> III. Packaging provisions: The Act provides for the voluntary adoption of packaging standards. The Act authorizes the Secretary of Commerce to call upon manufacturers, packers, and distributors to develop voluntary standards whenever he finds that undue proliferation of weights, measures, or quantities impairs the ability of consumers to make value comparisons. If voluntary standards are not adopted, the Secretary of Commerce shall report this fact to Congress together with his legislative recommendation.

I would like to comment on a few of these provisions. Under part (c) of the mandatory section, the law provides that statements of quantity should be constructed so as to avoid the necessity of conversion. Thus, a package labeled 1 pound, 14 ounces is no longer permissible without also stating it as 30 ounces. Part (d) of the mandatory section prohibits the display of the number of servings to a package without stating the quantity of each serving. Until the law is enforced, the shopper will have no way of telling if the statement of "serves 4" on a gelatin box will actually do just that or will only be enough for one or two adult servings.

There is also a discretionary section in the law which authorizes the administrative agencies, FDA or FTC as the case may be, to promulgate regulations when necessary to prevent the consumer from being deceived or to facilitate value comparisons. In other words, if the agencies assume their responsibility, it will no longer be necessary to choose among 18 different cereal box sizes or 10 different pork and bean sizes and then try to figure out from all the different prices which is the best buy.

These provisions of the Truth-in-Packaging Act if carried out, Mr. Speaker, would insure an informed demand by the consumer.

The Federal Trade Commission issued its first set of tentative regulations on June 27 with a correction on July 1, the effective date of the law. Interested parties had 30 days from June 27 to make comments on the regulations. After these comments were then studied, the regulations were republished in the Federal Register. This is standard operating procedure. However, when the industry protested that it did not have time to study the regulations and prepare comments, an extra 30-day extension was granted. Another 30 days in which the industry took advantage of the consumer, especially the poorly educated consumer.

The question naturally arises, why did not the industry concern itself with the regulations before the law was to become effective on July 1?

Once the Federal Trade Commission gets past its various 30-day comment periods, and republishes the regulations, there is a 30-day comment period in which formal objections can be filed, hearings held before a hearing examiner and the question adjudicated. It appears that the snow will fall before the American consumer gets the benefit of the truth-in-packaging law, mild as it is.

The Food and Drug Administration is going through the same process but recently stated that its regulations will not take effect before December 31, 1967.

It was clear even in May that in the industry, with some exceptions, had absolutely no intention of moving one step faster than it had to. In an article on the coming effective date of the law in the Washington Post on May 7, 1967, one spokesman for the merchandisers said, "If the printing industry turned loose all its capital industry, it probably could not re-do all the labels by July 1." But he pointed out that "executives of labeling organizations all over the country met in Washington at the end of April to go over the Hart Act—truth in packaging—section by section and agreed to seek Government action to bring about changes."

As one industry spokesman said, "We have reason to believe the Government will yield to changes." In other words, once the elected representatives of the people have considered a bill for several years, held hearings on it, debated it, and the President has signed it, the industry still believes it proper to apply pressure on selected points in the bureaucracy to change the intent and meaning of the law and to delay its implementation with highly organized tactics of obstruction.

What has actually been done to help the consumer make a rational choice in the marketplace as a result of the Fair Packaging and Labeling Act which was supposed to become effective July 1, 1967? According to a study conducted by my staff, many packagers have not taken a single step to conform to the law. Those responsible for packaging food and drugs are guilty of legalistic foot dragging, delay, avoidance, and disregard for the obvious provisions of the law in an attempt to take advantage of the innocent consumer for as long as possible.

Several weeks ago, I had my staff do some package sampling at a modern supermarket in Southwest Washington, D.C. They noted a number of packaging practices prohibited by the new law both before the effective date of the law, on June 26, again on July 13, during the Labor Day recess, and on September 18. In all cases; there were no significant changes or improvement in the honesty of the packaging; indeed, there were some changes for the worse.

On all four of our sampling dates, we found a large number of products still being marketed with a statement of number of servings but without noting the quantity of each serving. Birds Eye and Bel-Air sell frozen vegetables with a statement of servings, generally "3-4, servings," without a clear statement of the quantity of the servings. Birds Eye, for example, marks its packages "makes about 1⅓ cups—two servings," thus introducing conversions and confusion. Other frozen vegetable brands use the same tactic, but they were removed from the sample store after our first visit.

Captain's Choice Frozen Fish also offers the buyer "four servings" but with no mention as to size or amount of servings.

The gelatin and pudding manufacturers have improved their packaging over the sample period. At first, of the five gelatins available on the shelves of the sampled store, five bore "number of servings" contained in the box, but only one defined the quantity of a serving. Now, only Junket and My-T-Fine still advertise "servings" without defining the quantity.

Even though the act contains a section which authorizes the appropriate agencies to promulgate regulations when necessary to facilitate valued comparisons, there still exists gross diversifications of product sizes coupled with equally unrelated prices which add up to deliberate attempts to confuse the consumer and keep him from making an intelligent demand choice. Our sampling of cereal box sizes was a typical example of the industry's failure to help facilitate consumer choices. My staff has found 24 different cereal box sizes between 4⅞ ounces and 1 pound 4 ounces. This diversification makes it almost impossible for the consumer to compute which cereal gives him the most for his money, especially since there is no standardization:

	Weight
Snack Pak	4⅞ oz.
Puffed Wheat	5 oz.
Treat Pak	5¼ oz.
Puffed Rice	6 oz.
Special K	6½ oz.
Cheerios	7 oz.
Luckey Charms	8 oz.
Coccoa Krispies	8½ oz.
Honey Comb	9 oz.
Jets	9.25 oz.
Post Tens	9¾ oz.
Sugar Smacks	10 oz.
Shredded Wheat	10¼ oz.
Special K	10½ oz.
40% Bran Flakes	11 oz.
Captain Crunch	11¼ oz.
Corn Flakes	12 oz.
Rice Krispies	13 oz.
Raisin Bran	14 oz.
Frosted Flakes	15 oz.
Shredded Wheat	15¼ oz.
All Bran	1 lb.
Wheaties	1 lb. 2 oz.
Frosted Flakes	1 lb. 4 oz.

This bewildering proliferation of sizes does not stop at the cereal industry but is practiced by countless other manufacturers. The companies who make pork and beans are a typical example. From observing the following table of the various pork and bean sizes found on the shelf of the local supermarket, it is easily understandable that the average shopper would find it extremely difficult, if not impossible, to figure out the best buy. There is no apparent reason for this except purposeful confusion of the consumer.

Brand name	Weight size	Prices		
		July 13	Aug. 31	Sept. 18
Hanover	1 lb. 12 oz	25 cents	25 cents	25 cents.
	3 lb. 4 oz	Not on the shelf	Not on the shelf	39 cents.
	6 lb. 14 oz	do	do	75 cents.
Highway	8 oz	do	do	11 cents.
	1 lb	6 for 79 cents	6 for 79 cents	6 for 79 cents.
	1 lb. 14 oz	2 for 39 cents	2 for 45 cents	2 for 45 cents.
	3 lb. 4 oz	Not on the shelf	Not on the shelf	37 cents.
Libby	2 lb. 2 oz	39 cents	39 cents	Not on the shelf.
	14 oz	4 for 51 cents.	2 for 35 cents	2 for 35 cents.
Campbell	1 lb. 5 oz	2 for 37 cents	2 for 37 cents	2 for 37 cents.
	1 lb	6 for 85 cents	4 for 59 cents	4 for 59 cents.
	9 oz	Not on the shelf	Not on the shelf	2 for 27 cents.
	1 lb. 12 oz	do	do	2 for 49 cents.
Ritter	14 oz	do	do	2 for 33 cents.
Van Camp	1 lb. 5 oz	5 for $1	2 for 43 cents	2 for 43 cents.
American Beauty	1 lb	2 for 25 cents	2 for 25 cents	2 for 25 cents.
B & M	1 lb. 2 oz	31 cents	31 cents	31 cents.
	1 lb. 11 oz	35 cents	43 cents	43 cents.
	9 oz	2 for 37 cents	2 for 37 cents	2 for 37 cents.
Heinz	1 lb	4 for 59 cents	4 for 59 cents	4 for 59 cents.

It is interesting to note that American Beauty has reduced the size of its can from 16 ounces, or 1 pound, to 15 ounces between the August 31 and September 18 visits. The price, however, is still the same.

Yet another example of seemingly meaningless diversity is offered by the paper towel companies who wisely avoid advertising the square footage of their towel rolls and leave it to the consumer to make sense out of the variety of roll sizes:

Scott: 2 rolls, single package, 120 towels, 11×9⅜; 1 roll, single package, 180 towels, 11×9⅜.

Truly Fine: 2 rolls, single package, 250 towels, 11×9; 1 roll, single package, 185 towels, 11×9.

Hudson: 2 rolls, single package, 108 towels, 11×10.

Kleenex: 2-ply, 75 towels, 11.1×10.3; 2-ply, 125 towels, 11.1×10.3.

The industry's pricing structure was further complicated between July 13 and August 31 by Scott and Kleenex posting "cents off" labels and Hudson placing a 5-cent coupon in its one roll package. By September 18, Kleenex had raised its dimensions from 11.1×10.3 to 11.1×10.8.

A glance at the tooth paste shelves is enough to confuse any consumer as to the actual size or value of the tube he is buying. The wide variety of sizes represented by this sample of descriptions makes clear the need for standardization of sizes and their descriptions:

	Ounces
Crest, medium	1.75
Macleans, giant	3.25
Gleem, large	3.25
Gleem, extra large	5.00
Macleans, king	5.00
Gleem, family	6.75
Colgate, super	8.75

Colgate adds insult to injury by adding a "cents off" label to one of its sizes on the September 18 check.

"Cents off" and "economy size" packaging ads are still common and justify the enforcement of discretionary labeling provisions designed to regulate the use of promotions. A quick look at the coffee counter found Chase & Sanborn and Edwards coffee offering "cents off" labels although the retail price at the store had not changed in over 16 days. Edwards coffee had removed the label by the end of August, but Chase & Sanborn was still offering from 4 to 20 cents off. This raises the legitimate question of "cents off" what? The price of a Maxwell House 3-pound can of coffee was raised from $2.23 to $2.29 between our first two visits and to $2.47 by September 18, while a label on the can during our July 13 visit, and still there today, stated that it offered a canister inside at "no extra cost."

In conclusion, Mr. Speaker, I believe it is deplorable to find the interests of the people and the intentions of Congress so openly disregarded. Under these circumstances, the consumer appears like a "helpless patsy" in the marketplace.

THE U.N. AND CONTINUED STRIVING TOWARD RULE OF LAW

The SPEAKER pro tempore (Mr. GONZALEZ). Under previous order of the House the gentleman from California [Mr. BELL] is recognized for 15 minutes.

Mr. BELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BELL. Mr. Speaker, the convening of the 22d General Assembly of the United Nations today should focus our attention, if only briefly, on the need for mature understanding of both the strengths and the weaknesses of this important international forum as they have been revealed to us in the past year.

It seems to me to be appropriate on this occasion for us to reaffirm our fundamental commitment to the goals of the U.N., our continued satisfaction with the great majority of services it performs, and our hope for the extension of its influence in bringing the world to acceptance of rule by law.

In 22 years the U.N. has not achieved this objective.

But it must be remembered that men and nations have been engaged in the quest, also without durable success, for thousands of years.

There is a tendency to expect too much of the United Nations and to criticize it when those built-in organizational inadequacies which make it possible for the body to exist at all, contribute to failure in quieting the crises which cause us anxiety.

We must remember at these tense moments that individual nations and other peace-seeking institutions are failing similarly and simultaneously.

The United Nations in today's world can be relied upon neither to quench the flame of war nor even to calm the spirit of militarism.

But it is still our best means of appealing to the instinct for peace and order that must surely exist, however remotely, in the hearts of all human beings.

STRENGTHENING THE GOVERNMENT'S FISCAL ADMINISTRATION AND CONTROL

Mr. BETTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, on behalf of myself, Congresswoman DWYER, Congressmen WYDLER, BROWN of Ohio, ERLENBORN, COWGER, and MYERS, I am today introducing a bill to strengthen the Government's fiscal administration and control of the vast sums appropriated for the conduct of its many programs and activities. This legislation is designed to establish improved management and accounting practices in each department and agency. With a pending tax increase facing the Congress and the Nation, this measure which can result in saving untold millions now lost through waste, mismanagement, and inefficiency, should be of particular concern to every Member of the House.

The Budget and Accounting Act of 1921, as amended, provides in section 113(c):

> As soon as practicable after the date of enactment of this subsection (1956), the head of each executive agency shall, in accordance with the principles and standards prescribed by the Comptroller General, cause the accounts of such agency to be maintained on an accrual basis to show the resources, liabilities, and costs of operations of such agency with a view to facilitating the preparation of cost-based budgets as required by section 216 of the Budget and Accounting Act, 1921, as amended. The accounting system required by this subsection shall include monetary property accounting records as an integral part of the system.

At the time of enactment of this amendment to the Budget and Accounting Act, agencies of the Federal Government maintained obligation accounting systems. These systems showed the amount of money the agencies had been authorized to spend and the general categories of expenditure. But, they failed to show the actual costs of particular programs or operations.

Approved cost accrual accounting systems are a necessary tool of modern financial management. As pointed out in the 1966 Comptroller General's Annual Report:

> One very important management tool is an adequate accounting system designed to provide control over funds, property and other assets; current cost information on operations; and other information of value to management officials. The availability of reliable cost information particularly when related to assignments of management responsibility, is also of great value in promoting in responsible officials and employees desirable attitudes of cost consciousness which are so important to conducting Government operations economically.

With such a system, an agency is better able to ascertain whether money is being spent wisely, whether programs or operations are being administered in an efficient manner, and whether results are being realized which justify the expense. Without such a system, an agency is basically at a loss to know how well its employees are performing or how productive are its programs and operations. In essence, it lacks an effective tool for measuring its work.

Elmer Staats, the Comptroller General of the United States, in recent testimony before a subcommittee of the House Government Operations Committee, put it succinctly when he said that adequate cost accounting systems are "basic and fundamental to the whole operation of the Federal Government." The Comptroller General went on to testify:

> We believe that the application of accrual (cost) accounting in terms of the cost of various types of work performed or other costs incurred and applied to activities and programs, coupled with the actual use of cost-based budgeting by the agencies, is essential to achievement of improved financial management in the Federal Government, including implementation of the planning-programming-budgeting system.

Today, as amazing as it may seem, most agencies of the Federal Government have continued to disregard compliance with the law.

During the past few years, the Comptroller General has issued numerous reports pointing out deficiencies in fiscal administration because of lack of adequate cost accounting systems.

Between 1960 and 1965, the General Accounting Office issued 12 reports citing 51 cases in which it believed excessive noncash grant-aid credits totaling over $29 million were granted by the Urban Renewal Administration on urban renewal projects. This situation was again reported to Congress in 1966.

The GAO reported to Congress in 1961 that the Social Security Administration needed to strengthen its accounting controls for benefit overpayments. More recently, it was discovered that $7.9 million in overpayments were outstanding during 1965. In 1967, Congress was informed that a continuing need existed for this agency to establish an effective system of cost accounting controls for benefit overpayments.

Many reports have been issued in recent years showing that savings could be achieved by the Departments of State and Defense under the military assistance program by having recipient governments pay for more of the administrative expenses incurred under this program.

In 1962, the GAO pointed out the need for improvement in the accounting procedures of the Communicable Disease Center of the Public Health Service, Department of Health, Education, and Welfare. A follow-up report in 1966 indicated that many deficiencies continued to exist in the accounting system.

The GAO reported in 1966 that, while the Bureau of Public Roads had greatly improved its accounting procedures and practices, its accounting system did not produce adequate breakdowns of costs to provide management with the kind of financial information necessary to effectively control costs or to evaluate financial performance.

Reviews of AID's financial statements in recent years have disclosed that the agency's accounting system is inadequate to its financial management needs and has led it to materially overstate or understate the financial conditions underlying loan programs which involve some one thousand agreements totalling $12 billion.

The above are but a few of the many reports that have been issued in the past few years by the Comptroller General which disclose instances of fiscal mismanagement due to inadequate accounting controls. Because a detailed discussion would require more space than can be allotted, the following table of inefficiency and mismanagement, which is by no means inclusive, will be included at this point. This table cites particular departments and agencies, reports the status of their accounting system, identifies the nature of the deficiency, and enumerates the frequency of occurrence. The examples and table are only intended to give some indication of the present conditions:

TABLE OF INEFFICIENCY AND MISMANAGEMENT COMPILED FROM GAO ANNUAL REPORTS[1]

Department or agency	Status of accounting system[2]	Inefficiency and mismanagement	Fiscal year 1966	Fiscal year 1965	Fiscal year 1964	Fiscal year 1963
Department of Agriculture:						
Stabilization and Conservation Service and Commodity Credit Corporation.	Unapproved	Slack contract policies and practices	X	----	----	
		Unsatisfactory utilization of storage facilities.	X	----	----	
Soil Conservation Service	do	Unnecessary procurement	X	X	X	X
Department of Commerce: Bureau of Public Roads.	do	Deficiencies in design, acquisition, and contract practices.	X	X	X	X
		Inadequate financial reporting procedures.	X	----	----	
Department of Health, Education, and Welfare:						
Office of the Secretary	do	Inefficient records and property management.	X	----	----	
Public Health Service	do	Inadequate inventory controls	X	----	X	X
		Unnecessary procurement	X	----	----	
Department of Housing and Urban Development:						
Public Housing Administration	do	Excessive cost	X	----	----	
Urban renewal	do	Unexact budgeting procedures	X	----	----	
Department of Interior:						
Bureau of Indian Affairs	Approved Jan. 27, 1953.	Questionable use of appropriations	X	----	----	X
U.S. Fish and Wildlife Service	Unapproved	Unauthorized use of appropriations	X	----	----	
Department of Labor:						
Bureau of Employment Security	do	Uneconomical use of funds	X	X	X	X
Office of Manpower, Automation, and Training.	do	Unconstrained duplication	X	----	----	
Post Office Department	do	Excessive cost	X	X	----	
		Inefficient manpower utilization	X	----	----	
Federal Aviation Agency	Partial	Unproficient employment of automated data processing equipment.	X	X	X	
		Excessive cost	X	X	X	X
		Unsatisfactory utilization of supplies	X	----	X	

Footnotes at end of table.

TABLE OF INEFFICIENCY AND MISMANAGEMENT COMPILED FROM GAO ANNUAL REPORTS[1]—Continued

Department or agency	Status of accounting system[2]	Inefficency and mismanagement	Fiscal year			
			1966	1965	1964	1963
National Aeronautics and Space Administration.	Unapproved	Unproficient acquisition or employment of automated data processing equipment.	X	X	X	X
U.S. Information Agency	do	Questionable use of appropriations	X	----	----	
Interagency Food for Peace	do	Questionable utilization of supplies	X	----	----	
		Excessive cost	X	X	----	
Department of Defense	do	Inadequate inventory controls	X	X	X	X
		Inefficient procurement practices	X	X	X	X
		Unsatisfactory maintenance	X	X	X	X
		Inefficient manpower utilization	X	X	X	X
		Slack contract policies	X	X	X	X
		Unconstrained duplication	X	X	X	X

[1] Table compiled from Comptroller General of the United States Annual Report, 1963, 1964, 1965, and 1966, by Congressman Jackson E. Betts.

[2] Status of accounting systems taken from U.S. General Accounting Office Cumulative Summary, Mar. 31, 1967.

In 1964, there were 128 agency accounting systems within the executive branch subject to approval by the Comptroller General under the cost accounting requirements of the Budget and Accounting Act. At that time, only 41 systems had been approved. In 1967, there are 173 agency accounting systems subject to approval and only 61 have been approved. But, this does not tell the whole story. As will be seen in the tables that follow, most of those systems that have been approved are in the lesser agencies which spend only a small portion of the Federal expenditures. More important, most of those that were approved were done so a number of years ago. As indicated by the General Accounting Office:

> Because of subsequent legislation and refinements in prescribed requirements, most of the accounting systems that have been approved in the past now need reexamination and appropriate revision in light of current requirements.

TABLE 1.—STATUS OF ACCOUNTING SYSTEMS AS OF JUNE 30, 1967

	Systems subject to approval	Systems approved	Systems in process of approval
Agriculture	15	5	3
Commerce	8	5	0
HEW	12	0	3
HUD	1	0	0
Interior	17	6	0
Justice	4	1	0
Labor	3	0	0
Post Office	2	1	0
State	6	2	0
DOT	10	4	0
Treasury	18	4	6
NASA	1	0	1
VA	9	6	1
AEC	1	1	0
BOB	1	1	0
OEO	1	0	0
DOD	6	0	1
Army	5	1	0
Navy	4	0	0
Air Force	4	0	0
District of Columbia government	3	0	1
Other agencies	42	24	8
Total	173	61	24

It may be seen from the above table that those agencies expending the largest sums of Federal money have few if any of their cost accounting systems approved. Thus, HEW has none of its 12 systems approved and only three under review; HUD has neither its one system approved or under review; the same may be said of OEO; NASA does have its one system under review but not yet approved; DOT has only four of its 10 systems approved and none under review; State has only two of its six approved and none under review; and the Treasury Department, which should be a leader in this effort since it has joint responsibility with the BOB and the General Accounting Office in fiscal management and accounting procedures, has only four of its 18 systems approved and six under review.

The Department of Defense and its constituent military departments are a case unto themselves. Here is an agency which spends approximately half of the Federal Government's entire annual expenditures and which is headed by an individual who daily propagandizes his department's leadership in fiscal management. Yet, of DOD's 19 systems subject to approval, only one has been approved, and that one is for the Corps of Engineers which was approved in 1955. Only one other of the 19 systems is under the process of review.

As indicated above, due to changed circumstances, most of those systems already approved require reexamination and reapproval because they were approved a number of years ago. Table 2 illustrates this fact:

TABLE 2.—DATES OF APPROVED SYSTEMS

	Systems approved	Approval in 1959 or earlier	Approved in 1965 or later
Agriculture	5	4	1
Commerce	5	4	1
Interior	6	6	0
Justice	1	0	1
Post Office	1	0	1
State	2	1	1
DOT	4	2	2
Treasury	4	2	2
VA	6	6	0
AEC	[1] 1	0	0
BOB	1	0	1
Army	1	1	0
Other agencies	[2] 24	19	3
Total	61	45	13

[1] Approved in 1963.

[2] One system approved in 1961; the other in 1964.

Through the efforts of the Comptroller General, agencies in the past few years have put forward a greater effort to develop cost accounting systems for submission for approval. But, the pace continues disappointingly slow. Since June of 1966, five systems have been approved: Agriculture, one; Justice, one; DOT, two; and Treasury, one. At this rate, over 22 years will have to elapse before all systems will be approved and that does not take into consideration the reapproval of systems approved a number of years ago or the creation of new agencies. Also of concern is the fact that some agencies have neither submitted an accounting system for approval nor established a target date for submission:

TABLE 3.—NO TARGET DATE AS OF JUNE 30, 1967

	Systems subject to approval	Systems approved	No target date
Interior	17	6	11
DOT	10	4	6
Treasury	18	4	3
DOD	6	0	1
Army	5	1	1
Navy	4	0	1
Air Force	4	0	1
District of Columbia government	3	0	3

Although the agencies are apparently making a greater effort to comply with the law, more needs to be done and done quickly. As Mr. Staats recently indicated:

> We must maintain or accelerate the pace if we are to approach realization of the full potential of benefits which can be provided through enlightened financial management.

Because of the lagging pace which appears to be continuing among the agencies, it would seem not only warranted but necessary for Congress to step in.

This is especially necessary today because, in response to pressure from the White House, agencies are under orders to establish planning-programing-budgeting—PPB—systems.

PPB is designed, in the words of the Bureau of the Budget, to "improve the basis for the major program decisions" by developing "clear statements of what the decisions are and why they were made. Program objectives are to be identified and alternative methods of meeting those objectives are to be subjected to systematic comparison. Data are to be organized on the basis of major programs, and are to reflect future as well as current implications of decisions." To put it most succinctly, as has the Rand Corp. in a publication entitled "Program Budgeting," PPB involves—

First. Appraisals and comparisons of various government activities in terms of their contribution to national objectives.

Second. Determination of how given objectives can be attained with minimum expenditure of resources.

Third. Projection of government activities over an adequate time horizon.

Fourth. Comparison of the relative contribution of private and public activities to national objectives.

Fifth. Revisions of objectives, programs, and budgets in the light of experience and changing circumstances.

The objectives underlying PPB may well be sound. As in the case of approved cost accounting systems, adoption and use of PPB should enable the agencies of the Federal Government to more capably determine how effective they are managing their programs and operations and how efficiently they are spending the taxpayers' money. But, as has been acknowledged on many occasions by the Comptroller General, an agency cannot develop or utilize PPB in a comprehensive and intelligent manner unless and until it has first developed a sophisticated cost accounting system. This fact cannot be stressed too often. Without such an accounting system, PPB cannot be effectively utilized and could lead an agency and the Congress into dangerous waters.

There can be but one solution to these problems. Additional legislation must be enacted by Congress to require rapid development of approved cost accounting systems.

We are taking this action today by introducing appropriate legislation.

This proposed legislation is in two parts. The first part is based upon a proposal made recently by the Comptroller General. It seeks to amend the Budget and Accounting Act by requiring the head of each executive agency to transmit a report to Congress on the status of the development of its accounting system or systems at the end of any calendar year during which its systems have not been approved. In addition, each agency shall be required within 1 year following the approval of its accounting systems to submit to Congress a report setting forth the manner and extent to which such systems are being used by the agency's management and the benefits derived therefrom.

The second part of the proposed legislation is designed to restrain the executive agencies from putting into effect PPB systems and from preparing budgetary and appropriation requests based upon PPB until they have developed approved cost accounting systems. In effect, the second part of the legislation is intended as an inducement, if not a pressure, upon executive agencies. The bill provides that appropriated funds shall not be used by an executive agency to prepare budget estimates or estimates or requests for appropriations based upon PPB until and unless the agency has in effect an approved cost accounting system. If the executive branch is as desirous as we believe it to be in instituting PPB, then it will devote the needed time, effort, and expertise to develop approved accounting systems.

Failure to be on top of Government spending in 1956 was bad enough when Federal expenditures were $66 billion and the public debt was $273 billion. But, to not know how the taxpayers' money is being spent today can lead to disaster. Federal expenditures in 1967 were estimated to be $127 billion. For fiscal year 1968, estimates at the beginning of the year were set at $135 billion. But, recent revised figures indicate that spending could rise to $143.5 billion. As for the public debt, estimates for 1968 initially were set at $335 billion. Only recently, however, the President has indicated that the fiscal year 1968 deficit could exceed $28 billion. If that were to occur, then the public debt would, of course, rise even higher.

If we are ever to reduce this tremendous burden upon the taxpayers and, at the same time, find the necessary funds available to tackle the enormous problems facing us domestically, we need to employ every tool of financial management to get the full benefit for each dollar expended and to squeeze out every last penny of waste and inefficiency.

Yet, we are failing to pursue these objectives to the fullest extent.

The President has repeatedly called for increased efforts to save the taxpayers' money. He has periodically cited his commitment to tighten controls over Government spending. He has regularly called for an end to waste. The proposals we have made here are not revolutionary, but, if enacted into law, can in our opinion lead to rapid adoption of an effective cost accounting system throughout government and to the development of accurate and workable PPB systems.

IMPROVED RURAL LIFE GOAL OF ADMINISTRATION

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RESNICK. Mr. Speaker, the other day our distinguished colleague from Minnesota presented us with a "remedy for farm and city" and expressed his concern about the problems that beset our rural areas. He presented an effective argument for making small town and rural life more attractive so that people would not desert the country and stream to the overcrowded cities as they are doing now.

Everyone can agree with Congressman Quie's generalities about making rural life more attractive, but action is needed, not talk. And the administration is acting toward this objective. The record speaks for itself.

Today, more than 3.2 million rural people are benefiting from loans designed to strengthen family farms and rural communities. This is four times the number in 1960.

Last fiscal year, these loans to help family farmers get on their feet and to help rural communities improve their living and future through water systems and other facilities reached nearly $1.4 billion. As a point of comparison, the 1960 total was $308 million.

Net farm income, while still too low and in need of improvement, has risen steadily in recent years and $16.4 billion in 1966 was second highest on record. Farm income improvement has moderated in flight from the country and the drop in farm numbers during the 1961–66 period was less than in 1953–61.

It is simply not true that this administration is holding down farm prices. To remove a serious threat to farm prices, this administration got rid of the surpluses built up in the 1950's. With the surpluses gone and a free market again in operation, this administration has been recommending that farmers market their products in an orderly manner to prevent unjustified price declines resulting from temporary heavy supplies in commercial channels and to get better prices.

This administration is determined to prevent a repetition of the surplus climb of the 1950's and its disastrous effect on farm prices. To insure economic stability in rural areas, this administration is committed to the kind of farm program that will harness our exploding farm productivity to work for instead of against farmers. It solicits the support of Congressman Quie and his associates to keep U.S. agricultural overcapacity from wrecking farm prices, income, and rural communities.

Improved rural life has long been a goal of this administration. Rural-urban imbalance has been apparent for a long time, but little interest was shown by many until violent city strife appeared. It is ironic that many of the more vocal advocates of action have a long record of sitting on their hands and withholding their support for past efforts to encourage better living and greater economic development in rural communities.

THE FARM BUREAU AUTOCRACY

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RESNICK. Mr. Speaker, may I at this time continue my report on what my recent hearings on the Nation's farm organizations revealed about the activities of the American Farm Bureau Federation.

As the real aims of the Farm Bureau—the building of an economic empire—began to emerge from this inquiry, the question inevitably arises: Why do its members allow this to occur? The answer is simple. To begin with, many Farm Bureau members, between 50 and 60 percent, are not farmers. Their problems are not farmers' problems. They are the urban, suburban, and rural customers of Farm Bureau insurance, or businessmen who are pressured to join because it is good business.

Of the 800,000 to 900,000 Farm Bureau members who may actually be farmers, most are captive members. They hold a Farm Bureau insurance policy—life, accident, health, auto, fire, and so forth—which will be canceled if they quit. Many older, retired people continue their membership for the same reason. This fear also prevents many members from freely expressing their opinions on Farm Bureau policy, and forces passive acquiescence. They live in areas where Farm Bureau so dominates both the supply and marketing cooperatives that they are forced to become members, whether they want to or not. With such a large, inactive membership it is relatively easy for a disciplined minority to take the organization over and use it for its own purposes.

Occasionally, members aware of the conflict between Farm Bureau policies and farmers' interests, actively try to change the policy, but find themselves up against a barrier more formidable than the Berlin wall.

The myth of internal democracy piously proclaimed by Farm Bureau leaders is a blatant hoax. I have read countless letters and heard a great deal of testimony from Farm Bureau members who have become victims of this democracy. Mr. Robert Wilson of Argenta, Ill., testified that—

> The annual "Policy Development Meetings" are a cynical farce. Frequently less than a dozen people attend such meetings, because they know they will have to listen to a lot of "background material" and "basic facts" which are so slanted as to presuppose the answers in the very way the questions are phrased.

If an individual or an organization protests loudly enough, they may be summarily thrown out of the Farm Bureau. That is exactly what happened to the Webster County, Nebr., chapter in 1964 when they had the temerity to oppose a Farm Bureau policy and actively work for its change. As Mr. Alfred Schutte, former president of that chapter and a Nebraska farmer, testifies:

> We used to sell Farm Bureau membership and we know what it is like. We still blush when we think about how we took our own farmers when we didn't know any better.

Mr. Melvin Fink, of Ainsworth, Nebr., was sent to the preliminary resolution committee at the Farm Bureau convention in Nebraska. When he tried to propose a change of policy, he was shouted down by the Farm Bureau leadership.

Mr. W. E. Holiway, of Hartford, S. Dak., was elected as a delegate to the State convention because he represented the wishes of his local county Farm Bureau in support of REA. However, because the Farm Bureau leadership knew of his support of REA, which they opposed, he was replaced as a delegate on the grounds that, because he was a member of several non-Farm Bureau co-ops, this represented a conflict of interest. It never occurred to them that the real conflict of interest was between their obligation to their business interests and their farmer-members.

The Farm Bureau leadership has a neat trick to perpetuate itself and its policies. Although in most, if not in all, States, delegates to their State and national conventions are initially elected by the membership, they are ultimately officially appointed. Thus, they can be prescreened, as was Mr. Holiway, and only "party faithfuls" are rewarded by becoming delegates. This is not my idea of democracy. It has been told to me many times that if 90 percent of the rank and file wanted to replace the top leadership of the Farm Bureau against its wishes, they would find it impossible.

One thing can be said for the Farm Bureau—they do not discriminate in their use of heavy-handed tactics to suppress their opposition. They exercise their muscle on members and nonmembers alike. Under unanimous consent, I am including a statement of Mr. V. E. Rossiter, Sr., a respected banker of Hardington, Nebr., describing a ruthless and successful bureau attempt to silence him:

[Exhibits referred to in statement not submitted for RECORD.]

My name is V. E. Rossiter, Sr., and my address is Hartington Nebraska. My occupation is banking and I am the President of the Bank of Hartington. I come before this committee as a private individual. I am not now holding any official capacity with any group or organization which is currently involved in a discussion of, or plans for, rural America. Further more, for the record, I absolve any organization from any responsibility for what I will say here today.

My purpose in appearing before this committee is to support some of the charges made by Congressman Resnick against the American Farm Bureau Federation.

It is my observation and conviction that the Farm Bureau officers will attempt to dominate any individual, or any group of individuals who choose to differ with its farm policy, and failing to do this will attempt to discredit and destroy them.

In more than a decade of active interest in the inequity of Farm Income, and the income level of other sectors of the economy, I can confirm with conviction the charge that the Farm Bureau has done and is doing more to prevent the economic and social advancement of rural Americans than any other organization in American life.

I will attempt to bring some light to bear on the proven method by which the Farm Bureau engages in harassment, vilification and character assassination, in the crudest heckling campaign conceivable, in order to discredit, intimidate and if possible to destroy any individual or group with the courage to oppose it.

At the same time I hold no brief with the individual farmer members of the Farm Bureau because they have never to my knowledge evidenced any hostility toward me, nor have they ever performed any disservice to me. However, the membership can hardly be completely absolved of the responsibility for the acts of their officers, if they have knowledge of these acts.

My first brush with the officers of the Farm Bureau came rather unexpectedly in the summer of 1961 following the publication of an interview that I made with a magazine of national circulation entitled "A Small-town Banker looks at business at the grass roots."

I was, needless to say, quite honored with this recognition of my opinion on the rural economy and I awaited any public reaction with a great deal of interest and anticipation.

My own mail was predominantly favorable, with only a half dozen dissenting letters from individuals. A week or so after publication the editors of the magazine advised me that its mail was also running very favorable to the tone of the interview, with but 3 exceptions. One of these was a communication from Dr. Roger Fleming, the Secretary-Treasurer and Director of the Washington Office of the American Farm Bureau Federation, who was very critical of the interview and of the magazine for publishing it, and he demanded equal space for himself and the Farm Bureau "to put the record straight".

I didn't receive any word at all from the Farm Bureau myself.

Some time later the magazine arranged for an interview of Dr. Fleming, but when the time for the interview arrived President Charles B. Shuman presented himself at the editorial offices of the magazine to receive this national recognition.

It has always impressed me as being pretty high handed when the U.S. News and World Report can evidently be bludgeoned into giving its valuable space to the President of the Farm Bureau in order to restore precious economic principles which had presumably been torn asunder by a country banker from Nebraska. How ridiculous can they get?

Having the Farm Bureau take after me could be compared with the Air Corps trotting out its most potent atomic rocket (the Farm Bureau) to shoot down a harmless unarmed Cub aeroplane (me). It was just a neat way to confiscate some high powered magazine space which it probably couldn't get by just being nice.

This incident is as nothing, however, compared to the campaign they have mounted to discredit and destroy Congressman Resnick who has discovered their "gigantic, interlocking nationwide combine of insurance companies and other businesses" and properly challenged their right to appear before congress as a farm organization.

I submit Exhibits A and B copies of the two aforementioned interviews.

My next experience with the Officers of the Farm Bureau was even more bizarre, if not quite so surprising. It occurred in the spring of 1963 when information inadvertently leaked to the Morgan Beatty "News of the World" radio program, that there could be an alliance between the proponent farm organizations on the upcoming Wheat Referendum, and an association of bankers with a national membership.

This rumor was partially true, but greatly exaggerated in the radio news article. What was actually happening was, the agricultural Committee of this National Bankers Association had prepared what it considered a rather objective study of the situation in the wheat industry as it related to country banks, and as it related to agriculture generally. It was a trial balloon, as far as the committee was concerned, which would be presented to the annual convention of the association as a committee report, and to discover whether or not the association membership liked to be aligned with the progressive farm organizations of the nation, various commodity groups and with the rural departments of all of the major church organizations.

A copy of the wheat article is submitted as Exhibit C.

I was the author of this article which was published in advance of the April convention date of the association, but it was not distributed until the convention was in session. It had been approved by the members of the committee, and most of the executive officers of the association. Our President found it sufficiently informative and pleasing to suggest in a letter of March 1st, 1963, (Exhibit D) "I believe that we can get our Executive Council to endorse the wheat referendum at the Convention in New Orleans."

On March 6th (Exhibit E) Morgan Beatty's "News of the World" broadcast, heard on WDAF, Kansas City, Mo., announced that the bankers were allied with the proponent farm organizations in favor of the Wheat Referendum and inferred that the bankers would bring pressure on the wheat growers to vote for the referendum.

The Farm Bureau and its allies mounted one of the most fantastic efforts to interfere, to change the minds of the officers of the association, and in other ways to destroy the character of anyone connected with the wheat referendum, that I have ever had occasion to observe.

Their method of operation was to have the National and State officers of the Farm Bureau, and certain employees of the organization, write letters and make repeated telephone calls to the officers and members of the bankers' association, day after day and week after week. The finesse with which this was carried out was truly remarkable, and could only suggest that it had been done before. Their basic fear seemed to be that the Association would endorse the wheat referendum in convention. They still had no knowledge of the article which would appear in the association magazine as a committee report, nor did they have any way of knowing that in spite of the President's apparent approval of the report, there was no intent on the part of the committee to ask for the approval of the convention of the wheat referendum as such. We only wanted approval of the committee's effort to work with other farm oriented groups with similar interests in greatly improved farm income. This we did receive.

Then with the opening of the Convention early in April of 1963 the Farm Bureau obtained copies of the article on the wheat referendum, and the Bankers' Association Committee on Agriculture received protests from its individual members, because they in turn had been contacted by the Farm Bureau or some other ally of the Farm Bureau. But the article had been published and distributed all over the United States. It was reprinted by the proponents of the Wheat referendum. This made the Farm Bureau furious and it redoubled its efforts to get an officer of the association to repudiate the article, or denounce the committee, or at least to publicly fire the author.

The Farm Bureau's tactics changed from attempting to influence the convention, which was now over, to one of direct attack on me, my character and integrity, my associations, and you name it and they tried it.

On April 3rd, 1963, President Shuman directed a letter to one of the executive officers of the Bankers' association with an arrogant demand to know "Why should bankers presume to tell farmers how to vote in a commodity program referendum." (Exhibit F.) He earned himself a reply in kind. At the same time the association offered to reprint his letter in the association magazine for all bankers to see if he would correct one statement, which was factually untrue, and if he would divulge the makeup of the membership of the Farm Bureau. He complied and his letter was published. (Exhibit H.)

But the harassment of the Association Officers continued to come by letter and by telephone even beyond this exchange of letters. On April 8th, 1963, Mr. L. L. Lovell of Cheneyville, La., the President of the Louisiana Farm Bureau directed a critical letter to the President of the Bankers Association, and sent copies of it to several prominent Louisiana bankers. (Exhibit I.) I have no way of knowing for sure how many times this was repeated by other State Farm Bureau Presidents, but undoubtedly there were other letters written by Farm Bureau Officers and received by Bankers connected with the Association.

The President of the association mailed Mr. Lovell's letter to me for reply. (Exhibits J, K, and L.)

It is interesting to note the subtle change in the attitude of the President of the Bankers Association after several weeks of the Farm Bureau's harassing and heckling campaign. The cover letter from the President of the Bankers Association, containing the Lovell letter, stated, "We were wise not to bring the wheat referendum matter on the floor of the convention." Now our President of this year was a man of great courage and integrity and not one to be cowered by Mr. Shuman and all of his associates, but he evidently also had the intelligence to recognize a stacked deck when he saw it. He wasn't frightened nor had he changed his opinion on the value of the report on the wheat referendum, he just couldn't see an end to the harassing and heckling of the Farm Bureau and there was important work to be done by the association in other and completely unrelated areas of interest.

Then I received three letters, all dated April 16th, 1963. The first came from the President of the Association acknowledging receipt of a copy of my reply to Mr. Lovell, and carrying a word of thanks for my services on the Committee on Agriculture during his term of office. (Exhibit M.)

The second letter came from another officer of the Association which recounted some of his experiences with the officers and representatives of the Farm Bureau during the course of the several weeks of day in and day out, and week in and week out, heckling and harassment of the officers and membership of the association. (Exhibit O.)

For example, one of the demands made on the telephone by a Jack Angell, who was evidently employed by the Farm Bureau, was for an officer of the association to make a tape recording of the association's disavowal of the article, the committee or the author, to be played to farm bureau members around the country. Evidently this is the way the Farm Bureau entertains its membership—character assassination by tape recorder.

The third letter was from the newly elected President of the Association, again offering thanks for my efforts, but announcing my dismissal from the Association Committee on Agriculture. He was the one man who could do this by himself, and he did it under direct pressure from and in sympathy to the wishes of the Farm Bureau. (Exhibit N.)

Now all of this is in the past and probably of little interest to anyone anymore. Still isn't it a good example of the overbearing arrogance of the Farm Bureau and doesn't it help to illustrate the extreme pressures and wanton vilification that it will implement to gain its ends. If the Farm Bureau will go to these extremes to influence a comparatively small association of bankers, and to influence the outcome of a comparatively insignificant incident, and to discredit, or if possible destroy, an unimportant country banker, then what in God's name must it have in store for a real honest to goodness critic like Congressman Resnick. The planning that must be taking place in the Farm Bureau right now, to get rid of Congressman Resnick, must compare favorably with the nation's mobilization for World War II.

Isn't it interesting to refer back to the letters which I offer in exhibit with this testimony to observe the slow erosion of conviction on the part of the association under the merciless onslaught of the Farm Bureau program of harassment and heckling.

For example, at first introduction to it the President of the Association liked what he read on the wheat referendum and casually speculated "I believe that we can get our Executive Council to endorse this in New Orleans." Then after several weeks of Farm Bureau activity, the convention is past, and the same President says with a note of relief, "We were wise not to bring the wheat referendum matter to the floor of the convention." And from that point to a position of complete and abject surrender to the wishes of the Farm Bureau on the part of the newly elected President when he wrote, ". . . have resulted in your not being reappointed to the Agriculture Committee." I was dropped to placate the hatchetmen of the Farm Bureau, there can be no doubt about that. Still I have no rancor toward these association officers. Recognizing the pressures placed upon them and their responsibilities to the membership in other areas of interest, given the same circumstances I might have come to the same conclusion, but I doubt it.

Did the harassment and the heckling stop here? Of course not. The Farm Bureau evidently keeps a dossier on everyone it doesn't like and it makes this information available to those whom it presumes will help it in undermining the character and integrity of individuals and of groups it doesn't like, for some reason.

This work isn't all done by underlings and hirelings, as one might presume, but quite often the top officers are assigned, or take it upon themselves as a matter of pure personal pleasure, I would imagine, to cut up someone they don't like.

For example: It was late in October of 1963. The Iowa Bankers Association invited me to speak on their famed first morning panel of speakers. I gratefully accepted the invitation only to learn later that Doctor Roger Fleming had the prime 9:30 a.m. spot on the program, on which I would speak at 11:10 a.m. Frankly this knowledge made me uncomfortable, though I had never seen nor met Dr. Fleming up to that point I had heard about his finesse with the verbal stiletto. No one had told me about his meat axe.

This gentleman, if I may use the word loosely, got to his feet in supreme confidence, and complete command of everything, when his time to speak came. He greeted his fellow Iowans in kingly fashion and then for 25 minutes of his scheduled 30 minutes, he hacked and he chopped a certain unnamed country banker into a thousand pieces. Then he thoughtfully spent 5 minutes on his text "Because" he explained good naturedly, "I have already released it to the press." and everyone laughed and applauded. To illustrate the relative importance of our respective presentations on this occasion, I attach copies of the press report for your information and amusement.

I had a tight speech prepared, fully 30 minutes long, and I didn't quite know what to do. I finally found one page, during the time from 10:00 a.m. when Doctor Fleming completed his speech and promptly left the meeting room, and 11:10 when I was due to speak, that I could delete, and quickly prepare a counterstatement about a certain unnamed individual, and his unnamed organization. It went something like this. "There is resistance to the correction of the income inequity in rural America, and this income inequity is being perpetuated by people who are philosophically against change, as are their organizations, though they like to talk about the great technological revolution."

I stated further, "These people and their organizations are, for the most part, so ideologically obsessed with the extreme rightwing, antigovernment philosophy, and with a doctrinaire interpretation of the farmers' 'freedom' that they are incapable of looking real facts in the face when they are confronted with them.

"In some cases" I continued, "it is their specific job to keep farm raw materials cheap, and thus to indirectly relegate the whole segment of society engaged in agriculture to a permanent state of social and economic inferiority."

Then I suggested that "the task of getting past these selfish and selfseeking interests, in cheap farm raw materials, is the first hurdle to the solution of the farm income problem, and after that the rest of the problem is comparatively simple."

My tormentor didn't hear this statement. It made little difference, he wouldn't have understood it.

I suggest to you, however, that one must stretch his imagination pretty thin to assume that there is no conflict of interest, for example, when the President of the Farm Bureau also is the President of the National Food Conference, a group of processors, wholesalers and retailers of farm grown foods. I submit that the very nature of processing and distributing farm produced foods is to buy the raw material as cheaply as possible, and to process and distribute it at the lowest possible labor cost—a procedure which in no way promotes the ideal of a relatively high farm raw material price level, which is the avowed goal of all farm organizations.

It is my studied opinion that alliances such as this by the Farm Bureau have created this 'first hurdle' to relative farm prosperity. I sincerely believe that until Congressman Resnick is successful in completely exposing the Farm Bureau for what it is, "A gigantic interlocking, nationwide combine of insurance companies and other businesses" which, I might add, is masquerading as a farm organization while promoting poli-

> cies which really serve the best interests of non-farm individuals and organizations, there can never be equity of income in Agriculture.
>
> When I look back at my experience as a Farm Bureau Whipping Boy I sometimes wonder if my own beloved mother could have withstood the inferences in the vilification of her son, that I was subjected to in the eyes of my colleagues, in the course of the campaign of character assassination visited upon me without having some misgivings about the character and integrity of her baby boy.
>
> I submit that if this could happen to the independent National Bankers Association, and to me, in a period of 60 days—and it did—then how many more times does it happen unbeknown to anyone, in a year, or in a decade or in a generation?
>
> I recommend a complete investigation of the American Farm Bureau Federation, its officers, and its business enterprises.

CAMPAIGN AGAINST NFO

A perfect illustration of the Farm Bureau's mode of operation can be seen in its premeditated and carefully plotted attempts to destroy the National Farmers Organization. Alarmed by the growing membership of that organization, which—unlike the Farm Bureau—limits its membership to farmers, the Farm Bureau leadership met in Chicago in August 1963 to plan the strategy for total destruction of the NFO. The 12-point blueprint which was developed at that meeting can be read in the transcript of my ad hoc Washington hearings. However, I would like to specifically mention point No. 11:

> Investigations should be made of opportunities to neutralize politicians, Federal Government administrators, industrial union leaders, and others who promote NFO. Special attention should be given to religious leaders who are economically uninformed, but highly partisan and articulate proponents of NFO.

The plan also arrogantly suggests that county Farm Bureau units purge from membership "those persons who transfer their primary allegiance to NFO."

It must be noted, as their own blueprint clearly states, that the Farm Bureau set out to destroy the NFO—not because it competed for membership, but because the Farm Bureau viewed the new organization as a threat to its control over the supply and marketing cooperatives. In other words, the issues as the Farm Bureau saw it was economic power, not the welfare of the farmer.

This is more like something out of "Mein Kampf" than what one would expect from the country's largest farm organization. And the disturbing fact is that the Farm Bureau actively attempted to carry out this 12-point master plan for the annihilation of its young rivals. Orin Staley, president of NFO, admitted that this attempt in 1963 did, indeed, seriously hurt the NFO. He stated that Farm Bureau action took various forms of pressure applied to influential persons:

> Local Farm Bureau leaders might call and talk to them about rumors they had heard concerning NFO. It might take the form of occasional economic pressures against various other people which is directly or indirectly applied.

Staley also said that he knew of direct and indirect pressure which had been exerted on church leaders who spoke in favor of NFO.

Interorganizational rivalry is nothing new. But never in the history of this country has one farm organization set out to annihilate another, and attempted to prevent the farmer from exercising his free will in joining the organization he wanted to.

FARM BUREAU AND MIGRANT LABOR CAMPS

Not only does the Farm Bureau earn tremendous profit from insurance, oil, real estate, farm supply sales, automotive stores, radio stations, and scores of other businesses, they are also in the business of selling human misery. The Farm Bureau owns, operates, and profits from some of the worst migrant labor camps in the country. In two Virginia counties, Northampton and Accomack, the county Farm Bureaus each own and operate two migrant labor camps. The existence of these camps, and a vivid description of conditions there, was recently revealed in an outstanding story by Hank Burchard in the Washington Post. It was a story of misery, squalor, and filth that trampled on the dignity of human life. Farm Bureau officials interviewed expressed no concern for the welfare of the people that they forced to live in this manner. The fact is that the Farm Bureaus were collecting rent from the migrant workers for these hovels. I learned more about conditions at these camps from Virginia health officials who testified at my Washington hearings.

If the Farm Bureau were a bankrupt organization, their exploitation of migrant workers in this manner might at least be understandable, though not forgiveable. As we have seen, the American Farm Bureau Federation, with its 50 State units and 2,700 county units, has assets exceeding $8 billion. That this wealthy organization allows such conditions to continue—and indeed, perpetuates and profits from them—is a situation that almost defies human belief.

In New Jersey, the Glassboro Service Association, Inc., an affiliate of the New Jersey Farm Bureau, owns and operates a migrant camp in Glassboro which annually houses and processes thousands of Puerto Rican workers for some 900 growers in New Jersey and neighboring States.

In addition, another Farm Bureau affiliate, the Garden State Cooperative, conducts recruiting drives for these laborers in Puerto Rico.

The New Jersey Farm Bureau and its affiliates make a neat profit out of this kind of commerce. They charge the farmers 5½ percent of their total payroll for recruiting these workers. This amounts to a 1966 income of between $300,000 and $400,000 that the Glassboro Service Corp. earned from migrant labor recruitment. It is hard to distinguish who the Farm Bureau is exploiting most—the member-farmers or the migrant workers. But profit it does, and handsomely.

Many of the camps for which the New Jersey Farm Bureau has been recruiting labor are those, which as the New York Times recently exposed, Governor Hughes has been asked to close because of the deplorable conditions.

Not only has the New Jersey Farm Bureau been actively profiting from the migrant labor trade, they have erected the most effective roadblocks against measures to upgrade the conditions in migrant camps, and have generally obstructed those agencies seeking to provide some improvement in farmworker conditions. As Mr. Joseph T. Wilkins, executive director of the Southeast Citizens Organization for Poverty Elimination, a New Jersey community action agency, stated at my hearings:

> SCOPE has conducted a variety of farm education projects, day-care centers, and community organization efforts. Farmers have given excellent cooperation and have brought us into a sharp awareness of certain forces which, by short-sighted policies and out-dated obstructionism, provide powerful support for the perpetuation of poverty among our most productive people. Chief among these forces, in my honest opinion, is the New Jersey Farm Bureau—an organization allegedly speaking for the farmers of New Jersey, which conducts extensive labor recruitment, migrant labor processing, and lobbying activities. I say "allegedly speaking for the farmers," because I must state clearly that I have found little or no support among the hard-working farmers of South New Jersey for either the pronouncements or the positions which the New Jersey Farm Bureau assumes on a number of public issues. The chief adverse effect the New Jersey Farm Bureau has on the elimination of poverty among farm workers comes through the continued dissemination of misleading and hostile information about the operations of those agencies seeking to provide some improvement in farm worker conditions.

In May 1967, the New Jersey Farm Bureau published a booklet, "A Guide to Farm Labor and the Protection of Property Rights." Its subtitle might well have been, "How to prevent VISTA workers, church leaders, and others from learning about and alleviating the terrible conditions in which migrant farm workers live."

This Farm Bureau document advises the farmer to do two things: First, post a sign which says, "No trespassing without permission, area patrolled." By the way, the New Jersey Farm Bureau sells these signs at a profit. Second, to prevent poverty workers and ministers from visiting tenants, the Farm Bureau advises the farmer to have his workers sign the following agreement, the text of which is provided in the booklet:

> I, (employee's name) understand that the land owned by my employer (farmer's name), is private property and I agree not to invite or receive any guests or visitors on (farmer's name)'s property unless I obtain written permission at least one (1) day in advance. If I should receive an unexpected visitor, I will notify my employer immediately, and will ask my visitor to leave if my employer does not grant permission for him to stay. I understand that the issuance of visitor's permits is in the sole discretion of my employer, and I agree to accept his decision.
>
> (Farmworker's signature.)

Unfortunately, the semiliterate or illiterate migrant workers duped into signing this surrender of their basic human rights, find that they have signed themselves into a state of virtual bondage. It is a return to the Dark Ages.

As Mr. Wilkins stated at my hearings:

> I think they (New Jersey Farm Bureau) place a higher value on the tomatoes than on the people who pick them, and that a distorted sense of priorities leads them to find any given channel that permits them to slow down a change.

The migrant labor problem in this country is not a new problem, and it is a stain on the character of America. The outrage, however, is multiplied when we allow a tax-exempt association to deal in this human misery for profit, while projecting itself as a simon-pure organization interested only in "truth, justice, motherhood, and the American way."

STRANGE BEDFELLOWS: FARM BUREAU AND EXTENSION SERVICE

One of the primary means by which the Farm Bureau has risen to its position of dominance in vast areas of this country is its association with the Extension Service and the county extension agents who work with the farmers.

The history of Extension and Farm Bureau has been interwoven for over 50 years. It began in 1914, when the Government felt that the interests of the farmer would be served if they were encouraged and assisted in developing a farm organization to serve their needs. The Extension Service—an educational agency of the U.S. Department of Agriculture, working through the land-grant colleges—was selected to do the job. Thus, the Extension Service and its county agents actively promoted and participated in the organization of the Farm Bureau. Extension agents—Government employees, mind you—recruited members for the Farm Bureau—a private organization—and helped run its programs. In the early 1920's Farm Bureau President J. B. Howard wrote:

> The County agent is the strong right arm of the American Farm Bureau Federation. We need to make increasing use of the county agent.

The Farm Bureau later began to contribute money to the Extension Service, together with other private groups. Eventually, it became the principle private contributor to the Extension Service. As we shall see, this situation has continued to the present day. The ties were drawn still closer as county extension offices invariably became located in Farm Bureau buildings.

As a result of the overlap of offices, and the participation of the Extension county agent in Farm Bureau membership drives and other activities, people could not tell them apart, indeed, they did not even realize that they were apart. Whole generations of farm families grew up thinking that the Extension Service, with its county agents and 4–H clubs, was a formal part of the Farm Bureau—or vice versa, that the Farm Bureau was connected with the U.S. Government. Several witnesses in Chicago and Omaha testified that they had believed it was necessary for them to join the Farm Bureau in order for their children to participate in 4–H activities. The Farm Bureau encouraged these beliefs by giving their employees and insurance agents the same titles—county agent, for example—as the Extension Service did.

In 1948, a committee composed of individuals from USDA and the Land Grant College Association evaluated the services and experiences of the Extension Service. They decided that things had gone too far. Their August 1948 report recommended that—

> It would be in the public interest for any formal operating relationship between the Extension Service and any general farm organization such as the Farm Bureau to be discontinued at the earliest possible moment. The Extension Service can function more effectively when it is recognized as a public agency available to and operating in the interests of all on an equal basis.

This was nearly 20 years ago.

Progress was so slow that on November 24, 1954—6 years later—Secretary of Agriculture Ezra Taft Benson found it necessary to issue Memorandum No. 1368. Under unanimous consent, this important memorandum is enclosed at the end of this statement. In this memorandum, the Department of Agriculture presented six guidelines to hasten realization of the goals recommended in the report of 1948, to separate the Extension Service and the Farm Bureau. Again, the Department reiterated:

> Employees of this Department are to be available to serve *all* farmers. Membership in any general specialized organization of farmers shall not be a prerequisite to obtain assistance from employees of this department.

This was 1954, 13 years ago.

In 1964, the president of the University of Illinois and Secretary of Agriculture Orville Freeman set up a joint task force to—in the words of the Illinois Extension Director J. B. Claar—

> Study the Extension-farm organization relationships in Illinois and to make recommendations concerning the future.

In March 1965, the task force released its findings. Sixteen years after the initial report recommending separation of Farm Bureau and Extension, and 10 years after Secretary Benson's order, the task force found that—

> The cooperative Extension Service has a mixed identification in the mind of the public. This is natural enough because of its long association with the county Farm Bureaus.

The many recommendations made by the task force can also be read as a catalog of abuses that exist in the peculiar relationship between the two agencies.

Sixty percent of the Illinois farm advisers—extension agents—said that farmers more commonly think of the farm adviser's office as part of the county Farm Bureau.

Seventy percent of the Illinois vocational agriculture instructors polled held this view. When this was asked of farmers and businessmen in 15 counties, nearly 60 percent believed the farm adviser's office was part of the Farm Bureau.

Ninety percent—90 out of 99—of the Illinois farm advisers and 70 percent of the home advisers—all Extension Service personnel—were located in Farm Bureau-owned buildings in which the local farm bureaus are located.

All Farm Bureau insurance and other commercial sales activities are also conducted from these offices.

What was the attitude of the Farm Bureau? The report states that the leaders of the Illinois Agriculture Association—the Illinois Farm Bureau—felt that—

> The situation as it now exists is satisfactory. They felt that many county Farm Bureaus would withdraw funds if Extension moved out of the buildings. One cannot help but conclude that Farm Bureau feels there is some benefit to Farm Bureau in having Extension physically located in their buildings.

Farm Bureau certainly must feel they are receiving "some benefits," when they have contributed several million dollars to the Extension Service of Illinois.

The "benefit" was certainly worth the investment. Being able to sell Farm Bureau insurance and membership from offices shared with a Federal agency has given Farm Bureau the carefully calculated image of a "quasi-governmental organization." Refusing to buy Farm Bureau products and insurance would almost be like refusing to buy U.S. savings bonds. The Farm Bureau married the Extension Service for money, and one can just imagine the profits they have earned from this liaison, if they have been willing to invest several million dollars to keep it going.

The 1964 Illinois task force handed down six more "recommendations" for the purpose of establishing "separate identities for the Extension Service and Farm Bureau." They are included at the end of this statement. This was 17 years after the initial recommendation.

Now, in 1967, my investigation has elicited countless letters from the Midwest describing the close association still existing between the Extension Service and the Farm Bureau. As a result, I invited Dr. John Claar to attend my Chicago hearings on August 4. But a "long-standing commitment" prevented him from attending. I was told that there was no one else on the staff of the Extension Service or the University of Illinois who was available to represent him.

However, on August 1, I received a letter from Dr. Claar describing the "progress" made since 1965 to implement the six recommendations designed to establish "separate identities" for the Farm Bureau and the Extension Service. Dr. Claar assured me that—

> Today the office standards are met in every county with the exception of three where construction of facilities is underway and one county which has been temporarily delayed at the request of the county Board of Supervisors.

Unfortunately, this is not so. Dr. N. P. Ralston, Assistant Director of the Federal Extension Service, stated at my Washington hearings that last year, the Farm Bureau gave nearly $1 million to the Extension Service, mostly in the State of Illinois. Witness after witness in Chicago testified that the task force recommendation produced evasion, not action. For the most part, either nothing at all has been done to correct the situation or separate entrances to the Extension offices were simply added in the Farm Bureau buildings. The fact is, that today, almost 20 years after action was originally urged, 63 out of 112 Extension offices are still in Farm Bureau buildings. In 63 locations in Illinois, Uncle Sam is paying rent to a private organization, which is not paying tax on the income, and—in most cases—is not paying any property taxes on their buildings either. At the same time, the Government is being used by that organization to sell its merchandise, and fill its coffers with a tremendous competitive advantage over private, taxpaying enterprises engaged in the same business. And the Government is being used to promote one particular farm organization at the expense of the others. Despite the self-satisfied pronouncements by the Illinois Extension Service that the Farm Bureau and Extension have been divorced, one witness in Chicago summed the situation up like this:

> If a man and his wife are divorced but still living in the house, it's pretty hard for anyone besides themselves to know they're divorced.

New York State has an interesting variation on this same theme. In seven New York counties, the Farm Bureau rents office space from the Extension Service. In all of New York State, the Farm Bureau is the only private organization that rents space in any Extension buildings, except for one county where an office is rented by the American Cancer Society. Prominent signs in front of some of the buildings—in Erie County for example—proclaim the purpose of these offices: the sale of Farm Bureau insurance and automobile tires. Furthermore, the Farm Bureau rents the space at half the price of the Government agencies.

Sandwiched between the ASCS, FHA, 4-H Clubs, and the county agent offices, the Farm Bureau gets a lot more than office space for its rent money.

The 1964–65 Illinois task force points out that local Farm Bureaus have radically changed in character over the years. The report admits that they are no longer simple farm organizations. Instead, they are deeply involved in commercial and political activities.

Therefore, to the many and long-disregarded recommendations that have been made in the past about relations between Farm Bureau and Extension, I have added three more to Secretary of Agriculture Freeman that I hope will not be disregarded:

First. In no case shall the Extension Service, or any other agency of the Department of Agriculture, rent or occupy offices in a building owned by the Farm Bureau.

Second. The Farm Bureau shall not be allowed to rent or occupy offices in any building owned by the Federal, State, or local extension service.

Third. Since the Farm Bureau is primarily a commercial enterprise in competition with private business, no extension agents or advisers shall be allowed to belong to the Farm Bureau. This will provide assurance that no conflict of interest arises when the agent suggests goods and services for the farmer to purchase.

Mr. Speaker, additional information elicited by my Washington hearings will be forthcoming.

U.S. DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C. November 24, 1954.

MEMORANDUM NO. 1368—ACTIVITIES OF DEPARTMENT EMPLOYEES WITH RELATION TO GENERAL AND SPECIALIZED ORGANIZATIONS OF FARMERS

It is desirable at this time to call the attention of employees of the Department to policies with respect to activities concerning both general and specialized organizations of farmers. Under Section 4 of Title 8 of the Regulations of the Department of Agriculture are set forth the general policies regarding activities of the Department employees with respect to general farm organizations. These policies, as expanded and clarified by this memorandum, should be extended to all organizations of farmers, particularly to those general or specialized organizations of farmers whose functions include the influencing of legislation affecting the activities of this Department or the promotion of the activities of Federal Agencies.

As used in this memorandum, the expression "general or specialized organizations of farmers" is intended to cover such national, regional, or State organizations as, among others, the National Grange, the American Farm Bureau Federation, the Farmers' Union, the National Association of Soil Conservation Districts, the National Rural Electric Cooperative Association, the National Council of Farmer Cooperatives, Breed and Commodity Organizations, and their regional, State, and local constituent groups. The expression "general or specialized organizations of farmers" is not intended to cover organizations such as cow test associations and similar groups.

No employee of this Department shall:

1. Accept the use of free office space or contributions for salary or traveling expense from any general or specialized organization of farmers;

2. Advocate that any particular general or specialized organization of farmers is better adapted for carrying out the work of this Department than any individual citizen, groups of citizens, or organizations;

3. Advocate that the responsibilities of any agency of this Department or any other Federal agency should be carried out through any particular general or specialized organization of farmers;

4. Advocate or recommend that any State or local agency should carry out its responsibilities through any particular general or specialized organization of farmers;

5. Approve contracts for the Department with any cooperative or other commercial organization whenever such cooperative or other commercial organization deducts or "checks off" from payments due farmers, membership dues of such farmers to any general or specialized organization of farmers, except as it is determined that current authorization for such deduction has been knowingly filed by such individual farmers with the cooperative or other commercial organization;

6. Shall directly or indirectly solicit membership in any general or specialized organization of farmers as defined herein.

Employees of this Department are to be available to serve *all* farmers. Membership in any general or specialized organization of farmers shall not be a prerequisite to obtain assistance from employees of this Department. Conversely, any such membership shall not be deemed grounds for discrimination. Employees of this Department shall be subject to the supervision and control of regularly appointed Departmental employees, and such supervision and control shall not be delegated directly or indirectly to any general or specialized organization of farmers.

This memorandum shall be effective immediately, except as it applies to situations requiring special attention or change in operating procedures, in which cases it will become effective as expeditiously as possible.

The cooperation of all organizations of farmers is requested in administering this regulation.

EZRA TAFT BENSON,
Secretary.

RECOMMENDATIONS OF THE 1964–65 STUDY TASK FORCE REPORT, UNIVERSITY OF ILLINOIS AND USDA

RECOMMENDATION 1

The primary purpose of Cooperative Extension is education and this needs to be reiterated and reinforced.

RECOMMENDATION 2

The County Extension Offices in Illinois should be identified as an integral part of the University of Illinois and the U.S.D.A. and not as a part of any general farm organization.

RECOMMENDATION 3

The County Cooperative Extension Service offices should be located in physical facilities which emphasize to the public they serve their close association with the University of Illinois and the U.S.D.A. and not imply close association with any general or specialized farm organization.

RECOMMENDATION 4

Since the County Extension Service is an educational program serving all persons engaged in agriculture and homemaking, the primary source of financial support for their programs and their administration should be public tax funds provided from federal, state and county appropriations.

RECOMMENDATION 5

The County Extension Councils and the County Homemakers Extension Councils should be clearly identified as representing all of the farmers and homemakers in the county and the two councils should work together very closely.

RECOMMENDATION 6

The Farm and Home Advisers should be clearly identified in their important role as University of Illinois staff members extending the educational program of the College of Agriculture to all citizens of the state.

CIGARETTE SMOKING AND HEALTH

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MOSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MOSS. Mr. Speaker, to help educate the youth of our Nation as to the health dangers of cigarette smoking, I am today introducing legislation which would direct the Federal Communications Commission to establish regulations prohibiting certain broadcasting of advertising of cigarettes; and a second measure to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar and nicotine content. These bills are identical to S. 2395 and S. 2396 introduced in the Senate on September 12 by Senators ROBERT F. KENNEDY and JENNINGS RANDOLPH.

I also support a third measure introduced last week by Senators KENNEDY, RANDOLPH, and FRANK E. MOSS which would strengthen the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes. At the appropriate time, I will support amendments to my bill H.R. 11717 to incorporate the provisions of S. 2394.

Startling statistics pointing out the health hazards of smoking are increasing in number. Last week at the World Conference on Smoking and Health it was reported by E. Cuyler Hammond, vice president of the American Cancer Society for epidemiology and statistics, that "approximately 3.4 years of life expectancy are now lost due to the smoking habit." The following article by Morton Mintz of the Washington Post details Mr. Hammond's report:

Smokers' Life Cut, Data Find—Cancer Society Holds Medical Advance Voided

(By Morton Mintz)

New York, September 11.—American men who smoke cigarettes may cancel out most of the additional life span given them by a half century of advances in medicine, public health and the standard of living.

This was reported to the World Conference of Smoking and Health today by E. Cuyler Hammond of the American Cancer Society on the basis of a mass of new data involving a half-million men.

Hammond described the data as the first that are sufficient to permit the construction of statistically sound tables comparing the life expectancy of smokers and nonsmokers.

WHAT THE TABLES SHOW

One indication from the table is that among 25-year-old men who have never smoked regularly, 77.7 per cent may expect to live to age 65. That percentage is 23.7 points higher than for men of 25 who smoke 40 or more cigarettes a day, and 10.4 points higher than for those who smoke only 1 to 9 cigarettes a day.

Similarly, the tables suggest that the chances of an average 25-year-old man to live to 85 are 19.2 per cent provided he has never smoked regularly. But if he smokes 1 to 9 cigarettes daily, his chance of living to 85 are reduced to 7.3 per cent—only one-tenth of a percentage point more than if he smokes 20 to 39 cigarettes. The percentage in the tables for 10 to 19 cigarettes is 8.5 and for 40 or more it is 6.5.

MORTALITY RATIOS

Hammond, the Cancer Society's vice president for epidemiology and statistics, said the new study brings a new dimension to the understanding of the effects of cigarette smoking. These usually have been expressed in terms of mortality ratios. Thus it has been reported that among heavy smokers the death rate is 2 to 3 times as high as among non-smokers.

"I doubt that most people quite comprehend what this means in terms of their chances of living to a ripe old age, or at least living through the most productive years of life," Hammond commented.

The new approach came from a study of 447,196 men enrolled by Cancer Society volunteers. Of the total, 39,178 died in the five-year period ending June 30, 1965.

One table shows that in 1965 25-year-old American white men—smokers and non-smokers—could expect to survive for an average of another 45.6 years—4.0 more than they could have expected in 1919–21. For comparable non-whites, the expectation in 1965 was for 40.7 additional years of life, or 5.2 more years than in 1919–21.

During those decades, Hammond said, "cigarette smoking . . . increased by leaps and bounds. It is estimated that approximately 3.4 years of life expectancy are now lost due to the habit." In support of this, Hammond cited data showing that 25-year-old non-smokers generally can expect to live to age 73.6, compared with 70.2 for all men of 25 including smokers.

The 3.4-year loss of life expectancy "is not far short of the net gain from a half-century of scientific and social progress," Hammond continued, "Were it not for this, it appears that life expectancy of American men would have increased by about 7.4 years for white males and 9.6 years for non-white males.

"Most distressing is . . . that the life expectancy of American men has shown no improvement since 1959–61," Hammond said. "Substantial improvement will be difficult . . . unless a solution is found to the problem of cigarette smoking."

The Cancer Society tables also suggest:

That for men of 40, life expectancy is 34.5 more years if they have never smoked regularly, 30.2 years if they smoke 1 to 9 cigarettes daily, 29.3 years if they consume 10–19 a day, 28.7 years for 29–39 cigarettes and 26.9 for 40 or more.

That non-smokers of all ages "may look forward to more years of life than cigarette smokers."

That the lives of men in the age range 35 to 65 who smoke 2 or more packs daily will be 20 to 25 percent shorter than those of non-smokers in the same age bracket.

A concerted effort must be made by the Congress to warn the thousands of youngsters who start smoking every day that there are definite health dangers in smoking cigarettes. I know that many of my colleagues are concerned with this problem as was demonstrated by the 41 cosponsors of legislation identical to H.R. 11717.

I urge hearings at the earliest possible moment to consider the various bills pertaining to cigarettes and health.

For the benefit of my colleagues, I am including at this point in the Record the texts of the two bills being introduced in the House today:

H.R. 12994

A bill to direct the Federal Communications Commission to establish regulations prohibiting certain broadcasting of advertising of cigarettes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part I of title III of the Communications Act of 1934 is amended by inserting at the end thereof a new section as follows:

"PROHIBITION OF CERTAIN BROADCASTING OF ADVERTISING OF CIGARETTES

"Sec. 331. The Commission shall establish, and make effective not later than six months after the effective date of this section, such regulations as may be necessary to (1) prohibit any licensee from broadcasting any advertising of cigarettes between such hours and in connection with such types of programs as the Commission determines would be most likely to influence children of elementary or secondary school age, and (2) regulate the total amount of such advertising broadcast to such extent as the Commission determines for the purpose of protecting the health and welfare of the public, and particularly children of elementary or secondary school age."

H.R. 12995

A bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar and nicotine content

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5701(b) of the Internal Revenue Code of 1954 (tax on cigarettes) is amended to read as follows:

"(b) Cigarettes.—On cigarettes, manufactured in or imported into the United States, there shall be imposed the following taxes:

"(1) Small cigarettes.—On cigarettes weighing not more than 3 pounds per thousand, the tax shall be the lowest tax applicable under the following table:

"If the tar content thereof is—	If the nicotine content thereof is—	The tax per thousand cigarettes shall be—
10 mg. or less and	0.8 mg. or less	$4
20 mg. or less and	1.4 mg. or less	7
30 mg. or less and	2 mg. or less	10
More than 30 mg. or	More than 2 mg	15

"(2) Large cigarettes.—On cigarettes weighing more than 3 pounds per thousand, the tax per thousand shall be 2.1 times the tax prescribed by paragraph (1); except that, if more than 6½ inches in length, such cigarettes shall be taxable under paragraph (1), counting each 2¾ inches, or fraction thereof, of the length of each as one cigarette.

"(3) Determination of tar and nicotine content.—

"(A) Testing by Federal Trade Commission.—The Federal Trade Commission shall from time to time (but not less often than once each calendar quarter) test each brand of cigarettes manufactured in or imported into the United States for the tar and nicotine content of cigarettes of such brand. The conditions, methods, and procedures for conducting such tests shall be prescribed by (and may be changed by) the Commission by regulations issued by it for purposes of this paragraph. Until such time as such regulations are first issued, the conditions, methods, and procedures for conducting such tests shall be those approved by the Commission for formal testing which are in effect on the date of the enactment of this paragraph.

"(B) Certification to Secretary.—At least once each calendar quarter, the Chairman of the Federal Trade Commission shall certify to the Secretary or his delegate, on the basis of the tests conducted pursuant to subparagraph (A), the tar and nicotine content of each brand of cigarettes manufactured in or imported into the United States. The tar and nicotine content of a brand of cigarettes as contained in such certification shall, for purposes of applying paragraphs (1) and (2), be the tar and nicotine content of cigarettes of such brand for the period beginning with the day after such certification is made with respect to such brand and ending with the day on which the next certification is made with respect to such brand."

(b) The amendment made by subsection (a) shall take effect on the first day of the first calendar quarter which begins more than 30 days after the date of the enactment of this Act, except that, with respect to the authority of the Federal Trade Commission to issue regulations for purposes of section 5701 (b) (3) of the Internal Revenue Code of 1954 (as added by subsection (a)), such amendment shall take effect on the date of the enactment of this Act.

PROGRESS IN ITALY

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Minish] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MINISH. Mr. Speaker, yesterday President Johnson welcomed a most distinguished guest to our Nation's Capitol.

He is President Guiseppi Saragat of the Republic of Italy, one of the fastest growing most progressive countries of the free world. I would like to take the opportunity afforded by President Saragat's visit to outline the amazing progress of his country to internal prosperity and international respect from the moral and physical devastation left by World War II.

The difficulties encountered by Italy after the war were enormous, but, with vigor and courage, Italians seized the opportunity to rebuild their proud nation to its historical status in the vanguard of Western Civilization. Their task has been accomplished. Between 1947 and the end of 1961, Italy attained a steady 5.9 percent rate of annual growth, rebuilt its agriculture, expanded its industry, recouped its exchange reserves, put its balance of payments in order, became a strong international trader, added enormously to its capital, and largely overcame the serious problem of unemployment—all of this with a comparatively small amount of inflation and a pronounced improvement in its citizens' standards of life. Moreover, the "great boom," has at last made possible an impressive long-term program for the renewal of the underdeveloped south.

Italy's "revolution" was not a violent one: it involved neither a coup d'etat nor a civil war, nor was it directly political, for the formal institutions of the parliamentary system remained as they had been created by the constitutional convention of 1946–47. Rather, I am speaking of Italy's second industrial revolution, continuing even now, which transformed the ancient land from a predominantly agricultural and rural society to a predominately industrial and urban society. In 1942, 48 percent of Italy's labor force was occupied in agriculture; at the beginning of 1965 only 25 percent was in agriculture, while 41 percent was in industry and 34 percent in tertiary activities.

Profiting from a tradition of engineering stemming from classical Roman times, from the creative energies of the Italian people, and from the role of aggressive trader dating back to the beginnings of modern capitalism, Italian industry has been the major element in the postwar economic surge. This success is recorded in the vigor with which investment opportunities were seized, the speed with which foreign markets were penetrated, and the enormous gain in labor productivity that was achieved. All in all, the last 20 years have seen a fourfold increase in Italy's industrial production.

After a slight slump in the early 1960's the Italian economy has been moving ahead at great speed, and 1966 was one of the best years on record. The gross national product last year reached $61.4 billion, an increase of 7.9 percent. This represents the highest rate of growth in Europe. Among the leading industrialized countries of the world, it was matched only by the United States and Canada and surpassed by Japan alone.

The past year's solid record of accomplishments was the more notable since it occurred against a backdrop of stagnation or near recession in some of Italy's biggest export outlets, such as Germany. The devastation caused by the November floods, which inflicted heavy damage and losses to the cities of Florence and Venice as well as large surrounding areas, was largely overcome as a spirit of self-help and resilience led to a prompt restoration of economic activity. The traditional handicraft and artistic manufacturers, who bore the brunt of the disaster, were back on their feet within a few months.

We are all aware of Italy's friendship and loyalty to the United States and to the ideals of freedom, justice, and democracy. A staunch ally of the democracies of the West, Italy today is one of the strongest and most vital links in the NATO command and serves as a bastion against totalitarianism and despotism.

Mr. Speaker, Italy had, and still has, many serious problems, but the years between 1945 and 1967 clearly demonstrated the will and determination of the Italian people to face up to them within the framework of political democracy. While it is true that Italy faces a long, hard road in its efforts to spread the good life to all its citizens, no one can deny that monumental tasks have been undertaken and accomplished. I congratulate President Saragat, his government, and the Italian people.

FREEMAN URGES PURCELL BILL ENACTMENT

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Purcell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. PURCELL. Mr. Speaker, Secretary of Agriculture Orville L. Freeman, at a news conference in Omaha, Nebr., yesterday, urged passage of the Purcell strategic reserve grain bill.

I was most pleased to see the Secretary take a strong stand in favor of this badly needed legislation, H.R. 12067. Our Subcommittee on Livestock and Grains held extensive hearings on the proposal and has met in executive session to consider it. I anticipate further subcommittee consideration in the near future.

In addition to his support for the legislation I have introduced, the Secretary also outlined a number of steps being taken by the administration to bolster grain prices. I would like to insert in the Record, at this point, the news release on the Secretary's news conference which was issued by the Department of Agriculture yesterday:

Freeman Urges Purcell Bill Enactment

Secretary of Agriculture Orville L. Freeman today expressed deep concern over falling wheat and grain prices, listed a number of actions being taken to check the downward trend, and called for quick enactment of the Purcell Strategic Grain Reserve bill as a much-needed remedy.

In Omaha, Nebr., to address the National Association of County Agricultural Agents, Freeman issued the following statement at a press conference:

"I share the frustration of our country's grain growers over a price problem that is persisting beyond the end of surpluses. There is no wheat surplus in the United States today, but as we try to adjust to the "New Era" farm programs that make it possible to approximately gear yearly production to yearly needs we are finding that immediate supply levels occasioned by world-wide bumper crops are prompting irregular and discouraging short term market action.

"An oversupply at harvesttime in the U.S. has temporarily glutted the market and forced prices down.

"We are also faced with the continuing effect on our price levels of production in other countries. Both Western and Eastern Europe grain crops are big this year. The Soviet crop, while not as large as last year, is expected to be large. Indian crop prospects are far better than in the last two years. Canada's crop has shown considerable improvement, and both Argentina and Australia expect to have large quantities for export. Despite this competition, however, we are still optimistic that our export goal of 750 million bushels will be met.

"What is crucial at the moment, however, is the urgent need to shore up prices. We have taken every possible action we can legally take to check this downward trend.

"Looking to next year, we have already reduced the wheat acreage allotment as a move designed to strengthen wheat prices. This action is consistent with the New Era Farm program. The program's flexibility is geared to any supply need. When more production is needed, acreage can be increased. If less is needed, acreage can be reduced.

"CCC stocks are off the market. We just are not selling any grain—wheat, feed grains or soybeans. A very limited volume of the lower qualities must be moved for prudent inventory management. And we are continuing to provide a very limited amount of wheat for export on the West Coast as an interim and necessary action to insure the supplies needed to encourage expansion of our dollar markets in Asia, particularly Japan.

"We are moving large amounts of wheat in the Food-for-Freedom program. Just recently another million tons of grain were made available to India. Additional quantities under the program will be announced in the near future.

"We are taking all possible actions to help farmers achieve a more orderly movement of their wheat in order to get better prices. Most wheat program participants have received their 1967 marketing certificate payments. These have averaged 47 cents per bushel on all production. They totaled $725 million. This payment enables farmers to withstand the financial pressure many of them experience at harvesttime. In addition, the loan program offers immediate money, thus helping farmers to keep their wheat off the temporarily distressed market.

"I urge once again that farmers use the loan program to hold back their grain and not rush to sell at distressed prices.

"We have stepped up utilization of CCC surplus bins as a supplementary means of adding storage facilities for farmers who want to withhold their wheat from the temporarily glutted market. Bins are being sold or rented. We are emphasizing use of the facility loan program which has made it possible for farmers to add millions of bushels of storage capacity on their farms and materially strengthen their holding power.

"Since wheat prices in every area influence prices in others, we have tried to relieve storage distress in the South and East earlier this year. An oversupply of CCC bins in some Midwest areas has been moved South and East to give those farmers added storage for the grain and soybeans they want to keep off the market at harvest. We have moved, or will move shortly, more than 6,700 bins with a total capacity of 22.5 million bushels.

"A new provision in the price support program this year will enable farmers who have wheat and other grains in commercial warehouse storage to extend these loans beyond the initial loan period. This will supplement the long-time farm reseal program which has enabled us over the years to hold millions of bushels out of market channels.

"The new International Grains Agreement, while not effective until next year, will insure a higher minimum export price—about 23 cents a bushel above the level of the old agreement.

"Notwithstanding all these specific actions, what we need most now is passage of the Purcell Bill.

"This bill is designed to establish and maintain government reserves—insulated from the market—of essential grains and soybeans at not less than specified percentages of the amounts needed annually for domestic use and export. Such a reserve would be in the national interest, as insurance against domestic or global emergencies, and would serve to bolster farm prices.

"Purchases for reserve supplies would significantly increase farm income. If the CCC had the authority to buy grain at prices above the loan level, market prices would move up quickly. In making these purchases, CCC obviously would reduce its loan activity. There would be correspondingly less cost to the Government as the volume of price support loans lessened. Stocks acquired for the reserve would have value and probably would return to the Government more than the original asset value. The boost in market prices would increase total farm income for 1967-crop wheat, feed grains and soybeans.

"This bill, so urgently needed by our grain producers, is being sidetracked and stalled by some members of the House Agriculture Committee who seem to want a political issue more than they want higher farm prices. I take this occasion to make a direct and personal appeal to every farmer who raises wheat or feed grains or soybeans to contact his congressmen and let them know that they need—and want—the Purcell Strategic Reserve Grain bill."

"THE NEW LEFT"—A CBS REPORT

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. PEPPER. Mr. Speaker, last Tuesday night, September 12, CBS News once again demonstrated their high degree of journalistic responsibility by broadcasting on the CBS Television Network a superb study of the so-called new left in America. Because I believe this broadcasting to be so important to our understanding of American youth I insert at this point in the CONGRESSIONAL RECORD this program, "The New Left."

THE NEW LEFT

(As broadcast over the CBS Television Network, Tuesday, Sept. 12, 1967. Reporter: Bill Stout; produced and written by Jack Beck; executive producer: Burton Benjamin)

Bill Stout. This is a meeting of American radicals. Some would call themselves revolutionaries. But almost none are Marxists and almost none are Communists. They are members of the New Left. Nine days ago at this convention of the National Conference for New Politics, they made their first attempt at political unity. Who they are, what brought them here, what they hope to achieve, and how important they may be is the subject of the next hour.

This is their view of America:

Mario Savio. There's a time when the operation of the machine becomes so odious, makes you so sick at heart, that you can't take part. You can't even passively take part. I ask you to consider——

Stout. In the swelling voice of American youth, an insistent note of discontent can be heard. It sounds like this:

Savio. And you've got to put your bodies upon the gears and upon the wheels and you've got to make it stop. And you've got to indicate to the people who run it, to the people who own it, that unless you're free, the machine will be prevented from working at all.

Stout. The new radicals spring from an affluent America, torn by racial conflict and by dissent born of the Vietnam war.

Fannie Lou Hamer. There are some strange things going on in America! It's not only in Mississippi. If the Constitution of the United States meant something to all the people of the United States, they wouldn't have to pass a law a day. But I got news for you, baby. It's from the top to the bottom.

Robert Scheer. If somehow you discuss this war in very mild terms and you're sort of disapproving and you're a little bit upset about it, then you're reasonable. But if you try to cut through that and get across the monstrous nightmare of that war and just what we're doing to that country and just what we're doing to the people there and you try to put it in its proper poetic terms with its proper emotive values, then you're irresponsible.

Stout. The target of the New Left is not right-wing conservatism but Democratic Party liberalism.

Farrel Broslowsky. Since it is the liberals primarily who are keeping people oppressed in our society by their unwillingness to come to grips with the problems, then I feel they have to be dislodged.

Tom Hayden. The question is: Whose views shall prevail today? The majority of people in this country are my age and younger. The people who run this country are people whose ideas were formed during the '20's and '30's.

Carl Oglesby. People are abused, used, pre-empted, forced, coerced and, in many cases, handled fairly roughly by the system, which holds out the—only the promise of a material affluence. Only the promise of two cars. Only the promise of a split-level divided again and again and again in suburbia after suburbia after suburbia. That's the only thing that this—this culture can offer people now—bread alone. The question is whether or not you're going to accept that.

Peace marchers: Get out of Vietnam. Get out, get out, get out of Vietnam.

Bob Dylan (singing):

"You've been with the professors
And they've all liked your looks
With great lawyers you have discussed
Lepers and crooks
You've been through all of
F. Scott Fitzgerald's books
You're very well-read, it's well-known
But something is happening here
And you don't know what it is,
Do you, Mr. Jones?"

(Announcement.)

Announcer. CBS Reports: "The New Left." Here now is CBS News Correspondent, Bill Stout.

Stout. The New Left—its members call it the Movement for Social Change—is a noisy blend of people, mostly young, and ideals, mostly American. It has, at best, perhaps 300,000 members—a tiny minority but including some of the brightest young leaders in the generation that now accounts for more than half this country's population.

Two points to keep in mind: the young radicals scorn communism and they see liberals as their enemy—not the right-wing Goldwaters and Reagans, but the New Deal Democrats like Hubert Humphrey and the Johnsonian consensus. They say Vietnam is the liberals' war because John Kennedy sent in the first large contingent of troops and Lyndon Johnson ordered escalation. It is also the liberals they blame for poverty and racism at home. And that accusation is the New Left, not so much a political program as a way of looking critically at America.

Carl Oglesby. You could say that the upper—the upper and middle-class kids who are making the New Left go are, in fact, bothered by a kind of poverty, a spiritual poverty, the spiritual poverty of middle-class America. Who could have imagined 20 years ago or 50 years ago that all this affluence would turn out not at all to have been worth it. Who could have guessed that when you get things that you don't really work for or when you're—when you're forced into a psychology of harum-scarum acquisitiveness where you just buy, buy, buy, buy—who would have guessed that that would have turned out not only to be unsatisfactory, but to be, in fact, destructive. And it seems that nobody really believes that it's a good life. Something went wrong here, you know.

Stout. It is a revolt that is all around us. It can be read in the more than 150 so-called underground newspapers, some of them produced in high schools. And it is in the lyrics of the young people's music.

Judy Collins (singing):

"I am trying everyone to please.
Though it isn't really war,
We're sending 90,000 more
To help save Vietnam from the Vietnamese."

Barry McGuire (singing):

"Take a look around you, boy
It's bound to scare you, boy
And you tell me over and over and over again
My friend, I hear you don't believe
We're on the eve of destruction."

Stout: It is a revolt that reaches in many directions. From Europe, it borrows Albert Camus' conclusion that it takes courage to live in an absurd world. And from the Orient, it borrows Alan Watts' studies of Zen Buddhism, questioning that American ideal that says work and material success are the only measures of a meaningful life. That part of the revolt is mirrored in cartoonist Robert Osborn's satirical comments on the demands, the pressures, the anxieties, the hassles of the daily rat race. Thomas Pynchon's "V", Ken Kesey's "One Flew Over the Cuckoo's Nest," and Joseph Heller's "Catch 22" are other bitter portrayals of American life, all favorites of the New Left. And poet Allen Ginsberg, who now marches in peace demonstrations, voiced much of the discontent with middle-class values ten years ago in his poem, "Howl."

Allen Ginsberg:

"Moloch! Moloch! Nightmare of Moloch!
Moloch whose love is endless oil and stone!
Moloch whose soul is electricity and banks!"

Stout. Another of the New Left culture heroes, Mort Sahl, keeps sniping at the same conditions the young radicals find destructive in America.

Mort Sahl. During a briefing at the State Department, the Secretary of State pointed out that there was a civil war in China and he claimed that we—he hoped we wouldn't have to intervene. If we do intervene, there's going to be a policy conflict because we wouldn't—certainly wouldn't want to intervene on the side of a tyrant, Mao Tse-tung. But we certainly wouldn't want to be caught on the side of the people, which would set a precedent. (Laughter) So I—that's not the answer.

Stout. In the theater, empty of political satire for many years, the New Left came up with "MacBird," a scathing comment on the pursuit of power.

MacBird. "My fellow Americans."

Stout. Again the older generation denounced it as sick and tasteless, as a liberal attack on a conservative, Southern President.

MacBird. "And I shall be the President of all Not just the rich and not just the fortunate Not just the folks who vote for me, but *all*.

"I have a dream . . . We have an opportunity to move Not only towards the rich society But upwards towards the Smooth Society."

Stout. Playwright Barbara Garson's point is that MacBird is merely a cornpone version of the power-hungry Ken O'Dunc brothers with their dreams of dynasty.

John Ken O'Dunc. "You, Bob, are still the second in succession And Ted is next . . . and princes yet unborn . . . And for this land, this crowned continent, This earth of Mars, this seat of majesty, This forceful breed of men, this mighty world, I see a . . . *New Frontier* . . ."

Stout. To the older folks, perhaps the most startling aspect of the Movement is its rejection of the prosperous society which produced it—a favorite subject of cartoonist Jules Feiffer.

Middle-aged man: "I'll tell you what *really* bothers you kids today: *You just don't want to grow up!*"

Young man: "I once wanted to grow up! But then I took a look at the grown-ups around me—

"Complaining about the jobs they hate and dying of boredom months after they retire from them.

"Picking wives out of the girls they're not attracted to and remaining attracted to girls they think are tramps.

"Watching TV six nights a week so they don't have to talk to the family. Joining a club one night a week so they can talk to the boys.

"Preaching to their kids about their inalienable rights, and then when the kids try to exercise a few, warning them to *grow up*.

"Mister, to *my* generation, *not* wanting to grow up is a sign of maturity."

Stout. This rejection of American values is the basis of the Movement. A University of California sociologist who has studied the disenchanted young is Dr. J. L. Simmons.

Dr. **Simmons.** I think that the Movement fundamentally is a feeling in the air—a feeling that straight American society, as exemplified in "The Reader's Digest" and the Establishment just isn't making it in the modern world. The common denominator that runs through all of these groups—the hippies, the flower people, the racial integration people, the New Left organizations—is this feeling of opposition to conventional America. And that this is the real political force abroad in our land today.

Stout. To understand the New Left, it's necessary to understand their view of what's happened in the last decade. The key was the drive for civil rights and it pulled together all the loose elements of young radicalism. And if any single event marked the beginning of the Movement, it was in the summer of 1960 and it all began with an attempt to buy a cup of coffee.

Four college freshmen—all Negroes—were refused service at a Greensboro, North Carolina lunch counter and the civil rights sit-in was born. Television pictures of students mauled by mobs and manhandled by police stirred campus feelings from one end of the country to the other. The Silent Generation had found a cause or, as some put it, a moral equivalent of war. Its simplicity was appealing—no politics or ideology, just a willingness to back a belief by offering one's self. The Student Nonviolent Coordinating Committee, known as SNCC, was formed. A massive effort to register Negroes in Mississippi got under way, led by Robert Moses and a lesser-known volunteer, Stokely Carmichael.

Stokely Carmichael. By definition, if you're in Mississippi working for civil rights, it's dangerous.

Delegates singing: "Go tell it on the mountain . . ." (Mississippi Freedom Democratic Party Convention)

Stout. The Mississippi project more than doubled Negro voter registration from 25,000 to 68,000. But even with that, the Negroes had no voice; so the Mississippi Freedom Democratic Party was formed. Fannie Lou Hamer, a leader in the voter project, explains.

Fannie Lou Hamer. We didn't have no other choice except being a Freedom Democratic Party because what had happened—we tried from the beginning, from the precinct level to go into the regular party. And after we wasn't accepted, we decided to have something of our own—not just for black people in Mississippi, but for white as well.

Stout. Bob Moses, Mrs. Hamer, and Aaron Henry led the Freedom Party delegates before the Credentials Committee of the Democratic National Convention, summer 1964, Atlantic City. Their demand to replace the segregated, all-white Mississippi delegation was a critical test of the values of American liberalism and it was posed, above all, in moral terms.

Aaron Henry. We don't think that there can be any compromise with what we consider a wrong position or a wrong element. We don't think that the Mississippi Democratic Party espouses the philosophy of the national Democratic Party and we think that we do. And we don't see why there should be any compromise between an issue that is involved in this much of being right or being wrong.

Stout. The settlement worked out by Hubert Humphrey with White House approval was a political compromise offering two seats to the Freedom Party, the rest to the segregationist delegates. To party politicians, it was just one more compromise needed to hold together hostile groups making up the Democratic coalition. But to members of the Movement, it was something else.

Fannie Lou Hamer. But I think what happened to us in Atlantic City made people really aware that the government is not really with the people, for the people, by the people but for a handful of folk. And the people don't have anything to say.

We were told there if we kept up what we was doing, that the Vice President wouldn't be nominated that night. And that's when I asked Mr. Humphrey: Was his position, one man, more important than black people's lives in Mississippi that was suffering through what they had gone through. And then after that, I wasn't allowed to go to no other meetings with the big, top leaders.

Stout. In the literature of the New Left, Atlantic City is described as conclusive evidence that for the young radicals, liberalism could no longer serve as a vehicle for social reform. The New Left's opinion of liberals was reinforced nearly three years later when Hubert Humphrey publicly embraced Lester Maddox who, before becoming Governor of Georgia, had waved a pistol and prescribed axe handles as the answer to demands for racial equality.

Lester Maddox. Say, you customers, go get some more axe handles.

Stout. To the young radicals, black and white, who had been in Mississippi, Atlantic City was the turning point. It proved to them that they could trust no one over 30, certainly not on moral issues and especially not liberals.

In the fall of 1964, students of the New Left went back to the campus carrying with them some of the hard lessons on civil rights and political reality. They claimed the right to continue their political activity on campus and the moral clash of the summer now became a battle against bureaucracy.

Peter, Paul, and Mary (singing): "How many roads must a man walk down before they call him a man . . ."

Stout. At the University of California in Berkeley, the square in front of the Student Union was traditionally open to speeches, discussion, and debate. Then without notice, the University ordered a ban on all political recruiting and fund-raising in the square.

Peter, Paul, and Mary (singing): "The answer is blowing in the wind . . ."

Stout. To students like Mario Savio, who had already been bruised in the civil rights battle, it was another move by the faceless bureaucrats to enforce their decisions without consulting those directly involved. But this time the students fought back. Their Free Speech Movement quickly evolved into a larger indictment of the university as a knowledge-factory.

Jack Weinberg. This is mass production. No deviations from the norms are tolerated. Occasionally a few students get together and they decide that they are human beings. Some students get together and they decide that they are not willing to be products. They decide they're not willing to be another thing produced by the university.

Policeman. Have you identified yourself? You would be disciplined by the Dean's Office. If you're not identifying yourself, we're arresting you because you must be an outsider.

Weinberg. What—what section?

Stout. The university said the state's authority to regulate political activity on state property could not be challenged. Three months of conflict between the students and the administration finally brought an announcement of concessions by President Clark Kerr.

Clark Kerr. Prior university charges are to be allowed to lapse. The meeting is now adjourned.

Stout. But these concessions disguised a continuing hostility which, students felt, flashed forth moments later in the treatment given Mario Savio when he tried to comment on Kerr's announcement. Two years after the first Berkeley explosion, the student demands still were being rejected and in even tougher terms by newly-elected Governor Ronald Reagan.

Governor **Ronald Reagan.** I don't think the administration should negotiate with the students' committee. I think they can listen to students. They can take into consideration their views and their opinions. But I think the administration gives away its authority when it sits down and agrees to negotiate.

Stout. Some students who tired of fighting the campus authorities simply dropped out. Others took the classroom into the open air—an academic happening in San Francisco's Golden Gate Park. Leonard Wolf is one of 40 San Francisco State College faculty members who are conducting classes in a free school.

Leonard Wolf. One of the young people said that she wants education, but she doesn't want it in a box. Now that box is very important. We do, I'm afraid, at the college frequently treat learning as if we owned the product and we make the package and we either sell or give it to the young people in our own way. The young people in the park and in the Haight-Ashbury are saying to us: "We don't know what education is but we want it. Why are you so sure you know what it is?"

Stout. The largest campus group in the New Left is SDS—Students for a Democratic Society. It has 30,000 members on 250 campuses. Using the methods of their Southern civil rights experience, SDS members set up slum projects in ten cities. The one in Chicago was called JOIN—Jobs Or Income Now—and its prime target was the slum landlord. The ghetto projects were designed to test the SDS belief, voiced by one of that group's former presidents, writer Carl Oglesby—the belief that the best hope of changing society is by helping the poor to help themselves.

CARL OGLESBY. The problem with the quality of American life is that it's too much organized, that—that nobody really is making important decisions for himself. The decisions are in the rule book. You inherit the decisions when you move into the system. When you go to get an education, you find out when you step into the—to the ivy-colored gates, that somebody already has decided what education means, somebody has already defined what the educated man is, and nobody very much is interested in asking you what, in particular, you would like to know about yourself, your community, your history. And students just aren't involved.

STOUT. By 1965, the major issues engaging the New Left were full civil rights for Negroes, a new relationship between student and university, and social justice through organization of the poor. How the young radicals are moving toward those goals in just a moment.

(Announcement.)

Announcer: CBS Reports: "The New Left" continues. Here again is Bill Stout.

STOUT. For young people who worked through the civil rights summer of 1964, the emotional consequences were as great as the political. The resistance of the system to orderly change deepened the radicalism of many, especially young Negroes. SNCC, once biracial, no longer welcomed white members. And in growing numbers, young Negroes turned to the black activism of Malcolm X.

MALCOLM X. We want one thing: we declare our right on this earth to be a man, to be a human being, to be respected as a human being, to be given the rights of a human being in this society, on this earth, in this day, which we intend to bring into existence by any means necessary.

STOUT. Searching for black solutions, some of the younger Negro leaders probed the experience of other colored populations seeking liberation. Frantz Fanon, spokesman for the Algerian revolt, declared in "The Wretched of the Earth" that only through violence directed at their oppressors could black people regain self-respect. In Fanon, Stokely Carmichael, the new leader of SNCC, also found evidence the American Negro is in a colonial relationship to white America.

STOKELY CARMICHAEL. We have to move to a position where we can control the housing in our neighborhoods so that we're not exploited, so that we're not charged high rents to share apartments with rats, and so that the owners of those apartments don't live in the suburbs grabbing the profits from us—that we're able to grab it and that the money will be able to stay in our community so we can develop it. It is no different from a colony in Africa, who is supposedly free, but her resources are controlled by the mother country.

STOUT. Carmichael was also convinced that appeals to justice and morality are ineffectual.

CARMICHAEL. I think that this country is run by property ownership and that black people are not only propertyless, they are viewed as property.

STOUT. This, the radicals believed, was because the black man had lost his own identity by trying to become white. Therefore, he had to acquire pride in his own traditions.

CARMICHAEL. Why don't you know about Richard Wright? Why don't you know about J. A. Rogers? Why don't you know about Lerome Bennett? Why don't you know about Leroy Jones? Why don't you know about Countee Cullen? (Cheers) You must ask yourself why don't you know about Dr. W.E.B. DuBois? (Cheers) And when you get the guts, you can ask your administration why don't they teach you about brother Malcolm X? (Cheers) Today we have to fight to define ourselves and our relationship as we see fit and to have white society recognize those definitions. (Applause) It's very simple.

STOUT. Carmichael's early definitions of black power seemed no different than the calls for Irish, Polish, or Italian power that resulted in ethnic bloc voting in the cities.

CARMICHAEL. Black power is not just a mere slogan nationally or internationally. It is real that black people can come together and start determining for their lives how they're going to live and controlling their economic and political lives.

STOUT. But the scare-headline potential of black power proved irrestistible both to Carmichael and to reporters. They prodded him repeatedly to redefine black power closer to terms of the defensive violence he advocated to Negroes when they were attacked.

MIKE WALLACE. Then you're saying, "Fight violence with violence?"

CARMICHAEL. I am saying that we must build a movement of black people that will protect ourselves so that we are willing to stop that by any means necessary. Now I'm not concerned about the question of violence. It seems to me that that will depend upon how, in fact, white people respond.

STOUT. Carmichael has been touring Communist nations. The deepening Negro radicalism is seen also in the Black Panthers' armed march on the California Capitol as well as in RAM, the pro-Chinese Revolutionary Action Movement. The increasing identification of the U.S. Negro with the plight of colonial colored people climaxed with SNCC support of the Arabs against Israel. The most violent extremism has been urged by the new head of SNCC, Rap Brown, who has been charged with inciting to riot.

RAP BROWN. We stand on the eve of a black revolution, brothers. Masses of our people are in the streets. They're fighting tit for tat, tooth for tooth, eye for an eye, and a life for a life. The rebellions that we see are merely dress rehearsals for the revolution that's to come. We'd better get ourselves some guns and prepare ourselves.

STOUT. But many Negroes feel that Brown, Carmichael, and SNCC, are only scapegoats to absorb official anger and frustration.

FANNIE LOU HAMER. Stokely's not responsible and Rap Brown is not responsible because a lot of people that's bitter don't have a television. They don't know what Stokely's saying. There's a lot of people bitter that hasn't ever—that don't have a radio. And I know this to be true in a lot of cities. But I think what should be done—that America should wake up and try to do something about the cause.

STOUT. Doing something about the cause is what Students for a Democratic Society had in mind when they set up the Community Union Project in Newark, New Jersey's Clinton Hill area in 1964. The goal: to help the poor to organize in behalf of their needs. The first aim was modest—a stoplight at a dangerous corner.

Negro woman: My son got killed last year on the 25th of December and I want a traffic light.

STOUT. At first there were requests and then protests.

Newark city official: The point is this—that the stop sign will be put up pending the survey to be made with regard to the traffic and if a street—if traffic lights are needed.

STOUT. That produced a stop sign and promises of a stoplight later. More demonstrations brought city officials wtih more explanations and still more promises.

Newark Human Rights Commissioner: I'll communicate with you. Now you give me the names of the people right now and I'll get back in touch with you and let you know what's going to happen. Now we can't talk but what's happened in the past. But I'll get back in touch with you to let you know the process—what the progress is on the light.

Member of Newark Human Rights Commission: Please have a little patience. Just have patience. I know the city.

STOUT. Three years later, there still is no stoplight at the intersection. Experiences like this underlined some convictions of the Newark volunteers. Tom Hayden, one of them, was first president of SDS.

TOM HAYDEN. We have found that when push comes to shove, the society is very resistant to change—much more resistant probably than we thought seven or eight years ago. The average community leader in a city is a person with deep stakes in things being as they are. If he's in political office, it's doubtful that he wants many issues raised in his constituency, in his backyard. It's doubtful that he wants to see welfare mothers organized, tenants organized, block associations organized because when people start to go on the move and they want things done for themselves, they put a pretty sharp eye on their leaders.

STOUT. The Newark Democratic city administration generally ignored the SDS organizers except to brand them troublemakers. Far bigger trouble erupted the night of July 12th of this year. We talked to Hayden three weeks before the riots. His awareness of what could happen was coupled with a sense of inevitability.

HAYDEN. If things are as bad as we think they are, if the schools in Newark where I live are, in fact, on the average 75 years old, if unemployment is 15 per cent, if all these problems exist, then you have to ask yourself the question: Why have the leaders not been able to do something about this and are the leaders the people to organize if you want to make change?

The War on Poverty may have had decent Democratic intentions at some point, but has turned out to be a very serious fraud. And it is not stopping racial violence at all, but encouraging it because it's one more promise that's not being kept by the Federal Government. So I would say it is—it is an attempt to—an artificial attempt to restore law and order to a situation that is basically unjust and until you deal with the injustice in the situation, you won't be able to have any peace.

STOUT. While civil rights and social justice for the poor had been the main causes engaging the young radicals, the steadily escalating war in Vietnam soon became the overriding issue. Indeed, it joined all the scattered elements of the New Left and it drew in from the outside many people, including some of the liberals whom the radicals blame for starting the war.

Student demonstrators. Go. Go. Go.

STOUT. Again student dissent first brought the issue to the attention of the country. Young people from the Berkeley campus tried to stop troop trains and marched on the Oakland port of embarkation to protest the war. It was the start of a series of protests culminating in New York and San Francisco last April 15th.

PHIL OCHS (singing):

"Now the labor leader's screaming
When they close the missile plant
United Fruit screams at the Cuban shore
Call it peace or call it treason
Call it love or call it reason
But I hin't a-marching any more.
No, I hin't a-marching any more."

STOUT. The nation's largest peace demonstration was directed at the two principal issues of the New Left: repressive war abroad and racist poverty at home. The joining of the issues was symbolized by Martin Luther King.

MARTIN LUTHER KING. The bombs in Vietnam explode at home. They destroy the dream and possibility for a decent America. (Applause) It is estimated that we spend $322,000 for each enemy we kill in Vietnam, while we spend in the so-called War on Poverty in America only about $53 for each person classified as poor.

Stout. Another influential voice among the new radicals, Yale history Professor Staughton Lynd, visited North Vietnam with Tom Hayden—a trip that deepened his and the New Left's conviction that our foreign policy is contrary to the national interest and makes more enemies than friends.

Staughton Lynd. There's something about this war which is different from World War II, different from other wars that Americans have fought, something about this war that is, in fact, un-American. But I think we can change that trend of events if we change our policy—that is, if we stop supporting people like—like Marshal Ky and stop sending Marines into a place like the Dominican Republic, if we—if we try to come on as what we are—a revolutionary country, you know, a country that stood up for the right of a people to direct its own destinies.

Stout. In Cleveland this June, church, student and academic delegates met to plan a summer anti-war campaign in neighborhoods across the country. The most radical plan of action was formulated at Ann Arbor, Michigan, where delegates to the 1967 convention of SDS voted to sharpen opposition to the war by fighting the draft at every opportunity.

SDS delegate: We also urge aid to servicemen who wish to terminate their association with the Army by going underground.

Another SDS delegate: Second. (Applause)

SDS convention: Hell, no, we won't go. Hell, no, we won't go. Hell, no, we won't go. Hell, no, we won't go. Hell, no, we won't go.

Stout. In 1965 David Mitchell, a New Left hero, defied the draft and went to jail to uphold a principle established at Nuremberg where Germans were punished for obeying orders later declared criminal.

David Mitchell. The Nuremberg Trials established the principle that individuals must refuse to participate in such crimes, that it's up to them, no matter what their government orders them to do, to refuse. My position right now is linked immediately to what the United States is doing. I consider them to be involved in unjust wars.

Stout. Mitchell is in jail because his moral protest has no legal standing. This moral insistence, combined with righteous anger, is a trademark of the New Left. Dr. J. L. Simmons.

Dr. Simmons. A lot of the things that the young people are saying and feeling and doing are standard-brand America. They're the kinds of things that people used to hear in graduation speeches and then just simply go out and forget. The young people of today are, I think, bent on rehumanizing our society. They see American society as a kind of cold marketplace where we become preoccupied with buying and selling goods and then buying and selling each other and then pretty soon, buying and selling ourselves.

Stout. We'll look at some of the ways the New Left thinks our society can be humanized and at some of the political moves they have made to achieve their goals in just a moment.

(Announcement.)

Announcer: CBS Reports: "The New Left" continues.

Stout. In the New Left's first attempts to translate discontent into direct political action, several young radicals ran for office in California. Robert Scheer, teacher and magazine editor, tried for Congress. His opponent: a liberal Democrat.

Robert Scheer. The reason that I have tried, am trying now to run against Cohelan is I feel he is more dangerous than the so-called right-wing congressmen. And if we had a right-wing government and if we had a reactionary government and if the generals were in charge—because at least then you'd know where things are.

Stout. He lost, but Scheer took enough votes to hurt the Democrats—the goal of the New Left. A Los Angeles junior college professor, Farrel Broslowsky, ran for the state legislature, also lost, also took Democratic votes. But Broslowsky denies the effect of the New Left is to help elect conservatives.

Farrel Broslowsky. Well, it wasn't really us who elected Reagan. It was the failures of the preceding liberal administrations that created the hysteria, the panic, the unhappiness, the fear on the part of the large numbers of voters who went out and sought an alternative to these problems. And since Reagan presented such an alternative, they voted for Reagan.

The liberals are presently, very, you know, healthy, very fat. They live in nice houses. They drink lots of scotch. And every so often, they genuflect in the direction of principle by singing an old labor song. But they don't really mean it, you see. We want to create a meaningful alternative on the left so that if people are going to vote, let them choose between alternatives.

Stout. One alternative, the National Conference for New Politics, met in Chicago two weeks ago to chart a course for the 1968 elections. The joint chairmen were Simon Casady and Julian Bond. Casady was deposed from the leadership of the California Democratic Council as the result of White House displeasure over his vigorous opposition to the Vietnam war. Julian Bond was almost deposed from his seat in the Georgia legislature for the same anti-war stand.

The new politics meeting brought further evidence of the racial tensions within the New Left when the significantly outnumbered Negro delegates threatened to walk out unless they were given a greater voice. They stayed when the convention gave this Negro minority half the caucus votes and approved all their militant resolutions, one condemning the Israeli position in the Middle East war. Some delegates thought this was not so much black power as blackmail. As usual, New Left insistence on what they call "participatory democracy" dominated the meeting.

Robert Scheer. And if this convention can't give people the freedom to do what they believe in, instead of trying to force them down some road they don't want to go down, it not only is not new politics, it is totalitarian politics.

Stout. Predictably, the delegates also attacked the old leader-oriented politics.

Charles Sherrod. We've got to start at the grass-roots level and do that hard door-to-door, sitting down with people, talking with people, really agonizing with people, taking some time out because this is how it's got to be done for the long haul. And if we aren't talking about that, then we're talking about the old politics, politics of the leadership, politics of "You big leader, I little follower, me follow you." But we've got to work with the body politic. That's the part of politics that's dying and, I daresay, dead in America today. We've got to revive it. And if we revive it, that will be new politics. (Applause)

Stout. Because of this rejection of leader-oriented programs, the New Left conference seemed chaotic by conventional standards. But at conference end, a program of action seemed to have emerged. Even though the delegates voted not to run a national ticket in the 1968 presidential election, they left the way open for local organizations, in key states such as California, to run third party tickets in the hope of denying those states to Lyndon Johnson. When the convention closed, the political future of the New Left was uncertain. Its success at the polls will probably determine that.

The discontent of the New Left has been noted by the politician most identified with young people.

Senator Robert Kennedy. However the war may seem to us, they see it as one in which the largest and most powerful nation on earth is killing children and they do not care if accidentally in a remote and insignificant land. They see us spend billions on armaments while poverty and ignorance continue at home. They see us willing to fight a war for freedom in Vietnam, but unwilling to fight with one-hundredth the money or force or effort to secure freedom in Mississippi or Alabama or the ghettos of the North. And they see, perhaps most disturbing of all, that they are remote from the decisions of policy.

Stout. But the general distrust felt by the New Left for all shades of liberalism includes the Senator.

SDS member. Kennedys and Hatfields are not the vehicle. Now what we don't have—"the ideology" yet. I think we have learned from experience that perhaps committees for new politics, perhaps third party movements are what are necessary in this country, and that if it takes us 10 to 15 years to build a constituency, perhaps it's worth it. But if we, in a sense, transfer our allegiances to Kennedy, as many have suggested, where are we to go from there? Once Kennedy has coopted us, in a sense, and told us about "his new Frontier," what's to prevent him from pulling off another Guatemala or another Cuba?

Stout. That kind of suspicion among the young has been fed by two exposés in the San Francisco magazine, "Ramparts"—one about Michigan State University's role in building a secret police force for the Diem regime in Vietnam, the other revealing the C.I.A.'s penetration of student organizations. "Ramparts" editor-in-chief, Warren Hinckle.

Warren Hinckle. The central point about the C.I.A. which its—its defenders just will not discuss, is that the C.I.A. is out of hand. It is, you know, not only the worst example of Parkinson's Law, but it's—it's the most rambling, well-fed bureaucracy in America today. It has essentially no congressional controls on it, on how its money is spent, on what it does. Take that criticism for whatever you may—that you shouldn't expose these sort of things—but you notice that the President and the leaders of Congress jumped as soon as we exposed that thing and had a commission and reported three weeks later this was a bad thing to do and that they were going to stop it.

Stout. If the young radicals are suspicious of the liberal Establishment, they are frankly bored by communism.

Tom Hayden. Communism as a force domestically in this country is virtually nonexistent. The traditional Communist Party in this country in my own view—and I'm speaking here primarily as an individual—has really adjusted itself, accommodated itself, accommodated itself to the—to the American way of life too deeply to be considered radical or revolutionary.

Farrel Broslowsky. In the New Left, the heroes aren't people like Dimitrov and nobody quotes Trotsky and nobody makes a big thing about Lenin's pamphlets on infantile disorders. But instead, the New Left tends to draw its heroes and its analysis of—of the problems of our society from the American experience. The New Left might call upon, let's say, a Thoreau or it might call upon the I.W.W., the old Industrial Workers of the World, the Wobblies.

Stout. If bureaucratic communism repels the New Left as a solution for domestic problems, it is equally impatient of anti-communism as a substitute for foreign policy.

Robert Scheer. It's basically our feeling that the cold war should be over, that the splits that have taken place in the Communist movement have made much of the rhetoric of the '50's and late '40's irrelevant, and that to continue with the demonology of anti-communism—the very simplistic demonology of anti-communism and the concept of the international Communist conspiracy—marks our foreign policy as being out-of-date and in some ways, a very dangerous thing.

Stout. It is foreign policy issues which have gained for the Communists the few youthful recruits they have. Revolutionary movements like Vietnam's National Liberation Front and Castroism have followings. The Progressive Labor Party has substituted Maoism for Russian-style communism. The old Moscow-oriented party is mainly represented in the W.E.B. DuBois Clubs, which have about 1,000 members.

But what separates the New Left from communism is the same thing that separates it from the Old Left—indifference to ideology and a dislike for hierarchy and formal organization. A sociologist who described the collapse of the old radicalism in "The End of Ideology," Daniel Bell, thinks the new radicals simply are not practical.

Daniel Bell. I think what motivates the new radicals—and to this extent, it's a positive side—is a very deep moral feeling, a sense of dismay at the—some of the values of the society, a dismay at the hierarchies of work, at the competitiveness of the society, at some of the materialism of the society. And all their criticisms are put in moral terms. The difficulty is the inability to translate a moral conception into a political conception.

Tom Hayden. We traced the source of many of these difficulties to the lack of what we called "participatory democracy," which meant that many of the people who were suffering or the victims of injustice in the country were really without political strength, really did not participate in the political process, and had not really stood up to fight against these injustices. The vital thing, I think, to get across to people is that they need to lead themselves and not leave things up to their representatives.

Daniel Bell. This seems to be the fundamental problem that involves the New Left—this mystique about the people and what they call "participatory democracy." People probably feel ineffectual today because there's probably more participation in society than less. Now I can only argue this and perhaps try to give you some evidence of it in this particular way: If you go into city after city, you'll find that there are now hundreds and hundreds more organizations on local levels, on city levels than ever before. But it also has the curious problem, you see, that it checkmates each other. Forty years ago in New York City you could get more things—more things done by the fact that there was a political boss. So perhaps to argue a paradox here: that there's more participation, that quite often more participation leads to a sense of ineffectuality because there are more claimants in the arena.

Stout. Today's most effective professional radical, who has organized ghettos from Chicago to Rochester, is Saul Alinsky. He admires the young radicals but like Bell, thinks they're naive.

Saul Alinsky. They don't know where they're going. All they know is they don't like the—the setup we've got, which I can well understand. I've never liked it from the time I was old enough to look around, you know, and I've fought against it. But they—they don't understand the power concepts. They're allergic to it. In terms of communication with the Establishment, you've got to get away from this justice and morality. You have to communicate with them in terms of their own language, which is self-interest and power. And in order to be able to do that, you have to have the mechanisms, the media to do it with, which means building a mass power organization.

Carl Oglesby. We don't want to substitute just a new bunch of leaders. We don't think that a—that a new bunch of leaders would be any better than the old bunch of leaders because we think that that's not something that a social engineer can do for people. You can't give the welfare program to the poor people. The poor people have to take the welfare program over.

The crucial question, the one which the Movement is trying to put to the American people, is very simple. It's the question of whether or not they think, the American people think they're fit to govern themselves. If the American people think they're fit to govern themselves, then they belong politically with the Movement, whether they want to call it right wing, left wing, conservative, liberal or whatever is beside the point. If you think that the people shouldn't govern themselves but rather that the decisions about their lives should be made by computers, then you don't have anything to do with the Movement and you belong in the—in the Johnsonian liberal consensus.

Stout. The political editor of New York's "Village Voice," once a New Left activist, now its biographer, thinks the new radicals are "a prophetic minority." Jack Newfield:

Jack Newfield. I think the strength of the New Left rests on the power of its ideas and by the fact that history is made by minorities, and the New Left is clearly a minority. For example, the abolitionists represented a minority but their ideas finally prevailed. Or the Wobblies represented a minority—a very small minority—but finally there was a labor movement built in America. Or Bob Moses going along to Mississippi in 1961 led in very indirect and diffuse ways to two civil rights acts. So the effect of the New Left rests on the power of its ideas and among these ideas are: one, that the A.D.A.-New Deal-anticommunist liberalism of the '30's is absolutely finished politically; that that liberalism now stands with Lester Maddox in Georgia and Marshal Ky in Vietnam and the C.I.A. on the campus and this generation will not buy that style of liberalism. And that there is now a transition.

And I think the ideas of the New Left will come to make up the central body of radical thought in America in 20 years from now: the ideas of participatory democracy being the best antidote to bureaucracy and technology; the idea that paranoid anticommunism no longer has a place in American life; the idea that America can no longer go around the world crushing popular revolutions in Cuba or the Dominican Republic or Vietnam.

Stout. Many Americans will be afraid of the New Left and its harsh criticism of almost everything this country lives by, from rigid anticommunism to the conviction that law and order and a good life for the majority ought to satisfy everyone. Older Americans may argue that the young always settle down with age. But these young radicals believe that as the first new generation to have a population majority, they will change the country before age changes them. Like them or not, these are the people and the ideas that have begun to shake America, intent to continue shaking it, and just might remake it.

For CBS News, Bill Stout. Good night.

(Announcement.)

Delegates (singing) (Mississippi Freedom Democratic Party Convention):

> "Go tell it on the mountain
> Over the hills and everywhere
> Go tell it on the mountain
> To let my people go."

Peter, Paul, and Mary (singing):

"The answer, my friend, is blowing in the wind.
The answer is blowing in the wind."

Phil Ochs (singing):

"Now the labor leader's screaming
when they close the missile plant
United Fruit screams at the Cuban shore
Call it peace or call it treason
Call it love or call it reason
But I ain't a-marching anymore."

Bob Dylan (singing):

> "But something is happening here
> and you don't know what is,
> do you, Mr. Jones?"

Announcer: CBS Reports: "The New Left" was filmed and edited under the supervision and control of CBS News.

EXTENDING THE EXISTING TARIFF QUOTA ON STAINLESS STEEL FLATWARE

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Burke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, unless action is taken to extend the existing tariff quota on stainless steel table flatware, it will suffer an ignominious death on October 10, 1967. This quota proclaimed by the President in 1959 has allowed a historic American industry to remain viable in the face of a continuing flood of low-cost Far Eastern imports, principally from Japan.

While an orderly market appeared to be developing in this product in the years 1960–65, it was disrupted again by a liberal modification in January 1966 so that in the present quota-year 2¾ million dozens were imported in excess of the original 1959 quota of 5¾ million dozens.

Stainless steel flatware is a highly intensive labor article and, as such, is ultrasensitive to low-priced imports produced with low-cost labor. If all escape clause relief is now denied this industry, a renewed onslaught reminiscent of the 1955–59 period not only can be expected but is an absolute certainty.

While imports are projected to increase over 35 percent in the next 5 years under the present tariff quota, the national interest or public purpose served by the quota is sufficiently important to outweigh any adverse effects on our economy or living standards. In other words, the minimum costs of termination of the tariff quota far exceeds the minimum benefits of such action. The insignificant saving for each of the U.S. families who buy imported flatware would be far outweighed by the loss of jobs, obsolescence of skills, indirect unemployment, idling of productive facilities and loss of profits. It is conservatively estimated that over the 5-year period 1968–72 the costs would be $25.5 million as opposed to benefits of $7.8 million.

We have just concluded the Kennedy round of GATT negotiations during which all existing compensations owed for Government actions involving trade were settled. Stainless steel table flatware was statutorily barred from these negotiations. The present tariff treatment could be extended for the 4-year period envisaged by the Trade Expansion Act without any compensatory costs to the United States and could result in profound economic benefit in the producing areas of New England, New York, and New Jersey.

For these reasons, I and two of my colleagues in the House, Mr. PIRNIE and Mr. CONABLE, feel the necessity of introducing legislation which will extend the tariff quota treatment for a period of 4 years from October 11, 1967, to October 10, 1971. We respectfully urge the favorable consideration of this legislation.

FULL APPROPRIATIONS FOR FEDERAL IMPACTED AREA PROGRAMS

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, probably the most important of all government efforts is the provision of education for our children. If we fail to provide education for our children, we are failing to give them opportunities which are their birthright. Fortunately, we have generally recognized our responsibilities to provide for education. The cost of education is great, and it is borne by all levels of government. Still, the basic source of school finance is the property tax.

Congress recognized years ago that when the Federal Government has a large number of employees in an area, and their place of work—the Government—is exempt from taxes—local schools are being asked to provide services for the children of those employees but, at the same time, were losing their tax base. In short, Federal installations could and did demand more services of the schools while, at the same time, reducing their ability to pay for it. Public Laws 815 and 874 provided a remedy for this inequity by making available Federal aid to make up for the tax losses which Federal property exemptions represent.

It would be difficult to estimate how important these laws have been. In more than a few communities in this country, Federal installations are the main industry and enterprise. Like any industry, government needs and demands services of local governments, but most especially the schools. With school finance being based on property taxes, such communities would be hard pressed to provide even basic education without the impacted area programs established by Public Laws 815 and 874. In the case of Bexar County, Tex., the schools draw as much as 8 percent of their operating budgets from the impacted area program. These schools could hardly operate without this aid. In fact, some school districts are so hard pressed for resources that they would have to reduce teacher salaries without the impacted area assistance they now receive. Typically, this situation occurs where the local tax base is already so low that anything other than a reduction in services and salaries could solve problems that would ensue from an ending or cutting back of impacted area assistance. It is not that local schools do not try to operate on their own in such situations; it is simply that they cannot provide what is needed without assistance, or without an impossibly high tax rate.

The House has approved an appropriation measure which would not provide enough money to pay the full entitlements under Public Laws 815 and 874. As matters presently stand, there is a need for $460 million to adequately fund the impacted areas program, but we have provided only $416 million. The other body has approved $450 million which, while a better amount for these programs, would still be short of the needed amount.

I believe that we have a commitment to the States and to the local schools. I believe that we should carry it out, by providing the full appropriation necessary to pay all entitlements for assistance under the impacted areas program. Unless this is done, some school districts will find it necessary to cut back on the quality of their programs—which is in this day and age unconscionable. If we force schools to take such a step, we are penalizing entirely innocent parties—local taxpayers, who are already doing their part—and children who in any event have no responsibility for the situation, and whose future in large part depends on their schooling. The only thing that local schools could do other than reduce services, if these programs are not adequately funded, would be to increase tax rates. But this is not a good alternative. In the first place, the tax base of these districts has been reduced by the presence of the Government's installations. In the second place, we know that property tax rates in this country have already been placed under great strain, and in fact are proving inadequate to the task. State and local governments are turning to other forms of taxation because property taxes already are too high, or simply cannot produce the sums needed. In such a situation the schools simply have no place to go. Even if local taxes were increased to meet the results of cutbacks in this program we would be asking local taxpayers to assume a burden that is properly that of the Federal Government.

I believe that we have a commitment to provide the full amount of funds authorized by Public Laws 815 and 874. I ask now that we live up to that commitment.

ATTACK ON U.S.S. "LIBERTY": ANOTHER PEARL HARBOR?

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RARICK. Mr. Speaker, one of the most amazing aspects of the recent Israeli-Arab war was the unprovoked attack on June 8, 1967, in international waters of the Mediterranean by Israeli forces on the U.S.S. *Liberty*, as the result of which the vessel was seriously damaged, 34 of the ship's company died and another 75 were wounded.

Still more strange is the way the story of this unprecedented assault, after the initial flurry, has been hushed up in the mass news media of the United States.

Notwithstanding the silence that has overtaken this assault, enough information about it has filtered through smaller publications on which to form conclusions.

The incident is recognized as adding new glory to the traditions of our gallant Navy comparable to the battle between H.M.S. *Shannon* and the U.S.S. *Chesapeake* on June 1, 1813, when the immortal words of the dying Capt. James Lawrence of the U.S.S. *Chesapeake* were uttered: "Don't give up the ship!"

The conduct of the commanding officer of the *Liberty* during the attack, Comdr. William L. McGonagle, U.S. Navy, his officers and crew, were truly heroic, measuring up to the highest traditions of the naval service. It is, indeed, fortunate that Commander McGonagle was an able, energetic officer who had kept his crew well trained for such emergency.

The more the case is studied the more questions occur. Who planned the attack on the *Liberty*, and why was it made? Why has the report of the naval court of inquiry not been made public? In the event of the sinking of the *Liberty*, would not the blame have been placed on Egypt, just as the sinking of the *Maine* in 1898 in Havana Harbor was placed on Spain, which, historians tell us, did not wish war with the United States?

Mr. Speaker, I submit that the attack on the *Liberty* warrants a full and complete investigation by the Congress, as recommended by the American Legion at its 1967 Convention. This should be done promptly to avoid another such incident that could be made to serve as a Pearl Harbor for world war III.

Two articles bringing together many facts and the 1967 resolution of the American Legion on the *Liberty* incident follow:

[From the National Review, Sept. 5, 1967]

JUNE 8, AT 1400 HOURS

(By James Jackson Kilpatrick)

The USS *Liberty*, a communications vessel attached to the Sixth Fleet, took on fuel and provisions at Rota, Spain, on June 2, 1967. She left that same day, under orders to proceed at top speed to an assigned position off the Sinai coast 800 miles to the east. She carried a crew of fifteen officers and 279 men. Three civilians identified cryptically as "technical representatives" from the Department of Defense (DOD), also were aboard. She arrived on station early on the morning of Thursday, the 8th. It was the fourth day of the six-day war between Israel and the Arab nations. That afternoon the *Liberty* was to undergo an attack without precedent in modern naval history. Thirty-four men would die, among them one of the DOD technicians; another 75 would be wounded. Well over a third of her total company would be casualties of an unprovoked assault in an undeclared war, victims of an inexplicable "mistake" on the Israelis' part. Or so the incident is described.

What follows here is neither an exposé of the *Liberty's* clandestine role in the Mediterranean nor an explanation of the Israelis' trigger-happy attack; these aspects of the affair are at present unknowable. What follows is no more than an account, drawn largely from official records, of what happened. This is, in brief, a sea story; nothing more. Yet sea stories always are worth the spinning, and the story of the *Liberty*, that blazing summer afternoon, speaks of enduring values that men too often forget: loyalty, and discipline, and courage under fire.

As she chugged eastward across the Mediterranean, the *Liberty* surely was no thing of remarkable beauty. She had started her maritime life as a freighter of the old Victory class, her keel laid down in Portland, Oregon, late in February 1945. These were the days of Rosie the Riveter; merchant ships were not long in gestation. This product of the assembly line was delivered to the Maritime Commission a little more than two months later. During the closing months of World War II and for some years thereafter, she plied the Pacific Far East. She saw considerable service during the Korean conflict. In 1958, an old tub, she went into the Reserve Fleet, mothballed in Puget Sound, there to slumber for nearly five years.

OUT OF MOTHBALLS

Meanwhile, the Navy embarked upon a program of developing special communications ships. Three old Liberty freighters came out of mothballs, to emerge on the East Coast as *Oxford*, *Georgetown* and *Jamestown*. In the summer of 1963, two additional conversions were ordered from the aging Victories on the West Coast. The former *Iran Victory* returned to service in November of 1964 as the *Belmont;* and on December 30, 1964, the former SS *Simmons Victory* went back to sea as the USS *Liberty*. By general acknowledgment, the five vessels make up our own fleet of "Russian trawlers." In the short word, they are spy ships.

We pick her up in early June: 455 feet long, 62 feet at the beam, her topside exhibiting a puzzling collection of masts and antennae, a "Big Ear" turning inquisitively amidships, assigned to the Sixth Fleet, in the Mediterranean. Down below, in the forward compartments, walled off from the operating crew, were the communications technicians. And with them, by general report, were specialists not merely from DOD, but more precisely from the super-secret National Security Agency. Among them, it is said, were experts in code-cracking and cryptographic machinery. One can only guess at the devices the *Liberty* had aboard for receiving, recording, transmitting. It is known that the Big Ear could pick up messages from a hundred miles away. And now, with war briefly raging between Israel and the Arab nations, the Big Ear was ordered to listen off Sinai.

In April of 1966, Commander William Loren McGonagle, USN, had assumed command of *Liberty*. Born in Kansas, he had been raised in Coachella, California. He was graduated in 1947 from the University of Southern California at Los Angeles, an ensign in the V-12 program. He served for nearly three years on a radar picket destroyer, then as executive officer on the minesweeper *Kite* on combat patrol off Korea. Tours of duty followed at San Francisco and Bremerhaven and Philadelphia; he was back at sea for two years on the heavy cruiser *Rochester;* then came his first command on *Mataco*, an ocean-going tug. He returned to shore for special training at the University of Idaho; spent two more years at sea, commanding the salvage vessel *Reclaimer;* then put it in another two years of staff operations in the Pacific. Finally came his assignment to *Liberty*.

WHERE WERE THE ORDERS?

Now, none of this experience, it will be seen, had prepared McGonagle precisely for what was to happen on the afternoon of June 8. To be sure, he had known hazardous duty on *Kite*, and he had put in some anxious moments picking up mines in the Baltic in 1952. On the record, however, one may surmise that he had never heard a shot in anger. We meet him, this summer day, at age 41, a professional naval officer, doing the same job he had been doing for fourteen months.

So he brought the *Liberty* to her assigned position early on the morning of June 8, a hot day, the sun bright, the sea calm. His orders were to maintain patrol from "a point thirteen nautical miles from the coast of the United Arab Republic at 31-27.2N and 34-00E (point Alpha), thence to 31-22.3N and 33-42E (point Bravo), thence to 31-31N and 33-00E (point Charlie), retracing this track until new orders might be received." As events were to turn out, some new orders were in fact dispatched that very morning, but these messages strangely were "misrouted, delayed, and not timely received."

Liberty steamed methodically along her southeastern course until she reached point Alpha at 8:49. The ship's normal American ensign, a flag 5 x 8 feet, fluttered loosely in the torpid air. Then she turned to the southwestern leg. At about that moment, an unidentified jet aircraft approached and circled the ship. This was at 8:50 by the log. Some forty minutes later, the tall minaret at El Arish became visible, thirteen miles away. McGonagle asked for a bearing on the minaret, in order to make certain of his position within the established operating area. Everything checked out nicely. An hour later, at 10:26, with the *Liberty* nudging along at five knots, two unidentified aircraft again orbited the ship. The presumption is strong—indeed, the presumption is inescapable—that these were Israeli reconnaissance planes. They circled the ship three times at a distance of approximately two miles. At 10:56, another aerial visitor turned up—"an aircraft similar to an American flying boxcar," which passed astern at a distance of three to five miles. "The plane circled the ship around the starboard side, proceeded forward of the ship, and headed back toward the Sinai peninsula." Visibility was perfect.

THE UNMARKED PLANE

"This aircraft," McGonagle was to testify at the Navy Court of Inquiry, "continued to return in a somewhat similar fashion approximately at thirty-minute intervals. It was not possible to see any markings on the aircraft, and the identity of this aircraft remains unknown."

McGonagle was not greatly worried by the surveillance. He was clearly within international waters, by anyone's international law. At 11.32, passing point Bravo, he altered course to 283 true, and plodded along his westward leg. During the morning, he was approached by the engineering officer, Lieutenant George Golden, asking permission to let the number two boiler cool for gasket repairs. The permission was granted, and the boiler began to cool at noon.

At 1:10, the ship went to general quarters for a routine non-competitive drill in chemical attack procedures. Just as the 38-minute drill began, a billowing cloud of black smoke arose from the Sinai beach, some fifteen to twenty miles west of El Arish. The drill went off satisfactorily, but McGonagle saw an opportunity to put in a timely word. Every naval officer knows the problem of maintaining interest in damage control drills; other shipboard exercises can be usefully simulated, but drills in damage control have a way of demanding more imagination than sailors ordinarily can muster.

From the transcript:

"Before dismissing the crew from general drills, I gave the crew a short talk on the PA system, reminding them of the importance of expeditiously responding to general quarters . . . in the event of an actual attack. So that they would be impressed, I pointed out to the crew at that time that the column of black smoke should be sufficient evidence that the ship was in a potentially dangerous location. I had no evidence or indication that an attack would actually be made on the ship."

Ordinarily, as McGonagle would recall, it was his practice after a drill to join the officers for a cup of coffee in the wardroom, in order to go over the performance with an eye to improvement. This time, he was generally pleased with the exercise. His ship was secure; morale was high; some of his off-duty sailors were about to take sunbaths. He lingered on the bridge, chatting casually with his executive officer, Lieutenant Commander Philip McCutcheon Armstrong Jr. A few other officers were there—Lieutenant Maurice H. Bennett of Pittsburgh, Lieutenant James M. Ennis Jr. of Norfolk, and Lieutenant Stephen Spencer Toth, the son of retired naval Captain Joseph C. Toth of Virginia Beach. Lieutenant James G. O'Connor, who had served as officer of the deck during the general quarters drill, was ready to go off duty for lunch. Lieutenant (j.g.) Lloyd Clyde Painter climbed up the ladder to replace him.

For no particular reason, except that such reasons always stir in a naval captain's head, McGonagle put his own eyes to the radar screen for one more bearing on the minaret at El Arish. The landmark was then 25.5 miles distant; the bearing was 142, comfortably within the bearing he had established earlier as a danger point against shoal waters. It was 1:55. Painter had officially relieved O'Connor as officer of the deck. Ensign Malcolm Pat O'Malley of Minneapolis had just assumed the conn. McGonagle was ready to go below. Still he lingered.

At 2 o'clock, lookouts just above the bridge reported jet aircraft approaching. McGonagle moved to the starboard wing of the bridge to have a look at them with binoculars. He was able to observe one aircraft "of similar characteristics, if not identical, to the two aircraft which were sighted earlier in the day." The plane was about five or six miles away, at an altitude of perhaps 7,000 feet. It appeared to be traveling on a parallel course with the ship. There was no evidence of a hostile attitude. McGonagle put down the binoculars and again turned away.

The first explosion came, as best he can recall, within a couple of minutes. He sounded a general alarm, and dashed to the port wing of the bridge. Two 55-gallon gasoline drums, stored amidships on the main deck, were burning furiously. The outside port ladders were blocked. He ordered Armstrong to go down the starboard side and get the drums pushed overboard. O'Connor, who also had lingered on the bridge, moved to go with him. The two men had just reached the top of the starboard ladder, when a second bomb struck, this one near a whaleboat stowed just aft of the bridge. The explosion killed Armstrong outright and flung the others back into the crowded room. Suddenly the whole of the tidy bridge was a mass of blood and debris.

"ALL AHEAD FLANK!"

McGonagle grabbed for the engine order annunciator, remembering to his dismay that the number two boiler was cooling. He desperately rang up all ahead flank. To his vast relief, smoke belched from the stack, and the wounded *Liberty* seemed to pick up speed. He ordered a message sent by the high command radio to the Chief of Naval Operations, advising that *Liberty* was under attack. He glanced at the helm and saw that his helmsman had been seriously injured by the second bomb blast. Quartermaster Third Class Francis Brown, of Troy, N.Y., had leaped to the helm in his place. In less than half an hour, Brown himself was to die.

The strafing attack continued. Whether there were two planes or three, McGonagle cannot recall. They came over the *Liberty* in criss-cross runs a minute or so apart, punishing the ship with machine guns, rockets, and fragmentation bombs. After the first or second run, McGonagle reached for a phone to relay some command, but the phone circuits had been destroyed. The public address system went out. Shouting through the smoke, he saw that Ensign John D. Scott of Charlotte, N.C. was rallying damage control parties to fight a raging fire in the vicinity of the whaleboat. Ensign David G. Lucas managed to make his way to the bridge, stepping over the bodies of the dead and wounded men. Together, they assigned runners to relay orders to the repair parties and to other vital stations.

It may have been on the third run that McGonagle himself was hit. He could not recall pain or even shock. He looked down, and saw his right leg turning red. At the subsequent Navy Court of Inquiry, he was asked about the wound. He testified during his first appearance on the witness stand:

"I was knocked off my feet; I was only shaken up and it made me dance around a little bit, but my injuries did not appear to me to be of any consequence. I noticed slight burns on my starboard forearm and I noticed blood oozing on my trousers right leg. Since I could walk and there was no apparent pain, I gave no further consideration to these minor injuries."

The hostile planes kept boring in. A moment or so later, Ensign Lucas staggered in painful surprise: He had taken a piece of shrapnel in his forehead. McGonagle opened the bridge safe, got out a camera, and struggled to the port wing in order to take pictures of the attackers. For the remainder of the assault, he kept the camera close at hand.

It was now about 2:20. The *Liberty* was still on her course of 283 true, plodding toward point Charlie. She was still moving along at something in excess of five knots. The attacking planes abruptly wheeled off. Through the smoke, McGonagle caught a glimpse of three high-speed torpedo boats approaching from the northeast at 27 to thirty knots.

From the transcript:

"It appeared that they were approaching the ship in a torpedo launch attitude, and since I did not have direct communication with gun control or the gun mounts, I told a man from the bridge, whose identity I do not recall, to proceed to mount 51 and take the boats under fire. The boats continued to approach the ship at high speed and on a constant bearing with decreasing range.

"About this time, I noticed that our ensign had been shot away during the air attack, and ordered Signalman [Russell O'Neal] David to hoist the largest ensign we had in the locker. He ran up the holiday ensign [7 x 13 feet]. It was flying before the boats attacked."

Old menaces stormed back to McGonagle's mind. If he turned the *Liberty* to port, in order to avoid the torpedo boats, he risked the coastal shoals. If he turned to starboard, he gave his pursuers an even better target. He stayed on course and prayed for Golden's boilers to give him maximum speed.

From the transcript:

"When the boats reached an approximate range of 2,000 yards, the center boat of the formation was signaling to us. Also, at this range, it appeared that they were flying an Israeli flag. This was later verified. It was not possible to read the signals from the center torpedo boat because of the intermittent blocking of view by smoke and flames. At this time I yelled to machine gun 51 to hold fire. I realized that there was a possibility of the air attack having been conducted in error. I wanted to hold fire to see if we could read the signal from the torpedo boat and perhaps avoid additional damage and personnel injuries. The man on machine gun 51 fired a short burst at the boat before he was able to understand what I was attempting to have him do."

Then, to McGonagle's consternation, he saw that one of the aft machine guns, gun 53, had erupted into extremely effective action. "It's Quintero," he said to Ensign Lucas. "He's blanketing that boat. Go around the port skylight and tell him to hold fire." Lucas clambered off, but later would testify that it wasn't Boatswain's Mate Anthony A. Quintero at all.

From the transcript of Lucas's testimony:

"The first thing I noticed was that the mount 54 [on the port side] was vacant. Flames had reached it and chased everyone out of there. I ran toward the gun mount, and looked over the skylight from the engineering spaces. I had a clear view of mount 53 [the starboard mount, which was firing] from, say, the waist up, and there was no one on mount 53. The flames from the motor whaleboat were coming over the lip of the mount. I assume that the bullets that were in the gun, or bullets that were in the ready service ammunition box, very near there, were cooking off and firing."

At 2:34, the torpedo boats opened fire with their own guns. A cannon shot caught Quartermaster Brown. Mortally wounded, he fell from the helm. Seconds later, three torpedoes sped toward the *Liberty*. One passed astern by 25 yards. A second may have passed beneath the ship. The third struck the *Liberty* forward, on her starboard side, immediately below the waterline. In the instant of the explosion, 25 men died—most of them highly skilled technicians. The ship went dead in the water, her steering control and all power lost. But there was no additional fire, and a nine-degree list to starboard presented no immediate danger of sinking. McGonagle's weary brain began to recalculate the shoal waters, with the thought of grounding his ship if he had to.

"GO TO HELL!"

It was 2:40. In the midst of this bizarre nightmare, it seemed not at all surprising that the commanding torpedo boat made a swift turn, stopped dead some 500 yards astern, and began signaling in English: "Do you require assistance?" McGonagle had no light left to return the signal. He ordered the flags "Lima India" hoisted, signifying that "I am not under control." (Somewhat later, an Israeli sailor was to say that "an officer appeared and shouted 'go to hell!'" After a moment or two—long enough for McGonagle to attempt a photograph of the vessel—the torpedo boat moved away from shore. Two minutes later, two helicopters, bearing Star of David markings, appeared. They hovered about the smoking ship, circled her repeatedly, flew off for about five miles, returned once more, and vanished.

McGonagle's mind turned to the dead, the wounded, the problems of regaining steerage. Scott's damage control parties were working at fever pitch, the sailors stripped to the waist, the deck a mass of twisted metal and burning gear. But the watertight bulkheads were holding, the starboard list was no worse, and Lieutenant Richard H. Kiepfer of Brooklyn, a Navy doctor, had done a superb job of organizing a main battle dressing station in the mess hall. Most of the slain men were trapped in the forward compartments, but three or four mutilated bodies, streaming blood, were still on deck. They were in plain view of the inspecting helicopters. By this time, McGonagle's wounded leg was giving increasing pain. He stretched out and tried to keep the limb elevated. Then, to his horror, he looked up: The two jets were coming back from the starboard side, "in similar fashion to that which preceded the initial attack." He called an alert to the possibility of renewed assault, but the jets disappeared.

It was 4:15. McGonagle ordered the ship's international call sign hoisted, and turned again to the problems of getting the Liberty back under steam. Both boilers came briefly back on the line, but lost their fuel oil suction almost at once. The gyro compass was a wreck. It was impossible to learn the ship's heading. The ship's surviving communications technicians, however, were able to manage the impossible: They rigged some emergency radio-telephone circuits, and restored communications with the Sixth Fleet.

McGonagle leaned against a bulkhead. The whole bridge spun around him. He slumped to the deck, giddy from loss of blood. A communications technician, Jeffrey Robert Carpenter of Norfolk, cut away his right trousers leg and applied a tourniquet. McGonagle refused to give up the conn he had assumed at 2 o'clock; he was to retain the conn until 6:30 the following morning.

A thousand demands cried for his attention. Some of the crew members had dropped life rafts. McGonagle sent a messenger to tell them to leave the lifeboats alone. The boats weren't needed now, but they might be needed later. He sent a message to Fleet Command, detailing the estimated dead and casualties. Friendly fighters from the carrier *America* were around him. Back in Washington, President Johnson had been on the hot line to Moscow, advising Premier Kosygin of the situation. The international uproar was beginning. McGonagle's principal concern was to keep the *Liberty* moving. The engine room, thank God and George Golden's crew, managed to get the boilers going again. To his delight, the ship turned up a brisk eight knots. McGonagle ordered a course estimated at 340 magnetic, and arranged for emergency manual steering.

From the transcript:

"The amount of rudder was given to after steering over emergency-rigged sound-powered telephones. They would apply the rudder. When the ship had come to the approximate magnetic heading, the rudder would be shifted to attempt to maintain that heading. It was possible to maintain within plus or minus 30 degrees of the ship's heading most of the time."

The azimuth of the setting sun provided a rough guide to help the *Liberty* along. The fathometer was still working; it reported 26 fathoms under the keel—plenty of water for the moment, but the shoals were somewhere near at hand and it was only a guess whether the magnetic compass had been knocked awry. McGonagle toyed with the idea of dropping anchor, and even directed Lucas to get up an anchor party and go to the forecastle. His thought was to wait until it got dark, then take a visual bearing on the North Star, because "once I was able to sight the North Star, I would know in which direction the ship was actually proceeding." Then another thought prevailed: He ordered the engines backed two-thirds, and for eighteen minutes the *Liberty* backed carefully away from the threatening shallows.

"How much water?" he kept asking. When the fathometer got to 48, he drew a long breath and ordered the rudder around to a bearing of 025 magnetic. The engineers produced power, though the lube oil pressure kept giving trouble. By 6 o'clock, *Liberty* was moving at a creditable ten knots, with 82 fathoms under her keel.

At 6:45, a lookout sent word to the bridge that another Israeli helicopter was approaching.

"What do they want?" asked McGonagle.

"Sir, they're trying to land a man aboard."

McGonagle was in no mood for social visitors or for boarding parties. He thought of the dangerous clutter on the forecastle, and ordered a wave-off. The helicopter then dropped a message to the deck. Written on the back of the calling card of Commander Ernest Carl Castle, Naval Attaché for Air, U.S. Embassy, Tel Aviv, it read: "Have you casualties?"

From the transcript:

"We attempted to advise them by flashing light with an Aldis lamp that "affirmative," we did have casualties. I'm not sure that wounded men were still lying around the deck, as such. By that time, most of our wounded had been taken to the casualty collection stations.

"Counsel for the Court. In amplification of the Admiral's question, was there not a considerable amount of blood on the decks that would be obvious from a reasonable distance?

"The Witness. That is correct. There were numerous blood streams the full length from the forecastle to the main deck at machine gun mount 51, where one body was still lying. I do recall that now. There was also another body in the vicinity of mount 51."

After ten or fifteen minutes of unsuccessful attempts at communication, the helicopter buzzed off. And darkness fell.

In a Navy that delights in tales of seamanship, men will be talking for years of the night that McGonagle brought the *Liberty* back from Sinai. At the Court of Inquiry's hearings, McGonagle was recalled to the stand.

From the transcript:

"Counsel for the Court. I have no further questions. Does any member of the Court desire to question the witness?

"The President. Captain McGonagle, in our previous discussion, you told me a story which I have since come to identify as remarkable humility and self-effacement on your part, which I presume had caused you not to mention in testimony the way you navigated this ship out of dangerous waters after the attack. Will you please tell the Court how, while lying on your back, with no compass except the magnetic compass, and based upon your recollection of the magnetic compass error in relation to the gyro compass book, you used the sun and subsequently the North Star to clear the area?

"The Witness. Admiral, after a time on the bridge, when I had received minor injuries, I lost considerable blood, and when attempts to stem the flow of blood by self-help were unsuccessful, I noticed myself beginning to lose consciousness. I immediately lay down flat on my back on the port wing, and raised the bleeding leg as high as possible, resting it on my port bridge chair, and there a first class communications technician by the name of Carpenter and other persons whom I don't recall at this time, applied a tourniquet to my right leg which effectively stopped the flow of blood. I at no time lost consciousness and had my full faculties at all times.

"I realized at that time I had lost considerable amounts of blood because it was sloshing in my shoes. . . . But since the flow of blood had stopped, I gave no further consideration to—I didn't consider I had any more problem in that area. . . .

"I conned the ship by looking aft, and by being able to see the wake of the ship I was able to tell after steering which way to apply the rudder and how long to leave it on to attempt to average out the course that I felt the ship should travel to stand clear of possible shoal areas. I remained on my back for approximately an hour and a half. I then felt that I had regained sufficient strength that I was able to get up from the deck and conn the ship from the wing of the ship and from the pilot house, . . . It seemed to me that my remaining on the bridge—this would be able to lessen the shock that the rest of the crew had received."

The Navy doctor, Lieutenant Kiepfer, saw McGonagle during the evening but made no effort to get him below to a battle dressing station. "The Commanding Officer at that time was like a rock upon which the rest of the men supported themselves," he told the court. "To know that he was on the bridge grievously wounded, yet having the conn and the helm through the night calling every change of course, was the thing that told the men 'we're going to live.' When I came to the bridge and saw this, I knew that I could only insult this man by suggesting that he be taken below for treatment of his wounds. I didn't even suggest it."

Dr. Kiepfer's own performance was in the highest naval tradition. He performed one major operation immediately after the engagement. He and his two hospital corpsmen stayed on duty for 28 hours.

From the transcript of Dr. Kiepfer's testimony:

"Any time we needed one volunteer, we'd get ten. If anything had to be done, there were hands everywhere. When asked for two pints of blood for transfusion, we had people on the adjoining tables who were saying, 'If you need some, I have this type.' These were people already wounded."

During the night, McGonagle ordered three musters to identify the dead. He and his remaining officers bent to the task of preparing casualty messages. He winced at the first of these, to Mrs. Philip McC. Armstrong Jr., of 433 West Main Street, Dalton, Pennsylvania. His executive officer, a 38-year-old graduate of the Naval Academy, had left a young widow and five children behind. Lieutenant James C. Pierce had died, and Lieutenant Stephen Toth. The list included Allen M. Blue, one of the DOD specialists. And the sailors: Allenbaugh, Blanchard, Brown (he would recommend Brown for posthumous commendation), Campbell, Converse, Eisenberg, Goss, Graves, Hayden, Hersey, Higgins, Hoar, Keene, Lenau, Linn, Lupton, Marggraf, Marlborough, Mendle, Nygren, Raper, Rehmeyer, Skolak, John C. Smith and Melvin D. Smith, Spicher, Thompson, Thornton, Tiedtke, Walton, . . . Most of them were naval communications technicians, stationed in the forward compartments, who died in the torpedo's explosion.

Early on the morning of June 9, a lookout sent word that the U.S. destroyer *Davis* was in sight, ready for escort duty. Helicopters arrived from the carrier *America*, to transfer the wounded. During the morning, the fleet tug *Papago* also arrived. The heavy cruiser *Little Rock* joined the parade. The little convoy moved slowly off to Malta, the *Liberty* still listing badly and 25 bodies still entombed in the flooded wreckage of the communications rooms. She arrived at Veletta on the 14th. Awed workers in the shipyard counted 821 separate hits upon the hull and superstructure by bombs, rockets, and machine gun bullets. The teardrop hole left by the torpedo explosion measured 39 feet across.

II

A Navy Court of Inquiry opened its hearings in London on June 11, and continued them aboard the *Liberty* at Malta through June 17. Admiral I. C. Kidd served as President of the Court; other members were Captains Bernard J. Lauff and Bert M. Atkinson, both attached to headquarters of Admiral John S. McCain Jr., commander in chief of U.S. Naval Forces in Europe.

Almost all of the testimony taken by the court remains in classified status. Some excerpts have been released from McGonagle's transcript. A few quotations from the evidence supplied by Ensign Lucas and Dr. Kiepfer also have been made public. No supporting material whatever, having to do either with *Liberty's* mission or with the Israeli "mistake," has been released. For the time being, there is no way for the outside observer to form an independent judgment, from the record, upon the Court's conclusions.

We are told that the Court determined that "USS *Liberty* was in international waters, properly marked as to her identity and nationality," at the time the attack occurred. The Court produced evidence "that the Israeli armed forces had ample opportunity to identify *Liberty* correctly," but the Court "had insufficient information before it to make a judgment on the reasons for the decision by Israeli aircraft and motor torpedo boats to attack."

These reasons must remain a matter of speculation. There is some evidence, wholly apart from considerations of diplomacy and logic, to sustain the position taken by the Israeli government, that the attack was a tragic mistake. On a windless day, the ensign first hoisted by *Liberty* may well have been drooping unrecognizably from the mast. The second, "holiday" ensign, hoisted just before the torpedo attack, may indeed have been obscured by the smoke. This was the explanation advanced by Micha Limor, an Israeli Naval reservist, in an article written for the Associated Press on July 6. Limor was aboard one of the three torpedo boats.

"About 2,000 yards from the ship," he wrote, "the high masts and many weird antennae showed that this was a warship. The side of the vessel was blotted out by smoke, and apart from three numbers along her side, we could not discern a thing. We could see no flag on the mast, nor was anyone to be seen on the decks and bridge."

THE NAGGING QUESTION

By Limor's account, the Israeli torpedo boats attempted repeatedly to get some identification from the *Liberty*, but received no response to their signals. Then "a sailor started firing at us with a heavy machine gun from the bridge," and "thus there was no doubt that we were faced by the enemy." It was not until after the torpedo struck home that one of the Israeli boats picked up an object from the sea and saw that is was a rubber lifeboat bearing the name of the U.S. Navy.

Another line of speculation, apart from Limor's generally corroborating statement, was advanced by the Navy Court of Inquiry in an appendix to its report. Here the Court noted that *Liberty* 'might have been mistaken for the Egyptian supply ship *El Quseir*." But the Court went on to say that *El Quseir* bears only a "highly superficial resemblance" to *Liberty*. The Egyptian ship is less than half the size of the American vessel; its superstructure is entirely different; and of course it has none of the elaborate antennae and distinctive radar devices that instantly identify the *Liberty*.

In a statement on June 10, the Pentagon coldly rejected published reports that some unidentified Pentagon spokesmen believed that "a plausible explanation" could be found in human error. Assistant Secretary for Defense Phil G. Goulding said that "we in the department cannot accept an attack upon a clearly marked noncombatant U.S. naval ship in international waters as 'plausible' under any circumstances whatsoever. The suggestion that the United States flag was not visible and the implication that the identification markings were in any way inadequate are both unrealistic and inaccurate. The identification markings of U.S. naval vessels have proven satisfactory for international recognition for nearly 200 years."

During the past month, press service interviews with survivors of the attack have turned up a uniform conviction that the attack was deliberate. Sailors point to the morning-long aerial surveillance; the presence of the flag; the known configuration of the *Liberty;* her name in English on the stern (Egyptian naval ships carry their names in the cursive Arabic script); her slow progression in international waters. All these factors support the crew's conclusion that the assault was no accident.

Opposed to this argument is the line of reasoning which holds that the Israeli government was heavily dependent upon the goodwill of the United States; that it would have been utterly irrational for the Israeli navy knowingly to have launched an attack on a U.S. ship; and that the only reasonable explanation is that the incident was a mistake arising from the natural tensions and fallible judgments of a hot war.

So, too, does the mystery of what happened to the orders sent to McGonagle "early on the morning of June 8." All that we are told of these messages—in the plural—is that 1) the orders came directly from the Joint Chiefs of Staff; 2) the orders were "to move farther from the coast," and 3) the orders were "misrouted, delayed, and not received until after the attack."

No communications system is infallible. Humans make errors; the ionosphere plays tricks; power goes off at critical moments; even carriers operating off Vietnam have significant blackout periods when they can neither send nor receive. Granted.

When these possibilities have been given full account, the bare statement that the orders were "misrouted and delayed" remains incredible. One would like to know a great deal more about these "misrouted and delayed" messages. Did they exist? What precisely did they say? Who saw them? When? Where? How did they go astray?

One would also like to know a great deal more, of course, about the specific purpose sought to be served by *Liberty*'s position so close to the Sinai shore. Why thirteen miles out? Or twelve, or fifteen, or whatever it was? Again, the Pentagon's statements strain credulity. The first explanation, recalling that inspirational moment when the downed U-2 was only a missing weather plane, was that *Liberty* had to be close to shore in order to use the moon for message relays. The second explanation was that *Liberty*'s only job was "to assure communication between U.S. Government posts in the Mideast and to assist in relaying information concerning the evacuation of American dependents and other American citizens." This is hardly impressive. Skeptical observers will continue to assume that *Liberty* was engaged upon a general mission of intelligence-gathering and codebreaking; and they will wonder what might have been received, translated, tape-recorded, and fed into computers between, say, 10 o'clock and noon on June 8 that resulted in the pinpoint destruction of the very hull compartments—frame 53 to frame 66—where the electronic gear was housed.

The unanswered questions nag for answers. For the time being, one puts them to the side. On great ships of war, operating in war zones, one comes to expect death, destruction, and heroism. The fire on *Oriskany* last fall, the fearful inferno on *Forrestal* on July 29, were terrible reminders of the violence of war. Men rose to the crises superbly. They were in the true sense, heroes. It is a little different when a virtually unarmed communications ship, navigating peacefully under a neutral flag, is taken by surprise. There too, as Admiral McCain remarked, "heroism was the order of the day." Commander McGonagle has been recommended for an appropriate award.

[From the Zarephath (N.J.) Herald of Freedom, July 28, 1967]

THE RAPE OF THE U.S.S. "LIBERTY"

When is a "war crime" not a war crime and when is an "atrocity" not an atrocity? The answer plainly is, "When the propaganda apparatus of the guilty party is able to convince the world that the act in question was an 'accident.'" However, as the saying goes, you can fool some of the people, etc. One not fooled is the Hon. Craig Hosmer, Republican Congressman from California. The Congressional Record of June 29, 1967, p. 17893 records his remarks as follows: "I can only conclude that the coordinated attack by aircraft and motor torpedo boats on the U.S.S. Liberty 15½ miles north of Sinai on June 8 which killed 34 officers and men of the Navy and wounded another 75 was deliberate."

Rep. Hosmer continued: "The fact that the U.S.S. Liberty was a Victory hull vessel, hundreds of which were produced and used by the U.S. Navy during World War II and since, rules out the possibility of mistaken identity. Every ship recognition book in the world has, for years, identified the characteristic Victory hull and superstructure of the U.S.S. Liberty as U.S. Navy property. . . .

"Whatever is the reason for the attack, it was an act of high piracy. Those responsible should be court-martialed on charges of murder, amongst other counts. The Israel Government should pay full reparations to the United States and indemnities to the families of the Americans killed."

Congressman Thomas G. Abernethy, a Democrat from Mississippi, made the following remarks on the same day as reported on page 17893 of the Congressional Record: "The Liberty ship incident—and inded it was more than an incident—has been treated entirely too lightly by this Government. To say the least, too little has been said about it. This useless, unnecessary and inexcusable attack took the lives of 34 American boys, wounded 75 others, and left many others in a state of horrified shock, to say nothing of what it did to a flag-flying vessel of the U.S. Navy. How could this be treated so lightly in this the greatest Capitol in all the world?

"I have heard Members of this House, and many, many others, say that if this had been done by others, the leaders of our Government would have moved in with sterness and appropriate demands or even retaliatory action."

Rep. Abernathy continued: "These men at all times are entitled to the strong backing of every citizen of this land of every race and every creed. They are entitled to and should have the strong arm, as well as the strong voice of their Government and their people behind them. And who has spoken out in their behalf from this land since some of their number were so suddenly shot down and others so severely wounded on the Liberty ship? . . .

"What complaint have we registered? What has Washington said? To tell you the truth, this great Capital as well as this great Government—if it can still be called great—was and is as quiet as the tomb regarding this horrible event. . . . The Pentagon stressed that the Liberty was clearly marked, that it was in international waters, that it had a right to be where it was, and that the attack was incessant, heavy and hard; that the attack came from both planes and torpedo boats, designed not simply to knock out but to destroy the ship and its men."

The Israeli Government maintains a strict press censorship so the article from which the following quotes are taken would have had to have government approval for its release. This was written for The Associated Press by Micha Limor, a member of the Israel Naval Reserve who was on duty on one of the Israeli motor torpedo boats that attacked the U.S.S. Liberty, and appeared in the N.Y. Times of July 7, 1967. The Times, which prides itself on reporting "facts," printed Limor's story which contains many contradictions to the facts as brought out by the U.S. Naval Court of Inquiry.

Among these doubtful "facts," we read: "The high masts and the many weird antenna showed that this was a warship." . . . "We could see no flag on the mast nor was anyone to be seen on the decks and bridge." . . . "We spent several minutes trying to contact the ship and demanding identification. We tried by radio and by heliograph, in accordance with internationally accepted means." We should note here that Israeli planes had already had the U.S.S. Liberty under surveillance for many hours and had made six separate strafing attacks on the ship which was flying the American flag and that, after the regular flag (5 feet by 8 feet) was shot down, the Captain of the Liberty had a special holiday flag (7 feet by 13 feet) hoisted.

Israeli Reservist Limor continues with his tall tale: "We wanted to make the ship surrender without sinking her. Once again we circled the vessel in battle formation, firing again and again. This had no effect. No one appeared. No one reacted." (Unfortunately it would have been difficult for the dead Americans strewn on the Liberty's deck to rise up and "react.") Not to be daunted the brave Israelis continued and, says Limor, "Dozens of shells, rockets and torpedoes were needed to drag a sign of identity from them. . ."

That the boats were in constant contact with Tel Aviv is indicated by the following statement:

"We received orders directly from the officer commanding the navy to give all necessary help. Se we approached the Liberty and offered help, shouting through a loudspeaker,

"Then an officer appeared for the first time on the bridge and screamed, 'Go to hell!!'

"Learning they did not need aid, we left."

Time magazine of July 6, 1967 pointed out that the Liberty had her name on the stern in English and that the Court produced evidence that the Israelis had ample opportunity to identify the Liberty correctly. On June 17, 1967, the Associated Press reported from Valetta, Malta that senior crewmen of the damanged U.S. Navy research and communications ship Liberty were convinced that Israel's air and torpedo boat attack that cost 34 American lives was deliberate. A survivor was quoted as stating: "We were flying the Stars and Stripes and its absolutely impossible that they shouldn't know who we were. This was a deliberate and planned attack and the remarkable thing about it was the accuracy of their air fire."

There have been some strange activities on the part of the Department of Defense in connection with this case. The attack occurred on June 8 yet parents of wounded sailors did not know whether their sons were alive or dead until they finally received telegrams on June 11. The wounded were taken by helicopter from the U.S.S. Liberty to the aircraft carrier U.S.S. America, and, on arrival, were warned by a representative of the C.I.A. not to talk to anyone about what had happened. Those with head wounds were taken to a U.S. Army hospital at Landstuhl, Germany, and, while there, were kept under guard with tight security. Reliable sources have advised that the many communication technicians who were aboard the Liberty have been dispersed to other assignments separately in different parts of the world. A confidential source advised that there was a deliberate jamming of radio communications being sent by the U.S.S. Liberty to the Commander of the Sixth Fleet. This jamming reportedly came from Israeli sources and necessitated changing the radio communication circuits. The Liberty for this reason was unable to call for help when the first attack came.

The U.S. Naval Court of Inquiry was convened by Admiral John S. McCain, Jr., USN, Commander in Chief of the U.S. Naval Forces Europe. Classified hearings were conducted in London and aboard the U.S.S. Liberty in Malta from June 11 to 17, 1967. The Court consisted of Rear Admiral Isaac C. Kidd, USN (reported selected by the Administration in Washington, D.C.) and U.S. Navy Captains Bert M. Atkinson and Bernard J. Lauff who are attached to Admiral McCain's Headquarters. The Court's findings were presented to Admiral McCain and approved by him on June 18, 1967.

Among the findings were: There was significant surveillance of the U.S.S. Liberty on three separate occasions—five hours and thirteen minutes before the attack, three hours and thirteen minutes before the attack and two hours and thirty-seven minutes before the attack. . . . There were five to six separate air attacks on the U.S.S. Liberty with at least two or more planes participating in each attack. The U.S.S. Liberty had arrived at the designated location June 8, 1967 with orders to steam in an area bounded by latitude 32 north on east and west by longitude 34 east and 33 east, 12.5 nautical miles from the coast. The U.S.S. Liberty steamed on June 8th south easterly 130° true until 8.49 A.M. when she reached the eastern boundary of operating area and turned to a southwest course 253° true. At 8.50 A.M. a single unidentified jet crossed her wake at an estimated 3 to 5 miles astern, then circled the ship and returned to the mainland. The Liberty was flying normal American flag, 5′ by 8′. Jet and propeller aircraft circled the ship at 10.56 A.M. and at the time the Liberty was steaming at only five knots. At 2 P.M. the ship's Captain, Commander William L. McGonagle, of Norfolk, Va., fixed her position by radar as 25.5 nautical miles from the minaret of ElArish which was to the southeast bearing 142° true.

The reconstructed ship's log reads as follows:

"From the official records of the U.S. Naval Board of Inquiry.

"Requested 8 June chronology follows

"1. Approaching land from the west during the early morning hours of 8 June, projected operations of Liberty for the morning and afternoon of the day was to proceed to a point 13 nautical miles from the coast of UAR (United Arab Republic) at 31–27. 2N 34–00E (Point Alpha A) thence to 31–22. 3N 33–42E (Point Bravo B) thence to 31–31N 33–00E, (Point Charlie C) retracing this track until new orders received, ship would operate north of this track line at all times, if fixes could not be accurately obtained as Point Charlie was approached it was intended to head due north until the 100 fathom curve was crossed and the track moved to the north to more or less move back and forth on the general average of the 100 fathom curve. Normal steaming speed was to be five knots. Normal steaming colors were flown and normal navigational lights lighted at night. There was no intention to steam at darken ship at any time and the ship did not even exercise at darken-ship drill during the deployment.

"2. All times bravo unless otherwise indicated.

"0754 Steaming on 130 T, SPD 10 knots.

"0849 Passed through Point Alpha changed CSE (course) to 253 T.

"0850 Single jet A/C (aircraft) (unidentified) crossed astern distance 3–5 miles—circled ship from STBD to port and returned to UAR mainland.

"0905 decreased SPD (speed) to 5 knots.

"1056 Another A/C circled ship—high.

"1126 Another A/C circled ship.

"1132 Passed through Point Bravo C/C (changed course) to 283 T.

"1310 Exercised at G.Q. (general quarters) drill.

"1348 Secured from G.Q. drill.

"1351 3 small surface contacts held on radar 32,000 yards bearing.

"082T—Reported to bridge as 3 surface contact.

"1353 Radar reports possible A/C passing over surface contacts.

"1358 Single A/C sighted approaching ship from 135 deg. Relative 5–6 miles distance, altitude approximately 7000 ft. A/C passed down track of ship.

"1403 Loud explosion—port side amidships.

"1405 Sounded general alarm—large fire in vicinity of frame 85, 01 level where fuel for motor driven fire pumps are located.

"1405 All ahead flank signalled by engine order telegraph.

"1405—1410 Ship under repeated air attack with two or more A/C making coordinated strafing, rocket, and incendiary runs over ship. Three major fires topside covering large areas of ship with flames and heavy smoke a total of eight men were killed or died as a result of injuries received during the air attack, one killed and one mortally wounded on bridge, two killed at machine gun 51, one killed at machine gun 52, one died from wounds received on the main deck starboard side and two died of wounds received on the 01 level port side. Approximately seventy five wounded, including commanding officer, throughout topside area from shrapnel and shock of exploding rockets.

"1410 Began making turns for 18 knots.

"1424 3 MTBs (motor torpedo boats) sighted abaft starboard—beam distance 4–5 miles.

"1426 Noticed normal streaming ensign shot away during air attack. Holiday size ensign hoisted on port yardarm.

"1428 MTB signaling by flashing light from STBD quarter. Light obscured by dense smoke from burning motor whaleboat.

"1430 one round fired by machine gun 51, C.O. (commanding officer) ordered hold fire.

"1431 machine gun 53 opened fire. C.O. sent Ens. Lucas around port side of bridge to get machine gun 53 to cease firing.

"1431 word passed to standby for torpedo attack to starboard. MTB commenced strafing starboard side of ship.

"1434 torpedo passed 75 yards astern of ship.

"1435 torpedo hit starboard side amidships. Twenty-six men died as a result of the torpedo hit and MTB strafing fire.

"1435 lost electrical power throughout the ship.

"1436 lost steam pressure-secured engines and boilers—many gauges and meters in fireroom and engine room were knocked out.

"1440 MTBs standing away from the ship. One MTB has hull number 206–17.

"1503 one MTB returned to ship and signalled "do you need help" in English. C.O. signalled "negative."

"1505 MTBs retired toward shore.

"1507 helicopter bearing Star of David markings approached ship, port side, hovering at about 500 yds. distance.

"1508 second helicopter approached ship. Markings on helicopters are 04 and 08 or D4 and D8. Helicopter made repeated passes around and over ship. They were not observed to pick up any bodies, persons or debris.

"1519 power restored to bridge but rudder did not answer—continued steering from after steering.

"1536 MTBs approaching ship starboard side 7–8 miles distant. During next hour and a quarter the MTBs returned to the ship and by 1713 they had retired out of sight over the horizon.

"1615 two unidentified jet A/C approached ship from the STBD side and reconnoitered from a distance.

"1620 attempting to clear area steering northerly course at speeds varying from 0 to 8 knots. Personnel casualties were treated in the wardroom on a continuing basis, damage control and fire fighting controlled flooding and damage, engineering casualties were restored but steering was by hand from after steering.

"1845 Israeli helicopter approached ship—circled close aboard and attempted to signal—they appeared to desire to lower someone to the deck—C.O. considered receiving him on forecastle and ruled this out as too hazardous. Repeated attempts to communicate were unsuccessful. And at 1852 copter dropped a message packet on forecastle, the message, written on a calling card of the U.S. naval attache Tel Aviv, asked "have you casualties." Ship tried by several means to indicate, during next ten minutes that there were many casualties but there was no indication that the message was understood, the mutilated bodies of three dead crew members had not yet been removed from the forecastle and must have been observed from the helicopter. The helicopter departed the ship shortly before sunset (about 1905) ship continued steaming through night to RDVU (rendezvous) with escorts dispatched by COMSIXTHFLT (Commander Sixth Fleet).

"3. Foregoing constitutes detailed reconstruction from QM (quartermaster) notebook, CIC Log, bell book and best recollection of CO/Chief Engr/gun and bridge personnel. All concur."

In the event it seems difficult to believe that the attack was deliberate we are outlining the story of a previous strange happening related by attorney Alfred M. Lilienthal in his book, "The Other Side of the Coin." (Devin-Adair, N.Y.C.) Mr. Lilienthal is of the Jewish faith, was formerly a State Department official, and is considered an expert on the Middle East. After discussing the improvement in relations between the United States and Egypt between 1952 and 1954, the author states:

"This situation was viewed in high Israeli quarters as a grave threat to the continued flow of American dollars into Israel from public, if not private, sources. A direct severance of relations between Egypt and the U.S. was deemed desirable. An Israeli espionage ring was sent to Egypt to bomb official United States offices and, if necessary, to attack American personnel working there so as to destroy Egyptian-U.S. and, eventually, Arab-U.S. relations."

". . . . two young Jewish Egyptian boys carrying identical bombs were caught as they were about to enter U.S. installations. Upon their confessions, a sabotage gang was rounded up of six other Jews. The conspirators, who received sentences ranging from 15 years to life, were the objects in the U.S. of multifold sympathetic editorials and articles. Nothing appeared in print at the time to combat the image of another Nasser conspiracy to unite his country against Israel.

"In 1960 an investigation in Israel called attention to the forgery of an important document in what had been announced as a 'security mishap' that precipitated the resignation of Pinhas Lavon as Minister of Defense in 1955. Lavon had been at odds with others in the Ministry of Defense, including Deputy Minister Shimon Peres and General Moshe Dayan, who had been seeking some excuse to force his resignation. The forgery placed the legal responsibility for this unsuccessful sabotage attempt at Lavon's door, even though he, at the time, had called it 'a stupid and immoral act.'

"From the outset Lavon had denounced the document as a forgery and had pressed for an investigation. . . . . But Prime Minister Ben Gurion fought the reopening of the case. . . . However, late in 1960 the Cabinet ordered an investigation, which, under the direction of Attorney General Gideon Hausner, revealed clearly that Lavon's signature had, in fact, been forged by a high-ranking officer in the ministry, that Lavon had never ordered this sabotage operation and that false testimony had been given in an earlier inquiry. Israel's Ministry of Defense, presided over by General Moshe Dayan and Brigadier Abraham Givli, proved to be involved."

Gen. Dayan, involved in previous skulduggery, is obviously capable of deceptive action and coverups. The Liberty could have been a menace to his secret plans and the Shreveport (La.) Times of June 18, 1967 has brought out an interesting chronology of events:

"June 7: The Liberty took up its post off the Sinai Peninsula. In New York, Foreign Minister Abba Eban . . . was proclaiming that 'only Israel has accepted the U.N. cease fire mandate.'

"Later developments showed that even as Abba Eban spoke, Israel was massing columns of tanks, sizable forces of mechanized infantry, and squadrons of jet warplanes on the Syrian border for invasion of Syria. . . .

"There was no normal way for the U.S. or the U.N. to learn of the military buildup at the Syrian border; except that the Liberty was now only 15 miles offshore from Egypt and Israel. . . .

"June 8: The Liberty was put out of action by Israel.

"June 9: Israel invaded Syria, an act that was almost as big a shock to the world as the war itself."

When the Liberty was able to get its calls for assistance through to the Sixth Fleet, the American Navy was prevented from going to her rescue. Counterattack of July 14, 1967 states:

"The Sixth Fleet responded by ordering two deck loads of planes to the assistance of the Liberty. President Johnson meanwhile had opened the hot line to Moscow at the urging of advisors. Precisely what the President said to Moscow about American planes being in the air may never be recorded. . . .

"But it is known that Naval Operations, acting in response to high authority, ordered Admiral William I. Martin, commanding the Sixth Fleet, to recall the planes forming in the air for attack. In seconds, Admiral David L. McDonald, the Chief of Naval Operations was on the radio telephone repeating and emphasizing the order."

A report of the Navy's investigation of the attack on the Liberty tells of other orders: "Early on the 8th, the Joint Chiefs of Staff had issued order for Liberty to move farther from the coast, even though such a move would partially degrade her mission. The messages were misrouted, delayed and not received until after the attack." (Shades of Pearl Harbor!)

The U.S. News & World Report of July 10, 1967 states concerning the "mystery of what happened to the messages:"—"One reason cited for delay: The order went by normal communications instead of through emergency channels that would have reached the *Liberty* immediately." (This is the same reason given for official failure to warn the sitting duck fleet at Pearl Harbor.) The article states:

"Why did the Israelis attack? . . . From Israel came this explanation: When the *Liberty* was challenged by an Israeli torpedo boat, it answered with the signal that had been used by Egyptian ships during the 1956 Suez war. Consequently, the *Liberty* was mistaken for an Egyptian ship."

With their Government failing to act, a group of American citizens is moving against Israel, demanding justice for the killed and injured officers and men. An organization has been formed called the Committee for Immediate Action-Families and Friends of Victims of the U.S.S. Liberty, 212 Coolidge St., Linden, N.J. Two of the leaders of the organization are Mr. and Mrs. Thomas J. Reilly, Sr., parents of two servicemen who were aboard the U.S.S. *Liberty* at the time of the attack, Robert, age 18, and Thomas, Jr., age 20, who is in St. Albans Naval Hospital with a fractured skull and a piece of shrapnel in his brain. These parents have instituted a suit against the Government of Israel, demanding that the Government of Israel be condemned for this action; that the captains of the torpedo gunboats and the strafing aircraft be brought before a tribunal of the United States and Israeli Governments and charged with murder and maiming innocent persons; and that the Government of Israel be compelled to pay punitive damages of fifty million dollars.

The attack by the Israelis on the U.S.S. *Liberty* was deliberate and planned, the ship having been strafed and torpedoed so viciously that there were over 800 holes in its hull. Had the Israeli forces been successful in sinking the *Liberty* the atrocity would probably have been blamed on the Arabs and Egyptians producing a Pearl Harbor reaction in the United States. Was the attack to turn the U.S. against the Arabs or to destroy information picked up by the communications ship? Whatever devious purpose prompted the attack we may never know, but we do know that it was a war crime of the greatest magnitude.

THE 49TH ANNUAL NATIONAL CONVENTION OF THE AMERICAN LEGION, BOSTON, MASS., AUGUST 29, 30, 31, 1967

RESOLUTION NO. 508

Committee: Foreign Relations.
Subject: U.S.S. *Liberty* Incident.

Whereas, on June 8, 1967, the U.S.S. Liberty—while operating in international waters in the Eastern Mediterranean—was the target of an apparent deliberate attack by Israel's war planes and torpedo boats; and

Whereas, this unwarranted and unprovoked attack killed 34 members of the Liberty's crew, and wounded 75 other U.S. Navy personnel on board, in addition to causing extensive damage to the ship; and

Whereas, the U.S. Government's official inquiry covered the circumstances surrounding the incident, including the fact that the ship was "properly marked as to her identity and nationality, and in calm, clear weather" when attacked, but the published report fails to provide the American public with a satisfactory answer as to the reason for the attack; now, therefore, be it

Resolved, by the American Legion in National Convention assembled in Boston, Massachusetts, August 29, 30, 31, 1967, That The American Legion denounces and condemns Israel's irresponsible attack on the U.S.S. Liberty, a United States' ship and its crew; and be it

Further resolved, That The American Legion insists that the United States Government conduct a complete and thorough investigation of this incident, with the results to be made public insofar as security permits; and be it

Further resolved, That The United States Government demand full payment from the Israeli Government for:

(1) compensation to the next of kin of the deceased;

(2) compensation to the wounded for injuries and residual disabilities; and

(3) damages to the property of the United States.

BRITAIN ENCOURAGES ARMED AGGRESSION

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RARICK. Mr. Speaker, on August 31, 1967, I entered remarks in the daily CONGRESSIONAL RECORD which appeared on page A4430 regarding the invasion of Rhodesia by terrorist bands who were equipped principally by the Russian and Chinese Communists.

As a further sequel to those remarks, I have received a copy of Rhodesian Prime Minister Ian Smith's letter to Harold Wilson of Great Britain dated August 28, 1967.

This communication gives further insight into terrorist activities in a most authoritative manner.

Mr. Speaker, with consent granted I enter at this point the Prime Minister's letter:

NOTE TO THE UNITED KINGDOM GOVERNMENT FROM THE RHODESIAN GOVERNMENT

AUGUST 28, 1697.

The Rhodesia Government wishes to draw urgently to the attention of the British Government the following situation in Rhodesia.

2—Leaders of the two banned Rhodesian African Nationalist Organizations, the Zimbabwe African People's Union (ZAPU) and the Zimbabwe African National Union (ZANU) are now firmly established in Zambia and it is from Lusaka that these people plan subversive operations directed against the Government of Rhodesia, including the infiltration of armed terrorists and offensive materials into this country.

3—At one time the President of Zambia, through his security forces, tried to control the movement of terrorists and offensive materials through his country. From about the middle of 1966, however, when Rhodesian terrorist activities commenced to increase, all vestige of control appears to have vanished and the Zambian Government has since progressed from a policy of ignoring or condoning such activities to one of offering direct encouragement.

4—Rhodesian terrorists receive training in a number of communist countries, including Russia, Red China, Cuba and Algeria, and also at three or more camps in Tanzania. Irrespective of their place of training, terrorists invariably move from Tanzania to Zambia where they are billetted in specially constructed holding camps, established in the vicinity of Lusaka and within easy striking distance of Rhodesia.

5—In Zambia there are also a number of centres used by subversive organizations for the storage of arms, ammunition and other offensive materials used in the equipping of terrorist groups. At their respective holding camp ZAPU and ZANU Party officials indoctrinate the terrorists in Communist and Party Ideology, particularly in the context of the part they are to play in creating a sense of fear and uncertainty in Rhodesia.

6—Groups for terrorist incursions into Rhodesia are issued with arms and equipment and conveyed, quite openly, in ZAPU or ZANU vehicles along one or other of the Zambian road complexes to the Rhodesian border, where they are finally instructed on methods of infiltration and briefed on their targets in Rhodesia. During the hours of darkness they are expected to infiltrate across the Zambezi River into this country.

7—Not only does the Zambian Government condone the activities of Rhodesian terrorists in that country, but it is known that on occasions Zambian Government officials actually assist these people in passing through the border between Zambia and Tanzania.

8—The main supplier of arms and other offensive materials used by Rhodesian terrorists is the African Liberation Committee (A.L.C.) of the Organization of African Unity (O.A.U.) in Dar es Salaam. Here the material is received from a number of Communist countries and is stored by the Tanzanian Government, which is responsible for the control and subsequent issue of this material to various Nationalist movements.

9—Although there is no proof of direct co-operation between the Governments of Tanzania and Zambia in respect of the movement of offensive material, it is known that the former Government has already suggested to the latter that it adopt some method of control. It is extremely unlikely that the Zambian Government is ignorant of the movement and storage of terrorist arms in Zambia.

10—Since terrorist activity against Rhodesia was intensified about the middle of last year, an ever-increasing number of armed men, of both the ZAPU and ZANU factions, have been infiltrated into this country from Zambia. Initially, only small groups of terrorists entered across the Zambezi River from Zambia. In recent months larger bands—comprising up to thirty or more terrorists—have crossed into Rhodesia. Little credence can therefore be given to any denial by the Zambian Government that it is unaware of the movement of such large numbers of men and quantities of material.

11—The current security operation being waged against the large band of mixed South African African National Congress (SAANC) and ZAPU terrorists in Western Matabeleland shows without any doubt that the Zambian authorities are not only prepared to condone terrorist activities directed against Rhodesia, but are also willing to allow their country to be used as a rallying point for terrorists bent on a campaign of violence against South Africa.

12—The recent threat issued by the Organization of African Unity to Rhodesian nationalists that they can expect no further financial support unless they can produce proof of militant action against Rhodesia has had a two-fold effect. It has influenced both ZAPU and ZANU to intensify the infiltration of terrorists from Zambia across the Zambezi River, and has stimulated ZAPU to abduct over two hundred Rhodesian Africans, in legitimate employment in Zambia, for terrorist training in Tanzania. Thus the Zambian Government has become further implicated by permitting these activities with little or no intervention.

13—On the 19th August in Lusaka, James Robert Chikerema, Vice President of ZAPU, and Oliver Tambo, Deputy President of the SAANC, issued a joint Press release extolling the activities of their combined terrorist groups presently operating in Western Matabeleland.

14—The aim of these terrorist bands is to carry out indiscriminate killing, burning and looting in rural and urban areas. The Rhodesian Government will adopt the most vigorous measures to protect the people and their property and to seek out and destroy these terrorist bands and individual gunmen.

15—The British Government cannot escape its share of responsibility for these developments. There has been a complete absence of any protest by the British Government to the Zambian Government about the passage of arms and offensive material, the reception and harbouring of communist trained terrorists and the use of Zambia as a base for offensive operations against Rhodesia.

16—Here is a case where a Government of one Commonwealth country is lending itself to a policy of violence against another Commonwealth country which has committed no aggression and desires to be friendly and co-operative. The Rhodesian Government considers that Britain continues to have obligations in Zambia to influence that Government toward a policy of moderation and the discouragement of violence against Rhodesia. The Rhodesia Government accordingly lodges a strong protest against the British Government's lack of action in this respect and against its connivance of the hostile attitude of the Zambian Government towards peace and good government in Rhodesia.

Mr. Speaker, the British Government snubbed its "royal" nose at this well-documented and substantiated report. Such action by a supposedly peace-seeking nation—as Great Britain claims to be—clearly emphasizes once again the Dr. Jekyll-Mr. Hyde approach the British now follow.

It further underscores a serious lack of national principle by that Government.

Mr. Speaker, I place the Rhodesian Prime Minister's remarks to Parliament on this matter at this point:

"TERRORIST INCURSION FROM ZAMBIA"—PRIME MINISTER'S STATEMENT IN THE RHODESIAN PARLIAMENT

With the leave of the House, I wish to make a statement. I lay on the Table of the House a copy of the Note of 28th August, 1967, which the Rhodesia Government handed to the British Government yesterday in London drawing to the attention of the British Government the recent spate of terrorist incursions into Rhodesia, pointing out to them the encouragement and assistance given to these terrorists by the Zambian Government and, more important, emphasizing the fact that the British Government cannot escape its share of responsibility for these developments.

The British Government has rejected this Note. The head of the Rhodesian Residual Mission in London was informed that the Commonwealth Office had examined the document and had declared that it could not be accepted because Her Majesty's Government do not recognize the Rhodesian Government and cannot therefore accept any diplomatic Note emanating from them in that capacity.

I think this action by the British Government clearly expresses their disregard for the well-being of Rhodesia, in spite of their protests that they are opposed to violence and disorder. This attitude is in strange contrast to the military and police support which Rhodesia and Rhodesian forces have willingly given to the Commonwealth in the past.

I will not deal with the period of the last great war—the part played by Rhodesia throughout this epic struggle is too well known to warrant repetition.

Confining myself to the post-war era, let me remind Britain that in 1951 Rhodesia provided two fighter squadrons as a contribution to Commonwealth defense. For a further post-war period Rhodesia became the home of a Royal Air Force training group and the Rhodesian Government contributed towards its upkeep. From 1958 to 1963, on nine different occasions, Rhodesian Vampire and Canberra squadrons were detached to Aden and Cyprus respectively and while there were under British command. In 1961 Rhodesian transport aircraft provided notable assistance to the Royal Air Force during the Kuwait crisis when Royal Rhodesian Air Force Canadairs transported British troops in the Middle East. Later in the same year Rhodesian Dakotas transported and dropped food to flood-stricken tribesmen in Somalia at the request of the British Government.

As for the Rhodesian Army: in late 1950 a squadron of 100 European volunteers with regular officers and non-commissioned officers was raised as part of the Rhodesian contribution to Commonwealth defence and went to Malaya to fight communist terrorists—the very type of trained men who are attempting to infiltrate Rhodesia today. The squadron served in Malaya from April, 1951, to March, 1953, where it operated as a separate entity—"C" Squadron of the 22nd Special Air Service Regiment. In July, 1962, the present "C" Squadron of the Special Air Service went to Aden for training and operated against terrorists and again, as part of the 22nd Special Air Service Regiment. Today this same unit is in our front lines operating against the infiltrating communist terrorists.

In 1952 the First Battalion of the Rhodesian African Rifles served in the Suez Canal zone in the Middle East. This was followed by a tour of duty in Malaya from April, 1956, to February, 1958, fighting communist terrorists.

The British South Africa Police have given extensive postwar assistance to the British Government in Bechuanaland, Nyasaland, Kenya and Northern Rhodesia as they were then known, four different contingents varying from one officer and 75 members to two officers and 118 men were made available to Bechunanaland in 1950, 1951 and 1952. A large contingent of officers and members was sent to Nyasaland in 1953. Two officers and 52 men were lent to Northern Rhodesia in September/October, 1956. Northern Rhodesia, as it was then, Zambia as it is known today, I remind hon. members, is the country which is aiding and abetting the present terrorist incursion into Rhodesia. Finally, three officers and 250 members were sent to the assistance of British authories in Nyasaland from February to March, 1959.

In January, 1965, I personally made representations to the British Prime Minister about the training of saboteurs and the harbouring of terrorists in Zambia and Tanzania. The British Prime Minister was unable to give me an entirely satisfactory reply. He took the opportunity of talking about the matter with the Zambrian President and accepted the latter's denial that they were allowing Zambia to become a springboard for activities against Rhodesia. President Kaunda said that although his Government could not refuse entry to other Africans, they were exercising careful control over those claiming to be refugees and that they had put restrictions on the activities of political groups. In the light of present day events the value of such assurances can be seen for what they are—a hollow and deceitful mockery of the truth.

In June, 1965, I followed this up by sending Mr. Wilson a full account of the activities and training of Rhodesian subversive elements in Tanzania and Ghana and again the reply we received was unsatisfactory; Mr. Wilson saying that he would study carefully the information which the Rhodesian authorities had made available to him through his intelligence channels.

However, this latest case, which I have drawn to your attention today, is the most blatant example of Britain assisting and indeed encouraging the actions of terrorists against friendly countries. I do not wish to exaggerate the present encounter for there is no doubt that our security forces are managing to deal with the terrorist invaders in a most adequate manner, but it is a fact that there has been a resurgence of terrorist activity recently, and most of these people have been effectively indoctrinated with Chinese communism and are dedicated to committing the most atrocious acts of terrorism. Moreover, I think it should be placed on record that the great majority of this gang are members of the South African National Congress, hoping to pass through Rhodesia in order to practise their deadly trade south of the Limpopo. All Governments, including the British Government, must be aware of a joint press release issued in Lusaka on the 19th of this month signed by the Deputy Presidents of the Zimbabwe African People's Union, a Rhodesian organization, and the South African African National Congress, a South African organization, in which they declared that "the fighting presently going on in the Wankie area is indeed being carried out by a combined force of the Zimbabwe African People's Union and the South African African National Congress which is marching on a common route, each bound to its destination, fighting the common settlers enemy to the finish."

On previous occasions when I have taken up the case of the British Government condoning and even supporting the infiltration of terrorists from Zambia, Mr. Wilson did at least reply, although evading the issue. But in this particular case his answer is that he cannot even consider my representations because they come from an illegal Government. Putting it in a nutshell, Mr. Wilson is prepared to deal with me and indeed meet me and talk to me, when it suits him personally and when he hopes to extricate himself from the hook of sanctions on which he is so firmly entangled, but when the lives of poor, decent, innocent people are involved, both black and white, Mr. Wilson has the nerve to say that he cannot accept my communication, because it comes from an illegal Government. This must take the "Oscar" for the greatest piece of hypocrisy of all time. I repeat, that when he thought I might be able to assist him to extricate his head from the sanctions noose, he was prepared, not only to receive a communication from me, but to dine and wine me on board one of his battleships.

This story will surely fill a memorable, but nevertheless shameful page in the history of the present British Labour Party Government and if by chance some unfortunate mishap should befall any innocent Rhodesian, or, for that matter, any inhabitant of Africa south of the Zambezi, then we all know upon whose shoulders a large portion of this blame will fall.

SUEZ CANAL CLOSURE COSTS SET AT BILLION DOLLARS

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. FLOOD. Mr. Speaker, the Suez Canal has been closed since the recent Israel-Arab war thereby forcing vessels on voyages between Europe and Asia to go via southern Africa—a situation comparable to that in 1453 when the Turks captured Constantinople.

In the September 15, 1967, issue of Fortune there is an extensive article on "The World Economy," which describes the current commercial slowdown in Western Europe, its problem industries and global trends.

A recent newsstory in a California newspaper, drawing upon some of the facts in the indicated article, emphasizes the effect of the Suez Canal closure on transportation costs for oil—a result that should serve as a warning as regards the Panama Canal should the proposed treaties surrendering U.S. sovereignty over the Canal Zone to Panama be ratified. We certainly do not wish a Suez Canal situation for the Panama Canal.

The indicated newsstory follows as a part of my remarks:

[From the Santa Barbara (Calif.) News-Press, Aug. 30, 1967]

CANAL CLOSURE COSTS SET AT BILLION DOLLARS

Closing the Suez Canal has added about a billion dollars to the oil industry's shipping costs, reports Fortune magazine.

Tankers now routed via the Cape of Good Hope travel 5,500 more miles and take 25 extra days for the round-trip voyage between the Persian Gulf and the main ports of Europe, which depends on the Middle East for most of its oil.

As a result, the immediate need for an additional 38 million tons of tanker capacity has raised the spot-charter rate for lifting a ton of crude between the Persian Gulf and Rotterdam from a rock-bottom low of $2.90 just prior to the Arab-Israeli war to $18.60 only two weeks later.

MINORITY REPORT ON PANAMA CANAL COMMENDED

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. FLOOD. Mr. Speaker, in March of this year the Center for Strategic Studies of Georgetown University published a report in booklet form on "Panama Canal Issues and Treaty Talks," prepared by a nine-member panel. Because of basic differences in opinions among its members, the report contains two main sections: Part 1 being the majority report; and part 2, the minority report.

The majority of the panel admittedly did not direct their attention toward the merits of the issues involved but erroneously assumed that because the proposed new policy of the executive branch of our Government for surrender of Canal Zone sovereignty to Panama was set forth in a Presidential announcement, this position is "now established as a fait accompli." Thus, they made their observations and arrived at their conclusions within that frame of reference.

The stupidity that characterizes the proposals for the new treaties with Panama is unprecedented in diplomatic history and strikingly illustrates the incapacity and naive thinking of our negotiators. The Panamanian negotiators have bamboozled them from the start.

Though the long-range Soviet policy for wresting control of the Panama Canal from the United States is well established, recent events in the Near East supply further evidence of Communist policy because President Nasser of Egypt is a Soviet stooge. His arbitrary actions in the operation of the Suez Canal and in mining and blockading the Gulf of Aqaba is typical of Soviet policy and constitutes more steps in the struggle for world domination. Yet despite all this, our Panama treaty negotiators are still attempting to surrender United States control and operation of the Canal.

As to such surrender, Mr. Speaker, I would emphasize that more than ever before, it is necessary for the United States to maintain and exercise its exclusive sovereignty over the Canal Zone and canal for the reason that Communist revolutionary power is setting up military aggressions in various parts of the world.

In contrast with the naive approach in the majority report, the minority report, prepared by Dr. Donald M. Dozer, distinguished author, former historian in the State Department, and now professor of history at the University of California, Santa Barbara, and Vice Adm. T. G. W. Settle, U.S. Navy, retired, an outstanding naval officer of vast experience, repudiates the false assumption that a Presidential statement is a definitive and binding guideline and approaches the problem on the basis of merits of the issues.

The minority report has received wide and quite favorable attention. Among those who have commented upon it is Vice Adm. Ruthven E. Libby, U.S. Navy, retired, an officer of high professional attainment, who is now the military analyst of the Copley News Service.

A news commentary by Vice Admiral Libby, published in a recent issue of the Panama American, the leading afternoon newspaper of Panama, is most timely, able, and pertinent.

The indicated article follows:

MINORITY REPORT ON PANAMA CANAL MAKES SENSE, U.S. WRITER CLAIMS

(A viewpoint which can be expected to receive considerable publicity in both the United States and Latin America through the Copley News Service is expressed in the following article. As with other signed articles published in the Panama American it does not necessarily represent the policy or opinion of the management or staff but is published in the interest of freedom of speech.)

(By Ruthven E. Libby, vice admiral,
USN, retired)

Until comparatively recently diplomacy of the United States of America and the foreign policy it implemented were directed toward furthering the interests, safety, and wellbeing of this nation.

Enlightened self-interest was one of the important considerations which influenced our decisions and actions in the international arena. An outstanding example of this is what is now known as the Monroe Doctrine, which was rooted in the general principle that Europe and the Americas constitute two separate and distinct political entities and politically speaking, should have as little to do with each other as possible.

George Washington stated this in his farewell address. Thomas Jefferson reiterated it in his first presidential inaugural address.

But, it was James Monroe who laid down the edict that we would regard any attempt by any European power to extend its political system to the American continents as dangerous to our peace and safety—a principle which has been maintained inviolate, for all practical purposes, until its abandonment by President Kennedy in connection with the Cuban debacle.

The doctrine received considerable renewed international attention when France's Ferdinand de Lesseps proposed to build a canal across the Isthmus of Panama.

President Rutherford B. Hayes said merely that no European power could intervene for the protection of such a canal "without adopting measures on this continent which the United States would deem wholly inadmissible." Secretaries of State James G. Blaine and F. T. Frelinghuysen, and President Theodore Roosevelt, were much more definite, so much so that, as everybody knows, when the Panama Canal was built the United States built it.

In 1903 it was generally recognized that the United States had a mandate from the maritime powers of the world to build, operate and protect a canal across the isthmus for the benefit of world shipping.

One of the determining factors which led to selecting the Panama site was Panama's offer to grant sovereign control over the requisite territory, and other concessions outside of a canal zone, essential to the discharge of that mandate. These provisions were written into the Hay-Bunau-Varilla Treaty of 1903 which granted to the United

States "in perpetuity" sovereign control over the Canal Zone, with no ifs, and or buts.

In those days "in perpetuity" meant forever; and the absolute sovereignty granted by this article of the treaty (Article III) has been demonstrated repeatedly since to be essential to the proper discharge of U.S. responsibilities to operate the canal and to guarantee its independence from foreign control.

Furthermore, the United States proceeded to reinforce the treaty provisions (the treaty having been constitutionally ratified by both governments) by buying all the land and other properties in the zone from its original owners.

One might think that inasmuch as the treaty article still remains legally in full force and effect and that the land and properties in question were obtained by outright purchase, there would today be no problem. Unfortunately, this not the case.

It is not the case because the Panamanian government does not accept Herbert Hoover's view that "the keeping of promises, even those you later regret or would like to avoid, is the very fabric of civilization."

It is not true because for the last 10 years the United States has responded to continuing pressure from the Panamanian government by making one concession after another, which by whatever name one calls it is simply appeasement in its most undisguised form.

And like all appeasement wherever resorted to, it simply produced new and greater demands from those whom we seek to appease.

The strategic importance of the Isthmus of Panama and the canal is probably greater today than it ever has been. With this in mind the Center for Strategic Studies at Georgetown University in Washington, of report on the Panama-U.S. relations to date and the present status of negotiations between the two countries.

The report reminds us that for over 60 years—from 1903 until Sept. 24, 1965, "through the aftermath of the riots of 1964 U.S. policy toward Panama and the canal was based on three major concepts; that the United States had sovereignty within the Canal Zone; that the rights obtained were held in perpetuity; and that the canal tolls if at all possible would not be increased."

This is no longer the case, because on Sept. 24, 1965, President Johnson announced jointly with the president of Panama, that the United States would abrogate the 1903 treaty, would relinquish its sovereignty over the zone, would place a time limit on the existing contractual arrangements with Panama and would increase tolls.

The Georgetown report is issued in two parts: the majority report which accepts the presidential declaration as a fait accompli, and, without reference to the merit of this abrupt policy change, makes certain recommendations within the new frame of reference; and the minority report by two members of the very high-level panel who studied the whole question. The minority report leads off with this statement:

"In our consideration of the Panama Canal problems we are unwilling to be limited by the joint announcement of President Johnson and Marco Robles on Sept. 24, 1965.

"We do not accept the view that a presidential statement that purports to abrogate a treaty which has been constitutionally ratified and to relinquish sovereign control over legally acquired territory of the United States should be allowed to serve as a definite guideline for this study or block a full and open-minded consideration of canal problems".

In the view of the signers of the minority report, the isthmus remains one of the great strategic and military centers of the world, "the focus of envy of the predatory Communist nations that are working constantly to seize and control it".

They point out that the independence of Panama, which was protected by the United States from 1903 until 1939, has since the end of World War II been compromised by a series of crises "some fomented by Communist-oriented agitators and some by surrenders to Panama by the United States of important rights, power and authority indispensable to effective management of the canal and to safeguarding U.S. interests there. . . . The global implications of these mounting crises in Panama, aimed at wresting control of the canal from the United States . . . (are part of a worldwide pattern) directed toward gaining (Communist) control of the strategic waterways of the world.

"The preservation of the sovereign control of the United States over the Canal Zone and canal is more vital to this nation than victory in Vietnam. The further forfeiture of control will constitute a major surrender by the United States and may be expected to trigger Communist takeovers of governments in Latin America".

The odds are 100 to 1 that the great majority of informed Americans will agree with this minority report.

GUARANTEED EMPLOYMENT FOR ALL AMERICANS

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. FRASER. Mr. Speaker, a University of Minnesota history professor has proposed that the Federal Government "guarantee work throughout life to every person who wants it, and that we set out to teach every child who grows up in our country hoping for a job that he will get one." The professor is Timothy L. Smith. His proposal is contained in an article in the August 30 issue of the Christian Century.

Dr. Smith describes as "immoral" the system of structural unemployment in the United States because, he says, it is a "cruel denial of the worth of persons." He begins his article by stating:

> Perhaps the most damaging form of personal rejection is to tell a man there is nothing in the world for him to do. For worklessness equals meaninglessness; and meaninglessness eats at the foundation of all law, all morality, all joy in human relationships.

Dr. Smith's article contains many sound and humane ideas. Last month I was one of nearly 80 Members who cosponsored the Guaranteed Employment Act of 1967. Our proposed program is aimed at creating 1 million job opportunities for the unemployed in attacking what the bill's chief author, the gentleman from Michigan [Mr. O'Hara], described as "one of the major root causes of civil unrest in the United States." To all Members of the House, and to all the authors of this bill in particular, I commend the full article by Dr. Smith, as follows:

Work and Human Worth

(By Timothy L. Smith)

Perhaps the most damaging form of personal rejection is to tell a man there is nothing in the world for him to do. For worklessness equals meaninglessness; and meaninglessness eats at the foundation of all law, all morality, all joy in human relationships. In our free and increasingly mechanized economic order, however, many able persons are out of jobs part of the time, and a growing number seem to be unemployable all of the time. The latter are said to be deficient in intelligence, training, or capacity to get along with other people; or they are personally unattractive to their fellows. Yet in our nation, at least, we cannot and will not allow people to starve. So, by unemployment insurance or by indirect and direct welfare benefits, we furnish the equivalent of a pay check to every adult who is able to function on his own, even when we cannot or will not give him a job.

This situation is immoral, not because it gives rewards without labor—most of us enjoy rewards that do not derive even remotely from our labor—but because of its cruel denial of the worth of persons. Every day we say to a million people in our country. There is nothing for you to do; and saying that is the same as wishing them dead.

I

The concept of structural unemployment contradicts the two great religious traditions of our culture. Both Judaism and Christianity have helped to shape the Western world's conviction that satisfaction in creative work is central to a man's sense of his worth. From the opening passage of Genesis, where Jehovah himself appears as a cosmic workman who rests from his labors only on the seventh day, to the prophecy of Malachi, who made God's tithe a testimony to the sacredness of man's labor, one theme is clear and constant: man outside of Eden must earn his bread by the sweat of his brow, not simply in sorrow but in the joy of work's redeeming promise.

Christian teachings reinforce this Old Testament idea. The 12-year-old Jesus announced his eagerness to get on with his heavenly father's business; but in the carpenter's shop at Nazareth his earthly father, Joseph, had beams for him to hew, cornices to join. Eighteen years later, on his first day out of Joseph's shop, Mary set her son to work, as mothers will, making water into wine. During the following months, Jesus called Peter, James and John from their nets by Galilee, promising to make them fishers of men.

Jesus' declarations about the Kingdom of God bore the same emphasis. Laborers who joined God's grape harvest at the 11th hour, he said, would have a full day's wage. Stewards must protect their master's vineyard and invest and multiply the talents placed in their care. The apostles' commission to a serving ministry he illustrated on the eve of his crucifixion in the ceremony of washing their feet. By thus setting forth spiritual and eternal obligations in earthly images, he hallowed all our common tasks.

So through both Judaism and Christianity the notion of the moral meaning, the spiritual worth of work entered deeply into Western culture. To be sure, nearly all cultures, even very primitive ones, nurture ideas and practices which declare that each man has a place, a function, a task. But the ideas and institutions of Jewish and Christian societies have reflected most intensely the doctrine that every person's calling is sacred, and that performing it creatively is a spiritual act.

Thus the medieval social order gave each man a responsibility to carry out, from king, merchant and galley slave to mothers, manor lords and monks. The conviction was common to all that he who sought eternal life would find it not in leisure but in labor. When, therefore, Martin Luther and John Calvin set out to free the church from the papal autocracy which they believed was the dead hand of the past strangling men's hopes for a better future, each made the idea of vocation the heart of his doctrine of the priesthood of all believers. Fulfilling his earthly calling, they said, pointed a man upward toward attainment of his ultimate promise in a higher and eternal world.

Max Weber, the famous German social theorist of 50 years ago, attributed to Luther and Calvin the popularization of what he called the Protestant ethic: a cluster of attitudes stressing honesty, industry and frugality. It was Weber's thesis that the Protestant ethic gave rise to capitalism—a thesis so broad that it can scarcely be formally proved.

But Weber and his students adduced much evidence to illustrate it. R. H. Tawney, for instance, argued that Puritan merchants in colonial Massachusetts who determined to fulfill their personal vocations for work and wealth were simply being more Protestant—that is to say, more individualistic—than their pastors and governors. The fact is, however, that their zeal for profit soon tore apart the fabric of fellowship which was indispensable in a Puritan community. A more recent Weberian sociologist explained how, within a century after George Fox's death, Quakers came to dominate London's banking business. These Friends' financial success stemmed not only from their passion to fulfill their callings well but, more important, from the mutual trust which made cooperation among them possible.

II

Weber's focus, therefore, is too narrow. For the Christian idea of vocation implies a community of work in which all men have a place, while capitalism, whenever it stands outside this Christian ideal, ignores the community and sets the individual at war with his neighbor's interests.

Imagine yourself back in 1629, standing on the deck of the Arbella in mid-Atlantic, and straining to hear John Winthrop's voice above the snapping of the canvas. He is explaining how, in God's providence, each man has a place to fill in building a godly commonwealth in New England, and how that commonwealth will be a city set on a hill, guiding all the nations toward their providential destiny. Listen carefully, and you will hear in Winthrop's words a preface to Thomas Jefferson's Declaration of Independence and Abraham Lincoln's Gettysburg Address, as well as to John Kennedy's speech on the steps of the University of Minnesota law school, announcing to American college students his plan for the Peace Corps. Think carefully, and you will understand how thoroughly our nation has conceived of itself as sanctified by the work God had called it to do, and how firmly each of us believes that doing this work hallows his life.

Indeed, only in the past 150 years or so have Jews and Christians been willing to accept the notion that large numbers of their fellow men might have no work at all. Originally, of course, they assumed that industrial unemployment was only temporary, the result of the malfunctioning of a system which intelligence would soon set right. But for two centuries now we have been tinkering with the system. Even in prosperous times many men are still unemployed and large numbers of them seem to be unemployable. Christians and Jews remain unwilling, however, to abandon either the system or the conviction that every man ought to have a job. For only in honest toil, we believe will the worst in each of us be restrained, the best fulfilled, and the dignity and worth of our persons be assured.

In view of this long and living tradition, the widespread renunciation of the ethic of work in our own day is a challenge that none of us should ignore. Work, we are told, is old fashioned, and the compulsion to work bespeaks an outdated Puritan upbringing. To keep toil central in our culture exacerbates the emotional problems of those whom a complex technology cannot use. These days machines can produce so much so fast, and one farmer can grow such an abundance, that we must all set about learning how to work less and enjoy life more.

One of the sources of this renunciation of work is the growing cult of leisure and pleasure, especially at the extreme ends of the social scale. In our society the very rich and the very poor have little, actually, that they have to do. In penthouses and slums alike, the search goes on for ways to spend time and energy without accomplishing anything. Meanwhile the rest of us, living between these two extremes, work short hours at low intensity, warming up on the job for the frenzied pace we expect to follow when the five o'clock whistle blows or the weekend begins. The cult of busy idleness or idle busyness is an American obsession.

The rejection of the work ethic derives also from the new computer-oriented technology. Fantastic machines, miracle substances, intricate and lightning-swift processors of data, can together perform most of the tasks men and women have customarily done, and perform them better. What is left is the custodial care of buildings, grounds and machines, and the custodial care of the men, women and children whom the machines seem somehow to have alienated from their world.

The latter task is the big one, and the religious idea of loving one's neighbors suggests that everyone should share it. But an aristocracy of trained professionals—physicians, social workers, clergymen, lawyers, teachers, administrators, artists—take issue with Jesus and the Prophets at this point. They seem unable to grasp the idea that more than a tiny and elite minority of the human race can learn how to serve other men. So they condemn the multitudes to a ceaseless round of cookouts and bowling tournaments. What the new technology ought to mean, of course, is an enlargement of man's freedom to talk to his brothers, to join hands with others in building fellowship, and to care for the very young and the very old.

Meanwhile educators and social theorists argue that schoolchildren with intelligence quotients under 100 (that is, half of all schoolchildren) must be persuaded to bank whatever furnaces of ambition their parents and first teachers set burning, and learn to take it easy. Partly because of this argument, intelligence and aptitude tests have taken on a new and inverted function: to spot as early as possible those students whose combination of low achievement score, skewed personality profile and unfortunate racial or cultural background destines them to the status of unemployables. Teachers and social workers are being trained to prepare these youngsters to accept the truth about their future: there is going to be nothing, absolutely nothing on earth for them to do.

I think the edge of this argument is the keener because of the misconception that the work ethic is peculiarly Protestant. For Protestantism is a kind of father-symbol in American culture, the oedipal enemy, the rival and restrainer of our freedom. Doing it in is sick fun.

There is sufficient truth in the misconception, however, to give it carrying power. It points toward a deeper source of the renunciation of work; namely, the widespread loss of religious convictions about the meaning of life, the stewardship of time, and the primacy of faith. We sometimes decry the poets who sing songs of despair in the coffeehouses. But the irony and the moral frustration which cry out of Bob Dylan's lyrics speaks to anxieties which lie deep in every one of us. Do we dare hope for creative accomplishment in a world that seems merely absurd?

It is an evil question. In its light, for instance, the story of President Kennedy's assassination has become for young people today a kind of inverted morality play, which nurtures regressiveness and sanctions irresponsibility by affirming that madness has triumphed. We had begun to believe it possible that our young President would lead us to fulfill some part of what he hoped of us. Then, suddenly, we saw him cut down. And we were totally undone. That generation is lost indeed whose demons destroy its heroes, not out of the Evil's reasoned determination to conquer the Good, but madly, without plan or purpose.

So we are not surprised to hear men say: Since life has no meaning and history no providential purpose, work cannot really matter; its only functions are to fill our bellies and gratify our egos. What man of sensitivity can, in all good conscience, give himself away for that? Who can find heart to make the scene, if the script is nonsense and the director dead?

III

Such are the arguments and the sentiments which lie behind the modern renunciation of the worth of work. They are not, at last, convincing. To recite them dispassionately is to assure their widespread rejection; for they are at war with the hopes and the convictions which undergird most of our lives and which support our plans for tomorrow. I need not, therefore, labor a rebuttal.

College students will refuse to accept the thesis that play, not work, is the essence of the good life, when that thesis is spun out by a professor toiling fiercely over interminable research papers. Nor will skilled workmen yield to replacement by the machine. They will search for other and more creative jobs. A guaranteed annual income is no substitute. Though money is important, it is not the measure of our worth; its value stems from the labor it represents.

And even beginning schoolteachers and social workers quickly abandon the attempt to explain the gospel of worklessness to junior high youngsters of low scholastic achievement or to unemployed Negro boys and girls who have dropped out of school. The social worker who tries it, standing in a dingy ghetto clubhouse, his car parked at the curb waiting to take him back to a neat office downtown or to a house and garden in the suburbs, cannot make the message stick. For the youngsters know that the speaker has a job and that much of life's reward for him is bound up in it.

Finally, all of us realize that the idea of an affluent society is a myth applicable only to the upper and upper middle classes of the United States and western Europe. We who have to decide next year between a second car and a motorboat, a color television set and a new washer-dryer combination, are but 200 million. Around us is a sea of impoverished humanity, 2 billion strong. In the shantytowns from Rio to Calcutta, they want food, warmth, a place to call their own, and security against the disease and death of parents that would drive the children into the streets. They dream of the day when they might have a few of the thousand things we say we could not live without.

IV

The world's work is not done; it is just begun—even in America. Could we in this country turn from manufacturing missiles and bombing bridges over the brooks of North Vietnam to building the homes, schools, parks, safe water supplies and concert halls that American citizens need right now, the task would take the best of our energies for two generations or more. Multiply that task a thousand times, add to it the intensely human one of devising a convincing program for planned parenthood, and you have begun to measure the work that needs to be done in the world outside our nation's boundaries. The unemployed, and many of the so-called unemployables, are fully aware of these facts. What they are not doing is a part of what the world needs done.

I propose, therefore, that the federal government guarantee work throughout life to every person who wants it, and that we set out to teach every child who grows up in our country hoping for a job that he will get one. The following measures would, I believe, achieve these objectives. They have only become possible as a result of computer-oriented technology and modern testing procedures.

1. To the extent that unemployed men and women are available in any community, all business and industrial establishments hiring 50 persons or more whose employees do not already reflect a balanced range of intelligence and aptitudes, shall be required by law to hire a proportionate share of the disadvantaged people, and to knit the new employees into the total force without in any way singling out their special status to their fellows.

2. The federal government, by deductions from corporate taxes or direct subsidy, shall bear initially that portion of the cost of employing these added laborers which their productive efforts do not yield, these deductions or subsidies to be reduced by 20 per cent of the original amount in each succeeding year after the first one in which a particular worker is employed.

3. Federal, state and private agencies shall join churches, synagogues and public schools in a widespread program of moral education, designed to teach both employers and those who merit jobs on their own to welcome disadvantaged men and women to the community of work.

V

The arguments in favor of this proposal seem to me to be convincing. Businesses which currently employ large numbers of highly intelligent and well trained persons have already at hand the brainpower necessary to devise ways to get the maximum possible worth out of unskilled or unintelligent workers. A junior executive in a national electronics firm said recently that if his company were told that it must increase its labor force by 5 per cent next year, and draw all the new employees from the less intelligent half of the population, in six months they would be making money from the operation. The "can-do" spirit, the starry-eyed optimism which has not fared very well lately on university campuses still lives, I have found, among the young planners who are coming to prominence in American business today. The new breed of managers is unwilling to accept limits upon what a combination of intelligence, capital and computers can come up with.

Second, the disadvantaged person would find through such employment a restored sense of pride. To come home to one's children with a pay envelope in our society is to bring home the bacon; to arrive with a welfare check is to give one's entire household a sense of dependency and, somehow, of shame. Moreover, many of the tasks to which the newly employed persons would be assigned—custodial care, the cleaning and maintenance of grounds and buildings—have now become, thanks to the automation of much other work, some of the few remaining ones in which a man can take real pride in his work. In cities long plagued by unkempt streets, yards and homes, assigning men and women to wash windows and care for lawns and flower beds around our factories, or to clean and polish floors, furniture and equipment, could be the beginning of a new life for the neighborhoods in which they live as well.

Third, the plan removes the politics of employment and welfare from the arena of racial controversy to the planning rooms of work, where in a democracy it belongs. The hopes and needs of all human beings, and not just of Negroes, are at stake here. What is wrong about Stokely Carmichael's campaign to win more jobs for his own people is not that black men now seek to exercise power for economic ends; white men have been doing that these many years. What is wrong with Mr. Carmichael's campaign is that it reinforces the discriminatory approach to employment which has been the root of our problem all along. If he is successful, he must prejudice the opportunity of disadvantaged white men and boys to get a job; and if he is not, he will only further embitter Negro youth, and that is no solution at all.

A fourth argument for this plan of full employment is, I suspect, already obvious. It aims to return the government to a function more in keeping with our national traditions; namely, to spelling out and enforcing a common morality, and to promoting by general legislation the welfare of all the people. Businessmen, meanwhile, would take over from the government tasks they have all along known best how to do—hiring and training workers, and assigning them to jobs in which they are most likely to help the firm make a profit. Sargent Shriver's Office of Economic Opportunity found out several years ago that many welfare tasks were best farmed out on contract to private enterprise. But programs thus farmed out remain segregated from the life of business itself and can be cut off by Congress at any time. Moreover, the clients know exactly who the welfare workers are, and how dependent they are upon continued government sponsorship.

Finally, a national policy of guaranteed employment would say something to our poor which, in God's name as well as humanity's, an essentially religious and democratic commonwealth should be the first and not the last to say: that every person counts, every man belongs to the family of men, and every child can grow up expecting to fill a place.

The children ought especially to concern us. Vocational education teachers report that under our present system their classes become a dumping ground for students whom no one expects to have a vocation, ever. But if the youngsters knew that society had built a foundation under their timid plans for the future, these courses might well come to life. For the issue then would be not whether but how well one is to count. Poor children must have a reason for hope, a spur to ambition that they do not now have. They can have it if our society will learn to express its respect for them and for their parents in ways which increase their respect for themselves.

AMBASSADOR LODGE EXPLAINS THE SIGNIFICANCE OF THE RECENT VIETNAMESE ELECTIONS

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, few Americans are in a better position to understand the true importance and significance of the recent Vietnamese elections than is our former Ambassador, Henry Cabot Lodge.

In an article in Newsday, Ambassador Lodge declares:

> The election of Sept. 3 will have a significance which can be scarcely exaggerated in the building of a modern nation-state in Southeast Asia.

The Ambassador's article offers American readers expert guidance on understanding the cultural, political and social institutions of Vietnam. It is against this background that the American military and economic effort to help South Vietnam must be viewed.

Ambassador Lodge's article is therefore important and compelling reading for us all. I insert it into the Record at this point:

Viet Vote: What It Means

(By Henry Cabot Lodge)

We Americans can only hope to understand Vietnamese elections and Vietnamese politics if we know something about the Vietnamese past.

To read a Saigon news story and take it at face value as though the Vietnamese had been practicing constitutional democracy since 1787 (as we have been doing) or for 300 years (as the British have been doing) is to guarantee that you will get a totally false impression. To take at face value what a campaigning Vietnamese candidate says is also guaranteed to give you a false impression. They indulge in campaign oratory just as we do.

Maybe someone will some day explain why the fine old American tradition of irreverence towards the claims of candidates here in America is not applied to the campaigners in Vietnam. Instead, they are treated with great solemnity even when they are making verbal complaints which they seldom, if ever, back up formally and in writing.

The Vietnamese past is indeed different from ours and different from that of the transatlantic countries from which most Americans' ancestors came. For one thing, Vietnam is hot and humid. Nature thus is generous, and man can provide for his needs within a very small radius. In cold countries, he must look further out and this leads to larger units of government. A poor man living in the Mekong Delta can get everything he needs for himself and his family within a few hundred yards—rice, fresh-water fish, salt-water fish, pineapples, coconuts and ducks and pigs for his proteins. Traditionally, they have always regarded central governments as a nuisance and an expense, if not actually a source of oppression.

A Vietnamese proverb says that five evils afflict mankind: fire, flood, famine, armed robbery and central government. Vietnamese are thus only now coming to believe in the need for a central government, because it is indispensable to protect them against their predatory and aggressive neighbors. One thing, therefore, about the centuries of Vietnamese history is that for most of the time the rulers have been local rulers. Vietnamese have no experience of central government on the Western model. Only once, and for a comparatively brief period, 52 years, in the whole of Vietnamese history, have all of the Vietnamese people been under one ruler whose rule stretched from the Chinese frontier in the North down to the Point of Camau in the South.

Dovetailed in with these fundamental facts of physical geography is the belief in Confucianism as a way of life. As a knowledgeable Vietnamese said to me: "Confucius teaches that the ruler should be courageous, unselfish, good, and intelligent and that he therefore should receive the respect of the people as long as he deserved it. For centuries, society in Vietnam was founded on the idea of respect. To make fun of a ruler was unheard of. There was no such thing as disrespectful journalism.

"If the ruler stayed in power too long and became so old and fat and lazy that he inflicted brutal police-state methods on the people, there might be a coup. He might be assassinated. These were the ways of getting a change when the ruler did not step down voluntarily. It did not occur to people that an election was a good way to decide an important question."

I can remember running into this way of thinking at the time of the big coup of Nov. 1, 1963, which overthrew President Diem. The reaction to the coup in the U.S. was one of horror. After all, we Americans never have a coup. We never change Presidents that way. In Vietnam, on the other hand, this method was looked upon as the only way they knew to get a change, a change which the overwhelming majority of the people thought was long overdue.

My Vietnamese friend also said: "There had been some democracy in the villages in which the older men in the village exercised influence and discussed local questions among themselves. But the autonomy of the villages had long since been undermined, so that by the time of the coup of Nov. 1, 1963, Vietnam had to be considered as a country in which there had never been any kind of democracy on a national scale, and democracy on a smaller, local scale had been pretty well stamped out."

Also, when they talk about democracy, Vietnamese do not use the word as we do. We mean egalitarian democracy. They, on the other hand, have an ingrained social structure, certain classes being considered definitely better qualified than others, somewhat as our social structure was 200 years ago.

The fall of President Diem was followed by an era of great turmoil. In 1964 and the first half of 1965, there was a succession of prime ministers, each succeeding the other at a rate which seemed vertiginous to the outside world. No country could possibly have functioned with governments changing every three months. No one was able to hold office long enough to learn how to do his job, and the constant changes made it easier for the Viet Cong to infiltrate the government. This governmental instability, added to the increasing military success of the aggressor, made it clear in 1965 that, unless strong steps were taken, Vietnam would slip over the edge of the precipice before a few more months had elapsed. President Johnson's decision to commit American troops has prevented this from happening, and a large part of the strength and stability in all the countries along the southeast edge of Asia today can be attributed to this decision, without which the expansionism of Peking and of Hanoi would not have been denied.

The President's decision also created the opportunity to do something new and constructive in Vietnam. When I went out as ambassador for the second time, there were clearly three ways in which Vietnam could go. One was to continue the insane state of governmental instability which I have already described. Another was to turn South Vietnam over to the tender mercies of the iron-fisted police state operating in North Vietnam. The third was for South Vietnam to move towards some sort of constitutional government.

The Vietnamese decided to take the latter course. It was a bold decision. A people trained to respect rulers was suddenly to have freedom of speech and of the press and actually to choose its rulers who, instead of giving orders, would compete for the public's favor. No elections were held in England or in France during World War II. Yet, Vietnam wished to hold elections in wartime.

At the outset Prime Minister Ky's government said that it was purely a provisional government, an interim affair to make preparations for a legitimate government operating under a constitution. The government kept its word. A preparatory commission was appointed to make plans for an election of delegates to a constitutional convention. These delegates were elected at elections held on Sept. 11, 1966. The delegates formed a constitutional convention, which adopted a constitution under the provisions of which a president, a vice president and a senate would be elected on Sept. 3, 1967. Members of the assembly are due to be elected on Oct. 22.

On the day on which the elections for delegates were held, a terrorist campaign was mounted in which there were 15 times the usual daily rate of terrorist incidents. Yet the protective measures were so effective and the desire of the people to vote was so great that more than 80 per cent of the registered voters voted. This compares with the 39 per cent who usually vote when we elect congressmen and senators in non-presidential years. On that day, U.S. and some Vietnamese troops were deployed in the thinly populated parts of Vietnam, acting as a shield so that the Vietnamese police and other Vietnamese military forces working in thickly settled areas could protect the citizen in his right to vote.

After the election, the constitutional convention was convened, and the delegates produced a constitution providing for a presidential type of government in which the legislature has more authority than it has under the U.S. Constitution since the legislative branch can pass a bill over the president's veto by a simple majority. The constitution also provides for separation of the executive, legislative and judicial branches, universal suffrage, religious freedom and the right to form unions and to strike. It provides that military men must leave the armed forces if elected to office.

The national assembly and senate created in the constitution have broad powers. In addition to voting legislation, ratifying treaties and declaring war, the legislative branches can overturn the executive by a three-fourths vote. They can also reject presidential decrees, choose the membership of the supreme court and amend the constitution by a two-thirds vote. The constitution also creates a special court composed primarily of legislators. This special court is empowered to remove high government officials from office, including the president and vice president.

The preamble is worth quoting:

"Confident that the patriotism, indomitable will, and unyielding traditions of the people will assure a radiant future for our country; conscious that after many years of foreign domination, followed by the division of our territory, dictatorship and war, the people of Vietnam must take responsibility before history to perpetuate those hardy traditions and at the same time to welcome progressive ideas in order to establish a republican form of government of the people, by the people and for the people whose purpose is to unite the nation, unite the territory and assure independence, freedom, and democracy with justice and altruism for the present and future generations, we, 117 deputies of the National Constituent Assembly representing the people of Vietnam, after debate, approve this constitution."

Last Sunday's elections, held pursuant to the constitution, were intensively observed by representatives of more than 20 countries, the U.S. being represented by 22 men from government, labor, business, civic organizations and clergy. There were also three leading political scientists—men who make a career out of observing elections in many countries. They saw the election as being as good, as useful, and as wholesome for Vietnam as all elections are good, useful and wholesome for us—in one way more so, since we have been having elections for some 200 years and the Vietnamese are just beginning.

There were many well thought-out devices to protect against rigging. In every polling place, for example, 20 people were directly involved in counting the ballots—20 pairs of sharp eyes. When finished, the count was immediately written out in four copies, one of which was immediately and publicly posted. With devices like this, it was hard to see how the elections could be rigged other than at gunpoint—and security measures were too efficient to make this possible.

There were, of course, the expected allegations of fraud from some of the losers. These will be dealt with in accordance with the new constitution, which provides that the present assembly (elected a year ago) will pass on them. In this respect the Vietnamese, who have a national election law covering the entire country, have an advantage over us—we are still operating under 50 separate state election laws.

It is noteworthy that during both last Sunday's elections and the election for delegates in September, 1966, there were no signs that the Viet Cong had any sizable voluntary popular following. The conclusion is inescapable that whatever popularity the Vietnamese Communists may have had in 1954, they have totally lost it now. The Viet Cong are a formidable force, not because people like them, but because of their ruthless and efficient exercise of terrorism; because of their professional direction by Hanoi and because of their support by Peking.

Obviously, this is a totally different thing from being a popular political party. They are not a socially conscious group of freedom fighters but a hard-core group of dedicated aggressors. Former members of the Viet Cong were individually allowed to vote although not authorized to hold office. This can be compared with our own American practices after the Civil War, when those who had sided with the Confederacy were not only not allowed to hold office but not allowed to vote at all. It can also be compared with the practice in France after World War II, when those who had sided with Marshal Petain were not allowed to vote or to hold office.

Here again the interesting question presents itself as to why, as some suggest, we should apply more stringent standards to the Vietnamese than we did to ourselves after our own Civil War or to France after World War II. When you consider the background of Vietnamese history, the evolution of these people toward constitutional government is little short of amazing.

Consider the following:

They have lifted press censorship. The defense minister has publicly stated that the armed forces would not have a candidate, would stay out of the elections and that members of the armed forces would not electioneer and would vote as individuals. The minister sent written rules to all the commanders governing participation by military personnel. The minister of "revolutionary development," which can be defined as "nation-building," gave orders that none of his political and community workers should engage in the campaign and that each should vote as an individual.

The prime minister and the chief of state instructed the province and district leaders not to engage in politics and not to put pressure on the people. All candidates were given money by the government for their campaigns, with the government printing posters and leaflets free of charge. All presidential candidates were furnished transportation by the government, a benefit which was not required by law. All candidates were given free time on government radio and television.

The government invited the United Nations, foreign governments, parliamentary organizations, and the international press to send observers to the elections. Elaborate arrangements for poll watchers and for monitoring the elections were set up, some of them reportedly superior to what exists in some of our American cities.

The decision not to permit Gen. "Big" Minh to be a candidate was not taken either by Gen. Thieu or by Gen. Ky but by the elected members of the National Assembly in accordance with Vietnamese law. One Vietnamese law, for example, says that no candidate for president or vice president can have held French citizenship. That caused the elimination of Gen. Minh's vice presidential candidate and therefore the full ticket. As it was, 11 candidates remained in the race, giving the people a wide choice.

The suggestion was made that Thieu and Ky should resign their positions, yet is there a single case of an incumbent officeholder in the U.S. resigning his position when he is running for reelection? Also, why should these two Vietnamese gentlemen do so when they have said time and again that they consider themselves to be provisional? For them to have left office at that time would have been an invitation to chaos.

The interesting question is: why did the Vietnamese do as well as they did? Why did the Vietnamese people take such a tremendous interest in both elections? Why did everything go so fairly? One reason, as I have said, was the desire of the people to protect themselves from absolutist, police-state rule in the future and to get rid of corruption. Another reason is the keen realization of those in the government of the value of a country's having a government whose legitimacy cannot be questioned.

This does not necessarily mean that a legitimate government must be freely elected by the people. More than half of the governments which the U.S. recognizes are not freely elected. Therefore, while a government can be legitimate without having been duly elected, there is no doubt that a duly elected government has a legitimacy which cannot be questioned. Prime Minister Ky is so much impressed with this that he once said to me that, even if a man was elected whom he did not personally like, he would support him and serve under him so that Vietnam could speak with one voice in international affairs and could have a legitimacy which was unassailable.

Finally, the election of Sept. 3 will have a significance which can be scarcely exaggerated in the building of a modern nation-state in South Vietnam. As we have seen many times, there is a great and painful difference between World War II, for example, and the war in Vietnam. In World War II when you defeated the German army, the war was won. In Vietnam, when you defeat the enemy's military forces, you must still go ahead with nation-building, the first element of which is local police protection after which economic, social and political evolution should rapidly follow.

Thus, the election should be seen against this background. The Vietnamese have a strong sense of peoplehood, of having a common history, language, literature, art and race, without having the same kind of nationhood which we know in the West. Their situation is comparable to that of Germany before Bismarck or Italy before Cavour. In those days everyone knew what a German was or what an Italian was, but they had not yet become modern nation-states.

In electing a constitutional government the Vietnamese are taking the biggest single step that can be taken towards making their country, with its old civilization and old customs, into a modern nation-state which will eventually be able to protect itself against aggression. We hope that a democratic process has now begun in Vietnam and, as young men go into politics and form committees and make promises and carry those promises out, an atmosphere will be created in which the Viet Cong will suffocate.

Some observers, appalled by the difficulty of building a modern nation-state have wondered whether it was not true, after all, that only the Communists could organize the East Asian tropics, as Mao Tse-tung had organized China after 22 years of effort. Unquestionably, this is one of the central questions raised by the Vietnam war. We who believe that Vietnam can become a modern nation-state, able to preserve its independence, can take heart from the organization of society in such countries as the Philippines, Korea, Malaya, which have overcome Communist aggression, indeed, in all of the edge of free East Asia, 370,000,000 people in all, and from the great sacrifices and progress of the Vietnamese people in achieving this very thing.

CORRECTING RATE IMBALANCES IN SAVINGS INSTRUMENTS

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HANNA. Mr. Speaker, because the rat-control bill, H.R. 12754, passed the House today under a unanimous-consent procedure no one should be misled into believing that all current practices existing in this area are satisfactory. During the brief hearings on this important piece of legislation a record was constructed which strongly suggests serious imbalances have emerged between various savings instruments.

It must be clearly pointed out that current administrative interpretations on the permissibility and extent of certain savings instruments has brought about a set of circumstances which runs counter to the intent of the Congress.

It should be recorded as part of the legislative history of this bill that there is a marked concern over the unprecedented growth of time deposits in the bank system. According to Monetary Trends report issued by the Federal Reserve Board of St. Louis, released September 13, 1967, time deposits in commercial banks have grown at an 18-percent annual rate since January. This is more than 10 percent above the growth rate from mid-1960 to mid-1966, when this measure grew at an average rate of less than 8 percent. Not only does this indicate that bank time deposits are, for the first time, now going to out-strip demand deposits, but also reflects a shift in the banks promotion for deposits toward certificates of deposit and "golden passbook" which, according to some thinking, represents an easy loophole around the regulation Q. This compares dramatically to 1965 when the ratio between time and demand deposits stood at 79.9 percent, with demand deposits exceeding time deposits by some $37 billion.

For this reason we believe that the record on this bill should carry with it a strong indication to the Federal Reserve Board that they should discourage such a practice that minimizes the regulatory effects of Q, and indicates strongly to the Home Loan Bank Board that we believe they should use their present powers to allow a comparative right of the savings and loan's to accept deposits for a fixed period of time with a guaranty of a definite rate thereon and may issue also certificates of deposit and other documents as shall be prescribed by the Board under appropriate regulations.

Both of these moves are suggested as a way in which the regulating agencies can minimize rate wars and maximize equity among concerned financial institutions.

UNWARRANTED AND INACCURATE ATTACK UPON OUR PRESIDENT

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. GATHINGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. GATHINGS. Mr. Speaker, today the House heard a learned, factual, and timely discussion of charges made by a former resident of my State that President Johnson had refused to engage in peace talks earlier this year with the North Vietnamese. I commend the Democratic whip [Mr. BOGGS] for his splendid address as well as the concurring remarks which came from both sides of the aisle.

Yesterday the American public was treated to an outstanding example of an unwarranted and inaccurate attack upon our President.

I refer to the charges made by Mr. Harry S. Ashmore to the effect that President Johnson had deliberately blocked or scuttled an effort to bring peace in Vietnam. If the only significance of Mr. Ashmore's statement were that it was simply one more misinformed and inaccurate attack on the President, it could perhaps be left pass without comment. For it is unfortunately the lot of any President of the United States to undergo irresponsible attacks of this kind.

But there is a significance which goes beyond mere unfair treatment of an individual public official and an inaccurate report of his motives and actions. If Mr. Ashmore's charges are given credibility, they can only tend to undermine worldwide confidence in the effort of the Government to seek a just and peaceful solution in Vietnam. President Johnson has labored tirelessly to bring about peace with honor in Vietnam. He has emphasized time and time again his willingness to negotiate in a reciprocal manner. He has sent emissaries all over the world to try and work out a basis for negotiations so that the fighting could end.

I would have no concern on this score if Mr. Ashmore's statement was generally read in its entirety, it can be found in his own statement a refutation of his charges. The problem, of course, is that many people throughout the world will glance at the headlines only.

Mr. Ashmore's principal charge is his assertion that the letter to President Ho, written with State Department cooperation for his signature, was inconsistent with a letter of a similar period, of which he was unaware, from President Johnson to the North Vietnamese leader. Both President Johnson's letter and the Ashmore letter are now public, and it is clear that they are not inconsistent. On the contrary, they are completely consistent, with the President's letter quite appropriately being more detailed. I wonder, however, how much damage has already been done around the world by Mr. Ashmore's charges, and I suspect few people will take the trouble to compare in detail the texts of the two letters.

Mr. Ashmore also seems concerned that he was not informed of the President's letter. I fail to see what obligation our Government officials had to provide Mr. Ashmore with the most secret, sensitive and critical foreign policy discussions of the President. It is understandable that the State Department should have taken advantage of Mr. Ashmore's contacts with President Ho Chi Minh. I assume that secondary channels of communication of this kind are used whenever practicable. In such instances the Department should, as it clearly did in this case, insure that the message going through the secondary channel is consistent with what is being conveyed by other means. But certainly there is no obligation to inform a private citizen, engaged in such useful but peripheral activities, of the extent, nature and specific uses of infinitely more sensitive and critically important channels of communication.

Mr. Speaker, our President has combed the world in a search for a just peace. Any fair-minded man must recognize by the President's words and deeds that he is second to none in his desire to achieve such a peace. It is ironical indeed that this great, great quest should be jeopardized and weakened by the actions of a private American citizen who, too, desires peace, but who has by his misleading statements and his misunderstanding of the relation of his own role to infinitely more important undertakings thrown doubt on the President's motives.

Mr. Speaker, the following editorial from the September 19 Washington Post is very much to the point. I commend it to my colleagues and only wish that as many people about the world would read this as read the previous days misleading news stories.

THE ARKANSAS TRAVELER

The differences between the letter which Harry Ashmore, with State Department advice, wrote to Hanoi on Feb. 5 and the letter which President Johnson sent on Feb. 8, do not seem to justify the harsh allegation that the Government has been guilty of "a devious course" and of "crude duplicity."

The Presidential letter is more specific than the Ashmore letter but not in basic contradiction with it. And even if a contradiction exists, there seems little reason to suppose this is a deliberate sabotage of a possible peace. North Vietnam could have availed itself of the option exercised by President Kennedy in replying to the apparently conflicting Khrushchev letters in the Cuban crisis. The White House in that situation chose to reply to the letter that seemed most hopeful. It seems likely that a government in Hanoi really anxious for peace could have done the same thing.

It is not remarkable that the State Department and the President were pursuing peace through a Moscow channel at the same time that Ashmore was proceeding through his private and informal channel. There does not seem to be anything duplicitous about the failure to abandon all other explorations of peace until the Ashmore lead had been run out. Nor does there seem to be anything duplicitous about failure of the Government to take Ashmore wholly into its confidence as to alternative approaches. Events would seem to afford justification for not doing so. It is not customary or conventional for governments to yield exclusive negotiating rights to private citizens conducting unofficial and informal preliminary exploration of this kind.

Such inquiries as Ashmore and William Baggs made in Hanoi are extremely useful and helpful. While they do not often lead directly to peace or negotiations for peace, they are an alternative means of communication when formal channels of diplomacy are closed. Through such conversations ordinary private citizens often can perform an important and patriotic function. The honest purpose and good motive of these two able journalists entitle them to the praise of their countrymen.

Unfortunately, the Ashmore article in *Center Magazine* is tendentious and querulous and obscures more than it clarifies the efforts of the Arkansas traveler and his companion. Its high tone and imperious posture conveys the somewhat embarrassing impression that the author regards the Center for the Study of Democratic Institutions as a sovereign power. The article sounds like a communique from a greater to a lesser, and infinitely more stupid and worse governed, minor state.

The Ashmore article makes it clear that the word he has for the Johnson Administration is the word the Arkansas Traveler had for his critics in the 1850's: "You give me a pain." And that message has some political importance in 1967 but it probably does not much advance the prospects for peace on earth.

Mr. Speaker, I also commend to the attention of my colleagues the following factual statement made public yesterday by the Department of State. For those who wish to go into this matter thoroughly this statement gives a true background of the developments and incidents which were so inaccurately portrayed in Mr. Ashmore's allegations:

STATEMENT BY THE DEPARTMENT OF STATE, SEPTEMBER 18, 1967

We have had a number of inquiries concerning news stories published today, based on an article by Mr. Harry Ashmore in a publication of the Center for the Study of Democratic Institutions (CSDI).

The facts concerning the Department's contacts with Messrs. Ashmore and Baggs are as follows:

1. During the summer of 1966, Mr. William Baggs told the Department that CDSI was planning a major conference in May of 1967 in Geneva, to follow up on the first *Pacem In Terris* meeting held in New York in February of 1965. Mr. Baggs disclosed to us efforts that the Center was making to invite North Viet-Nam to attend, and the Department responded sympathetically to the idea of the Conference and to these efforts. These initial contacts were with Mr. George Ball and Mr. William Bundy. The President and Secretary Rusk were informed, and Mr. Ball was directed to handle contacts with Mr. Baggs on behalf of the United States Government.

2. In mid-November and again in early December, Mr. Baggs was joined by Mr. Ashmore in calls at the Department. In these calls, the progress of the conference plans was reviewed, and the two visitors indicated that they had a tentative invitation to go to Hanoi, with Mr. Luis Quintanilla of Mexico. Messrs. Baggs and Ashmore also suggested that, if they were able to visit Hanoi, they might be able to conduct useful explorations of North Vietnamese views towards peace. Mr. George Ball having then left the Department, the primary responsibility for these conversations passed to his successor, Mr. Katzenbach, who kept the President and the Secretary of State informed as a matter of course.

In these conversations, Department representatives accepted the Baggs/Ashmore suggestion and undertook to cooperate fully. Accordingly, the position of the United States Government on key issues relating to peace was discussed at some length, so that Baggs and Ashmore could represent it accurately in Hanoi.

3. On December 23, Baggs visited the Department just prior to the departure of the three-man group on December 28. At that meeting, the basic understanding of the United States Government position was reaffirmed, and it was further agreed that Baggs and Ashmore would report confidentially what they were able to pick up in Hanoi.

4. Messrs. Baggs and Ashmore visited Hanoi from January 6 to January 14. They then returned to the U.S. and on January 18 dictated for the Department a full and confidential account of their conversations. This covered in particular a conversation with President Ho on January 12. In this conversation, Ho had insisted that there could be no talks between the U.S. and Hanoi unless the bombing were stopped, and unless also the U.S. stopped all reinforcements during the period of the talks. Ho was reported to be adamant against any reciprocal military restraint by North Vietnam. The record does not show that he solicited any USG response to these remarks.

5. Concurrently, prior to January 18, on U.S. initiative and without any connection to the Baggs/Ashmore actions, U.S. Government representatives had established a direct channel for communication with North Vietnamese representatives in Moscow. With the apparent agreement of both sides, this channel was being kept wholly confidential, and was therefore not revealed to Messrs. Baggs and Ashmore in their discussions at the Department. It is, of course, fundamental to the USG dealings with Messrs. Baggs and Ashmore that there existed at the time this direct and secret channel. Exchanges through this direct channel continued through January and early February and culminated in President Johnson's letter to President Ho of February 8 (mistakenly stated by Mr. Ashmore as February 2). As has been stated by representatives of the Department, a wide variety of proposals was put before Hanoi in these Moscow contacts, without at any time producing any useful response.

6. Toward the end of January Messrs. Baggs and Ashmore returned to Washington and expressed to the Department the strong hope that they could be given a message for transmission to Hanoi. The Department decided that, while the direct channel in Moscow was crucial and must at all costs be preserved, it would be useful to send a more general message through Messrs. Baggs and Ashmore, which would be consistent with the important messages being exchanged in Moscow. In view of this channel (of which Baggs-Ashmore were unaware) there was some question as to the further utility of detailed informal communications. It seemed clear from the account given by Messrs. Baggs and Ashmore that their channel of communication had been established with the primary purpose of exchanges concerning North Vietnamese attendance at the May conference. Nevertheless, Baggs and Ashmore said they could send any messages for Hanoi through the regular mail to a North Vietnamese representative in Phnom Penh, who in turn would relay it to a North Vietnamese official who had been the principal contact of Messrs. Baggs and Ashmore in Hanoi. Ac-

cordingly, the letter now published by Mr. Ashmore was worked out with the representatives of the Department, and authorized to be sent on February 5. We were subsequently informed by Mr. Ashmore that this letter reached Phnom Penh on February 15.

7. No useful purpose could be served by giving further details on what took place n the Moscow channel. We can say, however, that on February 7, while that channel was still open and in operation, separate discussions were initiated in London between Prime Minister Wilson and Premier Kosygin of the USSR. The combined reading of the Moscow channel and of these discussions led to the dispatch on February 8 of President Johnson's letter to President Ho. This letter was of course published unilaterally by Hanoi on March 21, and is a matter of public record. It rested on, and was of course read by Hanoi in relation to, the various proposals that had been conveyed in the Moscow channel. There was no change of basic position whatever between February 5 and February 8, but President Johnson's letter did include a specific action proposal that speaks for itself, as does the tone of his communication.

8. As already noted, Hanoi had not responded in any useful way to the variety of suggestions conveyed in the Moscow channel. Its sole and apparently final response was reflected on February 13, in a letter by President Ho to Pope Paul VI. This letter, in the words of one press account today, "coupled and unconditional end to the bombing with the withdrawal of American forces and the recognition of the National Liberation Front." On February 15, President Ho replied formally to the President in similar terms. At the same time, Hanoi broke off the Moscow channel.

9. Hanoi's attitude remained negative throughout. The Baggs/Ashmore efforts were necessarily handled by the Department with an eye to the direct and then-confidential channel that existed concurrently to Hanoi. The latter appeared to be by far the more reliable and secure method of ascertaining Hanoi's views.

10. Finally, we note with regret that Mr. Ashmore is apparently ignorant of the subsequently published reports of the Moscow contacts, and of their confirmation by Department representatives. We note with still greater regret that at no time since has he consulted with the Department in order to attempt to understand the interrelationship that necessarily obtained between the Moscow channel and his own efforts. As this case shows, the Administration has been prepared at all times to cooperate with private individuals who may be in contact with Hanoi in any way, and who are prepared to act responsibly and discreetly. This policy continues, although it seems clear that the present disclosure will not reassure Hanoi that such private contacts will be kept secret.

WORLD IN DANGER IF UNITED STATES RETURNS TO ISOLATIONISM, SAYS PRESIDENT BOURGUIBA OF TUNISIA.

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent I am extending my remarks to include excerpts from an address in late August of this year before the Executive Committee of the Tunisian Students Association by President Bourguiba of Tunisia, as follows:

President Bourguiba on the Middle East and Vietnam

Ever since the cold war divided the world into two opposite camps, students have been the subject of a keen competition for their allegiance and support. Each of these two camps wanted to have them on their side. Being endowed with great generosity of spirit and views, the young rather than the adults can become easily stirred up by great ideas. Therefore, a certain kind of propaganda aims at sparking and exploiting this enthusiasm to a point where the students are so highly intoxicated that they lose their ability to exercise their personal judgment. Thus conditioned, they become the tool of a propaganda which they have not bothered in most cases to analyse.

On every issue they want to have progressive ideas, and it so happens that in their eyes, the Soviet positions bear the perfect label of progressive thinking. These students tend, therefore, to always ally their views on attitudes which they have not themselves conceived and they come to consider Marshall Sallal of Yemen as a progressive leader, but not Bourguiba whose actions aim at emancipating the women, instructing and guiding the youth, and insuring dignity and a decent standard of living for his people.

APPROACH TO WORLD PROBLEMS

I would only have to attack the Americans or "Imperialism" to be classified among the progressive and revolutionary leaders of the world. This is not serious. This attitude of proselytism flows from the very foundations of the Marxist-Lenist philosophy, which assumes that communism will eventually triumph in the world. Since the United States is the only Power capable of barring the achievement of such a purpose, the Soviet Union does everything it can to increase the number of its supporters, or at least, to decrease the number of America's friends. In this endeavor the U.S.S.R. is guided by some sort of a messianic attitude for it is convinced that it obeys a fundamental law of history and if the propaganda slogans sometimes happen to change according to international circumstances, the objective remains the same.

But paradoxically, while some countries of the "Third World" are using such slogans, the country where communism was first introduced is in the process of changing the very foundations of Marxism.

It is also significant that the Soviet Union and the United States have come to a point where they can reach agreement on a certain number of issues, and they sometimes do so over the shoulders of some countries of the "Third World" which believed that they could count on the revolutionary "solidarity" of Soviet Russia.

All things being what they are and especially what they become, we are determined as far as we are concerned to seek every possible assistance whether it comes from the East or from the West, with a view to implementing our development programs.

We all know too well what it costs some countries which label themselves revolutionary to act like the legendary Don Quixote. While they battle against the windmills of imperialism, the people whom they are responsible for continue to endure the worst kind of misery, and live under conditions where the most elementary liberties are denied.

ARAB POLICY TOWARD ISRAEL

The fight against "Imperialism" remains the prime concern of these regimes and in the specific case of Palestine, they have continued to pursue a policy of dropping the substance for the shadow.

The State of Israel is recognized by the United States and the Soviet Union. It is furthermore a member of the United Nations and its existence is only challenged by the Arab States. It is useless in these conditions to refuse adamantly to recognize this reality. To claim to eradicate Israel from the map of the world is to condemn oneself to virtual isolation. No matter how regrettable and unjust it is, such a situation does exist.

* * * * *

After the defeat which they just endured, the Arab States should reconsider the policy which they have stubbornly pursued for the past 20 years. Whatever it costs them, the lesser evil would be to end the state of belligerency in order to recover the lands which have been conquered by the Jewish State, and to avert greater dangers.

After that, they would have to strive and promote their people to the level of strong and highly developed nations, so that they would one day, be capable to prevent any injustice, to deter any aggression, and to wield, one day, the greater power.

I referred specifically to the case of Palestine to illustrate my thoughts and to demonstrate to you that the young people, who would be called upon to exercise responsibilities in their countries, must learn to reason sensibly and soundly, and not to shut their eyes on some realities, no matter how unpleasant they are.

VIETNAM AND POWER POLITICS

I read with interest the various motions which you have adopted during your recent Congress and I particularly noted your concern over the problem of Vietnam. I believe, however, that you have not analysed this issued deeply enough, for it is not as simple as one might be led to believe. It is indeed a most serious issue which is liable to disrupt the whole balance of power in the world.

Following the last war, the world found itself divided into two blocs: the communist countries and the others. If the requirements of the war had temporarily brought together the so called Allied Powers against Hitler's Germany, the fundamental differences of their regimes did not in anyway disappear. Once Nazism was clamped down, each of the former allies hurriedly attempted to enlarge its zone of influence.

Therefore, after the Soviets and the Americans had, each for themselves, proceeded to simultaneously "liberate" some parts of the world, they established a demarcation line which corresponded to the advance of their respective armies. The grounds of such a confrontation were successively Germany and Austria, later Korea and later still, Vietnam.

On several occasions, the Soviet Union attempted to improve her positions, but she had to back down in the face of firm resistance. The Berlin crisis and the Korean war were the most acute developments of Soviet-American confrontation, and it is with a view to preserving such a balance that the Soviet Union and the United States are still maintaining their forces in both Germanies.

If sometimes the two great Powers collided in an armed conflict by proxy like in Korea, such a war nevertheless, always ended with a return to the status quo ante. It was finally realized that the division of some countries would only end when first a detente, then an understanding prevail between the two super Powers. Great progress has already been made in that direction.

THE CHALLENGE OF CHINA

But since then, China entered the scene and in pressuring Hanoi to maintain its intransigent stand, she seeks nothing else but to confound the Soviet Union and to prove that guerrilla warfare can defeat the American armies. If such were the case, it would demonstrate that the United States is not invincible in spite of its nuclear hardware.

China's hopes could then be fulfilled and nothing would prevent the outpour of its multitudes over Vietnam, Asia, and even Russia. She would furthermore be in a position to claim and indeed grab the leadership of the communist world.

It is in the light of these considerations that we ought to understand the oft repeated demand by Hanoi's leaders that: "The aggressor should leave first, then peace, freedom, and reunification would then set in by themselves". This is a precondition which has never been set forth by any people struggling for their liberation even in colonial wars. During the Algerian war, neither did the Algerian Provisional Government, nor Ben Bella, nor Boumedienne, ever insist that the French Forces withdraw before any negotiations could begin.

A close analysis of the events leads indeed to the conclusion that the Vietnam war is being fought behind the scenes by the United States and China. Considering that the world balance of power hovers in the midst of such a conflict, it seems unlikely that the United States would give up in these conditions. Mao Tse Tung on the other hand is bent on demonstrating that the U.S. can indeed be forced to surrender.

THE DANGER OF WAR

One can imagine the kind of danger to which the world would be exposed if East Germany or the Federal Republic attempted to achieve for their own sake—like in Vietnam—the reunification of the country. A conflict between the red army and the American forces would be unavoidable.

Now everyone knows that the United States is willing to close its military bases abroad. In the case of Vietnam they simply want to make sure that once their forces are withdrawn, appropriate conventions would insure complete self determination for the Vietnamese people, that is their ability to elect the regime of their choice and the men of their choice, I fear that should the United States withdraw without prior agreement specifying such a guarantee, Vietnam might not be reunified, and neither would it become free nor independent. History and the specific weight of China somehow seem to point toward such an eventuality which would without fail bring mankind to the brink of a third World War.

China is left today to the destructive frenzy of the Red Guards who do not even respect the immunity of diplomatic missions. One could fear the worst from these unleashed hordes. The Soviet Union certainly does not wish to see a victorious China emerge, for she knows all too well the danger to which she herself would be exposed. The whole Asian part of her territory could be dangerously threatened.

Today one can say without paradox that the Soviet Union fears China more than she would the United States. Perhaps she even does foresee that one day she would need their help just as in the darkest years of Hitler's aggression. Therefore things are far from being that simple and the so called "Imperialism" is quite often only a question of point of view.

It is only unfortunate for mankind that peace should be based upon a balance of power. At Potsdam and Yalta the world was sliced into spheres of influence and everytime one of the major Powers attempted to expand its own zone, it was generally the country situated on the threshold which paid the heavy price of such a move. This is the case of Germany, of Korea, and of Vietnam.

But while in the first two instances some sort of an agreement seems to prevail on the basis of peaceful co-existence that is in effect the maintenance of the status quo until a more meaningful understanding could be sought, in Vietnam, China regards "peaceful co-existence" as an act of treason in terms of revolutionary principles and she strives hard to demonstrate that her position is the only right one.

THE REQUIREMENTS OF PEACE

I do not seek to spare or please any country when I maintain that the world would be in danger if in the event of a movement of public opinion the United States were to return to their former isolationism. One could contend that Vietnam means little to them after all, and that the Chinese are, at the moment, in no position to threaten them, but, granted a U.S. unilateral withdrawal from Vietnam, China would most certainly submerge all the countries of the region, and pull away from Moscow the leadership of the communist world, thus jeopardizing world peace. Vietnam would be the first country to be overrun, then would come the turn of India, which already experienced Chinese aggression, then Outer Mongolia, whose position is believed to be threatened. Thus determined to expand their vital space by conquest, the Chinese would march off to re-establish their old empire. A Third World War would be doomed to break out. The dimensions and the significance of the conflict being waged in Vietnam go therefore far beyond the border of this country and although it may seem paradoxical, one could contend that the Vietnamese are fighting the wrong enemies. Those who actually encourage them to fight the Americans are none other than the very same leaders, who behind the scenes, await the opportunity to enslave them and to rebuild the former Chinese Empire.

Given the facts of geography, the specific weight of China, and her insistence to cling to Stalin's ideology, one could not but conclude that Vietnam would experience a fate similar to the one which had befallen the countries of Eastern Europe in the days of Stalin.

If communism champions democracy and independence, it certainly does so in countries other than those who were subjected to the tyranny of Stalin or who are now threatened to fall under Mao's. Even the Soviet Union has now realized that and is proceeding to change her ideological concepts. When the real image of Stalinism was finally unveiled, the iron clad unity which held the communist world together, disintegrated forever, but in the process, the Soviet Union won the confidence of a great number of democracies which did not doubt Khrushchev's sincerity when he initiated his historic turn-about in favour of peaceful co-existence.

PROGRESS VERSUS DEMAGOGY

I am therefore surprised that some young people still continue to measure the substance of progressive leadership in terms of standards established by such and such country, and that they systematically and blindly use this arbitrary yardstick to judge the position of their own country.

Real progress amounts to raising the standards of one's people and to actively promote its evolution through an appropriate social policy, through the education of youth, the emancipation of women, and the eradication of obsolete traditions; so many endeavors, that even the Soviet Pravda acknowledges, are being achieved in Tunisia.

It is therefore unfortunate that some rather sound-minded people who are sometimes plagued by a feeling of guilt, do not dare express their opinions freely and feel obliged to conform their views to the ideology which is "in" at the moment. If one is genuinely convinced of the righteousness of his opinion, I do not object, for there is nothing I appreciate more than a sincere action. But I cannot stand systematic alignment. One must have the courage to defend his point of view in as much as it is founded on reason, realities, and precise facts. If such a point of view happens to be contrary to mine, I nevertheless respect it, for no specific ties of dependence bind me either to the United States, or to Great Britian, or to any other Power.

A French official was recently quoted as saying, "Among all the countries I visited, it is Tunisia which appeared to me as being the least dependent." It is true indeed, that we hang on no one's coat tails. Our people are relatively mature, we have a long history behind us, and we try to analyze events objectively. This is why we have never stooped to resort to the kind of demagogic practices which are being followed by some so called revolutionary countries. Their setbacks are all too well known, and if the gentleman who govern these countries really wanted to serve their people, why don't they strive to help them make up for centuries of backwardness and raise their social, economic, and technological standards, instead of being reduced to begging right and left, in order to feed them.

Tunisia enjoys everybody's respect and esteem, whether it be the Soviet Union, the United States, or France, whom we fought for so long. We also never laboured under the complexes of those countries whose process of decolonization was ill started and who were never able to overcome their past bitterness.

It is essentially in this spirit that I would like to see the students fulfill their mission which is to serve their country first, instead of trying to conform themselves to uncompromising attitudes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BRINKLEY (at the request of Mr. STUCKEY) on account of temporary incapacitation as a result of injured ankle.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. VANIK, for 15 minutes today, and to revise and extend his remarks and include extraneous matter.

Mr. BELL, for 15 minutes today, and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. DORN in two instances and to include extraneous matter.

Mr. KING of New York.

(The following Members (at the request of Mr. SMITH of Oklahoma) and to include extraneous matter:)

Mr. ESCH.

Mr. FINO.

Mr. COWGER.

(The following Members (at the request of Mr. HECHLER of West Virginia) and to include extraneous matter:)

Mr. DIGGS.

Mr. ST. ONGE.

Mr. KEE.

Mr. MCCARTHY.

Mr. HENDERSON.

Mr. Hanna.
Mr. Teague of Texas.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 828. An act to amend section 5(b) of the act of March 18, 1966 (Public Law 89-372), so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such act;

S. 1165. An act to provide for the disposition of judgment funds now on deposit to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians;

S. 1465. An act to provide for holding terms of the District Court of the United States for the eastern division of the Northern District of Mississippi in Ackerman, Miss.;

S. 1657. An act to extend for 1 year the authority of the secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government; and

S. 1972. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission docket No. 75, and for other purposes.

ADJOURNMENT

Mr. HECHLER of West Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 3 minutes p.m.), the House adjourned until Wednesday, September 20, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1082. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize an increase in the numbers of officers of the Navy designated for engineering duty, aeronautical engineering duty, and special duty; to the Committee on Armed Services.

1083. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of an additional facility project proposed to be undertaken for the Army National Guard, pursuant to the provisions of Public Law 89-188, and to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

1084. A letter from the Attorney General, transmitting a report containing the results of continuing review of the outstanding voluntary agreements and programs, pursuant to the provisions of section 708(e) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

1085. A letter from the Secretary of Labor, transmitting a report pertaining to wage payments to handicapped clients in sheltered workshops, pursuant to the provisions of section 605 of the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Colorado: Committee on the Judiciary. H.R. 8632. A bill to amend sections 40c(1) and 52a of the Bankruptcy Act so as to reallocate part of the filing fee from the clerk's earnings to the referees' salary and expense fund (Rept. No. 646). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 12120. A bill to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency, to support research and training efforts in the prevention, treatment, and control of juvenile delinquency, and for other purposes; with amendment (Rept. No. 647). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on Un-American Activities. H.R. 7025. A bill to amend the Internal Security Act of 1950, and for other purposes; with amendment (Rept. No. 648). Referred to the House Calendar.

Mr. POAGE: Committee of conference. S. 953. An act to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967 (Rept. No. 649). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BINGHAM:

H.R. 12987. A bill to provide for the preparation and distribution of educational materials dealing with civil disorders; to the Committee on Education and Labor.

By Mr. BURKE of Massachusetts (for himself, Mr. Pirnie, and Mr. Conable):

H.R. 12988. A bill to extend the tariff quota treatment for certain stainless steel table flatware; to the Committee on Ways and Means.

By Mr. DOW:

H.R. 12989. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 12990. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3-percent and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

By Mr. HUNGATE:

H.R. 12991. A bill to amend the Communications Act of 1934 to amend the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12992. A bill relating to appointments to the Supreme Court; to the Committee on the Judiciary.

By Mr. LLOYD:

H.R. 12993. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," and incorporate therein provisions relating to the U.S. Labor Court, and for other purposes; to the Committee on the Judiciary.

By Mr. MOSS (for himself, Mr. Jarman, and Mr. Helstoski):

H.R. 12994. A bill to direct the Federal Communications Commission to establish regulations prohibiting certain broadcasting of advertising of cigarettes; to the Committee on Interstate and Foreign Commerce.

H.R. 12995. A bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar and nicotine content; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 12996. A bill to amend section 2(3) and section 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

By Mr. SANDMAN:

H.R. 12997. A bill to amend title 10 of the United States Code to provide for a visitation allowance to assist close relatives to visit servicemen hospitalized in the United States from wounds received in Vietnam; to the Committee on Armed Services.

By Mr. BETTS (for himself, Mr. Wydler, Mrs. Dwyer, Mr. Erlenborn, Mr. Brown of Ohio, Mr. Cowger, and Mr. Myers):

H.R. 12998. A bill to require disclosure by each executive agency of the status of development of its accounting system for the implementation of planning-programing-budgeting systems; to the Committee on Government Operations.

By Mr. DERWINSKI:

H.R. 12999. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. GUDE:

H.R. 13000. A bill to require consultation with local planning agencies with respect to proposed Federal construction projects within their jurisdiction; to the Committee on Public Works.

By Mr. LENNON:

H.R. 13001. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

By Mr. MACHEN:

H.R. 13002. A bill to amend title 10 of the United States Code so as to provide that the Chief of the Medical Service Corps of the Navy shall be a rear admiral; to the Committee on Armed Services.

By Mr. QUIE:

H.R. 13003. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 13004. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 13005. A bill to amend the Social Security Act to provide that increases in social security benefits shall be disregarded in determining an individual's need for purposes of eligibility under any of the public assistance programs; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 13006. A bill to require reports to Congress of certain actions of the Federal Power Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHWENGEL:

H.R. 13007. A bill to exempt the State of Iowa from certain provisions of the General Bridge Act of 1946; to the Committee on Public Works.

By Mr. SHIPLEY:

H.R. 13008. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 13009. A bill for the relief of Francesco Polizzi; to the Committee on the Judiciary.

By Mr. BUTTON:

H.R. 13010. A bill for the relief of Dr. Sotiris Liaricos; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 13011. A bill for the relief of Mr. and Mrs. Panagiotis Ypsilantis; to the Committee on the Judiciary.

By Mr. COLLIER (by request):

H.R. 13012. A bill for the relief of Bartolomeo and Giovanna Bonsignore; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 13013. A bill for the relief of Roza Pilsudski; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 13014. A bill for the relief of Giuseppina Marsiglia; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

President Johnson To Be Commended on His Proposal To Use Federal Surplus Property for "New Community"

EXTENSION OF REMARKS
OF
HON. CHARLES C. DIGGS, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 19, 1967

Mr. DIGGS. Mr. Speaker, I want to commend President Johnson for his recent announcement that the Federal Government will donate a 335-acre plot of Federal land to build a "new community" in the District of Columbia for families of all income levels. Present plans include 1,500 low-income units, 2,200 units for moderate-income families and 800 high-income units. Also to be included in this new community are schools, shopping and service facilities, and perhaps some industry.

As described by the President, this new venture will be "first and foremost a partnership—a partnership between local and Federal Governments, private developers and the people of the city."

The heart of this proposal is the use of Federal surplus land to keep down the costs for the developer which, in turn, will make it possible for him to make a profit from low rentals. We have learned from experience that incentives are necessary to encourage developers to produce low-income housing. Also, this proposal offers a clear alternative to public housing because it does not propose to segregate low-income tenants in large housing complexes. Instead it will allow them to live in a community which will have a cross-section of economic levels.

Further the President's proposal does not end with this one project. He has established a special committee to study Federal surplus property across the Nation to determine if such property could be used for similar new communities. Possibly this idea could be duplicated in numerous cities.

So many of us have expressed concern over the blight existing in our urban slums and numerous proposals have been made to alleviate these conditions. Each proposal has a common theme—the necessity of involving private enterprise in rebuilding our cities. The use of Federal surplus funds is but one technique for encouraging private enterprise to join with both Federal and local governments in providing decent housing alternatives for our low-income citizens. However, it is a practical and innovative proposal. I hope that both the legislative and executive branches will continue to provide such constructive proposals.

Since I believe that this proposal has tremendous significance in our deliberations on legislation designed to rebuild our urban areas, I would like to include in the CONGRESSIONAL RECORD a copy of the President's news release of August 30, 1967, and articles from the Washington Post and the New York Times describing the "new community plans."

The material referred to follows:

The President today requested Secretary Weaver, Administrator Lawson Knott of the General Services Administration and Walter Tobriner, Chairman of the District of Columbia Board of Commissioners to "move at once to develop a new community within the Washington city limits."

The new development, which will eventually provide modern housing and services for about 25,000 citizens, will be built on the 335 acre site in Northeast Washington formerly occupied by the National Training School for Boys. The school is being relocated in Morgantown, West Virginia and the site is surplus federal land.

The land is situated between the District-Maryland line, South Dakota Avenue, Bladensburg Road, and the Washington-Baltimore Parkway.

"This spacious open tract," the President said, "can become a new, attractive, and well-balanced community at a major gateway to the Nation's Capital. It can provide comfortable and urgently needed housing, built and operated under the new Turnkey concept. But it should be more than a housing project. Washington needs and deserves the best in community planning—and this new development can be the best of communities. It should offer a full range of educational, recreation and other public services to citizens of every station."

The President recently directed Administrator Knott to "seek, find and make available" surplus federal land to meet critical urban needs: housing, education, park land and industry. The new community project for Washington is the result of that search.

Ultimately, the planned community can provide up to 1500 low income housing units, 2200 moderate income housing units, and 800 units of high income apartments, homes and townhouses. A wide variety of other services, including educational and shopping facilities would be developed.

"This new venture," the President said, "will be first and foremost a partnership—a partnership between local and federal governments, between public officials, private developers and the people of the city. The creative involvement of private enterprise will be a most important single element in the project."

The development of the site, the President announced, will be compatible with a detailed land-use study of the area recently completed by a major consulting firm. It will also substantially adhere to the 1985 comprehensive plan prepared by the National Capital Planning Commission for the District of Columbia.

"But it is my hope," the President said, "that this concept, if it can be applied successfully in the Nation's Capital, will be useful elsewhere in the Country. This new project could be the pioneer effort of a new program involving the comprehensive development of surplus federal land.

"With this idea in mind, I have today named a special Task Force composed of Administrator Knott, Secretaries McNamara and Weaver and Attorney General Clark to survey surplus federal properties throughout the Nation, and with State and local leaders, to evaluate the prospects for transforming these lands into vital and useful community resources."

[From the Washington (D.C.) Post, Aug. 31, 1967]

"CITY" FOR 25,000 PLANNED AT TRAINING SCHOOL SITE—JOHNSON URGES PROJECT TO EASE HOUSING CRISIS

(By Robert G. Kaiser, Post Staff Writer)

President Johnson announced plans yesterday to create a vast "new community" on the site of the National Training School for Boys in Northeast Washington.

The community will be bigger than Georgetown, and will eventually include homes and services for 25,000 people.

The President also said he hoped the "concept" of the Federal Government's making surplus land available to help ease urban problems could be repeated in many other American cities.

He named a Cabinet-level task force to study possibilities of distributing other such sites to cities.

A 335-ACRE SITE

The first step here will be to designate the 335-acre Training School site as an urban renewal project, and 15 acres will be used to build 400 low- and moderate-income housing units. Construction on these is expected to begin in 1968.

According to Federal and District officials, it will be five to seven years before homes and other facilities for all 25,000 people are completed. Preliminary plans envisage schools, private industry, Federal buildings and recreational facilities on the site, but none of these are certain.

The decision to make the huge Training School site available to Washington is the first major breakthrough in years in what many city officials feel is a crisis.

The site is bounded by the District line, Bladensburg Road, South Dakota Avenue and the Baltimore-Washington Parkway.

GOVERNMENT SURPLUS

It is currently in the hands of the General Services Administration, and is considered surplus to the Government's needs. The Training School itself is moving to Morgantown, W. Va., next year.

GSA has been reluctant to relinquish the land to the District, but President Johnson reportedly insisted that this be done.

GSA will convey title of parcels of the tract as they are developed for specific projects. Some will be transferred to the city and other public agencies, and others will be sold to private developers.

The first step toward formally beginning the project will be taken Sept. 14, at the next meeting of the National Capital Planning Commission. The Commission will be asked to establish boundaries for the project and choose a 15-acre site for the first construction.

The D.C. Commissioners are expected to take action five days later on whatever the Planning Commission decides.

A public hearing will be held about 30 days later on a development plan for the 15 acres, according to D.C. government officials.

After that, the Redevelopment Land Agency—which will manage the urban renewal area—the District government and the National Capital Housing Authority will begin drawing up specific plans.

PRIVATE PROJECT

President Johnson said yesterday that the new project will be built largely by private enterprise under the "turnkey" concept. Turnkey projects are built to specifications by private contractors and bought by public authorities at predetermined prices.

Washington already has one such public housing project—Claridge Towers at 12th and M Streets nw.

District officials said the new project might be managed, as well as built, by private interests.

A White House spokesman said yesterday that the Department of Housing and Urban Development has already determined that the proposed project will be eligible for two-thirds Federal financing. The District will have to put up one third, but this can be in the form of services and facilities such as streets and schools.

Officials would not estimate the total cost of the project.

As the new community develops, RLA will presumably maintain over-all planning control, with the Housing Authority handling the public-housing component.

Officials hope that moderate-income housing can be built under a Federal program that provides subsidies to non-profit sponsoring agencies.

The preliminary GSA plan for the Training School site also includes high-income housing in the form of high-rise apartments and town houses.

Housing will be one part of the new community. It will probably have to include schools, and conceivably could be the home of the Federal City College or the Washington Technical Institute, institutions authorized by Congress but not yet in operation.

The Federal Government will consider locating offices on the site. Private industry will be encouraged to locate on sections of it, too.

SITE BEST SUITED

Robert Gladstone & Associates, a private consulting firm, completed a land-use study of the site for GSA earlier this year. The study concluded that the property was best suited to a combination of uses, emphasizing housing and supporting facilities, but including offices and industry.

But it took President Johnson's intervention to commit the GSA to making the land available for a new community.

The District Commissioners' Task Force on Easing Community Tension had also recommended using the land for housing.

Commissioner Walter N. Tobriner said the first construction would provide 250 low-income and 150 moderate-income units. The public housing would include high-rise buildings for elderly persons and multi-bedroom units for families.

Stephen J. Pollak, the President's adviser on District affairs, emphasized that all plans were still "very general." District officials confirmed this and said they couldn't answer specific questions about the project.

WELL-BALANCED CITY

In his announcement yesterday, the President said that the project "can become a new, attractive and well-balanced community as a major gateway to the Nation's Capital."

"But," the President added, "it should be more than a housing project. Washington needs and deserves the best in community planning—and this new development can be the best of communities."

"This new venture," the President said, "will be first and foremost a partnership—a partnership between local and Federal governments, between public officials, private developers and the people of the city. The creative involvement of private enterprise will be a most important single element in the project."

The White House said this "best of communities" would ultimately include 1500 housing units for low-income families and individuals, 2200 moderate-income units and 800 high-income units.

To his Nation-wide task force, the President named GSA Administrator Lawson Knott, Secretary of Defense Robert S. McNamara, Secretary of HUD Robert C. Weaver, and Attorney General Ramsey Clark.

Presidential assistant Joseph A. Califano Jr. later stressed that the President hopes to do whatever he can using existing resources to provide for more housing in the Nation's cities.

The National Training School site has been eyed for a variety of projects in the past. The Government Printing Office almost used a large part of the land for a new plant, but this plan was squelched.

The National Capital Planning Commission's proposed 1985 plan suggests using the site for an integrated new community. This idea was first advanced by Wolf Von Eckardt, architecture critic of The Washington Post, several years ago.

Several groups have proposed using the land for the campus of Washington's new college and technical institute. However, the technical institute is reportedly reluctant to locate on the former site of a reform school.

GSA plans to begin exploratory ground borings "at once," to determine what kind of structures the land will bear.

[From the Washington (D.C.) Post, Aug. 31, 1967]

Northeast Housing Plan: An Impressive First Step

(By Richard Severo)

The White House has made an impressive, if somewhat belated, move toward solving the housing crisis in Washington.

But the promise that 25,000 people are going to live on the National Training School site does not mean that the crisis is over.

If 25,000 sounds like a lot of people, these figures supplied by the National Capital Planning Commission are more formidable:

About 90,000 low-income families (at least 360,000 people) "now living within the District . . . need assistance to obtain adequate housing—although only one-tenth of them are currently receiving it through the public housing program."

Proposed public work projects for Washington will probably displace 6700 families over the next 20 years.

Washington will need about 50,000 units of federally subsidized housing within the next 20 years. This amounts to about half the expected housing construction.

LONG WAITING LIST

The National Capital Housing Authority has a waiting list right now of more than 5000 families—or about 23,000 people—who believe they cannot provide decent housing for themselves in the Washington real estate market.

In short, the elation over the capture of the National Training School site is tempered by the knowledge that a problem of considerable size remains.

The site was, to put it mildly, popular. The Government Printing Office had sought and almost got it.

But a host of social agencies and city officials put up a hue and cry. The President obviously thought that the decision to put at least some housing there was of sufficient magnitude for him to make the announcement himself.

The ambivalent feeling was summed up yesterday by Joan Howell, executive director of the Washington Planning and Housing Association. When told of the White House decision, she said: "That's great! Now, what about Anacostia-Bolling?"

ANOTHER PRIME AREA

Anacostia-Bolling is also much discussed as a site for housing, but it will remain under military control at least until 1971, under terms of a bill signed reluctantly by President Johnson last September.

If military control is relinquished, the Planning Commission plans to house 23,000 people there. But NCPC plans—no matter how well conceived—have a disquieting way of going from drawing board to oblivion.

Other possible sites for housing have been talked about. The Bureau of Standards' old site, for example. When the Bureau moved to Gaithersburg, it left behind 68 choice acres at Connecticut Avenue and Van Ness street, nw. The economic pressures in that part of town are such that it is doubtful that low or moderate-income housing will be built there. The land costs too much.

Others have suggested that National Airport be taken for housing. It is possible that this could happen, but such a move is not likely as of now.

The housing problem is one symptom of the total urban crisis. The solutions lie in more jobs, better jobs, transportation systems that get people to their jobs, better schools and a cogent plan that deals realistically with cities' problems.

There seems to be some question as to whether Washington has such a plan. The District Commissioners have been especially critical of the National Capital Planning Commission's 1985 Plan. That plan calls for only limited commercial expansion within the city limits—so jobs within the city will be limited.

The plan also calls for a retention of Washington's low skyline. It suggests that present neighborhood population densities be kept as they are. The Commissioners suggest that if the 1985 proposal were to become fact, Washington might never be able to keep up with the demand for housing.

With all of this, the President's action will have a good effect. Thomas Appleby, executive director of the Redevelopment Land Agency, said that "the President could not have issued any other directive that goes so immediately to the heart of the worst problem in the city."

SITE FOR RELOCATION

Mrs. Howell also had praise for it, in that it now gives Washington a "relocation resource"—a place to house people who lose their homes because of public works projects and urban renewal.

Mrs. Howell is also hopeful that landlords, faced with the prospect of 25,000 fewer people needing homes—will be more likely to comply with the Housing Code and become involved in programs to improve relations between landlords and tenants. She suggested that the Planning and House Association was interested in developing a program along these lines.

But for her, the most important thing that can happen now is public involvement in what happens at the Training School site. She believes that as many people as possible should be involved in the planning process.

"I certainly don't mean that they have to go to the people every time they sign a contract," she said, "but they ought to get their preliminary plans before as many people as possible as early as possible."

[From the New York Times, Aug. 31, 1967]

United States Provides Site for a Model City Built by Industry

(By E. W. Kenworthy)

WASHINGTON, August 30.—President Johnson announced today that a privately financed "new community" for families of all incomes would be built on a 335-acre plot of Federal land here.

The site is now occupied by the National Training School for Boys, which will be moved to Morgantown, West Va., next June.

The President said he expected that the new community, which will house 25,000 citizens, would be under construction by next summer.

He said he hoped that the project would be the first of many to be built on surplus Federal land in or near urban centers.

To that end, he named a special committee to conduct a survey of surplus Federal properties across the nation and "evaluate the prospects for transforming these lands into vital and useful community resources."

MEMBERS OF COMMITTEE

Those named to the committee are Robert S. McNamara, Secretary of Defense; Robert C. Weaver, Secretary of Housing and Urban Development, and Lawson B. Knott Jr., head of the General Services Administration.

Next week Mr. Knott will send out teams to inspect Federal property that might be declared surplus for the purpose of constructing model, mixed communities.

Mr. Knott said today that one such site might be Fort Totten, which occupies 140 acres in Queens. Another, he said, was a parcel of 3,300 acres in Mobile, Ala. He also said that there was "substantial" Federal acreage in Detroit, some of which is either surplus or might be declared so.

WILL INCLUDE SCHOOLS

The initial plans for the development in the District of Columbia, drawn up by Robert Gladstone Association, call for 1,500 low income housing units, 2,200 units for moderate income families, and 800 high income apartments, homes and townhouses.

The planned community will also include schools, recreational, shopping and service facilities and, it is hoped, some light industry.

Local public housing authorities set the limits for what may be regarded as low and moderate income families, and consequently there will be some variation in the projects eventually constructed.

However, a rough national definition of a low income family is one earning $2,700 to $3,700 a year. A moderate income family is one earning from $3,700 to $10,000 a year.

The Government will donate the land on which the low income housing units will be constructed in order to keep down the costs for the developer and so make it possible for him to make a profit from the low rentals.

The Government will either lease or sell the land for the construction of moderate and high income housing and commercial facilities.

"This new venture," the President said, "will be first and foremost a partnership—a partnership between local and Federal Governments, private developers and the people of the city."

EXAMPLE FOR STATES

It was his hope, the President said, that if this concept can be successfully applied in the nation's capital, it will prove useful elsewhere and so become a "pioneer effort of a new program involving the comprehensive development of surplus Federal land."

Though the President did not say so, it was learned that he would like to see states and cities follow the Federal example and release some of their land for similar, privately financed developments.

Joseph A. Califano, a special assistant to the President, said Mr. Johnson was attracted to the new concept by five considerations: A desire to move as fast as possible on the problem of urban housing; a belief that there was a "tremendous potential" in the use of Federal surplus land; the avoidance of condemnation proceedings and consequently of land speculation; the fact that poor families will not be driven out of their present homes, and the involvement of private enterprise.

Mr. Knott said that all of the housing in the new community would be "open occupancy," but no guidelines would be laid down in an effort to achieve "racial balance."

President Johnson, it was learned, first broached his proposal for the use of Federal land in a talk with Secretary McNamara last fall at his Texas ranch. It was his assumption that most of the surplus Federal land would involve sites abandoned or used only marginally by the military services.

TURNKEY IDEA EXTENDED

This spring the President asked Mr. Knott to find a company to plan the project. Last Thursday the President called. Mr. Knott told him that everything was moving along smoothly. Whereupon the President said he wanted the planning finished over the weekend.

Consequently, officials of the Housing and Justice Departments worked throughout the weekend with Walter Tobriner, chairman of the District of Columbia Board of Commissioners. Last night, the President approved the plans, decided on his committee and directed that the survey teams be dispatched next week.

The low income housing in the new community represents an extended application of a program already under way in the housing agency. This is known as "the turnkey" approach to Government-sponsored housing.

Antiballistic Missile System

EXTENSION OF REMARKS

OF

HON. WILLIAM O. COWGER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1967

Mr. COWGER. Mr. Speaker, on July 6, 1967, in my weekly report to the citizens of my district—Louisville—I predicted "that the President will succumb to a thin defense system, costing between $3 and $5 billion." Today President Johnson and Defense Secretary Robert S. McNamara announced that the United States will start building a $5 billion antiballistic missile system which will be a prelude to an expanding defense system that might ultimately cost $40 billion. On June 22, I joined with 35 first-term Republican Members of Congress in urging the administration to immediately establish an adequate ABM system. We sent a strongly worded resolution to Secretary McNamara demanding action at an early date. This was followed up by a meeting with the Secretary of Defense at the Pentagon, where additional arguments were voiced in favor of such a system.

In April, I sent a questionnaire to every resident of Louisville in which I asked the question, "Should the United States immediately begin action on an antiballistic missile system?" Sixty-two and six-tenths percent answered in the affirmative. To my mind, this is a perfect example of citizen participation in their Government. Through their elected representatives in the Congress, Americans have made their views known to the President and to the Defense Department. Continued pressure forced the President and the Secretary to bend to the will of the people.

The Kee Report—Citizenship Day

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include last week's public service television and radio newscast, "The Kee Report."

The subject discussed in this report is the observance of "Citizenship Day":

CITIZENSHIP DAY

This is Jim Kee—bringing you the Kee Report.

Each year on September 17th, we observe Citizenship Day, the day on which we honor those citizens, both native-born and foreign-born, who enter into active citizenship either by having come of age or by naturalization. This is an occasion on which we should remember the deep significance of United States citizenship.

In this report, I would like to outline for you a brief history of Citizenship Day, its purpose and why it should not be forgotten among American patriotic observances.

Citizenship Day is designed to emphasize both the importance of American citizenship and of the rights and duties which it entails under our Constitution. Until 1952, the significance of United States citizenship was observed in early spring on "I am an American Day." This sacred occasion was designed to honor all those who had just attained the full rights and privileges of citizenship. The anniversary of the signing of the United States Constitution, from which all those rights and duties flow, was observed separately.

Citizenship and the Constitution are inseparable. Without the rights guaranteed, and duties imposed by our Constitution, citizenship would be only an empty word. Realizing this, your Congress, in 1952, passed a Joint Resolution, signed by President Truman, uniting these two patriotic observances into one "Citizenship Day."

Citizenship Day celebrates the anniversary of the signing of the Constitution. On this day, we reaffirm our faith in our citizenship and in the principles of our Constitution. This is the week designated as "Constitution Week" to emphasize the vital relation of citizenship to the Constitution.

We should never forget that United States citizenship is a privilege. We all have a sacred obligation to live up to the high standards of achievement established by our fathers and forefathers, the high standards of being responsible United States citizens.

There has never been a period in our Nation's history when the principles of liberty under our Constitution have been more seriously threatened. We need only to look to the nations being attacked by the Communists, or to the millions of people living under Communist domination, who have no rights of self-determination where the state controls every aspect of their lives, to realize the truly great privilege that is ours. This privilege guarantees to each of us, native-born and naturalized, all of the rights protected by our Constitution. Surely the duty of responsible citizenship imposed by our Constitution is a very small price to pay in return for those guarantees.

President Grover Cleveland summed it up when he said: "As we rejoice in the patriotism and devotion of those who lived a hundred years ago, so may others who follow us rejoice in our jealous love of constitutional liberty."

We should never forget that our obligations as United States Citizens are to safeguard our constitutional liberties in order that our children and grandchildren may also enjoy these privileges in the years to come.

Thank you for listening.

The Korean National Science-Cultural Center

EXTENSION OF REMARKS
OF

HON. RICHARD T. HANNA

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 19, 1967

Mr. HANNA. Mr. Speaker, one of the most serious problems confronting the developing nations of Southeast Asia is the shortage of personnel capable of performing the technical tasks inherent in industrialization. Education and training are, of course, the keys to the solution of this problem, but these are not simple processes. Most of the Southeast Asian nations lack any base from which to commence any valuable training program; educational facilities are far below the necessary level. The United States and other friendly developed nations are lending what assistance they can, but this kind of aid has definite shortcomings. First, most often it cannot be adequately extensive. Second, it is Western training and education and does not provide a healthy incentive for the trainee to remain in the homeland—opportunities in the West are far too attractive. Consequently, if the shortage of qualified personnel is to be overcome, it must be overcome by the developing nations themselves.

I would like to make a few comments today on a program recently established in the Republic of South Korea which appears to be an outstanding effort to solve the technical manpower problem. The program is called the Korean National Science-Cultural Center. The program had its actual beginning in March of 1966, when Mr. Joseph Allen Patterson, then Director of the American Association of Museums, was asked to assist in the planning for a new institution to replace their science museum which had been destroyed during the war. From a series of meetings which followed, a plan evolved for a new center with a program combining all aspects of science and technology with the broad spectrum of Korean cultural history. The Korean officials realized that their people lacked an adequate base of understanding to fully appreciate or be of assistance in the rapid technological changes which are taking place in Korea. These officials further felt that the center should provide programs in the cultural history of Korea to help firmly establish for Koreans their historical identity, traditions, and heritage as they continue the remarkable postwar development of their country. By voting to appropriate $25,000 toward the costs of the study, the Cabinet of the Republic of South Korea wholeheartedly approved the plan on December 30, 1966.

A planning study, which will take 1 year, is the first phase of the program. The study is designed to produce a detailed description of the scope, size, priorities, time schedules, and estimates of cost. It calls for a total of $148,000: $83,000 from private American foundations and corporations; $25,000 which the Korean Government has voted to appropriate; and $40,000 from the USOM.

Although the proposed Korean National Science-Cultural Center is still in the planning stages, some basic outlines have already been set. Communication will be one of the most formidable obstacles to the success of the center. The center plans to interpret science and technology in terms which are intelligible to the layman by relating the information to the Korean experience, interests, and conditions. A continuous effort will be made to involve the Koreans' interest and participation in the center's program.

Communication will also pose a problem in the sense of dissemination; the Koreans have described this problem as "Milk is found only where the cows are." The scope of the center includes a main building in Seoul, with satellite centers located in other cities, and mobile trucks which will circulate to the rural and coastal villages. The satellite centers will be designed to receive exhibits and programs emanating from Seoul. The mobile trucks will carry exhibits, demonstrations, films, and lectures. Yet, the program must not be limited to these facilities. Information must be communicated wherever and however possible to afford the plan a significant effect on the populous of Korea. Toward this end means of incorporating programs with general educational facilities and other public media, including radio, television, and publications, are being explored.

One of the most important tasks of the planning study is the establishment of priorities of needs of the Korean people. Two are clear. First, the Korean educational system has undergone tremendous expansion in recent years and now needs to concentrate on the quality of the science instruction. Since 1953, the elementary school system has established 5,000 schools and 79,000 schoolteachers to serve more than 5 million schoolchildren. Elementary school is now free and compulsory. The center must consider how it can effectively help the teacher transmit to a class of more than 60 pupils basic concepts of science, such as gravity, sound, weather, or space. If the center can help the elementary school system form a basis among students for scientific comprehension, a tremendous step will have been made toward the technological advancement of the Korean people. Second, programs must be organized to assist the Korean farmer. He must learn to use the chemical fertilizers and insecticides and other progressive measures that agricultural science has developed. Obviously, if the farmers are unable to use these new methods, agriculture cannot benefit from them. The center can be of great assistance in this field.

As the Korean National Science-Cultural Center develops, I am confident we shall see it making a valuable contribution to Korean society. This kind of program can be of much greater importance than the technological advancement it will produce. The emphasis of the entire program will be on Korea; its human, natural, and historical resources; it shall concentrate on the cultural edification of the people as well. In this way the Korean National Science-Cultural Center can help establish a spirit of kinship and allegiance, based in the past—yet expanding into the technological future, that will be of immeasurable value as Korea undergoes its rapid transformation to a modern industrial state. Hopefully Koreans can assist nations in following her example.

A Marketing Order for Apples

EXTENSION OF REMARKS
OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 19, 1967

Mr. ST. ONGE. Mr. Speaker, one of the problems facing today's agricultural producers is that modern methods have resulted in greatly increased crop yields, but modern methods of marketing the product that is grown have been applied only with great difficulty. The Agricultural Marketing Agreement Act of 1937, as amended in 1965, authorizes the use of modern promotional methods, including research and development and paid advertising, for a large variety of fruits, nuts, and vegetables.

I am today introducing a bill that would extend this marketing authorization to apples. Under this bill, if two-thirds of the applegrowers in a given region request it, a Federal marketing order would be issued which would involve the assessment of all applegrowers in the region for research and development projects and paid advertising.

The soundness and usefulness of such marketing orders are attested by their wide use with respect to other agricultural products. In the large-volume apple-producing States of New York and Washington, such orders are already in effect on a State basis. In the six New England States, however, and in other regions, the administrative cost of such arrangements on a State-by-State basis would be prohibitive. A Federal program is needed to offer apple producers in those States with small production a means to effect a more orderly marketing structure.

This bill would also allow the continuation of research and development programs, including paid advertising, during above-parity price conditions. A very similar provision was added to the act in 1965 with respect to the continuation or initiation of container and pack regulations in above-parity situations. The provision in my bill embodies a longstanding recommendation of the U.S. Department of Agriculture that research and development projects be implemented and maintained independent of the price level of the product involved. This provision is necessary to avoid the confusion of trying to maintain these projects on an intermittent basis.

This bill, like other marketing order legislation, is intended to improve returns to farmers. It would be extremely valuable to applegrowers in States with small apple production in maintaining a healthy economic position, and I hope it will be passed without delay.

Progress in the Veterans' Educational Program

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1967

Mr. TEAGUE of Texas. Mr. Speaker, the Veterans' Pension and Readjustment Assistance Act of 1967 has just become law. This measure strengthens and improves the cold war GI bill which we passed last year.

I know you all share my deep satisfaction with these two fine pieces of legislation.

The cold war GI bill was enacted in March 1966. The educational benefits it provides became effective June 1, 1966.

In the first 13 months this law was in effect, more than 700,000 veterans applied for educational assistance. Over 470,000 actually entered training. This represents 9.8 percent of the 4,553,000 potentially eligible cold war veterans in civil life.

By contrast, under the Korean conflict GI bill, at the end of the first year 187,600 had entered training. This was 9.6 percent of the 1,955,000 potentially eligible veterans at that time.

Under the Korean conflict GI bill it took more than 2 years before the number participating equaled those entering training the first year under Public Law 89–358—Veterans' Readjustment Benefits Act of 1966.

With the new benefits we have now provided, veterans may now pursue on-the-job training, flight training, and cooperative farm training. We have also provided substantially increased rates of educational assistance allowance. With these more realistic monthly payments, up 30 percent in some cases, the prospects are excellent for increased and broadened participation in the educational assistance program.

Of those who entered training under Public Law 89-358, 95.4 percent were veterans and 4.6 percent were servicemen on active duty, a feature unique to this law. Approximately 99 percent of the trainees were male and 1 percent female.

The World War II GI bill and the Korean conflict GI bill were responsible for upgrading the educational attainments of our veterans and vastly increased our natural manpower resources, expanding both the skills and income levels of our society. The post-Korean GI bill promises to exceed the fine results of prior education programs. For example, under the Korean GI bill 51 percent had entered institutions of higher learning and 49 percent were in training at below-college level. Under our current law, 74 percent entered college and university training and 26 percent were in vocational, technical, and trade schools.

Not only are educational opportunities in this country more readily available to our veterans and servicemen, but for those interested in studying abroad at institutions of higher learning, Public Law 89–358 makes this possible. There are more than 450 colleges and universities in 46 countries throughout the world approved for GI training.

Since the inception of the new educational program through July 1967, over 2,844,000 checks for educatonal benefits have been issued, amounting to more than $259,639,000.

The administration of this vast educational program has been accomplished with surprising efficiency. Payments of educational assistance allowance are made through a computer. This has speeded payments to veterans and at the same time has reduced administrative costs. When this GI bill was enacted, jurisdiction over its educational benefits was returned to the Veterans' Administration regional offices in all 50 States. This wise move has enabled veterans and schools to deal directly with the local regional offices. It has meant improved service to the veterans and has permitted local problems to be speedily solved on a local basis.

From the very beginning of this new program I find that the Veterans' Administration has made continuous improvements in procedures for paying educational benefits. During the first 11 months of operations under Public Law 89–358, the Veterans' Administration required monthly attendance reports from students in colleges and universities, a procedure which was mandatory under the Korean GI bill. Since last May this procedure has been changed. For courses taken at institutions of higher learning, recurring monthly payments are now made without the necessity for monthly attendance reports. This change is fully justified by the fine record of responsible cooperation made by our college students and has expedited payments of educational assistance allowances to them.

The benefits available under Public Law 89–358 have been widely publicized by both the Veterans' Administration and the veterans' service organizations. Truly magnificent cooperation in explaining and administering the program has been obtained from the schools of this country. Over 3 million pamphlets and 1 million posters have been distributed. Representatives of the Veterans' Administration visited and personally talked to thousands of veterans, servicemen, and school officials. This was accomplished through 11,000 orientation sessions, through 1 million personal and phone interviews, through visits to 5,000 schools, and 102 Armed Forces separation points.

I have learned from the Veterans' Administration that the increased educational assistance allowance rates of S. 16 will be made by automatic computer adjustments. In this way there will be no delay in getting the new payments to all students in their October checks, which will be received early in November.

More than 700,000 veterans and servicemen are now expected to receive educational assistance under Public Law 89-358 in fiscal year 1968. The number receiving such benefits will remain fairly constant at that figure for the following 4 years.

Large as this expanded educational program is, I am convinced that the excellent record of the Veterans' Administration gives us assurance that the splendid service to our veterans and servicemen will continue. Special commendation is due the staff of the Veterans' Administration for the job they have done and are doing in the administration of the cold war GI bill.

President Johnson Signs Cold War GI Bill of Rights

EXTENSION OF REMARKS

OF

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1967

Mr. DORN. Mr. Speaker, President Johnson made very appropriate remarks when he signed the cold war GI bill of rights into law on August 31, in the East Room of the White House. I commend the President's address to every veteran in the United States, to my colleagues, and to all the American people:

> Mr. Vice President, Senator Yarborough, Congressman Dorn, Congressman Teague, other Members of Congress, Mr. Driver, ladies and gentlemen:
>
> Today I have asked you to come here and join with me as I sign a measure that I feel will keep faith with this generation of our servicemen.
>
> It is a way of saying to these men at arms in Vietnam and elsewhere that America does not forget.
>
> It will also help needy veterans who have followed their country's flag in our past conflicts.
>
> This bill before us does three things:
>
> It gives returning servicemen more money to help them pursue their education, or train for jobs and skills under the new GI Bill that we signed last year.
>
> It will especially help those who have families make ends meet.
>
> Second, it removes an inequity. It gives those now in service the same veterans' benefits that have been granted to their brothers in other wars.
>
> Third, it shows compassion toward the older and the poorer veteran, his widow and his children by increasing pension payments an average of 5.4 percent. This will make their standard of living a little better.
>
> All of this will come at a time when we must exercise the utmost restraint in our spending. I reaffirm that necessity now.

Our budget is seriously deficient, and the deficit could run into many billions of dollars.

The first full year's cost of this bill is estimated to exceed by $115 million the amount the President proposed to the Congress. But it was passed without a single dissenting vote in either House.

This might reflect the fact that 148 members of both Houses remember from their own experience—and if they don't remember it, I am sure Senator Yarborough and Congressman Teague reminded them—the great assistance which the GI Bill can provide.

One compelling fact about this increase persuades me that it can be accepted in good conscience, because most of these extra funds are investments in education, and are investments in job training, for all of those who have borne the burden of military service.

Both of these are crucial to the completion of this Nation's work. Both are cornerstones of this Administration's program.

The GI Bill, itself, has been one of the best investments, I think, we have made as a people. I congratulate all the Members of Congress who have provided the leadership in that great effort.

Since I signed the GI Bill just 18 months ago, about a half-million returning servicemen and women have used its benefits to go back to school, or to train themselves for a better life. More than half a million Americans stack arms each year—their service over.

One day the numbers of men whom we must call upon in time of conflict to protect all of us will be reduced, because one good day the world is going to be at peace.

With every resource at my command I am working in every way I know how to hasten that day.

I welcome all the help that I can get along the way.

We are, and we will be, searching for a peaceful resolution to the war in Vietnam—every single day, and every single waking hour.

The forces who launched that war now, at this moment, are tragically using every terroristic plan, practice or device they can conceive to try to stop the people of Vietnam from freely electing their own government.

The aggressors must realize that they cannot defeat the efforts of the South Vietnamese people to secure and strengthen their nation, nor can they, by their speeches or their propaganda, deter America's commitment to assist them.

Until that realization comes, then we Americans are going to—we Americans must—man the line where that commitment runs.

This bill that is before us today is in great part for those men who man that line.

To those men who man that line, their Congress and their President are glad to sign together today to extend to them this modicum of recognition for the great sacrifices that they made for us throughout the years and that they are making particularly right now.

Fino Introduces Bill To Restore 100-Percent Medical Expense Tax Deduction for Senior Citizens

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 19, 1967

Mr. FINO. Mr. Speaker, I am today introducing legislation to restore the Federal income tax provisions permitting full deduction of medical expenses—without regard to present floors—incurred for the care of persons over 65 years of age.

Many people do not know it, but, under an amendment to the Federal income tax law passed in 1965, our senior citizens will not be able to deduct the full cost of their medical expenses on their 1967 income tax returns. Of course, most of these expenses will be covered by medicare, but there are expenses which do not come under medicare and our senior citizens will not be able to deduct these from taxable income unless they exceed a certain level.

Frankly, I am disturbed that the Johnson administration, which is wasting money by the buckets all over the world even while bankrolling agitators here at home, has chosen to raise this cash in part at the expense of our aged and infirm senior citizens. I firmly believe that the 100-percent income tax deduction for medical and drug expenses for people over 65 should be restored.

Catawba County Memorial Hospital Dedication

EXTENSION OF REMARKS
OF
HON. DAVID N. HENDERSON
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 19, 1967

Mr. HENDERSON. Mr. Speaker, the people of North Carolina have demonstrated their willingness on every occasion to support the Nation's effort to provide the very best of medical facilities. Many new hospitals have been built throughout North Carolina during the past several years.

I was very pleased to note over the weekend an article in the September 15 edition of the Observer-News-Enterprise, published at Newton, N.C., that the people of Catawba County, N.C., were dedicating a magnificent new $6 million hospital on September 17.

I was gratified to note that our distinguished colleague from North Carolina, the Honorable BASIL L. WHITENER, was to make the dedicatory address for the new Catawba County Memorial Hospital.

The people of Catawba County are to be congratulated on their new medical facility. I believe the Members of the House will be interested in reading the dedicatory address of our distinguished colleague from North Carolina. I include the speech, together with the story of September 15 from the Observer-News-Enterprise in the RECORD:

ADDRESS BY BASIL L. WHITENER, MEMBER OF CONGRESS, AT CATAWBA COUNTY MEMORIAL HOSPITAL DEDICATION, SUNDAY, SEPTEMBER 17, 1967

I am highly honored to be with you today for the dedication of this magnificent new hospital. This is a great occasion. The hopes and dreams of many of the people of this community for the most modern medical facility possible are fulfilled.

The citizens of Catawba County are to be commended for bringing this project to a most successful conclusion. Those individuals who gave over and beyond the call of duty in the expenditure of their time and resources to bring this hospital into being deserve special praise and commendation.

This new hospital is symbolic of the dynamic and progressive community spirit prevailing in Catawba County. Catawba is one of the foremost counties in North Carolina in industry, education, and agriculture. Catawba is one of the fastest growing counties in the state. The years that lie ahead hold even greater promise for her citizens.

Nothing is more important to the well-being and advancement of our people than health. One of the great reasons the United States has forged to the forefront as the leader of the community of nations is that we have not suffered some of the ravages of the age-old enemies to health which plague nearly two-thirds of the rest of the world.

Through the generosity of the American people malaria, tuberculosis, typhoid fever, and many of the other diseases common to the less developed areas of the world are being conquered. Our humanitarian program of medical assistance to the less privileged peoples of the world is in keeping with the highest Christian traditions of our nation. Not only does our great nation stand as the bulwark of political freedom in the world; in the minds and hearts of countless millions of people throughout the world America also stands as the best hope of mankind for freedom from disease.

We have not been without problems with respect to health. While many of the killing and crippling diseases prevalent as recently as 30 years ago have been conquered we still have great challenges remaining in the field of public health.

In conquering tuberculosis, pneumonia, diphtheria, smallpox, typhoid, tetanus, and a host of other diseases the life expectancy of the American has been remarkably increased.

In 1900 an American could expect to live 49 years. Modern medicine has made it possible for man's life span in our country to be increased today to 70 years. The future holds even greater promise of longer and more enjoyable life.

The advances that medicine has made in the last 50 years could not have been possible without the fine facilities offered by our hospitals and research centers. Through private and public medical research and medical discoveries we have seen a lessening of the hazards of childbirth and pregnancy. The scourge of common diseases of previous years is now only an unhappy memory. New drugs and appliances have brought hope and life to many who would have been doomed in other years.

Dr. John F. Gillespie of the Georgetown Medical Center, Washington, D.C., one of our foremost medical authorities, has stated that the basic vehicle in medicine today is the modern hospital.

The hospital as we know it, however, is an institution of comparative recent origin. Although our first general hospital was built 25 years before the signing of the Declaration of Independence, hospital construction progressed slowly in the United States until about 1920. The medical experiences of the First World War gave impetus to new medical research and to the construction of hospital facilities.

In 1920 only $63 million were expended in both public and private funds for hospital construction. By 1930, however, the nation was spending $227 million in private and public funds for hospital construction. World War II further accelerated the nation's interest in heightened medical research and hospital facilities.

As a result, the Hill-Burton Hospital and Medical Facilities Survey and Construction Act of 1946 was enacted. This act has resulted in the construction of many facilities in every state.

The Hill-Burton program in the past 20 years has contributed to more than 8,375 hospital projects in 3,445 communities. As of July 1, 1966, the total cost of these projects was $8.2 billion, of which the Federal Government had contributed $2.6 billion. As these expenditures indicate, the great majority of the funds expended in cooperation with the Hill-Burton program have been private and local government funds.

The program is designed to meet the medical and health needs of tomorrow. Future grants will be made for the construction and modernization of hospitals, for public health centers, nursing homes, and other health facilities for research and demonstration projects in hospital operations, utilization, design, construction, equipment, and projects for the area-wide planning of health facilities.

While the cost of hospital construction is great, the expense involved in adequate medical research, hospitalization, and medical attention for our citizens is infinitely greater. No one has intimated, however, that a nation which spends billions of dollars for luxury items cannot afford the $43 billion for America's annual private and public health medical care bill.

We stand upon the threshold of a new era of medical research. The future will bring a renewed and vigorous attack on the remaining major diseases which cripple, retard, and kill our people.

In his message on education and health delivered to the Congress on February 28, 1967, the President stated: "I am directing the Secretary of Health, Education and Welfare to appoint immediately a lung cancer task force to supplement the continuing work of existing task forces on leukemia, cancer, chemotherapy, uterine cancer, solid tumors and breast cancer."

The President also stated that the nation must marshal our best minds to design hospitals, nursing homes, and group practice facilities which will provide effective care with the most efficient use of funds and manpower. He asserted that it was necessary for the nation to develop new ways for existing doctors to reach more people with good health services.

One of the most pressing medical needs in the nation is to provide additional medical manpower resources. In this connection I believe you will be interested to know that during 1967 Federal, State, and local programs will train 224,000 health workers, an increase of nearly 100,000 over 1966. More than 30,000 previously inactive nurses and technicians will be given refresher training this year.

This splendid new hospital stands as a monument to the vision and determination of the people of Catawba County to provide the very best in modern medical care and services. This hospital is a part of the vast and expanding network of medical facilities now being constructed and planned.

This nation cannot afford a lethargic attitude in hospital construction, in the training of medical personnel, or in medical research. The demands for enlarged and improved medical services must be met.

Although our nation is relatively young in the family of nations, our prolonged life span increases the number of our senior citizens. There are more than 19 million Americans today who are 65 years of age and older. This is equal to the total population of 20 of our states.

When the health insurance program authorized under the Social Security Act went into effect on July 1, 1966, approximately 19.9 million aged Americans were entitled to hospital insurance benefits. This program makes all of us realize the need for better and enlarged medical facilities for the citizens of our nation.

Private donors have been generous with their funds. The Congress and local, state, and Federal governments have not hesitated in following the popular mandate to provide public funds for health services.

Through this new hospital the people of Catawba County will share in the great advances being made in medicine. I again salute you for your foresight in providing for this magnificent facility.

[From the Observer-News-Enterprise, Newton, N.C., Sept. 15, 1967]

A NEW DAY IN CARE FOR THE ILL

Modern-as-tomorrow Catawba Memorial Hospital will be the subject of an open house Sunday, Sept. 17.

Dedication of the six-million-dollar 203-bed hospital is scheduled for 2 p.m. with Congressman Basil L. Whitener giving the keynote address.

Immediately after the address and ribbon-cutting, the hospital will be open for inspection for the remainder of the day.

A special invitation has been extended the public by the hospital board of trustees, medical staff, and personnel.

Special guests during the pre-tour ceremonies will be officials of Duke Endowment, the N.C. Medical Care Commission and staff members of Joseph Bluemencranz and Associates.

Trustees David Hunsucker and L. B. Hardesty are chairman and vice chairman respectively of the open house committee. Serving with them is Joe Moretz and Charles C. C. Bost.

This committee along with members of the governing board, medical staff and their wives, Red Cross volunteers and Jaycees and Jaycettes of Newton-Conover and Hickory will assist in the guided tours through the four story structure.

Plans have been made to accommodate several thousand visitors on tours. Welcomes will be extended by hospital trustees, doctors and their wives and other hospital personnel.

The facility, to be staffed by some 275 persons, is the second ever built as a county owned and operated hospital. Its talking stages extend back to 1960. A $4 million bond issue was passed by voters in 1963. Other financing was made possible through Duke Endowment and Federal Hill-Burton funds, made available through the N. C. Medical Care Commission.

Although the new building is substantially completed, it was pointed out by administrator James E. Case, its actual opening to patients will be sometime in the future.

The medical staff at Catawba Memorial Hospital is composed of some of the foremost physicians, surgeons and specialists in the nation. These include fulltime or active members, consulting members, and courtesy members. Dentists are also on the staff.

Developments of modern medicine have made the efficient hospital essential to the diagnosis and treatment of nearly all the diseases within which the physician has to deal. The community, through its hospital, provides the physician with the facilities necessary for carrying on his work.

Taking advantages of this invaluable support of his profession the physician seeks a privilege, that of becoming a member of the medical staff of the hospital. When he is granted that privilege he, in his turn, assumes certain responsibilities, such as to provide the best possible service for every patient admitted and entrusted to his professional care; and to do his share in maintenance of general efficiency.

Functions of an organized medical staff such as that at Catawba Memorial Hospital may be summarized as follows: providing professional care of the sick and injured in the hospital; maintaining its own efficiency; self-government; participating in education; auditing the professional work; and furnishing advice and assistance to the administration of the hospital.

The professional care of the sick and injured is the essential responsibility of the hospital's medical staff, the duty for which its members exist and around which all their activities are centered. Members of the Catawba Memorial Hospital's medical staff realize through years of training and experience that they must maintain their own efficiency and, in the care of the sick and injured, must always be capable of producing the results for which they are striving, results that the hospital and the patient both have a right to expect.

Catawba Memorial Hospital staff members live up to the qualifications required and enforced by the hospital and the staff itself. A member of the staff in a reputable, ethical hospital must be a graduate of a recognized school of regular medicine; he must be legally licensed to practice in the state in which the hospital is located; he should have served at least one year of internship in a hospital approved for interns by the Council on Medical Education and Hospitals of the American Medical Association.

The staff member should also have the reputation for being an ethical and competent physician, one who lives up to the codes of ethics of the American Medical Association and the American College of Surgeons; he should be a supporter of organized medicine as shown by his memberships in local, state, and national medical societies.

If the staff member claims the standing of a specialist he should have had such training and experience as will warrant his recognition by the national society of examining board representing his specialty; and finally, he should possess a temperament and disposition that will enable him to work harmoniously with fellow members of the staff and with the administration.

Two-Week Tour of Southeast Asia

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1967

Mr. McCARTHY. Mr. Speaker, as I announced earlier today in a short speech on the floor of the House of Representatives, I will include in the CONGRESSIONAL RECORD over the next several days the text of nine articles I cabled to the Buffalo Evening News during my recent 2-week tour of Southeast Asia. The first two of these articles follow:

REPRESENTATIVE McCARTHY TO REPORT VIET ELECTION FOR THE NEWS

(When Representative McCarthy of Buffalo announced that he was going to Vietnam to observe the conduct of the election The Buffalo Evening News contracted with him to report his observations and offer his judgment of the historic event. Mr. McCarthy is a former reporter for the News.)

(By RICHARD D. McCARTHY)

NEW YORK, August 29.—"We are in South Vietnam today because we want to allow a little nation self-determination. We want them to be able to go and vote for the kind of leaders they want, and select the type of government they want."

These words of President Johnson highlight the significance of next week's South Vietnamese presidental election for all Americans. The ability of the South Vietnamese to choose their own political leaders and institutions free from external aggression and internal subversion is central to U.S. aims in South Vietnam.

SEVERAL DISQUALIFIED

So it was, that members of the U.S. Congress this summer became increasingly gloomy over developments which cast a dark cloud over the campaign and the projected elections.

First came the news that several tickets opposing the ruling military junta's slate of Gens. Thieu and Ky were ruled off the ballot. One was excluded because its vice presidential nominee is French. Another, because its presidential nominee is a Communist. Buddhist tickets also were ruled off the ballot by the elected constituent assembly.

Next came a profoundly disturbing forecast from a respected American journalist that a military committee would run the Saigon government regardless of who won the September race for President. Premier Nguyen Cao Ky's subsequent promise to honor the outcome of the elections and U.S. Ambassador Ellsworth Bunker's statement supporting Gen. Ky's pledge did little to dispel skepticism in many U.S. Congressional quarters.

URGE WARNING TO KY

Sen. Robert F. Kennedy said flatly that the whole affair constituted a "fraud."

Compounding the gloom was the disclosure late last week that 50 South Vietnamese military officers, including some generals, would be fired for corruption and inefficiency. One U.S. Congressman's exclamation: "It looks as though we're just propping up a corrupt military dictatorship," reflected the disenchantment of many House Members.

Fifty-seven, including the writer, went so far as to urge President Johnson to warn Ky that unless his regime took prompt steps to insure that free elections are held the U.S. would undertake a serious reappraisal of our involvement in Vietnam.

KY INVITES OBSERVERS

A highly-placed official of the U.S. Government Thursday informed the writer that he was convinced that the U.S. Congress concern was having the desired effect on Gen. Ky and that efforts were in fact being exerted to guarantee free elections and insure that the outcome would be honored by the contesting factions.

Stung by the charges of "fraud" and irregularities, Premier Ky invited the U.S. Congress to send observers. Other nations were also invited to send representatives.

President Johnson announced he would send a mission of prominent Americans, including three U.S. Senators, to observe the Sept. 3 voting. More than two score other nations are expected to have either journalistic or official observers on the scene.

ALREADY ON WAY

Imbued with the inate skepticism characteristic of most present and former newspapermen and fired by a normal desire to "see for one's self," Rep. Lester Wolff, (D., N.Y.), and the writer, both former newsmen, decided to make an independent trip and depart from here today for Vietnam to observe the wind-up of the campaign and the election itself.

This will be Congressman Wolff's fifth trip to Vietnam. On his four previous journeys there, he has developed many direct contacts with members of a number of Vietnamese factions which will be tapped in making an unbiased assessment of the election.

By the time you read this we will be over the Pacific headed for Tokyo on Northwest Orient Flight 7. Our ultimate destination, Vietnam, will capture world attention during the next 10 days because it will be the scene of an election as well as a vicious war.

THE CENTRAL ISSUE AT STAKE IN VIET RIOTING IS LEGITIMACY

(By RICHARD D. MCCARTHY)

TOKYO, August 30.—"We have no more business in attempting to police an election in Vietnam than the Vietnamese would have in sending observers to the U.S. to assure an 'honest count' in our presidential race in 1968."

This statement of Rep. Henry C. Schadeberg (R. Wis.), with all due deference to the able and affable gentleman, grasps one central point but misses another at issue in the Sept. 3 South Vietnamese presidential election.

If this were just one in a long series of elections there would be little justification for another nation sending observers. But it isn't. It's the first election under a newly established democratic form of government.

The central issue at stake is legitimacy.

CHANGING CONCEPTS

No one seriously questions the legitimacy of United States institutions and democratic processes. But countless persons all over the world wonder whether South Vietnam, in the midst of a war, can establish a popularly based, legitimate government.

The stamp of legitimacy has been sought by aspirants to power since time immemorial. In medieval days when the concept "from God the King, from King the Law" was generally accepted, monarchs sought the pope's stamp of approval.

In modern times, since the advent of representative democracies and acceptance of the concept that sovereignty resides in the people and that only they, collectively, can choose their leaders, legitimacy is found in the integrity of the electoral process.

COULD OPEN DOORS

After a series of colonial and military governments, the people of South Vietnam are seeking to establish representative government, with leaders chosen freely by the people.

The present military government, which has ruled by decree for two years, is slated to resign with the election of a President and a national legislature.

The election could mark a significant turning point in the history of a long troubled land. It could open new doors to peace.

The writer has advanced the proposition that a new, legitimate, freely elected government, with a mandate from the people, might be able to launch new peace initiatives immediately after the election.

Sen. Joseph D. Tydings (D. Md.) Saturday saw the elections as the current best hope for renewal attempts for peace.

MANY PESSIMISTIC

Whatever the shortcomings of the elections may be, he said, they will provide a government with a popular mandate in place of a regime "which is despised by many of the people it rules."

But many U.S. observers—at home, here and elsewhere—take a more pessimistic view. Contrary to an apparently widely held view, they see the election as having little effect on the war.

Indeed they see the stepped-up terrorist attacks of the Viet Cong as an attempt to disrupt the elections and as an opportunity to score military advances while the nation's attention is turned to the elections.

With this report and the one of Tuesday as background, the writer and his colleague, Long Island Congressman Lester Wolff, embark from here today on the last leg of their trip to Vietnam to observe the final days of the campaign and the election Sunday.

Secretary Freeman Dedicates Rural Water District

EXTENSION OF REMARKS

OF

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1967

Mr. DORN. Mr. Speaker, Secretary Orville Freeman is rendering our Nation outstanding service as Secretary of Agriculture. Secretary Freeman is devoted and dedicated to building up rural America. He is looking ahead to the year 2000 when we will have 300 million people in our country. Mr. Freeman realizes that if this Nation is to continue as the heart and core of the free world, we must have a balance between our urban and rural population.

On September 7, Secretary Freeman made an excellent address in my congressional district in Pickens County at the dedication of Six Mile Community Water District and the Bethlehem-Roanoke Rural Water District.

I commend this great address to my colleagues and to the people of our country:

A dedication should be both a tribute and a commitment.

A tribute to those people who believed enough, cared enough and did enough to achieve something worthwhile and lasting.

A dedication is also a commitment to the future where unfulfilled hopes will be realized and reachable expectations attained.

This is such an occasion and I am proud to share this moment with you.

Congratulations are, of course, in order to many, many people who contributed their energies, their experience, and their strong sense of community responsibilities to see these two great projects to completion and reality.

It is not possible to name them all, but in behalf of all I want to single out the two chairmen: W. R. Reid of Central, South Carolina, and Norwood Cunningham of Pickens, South Carolina, and the officers and directors of their boards: Donald Mitchell, Sam R. Bolding, Kay Baumgarner, Nathan Kelly, all of the Six Mile Water District, and W. E. Dalton, Mrs. Ellen G. Irwin, Brandon Breazeale and Oliver Patterson, all of the Bethlehem-Roanoke Water District.

I am certain all of you share with me and this Administration an unshakable confidence in the ability of people in rural America to create the kind of attractive, prosperous communities that mean expanding economic opportunities with jobs and new business enterprises and the kind of living environment that every American deserves, with good housing, good schools, good health services, and adequate recreation.

While the basic thrust for attaining this kind of rural America for all its people, largely rests with the efforts and determination of the people themselves, it also requires Federal, State, and local programs, plus financial and technical assistance to realize them.

The progress you have already made is remarkable:

More than 1,100 families now have a good, clean and safe supply of water, in an area where it is difficult and expensive to obtain. Tomorrow your two systems will be serving more than 2,000 families—not to mention your schools, other public institutions and all your business places.

Your land and property values are steadily increasing.

One small industry has moved in—others will.

You will soon get a new telephone exchange and a new post office.

A new Vo-Ag training school is being built.

New homes are being constructed.

The signs of progress and community expansion are evident everywhere and as the circus barker says: "It's only the beginning folks—only the beginning!"

As you celebrate you will be glad to know that more than 2,000 rural communities like yours have installed water or sewer facilities and another 500 have constructed fine recreation areas since 1961. This, too, is only the beginning of the total job President Johnson has set for this Administration—the rebuilding and revitalizing of *all* of rural America.

Why is it so important and so urgent that we plan *now* and start *now* the job of full and complete development of ALL our rural resources?

Why do we put the highest kind of Administration priority on our *"rural communities of tomorrow"* program?

One compelling reason is this:

For too many years—yes, for too many decades—the people in rural America have been falling further and further behind urban areas in quality of housing, community facilities, job opportunities, education, health and all those things essential to a good, creative and rewarding life.

This unconscionable and unnecessary gap in economic and social advantages between rural and urban living—this alone as a matter of simple justice would justify a crash program to upgrade the quality of living in rural areas.

But this is only part of the reason.

The very fact that this opportunity gap was permitted in the first place and then allowed to pervade and erode the whole economic and social structure of rural America created not just an isolated rural problem, it created, as well, an awesome, sometimes terrifying, urban problem of national proportions.

The absence of job opportunities in rural areas, the dwindling and sometimes total lack of educational, health and social advantages; unattractive communities and a pervasive feeling of hopelessness and lack of confidence in the future, have literally forced 20 million rural people into our urban areas since 1950.

The creation of this rural-urban imbalance of population—where more than 70 percent of our population has jammed itself into 1 percent of our land area—costs rural America millions of its best young people.

While the cities got many of our best young people, they also got millions of unwanted, unprepared, uneducated people—young and old—most of them incapable of coping with urban life with its tensions, its congestions, and almost total lack of jobs for the unskilled and untrained.

In this same two decades, some two-thirds of the rural Negro population migrated to the cities—where they found even less desirable living conditions, and much more frustration and despair than they had in the countryside.

Well, you know the results.

To fail to understand the causes of ghetto frustration and violence and to refuse to recognize and attack the underlying forces is to perpetuate more frustration and more violence. Such a course threatens the very foundation of our Republic.

We in rural America have a responsibility to help alleviate the pressures that we have imposed on the cities.

As we go about the job of redeveloping the resources of our countryside and our rural communities and our family farms, we may not be able to reverse the tide so that mass numbers of people return to rural areas—but surely we can accomplish two things:

We can stem this lemming-like migration; and we can build a rural America rich in opportunities, so that many of the some 100 million additional people we shall have by the year 2000 can choose to live in the countryside if they wish. As President Johnson said: "we must give these millions of people a right of choice where to live."

To do this we must develop our rural environment in an orderly, wise and constructive manner. We must not repeat the mistakes made by the cities.

As Winston Churchill once said: "those who forget history—repeat it."

We do not intend to repeat and emulate the mistakes of the cities, where so many men have no face, no name, no identity.

We do not intend to industrialize rural America to the point where the countryside is just one string of factories.

We do not intend to deface the beauty of open spaces or pollute the streams, the lakes and the air.

We are going to build a rural America of the kind I see about me. A beautiful area—with expanding opportunities—with unlimited potential for as many of your people and your sons and daughters and cousins and friends as choose to live here.

The big industrial complexes—the steel mills, the auto plants, the huge chemical and other manufacturing centers need not be eyesores and blights that poison the surroundings. Instead, they can be fitted into the landscape and built to serve, not pollute.

Service industries will follow industrial and recreational developments. Each is nourished by the other, and, as the wealth of a community grows, so can its facilities for education, health and cultural life.

Industrial, recreation and service industries will come to rural America, if we work at it, and, along with our agriculture, they will provide the economic backbone for jobs, new tax income, new business, and the subsequent social benefits that people want and need.

But you and I know that these things don't just "find their way" to a community; they can't be bestowed by a benevolent government; they don't just happen. They are the product of dynamic local leadership, working with determined local citizens such as you have here, and using every tool—public and private—that is adaptable to the task.

I am happy to report to you that other communities, in other States and in other regions, are doing what you people are doing—working together, using their own resources and those of their governments, to build better communities . . . . communities of opportunity for all.

This series of Town and Country tours which I began last June has confirmed to me that there is positive action and dynamic action in small town and rural America. The countryside is stirring.

I visited an area in Iowa last June where local leaders and officials of 10 counties have combined to plan for the wise use of the resources in all 10 counties to improve the economy and enhance the living in the entire region.

On that same trip, I visited Tupelo, Mississippi, a city that has made itself the base for an amazing record of economic growth in a 7-county area.

At Liberty, Texas, last week I was briefed on a Resource Conservation and Development project which is drafting a plan of action for conserving, developing and using the natural resources—including human resources—of 11 counties in the wisest and fullest ways.

And just this morning, at Congaree in your own State, I visited the Congaree Iron and Steel Co., Inc. Ten years ago, it was a roofless assemblage of used machinery; today it is a thriving industrial plant; with 400 employees and a million-and-a-half-dollar payroll.

People who had fled, jobless, to the big cities a few years ago, are actually returning to Congaree, because this is where they want to live, and this is where they can get jobs now, thanks to dynamic local people.

These are the kinds of things that are happening in scores of communities. They are the first steps in what must be a *national* commitment to rural-urban balance if we are to be prepared for the year 2000, and its 300 million Americans. We need many more steps; we have a long way to go. But we are on the move.

We must plan, and we must act, if we are to be able to give these 300 million people a choice in the whole spectrum of life—jobs, environment, health, recreation, culture and education.

Studies are now under way to see how best we can decentralize our higher education so that every young person who wants to go to college need not travel more than a few miles from where he lives. And these small rural colleges will become, not only centers of learning and training, but centers of culture and artistic opportunity and enjoyment.

To me, what you are doing here—and what is being done all over rural America—represents one of the most exciting developments of this century.

And people like you are making it possible.

It is you who are providing the leadership and the ideas. It is you who have confidence in your own communities and in yourselves. And it is you who are making the Federal and State programs work because you are demonstrating an infinite capacity for cooperation.

It can't be done any other way.

In building a better rural America—we build a better whole America.

This you are doing and that's why I am so proud to be here today.

Thank you.

Address of L. Mendel Rivers

EXTENSION OF REMARKS

OF

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 1967

Mr. KING of New York. Mr. Speaker, this is my first year as a member of the House Committee on Armed Services. Of all the committees I have had the pleasure to serve on during the 7 years I have been a Member of Congress, my participation on this committee has been most informative, rewarding, and reassuring under the leadership of our distinguished chairman, the gentleman from South Carolina, the Honorable L. MENDEL RIVERS. Personally, I feel the future of our country is far more secure due to the diligent efforts and dedication on the part of our able chairman.

As an example of his thinking on matters of national importance and more specifically, the necessity of maintaining a strong National Guard service, I wish to share with my colleagues an address made by Chairman RIVERS on Monday, September 18, 1967, at the 89th General Conference of the National Guard Association of the United States here in Washington, D.C.

His address in defense of the National Guard is indeed inspirational and should be required reading by all Members of

Congress. I also think his speech should be printed as a public document and made available to all schools. I salute Chairman RIVERS as an outstanding, patriotic American citizen and one of our Nation's leading military authorities.

The chairman's speech follows:

Address by the Honorable L. Mendel Rivers, Chairman, Committee on Armed Services, U.S. House of Representatives, 89th General Conference of the National Guard Association of the United States, Washington, D.C., September 18, 1967

General Cantwell, Distinguished guests, Ladies and Gentlemen:

I am immensely privileged and honored to be given the opportunity, once again, to speak to you.

I know of no single group of Americans in our nation who today have a more sacred responsibility than that entrusted to you as Members of the National Guard.

It is you and your organization on which has been placed such a frightening obligation to serve your nation in both peace and war—in prosperity and adversity—as both civilians and men in uniform.

It is you, who in the last analysis, insure our country's very existence—make no mistake about that!

The last time I addressed this distinguished group was in Detroit on September 28, 1964. As you will recall, at that time I promised you and every man and woman in uniform that I would dedicate my efforts as the prospective Chairman of the House Armed Services Committee to insure that our soldiers, sailors, and airmen, and their loved ones would be guaranteed a level of compensation and a standard of living equal to that which they were dedicated to defend.

You will forgive me in pointing out that that was not an idle boast or an idle gesture.

In 1965, the House Committee on Armed Services doubled the pay raise for military personnel recommended by the Pentagon, and established I hope once and for all the principle that our uniformed personnel would receive compensation comparable to their Federal civilian counterparts.

Believe me, that job was not easy. The Executive Branch fought us with every weapon it could muster.

You know the rest of the story. We made believers out of the Department of Defense.

At a matter of fact, the formula developed by our Committee in computing the 1965 military pay raise is now one utilized by the Department of Defense in computing the 1966 and the proposed 1967 military pay raise.

The Congress and our Committee on Armed Services are determined to continue our constitutional responsibility. On this, there can be no compromise.

When I addressed you in September of 1964, Detroit was a happy city. As a matter of fact, Detroit was repeatedly pointed out as the city in the United States which was a model of progressive race relations—a city which had provided all segments of its citizenry with equal opportunity to live a normal and decent family life.

It was a city which had a bright and unlimited future. A city which had become a mecca for conventioneers from all over the United States. Indeed, we too enjoyed the hospitality and cordiality offered by the City of Detroit when we last met at Cobo Hall.

But look at Detroit now—a city of fear, distrust, and apprehension. A city filled with the grim, stark reminders of the futility of civil war and anarchy—a city filled with block after block of charred and gutted buildings whose ugly skeletal remains bear mute testimony to the folly of our new and lawless society.

How can anyone who has seen this tragic and wretched city after its exposure to uncontrolled violence call the National Guard irresponsible and trigger-happy?

How can any man, how can any American, accept with any complacency the frightening, pointless destruction which follows when law and order are replaced by anarchy?

The National Guard has been the organization which has prevented our country from slipping permanently into the abyss of total violence and total lawlessness.

Since 1957 the National Guard has been called approximately 75 times to restore law and order during civil disturbances in this country. In Watts, Newark, Detroit and Milwaukee, among others, the Guard has displayed its unique and absolutely indispensable capability in assisting local law enforcement officers in the restoration of law and order.

The distinguished service and performance of the Guard over these past many years has now become the object of the strongest criticism and yes, slander, from some of the most surprising sources. You and I both know how completely undeserved are these criticisms. Nonetheless, the seed of distrust has been effectively planted and its offspring will be nurtured by some less responsible members of the fourth estate.

Tragically this assault on the image of the National Guard continues with only the most feeble defense from the Pentagon and many of our Governors. It is strange indeed to view the Pentagon, the foster parent, if you will, of the National Guard, bowing and scraping to those voices of discord in the nation who are attempting to identify the Guard as a boy trying to do a man's work.

I do not charge these forces with treason, but certainly you and every American have every reason to ask why the Guard has suddenly been singled out as the whipping boy.

Could it be that these voices of dissent are frantically attempting to somehow transfer the responsibility for these civil disorders to the National Guard?

Could it be that these voices of dissent, who in fact are heard in even the highest echelons of our Government, have suddenly recognized that their counsel to ignore laws and obedience to laws has now borne evil fruit?

Could it be that these voices of discord and hate have suddenly recognized that the National Guard does, in truth, represent the bastions of freedom and the guarantors of our liberty and constitutional government?

Is it not probable that certain of these critics in the Executive Branch have suddenly made the Guard a scapegoat for their own mistakes and miscalculations?

I don't know the answers but I am frightened and alarmed. I am concerned that these insidious criticisms are designed to destroy you—the National Guard—and change the course of America.

Remember and don't forget—they are tampering with your country.

I shudder to think of what America would be without the National Guard. Consider for a moment what would happen in our great cities and communities if the Governors of our various States were unable to look to their own State militia forces for such strength as would be necessary to insure domestic tranquillity.

Think for a moment of what would happen to the last vestige of State's rights if our National Guard disappeared from the scene.

Don't forget those prophetic words, "What is past is prologue".

I say to you there is nothing wrong with the National Guard. Certainly there is nothing wrong with its dedication, its motivation, or its patriotism.

You and I both know that we have begged and pleaded and threatened the Pentagon to obtain equipment and trained personnel with little success. The Pentagon now wishes to hide and conceal the miscalculations of its "cost effective" creatures and shoulder you with the blame for their own folly which has descended upon them like a whirlwind.

Now, you can take this abuse lying down, or you can fight back.

Your Constitution gives you your life—your Congress gives you your hope. I have given you your forum. You have only to tell us your story—your friends of days gone by will continue to be your refuge in days to come. The going will be tough, but only the tough can survive. If you go, we all go. Our country and constitutional Government cannot survive your demise. America is too young to die. Meet your challenge—the tocsin sounds—your country calls. We will walk this road together—tell us your story and I give you my word you will not bear this cross alone.

You don't have to be cannon fodder for the hate mongers who have been offered and provided sanctuaries by officers of our Government and the highest echelons of our courts.

You and your Governors need not knuckle under to the demands of bureaucrats in our Federal Government. Welcome this challenge to your survival—your cause is right.

How else can you and I answer our children and unborn generations to come if we falter now. Can we leave them a legacy of failure—a legacy of fear—a legacy of anarchy and the loss of constitutional Government? This is your day in history.

Perhaps Daniel Webster on February 18, 1832, was most prophetic when he said—

"Other misfortunes may be borne, or their effects overcome. If disastrous war should sweep our commerce from the ocean, another generation may renew it; if it exhausts our treasury, future industry may replenish it; if it desolate and lay waste our fields, still, under a new cultivation, they will grow green again, and ripen to future harvests. It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All these might be rebuilt. But who shall reconstruct the fabric of demolished government? Who shall rear again the well-proportioned columns of constitutional liberty? Who shall frame together the skillful architecture which unites national sovereignty with State rights, individual security, and public prosperity? No, if these columns fall, they will be raised not again. Like the Coliseum and the Parthenon, they will be destined to a mournful, a melancholy immortality. More bitter tears, however, will flow over them, than were ever shed over the monuments of Roman or Grecian art; for they will be the remnants of a more glorious edifice than Greece or Rome ever saw, the edifice of constitutional American liberty."

You must resist these efforts to pervert and destroy the traditional and constitutional nature of the National Guard.

Remember that you share with your brother in arms in Vietnam the responsibility for the future security of our nation.

You are the guardian of liberty at home. Can you honestly believe that you have discharged your responsibility if you have failed to meet this challenge to National Guard survival?

Our men in Vietnam, as well as every law-abiding citizen in America, looks to us to preserve America.

You and I must share this burden—we must carry the torch:

"Lord, lest I go my uncaring way
Help me to remember
That somewhere out there
A man died for me today.
So long as there be war
I must ask and answer,
Am I worth dying for?"

There are two burning issues facing the nation today: Law and order at home and victory abroad. You are involved directly in both. You stand ready to serve, once again, against the onslaught of communist aggression; you have already been called upon to suppress insurrection at home. You can be proud of your accomplishments, but the greatest deed you can perform for our nation today is to rekindle the fading light of the once brightly burning torch of patriotism that used to symbolize our Nation.

Thank you.

Your Opinion, Please

EXTENSION OF REMARKS
OF

HON. MARVIN L. ESCH

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 19, 1967

Mr. ESCH. Mr. Speaker, recently I conducted a mail poll of my constituents in the Second Congressional District of Michigan. Over 25,000 persons responded and gave me the benefit of their views on 15 vital issues facing this Congress. I am delighted with this response and encouraged that so many citizens would take the time to make their voices heard in Washington.

I would like to take this opportunity to make the entire membership aware of the results of this survey:

"YOUR OPINION, PLEASE"—QUESTIONNAIRE RESULTS, SECOND DISTRICT OF MICHIGAN, MARVIN L. ESCH, MEMBER OF CONGRESS

1. Realizing that the war raises many complex questions and problems, which of the following general courses of action do you favor in Vietnam?

	Percent
a. Continue present policy	14
b. Immediate withdrawal	20
c. Gradual deescalation and gradual withdrawal	36
d. Step up military effort	31
e. Other	[1] 15

2. Congress will soon be considering the East-West trade bill.

a. Do you believe we should encourage trade with the Soviet Union and Eastern European countries?

	Percent
Yes	58
No	36
No answer	6

b. Would your answer be different if the Vietnam war was over?

	Percent
Yes	13
No	72
No answer	15

3. Congress has extended the draft in substantially its present form. Do you consider this system reasonably fair?

	Percent
Yes	41
No	44
No answer	15

Footnote at end of speech.

4. If Congress were to change the draft, which of the following features would you like to see included?

	Percent
a. End student deferments	38
b. Employ a lottery system	22
c. Apply uniform national criteria	43
d. Phase out conscription and rely on higher paid and specialized volunteers	29
e. Establish universal service providing a choice between the military and some form of social service	43
f. Other	[1] 9

5. In the area of civil rights, should Congress:

	Percent
a. Eliminate discrimination in State and Federal jury selection	62
b. Pass legislation to protect civil rights workers	34
c. Adopt antiriot legislation	73
d. Pass an open housing law	[1] 35

6. Do you favor a Federal income tax increase as recommended by the administration?

	Percent
Yes	13
No	76
No answer	11

7. Should Federal Government spending be cut?

	Percent
Yes	81
No	13
No answer	6

8. If Congress were to cut Government spending, in which of the following areas should it concentrate?

	Percent
a. Defense	35
b. Foreign aid	74
c. Space projects	57
d. Education	19
e. Health	17
f. Poverty program	48
g. Highways	28
h. Agriculture	40
i. Aid to cities	44
j. Beautification	[1] 53

9. Do you favor tax incentives for industry to encourage the construction of air and pollution control devices?

	Percent
Yes	69
No	23
No answer	8

10. Do you favor a Federal income tax credit to offset, in part, costs incurred by parents sending children to college?

	Percent
Yes	63
No	33
No answer	4

11. Do you approve a tax sharing or tax credit concept whereby a fixed amount of Federal income tax revenue would be used by state and local governments without Federal control?

	Percent
Yes	58
No	33
No answer	9

12. Again this year legislation to control and regulate firearms has been introduced. In your opinion, should Congress:

a. Require registration of all firearms.

	Percent
Yes	64
No	25
No answer	11

b. Establish Federal controls over the interstate sale of firearms through the mail.

	Percent
Yes	69
No	18
No answer	13

c. Deem Federal legislation unnecessary.

	Percent
Yes	22
No	48
No answer	30

13. Revision of social security benefits will come before the 90th Congress. Do you favor:

a. A flat 8% increase, with additional provisions for increases tied to the cost-of-living index:

	Percent
Yes	42
No	27
No answer	31

b. A flat 20% increase, across the board, with the necessary increase in the social security taxes:

	Percent
Yes	13
No	48
No answer	39

c. An increase in the amount which beneficiaries can earn without forfeiting their social security from the present level of $1,500 to a higher level:

	Percent
Yes	77
No	9
No answer	14

If you favor such an increase would you increase the limit to:

	Percent
$2,000	13
$2,500	15
$3,000	27
Other	22

14. Do you favor further legislation to curb serious national strikes?

	Percent
Yes	73
No	24
No answer	3

15. Do you favor replacing the present National Labor Relations Board with a Labor Court as a part of the judicial system?

	Percent
Yes	36
No	35
No answer	29

[1] Where total percentage equals more than 100%, respondents selected more than one alternative.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 20, 1967

The House met at 12 o'clock noon.

Rabbi Murry S. Penkower, Congregation Hope of Israel, Bronx, N.Y., offered the following prayer:

Heavenly Father, to Thee we turn in our hour of need and invoke Thy blessing upon this House.

We meet in stress to seek direction. The tasks are large and pressing. We look to Thee for guidance. Strife runs rampant in the land, mounting din and discord. Aberration sweeps the world, escalating madness—war!

Help us, we pray Thee, to restore sanity in our midst. Make us the instruments of peace.

Grant us the insight to recognize error, and the courage to correct it.

These leaders gathered in counsel—be with them, O Lord. The people who look to them with trust—bless them, O Lord. And all of us filled with hope and concern, lift up Thy countenance toward us and grant us peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 12257. An act to amend the Vocational Rehabilitation Act to extend and expand the authorization of grants to States for rehabilitation services, to authorize assistance in establishment and operation of a National Center for Deaf-Blind Youths and Adults, and to provide assistance for migrants.

THE 20TH ANNIVERSARY OF THE CIA

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, on September 18, the President paid tribute to the Central Intelligence Agency on the occasion of the 20th anniversary of its founding. Hailing the CIA as being the best professional intelligence service in the world, the President urged its continued dedication to the truth. Mr. Speaker, I would like to associate myself with the President's remarks and I place them in full in the RECORD at this point:

THE WHITE HOUSE,
Washington, September 18, 1967.

This is a day when you should *all* be proud—especially those among you who have been a part of the Agency since its founding.

Twenty years ago, this country had no broad-scale professional intelligence service worthy of the name. Today, it has a strong and vital one—the best in the world.

Twenty years ago, you began with a vague assortment of functions and a varied assortment of people. Your purposes were not well understood inside the Government, and barely understood at all outside. Since that time, you have become a dedicated and disciplined core of professionals, with clearly-defined responsibilities.

Those responsibilities are vast and demanding. You give us information on which decisions affecting the course of history are made. Your product must be as perfect as is humanly possible—though the material you must work with is far from perfect.

You must keep pace with developments in a tremendously complex society, a society which, as your director, Mr. Helms, has said, "gropes for answers to challenges its founding fathers could never have conceived."

You have built a solid foundation in these past twenty years. America relies on your constant dedication to the truth—on your commitment to our democratic ideal. I believe our trust is well placed.

LYNDON B. JOHNSON.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 263]

Adams
Aspinall
Baring
Belcher
Blackburn
Blatnik
Brinkley
Broomfield
Celler
Conte
Corman
Downing
Feighan
Fountain
Garmatz
Griffiths
Hansen, Wash.
Hays
Hébert
Heckler, Mass.
Holland
Hunt
Leggett
Long, La.
Long, Md.
McCulloch
Madden
Moore
Murphy, N.Y.
Pool
Pucinski
Rarick
Rees
Resnick
Sandman
Tenzer
Tiernan
Tunney
Utt
Wolff
Wyatt

The SPEAKER. On this rollcall, 390 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

INTER-AMERICAN DEVELOPMENT BANK ACT AMENDMENTS OF 1967—CONFERENCE REPORT

Mr. PATMAN. Mr. Speaker, I call up the conference report on the bill (H.R. 9547) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 641)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 9547) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That the Inter-American Development Bank Act (22 U.S.C. 283-283k) is amended by adding at the end thereof the following new section:

" 'SEC. 15. (a) The United States Governor of the Bank is hereby authorized to vote in favor of the resolution entitled "Increase of $1,200,000,000 in Resources of Fund for Special Operations" proposed by the Governors at their annual meeting in April 1967 and now pending before the Board of Governors of the Bank. Upon the adoption of such resolution, the United States Governor is authorized to agree, on behalf of the United States, to pay to the Fund for Special Operations of the Bank the sum of $900,000,000, in accordance with and subject to the terms and conditions of such resolution, and subject to the further condition that in consideration of the United States balance-of-payments deficit any local cost financing, by project or otherwise, with the funds authorized under this section be held to the minimum possible level. The United States Governor is also authorized to vote in favor of the amendment to Annex C of the agreement, now pending before the Board of Governors of the Bank, to modify the procedure employed in the election of Executive Directors.

" '(b) There is hereby authorized to be appropriated without fiscal year limitation, for the United States share in the increase in the resources of the Fund for Special Operations of the Bank, the sum of $900,000,000.

" '(c) The voting power of the United States shall be exercised for the purpose of disapproving any loan which might assist the recipient country directly or indirectly to acquire sophisticated or heavy military equipment.' "

And the Senate agree to the same.

WRIGHT PATMAN,
BILL BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
THOMAS L. ASHLEY,
WILLIAM B. WIDNALL,
SEYMOUR HALPERN,
ALBERT W. JOHNSON,
Managers on the Part of the House.
J. W. FULBRIGHT,
JOHN SPARKMAN,
MIKE MANSFIELD,
B. B. HICKENLOOPER,
GEORGE D. AIKEN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 9547) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. The following statement explains the differences between the House bill and the substitute agreed to in conference.

The House bill contained a provision not included in the Senate amendment directing the Secretary of the Treasury to instruct the United States Executive Director of the Inter-American Development Bank to propose the establishment of a program of selective but continuing independent and comprehensive audit of the Bank, with the scope of the audit and the auditing and reporting standards being prepared for the Secretary of the Treasury by the Comptroller General, who would periodically review the audit reports and report to the Secretary of the Treasury and the Congress any suggestions he might have to improve the scope of the audit or the auditing and reporting standards used. The conference substitute omits this provision.

In the judgment of some of the Managers on the part of the House, an end-use review procedure of this kind, once adopted by the Bank, would have inured to the benefit of the Bank in accomplishing the ends of economic development for Latin America. The action of the Managers on the part of the House in receding on this provision should not be taken as a diminution in the concern of the Congress with respect to the efficacy of the Bank's operations; and it is hoped that the United States representatives to the Bank will urge the Bank to review existing procedures to insure that the Bank is obtaining maximum value in its expenditure of funds.

The House bill and the Senate amendment both contained a provision authorizing the United States Governor of the Inter-American Development Bank to vote in favor of the pending resolution entitled "Increase of $1,200,000,000 in Resources of Fund for Special Operations," and (upon the adoption of such resolution) to agree on behalf of the United States to pay to the Bank's Fund for Special Operations the sum of $900,000,000 in accordance with such resolution. The House bill made the payment of $900,000,000 subject to the further condition (not imposed by the Senate amendment) that in consideration of the United States balance-of-payments deficit any local cost financing with the funds so authorized be held to the minimum possible level. The conference substitute contains the House provision.

The Senate amendment contained a provision not included in the House bill directing that the United States voting power in the Bank be exercised to disapprove any loan which might assist the recipient country directly or indirectly in acquiring sophisticated or heavy military equipment. The conference substitute contains the Senate provision.

WRIGHT PATMAN,
BILL BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
THOMAS L. ASHLEY,
WILLIAM B. WIDNALL,
SEYMOUR HALPERN,
ALBERT W. JOHNSON,
Managers on the Part of the House.

The SPEAKER. The gentleman from Texas [Mr. PATMAN] is recognized for 1 hour.

Mr. PATMAN. Mr. Speaker, I am happy to report to the Members of the House that the conference with the Members of the other body on H.R. 9547, the Inter-American Development Bank Act Amendments of 1967, has resulted in a bill acceptable to the managers of both Houses. The House amendment contained two provisions not found in the Senate version and, in turn, the Senate version contained one provision not found in the House-passed bill. The conference report in explanation of the resolution of these differences has been printed both in the CONGRESSIONAL RECORD of Thursday, September 14, and as House Report No. 641.

In substance, the bills passed by both Houses contain a provision authorizing the U.S. Governor of the Inter-American Development Bank to vote in favor of a resolution increasing the resources of the fund for special operations of the Bank and agreeing on behalf of the United States to pay into that fund the sum of $900,000,000. The House bill made such payment subject to the condition that local cost financing with the funds authorized to be appropriated under the bill be held to minimum possible levels in view of U.S. balance-of-payments position. The Senate conferees stated their view that this amendment is a valuable addition to the legislation and the conference substitute, accordingly, contains this provision.

On the other hand, the Senate-passed bill contained a provision not contained in the House bill which called upon the United States to use its voting power in the Bank to disapprove loans which might assist recipient countries in acquiring sophisticated or heavy military equipment. As the intent of this amendment is completely consistent with the purposes of the Bank in assisting in economic development and is in keeping with the existing administrative practices of the Bank, the managers on the part of the House accepted this Senate provision which is contained in the conference substitute.

However, on a provision contained in the House bill and not contained in the Senate bill, which would have directed the Secretary of the Treasury to instruct the U.S. Director to the Bank to propose the establishment of an audit procedure in the Bank under guidelines prepared for the Secretary of the Treasury by the Comptroller General, the conferees were unable to achieve agreement. Although your House conferees receded on this point, it would, indeed, be mistaken if officials of the Bank were to construe this action as suggesting any lack of concern on the part of the Congress in the appropriate management of the Bank's affairs. As is set forth in the statement of managers, the managers on the part of the House urged that U.S. Representatives to the Bank seek, nevertheless, to insure that appropriate end-use procedures are established in the Bank. This suggestion is not intended as a criticism of the Bank's past operating procedures. It is offered, rather, to insure continued efficiency and efficacy of the Bank's operations.

Mr. Speaker, the gentleman from Alabama [Mr. SELDEN] offered an amendment on the floor which we were unaware of on this side—at least I was wholly unacquainted with it.

It developed that Mr. SELDEN and his select subcommittee of the Committee on Foreign Affairs had made extensive investigations; they had visited a number of countries involved with this Bank. The report was made on May 1, 1967, and contained some criticism of the Bank. When the amendment came up, those of us on the majority side and some on the minority side talked with the gentleman from Alabama and we agreed to accept his amendment, which was adopted, I believe, without opposition.

At that time we did not know that the bank we are dealing with here, the Inter-American Development Bank, had reviewed these criticisms that had led to the amendment, and the Bank had offered what they considered to be a satisfactory reply to each and every one of those criticisms. They took them up point by point. They thought that their answer to those would be satisfactory to Mr. SELDEN's committee, to the Members of Congress, and everyone concerned. It is a document about 21 pages long, but it does take up each point that was criticized.

When Mr. SELDEN got up his report, he sent the page proofs, I am told, to the agency, and the agency, of course, sent him this reply.

The report, when it was printed, did not contain the answer of the agency. I have no criticism of anyone for that. That is entirely up to the subcommittee and others who are involved in it. I am not making any criticism. The only suggestion I have to make is that we did not have all the facts when the amendment was adopted here on the floor. We just did not have them because we did not have the agency's side, whether anyone said they were sufficient or insufficient, satisfactory or unsatisfactory. I am not insisting upon an argument on either one of those points. But I do insist that before adopting the amendment we should have had the answer of the agency, which we did not have.

Therefore, I do not think the amendment was justified in the beginning, and I think that the conferees in unanimously turning it down were entirely right, because I do not believe there was justification for it in the conference report.

Mr. Speaker, I am aware that some question has been raised as to why the House conferees receded from the provision contained in the House bill which would have directed the Secretary of the Treasury to instruct the U.S. Director to the Bank to propose the establishment of an audit procedure in the Bank under guidelines prepared for the Secretary of the Treasury by the Comptroller General of the United States. The provision in question was offered in the closing minutes of the House consideration of the bill and was accepted without full consideration of its provisions. Frankly, it was accepted on the assumption that the audit procedures called for did not exist in the Bank and that such procedures were needed and desirable. I am equally sure that the amendment was offered in good faith, based upon this same assumption.

When the House and Senate conferees met on this bill, other substantive differences were disposed of in a matter of minutes. The remainder of the time spent in conference was spent in discussing this amendment. The first question asked by the Senate conferees concerning the audit provision in the House bill was whether or not any hearings had been held on this matter. We were, of course, compelled to confess that no such hearings had been held. Subsequent to the conference, I have had an opportunity of studying this matter in greater detail and find out that, in fact, the Inter-American Development Bank already has existing internal audit procedures, in addition to the external audit performed annually by one of the most reputable firms of public accountants in the Nation—Price Waterhouse & Co., which also audits the World Bank.

The Price Waterhouse examination is designed to give the Board of Directors of the Bank, as well as the member countries represented, assurances regarding the overall management of the Bank's activities. Their audit work includes tests of all the different types of bank transactions, including disbursements, collections, interest, contracts, guarantees, maintenance of value, letters of credit, and—most important—loans. They also obtain direct confirmation from borrowers as to validity, terms, and amount, of each loan receivable. Price Waterhouse always reviews all aspects of internal control present in the Bank, including the work of the internal auditor, and makes recommendation to the Bank if improvement in these internal procedures appears necessary.

Over the past 5 years, the Bank has instituted an integrated loan control program, consisting of three separate phases: First, preventative and prelending controls; second, surveillance and administration controls; and third, financial, audit, and evaluation controls. At each of these phases auditing is performed although in each case such audits are conducted for a different purpose.

In summary, then, it may be stated that the Bank already has elaborate loan control internal and external audit procedures. The Bank already has a planned system to provide surveillance, control, audit and evaluation of loans, capable of being amended when necessary, and based upon professional expert advice. The entire system currently applied by the Bank includes different types of auditing, at different stages, and for different purposes, without duplication. The Bank's procedures stress independence, separation of duties, prevention of conflict of interest, on-site inspection and engineering review, supporting documentation of loan disbursements and many, many other more detailed controls. The Bank's goal is to maximize safeguards over fulfillment of the Bank's purposes. Since this was our purpose in adopting the amendment, it is clear that the amendment is not needed. In any event, having received this additional information, no such amendment should be adopted unless full and complete hearings are held so that all of the facts may be laid out on the record for the consideration of all Members.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. GROSS. Let us see if we can get this issue in proper perspective. This audit provision was adopted by the House, as I recall, without a dissenting vote.

Mr. PATMAN. Yes; it was.

Mr. GROSS. If I remember correctly, it was accepted by the chairman.

Mr. PATMAN. It was. We thought it was good. I believe in audits; the gentleman from Iowa believes in audits.

Mr. GROSS. The gentleman thought it was good at that time.

Mr. PATMAN. Yes.

Mr. GROSS. Then the gentleman and his members of his committee went to conference with the other body and, as I understand the situation, the gentleman from Texas supported the House amendment in the conference.

Mr. PATMAN. That is correct. I did.

Mr. GROSS. Now it comes to the House floor, and this is the amazing part of it: What has happened in a matter of 2 or 3 days to completely change the gentleman's mind? I have heard the old adage that minds sometimes become purified because they change so often, and I wonder if that is the case here today.

Mr. PATMAN. You can make any application of that to yourself, to me, or to anyone else you want to, but the facts are that we have something here that we did not have when we agreed on the amendment. We have discovered that the agency involved had answered these charges in a way that they considered satisfactory, and I think that if the gentleman would read their answers, he would find them to be rather revealing, rather interesting, and probably pretty persuasive against the audit provision contained in this particular bill.

Mr. GROSS. Will the gentleman be good enough to tell me what is wrong with an audit? We would not have this situation if we had a comprehensive audit.

Mr. PATMAN. There is nothing wrong with an audit. I am for audits, as the gentleman knows, but they are already audited. That is available right now. We have those available on the desk. Not only are they audited themselves, but Price Waterhouse audits them, and they are considered to be a good reputable firm of auditors. We have the statement right here.

The statement that they are not audited is not correct, because they are audited. When I voted for the amendment and agreed to the amendment, I did not think they were so audited, and the Members on this side of the aisle did not think they were so audited.

Mr. GROSS. That is an astounding statement. I hope the gentleman will yield to the gentleman from Alabama so that he may fully respond.

Mr. PATMAN. I am going to give the gentleman time to discuss it. The gentleman from New Jersey [Mr. WIDNALL], wants time to discuss it, and then I will yield time to the gentleman from Alabama.

I yield to the gentleman from New Jersey [Mr. WIDNALL], 10 minutes for the purpose of debate and discussion.

However, if the gentleman from New Jersey would like, I will yield first to the gentleman from Alabama.

Mr. SELDEN. Mr. Speaker, I would like to have the gentleman yield to me for an observation.

Mr. PATMAN. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. SELDEN].

Mr. SELDEN. Mr. Speaker, needless to say, I also was astounded to find that the majority of the conferees from the House had deleted from this legislation an amendment, introduced by me and adopted without dissent in this body, which would, through the Secretary of the Treasury, direct the U.S. executive directors of the Inter-American Development Bank to propose the establishment by the Board of Directors of that Bank of an independent and comprehensive audit similar to the audits made by the Comptroller General of the activities of the U.S. Government.

As one who has supported the Inter-American Development Bank since its inception, I did not offer this amendment to hamper the operation of an organization that I believed has been playing a beneficial role to date in Latin America. I did so because I believed that such an audit, available to the representatives on the Bank of all the member nations, would improve the administration and implementation of loans made by the Inter-American Development Bank. This conclusion was reached only after our colleague, the Honorable WILLIAM MAILLIARD and I visited in the field several projects funded by the Inter-American Development Bank, the administration and the implementation of which we felt could be greatly improved.

Let me refer just a moment to the House report that the distinguished gentleman from Texas referred to in his statement. Representative MAILLIARD and I did make a report on findings dealing with the Social Progress Trust Fund, and we did print the report as a House document. However, the Inter-American Development Bank did not have this report until it was printed.

The particular projects that we referred to in this report had been funded through the Social Progress Trust Fund. This fund is 100-percent U.S. contributed, and not a dime was put into this particular fund by any other country. However, it was administered through an agreement with the Inter-American Development Bank.

In an effort to ascertain additional information on those particular projects, we recommended in our report on our return that the Social Progress Trust Fund be audited by the U.S. General Accounting Office. This was a fund contributed 100 percent by the United States. When the General Accounting Office went to the IDB to get this information, they were politely but firmly refused access to any of the books or records of the Bank.

Recognizing that legislation making additional U.S. funds contingent on an independent review by the General Accounting Office of that Bank's operation could perhaps cause serious misunderstanding and unnecessary resentment among the Bank's other members, the amendment that I offered—and I worked this amendment out in consultation with the Treasury Department—is designed to accomplish such a review without these complications. This amendment does not provide for an independent audit by the GAO. It is a directive to our Executive Director to call for a multilateral audit that would be made available to the representatives of all of the member nations.

My amendment was offered, however, only after I had been assured by our Executive Director of the IDB that he would diligently seek to have established the proposed method of obtaining an objective and independent review and appraisal of the effectiveness of the implementation and administration of the loans made by the Bank, not only for the benefit of the United States, but for the benefit of other member countries as well.

Mr. Speaker, there is nothing, in my opinion, that contributes more to the laxity of the administration of funds of others, or to mistaken suspicions regarding such administration, than the knowledge that owners do not have full information concerning the quality of the administration.

And, because this proposal includes an analysis of the efficiency of loan implementation—and that information is not available in the Price Waterhouse report now available through the Bank—it seems to me that it would be of vital importance to those countries who are borrowing and who are going to have to repay.

Consequently, Mr. Speaker, it is difficult for me to understand why a majority of the House conferees agreed to delete an amendment that had been unanimously adopted in the House of Representatives and, while not adopted by the Senate, discussed only favorably on the Senate floor. It is even more difficult for me to understand why a representative of the Inter-American Development Bank, an international organization, would come to Capitol Hill and actively lobby against the suggested review of the IDB's operations which, if adopted, could only prove helpful in the efficient operation of this institution's activities.

But, whatever the reasons, I think it important that the House of Representatives stand firm in its position by instructing the conferees to insist on the provision dealing with an audit. Therefore, at the proper time, I intend to offer a motion to recommit the conference report with instructions to the managers on the part of the House to insist on retaining this particular section of the House-passed bill.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I am happy to yield to the gentleman from Virginia.

Mr. HARDY. I should like to compliment the gentleman for his position. It is absolutely sound. The House ought not permit a continuation of this program unless there is some provision for an audit.

Mr. SELDEN. I thank the gentleman from Virginia.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. I want to commend my colleague from Alabama for the fight he has made to try to insure that money we appropriate is honestly spent. For the life of me I cannot understand why any recipient of our money would be opposed to having officials of our Government audit the expenditure of those moneys, unless there is a "dead cat" on the line somewhere.

Mr. SELDEN. I thank my colleague from Alabama.

Mr. OTTINGER. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from New York.

Mr. OTTINGER. I want to congratulate the gentleman on the fine work he has done. I believe the provision, added at his instance, is an important safeguard for the funds in this program. The bank ought to willingly adopt the kind of audit provided.

I strongly support the gentleman's position.

Mr. SELDEN. I thank the gentleman.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. I also want to commend the gentleman for alerting the House to this situation and what is happening. The House has taken a position on this requirement for an accounting. It is a logical position.

I cannot understand why anyone would oppose getting an audit to see how taxpayers' dollars are spent. Certainly the gentleman is correct in his position.

I feel quite sure that the House will sustain his position in a positive way on any vote on this matter. I congratulate the gentleman.

Mr. SELDEN. I thank my colleague from Florida.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Florida.

Mr. FASCELL. I want to join in support of the gentleman's position, because, as the gentleman has pointed out—and I believe it needs to be reemphasized—the precedent here is that the U.S. Government has set up a trust fund by contract, which is 100 percent funded by the U.S. Government, and no provision was made in the agreement for comprehensive audit by the settlor of the trustee's actions.

Furthermore, even though the Bank's other operations are properly covered by an independent audit, what possible harm could there be in the Congress through the language in question, directing the U.S. representative in that Bank to seek to have the criteria for the Bank's audit changed so that it becomes a comprehensive audit rather than a regular financial audit? I see no harm. I do see benefit, since a comprehensive audit would be more meaningful to the member nations. Particularly the United States and the General Accounting Office.

It is inconceivable to me that any trust agreement entered into by the United States would not contain a provision that the trustor would have a right to audit the trustee's actions. This is separate and apart from the Bank's other operations. Therefore, I want to compliment the gentleman from Alabama for calling this to the attention of the Congress.

Mr. SELDEN. Let me say to the gentleman that this is true so far as the Social Progress Trust Fund is concerned. However, this amendment applies to the Bank's entire operation.

Mr. FASCELL. I understand that, but the principal thing is that the Social Progress Trust Fund, an integral part of the Bank's operation, is not covered by an independent comprehensive audit, and while the other operations of the Bank are covered by an independent audit, they are not covered by a comprehensive audit.

Mr. SELDEN. I thank the gentleman.

Now, Mr. Speaker, I yield to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Speaker, I would like to commend the gentleman from Alabama for the very effective and articulate manner in which he has again explained to the House the purpose of the amendment which the House of Representatives adopted, so far as I know, without any dissenting action and without any dissenting thoughts at the time that this bill was before us. I hope that the House will sustain its previous action and support the motion which will be offered by the gentleman from Alabama.

Mr. SELDEN. I thank the gentleman from Georgia.

Mr. SELDEN. Mr. Speaker, I now yield to my colleague from California [Mr. MAILLIARD].

Mr. MAILLIARD. Mr. Speaker, I thank the gentleman from Alabama for yielding to me.

I have heard conversations around the Chamber and I think the RECORD should be straight so nobody will misunderstand the situation. The House adopted in the foreign aid bill an amendment which I introduced which went to the right of the United States to audit funds, where the funds are solely contributed by the United States. That bill is in conference. I have every confidence when we bring it out of conference that amendment will be in it still.

However, there seem to be some people on the floor who think this has accomplished the same purpose as the amendment that the gentleman from Alabama offered. I want to assure them it does not. My amendment applies to all funds of any bank or any international organization where funds are wholly contributed by the United States, but it does not go to the point of the gentleman's amendment.

Mr. PATMAN. Mr. Speaker, I yield 10 minutes to the gentleman from New Jersey [Mr. WIDNALL], for the purpose of debate.

Mr. WIDNALL. Mr. Speaker, I would like to defend the position of the conferees with regard to the amendment to the House-passed bill by the gentleman from Alabama [Mr. SELDEN].

When H.R. 9547 was before the House, the amendment was offered from the floor and accepted by the floor manager of the bill. There were no hearings on this auditing provision although there was ample opportunity during our committee hearings for the gentleman from Alabama to testify.

As a matter of fact, Mr. Speaker, I do not know of any serious charges that have been made against the Inter-American Development Bank that would warrant adoption of such an auditing provision.

Mr. Speaker, the choice for the House seems to me to be clear: Either we continue to encourage the channeling of foreign aid assistance through multilateral lending institutions or we revert to the traditional forms of bilateral giveaway programs. The advantages of the former over the latter are clear and indisputable. It is a choice between loans and grants; between sharing the burden with others and carrying the full burden ourselves.

The language of the amendment deleted in conference called for a GAO-type audit of the Inter-American Development Bank by an independent firm or group on the basis of standards set by the GAO and with the analysis and findings to be reviewed by the GAO, which, in turn, would be required to transmit its comments to the Congress.

The proposal involves a fundamental change in U.S. relations with international financial institutions starting with the Inter-American Development Bank. The effect of the amendment in substance would be to equate the multilateral assistance program to substantially the same standard of GAO and congressional surveillance of operations as for bilateral assistance. It is difficult to say whether the international aspect of multilateral assistance could be maintained if the innermost records of an international institution would have to be laid bare to such scrutiny.

We should all remember that the Inter-American Development Bank is a banking institution and the information which is generally obtained as to their financial status, administrative capacity, and so forth, is given and prepared on a confidential basis. The general release to the public of such information would make it extremely difficult to carry on normal financial and banking affairs. Far more important for our consideration, however, is the fact that such a proposal might require the consent of all the other member governments, every one of whom could demand equal auditing controls.

Moreover, we should remember that the Inter-American Development Bank currently is being audited by the well-known firm of Price Waterhouse & Co., and to the best of my knowledge there have been no criticisms made of their audits. Had the gentleman from Alabama directed that such GAO audits be conducted with regard to just the Social Progress Trust Fund wherein the United States was the sole contributor, I would not be voicing my objections.

We should also keep in mind that the IDB has been encouraged by our Government to raise lending capital through private bond issues both here in the United States as well as abroad. Since its inception, the IDB has raised through private bond issues more than $437 million. To the extent that the IDB can raise capital through such issues, it relieves the Bank's need for appropriated funds from member governments—especially the United States. Moreover, the IDB has been successful in selling issues in Switzerland, Italy, Great Britain, and Germany, thereby further establishing development capital markets in other countries at a time when raising loan funds in this manner can relieve the need for doing so in our own tight money market.

The Bank's prospectus of January 17, 1967, in connection with its most recent $50 million private bond issue includes a statement by Price Waterhouse & Co., which states:

> Our examination of these statements was made in accordance with generally accepted auditing standards and accordingly included such tests of the accounting records and such auditing procedures as we considered necessary.

In the private bond markets the IDB has a triple A rating. In my opinion, the test of the private marketplace is by far the most rigid and a far more accurate appraisal than that which would result from any form of auditing. If the House, this afternoon, decides that the Bank needs to be audited by GAO, the reaction in the private market will be that the House of Representatives has voted "no confidence" in the internal management of the Bank. This could seriously affect its ability to raise capital through private bond issues.

Furthermore, it seems curious to me that such an auditing requirement is being asked for an international lending institution against which no charges of misuse of funds have been leveled. During the House debate in July, the gentleman from Alabama referred to the report of the special study mission of his subcommittee to Latin America as being the primary reason for asking for the GAO audit. That report, No. 219 of the 90th Congress, was coauthored by the gentleman from California [Mr. MAILLIARD].

I have read that report with interest. The gentleman from Alabama's main complaint, on page 41 of that report, was that the Social Progress Trust Fund assigned to the IDB has not been totally disbursed. The report went on to cite several instances where project approvals have been delayed and where fund disbursements have also been delayed. The report also cites several instances where such delays have been attributed to a lack or absence of IDB project personnel. In another instance, the report is critical of the Bank because a $1.5 million loan for advanced education was not moving rapidly because the required conditions by the Bank had not been met.

With all due respect, it seems to me that the report was highly critical of the IDB for not spending money fast enough and for not creating a vast administrative bureaucracy in the image of AID. Let us think about this for a moment. If AID were still administering the Social Progress Trust Fund, that Fund not only would have been fully disbursed by this time but AID would have been back up here several more times requesting additional hundreds of millions of dollars. Not only that, AID would have project officers and their dependents scurrying all over the landscape of Latin America trying to dig up new projects to justify additional giveaway appropriations.

To the charge that IDB has rigid standards and conditions precedent to development loans, the Bank pleads guilty. To the charge that the IDB has been conservative in its administration and spending of the funds in the Social Progress Trust Fund, the Bank also pleads guilty. I, for one, am pleased with this part of the Bank's record. I hesitate to say this, Mr. Speaker, but if I were given a choice between AID and IDB as administering development loan assistance in Latin America, I would have no hesitation whatsoever in preferring the Inter-American Bank. It may have fewer employees, but those that they do have, as Meredith Willson wrote in the lyrics of "The Music Man," "really know the territory."

Insofar as internal auditing procedures are concerned, it is normal practice with the IDB for the Controller of Operations to report directly to the Executive Vice President of the Bank on the results of audits of the type normally performed by the GAO. Furthermore, before the IDB makes a loan, the prospective borrower must submit to a thorough audit by a private auditing body of high professional caliber. During the course of a project loan, the IDB insists upon an annual audit of the borrower plus an annual audit of the project itself.

With respect to those loans made to government borrowers supervising development projects, the IDB accepts that government's audit only if it is satisfied that government borrower meets rigid auditing standards. Many government borrowers in Latin America do not meet these rigid standards and in those cases—primarily very underdeveloped countries with a short history of internal auditing procedures—they must submit to a private audit. In every instance, these audit requirements are the first condition precedent to disbursement of a loan. Hence, in many cases, a delay in disbursement, such as those cited in the gentleman from Alabama's report.

We should also be reminded of the fact that, under existing procedures, the U.S. Executive Director to the IDB can, upon request, make available to Members of Congress all IDB loan reports. If requested to do so, there is no reason why the GAO could not review these reports. Such a procedure effectively would create the conditions for what is normally called an end-use review. The Inter-American Development Bank has no objection to such an end-use review of its loan disbursements.

Finally, the question logically arises whether the Selden amendment duplicates an amendment to the pending Foreign Assistance Act of 1967 which was adopted in committee and is currently in conference. That amendment, authored by the gentleman from California [Mr. MAILLIARD], was section 301(d) of H.R. 12048. Let me read to you the exact language of that amendment:

> In any case in which a fund established solely by United States contributions under this or any other Act is administered by an international organization under the terms of an agreement between the United States and such international organization, such agreement shall provide that the Comptroller General of the United States shall conduct such audits as are necessary to assure that such fund is administered in accordance with such agreement. The President shall take such steps as may be necessary to modify any existing agreement entered into before the date of enactment of this subsection to conform to the requirements of the preceding sentence.

It seems clear that section 301(d) makes unnecessary the Selden amendment to the Inter-American Development Bank Act. Indeed, the amendment to the Foreign Assistance Act goes much farther than the Selden amendment in that there is absolutely no question that the GAO itself will conduct the required audits. I am advised there is every indication that the Senate will accept the House amendment to the Foreign Assistance Act and that this will become law.

Mr. Speaker, I am sure nearly everyone here in the House, given the choice, prefers multilateral lending institutions to outright giveaway foreign aid programs. The advantages of multilateralism are manifest and obvious. In exchange for sharing the burden with other contributor countries, on the other hand, we all must be willing to accept a certain diminution in control of day-to-day operations. That diminution in control, however, rests firmly on a foundation of trust—trust that is implicit in any banking operation. When that trust is violated, we should expect and indeed demand corrective action. In the absence of such violation of trust, however, it seems to me that we would be making a grave mistake to take any precipitous action that would in any way discourage both the cooperation and contributions from those countries who are willing to share at least some of the burden of economic development assistance through multilateral lending institutions.

At the very minimum, before making such a drastic change, we should hold hearings at which time our committee would have an opportunity to question both the U.S. Executive Director to the Bank as well as those responsible for conducting the independent private audits arranged for by the Bank.

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. SELDEN. There are several points that I would like to comment on if the gentleman will give me a few moments.

First, I am sure the gentleman from New Jersey [Mr. Widnall] does not want to leave the impression that the amendment in question will provide a GAO audit of the Inter-American Development Bank.

This amendment provides that our executive director propose an audit by the Bank itself through an independent firm, a comprehensive audit which is not available at this time. That audit would then be made available to the directors from the member nations, and, of course, subsequently reviewed by Congress and the GAO, as it should be. But it would not be a GAO audit of the Inter-American Development Bank.

Second, Price, Waterhouse does audit the books of this organization every year, but it performs a normal functionary audit that is generally associated with what it referred to as a test function; that is, they express an opinion on the fairness of the financial statement.

The SPEAKER. The time of the gentleman has expired.

Mr. PATMAN. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. SELDEN. If the gentleman will yield further, the present Price, Waterhouse audit does not provide the type audit that is necessary for us to determine whether or not the loans being made are achieving their intended purpose.

All that the audit that is proposed by this amendment would do would be to make such information available to the representatives of the member nations.

Third, I would like to point out, so far as our report on the social purpose trust funds is concerned, that the point the gentleman from California [Mr. Mailliard] and I attempted to make and there were examples in our report in this connection was that there seemed to be a lack of followup and control in connection wtih these particular social purpose trust fund loans.

Consequently, we requested the GAO to determine whether or not we could get an audit. The GAO was unable to do so.

Finally, the amendment of Mr. Mailliard to the foreign aid bill applies only to the social progress trust fund of the Inter-American Development Bank and does not affect the other operations of that particular Bank.

I felt that those points should be made clear, and I thank the gentleman for yielding.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. HALL. I am thoroughly confused on the gentleman's position. I appreciate the gentleman yielding to me. But in order to reorient the House, I have before me a copy of his letter dated July 26 this year when we considered H.R. 9547.

I also have the Congressional Record, pages 20220–20221, of that date in which the gentleman decided not to offer the motion to recommit but, of course, another motion was included in the motion to recommit than the one announced by the gentleman from New Jersey. Now, having signing the conference report, and having made this statement here, he says he wants to have complete and adequate hearings.

Yet, the argument is 51 days after the amendment was accepted by both the majority and minority of the House. My question is, Where do you have an explanation for the change in position of the leadership, and the gentleman from New Jersey, the ranking minority member of the committee, if indeed we should not support the Selden amendment?

The SPEAKER pro tempore (Mr. Albert). The time of the gentleman from New Jersey [Mr. Widnall] has again expired.

Mr. PATMAN. Mr. Speaker, I yield 1 additional minute to the gentleman.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I have reviewed in complete detail all of this, and what has been issued on the subject, and listened to the statement of the gentleman in his opening remarks in consideration of this bill in July, and now today. I certainly having read in detail the conference report, and I understand the give and take that has eventuated there, I have read the gentleman's letter which was signed and sent, I presume, to all the Members of the House.

I understand the function of the committee, the Rules of the House, and the function of the managers on the part of the House in conference of the two bodies; but why could we not have a simple audit in this area of the U.S. portion of participation in this fund and, secondly, is the gentleman satisfied to reverse his announced position by the underwriting by the Export-Import Bank working with the Department of Defense and the Department of Commerce for sales of arms overseas, which was the point of your letter originally?

Mr. WIDNALL. I think the gentleman is confusing two bills. This has nothing to do with the Export-Import Bank and the underwriting of arms through the guarantee of the Defense Department.

At the time I wrote the letter to the Members of the House, I was considering the motion to recommit, which I later reconsidered because I felt it would be misunderstood by the House. I was trying to assert pressure by holding up that legislation to direct attention to what the administration was doing through the Export-Import Bank. It was proven the Inter-American Bank had nothing to do with any of those loans.

Mr. HALL. The gentleman's letter states and I quote:

> H.R. 9547 is to be considered today on the floor of the House.

Mr. WIDNALL. And the purpose was to hold up the legislation to bring attention to the fact that the administration through the Defense Department and using the Export-Import Bank was lending hundreds of millions of dollars for arms traffic.

Mr. HALL. Was the basis for the opinion change the result of the letter from Secretary Barr, the new foreign aid authorization section pertinent, or was it just collusion with the administration for the usual sweetening technique to pass questionable legislation?

Mr. WIDNALL. That had nothing to do with the argument here as to the GAO audit. It was not concerned with that.

Mr. HALL. No; but it has to do with the recommittal of the conference report or the passage of the bill, which, incidentally, I voted against anyway.

Mr. WIDNALL. We are not now arguing the amount of money. The point of argument is over a GAO audit, as to whether or not it is needed, as to whether or not it is proper when we are in a multilateral organization where we make a contribution of about 40 percent and other countries make a contribution of 60 percent, and we insist upon a GAO audit, a Government audit by this country, which could lead to government audits by every other country involved in the Bank—and it is a banking operation.

Mr. HALL. I understand that, and I understand it is a revolving fund, but that is $900 million out of $1,243,000,000, which is certainly more than 40 percent participation in this revolving fund, and I think we have a right to have an audit.

The SPEAKER pro tempore (Mr. Albert). The time of the gentleman from New Jersey has expired.

Mr. PATMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. Ashley].

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. ASHLEY. Mr. Speaker, I concur with what has been said by the distinguished chairman of the Committee on Banking and Currency and the minority leader of that committee. I take the position that the House conferees acted appropriately in the conference with the other body.

There is really no issue, as I understand it, with respect to the actual practice of the Inter-American Development Bank. That is not the point. The point is that the Congress does have an oversight function. This essentially rests with the Committee on Banking and Currency. The question, it seems to me, is whether the type of audit that is sought is necessary for the exercise of the oversight function by the appropriate congressional committee, and I find in all truth, if I may say so, that it is not necessary, that the information that the additional audit would produce is already available.

Let us look at the structure of the Bank first, for just a moment. It is not as if we are talking about an organization that is without controls. The Inter-American Development Bank is structured on the basis of control in three areas.

One, preventive and prelending controls under the coordination of a loan officer.

Two, surveillance and administrative controls under the loan administration division—and this has been separated from the loan division in part to prevent any possible conflict of interest.

Three, financial, audit, and evaluation controls.

We have only touched on the third; namely, the audit by the internationally known firm of Price Waterhouse. It has been said that with respect to the audit of this concern, that it does not go far enough. I would respond by saying this: There is an annual examination, of course, of the financial condition and operating results of the Inter-American Development Bank, and the examination is designed to give the Board of Executive Directors and the member countries represented assurances regarding overall management of the Bank's activities. The audit includes tests of all the different types of bank transactions, including disbursements, collection, interest, contracts, guarantees, maintenance of value, letters of credit, and, most importantly, loans. They also obtain direct confirmation from the borrowers as to the validity, terms, and amount of each loan receivable. They always reveal all aspects of the internal control in the Bank, including, of course, the internal auditor, and make improvements if deemed necessary.

They usually spend 2 or 3 months in the Bank, starting in August, and 2 or 3 months in the Bank at the yearend.

The report is presented at the Board of Governors' meeting. That review, comprehensive as it obviously is, is available to the appropriate committees of the House and the Senate. We are not devoid of the opportunity to exercise our oversight function for lack of data, for lack of information. If we want to spend additional sums of money to produce exactly the same information that is available, of course, we can do that. But it is not sensible, it is not necessary, it is not in the public interest, and there is no more protection that is generated out of such an audit than is already available with the information we have.

Mr. MIZE. Mr. Speaker, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Kansas.

Mr. MIZE. Mr. Speaker, if we were to insist on this additional type audit that the gentleman from Alabama [Mr. SELDEN] is proposing for the Inter-American Development Bank, would it not be logical that we would have to go ahead and insist on the same thing for the World Bank, for the Asian Development Bank, and for the International Development Association?

Mr. ASHLEY. Mr. Speaker, I think the gentleman makes a very good point. It does seem to me we tend to overlook the fact that we are concerned here with a multinational institution, just as the World Bank is a multinational institution. Yes, the participating countries should be protected. The point I am trying to make is that this participating country is protected, and so are the others protected.

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. MIZE].

Mr. MIZE. Mr. Speaker, my question has been answered.

Mr. BROWN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MIZE. Mr. Speaker, I yield to the gentleman from Michigan [Mr. BROWN].

Mr. BROWN of Michigan. Mr. Speaker, I would like to address a question to the gentleman from Ohio [Mr. ASHLEY]. If we should proceed to have these banks audited, could not every other country make the same request with respect to those banks which involve multilateral financing arrangements?

Mr. ASHLEY. The gentleman is absolutely correct.

Mr. BROWN of Michigan. Then, Mr. Speaker, it seems to me, if the Soviet-bloc nations should become involved in one of these banks they could demand a similar audit in their behalf.

Mr. ASHLEY. Yes, and, naturally, it is destructive of the very type activity we are trying to generate through the multinational institution.

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. MIZE. I yield to the gentleman from Alabama.

Mr. SELDEN. Mr. Speaker, of course, this amendment makes an argument for such a procedure in other banks, but this procedure allows the Bank itself to provide the information for all members. There is no reason why all members participating in a banking institution should not know what is being done with the money. That is point No. 1.

Point No. 2. I have discussed this matter with the Comptroller General of the United States, and he advises me that neither the Congress nor the General Accounting Office can ascertain from present published reports whether these IDB loans are achieving their intended purposes.

He advises me also that the General Accounting Office has carefully considered this amendment, that they have contacted Price Waterhouse, who presently audits the books of the Inter-American Development Bank, and that in his opinion such an audit as proposed by this amendment would be feasible and would achieve the amendment's basic objectives.

Mr. MIZE. Such an audit would be to try to find out whether or not the loans are achieving the objectives for which they were made. Such an audit would still be strictly a matter of opinion. This kind of audit we do not need.

An audit of the mechanics and operations of the Bank is the kind of audit we certainly want and have.

Whether or not the loans are achieving the objective, again I say, would be a matter of opinion. We do not need an auditor for that.

Mr. HARVEY. Mr. Speaker, will the gentleman yield?

Mr. MIZE. I yield to the gentleman from Michigan.

Mr. HARVEY. I believe the gentleman from Kansas has put his finger on the important element we are talking about today; that is, focusing attention on these other banks and making a distinction as between the banking operations which exist in the World Bank, the Inter-American Development Bank, the International Development Association and the other operations, such as the Social Progress Trust Fund where we contribute 100 percent. There is a vast difference.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Kansas has expired.

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Speaker, I have been in on the so-called Selden amendment from the beginning.

Although the gentleman from Alabama [Mr. SELDEN] did not have an opportunity to present his amendment to the House Committee on Banking and Currency during the hearings, he saw Members on both sides of the aisle early in the game. He behaved throughout in an absolutely honorable and aboveboard manner.

Incidentally, I fully understand the gentleman's reasons for bringing the amendment up. He felt initially that the Social Progress Trust Fund, a 100-percent American contribution, should be audited. His actual amendment was broader, and would cover both windows.

I supported the Selden amendment on the floor here during my subsidiary management of the Inter-American Development Bank bill and also, the House having agreed to the bill, I vigorously supported it—and I can speak for myself—in conference.

The fact is that the majority of the conferees from the other body were adamant in their feeling against the amendment, so it is not in the conference report.

I point out that there is in the conference report on the foreign aid bill a provision which I believe will stay in—and I shall certainly support it—which contains the substance, which contains 95 percent of the Selden amendment, in that that foreign aid conference report amendment applies to matters like the Social Progress Trust Fund.

Having said all of this, I shall vote to protect and preserve the conference report. I hope Members will join in protecting it. I shall have to oppose the motion of my friend the gentleman from Alabama for the reason that the Senate is adamant. If we send this back to conference, I am not sure we can ever produce a conference report on this very important and valuable bill. Particularly I am sure we cannot produce one in the next 2 or 3 days.

It so happens that there will meet in Rio de Janiero, in Brazil, this weekend, the members of the International Bank for Reconstruction and Development, for the consideration of development in the countries of the world. I believe it is very important that we not have to go to that meeting to say that our Congress has not seen fit up to now to validate the Inter-American Development Bank conference report.

I hope the motion will not succeed.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Speaker, I agree with the implications of such an amendment in connection with our participation in other international lending agencies.

Commendable as the intentions behind the audit provided by the House-approved Selden amendment may be, many of us who have been close to the operations of the Inter-American Development Bank are convinced that such an audit of this multilateral agency is entirely unnecessary. The present Price-Waterhouse auditing and reports have been most exacting, and I do not believe that any of us can take issue with the ability and integrity of this world-reknowned accounting organization.

Further, and of utmost importance, is the fact that American interests and participation in the Bank are thoroughly protected in this respect, being covered fully in a provision of the Foreign Assistance Act which recently passed this House. That provision clearly calls for a U.S. audit of the Social Progress Trust Fund of the IDB, since the United States is the sole contributor to this Fund, although the SPTF is administered under the auspices of the Inter-American Development Bank. I have the utmost faith that the provisions of this act will be carried out, and I strongly believe that the Foreign Assistance Act is where such a provision belongs, rather than in this authorization act, where we are a party to an international agreement.

I trust that the report will be accepted and that the gentleman from Alabama's motion will be rejected.

Mr. PATMAN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. HARVEY].

Mr. HARVEY. Mr. Speaker, I thank the gentleman for yielding. I just wanted to conclude what I started to say earlier.

There is a vast difference between the Social Progress Trust Fund to which the United States contributes 100 percent and the rest of the operations of the Inter-American Development Bank. I am in wholehearted agreement with the provisions of the foreign aid bill, which permits an audit where we contribute 100 percent of the funds. But the same reasoning does not apply to other banking institutions where we are only one participant. One example of this is the Asian Development Bank where the United States is about to contribute $200 million and the Soviet Union is a mere observer. What if the Soviet Union decides to join this bank, but for just a nominal figure? Should they have the same right of sending in their equivalent of the General Accounting Office and making an audit? I think that is not right. These banking organizations are subject to a private audit by a nationally known firm of accountants. They are well run.

And let me remind my colleagues on this side of the aisle that the Inter-American Development Bank was the product of the Eisenhower administration. It started then. Its operations in the past are something that we can be very proud of, and I as a member of the committee supported it wholeheartedly then and do now.

Mr. PATMAN. Mr. Speaker, I believe this bank is operating well. I know every Member of Congress has been treated courteously. Their questions asked of the officials of this Bank have been answered promptly. I do not know of any complaints that any Member ever lodged against the Bank.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. GROSS. How in the world could you have possibly accepted the amendment to this bill when it was originally before the House and make the statement you do now?

Mr. PATMAN. We accepted it under circumstances that do not prevail now. The gentleman from Alabama asked for consideration of this amendment and received it. We were all sympathetic to it. I believe in audits. We believe in audits. We wanted to agree with him. But when we go to the other body, it is something else. That is the reason why we have a free conference. We are not committed when we go there. We can vote any way we want to. Being a free conference, when an argument is presented by the other side in an adamant way—and they were adamant on this and would not yield—we had to give in or else we would not have any kind of a report. In order to have a report, we yielded. All members of the conference committee, both of the House and the Senate, who were there—and all but one were—signed that report. The gentleman from Alabama cannot feel that he has not received consideration. He has received a lot of consideration. On the floor of this House he received sympathetic consideration when we accepted the amendment. But when we go to the other body different situations prevail which were not pointed out to us. Necessarily we had to change our mind on this particular bill and amendment. The gentleman has had one chance. He has had fair consideration, when the House in the free conference discussed it. If we get consideration one time in the Congress—one time—I think we are pretty lucky. Why should we ask for consideration twice?

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, the gentleman from Alabama [Mr. SELDEN] is entitled to something more than sympathy.

Mr. Speaker, the gentleman from Texas speaks of a free conference. Yet the gentleman has repeated over and over and over again, and so did the gentleman from Wisconsin [Mr. REUSS], the fact that the Members of the other body were adamant; that they could do nothing with them. How free is such a conference?

Mr. PATMAN. Well, they were completely adamant. The gentleman from Iowa has answered his own question. All laws—all major laws—are the result of compromise.

Mr. GROSS. Oh, sure.

Mr. PATMAN. If there is no compromise, there is no law. You know now that in this great system under which the United States of America operates, compromise and agreement has resulted in every major law being passed. Remember this—and I want the gentleman from Iowa to hear this; I want the gentleman from Iowa to hear this; I want the gentleman from Iowa to hear this, please—that every major law that is passed by the U.S. Congress represents a sacrifice of few or a compromise of opinion on the part of practically every Member of both bodies of the Congress of the United States.

Mr. GROSS. Well, why must the other body be adamant? The fact that the other body has been adamant does not represent a compromise.

Mr. PATMAN. Mr. Speaker, I ask for a vote on the conference report.

Mr. SELDEN. Mr. Speaker, will the gentleman yield to me?

Mr. PATMAN. No, Mr. Speaker. It is time for a vote.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT

Mr. SELDEN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. SELDEN moves to recommit the conference report on the bill H.R. 9547 to the committee of conference with instructions to the managers on the part of the House to insist on retaining section 1 of the House passed bill.

Mr. PATMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SELDEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 274, nays 126, not voting 32, as follows:

[Roll No. 264]

YEAS—274

Abbitt
Abernethy
Adair
Addabbo
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Bates
Battin
Bell
Bennett
Berry
Betts
Bevill

Biester
Blanton
Bolton
Bow
Bray
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen,
Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cowger
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fisher
Flynt
Foley
Ford, Gerald R.
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Gibbons
Goodell
Goodling
Green, Oreg.
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Hamilton

Hammer-
schmidt
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Hathaway
Hechler, W. Va.
Heckler, Mass.
Henderson
Herlong
Hicks
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Kazen
Kee
Keith
Kelly
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
Lukens
McClory
McClure
McDade
McDonald,
Mich.
McMillan
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
May
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minshall
Monagan
Montgomery
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Myers
Natcher
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Ottinger
Passman
Pelly
Pettis
Pike
Pirnie

Poage
Poff
Pollock
Price, Tex.
Pryor
Purcell
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Roth
Roudebush
Roush
Rumsfeld
Ruppe
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Vander Jagt
Vanik
Vigorito
Waggonner
Walker
Wampler
Watkins
Watson
Watts
Whalley
White
Whitener
Whitten
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Bob
Winn
Wright
Wydler
Wylie
Wyman
Yates
Zablocki
Zion
Zwach

NAYS—126

Albert
Annunzio
Ashley
Barrett
Bingham
Boggs
Boland
Bolling
Brademas
Brasco
Brock
Brooks
Brown, Calif.
Brown, Mich.
Burke, Mass.
Byrne, Pa.

Carey
Celler
Clark
Cohelan
Conyers
Corbett
Culver
Daddario
Daniels
Dawson
Dent
Diggs
Dingell
Donohue
Dow
Dulski

Dwyer
Eckhardt
Edwards, Calif.
Eilberg
Evans, Colo.
Farbstein
Fino
Flood
Ford,
William D.
Fraser
Gallagher
Giaimo
Gilbert
Gonzalez
Green, Pa.

Griffiths
Halpern
Hanley
Hanna
Harvey
Hawkins
Helstoski
Holifield
Howard
Irwin
Joelson
Johnson, Calif.
Johnson, Pa.
Karsten
Karth
Kastenmeier
King, Calif.
Kirwan
Kluczynski
Kupferman
Lloyd
McCarthy
McFall
Macdonald,
Mass.
Madden
Matsunaga

Miller, Calif.
Minish
Mink
Mize
Moorhead
Morgan
Moss
Multer
Murphy, Ill.
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Price, Ill.
Pucinski
Rees
Reid, N.Y.
Resnick
Reuss

Rhodes, Pa.
Rodino
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Saylor
Scheuer
Shipley
Sisk
Smith, Iowa
Stanton
Sullivan
Thompson, N.J.
Tiernan
Udall
Ullman
Waldie
Whalen
Widnall
Wilson,
Charles H.

NOT VOTING—32

Adams
Aspinall
Baring
Belcher
Blackburn
Blatnik
Brinkley
Broomfield
Conte
Corman
Dorn

Feighan
Fountain
Garmatz
Gray
Hays
Hébert
Holland
Leggett
McCulloch
McEwen
Murphy, N.Y.

Pool
Rarick
Tenzer
Tunney
Utt
Van Deerlin
Willis
Wolff
Wyatt
Young

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Mr. Rarick with Mr. Belcher.
Mr. Fountain with Mr. Blackburn.
Mr. Murphy of New York with Mr. Wyatt.
Mr. Hébert with Mr. Utt.
Mr. Aspinall with Mr. McEwen.
Mr. Wolff with Mr. Conte.
Mr. Tenzer with Mr. McCulloch.
Mr. Adams with Mr. Broomfield.
Mr. Blatnik with Mr. Feighan.
Mr. Holland with Mr. Leggett.
Mr. Corman with Mr. Brinkley.
Mr. Baring with Mr. Gray.
Mr. Hays with Mr. Van Deerlin.
Mr. Dorn with Mr. Tunney.
Mr. Young with Mr. Garmatz.
Mr. Willis with Mr. Pool.

Messrs. MILLER of California, WALDIE, PERKINS, O'NEILL of Massachusetts, and HANLEY changed their votes from "yea" to "nay."

Mr. ESCH changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF TEMPORARY INTEREST RATE CONTROLS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, on Tuesday, September 19, by unanimous consent, the House passed S. 1956 to extend the authority of our bank supervisors to prescribe more flexible regulation of maximum rates of interest or dividends, higher reserve requirements and open market operations in agency issues.

This legislation, as passed the other body, provides for a 2-year extension of the authority first granted by Public Law 89-597 last year. However, a committee amendment was adopted by the House today limiting the extension to 1 additional year instead of 2 additional years. I would like to explain to my colleagues of the House why your committee recommended a 1-year extension, while rejecting the 2-year extension recommended by the Treasury Department and as passed by the other body.

Had the report which was prepared to accompany the bill H.R. 12754, been printed, it would have contained the following explanation:

Your committee has reported an amendment whose effect would be to extend the rate control authority for 1 year rather than 2. This action was taken because of your committee's concern over certain disturbing problems arising in the context of keen competition for the savings dollar. Your committee felt that these problems should be given attention and investigation with a view to possible legislative solutions before the interest rate control authority is extended for more than 1 additional year.

Representations have been made that a number of banks have evaded the 4-percent ceiling on savings deposits through the use of "passbook" time deposits paying a 5-percent rate; that false and misleading advertising of consumer time deposits in possible violation of the antifraud provisions of the Securities Act of 1933 has been engaged in by a number of financial institutions; and there has been violation of the spirit of the statutory prohibition against the payment of interest on demand deposits as previously mentioned in the report of this committee to accompany H.R. 14026—House Report No. 1777, 89th Congress, second session.

PARTNERSHIP FOR HEALTH AMENDMENTS OF 1967

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 6418) to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 6418, with Mr. BROOKS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, it had agreed that the committee amendment in the nature of a substitute now printed in the bill be considered as read and open for amendment at any point.

Without objection, the Clerk will again report the amendment of the gentleman from Illinois [Mr. Springer] which is now pending.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. Springer: Beginning with line 1 on page 43 strike out all down through line 4 on page 51.

Redesignate the following sections accordingly.

LONG-RANGE VIEW OF MILITARY PROCUREMENT

Mr. RIVERS. Mr. Chairman, I move to strike the last word.

(By unanimous consent, Mr. Rivers was granted permission to speak out of order.)

Mr. RIVERS. Mr. Chairman, I would like to call to the attention of the Members of the House a complete long-range review of military procurement policies and procedures being undertaken within the Committee on Armed Services.

Overseeing the procurement activities of the Department of Defense is one of the most important constitutional functions assigned to our committee. The importance of this function grows as the Defense budget grows. Total military procurement is currently running at the rate of about $45 billion a year. Department of Defense officials estimate that this represents more than 80 percent of the total Governmentwide procurement. Traditionally, we have carried out our responsibilities in regard to procurement policy through our Investigating Subcommittee. I have directed that the current review again be carried out by that subcommittee under the chairmanship of our esteemed colleague, the gentleman from Virginia, Porter Hardy.

This subcommittee has written a proud record over the years in the procurement area and has developed great expertise in the procurement field. My great predecessor, Carl Vinson, was always deeply concerned about procurement policy and deeply proud of the work of the Investigating Subcommittee. Mr. Vinson, himself, authored some landmark legislation in this area. Our colleague, the gentleman from Louisiana [Mr. Hébert] in his years as chairman of this subcommittee received national attention for his investigations in this field and his work literally saved hundreds of millions of dollars of taxpayers' money. Mr. Hardy is continuing in this great tradition.

Mr. Hardy's subcommittee has already been working for months. I first directed that he begin work on the study back in March, and, at that time, we arranged for the auditing and investigating staff of the General Accounting Office to support the study. For reasons that will suggest themselves, we do not always advertise our investigations well in advance. The General Accounting Office, of course, is an arm of the Congress and its staff has an expertise in procurement matters unmatched anywhere else in or out of Government.

The General Accounting Office investigators have already put in many manhours on Mr. Hardy's study. In addition, I might point out that the GAO has 275 audit staff members assigned to the Defense procurement and contracting area and about 130 assigned to the related area of supply management. The work of these auditors will, in many instances, dovetail with the work of the Hardy subcommittee.

I am calling our study to the attention of the House at this time so that Members who encounter procurement problems with the military may present them to the subcommittee for possible inclusion in its review. I am sure that many Members of the House will have valuable suggestions for the subcommittee. There are billions and billions of the taxpayers' dollars involved in this study which I consider to be one of the most important that will be undertaken in this Congress.

I have directed that the study be broad and exhaustive and encompass a complete review of procurement regulations and procedures. In consultation with Mr. Hardy, we have determined that individual reports will be issued as various segments of the investigation are completed. The reason for this is simple, economic, commonsense. As individual procurement areas are studied, improvements may be singled out that could result in the saving of millions of dollars of Government funds. We want these identifiable improvements brought to the attention of the Congress and the Government agencies as rapidly as possible.

The first phase of the study will cover the Truth in Negotiations Act—Public Law 87–653. Extensive investigation of this phase of the study has been completed since the subcommittee's more general hearings in June and August—and a hearing has been scheduled for Monday, September 25, at which time witnesses from the General Accounting Office, the Department of Defense, and the military services will be heard.

Among other broad areas that will be covered in follow-on phases of the study are: sole source procurement, Government facilities in the hands of contractors, competitive bidding, value engineering, procurement of major weapon systems, procurement systems for small purchases, production and contract administration, procurement career programs, and small business procurement.

As you can see, Mr. Chairman, this runs the entire gamut of procurement action and control, and when the study is completed, we shall be in a position to bring to the floor whatever modifications may be needed for improving the Armed Forces Procurement Act.

Mr. Hardy expects the entire study to take from a year to 18 months, and I have asked him to submit to the full committee from time to time such proposals for new legislation as he finds are required.

Again, may I suggest to the Members of the House that they bring to the attention of the subcommittee whatever information they may have that will aid in this most vital undertaking.

PERFECTING AMENDMENT OFFERED BY MR. JARMAN

Mr. JARMAN. Mr. Chairman, I offer a perfecting amendment to section 12 of H.R. 6418.

The Clerk read as follows:

Perfecting amendment offered by Mr. Jarman: On page 47, line 22, strike out "and".

On page 48, line 6, strike out the period and insert in lieu thereof "; and"; and immediately after line 6, insert the following:

"(E) the project is determined by the State agency designated pursuant to section 604 (a)(1) of this Act for the State in which such project is to be situated to be consistent with the State plan approved under section 604(b) of this Act and the project is approved by such State agency."

Mr. JARMAN. Mr. Chairman, in the course of this debate considerable concern has been expressed that the emergency assistance authorized in this section should not be outside the well-established procedures of the Hill-Burton State agencies.

It has been explained that there is no intention of bypassing these agencies and that two provisions of the bill guarantee that the Hill-Burton procedures will be followed in making these grants.

Yet, apparently, the doubt persists.

The amendment I am offering will do away with that doubt entirely. It will require specifically that projects follow the Hill-Burton procedures. It will require State agency approval of any proposed project.

Mr. Chairman, if this amendment is adopted there can be no further doubt or confusion. The Hill-Burton procedures will be followed.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I yield to the gentleman.

Mr. NELSEN. In the proposed amendment, in effect what you are really saying is that the dollars available under the Hill-Burton Act would be increased by the amount of the Ottinger amendment; is that not true?

Mr. JARMAN. I yield to the gentleman from New York [Mr. Ottinger] for his comment on that.

Mr. OTTINGER. Any moneys that would be distributed would have to be in accordance with the state plan formed by the State Hill-Burton agency and would have to actually receive the approval of the Hill-Burton agency. This was my intention all along. So I am entirely in approval of this amendment and urge its adoption.

Mr. NELSEN. It would seem to me that all you would need to do is to add $40 million to the total amount of money available under Hill-Burton. If you are going to use the State formula anyway, then why have the Ottinger amendment? This I fail to understand. It seems to me that there is a little pride of authorship creeping in here that ought to be cast aside. Maybe we should increase the amount—we certainly know the hospitals need money.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I yield to the gentleman.

Mr. WRIGHT. I would like to congratulate the gentleman from Oklahoma for offering this amendment and to associate myself with his remarks.

Mr. Chairman, I believe this is a useful amendment. Whether or not it is necessary in light of the colloquies and the debate that have heretofore taken place, it should serve to remove any doubt as to the intention of the Congress. It should erase any question that may be lingering in the minds of the membership as to whether or not this would in effect go counter to the Hill-Burton Act. For these reasons, I think it is a useful amendment and I urge its adoption.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I yield to the gentleman.

Mr. ROGERS of Florida. I would like to say, I think if the House in its wisdom decides that it wants to add this additional money, then certainly the amendment offered by the gentleman from Oklahoma should be adopted. This, in effect, would then assure without question the fact that these moneys would go to the State agency and would be administered in accordance with the program of the Hill-Burton Act.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I yield to the gentleman from New Jersey.

Mr. CAHILL. I must confess that there is some confusion here. I personally indicated that I was in favor of the Ottinger amendment, but now do I understand that if the gentleman's amendment is adopted that any additional moneys provided by this bill must follow the format established by the States, according to the Hill-Burton formula?

Mr. JARMAN. Yes, we are trying to make that very clear.

Mr. CAHILL. If that is the case, then I do not see that the Ottinger proposal does anything to take care of critical areas. I supported it because in my State we are divided into approximately 12 areas. The State determines which of those areas are critical areas and only the critical area can get funds under the Hill-Burton Act.

We have individual hospitals because of the influx of elderly people who are not in a critical area but who do have an individual critical need and I assume that under the Ottinger plan an individual hospital even though it is not in a critical area could come in and get moneys to take care of that specific, individual need apart from the Hill-Burton formula. I would like to have this cleared up.

Mr. SPRINGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to make it clear in reply to the gentleman from Oklahoma that you do not change the Ottinger amendment too much. A rose smells like a rose wherever you put it in the world. This is the Ottinger amendment, still trying to do the same thing—violating I think all precepts—except to try to cure one thing with reference to Hill-Burton. So you put it in and make it smell a little bit sweeter in order to get, I suppose, a few more votes for it.

But this fundamentally is bad legislation—it is hurried legislation. We will have a chance next year to take this up in the due course of things.

This is not a budgeted item. We are back here again doing certain things that the President said we should not be doing. This is granting him money that he did not request. This is an unbudgeted $58 million. It is my understanding still that it is not the intent to budget this and there is no proof offered on the floor that the administration intends to budget this item.

Mr. Chairman, for this reason the amendment is a bad amendment. I want to say as far as the perfecting amendment is concerned, I am not opposed to it. If we should be so unfortunate that my amendment should be defeated, I would certainly want the kind of provision that the gentleman from Oklahoma [Mr. JARMAN] has offered here to curtail these funds to the extent of keeping them in line with Hill-Burton. But I do not want anyone to think that by adding the Jarman amendment that we are making this any better legislation. It is bad legislation from beginning to end. It is not in the public interest. It is not a budgeted item; it is something the President has not requested. So far as I can find out, the White House does not want it.

If you are ultimately going to adopt the amendment, if that is a possibility, I would rather have the Jarman proposal fastened to the end of it.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Do I correctly understand the sense of the Jarman amendment is that we would merely add $58 million in funds to Hill-Burton that could be distributed under the Hill-Burton formula? We would add funds under this legislation for hospital assistance? Is that correct?

Mr. SPRINGER. In effect that is what we would be doing. If we transfer this to Hill-Burton, I point out that we have already put in the money for Hill-Burton. I do not think it would go any faster under Hill-Burton. It would have to go through the same formula. At least that is what my counsel advises me.

Mr. BROWN of Ohio. In effect, we would be authorizing $58 million more, but we would not be appropriating the funds. That would have to be done under separate legislation and it is unlikely ever to be appropriated.

Mr. SPRINGER. This is merely an authorization. It does not necessarily mean that these funds would be budgeted and made available.

Mr. BROWN of Ohio. That is exactly correct.

Mr. SPRINGER. I predict that this will never see the light of day and will never be budgeted. It certainly should not be budgeted, because it is something the administration says they did not request.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Minnesota, a member of the committee.

Mr. NELSEN. I thank the gentleman for yielding. As I listened to the debate yesterday, the excuse for the Ottinger amendment was the fact that some felt that the formula of Hill-Burton was not meeting the needs of some of the larger cities or some of the cities or areas. So now we go back to the Hill-Burton formula and, first, the excuse for the Ottinger amendment has vanished, in my judgment. It seems to me we are just attempting to save the authorship of an amendment, and are moving in a direction that I think is ill advised. I hope the amendment is defeated.

Mr. SPRINGER. I think the gentleman has hit the nail on the head.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Illinois.

Mr. YATES. I thank the gentleman for yielding. I merely want to say that I am opposed to the amendment of the gentleman from Oklahoma because I consider, as did the gentleman from New Jersey, that the purpose of section 12 is to meet a critical need. It provides funds on an emergency basis. There are certain hospitals in this country that are in a highly critical condition and cannot get relief under the Hill-Burton procedures. Section 12 provides the device to make funds available for that purpose in addition to the Hill-Burton funds. It is in the nature of disaster relief. For that reason I will vote in opposition to the amendment offered by the gentleman from Oklahoma and in favor of the original amendment offered by the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from New York.

Mr. OTTINGER. I think there is some misconception at this point. The money provided in this bill can still go to meet the needs of the most critical hospitals in this country. The money must be administered by the Hill-Burton agency and be in accordance with the Hill-Burton requirements in a particular State. This means that with the approval of the director of the Hill-Burton agency and the agency itself, money can go to the most critically needy hospitals in the country.

The CHAIRMAN. For what purpose does the gentleman from West Virginia rise?

Mr. STAGGERS. Mr. Chairman, I would like to see if we can come to some accommodation on the time to be devoted to the Ottinger amendment and all amendments thereto. Yesterday we had a debate of an hour or an hour and a half on the Ottinger amendment.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Illinois.

Mr. SPRINGER. How many minutes would the gentleman suggest?

Mr. STAGGERS. I would suggest that a half hour should be sufficient time.

Mr. SPRINGER. Reserving the right to object, I would like to ask how many committee members on both sides of the aisle wish to speak on this amendment and all amendments thereto? I count even members of the committee standing and six who are not on the committee. I take it that the members of the committee would want 5 minutes apiece.

Mr. STAGGERS. Will the gentlemen agree to make that 45 minutes? I would just like to have a time limitation, because I think this was discussed for an hour and a half yesterday, and the same points are going to be made time after time after time today. I ask unanimous consent to so limit debate.

Mr. SPRINGER. Mr. Chairman, reserving the right to object, can the Chair advise me how much time, approximately, each Member would be entitled to?

The CHAIRMAN. On a 45-minute time limitation, with 18 Members standing, it would be somewhat less than 3 minutes per Member.

Is there objection to the request of the gentleman from West Virginia?

Mr. NELSEN. Mr. Chairman, reserving the right to object, I would like to ask a question of the Chairman. Is it not true that a brandnew dimension comes into the picture with the new amendment? Had we approached the problem as we were debating it as of yesterday, I would be inclined to agree with the Chairman, but we have a new dimension to be settled before we get down to the debate on section 12.

Mr. STAGGERS. Mr. Chairman, may I say we all know the Hill-Burton formula, and when one talks about it, I think we know, all of us, what is being talked about. I believe 45 minutes is sufficient.

Mr. GROSS. Mr. Chairman, I object to 45 minutes.

The CHAIRMAN. Objection is heard.

Mr. STAGGERS. Mr. Chairman, I move that all debate on the Ottinger amendment—that is, on section 12—and all amendments thereto conclude in 45 minutes; that is, all amendments to section 12 and all amendments thereto.

The CHAIRMAN. The question is on the motion offered by the gentleman from West Virginia.

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. GROSS. Mr. Chairman, on that I demand a division.

Mr. DINGELL. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. DINGELL. Mr. Chairman, the gentleman's request comes too late. There was intervening business, Mr. Chairman.

The CHAIRMAN. Was the gentleman from Iowa on his feet at the time?

Mr. GROSS. Yes, Mr. Chairman, I was, at the time, and I turned around to get to the microphone.

The CHAIRMAN. Under those circumstances, the Chair overrules the point of order.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 62, noes 40.

So the motion was agreed to.

Mr. JARMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. JARMAN. Is the perfecting amendment I offered included as an amendment to the Springer amendment, to be voted on in 45 minutes?

The CHAIRMAN. It is the understanding of the Chair that that amendment is included within the time limitation just agreed to by the Committee of the Whole House.

Mr. JARMAN. A further inquiry, Mr. Chairman. The vote on that perfecting amendment would precede the vote on the Springer amendment, would it not?

The CHAIRMAN. The gentleman is correct.

The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I have sat as a member of the Interstate and Foreign Commerce Committee of the House of Representatives for nearly a dozen years now, and during that time the committee has considered on many occasions the problem of the extension of the Hill-Burton Act. In each instance we found that the actions of the committee, in terms of numbers of beds authorized and amounts of money to be expended, were always inadequate to meet the need, and indeed were always inadequate to meet the special problems which afflict the large cities, the large population centers, and a number of rural areas.

I would point out that one of the reasons why we have the so-called Ottinger amendment included in H.R. 6418, is to provide for Federal assistance to hospital areas and hospitals where there is great overcrowding—the emergency hospital assistance provisions of the bill—is that the committee in its wisdom found and quoted in its report that there is today a great shortage of hospital beds and hospital space to provide for the needs of the people of this country.

If my colleagues will turn to page 36, they will find the following language:

> A recent survey conducted in 1966 and accepted by the Public Health Service indicated that 143 of the Nation's private and nonprofit hospitals may be classed as critically overcrowded, since their average annual occupancy rates were 90 percent or more of reasonable capacity, and since adequate alternate facilities were not available within the communities served by them. This survey also revealed that another 1,289 hospitals were experiencing occupancy rates of between 80 and 90 percent—substantially above the national average.

I should like to point out to my colleagues that when a hospital is 90-percent full on an annual basis it is operating substantially in excess of 100 percent of its capacity.

The function of the Ottinger amendment, which the amendment offered by the other side seeks to strike, is to assist in eliminating this great and terrifying problem of overcrowding of our hospitals and to assure, insofar as the situation can be alleviated somewhat by the provisions of the bill.

There is no reason why we in the Congress should wait for a full year to meet a great and pressing need.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The Chair recognizes the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, I rise in full support of the Springer amendment. The issue facing us is simple: Are we going to violate the concepts of the Hill-Burton program which has operated so well since its inception 30 years ago? Are we going to insert this section which will allow no determination of priorities on the State level by State planning organizations created for this very purpose and instead substitute the Secretary of Health, Education, and Welfare who would make grants directly to the hospitals and communities concerned according to his own guidelines? I would hope that by an overwhelming number our answer would have to be a resounding "No" to these questions.

Let us not be confused. The issue here today is not whether we believe that there is a need for additional funds for overcrowded hospitals throughout our land and especially in some of our large cities. Certainly there is. The question is one of our utilizing the time tested, orderly formula approach to meeting these needs rather than completely reversing our field and going to the direct allocation of funds from Washington to the institutions concerned. Section 12 is even foreign to our whole approach to the partnership for health program as enacted in the last Congress and which approach we are rightly continuing throughout the remainder of the 1967 amendments to it in H.R. 6418. As my colleague the gentleman from Texas [Mr. PICKLE] so well put it on this floor yesterday:

> Without question, the main thrust of the partnership for health bill as originally introduced was to consolidate many existing categories of grants and allow the States greater flexibility and autonomy in incorporating Federal assistance into their own overall health programs. He said that was a commendable goal and I could not agree with them more. He also referred to the Presidential Commission studying the changes needed when the Hill-Burton related programs come up for review next year and observed that emergency assistance of the type covered in section 12 would be one of the subjects under consideration by that Commission. I agree with him when he said that before we take a step which could do harm to the Hill-Burton program and set a precedent for further splitting off of assistance programs we should study this program more carefully.

In this last connection it should be pointed out that this was not a budgeted item. The President did not ask for it. The Department of Health, Education, and Welfare did not ask for it. And hearings were not held on it. It is a 1-year crash program. If it were just the additional authorization of *x* number of dollars to an existing program it might be open to question. But when it violates the whole concept of the Federal-State partnership that has worked so well in the past and which we are vastly improving on through the overall partnership for health program, it simply cannot stand under examination in the cold light of day.

I think that a reference to the statement by my colleague the gentleman from Texas [Mr. CABELL] for the RECORD yesterday is worth repeating, in which he advised that the administrator of one of the larger hospitals in Dallas and an officer of the Hospital Administration Association said:

> By all means keep these funds within the province of the Hill-Burton funds. Do not fragment them. We recognize that there is not enough money in the Treasury to cure all our evils within one year; let us do it in an orderly fashion and keep it under a program that has worked.

Finally, with the violence I believe this will do to our proven approach to our health programs, I would think it unnecessary to remind all my colleagues what a pork barrel this would be. My colleague, the gentleman from Illinois [Mr. SPRINGER], referred to it yesterday as a bonanza for the big city hospitals. Of course, it can be nothing else but that. This is a proposed 1-year program and absolutely the only people who will get an advantage from these funds are the people who are tooled up for the Federal grants in the first place—those who are ready to get the grants and have the lawyers here in Washington every day of the week and who will be camping on the doorstep of the Secretary of Health, Education, and Welfare just as soon as a provision such as this is enacted. By no stretch of the imagination should we be deceived that a crash authorization such as this is going to be any kind of a boon to our smaller hospitals.

But the heart of the objection to section 12 and why it should be deleted by the Springer amendment is the argument which I originally stated and which I can phrase no better than done by my colleague, the gentleman from North Carolina [Mr. LENNON] yesterday on this floor when he said:

> Under this proposal, under section 12, we would for all practical purposes bypass the State planning organizations that were created by the legislatures of the several States. Irrespective of what may be said by our friends from the large urban cities, those States have comparable medical care commissions or State planning bodies, and the applications should properly go through those State planning bodies in order that we can move forward under a very splendid program.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I rise in opposition to the Springer amendment and support section 12 of H.R. 6418, as reported out from the committee, which provides emergency grants and loans to hospitals in critical condition.

The strain on existing hospitals, urban and rural, and public and private, has continued to worsen. The advent of medicare and medicaid have accentuated the trend. Hospital occupancy has increased between 6 and 8 percent. We now face a shortage of some 66,000 hospital beds.

The Hill-Burton construction program has been used principally to build new hospital facilities in rural and suburban areas all over the country, but it has not been addressed to the needs of our cities. It was pointed out very ably by the gentleman from Illinois [Mr. YATES] yesterday that during 20 years under the Hill-Burton program New York City has received only $17.5 million, which is 14 percent of the State allocation.

When the Hill-Burton program is reviewed next year, I hope that the committee will recognize the needs of city hospitals and recommend a new program to provide special assistance to them. Unfortunately, section 12 is not—I emphasize this—is not specifically directed to this problem, but it will provide emergency assistance to those hospitals, both urban and rural, whose facilities are being stretched beyond the point of endurance.

It is beyond dispute that there are a substantial number of hospitals which regularly operate at beyond 100 percent of their capacity. Section 12 of this bill recognizes the special predicament of these overworked hospitals and the communities which they serve by providing emergency aid to hospitals which can meet certain criteria of need. Every type of hospital would be eligible.

It is an emergency measure designed to deal with the present problem and should be implemented until such time as we can get a more comprehensive program to provide more adequate hospital facilities throughout the country, but particularly for urban centers.

Mr. Chairman, it is unfortunate that the minority has singled out this very meritorious program for its arbitrary opposition here this afternoon.

We must bear in mind the critical situation to which section 12 is addressed.

Mr. Chairman, I urge the defeat of the Springer amendment. Unfortunately, as I read the Jarman amendment it will be used to undermine the intent and purpose of section 12.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. WATSON].

(By unanimous consent, Mr. WATSON yielded his time to Mr. NELSEN.)

Mr. NELSEN. Mr. Chairman, when I ran out of time, I wanted to refer to the White House conference which was held some years ago to which the members of the Committee on Interstate and Foreign Commerce were invited to sit in. At that time the announcement was made that we would be moving in the direction of greater flexibility in our health programs, that there would be an attempt made to give the States more authority to make decisions as to where the Federal dollars would be spent. We were elated to hear the news. This represented a great improvement.

Mr. Chairman, my position on this particular piece of legislation is that the so-called Ottinger amendment moves in the opposite direction. If our States are not functioning as they should in the manner of the allocation of funds, it is within the province of the various States to do something about it, because they set up their own State plans.

Mr. Chairman, are we now saying that the Federal Government is wiser than our States? Are we now saying that we have any assurance in the future that the Federal Government will do any better job than our people at home are presently doing?

So, Mr. Chairman, I hope when we vote on the Springer amendment that section 12 will be stricken from the bill. If more money is needed for hospitals, then we can place it in the Hill-Burton funds, put it where it belongs, so that the States can make the decision as to their own needs back home. This is truly States' rights and is a principle with which I am in thorough support.

Therefore, Mr. Chairman, I hope the Springer amendment will prevail.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise to associate myself with the remarks made by the distinguished gentleman from Minnesota [Mr. NELSEN], and also to compliment the gentleman from Texas [Mr. PICKLE]. Both of these men, in my judgment, have succinctly stated the case as it actually exists. Under no circumstances should we permit a tampering with the Hill-Burton program. For many years I have observed the Hill-Burton program in operation. Further, a very close personal friend of mine has served the State of California as a member of the allocation board. He has convinced me of the effectiveness and the efficiency of the current method of providing assistance under the Hill-Burton program and as a result, I want to firmly state my attitude to the Members now present on the floor of the House.

As I see it, the Springer amendment should be adopted because if section 12 is not deleted the net result would be to adversely affect the Hill-Burton hospital program. Section 12 certainly does not add much to help the comprehensive health planning programs. If anything it tends to fragment and/or divide the hospital programs into two categories. It tends to circumvent the regularly established and time-tested successful Hill-Burton allocation boards in operation in the States.

Frankly, this Congress should stop tampering with successfully operating programs. We have enough problems with which to deal without asking for anymore.

When Hill-Burton comes up for review and extension, I hope the Congress will lend every effort toward helping those administering the program and resist any attempt to jeopardize their outstanding efforts of the past. The people dependent upon the finest in hospital facilities deserve no less.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, the amendment which has been offered by the distinguished gentleman from Oklahoma, in conjunction with the amendment which has been offered by the gentleman from New York [Mr. OTTINGER], is well intentioned, and I recognize that fact.

However, it is my opinion that it would be more acceptable and more palatable to some of the States if we could give consideration to the whole of the problem involved here. What you are going to do is this: If the Jarman amendment is adopted, or if section 12 is left in the bill, the net effect of it is that we will be creating two hospital programs, two specific different types of hospital programs—the Hill-Burton program and then this emergency-type of program, as has been recommended by the gentleman from New York [Mr. OTTINGER].

Mr. Chairman, though the intent is certainly to be commended, we ought not to create in a comprehensive health bill two different types of hospitals.

I think it is the clear intent as has

been shown by the gentleman from Illinois [Mr. YATES] that he seeks and wants to set up a separate system of hospitals in the large cities. The gentleman charges that the Hill-Burton Act program has not worked out properly in these areas. This accusation has not been properly documented in any hearings which were held before the Committee on Interstate and Foreign Commerce. Therefore, I do not agree with that accusation at all. It is my opinion that the country and the Congress of the United States cannot have in operation two programs which are normally operated under the Hill-Burton Act within the various States, and such would be the case under this criteria, if this amendment should be adopted. Then we would also have the State Hill-Burton committee approving the criteria and standards through this special committee. Therefore, you will have this same advisory committee or agency operating in the field of two different types of programs. What would happen is that we would be giving preferential treatment to predetermined cities already on the list, and it is my opinion that that is not fair.

More specifically, I do not believe it is at all proper to create a different type hospital program without giving Hill-Burton a chance to have a full and complete hearing.

Mr. Chairman, the second thought I want to bring out is this: If we adopt the Jarman amendment, we would fragment these programs. Only last week we passed the Appalachian program, and there was provided authorization for some $28 of $50 million just for operational expenses, it has been estimated, to give special hospital help to some of those areas. I do not believe we should have gone into those programs because I believe it really properly applies to Hill-Burton, and if we set up another program by this particular bill here, then we are going to fragment it.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. CUNNINGHAM yielded his time to Mr. PICKLE.)

Mr. PICKLE. Mr. Chairman, I thank the gentleman very much for yielding.

There is a certain amount of fairness to the amendment that the gentleman has offered, yet I believe we do not want to have two different State agencies or programs.

I made an effort to contact my State authorities, and they said although it—Jarman amendment—would be better, it does create different types of standards and criteria. They said that the perfecting amendment would not be best in our State.

I therefore say that it is best to keep only one program, and attack this problem at the right time, and in the right committee hearing.

I also talked to my State hospital agency since I discussed this yesterday, and they advised me that in Texas they would be opposed to the Ottinger amendment as in its present form. Particularly they object to the direct grant features by bypassing the State planning agencies. I believe the Jarman amendment would correct that to some extent, but we still are setting up different criteria. If the Members will look on page 45 of this particular bill they will find that the criteria and the standards in some instances are perhaps the same as in Hill-Burton, but in others they are considerably different. Therefore we have the problem that all we are doing is setting up one committee to try to control both programs, but we create two different hospital programs.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. Yes, I yield to the gentleman from New York.

Mr. OTTINGER. The gentleman is correct that there are different criteria. This program is designed to meet the worst emergencies in the country.

It is also correct that the amendment that the gentleman from Oklahoma [Mr. JARMAN] offers makes it crystal clear that assistance under the program has to be in conformance with the State planning, and the State agency has to approve of any program.

The gentleman is wrong, however, insofar as he implies that it is a big-city program.

Mr. PICKLE. If the gentleman will yield back to me, the gentleman is making a point, and I only am quoting what the gentleman from Illinois has said, specifically in certain instances, and the gentleman from New Jersey [Mr. CAHILL]. There may be a difference of opinion between the two.

Mr. YATES. The gentleman is wrong insofar as his reference to the gentleman from Illinois; he is not quoting him.

Mr. PICKLE. I will be glad to have the proper quotation.

Mr. OTTINGER. Will the gentleman yield further?

Mr. PICKLE. Yes, I yield further to the gentleman from New York.

Mr. OTTINGER. The program was based upon a public health survey which found that 143 hospitals in this country are in critical condition. The median size community was 5,700. Presumably, the breakdown of eligible hospitals and their communities would be similar under this provision.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, I originally intended to support the proposal of the Ottinger amendment on the theory and the belief that there were indeed critical situations brought about in large measure by the population explosion, and by the settlement of the aged in certain areas in certain States, and, of course, the implementation of the medicare program. But now, because of the amendment offered by the gentleman from Oklahoma, I have some question.

I would like to propose this question to knowledgeable members of the committee: Under the Hill-Burton formula it is my understanding that the funds will go to the States based upon a formula that is based upon the relative population and the per-capita income squared. These States then get the Federal funds. In New Jersey the State allocates these funds to priority groups on an areawide basis.

Now we have about 12 areas in New Jersey. And we get a limited amount of funds. All of those funds go to critical area A. Of the three hospitals in New Jersey deemed most critical, none are in critical area A.

If the Ottinger amendment as amended is adopted and additional funds go into New Jersey, can hospitals in critical area B, C, or D, for example, obtain Federal funds in spite of the State plan? I would like an answer to that question.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman.

Mr. OTTINGER. Under this provision of the bill, section 12, the Secretary will make a determination as to which hospitals he believes are in the most critical condition. He will do this in connection with updating the survey——

Mr. CAHILL. Even if it violates the State plan?

Mr. OTTINGER. We have not gotten to the State plan yet.

The hospital first of all is going to apply to him and he is going to make a survey.

Mr. CAHILL. Please, if I may interrupt the gentleman—the State plan says that the money is to go only to hospitals in critical area A, and these hospitals to which I have reference are not in critical area A. The question is—Can they get funds under your amendment under our State plan?

Mr. OTTINGER. If the Hill-Burton agency in New Jersey approves it; yes. It requires the approval of the Hill-Burton agency.

Mr. CAHILL. That means that existing State plans would have to be changed to do that; does it not?

Mr. OTTINGER. They would have to decide under this program that help for a hospital that otherwise qualifies under this act would not do violence to their State plan—that it is consistent with the plan. They would not necessarily have to change the State plan.

Mr. CAHILL. So that the three hospitals in New Jersey I have referred to could not qualify even if your amendment is adopted unless the State plan is changed.

Mr. OTTINGER. Unless the State agency approves and finds that the program would not be inconsistent with the State plan, it could not be approved—but no change would be required.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER of West Virginia. Mr. Chairman, I rise in support of the Jarman amendment.

Mr. Chairman, I trust that section 12 of the pending bill will be preserved as is was reported by the committee.

References have been made here to an Ottinger amendment. There is no Ottinger amendment pending. This is already a part of the bill. What we are doing now is voting on whether or not to strike section 12 out of the bill, which would be done through the Springer amendment.

I feel that the perfecting Jarman amendment clarifies the relationship of section 12 to the Hill-Burton program and procedures.

I would just like to ask the gentleman from New York if it is not his understanding that the Jarman amendment merely clears up some of the criticisms that were made by various Members of section 12 of the bill.

Mr. OTTINGER. Mr. Chairman, will the gentleman from West Virginia yield?

Mr. HECHLER of West Virginia. I yield to the gentleman from New York.

Mr. OTTINGER. The gentleman from West Virginia is absolutely correct.

Under section 12, as included in the bill, section (4)(B)(iii) on page 45 requires integration with the State plan. On page 47, section (5)(B) already requires that the project conform to local, State, or regional health planning and programs.

So this makes it crystal clear that nothing done under this emergency program will be in violation of the Hill-Burton State program that is already going on.

Mr. HECHLER of West Virginia. Reference has also been made by some Members that there may be some pride of authorship involved here. There really is not any Ottinger amendment pending. This is part of the bill and all we are doing is deciding to keep it in as part of the bill and perfecting it through the Jarman amendment. Is that not correct, may I ask the gentleman from New York?

Mr. OTTINGER. The gentleman from West Virginia is absolutely correct.

Mr. HECHLER of West Virginia. Mr. Chairman, I certainly hope the Jarman amendment is passed, and that section 12 will be retained as it has been written in the bill. This provision would mean a great deal not only to sections of the country like West Virginia, but it would mean a great deal to the entire Nation.

Mr. Chairman, I hope that section 12 is retained in the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. BROTZMAN].

Mr. BROTZMAN. Mr. Chairman, the purpose of this bill—H.R. 6418—is to extend for 3 additional years appropriation authorizations under the Public Health Service Act. The concept of consolidating 16 related programs in the field of public health into one program of project grants, grants for public health services by the States, and grants for comprehensive health planning and expanded research programs is a commendable approach to this complicated matter. It certainly is in the public interest.

Mr. Chairman, the minority members of the Interstate and Foreign Commerce Committee support the concept of comprehensive health. It is my understanding that the original Public Health Service Act passed in the 89th Congress had strong Republican support.

However, Mr. Chairman, we cannot condone the rapid expansion of this program without proper safeguards. In particular, as is clearly pointed out in the minority views, we disagree with section 12 of this bill. This section was not included in the original bill. It was not the subject of hearings. What it amounts to is an amendment to the very successful Hill-Burton Act.

Section 12 would make available directly from the Federal Government an extra allotment of funds for hospital construction. This new assistance, in the amount of $40 million in 1 year, would be made available on a first-come, first-served basis and would result, in the words of the minority report, in "a preferential bonanza for a few big cities."

Furthermore, Mr. Chairman, section 12 is a "budget buster." At a time when the President is asking for more taxes—at a time when we are facing a projected budget deficit of over $20 billion, we are being asked to authorize another $40 million which was not included in the administrative budget submitted by the President.

Mr. Chairman, I urge the deletion of section 12, and the passage of H.R. 6418.

Mr. HALPERN. Mr. Chairman, will the gentleman yield?

Mr. BROTZMAN. I yield to the gentleman.

Mr. HALPERN. Mr. Chairman, I rise in enthusiastic support of the Ottinger amendment as amended by the Jarman amendment.

The modest program offered by section 12, which I joined the able and distinguished gentleman from New York [Mr. OTTINGER] in sponsoring, will make available urgently needed interim help for certain critically overburdened and inadequate hospitals while a program for expanded long-range aid is being worked out.

The survey released last year by the Department of Health, Education, and Welfare showed that 143 hospitals in 97 communities were then in critical condition. An analysis shows that critical hospitals are found in all types and sizes of communities throughout the entire Nation. For example, the median population of communities with critical hospitals in the South was under 5,700.

The funding in this emergency program is truly conservative—$40 million for grants and $18 million for long-term, low-interest loans—will make it possible for critical hospitals to treat more than 150,000 new patients each year. How can anyone oppose this objective?

I strongly feel the program will coordinate with the Hill-Burton programs, as the American Hospital Association so clearly pointed out, and I fervently urge support for this modest and vitally needed program.

Mr. BROTZMAN. Mr. Chairman, I ask unanimous consent that the remainder of my time be granted to the gentleman from Iowa [Mr. GROSS].

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, we have arrived at a point where confusion is being compounded on confusion. As I understand the Ottinger proposal in section 12, as it was explained yesterday, it would provide a program that would supplement the funds allocated under the regular formula of the the Hill-Burton program. The amendment offered today by the gentleman from Oklahoma, which he announced as a perfecting amendment, tries now to bring section 12 within the Hill-Burton framework. That is why I oppose the proposal of the gentleman from Oklahoma, and I will vote to retain section 12, which is designed as emergency legislation to alleviate the plight of hospitals that cannot now get funds through regular Hill-Burton channels.

My very able friend from Texas [Mr. PICKLE] and I found ourselves in disagreement because I said I felt Hill-Burton had worked unfairly in relation to the big cities of the Nation. I do not think there can be any quarrel with that statement, because all you have to do is to look at the statistics which I placed in the RECORD yesterday. The officials of Health, Education, and Welfare will tell you that Hill-Burton is structured to favor rural areas. The big cities have received only a minimal amount of the funds that have been appropriated over the 20 years the Hill-Burton legislation has been in existence.

The gentleman from Illinois whose amendment proposes to eliminate section 12 makes two principal points. The first adopts the language of the minority in the report that "Section 12 would be a preferential bonanza for the big cities," and, second, it would undercut if not destroy the Hill-Burton program.

Mr. Chairman, such arguments are clearly without merit. To call $58 million a bonanza in a bill of this magnitude is, to say the least, a euphemism. Dividing $58 million among the hospitals which find themselves in desperate straits hardly makes available an inordinate amount. Hill-Burton funds are limited. Under its formula many hospitals find themselves unable to obtain relief because of their location in a district which under the State plan can make no funds available to them. Yet, it is possible that even the meager funds specified in section 12 would be of significant help to them.

To call section 12 a preferential device for the big cities is a clear distortion. The funds are not tagged for any hospital, whether they be located in a city or a rural area. The money is to be allocated where the Secretary deems advisable, where the emergency is most acute. Even some of the hospitals on the list of 143 that have been mentioned by the gentleman from New York [Mr. OTTINGER] may not receive any money. Such funds may go to a rural area such as the district of the majority leader, for example. He has told me that he is concerned about a hospital there that has an occupancy factor of almost 100 percent.

This is a crash program which will remain in operation only for a brief period. Its purpose is to supplement the Hill-Burton funds. It will not undercut or destroy the Hill-Burton programs, which will continue and receive their normal appropriations.

But I must repeat what I said yesterday that Hill-Burton, excellent as it may have been over the years, under its existing operating formula, does not and cannot take care of the greatest need in hospital care today, and that is the need of our urban hospitals. Decay and deterioration are making our urban hospitals obsolete and even the changes enacted in the 88th Congress in the Hill-Burton basic legislation do not really provide adequate money for rehabilitation and modernization. It was stated here yesterday by the gentleman from Missouri [Mr. HALL], I believe, that the new Hill-Burton direction provides for modernization. That is true only to a minor degree, for under the new formula, thirteen-eighteenths of the funds will be used as has been customary in the past, and five-eighteenths will be used for modernization. If we were at all realistic in our approach to the problem, those percentages would be reversed. The vast bulk of the money should be used to rehabilitate and modernize hospital facilities located in the cities. There is where the people live. These are the centers where people are still accumulating in great numbers.

I stated yesterday that a reasonable survey of the condition of hospitals in the city of Chicago and its metropolitan area showed an accumulated obsolescence of $255.1 million. I learned from officials at HEW this morning that the estimated hospital obsolescence in New York City approximates $1,250 million.

A survey of the Nation's needs made under the direction of HEW by health officials of each State shows that the accumulated obsolescence for the Nation is the staggering figure of $6 billion, most of which is in the great cities.

Mr. Chairman, this obsolescence is in the quality care hospitals, the centers of medical excellence which have highly trained personnel and highly specialized health facilities. This problem is so great it must command our immediate attention.

At long last, Mr. Chairman, there is a ray of hope for the big cities. The very able and distinguished Senator from Alabama, Senator LISTER HILL, who is the father of the Hill-Burton Act, has recently filed a bill, S. 2251, to extend and expand the Hill-Burton programs to take care of today's condition by providing a program of direct loans at low interest rates. His bill, which I have filed in the House, would provide the following:

First. The bill would extend and expand the Hill-Burton program of Federal financial assistance for the construction of hospitals and other health facilities and authorize a new program of direct loans at low interest rates for the modernization of nonprofit hospitals and other medical care facilities.

Second. The existing authorization of $100 million in appropriations for the construction of long term care facilities, diagnostic and treatment centers, and rehabilitation facilities would be extended for 4 additional years, through June 30, 1973.

Third. The existing authorization for the construction of hospitals and public health centers and for grants for the modernization of hospitals and other health facilities would be extended for 4 additional years, through June 30, 1973, and expanded as follows:

APPROPRIATION AUTHORIZATION

Year	New construction [1]	Modernization
Existing law:		
1968	$130,000,000	$50,000,000
1969	125,000,000	55,000,000
Proposed:		
1969	140,000,000	70,000,000
1970	160,000,000	80,000,000
1971	180,000,000	90,000,000
1972	200,000,000	100,000,000
1973	200,000,000	100,000,000

[1] These funds are also available for alterations, renovation, and modernization at facilities with approved projects for additional beds.

Fourth. No change is proposed in the provision under existing law that authorizes a State to transfer funds for the new construction of hospitals and public health centers to modernization if such transfer will "better carry out the purposes of this title." In 1966 a total of $7.6 million out of a possible $140 million was transferred to modernization under this authority; in 1967 $2.9 million out of a possible $135 million was transferred.

Fifth. A new program of direct loans for the modernization of hospitals and other medical care facilities would be authorized to cover 90 percent of the construction costs—covered by the loan project—at 3 percent interest repayable over a 25-year period. Funds would be allocated among the States on the basis of population, financial need, and the need for modernization of health facilities.

Sixth. The loan program would provide for the following maximum levels of principal outstanding on a cumulative basis:

1969	$200,000,000
1970	400,000,000
1971	600,000,000
1972	800,000,000
1973	1,000,000,000

Seventh. The new direct loan program would be closely coordinated with the existing grant program under the Hill-Burton program. A favorable recommendation by the State Hill-Burton agency would be required as a condition for approval of a loan application.

Eighth. The financing provisions for the new loan program are similar to those provided for under existing law in the case of loans for the construction of academic facilities under the Higher Education Act.

This bill, Mr. Chairman, provides a measure of promise for hospitals in the big cities. They now find themselves unable to obtain financing from private sources or compelled to pay such high rates of interest and such discounts that they can afford only limited modernization. This bill will give them a reasonable alternative so that they may again serve the public in a modern and efficient manner.

But that program, Mr. Chairman, is for tomorrow. Until then, the relief which section 12 offers should be approved as emergency legislation. I urge the defeat of the amendment offered by the gentleman from Illinois [Mr. SPRINGER].

The CHAIRMAN. The Chair recognizes the gentleman from Illinois.

Mr. SPRINGER. Mr. Chairman, I would like in these few words to see if I can bring some perspective into this question of rural areas versus cities. The last time that we revised Hill-Burton, we put in, at the request of the big-city hospitals, additions for obsolescence, additions for equipment which had not previously been allowed under the Hill-Burton Act. We tried to take care of those city situations—and may I say a great deal of this came about under the last amendment when the distinguished gentleman from Arkansas, Mr. Harris, was the chairman of the committee. He came forward with this program at the request of HEW, and we did give a preference to the cities over the rural areas. May I say in justification to the rural areas that States are not now even allocating money to hospitals which have less than 100 beds; so small places no longer have the preference which the distinguished gentleman from Illinois pointed out a few minutes ago. We have tried to give balance to the Hill-Burton Act. We have tried to make it a usable and a good program, and it has been. We have tried to change with the changing times. We have tried to keep it up to date, and we have.

The kind of provision which we have under the Ottinger amendment is the kind of thing that does give complete preference, in my opinion, to the large cities that are tooled up to do the job. It is one of the reasons I have been opposed to the Ottinger amendment consistently. The cities are tooled up to make a request, and they are the only ones who are ready under the particular piece of legislation which the gentleman from New York has introduced.

This is one of the reasons that I think it is unwise legislation.

We should not do anything in the health field in haste. That is what the Ottinger amendment seeks to do. It would provide a crash program in haste.

Nothing we can do along this line in the period of a year, in my estimation, is good legislation. We have done a good job, the best we could, with the amount of money which we could in good taste allot for the Hill-Burton Act.

Mr. HECHLER of West Virginia. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred and three Members are present, a quorum.

The Chair recognizes the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, I had intended to support the Ottinger amendment, or, to put it another way, oppose the Springer substitute.

I was under the impression the Ottinger plan provided for direct relationship between the local hospital and the Federal Government whereby those overcrowded or critical hospitals could appeal directly to the Federal people if the Hill-Burton plan operating through the States had passed them over year after year. I am still for the new arrangement if there can be any assurance the smaller communities have a chance to participate. The rumor persists, however, that this is all locked up for the big cities.

Now I would like to inquire of the gentleman from New York about an average population figure he was talking about yesterday and try to pin down if possible as to whether smaller towns will be able to have an application considered.

Most Members of this House have one or more hospitals in their congressional districts which have been patiently waiting for Hill-Burton grants. The most aggravated example in our congressional district is at Butler, Mo., where they have been waiting for years for some Federal hospital assistance to be approved under State priorities. Their best judgment is it may be from 5 to as long as 10 years before they will receive assistance because they are so far down the line under State priorities. Yet this hospital is running at 121.8 percent capacity, and there are patients in the halls and even patients in the lobbies. This community has already approved a $260 million bond issue in November 1965 and are considering another bond issue in the fall of 1967.

All of the medical profession and the population of the community are now in accord that medicare will in the course of time become a workable and acceptable program. But everyone is also in agreement that hospital beds should have been provided before medicare became operative. It is sort of like putting the cart before the horse. At the present time hospitals throughout our congressional district are so overcrowded that there is no place to put patients over 65 except in the halls.

To care for patients that are not in hospital rooms is not only unfair to the doctor who is trying to heal his patient, but grossly unfair to the patients. As one of our hospital administrators put it:

> When a very sick patient is blowing and going out in the hall near a patient about to be served a meal, it is an understatement to say this makes for an unsavory situation.

Worse still, it makes for an almost impossible situation so far as effective treatment of patients is concerned.

In my home city of Independence, Mo., I inquired of our hospital administrator whether he approved the appeal of a hospital directly to the Federal Government for assistance. He replied that his hospital would prefer to work through the State and was somewhat reluctant to bring in a new Federal agency, but added they had no recourse but to favor any sort of a plan that would provide more Hill-Burton funds just as soon as possible. He pointed out there had been patients in their halls all summer. This hospital of 196 beds must someway, somehow be expanded to a total of 400 beds if it is to meet the needs of the community. His conclusion was that his Congressman should support any kind of a plan that would increase Federal hospital assistance without having to stand in line and wait for State approval of priorities. This administrator also voiced the belief that with the increased use of medicare, the problems of the local hospitals so far as bed shortages are concerned was only beginning to be felt, that these shortages would become more acute in the months and years ahead. In a word his request was "Give us as much Hill-Burton as you can, any way you can, as soon as you can."

Earlier it was mentioned that of the 143 hospitals in critical need—the average population of the communities in which these hospitals are situated is 5,700. Does that mean some will be below and some above the population of 5,700?

Mr. OTTINGER. Mr. Chairman, that is correct. The survey upon which this was based shows 143 hospitals in critical condition throughout the United States, which a year and a half ago would be those who had presumably qualified. At that time the median, the middle was 5,700—not the average.

Mr. RANDALL. Mr. Chairman, because of the limitation of time, may I ask one question of the author of the Jarman amendment? As I read it, on page 47, the Secretary, under the Ottinger provision, can select a hospital for a grant but under the Jarman amendment after such selection or designation he must even then obtain the consent and approval of the State. Is that correct?

Mr. JARMAN. Mr. Chairman, we recognize that emergency money is necessary, but the objective of my amendment is to hold it to a State decision rather than to have some Federal source in Washington pick out the hospitals throughout the country where the money is to go.

Mr. RANDALL. The purpose of my question is to make sure we are not trying to go in two directions at the same time.

All of us believe in the principle of States' rights and a State should have some voice in the approval or refusal of federally financed projects within its boundaries. That is the way the Hill-Burton program has worked in the past. But there are changes which such a program could not anticipate. One was the advent of medicare. Some of us have counties in our congressional districts in which, because of the high concentration of aged people, the average age of the population is over 50. This means that the high number of aging persons in a particular area creates a concentration which has placed an unbearable burden on the hospitals of such an area.

Another problem which the Hill-Burton program cannot cope with is the unexpected or unanticipated population shifts which have placed unpredictable burdens on certain suburban hospitals. Our district includes the East Kansas City suburbs as well as outlying agricultural areas. Both in the suburbs and in our agricultural counties there is at least one overcrowded or critical hospital situation.

Under such conditions what could be wrong with a temporary provision lasting only 1 year which would permit a direct application by these hospitals to the Federal Government for assistance? The entire Hill-Burton program will be considered in review 1 year from now. Some of our hospitals are in critical need of immediate assistance. While we would not want to dispense with or dispose of the long established Hill-Burton proposal of State-Federal cooperation, there is no reason why there could not be a 1-year elimination of the mediating and evaluating role of the State government in the interest of relief of these seriously overcrowded hospitals.

For that reason, Mr. Chairman, I am constrained to oppose the Jarman amendment because, in my opinion, if it is adopted it puts us right back where we were before the Ottinger proposal for direct appeal to these critical hospitals was made a part of the bill. In other words, we will undo by the Jarman amendment the good to come from the Ottinger proposal just as much as if the Springer substitute were adopted. The parliamentary situation may seem to be confusing but the thing we would all be interested in is the adoption of a temporary 1-year plan to give quick, direct Federal assistance to our most critically overcrowded hospitals.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I do not want to be guilty of trying to simplify a confused situation, but it seems to me that the Ottinger portion of this legislation, with the amendment of the gentleman from Oklahoma [Mr. JARMAN] provides the following—may I have the attention of the author of this portion of the legislation?

Is it not correct that this legislation now provides that 14 large hospitals could absorb all of the funds available under this section?

Mr. OTTINGER. It does not.

Mr. BROWN of Ohio. Is 7½ percent the maximum that could be given; is that correct?

Mr. OTTINGER. The maximum provided in the bill is 7½ percent. There is no such contemplation.

Mr. BROWN of Ohio. Is it not possible that 7½ goes into 100 percent 14 times?

Mr. OTTINGER. I would say it is totally impossible, because when the last survey was made just a year and a half ago 143 hospitals qualified.

Mr. BROWN of Ohio. It is possible that 14 hospitals could absorb the entire amount of money allowed for in this section.

Mr. OTTINGER. It is only possible in theory, in pure theory. We are not dealing in pure theory.

Mr. BROWN of Ohio. Let me ask another question.

If the Secretary of Health, Education, and Welfare approves the funds allocated hereunder, it would be based on the four criteria set up in this legislation; is that not correct?

Mr. OTTINGER. There are more than four criteria.

Mr. BROWN of Ohio. As I understand it, there are (A), (B), (C), and (D) on page 44, which are the four criteria.

Mr. OTTINGER. In order for the Secretary to approve, under section 5 there are additional (A), (B), (C), and (D) sections.

Mr. BROWN of Ohio. But then we turn around, as I understand it, under the Jarman amendment, and the Secretary's allocation of funds must be approved by the agency which normally approves Hill-Burton funds; is that correct?

Mr. OTTINGER. With respect to any

hospital that applies to a particular State, that State agency must approve.

Mr. BROWN of Ohio. Do I correctly understand, then, that the State agency is expected to approve a grant from the Secretary it did not approve as a grant from Hill-Burton funds?

Mr. OTTINGER. Not necessarily, though it might be.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I am glad to yield to the gentleman from Texas.

Mr. PICKLE. I believe the reading of the Jarman amendment would indicate that if a State did not approve a particular application the Secretary could still put that into force. It might not be likely, but it is possible. The gentleman from New York may not agree, but there is disagreement on our own staff.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The Chair recognizes the gentleman from Montana [Mr. Battin].

Mr. BATTIN. Mr. Chairman, one thing which is going to happen here if the Ottinger amendment is retained is a new concept between the Federal Government and our hospitals.

So far, under the Hill-Burton program, the States do have an opportunity to participate in a health plan for the entire State.

Under the amendment offered by the gentleman from New York we are going to have direct communication and a direct operation between the Department of Health, Education, and Welfare and the local hospital.

I have had some personal experience in this regard, difficult as it might be, since the advent of medicare and the regulations that have been put out by the Department of Health, Education, and Welfare as to not only how the local hospitals are to operate but also how they are to keep their books and their budgets.

Some of the hospitals in the State of Montana have found they cannot comply, and have withdrawn from the medicare programs.

What the Members really are asking for is an opportunity to become the negotiator between the hospitals of the United States and the Federal Government. We would be taking on that job, because as soon as the hospital gets into trouble and cannot get what it thinks it is entitled to, then the Members of Congress will have to go down and start dickering back and forth as to whether this locality gets it, or the other.

Where we have had State plans approved by people who give their time, for the most part, who are interested in the health needs and the development of care for these health needs of the United States, we are saying to them, "You are incompetent. Somebody here in Washington is going to tell you how to get the job done."

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BATTIN. I am glad to yield to the gentleman from Ohio.

Mr. BROWN of Ohio. What the gentleman is saying is that this is merely a device to try to damage or destroy the Hill-Burton formula we have used so successfully for so many years, and to move Federal support in this field into the direction of direct grant programs.

Mr. BATTIN. I say to the gentleman, if anyone is willing to accept a $40 million authorization to take care of the critical needs which are talked about, this means that we really are willing to take a foot-in-the-door approach so that we can have direct communication between the Federal Government and the local hospital. This would be a bad mistake.

The CHAIRMAN. The time of the gentleman from Montana has expired.

The Chair recognizes the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, yesterday produced a number of firsts. This is the first I knew—and I have been in the House for several years—that the Hill-Burton Act was not working. There have been many bills, providing for hospital construction, come and go in the years that I have been here, but I never heard so much sudden opposition to the Hill-Burton Act. I suggest that the best way to solve this proposition is to strike section 12 of the bill, refuse to accept any moderating amendments and continue with the Hill-Burton Act which has served the country well.

Also, on yesterday, Mr. Chairman, there was another first. The gentleman from Wisconsin [Mr. Reuss] appeared on the House floor and offered an amendment to provide $20,000,000 a year for rat extermination. For the first time, and to my amazement, I learned that the gentleman's home city, the great and allegedly progressive city of Milwaukee, is overrun with rats. This is hard to believe in view of the national publicity that has been given to Milwaukee as a city that has done a pretty good job in the rat department. But the gentleman from Wisconsin [Mr. Reuss] indicates otherwise. That leads me to wonder whether it was because Milwaukee was overrun with rats that their baseball team, the Braves, pulled out and left for Atlanta.

Then the gentleman from Maryland [Mr. Mathias] appeared on the House floor and for the first time I learned that there is a terrific rat problem in the State of Maryland. He said that Mayor McKeldin, of Baltimore, had produced a plan for the control of rats in that city, but evidently the people of Baltimore are not enchanted with the mayor's plan because he is not going to run for reelection on the basis of his own admission that he probably would not be reelected.

Then there was another first on the part of the gentleman from Wisconsin [Mr. Laird], who appeared on the House floor yesterday afternoon in support of the Reuss amendment, but the gentleman from Wisconsin [Mr. Laird] said it was not offered because he, the gentleman from Wisconsin [Mr. Reuss], wanted a bundle of money to exterminate rats. The amendment was not offered for that purpose at all, Mr. Laird said. Being a self-confessed advocate of economy, he said another $40 million ought to be stuck in this bill over a 2-year period to sweeten it for some purpose. It is perfectly plain to everyone else in the House, if not to Mr. Laird—and anyone can read the statement of the gentleman from Wisconsin [Mr. Reuss], which I have here—that the sole purpose of his amendment is to provide $20 million a year for 2 years out of the Federal Treasury for the extermination of rats in that great, progressive city of Milwaukee and other cities. I have never heard a worse indictment of civic responsibility than the gentleman from Wisconsin [Mr. Reuss], delivered yesterday afternoon in listing the innumerable homes with ratholes gnawed in them and the fear of citizens to even walk the streets of Milwaukee after dark because of rats.

And the gentleman from Maryland [Mr. Mathias] told of the fingers and toes that he said had been gnawed off by rats in past years. Well, if this problem was so bad years ago as the gentleman from Maryland has said, why has he and the gentleman from Wisconsin come here only now to seek help in the extermination of rats? If the situation has been so bad through the years, where have they been?

If those who have been demonstrating and rioting in Wisconsin and Maryland would expend even a small fraction of their time and energy cleaning up the rubbish and rats they would not be here trying to pick the pockets of the Nation's taxpayers to solve the problem—if there is a problem—that is their responsibility.

And no amount of words from any advocate of the Department of Health, Education, and Welfare will convince Members of the House that the Reuss amendment is not designed to make business good for the rat patrol in terms of increasing the already bloated Federal payroll.

The Reuss amendment, adopted yesterday by a one-vote margin, and with the support of the gentleman from Wisconsin [Mr. Laird], ought to be defeated on a rollcall vote today.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Ottinger].

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I shall be glad to yield to the distinguished gentleman from Florida [Mr. Fascell].

Mr. FASCELL. Mr. Chairman, I rise in support of the perfecting amendment of the gentleman from Oklahoma, and against the motion to strike of the gentleman from Illinois. I would vote against the motion to strike even if the bill did not have the perfecting amendment, because I feel that the intent of the legislation is quite clear—that this will have to be a fully cooperative Federal-State hospital program.

Mr. Chairman, one other time when we had emergency legislation to come before this body, and it became law, funds were made available for the expansion and construction of hospital facilities. I wish to tell the members of the Committee of the Whole House on the State of the Union that the funds which were made available under that law were not only made available to hospitals in the congressional district which it is my honor to represent, but funds were made available for both large and small hospitals. The State of Florida and my congressional district had no problem in the allocation of those funds. We experienced complete fairness on the part of the Department of Health, Education, and Welfare in the allocation of funds, and I am sure the Department's administration will continue to be eminently fair. But one thing did happen because the Congress of the United States made money available and the Department of Health, Education, and Welfare administered the program wisely, that is this: we had more and better hospital beds in my district for the people than we had had in the past.

Mr. Chairman, the provisions contained in this bill are designed to do the same thing. All of these problems which have been raised are "straw" problems insofar as I am concerned. I say this because of the experience which I have cited. My thinking leads me to the belief that we will have the same experience under the provisions of this bill. The additional emergency funds authorized will provide very needed hospital beds and facilities. All of us admit that the need for additional and improved hospitals and hospital facilities is critical. I say to the members of the Committee of the Whole House on the State of the Union, do not wait until next year or until some other time to do this, just because there appears to be a difference of opinion as to the manner in which the program is going to be administered.

Mr. Chairman, we do have a very fine program now in operation under the provisions of the Hill-Burton Act. I do not see any problem under this bill in going to the State agency for approval and obtaining for the States an allocation of funds with which to construct these very badly needed hospital facilities. This procedure has worked eminently fair in my State. I am sure that it has worked equally well in other States throughout this country.

Therefore, I fully support the authorization for additional funds. If hospital beds and facilities are not a priority need of our people for which special attention is warranted when an admittedly critical situation exists, then no program is. I trust the motion to strike this portion of the bill will not prevail.

The people of this country need, want, and are willing to reduce other programs in order to provide for hospital beds and improved facilities. The saving of life and the restoration of health are of the highest national priority—second only to the preservation of our national security.

Mr. OTTINGER. Mr. Chairman, this is a short-term program. It is a program to help the hospitals that are most needed throughout this land. It is completely consistent with the provisions of the Hill-Burton Act.

Mr. Chairman, I ask that the provisions of section 12 of the bill be upheld and that the amendment which has been offered to strike this provision be defeated.

Mr. ECKHARDT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred and eighteen Members are present, a quorum.

The Chair recognizes the gentleman from West Virginia [Mr. STAGGERS] to close the debate.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the distinguished gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, this bill, or the issue that is under consideration right now, is nothing but a proposal to add $40 million as a supplement to the Hill-Burton funds for the purpose of building hospitals and in furnishing hospital aid in areas and in instances where emergencies exist. It does not in any sense of the word interfere with the operations of the provisions of the Hill-Burton Act.

Mr. Chairman, if the Jarman amendment is adopted, as I hope it will be, then the State agencies will be allowed to determine where the money is to be expended.

In some areas in my territory hospitals are today operating on a 96-percent occupancy load and the need is increasing. There are many others in a more serious condition all over the country.

I strongly hope that this amendment to strike will not be adopted and that the Jarman amendment will be adopted. I hope that this needed legislation will become the law of the land. It will do much good.

Mr. STAGGERS. Mr. Chairman, the Jarman perfecting amendment I believe is a desirable amendment because it allows a State agency to make the determination as to whether a project should be approved. Under section 12 of the bill there is allocated $40 million to be distributed for projects meeting the criteria in the bill. Up to two-thirds of the costs of projects can be provided for projects in areas which are in need of hospital beds. Then there are $18 million in loans provided for in the bill, making a total of $58 million.

Those $18 million in loans will cover up to 90 percent of the rest of the costs of any project in an emergency situation. According to the testimony given to the committee, there are 66,000 hospital beds that are needed now in the Nation, and this amendment will help meet the situation.

I therefore support the Jarman amendment, and oppose the Springer amendment.

Mr. PATTEN. Mr. Chairman, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 6418, the Partnership for Health Amendments of 1967. Section 12 of this bill is entitled "Emergency Assistance for Community Hospital Services," and it incorporates the essential provisions of legislation which I cosponsored. The Springer amendment would delete this section and I urge the defeat of the proposed amendment.

In his message to Congress in 1965 on the subject of health, President Johnson said:

> Our first concern must be to assure that the advance of medical knowledge leaves none behind. We can—and we must—strive now to assure the availability of and accessibility to the best health care for all Americans, regardless of age or geography or economic status.

One of the many pieces of legislation enacted in the last Congress as an effort to achieve this assured "availability of and accessibility to the best health care for all Americans" was the Comprehensive Health Planning Act of 1966.

The legislation we are considering today, H.R. 6418, the Partnership for Health Amendments of 1967, would extend and expand the work started by the 1966 act, Public Law 89-749, and also establish other programs to help assure the best possible medical care for all our people. This is an important bill, and it merits our sympathetic and favorable consideration.

The need for legislation of this type has been recognized for a number of years. Since 1935, Federal support has been provided on a continuing basis for public health activities through grants-in-aid. From that time, this Federal financial assistance has been oriented increasingly toward specific disease categories or health problems. Local needs received little attention. The growing demand for better health care for more people necessitated another look at our system of aid and more flexibility in this aid.

The problem was similar to that of some 20 years ago in the field of hospital and medical facilities. In the early forties, it was apparent that the existing system of hospital construction was too haphazard to provide the necessary coverage in hospital care. Some areas had more hospitals than they needed, while other areas had hardly enough or no hospitals at all. The landmark Hill-Burton Act virtually changed the hospital map of the United States. This was achieved in large part by the program's provision for areawide planning for facilities. Each State was required to survey its needs and plan its own construction projects. This insistence on a strong State and local voice in the program has made the Hill-Burton program the unparalleled success it is today.

Hill-Burton also pointed the way to the kind of program approach which was enacted in Public Law 89-749, the extension and expansion of which we are considering today. Problems of health do not fit well into specific categories and subdivisions. Federal, State, and local, as well as private, efforts to deal with them have not been organized in such a way as to best utilize the resources at our disposal. Effective use of total health resources is dependent upon a high degree of coordination of all health efforts, and therefore on comprehensive health planning. In this regard, the word "partnership" in the popular name of the bill is highly significant. It indicates the nature and extent of the cooperative effort that is being expended by the Federal, State, and local governments to make this health program a success.

The Comprehensive Health Planning Act and Public Health Services Amendments of 1966 represented a brave new approach in the field of health services. It deserves the longer term of service that H.R. 6418 would provide. The 2 years provided for in the original act are not nearly enough to accomplish what must be done. An additional 3 years and the increased appropriations would help a great deal in this accomplishment. The additional provisions, including emergency grants to hospitals and the licensing of clinical laboratories, would further enhance the partnership for health between the various levels of our Government and society. President Johnson said in his health and education message earlier this year:

> Our national resources for health have grown, but our national aspirations have grown faster. Today we expect what yesterday we could not have envisioned—adequate medical care for every citizen.

Mr. Chairman, H.R. 6418 would enable us to utilize our resources in the field of health to the fullest, and thereby provide the best medical care possible to every citizen who needs it. I therefore urge that the measure be given our unanimous support.

The CHAIRMAN. The time of the gentleman has expired.

Under the agreement on limitation of time, all time has expired. The question is on the perfecting amendment offered by the gentleman from Oklahoma [Mr. JARMAN].

The question was taken; and on a division (demanded by Mr. OTTINGER) there were—ayes 43, noes 102.

Mr. OTTINGER. Mr. Chairman, a parliamentary inquiry .

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. OTTINGER. Mr. Chairman, was that vote on the Jarman perfecting amendment?

The CHAIRMAN. The Chair will state that is correct.

Mr. OTTINGER. Mr. Chairman, I demand tellers.

Mr. PICKLE. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. PICKLE. Mr. Chairman, I make the point of order that the demand comes too late; the Chairman had already announced the vote.

The CHAIRMAN. The Chair will state that the point of order is overruled.

Tellers were ordered, and the Chairman appointed as tellers Mr. JARMAN and Mr. SPRINGER.

The Committee divided, and the tellers reported that there were—ayes 70, noes 126.

So the amendment was rejected.

The CHAIRMAN. The question now occurs on the amendment offered by the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. SPRINGER and Mr. STAGGERS.

The Committee divided, and the tellers reported that there were—ayes 155, noes 81.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. WATSON

Mr. WATSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WATSON: On page 28, line 17, strike the semicolon and insert a period, and strike lines 18 through 20.

Mr. WATSON. Mr. Chairman, when the comprehensive health bill was passed last year it provided, as does the bill before us today, for project grants for health services development. There were three types of these project grants as follows:

First. Services to meet health needs of limited geographic scope or of specialized regional significance.

Second. Stimulus and support for an initial period for new programs of health services.

Third. Studies, demonstrations, or training designed to develop new methods.

Projects included in the first and second items could be funded only if consistent with the State plans where they were to take place.

The bill before you now was changed by the drafters without notice or comment. In fact, the change was so obscure that even our fine professional staff took it to be a mere conforming and technical amendment until 2 days ago when the change was pointed out for what it was—a substantive change which is a matter of serious concern to the States.

The very innocent-looking language on lines 19 and 20 of page 28 of the bill goes like this:

> (3) the second sentence of such section 314(e) is amended by striking out "or (2)".

It is not to be found in the section which deals with section 314 of the Public Health Services Act but in the section which deals with section 304. But the drafters knew it was there and said not a word until the discovery was presented to them, and then they admitted it was a substantive change. This is a shoddy practice, and the committee and this House have reason to be suspicious of the claims for reasonable administration made by a department which allows such practices.

Here is what it really does. The project grants which were for stimulating and supporting for an initial period new programs became something different and obviously broader. It now reads "developing," rather than "stimulating," and supporting for a period new programs of health services—including related training. Having changed the nature of these particular project grants, the Department then removed the words "or 2," thus making it possible to completely sidestep and ignore the wishes of the State government in the area where the new program was to be carried out. It could—and in view of the means by which the authority was sought, probably would—carry out programs wherever it wished even in the face of outright opposition by the State to such activities.

If a new program being developed and supported by HEW for its own reasons is not consistent with the plan of the State government, and particularly if it is definitely inconsistent or contrary to the policy of that State government, it should not be allowed to proceed. By accepting this amendment we are merely returning to the status of the act as it now exists and which, until now, everyone thought would continue to exist. It would merely require that these pet programs of HEW must be cleared with the State and be consistent with the plans of that State.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. WATSON. I yield to the gentleman from West Virginia, the chairman of the committee.

Mr. STAGGERS. Mr. Chairman, in response to the gentleman from South Carolina, I would like to say this was not discussed in the committee and there was not sufficient testimony given on this point. I would be willing to accept his amendment and support this, and send it to the Senate and let them have hearings on it.

Mr. WATSON. Mr. Chairman, I appreciate very much the help of the chairman of the committee.

I would like to say this one further word about how this situation developed so that other committees might be alerted to such eventuality. We relied upon the Department for various technical and conforming amendments. Our able staff—and I yield to no committee as far as the dedication and ability and hard work of our committee and staff—did not find this so-called technical change, which was incorporated into the bill by the Department, was indeed a substantive change. We subsequently discovered this very serious substantive change and I am glad to know the chairman will agree with us in correcting this. Frankly, with the correction of this, it will leave the bill exactly as it was intended.

Mr. JARMAN. Mr. Chairman, I take this time to ask for clarification of the intent of language in the bill relating to the requirement that 70 percent of the formula grant funds for a State be available only for the provision of services in communities.

Where a State health or mental health agency provides services for a community at the request of the community, or provides services that clearly aid local communities, such as statistical services or training, would these expenditures be counted as part of the 70-percent limitation?

Mr. STAGGERS. Mr. Chairman, if the gentleman from Oklahoma would yield, it is my interpretation that the committee intended the 70-percent limitation to apply to expenditures of this type.

Mr. JARMAN. I thank the distinguished gentleman from West Virginia.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. WATSON].

The amendment was agreed to.

Mr. DENNEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am sure my colleagues will be pleased to know that I have no intention of offering an amendment at this stage of the proceedings to page 40, line 10, to provide that in making the allocations of direct grants to the States, the Secretary would give consideration to the population in the States and in the communities with reference to how the

State committees allocate the 70 percent of the funds.

In checking with the chairman of the committee and the ranking Republican and with counsel—and my own idea being that direct block grants to States should be unfettered by strings of the Federal Government—I decided not to offer the amendment.

I should like to call the attention of my colleagues to a problem which does exist in some States and which exists in my State. I should like to engage in a short colloquy with the chairman and with the ranking Republican member of the committee, as to what the idea of the committee was on this problem.

As an example, in my State of Nebraska for the year 1968 we find there will be direct block grants to a metropolitan city in the State of Nebraska of $150,000, and the second ranking city will get $10,000.

I recognize that possibly there is a problem with the advisory committee of the State, but what was the attitude of the committee toward such a problem as this? Was there any intent on the part of the committee, when these direct block grants were sent out to the States, as to how they should be apportioned to the respective communities in the States?

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. DENNEY. I am glad to yield to distinguished chairman.

Mr. STAGGERS. I might say that this money is supposed to be allocated under a State plan, and the State plan is to be prepared by the State planning agency, with the advice of the State advisory council.

I do not believe the gentleman's State has a State advisory council in operation at the present time. I believe they are in the process of getting one. The allocation of funds to which the gentleman has referred was under the old plan.

It was the intent of the committee that these funds be distributed as equally as possible in areas where the needs are.

It is the responsibility and the duty of our Oversight Committee, when there are problems in the States, to check on them and to see that the agency is doing its work fairly.

It is our duty, under the Reorganization Act of 1946, to keep check over anything we have provided, and that is our intent.

As I say, it is our duty to see that this is done. What we are trying to get away from is the Federal Government stepping in and telling the States what they ought to do with the money. That is the intent of the committee in drawing up the legislation, I say to the gentleman from Nebraska.

We also hope that the Department will look into this situation discussed by the gentleman.

We hope that first the State agency will do so, however. We try to leave this responsibility to the States.

Mr. DENNEY. I thank the chairman.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. DENNEY. I yield to the gentleman from Illinois.

Mr. SPRINGER. I want to say to my distinguished colleague from Nebraska, the gentleman has presented an excellent case here this afternoon, not only on the floor but also in talking with me and the chairman of the committee. I commend the gentleman for the fine job he is doing for his district and the State of Nebraska.

If what the gentleman has been talking about this afternoon is taking place, that is not my understanding of how the State agency is supposed to operate.

It is true that under the original Hill-Burton Act we gave this to the State agency, because we felt it ought to be administered at the State level.

I am sure my colleague would agree that is where the administration ought to be, and not in Washington, D.C. We have attempted to do that.

If what the gentleman has stated this afternoon is taking place, that is wrong, because there is supposed to be a general distribution of these funds based on need. They should not go in the great majority of the funds to one metropolitan center.

I want to assure the gentleman that the Oversight Subcommittee or the Health Subcommittee will be holding hearings next year. The gentleman may be assured that this is a problem I will be happy to call to the attention of the committee and also the attention of the subcommittee, next year, when we consider the Hill-Burton Act again.

Mr. SKUBITZ. Mr. Chairman, last year when the House passed the Public Health Service Act, we succeeded in tearing down the barriers of categorical grant-in-aid policies. We offered to each of our States and local communities the right to deal with those threats to public health which are posed in their respective areas of this country. We did not say to them—as we have in so many assistance programs—that they must choose their problem from a list supplied by the Federal Government. Our efforts then are significant today because they represent a step in the direction of a meaningful Federal-State partnership. I raise this point because we need to give serious consideration to it before we cast a shadow over those efforts.

On July 20 of this year, I voted against the Rat Extermination Act and share with many of my colleagues the wrath generated by our action. I voted against the Rat Extermination Act—not because I am blind to the necessity for rat control nor because I thought the idea was funny—but because there is presently available within the Department of Interior, the Office of Economic Opportunity, the Department of Agriculture, and the Department of Health, Education, and Welfare—Federal funds which may be used for rat eradication. I could not perceive any need to put another source of funds within the Department of Housing and Urban Development which was requested in the "rat extermination" legislation before us in July.

There is so much "grant-in-aid" duplication already in existence that it often takes a community 6 weeks to 2 months making the rounds to learn where they belong. We have created a maze through which only the most persistent of our communities and citizens can find their way to Federal assistance. Putting rat control money into the hands of HUD would have served to extend that maze and to compound the confusion.

Since the problem generated by rats is of primary concern due to considerations for public health, should not the assistance for the control of rats be contained within "health" legislation such that which is before us today? When this bill came before the House from the Interstate Committee, it contained no less than $892 million in comprehensive health grants to be made to the States in the next 3 years. As the bill was written, the State and local communities would be free to determine the priorities and to use these funds in attacking those problems which are prevalent and most pressing. Not one representative from the Department of Health, Education, and Welfare came before the Interstate Committee to suggest that additional money was needed to be earmarked for any specific problem—rats or otherwise. In fact, testimony from the Department could be considered an endorsement of this concept of "block" grants which have proven successful through the application of this legislation.

I am at a loss to determine the motives of the gentlemen who believe that money must be earmarked for the particular health problem of rats. If we earmark funds for rats, then we will be called upon to earmark funds for drug control, for mosquito control, and for the control of any other pest or disease posing problems to health. Finally the aid will be so broken into piecemeal categories which with separate costs of administration will allow no community to benefit from the money we are appropriating.

When we legislate in behalf of the public health—let us keep it broad and not prescribe what diseases we will consent to help. When we legislate in behalf of rats, then we legislate for publicity and not for the public health or the public good.

The Reuss amendment does not provide funds and earmark them for rat eradication, it only authorizes more funds for the overall programs contained in this bill at a time when taxpayers are asking us to cut Federal spending rather than increase taxes. I shall vote against the Reuss amendment. I shall support this legislation on final passage.

Mr. DENT. Mr. Chairman, listening to the debate here today I find it impossible to understand how any of my colleagues could oppose this urgently needed program to provide aid to critically overburdened and inadequate hospitals.

Several speakers have suggested that these critical hospitals should go out and raise the funds in their communities. This "let them eat cake" argument overlooks the simple fact that the hospitals cannot. We are not talking about big hospitals in rich communities. In the main we are talking about small hospitals in poor communities. That is why they are critical hospitals.

The people who run these facilities are neither stupid nor indifferent. They have tried to raise money from every source and discovered that they cannot because it is not there.

Read the letters that have been inserted in the Congressional Record. Speak to the administrators who are daily wrestling with the impossible task of treating the sick and injured in their communities with inadequate and obsolete facilities. These are skilled and well informed people. They are dedicated. They care and they will never understand why we do not.

Let us clear up any misunderstanding on this point once and for all. There is no danger whatsoever of any funds being provided under this section to any hospital that can raise funds from other sources. The bill specifically forbids this.

On page 44, paragraph 3 cites a specific condition of eligibility that "the needed assistance is not available from other public or private sources".

On page 47, paragraph 5 requires the Secretary of Health, Education, and Welfare to make an affirmative determination that this is indeed the case before he approves any grant.

How is it possible to argue this point?

It is clear, Mr. Chairman, that section 12 of this bill has been precisely defined to meet a genuinely critical situation in a fiscally responsible manner. I urge that all attempts to remove it from the partnership for health bill be defeated.

Mr. VANIK. Mr. Chairman, I want to take this opportunity to oppose the amendment of the gentleman from Illinois [Mr. SPRINGER], which seeks to strike out language from this legislation which would provide emergency grants to hospitals found to be in critical conditions or in areas of critical need.

The fact that critical hospital needs would most likely occur in highly urbanized communities should not detract from the necessity of this legislation. The purpose of this provision is to establish a criteria of special emergency need over and above any other criteria heretofore established.

Earlier in the debate, our distinguished colleague, the gentleman from Illinois [Mr. YATES], set forth the total grants under Hill-Burton funds in 10 principal cities of the United States during the past 20 years of this program as an aggregate amount of $113,070,000 of the total amount of $2¾ billion appropriated from Federal funds for hospital construction.

In the following table, I have listed these 10 cities along with their 1960 populations:

City	Hill-Burton funds	Population (1960)
New York	$17,500,000	7,781,984
Chicago	14,125,000	3,550,404
Philadelphia	28,850,000	2,002,512
Los Angeles	3,610,000	2,479,015
Detroit	6,500,000	1,670,144
Baltimore	6,215,000	939,024
Cleveland	10,605,000	876,050
St. Louis	12,860,000	750,026
Washington, D.C	8,500,000	763,956
Boston	4,305,000	697,197
Total	113,070,000	21,510,312
Total U.S. population, 1960		183,285,009
Percent of U.S. population in 10 major cities		11.7
Percent of total Hill-Burton funds to projects in 10 major cities		4.1

From these figures it appears that these 10 cities with almost 12 percent of the total population of the United States received only 4.1 percent of the total $2.75 billion, appropriated for this purpose. Therefore, it appears that the administration of the Hill-Burton Act under existing law has distributed the Federal Government's Hill-Burton grant money in a manner discriminating against the large urban centers of America which have received one-third of their fair share of these grants. Like many other Federal programs, the Hill-Burton program is apparently providing hospitals for small communities and rural areas far out of proportion to the basic population needs of these areas. While many of these smalltown, rural, and remote areas were undoubtedly in serious needs of hospital facilities, the disproportionate allocation of these grants has served to build up these hospital resources at the expense of the urban communities where the needs are equally as great, and which are suffering a constant migration from rural America. As the population flow continues from farm to city and from small city to large city, this grant discrimination is further accentuated.

The time is long overdue for reevaluating the grant distribution procedure of the Hill-Burton Act to make certain that the future grants are designed to fulfill future needs and to insure that the large urban centers of America will receive their fair share of these Federal moneys.

According to recent statistics of the Public Health Service, Ohio, Indiana, Michigan, and Illinois account for 43 hospitals or 30 percent of the total of 143 hospitals in the United States listed as being in critical condition. Industrialized urban Ohio with 22 critically overcrowded hospitals leads the Nation. Indiana and Michigan with eight critical hospitals tie with Virginia for fourth place exceeded only by Ohio, Georgia with 14 critical hospitals, and Tennessee with 10. Illinois, Florida, Kentucky, and West Virginia tie for seventh place with six critical hospitals apiece.

Under the formula in the emergency grant provisions, these States could receive as much as $17 million in emergency Federal aid, $12 million in grants and $5 million in loans based on the Public Health Service statistics. This legislation would authorize the Secretary of Health, Education, and Welfare to make grants up to two-thirds of the cost of expansion or renovation to provide new bed space and related facilities in critical hospitals. To meet the needs of those hospitals serving communities which lack adequate financial resources to put up the remaining one-third private portion, the act authorizes the Secretary of Health, Education, and Welfare to make long-term, low-interest loans up to 90 percent of the non-Federal share of the construction cost with interest on these loans at 2½ percent with a 50-year repayment period. This legislation would authorize $40 million in grants and $18 million for low-interest loans.

It is my hope that the emergency assistance provisions will remain in this law and that the Springer amendment will be defeated.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

The question is on the committee substitute amendment, as amended.

The committee substitute amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BROOKS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6418) to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes, pursuant to House Resolution 923, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the Committee substitute amendment?

Mr. OTTINGER. Mr. Speaker, I demand a separate vote on the so-called Springer amendment.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. WAGGONNER. Mr. Speaker, I demand a separate vote on the so-called Reuss amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Clerk will report the so-called Reuss amendment, on which a separate vote has been demanded.

The Clerk read as follows:

> On Page 24, in line 23, strike out "$70,000,000" and insert "$90,000,000"; in line 24 strike out "$75,000,000" and insert "$95,000,000".

The SPEAKER. The question is on the amendment.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. WAGGONNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WAGGONNER. Am I correct in assuming that the yea and nay vote which now has been ordered is a vote on the Reuss amendment only?

The SPEAKER. That is correct.

The question was taken; and there were—yeas 227, nays 173, answered "present" 1, not voting 31, as follows:

[Roll No. 265]

YEAS—227

Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Annunzio
Ashley
Ayres
Barrett
Bell
Biester
Bingham
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Brown, Calif.
Brown, Mich.
Burke, Mass.
Burton, Calif.
Bush
Button
Byrne, Pa.
Cahill
Carey
Carter
Casey
Celler
Chamberlain
Clark
Cleveland
Cohelan
Conable
Corbett
Cowger
Culver
Cunningham
Daddario
Daniels
Dawson
de la Garza
Delaney
Dellenback

Dent
Derwinski
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Fino
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Harrison
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Howard
Hungate
Jacobs
Joelson
Johnson, Calif.
Karsten

Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kirwan
Kluczynski
Kupferman
Kyros
Laird
Latta
Leggett
Long, Md.
McCarthy
McClory
McDade
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Mathias, Md.
Matsunaga
Meeds
Meskill
Miller, Calif.
Minish
Mink
Monagan
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Price, Ill.

Quie
Railsback
Randall
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Roybal
Rumsfeld
Ruppe
St Germain
St. Onge
Saylor
Scheuer
Schweiker
Schwengel
Shipley
Slack
Smith, Iowa
Smith, N.Y.
Stafford
Staggers
Stanton
Steiger, Wis.
Stephens
Stratton
Stubblefield
Sullivan
Taft
Thompson, Ga.
Thompson, N.J.
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Whalen
Widnall
Wilson, Charles H.
Wright
Wydler
Wyman
Yates
Young
Zablocki

NAYS—173

Abbitt
Abernethy
Adair
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Bates
Battin
Bennett
Berry
Betts
Bevill
Blanton
Bolton
Bow
Bray
Brock
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Collier
Colmer
Cramer
Curtis
Davis, Ga.
Davis, Wis.
Denney

Devine
Dickinson
Dole
Dowdy
Downing
Duncan
Edwards, Ala.
Edwards, La.
Erlenborn
Eshleman
Everett
Findley
Fisher
Flynt
Ford, Gerald R.
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Goodling
Gross
Gurney
Hagan
Haley
Hall
Halleck
Hammerschmidt
Hansen, Idaho
Hardy
Harsha
Henderson
Herlong
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.

Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Landrum
Langen
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClure
McDonald, Mich.
McEwen
McMillan
Marsh
Martin
Mathias, Calif.
May
Mayne
Michel
Miller, Ohio
Mills
Minshall
Mize
Montgomery
Myers
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Passman
Pettis
Poff

Pollock
Pool
Price, Tex.
Pryor
Purcell
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers
Roberts
Rogers, Fla.
Roudebush
Sandman
Satterfield
Schadeberg
Scherle

Schneebeli
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Springer
Steed
Steiger, Ariz.
Stuckey
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.

Tuck
Waggonner
Wampler
Watkins
Watson
Watts
Whalley
White
Whitener
Whitten
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Bob
Winn
Wylie
Zion
Zwach

ANSWERED "PRESENT"—1

Buchanan

NOT VOTING—31

Adams
Aspinall
Baring
Belcher
Blackburn
Blatnik
Brinkley
Broomfield
Conte
Conyers
Corman

Dorn
Feighan
Fountain
Garmatz
Hays
Hébert
Holland
Irwin
McCulloch
Murphy, N.Y.
Pucinski

Rarick
Ryan
Sisk
Tenzer
Tunney
Utt
Willis
Wolff
Wyatt

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Buchanan for, with Mr. Blackburn against.

Mr. Adams for, with Mr. Hébert against.

Mr. Conte for, with Mr. Brinkley against.

Mr. Blatnik for, with Mr. Baring against.

Mr. Wolff for, with Mr. Fountain against.

Mr. Tenzer for, with Mr. Rarick against.

Mr. Feighan for, with Mr. Utt against.

Mr. Murphy of New York for, with Mr. Dorn against.

Until further notice:

Mr. Aspinall with Mr. Broomfield.
Mr. Corman with Mr. Belcher.
Mr. Pucinski with Mr. Wyatt.
Mr. Sisk with Mr. McCulloch.
Mr. Hays with Mr. Garmatz.
Mr. Tunney with Mr. Irwin.
Mr. Willis with Mr. Ryan.
Mr. Holland with Mr. Conyers.

Mr. CUNNINGHAM changed his vote from "nay" to "yea."

Mr. BUCHANAN. Mr. Speaker, I have a live pair with the gentleman from Georgia [Mr. BLACKBURN]. If he had been present, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the so-called Springer amendment, on which a separate vote has been demanded.

The Clerk read as follows:

Beginning with line 1 on page 43, strike out all down through line 4 on page 51.

Redesignate the following sections accordingly.

The SPEAKER. The question is on the amendment.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. OTTINGER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So the amendment was agreed to.

The SPEAKER. The question is on the committee substitute amendment, as amended.

The committee substitute amendment, as amended, was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 395, nays 7, not voting 30, as follows:

[Roll No. 266]

YEAS—395

Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Ayres
Barrett
Bates
Battin
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blanton
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brock
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conyers
Corbett
Cowger
Cramer
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson

de la Garza
Delaney
Dellenback
Denney
Dent
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Findley
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harsha
Harvey

Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.

Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Bob
Wilson,
Charles H.
Winn
Wright
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—7

Abbitt
Curtis
Davis, Wis.
Gross
Jones, Mo.
O'Konski
Tuck

NOT VOTING—30

Adams
Aspinall
Baring
Belcher
Blackburn
Blatnik
Brinkley
Broomfield
Conte
Corman
Derwinski
Dorn
Feighan
Fountain
Garmatz
Harrison
Hays
Hébert
Holland
McCulloch
Murphy, N.Y.
Pucinski
Rarick
Ruppe
Tenzer
Tunney
Utt
Willis
Wolff
Wyatt

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Utt.
Mr. Feighan with Mr. Derwinski.
Mr. Adams with Mr. Broomfield.
Mr. Wolff with Mr. Belcher.
Mr. Tenzer with Mr. Harrison.
Mr. Pucinski with Mr. Conte.
Mr. Fountain with Mr. McCulloch.
Mr. Holland with Mr. Ruppe.
Mr. Aspinall with Mr. Blackburn.
Mr. Blatnik with Mr. Wyatt.
Mr. Corman with Mr. Dorn.
Mr. Garmatz with Mr. Rarick.
Mr. Tunney with Mr. Willis.
Mr. Murphy of New York with Mr. Brinkley.
Mr. Hays with Mr. Baring.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RYAN. Mr. Speaker, on rollcall No. 265, I am not recorded. At the time of the vote, the gentleman from Michigan, Congressman CONYERS, and I were recording a broadcast in the House Recording Studio. We were not properly advised that the vote was taking place. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, on rollcall No. 265, I am recorded as not voting. I would have voted "yea" enthusiastically, but unfortunately I was misadvised as to the progress on the floor.

MENTAL RETARDATION AMENDMENTS OF 1967

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 922 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 922

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6430) to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from California [Mr. SISK] is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. LATTA] pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 922 provides an open rule with 1 hour of general debate for consideration of H.R. 6430, to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes.

The burden of mental retardation afflicts over 6 million Americans and their families today. Unfortunately, despite the advances which have been made, there is at present no prospect of any immediate or substantial reduction in the number of families who each year must bear this burden; however, it is possible, through programs enacted by the Congress and by the States, and through private voluntary agencies, to make it possible for a much larger number of the retarded to live with some degree of decency and normalcy in our society.

In general, persons are considered to be mentally retarded if their IQ lies in the range from zero to 67. Of the persons in this category, estimated at 3 percent of the population, approximately 11 percent are so severely handicapped that they require institutionalization. Approximately 126,000 children born each year will be considered mentally retarded at some time or other in their lives, and with the advance being made in medical care, a larger number of handicapped individuals' lives are being preserved. In other words, without dramatic breakthroughs, the number of mentally retarded, both in absolute terms and as a percentage of the population, is likely to increase as our population increases.

H.R. 6430 would amend the Mental Retardation Facilities and Community Health Centers Construction Act to extend through June 30, 1970, the programs under which matching grants are made for the construction of university-affiliated mental retardation facilities and community mental retardation facilities, and establish a new program of matching grants following the same formula as set out in the Community Mental Health Centers Act to help meet the cost of technical and professional personnel serving in community mental retardation facilities.

Mr. Speaker, I urge the adoption of House Resolution 922 in order that H.R. 6430 may be considered.

Mr. Speaker, I reserve the balance of my time.

Mr. LATTA. Mr. Speaker, I agree with the statements just made by my colleague, the gentleman from California.

The purpose of the bill is to extend the provisions of the Mental Retardation Facilities and Community Mental Health Centers Construction Act, and to establish a new program of grants to assist in meeting the costs of the technical and professional personnel serving in community mental retardation facilities.

The authorizations contained in the bill extend the act for 3 years—through fiscal 1970.

The committee notes that each year some 126,000 children are born who are retarded to some degree. Currently, about 6 million Americans are retarded to some degree, and of these about 660,000 must be cared for in institutions at least part of the time; 189,000 of these live in institutions. The committee report also indicates that unless unforeseen breakthroughs occur, the number of persons afflicted will continue to increase as our population does.

The bill extends for 3 years—through June 30, 1970—the program of construction of university-affiliated facilities, with authorizations of $10,000,000 for fiscal 1968, and $20,000,000 for both 1969 and 1970. These funds may be used to pay up to 75 percent of construction costs of treatment facilities and training centers for the medical personnel needed for research, treatment, and education in this field. This grant program has already resulted in the construction of 14 such university-related facilities, training about 10,000 professional personnel a year.

The bill also extends the community facilities grants which enable local areas to construct and maintain facilities for their mentally retarded. Since 1963 a total of 167 such projects have been funded at a cost of $108,000,000, of which the Federal share has been $31,000,000. Authorizations for this program are $30,-

000,000 for fiscal 1969, and $50,000,000 for fiscal 1970; $30,000,000 is authorized for 1968 under existing law.

Under this program staffing grants are also available to assist local communities in maintaining and operating their mental retardation facilities with qualified personnel. These grants cover a 4-year period and may equal a declining percentage of such personnel costs: 75 percent the first year, 60 the second, 45 the third, and 30 for the fourth and last year. Authorizations for this program are $7,000,000 for fiscal 1968 and $14,000,000 for both 1969 and 1970. Following that, for the next 4 years such sums as may be necessary are authorized to complete the program.

The bill is supported by all interested agencies. There are no minority views.

Mr. Speaker, I have no requests for time on this side of the aisle.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, is this a closed rule or an open rule?

Mr. LATTA. Mr. Speaker, it is an open rule, with 1 hour of debate.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6430) to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6430, with Mr. GALLAGHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia [Mr. STAGGERS] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. SPRINGER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill we have before us today came out of our committee unanimously and frankly I expect it to pass the House unanimously. It provides for aid to the mentally retarded through extending and expanding two programs which our committee authorized several years ago and through aiding a new program.

The bill provides for matching grants to aid in the construction of university-affiliated facilities for the mentally retarded; provides for matching grants following a Hill-Burton type formula for aid in the construction of community facilities for the mentally retarded; and provides for matching grants to be used to pay the cost of new or additional services provided by technical or professional personnel in institutions for the mentally retarded.

The total appropriation authorizations contained in the bill amount to $217 million of which $50 million is provided for the program of university-affiliated facilities; $80 million is authorized for matching grants for construction of community facilities; and a total of slightly over $86 million is provided for matching grants for the costs of professional and technical personnel. This totals $217 million to deal with problems of mental retardation.

Mr. Chairman, the problem of mental retardation is one which afflicts families throughout the United States from the very lowest income groups to the very highest. It is estimated that as many as 3 million Americans are mentally retarded, and about 11 percent of that number are so severely handicapped that they require institutional treatment of one sort or another.

Over 189,000 persons are in institutions today, and more than 31,000 persons are on waiting lists at these institutions.

Information furnished to the committee, however, indicates that even if these waiting lists would be wiped out overnight, there would be a large waiting list again in the very near future since many persons do not seek institutional care today because they realize the unavailability of facilities.

There have been many programs passed in recent years dealing with this problem; however, experts tell us that there are no prospects for the immediate future in any substantial reduction in the number of families which will bear the burden of mental retardation.

The bill before us today is designed to provide assistance in dealing with this problem through providing facilities for the mentally retarded and helping provide personnel for the treatment of these handicapped persons. The types of specialized facilities needed by the mentally retarded are shown in a table set out on page 10 of our committee report. This table shows the wide variety of facilities and care that are needed by mentally retarded persons and also illustrates the wide variety of skills which are needed by the people who man these facilities.

The bill provides for assistance in construction of university-affiliated facilities which will provide a full range of services for the mentally retarded and will provide training and experience for persons seeking careers in this field.

The bill also provides for matching grants to aid in paying a portion of the costs of salaries of these people at community facilities constructed with assistance under this legislation.

It is impossible to tell at this time how many facilities will be required. We were able to make such estimates in the case of the program recently considered by the House dealing with community mental health centers; however, it is not possible to make such estimates in the case of facilities for the mentally retarded because of the wide variety of facilities required.

The needs, however, are great, and this bill provides a means of meeting a portion of those needs. We welcome its approval by the House.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

First may I say to my colleagues, this is not a new program.

We originally authorized this program in 1963. From our observation of the program all over the country, it has not only been well received but has worked well. This is the first extension of the act to build facilities for the mentally retarded at university locations as well as local. The program is funded as follows: There are funds for university affiliated facilities which total $50 million; there are funds for community facilities which will get $80 million; and there are funds for staffing of new facilities or for staffing of new programs.

I will admit that even with the authorization we provided originally and the subsequent appropriations we have had for the last few years very few are actually built now and operating. However, the program is getting off the ground. It does show hopeful signs which we thought would be in this program when we started it originally. What we are doing is merely reauthorizing the program. We are refunding it for a 3-year period.

May I say the second important point is that the bill adds initial staffing, following the same pattern as for community mental health centers. For the first 15 months 75 percent will come from the Federal Government. For the next 12-month period it goes down to 60 percent. For the following 12 months it goes down to 45 percent, and for the fourth period of 12 months it is down to 30 percent. Then the Federal Government is out of the program, and it is then up to the community to be in a position to finance the staffing on their own.

What we have tried to do in communities where they did not have sufficient funding to get under way was to provide the money in the staffing field which ultimately provides the incentive and initial stimulus needed.

The authorizations in the bill are as follows: For university facilities, it is very modest. For 1968 it is $10 million, for 1969, $20 million, and for 1970, $20 million. The community facilities will not need further authorization until 1969. It will be $30 million, and for fiscal year 1970, it will be $30 million.

The bill also provides for initial staffing, which will be new grants. For 1968, there will be $7 million for initial grants; for 1969, it will be $10 million; in 1970, it will be $14 million. Then such sums as are necessary are provided for continuation grants.

The total for the 3-year period covered by the bill is $217 million.

We believe on the basis of all the testimony which was rendered to us by those who will administer this program that this funding is adequate for the present.

We gave, may I say, the Department every single penny they asked for this program. We believe thus far in their justifications they are doing a good job. We have had no complaints with the program as it is presently being carried out, but I think you can see this is still quite small in the context of 6 million people in the country who are affected by mental retardation. In addition to this we can expect over the next 10-year period, so we are advised, an average of about 150,000 mentally retarded children who will be born each year.

So, Mr. Chairman, this situation does raise some very serious questions as to where we are going and as to how we are going to handle this problem. We are watching it most carefully. We believe that we are authorizing the ongoing program in accordance with good procedural practices. Each time representatives of the department appear before us we feel that we obtain answers to the questions which we have asked and which furnish pertinent information bearing thereon.

Mr. Chairman, I have been interested in this program going back to the time even when I was county judge in my own home county for the period from 1946 to 1950. I saw mentally retarded children every month. I know what the problem is. Fortunately, in my area we had the great University of Illinois which was willing to furnish psychiatrists and psychologists, free of charge to us for the treatment of this problem at that time. These professional people gave their service free to the community. Their service represented a tremendous assistance to us. However, I realize that every person who is going to administer this program is not going to have a great university at his or her elbow with which to undertake to solve some of the problems of the mentally retarded. But I do believe that we are off to a good start and that we are continuing a good program. It is my opinion that the next program will be even better than the one of the past.

Mr. Chairman, for these reasons, I am happy to recommend this program as we have brought it from the Committee on Interstate and Foreign Commerce.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Oklahoma, the chairman of the subcommittee [Mr. JARMAN].

Mr. JARMAN. Mr. Chairman, I rise very simply to say that our subcommittee did hold most thorough hearings upon this measure. The subcommittee was unanimous in its agreement upon reporting this legislation, as was the full committee as to the need for it. Our Nation has made a beginning in this field, because so much is yet to be done in our united efforts to begin to alleviate the terrible suffering and sorrow of this disability in our country.

Mr. Chairman, H.R. 6430 carries out recommendations of the President in his message on the welfare of children. The bill is designed to help meet the urgent and pressing need to provide adequate facilities for the mentally retarded and to assist in the staffing of those facilities.

I want to say at the outset that all of the members of the Committee on Interstate and Foreign Commerce have been most helpful in our consideration of this legislation. I thank them, and I think this body and the whole American people owe them thanks for the constructive and nonpartisan approach they have taken. On both sides of the aisle in our committee, Mr. Chairman, there was a genuine appreciation of the need to continue our efforts to prevent mental retardation where we can; and to lessen the burden of suffering, for the retarded and for their families, where we cannot.

The legislation which H.R. 6430 extends and broadens was originally enacted in 1963. In that year, based largely on recommendations of the President's Panel on Mental Retardation, we passed two major pieces of legislation in the field of mental retardation:

The Maternal and Child Health Mental Retardation Planning Amendments of 1963 (Public Law 88-156); and

The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88-164).

These two laws were historic firsts in our national effort to combat mental retardation. The legislation reported today is an extension and expansion of the essential programs initiated in Public Law 88-164—programs that have barely begun to make an impact on the problem of mental retardation.

There is a growing awareness of the problem of mental retardation. An estimated 3 percent of our total population is mentally retarded. Each year 126,000 babies are born who will be considered mentally retarded at some time in their lives.

Under the 1963 legislation, research centers are being developed which will help find the causes of mental retardation and reduce disability. We have the beginnings of a construction program, to build mental retardation facilities on university campuses—facilities that will provide specialized training for professionals who serve the mentally retarded. And across our Nation the sites have been selected for over 100 community facilities that will provide much needed services to the mentally retarded in the communities where they live.

These programs are just beginning. H.R. 6430 will provide the continued assistance needed in these vital construction programs, and in addition offer communities a helping hand in getting service programs underway by offsetting the burden of a portion of the initial cost of staffing community facilities. The staffing provisions of this bill are patterned after the program enacted by Congress in 1965 to assist in staffing community mental health centers. The initial staffing concept of declining Federal participation recognizes that the basic responsibility for supporting services for the mentally retarded rests with the States and local communities—and at the same time acknowledges the essential role of the Federal Government in stimulating and initially supporting those services.

As set out on page 3 of the committee report, the bill authorizes a total of $50 million for grants for the construction of mental retardation university-affiliated facilities and $80 million for the construction of community facilities for the mentally retarded over a 3-year period.

The bill authorizes $31 million for initial staffing grants in the 3 fiscal years 1968 through 1970, and $55.8 million in continuation grants in the 5 fiscal years 1969 through 1973.

The total authorization in the bill is $216.8 million.

In summary, Mr. Chairman, here is what H.R. 6430 would do:

First, it would authorize a 3-year extension of the program of grants for the construction of university-affiliated facilities for the mentally retarded.

This construction program is designed to provide the physical setting for training efforts needed to alleviate the acute shortages of professional and technical personnel required to care for the mentally retarded.

The authority of this program is expanded by the bill to include persons with other neurological handicapping conditions related to mental retardation and to allow these grants to include construction for related research.

Second, it would authorize a 3-year extension of the program of grants for the construction of community facilities for the mentally retarded.

These community facilities will provide the wide variety of specialized services needed by the mentally retarded: diagnosis and evaluation, education, vocational rehabilitation, lifetime planning and residential care. Grants are made available to every State, and the facilities are constructed with the cooperation and participation of the State and local communities.

Third, it would also authorize a new program of grants for part of the cost of compensating professional and technical personnel who serve the mentally retarded. These grants will assist in the initial operation of new community facilities for the mentally retarded and to initiate new services in mental retardation facilities.

CONCLUSION

Mr. Chairman, the passage of H.R. 6430 is imperative. The millions of families touched by the problem of mental retardation look to this legislation as a sure indication that we are willing to continue our efforts to combat this awful disability. I strongly urge the enactment of H.R. 6430 as reported by the Committee on Interstate and Foreign Commerce.

Mr. Chairman, I urge the passage of this bill.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Colorado [Mr. BROTZMAN].

Mr. BROTZMAN. Mr. Chairman, I thank the distinguished gentleman from Illinois for yielding to me at this time.

Mr. Chairman, I rise in support of this legislation and to congratulate the chairman of the Committee on Interstate and Foreign Commerce as well as the ranking minority member, the gentleman from Illinois [Mr. SPRINGER], and the chairman of the subcommittee, for bringing this very vital piece of legislation to the floor of the House today for its consideration.

Mr. Chairman, when I served in the 88th Congress, I helped to draft the original Mental Retardation Facilities and Community Mental Health Centers Construction Act—Public Law 88-164. That act came out of the Health and Safety Subcommittee now called the Public Health and Welfare Subcommittee, on which I was serving in the 88th Congress. I also served on the conference committee on the original bill.

The original act provided assistance in combating mental retardation through grants for construction of research centers and community facilities for the mentally retarded. The program has been a tremendous success. Over 167 projects for the mentally retarded have been funded under this act, at a total cost of $107 million, of which the Federal share was $31 million.

H.R. 6430, the bill which we are considering today, will amend the Mental Retardation Facilities and Community Mental Health Center Construction Act to extend the programs under which matching funds are available for the construction of university-affiliated mental retardation facilities and community mental retardation facilities.

My State and district provide excellent examples of how well the program has served the American people—and why it deserves the continuing support of Congress.

The University of Colorado is one of 17 universities presently receiving grants for the construction of university-affiliated facilities for the mentally retarded. This construction program is designed to provide the physical setting for training efforts needed to alleviate the acute shortages of professional and technical personnel required to care for the mentally retarded. The University of Colorado program has a total cost of $602,884 of which the Federal share is $369,000. It is scheduled for completion this month.

The committee, in considering H.R. 6430, broadened the authority for the construction of university-affiliated facilities so as to allow a portion of these facilities to be used for research activities incidental or related to the programs for which they are designed. The authority to construct mental retardation research centers was a part of the original Mental Retardation Facilities and Community Mental Health Centers Construction Act which expired on June 30, 1967. The administration did not recommend the extension of this program. The administration recommended that time for evaluation and assessment of these research centers should be allowed before it is continued. However, in order to assure a continuation of research programs, the committee, as I pointed out earlier, expanded the university-affiliated facilities to include the existing research center program. The University of Colorado currently is constructing a research center scheduled to be completed in 1968. The work of this center will complement and provide beneficial and needed information for the program at the university retardation facility.

At the present time, there are four community mental retardation facilities receiving assistance under this act in Colorado. They are Laradon Hall School for Exceptional Children, in Denver; the Residential and Training Facility for Mentally Retarded Children, in Julesburg; the Robin Rogers School, in Cortez; and the Mental Health & Mental Research Center of Boulder County, Inc., in Boulder.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, here is a bill that I enthusiastically support.

Mr. Chairman, when we deal with the mentally retarded children of our Nation, I think it behooves all of us who are sound in both body and mind to do everything we can to make the burden less of a burden by virtue of the help and assistance which we can give to the mentally retarded through the measure that we are now considering.

Mr. Chairman, I am most happy to join with the distinguished chairman of the subcommittee of the Committee on Interstate and Foreign Commerce, the gentleman from Oklahoma [Mr. JARMAN] as well as the chairman of the full committee, the gentleman from West Virginia [Mr. STAGGERS] and, of course, our ranking Republican Member, the gentleman from Illinois [Mr. SPRINGER], as well as others who have been associated with the drafting of this legislation in support thereof.

Mr. Chairman, I would point out that our subcommittee a number of years ago, during the earliest days of the mental retardation program authorized the establishment of day care centers, and indicated that we thought it might be well and advisable to establish day care centers in some of our vacated country schools.

Mr. Chairman, I am proud to say that in my neighborhood, an area of less than 10 miles from the point of which I live, a four-room country school has been converted into a day care center where mentally retarded children are brought by their parents to a point where we have expertly trained mental health personnel to take care of them.

However, because they have made this move, this has unfortunately barred them from funds that might be made available at the present time. But I believe as time goes on we will work out some assistance to them in our district, and I believe they will be in the picture in the future.

Mr. SPRINGER. Mr. Chairman, would the gentleman yield?

Mr. NELSEN. I yield to my distinguished colleague.

Mr. SPRINGER. Mr. Chairman, I would like to commend the gentleman from Minnesota. He did not mention his own name a minute ago among those who have been vitally interested in this problem in our committee, but he has done a great job as the ranking Republican on the Subcommittee on Health.

I believe that, in view of the efforts that he has made, he certainly ought to have commendation not only by me, but by every Member of this House. His interest has not only been just in this matter, but may I say it has been in depth and it has been very meaningful to the rest of us to have his ideas presented on this very important problem which he has been able to present to us.

Mr. Chairman, I thank the gentleman for yielding.

Mr. NELSEN. Mr. Chairman, I thank the gentleman for his comments.

Mr. Chairman, may I also point out that we learned in our investigation that one of the serious problems in this field was the lack of personnel. Many times facilities could be acquired for a very nominal amount of money, but getting the personnel and maintaining the personnel was the big problem. Under the terms of this bill there will be some assistance in staffing. I believe this is very important.

So, Mr. Chairman, today I may say, it gives me a great deal of satisfaction and pleasure to support this very important bill for a very good cause.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. Yes; I yield to my distinguished friend from West Virginia.

Mr. STAGGERS. Mr. Chairman, I thank the gentleman for yielding.

I take this time because I, too, would like to join with my colleague, the gentleman from Illinois [Mr. SPRINGER], in paying tribute to the gentleman in the well, because on matters not only on health, but on any matters that come before our committee, he is always one of the Members who is present, and he goes into the matter very thoroughly.

I know that on the subject of health the gentleman is vitally interested in improving the health of our Nation. The gentleman does a great job, and I want to commend him.

Mr. NELSEN. I thank the gentleman for his remarks.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri.

Mr. HUNGATE. Mr. Chairman, I rise in support of this legislation, and strongly urge its passage. I commend our distinguished chairman and the ranking minority member, and all of the committee members, for bringing this measure to the floor.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Hawaii [Mr. MATSUNAGA].

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 6430, the Mental Retardation Amendments of 1967.

This bill would extend through June 30, 1970, the programs under which matching Federal grants are made for the construction of university-affiliated retardation facilities and community mental retardation facilities. The bill would also establish a new program of matching grants following the same formula as set forth in the Community Mental Health Centers Act to help meet the cost of technical and professional personnel serving in community mental retardation facilities. This would fill one of the greatest needs in the mental retardation field.

I urge unanimous approval of H.R. 6430.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I congratulate the committee on this fine bill to improve our facilities to meet pressing national needs in the field of mental retardation.

Few bills before this Congress have more universal support in the country, or more solid justification.

I support the bill and urge its adoption.

Mr. SPRINGER. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Chairman, I rise to enthusiastically support H.R. 6430, to extend, expand, and improve our public health laws relating to mental retardation, and I wish to commend the members of the Committee on Interstate and Foreign Commerce for reporting to the House what I consider to be an outstanding piece of legislation.

It has been only in recent years that the public has come to recognize and appreciate the extent of mental retardation, and the steps that can and must be taken to help as many of the retarded as possible achieve decent and normal lives. A major step in that direction was taken by the Congress in October of 1963 in passing the Mental Retardation Facilities and Community Mental Health Centers Construction Act. Approval of the bill before us this afternoon will continue and improve that program.

My interest and activities on behalf of the mentally retarded began many years ago in the State of Washington, Mr. Chairman, where I was privileged to serve as a member of the Washington Association for Retarded Children. This interest commanded my attention as a member of the Washington State Legislature, and, of course, continues today.

I am hopeful, Mr. Chairman, that before too long we will see some scientific breakthrough to help reduce the incidence of mental retardation. This is our long-range goal. This bill could well help us reach that goal. And in the meantime, the legislation before us this afternoon will also enable us to make real progress in the advances begun not only by the Federal Government through the Mental Retardation Facilities and Community Mental Health Centers Construction Act, and prior Federal activities, but by the many fine organizations throughout the States who have contributed so much in leading the way to national recognition and attention to this problem.

I am pleased to urge approval of this bill.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska [Mr. CUNNINGHAM], a member of the committee.

Mr. CUNNINGHAM. Mr. Chairman, I strongly support this legislation. I am not a member of the subcommittee that brought the bill to the full committee, but I know that committee worked hard and long.

This is an excellent piece of legislation and it will be of great benefit to the retarded children and to the communities that are trying to help these children throughout our Nation.

I strongly urge the passage of this bill.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from South Carolina [Mr. WATSON].

Mr. WATSON. Mr. Chairman, I thank my distinguished colleague, the minority leader on this committee, for yielding to me.

Mr. Chairman, I could take a long time in speaking on a subject that is very near and dear to my heart. I am not a member of the special subcommittee, but as a member of the full committee I am happy that we have reported this bill out; that finally we are really getting to the heart of this particular problem.

I am sure the bill will pass without opposition. I trust that it will. Those who are not familiar with the problems of retardation, I believe, had they traveled with me a few years ago when I had the privilege of serving as the president of the first Community Center for the Retarded Children in Columbia, S.C., they certainly would support this legislation.

This is a phase of health that has been too long ignored and overlooked by the American people. I was not aware how serious the problem was until we got involved.

Mr. Chairman, when you discover that even neighbors are not aware of the fact that only four or five doors removed from their very own house, there may be a retarded child whom they have not seen for maybe as long as 6 or 8 years because the family was forced to keep that child hidden, I can assure you that there is no more rewarding and no more inspired program than such a program as this in the field of mental retardation.

Mr. Chairman, I commend our able chairman for the direction he has given in this field and our minority leader, and all of the members on our committee.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to my colleague on the committee, the gentleman from Kentucky [Mr. CARTER].

Mr. CARTER. Mr. Chairman, I rise in support of this bill. I certainly want to compliment the subcommittee chairman, the distinguished gentleman from Oklahoma [Mr. JARMAN], the minority ranking member, the gentleman from Minnesota [Mr. NELSEN] and also the committee chairman and our ranking member, the distinguished gentleman from Illinois.

They have certainly worked together and brought out a bill which will be extremely helpful to the afflicted children throughout our country.

In Kentucky it has been unfortunate that many of these afflicted children have not been privileged to have institutional care and training as they should have. This bill will make such care and training possible and many children who have otherwise been denied benefits that can be obtained will now receive this training.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to my colleague on the committee, the gentleman from Tennessee [Mr. KUYKENDALL].

Mr. KUYKENDALL. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, I want to commend the chairman and the ranking minority member as well as the members of the subcommittee.

I want to point out here that probably more than any area of distress that we discuss in this Congress, this particular misfortune strikes at every race, creed, color, and economic strata, and indeed every corner of our great Nation.

Even though we give particular attention to the care of the less fortunate in our society, this is one disease which even those who are somewhat fortunate find themselves unable to cope with because of lack of knowledge and through lack of experience in the entire field. So I think not only can we enable the less fortunate to be able to care properly for these retarded children and retarded adults, but I think we are going to see also great progress in the area of research aimed at developing new methods in this entire field which will allow many parts of our communities to benefit from this piece of legislation.

Mr. Chairman, I urge that this legislation be passed.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I rise today in enthusiastic support of H.R. 6430, and urge the House to give its overwhelming support to this long-overdue and much-needed program to attack the problem of mental retardation.

This subject has been one of continuing legislative concern to me, first through New York State programs I offered as a member of the State senate, and later through proposals I have advocated as Member of this House.

H.R. 6430 embodies many of my objectives through the years and I am privileged to have cosponsored it. I commend the legislation and trust that it will win strong bipartisan approval.

Nearly 6 million of our citizens—3 percent of our population—are afflicted with mental retardation. One-half of these are children. It is one of the most heartbreaking health problems in our country today.

An estimated 126,000 babies born this year will be found to be mentally retarded at some time in their lives. About 400,000 persons are so seriously mentally handicapped that they require constant care or supervision, and more than 200,000 of these are in residential institutions.

Only four diseases—mental illness, cardiac disease, arthritis and cancer—have a higher prevalence, and they normally occur late in life. Mental retardation strikes early. In terms of human misery and lost productivity, the cost of retardation is very high.

To attack the problem of mental retardation, the States need a comprehensive program of services. Many of the retarded can benefit from programs of education, training and vocational rehabilitation. According to Dr. George Tarjan of the President's Committee on Mental Retardation, 85 percent of the retarded of school age qualify as "educable" and 12 percent as "trainable." Upon completion of a program, they can be wholly or at least partially self-supporting.

In the absence of these services, however, the mentally retarded person is denied the opportunity fully to develop his potential for contributing to our society.

The legislation before us, identical with my own bill, insures a continued intensive effort to provide the necessary programs and services for the treatment of the mentally retarded.

H.R. 6430 would extend the construction programs for university-affiliated and community mental retardation facilities which were first authorized under the Mental Retardation Facilities Construction Act of 1963. In addition, it would provide Federal support for the initial staffing of these community facilities, thus helping to overcome the critical shortage of competent staff.

The university-affiliated clinical facilities provide training for badly needed professional personnel and a full range of inpatient and outpatient services. In the 14 facilities already funded under the 1963 legislation, about 10,000 professionals each year will receive training in diagnosis and treatment, education, training and care of the mentally retarded. The community facilities are designed to provide a wide range of similar services, including diagnosis, residential care, and vocational training. As of July 1967, 167 construction projects had been funded. These facilities will provide care for over 35,000 persons and will help to shorten the long admittance waiting lists. Much more, however, remains to be done. In 1962 the President's Panel on Mental Retardation reported a need for day and residential facilities to accommodate over 200,000 patients. H.R. 11972 would extend these important programs so that they could reach a greater portion of the mentally retarded in our population.

Mr. Chairman, I talk today from long experience in the field of mental health. As a State senator in the New York Legislature, I sponsored legislation to reorganize and modernize the State's mental health program. As a Member of Congress, I have consistently sponsored efforts to expand and render more effective both State and national mental health programs, including the prevention and treatment of mental retardation. We have made some significant progress in the past 4 years but we still have a long way to go. Mental retardation will continue to be a pressing problem and we must see that the facilities and services to adequately treat this affliction are available. The mentally retarded have been dealt a harsh hand in life. We are the fortunate; they are not. It is our responsibility to give them a chance to live happily and productively, as we do. I urge a resounding approval for this bill.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, I join in strong support of this meritorious legislation and commend the members of this distinguished committee for bringing it to the floor of the House. One of every 600 children born into this world is a retardate. This was for too many years a neglected national need, save for the work of aid for retarded children and like distinguished private efforts. This is one area of Federal participation which we can all applaud and on which we can all agree. I urge the unanimous passage of H.R. 6430 by this body.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to my distinguished colleague, the gentleman from Wisconsin [Mr. SCHADEBERG].

Mr. SCHADEBERG. Mr. Chairman, I rise in support of this bill and highly commend the committee for the excellent work it has done in bringing it to the floor of the House.

I wish also to remind my colleagues of the dedicated work of many citizens who have pioneered in this field in their respective local areas. They have worked against many odds and have sacrificed much in terms of time and effort and money to help the retarded child. Their efforts and contributions should not be forgotten or overlooked as we take this action today. I just wanted to take this time to thank them.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time. I reserve the balance of my time.

Mr. STAGGERS. Mr. Chairman, I yield whatever time he may require to our distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, I take this time to commend the committee for bringing to the floor this needed and humanitarian legislation. I desire particularly to commend my distinguished colleague, the gentleman from Oklahoma [Mr. JARMAN], chairman of the subcommittee for the outstanding job he has done on this bill. No more worthy measure has ever come to the House. I hope, trust, and believe it will pass the House unanimously. It will be of tremendous help to people who need help the most. It will benefit the entire Nation.

Mr. STAGGERS. Mr. Chairman, I yield whatever time he might require to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I rise in strong support of H.R. 6430, the Mental Retardation Amendments of 1967.

In October 1963 Congress enacted the Mental Retardation Facilities and Community Mental Health Centers Construction Act. That was a major step forward in easing the burden that mental retardation places upon our Nation—each family and person affected.

The need for facilities for the mentally retarded will continue to be greater than those available, but today we have the opportunity to supplement the 1963 act and to help close the gap.

A specific provision of the bill before us authorizes the paying a portion of the costs of professional and technical personnel for facilities for the mentally retarded. Under this program, the assistance will be in the same proportions as is provided for the costs of staffing under the 1963 Community Mental Health Centers Act, with up to 75 percent of the costs being covered for the first 15 months; 60 percent for the next 12 months; 45 percent for the next 12 months; and 30 percent for the next 12 months, with no Federal contribution thereafter.

The costs covered are limited to the costs of new services at existing facilities, or services at new facilities. It is the intent of this bill that after the initial Federal support, the State, local, and private funds will cover the costs of services.

Under the 1963 act we provided for part of the cost of staffing of the community mental health facilities. I think now we can and should provide for part of the cost for staffing new facilities for the care of the mentally retarded.

Mr. STAGGERS. Mr. Chairman, I yield whatever time he might require to the gentleman from Texas [Mr. PICKLE], a member of the committee.

Mr. PICKLE. I thank the Chairman very much.

Mr. Chairman, I rise in support of this legislation. I also wish to ask the chairman of the subcommittee a couple of questions on points which have been referred to me since the bill was reported out of the committee. They were referred to me by officials in my State of Texas.

One question was with respect to section 2 of this particular bill. That is the portion of the bill dealing with the university-affiliated mental retardation clinical facilities. Those officials feel that an amendment could hopefully be added in the other body which would permit a portion of the available construction money to be used for planning purposes. I realize that this proposal was not mentioned in the subcommittee or in the committee as a whole. But I would hope that this would be a matter that would be brought to the attention of the other body.

Mr. JARMAN. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Oklahoma.

Mr. JARMAN. I certainly wish to verify that the proposal was not made to the committee in time for us to consider it during the hearings or in the committee consideration of the bill, and that it would be a subject which would have to be considered in the other body at this stage in the legislative process.

Mr. PICKLE. I thank the gentleman very much. The other question was with reference to authorizing an administrative cost allotment to the particular State agency which administered these funds. Under the Hill-Burton program there is an administrative cost allotment available to the agency which administered that particular program, and it is pointed out that this might likewise well be a good amendment for this particular program. In neither instance would it increase the cost of moneys being made available, but it would in one instance allow funds to be used for planning purposes, and also in the second instance allow administrative cost allotments to the agencies which administer the program. I hope very much that this will be brought to the attention of the other body since these facts were not made known to the committee when they were deliberating, but at a later point they might be considered over there.

Mr. JARMAN. If the gentleman will yield further, I respond in exactly the same vein as I did to the first proposal of the gentleman, and I join in the hope that the other body will give these proposals consideration.

Mr. PICKLE. I thank the gentleman very much. I understand the position of the committee. The suggested amendments are new points brought to the attention of the committee, and I think if the committee had them earlier, they might well have included them in this particular legislation. Hopefully they might be considered on the other side.

Mr. BROYHILL of Virginia. Mr. Chairman, I am happy to support H.R. 6430, which adds to the development of the concept that many of us in Congress had when we enacted the Mental Retardation Facilities and Community Health Centers Construction Act in 1963. In the 4 years which have passed since the enactment of that legislation, 167 projects for construction of community facilities for the mentally retarded have been funded at a total cost of $107 million. The Federal share representing less than 30 percent of this total has activated real progress in the several States. Additionally, there have been 12 projects funded for the construction of mentally retarded research centers and 14 university affiliated facilities.

In my own State, three projects have been approved, the first which is the Joseph Willard Health Center located in Fairfax, Va., will serve 72 mentally retarded patients at any given time; the George Mason Center located in Arlington, Va., which will have facilities for 13 additional patients and the facility will be improved substantially in other ways. Finally, the Woodrow Wilson Rehabilitation Center located at Fisherville, Va., has received nearly $350,000, about one-half of which were Federal funds. All of these facilities will serve Virginia's share of the nearly 3 percent of our population who fall in that category known to be our mentally retarded whose IQ's lie in the range from 0 to 67.

We must recognize that approximately 126,000 children born each year will be considered mentally retarded at some time or other in their lives and these people deserve to be given a chance to improve their lot and to live with some degree of normalcy in our society.

Mr. DONOHUE. Mr. Chairman, I must earnestly urge and hope that this House will swiftly and unanimously approve this measure before us, the Mental Retardation Amendments of 1967.

The principal purpose of this bill is to amend the existing Mental Retardation Facilities and Community Mental Health Centers Construction Act in order to extend through June 30, 1970, the programs under which matching grants are made for the construction of university-affiliated mental retardation facilities and community mental retardation facilities, and second, establish a new program of matching grants following the same formula as set out in the Community Mental Health Centers Act to help meet the cost of technical and professional personnel serving in community mental retardation facilities.

Mr. Chairman, when we were considering, 4 years ago here in the House, the original legislation being extended by this measure, I advocated and recommended, then, the inclusion and adoption of provisions to permit the adequate staffing of the research centers and facilities involved and I did so for the simple reason that the best facilities in the world cannot be used or put to maximum benefit unless and until they are adequately staffed by professionally trained people and this is obviously and particularly true in the specialized field of mental health.

I am, therefore, very deeply pleased that this major objective is being carried out in this proposal before us. The proper and modern care for and treatment of the mentally retarded is a national concern. I believe we have come to the point in our history where our national concern should be vigorously pursued and this measure is the substantial means by which we can accelerate that pursuit.

Thankfully we have, in these last few years, been undergoing a near revolution in the advanced professional and technological care of the mentally ill. Methods of treatment and care have drastically changed in modern times and they require new types of university-affiliated research facilities and community-based hospital facility with adequate staffing. In order to speedily get under construction these vitally needed new research and treatment facilities, a further financial impetus is urgent and it is quite generally agreed among the authorities that Federal matching grants is the best way to expedite this construction program.

Our various States have done a remarkable job in their war against mental retardation and illness and I am certain there is no intention, now, on the part of any State to reduce this effort, but they need additional assistance to effectively carry on and they need it fast. I urge my colleagues, therefore, to approve this bill, in the national interest, without delay.

Mr. MOORHEAD. Mr. Chairman, I rise in support of H.R. 6430, the Mental Retardation Amendments of 1967, which will provide additional funds to construct badly needed facilities, and help to pay for the highly skilled professional care needed for a very special group of Americans. These are the mentally retarded, estimated to be about 6 million persons in the United States today.

We know a great deal more about the mentally retarded since President Kennedy established a Panel on Mental Retardation in 1961, but much remains to be done—particularly in the field of research—because no one still knows just what causes mental retardation. And we need more technical and professional personnel, because this group of people require so many specialized services. Help is also needed to make mental retardation services available to all of the people, those living in low-income neighborhoods, as well as those who are better off.

More specifically, I would like to speak about Allegheny County, Pa., where my congressional district is located. At the present time, according to State estimates, 1 percent of the population of Allegheny County are mentally retarded. This represents over 16,000 people. Although there are some facilities which provide services to include the mentally retarded, only half of these are of a residential nature; the others provide diagnostic and evaluation services on an out-patient basis only, and also provide treatment for other types of mental illness as well as mental retardation. Most are run by private agencies. It is incredible that there is no public facility for mental retardation in the city of Pittsburgh, or in Allegheny County, with a population of over 1,628,000. The nearest facility is located in Canonsburg, Pa., in neighboring Washington County.

There is a crying need in Allegheny County for a comprehensive, residential rehabilitation facility which could employ the latest techniques to evaluate and treat the mentally retarded individual, with particular emphasis on the preschool and school-age child, for this is the critical time when he can be made more adaptable to society. This is the time to determine a child's maximum developmental level; in many cases, if properly found and evaluated in time, he will not need custodial care. The emphasis, then, could be on keeping people out of institutions, rather than trying to get them in. The city of Pittsburgh, which has five universities where high-level training programs for devoted careerists necessary to work with the mentally retarded could be employed, would be a logical location for such a facility.

Mr. Chairman, anyone who has ever tried to assist a family in securing care for a mentally retarded child knows the misery that can be caused to the whole family by a long institutional waiting list. Mental retardation is an urgent national, social, educational, and health problem. I urge immediate passage of this legislation in the hope that it will bring to Pittsburgh and Allegheny County, and to similar communities the type of special, intensive, personal program for the mentally retarded which is so vital today.

Mr. BOLAND. Mr. Chairman, I rise in favor of H.R. 6430, a bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, to extend through June 30, 1970, the programs under which matching grants are made for the construction of university-affiliated mental retardation facilities and community mental retardation facilities, and to establish a new program of matching grants following the same formula as set out in the 1963 act to help meet the cost of technical and professional personnel serving in community mental retardation facilities.

The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 embodies the substance of two bills I introduced in the 88th Congress, H.R. 4622 and H.R. 4623, filed on March 7, 1963, and based on the recommendations of our late beloved President John Fitzgerald Kennedy to launch a major national effort in behalf of the mentally ill and retarded. My bills contained provisions for staffing community mental health centers, but these sections were not included in the final version of the legislation when it reached the floor on September 10, 1963.

Mr. Chairman, I am pleased that the amendments before us today establishes this program for the first time, providing for Federal assistance in paying a portion of the costs of professional and technical personnel for facilities for the mentally retarded as recommended by President Kennedy in 1963. Under this program, the assistance will be in the same proportions as is provided for the costs of staffing under the Community Mental Health Centers Act, with up to 75 percent of the costs being covered for the first 15 months, 60 percent for the next 12 months, 45 percent for the next 12 months, and 30 percent for the next 12 months, with no Federal contribution thereafter.

The costs covered are limited to the costs of new services at existing facilities, or services at new facilities. The purpose of this program is to stimulate the construction of new facilities which otherwise might not be able to be constructed because of difficulties with initial staffing, or in the case of existing facilities, to stimulate the initiation of new services at these facilities. It is intended, as the gentleman from West Virginia, Chairman HARLEY STAGGERS, points out in the report filed by the House Committee on Interstate and Foreign Commerce, that after the initial 51 months of support, the Federal assistance will terminate and thereafter State, local, and private funds will cover the costs of services.

With respect to the programs of matching grants for the construction of university-affiliated facilities, this bill provides for the extension of the present program which expired June 30, 1967, for 3 additional years, or until June 30, 1970, with authorization for appropriations of $10 million for fiscal year 1968, and $20 million each for fiscal years 1969 and 1970. These funds may be used to pay up to three-fourths of the costs of construction of facilities providing a full range of inpatient and outpatient services for the mentally retarded and facilities which will aid in demonstrating provision of specialized services for the diagnosis and treatment, education, training, or care of the mentally retarded or in the clinical training of physicians and other specialized personnel needed for research, diagnosis and treatment, education, training or care of the mentally retarded.

Mr. Chairman, another program initially established in 1963 and extended under this legislation is the program of construction of facilities for the care of the mentally retarded. Under the 1963 act, appropriations are allocated among the States on the basis of their population, the extent of the need for facilities for the mentally retarded, and the financial need of the respective States. The State is required to establish a State plan for construction of facilities, and the determination of priorities within the State is determined by the State agency in accordance with the State plan.

The funds allotted to a State may be used to pay part of the cost of construction of facilities for the mentally retarded, defined as a facility specially designed for the diagnosis, treatment, education, training, or supportive care of the mentally retarded. This program, which is scheduled to expire on June 30, 1968, is extended for 2 additional years under this bill, to June 30, 1970.

Mr. Chairman, I urge favorable House action on H.R. 6430, the Mental Retardation Amendments of 1967.

Mr. FASCELL. Mr. Chairman, I would like to add my strong and unqualified support to the Mental Retardation Amendments of 1967, H.R. 6430.

Most of us recall the passage in 1963 of the Mental Retardation and Community Mental Health Centers Construction Act—hailed as a breakthrough in our approach and treatment of the mentally ill. The bill was an attempt, strongly supported by President Kennedy, to deal with mental retardation on the basis of modern medicine, research, and treatment, and to do away with the stigma so long attached to the critical and unfortunate problem of the mentally disturbed and their families.

That act, as we all know, has made possible great advances in the field. Over 167 projects have been funded for the construction of community facilities for the mentally retarded; 12 projects have been funded for the construction of mental retardation research centers; and 14 university-affiliated facilities for the mentally retarded have been assisted.

Yet much remains to be done. As the committee has reported to us:

> Experts in the field of mental retardation still do not anticipate any immediate or substantial reduction in the number of families who will each year bear the burden of mental retardation.

And today, there is a waiting list of applicants for admission to public residential facilities of 31,509. In most States, people stay on the list about 2 years, and in some, as long as 5 or 6 years. Furthermore, we are told that this waiting list represents only approximately one-third of the mentally retarded in need of help.

In my own State of Florida, in June of 1967, there was a waiting list of 1,456 as compared with the 4,000 who were already receiving treatment. Of those waiting, 45 were listed as "critical emergencies," and 292 as "active urgent." We must continue our program of assistance and make available the necessary care for all who are in need.

Today's bill introduces a new program to help meet the cost of technical and professional personnel serving in community mental retardation facilities. This is, of course, an integral element in the overall program, and I urge all my colleagues to give their strong and full support to this provision and the bill in its entirety.

Mr. TIERNAN. Mr. Chairman, I wish to commend the Committee on Interstate and Foreign Commerce and the Health Subcommittee for the excellent mental retardation legislation which it brought before the House. Great progress has been made recently in the field of mental retardation, and this legislation will provide continued Federal support for programs to attack a condition which afflicts over 6,000,000 Americans.

H.R. 6430 as passed by the House provides $160,000,000 for a 3-year program of grants for the construction of university-affiliated and community facilities for the care and treatment of mentally retarded. It also provides for the establishment of a new program of staffing grants, and authorizes a total of $86,500,000 for this purpose. This authority is patterned after the staffing provisions in the community mental health legislation and is designed to help communities pay a portion of the cost of professional and technical personnel for their facilities.

The programs contained in this legislation offer a challenge and a stimulus to States and communities to continue their efforts in meeting the particular needs of the mentally retarded. Under existing legislation, my own home State of Rhode Island has begun construction of two community facilities which, when completed, will serve over 1,100 mentally retarded. And we hope to make even greater gains under H.R. 6430 which the House has unanimously endorsed.

All of us recognize that mental retardation is a difficult and complex affliction, with varied causes and resulting handicapping conditions. There are those children who are so severely retarded that they cannot survive unless constantly cared for and sheltered. On the other hand, there are those whose handicapped condition allows them to adjust in a limited way to the demands of society and to play a positive role in gainful employment. To these persons, we must provide a wide range of services which will enable them to function as fully as possible at their particular levels of adaptive behavior.

This we must do for persons who have already been diagnosed as mentally retarded. However, we must continue our efforts to prevent mental retardation. Under existing legislation, 12 research centers were constructed to provide the facilities and resources necessary for a major attack on the problems of mental retardation across a broad front of research involving all major disciplines including the biomedical, behavioral, social and educational sciences. The development of these 12 centers has provided new opportunities for cross-disciplinary research; created mechanisms for coordinated research efforts by many investigators; and provided new and expanded training programs and resources for training research investigators for work in the field of mental retardation.

It is encouraging to see considerable achievements in the field of mental retardation. Much remains to be done, however.

It would be impossible to discuss programs for the mentally retarded without mentioning the late John E. Fogarty, whose distinguished service to the health needs of this country earned him the Nation's gratitude and admiration while he lived and deepest sorrow when he died.

No one had a greater concern for the problems of the retarded than my distinguished predecessor, John E. Fogarty. As chairman of the Subcommittee on Labor and HEW Appropriations, Mr. Fogarty showed a deep interest in the problems of the retarded, securing through his committee efforts, funds to launch the original mental retardation legislation passed in 1965, Public Law 89–105.

The House has honored his memory as well as served a critical health need of the Nation by passing this legislation.

Mr. STAGGERS. Mr. Chairman, we have no further requests for time.

Mr. SPRINGER. Mr. Chairman, I yield to the gentleman from California [Mr. DON H. CLAUSEN] such time as he might require.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in enthusiastic support of this legislation, which is designed to improve existing legislation in the mental health field.

Certainly no one should question the need for this legislation. The technical and professional personnel serving community mental retardation facilities are definitely needed, and this kind of program will encourage qualified people to participate and assist administering agencies in acquiring and keeping competent personnel in this vital field.

Obviously, we are striving to help the mentally retarded and their families help themselves toward a life of normalcy and decency which is understandably difficult at best.

With over 6 million families affected, plus the impact on the communities where these people reside, we can do no less than encourage the training of qualified personnel through programs such as this.

Having visited the mental hospitals of my congressional district, I can tell you it leaves a strong impression and encourages one to do everything medically, psychologically, and therapeutically possible to be of help to these people.

The neuropsychiatric field is indeed a challenging one and deserving of our strong support.

The university-affiliated portion of the bill will permit the maximum in research and training personnel for treating persons neurologically handicapped.

This is a humanitarian gesture that will put this Congress and its Members solidly on the side of the concerned and considerate constituency of this Nation. I commend the committee for presenting a good and fair bill. I hope the House will adopt these mental retardation facilities and Community Health Centers Construction Act amendments overwhelmingly.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mental Retardation Amendments of 1967".

GRANTS FOR CONSTRUCTION OF UNIVERSITY-AFFILIATED MENTAL RETARDATION CLINICAL FACILITIES

SEC. 2. (a) The first sentence of section 121 of the Mental Retardation Facilities Construction Act (42 U.S.C. 2661) is amended by striking out "and $10,000,000 each for the fiscal year ending June 30, 1966, and the fiscal year ending June 30, 1967" and inserting in lieu thereof "$10.000,000 each for the fiscal year ending June 30, 1966, the fiscal year ending June 30, 1967, and the fiscal year ending June 30, 1968, and such sums as may be necessary for the next four fiscal years."

(b) Such sentence is further amended by inserting "(which, for purposes of this part, includes other neurological handicapping conditions found by the Secretary to be sufficiently related to mental retardation to warrant inclusion in this part)" after "the mentally retarded" the first time it appears therein, and by inserting "including research incidental or related to any of the foregoing activities," before "there are authorized to be appropriated".

(c) Section 125 of such Act (42 U.S.C. 2665) is amended by striking out "four", and by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1972".

GRANTS FOR CONSTRUCTION OF COMMUNITY FACILITIES FOR THE MENTALLY RETARDED

SEC. 3. (a) Section 131 of the Mental Retardation Facilities Construction Act (42 U.S.C. 2671) is amended by striking out "and $30,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "$30,000,000 for the fiscal year ending June 30, 1968, and such sums as may be necessary for the next four fiscal years".

(b) Section 137 of such Act is amended by striking out "four", and by striking out "1968" and inserting in lieu thereof "1972".

GRANTS FOR THE STAFFING OF COMMUNITY MENTAL RETARDATION FACILITIES

SEC. 4. The Mental Retardation Facilities Construction Act is further amended (1) by amending the heading thereof to read "TITLE I—FACILITIES FOR THE MENTALLY RETARDED", and (2) by adding at the end thereof the following new part:

"PART D—GRANTS FOR THE COST OF PROFESSIONAL AND TECHNICAL PERSONNEL OF COMMUNITY MENTAL RETARDATION FACILITIES

"AUTHORIZATION OF GRANTS

"SEC. 141. (a) For the purpose of assisting in the establishment and initial operation of facilities for the mentally retarded providing all or part of a program of comprehensive services for the mentally retarded principally designed to serve the needs of the particular community or communities in or near which the facility is situated, the Secretary may, in accordance with the provisions of this part, make grants to meet, for the temporary periods specified in this section, a portion of the costs (determined pursuant to regulations under section 144) of compensation of professional and technical personnel for the initial operation of new facilities for the mentally retarded or of new services in facilities for the mentally retarded.

"(b) Grants for such costs for any facility for the mentally retarded under this part may be made only for the period beginning with the first day of the first month for which such a grant is made and ending with the close of four years and three months after such first day; and such grants with respect to any such facility may not exceed 75 per centum of such costs for the period ending with the close of the fifteenth month following such first day, 60 per centum of such costs for the first year thereafter, 45 per centum of such costs for the second year thereafter, and 30 per centum of such costs for the third year thereafter.

"(c) In making such grants, the Secretary shall take into account the relative needs of the several States for services for the mentally retarded, their relative financial needs, and their populations.

"APPLICATIONS AND CONDITIONS FOR APPROVAL

"SEC. 142. (a) Grants under this part with respect to any facility for the mentally retarded may be made only upon application, and only if—

"(1) the applicant is a public or nonprofit private agency or organization which owns or operates the facility;

"(2)(A) a grant was made under part C of this title to assist in financing the construction of the facility or (B) the type of service to be provided as part of such program with the aid of a grant under this part was not previously being provided by the facility with respect to which such application is made;

"(3) the Secretary determines that there is satisfactory assurance that Federal funds made available under this part for any period will be so used as to supplement and, to the extent practical, increase the level of State, local, and other non-Federal funds for mental retardation services that would in the absence of such Federal funds be made available for (or under) the program described in paragraph (2) of this subsection, and will in no event supplant such State, local, and other non-Federal funds; and

"(4) in the case of an applicant in a State which has in existence a State plan relating to the provision of services for the mentally retarded, the services to be provided by the facility are consistent with the plan.

"(b) No grant may be made under this part after June 30, 1972, with respect to any facility for the mentally retarded or with respect to any type of service provided by such a facility unless a grant with respect thereto was made under this part prior to July 1, 1972.

"PAYMENTS

"SEC. 143. Payment of grants under this part may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and on such terms and conditions and in such installments, as the Secretary may determine.

"REGULATIONS

"SEC. 144. The Secretary shall prescribe general regulations concerning the eligibility of facilities under this part, determination of eligible costs with respect to which grants may be made, and the terms and conditions (including those specified in section 142) for approving applications under this part.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 145. There are authorized to be appropriated $7,000,000 for the fiscal year ending June 30, 1968, and such sums as may be necessary for the next four fiscal years, to enable the Secretary to make initial grants to facilitate for the mentally retarded under the provisions of this part. For the fiscal year ending June 30, 1969, and each of the next seven years, there are authorized to be appropriated such sums as may be necessary to make grants to such facilities which have previously received a grant under this part and are eligible for such a grant for the year for which sums are being appropriated under this sentence.

SEC. 5. Paragraph (7) of section 134 of the Mental Retardation Facilities Construction Act (42 U.S.C. 2674), is amended by inserting before the semicolon at the end thereof "and, effective July 1, 1969, provide for enforcement of such standards with respect to projects approved by the Secretary under this part after June 30, 1967."

Mr. STAGGERS (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

Mr. STAGGERS. Mr. Chairman, I ask unanimous consent that the committee amendments be considered as read and be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The committee amendments are as follows:

On page 2, line 5, strike out "and such sums as may be necessary for the next four fiscal years" and insert "and $20,000,000 each for the fiscal year ending June 30, 1969, and the fiscal year ending June 30, 1970".

On page 2, line 19, strike out "1972" and insert "1970".

On page 3, line 1, strike out "for the fiscal year ending June 30, 1968, and such sums as may be necessary for the next four fiscal years" and insert "each for the fiscal year ending June 30, 1968, and the fiscal year ending June 30, 1969, and $50,000,000 for the fiscal year ending June 30, 1970".

On page 3, line 8, strike out "1972" and insert "1970".

On page 6, line 4, strike out "1972" and insert "1970".

On page 6, line 20, strike out "and such sums as may be necessary for the next four fiscal years," and insert "$10,000,000 for the fiscal year ending June 30, 1969, and $14,000,000 for the fiscal year ending June 30, 1970,".

On page 7, line 2, strike out "seven" and insert "five".

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GALLAGHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6430) to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes, pursuant to House Resolution 922, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. SPRINGER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 389, nays 0, not voting 43, as follows:

[Roll No. 267]

YEAS—389

Abbitt
Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Ayres
Barrett
Bates
Battin
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blanton
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brock
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conyers
Corbett
Cowger
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Farbstein
Fascell
Findley
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Fatten
Pelly
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Sandman
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Charles H.
Winn
Wright
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—43

Adams
Aspinall
Baring
Belcher
Blackburn
Blatnik
Brinkley
Broomfield
Conte
Corman
Derwinski
Dorn
Edwards, Calif.
Fallon
Feighan
Fountain
Gardner
Garmatz
Harrison
Hays
Hébert
Herlong
Hicks
Holland
Latta
Leggett
McCulloch
MacGregor
Mathias, Md.
Mize
Murphy, N.Y.
O'Hara, Mich.
Pepper
Pucinski
Rarick
Satterfield
Tenzer
Tunney
Utt
Willis
Wilson, Bob
Wolff
Wyatt

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Utt.
Mr. Feighan with Mr. Derwinski.
Mr. Adams with Mr. Broomfield.
Mr. Wolff with Mr. Belcher.
Mr. Tenzer with Mr. Harrison.
Mr. Pucinski with Mr. Conte.
Mr. Fountain with Mr. McCulloch.
Mr. Holland with Mr. Bob Wilson.
Mr. Aspinall with Mr. Blackburn.
Mr. Blatnik with Mr. Wyatt.
Mr. Corman with Mr. Dorn.
Mr. Garmatz with Mr. Rarick.
Mr. Murphy of New York with Mr. Brinkley.
Mr. Tunney with Mr. Willis.
Mr. Baring with Mr. Gardner.
Mr. Edwards of California with Mr. Mathias of Maryland.
Mr. Herlong with Mr. Latta.
Mr. O'Hara of Michigan with Mr. MacGregor.
Mr. Pepper with Mr. Mize.
Mr. Fallon with Mr. Satterfield.
Mr. Leggett with Mr. Hicks.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 6430, and also on the bill previously passed, H.R. 6418.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SAVE THOSE JOBS

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, October 10, 1967, will be a crucial date for the stainless steel table flatware industry. On that date the existing tariff quota will expire. This quota, which was proclaimed by the President in 1959, has permitted a valuable American industry to remain operational in the face of a continuing flood of low-wage Far Eastern imports.

This historic American industry is mainly located in the Northeast States of Massachusetts, Connecticut, Rhode Island, and New York. Some of the most important producers are located in my district in Connecticut. One company alone presently provides 1,000 jobs and if this number is multiplied by three for family groups, it is readily apparent what a role it plays in the community and also what disastrous effect would result from a substantial curtailment of this enterprise.

Stainless steel flatware contains a very high labor component and is therefore particularly sensitive to competition from products in low-wage areas.

Once again we are faced with the problem of subsidizing industrial expansion abroad at the expense of American wage earners, producers, and communities. I have always supported liberal trade and I do so today, but I am opposed to a doctrinaire expansion to trade which fails to take into account the conditions in a particular locality or in a particular industry.

In the year 1966, importers furnished 23 percent of the domestic market, certainly a respectable and generous share. It the quota were continued, this percentage of the market would be retained by foreign producers, but their total sales would increase in conjunction with an estimated growth in the domestic market in the next 6 years. On the other hand, if the quota is removed it is estimated that the imports will rise from 23 to 55 percent of the U.S. market during the same period.

In effect, a decision of this type would turn over to low-wage plants in Taiwan and Japan one-third of the jobs presently held by high-wage, taxpaying U.S. citizens.

I know that many other Members of Congress face similar problems and I am bringing these facts to the attention of the House for the information of Members.

Bills to extend the tariff quota treatment on stainless steel flatware have been filed by the gentleman from Massachusetts [Mr. BURKE], and the gentlemen from New York [Mr. PIRNIE and Mr. CONABLE].

I propose to file a similar bill myself and I hope that other Members will join with me in introducing such a bill. I will be pleased to hear from anyone who desires to associate himself with me in filing similar legislation.

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY AT INTERNATIONAL TYPOGRAPHICAL UNION CONVENTION

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an address by the Vice President.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. EVANS of Colorado. Mr. Speaker, on September 8, I had the pleasure of hearing Vice President HUBERT HUMPHREY deliver the featured address at the 109th Annual Convention of the International Typographical Union in Colorado Springs.

The delegates attending this convention came from throughout the United States, Canada, and Puerto Rico.

The Vice President's speech was warmly received by the nearly 500 ITU delegates and more than 1,000 spectators. I commend the Vice President's cogent comments to my colleagues attention:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY TO THE INTERNATIONAL TYPOGRAPHICAL UNION, COLORADO SPRINGS, COLO., SEPTEMBER 8, 1967

In the 15th century one of your predecessors, Johann Gutenberg, triggered one of the great turning points in history. His invention of movable type put knowledge within reach of the common man.

Unlike most historic events, Gutenberg's invention was recognized at the time for exactly what it was.

Some of the most powerful men of the Middle Ages saw it with dire foreboding. And from their standpoint, they were right to do so.

Because they knew that knowledge was power—and that no autocracy, no orthodoxy, would any longer be secure if ordinary people obtained knowledge.

Gutenberg's invention dispelled the darkness of centuries, and it helped to bring the Middle Ages to an end.

A lot of type has been set since Gutenberg—and the centuries of stagnation which he helped to end have been followed by centuries of constant and accelerating change.

You have seen great changes in your own craft, and you foresee even greater changes to come.

You have, for instance, set up your Training Center to keep pace with change and even to anticipate it. I read in one of your publications: "To the ITU craftsman 15 years from now, much of today's methods, machines, and techniques will be but a memory. It is the responsibility of all to be forewarned of new developments and to be prepared for them."

In thinking ahead, in preparing yourselves today for tomorrow's challenges, you are setting a good example for all of us—and especially for those of us in the craft of politics.

What will America and the world be like in 15 years?

We know a good deal about the immediate future. Men will land on the moon and perhaps set up a permanent base there.

Men will learn how to live and work at the bottom of the sea—and mine its floor for valuable metals.

Automation will certainly proceed, and computers may in fact make many of our present day middle management decisions.

Doctors will provide us with artificial internal organs and prolong our lives.

Yes, we will live in a world of scientific and technological marvels. But will it be a better world for people to live in?

We must ask these questions: Will our nation be divided between a majority living in comfort and even in affluence—and a minority mired deeply in urban and rural poverty? Or will we move forward to build a society where *every* citizen is a full participant in our progress.

Will America be filled with strife? Or will we move forward to build communities of peace and harmony?

And what about the world in which we live? Will it be dangerously divided along lines of ideology, race, or economic status? Will it be under never-ending threat of nuclear destruction? Or will men and nations move forward to build a safer and freer international environment?

Those questions will be answered in large part by what we do right here in America . . . by the kind of society we build.

The real quality of the society you and I will live in 15 years from now will be evaluated in human terms, and very specifically by the degree of opportunity available to *each* individual American.

Will the liberties of an American citizen mean as much as they should to you and to those around you when measured in terms of real opportunity?

Will all of us have an opportunity to take advantage in medical science—to be protected from sickness and to be cared for when we are ill?

There are some who say Medicare is enough. Nineteen million Americans are now covered by a program which was instituted only a year ago. Four million patients have received hospital care since the program started: 25 million medical bills have been paid.

Some say: "Medical care is a privilege not a right."

"Do any more and you will interfere with the rights of the individual."

Medicare represents great progress today.

But 15 years from now we will be deeply shamed as a nation if the one-third of our population, who today have no regular access to doctors or dentists, are still deprived of medical care.

It will be unacceptable if illness can still mean financial disaster to the family or a working man or woman.

What about education and training?

Will every American have an opportunity to get all the education he can use?

Will we have training and re-training programs capable of giving people skills which will enable them to lead productive lives in an economy of rapid technological change?

Will your children now in grammar school be able to find a place in college?

Here again the record as of today looks pretty good. Six million Americans are in college, and a million of them are receiving some form of federal assistance.

Head Start has already given more than a million and a half youngsters a critically important boost toward successful educations and rewarding lives.

Job Corps centers established just two years ago have already sent over 60 thousand new workers, earners, and buyers into the economy, and over 41 thousand more are now in training.

But will this be enough 15 years from now?

Will we still have poor schools in poor neighborhoods which can afford only poor teachers—schools which will turn bright-eyed youngsters into poor students, poor workers and poor citizens?

Will young people coming out of schools find jobs and hope, or unemployment and despair?

What about our cities?

Seventy per cent of the American people already live in urban areas, and the chances are very great that most of us will live out our lives in cities.

The federal government will supply over 10 billion dollars in grants and loans to cities this year for the improvement of urban life. That is almost three times the amount available in 1961.

But if each of us is to have a decent place to live at a price we can afford, we will need new urban housing units at the rate of 2 million a year a decade from now.

If we are not to waste our leisure hours getting to and from work, we will need transportation facilities to move 200 million people.

We will need more and safer airports.

We will need efficient rapid transit systems in the heavily populated urban corridors which by then will be a dominant feature of American geography.

We will need parks and recreation facilities.

We will need clean air and clean water, neither of which we now enjoy.

Even as the physical and cultural facilities of our cities improve, we will still need more and better law enforcement.

Think about wages. Last year's amendments of the Fair Labor Standards Act increased the minimum wage of one dollar forty cents an hour at the beginning of this year, and it will be one dollar sixty cents an hour next year.

Four million retail store employees benefitted from these increases and an additional 1.5 million, never before covered by minimum wage legislation, now enjoy this fundamental American right.

For the first time minimum wage protection was extended to some American farmers.

Now this is real progress.

We fought hard for it. Your vigorous campaign had a lot to do with the passage of those amendments.

But you and I know that this was only a step in the right direction, and that there are many more steps ahead of us.

A worker earning one dollar forty cents an hour is condemned to raise his family in poverty according to present federal standards.

A dollar and forty cents is better than a dollar. But are we still going to be content 15 years from now to guarantee our workers no more than a poverty income?

We cannot. And that is one reason why we need active, vigorous labor unions.

In the past, organized labor has always led in the struggle for decent wages and working conditions.

That struggle must go on, and the unions must continue to lead. They must continue to grow, and to extend their help and protection to the millions of American workers who still lack the benefits of union membership.

And let me say this to the younger union members: You have a special obligation to continue organized labor's historic struggle for the rights of all working men; for it is you who have benefitted most from the hard-fought victories of those who went before you.

I could list dozens of other areas in which the remarkable social progress of recent years has still to be nourished, re-enforced and extended.

Civil rights—progress in the last few years has been enormous. Tomorrow it will not be enough. Fifteen years from now, no American will quietly accept discrimination of any kind.

Privacy—the Attorney General's recent limitation on the use of wiretapping re-enforces a fundamental constitutional right.

But what of private bugging? What about polygraph tests for prospective employees? Do we want these in our national or individual futures?

And there are our relations with the rest of the world. Fifteen years from now we will be an even more integral part of a world society than we are today.

Will that society be one of hunger, poverty, unrest and anxiety; or will it be a society of hope, or growth, of confidence, of individual dignity and peace?

Now I hear people every day, both in government and outside, who say that we have done enough.

"Rome wasn't built in a day."

"The majority are well-fed, well-clothed."

"Don't go any further or you'll destroy the rights of the individual."

"Enough for now."

These tired people usually use the war in Vietnam as their excuse for inaction on domestic issues. They say we can't afford to meet our national commitments abroad and at the same time build schools, train teachers, and open opportunities to the poor at home.

President Johnson does not agree with these tired people. He has asked Congress this year for over 26 billion dollars to finance programs specifically designed to aid the poor. That is an increase of 3.6 billion dollars over last year, or 14 per cent.

And I don't agree with these tired people either.

One reason is that we simply cannot afford to have 15 per cent of our people living in poverty, unable to purchase the goods we produce.

I remember my father telling me time and again when I worked behind the counter in our family drug store that our livelihood depended upon the prosperity of our customers. That is just as true today.

We cannot afford to let the energies and talents of one Negro child in an urban ghetto go undiscovered for lack of education.

We cannot afford to let one farmer while away his time on a sagging front porch in the midst of unplanted fields because he can't get tools, credit, seed, or land of his own.

We cannot afford to let one youngster end up in juvenile court because his father could not support his family or because his mother had to work to feed her children.

In case anyone doubts that an investment in *human* resources is important to prosperity, let me give you a statistic.

An economist named Denison recently completed a study of the reasons for American economic growth between 1929 and 1957. He found that 23 per cent of that growth was due to an improvement in the educational level of workers, and another 20 per cent was due to an "advance of knowledge" in general. A mere 15 per cent was attributable to expansion of capital equipment.

I know it does not surprise you to hear that improving men is worth more than improving machines.

While I am quoting statistics, I cannot resist giving you one more.

A recent study indicates that every dollar invested by government—federal, state or local—in health, education, housing, the development of natural resources, pollution control, and community development generates 2 dollars 40 cents worth of private investment and adds 10 dollars to the Gross National Product.

That is a return any banker would welcome.

But we are not a nation of bankers.

We are a nation which has grown and prospered on the basis of individual opportunity.

We are a nation which has discovered that the assurance of full human rights and opportunity for all does not detract from the well-being of the majority, but rather enhances it.

We are a nation which has slowly and painfully fought to insure those rights and opportunities, not because of an economic return but because they are right.

We are a nation that believes, in the words of Franklin D. Roosevelt, that "the test of our progress is not whether we add more to the abundance of those who have too much; it is whether we provide enough for those who have too little."

We have accomplished a great deal, but the job is unfinished. If we stop now, the proud progress of today will surely become the dismal inadequacy of tomorrow.

The tired people are suffering from something Geritol won't fix. It is a permanent inclination to like the present better than they expect to like the future, and to like the past even better than that.

They are never quite able to catch up. Just as they are grudgingly about to accept the present, it slips into the past.

They are saved from themselves only by the foresight and dedication of others. You know who they are.

I am not too tired to carry on the struggle for a better future.

Your Administration is not too tired to carry it on.

And I know you are not too tired.

We can make America—no more or less—"one nation, under God, indivisible, with liberty and justice for all."

And we can move even closer to fulfilling the hope that the English philosopher, Richard Carlile, held out for the printing press. It would, he predicted, "abolish all minor monarchies and give freedom to the whole human race."

That is a big order.

But, if we—blessed by nature, blessed by history, having unprecedented prosperity and power—do not fulfill the responsibilities of leadership, who else will?

AD HOC CONGRESSIONAL CONFERENCE REPORT ON EQUAL OPPORTUNITY IN HOUSING AND THE ENFORCEMENT OF EXECUTIVE ORDER NO. 11063

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on August 15, 1967, I sponsored an informal ad hoc congressional hearing on the question of the enforcement of Executive Order No. 11063 issued by President Kennedy in November 1962, which prohibits discrimination in federally assisted housing. Our hearing considered a disturbing report released in May 1967, by the American Friends Service Committee, which concluded that the Federal agencies involved had little enthusiasm for enforcing the order.

The meeting was attended by Philip N. Brownstein, the Assistant Secretary of the Department of Housing and Urban Development and Federal Housing Commissioner; Booker T. McGraw, Assistant to the Secretary of HUD for Intergroup Relations; John Dervan, Director of the Loan Guarantee Program of the Veterans' Administration, also in attendance were several representatives of fair housing groups, including James Harvey, the national housing representative of the American Friends Service Committee.

Members of Congress who participated came to the conclusion that the criticisms of the AFSC report were substantially correct, and we prepared the congressional conference report on "Equal Opportunity in Housing and the Enforcement of Executive Order No. 11063." dated May 13, 1967, which we forwarded to Secretary Weaver of the Department of Housing and Urban Development; Commissioner Brownstein of the Federal Housing Administration; and William Driver, Administrator of the Veterans' Administration.

We summarized our recommendations in covering letters as follows:

First. Field investigations by FHA and VA in preference to the case-complaint method as a means of determining where subtle or open discrimination occurs, including testing, and followup investigation of violators.

Second. Precise definition of equal opportunity standards for the housing industry, including specific sanctions for violators. Formalization of hearings.

Third. Expansion and greater use of equal opportunity staff in the investigation and enforcement process; more adequate equal opportunity training for all field staff.

Fourth. Greater publicity and identification of Government-assisted housing with equal opportunity specifically directed at minority communities. Mandatory statement of the equal opportunity policy in realtor and builder advertising of Government-assisted housing.

Fifth. A requirement that only realtors who do all of their business on an equal opportunity basis have the privilege of managing or reselling acquired properties for the Government; better scrutiny of broker practices in the sale of acquired properties.

Sixth. Substantial expansion of VA equal opportunity staff, or transfer of these functions to HUD.

The report was signed by the following: John Conyers, Jr., Henry B. Gonzalez, Augustus F. Hawkins, Robert W. Kastenmeier, Theodore R. Kupferman, Henry S. Reuss, Benjamin S. Rosenthal, and William F. Ryan.

Our report and recommendations point up the passivity of FHA and the Veterans' Administration toward President Kennedy's Executive order. Not only has it not been enforced effectively, but it has been restricted by agency regulations. For instance, FHA has exempted from the Executive order the resale of owner-occupied one- and two-family houses. This exemption should cease immediately.

The Washington Post, in endorsing our report in an editorial on September 19, 1967, observed:

> It is time for someone in the Administration to remind FHA that it is not a commercial bank and that security is not its sole motive. The idea is to produce housing, in the slums and in the suburbs, for those who need it most.

Mr. Speaker, I include, at this point in the Record, our report on "Equal Opportunity in Housing and the Enforcement of Executive Order No. 11063":

Congressional Conference Report on Equal Opportunity in Housing and the Enforcement of Executive Order No. 11063

INTRODUCTION

In May, 1967, the American Friends Service Committee released to the President a comprehensive "Report on Equal Opportunity in Housing." The Report concerns the lack of enforcement of Executive Order 11063 (November 1962) which prohibits discrimination in FHA or VA assisted new housing, and in the resale of Government-acquired properties.

The two principal conclusions of the Report were:

"1. Executive Order 11063 is being widely and flagrantly violated by builders, brokers, and lenders.

"2. Implementation of the Order by the Federal Housing Administration (FHA) and the Veterans Administration (VA) has been at best ineffective and at worst subversive of the goal of equal opportunity in housing."

The Report contains an evaluation of the implementation of the Executive Order and a series of recommendations. It also provides thirteen case histories, documenting the difficulty of obtaining compliance when a builder or realtor does not wish to sell or rent to a Negro.

To further consider the Report, Congressman William F. Ryan arranged for an informal meeting attended by a number of Congressmen and representatives of AFSC, the concerned agencies, and other interested persons. The meeting was held on Tuesday, August 15.

Participants at the meeting included: Rep. John Conyers (D-Mich), Rep. Bob Eckhardt (D-Tex.), Rep. Augustus F. Hawkins (D-Calif), Rep. Robert W. Kastenmeier (D-Wis), Rep. Theodore R. Kupferman (R-NY), Rep. Henry S. Reuss (D-Wis), Rep. Benjamin S. Rosenthal (D-NY), Rep. William F. Ryan (D-NY).

And representatives of: Rep. John Brademas (D-Ind), Rep. Don Edwards (D-Calif), Rep. Henry B. Gonzalez (D-Tex).

Philip N. Brownstein, Assistant Secretary of the Department of Housing & Urban Development for Mortgage Credit, and Federal Housing Commissioner.

Booker T. McGraw, Assistant to the Secretary for Intergroup Relations, H.U.D.

John Dervan, Director, Loan Guaranty Program, V.A.

James Harvey, American Friends Service Committee.

William Cameron, American Friends Service Committee.

In addition, there were representatives of the Housing Division of the District of Columbia Government and the Action Coordinating Committee to End Segregation in the Suburbs (ACCESS).

We are grateful to all the participants in the meeting for taking the time to discuss this problem with us. We are especially indebted to the American Friends Service Committee for their valuable study.

Our conclusion is that the picture portrayed by the A.F.S.C. report is substantially accurate. Fair housing is clearly not one of F.H.A.'s priorities, to say the least. Time prevented us from discussing the V.A. situation in detail. However, all evidence suggests that the V.A. is even less concerned with the goal of equal opportunity in housing than the F.H.A.

The following report is very brief. It presents our conclusions based on background information and statements of various persons present at the meeting. There is vast room for improvement within the existing authority under Executive Order 11063. This order provides the means whereby equal opportunity might be secured in a substantial sector of the housing market. Instead of implementing this authority to the fullest, the concerned agencies have chosen a minimal interpretation of their obligation. We hope that this will change.

John Conyers
Henry B. Gonzalez
Augustus F. Hawkins
Robert W. Kastenmeier
Theodore R. Kupferman
Henry S. Reuss
Benjamin S. Rosenthal
William F. Ryan
Members of Congress.

It is well known that FHA's principal constituency is the housing industry. FHA is reluctant to jeopardize its standing with the industry by aggressively implementing an equal opportunity policy. This is clearly demonstrated by the manner in which the regulations issued pursuant to the Executive Order have been carried out.

1. THE CASE METHOD

The AFSC maintained that FHA has failed to carry out an "affirmative" policy on equal opportunity. By and large, the meeting substantiated this. FHA has interpreted the Order as providing a right of redress, but not a mandate for industry-wide enforcement by the agency itself.

In other words, if a prospective Negro buyer who has been repeatedly misled and discouraged from purchasing a house has the sophistication and determination to pursue his case, only then does he stand a chance of satisfaction. Without the assistance of private fair housing groups, it is doubtful whether even those few Negro buyers who have been aided by the Order would have obtained redress.

There is a default of agency responsibility in this area. To the extent that it is being exercised at all, it is being done under great pressure from private groups. It is discouraging that a private group, with minimal resources, must do the Federal Government's job for it.

The Order is being enforced on a case by case method, and on the initiative of the complainant. It is clear that those Negro buyers who even reach the stage of complaining to FHA are a small minority of those who experience discrimination.

FHA has recently announced plans for pilot counseling services in five cities. If a buyer is having difficulty in finding a house, FHA will advise him as to price range, location, etc. FHA will make the appointment for a showing, if it has reason to suspect that a minority buyer is being given a runaround. Theoretically, the visibility of the FHA is to ensure that the builder or realtor will not discriminate.

Although this innovation will undoubtedly be useful, it remains merely an embellishment on the case method. It still depends upon buyer initiative; it still leans upon the assistance of its most significant critics, the private fair housing groups. Is any major publicity campaign carried on to publicize the service among Negroes? Is the service located in ghetto neighborhoods? Is it open evenings and weekends, or only when the buyer is at work? The answers we received are less than satisfactory.

Another recent innovation is the requirement that builders who have been found to discriminate are required to take "affirmative action," which may include equal opportunity advertising, or demonstration that Negroes have purchased houses, etc., as a condition for continuing to receive FHA commitments. Although this is also a useful improvement, more often than not a hearing will end with the judgment that a "misunderstanding" occurred, and there will be no formal finding of discrimination. Furthermore, if the builder is judged guilty, once he takes the required "affirmative action," he is no longer subject to FHA scrutiny.

We conclude that adequate enforcement of the Order will not be secured until FHA institutes direct enforcement and testing in preference to the case complaint method. Only if this is done, will there be an assurance that Negro buyers are not dissuaded from purchases, subtly or openly.

2. SALE OF ACQUIRED PROPERTIES

FHA offers for sale annually in the area of 50,000 units which have come into its possession. Most of these are sold through commercial brokers. According to AFSC, some of the most blatant discrimination occurs in this area. AFSC alleges that most of the houses are sold through favored (usually white) brokers, although bidding is nominally open. Negro brokers generally acquire properties in predominantly Negro areas. White brokers generally show properties in white areas to white buyers, and those in Negro areas to Negroes. No effort is made to determine whether the broker who bids for acquired properties discriminates in his other dealings. FHA takes the position that this is his affair, and that it is only concerned with whether he discriminates in the sale of FHA properties.

The total FHA effort to secure compliance in the sale of acquired properties involves an occasional meeting in which brokers are familiarized with the regulations, and a requirement that they certify from time to time that they have informed their sales staff of the regulations. FHA believes this is sufficient. We believe that they either are being naive, or that they have little enthusiasm for enforcing the order. In the absence of testing, the brokers have no incentive to abide by the Order. FHA representatives acknowledged that brokers do discriminate in their other dealings "at the request of their clients." It is disingenuous to expect that the minimal FHA requirements will induce them not to discriminate in the sale of acquired properties.

FHA is permitting its properties to be sold through a market which is largely segregated. Unless strong measures are taken to counter the general trend, it can be expected that the resale of these properties will only reinforce the prevailing pattern.

3. FAILURE TO EMPLOY AVAILABLE TECHNIQUES

Executive Order 11063 directs agencies to "take all action necessary and appropriate to prevent discrimination because of race, color, creed, or national origin" in housing which they sell, rent or assist through the provision of guarantees. This is a broad mandate. We concur with a number of AFSC suggestions that clearly fall within the authority of the Order.

Instead of merely requiring that proven discriminators take "affirmative action" to get back into FHA's good graces, FHA might well require that advertising of all housing provided with FHA assistance refer to the equal opportunity policy. On site posters could also be required making the policy clear. FHA takes the position that this requirement would alienate the industry and damage FHA's position, which is in itself an acknowledgement that discrimination in housing is pervasive and that present FHA policies do not remedy the situation.

Moreover, FHA itself should mount a publicity campaign to identify FHA-assisted new housing with equal opportunity. This can be done through various media, and should especially be directed at the Negro community.

It can also be accomplished through better liaison with local community relations agencies, public housing authorities, civil rights and fair housing groups. FHA maintains that a campaign of this nature might discourage a substantial portion of the industry from doing business with FHA. We believe that builders and realtors who discriminate against Negro citizens should not expect subsidy at taxpayer expense. If the serious enforcement of the Executive Order would indeed lead to the disaffection of much of the industry, this is only proof of the depth of the problem and the need for prompt, effective action such as we are recommending.

There is a close analogy in the sale of acquired properties. FHA has taken the position that they are not concerned with whether brokers who sell, rent, or manage Government acquired properties discriminate in their other dealings. We believe that no broker should have the privilege of managing and selling properties for the Government unless he is pledged to do business on an equal opportunity basis in all his dealings. We believe this is a highly appropriate means, within the mandate of the Order, to encourage nondiscrimination in housing.

Under the Executive Order FHA also has the authority to "take other action . . . including litigation." We were told that this authority has never been used. Furthermore, FHA's inspection staff, which maintains standards in regard to other conditions which FHA imposes, has nothing to do with the enforcement of the Executive Order. This should be remedied.

FHA has exempted from the Executive Order the resale of owner-occupied one and two family houses. This exempts nearly 95 percent of sales in this category.

There is no overall set of guidelines with which the industry must comply in order to qualify for FHA assistance. Since October, 1963, a builder has had to sign a non-discrimination pledge; however, this has never been defined further. We believe that it is the responsibility of the agencies to make clear to builders, realtors, and lenders what constitutes violation of the Order, and what the consequences will be. At present, the worst a builder who chooses to discriminate faces is the slight possibility that he will be forced to change his decision. Only if he then refuses to sell, does he face the possibility of sanctions.

The Veterans Administration compliance program is even less developed than FHA's. Either the VA should develop its own equal opportunity staff, with enforcement functions, or this responsibility should be transferred to HUD.

4. ATTITUDES

The AFSC Report was especially critical of the attitude and performance of the FHA and the VA in the processing of complaints. AFSC contends that there are delays, and that the complaint procedure of FHA and VA are "clumsy and grossly inadequate tools." The VA is reported to be most reluctant to charge discrimination except when the formal refusal to sell a house is involved. It should be obvious that refusal to show a house is tantamount to a refusal to sell and constitutes discrimination.

The FHA and VA are also alleged to favor the builder except when confronted with the most obvious discrimination. We are not in a position to determine the attitude of individual staff members. However, we concur with the recommendations that hearings be formalized; that the policy on the Executive Order be made clear to all staff members through more adequate training; and that the use of the equal opportunity staff, who presently have no "line" authority should be broadened. The caution reflected in the apparent fear of offending the industry warrants a change of attitudes.

At the meeting on August 15, HUD and FHA representatives repeatedly asserted that their authority is limited under the present Executive Order, and that they really favor a Federal fair housing law. In all candor, let us recognize that the possibility of a fair housing law passing during this session of Congress is remote. Moreover, if FHA is incapable or unwilling to enforce the Executive Order whose mandate is clear affecting twenty percent of the industry, what will be the fate of a blanket fair housing law? Conversely, if FHA believes that a fair housing law is workable, why is it not prepared to fully enforce the existing Order?

CONCLUSION

Of course, we also believe that an effectively enforced fair housing law is ultimately required. However, the existing authority should be enforced to its fullest. It only covers a fraction of new housing, but it is a very significant fraction of suburban middle income housing. Many Negro families now trapped in urban ghettos can afford this type of housing. The ghetto uprisings can be traced to two principal factors—housing and jobs. Education and job training are relatively longer term tasks, but it is inexcusable to continue to deny decent housing to Negro families who can afford it now.

Executive Order 11063 is an important wedge, for it covers a substantial part of the housing which many urban Negroes can afford now. Until additional authority is legislated, it is critical that the Order be implemented to the fullest.

I also include the editorial from the Washington Post of September 19, 1967, entitled "More Brake Than Engine":

More Brake Than Engine

The Federal Housing Administration has come in lately for a couple of brickbats that seem at once deserved and well-directed. Eight members of the House concerned with the promotion of fair housing complained very publicly the other day that FHA has followed a generally passive policy toward President Kennedy's 1962 Executive Order prohibiting racial discrimination in housing sold under Federally insured mortgages. The complaint errs, if at all, on the side of understatement. One wonders at times if FHA has ever heard of the Executive Order—or even of the Civil Rights Bill.

Sound banking policy in Federal mortgage insurance is highly commendable, to be sure. But FHA has some sound social policy to consider, too. The Nation urgently needs decent housing for its colored as well as for its white citizens; and its Federal Government must bend every effort to shatter the ghettos that cramp human development and crimp opportunity. "It is well known," the eight Congressmen said, "that FHA's principal constituency is the housing industry. FHA is reluctant to jeopardize its standing with the industry by aggressively implementing an equal opportunity policy."

This want of ardor manifests itself in other ways as well. Locally the other day an anti-poverty housing group, the Housing Development Corporation, appealed to the national FHA office for help after its plan to rehabilitate Clifton Terrace apartments for low-income families had been twice turned down by local and regional FHA offices. Insistence on perfection gets very few housing units constructed. It is time for someone in the Administration to remind FHA that it is not a commercial bank and that security is not its sole motive. The idea is to produce housing, in the slums and the suburbs, for those who need it most.

GUERRILLAS HAVE A NEW VOICE IN AMERICA

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, unfortunately, other items of importance have overshadowed recent developments eminating from communism's stepping stone in the Caribbean—Cuba. While much of the rest of the world is concerned with other things, business as usual calls for subverting the nations of our hemisphere through various tactics, including guerrilla warfare.

Virginia Prewett, writing in the September 19, 1967, edition of the Washington Daily News, amplifies on an arm of Tri-Continental and LASO operations which is based here in the United States—"the Tri-Continental Information Center" in New York. As she points out, this offshoot will serve as another outlet for anti-American propaganda and action and warrants close watching.

With their "close contacts with the Vietcong," predictions of a guerrilla movement in the United States and affiliations with many of the top Communists, it would appear that Castro has another foot in our door.

I submit the Prewett article for further elaboration and incorporation into the RECORD at this point:

New York Center Spreads Anti-U.S. Propaganda: Guerrillas Have a New Voice in America

(By Virginia Prewett)

Latin American guerillas, the Viet Cong and the Havana-based Tri-Continental Organization (OSPAAL) now have a mouthpiece in the U.S.

This is the Tri-Continental Information Center in New York, on Broadway a few doors above Fourteenth Street. Three U.S. Communist stalwarts are among 45 announced sponsors.

In operation since early spring, the Center proposes to flex its muscles in October by bringing Guyana's Communist-lining firebrand, Cheddi Jagan, to the U.S. for a lecture tour.

TEACH-IN

On July 13, the Center held what staffers call a "very successful" teach-in on Puerto Rico at the Horace Mann auditorium of the Columbia University Teachers College.

There Juan A. Silen, president of the Castro-connected Puerto Rican Pro-Independence Movement, attacked the U.S. in fiery terms for "oppressing" Puerto Ricans.

Spokesmen for the Center, Bulletin Co-editor Joan Levenson and John Gallo, soon to become the Center's Secretary, say its purpose is to create understanding and a constituency among the American people for the world's guerilla movements.

The Tri-Continental Organization from its Havana base has issued a policy statement relating "the fight of the Negro people of the United States" to the "world struggle against Yankee imperialism" and exhorting American Negroes to paralyze U.S. cities and "destroy the economic, political and social system of the United States."

Asked if they expect a guerilla movement to appear in the U.S., the Tri-Continental Center spokesman, John Gallo, said: "Not for five years."

To the query whether the guerillas would appear then, he answered:

"Come back in five years."

CONG CONTACTS

The Center's staff says it has "many contacts" with the Vietcong and indirectly with other guerilla movements.

The chief publications obtainable at present are the Bulletin, and an English-language version of the message—published in Granma, organ of the official Cuban Communist Party—sent by Che Guevara to the Tri-Continental Organization.

The Bulletin is sent by mail to lists of names obtained from "civil rights groups, the peace movement and college groups," according to the Center staff.

The August issue of the Bulletin prints the text of the speech by Juan Silen at the July "teach-in." Among other things, Silen charges that American and Cuban exiles flock to Puerto Rico to "exploit" the people, that the recent plebescite was "manipulated" and that the U.S. is using Puerto Ricans as cannon fodder in Vietnam.

The Center is supported by private donations, said the staff. It was started at the suggestion of members of SANA (National Committee for a Sane Nuclear Policy). Among the 45 listed sponsors are:

Communist Theoretician Herbert Aptheker; Party Member Carl Boice; Franklin Alexander, past president of the Dubois Clubs; Donna Allen of "Women Strike for Peace"; Alvah Bessie and John Gervassi, leftist writers; James Aronson, former National Guardian editor; Professors Douglas Dowd of Cornell, Sidney Peck of Cleveland's Western Reserve University, and Frank Kofsky of the University of Pittsburgh; Ruby Dee, an actress; Abe Feinglass of the Meat Cutters and Butchers Union and Paul Krassner, editor of "The Realist".

NUCLEAR DEFENSE--AGAINST WHOM?

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in the past I have made a number of insertions in the CONGRESSIONAL RECORD concerning the antiballistic missile defense system which has been the subject of controversy for a number of years. Perhaps because the pressure for an ABM defense system has increased, it has been announced that the United States will go ahead with a light ABM system. And who will the system defend against? Why, Red China, of course. Meanwhile, we have announced that we will continue to press for talks with the Soviets to avert escalation of an ABM race. The Chicago Tribune editorially observed that—

> The McNamara decision to avoid the immediate soviet threat and concentrate instead on the possibility of future attack from a nonexistent Red Chinese missile force could lay the Johnson administration wide open to charges of irresponsible fiddling with national security.

I insert the Chicago Tribune editorial of September 20 entitled "Nuclear Defense—Against Whom?" in the RECORD at this point:

Nuclear Defense—Against Whom?

After stalling off a decision while trying unsuccessfully to talk the Russians into a mutual ban on anti-ballistic missile [ABM] defense systems as a way of ending the nuclear arms race, the Johnson administration has finally decided to build one of its own.

It will not be designed, as one might expect, to protect the United States from attack by the only hostile missile force in existence—the Soviet Union's. Instead, Secretary of Defense Robert S. McNamara announced Monday, it will be a relatively cheap "light" ABM system intended to foil any missile attack from Red China, which has no long range missiles now and is not expected to have any before the mid-1970s.

McNamara's decision, far from ending sharp debate over the need to build a system for protection against the growing might of the soviet missile arsenal, only fanned the flames. Many key members of Congress, including administration supporters, who had been briefed on the decision over the weekend, said they viewed this only as a first step toward building a "heavy" soviet-oriented missile defense.

Anticipating such opposition, McNamara told a group of editors in San Francisco, to whom he disclosed the ABM decision, that the administration would firmly resist every pressure to convert the 5 billion dollar "light" ABM system into one capable of coping with the more complicated soviet missile force.

The Pentagon chief downgraded the ABM system the Russians have been busily installing for several years around Moscow and other key cities as a "light" are "modest" one, easily penetrable by American missiles if they were fired in retaliation to a "first strike."

McNamara conceded the situation would change if the Kremlin decided to build a "heavy" ABM defense. Should the Russians do this—and McNamara asserted that no nation can hide such endeavors—Washington would not respond, as might be expected, by building a "heavy" counterpart.

He insisted that the response to such Soviet action would be to make America's offensive missile strike force even more sophisticated and unstoppable than it is today. Deterrence thru overwhelming nuclear might, he said, remains the cornerstone of administration strategy, rather than dependence on anti-missile defense.

Contending that both the Soviet Union and the United States have the nuclear missile power to wipe each other out in "retaliation" or "second" strikes, McNamara argued it was equally futile for either to build a costly and "heavy" ABM defense. For the United States to do so, he said, would only bring a soviet reaction to offset our advantage.

McNamara said his position was supported by four science advisers who served Presidents Eisenhower, Kennedy, and Johnson, and by directors of research for three secretaries of defense. The Pentagon boss significantly failed to mention the joint chiefs of staff.

By unanimous decision, the joint chiefs have recommended production of a "heavy" ABM system to defend against any kind of possible soviet missile attack. Given the same set of facts, General Earle G. Wheeler, JCS chairman, testified last February, the military leaders reached a different conclusion from McNamara.

Wheeler said the chiefs do not believe the soviet reaction to our building an ABM system would be as outlined by their civilian boss and his scientific advisers. Should deterrence fail and the Russians attack with their long range missiles, the chiefs believe that an ABM defense, even tho not 100 per cent perfect, would save millions of lives.

The McNamara decision to avoid the immediate soviet threat and concentrate instead on the possibility of future attack from a nonexistent Red Chinese missile force could lay the Johnson administration wide open to charges of irresponsible fiddling with national security.

TWO ORGANIZATIONS DESERVING SPECIAL TRIBUTE—RACINE SEABEE U.S. NAVAL RESERVE UNIT AND RACINE COUNTY COUNCIL, BOY SCOUTS OF AMERICA

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, each year on the appropriate date, many of us rise to pay tribute to one organization or another in commemoration of the anniversary of the founding of the group. I must admit that in many cases the press of business prevents us from paying close attention to the functioning of the particular group we have praised until the next anniversary. In my case, this could never happen when it comes to my former Seabee unit in Racine, Wis., and the Racine County Council, Boy Scouts of America.

It is a pleasure to tell you here today of the close cooperation and working relationship which exists between the two groups. Only weekend before last, the Seabees under the charge of Chief Paul Buchaklian, spent 2 days working at the Ka Ha Gon Boy Scout Camp near Rochester, Wis., in the second phase of a program designed to modernize and better equip the camp. In return, the Scouts gave the Seabees a "thank you" assist in the form of a cookout.

I am very proud of both organizations. I have an especially fond spot in my heart for the Boy Scouts of America. The lore and skill that the organization has passed to each young generation in turn has served it well. I know that my son, who is now preparing to serve in the Armed Forces, is better prepared to face the tasks ahead after having an excellent Scouting background.

There is every reason to believe that this Nation will retain its basic strength as long as it contains outstanding groups such as the Racine Seabee U.S. Naval Reserve Unit and the Racine County Council, Boy Scouts of America.

THE CENTER FOR INTER-AMERICAN RELATIONS, INC.

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, the Center for Inter-American Relations has opened at 680 Park Avenue, in my district.

With the current world posture and the increasing interest in our relations with the other nations on this continent, this is indeed a welcome development.

The center describes its purpose as "designed to meet two critical needs: more effective communication among those concerned with the process of political, economic, and social development in the hemisphere; and greater awareness in the United States of the artistic traditions and cultural accomplishments of Latin America, the Caribbean area, and Canada."

The headquarters of the center deserves more than passing reference. It is a six-story town house designed in 1911 by the architectural firm of McKim, Mead & White. Presented to the center by the Marquesa de Cuevas, the house has been completely renovated and equipped with an art gallery, offices, seminar rooms, a library, and reception and dining facilities.

Perhaps more interesting, if not more important, is the fact that it previously was a Soviet center and Mr. Khrushchev appeared on its balcony, which makes this new use for friendship and culture all the more significant.

A group of outstanding citizens of the Nation are involved in furthering the center's work. Among them are:

Honorary trustees: The Honorable HUBERT H. HUMPHREY, the Honorable Nelson A. Rockefeller, the Honorable JACOB K. JAVITS, the Honorable ROBERT F. KENNEDY, the Honorable John V. Lindsay, the Honorable Covey T. Oliver, the Honorable Sol M. Linowitz, the Marquesa de Cuevas.

Officers: David Rockefeller, chairman of the board; William D. Rogers, president; William H. MacLeish, executive director; Jack B. Collins, vice president, development; Francis E. Grimes, treasurer; Forrest D. Murden, Jr., secretary.

Directors: William E. Barlow, Charles W. Cole, René d'Harnoncourt, Leonard H. Goldenson, Lincoln Gordon, Andrew Heiskell, Edgar F. Kaiser, Archibald MacLeish, Thomas C. Mann, George Meany, George S. Moore, Forrest D. Murden, Jr., James A. Perkins, David Rockefeller, William D. Rogers, David S. Smith, Arthur Ochs Sulzberger, Edward Larocque Tinker, Rawleigh Warner, Jr., John R. White.

The inauguration of the center on September 18 saw an impressive delegation present, with Vice President HUBERT HUMPHREY giving the address.

I am pleased to bring his remarks on this occasion to the attention of my colleagues:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY AT THE CENTER FOR INTER-AMERICAN RELATIONS, NEW YORK, N.Y., SEPTEMBER 18, 1967

A year ago I was honored to accept an invitation to become an Honorary Trustee of this Center. I am even more honored to address the distinguished audience which has gathered tonight to mark its opening.

The inauguration of this Center reflects the interest in Latin America that has developed in the last decade in the United States. It reflects, too, the new attitude that has developed toward our fellow citizens in the Hemisphere: an attitude based on understanding and respect for Latin American people, for their culture, and for many of their traditions.

It is based on an increasing acceptance of Latin Americans as our full partners and on a recognition that we have much to learn from our Latin American neighbors. We pragmatic North Americans sometimes find it difficult to understand why philosophy and ideology loom so large in Latin American political life.

To understand Latin American culture we must recognize that ideological considerations assume a greater importance in their culture than in ours.

We must read Latin American poets and philosophers, hear their music, see their drama, and view their paintings. For the educated person in North America, the names of Botero and Mistral, Rodo and Sanches, Villa Lobos and Borges, should be far more familiar than they are today. This Center can make this possible by becoming a showcase for the cultural achievements of Latin America, the Caribbean and Canada—a forum for the interchange of ideas and information. And, in making it possible it can assist us in understanding their concerns and in enriching our own lives and culture.

The calibre and stature, the proven interest and dedication of the men and women who have organized this Center should insure its success. For few people have done more to promote solidarity and understanding among the nations of the Hemisphere than those who are here tonight.

Tonight, although we are honored by the presence of distinguished Latin American officials and private citizens, I would like to direct my remarks primarily to my fellow citizens of the United States who have founded this Center.

On this occasion it is appropriate to ask: What is the basis of our interests in inter-American relations? What binds us together in this common concern?

There are those for whom the link between the United States and Latin America is based chiefly on physical proximity.

They say that it is unrealistic to seek solidarity with Latin America. And they point to the observable differences between us.

They say:

The United States is rich; most of Latin America is poor.

Our culture is largely Anglo-Saxon and Yankee; theirs is largely Latin and Iberian.

We are sometimes clumsily powerful; they are often self-consciously weak.

We are to a large extent Protestant; they are to a larger extent Catholic.

The people of the United States enjoy widely the marvels of the technological and electronic age; the ordinary people of Latin America have barely begun to glimpse them.

There may have been some validity to this portrayal—at the beginning of this decade. It is surely an over-simplification now.

But the differences that divide us are small compared to the bonds that unite us. One of the most ancient and enduring of these bonds is our common commitment to the idea of a new world.

Since the 16th Century, men—whether English, Spanish, or Portuguese—have been gripped with the desire to find, and the determination to build, a new world.

This new world has represented not just a new land to be exploited, not just a haven for the oppressed.

Above all, it has signified a vision of a new human chance—an opportunity to create in a new world a society, a human political system, which would make possible a truly human life.

From the founding of Massachusetts Bay Colony to the Declaration of Independence, from the first voyage of Columbus to the South American revolution of the 1820's, the idea of the new world has been both a dream and a battle cry on both continents.

On this common ground, we share one of the great visions and one of the great adventures in human history.

Now that alien forces in the world today have brought us closer together in danger and concern, let us not forget that we were—and we are—blood brothers in hope.

In their vision of a human society in a new world, our forefathers assumed that man need not be resigned to providence . . . that he could to some extent master his own environment.

As President Kennedy said, "That here on Earth God's work must truly be our own." That was a basic assumption in launching the Alliance for Progress—the framework of Inter-American policy today.

Since the signing of the Charter of Punta del Este six years ago, we have been acting on the premise that man can shape his environment . . . that radical improvement in the condition of ordinary people can be achieved through deliberate, systematic political action.

Just as hope brought men to the shores of our continents four centuries ago, so the hope which has been aroused by the Alliance for Progress spurs us on to create that truly human society of which we have always dreamed.

In pursuing this goal, the initiative and resourcefulness of private institutions are indispensable. A Center like this can stimulate the efforts of private groups . . . can provoke them to focus on the problems of the Hemisphere the best thinking, the most creative insights, that men and women anywhere in the Hemisphere have to offer.

Most important, it can spur them to action. Governments must deal with the problems and crises of today—and far too rarely does their preoccupation with the present permit adequate attention to the future.

Yet the very idea of a new world implies an orientation toward the future.

Never has such an orientation been more necessary than in Latin America today, where one-half the population is under 20 years of age.

This is a role which you as representatives of private institutions can play—through institutes such as the Center, through foundations, business groups, universities, labor unions, and churches.

As the Center for Inter-American Relations, you will face the temptation to deal chiefly with established institutions, to invite mostly well-known figures, to exhibit recognized artists, to accept the conventional wisdom of the day.

In confronting this temptation—which is a pervasive temptation for all of us—you must bear in mind that what appears to be an establishment may be only the temporary pinnacle of an "established disorder."

For many—particularly among the young—the establishment of today is not one which they aspire to join. It is an institution which they hope to see dismantled. I know the progressive and concerned Latin American leaders who are with us tonight not only recognize this fact, but that they are striving to build societies where the energies of the young will be devoted to constructive—and not destructive—ends.

In our contacts with Latin America we must give priority attention to the young leaders of the next decade. Some are on the scene. Others are yet to be identified.

To do this, it may be that a new edition of who's who will be required.

And in drawing up that revised who's who—we should avoid including only those who speak English, attend American Embassy receptions, or, if my friend George Moore will permit, have a sound credit rating at the First National City Bank.

The most imaginative, talented, and responsible Latin American leaders are not always the most North-American minded.

As you have long since known, if private institutions are to be on the cutting edge of history in this Hemisphere, both their vision and their programs must be bold.

They must venture into those sensitive but vital areas where the risks are high, the immediate visible results low, and the recognition long in coming.

The private sector's contribution is needed in the area of agrarian reform and land utilization . . . modernization and equalization of tax systems and market systems . . . reform of outdated state university systems, and in confronting the myriad problems of the modern metropolitan area—high unemployment, sprawling slums, clogged transportation systems, inadequate housing and hospitals, insufficient schools and teachers.

It is needed in training young people, in developing programs for the media of mass communication, in assisting the building of free trade unions in both urban and rural areas, in strengthening existing professional associations and creating new ones. The private sector must give attention to the ingredients of political and social development as well as economic development.

In the past two decades in the United States, the private sector has shown that it can effectively contribute to the resolution of the sensitive political and social issues of the day.

In the 1950's for instance, when fundamental American freedoms and institutions were called into question, private funds supported the creation of the Fund for the Republic which devoted itself to subject American institutions to searching scrutiny and to presenting their findings to the public at large. Similarly, the Southern Christian Leadership Conference was established with foundation support to assist in the resolution of the most tormenting social issue of our times—that of the relations between the races.

And now the private sector is becoming deeply involved in the unmet social needs of this nation—from rebuilding the crowded tenements of Harlem to liberating the prisoners of rural America's tarpaper shacks.

Yes, we are beginning to develop right here at home a creative partnership . . . an Alliance for Progress between free enterprise and representative government. And the lessons learned right here must be seized and put to work in other parts of the Hemisphere.

It is not necessary to review here the progress of our attempts to transform the Hemisphere the past six years through the Alliance for Progress. This was done at Punta del Este earlier this year where the Presidents of the Hemisphere met to assess our accomplishments and to plan for the future. They agreed that top priority for the next decade should go to institutional development, and the economic integration of Latin America.

The creation of a common market and the integration of Latin America entails breaking out of confining frontiers, reaching out to forge bonds of unity, and in unity gaining strength. But the process of creating a common market also entails difficult and painful adjustments in the fabric of established societies. It would be a great misfortune if the fear of these adjustments were to delay progress of the movement toward integration.

They agreed on the urgency of opening up the inner frontiers of the South American continent.

They agreed to consider the possibility of stimulating intra-regional trade through temporary preferential trading agreements.

They agreed on the urgency of accelerating the modernization of agriculture and the rural areas.

They agreed to facilitate the dissemination of technology through the establishment of new regional institutes.

They agreed to devote increased resources to health and education in every land.

All these initiatives must, and I am confident will, be pursued.

But beyond these material necessities, there are human necessities too.

It has, for instance, become customary to distinguish between behavior patterns in developed and developing countries of the world—and to apply this distinction to North America and to Latin America.

No one who has endured the agony of the past summer in the United States can place much faith in that distinction.

For we have seen what happens when a small but aroused minority, awakened to full consciousness of its condition, and cut off from the bonds of society, is misled by demagogues into seeing its only outlet in anarchy and violence.

Thus, when we speak of the integration of Latin America as of the Hemisphere, we must concern ourselves not only with the economic integration of a continent, but with the integration into society of millions of human beings who are becoming conscious of their condition . . . who are no longer resigned to their fate on the margin of society.

Given the conditions of everyday life in many parts of Latin America, what is a tiny minority in this country could be a dangerous and broad movement—or a majority—in other countries of the Hemisphere.

Most nations in Latin America have made progress during this decade in achieving economic growth and social justice.

But progress has brought with it increased tensions that spring from hopes yet unfulfilled, from rising expectations not met fast enough. This should neither surprise nor discourage us. We knew that the hopes and expectations which the Alliance would arouse could not all be met in the immediate future. What can be accomplished in a material sense in a short period of time will always fall short of expectations.

What is important is that we be prepared to give convincing evidence that progress is being made, that material betterment is on the way, that there is reason for believing that the unmet problems of society will be solved in the future.

We must be able, in short, to provide the politics of hope and of faith.

What concerns me, as I look toward the next decade, is that progress may not be fast enough to sustain the hopes that have been aroused . . . that the newly awakened millions will reject the alternatives of peaceful change and accept instead the leadership of those who glorify violence and who seek not to change society but to destroy it.

"We hope vaguely", said Valery, "but we dread precisely."

I raise this question with the full realization that more has been done in the past decade in most countries than in the previous five decades.

More has been done by two United States administrations in this decade than ever before.

More resources have been devoted to Hemisphere programs during the past three years than the previous three.

And President Johnson has made unmistakably clear his determination—regardless of any temporary setbacks—to continue the large-scale commitment of resources of the United States to the Alliance for Progress program. As he stated last month: "We will persevere. There is not time limit on our commitment." And at Punta del Este: "Economic and social development is a task not for sprinters but for long-distance runners."

But I would like to be more confident that our efforts—those of all of us throughout the Hemisphere—are of a magnitude equal to the task. I would like to be more confident that the spreading guerrilla movement in some countries, the "radicalization of the left" in others, represent a temporary phase and not a long-range condition.

I would like to be more confident that the increase in gross national product is improving the lives of those who are most in need; that the majority of the coming generation sees in progressive political democracy a system to be preserved and perfected—and not a vestige to be discarded.

I would like to be more confident that the enormous contribution which a competitive free economy can make to economic and social development is widely understood; and that the advanced trading nations of the world are prepared to adjust world trade policies to reflect the needs of the less advanced nations of the world.

I would like to be more confident that the members of the Organization of American States will improve its machinery and institutions to make it work, in times of trouble as well as tranquility. As we face the next decade, we are more aware today than five years ago that the economic progress we seek, and the social justice we aspire to, can be securely achieved only where political institutions are strong and where political leadership is secure.

Until ways are found to strengthen the political fabric of our Hemisphere . . . to perfect the institutions which are the substructure of a stable political system, we can have no assurance that the economic and social modernization will proceed without interruption.

Political development in our Hemisphere during the next decade must also focus on the expansion of the inter-American system, the inclusion of new nations or groups of nations, the possible return of old ones.

In the Caribbean, the future course to insure the development of small states with limited resources will require a political inventiveness and creativity that is not yet assured. Can these states provide the economic and social necessities of a modern nation through federation?

Or must they find some other relationship to the mainland—through independence, commonwealth status, or other ties?

Given our special and historic concern with the Caribbean, we will not be able to envision its stability so long as one nation remains not only outside the inter-American system, but intent on that system's destruction. We hope for a return of the policy of the "Good Neighbor" to the Caribbean. But it will not return until the policy of "leaving one's neighbors alone" is applied by Havana. Until Cuba is prepared to leave her neighbors alone, to suspend the activities and the connections that led to her expulsion from the American family, there can be no return to participation in the inter-American system.

To our neighbor to the North, Canada—which is celebrating its centennial year—we express the hope that it will, in the future, choose to play a more active role in the affairs of the Hemisphere, so that all may benefit from the talents and energies which the Canadian people have displayed in their vast and beautiful land.

At the outset of my remarks, I referred to the enduring bond between the Americas stemming from our belief and participation in the new world. This should not lead us to overlook what may prove to be an even more enduring and cohesive inheritance—the Western civilization which the new world shares with the old.

Our efforts to perfect the inter-American system, to foster Hemisphere unity, should not be defined in any exclusive sense that would discourage a greater European contribution to the political, cultural, social and economic life of the Americas. For all of us in this Hemisphere are, in a sense, the children of Europe.

And thus we welcome Europe in our Hemisphere, not as a rival for power, but as a partner for progress. We welcome Europe because, like all men who carry a proud inheritance—we know from whence we came.

And we look forward to the time when Latin America may one day assume her role as equal partner of both Europe and North America in the long and enduring search which has really only begun—the search, all over this earth, for a new human chance . . . a truly just and human environment . . . a new world.

A century ago, the Argentine poet José Hernández wrote: "America has a great destiny to achieve in the fate of mankind . . . one day . . . the American alliance will bring world peace . . . America must be the cradle of the great principles which are to bring a complete change in the political and social organization of other nations."

That vision can be fulfilled. A new world can be made.

I give you Franklin Roosevelt's last words: "The only limit to our realization of tomorrow will be our doubts of today. Let us move forward with a strong and active faith."

Mr. Speaker, we all wish for the center a remarkable future.

CORN CROP OPTIMISM MISPLACED

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Zwach] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ZWACH. Mr. Speaker, I have just returned from an 1,800-mile automobile and bus trip through the prime corn-growing area of the Midwest, part of the time as a member of the Committee on Agriculture factfinding tour.

I have been a farmer, a real black-dirt farmer, all of my life. When I drive through farm country I am on familiar ground, I know what I see.

Mr. Speaker, nowhere, on that 1,800-mile trip, did I see anything to bear out the prediction of the Department of Agriculture that we would have another record corn crop.

In Minnesota and Iowa, the corn crop is weeks behind schedule, and in Minnesota at least, the threat of frost is imminent. In Illinois, reports are that the crop is 2 weeks behind.

What I have seen, what I have observed in the light of my years of experience on the farm, certainly does not warrant an optimistic report. On the contrary, the farmer, faced with a crop in danger of frost, now is faced with the possibility of a depressed price because of the forecast of a heavy crop made by the Department of Agriculture.

In other years when such predictions were made just prior to harvest, the prices declined in the light of the forecast. On our recent factfinding tour, one farmer told me that his local elevator had offered him a price of 55 cents per bushel for his corn over the cost of drying. Mr. Speaker, these are bankruptcy prices.

Whatever index is used shows that the farm prices are down, disastrously so. At a recent meeting of the Committee on Agriculture factfinding group in Willmar, Minn., in the Sixth Congressional District, Chairman Poage said that farm prices this past spring were at their lowest in 33 years.

Mr. Speaker, I contend that our farmers have enough difficulties with the cost-price squeeze without having them pyramided by unrealistic and price-depressing predictions by the very group charged with their welfare, the U.S. Department of Agriculture.

TAX REFORM LEGISLATION INTRODUCED

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Brock] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BROCK. Mr. Speaker, the more complex and impersonal big government gets, the more important it is that every citizen be protected against violations of his rights. The bill which I offer today will provide much needed protection for the average taxpayer. Anyone who has ever struggled with the Federal Tax Code—930 pages of confused and complicated regulations, exceptions, and preferences—will realize the need for new legislation to help out the small taxpayer.

This legislation would authorize the Tax Court to appoint 20 Small Tax Commissioners, two for each tax circuit. Any citizen who is assessed a deficiency—or who has a refund claim—of less than $2,500, and who feels that the issue is contestable, would be entitled to go before the Small Tax Commissioner in his own behalf, without incurring the expense of a lawyer or accountant. He would be assured that his case would receive a fair and sympathetic hearing since the Commissioners would be completely independent of the Internal Revenue Service.

I have encountered many disturbing reports of how some Internal Revenue agents have confused and intimidated taxpayers in the middle and lower income brackets. That such a thing could happen in America is a disgrace. No U.S. citizen should ever have to fear mistreatment at the hands of his own Government's officials. To guard against any future abuses, and to guarantee that any disputes between citizens and the Internal Revenue Service will be settled in a fair and efficient manner, I am introducing this long-overdue reform to our existing tax laws.

FREEDOM OF SPEECH

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Wyman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. WYMAN. Mr. Speaker, it is difficult to understand the motivations of those non-Communists who deliberately abuse our precious freedom of speech in this land by inciting to crime. The first amendment to the U.S. Constitution says merely that Congress shall make no law abridging freedom of speech. Court decisions have extended this to mean that advocacy of criminal conduct may not be abridged if it does not incite to the commission of an overt act of crime.

A new judicial definition is sorely needed here to restrict that element of speech that is demonstrably connected with violence and anarchy. Freedom of speech does not and cannot mean the right to destroy freedom itself. Neither ought the Constitution be so wrongfully interpreted as to constitute the first amendment a license to destroy our system.

Writing in the American Bar Association Journal as a psychiatrist and expert in the field of motivation, Dr. Lawrence C. Salvesen, of West Concord, Mass., has made certain recommendations that would be helpful in achieving a responsible balance in this regard. I commend his statement to the attention of all concerned with this important problem:

RIGHTS OF INDIVIDUALS, NOT EGOISTIC INDIVIDUALISM

(By Lawrence C. Salvesen, M.D.)

As a psychiatrist with several years' experience with courts and treatment centers for delinquent youth, I am appalled at the example and philosophy set by many adults, especially many lawyers, judges and members of the American Civil Liberties Union, who are so obsessed with the "rights" of the individual that they lose sight of his obligations to respect the rights of others. There must be a *balance* between the rights of the individual and the rights of society, and that balance must be guarded responsibly by both prosecution and defense. To this effect the *spirit* of the law must come first, not the letter. Those who hairsplit and are obsessed with the letter of the law often succeed in fostering the art of corner-cutting, manipulating and more successful delinquency.

1. Free speech must be responsible speech, along socially acceptable, productive channels. There can be no room for assaults upon people, property, the law and those things which symbolize our system of dissent under law. Burning effigies of politicians is grossly bad taste, but is limited in implication. Burning one's draft card may show that a young man does not wish to kill, but he may still function productively in some other social role such as working in a hospital. But burning the flag or the Constitution is an attack upon the entire foundation of our social-political system, poor as it may be, but the best man has been able to develop over thousands of years.

2. There must be a more uniform, reasonable and pedagogically educated approach to youth before the courts. The philosophy of appointing a lawyer for all children for all nature of offenses is absurd and will succeed in teaching how to evade the law rather than how to fit into a constructive social role.

3. To throw out of court all criminal confessions or apprehensions obtained by police without informing the suspect of his rights or without getting a warrant is extremely dangerous. It is also unreasonable to expect a policeman always to be so detached and analytical when at great danger to himself he captures the perpetrator of an act of violence. Police are human too, and many have wives and children depending on their staying alive. If under such pressure a policeman engages in search and seizure or obtains a confession, in many cases, it is more appropriate to punish the criminal anyway, and, if circumstances indicate, reprimand and punish the policeman as well.

A hundred years ago so many people believed in states' rights over federal rights that they were willing to fight a civil war for their convictions. We are now almost at the same low level; now the community of individuals is the victim of the egoistic individualist. The proponents of individual license must wake up to reality. Man cannot live alone. Every criminal act, every violation of the system of dissent through law, is an act even against them, their families and the entire social system.

RAT CONTROL AMENDMENT—A SUPERIOR APPROACH TO PREVIOUSLY REQUESTED LEGISLATION

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Grover] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GROVER. Mr. Speaker, some weeks ago the House rejected the so-called rat control bill, by refusing to pass the resolution to bring the legislation to the floor for debate. During the discussion many remarks of ridicule were made by ardent opponents of the bill.

Although I did not join in the debate I voted against the rule. The bill created a new agency to duplicate existing programs of rat eradication and control already carried on under Federal auspices.

The vote was widely misinterpreted by the news media as a callous reaction without compassion for the residents of areas infested by rats. This, of course, was not so, since most who voted against the legislation did so with firm convictions that it was not good legislation.

My statements to the press and other news media defended the House, but suggested that if the need was there for extended Federal participation in local eradication and control, then the proper approach was to "beef up" existing programs. This we have done today by amendment to the health partnership legislation before us.

I was pleased to vote "aye" on this amendment, consistent with my position of some weeks ago, that the proper procedure was to expand existing programs where needed.

WONDERFUL WISCONSIN WEEK

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. Laird] is recognized for 10 minutes.

Mr. LAIRD. Mr. Speaker, this week from September 17 to 23 is being observed throughout my home State of Wisconsin as "Wonderful Wisconsin Week." It is a weeklong promotional program emphasizing the assets and attributes of Wisconsin.

The purpose of this statewide salute to Wisconsin is to call attention to those qualities which have made it a desirable place in which to work, live, and vacation. The program is being conducted through local chambers of commerce and several statewide organizations.

Mr. Speaker, the people of Wisconsin are very proud of our State and of its many assets. During "Wonderful Wisconsin Week" there will be activities in all areas of the State and while these programs will be promoting the State's assets, they will at the same time be saluting the people in industry, agriculture, education, and government who are responsible for making Wisconsin such a desirable place in which to live, work, and play.

Mr. Speaker, the symbol of "Wonderful Wisconsin Week" is that confident, cocky, chesty figure named "Bucky Badger." "Bucky," who once was confined solely in sports, today is used to picture the State's high spirits in a number of fields.

Each day in "Wonderful Wisconsin Week" has its own particular emphasis and will be celebrated in all communities.

Last Sunday was Heritage Day; Monday was Education and Youth Day; Tuesday, Government Day; Wednesday through Friday are Wisconsin-at-Work Days; and Saturday will be Hospitality Day.

Today, tomorrow, and Friday, "Wisconsin-at-Work" days offer industry and business a rare opportunity. During this time open houses, plant visits, and special displays will be encouraged.

Mr. Speaker, "Wonderful Wisconsin Week" is designed to give a tip of the hat to companies that are expanding and a helping hand to those which are starting; at the same time it offers opportunities to plug Wisconsin products, workmanship, and decisionmakers. Our esteemed Governor, Warren P. Knowles, the State chamber of commerce, and all participating organizations deserve hearty congratulations for bringing a wonderful concept to fruition in "Wonderful Wisconsin Week."

CUBA AND THE 12TH INTER-AMERICAN MEETING OF CONSULTATION OF FOREIGN MINISTERS

The SPEAKER. Under previous order of the House, the gentleman from Alabama [Mr. Selden] is recognized for 60 minutes.

Mr. SELDEN. Mr. Speaker, I ask uanimous consent to revise and extend my remarks and include extraneous matters, charts, and tables.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, the understandable preoccupation throughout the Nation with Vietnam seems to be anesthetizing public and official attitudes toward developments elsewhere.

As chairman of the Subcommittee on Inter-American Affairs, I am particularly conscious of a degree of apathy toward the Meeting of Consultation of Foreign Ministers of the American States which will convene at the Pan American Union on Friday of this week—September 22.

The conference stems from a Venezuelan request that the Organization of American States consider the serious situation confronting the member states as a result of Cuba's persistent subversive and terrorist activities in the hemisphere. Venezuela brought its charges to the OAS after again catching Cuba redhanded in its pernicious attempts to undermine Venezuela's democratic institutions.

On June 19 the OAS Council appointed a five-man Committee to investigate Venezuela's charges. The Committee's report gives a graphic account of Cuba's latest aggression against an American nation. According to the report, early in May a motorship sailing from Santiago, Cuba, and manned by a Cuban crew, transported seven Cubans and nine Venezuelan guerrillas equipped and armed in Cuba to the coast of Venezuela some 70 miles east of Caracas. When one of the two launches that landed the Venezuelans was unable to return to the mother ship because of high waves, the four Cubans who manned the launch had to swim to shore. One was killed on May 11 by Venezuelan army personnel, two were captured, and the fate of the fourth is unknown. The Venezuelan guerrillas escaped capture and presumably joined their comrades operating in nearby mountains.

Particularly startling is the revelation that the Cubans who participated in the subversive mission are members of the Cuban Armed Forces.

In the almost 4 months since Venezuela appealed to the Organization of American States, I have noted a certain resignation with respect to what the OAS can accomplish to halt Cuban provocations. For example, James Nelson Goodsell stated in the Christian Science Monitor on July 5:

> The question remains: What form of condemnation is possible, since the OAS has taken virtually every action against Cuba permitted under the 1947 Rio Treaty of Reciprocal Assistance—except that of outright invasion of the island, and such a step at this time appears highly unlikely.

Jerry O'Leary, writing in last Sunday's Washington Star, declares that the final resolution of the foreign ministers' conference "will land more lightly on Castro than a feather." According to O'Leary:

> The OAS has no lack of evidence to support the moral indictment of the Havana regime, including the open declarations of both the Cuban Government and the Latin American Solidarity Organization. More concretely, there are the statements of live Cuban agent provacateurs, gun caches traceable to Cuba and the sporadic bloodshed that still continues in Colombia, Venezuela, Guatemala, Nicaragua and Bolivia between Castroite gangs and the national forces.
>
> In spite of clear evidence that Castro is an acknowledged aggressor, the OAS can agree openly on little more than an effort to mobilize world opinion against him and to hint broadly to nations trading with Cuba that such commerce is profoundly distasteful.

Goodsell's and O'Leary's comments accurately reflect the prevailing climate in OAS circles.

I have seen no indications that we are going into the meeting of consultation prepared to effectively confront the issues Venezuela has raised.

It may be that the war in Vietnam so overshadows developments elsewhere, so consumes the time of key officials in the State Department and the White House, that no one has given much thought to new concrete measures to halt Cuba's subversion in Latin America.

It may be that the actions emanating from Cuba seem so feeble compared with Vietcong depredations that forceful collective measures against Cuba appear unnecessary.

It may be that, given the overwhelming demands of Vietnam, we have little heart for another frustrating round of trying to reconcile the divergent views of the Latin American countries to get agreement on meaningful collective action.

Or it may be, as has been suggested to me, that this is Venezuela's show and that it is felt that results will be achieved more readily if the Latin Americans themselves take the initiative.

Whatever the reasons for the apathetic approach to the 12th meeting of consultation, certain facts must be kept in mind.

Since 1960, Venezuela has been a primary target of Communist subervsion directed and supported by the Castro regime in Cuba. Initially, the Communists resorted mainly to urban terrorism and sabotage of oil installations. For more than 2 years bombings and killings were almost daily events in Caracas. The Communist objective was to create enough turmoil to discredit the democratically elected Betancourt government and to provoke a military coup.

In 1963 the Venezuelan authorities discovered a 3-ton arms cache and a plan to use the smuggled weapons to capture the city of Caracas while the Venezuelan army was guarding polling places throughout the country during elections. Cuban involvement in the plot led the OAS to invoke diplomatic and economic sanctions against Cuba.

But still Cuba persisted. In 1964 the Communists shifted operations in Venezuela from urban to rural areas. By the end of that year guerrilla bands were operating in remote regions in eight of Venezuela's 20 states. In addition to guerrilla actions, the Communists resorted to frequent acts of terrorism and sabotage including the assassination of Government officials, members of the armed forces and the police, farmworkers, and other private citizens; attacks on farms, private homes, business establishments; and the destruction of oil pipelines and other public and private installations.

In December 1966 the Venezuelan Government decided to crack down on the Central University in Caracas. Caracas University, like many other Latin American universities, enjoyed autonomy and extraterritoriality, a status many Latin Americans consider essential to academic freedom. With police forbidden to enter the campus, Communists had converted the grounds into a sanctuary for terrorists. One dormitory at Central University was dubbed "Stalingrad" by foreign correspondents because it had become an armed camp into which young, and not so young, terrorists fled to escape the police. When Venezuelan Army troops occupied Central University they seized 20 machineguns, quantities of smaller weapons, hand grenades, ammunition, military and police uniforms, false passports, a Cuban flag, guerrilla films processed in the Soviet Union, and files on guerrilla units based in the mountains.

Presently, two guerrilla bands operate in Venezuela, one in Falcon state to the west of Caracas and one in the El Bachiller range to the east. It is estimated that there are about 450 active guerrillas.

While Venezuela has been the main target of Cuban-Communist subversion, several other countries have been singled out for guerrilla operations. In Colombia, two main guerrilla bands operate; the Army of National Liberation has some 100 men in the northeast while the Colombian Revolutionary Army has perhaps double the number in the southwest. The level of violence in Colombia has been higher than during 1966. In March and April, for instance, Communist guerrillas killed over 50 security force personnel in five widespread incidents, including ambush of army patrols, an attack on a police post, and a train robbery.

In Guatemala there are two guerrilla groups totaling about 300 men. During 1966 sporadic attacks against Guatemalan Government installations and army convoys in a mountain region in eastern Guatemala, coupled with urban terrorism and kidnapings, seriously threatened the nation. The death in an automobile accident of Turcios Lima, colorful leader of one of the guerrilla groups, as well as stepped-up counterinsurgency measures, have reduced the guerrilla's effectiveness, at least temporarily.

The latest guerrilla movement is in Bolivia, in rough jungle terrain in the southeastern portion of the country. In March, a 22-man Bolivian Army patrol was ambushed just north of the mining camp of Camiri and seven were killed. An encounter between army forces and guerrillas in the same general area in April demonstrated that the insurgents are well armed and trained. It is in that vicinity that a French Marxist, Jules Regis Debray, was captured. I shall have more to say about Debray later.

Mr. Speaker, from April through June, the Subcommittee on Inter-American Affairs held a series of hearings on Communist activities in Latin America. One salient fact emerged: Fidel Castro is determined to extend guerrilla activity throughout Latin America.

Subsequently, from July 28 to August 11, Castro hosted a meeting of the Latin American Solidarity Organization. The Cuban-sponsored LASO consists of representatives of 27 Communist and extremist movements in Latin America. Formed after the Tricontinental Conference of January 1966, LASO represents Castro's chosen instrument for generating violence throughout the region.

It has been reported that President Johnson and Soviet Premier Kosygin discussed Cuban aid to Latin American guerrillas in their June Glassboro meetings. According to Vice President HUMPHREY, President Johnson told Kosygin that the United States "took a very dim view" of Cuba's export of arms and activists to neighboring countries. Kosygin was asked to take up the matter with Castro in Havana and, according to Vice President HUMPHREY, "he did, and very firmly."

If the Soviet Premier did admonish Castro about Cuba's subversive actions in the hemisphere, the lecture has had no effect. Indeed, at the LASO Conference, Castro made clear that he no longer would be content with the role of a Soviet satellite. Instead, Castro rebuked the Soviet Union for seeking peaceful trade relations with the very countries whose governments he is determined to overthrow, and he was contemptuous of the traditional Communist Parties in Latin America for pursuing the classic Soviet approach of organizing cells, organizing workers, agitating, and spreading propaganda.

At the very time Communist-bloc trade delegations were fanning out in search of trade relations in Latin America, Castro declared in his final address to the conference:

> Let no one dream that he will achieve power peacefully in any nation on this continent . . . The essence of the matter lies in whether the masses are to be made to believe

> that the revolutionary movement—that socialism—is going to achieve power peacefully. This is a lie, and those who say in any place in Latin America that they are going to achieve power peacefully will be deceiving the masses.

On the eve of the LASO conference, Pravda published an attack on Castro's theory of "revolution now" written by Luis Corvalan, leader of the Chilean Communist Party. Mr. Corvalan invoked Lenin in his article to show where the Russians think Castro's approach is wrong:

> Lenin warned against the danger of adventures which, as a rule, lead to the useless loss of valuable lives of revolutionaries and to a retreat of that movement.

The majority of the orthodox Communist leadership in Latin America boycotted the LASO conference. In several cases the parties split, with the extreme militants sending a delegation to Havana.

Although Communists of the Moscow persuasion were outnumbered at the conference, enough information has leaked out of the secret working sessions to indicate that they put up a defense for the orthodox Communist approach. In the end, however, LASO adopted Castro's demand for guerrilla "wars of liberation" to rid Latin America of "Yankee imperialism."

The final LASO resolution is a manifesto for violence. Here are a few samples:

> Essentially, the most effective form of solidarity consists of the struggle in one's own country. Each new fighting front which is opened and strikes at imperialism is a contribution to the defeat of the reactionary forces.
>
> The practice of solidarity in Latin America must be directed particularly toward the peoples who are engaged in armed combat against imperialism . . . for the liberation of all the peoples of the continent will depend on the success of the revolutionary armed movement.
>
> Effective solidarity must also be expressed in material, concrete aid for the armed movements, as well as by publicizing the struggles in those countries where the degree of confrontation with imperialism is most acute.

Castro's theory for conquest of Latin America is spelled out in a small volume entitled "Revolution in the Revolution," written by Jules Regis Debray, a 26-year-old French Marxist who has held a chair in philosophy at Havana University since last year. According to Debray's French publisher, the book was read and checked by Fidel Castro before it appeared. According to the foreword in the English edition, Debray "has succeeded in presenting to the world an accurate and profound account of the thinking of the leaders of the Cuban revolution."

Doubtless Debray does faithfully represent Castro's and Guevara's views on revolutionary theory and practice. As such, his book presents a clear blueprint of Cuban designs in the Western Hemisphere. It is a chilling compendium of systematic violence, absolutely devoid of human compassion or respect for life. Nowhere does he discuss the purposes of revolution; in fact, he is contemptuous of the peasants in whose interests the violence is ostensibly advocated. His single purpose is seizure of power by bloodshed for the imposition of Communist regimes.

Debray finds both the Moscow and Peking-North Vietnamese tactics unsuitable for Latin America. He urges revolutionaries to look to the Cuban experience for inspiration. Debray outlines the lesson Havana teaches with cold precision:

> (1) Guerrilla warfare is the only effective way to start a revolution;
>
> (2) Insurrection must be launched by a very small band of men, in the most inaccessible terrain; they must keep constantly on the move;
>
> (3) The guerrilla band must avoid contact with the local population as much as possible, neither seeking its help nor seeking to protect it against reprisals. Secrecy must be absolute. It should not set up permanent installations since providing for its own needs hampers mobility. It should supply itself by occasional forays on neighboring towns;
>
> (4) The ultimate goal is seizure of power; the immediate goal is a maximum of military action.
>
> (5) The first aim of action is to capture weapons from the authorities. The second is to demonstrate power to the peasants, who are not impressed by words, however inflammatory. Peasants are impressed when the rebels kill officials, and will join the movement when they are convinced this can be done effectively;
>
> (6) Forget political programs which only weaken the movement. Military action creates a revolutionary movement, not the other way around. The military leaders must have complete control.

Debray's recent capture in Bolivia in the midst of the newest outbreak of guerrilla activity in the hemisphere strongly suggests that Debray was participating in a practical demonstration of Havana's "third way" to Communist power.

Nor can we take comfort from the fact that Moscow and Havana are squabbling over tactics. The major prop under Cuba's sagging economy is still the $360 million in economic aid that the Soviet Union provides annually. But it is unlikely that Moscow will abandon its only Communist beachhead in the Western Hemisphere because of a dispute over strategy. Castro, in clashing with the Soviet position, obviously figures it's safe to nip the hand that feeds him.

Above all, Moscow's and Havana's goals remain the same—seizure of power and the installation of Communist regimes throughout Latin America hostile to the United States. Soviet theoreticians may believe that Cuba's "third way" is doomed to costly failure, and old-guard Communist leaders in Latin America may resent and reject the young guerrillas who look to Havana for support, but any extremist activities that weaken the region can only be welcomed by the Kremlin.

It is against this background that the Foreign Ministers of the American States will conduct their 12th meeting of consultation.

In the past I have been critical of the slowness of the inter-American security system to face up to the threat of Castro-communism. However, I was heartened by the toughening attitude of the Foreign Ministers at the ninth meeting of consultation in July 1964. At that meeting, the American states finally recognized that Cuban-inspired subversion constituted "aggression" within the terms of the Inter-American Treaty of Reciprocal Assistance. Once that juridical obstacle was hurdled, the meeting of consultation voted to invoke against Cuba the sanctions provided in the treaty; that is, severance of diplomatic and consular relations; suspension of all trade, except in foodstuffs, medicines, and medical equipment that may be sent for humanitarian reasons; and the suspension of all sea transportation between the member countries and Cuba, except as may be necessary for humanitarian reasons.

The final act of the ninth meeting of consultation also urged other states "that are animated by the same ideals as the inter-American system to examine the possibility of effectively demonstrating their solidarity in achieving the purposes of this resolution." In effect, the American Republics asked the cooperation of our non-Western Hemisphere allies in making effective the trade quarantine of Castro's Cuba.

The ninth meeting of consultation also warned the Government of Cuba, and I quote:

> That if it should persist in carrying out acts that possess characteristics of aggression and intervention against one or more of the member states of the Organization, the member states shall preserve their essential rights as sovereign states by the use of self-defense in either individual or collective form, which could go so far as resort to armed force, until such time as the Organ of Consultation takes measures to guarantee the peace and security of the hemisphere.

Meanwhile Castro has made clear his defiance of the Organization of American States. Indeed, he has openly declared subversive war on the hemisphere.

Involvement of members of the Cuban Armed Forces in the episode that inspired Venezuela to bring the matter to the OAS once again indicates how determined the Cuban Government is to export Communist revolution to the Continent.

Admittedly Castro's tactics do not at this time constitute a physical threat to the United States or for that matter to such nations as Mexico, Argentina, or Brazil. Even in those countries that have been targeted for Cuba-supported insurgency, the government may not, for the moment, be in any real danger of being overthrown.

Nevertheless, the guerrilla operations and the incessant kidnapings, bombings, assassinations, and robberies inspired and supported by Cuban agents and exhortations constitute more than a petty annoyance to those countries which must endure them. Beside the tragic loss of lives and property, such actions complicate the already monumental task of bringing economic and social progress to societies in transition. They create fear and instability, driving out domestic capital and talent and inhibiting foreign investment. They force the diversion of precious resources to counterinsurgency and police operations. They absorb the attention of public officials and deflect their efforts from pressing social and economic development tasks.

Does an American nation undergoing aggressive harrassment have to wait until its situation becomes as spectacular as in Vietnam before the inter-American regional system will exercise its security functions? After all, the purpose of the OAS is to prevent conditions from deteriorating to the point where frantic measures are necessary.

We should ask ourselves how long the United States would tolerate the kind of hostile incursions other nations in this hemisphere are being subjected to by Castro's arrogant lawlessness. I do not think we would stand still for long while the OAS debated over whether the collapse of our Government was imminent enough to warrant collective action.

It is not inconceivable, then, that the patience of other countries may one day snap, and that they will decide to resort to individual action to assure their own tranquility. Who could fault them?

The end result could be the tragic collapse of the entire framework for maintaining hemisphere peace and security, with each American nation scurrying to beef up its armed forces as the carefully constructed inter-American legal inhibitions on resort to force unravel.

Obviously, the sanctions adopted by the ninth meeting of consultation have not caused the Cuban Government to desist from its aggressive actions. But there is no reason to denigrate the efforts of the OAS or to lose heart in the efficacy of collective measures. The OAS economic denial policy and diplomatic isolation have helped measurably to reduce the ability of Castro and his cohorts to pursue their nefarious activities in the hemisphere.

What is needed now is an examination of the weaknesses in the sanctions demonstrated by experience, and a determination to remedy those weaknesses and intensify the pressures.

For the foreign ministers to come up with a final resolution "as toothless as an Amazonian anteater," as Jerry O'Leary predicts in Sunday's Washington Star, would be a shameful and tragic admission of impotence. Those members of the OAS who have not themselves felt the brunt of Cuba's machinations, or who feel smug comfort in their ability to handle their own extremists, or who secretly expect the United States to rescue a threatened neighbor—while they publicly decry unilateral U.S. intervention—are inviting the demise of the hemisphere collective security system.

I am convinced that the American Republics have not exhausted all collective measures, short of armed force, to reduce Cuba's capacity to export violence.

Consider the policy of economic denial adopted by the ninth meeting of consultation in 1964. While the policy is effective insofar as direct trade and shipping between Cuba and member countries are concerned, nonmember trade and shipping with Cuba presents a serious problem.

Of Cuba's trade, about $1.58 billion in 1966, about 77 percent, was with the Soviet Union and Eastern Europe, including about $370 million in Soviet aid in the form of long-term credits and sugar price subsidies. The remaining 23 percent was with non-Communist countries outside the hemisphere, or about $360 million in 1966. A portion of this trade was financed by government guaranteed exporter credits.

In order of importance, the countries trading with Cuba were Spain, Canada, the United Kingdom, Japan, France, the United Arab Republic, the Benelux countries, Morocco, Italy, Sweden, and West Germany.

At this point I would like to insert for the RECORD a table showing the dollar amounts of the trade of these countries with Cuba in 1966:

[In millions of dollars]

	Export to Cuba (f.o.b.)	Imports from Cuba (c.i.f.)
Spain	79.0	38.0
Canada	[1] 66.0	5.0
United Kingdom	23.0	13.0
Japan	6.0	23.0
France	15.0	10.0
United Arab Republic	6.0	17.0
Benelux	14.0	8.0
Morocco	7.0	13.0
Italy	10.0	9.0
Sweden	3.0	8.0
West Germany	6.0	1.0

[1] About $48,000,000 of this is for wheat and flour sold to the Soviet Union on behalf of Cuba.

Restrictions in the U.S. Foreign Assistance and Food for Peace Acts against furnishing any assistance to countries trading with Cuba have served as a deterrent in many of the less-developed countries. Meanwhile, some other countries have heeded the 1964 OAS call for cooperation in the economic denial policy and the subsequent diplomatic approaches by the United States and several Latin American countries.

But it is evident that the principal limitation upon countries engaged in the Cuban trade has been largely Castro's insufficient funds. Those Western European countries who are heavily engaged in the Cuban trade are enabled to do so through the extension of Government-guaranteed credits.

Spain has sold Cuba a large number of ships ranging from several 10,000 tonners to fishing trawlers, extending about $40 million in credits for the ship deal.

France is another big giver of credit to Cuba, providing about $35 million in Government-guaranteed credits for earthmoving equipment such as bulldozers and roadgraders.

The United Kingdom is furnishing between $40 and $50 million in Government-guaranteed exporter credits for the construction of a fertilizer plant in Cuba.

There has been greater success in dissuading free world shipping from plying the Cuban trade, and U.S. denial of Government cargoes and bunkers to ships in that trade has been a factor. Nevertheless, some 270 free world vessels have arrived in Cuba since January 1, 1963, based on information received through August 30, 1967. At this point, I would like to include for the RECORD the list of those free world ships compiled by the Maritime Administration in compliance with legislation making listed vessels ineligible to carry U.S. Government-financed cargoes from the United States:

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

Section 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through August 30, 1967, exclusive of those vessels that called at Cuba on United States Government-approved noncommercial voyages and those listed in section 2. Pursuant to established United States Government policy, the listed vessels are ineligible to carry United States Government-financed cargoes from the United States.

Flag of registry and name of ship	*Gross tonnage*
Total, all flags (270 ships)	1,943,181
British (76 ships)	574,419
Amalia (now Maltese)	---------
Amazon River (broken up)	7,234
Antarctica	8,785
Arctic Ocean	8,791
Ardenode (now Tynlee, Panamanian)	7,036
Ardgen (now Kelso, British)	6,981
Ardmore (now Kali Elpis, British)	4,664
Ardpatrick (now Haringhata, Pakistani)	7,054
Ardrossmore	5,820
Ardrowan	7,300
Ardsirod (broken up)	7,025
Ardtara (now Rosetta Maud, British)	5,795
Arlington Court (now Southgate, British)	---------
Athelcrown (tanker)	11,149
Athelduke (tanker, broken up)	9,089
Athelknight (tanker, broken up)	9,087
Athelmere (tanker)	7,524
Athelmonarch (tanker)	11,182
Athelsultan (tanker, broken up)	9,149
Avisfaith	7,868
Baxtergate	8,813
Cheung Chau	8,566
Chipbee (broken up)	7,271
Cosmo Trader (trips to Cuba under ex-name Ivy Fair, British)	--------
Dairen (now Agate, Panamanian)	4,939
East Breeze (now Maulabaksh, Pakistani)	--------
Eastfortune	8,789
Eastglory	8,995
Elicos (broken up)	7,134
Formentor (now Dorine Papilios, Cypriot)	--------
Fortune Enterprise	7,284
Free Enterprise (now Cypriot)	--------
Free Merchant (now Cypriot)	--------
Garthdale (now Jeb Lee, British)	7,542
Glenmoor	7,792
Grosvenor Mariner (now Red Sea, British)	--------
Hazelmoor	7,907
Helka (now Anna Maria, Greek)	2,111
Hemisphere	8,718
Ho Fung	7,121
Huntsfield	9,483
Huntsland	9,353
Huntsmore	5,678
Huntsville	9,486
Inchstaffa (now Nankwang, British)	5,255

Flag of registry and name of ship—Continued	*Gross tonnage*
British—Continued	
Inchstuart	7,043
Ivy Fair (now Cosmo Trader, British, broken up)	7,201
Jeb Lee (trip to Cuba under ex-name Garthdale, British)	--------
Jollity	8,660
Kali Elpis (trips to Cuba under ex-name Ardmore, British)	--------
Kelso (trips to Cuba under ex-name Ardgem, British)	--------
Kinross	5,388
La Hortensia	9,486
Linkmoor	8,236
Loradore (now Aliartos, Greek)	8,078
Magister	2,339
Nancy Dee	6,597
Nankwang (trip to Cuba under ex-name Inchstaffa, British)	--------
Nebula	8,924
Newdene (now Free Navigator, Cypriot)	--------
Newforest (now Cypriot)	--------
Newgate	6,743
Newglade	7,368
Newgrove (now Cypriot)	--------
Newheath	7,643
Newhill	7,855
Newlane	7,043
Newmeadow (now Cypriot)	--------
Newmoat	7,151
Newmoor	7,168
Oceantramp	6,185
Oceantravel	10,477
Peony	9,037
Phoenician Dawn (now Maulabakash, Pakistani, previous trips to Cuba under ex-name East Breeze, British)	8,708
Red Sea (previous trip to Cuba under ex-name Grosvenor Mariner, British)	7,026
Redbrook (now E. Evangelia, Greek)	7,388
Rosetta Maud (trips to Cuba under ex-name Ardtara, British)	-----
Ruthy Ann	7,361
St. Antonio (now Maltese)	-----
Sandsend	7,236
Santa Granda	7,229
Sea Amber	10,421
Sea Coral	10,421
Sea Empress	8,941
Seasage	4,330
Shienfoon	7,127
Shun Fung (wrecked)	7,148
Soclyve (now Maltese)	-----
Southgate (previous trips to Cuba under ex-name Arlington Court, British)	9,662
Suva Breeze (now Cathay Trader, Panamanian)	4,970
Swift River (now Kallithea, now Cypriot)	-----
Timios Stavros (now Maltese flag, previous trips to Cuba, Greek)	-----
Venice	8,611
Vercharmian	7,265
Vergmont	7,381
Yungfutary	5,388
Yunglutaton	5,414
Zela M. (now Cypriot)	-----
Lebanese (49 ships)	333,111
Aiolos II, (now Cypriot)	7,256
Ais Giannis (broken up)	6,997
Akamas (now Cypriot)	-----
Al Amin (now Fortune Sea, Panamanian)	7,186
Alaska	6,989
Anthas (broken up)	7,044
Antonis	6,259
Ares (constructive total loss)	4,557
Areti (now Cypriot)	-----
Lebanese—Continued	
Aristefs (now Tung Yih, Panamanian)	6,995
Astir	5,324
Athamas (now Cypriot, broken up)	4,729
Carnation (broken up)	4,884
Claire	5,411
Cris	6,032
E. Myrtidiotissa (aground, trips to Cuba under ex-name Kalliopi D. Lemos, Lebanese)	-----
Free Trader (now Cypriot)	-----
Giannis	5,270
Giorgos Tsakiroglou	7,240
Granikos	7,282
Ilena	5,925
Ioannis Aspiotis	7,297
Kalliopi D. Lemos (now E. Myrtidiotissa, Lebanese)	5,103
Katerina	9,357
Leftric (sunk)	7,176
Mantric	7,255
Maria Despina (broken in two)	7,254
Maria Renee (broken up)	7,203
Marichristina	7,124
Marika (now Cypriot)	7,253
Marymark (broken up)	4,383
Mersinidi (broken up)	6,782
Mousse	9,307
Nictric	7,296
Noelle	7,251
Noemi (aground, total loss)	7,070
Olga (now Greek)	---------
Panagos	7,133
Parmarina	6,721
Razani (broken up)	7,253
Reneka (now San Carlo, Panamanian, broken up)	7,250
Rio	7,194
St. Anthony (broken up)	5,349
St. Nicolas (broken up)	7,165
San Spyridon	7,260
Stevo	7,066
Tertric	7,045
Theodoros Lemos	7,198
Tony	7,176
Toula	6,426
Troyan	7,243
Vassiliki (now Cypriot)	---------
Vastric (broken up)	6,751
Vergolivada	6,339
Yanxilas	10,051
Greek (36 ships)	273,190
Agios Therapon	7,205
Akastos (now Cypriot)	
Aliartos (trip to Cuba under ex-name Loradore, British)	---------
Alice	7,189
Ambassade (broken up)	8,600
Americana (broken up)	7,104
Anacreon (now White Daisey, Panamanian)	7,359
Anatoli (now Sunrise, Cypriot)	---------
Andromachi (previous trips to Cuba under ex-name Penelope, Greek)	6,712
Anna Maria (trips to Cuba under ex-name Helka, British)	------
Antonia (now Amfithea, Cypriot)	------
Apollon	9,744
Athanassios K	7,216
Barbarino	7,084
Calliopi Michalos	7,249
Embassy (broken up)	8,418
E. Evangelia (trips to Cuba under ex-name Redbrook, British)	------
Eftyhia	10,865
Eretria	7,199
Gloria (now Helen, Greek)	------
Helen (previous trips to Cuba under ex-name Gloria, Greek, broken up)	7,128
Greek—Continued	
Irena	7,232
Istros II (broken up)	7,275
Kapetan Kostis (broken up)	5,032
Kyra Hariklia (broken up)	6,888
Maria Theresa (now Ingrid Anne, South African)	7,245
Marigo (now Amfitriti, Cypriot)	7,147
Maroudio (now Thalie, Panamanian)	7,369
Mastro-Stelios II (now Wendy H., South African)	7,282
Mery	7,258
Nicolaos F. (previous trip to Cuba under ex-name Nicolaos Frangistas, Greek)	7,199
Nicolaos Frangistas (now Nicolaos F., Greek)	------
Nikolis M	7,176
Olga (previous trips to Cuba, Lebanese)	7,199
Pantanassa	7,131
Paxoi (broken up)	7,144
Penelope (now Andromachi, Greek)	------
Presvia (broken up)	10,820
Redestos	5,911
Roula Maria (tanker)	10,608
Seirios (broken up)	7,239
Sophia	7,030
Stylianos N. Vlassopulos (now Antonia II, Cypriot)	7,303
Timios Stavros (formerly British flag, now Maltese)	------
Tina	7,362
Western Trader	9,268
Polish (20 ships)	143,460
Baltyk	6,963
Bialystok	7,173
Bytom	5,967
Chopin	9,148
Chorzow	7,237
Energetyk	10,843
Grodziec	3,379
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,175
Huta Zgoda	6,840
Hutnik	10,897
Kopalnia Bobrek	7,221
Kopalnia Czladz	7,252
Kopalnia Miechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Piast	3,184
Rejowiec	3,401
Transportowiec	10,880
Cypriot (29 ships)	204,346
Acme	7,159
Adelphos Petrakis (broken up)	7,170
Agenor	7,139
Aiolos II (trips to Cuba, Lebanese)	---------
Akamas (previous trips to Cuba, Lebanese)	7,285
Akastos (previous trip to Cuba, Greek)	7,331
Aktor (sunk)	6,993
Amfiali	7,110
Amfithea (previous trip to Cuba under ex-name Antonia, Greek)	5,171
Amfitriti (trip to Cuba under ex-name Marigo, Greek)	---------
Amon	7,229
Angeliki	8,482
Antonia II (trip to Cuba under ex-name Stylianos N. Vlassopulos, Greek)	---------
Apollonian	7,284
Apostolos Andreas	5,357
Areti (previous trips to Cuba, Lebanese)	7,176

Flag of registry and name of ship—Continued

	Gross tonnage
Cypriot—Continued	
Antemiela	7,247
Athamas (trips to Cuba Lebanese, broken up)	---------
Dorine Papilios (previous trips to Cuba under ex-name *Formentor*, British)	8,424
E. D. Papalios	9,431
El Toro	5,949
Free Enterprise (previous trips to Cuba, British)	6,807
Free Merchant (previous trips to Cuba, British, sunk)	5,237
Free Navigator (previous trips to Cuba under ex-name *Newdene*, British)	7,181
Free Trader (previous trips to Cuba, Lebanese)	7,067
Kallithea (previous trips to Cuba under ex-name Swift River, British, broken up)	7,251
Marika (trip to Cuba, Lebanese)	---------
Mparmpamarcos	7,239
Newforest (previous trips to Cuba, British)	7,185
Newgrove (previous trips to Cuba, British and Haitian, constructive total loss)	7,172
Newmeadow (previous trips to Cuba, British, sunk)	5,654
Sunrise (previous trips to Cuba under ex-name Anatoli, Greek)	7,187
Vassiliki (previous trips to Cuba, Lebanese)	7,192
Zela M. (previous trips to Cuba, British)	7,237
Italian (17 ships)	148,693
Achille	6,950
Agostino Bertani	8,380
Andrea Costa (tanker, broken up)	10,440
Aspromonte (broken up)	7,154
Atria (tanker)	12,845
Caprera	7,189
Elia (tanker)	11,377
Fucinatore	12,790
Geremia (previous trips to Cuba under ex-name Mariasusanna, Italian)	2,479
Giuseppe Giulietti (tanker)	17,519
Graziella Zeta (trips to Cuba under ex-name Montiron, Italian)	---------
Mariasusanna (now Geremia, Italian)	---------
Montiron (now Graziella Zeta, Italian)	1,595
Nazareno (broken up)	7,173
Nino Bixio	8,427
San Francesco	9,284
San Nicola (tanker)	12,461
Santa Lucia	9,278
Somalia (now Chung Thai, Panamanian)	3,352
Yugoslav (11 ships)	77,585
Bar (broken up)	7,233
Cetinje	7,200
Dugi Otok (broken up)	6,997
Kolasin	7,217
Mojkovac	7,125
Piva	7,519
Plod	3,657
Promina (broken up)	6,960
Subicevac	9,033
Tara	7,499
Trebisnjica (wrecked)	7,145
French (10 ships)	52,535
Arsinoe (tanker, sunk)	10,426
Atlanta (trip to Cuba under ex-name Enee, French)	---------
French—Continued	
Avranches (now Avrancholse, Panamanian)	7,282
Circe	2,874
Enee (now Atlanta, French)	1,232
Foulaya	3,739
Mungo	4,820
Nelee	2,874
Neve (now Drame Oumar, Guinean)	852
Penja[1]	3,777
Senanque (tanker)	14,659
Moroccan (5 ships)	35,828
Atlas	10,392
Banora (sunk)	3,082
Marrakech	3,214
Mauritanie	10,392
Toubkal	8,748
Maltese (5 ships)	33,788
Amalia (previous trips to Cuba, British)	7,304
Ispahan	7,156
St. Antonio (broken up, previous trip to Cuba, British)	6,704
Soclyve (previous trips to Cuba, British)	7,291
Timios Stavros (previous trips to Cuba, British and Greek)	5,333
Finnish (6 ships)	43,845
Atlas	3,916
Augusta Paulin	7,096
Hermia (trip to Cuba under ex-name Amfred, Swedish)	
Jytte Paulin[1]	7,010
Margrethe Paulin	7,251
Ragni Paulin	6,823
Sword (tanker)	11,749
Netherlands (2 ships)	999
Meike	500
Tempo	499
Swedish (2 ships)	9,318
Amfred (now Hermia, Finnish)	2,828
Dagmar (now Bali Mariner, Panamanian)	6,490
Monaco (1 ship) Saint Lys (broken up)	7,314
Norwegian (1 ship) Tine (now Jezreel, Panamanian flag, wrecked)	4,750
Guinean: Drame Oumar, (trip to Cuba under ex-name Neve, French)	---------
Haitian: Newgrove, (now Cypriot)	---------
Pakistan:	
Haringhata (trip to Cuba under ex-name Ardpatrick, British)	---------
Maulabaksh (trip to Cuba under ex-name Phoenician Dawn and East Breeze, British	---------
Panamanian:	
Agate (trips to Cuba under ex-name Dairen, British)	---------
Avranchoise (trips to Cuba under ex-name Avranches, French)	---------
Bali Mariner (trips to Cuba under ex-name Dagmar, Swedish)	---------
Cathay Trader (trips to Cuba under ex-name Suva Breeze, British)	---------
Panamanian—Continued	
Chung Thai (trips to Cuba under ex-name Somalia, Italian)	---------
Fortune Sea (trips to Cuba under ex-name Al Amin, Lebanese, broken up)	---------
Jezreel (trip to Cuba under ex-name Tine, Norwegian, wrecked)	---------
San Carlo (trip to Cuba under ex-name Rerekga, Lebanese, broken up)	---------
Thalie (trip to Cuba under ex-name Maroudio, Greek)	---------
Tung Yih (trip to Cuba under ex-name Aristefs, Lebanese)	---------
Tynlee (trip to Cuba under ex-name Ardenode, British)	---------
White Daisey (trips to Cuba under ex-name Anacreon, Greek)	---------
South African:	
Ingrid Anne (trip to Cuba under ex-name Maria Theresa, Greek)	---------
Wendy H. (trip to Cuba under ex-name Mastro-Stello II, Greek)	---------

Section 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the United States Government to discourage such trade; and

(b) That no other vessel under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

Flag of registry, name of ship

	Gross Tonnage
a. Since last report: Norwegian (1 ship) Ole Bratt	5,252

b. Previous reports:

Flag of registry:	*Number of ships*
Total	104
British	41
Cypriot	2
Danish	1
Finnish	2
French	1
German (West)	1
Greek	27
Israeli	1
Italian	5
Japanese	1
Kuwaiti	1
Lebanese	9
Norwegian	4
Spanish	6
Swedish	1
Yugoslav	1

Section 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through August 30, 1967:

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[1] Added to Rept. No. 82, appearing in the Federal Register issue of Aug. 11, 1967.

Flag of registry	1963	1964	1965	1966	1967					Total
					January–Apri.	May	June	July	August	
British	133	180	126	101	30	8	6	6	2	592
Lebanese	64	91	58	25	8	1	------	1	1	249
Greek	99	27	23	27	14	2	3	2	------	197
Italian	16	20	24	11	3	1	2	1	------	78
Cypriot	------	1	17	27	11	2	4	7	1	70
Yugoslav	12	11	15	10	3	1	2	1	------	55
French	8	9	9	10	------	1	------	------	3	40
Finnish	1	4	4	11	4	1	1	1	1	29
Spanish	8	17	------	------	------	------	------	------	------	25
Norwegian	14	10	------	------	------	------	------	------	------	24
Moroccan	9	13	1	------	------	------	------	------	------	23
Maltese	------	2	6	1	3	------	------	------	------	12
Netherlands	------	4	2	------	------	------	------	------	------	6
Swedish	3	3	------	------	------	------	------	------	------	6
Kuwaiti	------	2	1	------	------	------	------	------	------	3
Israeli	------	------	2	------	------	------	------	------	------	2
Danish	1	------	------	------	------	------	------	------	------	1
German (West)	1	------	------	------	------	------	------	------	------	1
Haitian	------	------	1	------	------	------	------	------	------	1
Japanese	1	------	------	------	------	------	------	------	------	1
Monaco	------	------	------	1	------	------	------	------	------	1
Subtotal	370	394	290	224	76	17	18	19	8	1,416
Polish	18	16	12	10	3	2	------	2	------	63
Grand total	388	410	302	234	79	19	18	21	8	1,479

Note: Trip totals in this section exceed ship totals in secs. 1 and 2 because some of the ships made more than 1 trip to Cuba. Monthly totals subject to revision as additional data become available.

By Order of the Acting Maritime Administrator.

Date: September 1, 1967.

JAMES S. DAWSON, Jr.,
Secretary.

Mr. Speaker, some with whom I have discussed the matter of free world trade and shipping profess to see some utility in using a new OAS condemnation of Cuba to convince free world countries outside the Western Hemisphere to discontinue transactions with Cuba. Their expectation is either wishful thinking or an attempt to put a patina of accomplishment on the Twelfth Meeting of Consultation.

I find it hard to believe that those countries that have continued to deal with Castro's Cuba, despite past pleas, will be dissuaded by further evidence or entreaties. They have never shared our anxiety over Cuba's machinations in Latin America. They have always considered our estimate of the dangers posed by the Castro regime exaggerated. Even after the Cuban missile crisis, some of our European allies saw the showdown with the Soviet Union as proof that the United States, unilaterally, could handle any really serious eventuality. It is unlikely, then, that they will sacrifice lucrative business with Cuba to assuage what they regard as a U.S. obsession.

It is up to the American Republics to put teeth into any regional collective sanctions aimed at Cuba. It can be done.

Most of Cuba's industrial plant, you will recall, was of U.S. origin. Initially, Castro cannibalized spare parts to repair equipment disabled by old age or poor maintenance. When he could no longer resort to cannibalizing, he had to turn to bloc countries to make parts to specifications, a costly and time-consuming process. However, Canada and the United Kingdom operate on the inch-foot basis and produce many things we do in the United States. Castro has been able to get badly needed parts from them for such crucial equipment as rolling stock, tractors, and sugar mills.

The 21 members of the Organization of American States should institute a boycott of all private firms engaged in the Cuban trade. It would not be difficult to maintain a blacklist of all firms selling to Cuba, much as the Maritime Administration keeps a running list of vessels arriving in Cuba, to which I referred earlier.

I was appalled to learn that one of the countries suffering Cuban depredations was preparing to consummate a large purchase from a European company that has engaged in substantial trade with Cuba. They were simply unaware of the company's history. In this case mere knowledge of the firm's Cuban involvement would have sufficed to quash the transaction. The publication of a blacklist would have altered the prospective purchasers.

Awareness by European and other free world enterprises that their products will be excluded throughout OAS countries if they persist in trading with Cuba should give those firms pause before they engage in further business with Cuba. Companies like Leyland Motors Ltd. of England that has sold hundreds of buses to Cuba, Richard Continental of France is selling Cuba heavy rolling equipment, the French firm of Brissoneau et Lotz that is selling Castro locomotives, Simon Carves Ltd. of England that is heading a consortium to build a fertilizer plant in Cuba, and the Spanish shipbuilding concerns, would undoubtedly ponder well the loss of potential business in the United States and the Latin American countries before electing to deal with Castro.

An OAS boycott of firms engaged in the Cuban trade should help to close the present gap in the OAS economic denial policy. Such a concrete step would advance the intended goals of that policy by first, weakening the Cuban regime further and, hopefully, making more costly Castro's blatant support of subversion; and second, confronting the Soviets and Eastern Europeans, who have the problem of supplying Castro's deficits, with an even heavier burden. Castro's current debt to the Soviet bloc is roughly $1 billion. The Eastern Europeans have already complained of the load. If Castro is compelled to rely solely upon his political comrades as a market for Cuba's products and for supplying required foodstuffs and industrial equipment, the Communists are likely to become increasingly disenchanted with Castro's adventures.

There are, of course, other measures the OAS can take such as developing closer cooperation and more stringent controls to prevent clandestine travel or movement of funds. These steps are of a defensive nature.

It is, however, my belief that the Organization of American States should undertake offensive measures, like the boycott I have proposed. In the last analysis, the capacity of the OAS to guarantee the security of its members and to compel the rule of law in the Western Hemisphere is on trial.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I am happy to yield to the gentleman from Florida.

Mr. FASCELL. I wish to congratulate the distinguished gentleman from Alabama for once again raising his voice with respect to a very important problem that concerns the Western Hemisphere as this 12th meeting of consultation is about to take place. With so many things happening all over the world and so many other matters of great importance confronting us, it might be tempting to overlook a problem which persists, notwithstanding the fact that Castro's Communist's objectives have met with considerable difficulty.

As the gentleman has pointed out, this is a matter requiring continuing pressure. I wish to join with the gentleman in the suggestion and recommendation of collective action, an offensive by the Organization of American States, in the boycott of private firms that do business with Castro's Cuba. I think this would be a very effective action in the Western Hemisphere and would in a very simple and yet effective way indicate that the Organization still has strength and meaning, and that there are things which can be done and ought to be done.

I want to ask the gentleman a question. What he advocates is collective action by the Organization of American States, short of the use of armed force. There is considerable opinion however, that the United States ought to act unilaterally. I would like to hear the gentleman's comments on this.

Mr. SELDEN. Let me say to the gentleman I feel that this action should be taken on a multilateral basis if and when that can be done. I think there could be occasions when the United States would have to act unilaterally. As the gentleman remembers, the House passed a very forceful resolution which I introduced on that subject just 2 years ago. But certainly multilateral action is desirable.

Mr. FASCELL. I would agree with the gentleman, and as one who joined in the sponsorship of that resolution, I would want to emphasize again the desirability of the continuation of unilateral action when deemed necessary. However if the efforts which Castro is making fall within the purview of the decision made by the Organization of American States, and they do, and if his actions fall within the purview of the resolution adopted by this Congress, then it seems to me that the gentleman has made his case on the record, that in the case of Castro, multilateral action by all the countries of this hemisphere is preferable.

I agree with the gentleman that the evidence is there that Castro's actions are in contravention of both of these principles. What do we do next? What is the next step?

What the gentleman has suggested is a first offensive action, to which I wholeheartedly subscribe and in which I join. I hope that the OAS consultation meeting would adopt and recommend it.

I agree that it would be disheartening to have this OAS consultation take place, in the light of all the facts that exist of guerrilla warfare in Venezuela, Colombia, Guatemala, Bolivia, and throughout Latin America, and have it recommend something which would strike Castro as lightly as a feather. OAS action has to be meaningful. We have to let people know we have not forgotten about the problem of Castro's Cuba.

If the gentleman will yield further, I would like to comment.

Mr. SELDEN. I am happy to yield further to the gentleman from Florida.

Mr. FASCELL. Mr. Speaker, we need a plan of multilateral action to deal with Castro's communism for several reasons. We need to emphasize and to keep emphasizing that Castro's Cuba is not solely the responsibility of the United States. What will happen when Castro dies and we still have a Communist government in Cuba? We cannot put that on a unilateral basis, although some would put Castro's deception of the Cuban people and the Western Hemisphere on a unilateral basis.

I think we have to keep the perspective of the necessity of multilateral action in dealing with Communist problems emanating out of Cuba.

What is Castro doing? He is trying to change his face. He is saying, "I am arguing with the Russians, because the Russians want to play a nonviolent game, but I think violence is essential." But what is Castro doing? He is taking a million dollars a day in hard cash and doing business with the Russians.

What does he say with respect to the Chinese? "I do not want any part of the Chinese. Not at all. They have the wrong attitude." But what does he do? He is employing the very revolutionary violence which the Red Chinese advocate.

Castro is trying to make himself appear to be fighting with the Russians and disagreeing with the Chinese; but he is trying to carry out wars of "national liberation" with help from both of them; and he is trying to put himself in the role as a national liberator—which he feels might have acceptance in Latin America. This might succeed except for one thing, and that is Latin America's recognition of Castro's deceit and deception of his people and the people in the Western Hemisphere.

If Castro had unfurled the Red flag prior to the time of the revolution, there is a considerable question as to whether the revolution would have succeeded. Let us remember this also, and I think we need to hammer it home as often as we can.

To the Cuban people Castro promised restitution of the 1940 Constitution and free elections within 2 years. He has never kept those promises.

Yes, there might be a tendency to say the OAS is toothless; and there might be a tendency to say that focusing of world opinion on this problem is ineffectual. But I think this attitude would be a mistake.

One of the problems in Vietnam is that for 10 years the Communist had open propaganda through radio and other means that was hardly ever combatted, by the United States or the free world.

The Communists have the same relatively open door in Thailand and in other places in the Far East.

With respect to Cuba we find that Radio Free Cuba has had to suspend operations because they do not have sufficient money. The Communists now have another open propaganda door. The OAS, the United States, and the free world have to meet the problem of the propaganda through radio and by other means in order to be able to mold, to change, to influence, and otherwise to persuade public opinion, whether in Cuba or other places.

I believe one of the affirmative things we ought to do on a Western Hemisphere multilateral basis is to make sure that either Radio Free Cuba or something similar gets the message all over Latin America constantly and continually, every minute of every day, that Castro is a fraud; he rode into power on concepts which he never intended to keep; namely, restoration of the 1940 Constitution to the people of Cuba, a democratic form of government, and free elections in 2 years. He has not kept that promise.

Therefore, when he tries to strut all over Latin America, changing his face, arguing with the Russians and arguing with the Red Chinese, he is really not changing face at all. He is still a brutal dictator, desirous of changing and influencing all the forms of government to his way of thinking in Latin America without really giving the great mass of people an opportunity to express themselves. This is the important message we and the OAS must bring to all of Latin America.

So as we go into this 12th meeting of consultation once again I compliment the gentleman from Alabama for raising his voice on a very timely and very important subject, to make sure we all focus our attention and that we keep striving to do something about the problem of Castro communism in South America and the problem.

Mr. SELDEN. I thank my colleague from Florida, who is an able and distinguished member of the Subcommittee on Inter-American Affairs. I certainly agree with him that the truth is perhaps the very best propaganda the United States can send to Latin America. Certainly this should be kept up and increased so long as we have to combat communism in that area.

Mr. FASCELL. If the gentleman will yield further I shall shortly be through.

The Castro Communist acts of subversion, which can be equated with overt military action as detrimental to the existing democratic government within the Organization of American States should be recognized for what they are—an overt threat to peace and security. At some place, some time, the OAS will have to reach a hard decision that an act of subversion is just as dangerous as any overt military act; and the Organization of American States on a multilateral basis is going to have to deal with it immediately, effectively and firmly.

Mr. SELDEN. I thank the gentleman.

Mr. ROGERS of Florida. Mr. Speaker, first, I would like to commend my colleague the gentleman from Alabama [Mr. SELDEN] for his most informative and detailed speech. And I commend him and his committee on the fine work they have done in attending to even the most minute detail of business and politics in our hemisphere in regard to inter-American affairs.

Secondly, I agree with my colleague that there has developed a deep sense of apathy concerning Cuba. We see this apathy despite the fact that Cuba continues to represent a threat to the peace and well being of our hemisphere and particularly the United States because of our geographical location.

I hold hopes that when the foreign ministers of the Organization of American States meet later this week they will present a program of action which will contain Castro's efforts to export subversion among the countries of this hemisphere.

Venezuela's action in calling for an investigation of Cuban subversion was the beginning, I hope, of an awakening among the nations of the OAS to the goal of Communist Cuba—and that goal is armed and violent revolution among the peoples of our hemisphere.

I urge that our Ambassador to the OAS exert leadership in helping to formulate a program which will end this Communist guerrilla movement. It would also be wise for our leaders to consider the recommendation which we have heard here today. The gentleman from Alabama has struck upon what I feel is an effective method of limiting those individual companies from continuing to deal with Cuba.

I urge that the House Subcommittee on Inter-American Affairs contact our delegation to the OAS and express the gentleman from Alabama's idea of formulating a black list for those companies of the free world who deal with Cuba, then make every effort to see about getting the formal approval of the administration to effect such a policy.

Again, I thank the gentleman from Alabama for his excellent speech—for it comes at a time when the American public should be aware of the evolving events of the hemisphere and the beginning of a meeting of the foreign ministers of the OAS here in Washington.

Mr. SELDEN. I thank my colleague from Florida, who always has shown a deep interest and concern in the continuing Communist menace which emanates from Cuba and whose remarks are always most timely and helpful.

Now, Mr. Speaker, I yield to my colleague from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Speaker, I want to join in commending my distinguished colleague and neighbor for once again demonstrating the value of his leadership in inter-American affairs.

It seems to me there is little question that Fidel Castro, as the gentleman from Florida well said, is not only a fraud who came into power promising democratic government but who all the while sought to impose his brutal totalitarian Communist regime on the people of Cuba and who deceived and betrayed them into the original acceptance of his government. He could not stand a free election at this point. It is also true that there is considerable evidence that Mr. Castro must think of himself as the Mao or the Lenin of Latin America. In the sickness of his mind and the greatness of his arrogance and ego he conceives himself as becoming the leader of the Communist empire in this hemisphere. He has made a dedicated effort toward that end. This deserves the serious attention of the highest level of our Government and of the other governments in this hemisphere. There ought to be offensive action along the lines that the gentleman recommended and in which I fully support him; that is, to work together multilaterally toward meeting this threat and overcoming the great problems and dangers to our hemisphere embodied in Castro's regime.

The gentleman's suggestion for a boycott against particular firms doing business with Cuba is an excellent suggestion. I hope it will be considered and that it will be enacted and become a part of an offensive effort on the part of the nations of this hemisphere to protect it against a dangerous enemy, one who, if he could, would subvert every government in North and South America.

Again I commend the gentleman for his outstanding leadership and for his stand this day.

Mr. SELDEN. I thank my colleague and neighbor from Alabama, who is also a very valuable member, along with Mr. FASCELL, of the House Committee on Foreign Affairs.

I assure him he is quite right in his assumption that Fidel Castro does conceive of himself as the Communist leader of this hemisphere and that he is determined to export his form of communism throughout Central and South America.

Mr. PATTEN. Mr. Speaker, will the gentleman yield for a question?

Mr. SELDEN. I yield to the gentleman.

Mr. PATTEN. There is a little island in the Windward group. I think they call it Anguilla. It is very small and is not going to be recognized by the United Nations. It has about 8,000 or 10,000 people. I am not familiar with the exact number. My question to you is, there are many islands in the Leeward and Windward group. It looks like the English want out there. If the Americans are going to put their castles in these areas, because they are apparently very desirable for privacy and recreational purposes as well as for other investment purposes as well as for national security reasons, what can we do about it? Do we have a policy? Do we have some planning? Is there some direction in which we can go? Or is there somewhere wherein I can find out what we have done on this problem?

Certainly, if these people have been running around begging for a little food or a little help and finding all doors closed, that does not seem right to me.

Mr. SELDEN. As the gentleman from New Jersey knows, the British are in the process of granting independence to some of the islands in the Caribbean area, several of which have formed a federation, and at least one which is already a member of the Organization of American States. Our policy has been to recognize these countries as they are granted independence by the British.

Mr. PATTEN. Is that all there is to it? Do we have a security problem under which if American money goes there, we are going to follow through on this?

It seems to me that we ought to know were we are going, and if today is the time to go, we ought to get in there when they come knocking and begging and asking for help when they apparently are seeking an opportunity to help themselves.

Mr. SELDEN. Obviously, there are numerous countries in the Caribbean with which we have trade and mutual security arrangements.

Mr. Speaker, I yield back the balance of my time.

A REALISTIC VIEW OF FOREIGN AID

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the gentleman from New Jersey?

There was no objection.

Mr. OTTINGER. Mr. Speaker, as is so often the case, the recent House debate on the foreign aid bill shed at least as much heat as light. At times it became obvious that there was great confusion over what foreign aid is designed to accomplish, what its realistic goals and limitations are.

Our distinguished Ambassador to India, Chester Bowles, presented a very cogent discussion of this topic in the New York Times of Saturday, September 16. The thrust of Ambassador Bowles' essay is a lesson which became clear to those of us who had the opportunity to participate in both the foreign aid program and the Peace Corps: That we cannot buy the loyalty and gratitude of other nations with our aid dollars, but that we can help the developing nations of the world establish a firm foundation for independence and growth.

I commend Ambassador Bowles' essay to the attention of my colleagues and present it herewith for inclusion in the RECORD:

TOPICS: WHAT FOREIGN AID CAN AND CANNOT DO

(By Chester Bowles)

NEW DELHI.—Why does the United States, in view of its many domestic burdens, provide loans, grants and technical assistance to promote economic development in Asia, Africa and Latin America? What can the United States reasonably expect in return for such assistance?

If our primary objective is to assure unquestioning support for our foreign policy objectives or servile gratitude toward a beneficent Uncle Sam, we should have abandoned the foreign-aid program long ago. We can no more purchase the loyalty or gratitude of sovereign nations than we can buy the loyalty and gratitude of individuals.

TO HELP THEMSELVES

What American aid *can* do and in many parts of the world *is* doing is to enable those developing nations which are prepared to help themselves build their own solid foundations for independence and national growth. Although we may be angered on occasion by criticism of American policies by the very nations we are striving to help, we should not allow our irritations to obscure this central objective.

In this framework the more relevent questions, it seems to me, are the following: Is the recipient nation using American aid efficiently? Is it making an honest effort to tax its people fairly? To encourage widespread land ownership? To grow more food? To expand its exports? To root out corruption? To reduce its rate of population increase? To stimulate individual initiative?

Such criteria, in my view, are essential to the development of a realistic and mutually advantageous relationship between the aid-giving and the aid-receiving nations.

Against this background let us look at the record of our foreign-aid program in India, the population of which totals more than half of all the non-Communist developing nations combined.

Casual visitors to India are struck with the awesome poverty and squalor. Millions of Indians are still inadequately fed, while millions more cannot read or write. There are large slum areas in most Indian cities. Consequently, it is not surprising that many observers have come to look at this Asian nation as a bottomless pit.

However, on the positive side of the Indian balance sheet are some impressive economic accomplishments which have recently been obscured by the impact of two serious droughts in succession. Since the early 1950's these accomplishments include:

ACHIEVEMENT IN INDIA

India's steel production has been increased sevenfold.

India's electrical power capacity is now five times what it was in 1953 and it will double again in the next five years.

India's fertilizer industry is now growing steadily.

India's tax system is being revamped to provide greater incentives for foreign investment and for individual initiative.

Malaria has been reduced from 100 million cases annually to less than 50,000 in 1966.

Four times as many youngsters are now going to school.

More than thirty million acres have been added to the fifty million under irrigation in 1953.

This year nearly sixteen million acres of farmland are being planted with new high yielding wheat and rice paddy seeds.

A vigorous nationwide program has been launched in an attempt to reduce India's annual population growth from the present 2.4 per cent to 1 per cent by 1971.

These basic achievements, made possible by American and other foreign assistance and by a generally able Indian administration, have created a solid base for further development; indeed, many American and Indian economists are persuaded that with normal rains and continuing foreign aid India may become self-sufficient in food grain by 1972 and able to do without foreign governmental assistance by 1977.

TO PREVENT VIETNAMS

Although our minds and our national budgets are primarily focused on Vietnam, it is important that we strengthen our efforts to help prevent new and even more costly Vietnams from developing elsewhere. Well planned and sensitively administered American aid coupled with an effective effort by the recipient nations themselves can help harassed new governments create nations that their own people feel are worth defending.

To assist this evolutionary movement toward political independence, and self-sustaining economic growth is the only valid purpose of American assistance to the developing nations—and it should be reason enough.

HOW FARM BUREAU COOPERATIVES FLEECE THE FARMER

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RESNICK. Mr. Speaker, today I would like to concentrate on an aspect of Farm Bureau business activity revealed by my current inquiry which must certainly rank as one of the most gigantic and successful shell games ever practiced on an unsuspecting public.

I am convinced that the particular activity is a fraud. If it is not illegal, it is certainly immoral and requires an immediate change in our tax laws. I am referring here to the manner in which farm cooperatives evade the payment of taxes by transferring the tax burden from themselves to their patrons. They do this by falsely appearing to distribute their profits to their patrons, when in fact they do not do so.

My first look into the executive suite of the Farm Bureau's big-business empire showed me the outlines of a multibillion-dollar insurance combine. My next look showed me a mutual fund company. And later looks showed me a bewildering variety of other highly successful businesses that seemed to continue without end.

But despite all this preconditioning, I was totally unprepared for what I found when I began, rather innocently, to look into the operation and financial structure of the Farm Bureau cooperatives—both the supply cooperatives and marketing cooperatives.

I say "innocently" because my image of a co-op, dating back to my younger days on my father's farm in New York where I grew up, was a group of farmers getting together to combine purchasing and other functions and thereby save themselves money. They would have more bargaining power with the privately owned businesses they had been dealing with, make their own business decisions, and pocket the savings, if there were any. That, at least, was the theory. The reality, however, as practiced today has given me a rude awakening.

Because of conditions at the time the cooperative movement got underway, the Government attempted to assist them by providing cooperatives with tax advantages over private businesses. In the intervening years, too many of us did not bother to look back over our shoulders to see the results of this policy. I have just taken the trouble to look, and I think it is high time other Americans did the same thing. Things have changed down on the farm.

The farmers are still there. The co-ops are still there. But, the farmers do not control the co-ops. It is the other way around. And it is not the co-ops who are in danger of being eaten alive by much larger and wealthier private companies. It is the other way around.

In substantial areas of the United States, the co-ops have taken over the farm supply business and the commodity marketing business. They are continuing to grow at a fantastic rate. They pay practically no taxes. They are buying up and absorbing the private companies they were established to compete with on the theory that healthy competition would benefit the independent farmer. The co-ops are now gigantic businesses often controlling their own sources of supply; such as, oil refineries, potash mines, and feed mills. To a frightening degree, their management is effectively insulated from the farmer-patron, who has no real voice in decisionmaking.

But, worst of all, the farmer-patron—the man for whose benefit this whole enterprise was established in the first place—is the victim of a gigantic con game which deprives him of his rightful share of the profits.

To understand how the farmer is being exploited by the fraudulent practices of the co-ops, with the passive assistance of the U.S. Government, it would help to focus on one single co-op, the Ashland County Farm Bureau Cooperative Association, Inc., Ashland County, Ohio. The testimony of Mrs. Norma Williams, a farmer of Nova, Ohio, at my ad hoc hearings in Washington, is valuable in explaining not only what is happening, but how and why. It provides a fresh insight into what Farm Bureau "service" really means.

When co-ops have operated at a profit during a fiscal year, they show a "savings." These "savings" are taxed, unless they are distributed to the patrons of the co-op. And so, in order to avoid taxation, co-ops distribute the profit—"savings"—to their patrons. However, they do not make this distribution in cash. Mrs. Williams, like the other patrons, receives as a patronage refund of 20 percent in cash and 80 percent in the form of a certificate. In other words, if she is entitled to $100 as her share of refunds, she receives $20 in cash and $80 in a sort of I O U, with no maturity date indicating when the balance would be paid. However, she must pay income taxes on the whole $100—now, not later.

As a matter of fact, up until 2 years ago the Ashland County Farm Bureau Co-op for almost 30 years, had been giving her the entire amount in certificates. But the Government finally decided that since taxes had to be paid on it, it would be nice to insist that the patron receive enough in cash to at least let him pay taxes without digging into his own funds.

The question now is: What about the certificates? What do they represent? What does the patron do with them? What are they worth?

Mrs. Williams provided the answer in her testimony. They are worth nothing. Mrs. Williams cannot cash them anywhere. The co-op that issued them will not redeem them, and will not take them in payment for old bills or current purchases.

Mrs. Williams has had these certificates in her family for up to 30 years. They amount to a substantial sum of money. As she points out, they are not even redeemed when the owner dies. They are simply reissued to his heirs.

Since the press reports on Mrs. Williams' testimony have been circulated, I have received several letters and phone calls from Ohio farmers corroborating Mrs. Williams' story. One Sandusky, Ohio, farmer reported that Huron County Farm Bureau Cooperative would not accept $2,000 worth of their own patronage stock dividends for a debt of $400 owed to their co-op.

One might be tempted to assume that, if the patrons do not receive cash dividends from the co-ops, the co-op's existence might be justified because it saves the farmer money: selling him supplies at a lower price than private supply houses, and buying his commodities at a higher price than private operators. Unfortunately, this is not true. A comparison of prices between the Ashland County Farm Bureau Co-op and the local independent feed mill, on August 26, 1967, included later, bears this out.

Why do the co-ops distribute worthless dividend certificates? Obviously, because it permits them to eat their cake and have it, too—and grow like the very devil at the expense of the Government and the taxpaying businesses they compete with. Federal tax law allows the co-ops to distribute these worthless pieces of paper instead of money, and to deduct their face value from co-op earnings before figuring taxes. In other words, it is a sophisticated tax dodge.

After declaring this distribution, the co-op still has possession of virtually all the money it started with—tax free—to reinvest and expand. And expansion in recent years has been taking place on such a massive scale that the farmer today is very often a virtual prisoner of the co-ops.

What does the Farm Bureau do with its "kept money"? They are using this vast source of tax-free capital to drive independent millers, supply houses, oil dealers, warehouses, and grain elevators out of business. They are expanding into contract farming—a system which destroys the farmer as an independent businessman and, in effect, makes him the captive employee of the contractor—the Farm Bureau Co-op—or the feed companies. The establishment by the

Farm Bureau of vertical integration contracts for the production of broilers, eggs, turkeys, hogs, and grain, and the involvement of the feed companies, is mentioned by Mrs. Williams in her statement.

Under unanimous consent, I am including material documenting the above charges. I particularly wish to bring to the public's attention the statement of Mr. H. L. Clever, general manager of the Ashland County Farm Bureau Co-op Association, Inc., published during the first week of September 1967, in the Ashland Times-Gazette. In this statement, Mr. Clever, attempting to defend the policies of the Farm Bureau Co-op, flatly admits that the last time the so-called stocks were redeemed was in 1946, and that no other "stock" issued since that time has been called in for redemption. Even the use of the word "stock" must be explained, since this is nonvoting "B" stock and does not give voice to the individual farmer in the decisions of the co-op.

It must be emphasized that the disgraceful situation described here, unquestionably fraudulent in intent, although it may technically be within the letter of the law, is practiced widely throughout the United States.

I have concentrated here on Ashland County in order to clearly explain and document the situation. It should also be explained that this practice is common to practically all cooperatives, not just those owned by the Farm Bureau. However, since the Farm Bureau is by far the largest and most dominant entity in the cooperative picture today, and since it is the only such organization supposedly representing farmers, special attention must be paid to its role.

Mr. Speaker, more information on this subject will be forthcoming.

The above-mentioned material follows:

STATEMENT OF MRS. NORMA WILLIAMS, INDIVIDUAL FARMOWNER FROM ASHLAND COUNTY, OHIO, AUGUST 30, 1967

Mrs. WILLIAMS. I am owner and operator of a small, 77-acre farm in Ashland County in north Central Ohio. For quite a few years I paid membership dues into Ashland County Farm Bureau Federation, bought products from Ashland County Farm Bureau Co-op, and belonged to the local Farm Bureau neighborhood Advisory Council.

I believed Farm Bureau was a good farm organization, that it lobbied for laws to help farmers.

I never thought much about how it was organized. I was even proud of how many patronage dividend shares my husband, and then I had earned.

Then lower and lower prices for the poultry and eggs I was producing made me become interested in the vertical integration taking place in the poultry industry.

I began to take publications of other farm organizations I got into discussions with other poultrymen, with college professors and all sorts of people, and I began to be critical of Farm Bureau's position and actions in the poultry industry.

Since Farm Bureau has started setting up vertical integration contracts for broiler, egg, turkey, hog, and grain production, tied to and managed by its co-ops in the North, and at the same time is setting itself up as a bargaining agent for farmer-producers of poultry in the south who are under contracts to feed companies such as Pillsbury and Ralston-Purina, I am not actually afraid of Farm Bureau and what it may be to independent family farmers.

Mr. RESNICK. In other words, you are saying they assisted this vertical integration which has driven the small family farmer out of the poultry business?

Mrs. WILLIAMS. That is one of their main projects now, to set up vertical integration with the co-op, Landmark in Ohio, as the feed company that furnishes the feed and chickens.

Mr. RESNICK. In other words, what they are doing is trying to get the family farmer from being an individual entrepreneur and owner to become and employee of these large. . . .

Mrs. WILLIAMS. Of his own co-op.

They are saying that that is the coming form of agriculture.

There are three main reasons, I think Farm Bureau is not the proper farm organization to take over marketing and bargaining for all farmers, as Farm Bureau Federation is presently attempting.

1. Members have no individual vote on policies or for officers—

2. American Farm Bureau is a federation of independent state organizations, and it is almost impossible for the American Farm Bureau Federation to crack down on the states and make them toe a certain line—that is a statement by Charles Shuman—

3. Farm Bureau Co-ops buy and sell farmers' products for a profit which they are very reluctant to hand over to the farmers.

They use the slogan "farmer owned, farmer managed" but it is about the same ownership as taxpayers have over schools and roads bought with tax money taken from them.

Here in Ohio, Farm Bureau Co-op—that is Landmark—is presently buying up independent local elevators, feed mills, poultry processing plants and taking in poultry producers co-ops to the point of destroying any choice of outlet for the independent farmers' sale of poultry, livestock and grain.

The membership is given no chance to vote approval or disapproval of these actions of their co-ops. Ohio Farm Bureau co-ops are using, along with other sources of capital, so-called patronage profits or dividends, never given out to the farmer members, to build up this huge corporation complex.

Mr. RESNICK. In other words, you don't get the money back.

That stays in the tax-free shelter and continues to buy up other growth.

Mrs. WILLIAMS. Yes.

With income of its farmer members at depression yearly levels, Ohio Landmark Co-op, Inc., claimed the largest profits in its history in 1966—a profit of $2,542,000.

Of this, $1,172,000 was listed as patronage refunds to the local co-ops.

This does not mean that this reaches the farmer members.

That was patronage refund given to the local co-ops for their state co-ops.

Until two or three years ago, when a government law was passed that stated that the co-ops pay at least 20 percent in cash to get out of paying income tax on their patronage refunds, Landmark Co-op gave out to farmer members just statements of shares or certificates of ownership—no cash.

And this was profit or patronage refund at the local county level only.

Practically every farmer in Ashland County holds worthless Farm Bureau co-op stock or shares, representing his so-called savings refunds from trading with his local Landmark Co-op.

These stocks or shares Landmark Co-op will not exchange for cash even to settle the estate of a dead co-op member.

They will do nothing except change the ownership to an heir who can then continue to pay personal property taxes on this worthless stock.

Mr. RESNICK. Instead of giving you cash for your patronage refund that you are due, they give you these stock certificates. But these are never-never certificates, you can never cash them in, and you can never get money for them?

Mrs. WILLIAMS. No.

Mr. RESNICK. What do they represent then?

Mrs. WILLIAMS. I think it is a type of fraud.

Mr. RESNICK. I would say it is an outright fraud.

In other words, the basis of a co-op is to provide savings individually for its members so you are saying the savings are given in stock which is not redeemable?

Mrs. WILLIAMS. It is just a piece of paper but you pay personal property tax on that.

If you don't declare that, the co-op has given a list of their shareholders to the county courthouse and they put it on your tax thing whether you state it or not.

Mr. RESNICK. In other words, it is counted as income to you but you have no way to get cash from it?

Mrs. WILLIAMS. No.

Mr. RESNICK. I would like to run my business that way.

Mrs. WILLIAMS. I would, too.

Mr. RESNICK. Please continue.

Mrs. WILLIAMS. I hold eight Landmark Co-op shares, patronage refunds earned but never paid, all earned 20–30 years ago. I know people, retired farmers and persons who have never farmed, who hold Landmark patronage refund shares, representing thousands of dollars which have never been paid and never will be paid.

It is in part with capital, built up into huge interest-free sums, by this unethical retention of money which should have been returned to farmer members, that Ohio Landmark Co-op is now building a vertical integration set-up in poultry, hogs and grain here in Ohio.

Here locally Landmark advertises over the radio for farmers to sign contracts for broilers, eggs and turkeys, calling itself farmer-owned, farmer-managed, stating that this is the way for independent through contracts with their own organization.

In Ohio, Farm Bureau Federation Board members are also board members in Landmark Co-op, nationwide insurance and American Marketing Association, assuring one management of all.

The six voting delegates to the American Farm Bureau Federation convention, representing approximately 53,000 Ohio members, are the president and vice president of the Ohio Farm Bureau Federation, the president and the vice president of the Ohio Landmark Co-op, and two state board members.

This close intermingling of top management in the Farm Bureau organizations places farm bureau co-ops in vertical integration contracting of poultry production in the north and acting as the bargaining agent in American marketing Association for farmer-producers with other feed companies and poultry companies in the south.

Farm Bureau present talk of "bargaining power for farmers through Farm Bureau" is simply double-talk for securing more power for a huge corporation complex now sucking out its profits at the farmers' expense as surely as any of the competing big feed companies that buy farmers' grain and control poultry production.

On accompanying sheets I present as evidence backing my statements, written evidence and signed in my presence by various farmers, or notarized and clippings from several publications.

I also wish to state that over 100 farmers—all, to the best of my knowledge, shareholders in Farm Bureau Co-ops—upon learning of my opportunity to testify at Mr. Resnick's hearings in Washington took up a collection among themselves to help with my expenses.

They back my statements with their contribution and with statements of their own.

Mr. RESNICK. I want to thank you very

much, Mrs. Williams, and I wish you would express my thanks to your neighbors who felt this strongly about it to help send you here.

I know it was an expense and I want to thank you for coming.

I find myself a little puzzled at this point.

In other words, they are buying grains from other farmers. They are turning around and selling it to the poultry producers and then they are buying the poultry producers' products and re-selling it, all through the co-op movement?

Mrs. **Williams**. They are having them sign these contracts to use the chicks that they furnish, and the grain from Landmark, and then use these co-ops that they have taken into their organization that used to be independent egg or poultry co-ops as the marketing agent.

It is just one big vertical integration setup.

Mr. **Resnick**. How do their prices and conditions compare with Pillsbury?

As an independent farmer, do you have any advantage?

Mrs. **Williams**. I don't have anything special on that but I have a list of several prices paid, and several prices that are charged to the farmers.

These prices were taken on August 26 in comparison with a local, small, independent mill.

Mr. **Resnick**. I would like to see that.

Mrs. **Williams**. Of these prices, more often the local independent mill had prices of advantage to the farmer.

Mr. **Resnick**. In other words, you were better off dealing with the smaller independent than dealing with your so-called co-op.

You said in your statement you can't elect officers. One of the things the Farm Bureau is very proud of is that it is supposed to be a democratic organization and everybody is elected.

You don't vote for your local officers. They are appointed?

Mrs. **Williams**. The most local organization is the county organization. I can't tell you how they started in the very beginning but now the ones that are being nominated are chosen by a nominating committee which is chosen by the officers already in the office and then you vote at an annual meeting on a printed sheet already made out between the one or two that they have chosen, just marking your "X" and you vote the business that was conducted last year by that co-op, nothing ahead.

That is the only voting you have in the whole organization. From then on state, national, it is all chosen by these officers.

Mr. **Resnick**. I think self-perpetuating is the word you are looking for.

What is the make-up of the Ohio Farm Bureau?

Do you have many farmers in it?

Mrs. **Williams**. Yes, but a good percentage are older people who have retired or who are practically out of farming but who are holding their membership because they had group insurance and they would lose it if they didn't retain their membership.

I have neighbors who have never been members.

Mr. **Resnick**. What about Dayton?

Mrs. **Williams**. I would imagine there are some there. Two years ago they sent out a council guide to their advisory councils discussing a project they started of having hired workers to go out and contact these people that live in the little ranch houses along the roads, that are not farmers, to have them join the Farm Bureau.

Mr. **Resnick**. Even though they are not farmers?

Mrs. **Williams**. They are not farmers at all but they had professional organizers going out to these people.

Mr. **Resnick**. With the full knowledge that these people were not farmers?

Mrs. **Williams**. They got their members to approve of it by saying they have the same problems in their schools and roads and local things that farmers have.

COMPARISON OF PRICES BETWEEN ASHLAND FARM BUREAU CO-OP AND LOCAL INDEPENDENT FEED MILL, AUG. 26, 1967

	Local mill	Farm Bureau landmark
Paid to farmers for—		
Wheat	$1.31 per bushel	$1.31 per bushel.
Corn	$1.09 per bushel	$1.18 per bushel.
Oats	$0.76 per bushel	$0.74 per bushel.
Old soybeans	$2.76 per bushel	$2.79 per bushel.
Charged farmers for—		
Fertilizer:		
5-20-20	$72.50, 30-day credit	$74.65, 30-day credit.
6-24-12	$73.80, 30-day credit	$76.25, 30-day credit.
12-12-12	$69.05, 30-day credit	$71.15, 30-day credit.
Calf starter (25 lb.)	$3.90 and $5	$4.10, $4.45, and $5.70.
Egg mash, 16 percent	$4.70 per 100 lb. in sack	$5.25 per 100 lb.
Gasoline	30.6 cents (Sinclair)	30.6 cents.

STATEMENT BY MR. ROBERT E. TROXEL, SAVANNAH, OHIO

AUGUST 30, 1967.

To Whom It May Concern:

I, Robert E. Troxel, have operated five dairy farms for thirty years. Two years ago, knowing I had a health problem, I threw these farms into a corporation (Troxel Farms, Inc.). As far as the Farm Bureau knows, Robert E. Troxel no longer is in operation as I have been in Tucson, Arizona, for my health. But the operation goes by the Troxel Farms, Inc., with my children as partners. Four children and Jim Troxel, my oldest son, manager.

My son turned in 68 shares at $10.00 per share (as patronage dividends) to pay a bill as partial payment on a bill of $852.00 giving them a check for the balance. They are threatening us with a law suit claiming no payment on the 68 shares of stock or $680.00.

This stock and this bill is concern in Ashland County Farm Bureau. We also hold stock in Richland County Farm Bureau. I have been paying personal tax on this stock every year.

STATEMENT BY MR. DON D. SNYDER, NEW LONDON, OHIO

AUGUST 30, 1967.

To Whom It may Concern:

This is to certify that I received two shares of Farm Bureau stock from my father's estate, Floyd O. Snyder. These shares were from Ashland County Farm Bureau and at the time of my father's death transferred to me as said Farm Bureau would not honor them for cash.

STATEMENT BY MR. CLAYTON H. KEENER, ASHLAND COUNTY, OHIO

AUGUST 30, 1967.

When my father died he had approximately 200 patronage dividends which were to be divided among the heirs. Instead of paying these shares in cash, the Ashland County Farm Bureau reissued the shares to the heirs. These shares are $10.00 each. Many of these shares are more than 20 years since issued. Course we have to pay personal tax on these and what do we expect to receive if even on estate they can't be settled?

[From the Ashland (Ohio) Times-Gazette]

FARM BUREAU CO-OP HEAD ADMITS: NO STOCK REDEMPTIONS SINCE 1946—CLEVER EXPLAINS FB STOCK POLICY

The claims by Mrs. Norma Williams of Nova that Ashland County Farm Bureau shares given out to members in recent years are "worthless" are not true, according to H. L. Clever, general manager of the Ashland County Farm Bureau Co-op Association, Inc., 813 Clark St.

Clever presented information this morning to The Times-Gazette which shows that statements from area residents presented to a congressional hearing in Washington Wednesday are not entirely explained.

According to Mrs. Williams' testimony, Clayton Keener, RD 3, Ashland, has 20 stocks from the association which are worth $10 each, "many of them more than 20 years old."

She said that the stocks had been re-issued to Keener after his father died.

According to Clever, Keener's seven of the 20 shares were transferred from H. C. Keener to Keener after 1951. He said the stocks have not been called in for payment yet by the board of the Farm Bureau.

The other stocks that Keener has, dating from Dec. 31, 1946, when he was granted a voting share, to Dec. 31, 1951, also have not been recalled for payment by the bureau.

Clever said the stocks are paid in a block and that stock blocks dating to 1946 have been called in and no others issued since then have been redeemed.

The bureau policy is not to pay stocks on an individual basis, but to call for them in blocks and pay all of them, either in new stock or cash, at the owner's wish. Clever explained to reporters today.

Clever explained that a claim by Robert E. Troxel, Savannah, was similar, in that the stocks had been issued since 1946 and had not been called in for redemption by the board of directors.

Clever said that it is not the policy of the bureau to accept stocks issued after 1946, or not in a recalled block, on an individual basis.

All 70 of the stocks issued to Troxel according to bureau records were issued after May 4, 1946, Clever said.

Troxel told the Times-Gazette that Mrs. Williams interviewed him last week in connection with the statement given to the congressman Wednesday.

Keener said that she was at his place last week also.

Keener added that he was not against the idea of having the stocks issued, but didn't like to wait so long before being able to cash them.

A claim by Don D. Snyder could not be checked out thoroughly because there seems to be a discrepancy in an initial in sources of information provided to reporters.

Clever said that every year, the board decides how much stock to recall for redemption.

According to Clever, bureau members are granted stocks or cash each year on a percentage basis of what they purchased through the co-operative.

This is about 3.1 or 3.2 per cent of the total purchases, Clever said.

LETTER FROM MRS. NORMA WILLIAMS, SEPTEMBER 6, 1967

Representative JOSEPH Y. RESNICK,
House Office Building,
Washington, D.C.

DEAR MR. RESNICK: Enclosed are the statements in the local newspaper of the manager of the Ashland Farm Bureau Co-op regarding my testimony before you Aug. 30, 1967.

Mr. Clever's statements about Clayton Keener's more than 20 profit dividend shares inherited from his father seem confused—since Mr. Keener's father died after 1960 and the estate, containing these more than 200 Farm Bureau profit dividend shares divided among 10 heirs, was settled following his death. Mr. Keener held many shares in his own right, not inherited.

As you will note in the underlined part of the clipping, Mr. Clever, manager of the Ashland F.B. Co-op concerning which I testified, made a statement, "stock blocks dating to *1946* have been called in and *no others issued since then have been redeemed.*" 1946 is 21 years ago.

But the Ashland F.B. Co-op follows the policy of changing the date on the shares to the date of the change of ownership when they pass on shares to heirs of dead co-op members or from husband to wife, etc. so that conceals the actual date when the patronage refund share was earned, and issued. Thus many patronage refund shares, including most of mine, actually date before 1946 and have not been redeemed.

Yours truly,

Norma Williams.

[From the Cleveland Plain Dealer, Sept. 15, 1967]

Farmers' Stock Just a Joke

(By Richard C. Bixler)

Ashland.—A hearty laugh was the reaction of a bank official here yesterday when asked if he would make a small loan, using Ashland County Farm Bureau common stock as collateral. He said the stock has no known value.

Personal property tax, assessed by the Ashland county auditor for many years on outstanding shares of the stock, has been dropped this year because the stock is considered worthless, County Auditor E. L. Ryland told The Plain Dealer.

The stock is given to farmers as dividends by the Farm Bureau at the end of each business year in lieu of cash payments for profits earned by the co-operative.

The stock certificates give par value as $10 a share. The number of shares in a stockholder's name is typed on each certificate, reflecting the amount of business done between the co-op and the stockholder that year.

Virgil L. Cox, vice president in charge of loans for the Farmers Bank of Ashland, has been with the bank 25 years and "in all that time we have never accepted Farm Bureau stock as collateral for a loan," he said.

"I can remember one case where an individual brought in a portfolio of stock that included one Farm Bureau share. We kept it as part of the portfolio but discounted it as having any value as part of his security," Cox said.

A suggestion that anyone would expect him to loan money on the stock was met with an immediate burst of laughter from Cox, followed by a comment "you must be kidding."

County Auditor Ryland said his office has been assessing personal property tax on the shares at two mills, based on the Farm Bureau's statement that each is worth $10 a share. Tax would amount to two cents a share.

Ryland said this is not much money, but over a period of years it could add up.

"We questioned the Ohio Department of Taxation last year about assessing taxes on this stock, explaining to them that the Farm Bureau refuses to redeem it and no one wants to buy it, indicating there is no apparent market value. They told us to quit charging tax on it beginning with 1967," Ryland said.

Robert R. Henderson, prominent lawyer here, said he has handled many estates in which Farm Bureau stock was among assets to be divided among the heirs.

"The Farm Bureau has refused to buy it back, so we listed it as having no value in the estate," Henderson said.

Clayton Keener, a farmer who lives six miles north of here in Orange Township, owns 40 shares of the stock, 20 earned by him and 20 inherited after his father's death in 1962.

Keener said he had been a staunch supporter of the Farm Bureau until it refused to redeem the stock from his father's estate.

"Since then I've been dealing with an independent feed mill and grain elevator in Ashland. I've found I can buy cheaper and sell at better prices than I can get from the Farm Bureau," Keener said.

Keener said this way at least he has his savings in cash, instead of apparently worthless paper certificates.

"If the Farm Bureau bought this mill and put it out of business. I'm not sure where I'd go," Keener said. "Maybe to Mansfield, but that's pretty far away."

Mrs. Nora Williams of Nova, in Troy Township on the county's north edge, helped instigate an investigation of the Farm Bureau by U.S. Rep. Joseph Y. Resnick, D-N.Y.

Mrs. Williams, a widow, raises veal calves and choice lambs on her 77-acre farm and uses most of her produce to feed them. But she did have 10 acres of wheat to sell last year.

"I consider myself one of the lucky ones," she said. "The Farm Bureau has been buying up small mills and putting them out of business, forcing some farmers to haul their grain to Farm Bureau mills and elevators farther away. If they want to deal with an independent mill, they must go still farther," she said.

"I'm lucky because the Nova Elevator Co., a small independent mill, is just a mile away. I deal there. But if that one were closed, I'd have to go to small mills in Greenwich or New London, both 16 miles away. I would have to hire a truck because that is too far to haul with a tractor and wagon. Cost of the truck would cut profits," she said.

The small mills in Greenwich and New London, she said, are types the Farm Bureau has been buying and closing. Were that to happen, the next closest independent mill would be in Mansfield, nearly 40 miles away, she said.

William H. Fagert, president of Nova Elevator Co., where she deals, said the Farm Bureau has never offered to buy his mill and he would not be interested in dealing with them if they did.

"I believe free enterprise still can, and will, survive," Fagert said. "But it could survive more easily if given equal tax breaks."

Fagert said the Farm Bureau received government subsidies when it was founded that no private owners were ever given, and that it enjoys many tax deductions and benefits not afforded to private mills.

The Farm Bureau is looked upon by the government as a nonprofit co-operative designed to help farmers sell at higher and buy at lower prices, and is therefore exempt from taxes.

But farmers here, whose profits have been held by the co-op and used to form a huge combine of commercial businesses, are charging that the Farm Bureau is doing them more harm than good.

[From the Cleveland Plain Dealer, Sept. 16, 1967]

Mills Feel Squeeze of Ohio Cooperative

(By Richard C. Bixler)

Millersburg.—Two independent grain elevator and feed mill operators here say they are feeling the squeeze of what some farmers are calling monopolistic practices of the Ohio Farm Bureau Cooperative Association.

The Farm Bureau is an organization that offers purchasing and marketing services to farmers. It currently is under fire for some of its practices by U.S. Rep. Joseph Y. Resnick, D-N.Y.

Floyd Crilow and Roman Weaver, partners who operate the Holmesville Elevator in Holmesville, with a branch elevator here, sold and stored wheat at the Dover Milling Co. plant in Wooster until the Farm Bureau bought that plant and refused to do business with them, they said yesterday.

Holmesville is five miles north of this Holmes County community. The partners have operated the elevator there 10 years. Their elevator here is the former Millersburg Equity Plant which went bankrupt, was bought by a lumber company and then leased to Crilow and Weaver.

"We often bought more wheat than we had room to store in our elevator and trucked the excess to the Dover Milling Co. at Wooster to store for our customers," Crilow said. "We've also sold wheat to Dover Milling from time to time."

"After the Farm Bureau bought Dover Milling last July, they refused to buy or store any of our wheat. They said they would buy only from individual farmers and wouldn't handle wheat from an independent mill, only from a co-op.

"Now we have to truck wheat fifty miles to Mansfield instead of 15 miles to Wooster."

Crilow said there was no money in handling wheat at today's prices but "if we made any money on it at all before, it's gone now with the extra cost of hauling it so far.

"The only reason we bother with it at all is as a service to our farm customers who also trade with us for other things."

Crilow said the Farm Bureau has never approached him about buying his business and that he was not sure he would be interested if they did. There are not many Farm Bureau members in Holmes County, he added.

Crilow continued:

"About half my customers are Amish and they don't belong to farm organizations. Of the other half, a few belong to Farm Bureau, a few to other farm organizations and some are strictly independent."

He said that with most of his customers having no connections with or interest in the Farm Bureau, it is not likely to pressure him out of business.

Another independent mill owner-operator, this one in southeastern Wayne County, told The Plain Dealer he had experienced the same problem. He asked not to be named "because I have to live with these people."

The Wayne County man said he, also, had sold wheat to Dover Milling at Wooster before the change of ownership.

One day, he said, he sent a truckload of wheat to Wooster and his driver was told it would not be accepted for the same reasons given the Holmesville Elevator owners.

As a result, the Wayne County man says he now trucks his wheat "considerably farther."

"But it may have been for the best. I am getting a better price, more accurate weight accounting and better grading."

He did not disclose the name or location of his new buyer.

[From the Cleveland Plain Dealer, Sept. 18, 1967]

Former Ohio Farm Bureau Booster Becomes Blaster

(By Richard C. Bixler)

Loudonville, Ohio.—Marvin E. Young, a dairy farmer near here, was once a booster for the Farm Bureau. But he recently dropped out. He suggested that his friends do the same and asked: "Is the Farm Bureau helping or hurting us?"

Young, like most farmers, agrees the Farm Bureau has successfully lobbied for much legislation that has helped the farmer. But he says other policies of the cooperative organization are questionable.

The Ohio Farm Bureau Cooperative Association performs purchasing and marketing services for farmers. Some of its practices have been criticized recently by U.S. Rep. Joseph Y. Resnick, D–N.Y.

Young lives about 5 miles north of here where Ashland, Wayne and Holmes counties meet. His farm is in Ashland County.

"When I was first introduced to the Farm

Bureau, I was enthusiastic," he said. "My dad had belonged for years and I accepted it without question.

"I was asked by a Farm Bureau counselor if I would help establish an advisory council in this end of the county.

"I got several other couples about the same age as my wife and I to join and we held council sessions with a Farm Bureau counselor coming to speak to us about modern farming methods at each meeting," Young added.

He was told, he said, to double the size of his herd.

"But," Young continued, "you don't just go out and buy several head of cattle without consideration of cost and how you will handle the extra work and other problems.

"The next thing was, a neighbor asked me why I bought Farm Bureau gasoline. I said I guessed it was because I'd always been told it was cheaper. But the neighbor showed me I could buy from several commercial oil dealers for 2½ cents a gallon less.

"I called one," Young said, "He came out and put in an underground tank and electric pump at no cost to me. The underground tank saved me quite a bit by eliminating evaporation that I had in the Farm Bureau above-ground tank. I have receipts that show I saved $38 on the first tank."

Young said one of the goals of the Farm Bureau is to get better prices for the farmer when he sells his grain.

"If they've had any successes at all, why did wheat sell for $1.30 a bushel this year when 20 years ago it was $2.26?" he asked.

Young said he was told the Farm Bureau's acquisition of Gold Star Mills in Wooster, one of several businesses recently purchased in Wooster by the Farm Bureau also was to help the farmer.

"I used to sell ear corn (unshelled) to Gold Star Mills when it was independently owned," he said. "They always paid the highest price to anyone around, 10 cents a hundred weight (100 pounds) above the independent mills in Lakeville and Loudonville.

"After the Farm Bureau took over at Gold Star, they offered 10 cents less than the other mills," he added. "They wound up doing very little business, I understand, and now have announced that they will no longer buy ear corn at all.

'The result is, we've not only lost one market for our corn, but we've lost the one that used to help keep the prices up at the others—the thing I thought the Farm Bureau was supposed to do," he declared.

Another farmer near here who is a member of the Farm Bureau said there is another side to the story.

"I have no great love for the Farm Bureau," he said. "But you must remember that the Loudonville area and most of Holmes County is in what is called a grain deficit area. Most farmers here are dairy or livestock farmers. They use more grain than they raise.

"In that respect it's not all bad, because if the mills here buy corn for less, they also sell it for less, and most farmers here have to buy some to supplement the feed they raise. So for them it is a saving," he said.

Growing Trend of Ohio Farm Bureau Toward Control of Farmer

Ashland, Ohio,
August 28, 1967.

Dear Sir: In regards to the statement of the Farm Bureau representing the American Farmer are very untrue, all they have ever done is bleed every dollar they can get from him.

They have used the same brain washing tactics *Hitler* used through the young people, from the Extension agents, Four H, FFA, Ag. Teachers, and Agriculture Colleges, to build their grant empire.

At present they are getting control of a large percent of our elevators. If private elevators pay more for grain or sell other commodities cheaper, they buy them out. These F. B. Elevators go by different names, in some cases, they don't change the name, so as to make farmers believe they are not dealing with F. B.

In our own locality, the few remaining towns that are not controlled by F. B. Elevators pay from 6 to 8 cents more for grain. We have a gasoline distributor who sells farmer's gasoline 2½ cents cheaper than F. B. He has been critized by F. B. from local to state level, has not been scared out yet. So you can see how they help the farmers.

For a number of years they were good to him. They gave him shares of *worthless Stock* which he paid personal tax on. He could not trade a $10 share on a cup of coffee. Now they have a better gimmick. Say the farmer has a $50 proration. He will receive a check for $11. Then he will pay income tax on the $50, which could let him have a couple of bucks to spend at the F. B.

In the last three months they have purchased the Gold Star, a large feed co., The Wooster Elevator with 600 thousand bu. storage, and Wooster Egg Auction—all of Wooster, Ohio.

So it is about time the F. B. begins paying tax.

Yours,
Cliff Shopbell.

Farm Bureau Co-op Pressure on Private Business

Lantz Mills, Inc.,
Mansfield, Ohio, September 18, 1967.

Hon. Joseph Y. Resnick,
Representative from New York,
Capitol Building, Washington, D.C.

Dear Sir: Just a few words to express my appreciation for the job support on the probe of the Ohio Farm Bureau. This has been a problem for many years and many of us in the small feed and grain business have felt that this was definitely one segment of probe existing in the Agricultural picture. We are charged taxes for which the Farm Bureau has been exempted and it has been hard for us to follow through. I feel that you are on the right track.

Sincerely yours,
H. Robert Lantz,
President.

Statement by John A. Meek concerning his attempt to store soybeans with Ashland County Farm Bureau Co-op and then later withdraw the beans without a warehouse receipt. Ohio Farm Bureau is lobbying against a warehouse receipt bill now before the Ohio Legislature. All other farm organizations favor it.

Sullivan, Ohio,
August 28, 1967.

Dear Sir: In the fall of 1965 just prior to the soybean harvest, I went to the Farm Bureau elevator at Sullivan, Ohio, and asked the manager if I could store beans there and get them back later to sell through the National Farmer Organization (NFO).

He said, you can store them here and get beans back for beans, not the same beans, but quantity and quality for quantity and quality.

I stored my beans there expecting to get them back. In early February I went to get them released to sell with the NFO. I was told that I could not get them. I asked if he remembered our agreement in the fall. He said, "yes, but the boss won't let me return them to you."

My weight slips were all marked "stored" but they refused to return or release them to me. I had to sell them to Ashland County Farm Bureau when I could have sold them through the N.F.O. and gotten more money.

I believe that Farm Bureau should have been exposed years ago for what they are.

John A. Meek.

Notarized Statement of Marvin E. Young Concerning Refusal of a Subsidiary of Landmark Co-op To Accept Wheat From an Independent Elevator

Lakewell, Ohio,
August 28, 1967.

Mr. Resnick: On June 1st, "The Farm Bureau" took over a recently purchased grain warehouse formally known as "The Dover Milling Company" in Wooster, Ohio.

A few days later I took several loads of wheat to this elevator. One of the times I was behind a load of wheat from a small independent elevator. An employee of "Landmark" (Farm Bureau) refused the wheat, giving the reason that it was from an independent elevator, rather than a co-op elevator. The truck driver then asked to see the manager, but again the wheat was refused. The manager said he received his orders from Columbus and didn't have anything to do with it.

The driver asked if they would continue to deal with other co-ops after they forced all independents out of business. The manager just smiled and walked away.

Marvin E. Young.

THE REPUBLICAN COORDINATING COMMITTEE TRIES VAINLY TO COMPENSATE FOR AN EMPTY GOP VOTING RECORD

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rensick] may extend his remarks at this point in the Record and to include extraneous matter.

The SPEAKER. Is there objection to the gentleman from New Jersey?

There was no objection.

Mr. RESNICK. Mr. Speaker, the Republicans are desperately trying to create a smokescreen to hide their obstructionist tactics on domestic legislation from the American voters.

This smokescreen is better known as the Republican Coordinating Committee which, from time to time, issues self-righteous pronouncements about what needs to be done to improve American life.

Recently, the coordinating committee glanced at rural America and announced a 5-point program to aid rural slums.

And no sooner were these recommendations made public than the Republicans in the House overwhelmingly voted to cut back President Johnson's Appalachia aid program by one-third.

Now, the Republican Coordinating Committee has recommended more schools and health facilities for rural areas. But their colleagues in the House voted a severe cutback in the Appalachia bill that would help to operate hospitals built with Federal aid.

It is clear that the Republicans are trying to fool the American people. They do not want to be branded for what they are: Stubborn obstructionists against every proposal for domestic progress.

Obviously, they believe that positive policy pronouncements can somehow disguise their overwhelmingly negative voting record on every major program offered by the administration.

They are mistaken. The American people will support those who have transferred their convictions into votes for progress. This record belongs to the Democratic Party.

It seems that our Republican colleagues will have a lot of explaining to do in 1968.

OUR GOVERNMENT DOES CARE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Corman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CORMAN. Mr. Speaker, Mr. Douglas S. Wright, of Sylmar, Calif., a constituent of mine, recently wrote to me concerning his son, Charles, who enlisted in the Marine Corps 2 years ago and is now on his second tour of duty in Vietnam. As a parent, Mr. Wright has been concerned about the dangers his son is facing in armed combat and has had serious doubts from time to time about the whys and wherefores of the Vietnam struggle.

Because of his doubts, Mr. Wright previously had written to the President asking him to help his son fight a war to win. The reply he received from Washington reaffirmed his basic belief that his son is fighting to win and that his Government is making every effort to guide him toward this end.

It is not difficult to understand a parent's impatience that we either get in and get it over with, or get out and get it over with, as many have suggested. Our military effort in Vietnam began with the idea of fighting a limited conflict to obtain one basic limited objective—that of preventing a Communist takeover of South Vietnam. The abandonment of this policy is dangerous to a world where the preservation of freedom of all people must be of concern to all men.

Thinking that perhaps other parents might be reassured by his experience, Mr. Wright composed a statement which he entitled, "Our Government Does Care," and sent it to me.

Mr. Wright's thoughts are those of a man who has a deep understanding of the meaning of freedom and of why his son and other sons must fight to preserve this freedom in Vietnam, as other young men fought to preserve it on the battlefields of Chateau-Thierry, on the shores of Normandy, in the Philippines, and on the islands of the Pacific.

I would like to share Mr. Wright's statement with my colleagues. Its text follows:

Our Government Does Care

Recently I sent a personal request to President Johnson on behalf of my Marine son, Charles, to "help him fight a war to win."

During the period of two years my son has served in the Marine Corps and two tours of duty in the Vietnam war zone, my pride and confidence in our country's effort to assist the South Vietnamese people against communist aggressors, have maintained a high level. However, lately my concern began to change. How valuable are our sacrifices? Is such great effort worth it? Does the South Vietnam government actually want us there? Can there be a victory of reasonable application?

All of these questions must create the concern of other parents with servicemen in this war zone. And what position do the survivors of over 12,000 who have given their lives in this war take? Have they joined the "hate" groups, the "against" groups who are making so much news by marching and crying out with non-support of our Government leaders' policies?

A casualty, killed or wounded, represents many people. These are people—not statistics, no matter how you look at it. I am one of the fortunate people who has not lost his offspring in combat. But, when and if this would occur, what position would I take? This, then, was my motive in requesting some answer direct from the one man whose decision sent my son to fight in a war of questionable value.

From the answer I received, I am satisfied our Government does care, and I have renewed confidence that our position and that of my son's has meaning and that our sacrifices will bear recognition.

I am further concerned for others in this same situation; can they be re-assured by my experience or would they think it a matter of propaganda. Let those believing the latter be so informed that I now would be prepared to stand alongside my son and give my life, if necessary, in this struggle to help other people be free.

In addition, and with equal importance, is the fact that I have a second son, Chris, just graduated from basic training in the Marine Corps at San Diego. He shall soon also become a combat Marine and risk his life for the same purposes of freedom. And for him, too, it is my confident belief that all our efforts are worth following leaders who care and recognize our sacrifices.

Douglas S. Wright.

DEDICATION OF COURTS BUILDING—LAFAYETTE SQUARE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BOLAND. Mr. Speaker, the new courts building—to house the U.S. Court of Claims and the U.S. Court of Customs and Patent Appeals—was dedicated on Lafayette Square this morning. It is an excellent new building which gives these courts a permanent home for the first time. And it marks completion of the major phase of the "new look" for Lafayette Square, the "Park of the Presidents" directly across from the White House.

When I say "new look" I mean a return to the original concept of this famous square which, from the very beginning, was meant to provide a place of greenery and calm in a busy city; which was meant to focus attention on the most important building on this strategic piece of real estate in our Nation's Capital: the White House.

During the twenties and thirties of this century, commercial buildings intruded upon this front yard of the White House, destroying the small-scale residential character of the square which had served for so long as a center of Washington life. In the late fifties it was proposed to erect monumental Government buildings on the east and west side of the square but, fortunately, this plan was discarded.

The credit for saving the square belong to the late President John Fitzgerald Kennedy and his wife, Jacqueline. It was at the insistence of President and Mrs. Kennedy that demolition of the famous homes rimming the square was prevented and that a different architectural concept was adopted: to keep the graceful old houses, to remove the gawky commercial buildings, to restore the 19th century facades.

The high-rise buildings to the rear of the residential-type structures were designed to provide the space needed by Federal activities, to serve as a background for the square and not to dominate it. The plan has been successful and its measure of success will be progressively demonstrated as restoration of the residential facades is completed and the new landscaping added. Sharing in the credit for the new Lafayette Square are Architect John Carl Warnecke and the General Services Administration, specifically GSA's Administrator, Lawson B. Knott, Jr. It is a job well done.

Mr. Speaker, I was privileged to attend the dedicatory exercises this morning with other Members of the Congress, Mr. Celler and Mr. Rooney of New York, Mr. Ashmore of South Carolina, Senator Jordan of North Carolina, Mr. Hall of Missouri.

I insert the entire program to be printed at this point in the Record:

Dedication of Courts Building: U.S. Court of Claims and U.S. Court of Customs and Patent Appeals, Washington, D.C., September 20, 1967, 10:30 a.m.

THE COURTS

The United States Court of Claims was established by Act of Congress on February 25, 1855. It is a constitutional court, and its jurisdiction, which is nationwide, embraces a wide variety of claims against the United States for money damages. Prominent among such claims are those for tax refunds, breach of contract, military and civilian pay claims, and claims for the taking of private property for public use without just compensation, as required by the Fifth Amendment to the Constitution. The court has exclusive jurisdiction of patent and copyright infringement suits against the Federal government and appellate jurisdiction over the Indian Claims Commission. The court is composed of the Chief Judge and six Associate Judges who sit in Washington, D.C. There are 15 Commissioners who serve as the trial judges of the court and who preside at the trial of cases both in Washington, D.C., and throughout the country wherever it is most convenient for the parties. Their decisions are reviewed by the seven judges whose final decisions are reviewable only by the Supreme Court of the United States.

The United States Court of Customs and Patent Appeals is a constitutional court consisting of a Chief Judge and four Associate Judges who sit *en banc* in Washington, D.C. It was established by Act of Congress on March 2, 1929, but as the successor to the prior United States Court of Customs Appeals, the origins of its customs appeal jurisdiction are found in the Act of Congress of August 5, 1909. The court's jurisdiction is not limited by territory, but is limited to specialized subject matter which includes (1) appeals from the United States Customs Court, (2) appeals from decisions of the United States Patent Office under the conditions specified in 35 USC 141, and (3) review, on questions of law, of findings made by the Secretary of Commerce pursuant to the Educational, Scientific and Cultural Importation Act of 1966. The court's decisions are final, subject to review by the Supreme Court of the United States.

The court building being dedicated today is the first permanent home for both courts and contains the offices for both as well as their courtrooms and library.

PROGRAM

Prelude: United States Marine Band, Drum Major Daniel Oeser, Conducting.

Procession: Judges, Commissioners, and honored guests.

Parade of Colors: United States Armed Forces Joint Color detail.

Presiding: Honorable Wilson Cowen, Chief Judge, U.S. Court of Claims.

Invocation: His Eminence Patrick Cardinal O'Boyle, Archbishop of Washington.

Presentation of the Building: Honorable Lawson B. Knott, Jr., Administrator of General Services.

Acceptance for the Courts: Honorable Eugene Worley, Chief Judge, U.S. Court of Customs and Patent Appeals; Honorable Wilson Cowen, Chief Judge, U.S. Court of Claims.

Remarks: Honorable Earl Warren, Chief Justice of the United States.

Address: Honorable Marvin Jones, Senior Judge, U.S. Court of Claims.

Benediction: Reverend Edward G. Latch, D.D., Chaplain, United States House of Representatives.

Postlude: The United States Marine Band.

THE NEW LAFAYETTE SQUARE

During the planning of new Federal buildings for the Lafayette Square area, a decision was made to return to the small scale residential character of the Square which in the 19th century had been a center of Washington's social and diplomatic life. Historically, the Square had reflected such a residential concept with the White House as the natural center of interest until the 1920s when the small scale residential quality—envisioned by early planners—was lost by the construction of multi-story commercial structures around the Square.

Following the decision to preserve Lafayette Square at a scale which would frame the White House as a center of interest, the residential character of the facades of Jackson and Madison Place was re-established and new Federal buildings were placed in the background to serve as quiet back-drops for the residential-type structures and as transitions from the large commercial buildings of the surrounding downtown area. The New Executive Office Building on the west side of the square and the Court of Claims and Court of Customs and Patent Appeals on the east side were designed with these objectives in mind. Dark colored Victorian red brick was selected with the guidance of aesthetics and history. The dark color gives the large structures the appearance of receding; light colored material would tend to emphasize them.

The nine-story building housing the Courts contains courtrooms for each Court, chambers for judges and commissioners and required ancillary facilities.

John Carl Warnecke of San Francisco was the architect for the Lafayette Square projects and the Blake Construction Company of Washington the general contractor for the Courts Building and the New Executive Office Building.

JOB CORPS—DISASTER CADRE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OLSEN. Mr. Speaker, the people of my congressional district, the people of all Montana and the people of the entire Northwest owe a debt of gratitude to the Job Corps and to the individual Job Corpsmen for the splendid work accomplished during our recent disastrous forest fires.

Without a moment's hesitation, these fine young Americans gave their time, skills, and efforts when vast areas were threatened with total destruction. Not only did the Job Corpsmen represent available manpower when they were needed, they represented trained manpower. In the Big Sky country where we face the threat of vast forest fires each year the knowledge that a reserve of trained firefighters is available is indeed comforting.

Job Corpsmen from training centers in all our Western States were used extensively in the successful effort to prevent destruction of our natural resources when the emergency broadened. Thousands of Job Corpsmen worked hour after hour and day after day in fire control work. Without a murmur of protest they worked weekends and holidays as well as normal workday hours.

Job Corpsmen have proven themselves able and willing workers when disaster threatens. They have made many positive contributions to this Nation, not only in firefighting, but in flood control, flood cleanup, and in tornado relief. Energetic and trained Job Corpsmen have many times been a ready disaster cadre in this Nation. The Office of Economic Opportunity has demonstrated through the Job Corps that the disadvantaged youth of this Nation are able and willing to make outstanding contributions to society.

I am including the following article, one of many that have recently appeared in my district concerning Job Corps firefighting efforts, as a part of my remarks in the CONGRESSIONAL RECORD:

[From the Montana Standard-Post, Butte, Mont., September 12, 1967]

CORPSMEN BATTLE ELBOW LAKE FOREST FIRE

Anaconda Job Corps Conservation camp on Foster Creek has a crew of 46 corpsmen and 10 staff members on the recent forest fire at Elbow Lake on the Rock Creek drainage west of Deer Lodge, corps officials reported.

The crew of firefighters from the Foster Creek camp hiked seven and one-half miles up steep and rugged mountain trails to the fire site.

Fireboss Paul Hoskins commended the corpsmen for their willingness and ability to perform well under extremely hazardous and tiring conditions. Although most of the corpsmen had never climbed a mountain or seen a forest fire, they were eager to pitch in and do whatever was needed, he said.

Six seven-men squads battled the fire along the steepest and most rugged sectors of the fire while another 10-man crew set up a complete kitchen and prepared meals for over 200 weary firefighters.

During the early hours of the fire while the blaze was still raging out of control, corpsmen rushed in close to the flames to retrieve tools and supplies that had been parachuted.

Many of the corpsmen were so impressed with the excitement and importance of firefighting they are eager to return to fire duty as soon as possible.

Staff members from the Job Corps camp provided overhead functions on the fire scene as squad, crew and division bosses, safety officer, camp and cook bosses.

To provide a ready manpower reserve for other fire emergencies on the Deer Lodge and adjacent national forests, the Anaconda Conservation camp has trained fire crews ready to go as a result of a training session conducted by the forest service and weekly training conducted by the work department at the camp, David A. Fillus, deputy director at the camp, reported.

U.S. CHEMICAL INDUSTRY UNITED IN OPPOSITION TO PROPOSED ABOLISHMENT OF AMERICAN SELLING PRICE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, very soon the President's special trade representative is expected to offer legislation implementing the so-called ASP Second Package negotiated last spring in Geneva under the Kennedy round. Recently the Manufacturing Chemists Association joined the Synthetic Organic Chemical Manufacturers' Association in opposing congressional ratification of the proposed Second Package. An excellent analysis of the issues involved appears in this month's Chemical and Engineering News. I also commend to my colleagues a recent Newark Star Ledger editorial that explains why ASP is so essential to New Jersey's rate of employment. The articles follow:

MCA PUTS A UNITED CHEMICAL INDUSTRY BEHIND ASP

When the Manufacturing Chemists Association announced late last month that it found the Kennedy round tariff agreement in chemicals to be less than reciprocal and that it thought American Selling Price (ASP) should be retained, the organization that speaks for most of the chemical industry made a new ball game out of the upcoming fight in Congress to eliminate that controversial system of tariff valuation.

The Administration, of course, will try to convince Congress that ASP should be abolished. One of the strongest arguments in the Administration's arsenal has been the oft-repeated contention that the chemical industry itself has been divided in its own attitude toward ASP.

Trade officials had hoped to convince Congress that only a small segment of the industry, the benzenoid producers spearheaded by the Synthetic Organic Chemical Manufacturers Association (SOCMA), was really concerned about retaining ASP. Why mess up a bargain that is so good for so many, they ask, for the sake of a few, especially when we are providing to compensate the few for injuries they may receive?

The MCA statement has torn this argument from its moorings. It puts the entire chemical industry solidly behind what had been dubbed that pesky, protectionist stand by a few.

What makes the MCA pronouncement all the more significant is the fact that, on international trade matters at least, MCA has been less than forceful in its position statements. In fact, with very few exceptions, it has been noticeably silent ever since the early days of the Tariff Commission and Trade Information Committee hearings. The brief which MCA submitted last year, for instance, half-heartedly endorsed the idea of a uniform international antidumping code, but it was liberally punctuated with qualifications and caution.

Not so last month's thumbs down memorandum regarding the Kennedy round agreement, and especially the ASP package. There were no qualifications whatsoever in the statement of Gen. Decker, MCA president, lashing out at "the one-sided Kennedy round agreement already in effect" and "the even more one-sided supplemental proposal to eliminate the American Selling Price."

With his lack of solidarity argument shattered, Ambassador William M. Roth, who led the U.S. negotiating team in Geneva and who will probably lead the Administration's Congressional campaign to repeal ASP, will lean heavily on two other points. One is that U.S. chemical exporters will benefit by the additional 30% cut in tariffs which it will receive for giving up ASP. The industry's attitude, which the MCA memorandum underscores, is that there is little or nothing to be gained from the additional 30% cuts, certainly not enough to justify ASP's loss. Mr. Roth's other argument is, simply, that ASP is blatantly unfair and inequitable as a method of assessing import duties.

It is a valid argument. ASP is not the most righteous piece of tariff legislation ever written. It has several faults. But neither is it the only unfair nontariff barrier in the world today. Moreover, although it may be a gallant gesture to abolish ASP unilaterally in the hope that other countries may be prompted to follow the good example, it makes more sense to condition ASP repeal upon something more substantial than hope—something like finding a truly reciprocal basis for doing away with the worlds' unfair nontariff barriers.

ASP champions argue, too, that their tariff protection will drop by more than the 50% limit set for the Kennedy round if ASP is abolished and the final rates are adjusted to the proposed 30% ceiling. So the fight, when it comes, will boil down to this: Should ASP be eliminated because it is unfair to foreign producers or will eliminating it be unfair to U.S. producers?

This is what Congress must decide.

[From the Star-Ledger, Newark, N.J., Sept. 4, 1967]

THREAT TO LABOR

The harsh realities of partisan politics and the honest differences of opinion among individual lawmakers are such that it is a rarity, indeed, when all members of the New Jersey congressional delegation see eye to eye—and aye to aye—on any given issue.

It is highly significant, therefore, that they are unanimously united in their opposition to proposed legislation stemming from a controversial tariff-cutting agreement recently negotiated at Geneva.

While the Johnson Administration hails the compact as an important step toward international trade liberalization, the agreement has been under severe attack by spokesmen for the chemical, steel and textile industries.

The chemical industry, in which New Jersey has a leading stake, finds it difficult to understand how American negotiators can justify an agreement by which the United States reduces duties by 50 per cent in exchange for cuts of 20 per cent by Common Market countries.

To compound the giveaway, the U.S. negotiating team agreed to press for the elimination of the American Selling Price system of valuation, although it lacked authority to do so.

The system uses the American price, rather than the generally lower foreign price, for determining the value on which a tariff is placed on selected chemicals, particularly dyes and pigments. The arrangement has protected domestic manufacturers—and their thousands of employes—from unfair foreign competition since shortly after World War I.

The New Jersey delegation has wisely decided to oppose planned legislation repealing the American Selling Price. Its position is fully supported by strong resolutions adopted by the Essex County Board of Freeholders and other governing bodies in the state.

Large numbers of minority group workers are employed by the New Jersey dyes and pigment industry. In Newark plants, 52 per cent of the dye workers are Negroes and Puerto Ricans. The lowering of tariff protection will cause layoffs and hardship. The victims of this government-engineered "disemployment" will be precisely those minority group workers who have the most difficulty in finding new jobs.

Costly retraining programs, unemployment checks and welfare assistance are not likely to bolster the morale of dye workers in New Jersey who currently earn an average of $7,500 annually.

Free trade among the nations of the world is a concept that has attracted support in many quarters. In theory it is a wonderful idea, as appealing to contemplate as the achievement of a utopian government.

From a practical viewpoint, however, free trade is an unattainable goal. To enthuse over the new tariff agreement as a major step in this direction is to ignore the bitter truths of international trade.

The American negotiating team is busy telling the American public of the successes that were scored in Geneva. How then does it explain the dissatisfaction of key industries in the United States and the general glee and gloating over the terms of the agreement among foreign manufacturers?

Giving concessions of 50 per cent in return for 20 per cent is not much of an accomplishment at a time when the nation already is sorely troubled about its unfavorable balance of trade. It doesn't require any bargaining skill to give away $50 for every $20 received.

The situation is further aggravated by the fact that tariffs represent only one aspect of the barriers to liberalized international trade.

There are also non-tariff barriers that have been erected by many of the foreign nations with which American firms trade. The most common of these is the border tax—an additional levy imposed on goods entering a country. The non-tariff barriers were specifically excluded from consideration at Geneva, to the detriment of American interests. In some cases border taxes already have been raised to compensate for tariff reductions agreed to at Geneva.

On the basis of available evidence it is difficult to rejoice over the new tariff agreement.

Unfortunately it does not require congressional approval to become effective. The elimination of the American Selling Price system however, cannot be effected without enactment of legislation by Congress.

Under the circumstances, and in view of New Jersey's big stake, it is obvious that the congressional delegation is to be congratulated for its strong position in favor of retaining this important protective device.

THE UNITED STATES AND ITALY: TWO PRESIDENTS, ONE WORLD VIEW

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, President Johnson and President Saragat of Italy have issued a joint statement outlining the agreement between our two nations on such weighty issues as peace and independence in Southeast Asia, stability in the Middle East, and the importance of the pending worldwide nuclear nonproliferation treaty.

It is not at all unusual for Americans to witness a complete harmony of views between a President of the United States and a President of Italy.

The bonds of friendship and understanding between Italy and the United States go back to our very beginnings.

Italy has been the source of immigration for millions of Americans.

Italy has been a partner in world trade. It has been an ally in international security through NATO. It has been a center of cultural and tourist exchange for American teachers and students and visitors. It has been a focus for the religious interest of millions of Americans of the Catholic faith.

Yet, with this meeting of Presidents, President Johnson has added yet another dimension to the warm friendship which exists between the United States and Italy.

President Johnson has reaffirmed our faith and cooperation with a free and independent country which is a major power in Western Europe.

He has again demonstrated to the world that the future, and the prosperity and the security of Europe is a priority item in America's view of foreign affairs.

And he has again reaffirmed his faith in the growth and flowering of democratic institutions in the old world, just as he has fought for the growth of democratic institutions in the nations of the emerging world of Southeast Asia and Latin America.

Let us recognize the heroic job President Johnson has done—not only with the Republic of Italy, but with the leaders of nations all over the world who have received a cordial reception at the White House in past months.

The list of distinguished visitors our President has welcomed has been nothing short of superhuman.

It is proof that we have a President who is working day and night to create a world in which large nations are responsible, small nations are protected, and all nations join together in common pursuits.

This is the record which Lyndon Johnson has written for his own Nation, and we ought to be proud of him and support him all the way as he seeks peace and friendship and understanding.

Under unanimous consent I insert in the RECORD the joint statement of President Johnson and President Saragat following discussions held in Washington, D.C., September 18, 1967:

JOINT STATEMENT OF PRESIDENT JOHNSON AND PRESIDENT SARAGAT, FOLLOWING DISCUSSIONS HELD IN WASHINGTON, D.C., SEPTEMBER 18, 19, 1967

President Johnson and President Saragat had two conversations at the White House on September 18 and 19. Secretary of State Rusk and Foreign Minister Fanfani were present on both occasions.

The two Presidents had a broad and thorough exchange of views on the international situation. There was also a review of issues of bilateral concern, with a view to strengthening further the close relations between the two countries in accordance with the long-standing ties of friendship and alliance which exist between Italy and the United States.

It was agreed that the common goal of both nations is the maintenance and the strengthening of peace. The two Presidents reaffirmed their confidence in the essential role played by the UN in achieving that objective.

There was complete agreement on the importance the North Atlantic Alliance, which from its inception has served both as an instrument of defense and as a vehicle for progress, continues to have for the security of its members and for world peace. By reinforcing international stability, it contributes to mutual understanding and confidence among peoples. It was also agreed that security and peace in the Atlantic area are based on a partnership between Western Europe and North America, founded on equality of rights and duties and on a balanced development which may be furthered through ever closer technological cooperation. The two nations share a common desire to create an atmosphere of cooperation and to bring about the relaxation of tensions among all the nations of the European continent.

The prospects for broadening the foundations of peace were examined. In this connection, it was agreed that a treaty to limit the dissemination of nuclear weapons, which takes into account the legitimate interests of all countries concerned would contribute to that end.

It was agreed that the two countries, deeply concerned by recent events in the Middle East, share a particular interest in the reestablishment of peace and stability in that area. With respect to Southeast Asia, confidence was expressed that an equitable settlement of the present conflict will be reached on the basis of freedom so as to strengthen the fabric of peace everywhere.

The two Presidents welcomed the recent agreements reached in London on international monetary liquidity and agreed on the importance of achieving agreement on this matter at the meeting of the International Monetary Fund at Rio de Janeiro later this month. They expressed satisfaction at the successful conclusion of the Kennedy Round trade negotiations, and underlined the great importance which they attach to assisting the developing nations in obtaining a higher standard of living and greater economic growth.

The two Presidents agreed on the great importance of these consultations among close allies, which contribute to the strengthening of understanding and cooperation between the two countries, and thus to the achievement of the common objectives of progress and peace for all mankind.

WESTINGHOUSE CORP.'S GROWTH IN FLORIDA

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PEPPER. Mr. Speaker, Florida's exciting economic growth is a matter of great pride to all of us who represent this great State and its rapidly growing population. One of the things of which we are most proud is the ability of our State to attract the most sophisticated kinds of industry and especially the advanced kinds of electronics facilities.

It is not generally known that Florida is now one of the major electronics production areas in the Nation. But we are proud to have some of the great electronic firms of our Nation as major employers in our State. Recently this was exemplified by a typical Southern greeting:

> We warmly welcome Westinghouse. We are happy this well-known company is joining our neighborhood.

These words, which first appeared on the editorial page of the August 3, 1967, issue of the Pensacola Journal, were reprinted in the September 1967 issue of the employee newspaper of the Westinghouse Electric Corp.'s atomic power divisions. The editorial heralded the coming to Florida of the atomic equipment division's newest manufacturing facility. The plant will make internal structural parts for nuclear reactors.

The plant, for which site preparation has already begun, is one of several projects and facilities which Westinghouse built or is building in the Sunshine State. On Friday, September 29, the company's aerospace division will break ground at Coral Springs for a new manufacturing plant that will make airborne and space electronic equipment.

Another plant, first announced on Tuesday, March 14, 1967, will be built near Tampa for the manufacture of steam generators and other heat transfer equipment for use in nuclear powerplants.

The plants mentioned above are but the most recent activities which serve to join the futures of the company and the State.

In other activities in Florida, Westinghouse—

Is building a new city at Coral Springs for some 60,000 residents. The company plans to use the community as a product proving ground;

Built at Key West a water desalting plant which is now providing residents of that community with fresh water from the Atlantic Ocean;

Received orders from the Florida Power & Light Co. to build two nuclear power-generating stations at Turkey Point, 25 miles south of Miami;

Will build four unique passenger transfer systems at the Tampa International Airport; and

Will supply the Gulf Power Co. a new 320,000-kilowatt turbine generator and related equipment for use in Pensacola.

PLANT HEADED BY FORMER SPACE PROJECT MANAGER

The manufacturing plant, for which ground will be broken on September 29, is expected to ultimately employ about 1,200 persons. The 150,000-square-foot facility is headed by Stanley N. Friedman, veteran Westinghouse employee and former manager of the company's Gemini rendezvous radar project.

Coral Springs, the community near which the new plant will be located, is being developed by Coral Ridge Properties, a Westinghouse subsidiary. Beachfront properties include a high-rise condominium apartment and modern hotels. Westinghouse will use Coral Springs to test and develop new products and systems and thus enable the company to better serve the growing building construction market.

The new Westinghouse plant at Pensacola will cost upward of $10 million to build and equip. It will fabricate nuclear reactor internal parts such as core barrels and other large components used to position and support nuclear fuel assemblies. The plant will employ some 300 persons. It will be located on an 80-acre site on U.S. Route 90 in Escambia County, on Escambia Bay, about 7 miles from the city of Pensacola. The company expects to occupy the office quarters in mid-1968 and to begin limited production in late 1968.

Peter M. Sarles, general manager of the company's atomic equipment division, said that virtually all employees of the plant will be hired and trained locally, beginning in 1968. Only a small staff of key people to start up the plant will be drawn from division headquarters in Cheswick, Pa. William H. Griffith, nuclear project manager at Cheswick will be manager of the new plant at Pensacola.

PLANT TO HAVE 500 EMPLOYEES NEAR TAMPA

The $25 million facility to be built near Tampa will be located on Old Tampa Bay, just south of Gandy Bridge along West Shore Drive. Manufacturing operations are expected to begin in 1968. The plant will have about 200,000 square feet of manufacturing and office space. When the plant is in full production, it will have a payroll of approximately 500 employees. This work force will be skilled in the machining, fabrication, welding, assembly, and inspection of large components.

As in the case of the other plants, practically all of the employees will be hired and trained locally. Only a key management force to start up the operation will be drawn from the heat transfer division's headquarters in Philadelphia.

AIRPORT TRANSPORTATION SYSTEM

Also, at the Tampa International Airport, Westinghouse will install eight air-conditioned vehicles riding over elevated roadways or on rubber tires to transfer passengers about 1,000 feet from a central landside building to four airside locations. Two vehicles on parallel roadways will serve each of the airside locations which will be devoted to loading and off-loading of passengers, baggage, and cargo and the handling and servicing of aircraft.

Each driverless, electronically controlled vehicle will be capable of carrying up to 100 standing passengers to their destinations in about 40 seconds—or at least 840 people in a single direction in a 10-minute period. This is comparable to accommodating passengers discharged from the simultaneous arrival of four fully loaded intercontinental DC–8's.

KEY WEST PLANT A PIONEER

At Key West, where residents are members of a community which became the first city in the United States to get its fresh water supply from the ocean, the 2.62-million-gallon-a-day water desalting plant produces 1 gallon of fresh water for every 3 gallons of salt water drawn in.

The Westinghouse-built plant was dedicated July 20, 1967, by Vice President HUBERT H. HUMPHREY.

Speaking at the event Mr. HUMPHREY noted that the plant "is the largest single-unit desalting installation in the world today." He predicted that by 1980 we will have nuclear-powered plants capable of turning out billions of gallons of water daily.

Westinghouse President D. C. Burnham said at the dedication that the plant was a "benchmark" essential to all new technology and added that it is possible today to build single-unit flash evaporators to produce 50 million gallons a day.

NUCLEAR POWERPLANTS AT TURKEY POINT

The two nuclear powerplants which Westinghouse will build under contract to Florida Power & Light Co. 25 miles south of Miami are both rated at 760,000 kilowatts. The first plant is scheduled to be in operation early in 1970, and the second a year later.

Both plants will utilize the proven Westinghouse pressurized water reactor concept. In this system, the heat of splitting atoms heats water in a "primary loop" to very high temperature. This water is passed through a heat exchanger where it changes other water to steam that drives the turbine-generator.

Joseph C. Rengel, Westinghouse vice president and general manager of the company's atomic power divisions, said:

> The decision of Florida Power & Light represents another vote of confidence in the reliability of the Westinghouse pressurized water reactor.
>
> We are delighted to be participating in Florida's first nuclear generating plant.

CIVIL RIGHTS THROUGH LAW

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PEPPER. Mr. Speaker, it was my privilege recently to introduce on behalf of the Lawyers' Committee for Civil Rights Under Law a new publication which I believe represents a major contribution to the administration of criminal justice in our lower courts.

This publication, "You and the Law," was prepared by the lawyers' committee in cooperation with the Police Department of the City of Miami Beach in my district. Playing important roles in developing this booklet were the Honorable Murray Goodman, judge of the Miami Beach Municipal Court, and Chief Rocky Pomerance, of the Miami Beach Police Department.

This publication is designed to inform persons arrested in connection with less serious offense of their rights under the law. It is printed in both English and Spanish to make it readily understandable to those who might be arrested in our bilingual community in south Florida.

I believe this publication will be of interest to my colleagues and I insert it in the RECORD at this point:

YOU AND THE LAW

INTRODUCTION

This booklet will help you understand what you must face after you are arrested and when you go to court. It cannot however teach you how to be your own lawyer—you should get a lawyer.

The rules in this booklet apply if you are arrested by the Miami Beach Police and are tried in the Miami Beach City Court; otherwise some of the rules may be different.

This booklet is an experiment in that it will be distributed by the police at the time of booking to all arrested persons. It later will be evaluated as to its effectiveness and then may be republished in a revised form.

After you are arrested you will be "booked". That means you will be taken to the police station where a copy of the charges against you will be given to you. In most cases, it will be necessary for your photograph and finger prints to be taken. This does not mean that you are guilty.

When you are booked, your property will be taken for safe-keeping, and you will be given a receipt for it. All of your property will be returned to you unless it is illegal or stolen property.

All persons, as soon as they are booked, will be released if they can put up bail or if a reliable person will guarantee that they will come back for trial. Bail is money which is given to make sure that you will come back for your trial. If you do not come back, the money is not returned—and the judge can order that you be arrested again.

If you think that the bail is too much, you or your lawyer have the right to tell the judge why you think it's too much and you can ask him to lower it.

You will be allowed to use the phone to get money for bail and to advise your family or a friend and your attorney that you have been arrested.

If there is no one from whom you can get the bail money, the police will give you a list of bail bondsmen and you can phone one of them. The police will not tell you which one to call.

A bondsman is a person who puts up the bail money for you if he feels you will return for trial and if you agree to pay him a fee which is set by law.

After you are booked you will go to court as soon as possible. This is usually within 24 hours.

The City Court in which you will have your trial does not have a jury. The judge will decide the case after he has given both sides a chance to speak.

If the city has not had time to finish preparing the case, the prosecutor can ask the judge to hold the trial on another day. This is called a *request for continuance*.

If you have reasons why the judge should not give the city more time, then you or your lawyer should tell him. It might be that you are now in jail and not able to raise bail and get out or that you have a steady job and will lose it; or any other reason which you think is important.

If you have not had time to get a lawyer or prepare your case you also have the right to ask to delay the trial—*to request a continuance.*

If you cannot afford a lawyer ask the judge for one. He will ask the local bar association, or other agencies to help you in getting a lawyer without any cost to you.

When you come to court for the trial the judge will read the charges against you and then ask you if you are "guilty" or "not guilty." Do not plead either "guilty" or "not guilty" unless you understand what he is talking about. If you do not understand, ask him and he will explain.

In court you will find that the police and other witnesses for the city will tell their side of the story first. After each of the city's witnesses has finished speaking you or your lawyer can ask the witness questions about the case, but you must wait until he has completely finished. This is called *cross examination*.

Under the Fifth Amendment you do not have to say anything to the judge. After the city's witnesses have finished speaking the judge will ask you if you would like to speak. If you do not want to say anything, you or your lawyer can tell this to the judge when he asks you for your side of the story.

Even though you do not have to say anything (under the Fifth Amendment), you or your lawyer can still ask questions of the police and other witnesses of the city and you can still bring your own witnesses to court and ask them questions which might help you. The prosecutor can also ask questions of your witnesses.

You may want to tell your side of the story if you think that it will help clear things up, but remember, if you do speak then the prosecutor can question you, but if you do not speak then he cannot.

If you do not speak the judge will not hold it against you since he knows that you have this right. And he will not find you guilty just because you do not speak. If he does find you guilty, your sentence will not be any greater just because you did not speak.

If you have a past record of arrests and convictions the judge will not look at them in order to decide if you are guilty because he wants to judge you only on this case and not on your past record. Only if he finds you guilty will he then look at your past record so that he can decide what the sentence should be.

If the judge finds you guilty, he will let you or your lawyer speak before he decides your sentence. You can tell the judge things that will help you get a lower sentence such as:

1. That you have a job or have a good chance to get a job.
2. That if you go to jail you will lose the job that you now have.
3. That your family or other people depend upon you to take care of them or to earn a living.
4. That you have never been found "guilty" of this offense before.
5. That you did not cause the police any trouble when you were arrested.
6. Any other things which you can think of which may be of help.

If you are found guilty the judge can sentence you to as much as 90 days in jail on each charge, and he may order you to pay a fine. If there is more than one charge against you, he can sentence you to 90 days on each charge and make you pay a fine on each.

If the judge orders you to pay a fine he will also tell you how many days you must stay in jail if you cannot pay that fine. If you can pay part of the fine then you will not have to spend as much time in jail.

All fines must be paid in cash. If you have put up cash as bail, it will be given back to you so that you can pay the fine or if your money is being held by the police for safe-keeping they will let you use it. The police will also let you use the phone to try to get money for the fine.

If you have spent time in jail before the trial for this case and are found guilty, that time will be subtracted from your sentence.

If you are a juvenile—have not yet reached your 17th birthday, tell this to the judge—then you cannot be tried in the city court, you will be taken to the juvenile court.

If you are over 17 but not yet 21 then you can be tried by the city court, but your parents, guardian, or some responsible adult must be told before you can be tried.

If your trial is for being drunk or if for some other offense committed while you were drunk, you should decide if you are a *chronic alcoholic*. You may be a *chronic alcoholic* if you cannot control your drinking; or if you do not have the power to stop drinking once you start and if this happens over and over again.

The judge knows that a *chronic alcoholic* is a sick person and he will try to help you by sending you to A.A., to a special counselor or to a hospital instead of jail.

If you think you are a *chronic alcoholic* then when the judge asks you to tell your side of the story you or your lawyer can tell him this or if you decide not to tell your side of the story and he finds you guilty then you should tell him this before he sentences you.

THE CONGRESS NEEDS TO INCREASE VETERANS EARNINGS LIMITATIONS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PEPPER. Mr. Speaker, on March 15 of this year I introduced legislation which would help keep the veterans pension program current with changes in the standard of living in this country.

We are all aware that the amount of annual income of a veteran determines the amount of his non-service-connected pension which he receives. It has become more apparent every day that these inadequate earnings limitations, which have remained in the law unchanged since 1959, need drastic revisions.

With the passage of the Social Security Amendments of 1967 and possible increases in the civil service as well as railroad retirement pension programs, it is time that we adequately increase the income limitations of our veterans.

I was pleased and honored to be the leadoff witness before the House Veterans' Affairs Committee which is holding hearings on legislation dealing with income limitations. I commend that committee for its actions in this area and urge my colleagues on the committee to favorably consider this needed legislation. I would like at this time to insert a copy of my statement before that committee for the attention of my colleagues and all those who read this Record:

Statement of Hon. Claude Pepper Before the House Veterans' Affairs Committee in Support of His Bill, H.R. 7243 and Others Bills Dealing With Income Limitations, September 19, 1967

Mr. Chairman, I speak in support of H.R. 7243, introduced by me on March 15, during the present session. This bill would increase, and therefore render more lenient, income limitations which determine entitlement to the veterans pension. For example, under the present law, Section 521 of Title 38 of the U.S. Code, the income limitations for veterans with dependents are three, two and one thousand dollars. The eligible veteran with one dependent receives fifty dollars monthly if his income meets the most liberal or three thousand dollar limitation; eighty-four dollars if it meets the second limitation; and one hundred nine dollars if it meets the third, that is, the one thousand dollar, limitation. H.R. 7243 would increase these limitations by twenty percent. Rather than three, two and one thousand, the limitations would be thirty-six hundred, twenty-four hundred and twelve hundred respectively. It also increases the lower, more stringent limitations for single veterans.

The reason that I would permit disabled veterans to receive twenty percent more income before reducing or completely eliminating their veterans pension is that cost of living adjustments under various government programs are increasing their retirement income. The adjustment of course does not increase the retirement benefit purchasing power over what it was originally. It only restores that power. But because the cost of living adjustment counts as income, it in effect makes the income limitation more stringent and reduces pensions. The adjustment therefore nullifies itself by decreasing the pension income.

I refer specifically to social security payment increases. The 1965 social security increases reduced, or completely eliminated the disability pensions of an estimated twenty-nine thousand veterans and their families. By all appearances, another social security increase is imminent. We, in the House of Representatives, have already passed H.R. 12080. Are we to allow the payment increases to defeat the purpose of the legislation which created them? Exactly this will happen when social security increases push thousands of veterans into higher income categories and thus reduce their disability pensions.

Many in the Congress have advanced the plan of excluding social security increases from income computation. The Senate has approved this plan five times. I believe, however, that outright increase of the income limitations is the most efficient and equitable way of meeting the problem. A social security increase does constitute income and therefore it should be taken into account in determining income. To exclude social security payments from income computations would be to make a fiction out of the system of income limitations. Why do indirectly what can be done directly? We continue to increase social security and pension payments because money steadily grows cheaper. The continuing cheapening of money calls for raising of the income limitations just as it does for raising of monetary payments. The constant decrease in the value of money renders the income limitations more stringent than intended.

The objection that the plan of excluding social security or other retirement increases is an "indirect" or "fictional" approach is closely related to the objection that it benefits only recipients of those particular increases.

I believe this factor is a major reason for its rejection by the House of Representatives. Indeed, the Conference Report to the Veterans Pension and Readjustment Act of 1967, just signed this month by the President states: "The Senate amendment [to exclude social security increases from income computation] was resisted by the managers on the part of the House on the basis that it was inequitable in that it applied only to increases under the Social Security Act and that the administration of such proposal would be extremely difficult. While covering social security increases, it would not give any relief to individuals receiving increases under the Federal civil service retirement or railroad retirement system or under any State, county, municipal or private retirement system." My plan of raising the income limitations, on the other hand, would not be to the exclusive benefit of social security recipients. By raising the limitations we would adjust the pension system to *all* sources of increased income of *all* veteran pensioners.

The Conference Report to the Pension and Readjustment Act further states that as soon as the amount of the 1967 social security increase is determined the necessary action will be taken "to assure that any increase in social security payments . . . will not result in a reduction of combined income from VA pensions, dependency and indemnity compensation, and social security or in removal of any person from the VA pension or compensation roll."

Mr. Chairman, I submit that the realistic test would be to insure that the social security increase does not decrease any separate source of retirement income, rather than to insure that combined Federal retirement income from all sources is not reduced. The conferees are saying that Congress will insure that after the 1967 social security increase an individual's Federal retirement income will be no less than it is now. Of course after a social security increase it should not be less than before. To insure that the social security increase equals the corresponding decrease in veterans pension is not enough. The veteran is entitled to the full increase and to the full pension. As I have already stated, the social security increase is a cost of living adjustment—if the veteran is deprived of it by consequent pension decrease, then he does not receive the restored purchasing power which is the purpose of the increase. If we insure only that the new social security rates equal the pension decrease resulting therefrom, we are depriving thousands of pensioners of the cost of living adjustment we grant to all other social security recipients.

I submit, therefore, that the conferees' promise to prevent decrease of Federal retirement benefits all totaled is not adequate justification for refusal to insure that veterans pensions not be reduced under any circumstances. H.R. 7243, of course, would effect that guarantee.

Last year Congress provided that no social security increase enacted this year would lower a veterans pension until the last day of the year. Because of the foresight of the 89th Congress we have time to act to prevent the decrease. But the hour is growing late. As already noted, we have passed H.R. 12080 which increases social security payments. Let us make sure that the time provided for this hearing is made use of, and that a remedy is found.

As I have stated on the floor, the present veterans pension income limitations have remained unchanged for eight years. During this same period large wage and price increases have occurred. The VA income limitations counterparts in the social security law, that is, the earnings limitations or retirement tests has been liberalized not once but three times. The social security earnings limitations are now twenty-five percent higher than in 1959 and a further liberalization is contained in H.R. 12080.

I see no justification therefore, for maintaining antiquated limitations. And with thousands of veterans thereby deprived of cost of living adjustments intended for all recipients, certainly I see no reason.

THE TIME HAS COME TO ENACT THE NATIONAL FLOOD INSURANCE ACT

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PEPPER. Mr. Speaker, with Hurricane Beulah now ravishing the Texas coast it has become more and more apparent that this Congress must enact the National Flood Insurance Act of 1967. As we all know, the hurricane season is only in its embryonic stages with many more of these devastating killers to come. In the past the Congress would enact "one spot" legislation to help recoup these devastated areas which have been hit by catastrophic flooding and disasters.

As we all know, the Senate has passed S. 1985 and the House Banking and Currency Committee, Housing Subcommittee, began hearings on this legislation this week. I know that all my colleagues are very interested in this legislation and I insert at this point in the Congressional Record my testimony before that subcommittee. Also, I insert an editorial which appeared in the September 12 Miami News urging the enactment of this legislation.

Mr. Speaker, I hope all my colleagues will consider supporting this needed legislation when it is brought before this body in the very near future. I also commend my colleagues on the Housing Subcommittee of the House Banking and Currency Committee for holding these urgently needed hearings on this subject. I know that the people of this Nation owe those members a deep vote of thanks.

The statement and editorial follow:

Statement of Hon. Claude Pepper Before the House Banking and Currency Committee, Housing Subcommittee, Regarding Legislation To Establish a National Flood Insurance Act, September 20, 1967

Mr. Chairman and Members of this distinguished Committee, all of the 50 States of America have been the victims of natural disasters in the course of our history. And in the past 10 years over $7 billion damages have been caused by natural disasters of all types in our country. Floods, hurricanes, tornadoes, tidal waves, storms and earthquakes may strike anywhere at anytime, leaving death and destruction in their wake. And the saddest and most serious consequences of these occurrences are the helpless economic posture of their victims and their inability to do much about it.

There is no one upon whom to place the blame. You cannot sue a flood or a hurricane and obtain the compensation to rehabilitate your home or business, to repair damages, and resume your accustomed way of life. Thus, the government, which has greater resources than any individual or businessman, must help ameliorate the damage. And, this, we have tried to do on a piecemeal basis.

At the moment of crisis, of course, every effort is extended to save lives, to keep the disaster from spreading, to feed and clothe and shelter the human victims. The American Red Cross, Federal Government and State and local government agencies and even individuals partake of the rescue operations.

It is later that the real problem arises. The victim, deprived of his home, his business, his means of livelihood, is left facing a dismal future.

If the disaster is of sufficient caliber to be of significance nationally, the Congress has on numerous occasions in the past approved legislation extending assistance to the afflicted area. But these actions are never sufficient and varying from time to time in their provisions, have little lasting effect and offer little for the future.

Extensions of credit, and in some instances grants under various Federal programs, offer some assistance. But again, these, although also well intentioned, are too scattered, too selective.

To my mind, a broad program of insurance against losses from these natural disasters offers the best potential protection to their potential victims.

The very fact that disasters may strike anywhere and at any time with broadscale effect has in the past militated against the private insurance industry undertaking to provide disaster insurance, and especially flood insurance.

Following some unfortunate experience at the end of the last century, flood insurance has been notable for its unavailability. It is true that only those most vulnerable to flooding would be interested in acquiring insurance against floods, hurricanes and other natural disasters. After a few years of freedom from them the tendency would be to let it lapse. This places a burden on the few who would retain it, and force the insurer to charge premiums so high as to be beyond the ability of the property holder to pay, and militate against building the necessary reserve against the inevitable cataclysmic loss. For when a flood or hurricane occurs everyone suffers and an insurer is faced with claims of monumental caliber.

It is only fair that the property owner bear as large a part of the burden as he is economically able to handle. Americans are conditioned to insurance. Everyone has life insurance these days, fire, theft, health, accident insurance. Most of us are willing to pay a fair premium in order to protect our life and property. But these things are subject to calculation, losses can be to some degree predicted. There is a large body of actuarial information and body of experience that has been accumulated over the years so that premium charges bear a reasonable relationship to risk. Insurance companies are willing and able to undertake their calculated risks in these categories, but not for floods, hurricanes, and other natural disasters.

It is to fill in this gap that the proposals now before your committee have been made.

The thought is not new. There has been considerable effort and study devoted to the problem.

Since 1951 it has been continuously before the Congress in some form or other.

The most tangible result to date was achieved in 1956 with the passage of the Federal Flood Insurance Act authorizing the then Housing and Home Finance Administration to develop a plan for inaugurating a federally sponsored plan for flood insurance.

The Administration developed plans for such a program, with Federal support for an eventually privately operated system, through an initial Federal subsidy until the program could build up its reserves at which time the private insurance industry might take over on its own. A schedule of premium payments was outlined and provision was made for study of preventive measures such as flood plain zoning.

However, for lack of continuing funds the proposals were not activated and following its final report in 1958, the Federal Flood Indemnity Administration went out of existence.

The following year the chairman of the Senate Banking and Currency Committee introduced a bill calling for a flood insurance program largely based on Federal-State cooperation, to encourage wise use of flood plains and a study of the possibility of extending coverage to other natural disasters. However, no action was taken on this or on Representative Inouye's bill to extend the benefits to cover volcanic eruptions.

Beginning in 1962, Senator Williams of New Jersey introduced a bill calling for a study of the alternative methods of developing a Federal flood insurance program to be undertaken by the Housing and Home Finance Administration. The Senate Banking and Currency Committee reported it favorably after hearings and the Senate approved it, but that was as far as it got. A number of bills were also introduced in the House in the 87th Congress without success.

Two groups have conducted and have not completed detailed comprehensive studies of the broad question of flood insurance on a national basis.

The Southeast Hurricane Disaster Relief Act of 1965 authorized a study by the Department of Housing and Urban Development for the purpose of developing a workable flood insurance program under Federal sponsorship. Meanwhile, the National Association of Insurance Commissioners had designated a special Flood Insurance Committee under the very able direction and chairmanship of the Honorable Broward Williams, Treasurer and Insurance Commissioner of the State of Florida.

The President on August 12, 1966, forwarded to the Congress the report and recommendations of the Department of Housing and Urban Development on the question of establishing a national flood insurance program in accordance with the provisions of the 1965 Act. But the Administration did not forward any proposals for legislation based thereon.

However, on June 23, 1967, Senator Williams introduced S. 1985 incorporating substantially the recommendations contained in the HUD report. He obtained 28 co-sponsors of this measure in the Senate. On June 26, 1967, I introduced H.R. 11142, which is identical with S. 1985 and with H.R. 11197, introduced subsequently by the distinguished chairman of this committee and nine co-sponsors. Other identical bills have been introduced for these proposals and still others have been introduced incorporating the original recommendations of the National Association of Insurance Commissioners. The Commissioners' proposal, which I introduced earlier, differs in being less specific in enumerating the details of procedure and operations, and with more responsibility to be placed on the shoulders of the private insurance industry.

On June 26, 27 and 28, 1967, the Senate Committee on Banking and Currency held hearings on S. 1985, S. 1290 and S. 1797, the latter two based on the National Association of Insurance Commissioners' proposals.

Following the hearings the Committee favorably reported S. 1985, with some amendments (Senate Report No. 549).

A provision was added for a Department of Housing and Urban Development report to the Congress, to include the reasons therefor, if the private insurance industry did not agree to the joint government-industry approach to the flood insurance pool provisions. In addition, the Secretary was given specific authority to staff the program, an element lacking in the original bill.

A limitation was placed on agreements between the Secretary and the industry on sharing profits to prevent them from exceeding the reasonable standards established in section 108 of the bill.

Although the Secretary would prescribe what records were to be kept by the insurance companies, the committee added a provision to permit the General Accounting Office to audit company books.

The eligibility list for membership on the flood insurance advisory committee was widened by the Senate committee to include representatives of lending institutions, State and local governments, and the general public.

The last amendment by the committee would give the Secretary authority to prescribe by regulation the circumstances under which certain low-income groups would not be precluded from other Federal disaster assistance.

This bill is now before the Senate and was initially discussed on the floor on September 13, 1967.

S. 1290, S. 1797, and the bill which I introduced on April 20, 1967, H.R. 8979, and a number of others which are based on the National Association of Insurance Commissioners recommendations would create a 5-man board, chaired by the Secretary of Housing and Urban Development to inaugurate and administer the national flood insurance program. It would encourage, and reinsure private flood insurance. The corporation would have initial capital secured by the issuance of bonds to be held by the U.S. Treasury. It would contract with private insurers for programs offering feasible premium rates to those otherwise unable to buy insurance, paying the difference between premiums charged and actuarial rates. The corporation would cooperate with State and local agencies to develop land-use standards in flood hazard areas and determine flood risk zones with the cooperation of the Corps of Engineers.

These bills do not have the prerequisite contained in H.R. 11142 and H.R. 11197 calling on State governments to develop land-use and control measures before activation of the program within each individual State. However, the Secretary is directed to cooperate with State and local agencies in developing such measures.

These bills do not detail methods of determining rates, terms or conditions of the program, but leave these questions to the determination of the Corporation in consultation with the participating insurance companies.

The National Association of Insurance Commissioners has expressed its support for the HUD proposals as contained in S. 1985, H.R. 11142 and H.R. 11197, and the other identical bills.

I would suggest that this measure be amended so as to specify that a representative of the National Association of Insurance Commissioners be appointed to the advisory committee.

This organization has been active for some time, working toward a solution of the problem. It submitted its own proposals, which I have noted as being incorporated in a number of bills. Their proposals were not as specific in the details of operation but gave evidence of the willingness of the private insurance industry to shoulder a larger share of responsibility for the program.

My good friend, Mr. Broward Williams, Treasurer and Insurance Commissioner of the State of Florida, and Chairman of the Property and Casualty Subcommittee of the National Association of Insurance Commissioners, has testified at length on behalf of the proposals of the association.

Current hearings by this committee, designed primarily to permit industry representatives to be heard will develop the fact that they have already expressed themselves in substantial accord with the proposals contained in the Administration bill as represented by S. 1985, my bill H.R. 11142 and H.R. 11197.

Mr. Williams assures me that this is so, and further that the Association which he represents also supports the proposed legislation. He has been in constant contact in recent months with many members of the insurance industry who have expressed their willingness to cooperate to their fullest capability upon activation of the program.

In July 1967 a major grouping of private insurance companies met to consider how they will participate in the event of passage of the proposed legislation. These companies would provide the capital to backstop private participation in the joint program. Other companies, many of them independent insurers, would sell and service flood insurance policies and perform administrative duties associated with the program.

I therefore urge prompt favorable action on this measure.

CONGRESS DALLIES: HURRICANE MAY BEAT FLOOD INSURANCE

"All we really need is one big storm and you'll see some action by Congress."

An insurance industry spokesman was talking about the flood insurance program pending in Washington most of 1967.

At the rate of movement, hurricane Beulah may make it to land ahead of the Senate and the House of Representatives.

Rep. Claude Pepper sponsored a bill to establish a federally supported program protecting home and business owners in flood-prone areas of this nation. The bill has languished in a House subcommittee since early summer and Washington sources indicate the earliest possible moment for another hearing date is a week from tomorrow.

A similar bill, introduced by Sen. Harrison Williams of New Jersey, may actually pass the Senate this afternoon.

Flood damages, as every home owner knows, are not compensated for by insurance. We all recall hurricane Donna in 1960 which wreaked such havoc in both Miami and the Florida Keys, with its high waters. Hurricane Betsy, two years ago, ravaged New Orleans and much of the Mississippi delta, causing damage conservatively estimated at $1 billion, the most expensive single disaster in the history of American insurance.

Flood insurance has had a soggy path in Congress, going back to 1956 when it was first proposed. Congress authorized a reinsurance and loan program for insurers and flood victims alike that year but then refused to appropriate any money to get the program underway.

Because of hurricane Betsy, the insurance industry has been reluctant to insure homes and businesses against flood losses. From the insurers' point of view, the huge claims they might have to pay are not balanced against low possibility of occurrence.

Representative Pepper's bill proposes a joint plan in which the federal government backstops participating private companies by helping them pay huge policy claims and in turn, would also help residents of high risk areas pay proportionately larger premiums.

The course of hurricane Beulah still is unpredictable today, but not half as much as the course of Congress.

LITTLE AND LATE—BUT NEEDED

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. SIKES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIKES. Mr. Speaker, for more than 2 years many of us in Congress have urged the development of an antiballistic missile system in the United States. It has long been known that the Soviets are constructing such a system and it has been our concern that we in the United States were tolerating a serious weakness in our own defense posture by failing to offset this with a system of our own. Secretary of Defense McNamara has argued that costs were so great—as much as $30 billion—that it would be better to depend upon a massive strike capability against the Soviets.

To me, there is weakness in this reasoning in that the United States is committed to a "no first strike" policy. This would permit the Russians to get off the first nuclear strike, an action which could kill as many as 90 million Americans. The havoc created by such a strike could possibly destroy this country's capability for effective retaliation, and this the Russians well know. Regardless of this fact, it has never appeared acceptable to me to consider $30 billion more important than 90 million American lives. After all, we are now spending that much each year in Vietnam to stop the spread of communism in Southeast Asia. We can spend as much to insure the life and security of America and its people. Actually, the cost of an ABM system would be prorated over approximately 5 years, thus creating a considerably smaller burden than the cost of the Vietnamese war.

The administration has hoped through negotiation to achieve an agreement that the Russians would cease the development of their ABM system. This has not been possible. Now the Red Chinese have entered the picture with an unpredictably rapid development of their own nuclear weapon capability. In less than 3 years, Red China has become a thermonuclear power and conceivably they will have an ICBM capability even before we can develop a defense against this new threat.

It would be foolhardy to continue to assume that fear of retaliation will deter potential aggressors. The belligerency of the Red Chinese is too well known to require comment. They will blackmail their neighbors into compliance with their demands whenever their military power and their internal situation permits them to do so. When they are capable of launching a nuclear attack upon the United States, our position of world leadership will be doubly jeopardized if we have no defense against such an attack. Even more ominous is the risk to our country and its people.

It has not been brought out previously but this country may face the threat of a double attack from the two great Communist powers. There is no assurance whatever that the breach between Red China and the Soviet Union will not be healed in the event of a massive confrontation with the democratic world. The risk obviously is unacceptable.

Development of an ABM system is, of course, expensive but now doubly necessary. We simply have no choice. The security of our country must be our first consideration and must receive the highest national priority. America and its people have too much to lose to ignore the challenge which is presented. The question then is whether we are proceeding rapidly enough toward the development of our defenses. The system which has been approved is the so-called thin China-oriented ABM system which will require an expenditure of $5 billion over the next 5 years.

The system which will be built does not measure up to the need for a fully effective ABM system. It is little and late—but needed. Not too little and too late—but not enough. I would hope that the President would recognize the necessity for taking every possible step to insure America's security in the years ahead. For years we led in the development of nuclear weapons. That is no longer true and it becomes more and more essential that we now take any steps at our command to discourage and deter nuclear attacks which the lack of an ABM system could prompt. We have an Achilles heel which offers a tempting target and which is too dangerous to tolerate further. I urge in strongest terms that there will be an immediate expansion of the planned ABM system to insure fullest possible protection and that its long-delayed construction be launched immediately.

CONGRESSMAN ANNUNZIO URGES EARLY ENACTMENT OF NATIONAL VISITOR CENTER LEGISLATION

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, on September 12, 1967, it was my pleasure to appear before the Subcommittee on Public Buildings and Grounds of the House Public Works Committee to testify in support of legislation providing a Visitor Center for the Nation's Capital.

Today an editorial appeared in the Washington Post urging that a National Visitor Center be completed and operating prior to the bicentennial celebration of our Nation's birth in 1976. I heartily concur in this idea, for the Capital of the United States has long been in need of organized assistance for the millions of visitors who come here each year from every State in the Union and from many countries all over the world.

What better way is there to welcome these visitors to the Nation's Capital than by providing a Visitor Center where they can leave their cars, collect information, receive assistance from guides, and begin their tour under pleasant circumstances and surroundings?

Hon. Ken Gray, the distinguished chairman of the Subcommittee on Public Buildings and Grounds, has introduced H.R. 12603 to provide for a National Visitor Center and his subcommittee has already held 2 days of hearings on this proposal. I have joined Congressman Gray by introducing H.R. 12770, which is identical to H.R. 12603, and I urge my colleagues to support this much-needed legislation.

The editorial follows:

On With the Visitor Center

The final report of the National Visitor Center Study Commission causes wonder as to how the city has ever gotten along without the facilities now contemplated. The blunt truth is, of course, that it has not gotten along very well. Hordes of visitors who have a direct, personal interest in their National Capital have been left to drift in confusion. Usually unable to park anywhere near the buildings and historic shrines they want to see, many leave without really attaining the purpose of their visit. Meanwhile the city has been unnecessarily congested by the automobiles of drivers who are not sure where they wish to go.

The transformation of Union Station into a Visitors Center from which tours will be conducted to all points of scenic and historic interest is an ideal solution of the problem. It will provide in one commodious center not only parking space and all varieties of tourist information, but also orientation films, the film diorama, exhibits, a nursery, a hotel reservation center, a tour desk and even an infirmary and "short-stay" hotel. Beneath the parking ramps at the rear of the present building a modern railroad station will also be built.

The Center will go a long way toward making Washington the most desirable city in America to visit. As the Nation's Capital, it should occupy this position, but in the past it has done far too little to welcome its visitors and enable them to see the city with comfort and understanding. Now that an admirable plan has been devised to correct this long-standing deficiency we hope that it will move promptly to fulfillment. It is especially desirable to have the new center in operation well in advance of the country's celebration of its 200th birthday in 1976.

PRESIDENT JOHNSON WELCOMES THE PRESIDENT OF ITALY IN A NEW DEMONSTRATION OF HARMONY BETWEEN TWO FREE AND INDEPENDENT NATIONS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, President Johnson received the President of Italy on his current official visit with the warmth, dignity, and respect that all Americans feel for the people and the Republic of Italy.

In his greetings, President Johnson enumerated the long and close ties which have joined Italy and America for hundreds of years.

The joint communique issued after their talks was another illustration of the identity of views between our two countries on all basic issues—war and peace, economic development, stability in Southeast Asia and the Middle East.

The visit of President Saragat is also another illustration of a wider Johnson initiative—the initiative of person-to-person diplomacy. The initiative of sitting down face to face with the leader of another free nation and discussing frankly and openly the issues which unite and, perhaps, divide us.

This is the kind of frank personal diplomacy the Nation has now come to associate with President Johnson.

A dramatic demonstration of personal diplomacy was the summit meeting at Glassboro in which the President and Premier Kosygin discussed their problems and hopes, face to face for long hours at a time—and indeed the world was a little safer when that meeting concluded.

But President Johnson does not give this kind of personal attention only to large or powerful nations. He devotes his full attention to the leaders of every nation officially visiting the United States. In the last year alone there have been dozens of officials and unofficial visits to the White House by leaders of sovereign nations. Each visitor was treated with respect and cordiality. Each visitor knew that Lyndon Johnson was personally interested in his nation and the progress of his people.

The Republic of Italy and the United States have always been the closest of friends. The visit of President Saragat reinforced that friendship.

Our President has again shown us in foreign affairs or domestic affairs, personal interest, personal involvement, personal contact, can be as valuable as world conferences or world treaties or international commitments.

I believe that the nations of the world today look upon the United States with greater approval, more respect, and greater friendship and understanding than at any time in this century. And the reason they do so is because of the untiring and selfless efforts of President Johnson.

PROTECTING SAFETY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, in urging the enactment of firearms control legislation, the President, speaking last Thursday evening before the International Association of Chiefs of Police at Kansas City, stated that passage of gun legislation "would plug one more big loophole to save your life, or mine, or the life of some innocent child down the street."

FBI Director J. Edgar Hoover, writing in the September 1 issue of the FBI Law Enforcement Bulletin, stated the question in simple terms. He said:

> We have reached the point where the time for debate is past; the time for action is here.

I wholeheartedly agree with these sentiments. Delay can no longer be tolerated, as pointed out in an editorial entitled "Protecting Safety" from the Washington Post of September 16, 1967. I commend this article to each Member of the House and include it as a part of my remarks at this point:

Protecting Safety

The President's hard-hitting message to Congress on gun control, immediately following his earthy, practical speeches on crime to the International Association of Police Chiefs on Thursday, points to an imperative need. "Last year," he told the Congress, "two million guns were sold in the United States. Many of them were sold to hardened criminals, snipers, mental defectives, rapists, habitual drunkards and juveniles. There is no excuse for this." There is no excuse at all. And no member of Congress who does not do all that he can to correct this condition has any moral right whatever to prate about crime in the streets, or organized crime or any other kind of crime than his own callous neglect of elementary public safety.

"Let's not be content to bewail the rising crime rate or to talk about the statistics or the numbers of repeaters who fill our jails and prisons," Mr. Johnson said of the police chiefs, "while we turn our backs and ignore the fact they can go to any mail order house and get a weapon to shoot your wife after they tear the door down at midnight." Talking to policemen about the moral idiocy of allowing guns to be sold to any thug or lunatic who may want them is talking about a matter of life and death of them. Of the 278 officers killed in this country since 1960, 96 per cent were killed with guns.

Quoting the FBI statistics, the President told Congress of a 24 per cent rise in the use of guns in aggravated assaults in the first six months of 1967. The President has every right to assert, as he did to the Police Chiefs, that the long-pending legislation to limit out-of-state purchase and interstate mail order sale of firearms "is the most effective way that the Federal Government has of protecting your safety and the safety of your children from criminals and drug addicts and the mentally ill."

The President has every right, too, to decry "hand-wringing about crime in the streets" on the part of politicians who sabotaged his Safe Streets bill in the House and sidetracked it in the Senate. The local police all over the country are in desperate need of Federal help—in training, in equipment, in reorganization. "Self-righteous indignation," as the President said, "is not a policy. It is a substitute for a policy." America needs more weapons in the hands of law enforcers and fewer in the hands of lawbreakers.

ALTERNATIVE TO SURTAX

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, probably the most controversial measure now before Congress is the proposed 10-percent surtax on personal and corporate income. The administration claims a dual need for a surtax—to finance the war in Vietnam, and to combat inflation. However, a number of people remain unconvinced of the certainty of pervasive inflation and desire reduced Government expenditure in nondefense areas.

To my mind, the two points of the argument in support of a surtax do not belong together. For one thing, the 10-percent surtax will probably not cover the deficit. Even if enacted, it is estimated that wartime expenditures will exceed revenues by $14 to $18 billion. While the surtax would undoubtedly curb inflation, what if the several indicators of a sluggish economy prove more indicative? How quickly could we reverse a surtax in the face of recessionary pressures? It took Congress more than a year of talk before we enacted the last tax cut.

In a letter dated September 12, I suggested to the distinguished chairman of the Ways and Means Committee that a repayable surcharge of 5 to 10 percent would be a more expedient anti-inflation measure. Instead of taxing again a citizen's total tax liability with a 10-percent surtax, this surcharge would be a forced loan to the Government at a percentage of his tax liability. To compensate for the involuntary nature of this loan, the surcharge could possibly accumulate interest in the same manner as a series E savings bond.

The surtax would be repayable to the taxpayer within 5 years. The timing of the repayment could be at the discretion of the President, perhaps with the consent of the Congress, and would therefore be an effective fiscal tool to boost the economy when conditions so warrant.

Under this repayable tax plan, the surcharge could be put aside in a trust fund, like that for social security. It could be given back to the taxpayer when the inflation danger has passed. The trust fund could be held in the Treasury as an asset to offset the liability. This would safeguard the funds repaid and discourage increased Government spending that might otherwise be prompted by the inflow of funds.

By separating deficit financing from the need to combat inflation, it may be possible to offset inflationary pressures before they become so extreme that Congress has no alternative but to pass the 10-percent surtax. And where the surtax would be a serious detriment in downturn periods, repayment of the surcharge would provide a flexible counterbalance.

I would like to acknowledge that my surcharge proposals originate from certain papers and newspaper columns of the UCLA economist, Harold M. Somers. I wish at this point to include the text of my letter to Chairman WILBUR MILLS suggesting the surcharge as an alternative to the surtax:

SEPTEMBER 12, 1967.

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: The Congress is presently considering the administration's tax proposal of a 10% surtax on income taxes for both individuals and corporations.

The surtax is designed to cut an expected deficit and to curb inflation. But what if the favorable economic forecasts are wrong? How quickly can Congress strike out the surtax if economic activity reverses itself? The last income tax cut took over a year of talk before the law was enacted. The recent restoration of the investment credit took months.

I propose an alternative plan. I suggest a surcharge of from 5 to 10% on personal and corporate income tax liability in the form of a deferred credit repayable to the taxpayer within five years.

This would be distinguished from a "surtax" in that the amount involved is borrowed from the taxpayer, not taken away from him forever.

The deferred credit could even carry interest to compensate the taxpayer-lender for the involuntary nature of the loan. The credit could also be repaid earlier than five years, at Presidential discretion, thus achieving the effects of a tax cut when conditions warrant.

The funds received through the surcharge could be held in a trust fund as a Treasury asset to offset the liability.

This would tend to "safeguard" the funds until repaid and discourage increased government outlays that might otherwise be prompted by the inflow of funds.

With every good wish, I remain
Sincerely yours,
HENRY B. GONZALEZ.

A TRIBUTE TO NIKOLA PETKOV

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DINGELL. Mr. Speaker, this Saturday, September 23, we will mark the 20th anniversary of the execution of one of Bulgaria's bravest heroes—Nikola Petkov. With the influx of Communists and Communist control in Bulgaria at the end of World War II, Petkov who had been the Vice President of the Council of Ministers of the Fatherland Front Government, left the Bulgarian Government. Later, in 1946, the Communists tried to intimidate Petkov and other opposition leaders to rejoin the Government on Communist terms but he refused. This courageous chief calmly informed the Communists that he was a Bulgarian political leader and could not accept instructions from any foreign power.

Before the September 1946 elections Communist persecution, imprisonment, and execution of opposition leaders reduced this valiant group to a mere shadow of its former self in numbers. Even so, Petkov waged a strong campaign against the Communists and the opposition polled one-third of the total vote. At this point the Communist government could no longer tolerate the flagrant opposition carried on by this soldier of freedom. On June 5, 1947, 1 day after the U.S. Senate ratified the Treaty of Peace with Bulgaria, the Communists arrested Nikola Petkov. He was tried in a people's court, described by many as a "kangaroo" court, on charges of conspiracy and high treason and was promptly sentenced to death by hanging. Throughout this process Petkov held to his principles of truth and freedom and did not yield to his captors' demands for a confession of his "crimes." The pleas of the Western Powers in Petkov's behalf did not alter the Communists' determination to carry out the execution and on September 23, 1947, Nikola Petkov was legally murdered.

The chronicle of this vastly significant act provides, in 1947 and in 1967, an incisive picture of the extent to which the Communists flaunt individual freedoms and rights and international commitments. The horror of Nikola Petkov's death serves as a forceful reminder of the terrors of Communist rule for anyone who thinks communism can solve his country's problems. Petkov's courage and determination in his fight against his Communist enemies serves as a vivid example to people throughout the world who have been threatened with the destruction of their freedoms by harsh rulers. Mr. Speaker, I ask the Congress to join with Bulgarian Americans in Michigan, and in the United States in the commemoration of the tragic death of this great man, Nikola Petkov.

PUBLIC BROADCASTING ACT

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I direct the attention of Members to a bill scheduled to come to the floor tomorrow, which has very special meaning to our House Committee on Interstate and Foreign Commerce.

Nearly 6 years ago, this committee reported out the Educational Television Facilities Act of 1962, Public Law 87–447.

Since the enactment of this legislation, $32 million has been made available in construction grants constituting a program of Federal support which has activated 93 noncommercial television stations in 47 States, the District of Columbia, and Puerto Rico.

The legislation which the committee then passed has more than doubled the number of educational television stations existing in 1962 when it was signed into public law. It has made possible the establishment of stations to reach an additional 50 million Americans which are within the potential signal of educational television stations. In California, grants under the Facilities Act provided for the activation of three new ETV stations—including the first such service for metropolitan Los Angeles—and for the expansion of three stations which were in operation prior to passage of the act.

As a result of stimulation provided under the ETV Facilities Act, the San Diego area began receiving its first noncommercial educational television broadcast service when station KBES–TV began operation on channel 15 as of June 25, 1967.

Activation of the station was assisted by a Federal grant under Public Law 87–447 to San Diego State College. The station will serve an audience of 1,275,000 person in southern California, including 328,000 students attending 476 educational institutions, with comprehensive broadcast services which will include inschool programing on the elementary and secondary levels in a wide variety of subject areas during daytime hours, and an evening schedule of informational, educational, and cultural offerings for the adult community.

Four California applications currently pending cannot be granted because the State allotment of $1 million under this act has been exhausted. Current planning for stations in at least three other State locations, is underway, but the support given by H.R. 6736 is needed if these stations are to be constructed.

Throughout the State, educational institutions operate 31 noncommercial radio stations—only seven of which operate at a power of 1 kilowatt or more. The new coverage of educational radio stations for facilities grants in H.R. 6736 will enable these noncommercial stations to enlarge their operating frequencies.

Title I of H.R. 6736 builds on these past achievements. It requests $10.5 million for fiscal 1968 and it extends the program through 1972. The limit in the present legislation of $1 million for any one State has been replaced by a State limit of 12½ percent of the appropriated grants in a given fiscal year.

Title II of the legislation establishes a new vehicle, a Corporation for Public Broadcasting. This Corporation will have a Board of Directors of 15 members and will be charged with the broad duty of seeking ways to finance and improve the general range of public broadcasting in the United States, a term that loosely covers noncommercial radio as well as television.

In part, the legislation was based on the recommendations made in the thorough and exhaustive report of the Carnegie Commission on Educational Television. But the legislation is the sum total of many efforts, both public and private, which have resulted in this far-reaching and imaginative idea for a federally chartered, nonprofit Corporation. Title II further authorizes $9 million in "seed money" to start the operation of the nongovernmental Corporation.

Why is this Corporation important?

It is important because we have begun to grasp the full promise of the medium of noncommercial broadcasting, both in the fields of television and radio. The minimum goal of public television is to make a usable signal available to all our citizens and this has been done, largely through the farsighted actions of this committee which 6 years ago this month conducted exhaustive hearings on the subject of proposed facilities grants.

Now, we have a chance to go further.

Our legislative history and guidelines set down by this committee and the Senate make it clear that the Corporation will not be allowed to interfere in the autonomous operation of stations. The Corporation will not produce programs. Local stations will not be forced—through any mechanism—to broadcast programs which might be carried over any system of interconnection which the Corporation's Board of Directors sees fit to support.

In short, the Corporation is what many of us in this legislative body would like to see established. It will bring outside thinking into a field already dotted with imaginative ideas on the local level. The thought already fed into educational television stations from Maine to California and from Washington to Florida can now be provided some national leadership. And, most important, this leadership will be nongovernmental and responsive to the needs of the American people.

The technological advances in the general field of broadcasting have made it imperative that this Corporation provide the needed leadership. The Corporation would assist—by grant or contract—in developing programs for national, regional, or local transmission over noncommercial stations. The Corporation is also charged with facilitating interconnection among stations.

This interconnection would make possible simultaneous transmission of an event to other public television stations or it could be used to store up locally produced programs for future distribution. Thus, if a station in Des Moines, Iowa, produces an excellent production of Shakespeare, the system of interconnection could be used to store this production for local stations if they wanted it for later broadcasts.

An authorization of $9 million is requested for fiscal year 1968.

Finally, title III requests a research study on the role of instructional television. This study would authorize the Secretary of Health, Education, and Welfare to undertake or contract out for a comprehensive view of the possibilities and limitations of instructional television, including technology, program content, costs, conditions of classroom use, and so forth. The finding of this study will be transmitted to Congress and will furnish the basis for such future legislation as may be needed.

In 1965 the California Legislature enacted legislation which provides assistance on a matching basis for instructional television programing. Future needs, however, for both facilities and quality programs, exceed the ability to finance them entirely from State resources. Passage of the bill will permit a State-Federal partnership for improved educational services for our young people.

In brief, Mr. Speaker, these three provisions are consistent with the position that this committee took in 1961 during hearings on the amendment to the Communication Act of 1934 to establish a new program of Federal matching grants for educational television facilities.

The Public Broadcasting Act of 1967 builds on this experience and more, offers a new vista of achievement to the American people.

In any democratic society, a fully informed electorate should be one of our highest goals. Consistent with this ideal, the Public Broadcasting Act of 1967 will offer the citizens of our country the means to inspire and uplift our people.

Let us not lose this opportunity.

Let us face up to the challenge we have before us.

Mr. Speaker, I urge speedy enactment of H.R. 6736, the Public Broadcasting Act of 1967.

THEY THINK FOR PAY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. FOLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FOLEY. Mr. Speaker, today's Wall Street Journal carries a front page story by Bowen Northrop on one of the outstanding research organizations of our time—the Hudson Institute—whose guiding spirit is the eminent political and military analyst, Herman Kahn.

Mr. Speaker, I should like to note, in particular, the Hudson Institute's educational activities. I have been privileged to attend two seminars there which I can commend to my colleagues on both sides of the aisle as of singular value.

The institute under its president, Max Singer, is today turning its impressive expertise, developed preeminently in the defense and foreign policy fields to domestic problems, the challenge of economic development abroad, and the systematic study of the future.

Mr. Northrop's article is a fine introduction to the work of this highly innovative community of scholars and problem-solvers whose continued counsel makes a significant contribution to wise and effective public policy.

The article follows:

THEY THINK FOR PAY—HERMAN KAHN'S EXPERTS MULL NUCLEAR STRATEGY, CIVIL DEFENSE, FUTURE—HUDSON INSTITUTE'S STUDIES MAY ALARM THE LAYMAN, BUT PENTAGON VALUES THEM—URBAN RENEWAL AND THE HIPPIES

(By Bowen Northrop)

CROTON-ON-HUDSON, N.Y.—On a quiet, wooded hillside overlooking the Hudson River, Herman Kahn and his associates are conducting a nonstop thermonuclear war—with words.

They also are contemplating the topography of Colombia, the implications of the hippie movement, the shape of the world in the year 2000, a plan for urban renewal on New York City's Welfare Island and the prospective problems of a "post-industrial society" in which more time may be spent at leisure than at work.

"The world is our oyster," says one staff member at the Hudson Institute. "We may look into 100 ideas. Two or three may work. We aren't concerned about our batting average." Hudson is a free-wheeling specimen of a singular American institution—the "think tank," or independent research group doing studies for Government and industry.

Voluminous reading, meditation and an endless flow of conversation are the chief activities in Hudson's seven cottage-style buildings (formerly a mental institution). Its products are reports issued to appropriate parties in Government and elsewhere, plus periodic briefings and seminars for visitors.

Since Rand Corp. was formed in 1946 by scientists who had participated in World War II planning, the think tanks have proliferated. They now number several hundred organizations in a multi-billion dollar industry, and along with scholars from the universities, they have carved out a solid niche in the policymaking apparatus of Government. Business organizations favor them as high-powered consultants.

A think tank may investigate the most desirable flavor for a new chewing gum or advise on paramount questions of national policy. How influential they have been is a matter of debate. It is generally conceded that Rand's impact on Government has been great, but several foreign policy experts suggest that the importance of the others may have been exaggerated.

THE LARGER ISSUES

Hudson is a think tank with a specialty; its acknowledged forte is pondering the most long-range, speculative questions of strategy and policy in the nuclear age. "More than half our people spend more than half their time thinking about the larger issues," says Mr. Kahn, Hudson's director.

Hudson is different in other ways, too. Whereas Rand and other large organizations have more than 1,000 employes, among them legions of technical experts, Hudson has total staff of about 75 (soon to be expanded to 90), including about 35 scholars and experts in various fields.

But its most distinctive asset probably is Mr. Kahn. A physicist and mathematician by training, he is a man of prodigious intellect whose knowledge now embraces many fields. A mainstay at Rand for 12 years, Mr. Kahn broke away to form Hudson in 1961. He had burst into public prominence a year earlier when he published his book On Thermonuclear War. In it he dispassionately considered the most horrific possibilities of all-out conflict, deciding, for instance, that attacks on 157 major American cities might kill 160 million Americans but that 20 million would survive to reconstruct things within a century.

AN ANGRY REVIEWER

When the book appeared, some observers dubbed Mr. Kahn "the Clausewitz of the nuclear age," but one angry reviewer said he was ashamed to be a citizen of the same nation as the author. Mr. Kahn was widely described as a creature of the "hawks," and Groeteschelle, the crazed Government adviser in the film Fail-Safe, was said to have been modeled after him.

Mr. Kahn doesn't fret about this public image. He is a large (official weight, 220 pounds; actual weight, several dozen pounds more), genial and ebullient man with a broad and innocent face who prefers to talk about Hudson Institute. "I am an average, everyday, middle-class American male," he says blandly. Others disagree:

John Foster, Director of Defense Research and Engineering, Department of Defense: "Herman is a phenomenon. Herman *is* Hudson."

Prof. Hans Morgenthau, Director, Center for the Study of American Foreign and Military Policy, University of Chicago: "When I first heard him, I thought, 'This is one of the most productive minds I have ever encountered.' But he is a great joker; he plays with ideas, others take them seriously. He must be taken with a large grain of salt."

Edgar A. Glick, Librarian, Hudson Institute: "Herman is a reading machine."

Probably most important, as Mr. Foster suggests, is that "Herman is an inspiration to everyone at Hudson." Mr. Kahn's energy is great, and his conversation is a restless flow of spur-of-the-moment insights, shrewd assessments of people and events, information from many fields and parenthetical witticisms. "But he is a good listener," says Max Singer, Hudson's president.

Through conferences in Mr. Kahn's book-crammed office, in exchanges through the Hudson intercom, in evening meetings at Mr. Kahn's home or in sessions of talk snatched in such moments as riding to an airport, Hudson's director trades ideas and information with his staff.

In the institute's early days, an expert occasionally would post a notice on the bulletin board indicating that he would be in the conference room at a certain hour to discuss an idea that intrigued him. "Sometimes those discussions would go on for days," a research aide says. Now the staff members know one another's interests; a session of talk is likely to involve three or four men in an office.

Think tanks operate under a major restraint: They generally can't afford to think about something unless someone will pay them for it. Like most such organizations, Hudson is dependent primarily upon Federal funds, and the bulk of its work falls into Mr. Kahn's fields of expertise, high policy and strategy.

Of the $1,220,000 received by the institute in the fiscal year ended June 30, 1966 (the figure for fiscal 1967 is about $1,330,000), $610,000 came from the Department of Defense, $320,000 from the Office of Civil Defense, another $120,000 from other Government sources, and non-Government sources contributed $170,000, including $35,000 in unrestricted grants.

Two-thirds of Hudson's contracts, Mr. Kahn says, are "felt needs"—projects that need to be done—and the rest are taken on "because we're interested." The institute frequently turns down project offers and doesn't take on many business assignments. "If a company's problems tend to be the same as those of the country, then we'll look into it," Mr. Singer says. These clients tend to be defense contractors.

Hudson policy studies bear titles such as "Strategic and Political Factors Affecting Use or Threat of Force, 1965–1975 and Thereafter"; "Political, Strategic and Tactical Considerations Involved in Ballistic-Missile Defense"; "Models and Methodologies for Analyzing Post-attack Recovery Problems"; and "Studies on Counterinsurgency War," with emphasis on Vietnam. "We don't use Hudson for the fire brigade, for the crisis of the moment," says Mr. Foster of the Defense Department. "We use them for things a year or several years in the future."

GRADUAL ESCALATION THEORY

Hudson studies civil defense in a broad framework, with interest in reducing U.S. vulnerability as well as casualties. A persistent notion outside the institute has been that a nuclear conflict would erupt and be over within minutes or hours; Hudson maintains that escalation would be likely to take place over a period of weeks, months or even years, allowing for detailed preparations.

The language of the policy thinkers is both blunt ("Russia hits us with a missile; we hit them with a missile; tit for tat") and opaque; Mr. Kahn's escalation ladder, wherein he charts the "way stations of ascending conflict," has as three of its "rungs" "slow-motion counterforce war," "constrained force reduction salvo," and "constrained disarming attack." (The top rung, number 44, is all too understandable: "Spasms or insensate war.")

Thinking About the Unthinkable (the title of Mr. Kahn's second book) would seem a harrowing day-to-day task, but Hudson's experts go about it with professional detachment. A working motto is, "If you wish to prevent war, prepare for war."

Mr. Kahn's thinking brims with iconoclasms. He considers it likely that resurgent Japan, rather than China, will be the future colossus of Asia ("When we think of China, we tend to multiply everything by 750 million; population isn't that important"), and despite the bleak headlines in the newspapers, he believes (and has a graph to demonstrate it) that the danger of all-out war is much less now than it was in the mid-1950s.

HAND-PICKED EXPERTS

Hudson's staff, hand-picked by Mr. Kahn, now includes experts in international relations, Chinese studies, social projections, economic analysis, engineering, arms control and other specialties. Some are Ph.Ds, others not. "All these people are better than their credentials," Mr. Kahn says. The senior staff men get paid from about $18,000 to $30,000 a year.

What excites Hudson's scholars isn't the idea that already has passed into the "conventional wisdom," but the new idea, or the controversial idea that hasn't been accepted. Some critics question the think tanks' independence; Chicago's Prof. Morgenthau, for instance, suggests that their "freedom of maneuver is limited by what is acceptable to the Government," but Mr. Kahn denies this.

"We never approve of things as they are," he says. "We ask, where can major improvements be made? If not that, where can significant improvements be made? If not that," he adds puckishly, "nit-pick."

The Vietnamese war, which is becoming a priority project at Hudson, is a case in point. Mr. Kahn believes that the massive U.S. buildup two years ago, preventing a Communist victory, was a masterful operation, but he bluntly says that the current policy ("the 'ouch' method") designed to bring North Vietnam to the bargaining table has been "incredibly inept" in its execution.

SOME SUGGESTIONS FOR VIETNAM

"Can you win the war?" he asks. "We don't know. Can you improve the prosecution of that war? We think so." One of his concerns is security for South Vietnamese villages: "We feel you have to win the small war." Another suggestion: Give battlefield commissions to deserving South Vietnamese noncommissioned officers. "In a peacetime army you can't have officers who don't know how to use a fork." Mr. Kahn says. "In wartime that doesn't matter."

Hudson charges cost plus a fixed fee for its work, which comes to about $46,000 per man-year. As a tax-free, nonprofit institution, it turns back extra funds into pet projects. Such an undertaking is its "futures" program, which has resulted in a book to be published by Mr. Kahn next month. The book is entitled The Next Thirty-Three Years: A Framework For Speculation.

It is a fantastic collection of extrapolations and insights. Among 100 "very probable" technical innovations envisaged by Mr. Kahn are the capability to choose the sex of unborn children, artificial "moons" to light huge areas, automated housework, inhabited undersea colonies and programed dreams.

The book also outlines "10 for-out possibilities," including major modification of the human species, interstellar travel, laboratory creation of artificial live plants and animals, and "antigravity."

TALKING TO THE HIPPIES

Mr. Kahn conjures up an America of the year 2000 in which Negroes may dominate the major cities, where work may become a secondary concern ("Anyone can make $10,000–$25,000 per annum by coasting") and where the philosophies of the hippies and the Black Muslims may be major concerns. He has interviewed the former on MacDougal Street in New York's Greenwich Village and the latter in Chicago.

Not all of Hudson's work is speculative and theoretical; it also has "bricks and mortar" projects. Robert Panero is "Herman's engineer," with the title of director of economic development studies, and he now is shaping a massive urban renewal proposal for New York's Welfare Island, a 1.8-mile-long island in the East River between Manhattan Island and the borough of Queens.

Two aging hospitals and some other abandoned buildings are the chief structures on Welfare Island now. Hudson's scheme is grand: Build a "Ponte Vecchio" like that in Florence, Italy, to connect the island with Queens. This broad pedestrian bridge would have shops and recreational attractions along either side.

Hudson would relocate the hospitals and build apartment houses for 250,000 persons on one quarter of the ground space. The rest would be parkland. With rents ranging from $100 to $250 a month, all classes could afford to live on the island. Hudson estimates the cost at $1.5 billion; it suggests that private industry could develop the project profitably under medium-term leases, with control eventually reverting to the city. Hudson envisions such attractions as "boatports" in the basements of the apartment buildings and notes residents would have rapid access to Manhattan.

AIDING LATIN AMERICAN DEVELOPMENT

Mr. Panero has just returned from Colombia, where Hudson is advising the government on construction of a series of "low dams," an inexpensive method to spur development of the largely uninhabited interior. This is what Hudson calls a "catalytic development" project, and the idea has been expanded to the point where Messrs. Panero and Kahn have issued a report entitled "A South American 'Great Lakes' System."

Mr. Kahn is quick to concede that Hudson doesn't have the "800 technicians" of Rand, for instance, and in the Colombian project the government retained the institute for overall planning while contracting out the engineering to Colombian companies.

To compensate for limited resources, Hudson has on tap a number of consultants, plus affiliations with two groups called Public Members and Fellow Members. The Public Members, including labor and business leaders, represent "the community" in the counsel they give Hudson, Mr. Singer says.

The Fellow Members are specialists, most of them at universities. They include A. Doak Barnett, the China scholar from Columbia University; Milton Friedman, the University of Chicago economist; Carl Kaysen, director of the Institute for Advanced Studies in Princeton, N.J.; and Prof. Morgenthau.

How much these men contribute to Hudson's work is debatable. Prof. Morgenthau, who has ideological differences with Mr. Kahn, often comments on reports in preparation, but he says good-naturedly, "I have no illusions about having any influence on Mr. Kahn."

ASSESSING HUDSON'S INFLUENCE

How influential is Hudson's work? Some doubters suggest that "all those reports turned out by think tanks just go into the files and get forgotten," but Mr. Foster of the Defense Department says that when he gets a Hudson report, "I make a one-page summary of it and it goes to my boss, Mr. McNamara."

Mr. Singer, Hudson's president, notes that much of the institute's work is educational and thus is difficult to evaluate in terms of concrete results. Most famous of Hudson's educational activities are the week-long seminars at the institute, when selected visitors hear marathon lectures by Mr. Kahn and his associates.

Hudson's director is reluctant to be specific about the contributions of organizations like his. "When you have a project," he says, "somebody always thought of it before you did, somebody has to fight it along with you and somebody fights it after you." But in national affairs, he thinks "many of the things that have happened would have happened five or ten years later" if it hadn't been for the think tanks.

WHEAT TRADE BETWEEN THE UNITED STATES AND JAPAN

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. FOLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FOLEY. Mr. Speaker, the United States is now being visited by a most important and distinguished trade delegation from Japan. For the past 2 weeks this delegation, headed by Mr. Keinosuki Numata, executive director of the Japan Milling Industry Development Foundation, has toured our wheat-producing areas meeting with producer and export associations.

This delegation represents over 70 percent of Japanese milling industry and is by far the most significant trade delegation of its kind ever to visit the United States.

Today a statement by Mr. Numata was made to the House Agriculture Committee. It deserves more than such a limited audience, and I therefore include it in the RECORD in its entirety:

STATEMENT BY MR. KEINOSUKI NUMATA

Mr. Chairman and members of the committee: It is a great honor for me to have this opportunity to briefly speak to you today regarding the wheat trade between the United States and Japan.

First, on behalf of the Japan Flour Millers Team, I would like to extend our sincere appreciation to the American wheat producers and the United States Department of Agriculture for their kindness in inviting us to visit this beautiful country. We have enjoyed every second since our arrival in Seattle on September 5, because of their generous hospitality and cooperation.

We have had several visits to this country in the past and from everyone we have learned something new, which is the most beneficial part of any trip to the United States.

Now, I would like to introduce my team members. They are Mr. Kimura, the Executive Director of Nippon Flour Mills; Mr. Hirano, Vice President of Showa Sangya Co.; Mr. Ishii, Managing Director of Nisshin Flour mills and Mr. Taki, Executive Director of Nitto Flour Mills. My name is Keinosuki Numata and I am the Executive Director of the Flour Mills Association. Mr. Hannya is our secretary and tour manager from the Wheat Associates office in Tokyo.

The four flour mills represented by our team members produce almost 70% of wheat flour milled in Japan. The team more nearly represents the entire Japanese wheat industry than any before.

It has only been 70 years since the Japanese flour milling industry was first mechanized—primarily with roller mills and other modern equipment imported from the U.S. The last 40 years, particularly, has been a period of remarkable modernization and development for our industry.

We are very much aware of the important role played by the tremendous amount of wheat donated to Japan by the United States in the immediate post-war days. There were very serious food shortages in Japan largely because of the abandonment of land and the loss of large rice-supplying sources such as Taiwan, Korea and others. The wheat given to our country through GALIOA and EROA not only helped to save the lives of our people but also paved the way to the prosperity of our industry today.

Whenever I remember those difficult days, I cannot find adequate words to express my appreciation to this nation.

In 1938, when the war began for us, the total amount of wheat milled annually in Japan was only one million tons, about 37 million bushels. Today the wheat consumption in Japan has increased to almost five million metric tons or 185 million bushels. As you can see, Japanese wheat consumption has increased 5 times over the past 30 years.

There are, of course, many reasons for such a tremendous increase. Population increase is one major factor since Japan now has a population of over 10 million. However, the most important factor is the rapid westernization of the culture of our people which has been greatly stimulated by the trade and cultural exchange between our two nations.

For example, under the Japan school lunch program, 100 percent of the primary school children are fed bread or pasta products every day. 70% of the junior high schools are also under the program. The school lunch program is considered to be one of the most effective methods of promoting wheat flour products in Japan and it has played a very important role in this respect.

Because of the economic growth of Japan, consumers today are generally more interested in variety and specialty foods. As a result, Japanese per capita consumption of rice has been decreasing year by year while the per capita consumption of wheat flour has become closer to that of your country. The total wheat imported and grown is consumed in the following manner: noodle 39%; bread 34%; pastries 14%; industries 3%; other 10%.

Westernization of our food habits is closely related to the increased importation of wheat. Japan's annual imports of agricultural commodities from all countries totals over 2 billion dollars. Out of this total, Japan now buys 900 million dollars worth of agricultural commodities from the United States. This figure should reach *one billion* dollars in the near future.

As far as wheat is concerned, Japan expects to import at least 2.3 million metric tons from the U.S. this year, which will be almost 20% of your total crop. I call your attention to the fact that the U.S. provides 44% of all wheat consumed—both imported and produced domestically—in Japan. This means the U.S. will rank first for the fifth straight year as a supplier of wheat to Japan. We understand that Japan is the largest cash customer in the world for U.S. wheat.

I would be remiss if I failed to pay tribute to the American wheat producers. I refer to those affiliated with Western Wheat Associates. Their efforts in aiding our industry with market promotion, research and technical assistance have provided a most useful service. With their help, our industry has been able to provide a real contribution and service to our country by improving the nutritional standard of living of our people.

Thank you very much for taking time from your busy schedule to meet with us here today.

TOUGH GUN LAWS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Rees] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. REES. Mr. Speaker, President Johnson has reissued his call for legislation to assist the States in the enforcement of their firearms legislation. In his letter to our Presiding Officer, he has made it clear that in his judgment Congress can no longer delay.

As reflected in the attached editorial from the Los Angeles Times of September 7, FBI Director Hoover is likewise of that view.

In the light of opposition voiced by representatives of sportsmen, I have carefully studied the pending legislation. In my judgment it does not impinge on the lawful activity of sportsmen or anyone else. It does guarantee us, however, a reduction in the commission of crime with firearms.

I, for one, join the President, the Attorney General, the Director of the Federal Bureau of Investigation, and the many others who have been pointing the way. Let us get the job done.

The article referred to follows:

FBI Chief Urges Tough Gun Laws

The respected voice of J. Edgar Hoover, director of the Federal Bureau of Investigation, has been raised in vigorous defense of tougher gun laws. His words should be carefully heeded by all those who profess to see a national "danger" in controls on sale and possession of firearms.

As the veteran FBI chief declared in a signed editorial in his agency's monthly bulletin: "We have reached the point where the time for debate is past; the time for action is here."

At the very least, Hoover wants a federal ban on mail-order purchase of firearms, and controls on interstate transportation of such weapons. Legislation to accomplish this is stalled in the Senate, through the efforts of the surprisingly potent gun lobby.

Hoover would implement this federal proposal through "local registration of weapons."

He buttresses his case with some shocking statistics:

During 1966 alone more citizens were slain or assaulted with guns in U.S. streets and homes than were killed in battle during the Korean War.

Of the 57 law enforcement officers killed in line of duty last year, all but two were gunshot victims. That has been the trend since 1960—the weapon in 96% of the police murders has been a gun.

"While it is true a hardened criminal will obtain a gun regardless of statutes in force," says Hoover, "most authorities agree that controls would make acquisition more difficult."

Stricter controls at the local level, particularly registration, would provide major assistance in tracing stolen weapons, Hoover added.

With such expert testimony, it is hard to see how any intelligent person can persist in fighting adequate firearms laws. Yet the opposition continues.

Hoover concludes: "There is no doubt in my mind that the easy accessibility of firearms is responsible for many killings, both impulse and premeditated. . . . Strong measures must be taken, and promptly, to protect the public."

The Times, which has consistently supported comprehensive weapons control laws, applauds the FBI director's latest statement on the issue. We hope it will help convince the Doubting Thomases.

CONSTITUTION WEEK

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Bevill] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BEVILL. Mr. Speaker, under leave to extend my remarks, I include the text of an editorial that appeared in the Sunday, September 17, 1967, issue of the Gadsden Times. These remarks emphasize the great need for us to renew our acquaintance with the Constitution; to rededicate ourselves to fulfilling its promises.

As the Times brings out, no better way of observing this Constitution Week could be devised than the thoughtful rereading of the Constitution in its entirety.

The editorial follows:

[From the Gadsden (Ala.) Times, Sept. 17, 1967]

Constitution Week

Strong enough to meet its obligations at home and abroad.

Secure enough to guarantee the liberties of its people.

Such was the type of government the framers of the Constitution of the United States were determined to provide.

The history of the nation is the proof of their success. The document, signed 180 years ago today, Sept. 17, 1787, welded 13 states into a union and guided that Union, in less than two centuries, to a position of world leadership.

Washington and Franklin, Madison and Hamilton, among half a hundred others, left their mark upon it. They knew the document was a compromise of many shades of political belief, but they placed their faith in the great basic principles it expressed: the sovereignty of the people, respect for the states as separate entities, division of power among three equal and independent branches of government which would serve as permanent checks on each other, separation of church and state, rule by the majority.

Today, by proclamation of the President, begins celebration of Constitution Week.

No better observance of the occasion could be devised than thoughtful re-reading of the Constitution in its entirety. Failing that, a consideration of the Preamble in the light of today's issues would be a rewarding study requiring only a few moments.

The purpose of the Constitution, its framers declared in the name of the people of the United States, was "to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Hosmer, for September 25–29, on account of official business of Joint Committee on Atomic Energy.

Mr. Broomfield (at the request of Mr. Gerald R. Ford), for an indefinite period, on account of official business as U.S. delegate to the United Nations.

Mr. McCulloch (at the request of Mr. Gerald R. Ford), for today, on account of official business—National Advisory Committee on Civil Disorders.

Mr. Harrison (at the request of Mr. Gerald R. Ford), for September 21, 1967, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to the following Members (at the request of Mr. Buchanan) and to revise and extend their remarks and include extraneous matter:

Mr. Halpern, for 15 minutes, on September 21.

Mr. Poff, for 1 hour, on September 21.

Mr. Gubser, for 1 hour on September 21.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Patten) and to include extraneous matter:)

Mr. Teague of Texas.
Mr. Kee.
Mr. Nix.
Mr. Poage.
Mr. McCarthy in three instances.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 477. An act for the relief of the widow of Albert M. Pepoon; and

S. 953. An act to amend the Food Stamp Act of 1964.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Thursday, September 21, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1086. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 30, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the report on Lake Chicot, Ark., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 19, 1963 (H. Doc. No. 168); to the Committee on Public Works and ordered to be printed with illustrations.

1087. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting a copy of the Statistical Supplement, Stockpile Report to the Congress, for the period ending June 30, 1967, pursuant to the provisions of Public Law 79-520; to the Committee on Armed Services.

1088. A letter from the executive secretary, Public Service Commission of the District of Columbia, transmitting the 54th annual report of the Public Service Commission of the District of Columbia for the calendar year 1966, pursuant to the provisions of paragraphs 14 and 20 of section 8 of an act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913; to the Committee on the District of Columbia.

1089. A letter from the Secretary of Commerce, transmitting the 11th program report on the activities of the U.S. Travel Service for calendar year 1966, pursuant to the provisions of section 5 of the International Travel Act of 1961; to the Committee on Interstate and Foreign Commerce.

1090. A letter from the Secretary of the Interior, transmitting a contract between the U.S. Government and the Metropolitan Water District of Southern California, pursuant to the provisions of Public Law 90-18; to the Committee on Interior and Insular Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROCK:

H.R. 13015. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 13016. A bill to provide cost-of-living allowances for judicial employees stationed outside the continental United States or in Alaska or Hawaii, and for other purposes; to the Committee on the Judiciary.

H.R. 13017. A bill to amend section 792(a), title 28, United States Code, to provide for the appointment of five additional commissioners by the Court of Claims; to the Committee on the Judiciary.

By Mr. ERLENBORN:

H.R. 13018. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Interstate and Foreign Commerce.

By Mr. EVERETT:

H.R. 13019. A bill to amend title 38 of the United States Code so as to increase the income limitations for pension purposes applicable to veterans of World War I, World War II, the Korean conflict, and the Vietnam era who are in need of regular aid and attendance; to the Committee on Veterans' Affairs.

By Mr. MADDEN:

H.R. 13020. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

By Mr. O'HARA of Illinois:

H.R. 13021. A bill to provide for the issuance of a special postage stamp to commemorate the 50th anniversary of the independence of the Baltic States (Estonia, Latvia, and Lithuania); to the Committee on Post Office and Civil Service.

By Mr. WILLIAMS of Mississippi:

H.R. 13022. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. YATES:

H.R. 13023. A bill to amend title VI of the Public Health Service Act to improve the existing program for assistance for construction and modernization of hospitals and other medical facilities and to provide for the making of loans for such modernization; to the Committee on Interstate and Foreign Commerce.

By Mr. DERWINSKI:

H.R. 13024. A bill to amend the Labor-Management Reporting and Disclosure Act of 1959 to make such act applicable to Federal employee unions; to the Committee on Education and Labor.

By Mr. McMILLAN (by request):

H.R. 13025. A bill to permit the District of Columbia Council to make rules and regulations under the Alcoholic Beverage Control Act, and for other purposes; to the Committee on the District of Columbia.

By Mr. MILLS:

H.R. 13026. A bill to change the period during which an individual is permitted to enroll under part B of title XVIII of the Social Security Act (relating to supplementary medical insurance benefits for the aged), and for other purposes; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 13027. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

By Mr. HAGAN:

H.R. 13028. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. MACHEN:

H.R. 13029. A bill to authorize the construction of a low diversion structure or dam on the Potomac River, Md.; to the Committee on Public Works.

By Mr. KUYKENDALL (for himself, Mr. Riegle, Mr. Anderson of Illinois, Mr. Battin, Mr. Biester, Mrs. Bolton, Mr. Bush, Mr. Cramer, Mr. Donohue, Mr. Goodell, Mr. Hunt, Mr. Jacobs, Mr. King of New York, Mr. Laird, Mr. McCulloch, Mr. McGregor, Mr. Matsunaga, Mr. Moss, Mr. Poff, Mr. Railsback, Mr. Rivers, Mr. Rogers of Colorado, Mr. Sandman, Mr. Steiger of Arizona, and Mr. Whitener):

H.R. 13030. A bill to amend title 18 of the United States Code to make it unlawful to assault or kill any member of the armed services engaged in the performance of his official duties while on duty under orders of the President under chapter 15 of title 10 of the United States Code or paragraphs (2) and (3) of section 3500 of title 10 of the United States Code; to the Committee on the Judiciary.

By Mr. RIEGLE (for himself, Mr. Kuykendall, Mr. Anderson of Illinois, Mr. Battin, Mr. Biester, Mrs. Bolton, Mr. Bush, Mr. Cramer, Mr. Donohue, Mr. Goodell, Mr. Hunt, Mr. Jacobs, Mr. King of New York, Mr. Laird, Mr. McCulloch, Mr. MacGregor, Mr. Matsunaga, Mr. Moss, Mr. Poff, Mr. Railsback, Mr. Rivers, Mr. Rogers of Colorado, Mr. Sandman, Mr. Steiger of Arizona, and Mr. Whitener):

H.R. 13031. A bill to amend title 18 of the United States Code to make it unlawful to assault or kill any member of the armed services engaged in the performance of his official duties while on duty under orders of the President under chapter 15 of title 10 of the United States Code or paragraphs (2) and (3) of section 3500 of title 10 of the United States Code; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 13032. A bill to amend section 336(c) of the Immigration and Nationality Act so as to authorize any petitioner for naturalization to take the oath of allegiance at a final hearing held upon his petition within 30, rather than 60, days preceding a general election; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 13033. A bill to require the disclosure of gifts, income, certain financial interests, and clerk hire; to the Committee on Rules.

By Mr. MOORE:

H.R. 13034. A bill granting the consent of Congress to the Interstate Compact on Air Pollution between the States of Ohio and West Virginia; to the Committee on the Judiciary.

By Mr. BELL:

H.J. Res. 836. Joint resolution designating the month of May 1968 as National Airmail Golden Anniversary Month; to the Committee on the Judiciary.

By Mr. FUQUA:

H.J. Res. 837. Joint resolution in opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. WHALLEY:

H.J. Res. 838. Joint resolution proposing an amendment to the Constitution of the United States relating to the power of the Supreme Court to declare any provision of law unconstitutional; to the Committee on the Judiciary.

By Mr. WYLIE:

H.J. Res. 839. Joint resolution to provide for a study of the resources of the ocean floor by the National Council on Marine Resources and Engineering Development, and to prevent certain premature actions which might adversely affect the interests of the United States in such resources, to the Committee on Merchant Marine and Fisheries.

By Mr. COLLIER:

H. Con. Res. 505. Concurrent resolution to establish a joint congressional committee to investigate riots and violent civil disorder; to the Committee on Rules.

By Mr. HALPERN:

H. Con. Res. 506. Concurrent resolution to establish a Joint Committee on Ethics and Conduct; to the Committee on Rules.

By Mr. BROOMFIELD:

H. Res. 924. Resolution to express the sense of the House of Representatives concerning a means toward achieving a stable and durable peace in the Middle East; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 13035. A bill for the relief of Guiseppe Caracchiolo; to the Committee on the Judiciary.

H.R. 13036. A bill for the relief of Lionel Rovira; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 13037. A bill for the relief of Marcela S. Vista; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 13038. A bill for the relief of Italia Fonzone; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 13039. A bill for the relief of Benedetto Amato and his wife, Valerio Amato; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 13040. A bill for the relief of Panagiotis Drosos; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 13041. A bill for the relief of Hideo Kodama; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule **XXII**,

158. The SPEAKER presented a petition of the city of Brook Park, Ohio, relative to a resolution on rioting, which was referred to the Committee on the Judiciary.

SENATE

WEDNESDAY, SEPTEMBER 20, 1967

The Senate met at 11 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, Thou hast ordained that in the leadership of the Nation the care of the many must ever rest upon the few. We beseech Thee, give understanding, humility, and charity to them who, in the name and for the Nation's sake, are entrusted here with the power of governance.

We pause at this wayside altar, not just to bow our spirits in a passing gesture of devotion and then go on our busy way with lives empty of Thee: Rather, we come to ask Thy presence and Thy guidance as this day we face the strain of toil, the weight of burdens, and the call of duty. Keep love's banners floating o'er us as we march forward in the ranks of those who do justly and walk humbly with their God.

Thou hast made us to be Thy temples. Grant that the sacred places of our inner lives may harbor nothing unworthy of our high calling in Thee:

The ruins of our soul repair,
And make our heart a house of prayer.

In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, September 19, 1967, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 477) for the relief of the widow of Albert M. Pepoon.

The message also announced that the House had agreed to the amendment of the Senate to the amendments of the House to the bill (S. 953) to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967.

The message further announced that the House insisted upon its amendments to the bill (S. 602) to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FALLON, Mr. JONES of Alabama, Mr. WRIGHT, Mr. EDMONDSON, Mr. CRAMER, Mr. SCHWENGEL, and Mr. CLEVELAND were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the bill (S. 1956) to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1655. An act for the relief of Clara B. Hyssong;

H.R. 5233. An act for the relief of Mrs. Sophie Michalowska; and

H.R. 10655. An act for the relief of Arthur Anderson.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 1655. An act for the relief of Clara B. Hyssong;

H.R. 5233. An act for the relief of Mrs. Sophie Michalowska; and

H.R. 10655. An act for the relief of Arthur Anderson.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements during the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Under the order previously entered, there will be 15 minutes of morning business; and, without objection, the time will be so limited.

VOCATIONAL REHABILITATION AMENDMENT OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 550, H.R. 12257.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 12257) to amend the Vocational Rehabilitation Act to extend and expand the authorization of grants to States for rehabilitation services, to authorize assistance in establishment and operation of a National Center for Deaf-Blind Youths and Adults, and to provide assistance for migrants.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. YARBOROUGH. Mr. President, we have before us today a bill that would continue and even increase this Nation's commitment to vocational rehabilitation—surely one of the most worthy endeavors of the Federal Government. I am pleased to stand in support of H.R. 12257, and I wish to commend the very able leadership provided on this legislation by the distinguished chairman of the Subcommittee on Health, Senator HILL, of Alabama. As is widely known, Senator HILL is one of the principal architects of this Nation's outstanding public health program, and it is through his continuing creative overview that this program has shown a capacity to adjust to the health needs of the people.

There are three major provisions of H.R. 12257 that are of special interest to me. First is the provision increasing and extending the authorization of funds for allocation to States for vocational rehabilitation services. Mr. President, disability presents a formidable problem in our society today. In our hearings on this bill, the very capable and distinguished Mary E. Switzer, then Commissioner of Vocational Rehabilitation and now the Administrator of the newly organized Social and Rehabilitation Service, stated the problem very clearly for us:

> We still have close to 4 million disabled people who need vocational rehabilitation services if they are to become employable. Around 400,000 new cases are added each year. Against this need, our Federal-State program rehabilitated 173,000 disabled people into useful work last year. . . .
>
> Thus we still have a great challenge before us, if we are to reach and restore those who need help.

The challenge, Mr. President, is to close the gap between the 173,000 rehabilitated and the 400,000 requiring rehabilitation. This legislation will make strides in that direction. The bill would authorize $500 million for allotment among the States in 1969 and $600 million in 1970. It is estimated that this increased funding will in turn increase the number of individuals rehabilitated to 247,000 in 1969 and to 278,000 in 1970. I suggest that this is a pretty good return on our money.

Since the vocational rehabilitation program began under President Woodrow Wilson in 1920, more than 2 million handicapped individuals have received service and have been rehabilitated to activity and useful work. Through this 47-year Federal-State cooperative effort, thousands of citizens have escaped the relief rolls and unemployment lists to enjoy productive lives. It is estimated that each Federal dollar invested in rehabilitation yields a return of $5 in income taxes paid by persons rehabilitated.

In my own State, the Texas Division of Vocational Rehabilitation provided services to more than 22,000 disabled citizens during fiscal year 1967. Of this number 6,752 persons were rehabilitated—an increase of 19 percent over the previous fiscal year. It is estimated that from June of 1967 to June of 1968 some 27,500 Texans will be provided vocational rehabilitation services, and that more than 8,000 of these will be rehabilitated. This represents another 19 percent increase. Mr. President, with the increased funding through 1970 provided by this bill, the percentage increase of those rehabilitated will be even greater, and Texas will regain and benefit from the productive capacity of these rehabilitated Texans.

Second, H.R. 12257 would provide for the establishment and operation of a National Center for Deaf-Blind Youths and Adults. This long-overdue provision seeks to aid the approximately 5,000 deaf-blind youths and adults of this Nation—persons Helen Keller has called "the most isolated and loneliest group of people in our society." I strongly support this provision, and I think Chairman Hill, who is a man of great vision, deserves special commendation for his untiring efforts to see that the unique needs and problems of these individuals receive attention and appropriate action.

Third, I am most impressed by and concerned with the provision of this bill to pay 90 percent of the costs of pilot or demonstration projects which would provide rehabilitation services for migratory agricultural workers and their families. This is an imaginative proposal that seeks to develop new solutions for a complex problem. For some time now I have worked with other Members of the Senate in seeking solutions to the numerous and rather special problems of the estimated 2 million migrant workers in the United States, and I think this provision is a clear example of the creative thinking that is required to help these people. It is estimated that 3,000 to 5,000 disabled migrant workers and members of their families would seek or be referred to vocational rehabilitation services each year if such a program were enacted. I think it imperative that we take the first step today by authorizing these pilot projects.

Mr. President, the vocational rehabilitation program has gone a long way since its beginning in 1920 to help the disabled of this country to achieve, as Miss Mary Switzer so appropriately phrased it, "the dignity that comes from work, and the self-respect that comes from personal independence." Likewise, the Subcommittee on Health, under the capable leadership of the gentleman from Alabama [Mr. Hill], has gone a long way in this bill to keep this Government's health effort attuned to the needs of the people and the society. I urge passage of H.R. 12257.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an explanation and certain other pertinent factors relative to the bill, as contained in the report—No. 565.

There being no objection, the excerpt from the report was ordered to be printed in the Record, as follows:

SUMMARY

H.R. 12257 would extend certain provisions of the Vocational Rehabilitation Act and make certain improvements in the Federal assistance available thereunder for the vocational rehabilitation of handicapped individuals. The measure was approved in the House of Representatives by a vote of 340 to 0. The six amendments in the bill would:

(1) Extend through the fiscal years 1969 and 1970 the appropriation authorization for grants to States for the basic program of vocational rehabilitation services for handicapped individuals under section 2 of the act;

(2) Authorize 1 additional year of appropriations for support of statewide planning in vocational rehabilitation by the States, through June 30, 1968;

(3) Authorize the Secretary to enter into an agreement with a public or nonprofit private agency or organization for the establishment and operation of a National Center for Deaf-Blind Youths and Adults;

(4) Authorize a program of project grants to States for providing vocational rehabilitation services to handicapped migratory agricultural workers and members of their families;

(5) Require that vocational rehabilitation services be provided by State vocational rehabilitation agencies without regard to the place of residence of the handicapped individual; and

(6) Provide a fixed allotment percentage for the District of Columbia.

BACKGROUND

More than 2 million handicapped individuals have been rehabilitated to activity and useful work through the vocational rehabilitation program since its beginning in 1920.

Almost one-fifth of those rehabilitated are on public assistance or residents of public institutions at the time of acceptance in the program. Three-fourths of the applicants for vocational rehabilitation services are unemployed. It is estimated that each Federal dollar invested in rehabilitation yields a return of $5 in income taxes paid by persons rehabilitated.

The Department of Health, Education, and Welfare estimates that 4 million disabled people need vocational rehabilitation services if they are to become employable. About 400,000 new cases are added each year. Against this need, our Federal-State program rehabilitated 173,000 into useful work last year. It is apparent that we should have as our objective the rehabilitation of more than 400,000 persons each year if we are to reduce the backlog of disability that is accumulating. This legislation will permit progress toward that goal.

GRANTS TO STATES

Section 2 of the bill would authorize a 2-year extension of appropriations for grants to the States for vocational rehabilitation services. These grants finance the 47-year-old program in which a variety of vocational rehabilitation services are provided to handicapped individuals to help prepare them for employment and useful, productive lives. The Federal Government bears 75 percent of the cost of these programs.

Under the present law, the appropriations authorization for grants-to-States for basic support of State programs under section 2 extends only through the fiscal year 1968. For this reason the States whose legislative bodies meet biennially face budgetary problems. That problem would be eliminated, permitting orderly planning on the part of the Department of Health, Education, and Welfare, and the States for fiscal years 1969 and 1970, by enactment of this amendment. The bill would authorize $500 million for allotment among the States in 1969 and $600 million in 1970.

It is estimated that the increased funding that is authorized will increase the number of individuals rehabilitated to 247,000 in 1969 and to 278,600 in 1970.

COMPREHENSIVE PLANNING

When the 1965 amendments were enacted, Congress authorized appropriations through fiscal year 1967 for grants to States for statewide planning in rehabilitation. The objective was to insure that each State would have a basis for developing service programs, facilities, personnel, and other resources, so that, by July 1, 1975, each State would be able to furnish vocational rehabilitation services to all handicapped individuals who need such help. Because the 1965 amendments did not become law until November 1965, with regulations issued in January 1966, a full 2-year planning program has not been possible under existing authority. Since practically all States are presently engaged in the planning program, it is important that they have the additional support provided by this provision in order to complete their work.

H.R. 12257 would extend the authorization for appropriations for this purpose through fiscal year 1968; any funds so appropriated would remain available for the making of grants for this purpose until June 30, 1969.

NATIONAL CENTER FOR DEAF-BLIND YOUTHS AND ADULTS

There are approximately 5,000 deaf-blind youths and adults in this country. These individuals—a group described by Helen Keller as "the most isolated and loneliest group of people in our society"—require highly specialized manpower resources and equipment for their rehabilitation.

During the course of hearings on this legislation, Mr. Robert J. Smithdas described the handicap of the deaf-blind very articulately. He said:

"When a deaf-blind child loses his hearing and sight he loses the two main channels of sensation that bring him closest to the world he lives in.

"Deafness and blindness are a difficult handicap to describe. They are not merely two individual disabilities. They are more than one handicap. Such an individual has a severe handicap with respect to mobility and communication. These additional problems in themselves can also become handicaps.

"A deaf-blind person has not only the physical disadvantages of not being able to see or hear, but the additional problem of not being able to communicate with the ordinary world we live in with the ease of other human beings, and not being able to move about as freely and confidently as other persons whom we meet.

"During the past few years I have been able to understand the problems of many of our deaf-blind men and women who have come to us for training in the Industrial Home for the Blind. I know that they have a firm desire to live, to achieve, to become part of society, and to take their places as active, self-reliant citizens.

"I have known many deaf-blind persons since I was in childhood. And I have realized that in all cases they had good potential for becoming independent and for developing a greater measure of happiness if they were given the necessary opportunity."

Mr. Smithdas, deaf-blind since childhood, entered college 50 years after the graduation of Helen Keller from Radcliffe College. He earned his bachelor's degree at St. John's University and went on to receive a master's degree at New York University.

The National Center for Deaf-Blind Youths and Adults that is proposed by this legislation would extend to many of the deaf-blind the opportunity that was available to Mr. Smithdas. It is estimated that 300 of the 5,000 deaf-blind youths and adults could be accommodated by the proposed Center. The committee requests the Secretary of Health, Education, and Welfare to give additional study to the numbers of deaf-blind in this country who could benefit from comprehensive rehabilitation services and plan for the additional facilities that will be required.

A rehabilitation facility for the deaf-blind should offer comprehensive services including case finding; transportation between home and center; maintenance for duration of service; a comprehensive range of medical, psychological, social, and educational services based on individual needs; and resettlement. Every rehabilitation facility working in this field should conduct research aimed at advancing the Nation's capabilities and technical resources for dealing with this multiple handicap.

The development of the facilities needed will involve enormous obstacles with respect to staffing. Some conception of the magnitude of the personnel problem emerges when it is pointed out that a teacher of the deaf-blind can work with only two students at a time. Extremely high ratios of staff to clients must be maintained in all categories.

At least 14 or 15 kinds of professional specialties are represented on the staff of a comprehensive facility serving the deaf-blind. These are over and above the highly trained subprofessional and custodial skills which must be provided. Moreover, it is not enough that the professional and other staff members be fully trained in their respective fields. Even the most highly qualified specialists require further training to equip them to work effectively with the deaf-blind. Finally, it should be borne in mind that many of the professional specialties needed on a full-time or part-time basis in rehabilitation facilities for the deaf-blind also are needed for other purposes including adequate restorative and health maintenance services for the general population, and that many of these specialties are critically undermanned.

MIGRATORY AGRICULTURAL WORKERS

The bill would add a new section to the Vocational Rehabilitation Act authorizing grants to State or local agencies administering State plans for rehabilitation services, to pay 90 percent of the costs of pilot or demonstration projects which would provide rehabilitation services for migratory agricultural workers and their families.

This bill incorporates legislation to make special funds available to the States to provide the complete range of vocational rehabilitation services to migrant workers with physical or mental disabilities who could be restored to activity and usefulness. Where needed, transportation and maintenance also could be provided.

Disabled migrant workers and their families are generally more difficult to serve even when they are accepted as eligible due to the relatively brief period they are within a State. If maintenance support and relocation costs are provided, it would enable the disabled migrant worker to complete his vocational rehabilitation services including such training as would enhance his skills, whether in agricultural or nonfarm employment.

The estimated migrant population in the United States including families is 2 million. Reliable data on the number needing vocational rehabilitation services, and able to benefit, does not exist, since the State rehabilitation agencies have had so little experience in serving them. It is estimated, however, that 3,000 to 5,000 persons would seek or be referred for services each year.

RESIDENCE REQUIREMENT

The proposed bill would amend section 5(a) of the Vocational Rehabilitation Act to prohibit the use of a residence test which is used to exclude a person from receiving rehabilitation services.

The need for vocational rehabilitation services has little, if any, correlation to the extent of residence within the State in which the individual applies for services. Moreover, the question of a State's responsibility to finance the needed services in light of the Federal matching funds provided by the Vocational Rehabilitation Act as amended in 1965 makes the extent of State residence less significant than heretofore.

A requirement that a person must have resided within a particular State for some specified period to application for services gives rise to many difficulties for the more mobile segments of the population. Delays resulting from such a requirement often mean that many must go without services. The exception is true in some States that have mutual arrangements with other States whereby vocational rehabilitation clients of the other State are served. However, even here delay of service is not eliminated.

ALLOTMENT PERCENTAGE FOR THE DISTRICT OF COLUMBIA

The 1965 amendments to the Vocational Rehabilitation Act increased the Federal share of the costs of vocational rehabilitation services. States are now eligible for $3 of Federal funds for each dollar of State funds. The District of Columbia, however, is currently receiving only slightly more than $1 of Federal funds under the program for each dollar of District funds due to its low allotment percentage and the "maintenance of effort" provisions of the 1965 amendments that require States to maintain their contributions at a level no lower than the 1965 experience. The District of Columbia could take advantage of the more favorable matching ratio if its allotment percentage were increased to the rate now established for Puerto Rico, Guam, and the Virgin Islands. H.R. 12257 would accomplish this objective. With its allotment percentage established at 75 percent, the District will be able to earn three Federal dollars under the vocational rehabilitation program for each dollar of District funds in fiscal year 1968. Thus, the new allotment percentage for the District would replace the allotment percentage promulgated last year.

ADDITIONAL COST

The legislation would continue for 2 additional years, 1969 and 1970, the authorization for appropriations for the basic program of matching grants to States. The 1968 budget provides a total of $286 million for these grants. Under H.R. 12257, the appropriations would increase to $346 million in 1969 and to $411 million in 1970. These estimates assume that States will appropriate the required matching funds.

In addition, the legislation would authorize the expenditure of $3 million for comprehensive statewide planning for vocational rehabilitation in 1968; an expenditure of $69 million for vocational rehabilitation services for agricultural migratory workers over the 5 fiscal years 1968–72; and the expenditure of $4 million for the National Center for Deaf-Blind Youths and Adults over the 5 fiscal years 1968–72.

HEARINGS

The Subcommittee of Health of this committee held hearings on the Vocational Rehabilitation Amendments of 1967 on August 14, 1967. Testimony and statements favorable to the legislation and its enactment were presented by the Vocational Rehabilitation Administration, the National Federation for the Blind, the American Foundation for the Blind, the Industrial Home for the Blind of Brooklyn, N.Y., and the National Rehabilitation Association.

The bill (H.R. 12257) was ordered to a third reading, was read the third time, and passed.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Proposed Amendments to the Budget, 1968, for the Department of Transportation (S. Doc. No. 50)

A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1968, for the Department of Transportation (with accompanying papers); to the Committee on Appropriations and ordered to be printed.

Statistical Supplement Stockpile Report

A letter from the Director, Office of Emergency Planning, transmitting, pursuant to law, a copy of the Statistical Supplement, Stockpile Report to the Congress, for the period ending June 30, 1967 (with an accompanying report); to the Committee on Armed Services.

Report of U.S. Travel Service

A letter from the Secretary of Commerce, transmitting, pursuant to law, the 11th program report on the activities of the U.S. Travel Service for calendar year 1966 (with an accompanying report); to the Committee on Commerce.

Bolsa Island Nuclear Power and Desalting Plant

A letter from the Secretary of the Interior, transmitting, pursuant to law, a contract providing for the participation of the Government in the construction and operation of a dual-purpose nuclear power and desalting facility to be located on a manmade island off the coast of southern California and for the delivery of technical information developed in the course of the project (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a petition signed by Anna Bortner, and sundry other citizens of the States of Maryland and Pennsylvania, relating to the foreign policy of the United States with regard to Vietnam, which was referred to the Committee on Foreign Relations.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, without amendment:

H.R. 472. An act to authorize the Secretary of Agriculture to purchase certain land from Texas Southmost College, Brownsville, Tex. (Rept. No. 569).

By Mr. HOLLAND, from the Committee on Agriculture and Forestry, without amendment:

S. 2195. A bill to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (Rept. No. 568).

By Mr. TALMADGE, from the Committee on Agriculture and Forestry, with amendments:

S. 852. A bill to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes (Rept. No. 567).

EXTENSION OF TIME FOR FILING REPORT BY COMMISSION ON URBAN PROBLEMS—REPORT OF A COMMITTEE (S. REPT. NO. 566)

Mr. SPARKMAN, from the Committee on Banking and Currency, reported the following original joint resolution (S.J. Res. 112); which was referred to the Committee on Banking and Currency; and submitted a report thereon, which joint resolution was placed on the calendar and the report was ordered to be printed:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301(b) of the Housing Act of 1965 is amended by striking "within 18 months" and all that follows and inserting in lieu thereof "not later than December 31, 1968."

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

Glenn T. Seaborg, of California, to be the representative of the United States of America to the 11th session of the General Conference of the International Atomic Energy Agency; and

Verne B. Lewis, of Maryland; Herman Pollack, of Maryland; James T. Ramey, of Illinois; Henry DeWolf Symth, of New Jersey; and Gerald F. Tape, of Maryland, to be alternate representatives of the United States of America to the 11th session of the General Conference of the International Atomic Energy Agency.

By Mr. BIBLE, from the Committee on the District of Columbia:

Walter E. Washington, of the District of Columbia, to be Commissioner of the District of Columbia; and

Thomas W. Fletcher, of the District of Columbia, to be Assistant to the Commissioner of the District of Columbia.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced or reported, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BIBLE (by request):

S. 2439. A bill to increase the number and salaries of judges of the District of Columbia court of general sessions, the salaries of judges of the District of Columbia court of appeals, and for other purposes;

S. 2440. A bill to abolish criminal actions for paternity and nonsupport in the District of Columbia and to confer exclusive civil jurisdiction over paternity and nonsupport matters in the domestic relations branch of the District of Columbia court of general sessions, and for other purposes; and

S. 2441. A bill to provide counsel in the Juvenile Court of the District of Columbia; to provide for representation in juvenile court proceedings of the community by the Corporation Counsel; to limit the period for which juveniles may be detained without a hearing; and to prohibit unauthorized mixing of dependents and delinquents in juvenile institutions, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. Bible when he introduced the above bills which appear under a separate heading.)

By Mr. BIBLE (for himself, Mr. Prouty, and Mr. Javits):

S. 2442. A bill to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BROOKE:

S. 2443. A bill for the relief of Mr. Maurice Mo; and

S. 2444. A bill for the relief of Mrs. Sam Wan Cheng Mo; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2445. A bill to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 2446. A bill for the relief of Chen Mei Tung, Tsai Tse Ming, Cheung Chuen Chung, and Wong Yeung Pui; to the Committee on the Judiciary.

By Mr. METCALF (for himself and Mr. Hruska):

S. 2447. A bill to amend section 2 of the Migratory Bird Conservation Act; to the Committee on Commerce.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 2448. A bill for the relief of Dr. Gilberto Hedesa de la Campa; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 2149. A bill to amend chapter 15 of title 38, United States Code, to provide for the payment of pensions of World War I veterans and their widows; and

S. 2450. A bill to amend section 5 of the Federal Alcohol Administration Act to provide a definition of the term "age" as used with respect to the labeling and advertising of whisky, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Hartke when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S.J. Res. 112. Joint resolution extending the time for filing report of the Commission on Urban Problems; placed on the calendar.

(See reference to the above joint resolution when reported by Mr. Sparkman, which appears under the heading "Report of Committees.")

JUDICIAL REFORMS FOR THE DISTRICT OF COLUMBIA

Mr. BIBLE. Mr. President, I send to the desk, for introduction and appropriate reference, three bills designed to implement the recommendations of the Committee on the Administration of Justice of the District of Columbia Judicial Council.

If this great city is to deal effectively with the crime problem and provide to the public efficient legal machinery, then judicial reforms, too long delayed, must be carried out.

This proposed legislation represents an important first step toward alleviating some of the more pressing problems facing the courts of the District of Columbia. In the recent Gault decision, the Supreme Court held that children appearing before juvenile court charged with delinquent acts are entitled to counsel and engrafted on juvenile court proceedings many of the other constitutional guarantees of procedural due process given adults charged with criminal offenses. In the light of this decision, this legislation would require prompt detention hearings and provide counsel for children appearing before the court.

Equally important, these bills will prevent neglected and dependent children from being indiscriminately mixed with delinquents as is sometimes done under present procedures.

The proposed legislation will also transfer paternity and nonsupport cases from juvenile court to the domestic relations branch of the court of general sessions. The largest proportion of crimes in the District of Columbia is committed by offenders who are subject to the jurisdiction of the juvenile court. Because of its congested calendar, that court is presently unable to render swift justice. The transfer of paternity and nonsupport cases, which account for over one-half of the juvenile court's trial load, will enable it to deal more swiftly with juvenile offenders.

It is particularly important in the case of juveniles charged with offenses to determine quickly whether the juvenile has committed the offense, to release him if he has not, and to take corrective action if he has.

This legislation also is designed to upgrade the court of general sessions, the trial court that has the greatest impact on the vast majority of District of Columbia citizens. The legislation addresses the pressing problems of lack of judicial resources and supporting personnel.

It would increase the number of court of general sessions judges, proposes the amendment of present retirement provisions to enable retired judges to sit for longer periods of time when court needs so demand, and authorize law clerks for the judges of the court of general sessions and juvenile court. It would also provide for an increase in the salaries of court of general sessions and District of Columbia court of appeals judges.

These bills were recommended by the Committee on the Administration of Justice, a committee of practicing attorneys appointed by the Judicial Council of the District of Columbia. That committee and its subcommittees have been working with the judges, court personnel, the private bar, and other relevant agencies for the past year, and have published a series of recommendations to improve the administration of justice in the District of Columbia. These have been approved by the judicial council and have received the endorsement of the Metropolitan Washington Board of Trade, the Washington, D.C., Clearinghouse Association, the Bar Association of the District of Columbia, the Washington Bar Association, Inc., the Women's Bar Association, the Justice Department, the District of Columbia Commissioners, and the Judicial Conference of the District of Columbia Circuit.

I am hopeful our committee can proceed expeditiously in its consideration of these matters.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. BIBLE, were received, read twice by their titles, and referred to the Committee on the District of Columbia, as follows:

S. 2439. A bill to increase the number and salaries of judges of the District of Columbia court of general sessions, the salaries of judges of the District of Columbia court of appeals, and for other purposes;

S. 2440. A bill to abolish criminal actions for paternity and nonsupport in the District of Columbia and to confer exclusive civil jurisdiction over paternity and nonsupport matters in the domestic relations branch of the District of Columbia court of general sessions, and for other purposes; and

S. 2441. A bill to provide counsel in the juvenile court of the District of Columbia; to provide for representation in juvenile court proceedings of the community by the Corporation Counsel; to limit the period for which juveniles may be detained without a hearing; and to prohibit unauthorized mixing of dependents and delinquents in juvenile institutions, and for other purposes.

RECAPTURE RELICENSING BILL

Mr. MAGNUSON. Mr. President, when Congress enacted the Federal Water Power Act in 1920, it provided that licenses for hydroelectric power development to be issued by the Federal Power Commission should last no more than 50 years. The congressional purpose was to provide an opportunity to review the use of the Nation's water resources in light of changing conditions and national goals. Important licenses issued under the statute—now part I of the Federal Power Act—will soon begin to expire in increasing numbers. It is therefore important that we in the Congress see to it that an orderly and effective procedure is followed in reviewing these projects as the licenses expire.

For this reason I asked the Federal Power Commission last year to submit to the Congress its recommendations for legislation to deal with the problem which is at hand. The Commission has now submitted its proposal and I introduce it today to facilitate study by all interested persons between now and the end of the year. The committee plans to schedule hearings on this important matter early in the second session of the 90th Congress.

I ask that the Commission's letter transmitting their proposal and a copy of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2445) to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2445

Whereas Federal Power Commission licenses for non-Federal hydroelectric projects will expire in increasing numbers; and

Whereas congressional consideration of each project upon the expiration of its license is no more feasible than congressional consideration of each initial license application; and

Whereas the Congress has delegated to the Federal Power Commission responsibility for initial licensing of non-Federal projects, subject to the Commission's duty to recommend to the Congress Federal development in lieu of non-Federal licensing in appropriate cases, and subject to the residual powers of the Congress; and

Whereas the Congress has delegated to the Federal Power Commission the power to issue a new license to the original licensee, or to a new licensee "if the United States does not, at the expiration of the original license, exercise its right to take over, maintain, and operate any project" but has not specified a procedure by which the United States would determine whether to take over a project; and

Whereas the Congress desires that the Federal Power Commission, after considering timely recommendations of other Federal agencies, shall initially identify those projects which would best be relicensed and those which would best be taken over; and

Whereas the Congress desires that all cases in which takeover is recommended by the Federal Power Commission or by another Federal agency be forwarded to it; and

Whereas in cases where the Federal Power Commission decides in favor of relicensing the Congress desires to establish a reasonable period of time in which other Federal agencies may present their case for takeover to the Congress before a relicensing order of the Federal Power Commission may become effective; and

Whereas Congress intended in enacting part I of the Federal Power Act that upon the expiration of these licenses, the United States should have a further opportunity to determine whether the water power resources of the Nation were being developed, improved and utilized in a manner best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of waterpower development, and for other beneficial public uses, including recreational purposes, and to determine whether future development, improvement and utilization of those resources in the public interest would be achieved most effectively by relicensing the project or projects on appropriate terms and conditions or by taking over the project or projects; and

Whereas the following amendments to part I of the Federal Power Act will permit the responsibilities for relicensing or Federal takeover to be exercised more effectively and efficiently and without undue disruption of the Nation's electric energy supply: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, Section 7 of the Federal Power Act, as amended (16 U.S.C. 800), is amended by adding thereto the following new subsection:

"(c) Whenever, in the judgment of the Commission, the United States should exercise its right upon or after the expiration of any license to take over any project or projects for public purposes, the Commission shall not issue a new license to the original licensee or to a new licensee but shall submit its recommendation to Congress together with such information as it may consider appropriate."

SEC. 2. Section 14 of the Federal Power Act, as amended (16 U.S.C. 807), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto the following new subsection:

"(b) No earlier than five years before the expiration of any license, the Commission shall entertain applications for a new license and decide them in a relicensing proceeding pursuant to the provisions of section 15. In any relicensing proceeding before the Commission any Federal department or agency may timely recommend, pursuant to such rules as the Commission shall prescribe, that the United States exercise its right to take over any project or projects. Thereafter, the Commission, if it does not itself recommend such action pursuant to the provisions of section 7(c) of this part, shall upon motion of such department or agency stay the effective date of any order issuing a license, except an order issuing an annual license in accordance with the proviso of section 15(a), until expiration of the next full Congress immediately following the Congress during which the Commission issued the order, after which period the stay shall terminate, unless terminated earlier upon motion of the department or agency requesting the stay or by action of Congress. The Commission shall notify the Congress of any stay granted pursuant to this subsection."

SEC. 3. Section 15 of the Federal Power Act, as amended (16 U.S.C. 808), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto the following new subsections:

"(b) Notwithstanding the provisions of section 6 of this Act regarding the alteration of licenses, the Commission may, at any time after the issuance of any license under section 15(a) except an annual license, by order, after notice and opportunity for hearing, impose upon the licensee such further reasonable requirements as are not inconsistent with the other provisions of this Act.

"(c) In issuing any licenses under this section, except an annual license, the Commission, on its own motion or upon application of any licensee, person, State, municipality or State commission, after notice to each State commission and licensee affected, and after opportunity for hearing, whenever it finds that in conformity with a comprehensive plan for improving or developing a waterway or waterways for beneficial public uses all or part of any licensed project should no longer be used or adapted for use for power purposes, may license all or part of the project works for nonpower use. Licenses for nonpower use shall be issued on condition that any existing power facilities shall be removed or otherwise disposed of as directed by the Commission. A license for nonpower use shall be issued to a new licensee only on the condition that the new licensee shall, before taking possession of the facilities encompassed thereunder pay such amount and assume such contracts as the United States is required to do, in the manner specified in section 14 hereof. Any license for nonpower use shall be a temporary license. Whenever, in the judgment of the Commission, a State, municipality, interstate agency or another Federal agency is authorized and willing to assume regulatory supervision of the lands and facilities included under the nonpower license and does so, the Commission shall thereupon terminate the license. Consistent with the provisions of the Act of August 15, 1953, 67 Stat. 587, every licensee for nonpower use shall keep such accounts and file such annual and other periodic or special reports concerning the removal, alteration, nonpower use or other disposition of any project works or parts thereof covered by the nonpower use license as the Commission may by rules and regulations or order prescribe as necessary or appropriate."

SEC. 4. Section 10(d) of the Federal Power Act, as amended (16 U.S.C. 803), is amended by adding at the end thereof the following:

"For any licenses issued under section 15 hereof the amortization reserves shall be established and maintained from and after the effective date of the license."

The letter, presented by Mr. MAGNUSON, is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: We transmit herewith twenty copies of a draft bill to amend Part I of the Federal Power Act. The proposed amendments would provide Congressional guidance to the Commission in the processing of expiring hydroelectric licenses.

Prior to 1920, hydropower licenses were issued by individual Acts of Congress. Then Congress delegated to the Federal Power Commission the responsibility to license individual projects, other than those owned by the Federal Government, or to recommend Federal development to the Congress. The Congress limited the maximum term of any license issued by the Federal Power Commission to fifty years and thereby preserved for the Nation, acting through subsequent Congresses, a full opportunity to reevaluate the best use of each project upon expiration of the license. We now recommend that Congress fix appropriate procedures for the reevaluation of each project in light of contemporary and prospective public needs.

Under our present procedures, the Commission will refer to the Congress each project which is subject to the Federal take-over provisions of section 14 of the Federal Power Act. The draft bill would assign to the Federal Power Commission the primary responsibility for sorting out the licensed projects. It would relieve the Congress of the necessity of reviewing each individual project where Federal ownership was not recommended (although Congress could, of course, act on its own motion in any case) and would direct the Commission to undertake relicensing, for a term not to exceed fifty years, in all cases in which the Commission did not recommend recapture. We believe such legislation would strengthen the ability of the Commission and the Congress to best exercise the responsibilities imposed by sections 14 and 15 of the Act.

THE PRESENT PROCEDURE

Sections 14 and 15 of the Federal Power Act (16 U.S.C. 807, 808) provide for "recapture" by the United States of licensed hydroelectric projects or, in the alternative, for relicensing to the original licensee or to a new licensee. Projects owned by a state or a municipality[1] are exempt from recapture but not from relicensing. (Act of August 15, 1963, 67 Stat. 587, 16 U.S.C. 828b.) The decision to recapture must be made by Congress. If Congress recaptures a project, the licensee must be paid the "net investment of the licensee in the project or projects taken" within the meaning of the Federal Power Act (but in any event not more than the "fair value of the property taken") plus reasonable severance damages, if any, to the remaining electric facilities of the licensee. If Congress does not act before the expiration of the initial license, the Commission may issue a new license, but the Act does not expressly state the appropriate steps to be taken if the Congress has not expressed its intentions as to a given project. If the Congress has expressed its decision and the Commission does not issue a new license, the Act directs the Commission to issue a year-to-year license to the original licensee until the project is recaptured or relicensed. The Commission strongly believes that it should not relicense projects on a long-term basis until the Congress has made known its decision either through enactments concerning specific projects or through general legislation such as we propose today.

Under the present procedure, the recapture and relicensing determinations involve a three-fold process:

1. *Notice, Review and Recommendations to Congress.* At the outset, the Commission informs the Congress and the public of all projects whose licenses will expire during the succeeding five years through notice given in the Commission's Annual Reports[2] to the Congress and in the Federal Register. This notice provides the following information: License expiration date; licensee's name; project number; type of principal project works licensed; location; and installed capacity. Starting five years before the license expiration date, the Commission undertakes a review of each project. As part of this review, the Commission solicits both the views of the licensee concerning its plans for future development and use of the project and the views on recapture and relicensing of Federal and State agencies which might have an interest in the recapture of the project. On the basis of information received and Commission staff studies, the Commission formulates its recommendations to the Congress and also transmits the views submitted to it by the licensee and by the interested Federal agencies. As the Commission noted in its letter of February 23, 1967 recommending against recapture of Project No. 2221 (the Ozark Beach Project of The Empire District Electric Company), this procedure does not give the Commission "the benefit of a relicensing proceeding, involving formal proposals and counter-proposals by the licensee, our staff, intervenors or others who might apply for a new license. New criteria or information uncovered in the course of such a proceeding might warrant further consideration of the recommendation reached" in the initial report. The Commission's procedure adopted in 1964 undertook to report to the Congress two years prior to the license expiration date. The Commission has fallen slightly behind in its time table in the cases of Project No. 2221 and Project No. 619 (the Bucks Creek Project of Pacific Gas and Electric Company).

2. *Recapture Determination.* After the Congress receives the Commission's recommendations (or at an earlier time if the Congress so decides), the Legislative Branch must decide whether to adopt legislation to recapture a given project. Although there is no presently prescribed procedure, we assume each such matter will be the subject of legislation either on an individual or omnibus basis.

3. *Relicensing.* In those cases where Congress foregoes its right to recapture a project, relicensing procedures must be undertaken by the Commission. Relicensing would involve public notice to all interested parties, an opportunity for the original licensee and others to seek a license, an opportunity for interested state and Federal agencies to review project performance and capabilities and to recommend changes, an opportunity for such agencies and for members of the public to intervene in formal relicensing proceedings, and opportunities for formal hearings, oral argument, and judicial review of the Commission's relicensing order. Upon relicensing the Commission would not only select which applicant was to receive the license; it would also determine the conditions upon which a new license should be issued and the term of years (not to exceed 50) for which the new license should stand. The existing provisions of the Federal Power Act assign the Commission the same powers to condition new licenses issued under section 15 as it has to condition original licenses issued under section 4.

Under section 7(a) of the Federal Power Act the Commission is instructed to give preference to applications by states and municipalities in issuing licenses to new licensees under section 15. Our General Counsel has advised us that this preference applies only after it has been determined that the original licensee should not receive a new license. In those instances where the original licensee and another applicant seek a new license for the same project, the Commission believes that the new license is to be issued to whichever applicant can best meet the standards of the Act. In those rare cases where the two applicants are equally matched the Commission believes that the new license should be issued to the original licensee so long as he can meet the standards of the Act at least as well as the other applicant.

Section 15 expressly provides that in issuing a new license either to the original licensee or a new licensee the Commission may impose "such terms and conditions as may be authorized or required" under the laws and regulations in existence at the time it issues the new license. If the new license is issued to a new licensee it must be conditioned upon payment to the original licensee of the same recapture price as the United States would have had to pay had Congress decided to recapture.

THE PROBLEM

The fundamental choices upon license termination fall into these categories:

(1) Where the United States has an interest which it will want to express either by recapture or by conditions in the relicense. This interest may arise out of the federal power marketing program, but more probably out of other water use programs, such as irrigation, fish, recreation, pollution control or domestic and industrial use.

(2) Where the United States is not interested and the licensee desires a relicense, but a state or local agency or private party has an interest which it will want to express either by contesting for the new license or by conditions in the relicense. The interest in question may be either essentially in power use or in non-power use.

(3) Where the licensee wants to abandon a project, but the public interest requires that it be maintained in whole or in part for non-power purposes.

(4) Where the United States, the licensee or any other potential licensee is not interested in the continued existence of the project.

The present three-fold procedure seems inadequate to secure the maximum advantages from the opportunities preserved by the Congress in 1920 for the present and future generations of Americans. This procedure does not facilitate systematic consideration of all the alternatives available and tends to diffuse the attentions of interested parties whereas a more concentrated procedure might be more effective in bringing to bear all the conflicting interests at a single point in time.

THE PROPOSAL

We propose that the Congress enact legislation which would:

a. Accept the standard of section 10(a) of the Federal Power Act favoring that project which "will be best adapted to a comprehensive plan for improving or developing a waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water power development, and for other beneficial public uses, including recreational purposes". This statutory standard is understood to call for optimum development and accommodation, where a conflict arises, in terms of resource values including: water quality control; flood control; recreation and aesthetic considerations; fish and wildlife conservation and enhancement; protection of improvements along the reservoir shore line; drinking water and other domestic, municipal and industrial uses; irrigation requirements; optimum power development and coordination with other systems in light of regional power needs; hydraulic coordination with other projects on the stream; and navigation.

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[1] As used in the Federal Power Act "municipality" means a city, county, irrigation district, drainage district, or other political subdivision or agency of a State competent under the laws thereof to carry on the business of developing, transmitting, utilizing, or distributing power. (16 U.S.C. 796(7)).

[2] E.g., see FPC 46th Annual Report, 1966, at pp. 68–71. Licenses for 58 projects subject to recapture will expire during the calendar years 1967 through 1972.

b. Direct the FPC, after suitable hearings and upon receiving advice as appropriate from Federal, State and interstate egencies, and from other interested parties, to make the initial determination in all recapture and relicensing cases. The proposal would limit the time within which Federal agencies must provide their advice and recommendations to the FPC, to avoid excessive delays.

c. Direct the FPC to forward to Congress, with its recommendations, all cases in which it has recommended Federal recapture. Where the FPC decides to relicense and other Federal agencies recommend recapture, the proposal would direct the FPC to stay the effect of its relicensing decision for a specified maximum time to allow those agencies to present their case to the Congress, and would further direct the FPC to notify Congress of all stays granted. We have included as a maximum stay period one full Congress immediately following the Congress during which the Commission issues a relicensing order. Alternative time periods, which the Congress may wish to consider, are a two-year period beginning on the last day of the calendar year in which the Commission issued the relicensing order, or a two-year period running from the date of such order. The latter period conforms to a similar two-year period now found in the further proviso of section 4(e) of the Act which requires the Commission to report to Congress whenever it finds that any Government dam may be advantageously used by the United States for public purposes in addition to navigation.

d. Authorize the FPC where it determines that an exclusively non-power use would best meet the standards of the Act to relicense a project which was initially subject to FPC jurisdiction to a non-power user. The non-power licensee would be required to pay the original licensee the same recapture price as the United States would have had to pay had it taken over the project. FPC would exercise regulatory supervision over the nonpower licensee on a temporary basis, until a state, municipality, interstate or Federal agency assumed this regulatory jurisdiction.

e. Provide explicitly that the amortization reserves called for by section 10(d) of the Act would continue to accumulate without interruption, suspension or revaluation.

f. Authorize FPC, notwithstanding the provision of section 6 of the Act regarding alteration of licenses, to include as a condition to issuance of a new license under section 15, a broad authority to modify the license, consistent with the other provisions of the Act, as may reasonably be required, subject to the safeguards of adequate notice, opportunity for public hearing and judicial review. This added authority would extend the Commission's rulemaking powers to modify license conditions at any time during the license term, now limited under section 10(c) to matters relating to the protection of life, health and property, to matters relating to all license conditions. It is patterned after the broad conditioning authority to section 10(g) which now authorizes the Commission to include at the beginning of any license term "such other conditions not inconsistent with the provisions of this Act as the Commission may require."

g. Accept the present limitation of section 6 of the Act that the maximum license term is to be 50 years, with Commission discretion to prescribe lesser license terms. The Commission believes that a substantially shorter term may be appropriate where no extensive redevelopment outlay is needed. Moreover, it may prove desirable to relicense a series of related projects for varying terms so that the new licenses will expire simultaneously.

ALTERNATIVE CONSIDERED

We have considered as an alternative, assignment to other Federal agencies of the primary responsibility to recommend recapture to the Congress or to instruct the FPC to relicense subject to broad guidelines. The assignment might be made either to one executive department or to a group of agencies. We believe, however, that the issues upon license expiration involve statutory policy which would best be implemented by a specialized agency with a long tradition of semi-judicial proceedings under authority delegated by the Congress.

We have considered the possibility of spelling out detailed criteria governing the decisions and recommendations of the Commission but we have concluded that the more general standard now set out in section 10(a) comprehends all of the factors which we understand to be relevant and is more suitable to the changing need of resources conservation.

Finally we have considered establishing an additional preference for the original licensee to apply in cases where a rival applicant could slightly better achieve the objectives of the Act. We believe that all other things being equal, continuity in ownership and management is a value in itself which should be recognized and is to be recognized under the present statute. However, when another applicant demonstrates a superior ability to meet the Congressional objectives, in our view no preference should assure the position of the original licensee.

CONCLUSION

We believe that our proposal would serve the public interest and trust that consideration of the proposed measure will assist the Congress in its study of the appropriate disposition of projects licensed under the Federal Power Act after the end of the initial license term.

The Bureau of the Budget advises that enactment of the bill would be consistent with the Administration's objectives.

Respectfully,

LEE C. WHITE,
Chairman.

AMENDMENT OF MIGRATORY BIRD CONSERVATION ACT

Mr. METCALF. Mr. President, there is an anachronism, if the Secretary of Commerce will forgive me, in existing law which needs correction. The Migratory Bird Conservation Act of 1929 established the Migratory Bird Conservation Commission and designated the Secretary of the Interior as Chairman and the Secretaries of Agriculture and Commerce as members, together with two Senators and two Representatives.

Department of Commerce jurisdiction over public roads apparently was one of the reasons for naming the Secretary of that Department to the Commission. Apparently another concept was that the Deparment of Commerce represented the owners of land to be taken and might be cast in the role of an advocate in behalf of the persons whose land was taken. However, experience has shown that representatives of the Commerce Department have been completely cooperative in acquisition of the land to be added to the refuge system, but the expansion of the Federal Highway Act has increased the importance of a spokesman on the Commission from the transportation area.

With the establishment of the Department of Transportation and the transfer of jurisdiction over public roads from Commerce to that Department, the Secretary of Commerce, who has served ably on the Commission, should be replaced by the Secretary of Transportation as a member of the Migratory Bird Conservation Commission.

On behalf of myself and my fellow Commission member, the senior Senator from Nebraska [Mr. HRUSKA], I introduce a bill to so amend the Migratory Bird Conservation Act. I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2447) to amend section 2 of the Migratory Bird Conservation Act, introduced by Mr. METCALF (for himself and Mr. HRUSKA), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Migratory Bird Conservation Act is amended by striking out "the Secretary of Commerce" and inserting in lieu thereof "the Secretary of Transportation."

PENSIONS FOR WORLD WAR I VETERANS AND WIDOWS

Mr. HARTKE. Mr. President, I introduce today a bill to provide World War I veterans and their widows with badly needed and long overdue pension increases. As each succeeding Congress convenes and adjourns the need for this legislation grows ever more necessary.

The tendency to forget things of the past should not be allowed to cause want and deprivation to those who are heroes now as well as when they fought in the trenches of France. We must do for them at least what we are doing for the present day GI.

Mr. President, each year our World War I veterans are growing older, and their ranks and those of their widows are growing thinner. A man who was only 18 when the war ended will be 67 this year. Those who were 28 will be 77. For them there was no GI bill of rights as there was for the World War II and Korean war veterans. They are truly the forgotten heroes. Today there are approximately 1,800,000 World War I veterans. Widows number approximately 900,000. Their ranks thin at the rate of over 600 per day. The costs of this bill would be minimal. Yet the economic benfits to those receiving the pensions would provide these forgotten Americans with peace of mind and dignity in their last years. Also, we should not forget the benefit to the economy by the substantial increase in purchasing power represented by this bill. The time is long overdue to grant these veterans and widows the recognition and benefits that are theirs in all fairness.

These men are still living among us. Many of them are in need of the kind of benefits this bill would give, if only to put them on some plane of equality with those who have in more recent times marched to preserve this country and all it stands for.

Mr. President, the bill sets a requirement of 90 days of service or more during World War I for eligibility, or shorter service if it culminated in discharge or release for service-connected disability. A World War I veteran would receive $100 per month if unmarried and with less than $2,400 annual income; or if married and with less than $3,600 income. If the veteran is helpless or blind, or requires the regular aid or attendance of another person an additional sum of not less than $70 per month would be given.

There is also provision for widows of World War I veterans at the rate of $75 per month. But to qualify the widow must have married the veteran before December 14, 1944, or have been married to him for at least 5 years before his death, or be the mother of a child born to them.

This bill represents no bonanza for anyone. The income test sees to that. It provides income for those who really need it. It provides dignity for those barely subsisting on personal or governmental handouts. It will help raise from abject poverty many who are now in their final years. Let us now act to make those last few years—years of security and dignity.

Mr. President, the time is long overdue to provide these veterans and their wives or widows what they have a right to expect. Let us not compound the inequity by further delay.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2449) to amend chapter 15 of title 38, United States Code, to provide for the payment of pensions of World War I veterans and their widows, introduced by Mr. Hartke, was received, read twice by its title, and referred to the Committee on Finance.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1967—AMENDMENT

AMENDMENT NO. 328

Mr. RIBICOFF. Mr. President, I submit for myself and Senator Percy an amendment to S. 2388 and ask unanimous consent that it be printed and lie on the table. This amendment provides an alternative means of financing title II of the bill, the Emergency Employment Act. We consider this program vital to the Nation and intend to call up the amendment if the situation requires. I also ask unanimous consent that the text of the amendment be printed at this point in the Record.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment will be printed in the Record.

The amendment (No. 328) is as follows:

On page 126, beginning with line 1, strike out down through line 11, and insert in lieu thereof the following:

"EMERGENCY EMPLOYMENT FUND

"Sec. 209. There is hereby established in the Treasury of the United States an Emergency Employment Fund. To provide capital for such fund, the President is authorized to allocate to such fund not to exceed 2 per centum of any unobligated funds, appropriated for the fiscal year ending June 30, 1968, which are determined by the Director of the Bureau of the Budget to be available to carry out Federal programs which are not directly and primarily related to the national defense. Sums so allocated to such fund shall be available to the Secretary to carry out the purposes of this title."

SOCIAL SECURITY AMENDMENTS OF 1967—AMENDMENT

AMENDMENT NO. 329

Mr. RIBICOFF submitted an amendment, intended to be proposed by him, to the bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL, 1968—AMENDMENT

AMENDMENT NO. 330

Mr. YARBOROUGH submitted an amendment, intended to be proposed by him, to the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes, which was ordered to lie on the table and to be printed.

SOCIAL SECURITY AMENDMENT: IMPROVING PUBLIC ASSISTANCE TO THE BLIND—AMENDMENT

AMENDMENT NO. 331

Mr. HARTKE. Mr. President, on June 15 I introduced a bill, S. 1950, for the improvement of public assistance to the blind. Since its provisions would be amendments to the social security bill, I have now had them prepared for introduction today as an amendment to H.R. 12080.

The amendment to which I refer would help to remove assistance to the blind from the outmoded "poor law" concept which has tended for far too long to form the framework of thinking on aid to those in need.

Since I have previously, on June 15 at page 16034 of the Record, discussed this bill at some length, I shall now only enumerate some of its provisions.

One, it removes the 36-month time limit on the provision of funds for rehabilitation programs, which in some cases exceed that permissible figure. The study of law, for example, and there are quite a few lawyers who are among the blind, takes a longer time than this.

Two, it sets statutory limits and conditions on the amounts which a State may require of a blind person's family as support before granting him assistance.

Three, it abolishes the practice of allowing the States to impose property liens as a prerequisite to furnishing assistance to the blind.

Four, it provides that in addition to subsistence there shall be paid additional sums to cover the special needs of the blind.

In addition, Mr. President, there are some other improvements specified of a more or less technical nature.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 331) was referred to the Committee on Finance.

SOCIAL SECURITY AMENDMENT: RELATIVE RESPONSIBILITY IN PAYMENTS TO THE BLIND—AMENDMENT

AMENDMENT NO. 332

Mr. HARTKE. Mr. President, I offer an amendment to the social security bill, previously presented as S. 1952, which would prohibit the States from requiring "relative responsibility" to be fulfilled as a condition for the granting of assistance to the blind.

The Social Security Act embodies as its purpose, in part, "helping to strengthen family life and helping needy families and individuals attain the maximum economic and personal independence of which they are capable." Quite to the contrary, relative responsibility laws which require the blind person to depend on family charity rather than extending assistance as a right weaken family life and the independent position of the blind.

Under this amendment, in order to receive Federal funds for blind aid programs State plans would have to disregard the ability of family or relatives to provide support.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 332) was referred to the Committee on Finance.

SOCIAL SECURITY AMENDMENT: ELIMINATING RESIDENCE REQUIREMENTS UNDER PUBLIC ASSISTANCE—AMENDMENT

AMENDMENT NO. 333

Mr. HARTKE. Mr. President, we are justifiably proud of the fact that the United States is a single great Nation. The State of Indiana is not a separate nation, nor the Commonwealth of Massachusetts, nor any other one of the various entities in the national whole.

At the same time, there are properly many areas where the States have freedom for their operations, for setting rules of the game in many areas of life, without regard to uniformity. This, too, can be a strength.

But as we have increasingly developed the Federal-State cooperation, with scores of Federal programs cooperatively operated and jointly financed, there are areas where lack of uniformity can be a handicap to the citizen our efforts are intended to benefit.

One of these areas is in the field of welfare. I pointed out in introducing S. 1949—June 15, page 16034 of the RECORD—that the variety of State residence requirements as applied to aid for the blind is a handicap. At present, although State plans must be approved, the law allows imposition of a residence requirement of up to 5 years out of the preceding nine before the aid may be provided.

Nor do residence requirements apply only to the blind. Since the introduction of my bill, there have been decisions in the related area of welfare which have found State residence requirements unconstitutional. One of these, much noted in the press, was the Federal court decision of June 19 in Hartford, Conn., in which that State's residence requirement for aid to dependent children was declared invalid.

In this Federal Union, in which we have become a mobile people and in which the geography of State boundaries has no longer, if it ever did, a real bearing on the rights of individuals to public assistance for their needs, in this Nation where matching funds are supplied by the Federal Government, why should not the Federal statutes require that residence be disregarded? Ten States already have done away with their residence requirements in the welfare laws.

Consequently, the amendment I offer makes this attitude mandatory. It would require that State plans which impose residence requirements would be ineligible for approval. This is a move which would bring a more impartial and equitable distribution of funds, would enhance the mobility which in general we find desirable, and might even encourage the removal of persons seeking self-support from a State where work opportunities are scarce to one where they are more abundant. It could thereby even help to reduce the welfare rolls in the overall national picture.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 333) was referred to the Committee on Finance.

SOCIAL SECURITY AMENDMENT: $70 PER MONTH FOR BENEFICIARIES OVER 72—AMENDMENT

AMENDMENT NO. 334

Mr. HARTKE. Mr. President, yesterday I offered an amendment to the social security bill calling for minimum payments to beneficiaries in the sum of $100 per month and for a 20 percent across-the-board increase in benefits.

In the remarks with which I introduced that amendment, I stated the facts concerning the need of the elderly. The greatest need among them, which the 1965 Social Security Amendments helped to correct to some degree, is that of the persons who failed to earn sufficient social security credits to qualify for benefits. The 1965 law "blanketed in" those over 72 in that category with a small payment of $35 per month.

Today I offer an amendment, consistent with those I have previously presented, to increase the amounts now paid from the general treasury to these elderly persons over 72 years of age, without earned social security benefits. Under this amendment, the amount would be increased from $35 to $70 per month.

These are the people for whom in all too many cases the pittance of their $35 is not supplemented from any private sources sufficiently to keep them from being the recipients of welfare as well. Scores of thousands of them must also receive old-age assistance payments. I am informed that my present amendment would, assuming the additional $35 is passed along to the intended recipients rather than being deducted from the State share of OAA payments, remove 350,000 persons from the old-age assistance rolls.

To give them the additional funds, to allow their escape from the stigma of charity and resume a proper human dignity, is a goal which America is big enough and wealthy enough to adopt. I hope my amendment will find the degree of support I am convinced that it deserves.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 334) was referred to the Committee on Finance.

AMENDMENT NO. 335

Mr. HARTKE submitted amendments, intended to be proposed by him, to the bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 20, 1967, he presented to the President of the United States the following enrolled bills:

S. 828. An act to amend section 5(b) of the act of March 18, 1966 (Public Law 89–372), so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such act;

S. 1165. An act to provide for the disposition of judgment funds now on deposit to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians;

S. 1465. An act to provide for holding terms of the District Court of the United States for the eastern district of the Northern District of Mississippi in Ackerman, Miss.;

S. 1657. An act to extend for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government; and

S. 1972. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the emigrant New York Indians in Indian Claims Commission Docket No. 75, and for other purposes.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Calvin K. Hamilton, of Missouri, to be U.S. attorney, western district of Missouri, term of 4 years, vice F. Russell Millin, resigned.

Yoshimi Hayashi, of Hawaii, to be U.S. attorney, term of 4 years, vice Herman T. F. Lum, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, September 27, 1967, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Wednesday, September 27, 1967, at 10:30 a.m., in room 2300 New Senate Office Building, on the following nominations:

Lawrence A. Whipple, of New Jersey, to be U.S. district judge, district of New Jersey, vice Thomas F. Meaney, retired.

Juan B. Fernandez-Badillo, of Puerto Rico, to be U.S. district judge, district of Puerto Rico, vice Hiram R. Cancio.

At the indicated time and place persons interested in the above nominations may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

Roger W. Tubby, of New York, to be the Representative of the United States of America to the European Office of the United Nations, with the rank of Ambassador.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

HAZARDS OF CIGARETTE SMOKING

Mr. MOSS. Mr. President, last week I attended the World Conference on Smoking and Health, which was held in

New York City. Some 35 countries were represented by delegates, approximately 400 in number. These were leading medical men and governmental personnel from the various nations of the world concerned with this great problem, which is growing more intense all the time.

I sat on a panel, on which the Surgeon General of the United States and the chief medical officers of the British Government and the Norwegian Government were also members, which discussed the problem.

During the time I was in New York, I discovered a cigarette being marketed in a package that I desire to call to the attention of Congress. I hold in my hand a package of cigarettes labeled "Century Great Lengths," and on the side, in very inconspicuous lettering, I read the caution label which is required by the law of the United States. This law was passed by Congress last year. But as I take the cellophane off the package, the caution is gone. There is no marking at all on the package of cigarettes. It disappeared with the cellophane. I called this to the attention of the Attorney General of the United States in a letter dated September 18.

This package of cigarettes is manufactured by the P. Lorillard Co., and it is called "Century Great Lengths." I asked the Attorney General whether this disappearing label was a violation of Public Law 89–92. Let me point out that pending before the Senate is a bill, S. 1803, which would require that the labeling on a cigarette package be made stronger in wording than it is now, and that the wording appear on the face of the package. In this case, not only does this wording not appear on the face of the package; it is not even on the package once the thin cellophane wrapper is removed.

I have not yet received an official answer from the Attorney General. I have, however, heard from the P. Lorillard Co.; and, to their credit, I might say that they have indicated that this package is to be withdrawn immediately from the market.

However, I wish to point out the difficulties that exist in this field. The Surgeon General testified in New York, as he did before our committee, that 77 million workdays are lost each year in the United States which would not be lost if cigarette smokers had the same rate of illness as nonsmokers; that this represents 20 percent of the entire annual work loss in the United States resulting from illness; and that although a million adult smokers stop smoking every year, a million youngsters are coming along to take up the habit. The purpose of the labeling is to call to the attention of those who choose to use cigarettes that they are dangerous to health.

More than 5 years ago, I began to communicate with the tobacco companies and the television advertising companies asking that cigarette advertising contain the warning, contain the more explicit educational message, that we are trying to get on cigarette packages now. I have requested that cigarette commercials be modified. I have had various replies from those companies. Before me is a copy of letter dated June 26, 1963, and a copy of which was sent to the P. Lorillard Co., pointing out that the advertising that was being used for cigarettes was inducing our young people to take up the habit and asking that advertisements be designed so as not to appeal to children.

Again, on February 15, 1967, I wrote to the National Association of Broadcasters, asking them if they could tailor their advertising so that it would not appeal to the young people. I received a reply to that letter, dated March 13, in which they indicated that they intended to alter the advertising somewhat, but they declined to accept the suggestion I had made that they not show people actually smoking cigarettes on the television advertising.

It seems to me that it is a clear that the advertising industry will not voluntarily police itself, nor will the cigarette companies do so; therefore, it becomes ever more urgent that some additional action be taken by the Congress.

I can say, in reporting on the World Conference on Smoking and Health, that many other countries of the world have gone much further than we have in regulating and curtailing cigarette advertizing. The evidence is overwhelming—it is undisputed now—that cigarette smoking not only shortens life, not only is a cause of many of the killing diseases that we know, but it has become the Nation's No. 1 health hazard. In making that statement, I am quoting the Surgeon General of the United States. Not only do people die sooner; they become sick and lose time from work, as well. In the United States, more days lost from work are attributable to cigarette smoking than to any other cause.

Therefore, I call upon the Senate to move forward at an early time with additional requirements on the labeling of cigarettes and additional requirements on educational efforts in this field, particularly to bring the facts to the attention of the young people—approximately a million a year—who are starting the smoking habit. Approximately 4,500 young people begin this smoking habit every day.

ORDER OF BUSINESS

Mr. PEARSON. Mr. President, I ask unanimous consent that I may proceed for 7 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PUBLIC OPPOSITION TO SURTAX SHOWS LACK OF CONFIDENCE IN ADMINISTRATION

Mr. PEARSON. Mr. President, no one likes to pay taxes and when it is proposed that our taxes be increased, inevitably there is a great deal of grumbling. Thus, it should have surprised no one that there would have been a great deal of expressed opposition to the administration's proposed 10-percent surtax.

But the fact remains that we do pay taxes because they are necessary, and the fact remains that Americans have responded to requests for tax increases in the past when a justifiable case could be made for that increase.

However, the widespread public opposition to the administration's proposed surtax goes beyond this natural aversion to taxes. One must probe deeper to understand the public mood on this issue.

Letters to my office from Kansas constituents are running about 200-to-1 in opposition to the surtax. This is to be expected. Letters to Members of Congress most often oppose rather than propose legislation. However, Mr. President, an analysis of these letters and my conversations with Kansas voters suggests that the root cause of the public opposition to the proposed tax is a widespread lack of faith in the Johnson administration's handling of domestic and foreign affairs and a general consensus that a reliable case for the tax increase simply has not been made.

On the surface, this type of public skepticism might seem unjustified. After all, it is evident to everyone that this Nation is heavily committed to a deadly and costly war in Vietnam. Moreover, the American people know full well that despite the easing of tensions in some areas, the cold war will continue for a good number of years, thus continuing to require heavy defense expenditures.

At home, the summer riots have dramatically called attention to the fact that the crisis of the cities constitutes one of the greatest domestic problems the Nation has ever faced.

Thus, at first glance it would appear that a strong case could be made for additional demands on the taxpayer and that the American public, out of its sense of responsibility, would respond to that request. But such is not the case.

Mr. President, I would suggest several basic reasons for the present resistance to the proposed surtax.

First, I think there is at work here something which one might best describe as the opposite of the principle of crying wolf too often, that is, after too many false alarms have been sounded, the point is reached where people fail to respond even to a genuine alarm.

But the reverse of this principle also works. The administration has continued to argue that we can have a full measure of both guns and butter without any significant dislocation to our economy, and without additional tax burdens.

Thus, because the administration has so many times argued that we can, "carry on as usual," the public is now skeptical when the administration reverses itself and says, in effect, that the demands of the country are now so heavy that taxes must be increased.

Second, and closely related to this, is another type of public disbelief. Month after month over the past several years the public has seen the administration continually underestimate Federal expenditures and over estimate the tax flow into the Treasury. For example, suggestions by some that this year's budget deficit might go as high as $30 billion were dismissed out of hand by the administration. Indeed, in late June, Gardner Ackley, Chairman of the Council of

Economic Advisers, termed any suggestion of a Federal budget deficit of $30 billion as, "outrageous."

But just a short 6 weeks later, President Johnson in asking for a 10-percent surtax confirmed that the "outrageous" had become a reality.

Thus, after becoming accustomed to a pattern of confusing and changing estimates and predictions the public is more than a little justified in now expressing doubts as to whether these new estimates and predictions used to show the need for a tax increase, are any more reliable than the old estimates which were used to show why no new taxes were necessary.

Third, the opposition, borne of the public's skepticism, as to the reliability of the administration's word, is greatly strengthened by the growing doubts and concerns about the administration's conduct of foreign and domestic policy. Even those who share the general objectives proclaimed by the administration have growing doubts about its capacity to properly and effectively execute them.

In regard to Vietnam, the American public has been repeatedly told, over the past 3 years, that the war there was going well. But day after day the evidence has shown that the situation continues to worsen. We seem to be further from a settlement today than we were in 1964, despite the fact that our effort there has undergone a massive escalation; an escalation, by the way, which the administration earlier argued would never and should never occur.

At home the same gap between promise and reality exists. The American people were generally willing to participate in the administration's declaration on the war on poverty because they shared the objective of eliminating this cancer from our society. But despite the glowing pronouncements of the past few years, poverty has not been reduced and the problems which it breeds seems to have been multiplied.

By the same token, a majority of Americans had come to recognize that the crisis of the cities demanded additional efforts on the part of all levels of government, including the Federal Government, but the crisis has been deepened, rather than moderated.

Mr. President, in the final analysis Congress may vote the surtax into law. However, if this is done I would suggest that such action will not mean that the Congress has a profoundly different view of the administration than does the public at large. Rather, it will mean that the Congress, after considering the good of the country as a whole, will have concluded that it simply has no other choice. For example, if it is concluded that a serious inflation will occur without such a tax increase then I will vote for it because such an inflation would not only damage the overall economy, but would also be more painful to the individual citizen than the 10-percent surtax.

However, I share the resentment of much of the public and the Congress over the administration's performance on this issue. We believe that the dilemma we now face on this issue is not so much the result of the recent development of unforeseen and uncontrollable events, but primarily the result of too little candor and too much "political consensus" over the past 3 years. For in the final analysis, the public's and the Congress' present resistance to the surtax does not suggest a shirking of a responsibility to bear the burdens that the times demand, but a growing concern to the effect that the administration has not dealt with us responsibly and with an honest statement of the facts of the issues facing America.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. PEARSON. I am glad to yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I think the Senator from Kansas has made a very important and informative contribution to our consideration of the problem and that he has well stated the dilemma. I have listened carefully to my constituents to seek guidance as to what I must do with regard to the tax bill, for example. I find that they, faced with the prospect of a $30 billion budget deficit, are fully aware of the fact that a tax surcharge would go part of the way toward reducing that deficit, and, therefore, they see logic in the request for additional taxes. However, instead of following the logic, they insist on being a little more logical and they ask, "Why should we be asked to make sacrifices in this country if the administration will not set the example of sacrifice by prudence, by asking for economies and reductions rather than for the expansion and overly broad continuation of programs, and if the administration will not deal candidly with us in affairs foreign and domestic?"

I have no personal complaint against the administration so far as informing me in matters foreign. But I wish that the administration were more candid in informing the general public in both the domestic and foreign fields. I believe that opposition to the tax surcharge is so great as to compel many of us to come to the conclusion that we cannot vote for a tax increase unless and until there are substantial expenditure reductions, and unless and until we can logically and persuasively go back to our own people and give them better answers on the credibility gap than we have been able to give them so far.

I thank the Senator from Kansas.

Mr. PEARSON. I thank the Senator from Pennsylvania who has added clarity to some of the points I sought to express.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Kansas yield?

Mr. PEARSON. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I commend the Senator from Kansas for his remarks. I agree completely that, to a large degree, opposition to the President's recommendations for a tax increase arises from the fact that it is not believed that the administration is serious about cutting expenditures.

The ACTING PRESIDENT pro tempore. The 5 minutes of the Senator from Kansas have expired. Under the previous order, the next 5 minutes have been allocated to the Senator from New York [Mr. JAVITS].

Mr. WILLIAMS of Delaware. With the permission of the Senator from New York, I should like to have 2 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. I do not believe that the American people think the administration is sincere when it says it is attempting to reduce Government expenditures. The American people are also looking to Congress to see what we are going to do about reducing expenditures, especially how we vote on the numerous appropriation bills at this session.

We in Congress have the power to reduce Government expenditures with or without the support of the administration. I regret to say that we are not getting any support from the White House. Quite to the contrary. The administration continues to insist that appropriations be increased.

We in Congress can demonstrate by our votes, our own sincerity as to whether we want to reduce Government expenditures.

I do not believe that the American people, or Congress, will support a tax increase until we have actually done something constructive and affirmative toward reducing Government expenditures.

Mr. PEARSON. I wish to thank the Senator from Delaware for his fine comments, and also to thank the distinguished Senator from New York for his kind indulgence.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from New York is now recognized for 5 minutes.

Mr. JAVITS. If the Senator from Kansas and the Senator from Delaware will stand by for a moment, I should like to say, while we are talking about taxes, that I do feel there are other things in addition to what they have committed as a retrenchment of expenditures that we have a right to ask for, and one of them is the closing of tax loopholes.

Mr. WILLIAMS of Delaware. That is true.

Mr. JAVITS. One of the big ones is oil depletion, which remains at 27½ percent and costs $2 billion to $3 billion a year. Many people question whether that much is needed. There are other loopholes such as joint returns, and so forth. Also, many of us want to see a system of national priorities. I believe that the agony of the cities is as real and as pressing as the war in Vietnam. I am ready to support both. That does not mean, however, that we have to carry it in every other direction at maximum intensity, including space technology and everything else. So that I think the administration needs to do a great deal toward putting its house in order.

I am not afraid to vote for a tax increase if my people feel that they are getting a fair break in terms of the economy and in reducing Government expenditures, where hard-headedness dictates that it will be consistent with the national interest, closing loopholes, and setting up national priorities. Until the administration does this, my guess is that it will not get its tax increase.

Mr. PEARSON. I thank the Senator from New York for his fine comments.

Mr. WILLIAMS of Delaware. If the Senator from New York will permit me just one more comment on this subject, when the Secretary of the Treasury was testifying before our committee, and again in correspondence some 60 days ago, I requested that the administration submit its recommendations for taxes to Congress in ample time for the committees of Congress to consider them along with a plan to close some of the loopholes. I agree completely with the Senator from New York that the question of loophole closing must be a part of the package when we consider the subject of taxes.

Mr. JAVITS. I thank the Senator from Delaware.

JOHN CHARLES DALY SWORN IN AS ASSISTANT DIRECTOR OF USIA

Mr. JAVITS. Mr. President, I invite the attention of the Senate to the fact that John Charles Daly, of New York, is being sworn in as Assistant Director of USIA in charge of the Voice of America.

Mr. Daly, who was so aptly described by the New York Times as a man of talent, with the experience of a 30-year career, and one of the Nation's hardest working and most aggressive newsmen, succeeds an equally talented Director of VOA, Mr. John Chancellor, who has returned to his work as a reporter with the National Broadcasting Co.

John Charles Daly's assignments as a newsman have included war reporting from London, Algiers, Italy, the Middle East, the Nuremberg trials, and the Berlin airlift.

Mr. Daly has promised to utilize in his vital function as Director of VOA what he describes as three basic weapons: "integrity, skill, and imagination."

Mr. Leonard H. Marks, Director of the U.S. Information Agency, commented at the time of announcing Mr. Daly's appointment that the people of the United States were indeed fortunate to obtain the services of outstanding professionals in their field such as John Charles Daly and John Chancellor.

The professional skills of Mr. Daly were given due recognition by his contemporaries of American journalism at the time of his appointment as is shown by the following editorials and comments from representative newspapers throughout the United States, which I ask unanimous consent to have printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Philadelphia Inquirer, May 30, 1967]

New Voice for Us

He works for a profit-making organization. He was not born in this country. He is 6 feet 1. His father-in-law also is well known.

He is, of course, John Charles Daly, 53, moderator since 1950 of the CBS Sunday night quiz show, "What's My Line?" During that time he has introduced nearly 1000 mystery guests to his blindfolded panel.

In Washington on Monday, Daly was named the new head of the Voice of America after 30 years with the network.

Daly will join another member of the family in Government service. He is married to the former Virginia Warren, whose father, Earl Warren, has been Chief Justice of the United States since 1953.

Daly was born in Johannesburg, South Africa, where his Boston-born father was a geologist and mining engineer. His mother was English and Daly comes naturally by his accent.

He started out as a $25-a-week wool sorter in Boston, moved to Washington where he was a bus dispatcher and in 1937 joined CBS as a radio announcer. His first and abiding love was newscasting and he still insists: "I'm a newsman."

Daly traveled more than 150,000 miles as a White House correspondent with President Franklin D. Roosevelt. During the Second World War, he was a war correspondent in Africa, the Middle East and Italy. He is a past president of the Overseas Press Club.

In 1953, Daly became news and public affairs director of ABC but resigned in 1960 in a policy dispute. He continued his CBS role as quiz show moderator during his tenure with ABC.

Daly's first wife was the former Margaret Criswell Neal, and they were divorced in 1960. They had three children, now grown. Daly has two sons and a daughter by his second marriage.

[From the Boston (Mass.) Herald, May 31, 1967]

John Daly Signs In

In a recent speech, the retiring head of the Voice of America, John Chancellor, outlined the increased competition his agency has encountered since the end of World War II. Then there were 3700 hours each week of international broadcasting by 49 countries; now there are more than 25,000 hours broadcast by 90 countries. The VOA, he said, "must work harder to keep, or to enlarge, its audience." The Administration has chosen an excellent man to meet that challenge, John Charles Daly.

Mr. Daly is known as the witty and articulate moderator of "What's My Line?" The qualities of showmanship he demonstrated on this program will be helpful in insuring a growing audience for the VOA. More important, however, is the journalistic experience he gathered as a correspondent with CBS. The ultimate success of the VOA broadcasts lies in their believability, and Mr. Daly has already announced his determination to broadcast "all the news."

[From the Baltimore (Md.) News-American, June 5, 1967]

John Daly: An Ideal Choice

(By Bob Considine)

John Daly is the perfect choice for the exacting but little understood job of directing the activities of the Voice of America.

Daly is a cherished friend, but I consider that fact has nothing to do with the following and predictable boost. I say Daly will bring to his ever-controversial job good clear vision, high sense of responsibility, and determination to tell the world the truth about us.

He is painstakingly prim about the sanctity of news, the whole news, and nothing but the news. Once I said to him that I had enjoyed seeing an early morning newscast in Cleveland that ended with a final item which the young man behind the news desk read with sober-sided manner. The question was something like, "Why do newscasters on television always sit behind desks?"

Before the newscaster could answer it, two stage hands came on the scene and pushed the desk toward the wings.

The newscaster was in his shorts.

"Disgusting," Daly said piercing the laughter (mostly my own) that had greeted the punchline.

His horror of jazzing up the news will carry over even more strongly into his role as turnkey of the chief spigot of the stream of truth we try to filter on to the world. Once upon a time, most of the Communist world jammed the VOA broadcasts. Now it's down to Cuba, Red China and Albania. John and his people will have a lot to say to the rest of the nations.

He will run a huge network: More than 90 transmitters here and abroad, and provide tapes and film for more than 3,000 independent and nationalized stations through the world. The languages involved will number beyond 80.

Daly can be a most determined soul when and where news is concerned. The Russians tried to back out of their promise to let Dick Nixon appear on their TV network, such as it is, during his trip to the Soviet Union in 1959.

He had asked Daly, then head of news and special events at the American Broadcasting Co. to fend for him in a trying situation. His appearance was to be in the wake of his arguments with Khrushchev and the organized heckling at Novosibirsk and Sverdlovsk. Daly put Nixon on the air under extreme pressures, including the last-minute and highly suspect failure of two of the three cameras in the studio.

It must have been a smashing success. Vice Premier Koslov appeared at the airport the following day, when Nixon was leaving, to put a blast on him.

[From the Sacramento (Calif.) Union, June 3, 1967]

Important Voice for America

The nation can marvel at the ability of the administration to find highly qualified professionals to fill the top positions in the United States Information Agency.

John Charles Daly, Jr., who will replace John Chancellor in September as director of the Voice of America, is an experienced professional newsman who can bring leadership and positive thinking to the Voice. He takes the position at great financial sacrifice.

Questions can be raised, however, at the frequent turnover recently in top USIA positions at this critical time in our nation's foreign policy. Mr. Chancellor has served less than two years and his predecessor resigned with severe criticism against USIA.

The Voice is one of the principal instruments the United States of America uses to pursue its policy of "influencing public attitudes in other nations" to understand and sympathize with our goals.

The message will be the strongest when there is a continuity of command and the least possible internal friction in the USIA. Unfortunately, in addition to turnover, the agencies have been involved in other controversies, most recently on whether to distribute material in the United States.

Additionally, as the foreign problems multiply, the USIA efforts abroad should intensify. Yet the appropriation for next year will probably be slightly over $200 million—compared with $425 million the administration and Congress use for public information at home.

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[From the Tampa (Fla.) Times, May 31, 1967]

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In naming Mr. Daly to direct the "Voice," an agency which uses 35 transmitters in the United States and 57 overseas to beam broadcasts in 38 languages all over the world the administration has picked a highly qualified reporter widely aware of the world abroad, and at home, universally respected by colleagues and public, and noted for the calm, careful and thorough objectivity of his broadcast activities.

It is a good choice, and we wish John Daly well in his difficult and significant assignment.

[From the Charlotte (N.C.) News, May 30, 1967]

The choice of John Charles Daly to head the Voice of America may sound a little odd to some, since much of America knows him as the genial, cardflipping emcee of the television quiz show "What's My Line?"

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[From the Baltimore (Md.) News-American, June 5, 1967]

John Daly: An Ideal Choice

(By Bob Considine)

Toots Shor finally figured out why St. Louis spent so much building that 600-foot high archway to the West.

"They wanted a place where Jackie Gleason could practice doing the Limbo," he explained.

John Daly is the perfect choice for the exacting but little understood job of directing the activities of the Voice of America.

Daly is a cherished friend, but I consider that fact has nothing to do with the following and predictable boost. I say Daly will bring to his ever-controversial job good clear vision, high sense of responsibility, and determination to tell the world the truth about us.

He is painstakingly prim about the sanctity of news, the whole news, and nothing but the news. Once I said to him that I had enjoyed seeing an early morning newscast in Cleveland that ended with a final item which the young man behind the news desk read with sober-sided manner. The question was something like, "Why do newscasters on television always sit behind desks?"

Before the newscaster could answer it, two stage hands came on the scene and pushed the desk toward the wings.

The newscaster was in his shorts.

"Disgusting," Daly said piercing the laughter (mostly my own) that had greeted the punchline.

His horror of jazzing up the news will carry over even more strongly into his role as turnkey of the chief spigot of the stream of truth we try to filter on to the world. Once upon a time, most of the Communist world jammed the VOA broadcasts. Now it's down to Cuba, Red China, and Albania. John and his people will have a lot to say to the rest of the nations.

He will run a huge network: More than 90 transmitters here and abroad, and provide tapes and film for more than 3,000 independent and nationalized stations through the world. The languages involved will number beyond 80.

Daly can be a most determined soul when and where news is concerned. The Russians tried to back out of their promise to let Dick Nixon appear on their TV network, such as it is, during his trip to the Soviet Union in 1959.

He had asked Daly, then head of news and special events at the American Broadcasting Co., to fend for him in a trying situation. His appearance was to be in the wake of his arguments with Khrushchev and the organized heckling at Novosibirsk and Sverdlovsk. Daly put Nixon on the air under extreme pressures, including the last-minute and highly suspect failure of two of the three cameras in the studio.

It must have been a smashing success. Vice Premier Koslov appeared at the airport the following day, when Nixon was leaving, to put a blast on him.

The Duke of Windsor has mixed feelings about returning to England for the first meeting his Duchess and he will have with the Royal Family. The inevitable tension of the great reunion, the historic rapport, short-lived as it might be, is only part of the emotions involved.

"I'd like to stay here for a while longer," former King Edward VIII told us wistfully at his Waldorf Towers redoubt. "I've been taking lessons from Johnny Farrell, your great pro at Baltrusol in Jersey—where your Open will soon be played. I feel that if I could have a bit more time with him, well, I'd be hitting the ball as well as ever, despite my eye operation."

Decisions . . . Decisions . . . They plague a man's life.

Have been wondering what to do about that long-planned vacation trip to Hong Kong, Macao, Jerusalem, Cairo and Athens. Any thoughts? Or should I just send the ticket to U Thant and suggest where he might deposit it?

[From the Philadelphia (Pa.) Inquirer, June 30, 1967]

New Voice for United States

New York, May 29.—He works for a profit-making organization. He was not born in this country. He is 6 feet 1. His father-in-law also is well known.

He is, of course, John Charles Daly, 53, moderator since 1950 of the CBS Sunday night quiz show, "What's My Line?" During that time he has introduced nearly 1000 mystery guests to his blindfolded panel.

In Washington on Monday, Daly was named the new head of the Voice of America after 30 years with the network.

Daly will join another member of the family in Government service. He is married to the former Virginia Warren, whose father, Earl Warren, has been Chief Justice of the United States since 1953.

Daly was born in Johannesburg, South Africa, where his Boston-born father was a geologist and mining engineer. His mother was English, and Daly comes naturally by his accent.

He started out as a $25-a-week wool sorter in Boston, moved to Washington where he was a bus dispatcher and in 1937 joined CBS as a radio announcer. His first and abiding love was newscasting and he still insists: "I'm a newsman."

Daly traveled more than 150,000 miles as a White House correspondent with President Franklin D. Roosevelt. During the Second World War, he was a war correspondent in Africa, the Middle East and Italy. He is a past president of the Overseas Press Club.

In 1953, Daly became news and public affairs director of ABC but resigned in 1960 in a policy dispute. He continued his CBS role as quiz show moderator during his tenure with ABC.

Daly's first wife was the former Margaret Criswell Neal, and they were divorced in 1960. They had three children, now grown. Daly has two sons and a daughter by his second marriage.

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[From the Boston (Mass.) Herald, May 31, 1967]

John Daly Signs In

In a recent speech, the retiring head of the Voice of America, John Chancellor, outlined the increased competition his agency has encountered since the end of World War II. Then there were 3700 hours each week of international broadcasting by 49 countries; now there are more than 25,000 hours broadcast by 90 countries. The VOA, he said, "must work harder to keep, or to enlarge, its audience." The Administration has chosen an excellent man to meet that challenge, John Charles Daly.

Mr. Daly is known as the witty and articulate moderator of "What's My Line?" The qualities of showmanship he demonstrated on the program will be helping in insuring a growing audience for the VOA. More important, however, is the journalistic experience he gathered as a correspondent with CBS. The ultimate success of the VOA broadcasts lies in their believability, and Mr. Daly has already announced his determination to broadcast "all the news."

CONGESTION OVER AND AT MAJOR AIRPORTS

Mr. JAVITS. Mr. President, I invite attention to the fact that we have just seen in this morning's news an outstanding development in airport development and air safety. Congestion over and at major airports has become intolerable. The good news comes out of New York by the Port of New York Authority and Pan American World Airways regarding the effort to divert general aviation—that is, privately owned airplanes as contrasted with commercial aviation—to satellite airports.

This movement must continue. I predict, and will lend myself to support the fact that if general aviation will not do it voluntarily, then we may have to order it by law. The situation is becoming too dangerous.

I am told that if one stands in the control tower at Kennedy Airport, at LaGuardia, or at National Airport in Washington, he would never fly in an airplane because there are so many near misses and so much obvious danger in congested atmosphere in which our aircraft operate.

It is true that most Americans have yet to fly, although millions and millions of our citizens do so daily. But, nevertheless, many of our people have never flown in an airplane.

What is critically important is that the best brains and the highest skills in American life today do and must fly on many occasions. Therefore, one planeload of such people killed in an airplane accident can cost this country dearly in the loss of professions, scientists, and men skilled in technology and government.

I hope that Senators will have this much in their minds, because it is so critically important. I have lost close friends in airplane accidents, and have known great people such as Judge Patterson, who was Secretary of War, Representative Bates, and others whom we all knew who were lost in terrible airplane accidents.

Mr. President, I hope that those who own general aviation airplanes will pay strict attention to what has happened in New York and will learn from it and act upon it in a patriotic way before we have to mandate it by law.

I have made various other recommendations in legislation I have introduced as to creation of a trust fund for the improvement of airports and for the construction of more general airports, and so forth. But the main point is that the operators of general aviation airplanes owe their country a debt to take their airplanes where they will not—rather than where they do as they do now—contribute in such a major way to such dangerous traffic congestion over our major airports.

The Port of New York Authority joined with major airlines in announcing several moves to ease congestion at the three major New York City metropolitan jetports. Pan American World Airways announced it would develop and operate Teterboro Airport in New Jersey and Republic Airport in Long Island for general aviation. The port authority will set up nonstop bus service between Teterboro and the West Side Terminal in order to make the airport more attractive to private fliers.

The legislation which I introduced on August 31 would encourage the establishment of these "satellite airports" for general aviation around large metropolitan areas. I have urged the setting up of an airport trust fund for this purpose and for overall airport development including the development of a mass transit system to and from central cities.

Yesterday, the Federal Aviation Agency also published sweeping new safety rules to lessen the risk of fire and to speed evacuation of a crashed aircraft. These steps to make crashed airlines more "survivable" is a major step but certainly an attempt to deal with an effect and not the cause of such accidents.

I ask unanimous consent to have several articles from the New York Times on this subject printed in the Record.

There being no objection, the articles are ordered to be printed in the Record, as follows:

Air Safety Rules Stiffened; Cost Is Put at $2 Billion—FAA Moves To Lessen Fire Risk and To Speed Evacuations From Planes in "Survivable" Crash Landings

(By Evert Clark)

Washington, September 19.—Sweeping new rules aimed at saving more lives in airlines crashes were issued today by the Federal Aviation Administration.

The rules will cost airlines and manufacturers almost $2-billion in the next few years, according to industry estimates. Presumably, much of this cost will be passed on to air travelers.

All the rules are intended to make so-called "survivable" crashes more survivable. The majority of airline accidents occur on take-off, approach to an airport or landing, and many passengers survive them.

From 1961 through 1965, for example, 279 persons died in 17 survivable crashes, but 419 lived. Fire, smoke and the confusion the crashes create are blamed for most of the deaths.

The rule changes and new rules made public today seek to lessen the risk of fire and to speed evacuation of a crashed aircraft whether or not fire occurs. Dozens of existing rules are affected by the changes.

The changes include easier access to exits, better marking and lighting of exits, greater protection for fuel and electric use of less flammable materials for walls and ceilings better restraint of baggage and a requirement that 75 per cent of the lights continue to burn even if the fuselage is broken open.

OUT IN 90 SECONDS

Perhaps the most important new requirement of the Federal Aviation Administration is that new planes must have enough exits for a full load of passengers to get out in 90 seconds by using the exits on only one side. The time requirement now is 120 seconds.

For the first time, the manufacturer will have to demonstrate this capability before the FAA will certify his plane for use. Until now this burden has been on the airlines.

Most planes already in use will not be required to meet the 90-second rule for two years unless an airline wants to modify the planes or to increase seating capacity by 5 per cent or more.

The evacuation time for planes now in service should be decreased, however, by other new rules affecting the access to exits and the spacing of flight attendants.

The rule changes take effect at various times between next Oct. 21 to Oct 1, 1969. Many will require modifications to existing planes.

Clifford W. Walker, the aviation agency's deputy associate administrator for programs, said at a news conference at F.A.A. headquarters that the modification may "cost an airline one seat, two seats, three or four seats," depending on the plane's size and seating arrangement.

"This is a big rule-making," Mr. Walker said. "It is one of the most expensive we have come up with. Most of these things deal with the basic commodity an airline has to sell—passenger seats, space in the cabin—and so many of these are infringements on this commodity.

"But we really are talking about saving the lives of people . . . I'm afraid we didn't make a cost-benefit study of what that few inches involved."

The industry has had about a year to comment specifically on the rule changes announced today. But discussions of many of them date back to 1961 when Najeeb Halaby, former administrator of the aviation agency, called airline presidents together to discuss evacuation problems.

Some proposed rule changes were deferred pending more research and development work.

Mr. Walker said, "We haven't as far as I know backed off from any proposals because of expense to manufacturers or operators. And where we have backed off, it is not quitting. It is where they have convinced us that more work will produce better changes than we could get now."

Changes effective next month will include a rule that all emergency exits be readily accessible. Some are now blocked off in areas where there are few seats.

Other changes will require that all seat belts be in the upright position for landing and takeoff and that flight attendants be spaced through the cabin near regular exits.

AUTOMATIC ESCAPE SLIDES

By October of 1969, each floor-level exit in the cabin that is more than six feet above the ground must have automatic, self-supporting escape slides that go into position in 10 seconds.

Some planes now have 10-second slides but many have slides that are neither automatic nor self-supporting. Some slides now must be pulled taut from the ground by the first passengers to get out. But the F.A.A. found that "if it got too hot those people might leave," Mr. Walker said.

Seats near emergency exits now must be capable of being folded all the way forward "but a lot of passengers didn't know that," he said. A rule taking effect next year will require that no seat back can interfere with access to such an exit.

These examples illustrate the degree to which the new rules are based on what has been learned from crashes. In this sense they are "hindsight" rules—though some grew out of problems discovered as the agency required airlines to demonstrate evacuation capabilities in simulated crashes, and some from test crashes of planes filled with life-like dummies.

By 1969, escape routes leading over a wing from an emergency exit will have to be slip-resistant and clearly marked.

"Everyone wants to keep that wing highly polished," Mr. Walker said. "We want it anti-skid."

OUTSIDE EXIT MARKINGS

Exits are also to be marked on the outside of the plane in the future. This grows out of complaints by rescuers that they sometimes could not find the exits to help passengers trapped inside.

An important change aimed at cutting the risk of fire will require that landing gear must not puncture the fuselage fuel system. This "removes the hazard of pumping burning fuel into the fuselage from a broken line"—something that has occurred in crashes, the agency said.

The larger 300- to 500-passenger jets that will go into service in a few years will be required in some cases to have two long aisles, cross-aisles and double-width exits with double-width slides, Mr. Walker said.

"We are not requiring the aircraft of today to have more holes and exits installed," Mr. Walker said. "We might be hurting ourselves more than helping if we did.

"But we're saying if you've got holes in that aircraft, make them available—don't block them up."

Years of development and regulation have produced planes that "will take a real battering and passengers are still alive," Mr. Walker said. "So the idea is to get them out before fire, fumes or something else gets them."

AIRLINES TO HELP EASE AIR TRAFFIC—JOIN PORT BODY IN MOVES TO DEVELOP PERIPHERAL FIELDS FOR GENERAL AVIATION

The Port of New York Authority joined with major airlines yesterday in announcing moves to ease congestion at its three major jetports.

The joint measures were designed to induce private and corporate planes to use smaller peripheral airports, thus freeing the runways of the three jetports primarily for commercial airliners.

In recent years, the growing popularity of private and corporate aircraft—general aviation, as it is called—has caused many delays at La Guardia, Newark and Kennedy International Airports and created sometimes hazardous flying conditions.

During peak traffic periods, when delays are most severe, private and corporate planes account for 62 per cent of the total traffic at La Guardia, 52 per cent at Newark and 31 per cent at Kennedy.

To try to reduce this traffic, Pan American World Airways announced yesterday it had signed agreements to develop and operate Teterboro Airport in New Jersey and Republic Airport at Farmingdale, L. I., for general aviation.

AIRLINES BACK CAREY

In addition, the Port Authority said nonstop bus service between Teterboro and the West Side Airlines Terminal at 10th Avenue and 42d Street would begin operating every half hour starting Monday. This step was a move to make Teterboro more attractive to private fliers.

Major airlines operating at Kennedy said they had agreed to pay any losses incurred by Carey Transportation, Inc., in running the buses between Teterboro and the West Side terminal.

William F. McKee, the Federal Aviation Administrator, described the steps as "a constructive example for similar ventures throughout the nation," and said that when the program is implemented, "it will certainly provide additional capacity and help expedite the flow of air traffic in the crowded New York area."

The plan was also hailed by Dr. William J. Ronan, chairman of the Metropolitan Commuter Transportation Authority, who called it "very encouraging" and said it could achieve "an important measure of relief" from congestion at the major airports.

The bus service from Teterboro, about 10 miles from the Lincoln Tunnel, to Manhattan will be operated on an experimental basis for six months and extended if its value is established.

James C. Kellogg 3d, the vice chairman of the Port Authority, said the new bus service would provide general aviation passengers using Teterboro with the fastest and most convenient trip to Manhattan available from any airport.

LEASES FOR 30 YEARS

He said the Teterboro-Manhattan trip would take 20 minutes, compared with 24 minutes by airport bus from Newark and 25 minutes from La Guardia. The one-way fare from Teterboro will be $1.50—the same as the fare from La Guardia and Newark.

New York Airways helicopters, which are subsidized by Pan Am, fly between the Pan Am Building and Teterboro. That trip takes 7 minutes and costs $6 one way.

Pan Am will take over operation of Republic and Teterboro Airports under 30-year leases. Both Pan Am's agreement with the Port Authority on the leasing of Teterboro and with Joseps Mailman, the owner of Republic Airport, are subject to approval by the Civil Aeronautics Board, which is expected.

Pan Am said it would begin making improvements at Republic as soon as the C.A.B. approved its lease there, Pan Am's plans include a new passenger terminal, an improved control tower and the installation of modern navigational facilities. The airport's runways, Pan Am said, are adequate for all general aviation planes.

Juan T. Trippe, chairman and chief executive of Pan Am, said the airline had decided to take over development of the two airports "to reduce air traffic delays" at the major airports and to provide improved facilities for corporate customers of Pan Am's business jet sales division.

Federal law forbids barring any class of planes from using the major airports so the new plan must make the peripheral airports attractive enough to draw private and corporate planes voluntarily.

TAKES OVER IN YEAR

Pan Am plans to begin operating Teterboro in about a year, the Port Authority said. The authority is now extending and widening the airport's two runways, and the airline plans construction of new hangars and terminal facilities for private and corporate planes.

The airline estimated that new ground facilities at both Republic and Teterboro would cost more than $20-million. It said the contracts "are expected to result in a loss for some time."

Teterboro last year handled a total of 274,664 landings and takeoffs. Kennedy, Newark and La Guardia handled a total of 852,586 movements, according to the Port Authority.

The Teterboro lease provides for Pan Am to pay $250,000 to the Port Authority in the first year of operations, with the annual fee increasing to $516,667 by the fourth year.

The lower initial fee is contingent on receipt by the Authority of $2-million in Federal airport aid toward its $4-million runway improvement program.

If the aid is not forthcoming, the Authority said, Pan Am will also be required to pay the Authority 10 per cent of annual gross receipts in excess of $5-million and to reimburse the port agency for its expenditures in extending the Teterboro runways.

THE TFX PROGRAM

Mr. McCLELLAN. Mr. President, last week the Subcommittee on Department of Defense Appropriations of the Senate Committee on Appropriations published the printed record of the subcommittee's hearing on the F–111B aircraft program which was held in executive session on July 14, 1967. The transcript of the hearing was heavily censored by the Department of Defense, supposedly for reasons of national security. There are, in fact, more than 200 individual or separate deletions in the 110 pages of the record.

In spite of the censorship which has prevented the dissemination of all the facts about this deficiently performing and exorbitantly expensive aircraft, certain newspapermen and columnists who have closely followed the development of the TFX, or the F–111 as it is now called, have written very informative articles which are primarily based upon the disclosures made in the testimony of some high Pentagon officials.

Many of these articles contain important and illuminating information which is substantially correct according to the record. Therefore I have selected a number of them which fairly present the story of the ever-increasing costs and the serious unsolved problems and deficiencies in the aircraft's design and performance. I believe every Member of Congress should read them in order to be fully advised about the lack of progress that attends the development and procurement of this aircraft. We were asked to appropriate hundreds of millions of dollars in this fiscal year for the F–111 and we will be asked to provide billions in the future. It is also time for the public to be told the hard facts about the cost of the program, which originally was represented as $5.8 billion for more than 1,700 aircraft. Now the Pentagon admits that the program will cost at least $12.4 billion for about 1,300 of the planes.

The first of the articles is from Barron's National Business & Financial Weekly, dated September 18, 1967, and is entitled "Moment of Truth: It's Time the Nation Cut Its Losses on the TFX."

The second, written by Richard Witkin, appeared in the New York Times for

September 14, 1967, and is headlined "New Flaws Beset Work on F–111 Jet."

The third is a summary of the aircraft's development to date from U.S. News & World Report of September 25, 1967, and is titled: "TFX: 5 Years, a New Plane—And Hardly Anybody Is Happy."

I also wish to call attention to the column "Washington Roundup" printed in Aviation Week & Space Technology for September 18, 1967, which contains informative comments upon the aircraft's serious performance and design deficiencies and the failure of the Defense Department to assess to date the contractual penalties for failure of the contractor to meet the specifications.

Another article, written by Edward W. O'Brien in the weekend edition of the St. Louis Globe-Democrat for September 16–17, 1967, is headlined "First Navy TFX Not Genuine Article," and gives an account, based upon testimony of Defense officials, of the deception practiced in the rollout of what was purported to be the first Navy F–111B in May of 1965.

On September 17, 1967, Jules Bergman, science editor of American Broadcasting Co., devoted his network commentary to the problems and deficiencies of the F–111 program.

On September 19, 1967, the Washington Evening Star published an editorial entitled "Let's Finish the Job," which discusses the mistakes that have been made in the TFX program.

Finally, I call attention to an editorial in the Arkansas Democrat for September 15, 1967, which is titled "Trouble With an Airplane."

Mr. President, I ask unanimous consent that these recent newspaper and magazine articles to which I have referred be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From Barron's, Sept. 18, 1967]

Moment of Truth: It's Time the Nation Cut Its Losses on the TFX

"What are the penalties on the contractor for having failed to meet his contractual requirements during the R. and D. phase?" With that innocent-sounding question, a member of the Senate Appropriations Committee recently forced a jolting admission from the Pentagon. "On some of the specifications there are provisions for penalties, specified penalties, or incentives and penalties, insofar as they don't meet the target specifications," testified Paul H. Nitze, Deputy Secretary of Defense. "With respect to all specifications, the contractor was under obligation to meet them and to retrofit until he did meet them. It is perfectly clear that he can't do it. It is not within the realm of being technically possible to build it." The questioner persisted; what financial penalties will be exacted? "We have a list of them," replied Rear Admiral W. E. Sweeney, Deputy Director of the F–111 (formerly TFX) program. "Some of them are $1,750,000 for not meeting specifications, some (are) $875,000, depending upon what item it is. But there is a long list. . . ."

Given at closed hearings two months ago, and released (in heavily censored form) last week, the testimony is a blockbuster. For the first time, the Defense Department has disclosed part of the truth about the scandal-ridden TFX. Documented in black and white is, in effect, the Pentagon's own admission of a shameful campaign to deceive the American people—and willy-nilly, thereby, to jeopardize the national security. After years of bitterly rejecting all strictures on the bi-service, swing-wing aircraft project—costliest piece of military hardware in U.S. history—the Pentagon now concedes that it's moving to penalize the F–111's prime contractor, General Dynamics. Meanwhile, every significant criticism—Barron's was an early and persistent critic—unhappily remains valid today. Program costs have more than doubled. Research and development (to say nothing of production) on both Air Force and Navy versions are running over two years behind schedule. Performance of this "best airplane ever built," has fallen far short not merely of grandiose hopes, but also of specifications in such strategic areas as weight, range and speed. Five years after General Dynamics won the TFX contract, in sum, it has dismally failed to deliver.

From the foregoing, several points emerge. For one thing, General Dynamics, in widespread promotion campaigns as well as in its financial reports, all of which have depicted the F–111 program in glowing terms, has been less than candid either with its shareholders or with the general public. During last week's ugly disclosures, its stock (a high-flyer all year), in a market which surged to new recovery highs, plunged nearly 10 points. The Pentagon, which long ago elevated lying to the level of high public policy, also stands exposed. Two years ago we called upon Defense Secretary Robert S. McNamara to resign. Today Barron's urges that he, along with his cadre of discredited Whiz Kids be fired. Moreover, a new Defense team should review the whole program with an eye toward fixing responsibility; exacting proper penalties from the contractor; and replacing the TFX wherever feasible with weapons which will make a genuine and timely contribution to the nation's defense.

That the TFX can't do so has grown abundantly clear. The testimony released last week documents the deficiencies dogging an aircraft which the Pentagon now admits was never "within the realm of being technically possible to build." Thanks to a concept called "commonality"—which holds that two different planes, despite varied missions, can be created from one design—Secretary McNamara projected savings to the taxpayers of $1 billion. Instead, both the Navy's carrier-based F–111B and the Air Force's F–111A have fallen far short of what either service wants and needs. Costwise, commonality never had a chance. Thus, compared to General Dynamics' bid of $2.9 million apiece, the larger volume F–111A now is running around $6 million, while the Navy's version sports a provisional "flyaway" price tag of $8 million. Against an originally programmed cost of $5.8 billion to design, develop, test and produce 1,700 TFX planes in all, the price for some 1,300 planes now proposed has sky-rocketed to $12.4 billion. The fictitious billion-dollar saving, flatly asserts the redoubtable Sen. John L. McClellan (D., Ark.), has turned into a multi-billion-dollar blunder.

Technical flaws also abound. "There are some things that the F–111 can do," plaintively testified Vice Admiral T. F. Connolly, Deputy Chief of Naval Operations for Air. "It can fly. Even though the speed brake is not what it ought to be, we can fly without it. It has gone (deleted) on the deck with the same bum speed brake. It won't serve the pilots' needs like it should, and it ought to be fixed and fixed properly, but it still can fly (delted)." Otherwise, it has its faults. For example, the Navy's version of the plane has been critically overweight from the first, although officials used to deny the seriousness of the problem. To the Senators Admiral Sweeney confessed that "at the time of fleet introduction" of the F–111B, or after the full effect of two crash programs aimed literally at scraping off every extra ounce, the plane will weigh in at "more than 16,000 pounds" heavier than the maximum set by the contract.

"The takeoff weight is what you fight with," Sen. McClellan explained on the Senate floor after the hearings, in an effort to clarify (and partly declassify) the testimony. It is "estimated by the Navy" at "more than eight tons over the takeoff weight specified in the General Dynamics contract. It is more than 15 tons heavier than the Navy originally wanted back in 1962." (In trade-offs with the Air Force, the Navy was forced to settle for a contract specifying 63,500, instead of 50,000 pounds; hence, the plane now will weigh some 80,000 pounds.) "Its enormous weight growth," Sen. McClellan said, "is one of the factors primarily responsible for its present unsuitability for service use."

The plane's heft has led to short-falls in other strategic realms of performance. Equipped with the air-to-air Phoenix missile, the F–111B is what Pentagon pundits had been calling an "air-superiority fighter," which would loiter far away from its task force, detecting and intercepting enemy attackers. But—and this is the most hopeful estimate for future F–111Bs—the plane will fall short of specifications by over half an hour in loiter-time capability, by a mile in loitering altitude, by two miles in the combat ceiling, as well as in acceleration to combat speed, single-engine rate of climb and maneuverability. Those estimates are computer calculations of the results of forthcoming design changes.

The results in actual flight tests are worse. According to test pilots who have been up in the TFX (the program has suffered two crashes to date), it is "unsuitable for service." A report by Navy fliers last June pinpointed 253 deficiencies, of which 100 were described as "mandatory for correction"; 23 are "items required in the production of aircraft for which a fix is difficult or adequacy of proposed fix is questionable," while another nine are production aircraft items "for which no fix is in progress and difficulty of achieving an acceptable fix is uncertain." When the Pentagon claimed that these were minor defects, Sen. McClellan, who saw the report, replied: "These . . . are in the basic design of the aircraft, in the air inlet, speed brake, control system and artificial stability system."

Indeed, the Tactical Fighter, Experimental no longer is viewed by the Navy as a fighter; it's now a long-range missile-launcher, which must be escorted by fighters to defend both the carrier and itself. "We did come to the conclusion," Admiral McDonald testified, "that the F–111B also would have to have another fighter plane aboard the carrier . . . When we came to that conclusion, it eased the minds of a lot of people."

Nor is the Air Force "fighter-bomber" version, the F–111A, proving much better—although, in contrast to the Navy plane, this one is in full production and scheduled for deployment to Vietnam next year. "Whatever is done for us," Admiral Connally stated, "is done for the Air Force. There is no difference. The problems we are discussing are the same for the Air Force." Sen. McClellan asked: "So far as stalls are concerned?" The Admiral replied: "Performance, thrust, climb, everything connected with the airplane is the same." Heavily deleted testimony indicated that the F–111A is some 200 miles per hour short of the specified top speed of Mach 2.5, and boasts less than one-third the specified range for its primary mission of low-level approach bombing.

Most damning of last week's disclosures was the admission that the Defense Department has moved to penalize the prime contractor. There is, as Admiral Sweeney said, "a long list" of financial penalties "for not meeting certain specifications." When the first production contract for 493 F–111s was signed earlier this year, according to Mr. Nitze, "a reduction of 1.2 percentage points in the profit ratio" was exacted, lowering General Dynamics' "target profit" by slightly over $20 million, or "more than 10%" from the approximately $170 million the company apparently stood to earn on its $1.82 billion order. In addition, each shortfall in the still far-from-completed RDT&E (Research, Development, Test & Evaluation) contract is subject to penalty. Thus, a penalty of $1,750,000 charged for the overweight of the first five F–111B R&D models is, according to Admiral Sweeney, "under negotiation right now." If overweight persists, "there could be another penalty exacted." Conceivably, on the RDT&E contract, General Dynamics' maximum potential profit (including all incentives) of around $65 million could be cut to as low as $17.5 million. On the production contract, Mr. Nitze now reports that the prime contractor could be penalized by as much as "41% of the potential profit."

So much for the technical defects of the program. What should concern the U.S. at least as much are the moral lapses which have plagued it from the outset. Thus, under the relentless probing of Sen. McClellan, the highly-touted cost accounting procedures by means of which Secretary McNamara presumably overrode the unanimous judgment of the Joint Chiefs of Staff (who favored a competitive design) turned out to be merely the official's "rough judgment." In the Spring of 1965, with some fanfare, General Dynamics fulfilled its contractual obligations by delivering the first Navy plane on schedule. However, with Pentagon approval, the company made a few strategic substitutions, notably Air Force landing gear and various fuselage components. What finally got off the ground—"to meet the delivery date," according to Sen. McClellan and thereby to avoid any penalty—was "a wired-up thing for demonstration." In the interests of a spurious "commonality," which Mr. McNamara has never publicly disavowed, General Dynamics for two years resisted the urging of Grumman, chief subcontractor on the Navy version, for a new and more powerful engine. Only when experience made the switch imperative did it finally yield.

The propaganda smokescreen and lack of candor persist. Thus, in his July testimony, Deputy Secretary Nitze sought to minimize the trouble the program is in. "Mr. Chairman," he stated, "I am just informed there were 127 mandatory deficiencies in the A–7 . . . This plane we are right now deploying. This confirms that this is usual." However, in a correction of the record, Mr. Nitze reduced the A–7's deficiencies to 102. At the request of the ever-alert Sen. McClellan, the record was further revised to show that at a comparable stage in the evaluation process, the A–7 had racked up only 18 "mandatory for correction" defects, compared with 100 for the F–111B.

In an even more brazen attempt at distortion, Robert A. Frosch, Assistant Secretary of the Navy (Research and Development), last week publicly asserted that carrier tests of the F–111B "are planned to begin within the current fiscal year, not two years from now." Here is the pertinent testimony to the contrary:

"Sen. McClellan. When will any version of the F–111B first land and take off from a carrier with the P–12 engine in it?

"Admiral Sweeney. We said the tests would begin in August 1969.

"Admiral Connolly. August 1969 is what we said."

The time has come for the nation to cut its losses. The TFX should be phased out as fast as the national security permits. Congress should launch a fresh investigation of the program that has gone from scandal to disaster, to fix the blame and to prevent a recurrence. Above all, through the power of the purse it should force a complete retreat of the Defense Department Whiz-Kids. In his farewell address, President Eisenhower warned against the so-called industrial-military complex. He should have aimed his fire at civilians who insist on playing soldier. Accountants and efficiency experts should take, not give, the orders.

[From the New York Times, Sept. 14, 1967]

New Flaws Beset Work on F-111 Jet—Senators Told Navy's Plane Requires Excessive Wind for Carrier Launchings

(By Richard Witkin)

WASHINGTON, September 13.—Significant new shortcomings of the F–111 swing-wing airplane were disclosed here today.

A censored transcript of testimony July 14, made public by a Senate Appropriations subcommittee, shows that the Navy's F–111B, when launched from a carrier needs a 19-knot wind moving fore to aft down the carrier deck.

This compared with a figure of minus-eight knots originally specified by the manufacturer. A minus-eight requirement would mean that a catapult could launch the plane even if the carrier were not moving and a tailwind was blowing.

The excess wind-over-deck speed required for a carrier landing was deleted. But it was reported to be several knots less than the excess for catapult takeoff. Other sources said that the Air Force F–111A, which the Defense Department hopes to send to Vietnam around the turn of the year, would be able to reach useful top speeds of about 1,450 miles an hour, or 200 miles an hour short of original guarantees by the manufacturer, the General Dynamics Corporation.

Above 1,450 miles an hour, it is understood, the plane will encounter engine stalling or surging—a phenomenon that has dogged it at many speed levels since it first started flying.

Defense officials say the problem has been solved at speeds below 1,450, which is Mach 2.2 [2.2 times the speed of sound].

The maximum range of the Air Force version at treetop level, one of its primary missions, was reported to be less than one-third of original guarantees.

FIRST PLANE DUE SOON

The first Air Force plane destined for a regular combat unit is due off the production line at Fort Worth, Tex., late this month. It incorporates not only the improvements supposed to solve the engine-surge problem up to Mach 2.2 but also redesigned speed brakes.

The latter devices are metal surfaces that can be raised from the fuselage to slow the plane, and in their present form they have been causing severe vibration.

The subcommittee transcript included a challenge by Senator John L. McClellan to repeated Pentagon statements that there is no alternative to the Navy's F–111.

The Arkansas Democrat has been the toughest and most persistent critic of the controversial plane, which has wings that move forward and back in flight and originally was known as the TFX.

Mr. McClellan argued that the current carrier force of 26 F–4 McDonnell Phantoms could provide the same defense for the fleet as the 12 F–111B's due to replace them.

The F–111B, plus supporting fighters, will cost more and use more deck space than the present 26 F–4 complement on a carrier," the Senator said. "This fact raises questions as to why the F–111B program is being continued."

FAR BEHIND SCHEDULE

At present, the F–111B is two and a half to three years behind schedule and, even if its defects can be corrected, cannot join the fleet until the middle of 1971.

Navy chiefs have testified that they are confident that the plane can eventually be made suitable for carrier operations. But they concede that "there is a possibility that it won't work."

It was because of the plane's persistent troubles that Congress recently rejected Pentagon requests for funds to begin buying parts for eventual combat-unit Navy planes, as opposed to research and development craft. These were to be parts that ordinarily are ordered long in advance because they take considerable time to produce.

Congress also cut from 12 to eight the number of additional test planes the Navy will be permitted to build.

The shortcomings of the Navy version largely have to do with the fact that it is severely overweight. This accounts for its inability to operate at altitudes as high as desired, and for the strong doubts its ability to operate safely from the confines of carrier decks.

Rear Adm. W. E. Sweeney, head of the Navy's F–111 program, admitted in the Senate hearings that the eventual production plane would be 16,000 pounds heavier than originally planned.

But he said the comparison was misleading because much of it was in extra fuel, not aircraft structure. The Pentagon is seeking a $1,750,000 penalty payment from the manufacturer for the excess weight. The company is disputing the claim on the ground that it is not wholly responsible.

The excess weight is intimately related to the wind-overdeck problem. The heavier a plane, the greater the speed necessary before it will take off, and the greater the speed and impact when it hits the arresting gear on landing.

Speed means speed through the air. The trick is to help the heavy plane by providing a flow of wind from fore to aft over the deck. If the wind itself is not blowing hard enough to supply the required amount, the carrier must steam upwind fast enough to supply the rest. The more upwind steaming a carrier must do in combat, the more it sacrifices in maneuvering flexibility.

[From U.S. News & World Report, Sept. 25, 1967]

TFX: 5 Years, a New Plane—and Hardly Anybody Is Happy

The name has changed and so has the plane, but controversy goes on—and on. That's the record of the TFX, renamed F–111.

It's a multibillion-dollar experiment with a radical design. Latest charges have alarmed Congress and U.S. allies.

Troubles are piling up for the vast program to build the F–111 warplane and the chief architect of that program, Defense Secretary Robert S. McNamara.

Real alarm is spreading among Congressmen that the variable-wing F–111 is turning into a costly disaster—a fear consistently derided by Mr. McNamara and his principal aides.

Despite military misgivings, the F–111, once known as the "TFX," has been given a major role in future U.S. defenses. Britain and Australia were persuaded to buy the plane over objections of their own military men.

A 6-billion-dollar production program for the Air Force—now certain to cost at least twice that much, according to critics—has been launched by the U.S.

Within the past few weeks, fresh fears have been expressed on Capitol Hill about the entire program. Britain, miffed over other aspects of joint military plans with the U.S., is having some angry second thoughts about the F–111.

Limitations revealed. Dismay about the F-111 is based on questions raised by Senator John L. McClellan (Dem.), of Arkansas, and replies by Pentagon experts. Latest installment in this running debate appeared September 13 in a censored transcript of hearings held in mid-July by the Senate Subcommittee on Defense Appropriations.

From that testimony and other records

made available to "U.S. News & World Report," these charges emerge:

The Air Force version scarcely can fly over Pikes Peak—altitude 14,110 feet—when fueled and fully loaded with bombs of the type used in Vietnam.

In the absence of an adequate speed brake, the F-111 cannot dogfight.

The engine is subject to flameouts—interruptions of its operation—when the power-boosting afterburner is used.

Because of wind resistance, the distance the Air Force F-111 can travel at more than the speed of sound on a low-level bomb run has been reduced by 75 percent from that expected.

The intercontinental-ferry range is about 1,000 miles short of that originally planned.

All those problems of the Air Force plane, plus other troubles, plague the Navy's version of the F-111:

The Navy plane is nearly 10,000 pounds overweight and still unsuitable for carrier operations.

It is 11,000 feet shy of reaching its planned combat ceiling.

Navy pilots would be unable to use afterburners for added power and safety during launchings from 17 of the 24 catapults aboard the largest carriers.

The Navy plane needs a 19-knot "wind over deck" for carrier launching, instead of the minus 8 knots planned.

In brief, congressional investigators have technical reports that the F-111 has failed to meet the original specifications by wide margins.

Even so, Mr. McNamara is putting the Air Force F-111 into full production. A contract for 493 airframes, costing 1.8 billion dollars, was let for the Air Force to General Dynamics Corporation of Fort Worth, Tex., last May.

So far, Senator McClellan has blocked plans to produce the Navy plane.

One goal: versatility. As conceived, the F-111 was to be an all-purpose plane for both the Navy and Air Force.

It was to be a long-range bomber, a fighter, a missile-launching platform and a reconnaissance airplane.

Mr. McNamara told Congress in 1963 that by building such an aircraft he could save taxpayers 1 billion dollars.

The Air Force estimated in 1963 that it could buy 1,700 of the F–111s for 5.8 billion dollars, including 711 million for research and development.

There is testimony before the Senate Appropriations Subcommittee that the Air Force now plans to buy 400 fewer aircraft—1,300—and spend more than 12.4 billion dollars, including 2 billion in research costs. Even this figure is misleading. The Air Force calculates the ready-to-fly cost of each F–111 at 10 million, including 2 million for ground-support equipment. That comes to a total of 13 billion.

Senator McClellan has called the F–111 a multibillion-dollar blunder.

Until recently, public attention has been focused chiefly on the troubled Navy F–111.

Last month, however, Senator Carl T. Curtis (Rep.), of Nebraska, said: "There is growing discontent in the Air Force. . . ."

"Overweight, underpowered." Senator Curtis and others have said that the Defense Department has been less than candid about the F–111 program. The Senator told colleagues last month:

"Basically, the TFX is an excellent aircraft for development as a small nuclear bomber, but its effectiveness ends there. It has no versatility for other uses, including strategic bombing and tactical fighting. The main problem is that it is overweight and underpowered."

Weight has been a problem for both Air Force and Navy. The Air Force version, fueled and armed with a 2,000-pound atomic bomb, weighs 81,400 pounds. When armed with 12 conventional 750-pound bombs, it weighs close to 90,000 pounds. The Navy F–111B has a mission-weight of 79,000 pounds. Weight, and resulting "drag" can be overcome by increasing power. But that increases fuel consumption.

A new engine under development for the F–111 will increase engine thrust by only 10 per cent.

The problems of the F–111 are seemingly endless. Senator McClellan reported to the Senate on August 22 that the Navy's preliminary evaluation of the airplane uncovered 104 deficiencies for which corrections were mandatory and 153 other deficiencies which needed correction on a high-priority basis.

By way of comparison, the Navy's initial evaluation of the A–7 attack bomber turned up only 18 major deficiencies.

From the Air Force viewpoint, the most critical defects are the reduction in what is known as "dash distance" and the plane's inability to dogfight.

When the Air Force version was planned, it was to have a combat radius of about 800 miles.

In approaching its target at extremely low altitudes—under 150 feet—to avoid radar detection, the airplane was to fly a certain number of miles at more than the speed of sound. The number of miles, called "dash distance," is secret.

Senator McClellan has informed members of the Appropriations Subcommittee that this "dash distance" has been cut 75 per cent by wind resistance.

In a dogfight, "get out." At present, the Air Force F–111 lacks an adequate air-speed brake, one which would enable it to dogfight.

Senator McClellan once asked Lieut. Gen. James Ferguson of the Air Force what he would do if he encountered a MIG–21 while flying an F–111 over North Vietnam. General Ferguson, then military director of the Scientific Advisory Board, replied:

"I know what I would do. . . . I would go down on the deck and get out of there."

The Navy is worried by what is described in a technical report as the plane's instability in "a low-fuel configuration."

Upon returning from missions, tired pilots are going to have to land a tail-heavy plane, which has a tendency to yaw, on the pitching deck of a carrier, often at night.

International furor? Beyond all this, there is the distinct possibility that the Air Force version may become the center of a quarrel involving Great Britain and Australia.

Both Great Britain and Australia have predicated their long-range defense plans on a successful F–111. Each has contracted tentatively to take 50 of the planes. Great Britain is putting up more than 850 million dollars.

In deciding to buy the F–111, Britain scrapped its advanced swept-wing airplane, the TSR–2. At the time, Britain had 18 of the planes in production and three undergoing flight tests. On the strength of the presumed ability of the F–111 to span continents, the British also decided to do away with aircraft carriers. Some of Britain's top military men quit in protest.

The F–111 is to be Britain's weapon for protecting its interests east of Suez.

For Australia, the F–111 is to provide strike capability deep into Southeast Asia and the Indian Ocean regions.

Rebuff for Britain.—The groundwork for international furor was laid by Congress last week when it voted to bar a British bid to build wood-hulled minesweepers, costing around 100 million dollars, for the U.S. Navy.

Part of Britain's price for agreeing to buy the F–111 was permission to compete for U.S. defense contracts.

"The Times" of London quoted British officials in Washington as saying the veto was "sufficient grounds to cancel the F–111 contract. There are all sorts of problems with the airplane anyhow."

In London a British Defense Ministry spokesman said:

"Nothing is certain. . . . As it is at the moment, the F–111 deal is in jeopardy."

Senator Curtis has asked that the Senate Permanent Investigations Subcommittee, headed by Senator McClellan, reopen hearings on the F–111. The Subcommittee has been keeping tabs on the F–111 since November, 1962.

Senator McClellan may accede to the request and resume hearings, probably next spring. If so, the major question before the Subcommittee will be whether the Pentagon should be spending billions to produce the F–111 before it is really certain that the airplane will perform as originally intended.

A Pentagon nickname for the F–111: "McNamara's Albatross."

[From Aviation Week, Sept. 18, 1967]

WASHINGTON ROUNDUP: F–111A PROBLEMS

Congressional criticism of the General Dynamics F–111 aircraft may shift its emphasis from the Navy to the Air Force version when the first "operationally configured" F–111A is delivered later this month. Testimony taken in July by the Senate Appropriations Committee, partially released last week, indicates that shortcomings in the Air Force F–111A were still considerable when the production contract with General Dynamics was signed last spring (AW&ST May 15, p. 23).

In addition to a gross takeoff weight 12,278 lb. above the contractor guarantee of 69,122 lb., the aircraft has problems with speed brake vibration, an inadequate air inlet and landing instability caused by improper location of the center of gravity. "It's getting difficult to understand why a hold wasn't placed on production until these bugs were ironed out once and for all," complained a Senate source. Pentagon spokesmen claim in rebuttal that enough engineering facts were known at the time to permit the contract signing.

DRAG RATIO

Meanwhile, there were growing indications that the question of assessing penalties against General Dynamics will stretch into a years-long affair. Involved is not only an extremely complex incentive arrangement but also the fact that Pentagon requirements for the aircraft are far from being finally established. General Dynamics, for instance, does not agree wth the Navy contention that it is responsible for a maximum $1.75-million overweight penalty for five research and development aircraft. The company cites a combination of change orders and compensating improvements in lift.

To complicate the issue even further, Deputy Defense Secretary Paul H. Nitze described as a penalty a $20-million target profit reduction, imposed on General Dynamics in the definitive production contract negotiations. So far, the incentive clauses have operated only once without a hitch—when General Dynamics accepted an $875,000 incentive award for its successful variable-sweep wing.

[From the St. Louis Globe-Democrat, Sept. 16–17, 1967]

HALF-AND-HALF CREATION: FIRST NAVY TFX NOT GENUINE ARTICLE

(By Edward W. O'Brien)

WASHINGTON.—On May 11, 1965, Defense Secretary Robert S. McNamara's TFX aircraft program had one of its few moments of glory.

On that day, virtually on schedule, the first Navy TFX was rolled out of plant No. 6 of Grumman Aircraft and Engineering Corp., at Peconic River, N.Y. A week later, it flew.

As the Pentagon's highest admirals and generals and hundreds of other spectators cheered, Navy Secretary Paul H. Nitze hailed the gleaming new plane outside the factory as "a significant milestone" in developing a mighty Navy fighter-bomber for the 1970's and 1980's.

It was a grand ceremony. To Mr. McNamara and Mr. Nitze, the completion of the first Navy TFX was an effective answer to two years of heavy criticism of Mr. McNamara's plan to build Navy and Air Force versions of the same basic TFX aircraft.

Now Senate investigators have established that the roll-out was memorable for a different reason.

The plane rolled out so proudly consisted in fact of half a Navy TFX plus half an Air Force TFX.

The rear section of the fuselage was genuine Navy. The front end was Air Force.

"A wired-up thing for demonstration," Senator John L. McClellan (Dem.), Arkansas, said in just-released testimony before the Appropriations Committee.

"What it looks like is that they just hurriedly threw something together in order to try to meet a deadline and rolled it out with great fanfare and made this plane No. 1. . . .

"We got the impression and the public did that they had produced No. 1."

Sen. McClellan placed in the hearing record a telegram to Grumman of July 29, 1964, instructing it to produce Navy TFX No. 1 by using a forward fuselage intended for Air Force TFX No. 4.

Navy witnesses admitted this had been done and sought to explain that the purpose was to meet the May, 1965, target for the first Navy test flight.

Many Navy components had been delayed, the witnesses testified, because of severe weight problems in the Navy design.

Pressed by Sen. McClellan, however, Admiral W. E. Sweeney finally said "it was really a big morale factor to get our first airplane in the air on schedule."

Grumman turned in a $1,417,029 bill for the special hurry-up job. Presumably it will be paid eventually out of government funds, as Admiral Sweeney admitted that "we are probably the ones" who made the decision to produce the unique plane.

Though the Air Force nose appeared similar on the outside to the Navy version, it was very different inside in its sophisticated equipment.

The government experts who attended the 1965 ceremony must have known what they were looking at, according to the Senate testimony. If they did, the true story was among the year's best-kept secrets.

Oddly, Mr. Nitze, recently promoted to Deputy Secretary of Defense, suffered a loss of memory when questioned by Sen. McClellan. Mr. Nitze let Navy officers do most of the answering.

Newspaper files contain photos of Secretary Nitze making his speech at the ceremony.

Perhaps with these photos in mind, Sen. McClellan asked Mr. Nitze:

"You were there, Mr. Secretary, when they rolled it out?"

"I don't think I was," he replied.

The Navy's TFX No. 1 is still flying but is used only to test electronics and other equipment systems.

The Navy's latest version of the TFX is far different and still deeply troubled. Sen. McClellan calls the Navy TFX Secretary McNamara's "multi-billion-dollar blunder."

There is no longer any prospect of using the Navy TFX as a fighter which was to be its role, because of its many defects.

The only remaining hope is to use the Navy TFX as a launching platform for long-range missiles, but even this limited use is highly doubtful because of unsolved critical problems in the basic design.

ABC Network Broadcast by Jules Bergman, Science Editor of American Broadcasting Co., on September 17, 1967

This week the Senate Appropriations Subcommittee—in the latest report on the controversial F–111 fighter-bomber—released very strong testimony casting serious doubts on the swing-wing plane's future. Born out of political controversy—when the General Dynamics Corporation was awarded the contract after the Boeing Company had won 4 military evaluations . . . the F–111 has had a stormy development career. It is no longer that politically controversial past—but the 111's uncertain aeronautical future—that has the entire U.S. Defense Establishment worried. The 111 is the biggest, heaviest, and most expensive fighter-bomber the U.S. has ever built.

The Senate hearings began after Navy test pilots reported that the 111 had more than 100 mandatory deficiencies . . . and scores of lesser problems. Air Force test pilots reported that the 111 is still a long way from being the kind of plane specified . . . or the one it's hoped the services will get.

Of the two 111's—the A or Air Force model—and the B or Navy model . . . it's the B that's in deeper trouble. The Navy test pilots report showed that the 111 needed a 19 knot wind moving up the flight deck before it could be catapulted into the air. The specifications had said that the plane could take off with a minus-eight-knot wind . . . or a tailwind . . . and get airborne all right. The Navy pilots also complained about poor landing visibility, speed brakes that don't slow the plane down—but instead cause it to buffet and pitch-up . . . and numerous other faults. Some minor, some of real concern.

The Senate—after hearing the report—many portions of which were censored from the transcript—denied any production money for the Navy model—and cut the number of test airplanes from 12 to 8.

The 111 has been plagued by compressor or engine stalls . . . after years of agonizing and expensive work, the plane will now fly up to 1450 miles an hour without stalls. But that's still 200 miles an hour below the top speed it was contracted for. More important, it's 2 to 3 hundred miles an hour below the top speed of Russia's latest MIG fighters.

A newly-designed engine inlet may get the 111's top speed up to snuff but no one's sure. The speed becomes especially important because the 111 is not a highly maneuverable plane . . . the kind that can dogfight . . . Russia's MIGS are known for their tight-turning ability. Which means that the 111 either has to get a MIG with its missiles in front . . . or if the MIG gets behind the 111, our man is in deep trouble.

The 111 depends on survival for its missiles—and get-away-power, which it still lacks. It weighs 80 thousand pounds—more than any fighter in history—and it takes a long time to get that much weight moving at really high speeds.

The plane was originally designed as a high-performance interceptor . . . as well as a nuclear fighter-bomber . . . it now can't do the first mission.

As for the nuclear bombing mission . . . well, the 111 as of now can only fly supersonically one-quarter of the distance at low altitude that it was build for. Some defense department experts say what it can do is enough; others that it's not.

The speed brakes—mounted underneath to slow the plane—well, a new design is soon to be tested. No one's sure if they'll adequately slow the plane for dive-bombing, either. The troubles have mounted—as well as the costs of the 111. Defense Secretary McNamara originally said it would cost 7 hundred million dollars to develop the plane. The costs now approach 2 billion.

Each plane, he declared, would cost just under three million dollars. Well, the Air Force model prices out at 6 million; the Navy's—with its Phoenix missiles—at 10 million. There were supposed to have been 17 hundred 111's . . . costing 7 billion dollars. But costs went up, numbers have gone down: there are now 13 hundred on order at a price topping ten billion.

There are nearly 5 hundred Air Force 111's on order—and the first batch is due to go to Viet Nam early next year. So the time of decision—of seeing if the plane will do the job—is nearing.

Ironically—the thing that seemed the hardest—the 111's radical folding-wing works like a charm. In this sense the 111 has proven the principle of folding wings, or variable geometry as designers call it. It is paving the way aerodynamically for the supersonic transport . . . and the fighter of the future—the FX—or fighter plane experimental. Both will have folding wings . . . and will have learned much from the 111's errors.

The real issue now—is how did the 111 get in so much trouble? And why did Secretary McNamara and his aides not discover the problems sooner.

McNamara applied the term commonality to the 111—meaning both services would use basically the same plane. Nothing wrong there had it been executed and managed properly. In fact, the McDonnell F–4 Phantom—the free world's finest fighter—is used by Air Force, Navy and Marines. But it was developed for one service, the Navy—then adopted by all. In the 111's case, the Navy and Air Force tried to reconcile differing requirements and needs. Civilian managers at the Pentagon tried as well. Meantime, the design and development went ahead: it was clear that the plane was overweight almost from the beginning, but no one blew the whistle. The grim irony is that Secretary McNamara's—famed computed management methods failed to see the 111's real peril, and failed to catch the slipup: Namely, effective project management free from interference.

At another point, Space Agency aerodynamicists warned that the plane would have excessive drag—the resistance of its fuselage to the air. They'd tested it in wind tunnels. From every sign, most of their warnings were ignored. Sure enough, in flight test, the 111 did indeed have excessive drag . . . resulting in less than specified range, speed, and fuel economy.

Even as the troubles mounted, the Pentagon apparently failed to hear them. There are disturbing signs that McNamara failed to get the real picture on what was happening for several years—until it was too late. Of such inefficiency are expensive errors compounded.

Because it is still too heavy . . . the 111 is two miles short of reaching the combat ceiling—or top altitude—specified for it. Another key to survival: Russia's MIGS are very high thrust, low weight quick-to climb fighters. The 111 is nearly one mile short of reaching the cruising loiter altitude the Navy wanted.

The Navy has ordered a new engine—the P–12—it's called—to improve 111 performance. But the Air Force plane with the P–3 engine . . . slightly higher in power than the original model . . . still, from all signs, lacks the get-a-way power needed.

In the Senate hearings, the Navy admits it'll have to keep F–4 Phantoms aboard the carriers . . . with the 111's . . . a change in plans . . . to do the attack escort job the 111 can't do. The Navy also admits it's still thinking about a new version of the F–4 with a swingwing . . . called the F4V . . .

And the Navy wants a new swingwing fighter—with very high performance—called the VFAX—as its interceptor of the 70's. Part of the mission the 111 was aimed at.

As for its role, the Air Force had wanted the 111 both as a high performance fighter . . . and a nuclear low-level bomber. Well, the first mission—the Pentagon admits—is now one that the 111 can't do. It may turn into a perfectly good fighter-bomber . . . which will have relatively long nonstop range because of its variable wing. But that still remains to be seen.

In fact, the true mission of the 111 remains to be discovered. Many Pentagon experts insist that the original missions were a myth: the plane just couldn't do them. At Nellis Air Force Base in Nevada, the Tactical Air Command is busy discovering just what the 111 can do . . . what its real missions will be. The critics contend that if the plane can't do the original mission, then why are we going ahead with it? One answer widely circulated in the Pentagon, is that both the Air Force and Navy are so desperate for planes—any planes—that they'll take the 111, just to get planes. Numerous Chiefs of Staff of the services have blunted their careers—tilting with Secretary McNamara about going ahead with the 111. The name of the game now seems to be: let's take it . . . and see what it can do . . . The Navy is clearly faced with the tougher decision: a heavy, big plane, difficult to handle on carriers.

Where does all this leave us? The 111 will do the job for the Air Force—ultimately—if not the job intended and not as well done as it might be. But it costs far too much. Defense experts argue now about losing Phantoms in Viet Nam. They cost 2 point 2 million dollars each. Well, how will it feel when we lose 111's costing 6 million each. That's a strange kind of economics.

The real lesson of the 111 is in management—a deadly-serious game that many Pentagon experts aren't as good at as they pretend . . .

[From the Washington Evening Star, Sept. 19, 1967]

LET'S FINISH THE JOB

The recently released testimony by Navy officials before a Senate Appropriations subcommittee regarding the controversial F–111B aircraft does not make pleasant reading.

This is the Navy version of the plane, originally called the TFX, that the Kennedy Administration said would save taxpayers $1 billion because it could be used by both the Air Force and the Navy.

For a starter, senators heard testimony confirming that the F–111B has turned into a costly venture, far exceeding the original estimate. Although many changes have been made, making comparisons difficult, senators brought out that the cost has risen from $2.9 million to $8 million per plane.

That by itself was not entirely a surprise. Forecasting the final price tag on any weapon is a difficult art, particularly in a highly sophisticated warplane with novel concepts and subsequent added firepower.

But the obvious hostility of several lawmakers to the plane, and their skepticism about getting their dollar's worth, are another matter. The plane, as Senator McClellan elicited from one official, weighs 8½ tons more than originally planned. The Navy program, as the lawmaker confirmed, is two and a half years behind schedule. There have been troubles with the speed brake, air inlets, lateral directional stability and other matters.

In response to a question from Senator McClellan, Admiral David L. McDonald, chief of naval operations, declared, "We are taking what we can get, senator, because we feel we need this type of capability and we can't get it any other way."

The admiral says the Navy is flying the basic airplane now, and that it will do a job which can't be done otherwise. But when Senator McClellan asked Paul H. Nitze, deputy secretary of defense, if it wouldn't have been far less trouble for the navy to develop its own plane instead of using the "commonality" approach, Mr. Nitze replied, "I am sure the navy would have thought so."

The testimony is afflicted with qualifications and ambiguity. When asked if the aircraft is "extremely deficient in combat mission capability," Mr. Nitze replied, "As per the contract, that is correct. As per what we need in order to meet the task that is before this plane in the protection of the fleet, I think this plane will do the job and will do it better than anything else we can buy."

Despite such doubletalk, it is hard to escape the conclusion that Defense Secretary McNamara and his computer experts made a mistake in the TFX—that the promised savings through the "commonality" approach have not been realized. At the same time, costly and troublesome as the F–111B has been, it would seem to be even greater folly to abandon the project now or scuttle it with inadequate appropriations. If the F–111B will do the job, the United States should invest enough to see the project through.

[From the Arkansas Democrat, Sept. 15, 1967]

TROUBLE WITH AN AIRPLANE

Large amounts of evidence compiled by Sen. John L. McClellan and others in government are supporting charges that the multiservice F111 plane is a multimillion-dollar blunder.

The one plane that was supposed to have been useful to the Air Force and the Navy now has been modified and redesigned into more than half a dozen different versions, and accusations have been made by the Navy that the plane it is supposed to use is unsuitable for service. The Navy version of the plane is said to be 8 tons overweight when fully loaded.

The original idea was that by using identical parts $1 billion could be saved by building the all-purpose craft. That was the thinking of Robert S. McNamara, secretary of defense, who figured that if automobiles could be made with interchangeable parts, so could planes.

Rising costs have played havoc with the money-saving efforts. McClellan said the initial cost of producing 1,700 planes was $5.8 billion. Now the government is going to pay double the price for fewer planes, he declared.

It is encouraging to learn that the Air Force version of F111A has been fairly successful and may be used in combat in Vietnam next year.

But until the Navy's plane has been made acceptable, McClellan should be upheld in his attempts to hold back funds for the procurement of this aircraft.

STATE AND FEDERAL OFFICIALS PLAN PROGRAMS TO COPE WITH CRITICAL WATER PROBLEMS—SENATOR RANDOLPH URGES LONG-RANGE EFFORTS IN RESOURCES DEVELOPMENT

Mr. RANDOLPH. Mr. President, recently I participated in a most interesting conference in Denver, Colo., at the heart of the great western region that today is facing crucial problems of water supplies and their distribution to care for growing populations.

This was a joint meeting of State and Federal water officials, sponsored by the Interstate Conference on Water Problems under the chairmanship of Joe D. Carter, chairman of the Texas Water Rights Commission; and of Henry P. Caulfield, Jr., Executive Director of the Federal Water Resources Council in Washington. The Council was established by the Water Resources Planning Act of 1965, which also laid the foundation for State-Federal cooperation in water resource planning.

After greetings by the Honorable Deputy Mayor McNichols and Gov. John A. Love, the Governor and Secretary of the Interior, Stewart L. Udall—speaking for the National Governors' Conference and as Chairman of the Water Resources Council—set the theme by outlining general objectives of the planning of water and related land resources by the States and the Federal Establishment.

This was truly a precedent-setting conference. It was the first time that high officials of almost all the States have joined with representatives of all Federal departments involved in water resources, for discussion of current programs and crucial policy problems of mutual interest to the two levels of government. Thus the conference supported the precept stated by President Johnson in his state of the Union message early this year:

> Only a total working partnership among Federal, State, and local governments can succeed. The test of that partnership will be the concern of each public organization, each private institution, and each responsible citizen.

Mr. President, I am told that the official participants included 90 State officials, representing 47 States and Puerto Rico, 39 Federal officials representing the eight Federal departments and department-level agencies that are members of the Federal Water Resources Council, in addition to the Bureau of the Budget and the Justice Department; and five professional staff members of congressional committees. The States had Federal people outnumbered more than 2 to 1; this also is unusual.

The program included speeches by our distinguished colleagues from the other body, the Honorable THOMAS G. MORRIS and the Honorable WAYNE ASPINALL, chairman of the House Committee on Interior and Insular Affairs; by Henry J. Graeser, superintendent of the Water Department of Dallas, Tex.; and by myself.

In addition to the formal speeches, semiformal papers were given by Water Resources Council officials, outlining current programs and important problems for discussion. Then the participants, both Federal and State, moved into three workshops representing the western, central, and eastern regions of the country, for open discussion focusing on national issues as well as those of the three regions. On their conclusion, the participants expressed their feeling that this method was extremely successful.

Mr. President, these comments have been made because it seemed to me that the conference established a new level of enlightened State and Federal cooperation, which contains much promise for wiser preparation of joint plans by all levels of government, for the rounded development of regional and national water resources. I feel that such concerted intergovernmental efforts are of extreme importance if we are to exert the fullest power of our natural resources—including water—in the development of regional economies; in the building of rural-urban centers in beautiful but now underdeveloped regions; and in the relief of distressed slum populations of our megalopolitan cities.

This was the theme of the speech I presented to this audience of State and Federal officials: the use of public works programs including water, to induce regional development; to build prosperity throughout the Nation; to relieve distressed areas; and by these means, as Albert Gallatin said in 1808: "To strengthen and perpetuate that union."

Mr. President, I ask unanimous consent to have printed in the RECORD the full text of my remarks of September 7 to the joint conference of State and Federal water officials.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR JENNINGS RANDOLPH, DEMOCRAT, OF WEST VIRGINIA, CHAIRMAN, COMMITTEE ON PUBLIC WORKS, BEFORE THE 10TH ANNUAL MEETING OF THE INTERSTATE CONFERENCE ON WATER PROBLEMS, DENVER, COLO., SEPTEMBER 8, 1967

"To Strengthen and Perpetuate that Union. . . ."

In 1808 Albert Gallatin, Secretary of the Treasury under President Thomas Jefferson, submitted his historic report on Federal participation in an extensive public works program to develop inexpensive water transportation and post-road construction, in order to (quote) ". . . facilitate commercial and personal intercourse."

In his Report, published in response to a Senate resolution, Secretary Gallatin enunciated for the first time the policy of our young Republic regarding water resources development by declaring that ". . . no other single operation, within the power of government, can more effectively tend to strengthen and perpetuate that union which secures external independence, domestic peace, and individual liberty."

Some sixteen years after the Gallatin Report—and following the landmark decision by Chief Justice Marshall which upheld the power of the Congress to undertake navigation improvements (quote) ". . . within the limits of every State in the Union . . ."—a Federal program for waterway improvement was initiated with the removal of snags and sandbars from the Ohio and Mississippi Rivers.

Throughout the 19th Century, the Federal effort was devoted almost exclusively to the improvement of navigational facilities, although flood control became a consideration with the formation of the Mississippi River Commission in 1879, and was extended with the establishment of the California Debris Commission in 1893. The concept of water resources development continued to broaden through the turn of the century, particularly in 1906, when the Inland Waterway Commission declared the need for comprehensive plans which ". . . should consider and include all the uses to which streams may be put."

In transmitting the Commission's report to the Congress, President Theodore Roosevelt emphasized that (quote): "The National Government must play the leading part in securing the largest possible use of our waterways; other agencies can assist and should assist, but the work is essentially national in its scope." This concept has guided our water resources policy since that time, and it has enabled us, to date, to meet the demands of a constantly expanding industrial technology and a growing population. In meeting these demands, many of our public works programs have succeeded far beyond our expectations.

The canalization of the Ohio River offers a dramatic illustration of the contribution of waterway development to economic and industrial growth. When the original system was completed in 1922, the river was carrying six million tons of cargo annually. By 1929 traffic had increased to 24 million tons. Although the system was expected to meet foreseeable requirements, the impetus given to commercial and industrial expansion in the Ohio Valley was so great that in less than 20 years it became apparent that a modernization program would be necessary. At that time traffic was in excess of 34 million tons, and modern tows had to be broken up in order to pass through each of the 46 locks.

By 1955, when construction was started on the first of the new and larger replacement structures, traffic had risen to 71 million tons. And by 1963, with only three of the 17 proposed new locks in operation, annual tonnage had increased to more than 88 million. Of even greater significance, however, is the fact that since World War II, more than $21 billion worth of new industrial development has taken place in the counties along the Ohio River and its navigable tributaries.

A success story of similar proportions has emerged in the Pacific Northwest—the great region which Daniel Webster once referred to as ". . . this vast worthless area—this region of savages and wild beasts, of deserts of shifting sands and whirlwinds of dust, of cactus and prairie dogs . . ." The multipurpose development of the Columbia River providing abundant cheap electric power has, within the past 25 years, transformed much of the Pacific Northwest from a region largely dependent on farming, mining, lumber and fishing into a major center for the production of aluminum and aircraft.

Thus we see the reciprocal interaction between new technologies, new social and economic needs and new uses for stream development. In the past, our national interest in water resources was concentrated on navigation, irrigation, winning the West and lessening the impact of natural disasters. Today, our concern is widening—to include the effort to provide a greater share of the national growth for the lesser developed regions, to assure the protection and enhancement of the quality of our physical environment, and to provide opportunity for our citizens to enjoy the physical and spiritual enjoyment of the natural environment.

Consequently, recreation, maintenance and improvement of water quality, wilderness preservation and water development for Appalachia and other underdeveloped regions are needs which are receiving increased attention and emphasis. Though protection against droughts and floods, promotion of navigation and the production of hydroelectric power will continue to be primary considerations, these purposes are but a few of the ever-expanding set of socially desirable objectives which water resources planning must accommodate.

These new and emerging objectives of water planning require creative and refined methods of analysis and economic evaluation. It is, for example, a considerably more complex problem to develop monetary values for the tangible as well as intangible benefits of improved water quality than to compute flood damages or the costs of barge versus rail freight rates. And it is infinitely more difficult than either of these to develop the kind of analytical methods and economic models required by the regional water development study which was authorized in the Appalachian Regional Development Act of 1965.

Our methods of water resources planning and economic evaluation should meet several general objectives. First, they should generate and evaluate the widest possible range of alternatives for consideration by the public and their elected representatives. For example, in order to maintain the water quality of a given stream in the face of industrial expansion, we must examine the options of stream augmentation, construction of waste treatment facilities, requirement of in-process changes, or a combination of these—as well as a consideration of other values which might be of such weight that industrial expansion should be prevented. And whatever the choice, we must determine how the costs should be allocated for the non-direct user benefits.

Secondly, our planning and evaluation processes should appraise the values that all segments of society place on specific uses, abuses, enjoyment or appreciation of water resources. For example, one stretch of the Kanawha River in my own State of West Virginia contains one of the heaviest concentrations of the petrochemical industry in the world. I doubt if we shall ever be able to fish trout or even bass from that section of the river. But profitable operation of the chemical industry in the valley does not require the people of Charleston, West Virginia, to tolerate a public health hazard.

Third, the appraisal of values must include an attempt to ascertain how values develop or degenerate with the passage of time, either because corrective action is too slow and alternatives are lost, or because action is so hasty that future options are foreclosed. To refer again to the Kanawha River, because of the lack of timely corrective or preventive action, most recreational use of the industrial stretch of the river is probably permanently foreclosed, and even further *industrial* expansion is temporarily precluded until water quality is improved.

These are some of the general objectives that must be and that are being met by the water resources planning which was authorized by Section 206 of the Appalachian Regional Development Act of 1965. This Act was a fundamental step forward for the Congress, not only in the development of our general economic policy, but also specifically with regard to water resources planning. The Appalachian Water Resources Survey, authorized by that Act, is the first major attempt to analyze the developmental role which water resources planning may perform in stimulating a regional economy and in the achievement of sustained regional growth. And I am pleased to commend Col. John C. H. Lee, Jr., Director of the Office of Appalachian Studies, and his excellent staff for their creative and constructive approach toward the implementation of this Section of the Act.

The Congress has overwhelmingly endorsed, and the Administration—somewhat reluctantly in some quarters—has accepted, the commitment to regional economic development. On August 26, 1965, the President signed PL 89–136, the Public Works and Economic Development Act of 1965, of which Title 5 provides authority for the establishment of other regional action planning commissions modeled after the Appalachian Regional Development Commission. Since enactment of this legislation there have been established five regional commissions, the Ozarks, embracing parts of the States of Missouri, Arkansas and Oklahoma; the Upper Great Lakes, incorporating the northern portions of Minnesota, Wisconsin and Michigan; the New England Regional Commission, embracing all of the six New England States; the Southeast Coastal Plains, incorporating eastern portions of North Carolina, South Carolina and Georgia; and the Four Corners Region which takes in parts of Arizona, New Mexico, Colorado and Utah.

Though these regions have widely differing problems, it is correct to conjecture that planning and development of water resources—either in terms of enhancing water quality, as in New England, or augmenting water supply, as in the Four Corners—will be a major factor in the economic development of these regions.

It is in this regard that Section 206 of the Appalachian Regional Development Act will become a major milestone in water resources legislation. For the methodology developed in the Appalachian Water Resources Study will have significant applications to the other regions. The benefit analysis used in this survey departs from traditional methods in several important respects: (1) it proposes to trace the benefit flow beyond the initial users in order to assess the impact of public investments on the regional and the national economy; (2) it provides for two separate accounts, regional and national in which to estimate benefits; (3) it distinguishes between user and expansion benefits; (4) it provides for the apportionment of benefits among development programs where economic expansion is the result of combined development efforts, such as water resources, vocational educational facilities and improvement of health facilities; and (5) it suggests methods for comparative weighting of regional and national benefits where a single benefit cost ratio is desired.

In the light of these advances in the refinement of our analytical tools and the development of economic models, I would suggest two areas for the extension of water resources planning that I think could yield significant benefits in the Nation as a whole. At your conference last year in Scottsboro, Sid McFarland emphasized the need for bringing an additional 2.5 million acre feet to the water supplies of the Colorado River such augmentation was "supportable purely on the basis of an examination of the adverse economic effect on the conflict between States and with Mexico which would result from not at least meeting present water commitments." I concur in this judgment, and I believe that economic analyses should be used to determine *how* this should be done and not *whether* it should be done.

One of the areas of extension of water resources planning which I advocate would be to use the refined techniques of economic evaluation to identify those regions of the country which, with water resources development, could support large population increases. Daily newspaper headlines note the incidence of crime, delinquency, riots, congestion and environmental pollution causing us to realize that most of our vast urban cities no longer offer a solid foundation for the Great Society, nor even for the good life. We now have the social, economic and technological tools to disperse our population and to resist the inertia which continues to crowd more and more people into less and less space. I believe that water resources planners should lead in reversing this process and dispersing our population and thereby stimulating a new surge of social and economic development in rural America.

A second thought which I present for your consideration also stems from the development of regional resource planning techniques—that is, "induced development planning" as distinguished from "response planning." In this concept I suggest that we consider planning our water resources development on a program basis rather than project-by-project. For example, we now have some 19,000 miles of navigable waterways. Instead of authorizing additional navigation projects on a piecemeal basis, we might well consider looking at the economic needs of the United States for the year 1985 and for the year 2005. We should then project goals for the completion of additional mileage and improvement of present navigable streams and the construction of additional harbors in terms of those target dates, with a scheduled level of annual appropriations to meet those goals. This is the philosophy which was worked successfully with the Interstate and Defense Highway System, the most extensive civil works program in history. It would seem to me that the parallel with water transportation bears close analysis and the most serious attention. The same approach might effectively be applied to other phases of water resources planning in irrigation, reclamation, beach erosion and water quality improvement. I am aware that this suggestion runs counter to some of the cherished practices of the Executive and the Legislative branches of Government, and that it might seem to curtail some of the authority of Members in the Congress. It is my conviction, however, that the needs for national resources planning are paramount and we now have the intellectual tools to meet those needs. We are faced with the problem of an ever-growing population and frequently misplaced water supplies. If the type of life which we have taught this generation to expect is to be continued, we must reexamine the ways we have done the job. We must appraise and reappraise our goals. New methods and new approaches must be forged to meet new challenges.

VIETCONG GUERRILLA AND NORTH VIETNAMESE REGULAR NO EASY PUSHOVERS

Mr. McGEE. Mr. President, take it from Mike Kaul that our adversary in Vietnam, the Vietcong guerrilla and the North Vietnamese regular, is no easy pushover. Some people have been asking, rather insistently, why we do not just run over the foe in the field.

Mike Kaul, an Army lieutenant now home from a tour in Vietnam, where he won recommendation for the Distinguished Service Cross, told his hometown newspaper, the Rock Springs, Wyo., Rocket, last week that the North Vietnamese soldier and the Vietcong have been vastly underrated by most of the people writing or talking about them. But Kaul had praise, too, for the South Vietnamese troops and, above all, for his fellow American fighting man.

Kaul's credentials to make these observations are pretty good, as a UPI dispatch from Long Binh, Vietnam, written just after he departed the battle-torn country points out. I ask unanimous consent to have printed in the RECORD both the UPI dispatch and a story from the Rock Springs Rocket for September 14, in which Kaul makes his observations.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SILVER STAR HOLDER RECALLS OUTSTANDING ACTS OF HEROISM

LONG BINH, VIETNAM (UPI).—Mike Kaul, a 6-foot, 6-inch Army lieutenant from Rock Springs, Wyo., has left Vietnam, the country that forged him into a hero.

The hands of the tall Wyoming officer were soft from six months of office work as he talked quietly during his last few hours in Vietnam Saturday. But nothing can soften his scarred memory, the kickback of heroism.

He spoke of going home, of his wife Jamie and his 2-year-old son, Dick, and of hunting and fishing in Sweetwater County.

He also spoke of one day in March, the 22nd, when 420 U.S. troops holding a small sandy patch in a piece of jungle 70 miles east of the Cambodian border suffered 140 casualties, 39 of them dead.

It was "Landing A Zone Gold," a place few people have heard of, a name some families will never be able to forget and a name the American Army will remember as a heroic victory. Outnumbered five to one, the Americans drove back a regiment of Viet Cong coming at them in waves out of the jungle.

The Americans later found more than 1,000 communist soldiers dead.

To Mike Kaul, 25, it meant artillery, the screams of his buddies, boys who died men and an agonizing decision: A decision that saved lives, perhaps his own, perhaps everybody's—he will never know.

"It was a heck of a way to start a day," said Kaul as he sat quietly waiting for his homeward bound plane.

"It was dawn, just after stand to, the time when everybody has to be ready with steel pots on. It was a dawn with the promise of a clear day, the first ambush patrol had moved out. Some guys were making coffee.

"My weapons platoon was back from the perimeter, behind the first platoon of Brave Company. The camp was beginning to move, getting ready for breakfast. It must have been about 6:20 a.m. The VC opened up with mortars, rockets, recoilless rifles, small arms fire, everything they had.

"I remember I was just walking over to my bunker to contact command, when the first mortar rounds came in."

Kaul stayed at his radio for hours that "seemed like minutes." The command radio behind him went out and could only reach the rear lines of defense. No one could move.

The attacks came on all sides, in front and behind the small patch of reeds which had already cost scores of casualties and six helicopters to secure.

The attack to the front, from the bed of a dried out creek was the worst. The defense line, thinned out by the ambush patrol, was weakening.

Kaul made his decision.

"I was the only one in touch with them," the young Wyoming lieutenant said. "I told them to pull back. First platoon, second platoon and the reconnaissance men with them. If they had broken, the VC might have overrun the LZ (landing zone).

"It was lucky there were some old defensive positions for them to take up. There were some people just getting any sort of shelter they could. They came back to our line and we went back to the artillery.

"Still they attacked. They just kept coming—into the open. Five of the 12 men in my depleted weapons platoon were wounded, two killed. We had lost a whole squad, hit by a command detonated mine two days before.

"We stemmed the onslaught until two reinforcement battalions came in. That must have been 11:30. After about four hours which seemed like 20 minutes, we were able to take the offensive."

Later the brutally torn platoon reformed and pressed on after the Viet Cong with their reinforcements.

Kaul's commander recommended him for the Distinguished Service Cross. Kaul recommended three of his men for Silver Stars and his whole platoon for Bronze Stars.

Kaul returns home to Rock Springs with a Silver Star and with his memories of the other heroes of the battle who died and will never return.

"It's hard to lose a real good buddy," he said. "I saw that day what I have to call outstanding acts of heroism.

"Most of them were young kids. I didn't see one person cowering in a hole and when their buddies died beside them they just fought harder. That's what I will remember forever."

Lt. Kaul will be assigned to Ft. Bragg, N.C., with the 82nd Airborne Division. He will leave Rock Springs about Oct. 1. Mrs. Kaul and their son will accompany him.

[From the Rock Springs Rocket, Sept. 14, 1967]

LT. MIKE KAUL CLEANS RIFLE FOR HUNTING

Army Lt. Mike Kaul is cleaning his rifle again but this time the game he is after won't be the Viet Cong soldier he said Wednesday was vastly underrated.

"I've been home (from Vietnam) for two days and I plan to do a little hunting and some fishing around Wyoming for a month or so before I'm reassigned," Kaul said.

Kaul, 25, was recommended for the Distinguished Service Cross for his part in a battle last March near the Cambodian border in which 420 U.S. troops held a piece of jungle against assaulting waves of Viet Cong.

Kaul said he believed the fighting skills of the Viet Cong and the North Vietnamese regulars have been played down in war dispatches.

"I'd say the North Vietnamese soldier and the VC has been vastly underrated by most of the people writing or talking about him," Kaul said.

He said, "They are individuals with a great deal of motivation. They are fairly well trained and equipped and together they make a very capable foe."

Kaul also had praise for the South Vietnamese troops. "They're very good soldiers," he said. "I was real impressed with the individual South Vietnamese soldier I met.

"The South Vietnamese do a real fine job. They're equipped and well trained and eventually will take over our share of the fight."

Kaul said, however, before South Vietnam's army can assume the burden of the war it will have to be rebuilt. "That'll take some time," he said.

"I believe the United States is doing a real fine job. If we can get all the support we need we can finish the job in real good shape."

Kaul was not optimistic about a quick end to the war. He said, "If we want to completely rehabilitate Vietnam, it will take a long time. We want to make sure the Viet Cong won't move back in and start the war all over again."

Kaul said he probably would return to Vietnam after reassignment. "If I get orders to go back, I'll gladly go back and help finish the job," he said.

THE INTERNAL REVENUE SERVICE "BIG MONSTER" COMPUTERS

Mr. LONG of Missouri. Mr. President, over the past several years, whenever anyone has criticized IRS for using illegal wiretaps or harassing taxpayers, the explanation has always been that there is bound to be "at least one rotten apple" in a barrel which contains 65,000 employees. Except for an "occasional" action by one of the "bad apples," the IRS has proclaimed constantly that it is doing the best job of tax collecting in history.

To rid itself of even the allegedly small number of human failings which it admits on behalf of its employees, IRS has begun a program of nationwide accounting by machine.

As I understand it, the "big monster machine" is located in Martinsburg, W. Va., with satellite computers in various IRS regions.

The printouts from these machines, which are constantly sent to all American taxpayers are our new form of tax bill. When they are correct, they are about as decipherable as hieroglyphics.

When they are incorrect, even the tax people—let alone the taxpayer—cannot figure them out. Thousands and thousands of American taxpayers have received incorrect and hopelessly garbled printouts from IRS computers. Usually, after a long series of letters and meetings, the taxpayer can have his account straightened out.

Now the IRS computer in the New York-New England area has made the biggest garble to date: it has fouled up the accounts of 30,000 individual taxpayers, all of whom will have to go through the long process of trying to straighten out their accounts with IRS.

In this connection, I ask that there be printed at this point in the Record a brief newspaper item from the Washington Post of September 9, 1967, entitled "Guess What?—IRS Has Goofed."

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Aug. 9, 1967]

Guess What?—IRS Has Goofed

New York, September 7.—In what it labeled "a goof more human than machine," the Internal Revenue Service said today that approximately 30,000 of some 900,000 bills for estimated third quarter taxes mailed to individuals in New York and New England are in error and don't reflect payments already received.

The "pure goof on our part" occurred at the 1800-man IRS North Atlantic Service Center in Andover, Mass. "We either ran out of time or didn't plan properly," the tax men admitted in explaining why accounts were not credited before bills were mailed.

The taxes received but not credited to the taxpayers could "be in the millions of dollars," a revenue man said.

Mr. LONG of Missouri. Mr. President, although it will be small consolation to the 30,000 taxpayers who must decide what to do with their garbled accounts, let them recall Winston Churchill's famous statement:

> I don't make many mistakes, but when I make one, it's a beaut.

JOHNSON-SARAGAT TALKS A MAJOR STEP TOWARD ACHIEVING INTERNATIONAL ACCORD

Mr. PASTORE. Mr. President, two great leaders of democracy have concluded important talks in behalf of a more peaceful and stable world.

I am referring, of course, to the meeting between President Johnson and President Saragat, of Italy, held this week at the White House.

These talks have reaffirmed the strength of purpose and understanding that bind our two nations together in friendship. And these talks also reaffirm President Johnson's dedicated diplomacy and intelligent leadership of the free world community.

As one who was privileged to join in the welcome to President Saragat at the White House, and to attend the dinner in his honor there last night, I can attest to the fact that relations between our two countries are based on mutual trust, warm friendship and full understanding.

Millions of Americans of Italian extraction will join with me in saluting two Presidents who are determined to do everything in their power to achieve progress for their nations and better understanding among all nations to achieve mankind's oldest quest—a peaceful world.

I ask unanimous consent that the joint communique of the two Presidents be printed in the Record.

There being no objection, the joint statement was ordered to be printed in the Record, as follows:

Joint Statement of President Johnson and President Saragat Following Discussions Held in Washington, D.C., September 18–19, 1967

President Johnson and President Saragat had two conversations at the White House on September 18 and 19. Secretary of State Rusk and Foreign Minister Fanfani were present on both occasions.

The two Presidents had a broad and thorough exchange of views on the international situation. There was also a review of issues of bilateral concern, with a view to strengthening further the close relations between the two countries in accordance with the longstanding ties of friendship and alliance which exist between Italy and the United States.

It was agreed that the common goal of both nations is the maintenance and the strengthening of peace. The two President's reaffirmed their confidence in the essential role played by the UN in achieving that objective.

There was complete agreement on the importance the North Atlantic Alliance, which from its inception has served both as an instrument of defense and as a vehicle for progress, continues to have for the security of its members and for world peace. By reinforcing international stability, it contributes to mutual understanding and confidence among peoples. It was also agreed that security and peace in the Atlantic area are based on a partnership between Western Europe and North America, founded on equality of rights and duties and on a balanced development which may be furthered through ever closer technological cooperation. The two nations share a common desire to create an atmosphere of cooperation and to bring about the relaxation of tensions among all the nations of the European continent.

The prospects for broadening the foundations of peace were examined. In this connection, it was agreed that a treaty to limit the dissemination of nuclear weapons, which takes into account the legitimate interests of all countries concerned would contribute to that end.

It was agreed that the two countries. deeply concerned by recent events in the Middle East, share a particular interest in the reestablishment of peace and stability in that area. With respect to Southeast Asia, confidence was expressed that an equitable settlement of the present conflict will be reached on the basis of freedom so as to strengthen the fabric of peace everywhere.

The two Presidents welcomed the recent agreements reached in London on international monetary liquidity and agreed on the importance of achieving agreement on this matter at the meeting of the International Monetary Fund at Rio de Janeiro later this month. They expressed satisfaction at the successful conclusion of the Kennedy Round trade negotiations, and underlined the great importance which they attach to assisting the developing nations in obtaining a higher standard of living and greater economic growth.

The two Presidents agreed on the great importance of these consultations among close allies, which contribute to the strengthening of understanding and cooperation between the two countries, and thus to the achievement of the common objectives of progress and peace for all mankind.

VISIT TO VIETNAM BY HARRY S. ASHMORE AND WILLIAM C. BAGGS

Mr. McGEE. Mr. President, under the Constitution of the United States, the responsibility for conducting the foreign policy of our country rests with the President, plus the advice and consent of the Senate. Nowhere that I can detect does it assign even a modicum of responsibility to private citizens—however brilliant or important they may be. Thus, I am amazed at the current flap which has accompanied the news stories containing the allegations of Harry S. Ashmore and William C. Baggs about their personal roles in approaching Mr. Ho Chi Minh in North Vietnam. The mystery is why two such sophisticated and experienced newspapermen would resort to news headlines to record what must have at the very least been a confidential responsibility entrusted to them by our Government.

One does not have to cast aspersions upon either the bias or the hopes which the two newspapermen may have entertained in regard to their mission. As men of this modern world, they surely could not have deluded themselves into believing that they were the sole emissaries of the President of the United States in their personal quest for peace. Both of them have been around long enough to know that, at the very least, theirs was but one of many efforts on as many levels and from as many sources as possible aimed at probing the Iron Curtain around Hanoi for possible breakthroughs which might lead to negotiations. If they did not understand this simple constitutional fact of life in the American system of government, they then stand even less qualified to speak on public questions than one might ordinarily expect from so-called leaders of the American press.

Surely neither of the men involved could have believed otherwise. When their efforts got nowhere, they should have let the matter drop. If they were sincere, private citizens bent upon peace, they would have done well to avoid the role of public actors bent upon a headline stunt. They should have regarded themselves more properly as quasi-soldiers on the diplomatic firing line, rather than as prima donnas in the center of the world stage. Therefore, either their recent outbursts condemn them as being naive about the ways of diplomacy as well as ignorant of the Constitution of their own country, or they are arrogantly presumptive of their own omniscience. Their quest for publicity is beneath the dignity of the kind of responsibility with which they were charged.

Appropriate to this issue is an editorial published in the Evening Star of September 19. It is objective, moderate, and, most important, directly to the point. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

STATE AND THE EDITORS

The State Department has come up with two reasoned and telling answers to the charge that the administration purposely scuttled the efforts of two American newspaper editors to bring Hanoi to the negotiating table.

First, according to the State Department, neither editor was aware that at the time of their meeting with Ho Chi Minh, the administration was itself in secret contact with Hanoi via Moscow—a channel that was understandably considered somewhat more important than the impressions of two private citizens. Second, the President's letter was not intended to pull the rug out from under anybody. It was, in fact, quite similar in content to the proposals advanced by the editorial emissaries.

There is no need to doubt the sincerity of the two editors, Harry S. Ashmore of the Arkansas Gazette and Willliam C. Baggs of the Miami News. Unquestionably, they believed, as Ashmore charged in the accusatory magazine article, that President Johnson had moved in on their small, hopeful flame and poured cold water all over it.

But, at the same time, it should be clear that the two men were in no position to view their efforts against the background of the continuing diplomatic maneuvering with Hanoi. To Ashmore and Baggs, their visit to Hanoi was the sum total of their experience in the field of international diplomacy. To the President and his Secretary of State, it was one more piece in the complex Asian jigsaw puzzle.

As for the content of the two letters, Ashmore is critical of the President for what he terms "the most stringent demands yet made for advanced assurance that Hanoi would halt infiltration of troops into the South." In fact, what the President said was that he was prepared to stop the buildup of American troops and to halt the bombing of the North "as soon as I am assured that infiltration into South Vietnam by land and sea has stopped."

Ashmore, in his letter to Ho, suggested "some reciprocal restraint" to a halt in the bombing and in the American buildup, "to indicate that neither side intended to use the occasion of the talks for military advantage."

There is a fine line, indeed, between the two positions. And it should also be remembered that when the President's letter was made public by Hanoi last March, the general reaction was that it was the most conciliatory approach made until that time by the administration.

Ashmore's reaction to the incident is, in our opinion, understandable but mistaken. His choice of language—charging the administration with "an almost total lack of candor," claiming that the President "effectively and brutally canceled" an opportunity for peace talks, tossing out such terms as "crude duplicity" and "double dealing"—should also be no cause for concern. Ashmore is, after all, a former newspaper editorial writer. And editorial writers, it should be remembered, are not generally noted for restraint in the expression of their opinions.

NEVADA'S REDUCED CRIME RATE

Mr. BIBLE. Mr. President, Nevada is one of a handful of States which have reduced their crime rate in recent years while the national average has been rising steadily. We in Nevada take understandable pride in this accomplishment. Part of the credit must go to an informed citizenry which cooperates vigorously with law enforcement agencies. But the greatest credit belongs to the law enforcement officers themselves.

Almost without exception, sheriffs' offices and police departments in Nevada have met the crime crisis by strengthening their forces and adopting new, modern techniques aimed at crime prevention and quick apprehension of the lawbreaker. Many agencies have completely overhauled and streamlined their entire operations in recent years. The result has been more effective law enforcement and greater safety for the public.

An example of the Nevada law officer's professional approach and progressive thinking is provided in the September 1967, Law Enforcement Bulletin published by the FBI. Featured in this issue is an article entitled "Fingerprint Records for the Small Department." It was coauthored by Chief Francis "Dan" Taelour, of the Elko, Nev., Police Department, and a member of his staff, Sgt. Robert Brush.

The article, I believe, will serve as an invaluable reference tool for police departments which may be considering procedures to update their classification of fingerprints. I ask unanimous consent that portions of the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

FINGERPRINT RECORDS FOR THE SMALL DEPARTMENT

(By Francis D. Taelour, chief of police, Elko, Nev., and Sgt. Robert Brush, Elko, Nev., Police Department)

In all police departments in every section of our country, there comes a time when an evaluation of the presently employed system of maintaining fingerprint records becomes necessary. This is especially true in the small police department located near or adjacent to a large metropolitan area or a national highway. The current influx of transient persons into such areas makes it imperative that the police department function in the most efficient and progressive manner possible.

Many small police departments are still utilizing the original filing system that was set up on a numerical or alphabetical basis at the time of inception and organization of the department. In many cases this filing system has never been revised since it was begun 20 or 30 years ago.

TOP RESPONSIBILITY

The desire to have a classified fingerprint file must, of course, originate with the top administrator of the department. It is his responsibility to the public and to the department to keep the organization operating at peak efficiency. Once the need for revision is realized and the desire to accomplish this revision is present, the major obstacles to making the desire a reality have been overcome. There are now only two other items to consider. First is the training of some member or members of the department in the technical aspects of interpretation, classification, and filing of all fingerprint cards. Next is the overall price of the revision.

A minimum of equipment is needed, and it is inexpensive and readily available. A fingerprint magnifier with a Henry disc insert may be obtained for approximately $25 from any law enforcement supply house. A ridge counter for classification purposes costs less than $2. A serviceable ridge counter may be improvised by filing a point on an old crochet needle. The needed classification index guide cards, if purchased, will cost in the area of $70 and will accommodate up to 5,000 sets of fingerprints. These, too, are readily available through one of the department's supply houses.

THE TRAINED TECHNICIAN

The presence of a trained fingerprint technician is indispensable to the establishing of a classified fingerprint file. He is the man who must process the fingerprint cards and actually put into practice the mechanics of establishing the fingerprint file. The technician must also arrange for the basic training of all other members of the department in the method of searching the file for a set of fingerprints. The procedures to be used must be carefully explained to each officer if the full value of the file is to be constantly realized by the department.

Experience has clearly shown that even after the officers have been trained to properly search the files, mistakes will be made in refiling the fingerprint cards once they have been examined. This type of mistake in a classified filing system can be nearly fatal to the operation of the system since a lost or misplaced card may be lost forever. For this reason it has been a rule in our department that a card once removed from the file by an officer be placed in a box to be refiled later by the technician or his assistant.

It is important in the small department that each man be capable of conducting an intelligent search of the files. Crime and criminals do not work an 8-to-5 shift. The fingerprint technician will not be present 24 hours a day to search the file, and it is therefore necessary that each officer be able to find the fingerprint card that he needs when he needs it.

CONCLUSION

Certainly, this article is obviously not intended to be a comprehensive study of fingerprint filing systems. Rather, it is written with the hope that a new awareness of the value of a properly operated fingerprint filing system will be brought home to the small department. The desire for such an upgrading of the department's filing system must originate with the administrative head of the department.

DOUBLE STANDARDS

Mr. LONG of Missouri. Mr. President, on October 5, 1966, I placed in the RECORD a long report on the double standards used by the Food and Drug Administration with respect to cancer research done on the one hand by Government-sponsored scientists and on the other hand by scientists and doctors who chose not to use money from "the establishment."

This report dealt in particular with the absolute refusal by FDA to permit a distinguished Ohio surgeon to continue with his very promising anticancer experiments which were based on variations in the enzyme content of cells.

I pointed out that this surgeon, Dr. F. L. Shively, Sr., of Dayton, had achieved most remarkable and promising results with his enzymic treatment of human cancers.

Dr. Shively, who has spent a number of years in this exclusive pursuit of at least a partial answer to the cancer riddle, is a man well up in his seventies. He will not be with us forever. His whole project has been totally blocked by FDA for several years.

Their stubborn refusal to permit him to proceed is allegedly based on his inability to comply with all of the bureaucratic rigmarole required by FDA when it does not want a research program to go forward. Government or Government-sponsored medical research often goes forward with no controls whatever.

The dramatic irony of this situation is illustrated by a brief article in the Washington Post of September 11, 1967, entitled "Two Cancer Leads Give Promise." I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TWO CANCER LEADS GIVE PROMISE

NEW YORK, Sept. 10.—Two promising new leads in cancer research were described in the sixth annual report of the Memorial Sloan Kettering Cancer Center released today.

Earlier experiments showed a component of human white blood cells known as the "transfer factor" is able to transfer certain types of immunity from one person to another. Now Sloan Kettering researchers have apparently reversed the course of an inoperable, widespread breast cancer by giving a patient the transfer factor from an apparently immune donor.

Scientists explained that it is possible that persons over 50 years of ago, without a history of cancer, may have responded with an immune reaction that enabled them to eliminate cancer cells before they showed any evidence of disease.

The report cautions that findings to date are preliminary and that extensive testing is necessary to verify the results.

The second new lead discussed in the report concerns the biochemistry of cancer. The great difficulty with chemical treatment of cancer has always been that any agent that will attack cancerous cells will also attack healthy ones.

Now it has been found that an enzyme produced by the bacterium escherichia coli does inhibit the growth of lymph cancers in mice, rats and dogs. The enzyme breaks down an animo acid required by certain types of cancer cells. When injections of the enzyme, known as L-asparaginase, are given, the cancer cells are inhibited.

The Center reported today that preliminary tests have been begun in a few selected patients.

Mr. LONG of Missouri. Mr. President, the Sloan Kettering Cancer Center, which gets over $4 million from the Federal Government each year—and for 1967 this amount is in a single lump-sum grant—has now come up with a single enzyme which inhibits the growth of lymph cancers.

Dr. Shively experimented for over 10 years with as many as five enzymes and with remarkable results, which have been independently confirmed by Dr. Michet in Chicago.

It would be my estimate that Sloan Kettering may not be more than 5 or 10 years behind where Dr. Shively would have been if the bureaucratic FDA had not blocked his efforts.

In due time, Sloan Kettering, a famous institution with which I have no quarrel whatever, may come up with a partial or complete answer to the cancer riddle based on enzymic balances. We certainly hope that they or the National Cancer Institute find the answer or answers to this riddle in the near future.

Meanwhile, it is past overdue that the American people and the Congress demand of the FDA that it apply the same standards to private medical research as it does to Government-sponsored and Government-financed research. Many, if not most, of the great advances in medical knowledge have come from individual doctors or drug companies who are not controlled or financed by the Government. The time is long since past that improper and dictatorial control of the medical profession should be taken away from the FDA, and the medical profession allowed to have again its rightful position of authority in the American system of checks and balances.

CONTROL AND PREVENTION OF ALCOHOLISM

Mr. MOSS. Mr. President, not quite a year ago, the Department of Health, Education, and Welfare began work on a new national program to control and prevent alcoholism. The Department acted upon instructions from President Johnson contained in his 1966 health message to the Congress. I was pleased during the weekend to learn of the progress being made toward the goal set by the President.

A monograph published by the Public Health Service on "Alcohol and Alcoholism," reported that an expanded program is underway in HEW. Two purposes are being pursued simultaneously: First, to make available the best treatment and rehabilitative services to those who need them now; and, second, to develop effective, practical, and acceptable methods of preventing alcoholism and excessive drinking.

The new National Center for Prevention and Control of Alcoholism is at work in the National Institute of Mental Health. This new Center is the focal point for basic and applied research, training, demonstrations, and technical assistance to non-Federal agencies. The Office of Education, the Vocational Rehabilitation Administration, the Welfare Administration, the Food and Drug Administration, and St. Elizabeths Hospital all are taking part in the effort.

As Secretary Gardner observes in his foreword to the monograph:

> No other national health problem has been so seriously neglected as alcoholism. Many doctors decline to accept alcoholics as patients. Most hospitals refuse to admit alcoholics. Available methods of treatment have not been widely applied. Research on alcoholism and excessive drinking has received virtually no significant support.

But we are recognizing that alcoholism is a disease—no more moral or immoral than tuberculosis or pneumonia—and that we have not dealt with it adequately. The monograph takes a calm, dispassionate view of what we know now about alcohol and alcoholism. In my opinion, it is a first big step toward understanding and eventual control of this disease.

I commend the National Institute of Mental Health's report for still another reason. The public must be informed. As Dr. Stanley F. Yolles, Director of the Institute, points out:

> The results of research would be largely wasted unless they could be communicated to the adults and the young people in our society whose welfare may be intimately involved.

Much of what is popularly believed about alcohol and alcoholism simply is not supported by modern knowledge. The public must know that there are treatment methods now available which can be effective. The public must know that how much a man drinks may be less important than when he drinks, how he drinks, and why he drinks.

This first report from the National Institute of Mental Health and the new National Center for Prevention and Control of Alcoholism helps to broaden our understanding of the problems. I am confident that public support and public participation in the effort to prevent and control alcoholism will increase as public understanding of the problems increases

ANACOSTIA NEIGHBORHOOD MUSEUM

Mr. HART. Mr. President, on Friday evening, September 15, one of the Nation's great cultural and educational organizations embarked upon a most noble and potentially beneficial program.

The Anacostia Neighborhood Museum, a completely new enterprise, is the result of a close collaboration between residents of Southeast Washington and the Smithsonian Institution. For some time, Secretary S. Dillon Ripley, of the Smithsonian, has been exploring ways to make the Smithsonian's vast storehouse of knowledge easily accessible to all people.

Like community groups all over the United States, citizens in the Southeast-Anacostia area of Washington have been working to make their neighborhood a more attractive place in which to live and rear children. Among the problems they faced are unemployment, racial discrimination, exploding population, deteriorating public housing developments, and inadequate schools and recreation facilities.

In November 1966, Washington newspapers published an account of Mr. Ripley's remarks to museum directors at a meeting in Aspen, Colo. Mr. Ripley told his audience to try taking their museums to the people. He suggested they rent buildings in low-income neighborhoods and install exhibits that could be touched and operated. He noted that many people learn more through touching and handling than through reading. Furthermore, the close study of objects can awaken skills and creative drives dormant in all of us.

Local community leaders in Anacostia considered Southeast Washington an excellent area to experiment with a neighborhood museum. They also thought that the old Carver Theater at Nichols Avenue and Talbert Road was an ideal location for exhibits and related activities. In January 1967 community leaders met informally with Smithsonian representatives and enthusiastically offered to cooperate in creating an experimental neighborhood museum in Southeast Washington.

With the help of the Greater Anacostia Peoples, Inc., an advisory council was formed for the neighborhood museum. The council represents all segments of the local community: civic and youth groups, tenant councils, schools, recreation programs, the police, business and professional organizations, the clergy, the local fraternal groups, and others. Members of the advisory council and Smithsonian staff, eager to see their ideas become reality, met often during the winter and spring of 1967. After much consideration a name was chosen for the new museum, the first set of exhibits was selected, and the search began for a director. Mr. John Kinard, a native of Southeast Washington and a man experienced in the wide range of self-help programs for young people in Africa and in the United States, was selected.

Thanks to generous gifts from the Carnegie Corp. of New York, the Eugene and Agnes E. Meyer Foundation, of Washington, and the Anna S. Richardson Fund, of Connecticut, funds were available to rent the Carver Theater and begin its renovation. The advisory council urged that as much as possible of the preparatory work on the building and the exhibits be done by neighborhood people, and the local teenagers were impatient to get going.

Since July 1, 2405 Nichols Avenue SE., has been a beehive of activity. Under the talented guidance of the Smithsonian exhibits department, beginners, and professionals of all ages have been at work scraping, plastering, painting, laying new floor, making curtains and planting the outdoor exhibits area. Much help came from the trailblazer program, an experimental work-recreation-beautification program for youths, administered by the District of Columbia Recreation Department, and from other teenagers in the Neighborhood Youth Corps and work scholarship programs. With the installation of the first exhibits, the neighborhood museum came alive.

The advisory council is already planning for the future and considering applied science exhibits that demonstrate modern technology, historical exhibits on the Negro's role in the United States, and a broad historical survey of the development and goals of the various civil rights organizations.

This formal opening of the Anacostia Neighborhood Museum is an exciting human event. The development of the museum programs may well add an important new dimension to our understanding of how man learns about his world and of how museums may increase their role in the world of today and tomorrow.

As Mr. Ripley said on the formal opening of this museum:

> One of the nicest things about museums, is that they speak for themselves better than anyone can speak for them. Words are a very pale substitute for the real objects that museums contain.

The reality of the Anacostia Neighborhood Museum speaks of the possibilities of cooperation among people and institutions of all kinds and conditions.

The success of the Anacostia Neighborhood Museum should serve as a challenge for all of us to continue to explore the limitless possibilities that this type of endeavor may afford. Working together the people of every city in the Nation, united by good will and by a determination to use every resource at their disposal, can reach a common goal of betterment of the slums and ghettos.

SAFEGUARDING PRIVACY

Mr. LONG of Missouri. Mr. President, there is today a concerted effort, at both National and State levels, to preserve the privacy of the American citizen. This right of privacy, if it can be protected, can only be accomplished through the mutual cooperation of State, local, and Federal bodies.

A recent editorial in the Des Moines, Iowa, Register, urges the Iowa State Legislature to pass legislation dealing with State wiretapping and eavesdropping activities. The Register is to be commended for its forthright stand on this important issue, and we certainly hope that the next session of the Iowa Legislature will follow through on the suggestion.

I ask unanimous consent that the editorial published in the September 8, 1967, Des Moines Register be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SAFEGUARDING PRIVACY

> It's doubtful that many people who read the reports in this paper last weekend of minute devices that permit eavesdropping on business, political, legal, medical, personal and other conversations have been or ever will be subject to electronic eavesdropping. The possibility that their privacy can be invaded without their knowledge or consent, however, is cause for concern.
>
> No one can really be certain at any time that someone he does not know, for reasons he cannot know, is not "bugging" his conversations or "snooping" into his private life.
>
> Justice Louis Brandeis called the right of privacy the "right most valued by civilized men." In his message on crime last February, President Johnson called it "the first right denied by an totalitarian system" and said it was "associated in the minds of most Americans with the right to be free of unlawful searches and seizures."
>
> A bill to ban wiretapping and eavesdropping except in national security cases has undergone hearings in the House and Senate, but it has yet to come to debate. The widespread distribution and ease of access of bugging and snooping devices points clearly to the need for action soon to restrict their use.
>
> The Iowa Legislature during the past session considered a bill to deal with such activities in the state. The bill had some flaws, and it became lost in the legislative shuffle. It should be revived in the next session.

OREGON HIGHWAY DEPARTMENT

Mr. MORSE. Mr. President, the highway department of the State of Oregon has long been recognized as one of the finest in the Nation. It has been widely commended for its innovative work in highway comfort and safety. I am particularly pleased to note that the excellent work of this department has been recognized by commentary in the September issue of Highway User, the professional publication of the National Highway Users' Conference.

As the article points out, Oregon led the country in its exploration of the subject of roadside rest areas. Its pioneering work has resulted in a system of auto turnouts along Interstate Highway 5, for example, that combine simplicity and comfort in a beautiful setting, providing a welcome place for the weary motorist to relax and refresh himself. The direct effect of these areas on traffic accidents would be difficult to measure statistically; but there can be no question that this important program has effectively lowered the probability of accidents resulting from driver carelessness induced by unrelieved fatigue. I take pride in congratulating the Oregon highway engineers on this signal contribution to highway safety.

I ask unanimous consent that this timely article be printed in the RECORD.

There being no objection, the article

was ordered to be printed in the RECORD, as follows:

REST FOR THE WEARY

(By John J. Earley)

Innovations in highway construction, particularly when dedicated funds are utilized, are always approached cautiously. This was the case in Oregon in 1956, when studies were being made concerning the Interstate System. The subject of providing areas where weary motorists could pull off the busy freeway and relax until they were refreshed and ready to continue their trip safely had been advanced but was viewed with some trepidation because of possible public outcry over the expenditure of funds involved.

At the time these areas were being planned, there was no experience factor on which to base sound planning requirements. To be sure, Oregon had always been listed among the forerunners in providing areas where travelers could pull off the main highway and enjoy the beauty of surrounding countryside before continuing their journey. Oregon law early provided for the acquisition of scenic strips to preserve the natural beauty of the countryside. Even in the days of the "Old Oregon Trail," the main route for many pioneer travelers coming to the Pacific Coast, turnout locations were provided where the wagons could pull off and let man and beast rest.

TREES AND SHRUBS

Other early Oregon settlers took special pains to provide beauty along routes where it had not existed by planting trees and shrubs and caring for them. When the highway along the Columbia Gorge was refurbished shortly after the turn of the century, turnouts were provided at appropriate locations. This helped win this highway world renown for scenic beauty—a beauty that could be enjoyed.

Then, too, the highway department had provided waysides and picnic areas along some of its primary and secondary highways, but these were on an entirely different scale than had been proposed for the Interstate System. This might well be called the "era of the minor rest area," while that of the Interstate System might well be dubbed "the era of the major rest area," for they are far more extensive.

In 1948, a separate landscape division was added to the highway department, and the thinking along the line of waysides and roadside safety rest areas began to change.

A coordinated statewide system of waysides and roadside safety rest areas was developed. As millions of Americans took to the highways following the lifting of gas restrictions of World War II, the need and demand for these areas became more pronounced.

ESTIMATES MADE

As Oregon's highway engineers pondered the problem in 1956, estimates were made on probable use, and the figure of three to four per cent of the average daily traffic was advanced. It was believed that truckers would make little use of the rest areas. In addition to size, the question of what to include was also being considered. There was little question that rest room facilities should be included, along with potable water. It was decided that they should be well illuminated for full night use. Easy access to and from the freeway had to be provided, but the next question was where and how far apart should they be. Should they be close to cities, or in fairly remote areas? These were only a few of the items which the early planners had to consider.

When the survey involving the proposed Interstate routes through Oregon was launched in 1956, it was proposed that the sites for the safety rest areas be from 45 to 50 miles apart. After the survey had been completed and additional study made, it was decided to space them approximately 35 miles apart, and along Interstate 5, extending north and south through Oregon, this is what they are today. Construction on Interstate 80N is not yet completed.

The first safety rest area on Interstate 5 was constructed at Oak Grove, between Albany and Eugene. Limited parallel parking space was provided for trucks. When opened to the public in 1962, this site soon proved woefully inadequate to take care of the demand, particularly of truckers.

POPULAR

No one had truly envisioned the immense popularity of these areas, which allowed the harassed driver and his cramped passengers an opportunity to stretch their legs and relax. As mentioned previously, Oregon was a pioneer in this field, and there was no experience factor on which to base plans. The number of truck drivers taking advantage of these areas far exceeded the wildest estimate. It soon became evident that changes would have to be made in the original planning. More and better space would have to be provided for trucks.

The restful atmosphere provided by these safety rest areas, constructed and landscaped to blend with the surrounding countryside, has lured many weary travelers to relax in this aura of tranquillity. The planning and calculated risk taken in the construction of these sites have been repaid a thousandfold. In some areas, the use factor has risen to 15 to 17 per cent of the average daily traffic on that stretch of highway. The highway department has received innumerable letters from across the country expressing the delight and appreciation of motorists who have paused to relax.

Oregon's planners in this field have now risen from the ranks of innovators and are experts whose advice and experience is eagerly sought in this area. Many ask for the description and cost of an average safety rest area. This is difficult to give because there is no average rest area. While they may look similar, no two are alike, nor are they constructed under similar circumstances. The size of the parking lot is based on a percentage of the average daily traffic for that particular section of the freeway.

TOO LOW?

After the initial experience of Oak Grove, it was decided to provide for a 12 per cent use factor, programmed 20 years into the future. As can be seen, in some cases this figure may have been too low. Separate parking areas were provided for trucks and trailers and passenger cars. It is all angled parking. In addition to rest room facilities and safe water, picnic tables and a large map board were provided. The sealed map board displays an official highway map and an enlarged map of the immediate area. The sites are well lighted, and adequate acceleration and deceleration lanes are provided with easy access to and from the highway.

Undoubtedly, landscaping and building architecture have played an important role in the popularity of the safety rest area. Trees, shrubs and flowers indigenous to the area are used around the locations. During the summer months, the areas are a bevy of color, thanks to the native flowers. Every effort is made to keep maintenance to a minimum. Trees and shrubs are selected with this in mind, and facilities, while wholly adequate, are simple. The areas are kept in a spotless condition, which adds to their attractiveness. Disposal cans are scattered throughout the areas, which helps immensely with the litter problem. The structures are not ornate, but are designed to blend with the surrounding terrain.

ASSISTANCE

As a matter of course, informational attendants are not stationed at these sites, but maintenance personnel attired in identifiable uniforms with State patches are invariably present during daylight hours. These attendants are instructed to assist travelers by imparting bits of tourist information. At the Siskiyou Information Center, a safety rest area a few miles north of the California-Oregon State line, the highway department employs trained information specialists during the tourist season to advise travelers of Oregon's facilities. At the Baldock area, a "Grove of the States," is being added. This grove will feature the State tree of each of the 50 States, although in a few instances substitutions have had to be made because of Oregon's climate. There will be rustic paths and signs to guide the traveler through the area.

The safety rest areas are not constructed to provide for overnight camping, but the question is often raised as to how long one can stay in a location. As the name implies, they are built for safety purposes—to provide a haven where a tired and weary driver can pull off the highway and relax. No one is about to tell a tired driver to get out on the freeway and move along. The chance of accident is too great. How long one can stay in a particular area has never been tested officially, but authorities are lenient except when it comes to camping in the area.

BIG SUCCESS

To say that the safety rest area has been a success in Oregon is to put it mildly. Letters from hundreds of satisfied motorists will attest to this. The State now has eight double units and two single units along Interstate 5. When Interstate 80N is completed, there will be six double units along this stretch of freeway. Throughout the State, including primary and secondary highways, there is a total of 54 units. It is an unusual sight to drive along the freeway in any kind of weather and at any time of the year and not to see them well occupied.

It is an innovation that the planners have a right to be proud of, both in enjoyment to the traveling public and in the number of lives saved. There is no way of measuring the number of lives saved accurately, but there is little doubt that the tired driver is a menace on today's high speed highways. To give him a safe spot to relax cannot help but result in lives saved.

ITALY AND AMERICA: A WARM AND FIRM FRIENDSHIP BETWEEN TWO GREAT NATONS

Mr. HART. Mr. President, the closeness of Italy and the United States, of all things Italian, and all things American, was never more aptly illustrated than in the exchange of remarks between President Johnson and President Saragat as they met at the White House a few days ago.

Each President spoke of the warmth and esteem which his people felt for the other.

Each President traced the historic and close relationship between Italy and the United States.

And each President stressed the fact that we are closer today politically, economically, and culturally than at any time before in our history.

This is the kind of relationship which the United States wants to improve and strengthen in the days ahead. And the policies of the Johnson administration are devoted to a newer and closer friendship between our two countries.

It was particularly noteworthy to read President Johnson's praise of President

Saragat as one of the advocates of the new alliance and partnership between our two nations, an alliance which has now become an Atlantic community of nations.

I take deep personal pleasure in asking unanimous consent to have printed in the Record the exchange of greetings between President Johnson and President Saragat as they met at the White House just a few days ago.

There being no objection, the greetings were ordered to be printed in the Record, as follows:

Exchange of Remarks Between President Lyndon Baines Johnson and President Giuseppe Saragat, of Italy, on the Latter's Arrival at the White House

President Johnson. Mr. President, Mr. Foreign Minister, distinguished ladies and gentlemen, I am honored to extend America's warm welcome to our friends from Italy.

We know President Saragat as the leader of a very great and venerated nation. We know him also as a patriot who fought for freedom, who know the bitterness of exile, and who now leads a free people to new prosperity.

As we speak here today on the White House lawn, we are being seen and heard by the good people of Italy, by means of communications satellite and a new station at Fucino.

So I have the chance, Mr. President, not only to address our welcome to you, but also to speak to your people.

I want them to know of our affection and our esteem for Italy. Italy has enriched America beyond measure; it has earned a debt beyond repayment.

A country is no more than its people, and America has been blessed with millions of families who trace their ancestry back to Italy. They have given color, force, and vitality to our American character.

Our people are united both in blood, and by a love of beauty. The genius of your people has made Italian art and literature, music, science, and architecture a treasure of our Western civilization.

Last year, when the floods came to Florence, it was not only Italy that felt the shock of loss; it was the entire world. It was not only the people of Italy who responded; it was the people of the world. I am very proud that so many Americans played a part in helping to repair and restore those works of man's spirit.

Because we love Italy, Americans rejoice in your country's unprecedented prosperity, and the well-being it is bringing to your people. The remarkable recovery that has marked your economy in the past few years has established Italy as a strong partner in the European community. It gives convincing evidence of the energy and skills that are characteristic of the Italian people.

The interest our two peoples have in each other is very real. Last year, 613,000 Americans toured Italy, and nearly 45,000 Italians visited America. I hope thousands more Italians will come to visit us in America. Each visit, by each person, is still another bond between us. Whether we meet as heads of state, or just as vacationing tourists, we have much to learn from each other.

For the past two decades, our nations have been joined in an intimate partnership and alliance. You, Mr. President, were among the first to recognize the necessity of that partnership. You have always been its advocate and champion.

You have been, in the words of Dante ". . . like a firm tower that never sways from the blowing of the winds."

An Italian led the way to the New World. So has modern Italy led in the rebuilding of the old.

Mr. President, it is with great pleasure that Mrs. Johnson, I, and other members of our official family, welcome you here to the White House this afternoon.

We know that our talks will be most pleasant and most rewarding.

Thank you for having come.

President Saragat. Mr. President, I sincerely thank you for the courteous words with which you have welcomed us, and I am happy to extend to you, and to the great Nation that you guide, the greeting of Italy.

The Italian people look to the United States as a friend and ally, to which they are bound by many common ties of civilization, a long-standing tradition of intense political, cultural and economic relations, and by an ardent faith in the great ideals of liberty and human dignity.

These ties, this tradition, and this faith constitute the foundations on which the solid edifice of friendship between our two nations has been built, a friendship which, while having its roots in the distant past, has always been renewing itself and which is, today more than ever, alive, vigorous, and rich in benefits for our people, furthering freedom, security and peace for all and being therefore an element of progress for mankind as a whole.

Great men in the history of our countries—men who have left an important imprint in all fields of human civilization—have taken part and are now taking part in the construction of this edifice of friendship. But foremost in my thoughts is the landing in this free country of millions of Italians who have found here a home and work, bringing with them the contribution of their untiring ingenuity.

They are proud to be citizens of the free American Republic, as they are of their Italian heritage. They constitute a powerful bond of friendship between two peoples who have been brought close together by common ideals, historical events, and technological progress. I have mentioned technological progress also because, as you yourself have recalled, an American satellite and several very modern installations built in Italy are permitting Italians and Americans to see and hear us at this very moment on both sides of the Atlantic.

The invitation that you, Mr. President, have kindly extended to me confirms the friendship which links our two countries, a friendship not only of Governments, but also—which is more important—of peoples. In this way we are offered the possibility of having an open and frank exchange of views which will include the problems of common and direct interest as well as the more general problems whose solution is daily becoming more urgent and more necessary if mankind is to enjoy—as we fervidly wish—the benefits of peace, of justice and liberty for which it is striving to the utmost.

Mr. President, I am very grateful to you for having offered me the opportunity to return once again to the hospitable soil of America. I am sure that I shall be able to look again at the gratifying reality of the friendly relations that bind our two countries, and to contribute, with you, to their further strengthening.

THE WAR IN VIETNAM VIEWED WITH INCREASED SKEPTICISM

Mr. FULBRIGHT. Mr. President, the reactions of Senators on both sides of the aisle to the present course of American foreign policy are described most aptly in an article written by Don Oberdorfer and published in the New York Times magazine of September 17, 1967. Entitled "Noninterventionism, 1967 Style," the article points out that Senators with long and distinguished careers are viewing our widespread commitments with increasing skepticism.

While Vietnam is of immediate concern, this article discusses the tendency of our Government to involve us in a variety of civil and political upheavals abroad, the results of which are of doubtful importance to the security of the United States.

Mr. Oberdorfer is an able reporter, and I believe that his article presents a fair and objective analysis of a growing body of sentiment in the Senate.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Noninterventionism, 1967 Style

(By Don Oberdorfer)

Washington.—On Saturday, July 8, Secretary of State Dean Rusk telephoned Senator Richard B. Russell of Georgia to inform him that three United States Air Force jet transports and 15 men were being ordered to the Congo as logistical and political support for the Mobutu Government in its battle with rebels and mercenaries.

The Senator was distinctly unhappy at this news, and he bluntly told the Secretary so. He saw no reason for the United States to become involved in Mobutu's domestic crisis. And should G.I.'s be endangered or killed, he reasoned, the pressure would mount to send more men to handle the problem.

To Russell, it was painfully reminiscent of an afternoon 13 years before in an Atlanta hotel room, when the emissary of another President broke the news that new arms aid and some technicians were being sent to Indochina in an effort to help the tottering French. "You can assure the President [Eisenhower] and the Secretary of State [Dulles] that I will not say a word about this publicly," Russell had told his informant, then-Assistant Secretary of State Thruston B. Morton. "But you can also tell them for me that this is the biggest mistake we have ever made."

The vivid memory of that occasion had often returned to haunt Richard Russell, and this time he resolved not to repeat his public silence of the past. And so it was that shortly after the Senate met on Monday noon, July 10, the prestigious chairman of the Senate Armed Services Committee rose in his seat, cocked his head to one side as he is wont to do when angry, pounded his desk and denounced the dispatch of the three planeloads to the Congo as unjustified, immoral and unwise.

One after another, the elders of the Senate—Democrats and Republicans, liberals and conservatives, "doves" and "hawks"—rose to echo his words with protests of their own. J. W. Fulbright of Arkansas observed acidly that "we have almost acquired a habit, seems to me, of intervening wherever the slightest eruption takes place." Mike Mansfield of Montana was "shocked, surprised and dismayed . . . because I do not believe we can involve ourselves in any and every part of the world." Milton R. Young of North Dakota said this appeared to be a "continuation of the policy that was initiated following World War II, at which time the experts in the Pentagon and the State Department determined that we were going to police the whole world." John C. Stennis of Mississippi declared ruefully that "if we have not already learned a lesson by going in alone and getting unnecessarily involved on the other side of the world, we will never learn it."

The explosive reaction in the Senate brought Secretary Rusk hurrying to Capitol Hill to promise early withdrawal of the planes and men. Orders were dispatched to the pilots in the Congo to exercise supercaution in performance of their mission. (The orders were followed, and as of last weekend, two of the planes had returned.) And whether by connection or coincidence, the State Department quickly announced it had rejected a similar and pending request for military help from the embattled Government of Nigeria.

While the tempest over the Congo planes was fleeting, the sentiment behind it was not. Since the turn of the year, this abhorrence of intervention, this allergic reaction to further United States involvement abroad, has found repeated expression in the 90th Congress. It is emerging as a notable new fact of life in Washington:

In April, the Senate declined to give President Johnson the resolution he wanted to take with him to a meeting with Latin-American chiefs of state of Punta Del Este. Many lawmakers drew a parallel with the Tonkin Gulf resolution, which has been used to justify growing United States involvement in the Vietnam war.

In May, Congress for the first time in a decade rejected a new weapons system requested by the Pentagon—the $1-billion fleet of "fast deployment logistic ships" designed to provide emergency support to United States forces anywhere in the world. "If our involvement in foreign conflicts can be made quicker and easier," objected the Senate Armed Services Committee, "there is the temptation to intervene in many situations."

In June, lawmakers spoke vigorously and virtually unanimously in meetings with Rusk and other high officials against any unilateral United States involvement in the erupting Middle East crisis. And when the results of the fighting later turned out to their liking, the solons congratulated themselves on the wisdom and efficacy of remaining aloof.

In July, the Senators protested the dispatch of the Congo airplanes.

In August, the Senate Foreign Relations Committee began public hearings on a Fulbright resolution to define narrowly United States commitments to foreign powers. Senior conservatives in the Senate praised the study in an unusual public demonstration of solidarity with foreign policy dissenters.

The consortium of caution behind these developments is centered in the United States Senate, which has special responsibility for foreign affairs by Constitutional authority and by tradition, and it includes among its ranks leading members of the Senate establishment. This last fact is important, for the power of these elders—most of them from relatively safe seats in small states—can greatly influence both legislative and executive policy. Today these men are deeply troubled by the international travails and perils of their country. At the beginning of the third decade of the Cold War, they are coming to believe that the United States is drastically overcommitted in military and political alliances around the world.

Having approved security commitments with 42 countries in the Inter-American Treaty (1947), the North Atlantic Treaty (1949), the Southeast Asia Treaty (1954) and numerous bilateral agreements, they have long since seen the end of the era when American nuclear might appeared to guarantee international borders at a relatively modest cost. Nor has foreign aid lived up to its advance billing as a way to head off trouble at a fractional charge on the United States gross national product (with most of the funds returning in the form of military or nonmilitary purchases). And as the European powers have shed many of their colonies and global responsibilities and their willingness to intervene in distant lands, lawmakers have acquired the bitter feeling that America is all alone in a system of alliances without allies, with only servitors and mendicants to share as partners in case of foreign strife.

Unbelievable as it might have seemed in the aftermath of World War II, the United States at the beginning of 1967 was maintaining more than one million of its fighting men abroad. A little more than half of them were directly connected with Vietnam, but others were scattered in such places as Europe (365,000 men), Latin America (40,000), Japan (40,000), Korea (50,000) and Africa and the Middle East (10,000).

As of this April, the United States had military advisory teams—or their euphemistic equivalents—in at least 38 countries. Major United States military bases were being maintained in at least 20 countries, and more than 3,000 "minor bases" were scattered throughout the world. The United States was supplying some form of economic assistance to at least 76 countries—roughly three-fifths of all the nations on the earth.

Rather than protecting the United States against foreign entanglements, many of these exertions seemed to be a justifying basis for further involvement. This had proved to be the case in South Vietnam, which is the great object lesson and the most powerful force in the new thinking among the lawmakers.

The growing frustration of Vietnam is the root of the new noninterventionism. The fact that senior lawmakers prefer different exist doors—"more bombing," "negotiate," "withdraw"—tends to mask the common claustrophobia. "No more Vietnams" is a virtually universal sentiment on Capitol Hill.

While the war continues, additional involvement elsewhere, except under the most extreme circumstances, is considered unthinkable, for lack of available military manpower as well as political reasons. And beyond Vietnam, lawmakers are looking for a cutback in American ubiquity and burdens.

The "tough, hard-shell fellows," as one of their colleagues calls the senior men in Congress, are aware that this course will not be easy. Few of them take a cheery view of the prospects for tranquillity in the world. Communism is seen as a continuing danger, though badly shattered as a unified ideology. Friends must be assisted, promises must be kept. Yet Vietnam has impressed them as never before with the staggering price tag which may accompany intervention, while trouble at home has raised new questions about the nation's ability or willingness to pay. At the very least, these men are saying the enormity of the burdens demands great caution—and a decent sense of international priorities.

Most of them believe that Latin America is more important to this nation than Europe, Europe more important than Asia and Asia more important than Africa. One reason for the ferocity of the protest over the Congo was that in their eyes it was an extreme case involving an African country which can boast no United States military commitment and no apparent threat of Communism. Over and over, the noninterventionists say that the United States must not be "the world's policeman." They don't want to cop out of the world, for they find that impractical. But they don't want to cop over it either.

John C. Stennis, 65, is a former country judge from De Kalb, Miss., who prides himself on common sense, good judgment and the ability to "plow a straight furrow right down to the end of my row." Next to Richard Russell, who has been ailing with emphysema, Stennis appears to be the leading figure of the Southern establishment in the Senate and is well on his way to a similar role in the Senate as a whole.

Stennis is second to Russell on the Senate Armed Services Committee and his deputy on the Defense Appropriations Subcommittee, which together control the legislative authority and the vast sums of money for the United States military establishment and the Central Intelligence Agency. Stennis is chairman of the Senate Ethics Committee and, as such, the chief exemplar and judge of the conduct of his colleagues. And he is chairman of the Preparedness Investigating Subcommittee, a special military-affairs unit, established by and for Lyndon Johnson in 1950, which has recently called for stepped-up bombing of North Vietnam as a further pressure on the enemy in the Asian war.

Few people remember that Stennis—like most of his Senatorial colleagues of the time—vigorously and outspokenly opposed the inception of United States military intervention in Vietnam. In a series of 1954 speeches in the Senate, the Mississippian decried the dispatch of American "technicians" and predicted that the United States was "going to war, inch by inch" without the approval of Congress or the American people. A Communist takeover in Southeast Asia would have "serious consequences," he said on May 11, 1954, but "it would carry far worse consequences for the United States and the rest of the free world for us to become engaged in a long, costly and indecisive war that left us without victory."

Stennis looked with concern, then and now, at the drain on American manpower and resources and the resulting impairment of the nation's ability to meet other crises which might arise. Last summer, a full year before the Senate Foreign Relations Committee hearings on national commitments, Stennis held a Preparedness Subcommittee inquiry into the same topic, featuring Secretary of State Rusk and the chiefs of the uniformed military services. Measuring the commitments against the resources available to meet them, Stennis concluded that "we must make a hardheaded and realistic distinction between what we are willing to do and what we are reasonably able to do within the limits of our national resources."

Today Stennis says he and his colleagues in the Senate are at least taking a "second look" before leaping into further involvement in world troubles.

"This war in Vietnam," he explained on a recent afternoon, "has taught us dearly that in spite of our tremendous economic strength and modern military weapons, there are at least limitations to our manpower.

"To come to the rescue of a small nation like South Vietnam, with a supply line halfway around the world and relatively little aid from other countries, makes it virtually impossible for us to take on more than one large commitment at a time. Vietnam is also an illustration that those in alliance with us do not actually respond with help—as, for instance, the other SEATO members.

"These developments have been quite impressive to me," he says. "They should be a lesson to us."

In Stennis' view, Central and South America are far more vital to the United States as "our special area of the world" which is subject to the threat of subversion and infiltration arising from Cuba.

Looking at the postwar era, Stennis is unhappy that "we are the ones who have to stay and continue to pay the bill year after year, even after the fighting is over. South Korea is an illustration of this. It will also be true in South Vietnam, because I believe we will be there 20 years after the fighting has stopped—not for aggressive purposes, of course. We are really still in Western Europe even though the fighting stopped there in 1945."

And how does he square his cautious assessments of national power with his private and public demands for greater military action in Vietnam? To Stennis, who is deeply imbued with the Southerner's sense of "honor" and "the flag," there is no course but to see the battle through. He is reminded of a trip with his father long ago along the dirt roads of rural Mississippi. Another farmer's horse and wagon was mired in a ditch, surrounded by a great crowd of people wringing their hands and offering advice. "What he needs is not somebody to talk to him," said the elder Stennis, setting to work with determination, "but somebody to get him out of this hole."

"We're already stuck there in Vietnam," says the country judge who sits as one of a handful of the most influential men in the United States Senate. As he sees it, the task is not to argue about it, but to "get on with the job"—and to drive with greater care in the future.

Milton R. Young came to the Senate from his durum-wheat farm in Berlin, N. D., in March, 1945, just a few months before the end of World War II. A photograph taken just before his departure shows a lanky, narrow-faced farmer in bib overalls with his threshing crew, and 22 years in Washington have done little to turn Young into a capital "slicker" far removed from the views of his people.

Before the war, "Uncle Milt" (as he is known around the Senate) was an isolationist. Afterward, he supported the construction of the United States security system under the influence of events and of his fellow Republican, sometime isolationist Arthur H. Vandenberg of Michigan. As long as Vandenberg handled the foreign-aid bill, Young supported it. Later he turned against the aid program, though he says he recognizes its necessity in many parts of the world.

Today, at 69, Young is senior Republican on the Defense Appropriations Subcommittee. Little-known outside the Senate, he is a man of influence within its council of elders. As he looks around the world, he is concerned about the American posture.

"We are committed to this land war in Asia, and in the worst part of Asia—the jungle," Young observes. "It is a war in which an honorable solution won't come easily, and even then we will have to keep many thousands of our troops there up to 30 years, in my opinion, to save anything that we have sacrificed for.

"None of our allies is interested any more in helping to police the world. On the contrary, they are very critical of us while they are getting rich trading with the Communists. This is true of Europe, Japan, even Canada.

"Europe never had better economic conditions in its history. They have no lack of manpower. We hear all sorts of arguments from officials, but it doesn't make sense to maintain six divisions of United States troops there at tremendous cost. I don't advocate pulling out, but I think two divisions would do.

"We have of necessity to play a lesser role in the world; we have neither the manpower nor the financial capability to do otherwise. We'll just have to be more selective about whom we choose to help."

What of the threat of Communism, on which the postwar security system is grounded?

Young recognizes perils but says that priorities are necessary. "Cuba is far more important to us than Vietnam," he says. "Certainly there would be a considerable advantage for us to keep friendly governments in all of Southeast Asia. But is it worth the price? I don't think it is."

Looking beyond Vietnam to another postwar world, Young is concerned that his constituents and other Americans will go "too far" toward withdrawal from the rest of the world. "Isolation as we used to know it is impossible now," he says. "Missiles can reach anywhere in the globe. World capitals are only a few hours away by jet plane."

The Senator keeps a box of his cherished durum wheat on his desk as a reminder of home, but on a recent day he was wearing a blue-and-white lapel pin of the International Taekwan-do Federation celebrating the Korean version of judo. He serves as a director of the organization at the behest of some friends from overseas. "We can't shut out the world in this day and age," he says. "But we can't be its permanent policeman either."

Senate Democratic Leader Mike Mansfield, 63, of Missoula, Mont., is a former professor of Latin-American and Far-Eastern history and the only member of the present Senate whose name is signed to the Southeast Asia Treaty (having attended the 1954 Manila conference as a plenipotentiary at the appointment of President Eisenhower). Mansfield has been an internationalist from an insular state, and he was the first United States Senator to interest himself in the tragic affairs of Vietnam.

In the fall of 1953, Mansfield traveled to the Indochina peninsula and subsequently filed the first of a series of reports to the Senate on the situation and its meaning to the United States. In those days, he felt that "the military prospects of the non-Communist forces in Indochina are improving," that "continuing American assistance is justified and essential" and that "the issue in this war which so many people would like to forget is the continued freedom of the non-Communist world, the containment of Communist aggression and the welfare and security of our own country."

His more recent reports, in 1963 and 1966, have been more pessimistic and, as it turned out, prophetic in their skepticism about progress in Vietnam. Today he has little hope that the United States military effort can succeed. Because of Vietnam and other events, he is increasingly dubious about American involvement.

Mansfield is the chief sponsor of a resolution co-signed by 43 other Senators calling for "a substantial reduction of United States forces permanently stationed in Europe." Recently he told the Senate that "I believe there is too much of an American presence in too many parts of the world." On another recent occasion he referred to the SEATO treaty, which bears his signature, as "of dubious importance" today.

In the richly decorated office that the Senate provides its Democratic leader, Mansfield explained that his concern about American involvement began more than a decade ago. "I thought Europeans should take over more of the burdens of their own defense, because they were being reconstructed. It wasn't a case of gold outflow, the balance of payments or Vietnam—none of these were prominent at the time. It seemed to me to be a matter of principle, that they should assume these burdens of defense, and that we—while honoring our commitments in NATO—should reduce our forces gradually.

"I also felt that as the former colonies moved to independence, we shouldn't be the ones to step in, particularly into situations and areas we knew little about. I felt the former colonial powers should be the ones to do it. . . .

"There is a general recognition that we do have a role to play in the world. But there is also a recognition that we alone cannot assume the responsibility for the world, and a growing demand that we not assume the responsibility alone."

What should the United States do if the practical choice in time of trouble abroad is American intervention or no intervention?

"If it's a case of unilateral action or none, I think we had better learn a lesson from Vietnam," the majority leader replied. "There to a large extent we are acting unilaterally. We have 650,000 men in or around Vietnam. And I read in the papers we may need more men, to strip the remaining combat units here in the United States, to maintain that stalemate."

Vietnam is the "cause" and the "overriding issue" in the current wave of Congressional concern, says Mansfield—but conditions at home are a mighty contribution. "We should do our part in the world," he maintains, "but we have a primary interest in our own country. This is not a fully developed country. We have states like Montana that should be developed. We have a prior interest in conditions here at home."

Thruston B. Morton, 60, of Louisville, Ky., is an urbane, Yale-educated Republican who has always been a strong internationalist. Today the growing anguish over Vietnam is bringing shifts in his opinion on that conflict and on the American position in the world.

It was Morton, as an Assistant Secretary of State during the early Eisenhower Administration, who traveled to Atlanta in 1954 to tell Richard Russell of the stepped-up U.S. involvement in Vietnam. Now Morton is certain that Russell's disapproving reaction was correct ("How right he was!") and his own arguments fallacious. Calling himself a former "all-out hawk," he has recently reversed his Vietnam stand and now calls for "a de-escalation of this thing—a disinvolvement." He does not believe more military action will be effective.

On the broader problems of foreign policy, Morton puts his hopes in an accommodation with the Soviet Union and has been pushing for "bridge-building" with the Russians even when the Johnson Administration has wavered in its resolve. "This kick we're on started with the Churchill speech in Fulton, Mo., in 1946," says Morton, "and we've got to change it. If you want to commit a half-million U.S. troops under these policies, you say, 'We've got to fight Communism.' Well, I don't think the Russians want this kind of world any more than we do. Yet we seem to be locked into it."

Sitting at his desk thumbing a stack of mail from citizens in Kentucky, he maintains that "we have to realize we've got just so much power; even the President has just so much power. We haven't got enough to get bogged down just because some fellow who says he wants to be a Communist is coming up on top in some country.

"We've got to figure out what we can do within our means. This involves priorities abroad, just as we have priorities at home. We have a definite responsibility for this hemisphere, but I don't think we have in Africa. The relatively prosperous countries in Western Europe should be taking those responsibilities. . . . We can say to the French, 'You take Africa, that's your baby.' Japan, to an extent, should take the lead in the Orient. We just cannot police this entire world."

Much of the concern on Capitol Hill, Morton believes, is a response to unease at home. "That is a good thing," he concludes. "This is how our country works."

Stennis, Young, Mansfield and Morton are joined by many other Senators expressing urgent concern about the American global policies. Fulbright of Arkansas, whose very name has ben synonymous with a broad U.S. role in the postwar world, is worried about the U.S. becoming an "imperial power" like ancient Rome; Aiken of Vermont, who voted against Lend-Lease but switched in the postwar era, now sees American policy being subordinated to commercial interests and calls for a reexamination of the basic need for a U.S. presence in Asia; Symington of Missouri, the first Secretary of the Air Force, points to the gold drain and balance of payments difficulties and argues that the U.S. is "overcommitted"; Gore of Tennessee, a previously ardent internationalist, calls for the Inter-American Development Bank to shift large sums from Latin lands to the United States because of urgent needs at home. The list could go on at length.

In the command post at the White House, the nation's No. 1 Congress-watcher is reported to be keenly aware of these changing sentiments. But while he has condemned dovish critics of his Vietnam policy as "nervous Nellies" and more recently as "the fainthearted and the weak-kneed," President Johnson has shown little disposition to address himself directly to the broader concerns of the broader group of noninterventionists. It appears unlikely that he will do so. To agree that the United States must temper its foreign role would be to raise new fears and invite new troubles abroad; to disagree would be to fly in the face of widespread sentiment in Congress and the country, and to risk a clash with his old friends and mentors, the conservative elders of the United States Senate.

Moreover, Johnson's own view of the post-Vietnam world is far from clear. As a Senator, he was a leading noninterventionist on Vietnam, having played a key role in blocking the 1954 attempt by Secretary of State Dulles and Adm. Arthur W. Radford, Chairman of the Joint Chiefs of Staff, to employ United States military forces to aid the French. Having ordered American ground troops and sea and airpower into battle there a decade later, Johnson is probably more conscious than anyone else of the perils and the costs involved. The Vietnam war has wrecked his consensus at home and sapped the force of his Great Society plans. It endangers his very reelection. Nobody who is aware of the President's frustration thinks Lyndon Johnson is eager to try another "little war" for size.

Yet the difficulty is that the United States, with more than half of the world's wealth, has become the foremost power in the world and has undertaken the foremost responsibility for international stability. In its most sweeping definition, this role gives the United States "a whole world to guard" (President Johnson's words to a group of recent White House callers). And on the level of reality rather than of rhetoric, it has become increasingly hard for the United States Government to say of any foreign crisis, "This is none of our business."

In recent years American power and American Presidents have been engaged in troubles abroad with a regularity that would have stunned the most ardent interventionists of the pre-World War II era. According to Secretary of State Rusk, the world suffered 47 "international political crises or critical situations" in the half-decade from 1961 through mid-1966, with the United States directly or partially involved in about one-third of them. "Direct involvement" was recorded in 10: Vietnam, Berlin, the continuing Formosa and Korea situations, Bay of Pigs, Panama Canal Zone dispute, Cuban missile crisis, Stanleyville-Congo crisis, Cambodian border violations and Dominican crisis. "Partial United States involvement" is ascribed to six others; Laos, Katanga-Congo crisis, Sino-Indian war, Southern Rhodesia, Malaysia-Indonesian war, Cyprus.

The big ones have arisen from the U.S. role as "watchmen on the walls of world freedom" (President Kennedy) and "guardian at the gate" (President Johnson) against the expansion of Russian, Chinese or indigenous Communist power. This anti-Communism has been the touchstone of American involvement and, many believe, the key to American policy. Most, though not all, of the noninterventionists believe this motive force continues to be broadly valid. Under the pressure of Vietnam, however, they are asking that the benefits of intervention be weighted against the costs, the risks and the American ability to carry the load alone.

Few if any of the concerned lawmakers are isolationist or neo-isolationist in the sense that they are content to let the world stew in its own juices while America turns inward. They accept a large and unique role for the United States in the business and the troubles of the world.

They want to reduce American troop strength in Europe, for example, but they do not argue with the basic defense commitment or the need for some United States troops in Europe as a trip-wire; they want to reduce the sweep and amount of foreign aid, but they are not arguing that it should be eliminated.

The dilemma is how to play a large role in the world and "guard the gate" without becoming involved in endless crises and more Vietnams. Since most of the lawmakers reject withdrawal from the world yet expect troubles and turbulence to continue, the key question is not whether the United States should intervene, but when and in what ways it should do so, and when and how it should not. Vietnam has emphasized the gravity of such a decision. Many believe this is be the key foreign-policy problem of the coming decades.

In view of all this, there has been remarkably little public discussion of the circumstances which would or would not justify American intervention in the future. Partly, this is because Government officials prefer to keep potential troublemakers guessing (to the point that Rusk stated last summer, to the discomfort of lawmakers, that "no would-be aggressor should suppose that the absence of a defense treaty, Congressional declaration or a United States military presence grants immunity to aggression"). And while the question cannot—and perhaps should not—be defined with precision, concern on Capitol Hill and in the country is bringing some first attempts to address the problem publicly.

This spring, Zbigniew Brzezinski, a State Department policy planner as well as a Columbia University expert on Communist affairs, stated as a broad generalization that "intervention is justified whenever its absence will create regional instability of expanding proportions." At first glance this appears to be an academic description of the "falling domino theory," though Brzezinski warned a State Department conference of editors and broadcasters that the United States should be very careful not to become overinvolved in conflicts with "revolutionary nationalism," admittedly a commonplace feature of the world scene.

Senators and Representatives acquainted with Brzezinski's remarks find them difficult to apply in practice. Asked when, in their opinion, the U.S. should intervene, several said only when the most basic American interests are at stake; others merely declared, "Not now."

As the last remark implies, the new noninterventionism may be a temporary phase for many of its adherents in Congress. Some reasonably detached observers think it is merely that. "It is almost inevitable at this stage in a long war," says a White House aide. "This thing is transitory," agrees a foreign-policy professional on the staff of Congress. "Get a different situation and a different President, and it would blow over—the mood would change overnight."

Others are not so certain. A State Department official in a key post frets that "the generation which put together this security system appears to be wearying of the burden, and a new generation is rising which never understood the reasons for it in the first place."

At this stage, however, most of the concern in Congress is directed less to the security system itself than to its applications. Now that the costs of involvement have risen so far beyond the Congressmen's earlier assumptions, they are demanding a stern sense of priorities and proportions, and they are alarmed at any hint to the contrary.

The feeling on Capitol Hill is that the rest of the U.S. Government is beginning to get the message, though no one is certain and no one is claiming very much. About the most they are willing to predict is what one of their leaders, Richard Russell, offered as his opinion after the Congo airplane rumble in July. Asked by a reporter to assess the impact of the Senate protests, Russell replied cautiously that he felt it safe to say that in the future the United States will be "much more conservative in similar circumstances."

TREE FARM DEDICATION

Mr. TALMADGE. Mr. President, on September 8, during the Labor Day adjournment, the distinguished Senator from Louisiana [Mr. ELLENDER], the chairman of the Committee on Agriculture and Forestry, was a principal speaker at a tree farm dedication in Louisiana. On this occasion, Senator ELLENDER paid high tribute to the professional conservationists in America.

He also underscored the progress that has been made over the past quarter century in woodland protection and development—both in the public forests and on the three-quarters of the Nation's timberland in private ownership.

He pointed out that in a real sense, the countryside—and the forests—belong to all of the people. We of this generation are mere trustees of our land and water resources.

Mr. President, the chairman of the Senate Committee on Agriculture and Forestry put trees as a natural resource into full focus in today's world in this dedication address. I ask unanimous consent that the address be printed in full in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR ALLEN J. ELLENDER AT THE DEDICATION OF THE HOMER C. MITCHELL TREE FARM, RAPIDES PARISH, LA., SEPTEMBER 8, 1967

Ladies and gentlemen, we are honoring a conservationist today by dedicating a tree farm to his memory. I can think of no more fitting tribute to a man of his character and of his profession.

Thirty years ago much of Louisiana was barren, cutover hillside. After the timber barons had moved across the face of our State, they left in their wake few trees and little vegetation to prevent the erosion and decay which followed so quickly. As a matter of fact, all that was left as a heritage was black, charred stumps. Slowly we began to plant. We learned there were better methods of harvesting timber and developed techniques and conservation practices to place our forests on a sustained yield basis. This tree farm is an example of the results of wise and enlightened leadership.

Today, I will ask your indulgence so that I may talk a little about timber conservation in general; also, about the important assistance provided to the woodland owner and the cause of resource conservation by men of the caliber of Homer Mitchell. His contributions over the years will continue to live on in the forests where he performed his public service. His guide for woodland management and improved cutting, and his tree-marking tags to remind the woodland owner of the best ways to care for stands, have served as important tools in woodland conservation.

I knew Homer Mitchell only by reputation. I know many of his kind. They are a great credit to a Nation that has not always given the civil servant his just due.

To men like Homer Mitchell, the American people owe a debt of gratitude. He is symbolic of the outstanding civil servant who goes about his work with little, if any, public acclaim.

But public service should not be without rewards. It draws upon the talents of the Nation, and these talents should receive due recognition. I am proud to represent a State where private industry has acknowledged the notable contributions of a civil servant.

I need not remind this audience that three-quarters of the Nation's timber land is in private ownership. There are hundreds of millions of trees on that land. They need to be properly cared for, and their number should be increased.

Here, on the T. L. James tree farm, is an outstanding example of proper forestry management. I do not know of a finer plot in Louisiana. The vision and skill that went into its planning is easily seen. The use of good forestry practices is clearly evident.

In the beginning, the James Company shared in pioneering direct seeding, using helicopters and airplanes to distribute the seed. Direct seeding, developed by the Forest Service, and Homer Mitchell's techniques are given large credit for the success of this tree farm.

I am well acquainted with the research work being accomplished in the State. We owe a great deal to the Alexandria Forestry Research Center of the U.S. Forest Service, and I am proud of my own efforts in the Center's behalf.

I feel very close to forestry development in Louisiana. With more than sixteen million acres of the State's land in forests, we have a large stake in woodland conservation. During the past quarter of a century, the soil and water conservation program in Louisiana has resulted in the reforestation of approximately 800,000 acres. A tremendous economic potential is developing, but the worth of these accomplishments cannot be measured in dollars and cents alone. We are building a better nation and a better life for our children and grandchildren.

Our citizens can be proud of the fine cooperation between agencies of the United States Department of Agriculture, the local soil and water conservation districts, the Louisiana State Legislature, and our State agencies in advancing resource conservation and development.

For the fiscal year 1967, the State Legislature appropriated $1,548,870 for soil and water conservation. In addition, sixty-two parishes made contributions totaling $772,000 in value toward the work of local soil and water conservation districts. I am proud of—and I heartily commend—the demonstrated interest of the State government and local governments in conservation work.

I could not let this opportunity pass without giving due recognition to the soil and water conservation districts and their cooperators who have done so much for the conservation and development of private woodlands. Most of the soil and water conservation districts in Louisiana have memoranda of understanding with the Louisiana Forestry Commission.

More and more of these districts are broadening their sphere of activities to embrace the multiple soil and water problems of our expanding urban communities. Here in Louisiana, the conservation district Act was amended recently to bring cities into Districts, simplify district boundary changes, and permit any land owner to be a district supervisor. To help give meaning to this legislation and other progressive conservation policies, all of the twenty-six districts in the State have signed updated agreements with the U.S. Department of Agriculture. These districts cover nearly 28 million acres of land. This is an imposing base on which to carry out our conservation work. It also represents a continuing challenge.

One of the primary values of the Department of Agriculture's assistance in woodland protection and development has been the direct involvement of individual land owners.

By channeling its self-help programs through soil and water conservation districts, USDA professionals become partners with the land owners and operators who are conservation district cooperators, and with State agencies.

We recognize this spirit of partnership today in dedicating this 90,000-acre tree farm which, in my opinion, represents a model multiple-use resource development. It is more than timberland; it is available to the public for recreation; it is a wildlife refuge; and it is used for grazing.

In the National Forests, the Forest Service for a very long time has practiced multiple purpose use—timber production, recreation, wildlife refuge, and soil and water conservation. In the private sector, the Soil Conservation Service has also advocated multiple use of woodlands on private lands.

The SCS has stressed multiple purpose values throughout the small watershed program. Woodlands are an important part of these projects, for conservation of the soil and water, recreation, wildlife refuge, and also for aesthetic values. I am proud of what we are accomplishing in the small watersheds of Louisiana. Many of the watershed projects in the State, planned and under development, are for multiple purpose use.

As of this date there are twenty Public Law 566 projects under construction, and seventeen more are in the planning stage. These projects cover several million acres, and I look forward to many more of them getting underway in the future.

In a very real sense, the countryside—and the forests—belong to all the people. We of this generation are mere trustees of our land and water resources. Without a doubt, the urbanite has a stake in the great open spaces beyond the confines of his community. Woodlands beckon to millions of Americans who seek close contact with nature and a place to regain an appreciation of the Creator's richest gifts to mankind.

There have been scientific experiments in our laboratories in which rats have been imprisoned in a cage, fed well, and allowed to reproduce as rapidly as they desired. Our researchers discovered that at a certain point when the rat population became too great, these rodents turned upon themselves and began to destroy their own numbers. Some writers have forecast a similar result for humanity someday as we continue to crowd the face of this planet. There are even some who point to the riots we have experienced for each of the last summers as an example of this phenomenon of self-destruction.

I do not agree with either of these analyses. I think that the human race has mind and will enough to solve its problems. I do think, however, that now is the time when we should reserve woodland areas and green spaces for the benefit and protection of future generations. Today we are losing valuable forestlands to a rapidly urbanizing society. Many of these areas might be saved. The replacement of timber, as we well know, is a long, demanding process.

The conservation of our renewable resources is a proper and vital subject for the home, the school, and the church. We are fortunate in that we have a continuing supply of youth to work with. If certain basic values have somehow passed by much of an older generation, there are always the young people who can be taught to appreciate these values. We who care enough about the future of our renewable resources should pass on the value of active conservation to our anxious and capable youth.

The American people have wisely and properly recognized the relationship of local interest to national interest. And we have developed a partnership of government and private endeavor that has made great progress and that promises still greater accomplishment.

But as we recognize the greater need, we must be prepared to provide the larger means required to meet this need.

Much remains to be done to protect the forestlands against headless destruction, to improve woodland stands and make them more useful for public and private benefit.

More professional conservationists are needed to guide this work of protection and development. Greater financial support is essential if the Nation is to realize the full benefits of its existing and potential woodlands.

Long ago I pledged my dedication to the adequate support of sound conservation policies and practices in the Nation's forestlands. I renew that pledge here—with confidence that, working together, we shall multiply the benefits found in this proud tree farm throughout the land.

UNITED AUTO WORKERS SUPPORT EMERGENCY EMPLOYMENT ACT

Mr. HART. Mr. President, the ultimate success of the war on poverty will depend not alone on the legislation that we in Congress enact and the monies we appropriate to erase penury, hunger, disease, and illiteracy from the face of our land.

The success of our effort to create a world of economic and social justice will also depend on the support given to the war on poverty by the American people and particularly by American working men and women. And it will depend on the extent to which the American people become familiar with the war on poverty's goals, methods of operation, and resources.

In both these respects one of the most effective national organizations in the United States is the United Auto Workers AFL–CIO, representing more than 1,200,000 men and women in large cities and small towns, in huge plants and tiny shops from coast to coast.

The UAW employs many methods of acquainting its members, and the communities in which its members work, with the objectives, ideals, and functions of the war on poverty. One of its most effective channels is its publication Washington Report, a weekly newsletter of the UAW's Citizenship-Legislative Department. The current issue of the Washington Report is devoted to an excellent exposition of the origins, the need and the purposes of the war on poverty.

Mr. President, because I believe that much of this issue of a Washington Report will be of interest and enduring value to Members of Congress and others, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[From the UAW Washington Report, Sept. 11, 1967]

CONGRESS MUST VOTE FOR JOBS FOR THE JOBLESS

Wouldn't it be great if there were a job for every American who wants to work?

Think how many more tax dollars we'd take in if everybody had steady work. Think of how it would cut down our growing welfare tab. Think of the boost all that new buying power would give our economy.

And while you're thinking about what total employment could do for America, don't forget what a job does for a man's dignity, peace-of-mind and self respect.

We don't have total employment now. What we do have is three-and-a-half million adults in this country who want a job more than anything—but can't find one because there just aren't enough to go around.

The day may not be too far away, however, when there'll be work for anyone who's willing and able to do it. There are several major bills in the Congressional works that could go a long way towards making the dreams of millions of jobless Americans come true.

The Emergency Employment Act, a bi-partisan effort drawn up by U.S. Senators Joseph Clark (D-Pa.) and Jacob Javits (R-N.Y.), will be the first to hit the floor.

Offered as an amendment to the poverty program, it calls for investing a billion dollars during fiscal year 1968 to create 200,000 new jobs across the country.

The new workers will serve as subprofessional helpers or aides in crowded classrooms, recreation centers, parks, housing projects, neighborhood improvement programs, and beautification projects.

The Clark-Javits plan would pay salaries of $4000 a year to full-time workers—about $2 an hour. The program would spend an additional $1000 a year training each new employee for advancement to better paying jobs.

The new program has already won the approval of the Senate Labor and Public Welfare Committee. Senate watchers predict it'll reach the floor along with the rest of the poverty program before the end of the month.

If it passes the House and Senate, the new project will be run by Secretary of Labor W. Willard Wirtz.

On the House side of the Hill, Michigan Democratic Cong. James O'Hara has dropped a similar bill into the hopper. Its advantage over the Senate approach is that it's much, much bigger in scope.

"Only a massive program can deal with the massive problems that unemployment is causing our country today", Cong. O'Hara said when he introduced the legislation.

It's about four times bigger than the Senate version—authorizing Labor Department to invest $4 billion in the next year to create one million new jobs for the jobless. They'll work at the same kind of public service tasks the Clark-Javits bill outlines and for about the same rate of pay.

Not much has happened to the O'Hara bill so far this session. Hearings haven't been scheduled on it yet and most congressional observers doubt the House will put another major item on its already jammed autumn agenda.

There are two other bills to keep an eye on. Cong. Frank Thompson, Jr. (D-NJ), a member of the House Education and Labor Committee, is sponsoring a bill almost identical to O'Hara's. And Cong. Hugh Carey—a New York Democrat—has offered a bill along the same lines.

The idea of public service employment is hardly new. Almost two years ago, the National Commission on Technology, Automation and Economic Progress—of which UAW President Reuther was a member—recommended:

"That public service employment opportunities be provided to those unsuccessful in competing for existing jobs, that a five-year $2 billion a year program be established immediately, and that serious studies be undertaken at once to learn more about the causes of hard-core unemployment."

There is no more pressing business before either House of Congress today than seeing to it that every citizen who wants or needs to work can find a job. The need is urgent, the problem is massive and the time is now.

[From the UAW Washington Report, Sept. 11, 1967]

UNCLE SAM AS THE EMPLOYER OF LAST RESORT

(By Ralph McGill)

In 1933–35 there were some 10 million Americans unemployed. Despair was a part of life. The national income was low. Yet the Nation moved to cope with the problem. The planning was bold, imaginative.

And today?

It matters not at all whether one sees the Nation's major domestic problem through the eyes of a reactionary, liberal, conservative, progressive, rightwinger—or whatnot * * *

The facts are what they are.

We have about 16 million really poor persons living in cities. Not all, but most of them, are Negroes. Most of these have migrated across the past three and four decades out of a southern agricultural area that needed them less and less. They are not prepared educationally, vocationally, or psychologically to move from the separated environment of the rural South to the city slum.

In addition to these 16 million poor, there are another 26 million on the borderline of poverty. Economic and racial stresses have grown out of these facts.

There are the "Black Power" racists who want to destroy the United States or to set up a separate, segregated country. The great majority of Negroes eschew the extremists among them. The Negro middle-income and professional classes are a success story. Their numbers grow with opportunity in education and jobs. College-trained Negroes annually are increasing in numbers. Income increases. Acceptance into the economy and an integrated society becomes more and more common.

But the problem of the millions of poor is an existing crisis. Violence grows out of it. Some extremists exploit and worsen this violence. There is no conspiracy, as the uninformed and immature charge. But dangerous groups do make use of the opportunity offered by fear, chaos, and disorder to amplify all the elements of hysteria, rumor, and terror that are a part of riots.

Law and the courts are a major priority of civilization and life. It must act immediately and forcefully.

But once the rioting ceases—what then?

The facts remain * * * the 16 million living in poverty—some of it severe * * * and the 26 million living on the borders of poverty.

Train them? Educate them?

Yes—train those who are trainable. Educate those who are young enough and prepared for classes. Provide adult education, vocational education—of course.

But what then?

There will be a residue of a few million who are not trainable, who are sick, handicapped, too old, or too illiterate to teach or train. There are, in all races, some people who, for various reasons, mostly mental, are not interested in working.

What about them? They are a separate story.

But for those who can, and want to, be trained for the more skilled occupations and professions, we now are doing too little. The Congress seems unimaginative or disinterested.

In the grim depression years the Works Progress Administration did provide work. Harry Hopkins got money as quickly as possible for the unemployed. He provided work. To be sure, to the more "conservative" some of it seemed frivolous—such as jobs raking leaves—where they need raking. But the men worked for what they were paid.

It was not a gift. Even now, in 1967, the Nation still profits from the results of labor done by WPA.

The Public Works Administration hired men to build courthouses, bridges, public facilities of many kinds.

The Civilian Conservation Corps put young men to work. They constructed parks, roads, lakes; built cottages and camp sites for campers. Some of their construction is still in use.

There were, of course, complaints about "welfare": "I can't get Negroes to work any more." * * * "A lot of white trash won't work except for the WPA." * * *

In 1967, with each passing day, it becomes apparent we need bold, imaginative planning that will create jobs. WPA, PWA, CCC belong to another era. But today the private sector and the Government can be equally bold, equally imaginative.

The Government does not owe any man a living.

It does owe him opportunity to earn one.

[From the UAW Washington Report, Sept. 11, 1967]

JOBS MAKETH THE MAN

(From Senate Labor Committee report on "Emergency Employment Act," 1967)

How many jobs will the program create?

The program will create an estimated 200,000 jobs during 1968 and 250,000 during 1969. This estimate assumes that the annual wage will average $4,000 and that another $1,000 will be needed for fringe benefits, supervision, administration, training, and supplies for each job created. The act authorizes $1 billion for jobs during 1968 and $1.5 billion for 1969.

How many persons will be reached?

The number which can be reached each year depends on how long persons stay on these jobs before moving to other jobs in regular competitive employment. A conservative estimate is an average of 8 months, or a turnover rate of 1.5 a year. Thus, 300,000 could be reached in a year for each $1 billion.

Who will be employed by this program?

The program is aimed at low-income persons who are not able to find jobs in regular competitive employment. These persons will tend to have one or more of the following characteristics: young of age with little or no work experience, low level of education, hardly any occupational skill, if older a spotty employment record, and for many, victims of racial discrimination. In rural areas, more of the persons to be reached are likely to be older and to have had previous work experience but are out of work because of chronic employment in the area.

What kind of work can they do?

Many of the persons to be employed under this program will be placed first in relatively low-skilled jobs which require no previous training (it is intended, though, that further training and avenues of advancement be provided). Others will be able to fill jobs as professional aides in "new careers" programs. In areas of chronic labor surplus, some will already have job skills which can be utilized.

What type of jobs may be created?

Jobs created by the program may relate to public services and supporting facilities. Priority will be given to jobs which are labor intensive in character. They may be in such fields as health, public safety, education, recreation, streets, parks and municipal maintenance, housing and neighborhood improvement, conservation and rural development, beautification, and other fields of human betterment and public improvement.

[From the UAW Washington Report, Sept. 11, 1967]

We don't need to wait for the completion of studies by commissions or investigations by committees to know that widespread unemployment is a major cause of this summer's riots and that jobs can do more than anything else to prevent recurrence of the civil turbulence that has taken scores of lives and destroyed hundreds of millions of dollars worth of property.

If our government does not respond and respond immediately to the underlying causes of the plague of violence that has afflicted more than 30 of our nation's cities, we in Washington who represent all Americans have no one but ourselves to blame.

Senator Joseph C. Clark. The bloodshed, burning and looting in the recent riots is outrageous and must be abruptly and finally halted. But at the same time we must also deal with the conditions which permitted criminals and hoodlums to create anarchy and lay siege to large sections of our cities. . . . The purpose of this legislation is not to bribe malefactors but the very opposite—to cut them off, isolate them, leave them without their demogogic appeals, ignored and powerless.

SENATOR MONDALE CALLS FOR THE ESTABLISHMENT OF THE VOYAGEURS NATIONAL PARK

Mr. NELSON. Mr. President, last Friday, September 16, the distinguished Senator from Minnesota [Mr. Mondale] called for the establishment of the proposed Voyageurs National Park in the Kabetogama Peninsula in northern Minnesota.

The proposed Voyageurs National Park would be a superlative addition to the string of national parks and recreation areas which will someday be completed in the Great Lakes area. Already established parks include the Indiana Dunes, Isle Royale, and Pictured Rocks and the famous Boundary Waters Canoe Area. Sleeping Bear Dunes National Park is in the planning stages as is the Apostle Islands National Lakeshore which recently was approved by the Senate.

The amount of park quality land remaining in the Midwest is rapidly dwindling, while the population, and the resultant demand for recreational land, is increasing tremendously. We must move promptly to establish the Voyageurs National Park and the other parks which are under consideration, or it will be too late.

Speaking at the 15th Annual Assembly of the Minnesota Conservation, Senator Mondale so well stated the case for the Voyageurs Park that his speech deserves much wider attention. I ask unanimous consent that the text of his speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of Senator Walter F. Mondale at the 15th Annual Assembly, Minnesota Conservation Federation, Duluth, Minn., September 16, 1967

The most fundamental conservation issue facing our state today involves the creation of the proposed Voyaguers National Park. I favor the creation of a National Park in Minnesota, as does most everyone involved in the controversy.

And why shouldn't we all favor a National Park? I wonder how many stop to realize what it would mean to Minnesota to have a National Park within our State. The National Parks of this Nation are what some have called the crown jewels of our national heritage; and, I might say, jewels that citizens of this Nation and other Nations of the world are visiting in greatly increasing numbers. Only thirty-three areas have so far been recognized by the Congress of the United States as being worthy of this classification, and most of these areas are in the West. Completely aside from the honor of having resources in our State that qualify for such a designation, and the privilege of being able to share in helping such an effort, we as a people would have much to gain economically.

An area as outstanding as a national park with its great drawing power, and the monies that go into development of facilities for the public and the maintenance of the area is like your receiving a windfall of cash which when invested would generate enough interest to satisfy the needs for you and your children as long as you all live. The preservation, under wise management, of a nationally important Park resource is like this capital in the bank because the basic resource does not diminish and yet the locale, the State and the Region can continue to benefit from its presence in all the years to come through the economic returns that result from the visitor use of the area.

The only question is whether the Park should be located at the site proposed by the National Park Service at the Kabetogema Peninsula or, as proposed by others, at the Lac La Croix area now a part of the Boundary Waters Canoe Area of the Superior National Forest. For some time, under the leadership of Congressman Blatnik, we have tried to resolve this issue, as well as others, before introducing the required legislation. Last week Congressman Blatnik pointed out that we are now nearing the point when a decision must be made. He mentioned his hope that there might be substantial agreement by next March permitting him to introduce a national park proposal in the United States Congress. While some have expressed concern at the delay, I believe it will actually save us time.

I favor a national park on the Kabetogema Peninsula as recommended by the National Park Service.

I don't have to tell you about the magnificent qualities of the proposed Voyageurs National Park at Kabetogema. It possesses outstanding waterscapes and landscapes. This area has been selected in the worlds of the Park Service for "its significance to the Nation as a superlative scenic resource. The proposed park contains an unusually beautiful system of lakes, streams, and forests; representation of Precambrian geology and a land surface shaped by continental glaciation and historical associations with the fur trade and the era of exploration along the International Boundary. Such a combination of scenic, scientific, and historic resources should be preserved for the enjoyment and use of the present and future generations."

The Sielaff study has indicated the impressive investment, new employment and improved tourist attractions that would flow from this national park. This report points out that tourist expenditures in the area would double in the next 10 years. The Service would spend nearly $9 million in the first five years and there would be substantial new expenditures for new tourist facilities outside the park by private individuals and firms. It would provide an advertising and publicity advantage of very great value to the region and the increased private investment in the area would tend to offset losses in assessed values and taxes and would create greater job opportunities in the region and a broader base for employment and income.

These are not theoretical projections but are conclusions substantiated by similar studies made in the past at Glacier, Great Smokies, and other national parks.

A study completed early this year by the University of Wyoming showed that the basic source of income for Wyoming's Teton County is recreation and tourist trade. It concluded that the estimated 2.7 million visitors to Grand Teton National Park last year had "a tremendous impact on the Economy of the County." Estimated tourist expenditures increased from $6 million in 1958 to $13 million in 1964, and, moreover through "dollar turnover" the total income accruing to the County because of recreation and tourist trade was about $15 million. This study went on to say that "as more people become acquainted with the scenic grandeur of the Teton area and with the variety of recreational facilities available there, the number of visitors will continue to increase and this growth will add more basic dollars to the County's economy."

If one wonders about the attractiveness of national parks for the tourist dollar I offer in evidence this AAA U.S. road map which lists two things—U.S. roads and the major National Park System areas.

Some argue that they favor a national park but it ought to be located at the Lac La Croix Area. This site has been opposed by the Forest Service and the Department of Agriculture which administers this land as part of the Boundary Waters Canoe Area.

Last week John Wernham, Forest Supervisor, stated 15 impressive reasons why the Lac La Croix Area should remain a part of the Boundary Waters Canoe Area. He points out, among other things, that Lac La Croix portion of the BWCA has an especially high value as a part of the Boundary Waters Program and that the creation of a national park in that area would for many reasons be "a crippling blow to a less valuable and smaller BWCA". There is only one BWCA in the country and it is in Minnesota and each year it is gaining tourist attraction.

Not only is the Lac La Croix Area necessary to a sound BWCA but to make it a national park would require the agreement of both the Secretary of Interior and Agriculture who have a long-standing agreement by which they stand behind a policy of not encroaching on each other's territory except in extremely compelling circumstances. (The much discussed North Cascades National Park exception was reached as a part of the original agreement). Moreover, Congressman Blatnik last week accurately stated: "I sense that Congress would not want to see this land juggled from one use to the other."

Thus to urge the Lac La Croix Park site and oppose the Kabetogema site is not only to support a proposition that in all likelihood cannot be achieved but to place in serious jeopardy the only site that stands a reasonable chance of acceptance.

Moreover, even if by chance we could succeed, we would jeopardize the adequacy of the BWCA. The one could go far to destroy the adequacy of the other. The National Park Service's recommendation permits us to have *both* the Park and BWCA. We should be delighted by this opportunity.

And even if all of us here today, the State of Minnesota, and all of the Congressional Delegation were in complete accord that we wanted this National Park, no one could give you assurance that the Administration and the Congress of the United States would definitely support it. I understand that today there are some 50 areas of various kinds under some stage of consideration from the standpoint of possible addition to the National Park System. Add to this approximately 50 National Park System areas that have been authorized by the Congress since 1961 and you can begin to appreciate the great demands being placed on the Federal budget for land acquisition monies for parks alone. And The Land and Water Conservation Fund which has been so extremely helpful in providing money for acquisition of public recreation lands, isn't going to be enough to do the job that must be done even under the most optimistic projections of income.

We are not operating in a seller's market, and if you don't believe this you should just look at a list of the bills before Congress today for projects such as this, most being pushed by strong constituencies and their Congressional Delegations. If we are to have due consideration of our park proposal we must agree as a State soon and do everything possible to get this project in line for consideration as soon as we can.

Recent newspaper articles carried the report that the Boise-Cascade Company was on the verge of acquiring a corporation known as the U.S. Land Inc., which specializes in land and lakefront development for homes and resorts. This article quoted an official of the U.S. Land company to the effect that the Kabetogema Peninsula offered the possibility of development either "on the conventional subdivision basis" or as a "sort of a club program" where homeowners would share resort facilities. In fairness to Boise-Cascade it has not indicated what course it would want their new subsidiary to follow, if any, with respect to the Kabetogema Peninsula. However, since the possibility of such a development exists, I think we must understand that such development could jeopardize, if not destroy, the opportunity for a national park on the Kabetogema Peninsula.

We must understand that we cannot alone determine whether we shall have a national park or where it will be. Others are involved—the National Park Service, the Departments of Interior and Agriculture, the United States Congress and the President. The Park Service has some very clearly defined criteria if natural areas are to be eligible to become a part of the National Park System. Among them is the requirement that they must possess national significance and the area must reflect integrity, that is, that it must be a true, accurate and essentially *"unspoiled"* national example.

Although certain areas cut over in the past have been included in some of the National Parks, these were mainly lands which if preserved were capable of returning to a basically original state. I am told that much of the Shenandoah and Great Smoky Mountains National Parks were cut over at one time, as was Kabetogama Peninsula, but following protection as National Parks, the areas have restored themselves to a condition much like that originally existing there. Although you and I might not live to see the day when the tall pines would bend again in the wind on Kabetogema Peninsula, future generations will if this area is set aside as a National Park.

Where an area has been developed commercially with substantial construction of physical facilities, the possibility of satisfying either the Park Service or the Congress are far more remote. As Congressman Blatnik put it last week, "time is not on our side" and the news story further reflected the Congressman's fears that home building and subdividing on the Peninsula might cause the Federal Government to drop their proposal for a park and I agree.

In addition to this, if the Peninsula were developed as threatened and we later created a Park, we know from sad experience of the dislocations and other problems required to return the area to an unspoiled condition. Such a development would create misunderstanding and bitterness that would be with us for years to come.

For all these reasons I would hope everyone owning property on the Peninsula—public and private—would give us a chance to work out these basic policy issues before developing the Peninsula.

Under Congressman Blatnik's leadership we have tried to fully understand the needs of the many interests that would be affected by the creation of this proposed Park. We have tried to listen to all sides, we have tried to provide the time necessary for better understanding and for a full exploration of all of the factors before introducing legislation in the Congress.

I do not wish to be misunderstood on this point. In Minnesota we pride ourselves in the healthy business climate we have and our willingness to understand and work with businesses in dealing with their problems. I would hope, however, that this period we have taken to consider all relevant matters would not be used by some to destroy those characteristics of the Peninsula essential to the establishment of a Park.

If we were to (1) preserve the integrity of the BWCA, (2) contribute to the growing vitality of the Crane Lake Recreational Area and to the health and profitability of the many fine resorts and other tourist oriented facilities there *and* (3) add to it what would be the only truly water based National Park in our country, Northern Minnesota would become one of the Nation's top tourist attractions.

The variety of natural, scenic, cultural and recreational resources, with its unique water-based orientation—and all available to the *public*—would offer an unmatched tourist attraction. There would be nothing like it in the country. We would not only preserve the magnificent features of the area but profit from the increasing flow of tourists who would contribute enormously to the economic vitality of the area.

We would be the envy of the Nation. More than that we would become a symbol of a state able to wisely balance the needs of business against the desperate need to conserve our natural beauty before it is destroyed and gone forever. This objective must stand as one of the most fundamental and compelling needs of our time. Throughout the Nation, river after river, lake after lake, forest after forest, historical sites one after another, and points in America of the greatest natural beauty are being destroyed by the thousands for short-term economic or political reasons. It is a national scandal.

I believe Senator Gaylord Nelson described the nature of the dispute which we must decide when he said:

"Everyone, or nearly everyone, is in favor of conservation—in principle. But in fight after fight, the general public interest in conservation has lost out to the specific local interest in commercial development.

"In most conservation contests—whether over the use of the Indiana Dunes, of the Redwoods of California, or the St. Croix—there is usually a sizable group of local people willing to grant the validity of the conservationist's arguments, but bowing in this specific instance to the strong local economic interest in the 'development' of a specific forest, river or bit of lakeshore.

"The fight has been unequal—eloquent spokesmen preaching lofty conservation generalities on the one hand, determined people seeking their bread and butter on the other.

"The country has always seemed so vast, its resources so endless, and economic 'progress' so American, that the conservation interests, except in areas of marginal economic utility, have almost always lost the contest. No single one of these lost contests loomed large in the total picture. But down through the decades these thousands of lost contests have spelled the destruction of a major portion of America's resources."

What will our answer be?

INSURANCE INDUSTRY RESPONDS TO THE PRESIDENT'S CALL

Mr. HART. Mr. President, with the decision by the Nation's leading life insurance companies to invest $1 billion in slum real estate—mostly in rent supplement housing projects—private enterprise has recognized that improvement of our cities is everyone's responsibility, not the Government's alone.

Their decision provides a special stimulus to the rent supplements program. In the words of a recent New York Times editorial, this "could spark a chain reaction that would really produce a massive private drive to raise ghetto housing and living standards."

This Nation will not achieve true greatness until its urban slums are eradicated. And urban ghettos will not completely disappear until private industry and government—at all levels—harness their resources to help the disadvantaged.

President Johnson is to be congratulated on achievement of a major breakthrough in his efforts to obtain help from the private sector to heal our ailing cities. His call for large-scale private investment in the future of our urban areas have paid a handsome dividend.

A start has been made which, in the words of the New York Times, "could radically alter the character of American cities in the years ahead."

I ask unanimous consent that the New York Times editorial of September 14, 1967, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, Sept. 14, 1967]

Breakthrough in the Slums

The long-discussed need to apply the vast resources of the private economy to the problems of slums has finally been met with action. This is the meaning of the decision of the nation's life insurance companies to invest $1 billion in ghetto real estate.

The $1 billion will make possible a small, though appreciable, start toward eradicating cancerous slum conditions. But even more vital than the amount involved is the lead given by the traditionally conservative insurance industry to the nation's banks and other large sources of private capital. It could spark a chain reaction that would really produce a massive private drive to raise ghetto housing and living standards.

What the life insurance companies have done is to subordinate short-run economic interest to the nation's and their own longer-run interests. Much of their investment will be insured by the Federal Government, but at a time of high interest rates and capital stringency there is no doubt that funds now being diverted to financing slum housing could be invested more profitably elsewhere.

Immediate effect of the plan is to give needed stimulus to the Administration's flagging rent-supplement program. Until now there had been scant hope that Congress would provide more funds to pay part of the monthly rent for slum tenants because of the reluctance of private industry to participate. But since the industry has specifically pledged to put funds into this program, there is no excuse at all for Congress to continue to drag its heels.

It is no denigration of the insurance companies to note that their decision would have been impossible had it not been for a major policy change by the Federal Housing Administration. Prior to last month the F.H.A. had effectively excluded many of the worst housing areas of the country from its mortgage insurance program as excessive risks. Its conservative lending policies had made it the target of civil rights leaders who accused it of drawing a "white noose" around the nation's urban centers by stressing white-collar housing in the suburbs.

This policy was changed in August, when the Department of Housing and Urban Development announced that mortgages would be insured for "credit-worthy" individuals even if they lived in areas already affected or threatened by riots.

The pattern now set of creative private-government partnership to help attack the problems of the urban disadvantaged could radically alter the character of American cities in the years ahead if it is energetically followed up. No more important challenge now faces the nation's private sector than that of expanding and deepening the breakthrough pioneered by the life insurance industry.

COMMENT ON THE "NEW LEFT"

Mr. TALMADGE. Mr. President, the Columbus, Ga., Enquirer of September 16 contained an excellent editorial commenting on the recent CBS television program featuring the so-called "New Left."

The "New Left," the hippies, or the beatniks, or whatever they may be called, are very much in the news today. Too much so because, I believe, this publicity has had a tendency to magnify their significance all out of proportion.

As I commented in one of my recent columns for Georgia newspapers, the conduct of some of these people is more to be pitied than admired. I feel very sorry for people who do not strive for self-improvement and who have no motive or ambition in life. It is my strong feeling that an empty and meaningless life, more than anything else, drives people to despair about what sad shape the world is in.

A sterile existence makes people demand things they have not yet earned, and causes them to demonstrate for more return on an investment they have never made.

In short, the gains that have been made in this country were not accomplished by such people as these. And such people will have no part in what we are able to do in the future.

As the column editorial pointed out, there are things wrong in the United States. But I submit that what is wrong and who is wrong in America constitute an abject minority.

Our Nation will continue to grow and to prosper, as the Columbus Enquirer pointed out, because it is rich and strong and free. I bring this editorial to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THEIR GOAL IS CHAOS

I

Today's radicals say they want to remake America.

They want to change its form of government and its concepts of society and economics.

CBS–TV displayed the New Left and other assorted radicals on television for an hour this week, and the average viewer must be puzzled over exactly what goal other than utter chaos the radicals have in mind.

Incredibly, the TV commentator, in summing up, said that the New Left "just might remake America."

If they do, it promises to be a real mess, which means that the world will be in a real mess also.

One participant on the program told why he was discontented and had joined the "movement."

He mainly recited the familiar catchphrases such as the United States offering only "a big car, a split-level house in the suburbs and a color television set."

Of course, along with those things the United States offers the more basic needs such as food, shelter and the freedom to be left alone.

But the young man indicated that is not enough. He didn't say what would be enough. And since he and others on the program bitterly criticized the United States for not doing enough to help the poor and the Negroes, you sort of wondered why he was knocking the "good life," that he apparently feels everyone should have.

II

The more important aspect, however, is that the United States does offer more than material benefits. That is its great distinction from the Socialist and Communist nations.

It offers an individual the chance to be whatever he can or will be—even if it's a long-haired irresponsible and confused radical calling for the overthrow of the government.

The greatest lie ever spawned about the United States is that it is a nation dedicated to the dollar and little else.

The young radicals of today have bought that lie and even worse, a lot of the nation's most powerful influence-makers have bought it also.

Yes, the United States is rich, and thank God that it is.

If it were not rich and strong—and free—then no nation on earth could rest easy, knowing that the most powerful nation on earth stood behind its independence.

III

What nation has given the world more scientific and medical advances?

What nation has set the entertainment, literary and cultural pace for the world during the past 50 years?

What nation is the model to which all the others—including Soviet Russia—look as their ultimate goal?

What nation has more telephones, more cars, more TV sets than all the others combined? Translate those items into individual families and you find that they are not as easy to ridicule as the young radicals seem to feel.

What nation is reaching for the very stars, a mission mankind has looked toward for thousands of years?

There are things wrong with the United States, of course, but a lot of things wrong are creations of the radical leftists who want to "remake" the nation. Indeed, they may be its worst fault—they and the people who feed their egos and encourage their antics.

Except for the Communists, the rest of the peoples of the world must think Americans are crazy because they indulge in such orgies of self-hate, constantly pointing to the small hole in the doughnut, rather than extolling the roundness, fullness and luster of the doughnut itself.

SENATOR NELSON URGES IMPROVED MILK PRICES

Mr. NELSON. Mr. President, every available economic indicator points to the critical need for improving milk prices for our dairy farmers.

This month, Wisconsin farmers are receiving 25 cents less than they did a year ago for 100 pounds of milk. The national combined price for all grades of milk has tumbled 72 cents from $5.40 last October to a low of $4.68 in June.

If we fail to improve dairy farm income now, the sources of milk which we are depending upon to feed the American families of the future will be bone-dry when we need them in a decade or so.

The Department of Agriculture has predicted that we will require 800,000 more dairy cows than we have now to provide the dairy products that our greatly increasing population will need by 1976.

But instead of expanding their dairy herds to meet this projected demand, dairy farmers have been forced by low income to eliminate nearly 1½ million dairy cows from their herds since 1965.

As farmers and their dairy cows leave American dairying, national milk production is destined to drop to new depths. August was the fourth consecutive month when milk production was less than the monthly figure for the previous year.

Now the Department of Agriculture estimates that milk production will fall to 119.6 billion pounds this year, the lowest figure in 15 years.

Today, I have written to Secretary of Agriculture Orville Freeman, urging him to restore the support price for manufacturing milk to 90 percent of parity and to call national hearings to consider raising fluid milk prices.

Prices for manufacturing milk, which is used for cheese, butter, and dried milk, have lingered below $4 per 100 pounds for several months. At 90 percent of parity, farmers would receive approximately $4.25 or 9 cents per quart.

CONSTITUTION WEEK—A TIME FOR REDEDICATION

Mr. GRIFFIN. Mr. President, almost two centuries ago, representatives of the Original Thirteen States penned their signatures to a lasting and historic document. The 89 sentences written on five sheets of parchment were deceptively short and direct. Every word, every phrase of the Constitution had been strenuously debated among the Founding Fathers 180 years ago during the hot summer days in Philadelphia.

From September 17 to September 23, Americans are celebrating Constitution Week, commemorating the birth of a document which, in the words of John Quincy Adams, "had been extorted from the grinding necessity of a reluctant nation."

Gladstone, writing from England, termed the Constitution "the most wonderful work ever struck off at a given time by the mind and purpose of man."

Gladstone was not deceived. The U.S. Constitution has proven to be a masterpiece of permanence and universality. The words and ideals expressed therein shape events today just as they did when first proclaimed.

There were many who doubted then whether the document could forge a new unity and accommodate the competing and conflicting interests of the 13 States. Yet it did endure; and it has guided the Nation through wars and depressions, retaining an essential relevance to every citizen.

The concepts enumerated—of individual rights, equal justice under law, representative government— are timeless.

Under protections conferred by the Constitution, there is room for all political persuasions, for all religious beliefs. In a seemingly contradictory fashion, it is both the elasticity and the rigidity of constitutional expression which has facilitated the growth of a supremely talented and prosperous people.

Today, the intent of the drafters and the meaning of the Constitution are being as hotly contended as yesteryear. I am sure that modern judicial interpretations will continue to alter the application of rights, and thus influence social, economic, and political patterns. Over the last few decades, decisions of the Supreme Court, whatever our individual convictions, demonstrate the immediacy which this living document has preserved through generations of vast change and despite the still dynamic tempo of American life.

I hope that this week will be widely observed. The Governor of Michigan, the Honorable George Romney, implementing the President's national proclamation, has declared the week of September 17 as Constitution Week in my own State.

On this occasion it is fitting to reaffirm our faith in those enduring constitutional principles which have welded our strong and free Nation.

GENOCIDE CONVENTION IMPORTANT—UNFINISHED ITEM ON THE SENATE AGENDA—CXL

Mr. PROXMIRE. Mr. President, it is more than 18 years since the Genocide Convention, adopted unanimously by the United Nations General Assembly with strong American advocacy, was submitted to the Senate by President Truman.

In January of 1950, a special subcommittee of the Committee on Foreign Relations under the able chairmanship of Senator Brian McMahon, of Connecticut, conducted hearings on the Genocide Convention.

In its subsequent report to the full Foreign Relations Committee, the McMahon subcommittee strongly recommended U.S. ratification of the Genocide Convention. But despite extensive hearings, despite the publicly stated approval of an overwhelming majority of the major religious, ethnic, civic, and veterans' organizations, the Genocide Convention still languished in the Foreign Relations Committee without affirmative action.

Eighteen years should provide sufficient time for adequate study and thorough evaluation.

I am afraid that the intervening 18 years may have blurred our memories and dulled our consciences.

Basically, the Genocide Convention establishes as a crime under international law the destruction of a racial, ethnic, or religious national group or part of that group, committed with the specific intent to destroy this group in whole or in part. It includes the actual killing of members of the group, or causing them serious bodily, or mental harm, or deliberately inflicting conditions of life on them calculated to bring about their physical destruction, or forcefully transferring the children of the group to another group.

This is what the Genocide Convention is about. It is not a pleasant subject. It is absolutely alien to our American way of life.

But let us not forget for one moment that genocide did not begin or end with the Third Reich. The Nazi mass murderers differed in degree, rather than kind, from previous practitioners of these unthinkable crimes; the Nazis and their accomplices stand alone only as the most inhumane and brutal dealers in mass death in recorded history.

But we cannot forget. We must not forget that these barbaric acts occurred in our lifetime.

The existence of a genocide convention in the late 1930's would have been a prime factor in mobilizing international action against Hitler and his henchmen. The Genocide Convention recognizes, as thoughtful and responsible citizens have long recognized, that the national sovereignty of no government grants to that government the license to systematically execute groups of its citizens.

The Third Reich is dead. But can any of us be sure that genocide is gone, never again to appear? I doubt it. Genocide has survived for too long in human history in too many places under too many guises.

Let the Senate put the United States squarely on record on this fundamental question of human dignity and human survival. Let the Senate remember and ratify the Genocide Convention.

THE PROBLEMS OF THE CITIES

Mr. TALMADGE. Mr. President, all of us in Congress are aware of the many problems facing our metropolitan areas today, particularly in the areas of employment, housing, and transportation. These are crucial problems, and it is incumbent upon local, State, and Federal governments to combine their efforts toward alleviating them.

And I am convinced that there will be solutions in due time through the good work and determination of interested public officials and citizens who are concerned with improving themselves and making their communities better places to live.

I was much impressed by an editorial column by Crosby S. Noyes, published in the Evening Star of August 19, in which Mr. Noyes states:

> The problems of the cities, of course, should be dealt with as rapidly as possible. They will not be solved, however, simply by appropriating huge amounts of money as long as effective programs and rational administrative machinery to spend such sums do not exist. At best it will take many years—perhaps many decades—before the goals are reached. But this is not a reason to despair of reaching them all.

In short, Mr. Noyes quite correctly states that money is not the sole answer to the problems of our cities, and the spending of billions upon billions of dollars should not be regarded as an ironclad guarantee against rioting and lawlessness.

I invite the attention of the Senate to the column and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial column was ordered to be printed in the RECORD, as follows:

MONEY NOT THE SOLE ANSWER TO URBAN RIOTS

(By Crosby S. Noyes)

Of all the post mortems that have been made of the riots this summer, none, it seems, has really come to grips with a central problem left in their wake.

Today, all of the liberal politicians, sociologists and assorted urban experts are telling us that a vast new effort is called for to relieve the plight of the cities and of the people—largely Negro—who live in them. Proposals for the spending of tens of billions of dollars are in the works. Dire warnings are issued about what will happen if the money is not forthcoming.

Michigan Gov. George Romney, whose gift of hyperbole extends also to domestic matters, is an enthusiastic member of this chorus. Failure to act, he says, would be an invitation to "the possible destruction of the nation." In his view the climate in the country is such as could lead to "a national holocaust, employing civil guerrilla disorder."

OK—so we're scared. And perhaps fear is a healthy stimulus to constructive action. But our dilemma lies in the fact that the same liberal politicians, sociologists and urban experts who are urging us to do something, or else, are also very close to telling us that whatever we do about the cities and the ghettos, it won't do any good.

Part of this dismal diagnosis is based on the experience in Detroit.

Detroit, we are constantly reminded, was a model city. Virtually everything that is being called for in other cities—in terms of housing, job opportunities, antipoverty projects, education—was already in full swim there last July.

Blessed with an excellent and aggressive city government, Detroit was the first major city in the country to embrace fully the Great Society philosophy of urban rehabilitation. In translating this philosophy into action, in the spending of federal and local money, they led the nation. And look where it got them.

The explanation, the experts reply, lies in the psychology of the present-day urban Negro.

The elaborate efforts of the white community to confer equality on the Negro have failed, they say, because this effort in itself implies an unequal status between the races. The Negro has learned anger. In his search for identity and self-respect, he is now determined to seize by himself and for himself what is rightfully his, by any means necessary.

If he accepts this analysis, the white liberal is in a hopeless quandary.

Because if the Negro is permanently alienated from the white community and if he can achieve psychological equality only through hostility and violence, then there is no answer to the problem of building a successful multiracial society in the United States. But since the alternative is out of the question so far as the white liberal is concerned, he has nothing to suggest but more of the same programs and projects in larger quantities, even if he is convinced they won't work.

Yet perhaps it is not necessary to swallow all of the gloomy conclusions being dished up by the experts at this point.

It is well to remember that Detroit's riot, bad as it was, was the work of a very small minority of that city's population. And it is likely that the "frustration, envy, hatred and sedition" that Romney warns us about are somewhat less universal than he seems to think.

The experts are inclined to tailor their analysis of Negro attitudes to explain H. Rap Brown and his followers, rather than what President Johnson refers to as "the vast majority" who have noted the progress made in the last decade. This majority, certainly, is not content with conditions as they are today. But neither does it want to destroy everything that has been built in the pursuit of a ruinous revolutionary ideal.

If this is a more accurate picture of the present state of affairs, the question of where we go from here is less perplexing and more hopeful.

The problems of the cities, of course, should be dealt with as rapidly as possible. They will not be solved, however, simply by appropriating huge amounts of money as long as effective programs and rational administrative machinery to spend such sums do not exist. At best it will take many years—perhaps many decades—before the goals are reached. But this is not a reason to despair of reaching them at all.

ADDRESS BY HON. MARK O. HATFIELD, OF OREGON, AT UNITED NATIONS "WE BELIEVE" DINNER

Mr. MORTON. Mr. President, I ask unanimous consent that an address given in New York last night by the distinguished junior Senator from Oregon [Mr. HATFIELD] be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR MARK O. HATFIELD, OREGON, AT UNITED NATIONS "WE BELIEVE" DINNER, SEPTEMBER 19, 1967

Writers and commentators have recently devoted many column inches to writing epitaphs for our 38-story, marble monument-to-peace on the East River. These have ranged from the flat declaration that "The United Nations is Dead" to the more cynical analysis that this organization is nothing more than an "international cafeteria."

While these obituaries are a bit premature, they represent an exaggerated expression of the frustration that we all suffer because we recognize that the United Nations has *not* been empowered to deliver on its promise of peace.

The world prays for peace, wants peace, *demands* peace and expects the organization it created for this purpose to *produce* peace.

But the world expects too much.

For peace will not come simply because man demands it, or because he recoils at the horror of war, or because he recognizes the futility of force. We must go beyond a rational acknowledgment that there is no alternative to peace and change our inherent psychology and historical patterns of thinking.

For centuries, the dominant theme of international relations was suspicion and fear and this drove nations to seek security through *war*. But mankind can no longer afford "the cruel luxury of war" and these habits must be completely reversed. Today the only hope for security is through *peace* and the dominant theme of international relations must be cooperation and trust and understanding.

For survival, man's first priority is peace, and we must recognize that peace can only be founded on the cornerstone of cooperation. This is the prerequisite of peace and there will be no shortcut around, or substitute for, international goodwill. There are many who would bridge the gap between our desire for peace and our inability to realize it by simply amending the Charter to give the United Nations powers now withheld. They would attempt to build the structure of world order on a foundation of legal language in an atmosphere of suspicion rather than consensus. But to attempt to insure peace by this aproach is to duplicate the noble aims—and repeat the futility—of the 1929 Kellogg-Briand pact outlawing war. The United Nation's power to prevent war will grow out of peoples' involvement and not out of authority granted only on paper.

The U.N. Charter was broadly written and can be interpreted to accommodate almost any action with which its members agree. Our task then becomes to concentrate *primarily* on mobilizing the power of all people to build international cooperation rather than on simply changing the mechanics of procedure or Charter construction.

I am not merely supporting the functionalist theory which hypotheses that, as the United Nations is given more functions it will assume greater authority, and that the cooperation among the member nations it encourages in social and economic functions will eventually extend into the more sensitive, political areas. While I agree with the theory of functional evolution, I feel that, in its traditional definition, it does not go *far* enough, *fast* enough. I fear that we may be slipping again into the persistent habit of war and that we may not be prepared when time imposes its pragmatic test on our international maturity.

The functionalist concept focuses too often on nourishing cooperation between *national* governments and concentrates too exclusively on broadening the commitment of these *authoritative* bodies to the United Nations. All too rarely do the proponents of this concept direct themselves to the possibility of going beyond governments, to fostering cooperation and understanding among peoples of the world: to securing their allegiance to the United Nations.

There must be developed a strong sense of world community before there can be an effective delegation of authority to the United Nations. Some claim this sense of community will eventually evolve as governments learn to cooperate and trust each other; as nations become able to reconcile competing ideologies and tolerate diversity; and as states become able to compromise the reality of world *inter*dependence with their psychological commitment to the absolute sovereignty of the nation-state. But Stephen Goodspeed has developed what I consider to be a superior concept. "Sovereignty," he said, "cannot be delegated by governments unless habits are basically changed, unless the behavior tendencies of *millions* upon *millions* of people are directed toward a world, instead of a national, community." So, if the United Nations is to emerge as an organization capable of fulfilling the aims of its Charter, it is vital that it not only stimulate greater cooperation and confidence among nations, but that it sponsor a greater sense of community among peoples.

Just how do we do the latter? How do we eliminate the age-old barrier of suspicion created by cultural differences and misinformation?

I believe we can greatly accelerate the development of a sense of community among men by exploiting the fact that *people* are the common denominator of all nations, of all cultures, and by emphasizing that men share a common heritage of simple human values and are united in their aspirations for brotherhood and peace and adequate sustenance. The United Nations has tremendous potential in enabling men to realize that their personal hopes and human values are shared by others. One small but important step could be taken by many of you here tonight who are connected with the United Nations. I have heard you refer to your organization and those it serves as the "family of *nations*." Now is, perhaps, time for you to extend your reference and enlarge your constituency by referring to yourselves as the "family of *man*." The U.N. can serve as a conduit for communication and contact and understanding between the "millions upon millions" of people of the world just as it does for nations. I am convinced that more thought and greater resources should be devoted to expanding programs in the United Nations that bring together *people* and not just their governments, and officials, and technical experts. There is no substitute for a sincere smile to melt the frost of suspicion and to firmly knot the bonds of brotherhood.

And, while the United Nations is serving as a communications medium between peoples, it should, at the same time, be *part* of the message they receive. If this organization is to have true authority in international society, it must earn the respect and allegiance of the world's peoples. The United Nations will win this loyalty if men come to understand the principle that the interest of people must transcend the interests of states; the principle that the United Nations is an instrument to be used by men as well as nations; and the principle that man has unbreachable rights which flow directly from his dignity as a person.

But if the United Nations is to be a meaningful instrument in international society it will have to be supported not just as a promise but as a *reality*. The United Nations' influence must go beyond governments, it must develop a genuine relevance to the life and situations of people. And it must make them aware that its relevance for them will continue only as long as they interact and modify this organization to meet their needs. In 1955 Dag Hammarskjold predicted "The day will come when men will see the United Nations and what it means clearly. Everything will be all right—you know when? When people, just people, stop thinking of the U.N. as a weird Picasso abstraction, and see it as a drawing they made themselves."

How do we encourage the peoples to begin drawing their own United Nations? What kind of programs should we initiate that will generate a sense of world community and will result in a strengthened, more effective organization? Richard Van Wagenen has listed four objectives that programs undertaken by the United Nations should meet if this goal is to be realized. These tasks should:

1. Be conspicuously related to the United Nations.
2. Have a good chance of success in a technical or administrative sense.
3. Involve the lives of many influential people in several significant member-states, and
4. Bring tangible rewards to members.

I want to discuss two proposals which definitely meet these criteria and would, I am convinced contribute to a greater sense of world community and, in the long run, would help increase the measure of authority that international society is willing to grant to the United Nations.

Everyone grants the immeasurable benefits of the activities of the U.N.'s specialized agencies and the international conferences they sponsor yearly. These activities carry the United Nations and its humanitarian purposes to the world's people and they foster cooperation of the member-states through their non-political, non-controversial programs.

This, too, could be the result of a proposal that I hope will be given serious consideration. I suggest the convening of a citizens' Conference to Appraise the United Nations in which all member states will be encouraged to participate. The Conference would have three broad and ambitious purposes:

1. To identify the accomplishments of the United Nations and to analyze the ingredients of these successes;
2. To anticipate, and identify the scope of future world problems in both the political and non-political areas and to list possible courses of action that could be undertaken to prepare for and solve these problems;
3. To identify the weaknesses of the United Nations that impede its ability to effectively cope with problems and to list possible courses of action that could be undertaken to increase its effectiveness.

These three purposes distinguish this proposed Conference from the hundreds of other international conferences sponsored each year.

First, the typical conferences currently held often deal with quite specific problems and problem areas. Solutions proposed are sometimes unworkable because they are evolved in unrealistic isolation from other important problems and considerations. Second, there is very little coordination of the findings of these many international conferences. This has unfortunate results in that there is confusion as to the relative significance of the many problems, and the world has great difficulty in determining the proper priorities of concern. This establishes a crisis pattern where the world is forced to solve its problems with *corrective* rather than *preventive* measures.

And finally, where the scope of most conferences is largely limited by practical necessity to consideration of *current* issues and problems the, the Conference would attempt to identify past successes and apply their lessons not only to the present but also the future.

A very wise man, Abraham Lincoln, once observed "If we could first know where we are and whither we are tending we could better judge what to do and how to do it." I believe it is past time for the world to define the terms under which the United Nations, and mankind, can survive and develop.

The Conference to Appraise the United Nations, as I envision it, would be conducted in three separate stages. First, member states would be encouraged to establish numerous national study groups within their own country and made up of their own citizens. Each national study group would be instructed to review past, analyze present, and anticipate future problems within a specific area of concern. Hopefully each group would be composed of private citizens with an interest in and/or knowledge of the United Nations and the area of concern assigned to that group. In many member-states the basic framework for a number of these study groups has already been formed. For instance, United Nations associations have been established in many nations and committees advising and supporting specialized agencies—such as the U.S. Commission for UNESCO—already exist. But I want to emphasize four points concerning the selection of the national study groups: one, as far as possible, the people forming these study groups should come from non-governmental sources; two, it is vital that the membership of the national study groups include influential laymen as well as experts in the group's subject area; three, young people, with their critical and creative approach to problems should be appointed to these groups; and, four, the national study groups should make every attempt to involve as many people as possible in their work, soliciting opinions from citizens outside their ranks. The national study groups, meeting as concerned people of their nation and world, would bring diverse and undogmatic viewpoints on the world's problems. Their proposed solutions could well be more *human* than political, for as citizens rather than government officials their thinking would not be inhibited by protocol, politics, and pressures.

The national study groups would submit individual reports—to be circulated as widely as possible—of their review of past, present, and future world problems. They would also elect several of their members to represent their nation during the second phase of the Conference. At this point, these representatives—from each of the member-states participating in the Conference—would assemble at an international meeting. On the basis of the reports of the national study groups, the representatives to the international meeting would compare views as to lessons of the past, the nature of present, and the scope of future world problems in both political and non-political areas. These representatives would draft reports emphasizing the possible solutions the United Nations should consider for specific world problems.

These reports would be submitted to the Secretary-General who would include them on the agenda of the next session of the General Assembly.

Thus the Conference, *unlike* many international conferences, would focus attention on important problems by providing well-defined procedures and by requiring that recommendations receive an audience, and either acceptance or rejection, at top levels. These discussions by people at both the national and international levels, could develop a broad world consensus as to proper solutions for problems. On the basis of this consensus, Charter amendments, or complete Charter revision to strengthen the foundations of world order, could become a reality.

A very important contribution of such a Conference, in my judgment, is the possible involvement of thousands of people in finding solutions to their own and their neighbors' problems. Such a Conference could help develop a sense of world community by making men in many nations aware that other people share their problems and aspirations. The United Nations, as it became involved in the lives of people through the Conference and as it inspired their hope for a better world, would win the loyalty of men and would assume new authority in their eyes. But perhaps most significantly, just as the Conference could make the United Nations more relevant to the lives of people, so it could make people more relevant to the United Nations.

Through the national study groups the will and interest of people could have an impact on the policies and course of the United Nations. Secretary-General U Thant emphasized recently that, "Although the Charter was signed by the representatives of Member Governments and their aim was to establish an inter-governmental organization, they themselves intended that it should be the peoples of the United Nations who are speaking in the Charter, it is their will that must be felt and their interest that must be protected. . . . Therefore, what needs to be stressed is the fact that, in the language of the Charter, . . . 'we the *peoples* of the United Nations', not 'we the governments of the United Nations,' are the primary source, and therefore the ultimate authority of the Charter of the United Nations. They, the peoples, have to be made conscious of the role that is expected of them in influencing their Governments to act according to the Charter of the United Nations."

My second proposal would also involve a great number of people in the activities of the United Nations.

Youth, with its keen sense of justice and its characteristic impatience, must somehow cope with the frustration of a world possessing a technological capacity which could grant to all men the minimum standards for a life of dignity and meaning but which lacks the resolve and emotional maturity to match its capabilities. These young people, with a genuine sense of man's responsibility for his brother, have volunteered to serve peace and progress in many areas of the world.

This spirit of volunteerism has been infectious and is common to youth of many nations. The International Secretariat for Volunteer Service estimates that when it first started functioning in 1962 there were 4,000 long-term volunteers at work throughout the world. Today the world can count well over 110,000 volunteers involved in domestic and foreign programs. The foreign or "export" volunteers come from 19 nations and domestic volunteers work in 18 countries.

This obvious resource of young people who are willing to devote a portion of their lives to the service of other men offers tremendous potential for not only accelerating growth in underdeveloped countries but for carrying the message of the United Nations and the world community to peoples of developing societies.

Why not begin now to establish a United Nations Volunteers for Peace program under which the United Nations could begin recruiting, training, and supplying volunteers to requesting countries. Initially, this program would co-exist with the other established volunteer programs but hopefully many of these programs, particularly those sponsored by individual nations, would be eventually assimilated into the U.N. Volunteers for Peace.

The specialized agencies of the United Nations already use volunteers supplied by such organizations as the International Secretariat for Volunteer Service. FAO, ILO, UNESCO, and UNICEF are able to use volunteers with particular effectiveness since UN programs already operate in areas of priority within the development plans of nations.

Additional framework for the volunteer program exists in the United Nations Institute for Training and Research. This Institute and other institutions in the United Nations family could be utilized in training the volunteers in technical skills, languages, cultural backgrounds and other necessary areas. But not only would the training program be useful in instances where young people from one country are sent to work in another but such training facilities would be invaluable in transferring vital technical skills to domestic volunteers who will remain in their own country.

The administrative advantages of one central coordinating body such as UN volunteers is obvious. For instance, the specific skills of volunteers could be better coordinated with the needs of recipient countries. The political and psychological advantages of a centralized supply of volunteers under the United Nations are also obvious. Since most nations are members of this international organization, there would be much less psychological stigma of accepting help from someone outside the family and much less fear of being politically compromised than there is now under the standard bilateral programs between nations.

I am convinced that a program such as Volunteers for Peace could be one of the most effective activities of the United Nations. What better way is there of generating a sense of world community than sending idealistic young men and women from many nations to work with each other and with other peoples in an unselfish effort to build a better world? And what better way is there to go beyond governments, to develop a loyal international constituency for the United Nations than assisting this organization to touch the hearts of people through projects that make their lives a bit easier, a bit more fulfilling?

These few ideas and proposals are simply founded on the concept that all power ultimately does or eventually will rest with people of the world. We have conceived and implemented many programs for peace based upon political power, economic power, military power, even atomic power, but the day of real peace will come only when we mobilize people power.

Man for centuries has pursued the utopia of peace and has sought to create a society respecting his fundamental rights and dignity as a human. Two hundred years ago, Benjamin Franklin prayed: "God grant that the law of liberty and a thorough knowledge of the rights of man may prevade all the nations of the earth so that a philosopher may set his feet anywhere on its surface and say 'This is my country.' " And today, the United Nations' Charter proposes a world society where all people shall be spared the scourge of war and where all peoples shall practice tolerance and live together in peace with one another as good neighbors. This has been man's eternal wish and the goal toward which he has been painfully progressing.

But we are now coming down to the wire. And I fear that too many of us, in our desperate preoccupation with the world's current slide toward the precipice, are loosing sight of this dream. But we cannot allow current crises to so consume our interest and energies that we have no time left to spend cultivating the seeds of peace and hope. We must face today, and challenge the future, not only wtih the idealism tempered by reality but also with realism infused with vision. It was said long ago in the days of Solomon, "Where there is no vision the people perish."

But the companion of vision must be faith.

People do believe that the goodness which resides in our individual hearts can someday be translated into the nature of society as a whole. People do believe that a world community founded on tolerance and dedicated to peace, is possible.

And it is possible if we make the right choices, now.

Mankind has the power to choose—that power is people power.

FAVORABLE PUBLIC RESPONSE TO RURAL JOB DEVELOPMENT BILL

Mr. PEARSON. Mr. President, on July 21 the distinguished Senator from Oklahoma [Mr. HARRIS] and I introduced the Rural Job Development Act of 1967 (S. 2134). The bill would provide a series of tax incentives intended to encourage the development of new job-creating industries in rural areas. The objective here is twofold: first, to improve economic conditions in rural America; second, to slow down the great rural-to-urban migration which continues to depopulate the countryside and the small towns, thus, at the same time, adding to the population pressures of the already overcrowded cities.

We have been most encouraged that this bipartisan proposal has been cosponsored by a bipartisan group of 28 of our colleagues here in the Senate. Moreover, as I have reported on several occasions since the bill was introduced, the public reaction to this proposal from across the country has been extremely favorable.

In my effort to solicit expert advice and opinion on this proposal I wrote to the State directors of the Cooperative Extension Service asking them to review the bill and to offer their comments. Their responses have been favorable and extremely valuable in that they speak with a background of expertise in this area of rural economic development.

Mr. President, because of the value of the comments from the State extension directors, I ask unanimous consent that a sampling of the responses I have had to date be printed in the RECORD at the conclusion of my remarks.

I have also received a great deal of unsolicited mail from individual citizens around the country and I ask unanimous consent at this time that a sampling of these letters also be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

LETTERS FROM COOPERATIVE EXTENSION DIRECTORS

COOPERATIVE EXTENSION SERVICE,
COLORADO STATE UNIVERSITY,
Fort Collins, Colo., August 21, 1967.

Hon. JAMES B. PEARSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR PEARSON: Thank you very much for the opportunity to review the Rural Job Development Act which you have co-sponsored.

We have not had an opportunity to obtain definitive and detailed analysis from our staff; however, the following general observations are furnished in response to your letter of August 2.

Basically, I believe that the approach you have outlined in the bill is constructive and would provide incentive in rural areas. The effort to give assistance in declining rural areas is certainly appropriate and badly needed.

One limitation to the bill appears to rest with the emphasis upon tax incentives which are extremely important but probably not the only factor to be considered by small business or industry when considering relocating or initial establishment. Perhaps what I am trying to say is that I believe your bill would be helpful. It would seem to me appropriate to give the incentive in rural areas; but I would not expect it to be a panacea, since the problems of economic growth and development in many rural areas are extremely complicated and very difficult to solve.

As you might expect, your emphasis on training assistants is of interest to me; also your recognition of the need for inter-agency coordination and revision of other legislation, such as the Manpower Development Training Act of 1962, is appropriate in attempting to take advantage of existing programs and legislation. I have personally been somewhat concerned about the number of new agency activities in the field and the degree of confusion resulting therefrom. Anything that can be done in the drafting of legislation to provide for adequate information flow and inter-agency coordination seems to me appropriate. This need is particularly urgent, in my opinion, in rural communities which do not have the professional expertise available to thoroughly analyze new programs and comply with procedures required for participation.

In summary, I would repeat that the bill which you have co-sponsored does have affirmative and helpful elements which should be effective in meeting some of the urgent problems in under-developed or declining rural areas, and I most strongly support the attention given to the declining areas of our economy. The current efforts to develop programs to serve the multitude or urban problems has a counterpart in the rural area where population density is declining and economic growth is either at a standstill or dropping off year by year. The total economic and social problems of America, in my opinion, must consider both the in-migration and labor utilization as well as over-all development problems in metropolitan areas and the matter of maximizing opportunity in rural areas. For this reason alone, I am sincerely interested in the legislation which you propose.

Very sincerely,
LOWELL H. WATTS,
Director for Extension and University Services and Director of Cooperative Extension Service.

NEW MEXICO STATE UNIVERSITY,
COLLEGE OF AGRICULTURE AND HOME ECONOMICS,
Las Cruces, N. Mex., August 8, 1967.

Hon. JAMES B. PEARSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PEARSON: You are to be commended for sponsoring Senate Bill 2134. I appreciate very much receiving a copy for review and I am in full accord with the Bill. It is imaginative, far reaching, and will utilize more fully and effectively the human and natural resources of rural America.

Passage of this Bill will slow the migration from the nation's rural areas, which is principally the result of a lack of economic opportunity. It will also reduce the tremendous population pressures in our metropolitan areas. I can also see in this Bill a blend of public responsibility and private initiative that will revitalize the rural communities of America.

I am sure New Mexico's Congressional delegation can be counted upon for support of this very excellent legislation. Thanks for sharing a copy of this proposed Bill with me.

Very sincerely yours,
PHILIP J. LEYENDECKER,
Dean and Director.

NEW HAMPSHIRE COOPERATIVE EXTENSION SERVICE, UNIVERSITY OF NEW HAMPSHIRE,
Durham, N.H., August 14, 1967.

Hon. JAMES B. PEARSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PEARSON: Thanks for the copy of S. 2134 to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas.

You certainly have a lot of support for the proposal.

It seems logical to focus attention and effort on building employment opportunities. To the extent this can be done, the problems of low-income will be reduced.

Cordially yours,
SAMUEL W. HOITT,
Director.

COOPERATIVE EXTENSION SERVICE,
UNIVERSITY OF MAINE,
Orono, Maine, August 7, 1967.

Hon. JAMES B. PEARSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PEARSON: S. 2134, Rural Job Development Act, which you introduced along with co-sponsors on July 21, 1967 is a significant proposal.

As a member of the President's Commission on Rural Poverty, I have developed a rather definite philosophical position about the cause, nature and significance of rural poverty. For obvious reasons, however, I cannot and do not speak for the Commission. I react to your proposal only as an individual and in response to conditions which I know exist within Maine. I make no attempt to relate your proposal to national conditions. I am sure you will want to seek the more official reactions of Governor Edward Breathitt of Kentucky as chairman of the Commission or of Dr. C. E. Bishop who is heading up the staff working for the Commission with offices in Washington.

The two decades since World War II have seen a deterioration in the quality and economic stability of rural life within Maine. Commercial agriculture's needs for manpower have decreased under the forces of technological change and rural people interested in securing some kind of a reasonable standard of living have been forced to migrate to industrial employment opportunities in Southern New England. Those who were "boxed-in" by age, health, or family conditions and have remained behind do so even though confronted increasingly with hopelessly inadequate living standards accompanied by poor community services, education, medical services, and employment opportunity.

While I hope there is no basis of fact in my fears, there is some indication that the out-migration of the more ambitious, aggressive and determined of our younger people may result in a down-grading of the genetic quality of the remaining population. I suspect this is difficult to prove as a scientific fact and yet there is some statistical evidence that perhaps indicates this.

I am not competent to assess the effect that our migrants have upon the creation of social problems in the receiving industrial centers. I know what I'm told, however. Our out-migrants are ill-prepared by reason of inadequate training to assume other than very menial types of occupations. They are very vulnerable to unemployment in periods of economic adjustment and may create serious social problems on the receiving end.

Certainly we cannot as a nation allow unstructured economic policies to be the determinant in allowing the development of chaotic conditions within cities such as we have seen this summer throughout America. One alternative is embodied in S. 2134. Your having built in a tax incentive should be especially important in encouraging this approach. In some way your legislation needs to give recognition of the necessity for developing an intensive, pre-employment training program within the selected communities so that the manpower pool will be responsive to the needs of the industry to be located therein. With employment opportunity in a responsible local industry, the viability of the rural community will be restored and assured. Within Maine there are any number of communities which might support industries employing anywhere from a few hundred to several hundred local people who, properly trained, would commute from existing homes to work. It is my observation at present that industries moving into rural Maine communities tend to be those which have very low capital investments, require a minimum of employee training and pay minimum wages. They are quick to pick up their equipment and move when it is more profitable to be elsewhere. This is completely understandable but also somewhat wasteful.

I am sure that I've said nothing in this letter with which you are not already familiar. I do endorse your goal and accept your judgment that your approach will achieve this goal, in part at least.

Sincerely,

W. C. Libby, *Dean*.

Kansas State University,
Manhattan, Kans., August 14, 1967.
Hon. James B. Pearson,
U.S. Senator,
Washington, D.C.

Dear Senator Pearson: I have just studied with a good deal of interest your Senate Bill 2134, the proposed Rural Job Development Act of 1967. I am strongly impressed with the logic of the approach of this bill. It would seem that the tax incentives for enticing industries to rural areas are much in order. I like the provisions of the bill which would tend to prevent transplanting already established industries merely for the purpose of taking advantage of the tax incentives.

I would hope that this bill would be most attractive to those industries processing and handling agricultural products, since these seem to me to be the logical industries for at least our Great Plains rural areas.

We in Extension have been working very closely with rural leaders and with the U.S. Department of Agriculture and state agencies in an endeavor to increase the number of industries located in our rural communities. We believe that the existing agencies such as Extension should be called on to assist with the implementation of the Rural Job Development Act rather than the establishment of any new agencies.

I appreciate your coming up with this proposal and hope that it finds favor with the Congress.

Sincerely yours,

Harold E. Jones,
Director.

University of Kentucky,
Cooperative Extension Service,
Lexington, Ky., August 29, 1967.
Hon. James B. Pearson,
U.S. Senate,
Washington, D.C.

Dear Senator Pearson: This is in response to your recent letter to Dr. William A. Seay, Director of the Kentucky Cooperative Extension Service, with which you enclosed a copy of S. 2134, the "Rural Job Development Act of 1967", and in which you asked for our comment on the general concept and mechanics of the bill.

Congratulations on the proposal for a program to create more jobs in rural areas to attack rural and urban unemployment problems. Many rural residents who are potential migrants to urban areas would stay in rural areas if they could find gainful employment. Some who have moved to urban areas would return to rural areas if they could find employment opportunity there.

Experience in several states has shown that such tax incentives as proposed in S. 2134 have indeed helped industrialize rural areas. We feel efforts to help rural industrialization should be increased.

We have two general questions about the bill. First, will implementation of this proposal result in conflict with programs of the Department of Commerce and possibly with the Department of Health, Education, and Welfare? Second, past experience indicates that designation of "rural job development areas" would have to be carefully done. Previous designation as "depressed areas" offended many communities. Some refused to take advantage of helpful programs because they did not want to be known as a "depressed area."

Some of our staff members have expressed the feeling that the statement of purpose, page 2, should include the notion of "improving the employability of citizens of rural America." This would provide a tie to the Employment Act of 1946 wherein the Federal Government first assumed responsibility for employment of the people. This objective obviously is being pursued because of the proposed allocation of $20,000,000 through MDTA.

The stipulation in item (5), page 6, that 33⅓ percent of the persons employed have incomes under $3,000 as heads of families, or $1,800 if they are not heads of families, or are persons described in item (4)(b), page 6, may pose a problem the first year for training must precede employment.

If item (4)(B)(I) on page 6 began with the "former residents of the area," return of rural residents would be encouraged and infiltration of outside special interest groups would be deterred.

The open-end reports required in Sec. 102 (a), page 8, may be a deterrent to prospective employers interested in obtaining certificates.

Implementation of training plans, as provided in Part D, pages 32–33, might be simplified and expedited if fewer Departments were involved.

Economic and business data described in Section 401, pages 34–35, are already available in Kentucky from the State Department of Commerce and local industrial development committees for nearly every town. Probably the data also are available in most other states.

In Section 404, page 36, a $250,000 appropriation is proposed to fund three types of service. In Kentucky, the State Department of Commerce largely performs the first function, local development foundations in the main perform the second function, and the third is performed primarily by the Cooperative Extension Service. Similar functions are performed by similar state agencies in many other states. Perhaps the proposed funds for gathering data and publicizing rural areas could be used more effectively by existing state agencies already accustomed to carrying out these services. Such an arrangement would avoid duplication of existing efforts. The proposed $250,000 is definitely inadequate.

Some feel that the educational task of creating a positive attitude on the part of the public in general, and in particular on the part of unemployed and underemployed adults, is overlooked in this bill. The Cooperative Extension Service is better prepared than any other agency or group to perform this educational task, but that agency needs an expanded staff to do the job adequately.

Finally, as more jobs are available in rural areas, attention must be given to the areas of housing, water supply and waste disposal systems, schools and access roads. Experience has taught us that many families leave rural areas because of inadequate community facilities.

We commend you on the philosophy on which S. 2134 rests. Kentucky and many other states can certainly profit from increased employment in rural areas.

Sincerely,

G. W. Schneider,
Associate Director.

Cooperative Extension Work in
Agriculture and Home Economics,
Rio Piedras, P.R., August 21, 1967.
Hon. James B. Pearson,
U.S. Senate,
Washington, D.C.

Dear Senator Pearson: We want to acknowledge receipt of your letter of August 2, 1967 related to the Rural Job Development Act.

It is our sincere belief that any piece of legislation designed to attract new job creating industries into rural areas and reducing the exodus of rural people to urban areas, is of paramount importance for the Nation.

This legislation, as it is presented, focus the aid to industries not based on subsidies, but on incentives, which it has been always my firm conviction that is the best and most effective way to encourage and improve the economic opportunities for rural areas. As expressed by you and other members of the United States Senate, this act will provide the necessary assistance for a better and comprehensive utilization of the Nation's human and natural resources.

Very turly yours,

Roberto Huyke,
Director of Extension.

West Virginia University,
Morgantown, W. Va., August 28, 1967.
Hon. James B. Pearson,
Senate Office Building,
Washington, D.C.

Dear Senator Pearson: I have reviewed Senate Bill 2134 entitled "Rural Job Development Act of 1967" at your request. I have these general comments to make with respect to it. The intent of the proposed act is excellent. Migration from the rural areas exceeds what might be termed a good healthy situation for the economy of the United States. If implemented, it would tend to prevent urban areas from expanding past the point of maximum economies of scale. Unless a bill of this type is passed, we are faced with great problems in the depopulated rural areas, such as education, market development, and the like.

You may obtain further justification for a bill of this type by reading the report of the National Advisory Commission on Food and Fiber. An entire chapter in that report and many of the recommendations deal with the problem of unemployment in rural areas. As a member of that Commission, I subscribe fully to the statements therein.

I have one point of concern, and it deals with the mechanics. It would appear to me that there is "too much government" in carrying out the intent of the act. I wonder why such procedures as would be set forth by the Internal Revenue Service in filling out tax forms cannot be introduced into such a bill. If government as is expressed in this bill is required to go to the great detail in making individual industry eligible for tax benefits or special loans, the results will be considerably less than if a method can be determined whereby tax benefits and loans can be more simply obtained. It would appear that there are too many restrictions and too many rules.

Sincerely yours,

Ernest J. Nesius,
Vice President.

Agricultural Extension Service,
North Carolina State University at Raleigh,
August 11, 1967.

Hon. James B. Pearson,
U.S. Senate,
Washington, D.C.

Dear Senator Pearson: Your letter of August 2 to Dr. George Hyatt, Jr. has been given to me for reply. Dr. Hyatt is away on vacation.

Thank you very much for the copy of Senate Bill 2134. I have reviewed this bill in its entirety and, I think in general, the objective of this bill is entirely desirable in view of the needed opportunty for employment in many of our rural areas. Furthermore, I believe the mechanics, as they are spelled out, are practical and workable. By and large, I am convinced that any steps that can be taken to reduce the unemployment in our rural areas are highly desirable.

With best regards, I am,

Very truly yours,

George W. Smith,
Associate Director.

The Extension Service, University of Vermont,
Burlington, August 11, 1967.

Hon. James B. Pearson,
U.S. Senator,
Washington, D.C.

Dear Senator Pearson: I have reviewed the rural job development act (S. 2134). I think the idea behind this act certainly has great meaning and anything that can be done to attract new industries to rural areas on a well planned basis should be done. While this is very important now, I think it will be particularly important when international war conditions ease up to a point where there will be a real need for strengthening all rural development activities.

I hope that you have real success as time goes on with this measure.

Sincerely,

R. P. Davison,
Director.

Cooperative Extension Work in Agriculture and Home Economics,
Columbus, Ohio, August 11, 1967.

Hon. James B. Pearson,
Senate Office Building,
Washington, D.C.

Dear Senator Pearson: Thank you for your letter of August 2 requesting my views on Senate Bill 2134 relating to the Rural Job Development Act of 1967. I am in full agreement with the general concept of the bill. It will provide an incentive for private enterprise to work hand-in-hand with government to strengthen our rural communities through industrial development.

It seems to me that the mechanics of implementing the bill will need to be uncomplicated and developed in such a way that the incentives will be attractive enough to interest large numbers of industries. It will be important to attract industries that will offer significant opportunities for truly upgrading the employment situation in the areas involved. By this, I mean that a large influx of low-paying industries into an area would not necessarily be an improvement.

To the extent possible, the Act should be administered through existing organizations and agencies rather than establishing new units of administration. In this regard, with added resources the Cooperative Extension Service in the states, through their Community Resource Development educational programs, could be in an excellent position to be of assistance in implementing Title IV of the Act. It will be very important to give constant attention to the dissemination of current information relating to employment, inventories of resources, unemployment and under-employment, suitability of potential locations, and the like in the rural communities involved. We are pleased to note that the Act indicates that "existing sources and facilities shall be utilized to the maximum extent feasible."

Thank you again for your letter. Be assured that if the bill becomes law, we shall cooperate in every way we can, within the limits of our resources, to implement those sections that relate to education and research in the communities involved.

Sincerely yours,

Roy M. Kottman,
Director.

University of Hawaii,
College of Tropical Agriculture,
Honolulu, Hawaii, August 24, 1967.

Hon. James B. Pearson,
U.S. Senate,
Washington, D.C.

Dear Senator Pearson: I wish to respond to your letter of August 2 concerning the Rural Job Development Act. With respect to the general concept of the bill, it is my judgment that it is commendable. As you have pointed out so well, it would make a contribution toward two major problems: (1) offer employment and income opportunities to people in rural areas; and (2) reduce the population pressures in large metropolitan areas. The magnitude of the impact on these two problems would be difficult to estimate but any positive contribution would certainly be helpful. The costs in terms of the short-run loss to the Treasury probably could be estimated but the long-run gains to the Treasury would be difficult to assess. No clear-cut cost-benefit ratio can be estimated at this time. One point that might be kept in mind is that enhanced employment and income opportunities in rural areas will likely make it more difficult for farmers to find labor and it will likely increase farm labor costs.

With respect to the mechanics of the bill, it is my judgment that the tax incentive approach will be helpful in stimulating economic activity in rural areas. While it would be desirable to place major emphasis on the low income areas, I would suggest that this point not be over-emphasized for the following reasons: (1) An industry might have a considerably greater chance of success in a progressive, prosperous rural area than in a low income rural area; (2) A successful venture would be more effective in enhancing employment opportunities for rural people than would an industry with limited success or failure; and (3) A person with a rural background who needs to move to seek job opportunities might move more readily into another rural community than into a metropolitan community.

I hope these thoughts are of some interest and value. I am honored that you have asked for my comments.

Sincerely yours,

C. Peairs Wilson,
Dean.

Cooperative Extension Service,
University of Nebraska,
Lincoln, Nebr., August 8, 1967.

Hon. James B. Pearson,
U.S. Senate,
Washington, D.C.

Dear Senator Pearson: I am honored that you have sent me your bill S–2134, requesting my comments. After reading the bill and the Congressional Record for July 21, 1967, I am strongly impressed with the logic of this approach. There are two specific comments that I would like to make.

1. It is hoped that the emphasis of the Rural Job Development Act would be toward developing agricultural related businesses in the great agricultural states such as Kansas and Nebraska. It does not make long term economic sense to attempt to transplant the auto industry of Detroit to a corn field of Nebraska or a wheat field of Kansas. The emphasis in such as these states should be to build on the raw material base with further-processing and production-supplies industries.

2. I would also hope that full use of the agricultural expertise of the Cooperative Extension Services of agricultural states would be made. We have people with intimate knowledge of our rural areas, that comes of decades of working with rural families. There has been an alarming tendency for some of the poverty programs to by-pass existing agencies and attempt to add new ones for each new program. The Rural Community Development Service is an example. Doesn't it make more sense to put some resources into existing agencies and shift their emphasis rather than to start from scratch? We have a cooperative project in Agricultural Extension with the State of Kansas, on the Economic Development of Northeastern Kansas (6 counties) and Southeastern Nebraska (4 counties). Dr. Harold Jones, your very able Director of Cooperative Extension in Kansas, and I have cooperated in staffing this ten county area with two Economic Development specialists. Even though the program has been in operation little more than a year, I believe that you would be amazed at the progress that has been made in informing the people of this multi-county area as to potentials, and motivating them to collective thinking and action. An enlargement and extension of this program to other rural areas would pay great dividends.

It so happens that I am Chairman of the Great Plains Agricultural Council and have just returned from the annual meeting at College Station, Texas. This organization is vitally interested in the problems dealt with by your bill. I'm sorry I did not have your letter at the meeting. It would have been excellent to have discussed it with the members of the Council.

Your bill does indeed "strike at the roots" of one of the great problems of this century. I hope it passes. If I can be of any service, please let me know.

Yours very truly,

John L. Adams,
Director.

Cooperative Extension Service,
South Dakota State University,
Brookings, S. Dak., August 24, 1967.

Senator James B. Pearson,
U.S. Senate Building,
Washington, D.C.

Dear Senator Pearson: I have read with great interest your bill S. 2134. This is the kind of forward thinking legislation long over due to prevent a continued migration of population to the over crowded urban centers. From strictly competitive economics of plant location, these centers have long enjoyed advantages. However, it is now very obvious that the social disadvantages of over crowding people is a very high price for this nation to pay for not giving attention to industrial location.

In our own state of South Dakota without significant tax or other incentives, most industry cannot afford to locate in the state because of transportation costs and the costs of labor training, etc. At the same time, we are suffering from population losses almost as much as urban areas are from over crowding.

In the long run, it not only makes social, but economic and military sense for the government to take an active role in the dispersal of off farm employment.

On page 6, lines 20–25, thought might be given to using a more meaningful income level for determining eligibility. Possibly taxable income might be used which would take into consideration dependents, etc. also farmers have a highly fluctuating income from year to year that possibly should be considered.

Another consideration that is not clearly spelled out, relates to incentives for industrial expansion of businesses already located in rural areas.

Priorities on public housing might also be considered as an incentive for location in less congested areas. The concentrations of ethnic and race groupings, it seems to me, must be eliminated and this bill certainly should help.

Congratulations to you for your sponsorship!

JOHN T. STONE,
Dean of Extension.

COOPERATIVE EXTENSION SERVICE,
MISSISSIPPI STATE UNIVERSITY,
August 14, 1967.

Hon. JAMES B. PEARSON,
Senate Office Building,
Washington, D.C.

DEAR MR. PEARSON: Thank you for the opportunity to comment on the proposed Rural Job Development Act which you and Senator Harris introduced. I congratulate you on its reception and sponsorship.

I am glad to see recognition given to the interdependence of rural and urban areas. Certainly, it is not a proposition of "either or" but together. One has impact on the other as you have pointed out. Whether or not increased job opportunities will slow the migration to urban areas is a thought-provoking question. Certainly it will help in those cases where finding a job is the critical factor. As you know, the causes of migration are multi-complex, and some may be more sociological than economic.

You have shown much foresight in recognizing that jobs alone are not the answer—because in many areas jobs are available, but there is not any skilled labor to be hired. The training aspect of this act is most commendable.

The tax incentive approach is sound, I believe, as an encouragement to private business and industry to locate new plants and facilities in rural areas.

Yours very truly,

W. M. BOST,
Director.

LETTERS FROM INDIVIDUAL CITIZENS

JIM BLEVINS CO.,
Carrollton, Mo., July 21, 1967.

Senator JAMES B. PEARSON,
Senator From Kansas,
U.S. Senate Office Building,
Washington, D.C.

HONORABLE SIR: We have read in the Kansas City Star this morning of your Rural Job Development Bill. It is most gratifying to realize that finally someone in Washington has remembered there are people in this great United States besides those who live in the cities.

We are sending you copies of various articles covering the same subject which were sent to our Senator Symington on September 14, 1965.

It is our sincere hope that you will be able to accomplish the goal set in this great idea that you and Senator Fred Harris of Oklahoma have worked up. Your idea is surely one that the rural community has been needing all along.

When this program has been in progress a short while, all your political friends will be able to see the great results in tax savings dollars and the upbuilding of humanity itself.

Another problem that the rural community faces is one of money to do things that the small community is in dire need of. A personal example is one of my own in searching for finances for a 20 unit apartment house which Carrollton needs. In talking with all major insurance companies, we were turned down because they did not want to enter the smaller areas; they further stated that they could make all the loans they needed in the larger cities across the nation. Again this is proof that the rural area is being neglected. Just because we live in rural areas doesn't mean we have the needs like our city neighbors. The rural banks and home loan associations were also contacted regarding this same apartment project. They replied that the project was too big for them to handle. The total cost of the project would be about $200,000 excluding the cost of the land. If the people in the rural areas could borrow money and build things needed, this would bolster the economy of our community; rest assured we have no desire for anything free from our government. All we want is the opportunity to borrow money at a fair rate of interest and repay on a monthly business like basis. You have no idea of the accomplishments to be had in the rural community with a small businessman, if he could get financial support. If each community of 5,000 people here in the Mid-West could get some place to borrow the money needed for civic improvements, much good would be derived. The rural people are a stabilizing factor in our national economy, but we need tools to work with. Again we are not wanting any gifts or grants; we just want the opportunity to build and repay.

Your efforts are greatly appreciated by the rural community.

Yours very truly,

JIM BLEVINS,
Member of the Carrollton Development Co.

COPPERATIVE EXTENSION,
UNIVERSITY OF MASSACHUSETTS,
Amherst, Mass., August 10, 1967.

Hon. JAMES B. PEARSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PEARSON: Director A. A. Spielman and I have reviewed Senate Bill S. 2134 as requested in your letter of August 2nd. We were much impressed with your excellent testimony on July 21st before the United States Senate in support of this bill and also that of your colleague and co-sponsor Senator Harris.

It seems to us that you have clearly stated the case in terms of the need for creating new job opportunities in rural areas. Your thought of providing tax incentives which would encourage industry to locate in rural areas is sound. We compliment you and Senator Harris for your aggressive action.

Thank you for calling the matter to our attention.

Very truly yours,

J. RICHARD BEATTIE,
Associate Director of Extension.

MENDHAM, N.J.,
August 3, 1967.

Hon. JAMES PEARSON,
Senator, U.S. Senate,
Washington, D.C.

DEAR SIR: Paul Hope in his column "Capitol Closeup", appearing in the Newark Evening News, Monday, July 31, 1967, mentioned the introduction of a bill called the Rural Job Development Act, and the part 23 senators are playing in having it passed.

Your name was mentioned as one of the leading sponsors, and I want to congratulate you and the other 22 senators for the wisdom in bringing it forward. It seems to be the proper answer to the cities ghetto problems if a sufficient number living therein could be induced to go to smaller communities for employment, and if industry would help in establishing plants in such outlying areas. They certainly are doing just that in New Jersey. One can travel in most any direction and find small and reasonably large plants built and occupied miles from the main cities.

More power to your group and may the forces of sense and opportunity prevail.

Respectfully yours,

E. A. EVANS.

NATIONAL COUNCIL OF
FARMER COOPERATIVES,
Washington, D.C., August 24, 1967.

Hon. JAMES B. PEARSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PEARSON: You asked for our comments on the measure S. 2134 introduced by you, Senator Harris and 28 other members of the U.S. Senate.

The basic objectives of the proposed Rural Job Development Act are commendable. Certainly no problem should receive greater attention at this time than halting or even reversing the flow of people from farms to the urban areas, particularly to the inner city where there are many economic and social problems.

It appears from the reading of the bill, and from the comments in the July 21 Congressional Record, one of the foremost objectives of the Bill is to halt the outward migration from farms in rural areas to the cities. We believe the concept should reach somewhat further, that is, it be designed to attract those who have already migrated to the city back to the rural areas, particularly the areas from whence they came. We believe there is always a certain attraction among those who have migrated from the farms to the cities, particularly forced economic migration, to return to their original homes.

Certainly tax incentives should be a means of inducing expansion of industry into rural areas. If there is a prohibition against "runaway" plants from the urban to the rural areas, then, we can assume the growth of this particular project will be based on the general growth rate of the country rather than any accelerated artificial growth because of the industries moving from one region of the country to the other.

One of the assumptions in the bill is that the people involved in this program are automatically trainable. This may not be true and pre-training may be necessary, particularly in testing the aptitude of the individual involved and the providing of literacy training to those who need it. The failure to undertake these two preliminary tasks before proceeding into a full-scale expansion program of jobs in rural areas will likely lead to the ultimate failure of the program. It is quite understandable that the pre-training of those to be utilized in expansion of rural jobs takes longer and, therefore, results are not as quickly seen. Nevertheless, if this program is to provide any fundamental opportunities then it must take the more difficult road.

One sociological problem which the writer is unqualified to exercise a judgment, but, nevertheless, the question must be raised "Will those who are currently living in rural areas, and in need of training and jobs, and if they are given this training and a job, will their improved technical know-how and ability entice them to a life in an urban area?" The historical attraction has been the rural to urban movement. Schools, utilities and other services have been generally superior in the urban areas than in the rural areas. People who have the skills are going to go to the areas where their children can obtain a better education and where they have an opportunity to make life a little more comfortable.

Nevertheless, the Rural Job Development Act as it is designed, does hold some significant promise, because it can produce for those who are now migrating from the rural to the inner city poverty, an opportunity to work in an environment which is healthier and less costly.

Of the seven points which the bill would cover, we believe the first six points meet the test of fulfilling the objectives of a Rural Job Development Program. The seventh goal of the Rural Job Development Program, indicates the enterprise must be engaged in certain industrial activities, including processing. We presume this would include food processing. Care must be exercised into expanding food processing facilities, in areas where there is no production of that particular commodity. Most agricultural commodities are in adequate supply or in excess. Therefore, we believe it should be fairly stated that additional processing facilities of any agricultural commodity should be in the area in which there is sufficient production to warrant establishment of a processing plant for a particular commodity.

We are happy to comment on your proposal.

Sincerely,

RICHARD T. O'CONNELL.

ST. JOSEPH'S CHURCH,
Damar, Kans., July 25, 1967.

Hon. JAMES B. PEARSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PEARSON: I recently read, with considerable interest, an editorial in the Kansas City Times concerning the rural job development bill which you have introduced into the Congress. I am pleased to note that Rep. Chester Mize has introduced a similar bill in the House.

The referenced bill and editorial comment seems particularly timely in view of the riots which are now sweeping our large cities and producing problems which these centers of population are thus far found unable to cope with. It is rather appalling, to say the least, to see so many small rural towns literally 'die' because of the lack of job opportunities, at the same time the problems of over-populated 'inner cities' continues tomorrow.

The sad part about the situation is the fact that many of these small towns already have schools, housing and many of the other necessities to support a larger population if they only had the job opportunities to complement them. If the ever-decreasing farm population could somehow be replaced with workers in small businesses, manufacturing enterprises and the like these communities could not only survive, but could at the same time, I believe, contribute immeasurably to the solution of the very problems confronting the larger cities (eg racial discrimination, dignity of the individual, etc.).

I wish to compliment you for your efforts on behalf of these small farming communities and wish you the best in your endeavors.

Respectfully yours,

Rev. JOHN LAHEY.

P.S.—I would appreciate receiving a copy of your bill and other pertinent literature.

CENTER FOR COMMUNITY DEVELOPMENT,
Arcata, Calif., August 1, 1967.

Senator PEARSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PEARSON: I have just read about your Senate proposal (S 2088) for a Rural Development Act and wish to strongly support the basic idea that has prompted it of halting the flow of productive people from the rural areas of America. We live in the Redwood region of California and are primarily dependent on the forest industries to employ local people. When the latter has had a bad year or when there is a decline in overall raw material supply, unemployment rises sharply, people leave for the city, property goes off the tax role and the community that rejoiced in its good reliable citizens is the poorer. If there were any assurance that the cities took good care of them, we could perhaps write off such an occurrence as the effect of an economic shift. But facts contradict this, indicating that these people are actually worse off in the urban areas and have poorer living conditions, sub-standard educational facilities for their children and generally inadequate housing.

As an office funded under Title I of the Higher Education Act (1965) that has a deep and abiding commitment to the welfare of our rural residents, we heartily endorse your progressive thinking in this matter of job opportunities for the rural residents of America and wish your efforts continued success. We would appreciate whatever information you can provide on the legislative proposal as it now stands.

Yours with respect,

W. F. MURISON,
Director.

MCNALLY PITTSBURG
MANUFACTURING CORP.,
Pittsburg, Kans., July 25, 1967.

Hon. JAMES B. PEARSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PEARSON: I was attracted by news stories of your proposal toward retarding the growth of metropolitan areas by encouraging industrial development in rural communities. There can be no question but that the goal involved is sound.

The methods which I have read about seem to be suitable, i.e. tax concessions of limited duration.

I can see that the administration of such legislation would be difficult in that it does necessarily establish certain arbitrary measurements for the qualification of specific areas. Moreover, specific industrial development projects may result in legitimate complaints that the government is creating unfair competition with plants located in metropolitan areas.

Nevertheless, the principle being sound, I feel strongly that the legislation ought to be pushed for as long as it takes to get it established. If I can be of assistance to you, I would be glad to help.

Yours very truly,

EDWARD T. MCNALLY.

RUSSELL, KANS.,
July 20, 1967.

Senator PEARSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I listened to what you had to say about a recent bill you are sponsoring, on the local radio.

Senator, you certainly have the answer and for the good of the Nation, our state and, I think, your own good I hope you will ring this loud and clear, far and wide.

Yours truly,

HOWARD J. LAY.

ALBUQUERQUE, N. MEX.,
August 10, 1967.

Hon. JAMES PEARSON,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR: The late Senator Chavez of N.M. asked me to go to Las Vegas, N.M. for discussion of what to do about our "north side" where so many are on welfare. Talk was out we should bring all those people into town, train them and bring in industry. It was my opinion they live in the most beautiful country, mostly own a home with land to raise most their food, have fuel—what they needed most was to stay home, and some member of the family be able to bring a paycheck for cash money purchases. We hear much about industry, but should not forget the importance of the large number of persons employed in services. Growth of small business, tourism, many things provide jobs.

We hear so much talk about that $3,000 minimum living income. Is that cash money, or does it include "found"? These people can live far better where they are, with one family paycheck, than if they came into town having to pay rent and all expenses of city life. And they are happier there.

I look on our small "insurrection" as resentment of so much talk all have to come up to a certain standard, when there is not always the opportunity, nor can we make it so—a sort of shaming these people so they want to withdraw from the rest, much as the Negro in Detroit said they wanted their own business owners in "their" area, and their own political representatives.

So, I am much in support of your "Rural Job Development Act" movement. There is a lot of wide open spaces across this land. Leaving the area of the University of Chicago, for June's graduation services and seeing how people are piled on top of people in the negro districts surrounding it, then driving thru this was all much on my mind. Move them out, give them a chance to have a little ground to grow a tomato, a job of some kind, and a chance to build small shelter and improve on it. Loans, preferably, so they will feel they are doing something to help themselves.

I enclose copy of a letter I did a time ago which speaks a message.

Thanking you for your time I remain,

Very truly yours,

MOZELLE (Mrs. Donald) KLEIN.

MID-AMERICA, INC.,
Parsons, Kans., August 8, 1967.

Hon. JAMES B. PEARSON,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR PEARSON: Thank you for your letter of the second, and for the information concerning the Rural Job Development Act of 1967.

We are most enthusiastic about this act, and will, of course, support the measure in any way possible. We have forwarded copies of the available information to the Ozarks Regional Development Commission in Little Rock, seeking their endorsement and support of the Congressional delegations of Oklahoma, Missouri, and Arkansas through those channels.

I would be most pleased to appear as a witness on behalf of the bill, and will place our organization at your disposal for support purposes.

We would also be delighted to see the nine county southeast Kansas Mid-America region used as a pilot, or study, region during the initial stages of the program.

If we may be of service to you or your staff, please do not hesitate to call on us.

Yours very truly,

DERRILL L. PIERCE,
Executive Vice President.

SPEED KING MANUFACTURING CO., INC.,
Dodge City, Kans., August 24, 1967.

Hon. JAMES PEARSON,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PEARSON: We are writing you with reference to S. 2134 recently introduced by yourself and Senator Harris.

It is our understanding that the Senate Finance Committee is going to hold hearings soon on this measure. Should this be the case we would be anxious to go on record in support of the bill.

Our support is based on the assumption that the following incentives would be part of the bill: increase to 14% the normal 7% investment credit on machinery; give a 7% investment credit on the cost of constructing quarters for the business; provide for accelerated depreciation of ⅔ normal, useful, or class life machinery, equipment, and building; allow a 125% deduction for wages paid to newly hired low-income workers for a period of three years; permit carryback for three years and carryover for ten years for all credits and deductions; and job training grants for rural areas would be provided. Moreover, we understand that a qualifying business must be in a designated rural job development area, is not relocating from another area, would create at least ten new jobs, and hire local low-income workers for 50% of the working force as well as staying in business in the area for ten years while engaged in industrial production.

If the above incentives are, in fact, the essence of the bill we would be most appreciative of being kept informed as to its progress. Finally, let us know if there is anything we can do to encourage its passage and implementation.

Sincerely,

C. R. ROGERS,
Controller.

KINGMAN, KANS.,
July 24, 1967.

Senator JAMES PEARSON,
Washington, D.C.

DEAR SIR: We wish to compliment you on your Bill in regards to help for rural towns in getting industry interested in locating in the smaller communities. I think it is a lift that the Chamber of Commerce couldn't possibly do alone without the interest you are taking. It would be a shot in the arm that the small communities so badly need.

I am enclosing an article from the Wichita paper stating that we must clean up our towns or your bill would be wasted.

Now this is another place where help is needed. We take pride in our home by having a nice lawn and flowers and everything neat, however just one block away from our residence our neighbor has a pen of cows and horses with manure a foot deep. This is a good breeding place for mosquitoes and not a pretty sight for anyone to see.

I went to our city attorney about the condition but because of the law pertaining to our size of town, they can not write an ordinance forbidding such a situation. He told me I could swear out a warrant and have the man arrested. He would have to pay a fine and they could order him to clean up. Why couldn't the law be changed so we people living in the smaller communities eliminate this condition?

In closing I wish to say it is very gratifying to know we have a Senator who is thinking about our problem. I talked with Marvin Cox this morning and he is very enthusiastic about your bill.

Yours Truly,

MR. GAIL STRAWHACKER.

POPE PAUL HELPS THE VICTIMS OF ALASKA'S FLOOD DISASTER

Mr. GRUENING. Mr. President, slowly but courageously the residents of central Alaska are cleaning up after the disastrous flood which paralyzed Fairbanks and surrounding area last month. Along with the damage suffered by the homes, all of which were flooded, have come related problems, including the loss of stocks of dried fish and game which had been set aside by residents of surrounding native villages. Most of the dog food supply in Minto, dried fish, was washed away in the floodwaters. Concomitantly, the villagers own food went too.

Down in the village of Nenana there is desperate need to repair the schools, and steps are being taken to do this as the 600 residents return.

Many people have responded to the need of people in the area. One of the individuals answering the flood relief need was Pope Paul VI who sent the people of Fairbanks a check for $5,000. The Pope's message read:

> Having learned with profound sadness of the grave losses suffered by the population in the districts of the recent disastrous floods, we wish to send this heartfelt expression of our sincere sympathy and the assurance of our fervent prayers for all the victims, while we lovingly impart in pledge of comforting and strengthening divine graces our paternal benediction.

Mr. President, I ask unanimous consent that three newspaper stories, one from the Anchorage Daily News, one from the Anchorage Times, and one from the Fairbanks Daily News-Miner, relating to the aftermath of the flood appear at the close of my remarks.

The destruction caused by the rampaging Chena River was beyond comprehension. Where possible we must take the steps necessary to alleviate what is a constant threat of flooding. Fortunately, the U.S. Army Corps of Engineers has completed the major portion of the survey work necessary. The Corps has now a capability to use an additional $50,000 which would complete its investigation of the Chena River flood control project, taking into consideration the new factors which arise as a result of the mid-August 1967 flood. Hopefully, that study can be fully funded and completed this year.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Alaska?

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Anchorage (Alaska) Daily News, Sept. 17, 1967]

AFTERMATH OF FLOOD—NATIVES FACE FOOD SHORTAGE

(By Ed Isenson)

MINTO, Sept. 16.—This largest of Alaska native villages seemed almost deserted today. The men were out hunting or working in Fairbanks or Nenana.

Those who remained were stoic in their view of the flood disaster which inundated 17 of the village's log homes last month.

Mathew Titus, a Minto villager working on a federal survey project, guided our small group of legislative investigators and newsmen around the village.

It was peaceful. A few children were playing by cabins. Dogs were lying in the bright autumn sun. The amber of turning leaves only accentuated the tranquility.

"What are you going to do about food this winter?" Sen. Brad Phillips asked Titus.

"That's a hard question," the gray-haired native answered.

When the flood hit, the villagers stopped fishing. Their stocks of dried fish and game were ruined or washed away in the water.

Most of the village's dog food—dried fish—was wiped out in the flood. This was a condition which could have been repeated in several other villages along the river.

A few fish racks around the village had a few freshly caught salmon hanging from them. Pointing to one of the more heavily loaded racks, Titus said it amounted to only one day's supply.

The water in Titus' log house came up about four feet from the floor. He said he was one of the worst hit because his house was on low ground.

"I had to buy a new propane stove and a new bed," he said. "I spent about $1,000, all the money I had in my pocket."

Titus said that some of the villagers whose houses were flooded were going to build new houses.

One family had already gotten logs for their house.

"I don't know whether I'll build a new house," he said.

Titus was particularly concerned about the odor which the flood waters left in his one-room cabin. He had dug trenches under the house to allow the bottom of the building to dry out.

Before the group visited Minto, it stopped over in Nenana to assess flood damage there.

Mayor Norm Suckling said the town's biggest problem was to sell bonds to pay for a $275,000 addition to the school. He said the city's bond adviser had notified him that it would be impossible to sell the bonds.

The addition to the school was nearly completed when the flood hit. It is being restored by the federal government.

Suckling indicated that the only other assistance the city would like from the legislature would be funds to cover tax revenue shortfalls and extraordinary expenses of the disaster. He said he could not name an exact amount, but that it would be about $30,000 in shortfalls and $10,000 in extraordinary expenses.

Phillips said he would have a measure drafted to take care of the problem.

Businessman Jack Coghill said the community was considering urban renewal as a means of removing buildings abandoned as a result of the flood.

Coghill said the town did not have a housing shortage because "everyone's leaving." He said that persons renting space had moved away since the flood.

However, the Red Cross was planning to build seven houses for elderly natives on city park land. The Red Cross, according to Coghill, had let a contract for the work, but the project was stalled on regulations of the State Department of Health and Welfare.

A Bureau of Indian Affairs official, Coghill said, had recommended moving the native population of Nenana to another site on high ground. The plan is being opposed by the city's officials.

[From the Anchorage (Alaska) Times, Sept. 18, 1967]

COUNCIL SEEKS $315,000 AID FOR NENANA

The village of Nenana received the full brunt of the devastating mid-August floods, and the state Legislative Council will propose some $315,000 in aid for the stricken community.

Sen. Brad Phillips, R-Anchorage, chairman of the Legislative Council, made that report today after several members of the council took a firsthand view of both Nenana and Minto on Saturday.

The council members toured the two villages after a full day of hearings on the flood situation in Fairbanks Friday. The council is drawing up relief proposals to be presented to the State Legislature when it meets in special session Sept. 29. Phillips said the total amount of aid sought may be near $10 million.

Phillips said that Nenana is in desperate need of relief, and that the biggest problem is financing a $275,000 school just completed. The school, according to Phillips, had flood waters halfway up the walls.

The village, with a population before the flood of 600, passed a $275,000 school issue bond to pay for the school. The flood situation makes it nearly impossible to sell the bonds now, according to Phillips.

He said that the council is drafting a proposal for state aid to pay the $275,000 debt on the school. Two other relief proposals are $30,000 to cover anticipated shortfalls in revenue and $10,000 to cover extraordinary expenses incurred by the flood.

Nenana officials estimate that a third of its population has left since the flood, especially those who were in rental units.

"Anybody who could leave left," Phillips said.

The council chairman said the possibility of moving the village was discussed in detail, but that most citizens were opposed to it and asked that the council wait for a report now being prepared by the Corps of Engineers on the flooding. Nenana is located midway between Fairbanks and Mt. McKinley National Park on the banks of both the Nenana and Tanana rivers.

Residents also made a request to discuss the possibility of urban renewal for the village with a representative of the Alaska State Housing Authority.

Slightly north of Nenana, the council members visited the 200-resident village of Minto, but Phillips said that the community was pretty well taken care of by the Red Cross.

[From the Fairbanks (Alaska) Daily News-Miner, Sept. 9, 1967]

POPE SENDS FAIRBANKS $5,000

Pope Paul VI has sent a check for $5,000 to the people of Alaska for flood relief, it was announced today by Archbishop Joseph T. Ryan. Archbishop Ryan in turn sent the check to Fairbanks.

The Pontiff forwarded the check to Archbishop Ryan through his Secretary of State, A. G. Cardinal Cicognani, former Apostolic Delegate to the United States. His Holiness, Paul VI, sent a wire to Archbishop Ryan, extending his sympathies to all who were affected by the floods.

The Pope's message read ". . . Having learned with profound sadness of the grave losses suffered by the population in the districts of the recent disastrous floods, we wish to send this heartfelt expression of our sincere sympathy and the assurance of our fervent prayers for all the victims, while we lovingly impart in pledge of comforting and strengthening divine graces our paternal benediction."

HOMEOWNERSHIP FOR LOW-INCOME CITIZENS

Mr. PERCY. Mr. President, I am pleased to have the opportunity to bring to the attention of the Senate an article describing a visit by Gov. George Romney to the Flanner House homeownership project for low-income families in Indianapolis, Ind. The success of the Flanner homes helped to inspire me to introduce proposed legislation to establish a National Homeownership Foundation which would encourage and support similar homeownership projects throughout the country. I was pleased to note Governor Romney's statement that homeownership for low-income citizens should be made available on a nationwide basis.

Governor Romney's visit is described in an article published in the New York Times of September 19, 1967.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 19, 1967]

ROMNEY PRAISES HOMES FOR POOR

(By Robert B. Semple, Jr.)

INDIANAPOLIS, September 18.—Gov. George Romney visited today the nation's largest experiment to provide home ownership for the poor and said later that it should be extended nationwide.

Embarking on the second week of his 19-day, 17-city tour of urban slums, the Michigan Republican looked at neighborhoods rebuilt under a home ownership program run by Flanner House, a nonprofit, United Fund-supported neighborhood center.

Under the program, begun 13 years ago, homes for nearly 350 poor families, largely Negro, have been completed at an average cost of $10,000 to $12,000.

With Flanner House providing budgeting guidance, technical assistance and training in basic construction skills, the home owners help to build their own dwellings. Since most of the families have little or no capital to invest in a down payment, their labor—known as "sweat equity"—was counted as a down payment, enabling them to acquire a stake in their homes and reduce the size of their mortgages.

Monthly payments on the houses average $62 and, with other costs such as utilities, are within the means of families with $4,000 annual income.

NATIONAL IMPLICATIONS

In an interview, Mr. Romney said he thought the Flanner House plan could be a great help in many cities, including Michigan.

"This has national implications," he said.

Returning to a favorite theme of his trip, he added:

"To solve these problems, we're going to have to get the emphasis back on the things that built this country in the first place—and the people themselves built this country."

The chief difficulty with the plan is that it is not readily transferable to high-density slums—where land and demolition costs are higher and the relocation problem more severe. It is best suited for places where most of the homes are single-family dwellings with some land around them.

Accompanied by his wife, the Governor toured the neighborhoods in a chartered bus. A light drizzle fell, but at one point the Governor jumped out and, followed by aides and newsmen, inspected a home owned by Mr. and Mrs. Yancey Hall. Mr. Hall is a storeroom clerk at Eli Lilly, a pharmaceutical concern. He did much of the work on the home himself, and Mr. Romney complimented him.

"I don't see a crack in this house," he said. "This is very good work."

The visit to the Flanner homes reflected the Governor's pattern of touring projects that have been both successful and innovative.

THE FIGHT AGAINST CRIME SYNDICATES

Mr. SCOTT. Mr. President, on September 18, the distinguished Senator from Illinois [Mr. PERCY] delivered a speech at Reading, in my Commonwealth of Pennsylvania. He discussed in detail the local efforts that have been made to rid that community of organized crime, and briefly outlined current Federal legislation which will strengthen Federal, State, and local enforcement agencies in their fight against crime syndicates.

I ask unanimous consent that Senator PERCY's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE FIGHT AGAINST CRIME SYNDICATES

When I was a young boy I knew just one thing about Reading.

We used to play a game called "Monopoly", and one of the cards that always turned up had printed on it "Take a ride on the Reading." Now, of course, that referred to the railroad, but this City's name became familiar to the young people of this country oy that simple card in a parlor game.

As we grew a little older we came to know the name of Reading in quite another way. Newspaper headlines told the nation of the organized crime that made its headquarters here. It seemed that the people of Reading had been permanently stuck with the "Monopoly" card that said . . . "Do not pass Go".

Grown men were playing their own version of "monopoly" here in Reading. The stakes were high . . . and it was real money they played with. They gambled with the lives and the future of the people of Reading.

Then some new men got into the game. The old men tripped over some parking meters and picked up the card that said . . . "Go directly to jail". The dice got picked up and the game was over.

Tonight I'm proud to be with some of the men who brought that game to a halt.

I come to Reading tonight to talk to you about your past, your present and your future. There are lessons in your past and present which are relevant to every American community. And the future you choose for yourselves will say much about the future direction of our nation.

In discussing some of the problems you have had, I will not do so under a halo of self-righteousness. For whereas you in Reading and Berks County have met these problems head on, whereas Arlen Specter has done the same in Philadelphia, we in Chicago and Cook County have too often turned the other way.

I have come to urge you to keep the kind of local government you have—the kind of government any American city would be proud to claim. For what was done in Reading must be done in cities across our country if we are to build a stronger nation. I will be the first to say that it must be done in my own city of Chicago.

Those of us who do not live in Reading regard your city today with respect and admiration. From afar, we see a thriving community in a dynamic state. We see a hard-working people who take pride in the place they live. We see an honest, progressive local government which few cities can match. We see in Reading the kind of community that America is all about.

But it was not always thus.

For too many years, Reading was known all over America as a legendary wide open town. The foundations for this reputation were laid in the 1920's; it was fully earned in the 1930's, and embroidered in the '40's and '50's. Those were the golden years of the Reading rackets. It was like the first half-hour of "The Untouchables," before Elliot Ness came close to getting his man.

The Reading *Eagle* has described it as "a community where bookie parlors operated openly, slot machines jangled noisily, and numbers writers tripped over each other." In the early 1950's, a Senate investigating committee on organized crime exposed still more of the dark corners of Reading to the American public. The committee felt that five medium-sized U.S. cities warranted investigation. Reading was one of them.

The committee turned its spotlight on a kingpin of Reading rackets. This bootlegger, ex-convict and racketeer became a symbol of Reading to the nation. We kept reading in our newspapers about "the Reading rackets czar." From outside Reading, it appeared that there was a king of organized crime who sat on his throne with little fear of prosecution from city or county authorities. The community itself seemed most tolerant, unconcerned that their politicians and police were being corrupted.

The Senate committee learned that complaints were sometimes made, but the District Attorney of that era said that he viewed gambling as part of the life of the community. The Police Chief testified that it was his policy to act against vice only on orders of the mayor, who rarely gave the order. The committee called the testimony "pitiful."

The mayor himself took an extremely nonchalant attitude toward the rackets. Gambling, he told the Senators, was part of the nature of the people of Reading, and it certainly was *not* his responsibility to rid the city of it. Reading, he said, was no worse than any other city of its size.

This, of course, was not true. The name of Reading continued to deteriorate. Reading, like Chicago, was something of a national joke. It was known as an interesting place to visit if one wanted to see the seamier side of America, but who would want to live or work there?

When the Senate committee concluded its investigations, it reported, "The committee has no difficulty in arriving at the conclusion that Reading is a classic example of political strangulation of a police department at the behest of gambling interests seeking to thwart any interference with their activities."

The after-effects of the Senate investigation were limited. A syndicate monopoly had been temporarily crushed. A Republican city administration from 1952 through 1955 kept Reading clean, but corruption returned with a change of Administration in 1956. Soon, racket conditions were as blatant as ever.

In 1960, Treasury agents uncovered evidence concerning a giant gambling operation here. And as late as 1962, FBI agents raided a huge interstate crap game on Cherry Street and found $25,000 on the table. The game had been an open secret for years among local authorities.

I recall these conditions because it is vitally important that Reading's younger citizens remember its past so as not to permit its being repeated. Certainly the problem of organized crime does not belong to Reading alone. In Chicago, organized criminals continue to make a mockery of justice. It has been estimated that there is a top echelon of 300 "managers" in the Chicago area who devote their full efforts to directing a far greater number of people involved in such illegal activities as gambling, narcotics distribution, pandering, loan sharking and labor racketeering.

But organized crime does not stop with Chicago or Reading or a few other large cities. Organized crime is a secret society that operates throughout the United States, outside the control of the American people and governments at all levels. It involves thousands of criminals, within structures as complex as those of any large corporation. Its actions are the result of intricate conspiracies, carried on over many years and aimed at gaining control over fields of activity—legitimate and illegitimate—in order to amass huge profits. It is perhaps the greatest continuing menance to this country's domestic peace.

Wherever organized crime thrives, be it in Chicago, Reading or elsewhere, the potential for political corruption is great. Organized crime and political corruption go hand in hand—they feed on one another. Before the present city administration took office here in Reading, many local officials were on the payroll of the gambling syndicate. In the past, campaign contributions from racketeers usually ensured that complacent mayors, councilmen, and district attorneys were elected; continued pay-offs assured cooperation with the criminal elements. Enforcement of gambling laws were not taken seriously.

This pattern is not an unusual one. Organized crime cannot fester in a community unless it is aided by those whose duty it is to stamp it out. The rackets anywhere can hardly exist without the knowledge—tacit or explicit—of law enforcement officials.

How wide does this kind of corruption spread within government? The President's recent Commission on Crime—which devoted 22,000 words of its report to "Wincanton," which we all know is Reading—says, ". . . It seems that a few personnel at each level—city, county, and State—and in most offices in city hall can be identified with some form of free-lance corruption."

These things—the corruption, the rackets, the vice—could not help but deeply harm Reading, as they have harmed other cities across the United States.

Your population steadily declined from 1930 on. The median age in Reading is 37 years, compared with a national average of 29. As in areas of my own state of Illinois, your young people often left the city for greener pastures. One reason is that there had been little industrial growth here in recent decades.

Why? Reading's reputation for political corruption is certainly part of the answer. Any industry would think twice about locating in a community in which gambling was a $5 million-a-year industry, in which bribes, pay-offs, extortion, and corrupt public officials were commonplace. Those officials were holding your city back. They held you back, and they are chiefly responsible for the fact that so many of your sons and daughters have made their homes elsewhere.

Ultimately, it is the innocent and the honest who pay most dearly for municipal corruption. Businesses whose success depends upon community growth suffer when the community's reputation for corruption drives away potential investors, builders and developers.

The fact is that in one way or another, organized crime affects everyone. If organized criminals even paid income taxes on their mammoth earnings—an increasing portion of which is gained in competition with legitimate business—every American's tax bill would go down.

The tacit alliance which so often evolves between organized crime and local public officials has a far more devastating effect on society than merely permitting the mob to practice its vices. For in the broader sense, corruption of local public officials inevitably results in a breakdown of public respect for authority. Control by criminal elements spells doom for the representative form of government which is the strength of our republic.

In recent years—and especially in recent months—much has been said about the loss of respect for law and order among many segments of American society. But to whom are the people to look for standards of honesty and virtue if they cannot look to their local elected officials? What is the lesson young men and women learn if leaders of their communities choose to ignore or cooperate with organized crime? What conclusion will our young people draw when they see key figures in organized crime accorded a high degree of respectibility, well insulated from our processes of justice?

When America's urban ghettos erupt into massive violence, there are many causes; but a principal catalyst is disrespect for authority. The indifference of so many public servants to organized crime inevitably feeds the sense of desperation and disrespect among the urban poor, the principal victims of the mob.

A clean city—a city free of gambling, vice and corruption—a city where the young grow up with respect for law and for authority—requires elected officials willing to fight for these things.

Four years ago, you elected just such officials. Mayor Gene Shirk and District Attorney Dick Eshelman and his staff have put organized crime out of business in Reading and Berks County. The President's Commission reports that the only gamblers and prostitutes left are those whom the police have been unable to catch for reasons of limited manpower or lack of evidence. You now have a conscientious police department which is concerned with enforcing the laws rather than protecting the lawbreakers. You have a city hall which cannot be bought—a city government which commands the respect of a nation.

Even now I can hear the cynics saying, "So, it's an honest Administration, but show me the progress of Reading and Berks County in the last four years!"

I know that Gene Shirk, Charlie Guthrie, Dick Eshelman, and your Republican County Commissioners will be the first to admit that they *too* are not satisfied.

They will tell you that there still are problems with redevelopment, with planning, with parking, with transportation, with recreation, with industrial development. And I will tell you that Reading and Berks County are not alone with these problems. Almost every urban area in the Nation is today confronted by them.

Mayor Shirk, Mr. Guthrie, and your Commissioners are not naive enough to think that they can sit back and wait for progress. They have the ideas. They have the energy. They have the character. And, most importantly, they have the sheer guts to get the job done.

Let me say one thing about this thing we call "progress" and about Reading and Berks County in particular.

"Progress" is not always best represented by the bricks and mortar of redevelopment projects—it is not always charted by city planning maps—it is not always shown in the cold statistics of economics. Many times the progess of a city, a county, a state is best demonstrated by its reputation.

Four years ago Reading had a reputation—a reputation for corruption and gangsterism that not many American cities could match. Men who are here tonight and likeminded private citizens and state and federal officials determined that they would clean up this City. They were people of courage and vision. They knew that tomorrow would never come for Reading if organized crime continued to flourish.

For four years they worked hard . . . rooting out the corrupt and the corrupters. They have done their job . . . and done it well. And, now . . . Reading has a new reputation. The name of Reading stands tall and proud on the list of American cities.

Whatever progress you have made here, however, will not completely solve the problem, as long as other communities and the federal government do less than you have done about the organized crime problem. For like other forms of pollution, organized crime gets its start in areas where it is ignored or indulged. As you in Reading have found, it is not easy to face up to these problems, particularly when they have been permitted to grow while being ignored in the hope they will go away.

At the federal level, Republicans are aware of the organized crime menace. We are working as you are working, not only by calling for intensified enforcement of our present laws, but to provide meaningful new weapons against the criminal conspiracy.

Led by Senator Roman Hruska and your own Senator Hugh Scott, Republicans in the Senate have proposed a series of bills to bring the effectiveness of law enforcement into line with the efficiency of organized crime, and I am proud to co-sponsor this legislation. We propose to modernize the rules of evidence-gathering and proof in criminal cases. We propose to bring the weight of the anti-trust laws to bear on organized crime. And we propose a bill which, with the sound framework of constitutional guarantees, would provide controlled systems whereby the effectiveness of wiretapping could be made available to combat organized crime.

None of this legislation will mean much unless citizens at the local level decide to act on their own against organized crime. Now the hour of decision approaches again for Reading. It is time to choose your future. For four years, you have enjoyed constructive, progressive and honest local government—government unwilling to tolerate corruption at any level, government truly of and *for* the people. Now you must decide whether you will keep it and continue to move forward, or whether you will open the door to a return to corruption, to the rackets, to the Reading of the 1940's and 50's.

Because your city and county have been cleaned up, you may think the ghosts of the past have vanished forever. But this is not so. There are always those who are awaiting the first public official who will take a bribe, the first policeman who will look the other way. What has been built here in four years can be destroyed in a month.

The President's Commission predicts that gambling and corruption will soon return to Reading because of voter complacency. I hope you will prove that prediction wrong on November 7th. I hope you will keep the rackets out of Reading. Neither Reading, Pennsylvania, nor the nation can afford to move backwards in this area. I urge you to reelect Mayor Gene Shirk, to elect Charlie Guthrie as District Attorney, and bring victory to the entire Republican team.

METROPOLITAN EXPEDITER

Mr. MONDALE. Mr. President, some of the most serious problems existing in our metropolitan areas are caused by inadequate knowledge of Federal programs or their ineffectual use. Last year's housing act tried to remedy this situation by establishing the metropolitan expediter program. The purpose of this program is to supply experienced personnel in metropolitan areas to provide information about Federal programs and assistance in applying for Federal aid.

The functions of the expediter were made clear in this legislation. The local city must request the appointment of an expediter and the Secretary must consult with all communities in the area before his appointment. Once appointed, he is to reside in the metropolitan area to insure his familiarity with the problems of the region.

Further, the expediter will help communities identify their problems and offer advice on suitable programs to meet these problems. He will then assist the community in its application for Federal aid. Finally, he will follow up on the application to reduce the timelag before grant approval. Thus, these are no sinister implications in this legislation, only the mechanism for communities to make better use of Federal programs.

The distinguished members of the Appropriations Committee are to be commended for the restoration of this program on a small, experimental basis in 10 to 15 cities. The program was operated in four areas until the House eliminated it during consideration of this appropriations bill. These metropolitan areas: Minneapolis-St. Paul, Providence, St. Louis, and Allentown-Bethlehem, Pa.

The National Association of Housing and Redevelopment Officials, which endorses the program, recently wrote to the public housing and renewal officials in these areas. I ask unanimous consent that the responses be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

REDEVELOPMENT AUTHORITY OF THE
CITY OF ALLENTOWN,
Allentown, Pa., August 25, 1967.

Miss MARY K. NENNO,
Associate Director for Program Policy and Research, NAHRO, Washington, D.C.

DEAR MARY: I am pleased to answer your August 23, 1967 letter requesting my comments on the "metropolitan expediter" program of HUD. Although the program has had a short history, I feel that it has gotten off to an excellent start here in the Allentown-Bethlehem-Easton area.

Mr. Warren Phelan, Region II Administrator, made an excellent appointment in placing Bruce Crawford as metropolitan expediter for this area. He made many friends while here. It seems that the job of metropolitan expediter can only be fully defined based on more experience with the program, but we need the program's continuation to secure that experience.

If we are to continue to use the words "creative federalism" in the future, I think we need the program of metropolitan expediters as part of a base to be creative. There is little statistically that we can report at this time since our experience is indeed limited. However, having worked at both the federal and local levels of government, I would be more than happy to discuss this problem further with your organization or furnish answers to more specific questions.

Sincerely,

WILLIAM A. SCHARF,
Executive Director.

MINNEAPOLIS HOUSING AND
REDEVELOPMENT AUTHORITY,
Minneapolis, Minn., August 31, 1967.

MARY K. NENNO,
Associate Director for Program Policy and Research, NAHRO, Washington, D.C.

DEAR MARY: This is in reply to your letter of August 23, 1967, concerning metropolitan expeditors. Our experience with the metropolitan expeditor has been a good one, although I am not certain whether this is due to the fact that we had an outstanding expeditor, Elmer Binford, or the program is a good one. It seems that the metropolitan expeditor or subregional office concept has some exciting possibilities to improve federal-local relationships, provided the office is given authority, responsibility and encouragement to act on various and sundry matters relating to HUD and other federal programs.

As you know, one of the most difficult problems that we face in local-federal relationships is that of defining responsibilities in interagency involvements—that is, an urban renewal area may involve a highway under the Bureau of Roads, the Federal Housing Administration, and, possibly, other agencies. In such cases, to face them all in the same direction is virtually impossible, and the expeditor program has been a tremendous help in this area.

As to subregional offices, I suppose the danger is that this could slow down the review time and complicate the bureaucracy, since I can easily see processing through the subregional office, then the regional office, and finally Washington—thus producing greater delays than those now incurred (which are unbelievable).

Once again, Mary, I think it is important to remember that in order to make any of these programs effective, the officials in Washington must learn basic administration in the "delegation of authority". Without it no regional, subregional or expeditors program will work.

Even though I have some reservations, I have told Senator Mondale, Congressman Fraser and others that the metropolitan expeditor program in Minneapolis has been tremendously helpful to us in carrying out urban renewal programs in our city. Other than the bureaucracy involved, it seems that the position is broadly based in its nature, rather than narrowly focussed in one department, and thus is forced to view the problems of the city in the same manner that we look at them in our efforts to solve them.

Sincerely,

CHARLES R. KRUSSELL,
Executive Director.

HOUSING AND REDEVELOPMENT AUTHORITY OF THE CITY OF ST.
PAUL, MINN.,
September 1, 1967.

Miss MARY K. NENNO,
Associate Director for Program Policy and Research, NAHRO, Washington, D.C.

DEAR MISS NENNO: Enclosed you will find a copy of the Congressional Record with several letters by local officials indicating our support of the Metropolitan Expediter Program. There is no doubt in my mind a major reason for the success of the Metropolitan Expediter in the Twin Cities, even in this brief period, was due to the unusual choice made by the Department of Housing and Urban Development in the person of Elmer Binford, and perhaps looking at his qualifications and the way he worked might give us some clues for a sounder program:

1. First, the Metropolitan Expediter, Mr. Binford, has had excellent rapport with not only the hired professionals such as myself, Mr. Jorvig and Mr. Krussell but was on excellent terms with the Mayors of many of the communities besides St. Paul and Minneapolis. He has their confidence. They recognize that he is interested in problem solving and in fitting programs to meet local needs. In this brief period he was able to achieve coordination among the Federal agencies and programs which we at the local level could not achieve due to interminable buck-passing. To do this he had the backing of the Regional Administrator and, I assume, some help from the Central Office in Washington.

2. Besides the importance of coordination and the definite concern with problem solving, it seems to me that the Expediter ought also to have some authority for decision making as to local programs, and he ought to be based in the metropolitan area so that he is familiar with what he is deciding. This ought to include approvals of a variety of programs.

It would seem that in lieu of the funds that we need for our urban programs, we are beset with a wide variety of proposed "creative solutions" to urban problems which are in effect a sop so we won't notice that we do not have the funds to do the job. However, in this case the Metropolitan Expediter Program seems to me to be a beacon in helping us cut through some of the frustrating constraints that develop in putting together a variety of programs and in speeding up our ability to carry out these programs.

I am very pleased that NAHRO is campaigning for this program, and, if appropriate, I would be happy to testify in person or by letter to the Appropriations Committee.

Sincerely,

EDWARD N. HELFELD,
Executive Director.

BETHLEHEM HOUSING AUTHORITY,
Bethlehem, Pa., August 25, 1967.

Re: Metropolitan Expediters.

Miss MARY K. NENNO,
Associate Director for Program Policy and Research, NAHRO, Washington, D.C.

DEAR MARY: Some months ago Mr. Bruce Crawford called on me to discuss informally what his function would be as an "expediter". As our conversation started with a review of what we have as a total program, our plans for the future, and our relation with other local agencies, I sensed the meaning of the "new approach" which pleased me immensely.

I felt that someone close at hand, to talk to occasionally, would help to promote new ideas and speed the processes which, at times, become stalled because of insufficient liaison between our Authority and the Regional Offices. We would have the same advantage that large authorities close to the regional offices now have—quick visits and face-to-face reviews of problems and ideas, reducing the 'phone calls and correspondence approach.

I would say this though, as a note of caution, that expediters should be extremely knowledgeable about total programs within communities as well as detail in obtaining necessary data and the preparation of documents and forms. Unless a person has had previous experience with the work of agencies under a total program, a very detailed training period of possibly a year will be needed. He must know to whom *he* can go or contact to get quick answers which he can understand and impart to others. The more rounded a person's background is, the better equipped he will be to put the "jig-saw puzzle" together. Not only should he be able to advise separate agencies, commissions and authorities, but he should confer with governmental bodies in cities as well as small communities, who today are looking desperately for help.

I would judge his work to be mainly of the outside or "field" variety, with a minimum of desk work. His staff must be minimum—perhaps a good secretary—to set up contacts and gather detail for his use, and handle his correspondence. He must have, in addition to an engaging personality, knowledge of the Public Laws, and be qualified in accounting, construction, management, and he definitely must be well informed on the communities and areas where he will serve. He will make his contacts and presentations during off-hours, at the convenience of his clients. He must be convincing and use his "authority" to make important decisions, often "on-the-spot."

If the Department can get this type of person to perform the "labor of love" we will benefit greatly. Bruce Crawford impressed me a great deal, and in about 2 hours I began to get the impression that he would be a wonderful asset to have close by.

I would like to know that the idea is being considered favorably and I would be the first to utilize his services and assist in the area promotions.

Sincerely yours,
Ralph J. Bartholomew,
Executive Director.

St. Louis Housing Authority,
Land Clearance
for Redevelopment Authority,
St. Louis, Mo., August 28, 1967.

Mary K. Nenno,
Associate Director for Program Policy and Research, NAHRO, Washington, D.C.

Dear Mary: I refer to your letter of August 23, 1967 regarding "Metropolitan Expediters". Our experience with this program was much too brief to enable us to give you a very meaningful opinion. In addition a great deal would depend on the authority which would be given to the expediter.

Our experience with the program here was that it could provide a very valuable voice for local agencies at such time as the expediter had been around long enough to familiarize himself with the problems of the local agencies. The expediter in our area was very willing to learn and did undertake several "interventions" for us.

It is my opinion that there are no short-cuts between local agencies and Washington unless a great deal of the present red tape requirements are cut out. Adding another layer of regional office, local federal office or expediter will not solve this particular problem. As a matter of fact, improperly handled, the addition of one further layer could lead to more delay and to frustration as well as irritation on the part of the regional officials.

We here in St. Louis are always willing to try new approaches and we certainly did try our best to take full advantage of the metropolitan expediter who was appointed in our area. We wish he had been around a bit longer and that he had been given more specific powers so that we could be in a better position to have a firm opinion about this experiment.

Best regards.

Sincerely,
Irvin Dagen,
Executive Director.

The Housing Authority of the
City of Providence, R.I.,
Providence, R.I., August 30, 1967.

Mary K. Nenno,
Associate Director for Program Policy and Research, NAHRO, Washington, D.C.

Dear Mary: In my brief experience with the "metropolitan expediters program" in Providence, I must say that I anticipated great strides in the direction of innovative ideas in the low-rent public housing program, particularly with respect to the projects developed in the early days of the program.

Through the good offices of Mr. Howard, the local expediter, I was permitted to meet and discuss our problems with high ranking officials of H. U. D. who were passing through and who indicated a real interest and desire to improve conditions in this connection.

Sincerely,
Arthur Falcone,
Executive Director.

Mr. MONDALE. Mr. President, on the whole, the responses are a glowing endorsement of a program that is only 4 months old. It is my hope that these communities would have first opportunity to reinstate the expediter program.

Mr. President, the merits of this program are clear. I expect that, with an understanding of these merits, the House of Representatives will reevaluate its former position on the program. I do not think $350,000 for this program can be considered anything else but prudent.

DRUG PRICES—THE ACHILLES HEEL OF THE PHARMACEUTICAL INDUSTRY

Mr. NELSON. Mr. President, last week during the Monopoly Subcommittee hearings on high drug prices, I made public a statement by Mr. George Squibb, one of the respected names in the drug industry.

This startling document deals telling blows to the arguments of the drug companies that high prescription prices are justifiable.

His analysis of drug prices confirms the complaints of the thousands of people who have written and told me that they are not getting a good buy for their drug dollar.

Even though some of the prices of Mr. Squibb used in his document are not all current, the writer's basic premise for which the table was presented is still valid.

I do not intend to lead Senators to conclusions gained only from the statements quoted out of context, so I ask unanimous consent that the entire text of "Drug Prices—the Achilles Heel of the Pharmaceutical Industry" be printed in the Record at the conclusion of these remarks.

Mr. Squibb does say, however, that the price gap similar to that between generic drugs and brand names exists nowhere else in American industry and "cannot be justified satisfactorily." He goes on to say that the industry's arguments cannot justify brand-name prices that are often "6 to 10 to 20 times" higher than for generic products.

He makes the point that some price differential is warranted but that "extraordinary pricing levels" are not.

Squibb admits that the argument for the equivalency of generic drugs is gaining ground steadily because of the regulatory and inspection factors imposed by the Food and Drug Administration.

The writer states that the pharmaceutical industry "cannot lay all of its higher prices to research expense" and that these costs cannot explain away the price gap over generic drugs.

> Even under the liberal interpretation of research allowed by the Internal Revenue Service, research costs of the 20 major drug companies represent only 6.4% of the total sales dollar—

Squibb says.

He suggests that if manufacturers do not reduce their high price and profit levels voluntarily, legislation may do it for them. He recognizes the social responsibility involved in controlling an essential drug by means of a highly protective and rigid patent system, especially when so much of the research costs are paid for by the Government.

He realizes, as should the whole industry, that the drug manufacturers cannot have the best of both worlds.

The fact is that a large majority of the Nation's consumers recognize that there is a danger in allowing control over a product which is essential to the Nation's health.

Mr. Squibb also realizes that these very sorely needed drug products "afflict everyone no matter of what economic status, but which more often than not is the particular burden of the poor and undernourished and aged segments of the population."

The importance of this statement lies in the demonstration for the first time of a responsible attitude by a drug company executive. What I have long suspected can be verified in this courageous statement.

George Squibb is not a pariah of the drug industry. He is the great-grandson of the founder of E. R. Squibb Co., drug manufacturers, and was vice president of Squibb's legal and public affairs until he resigned on March 31. He is still a consultant to the firm. Until July, he was president of the National Pharmaceutical Council.

He recognizes that the system of free enterprise embodied within competition exists for the benefit of the entire economy—not for just a few. A company's prerogatives; its profits, its equity, its sole reason for existence, all come after the interests of the individual—the private citizen.

As Mr. Squibb suggests, I hope, too, that the rest of the drug industry will learn this axiom soon, before public policy becomes spelled out in strict regulatory legislation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

DRUG PRICES: THE ACHILLES HEEL OF THE PHARMACEUTICAL INDUSTRY

(By George Squibb)

Drug prices have been under attack from many directions ever since the Kefauver investigations. Particularly sharp have been the criticisms by politicians and economists and there is no sign of abatement. Indeed there is renewed vigor in the attacks from political sources as the government turns its attention more and more to enacting and implementing new social legislation providing all kinds of medical benefits to the aged and needy. The potential effect of the attacks on the pharmaceutical industry in the light of current trends towards government-supported medicine indicates the urgent need for a careful reexamination and reconsideration of all aspects of pharmaceutical company operations, short- and long-term, as well as the more specific question of pricing philosophy. There is no doubt that there are developing new forces and new pressures that must be carefully studied and understood if the industry is to continue—progressive and productive—making major contributions to the medical knowledge of our times.

It has been pointed out in recent weeks that since the first attacks launched against the industry and its prices in 1959–1961 by Senator Kefauver there has been no essential change in either the price structure or the profits of the leading pharmaceutical companies. Apparently the Kefauver investigation failed in its avowed purpose to lower the cost of medicine in the United States. As Senator Nelson pointed out in the Senate on June 13, 1966, "Even though inquiry into drug prices by the late Senator Kefauver had the result of strengthening the regulatory powers of the Food and Drug Administration it seems to have had little effect upon the shocking profiteering that goes on in the drug industry."

There are those in the pharmaceutical industry who draw confidence from the fact that prices and profits have held firm in spite of the various attacks and highly unfavorable public attention absorbed by the industry, and who feel therefore that these latest blasts need not cause major concern, particularly because they are based essentially on the same data and the same product and company examples which Kefauver used originally six or seven years ago. It would seem that this opinion may lead into serious difficulties if it is followed by the majority of pharmaceutical houses because it fails to take into consideration a whole set of new circumstances which have only come into existence the last eighteen months or so. The basic new fact is, of course, that now the government itself under its Medicare programs must pay a large drug bill. It now has a direct interest in the prices charged for drugs, and any proper economies that can be made are suitable matters for attention.

It will be our purpose here to examine in detail and objectively the situation in which the pharmaceutical industry finds itself as it faces the next two years in which more legislation affecting it will be introduced at federal and state levels than has been done in all history, and in which more words, mostly unfavorable to the industry, will be spoken than ever before, and in which a whole new set of operating and regulatory conditions will apply for the first time to complicate an already difficult situation.

I

The basis of all attacks on the pharmaceutical industry is "high" price, and from this starting point many other sorties are made—against drug patents, price rigidity, advertising, nomenclature of drug products, substitution laws, detail men, and many other operational procedures of the industry, and, of special recent note, of the entire drug distribution system including the functions of the retail pharmacist. However, the starting point for every unfavorable criticism is "high" prices. It is essential that the strong light of analysis be thrown on this area before we can move attention to problems in other narrower applications.

It should be understood that there are two separate and distinct approaches to the attack on "high" prices—first, against those products which are marketed as "brands" of chemical compounds which are available non-branded from many different sources without restriction as to patent or license or new drug status; and second, against those which are covered by a patent and generally available only from one manufacturer or his licensees. Pricing for these two types of products must be distinguished because they are subject to completely different rationales, and need not rise and fall together. Indeed there seems to be no connection when all the facts are understood.

Drug prices for products in the first category chiefly are "high" in relation to prices of chemically comparable non-branded drugs on the market. When the charge of "high" or "exhorbitant," or "fabulous," or "unconscionable" or "shocking" is made against the price of the product it is always made with the simultaneous quotation of another much lower price for a purportedly similar or even identical compound with no brand name. Those who are critical of drug prices rarely analyze absolute price in terms of per diem cost to the patient, value in relation to alternate procedures without drugs, or in terms of comparative expenditures in other areas. It is simply pointed out that the "same thing" can be obtained at greatly less cost per tablet, per ounce, or per dose.

There is no question at all that the savings are very great as stated in the tables and arguments offered along these lines. Whether or not the "same thing" is involved is of course quite another matter which will be discussed in detail later. An analysis of the pricing alone is called for at this point.

Every brand-name pharmaceutical product bears on its label in prominent display the common or chemical name of its active ingredient or ingredients. This is by regulation both as to prominence of the words themselves and their location on the package. These words are the same as appear on non-branded products for the particular compound. There can be no doubt that the difference in price is related to the brand name and what that brand contributes to its product in consumer acceptance. It must be recognized that all brand-name products not covered by patent or marketed under an approved New Drug Application are sold in the market against many non-branded products. These brand-name products have achieved a high degree of consumer or professional acceptance at the prices established for them. Whether these are real or unreal values, and whether this acceptance comes from ignorance or from sales pressure will be discussed later, but there can be no question that there are many who are willing to pay a premium for brand-name products. Both brand-name products and non-branded products exist in the same market. The extraordinary thing is that they do exist with so great a disparity in price.

This paradox seems to be the thing that catches the attention of all students and critics of the drug industry. In all fields price differentials exist among generally similar products. Top quality, de luxe, or specially packaged products of all kinds are marketed at higher prices than their plain or standard counterparts, but the difference in price is seldom more than double if the more expensive item is to exist for long, and never six- to ten- to twenty-times more as is often the case among the cited products in the drug industry. These unparalleled differences in price for commonly labeled drug products are the chief targets for attack; not the mere fact that there are differences. It has been stated many times by critics of the drug industry that they would expect brand-name prices to be higher than those of non-branded products because of the added expenses assumed by suppliers of the former in research and product promotion, quality control and distribution. It is the size of this differential that seems to be inexplicable by any normal standards of accounting or competitive operation as seen in other industries.

It is clear that brand-name products of generally available chemical compounds are often priced much higher than non-branded competitive products. Why this is so is worth examining because it is the basis of the charge that somehow the drug industry operates without the beneficial competitive forces of the free enterprise system.

What keeps sales volumes of these higher priced products at a satisfactory level in spite of apparent extensive competition? Is it the nature of the market for which these products are produced, or is it the result of unusually successful promotional procedures? Or is it some other forces, hinted at frequently in legislative circles, which might arise out of conspiracy or false advertising or coercion somewhere along the line?

An examination of the leading products on which a large price differential exists in the market place shows a number of significant points. Taking the latest list as published in the Congressional Record of July 20, 1966 by Representative O'Neill and comparing it with those products covered in various parts of the Kefauver report it is notable that except for some items coming on the market recently all of the Kefauver-cited items are present in the new list. A close study reveals little price change. Sales volumes, however, are greater since 1961 in many cases. Competition, at least in terms of the number of products bearing same chemical names as the branded items, is very substantial. Checking Red Book pages shows that there are about 69 suppliers of Rauwolfia Serpentina tablets competing with Squibb's *Raudixin*, 76 suppliers of Dextroamphetamine Sulfate versus SKF's *Dexedrine*, 85 suppliers of Secobarbital Sodium versus Lilly's *Seconal* Sodium, and so forth. How many of these unbranded products are available at a given moment at a specific place has never been determined, but it is certain that any continuity of use of a particular manufacturer's product would be impossible with many of them without advance inventory buildup. However, it is certain that the existence of a brand-name product does not deter the introduction of a non-branded competitor.

It is clear that the market price level as established by the brand name leader holds a fine umbrella over those who wish to make a product entry. It is clearly profitable for many manufacturers to supply products at a considerably lesser price than the leader in many drug markets. Nevertheless, while their research, production, and particularly selling and distribution costs are not as large as the brand-name producer's, the ratio of such costs to the price received for their products is in most cases much the same as for the brand name manufacturer's products. This fact must be borne in mind when the question is asked why the non-branded product has made so little progress in spite of the large price advantage it often has.

Several reasons are suggested for this lack of progress: *First,* the physician can't remember generic names as they are too long and complex; *second,* the physician does not know that the cheaper products exist because of lack of advertising; *third,* he knows they exist but is convinced that they may leave something to be desired in quality; *fourth,* he knows the cheaper product exists but is not persuaded that the price differential is worth any risk of low quality because such price differential, after it is priced out on prescription and then on a per diem dosage basis, is small; *fifth,* general availability at all points of the brand-name products and the certainty of continuity and identity of the prescription when refilled.

Whichever reasons are accepted for the dominance of a particular brand-name product, it must be basically because either the price difference for the patient is not great, or the physician doesn't think it is great enough to be of significance.

Another alternative, that of lack of availability to the physician of complete, or even proper information on drugs, is getting more attention in recent months by some government authorities who look at it as the most logical explanation for the fact that the more expensive brand-name products not only exist, but actually are used much more often than not. While this point of view seems to be unrealistic—in terms of a physician's professional and technical training and his continuing need to prescribe and use drugs in his practice about which he must have basic knowledge—in the light of several recent developments it must be given careful thought.

To examine the possibilities in order—a study of prescription prices of brand-name products and their comparative non-branded competition shows that there are often substantial differences as the table shows:

BRANDED VERSUS GENERIC PRODUCTS

Product	Average ℞ size	Consumer pays	Estimated price per tablet or capsule (cents)
Serpasil, 0.25 mg	60.6	$4.76	7.8
Reserpine, 0.25 mg	66.1	2.61	3.9
Noctec, 7.5 gr	31.0	2.94	9.5
Chloral hydrate, 7.5 gr	31.8	2.77	8.7
Achromycin, 250 mg	19.1	6.02	31.5
Tetracycline, 250 mg	20.5	3.95	19.3
Feosol tablets	84.6	1.87	2.2
Ferrous sulfate tablets	102.5	1.71	1.7
Miltown, 400 mg	44.9	4.81	10.7
Meprobamate, 400 mg	51.1	4.23	8.3
Meticorten, 5 mg	36.5	9.50	26.0
Prednisone, 5 mg	45.6	3.07	6.7
Pentids, 400,000 units	16.6	3.85	23.2
Penicillin G, 400,000 units	23.4	2.70	11.5

At various times industry representatives have stated that "only pennies" per day is the measure of the differences, or have tried to minimize the effect of these figures with arguments that compared with other medical costs prescription prices are small, and a minor percentage of the whole. This is not a satisfactory approach and does not in truth answer the point raised that brand-named products frequently cost much more than comparative non-branded items.

Assuming that he is aware of these higher costs for brand-name prescriptions, does the doctor continue to prescribe them because he believes that price is of no concern compared to getting the exact medicine he wants for his patient, or does he believe the differences are not great enough to be of significance? It would appear that he is generally aware, without knowing exact figures, that brand-name products frequently are more expensive for his patient, but this does not deter him from using them. While this may be due on occasion to lack of ready familiarity with chemical or non-proprietary names, it is probably much more often due to a feeling that it simply is better practice to prescribe a known quality product. "Quality" must be taken to include not only standards of purity, uniformity and safety, but also a consistent level of therapeutic efficacy which can be relied on over the full extent of the product utilization.

While it can not be denied that there are quality drugs sold under the chemical name, it is also well established that there are poor ones. The physician has no knowledge, more often than not, of where the prescription will be filled. It is natural for him to try to be as precise as possible in his drug usage. Experience has taught him the acceptability and effectiveness of certain shapes, tastes, and formulations of particular pharmaceutical products. Why gamble with the possibility of something different? Even price advantage does not offset therapeutic assurance insofar as it can be obtained.

It would appear that basically the medical profession has not been convinced that all drug products bearing the same chemical name are alike. Indeed it is doubtful that even the harshest and most vociferous critic of "high" drug prices would be willing to have his family swallow the lowest priced medication he can find on the market, and by this attitude he admits that there at least *could* be a difference. Therefore it seems that in spite of competition on a price basis, where drugs are not covered by a patent or license or a New Drug Application the medical profession is not persuaded that it is to the patient's advantage to use non-branded medicine, all things taken into consideration, and therefore a specific selection for the patient is made in most instances from among the products available.

There is now underway at several levels of government an effort to organize material to persuade or inform the physician to the contrary—that (a) there is a cost advantage in using non-branded drugs, and (b) there are no other offsetting disadvantages. Many words have been and will be spoken to this end, most of them by sincerely motivated men speaking from lack of knowledge and appreciation of all the factors involved in the manufacture, distribution, dispensing and use of medicine. Also some words have been and will be spoken to this end by insincere men and demagogues who use the emotional content of illness and its cost to further their own purposes, mostly political. Ignoring for the moment these last, and assuming the sincerity of those who believe that all drugs are alike either because of natural causes, or because of government regulation and supervision, or because of the essential goodness of mankind, and that physicians just don't know it, it is not too difficult to establish the *possibility* of real differences, from which it would follow that the risk of such possible differences existing in practice would have to be discussed. In the context of medicine and the conditions under which it is prescribed, which seem to be fundamentally requisite of the avoidance of any unnecessary risk no matter how small, we begin to shape up an approach which establishes a risk vs. cost basis which applied in the direct, personal terms of medicinal usage can be the basis for the final judgment of "high" costs.

What actual costs are we talking about on the pharmacist's dispensing counter? What risks are we talking about in terms of existing counterfeiting, diversion of merchandise, lack of uniformity, process and production control, poor work, unskilled labor, unsanitary or ill-equipped production facilities, lack of product responsibility and liability, etc., etc? Who are we talking about—the well or the sick? The strong or the weak?

In the practical reality of the drug distribution procedures in the United States there are many factors possible, and definitely known to have existed on occasion, that can affect the drug before it reaches its ultimate consumer—the patient—in relation to its cost, identity, quality, and effectiveness. In the market place at any given moment there are outright counterfeit drugs made under appalling conditions, fire- or flood-damaged drugs, drugs damaged by faulty storage, outdated drugs, contaminated drugs that have been exposed to improper handling, and last, but not necessarily by any means least, there are drugs so cheaply and poorly made that they can not in fact meet any standard. Just how much of this material is on hand in a given city at a given moment can never be proven, but study after study shows the reality of all such conditions prevailing to some extent. All manufacturers and wholesalers handling drug products in their distribution systems have run into practices over the years involving the counterfeiting, theft, improper handling and deterioration of drug products. All have seen inferior, dirty and certainly questionable merchandise offered for sale by irresponsible and unethical distributors. All of this in spite of local, state and federal regulations and policing efforts.

The degree to which these conditions exist can be minimized, and indeed in the overall volume of drugs dispensed annually they represent certainly a tiny fraction, but why take any more chance than is necessary to expose a sick or weak or infirm patient to this sort of danger. Specification of a brand-name product does not eliminate all possible hazard, but it does help to control some, and this appears to be important to the physician. Of course, added to the reduction of the danger of obtaining impotent or even deleterious drugs, the physician by brand-name selection does assure himself and his patient continuity of product and regularity of therapeutic effect.

It is therefore clear that there can be real differences in drugs and that this has been established without doubt. The question of whether these differences in the context of the products used are worth extra cost to the patient, and if so, how much extra cost, is the central point. Clearly they are worth something. It is growing increasingly doubtful if they are worth the large differences in price that now exist compared with the prices of other chemically similar products, and if such be the case, sales of brand-name products will suffer accordingly. The fact that these lower prices may not be consistently passed along to the consumer by the pharmacist is beside the point when debating the issue in legislative chambers. If necessary, and it seems increasingly certain that it will happen, corrective steps can be taken to be sure these prices are in fact reflected in the cost of the prescription itself.

One of the difficulties in establishing the proper cost for medicine has been the nature of the arguments advanced for justifying it. Most of them have not been sound and have essentially stayed away from the real economic facts available to all.

The pharmaceutical industry marketing brand-name products can not lay *all* of its higher prices to research expense. The figures for research as a percentage of sales dollars, or on profits before taxes, or by any other measure do not justify a claim that the price differential between branded and non-branded products is due to research on the former. Some of it is, no doubt, but care must be taken to be realistic and factual in assessing the effect of research expenditures. The Kefauver report states, and it has not been successfully refuted, that "Even under the liberal interpretation of 'research' allowed by the Internal Revenue Service, research costs of the twenty major drug companies represent only 6.4 percent of the total sales dollar."

The industry can not cite its risk from the uncertainty of research results or from product obsolescene as the reason for the price differential. For some of it, no doubt, but not much, because year after year the profits of the industry are far above the average for other major industries and currently appear to be improving rather than worsening. The "risks" of the pharmaceutical business seem to those outside it to be pretty ephemeral in view of the impressive profit performances of the last two decades. Indeed it is the consensus of the industry's critics that more risk is needed to make it more sensitive to the normal influences of competition.

The industry can not use nearly as forcefully as it once could the argument that the price differential is due to better manufacturing procedures, quality control, and generally more careful and therefore more expensive production all the way from the conception of its formulas to their final distribution. Some of the differential is due to this but how much? The cost of goods for the leading pharmaceutical firms is a well known fact, and its relation to the sales dollar and to other operating expenses is too well established to use it as an argument for any extraordinary pricing levels. And then too, the best pharmaceutical firms have been having widely publicized product troubles in spite of all of these extra quality and production safeguards that have cost so much money.

On the other hand, those engaged in trying to establish in the minds of physicians the equivalency of all similarly labeled drug products have a steadily improving ground for argument. FDA inspection has been increased, good manufacturing practice regulations have been developed, new standards have been set in assays and new higher frequencies of inventory inspections are utilizing these assays. More drugs are batch released after advance FDA examination and approval. Negative controls are no doubt better than they were five years ago. In theory at least all manufacturers of drugs are approaching a standard for product quality under government regulation and supervision. However, because of the inevitable gap between the theory and the practice of such controls and the need for extra care, higher standards, and therefore higher prices than required by government standards is not widely understood, and certainly not accepted by the critics of the industry. The pharmaceutical trade associations will be giving more attention to explaining the significance and necessity for better products than the government requires under its minimums. The public should know that there is no such thing as the "perfect" drug product. Improvement is always desirable and important in many ways, and essentially it is only the brand-name manufacturers who are working along these lines.

Generally speaking, industry's arguments for the price differential fail not because a need for differential is not explained, but because the size of the actual differential can not be justified satisfactorily. Up to this point in time, however, physicians have not been persuaded that the differences in price warrant any less utilization to a significant degree, of brand-name products, or the substitution of non-branded items. How long this will continue is of course uncertain. In view of the public attacks currently being made on this concept, and the attention that it is receiving in legislative, regulatory and medical circles, it would appear that major changes in this attitude are likely relatively soon.

II

The second area for the "high price" attack on the drug industry is against those items marketed under a patent or license arrangement, and for which there is no non-branded competition on the market.

Any criticism of "high" prices on such items has quite different reference points than those discussed previously for products which are widely available non-branded.

In this instance, the "high" price charge is based on one or more of several points—a comparison with prices charged for the same product in foreign markets outside the patent or license; a comparison with allegedly similar and comparable (but not the same) items sold in the United States; a knowledge of actual product manufacturing cost; a knowledge of promotion costs; knowledge of industry profits; and last but by no means least, the general feeling that any costs for illness that include a profit for anybody are subject to sharp critical examination.

The volume of pharmaceutical products sold under patents or license arrangements is the major part of the prescription sales dollar in the United States, and therefore these prices have received a great deal of attention at the legislative level starting with Senator Kefauver and continuing down to Senators Long and Nelson currently. They have also received critical examination from many academic viewpoints, from economists and writers in the medical field, as well as others who have seen an opportunity to exploit them for their personal publicity or advantage on many political and socioeconomic battlefields. The industry has not been successful in halting the attacks, but on the other hand the attacks to date have not had much effect on the industry in terms of lessened prices or profits, or changes in operational procedures. Whether this standoff can continue under current conditions and for how long is of course the dominant issue at hand.

It would seem probable that attacks against prices on patented or licensed products would have little effect on pharmaceutical operations generally if it were not for the emergence of government spending as a major factor both in the support of medical research and in the direct purchase of medicines under the terms of Title XVIII of Medicare and the indirect support of state welfare plans under title XIX of that legislation.

Until the economic aspects of Medicare with its vague but surely enormous budgetary requirements began to come under legislative scrutiny (incidentally, only *after* the legislation itself was adopted) the government was devoting its attention chiefly to the issues of drug safety and efficacy without particular regard, it might be said, for the effect of such activity on the cost of drugs to the public. The overriding need in the minds of the FDA and associated government bureaus was for safe and effective drugs, and for proper procedures to develop them for, and maintain them in, the market place. While there are overtones of economic evaluation of drugs in many of the programs of the FDA, basically their approach to their regulatory functions has been through the scientific and medical route.

However, now that realization is growing every day of the actual and potential cost to the government of its commitments to health programs for the people in total, legislators have seized upon the "high" prices of drugs as an obvious and easy area for economy. The data for their efforts in this direction are already in the record for them to a large extent, and they are accumulating new material following closely the general guidelines laid down by the Kefauver investigation.

At the present time there seem to be three definite and separate methods to get at the "high" prices of patented or licensed drug products. First, to attack the patent system itself; second, to charge illegal acts under the antitrust laws to the industry; and third, direct attack on intra-industry procedures which can be claimed to contribute to "high" prices.

In the attack on the patent system itself numerous and varied arguments have been offered all the way from questioning the basic premise on which patents have been historically granted down to an exhaustive analysis and comparison of research results under governmental systems with and without patent protection for new discoveries. While there appears to be some substance in the debate on the rigidities of the United States Patent law, and whether or not it might be modified to good public advantage, the most telling argument of all to bring about new rules of the game is the ever-increasing and major role that government-financed research is playing in leading to the issuance of patents. If the taxpayer contributes to the creation of a new patentable drug or drug manufacturing process, why should an exclusive patent be granted one producer to exploit this knowledge for his own benefit? This question has been asked loudly in legislative halls and will continue to be pressed until a satisfactory answer is given. A satisfactory answer in this case clearly will involve government decision and control over what it pays for, and this is even clearer in the case of patents in the health field where the public welfare is involved, and where the personal and emotional involvement of individual people runs strong. It seems very possible that there will be one patent law (the present one) for many fields, and a new one involving compulsory licensing at the least, and outright government ownership at the most, for those areas where government money has been used for research and development expenses.

It seems quite apparent that modification of the patent law to restrict, limit and even deny such rights in the pharmaceutical field, and thus create the opportunity for the marketing of competitive imitations much more widely than is now possible, is a really strong and potentially serious threat to the operational plans and programs of the industry. Realistic consideration must be given, point by point, to the documentation of patents in the industry as spelled out in Chapters 6, 7 and 8 of the Kefauver Report, with the new fact very much in mind at all times that *now* government is often paying for a large part of medical research. The industry can not have the cake of direct government financial support for its research achievements, and the enjoyments of eating that cake in the form of profit beyond average levels.

The government attack on "high" prices through charges of antitrust conspiracy in the pharmaceutical industry has been heavy, persistent, but generally inconclusive as well as obviously ineffective in the pricing area. A great deal of time and money have been spent by both sides in attempting to prove and to disprove antitrust charges that might much better have been utilized in other activities no matter which point of view is considered. It is worth noting that to date the government has generally been unable to show violations of the antitrust laws that go to the heart of the pricing problem, and it is quite unlikely that they will be able to in the future for the very simple reason that such violations do not exist. This approach to "high" prices is not and can not be effective from the government viewpoint, and only damaging from the industry viewpoint to the extent of adverse and unfair publicity given to unproved charges in the public press—publicity which later on when charges are thrown out of court is quite lacking.

Getting at "high" drug prices for products covered by patents or licenses by exposure to public view of the internal procedures of pharmaceutical firms in a variety of ways is perhaps the most significant approach to the situation at present.

This method probably results in more damage to the public image of the pharmaceutical industry than any other, although to date it seems to have had little effect on the actual operations of individual companies.

Almost every phase of the industry has received critical attention. Profits have been compared with those of other consumer goods industries as well as with those of heavy industry and a variety of non-related business activities. Pharmaceuticals profits are high by any standards. When such comparisons are made there is rarely anything more stated than the figures themselves which are offered as proof that prices could be cut and still permit a return considered normal in most other major industry areas. Sales costs have received especially close scrutiny and critical analysis. The detail man, although generally conceded an effective sales producer, has been attacked as to his cost, his objectivity in a field where the responsible imparting of accurate information is essential, and as to his method of doing the sales work itself with use of samples, "gimmicks," and personal pressures for his physician customer. There can be no argument that sales costs are high as percentage of sales dollar when compared with other industry. Advertising in medical journals and other publications, and through the mail, has been criticized both as to its content and its volume. The FDA has attacked sharply a few prescription product advertisements receiving considerable publicity through its methods of product seizure and press release without concurrent opportunity for the industry or the firm involved to explain its position. The FDA also has moved energetically in the publicizing of product recalls of impotent, contaminated or substandard products. There also have been speeches, surveys, and hypercritical analyses made by various authorities in and out of government which purport to show insufficiencies and failings in pharmaceutical industry claims for the quality, effectiveness, and reliability of their products. Some of these debunking efforts have been, to say the least, inaccurate, unfair, and on occasion quite misleading, but on the other hand there have been a number of clear-cut failures within the industry upon which can properly be based substantial criticism. It does appear, however, that a few mistakes, a few shortcomings have been exaggerated beyond reasonable levels to smear an industry whose performance generally has been excellent.

The research efforts of the industry have been attacked on all fronts. Their basic research goals have been challenged as insignificant, duplicative, and wasteful of manpower and money. Their effectiveness as to the discovery of new products has been questioned, compared with that of institutional, government and foreign laboratories. Their relationships with government research have been seriously criticized in the areas of patent utilization and exploitation.

In short, the research, production, and sales activities of pharmaceutical companies, as well as their profits, all have been subject to the most vigorous public examination, usually in a sharply critical climate, of that given to any industry in recent years. Probably this scrutiny is the most detailed and at the same time far reaching that has ever been given to any industrial group by such a wide variety of examiners from the press, from academic life, and from the government.

The publicity given to industry procedures, profits, promotion costs, and comparative financial data of all kinds exposes no illegal or improper activities per se. The charges of too much advertising—too much sales pressure—too much profit—all seem to beg the real question—"should there be some limitation imposed from without to the operations of the pharmaceutical business?" Anyone can run his shoe business or his farm machinery business any way he wants to in terms of new product activities, production procedures, or sales costs, but can this be permitted in the pharmaceutical business when products are involved upon which depend the nation's health? Anyone can make all the profit he is able to in the furniture business, the food business, the automobile business, but can this be permitted in the pharmaceutical business when that profit comes from prices on products used to treat illness? More than that, these products are *required* for illness, which can afflict everyone no matter of what economic status, but which more often than not is the particular burden of the poor and undernourished and aged segments of the population.

It is squarely on this point that the industry today must do its most serious thinking. Is there some kind of special responsibility inherent in the nature of the product and service it supplies that requires the limitation of price and profit by some artificial standard? And if so, by what standard, and who sets it? Would the industry be under attack today if its profits were on the average of all major industries or if its expenses for selling and distribution were more in common proportion to those found generally in other consumer goods industries? The answer is probably "Yes"—although in a different way, and with emphasis more clearly given to the social responsibility concept rather than to the out-of-the-ordinary procedures and results of pharmaceutical companies.

The industry has not accepted the role it has been assigned by those economists who are developing the theory of "welfare" capitalism as opposed to the older brand of "laissez-faire" capitalism. The industry does not look upon itself as a special contributor to the "welfare" state with social responsibilities of a nature different from that, let us say, of the food industry. Up to this point the industry consists of individual corporate entities trying to do the best they can for their own stockholders. Their efforts to discover and market new drugs, while holding on to sales volume on already existing products, follow the patterns set by all private enterprise. It is true their efforts duplicate each other's. their products often overlap, their sales pressures are strongly competitive, and their prices are related to what the market can bear, but this also can be said of every consumer product industry. Pharmaceutical companies are subject to the same antitrust laws as all industry, they comply with regulations by local, state and federal governments, they contribute to educational, professional and trade activities within the scope of their interest, they buy, sell, and carry on manufacturing and research activities as do all industries, varying only in degree. Is there some reason for these practices to constitute "immorality" in the drug industry while being normal business practice everywhere else?

It is hardly to be expected that pharmaceutical industry leaders will espouse the cause of profit limitation on a voluntary basis and yet it is surely most important for them to understand the thinking of those who sincerely feel that such limitation must be imposed for the public good in the welfare state. To the extent that "high" prices continue to provide the basis, or excuse, for legislation and regulations which in the long term will have an adverse effect on his organization, a pharmaceutical manager today must clearly see the choice that lies before him. He must accept the fact that his industry indeed carries a high degree of social responsibility or he can see that social responsibility spelled out for him slowly but surely by legislation prescribing more and more of his operations, and taking over more and more of the functions he now guards so fiercely.

COMMISSION ON NOXIOUS AND OBSCENE MATTERS AND MATERIALS

Mr. MUNDT. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 188.

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 188) creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials which was to strike out all after the enacting clause and insert:

FINDING OF FACT AND DECLARATION OF POLICY

Section 1. The Congress finds that the traffic in obscenity and pornography is a matter of national concern. The Federal Government has a responsibility to investigate the gravity of this situation and to determine whether such materials are harmful to the public, and particularly to minors, and whether more effective methods should be devised to control the transmission of such materials. It is the purpose of this Act to establish an advisory commission whose purpose shall be, after a thorough study which shall include a study of the causal relationship of such materials to antisocial behavior, to recommend advisable, appropriate, effective, and constitutional means to deal effectively with such traffic in obscenity and pornography.

COMMISSION ON OBSCENITY AND PORNOGRAPHY

Sec. 2. (a) Establishment.—For the purpose of carrying out the provisions of this Act, there is hereby created a commission to be known as the Commission on Obscenity and Pornography (hereinafter referred to as the "Commission"), whose members shall include persons having expert knowledge in the fields of obscenity and antisocial behavior, including but not limited to psychiatrists, sociologists, psychologists, criminologists, jurists, lawyers, and others who have special competence with respect to obscenity laws and their application to juveniles.

(b) Membership of the Commission.—The Commission shall be composed of sixteen members appointed by the President, after consideration of a panel of sixteen names submitted by the Speaker of the House of Representatives and sixteen names submitted by the President of the Senate.

(c) Vacancies.—Any vacancy in the Commission shall be filled by appointment by the President.

(d) Organization of Commission.—The Commission shall elect a Chairman and a Vice Chairman from among its members.

(e) Quorum.—Nine members of the Commission shall constitute a quorum, but five members shall be sufficient for the purpose of taking testimony or interrogating witnesses.

COMPENSATION OF MEMBERS OF THE COMMISSION

Sec. 3. (a) Members Employed by United States.—Members of the Commission who are officers or full-time employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States; but they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(b) Other Members—Members of the Commission who are not officers or full-time employees of the United States shall each receive $75 per diem when engaged in the actual performance of duties vested in the Commission. In addition, they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

STAFF OF THE COMMISSION

Sec. 4. Such personnel as the Commission deems necessary may be appointed by the Commission without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subtitle III of chapter 53 of such title relating to classification and General Schedule pay rates.

DUTIES OF THE COMMISSION

SEC. 5. (a) INVESTIGATION AND RECOMMENDATIONS.—It shall be the duty of the Commission—

(1) with the aid of leading constitutional law authorities, to analyze the laws pertaining to the control of obscenity and pornography; and to evaluate and recommend definitions of obscenity and pornography;

(2) to ascertain the methods employed in the distribution of obscene and pornographic materials and to explore the nature and volume of traffic in such materials;

(3) to study the effect of obscenity and pornography upon the public, and particularly minors, and its relationship to crime and other antisocial behavior; and

(4) to recommend such legislative, administrative, or other advisable and appropriate action as the Commission deems necessary to regulate effectively the flow of such traffic, without in any way interfering with constitutional rights.

(b) REPORT.—The Commission shall report to the President and the Congress its findings and recommendations as soon as practicable and in no event later than January 31, 1970. The Commission shall cease to exist ten days following the submission of its final report.

POWERS OF THE COMMISSION

SEC. 6. (a) HEARINGS AND SESSIONS.—The Commission or, on the authorization of the Commission, any committee thereof, may, for the purpose of carrying out the provisions of the Act, hold such hearings and sit and act at such times and such places within the United States as the Commission or such committee may deem advisable.

(b) CONSULTATION.—In carrying out its duties under the Act, the Commission shall consult with older Federal agencies, Governors, attorneys general, and other representatives of State and local government and private organizations to the extent feasible.

(c) OBTAINING OFFICIAL DATA.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act, and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed, to the extent permitted by law, to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

(d) OBTAINING SCIENTIFIC DATA.—For the purpose of securing the necessary scientific data and information the Commission may make contracts with universities, research institutions, foundations, laboratories, hospitals, and other competent public or private agencies to conduct research on the causal relationship of obscene material and antisocial behavior. For such purpose, the Commission is authorized to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code.

And to amend the title so as to read: "An Act creating a commission to be known as the Commission on Obscenity and Pornography."

THE MUNDT-DANIELS OBSCENITY CONTROL BILL

Mr. MUNDT. Mr. President, I move that the Senate concur in the House amendment to S. 188, legislation which I introduced at the beginning of this session and which would establish a Commission on Obscenity and Pornography, with an amendment in the nature of a substitute. The Senate by approving this action will be taking another big step down the legislative trail toward final enactment of this important legislation. All that will remain will be House concurrence in the few changes made today. I hope this will be accomplished in the near future.

Before I move on to an explanation of these changes, I would like to pay tribute to those who have fought beside me in our efforts to provide a constitutionally sound method of protecting minors from the corrosive effects of hard-core pornography. In particular, I would like to single out Congressman DOMINICK DANIELS, of New Jersey, who has labored hard and skillfully in the House of Representatives to pass this bill for the first time in that body. Although we come from different sections of the country and are of different political parties, we share a common concern for the youth of this Nation and I am proud to be associated with him on the Mundt-Daniels bill.

Mr. President, I would also like to mention the cosponsors of S. 188, many of whom have been with me from the inception of this idea, and have suffered through the frustration of seeing three previously passed Senate bills die in the House while the American people clamored for action. These cosponsors are: Senators ALLOTT, BAYH, BENNETT, BIBLE, BREWSTER, CARLSON, CASE, COOPER, COTTON, DIRKSEN, DOMINICK, EASTLAND, FONG, HICKENLOOPER, HOLLAND, JORDAN of Idaho, KUCHEL, MCGOVERN, MORSE, PROUTY, RIBICOFF, SCOTT, SMATHERS, SPARKMAN, THURMOND, TOWER, TYDINGS, and YOUNG of North Dakota.

As presently constituted, with these pending amendments, S. 188 would establish a commission of 18 members appointed by the President to accomplish the following:

First. With the aid of leading constitutional law authorities, to analyze the laws pertaining to the control of obscenity and pornography; and to evaluate and recommend definitions of obscenity and pornography;

Second. To ascertain the methods employed in the distribution of obscene and pornographic materials and to explore the nature and volume of traffic in such materials;

Third. To study the effect of obscenity and pornography upon the public, and particularly minors, and its relationship to crime and other antisocial behavior; and

Fourth. To recommend such legislative, administrative, or other advisable and appropriate action as the Commission deems necessary to regulate effectively the flow of such traffic, without in any way interfering with constitutional rights.

Mr. President, the changes we are proposing to the amendments placed on my bill in the House are few in number. The basic context of the bill remains the same and they are designed only to strengthen it and redirect the emphasis. We have never been far apart in our approach to the investigation of the traffic in obscenity and pornography and its effect, in particular, upon minor children. These small differences fade into insignificance when placed along side the enormous need for a commission of this type and I do not believe we should hesitate any longer.

The first two amendments appear in the Finding of Fact and Declaration of Policy in section 1. Both of them redirect the emphasis toward a coordinated effort by all levels of government rather than leaving it with the Federal Government alone. The original Senate version had this recognition of State concern and responsibility but the House amendment deleted all mention of State and local government with the exception of section 6, the Powers of the Commission. Section 6, however, is somewhat stronger than the original Senate version in that it declares that the Commission shall consult with other representatives, including State and local governments while the original Senate version read may consult. Between this change made by the House and these two amendments, we have substantially strengthened the legislative mandate to include State and local governments in the investigative stages and in the regulatory stage should stronger laws be deemed advisable.

The third amendment is in section 2(a), the establishment of the Commission on Obscenity and Pornography. While it recognizes the necessity of having members who possess expert knowledge in the fields of obscenity and antisocial behavior, it allows for appointment of individuals having special and practical competence or experience with respect to obscenity laws and their application to juveniles. The effect of this amendment is to nullify any possible application of the doctrine of ejusdem generis, the general rule with which you are all familiar which is used in law to limit the application of a broad term to a specific class of things, and hence we provide the President with the opportunity to appoint members who have a practical, as opposed to theoretical, knowledge or experience as to the problems surrounding obscenity laws and the relationship between obscene literature and materials and juveniles.

The fourth and fifth amendments are in section 2(b), the membership of the Commission. One amendment is minor, increasing the number to 18. This is a compromise between the House figure of 16 and the original Senate figure of 20. The other amendment vests the appointment power solely in the President. Under the original Senate version, the President appointed but he must appoint from specific categories. Under the House passed bill the President appointed but only after consideration of a panel of 32 members, half of whom were suggested by the Speaker of the House and the other 16 by the President of the Senate. These recommendations were not binding. This amendment will allow the President to appoint a well-rounded commission without any built-in encumbrances in the law and without the embarrassment of having to reject at least half the nominees submitted by the Senate and the House.

The last amendment is a minor one in section 2(e). It raises the number of members needed for a quorum to 10 members rather than nine. With the increase in membership, the quorum should be over half.

I believe the Mundt-Daniels bill is a sound and constructive approach to the problem of pornography. Mr. President, I move that the Senate concur in the House amendment to S. 188 with an amendment in the nature of a substitute.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment.

The assistant legislative clerk proceeded to read the amendment.

Mr. MUNDT. Mr. President, I ask unanimous consent, since I have described in detail the nature of the amendment, that further reading be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment proposed by Mr. MUNDT, in the nature of a substitute for the House amendment to S. 188, is as follows:

FINDING OF FACT AND DECLARATION OF POLICY

SECTION 1. The Congress finds that the traffic in obscenity and pornography is a matter of national concern. The problem, however, is not one which can be solved at any one level of government. The Federal Government has a responsibility to investigate the gravity of this situation and to determine whether such materials are harmful to the public, and particularly to minors, and whether more effective methods should be devised to control the transmission of such materials. The state and local governments have an equal responsibility in the exercise of their regulatory powers and any attempts to control this transmission should be a coordinated effort at the various governmental levels. It is the purpose of this Act to establish an advisory commission whose purpose shall be, after a thorough study which shall include a study of the causal relationship of such materials to antisocial behavior, to recommend advisable, appropriate, effective, and constitutional means to deal effectively with such traffic in obscenity and pornography.

COMMISSION ON OBSCENITY AND PORNOGRAPHY

SEC. 2. (a) ESTABLISHMENT.—For the purpose of carrying out the provisions of this Act, there is hereby created a commission to be known as the Commission on Obscenity and Pornography (hereinafter referred to as the "Commission"), whose members shall include persons having expert knowledge in the fields of obscenity and antisocial behavior, including but not limited to psychiatrists, sociologists, psychologists, criminologists, jurists, lawyers, and others from organizations and professions who have special and practical competence or experience with respect to obscenity laws and their application to juveniles.

(b) MEMBERSHIP OF THE COMMISSION.—The Commission shall be composed of eighteen members appointed by the President.

(c) VACANCIES.—Any vacancy in the Commission shall be filled by appointment by the President.

(d) ORGANIZATION OF COMMISSION.—The Commission shall elect a Chairman and a Vice Chairman from among its members.

(e) QUORUM.—Ten members of the Commission shall constitute a quorum, but five members shall be sufficient for the purpose of taking testimony or interrogating witnesses.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 3. (a) MEMBERS EMPLOYED BY UNITED STATES.—Members of the Commission who are officers or full-time employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States; but they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(b) OTHER MEMBERS.—Members of the Commission who are not officers or full-time employees of the United States shall each receive $75 per diem when engaged in the actual performance of duties vested in the Commission. In addition, they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

STAFF OF THE COMMISSION

SEC. 4. Such personnel as the Commission deems necessary may be appointed by the Commission without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subtitle III of chapter 53 of such title relating to classification and General Schedule pay rates.

DUTIES OF THE COMMISSION

SEC. 5. (a) INVESTIGATION AND RECOMMENDATIONS.—It shall be the duty of the Commission—

(1) with the aid of leading constitutional law authorities, to analyze the laws pertaining to the control of obscenity and pornography; and to evaluate and recommend definitions of obscenity and pornography;

(2) to ascertain the methods employed in the distribution of obscene and pornographic materials and to explore the nature and volume of traffic in such materials;

(3) to study the effect of obscenity and pornography upon the public, and particularly minors, and its relationship to crime and other antisocial behavior; and

(4) to recommend such legislative, administrative, or other advisable and appropriate action as the Commission deems necessary to regulate effectively the flow of such traffic, without in any way interfering with constitutional rights.

(b) REPORT.—The Commission shall report to the President and the Congress its findings and recommendations as soon as practicable and in no event later than January 31, 1970. The Commission shall cease to exist ten days following the submission of its final report.

POWERS OF THE COMMISSION

SEC. 6. (a) HEARINGS AND SESSIONS.—The Commission or, on the authorization of the Commission, any committee thereof, may, for the purpose of carrying out the provisions of the Act, hold such hearings and sit and act at such times and such places within the United States as the Commission or such committee may deem advisable.

(b) CONSULTATION.—In carrying out its duties under the Act, the Commission shall consult with other Federal agencies, Governors, attorneys general, and other representatives of State and local government and private organizations to the extent feasible.

(c) OBTAINING OFFICIAL DATA.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act, and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed, to the extent permitted by law, to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

(d) OBTAINING SCIENTIFIC DATA.—For the purpose of securing the necessary scientific data and information the Commission may make contracts with universities, research institutions, foundations, laboratories, hospitals, and other competent public or private agencies to conduct research on the causal relationship of obscene material and antisocial behavior. For such purpose, the Commission is authorized to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from South Dakota.

Mr. ALLOTT. Mr. President, I wish to congratulate the distinguished Senator from South Dakota for what I think is one of the most valuable recent contributions to our national life.

This whole subject is one that nauseates most decent human beings. The fact that the Senator has been able to get this done is, I think, a tribute to his own great sense of balance and his sense of what is good for the public welfare.

I hope that we can make further progress in this area. Much of the literature on our news racks in this country is still literature which cannot fail to bring offense to any person with normal instincts and normal feelings.

Mr. MUNDT. Much of which does violence to the term literature, by the way.

Mr. ALLOTT. Yes. Perhaps I should not have used the word literature. I should say the printed material.

Particularly does it do violence, I think, to the sensibilities of every mother and father in this country who are trying to rear their children in an atmosphere of decency. When you consider the questions with which we deal with daily in the Senate, with respect to the problems of our big cities, probably no greater contribution could be made than to remove from public sale those documents and printings which express a perverted—and that is a kind word—sense of morals, and which, because they are available to every child and every person who walks into a newstand or book store, help persuade them that this is the norm of conduct and the norm of thinking in this country. I think this prevalence of pornography does an injustice to us, and casts a direct challenge at the Congress of the United States.

The Senator from South Dakota has done a very fine piece of work. I think it will contribute greatly to the moral fiber of our country. I hope it will help curb the excesses which we have seen; and I would be remiss if I did not express publicly my gratitude for what I think has probably been though not the most publicized piece of legislation by far, one which will go a long way to help a situation in great need of correction.

Mr. MUNDT. I thank the Senator deeply for his thoughtful and gracious comments. I congratulate him for the work he has done as one of the cosponsors of this effort from almost the very beginning. His valiant efforts have helped to develop the necessary support, which was not hard to do in the Senate, I am happy to say, because this is the fourth time we have passed this bill; but I know he was helpful also in bringing the facts to the attention of the House of Representatives, where the problem has been somewhat more difficult.

Our action today is the consummation of 8 years of effort in this direction. I think it is a significant step forward. Its demonstrates that in this legislative body one should never cease trying. Ultimately right will prevail.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from South Dakota that the Senate concur in the House amendment to S. 188, with an amendment in the nature of a substitute.

The motion was agreed to.

The title was amended so as to read: "An act creating a commission to be known as the Commission on Obscenity and Pornography."

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

S. 477. An act for the relief of the widow of Albert M. Pepoon; and

S. 953. An act to amend the Food Stamp Act of 1964.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 532, H.R. 9960, the unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Connecticut is recognized.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. MAGNUSON. Mr. President, we decided yesterday that the first order of business today would be the model cities program appropriation. I gave some justifications and figures relating to the model cities program before we adjourned last night.

I should like today to make clear—because we were interrupted by colloquy—the amount of money involved in the program.

The authorization provided, as of July 1, 1967, an additional amount of $250 million for urban renewal projects within the approved model cities program. Of this amount, the House allowed $75 million, and the committee recommends $125 million.

The $125 million, which is half the amount contained for the urban renewal projects within the model cities program—and they must be considered together—is included then by the committee in the $537 million recommended for model cities programs and is to be merged with the appropriation for urban renewal for 1968 of $750 million which was advanced in last year's bill, since this is a 2-year appropriation.

Accordingly, the $537 million which is the total of the two items contained in the pending bill is $125 million below the budget estimate of $662 million.

Mr. RIBICOFF. Mr. President, this is a time of trial for America. The urban challenge is squarely before the Nation. We can avoid it only at our peril. The strength and stability of our country are at stake.

The immediate question before the Congress is whether we will keep the commitment we made last year in passing the Demonstration Cities and Metropolitan Development Act, or cut back our efforts to aid the cities and allow them to sink deeper into degradation and violence.

Model cities is a program that is needed by America. It is a program for small cities as well as large, for cities from North, South, East, and West. I voted for it last year in the belief that it was a great step forward in devising solutions for our urban problems.

Eight months ago I submitted to the Congress of the United States a number of bills dealing with urban affairs. At that time I pointed out the dire and dangerous plight of our cities, based on a comprehensive series of hearings held by the Subcommittee on Executive Reorganization of the Committee on Government Operations. Over 100 witnesses from government, labor, finance, industry, universities, foundations, and private enterprise, as well as individual citizens of our cities and neighborhoods, testified. We discussed every possible urban problem, in all of their vital aspects. From these hearings emerged an unprecedented picture of urban America.

I do not intend to repeat the comprehensive testimony here, except to quote one summary paragraph:

> There is an urban America seething with discontent, erupting in violence, rotting at the core of its cities, bound with the chains of problems too long unsolved and too massive to be ignored.

It was—and still is—a frightening picture, one that should stir even the most passive citizen to action, to support of measures that could somehow lessen the apathy, hopelessness, and sheer misery of life in our urban slums.

And that is what the model cities program is designed to do. I do not claim that model cities will cure every ill in every city. Far from it. That is why I have introduced a variety of other bills. But I do believe that model cities is a large and important step forward.

In its emphasis on local innovation, coordination of Federal, State, and local programs of aid, concentration on specific areas of hard core slums, cooperation of private enterprise, and participation by citizens in the planning and carrying out of programs, model cities represents a new and significant outlook.

And, in its insistence upon a coordinated program, the model cities approach strikes at the heart of the defect of past approaches to the slums and their living human problems—fragmentation. We on the Executive Reorganization Subcommittee came to see overwhelming evidence of the one-problem-one-approach method to solving urban deficiences. We saw evidence of numerous Federal programs of aid—more than 140 categorical programs were reported to us in Oakland, Calif., alone.

This is what the model cities program seeks to alleviate in the cities where it will operate. Now let us see if the cities of America agree that this approach makes sense.

By May 1, the deadline date, a total of 188 cities and six counties had applied for model cities planning grants. An analysis shows that every State but Louisiana, Idaho, and Delaware was represented among these applications.

The applicants ranged from small cities like Alviso, Calif., with a population of slightly more than 1,100, to New York City, which included three neighborhoods for consideration. They represented a cross-section of America—big eastern cities, with slums that were old before the west coast was settled, small southwestern towns whose economic base had changed too fast for them to adapt, southern trading centers, midwestern agricultural and industrial centers. You name the urban problem—these cities have it.

And they are determined to do something about their problems. Today's mayors and other civic leaders are a new breed. They face problems of which mayors of even a generation ago were unaware. They face shrinking tax bases along with mounting municipal service costs; old problems augmented manyfold and new problems that require an equally urgent solution.

Most of all, the new breed is aware—responsible—eager to make some inroads into these problems during their terms of office.

These public officials are finding in model cities some of the answers they have been seeking for a long time. For example, many are discovering that the mere process of developing an application for model cities grants is beneficial. One of the most significant benefits is that they are pulling together the disparate community elements into a meaningful and effective unified effort.

Not only are city agencies, public and private, working together and examining their problems together, but also State agencies are working with city departments, some for the very first time.

The legislature in my own State of Connecticut, for example, has just passed a bill that creates a department of urban affairs, designed to help cities with their urban problems of housing, youth, elderly, economic opportunity, vocational rehabilitation, and so forth. Cities are encouraged to establish community development action plans, and the new department will provide technical aid.

Several cities have already appointed directors of model cities programs. Some are taking an inventory of their urban problems for the first time. One county has under serious consideration the establishment of a county department of housing and urban development. The mayor of a smaller city that has applied for model cities aid states:

> One of our major goals is a "slum-free" city. To achieve this goal we must mobilize all available forces, public and private.

The applications for model cities planning grants show a most impressive understanding of what it is going to take to tackle our urban problems in earnest. I am struck by the vigor and ingenuity that is being applied to developing innovative solutions in the cities themselves.

Model city applications from four cities in my home State of Connecticut display an ingenuity that justifies the legislation.

New Haven, for example, is considering a housing approach featuring a nonprofit housing corporation participating with neighborhood groups in buying and rehabilitating substandard houses and selling them to neighborhood residents. The corporation would provide technical and financial help, including an emergency repairs fund, a housing bank, and a city-sponsored rehabilitation loan and grant program.

Waterbury is thinking of a special program of recruiting and training area residents to be employed in medical, paramedical, and social work subprofessional jobs; mobile health service units that would bring health services to the model neighborhood residents; and preapprenticeship programs in cooperation with building trades unions and employers in connection with the rehabilitation and repair of private homes.

Bridgeport proposes a computerized system for management, programing, and budgeting operations, and a unique lively arts center. The latter would be a showcase of its educational system. Bridgeport also plans to study the possibilities of a new kind of public housing operation, whereby overincome tenants could stay on with the payment of a higher maximum rent, part of which might be set aside for a future downpayment on a private home.

Hartford proposes a Greater Hartford Housing Development Fund that would make money available to people wishing to fix up their homes; scholarships for older youths and adults who have dropped out and wish to return to school; a special tutoring corps; and housing teachers in the environment where they teach.

Other cities' proposals are equally ambitious and provocative.

In the light of such encouraging developments, some of them the first new thinking on urban problems for years, what is the situation we find here in Washington?

President Johnson has asked for the appropriation of the funds authorized for fiscal year 1968 in the Demonstration Cities and Metropolitan Development Act of 1966—$12 million in planning grants, $400 million in supplemental grant funds to carry out local programs, and $250 million in urban renewal funds for projects in model neighborhoods.

The House of Representatives has seen fit to cut this request by nearly two-thirds. It has voted to appropriate the $12 million in planning grants, but only $150 million in supplemental grant funds and $75 million in special urban renewal grant funds.

I do not doubt for a moment the sincerity of Congress in dealing with urban problems—but is this any way to deal with ever-mounting evidence of the plight of our cities? Can we, in all good conscience, agree to this emasculation of the most imaginative piece of legislation in recent years to deal with urban problems? Could we, in less than one short year, forget that we curbed the President's request for a 5-year demonstration program to a 2-year stint, with the implicit understanding that we would fund that 2-year program and await developments? Can we honestly ask the Department of Housing and Urban Development to start a job as vital and urgent as this and then withhold our support?

I think not. I hope not.

If we agree with the House on this much less than adequate appropriation, we are going to place our cities in a most frustrating plight. We have given HUD the funds for a good start on helping cities to plan their model neighborhoods. But if we withhold the supplemental grant funds and special urban renewal funds, we will be telling them, in effect, that we approve planning but not action, "pie in the sky but not dinner on the table."

HUD will be in the position of delivering planning money to cities without any assurance that the plans can ever be brought to fruition. Even worse, the people in the slums, promised help but denied it for so long, will find this another paper promise, another reason for suspicion and despair. And we will find it even harder to evoke their interest, to arouse their efforts the next time we make a bid such as this.

Many other promising programs of aid to our hard-pressed cities may also flounder, because as the model cities programs go, so may go the others. We must always remember that the model cities program in each city is an amalgam of federally assisted programs plus local innovations. A deep slash in model cities funds at this time will hinder realization of the full effectiveness of certain federally assisted programs.

In addition, what will happen to the many bright, promising, innovative ideas that have been brought to light and life through the model cities program? For years, we have advocated in behalf of greater local creativity, for more local decision and action on local problems. In what other practical way can we achieve such local solutions? The model cities program has unmistakably aroused new thought, new hope, new methodology that must not be allowed to be relegated to dusty shelves or the back rooms of planning offices.

We must give this fledgling program a chance to see what it can do. We must give it the funds we promised last year. We must allow our cities to find their way to happier solutions for their slum-ridden citizens; to a better day not only for people who have been harrassed so long by their abject environment, but also for their children and their children's children—just as we ourselves seek the better, happier life for our children and their families.

I am highly gratified that the Committee on Appropriations under the brilliant and dedicated leadership of the senior Senator from Washington, has approved the full $400 million authorized to carry out the model cities program—$125 million for urban renewal projects and $12 million for planning grants. These funds will get the program off to a good start.

Mr. President, the inadequacies of our past efforts and the results of our unfulfilled promises are evident in the festering slums across the country. This situation cannot continue. It demands action on a vast scale. The model cities program is the foundation on which we can build a better urban nation. I urge every Member to support the funds voted by the Committee on Appropriations and sought by the distinguished senior Senator from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. President, I thank the Senator from Connecticut for his able presentation of this problem.

Mr. President, I have not been informed as to whether any Senator may have an amendment or amendments to this section. Therefore, in order to ascertain whether any amendments are to be offered, I suggest the absence of a quorum.

The PRESIDING OFFICER. (Mr. McGEE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, some amendments to this section are on the desks of Senators. I do not know whether the Senators who have submitted the amendments intend to press them. The amendments were printed and filed.

In the matter of model cities I have a few brief remarks I wish to make regarding this appropriation. In the meantime I hope Senators who have an interest in this matter will come to the Chamber. If not, the Senator from Colorado and I will have to request a live quorum when I have completed my brief remarks.

MEETING OUR COMMITMENTS TO THE CITIES

Mr. President, 135 million Americans, comprising 70 percent of our population, now live in urban areas. It is estimated that during the next 50 years this figure will climb to 320 million city-dwellers.

The meaning of these statistics in human terms is clear: In 10 years we will need over two million new homes annually merely to keep pace with unprecedented migration to our cities.

As we know, housing is a crucial factor that may well determine the future health and prosperity of the American city.

Today, some 4 million urban families live in substandard housing. This is a conservative estimate. For these Americans there can be no delay—no retreat—from the Nation's commitment to provide decent housing and good neighborhoods in every community in the land.

We have made bold efforts toward achieving this goal.

We have voted $40 million for rent supplements.

We have voted $400 million requested for model cities.

We have voted $12 million for model cities planning.

And we voted $125 million for special urban renewal under the model cities program.

These amounts total $577 million for special urban renewal under and within the model cities program and $40 million for contract authority for the rent supplement program.

These are big programs, but as President Johnson emphasized to me in a letter recently—and this is the feeling of many people—they are "among the most important measures of this decade.

The President said:

> They embody the best thoughts, the newest ideas, and the wisest advice of the Nation's most eminent specialists on city problems.

Yet, the Congress seems to be divided over the need for such vital urban programs. For while we in the Senate Appropriations Committee have fully supported rent supplements and model cities, the House has not.

The House has voted to eliminate all funds sought for continuing the rent supplements program. It has also voted to reduce by two-thirds the funds requested for model cities. And it has cut by $5 million the President's request for research in urban technology.

The Senate must stand firm on these programs. We must restore these funds in full and we must stand firm in conference to keep them.

The rent supplements program has commitments to assist more than 34,000 housing units. This is a small amount when one considers that there are strict eligibility requirements in the rent supplement program. There are five criteria and I shall read them. An applicant must qualify under one of the following categories:

> The law provides that a tenant must meet certain eligibility tests before he can receive rent supplements. First, his income must be within the income group served by public housing. Second, he must qualify under one of the following categories: (1) he must have been displaced by governmental action, such as urban renewal, code enforcement, highway development, etc.; (2) either he or his spouse must be 62 years of age or older; (3) either he or his spouse must be physically handicapped; (4) he must now be living in substandard housing; or (5) his present or former dwelling must have been destroyed or extensively damaged by natural disaster in an area determined by the Small Business Administration since April 1, 1965, to be a disaster area.
>
> Satisfactory evidence that an applicant is eligible for rent supplements must be submitted for approval by FHA. If an applicant claims that he is now living in substandard housing, or that his house has been destroyed or damaged, the FHA insuring office (or an appropriate local agency with which FHA has made arrangements) will, wherever possible, make a physical inspection of his present housing.
>
> A handicapped person is one who has a physical impairment which is expected to be of long-continued and indefinite duration, which substantially impedes his ability to live independently, and which is of such a nature that his ability to live independently could be improved by more suitable housing conditions.

Mr. President, these are strict eligibility requirements.

Although we hope we will have 34,000 housing units for the people of this category, the total needed in the United States would run many times over that. There are some 7,400,000 people over the age of 65 in the United States, eligible for low-rent housing. This alone is just a part of the entire thrust. The rent supplement program now has commitments to assist 34,000 people. We hope that assistance might double, or more, but it is a small amount with strict eligibility.

Model cities has received request for funds from 200 cities, including most of the largest urban areas in the Nation.

The Senator from Connecticut has read some figures. He mentioned 188, whether the figure is 188 or 288, they come from all over the United States, large and small urban areas, and including most of the largest urban areas in the Nation.

In short, the Congress has promises to keep—promises to the American city dweller that new ways and new techniques will be brought to bear that will provide the tools for something better than the grim, delapidated neighborhoods that have been the legacy for too many generations of urban Americans.

We know that Washington cannot go it alone in rebuilding our cities. To accomplish this job with all the people and problems involved will take the full energies of both the private and public sectors.

Both the rent supplement and model cities programs involve the full participation of private enterprise. The $40 million President Johnson has requested for rent supplements will result in $400 million in jobs and construction for our economy. And every dollar for model cities funds also has the potential to attract 10 additional dollars—in local public funds, in private investment and in other Federal funds.

I believe that morality and profits are a difficult combination to beat. And I think the President's efforts to bring American business into the center of Government action on the cities is an historic development that will help us to meet the needs of urban America in the months and years ahead.

Exciting new projects—involving private enterprise—have been announced that are unprecedented in scope, and promise to provide new jobs and better housing in our cities.

In recent weeks, the administration launched Operation Turn-Key, a pilot venture that will, for the first time, bring private enterprise into the public housing picture from planning to management.

In other words, they will build the units for low-cost rent—which usually involves elderly people—to be built under the auspices of the Federal Government, or the housing authority, the county or city or community, and after that is done, they will turn the key over to them and provide them with the management and a private contractor, of course, and private people to build the project.

Last month, the White House announced approval for new urban community development, utilizing Government surplus land in northeast Washington, D.C., involving private enterprise planning and operation. Surveys for similar projects are underway across the country.

Just last week, the Nation's insurance companies announced a $1 billion program to create new jobs and new housing in American cities.

In this connection, I wish to go on record as endorsing the view expressed last Friday in the New York Times—and this has been expressed in other papers—that this program gives "needed stimulus" to the rent supplement program. As the Times said:

> Since the industry has specifically pledged to put funds into this program, there is no excuse at all for Congress to drag its heels.

I believe that those in Congress who have voted against rent supplements and model cities, thinking that private enterprise would not show interest in these programs, must now reassess their views.

Private enterprise is participating. We in Congress must support these efforts.

All of us know that local public housing authorities have not been able to create bold and workable solutions. It is small wonder in some cases, that they function at all—faced as they are with mountains of redtape and constant delays.

This is involved not only at the Federal Government level but also in many cases in the sprawling urban areas. Sometimes we run into 15 to 20 different local units of government, but they either cannot get together or it takes them a long time to accomplish the planning.

A public housing authority must first find the land on which to build, go through drawn-out coordination procedures, negotiate a purchase price, buy the land, get the architect, plan the project, hire the contractors, supervise the building, and rent and maintain the completed structures.

There is no question in my mind that private industry, operating through the profit incentive, can add a new housing dimension efficiently and effectively for this purpose, from start to finish.

As President Johnson noted in his letter to me as chairman of the committee:

> What is needed most critically is a concentration of manpower, imagination, and local initiative—bolstered by public funds.

This is the formula—a winning formula, in my view—for both rent supplements and model cities. The approach is innovative and it is prudent. Both programs contain an important economic multiplier effect.

The cost of the programs relative to

the taxpayer, compared with the problem and what is needed overall in dollars and cents, is relatively modest, but their impact on the cities in their potential to generate new dollars and new efforts, is powerful indeed.

Mr. President, the city occupies the center of our domestic concern. We are in the midst of an urban revolution. And we must respond to it with imagination and boldness.

As the President has said:

> If we are to provide the new housing and new knowledge which our Nation urgently needs, we must develop new and faster and more efficient housing techniques.

This is the great promise of model cities and rent supplements. I know that the programs are new and I would be the last to suggest—I am not that naive, having dealt with this matter many years appropriationwise—that there will not be some snafu's and some problems, but this is true with all new programs. But it is in this broad approach that something must be done. We must make a start. It seems to be the best approach offered by the minds of those who have given a great deal of thought—experts and otherwise—to the urban problem. This is what they have suggested.

Thus, working together, Government and private enterprise can find new and better ways, I think, to meet the housing needs of the Nation.

Of course, housing needs are not the whole of the urban problem but they are a very important part of it.

We have made a promising start. It is only a beginning. I urge my colleagues to support, in full, the legislative programs for urban America. Having aroused the expectation of our citizens, and having stimulated these massive efforts, I do not think we dare go back on our commitments.

I urge my colleagues to stand firm on these commitments, particularly today in regard to the pending legislation. I urge Senators to join in telling 150 million urban Americans that the promises we have made, and the hopes we have given, are the promises we shall keep; and that rent supplements and model cities shall remain the cornerstones of these promises.

Let us work to restore in full the funds requested for these programs. By so doing, we shall keep faith with the people and the progress we all seek for a brighter and more prosperous future for the urban problems of America. These are modest programs compared to the broad, terrible, and agonizing problem of the cities of the United States.

I was in my home State last week. I spoke before the Rotary Club of my home city of Seattle on the subject of cities. The thought struck me as to why this is a problem for all of us to move into. When we talk about riots in the cities and unrest in the cities, we are talking not only about those who are involved directly, but also, perhaps, those who are concerned indirectly. A conservative estimate of the number who have taken part in the riots is about one-half of 1 percent of the population of the United States. Normally, in any great country, one-half of 1 percent of the population would not seem to be able to shake the foundations of the country. But in this country, it did. So one must conclude that the problems go way beyond one-half of 1 percent of the population. They involve all of us. Something is wrong. Something needs to be corrected. So a start should be made.

Many projects are involved. The total budget this year provides $6.2 billion-plus for various programs. The bill provides many programs, if it is passed, which the local people can take advantage of. Money is not the sole answer, of course. Attitudes, employment, housing, transit—all these are factors. In many areas jobs are available; but to induce a person who lives in a ghetto to travel 10, 15, or even 40 miles to where a job exists and to expose him to it is another problem of the cities.

I said the budget provides $6.2 billion when all the items are totaled. This amount does not include the so-called poverty program, which, by the way, in my opinion, is beginning to show great results in the United States after a slow start and the overcoming of some problems, because it was a new program. We must look at the entire picture if we are to zero in on the problems.

The average American probably thinks he understands the problems. Sometimes all of us say, "Yes, we understand now"; but the understanding all too often is merely the result of a rearrangement of our prejudice and bias. The feelings still exist. Sometimes it is because of our lack of awareness of the needs of the times.

So I am hopeful that the Senate will not consider that it is voting merely on two programs. The two are a part of the whole picture. Seventy percent of the people of the United States are classed as urban dwellers.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. LAUSCHE. Merely for the purpose of obtaining information concerning the amount of money that will be spent under the bill for the aid of cities, first, under the existing urban renewal program, and second, under the model cities program, do I correctly understand that the budget estimate for the model cities was $662 million?

Mr. MAGNUSON. The budget estimate was $662 million.

Mr. LAUSCHE. The House approved $237 million?

Mr. MAGNUSON. That is correct.

Mr. LAUSCHE. The bill proposed by the Senate Committee on Appropriations, and recommended by the distinguished Senator from Washington, contains $537 million?

Mr. MAGNUSON. Yes.

Mr. LAUSCHE. In other words, the version of the bill now before the Senate is $300 million more than the House recommended?

Mr. MAGNUSON. That is correct, and $125 million below the budget estimate.

Mr. LAUSCHE. In addition to the $537 million recommended as a new program to establish model cities, there is in the bill an existing program providing for $750 million for urban renewal?

Mr. MAGNUSON. $750 million for urban renewal, yes.

Mr. LAUSCHE. So the total will be $750 million for urban renewal, plus $537 million for model cities, making a total of $1.287 billion.

Mr. MAGNUSON. Yes.

Mr. LAUSCHE. Is that correct?

Mr. MAGNUSON. That is correct. As I said, in all the bills, the amount is $6.2 billion.

Mr. LAUSCHE. How does that $6.2 billion accumulate?

Mr. MAGNUSON. There are grants for water and sewer facilities, open space programs, urban planning grants, housing for the elderly, grants for neighborhood facilities. I shall put a list into the RECORD. The program includes school lunch programs, which refers to the cities. The rodent control program is a part of the total program.

They all add up to $6.2 billion-plus. That does not include the poverty program.

Mr. LAUSCHE. Is that all in this bill?

Mr. MAGNUSON. No. That amount is included in all the approaches toward the cities problems.

Mr. LAUSCHE. That total would be $6.2 billion. If we adopted the recommendation of the Department of Health, Education, and Welfare, there would be another $5.1 billion for poverty.

Mr. MAGNUSON. With some kind of a special program proposed by the Department.

Mr. LAUSCHE. So that would be a total of $11.3 billion. Is that correct?

Mr. MAGNUSON. If the Senator has added them correctly.

I shall put in the RECORD all the items we consider to be included in our approach to the problems of the cities and what will be covered.

Mr. LAUSCHE. I thank the Senator.

Mr. JAVITS. Mr. President, first, I rise to support our chairman. I think he conducted this matter in an extraordinarily able way, but, more than that, those of us who participated in the discussions in the committee, as did the Senator from Colorado [Mr. ALLOTT] and myself and other Senators, come to the floor so impressed with the titanic struggle which took place in the committee as to have that struggle have a distinct bearing on what we do on the floor. I can assure Members of the Senate that this problem was thoroughly fought in the committee, with every conceivable argument I have ever heard made for and against, with special testimony from people in Government departments who knew about the problem and who were especially available. If anything was ever the product of debate rather than some kind of trade, this was it.

I want to pay tribute to our chairman, because he certainly held up his end in a manful way, in accordance with his convictions, and what I think is the essential need of the country, in the deliberations of the committee, which were most thorough, and in which these questions were hotly contested.

Mr. MAGNUSON. I thank the Senator. I do not know of any legislation in which a fine tooth comb was used more to go into this question from every side than in this particular legislation.

Mr. JAVITS. I thank the chairman.

Mr. President, I rise not to speak about the facts, figures, and details, which have already been stated, and which will undoubtedly be stated again, but I speak to this matter from a very particular vantage point. I come from the State which has the biggest city, with, unfortunately, the biggest slums and the biggest problems, financial, economic, and social, of any city in the United States.

Mr. President, I speak also as something of an expert, having been the child of the very conditions which we are trying to correct and having lived with them all my life—my own personal relations, my parents, friends, so many of the surroundings in which I have spent a whole lifetime.

I think everybody is critically interested in the anatomy of all these riots. We cannot wait, before we vote on model cities or rent supplements, for a report to come in from the President's commission or from the committees which we have ourselves set up to do this job. We have to act now.

It is from that point of view that I wish to speak. I heard with the greatest interest the large figures expressed, and the figures are large. No one can gainsay that. But, Mr. President, the total figures are infinitely larger. The country has a gross national product of $750 billion a year. It has a per capita income which verges on $3,000 a year, though it is not equally shared, by any means, in the country. The difference, even in taxpaying, for 30 million of our people, is so great, that if we could upgrade them even 5 percent, speaking even in terms of taxpaying capacity—because Americans pay about 25 percent of their income, at some level—it would make this total expenditure pale into its relative position, which is not too great.

Second, when we talk about the sums of money which are appropriated, let us consider the sums of money which are required. In the city of New York, to re-do three slums alone, in Harlem, in the Bronx, and in Bedford-Stuyvesant in Brooklyn, is estimated to cost from $1.5 billion, as a minimum, to $5.5 billion, as a maximum. No wonder mayors testified before Senator Ribicoff's committee, of which I am a member, that we are talking about $500 billion in the course of the next 10 or 20 years to really reform the cities.

Mr. President, big figures are relative. They are nothing to be afraid of. Nobody is afraid to spend money if he can earn it. We are really talking about fundamental earning in terms of the country. Because, Mr. President, looking now to the anatomy of these riots, whatever may be the particular spark which set them off at the particular time—a long, hot summer, a concentration of rather incendiary agitation, and a deep frustration with the fact that not enough was being done, or that was visual, in any case, I think they had a little assistance from what happened in the House of Representatives with respect to the so-called rat control bill, which people in the cities felt was a pretty callous way of looking at our problems, and I am hopeful that this is now being corrected in the other body, and that is the best place in which it could be corrected, in my opinion—the riots were set off, Mr. President; and we may rest assured that the basic causes of those riots are—because, as lawyers, we know that things are always pretty much what they seem to be, and it is only the rare exception when they are not—attributable to the unbelievably depressed and uncertain conditions created by bad housing, completely unsanitary and almost unfit for human habitation, the uncertainty as to jobs, and enormous rates of unemployment consequent to lack of education and lack of training, crime conditions, and deficiencies in educational opportunity which are rampant in the so-called slum and ghetto areas.

So, slowly and painfully, having been awakened to this situation, we are trying to impove it.

Mr. President, there is no concept here as to which comes first, the chicken or the egg. Who is to say, if people get jobs first, that they will not, in time, be able to turn around and finance—because they can pay the rents—decent housing, which will then be constructed in the slum areas; or who is to say that they will have no motivation to go out and seek the training and education and the jobs, if they live under conditions which are human, and which stimulate human beings to try to do something for themselves?

In short, Mr. President, these things are not mutually exclusive. Education, housing, and jobs are the 3 R's, in my judgment—although R is not the first letter of each word, it is essentially the same thing—of dealing with slum conditions and avoiding violence and riots, which are very strange to the American character, where we depend so much and so patiently on democratic means to solve our problems.

The 3 R's, I repeat, are housing, jobs, and education; and they are equal in rank. We have to do something about all of them in order to make any real progress. I say that, Mr. President, as a child of the ghetto, deeply imbued with its problems and understanding them very thoroughly. If you afford the housing which gives the incentive for a human being to feel as though he is living like a human being, and to do something for himself, it moves him to get a little education, which also must be available in those cases, and to seek to upgrade himself, to get a little skill from the pools which are available to get some skills, and to qualify for a job.

Unless they are all blended together, Mr. President, we will not cure the problems of the slums, and we will have a long, hot summer, perhaps longer and hotter, next summer, than we had this summer.

Mr. President, I estimate that 97 percent or more of those in the slums affected by the riots had nothing to do with them and that is the way it should be, at the very least. You cannot arrest 20 million people; and that is the Negro population of this country. Who would want to, when there is really a fundamental national injustice which needs to be remedied?

Mr. President, one of the fundamental aspects of this matter, therefore, comes down to what can the model cities program do, and why the model cities program is a special program apart from the regular housing programs, including those like 221(d)(3), which have shown considerable benefit for housing in the moderate and low income groups.

Mr. President, the great virtue of the model cities program is that it will represent a very visual translation of our ideals and our ambitions into practicality in the big cities; 70 cities will be chosen—mind you, this is out of 193 applications—so we cannot talk about feeding more money into the program than it requires; because, at the very best, we are going to satisfy about one-third of the need by the appropriation proposed in this bill. That is at the very best.

Mr. President, when you mass and zero in on a particular slum community with a totality of housing, education, and social services, such as are comprised within the model cities program, then you have the opportunity to inspire, by example, with a very visual demonstration of what government can accomplish in order to help people on their way up from the depths of poverty and slum living. So the model cities program, in my judgment, is the most creative and inventive which we have so far had in the housing field.

I like the fact that it calls for an expediter on the part of the Federal Government and an expediter on the part of the city in which the model cities demonstration is to take place, because one of the problems has been the failure to coordinate problems across the board, using the systems management techniques which we are now using in the most advanced types of business, like aerospace and weapons production, which have shown themselves to be so uniquely adaptable to getting the best out of the industrial process.

Mr. President, we should not frustrate, but we should rather promote a creative activity of this character, which does what so many who now argue against it are always asking be done, in that it coordinates everything that the Government has available, zeroing it in upon the target where it can do the most good, and which, as the Senator from Washington [Mr. Magnuson] I think so eloquently has said, and I will not repeat it, gives the best opportunity, for the private enterprise system to do its part.

In my judgment, Mr. President, that part is about nine-tenths of the whole, and that is why, though these appropriations, like the $537 million for model cities, are not remotely related to the total demand, as the incentive, as the stimulus, as the central core around which the business community can build, they are indispensable, have a real purpose, and can do a very big part of the job.

Finally, Mr. President—and I say to the Senator from Colorado, who has been patiently waiting, that I shall finish in 1 minute——

Mr. ALLOTT. Mr. President, I urge the

Senator to take all the time he wants. I am not in a hurry.

Mr. JAVITS. I would just like to conclude, Mr. President, on the question of the general money equation which is agitating Congress, and that is, Can we have a war in Vietnam and, at the same time, do for the cities what is essential for them?

Mr. President, I do not think we have much choice. The alternatives are too dire. To continue the injustice and the inadequacy of the response to the agony of the cities which has characterized our efforts up to now, Mr. President, would only result in bedeviling the United States with further internal disorder at a time when it needs the greatest degree of unity in order to carry on the Vietnam war.

We have never carried on a war without borrowing, and the only reason we have not done things like this during any war heretofore, Mr. President, is because we have not had the men and materials available to be diverted from war purposes for the purpose of dealing with just such problems in the cities.

Mr. President, that is not true today. The Vietnam war is not taking the men and materials required for these things. The men and materials are available, and hence in terms of domestic priority, in this case have a ranking with the priority of Vietnam; and, with the availability of the men and materials, it is our duty to satisfy the just demands of the cities.

Besides, Mr. President, it is an absolute stern necessity, because we cannot accept the social conditions which will result if we fail in our duty in this regard at this time.

What the administration has failed to do is to establish the necessary national priorities. We are still dispersed all over the lot. The administration refuses to admit that the Vietnamese war is a war, and that in a war, you have to borrow, as we did during World War II, and refuses to admit that we do have the men and materials available to establish the order of national priorities which will permit just such programs as this model cities program.

Mr. President, I have no fear, as I said this morning, of voting for a tax increase. However, before I do, I want to be sure that it will be a fair measure. I want to be sure that the loopholes, or some of them at least—I do not expect the millennium—will have been closed and that any unnecessary expenditures which can be deferred will have been deferred. National priorities will recognize that this struggle concerning the tremendously seething problem of the cities is entitled to equal rank with the problem of Vietnam, and that our country can do it today. Our people always react if called upon to do so patriotically by the Members of Congress and by the President.

One of the most gratifying things to me as a Senator of the United States, coming as I do from this rather unique area of New York which has such a great city in it, a city that epitomizes within itself about all the problems of slums and ghettos which we find throughout the United States—and I say this in tribute to the Congress—is the most considerate way in which Congress reacts to the riots.

Instead of Congress reacting as a result of determination to punish and suppress the people within the frame of reference in which the riots took place and deny them the things which they need in the way of housing and education and jobs, Congress has acted out of a sense of justice.

Whatever may be our differences as to means and amount, I am most grateful for the really exciting attitude in Congress to legislate out of a sense of justice rather than out of a sense of resentment.

Mr. President, I make that statement to every Member, regardless of how he votes on this particular part of the pending bill. In the hearts of the Members of the House and the Senate I do not find—and I think I am a pretty sensitive observer in that regard—a resentment, but rather I find a desire to do what is truly and honestly needed to justify and satisfy the justifiable grievances which have now extended over a period of decades.

This is a tremendous vindication of our democratic society and explains why it is successful in this country. It is because of the nature of the American mind and the American spirit.

If I do nothing else today, I wish to pay my tribute to the Members of Congress for their treatment of this problem.

I think we have made a splendid and powerful case for the model cities program. I support it myself. I hope very much, in the high interest of the Nation, its future and its destiny, that the measure will be supported on the Senate floor.

I join with that the gratification that this problem is being looked at with a sense of true statesmanship by the Members of the Senate. It is for that reason that I express such confidence in a just result.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, I am glad that I was in the Chamber when the distinguished Senator from New York delivered his persuasive and effective plea on behalf of the model cities program. I certainly support the Senator in what he has had to say.

PREDICTED SUBSTANTIAL CUTS IN EXPENDITURES BEFORE TAX INCREASE

Mr. PROXMIRE. Mr. President, I predict that President Johnson will recommend substantial expenditure cuts to salvage his tax increase bill.

A $6 billion annual reduction in expenditures, coupled with a 6-percent tax increase, would yield the same as the President's 10 percent surtax, which will yield about $10 billion on the basis of the calendar year, or a $2 billion spending cut.

I make it clear that this predicted action is based on the President's analysis of the economic situation, particularly as to the need for reducing inflationary pressure.

I do not agree that we are faced with strong inflationary pressures at the moment, and I am opposed to a tax increase on any basis. But, in terms of the administration's conclusions on this matter, it seems obvious to me that an expenditure reduction would have the same overall effect as a tax rise in terms of the aggregates and, at the same time, would prove healthier for the economy.

Even more important to the success of the President's tax plan is the bedrock congressional opposition to a tax increase without some moderation in the immense budget increase for the coming year.

Not only will the President have trouble in the Ways and Means Committee without a big spending cut, but his tax bill will also be in serious trouble in the Senate unless there is a substantial specific recommendation by the President to cut spending.

Expenditure reduction has many advantages over a tax increase. First of all, it is a much more flexible fiscal weapon. Budget cuts can be put into effect immediately by the President and timed to the needs of the economy. They also allow for a much more rapid reversal of policy than a tax increase enacted for a 2-year period.

Last December the President reduced spending $3 billion in order to stem an inflationary threat. In March, when the inflationary threat abated, the President restored the spending commitment.

On the other hand, a tax increase would be frozen into the economy for 2 years. It could seriously aggravate an unforeseeable recession in 1968 or 1969.

With Presidential leadership, a $6 billion cut is well within reach. I think that substantial cuts from the President's 1968 budget request can be made in four areas—public works, the space program, the development of a supersonic transport, and military expenditures in Europe.

In addition to the foregoing, other opportunities for reduction or slowdown in expenditures are available to the President. Holding back on contract awards would have a dampening effect on any inflationary pressures that might develop. We know from past history that contract awards have a highly stimulating effect because they induce industry and individuals to expend in anticipation.

The amount of contracts awarded by the Government each year is huge; if the President were to hold back on a part of this, it would be very effective in stopping upward pressures. Furthermore, the administration could stop existing contracts, or at least impose a stretchout on them, even though such actions might involve certain penalty costs. If an emergency is bad enough to require a 10-percent tax increase, then it is bad enough to require such decisive action on existing programs.

Our aids to aviation, water carriers, and other businesses are on the increase. These deserve a long, hard look. Likewise, our troop commitments in Europe. Let us put some pressure on our wealthy allies to bear some more of the burden of defending themselves. They seem to forget that their own nations are in line of fire, and they are not simply doing Uncle Sam a favor.

It would be a tragic mistake, however, to reduce our all-too-sparse outlays for education, welfare, slum rehabilitation, and manpower training. We should also include the model cities program which, I agree, is essential if we are going to have any kind of rational system of priorities. I would also include rent supplements. These are vital investments in people and very necessary to our social and economic growth. Moreover, it would be most difficult to achieve any significant expenditure reductions out of the limited amounts that we now invest in these activities without gutting these essential programs, concerning which I think we have made a good start.

This morning the Joint Economic Committee held hearings at which three of the Nation's most eminent economists in the field of cost-benefit analysis appeared. They were unanimous in their recognition that our priorities are very badly out of kilter and that our investments in reclamation projects, for example, and in the great public works projects are based on a grievously erroneous discount rate which has no relationship to cost of investment in economy or opportunity costs for private industry or, for that matter to what the Federal Government pays for the money which it borrows with which to finance the projects, that as a result we extravagantly waste hundreds of millions of dollars a year.

Mr. President, this is another area in which we can cut back sharply, and we should do so swiftly.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

Mr. ALLOTT. Mr. President, I have listened with great interest to the remarks made on the floor of the Senate today. And I must say that I am greatly in sympathy with some of the views—not all of them—expressed by the distinguished Senator from Wisconsin with respect to economy in this country.

I am also fully aware and cognizant of the views expressed by the Senator from New York, with whose views I have been acquainted for a long time.

I propose to discuss a few of the ramifications and implications of the model cities program about which I doubt most Senators are aware and which I believe should be brought to the attention of the Senate.

I preface my remarks by saying that, as the ranking minority member of this committee, I did express my views in the subcommittee on numerous occasions, and the chairman is fully aware of my position. I completely reserved my rights in the subcommittee and in the full committee markup to take independent action on this matter, and I will take that independent action with opposition to the pending amendment.

Regardless of how anyone may feel about the problems of this country, particularly the problems of the cities, I do not believe that anyone can strictly correlate the riots that have gone on this summer with the problems of the cities. The statements by the people who had led these riots and the statements by the people before the riots pay only superficial attention to the problems of the cities. It is obvious that the fundamental purpose of these people is not social reform or improvement of the cities; their fundamental purpose is to create disorder and to destroy property and lives. Let there be no mistake about what their purpose is. You can call them Communists if you wish. You can argue any way you wish about what they are. But this is their purpose.

I say that the riots bear no relation to the problems we are trying to solve in Congress, because there is a much more personal and selfish purpose, that of self-aggrandizement by publicity through the news media—printed paper, television, and radio.

The distinguished Senator from New York made a statement a few moments ago to which I must take exception. He said that you cannot put 20 million Negroes in jail. I agree with this statement. But the implication of what he said is that every Negro in this country supports the rioting, the disorder, the looting, the property destruction, and the life destruction in the cities of our Nation.

Mr. President, this is not true. I have been approached time after time in the last few tortured months by long-time friends of the Negro race and other minority races, and from all of them I receive the utmost condemnation of the Stokely Carmichaels and the Rap Browns and all the others of their ilk, of whom this country would be well rid in this time of crisis.

Progress in the civil rights area can be made only through law and order. I am as well aware of this as anyone, and I take second place to no one in the Senate or, in fact, in Congress for the number of years I have labored in the vineyards of trying to produce equal civil rights, equal opportunities, equal education, and equal justice in this country. I need not take a back seat to anyone, because, with the exception of the senior Senator from New York, I have authored and coauthored more civil rights legislation than has any other Member of the Senate. Speaking as one who has been active in this field—though perhaps not speaking as often as others—I cannot agree that the riots in the streets are the result simply of social injustice; because I know hundreds of members of the Negro race who do not stand for this, and they are anxious to move ahead within the realm of law and order in order to achieve equality, justice, opportunities, and education.

I wish to speak for a few moments to the problem we have here. What most Members of the Senate are not aware of is that there is a very close relationship between the planning grants and the model cities program. Last year we appropriated $11 million for the planning grants, and let me explain what happened.

To take advantage of the model cities program, a city must first obtain a planning grant from HUD, in order that they can then present a model cities program to HUD at a later time. I might say, parenthetically, that we might concern ourselves a little about the ultimate power we are putting down there in the hands of one man. It takes from 6 months to a year just to get through the planning grant period. We will be at least one-quarter of the way through this year before the pending appropriation bill has ever a chance of becoming a law, and we may be one-third of the way through this year before it ever becomes a law.

After these planning grants are given to the various cities, there is a necessary delay of 6 months to a year before they are approved by HUD. But does this mean model cities? No, not in any sense. They have to present to HUD a plan which indicates that they might have a program which might come under the model cities program.

Now, what happened to the $11 million last year? I am reading from the actual justification given to us by the Department of Housing and Urban Development, in part 4, on page B-16:

> It is expected that approvals for planning grants for around 70 or more cities will be announced, for the most part, after May 1 and before June 30, 1967. Grants will not be approved on a first-come-first-served basis, but will be evaluated in terms of the ability and competence of the community to handle its problem, the responsiveness and ability of the local demonstration agency to work effectively with other elements of the community, and the ability to achieve results in a short period of time within the neighborhood area selected. So-called "package" plans would not be acceptable in that they do not ordinarily provide adequately for the specific character and needs of the individual community.

Now, I shall skip a paragraph and then continue reading:

> The planning process, after award of the grant, is expected to take from six to twelve months and lead to the commitment of supplementary grants during fiscal year 1968 for cities which have developed approved programs. While staff of the Department will furnish all possible technical assistance pursuant to section 106 of the Act, some fallout of planning grant recipients is expected. However, the net number expected to be eligible for commitments for supplementary funds in 1968 is expected to be 70 or more.

Mr. President, I wish to comment briefly about the figure "70 or more." I predict, and I base this prediction on the testimony of HUD witnesses, there never will be more than 70 cities in the United States that are able to take advantage of this; and I mention that this is the case although the fact that there will not be more than 70, to me is not an altogether governing criteria.

However, I look at the men and the lady in the Senate who may be believing at this time that some of their cities, and in some cases very large States with large cities, are going to suddenly fall into this category of model cities. I warn them here and now that in my opinion there will never be more than 70 cities and in great likelihood there may well be less than 70.

We appropriated $11 million. Remember that we are talking about a lag of 5 or 6 months to a year on these planning grants. We appropriated $11 million last year and despite the statement of HUD that it is expected that approvals for planning grants for around 70 or more cities will be announced for the most part after May 1 and before June 1, 1967, as of the close of the fiscal year not one planning grant had been made in the United States. As of this very morning, 2½ months after the beginning of the fiscal year, there still had not been made one planning grant.

Therefore, the 6-to-12-month cycle when we may expect to see results from this has not even started, and after that 6-to-12-month cycle, the various communities have to actually develop their model cities program to be approved by HUD, at which time and in which event the money appropriated in this bill will start to be needed and utilized.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. Do I understand correctly that up until this day, even though $11 million was appropriated to be given to local communities for the development plans for a model city, no grant has thus far been made for the development planning?

Mr. ALLOTT. The Senator is entirely correct.

Mr. LAUSCHE. Now, after the grant is made for the developing of plans, how long is it calculated it will take to prepare the plans so that the project will be in a state where moneys for the construction of it should be asked?

Mr. ALLOTT. As I understand the situation—and I shall ask the staff to correct me if I am mistaken—it would take 6 to 12 months—and this is according to the testimony of the department, and not my idea—to actually prepare the planning and to develop preliminary plans.

Then, after that time, they would present to the Department of Housing and Urban Development the plans which they have formulated under the grants from HUD and then, only after the further approval of HUD, would they be given a grant under the model cities program. I shall discuss that phase of it a little later.

Mr. LAUSCHE. We appropriated $11 million to be used in the fiscal year 1967.

Mr. ALLOTT. That is correct, and there is $12 million more in this bill for the same purpose.

Mr. LAUSCHE. The fiscal year 1967 expired on June 30 of this year. No part of that money was used by any city to develop what is called a model city.

Mr. ALLOTT. The Senator is correct. However, I must correct one statement. The $12 million is for a 2-year period.

Mr. LAUSCHE. Yes, a 2-year period. I thank the Senator.

Mr. ALLOTT. Then, $12 million each year.

Mr. LAUSCHE. Is there any dispute about the fact that this law has been in existence for more than a year and not one penny has been given out for the development of plans? Is there any dispute about it?

Mr. ALLOTT. No.

Now, Mr. President, I wish to resume my remarks at the point where I yielded to the distinguished Senator from Ohio.

Regardless of how one happens to feel about the model cities program, and how much he wishes to support it, no matter how great the moral conscience of any man or woman in the Senate about this matter, here is one area where we can exert a deep cut in the very excessive budget without hurting the program.

Mr. President, I wish to propound a parliamentary inquiry to the Presiding Officer at this time so that the situation that we are in will be perfectly clear.

The PRESIDING OFFICER (Mr. Moss in the chair). The Senator will state it.

Mr. ALLOTT. The House of Representatives appropriated $237 million, which includes the planning grants, the supplementary grants, and the urban renewal; the Senate amendment is $537 million, or $300 million in excess of that, and includes the planning grants, supplementary grants, and urban renewal. Am I correct in assuming that in the event the committee amendment should be rejected, the figure in the bill would revert to the House figure?

The PRESIDING OFFICER. The Senator is correct. It would revert to the House figure.

Mr. ALLOTT. I might say at this point, to answer the distinguished Senator from Ohio, that the law was enacted on November 3, 1966. It is almost a year old.

Now, having propounded the parliamentary inquiry to the Presiding Officer, I think the position is clear. Here is an opportunity to cut $300 million from the budget.

Will it affect the model cities programs?

I cannot see that it will affect them in the least.

Using the testimony of the Department of Housing and Urban Development, by the time the bill becomes law and they begin to put out the planning grants, they will be at least into March and April of next year before they are ready to proceed with the model cities program.

Therefore, Mr. President, why should we appropriate this vast sum of $537 million now, because of the very critical and tight money situation in this country—and this was discussed at length on the floor yesterday?

Why should we appropriate all this money now? We will not spend it. Having appropriated it, we will only add to the President's deficit by $300 million. We will have said, in effect, to the people of this country that we are spending money that does not need to be spent. With the money they have left—$237 million—which the House has in its bill, they would have more than a pro rata amount to spend from March and April on of next year to June 30, which would be the first time, according to their own testimony, that they could spend it.

It seems to me that it does not take much logic or mathematics to see that to appropriate the $537 million now would be a very foolish move.

I close with a slight development of one point of which I think all Senators should be aware.

I do not think everyone understands what model cities are all about. I do not pretend that I understand them completely. The Department of Housing and Urban Development is such a conglomeration of departments and bureaus piled on top of one another, with overlapping functions and overlapping appropriations, that it is almost impossible for a person not living with it every day of his life to comprehend or understand it. I have good reason to believe that many people down there do not understand it any better, either.

What do we do with the model cities programs after we have had the planning grants, and after the model cities programs have been approved by the Department of Housing and Urban Development? We then take up the further additional burden of the cities in trying to solve their problems. Most of our Federal programs are based upon a contribution from the States, which varies from one program to another. Some are 50 percent. Some are 66⅔ percent. Some are 75 percent. Some are 80 percent.

The important point is, I think, that the model cities program almost completely and effectively removes the city itself from any responsibility, monetarily at least, for its program. Perhaps that is necessary. I am not going to argue it. But, I do not believe that anyone should vote for this without understanding what it is all about.

For example, the model cities program encompasses all of the Federal programs, and even local programs which are designed to upgrade, uplift, redesign, and provide model communities.

It is interesting to note that essentially the same program was in effect, and has been in effect, for several years under the so-called demonstration cities program.

When they put on the magic words "model cities," agitation began pouring in from all over the country.

What happens then? Let us take a specific program which is included within perhaps a dozen or a dozen and a half programs which are included in the model cities program.

Let us take a specific program where the Government contribution would be 80 percent and the city's 20 percent. I think this is a fairly general situation, but the model cities program—and this is what it is—provides, then, that for the city's share, the Federal Government would provide, by grant, up to 80 percent. So that we have, in effect, then reached a position where the Federal Government is providing practically all of the money which goes into the implementing of a model city. In the particular instance I have just cited, it would leave only 4 percent for the city to pay.

Mr. LAUSCHE. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. Do I correctly understand the Senator's statement that if, say, the cost involved were $100,000 in a model city's program, the Federal Government at the very beginning would put up 80 percent of the $100,000, and then, because it came under the model cities program, 80 percent of the remainder—that is, $20,000?

Mr. ALLOTT. Yes; that is correct.

Mr. LAUSCHE. So that the net result would be that whoever had the good luck to get in under the roof of a model cities program would be putting up only 4 percent of the entire cost of the development of a model city.

Mr. ALLOTT. Yes. I think I understand the Senator's question, but let me restate the situation in my own words.

The Federal Government would put up 80 percent and the city would put up 20 percent. Then, after the city has presented a model cities program to the Department of Housing and Urban Development, it could get an additional grant of 80 percent of any expense the city might become involved in to develop a model city. This would include not one but perhaps eight, 10, or 12 different Federal programs. The amount the city would contribute normally would depend upon that particular statute.

Mr. LAUSCHE. I am correct, then, am I not, that the cost of developing the model city would be borne 80 percent by the Federal Government and then, by special legislation, the Federal Government would relieve the local municipality of having to pay 80 percent of the remainder of the 20 percent.

Mr. ALLOTT. That is entirely correct.

Mr. LAUSCHE. That means that the ultimate cost would be 4 percent to the local city and 96 percent to the Federal Government; is that not correct?

Mr. ALLOTT. The Senator is entirely correct on that.

Mr. LAUSCHE. What will happen to the cities that will not get under the roof of getting the 96 percent provided by the taxpayers? How many will remain idle, without demanding that they get into it the fullest extent?

Mr. ALLOTT. If all the cities who wish to get under this very generous program applied, I doubt if there would be enough money in the Federal Treasury to take care of it, even if we doubled the present authorization.

Mr. LAUSCHE. The point I am trying to make is that if we give municipalities X, Y, and Z, 96 percent of the cost of developing a model city, what are the older cities K, L, and M going to say?

Mr. ALLOTT. They will do without.

Mr. LAUSCHE. They will do without?

Mr. ALLOTT. Yes; they will do without.

Mr. LAUSCHE. They will be here protesting vigorously that they should be given equal treatment.

Mr. ALLOTT. Unless Congress should develop additional legislation.

Mr. MAGNUSON. Mr. President, if the Senator will yield, let us put section 105 in the Record, in regard to the grants.

Mr. ALLOTT. I will be happy to have that done.

Mr. President, I make such request.

The PRESIDING OFFICER. Without objection, it will be placed in the Record.

Mr. MAGNUSON. After the remarks of the Senator from Colorado, or, if he wants it right here, it can go in the Record here.

Mr. ALLOTT. Let us make the request to have it placed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, the section will be placed in the Record at the conclusion of the Senator's remarks.

(See exhibit 1.)

Mr. ALLOTT. Mr. President, I have one other thought on this matter. I do not like to say, as some speakers do, "finally" three or four times, but it occurs to me, considering the situation in some of the very poor areas of some of the big cities, that there also devolves upon the cities and their councils or trustees, or whatever the governing boards are called, a direct responsibility to do something themselves.

I think if many of these cities had adopted hard zoning ordinances, construction ordinances, living ordinances, and enforced them through the years, we would not have come to the lamentable and pathetic situation we find ourselves in today. In other words, it is the lack of will, desire, and purpose on the part of cities and local governments that has contributed to this situation.

Mr. President, we are not gaining on the problem. Even if this full amount should be put in the bill and should be maintained in conference, we will not gain on it in the long run. We will have lost headway over the years.

With the understanding of the timelag, with the understanding of what the program actually is, I say today that we can accept the House figure, which would be the result if we defeated the committee amendment. We would not defer the program. We would not deprive any city of the rights which it thinks it has. We could render a real service to the fiscal situation of this country by voting against the committee amendment.

Mr. President, I yield the floor.

EXHIBIT 1

FINANCIAL ASSISTANCE FOR APPROVED COMPREHENSIVE CITY DEMONSTRATION PROGRAMS

SEC. 105. (a) The Secretary is authorized to approve comprehensive city demonstration programs if, after review of the plans, he determines that such plans satisfy the criteria for such programs set forth in section 103.

(b) The Secretary is authorized to make grants to, and to contract with, city demonstration agencies to pay 80 per centum of the cost of administering approved comprehensive city demonstration programs, but not the cost of administering any project or activity assisted under a Federal grant-in-aid program.

(c) To assist the city to carry out the projects or activities included within an approved comprehensive city demonstration program, the Secretary is authorized to make grants to the city demonstration agency of not to exceed 80 per centum of the aggregate amount of non-Federal contributions otherwise required to be made to all projects or activities assisted by Federal grant-in-aid programs (as defined in section 112(1)) which are carried out in connection with such demonstration program: *Provided*, That no Federal grant-in-aid program shall be considered to be carried out in connection with such demonstration program unless it is closely related to the physical and social problems in the area of the city covered by the program and unless it can reasonably be expected to have a noticeable effect upon such problems. The specific amount of any such grant shall take into account the number and intensity of the economic and social pressures in the sections or neighborhoods involved, such as those involving or resulting from population density, poverty levels, unemployment rate, public welfare participation, educational levels, health and disease characteristics, crime and delinquency rate, and degree of substandard and dilapidated housing. The amount of non-Federal contribution required for each project in a Federal grant-in-aid program shall be certified to the Secretary by the Federal department or agency (other than the Department of Housing and Urban Development) administering such program, and the Secretary shall accept such certification in computing the grants hereunder.

(d) Grant funds provided to assist projects and activities included within an approved comprehensive city demonstration program pursuant to subsection (c) of this section shall be made available to assist new and additional projects and activities not assisted under a Federal grant-in-aid program. To the extent such funds are not necessary to support fully such new and additional projects and activities, they may be used and credited as part or all of the required non-Federal contribution to projects or activities, assisted under a Federal grant-in-aid program, which are part of an approved comprehensive city demonstration program. Such grant funds, however, shall not be used—

(1) for the general administration of local governments; or

(2) to replace non-Federal contributions in any federally aided project or activity included in an approved comprehensive city demonstration program, if prior to the filing of an application for assistance under section 104 an agreement has been entered into with any Federal agency obligating such non-Federal contributions with respect to such project or activity.

Mr. MAGNUSON. Mr. President, the law establishing the model cities program—Public Law 89-754, approved November 3, 1966—speaks for itself as to what the share of the Federal Government is to be, and there should be no implications or arguments to the contrary.

Clearly, section 104(a) of the law authorizes the Secretary to pay 80 percent of the costs of planning and developing comprehensive city demonstration programs. This is a limit which illustrates that the city has a responsibility of sharing in the costs of planning and development.

This 80-percent limitation applies also to section 105(b) under which the Secretary may make grants to city demonstration agencies to pay 80 percent of the cost of administering approved comprehensive city demonstration programs, but not the cost of administering any project or activity assisted under a Federal grant-in-aid program.

As to the principal type of grants, the formula for Federal participation is somewhat flexible because so many types of Federal programs may be involved under the central coordination of a model cities program. In this instance section 105(c) of the law again uses the 80-percent formula as a maximum. In computing this, the amount of local or non-Federal participation is first ascertained and the Secretary is authorized to make a grant of up to 80 percent of this amount. The added Federal participation which is in the discretion of the Secretary was clearly placed in the law as an inducement to cities to move forward on a comprehensive and coordinated basis wherein their activities and those of all Federal aid programs that might be involved can be so directed and managed as to accomplish a maximum of progress.

As a part of the hearings before the Banking and Currency Committee, April 27, 28, and 29, 1966, on the authorizing legislation for this program, a very complete statement with tables on calculating grants and costs was placed in the record at pages 919–921. I am including that part of the hearing record herewith as part of this statement:

DEMONSTRATION CITIES BILL

COMPUTING AMOUNT OF SUPPLEMENTAL FEDERAL GRANT FOR A DEMONSTRATION CITY PROGRAM (GRANT TO BE AVAILABLE FROM $2.3 BILLION 6-YEAR PROGRAM AUTHORIZATION)

1. Determine the projects and activities in the approved Demonstration City Program which are under ongoing Federally-assisted operations.

2. Compute the total of the required local contribution to those programs (i.e. ⅓ of project cost for urban renewal, plus ½ of project cost for sewer and water facilities, plus 10 percent of project cost in certain poverty program activities, etc.).

3. The Federal supplemental grant is equal to 80 percent of that total. It is available to pay 100 percent of the cost of any type of activity approved under the Demonstration City Program, whether or not the activity is of a type covered by an ongoing Federally-assisted program.

CALCULATING THE SUPPLEMENTAL GRANT UNDER THE DEMONSTRATION CITIES PROGRAM AND ITS USES

Two types of Federal assistance will be available to help cities carry out projects or activities which are included within an approved demonstration program:

First, existing Federal grant-in-aid programs—and the funds authorized for those programs—will be available to finance those projects and activities included in an approved demonstration program that are eligible for assistance under these existing programs.

Second, additional—supplemental—grants (authorized by section 6(c) of the Demonstration Cities Bill) will be made available to the city—to be used at its discretion—to help finance any project or activity included within an approved demonstration program.

Amount of the supplemental grant

There is no matching requirement for the additional—supplemental—grant authorized by the Demonstration Cities Bill. It is a 100 percent Federal grant.

The amount of this additional—supplemental—grant is equal to 80 percent of the total non-Federal contributions required to be made to all those projects or activities included within an approved demonstration program which are assisted under existing Federal grant-in-aid programs. The non-Federal contribution to every project or activity which is included within an approved comprehensive city demonstration program, and which is funded under an existing Federal grant-in-aid program, may serve as a base for computing the additional—supplemental—grant under the Demonstration Cities Bill.

It does not matter whether the Federal commitment to assist in financing the particular project or activity under an existing grant-in-aid program occurred at some time before the comprehensive city demonstration program is approved. So long as the activity financed by the existing grant-in-aid program was not completed before the demonstration program was approved, and is included within the demonstration program, the non-Federal contribution to that project or activity can serve as a base for the grant computed under the Demonstration Cities Bill.

Use of the supplemental grant provided by the demonstration cities bill

The additional—supplemental—grant funds authorized to be paid by the Demonstration Cities Bill are not earmarked for any one specific project or activity carried out as part of the demonstration program. After the amount of this additional—supplemental—grant is established under the formula in the Demonstration Cities Bill—the total amount will be available to the city to be used for any project or activity which is included as part of an approved comprehensive city demonstration program.

The additional—supplemental—grant may be used to provide funds to carry out any projects or activities (including projects or activities of the type eligible for Federal assistance under existing grant-in-aid programs) undertaken as part of the demonstration program. Also, supplemental grants may be used, with the approval of the Secretary, to provide part of the required non-Federal contribution for demonstration program activities assisted by ongoing Federal grant-in-aid programs. However, the city must maintain, during the period of demonstration program is being carried out, its prior level of aggregate expenditures for projects or activities throughout the city which are similar to those being assisted under the demonstration program.

The "area" of the demonstration program

The Demonstration Cities Bill does not require a single geographically delineated demonstration area in which slum and blight are to be removed or arrested. Rather, there may be several areas of varying sizes throughout the city.

A wide variety of existing Federally-aided activities, no matter where located in the city, which serve the demonstration program may be included in the base for computing the demonstration grant.

HYPOTHETICAL EXAMPLE OF HOW A CITY CALCULATES AND USES THE SUPPLEMENTAL GRANT UNDER THE DEMONSTRATION CITIES PROGRAM

A. CALCULATING THE SUPPLEMENTAL GRANT ON THE BASIS OF EXISTING FEDERAL GRANT-IN-AID PROGRAMS WHICH ARE USED AS PART OF THE LOCAL DEMONSTRATION PROGRAM

[Dollar amounts in thousands]

Federally assisted activities included as part of local demonstration	Cost of activity	Statutory Federal share (percent)	Federal contribution	Non-Federal contribution
Urban renewal projects	$15,000	66⅔	$10,000	$5,000
Code enforcement project	3,000	66⅔	2,000	1,000
Sewer and water project	600	50	300	300
Neighborhood center	1,200	66⅔	800	400
Hospital	5,700	([1])	2,000	3,700
Community action program	3,000	90	2,700	300
Manpower development and training project	3,000	90	2,700	300
Total	31,500	....	20,500	11,000

[1] Varies.

Supplemental grant (100% Federal grant)

Calculated at 80% of non-Federal contributions to demonstration activities assisted under existing Federal grant-in-aid programs (80% of $11,000=$8,800).

B. How the city might use the supplemental grant

Grants for rehabilitation of multi-family structures	$2,500
Revolving fund for purchase and rehabilitation of housing	2,500
Increased level of garbage collection and rodent control in area	400
Police-community relations program	300
Training unemployed in rehabilitation skills	350
Additional Headstart activities beyond what is available from community action program	1,750
Improving and equipping neighborhood playgrounds	700
Other activities	300
Total	8,800

Mr. LAUSCHE. Mr. President, during the day there has been a discussion about the causes of riots, insurrection, and rebellion. A discussion was carried on by the Senator from New York dealing with what is the anatomy of riots. The impression is left that the cause of riots within our country should be laid to the misdeeds and misconduct and cruelty and inhumanity of our Government. I cannot go along with that charge.

Not one word is spoken about causes, except that which was just mentioned by the Senator from Colorado [Mr. ALLOTT]—that there are many who are not concerned about improving the housing, educational, recreational, and health facilities of our country, but are only concerned with the creation of disorder.

It is on this subject that I want to speak primarily at this time. Mr. President, I shall read, substantially, from an article written by Alice Widener and published in Barron's magazine. The title of the article is "The East-West Ballroom—A Report on the Second Conference of Socialist Scholars":

> While ordinary out-of-towners were registering at the reception desk in the main lobby of the Hotel Commodore in New York City, Friday evening, September 9, 1966, more than two thousand members of the Old and New Left were registering at tables set up in ballroom floor hallways to attend the Second Annual Conference of Socialist Scholars.

Miss Widener further writes:

> The New Left movement in this country is generally described as a spontaneous, amorphous grouping of rebellious youth. It is not. Any observer who attended the conference during the week-end of September 9–11 would have recognized that most members of the New Left are activists who are instigated, controlled and manipulated by disciplined members of the Communist Party, working in a united front with Marxian ideologists.

This conference was held a little less than a year ago. I anticipate that there will be another one in October 1967. Two thousand Socialist scholars assembled at this annual conference of Socialist scholars.

I shall, as I proceed, invite the attention of Senators to arguments made at that conference. I read further:

> At the Socialist Scholars' discussion of "poverty and powerlessness," panelist James Haughton, director of the Harlem Unemployment Center, ranted into the microphone on the dais:

I now call the Senate's attention specifically to what he said:

> "Specifically, yes, the welfare system is rotten, but so is the whole American system rotten. You can't look anywhere in this country and see anything but rottenness. . . . Wherever the American octopus reaches out its tentacles, there you will find exploitation, cruelty, poverty, mass impoverishment."
>
> Dr. Haughton called for "'revolutionary change, not reform". . . .
>
> The applause in the ballroom was deafening.

With due respect and humility, I ask, how do the words that are spoken in this Chamber differ from the words of this man, who labeled the U.S. Government an octopus, exploiting everywhere its tentacles could reach?

I repeat:

> Specifically, yes, the welfare system is rotten, but so is the whole American system rotten.

Mr. President, I reject those words. They are not true. They are not the words of a man who believes in our country. They are against our Government, and they indicate a purpose of those who uttered them to look toward the achievement of the destruction of this great system for the preservation of which so many lives have been given and so many bodies broken during the history of the existence of the Nation.

But this is not all that was said. I quote Alice Widener further:

> Haughton's impassioned speech had followed a calmly academic but insidiously dangerous paper presented by Prof. Richard A. Cloward of Columbia, whose work in sociology has greatly influenced the scandal-ridden, multi-million dollar Mobilization for Youth program in New York City, and also the multi-billion dollar federal Poverty Program and Job Corps project. Dr. Cloward is a member of Citizens Crusade Against Poverty, the group organized by Walter Reuther.
>
> Written with associate sociologist Frances Piven of Columbia, Dr. Cloward's paper for the Socialist Scholars opened with a call for a systematic strategy of "irregular and disruptive tactics" among the poor, urging them to overburden city and state governments with their "demands."

Hear this noted sociologist, listened to by 2,000 people, making a call for a systematic strategy of irregular and disruptive techniques among the poor, urging them to overburden city and State governments with their demands.

It grows worse as the meeting goes on. It grows so bad that every lover of this country ought to become alarmed when he hears what has been said:

> Prof. Cloward explained that each welfare client in New York City is entitled under existing law to special benefits for clothing, blankets, etc. He said that in 1965 city special benefits welfare payments amounted to "about $40 per client" and he called for each welfare client to demand $100 to $1,000 in such benefits.

Why demand $1,000 a month benefits, and, unless you get them, engage in disruptive demonstrations, if it is not for the purpose of paralyzing the normal operations of our Government?

> He said there are now 550,000 welfare clients in the city, but that by 1967 there probably will be 600,000.

He tried to point out that 600,000 persons demonstrating can achieve their demands, because Government will give in, and give them whatever they ask for.

Cloward further went on to say that the previous month he had participated in "a national conference to organize the welfare recipients movement."

Mr. President, my query is: Does this indicate a sole purpose of trying to improve the social and economic life of the ones who protested, or is the purpose to create disorder and disruption, and thus paralyze the Government?

I come now to what is the most telling and most frightening part of what took place.

> The prospects—

Outlined by Dr. Cloward—

> delighted Prof. William Ryan, formerly of Harvard, now of Yale, who described himself to the audience as "a radical without portfolio." He said, "I have been enchanted with the Cloward strategy of blowing a fuse in the welfare agencies, housing developments, and among unmarried mothers. I wonder what would happen if there was a really systematic overload."

Overload of what? Overload of the demands made upon the Treasury.

Are we trying to put an overload upon the Treasury which some day might blow out the fuse?

I continue to read:

> When a member of the audience asked whether Dr. Cloward's strategy is a substitute for "socialist organization of the proletariat, the industrial factory workers," Dr. Frances Piven of Columbia replied from the dais: "I really only want to make one point—the disruption of the system. Welfare rolls will begin to go up; welfare payments will begin to go up—the impact will be very, very sharp. The mounting welfare budget will increase taxes, force cities to turn to the federal government. We have to help people to make claims; for this they will organize and act."

Mr. President, my only purpose in discussing what took place at that Conference of Socialistic Scholars was to give one added element to this anatomy of riots. Our country has been humane and generous. It has tried diligently and effectively to help the poor.

There are those, however, who would gladly see the collapse of the Government and are prepared to place upon the Treasury a tax burden that will blow the fuse.

I do not propose to be stampeded. I want to help, but I am going to help within limits that are reasonable, without being intimidated and threatened by demonstrators. I want solely to perform my duty to my Government and to all the people of our Nation.

Mr. President, I subscribe to the words spoken by the Senator from Colorado. I want to go along in part with this program, but I do want it clearly understood that we should beware and should understand that if we continue to yield to demonstrations and riots artificially stimulated by socialistic scholars, as evidenced in this meeting in New York City, we will never satisfy the demands of those who are pounding on the doors of the U.S. Treasury for inordinate expenditures.

I should like to discuss the fiscal status of our country. However, I know that that subject has been adequately discussed in the past. Therefore, I shall not do so.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, while there is no question that the appropriation bill now before us for the Department of Housing and Urban Development is, in the main, an important and worthy measure, there is one factor, not often mentioned, that deserves consideration.

It is, in a way, related to the statement attributed to the baseball player and now manager, Leo Durocher, that "nice guys finish last."

To paraphrase just a bit, I do not think it inaccurate to state that "big cities finish first," while the smaller ones, which have an equal number of urban and other problems, end up last.

For by the time the bigger cities have gotten their share of that Federal urban assistance pie, the slice that is left to be distributed to all of the rest of our cities, is virtually nonexistent.

An example is provided by the difficulties which Marshall University in Huntington, W. Va., has had in recent months in receiving urban renewal grant funds from HUD.

Marshall University is a State-supported school, 130 years old, with a student population of some 7,200. The enrollment is expected to rise to 12,000 in the next 10 years—if adequate space and facilities can be provided.

But there is a catch. For the school is located in a decaying urban area which desperately needs improvement. Sensing this, Marshall has applied for funds to upgrade the neighborhood surrounding its campus. Yet because the school is located in a small urban area and because this area's need is supposedly less urgent than that of other, larger areas, this application has been relegated to a low-priority status by HUD.

To quote HUD:

> Unfortunately, based on the information that was presented, the subject Survey and Planning application is not in conformance with our national goals and does not merit priority treatment in terms of achieving a balance renewal effort.
>
> We are cognizant of the benefits to be derived from expansion of Marshall University's campus and the upgrading of the 12th Street business area, but, at the present time, because of the great demand for urban renewal funds, it is imperative that careful consideration be given to all projects in the light of the national goals. Therefore, the subject application is being given low priority at this time.

Translated from bureaucratese, this means that even though HUD has previously said that Marshall University's project is both eligible and desirable, it has been turned down now. These new "national goals" are nothing more than a concealment for new policies established by HUD so more money can be channeled to the large urban areas where most of our summer disturbances have broken out.

In reality, our "national goals" are the same and Marshall University's application for the city of Huntington is in as much conformity with these goals as an application from any other urban area. It is just that Huntington is smaller and is therefore a lot more easily put off than any of a dozen larger cities.

Now I ask, is it not reasonable to assume that it will take an indefinite amount of time to remedy the existing tensions and housing conditions in our big urban centers?

And does this imply that our smaller cities, such as Huntington, and our smaller universities, such as Marshall, must postpone their own aspirations and their own plans?

Slum and blight, are as undesirable in a small city as they are in a Detroit, a Newark, or a Watts.

This is a classic example of how the "rich get richer and the poor, poorer."

HUD must not discriminate against our smaller cities or our smaller colleges and universities simply because they have not made the national riot tabulation. And while there is no question of my favorable vote on this bill, I wish to publicly state my position that the Department of Housing and Urban Development had better begin carefully reviewing its policies so as to make them more equitable for all Americans—whether they live in small cities or in large ones.

Mr. MAGNUSON. Mr. President, a few moments ago I made a statement regarding the many programs that are involved in this matter. I said that I would submit a list of the programs now included in the budget for the Record.

Mr. President, I ask unanimous consent that a list of the city programs for fiscal year 1968, together with the funds requested, be printed at this point in the Record.

There being no objection, the list was ordered to be printed in the Record, as follows:

City programs for fiscal year 1968

	Funds requested
Crime control	$50,000,000
Firearms control	
Civil Rights Act of 1967	
Juvenile delinquency	25,000,000
Economic Opportunity Act	2,006,000,000
Model cities	662,000,000
Rent supplements	40,000,000
Urban renewal	750,000,000
Urban mass transit, advance appropriation	230,000,000
Urban research	20,000,000
Neighborhood facilities	42,000,000
Home rehabilitation	15,000,000
Family relocation assistance	62,000,000
Rat extermination	20,000,000
Elementary-Secondary Education Act	1,600,000,000
Manpower Development and Training Act	439,000,000
Food stamps	195,000,000
Child nutrition and school lunch program	348,000,000
Community health service	30,000,000
Mental health	96,000,000
Mental retardation	25,000,000
Hospital modernization, Hill-Burton	50,000,000
Maternal and infant care	30,000,000

Mr. MAGNUSON. Mr. President, the question has been raised, as I knew it would be, as to whether HUD could spend the amount of funds requested in this year's appropriation. I could read a great deal of testimony on that subject. However, I shall treat the matter briefly, merely pointing out what the department told the committee they could do.

We were assured by the department that the entire amount requested is needed to make the program a success.

As many people know, this is a 2-year program. The money must be available now so that it can be committed.

The department takes the position that there will be a very short review period due to the fact that they will work closely with the cities during the planning process and will, therefore, be able to award supplemental funds almost immediately on completion of the planning process.

Since the planning process is expected to take less than 9 months, or around that period, in many cases substantial funds will be needed before the end of the fiscal year.

This is a 2-year program. We do not want to cut it off at midnight on June 30, 1968, and then start another program all over again. We must have this period of time.

The second point made by the department is the need for cities to have a high target to shoot at in their plans. If the amount of funds made available by Congress in this appropriation is less than the full amount authorized, cities will be forced to plan against unknown targets, which can only lead to frustration on the part of the citizens and the local officials in charge of the program.

The law requires citizen participation in the planning process. And, without known targets, which means a set appropriation now, action can lead only to confusion, frustration, and unmet expectations.

At the same time, this program is the responsibility of the mayors and the elected officials of the community. We cannot expect them to take the initiative in developing comprehensive programs if we fail to support the program in the actual funding process.

The reason that the $11 million we talk about has not been actually signed, sealed, and delivered is that the people have been working on this matter. There is no use in giving them the money for planning if there is to be no followup money for funding. That is all part of the project.

In good conscience, therefore, I do not support any move to provide less than full funding for the model cities program. The department has asked the cities to plan quickly and base their plans on authorized Federal supplemental funds so that they will have some target and know what they are doing.

Mr. President, I make that statement in the Record because the question was raised.

Mr. KENNEDY of New York. Mr. President, I support the committee amendment restoring $300 million for the model cities program. I am sure I need not spell out in detail to the Senate the crisis which confronts us in our cities. Our enactment of the model cities program last year was an important first step in trying to meet that crisis, in trying to give Federal aid to the cities a new shape that would enable them to plan and act more effectively for the future. But the success in enacting the program will be meaningless if we do not follow up by appropriating the funds to put it into effect. I believe we need a vastly greater commitment of both governmental and private resources—to develop jobs, to build homes, to revitalize schools—if we are to meet the crisis. But the model cities program will be an important part of our effort, and I therefore urge the Senate to approve the committee amendment.

Mr. MAGNUSON. Mr. President, as I understand the parliamentary situation, the pending amendment pertains to lines 20 and 21 on page 36 and line 25 on page 36 and line 1 on page 37. That adds up to the $537 million on the model cities program.

I further understand that a vote to sustain the committee amendment would be "yea," for the model cities program, and that a vote not to sustain the committee amendment would have the effect of moving the amount back to the House figure.

The PRESIDING OFFICER. The Senator is correct.

Mr. MAGNUSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. Cannon in the chair). Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, the yeas and nays have been requested.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. MAGNUSON. Again, the matter before the Senate is a straight vote on the committee amendment. A vote "yea" will sustain the committee in the model cities program. A vote "nay" would have the effect of reducing the amount to the House figure.

Mr. HOLLAND. Do I correctly understand that a vote "yea" would mean a vote to increase the amount granted by the House by $300 million for the model cities program?

Mr. MAGNUSON. The Senator's understanding is correct.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Florida [Mr. Smathers], and the Senator from Missouri [Mr. Symington], are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster], the Senator from Indiana [Mr. Hartke], and the Senator from Georgia [Mr. Talmadge] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. Dominick] and the Senator from Oregon [Mr. Hatfield] are necessarily absent.

The Senator from Wyoming [Mr. Hansen] and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from California [Mr. Kuchel] is absent by leave of the Senate.

If present and voting the Senator from Texas [Mr. Tower] would vote "nay."

On this vote, the Senator from Colorado [Mr. Dominick] is paired with the Senator from California [Mr. Kuchel]. If present and voting, the Senator from Colorado would vote "nay" and the Senator from California would vote "yea."

On this vote, the Senator from Wyoming [Mr. Hansen] is paired with the Senator from Oregon [Mr. Hatfield]. If present and voting, the Senator from Wyoming would vote "nay" and the Senator from Oregon would vote "yea."

The result was announced—yeas 62, nays 28, as follows:

[No. 258 Leg.]

YEAS—62

Aiken
Baker
Bartlett
Bayh
Boggs
Brooke
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Dodd
Ellender
Fong
Fulbright
Gore
Griffin
Gruening
Harris
Hart
Hayden
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Spong
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—28

Allott
Anderson
Bennett
Bible
Byrd, Va.
Curtis
Dirksen
Eastland
Ervin
Fannin
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Miller
Mundt
Murphy
Pearson
Russell
Stennis
Thurmond
Williams, Del.
Young, N. Dak.

NOT VOTING—10

Brewster
Dominick
Hansen
Hartke
Hatfield
Kuchel
Smathers
Symington
Talmadge
Tower

So the committee amendments, on page 36, beginning on line 20, were agreed to en bloc.

Mr. MAGNUSON. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. SPARKMAN and Mr. ELLENDER moved to lay the motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The Legislative Clerk. On page 37, line 7, after "(80 Stat. 1282–1284)", to strike out "$2,000,000" and insert "$3,000,000".

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business to consider nominations reported earlier today by the Joint Committee on Atomic Energy.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the nomination.

U.S. REPRESENTATIVES TO THE GENERAL CONFERENCE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The legislative clerk read the following nominations:

Glenn T. Seaborg, of California, to be the representative of the United States of America to the 11th session of the General Conference of the International Atomic Energy Agency.

The following-named persons to be alternate representatives of the United States of America to the 11th session of the General Conference of the International Atomic Energy Agency:

Verne B. Lewis, of Maryland.
Herman Pollack, of Maryland.
James T. Ramey, of Illinois.
Henry DeWolf Smyth, of New Jersey.
Gerald F. Tape, of Maryland.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

Mr. PASTORE. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield.

Mr. PASTORE. I thank the Senator from West Virginia for the able and expeditious way in which he has handled these nominations.

These are members going to the 11th session of the General Conference of the International Atomic Energy Agency which begins next Tuesday, and it was therefore necessary for them to be confirmed today.

Mr. BYRD of West Virginia. I thank the Senator from Rhode Island.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment, on page 37, line 7.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The Legislative Clerk. On page 37, line 21, to strike out "$5,000,000" and insert "$15,000,000".

Mr. WILLIAMS of Delaware. Mr. President, the Senate has just voted for an amendment adding $300 million over the House bill. In view of that vote I recognize the futility of asking for another rollcall vote on this particular proposal.

However, let me point out that this particular Department, in 1967 the appropriation was $500,000. The House allowed them $5 million, which is 10 times more than they received last year.

The Senate committee considered that to be not enough and multiplied it by three times and now wants to give them $15 million, which is an increase of 3,000 percent.

There is no justification for such an increase.

Mr. President, I think the amendment should be rejected, but I point this out just to show where increases are coming from to account for the $2 to $3 billion over the House version. I think that as the Senate votes on this proposal it should recognize that the appropriation for this particular Department is 3,000 percent over what it was last year.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 37, line 21.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The Legislative Clerk. On page 38, line 6, after the word "for", to strike out "$1,850,000" and insert "$2,200,000"; in line 7, after the word "exceed", to strike out "$2,000,000" and insert "$2,500,000"; and, in line 8, after the word "programs", to strike out the colon and "*Provided,* That no part of this or any other appropriation in this act may be used to provide metropolitan expediters, or for the administration or implementation of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 (Public Law 89–754)."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The Legislative Clerk. On page 38, line 18, after "$5,000,000", to strike out "*Provided,* That no part of the foregoing appropriation shall be used for incurring or discharging" and insert "*Provided,* That the limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under such section is increased by $40,000,000"; and, in line 22, after the amendment just above stated, to insert a colon and "*Provided further,* That no part of the foregoing appropriation or contract authority shall be used for incurring".

The PRESIDING OFFICER. The question is on agreeing to the amendment beginning on page 38, line 18.

Mr. MAGNUSON. Mr. President, right there, I think I should explain to the Senate that the House had a provision in there not to have any metropolitan expediters in certain areas of the United

States. It worked so well in the areas involved—just a beginning—that the committee decided we should not stop the program and should continue, but we did not add to the total amount for that reason. But by striking the House language, it will allow the Department to continue expediter programs when they deem it advisable and at the request of the communities.

Mr. WILLIAMS of Delaware. Mr. President, this amendment adds $40 million for the rent supplement program. But first I ask for the yeas and nays on this amendment.

The yeas and nays were not ordered.

Mr. LAUSCHE. Mr. President, may I ask what was the amount of money allocated to the program in the past fiscal year?

Mr. MAGNUSON. What is the Senator talking about?

Mr. LAUSCHE. The rent supplement program.

The **PRESIDING OFFICER.** The rent supplement program is the amendment now under consideration. There is a request for the yeas and nays and the Chair has ascertained whether there was a sufficient second.

Mr. MAGNUSON. On page 38, line 18, that is the rent supplement program, in which the budget amount was $40 million in contract authority and the Senate put back the full amount. In 1967 it was $20 million.

Mr. LAUSCHE. How much did the House grant?

Mr. MAGNUSON. They cut it out altogether.

Mr. LAUSCHE. In the 1967 fiscal year, the amount was $20 million, is that correct?

Mr. MAGNUSON. Correct.

Mr. LAUSCHE. Mr. President, I move that the amount be set at $20 million, and offer an amendment that the $40 million figure be stricken and $20 million be substituted.

The **PRESIDING OFFICER.** The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 38, line 18, insert $20 million in lieu of $40 million.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays on both amendments.

The **PRESIDING OFFICER.** Is there a sufficient second?

There was a sufficient second, and the yeas and nays were ordered.

Mr. LAUSCHE. The reason why I recommend $20 million is that the program has not been adequately tested. We do not know at this time whether it means a saving or a loss. The House recommended one thing. The administration asked for $40 million. Last year we gave $20 million. My amendment would give to this program the $20 million amount which was given last year.

RENT SUPPLEMENT ASSISTANCE TO THE ELDERLY

Mr. MOSS. Mr. President, in recent years the Subcommittee on Housing for the Elderly of the Special Committee on Aging has described in its reports the magnitude of the need for better housing for our elderly citizens. We have sought ways to reduce rents in such housing to bring them within the reach of the great majority of our senior citizens. On many occasions—during hearings we have held to explore this problem—witnesses expressed the view that some form of direct rent subsidy would be necessary to make substantial progress in providing suitable housing for the elderly. Thus, when President Johnson proposed the rent supplement program we gave it strong support as a new and vital approach to the desperate and continuing problem of bringing good housing to older people who could not otherwise afford it.

Now, we have had the rent supplement program in effect for just a little over a year. Since the program applies only to new construction—except in the case of housing for the elderly to which supplements are available on a limited basis in existing projects—most of the rent supplement payments made so far have been on behalf of low-income elderly persons in housing developed under the special housing programs for the elderly.

This fact has resulted in there being sufficient experience even at this early date to examine the operation of the program and make a preliminary assessment of its value in meeting the housing needs of our senior citizens. In July, the Subcommittee on Housing for the Elderly, of which I am chairman, held a hearing to take testimony from persons having first-hand knowledge of the operation of the rent supplement program and the effect of the program on opportunities open to low-income elderly people to obtain suitable housing.

During the hearing we heard from those who are responsible for the administration of the program and from several witnesses who have actually made use of the program and have seen its impact in real life situations. We also received letters from many sponsors of senior citizens projects detailing their experiences with rent supplements. Much as I had been impressed with the potential good of the rent supplement program previously, now, more than ever, I can appreciate its effectiveness and importance. I urge my colleagues to give wholehearted support to recommendations of the Committee on Appropriations that $40 million of authorization for fiscal year 1968 be approved.

PROGRESS AND ACTIVITY

When the rent supplement program was enacted in 1965, the act authorized contract authority for $30 million in fiscal 1966. But, for fiscal 1966, we actually authorized HUD to make rent supplement contracts for only $12 million. In fiscal 1967, the rent supplement program authorization could have been $35 million. We actually authorized contract authority for $20 million. Thus, a total of only $32 million has been made available out of a possible total of $65 million, or less than half.

This is surely one of the reasons that millions of our poverty-stricken, ill-housed citizens, living in the midst of the greatest period of prosperity our great Nation has ever achieved, now wonder if the great promise of 1965 has not gone largely by the boards. Admittedly, even the whole amount authorized by the act was only a drop in the bucket compared to the need.

At the hearing of the Subcommittee on Housing for the Elderly, FHA Commissioner Brownstein summarized the operations of the rent supplement program thus far. As of June 26, 1967, FHA had received applications under all of the eligible programs, for a total of over $44½ million for 561 rent supplement projects, involving nearly 62,000 units. About 48,000 of the units were planned for families and individuals requiring rent supplements. Over 27,500 of the units are in nonprofit projects, and well over 20,000 are in projects sponsored by limited dividend corporations. Over $13 million represented applications for participation in the rent supplement program which cannot be covered by presently authorized contract funds. As Mr. Brownstein testified, these will have to be rejected on the basis of no available funds, if no new contract authority is authorized.

The fact is, then, that interest in the rent supplement program is expanding rapidly and is widespread throughout the country. At the end of March 1967, FHA had reserved $18 million of the contract authority available. By late in June, practically all of the $32 million had been reserved, with more than $13 million in applications in excess of available funds. Furthermore, I understand that another $5 to $10 million in applications for rent supplements are in the "pipeline" in the field.

WHAT THE RENT SUPPLEMENT PROGRAM HAS DONE FOR SENIOR CITIZENS

As enacted by the Congress, most of the funds available for rent supplements must be used in housing developed under the FHA section 221(d)(3) market rate mortgage insurance program, involving new construction or rehabilitation, rather than being available for use in existing housing. However, a small portion of the rent supplement funds were authorized to be used for existing housing developments financed under HUD's direct loan program for housing for lower middle income elderly and in certain FHA housing for the elderly financed under setcion 231.

It is in this portion of the program that we can see immediate results in terms of the improvement of the living conditions of many low-income senior citizens. As of June 26, 1967, under these provisions of the rent supplement program, all of the funds authorized, or $1.6 million, had been allotted among section 202 and section 231 housing for the elderly projects.

These funds were allocated among 113 projects located in 35 States and 100 cities. The total number of units in these projects for the elderly amounts to 13,600, of which over 2,400 units are or will be supplemented.

In addition to these 202 and 231 projects, there were 17 regular rent supplement projects planned for the elderly under the 221(d)(3) market rate program. These projects are planned to contain a total of over 1,600 dwelling units, of which the great majority would be supplemented. The total allocation for these 17 projects is nearly $1.4 million.

Of these projects, nine are to be sponsored by limited dividend corporations and the other eight by nonprofit sponsors.

The rent supplement program has, therefore, already allocated a total of nearly $3 million for housing for senior citizens in specially designed housing, with supplements available for about 4,000 units.

With regard to the total amount of rent supplement funds allocated as of June 26, 1967—about $31.5 million—9.5 percent is for housing for the elderly, and of the total units to be supplemented, or over 33,000, a total of 12 percent are for the elderly in specially designed dwellings.

These are some of the facts and statistics with regard to the rent supplement program. But facts and figures do not suffice to tell what the rent supplement program means in human terms. I have been particularly impressed by the testimony of our witnesses at our recent hearing and by the responses to our inquiries to other projects now participating in the program.

For example, Rev. George F. Packard, president of the St. Mary's Roland View Towers, Inc., of Baltimore, Md., testified at our hearing and cited the following example of how the rent supplement program has benefited the elderly in the projects they have developed under the section 202 program:

An elderly lady in her eighties had been living in a room on the third floor of a house. She had to walk down to the second floor of the house for cooking privileges, limited to two meals a day. Now by virtue of the rent supplement program, she is living in a modern, elevator-equipped apartment house, occupying her own completely equipped apartment. The benefits to this lady of more than 80 years of age are obvious.

Mrs. Dorothy Duke, representing Firelands Retirement Centers in Lorain and Oberlin, Ohio, cited an example of how the rent supplement program is assisting the elderly. Both of these projects were financed under the FHA section 231 program. One beneficiary of rent supplements is a 92-year-old lady who lived in substandard housing for many years, with no inside facilities. Heat was furnished by a coal stove, and this elderly lady carried her own coal, despite the fact that she was so crippled from arthritis she could hardly walk. Shortly after moving into Firelands Retirement Center, with the even heat and the convenience of her small apartment, her arthritic condition has improved to the point where she now moves around her apartment without the aid of her walker, and says:

> I feel 20 years younger.

She could not have moved into Firelands without the rent supplement program.

Another point from Mrs. Duke's testimony is of interest. She described the consternation among the tenants on the morning after the House denied the request for additional appropriations for the rent supplement program. The elderly people who were receiving the benefits of the program were thrown into a panic thinking that the action of the House would mean that they would have to move. This, of course, was not true, but it illustrates how much the program means to people who have benefited from it.

Another witness was Theodore T. Dorman, administrator of the United Church of Christ Springvale Terrace project, in Silver Spring, Md. This is a project financed under the section 202 direct loan program.

Mr. Dorman cited several examples of how the program is benefiting the elderly residents of Springvale Terrace. In one case, a lady 75 years of age who is badly crippled by arthritis has a meager annual income of $1,272. She has no relatives who can assist her. This elderly lady, according to Mr. Dorman, would have had to leave Springvale Terrace, but she said she knew God would take care of her and He came along just in time with the rent supplement program.

As I have mentioned, we wrote to a number of the projects participating in the rent supplement program asking about their experiences. The responses tell their own story, and for the record, I would like to summarize some of the comments and, in a few cases, quote directly from them.

In my own State of Utah, Friendship Manor, an FHA-financed section 231 project for the elderly in Salt Lake City is participating in the program. Rev. Frank M. Blish wrote, on July 7, 1967, of the delight with the opportunity to be helpful to people who are financially embarrassed, usually through no fault of their own. He says:

> Most of them are widows, many of them having seen better days during the lifetime of their spouse, who confess to waking up at night in a cold sweat not knowing what is going to happen to them on the morrow. To see their look of delight when they know we can help them and give them a degree of respectability and at least minimum security, is a real privilege.

Reverend Blish went on to state:

> The rent supplement program is one of the best programs for helping those who are impoverished and who must live in substandard housing because they must have money with which to eat and maintain themselves. Most of these people have resisted falling back upon the general welfare program. If they can have adequate housing often-times they can maintain themselves. This adds greatly to their sense of being self-sufficient and gives a bit more meaning to life.

Commenting on the recent House action in denying additional appropriations for this program, Floyd L. Pierce, president of Jones Memorial Homes, Inc., in San Francisco, Calif., a project financed under the direct loan program, said in his letter of July 13:

> The program is just beginning to catch on, interest has been created, people are more knowledgeable about the program, and what happens—no more funds.

Mr. Pierce notes the great demand for housing among the elderly and their inability to afford the high cost of housing in areas such as San Francisco. He says:

> I have never seen such happy faces as those few rent supplement recipients, when notified they were eligible. It was a new lease on life for them. To see these peoples' incomes and meager assets would make one wonder how on earth do they survive.

Mr. Pierce stated that he would like to see all the residents in his project receiving rent supplements since all are eligible, but only a few are recipients, "a ridiculous situation brought about by a lack of funds."

Mrs. Catherine J. Frank, coordinator of the Golden West Manor in Boulder, Colo., a senior citizens development sponsored by the First Christian Church and financed under the direct loan program, wrote in her letter of July 11 that the availability of rent supplements enabled the project to meet the needs of elderly people whose situations had deeply concerned them.

Mrs. Frank goes ont to assess the rent supplement program as an approach which meets the needs of the elderly in a dignified manner, providing independent freedom of choice from a variety of approved living quarters, free from the humiliation of being classified in a certain income strata because of where they live.

Mr. A. C. Bromgard, of the St. John's Lutheran Home in Billings, Mont., writes:

> I feel that the rent supplement project is important enough to warrant cutting other projects, if necessary, but not rent supplements.

Cooperative Services, Inc., in Wyandotte, Mich., is a development for the elderly financed under the direct loan program. The comments of the manager of this development further underscore the desperate plight of our poverty-stricken elderly. He said:

> When one lady died, the lady across the hall came over and asked if she could please have what was left in the refrigerator so she could have something to eat. I overheard another lady with a small bank account say that she hoped she would die before her money ran out.

He goes on to say:

> Until one gets to know these people, one has no way to realize their troubles. . . . With the rent supplement, our senior citizens can live with greater peace of mind because their savings are used up less quickly. . . . The continued uncertainty of the present programs—both financing and the supplement—cause great difficulty in planning for the future.

Rev. Mark Hegener, president of the Franciscan Tertiary Province of the Sacred Heart in Chicago, Ill., in a letter dated June 29, 1967, wrote that his experience with the rent supplement program has been most satisfying, enabling them to admit the aged on as broad a basis as possible. Going to the very heart of the program, he says:

> The rent supplement program, with direct payment to the owner, preserves the dignity of the individual and obviates in most instances, the necessity of applying for Old-Age Assistance and other measure that become very upsetting and often degrading to the aged who have maintained a degree of economic independence all of their lives.

Similar support for the rent supplement program comes from Rev. Harry P. Sweitzer, of the Central Towers senior citizens housing development in St. Paul, Minn., another section 202 project. In his letter of July 5, 1967, he describes the rent supplement program as "without a doubt, the finest program which Congress has conceived and devised." Some Members of both Houses have expressed concern in the past as to whether this program would be well administered. Reverend Sweitzer commented on that in his letter:

> We have had superb cooperation from the Minneapolis Federal Housing Office. They have been more than cooperative and helpful in all of our dealings with them.

In so saying he echoes the testimony of sponsors at our hearing as to the very able manner in which this program has been handled by FHA.

Mr. President, much has been said recently about the role of private capital in rebuilding decayed urban areas and increasing the supply of good housing for those of low income. The rent supplement program is a vital mechanism for making such participation by private enterprise in the field of low-income housing economically feasible. This is a particularly vital aspect of the program for which funds are authorized in this bill. It is expected that a substantial amount of private capital will be induced by the program to flow into the construction of low-income housing.

The President recently stated that the $40 million provided in this bill will generate an estimated $500 million in private construction. Rent supplemented housing for the elderly or for others will be privately built, owned, and managed, and most of it will be privately financed.

The interest demonstrated among private sponsors has been exceptional. After the initial tooling up period this program became the fastest growing new program in FHA's history. The response of private enterprise was dramatically demonstrated just last week when the Life Insurance Association of America announced the allocation of $1 billion for investment in our cities to improve housing conditions. Mr. Gilbert Fitzhugh, in making this announcement on behalf of the life insurance companies, pointed to the rent supplement program as the area in which this investment capital would move most rapidly.

Mr. President, the good which already has been done for our elderly citizens living on meager retirement incomes is heartwarming and the need of others like them is great. The rent supplement program offers new opportunities and new hope for success to hundreds of public spirited organizations concerned with the improvement of housing for senior citizens. The response of the private sector of our Nation has been dramatic. We must not hold back now. Let us overwhelmingly endorse the committee's recommendation for the funding of this program.

Mr. KENNEDY of New York. Mr. President, I support the committee amendment to restore $40 million for rent supplements. The rent supplement program is a constructive approach to trying to provide low-income housing, and deserves our support. It has a broad base of support outside of government—in the business community and among the people it serves. Unfortunately, however, we have never given it enough funds to allow it to make much of an impact. The committee's amendment would help remedy that situation somewhat. Along with other Senators I have advocated another approach to the low-income housing problem in an effort to generate a substantial increase in construction of that kind of housing. But many approaches are possible. The rent supplement approach is one of them, and it deserves our support. I urge the Senate to adopt the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. LAUSCHE] to the committee amendment, on page 38, line 22.

Mr. LAUSCHE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry. Is it correct that a "nay" vote on the amendment of the Senator from Ohio would knock out the $20 million proposal and we would be back to the Senate amendment figure?

The PRESIDING OFFICER. A "nay" vote would be a vote to sustain the committee.

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS of Delaware. Mr. President, as I understand it, the Senator from Ohio is amending the committee amendment, and if the amendment of the Senator from Ohio is carried the vote would then be on the committee amendment as amended.

The PRESIDING OFFICER. The Senator is correct.

Parliamentary inquiries are not in order. A rollcall is in progress.

The legislative clerk resumed and concluded the call of the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Florida [Mr. SMATHERS] and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from North Carolina [Mr. ERVIN], and the Senator from Minnesota [Mr. MCCARTHY] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. DOMINICK] and the Senator from Oregon [Mr. HATFIELD] are necessarily absent.

The Senator from Wyoming [Mr. HANSEN] and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from California [Mr. KUCHEL] is absent by leave of the Senate.

If present and voting, the Senator from Texas [Mr. TOWER] would vote "yea."

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Oregon [Mr. HATFIELD]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Oregon would vote "nay."

On this vote, the Senator from Wyoming [Mr. HANSEN] is paired with the Senator from California [Mr. KUCHEL]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from California would vote "nay."

The result was announced—yeas 33, nays 56, as follows:

[No. 259 Leg.]

YEAS—33

Allott
Baker
Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Curtis
Eastland
Fannin
Gore
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Miller
Mundt
Murphy
Pearson
Russell
Smith
Spong
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—56

Aiken
Anderson
Bartlett
Bayh
Boggs
Brooke
Burdick
Case
Clark
Cooper
Cotton
Dirksen
Dodd
Ellender
Fong
Fulbright
Griffin
Gruening
Harris
Hart
Hartke
Hayden
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
Long, Mo.
Magnuson
Mansfield
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Sparkman
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—11

Brewster
Church
Dominick
Ervin
Hansen
Hatfield
Kuchel
McCarthy
Smathers
Symington
Tower

So Mr. LAUSCHE's amendment to the committee amendment on page 38, line 22, was rejected.

Mr. COTTON subsequently said: Mr. President, I was participating in a markup in the Appropriations Committee and came into the Chamber just before the vote on the amendment offered by the Senator from Ohio. I was informed that that was an amendment reducing the model cities appropriation, and voted "nay."

I have since learned that it was a motion to reduce the money for rent supplements. It is my understanding from the Parliamentarian that a Senator present and voting can, by unanimous consent, have his vote changed in the permanent RECORD. I therefore ask unanimous consent that my vote on rollcall No. 259, legislative, be changed from "nay" to "yea."

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(The corrected result of the vote is as follows: yeas 34, nays 55, not voting 11.)

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JAVITS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONDALE. Mr. President, I congratulate the Appropriations Committee for the responsible consideration it gave to the appropriations for Independent Offices and the Department of Housing and Urban Development. In particular, I would like to commend the committee for its recommendation concerning the rent supplement program.

This program, which was approved in 1965, is one of the most important tools in our housing program. It offers an alternative to public housing, and involves the expertise and resources of private enterprise. It has been a successful program, even though it is new. The reaction in Cleveland and other cities has been encouraging.

The reaction in Cleveland and other cities has been most encouraging. The support given the program by housing, financial, and real estate interests is more evidence of its success.

It is my feeling that the committee was wise in restoring the $40 million for the program. However, there is one aspect of the committee's action that worries me in the report language. It is the requirement that the not-for-profit sponsor must make an equity investment of 5 percent if the project is to be financed through the FNMA special assistance.

As the Senate well knows, it is difficult to know how to deal with report language of this kind. It is not a part of the law. It is not binding from a legal standpoint. We cannot amend the report language because it is not before us. Nor can we amend the appropriations act with legislative language.

We are, therefore, left without any adequate remedy. The belief of many experts in the field is that the language of the legislation does not require the 5-percent investment demanded by the report. And the almost unanimous opinion of nonprofit organizations most interested in nonprofit housing is that the effect of the implementation of the language of the report, if the administration complies with it, would be to seriously jeopardize the working of the legislation as it relates to rent supplement assistance.

Typical of that point of view is a letter which I, along with many other Senators, have received from the United Church Board for Homeland Ministeries signed by Mr. Joseph Merchant.

I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED CHURCH BOARD FOR
HOMELAND MINISTRIES,
September 14, 1967.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I am writing to you regarding the Rent Supplement Program on behalf of several other religious leaders with national responsibilities for housing. We are distressed to note a provision in the report (No. 548) of the Appropriations Committee which will almost surely prevent further participation by the nation's religious bodies in the low and moderate income housing program—a requirement for a "5% equity investment" by nonprofit sponsors of FNMA-assisted projects.

A requirement of 5% equity from nonprofit sponsors will mean tying up millions of dollars with no return over a 40-year period. It is not comparable to the 10% requirement of profit-making sponsors, who can waive builders' fees, and in effect achieve 100% financing with a 90% mortgage.

Already religious sponsors, who produce the substantial portion of the nonprofit housing in the country, are providing staff, seed money, fees, and multiple social services, to families in these developments. The extent of the nonprofit program reaches, or will reach, under approved or "pipelined" programs, 218 projects, housing 31,064 families, at a cost of $306.9 million. Religious bodies cannot possibly add the "equity requirement" to costs of services already provided.

The 5% equity requirement would have the consequence of depriving the religious groups of the opportunity to serve low and moderate income families in a direct program of providing decent shelter. I do not believe that you would want to discriminate against nonprofit sponsors and jeopardize religious participation in low-income programs to help Americans.

I appeal to you, therefore, to eliminate the 5% requirement for nonprofit sponsors, and to leave the special assistance program of FNMA free to support this program in its beginning stages until the private mortgage market can pick it up. I further urge your vote for the $40 million for rent supplements.

A staff analysis is enclosed for your information.

Sincerely.

JOSEPH W. MERCHANT,
Staff Chairman, Department of Urban Church.

For:

The Reverend Paul Stauffer, Executive Secretary of Coordination, The Methodist Church.

The Reverend Glen Trembath, Housing Counselor, The Methodist Church.

The Reverend Jack Woodard, Executive Officer, Joint Urban Program, The Episcopal Church.

The Reverend Donald H. Larsen, Division of Mission Services, Lutheran Council in the U.S.A.

Rabbi Richard G. Hirsch, Union of Hebrew Congregations.

The Reverend Everett W. Francis, Public Affairs Officer, The Episcopal Church.

The Reverend Robert Johnson, Office of Church and Housing, Board of National Missions, The United Presbyterian Church in the USA.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. CLARK. I have a copy of a letter on the same subject directed to the distinguished senior Senator from New York [Mr. JAVITS] by Mr. Robert C. Weaver.

It is not for me to put that letter into the RECORD, because I see that the Senator from New York is present in the Chamber.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. JAVITS. Mr. President, I ask unanimous consent to have that letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF HOUSING
AND URBAN DEVELOPMENT,
Washington, D.C., September 15, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: This is in reply to your letter of September 14 concerning the effect of the provision contained in Senate Report No. 548 that non-profit organizations be required to provide at least a 5 percent equity investment in rent supplement projects if aid is sought under the special assistance program of the Federal National Mortgage Association. You state that you have heard from church groups and labor unions across the country, warning that this equity requirement would force them out of the non-profit housing activities.

Our experience in working with non-profit organizations in a variety of housing programs leads us to believe that the information that you have received is correct. While it is of course true that non-profit groups are often able to undertake campaigns to raise funds for worthy purposes, there is an especial difficulty in raising equity funds for housing construction. This difficulty is twofold. First, the sums involved are generally large because of the high capital investment required for land and construction. Second, the nature of the charitable appeal is somewhat limited because the persons immediately benefited are restricted in number by the number of units to be developed.

This being so, the 5 percent equity investment requirement would in effect remove the assistance that the FNMA can now offer in this field to church groups, labor unions and other non-profit organizations. While it is true that many non-profit projects can be and have been financed without actual recourse to FNMA assistance, even these projects are sometimes able to go forward only because there remains the possibility of FNMA aid should it prove to be needed.

While there is no way of estimating the exact extent to which nonprofit organizations will be effectively barred from our rent supplement program, we are convinced that the extent would be great.

Sincerely yours,

ROBERT C. WEAVER.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. CASE. Mr. President, I ask that the Senator from Pennsylvania be good enough to include my name as one of the addressees.

Mr. JAVITS. Mr. President, the letter was written by the Secretary of Housing and Urban Development, and a separate letter was addressed to each of us. For the purpose of the record, may the record show that this is the letter addressed to me.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. MONDALE. I yield.

Mr. CLARK. Mr. President, I wish to express my delight that the Secretary of Housing and Urban Development wrote that letter. I commend him for doing so. However, I think my distinguished colleague from Minnesota [Mr. MONDALE] and I share the view of Mr. Weaver, even though he did not undertake to address his letter to us.

Mr. MONDALE. The Senator is correct. The Secretary represents the point of view of the agency responsible for the rent supplement program. However, I think the letter strongly represents the viewpoint of most nonprofit organizations that are trying to develop housing when it states that the effect of this language, if it were operative, would have a great effect, and it would effectively bar the rent supplement program's availability for nonprofit housing in the area it affects.

Mr. CLARK. Mr. President, I commend the Senator from Minnesota and the Senator from New Jersey and the Senator from New York for the position they take in this regard. I believe it is of vital importance that Secretary Weaver be advised by this debate that the recommendation of the Appropriations Committee does not in any way represent the view of the Senate of the United States. As far as I am concerned, I would repudiate what seems to me—and I say this in all kindness—to be an effort to legislate in an appropriations bill.

If the Appropriations Committee wants to reject the possibility of church, labor unions, and the nonprofit organizations serving as sponsors for rent supplement projects, let them come before the appropriate legislative committee, chaired by the Senator from Alabama [Mr. SPARKMAN], strongly supported as he is by the Senator from Minnesota [Mr. MONDALE], and let us see after appropriate hearings in a legislative committee whether what the Appropriations Committee has arrogated to itself is in fact the view of the Senate of the United States.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. SPARKMAN. Mr. President, I apologize to the Senator from Pennsylvania for breaking in, but I must attend a conference. We are trying very hard to reach agreement on another matter.

I am in full agreement with what has been said here. I have read the copy of the letter of Secretary Weaver, and I think he is absolutely right.

When we wrote the basic legislation, we wrote it with our eyes wide open with respect to the amount of insurance and the kind of assistance that might be available to nonprofit groups that would sponsor housing of this type. We did that because we thought such a program was needed. Congress passed this legislation and the President signed it into law.

I think it ought to be understood that what we are talking about now is not a provision written into the bill. Not something we can debate and ultimately vote it up or down. It is merely language written into a report.

Mr. CLARK. The Senator is correct.

Mr. SPARKMAN. This language becomes solely advisory and not at all compulsory upon the Department. I believe that as long as this language is contrary to the legislation basic itself, the weight given to such language ought to be merely advisory. The language of this report should not be regarded as binding upon the Department.

We knew that we were legislating a liberal policy when we originally considered this matter. We had to do it if we were going to get a program that would work for the people who need this type of housing assistance.

I am certain that the distinguished chairman of the subcommittee, the Senator from Washington [Mr. MAGNUSON], and the other members of the subcommittee did not intend to do something that would impair the operation of the program.

This is a promising program, and one of the most promising we have ever enacted into law for the purpose of providing rental housing for low-income people through the private enterprise system. And it is a private enterprise program of late, we have been trying more and more to bring private enterprise into this type of housing. I hope that we very soon may bring out another bill that will seek to enlist the assistance of private enterprise in helping to house the lower income.

Just a few days ago the Life Insurance Association of the United States announced that they were going to make $1 billion available to assist in this program and other programs of this type to help low-income families to obtain the housing they need. And we want more and more private enterprise to participate in all these housing programs.

We need to have sponsoring groups also. For that reason, we provided a very liberal provision in the basic legislation for churches and charitable organizations—for nonprofit groups—to sponsor housing under this program.

These nonprofit groups are the ones that would be affected by the language in the report if such language were to be followed.

I certainly hope that it will not be considered to be the sense of the Senate that these groups should be prevented from taking part in these programs. I am advised that 40 percent of the applications that have come in so far under this program have been from church-sponsored programs. The language in the report, if abided by, would negate a majority of these sponsors. This language would certainly make it extremely difficult for any nonprofit group to participate in this worthwhile program.

I regret very much seeing this language in the report. I express the most earnest and sincere hope that it will not be regarded by anyone as binding upon the Department.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONDALE. I shall yield in a moment. However, first, I express my appreciation to the distinguished and able chairman of the Committee on Banking and Currency, the Senator from Alabama [Mr. SPARKMAN], who for many years has served as chairman of the Subcommittee on Housing and Urban Affairs. He perhaps knows more about the circumstances surrounding this matter and the intent with which the Senate acted in adopting these various proposals than does anyone else.

I am glad to yield now to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I thoroughly concur in what the distinguished Senator from Alabama has said, and I hope that the advice of the Committee on Appropriations will be rejected, and that the legislative history which is presently being made will be followed by the Secretary. This is a matter of enormous importance in the Commonwealth of Pennsylvania, and I should like my friend, the distinguished Senator from Minnesota, to help me obtain unanimous consent to have printed in the RECORD a letter from Mr. Joseph M. Barr, mayor of the city of Pittsburgh, protesting this language.

Mr. MONDALE. I ask unanimous consent that the letter be printed in the RECORD.

The PRESIDING OFFICER (Mr. CANNON in the chair). Without objection, it is so ordered.

The letter is as follows:

CITY OF PITTSBURGH,
September 11, 1967.

Hon. JOSEPH S. CLARK,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR JOE: We here in Pittsburgh are very pleased with the action the Senate is taking with respect to the Rent Supplement Program now being considered in connection with the housing legislation proposed by the President. However, it has just been brought to my attention that, in connection with the Rent Supplement Program, the House Appropriations Committee has instructed Secretary Weaver to insist that non-profit sponsors of such rent supplement housing have an equity position equal to 5% of the total development cost before they can be considered as eligible sponsors.

Like many others with a vital stake in this field of housing, we strongly feel that the House Appropriations Committee is being much too rigid in establishing this kind of criteria for eligibility of non-profit sponsors, and the effect of their instruction will be to reduce drastically the number of sponsors interested in constructing this much needed housing supply. For instance, here in Pittsburgh we would have difficulty in interesting churches, labor unions and other non-profit groups in becoming sponsors in light of the equity consideration required, and I am greatly concerned about the implications to our housing program if such groups cannot be attracted into performing their responsible roles in the provision of housing for low and moderate-income families.

I am therefore urging that the Senate modify the position of the House Appropriations Committee and, rather than attempt to administer Secretary Weaver's Rent Supplement Program by legislative pronouncements, instead permit him administrative discretion in determining the eligibility criteria for such non-profit sponsors. I know that you will agree with this position, and I urge you and your colleagues not to jeopardize the success of the Rent Supplement Program by permitting this situation to exist.

Sincerely yours,
JOSEPH M. BARR,
Mayor.

Mr. CLARK. I also have a telegram from Mayor James H. J. Tate, of Philadelphia, making the same objection.

May I say that those two gentlemen are, respectively, the president of the U.S. Conference of Mayors, and the president of the League of Cities of the United States. We in Pennsylvania are fortunate to have the leadership of both these fine organizations vested in Pennsylvania mayors.

I have a similar letter from the Redevelopment Authority of New Kensington, Westmoreland County, Pa., which is a small city, but is just as much interested in the rent supplement program as is anybody else.

I also have a memorandum from James P. Twomey to the Reverend Joseph Merchant, staff chairman of the Department of Urban Church, United Church of Christ, pointing out the enormous difficulties church groups will find if the advice of the Committee on Appropriations is to be taken.

I ask unanimous consent that all these documents may be printed at this point in the Record.

I thank the Senator for yielding to me.

There being no objection, the documents were ordered to be printed in the Record, as follows:

Philadelphia, Pa.,
September 11, 1967.

Hon. Joseph S. Clark,
Old Senate Office Building,
Washington, D.C.:

Although I am greatly pleased at the action of the Senate Appropriations Subcommittee in restoring the rent supplement and model cities funds requested by the administration, the provision requiring non-profit corporations to put up 5% cash in order to qualify for rent supplements could have a seriously damaging effect in Philadelphia. Non-profit housing corporations in Philadelphia are just beginning to become experienced enough to be of great value in the production of low-income housing, and we rely heavily upon them because they are the only qualified sponsors for several of the Government subsidized housing programs. The Government subsidized programs in which the non-profit corporations are operating were intended to provide 100% mortgage assistance. The provision in the subcommitte's bill to now require 5% cash on their part would eliminate all of Philadelphia's non-profit housing organizations from participation in the rent supplement program, and I therefore respectfully urge removal of this language from the report.

Mayor James H. J. Tate.

Redevelopment Authority of
New Kensington,
Westmoreland County, Pa.,
September 12, 1967.

Re Senate Committee Appropriations Report No. 548 Page 18 on Department of Housing and Urban Development Appropriations Bill 1968.

Hon. Joseph S. Clark,
Senate Office Building,
Washington, D.C.

Dear Senator Clark: We call your attention to the recommendation of the Senate in concurrence with the House committee that non-profit organizations be required to provide 5% equity investment in FNMA mortgages in the rent supplement program. Since non-profit sponsors do not earn fees, their 5% equity investment will have to be in the form of *cash*.

Under the Appropriations Committee report, non-profit groups thus will only be eligible for 95% of replacement costs mortgage. This is impossible. Non-profit groups now risk seed money and architect fees, option costs, attorney fees, etc., to plan a development and bring it to the stage of permanent financing. They risk their prestige, expend considerable staff time, the cost of which far exceeds the amount recoverable, and tax their patience with the delays inherent in all Federal housing programs. A non-profit sponsor is not concerned with the ownership of real estate but rather is motivated by a special social concern for the individual and for the community they serve.

In view of the critical need for community support for low moderate income housing, and the difficult economic problems faced by profit motivated mortgagors in fulfilling the need, it is absolutely necessary for non-profit sponsors to be encouraged rather than discouraged. It is certainly desirable to insure a low term interest in involvement in these projects by non-profit groups, but some other criteria must be used other than cash investment, such as, stability and longevity of the sponsors demonstrated experience in community development projects, etc., designed to show capability of carrying it out.

We urge your immediate attention to this matter.

Respectfully yours,
Redevelopment Authority of the City of New Kensington, West Moreland County, Pa.
James R. Cooper,
Executive Director.

Memorandum

Re 5% "Equity Investment" Requirement of Nonprofit Sponsors of Rent Supplement Projects.

To: The Reverend Joseph Merchant, Staff Chairman, Department of Urban Church, United Church of Christ and the Ad Hoc Interfaith Housing Committee.

From: James P. Twomey.

You and several other church executives have requested that I review the Senate Committee on Appropriations Report No. 548, ordered printed August 29, 1967. This Report by the Senate Subcommittee on Independent Offices and Housing and Urban Development, recommends $40 million in appropriations for the Rent Supplement program.

Since your church and other religious groups are deeply involved in the sponsorship of nonprofit housing throughout the country, you should be concerned about language in the Committee report which would now require a 5% "equity investment" by nonprofit organizations sponsoring rent supplement housing financed with FNMA Special Assistance Funds.

I would agree with the Committee Report that rent supplement projects should, as much as possible, be financed in the private market in the usual and conventional way. Nonprofit groups should make every effort to utilize conventional mortgage financing to finance rent supplement projects. Since the rent supplement program, however, is a new program and since alternative avenues for investment exist, it may be difficult to secure mortgage investors for rent supplement projects without prohibitive discounts, particularly where such projects are located in Harlem, Roxbury, Hough, Lawndale, or Watts. In those cases where private financing *is* made available, the discounts charged may increase the interest rate on the rent supplement program in excess of the 6% maximum permissible and the extra points will have to be paid by the nonprofit group.

Secretary of Housing and Urban Development, Robert C. Weaver, made this clear in his testimony on the appropriations in the Senate hearing on July 27, 1967. He began by quoting from The House Committee report:

" 'The Committee directs that these projects be financed in the private unsubsidized market. If the state of the mortgage market makes such financing unlikely or impractical, then the program should be deferred until the mortgage market warrants. The future use of FNMA special assistance funds which represent drawings from the U.S. Treasury to purchase these mortgages in the view of the Committee, would be a violation of the intent of the Congress that these projects be financed in the private market.'

"These remarks cause me serious concern, Mr. Chairman, because they seem to me to put the problem in a wrong perspective.

"The Administration agrees, and I as Secretary agree, with the objective expressed by the House Committee. With minor exceptions these mortgages will be written at market rates of interest, and it is the intent of the program and of those administering it that the financing should come from the private market. That is the objective and, in my judgment, that will be the ultimate result.

"But it has often happened that FNMA Special Assistance has been needed temporarily when new programs were launched without any established private market. That was the case, for example, in connection with mortgages on cooperative projects under section 213 and projects in urban renewal areas under section 220. But I emphasize that this is only a temporary stage—and even then many of the mortgages which are brought to completion under Special Assistance commitments are actually taken up by private investors so that the Treasury is never called upon. However, obviously the commitment cannot be made unless it can be fulfilled if necessary."

Secretary Weaver also added that: "every new program that has been initiated in recent years, particularly those with any social purpose—such as section 220, which is for much higher incomes than this program, and section 213, which is the cooperative program—have had to be seasoned with FNMA special assistance. That is what the FNMA special assistance is designed to do."

The $1 billion fund for housing finance in the slums, announced by several insurance companies on September 13, 1967, will no doubt help many rent supplement projects. However, there will still be cases where a nonprofit sponsor will not receive private financing and will have to look to FNMA for the permanent mortgage. In these cases the 5% equity requirement would probably prohibit the implementation of the project.

The 5% "equity" requirement of nonprofit groups is unfair and unrealistic. The requirement of a 10% "equity investment" by for-profit developers of rent supplement housing is not a new requirement. This requirement has existed in the program since it was enacted in 1961. Normally, for-profit investors account for their 10% "equity investment" in the form of a waiver of their allowable 10% builder and sponsors profit and risk allowance. No additional 5% equity requirement will be imposed on for-profit or limited dividend sponsors or cooperative sponsors of rent supplement housing, if they seek to utilize FNMA Special Assistance financing; but the 5% does apply to nonprofit groups. We are not suggesting that the Committee add an additional 5% equity requirement to other sponsors of rent supplement housing which seek FNMA funds since these sponsors, like non-profit groups, would not use the program and little rent supplement housing would be built.

The requirement of a 5% "equity investment" by nonprofit projects sponsoring rent supplement projects requiring FNMA Special Assistance financing can only be met by these nonprofit groups in the form of a 5% cash investment. Non-profit groups do not earn fees as to other types of sponsors, therefore they have no fees that can be "waived" to make up their 5% "equity investment". Nonprofit groups do not own land which can be put in place of cash as equity. Sweat equity is not recognized as organizational costs allowed at 5% which could be waived to make up this requirement. Likewise, there is no way in which the "cash equity investment" can be recovered. The requirement for a nonprofit group to make a 5% cash donation for the privilege of sponsoring low income housing in addition to accepting the responsibility for working with families in these housing developments over an extended period of years is prohibitive. The consequences of this 5% requirement may have escaped the Committee at the time of making this a requirement in the Committee Report, but stated boldly it will have the practical effect of eliminating most, if not all, nonprofit groups from participating in the rent supplement program, since they will now be eligible for only a 95% of replacement cost mortgage.

Consider the economic consequences of a 5% cash "investment" in a non-profit sponsored housing development with a 40-year mortgage on a $2 million project. The cash "equity investment" of a nonprofit sponsor would be $100,000. If this money were deposited in a savings account for 40 years, the return on interest alone would be a minimum of $200,000 and of course, the $100,000 of principal would be available at any time. If the $100,000 were invested in real estate with only a 10% return on equity, this would mean a return of $400,000 on equity over a 40-year period. On the other hand, a 5% cash donation by the nonprofit sponsored project would not be recoverable and there would be no interest earned on the donation.

It is our understanding that some Senators may have supported this 5% requirement to insure that nonprofit groups would stand behind their projects. The facts, however, are that only nine below-market Section 221 (d) (3) housing developments have been assigned to the FHA Commissioner, and of these, less than half were sponsored by not-for-profit sponsors.

The most recent FHA statistics (July 31, 1967) show that nonprofit groups have constructed or rehabilitated 134 developments under the below-market interest rate Section 221 (d) (3) program, housing 21,000 low and moderate income families at a total development cost of $261.3 million. FHA commitments for an additional 27 developments housing 3,120 families at $46.7 million in development cost have been issued. Nonprofit groups also have an additional 57 developments to house 6,944 families at $98.9 million in development costs in the FHA processing pipeline.

The Congressional Record of June 16, 1967 indicated that nonprofit groups will sponsor 119 of the 245 market rate rent supplement 221(d)(3) housing developments housing 13,857 families for which rent supplement allocations have been made from the original $32 million available. In addition, nonprofit groups have been allocated $1.6 million in funds under the new Section 221(h)(1) program to provide rehabilitated homes to low income families.

Nonprofit housing now requires the risk of considerable seed money by nonprofit groups for architect fees, option costs, attorney fees, soil borings, FHA fees, FNMA fees, etc., before these projects are at the point where Federal funds are made available for permanent financing. Nonprofit groups risk their prestige and expend considerable staff time, the cost of which far exceeds the amount recoverable from mortgage proceeds under the 221(d)(3) program to build lower income housing. For example, of $6,396,000 in six below market interest rate Section 221(d)(3) housing developments sponsored by the interfaith Community Renewal Foundation in Chicago, only $16,000 or less than ½ of 1% was recoverable from mortgage proceeds to pay for these staff organizational expenses. It took approximately two years to bring these projects to initial closing and the staff costs incurred were approximately five times as great as the $16,000. This church group therefore made a cash subsidy in the form of staff costs incurred in order to provide housing for lower income families. These additional costs were their "cash equity investment" in these projects.

The delays inherent in all Federal housing programs tax the time and patience of nonprofit sponsors. These nonprofit sponsors accept these delays and frustrations because they are motivated to enter into the lower income housing field out of their concern for the families and individuals in their local communities who now reside in substandard housing.

Nonprofit groups work with representatives of their community to insure that the concerns and needs of the community are reflected in the housing that is built. Nonprofit groups have the flexibility to experiment and innovate. Throughout the country, they have pioneered in new techniques and programs to provide low-income housing. The Carolyndale Foundation carried out the "instant rehabilitation" (48 hours) of an old tenement on the lower east side of New York. The Community Renewal Foundation of Chicago illustrated the creative use of the receivership law in Illinois as a means of upgrading slum housing for low-income families.

The Bicentennial Corporation in St. Louis purchased, renovated, and sold homes to the poor and from the experience came the new Section 221(h) program.

Action Housing, Inc. of Pittsburgh carried out a rehabilitation project on Cora Street and has spearheaded a consortium of private industries to rehabilitate housing in Pittsburgh and elsewhere.

After this housing is rehabilitated or constructed, nonprofit groups have developed family counseling and homemaking programs, job training classes, child care centers, community sewing classes, literacy training courses, and other programs to aid these families and individuals to become more self-reliant members of our society. This kind of input is a contribution to the development of low-income housing which is much more significant and vital than a cash "investment" in the project and is more definitive proof of long-term involvement.

Nonprofit groups have responded to the urgings of the President, the Vice President, Congress, and the Secretary of the Department of Housing and Urban Development to utilize Federal programs to provide housing for the eight million lower income families who continue to live in substandard housing. To now require that these groups make a 5% cash donation in order to continue their participation in providing such housing will frustrate the significant contribution which they could make to rehouse these families. In all likelihood this will prove to be a prohibitive requirement.

Mr. MONDALE. I thank the distinguished Senator from Pennsylvania for his most significant contribution.

I am glad to yield to the Senator from New Jersey.

Mr. CASE. I thank the Senator.

Mr. President, I believe that the Senator from Alabama hit the nail on the head when he said that it is inconceivable that the committee would take a futile action.

I believe that the crux of the matter is whether or not a 5-percent requirement would effectively bar any substantial amount of housing under the program with which we are dealing. If that is so, it cannot be assumed that the committee or the Members of this body would intend that result.

Mr. MONDALE. I appreciate the remarks of the Senator from New Jersey. I believe that what he has said helps to strengthen the point that the intention of existing legislation is contrary to the 5-percent requirement recommended in the committee report.

I am glad to yield to the Senator from New York.

Mr. JAVITS. Mr. President, I do not believe there is any use in fencing around with this problem, because it is a very real problem, and it involves the entire fate of the rent supplement program.

The Senator from New Jersey [Mr. CASE] and I wrote to the Secretary of HUD in order to find out what was really the ambit of our problem, and he told us that it is a very serious matter, as has the chairman of the Committee on Banking and Currency.

I am a member of the Committee on Appropriations, as is the Senator from New Jersey [Mr. CASE], and we wish to proceed in this matter with full respect to what I am satisfied was a majority sentiment in the committee. Let us have no doubt about that. In fairness to those who feel that this sentence should be written in, we were convinced that was the majority sentiment. No matter what we thought about it—and what we thought about it is very obvious—that is the majority sentiment.

The reason for writing it into the report and not putting any provision in the bill is precisely as the Senators have discussed on the floor of the Senate, because it would have been legislation on an appropriations bill. But that does not prevent a majority of the Committee on Appropriations from saying to the administrator who is running this show: "Look, this is the way we think this ought to be run; and if you don't run it this way, we're going to have it firmly in mind when you come back for appropriations, as you will next year, and we will then be able to express our dissatisfaction." Or even in conference, because the House allowed nothing. "We will then be able to express our dissatisfaction with the way this is being run."

We are dealing with realities, not with theories, and therefore I should like to say this to my colleague:

First, let us understand what the language does before we make it broader than it really is. In the first place, this sentence does not even express an opinion on the mortgages under the section 221(d)3 below market interest program because in that respect only 5 percent of the rent supplement housing is eligible to receive below-market interest rates. That is not an appreciable factor in respect of the 221(d)3 program, and I believe it is fair to say that this sentence was not aimed in that direction.

With respect to the rent supplements themselves, it is my judgment—I am speaking as one member of the committee—that the sentence just referred to does not endeavor, for example, to deal with an underwriting or a bonding by a nonprofit agency of 5 percent of the equity, even though it may not be putting up the cash, or the purchase of the land which the nonprofit agency may own upon which the housing is being built, or other facilities which it might contribute to the construction which represent a 5-percent investment; nor does it deal with the length of time, though it would have to be in good faith and a reasonable period of time, during which the 5-percent equity investment should be maintained in the property.

Now, as to the substance: It is perfectly right that the law is not amended. It is perfectly right that if the administrator feels very strongly persuaded, and if he is encouraged by the degree of support he receives in the Senate and in the House, he may very well say, "I will take my chances with the majority of the Appropriations Committee come next appropriation."

But it seemed to Senator CASE and myself that the majority of the Committee on Appropriations had the right, in writing the report, to put in its view.

The Senator from Minnesota would not understand the situation if he thought otherwise. It is a view, a warning to the administrator that this is the view of the majority.

Those are the considerations.

I believe that the idea of encouraging the nonprofit organizations is excellent. The churches and labor unions of this country are concerned to a great extent, and they have done and can do much in this field.

The committee is well aware of my point of view against the language. We can do nothing about it in the bill. It represents, as I have said, an expression of opinion by the majority of the committee.

I do not believe that you can anticipate how this matter will work out, except in the dynamics of working it out. I believe the Senator from Minnesota is absolutely correct in taking the floor and stating how he feels. It is the duty of every Senator to do so. It is my duty to say what I have said.

It is for that reason that I emphasize what this proposal does not cover—in short, that it is not as restrictive as one might think at first glance. But I am the first to say that if a restrictive policy is followed, it will cut off many of the rent supplement projects, and it is restrictive; and that is what Senator CASE and I say.

Mr. MONDALE. As the Senator knows, more than half the contracts for rent supplements have been with nonprofit sponsors; and if we are going to talk about getting housing and using rent supplements as a tool for the low-income family, particularly in troubled and blighted areas, such as Harlem, Hough, and Watts, we must realize that most of those willing to help are nonprofit organizations. Most of the areas are blighted and unattractive to the private lender. This is a new program, in any event. All these factors make it virtually impossible to obtain conventional financing.

Therefore, at least in the early period of this program, most of it will be presented to the Federal National Mortgage Association special assistance program. Thus, while we cannot be sure what its total impact will be if the Department of Housing and Urban Development feels bound by the language of this report, nevertheless, the best guess we can make today is that it would have a very serious impact and create a very serious burden to the full implementation of these programs in the areas where it is most needed.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MONDALE. I am delighted to yield to the Senator from New York.

Mr. JAVITS. Mr. President, I thoroughly agree with the Senator and he knows that. I would tell him, in all fairness, as one member of the committee I doubt that we would have had $40 million in this bill for this program if the majority had not been able to do what it did, which is to write in this report its views as to how it should be administered. It is only fair that I add that statement.

Mr. MONDALE. I recognize that.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. MAGNUSON. I wanted to be sure, along with the Senator from New York, the Senator from New Jersey, and other Senators, to make it clear that we were hoping that the 5 percent would not be the figure; but the committee at one time discussed 10 percent and then we had long discussions, and this is still under discussion.

I wish to say to my friend from New York that we discussed it up and down, and pro and con, for many hours. It was the best judgment of the majority of the members of the committee that in order to have reached the amount at all it was necessary that there should be something, such as the 5 percent that was put in the Senate report.

I wanted it clear that there was some of us who would rather not have had it that way. As the Senator from Minnesota well knows, legislation is always a matter of some compromise; otherwise, there never would be any accomplishments.

The decisions and the feelings of all members of the committee, who had various views on this matter, had to be considered, and we had to arrive at what we thought was the best possible chance of keeping the money in. Then, we had to look down the road a little ways further, knowing that the House of Representatives had cut it out altogether and we have to go to conference.

Everyone agrees that market rate mortgages in the rent supplement program should be financed in the private market. That was the intent of the legislation and is the position of the House committee, the Senate committee, and the administration.

The House committee took the view, in substance, that unless such mortgages can be financed in the private market, the projects should be postponed until they can be so financed. The key language is the following:

> If the state of the mortgage market makes such financing unlikely or impractical, then the program should be deferred until the mortgage market warrants.

The Senate subcommittee agreed with the House position on private financing as the basic policy, but disagreed with the idea of postponing projects because of temporary market conditions. The subcommittee language expresses the view that "it was not the intent of Congress that the program should be disrupted as a result of temporary market factors." The subcommittee language would have directed that FNMA special assistance be kept to the minimum necessary to maintain program continuity, and that any mortgages acquired by FNMA be disposed of in the private market as soon as possible. It should be noted that such disposition could be either by direct sale of the mortgages or by sale of participation certificates.

The Senate committee also expressed agreement that these mortgages should be financed in the private market in the usual conventional way, but did not deal with the question of delay when market conditions are unfavorable. Instead, it focused on a new question: the equity which a sponsor should have in a project which receives special assistance support from FNMA. The committee declared that limited-dividend sponsors should have at least a 10-percent equity, the law requires this, and nonprofit organizations, 5 percent. Under the law, nonprofit sponsors are eligible for mortgages covering 100 percent of replacement cost.

First. It appears to be the consensus of people familiar with this type of financing that the policy stated in the Senate committee report would have no effect on profit sponsors, but would sharply reduce participation by nonprofit sponsors in the rent supplement program

Second. This is due chiefly to the fact that, as a practical matter, the 5-percent equity would have to be largely provided in the form of direct cash investment in the project. This is not an explicit requirement, but results from the fact that most nonprofit organizations would not be in a position to provide the required equity in any other form.

Third. The $1 billion commitment for private financing by the life insurance industry may well solve the problem, or largely relieve it, temporarily; however, it offers no assurance of a long-run solution.

I have made this statement because I wanted to make clear the feelings of the Senator from New Jersey, the Senator from New York, one or two other Senators, and myself. I do want the record clear on that point.

Mr. MONDALE. I thank the Senator.

Mr. MAGNUSON. I think the Senator from Colorado will bear me out.

Mr. ALLOTT. Yes. Mr. President, will the Senator yield to me?

Mr. MONDALE. I am glad to yield.

Mr. ALLOTT. I wish to say a few words in this connection, rather than simply asking a question.

Mr. President, I think the legislative record should be made clear, and I am glad that the Senator from New York, the Senator from New Jersey, the Senator from Louisiana, the Senator from Florida, as well as the chairman of the committee, are here because I think it is time to lay out the legislative record. It is rather peculiar that it should fall on a Republican Senator to do this in the first instance, but in order to keep from leading people down blind paths I think it is necessary.

Mr. MAGNUSON. Mr. President, will the Senator yield briefly?

Mr. ALLOTT. I yield.

Mr. MAGNUSON. I must say to the Senator from Colorado that there was not much partisanship involved in this matter in committee. The Senator can explain it as well as anyone and we would appreciate it if he would.

Mr. ALLOTT. First of all, I wish to say that the idea did not originate with the Senator from Colorado, nor did he speak in behalf of it. This matter first arose at the close of the discussion on the rent supplement item. It was at that time that not one but several Senators raised this question and they put it very bluntly that we are disappointed in this, first of all, because the testimony before us, and which is here, is that so far rent supplement has not been privately financed and, secondly, there is nothing whereby these nonprofit corporations have any vested interest in the particular project. In other words, these projects have been financed, or had been at the time of the hearings, which was just a short while ago, nearly 100 percent, with one possible exception, by the Federal Government and not by private enterprise. They had been financed nearly 100 percent by special assistance funds from FNMA.

They felt, therefore, that churches and eleemosynary institutions, and organizations of this sort, would get all souped up about a rent supplement program, build it, and then, if it started to go sour, they would walk off from it because they had no vested interest in it.

There was an overwhelming vote and as a result of that committee action that afternoon, the chairman of the committee, and the ranking minority member were instructed by the committee to write language into the report which is the same language that is contained in the report except for the 5 percent; and we were instructed to do it and we had complete authority to put it in the report without any final action of the committee whatever.

I returned to my office. The Senator from Washington said he would like to work on it. I returned to the committee room and we worked on it until approximately 7 o'clock that night. We called back all of the HUD people and we discussed all the ramifications. We discussed the matter with Secretary Weaver and Mr. Brownstein, as well as eight or 10 other persons.

Finally, as a result of that meeting we ended up the next morning deciding to cut this amount from 10 percent to 5 percent; and upon my request I asked that a meeting of the committee be assembled to approve it because I did not want to be caught in the business of having violated the express instructions of 10 percent, when we had written in 5 percent under our new language.

So the meeting of the committee was called and by an overwhelming vote—I do not know the exact vote—the committee did vote to put this language in as it was. I am talking about only one thing. I wish to set forth a legislative record of this matter so that there will be no doubt about the part the distinguished chairman played in it or the part played in it by me or by the committee.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MAGNUSON. I wish to add that the following morning we not only got hold of HUD again and the people involved, but we called the members of the committee that we could find, and we had a majority, to find out what would happen if we did not write in anything. I do not need to tell the Senate what we discovered. Therefore, all of us did what the Senator from Colorado has suggested. We did the best we could to work out the matter and to get this situation where it is today.

I do not know whether it has been mentioned here, but it should be known that in the beginning there was a 10-percent suggestion because the limited dividend groups in order to do this must put up 10 percent. This Senate report language would only involve cooperatives or nonprofit groups. That is the exact nonpartisan history of this very controversial and long discussed matter.

The Senator from Rhode Island [Mr. PASTORE] once said that the rent supplement is the most discussed thing he has ever known in the Senate and the least understood. I sometimes think, after the hours we put in on this matter, that he was absolutely correct in making that statement.

Mr. MONDALE. I thank the Senator for his comment. We are dealing with the legislative intent of this legislation.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MONDALE. I am glad to yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, both distinguished Senators from Colorado and Washington have stated the instructions which were given to the chairman and ranking minority member to write the language which is now under discussion and appears on page 18 of the report. I have no apologies to make for the part I played in the transactions. Since I became a Member of the Senate I have helped in providing housing for the poor. The fact is, I began in 1937, the first year I came here, to do something in that area. I am for the rent supplement program, as I indicated last year.

The way I understood the rent supplement program from its inception, was that it would be at least similar to the public housing program, and that the guidelines provided for in the public housing program would obtain in the rent supplements.

Now when the public housing program was first placed on the statute books, an authority was created at the local level which provided the machinery by which housing could be constructed. The subsidy to be paid by the Federal Government was reflected as about 3½ percent, at the most, of the cost of the project.

Assuming that a project would cost $10,000, three and a half percent of that would be $350. That divided by 12 would be about $30 per month, which would be the amount of the subsidy the Federal Government would pay or contribute toward public housing.

As I understood Dr. Weaver and the other proponents of the rent supplement program, it was to be conducted along the same lines as public housing. There is evidence to show that although the program has not as yet been fully tried, it is alleged that it will be cheaper than the public housing program.

Now, Mr. President, as to the reasons for putting in the 5-percent equity investment requirement for nonprofit organizations, at first we suggested 10 percent. Later we agreed to make it 5 percent.

The reasons for that have been well stated on the floor of the Senate. The committee felt that anyone interested in providing for housing should have some kind of investment in it. We felt that a minimum of 5 percent should be imposed as to nonprofit organizations, and as to others we would impose the 10 percent.

It is true that this language is not in the bill itself, but I have been serving on the Appropriations Committee for about 20 years and I am glad to say that the heads of the departments of Government do pay attention, in most cases, to what the reports contain, such as the one we are speaking of now.

What prompted the committee to include this language, particularly so far as I was concerned, because, together with others, I raised the question, was that if this provision is not in there, and if the nonprofit organizations and charitable organizations construct these housing units, they will have no money in it, and no interest in it. Actually, it will be possible for one of the organizations to get from the Government a 100-percent contribution. It would also be possible for such an organization to get out of the Federal Government as much as 60 percent of the rental, so that the Government would not only be putting up all of the money but also a subsidy of up to 60 percent. I, for one, would not vote for that, under any conditions.

Mr. LAUSCHE. Amen.

Mr. ELLENDER. I want to say further, Mr. President, and I want it understood, that in my humble judgment, had this language not been put in the report, the committee would not have voted for the $40 million. The fact is, we would have come in with a blank, as the House did.

I am hopeful that the Senate will not repudiate this language. On the contrary, the Senate should proceed and see to it that the administrator of the program toes the mark as to the paragraph which appears on page 18.

I hope to remain on the committee. I told Dr. Weaver and many of his assistants that I would watch this program very carefully, that I have been interested in housing for many years, and I want to continue my help in providing housing for the poor. I want it to continue; but I would have some responsibility placed somewhere in this program. I know of no better way to do it than if charitable organizations desire to help in providing this housing, that they be required to put up a 5-percent equity investment.

On the day this language was put in, I received several telephone calls from New Orleans, where several Catholic institutions are involved in the program. When I told them that we were going to ask that 5 percent of the investment be put up, that it did not mean cash, that they could put up land or anything of that kind which had value, they immediately replied, "That is all right. We expect to put that up, anyhow."

That was the attitude they took.

I am very hopeful, I repeat, that that language will not be repudiated by the Senate because if it is, I will be against the program, and I know of many others who will be also.

Mr. MONDALE. Mr. President, I think that the real issue at stake is not whether we will repudiate the language contained in the report, because we have no way of doing so. The language in the report is not before us and we cannot add legislative language to an appropriation bill. What is really before us is the question of what was the intent of Congress with respect to the underlying legislation.

All we can do is differ, as we have up to this point, as to what the language already in the law means.

We have heard from the distinguished chairman of the Housing and Urban Affairs Subcommittee, also the chairman of the Banking and Currency Committee, that the legislation does not mean that 5 percent would be required, and if required would go far to destroy the effect of the program. It would be up to the administrator of this program to determine whether he will abide by the language of the report. I hope that he will not. If he does not abide by it, he will be consistent with the meaning and intent of the legislation, because what it meant, if it were to abide by it, would be the very ineffectiveness of this program.

Many people have criticized FHA for not encouraging nonprofit housing, for not obtaining more nonprofit housing than we now have. I am convinced that the failure to fully realize the potential of nonprofit housing due to the difficulties already existing for the nonprofits to assemble the land, to hire architects, to hire lawyers, to survey sites and take land options, and to take the other steps that are necessary, to get to the point where one can obtain an FHA-insured mortgage or a mortgage under conventional terms.

If we added the 5-percent provision, there may still be some nonprofit organizations who can proceed successfully; but what bothers me is that most of them will not be able to do so. So, instead of giving a boost to the very poor, to those who need it most, we will be, with one hand, granting liberal rent supplements and, with the other hand, be taking it away from those who are in the most difficult areas and in the lowest income areas.

There is a substantial equity investment made by the nonprofit sponsors quite apart from the 5-percent contribution being discussed here. Time, the managerial expertise, and the voluntary leadership performed by the nonprofit organizations must be considered as equal to at least a 5-percent cash equity investment.

I do not think our experience with these nonprofit organizations, even without the 5 percent, is that they have been irresponsible. If we are going to have the nonprofits involved at least at the beginning, there are going to be a lot of FNMA takeouts. That is so with any new program. If we add the 5-percent provision, the program will be significantly impaired, particularly in the area of the greatest need.

I now yield to the Senator from Florida [Mr. HOLLAND].

Mr. HOLLAND. I thank the Senator for yielding.

Mr. President, I share the sentiments, as reported by various Senators, that the result of this effort will be to make immeasurably more difficult the task of the Senate conferees headed by the Senator from Washington in their conference with the House on this matter.

Mr. President, I ask unanimous consent, first, that the paragraph at the top of page 18 of the report be inserted in the RECORD at this point, because that paragraph contains the wording we are talking about.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

> The committee agrees with the House committee that the Congress intended market rate mortgages in the rent supplement program to be financed in the private market in the usual conventional way, and expects the Secretary to be guided accordingly. In those cases where this is not possible, in every rent supplement project the sponsor shall be required to provide at least a 10% equity investment, except for nonprofit organizations' 5% if assistance is sought under the special assistance program of FNMA.

Mr. HOLLAND. Mr. President, when I first came to the Senate, the first Congress in which I participated was the 80th Congress. The housing bill which was brought into that Congress bore the name of the distinguished Senator from Louisiana [Mr. ELLENDER], among others. It was called the Taft-Ellender-Wagner Housing Act. From that time until this the distinguished Senator from Louisiana has been known as one of the most liberal-minded Members of the Senate in this field in his effort to see that people are aided in getting homes for themselves.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MONDALE. I agree wholeheartedly with that interpretation of the Senator from Louisiana's efforts.

Mr. HOLLAND. I am glad the Senator does, because it is nothing but the fact and truth.

This question came up in the Appropriations Committee, consisting of 27 Members of the Senate. The Senator from Washington, the chairman of the subcommittee, truthfully stated that five or six members did not favor any limiting wording in the matter. The rest of the committee, of whom I was one, felt we had been assured that when the Rent Supplement Act was passed it would bring into this picture private capital; that it was a private industry inducement. The testimony which had been given before us, as stated by the Senator from Colorado [Mr. ALLOTT], shows it was not operating that way. To the contrary, in too many cases, the Federal Government, through its appropriate agencies, was financing 100 percent of the cost of the land, buildings, and equipment of the housing or housing programs, and then was carrying and paying a substantial part of the rental on top of that.

I think it is only fair to say that a great majority of the Appropriations Committee felt that was not in accord with the intent of the Congress, regardless of what the wording of the act may state, because it was repeated not only on the floor of the Senate and the House, but by assertions of real estate groups, building groups, that this legislation was designed to bring private capital into this field, and not doing so was evidence of failure of the intent.

Senators have spoken about what happened in the first meeting of the committee. On final disposition, as was stated by the Senator from Washington, authority was given to the two ranking members, the Senator from Washington and the Senator from Colorado, to write into the report the instructions which a substantial part of the committee had agreed upon.

When they found, after conferring with the officials of the Government, that perhaps this would work a hardship on the charitable builders, church groups, nonprofit groups, and others, they requested the committee to consider this change as worded, which, as has been shown by the paragraph inserted in the RECORD, makes it clear that a majority of the committee felt that in normal cases not less than 10 percent should be paid upon the construction costs of building projects, and where the rent supplement was to apply, too, in the case of nonprofit organizations 5 percent should be required.

I am very sure the Senator from Washington was correct when he said he questioned whether there would have been any appropriation recommended for this particular item without such wording, because that represented the substantial conviction of a majority of the 27 Members of the Senate who comprise the Appropriations Committee.

If it is not proper for the Appropriations Committee to state what its understanding is as to how the money appropriated by the Senate and the House is to be used, then we have been following an improper practice ever since I have been in the Senate, because that is normal in reporting appropriation bills, and it is nothing but right and fair that the agencies of the Government know what the Appropriations Committee thinks about the subject when they ask for appropriations.

So the committee, with this situation, recommended what was requested by the distinguished chairman, the Senator from Washington, the restoration of the full budget amount of $40 million with this wording in there.

The Senator from Florida thinks that not only was it appropriate, but that it was necessary.

The Senator from Florida will say, and he regrets to say this, that the Senator from Minnesota has made it immeasurably more difficult for the conferees from the Senate to work this matter out in conference with the House, which already has stricken out the very small requested appropriation upon the very ground upon which the majority of the Senate committee was acting—that they felt that there was not a sufficient showing that private investment felt the program worthwhile to make it conform to the original intention.

That is the whole story. I felt exactly as did the Senator from Louisiana, except that I had had my doubts about this program from the beginning, and was not surprised when the RECORD showed how this had been working out, or failing to work out.

I hope that this discussion will not result in hurting the position of the Senate conferees, and that the Senate conferees will be able to carry out, wholly or in large part, the action taken by the Senate, though that action may not be in accord with the views of the Senator from Florida. I was in the minority group in the vote just taken; but I believe that the majority of the Senate should prevail, and I hope that the conferees will be able to get something worked out. I believe that this discussion on the Senate floor has not made that easier, but instead much more difficult.

Mr. MONDALE. I thank the Senator from Florida. I regret that it has been necessary to take as much time as we have on this point. I should like to summarize briefly.

First of all, I do not think it was the intent, in drafting the legislation, to require the 5 percent that is suggested on page 18 of the committee report. I think if the Department of Housing and Urban Development, contrary to the expression of intent as understood by the chairman of the Housing and Urban Affairs Subcommittee, nevertheless imposes this 5 percent requirement. It will be a very serious barrier to the progress of nonprofit housing where it is most needed: in the troubled, blighted areas of this country, and for just the people who need it most. If we are going to start at the wrong end of the problem, on those who need it least, then such a recommendation by the Appropriations Committee makes sense. Unfortunately, we cannot vote on this issue, because we cannot amend an appropriation with legislative language.

In any event, I think we must realize that if the program is to be of any help, 100 percent financing must be available, even if it means FNMA special assistance. This is particularly true during periods of tight money, which has been the case in recent years, and particularly true with a new program.

There is nothing unusual about this feature, and we should stand behind the program, and stand behind the efforts of the nonprofits to help us to obtain more and better housing for the very poor.

I do not believe that much is gained, in the long run, by refusing to discuss the basic policy questions underlying this committee report through discussions here on the Senate floor or on the House floor, because if there is not a majority in the House to support this minimal, conservative step of $40 million to assist in the rent supplement program, then it is probably time for this Nation to have a great debate. It is probably time for us to go back to our people and ask them what kind of country we want, one that is just going to limp along and barely take a beginning step in dealing with the problems of our ghettos and stinking, subsanitary housing, or whether we mean business with rent supplements, model cities, and other programs designed to take a substantial step to assist with the problems of the ghettos and the blighted areas of our country.

Mr. President, I yield the floor.

Mr. MILLER. Mr. President, I believe one of the major concerns of a number of the nonprofit organizations as to the language in the committee report has been the impression that the 5 percent would have to be put up in cash. I have received correspondence and telephone calls indicating that that was the impression that had somehow or other been circulated on this point.

I should like to ask the Senator from Louisiana a question, because I know that he has gone into this matter very thoroughly. The question is whether or not it was the intention of the majority of the Appropriations Committee which directed that this language be written into the report that the 5 percent would have to be put up in cash.

Mr. ELLENDER. Mr. President, as I stated a moment ago, in a conversation I had with the representative of the archbishop in New Orleans, I stated to him that in my humble judgment, the 5 percent need not be cash, but could be property upon which the building was to be constructed, it could be bricks, it could be mortar, it could be cement, it could be work, labor, anything of value that would contribute to the construction of the project.

That was my conception, and is my conception now, of the meaning of the language that appears in the report.

Mr. MILLER. I know it is too late now to change the committee report, but it would certainly seem to me that a fair interpretation of the language in the committee report would not necessarily lead one to the conclusion that the administration of this law would result in the requirement that a 5-percent cash equity be put up, and that the Senator from Louisiana has stated a much more realistic and proper interpretation of the language.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. MILLER. Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

Mr. HOLLAND. Mr. President, what is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Several Senators addressed the Chair.

Mr. MAGNUSON. Mr. President, the pending matter before the Senate is the committee amendment. The discussion has been on the committee report. If anyone wants the yeas and nays, it will be to vote on the committee amendment.

Mr. MILLER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Several Senators addressed the Chair.

Mr. MAGNUSON. Mr. President, because there has been some confusion as to the question, I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. The objection of the Senator from Delaware to the unanimous-consent request to consider the amendments en bloc without prejudice, and then come back, means that we have been having to vote on the committee amendments individually as such.

Therefore, is it correct that a yea vote on this rollcall will be on the rent supplements figure as the committee reported it and a nay vote will be a vote against it?

The PRESIDING OFFICER. The Senator is correct.

Mr. MAGNUSON. Against the amount?

The PRESIDING OFFICER. A yea vote would be to sustain the committee position of $40 million on rent supplements.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. LAUSCHE. Mr. President, will the Senator from Washington tell me what is the maximum amount of income that a citizen can derive from his work or business, and still be qualified for rent support?

Mr. MAGNUSON. That varies in different areas of the country, depending upon the cost of living. The variation is not a great deal. We will put in the RECORD examples in various parts of the country. We covered that at some length in the testimony.

It depends on the locality, and the number of persons in the family, after they go through that first eligibility requirement.

For instance, taking the first figure on the list, for a family of one in Birmingham, Ala., $3,200 would be the maximum figure.

Mr. LAUSCHE. Not $33,200.

Mr. MAGNUSON. No, $3,200; and a family of seven would be $3,800.

Let us take California. In Los Angeles, for a family of one, the limit would be $3,000; a family of two, $3,600; a family of four, $4,700; up to a family of seven, $5,600; but they would also have to comply with the code regulations.

Mr. LAUSCHE. In other words, the greater the number of children in the family, the greater would be the rent support?

Mr. MAGNUSON. Yes. Let us see what it would be in Ohio, here. This is the list that they have been using down there; it depends on localities. They do not change too much from place to place.

In Ohio, the highest you could earn in Canton would be $5,100.

Mr. LAUSCHE. In Canton?

Mr. MAGNUSON. Canton. In Oberlin, $5,900; and in Cincinnati, $4,700.

They do not vary too much. How do they determine that? That is a good point to include in the RECORD. In determining whether or not a family or an individual is eligible for rent supplements, gross income from all sources before taxes or withholding of all members of the household who propose to live in the unit will be counted.

The income of children or other dependents who live in the unit should be included. No deductions from gross income will be allowed for dependents.

If two or more eligible single persons—such as elderly individuals—want to live together in the same unit, their income will be added together for the purpose of determining rent supplement eligibility.

Current gross income is derived by reviewing reported income for the previous 12 months and estimated income for the next 12 months, making an adjustment for unusual temporary income which will not be forthcoming during the current 12-month period.

Although gross income will be used to determine eligibility for rent supplements, the following deductions will be permitted to determine the rent base income, or the income from which the amount of rent supplement is calculated:

First, annual income up to $300 for each working member of the family under 18 years of age. In other words, if an individual had seven youngsters and one of them who was under the age of 18 made a little money for himself, but less than $300, that money would not be included.

Second, continuing cost, as established by the FHA, attributable to a permanent disability or chronic illness which is not compensated by insurance or otherwise. If an individual were a cripple or handicapped and was not receiving any pension for that disability or any disabled veterans' pension or was not covered by insurance, he would be covered by this provision. That would cost so much.

Third, expenses incurred for the care of children under 13 years of age if necessary to the employment of a wage earner in a household. I would also like to include in the RECORD additional criteria pertaining to tenant eligibility and their asset limitations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DURATION OF TENANT ELIGIBILITY

Income limits are set by the local community, and they vary widely from area to area. For example, the income limit for a seven-person family in Monroe, Louisiana, is $3,000 and the comparable limit in Anchorage, Alaska, is $6,400. An example of a moderate income limit area, on the other hand, is Canon City, Colorado, where the income limit for a seven-person family has been set at $4,600. The annual rent supplement of a seven-person family in Canon City, Colorado, with an annual income[1] of $4,000 is $800 (based on an annual rent of $1,800). Families are permitted to stay in the project even after their income level passes the amount for admission to the project, in this case $4,600. Since a family is able to keep 75 percent of its increased earnings, it is encouraged to strive to earn a higher income; in a word, it is given "initiative." At the $4,600 level, the family's annual rent supplement is $650, and the supplement will continue to decline until the family's income reaches a level of $7,200, at which time the supplement will cease altogether.

If a family were faced with the reality that it would have to leave the project or pay the economic rent of $1,800 annually (which it most likely could not afford) when its income rose above $4,600, one of the purposes of the program would be defeated; i.e., to provide clean, decent, sanitary housing for low-income families. This is most likely the first time in the lives of the family members that they have lived in decent housing. In effect, the family's standard of living would be reduced by $650; its income would have to rise to $5,250 annually before it would break even, i.e., they would have to have a salary increase of at least $650, the amount of rent supplement, before any additional monies would be available for other than shelter expenses. Any pride or accomplishment the family members felt by increasing the family income would be destroyed instantly if the rent supplement were cut off at this point. Obviously, if this family were evicted, the effect would be to destroy initiative since the housing accommodations which could be purchased with an income of $4,600 would not be appreciably better than those the family lived in prior to admission to the rent supplement project.

If this were the policy, it probably would be safe to say that most projects would be very unsettled and a high degree of turnover would be inevitable. This factor of high turnover would create a whole new set of problems for the project owner/manager, as well as for the tenants. Repair and maintenance costs would rise sharply. There would be the normal maintenance costs that arise when an apartment changes occupants but also, and perhaps more important, are the repair and maintenance costs which would arise from improperly motivated tenants.

Lastly, such action—evicting tenants whose incomes reach the eligibility levels—would have a two-fold effect. First, rent supplements in a given project would continue at the maximum level throughout the forty-year contract. Second, a major goal of the rent supplement program, economic mix, would be impossible to achieve under such circumstances.

ASSET LIMITATIONS

Total assets cannot exceed $2,000 unless the applicant is 62 years of age or older, in which case his assets may total up to $5,000. The asset limitation is higher for elderly than for other tenants because elderly persons must often rely on savings to supplement social security or other retirement income to pay current living expenses.

Furniture, clothing, and personal property are not counted as assets for the purpose of determining eligibility; however, the estimated value of any automobiles or real estate owned by members of the household (less indebtedness) is included in total assets.

ASSET DISQUALIFICATION

If the tenant is an elderly individual (62 years or older) or a family whose head or spouse is elderly, when the individual or family assets increase to more than $5,000, rent supplements will be discontinued. In a case involving other than the elderly, rent supplements will be discontinued when the individual or family assets increase to more than $2,000.

Tenants whose rent supplements have been discontinued may occupy the same premises paying the normal economic rent. Subsequently, if the tenant again becomes economically qualified for rent supplements, his payments may be restored if the landlord has eligibility within his rent supplement contract.

Mr. LAUSCHE. Mr. President, can the Senator tell me whether the statements made when this provision was last before the Senate—that under certain circumstances the head of a family earning $10,000 a year would be entitled to rent supplements—would still apply after this measure is adopted, if it is adopted?

Mr. MAGNUSON. That would be impossible under any figures I have here. If the income received was more than the amounts I have just read from these sources, he would not be eligible.

Mr. LAUSCHE. What would be the maximum amount received in the highest cost-of-living area in the country in which a beneficiary would be entitled to receive rent supplements?

Mr. MAGNUSON. I have a whole list here. Most of them run from $3,400 to $5,200.

Providence, R.I., is $5,200.

Mr. LAUSCHE. For how many children?

Mr. MAGNUSON. Five children.

Mr. LAUSCHE. And how much rent supplement would an individual be entitled to?

Mr. MAGNUSON. That would depend on the unit and the amount of income.

Spearfish, S. Dak., is $5,000 with five children.

Mr. GRUENING. What would it be in Alaska where the cost of living is the highest?

Mr. MAGNUSON. Alaska is the highest. For one person in Anchorage, it would be $4,600. For two, it would be $5,200. For three, it would be $5,800. For four, it would be $6,200. For five, it would be $6,400.

It is the same amount in Anchorage, Fairbanks, and Juneau. The lowest amount is provided in Puerto Rico.

Mr. ELLENDER. Mr. President, I have a few examples here that I would like to discuss.

In Roewack, Inc., New York City, there is a total of 92 units, 50 of which are entitled to rent supplements.

For a family of three with an income of $4,395, the monthly rent is $109, and the monthly supplement is $18.

For a family of four in that same housing development with an annual income of $2,500, the monthly rent is $124, and the monthly supplement would be $72. The tabulation goes down the line until it lists a family consisting of six individuals with a total income of $3,262. The rent for that family is $132 a month. The monthly supplement is $64.

Mr. LAUSCHE. The greater the number of children the larger the subsidy is.

Mr. MAGNUSON. That would usually be so, because the greater the number of children, the larger the unit, and the larger the burden.

Mr. LAUSCHE. In the Foreign Relations Committee we were arguing within the last few days about the absolute requirement to induce people around the world to limit the size of their families. And in the United States, the greater the number of children, the larger the subsidy will be.

Mr. ELLENDER. That is because they require more space and the rental per month would be greater.

Mr. MAGNUSON. Beyond this, there is the matter of eligibility. An individual can only qualify if he has been displaced by government action. If a person is an elderly individual—62 years of age or over—if either one is physically handicapped or if they are living in substandard housing or if his former or present dwelling has been destroyed by natural disaster, he would become eligible. He has to go through all of these eligibility tests before he can get into what we are talking about here.

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[1] All references to income refer to "rent base" income, or the income level which is used to calculate the amount of rent supplement payment.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. ELLENDER. The first project listed on this document is Roewack, Inc., of New York City. As I indicated awhile ago, that project has 92 units, the occupants of 50 of which are entitled to rent subsidy. The entire cost of this project, including the land, was $1,381,858.

The second project is Carolyn Foundation in New York. That project has 48 units on rent subsidies. The entire cost of the project was $597,316. The lowest rent supplement there is $19 per month, and the highest is $63.

In another unit, the Mobilization for Youth, New York City, there are 13 units, and six are subject to contracts for rent subsidies. That project costs $171,467.

There is another project located at 250 East 105th Street, New York City. There are 48 units in that project, 12 of which receive rent subsidy, and the entire cost of that project is $492,487.

There is then the Kate Maremont Foundation, New York. There are 135 units, 54 of which are under contract for rent subsidy. The cost of that project is $1,648,651.

There is then the Metro-North E. Harlem, New York, N.Y., project. That has 24 units, 10 of which are under rent subsidy. The cost of that project is $296,260.

There is another project, PITCH, Washington, D.C., which has 26 units, all under contract for supplemental rent, and the cost of that project is $228,684. In another project, in Cleveland, Ohio—Belvidere—where 21 families are under the supplemental rent agreement, the entire cost of the project was $176,918. The highest amount of rent paid by the Government in this project is $19 per month.

Mr. LAUSCHE. For how many families?

Mr. ELLENDER. Twenty-one all together. Twenty-one units. The 21 units cost $176,918. It is really a rehabilitation program.

Here is a family of two, with an income of $3,660.79. The rent is $95 a month, of which the Government pays $19.

In all the projects I have mentioned, old buildings were rehabilitated and reconstructed and made fit for occupancy by the people now occupying them.

Charlame Homes, in Roxbury, Mass., is a new project, in which there are 38 units, and the cost there was $612,600. The rent supplement there per month is much greater than in projects in which old buildings were rehabilitated. The monthly rent for a unit of four people is $165, and the rent supplement is $66 per month.

In the case of six people whose income aggregates $3,645 per year, the rent is $175 per month and the rent supplement is $77 per month.

Mr. President, at the bottom of this document, which I shall ask to have printed in the Record, it is indicated that the total annual income of all people occupying these buildings is $195,265.

Mr. LAUSCHE. A month?

Mr. ELLENDER. No. That is the entire annual income of all the people in these projects, and the average annual income is $2,750. The total annual rent supplement payment is $135,156, the total annual rent supplement payment is $435.15, or a total of $41.26 per month.

I ask unanimous consent that this document be printed at this point in the Record.

There being no objection, the document was ordered to be printed in the Record, as follows:

Department of Housing and Urban Development, Federal Housing Administration, Analysis of Occupied Rent Supplement Projects

For the 1,025 rent supplement units now under payment the average monthly supplement is $47.38. Of the 1,025 units all but 71 are included in Section 231 and 202 projects for the elderly. The 71 units are located in 9 projects. Two of the projects are 221 (d)(3) market rate with a total of 24 units supplemented and 7 of the projects are 221 (d)(3) BMIR with a total of 47 units supplemented. An analysis of the 71 units indicates that the average monthly rent supplement payment is $41.26. The average annual income of families served by these projects is $2,743. The 71 units do not, of course, represent a valid statistical sample. The rentals on the BMIR projects are considerably below the anticipated average rentals for all 221(d)(3) units. However, the rentals for the market rate project in Roxbury, Charlame Homes, are higher than the anticipated national average but the average supplement is $70.00 or $10.00 less than the average anticipated monthly supplement. A breakdown of the 71 units by project indicating the number of occupants, annual income, monthly rental, and monthly supplement follow:

ROEWACK, INC., NEW YORK, N.Y., PROJECT NO. 012-33505

Number of occupants	Annual income	Monthly rental	Monthly supplement
3	$4,395.00	$109.00	$18
4	2,500.00	124.00	72
1	2,500.00	104.00	52
5	5,370.00	132.00	20
2	3,398.00	109.00	38
6	3,711.00	139.00	62
4	4,376.00	124.00	33
1	3,000.00	86.00	24
1	2,859.00	86.00	27
1	2,781.00	86.00	28
6	3,262.00	132.00	64

CAROLYN FOUNDATION, NEW YORK, N.Y., PROJECT NO. 012-33504

2	$3,000.00	$89.00	$26
1	3,375.00	89.00	19
2	2,770.00	87.00	29
2	2,678.00	87.00	31
4	3,083.00	127.00	63
2	3,744.00	89.00	11
5	3,796.00	127.00	48
1	2,808.00	90.00	31
4	4,316.00	129.00	39
6	4,324.00	127.00	37
1	2,730.00	91.00	34
4	4,500.00	125.00	31
4	3,224.00	125.00	58
1	1,777.00	89.00	52

MOBILIZATION FOR YOUTH, NEW YORK, N.Y., PROJECT NO. 012-55048

4	$2,580.00	$135.00	$31
4	3,555.00	135.00	61
2	3,070.00	96.00	32

250 EAST 105TH ST., ASSOCIATION, NEW YORK, N.Y., PROJECT NO. 012-33507

Number of occupants	Annual income	Monthly rental	Monthly supplement
2	$2,208.00	$90.00	$44
1	1,908.00	87.00	47
1	1,779.00	86.00	49

KATE MAREMONT FOUNDATION, NEW YORK, N.Y., PROJECT NO. 012-33502

3	$2,754.00	$100.00	$43
7	2,484.00	111.00	38
1	1,349.00	78.00	50
5	4,268.00	110.00	21
2	1,714.00	96.00	60
1	1,002.00	72.00	51
3	2,999.00	94.00	32
6	4,025.00	104.00	20
2	3,432.00	91.00	20

METRO-NORTHEAST HARLEM, NEW YORK, N.Y., PROJECT NO. 012-33503

4	$4,160.00	$99.00	$12
2	3,600.00	93.00	18
1	2,758.00	91.00	34
1	2,320.00	94.00	46
1	2,175.00	96.00	51
2	1,814.00	103.00	65

PITCH, WASHINGTON, D.C., PROJECT NO. 000-55014

1	$1,176.00	$95.00	$48

BELVIDERE (HOPE), CLEVELAND, OHIO, PROJECT NO. 042-33001

3	$1,764.00	$107.25	$27
2	1,764.00	107.25	27
2	1,752.00	107.25	32
4	1,956.00	107.25	22
4	1,980.00	107.25	22
3	3,600.00	107.25	32
4	1,872.00	107.25	22
2	1,464.00	95.00	25
1	1,008.00	80.00	25
1	1,200.00	95.00	66
1	1,820.00	80.00	42
2	1,992.00	95.00	25
2	2,080.00	95.00	52
2	1,200.00	80.00	55
1	984.00	80.00	56
2	3,660.79	95.00	19
2	2,600.00	95.00	41
1	768.00	80.00	56

CHARLAME HOMES, ROXBURY, MASS., PROJECT NO. 023-35021

4	$3,156.80	$165.00	$66
6	3,645.60	175.00	77
4	3,050.40	165.00	67
6	4,086.00	175.00	77
4	3,614.00	150.00	83
3	2,340.00	150.00	52

Total families	71
Total annual income	$195,265.00
Average annual income	$2,750.00
Total annual rent supplement payments	$35,156.00
Average annual rent supplement payment	$495.15
Average monthly rent supplement payment (based on annual projection)	$41.26

Mr. ALLOTT. Mr. President, I shall be very brief, but I believe that two phases of the rent supplement program deserve some comment.

I am sure that the chairman of the committee will agree that when he was giving the figures for minimum incomes and rentals, the rentals may be increased by 25 percent in high-cost districts, and this should be made perfectly clear.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. In Cleveland, the building craftsmen procured a 40-percent increase in wages covering a 3-year period. They are earning now, let us say, $5.20 an hour. In 3 years, they will be earning $7.50 an hour, or $60 a day, plus fringe benefits. Will that wage increase have an impact upon the amount that the Federal Government will have to pay to subsidize the families that occupy new houses built by those craftsmen?

Mr. ALLOTT. Not without a revision of the regulations.

I raised this question with the Secretary in committee, because the rise in the cost of housing, as shown by their figures, is 3 percent. In consultation with private business people and builders, their opinion is that the annual increase in the cost of building is coming closer to 15 percent. So this poses one of the big problems with respect to the matter of rent supplements. I believe part of this question will be answered in my discussion. I do not believe that we can assume that we can continue the rent supplement program at its present level with the escalation in building costs.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. ALLOTT. I yield.

Mr. MURPHY. Do I correctly understand that the Government figures provided, say, for a 3-percent rise in cost——

Mr. ALLOTT. Of construction.

Mr. MURPHY. And the figures of the private contractors reflect 15 percent? In other words, between the figure of the private contractor and the figure of the Government, there is a discrepancy of 12 percent. Is my understanding correct?

Mr. ALLOTT. The Senator's understanding is correct.

I must say that I have not taken a survey of all contractors and builders, but I have spoken with two or three in whom I have confidence, and I know what they are doing. They have been very successful. But they say that it is nearer 15 percent, although the Senator will find in the record a statement made by HUD that the annual increase is 3 percent. I find this out of the realm of possibility.

Mr. MURPHY. I might suggest that HUD has not built enough housing to find out what the rise in rent should be.

Mr. ALLOTT. I agree with the Senator.

Mr. President, I invite the committee's attention—because this is probably the only opportunity I shall have to do so—to two serious defects in the whole area of rent supplement programs. What I shall say will point up an inequity. Unless the Subcommittee on Housing and Urban Development, headed by the distinguished Senator from Alabama [Mr. SPARKMAN], does something to correct the situation, it will plague us.

I have selected three typical situations, any one of which could exist, no matter which one of the categories the chairman cited a few moments ago was used.

I have selected, for example, a small city in Colorado, Canon City, having a population of about 8,000. The example is based on a family of four—that is, two children living with their parents. They would be eligible for the rent supplement program if their annual income was under $4,000.

Without the 25-percent high-cost differential—and I shall skip that point for a moment—and with a two-bedroom unit, the maximum total rent for the unit may be up to $120 a month, or $1,440 annually.

If the tenant is earning the maximum allowed—$4,000—he will contribute 25 percent of his income, which is $1,000, and the annual rent supplement will be $440.

Now we come to the crux of the problem. He will stay under the rent supplement program until 25 percent of his income amounts to the total rent of $1,440, which means until his annual earnings rise to $5.760. In other words, a man and his wife and two children, living in a two-bedroom unit, and earning $4,000, can benefit from the rent supplement program.

It is true that as his income rises, his rent supplement will be lower, but he can still receive the supplement until his income reaches $5,760.

If in the same building or across the street live a man, his wife, and their two children—the same sized family—they will not be eligible for the rent supplement program if the annual earnings are even $1 above $4,000; with three children and his wife, above $4,200 a year; and with five children and his wife, a family of seven or more, if he is earning any amount above $4,600.

So while the family of four, which can qualify under the rent supplement program today, may continue to receive partial rent payments until the annual income reaches $5,760, the much larger family in the neighborhood, not qualifying at the moment, but earning $1,000 less annually, will not be eligible for the program. If the rent subsidy is for a three-bedroom unit, a family of seven or more and earning $2,000 less would not be eligible. Yet the family whose annual earnings originally were under $4,000 may still remain in the rent supplement program, even though the amount of the supplment decreases.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. What was the reason for that apparent inequity?

Mr. ALLOTT. It is not an apparent inequity. It is a real inequity.

Mr. LAUSCHE. Why does the Senator permit the law to be so written?

Mr. ALLOTT. Why do I?

Mr. LAUSCHE. Why does the committee allow the law to be so written?

Mr. ALLOTT. I do not know. We have to ask the committee that question. I have called this to the attention of the Senate because I think it is going to pose many problems that this Congress will have to answer. Congress is going to have to answer why a man who makes $3,999, in this instance, is allowed to continue on the rent supplement program until his income reaches $5,760, when a man across the street, as this program starts, and is now making $4,200, is never entitled to any supplement.

Mr. CASE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. CASE. Mr. President, I think the Senator from Colorado is performing a proper and useful service.

I think there are a couple of reasons for this apparent inequity, if one is permitted. First, it is not desired to discourage people from increasing their income and making efforts to do so. I think this has a very substantial social value. Another reason would be to keep a certain amount of stability in a family structure and home despite the fluctuations in income. I do not say this is the ideal way to handle the matter and attain those objectives, and I do not quarrel with the Senator from Colorado in stating the facts and setting out the law. However, I think it is not as completely senseless as some persons may think on the first statement of the matter.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. JAVITS. I thank the Senator for yielding. I shall not repeat the reasons given by the Senator from New Jersey [Mr. CASE] but it is a fact that the rent supplement program is an effort to phase in, and it is a new way of dealing with families of low income in this traditional public housing clime, and a new method to remove some of the old deficiencies.

Thus, we made the program experimental and limited it to those to whom it may apply. It is sound to deal with people on a basis of not just cutting them off and throwing them out. This is a sound principle. Naturally, when we phase from one principle which is less sound to one that is more sound there will be differences in treatment between peoples. I believe that a broader public program is being achieved. We must give it a chance to phase in and to take the place of the old program.

Mr. LAUSCHE. Mr. President, I am sorry that I interrupted. I wish the Senator from Colorado would continue his description of the inequities that will result.

Mr. ALLOTT. The next situation is taken from Rochester, N.Y. A family of four is eligible if the earnings are under $5,000. A two-bedroom unit may be rented for up to $1,440 annually, this being the highest cost area, at 25 percent. The differential which I discussed a while ago would probably be applied so that the total rent would be $1,700. Under the higher rent the four-member family entering the rent supplement program with an income of $5,000 may increase its earnings up to $6,800 and still rent under the subsidy, understanding that this subsidy reduces as the income goes up. A six-member family with four children would not be eligible for the program if their income exceeded $5,700 or over $1,000 less than the subsidized family. A family of seven or more, which would be five or more children, would not be eligible if their earnings exceeded $6,100.

Without the differential of 25 percent, the total rent being $1,440, a family of four may earn up to $5,760, and still receive the rent subsidy, while a family of five earning $5,300, or $460 less, would not be eligible for the program.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. Could the bill be corrected to remove those inequities?

Mr. ALLOTT. It could be, and I would be happy to join the Senator in such an effort.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. ELLENDER. Is that not a regulation? It is not in the law, but it is a regulation.

Mr. ALLOTT. It may be.

Mr. ELLENDER. I am certain it is.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. FULBRIGHT. Mr. President, I wish to ask a question on that point. Is it the Senator's idea that this bill or regulation should be so constructed as to give an incentive for larger families and a larger population?

Mr. ALLOTT. I am not going in that direction.

Mr. FULBRIGHT. The illustration which the Senator gave would seem to indicate that would be the effect.

Mr. ALLOTT. The Senator has just come into the Chamber, I realize. I was trying to illustrate that a person in any given situation may get on the rent supplement program and continue on it until his income gets considerably higher, and the man who happens to be even $1 over the minimum set by the Department can never get on it as long as his income remains that high and he may be making as much as $3,000 or less as the man on the rent supplement program, but never be eligible.

This is the thrust of these illustrations. I am not advocating another population boom.

Mr. FULBRIGHT. I thank the Senator. I wanted to be clear on that point.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. In the absence of the Senator from Arkansas I made the statement that the Committee on Foreign Relations today had under discussion ways and means of influencing people living in undeveloped countries to have fewer children. I followed that by asking whether this bill does not contain provisions encouraging more children in order to procure more rental subsidies and the answer is "yes."

Mr. ALLOTT. Mr. President, I shall cite one last example very quickly. I have chosen the city of Freeport, Ill. In this instance a family of four is eligible for the rent supplement program if earnings are under $4,600, for a two-bedroom apartment; the rent may be up to $1,440 annually, so that family will stay under the rent supplement program until they are earning in excess of $5,760.

On the other hand, a family of seven or more, that would be five children, would not be eligible for a rent supplement if they were earning $1 in excess of $5,400, even though a man with two children who had gotten in under a rent supplement program already would be earning $360 more a year than he was.

I want to make one point clear with respect to the examples I have used. There are literally hundreds of other examples given because of the minimum salaries in the figures presented to us by the Department of Housing and Urban Development. The same thing that we have discussed here with these particular figures will apply in each and every instance throughout the United States.

Thus, I do not want it to be thought that I have just selected three isolated examples. When the people of this country start coming to Senators and asking them why John Jones across the street, who is making more money than they are, gets a rent supplement, and they do not, those Senators had better be prepared to answer.

Mr. President, I am glad that the Senator from New Jersey [Mr. CASE] is in the Chamber because there is one other situation in the rent supplement program about which there has been many misunderstandings. First, of all, that the financing of it is not private enterprise. Anyone who thinks that it is has only to read the record to show that it is not, that almost 100 percent of the financing of these programs, so far, has been by public funds. But there is another situation here which the Senate should understand and know about.

During the hearings—and I quote from page 226—Mr. Brownstein, the administrator of the program, stated:

> For a three or more bedroom unit, the maximum rental is $140 a month, except in high cost areas where that may be increased by 25 percent. But in no case could it be over $175 a month for three or more bedrooms.
>
> [P. 227]
>
> Senator ALLOTT. Why do you have the 25 percent, then? Why do you go into a proposition that would have such an extra value that you would have to put a 25-percent swing in there?
>
> Mr. BROWNSTEIN. Because there are many areas where you cannot produce a three or more bedroom unit to rent for $140 a month, and *as a matter of fact there are a lot where you cannot produce them for $175 a month. There are areas where you cannot build rent supplement units because our limitations are too rigid.*
>
> Senator ELLENDER. Where would those areas be?
>
> Mr. BROWNSTEIN. Principally the large metropolitan areas.
>
> Senator ELLENDER. Is that because of high costs?
>
> Mr. BROWNSTEIN. High land costs. And also it is extremely difficult to build high rise construction under these limitations. High rise construction is more expensive. And any place where you have to go high rise—which of course are principally your large metropolitan areas—it is very difficult, unless you get some land write-down, tax abatement, or something of this nature, to build even under our present limitations.
>
> [P. 249]
>
> Senator ALLOTT. Now, this being the case, since we have had all of our troubles in our metropolitan areas, how is the rent supplement going to help these areas?
>
> Secretary WEAVER. It's already helping them because we are using this in these areas, largely rehabilitation projects, and particularly it is adaptable here, because we can often get larger units than we could construct otherwise.
>
> Senator ALLOTT. But as far as any concept of new housing, as was talked about and discussed under the rent supplement program, basically because of land costs this would not be possible under the limitations.
>
> [P. 250]
>
> Secretary WEAVER. I would not go that far. I would say that we do have extenuating circumstances which sometime makes it possible. If we go into urban renewal—if you go in cities like New York, certain parts of New Jersey, where you have tax adjustment, it becomes a possibility. But otherwise, *in a high-cost area where land costs are high, and where you have to go up with multiple dwellings in the central part of these cities, it's extremely difficult.*

At this point, my good friend, the Senator from New Jersey [Mr. CASE] interposed and said:

> [P. 256]
>
> I understand that a reference has been made to the fact that the $175 limit on the rent subsidy program would exclude certain high cost areas.
>
> If I may be a little parochial—do you mean Newark, Essex County?
>
> Mr. BROWNSTEIN. It would be difficult, Senator Case, to build new construction, conventional high rise, in Newark, with these limitations. However, this would not rule out the possibility of rehabilitation in a city such as Newark.
>
> Senator CASE. We're talking about rent supplement now. Do you regard the present law as not really effective for places like Newark?
>
> Mr. BROWNSTEIN. First, let me say these limitations are regulatory; they are not statutory. But they were put in because of the obvious congressional intent that higher income limits and higher rentals would have to be excluded.
>
> *I do think that it cannot be totally effective.*
>
> Senator CASE. You cannot now put rent supplement projects, three bedroom units, in the city of Newark under new construction?
>
> Mr. BROWNSTEIN. If you can find some sites, perhaps in some renewal areas where you can have walkup construction, I think you can. It would be difficult to build high rise without some other assistance.
>
> [P. 257]
>
> Senator CASE. How about Manhattan Island?
>
> Mr. BROWNSTEIN. Same problem as this. Probably even aggravated; Chicago is another high cost area. Again, when we get into these areas, we encourage rehabilitation.

Mr. President, thus, my only point in reading this rather lengthy exchange is to say to those who expect to see a cure to the so-called ghetto problem in big cities, except for rehabilitation where rentals will be applied, are not going to see the restructuring or the tearing down of old buildings and rebuilding of the new under this program because the cost is just too high.

Mr. CASE. Mr. President, will the Senator from Colorado permit me an interposition at this point?

Mr. ALLOTT. I am happy to yield to the Senator from New Jersey.

Mr. CASE. The Senator is always very kind. I am very glad that the Senator brought this matter to our attention. It is one which has concerned me, the Senator from New York, and other representatives of States with large, high-cost municipalities. I hope that the program, in due course, will be broadened to take care of areas like Newark, not only for rehabilitation, which can be dealt with, apparently, in the situation where the land cost can be brought down by urban renewal, and other things, but also on this kind of construction. If this is not done, it will be a serious defect in the program. I appreciate very much the Senator's bringing it up.

Mr. ALLOTT. I know that the Senator from New Jersey is very much concerned about this matter because of his questions in committee. I thought that it would be wise, while we are on the subject, to bring it out.

Mr. JAVITS. Mr. President, I am glad that the Senator should make that point. One of the things which has happened to the rent supplement program that should be interesting to all members is that really, today, as it now stands, it is much more applicable to the smaller places than to areas like those the Senator from New Jersey and myself represent.

The fact is, however, that of the over 400 projects approved today, 30 percent have been in cities of less than 20,000, 23 percent in cities of 20,000 to 50,000, 25 percent in cities of 50,000 to 100,000, and only 16 percent in cities over 200,000.

The reason for my interest in this—the Senator from New Jersey [Mr. CASE] has just made that point—is that we hope for development of the program so that more and more it takes the place of public housing. Then perhaps the big cities like ours may be able to realize some important participation in it. So far this program has been of much greater benefit to the smaller cities than to any of the megalopoli in the country.

Mr. ALLOTT. The figures cited were, almost 100 percent, figures representing housing for the elderly.

Mr. JAVITS. Fine. The question is, Why are we so interested? We are looking forward——

Mr. ALLOTT. That is under a special provision of the act.

Mr. JAVITS. That is about all that is being done. We are hopeful for the future.

Mr. ALLOTT. My only purpose in raising the question is that we have heard so much discussion on the floor about removing ghettos from the cities. Frankly speaking, as I look at this program, I thought it was wise to put the Senate on guard. I cannot see it under the present program, except in those few instances that Commissioner Brownstein referred to, where there are particular land concessions.

Mr. JAVITS. I cannot see it under all the programs we have, except that we are making progress. We are trying to make dents in the problem. We are trying to make some progress.

If the Senator talks about discrimination, if I have 64 clients, as compared with one for whom we can get a housing unit, the 64 are discriminated against. But we are doing the best we can. We want to go forward.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MURPHY. This question may have been asked and answered, and I may have been out of the Chamber when that was done. Have there been any figures made available as to the administrative cost of this program?

Mr. ALLOTT. I am informed that they cannot judge that at this time, because much of this is done under FHA insurance programs. There is in the bill at the present time a provision for $1,150,000, which is just to pay the policymakers of the program. Frankly, I think that is mostly an estimate.

Mr. MURPHY. That is $1,150,000 out of possibly $40 million. Is that right?

Mr. ALLOTT. Yes.

Mr. MURPHY. This is only for the policymakers. The reason for my question is that I wonder if we are getting into the same situation we had trouble with in the poverty program, where we found that the "tuning up" process had cost us nearly $5 million, and when we ask about results it is difficult for the members of the committee to get direct answers. We are still not sure how much it costs to send a boy and girl to a work program. We wonder about the actual cost per unit for individual families, whether this has worked out properly, or whether this is a wonderful idea. We all agree it is, but we wonder if more research and development and adjustment should be had before it is adopted.

Mr. ALLOTT. It needs all of that, and it needs some hard senatorial inquisition before we will know where we are.

Mr. MURPHY. I thank the Senator.

Mr. ALLOTT. Mr. President, I yield the floor.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Colorado [Mr. ALLOTT] cited several cases showing how the escalation clause in the rent supplement program worked. I have an instance showing how a person could receive an annual income of $8,400 and still be eligible for rent supplements.

In the independent offices appropriation hearings, part 2, pages 234 to 242, 18 cities are listed by the Department of Housing and Urban Development as being the highest rental areas, for which income limits for a rent supplement applicant with five or more children are set at $6,000 or $6,100 annual income.

FHA Administrator Brownstein testified on page 226 of this hearing that—

> For a three or more bedroom unit, the maximum rental is $140 a month, except in high cost areas where that may be increased by 25 percent. But in no case could it be over $175 a month for three or more bedrooms.

Senator ALLOTT asked—on page 242 of this hearing—what would happen in New York, where the income limit for applicants with five children is $6,100 per year, when the income of the rent supplement recipient increased to $7,000 per annum. FHA Administrator Brownstein replied:

> He will then pay 25% of $7,000—

And added that the recipient would continue to receive the benefit of rent supplement payments until he reached the economic rent.

Thus, until 25 percent of the family income amounts to the total rent, the recipient stays under the rent supplement program, even though he could not have successfully applied for the rent supplement program if his total annual income exceeded $6,100. In the case of the man in a high rental area with five or more children, he will continue, then, to receive rent supplement payments until his annual income reaches $8,400.

I ask unanimous consent that a list of the 18 cities be printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

RENT SUPPLEMENT

The following are the 18 cities listed by HUD as being in the highest rental areas, for which income limits for rent supplement applicants with five or more children are $6,000 or $6,100 annual income:

San Francisco, Calif	$6,100
Farmington, Conn	6,000
New Britain, Conn	6,100
Norwalk, Conn	6,100
New London, Conn	6,100
Rockford, Ill	6,000
Rock Island, Ill	6,000
Gary, Ind	6,000
Lansing, Mich	6,000
St. Louis, Mo	6,100
Bayonne, N.J	6,000
Paterson, N.J	6,100
New York, N.Y	6,100
Ossining, N.Y	6,100
Rochester, N.Y	6,100
Syracuse, N.Y	6,000
Yonkers, N.Y	6,100
Freeport, N.Y	6,100

Mr. MILLER. Mr. President, I shall support the rent supplement program appropriation as now before the Senate.

Two years ago, when this program was first established, I voted against it. My principal reason for doing so was the failure of the bill and the failure of the administrative agency to provide for uniform and equitable standards regarding the income and property of those who would be eligible to qualify for rent supplements. I offered an amendment during the debate on the bill which would have provided for such uniformity and equity, but unfortunately it was not accepted by the Senate. A careful reading of the CONGRESSIONAL RECORD, volume 111, part 12, pages 16165–16166, will reveal the defects which I was concerned over and the lack of responsiveness to my objections on the part of the manager of the bill, the former Senator from Illinois. It was this lack of responsiveness which was most persuasive to me that the points I had raised were valid.

Apparently the administrators of the rent supplement program in the Department of Housing and Urban Development recognized the defects that existed, and so even though the Congress fell down on the job of correcting them, the administrative agency has done something about it.

I have a letter dated August 29, 1967, from Mr. P. N. Brownstein, Assistant Secretary, Department of Housing and Urban Development, and I ask unanimous consent that an extract from this letter be printed in the RECORD at this point in my remarks. I also ask that extracts from pages 10, 11, and 12 of the FHA "Public Information Guide and Instruction Handbook" be printed in the RECORD.

There being no objection, the letter

and extracts were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL HOUSING ADMINISTRATION,
Washington, D.C., August 29, 1967.
Hon. JACK R. MILLER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MILLER: In our recent conversation you asked for an explanation of the way in which family income is defined for purposes of establishing the eligibility of families to receive supplements under the rent supplement program. You also expressed interest in the extent to which this is being utilized to assist elderly families or individuals of low income. I am glad to supply the information you requested in this letter.

As you know, to be eligible to have his rent supplemented under the rent supplement program a family or individual must be in one of the following categories: (1) he must have been displaced by governmental action, such as urban renewal, code enforcement, highway development, etc.; (2) either he or his spouse must be 62 years of age or older; (3) either he or his spouse must be physically handicapped; (4) he must be now living in substandard housing; or (5) his present or former dwelling must have been destroyed or extensively damaged by natural disaster in an area determined by the Small Business Administration to be a disaster area. In addition to meeting one of the above criteria, to be eligible for rent supplement payments, an individual or family must have income and assets within the limits prescribed.

The income ceilings which are being used to establish eligibility for rent supplements are in no instance higher than the income limits in the same locality for admission of regular tenants to public housing. In some cases, the rent supplement limits are below the comparable public housing limits. In determining whether or not a family or individual is eligible for rent supplements, gross income from all sources, before taxes or withholding, of all members of the household who will live in the unit are counted. No deductions from gross income are allowed for dependents. Moreover, gross income includes any income received by the family, whether taxable or not.

To be eligible for rent supplements the total assets of the individual or family cannot exceed $2,000 unless the applicant is 62 years of age or older, in which case his assets may total no more than $5,000. This asset limitation applies both at the time of initial occupancy and also when incomes and assets are subsequently reviewed annually for other than elderly tenants. The statute exempts elderly tenants from income recertification.

Any substantial gift which the family might receive, or non-taxable capital gain, would not only be counted as part of gross income for eligibility purposes, but would also quite probably bring the individual or family assets above asset limitations.

You also inquired about the use of the rent supplement program for the elderly. The answer is that the rent supplement program is ideally suited to serve the housing needs of elderly individuals or families of low income. We encourage such use, and it is, in fact, being used extensively for this purpose.

As I have indicated, one of the criteria which establishes eligibility for rent supplements is the fact that a member of the household is 62 years of age or over. Also we permit and encourage private sponsors of rent supplement projects to design some or all of the units in a project for elderly families or individuals.

* * * * *

From many expressions of interest, we hope that in the years ahead the rent supplement program will become established as a major housing resource for elderly persons.

I appreciate the opportunity to supply you with this information.

Sincerely yours,

P. N. BROWNSTEIN,
Assistant Secretary-Commissioner.

EXCERPTS FROM RENT SUPPLEMENT PROGRAM TENANTS

XVI. Eligible tenants

Owners of rent supplement projects will be responsible for selecting tenants, and may rent units to families or individuals who can afford to pay full market rents or to families and individuals eligible to receive rent supplements. There is no established proportion of tenants payng market rents and those receiving rent supplements. The proportion may vary from project to project.

The law provides that a tenant must meet certain eligibility tests before he can receive rent supplements. First, his income must be within the income group served by public housing. Second, he must qualify under one of the following categories: (1) he must have been displaced by governmental action, such as urban renewal, code enforcement, highway development, etc.; (2) either he or his spouse must be 62 years of age or older; (3) either he or his spouse must be physically handicapped; (4) he must now be living in substandard housing; or (5) his present or former dwelling must have been destroyed or extensively damaged by natural disaster in an area determined by the Small Business Administration since April 1, 1965, to be a disaster area.

A handicapped person is one who has a physical impairment which is expected to be of long-continued and indefinite duration, which substantially impedes his ability to live independently, and which is of such a nature that his ability to live independently could be improved by more suitable housing conditions.

Satisfactory evidence that an applicant is eligible for rent supplements must be submitted for approval by FHA. If an applicant claims that he is now living in substandard housing, or that his house has been destroyed or damaged, the FHA insuring office (or an appropriate local agency with which FHA has made arrangements) will make a physical inspection of his present housing, using Form 2502 for this purpose.

XVII. Income limits

The Department of Housing and Urban Development has established income ceilings in cities with a population of more than 250,000 and in a number of smaller cities. These income limits are in no instance higher than the income limits in the same locality for admission of regular tenants to public housing. In a few cases, the rent supplement income limits are below the comparable public housing limits.

In localities where there is no public housing authority, income limits for rent supplements are based on available rental information and the income limits for public housing in a nearby locality having comparable cost levels.

In determining whether or not a family or individual is eligible for rent supplements, gross income from all sources, before taxes or withholding, of all members of the household who propose to live in the unit will be counted. Income of children or other dependents who will live in the unit should be included. No deductions from gross income will be allowed for dependents.

If two or more eligible single persons (such as elderly individuals) want to live together in the same unit, their income will be added together for purposes of determining rent supplement eligibility.

Current gross income will be derived by reviewing reported income for the previous 12 months and estimated income for the next 12 months, and making an adjustment for unusual or temporary income which will not be forthcoming during the current 12-month period.

XVIII. Asset limitations

In addition to restricting gross income to the limits established for a family or household of a certain size or for a single individual, an examination will be made of each applicant's assets before he is approved for rent supplements.

Total assets cannot exceed $2,000 unless the applicant is 62 years of age or older, in which case his assets may total $5,000. The asset limitation is higher for elderly than for other tenants because elderly persons must often rely on savings to supplement social security or other retirement to pay current living expenses.

Furniture, clothing, and personal property will not be counted as assets for the purpose of determining eligibility. The estimated value of any automobiles or real estate owned by members of the household, less indebtedness, will be included in total assets.

XXI. Rent supplement amount

The amount of each rent supplement will be based on the difference between 25 percent of the income of the eligible family or individual and the FHA approved rental for the living unit occupied. The amount of the supplement will be rounded to the nearest dollar. Amounts from 01c through 50c will be rounded down to the next lower dollar, and amounts of 51c through 99c will be rounded up to the next higher dollar.

Although gross income will be used to determine eligibility for rent supplements, the following deductions from gross income will be permitted in determining the amount of the rent supplement payments, such as:

1. Not to exceed $300 of any income earned per annum by each working member of the family under 18 years of age.
2. Continuing cost (as established by FHA) attributable to a permanent disability or chronic illness which is not compensated by insurance or otherwise.
3. Expenses incurred for the care of children under 13 years of age if necessary to the employment of a wage earner in a household.

Mr. MILLER. Mr. President, it will be noted that uniformity has been established and, further, that standards of income and property have been established which substantially cover the objections I raised in 1965. Although I believe that these standards can and should be made still tighter to accord even more with the concept of "economic family income." I am satisfied that the Department has done a conscientious job of trying to administer the program in such a way as to benefit those genuinely in need and to not overreach on the taxpayers who are paying for the program.

For this reason, I shall vote "yea." But in doing so, I wish to make it clear that I expect the regulations of the Federal Housing Administration to be promptly amended to put a stop to the possibility of inequities occurring such as those to which the Senate's attention was called by the Senator from Colorado. I also think that priorities should be established among eligibles so that disabled and older people will receive first priority.

Actually, if these classes of citizens were the only ones who were eligible, the inequities pointed out by the Senator from Colorado would seldom occur.

Mr. President, in view of the debate that has occurred since I requested the yeas and nays on the pending amendment——

Mr. MAGNUSON. The yeas and nays have been ordered.

Mr. MILLER. The yeas and nays were ordered, but in view of the debate that has occurred since that time, I now ask unanimous consent that the order for the yeas and nays be rescinded.

Mr. MAGNUSON. Mr. President, I hope we will have the yeas and nays.

The PRESIDING OFFICER. Objection is heard.

Mr. MAGNUSON. Many Senators wish to express their opinions on the recommended amount, and I hope we will have a rollcall vote.

Mr. MILLER. Mr. President——

Mr. MAGNUSON. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from Washington has the floor.

Mr. MAGNUSON. Had the Senator finished his request?

Mr. MILLER. I would like to respond to the statement of the Senator from Washington.

I made the request for the convenience of some of my fellow Senators. If somebody else wishes to have the yeas and nays ordered, that is all right with me. However, I have been satisfied, as a result of the debate that has occurred since I requested the yeas and nays.

Because I did request the yeas and nays, I thought it would only be a courtesy to my fellow Senators to ask unanimous consent that the order be rescinded.

Mr. MAGNUSON. The RECORD will show that it is not the Senator from Iowa, but the committee, that requires the yeas and nays on this amendment.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. The pending business is the committee amendment; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MAGNUSON. And a "yea" vote would be a vote for the committee amendment, for $40 million?

The PRESIDING OFFICER. The Senator is correct.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. GRIFFIN. Mr. President, when the rent supplement program was first authorized in 1965, I voted against it. However, Congress has worked its will, and I was in the minority. Today we are considering an appropriation bill to fund a program that is established and ongoing.

I continue to have serious reservations about this program, but it has been born, and I do not believe it should now be choked or starved to death before we can see how it works. If the program is limited and kept within bounds, it may serve a useful purpose.

I wish, however, to emphasize that so far as I am concerned, a rent supplement program cannot be considered or treated as a substitute for legislation to promote homeownership. Over the long run, I am convinced that we would be better off as a Nation to focus attention upon programs that will make homeowners of the poor, instead of renters.

Mr. RIBICOFF. Mr. President, many nonprofit organizations engaged in helping low-income families obtain decent housing are concerned that a provision in the Appropriations Committee report on the Department of Housing and Urban Development would, in effect, put them out of business.

The provision requires nonprofit organizations to provide a 5-percent equity investment in rent supplement projects.

This would impose a severe hardship on many organizations whose good will and energy are essential to providing better housing in our cities.

I want to make clear that this provision, while part of the report, is not contained in the legislation before us. To my mind, this provision certainly does not represent the sense of the Senate.

Mr. HART. Mr. President, I join the Senator from Minnesota [Mr. MONDALE], the Senator from New York [Mr. JAVITS] and the other Senators who have expressed concern regarding the language of the committee report which seeks to require a 5 percent equity investment on the part of nonprofit sponsors of rent supplement projects.

Of course, I was pleased that the committee has recommended that the contract authority be continued at a level of $40 million for the present fiscal year. This is a program that helps to meet in a significant way the housing needs of low-income families. But many worthy sponsors would be unable to participate if the committee report were not to be questioned.

For instance, in my own State of Michigan numerous church-related and co-op sponsors will find it impossible to make a 5 percent investment. These are organizations with a long history of services, particularly to the elderly poor for whom rent supplement can mean living out their lives in dignity in decent housing.

Mr. President I would hope that before the Department of Housing and Urban Development was instructed to revise its criteria, there would be ample opportunity for the nonprofit sponsors to be heard, so that we would have the benefit of their experience to guide us.

Mr. KENNEDY of New York. Mr. President, I want to join in indicating my belief that the provision in the committee report on the pending bill for a 5-percent equity requirement does not reflect the intent of Congress. The 5-percent equity requirement would seriously endanger the participation of nonprofit groups in the rent supplement program. There is no basis for this requirement in the law, and I hope that our colloquy today can serve to nullify the language which the committee added.

I have been advised by some nonprofit organizations—particularly churches—that they have had considerable difficulty in raising the seed money, architects' fees, attorneys' fees, option costs and so on that they have to raise under existing practice in order to participate in a rent supplement project. Their motivation in participating in such a project is social concern, and not the making of a profit. To require them to put up 5 percent of the equity would serve no useful purpose. It would only discourage the participation of nonprofit organizations in the rent supplement program. I believe there is no justification for the committee's language in any provision of law, and I trust that this expression as well as the remarks of other Senators will indicate to the Department of Housing and Urban Development that the committee was not speaking for the Senate as a body in referring to the 5 percent requirement.

THE RENT SUPPLEMENT PROGRAM STRENGTHENS SOUTH DAKOTA AND THE NATION

Mr. McGOVERN. Mr. President, we have arrived at another decision point for the rent supplement program.

For us, it is also a time to stand and be counted.

The eyes of the Nation's low-income families—especially those trapped in the slums and ghettos—are looking to us.

They have their expectations, and we, in conscience, cannot dash them down.

Providing decent housing for poor families is a problem of long standing. Every country has it, and each must deal with it. But it is our country, yours and mine, which concerns me.

Public housing has helped, but it has not done the job which we require.

About four and a half million homes in our cities are run down or caught in the decay spiral.

The case has been adequately documented as to economic whys and wherefors of this. Poor families simply cannot afford to pay rents needed to sustain the properties.

We have to deal effectively with this problem, and do so now. None of our program resources in this area should be permitted to lapse.

We need to provide adequate funds if the rent supplement program is to be able to make a sizable contribution in bettering the housing conditions of low-income Americans.

The low-income housing plight is not solely an urban problem. Small towns and other communities have their share.

I am sure that virtually every member of the Senate can find examples of application of the rent supplement program to small and large cities in his State.

There are only four States that are not represented in the program.

In South Dakota, I am pleased to say, we have nine projects being developed by nonprofit and limited dividend sponsors to serve four communities.

These are not huge projects. The communities are relatively small. But numbers and sizes do not make the trials of substandard housing less real or easier to endure for less fortunate citizens there.

We in South Dakota are seeing to it that some 150 low-income families get a better break in housing. We are doing what we can to help them do what they can to move up the economic ladder.

The program provides partial rent supplement payments to owners of private housing to make modest, decent housing available for eligible low-income families—those who meet public housing eligibility income limits.

It is completely oriented to work within the private sector for development, financing, ownership and operation, and it does not dislocate families if they make a step up in life.

The rent supplement program is a good program, and it can work to help our people, towns and cities.

But, it cannot do the job unless we provide the funds.

I urge full support of the Senate in backing the President's appropriations request for the rent supplement program.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER] is necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. DOMINICK] and the Senator from Oregon [Mr. HATFIELD] are necessarily absent.

The Senator from Wyoming [Mr. HANSEN] and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from California [Mr. KUCHEL] is absent by leave of the Senate.

If present and voting, the Senator from Texas [Mr. TOWER] would vote "nay."

On this vote, the Senator from Oregon [Mr. HATFIELD] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Oregon would vote "yea" and the Senator from Colorado would vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from Wyoming [Mr. HANSEN]. If present and voting, the Senator from California would vote "yea" and the Senator from Wyoming would vote "nay."

The result was announced—yeas 59, nays 31, as follows:

[No. 260 Leg.]

YEAS—59

Aiken
Anderson
Bartlett
Bayh
Boggs
Brooke
Burdick
Case
Church
Clark
Cooper
Dirksen
Dodd
Ellender
Fong
Fulbright
Griffin
Gruening
Harris
Hart
Hartke
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Tydings
Yarborough
Young, Ohio

NAYS—31

Allott
Baker
Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Eastland
Ervin
Fannin
Gore
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Mundt
Russell
Spong
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NOT VOTING—10

Brewster
Dominick
Hansen
Hatfield
Hayden
Kuchel
Smathers
Symington
Tower
Williams, N.J.

So the committee amendment was agreed to.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MUSKIE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRUENING. Mr. President, the independent offices and Department of Housing and Urban Development appropriation bill, H.R. 9960, which we are considering, as reported by the Senate Appropriations Committee contains the Senate Committee's recommendation for an appropriation of $1 million to start the funding of the construction of housing for Alaskan natives. This sum implements section 1004, of Public Law 89–754, title X of the Demonstration Cities and Metropolitan Development Act of 1966, which was authored by my able colleague from Alaska [Mr. BARTLETT].

Funding of the start of the $10 million program in Alaska was requested in the President's budget. When the House considered the item earlier this year, the State of Alaska had not yet completed plans for the remote housing program and the amount was passed over. Subsequently the State developed its program and reported on its progress to the Senate Appropriations Committee. The amount requested is modest, but it will enable the State and the Federal Government to take advantage of the 1968 construction season.

I am pleased that the State has developed its program and can proceed without further delay. If Congress concurs in the addition of the start of funding for the Alaska remote housing program, the work can begin next year. If further delay in the authorized funding is experienced, the program will be set back yet another year, and desirable improvements in Alaska native housing will be delayed.

In Alaska, today, the State is now ready to move forward. The situation is one of preparation and anticipation. With the start of funding, Secretary Robert Weaver can direct his Department of Housing and Urban Development to make housing loans and grants to the Alaska State Housing Authority the cost of which, with related facilities, will not exceed a $7,500 average per unit. Mutual help and self-help will be encouraged where feasible. Grants cannot exceed 75 percent of the aggregate cost of housing and related facilities.

In too much of Alaska housing is substandard. The appropriation contained in H.R. 9960 will make it possible to start to correct this situation. More than 100 dwelling units would be funded. I support its addition by the Senate Appropriations Committee and hope it can be retained.

Mr. MAGNUSON. Mr. President, the next amendment is on page 39 and involves the Housing and Urban Development.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 39, line 9, after the word "Secretary", to strike out "$1,000,000" and insert "$1,150,000".

TRIBUTE TO DUKE ZELLER

Mr. DIRKSEN. Mr. President, when a Senator has a birthday or becomes a grandfather or achieves something of great significance or, perhaps, becomes a lonesome end, we must take account of it. And we salute him in the spirit of tribute.

I am afraid that too often we forget that humble group of helpers in this Chamber who have made life so livable and made our effort a little more expeditious and a little more efficient.

I brought a young man here 10 years ago. He became a page. Then he became an ambassador of the pages. He then went to Dartmouth College and later came back to the cloakroom.

In all of this period of time, he has gained for himself a very notable list of awards and honors and memberships. He is leaving today. He is going to work for the National Alcoholic Beverage Control Board. I am pleased to say that his salary will probably be at least double what he receives at present. I think they recognize his worth, his diligence, his personality, and his devotion to duty. He leaves tonight, and I believe his mother is in the gallery.

I just want to say, Duke, Godspeed and farewell.

I am speaking of Duke Zeller, who has labored so long and earnestly in the Republican cloakroom.

Mr. President, I believe the Senate ought to salute one of its own. [Applause.]

Mr. PERCY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. PERCY. Mr. President, I am most happy to join my distinguished senior colleague from Illinois [Mr. DIRKSEN] in wishing Duke Zeller well on his departure for the private sector after 10 years' service to the U.S. Senate. Duke is a son of Illinois, and since his appointment as a Republican page by Senator DIRKSEN in 1957, he has been a great credit to our State.

His record is a distinguished one. Duke has packed half a lifetime of experience and service into his first quarter century, in addition to completing high school and college during his time here. He has indicated a capacity for leadership and accomplishment that I know will stand him in good stead as he takes his leave from us and from his duties in the Republican cloakroom.

As a junior Member of this great body, I will miss Duke Zeller, for his willing and cheerful assistance to me and to my staff—together with that of the other members of the excellent minority floor staff—has been of great value in my first months in the Senate.

I wish him well, and I am confident that his career of successful service will continue.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that a brief biography of Duke Zeller be printed at this point in the Record.

There being no objection, the biography was ordered to be printed in the Record, as follows:

BRIEF BIOGRAPHY OF F. C. DUKE ZELLER

Born: May 27, 1942.

Father: Fritz C. Zeller, Horticulturalist, Landscape Architect.

Mother: Dena M. Zeller.

Sister: Anita Marie.

Brother: Dwight Dean.

January, 1957: Left Peoria, Illinois to serve as Senator Dirksen's page.

1957–1960: Attended Capitol Page School. Held following offices: Student Council President; National Honor Society, president; Key Club, president; Newspaper, editor; Yearbook, business-manager; class Salutatorian.

1960: Served as "Junior Ambassador" for U.S. while a senior in high school. Won honor by competing with youths (17–22) in a national competition sponsored by The Experiment In International Living, Scripps-Howard newspapers, and United Artists Film Corporation. Fourteen countries participated, each selected Junior Ambassadors. Exchange meetings were held in London and Paris, where Ambassadors were addressed by Sir Winston Churchill.

July, 1960: Served as page at Rep. National Convention in Chicago.

1960–1962: Attended Dartmouth College, Hanover, New Hampshire. Served as Class President (Class of 1964); a member of the Undergraduate Council, Judiciary Council, and Winter Carnival Board.

1962: Appointed to present capacity in Rep. Cloakroom. Left Dartmouth to attend George Washington Univ. (received B.A., 1966).

1964: Served as Press Liaison Aide on Presidential Campaign Train.

1966–67: Worked on Inaugural Committee Staff of Governor Ronald Reagan in Sacramento, California.

GENERAL EXPERIENCES

Public Relations: Served as Press Liaison on 1964 presidential campaign. Consisted of coordinating activities of V.I.P.'s with press representatives on whistle-stop train tour. Also served on plane trips with the candidate.

Assisted the General Mills public relations department in planning and staging five successive Congressional receptions for their Betty Crocker research finalists in Washington, D.C. 1962–67.

Journalistic and literary: Editor, *The Capitol Courier* 1959–60; Business-Manager, *The Congressional*, 1959–60; Reporter for *The Daily Dartmouth*, 1960–61; Contributed articles to publication for The Experiment In International Living Ass'n., Putney, Vermont, 1960.

HONORS, AWARDS, AND MEMBERSHIPS

U.S. Junior Ambassador for 1960, competition sponsored by Experiment In International Living Ass'n., Scripps-Howard newspapers, and United Artists Film Corp.

American Legion's Citizen Award, 1960.

President, Dartmouth College, Class of 1964.

Member, Dartmouth College Undergraduate Council, Judiciary Committee, and Winter Carnival Board, 1960–62.

Class Salutatorian, 1960.

Member, upper quarter of graduating class, George Washington University, 1966.

Member, Dartmouth Alumni Ass'n.

Member, George Washington Univ. Alumni Ass'n.

Member, Dartmouth Ski Club.

Member, Sigma Nu fraternity.

Member, Congressional Staff Club.

Mr. DIRKSEN. Mr. President, the distinguished Senator from California [Mr. Kuchel] is necessarily absent and I ask unanimous consent that a statement by him in tribute to Duke Zeller be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR KUCHEL

I would like to join my Republican colleagues in paying tribute to a fine young man for a job well done. Duke Zeller has served in his present capacity in the Republican Cloakroom since 1962. During these last few years, I have come to know and like the personable qualities that Duke possesses. He has been a part of the political scene since 1957 when he served as page to the distinguished Minority Leader, Senator Dirksen. He has always been an active member of the political life of his schools, particularly when he served as his class president at Dartmouth College. One of his most recent duties was to work on the Inaugural Committee staff of Governor Ronald Reagan of my State of California.

Duke has always performed well in his job and I am sure I speak for all of my Republican colleagues when I say that we will miss him greatly. But we all wish him good fortune in his new job and in the future.

Mrs. SMITH. Mr. President, the Senate is losing one of its able assistants—F. C. Duke Zeller, Republican cloakroom assistant. After several years of excellent service to the Senate, Mr. Zeller is leaving to become executive assistant to the Director of the National Alcoholic Beverage Control Board Association.

We shall miss Mr. Zeller and his excellent assistance. He has not only provided impressively effective service to Members of the Senate but he has performed in an affable and courteous and respectful manner that is far too rare these days—and because of this we shall miss him all the more.

While we wish he would stay with the Senate, we fully understand that the offer made to him was far too attractive to decline not only because of the position offered him but as well because of the future opportunity and potential that it provides him.

We wish him well.

Mr. BOGGS. Mr. President, Duke Zeller has fulfilled his duties in the Republican cloakroom with great skill during the period we have been fortunate enough to have him with us.

Now that he is leaving, I join my colleagues in their sincere thanks and offer my congratulations on his new assignment.

I am sure that he will be a great asset to his new employer. We will miss him, but hope he will get an opportunity to come back and visit often. It has been a pleasure to know him.

Mr. BROOKE. Mr. President, I wish to join with other Senators in wishing good luck and Godspeed to an able cloakroom assistant, Duke Zeller.

While all of us must rely heavily on the knowledge and advice of the employees of the Republican cloakroom, it is we who are freshmen, and our staffs, who are often most grateful for their assistance. In my experience, Duke Zeller has always been informed, competent, and enjoyable. He will be missed.

Mr. JAVITS. Mr. President, I wish to join the Senators from Illinois in expressing my appreciation to Duke Zeller, one of our Senate attachés who has tirelessly worked in the Republican cloakroom for 5 years. Duke has been with us off and on since January 1957, when he started here as a page.

I wish Duke every success in his new position.

Mr. THURMOND. Mr. President, today marks the last day of service in the Senate of Fritz C. Zeller, known to all of us as "Duke." Although he is still tender in years, Duke has labored in the service of the Senate for 10 years, having come originally as a page.

Duke is now serving as an assistant in the Republican cloakroom. To some, this may seen to be an unimportant job. All the Members of the Senate and their staffs understand, however, and fully appreciate the vital nature of the work involved. Duke Zeller is one of the most ingratiating and pleasant persons with whom it has been my pleasure to work. He knows his job and performs it superbly.

We will miss him in the Senate and wish him well in his new work.

EXTENSION FOR 2 YEARS OF AUTHORITY FOR MORE FLEXIBLE REGULATION OF CERTAIN RATES OF INTEREST

Mr. SPARKMAN. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 1956.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1956) to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues, which was, to strike out all after the enacting clause and insert:

That section 7 of the Act of September 21, 1966 (80 Stat. 823), is hereby amended by striking "one-year" and inserting in lieu thereof "two-year".

And to amend the title so as to read: "An Act to extend for one year the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues."

Mr. SPARKMAN. Mr. President, I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 39, line 9.

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, the Senator from Massachusetts [Mr. BROOKE] has some language he wishes to offer. The proper point at which to discuss the language would be under the amendment that has just been adopted.

AMENDMENT NO. 320

Mr. BROOKE. Mr. President, I call up any amendment No. 320 to H.R. 9960.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 39, beginning with line 6, strike out all down to and including line 9 and insert in lieu thereof the following:

> For necessary administrative expenses of the Department of Housing and Urban Development in carrying out functions under section 101 of the Housing and Urban Development Act of 1965, $1,150,000, provided that no part of these funds shall be available for use by the Federal Housing Administration.

Mr. SPARKMAN. Mr. President, will the Senator yield to me briefly?

Mr. BROOKE. I yield.

Mr. SPARKMAN. Mr. President, I have read the proposed amendment, and it seems to me that it is subject to a point of order as being legislation on an appropriation bill. I do not wish to take the Senator off the floor on the point of order.

I shall be glad to withhold making the point of order until the Senator has made his presentation, but I do wish to reserve a point of order with respect to the proposed amendment.

The PRESIDING OFFICER. The Senator may make his point of order at any time.

Mr. SPARKMAN. I make the point of order, but I reserve action on it until the Senator has made his presentation.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield for that purpose?

Mr. BROOKE. I yield to the Senator from Alabama to raise the point of order.

Mr. SPARKMAN. Mr. President, it was my desire that I should simply state my intention to make the point of order and withhold it until the Senator has made his presentation.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. BROOKE. Mr. President, this amendment is designed as a first and necessary step in bringing about a more efficient and productive administration of the rent supplement program, as well as later centralizing and streamlining the administration of all programs administered by the Federal Housing Administration, whose prime objective is the production of low and moderate income housing.

The first indication of the need for change is the record of the low-income housing programs to date.

The rent supplement program was established in August 1965, and funded in May 1966. It is anticipated that over 40,000 units will be constructed under the program, but to date, in a year and a half, only 38 new units have actually been built. Only an additional 104 units are close to beginning construction.

In the 221(d)(3) below-market interest-rate program, administered by FHA, the prediction in 1962, by the Commissioner of FHA, as to the number of units that could be built under the program was 60,000 units a year. In fact, the program has produced only 40,000 units in over 6 years.

The Federal Housing Administration was a vigorous and dynamic force 30 years ago in meeting America's housing problems. It is largely responsible for the creation of the suburbs and providing the opportunity for homeownership to millions of Americans. Its program of mortgage insurance for individual homebuyers represents 81 percent of its mortgage insurance commitment, and it is the primary focus of FHA activity. This fact partly explains the divergence between the FHA's promise and performance in the low-income housing field.

However, an agency which devotes four-fifths of its energy and attention to the appraisal of individual loans is not oriented toward meeting the special requirements of low-income housing. As one former FHA official put it:

> It is difficult for them to put on another hat, so to speak, and administer the special social purpose programs which generally require processing without reference to the traditional economic soundness concept.

The average FHA processing time for a 221(d)(3) application is 18 months. And this is the average time in a program that has 6 years of experience behind it. FHA officials admit it should not take more than 6 months, yet the program to improve processing time is still an experimental program, not yet national policy.

FHA's ability to reorientate itself is questionable. In November 1965, Commissioner Brownstein wrote to his regional offices:

> There has been a hesitancy on the part of insuring offices to make FHA programs available in older neighborhoods. An automatic exclusion of neighborhoods merely because they are older can result in the shutting off of capital investments in these neighborhoods.

In July 1967, Commissioner Brownstein again wrote to his regional offices:

> There has been a hesitancy on the part of insuring offices to make FHA programs available in older neighborhoods. . . .

The exact same language, which had obviously been ignored, was used nearly 2 years later in directing FHA offices to do the job they are most reluctant to do: to take a more vigorous approach to the revitalization of the center cities.

The low and moderate income housing programs are so vital a part of meeting urban housing needs and bringing new life to our cities that these programs deserve the special and full-time attention of a HUD office that is solely committed to and responsible for the production of this much needed housing. Coupling these programs with the also important task of construction of single family homes for middle-income families, within the same administrative agency, will continue to dilute the effectiveness of these programs. There should be a very clear focus on these programs so that their progress and effectiveness can be evaluated more readily by the office charged with their administration and by the Congress and the people.

The announcement that insurance companies are now willing to lend $1 billion for the financing of housing projects in the urban areas will be a valuable pledge if HUD is able to accelerate its approach to writing insurance for the programs in which these companies will participate. The companies have stated that they are willing to lend money only for projects insured by the Government. The key to progress will be the attitude that is taken toward issuing insurance commitments. A more dynamic attitude can be fostered, first by this amendment, and then by comprehensive legislation which would give a HUD office full time responsibility for and a stake in low- and moderate-income housing.

Government insurance in the urban areas means the attraction of private capital, new housing, the creation of jobs. A new perspective and a new office is needed for the administration of low and moderate income housing programs to make sure that the programs established by the Congress, work to the full degree intended by Congress.

As a first step, and as an incentive to the Secretary to take action in this direction, the attached amendment is offered to the HUD appropriations bill. While this amendment would deny the use of administrative funds to the FHA for the rent supplement program, it would allow the Secretary to use the funds for administration of the program more effectively. It would allow special direction to be exercised by the Secretary so that steps can be taken to improve the record of the rent supplement program under FHA.

This need for a new perspective and the opportunity for independent direction is especially important in light of the insurance companies announcement that they are willing to lend up to $1 billion to federally insured projects, primarily under rent supplement. If effective use is to be made of this money, an accelerated effort must be made in the administration of low-income housing programs in general, and the recent supplement program in particular.

This amendment offers the opportunity for the Secretary to create this new perspective. Under this amendment, FHA will still continue to process applications and issue insurance commitments, but the Secretary would be able to exercise a new degree of direction over the progress of the rent supplement program. I believe that such a change would be welcomed by many within FHA itself.

I want to emphasize that this is a strengthening amendment to the rent supplement bill. That it will provide, in the words of one FHA official, "a breath of fresh air," in the FHA's control over the program. I urge support of this amendment as vigorously as I urge support and passage of the appropriations for rent supplement.

Mr. MORTON. Mr. President, I join with the junior Senator from Massachusetts and support his amendment to H.R. 9960.

The Federal Housing Administration has been a remarkable institution for making available the blessings and benefits of homeownership for millions of Americans. It has contributed significantly to the prosperity of the Nation, perhaps more than any other single institution of Government at work today.

However, Mr. President, "as the times are new, so must we think anew and act anew." The policies and programs which successfully confronted the housing challenge of the thirties are not the policies and programs which we expect to serve us successfully today. The crisis of the cities calls for an imaginative and sweeping effort. It must be made in building housing in our cities for the people who live in those cities and today occupy unsafe, unsound, and unsanitary housing. It must be made if we are to assist those millions of our citizens now locked into rural pockets of poverty.

Over 20 years ago, this Congress pledged that every American family would enjoy "a decent home and suitable living environment." We have not yet redeemed that pledge. And the challenge of constructing housing at a cost which can be afforded by everyone is today the most important part of our journey on the road to fulfillment of our promises.

The major part of the work of the Federal Housing Administration takes that agency into the suburbs. More than three-fourths of the FHA's workload is writing individual mortgage insurance for families who want to buy their own homes, and these families have an average income of $10,000.

Necessarily, the program aimed at the construction of low- and moderate-income housing, presently administered by the Federal Housing Administration, do not occupy the center of the FHA's attention. They represent about 20 percent of its overall activity and the rent supplement program represents an even smaller portion of that workload. These special purpose programs have not had the emphasis and flexible approach to their requirements that is essential to making them work effectively to meet the housing challenge of the sixties. They have not received the vigorous support they should from the Congress through proper and adequate funding. Both institutions must do their job better. But the Congress is not only responsible for its own actions. It is partly responsible for overseeing the efficient and productive operation of congressional programs administered by Federal agencies.

Mr. President, the amendment offered by Senator BROOKE is a positive assertion of our responsibility in this area. It means that the Senate is saying, "we think the rent supplement program can be a more productive program. We think the Secretary should exercise, more effectively his responsibility for the productive and efficient running of this program. We want it to do better because it must meet a very important need."

This is not a Republican or a Democratic amendment. This is not pro-FHA or anti-FHA. It is an important step by those concerned with the success of the rent supplement program to assure that the operation of that program in the future will get more attention, will be more productive, will ultimately be successful and justify the Congress' decision to establish that program. This is the concern of this amendment: we must care as much about the effectiveness of our program as we care about establishing it in the first place. We have chosen to establish the program, now we must make it abundantly clear, especially to those charged with the administration of the program, that it must be made to work. This amendment carries that primary intent and I urge its support.

Mr. ALLOTT. Mr. President, it is not often that the Senator from Colorado rises to defend a member of this administration, but I feel personally, and I have informed the distinguished Senator from Massachusetts of my feeling on several occasions in the last 2 or 3 days, that this amendment would be an error. I hope the amendment will be rejected.

Mr. President, regardless of our feelings about the rent supplement program, the Senator from Kentucky, the Senator from Massachusetts, and all other Senators want to see the money we have put into this program used most effectively.

The distinguished Senator from Massachusetts did appear before our committee and testified very eloquently in behalf of both the rent supplement program and the model cities program. Nevertheless, Mr. President, in effect this amendment would provide—although technically it is not open to an objection—that none of the administrative money for the rent supplement program may be used in the Federal Housing Administration.

I could not sit here as a Senator without stating that I think this does an injustice to the Federal Housing Administration, and chiefly to its Administrator, Phil Brownstein.

In all of my dealings with Federal agencies and Federal administrators I have never found anyone more responsive, I have never found anyone who disclosed frankly the situations he had to deal with and the facts back of them; and in my opinion this does cast a reflection upon him and the work he has done. We have appropriated thus far in the rent supplement program for the first year, $12 million; for the second year, $20 million. Every penny of that is committed by contract at this time. Therefore, out of respect for one very capable, honest, Government employee whom I consider to be not only as an administrator but also as a person of the very highest caliber, I could not see this amendment pass without speaking against it.

One further brief point: We hope that time will show that the rent supplements should be in a different department. It may be that the rent supplements should even be placed in a separate department established in the Department of Housing and Urban Development. But, without a single word of testimony in all the hearings being critical of the way the FHA has handled this matter, I cannot agree with my friend. I would hope that he would see fit to withdraw his amendment, not foreclosing any concept or idea that by going to the proper legislative committee this matter could be handled, that if it actually needs a new department, or if there is a department with a particularly capable administrator with not so much work as FHA, that it be changed in that manner.

I cannot speak too highly of the man who heads the FHA. I hope sincerely that we will not, in effect, legislatively slap him in the face, here in this Chamber, for the good work his Department has done.

Mr. BROOKE. Mr. President, I wish to assure the distinguished Senator from Colorado that the honor and integrity of Commissioner Brownstein and of the Secretary of Housing and Urban Development, Dr. Weaver, are not in question in this amendment. It is not my intention, in offering it, to impugn the character or the ability of either of these distinguished Administrators. I know Secretary Weaver personally, and have great affection and respect for him. And while I do not know Commissioner Brownstein personally, I do know of him and of his work, and have great respect for him.

The intent of my amendment is merely to say to the Secretary of Housing and Urban Development that the Senate holds him directly responsible for the effective administration of the rent supplement program, and no more.

At present, the $1,150,000, which goes for salaries of personnel, transportation, and the like, goes directly to the FHA without going through the Department of Housing and Urban Development at all. The Secretary does not have the direct responsibility, even though Congress did put FHA under HUD. And as a result, the Secretary has not exercised personal responsibility for the administration of the rent supplement program.

Mr. President, in my comments I have raised some question as to the effectiveness of FHA in the general field of low-income housing and moderate-income housing. I think that my question is justifiably raised. I think it is supported by the overwhelming evidence. The FHA has developed over the years as a gigantic insurance company, with reserves of over $1 billion. It was created for the purpose of giving insurance for individual home financing, and it has done that job magnificently. I compliment the Commissioner on that part of the job. But the FHA is not setup to handle the social purpose legislation the Senate is now considering.

Many prospective contractors will not

even go to FHA because they say that with all the redtape there they cannot get the results they want.

Psychologically, if for no other reason, I think it would be good to have a separate division under HUD. I intend to propose such legislation. But in the interim period I am only asking that the Senate let it be known very clearly that it is holding Dr. Robert Weaver, Secretary of Housing and Urban Development, responsible for the effective administration of the rent supplement program.

It is my opinion that FHA and HUD would be most grateful to have this arrangement. I think that FHA would rather stay solely in the individual home financing business, an area in which it is doing so magnificently. I think that HUD would like to have a separate agency for the rent supplement program, and I think that the Secretary of HUD would welcome the opportunity to exercise more influence at the policy level.

Under this amendment, FHA will still have the responsibility for processing the applications. It will still have the responsibility for entering commitments. None of that will change under this amendment.

We are talking about only a few people at the policy level, and that policy level should be changed so that the rent supplements which the Senate is now passing upon—and which hopefully Congress will enact into law—will know and direct the Secretary to get the job done.

The country is crying out for low-income housing and moderate-income housing. The fact remains that this housing has not been built. Let us therefore say to HUD and FHA, "Get the job done. Give the American people the low-income housing and the moderate-income housing that Congress has passed upon."

Mr. BAKER. Mr. President, I rise to support the amendment offered by the Senator from Massachusetts. I support the amendment to a program whose appropriation I first voted against. I do so for many reasons. Let me summarize them briefly.

First, I believe that the concept of rent supplements is distinctly superior to many existing public housing programs, especially since the rent supplement program does not require a tenant to give up his dwelling when his income exceeds the program eligibility requirements. It thereby avoids the "100-percent income tax".

On the other hand, I think the objectives of the present proposal for rent supplements have been confused, that its potential has been overrated, and that it is floundering in the mire of maladministration. This seriously undermines the claim of those who urge that the present rent supplement proposal should be in the forefront of our fight to save the cities. Balancing these considerations, I chose to vote against the appropriation for rent supplements in this form.

Mr. President, I do believe that there is considerable merit in the proposal for aiding those who cannot help themselves by some variation of the concept we are debating today.

I believe that our responsibility is to alter and restructure the concept involved in the rent supplement program, substantially to modify the program so that it will be workable, effective, and useful to the social purposes involved. The present proposal does not do the job.

As an example, the Senator from Massachusetts [Mr. BROOKE] has pointed out that the rent supplement program was established in August 1965 and funded in May 1966 with the claim that over 40,000 new units would be constructed under the program. Today, only 38 units have been actually built and only an additional 104 units are close to beginning construction.

The Senator from Massachusetts [Mr. BROOKE] argues that the primary reason why the program is in the doldrums is that it is being administered by the FHA with an unnecessarily heavy hand. I am inclined to agree with the Senator from Massachusetts, but I suspect there is a great deal more wrong with the program than just that. For example, my study of the program suggests that there is a strong possibility that the rent supplement program as presently structured, may never be a useful tool in the core cities where the need for reform and renovation is most pressing.

I believe we owe the people the responsibility of deriving the maximum benefit from every dollar invested in this and other fields. The proposal by the Senator from Massachusetts is the first in what I hope will be a series of steps which are calculated to restructure the program to eliminate the points which may be objectionable to many of us in this Chamber and which convert it into a more useful device to accomplish the social purposes which it seeks to accomplish. I believe there is a need for constructive criticism and evaluation of this program today.

I entirely agree with Senator BROOKE's proposal to transfer the administration of the rent supplement program to a division of the Housing and Urban Development Department which would be more suitable for moving ahead with the program.

I have been impressed by Senator JAVITS' statement that, in order to invite more financial backing for rent supplement housing, there should be an element of profit involved. I have been much impressed by arguments made by Republicans in the House of Representatives in favor of the rent certificate program enacted in 1965, which permits local housing authorities to lease private low-cost housing and rent it to the poor at public housing rates.

In conclusion, I feel we owe an obligation to take a series of steps calculated to bring us the maximum benefit for the minimum investment for the universally desirable purpose of providing housing through which people can help themselves.

Mr. MAGNUSON. Mr. President, I join in respect to what was said about Mr. Brownstein by my colleague from Colorado. I think he has done an excellent job. We have worked with him for years.

I had first thought, when the distinguished Senator from Massachusetts brought this matter up, yesterday or the day before, that it might be a good idea to do this. I did not see anything in the amendment that would involve many changes. I thought the responsibility was with the Secretary, anyway. However, I have had discussions with some members of our committee since that time, and I feel constrained to suggest that perhaps this is a serious matter which should be taken up by the legislative committee. The distinguished chairman of that committee [Mr. SPARKMAN] is present. Before I yield to him, or yield the floor to have him discuss this matter, let me say I had thoughts about the suggested complaints concerning the FHA in the matter of low-income housing, and I wish to make a statement for the RECORD which points out what the problem has been in that field. I do not disagree that there has been some lag in that field.

I want to point out to my two friends, the Senators from Tennessee and Massachusetts, that when the FHA was originally conceived, it was established to insure mortgages which were economically sound and which would involve risks with premiums of only 1 percent. We thought we were doing a great thing then, and the FHA has done a great thing in this country, for literally millions of people who otherwise would be without homes. There have been economic risks in the centers of cities and the cores of cities. Some of the homes there were not mortgaged because they were not as good risks as others. The same philosophy may not apply now, with the awareness of city problems as they are, and the kind of mortgages the FHA should make in the future. If the FHA had insured some of those mortgages in the beginning of the program, the whole wrath of Congress would have been brought down on it. I agree we should move on.

I wish to make a statement on this matter.

Any investigation of FHA's involvement in low- and moderate-income housing should be thorough and sophisticated. It should not only look to the past—when FHA was hesitant and inexperienced, in dealing with low- and moderate-income housing. It should also look to the history of FHA, the role assigned to it by Congress, the criteria by which it is still judged by congressional committees, and the General Accounting Office. Equally important, it should disclose current trends in FHA and the role of the Secretary of Housing and Urban Development in making these new programs more workable.

Originally FHA was established to insure mortgages which were economically sound and which would involve only risks covered by payment of premium not exceeding 1 percent. From the start, it was assumed that a limited number of properties in the central city and none in the pockets of poverty were economically sound. Thus, FHA insured mortgages primarily in the suburbs or the upper-income sections of the central cities. Its personnel was imbued by this orthodox theory. Of course, most of them came from the financial and real estate industries.

In 1961 the present Secretary of Housing and Urban Development, in his capacity as Administrator of Housing and Home Finance Agency, proposed, and Congress enacted a national moderate-income program, section 221(d) (3). Concurrently, FHA began to insure an increasing volume of existing properties. During the last 6 years, more and more of this has been in the central cities. Only a few weeks ago, based upon congressional action, FHA announced that it would insure mortgages for reputable investors in high risk areas.

Thus in recent years, FHA was called upon to perform a role that was new and inconsistent with its earlier mission and experience. There were problems of retraining staff and reorienting attitudes. This was made more difficult by congressional investigations and the General Accounting Office reports.

In the late 1950's Congress passed the section 220 program. It was intended to insure mortgages in urban renewal areas. The criteria set forth in the legislation was not economic soundness which was gospel to FHA programs, but acceptable risk. The letter was subsequently applied to section 221(d) (3). Repeatedly, however, GAO has castigated FHA for taking risks that were not economically sound in the 220 program, and only a few months ago a Committee of the Senate made a similar criticism of FHA. I submit that no Federal agency can be expected to take risks if the Congress criticizes it for doing so after the same Congress has authorized it to do so.

Nevertheless, much has been accomplished. As a result, FHA has been able to allocate all available rent supplement funds. The combined impact of accelerated processing in FHA and coordination by HUD will translate these allocations into commitments and projects much more rapidly.

The junior Senator from Massachusetts is critical of the performance bond requirement of FHA. I suggest that this is a complicated matter. It involves on the one hand, the participation of small contractors who face problems of bond performance. But may I note also that it involves others too? Included are the nonprofit sponsors who contribute their dedication and image to these nonprofit proposals. I wonder if they are well served if the projects fail to provide the money to remunerate the small subcontractors or the working men who built the development? And I am concerned about a church which dedicates itself to a low- or moderate-income project only to find that the builder has failed to pay the subcontractors and working men are left without payment for their efforts.

The problems of the past should suggest patterns for the future. In the first place, regardless of administrative machinery, if there is to be a successful program for low- and moderate-income housing, the Congress has to recognize it as a high-risk program. This implies more than an occasional reference to the matter. It requires specific language and authorization reflecting congressional intent. And even more important, it requires that GAO and congressional investigatory committees fully follow that intent. Such attitudes are as basic as administrative changes.

Finally, as important as are the problems of the past, even more crucial are current trends as keys to the future. The worst of FHA's problems with these programs are behind it. Thus, it would be unfortunate to lose the impetus that has been achieved by harping upon past deficiencies, actual or apparent.

FHA can administer these programs. And it can do so more economically, rapidly, soundly, and efficiently than any new bureaucracy. This follows because FHA is experienced in this area. It has qualified professional and technical people. And any new organization would have to duplicate them—a time consuming and costly procedure in the current market where there is a scarcity of such people.

So I say, let us look into all the facts and elements in this crucial phase of housing policy. It appears at this time that FHA, supported and urged by the Department, is equipped to respond to the needs of low- and moderate-income families and that more is to be gained by continuing it in the picture than attempting to create a new administrative machinery.

Mr. President, in deference to the feelings of the committee members, I am constrained to oppose the amendment.

Mr. MONDALE. Mr. President, I wish to commend the distinguished junior Senator from Massachusetts [Mr. BROOKE] for his leadership in urban affairs and for his particular interest in the activities of FHA. However, I must oppose the Senator on this issue and support the efforts of the FHA in the implementation of the rent supplements program.

Mr. President, this is not an issue to be decided during the consideration of an appropriations bill. It is an issue that involves the internal organization of the Department of Housing and Urban Development, its regional and subregional structure, and 8,151 employees of the FHA. This should not be considered as part of the appropriations bill.

This is an amendment that will affect the FHA, its structure, and its morale. It is not a small, simple amendment, but one that questions the basic premise of our housing policy; that is, the existence of a Federal agency insuring mortgage risks.

While we all recognize the shortcomings of the FHA, it must be noted that recently the FHA has moved aggressively to take increased social risk. The economic soundness requirement has been waived for urban tension areas and the arbitrary exclusion of neighborhoods is prohibited. Presale requirements in the 221(h) program have been set aside. The FHA was instrumental in obtaining the $1 billion pledge from the insurance industry and much of this money will be used in rent supplement projects. The FHA has established a new program of free counseling services to prospective owners and tenants of low and moderate income families and to minority groups.

Again, Mr. President, I feel that this is not the appropriate place for consideration of this amendment or the large issue that it raises.

Indeed, there is much more to the picture than the few facts mentioned by Senator BROOKE. The truth is that the FHA has shown a strong commitment to advance the rent supplement program.

We must remember that it was not until May of 1966 that the rent supplement program was funded. This is less than 1½ years ago, and already the program is such a success that there is a waiting list of 143 projects representing $13 million in contract authority. This waiting list is the result of the reduced appropriation. This chart indicates the hesitancy of the Congress to provide money for the program to move forward:

Rent supplement contract authorization, fiscal year

	Requested	*Received*
1966	$30,000,000	$12,000,000
1967	35,000,000	20,000,000
1968	40,000,000	(1)

[1] House none.

Thus, the full $32 million approved in contract authority has been exhausted. This will involve 47,764 units of which 34,168 will be rent supplemented. This is definitely not foot dragging, it shows a quick response to the congressional intent of the program.

Although less than 1½ years old, we are already seeing results. First, two new construction projects are completed involving 221(d) (3) market rate mortgages. These produced approximately 70 units. There is another project of new construction for the elderly completed involving 100 units. Second, the rehabilitation program of rent supplements has produced 218 units. Third, existing dwellings can be used for the rent supplement program under an amendment I sponsored last year. Under this program 1,076 units have rent supplemented occupants.

This is not a bad record after less than 1½ years. It is an impressive record. More impressive, when you consider the program is dependent on the private sector for initiation, and that new programs are usually slow in producing results. These units are proof of FHA's willingness to support this program completely.

It is difficult to understand the criticism directed at the administration of the rent supplement program for producing only 38 units of new housing since it was funded less than 16 months ago May of 1966. Normally, non-FHA conventionally financed projects would require at least 18 months and often much longer from purchase of land to initial occupancy.

I should mention that all this activity occurred during our worst period of tight money. Private investors looked other places than to new construction for the investment of funds. It was not until November of last year, less than 1 year ago, that these mortgages were covered under the special assistance functions of FNMA.

Let me again summarize the program's activity.

Approximately 1,800 people are living

in supplemented units. Of the 445 sponsors for which rent supplements have been allocated, 276 or 65 percent are nonprofit. Among the nonprofit sponsors are 148 religious groups, 58 civic groups, 15 fraternal groups, 21 unions, and 34 of a miscellaneous character. Of the total projects for which funds have been reserved approximately 30 are for rehabilitation. Twenty-four additional rent supplement projects are under construction. The remainder are in various stages of planning. The 445 projects are in 301 cities in 47 States, District of Columbia, and Puerto Rico.

Charlame Parks Homes in Boston, consisting of entirely new construction was recently opened. It offers proof of the speed of the FHA.

The application of the sponsor, the First African Methodist Episcopal Society of Boston, for FHA insurance was received on June 11, 1965. On November 1, FHA agreed to make the commitment for the project. On May 30, 1966, the sponsors asked to change the project from that of standard moderate-income housing to the new rent supplement program. Two weeks later, June 17, FHA allocated funds for it. Two months later, August 29, FHA issued the commitment to insure it.

On September 26, 1966, construction was started, and completion was marked on August 23, 1967.

Thus, 15 months after the new rent supplements program was first funded; 11 months after initial endorsement, and 11 months after construction began, Charlame Parks Homes was completed. This would not have been possible if FHA was not actively supporting the program.

Mr. President, I have said before that I think Congress is to blame for much of the inaction of the FHA. FHA has been conservative in the past, it has delayed in acting where action was needed. But it is my opinion that this was due in part to the lack of a mandate from Congress. When this mandate is there, as is the case of the rent supplement program, FHA will produce results.

The Housing and Urban Affairs Subcommittee is now considering legislation which would give FHA an overall mandate to get involved in the center cities, to devote its activities to the lower income families, and to provide special funds to cover this added risk. This is the answer we must give to critics of the FHA: direct FHA into activity that will help our cities and our poor.

Thus, Mr. President, this issue is too complicated to decide on the floor of the Senate. We need hearings, opinions, and discussion. We need proof that the FHA is not doing its job and that the FHA cannot do the job before we confuse the administration of HUD with an amendment such as this.

Mr. SPARKMAN. Mr. President, may I say at this time that I do not propose to seek a ruling on the point of order I suggested. I understand that technically the amendment may not be subject to a point of order, but it should be. It is true that the exact language of the amendment itself does not contain legislation, but its effect is to legislate.

In 1961 Congress passed what we know as 221(d)(3) housing. I remember that in 1965 Congress adopted an amendment to it and used 222(d)(3) as the vehicle for the so-called rent supplement program. It became a part of the job of the Federal Housing Administration to administer that program. In 1966 Congress voted a Department of Housing and Urban Development and made changes.

In the early part of this year Congress passed an act relating to nomenclature, in order that we might coordinate with the Department of Housing and Urban Development all of the provisions we had previously set forth and make reference to the proper officials.

Of course, all of the powers are given to the Secretary of the Department, but he is given the right to delegate powers and, acting under that power, he has delegated administration of the rent supplement program to the Federal Housing Administration which is a part of the Housing and Urban Development Department.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CLARK. The Senator knows my strong devotion to the housing programs which he has supported. Over the years I have been terribly disappointed in the administration of housing which is given to the FHA under the programs in which it is charged with that responsibility. The administration has been quite unwilling to do anything effective in the ghetto areas. They have been lily white in providing for the suburbs. I have great skepticism that, since the housing agencies have been so consistently adverse to the real need for making low-cost housing available in the places where the poor people live, it is the wise way to do it. I hope the Senator may enlighten me on this.

Mr. SPARKMAN. That is just what I was leading up to. All these things have been done by legislative enactment. The effect of this amendment, even though on the face of it it is not legislation, is to change entirely what has been done by legislative enactment.

As a matter of fact, I do wish to say that notwithstanding what my friend the Senator from Massachusetts says about this program still being handled, applications processed, insured, and so forth, by the Federal Housing Administration, my understanding is to the contrary, and I believe that the effect of this amendment would be to take the program completely away from the Federal Housing Administration and would require the Secretary of the Department to set up a new bureau, additional bureaucracy, for the purpose of administering the insurance.

Mr. BROOKE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. BROOKE. Of the 40 million voted for rent supplements, only $1,150,000 is excepted by this amendment.

Mr. SPARKMAN. I understand.

Mr. BROOKE. I looked into what this $1,150,000 would be used for, and I believe, as I stated previously, that it would be used primarily for personnel salaries, transportation, and office expenses in the execution of policies designated in this program.

Mr. SPARKMAN. Yes.

Mr. BROOKE. The remaining portion of the $40 million would certainly go to the FHA without question, and that money would be used for the processing of applications and all of the other things that have to be done.

I do not believe that my amendment authorizes the Secretary of Housing and Urban Development to create a new agency at this time. I think it would require separate legislation to permit the creation of a new agency, or even to permit the Secretary to put rent supplements under another existing agency of the Department of Housing and Urban Development.

Mr. SPARKMAN. May I say to the Senator that I have made some inquiry, and that was the information that I received.

Furthermore, Mr. President, this is going to be effective in doing what the Senator from Pennsylvania assumed it would do, that is, take it out of the Federal Housing Administration, or else we are just going to slap the Administrator of Federal Housing in the face by taking away the control of funds over the employees in his particular department, as I gather.

Mr. CASE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CASE. I have, I think, some understanding of the position of the Senator from Alabama. He has been a leader in housing legislation and in legislation for the benefit of people who are disadvantaged in this country. This is what we are talking about. The question is not one of malice or anything else.

I have great respect for the job the FHA has done as an insurance agency, as a sound, solid business proposition, not without a heart, but solidly based upon business principles. I have great respect for what it has done in raising standards of building construction throughout the country. It has eliminated an awful lot of shoddy building and jerry-builders. Its influence has been salutary in those respects.

I do have a question as to whether an agency of this kind is the place in which to put authority for the administration of what is essentially a welfare program, and ought to be; and that is the question on which I find myself in great sympathy with the Senator from Massachusetts.

Mr. SPARKMAN. Yes. The Senator from New Jersey may be entirely correct, but let us follow the regular processes. That is all I am arguing.

The Senator from Massachusetts is a very able member of the Banking and Currency Committee and of the Subcommittee on Housing. He has done excellent work in that capacity. And I say further that certainly, if it is believed that it ought to be placed in some other agency, and legislation is introduced to that effect, it will receive a hearing before our committee.

Mr. BROOKE. I am sure it will, and I am very happy to have that assurance.

Mr. SPARKMAN. And will receive it expeditiously. All I am saying is, that is where it ought to be handled, and not here on the floor of the Senate, during the debate on an appropriation bill.

Mr. President, there are many other points that I should like to make. My friend the Senator from Pennsylvania seems to have left the floor, but there has been something said here about expedition on the part of the FHA.

I, too, wish we could go fast. But as the Senator from Colorado, I think, pointed out a few minutes ago, when the FHA was originally set up, way back yonder—I believe it was 1934—it had a terribly hard time getting started. I remember those days. It had a hard time getting started, even though it was written into the law from the beginning that its handling of the business should be on an economic basis.

Mr. BROOKE. Mr. President, will the Senator yield?

Mr. SPARKMAN. May I finish just this one thought?

FHA has stuck to that principle. It cannot move faster than we give it the power to move; that is written into the law. I had an experience down in my hometown, when we had the Redstone Arsenal development there, and Space came in. We needed housing; we needed thousands of houses, and we could not get them. Do you know why? Because the FHA was required to act only on an economic basis.

The Army wanted houses, Space wanted them, and do you know what they had to do? We had to write a special law, to provide that if FHA decided it was not economically feasible, then the Army or the Space Agency, whichever one was concerned, could come in and request FHA to go along and insure them, and would guarantee it against loss.

That is how tightly we have tried to administer this law. They simply cannot move independently. We are in the process, now, of trying to get a bill through that will ease up some of the restrictions so far as low-income housing is concerned, but still require it to be on an economic basis.

I yield to the Senator from Massachusetts.

Mr. BROOKE. I thank the Senator. Did I understand the distinguished chairman of the Banking and Currency Committee to state that if I were to introduce legislation to create an agency to take over low-rent, low-income housing under the Department of Housing and Urban Development, I would be given an expeditious hearing on that bill?

Mr. SPARKMAN. Yes. Now, as to the degree of expedition, the Senator knows how jammed we are right now.

Mr. BROOKE. Yes; I am well aware of that.

Mr. SPARKMAN. And I do not know just how soon that "expeditious" would be. I think the Senator understands that, because he sits on the committee and knows what a logjam we have at the present time.

Mr. BROOKE. I have great respect for the Senator's concept of a reasonable time.

Mr. SPARKMAN. But we would have a hearing as soon as we could work it out, and I would cooperate with the Senator from Massachusetts to that end.

Mr. BROOKE. I thank the Senator for his explanation. Under the circumstances, Mr. President, I withdraw the amendment.

AMENDMENT NO. 319

Mr. HARRIS. Mr. President, I ask unanimous consent that I may call up my amendment No. 319, with regard to the National Science Foundation, out of order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Oklahoma [Mr. HARRIS] proposes an amendment as follows:

On page 23, line 7, strike out "$459,000,000" and insert in lieu thereof "$505,000,000".

Mr. MANSFIELD. Mr. President, will the Senator from Oklahoma yield?

Mr. HARRIS. I yield to the majority leader.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation on the pending amendment of not to exceed 30 minutes, the time to be under the control of the distinguished Senator from Oklahoma [Mr. HARRIS] and the distinguished senior Senator from Colorado [Mr. ALLOTT].

The PRESIDING OFFICER. Is there objection?

Mr. LAUSCHE. Mr. President, what does the amendment of the Senator from Oklahoma propose to do?

Mr. MANSFIELD. I understood he had discussed it with the Senator from Ohio ahead of time.

Mr. LAUSCHE. Yes, but I still do not know, from what has been read, what the amendment would do.

Mr. HARRIS. Mr. President, the amendment would restore the budget figure for the National Science Foundation, which was cut $46 million by the Senate committee from the President's request.

Mr. LAUSCHE. I do not want the Senator from Oklahoma to labor under the misapprehension that I contemplate supporting increases in the appropriation.

Mr. MANSFIELD. We understand that the Senator from Ohio wants to speak on the measure.

The PRESIDING OFFICER. The question is on agreeing to the unanimous-consent request made by the Senator from Montana. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask that out of that time the distinguished Senator from Colorado [Mr. ALLOTT] may allow the Senator from Delaware 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the consideration of the pending amendment, which will be the last yea-and-nay vote tonight, when we reach the figure $2,385,000 on page 40, line 5, at which time the Senator from Delaware [Mr. WILLIAMS] will raise the question, that that be the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT ON REMAINING AMENDMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of one-half hour on all amendments from now on, the time to be equally divided between the manager of the bill and the proposers of the amendment, and that the remainder of the agreement be in the usual form.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Does the Senator mean that we will stay here and finish the pending bill tonight?

Mr. MANSFIELD. No. This vote will be the last vote tonight, the vote on the Harris amendment.

The unanimous-consent agreement was reduced to writing, as follows:

Ordered, That during the further consideration of H.R. 9960, an act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes, debate on any amendment be limited to 30 minutes, to be equally divided and controlled by the proposer of the amendment and the Senator from Washington [Mr. MAGNUSON], except committee amendments on which the time will be equally divided and controlled by the Senator from Washington [Mr. MAGNUSON] and the Senator from Colorado [Mr. ALLOTT].

Provided further, That on Thursday, September 21, 1967, at 12:30 p.m., the Senate proceed to the consideration of the committee amendment on page 40, line 5.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, in all fairness to other Senators, while I have no amendment myself to offer, and I shall not object, the Senate should have in mind that if any Senator feels strongly about needing more time, he can get it.

Mr. MANSFIELD. Of course. However, we have contacted every Senator we knew of that had an amendment.

Mr. MILLER. Mr. President, do I understand that we will have a rollcall vote on the Harris amendment and that that will be the last vote tonight?

Mr. HARRIS. The Senator is correct.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

BRIEF PERIOD FOR THE TRANSACTION OF MORNING BUSINESS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a brief period, up to 12:15 tomorrow afternoon, for the transaction of routine morning business, at which time the proposal to be offered by the distinguished Senator from Delaware [Mr. WILLIAMS] against the committee amendment then pending will be the business.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, I have a bill to introduce tomorrow. Will the Senator make it 12:30 and give me a few minutes on the bill?

Mr. MANSFIELD. All right; 12:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

INDEPENDENT OFFICES APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

Mr. HARRIS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 2 minutes.

Mr. HARRIS. Mr. President, the purpose of the pending amendment which, together with the distinguished Senator from Massachusetts [Mr. KENNEDY], I introduced would restore to the level of the President's request the appropriation for the National Science Foundation. I would like to explain more carefully now what I said on Monday pretty much "off the cuff." As I explained, the figure originally requested was for a total of $526 million, an increase of $46 million over the actual appropriation for fiscal year 1967. That budget request had been made prior to the realization that some $21 million additional dollars would be available to NSF as a result of the cancellation of Project Mohole. To clarify the issue, Mr. President, the following facts would be in order, though they are a repetition of some points I have already made.

The House approved a total of $495 million, which when added to the Project Mohole $21 million, totals $516 million, or $10 million less than the President requested.

The Senate Appropriations Committee reported a figure of $459 million, which when added to the Project Mohole $21 million, would total only $480 million for fiscal year 1968. This figure would provide for no increase over the fiscal year 1967 NSF appropriation of $480 million, and would, in actuality, be $36 million under the House approved figure and $46 million less than the President's request.

The amendment is cosponsored by Senators EDWARD M. KENNEDY of Massachusetts; WALTER F. MONDALE, of Minnesota; PAUL J. FANNIN, of Arizona; ROBERT F. KENNEDY of New York; and EDWARD W. BROOKE of Massachusetts; would restore the NSF appropriation to $505 million, which, when added to the $21 million Mohole project carryover funds, would total $526 million, the figure included in the President's budget.

I am particularly interested in this matter because of my position as chairman of the Subcommittee on Government Research of the Senate Committee on Government Operations.

Unfortunately, Mr. President, I believe the action of the Appropriations Committee was based on an erroneous assumption, that is, that there has been a "proliferation of basic research in pure science now conducted by private industry as well as the Government." The figures simply do not support this conclusion.

First of all, it is a demonstrable fact that the total appropriations for all research and development funded by the Federal Government has leveled off in the last 3 fiscal years at roughly $16 billion—estimated. For fiscal year 1968 there is a slight increase projected to $16.6 billion.

This obviously does not represent a significant expansion or "proliferation" during those 3 years. Moreover, support for basic research by the Federal Government, by private industry and by other private institutions represents less than 15 percent of the total expenditure for research and development.

For fiscal year 1960, a total of $1.3 billion was spent by all sources, public and private, for basic research. For fiscal year 1963 a total of $2.2 billion was spent by all sources, and for fiscal year 1966 that was increased to $3.2 billion.

If these figures are broken down, it can be seen that expenditures for the period 1963–66 for basic research by private industry are growing only at the modest rate of about 7 percent per year, while for the Federal Government the rate is only 11 percent per year.

Surely this is not a "proliferation" of support for basic research, when the increased cost of research and increases in the number of new scientists are taken into account. There has been a 6- to 7-percent increase per year in the cost of research, due to the higher cost of living and greater complexity and sophistication of the scientific research effort. This figure is derived from a recent study by the Rand Corp.—The Cost of Basic Research Effort, February 1965—and is accounted for by some simple facts: the rising costs of salaries, need for specialized technical personnel, more complicated equipment, and others.

Thus, the above increases to which I have alluded, are in reality little more than just holding the line. The 7-percent industry increase is canceled out by the 6½-percent rise in the basic cost of doing research. Further, as I have already said, private industry is necessarily more concerned with the support of applied, or mission-oriented research than basic research, because of their justifiably greater interest in shorter term economic payoffs. The 11 percent Federal increase is inadequate to meet the 15 percent growth rate needed to remain at an even level. This figure, that is the 15 percent, is arrived at by adding the percentage increase of 6 to 7 percent in the cost of research and the 8 to 10 percent new science personnel being turned out by our graduate schools of science and technology. In addition, the budget squeeze caused by our mounting international and domestic commitments has caused NASA's budget for support of basic research to be seriously cut. NASA's budget proposal for fiscal year 1968 was to have included almost one-third of all federally supported basic research. This fact places an even greater burden of responsibility on NSF.

Especially is this so, when NASA's recommended budget also represents a drastic reduction in funds they have had in recent years for institutional and basic research support.

The proposed increase of $46 million requested by NSF, I am informed, would be broken down in the following way:

Support of basic research: $19 million—including roughly $4 million for increased support of social science research. There are four areas of emphasis for this $19 million: social science, oceanography, atmospheric sciences and chemistry.

Science education and institutional development programs: $18 million—approximate.

Sea grant college program: $3 million—added to reprogramed $1 million in fiscal year 1967—$4 million.

Science information programs: $4 million—for national informational systems.

Other programs: $2 million—roughly.

The program for institutional development, which for this year in newly appropriated funds is projected to be $52 million when added to carryover funds of $16.4 million from last year, would equal a total of $68.4 million. As I said on Monday, this is a most important program if we are to develop science research and educational excellence in all regions throughout the country. If the budget is restored to the original requested figure, it will be possible to expend approximately $20 to $25 million in fiscal year 1968 above the amount obligated in fiscal 1967 for institutional development programs. These programs include university science development, departmental science development, and the college science improvement programs, each of which aims at improving a specific segment of the educational community.

Mr. President, most important, I urge

the Senate to consider the longer range implications of cutting the NSF budget. We must not take any action which will diminish the flow of basic scientific knowledge which is so essential to the growth of our gross national product and which is the base for our continued technological development. I urge the Senate to support this amendment to restore the full measure of funds requested by the President for the National Science Foundation.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. MONDALE. Does the pending amendment have significance in terms of added support for the new centers of excellence programs presently administered by the National Science Foundation and if so, how?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARRIS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator is recognized for 1 additional minute.

Mr. HARRIS. The answer to the question the Senator asked is "Yes." It is included in the $46 million increase that this amendment provides for and there would be approximately $18 million which would primarily be for institutional development and college science department development and other science educational support.

This is particularly important this year because, while NASA, the space agency, had last year about $30 million for college and institutional development support, this year the President's budget provided NASA for that purpose with only $10 million, or $20 million less than last year. So, these funds are extremely important to the development of science excellence in colleges and universities and other educational centers around the country.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. JAVITS. Mr. President, I am a member of this committee. I was influenced in respect of its deliberations by the fact that $21 million is going to be recovered during the year from the cancellation of Project Mohole.

Has the Senator taken that into consideration in his amendment, to which I am very sympathetic as I have had an enormous reaction from the universities and research organizations of the country, to which reaction I wish to respond.

Mr. HARRIS. Yes. The President's budget figure was $526 million.

Mr. JAVITS. And the Senator has deducted the $21 million?

Mr. HARRIS. I have deducted the $21 million which they did not know at that time they would have. Our amendment is for $505 million, but with the $21 million carryover, it would total $526 million, or the requested budget figure.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARRIS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 1 additional minute.

Mr. JAVITS. Mr. President, the Senator will notice that the last sentence of the recital in the report about this matter, which was included at my insistence, calls for a survey by the Foundation and the submission to the Appropriations Committee for consideration in the next budget of all significant efforts on financing, public and private, going on now, with a view toward considering the restructuring of the whole program.

It seems to me that the strongest argument for the position of the Senator is that until we do take a good hard look at it, the restructuring is in consonance with everything else being done. We should not rock the boat in this critically important area.

Mr. HARRIS. This is important for research in colleges and in universities.

I do not think there has been a proliferation of funds, public or private, for research.

The National Science Foundation has informed me that private contributions for basic research has increased during the last few years by only 6 or 7 percent per year. The Federal Government support for basic research has increased only 11 percent a year in most recent years, while we have had approximately 7-percent increase a year in the cost of basic research.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARRIS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 1 additional minute.

Mr. HARRIS. Mr. President, I therefore think that we could not accurately say that there has been a proliferation. As a matter of fact, there has been a cut of some $20 million from the NASA budget under the amount they actually had last year for college and university development support. This would, in effect, be reducing Federal support for basic research unless we take this action to compensate for it.

Mr. JAVITS. The reason for the request is that we have to deal not only with the overall sums but also with what is being researched into to be sure there is no proliferation and to be sure there is an enormous market, a market in the multibillion-dollar class, for such research.

I am satisfied, as I have pointed out, that this is too sensitive and too important in the national interest to change until we really have the basic facts.

Mr. HARRIS. I agree. I thank the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I yield 5 minutes to the distinguished Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes.

Mr. LAUSCHE. Mr. President, I have a statement from the director of research and statistics in Ohio. He has conducted research to show the comparative assignment of employees for scientific research between Ohio and Texas.

I point out on the basis of this report that Ohio and Texas each have about the same population—9,600,000.

Ohio has 20,400 scientists, and Texas has about the same number.

Ohio has 53,800 engineers, compared with 39,500 in Texas. The 1964–65 figures show that Ohio and Texas received from the Federal Government, in research, allocations that are less than their respective populations, in proportion. The Texas share, however, was nearly twice that of Ohio. My question is, why? Texas ranked fifth among the States in awards of Federal research and development funds, while Ohio ranked 10th.

Whereas expenditures of all Federal agencies for research and development amounted to $79.76 per capita, Ohio got $39, less than one-half the national average, and Texas received $75, practically equal to the national average.

Ohio was considerably below the national per capita figure with respect to each Federal agency listed. Texas, however, was substantially above the national per capita figure with respect to Department of Defense expenditures. This is especially significant since the Department of Defense alone accounted for 47 percent of the grand total of nearly $14.4 billion.

The national per capita average of Federal research and development expenditures by Federal agencies was twice that of the Ohio average. Ohio fared poorest on a relative basis with respect to funds from the Department of the Interior and the Department of Commerce. Texas' share of Department of Defense funds was 7.2 percent. It was more than twice Ohio's share of 3.3 percent.

The same pattern obtained for NASA funds: 4.1 percent for Texas, 2 percent for Ohio. Why? Why, with Ohio having more engineers and an equal number of scientists and a greater capacity in industrial production?

The Texas share from the Department of the Interior, 3 percent, was 5 times more than Ohio's share. The share going to Texas from the Department of Commerce, 4.5 percent, was more than 6 times the share of Ohio.

Balancing a variety of factors, including population, professional and skilled manpower, capital equipment, and other resources, it could well be argued that Ohio as well as Texas could justify approximately 5.4 percent of the total Federal expenditures for research and development. This would have yielded each approximately $775 million in 1964–65. Texas received $731 million and Ohio received $379 million. Why?

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. CURTIS. I believe there is much substance to what the Senator has said. I understood him to say that Ohio was in the top 10 or was 10th.

The PRESIDING OFFICER (Mr. SPONG in the chair). The time of the Senator from Ohio has expired.

Mr. LAUSCHE. My argument applies to Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Montana.

Mr. CURTIS. The distribution of these funds has been the worst administrative job ever performed by any Government agency.

Mr. LAUSCHE. I agree.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. I yield 5 minutes to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I may not use all the time.

The purpose of this amendment is to add $46 million to the bill. The bill, as it was reported by the committee, contained 60 amendments dealing with dollar items; 58 of those committee amendments increased the appropriations granted by the House. Only two of the amendments dealt with reductions.

One of the amendments dealing with reductions reduced the appropriation for the U.S. court facilities by $175,000. Thus far, no one has suggested that this amount be put back into the bill.

The other committee amendment that reduced appropriations was with respect to the National Science Foundation, which the committee reduced from the House figure of $495 million to $459 million—$36 million below the amount in the House amendment.

The amendment offered by the Senator from Oklahoma would add $46 million to this item, which would completely eliminate—in fact, it would go beyond—the two reductions, which would then result in a perfect score for the Senate in increasing everything in the bill and living up to its reputation as the upper House.

I point out that the bill as reported by the Senate committee contained $445,582,000 above the House figure, and it was $880,461,000 above the appropriation for 1967 for the same agency.

In addition, in rollcall votes in the Senate, we have added approximately $1 billion, so we already have $1.5 billion more in the bill than the House had. Tomorrow there will be a vote on another committee amendment, and if the committee amendment is agreed to, the result will be a total of approximately $3 billion more in this bill than in the House bill.

In voting on the amendment, Senators should ask themselves how far we can go in adding to these items. Senators should keep in mind the tax bill which will be before us shortly. It is estimated that each 1 percent increase in the income tax across the board will bring in approximately $1 billion. If this measure is passed as the Senate committee recommended, without any reductions—if it is passed in that way, adding $3 billion—we will have passed a bill which will require a 3-percent tax increase across the board to finance it. In other words, one-third of the President's proposed 10-percent tax increase would be going down the drain by such a vote on this bill.

The PRESIDING OFFICER. Who yields time?

Mr. HARRIS. I yield 1 minute to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I rise on behalf of my State, in view of the remarks made by the Senator from Ohio [Mr. LAUSCHE].

I am embarrassed because Texas did not have a higher percentage of the contracts. I believe that research contracts are awarded on a nonpartisan basis. Of all the Defense research contracts—that is the biggest volume in the United States—46 percent goes to one State, California, neither of whose Senators is of the same political party as the President.

I believe that the various National Science Foundation Boards are awarding the contracts on the basis of merit. California is a State of rapid growth, and it gets the contracts. My State is a State of some growth—rapid, but not as rapid as that of California. We have moved up from sixth to fourth place in population in the Nation in the last 5 years.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. I ask the Senator from Oklahoma to yield me 15 additional seconds.

Mr. HARRIS. I yield 15 seconds to the Senator from Texas.

Mr. YARBOROUGH. I say to the Senator from Ohio that, in comparison to California, I believe our share is very small. We have nothing to apologize for as to the amount. I hope we are able to receive our fair share, considering our growth. The petrochemical industry is one of the most important industries in the country, and its products are used extensively in research.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. HARRIS. I yield 3 minutes to the distinguished Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, I rise to discuss briefly the amendment offered jointly by the Senator from Oklahoma and me, to restore the National Science Foundation budget to the level requested by the President.

I think we can all agree that a prime concern of Government is to insure a better tomorrow.

Today, we must cope with the tragic consequences of yesterday's failures and inadequacies: Vietnam, the plight of our cities, and the need to provide a more hopeful future for our disadvantaged citizens. Today, we also enjoy the fruits of yesterday's successes: an abundant agriculture, a vigorous economy, almost universal secondary school education, our national parks, a magnificent system of national roads, our constantly improving ability to provide for the public health, a strong national defense, and a material abundance shared by most, but not yet by all, of our people. And today it is our privilege and, I think, our duty, to do what we can to lay the groundwork for a yet more satisfying, more abundant, and more secure life for those who will follow us. For it is only today that we have this opportunity.

Of all of the agencies of this Federal Government, there is one that is clearly and fundamentally related to that preparation for a better tomorrow—the National Science Foundation. And it is for this reason that I regret the recommendation of the committee that the appropriation for the National Science Foundation be reduced by the equivalent of $46 million below the request of the administration, taking into account the $21 million expected to be recovered from Project Mohole referred to in the committee report.

In this vast Federal Government, the National Science Foundation may not loom very large. The total budget of the Foundation is only about one-tenth that of the National Aeronautics and Space Administration. It is less than 1 one-hundredth of our expenditures for national defense. Yet consider how much is expected of the National Science Foundation and how important have been and can continue to be its contributions to the welfare of this Nation. The programs of this agency extend into every State of the Union. They affect directly or indirectly every university, every college, every high school in America, and multitudes of our elementary schools as well.

In fiscal year 1967, the foundation made upwards of 3,700 grants to support research in 325 colleges and universities distributed throughout the United States. A listing of these grants appeared in the CONGRESSIONAL RECORD for Monday, on page 25873. These grants and contracts have made possible the continuation of fundamental research in the physical and biological sciences, in engineering, in mathematics, in the behavioral sciences, in sociology and in economics. On March 31 of this year there were active research and education awards in some 1,200 colleges and universities of the Nation and in 500 organizations of other types.

I think it is clear, then, that the budget cut recommended by the committee—nearly 10 percent of the NSF's budget—would work a serious disruption in the research programs actually being carried on now in 1,200 colleges and universities across the country.

These investigations range from the infinitesimal to the almost infinite; from the intricacies of a liver cell to the mechanics of the nervous system; from entirely new kinds of organic synthesis which form the basis of the modern plastics industry to the properties of the aggregates used in highway construction; from the biological bases for behavior to the need for heightened awareness of ecology; from the behavior of bacterial colonies to that of the most primitive and the most complex of human societies.

Such studies are the very cutting edge of civilization. Each day they reveal more about the nature of the universe, the nature of matter, the nature of life, and the nature of man and the societies which he has created.

The acquisition of such knowledge is a noble goal and one that, of itself, justifies the endeavor. But more than that, armed with this continuing source of new information, the practitioners and those who can apply this knowledge—engineers, physicians, industrial executives, and legislators—can tomorrow forge a better world. The scientists who today undertake these investigations can offer no guarantee of success. But what we, here, can guarantee is that, if we fail to provide the resources and facilities they require, those who follow us must make do with the insufficient knowledge we now possess.

Nor are the programs of this agency by any means limited to the support of research undertakings. Nearly one-half of its funds have been used for educational purposes. Last year, fiscal year 1967, graduate fellowships and traineeships were awarded to some 8,500 graduate students to support their advanced education during the present academic year. In addition, more than 5,000 graduate students received support as research assistants under research grants. These students represented colleges and universities in every State of the Union. These numbers include about one-quarter of all graduate students assisted by Federal programs. Each year, an increasing proportion of high school students go on to college and an increasing fraction of college graduates seek admission to graduate education. Failure to provide adequately for their advanced education will result in an irreparable loss to the United States.

Each summer the Foundation sponsors more than 700 institutes, conducted in every State of the Union, in which scientists, selected from the most distinguished members of our scientific faculties, help to bring up to date the education of those who teach science and mathematics in the high schools and the smaller liberal arts colleges across the land. Almost one-third of the secondary school science and mathematics teachers in the country have already profited by this experience.

But perhaps the most remarkable educational accomplishment of this agency has been the development of a mechanism that has made available the skill and experience of some of the Nation's most eminent scientific investigators to the teaching of primary and secondary schoolchildren. No nation can have enough great teachers. Until now, the insight and understanding of the most gifted scientists were reserved for transmission only to a fortunate few. Through the course content improvement programs of the National Science Foundation, groups of such scientists and mathematicians have pooled their resources with those of skilled and dedicated teachers to create new textbooks, new laboratory materials, new teaching films—in short, totally new courses with new forms of instruction in mathematics, physics, chemistry, biology, the earth sciences, astronomy, and the social sciences.

Through this mechanism, hard-working teachers in the most remote schoolhouse can call on the help of the leading scientists in their teaching. This revolution in education may well rank, in the future, as one of the most significant achievements of this generation. An equivalent effort, aimed at making the most distinguished professors of our great universities available even to the least fortunate of our liberal arts colleges, has only recently been initiated and is eagerly awaited by educators throughout the country.

A small beginning has also been made in learning how to develop the potential of computer-assisted instruction. At least in concept, at relatively low cost, each child could be provided by this means with a personal tutor who would guide and assist him in learning at his own pace, a tutor who would have the knowledge and skills of the foremost scholars. But such developments are only in their earliest stages today. The President's budget request for the Foundation includes an increment of $13 million to assist the educators who are attempting to develop such procedures. To deny this increase is to deny these educational benefits to many of today's students, as they move through the educational system.

The National Science Foundation provides only 15 percent of the Federal funds which support basic and applied research in the natural and social sciences in the colleges and universities; the remainder comes from the budgets of the more specifically mission-oriented agencies—the National Aeronautics and Space Administration, the Atomic Energy Commission, the Department of Defense, the Public Health Service, and others. Yet the National Science Foundation is perhaps the most appropriate vehicle for contributing to an equitable distribution of Federal support of science in our academic institutions. Aware of this responsibility, the Foundation has designed a series of programs with this end in view.

Within its limited means, the programs of this agency have begun to help developing institutions to help themselves through what are called institutional development programs. A University Science Development Program, providing grants in the range of $3 million to $5 million, enables universities, already of good but not the highest quality, to upgrade their science capabilities to the end that they may achieve that excellence on which our future is so dependent. Since the inception of this program late in fiscal year 1965, such awards have been made to 27 universities in 19 states.

A more modest program inaugurated last fiscal year provides support to middle- and lower-rank universities to assist them in upgrading the programs of single departments. Simultaneously a program was added to assist predominantly undergraduate colleges to upgrade their educational and research capabilities.

Funds in support of scientific research should be made available only to scientists of demonstrated competence, of course. However, the institutional development programs which the Director of the National Science Foundation and the National Science Board have constructed will, if adequately funded, significantly strengthen the science capabilities of colleges and universities throughout the Nation. As this occurs, as these colleges and universities both develop and attract ever more competent scientists, funds appropriated in the budget not only of this but of all other science-supporting agencies will naturally flow to these presently less-developed institutions.

Such a program cannot be successfully mounted, on an adequate scale, by an agency whose appropriation will have been held constant, for three years, at the level attained before the beginning of these programs. If these so clearly desirable goals are to be achieved, goals which have been espoused by many members both of the Senate and of the House, if an increasing number of communities across the Nation are to benefit by the presence of a vigorous university in which research is being prosecuted across the many fronts of science, then it is imperative that the National Science Foundation be provided with the funds to make the achievement of these goals possible.

Moreover, the mission of the National Science Foundation is to assure the vigor and vitality of the whole of American science, and, by that means, to help the Nation continue to develop economically, socially, and in its security. It does so by supporting the entire panorama of science, from the high school student dissecting a frog to the astronomer at the Kitt Peak National Observatory in Arizona, the radio astronomer at the National Radio Astronomy Observatory in West Virginia, or the scientist at the National Center for Atmospheric Research in Colorado.

The NSF is one of the prime instruments by which our national capabilities for exploration of the far reaches of the sea and exploitation of its great wealth can be developed. This role of the Foundation was expanded last year through the Sea Grant College and Program Act of 1966. Yet, despite the great promise of this program and the need which the act was designed to meet, no additional funds were specifically made available to the Foundation last year for its implementation, nor, at the committee-recommended level of its appropriation, will it be possible adequately to implement this program in the current fiscal year. That act was intended by the Congress to expand and strengthen our national capability for the utilization of marine resources; it was not intended that the establishment of this important program would occur at the expense of the vital, already on-going activities of this agency.

The research supported by the National Science Foundation at colleges and universities is an integral part of both undergraduate and graduate education. And, accordingly, not only does the Foundation provide research grants to make possible the work of students and faculty, but it also makes possible the acquisition by colleges and universities, large and small, of large and expensive, although essential, equipment for the conduct of modern science: computers, electron microscopes, telescopes, research vessels, marine biology stations, and even high energy accelerators, as well as the laboratory buildings in which to house them. And it is this same agency that provides support, on a necessarily modest scale, for colleges seeking to strengthen their science offerings by equipping their instructional laboratories. About 400 institutions were assisted in this manner in the past fiscal year, a number already necessarily reduced from the 550 or so in each of the 2 previous years, a reduction required by budget stringencies.

Invaluable resources emerge from all of this activity: new insights into all of the problems of science, new techniques for the study and utilization of the world around us, and the training of talented young people who will put this information and understanding to work for the benefit of man. To accomplish this, strenuous efforts are continuously made to identify and support capable individuals, from eminent research scientists to individual undergraduates given opportunity to partake in research, and even high school students who are supported by the thousands in summer programs.

Finally, by action of the Congress it is uniquely the function of this agency to be watchful of the information explosion, to support ways and means for the systematic storage and retrieval of this information, and to make available throughout the Nation what has been learned in this complex field. To this end, the Foundation sponsors a variety of projects, from the support of modest little journals in highly specialized scientific areas, to the development of a large, computer-based chemistry information system for the key information concerning the properties of hundreds of thousands of organic compounds.

And despite this almost incredible variety of activities, each award in each program is made only after a careful consideration of the individual and relative merits of each proposal by a group of peers, scientists or educators from the national scientific and academic communities. It is this procedure that assures the Nation that the funds provided to the Foundation are made available only for the most meritorious projects proposed by these communities. Such a procedure is imperative, for, as an example, during the last fiscal year the Foundation was able to provide less than one-third of the funds that had been requested.

We are daily confronted with the casualty lists from Vietnam, with news of strikes and riots, with pressures of want and hunger at home and abroad. To each of these, this Congress must respond with all its wisdom and its courage. But in our concern and occasional despair about the troubled world of today, let us not be remiss in our obligations to the Americans of tomorrow. In our immediate concern for peace in the streets and harmony abroad we must not thoughtlessly sacrifice the never-ending quest for understanding or the education of the next generation of Americans.

The misfortunes of the present are to a large degree the legacy of our inactions in the past. We should not bequeath, to future generations, a life less good than the one we are capable of constructing, because we short change present research needs.

I believe we can look back over our history, from 1951 through 1967, and observe the budget requests for the NSF and how Congress responded to those budget requests. We can see that time and time again, those who spoke in favor of economy would slash the budget request, and yet when the time came at which we were competing with the Soviet Union, as, for example, at the time of Sputnik, we gave the National Science Foundation all the funds they could use. Mr. President, that is false economy.

Those who rise and say we should defeat the amendment, and say that we should be prudent, argue against themselves.

I believe that this program has been well administered. I think it has repaid dividends in the best interest of our country, both from an economic point of view and the good it has done, but it has also assured the preeminence of the United States in this field.

I hope our colleagues will join us in supporting our efforts to restore the funds to the NSF.

Mr. HARRIS. Mr. President, I yield 3 minutes to the Senator from Illinois.

Mr. PERCY. Mr. President, I support the amendment of the distinguished Senator from Oklahoma [Mr. HARRIS] and the Senator from Massachusetts [Mr. KENNEDY]. The amendment calls into question the whole matter of priorities that should be established as decisions are made to cut back on Federal spending.

Although I have supported many cutbacks in appropriations, and I feel we must be prudent in cutting back, it is always this cutting in the budget that is not immediately applicable to results today when we cut out research and development.

In my judgment, reductions obviously should be made where the fat in an appropriation can be reduced. Beyond these cuts, the meat in some programs may have to be cut back, since obviously the muscle can be put back into many programs once our huge defense costs have diminished. But the skeleton and nervous system of our Federal Establishment should not be tampered with, unless in the duress of a severe emergency. To do so can compromise seriously our ability later to build on and increase our national efforts in other peaceful directions, once our Vietnam costs have subsided.

A major policy question confronts us in this amendment. Are we in such dire economic straits that we must take actions today which unquestionably will produce adverse effects on our scientific and technological world leadership tomorrow? There can be no doubt that if we reduce our current investment, the consequent future abatement in our scientific efforts will produce serious adverse political and economic effects which will be noticeable on an international scale, as well as in the welfare of each and every State of the Union. Actions taken now will produce adverse effects which will become apparent 5 to 10 years hence, when we will have lost irretrievably part of a generation of scientific advances and of scientific manpower.

Since World War II, the Federal Government has played, and will continue to play, a major role in the support and development of U.S. scientific capability. The National Science Foundation, of all Federal agencies, has been assigned the broadest and most general responsibility for the sustenance of our scientific strength. This is more particularly true this year, in view of reduction in NASA and other authorizations which have a research function.

While its budget is relatively small, NSF funds are utilized almost entirely to maintain and strengthen the two interrelated aspects of academic science—science education and scientific research. While conducting the research which provides the "cutting edge" at the frontiers of science, the scientific staffs of the universities and colleges are training the men and women who are so necessary to fulfill the future scientific and technological needs of our society.

The National Science Foundation provides about 15 percent of the Federal support of research in our academic institutions and about one-fourth of the Federal support of basic research. Its research and science education activities, including, importantly, those directed at strengthening individual academic institutions, directly benefit more than 1,000 such institutions in all the 50 States, as my colleagues have pointed out. But of equal significance is the fact that NSF funds generally have been utilized to stimulate and enlist other sources of academic science support. The effectiveness and scope of the NSF program thus is amplified considerably beyond the dollar magnitude of its budget. And the effects of the dollar cuts are similarly more drastic than the mere dollar figure portends.

Continued strengthening of our scientific and technological capability is essential to the welfare, growth, and security of the United States. American scientists are internationally acknowledged as leaders in their fields; our scientific and technological progress has brought us to an unprecedented state of economic prosperity; and our national security has been insured by our continuously advancing technological capability.

Mr. President, those eminent scientists with whom I have discussed this matter are dismayed at the cut and the effect on the program if we do not restore the funds.

In my opinion the amount in the bill even as restored by this amendment, though equivalent to the sums appropriated in fiscal years 1966 and 1967, is not sufficient to insure the scientific and technological progress the country needs and deserves. Considering the bill, we should ask ourselves whether our national circumstances are of such desperate nature that, in order to save a relatively small sum, we should take a step which could have significant adverse effects on the future welfare and power of the Nation.

Mr. ALLOTT. Mr. President, I am prepared to yield back the remainder of my time, but in the temporary absence of the chairman I do feel I should make a brief statement as the ranking minority member.

I see in the Chamber the distinguished Senator from Florida [Mr. HOLLAND]. He is, I believe, the senior member of this subcommittee.

This is not cutting out funds and this

is a wrong term to use. The amount of money in this measure, with what is recaptured from Mohole, will give them the same amount they had last year. There is no question that this entire Mohole situation has done a lot of harm to the program within the National Science Foundation and that, in my opinion, they need time to regroup and recoup themselves. There is no question about the good that they can do.

I remind my friend from Oklahoma that it was the Senator from Colorado who carried the amendment which first raised the National Science Foundation over $100 million.

Mr. President, I ask unanimous consent to have printed in the Record at this point a table showing appropriations of the National Science Foundation. It shows that from the fiscal year 1960 up to the present time it has grown from $152 million to $480 million.

There being no objection, the table was ordered to be printed in the Record, as follows:

National Science Foundation

	Appropriations
1960	$152, 773, 000
1961	175, 800, 000
1962	263, 250, 000
1963	322, 500, 000
1964	353, 200, 000
1965	420, 400, 000
1966	479, 999, 000
1967	479, 999, 000

Mr. ALLOTT. Mr. President, we are not cutting funds out. We are holding them at the same level. No Senator supports basic research more than the Senator from Colorado. I am wholeheartedly for these people, and I think this will enable them to do a better job and perhaps get a more equitable and even distribution of the funds they use.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. HOLLAND. Mr. President, I recall that when this item was passed on in the Committee on Appropriations, it was passed on without adverse comment by a single Senator. I believe it was the unanimous action of the committee.

The Senator from Delaware has stated truthfully that this is one of the few reductions which our committee found it possible to make. I would not like to see the Senate go on record as disapproving that effort to economize as to one agency without cutting the appropriation a cent from what it received the year preceding. I cannot vote for the amendment.

Mr. HARRIS. Mr. President, I yield 1 minute to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I wish to lend my voice in support of the amendment of the distinguished Senator from Oklahoma. The amendment would merely keep the present programs of the National Science Foundation operating and make adjustments for inflation and increasing costs of technical equipment and operating equipment.

I believe the point made by the distinguished Senator from Massachusetts [Mr. Kennedy] is correct, that it is false economy, indeed, which cuts down on the appropriation. When we had an incident such as Sputnik, the appropriation jumped from $40 million to $130 million and the budget request jumped from $65 million to $140 million between 1958 and 1959.

It is more sensible to have a steadily planned program. I think the point made by the Senator from Oklahoma and his amendment are in the national interest. I am happy to lend my voice in support of the amendment.

Mr. ALLOTT. Mr. President, I wish to make one brief remark. The only dissident voice raised when this matter came up was that of the distinguished senior Senator from New York. It was on his insistence that the language was put in the report about pure science. Then the bill was reported unanimously.

If the offeror of the amendment is ready to yield back the remainder of his time, so am I.

Mr. HARRIS. Mr. President, I just wish to make this comment. As I said earlier, with the rising cost of science research and education, with the cutback in the college development program of NASA, holding the line at last year's figure will result in a serious cutback in the college science and research program. We need this additional money. I am glad to yield back the remainder of my time.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. Mr. President, as I view the situation, a vote of "yea" is a vote to increase the amount $46 million, and a vote "nay" is not to do it.

The PRESIDING OFFICER. The Senator from Colorado is correct.

Mr. HARRIS. Mr. President, if this amendment is adopted at the Presidential budget level, would there be a necessity then to adopt the section since it was already adopted, except as to the text of the original amendment?

The PRESIDING OFFICER. If this amendment is adopted, that will be final action on the amendment, unless the vote is reconsidered.

Mr. HARRIS. I thank the Chair.

Mr. President, I yield back the remainder of my time.

Mr. ALLOTT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment No. 319 of the Senator from Oklahoma.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Florida [Mr. Smathers], the Senator from Missouri [Mr. Symington], and the Senator from New Jersey [Mr. Williams] are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster], the Senator from Louisiana [Mr. Ellender], and the Senator from Georgia [Mr. Russell] are necessarily absent.

I further announce that, if present and voting, the Senator from Georgia [Mr. Russell] would vote "nay."

On this vote, the Senator from Maryland [Mr. Brewster] is paired with the Senator from Louisiana [Mr. Ellender].

If present and voting, the Senator from Maryland would vote "yea" and the Senator from Louisiana would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. Dominick] and the Senator from Oregon [Mr. Hatfield] are necessarily absent.

The Senator from Wyoming [Mr. Hansen] and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from California [Mr. Kuchel] is absent by leave of the Senate.

The Senator from Kansas [Mr. Carlson] is detained on official business.

If present and voting, the Senator from Oregon [Mr. Hatfield] would vote "nay."

On this vote, the Senator from California [Mr. Kuchel] is paired with the Senator from Wyoming [Mr. Hansen].

If present and voting, the Senator from California would vote "yea" and the Senator from Wyoming would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Colorado [Mr. Dominick].

If present and voting, the Senator from Texas would vote "yea" and the Senator from Colorado would vote "nay."

The result was announced—yeas 63, nays 25, as follows:

[No. 261 Leg.]

YEAS—63

Aiken
Anderson
Baker
Bartlett
Bayh
Boggs
Brooke
Case
Church
Clark
Cotton
Curtis
Dodd
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Harris
Hart
Hartke
Hayden
Hill
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
McCarthy
McClellan
McGee
McGovern
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Randolph
Ribicoff
Scott
Sparkman
Spong
Thurmond
Tydings
Yarborough
Young, Ohio

NAYS—25

Allott
Bennett
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Cooper
Dirksen
Eastland
Hickenlooper
Holland
Jordan, Idaho
Lausche
Magnuson
Mansfield
McIntyre
Miller
Pastore
Proxmire
Smith
Stennis
Talmadge
Williams, Del.
Young, N. Dak.

NOT VOTING—12

Brewster
Carlson
Dominick
Ellender
Hansen
Hatfield
Kuchel
Russell
Smathers
Symington
Tower
Williams, N.J.

So Mr. Harris' amendment was agreed to.

Mr. HARRIS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JORDAN of North Carolina. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MAGNUSON. Mr. President, with respect to the amendment on line 9, page 39, and on line 16, I yield back the balance of my time under the unanimous-consent agreement.

Mr. WILLIAMS of Delaware. Mr. President, I yield back my time, too.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The LEGISLATIVE CLERK. It is proposed, on page 39, line 15, to strike out "$3,950,000" and insert in lieu thereof "$4,230,000."

The PRESIDING OFFICER. The question is on the committee amendment.

Mr. MAGNUSON. Mr. President, there is one other item on page 39, line 20, for Regional Management and Services. I yield back my time on that amendment.

The PRESIDING OFFICER. The Chair will state that the Senate must first agree to the amendment on line 15.

The question is on agreeing to the amendment on line 15, page 39.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The LEGISLATIVE CLERK. On page 39, line 20, after the word "Department", strike out "$5,300,000" and insert "$5,430,000".

Mr. MAGNUSON. Mr. President, I yield back my time on the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The LEGISLATIVE CLERK. On page 40, line 5, after the word "exceed", strike out "$581,000,000" and insert "$2,385,000,000".

Mr. MANSFIELD. Mr. President, there will be no further votes tonight.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that 2 minutes be allowed, apart from the pending amendment, to the Senator from Texas [Mr. YARBOROUGH] to make a brief explanation of the amendment which he proposes to offer following the amendment now pending.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 330

Mr. YARBOROUGH. Mr. President, I submit an amendment and ask that it be printed. This amendment is on page 4, line 7, of the bill, and is to strike out "$15,000,000" and insert "$30,000,000" for emergency funds given the President for disasters.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. YARBOROUGH. Mr. President, I call attention to page 22 of the report accompanying this appropriation bill. The appropriation for 1967 for disaster relief was $24,550,000. The budget estimate for this fiscal year was $15,000,000.

I offer for the RECORD, and ask unanimous consent to have printed, a tabulation showing the damage inflicted by various hurricanes, and the funds allocated for damage by two hurricanes.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

U.S. HURRICANES, 1960–66

The record of hurricanes which hit the U.S. mainland in 1960–66 follows:

1960 (Aug. 29–Sept. 13): Hurricane Donna hit Florida and continued up the East Coast through New England. Damage: $225 million.

1961 (Sept. 3–15): Hurricane Carla struck Texas. Damage: $225 million.

1964 (Sept. 8–9): Hurricane Dora hit the coast of upper Florida and Georgia. Damage: $240 million.

1964 (Oct. 2–3): Hurricane Hilda damaged Louisiana, Georgia, and the Carolinas. Cost: $100 million.

1965 (Sept. 7–11): Hurricane Betsy hit the Florida coast and Louisiana. Damage: $1 billion.

1966 (June 8–9): Hurricane Alma hit the west coast of Florida, crossed the state and struck Georgia. Damage: $10 million.

1966 (Oct. 4): Hurricane Inez slightly damaged the Florida Keys. Cost not available.

Money allocated from President's Disaster Relief Fund for:

Hurricane Carla in Texas (1961): $8 million.

Hurricane Betsy in Louisiana (1965): $39,750,000.

Mr. YARBOROUGH. Mr. President, let me point out that Hurricane Carla in Texas had an allocation of $8 million from the President's disaster relief fund in 1961. There was an allocation for Hurricane Betsy of $39,750,000 in 1965.

The amendment would raise the disaster fund from $15 million to $30 million for all the 50 States of the Union. At this time, there is a disaster of great proportions occurring in my State. I ask unanimous consent to have printed in the RECORD at this point a newspaper account from this evening's Washington Star, the headline of which reads "Beulah Batters Texas Coast."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BEULAH BATTERS TEXAS COAST—BROWNSVILLE POWER OUT—30,000 FLEE

BROWNSVILLE, TEX.—Hurricane Beulah battered Brownsville today with winds surging above 100 miles per hour then, only slightly weakened by the onslaught, moved on toward Corpus Christi.

More than 30,000 Texans had fled far inland or taken refuge in hometown shelters. Their flight was orderly and appeared to be mostly cheerful—even taken as fun, at first, by some. But in neighboring Matamoros, Mex., officials reported fear and confusion as citizens scrambled for shelter.

Beulah had approached the Texas-Mexico coast with winds of 160 m.p.h. whirling around her center. Her slam at the Rio Grande Valley and her charge upcoast cut her big punch to 150 m.p.h., even though the eye, the focal point of her power, remained over water.

TORNADOES REPORTED

But as she aimed her dead calm eye at Corpus Christi she remained one of the most powerful storms ever recorded, and the Weather Bureau predicted Beulah would still pack a punch of better than 100 m.p.h. when the eye finally crashed ashore.

With two twisters already reported, the Weather Bureau said "a few" more tornadoes, are likely within 80 miles of the coast between Corpus Christi and Galveston.

"She's just about the biggest, nastiest storm I've ever seen," said the veteran pilot of a Navy hurricane hunter after flying through the eye.

At 7 a.m. (Central Daylight Time) Beulah was 125 miles south of Corpus Christi and moving northward at about 12 m.p.h.

MEXICAN TOWN HARD HIT

Meanwhile, ham operators reported the tiny town of Valle Hermoso, Mex., 15 miles south of Brownsville, was nearly wiped out. Many residents had been evacuated before the storm hit.

No deaths or injuries were reported immediately as the first hurricane-force winds pounded the Texas Coast.

Earlier, Beulah had been blamed for 24 deaths—23 in the Eastern Caribbean and Mexico's Yucatan Peninsula and one when big waves rolling up the Gulf flung a 15-year-old girl from her surfboard near Freeport, south of Houston.

Beulah's eye was just off the mouth of the Rio Grande at 5 a.m. She had started veering north when her first hurricane-force blasts hit Brownsville.

The Weather Bureau said the center would remain over water, passing just east of the Rio Grande and just offshore of Padre Island, a thin strip of resort sand that runs from Brownsville to Corpus Christi.

They expected the eye and the full-force winds around it to crash inland in the Corpus Christi area late today, after hurricane-force winds hit there earlier in the afternoon.

Hurricanes draw their strength from warm waters and with Beulah's eye still at sea she would pack a crushing blow, although the Weather Bureau said the winds extending overland might cause her to weaken slowly.

A possible spinoff from Beulah occurred at Hungerford, a small town about 50 miles southeast of Houston, where a resident reported "a twister just took the roof off my barn and a neighbor's house."

Another twister near Port Lavaca on Matagorda Bay damaged a Texas Department of Public Safety building, a farmhouse and a barn.

GIANT PALMS UPROOTED

Except for a few telephone lines Brownsville was isolated by the storm. The hurricane uprooted giant palms, battered buildings and flailed Rio Grande Valley citrus groves.

Beulah blasted all Brownsville power off. The city's lights blinked out in segments as the storm's fury grew.

A policeman reporting in from a patrol said he saw roofs blown off a house and an old tollhouse on the Rio Grande, watched a tin shed over the customs house over a new Rio Grange bridge sail away and saw an automobile showroom's big windows crash in.

The Red Cross reported 30,622 evacuees reached 158 emergency shelters at scattered points by early morning. It said there were 622 shelters available with a total capacity of 492,000.

The Brownsville Weather Bureau lost emergency power as well as its primary source and all tracking of the storm reverted to New Orleans.

RAIN IN HEAVY BURSTS

Rain fell in heavy bursts. Uprooted trees and ripped branches littered Brownsville streets. Some streets were impassable. Hospitals were on emergency power. One residence caught fire, cause unknown.

The Weather Bureau said tides up to 15 feet and torrential rains threatened dangerous flooding from Brownsville to Palacios, 50 miles northeast of Corpus Christi on Matagorda Bay.

Five- to 10-foot tides were predicted from Palacios to Galveston and 3- to 6-foot tides from Galveston to Port Arthur, just across the Sabine River from Louisiana.

In the 159-mile stretch from Brownsville to Corpus Christi there is little immediately along the coast except pastures of the huge King Ranch, lushly grassed coastal prairie so flat there is no barrier for winds or tides.

SMALL TOWNS INLAND

Some 15 to 30 miles inland along this unobstructed coastline lie a number of small towns, among them Raymondville, San Manuel, Rachal, Encino, Falfurrias, Kingsville, Driscoll and Robstown.

Corpus Christi is a city of more than 200,000. It has a striking skyline, set against a bridge arching high over an arm of the gulf, and a long-sparkling beachfront lined with palm trees and flowering tropical plants. On the inland side are several big oil refineries.

Brownsville has a population of more than 50,000 and Matamoros, just across the Rio Grande, a population of about 100,000. Inland up the Valley lie towns and farms containing at least another quarter of a million people.

Beulah overtook the 84-foot freighter Vergemeere from British Honduras as it ran toward Brownsville, forcing the five crewmen to abandon ship near the mouth of the Rio Grande. Coast Guardsmen rescued them.

Police said their cars were the only cars still operating in the streets.

There was no way to gauge the height of tides on Padre Island because of the Weather Bureau's power loss.

Except for about a dozen Coast Guardsmen, the south end of Padre Island was reported completely abandoned. But at the north end, before the storm's eye veered toward Corpus Christi, a handful of stalwarts agreed to ride out the storm in an old two-story house at Port Aransas, a fishing village. They included deputy sheriffs and utilities workers.

"The water is already up to the dunes, so I imagine they are on the second floor now," a deputy said.

HERMIT ORDERED OUT

Roderick Devine, 38, a Padre Island hermit, refused to leave his crude hut of plank, driftwood and rocks until a justice of the peace ordered him to do so. Then Devine turned down a helicopter ride and walked across a bridge to the mainland, carrying his only companion, a cat.

In the big civic center auditorium at Brownsville, more than 1,000 persons sat in chairs circled into family groupings, feeding themselves from ice chests, riding herd on their children and watching amateur singers and dancers on stage.

"It's almost like a fiesta," said a social worker, Leroy H. Haverlah Jr.

But when the power failed and the air conditioning went off, Haverlah said, "It'll get stifling. Nobody can take more than 24 hours of this."

Mr. YARBOROUGH. Mr. President, there is a statement in the article which quotes a statement by a Navy flier that it was the biggest and nastiest storm he has seen. I have talked to officials where the hurricane has passed. There is great damage.

Mr. President, this appropriation is for emergency spending. If the funds were exhausted by the demands of that hurricane, there would be nothing left for other States in which disasters might occur. There have been disasters in several States.

In 1960 Hurricane Donna hit Florida and continued up the east coast through New England, with a damage of $225 million.

In 1961 Hurricane Carla struck Texas, with damage of $225 million.

In 1964 Hurricane Dora hit the coast of upper Florida and Georgia, with damage of $240 million.

In 1964 Hurricane Hilda damaged Louisiana, Georgia, and the Carolinas, with a damage of $100 million.

In 1965 Hurricane Betsy hit the Florida coast and Louisiana, with a damage of $1 billion.

Mr. President, this emergency fund is not for the total damage, but provides just emergency moneys. There is a big hurricane going on right now.

Mr. President, I will leave this amendment until tomorrow.

CORRECTION OF ANNOUNCEMENT OF POSITIONS ON VOTES

Mr. ERVIN. Mr. President, I was necessarily absent from the Senate floor on official business for the vote yesterday on the amendment by Mr. WILLIAMS, of Delaware, to the committee amendment which was the subject of legislative rollcall No. 254 and for the vote on the committee amendment which was the subject of legislative rollcall No. 255.

As appears by my recorded vote on legislative rollcall No. 253, I would have opposed the Williams amendment when the vote on legislative rollcall No. 254 was taken and would have favored the committee amendment when legislative rollcall No. 255 was taken.

However, I was inadvertently placed on record as favoring the Williams amendment, which I opposed, and opposing the committee amendment, which I favored.

I ask unanimous consent that this inadvertence be corrected in the permanent edition of the CONGRESSIONAL RECORD of September 19, 1967.

Mr. BYRD of West Virginia. Mr. President, included in this bill under the public buildings section of the General Services Administration appropriation, is an appropriation of $758,000 for a new post office and Federal office building in Morgantown, W. Va.

These funds will be used for architectural plans and for site acquisition. The total cost of the new building is estimated to be $3,059,000.

This new building marks yet another major Federal facility which will be built in Morgantown, home of West Virginia University.

Other facilities include a Forest Service research laboratory which I will have the honor to dedicate next Saturday, coal research facilities operated by the Office of Coal Research, the new National Training School for Boys, now under construction, and the proposed Appalachian Environmental Health Laboratory, plans for which are now being formalized by the Public Health Service.

I am proud to have had at least a small role in helping to bring these fine structures—as well as the fine men and women who serve in them—to my State.

NEW FEDERAL AVIATION ADMINISTRATION SAFETY REGULATIONS

Mr. MONRONEY. Mr. President, yesterday the Federal Aviation Administration issued new rules imposing strict requirements on both aircraft manufacturers and commercial airlines designed to provide more protection for air passengers in so-called survivable crashes. I commend Administrator McKee for his decision which, I believe, will save hundreds and perhaps even thousands of lives during the 1970's when air passengers will be flying in aircraft with capacities of 300 to 500 passengers.

From 1961 through 1965, there were 17 survivable air crashes in which 698 people were involved—419 survived, but 279 died due to the fire, smoke, and confusion following the crash. When new planes, which will carry up to 490 passengers, and others to 300 passengers are put into service, two air crashes could risk more people's lives in survivable crashes than were at risk in the 17 crashes from 1961 through 1965.

More than half of all airline accidents occur on takeoffs, approaches, or landings, at or around airports. More air crashes, therefore, must and can be made survivable. The new FAA rules are designed to do just that by reducing the evacuation time from 2 minutes to 90 seconds; by making cabin interiors fire resistant; by improving access to emergency exits, and by requiring redesign of landing gears to minimize the danger of fire from ruptured fuel lines in the event of hard landings or crashes.

Administrator McKee's decision is a far-reaching one, which will be of great benefit to the public and great cost to the manufacturers and airlines. These rules are the most sweeping issued by the FAA since its creation in 1958. By the same token I believe they will enhance the protection of air travelers more than any action taken by the FAA.

More people travel by air today than by any other means of commercial transportation. It is time to give them the type of protection that modern technology is capable of providing. The air travelers of the future will owe a great debt to Administrator McKee for his insistence that their safety be the first consideration of the aircraft manufacturers and the airlines in designing and operating modern jet aircraft.

I ask unanimous consent to have printed in the RECORD a letter I received from Administrator McKee, a copy of the FAA press release announcing the new regulations, and articles on this subject published in the New York Times and the Washington Post today.

There being no objection, the items requested were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF TRANSPORTATION,
FEDERAL AVIATION ADMINISTRATION,
Washington, D.C., September 19, 1967.

Hon. A. S. MIKE MONRONEY,
Chairman, Subcommittee on Aviation, Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: We have recently made revisions to the Federal Aviation Regulations, Part 25 and Part 121, which I believe may be of interest to you.

The new regulations are concerned with crashworthiness and emergency evacuation, and are the results of several years of extensive study and evaluation by both the agency and industry.

We believe the improvements brought about by these regulations will contribute to air safety.

The enclosed summary should provide you with the essentials of the changes, and I will be happy to discuss them with you in detail or arrange a further briefing if it would be helpful.

Sincerely,

William F. McKee,
Administrator.

FAA Issues New Passenger Emergency Evacuation Rules

New rules designed to improve substantially passenger chances for surviving airplane crashes were announced today by the Federal Aviation Administration.

FAA's new "Crashworthiness and Passenger Evacuation Standards for Transport Category Airplanes" require extensive safety improvements in both airline equipment now in service and in designs of new planes not yet type certificated.

In general, the new rules take effect October 24, 1967. Large capacity jets, smaller, shorter range planes and other "T" category aircraft not yet type certificated will have to meet most of the new requirements to qualify for type certificates, regardless of when type certification was originally applied for.

Aircraft now in service or already type certificated will have to meet most of the retrofit changes required under the new rules by October 1, 1969. This lead time will give airlines enough time to make the required modifications. There are some required modifications which must be made within 12 to 18 months. Several requirements must be met by October 24, 1967.

Stretched versions of current jet transports are likewise subject to the new rules.

For the first time, airplane manufacturers will have to demonstrate a 90-second emergency evacuation using a full and representative passenger load, before they will be issued type certificates. Present FAA rules require the airlines to demonstrate passenger evacuation, allowing two minutes for complete evacuation.

Under the new rules, carriers will have to conduct 90-second evacuation demonstrations when they introduce new or significantly modified equipment into service, or when passenger seating capacity is increased by five per cent or more.

Some of the improvements required in passenger transports now in service are:

By *October 24, 1967:* ready accessibility of all emergency exits for passenger evacuation regardless of the number of occupants present on any particular flight; all passenger seatbacks in upright position for takeoffs and landings; flight attendants stationed near floor level exits and uniformly spaced during takeoff and landing; the passenger briefing instruction cards on emergency evacuation procedures (located in pocket of seatback facing passenger) will describe only the specific type aircraft.

By *October 24, 1968:* better access to overwing exits by eliminating interference from seatback in the immediate area of the exit; cabin linings with self-extinguishing properties for improved resistance to fire; planes not yet type certificated by October 24, 1967, will have such materials installed before leaving the factory; airline transports now in service which do not already have interiors with self-extinguishing qualities must have them in after this date with their first major cabin overhaul or refurbishing of passenger cabin interior.

By *April 24, 1969:* restraints for stowing carry-on baggage to prevent baggage from creating a hazard in the event of an accident.

By *October 1, 1969:* automatic self-supporting, 10-second escape slides from each floor level exit in the cabin higher than six feet above the ground (slides manufactured on or after October 24, 1967 will have to meet new standards calling for automatic inflatability in not more than 10 seconds after actuation); slip-resistant and clearly marked escape routes from each overwing exit; emergency lighting control switch installed in passenger cabin for operation by flight attendants—this to be an additional switch to one now installed in pilot compartment; this requirement also applies to planes not yet type certificated; all floor level exits must meet new emergency exit requirements.

Airplanes which have not yet received FAA type certification must meet the airworthiness requirements specified for transports now in service, as appropriate. In addition, they must also satisfy various additional requirements. Emergency exits in future planes must be uniformly distributed. In the case of very large transports, increased exit-to-passenger ratios are specified. For aircraft with 300 seats or more, side exits must be either Type I, floor level exits, which require openings at least 24 inches wide by 48 inches high, or Type A, floor level exits, which are at least 42 by 72 inches, larger than any present emergency exits. Type A exits must have double-width slides fully deployable in 10 seconds.

Manufacturers seeking FAA certification of additional passenger seating capacity on the basis of their aircraft being equipped with ventral exits or tail cone exits, must fully qualify such exits for passenger emergency evacuation purposes to receive such authorization.

Improved landing gear design requirements must be met for type certification, to minimize rupture of fuselage fuel lines in the event of landing gear failure or crash. Associated with this requirement are new rules for better protection of fuel lines and electrical cables against fuel leakage. Fuel lines must have sufficient flexibility and strength to allow some stretching without leaking. Power cables must likewise have added flexibility and strength and, in addition, be isolated from the fuel lines.

The new rules are based on FAA Notices of Proposed Rule-Making (Notices 66–26 and 66–26A) dated July 29 and September 2, 1966. These notices were issued as a result of a public conference, extensive government-industry discussions, and special studies by FAA's "Task Force for Crashworthiness and Passenger Evacuation."

FAA will consider additional revisions of the regulations, as advances in the state-of-the-art allow, to further increase the probability of passenger survivability during accidents. To this end, follow-on government and industry development programs have been established to devise new techniques, designs, and equipment.

In progress now are programs to develop more effective self-extinguishing characteristics for aircraft interior materials, cabin fire suppressant systems, protection from smoke and fumes, gelled fuels, improved emergency lighting and exit conspicuity, and improved evacuation facilities and techniques.

[From the New York Times, Sept. 20, 1967]

Air Safety Rules Stiffened—Cost Is Put at $2 Billion—FAA Moves To Lessen Fire Risk and To Speed Evacuations From Planes in Survivable Crash Landings

(By Evert Clark)

Washington, September 19.—Sweeping new rules aimed at saving more lives in airline crashes were issued today by the Federal Aviation Administration.

The rules will cost airlines and manufacturers almost $2-billion in the next few years, according to industry estimates. Presumably, much of this cost will be passed on to air travelers.

All the rules are intended to make so-called "survivable" crashes more survivable. The majority of airline accidents occur on take-off, approach to an airport or landing, and many passengers survive them.

From 1961 through 1965, for example, 279 persons died in 17 survivable crashes, but 419 lived. Fire, smoke and the confusion the crashes create are blamed for most of the deaths.

The rule changes and new rules made public today seek to lessen the risk of fire and to speed evacuation of a crashed aircraft whether or not fire occurs. Dozens of existing rules are affected by the changes.

The changes include easier access to exits, better marketing and lighting of exits, greater protection for fuel and electric materials for walls and ceilings, better restraint of baggage and a requirement that 75 percent of the lights continue to burn even if the fuselage is broken open.

PLAN FOR TWO AIRPORTS

In New York, meanwhile, major airlines and the Port of New York Authority took joint steps to ease air traffic congestion at the city's major airports by attracting private planes to smaller fields.

Included in the steps were an agreement by Pan American World Airways to develop and operate Teterboro Airport in New Jersey and Republic Airport in Nassau County and the starting of nonstop bus service between Teterboro and the West Side Airlines Terminal in Manhattan.

Perhaps the most important new requirement of the Federal Aviation Administration is that new planes must have enough exits for a full load of passengers to get out in 90 seconds by using the exists on only one side. The time requirement now is 120 seconds.

For the first time, the manufacturer will have to demonstrate this capability before the F.A.A. will certify his plane for use. Until now this burden has been on the airlines.

Most planes already in use will not be required to meet the 90-second rule for two years unless an airline wants to modify the planes or to increase seating capacity by 5 per cent or more.

The evacuation time for planes now in service should be decreased, however, by other new rules affecting the access to exits and the spacing of flight attendants.

The rule changes take effect at various times between next Oct. 24 to Oct. 1, 1969. Many will require modifications to existing planes.

Clifford W. Walker, the aviation agency's deputy associate administrator for programs, said at a news conference at F.A.A. headquarters that the modification may "cost an airline one seat, two seats, three or four seats," depending on the plane's size and seating arrangement.

"This is a big rule-making," Mr. Walker said. "It is one of the most expensive we have come up with. Most of these things deal with the basic commodity an airline has to sell—passenger seats, space in the cabin—and so many of these are infringements on this commodity.

"But we really are talking about saving the lives of people . . . I'm afraid we didn't make a cost-benefit study of what that few inches involved."

The industry has had about a year to comment specifically on the rule changes announced today. But discussions of many of them date back to 1961 when Najeeb Halaby, former administrator of the aviation agency, called airline presidents together to discuss evacuation problems.

Some proposed rule changes were deferred pending more research and development work.

Mr. Walker said, "We haven't as far as I know backed off from any proposals because of expense to manufacturers or operators. And where we have backed off, it is not quitting. It is where they have convinced us that more work will produce better changes than we could get now."

Changes effective next month will include a rule that all emergency exits be readily accessible. Some are now blocked off in areas where there are few seats. Others will require that all seat belts be in the upright position for landing and take-off and that flight attendants be spaced through the cabin near regular exits.

AUTOMATIC ESCAPE SLIDES

By October of 1969, each floor-level exit in the cabin that is more than six feet above the ground must have automatic, self-supporting escape slides that go into position in 10 seconds.

Some planes now have 10-second slides but many have slides that are neither automatic nor self-supporting. Some slides now must be pulled taut from the ground by the first passengers to get out. But the F.A.A. found that "if it got too hot those people might leave," Mr. Walker said.

Seats near emergency exists now must be capable of being folded all the way forward "but a lot of passengers didn't know that," he said. A rule taking effect next year will require that no seat back can interfere with access to such an exit.

These examples illustrate the degree to which the new rules are based on what has been learned from crashes. In this sense they are "hindsight" rules—though some grew out of problems discovered as the agency required airlines to demonstrate evacuation capabilities in simulated crashes, and some from test crashes of planes filled with life-like dummies.

By 1969, escape routes leading over a wing from an emergency exit will have to be slip-resistant and clearly marked.

"Everyone wants to keep that wing highly polished," Mr. Walker said. "We want it anti-skid."

OUTSIDE EXIT MARKINGS

Exits are also to be marked on the outside of the plane in the future. This grows out of complaints by rescuers that they sometimes could not find the exits to help passengers trapped inside.

An important change aimed at cutting the risk of fire will require that landing gear must not puncture the fuselage fuel system. This "removes the hazard of pumping burning fuel into the fuselage from a broken line"—something that has occurred in crashes, the agency said.

The larger 300- to 500-passenger jets that will go into service in a few years will be required in some cases to have two long aisles, cross-aisles and double-width exits with double-width slides, Mr. Walker said.

"We are not requiring the aircraft of today to have more holes and exits installed," Mr. Walker said. "We might be hurting ourselves more than helping if we did.

"But we're saying if you've got holes in that aircraft, make them available—don't block them up."

Years of development and regulation have produced planes that "will take a real battering and passengers are still alive," Mr. Walker said. "So the idea is to get them out before fire, fumes or something else gets them."

[From the Washington (D.C.) Post, Sept. 20, 1967]

FAA STIFFENS PLANE SAFETY REGULATIONS

(By David Hoffman)

Stringent new rules to enhance passengers' chances of surviving serious airline accidents were announced yesterday by the Federal Aviation Administration.

In general, the rules require larger, more accessible emergency exits, the use of "self-extinguishing" materials in cabin construction, self-inflating escape slides at every fuselage door, the tying down of carry-on baggage and improved emergency lighting.

Not since its creation in 1958 has the FAA promulgated rules of greater consequence to the airlines, the aircraft manufacturers and the traveling public.

An elaborate timetable governs when airlines and manufacturers must comply with the rules. Some must be implemented by Oct. 24, others at 12-, 18-, and 24-month intervals thereafter.

FAA officials refused yesterday to estimate how much the package of new regulations will cost the airlines and the manufacturers in years ahead. However, the new rules closely parallel proposals circulated by the agency in July, 1966.

The Aerospace Industries Association complained at the time that if production of aircraft was halted to await fabrication of newly required parts, more than 30,000 workers would lose their jobs at Boeing and Douglas, aircraft deliveries would be set back 6 to 22 months, and the companies forced to swallow a bill for $663 million.

AIRLINES ARE BITTER

If anything, the airline industry was even more bitter. The Air Transport Association, which represents some 40 scheduled carriers, argued that FAA's rulemaking would cost $1.35 billion in overhaul costs and lost revenue. Airlines assumed that, on the average, modifications ordered by FAA would result in the loss of 4 percent of the passenger seats available.

FAA's new "crashworthiness and passenger evacuation standards for transport category aircraft" are designed to protect passengers involved in so-called "survivable" accidents. In these, passengers survive the initial impact handily, but then perish from burns or smoke inhalation in the resulting fire.

ACCIDENT TOLL

Thus, in 1962, 80 survived and 64 were killed in three survivable accidents. In 1963, there were 45 survivors and 19 fatalities in six such accidents. In 1964, there were two accidents involving 27 survivors and 49 fatalities. In 1965, 157 survived and 51 died in three survivable accidents.

Under the new rules, airlines and manufacturers will have to demonstrate that a full load of passengers can evacuate a new aircraft in 90 seconds before that plane can be placed in service. Those pretending to be passengers are allowed to use only half the available exits, and in their number must be a representative percentage of women, elderly men and dolls (to simulate infants in arms).

The old rule allowed airlines to show all passengers could be gotten out in 120 seconds.

Effective on April 25, 1969, one of the new rules will require that when landing gears fail during exceptionally hard landings, the gear must not puncture the plane's fuel system. On Nov. 11, 1965, a United Air Lines 727 jetliner touched down hard at Salt Lake City. Its landing gear was squashed up into the fuselage where it ruptured a fuel line. Of 91 aboard, 43 died in the resulting fire.

LIST OF RULES

The following rules become effective on Oct. 24:

All passenger seat backs must be in the upright position for takeoff and landing; flight attendants must be uniformly spaced around the cabin during takeoff and landing; the passenger instruction cards on how to evacuate the aircraft in an emergency will deal only with the plane being ridden, not whole families of planes.

By Oct. 24, 1968, airlines will have to remove seats in the immediate area of emergency exits and line cabins with materials more resistant to fire.

Carry-on baggage must be "restrained," either by tie-downs under the seat or by special containers, by April 24, 1969.

By Oct. 1, 1969, new slides must be installed at doors more than six feet above ground level. The slides must be self-supporting and inflate automatically in not more than 10 seconds. There must be non-slip material affixed to over-the-wing escape routes, and these routes must be clearly marked.

PROPOSAL IN 1961

Many of the rules actually adopted were proposed as long ago as 1961. They grew out of the crash of a United Air Lines DC-8 at Denver, Colo., in July of that year. On landing, the jetliner skidded off the runway, struck a truck, and began burning.

There were 41 passengers and three emergency exits in the first class cabin, one exit for every 14 passengers. No one died there In the tourist cabin were 81 passengers and only one exit. Sixteen died there, probably of smoke inhalation as they sat still in their seats.

On Nov. 15, 1966, Fenwal Inc., an old-line manufacturer of safety devices, briefed the FAA on a system that would prevent the outbreak of fire in an airliner cabin for five minutes after initial impact. The system uses Freon to suppress the flames. It is not installed in any airliner.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 41 minutes p.m.) the Senate adjourned until tomorrow, Thursday, September 21, 1967, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate, September 20, 1967:

NATIONAL TRANSPORTATION SAFETY BOARD

Francis H. McAdams, of the District of Columbia, to be a member of the National Transportation Safety Board for the term expiring December 31, 1972. (Reappointment.)

UNITED NATIONS

Roger W. Tubby, of New York, to be the representative of the United States of America to the European office of the United Nations, with the rank of Ambassador.

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons for appointment as Foreign Service officers of class 1, consular officers, and secretaries in the diplomatic service of the United States of America:

John F. L. Ghiardi, of Michigan

William J. Handley, of Virginia.

Arthur W. Hummel, Jr., of Maryland.

Now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consular officers of the United States of America:

Donald C. Bergus, of Pennsylvania.

David T. Schneider, of New Hampshire.

For appointment as a Foreign Service officer of class 2, a consular officer, and a secretary in the diplomatic service of the United States of America:

Dr. Willard F. Shadel, Jr., of Washington.

Now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to be also a consular officer of the United States of America:

George M. Barbis, of California.

For appointment as a Foreign Service officer of class 3, a consular officer, and a secretary in the diplomatic service of the United States of America:

Robert A. Deitchman, of Virginia.

For appointment as Foreign Service officers of class 4, consular officers, and secretaries in the diplomatic service of the United States of America:

Thomas Prince, of Illinois.
A. Irwin Rubenstein, of Florida.

For promotion from Foreign Service officers of class 7 to class 6:

Michael R. Anzivina, of New York.
James L. Barnes, of Florida.
Gilbert R. Callaway, of Arkansas.
Richard Castrodale, of Pennsylvania.
Charles O. Cecil, of California.
Carl B. Cunningham, of California.
Donald A. Guerriero, of New Jersey.
Francis S. M. Hodsoll, of New York.
William L. Jacobsen, Jr., of Washington.
Miss Karen D. Jenkins, of Virginia.
Robert R. Little, of New York.
Doyce R. McNaughton, of Texas.
Nicholas C. H. MacNeil of New Jersey.
Edward M. Malloy, of New York.
Roger Morris, of Missouri.
Denman T. Snow II, of Georgia.
Richard A. Virden, of Minnesota.
Joel M. Woldman, of Ohio.
Murray B. Woldman, of Ohio.

For promotion from Foreign Service officers of class 7 to class 6 and to be also consular officers of the United States of America:

Robert G. Houdek, of Illinois.
Kenton W. Keith, of Missouri.
Robert L. Michael, of Ohio.
Thomas J. Wajda, of Ohio.
Phillips S. Waller, of California.

For promotion from Foreign Service officers of class 8 to class 7:

Peter J. Antico, of New York.
Robert B. Boettcher, of Texas.
Miss Michele M. Bova, of Maryland.
Bruce W. Clark, of California.
Hervey Parke Clarke, Jr., of California.
Wayne L. Cooper, of New York.
Arthur S. Decad, of New York.
Rust M. Deming, of the District of Columbia.
Miss M. Dell Fleming, of Louisiana.
Donald B. Kursch, of New York.
John P. Lyle, of New York.
John D. Marks, of New Jersey.
Robert M. Maxim, of New York.
John L. Nesvig, of Minnesota.
Wesley H. Parsons, of Arizona.
Robert David Plotkin, of California.
David Phillip Rehfuss, of Oregon.
John R. Savage, of California.
Daniel Scherr, of New York.
Raymond G. H. Seitz, of Texas.
Keith L. Wauchope, of Virginia.
David J. Zimmerman, of New York.

For promotion from Foreign Service officers of class 8 to class 7 and to be also consular officers of the United States of America:

Lawrence E. Christmas, of Texas.
Paul P. Pilkauskas, of New York.
Clyde V. Prestowitz, Jr., of Hawaii.
Roger E. Sack, of New York.

For appointment as Foreign Service officers of class 7, consular officers, and secretaries in the diplomatic service of the United States of America:

Paul B. Altemus, of New Jersey.
Richard W. Baker, III, of New Jersey.
John B. Barton, of South Carolina.
Robert D. Blackwill, of Nevada.
David Bloch, of New York.
Michael Carpenter, of Florida.
Louis E. Chappuie, of Maryland.
Henry L. Clarke, of South Carolina.
Brian G. Crowe, of New York.
James C. Dean, of Illinois.
Paul R. Dekar, of California.
John M. Dobson, of California.
Michael L. Durkee, of New York.
John C. Farrell, of Colorado.
John David Forbes, of Pennsylvania.
Galen W. Fox, of Hawaii.
Jon M. Gibney, of New York.
Richard J. Gilbert, of Hawaii.
G. Gene Griffiths, of Tennessee.
Thomas P. Hamilton, of Hawaii.
Roger G. Harrison, of California.
Miss Eleanor Hicks, of Ohio.
Richard L. Howell, of Florida.
Stanley R. Ifshin, of New York.
Harry Kopp, of New York.
Michael D. Love, of Oklahoma.
Ralph L. Lowry, of Pennsylvania.
Charles A. Mast, of South Dakota.
David C. McGaffey, of Michigan.
Michael S. McGill, of Missouri.
Miss Karen E. Ondras, of Massachusetts.
Jason H. Parker, of the District of Columbia.
Alec M. Peltier, of California.
Darryl L. Penner, of Michigan.
Robert M. Perito, of Colorado.
Dennis M. Peterson, of Minnesota.
Alex W. Pleasic, of Connecticut.
Kenneth H. Rabin, of New York.
Floyd A. Riggs, of Virginia.
Jack M. Seymour, Jr., of Pennsylvania.
Dane F. Smith, Jr., of New Mexico.
David A. Sousa, of Massachusetts.
J. Clagett Taylor, Jr., of Florida.
Ward C. Thompson, of New Hampshire.
Dan E. Turnquist, of Colorado.
Edward S. Walker, Jr., of Pennsylvania.
Irving A. Williamson, Jr., of Missouri.

For appointment as Foreign Service officers of class 8, consular officers, and secretaries in the diplomatic service of the United States of America:

Eugene C. Bailey, of California.
Guy Burton, of New York.
Timothy Michael Carney, of Nebraska.
Robert T. Coonrod, of New York.
John B. Craig, of Pennsylvania.
Miss Kathleen J. Croom, of Missouri.
Richard D. Cummins, of New York.
Jeffrey R. Cunningham, of Idaho.
Robert F. Dorr, of California.
Tabor E. Dunman, Jr., of Virginia.
Arthur J. Hardman, of New York.
David C. Harr, of Illinois.
Sherman N. Hinson, of New York.
Allen L. Keiswetter, of Kansas.
Terrence H. Kneebone, of Utah.
William U. Lawrence, of Michigan.
Thomas D. Maher, of New Jersey.
Eugene A. Nojek, of Illinois.
Timothy M. Randall, of Illinois.
John W. Solomon, of New York.
Donald J. Sutter, of New Jersey.
J. Richard Thurman, of Kentucky.
Miss Dena-Kay E. Wade, of Virginia.
Matthew P. Ward, Jr., of Pennsylvania.
Richard LaVerne Williamson, Jr., of California.

Foreign Service Reserve officers to be consular officers of the United States of America:

Thomas J. Dalton, of New York.
Charles M. Elkinton, of Virginia.
Robert T. Fries, of California.
Roy H. Green, Jr., of California.
Charles E. Luckett, Jr., of Virginia.
John H. Stein, of Rhode Island.

Foreign Service Reserve officers to be consular officers and secretaries in the diplomatic service of the United States of America:

Orville H. Bathe, of California.
Daniel A. Billings, of Virginia.
Paul P. Blackburn, of the District of Columbia.
Robert J. Bryant, of Virginia.
Terrence M. Burke, of Virginia.
David M. Burns, of Kansas.
Frederick S. Buschmeyer, of Virginia.
George A. Chritton, Jr., of California.
William J. Clair, of Virginia.
Robert A. Collinge, of Virginia.
George A. T. Donely, of New Jersey.
Horace Y. Edwards, of Texas.
Daniel S. Endsley, of California.
Paul W. Erickson, of Maryland.
John W. Hennessy, of Connecticut.
Richard H. Jeanneret, of New Jersey.
Ivan T. Klecka, of Illinois.
Michael A. Kristula, of California.
David K. Langstaff, of Virginia.
Frederick W. Latrash, of California.
Andre J. Le Gallo, of New Jersey.
John R. McCarthy, of Florida.
James T. McGloin, of Michigan.
Edward J. McHale, of Virginia.
Henry L. Miller, Jr., of New York.
Richard T. Muller, of New York.
Earle R. Myrick, of Pennsylvania.
Merwin W. Peake, of Missouri.
Ray Peppers, of South Carolina.
Edgar L. Piret, of Minnesota.
Kenneth R. Rackman, of Virginia.
Francis Y. Savage, of Virginia.
Miss Helen Semmerling, of Michigan.
Abraham M. Sirkin, of Maryland.
C. Frank Stone III, of the District of Columbia.
Herbert W. Timrud, of Virginia.

Foreign Service Reserve officer to be a secretary in the diplomatic service of the United States of America:

Joseph Leo St. Lawrence, of the District of Columbia.

Foreign Service staff officers to be consular officers of the United States of America:

Miss Florence C. Adamson, of Oregon.
Miss Allison Bailey, of Missouri.
Miss Margaret J. Barnhart, of Pennsylvania.
William M. Campbell, of Virginia.
Miss Diane Daniel, of Arizona.
Willie J. Green, of the District of Columbia.
Ronald A. Gzehoviak, of Nebraska.
Miss Peggy A. Hall, of North Carolina.
Harry D. Hobbs, of Florida.
Bruce M. Holly, of California.
William H. Holm, of Washington.
Miss Mary M. Kelley, of Texas.
James F. Knickerbocker, Jr., of Florida.
Richard A. McCoy, of New Jersey.
Donald R. Ness, of Washington.
Richard W. Rauh, of Illinois.
Miss Audrey E. Roughton, of the District of Columbia.
Mrs. Lucy G. Silverthorne, of New York.
Richard L. Simpson, of Maryland.
Charles T. Skoda, of Virginia.
Robert C. Stebbins, of New Mexico.
Wiliam H. Tienken, of Texas.
Charles J. Tighe, of New York.
William P. Vathis, of Pennsylvania.
Miss Mary Eileen Welch, of California.

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consular officers of the United States of America:

J. Wesley Adams, Jr., of Illinois.
Murray E. Jackson, of Illinois.
Valdemar N. L. Johnson, of Florida.
Alexander L. Peaslee, of Ohio.

For promotion from a Foreign Service officer of class 6 to class 5 and to be also a consular officer of the United States of America:

Richard C. Devine, of Connecticut.

For appointment as a Foreign Service officer of class 5, a consular officer, and a secretary in the diplomatic service of the United States of America:

Richard C. Graham, of Virginia.

For promotion from Foreign Service officers of class 7 to class 6:

Bruce A. Abt, of Massachusetts.
Harry C. Blaney III, of New York.
Philip C. Brown of Pennsylvania.
Weldon D. Burson, of Texas.
Richard E. Combs, Jr., of California.
Thomas M. Coony, of Connecticut.
F. Allen Harris, of Texas.
Richard J. Higgins, of Missouri.
John L. Hirsch, of New York.
Lars H. Hydle, of California.
John J. Maresca, of Connecticut.
Henry Young McCown, Jr., of Texas.
Joseph W. Moyle, of Minnesota.
David C. Norton, of Florida.
Peter P. Pease, of Ohio.
Robert A. Peck, of Iowa.
Donald L. Picard, of Minnesota.
David M. Ransom, of the District of Columbia.
William F. Schrage, of Illinois.
George A. Trail III, of Pennsylvania.
Paul V. Ward, of Florida.
Richard H. Williams, of Utah.
Joseph A. B. Winder, of Indiana.

For promotion from Foreign Service officers of class 7 to class 6 and to be also consular officers of the United States of America:

Conrad M. Drescher, of New York.
Brooke C. Holmes, of California.
Ira H. Levy, of Missouri.

James B. MacRae, Jr., of Pennsylvania.
Arnold E. Ogren, of California.
James H. Taylor, of California.
Miss Virginia L. Warfield, of California.

For promotion from Foreign Service officers of class 8 to class 7:

Miss Joan E. Brosius, of Massachusetts.
Kent V. Frank, of Illinois.
Charles W. Freeman, Jr., of Virginia.
Edward W. Gallagher, of New York.
Miss April Glaspie, of the District of Columbia.
Ralph D. Griffin II, of Missouri.
Michael J. Habib, of New York.
Michael M. Hornblow, of New York.
Howard L. McGowan, of Ohio.
Kevin J. McGuire, of New York.
Thoms W. Neely, Jr., of New York.
Robert S. Pace, of New York.
Edward W. Runden, of Illinois.
Carl D. Schultz III, of Maryland.
Seton Shanley, of New Jersey.
Miss Mary C. Smith, of California.
Clifton C. Stanley, Jr., of California.
Michael C. Stephen, of Ohio.
Larry C. Thompson, of Oklahoma.

For promotion from Foreign Service officers of class 8 to class 7 and to be also consular officers of the United States of America:

Terance C. Brennan, of the District of Columbia.
Malcolm Heaton Butler, of Texas.
Emil Castro, of New York.
Miss Victoria R. Cordova, of Washington.
William Ross Creach, of Missouri.
Thomas F. Gallagher, of New Jersey.
A. Lester Glad, of California.
Thomas C. Hubbard, of Alabama.
Hugh J. Ivory, of New York.
Miss Louise E. Kelleher, of Massachusetts.
Larrie D. Loehr, of California.
Miss Maureen E. Ryan, of Pennsylvania.
S. Dickson Tenney, of the District of Columbia.
Donald B. Westmore, of Washington.

For appointment as Foreign Service officers of class 7, consular officers, and secretaries in the diplomatic service of the United States of America:

Larry C. Grahl, of Ohio.
Miss Jo Ann McMahon, of Massachusetts.
Michael R. Milner, of California.
Miss Mary Rose Noberini, of New York.
John F. Richard, of Connecticut.
Richard E. Schwartz, of Missouri.
John Kendall Ward, of New York.
Louis B. Warren, Jr., of New Jersey.

For appointment as Foreign Service officers of class 8, consular officers, and secretaries in the diplomatic service of the United States of America:

Gary E. Chafin, of Texas.
Miss Mary E. Gawronski, of New York.
Miss Katherine Mary Kane, of the District of Columbia.
Stevenson McIlvaine, of Virginia.
Robert C. Myers, of Virginia.

Foreign Service Reserve officer to be a consular officer of the United States of America.

John H. Kenney, of the District of Columbia.

Foreign Service Reserve officers to be consular officers and secretaries in the diplomatic service of the United States of America.

Anthony Arnold, of Maryland.
Anthony J. Bartolomucci, of Virginia.
Thomas R. Baskett, of the District of Columbia.
John C. Beam, of the District of Columbia.
Charles F. Blackman, of Maryland.
Miss Patricia E. Connor, of Washington.
Paul K. Cook, of Virginia.
Peer de Silva, of California.
Morton F. Fosberg, of Maryland.
Kenneth R. Goodman, of Virginia.
John V. Hedberg, of Maryland.
Barnabas B. Hicks, of Florida.
George A. Hodges, Jr., of Massachusetts.
Leo G. Karpoff, of the District of Columbia.
William H. Keogh, of Maryland.
Alexander A. Klieforth, of Virginia
Paul J. Kritsky, of Pennsylvania.
Henry R. Langevin, Jr., of Virginia.
Francis S. Mason, Jr., of Florida.
James C. McIntosh, of Massachusetts.
Robert A. Riccio, of Rhode Island.
Robert N. Roth, of Maryland.
Nestor D. Sanchez, of New Mexico.
Roscoe N. Sandlin, Jr., of Texas.
Allan D. Silberman, of Maryland.
Stephen B. Tanner, of Texas.
Joseph L. Then, of Illinois.
Daniel K. Webster, of Virginia.
John W. Whiteley, of Virginia.
James J. Wickel, of Virginia.

Foreign Service staff officers to be consular officers of the United States of America:

Miss R. Maryetta Ackenbom, of the District of Columbia.
Chris T. Athos, of Florida.
Mrs. Emma D. Beiswenger, of Pennsylvania.
Mrs. Isela Bulnes Burget, of California.
Tommy J. Cates, of Florida.
Phillip M. Edwards, of South Dakota.
Serge N. Evanow, of Virginia.
Harold R. Grisser, of Missouri.
Steven A. Haukness, of North Dakota.
John R. Hofmann, of Ohio.
Walter B. Lockwood, Jr., of Connecticut.
Weldon W. Sandfort, of Arkansas.
Miss R. Ann Sheridan, of Iowa.
Miss Lois I. Shipp, of Ohio.
Daniel E. Zellmer, of Missouri.

CONFIRMATIONS

Executive nominations confirmed by the Senate, September 20, 1967:

INTERNATIONAL ATOMIC ENERGY AGENCY CONFERENCE REPRESENTATIVES

Glenn T. Seaborg, of California, to be the representative of the United States of America to the 11th session of the General Conference of the International Atomic Energy Agency.

The following-named persons to be alternate representatives of the United States of America to the 11th session of the General Conference of the International Atomic Energy Agency:

Verne B. Lewis, of Maryland.
Herman Pollack, of Maryland.
James T. Ramey, of Illinois.
Henry DeWolf Smyth, of New Jersey.
Gerald F. Tape, of Maryland.

EXTENSIONS OF REMARKS

Government and Business Can Cooperate

EXTENSION OF REMARKS
OF
HON. ROBERT N. C. NIX
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 20, 1967

Mr. NIX. Mr. Speaker, the National Postal Forum held in Washington last week was an outstanding example of cooperation between business and Government.

This unique 2-day meeting, sponsored and promoted by the Postal Service under the leadership of Postmaster General Larry O'Brien, brought together some 2,300 businessmen and postal officials from throughout the Nation.

There was a free and frank exchange of opinions and ideas on where the Postal Service now stands and what can be done to make it better serve the American people and the American business community.

The Postmaster General is to be commended for having the foresight and courage to schedule this unprecedented forum. And the mailers who attended in such great numbers are to be congratulated for spending their time and money to contribute to a meaningful dialog between Government and private enterprise. The mailers who came to the meeting paid all their own expenses and a registration fee to attend the sessions.

The Post Office Department arranged an outstanding program, and businesses, with an important stake in our mail delivery system, reciprocated by sending many of their top executives. Mailers and postal officials discussed a broad range of postal problems at the panel sessions which were the heart of the program.

The mailers attending the forum did not pull their punches. Where they have differences with the Post Office, they expressed them forthrightly, but in the spirit of constructive criticism.

In addition to meeting with local and national postal officials, the mailers had an opportunity to exchange views with members of the key House and Senate committees which deal with postal affairs. Members of the House and Senate Post Office Committees and Post Office Appropriations Subcommittees were on hand for a give-and-take question-and-answer session that I am sure proved extremely valuable to all concerned.

Vice President HUMPHREY provided a fitting climax to the forum with a speech urging American industry and business to commit the full scope of their talent and resources to wiping out the last vestiges of social and economic injustice in America.

As an example of effective business-government cooperation, the National Postal Forum has had few equals. And at the close of the forum Postmaster General O'Brien pledged that the recommendations which grew out of the panel sessions would be the basis for an immediate action agenda for the Post Office.

The Postmaster General also announced a nationwide drive starting immediately to double the membership in the Mail Users Councils located throughout the Nation. These councils, composed of local postal officials and mailers who make extensive use of the postal service, are the backbone of the Post Office's campaign to enlist the full support of its customers in improving mail delivery. A doubling of Mail Users Council membership could not help but result in more efficient and economical postal service for the entire Nation.

The Kee Report: Water Shortage

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 20, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a previous public service television and radio newscast, "The Kee Report."

The subject discussed in this report is the shortage of water and the measures that can be taken to augment the natural water supply.

This is Jim Kee— bringing you the Kee Report.

Recently, on this program, I discussed the warning that the worst famine in history is inevitable unless world food production is drastically increased in the next decade.

American agriculture can produce food in such abundance, it is hard for us to realize that in some countries, famine may be just around the corner. Yet food is already in short supply in more than fifty undeveloped nations and the need will increase as the population increases.

Next to the threat of nuclear war, the projected food scarcity has been described as mankind's greatest problem. But, there is another oncoming danger which must be given high priority. This new danger is the growing shortage of life-sustaining water over vast areas of the globe.

It may seem ironic in this age of scientific marvels, when men have conquered distant skies, that most members of the human race are worried about satisfying their need for nourishing food and safe drinking water. This is the grim reality.

A few months ago, you were privileged to see on your television screen the dreadful toll taken when the land loses its normal water table. You may recall the recent war in the Holy Land, which was waged over barren ground too parched to sustain even a blade of grass. However, much of this same land comprised the fertile acres so beautifully described in Sacred Scripture. Modern science has the know-how to make the desert bloom again if Arab and Israelites would cooperate in brotherly love, but, unfortunately that day seems far off.

The water shortage is closely tied in to the predicated food shortage. The first need of the war on hunger is to supplant primitive hoes and plows with modern farm machinery wherever possible. But the best equipment on earth will fail to do the job if the soil lacks sufficient moisture. After all, plants need water to survive the same as human beings.

Here, in southern West Virginia, there is no danger of a water famine although some communities need expanded facilities to meet growing needs. The problem takes on more serious proportions in other parts of our country. Until this year's adequate rainfall, the big industrial states along the Eastern Seaboard were plagued by a critical decrease in rainfall, which lasted for several years. The result was that many of the larger cities found their water reserves fast disappearing. Authorities assert that consumption in America will catch up with all existing facilities by 1980.

Can measures be taken to augment the natural water supply? Fortunately, yes. For centuries, men have dreamed of desalting the oceans to provide an abundant water supply for all human purposes. After years of experimentation, this has now become a reality. The City of Key West, Florida, recently dedicated the first municipal desalting plant in our country. The product is good and the cost bearable. But for most communities, especially those inland, the cost of obtaining desalted sea water is prohibitive. However, progress is also being made in finding a workable method to sterilize those ponds and streams which form the natural reservoirs of inland America. This is good news for those communities which have a water problem.

Thank you for listening.

Veterans Hospitalization Insurance Coverage

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 20, 1967

Mr. TEAGUE of Texas. Mr. Speaker, late in May the Committee on Veterans' Affairs, exercising its legislative oversight responsibilities, conducted a survey to determine to what extent veterans are covered by some form of prepaid health insurance. The survey involved veterans on the compensation and pension rolls and those paying the premium on their national service life insurance on a monthly basis. Some 32,955 questionnaires were sent to this randomly selected sample. Some 56 percent of the questionnaires were returned.

The committee is indebted to several individuals in the Veterans' Administration for the compilation of the data involved in this survey, but particularly to Mr. Bernard Kaufman, of the Department of Medicine and Surgery, who provided the analysis of the results of this survey which has been published as House committee print 98.

Under leave to extend my remarks I include two summary tables of this important survey:

SURVEY OF VETERANS HOSPITALIZATION INSURANCE COVERAGE—VETERANS ON COMPENSATION AND PENSION ROLLS BY SERVICE CONNECTION STATUS AND AGE, TOTAL

Item	Veterans							
			In hospital					
					Days			
	Total	Not in hospital	Number	Percent of total veterans	Number	Percent by type of hospital		
						VA	Military	Other
Number of veterans responding	18,312	14,202	4,110	22	178,224	75	5	21
Number responding having service-connected disabilities	11,847	9,390	2,457	21	9,535	75	3	22
Percent with service-connected disabilities	65	66	60	--------	--------	----	----	-----
Covered by hospitalization:								
Total	8,252	6,770	1,482	18	31,762	55	3	42
Less than 10 percent	19	14	5	26	70	34	----	66
10 percent	3,537	3,000	537	15	8,168	44	4	52
20 percent	1,198	993	205	17	3,532	49	1	50
30 percent	1,092	896	196	18	3,810	48	6	46
40 percent	601	486	115	19	1,786	42	3	56
50 percent	378	311	67	18	1,054	57	1	41
60 percent	310	237	73	24	1,859	69	4	28
70 percent	178	137	41	23	1,529	57	9	33
80 percent	96	78	18	19	565	19	----	81
90 percent	38	33	5	13	98	51	----	49
100 percent	313	209	104	33	6,175	80	1	19
Not stated	492	376	116	24	3,116	52	1	47
Not covered by hospitalization:								
Total	3,595	2,620	975	27	58,773	86	3	11
Less than 10 percent	6	5	1	17	333	100	----	-----
10 percent	893	707	185	21	6,997	80	8	12
20 percent	428	326	102	24	4,701	89	1	10
30 percent	456	346	110	24	4,089	86	2	12
40 percent	286	204	82	29	3,284	89	4	7
50 percent	196	143	53	27	2,402	91	1	7
60 percent	193	140	53	27	1,935	84	7	9
70 percent	93	69	24	26	599	76	4	20
80 percent	80	60	20	25	683	83	15	2
90 percent	25	23	2	8	1,143	13	----	87
100 percent	610	383	227	37	23,759	91	2	7
Not stated	329	214	115	35	8,848	83	2	15
Number responding not having service-connected disabilities	6,465	4,812	1,653	26	87,689	72	1	27
Age of veterans responding:								
Under 25	110	75	35	32	1,676	79	16	5
25 to 34	615	473	142	23	9,650	74	3	23
35 to 44	3,339	2,743	596	18	27,985	71	3	27
45 to 54	4,962	3,928	1,034	21	44,919	77	2	21
55 to 64	2,056	1,471	585	28	26,386	81	1	18
65 and over	7,020	5,335	1,685	24	65,534	69	2	29
65 to 74	4,995	3,835	1,160	23	41,157	67	2	32
75 and over	2,025	1,500	525	26	24,377	72	2	25
Not stated	210	177	33	16	2,074	73	0	26
Number of veterans indicating coverage under medicare	5,832	4,453	1,379	24	42,898	62	1	38
Percent covered, 65 and over	83	83	82	--------	65	----	----	----

SELECTED DATA ON HOSPITALIZATION INSURANCE COVERAGE, SURVEY BY STATE

State	Veterans responding			Percent covered by health insurance			Compensation and pension groups in hospital				
	Compensation and pension groups		NSLI group	Compensation group	Pension group	NSLI group	Percent of total responding	Days in hospital			
								Percent by type of hospital			Per veteran [1]
	Number	Percent						VA	Military	Other	
Total	18,312	56	2,782	70	63	94	22	75	5	21	49
Alabama	309	53	9	59	60	89	21	69	2	29	40
Alaska	11	39	---------	70	100	---------	9	100	---------	---------	10
Arizona	170	66	2	61	69	100	26	74	3	22	40
Arkansas	261	61	1	46	46	---------	28	82	2	17	45
California	1,641	63	4	68	65	75	22	65	1	34	54
Colorado	213	63	---------	69	68	---------	24	62	19	19	23
Connecticut	238	57	217	85	72	96	16	70	---------	30	52
Delaware	29	51	2	85	63	100	14	77	---------	23	41
District of Columbia	54	35	2	67	50	100	22	45	---------	55	21
Florida	773	67	28	64	72	93	25	62	3	35	41
Georgia	352	57	12	68	57	100	29	70	4	26	46
Hawaii	37	48	---------	79	75	---------	8	88	---------	12	34
Idaho	68	55	3	64	52	100	16	69	---------	31	51
Illinois	760	56	383	75	58	94	23	72	---------	28	55
Indiana	416	59	151	75	72	92	24	64	9	27	34
Iowa	244	59	74	73	63	86	23	84	---------	16	36
Kansas	219	60	---------	67	69	---------	22	57	---------	43	21
Kentucky	326	56	8	53	47	88	22	88	---------	12	42
Louisiana	309	58	2	56	54	100	23	92	---------	8	46
Maine	106	59	40	62	62	93	29	88	---------	12	63
Maryland	267	61	13	73	70	100	22	56	1	44	26
Massachusetts	725	55	421	80	72	95	19	63	2	35	43
Michigan	415	33	15	84	66	100	23	72	1	28	55
Minnesota	739	90	200	74	69	94	22	66	2	33	42
Mississippi	238	62	55	51	48	95	31	81	---------	19	61
Missouri	414	52	111	64	58	94	25	85	1	14	61
Montana	77	60	26	60	76	96	27	51	29	19	34
Nebraska	119	56	1	54	45	100	24	98	---------	2	58
Nevada	35	53	---------	61	58	---------	29	76	---------	24	51
New Hampshire	79	64	28	59	75	93	20	80	5	15	48
New Jersey	617	58	435	81	66	96	18	83	4	13	62
New Mexico	128	65	---------	58	41	---------	30	84	3	13	53
New York	1,570	54	177	78	68	95	19	73	1	26	53
North Carolina	385	57	9	61	52	100	22	74	4	21	56
North Dakota	54	61	15	78	65	100	13	67	---------	33	81
Ohio	949	55	23	81	70	100	19	66	---------	34	42
Oklahoma	303	59	1	58	49	100	26	79	---------	21	44
Oregon	236	65	1	61	65	100	25	88	---------	12	45
Pennsylvania	1,077	56	14	73	72	93	19	64	6	30	70
Rhode Island	118	53	46	73	61	89	14	86	---------	14	58
South Carolina	194	59	---------	65	50	---------	23	68	2	30	52
South Dakota	61	53	16	58	59	88	41	86	---------	14	32
Tennessee	346	54	13	60	51	100	24	73	10	17	54
Texas	963	55	1	63	59	100	25	86	---------	13	47
Utah	83	52	---------	80	56	---------	24	73	---------	27	18
Vermont	38	68	28	81	76	93	34	66	---------	34	33
Virginia	326	57	12	67	61	100	26	90	---------	10	74
Washington	316	63	1	71	63	100	24	72	---------	28	45
West Virginia	231	60	1	57	52	100	22	84	---------	16	50
Wisconsin	428	59	178	74	67	93	22	74	---------	26	31
Wyoming	29	56	---------	75	56	---------	21	93	---------	7	49
All other locations [2]	216	15	3	28	32	67	27	66	3	31	41

[1] Per veteran reporting number of days in hospital.

[2] Includes U.S. veterans in Puerto Rico, Guam, Virgin Islands, and all foreign countries.

Two-Week Tour of Southeast Asia

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 20, 1967

Mr. McCARTHY. Mr. Speaker, under leave to extend my remarks in the Record, I include the following articles:

Viet Election Is Complex Process—Each Voter Will Be Given 59 Ballots, Must Choose Seven

(Note.—Representative McCarthy, in Vietnam on a personal visit to observe the elections, is writing his reaction and assessment for The Buffalo Evening News.)

(By Richard D. McCarthy)

Saigon, August 31.—Nguyen Van Tuong is the man in charge of the mechanics of Sunday's presidential and legislative elections. His was the task of overseeing the printing of 460 million paper ballots. The job required the use of two thirds of this city's printing capacity.

The ballots were distributed between Aug. 8 and 21 to the 8000 polling places throughout South Vietnam. With 7.8 million persons registered to vote, there are that many paper ballots for each of the 59 presidential and senatorial slates.

Each ballot has the photograph and names of the candidate on that ticket along with their campaign symbol.

POLL WATCHERS PRESENT

Mr. Tuong, whose regular job is to supervise South Vietnam's 44 provincial and 234 district chiefs, must satisfy the 11 presidential and 48 senatorial slates that the elections are fairly and efficiently run.

Despite allegations of rigging, Mr. Tuong—a career civil servant—has not himself been charged with any wrongdoing.

At each of the polling places, the voting will be supervised by a committee of village notables. Poll watchers representing various slates also will be on hand.

When the prospective voter arrives at the polling station, he must show an identity card. Each voting card has four marked corners, one of which is torn off when the voter appears.

COUNTING TO BE ATTESTED

Each qualified voter will be handed 59 ballots and may put one presidential and six senatorial ballots into an urn.

The counting is done at the local polling place by the committee of notables. Observing will be poll watchers. A sworn statement attesting to the results is telephoned or radioed to the district, province and Saigon headquarters where the unofficial results will be announced.

After the elections, the sworn statement will be forwarded to district headquarters where the results will be counted and then relayed to provincial headquarters where the totals will be combined and sent on to the National Assembly by Sept. 10.

MECHANISM FOR COMPLAINTS

The final official results are expected to be announced by the Assembly on or before Oct. 3.

American officials here say experience indicates that irregularities are unlikely at the village level. There are too many rival factions looking on. The opportunities, they say, are greater at the district and provincial levels where corrupt officials could alter the village returns.

If a candidate believes there have been irregularities he can file a complaint with the Central Election Committee which is obliged to check it out and report its findings to the National Assembly on or before Sept. 25. The Assembly could order new elections wherever fraud was found.

(By Representative Richard D. McCarthy)

Can Tho, Vietnam, September 2.—Election zeal has reached a fever pitch throughout

South Vietnam. More than 80 per cent of the eligible voters are expected to vote tomorrow in the climax of the month-long campaign.

Blaring sound trucks, torch light parades, motorcades, rallies, speeches on radio and television and millions of campaign posters on every available inch of wall space assault the eyes and ears of the some six million eligible voters.

Although cannon fire thuds in the distance and flares illuminate the countryside at night as the war goes on, most of the people go blandly about their daily chores and seem ready and even anxious to vote. Few of them are willing to say how they will vote. The military ticket of Gens. Thieu and Ky was heavily favored at the outset of the campaign. Chinese gamblers in Saigon now rate their slate as only an even bet to win. Former Schoolteacher Tran Van Huong and President Phan Khac Suu of the Provisional Legislative Assembly seem to have gained strength.

The ending of censorship in July seems to this observer to have been a significant turning point in the electoral process here. When the people began to see that the ruling military junta was being freely and openly criticized, they began to believe that this election, unlike some previously held, would indeed be free and secret.

There is a widespread feeling that this will be the freest election in South Vietnam's history. But many persons are troubled by the barring of some candidates from the ballot and a much-publicized charge that some soldiers have been given more than one voting card.

Congressman Wolff and the writer today are interviewing voters and inspecting the election machinery here in the intensely green, rice-rich Delta region. Tomorrow we will observe the voting in Pleiku in the Central Highlands and in the northern city of Hue. We will wait for returns tomorrow night in Saigon.

On Friday evening we attended an election rally at Nguyen Hue and Le-loi in the heart of Saigon where we talked with candidates Tran Van Huong, Phan Khac Suu and the latter's vice presidential running mate, Harvard-educated Dr. Than Quang Dan. Dr. Dan said the campaign has been free and open but was less sanguine about the counting process. Peace candidate Truong Dinh Dzu blistered the Ky regime during the hectic and often uproarious session during which the public asked pointed questions of the candidates. Gens. Thieu and Ky failed to show up.

Observers were told the size of the crowd was cut out of fear that an extra large turnout might provoke a Viet Cong attack.

This morning, before flying here to Can Tho, Rep. Wolff and the writer interviewed Chief of State Thieu and last night questioned Mr. Huong at some length. Huong would like to see an end to war through negotiations between North and South without U.S. and other foreign participation. He does not envision the Viet Cong as a part of a future government. Thieu, however, says the Viet Cong could be a legal opposition party in two or three years.

In a private meeting Friday at the heavily fortified U.S. Embassy, U.S. Ambassador Ellsworth Bunker told Rep. Wolff and the writer that he sees the outcome of the election as having a favorable psychological effect on the prospects for peace. "A permanent, functioning government," he asserted, "would have a good psychological effect on Hanoi—indicating stability and permanence in a government with which they could deal.

"Here in the South," he continued, "it will have a good effect because there would be a government in which the people's rights would be respected and where they could integrate themselves into the economic and social framework of the nation." He emphatically rejected the charge that the elections are fraudulent.

Regarding the war, the Ambassador said he "sees a light at the end of the tunnel." He cited "steady but not spectacular progress" in the social, military and economic sides of the conflict and deplored any talk of a U.S. pullout at this time. He specifically cited the effect this would have on nations in the arc fronting Communist China including Japan, India, Burma, Australia, Thailand, and Laos.

In the meantime, the very heat of the elections rises with the temperature in this very hot and humid land. In the lush, teeming city of Saigon the election momentum is topped only by the incredible, uncontrolled movement of vehicles of every description. The exotic beauty of the people is challenged only slightly by the broad, tree-lined avenues and the handsome shuttered, stucco homes that proclaim the long French influence here.

(Because of cable delays, this article was not received by the Buffalo Evening News until September 4—too late for publication.)

Two-Week Tour of Southeast Asia

EXTENSION OF REMARKS
OF
HON. RICHARD D. McCARTHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 20, 1967

Mr. McCARTHY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following articles:

FEAR IN THE SHADOW OF RED CHINA—MANY ASIAN NATIONS FACE THREAT OF COMMUNIST SUBVERSION

(NOTE.—Representative MCCARTHY, in Southeast Asia on a personal visit to observe conditions there, is writing his reaction and assessment for the Buffalo Evening News.)

(By RICHARD D. MCCARTHY, Representative, 39th District)

NAKHON PHANOM, THAILAND, September 7.—While the world focus is on the big war in Vietnam, a "dirty little war" is going on here in northeast Thailand.

"One thousand Communist terrorists are operating in the forests of this remote area on the border of Laos," reports Norman B. Hannah, deputy chief of mission at the U.S. Embassy in Bangkok.

"Most of them were born there," said Mr. Hannah. "Some are of Chinese ancestry, trained in either North Vietnam or China, they are infiltrated back into their native land through Laos. While they get their ammunition and supplies from China, their political direction comes from North Vietnam."

AGRICULTURE IMPROVED

On Wednesday Rep. Lester L. Wolff of Great Neck, L.I., and I flew by helicopter from the city of Chiengmai to the primitive village of Huai Fuang in northwest Thailand 20 miles from Laos, 100 from China and 300 from Bangkok. There the Thai government, with U.S. aid, is seeking to win the allegiance of Yao mountain tribesmen.

A school, medical station and a road—all firsts—have recently been built by U.S. Navy Seabees with local help. Agricultural aid also is being stepped up to help the tribesmen improve their primitive, forest-destroying method of growing rice.

They also grow opium which, U.S. personnel say, is sold to remnants of the Chinese Nationalist army. The opium eventually finds its way to Hong Kong and other opium trade centers.

WIDESPREAD TERROR

On the return flight, we brought along a frightened expectant mother and her tribesman husband. The wife was experiencing difficulty in childbirth in her thatched-roof hut and the Americans, with the concurrence of the village chief, decided to take her to the hospital in Chiengmai.

Situations similar to the one in northern Thailand are developing across the wide arc that fronts on China.

In East Java, Indonesia, this week a hand grenade was thrown by terrorists into a soldier's home.

In northern Ceylon supporters of Red Chinese Chairman Mao are helping along a communal clash based on cast.

COULD TOPPLE HONG KONG

In Hong Kong, which Rep. Wolff and I visited last week, Red Guard terrorists Sunday killed a policeman and injured 28 civilians.

Guy Searls of the London Observer notes that China could topple Hong Kong in days or hours but holds back because Mao's thought "calls for all seizures of power to take place from below . . . political power cannot be imposed from above or from the outside. . . .

"What the Chinese claim to provide for the masses is the guidance of Mao's thought and help in the use of tactics," Mr. Searls explains.

"The first gesture," he continues, "is to create a feeling of hate for whatever is to be opposed."

Peking currently is calling on the people of Indonesia, Burma, and other nations to seize power.

SUPPORT FOR UNITED STATES

Edwin D. Reischauer, former U.S. ambassador to Japan, observes that many nations in the shadow of Communist China have expressed open or quiet support for the U.S. effort in Vietnam.

"Many of these countries," Mr. Reischauer writes in a magazine article, "are themselves unstable and either fear the sort of internal subversion that has torn South Vietnam apart or are apprehensive about the intentions of the great Red Chinese neighbor and suspicious of the loyalties of the sometimes sizable Chinese populations within their borders."

How some of these nations are responding to this situation will be the subject of a future article.

VOTE STRENGTH OF "WHITE DOVE" MAY HERALD PEACE TALKS IN VIET

(NOTE.—Representative MCCARTHY, who has been in Vietnam on a personal visit to observe the elections, is writing his reaction and assessment for the Buffalo Evening News.)

(By RICHARD D. MCCARTHY, Representative, 39th District)

SAIGON, September 5.—New peace initiatives are expected here soon in the aftermath of Monday's presidential election.

The big surprise was the strong showing of avowed peace candidates Truong Dinh Dzu who ran second to the military ticket of Gen. Nguyen Van Thieu and Nguyen Cao Ky.

Mr. Dzu, who ran on the "White Dove" ticket, said he would negotiate with the National Liberation Front as well as the North Vietnamese.

Rep. Wolff, of Long Island, and this writer met privately with both Gen. Thieu and Mr. Dzu on Saturday.

STRESSES LEGALITY

Gen. Thieu was sharply turned out in a gray suit, black silk tie and brightly polished black shoes when he greeted us in the plush red-carpeted receiving room adjacent to his office in the Presidential Palace.

The general, who said he would sever all connections with the military if he was elected, stressed the word "legality."

Speaking in English, the Chief of State emphasized that a free, fair and secret election in which some 80 per cent of the population was represented would bring a "legal government" into being.

Such a government, he said, could deal with the legal government of North Vietnam and other nations as well.

The National Liberation Front, he declared, "is not a legal government. It is a tool of Hanoi." He envisioned new international guarantees, standing behind agreements reached by the legal governments of North and South Vietnam.

WOULD "ATTACK PROBLEMS"

Alluding to the 1954 Geneva accords, Gen. Thieu said: "To bring an end to the war, the most practical solution is to settle on the 17th Parallel. Above that, they have what they want.

"After that, we could plan jointly for unification of the two Vietnams but first we would have to jointly attack problems like disease, poverty and illiteracy which plague both countries."

He estimated that it would take "five, 10 or even 15 years to unify Vietnam."

Regarding the Viet Cong, Gen. Thieu said: "The problem is to be strong enough to absorb the VC. We are not ready yet to accept the Communist Party." But he did envision a day "two to three years away" when the Viet Cong, if they laid down their arms, might organize a legal opposition party.

TALKS OF BOMBING PAUSE

Today, Gen. Thieu told the press: "I will talk to North Vietnam first and if I get a favorable response then I will talk to the Americans. I may then even ask for a cessation of the bombing of North Vietnam that may be longer than what I had previously suggested." He had earlier talked of a one week pause.

Mr. Dzu received us in his law office in downtown Saigon, and he also spoke in English.

"My people are seeking peace," Mr. Dzu told us. "I would talk with the NLF and Hanoi. The heart of the problem is the 145,000 men of the NLF. To talk with them doesn't mean you accept everything they say."

With tears in his eyes he talked of a trip to the U.S. to thank the mothers of U.S. dead and wounded who have "given so very much in our behalf."

NO HINT OF "RIGGING"

To some, the other big surprise in Monday's election was the strong showing made by the civilian candidates collectively. This tends to support the view that the election was, for the most part, fair, free and secret.

No instance of overt rigging was found by Rep. Wolff and the writer in several days in checking into the process. Saturday afternoon we flew in an Army helicopter to the Town of Phung Hiep in the Mekong Delta region.

The Viet Cong the preceding night had attacked a South Vietnamese outpost 300 yards from where we landed. Two men were killed and four wounded.

NARROW ESCAPE FROM VC SHELLS

Our talks with election officials and voters in their homes, on the streets and in sampans in the waterways, disclosed nothing that would indicate that the election would be anything but honest and secret.

As we were preparing to depart a U.S. Army major rushed up to say that the Viet Cong again were attacking the nearby outpost. Artillery shells aimed at the VC thudded under our helicopter as we flew up and over the scene of the encounter.

On Sunday a twin engine Army plane carried us up over the Central Highlands to the coast of the South China Sea and on to Da Nang. Smoke billowed from nearby Dong Ha as North Vietnamese gunners rained rocket and artillery shells on a U.S. Marine position in this critical, most northern area of South Vietnam.

IMPRESSIVE TURNOUT

Visits in polling places, during which we interviewed voters and election officials, uncovered no signs of rigging. The same was true later on inspection tours of voting on the story-book imperial city of Hue and the Montagnard stronghold of Pleiku.

Despite numerous incidents of Viet Cong terror, voters at all three cities turned out in impressive numbers and in a festive atmosphere to cast their ballots for president, vice president and senator.

FAMILIAR SITUATION

With so many civilians and military officials dependent on the Thieu-Ky regime for their jobs, it was obvious that many of these officials were working for the election of their patron.

But this is a situation familiar to every U.S. President, governor, mayor and country excutive who enjoys the advantage of incumbency and patronage.

One leaves here with satisfaction that the U.S. has realized one of its chief aims in South Vietnam—self-determination for its people and profound respect for the dedicated and courageous Americans here and the stolidly brave South Vietnamese who voted at the risk of being shot, bombed or knifed.

Main Street: Hope for Our Cities

EXTENSION OF REMARKS

OF

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 20, 1967

Mr. POAGE. Mr. Speaker, it is immensely gratifying to me that powerful voices are being heard on the role main street U.S.A. and rural America generally can, and must, play in rescuing our cities.

On April 16, in an address at Louisville before a group of Kentucky bankers, I urged a "Main Street Crusade."

On Monday, September 18, Secretary of Agriculture Orville L. Freeman spoke to the National Association of County Agricultural Agents in Omaha, saying:

> It is my opinion that Main Street and the farm—I call it town and country—hold the key to the destiny of this Nation. Today this is what I want to review with you. I want to discuss a worsening situation that threatens the very foundation of American life and institutions. I refer to the suicide road we have been traveling for the last 20 years as we have dumped 20 million Americans into the great cities from the countryside. If we permit this trend to continue, if we fail to use space in the countryside to make a place for the 100 million more people, at a minimum, who will inhabit this Nation by the year 2000, we will be committing national suicide.
>
> This may well be in the long run our greatest national challenges, and our greatest national threat.

I have just read an editorial from the Memphis Commercial Appeal in which that great newspaper mentions three groups who now are expressing themselves on rural-urban relationship. These are: First, Republican Party leadership; second, National Rural Electric Cooperative Association, representing local electric associations serving millions of rural people; and third, Farm Journal, one of the Nation's largest farm magazines.

Mr. Speaker, in the thought that what I had to say may be helpful to those who may find hope for the cities through development of Main Street and rural America, and with the permission of the House, I submit for printing in the CONGRESSIONAL RECORD a press summary of the remarks I made in Louisville. It may not be 100-percent accurate as the speech was made without script, but it does reflect my general thought. The summary follows:

POAGE URGES MAIN STREET CRUSADE

LOUISVILLE, KY., April 16.—Congressman W. R. (Bob) Poage of Texas, Chairman of the Committee on Agriculture, U.S. House of Representatives, advised bankers tonight to "invest in Rural America, for your own self-interest—and to halt and reverse, the crowding and packing of our people in city slums and ghettos."

"I urge the bankers of America to lead a Main Street U.S.A. crusade," he said. "America desperately needs this. And your investments in Main Street will return profits to you."

Poage addressed an Agricultural Credit Conference of the Kentucky Bankers Association.

"Many of our cities," he said, "have become centers of revolt against law and order. Some areas are on the verge of anarchy. Crime is escalating at an alarming and dangerous pace. It is unsafe to walk the streets. This Nation confronts a moral and a spiritual crisis."

The Texan then declared:

"This crisis will never be met by a coercive manipulation of our people from Washington. The Federal Government, spending billions on handouts, never can bribe the criminal and the malcontent into obedience of the law. Our Government actually encourages lawlessness by pampering the lawless.

"The time has come—for swift and unequivocal action—to let every person know he is accountable to his fellowman, that society rewards the worthy and there is certain punishment for every crime against another person or his property.

"And I think the time has come—for the long run—to look questioningly at the crowding of our people into cities, and to direct our attention again to Main Street U.S.A., and to our great expenses of rural areas, the original source from which flowed the fundamental values on which this great nation was founded."

Mr. Poage commended the Kentucky bankers for organizing the conference on agricultural credit.

"It is heartening and encouraging to me," he said, "that you bankers are aware of the importance of agriculture to the business you are in, to the general economic well-being of the nation. I am here today to stress that beyond these considerations in the prosperity of agriculture and the economic revival of our Main Street towns may lie the beginning of the recovery of our cities from the ills, the sickness, that besets them."

Mr. Poage observed that few people seem to realize the impact that conditions in agriculture have had upon our cities in the last 15 to 20 years.

"During this time," he said, "the number of farms has decreased from 6 million to around 3 million. The farm population has diminished from 25 million in 1947 to less than 12 million today. The mechanization of agriculture and poor farm income, especially in the 1950's, was largely responsible.

"Millions of people have been forced from the land and crowded into cities. Many Main Street towns have deteriorated, some have become ghost towns, aggravating the migration from rural America. Many cities actually have worsened their problems by establishing various 'relief' and handout programs that, while aiding many worthy people, drew into the packed urban areas millions who had no hope or expectation of becoming self-sustaining. Slums have been created where people can exist on handouts without working. Self-reliance to a large measure has been stifled. Idleness and agitation have bred and provoked such a wave of depravity and lawlessness as the Nation has never known before."

Poage told the bankers: "Something's got to be done."

"I'm thinking of rural America, Main Street America—not our impacted cities," he said, "as a place for people to live—to grow in spirit, to become self-reliant, to respect the law, and to be happy.

"Of course many things will be involved in curing the sickness of our cities and of our Nation. The revival and spread of the worship of God, of course, tops the list. Next I would place emphasis upon the integrity of family life, which seems to have waned in this country. Then we must instill in great numbers of our people, especially in the slums, the dignity and pride of self-reliance. We must make opportunity for self-reliance and ambition. Harshly, but unavoidably, we must deny the benefits of our Society to those who can but will not work. We must provide certain and exact punishment for those who scorn honest labor and turn to crime.

"Today I am urging upon you the thought that our total problem will be lighter if we place great—greater than before—emphasis upon revitalizing Rural America.

"This means:

"1. Good income for the people who produce our food and fiber.

"2. The establishment of industry, according to the traditional free enterprise principle, in thousands of Main Street communities."

The Congressional farm leader reviewed the farm income situation. He emphasized that 11 consecutive years of farm prices at or above parity, from 1942 through 1952, under the old production and price stabilization program, enabled farmers through their own income to finance a mechanized and scientific agriculture that brought food abundance to this nation that has been shared by hungry people throughout the Free World. He pointed to the general deterioration of farm income during the middle and late 1950's when farm production and price support programs were relaxed. He noted the recovery of prices which began in 1961.

"But now," he said, "in this year 1967, we are on the edge of another farm depression. Farm prices in March and April were at 74 percent of parity. In only one other month since 1934 have prices received by farmers for what they produce been so low in relation to the prices they must pay for the machinery, fertilizer and other materials they must have to make crops, grow livestock and live on the farm. Farm prices have dropped by 8 percent since last August.

"On top of this the minimum wage law is being applied to agriculture for the first time in 1967.

"Low prices and higher labor costs no doubt will bring about greater mechanization in agriculture. I fear that many thousands more people will migrate from our farms to the cities."

Poage urged bankers throughout the country to insist upon policies to assure fair income for agriculture.

"Obviously, this is to your own self-interest. It is important to the general well-being of the economy of our country. It is especially vital to our cities."

Then he urged the bankers to give their attention especially to encouraging and financing industry in Main Street towns.

He concluded:

"Good farm income and humming small industries in our towns and villages will hold people in Rural America. It will stop and reverse the flow of people into our impacted and slum-ridden cities. This nation today is face to face with a crisis, in the identification and selection of values that will shape the spiritual, social and economic order in all the years ahead. I am convinced that a revitalization of Rural America can be our best investment to meet this crisis. I am convinced that more voices should be raised from our countryside, from Main Street U.S.A., in the councils of government in Washington.

"Nobody can be more important in all this than you bankers. The job ahead is not to be accomplished by superimposed programs from Washington. The Government can help by establishing policies, especially with respect to farm production and prices, that are essential. But the real job is in the states, in the towns and on the farms—in private enterprise.

"I've always thought that bankers, through their loan policies and their leadership, could accomplish almost anything. There is a great challenge and great opportunities here for you. I pledge myself to work with you in every way in such undertakings."

Two-Week Tour of Southeast Asia

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 20, 1967

Mr. McCARTHY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following articles:

LAOS: NOW A LAND OF INTRIGUE AMID FURY OF WAR AND POLITICS—DIPLOMATS OF ALL SIDES MIX FREELY IN "SWITZERLAND" OF VIETNAM CONFLICT

(NOTE.—Representative MCCARTHY, in Southeast Asia on a personal visit to observe conditions there, is writing his reaction and assessment for the Buffalo Evening News.)

(By RICHARD D. MCCARTHY, Representative, 39th District)

VIENTIANE, LAOS, September 13.—The round of diplomatic functions is a bore in some capitals. Not here. A typical cocktail party will include representatives of the United States, the Soviet Union, Communist China, North and South Vietnam.

The French, particularly, take delight in mixing these disparate elements—especially the stiff and remote Chinese—at a single function.

Laos is the Switzerland of the Vietnam war—only more so. There is more intrigue and strange goings on at this Asian listening post than in possibly any other nation in the world.

The Geneva Accords of 1962 called for a neutral Laos. They also called for the removal of all foreign troops from this land-locked nation of 2,500,000, bounded by North and South Vietnam, China, Cambodia, Burma and Thailand. It is primitive land where ducks, chickens and water buffalo roam the roads to the despair of the few drivers.

SHIFTS ALLEGIANCE

Prince Souvanna Phouma, the durable neutralist prime minister, co-operated with the Russians up to and after the Kennedy-Khrushchev Vienna summit meeting, which headed off a possible U.S.-U.S.S.R. confrontation over Laos.

When the North Vietnamese refuse to withdraw from Laos as the other nations did, Souvanna protested to the International Control Commission, which is composed of representatives of India, Canada and Poland. The ICC is headquartered here.

When this move produced no results, he shifted his allegiance to rightist forces loyal to the shaky throne. Communist cabinet members promptly withdrew from the government. (Souvanna has left their seats vacant.)

Unable to confirm the exact extent of infiltration into Laos, Souvanna asked the U.S. to photograph North Vietnamese activities from the air and granted permission for the airplanes to fire back if fired upon. These resulted in the recent new reports that the U.S. has bombed Laos.

MEETS WITH MINISTERS

An estimated 25,000 Vietnamese continue to hold much territory in Laos. In the north, they hold the key Plain of Jars and two full provinces. In the south, they control the Ho Chi Minh trail, the key route for re-supplying Viet Cong and North Vietnamese forces in South Vietnam. But several of the previously dissident Lao factions have united against them.

Rep. Lester L. Wolff (D., Great Neck) and the writer met with two Lao cabinet ministers at the home of the U.S. aid director, Joseph Mendenhall, on the banks of the Mekong River overlooking Thailand. Then we flew by helicopter into the rugged mountains of northern Laos to meet Gen. Vang Pao, the undisputed chief of 250,000 Meo tribesmen. Proud and independent descendants of itinerant Mongolians, the Meos supported by the Lao air force, are fighting to recapture mountain territory, which they have occupied for centuries, from the North Vietnamese.

AMERICAN MURDERED

This year the Lao government, with U.S. assistance, will re-locate some 40,000 Meo and Lao refugees to bring the total resettled to 300,000. The U.S. has also provided food and helped the Meos build roads, schools and medical facilities—all firsts for this primitive but proud people.

Next we flew south to meet Col. Somphet Sotsavan, who recently ousted Gen. Kong Ly to gain leadership of the 10,000 neutralist armed forces. Using arms, including Russian artillery, obtained in the pro-Russian days, the neutralists are engaged in a fight with the Communist Phathet Lao which recently stepped up its incursions into the countryside.

Ten days ago the Pathet Laos murdered a Lao rural development leader who had organized a tractor co-operative. Earlier they murdered an American Volunteer Service worker—a conscientious objector to the U.S. Draft—and two Lao workmen on a U.S.-sponsored road building project.

MAKE LITTLE HEADWAY

Despite deep unease over the terror among unarmed American civilians, the U.S.—under Mr. Mendenhall's energetic leadership—has a very effective program under way of school and road building, teacher training and agricultural assistance.

With a new U.S.-built road into Vientiane, farmers are able to transport their crops into the swarming, sociable morning market. We visited several promising "self-help" projects including one which, with the use of new seeds, fertilizer and irrigation, can double and even quadruple rice production.

Despite increased efforts, the Pathet Lao is making little headway. The reason seems obvious to the dedicated and hard-working civilians here, who say: "They can point to negative aspects of the Lao government. But they offer only terror and vague promises about the future. They have no positive, practical program for improvements as we do."

McCarthy Sees Hope for Early Settlement of War in Vietnam—Turmoil in China To Have Big Effect on All Asia and May Speed Pressure on Hanoi

(By Richard D. McCarthy)

Hong Kong, September 12 (delayed).—The favorite game in this bustling and troubled enclave is "China watching."

And what do the China watchers watch?

Turmoil bordering on anarchy inside a nation with nuclear weapons.

A seemingly senile Mao Tse-tung locked in a desperate internal encounter with his opponents.

A nation of more than 700 million people exporting subversion and terror to more than a dozen nations. There even have been reports here that Mao is trying this tactic on his Soviet neighbors.

All of which is having a profound effect on both the Communist and non-Communist worlds.

FORGING STRONG CHAIN

Leonid Brezhnev, the Soviet Communist Party chief, has condemned the "inhuman repression and fanaticism of the Red Guards' terror" in China. He charged that Mao is replacing Marxism-Leninism with adventurism and asserted that Mao "could no longer be called a communist." He said the Soviets will hail the victory of those resisting Mao's leadership.

Non-communist Asia is reacting to the thunder out of China with a burst of unparalleled energy. For the first time in history, the nations in China's shadow are working together to forge a regional chain strong enough to withstand the pressure from the Sino giant.

REGIONAL PLAN DRAFTED

Last week delegates from Thailand, Indonesia, Brunei, the Philippines, Singapore, Laos, Malaysia and South Vietnam met in Kuala Lumpur.

They agreed to launch 90 regional air, rail, road, marine and telecommunications projects. Japan, the undisputed industrial and economic leader of non-Communist Asia, will provide the necessary technical assistance.

In Thailand last week, delegates from the same countries convened to draft a regional plan for manpower development and educational planning.

Individually, Asian countries—several with U.S. financial aid—are moving to counter Communist subversion and guerrilla warfare with "revolutionary development programs."

ASIAN HELP STRONG

Thailand will devote 60 per cent of a sharply increased budget next year to rural and national development programs.

Militarily, the nations of Asia are providing more help in Vietnam than many Americans realize. South Vietnam has 154 battalions in the field. The U.S. has 84, South Korea, with 46,000 men on duty, is third.

Thailand, this observer learned, will soon increase its combat force in Vietnam. The Thais also permit the U.S. to launch 70 per cent of its air strikes against Vietnam from six Thai air bases.

SOVIET CONCERNED OVER CHINA

The convulsions inside China have a direct bearing on the prospects for peace in Vietnam. Highly placed U.S. diplomats in Asia believe that while North Vietnam and China may not wish to terminate the conflict, the Russians might.

One U.S. ambassador put it to the writer this way: "The Soviets are deeply concerned over what's happening in China. At home, they have serious farm problems.

They hardly have enough ships to keep up with their requirements and they have financial problems with their East European allies.

"The Vietnam war is a major strain on them. They would like to redirect spending to other areas."

U.S. ROLE TO REMAIN BIG

Another U.S. diplomat, a charge d'affaires, described the situation as follows:

"The Russians have a lot of fish they'd like to fry with us. They have got to settle this war. The Chinese don't want it settled.

"But if North Vietnam does go to the conference table at Soviet urging, the Russians probably will have to pick up the billion dollar tab to repair North Vitnamese war damages."

If peace comes to Vietnam—and the observer believes it's blowing that way—one still leaves Asia with the grim realization that the United States will be expected to continue to carry the mantle of leadership in this part of the world.

U.S. PROBLEM CITED

A response to this argument came last week from a high American official at a meeting of leading Thai citizens:

"We Americans," he said, admire your determination to preserve the independence which you struggled for a thousand years to maintain. We will help you. But you must understand that back home in the cities of America, we have grave problems of our own that must be solved promptly.

"So we welcome the many signs of increasing regional strength here in Asia and look forward to the day when you will be militarily, economically and politically strong enough to shoulder the bulk of the burden yourselves."